

City of Port Colborne Council Meeting Agenda

Date: Tuesday, April 12, 2022
Time: 6:30 pm
Location: Council Chambers, 3rd Floor, City Hall
 66 Charlotte Street, Port Colborne

	Pages
1. Call to Order	
2. National Anthem	
3. Land Acknowledgment	
4. Proclamations	
4.1. National Day of Mourning - April 28, 2022	1
5. Adoption of Agenda	
6. Disclosures of Interest	
7. Approval of Minutes	
7.1. Regular Meeting of Council - March 22, 2022	4
8. Staff Reports	
8.1. Architectural and Engineering Design Services for the Waterfront Centre, 2022-63	16
8.2. Recommendation Report for Official Plan and Zoning By-law Amendment at 54 George St., Files D09-03-21 and D14-15-21, 2022-71	23
8.3. Recommendation Report for Site Plan Control Application D11-01-22, North Side of Killaly Street East, 2022-68	155
8.4. Ontario Land Tribunal Information Report, 2022-69	176
8.5. Election Sign By-law – 2022-74	214

8.6.	Heritage Report for Proposed Alterations at 1001 Firelane 1, 2022-72	228
8.7.	Proposed Stop up and Close By-law for Borden Avenue Road Allowance, 2022-34	250
8.8.	Update on Inflow and Infiltration Activities, 2022-65	256
8.9.	AMO-LAS Water & Sewer Warranty Program, 2022-64	262

9. Correspondence Items

9.1.	Niagara Region - Motion respecting Safety and Security of Staff and Elected Officials	277
9.2.	Niagara Region - Niagara Official Plan - Notice of Open House and Public Meeting	278
9.3.	Niagara Region - Niagara Official Plan - Preferred Urban Settlement Area Recommendations	279
9.4.	Niagara Region - Regional Transitional Incentive Timelines	355
9.5.	CN Rail - CN Right-of-Way Vegetation Control Notice	385
9.6.	MTO - Detail Design of the Replacement of 33 Non-Structural Culverts	393
9.7.	Ministry of Municipal Affairs and Housing - Phase 2 Consultation on Growing the Greenbelt	395
9.8.	Ministry of Municipal Affairs and Housing - More Homes for Everyone Plan	399
9.9.	Town of The Blue Mountains - Ontario Housing Affordability Task Force Report	402
9.10.	City of Barrie, Municipality of Mississippi Mills and Town of Bracebridge - Request to the Province of Ontario for a Plan of Action to Address Joint and Several Liability	445
9.11.	Town of Halton Hills - Request for Endorsement - Moratorium on New Gravel Mining Approvals in Ontario	449
9.12.	City of Cambridge - Request to Impose a Moratorium on all new Gravel Applications	456
9.13.	County of Simcoe Regional Government Review Service Delivery Task Force - Fire Services	458

10. Presentations

11. Delegations

This meeting will be conducted virtually. Anyone wishing to speak to Council is asked to submit a written delegation that will be circulated to Council prior to the meeting. Written delegations will be accepted until noon the day of the meeting by emailing deputyclerk@portcolborne.ca or submitting a hard copy in the after-hours drop box in front of City Hall, 66 Charlotte Street, Port Colborne. Written delegations accepted after this time will be circulated with the minutes and included as public record.

12. Mayor's Report

13. Regional Councillor's Report

14. Staff Remarks

15. Councillors' Remarks

16. Consideration of Items Requiring Separate Discussion

17. Motions

18. Notice of Motions

19. Minutes of Boards & Committees

19.1.	Active Transportation Advisory Committee Minutes, September 28, 2021	464
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19.2.	Senior Advisory Council Minutes, January 16, 2020, September 9, 2021 and October 14, 2021	467
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19.3.	Port Colborne Environmental Advisory Committee - Annual Report	475
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20. By-laws

20.1.	By-law to Adopt Amendment No. 10 to the Official Plan for the City of Port Colborne Respecting 54 George Street	477
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20.2.	By-law to Amend Zoning By-law 6575/30/18 Respecting 54 George Street	485
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20.3.	By-Law to Regulate Election Signs in the City of Port Colborne	488
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20.4.	By-law to Stop Up and Close Part of the Road Allowance between Lots 15 and 16 on Plan 10, and Lots 23 and 24 on Plan 33 between Steele Street and Knoll Street	496
20.5.	By-law to Authorize Entering into a Contract Agreement with Service Line Warranties of Canada, Inc. to offer the Water and Sewer Warranty Program to City of Port Colborne Residents	497
20.6.	By-law to Adopt, Ratify and Confirm the Proceedings of the Council of The Corporation of the City of Port Colborne	504

21. Confidential Items

Confidential reports will be distributed under separate cover. Items may require a closed meeting in accordance with the Municipal Act, 2001.

22. Procedural Motions

23. Information items

24. Adjournment

Niagara Regional Labour Council

April 4, 2022

Mayor William C. Steele

66 Charlotte Street

Port Colborne, Ontario

L3K 3C8

Dear Mayor Steele:

On April 28th, the Niagara Regional Labour Council will observe the National Day of Mourning to remember those who have suffered and died on the job. As we remember those who have died in workplace catastrophes, those who have been exposed to toxic substances and those who have been injured due to dangerous work conditions, we rededicate ourselves to fight for safe workplaces.

Therefore, as we approach April 28th, we are requesting that the City Council consider and issue a Proclamation with respect to the "National Day of Mourning".

We are also requesting that all flags be flown at HALF-MAST at City Hall on the 28th. As we remember those who have been injured and killed, we must renew our fight for the living and we must organize and mobilize for safe jobs.

Thank you in advance.

In Solidarity,

Lou Ann Binning

President

Niagara Regional Labour Council

PO Box 42, Thorold, Ontario. L2V 3Y7

National Day of Mourning

April 28, 2022

WHEREAS the National Day of Mourning has been recognized since April 28, 1991;
and

WHEREAS on April 28, workers, families, employers and others come together at events held around the province to remember those who have lost their lives on the job, and to renew our commitment to creating safer workplaces; and

WHEREAS, according to the Canadian Centre for Occupational Health and Safety, in 2019 there were 925 workplace fatalities recorded, of which 882 were male workers and 43 were female workers. Among those deaths were 29 workers aged 15-24; and

WHEREAS the National Day of Mourning has since spread to about 100 countries around the world; and

AND THAT the Council of the city of _____ **hereby proclaims April 28, 2022 as National Day of Mourning in the** city of _____.

DATED AT the city of _____ on the _____ day of April, 2022.



April 12, 2022

Moved by Councillor
Seconded by Councillor

WHEREAS the National Day of Mourning has been recognized since April 28, 1991; and

WHEREAS on April 28, workers, families, employers and others come together at events held around the province to remember those who have lost their lives on the job, and to renew our commitment to creating safer workplaces; and

WHEREAS according to the Canadian Centre for Occupational Health and Safety, in 2019 there were 925 workplace fatalities recorded, of which 882 were male workers and 43 were female workers. Among those deaths were 29 workers aged 15-24; and

WHEREAS the National Day of Mourning has since spread to about 100 countries around the world; and

NOW THEREFORE I, Mayor William C. Steele, do hereby proclaim April 28, 2022 as **National Day of Mourning** in the City of Port Colborne.

William C. Steele
Mayor

City of Port Colborne
Council Meeting Minutes

Date: Tuesday, March 22, 2022
Time: 6:30 pm
Location: Council Chambers, 3rd Floor, City Hall
66 Charlotte Street, Port Colborne

Members Present: M. Bagu, Councillor
E. Beauregard, Councillor
R. Bodner, Councillor
G. Bruno, Councillor
F. Danch, Councillor
A. Desmarais, Councillor
D. Kalailieff, Councillor
W. Steele, Mayor (presiding officer)
H. Wells, Councillor

Staff Present: S. Luey, Chief Administrative Officer
C. Madden, Deputy Clerk (minutes)
B. Boles, Director of Corporate Services/Treasurer
C. Kalimootoo, Director of Public Works
S. Lawson, Fire Chief
N. Rubli, Acting City Clerk
S. Tufail, Acting Deputy Clerk

1. Call to Order

Mayor Steele called the meeting to order.

2. National Anthem

3. Land Acknowledgment

4. Proclamations

4.1 Year of the Garden 2022

Moved by Councillor E. Beauregard
Seconded by Councillor A. Desmarais

That 2022 be proclaimed as the Year of the Garden, in the City of Port Colborne. In celebration of the contribution of gardens and gardening to the development of our country, our municipality and the lives of our citizens in terms of health, quality of life and environmental challenges;

That the Saturday before Father's Day, June 18 in 2022, be recognized as Garden Day in the City of Port Colborne as a legacy of Canada's Year of the Garden 2022; and

That the City of Port Colborne is committed to be a Garden Friendly City supporting the development of its garden culture; and

That all municipalities across Canada be invited to proclaim 2022 to be the Year of the Garden in their respective municipalities, and that a copy of this resolution be provided to all municipalities of Ontario, for that purpose.

Carried

4.2 World Autism Awareness Day, April 2, 2022

Moved by Councillor E. Beauregard
Seconded by Councillor A. Desmarais

That April 2, 2022 be proclaimed as World Autism Awareness Day in the City of Port Colborne.

Carried

5. Adoption of Agenda

Moved by Councillor H. Wells
Seconded by Councillor R. Bodner

That the agenda dated March 22, 2022 be confirmed, as circulated or as amended.

Carried

6. Disclosures of Interest

6.1 Councillor R. Bodner - Municipal Accommodation Tax, 2022-48

The Councillor has declared a direct pecuniary interest as he has a business inside of Sherkston Shores Resort.

6.2 Councillor E. Beauregard - Gateway CIP Application 1338277 Ontario Inc. located at 72 Killaly Street, 2022-33

The Councillor has an indirect pecuniary interest as he is employed by Upper Canada Consultants which are the consultants who work on this property.

7. Approval of Minutes

Moved by Councillor F. Danch

Seconded by Councillor G. Bruno

1. That the minutes of the Regular Meeting of Council held on March 8, 2022, be approved as circulated.
2. That the minutes of the Public Meeting held on March 15, 2022, be approved as circulated.

Carried

7.1 Regular Meeting of Council - March 8, 2022

7.2 Public Meeting - March 15, 2022

8. Staff Reports

Moved by Councillor D. Kalailieff

Seconded by Councillor M. Bagu

That items 8.1 to 8.3 be approved, and the recommendations contained therein be adopted.

Carried

8.1 Strategic Plan – Quarterly Update, 2022-50

That Chief Administrative Office Report 2022-50 be received for information.

8.2 Rural Economic Development Program – Transfer Agreement, 2022-61

That Chief Administrative Office Report 2022-61 be received; and

That Council approve the Transfer Agreement in Appendix A between The Corporation of the City of Port Colborne and the Ontario Ministry of Agriculture, Food and Rural Affairs for funding from the Rural Economic Development Program; and

That a by-law to enter into the Transfer Agreement with the provincial government be brought forward.

8.3 Designate Alternate Community Emergency Management Coordinator (CEMC), 2022-62

That the Development and Legislative Services Department Report 2022-62 be received;

That the City's Emergency Management Program be updated to include the Manager of Road and Park Operations as an alternate Community Emergency Management Coordinator (CEMC); and

That a by-law be brought forward for Council approval.

9. Correspondence Items

Moved by Councillor D. Kalailieff

Seconded by Councillor M. Bagu

That items 9.1 to 9.8 be received for information.

Carried

9.1 Town of Fort Erie - Support City of St. Catharines regarding CHPI Funding Shortfalls (Community Homelessness Prevention Initiative)

9.2 Niagara Peninsula Conservation Authority - Annual General Meeting Highlights, February 18, 2022

9.3 Municipality of South Huron - Firefighter Certification

9.4 Township of Woolwich - Mental Health Supports

9.5 Town of South Bruce Peninsula - Municipal Accommodation Tax and Crown Campgrounds

9.6 Ministry of Northern Development, Mines, Natural Resources and Forestry - Seeking Input About the Use of Floating Accommodations on Waterways Over Ontario's Public Lands

9.7 Township of Puslinch - Funding Support for Infrastructure Projects - Bridge/Culvert Replacements in Rural Municipalities

9.8 Ontario Stone, Sand & Gravel Association - Discovering the Truth About Stone, Sand and Gravel

10. Presentations

11. Delegations

12. Mayor's Report

A copy of the Mayor's Report is attached.

13. Regional Councillor's Report

Regional Councillor Butters provided an update to City Council.

14. Staff Remarks

14.1 In-Person Council Meetings (Luey)

The Chief Administrative Officer advised Council and of the public of City's plan to return to in-person Council meetings starting April 26th, 2022.

14.2 Salt Dome (Kalimootoo)

The Director of Public Works advised Council that the contractor will be finishing the repairs for the salt dome by the end of the week.

14.3 Street Sweeping (Kalimootoo)

The Director of Public Works informed Council that the street sweeping has begun in the downtown core and once completed, staff will move along to the City's primary roads.

14.4 Bids and Tenders Website (Kalimootoo)

The Director of Public Works advised Council of the launch of the new bids and tenders website.

14.5 Lion's Field (Kalimootoo)

The Director of Public Works notified Council of the installment of the new outfield fencing in conjunction with the Lion's Club and project completion is set for the end of May.

14.6 Roof Repairs at Vale Health and Wellness Centre (Kalimootoo)

The Director of Public Works provided an update to Council in regards to the roof repairs taking place at the Vale Health and Wellness Centre.

14.7 Year-End Surplus Report (Boles)

The Director of Corporate Services/Treasurer advised Council that the year-end surplus report will be brought forward at the next regulars Council Meeting.

14.8 Boat Ramp (Boles)

The Director of Corporate Services/Treasurer notified Council of a sand mound that has built up at the entrance of the City's boat ramp and that the water levels are lower than past years. Director Boles further reported that staff are monitoring and addressing the issue.

15. Councillors' Remarks

15.1 Age Friendly Niagara Committee (Desmarais)

Councillor Desmarais advised Council of the Age Friendly Niagara Committee that provides information on various services available to seniors in the Niagara Region.

15.2 Pot Holes at H.H. Knoll Park (Bagu)

Councillor Bagu informed Council that he brought forward the information regarding pot holes at H.H. Knoll Park to the attention of the Director of Public Works.

15.3 In-Person Board and Committee Meetings (Bagu)

In response to Councillor Bagu's inquiry, the Chief Administrative Officer confirmed that the Board and Committee Meetings can be held in person as of May 1st 2022.

15.4 Streetlight Repair (Danch)

In response to Councillor Danch's inquiry regarding a streetlight in disrepair on West Street, the Director of Public Works confirmed that he would investigate.

15.5 Cruise Ship Update (Bruno)

In response to Councillor's Bruno request for an update on the cruise ship initiative, the Manager of Strategic initiatives indicated that an information session will be held with the local business community in the near future.

15.6 New Sign at the Vale Health and Wellness Centre (Bruno)

Councillor Bruno expressed appreciation towards staff for the installation of the new sign at the Vale Health and Wellness Centre.

15.7 Increase Niagara Regional Police presence near Highway 58 and Main Street West (Bruno)

In response to Councillor Bruno's request to have an increased Niagara Regional Police presence near Highway 58 and Main Street West to address reported issues of speeding, the Mayor confirmed that the request would be relayed to the Port Colborne's Staff Sergeant.

16. Consideration of Items Requiring Separate Discussion

16.1 Marina District Revitalization Plan, 2022-59

Mary Lou Tanner, Senior Planning Consultant, NPG Planning Solutions, provided a presentation and responded to questions received from Council.

Moved by Councillor G. Bruno
Seconded by Councillor H. Wells

That Chief Administrative Office Report 2022-59 be received for information.

Carried

16.2 Waterfront Centre – Project Update, 2022-37

Moved by Councillor G. Bruno
Seconded by Councillor M. Bagu

That Chief Administrative Office Report 2022-37 be received for information.

Carried

16.3 Municipal Accommodation Tax, 2022-48

Councillor R. Bodner declared a conflict on this item. (The Councillor has declared a direct pecuniary interest as he has a business inside of Sherkston Shores Resort.)

Moved by Councillor G. Bruno

Seconded by Councillor H. Wells

That Chief Administrative Office Report 2022-48 be received;

That Council commit, in principle, to implement a Municipal Accommodation Tax (MAT) of no more than 4% on the purchase of transient accommodation at campsites/campgrounds effective January 1, 2023;

That the Manager of Strategic Initiatives be directed to draft and bring forward a MAT by-law, an agreement between the Corporation of the City of Port Colborne and Niagara's South Coast Tourism Association, a Municipal Accommodation Tax Reserve Policy, and a procedure for collecting and remitting a MAT to a future meeting of Council for consideration; and

That the Manager of Strategic Initiatives be directed to further engage campsite/campground businesses on the implementation and collection of a MAT in the City of Port Colborne.

Amendment:

Moved by Councillor G. Bruno

Seconded by Councillor H. Wells

That Chief Administrative Office Report 2022-48 be received;

That Council commit, in principle, to implement a Municipal Accommodation Tax (MAT) of no more than 4% on the purchase of transient accommodation at campsites/campgrounds and the **City Marina** effective **September 1, 2022**;

That the Manager of Strategic Initiatives be directed to draft and bring forward a MAT by-law, an agreement between the Corporation of the City of Port Colborne and Niagara's South Coast Tourism Association, a Municipal Accommodation Tax Reserve Policy, and a procedure for collecting and remitting a MAT to a future meeting of Council for consideration; and

That the Manager of Strategic Initiatives be directed to further engage campsite/campground businesses on the implementation and collection of a MAT in the City of Port Colborne.

Carried

16.4 Referral: Friendship Trail Standard Crossing & Signage, 2022-49

Moved by Councillor H. Wells

Seconded by Councillor R. Bodner

That Public Works Department Report 2022-49 be received,

That Council approve the crossing standard as shown in Exhibit-A, in Appendix A to Public Works Department Report 2022-49; and

That Council approve the installation of 14 sign boards and 11 wayfinding markers for the Friendship Trail crossings as shown in Exhibit-B, in Appendix B to Public Works Department Report 2022-49.

Carried

16.5 Port Colborne Distribution System - 2021 Annual Summary Report, 2022-60

Moved by Councillor H. Wells

Seconded by Councillor R. Bodner

That Public Works Department Report 2022-60, prepared in accordance with the requirements of Ontario Regulation (O. Reg.) 170/03 under the *Safe Drinking Water Act*, 2002, be received for information.

Carried

16.6 Gateway CIP Application 1338277 Ontario Inc. located at 72 Killaly Street, 2022-33

Councillor E. Beauregard declared a conflict on this item. (The Councillor has an indirect pecuniary interest as he is employed by Upper Canada Consultants which are the consultants who work on this property.)

Moved by Councillor M. Bagu

Seconded by Councillor D. Kalailieff

That Chief Administrative Office Report 2022-33 be received;

That Council approve the Gateway CIP Tax Increment Grant for 1338277 Ontario Inc., for the property located at 72 Killaly Street East and the Economic Development Officer be directed to send notice of the approval to the Niagara Region;

That the Mayor and Clerk be authorized to execute a Grant Agreement between the City of Port Colborne and 1338277 Ontario Inc., subject to project completion approval from the Niagara Region and City of Port Colborne Economic Development Department; and

That a Bylaw to enter into a Grant Agreement with 1338277 Ontario Inc. be brought forward at a future meeting of Council.

Carried

16.7 City of Thorold - Support of Increased Fines for Firearms Infractions

Moved by Councillor H. Wells

Seconded by Councillor F. Danch

That correspondence from the City of Thorold regarding support of increase fines for firearms infractions be supported.

Carried

16.8 Township of Wainfleet - Settlement Area Boundary Review - Niagara Region Official Plan

Moved by Councillor H. Wells

Seconded by Councillor D. Kalailieff

That correspondence from the Township of Wainfleet regarding Settlement Area Boundary-Niagara Region Official Plan, be supported.

Carried

16.9 Multi Municipal Wind Turbine Working Group - Ontario's Energy Plan and Wind Turbines

Moved by Councillor H. Wells

Seconded by Councillor A. Desmarais

That correspondence from the Multi Municipal Turbine Working Group regarding Ontario's Energy Plan and Wind Turbines, be referred to the City of Port Colborne's Environmental Advisory Committee to investigate and bring an update forward at a future council meeting.

Carried

17. Motions

18. Notice of Motions

19. Minutes of Boards & Committees

Moved by Councillor R. Bodner
Seconded by Councillor H. Wells

That items 19.1 and 19.2 be approved, as presented.

Carried

19.1 Port Colborne Public Library Board Minutes, February 2, 2022

19.2 Environmental Advisory Committee Minutes, December 8, 2021

20. By-laws

Moved by Councillor D. Kalailieff
Seconded by Councillor M. Bagu

That items 20.1 to 20.5 be enacted and passed.

Carried

20.1 By-law to Appoint Carter McColl as a Property Standards Officer and Weed Inspector and Madison Cassar as a Weed Inspector

20.2 By-law to Appoint a Deputy Clerk (Saima Tufail)

20.3 By-law to Authorize Entering into an Agreement with Rural Economic Development Program

20.4 By-law to Amend By-law Establishing an Emergency Management Program for the Protection of Public Safety, Health, the Environment, Critical Infrastructure and Property and to Promote Economic Stability and a Disaster-Resilient Community

**20.5 By-law to Adopt, Ratify and Confirm the Proceedings of the Council
of The Corporation of the City of Port Colborne**

- 21. Confidential Items**
- 22. Procedural Motions**
- 23. Information items**
- 24. Adjournment**

Mayor Steele adjourned the meeting at approximately 9:10 pm.

William C. Steele, Mayor

Nicole Rubli, Acting City Clerk

Subject: Architectural and Engineering Design Services for the Waterfront Centre

To: Council

From: Office of the Chief Administrative Officer

Report Number: 2022-63

Meeting Date: April 12, 2022

Recommendation:

That Office of the Chief Administrative Officer Report 2022-63 be received; and

That Council approve and award an architectural and engineering design services contract for the waterfront centre to J.P. Thomson Architects Ltd.

Purpose:

The purpose of this report is to update Council on the results of a process to procure architectural and engineering design services for the waterfront centre and to approve a recommendation to award a contract for these services to J.P. Thomson Architects. As part of an open competition to procure services greater than the \$100,000 threshold, the Director of Corporate Services/Treasurer and Chief Administrative Officer have the authority to sign this contract.

Background:

A City project team was formed in early 2021 to focus on redevelopment of the canal-fronting area at the south end of West Street. The City has used and maintained parts of this area for more than 50 years under lease agreements with the St. Lawrence Seaway and Transport Canada. A significant portion was occupied by the Public Works Department up until the new engineering and operations centre opened in 2017. Taking into consideration the adjacent wharf as a prospective berthing dock for cruise ships, as well as the priorities and vision for Port Colborne that can be found in the City's 2020-2023 Strategic Plan, 2018-2028 Economic Development Strategy, and Cruise

Destination Business Case, the project team recommended the construction of a multi-purpose facility as a viable redevelopment project.

This recommendation was brought forward in report 2021-200 at the July 12, 2021 Council meeting, where staff requested approval to submit an application to the Canada Community Revitalization Fund (CCRF). On October 25, 2021, Council approved entering into an agreement with the Federal Economic Development Agency for Southern Ontario (FedDev Ontario) for the federal government's \$750,000 contribution towards the project. Since then, and over the following eight weeks, staff in various departments worked together to develop an RFP for architectural and engineering design services. The RFP was issued on Biddingo.com and the City's website on December 22, 2021, and it closed on February 4, 2022.

Discussion:

In compliance with the principles in the City's procurement policy, the contents of the RFP outlined a fair and open intake and evaluation process. A total of 10 firms ("proponents") submitted proposals by the deadline in two (i.e., technical and financial components) separate files. All 10 proposals were collected by the Deputy Clerk, and on February 10th, distributed to members of the City's evaluation committee by the Manager of Strategic Initiatives. This committee was comprised of seven staff, one from Corporate Services, one from Development & Legislative Services, two from Public Works & Engineering, and three from Economic Development & Tourism Services. A multi-disciplinary committee structure was used to reflect and balance differing perspectives and areas of expertise.

Using a form that contained the evaluation criteria listed in the RFP, committee members independently reviewed the 10 proposals. The evaluation criteria, as indicated in the RFP, were grouped under two categories: technical and financial.

Technical Criteria		Financial Criterion	
Description of firm	15 points	Pricing	30 points*
Project manager	10 points		
Project team	10 points		
Contribution matrix	5 points		
Project experience	30 points		
100 total points			

Before looking at and evaluating proposals on the basis of price, committee members focused solely on technical criteria. A brief meeting among committee members was held on February 23rd as a checkpoint to determine progress in completing the evaluations. It was at this meeting that the committee decided to request the City's

engineering consultants (CIMA+) to have a subject matter expert evaluate all 10 proposals. This decision was made on the grounds of believing an outside expert opinion would serve as a benchmark or point of reference to compare the committee's scores.

The committee met again on March 8th when all members had completed the evaluations. Using the form provided earlier in the process, committee members awarded and deducted points according to the proposal's ability to completely and comprehensively address the requirements of each criterion. Committee members also recorded written comments to support and communicate the reasoning behind the scores. Every committee member's technical criteria scores for each proposal were entered into a scoring matrix. This matrix was used to calculate an average score for each proposal across all seven committee members. Average scores were then readjusted to account for the points earned through a formula that assesses price.

Once the committee's final scores were tallied, they were compared to the scores submitted by the subject matter expert from CIMA+. This expert's scores did not get included with the committee's scores and served only to indicate any potential discrepancies that would have signaled a serious inconsistency. The committee's final scores, as well as those of the subject matter expert, revealed J.P. Thomson Architects Ltd. as the top-ranked proponent. From there, the committee recommended that CIMA+ conduct an assessment of the two highest-scoring proponents and their bid prices for conformity with the scope of work (outlined in the RFP and the proponent's proposal) and alignment with industry best practices in pricing. A letter from CIMA+ is attached in the appendix of this report to attest to the results of this assessment.

The committee agreed that performing a reference check and interviewing J.P. Thomson Architects were necessary to corroborate the information in their proposal and validate the firm's suitability for the City's waterfront centre project. Interviews with three references and the firm itself upheld the evaluation committee's ranking of J.P. Thomson Architects as among the best suited for providing architectural and engineering design services. Thus, with the evaluation process now complete, the committee requests that Council approve the recommendation to award a contract to J.P. Thomson Architects.

Internal Consultations:

The process of evaluating the 10 submitted proposals was conducted by a committee of staff from Corporate Services, Development & Legislative Services, Public Works & Engineering, and Economic Development & Tourism Services. This committee met on two separate occasions (February 23rd and March 8th) to confer about the evaluation process and consolidate scores in order to identify the top-ranked proponent.

Financial Implications:

Apart from the evaluation committee's review and scoring of J.P. Thomson Architects' bid price, a subject matter expert from the City's engineering consultants at CIMA+ was asked to assess this price in relation to the firm's understanding of the scope of work and the anticipated capital expenditures (CAPEX) or costs of the project. The expert's assessment is included with this report and specifies that the bid price of \$228,000 (excluding HST) falls within the 6-10% of CAPEX range.

The price for the firm's architectural and engineering design services will be paid using the City's CCRF funds.

Public Engagement:

The public was engaged by way of an open competition RFP that had been issued on the City's website and Biddingo.com from December 22nd, 2021 to February 4th, 2022.

Strategic Plan Alignment:

The initiative contained within this report supports the following pillar(s) of the strategic plan:

- Attracting Business Investment and Tourists to Port Colborne
 - City-Wide Investments in Infrastructure and Recreational/Cultural Spaces
-

Conclusion:

For transparency purposes, this report details the process that City staff followed in procuring architectural and engineering design services for the waterfront centre. After receiving and evaluating 10 proposals, the proponent that ranked first in this open competition was J.P. Thomson Architects. With Council's approval, the Windsor-based firm will move on to entering into a contract with the City and start working with the City's project team on fulfilling the deliverables defined in the RFP.

Appendices:

- a. Waterfront Centre Award Recommendation - CIMA Canada Inc.

Respectfully submitted,

Greg Higginbotham
Tourism Coordinator
905-835-2900 x505
Greg.Higginbotham@portcolborne.ca

Gary Long
Manager of Strategic Initiatives
905-835-2900 x502
Gary.Long@portcolborne.ca

Report Approval:

All reports reviewed and approved by the Department Director and also the City Treasurer when relevant. Final review and approval by the Chief Administrative Officer.

March 17, 2022

VIA EMAIL

City of Port Colborne
1 Killaly Street West,
Port Colborne, ON L3K 6H1

Attention: Gary Long, Manager of Strategic Initiatives, City of Port Colborne

Subject: Waterfront Centre Design Services Award Recommendation

Reference: RFP 2021-44 Architectural and Engineering Design Services for the City of Port Colborne Waterfront Centre

Dear Sir:

The Request for Proposal "RFP 2021-44 Architectural and Engineering Design Services for the City of Port Colborne Waterfront Centre" was issued on Biddingo.com by the City of Port Colborne (City) on December 22, 2021, and closed February 4, 2022. The City received ten (10) proposals by the Tender closing date.

All proposals were reviewed and scored by a number of reviews from the City and a CIMA+ reviewer. Our Senior Project Manager and Subject Matter Expert, Hasan Alfarra, reviewed and scored each proposal according to the evaluation form developed by the City.

The City shortlisted two proponents JP Thomson Architects Ltd. and [REDACTED] as the top ranked proponents after the initial review. CIMA+ further analysed financial proposals from both shortlisted proponents at the request of the City. Financials were compared to the scope outlined in the Request for Proposal for completeness and alignment with industry best practice. From this assessment CIMA+ recommends the City award the work to JP Thomson Architects Ltd. based on the following.

1. The scope of work outlined by both proponents in their respective technical packages are similar and reflect the request for proposal scope of work. On review it is not clear and apparent that JP Thomson Architects Ltd. overlooked scope, however, the pricing submitted by [REDACTED] is 31% higher than JP Thomson Architects Ltd. (a difference of \$[REDACTED]). Information in the proposals is not sufficient to conclude that each proponent fully understands the scope of work. If required, conducting interviews can provide further certainty.
2. Both proponents developed a team with expertise in the different disciplines required to complete the project. Each proponent outlined subconsultants and cost consultants in their technical proposal.
3. We believe pricing of both proponents fall within the industry best practice pricing range for this work, however [REDACTED] is very close to the upper threshold. Considering the anticipated capital costs of the work (CAPEX) is \$3,000,000, from industry best practice consultant fees for this type of a building are typically between 6-10% of CAPEX depending on the design scope and location of the building.
4. From industry best practices fee split between the scope of work outlined in Stage 1 and Stage 2 is typically around 20% to 80% respectively. The analysis in Appendix A shows that both proponents are within that range. This suggests that neither proponent front loaded their financial proposal.

5. From the analysis of the proponent's average hourly rates in Appendix A, JP Thomson Architects Ltd.'s rate is \$■ per hour lower than ■■■■■ for the Stage 1 work (roughly 10%) and \$■ per hour lower for Stage 2 work (roughly 70%). The lower average hourly rates and larger number of hours required during Stage 2 suggest JP Thomson Architects Ltd. intend to utilize more junior staff during Stage 2. Lower rates can also be a product of the firm's location, as they are situated in Windsor, hourly rates are likely lower than the hourly rates in ■■■■■ where ■■■■■ is located.

In addition to the scope of work of the successful proponent the Waterfront Center business case should consider Contract Administration services and Technical Consultant Services during construction.

From our assessment we believe both proponents shortlisted by the City are capable of successfully delivering the Waterfront Center project. Based on the information both proponents provided in their submissions we can not find a sufficient reason to justify the pricing difference of about \$■■■■ and therefore recommend the City award the work to JP Thomson Architects Ltd.

Sincerely,

CIMA Canada Inc.

Subject: Recommendation Report for Official Plan and Zoning By-law Amendment at 54 George St., Files D09-03-21 and D14-15-21

To: Council

From: Development and Legislative Services Department

Report Number: 2022-71

Meeting Date: April 12, 2022

Recommendation:

That Development and Legislative Services Department Report 2022-71 be received;

That the Official Plan Amendment attached as Appendix A to Development and Legislative Services Department Report 2022-71 be approved;

That the Zoning By-law Amendment attached as Appendix B to Development and Legislative Services Department Report 2022-71 be approved; and

That Planning staff be directed to issue the formal Notice of Adoption/Passing in accordance with the *Planning Act*.

Purpose:

The purpose of this report is to provide Council with a recommendation regarding proposed Official Plan and Zoning By-law Amendments initiated by NPG Planning Solutions Inc. on behalf of the owner 2852479 Ontario Ltd. (Estate Hill) for the lands known as Lots 9, 10, and Part of Lot 11 on Plan 767 and Block 'A' and Part of Block 'B' on Plan 775, on the southwest corner of George Street and Erie Street, formerly in the Township of Humberstone, now in the City of Port Colborne, Regional Municipality of Niagara, municipally known as 54 George Street and/or 192-200 Erie Street.

Background:

The application for Official Plan Amendment proposes to add a site-specific policy to the Urban Residential designation to the property to permit a 30-unit stacked townhouse

development. The amendment is required to alter the Official Plan policy to permit a density of 103 units per hectare.

The application for Zoning By-law Amendment proposes to change the zoning from Institutional (I) to R4-67, a special provision of the Fourth Density Residential (R4) zone that will permit a 30-unit stacked-townhouse development with a front yard setback of 4 metres, corner side yard of 3.5 metres, maximum building height of 14.5 metres, and a landscape buffer of 2.5 metres between the edge of the parking area and lot lines abutting a public road and residential zone. Additionally, the proposed amendment will add a definition for a “Dwelling, Townhouse, Stacked” to Section 38 of Zoning By-law 6575/30/18.

A Public Meeting was held on January 18, 2022. Both Planning staff and the applicant provided a brief presentation of the proposal to Council and were available to answer questions from Council and members of the public. All public comments/questions and their corresponding responses from Planning staff can be found in Appendix C. A petition opposing the application has also been submitted and provided in Appendix C.

Internal Consultations:

Notice of Public Meeting was provided to internal departments and commenting agencies on December 17, 2021. As of the date of preparing this report, the following comment has been received:

Port Colborne Fire & Emergency Services

“No objection to the proposed zoning change”

Drainage Superintendent

“No concerns with respect to municipal drains”

Niagara Region

(Full comment attached in Appendix C)

Regional Planning and Development Services staff are satisfied that the proposed official plan amendment and zoning by-law amendment to permit the redevelopment of 54 George Street in the City of Port Colborne for a 30-unit stacked townhome development is consistent with the Provincial Policy Statement and conforms to the Growth Plan and Regional Official Plan, subject to any local compatibility concerns or requirements.

Public Engagement:

Notice of Public Meeting was circulated via regular mail to property owners within 120m from the subject property on December 17, 2021. Two public notice signs were also posted on the subject property by December 24, 2021. Finally, notices were posted on the City's website under "Current Applications". As of the date of preparing this report, a number of public comments and questions have been submitted. All public comments and questions along with the staff responses can be found in Appendix C to this report.

Discussion:

City of Port Colborne Official Plan

According to Schedule A: City Wide Land Use, the City of Port Colborne's Official Plan designates the subject properties as Urban Residential. Land uses in the Urban Residential designation include residential, neighbourhood, commercial and community facilities and institutional uses.

The proposed Official Plan Amendment proposes to maintain the Urban Residential designation; however, a site-specific amendment has been requested to alter the specific policies under section 3.2.1 to permit a 30-unit stacked townhouse configuration at a density of 103 units per hectare. The proposed Official Plan Amendment has been attached as Appendix A.

City of Port Colborne Zoning By-law 6575/30/18

The subject parcel is zoned Institutional (I). The I zone permits apartment buildings, public; community garden; cultural facility; cemetery; day care; dwelling, accessory; food vehicle; long term care facility; place of assembly/banquet hall; place of worship; public uses; social service facility; and uses, structures and buildings accessory thereto.

The Zoning By-law Amendment proposes to change the zoning from Institutional (I) to R4-67, being a special provision of the Fourth Density Residential (R4) zone. The R4 zone permits detached, semi-detached, triplex, fourplex dwellings; block and street townhouse dwellings; apartment buildings; public apartment buildings; and uses, structures and buildings accessory thereto. The special provision has been requested to permit a 30-unit stacked townhouse configuration with a front yard setback of 4 metres, corner side yard of 3.5 metres, maximum building height of 14.5 metres, and a landscape buffer of 2.5 metres between the edge of the parking area and lot lines abutting a public road and residential zone. Additionally, the proposed amendment will add a definition for a "Dwelling, Townhouse, Stacked" to Section 38 of Zoning By-law 6575/30/18. The proposed Zoning By-law Amendment has been attached as Appendix B.

Adjacent Zoning and Land Use

Northwest George Street/ Humberstone Shoe Park Zoned: P	North Humberstone Shoe Park/ Townhouse Zoned: P and R4	Northeast Low-density residential Zoned: R2
West Low-density residential Zoned: I and R2	Subject Property	East Low-density residential Zoned: R2
Southwest Low-density residential Zoned: R4	South Low-density residential Zoned: R2	Southeast Low-density residential Zoned: R2

A sketch of the proposed development has been attached as Appendix D.

Traffic

In response to concerns raised by Council and members of the public at the public meeting, the applicant has retained a traffic consultant to review the proposal. A Transportation Opinion Letter was provided and has been included as part of Appendix E. The opinion outlined in the letter concludes that the increase to traffic in the area is nominal and within the typical daily variation of traffic expected along local roads. Additionally, the nearby intersections are expected to continue to operate with no noticeable increases in delays or queuing during peak periods.

Analysis

Staff have reviewed the Planning Justification Report and corresponding addendum submitted for this application. The report and addendum, prepared by NPG Planning Solutions (found in Appendix E) concludes that the proposal represents good land use planning, is in the interest of the City and should be supported for the following reasons:

1. The proposed development is consistent with the Provincial Policy Statement (2020) and is in conformity with the Growth Plan, Niagara Region Official Plan, and the City of Port Colborne Official Plan.
2. The proposed development will provide an opportunity for residential intensification within the Built Up Area designated for residential growth and is a focus for intensification. It will make efficient use of the existing municipal services and facilities.
3. The proposed density is appropriate for the subject lands due to its proximity to the arterial roads – Elm Street and King Street with access to local public transit and other active transportation choices.

4. The proposal creates new housing in the City of Port Colborne contributing to a more diversified housing mix.
5. The development is appropriately distanced from the existing low-density residences to the south and west.

Further to the above reasons to support the proposal provided by NPG Planning Solutions, Planning staff have completed their own thorough review of the proposal and applicable policies.

The Provincial Policy Statement (PPS) guides planning and development in Ontario. The PPS focuses on guiding development to settlement areas, making use of existing infrastructure, while at the same time, providing a wide-range of housing types through intensification. Policy 1.1.3.2 states the following:

“Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- a) efficiently use land and resources;
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
- c) minimize negative impacts to air quality and climate change, and promote energy efficiency;
- d) prepare for the impacts of a changing climate;
- e) support active transportation;
- f) are transit-supportive, where transit is planned, exists or may be developed; and
- g) are freight-supportive.”

Further, policy 1.4.3 provides the following:

“Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market...”

Planning staff are of the opinion that the above policies are achieved through this development proposal. The proposal is efficiently using infrastructure already available and will be providing a new form of housing that is not currently abundant in Port Colborne.

The City’s Official Plan (OP) offers further guidance on new development proposals City-wide. Much like the overarching PPS, the OP supports infill intensification proposals that make use of existing infrastructure. This direction helps limit urban sprawl and the consumption of greenfield and agricultural lands through municipal comprehensive reviews. Section 2.4.3 of the OP provides the following:

“The identification and intensification of residential and employment areas and corridors within the built boundary of the City is directed by the Provincial Growth Plan. Intensification supportive policies will offer opportunities to promote economic development, reduce the consumption of greenfield land, meet the municipality’s intensification target of 15% and maximize the efficiency of existing infrastructure. Intensified development is compact, mixed-use and transit-supportive in nature, which reflects the vision of this plan.”

Staff note the above policy supports the proposed development as the intensification is helping achieve the City’s established 15% target. The development is compact in nature, while providing suitable space for parking. The proposal is not mixed-use in nature; however, it should be noted that mixed-use developments are typically found in the Main Street and Downtown areas of Port Colborne. This site, located in the Urban Residential designation would not be supported from a mixed-use perspective. Finally, the newly established Niagara Regional Transit OnDemand, will assist with transportation in the area. Planning staff are satisfied that the proposal meets the intent of the Official Plan and supports the goals and vision set out within it.

Finally, perhaps the leading concern raised by Council and the public is surrounding the site’s parking. Currently, 38 parking spaces have been proposed for the 30 dwelling units, working out to a rate of 1.26 spaces per unit. Staff would like to reference the general parking provisions of the Zoning By-law to address this concern. The residential parking provisions have been set at one space per dwelling unit for the majority of housing types set out in the by-law, including single-detached, semi-detached, duplex, triplex, fourplex, and block/street townhouse dwellings. The one space per unit provision is seen as the standard for dwelling types in Port Colborne. On the higher end of residential parking requirements lies apartment buildings at 1.25 spaces. Planning staff would consider the use of a stacked townhouse development to fall somewhere in between apartment buildings and block/street townhouses. Based on this consideration, the proposed parking is on the higher end of municipal parking requirements. Therefore, staff are of the opinion that the parking requirements have been satisfied.

Financial Implications:

There are no financial implications.

Strategic Plan Alignment:

The initiative contained within this report supports the following pillar(s) of the strategic plan:

- Service and Simplicity - Quality and Innovative Delivery of Customer Services
 - People: Supporting and Investing in Human Capital
 - Governance: Communications, Engagement, and Decision-Making
-

Conclusion:

Based on the review of the application and applicable Provincial, Regional and City planning policies, Planning staff confirm that the proposal is consistent with the Provincial Policy Statement and conforms to the Growth Plan and Regional Official Plan and represents good planning. Staff recommend that the Official Plan and Zoning By-law Amendments attached as Appendices A and B, respectively, be approved.

Appendices:

- a. Official Plan Amendment
- b. Zoning By-law Amendment
- c. Public Comments/Questions and Responses
- d. Site Plan
- e. Planning Justification Report, Traffic Brief and Addendum

Respectfully submitted,

David Schulz, BURPI
Senior Planner
(905) 835-2900 x202
david.schulz@portcolborne.ca

Report Approval:

All reports reviewed and approved by the Department Director and also the City Treasurer when relevant. Final review and approval by the Chief Administrative Officer.

The Corporation of the City of Port Colborne

By-law no. _____

Being a by-law to adopt amendment no. 10 to the
Official Plan for the City of Port Colborne

Whereas it is deemed expedient to further amend the Official Plan, heretofore adopted by Council for the City of Port Colborne Planning Area;

Therefore the Council of The Corporation of the City of Port Colborne under Section 17(22) of the Planning Act, hereby enacts as follows:

1. That Official Plan Amendment No. 10 to the Official Plan for the City of Port Colborne Planning Area, consisting of the attached map and explanatory text is hereby adopted.
2. That this By-law shall come into force and take effect on the day of passing thereof.

Enacted and passed this ____ day of _____, 2022.

William C. Steele
Mayor

Nicole Rubli
Acting City Clerk

**AMENDMENT NO. 10
TO THE
OFFICIAL PLAN
FOR THE
PORT COLBORNE PLANNING AREA**

**PREPARED BY:
CITY OF PORT COLBORNE
DEPARTMENT OF PLANNING & DEVELOPMENT**

January 5, 2022

**AMENDMENT NO. 10
TO THE
OFFICIAL PLAN
FOR THE
PORT COLBORNE PLANNING AREA**

AMENDMENT NO. 10
TO THE OFFICIAL PLAN
FOR THE
CITY OF PORT COLBORNE

This Amendment to the Official Plan for the City of Port Colborne, which has been adopted by the Council of the Corporation of the City of Port Colborne, is hereby approved in accordance with Sections 17 and 21 of the Planning Act R.S.O. 1990, c. P.13, as Amendment No. 10 to the Official Plan for the City of Port Colborne.

Date: _____

**AMENDMENT NO. 10 TO THE OFFICIAL PLAN
FOR THE
PORT COLBORNE PLANNING AREA**

INDEX

The Statement of Components

Part A – The Preamble

Purpose

Location

Basis

Part B – The Amendment

Introductory Statement

Details of the Amendment

Implementation & Interpretation

Part C – The Appendices

1. Minutes of the Public Meeting

2. Department of Development and Legislative
Services Report

STATEMENT OF COMPONENTS

PART A

The Preamble does not constitute part of this Amendment.

PART B

The Amendment, consisting of the following map and text changes, constitutes Amendment No. 10 to the Official Plan for the Port Colborne Planning Area.

Also attached is **PART C** – The Appendices, which do not constitute part of this Amendment. These appendices contain the background data, planning considerations and public involvement associated with this Amendment.

PART A - THE PREAMBLE

Purpose

The purpose of this amendment is to facilitate the development of the subject lands, shown on the attached Schedule, as residential stacked townhouses at a maximum density of 103 units per hectare.

Location

The lands affected by this amendment are legally described as Lots 9, 10 and Part of Lot 11, Registered Plan No. 767 and Block 'A' and Part of Block 'B', Registered Plan No. 775 in the City of Port Colborne, Regional Municipality of Niagara, municipally known as 54 George Street. A detailed map of the subject lands is attached as Schedule "A" to this Official Plan Amendment No. 10.

Basis

Currently, the subject lands are designated "Urban Residential". An application has been made to initiate amendments to the City of Port Colborne's Official Plan and Zoning By-law as they relate to these lands in order to facilitate the development of 30 residential stacked townhouse units within two blocks and 38 surface parking spaces. The proposed density is 103 units per hectare.

The proposed development provides an opportunity for commercial areas to be strengthened through the introduction of residential uses, meet the municipality's intensification target of 15% and maximize the efficiency of existing infrastructure as outlined in 2.4.3 of the Official Plan. The design of the proposed development is in a manner that is compatible and will limit impact on the existing neighbourhood to the south and west.

It is intended to concurrently approve an Amendment to the City's Zoning By-law 6575/30/18, rezoning of the lands from the existing "I - Institutional" zone to "R4-66" being a site-specific special provision of the Fourth Density Residential (R4) zone.

PART B - THE AMENDMENT

Introductory Statement

All of this part of the document entitled **PART "B"** – "The Amendment" consisting of the following text and map designated Schedule "A" constitutes Amendment No. 10 to the Official Plan for the City of Port Colborne. The Official Plan of the City of Port Colborne is hereby amended as follows:

Lands shown on Schedule A are permitted to develop residential stacked townhouses at a maximum density of 103 units per hectare.

Details of the Amendment

Notwithstanding Section 3.2.1 c) of the Official Plan for the City of Port Colborne, a maximum density of 103 units per hectare of land shall be permitted on the subject lands shown on Schedule “A” to this amendment.

The following changes are made to Schedule A – City Wide Land Use of the Official Plan for the Port Colborne Planning Area:

1. That the area shown as “Urban Residential”, and entitled “Schedule A to Official Plan Amendment No. 10”, shall be subject to Special Policy Area provisions and shall be identified on Schedule A City Wide Land Use Map of the Official Plan for the Port Colborne Planning Area.

Implementation and Interpretation

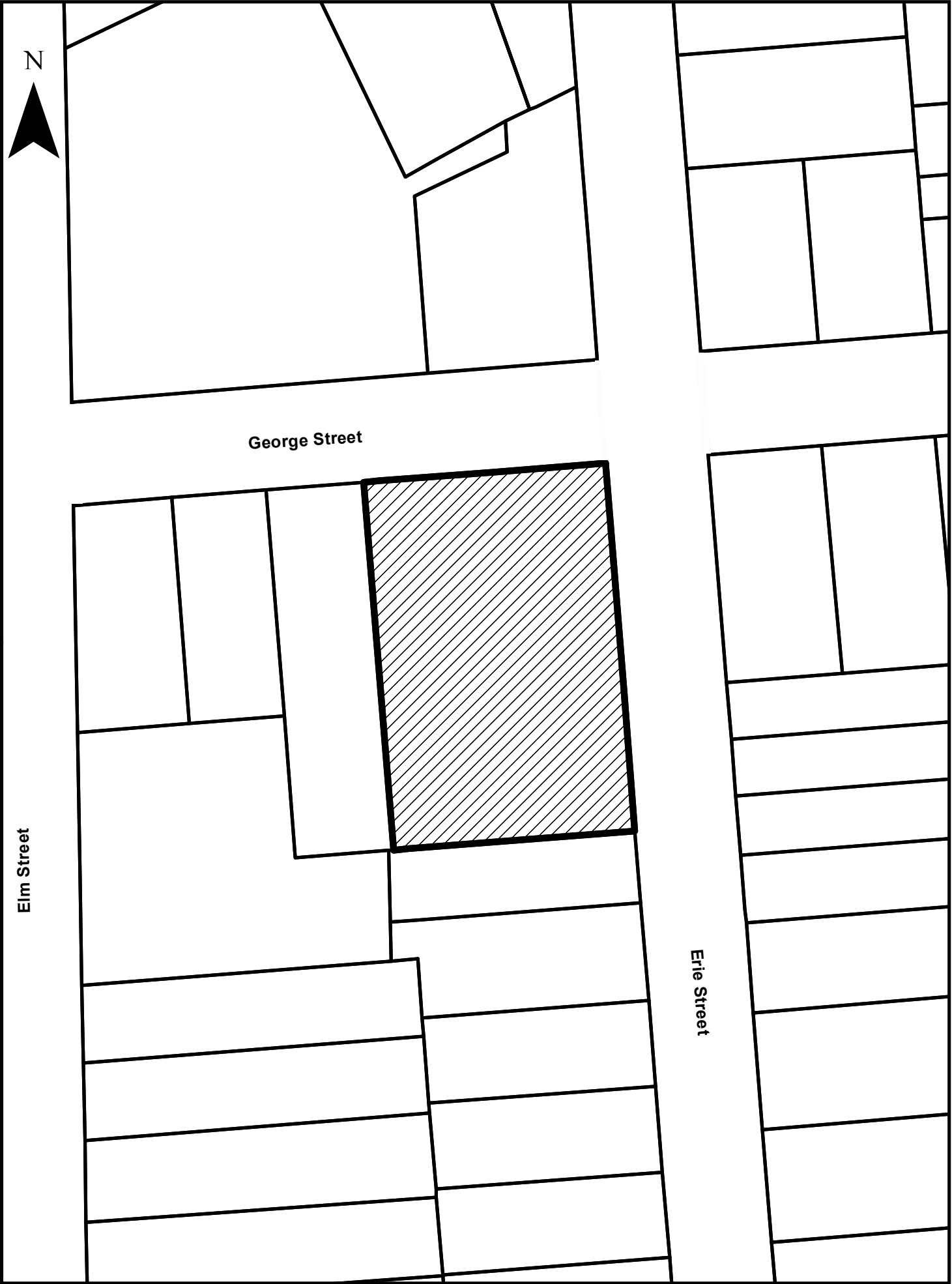
The implementation and interpretation of this amendment shall be in accordance with the respective policies of the Port Colborne Official Plan and an amendment to the City Zoning By-law to rezone the subject lands.

PART C – THE APPENDICES

The following appendices do not constitute part of Amendment No. 10 but are included as information to support the Amendment.

APPENDIX I – Minutes of the Public Meeting on January 18th, 2022

APPENDIX II – Department of Development and Legislative Services Report 2022-71

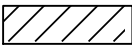


This is Schedule "A" to By-law No _____

Passed _____, 2022

Mayor

Clerk



- Lands subject to site-specific Official Plan Amendment No. 10

File No. D09-03-21 & D14-15-21

Drawn by: DS - City of Port Colborne Planning Division

Not to scale

January 2022

The Corporation of the City of Port Colborne

By-law no. _____

Being a by-law to amend Zoning By-law 6575/30/18 respecting lands legally described as Lots 9, 10, and Part of Lot 11 on Plan 767 and Block ‘A’ and Part of Block ‘B’ on Plan 775, on the southwest corner of George Street and Erie Street, formerly in the Township of Humberstone, now in the City of Port Colborne, Regional Municipality of Niagara, municipally known as 54 George Street and/or 192-200 Erie Street.

Whereas By-law 6575/30/18 is a by-law of The Corporation of the City of Port Colborne restricting the use of land and the location and use of buildings and structures; and

Whereas, the Council of The Corporation of the City of Port Colborne desires to amend the said by-law.

Now therefore, and pursuant to the provisions of Section 34 of the *Planning Act*, R.S.O. 1990, The Corporation of the City of Port Colborne enacts as follows:

1. This amendment shall apply to those lands described on Schedule “A” attached to and forming part of this by-law.
2. That the Zoning Map referenced as Schedule “A7” forming part of By-law 6575/30/18 is hereby amended by changing those lands described on Schedule A from Institutional (I) to R4-67, being a special provision of the Fourth Density Residential (R4) zone.
3. That Section 37 entitled “Special Provisions” of Zoning By-law 6575/30/18, is hereby further amended by adding the following:

R4-67

Notwithstanding the provisions of the Fourth Density Residential (R4) zone, “dwelling, townhouse, stacked” is deemed to be a permitted use and the following regulations shall apply:

- | | |
|---|---------------|
| a) Minimum Front Yard | 4 metres |
| b) Minimum Corner Side Yard | 3.5 metres |
| c) Maximum Height | 14.5 metres |
| d) Minimum parking spaces | 1.25 per unit |
| e) Minimum Landscape buffer area between the edge of a parking area and the lot line abutting a residential zone. | 2.5 metres |
| f) Minimum Landscaped buffer area between the edge of the parking area and the lot line abutting a public road | 2.5 metres |

4. That Section 38 entitled “Definitions” of Zoning By-law 6575/30/18, is hereby further amended by adding the following:

Dwelling, Townhouse, Stacked: means a building containing five or more dwelling units, each of which has an independent entrance and does not include another dwelling type defined herein.

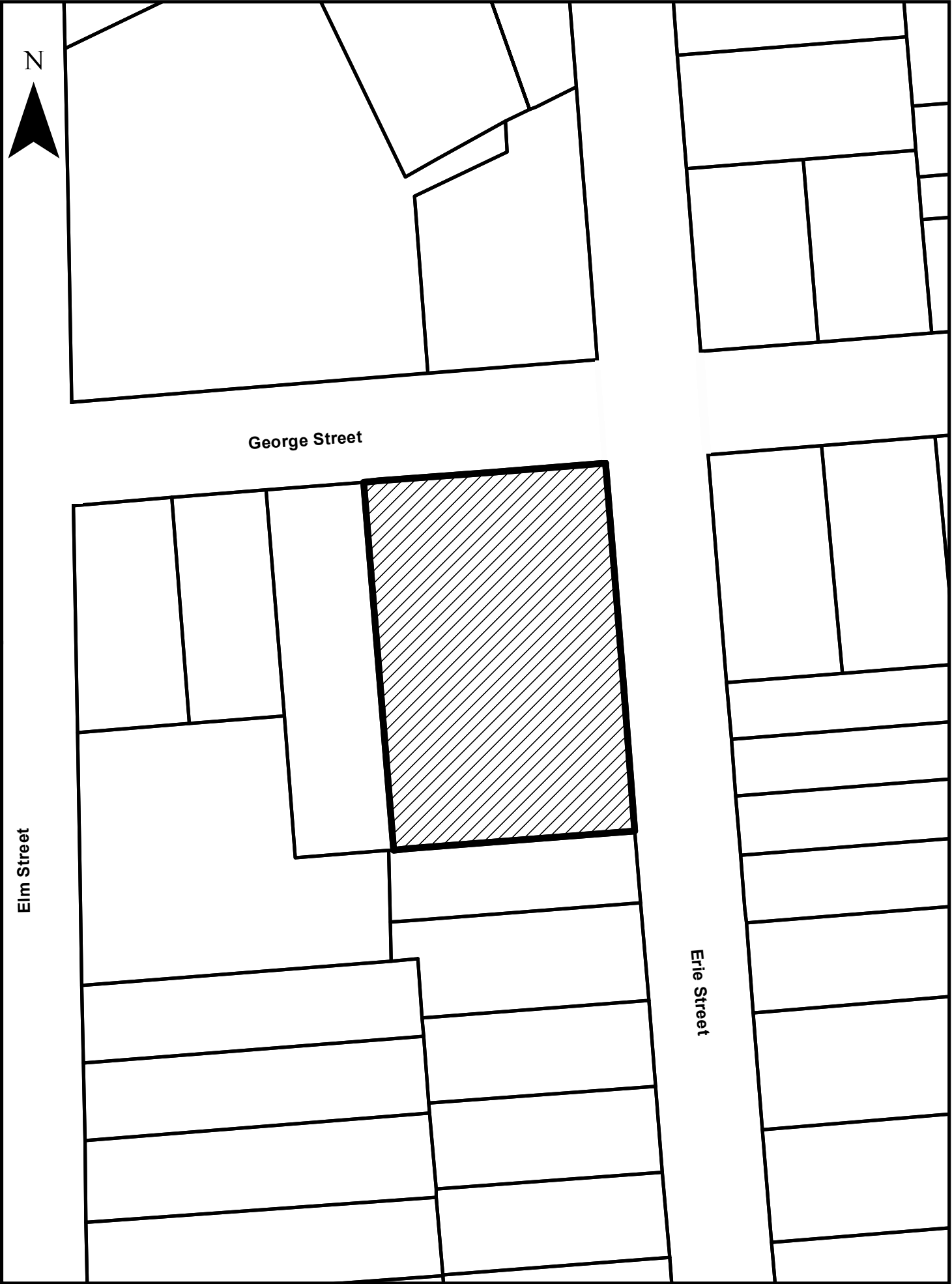
5. That this by-law shall come into force and take effect on the day that it is passed by Council, subject to the provisions of the *Planning Act*.

6. The City Clerk is hereby authorized and directed to proceed with the giving notice of the passing of this by-law, in accordance with the *Planning Act*.

Enacted and passed this day of , 2022.

William C. Steele
Mayor

Nicole Rubli
Acting City Clerk

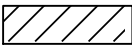


This is Schedule "A" to By-law No _____

Passed _____, 2022

Mayor

Clerk



- Lands subject to site-specific Zoning By-law Amendment, rezoning the lands from Institutional (I) to R4-67

File No. D09-03-21 & D14-15-21

Drawn by: DS - City of Port Colborne Planning Division

Not to scale

January 2022

Public Comments/Questions and Responses – 54 George Street

Note: Comments/Questions have been summarized in the chart below. The full comments can be found in the pages following the chart.

Member of the Public	Comment/question	Response
Jennifer Gardiner – 62 George Street	Concerns respecting how many visitor spaces have been provided.	Parking has been provided in exceedance of the Zoning By-law requirements. A total of 38 spaces have been provided for the 30 dwelling units.
Jennifer Gardiner – 62 George Street	Concerns about the development across the street at 220 Erie Street not using the provided parking they have as well as cars parking during snow removal.	Street parking is enforced through the By-law Enforcement Division. Should any on street violations be apparent, please contact By-law Enforcement at (905) 835-2900 x200.
Jennifer Gardiner – 62 George Street	Privacy concerns. Potential for trespassing.	Trespassing is a police matter. The Site Plan Control process will require a closed construction board-on-board fence.
Jennifer Gardiner – 62 George Street	Concerns with headlights shining into their property.	The Site Plan Control process will require a closed construction board-on-board fence. This will prevent light trespass.
Jennifer Gardiner – 62 George Street	Concerns with idling vehicles.	Noted.
Jennifer Gardiner – 62 George Street	Are there storm sewers on Erie Street? Improper storm drainage leads to contamination of drinking water, bursting of pipes and back flow of sewers.	Yes. Engineering design is reviewed through the Site Plan Control process.
Jennifer Gardiner – 62 George Street	Concerns respecting the Fire Department's ability to service the new developments in the City.	Confirmed by Chief Lawson via email on January 10, 2022 that the Fire Department is capable of handling the new developments.

Public Comments/Questions and Responses – 54 George Street

Note: Comments/Questions have been summarized in the chart below. The full comments can be found in the pages following the chart.

Jennifer Gardiner – 62 George Street	Concerns respecting the Niagara Region Model Urban Design Guidelines not being adhered to.	The Niagara Region Model Urban Design Guidelines apply to developments proposed on Regional roads. Both Erie and George Streets are local roads.
Kelly Fidler – 179 Erie Street	Concerns with traffic putting children at risk.	A traffic opinion letter has been submitted by the applicant. Additional traffic in the area is not anticipated to impact the road capacities.
Kelly Fidler – 179 Erie Street	Concerns with garbage and excess noise.	Both property standards (garbage) and noise concerns are dealt with through the By-law Enforcement Division.
Kelly Fidler – 179 Erie Street	Where will the excess snow go?	The site will have landscaped areas available for snow storage.
Patti Mino – 152 Erie Street	Are these units to be sold or rented?	The tenure of the proposed dwelling units does not have an impact on the Official Plan or Zoning By-law considerations for the property.
Patti Mino – 152 Erie Street	If the units are to be rented, in what town/city does the landlord reside?	The location of where the applicant resides does not have any implications on the Official Plan or Zoning By-law considerations for the property.
Patti Mino – 152 Erie Street	Concerns regarding parking and overflow onto public streets.	Parking has been provided in exceedance of the Zoning By-law requirements. A total of 38 spaces have been provided for the 30 dwelling units.

Public Comments/Questions and Responses – 54 George Street

Note: Comments/Questions have been summarized in the chart below. The full comments can be found in the pages following the chart.

Patti Mino – 152 Erie Street	Why aren't dumpsters proposed on this development?	The site qualifies for Regional waste collection. If the site did not qualify, private waste collection would be required.
Patti Mino – 152 Erie Street	How many separate exceptions/amendments are being requested?	6.
Patti Mino – 152 Erie Street	How many separate exceptions/amendments were granted at the 57 and 67 Minto Street apartments?	12.
Patti Mino – 152 Erie Street	How many separate exceptions/amendments were granted at the 20 Erie Street townhouses?	7.
Patti Mino – 152 Erie Street	How many separate exceptions/amendments were granted at the 220 Erie Street townhouses?	8.
Patti Mino – 152 Erie Street	How many new households have been added to the Erie St. community with these 4 combined new builds?	If this application is approved, 72 dwelling units.
Patti Mino – 152 Erie Street	In what ways did PC community input, before during and after construction, impact these 4 new developments?	Members of the public were involved in these proposals and provided input on the applications.
Patti Mino – 152 Erie Street	How many 4 storey 3 unit stacked townhouses has the owner previously built?	Staff are unsure. However, this should not have any implications on the application at hand.
Patti Mino – 152 Erie Street	What research has the City of PC completed to determine the legitimacy of the developers, buyer satisfaction of	Respectfully, this does not have any planning implications on the Official Plan or Zoning By-law Amendments.

Public Comments/Questions and Responses – 54 George Street

Note: Comments/Questions have been summarized in the chart below. The full comments can be found in the pages following the chart.

	developers, complaints from community before, during and at completion of construction, post-construction?	
Patti Mino – 152 Erie Street	Are all voting members of council ever required to visit the sites of proposed new builds?	Councillors are welcome to attend the site if they so choose.
Patti Mino – 152 Erie Street	Concerns with the population density of the neighbourhood with other developments in the area.	Noted. Each application is independently considered. Many of these developments are making use of existing infrastructure.
Patti Mino – 152 Erie Street	Visual and safety concerns.	Noted. Council will be circulated all public comments and opinions on the proposal.

David Schulz

From: Chris Roome
Sent: January 4, 2022 10:48 AM
To: David Schulz
Subject: FW: RE: Notice of Public Hearing 54 George Street
Attachments: 20211231_072226.jpg; 20211231_075932.jpg; 20211231_075943.jpg; 20211231_080117.jpg; 20211231_080133.jpg

From: jennifer.winfrey [REDACTED]
Sent: December 31, 2021 8:06 AM
To: [REDACTED]
Subject: FW: RE: Notice of Public Hearing 54 George Street

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Sent from my Bell Samsung device over Canada's largest network.

----- Original message -----

From: "jennifer.winfrey" [REDACTED]
Date: 2021-12-31 7:21 a.m. (GMT-05:00)
To: Chris Roome <Chris.Roome@portcolborne.ca>, [REDACTED]
Subject: RE: Notice of Public Hearing 54 George Street

Good morning Chris

Regarding the proposal to rezoning 54 George Street. It is almost necessary to review building plans to see how my property could be impacted from the new apartments and the parking situation
Also being so close to the park and many children crossing the street on Erie and George how many visitors parking spots would be included in the plans, parking on Erie and George Street could result in a child being injured as they don't always cross at the corner due to the fact the other townhouses on the corner of Erie and George Street do not use the parking lot provided and park on the street including the wrong way as a Humane Society truck is always parked opposite to traffic and it seems like bylaw does nothing. Also in winter months when no parking on the streets for snow removal is in effect we have never seen bylaw out to ticket any of the vehicles parked on Erie and George Street. To also add the new apartments on Minto did not supply enough parking at that location and parking is a regular occurrence on the road ..To add to my concern on Erie and Killaly Street the old church parking is horrible as they even park over the sidewalk and again bylaw does nothing as a vivid walker I can't walk safely in these areas due to parking. Also when biking in these areas you are forced to bike on the roads because the shoulder of the roads are full of vehicles and backing out of driveway for the homes you have to back out blindly to see traffic coming as my husband has been almost hit on his bike multiple times.

Thank you, looking forward to hearing from you.

Jennifer Gardiner

David Schulz

From: jennifer.winfrey [REDACTED]
Sent: January 8, 2022 9:28 PM
To: Gary Bruno; bill.steele@portcolborne.comca; Frank Danch; Chris Roome; David Schulz; Scott Lawson; [REDACTED]
Subject: Rezoning of 54 George Street or 200 Erie Street Port Colborne

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I Jennifer Gardiner of 62 George Street Port Colborne would ask that the application for the rezoning of 54 George Street and 200 Erie Street of Port Colborne be denied for the following reasons.

Bylaw states

Lot Frontage per unit is 6 meters

Proposal is 4.5 meters

Front yard 7.5 meters

Proposal is 4.5 meters

Side yard is 4.5 meters

Proposal is 2.5 meters

Rear yard is 6 meters

Proposal is 3 meters

Height is 11 meters

Proposal is 14.2 meters

A potential of decreased value of my home and property.

Privacy

This proposed building would be a disruption nuisance and intrusion that alters the character of our neighborhood. And the potential of trespassing on my property. As much work is needed to demolish the church building and the new construction of the block townhomes.

As the plans are set I will have 23 parking spots 3 meters from my property line. This will cause light from cars and noise all hours of the day and nights we will have lights from the parking lot which will be disturbing. Also the pollution that can affect my family.

Carbon Dioxide

A car idling for 5 minutes can cause 0.50 pounds of Carbon Dioxide with 23 cars for 5 minutes idling per day would cause 11.5 pounds of Carbon Dioxide. That could cause 4197 pounds of Carbon Dioxide per year.

That would increase the risk of Heart Disease, Asthma, Chronic Bronchitis, and Cancer.

Vehicle exhaust contains tiny particles that travels right past the nose and throats natural filters to reach the lungs. And with a park being only meters away.

Children inhale more air per pound of body weight than adults. Children are especially at risk because the lungs are still developing. Children can have the side affects including irritated Eyes, Nose and Throat. Coughing, Nausea, Asthma, and Cancer, weakening of the Immune system. A child is close to the ground which makes them closer to the exhaust fumes from vehicles.

Idling a car for 1 minute near a child is comparable to smoking 3 packs of cigarettes.

Traffic will be exiting onto George Street it will definitely cause more traffic on the street and has the potential of endangering the children trying to get to the park to play.

There is a high risk of Street parking because most families have 2 vehicles which only 1 spot per unit has been included into the plans. Parking on the street could be very dangerous for children trying to access the park. And also I would have concerns with First Responders trying to access homes in the area.

Storm sewers

Are there storm sewers on Erie Street or buried ditches?

Improper storm drainage systems in the City leads to contamination of drinking water, bursting of pipelines and a back flow of sewers

Flooding is dangerous for public health and property.

The last building permit granted along side of my property caused Flooding the entire time of the construction of the home. I was unable to use my backyard or able to maintain the yard . Mr Bruno came to my home to see the Flooding in my yard. When I contacted City Hall I was told to wait till final grading. As a tax paying citizen why did I have no use of my property and still paid my taxes to the City of Port Colborne. I truly felt I had no help from the City and it didn't seem to matter that my yard was under water. I still have pictures and videos of the flooding.

And my last concern at this time if I could address Fire Chief Scott Lawson

The Fire Department is serving an area of 51 Square miles. With all the new developments happening in Port Colborne is the City equipped with enough Fire Trucks and equipment for your department to serve the city of Port Colborne?

I am aware that the department has 1 Aerial Fire Truck. With the height of the new buildings being built are the other Fire Trucks equipped with ladders that are able to reach the heights over 11 meters?

I understand that other Fire Departments offer Mutual Aid to each other.

Wainfleet Fire Department no Aerial Truck

Welland 1 Aerial Truck response time to Port Colborne 16 minutes

Fort Erie 1 Aerial Truck response time 20 minutes

As a City should we be looking at the City Budget to provide more equipment for your department to serve the City with all the New construction and building proposal?

Thank you please include this email into January 18, 2022 meeting

Jennifer Gardiner

Sent from my Bell Samsung device over Canada's largest network.

David Schulz

From: Charlotte Madden
Sent: January 25, 2022 10:42 AM
To: Kelly Fidler
Cc: David Schulz
Subject: RE: RE 54 George rezoning and building

Hi Kelly,

Thank you for your email. All comments/questions received will be included in the future staff report on this subject property.

Please let me know if you have any further questions.

Kind regards,
Charlotte

Charlotte Madden
Deputy Clerk
City of Port Colborne

Phone 905-835-2900 x115

Email charlotte.madden@portcolborne.ca

66 Charlotte Street
Port Colborne, ON L3K 3C8

www.portcolborne.ca



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From: Kelly Fidler [REDACTED]
Sent: January 25, 2022 8:53 AM
To: Charlotte Madden <charlotte.madden@portcolborne.ca>
Subject: RE 54 George rezoning and building

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Hello there,

I was given your name in regards to the development project suggested for 54 George st.
I've signed the petition and here are some reasons this project should not move forward.

PLEASE HELP SAVE MY NEIGHBOURHOOD & OUR KIDS!!!!

They want to develop a 4 story, 30 unit building on the corner of Erie & George.

IT IS FAR TOO DANGEROUS FOR THE KIDS IN THE NEIGHBOURHOOD!

To have that much extra traffic on Erie & George would put our kids at risk!

There are always kids playing on the streets or at the park.

KIDS DON'T PAY ATTENTION!

Neither do cars.

It's an accident waiting to happen!

As the property sits now it's not maintained and when it is...it's been by work orders from by law officers after many complaints.

What's going to happen when it's a 30 unit building?

They can't and don't take care of the property now, with no one living in it!

There will be extra garbage on the streets.

There will be excess noise.

Where will they put all the snow that needs removal?

OVER POPULATED is what it'll make our neighbourhood.

A 4 story, 30 unit building does not belong in a quiet neighbourhood.

There will be accidents no doubt from all the traffic pulling in on Erie st
and out on George st.

Erie st can NOT handle anymore traffic. Neither can George st.

This development will NOT benefit our neighbourhood.

IT WILL ONLY PUT OUR CHILDREN AT RISK!

Please DO NOT let this development happen.

Regards Kelly Fidler

From: patti mind [REDACTED]
Sent: January 17, 2022 10:27 AM
To: Charlotte Madden <charlotte.madden@portcolborne.ca>
Subject: Re: 54 George St.

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Hi Charlotte

I have since had a chance to read your email and would like to discard my previous 2 questions. I do have new ones though!

1. Are these units to be sold or rented?
2. If the units are to be rented, in what town/city does the landlord reside?
3. I have concerns that the proposed parking will be significantly inadequate.

Overflow will inevitably be on public streets. This will impact the safety and visibility of children/foot traffic/cyclists/vehicle traffic and snow removal within the area. Especially at the corner when site lines down the street will be blocked.

4. Why weren't dumpsters proposed on this development?
(Please picture for me,) cars parked closely together along the streets at this development.
And now it's garbage day.

Recycle only wk
(3 receptacles × 30 units = 90)
1 blue box
1 grey box
1 organic
Potentially 90 recycling containers squeezed in between parked cars, exacerbating safety concerns.

Garbage + recycle wk
(5 receptacles × 30 units = 150)
2 garbage bags
1 blue box
1 grey box
1 organic
Potentially 150 bags and boxes along the curbs.

Also, at Christmas time we are allowed to put out 2 extra bags of garbage per household. The potential is now up to 210 bags/ boxes at this site alone. Plus Christmas trees! And now imagine snow covered curbs!! 😬

This is exactly what the city will be permitting with the proposal as is.

 patti

David Schulz

From: patti mino [REDACTED]
Sent: March 2, 2022 7:13 PM
To: David Schulz; Charlotte Madden; Gary Bruno
Subject: 54 George St.

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Hi David

Please add these comments to go out to those who are to make a decision on this property. I will be most grateful!

Thanks Dave

Development that enhances the 54 George St. area would be welcomed. Unfortunately, a 30 unit stacked townhouse build will only swamp and overwhelm our existing neighbourhood.

Population density

There have already been many recent increases to our neighbourhood at 20 Erie st, 57 Minto St., 67 Minto St., 220 Erie St., and a future build occurring at site of former humberstone builders

By-law exemptions

- multiple exemptions asked for at 54 George St to: further increase population density, significantly decrease landscape buffers, increase allowable height of structure etc, etc.

- significantly inadequate parking

Visual impacts

- no plan to manage a combination of garbage pickup, street parking, snow banks, or to maintain sight lines at the stop sign on the corner of George and Erie streets

Safety concerns

- blatant disregard for traffic impact to pedestrians, cyclists and residents
(stated at Jan 18th council meeting that no traffic impacts were anticipated here, which does not make sense)

The combined result of further increased population density, multiple by-law exemptions, inadequate parking, visual impacts and safety concerns will adversely affect property values.

this 30 unit stacked townhouse build will visually overpower the neighborhood with its sheer height and width and density of people. It does not respect the nature of the existing houses and nearby park. To coin a phrase, it will stick out like a sore thumb.

Patti Mino, resident 152 Erie st

David Schulz

From: patti mino [REDACTED]
Sent: January 19, 2022 2:37 PM
To: David Schulz
Cc: Charlotte Madden
Subject: Re: 54 George St.
Attachments: image001.jpg; image003.png; image005.jpg; image007.jpg; image009.jpg; image011.jpg

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Hi Dave and Charlotte

I would be grateful if you would forward these questions to Councilor Bruno, Councilor Danch.

1. The City of PC has been asked to grant a different zoning designation to accommodate the proposed development.
 - a) How many separate exceptions/ amendments to the definition are being granted to accommodate the builder at 54 George st.?
 - b) At the 57 and 67 Minto St apartments, how many exceptions/amendments to zoning definitions to accommodate were granted?
 - c) At 20 Erie St. townhouses, how many zoning exceptions/amendments to accommodate were granted?
 - d) At 220 Erie St. townhouses, how many were granted?
2. How many new households have been added to the Erie St. community with these 4 combined new builds?
3. In what ways did PC community input, before during and after construction, impact these 4 new developments?
4. How many 4 storey 3 unit stacked townhouses has the owner previously built?
5. What research has the City of PC completed to determine the legitimacy of the developers, buyer satisfaction of developers, complaints from community before, during and at completion of construction, post-construction?
6. Are all voting members of council ever required to visit the sites of proposed new builds? (of any type)

Thank you for the opportunity to attend the Jan 18th council meeting. I learned a lot, and am eager to continue learning!

Patti Mino, resident
152 Erie St.

Planning and Development Services

1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7
905-980-6000 Toll-free: 1-800-263-7215

Via Email Only

January 18, 2022

File No.: D.10.07.OPA-21-0048
D.18.07.ZA-21-0142

David Schulz
Senior Planner
City of Port Colborne
66 Charlotte Street
Port Colborne, ON L3K 3C8

Dear Mr. Schulz:

**Re: Regional and Provincial Comments
Proposed Official Plan Amendment and Zoning By-law Amendment
City Files: D09-03-21 & D14-15-21
Owner: 2852479 Ontario Ltd.
Applicant/Agent: Cory Armfelt, NPG Planning Solutions Inc.
54 George Street
City of Port Colborne**

Regional Planning and Development Services staff have reviewed the above-noted official plan amendment and zoning by-law amendment, which proposes to add a site-specific policy to the current Urban Residential designation to permit a 30-unit stacked townhouse development. The official plan amendment is required to permit a density of 103 units per hectare. The zoning by-law amendment proposes to change the current Institutional ("I") zone to R4-66, a special provision of the Fourth Density Residential ("R4") zone that will permit a 30-unit stacked-townhouse development with a front yard setback of 4.5 metres, a maximum building height of 14.5 metres, and a landscape buffer of 2.5 metres between the edge of the parking area and the lot line abutting the public road. Additionally, the proposed zoning by-law amendment will add a definition for a "Dwelling Townhouse, Stacked" to Section 38 of Zoning By-law 6575/30/18.

A pre-consultation meeting for this proposal was held on May 27, 2021 with the agent, City staff and Regional staff in attendance. Regional staff provide the following comments from a Provincial and Regional perspective to assist the City in their consideration of the application.

Provincial and Regional Policies

The subject lands are located within a Settlement Area under the *Provincial Policy Statement* (“PPS”), designated Delineated Built-Up Area in *A Place to Grow: Growth Plan for the Greater Golden Horseshoe* (“Growth Plan”), and designated Urban Area (Built-Up Area) in the *Regional Official Plan* (“ROP”).

Provincial and Regional policies direct development to take place in urban areas to make efficient use of existing servicing and infrastructure and support the achievement of complete communities. These same policies place an emphasis on intensification and infill to foster a mix of land uses that provide for the diversification of housing options, improved social equity and quality of life, connection to multiple forms of transportation, access to public amenities and institutions, and spaces that are vibrant and resilient in design. A full range of residential and commercial uses are permitted generally within the Urban Area designation, subject to the availability of adequate municipal services and infrastructure and other policies relative to land use compatibility and environmental conservation.

Growth management policies state that until the Region completes the municipal comprehensive review, and it is approved and in effect, the annual minimum intensification target contained in the ROP for the Delineated Built-Up Area (40%) will continue to apply. The proposal will contribute to the City’s intensification target.

Currently on site is St. Peter’s Lutheran Church. This proposed redevelopment for a 30-unit stacked townhome development will be an intensification of the subject land, which both Provincial and Regional policy emphasize where appropriate. In this regard, while there are no land use compatibility concerns from a Provincial or Regional perspective with the proposed development, Regional staff acknowledges that local compatibility considerations and interface with neighbouring land uses is a local planning matter to be addressed by City planning staff and Council. Further, staff notes that there are no environmental concerns.

Regional staff have reviewed the Planning Justification Report (PJR), prepared by NPG Planning Solutions Inc. (dated October 2021) submitted in support of the proposed redevelopment. The report outlines that the proposed development is located in close proximity to Main Street West, which includes commercial businesses, transit facilities, and recreational spaces. The surrounding neighbourhood includes low-density residential uses, and the proposed development will provide an opportunity for higher density intensification. The PJR finds that the proposed stacked townhomes are appropriate for the existing character of the neighbourhood and will provide an affordable housing form in the City.

Subject to the below comments as well as the previous comments above regarding local planning considerations, Regional staff is satisfied with the conclusions of the PJR

from a Provincial and Regional planning perspective and that the redevelopment of this property is consistent with the PPS and conforms to the Growth Plan and ROP.

Site Condition

The PPS requires that contaminated sites be remediated as necessary to ensure there will be no adverse effects to the proposed use. The *Environmental Protection Act* (“EPA”) and O.Reg 153/04 require that a Record of Site Condition (“RSC”) be filed on the Ministry of the Environment, Conservation, and Parks (“MECP”) Environmental Site Registry (“ESR”) prior to any change in land use to a more sensitive use. As discussed at the May 27, 2021 pre-consultation meeting for this proposal, the subject lands were previously used as a church, and have not been repurposed for a commercial, industrial, or community use, as defined within the EPA. The church is considered an institutional use as defined by the EPA, and will not require the filing of a RSC for a change to residential use. The Chief Building Official should be satisfied that a RSC is not required prior to construction.

Stormwater Management

At the time of future *Planning Act* application(s) (i.e. Draft Plan and/or Site Plan), the Region will require a stormwater management brief that indicates in detail how the following requirements will be addressed.

- Niagara Region will require that stormwater runoff from the development be collected and treated to a Normal standard as the minimum acceptable standard prior to discharge from the site.
- Confirmation from the City that the additional flows can be accommodated in their storm sewer or what infrastructure upgrades may be required.
- Inclusion of the necessary information with respect to the inspection and maintenance requirements.

Prior to construction, Niagara Region will require that detailed grading, storm servicing, stormwater management, and construction sediment control drawings be submitted to this office for review and approval.

Waste Collection

Niagara Region provides curbside waste and recycling collection for developments that meet the requirements of Niagara Region’s Corporate Waste Collection Policy. The proposed development is eligible to receive Regional curbside waste and recycling collection provided that the owner brings the waste and recycling to the curbside on the designated pick up day, and that the following curbside limits are not exceeded:

- Recycling: No limit blue/grey boxes collected weekly;
- Organics: No limit green bins collected weekly; and,
- Garbage: 2 Garbage bags/cans per unit collected every-other-week.

Regional staff have had previous discussions with the applicant's consultant regarding the sites eligibility for Regional curbside waste collection. Regional staff indicated previously that the proposed townhouse blocks would be eligible for Regional curbside collection; however, due to the number of units proposed and the amount of containers required at the curbside, this is not Niagara Region's preferred method of waste collection. In order for the site to be eligible for Regional curbside collection, the exterior doors for the units must be visible from the curb, the waste and recycling containers must be individually labelled with the respective unit numbers, and the containers must be placed along the curbside of the travelled portion of the roads for collection.

Conclusion

Regional Planning and Development Services staff are satisfied that the proposed official plan amendment and zoning by-law amendment to permit the redevelopment of 54 George Street in the City of Port Colborne for a 30-unit stacked townhome development is consistent with the Provincial Policy Statement and conforms to the Growth Plan and Regional Official Plan, subject to any local compatibility concerns or requirements.

Regional staff notes that in accordance with the policies 14.E.7 and 14.E.8 of the ROP, the Memorandum of Understanding, and By-law No. 2019-73, the reviewed Official Plan Amendment is exempt from Regional Council Approval.

Please send a copy of the staff report and notice of Council's decision on these applications.

If you have any questions related to the above comments, please contact me at Britney.fricke@niagararegion.ca.

Kind regards,



Britney Fricke, MCIP, RPP
Senior Planner

cc: Diana Morreale, MCIP, RPP, Director of Development Approvals, Niagara Region

Pat Busnello, MCIP, RPP, Manager of Development Approvals, Niagara Region
Robert Alguire, C.E.T., Development Approvals Technician, Niagara Region

To Mayor Mr Steele and the Planning Department of the City of Port Colborne

We the people that have signed this petition want the City of Port Colborne to stop the current application for 54 George Street, Port Colborne File No DO9-03-21.

And the application for zoning By-law Amendment File No D14-15-21

The proposal does not meet the Niagara Region Model Urban Design Guidelines.

Height and massing to the neighboring homes will cause overlooking, wind tunnel affects and overshadowing affects.

A 400 meter walking distance to local shops and school are a recommendation to promote a healthy living community which this proposal is not.

Sidewalks are to be on both sides of the street to focus on walking. Streetscaping is also a key factor which we do not have.

Sidewalks to provide a safe environment and provide unobstructed pedestrian movements with crosswalks.

Living streets : Trees should be a major component of design and for the safety of the community all dead trees should be removed and work orders are still pending.

Port Colborne does not have a full service Public Transportation , and limited buses to other Cities.

Transit infrastructure and transit stops should include a shelter for weather, stops should include seating, trash bins, lighting, and route information. To promote more sustainable transportation.

Port Colborne does not offer environment friendly public transportation.

Our flag down the bus is located at the Humberstone Shoe park with no lighting, no bike storage facilities, and no composting facilities within the park and no shelter to be protected from the weather. Which is causing more people to drive to their destination.

Higher density building forms should require large amounts of parking.

Parking should be configured and designed to reduce the overall mass and visual dominance of paved areas Pedestrian walkways in parking lots are to be included.

Parking landscape should be at each end of every parking aisle. Landscaped islands should be minimum width of 2.5 meters wide and include 1 tree per parking row.

A landscaped island should be provided at mid midpoint of the parking aisles or every 13 to 15 parking bays and include a tree.

If street parking is an option the road should contain a boulevard.

Port Colborne has 1 bike lane located on Killaly Street west.

Urban Design is to promote healthy living including bike lanes to trails which we do not have within Port Colborne.








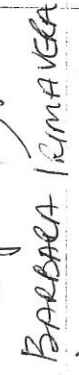



Also for an Urban design community mailboxes should be part of the building plans.

This proposal will interfere with the Neighborhoods character and with the petition we are requesting that all Amendments will be declined by the City of Port Colborne
We all enjoy our neighborhood as the village of Humberstone. We take pride in our small area of town and form lasting relationships with our fellow neighbors.

Regards
Jennifer Gardiner


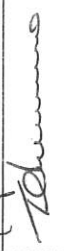
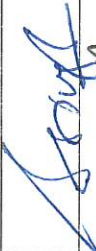









Petition to Stop Rezoning

Petition summary and background	This is a petition to stop the rezoning change to the property known as 54 George Street, also known as 200 Erie Street Port Colborne.	
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to Stop the rezoning of 54 George St also known as 200 Erie Street Port Colborne	

Printed Name	Signature	Address	Comment	Date
Tanya Summers		Port Colborne		3/3/22
ARADIS DYER		Welland		3/3/22
Aaron Schieve		113 EGIN ST Port Colborne	WHY ARE YOU BUILDING EVERYTHING IN TOWN FOR \$\$\$	3/3/22
LEAHNE CANTRELL		204 CLARENCE ST. P.C.		3/4/22
L Mills		Morgan's Point Welland	help the needy.	3/4/22
Alabonte		Welland		3/4/22
Mary Gault		Welland		4/4/22
Barbara J. Bressan		P.C.		07/4/22
Andrew Mariage		Port Colborne		03/4/22
Andrew Hawkins		Fort Erie, ONT.	stop the Greed!!!	3/5/22
Tony Evans		Port Colborne	STOP The greed!!!	3/8/22










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Printed Name	Signature	Address	Comment	Date
Jennifer Gardiner		62 George St Port Colborne	Too large for lot Size not thought area	Jan 24, 2022
Tanya Summers		374 Killaly St East Port Colborne		Jan 24, 22
Satinder Singh Rob Agius	 	167 Clarence St Port Colborne 66 George St Port Colborne		Jan 24/22
Shalena Agius		66 George St Port Colborne	Not enough space on lot - Not the right way to go	Jan 24/22
David Gardner		62 George Street		Jan 24/22
Nicole Bedford		802 Elm Street		Jan. 24/22
Rick Puffer		802 Elm Street		Jan. 24/22
Christy Hill		288 Main Street		Jan 24/22
Rich Bowyer		76 GEORGE ST		JAN 25/22
ROSS RIDGE		119 ERIE ST.		JAN 25-22
Sharon Grenier		172 King St		Jan 24/22

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Printed Name	Signature	Address	Comment	Date
Mar Greer		172 King St		Jan 26/22
Tracy Reker		683 Elm St		Jan 26/22
Rick Forrest		4883 Brookfield Rd		Jan 29/22
Sgt Vandoobas		4883 Brookfield Rd		Jan 29/22
Cathy Cleary		55 Wallace Ave		Jan 29/22
Christa Wonnell		240 Clarence		Jan 29/22
Don Zimmerman		93 Silver St		Jan 29
Dorothy Muzzarell	D.M.	178 Erie St.		" "
Brian Muzzarell	B.M.	178 Erie St.		" "
Olivia Regehr		168 Erie St		Mar 02
Patti Mino	Patti Mino	152 Erie St.		Mar 2
Russell		152 Erie St.		" "

Petition to Stop Rezoning



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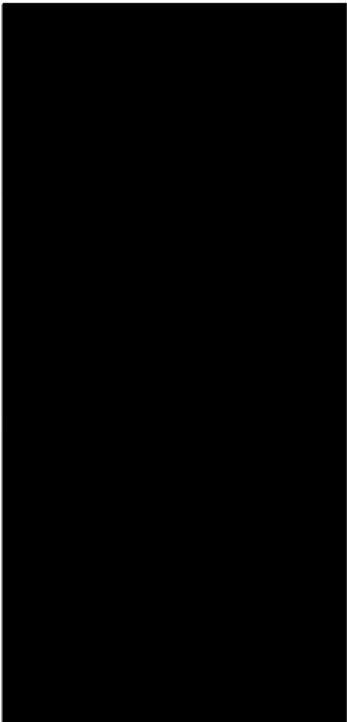
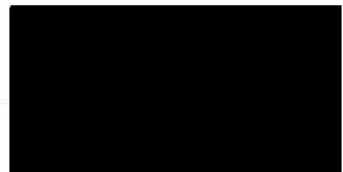
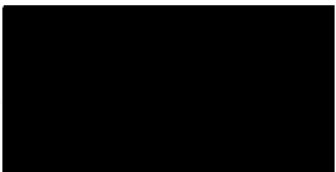
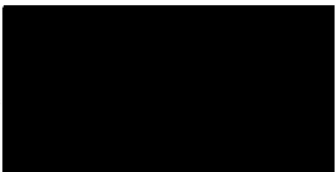
Printed Name	Signature	Address	Comment	Date
Louisa Van Mice	Louisa Van Mice	146 ERIE ST		Mar 3/22
Jocelyne Colka	Jocelyne Colka	140 Erie Str.	NO WAY!!!	March 3/22
Trevor Colka	Trevor Colka	140 Erie Str.		March 3/22
Shawn McIntyre	Shawn McIntyre	69 Charles		March 2/22
Carla Eedens	Carla Eedens	56 Charles		Mar 2/22
Bill Fallon	Bill Fallon	56 Charles		Mar 2/22
Wayne Doolittle	Wayne Doolittle	52 Charles		"
Deanna Doolittle	Deanna Doolittle	52 Charles		"
Devon Doolittle	Devon Doolittle			"
BRANDON STUART	Brandon Stuart	44 CHARLES ST		Mar 2/22
DAVE LANDRY	Dave Landry	42 CHARLES ST	1 2125 TALK IN 2124 D. DOLY	"
DONNIE GRUHL	Donnie Gruhl	39 CHARLES	PLEASE "N/S"	MAR 2-22

Petition to Stop Rezoning

Petition summary and background	This is a petition to stop the rezoning change to the property known as 54 George Street, also known as 200 Erie Street Port Colborne.
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to Stop the rezoning of 54 George St also known as 200 Erie Street Port Colborne

Printed Name	Signature	Address	Comment	Date
W. Connon	W.H. Connon	41 Charles St	too much traffic	3/2/22
T. Schoen	Deborah	161 Erie St	"	3/2/22
S. Ward	Grant	167 Erie St	too much traffic	3/2/22
A. Ward	Deborah	167 Erie St	to many vehicles	3/2/22
Dean Tedesco	Dean	164 Erie St	too many units	03/02/22
Margaret Manuwar	Margaret	64 George St		
John KAH	John KAH	669 Elm St	Too Much TRAFFIC	05/03/22
Stewart McFarlane	Stewart	667 Elm St	too much traffic, loss of privacy	05/03/22
JOHN ETTY	John ETTY	641 Elm St	"	
Jay Gibson	Jay Gibson	73 Union St	"	05/03/22
Judy Benson	Judy Benson	69 Union St	"	05/03/22
Sherrille Webber	Sherrille Webber	43 Union St		

#	Date	Name	Place of residence	Comment	Email address
1	2022-01-25	Sydney Skotniski	Dunnville, Canada		
2	2022-01-25	Tara Comeau	Port colborne, Canada		
3	2022-01-25	Justin Comeau	Port colborne, Canada		
4	2022-01-25	Samantha Thornton	Port Colborne, Canada		
5	2022-01-25	Alisha Dunford	Welland, Canada	This will be next to a friend of mine and her and others around her are not okay with all these buildings being built around them 2 have already been built in that area	
6	2022-01-25	Brittany Ramautarsingh	Kingston, Canada		
7	2022-01-25	Tiana Comeau	Port colborne, Canada		
8	2022-01-25	Hanna Comeau	Port colborne, Canada		
9	2022-01-25	Brandon Comeau	Brantford, Canada		
10	2022-01-25	Jennifer Vaughan	Cobourg, Canada	It's my Friends Neighborhood/Street	
11	2022-01-25	Scott Dunford	Welland, Canada		
12	2022-01-25	Richie Bowyer	Port colborne, Canada		

#	Date	Name	Place of residence	Comment	Email address
13	2022-01-25	Kelly Fidler	Port Colborne, Canada	<p>It is far TOO DANGEROUS FOR THE KIDS in our neighbourhood!</p> <p>To have that much extra traffic on George and Erie st. would put our neighbourhood at risk. There are always kids playing on the streets or at the park. KIDS DON'T PAY ATTENTION and neither do cars. It's an ACCIDENT waiting to happen!</p> <p>As the property sits now it's not maintained. And when it is...it's been by work orders from by law officers after many complaints.</p> <p>What's going to happen when it's a 30unit building? They can't and don't take care of the property now with no one living in it.</p> <p>There will be extra garbage on the streets.</p> <p>There will be excess noise.</p> <p>Where will they put all the snow that needs removal? OVER POPULATED is what it'll make our neighbourhood.</p> <p>A 4 story, 30 unit building does not belong in a quiet neighbourhood.</p> <p>I live on Erie st and our house will be directly across the street from this monstrosity.</p> <p>There will be accidents no doubt, from all the traffic pulling in on Erie and out on George. Erie St can NOT handle anymore traffic. Neither can George.</p> <p>This development will NOT benefit our neighbourhood.</p> <p>Please do not let this development happen.</p>	
14	2022-01-25	Todd Brown	Port colborne , Canada	✓	
15	2022-01-25	Diane Ottewell	Scarborough, Canada		
16	2022-01-25	Sierra Skotniski	Port Colborne , Canada		
17	2022-01-25	Colleen Van Kralingen	Port Colborne , Canada		
18	2022-01-25	Nathalie Csanig	Port Colborne, Canada		
19	2022-01-25	Amanda Tedesco	Port Colborne , Canada		
20	2022-01-25	Heather Ott	Port Colborne, Canada	<p>I don't agree with the proposal. Just do the math. 30 units, means at least 60 cars or 2 per unit. Our by-laws currently only specify 1.25 spaces. Not nearly enough. Also, they paid \$849,000 for the property. Think of the profit from the 30 units squeezed on there.</p>	
21	2022-01-25	Laurie Topolinsky	Port Colborne, Canada	<p>I live close by and think that a condo is ridiculous for our tiny town maybe do apartments instead</p>	
22	2022-01-25	Kathryn Brown	PORT COLBORNE, Canada	<p>City are 'selling out' the residents</p>	









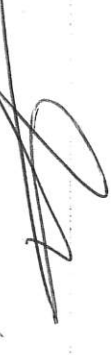

#	Date	Name	Place of residence	Comment	Email address
23	2022-01-25	Tracy Reker	Port Colborne , Canada		
24	2022-01-25	Sandra Whitsitt	Huntsville, Canada	I visit family who live on George street there is no way for a complex this size to be on this small street and everything run smoothly, this is not a good idea or a well thought out plan a couple houses would be better for this little neighbourhood	
25	2022-01-25	Rick Cotterchio	Huntsville , Canada	We visit Port Colborne and stay with Family there this will definitely cause problems	
26	2022-01-25	.McKenna Gardiner	Port Colborne , Canada		
27	2022-01-26	Susanne A.B.	Port Colborne, Canada	We need affordable housing here, for the current residents! Also protect our green space !	
28	2022-01-26	Alisha Cox	Port Colborne, Canada		
29	2022-01-26	Brittany Beney	Port Colborne , Canada		
30	2022-01-26	Shandee Montgomery	brantford , Canada	supporting my family who lives out there!	
31	2022-01-26	Erika Firlotte	Port Colborne, Canada	This proposal is ridiculous. The road is small and directly across the road from a childrens park; that area cannot handle that level of congestion. It would be a more appropriate proposal for - series of townhomes- maybe 6 units; not 30!	
32	2022-01-26	Adrien Mercier	Ridgeway , Canada	I'm against development of any kind. This is too far.	
33	2022-01-26	Yvonne Bonfoco	Port Colborne, Canada		
34	2022-01-26	Cindy Nixon	Fort Erie, Canada		
35	2022-01-26	Kerri Dussault	Port Colborne , Canada		
36	2022-01-26	Dean Dussault	Port colborne , Canada		
37	2022-01-27	Diane Sutch	Port Colborne, Canada		
38	2022-01-27	Chantal Leason	Port colborne , Canada		

089

#	Date	Name	Place of residence	Comment	Email address
39	2022-01-28	Hamilton Kerry	Port colborne , Canada		
40	2022-01-29	Mark Ambeau	St.catharines , Canada		
41	2022-01-30	Ashley Katharine	Port Colborne, Canada		
42	2022-01-31	Brady Neff	Port colborne , Canada		
43	2022-02-01	Nikki Myhill	Port Colborne, Canada		
44	2022-02-06	Kiley Sokoloski	Thorold, Canada	This building is a historic part of the port colborne landscape. Over a 150 years replaced by housing jammed into a small space. Shame	
45	2022-02-21	Warrick Gillingham	Toronto, Canada	Please build in another town or city	








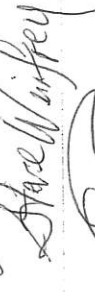

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Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to Stop the rezoning of 54 George St also known as 200 Erie Street Port Colborne

Printed Name	Signature	Address	Comment	Date
W.D. SOMERVILLE		41 UNION ST		MAR 5/22
JASON BROZ		341 UNION ST		MAR 5/22
STEN		85 ERIE		
KRISTA NACH		75 ERIE ST		2022/03/05
Megan Winfrey		67 ERIE ST		
BERNIE McLEOD		57 ERIE ST		2022/03/05
BARBARA NORMAN		56 ERIE ST		03/05/2022
Gilleslede Brochu		62 ERIE ST		03/05/2022
Shirley Weaver		72 ERIE ST		03/05/2022
MIKE WALTON		86 ERIE ST		3-5-22

Petition to Stop Rezoning

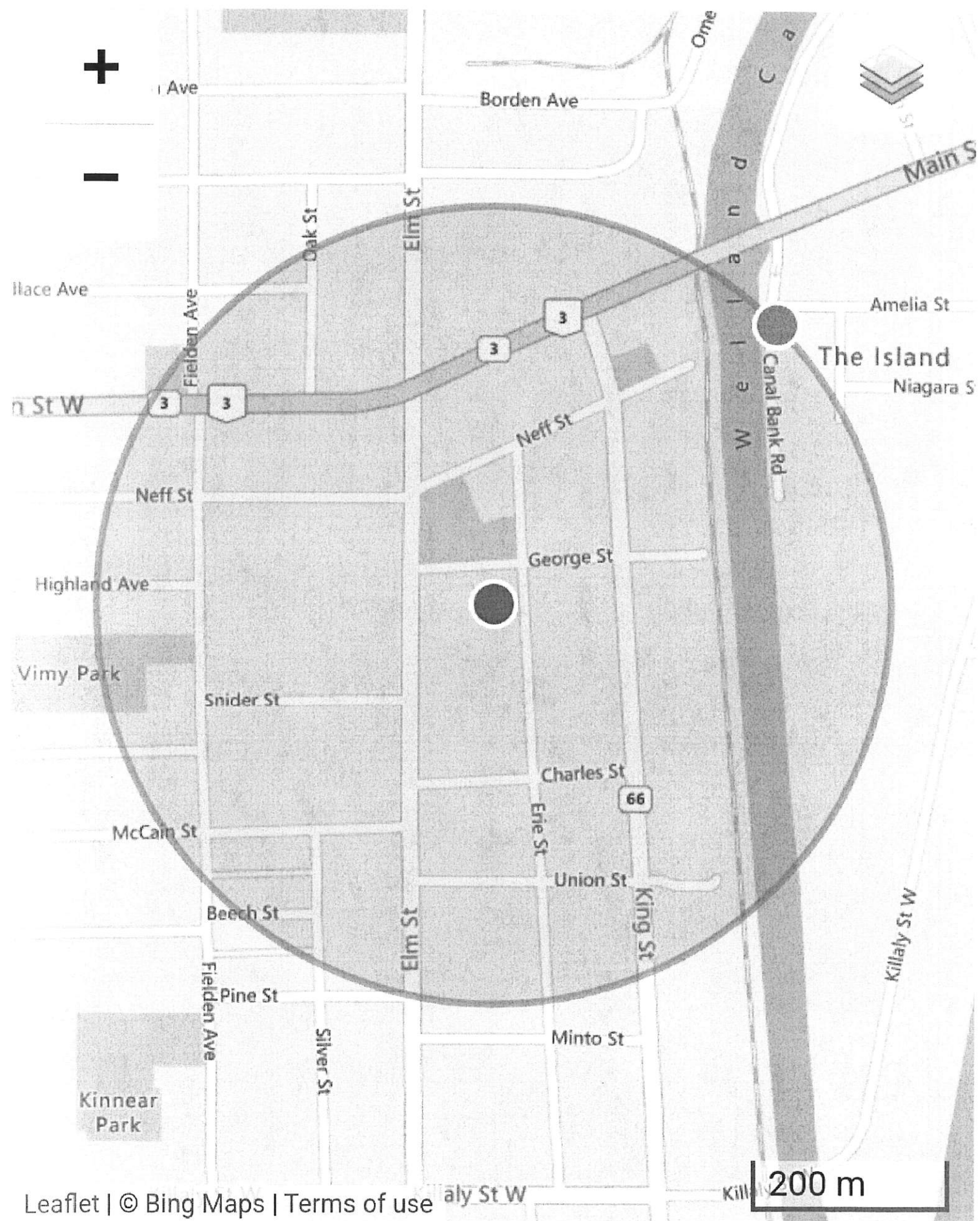
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Action petitioned for:	We, the undersigned, are concerned citizens who urge our leaders to act now to Stop the rezoning of 54 George St also known as 200 Erie Street Port Colborne

Printed Name	Signature	Address	Comment	Date
Laura Kasin		72 main St E Port Colborne		3/7/22
Melli Jespersen		215 Melanby Ave		3/8/22
N. McPhee		43 Chippawa Rd.		3/9/22
Cindy Nasar		166 Charles St		3/9/22
Lisa Jeppin		41 Elmwood Ave		
Saran Gith		32430 Clarendon St W Wainfleet		3/11/2022
JILL MATHES		305 Killaly St E, P.C.		03/11/2022
STEVE Wintrey		305 Killaly St E, P.C.		03/11/2022
Chip Race		577 Clarence		03/12/22

Petition to Stop Rezoning

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Printed Name	Signature	Address	Comment	Date
Denise Patterson	<i>Denise Patterson</i>	31 Chippewa Rd.		March 11/22
Cherie Kennedy	<i>Cherie Kennedy</i>	334 King St. P.C.		Nov 11/22
Nora Miller	<i>Nora Miller</i>	400-104 Steeles St. P.C.		Nov 12/22
Doreen Smith	<i>Doreen Smith</i>	1811 King St. P.C.		Nov 12/21
Linda Blanchard	<i>Linda Blanchard</i>	12555 Crowland Ave.		Mar 12/22
Rebecca Steinhilber	<i>Rebecca Steinhilber</i>	114 Linwood Ave P.C.		March 12/22
Molly Sheehan	<i>Molly Sheehan</i>	114 Linwood Ave, P.C.		March 12/22
Leslie Banner	<i>Leslie Banner</i>	116 Farnsworth Ave P.C.		March 12/22
John C. Manning	<i>John C. Manning</i>	66 GEORGE ST. P.C.		MARCH 14/22
MIKE GREEN	<i>M.D. Green</i>	23 WALNUT ST. P.C.		MAR. 14/22



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200 m

Print map

Download map

Port Colborne, ON L3K 6H1

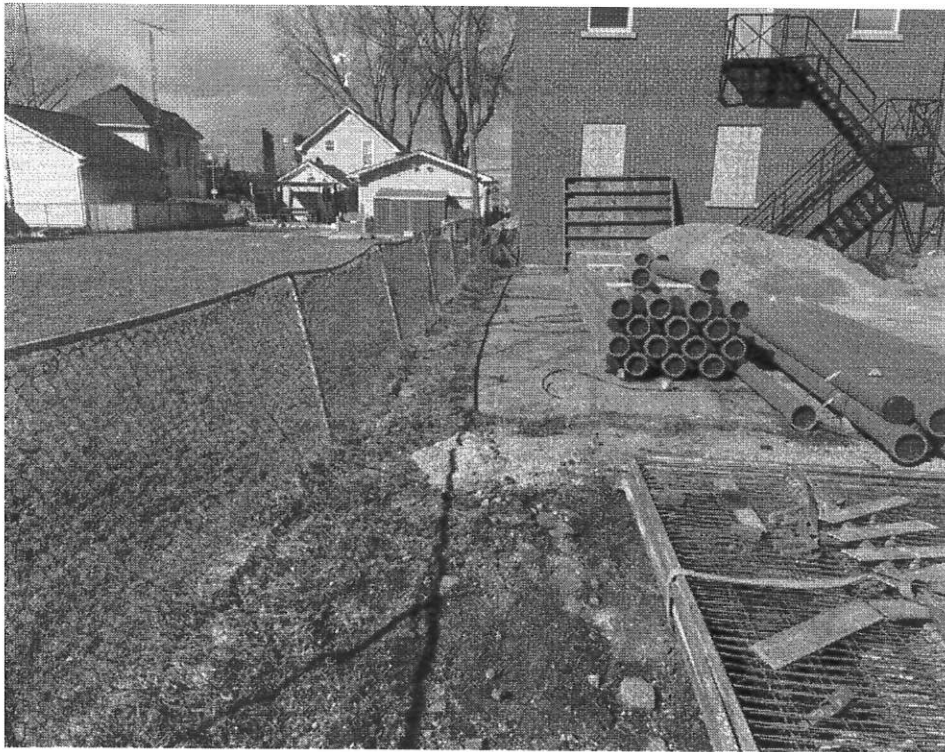
www.portcolborne.ca



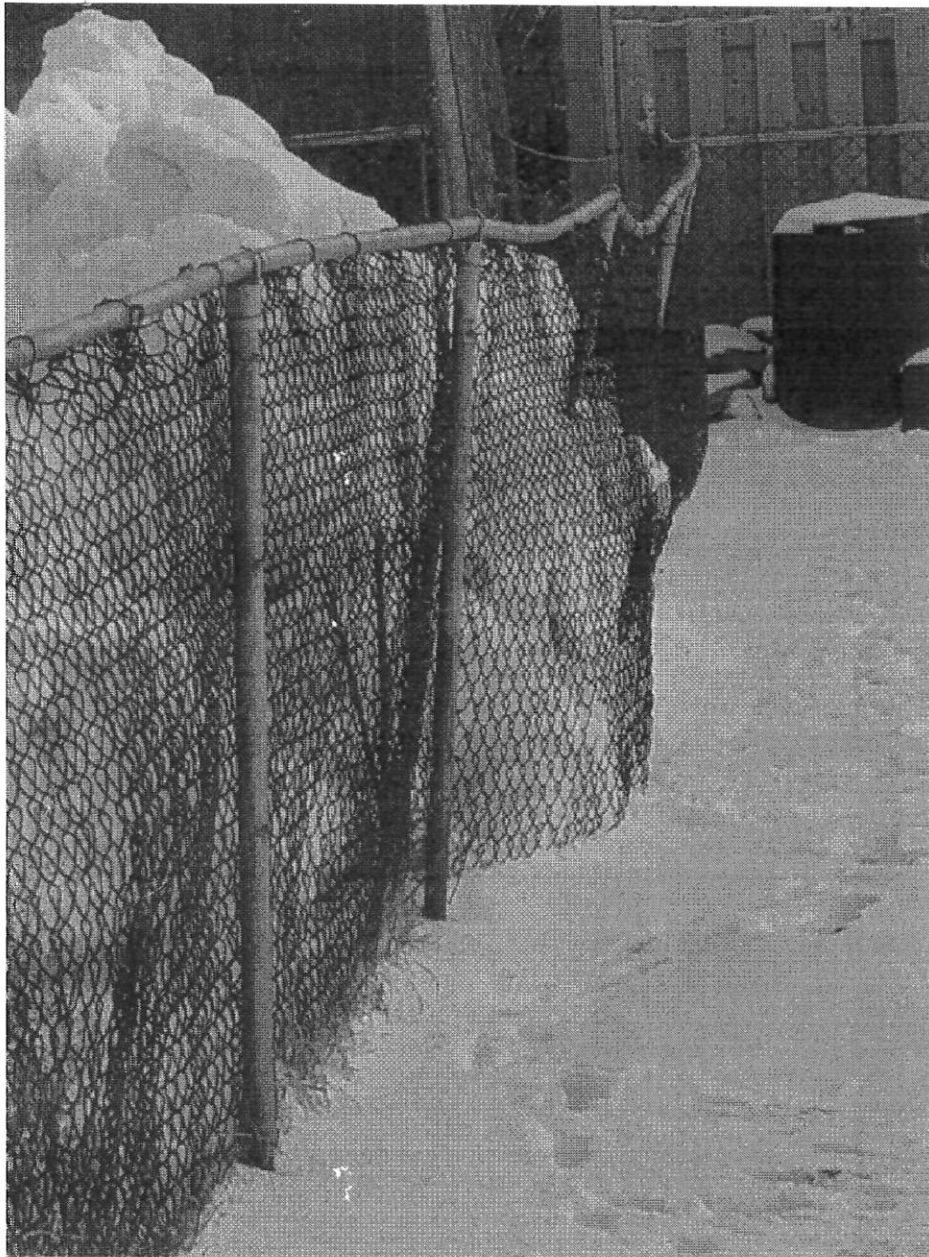
PORT COLBORNE



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Steve Shypowskyj

Manager of Road & Park Operations
City of Port Colborne

Phone 905-835-2900 x220

Email Steve.Shypowskyj@portcolborne.ca

1 Killaly Street West,
Port Colborne, ON L3K 6H1

www.portcolborne.ca







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CONCEPTUAL SITE STATISTICS

LOT AREA (TOTAL)	2,929.6 SQ.M. (.293 HECTARES)
LOT COVERAGE	25.0%
LANDSCAPING	37.9%
BUILDING HEIGHT	14.2m
PROPOSED DENSITY	102 UNITS/HECTARE
PROPOSED PARKING	38 SPACES (1.0/UNIT + 0.26/UNIT - VISITOR)
	BARRIER FREE PARKING - 2 SPACES
	BICYCLE PARKING - 10 SPACES
PROPOSED UNITS	30 DWELLINGS

1 SITE PLAN
A100 1 : 150



1 BIRD'S EYE VIEW
A101



March 18, 2022

David Schulz, Planner
City of Port Colborne
66 Charlotte Street
Port Colborne, ON L3K 3C8

Dear David,

OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT APPLICATION, 2852479 ONTARIO LIMITED

54 GEORGE STREET, PORT COLBORNE

This letter reviews the conceptual site plan changes proposed in response to public and agency comments associated with the Zoning By-law Amendment application submitted on November 2, 2021. This active application seeks site-specific minimum front yard, maximum height, and landscaped area provisions for buildings and parking areas. The changes proposed in response to input provided at a public meeting held on January 18, 2022 warrant changes to the previously proposed site-specific by-law. These amendments are offered to the City for formal consideration in their recommendations to Council. We would be pleased to review further with staff if needed prior to finalizing their report to Council.

The information in this letter should be read in conjunction with the previously submitted Planning Justification Report (PJR), prepared by NPG Planning Solutions (NPG) Inc., dated October 2021. The changes do not impact the policy analysis nor the overall conclusion within the previously prepared PJR.

As requested, our client commissioned a preliminary traffic analysis, and upon further review of the site plan, it was determined an increase in the internal drive aisle width was needed for safer movement of vehicles in and out of parking stalls on the west side of the site. There are no issues for safe traffic flow nor turning movements in and out of the site that will negatively impact the abutting streets.

This submission provides additional information and revisions to the site plan to accommodate all comments received to date.

A. Site Plan Changes

Although the City's Zoning By-law requires driving aisles to be no less than 3 metres wide for one-way traffic (s.3.7 b)), it was recommended by the project's traffic consultant to increase this to 6m where the majority of the parking is provided. As noted previously, the

revision to the site plan consists of an increase to the internal drive aisles. The western drive aisle increased from 4.5 metres to 6 metres, and the southern drive aisle from 3.5 metres to 4.5 metres. Further, the Site Plan includes the following changes to assist in achieving the wider driveway aisles without unduly impacting the buffers and landscaped areas:

1. Reduction in landscaped buffer space along the west and south lot lines from 3 metres to 2.5 metres (approximately), respectively.
2. Reduction in the minimum front yard setback from 4.5 metres to 4.0 metres.
3. Reduction in minimum corner side yard from 4.5 metres to 3.5 metres.

B. Supporting Traffic Study

A Transportation Opinion Letter was prepared by GHD, dated February 18, 2022, assessing the existing traffic condition. The letter concludes that the expected increase in traffic volume is nominal and within the typical traffic expected along local roads. The nearby intersections are also expected to operate at no noticeable increases in delays or queuing during the peak periods. Please refer to the enclosed letter for further details.

C. Proposed Zoning By-law Amendment

Due to the site plan changes, revisions to the proposed Zoning By-law Amendment are required.

Table 3. Zoning Comparison Chart for Section 8 (R4 Zone)

REGULATION	REQUIRED	PROPOSED	COMPLIANCE
Permitted Uses	e) Dwelling, Townhouse Block;	Stacked townhouse units	Yes
Minimum Lot Frontage per Unit (8.5 a))	6 m	6.1 m	Yes
Minimum Lot Area (8.5 b))	0.02 ha	0.293 ha	Yes
Minimum Front Yard (8.5 c))	7.5 m	4.0 m (from Block A);	No
Minimum Interior Side Yard	3 m	16.93 m (from Block A)	Yes

REGULATION	REQUIRED	PROPOSED	COMPLIANCE
(8.5 d))			
Minimum Corner Side Yard (8.5 e))	4.5 m	3.5 m (from Block A);	No
Minimum Rear Yard (8.5 f))	6 m	8.1 m	Yes
Maximum Height (8.5 g))	11 m	14.2 m	No
Minimum Landscaped Area (8.5 h))	25 percent	37.9 percent	Yes
Landscape Buffer (8.5 i))	A 3 metre planting strip shall be required when a Townhouse development abuts the boundary of the Residential First Density, Residential Second Density or Residential Third Density Zone.	South lot line: 2.6 m West lot line: 2.5 m	No No
Permitted Encroachments (2.19)	<u>Uncovered Stairs or Ramps to First Storey</u> Yard Permitted: All Required setback from Lot Line: 0.5 m	1.3 m (Block A) 1.8 m (Block B)	Yes
Parking Space Requirements (3.1.1)	Dwelling, Townhouse Block (1 space required per unit);	38 spaces (1.26 spaces/unit)	Yes
Landscape Provisions for Parking Areas (3.11.1)	A landscape buffer shall be provided between the edge of any parking area and an abutting lot line(s) as follows: Lot Line Abutting a Public Road: 3 m Lot Line Abutting a Residential, Institutional or Public and Park Zone: 3 m	North lot line: 2.5 m South lot line: 2.6 m West lot line: 2.5 m	No No No

REGULATION	REQUIRED	PROPOSED	COMPLIANCE
Required Bicycle Parking (3.13.1)	Residential Buildings with 10 or more dwelling units: 6 Spaces plus 1 for every additional 10 dwelling units above 20 (Required: 7 spaces)	10 spaces	Yes

Minimum Front Yard

The previous site plan prepared by Organica Studio Inc. dated September 22, 2021, illustrates a reduced front yard setback of 4.5 metres (where the requirement is 7.5 metres). The revised site plan proposes reducing this setback further to 4.0 metres to accommodate the increased drive aisle width. Further, due to the existing public sidewalk already in place, the private sidewalk has been removed which leaves room for tree planting and other landscaping in the front yard.

The requested variance remains supportable as it continues to promote the development closer to the street, providing “eyes on the street” benefits and convenient access to existing municipal sidewalks and transit services.

Corner Side Yard

The previously prepared site plan demonstrated a corner side yard setback of 4.5 metres as required by the City’s Zoning By-law. For the same reasons as mentioned above, the corner yard setback has been reduced to 3.5 metres along the east lot line from Block A. As the property is a corner lot, reducing this setback brings the development closer to the street, promoting a pedestrian-friendly environment. The requested variance is not anticipated to cause any significant impacts on the adjoining streetscape and can be supported.

Landscape Provision for Lands Abutting Residential Uses and for Parking Areas

Section 3.11.1 of the City’s Zoning By-law requires at least 3 metres along the west and south lot lines and the edge of the parking area. The by-law also requires a planting strip of 3-metre width when a townhouse development abuts low-density residential uses.

Due to the increase in the internal drive aisles, the landscape buffer along the west and south lot lines were reduced from 3 metres to 2.5 metres.

The reduction can be supported for the following reasons:

- A privacy fence will be implemented at the site planning stage to reduce potential disturbances caused by the parking area on the adjacent residents.
- 2.5 metres is sufficient separation between the parking area and adjacent residences to accommodate quality landscaping that can visually buffer parked

cars from the neighbouring dwellings. The Site Plan demonstrates how landscaping can be accommodated in this width, which will be detailed at the site planning stage subject to recommendations from a Landscape Architect.

- The variance is a minor reduction from the zoning requirement, and the intention of the provision will be achieved via a privacy fence and appropriate landscaping treatments.

Parking Space Requirement

Parking for the development is provided at a rate of 1.26 spaces/unit through 38 spaces for 30 dwelling units. The applicable Zoning By-law requirement for block townhouses is 1 space per unit. Although the proposal complies with the requirement, staff have requested the site-specific zoning to capture the proposed parking rate to ensure sufficient visitors' parking is available for future occupants. Please refer to the Draft Zoning By-law Amendment enclosed with this letter.

Maximum Height

The height of the development has not changed since the initial submission. Please refer to the PJR dated October 2021 for a rationale for the requested height.

As part of our resubmission, please find enclosed the following:

- One (1) copy of the Site Plan prepared by Organica Studio, dated March 1st, 2022.
- One (1) copy of the Transportation Opinion Letter prepared by GHD, dated February 18, 2022;

Should you require anything further or have any questions, please do not hesitate to contact the undersigned.

Yours Truly,



Rhea Davis, MPlan
Planner
NPG Planning Solutions Inc.
E: rdavis@npgsolutions.ca



John Henricks, MCIP RPP
President
NPG Planning Solutions Inc.
E: jhenricks@npgsolutions.ca

Appendix A: Draft Zoning By-law Amendment

THE CORPORATION OF THE CITY OF PORT COLBORNE
BY-LAW NO. _____

BEING A BY-LAW TO AMEND ZONING BY-LAW 6575/30/18, RESPECTING LANDS LEGALLY DESCRIBED AS LOTS 9, 10 AND PART OF LOT 11, REGISTERED PLAN NO. 767 AND BLOCK ‘A’ AND PART OF BLOCK ‘B’, REGISTERED PLAN NO. 775 IN THE CITY OF PORT COLBORNE, REGIONAL MUNICIPALITY OF NIAGARA, AND MUNICIPALLY KNOWN AS 54 GEORGE STREET.

WHEREAS By-law 6575/30/18, is a by-law of the Corporation of the City of Port Colborne regulating the use of lands and the location and use of buildings and structures within the City of Port Colborne;

AND WHEREAS, the Council of the Corporation of the City of Port Colborne desires to amend the said by-law;

NOW THEREFORE, and pursuant to the provisions of Section 34 of *The Planning Act, R.S.O. 1990*, The Corporation of the City of Port Colborne enacts as follows:

1. This amendment shall apply to those lands described on Schedule “1” attached to and forming part of this by-law.
2. That the Zoning Map referenced as Schedule “A7” forming part of By-law 6575/30/18 is hereby amended by changing those lands described on Schedule 1 from Industrial (I) to R4-XX, being a special provision of the Fourth Density Residential Zone.
3. That Section 37 entitled “Special Provisions” of Zoning By-law 6575/30/18, is hereby further amended by adding the following:

R4-XX

Notwithstanding the provisions of the Fourth Density Residential (R4) zone, the following regulations shall apply:

Minimum Front Yard	4.0 metres from the building
Maximum Height	14.5 metres
Landscaped buffer width between the edge of the parking area and the lot line abutting a public road	2.5 metres
Landscape buffer width for development that abuts the boundary of the Residential First Density, Residential Second Density or Residential Third Density Zone.	2.5 metres

4. That this By-law shall come into force and take effect on the day that it is passed by Council, subject to the provisions of *The Planning Act, R.S.O 1990*.

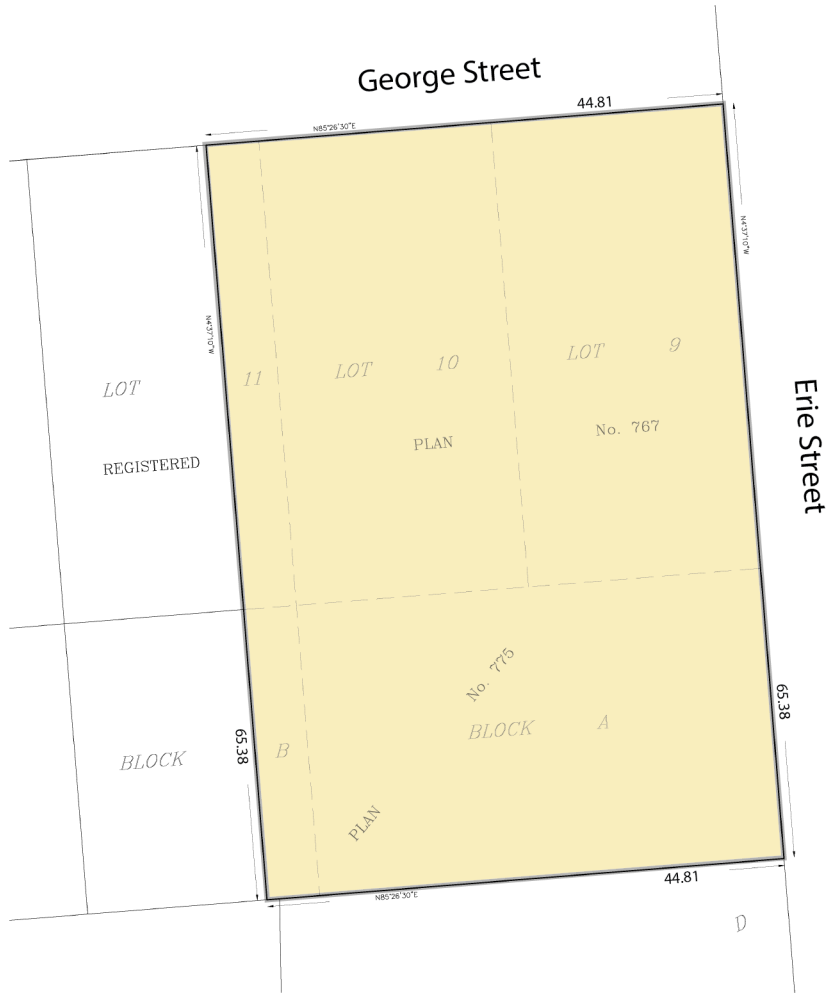
5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with *The Planning Act*.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS XXTH
DAY OF XXX, 2022**

William C Steele, MAYOR

Amber LaPointe, CLERK

SCHEDULE 1



THIS IS SCHEDULE "1" TO BY-LAW NO. _____
 PASSED THE _____, 2022
 CITY OF PORT COLBORNE

File No:
 Date:
 Scale: NTS

 MAYOR

 CLERK

February 18, 2022

Reference No: 11213209

Estate Hill Developments
262 Dunn Avenue
Toronto, ON
M6K 2R9

Attention: Geoffrey Foster

**Re: Transportation Opinion Letter
 Proposed Stacked Townhouse Development
 54 George Street
 Port Colborne, ON**

1. Introduction

Estate Hill is in the process of seeking approval for a proposed residential development in Port Colborne that is generally bounded by George Street to the north and Erie Street to the east. **Figure 1** illustrates the location of the subject.



Figure 1 Site Location

The subject site was previously occupied by the St. Peter's Lutheran Church worship building and accompanying residential quarters until the church vacated the property in 2018.

2. Existing Road Network

The following describes the existing roads within the study area.

George Street is an east-west local road under the jurisdiction of the City of Port Colborne. Within the study area it has a rural two-lane cross-section, a pedestrian sidewalk on the south only and parking is allowed on both sides of the street.

Its intersections with Elm Street and Erie Street are both stop controlled. At the intersection with Elm Street, the stop sign is for the minor approach on George Street. The assumed posted speed on George Street is 50 km/h.

Elm Street is a north-south local road under the jurisdiction of the City of Port Colborne. Within the study area it has a rural two-lane cross-section, pedestrian sidewalks on both sides of the street and parking is allowed on both sides of the street.

Its intersection with George Street is stop controlled with the stop sign only on the minor approach along Elm Street. The assumed posted speed on George Street is 50 km/h.

3. Proposed Development Plan

The proposed revised development plan for the site consists of 30 stacked townhouse units located on two development blocks A and B. Vehicle access to the site is proposed via an inbound only driveway located on Erie Street and an outbound only driveway located on George Street. A total of 30 resident and 8 visitor parking spaces are proposed within surface level parking spaces located primarily on the west side of the proposed development blocks A and B. **Figure 2** illustrates the proposed site plan and one-way circulation through the site.



Figure 2 Site Plan

4. Trip Generation

Trip generation for the proposed development was undertaken for the weekday a.m. and p.m. peak hours using trip rates contained in the ITE Trip Generation, 11th Edition Manual published by the Institute of Transportation Engineers. Land Use Code 220 (Multifamily Housing - Low-rise) was used as it best represented the proposed land use.

GHD also reviewed the 2016 Transportation Tomorrow data for the modal split of trips originating and destined to this zone along with the two neighbouring zones. Although the TTS data show that the existing transit modal split in this area is approximately 8%, GHD did not apply a transit modal split reduction to the proposed trip generation in order to provide a more conservative estimate of the expected total number of site trips generated by the site.

Table 1 below summarizes the expected trip generation based on the proposed 30 townhouse units.

Table 1 Site Trip Generation

Land Use Code	Units		Peak Hour Trip Generation					
			Weekday AM			Weekday PM		
			In	Out	Total	In	Out	Total
Multifamily Housing (Low-Rise) LUC 220	30	Rate	24%	76%	100%	63%	37%	100%
		New Vehicle Trips	8	24	32	21	12	33

The proposed residential development is expected to introduce a total of 32 new two-way trips to the adjacent road network during the a.m. peak hour consisting of 8 inbound and 24 outbound trips. During the p.m. peak hour, a total of 33 new two-way trips are introduced to the adjacent road network consisting of 21 inbound and 12 outbound trips.

4.1 Trip Distribution

Based on a review of the Transportation Tomorrow 2016 Survey, it is expected that 70% of trips originating from subject site are to/from the north and 30% to/from the south during both the a.m. and p.m. peak hours.

Based on a review of the surrounding road network, it was determined that vehicles to/from the north will most likely use George Street, Erie Street, Elm Street and King Street while vehicles to/from the south will mostly likely use George Street, Charles Street and Elm Street.

5. Traffic Assessment

During the a.m. peak hour, the section of George Street between Elm Street and Erie Street will experience a modest increase in traffic volumes as a result of the subject site as residents exit the outbound driveway and head either east or west along George Street. Considering the configurations of the site driveways, it is projected that all 24 outbound and potentially some of the 8 inbound trips will use George Street to exit and enter the site. The resulting incremental impact of this traffic is expected to be negligible as it translates into approximately one new outbound vehicle trip every 2.5 minutes and a maximum of one new inbound vehicle trip every 7.5 minutes on this section of George Street during the a.m. peak hour. On Erie Street, the inbound trips will result in a maximum of one new vehicle trip on Erie Street every 7.5 minutes during the hour.

During the p.m. peak hour, the section of Erie Street between George Street and Charles Street will experience a modest increase in traffic volumes as a result of the subject site as residents enter the subject

site from the inbound only driveway on Erie Street from either the north or the south. Considering the one-way circulation of the site, it is projected that all 21 inbound trips will travel along Erie Street and 8 outbound trips along George Street. The resulting incremental impact of this traffic is also expected to be negligible as it translates into approximately one new inbound vehicle trip every 2.8 minutes on Erie Street and one new outbound vehicle trip on George Street every 5 minutes during the p.m. peak hour.

The expected increase in traffic volumes adjacent to the subject site is in our opinion nominal and within with the typical daily variation of traffic expected along these types of local roads. The nearby stop-controlled intersections are expected to continue to operate with no noticeable increases in delays or queuing during the peak periods and therefore the additional site traffic is not expected to be noticeable from the perspective of existing residents and motorists.

6. Transit Assessment

As of January 1, 2022 the NRT OnDemand which is a partnership between Niagara Region and the City of Port Colborne replaced the fixed route service operated by Welland Transit. With this new system, all residents of Port Colborne will have access to transit services no matter where they live. The NRT OnDemand service covers the whole city.

The NRT OnDemand service operates Monday to Saturday between 7 a.m. and 10 p.m. and allows residents to book a trip using a home phone or smartphone app. Riders can book a trip up to 15 minutes before their departure. Once booked, a vehicle will pick up the passenger within a block or two of the residents' doorstep at a nearby location and/or intersection. The average walk to a pick-up or drop-off locations is 100 metres.

Based on the introduction of this new transit option, residents of the proposed development will have access to excellent and timely transit service Monday to Saturday.

7. Site Circulation

The proposed site plan provides an inbound only access driveway from Erie Street to the surface parking lot. Outbound movements are provided via the outbound only driveway onto George Street. Based on our review of the site circulation, it is our opinion that the proposed circulation is appropriate and provides the least impact to surrounding residents. Locating the outbound movement onto George Street opposite the existing neighbourhood park where there are no residential homes eliminates the negative impacts of headlights shining into homes as vehicles exit the driveway. The impact of the headlights into the neighbourhood park is negligible as use of the park is minimal before sunrise and after sunset.

8. Conclusions

The proposed development consists of 30 stacked townhouse units with inbound access from Erie Street and outbound access from George Street.

The proposed residential development is expected to generate a total of 32 new two-way trips during the a.m. peak hour consisting of 8 inbound and 24 outbound trips. During the p.m. peak hour, a total of 33 new two-way trips are generated consisting of 21 inbound and 12 outbound trips.

The proposed site traffic will increase traffic on George Street with an expected 1 new vehicle trip introduced every 2.5 minutes during the a.m. peak hour and 1 new vehicle trip introduced on Erie Street every 2.8 minutes during the p.m. peak hour.

The expected increase in traffic volumes adjacent to the subject site is nominal and within with the typical daily variation of traffic expected along local roads. The nearby stop-controlled intersections are expected to continue to operate with no noticeable increases in delays or queuing during the peak periods and therefore not expected to be noticeable from the perspective of existing residents and motorists.

Based on the introduction the NRT OnDemand transit service, residents of the proposed development will have access to excellent and timely transit service Monday to Saturday.

The proposed site circulation which includes inbound movements from Erie Street and outbound movements to George Street is considered appropriate and will minimize the negative impacts of exiting vehicles shinning their headlights into a neighbouring home.

We trust that you will find this information useful, but do not hesitate to contact the undersigned if you have any questions.

Sincerely,

GHD



William Maria, P. Eng.

Transportation Planning Lead

PLANNING JUSTIFICATION REPORT

Official Plan & Zoning By-law Amendment Application

October 2021

54 George Street

City of Port Colborne, ON

For: 2852479 ONTARIO LIMITED

By: NPG Planning Solutions Inc.

4999 Victoria Avenue

Niagara Falls, ON

D: 905.321.6743

CONTENTS

1.0	INTRODUCTION.....	3
2.0	DESCRIPTION OF SUBJECT LANDS AND SURROUNDING LAND USES.....	3
3.0	PROPOSED DEVELOPMENT.....	10
4.0	PLANNING POLICY FRAMEWORK	12
4.1	Provincial Policy Statement (2020).....	12
4.2	Growth Plan for the Greater Golden Horseshoe (2019)	14
4.3	Niagara Region Official Plan (2014 Consolidation)	16
4.4	City of Port Colborne Official Plan (2020).....	18
5.0	PROPOSED OFFICIAL PLAN & ZONING BY-LAW AMENDMENT	25
5.1	Proposed Official Plan Amendment.....	25
5.2	Proposed Zoning By-law Amendment.....	25
6.0	SUMMARY OF PLANNING OPINION	31
7.0	APPENDICES	32
7.1	Appendix A: Site Plan, Schematic Section & Renderings	33
7.2	Appendix B: Regional Schedules	35
7.3	Appendix C: City Schedules.....	42
7.4	Appendix D: Zoning By-law Map – Schedule A7	47
7.5	Appendix E: Draft Official Plan Amendment.....	48
7.6	Appendix F: Draft Zoning By-law Amendment	56

1.0 INTRODUCTION

NPG Planning Solutions Inc. (NPG) were retained as planning consultants for 2852479 ONTARIO LIMITED, owner of approximately 0.30 hectares of land in the City of Port Colborne. The subject lands are legally described as Lots 9,10, and Part of Lot 11 (Registered Plan No. 767) and Block A and Part of Block B (Registered Plan No. 775), City of Port Colborne, Regional Municipality of Niagara. NPG has been retained to provide professional planning advice on the proposed development of a townhouse complex with a total of 30 dwelling units on the subject lands. Implementation of the proposed development requires an Official Plan Amendment (OPA) and a Zoning By-law Amendment (ZBA), and a future Site Plan and Condominium applications.

The following Planning Justification Report (“PJR”) provides an analysis of the proposed development and evaluates the appropriateness of the application for the Amendment to the Official Plan (approved in November 2013) and the Zoning By-Law 6575/30/18 when assessed against policies in the Provincial Policy Statement (“PPS”), Growth Plan for the Greater Golden Horseshoe (“Growth Plan”), Niagara Region Official Plan (“NROP”), and the City of Port Colborne Official Plan (“Local OP”). The proposed development is an example of good land use planning, and therefore, we recommend that the Official Plan and Zoning By-law Amendment be approved.

As per the Pre-Consultation Agreement dated May 27th, 2021, the following documents are required for a complete Official Plan and Zoning By-law Amendment application:

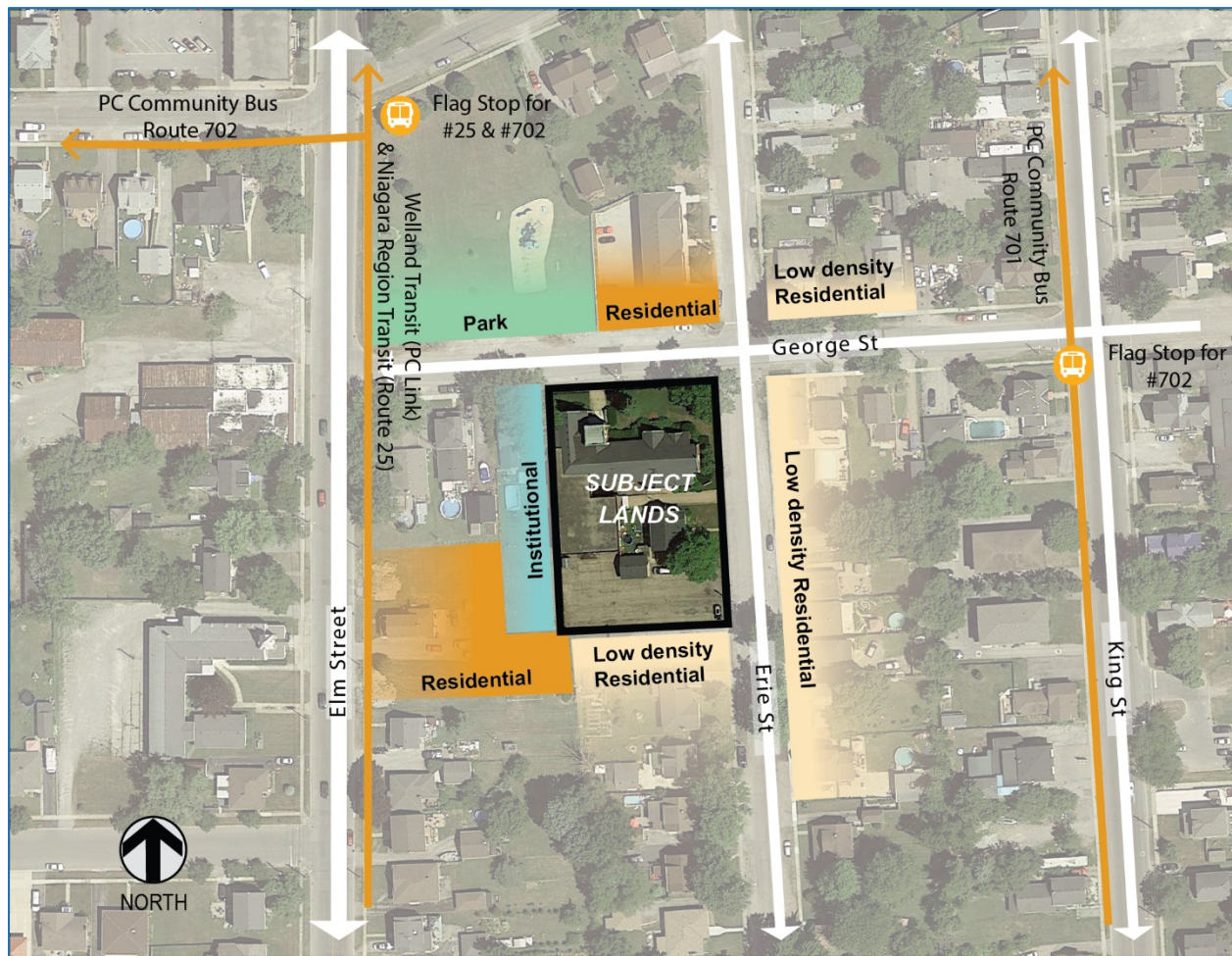
1. Planning Justification Report
2. Conceptual Site Plan

2.0 DESCRIPTION OF SUBJECT LANDS AND SURROUNDING LAND USES

As shown in **Figure 1 – Site Context and Surrounding Uses**, the subject lands are located south of George Street and west of Erie Street. The subject lands have a frontage of approximately 44 metres on George Street, a depth of approximately 65 metres and a total area of roughly 2,930 square metres. The land is designated Urban Residential in the City’s Official Plan and zoned Institutional (I) in Zoning By-law 6575/30/18.

Currently, the site contains a church building, its accessory structures and an asphalted parking area to the south. There are no areas of natural heritage significance identified on the subject lands. The uses surrounding the subject lands are predominantly residential in nature, consisting of single-detached and multi-unit residential dwellings. The parcel immediately to the west, zoned Institutional, contains a single-detached residence. A neighbourhood park exists to the northwest of the site. Please refer to **Photos 1 – 10** on the following pages for more details.

Figure 1. Site Context and Surrounding Uses



- **North:** Park and Townhouse dwellings
- **South:** Single-detached dwellings
- **East:** Single-detached residential dwellings
- **West:** Single-detached dwellings

Photo 1. Frontage along George Street



Photo 2. Frontage along Erie Street



Photo 3. Accessory structures along the Erie Street frontage



Photo 5. Interface along the South Lot Line



Photo 7. View of the Interface along the West Lot Line from George Street



Photo 9. Surrounding uses to the East of the Subject Site



3.0 PROPOSED DEVELOPMENT

2852479 ONTARIO LIMITED is proposing to develop a total of 30 dwelling units arranged in two stacked townhouse blocks. Block A is situated along the northern property line, and contain 12 dwelling units. Block B is located along the east lot line and contains 18 units.

Lot coverage is proposed at approximately 25% of the total site area, and landscaping is proposed to cover approximately 41% of the entire site area. Landscaping is comprised of the proposed walkways and landscaped areas around the residential blocks. Parking for the development will be provided at grade, at a rate of 1.26 spaces per dwelling unit, with a total of 38 parking spaces, including 2 accessible spaces.

The proposed housing type is a stacked townhouse with at-grade and upper-level units. The proposal will deliver a residential density of 103 units per hectare. The Bird's Eye View prepared by Organica Studio demonstrates the split between the levels. Each vertical stack will be split into four levels, consisting of one at-grade unit and two upper-level units. The proposed built-form will be at a height of 14.2 metres. The proposed product type will create housing choice in the City while allowing units to be at an affordable price. Overall, the proposed housing type is a good product to increase density in a compatible manner.

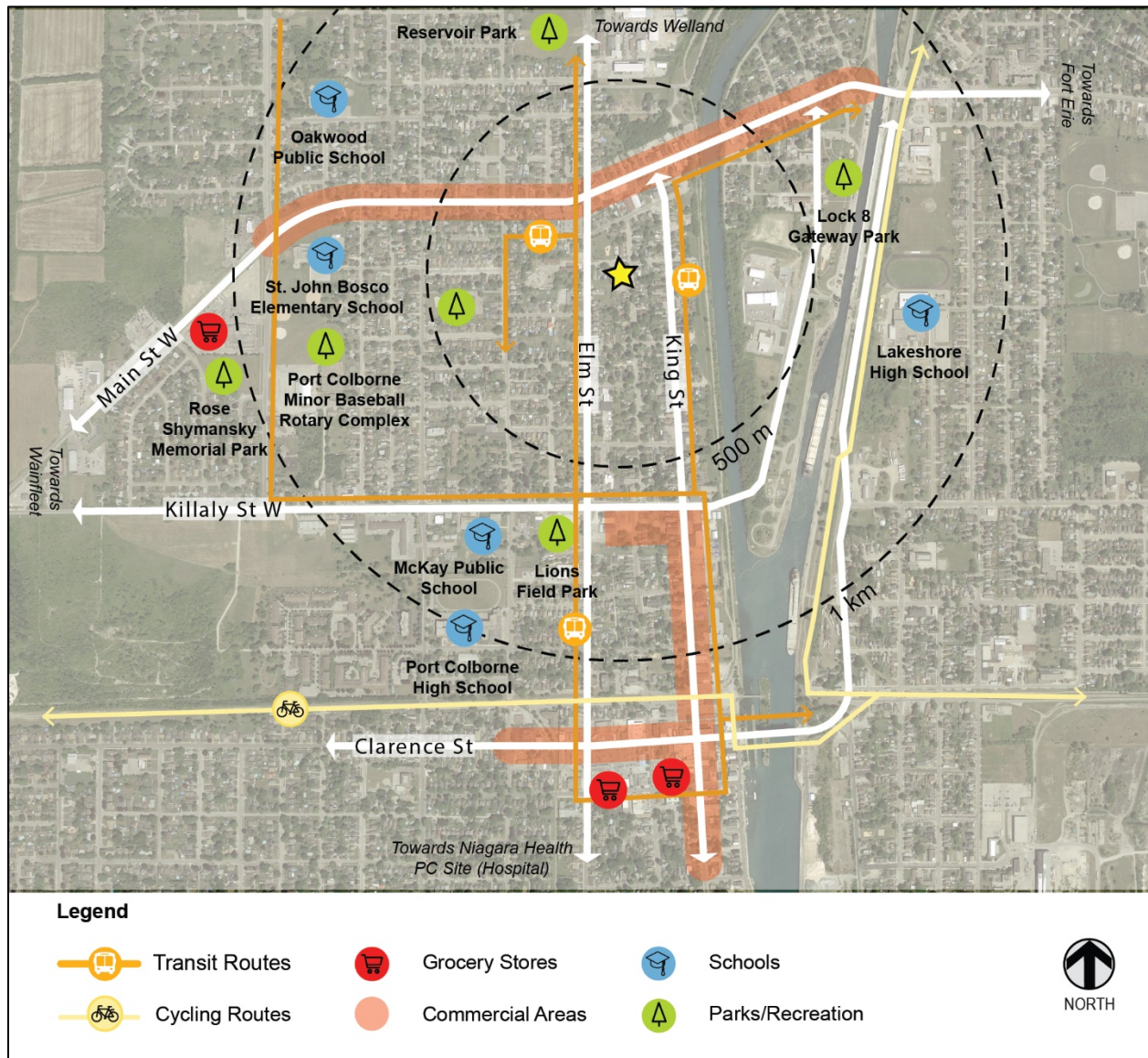
Residential development on the subject lands will promote high quality urban living with access to transit, grocery stores, schools and other local attractions. **Figure 2 – Community Facilities** illustrates the available amenities near the site.

Access to the site is proposed via Erie Street – which is a Local Road in the City of Port Colborne. The arterials - Elm Street and King Street are located less than 150 metres from the property. Pedestrian sidewalks are currently provided along George Street and Erie Street. The proposed Site Plan includes well-connected walkways providing direct access to the existing sidewalk from each unit. Furthermore, Port Colborne operates Route #701 and #702 which travels on King Street and Elm Street, respectively. Generally, higher density developments are proposed on lands that front onto Arterial or Regional Roads. However, due to the proximity of the subject lands to the arterial roads, access to transit and nearby community facilities, it is our opinion that the proposed development is a good use of the subject lands.

The City of Port Colborne Official Plan designates the subject lands as Urban Residential according to Schedule A – City Wide Land Use Plan (see **Appendix C – City Schedules**). As per Section 3.2 of the City's Official Plan, lands in this designation are primarily used for residential purposes, and the proposed use complies with this designation. Section 3.2.1 c) of the City's Official Plan caps density at 100 units per hectare and requires high density residential developments to have frontage on an arterial or collector road. An

Official Plan Amendment is being sought to facilitate the proposed density along the local road.

Figure 2. Community Facilities



The City of Port Colborne Zoning By-law 6575/30/18 currently zones the lands as Institutional (I). The proposed development of two townhouse blocks made up of 30 units is currently not permitted within this zone. As such, Estate Hill is proposing to re-zone the subject lands to a Site-Specific Fourth Density Residential Zone (R4-XX), which will include relief from: Minimum Front Yard, Maximum Height and Landscaped Area Provision for Parking Areas. Further details of the proposed amendments can be found in **Section 5.2 – Proposed Zoning By-law Amendment** of this report.

4.0 PLANNING POLICY FRAMEWORK

As aforementioned, the purpose of this Planning Justification Report is to evaluate the appropriateness of advancing the application for a Zoning By-law Amendment in the context of the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe, Region of Niagara Official Plan, City of Port Colborne Official Plan and City of Port Colborne Zoning By-law 6515/30/18. The following provides an overview and discussion of these documents.

4.1 Provincial Policy Statement (2020)

The Provincial Policy Statement (PPS) provides overall policy direction on matters of provincial interest related to land and development within the province of Ontario. It supports improved land use planning and management, contributing to a more efficient land use planning system, which seeks to ultimately protect resources of provincial interest, public health and safety, and preserve and maintain the natural environment.

Relevant Policies and Analysis

Section 1.1.3 Settlement Areas of the PPS states that:

1.1.3.1 Settlement areas shall be the focus of growth and development.

1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- a) efficiently use land and resources;*
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
- e) support active transportation;*
- f) are transit-supportive, where transit is planned, exists or may be developed;*

Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

The subject lands are located within the Urban Area of the Municipality of Port Colborne as defined in the PPS and are within an area that is the focus of growth and development. The proposal will develop the currently underutilized parcel, to provide an opportunity for residential intensification and promote its efficient utilization over the long term. It is the intent of the proposed development to utilize available municipal services, and details regarding servicing capacities will be reviewed at the site plan application stage. The site

is close to existing transit routes and stops, which will render the proposed development to be transit-supportive.

Section 1.4 Housing of the PPS directs planning authorities to provide for an appropriate range and mix of housing options and densities by:

b) permitting and facilitating:

1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and

2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;

c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;

d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;

The proposed development will deliver residential intensification by way of 30 stacked townhouse units, at a density of 103 units per hectare. The stacked townhouse model with surface parking will allow for a housing option that is more affordable, dense and efficiently utilizes the existing municipal services. Additionally, the proposed density in proximity to the existing transit network and local facilities will assist in creating a more active and livable community.

Section 1.6.6.2 states that municipal sewage and water services are the preferred form of servicing for settlement areas. Intensification and redevelopment within settlement areas on existing municipal services are to be promoted. The development is proposed to utilize the existing municipal sanitary and water servicing available along George Street and Erie Street. As noted previously, details with regards to servicing will be discussed at the site plan application stage of the development.

Summary

The proposed development is within an existing settlement area and will provide additional housing supply to align with the needs of the current and future residents. Further, the development is appropriately located to rely on available municipal services and infrastructure.

Based on the foregoing, the proposed development is consistent with the general policies and intent of the PPS.

4.2 Growth Plan for the Greater Golden Horseshoe (2019)

The Growth Plan for the Greater Golden Horseshoe came into effect on May 16, 2019. The Plan directs growth to Settlement Areas throughout the Greater Golden Horseshoe, including the Region of Niagara and the City of Port Colborne. The Growth Plan supports the achievement of complete communities that are “compact, transit-supportive, and make efficient use of investments in infrastructure and public service facilities” through site design and urban design standards.

Relevant Policies and Analysis

Section 1.2.1 sets out the Guiding Principles of the Growth Plan, and the policies relevant to the development are listed below.

- *Support the achievement of complete communities that are designed to support healthy and active living and meet people’s needs for daily living throughout an entire lifetime.*
- *Prioritize intensification and higher densities in strategic growth areas to make efficient use of land and infrastructure and support transit viability.*
- *Support a range and mix of housing options, including second units and affordable housing, to serve all sizes, incomes, and ages of households.*

The development proposal supports the achievement of a complete communities vision by providing residential uses on an underutilized parcel. The location of the site close to local businesses, schools and parks further implements the complete communities vision. The proposed residential intensification will be supported by the existing transit services, which will provide convenient connections to local destinations.

The policies of Section 2.2.1 - Managing Growth requires development to be directed to Settlement Areas and within the delineated built boundary. The subject lands are located within the Built-up Area of Port Colborne as per Schedule 2 of the Growth Plan. Accordingly, Niagara Region is targeting 40% of all new residential growth to be within the Built-up Area (Policy 4.C.3.1 of Niagara Region Official Plan), which will increase to 50% at the time of the next Municipal Comprehensive Review to conform with Policy 2.2.2.1 a) of the Growth Plan. The proposed development will provide residential intensification within an area with existing municipal services.

Policy 2.2.2.3 encourages all municipalities to develop a strategy to achieve the minimum intensification target and intensification throughout delineated built-up areas. Section 2.2.6 - Housing supports housing choice through the achievement of minimum intensification and density targets. The proposed development will contribute to the achievement of the Region’s intensification target of 15% for the City by accommodating 30 dwelling units and achieving a density of 103 dwelling units per hectare. Further, the

proposed residential development will provide an alternate housing option to serve a range of household sizes and incomes. Development of the subject lands will support the achievement of a “complete community” vision within the area by providing residential options that allow ageing in place close to retail services and transit stops. Additionally, the proposed stacked townhouse units are compatible with the surrounding low-density residential uses and commercial uses and provides an opportunity for intensification, affordability and alternative design, which all encourage housing choice in the City.

Section 3.2.3 – Moving People of the Growth Plan states that *“public transit will be the first priority for transportation infrastructure planning...”*. Being located close to existing transit stops, the proposed development supports the use of active transportation options. As illustrated in the Site Plan Concept (see **Appendix A**), the proposed development implements adequate walkway connections to ensure a well-connected internal pedestrian network. Connections to the existing municipal sidewalk promote safety, increases mobility by foot and assists in building healthier communities. The use of active modes of transportation will help reduce single-occupancy car trips, reduce traffic congestion on major roads and cut down greenhouse gas emissions.

In accordance with Section 3.2.6 - Water and Wastewater Systems, municipal water and wastewater systems are intended to be utilized for the proposed development. The residential development will need to be designed to meet the City of Port Colborne servicing requirements and will be discussed at the site plan stage of the application. Per Section 3.2.7 - Stormwater Management, the design of the proposed development demonstrates a compact built form, providing approximately 41% landscape cover for on-site water percolation and reduce stormwater runoff. Appropriate installations to provide effective stormwater quantity and quality control, including sediment and erosion control measures during the grading and site servicing period, would also be discussed during the site plan process.

Summary

The proposed development is located within the delineated Built-up Area and supports the achievement of complete communities, housing choice, as well as the minimum intensification targets for the City of Port Colborne. The development intends to make use of the existing municipal services and the available transit network.

Based on the foregoing, the proposed development conforms with the general policies and intent of the Growth Plan.

4.3 Niagara Region Official Plan (2014 Consolidation)

The Niagara Region Official Plan (NROP) is a long-range document that guides the physical, economic, and social development of Niagara Region. It contains objectives, policies and mapping that implement the Region's approach to ensuring most new development in Niagara Region is directed towards the existing Built-up Area to accommodate future growth.

Relevant Policies and Analysis

The following table identifies the Regional Schedules pertaining to the subject lands.

Table 1. Subject Land Designation on Regional Schedules

SCHEDULE	SUBJECT LAND DESIGNATION
Schedule A: Regional Structure	Built-up Area; Within Urban Area Boundary
Schedule C: Core Natural Heritage	No designation
Schedule D1: Potential Resource Areas: Stone	Devonian Formation
Schedule D3: Potential Resource Areas: Peat and Petroleum	Welland Gas Field
Schedule E1: Transportation Infrastructure	Main Street W and King Street are Regional Roads;
Schedule E2: Strategic Cycling Network	Elm Street and Main Street W are identified as part of the Strategic Cycling Network
Schedule G1: Niagara Economic Gateway	Port Colborne is identified as Gateway Economic Centre

The subject lands are located in the Built-up Area within the Urban Area Boundary of the City of Port Colborne (see Schedule A in **Appendix B – Regional Schedules**) and is identified as part of the Gateway Economic Centre (see Schedule G1 in **Appendix B – Regional Schedules**). Growth Management Policies of the plan are to “*direct the majority of growth and development to Niagara’s existing Urban Areas*” and focusing “*a significant portion of Niagara’s future growth to the Built-up Area through intensification*”. All forms of development that occur within the Built-up Area is Intensification, as per Policy 4.C.1.1.

The subject lands are considered suitable for intensification, as the proposal will make efficient use of the existing municipal services and infrastructure, and in proximity to community facilities.

A minimum of 40% of all residential development occurring annually within Niagara are to occur within the Built-up Area of Niagara's communities. The City of Port Colborne is expected to accommodate a minimum of 15% of all new residential development through intensification (according to Policy 4.C.4.2). Local Official Plans are to generally encourage intensification throughout the Built-up Area (as per Policy 4.C.2.1 b)). The proposed development will support the achievement of the Regional and Municipal intensification targets by attaining a density of 103 units per hectare. The development is also at a higher density than the neighbouring residences, which will support the overall residential intensification objective. The lands are proximate to existing transit facilities, municipal sidewalk infrastructure and a planned cycling route, which will enable the proposed development to be transit-supportive and active transportation friendly.

Section 4.G.3 of the NROP provides policy direction for sustainable urban development.

- The proposed site design features a compact built form, with integrated walkways and landscaped areas. 41% of the site is proposed to be landscaped, which will provide adequate surface area for on-site stormwater infiltration.
- NPG has received confirmation (in **Appendix G – Email confirmations**) from Regional staff that all units can be serviced by the Regional Waste Management.
- The Region promotes and supports a multimodal transportation system to reduce single-occupant vehicle trips and encourage transit-supportive development. The subject lands are close to Elm Street which is identified as a Strategic Cycling Route as per Schedule E2 of the NROP (see **Appendix B – Regional Schedules**). The proposed development will utilize the proximity to the regional bicycling network to promote active means of transportation, reduce the need for single-occupancy vehicle trips, and support a multi-modal transportation system.

As such, the proposal supports the Region's interest in establishing environmental sustainability principles by way of building compact, integrating appropriate stormwater and waste management into the development plan, and providing active transportation options to the future residents.

Section 8.B of the NROP gives guidance on utilizing water and wastewater systems. The required form of servicing for development in Urban Areas is through municipal sewage and water services. The proposed development intends to be connected to the existing municipal servicing along George Street and Erie Street, details of which will be discussed at the site plan stage.

Section 11.A speaks to the Region's policy direction for attractive and well-designed residential developments. The NROP encourages diverse housing types within urban neighbourhoods to serve a variety of people for age-in-place benefits. The proposed development will provide an alternative housing model in the form of stacked townhouse units. By introducing a different housing type, it will also support the achievement of a complete community vision for the local area. Next, Blocks A and B are oriented towards and along the public streets, providing eyes-on-street benefits to the neighbourhood and contributing to a sense of safety within the public realm. Vehicle parking areas are provided at the back of the development, and includes accessible spaces. The site layout illustrates safe and convenient walkway connections from the car park area to the municipal sidewalk and to the entrance of each unit. Lastly, appropriate setbacks have also been implemented to be compatible with neighbouring single-detached residences and further compatibility analysis is generally provided in **Section 4.4** of this report. It is our opinion the proposed development is well-designed and will support in enhancing the aesthetic and functionality of the neighbourhood.

The pre-consultation meeting dated May 27th, 2021 identifies that a Record of Site Condition (RSC) is not required as the existing church has not been repurposed for another use, such as a commercial/community/industrial use. Accordingly, an RSC has not been filed on the Ministry's Brownfields Environmental Site Registry.

Summary

The proposal focuses development within the Built-up Area which is encouraged for residential intensification. The development is intended to be connected to municipal servicing. It facilitates residential intensification by way of 103 units per hectare, which will contribute to the Region and City's intensification targets. By introducing a different housing type – stacked townhouse units, it will also support the achievement of a complete community vision for the local area. The proposed development addresses many of the principles of sustainability and it is our opinion the proposal is well-designed and improves the local streetscape.

Based on the foregoing, the proposed development conforms with the general policies and intent of the Niagara Region Official Plan.

4.4 City of Port Colborne Official Plan (2020)

The City of Port Colborne Official Plan provides a comprehensive 20-year vision for the future of the municipality. The Plan identifies and addresses matter that influences the growth and development of the City with respect to economic development, community improvement, conservation of natural and natural heritage resources, parks and open space requirements and expectations for water and wastewater servicing.

Relevant Policies and Analysis

The following table identifies the City Schedules pertaining to the subject lands.

Table 2. Subject Land Designation on City Schedules

SCHEDULE	SUBJECT LAND DESIGNATION
Schedule A: City-Wide Land Use	Urban Residential; Within Urban Area Boundary
Schedule B: Natural Heritage	No designation
Schedule B3: Vulnerable Aquifer Areas	High Vulnerable Aquifer
Schedule C: Mineral Aggregate and Petroleum Resources	Petroleum Resource Areas
Schedule D: Transportation	George Street and Erie Street are Local Roads Elm Street and King Street are Arterials

The following are Growth Management Strategies for the City that are relevant to the proposal:

- b) Direct growth in a strategic manner.*
- c) Direct urban growth to lands that fall within the designated Urban Area Boundary, which is serviced by municipal water and sanitary services.*
- e) Support infill and intensification, subject to the applicable policies, in the following designations: i) Urban Residential; ii) Hamlet; and iii) Downtown Commercial*
- f) Support compact and transit supportive development within the built boundary and on designated greenfield lands*

The subject lands are within the City's Urban Area Boundary (see Schedule A in **Appendix C – City Schedules**). In accordance with the City's growth management strategies, the lands are within an area serviced by municipal water and sanitary services. The proposal will provide residential intensification on an underutilized lot, and will offer an alternative housing model that will add to the mix of the existing housing stock in the neighbourhood. Convenient access to transit facilities allows the development to be transit-supportive and encourages healthy and active lifestyles.

As identified in Section 2.4.3, the City encourages intensification throughout the Built-up area. Section 3.1.1.1 of the City's Official Plan states that "*all growth and development*

which occurs within the Built boundary is considered to be intensification and will count towards the achievement of the municipality's intensification target". The subject lands within the Built-up Area reduce the consumption of greenfield lands, maximizes the efficiency of existing infrastructure and support the achievement of the municipality's intensification target of 15% (as per Section 2.4.3.1).

Section 2.4.3.2 provides design guidelines for intensification sites to match the pre-established building character of adjacent buildings. Notably, the site comprises a church building that is distinctive from the surrounding single-detached dwellings. The proposal provides residential use, which is more fitting with the surrounding residential use. Further, the development includes convenient walkway connections providing direct access to the existing municipal sidewalk from each unit. The proposed development will integrate the ability to walk, cycle and take transit to local destinations.

The subject lands are designated as "Urban Residential" on Schedule A – City-Wide Land Use Plan (see **Appendix C – City Schedules**), which are "*primarily used for residential purposes*". The proposed stacked townhouse dwellings intended for residential purposes are therefore a permitted use in this designation.

Section 3.2.1 b) and c) offers policies for assessing medium and high density residential developments.

b) Medium Density Residential will:

- i) Be developed at a density ranging from 35 to 70 units per hectare as: Townhouses; Stacked townhouses; triplexes; and/or fourplexes.*
- ii) Be encouraged adjacent to arterial or collector roads; and*
- iii) Be subject to Site Plan Control.*

As per Section 3.2.1 b), the proposed stacked townhouse built-form is recognized as Medium Density Residential, which permits a maximum density of 70 units per hectare. However, the proposed development will be achieving a density of 103 units per hectare. Due to the increased density, the development is assessed against the policies under Section 3.2.1 c) High Density Residential.

c) High Density Residential will:

- i) Be developed as apartment buildings ranging in density from 70 to 100 units per net hectare;*

As noted, the proposal is for a stacked townhouse development. Each vertical stack will be split into four levels, consisting of one at-grade unit and two upper-level units. Unlike a typical apartment building, each unit has its own front entrance and does not have any shared lobby space or elevators. The proposed housing

type provides homeowners more separation in using their space. Although the proposal does not provide apartment dwellings, it is our opinion that the proposed development is comparable to a low-rise building, and therefore, complies with the intent of this policy.

The requested density of 103 units per hectare can be supported as it is a minor increase from the maximum permitted density of 100 units per net hectare.

ii) Have frontage on an arterial or collector road;

Currently, the subject lands front on George Street, a local road that is designed to accommodate up to 199 average annual daily traffic (as per Section 9.1.2 of the City's Official Plan). A traffic study was not required for this application as per the pre-consultation agreement. As such, no significant traffic issues are anticipated due to the proposed site design. Further, it is noted that Elm Street and King Street are arterial roads, located less than 150 metres from the property. Although the lands do not directly front on the arterials, it will take advantage of the proximity for connections to local establishments, transit and the bike network.

iii) Have commercial or ground-oriented residential uses on the main floor;

The proposed stacked townhouses will contain at-grade and upper-level units "stacked" on top of each other. In addition, Blocks A and B are oriented to front George Street and Erie Street, respectively. As previously noted, each unit has its front entrance on the main floor, which gives them direct access to the abutting municipal sidewalk. In addition, ground-oriented homes are well-suited for the senior population, promoting age-in-place benefits in the community. Lastly, the orientation of the blocks and the residential use of the main floor provide eyes-on-the street advantage for passersby. As such, the proposed residential use is ground-oriented and offers convenient connections to existing sidewalks, promotes age-in-place and delivers eye-on-the-street benefits to the neighbourhood.

iv) Be oriented on the site to minimize shadows on adjacent low and medium density residential development;

The property is a corner lot, abutted by George Street at the north, Erie Street to the east and low-density residential uses to the west and south. Only the immediately adjacent residential developments are assessed for potential shadowing impacts due to the proposed development.

Impacts on residential use to the south

The majority of shadowing is anticipated to occur generally towards the northern side of the development due to the known movement of the sun across the sky. This indicates that the proposal will not shadow over the residential parcels to the south.

Impact on the residential use to the west

For the dwelling to the west, Block A is located at a distance of approximately 16 metres from the western lot line. Due to the increased side yard setback, the proposed development is not anticipated to have significant shadowing impacts on the dwelling to the west.

- v) *Be encouraged to be developed in proximity to public transit and active transportation routes; and*

As previously discussed, the subject lands are within 150 metres of Flag Stops for Route 25 (Niagara Region Transit) and Routes 701 and 702 (Port Colborne Community Bus). Further, all units have a direct connection to the existing municipal sidewalk, providing convenient access to neighbourhood facilities. The proposed development is transit-supportive.

- vi) *Be subject to Site Plan Control; and*

The proposed development will be subject to site plan control, where additional details such as landscaping and servicing will be addressed.

Section 3.2.3.3 b) provides Design Guidelines for Townhouses and Multiple-unit housing model.

b) Townhouses and multiple-unit housing should:

- i) *Be aligned parallel to the street from which the principal entrance should be visible and accessible;*
- ii) *Consider overall form, massing and proportions and the rhythm of major repetitive building elements and roof designs to create a street façade that is composed of a consistent and attractive variety of building elements; and*
- iii) *Be consistent with the placement and character of the surrounding built form where an infill development.*

The proposal respects the surrounding dwellings and is appropriate for the development of the site in the following manner:

- Blocks A and B are oriented in a manner such that the longer axis of the building is parallel to the adjoining public road, thereby framing the street and creating opportunities for eyes-on-the-street benefits.
- Each unit will have independent access from the main floor, providing a convenient connection to the car and bike parking area and the existing municipal sidewalk.
- The proposed blocks have been consciously located away from the present single-detached dwellings. Further, a 3-metre landscape strip is provided along the west and south lot lines which will include quality landscaping and will enhance the interface with the surrounding uses from the existing condition. As such, the buildings are not anticipated to cause significant shadowing impacts or privacy issues to the adjacent neighbours.
- Additional details regarding building elements and roof designs will be discussed at the site plan application stage.

The subject lands are located within an area identified as High Vulnerable Aquifer, as per Schedule B3 – Vulnerable Aquifer Areas (**Appendix C – City Schedules**). A groundwater assessment to evaluate the risk level of contaminants was not required for this application, per the pre-consultation agreement. As such, none of the low-, medium- & high-risk contaminants causing uses, listed in Section 4.1.3.1, are being proposed on the subject lands.

Policies in Section 8 of the City's Official Plan are for servicing and stormwater management of the development. Section 8.1.1 a) requires new development in the urban area to be on full municipal water services and sanitary services. In addition, Section 8.2 a) requires stormwater to be managed on-site and not to have an adverse impact to neighbouring properties or the drainage patterns of the surrounding area. The subject lands are serviced by municipal water and sanitary services, in accordance with Section 2.2 c) of the City Official Plan. It is the intent of the developer to provide servicing connections to City mains and appropriate stormwater management schemes for the proposed development. A servicing study and stormwater management plan will be submitted at the site plan application stage as per the pre-consultation agreement to ensure proposed connections are according to City standards.

Section 9 of the Port Colborne Official Plan is for the provision and management of transportation modes and infrastructure within the City. Policies in Section 9.1.1 are intended to promote walking, cycling and transit for new developments. As previously described, Blocks A and B are oriented towards the street, providing a direct connection to the existing municipal sidewalk. Further, the lands are within 150 metres of Flag Stops for Route 25 (Niagara Region Transit) and Routes 701 and 702 (Port Colborne Community Bus). The proposal provides two (2) accessible spaces, in accordance with the Zoning By-law requirements, and are well connected to each unit through the internal walkways. The development will also provide ten (10) on-site bike parking for future

residents. Proximity to the available transit network combined with proposed connections to the sidewalk and bike parking area promotes walking, biking and transit. The proposed design accommodates pedestrians, promotes the concept of a walkable neighbourhood and is transit-supportive.

Section 9.1.2 specifies policies with regards to roads, including their classification, typical right-of-way widths and average annual daily traffic counts. Per Schedule D – Transportation (**Appendix C – City Schedules**), George Street and Erie Street are classified as Local Roads intended to provide access to residential developments. The proposed multi-residential development has one driveway access from Erie Street and one exit aisle to George Street, which will control and support the designated function of the roadway. According to Figure 9.1, the typical right-of-way width for a local road is 20 metres. The pre-consultation meeting did not indicate any road allowance requirement, and therefore has not been addressed in this application.

Based on the foregoing, the proposed residential development conforms with the general intent and policies of the City of Port Colborne Official Plan.

5.0 PROPOSED OFFICIAL PLAN & ZONING BY-LAW AMENDMENT

5.1 Proposed Official Plan Amendment

2852479 ONTARIO LIMITED is proposing to amend the Official Plan to facilitate the proposed development. The specific change to the Official Plan is as follows:

1. Notwithstanding Policy 3.2.1 c) of the Official Plan for the City of Port Colborne, the land may be developed for stacked townhouses and the maximum density shall be 103 units per hectare.

Basis for the Official Plan Amendment:

The Official Plan Amendment can be supported on the following basis:

1. The proposal conforms to the Provincial Policy Statement, A Place to Grow (Growth Plan for the Greater Golden Horseshoe), and the Niagara Region Official Plan;
2. The proposal implements the policies of the Niagara Region Official Plan and the City of Port Colborne Official Plan in that the subject lands are located within the Built Up Area which is a focus for intensification;
3. The proposal creates new housing in the City of Port Colborne contributing to a more diversified housing mix.
4. The requested site-specific density amendment is minor in consideration of the high density provisions in the Official Plan and can be supported.

5.2 Proposed Zoning By-law Amendment

The City of Port Colborne currently zones the subject lands as an Institutional zone (see **Appendix D – Zoning By-law Map**). In order to facilitate the proposed development, the owner is proposing to rezone the subject lands to a site-specific Fourth Density Residential Zone (R4 – XX) and will address: Minimum Front Yard, Maximum Height and Landscaped Area Provision for Parking Areas. See **Table 3, 4 and 5** below for more details. A Draft Zoning By-law Amendment has been prepared and can be found in **Appendix F – Draft Zoning By-law Amendment** of this report.

Table 3. Zoning Comparison Chart for Section 8 (R4 Zone)

REGULATION	REQUIRED	PROPOSED	COMPLIANCE
Permitted Uses	e) Dwelling, Townhouse Block;	Stacked townhouse units	Yes
Minimum Lot Frontage per Unit	6 m	6.1 m	Yes

REGULATION	REQUIRED	PROPOSED	COMPLIANCE
(8.5 a))			
Minimum Lot Area (8.5 b))	0.02 ha	0.293 ha	Yes
Minimum Front Yard (8.5 c))	7.5 m	4.50 m (from building); 1.8 m (from the uncovered stairs)	No
Minimum Interior Side Yard (8.5 d))	3 m	15.93 m	Yes
Minimum Corner Side Yard (8.5 e))	4.5 m	4.50 m (from building); 1.8 m (from the uncovered stairs)	Yes
Minimum Rear Yard (8.5 f))	6 m	7.4 m	Yes
Maximum Height (8.5 g))	11 m	14.2 m	No
Minimum Landscaped Area (8.5 h))	25 percent	41.9 percent	Yes
Landscape Buffer (8.5 i))	A 3 metre planting strip shall be required when a Townhouse development abuts the boundary of the Residential First Density, Residential Second Density or Residential Third Density Zone.	3.0 m	Yes
8.5 j)	Common walls shall be centred on the common lot line.	N/A	N/A
8.5 k)	There is no minimum interior side yard and/or rear yard for common walls.	Noted.	N/A

Table 4. Zoning Comparison Chart for Section 2 (General Provisions)

REGULATION	REQUIRED	PROPOSED	COMPLIANCE
Sight Triangle (2.13)	<p>a) Unobstructed sight triangles are required on all corner lots in all zones.</p> <p>b) The area within a sight triangle shall be determined by measuring from the point of the intersection of the front and corner side lot lines on a corner lot to a point along each such lot line as set out in Section 2.13.1 (a) and 2.13.1 (b) and joining such points with a straight line.</p> <p>c) No sign or landscaping materials including but not limited to: fences, walls, berms, trees, hedges or bushes shall be greater than 0.75 metres in height above the elevation of the ground at the street line.</p>	<p>a) Provided daylight triangle is unobstructed by above-ground structures.</p> <p>b) A 6.0 x 6.0 m daylight triangle is provided at the northeast corner of the site.</p> <p>c) Noted.</p>	Yes
Sight Triangle Distance (2.13.1)	a) Residential Zone: 6 metres	6.0 x 6.0 m	Yes
Permitted Encroachments (2.19)	<p><u>Uncovered Stairs or Ramps to First Storey</u></p> <p>Yard Permitted: All</p> <p>Required setback from Lot Line: 0.5 m</p>	1.8 m	Yes
Municipal Drains (2.22)	a) Notwithstanding any other provisions of this By-law, no building or structure may be located any closer than 15 metres to any municipal drain, measured from the top of bank.	N/A	N/A
Storage of Refuse (2.25)	<p>a) No open storage of refuse shall be permitted anywhere within the zoned area except:</p> <p>i) Where refuse is to be collected within an 18 hour period after such refuse has</p>	All units are eligible for Regional curbside pick up.	Yes

REGULATION	REQUIRED	PROPOSED	COMPLIANCE
	been placed in an outdoor location;		

Table 5. Zoning Comparison Chart for Section 3 (Parking Provisions)

REGULATION	REQUIRED	PROPOSED	COMPLIANCE
Parking Space Requirements (3.1.1)	Dwelling, Townhouse Block (1 space required per unit);	38 spaces (1.26 spaces/unit)	Yes
Parking Space Dimensions (3.2)	Standard Parking Space (2.6 x 5.2 m) Accessible Space (3.7 x 5.2 m)	Standard Parking Space (2.6 x 5.4 m) Accessible Space (3.7 x 5.4 m)	Yes
Accessible Parking (3.3)	2 accessible spaces	2	Yes
Encroachment into Yards (3.6)	a) A parking space, bicycle parking space, or parking area is permitted within any yard but is not permitted within a required landscape buffer, a landscape open space area or a sight triangle.	No encroachments	Yes
Ingress and Egress Standards (3.7)	b) Driveways shall have a minimum unobstructed width of 7.5 metres where two-way traffic is permitted and 3 metres where only one-way direction of traffic flow is permitted, except that the minimum width of a driveway accessory to a detached dwelling shall be 2.6 metres.	One way drive aisle is 3.5 m wide	Yes
Landscape Provisions for Parking Areas (3.11.1)	A landscape buffer shall be provided between the edge of any parking area and an abutting lot line(s) as follows: Lot Line Abutting a Public Road: 3 m Lot Line Abutting a	North lot line: 2.6 m	No

REGULATION	REQUIRED	PROPOSED	COMPLIANCE
	Residential, Institutional or Public and Park Zone: 3 m	South and West lot lines: 3 m	Yes
Bicycle Parking Spaces (3.13)	a) Bicycle parking spaces must be located on the same lot as the use for which it is provided; b) Each bicycle parking space shall be a minimum 1.8 m in length and 0.3 m in width; and c) Shall be located at a principle entrance of a building	a) On-site common bicycle parking area provided. b) Each bike space is 1.8 x 0.3 m c) Located behind Blocks A & B, and more centrally to be accessible from all units.	Yes
Required Bicycle Parking (3.13.1)	Residential Buildings with 10 or more dwelling units: 6 Spaces plus 1 for every additional 10 dwelling units above 20 (Required: 7 spaces)	10 spaces	Yes

Stacked Townhouse as a Permitted Use

The proposed development features 30 stacked townhouse dwelling units, which are not explicitly permitted in the City of Port Colborne Zoning By-law. As per the information provided by Staff, since each unit will have an independent entrance, the proposed stacked townhouse dwellings would be considered block townhouses, which is permitted under Section 8.2 of the City's Zoning By-law. The proposed development will not require an amendment to the zoning bylaw on this matter.

Minimum Front Yard

The front yard depth for the development is proposed at 4.5 metres, which falls short of the City's requirement of 7.5 metres. Block A, oriented along the front yard, is located 4.5 metres from the property line and allows the development to be closer to the street, providing "eyes on the street" benefits and convenient access to the municipal sidewalks and transit services. There are two sets of stairs at 1.8 metres from the front lot line providing access to all Block A units. Uncovered stairs are permitted in all yards with a 0.5-metre setback requirement from the lot line, as per Section 2.19.1 of the Zoning By-law. As such, the proposal aims to foster a pedestrian-friendly environment along the

existing frontage. The requested variance is not anticipated to cause any significant impacts on the adjoining streetscape and can be supported.

Maximum Height

The proposed building height for the stacked townhouse model is 14.2 metres and exceeds the maximum permitted height by 3.2 metres. The proposed height can be supported for the following reasons:

- The proposal provides more than the required side (west lot line) and rear (south lot line) yard setbacks to be compatible with the adjacent low-density uses.
- Majority of the shadowing is anticipated to occur generally towards the northern side of the development, indicating that the development will not shadow over the residential parcels to the south. For the dwelling to the west, Block A is located approximately 15 metres from the western lot line. Due to the increased side yard setback, the proposed development is not anticipated to have significant shadowing impacts on the dwelling to the west.
- The building walls closest to the south and west lot lines are the side elevations. Typically, these sides do not contain as many fenestrations, balconies, or patios as the front and rear facades and maintain privacy. Moreover, a landscape strip of 3 metres is also proposed along the south and west lot lines to further screen the neighbouring houses from overlook.
- Due to unforeseen bedrock considerations at the location, the building is being to be elevated above what would have been established as the standard foundation depth.

Landscaped Area Provision for Parking Areas

A landscape buffer of 3 metres along lot lines abutting a public road is required. The provision is intended to reduce the visibility of the surface parking area from the public street. A small portion of the parking area abuts George Street and provides a reduced setback of 2.6 metres. This setback is sufficient to provide quality landscaping that can visually buffer the parking area and improve the streetscape along the public street. The variance can be supported as it is a minor reduction from the zoning requirement, and the intention of the provision can be achieved.

6.0 SUMMARY OF PLANNING OPINION

The proposed development is located close to Main Street W within proximity to commercial business', transit facilities and recreational spaces. The surrounding area is characterized by low-density residential uses. The proposed development of 30 residential dwellings will provide an opportunity for higher density intensification, that will respect the existing character of the neighbourhood while making efficient use of the subject lands. The stacked townhouse development will provide an affordable housing form in the City that can serve a variety of households and create housing choice.

The proposed Zoning By-law Amendment is requesting to rezone the subject lands from the current Institutional zone to a site-specific Fourth Density Residential Zone (R4 – XX) and will address: Minimum Front Yard, Maximum Height and Landscaped Area Provision for Parking Areas requirements.

It is our opinion that the proposed Official Plan and Zoning By-law Amendment be approved because it represents good land use planning, is in the City's interest and should be supported for the following reasons:

1. The proposed development is consistent with the Provincial Policy Statement (2020) and is in conformity with the Growth Plan, Niagara Region Official Plan, and the City of Port Colborne Official Plan.
2. The proposed development will provide an opportunity for residential intensification within the Built Up Area designated for residential growth and is a focus for intensification. It will make efficient use of the existing municipal services and facilities.
3. The proposed density is appropriate for the subject lands due to its proximity to the arterial roads – Elm Street and King Street with access to local public transit and other active transportation choices.
4. The proposal creates new housing in the City of Port Colborne contributing to a more diversified housing mix.
5. The development is appropriately distanced from the existing low-density residences to the south and west.

7.0 APPENDICES

- 7.1 Appendix A: Site Plan, Schematic Section & Renderings
- 7.2 Appendix B: Regional Schedules
- 7.3 Appendix C: City Schedules
- 7.4 Appendix D: Zoning By-law Map
- 7.5 Appendix E: Draft Official Plan Amendment
- 7.6 Appendix F: Draft Zoning By-law Amendment
- 7.7 Appendix G: Email confirmations

Report Prepared by:

Rhea Davis

Rhea Davis, MPlan
Planner
NPG Planning Solutions Inc.

Report Reviewed by:



Cory Armfelt, MCIP RPP (AB/ON)
Development Principal
NPG Planning Solutions Inc.

7.1 Appendix A: Site Plan



1 SITE PLAN
A100 1:150

organica
studio + inc.

architecture | interiors | design | research

54 GEORGE STREET - PROPOSED STACKED TOWNHOMES

ESTATE HILL DEVELOPMENTS

17 145 Birmingham Street | Toronto ON | M6V 3Z6 | 905.832.5758 | info@organicastudio.ca | info@organicastudio.ca

21035

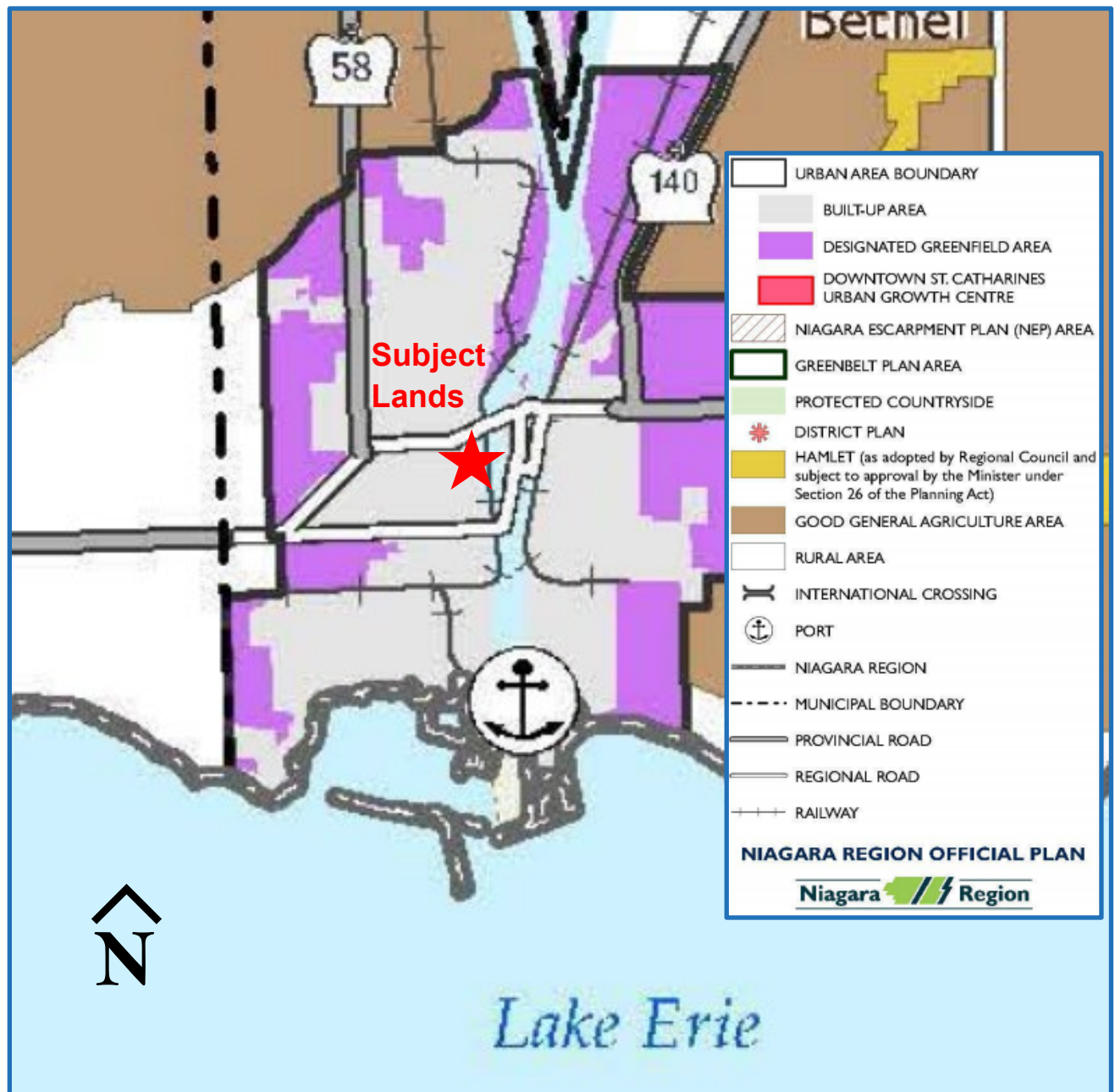
09/22/2021



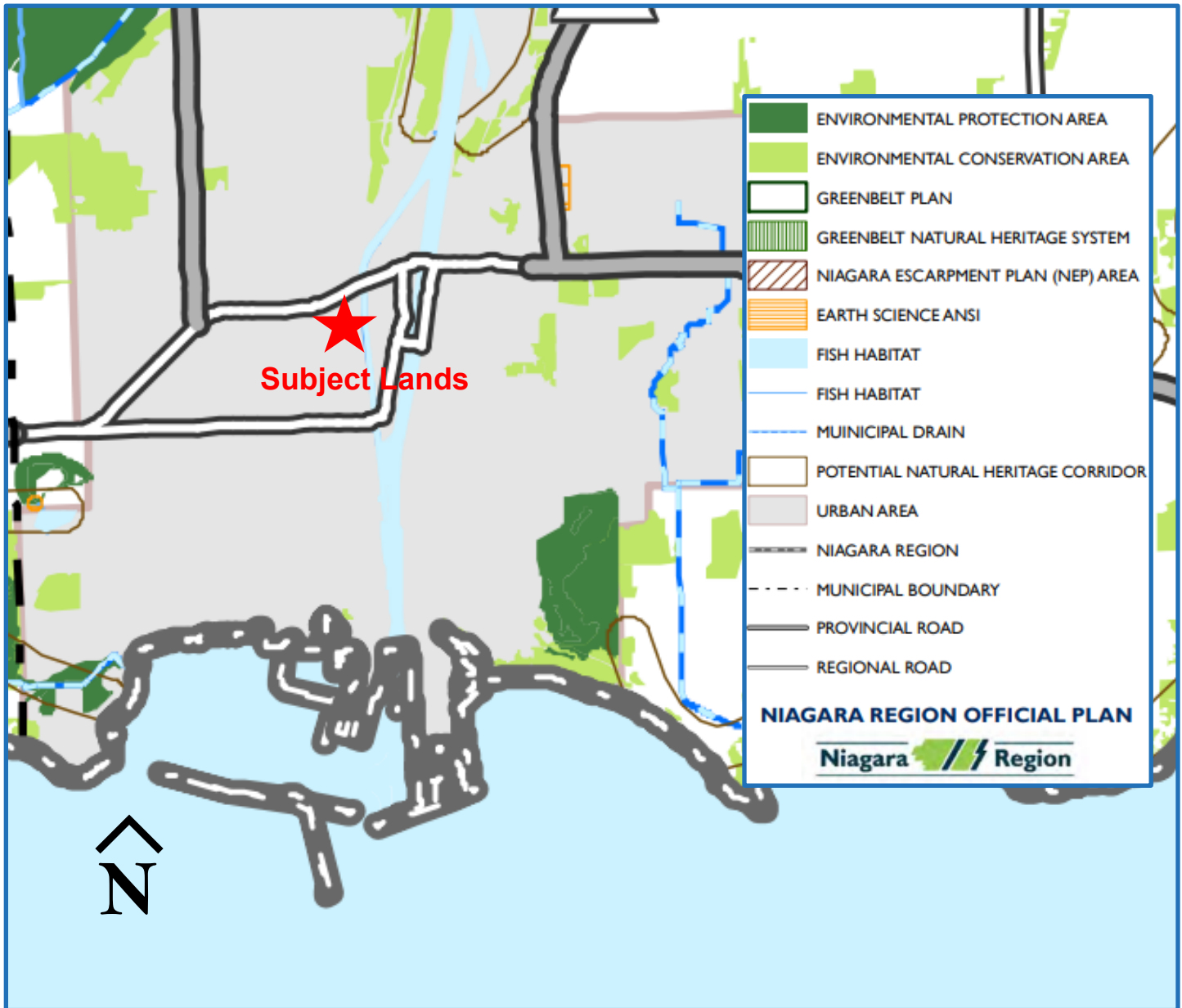
1 BIRD'S EYE VIEW
A101

7.2 Appendix B: Regional Schedules

Schedule A: Regional Structure



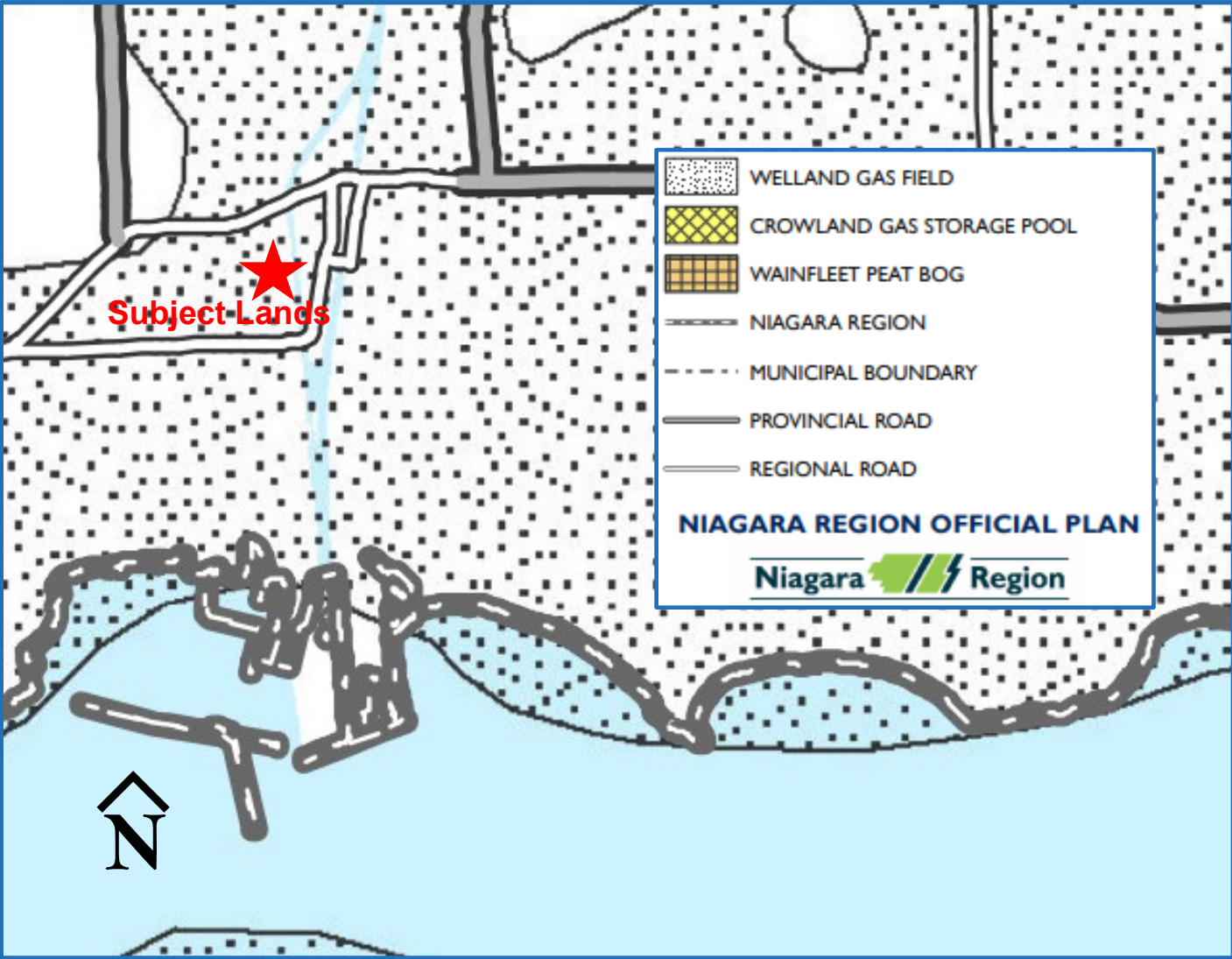
Schedule C: Core Natural Heritage



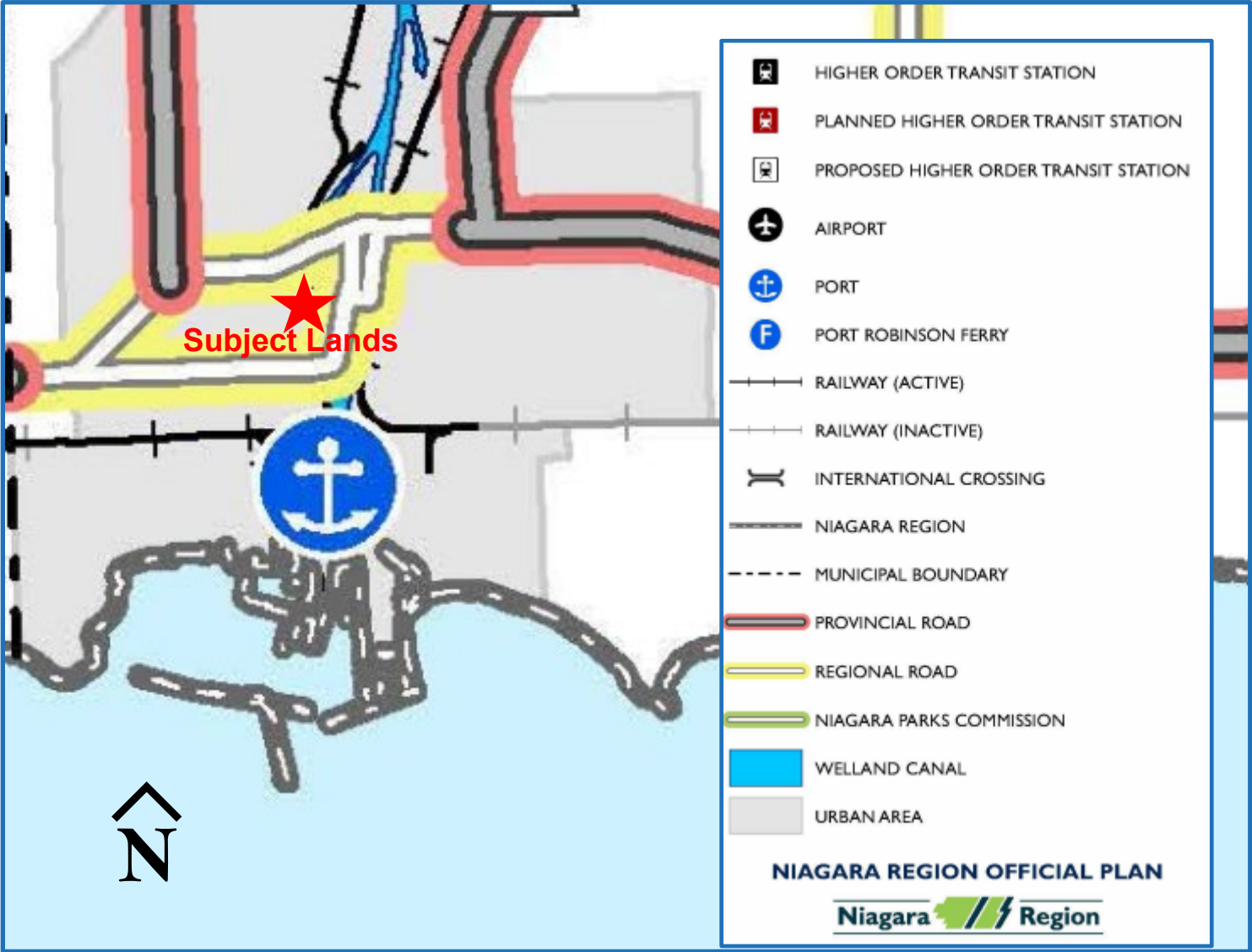
Schedule D1: Potential Resource Areas : Stone



Schedule D3: Potential Resource Areas: Peat and Petroleum



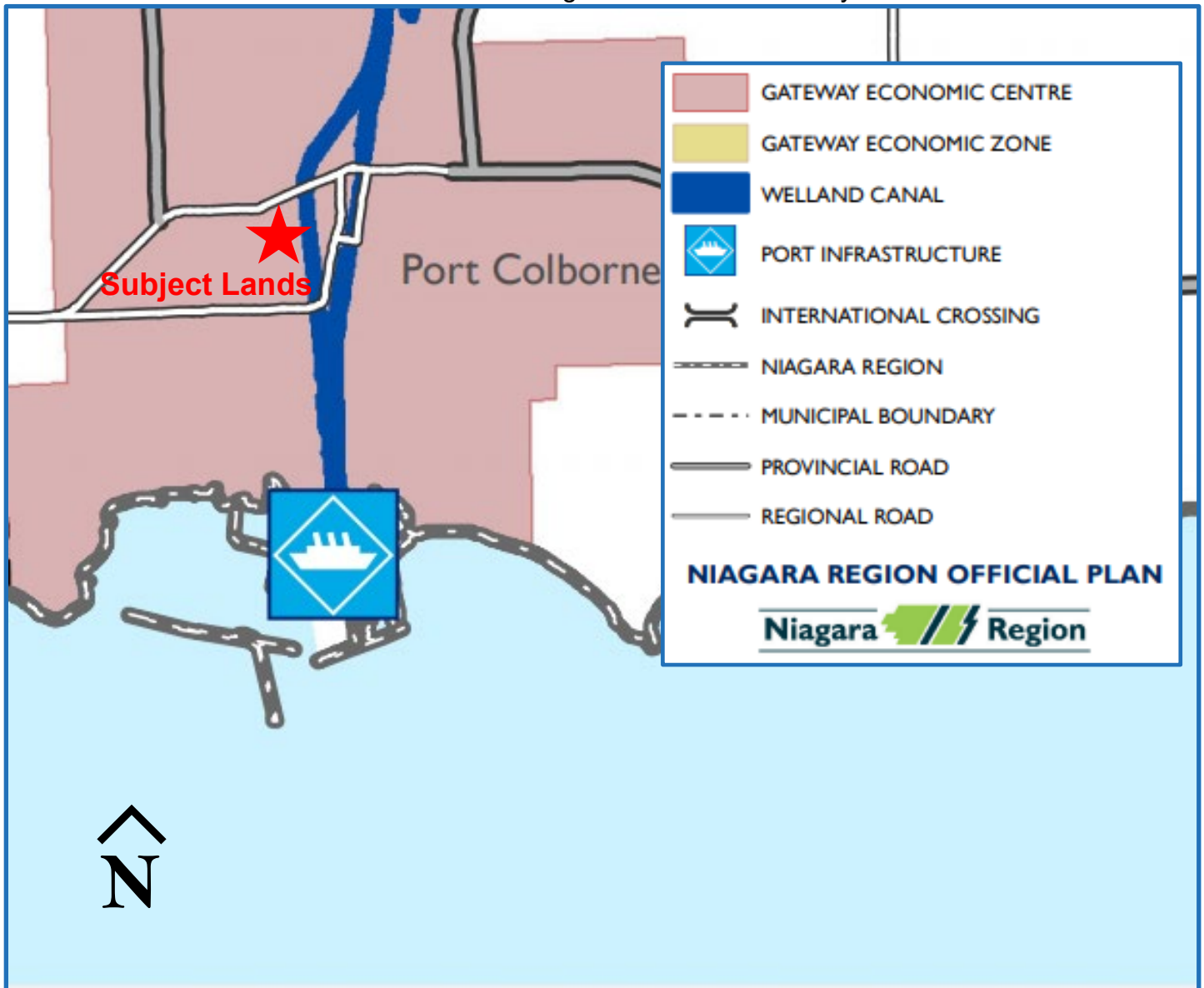
Schedule E1: Transportation Infrastructure



Schedule E2: Strategic Cycling Network

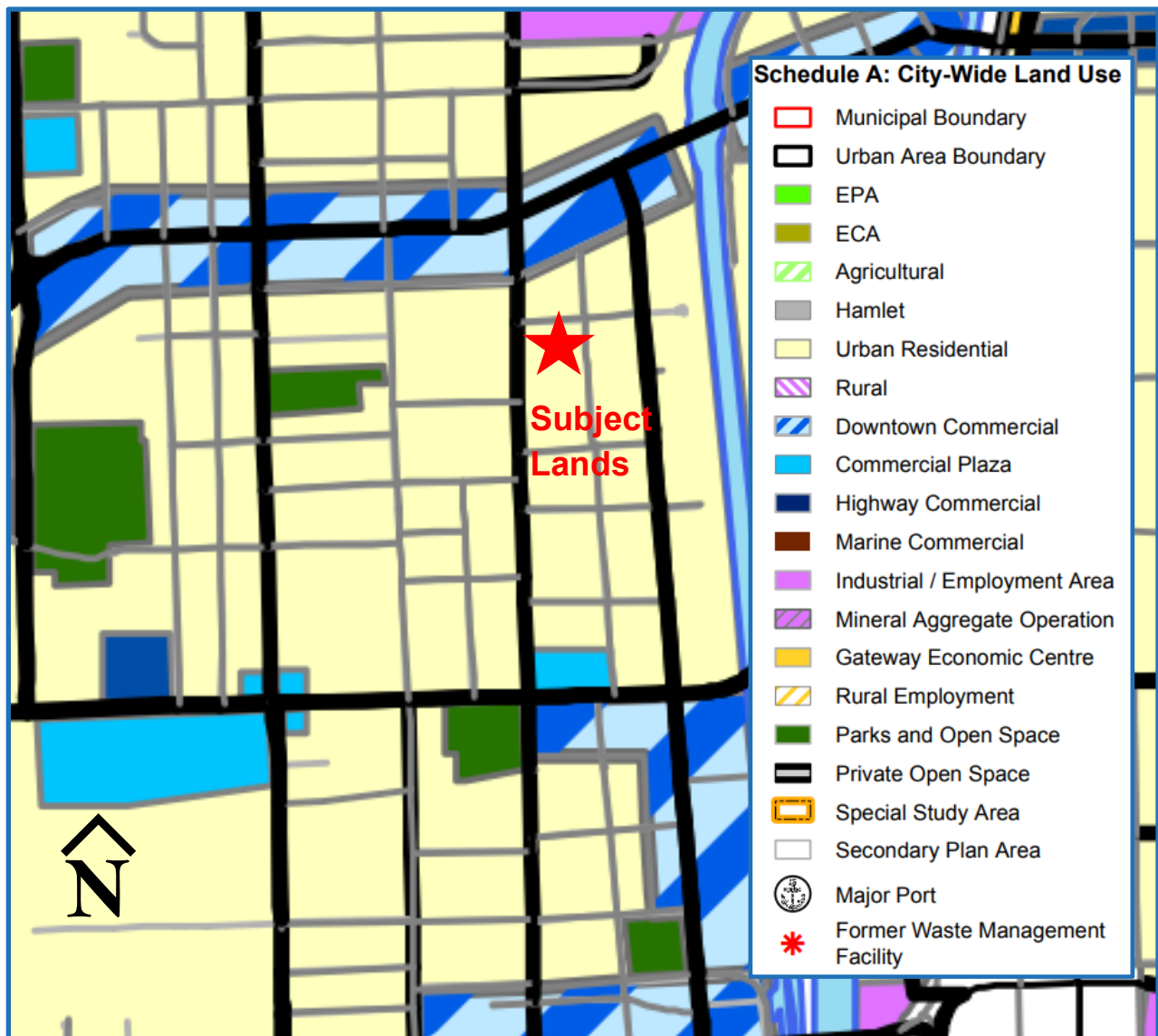


Schedule G1: Niagara Economic Gateway

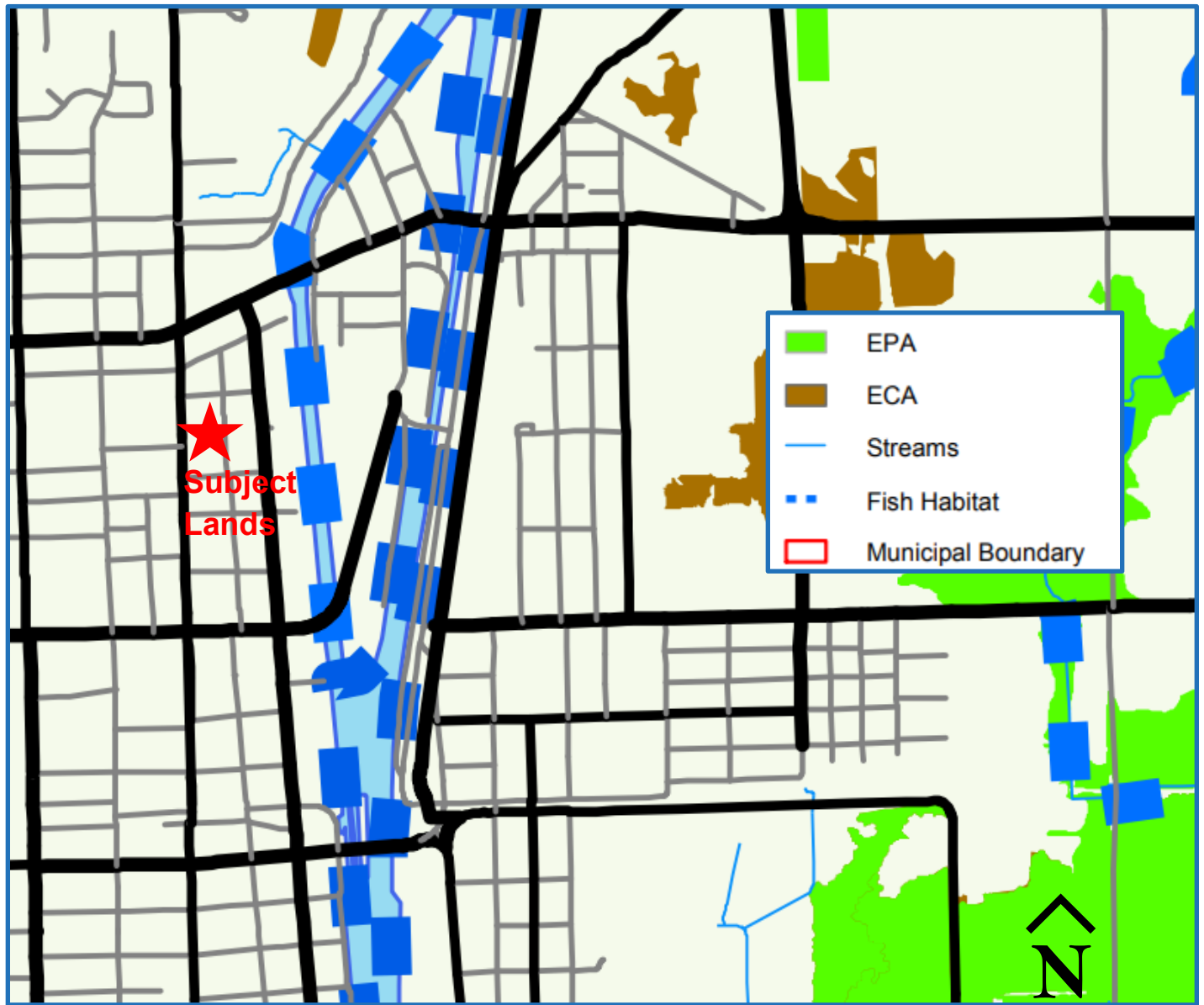


7.3 Appendix C: City Schedules

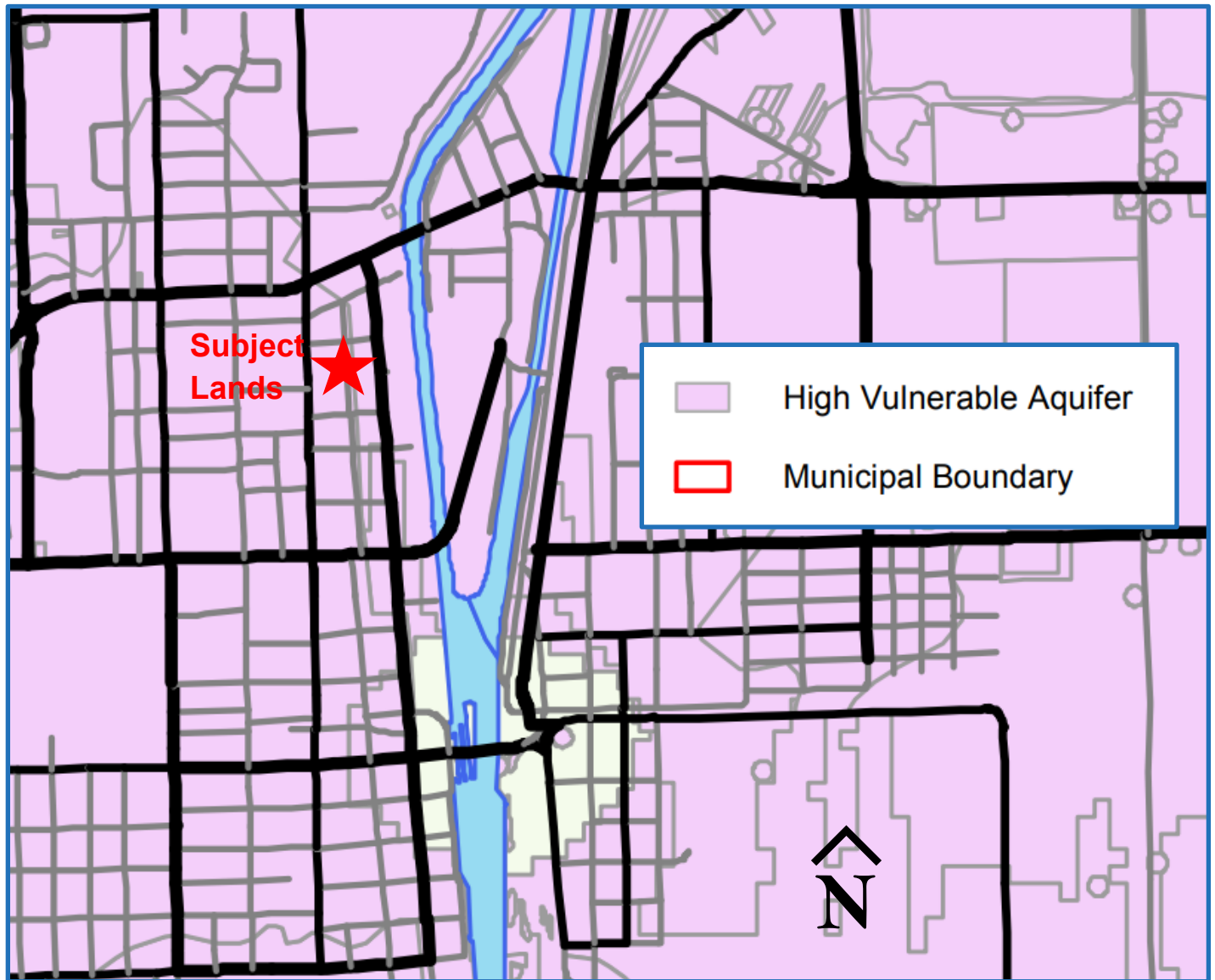
Schedule A: City-Wide Land Use



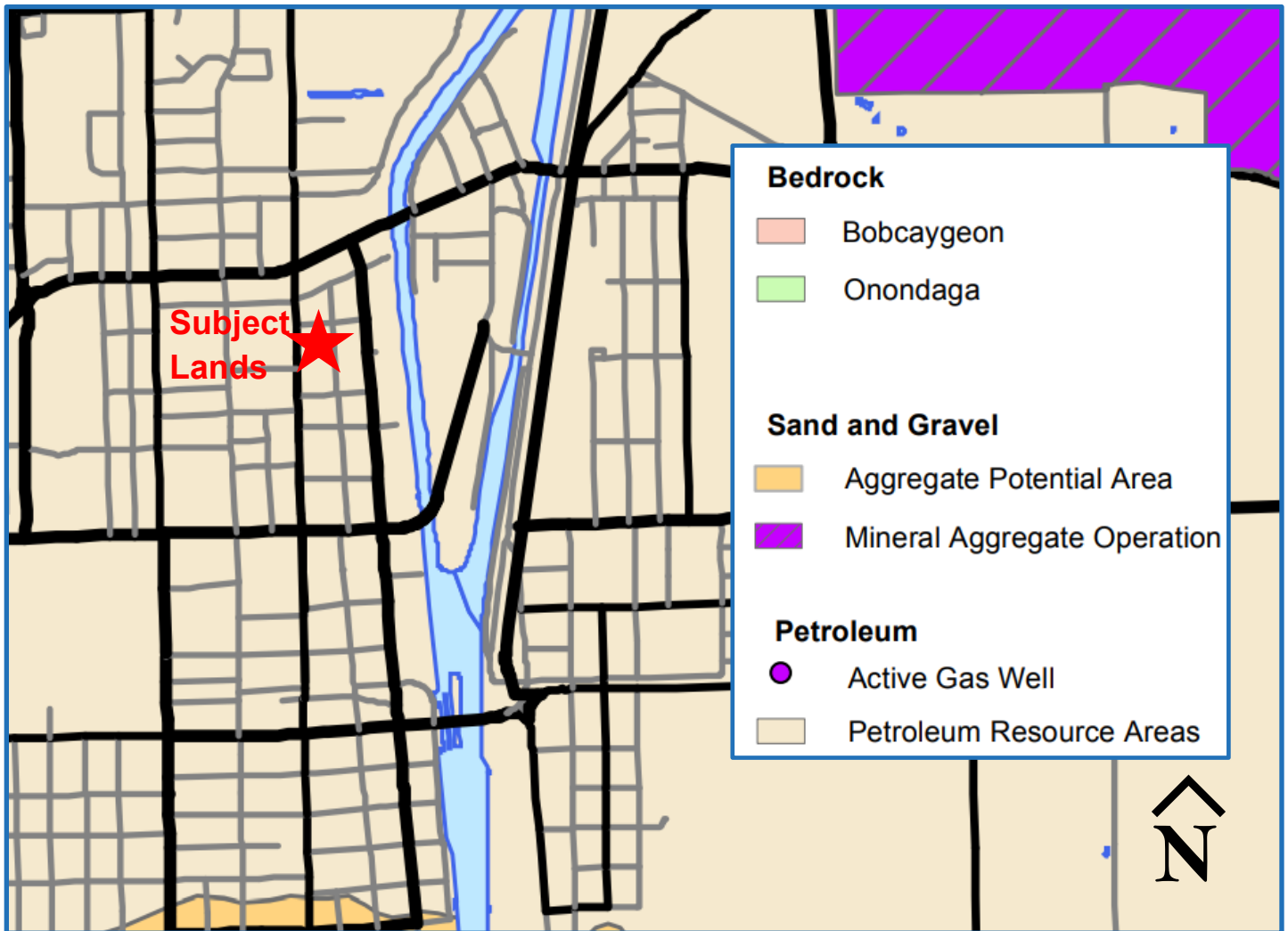
Schedule B: Natural Heritage



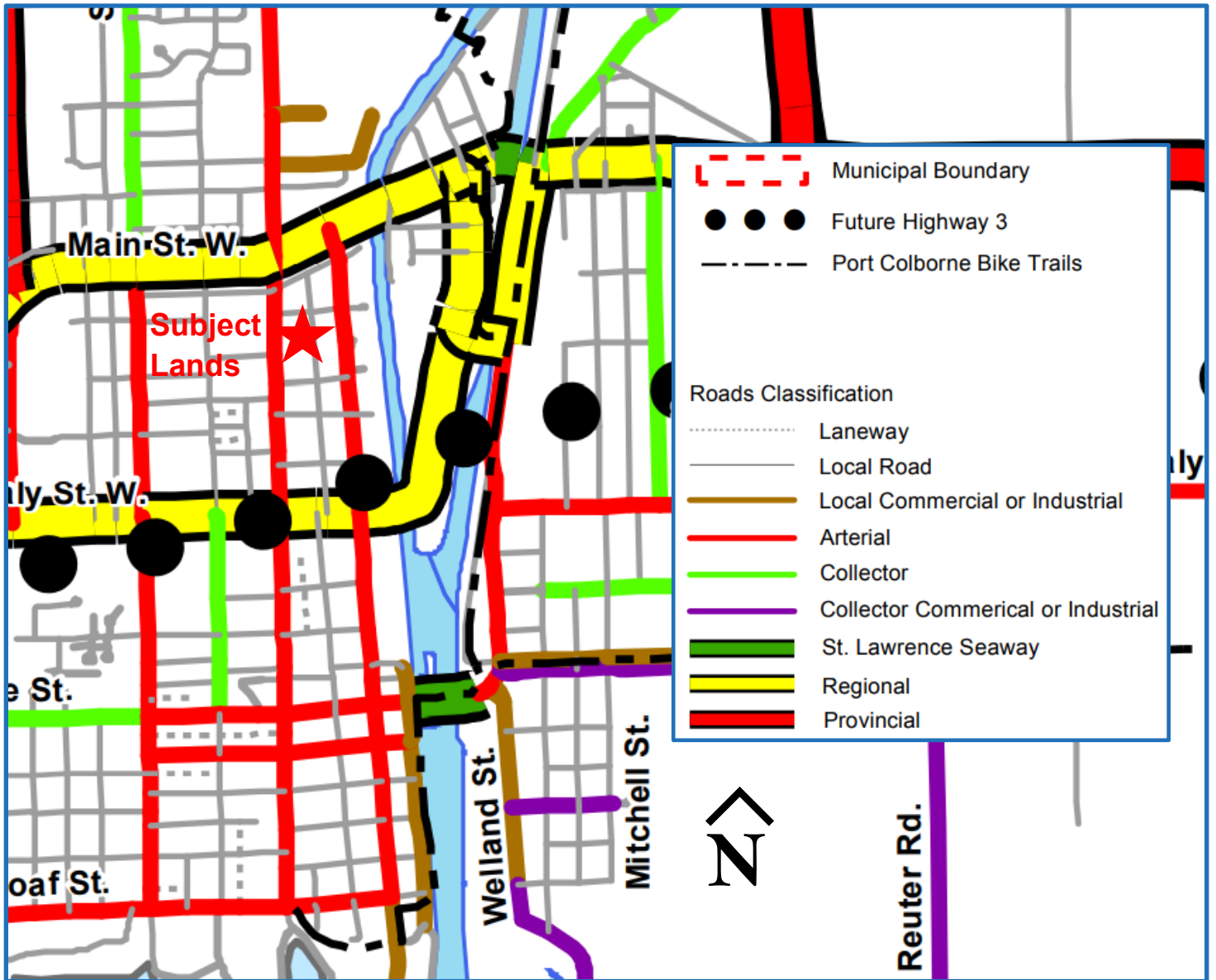
Schedule B3: Vulnerable Aquifer Areas



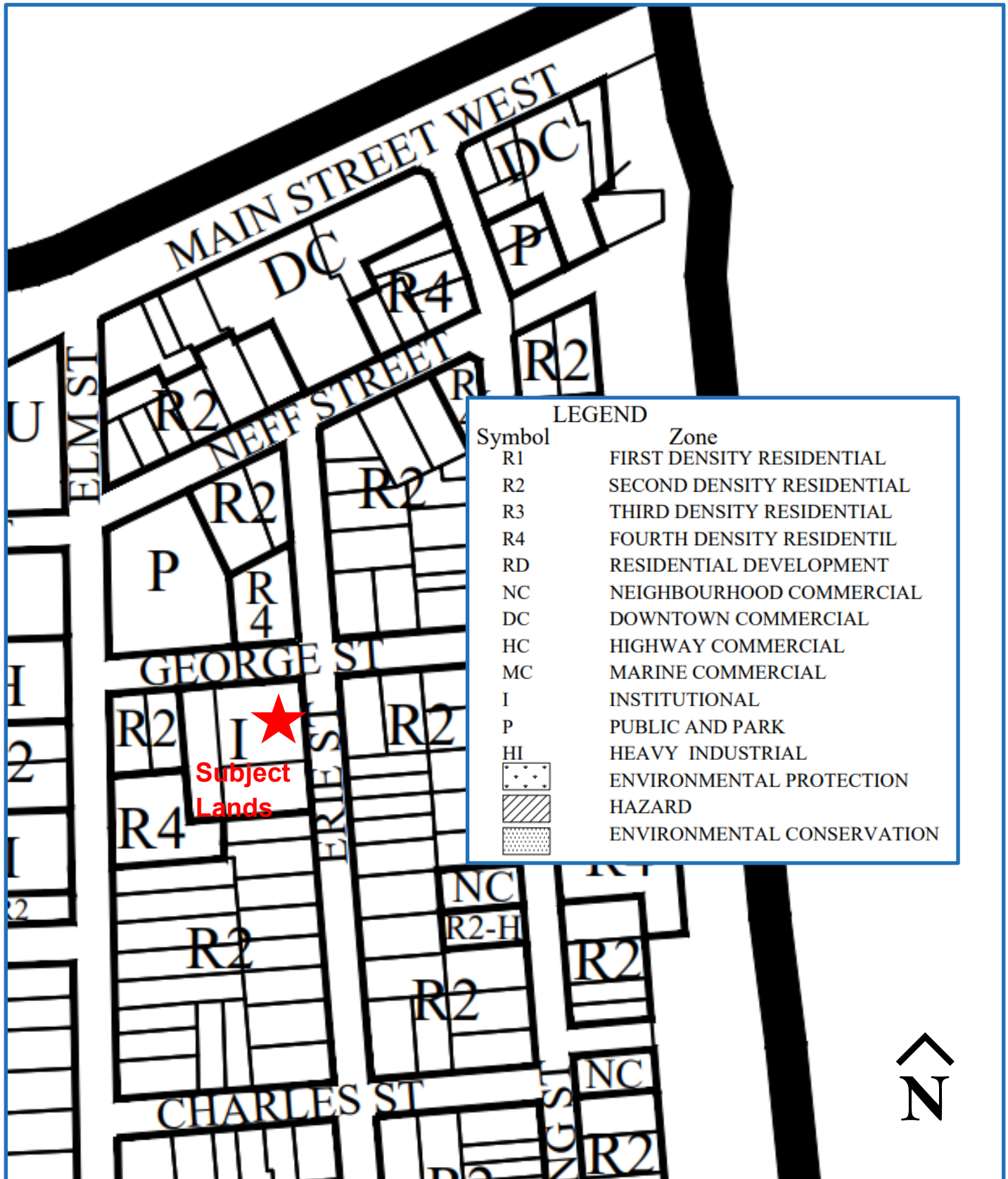
Schedule C: Mineral Aggregate and Petroleum Resources



Schedule D: Transportation



7.4 Appendix D: Zoning By-law Map – Schedule A7



7.5 Appendix E: Draft Official Plan Amendment

THE CORPORATION OF THE CITY OF PORT COLBORNE

BY-LAW NO XXX/XX/21

**BEING A BY-LAW TO ADOPT AMENDMENT NO. XX TO THE OFFICIAL PLAN FOR
THE CITY OF PORT COLBORNE**

WHEREAS It is deemed expedient to further amend the Official Plan, heretofore adopted by Council for the City of Port Colborne Planning Area;

NOW THEREFORE the Council of the Corporation of the City of Port Colborne pursuant to Section 17(22) of *The Planning Act, R.S.O. 1990*, enacts as follows:

1. That the Official Plan Amendment No. XX to the Official Plan for the City of Port Colborne Planning Area consisting of the attached explanatory text and mapping is hereby adopted.
2. That this By-law shall come into force and take effect on the date upon which it is finally passed.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS XXTH
DAT OF [MONTH] 2021.**

William C Steele, MAYOR

Amber LaPointe, CLERK

AMENDMENT NO. XX
TO THE OFFICIAL PLAN FOR THE
PORT COLBORNE PLANNING AREA

INDEX

THE STATEMENT OF COMPONENTS

Part A – The Preamble

Purpose

Location

Basis

Part B – The Amendment

Introductory Statement

Details of the Amendment

Implementation & Interpretation

AMENDMENT NO. XX
TO THE OFFICIAL PLAN FOR THE
PORT COLBORNE PLANNING AREA

THE STATEMENT OF COMPONENTS

PART A

The Preamble which does not constitute part of this Amendment.

PART B

The Amendment, consisting of the following text and Schedule “A”, constitutes Amendment No. XX to the Official Plan for the Port Colborne Planning Area.

PART A – THE PREAMBLE

Purpose

The purpose of this amendment is to facilitate the development of the subject lands, shown on the attached Schedule, as residential stacked townhouses at a maximum density of 103 units per hectare.

Location

The lands affected by this amendment are legally described as Lots 9, 10 and Part of Lot 11, Registered Plan No. 767 and Block 'A' and Part of Block 'B', Registered Plan No. 775 in the City of Port Colborne, Regional Municipality of Niagara, municipally known as 54 George Street. A detailed map of the subject lands is attached as Schedule "A" to this Official Plan Amendment No. XX

Basis

Currently, the subject lands are designated "Urban Residential". An application has been made to initiate amendments to the City of Port Colborne's Official Plan and Zoning By-law as they relate to these lands in order to facilitate the development of 30 residential stacked townhouse units within two blocks and 38 surface parking spaces. The proposed density is 103 units per hectare.

The proposed development provides an opportunity for commercial areas to be strengthened through the introduction of residential uses, meet the municipality's intensification target of 15% and maximize the efficiency of existing infrastructure as outlined in 2.4.3 of the Official Plan. The design of the proposed development is in a manner that is compatible and will limit impact on the existing neighbourhood to the south and west.

It is intended to concurrently approve an Amendment to the City's Zoning By-law 6575/30/18, rezoning of the lands from the existing "I - Institutional" zone to "R4-XX – Site-specific Fourth Density Residential Zone".

The proposal is consistent/conforms with:

- The Provincial Policy Statement (2020) by promoting growth within a settlement area;
- A Place To Grow (2019) by contributing to the minimum intensification targets and utilizing existing municipal services;
- Niagara Region Official Plan through the promotion of growth in urban areas; and

- Port Colborne Official Plan by introducing residential uses to create mixed use areas, while meeting the City's intensification target and promoting growth within the Built-Up Area.

PART B – THE AMENDMENT

INTRODUCTORY STATEMENT

All of this part of the document entitled Part B – The Amendment, consisting of the following text and map designated Schedule “A”, constitutes Amendment No. XX to the Official Plan for the City of Port Colborne.

The Official Plan for the Port Colborne Planning Area is hereby amended as follows:

Lands shown on Schedule A are permitted to develop residential stacked townhouses at a maximum density of 103 units per hectare.

DETAILS OF THE AMENDMENT

Notwithstanding Section 3.2.1 c) of the Official Plan for the City of Port Colborne, a maximum density of 103 units per hectare of land shall be permitted on the subject lands shown on Schedule “A” to this amendment.

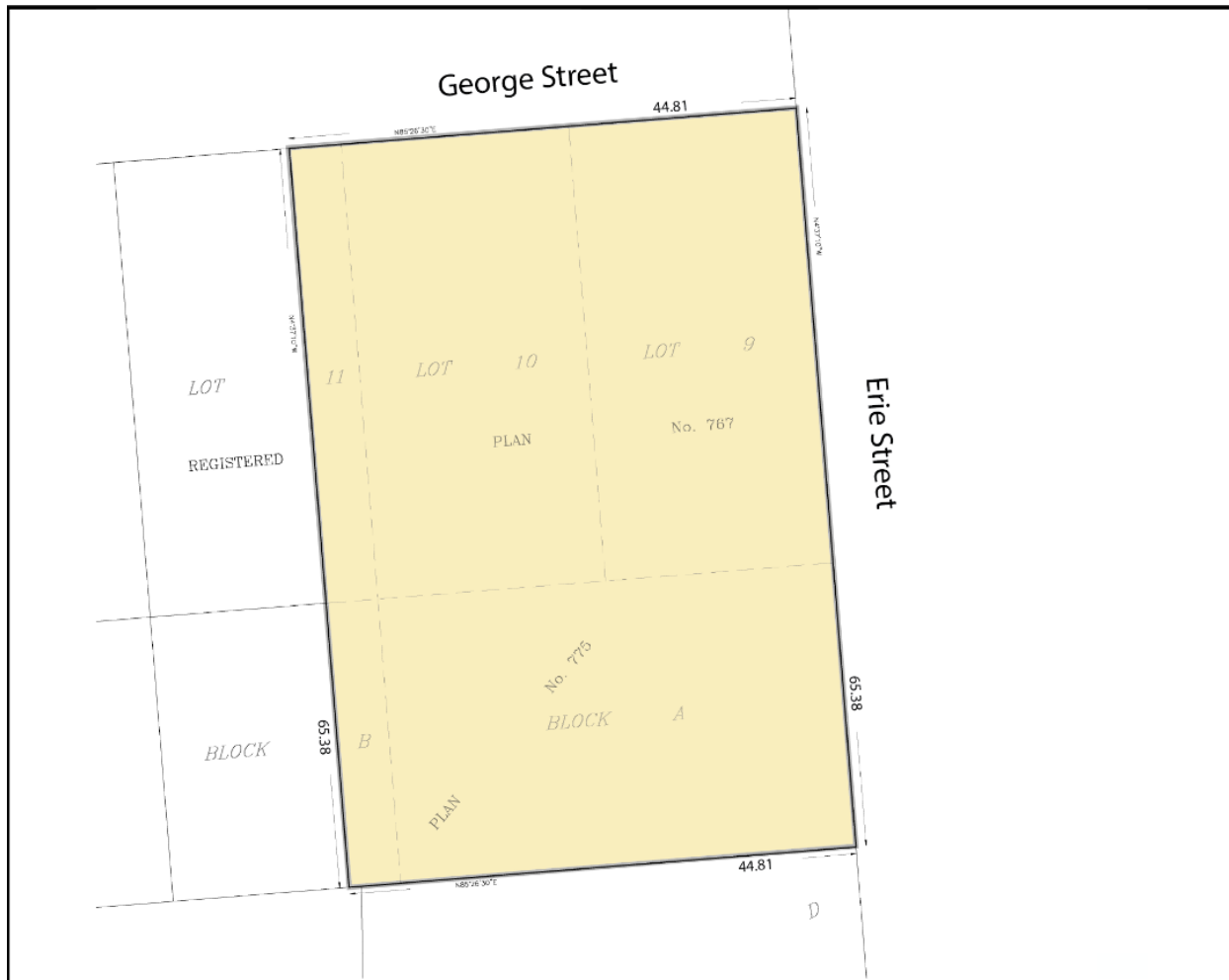
The following changes are made to Schedule A – City Wide Land Use of the Official Plan for the Port Colborne Planning Area:

1. That the area shown as “Urban Residential”, and entitled “Schedule A to Official Plan Amendment No. XX”, shall be subject to Special Policy Area provisions and shall be identified on Schedule A City Wide Land Use Map of the Official Plan for the Port Colborne Planning Area.

IMPLEMENTATION AND INTERPRETATION

The implementation and interpretation of this amendment shall be in accordance with the respective policies of the Port Colborne Official Plan and an amendment to the City Zoning By-law to rezone the subject lands.

SCHEDULE A



THIS IS SCHEDULE "A" TO BY-LAW NO. _____
PASSED THE _____, 2021
CITY OF PORT COLBORNE

File No:

Date:

Scale: NTS

MAYOR

CLERK

7.6 Appendix F: Draft Zoning By-law Amendment

THE CORPORATION OF THE CITY OF PORT COLBORNE

BY-LAW NO. _____

**BEING A BY-LAW TO AMEND ZONING BY-LAW 6575/30/18, RESPECTING LANDS
LEGALLY DESCRIBED AS LOTS 9, 10 AND PART OF LOT 11, REGISTERED PLAN
NO. 767 AND BLOCK 'A' AND PART OF BLOCK 'B', REGISTERED PLAN NO. 775
IN THE CITY OF PORT COLBORNE, REGIONAL MUNICIPALITY OF NIAGARA,
AND MUNICIPALLY KNOWN AS 54 GEORGE STREET.**

WHEREAS By-law 6575/30/18, is a by-law of the Corporation of the City of Port Colborne regulating the use of lands and the location and use of buildings and structures within the City of Port Colborne;

AND WHEREAS, the Council of the Corporation of the City of Port Colborne desires to amend the said by-law;

NOW THEREFORE, and pursuant to the provisions of Section 34 of *The Planning Act, R.S.O. 1990*, The Corporation of the City of Port Colborne enacts as follows:

1. This amendment shall apply to those lands described on Schedule "1" attached to and forming part of this by-law.
2. That the Zoning Map referenced as Schedule "A7" forming part of By-law 6575/30/18 is hereby amended by changing those lands described on Schedule 1 from Industrial (I) to R4-XX, being a special provision of the Fourth Density Residential Zone.
3. That Section 37 entitled "Special Provisions" of Zoning By-law 6575/30/18, is hereby further amended by adding the following:

R4-XX

Notwithstanding the provisions of the Fourth Density Residential (R4) zone, the following regulations shall apply:

Minimum Front Yard	4.5 metres from the building
Maximum Height	14.5 metres
Landscaped buffer area between the edge of the parking area and the lot line abutting a public road	2.5 metres

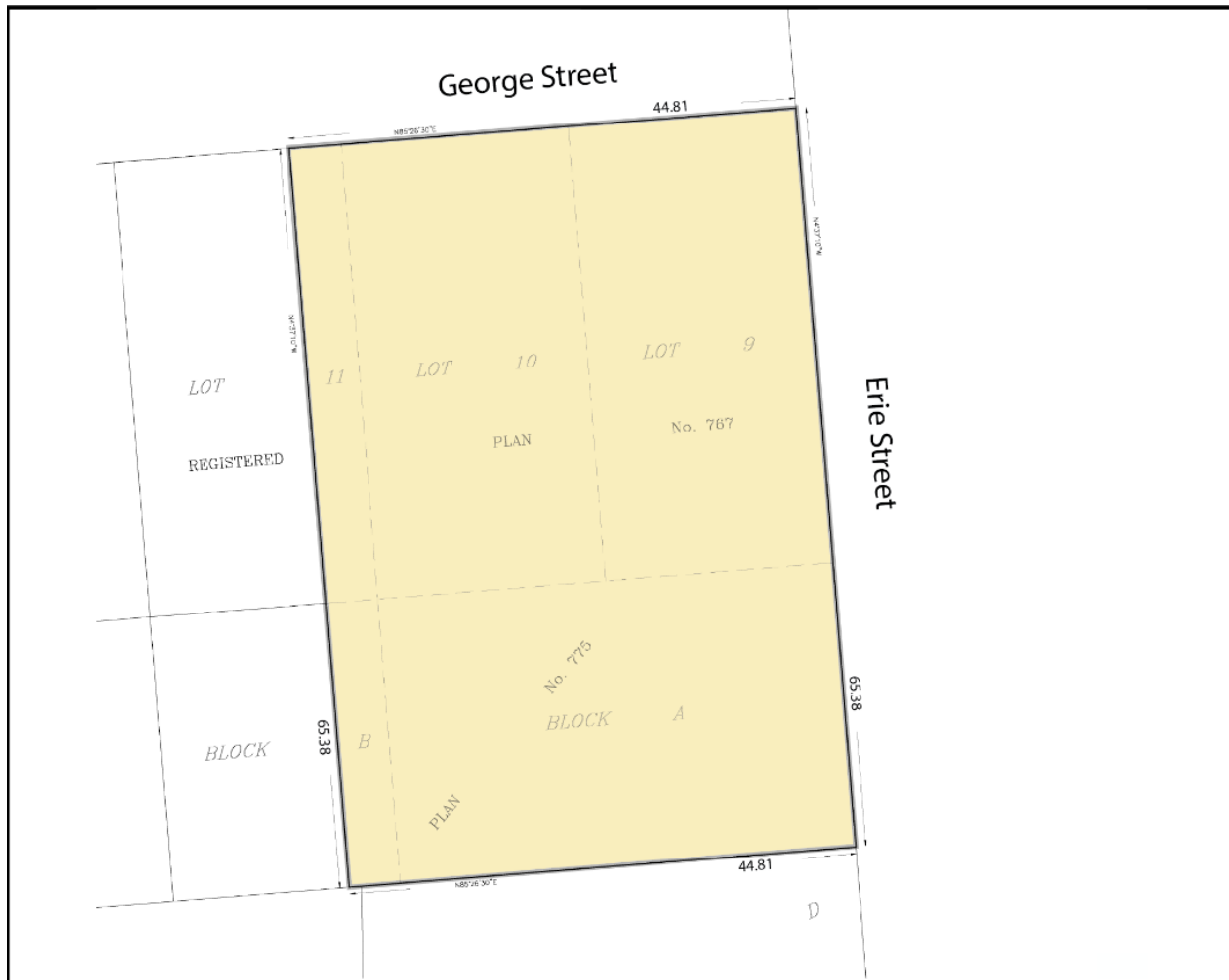
4. That this By-law shall come into force and take effect on the day that it is passed by Council, subject to the provisions of *The Planning Act, R.S.O 1990*.
5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with *The Planning Act*.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS XXTH DAY
OF XXX, 2021**

William C Steele, MAYOR

Amber LaPointe, CLERK

SCHEDULE 1



THIS IS SCHEDULE "1" TO BY-LAW NO. _____
PASSED THE _____, 2021
CITY OF PORT COLBORNE

File No:

Date:

Scale: NTS

MAYOR

CLERK

7.7 Appendix G: Email Confirmations

From: [David Schulz](#)
To: [Rhea Davis](#)
Cc: [Cory Armfelt](#)
Subject: RE: 54 George Street, Port Colborne
Date: July 21, 2021 8:52:43 AM
Attachments: [image002.jpg](#)
[image004.png](#)
[image006.jpg](#)
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[image029.jpg](#)
[image030.jpg](#)

Hi Rhea,

Please see my answers below:

1. We only have a form for each individual application, so we will need both filled out.

With respect to waste collection – the Region's collection policies only collect up to 24 units. Anything in excess of 24 bags/containers of garbage cannot be serviced by the Region.

2. During the pandemic we have not been signing the forms. The one you have is the final copy.
3. If the entrances are all independent to each unit, then this would be considered a block townhouse. If there is one entrance into the building this would be an apartment building.

Regards,

David

David Schulz

Planner

City of Port Colborne

Phone 905-835-2900 Ext. 202

Email David.Schulz@portcolborne.ca

66 Charlotte Street
Port Colborne, ON L3K 3C8

From: [Alguire, Robert](#)
To: [Rhea Davis](#)
Cc: [Cory Armfelt](#); [Kelly, Siobhan](#); [Busnello, Pat](#)
Subject: RE: 54 George St Port Colborne- Multi-Residential Waste Collection
Date: August 5, 2021 4:22:29 PM
Attachments: [image002.png](#)

Hi Rhea,

Sorry for the delayed response as Waste Management staff required an internal discussion to determine the classification of the proposed development. It appears that Niagara Region would be able to service the proposed townhouse blocks as low density residential (LDR), provided that the external doors are visible from the curb, which appears to be the case based on the provided concept plans. This means that instead of the 24 garbage bag/can limit per building, each unit would be eligible for 2 garbage bags/cans collected curbside every-other-week.

Thank you for your patience in working through this matter. Please let me know if you have any further questions.

Best Regards,

Robert Alguire, C.E.T.
Development Approvals Technician
Planning and Development Services Department
Regional Municipality of Niagara
1815 Sir Isaac Brock Way, PO Box 1042
Thorold, Ontario L2V 4T7
Phone: 905-980-6000 ext. 3268
www.niagararegion.ca

Regional Municipality of Niagara Confidentiality Notice:

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From: Rhea Davis <rdavis@npgsolutions.ca>
Sent: Thursday, July 29, 2021 3:00 PM
To: Alguire, Robert <Robert.Alguire@niagararegion.ca>; Kelly, Siobhan <Siobhan.Kelly@niagararegion.ca>; Busnello, Pat <pat.busnello@niagararegion.ca>
Cc: Cory Armfelt <carmfelt@npgsolutions.ca>
Subject: RE: 54 George St Port Colborne- Multi-Residential Waste Collection

CAUTION: This email originated from outside of the Niagara Region email system. Use

**Subject: Recommendation Report for Site Plan Control Application
D11-01-22, North Side of Killaly Street East**

To: Council

From: Development and Legislative Services Department

Report Number: 2022-68

Meeting Date: April 12, 2022

Recommendation:

That Development and Legislative Services Department Report 2022-68 be received;

That Council approve the Site Plan Control Application from 1338277 Ontario Inc. for the property known Part of Lot 27, Concession 2, being Part 1 on Plan 59R-1871, on the north side of Killaly Street East; and

That the Mayor and Clerk be authorized to sign and execute the Site Plan Agreement between the City and 1338277 Ontario Inc. for the property known Part of Lot 27, Concession 2, being Part 1 on Plan 59R-1871, on the north side of Killaly Street East, subject to technical review and approval by the Director of Public Works.

Purpose:

The purpose of this report is to obtain Council approval to enter into a site plan agreement with 1338277 Ontario Inc. for the property known as Part of Lot 27, Concession 2, being Part 1 on Plan 59R-1871, on the north side of Killaly Street East, formerly in the Township of Humberstone, now in the City of Port Colborne.

Background:

At its January 25, 2021 meeting, City Council unanimously approved the following motion:

That the Director of Planning & Development be directed to make applications to amend the Official Plan and Zoning By-law for City and private property located at the northwest corner of Welland and Killaly Street East; and

That all costs be absorbed by the City (being the costs of the Official Plan and Zoning By-law Amendments).

On May 25, 2021, Council approved By-laws 6894/42/21 and 6895/43/21, being amendments to the Official Plan and Zoning By-law, respectively. The amendments changed the Official Plan designation from Urban Residential to Industrial/Employment. The Zoning By-law Amendment rezoned the property from Residential Development (RD) to LI-62, being a special provision of the Light Industrial (LI) zone. As part of this approval, Council resolved to retain the approval authority for this Site Plan Control application from Planning staff. Due to this request, the approval of the site plan application discussed in this report lies with Council, rather than staff's delegated authority.

In late December 2021, staff received a complete site plan control application for a proposed 4,786 m² warehouse on the subject lands. Staff have had a chance to review the subject application and offer comments in return on the submissions.

Discussion:

The review of the subject application has been ongoing since the application receipt. Most of the comments from internal and external commenting agencies/departments have been addressed in the recent submission. The remaining department still completing their review is the Public Works Department. The extent of their review remaining is with respect to the site servicing, grading and stormwater management plans. It is unlikely that the comments and changes to these plans requested from the Public Works Department will have any impact to the physical attributes of the site's design.

Planning staff are seeking Council's approval of the site plan, except for any minor changes that may be required following the completion of Public Works' review. Staff estimate that having Council approve the application at this stage will save, at minimum, four to six weeks in the application process. Staff will ensure that the final site plan submission, pending the final comments from Public Works, will match the Council approved site plan.

Staff have prepared the draft site plan agreement (Appendix A). The applicable commenting agencies and internal departments have been involved

Internal Consultations:

The applicable commenting agencies and internal departments have been thoroughly involved in the site plan review process to date.

Financial Implications:

There are no financial implications.

Public Engagement:

The public has been involved in the former applications on this property and have been notified of this report on the agenda. The public is welcome to comment on the proposed site plan.

Strategic Plan Alignment:

The initiative contained within this report supports the following pillar(s) of the strategic plan:

- Service and Simplicity - Quality and Innovative Delivery of Customer Services
 - People: Supporting and Investing in Human Capital
 - Governance: Communications, Engagement, and Decision-Making
-

Conclusion:

Planning staff have reviewed this application throughout the Site Plan Control process. Staff are of the opinion that the site design is in a position to be approved by Council, pending final minor corrections to engineering characteristics. Staff are seeking Council's approval of the site design, and authorization for the Mayor and City Clerk to execute the final site plan agreement, upon the completion of Public Works' review and any minor changes following this meeting.

Appendices:

- a. Draft Site Plan Agreement
- b. Proposed Site Plan
- c. Proposed Landscape Plan
- d. Proposed Building Elevations

Respectfully submitted,

David Schulz, BURPI
Senior Planner

(905) 835-2900 x202
david.schulz@portcolborne.ca

Report Approval:

All reports reviewed and approved by the Department Director and the City Treasurer when relevant. Final review and approval by the Chief Administrative Officer.

THIS AGREEMENT made this day of , 2022

BETWEEN:

1338277 ONTARIO INC.

Hereinafter called the **OWNER** of the **FIRST PART**;

and

THE CORPORATION OF THE CITY OF PORT COLBORNE

Hereinafter called the **CITY** of the **SECOND PART**;

and

FONTAINE VENTURES INC.

Hereinafter called the **MORTGAGEE** of the **THIRD PART**;

WHEREAS the Owner owns the lands described on Schedule "A" attached hereto and hereinafter referred to as "the said lands";

AND WHEREAS pursuant to the provisions of Section 41 of The Planning Act, the Owner and the City acknowledge that the lands described on Schedule “A” are a Site Plan Control Area and further, no person shall undertake any development unless the Council of the City has approved of plans, drawings, agreements and other matters referred to in the said Section of The Planning Act;

AND WHEREAS the Owner has requested that a Site Plan Agreement be entered into to construct a 4,786.3m² warehouse building on “the said lands” in compliance with By-law 6575/30/18, as amended.

NOW THEREFORE in consideration of the mutual covenant and agreements hereinafter set out, the parties hereto agree as follows:

1. In this Agreement:

- (a) “Plans and drawings” means:

Schedule "A"	Legal Description of "the said lands";
Schedule "B"	"SITE PLAN" under "21157-SP" drawn by "UPPER CANADA CONSULTANTS", dated "MARCH 15, 2022" with a revision number/letter of "1"
Schedule "C"	"FLOOR PLANS" under "A2-1" drawn by "BROUWER ARCHITECTURE", dated "DECEMBER 15, 2021" with a revision number/letter of "1";
Schedule "D"	"ELEVATIONS" under "A3-1" drawn by "BROUWER ARCHITECTURE", dated "DECEMBER 15, 2021" with a revision number/letter of "1";
Schedule "E"	"SITE SERVICING AND GRADING" under "21157-SSGP" drawn by "UPPER CANADA CONSULTANTS", dated "MARCH 15, 2022" with a revision number/letter of "1";
Schedule "F"	"STORM DRAINAGE AREA PLAN" under "21157-STMDA" drawn by "UPPER CANADA CONSULTANTS", dated "MARCH 15, 2022" with a revision number/letter of "1";
Schedule "G"	"LANDSCAPE PLAN" under "L-1" drawn by "DONALD

attached hereto and forming part of this agreement and such additional plans and drawings as may subsequently be approved by the City of Port Colborne, including plans or drawings which revise or replace any one or more of the plans or drawings attached hereto.

- (b) "Schedules" means and includes any one or more of the schedules attached to this agreement and includes plans and drawings as defined in Section 1(a) above.
 - (c) "Director of Public Works" means the Director of Public Works or their designate for the City of Port Colborne.
 - (d) "Fire Chief" means the Fire Chief for the City of Port Colborne.
 - (e) "City Planner" means the Director of Development and Legislative Services or their designate for the City of Port Colborne.
2. The Owner shall not construct or erect any building or structure, subdivide or use the lands described in Schedule "A" in any manner other than as set out in the Agreement and on the plans and drawings and schedules referenced in Section 1 above. In addition, prior to the commencement of any development or prior to the erection of any building, structure or installation of servicing, the Owner shall obtain all necessary permits and approvals from any relevant authority and shall comply with all relevant legislative requirements.
 3. Original copies of Schedules "A", "B", "C", "D", "E", "F", and "G" may be viewed at the Offices of City Hall, City of Port Colborne, 66 Charlotte Street, Port Colborne, Ontario during normal business hours.
 4. The Owner agrees that all site lighting shall be directed in a manner such that the angle of illumination does not extend onto the adjacent lands or public streets.
 5. The Owner agrees to obtain all necessary permits as may be required and to construct or reconstruct, at its own expense, an overall drainage system and water supply for firefighting purposes including all reinstatements and driveway entrances subject to specifications and to the satisfaction of the City, pursuant to the Ontario Building Code and the Plumbing Code, where applicable, and in accordance with Schedules "B", "C", "D", "E", "F", and "G".
 6. All utilities including hydro-electric lines and telephone lines shall be installed to the satisfaction of the relevant public utility.
 7. The Owner agrees to provide, install and maintain landscaping as indicated on Schedule "G".
 8. The Owner agrees that garbage and refuse shall be stored in an enclosed refuse area screened by a 1.8m high wall or opaque fence as depicted on Schedule "B" and that waste containers are marked with unit numbers and placed at the curbside on Killaly Street East in order to be eligible for Regional waste collection.
 9. The Owner agrees to provide parking areas and parking aisles in accordance with Schedule "B". The Owner agrees that parking areas and parking aisles in the interior side yard shall be asphalt and marked in accordance with Schedule "B". The Owner agrees that driveway accesses, traffic directional signs, parking areas and parking aisles shall be delineated in accordance with Schedule "B" and that a permanent walkway shall be provided in accordance with Schedule "B". All construction shall be to the satisfaction of the City of Port Colborne.
 10. The Owner agrees to submit a Sign Permit application to the Building Division or Regional Municipal of Niagara, if required.
 11. The Owner shall keep the walkway, driveway and parking lots free and clear of

snow on the City's property except in locations designated by the Director of Public Works from time to time.

12. The Owner shall provide, maintain and use, as the case may be, the facilities and matters in the schedules and shall comply with such terms and conditions as to the provision, maintenance and use of the facilities and matters as are set out in the schedules.
13. The Owner shall comply with such prohibitions of facilities and matters and the maintenance and use thereof as set out in the schedules.
14. Without in any way limiting the application of Sections (12) and (13):
 - (a) the Owner shall construct all buildings, structures, and facilities shown on the plans and drawings, strictly in conformance with and in all the locations shown thereon; and
 - (b) the Owner shall construct all buildings in conformance with the building elevations and cross-sections shown on such elevation drawings and plans as are approved by the City.
15. It is understood and agreed that, if the development of the proposed building on the said lands has not commenced within twenty-four months of the date of approval by the Council of the City of the said plans and drawings, the approved plans and drawings shall become null and void unless an extension is granted by the Council of the City, new plans and drawings incorporating such changes must be submitted to the City and must be approved by the Council of the City and a new agreement between the Owner and the City entered into prior to any building being constructed.
16. The Owner further agrees that all facilities and matters required to be provided pursuant to this agreement, shall be provided, installed or constructed by or on behalf of the Owner and at the Owner's expense within one hundred and twenty days after the date of substantial completion of the proposed building(s) as determined by the City and shall be maintained at all times in good condition and in compliance with this agreement.
17. The Owner shall be responsible for, the cost of all work on or adjacent to "the said lands", on road allowances, with exceptions as noted in this agreement, and which is required under the terms of this agreement and/or indicated on the approved plans and drawings, including without limiting the generality of the foregoing, the cost of all works required for drainage of the surface water and roof water, connections to storm sewers, construction of driveway approaches, including curb cuts, relocation of pipes, poles, drains, catchbasins and other works, all of which shall be done and performed, and all material for the said work shall be supplied to the specifications and directions and to the satisfaction of the City. Where any required work is to be performed within the limit of any City road allowance on which "the said lands" abut or which is adjacent to the said lands, the works may be performed by the City, at the expense of the Owner, and the Owner agrees to deposit with the City, before a building permit is issued, the whole of the cost, as estimated by the City, of performing work. If the actual cost of the work, as determined by the City, exceeds the amount of the deposit, the Owner shall pay the City for any deficiency and, if the actual cost, as so determined, is less than the amount of the deposit, the City shall repay the Owner any surplus. The Owner shall be responsible for making all necessary arrangements for any payment of the cost of taking up, removing or changing the location of any works or services of any utility company or commission by this agreement and/or indicated on the approved plans and drawings.
18. If required by the City and forthwith after demand by the City, the Owner, at its own expense and free of all costs to the City or to the Owner of any utility or service passing to or through the lands (including any Registry or Land Titles Office fees), shall provide either the City or the Owner of any utility or service passing to or through the lands as may be applicable, with any easements (free of any encumbrance) that may be required by the City or the Owner of any such utility or

service, that in its, or their, sole discretion is needed for any requirement or purpose that may be occasioned by development of the lands by the Owner and if directed by the City or Owner of any such utilities or service, shall register these easements at the appropriate Land Titles or Registry Office.

19. The Owner acknowledges that the facilities and matters required by the said By-law and this agreement shall be provided and maintained by the Owner at its sole risk and expense and to the satisfaction of the City; and the Owner releases the City from all claims and demands in respect of any loss, damage or injury (including death) to persons or property arising out of or connected with the provision and maintenance of the said facilities and matters of any one or more of them.
20. The Owner hereby warrants that it is the registered Owner of "the said lands" described in Schedule "A" attached hereto.
21. The Owner agrees that upon the execution of this agreement that the lands are charged with the performance of this agreement.
22. The Owner agrees that during any construction work relating to the lands or matters referred to in the terms of this agreement, all necessary precautions to avoid dust, noise and other nuisances and to provide for the safety of the public will be taken by the Owner, its agents, servants and assigns.
23. The Owner to whom the request has been made by the City shall, within the time limits specified by the City to the total satisfaction of the City and at the sole risk and expense of the Owner, remedy such non-compliance or potential non-compliance with the conditions of development or redevelopment in this agreement as may, in the sole opinion of the City, exist or come into existence from time to time.
24. The Owner hereby covenants and agrees for themselves and their executors, administrators, successors and assigns and successors in title and owner or owners from time to time of "the said lands" to this agreement and every part or parts thereof that, if they fail to perform or complete in accordance with this agreement any of the work or construction or maintenance or both, including provision and maintenance of landscaping, which is to be performed by the Owner under the terms of this agreement, the City may, upon a resolution of City Council to that effect and after giving not less than fifteen days notice in writing to the Owner, enter on "the said lands", as often as may be necessary with its workmen and contractors and perform or complete the performance of any such work, including any necessary replacement, and the Owner hereby authorizes the said entry and performance of work and further covenants and agrees for themselves and their executors, administrators, successors and assigns and successors in title and owner or owners from time to time of the said lands, all costs incurred by the City in performing such work within sixty days after an invoice therefore has been mailed by the City to the Owner or the then registered owner of "the said lands"; PROVIDED, HOWEVER, that nothing in this agreement shall impose upon the City any duty or obligation to inspect or examine "the said lands" for non-compliance with the conditions of development or redevelopment or to specify or report that such non-compliance or potential non-compliance to the Owner or to provide an opinion or view respecting any condition of development or redevelopment or to request or require compliance with the said conditions.
25. If the said costs incurred by the City referred to in Section 24 are not paid within the said period of sixty days, the Owner hereby authorizes the City to add the amount of such costs to the collector's roll for "the said lands" and to recover such costs in like manner as for local taxes or, at the option of the City provided that, upon any such entry by the City, any replacement of landscaping shall be limited to like kind and there shall be no replacement oftener than annually.
26. In the event of any dispute respecting the interpretation of any City standards, the owner agrees that the matter is to be decided by the Council of the City and its decision is final and binding.

27. The Owner shall indemnify and keep harmless the City from and against all actions, causes of action, interest, claims, demands, costs, charges, damages, expenses, and the loss, which the City may at any time bear, incur, be liable for, sustain or be put unto for any reason of or on account of or by reason of or in consequence of the City entering into this agreement.
28. Prior to the issuance by the City of any building permit or plumbing permit relating to the lands of the Owner, and during the period of any construction and development, the Owner must provide to the City proof, in a form satisfactory to the City, of insurance coverage in an amount and relating such risks as may be determined by the City in its sole discretion, and the City if it so demands, shall be added as a named insured to any insurance policy or to any such insurance coverage referred to in this clause of this agreement shall be provided at the expense of the Owner. The Owner further agrees that if required by law, or by the City, it will submit to the City a clearance letter from the Workmans Compensation Board stating that it or its agents are in good standing with the Board.
29. The Owner shall not call into question directly or indirectly any proceeding whatsoever in law or in equity or before any administrative tribunal, the right of the City to enter into this agreement and to enforce each and every term, covenant and condition herein contained and this agreement or this clause may be pleaded as an estoppel against the Owner in any such proceeding.
30. This agreement shall ensure the benefit of and shall be binding upon the parties hereto and their heirs, executors, administrators, successors and assigns and successors in title.
31. The Owner agrees that it shall, upon the sale or transfer of the lands or any part or parts thereof, require the purchaser or transferee thereof, as a condition of such sale or transfer, to execute an agreement satisfactory in form to the solicitor of the City, agreeing to assume this agreement and be bound by and to fulfill the terms, conditions and covenants that are herein set forth and containing a like covenant to this effect. The said assumption agreement shall be executed by the City, the Owner and any purchaser or transferee and any mortgage and at the discretion of the City, may be registered against the title to the lands at the expense of the Owner.
32. If the lands are mortgaged or assigned and the mortgagee or assignee signs this agreement, then in the event that the mortgagee exercises any rights to sale, possession and foreclosure or takes any other steps to enforce its security in the lands, then the mortgagee or assign shall be bounded by and subject to all the terms, conditions, rights and obligations enjoyed by or borne by the owner and this agreement shall be read as if the term "Mortgagee" or "Assignee" were substituted for the word "Owner" wherever it appears in the agreement.
33. Notwithstanding anything hereinbefore contained it is agreed that the execution by the Mortgagee is merely for purposes of consent and shall not impose upon the Mortgagee any of the obligations contained herein which are conferred upon the owner, its successors and assigns and that the Mortgagee shall only assume such obligations in the event it becomes the registered owner of the lands described in Schedule "A", otherwise, the Mortgagee shall not be bound or be liable for any of the duties, liabilities or obligations contained herein.
34. The Owner acknowledges notice that the City proposes to register this agreement against "the said lands".
35. The Owner agrees that all municipal taxes and arrears, if any, shall be paid in full prior to the execution of this agreement by the City and such payment shall be made from time to time as each such event may occur so that payment so municipal taxes are at all times up to date.
36. Wherever the singular or masculine is used in this agreement, they shall be

construed as if the plural or the feminine or neuter has been used where the context or the party or parties hereto so require, and the rest of the sentence shall be constructed as if the grammatical and terminological changes thereby rendered necessary had been made and all covenants herein contained shall be construed to be several as well as joint.

37. The Owner shall, prior to the occupation of the site, undertake and have completed all site works shall to the satisfaction of the City Planner.
38. As security for carrying out the provisions of this agreement, the Owner shall deposit with the City, prior to the execution of this agreement, a cash deposit, letter of credit, bank draft or certified cheque in the amount of **\$TBD** satisfactory to the Treasurer, upon which the City may draw funds without the consent of the Owner, to cover the costs of the installation of site services, drainage system, parking area and markings, and landscaping as set out in Sections 5, 7 and 9 and as approved by the City.
39. The owner is advised that if the proposed development is unable to comply with Niagara Region's curbside waste collection limits then waste collection services for the property will be the responsibility of the owner through a private contractor and not the Niagara Region.
40. That the owner shall comply with Niagara Region's Sewer Use By-law No. 27-2014.
41. The Owner agrees that Should deeply buried archaeological remains/resources be found on the property during construction activities, all activities impacting archaeological resources must cease immediately, and the owner must notify the Archaeology Programs Unit of the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI) (416-212-8886) and hire a licensed archaeologist to carry out an archaeological assessment in accordance with the Ontario Heritage Act and the Standards and Guidelines for Consultant Archaeologists.
In the event that human remains are encountered during construction, all activities must cease immediately and the local police as well as the Cemeteries Regulation Unit of the Ministry of Government and Consumer Services in Toronto (416-326-8800) must be contacted. In situations where human remains are associated with archaeological resources, MHSTCI should also be notified to ensure that the site is not subject to unlicensed alterations which would be a contravention of the Ontario Heritage Act.
42. The Owner is advised that a Municipal Consent permit is required for any works being carried out on the City road allowance, prior to any construction/works being commenced.
43. All matters in difference between the parties herein in connection with this Agreement shall be referred to arbitration.
44. No person shall be appointed to arbitrator who is in any way interested financially or otherwise in the conduct of the works or development contemplated by this Agreement, or in the business or the affairs of the Owner or the City.
45. The award of the arbitrator shall be final and binding upon the parties.
46. In the event of a dispute, each party will select an arbitrator of their choosing who will, in turn, select a Chairperson. Each party will be responsible for the costs of their appointee, plus fifty percent of the expense of the Chairperson.
47. The provision of the *Arbitrations Act, R.S.O. 1990*, as amended, or any successor thereto, shall apply to the arbitration.

IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals and the City has affixed its corporate seal duly attested to by its Mayor and Clerk.

SIGNED, SEALED & DELIVERED
IN THE PRESENCE OF:

1338277 ONTARIO INC.

I HAVE THE AUTHORITY TO BIND THE CORPORATION

THE CORPORATION OF THE CITY
OF PORT COLBORNE, Per:

WILLIAM C STEELE, MAYOR

NICOLE RUBLI, ACTING CLERK

FONTAINE VENTURES INC.

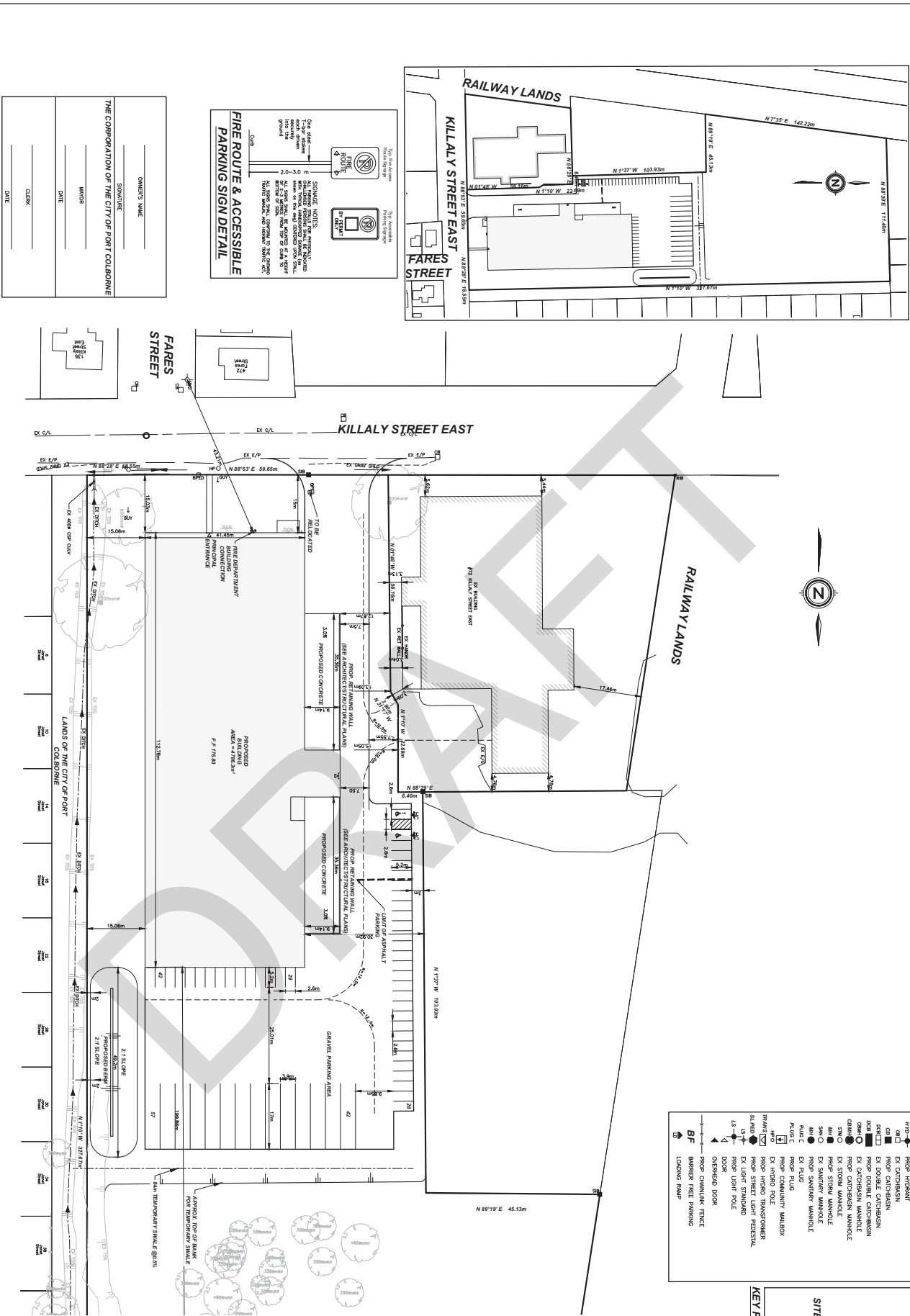
I HAVE THE AUTHORITY TO BIND THE CORPORATION

SCHEDULE “A” - LEGAL DESCRIPTION

PT LT 27 CON 2 HUMBERSTONE AS IN RO86825, EXCEPT RO490753, PT 1, 59R1871 & PT 1, 59R2949; T/W RO490753; PT ROAL BTN LTS 26 & 27, CONCESSION 2 HUMBERSTONE AS IN RO86825, EXCEPT PT 3 & 4, 59R4635; PORT COLBORNE

DRAFT

Schedule "B"

[illegible]

3.10 LOCATION OF LOADING SPACES

LOADING SPACES SHALL BE LOCATED ENTIRELY ON THE SAME LOT AS THE BUILDING FOR WHICH SUCH LOADING SPACES ARE REQUIRED, AND SHALL NOT ENROACH INTO ANY REQUIRED DRIVEWAYS, PARKING AREAS OR INTERNAL ROADS. LOADING SPACES SHALL BE LOCATED IN AN INTERIOR SIDE YARD OR REAR YARD AND NOT CLOSER TO ANY ROAD THAN THE BUILDING.

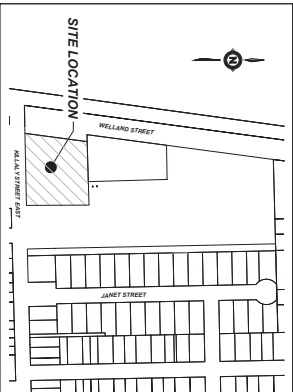
LAND USE SCHEDULE

	no	%
INDUSTRIAL BUILDINGS		
BUILDING	0.478	14.7
ROADWAY/DRIVEWAY	0.486	15.0
LANDSCAPING	2.27	70.3
DEVELOPABLE AREA	3.24	100.0
TOTAL		

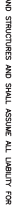

MIN 1 PARKING SPACE PER 1000^{sq} OF GROSS FLOOR AREA
 REQUIRED = 46 SPACES
 PROPOSED = 57 SPACES

LEGAL DESCRIPTION

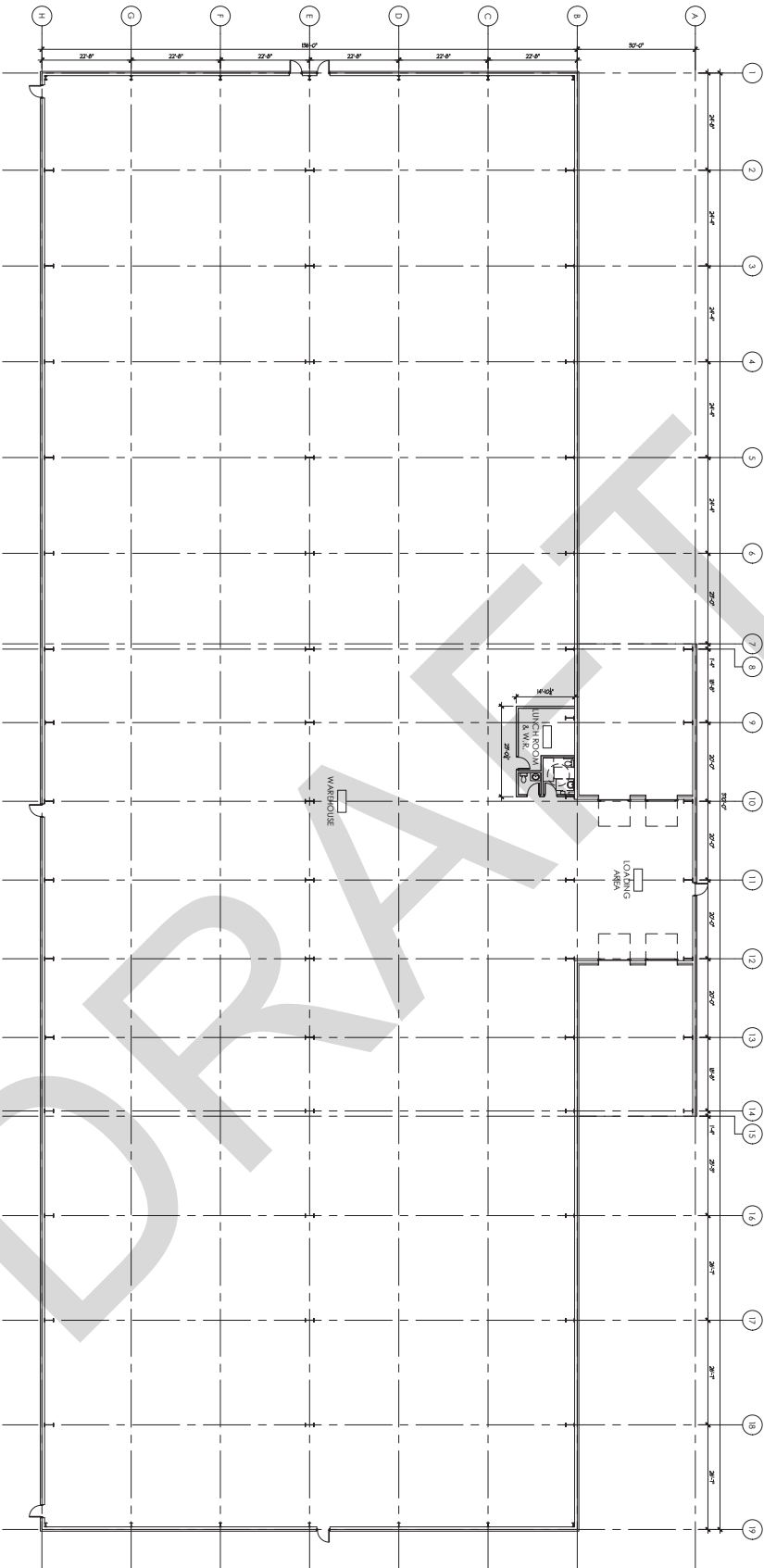
PART OF LOT 27, CONCESSION 2
GEOGRAPHIC TOWNSHIP OF
HUMBERSTONE.
CITY OF PORT COLBORNE
REGIONAL MUNICIPALITY OF NIAGARA



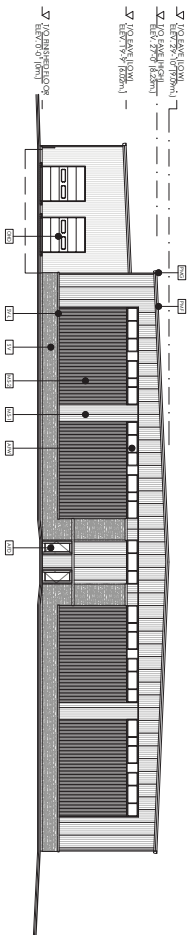
KEY PLANTS.

CONSULTANT FILE NO. 21157		REV.
DATE 2022-03-15		1
PRINTED 2022-03-21		
SCALE 1:500m		
SCALE 1:1000m		
REF. NO.		
CITY OF PORT COLBORNE		
SITE PLAN		
72 KILLAL STREET EAST		
FONTAINE WAREHOUSE AND DISTRIBUTION		
		
PORT COLBORNE		
		
DRAWING		
C/A		
DESIGN		
W/H		
CHECKED BY		
W/H		
APPROVED BY		
JLS		
REV.		
21157-SP		
1		

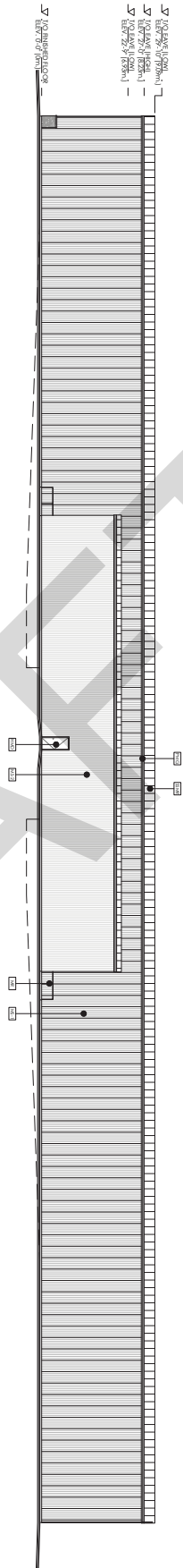
Schedule "C"

[illegible]

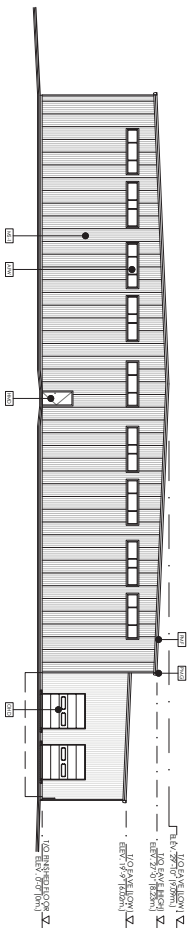
Schedule "D"



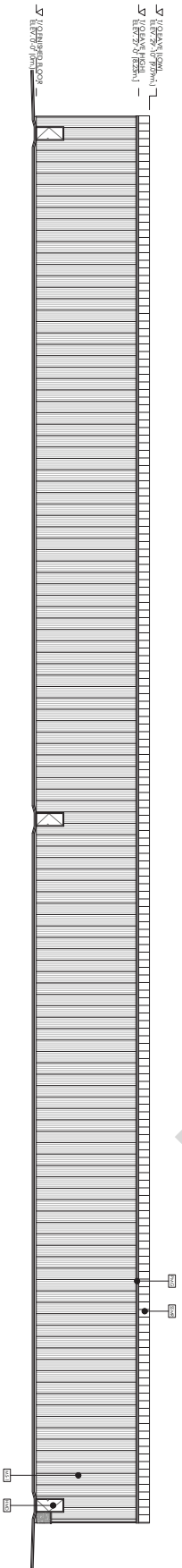
SOUTH ELEVATION
SCALE: 1"=0' = 1/16"



WEST ELEVATION
SCALE: 1"=0' = 1/16"

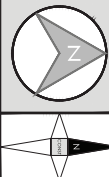


NORTH ELEVATION
SCALE: 1"=8' = 1/16"

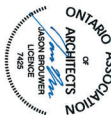


EAST ELEVATION
SCALE: 1"=8' = 1/16"

- | ELEVATION MATERIAL LEGEND | |
|---------------------------|---|
| 009 | ALUMINUM DOOR FRAME (BLACK ANODIZED) |
| 009 | ALUMINUM FRAMED WINDOW (BLACK ANODIZED) |
| 000 | HOLLOW METAL DOOR - PAINTED |
| 008 | METAL RAILING |
| 003.1 | PERFIN, VERTICAL METAL SIDING - POLAR WHITE |
| 003.2 | PERFIN, VERTICAL METAL SIDING - CHARCOAL |
| 004 | OVERHEAD DOOR - WITH LOADING DOCK EQUIPMENT |
| 003 | PERFIN, METAL PASCAL - CHARCOAL GRAY |
| 005 | PERFIN, METAL GUTTER - CHARCOAL GRAY |
| 004B | STANDING SEAM METAL ROOFING - DOUBLE LOCK (GALVALUME) |
| 007 | STONE VENEER - GRAY RANGE |
| 007 | STONE VENEER LEDGE |



Drawings are not to be scaled.



FONTAINE
TRANSPORTATION

72 Killaly Street East,
Port Colborne,
Ontario

[illegible]

Elevations

DRAWN:	DRAWING NO:
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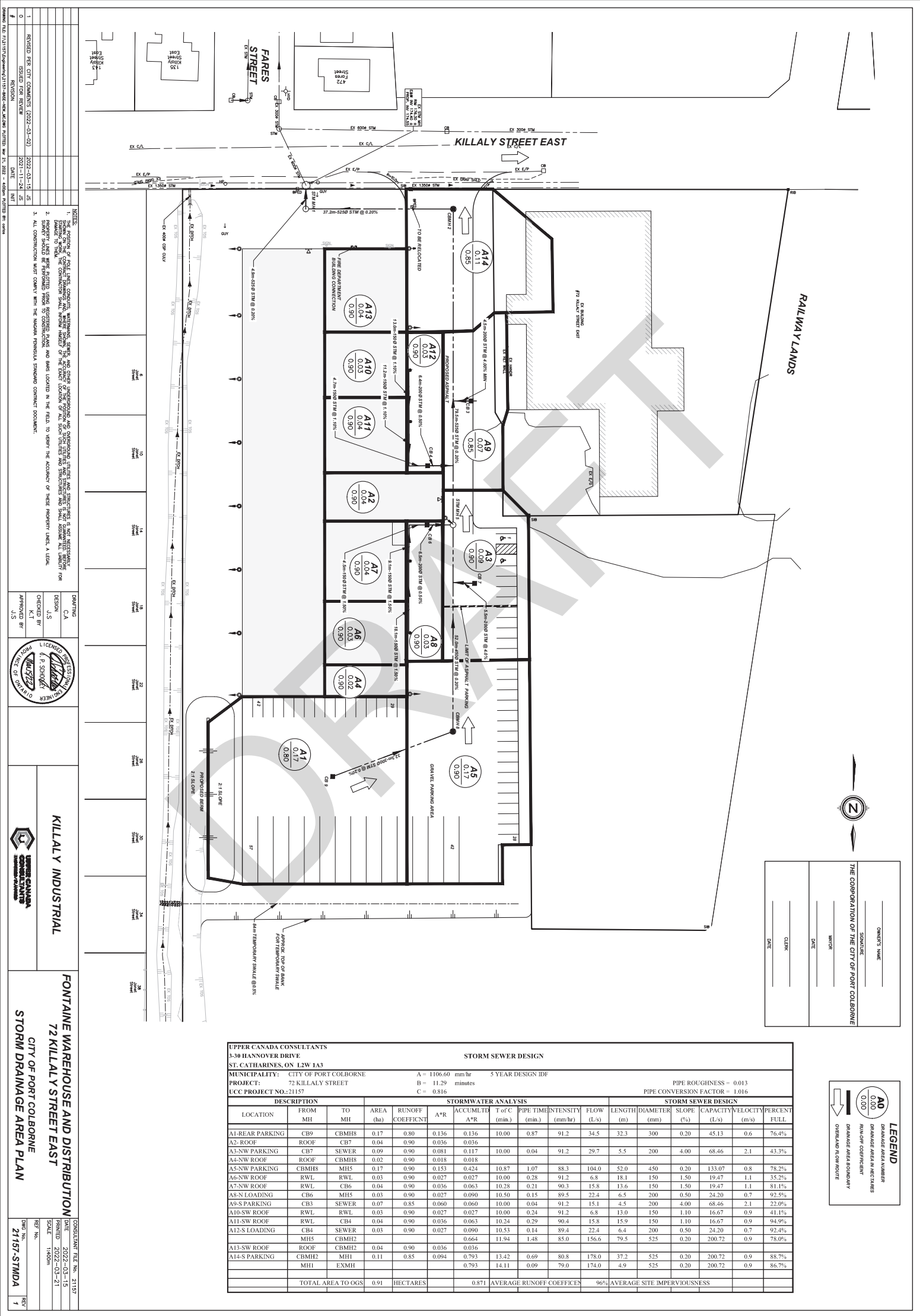
A3-1

K.J.	A3-1
CHECKED: J.B.	
PROJECT #: 2125	
DATE: Dec-2021	REV #: 1

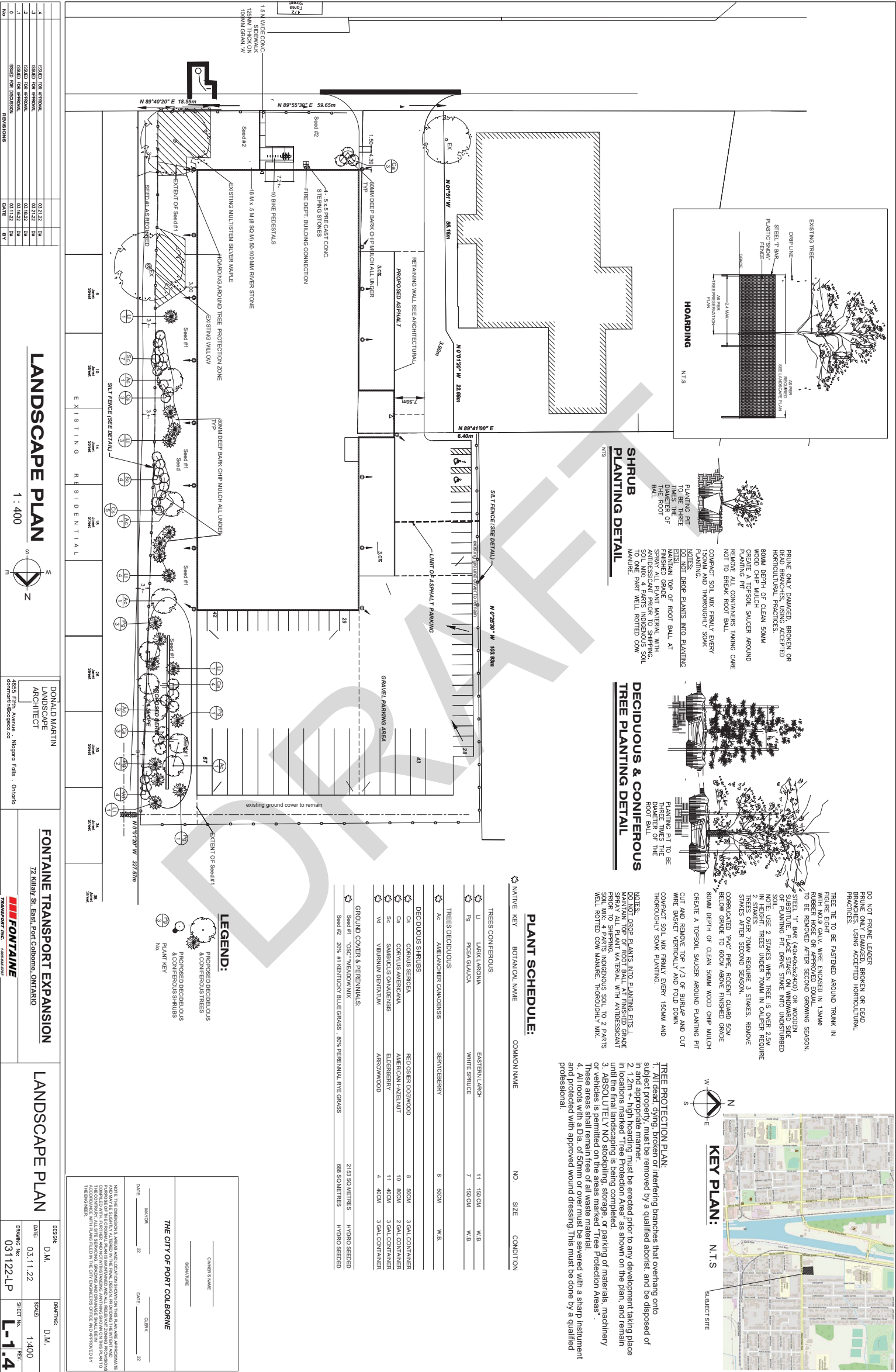
Page 170 of 504

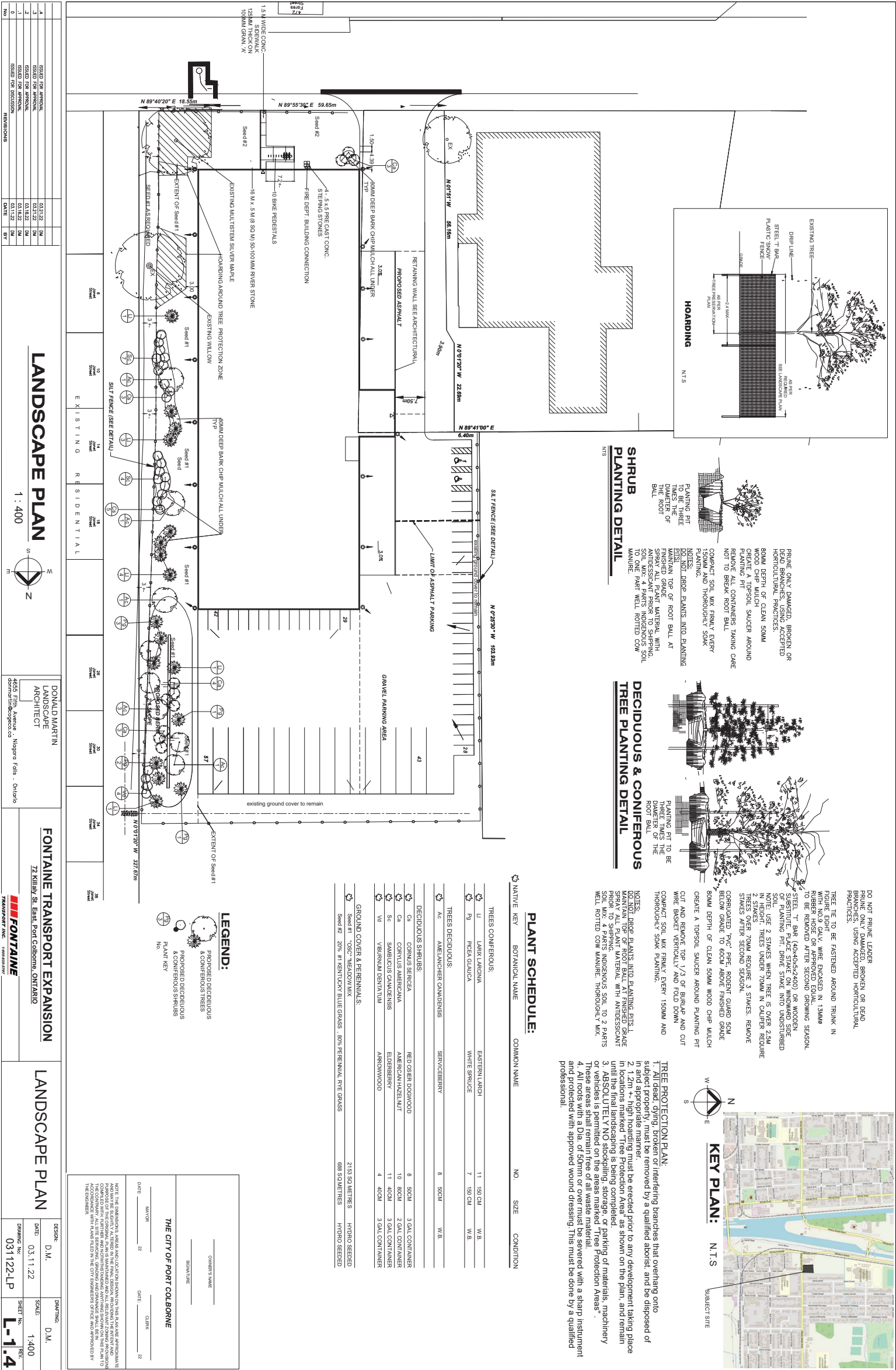


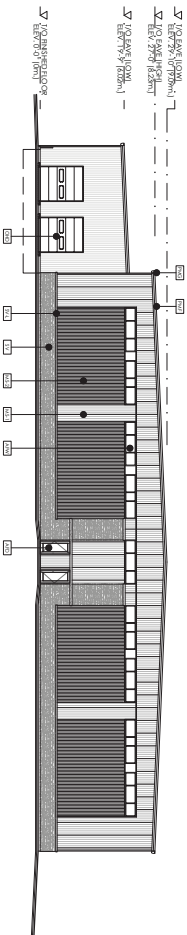
Schedule "F"



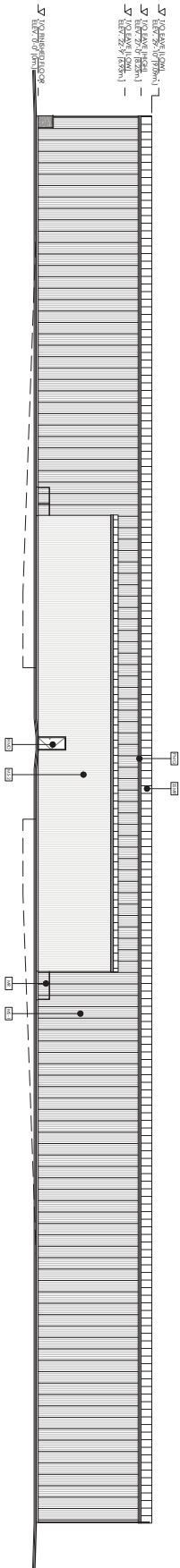
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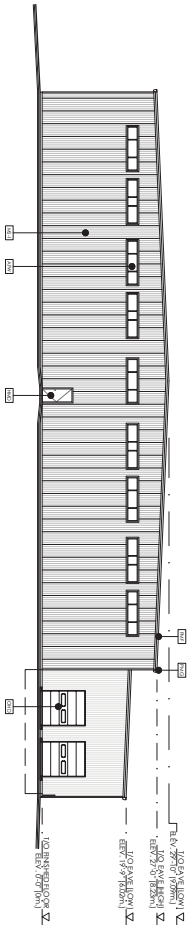




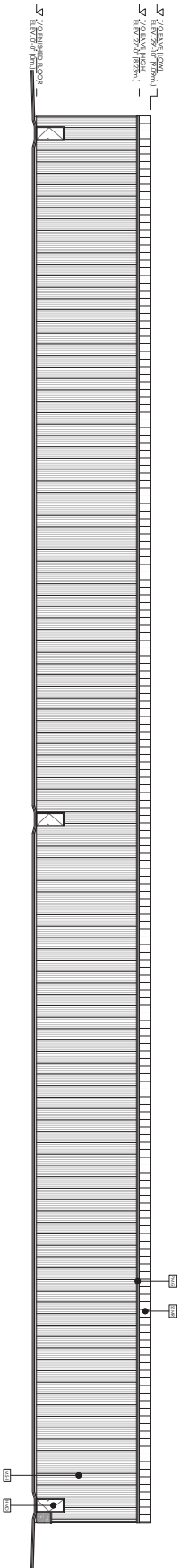
SOUTH ELEVATION
SCALE: 1"=0' = 1/16"



WEST ELEVATION
SCALE: 1"=0' = 1/16"

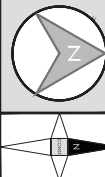


NORTH ELEVATION
SCALE: 1"=0' = 1/16"

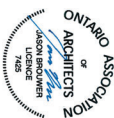


EAST ELEVATION
SCALE: 1"=0' = 1/16"

ELEVATION MATERIAL LEGEND	
009	ALUMINUM DOOR FRAME (BLACK ANODIZED)
009	ALUMINUM FRAMED WINDOW (BLACK ANODIZED)
000	HOLLOW METAL DOOR - PAINTED
008	METAL BALING
001	PREFIN. VERTICAL METAL SIDING - POLAR WHITE
002	PREFIN. VERTICAL METAL SIDING - CHARCOAL
009	SKYLIGHT DOOR - WITH/LOADING DOCK EQUIPMENT
002	PREFIN. METAL FASCIA - CHARCOAL GRAY
002	PREFIN. METAL GUTTER - CHARCOAL GRAY
008	STANDING SEAM METAL ROOFING - DOUBLE-LOCK (GALVALUME)
009	STONE VENEER - GRAY RANGE
001	STONE VENEER LEDGE



Drawings are not to be scaled.

[illegible]

FONTAINE
TRANSPORTATION

72 Killaly Street East,
Port Colborne,
Ontario

Elevations

A3-1

Subject: Ontario Land Tribunal Information Report

To: Council

From: Development and Legislative Services Department

Report Number: 2022-69

Meeting Date: April 12, 2022

Recommendation:

That Development and Legislative Services Report 2022-69 be received for information.

Purpose:

The purpose of this report is to provide Council with information respecting the Ontario Land Tribunal. This report has been prepared in response to a correspondence item requesting the dissolution of the Ontario Land Tribunal which was referred to Planning staff at the March 8, 2022 Council meeting.

Background:

At the March 8, 2022, Council meeting, a correspondence item was circulated respecting support to dissolve the Ontario Land Tribunal (OLT). This item has been attached to this report as Appendix A.

Councillors discussed the current climate of the OLT and the implications of eliminating the Tribunal province-wide, should the Ontario Government decide to do so.

Council resolved to refer the matter to Planning staff and have a report prepared for the April 12, 2022 Council meeting.

Discussion:

History and Mandate

The Ontario Land Tribunal (OLT) was formed on June 1, 2021, as a direct continuation of the former Local Planning Appeal Tribunal (LPAT) and even further, former Ontario

Municipal Board (OMB). The move to the new name has brought together a number of provincial boards/tribunals including: the Board of Negotiation, Conservation Review Board, Environmental Review Tribunal, Local Planning Appeal Tribunal, and the Mining and Lands Tribunal, to be now known as the OLT.

The OLT deals with matters related to land use planning, environmental, natural and heritage feature protection, land valuation, land compensation, municipal finance and similar matters. The goal of the Tribunal is to fairly, effectively and efficiently resolve disputes with respect to the above matters.

Planning staff are most directly involved with the OLT on land use planning matters. There are a number of instances where this can happen in the Planning process, however, typically matters are referred to the OLT when/if an application is appealed. Appeals can be made on most Planning decisions, including Official Plans and amendments, Zoning By-laws and amendments, Committee of Adjustment applications such as minor variances and consents, subdivisions, failure to approve a site plan control application, the imposing of development charges, decisions on matters under the *Heritage Act*, to name a few.

In the context of Port Colborne, a handful of applications have been referred to the OLT in the last five years. The timeline for hearing OLT appeals is extremely variable depending on the application, however staff would estimate the typical appeal adds on average nine months to the planning process.

Cost

With respect to appeal fees, these also vary by the application type. A chart outlining the most common fees for initiating an appeal can be found below:

Item	Corporate Fee	Fee for a private citizen, a registered charity, or a non-profit ratepayers' association*
Development Charges Appeal	\$1,100	\$1,100
Minor Variance and Consent Appeal	\$400	\$400
Official Plans and Amendments Appeal	\$1,100	\$400
Plan of Subdivision/Condominium Appeal	\$1,100	\$400
Zoning By-law and Amendments Appeal	\$1,100	\$400

*Note: the reduced fee of \$400 versus the full \$1,100 fee must be separately requested by filling out an additional form.

The fees above are seen as the absolute base cost of an appeal. For parties to be successful in an appeal, it is highly recommended that legal counsel or planning representation is retained. The legal/planning fees would of course be in addition to the above fees. An estimate of the legal fees rendered for the most straight-forward appeal type would be upwards of \$5,000. Again, appeals vary depending on the application, but more complex/lengthy appeals could cost tens of thousands of dollars.

Other Jurisdictions

A canvas of planning systems across Canada was conducted by Planning staff. Based on the review, it is apparent that the majority of provinces in Canada have an appeal body much like Ontario. An exception to this would be Saskatchewan, which requires municipalities to have a Planning Appeals Committee (PAC) independent and separate from municipal Council. Another interesting model is Newfoundland, which offers a regional approach to the appeal boards.

Moving Forward

While a recommendation or opinion will not be provided in this report, staff would like to pose a few considerations and/or questions to guide Council to consider making a decision on this matter.

- Consider a solution to the current OLT structure. If the Ontario Government eliminated the Tribunal completely, there would need to be a replacement.
- It is understood that Councils/Committees makes decisions based on current Planning legislation and staff recommendations, however there are instances where Councils/Committees make decisions based on other factors, not always related to planning.
- The recourse available to a resident or applicant should Council/Committee choose to make a decision that conflicts with planning policy.
- The OLT is an independent body that views the application from an unbiased position, and applies provincial, regional, and municipal policies to render a decision.
- If the OLT is removed, appeals could be downloaded to the lower or upper-tier municipalities. This would require municipal resources to maintain.

Internal Consultations:

Not applicable as this correspondence item pertains to Planning matters at the OLT.

Financial Implications:

There are no direct financial implications associated with this report. However, as mentioned above, the appeal process does cost the municipality a considerable amount in legal fees. Staff find that completely eliminating the OLT appeal process is unlikely, therefore, should the Ontario Government change the appeal process, the legal fees would be redistributed, rather than eliminated.

Public Engagement:

Not applicable to this report.

Strategic Plan Alignment:

The initiative contained within this report supports the following pillar(s) of the strategic plan:

- Governance: Communications, Engagement, and Decision-Making
-

Conclusion:

As mentioned, this report is meant to be an informational report on the Ontario Land Tribunal. Staff will not be providing a recommendation on the proposed motion. Planning staff will be available to answer any specific questions related to the OLT.

Appendices:

- a. Motion and Correspondence Item

Respectfully submitted,

David Schulz, BURPI
Senior Planner
(905) 835-2900 x202
david.schulz@portcolborne.ca

Report Approval:

All reports reviewed and approved by the Department Director and the City Treasurer when relevant. Final review and approval by the Chief Administrative Officer.

Memorandum

To: Mayor Steele and Members of Council
From: Councillor Desmarais
Date: March 8, 2022
Re: Motion to Dissolve Ontario Land Tribunal

Successive provincial governments of all political stripes have failed to have due regard for municipal authority in local land use planning decisions. As a result, rather than approving much needed housing units, municipalities instead have spent decades mired in the red tape of costly, time consuming appeals hearings spending millions of taxpayer dollars defending Council decisions to uphold provincially approved Official Plans.

We are witnessing a crisis in attainable housing; a crisis fueled in part by a land use planning appeals process that supplants the rights of local municipalities to uphold their own provincially approved Official Plans with the power of an unelected, unaccountable third party – the OLT – to determine “good planning outcomes” for our communities.

If municipalities had the authority to enforce their provincially approved Official Plans, then many more units of housing could be built in our municipalities without any further delay.

To address the very real need for a diversity of attainable housing in communities across our province, we need to eliminate one of the key barriers to its realization – the Ontario Land Tribunal.

The attached Motion requests the Government of Ontario to dissolve the OLT and recognize the authority of municipal councils in local land use planning decisions.

I am requesting that the following motion be approved:

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; and

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

Whereas our Official Plan includes zoning provisions that encourage development of the “missing middle” or “gentle density” to meet the need for attainable housing in our community; and

Whereas our Official Plan is ultimately approved by the province; and

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 Port Colborne Official Plan; and

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 Port Colborne Official Plan; and

Whereas municipal planning decisions may be appealed to the Ontario Land Tribunal (OLT; formerly the Ontario Municipal Board or “OMB”), an unelected, appointed body that is not accountable to the residents of Port Colborne; and

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 and Provincial Planning Policy; and

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; and

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

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

Whereas lengthy, costly OLT hearings act as a barrier to the development of attainable housing;

1. Now Therefore Be It Hereby Resolved That the City of Port Colborne requests the Government of Ontario to dissolve the OLT immediately thereby eliminating one of the most significant sources of red tape delaying the development of more attainable housing in Ontario; and

2. 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

3. Be It Further Resolved That a copy of this Motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration.

Thank you for your consideration,

Councillor Desmarais
Ward 2



Office of the City Clerk

Katie Viccica
905-227-6613 ext. 224
katie.viccica@thorold.ca

City of Thorold

3540 Schmon Parkway P.O. Box. 1044
Thorold, ON L2V 4A7

February 17, 2022

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

Dear Premier,

RE: Dissolve Ontario Land Tribunal

At its meeting held on February 15, 2022, Thorold City Council adopted the following resolution with respect to the Ontario Land Tribunal:

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; and

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

Whereas our Official Plan includes zoning provisions that encourage development of the “missing middle” or “gentle density” to meet the need for attainable housing in our community; and

Whereas our Official Plan is ultimately approved by the Province; and

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 Town of Aurora Official Plan; and

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 Town of Aurora Official Plan; and

Whereas municipal planning decisions may be appealed to the Ontario Land Tribunal (OLT; formerly the Ontario Municipal Board or “OMB”), an unelected, appointed body that is not accountable to the residents of Aurora; and

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 and provincially approved official plans or consistent with provincial plans and policy;
and

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

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

Whereas towns and cities across this Province are repeatedly forced to spend millions of dollars defending Official Plans that have already been approved by the Province in expensive, time consuming and ultimately futile OLT hearings; and

Whereas lengthy, costly OLT hearings act as a barrier to the development of attainable housing;

1. Now Therefore Be It Resolved That The Council Of The City Of Thorold requests the Government of Ontario to dissolve the OLT immediately thereby eliminating one of the most significant sources of red tape delaying the development of more attainable housing in Ontario;
and

2. 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

3. That a copy of this Motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration.

Your favorable consideration of this request is appreciated.

Yours truly,

Katie Viccica
Legislative Assistant

Cc: Minister of Municipal Affairs and Housing
Leader of the Opposition
Leaders of the Liberal and Green Party
MPPs in the Province of Ontario
Large Urban Mayors' Caucus of Ontario
Small Urban GTHA Mayors and Regional Chairs of Ontario
AMO
All Ontario Municipalities

CLERKS DEPARTMENT

March 1, 2022

Hon. Doug Ford, Premier of Ontario
Premier's Office
Room 281
Legislative Building, Queen's Park
Toronto, ON
M7A 2J3

Sent via email: doug.fordco@p.ola.org

Dear Premier Ford,

Re: Dissolution of the Ontario Land Tribunal

This is to confirm that at the Feb 28, 2022 Council Meeting the following resolution was adopted with respect to the above noted matter:

That, the Township Clerk be and is hereby authorized to advise the Regional That, the resolution adopted by the Town of Halton Hills Council at their meeting of February 7, 2022, regarding the request for the Government of Ontario to Dissolve the Ontario Land Tribunal; be received and supported.

If you have any questions or concerns regarding the above, do not hesitate to contact the undersigned.

Sincerely,



Joanne Scime, Clerk

cc. Hon. Steve Clark, Minister of Municipal Affairs and Housing
Andrea Horwath, Leader of the Official Opposition
Mike Schreiner, Leader of the Green Party
Steven Del Duca, Leader of the Liberal Party
All Ontario MPPs
Large Urban Mayors' Caucus of Ontario
Small Urban GTHA Mayors of Ontario
Regional Chairs of Ontario
AMO
All Ontario Municipalities



Legislative Services
Michael de Rond
905-726-4771
clerks@aurora.ca

Town of Aurora
100 John West Way, Box 1000
Aurora, ON L4G 6J1

February 22, 2022

Delivered by email
premier@ontario.ca

The Honourable Doug Ford
Premier of Ontario
Premier's Office, Room 281
Legislative Building, Queen's Park
Toronto, ON M7A 1A1

Dear Premier:

Re: Town of Aurora Council Resolution of February 22, 2022

Re: Item 10.1 – Mayor Mrakas; Re: Request to Dissolve Ontario Land Tribunal (OLT)

Please be advised that this matter was considered by Council at its meeting held on February 22, 2022, and in this regard, Council adopted the following resolution:

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; and

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

Whereas our Official Plan includes provisions that encourage development of the "missing middle" or "gentle density" to meet the need for attainable housing in our community; and

Whereas our Official Plan is ultimately approved by the province; and

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 Town of Aurora Official Plan; and

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 Town of Aurora Official Plan; and

Whereas municipal planning decisions may be appealed to the Ontario Land Tribunal (OLT; formerly the Ontario Municipal Board or “OMB”), an unelected, appointed body that is not accountable to the residents of Aurora; and

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; and

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; and

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

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

Whereas lengthy, costly OLT hearings add years to the development approval process and acts as a barrier to the development of attainable housing;

- 1. Now Therefore Be It Hereby Resolved That Town of Aurora Council requests the Government of Ontario to dissolve the OLT immediately thereby eliminating one of the most significant sources of red tape delaying the development of more attainable housing in Ontario; and**
- 2. 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**
- 3. Be It Further Resolved That a copy of this Motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration.**

The above is for your consideration and any attention deemed necessary.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'Michael de Rond', written in a cursive style.

Michael de Rond
Town Clerk
The Corporation of the Town of Aurora

MdR/is

Copy: Hon. Steve Clark, Minister of Municipal Affairs and Housing
Andrea Horwath, Leader of the Opposition, New Democratic Party
Steven Del Luca, Leader, Ontario Liberal Party
Mike Schreiner, Leader, Green Party of Ontario
All MPPs in the Province of Ontario
Large Urban Mayors' Caucus of Ontario (Ontario's Big City Mayors)
Small Urban GTHA Mayors
Regional Chairs of Ontario
Association of Municipalities of Ontario (AMO)
All Ontario Municipalities

February 9, 2022

The Honourable Doug Ford, Premier of Ontario
Via Email

Re: Dissolve Ontario Land Tribunal

Please be advised that Council for the Town of Halton Hills at its meeting of Monday, February 7, 2022, adopted the following Resolution:

Resolution No. 2022-0020

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;

AND WHEREAS an Official Plan is developed through months of public consultation to ensure, "that future planning and development will meet the specific needs of the Town of Halton Hills community";

AND WHEREAS our Official Plan includes provisions that encourage development of the "missing middle" or "gentle density" to meet the need for attainable housing in our community;

AND WHEREAS our Official Plan is ultimately approved by the province;

AND 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 Town of Halton Hills Official Plan;

AND 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 Town of Halton Hills Official Plan;

AND WHEREAS municipal planning decisions may be appealed to the Ontario Land Tribunal (OLT; formerly the Ontario Municipal Board or "OMB"), an unelected, appointed body that is not accountable to the residents of the Town of Halton Hills;

AND 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;

1 Halton Hills Drive, Halton Hills, Ontario L7G 5G2

Tel: 905-873-2600

Toll Free: 1-877-712-2205
haltonhills.ca

Fax: 905-873-2347

AND 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;

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

AND WHEREAS towns and cities across this Province are repeatedly forced to spend millions of dollars defending Official Plans that have already been approved by the province in expensive, time consuming and ultimately futile OLT hearings;

AND WHEREAS lengthy, costly OLT hearings add years to the development approval process and act as a barrier to the development of attainable housing;

NOW THEREFORE BE IT RESOLVED THAT Council for the Town of Halton Hills requests the Government of Ontario to dissolve the OLT immediately thereby eliminating one of the most significant sources of red tape delaying the development of more attainable housing in Ontario;

AND FURTHER 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 FURTHER THAT a copy of this Motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration.

CARRIED

Attached for your information is a copy of Resolution No. 2022-0020.

If you have any questions, please contact Valerie Petryniak, Town Clerk for the Town of Halton Hills at 905-873-2600 ext. 2331 or valeriep@haltonhills.ca.

Yours truly,



Melissa Lawr
Deputy Clerk – Legislation

1 Halton Hills Drive, Halton Hills, Ontario L7G 5G2

Tel: 905-873-2600

Toll Free: 1-877-712-2205
haltonhills.ca

Fax: 905-873-2347

- cc. Minister of Municipal Affairs and Housing
Leader of the Opposition
Leaders of the Liberal and Green Party
MPPs in the Province of Ontario
Large Urban Mayor's Caucus of Ontario
Small Urban GTHA Mayors
Regional Chairs of Ontario
Association of Municipalities of Ontario (AMO)
All Ontario Municipalities

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haltonhills.ca

Fax: 905-873-2347



**THE CORPORATION
OF
THE TOWN OF HALTON HILLS**

Resolution No.: 2022-0020

Title: Dissolve Ontario Land Tribunal

Date: February 7, 2022

Moved by: Mayor R. Bonnette

Seconded by: Councillor C. Somerville

Item No. 15.2

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;

AND WHEREAS an Official Plan is developed through months of public consultation to ensure, "that future planning and development will meet the specific needs of the Town of Halton Hills community";

AND WHEREAS our Official Plan includes provisions that encourage development of the "missing middle" or "gentle density" to meet the need for attainable housing in our community;

AND WHEREAS our Official Plan is ultimately approved by the province;

AND 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 Town of Halton Hills Official Plan;

AND 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 Town of Halton Hills Official Plan;

AND WHEREAS municipal planning decisions may be appealed to the Ontario Land Tribunal (OLT; formerly the Ontario Municipal Board or “OMB”), an unelected, appointed body that is not accountable to the residents of the Town of Halton Hills;

AN 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;

AND 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;

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


AND WHEREAS towns and cities across this Province are repeatedly forced to spend millions of dollars defending Official Plans that have already been approved by the province in expensive, time consuming and ultimately futile OLT hearings;

AND WHEREAS lengthy, costly OLT hearings add years to the development approval process and act as a barrier to the development of attainable housing;

NOW THEREFORE BE IT RESOLVED THAT Council for the Town of Halton Hills requests the Government of Ontario to dissolve the OLT immediately thereby eliminating one of the most significant sources of red tape delaying the development of more attainable housing in Ontario;

AND FURTHER 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 FURTHER THAT a copy of this Motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration.



Mayor Rick Bonnette



February 18, 2022

Hon. Doug Ford, Premier of Ontario
Premier's Office
Room 281
Legislative Building, Queen's Park
Toronto, Ontario M7A 2J3

Sent via email: doug.fordco@pc.ola.org

Re: Dissolution of the Ontario Land Tribunal, Town of Gravenhurst

Dear Premier Ford

At the Town of Gravenhurst Council meeting of Tuesday February 15, 2022, Council passed the following motion:

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;

AND WHEREAS an Official Plan is developed through months of public consultation to ensure, "that future planning and development will meet the specific needs of (our) community";

AND WHEREAS our Official Plan includes provisions that encourage developments to meet the need for attainable housing in our community;

AND WHEREAS our Official Plan includes provisions that encourage developments to meet certain environmental standards which are voided by the Provincial Policy Statement;

AND WHEREAS our Official Plan is ultimately approved by the District of Muskoka, as delegated from the Province, in accordance with the Planning Act;

AND WHEREAS it is within the legislative purview of Municipal Council to adopt Official Plan amendments or approve Zoning By-law changes that better the community or fit within the vision of the Town of Gravenhurst Official Plan;



AND 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 Town of Gravenhurst Official Plan;

AND WHEREAS municipal planning decisions may be appealed to the Ontario Land Tribunal (OLT; formerly the Ontario Municipal Board or “OMB”), an unelected, appointed body that is not accountable to the residents of the Town of Gravenhurst;

AND 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 conformity with municipal Official Plans and consistent with Provincial Planning Policy;

AND WHEREAS all decisions—save planning decisions—made by Municipal Councils are only subject to appeal by judicial review and such appeals are limited to questions of law and or process;

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

AND WHEREAS municipalities across this Province are repeatedly forced to spend millions of dollars defending Official Plans that have already been approved by the province or their designate in expensive, time consuming and ultimately futile OLT hearings;

AND WHEREAS lengthy, costly OLT hearings act as a barrier to the development of attainable housing;

AND WHEREAS the existence of the OLT acts as a barrier that restricts municipalities from protecting the environment from development that is uncharacteristic of its community;



NOW THEREFOR BE IT RESOLVED THAT:

1. The Town of Gravenhurst requests the Government of Ontario dissolve the OLT immediately thereby eliminating one of the most significant sources of red tape delaying the development of more attainable housing, and restricting a municipality's ability to enforce self-determined environmentally-friendly development policies in Ontario;
2. 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,
3. A copy of this Motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration.
4. A suitable alternative appeal process be investigated by the Province utilizing an elected board of appeal

Sincerely,

A handwritten signature in black ink, appearing to read "Kayla Thibeault".

Kayla Thibeault
Director of Legislative Services / Clerk
Town of Gravenhurst
KT/ds

cc.

Hon. Steve Clark, Minister of Municipal Affairs and Housing steve.clark@pc.ola.org

Andrea Horwath, Leader of the Official Opposition horwatha-qp@ndp.on.ca

Mike Schreiner, Leader of the Ontario Green Party Mschreiner@ola.org

Steven Del Duca, Leader of the Ontario Liberal Party info.leader@ontarioliberal.ca

Ontario Members of Provincial Parliament

Large Urban Mayor's Caucus of Ontario info@ontariobigcitymayors.ca

Small Urban GTHA Mayors of Ontario

Regional Chairs of Ontario

Association of Municipalities of Ontario (AMO) resolutions@amo.on.ca

All Ontario Municipalities



Doug Ford, Premier of Ontario
doug.fordco@pc.ola.org (Sent via email)

February 25, 2022

Re: Dissolve Ontario Land Tribunal

Please be advised that on February 23rd 2022 the Town of Plympton-Wyoming Council passed the following motion supporting the Town of Halton Hills regarding Dissolving the Ontario Land Tribunal (correspondence attached).

Motion 18

Moved by Netty McEwen

Seconded by Gary Atkinson

That Council support correspondence item 'N' from the Town of Halton Hills regarding Dissolving the Ontario Land Tribunal.

Motion Carried.

If you have any questions regarding the above motion, please do not hesitate to contact me by phone or email at dgiles@plympton-wyoming.ca.

Sincerely,

Denny Giles
Deputy Clerk
Town of Plympton-Wyoming

Cc: (all sent via e-mail)

Honourable Steve Clark, Minister of Municipal Affairs and Housing steve.clark@pc.ola.org

Andrea Horwath, Leader of the Opposition horwatha-gp@ndp.on.ca

All Ontario MPPs

Large Urban Mayor's Caucus of Ontario

Small Urban GTHA Mayors

Regional Chairs of Ontario

Association of Municipalities of Ontario

All Ontario Municipalities

The Corporation of the Town of Plympton-Wyoming

P.O Box 250, 546 Niagara Street, Wyoming Ontario N0N 1T0

Tel: 519-845-3939 Ontario Toll Free: 1-877-313-3939

www.plympton-wyoming.com

Page 198 of 504

February 9, 2022

The Honourable Doug Ford, Premier of Ontario
Via Email

Re: Dissolve Ontario Land Tribunal

Please be advised that Council for the Town of Halton Hills at its meeting of Monday, February 7, 2022, adopted the following Resolution:

Resolution No. 2022-0020

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;

AND WHEREAS an Official Plan is developed through months of public consultation to ensure, "that future planning and development will meet the specific needs of the Town of Halton Hills community";

AND WHEREAS our Official Plan includes provisions that encourage development of the "missing middle" or "gentle density" to meet the need for attainable housing in our community;

AND WHEREAS our Official Plan is ultimately approved by the province;

AND 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 Town of Halton Hills Official Plan;

AND 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 Town of Halton Hills Official Plan;

AND WHEREAS municipal planning decisions may be appealed to the Ontario Land Tribunal (OLT; formerly the Ontario Municipal Board or "OMB"), an unelected, appointed body that is not accountable to the residents of the Town of Halton Hills;

AND 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;

1 Halton Hills Drive, Halton Hills, Ontario L7G 5G2

Tel: 905-873-2600

Toll Free: 1-877-712-2205
haltonhills.ca

Fax: 905-873-2347

AND 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;

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

AND WHEREAS towns and cities across this Province are repeatedly forced to spend millions of dollars defending Official Plans that have already been approved by the province in expensive, time consuming and ultimately futile OLT hearings;

AND WHEREAS lengthy, costly OLT hearings add years to the development approval process and act as a barrier to the development of attainable housing;

NOW THEREFORE BE IT RESOLVED THAT Council for the Town of Halton Hills requests the Government of Ontario to dissolve the OLT immediately thereby eliminating one of the most significant sources of red tape delaying the development of more attainable housing in Ontario;

AND FURTHER 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 FURTHER THAT a copy of this Motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration.

CARRIED

Attached for your information is a copy of Resolution No. 2022-0020.

If you have any questions, please contact Valerie Petryniak, Town Clerk for the Town of Halton Hills at 905-873-2600 ext. 2331 or valeriep@haltonhills.ca.

Yours truly,



Melissa Lawr
Deputy Clerk – Legislation

1 Halton Hills Drive, Halton Hills, Ontario L7G 5G2

Tel: 905-873-2600

Toll Free: 1-877-712-2205
haltonhills.ca

Fax: 905-873-2347

- cc. Minister of Municipal Affairs and Housing
Leader of the Opposition
Leaders of the Liberal and Green Party
MPPs in the Province of Ontario
Large Urban Mayor's Caucus of Ontario
Small Urban GTHA Mayors
Regional Chairs of Ontario
Association of Municipalities of Ontario (AMO)
All Ontario Municipalities

1 Halton Hills Drive, Halton Hills, Ontario L7G 5G2

Tel: 905-873-2600

Toll Free: 1-877-712-2205
haltonhills.ca

Fax: 905-873-2347



**THE CORPORATION
OF
THE TOWN OF HALTON HILLS**

Resolution No.: 2022-0020

Title: Dissolve Ontario Land Tribunal

Date: February 7, 2022

Moved by: Mayor R. Bonnette

Seconded by: Councillor C. Somerville

Item No. 15.2

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;

AND WHEREAS an Official Plan is developed through months of public consultation to ensure, "that future planning and development will meet the specific needs of the Town of Halton Hills community";

AND WHEREAS our Official Plan includes provisions that encourage development of the "missing middle" or "gentle density" to meet the need for attainable housing in our community;

AND WHEREAS our Official Plan is ultimately approved by the province;

AND 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 Town of Halton Hills Official Plan;

AND 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 Town of Halton Hills Official Plan;

AND WHEREAS municipal planning decisions may be appealed to the Ontario Land Tribunal (OLT; formerly the Ontario Municipal Board or “OMB”), an unelected, appointed body that is not accountable to the residents of the Town of Halton Hills;

AN 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;

AND 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;

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


AND WHEREAS towns and cities across this Province are repeatedly forced to spend millions of dollars defending Official Plans that have already been approved by the province in expensive, time consuming and ultimately futile OLT hearings;

AND WHEREAS lengthy, costly OLT hearings add years to the development approval process and act as a barrier to the development of attainable housing;

NOW THEREFORE BE IT RESOLVED THAT Council for the Town of Halton Hills requests the Government of Ontario to dissolve the OLT immediately thereby eliminating one of the most significant sources of red tape delaying the development of more attainable housing in Ontario;

AND FURTHER 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 FURTHER THAT a copy of this Motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration.



Mayor Rick Bonnette



1514 County Road 2, P.O. Box 130, Mallorytown, ON K0E 1R0
T 613.923.2251 · F 613.923.2421
www.Mallorytown.ca

February 14, 2022

via email premier@ontario.ca

The Honourable Doug Ford, Premier of Ontario
Legislative Building
Queen's Park
Toronto, ON M7A 1A7

Dear Premier Ford:

Please be advised, at their regular meeting on the evening of February 7, 2022, the Council of the Township of Front of Yonge passed the following motion:

"Moved by Gail Williams and seconded by Carson Massey:

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; and

WHEREAS an Official Plan is developed through months of public consultation to ensure, "that future planning and development will meet the specific needs of (our) community"; and

WHEREAS our Official Plan includes provisions that encourage development of the "missing middle" or "gentle density" to meet the need for attainable housing in our community; and

WHEREAS our Official Plan is ultimately approved by the province; and

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 Township of Front of Yonge's Official Plan; and

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 Township of Front of Yonge's Official Plan; and

WHEREAS municipal planning decisions may be appealed to the Ontario Land Tribunal (OLT; formerly the Ontario Municipal Board or “OMB”), an unelected, appointed body that is not accountable to the residents of the Township of Front of Yonge; and

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; and

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; and

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

WHEREAS towns and cities across this Province are repeatedly forced to spend millions of dollars defending Official Plans that have already been approved by the province in expensive, time consuming and ultimately futile OLT hearings; and

WHEREAS lengthy, costly OLT hearings add years to the development approval process and act as a barrier to the development of attainable housing;

1. **NOW THEREFORE BE IT HEREBY RESOLVED** That the Township of Front of Yonge requests the Government of Ontario to dissolve the OLT immediately thereby eliminating one of the most significant sources of red tape delaying the development of more attainable housing in Ontario; and
2. **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
3. **BE IT FURTHER RESOLVED THAT** a copy of this Motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration.

Carried- Roger Haley, Mayor”

Sincerely,



 Jennifer Ault
Clerk

cc via email:

- Honourable Steve Clark, Minister of Municipal Affairs & Housing - steve.clark@pc.ola.org
- Honourable Andrea Horwath, Opposition Leader – ahorwath-gp@ndp.on.ca
- Honourable Steven Del Duca, Leader of the Ontario Liberal Party – info.leader@ontarioliberal.ca
- Honourable Mike Schreiner, Leader of the Ontario Green Party – mschreiner-co@ola.org
- All Ontario MPPs
- Large Urban Mayors' Caucus of Ontario
- Small Urban GTHA Mayors of Ontario
- Regional Chairs of Ontario
- Association of Municipalities of Ontario (AMO) – amo@amo.on.ca
- All Ontario municipalities



February 28, 2022

The Honorable Doug Ford

Premier of Ontario

Room 281, Legislative Building, Queen's Park

Toronto, ON M7A 1A1

RE: DISSOLVE ONTARIO LAND TRIBUNAL (OLT) (13.2)

Dear Premier:

This will confirm that at its February 23, 2022 meeting, Markham City Council adopted the following resolution:

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; and,

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

Whereas our Official Plan includes zoning provisions that encourage development of the “missing middle” or “gentle density” to meet the need for attainable housing in our community; and,

Whereas our Official Plan is ultimately approved by the province; and,

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 Markham Official Plan; and,

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 Markham Official Plan; and

Whereas municipal planning decisions may be appealed to the Ontario Land Tribunal (OLT; formerly the Ontario Municipal Board or “OMB”), an unelected, appointed body that is not accountable to the residents of the City of Markham; and,

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 and Provincial Planning Policy; and,

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

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

Whereas lengthy, costly OLT hearings act as a barrier to the development of all housing and commercial properties.

1. Now Therefore Be It Resolved That the City of Markham requests the Government of Ontario to instruct the OLT to immediately cease accepting new cases and then dissolve the OLT once its current caseload has been addressed, thereby eliminating one of the most significant sources of red tape delaying the development of housing in Ontario; and,
2. 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,
3. Be It Further Resolved That a copy of this Motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration.

Yours sincerely,



Kimberley Kitteringham
City Clerk

cc: Hon. Steve Clark, Minister of Municipal Affairs and Housing
Andrea Horwath, Leader of the Opposition, New Democratic Party
Steven Del Duca, Leader, Ontario Liberal Party
Mike Schreiner, Leader, Green Party of Ontario
All MPPs in the Province of Ontario
Large Urban Mayors' Caucus of Ontario
Small Urban GTHA Mayors
Regional Chairs of Ontario
Association of Municipalities of Ontario (AMO)
All Ontario Municipalities



**THE CORPORATION OF THE CITY OF SARNIA
City Clerk's Department**

255 Christina Street N. PO Box 3018
Sarnia ON Canada N7T 7N2
519-332-0330 (phone) 519-332-3995 (fax)
519-332-2664 (TTY)
www.sarnia.ca clerks@sarnia.ca

February 15, 2022

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

Dear Premier,

RE: Dissolve Ontario Land Tribunal

At its meeting held on February 7, 2022, Sarnia City Council adopted the following resolution with respect to the Ontario Land Tribunal:

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; and

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

Whereas our Official Plan includes zoning provisions that encourage development of the "missing middle" or "gentle density" to meet the need for attainable housing in our community; and

Whereas our Official Plan is ultimately approved by the province; and

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 Sarnia's Official Plan; and

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 Sarnia's Official Plan; and

Whereas municipal planning decisions may be appealed to the Ontario Land Tribunal (OLT; formerly the Ontario Municipal Board or "OMB"), an unelected, appointed body that is not accountable to the residents of the City of Sarnia; and

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 and Provincial Planning Policy; and

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; and

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

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

Whereas lengthy, costly OLT hearings act as a barrier to the development of attainable housing;

Now Therefore Be It Hereby Resolved That The City of Sarnia requests the Government of Ontario to dissolve the OLT immediately thereby eliminating one of the most significant sources of red tape delaying the development of more attainable housing 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 Further Resolved That a copy of this Motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration.

Your favorable consideration of this request is respectfully requested.

Yours sincerely,



Amy Burkhart
City Clerk

Cc: Minister of Municipal Affairs and Housing
Leader of the Opposition
Leaders of the Liberal and Green Party
MPPs in the Province of Ontario
Large Urban Mayors' Caucus of Ontario
Small Urban GTHA Mayors and Regional Chairs of Ontario
AMO
All Ontario Municipalities

From: Switzer, Barbara <Barbara.Switzer@york.ca> **On Behalf Of** Regional Clerk
Sent: March 2, 2022 3:29 PM
Subject: Regional Council Decision - Town of Aurora Resolution - Request to Dissolve Ontario Land Tribunal (OLT)

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

On February 24, 2022 Regional Council received the communication from the Town of Aurora dated February 22, 2022 and supported the motion, *amended 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; and

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

WHEREAS our Official Plan includes provisions that encourage development of the “missing middle” or “gentle density” to meet the need for attainable housing in our community; and

WHEREAS our Official Plan is ultimately approved by the province; and

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 Town of Aurora Official Plan; and

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 Town of Aurora Official Plan; and

WHEREAS municipal planning decisions may be appealed to the Ontario Land Tribunal (OLT; formerly the Ontario Municipal Board or “OMB”), an unelected, appointed body that is not accountable to the residents of Aurora; and

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; and

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; and

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

WHEREAS towns and cities across this Province are repeatedly forced to spend millions of dollars defending Official Plans that have already been approved by the province in expensive, time consuming and ultimately futile OLT hearings; and

WHEREAS lengthy, costly OLT hearings add years to the development approval process and acts as a barrier to the development of attainable housing;

NOW THEREFORE BE IT RESOLVED that *the Government of Ontario be requested to immediately engage municipalities to determine 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; 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.

Regards,

Christopher Raynor | Regional Clerk, Regional Clerk's Office, Corporate Services

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1

O: 1-877-464-9675 ext. 71300 | christopher.raynor@york.ca | york.ca

Our Mission: **Working together to serve our thriving communities – today and tomorrow**

Subject: Election Sign By-law – 2022-74

To: Council

From: Development and Legislative Services

Report Number: 2022-74

Meeting Date: April 12, 2022

Recommendation:

That Development and Legislative Services Department Report 2022-74 be received; and

That the Election Sign By-law be brought forward; and

That the proposed fees for storage and removal of signs be approved as outlined in Report 2022-74 and added to Schedule P of the User Fees and Charges By-law 6949/95/21; and

That the updated Schedule P of the User Fees and Charges By-law be included in a future amendment to By-law 6949/95/21.

Purpose:

The purpose of this report is to provide Council with an updated Election Sign By-law for approval and adoption.

Background:

Bill 181, Municipal Elections Modernization Act (MEMA) introduced legislative requirements related to election signage, which came into effect for the 2018 Municipal Election. Changes to the Municipal Election Act, 1996 (MEA) as it relates to election signs and advertising includes the following:

- Section 88.7 of the Municipal Election Act, 1996 (MEA) strengthens provisions for municipalities to remove or order the discontinuance of advertising where sections of the MEA have been contravened.

- Election campaign advertisements, such as advertisements in any broadcast, print, electronic or other medium, purchased by or under the direction of a candidate, shall identify the candidate to make it clear who is responsible for the messaging.
- Third Party Advertising (which includes advertisements in broadcast, print, electronic or other medium, including signs), shall identify the name of the registered third party, a telephone number, mailing address or email address at which the registered third party may be contacted regarding the advertisement.
- Landlords, condominium corporations or their agents are no longer able to prohibit residential lessees, condominium owners or tenants from displaying signs in relation to an election on the premises to which the lease applies or in the unit which one owns.

The City's current Election Sign By-law was adopted in 2006 and regulates election signs for municipal, Provincial, and Federal elections. In past elections, staff have received election sign complaints; the proposed by-law will assist staff in handling these complaints and provides numerous enforcement tools for these types of complaints.

Staff have reviewed current legislation and other municipal by-laws regulating election signage and has drafted an updated Election Sign By-law that maintains the rights of candidates to erect signage during their campaigns while at the same time delivering appropriate enforcement to promote public safety through the reduction of driver distractions and maintaining neighbourhood aesthetics. The proposed new by-law will continue to regulate signs for elections at the municipal, Provincial, and Federal level.

Discussion:

The revised Election Sign By-law regulates the following:

- Time period that election signs may be placed and deadline to be removed.
- Signs on vehicles at voting places and City owned property.
- The City's logo, trademark and/or crest is not permitted on election signs.
- Placement and number of signs permitted for both private and public property.
- Rules regarding third party advertising as discussed above.

Time period that election signs may be placed and removed:

In the proposed By-law, candidates involved in federal or provincial election campaigns may erect election signs no earlier than the day the writ of election or by-election is issued.

As it relates to municipal elections, staff recommend that candidates be able to erect elections signs 45 days prior to voting day. In reviewing other local municipal By-laws

this recommendation is consistent with other time restrictions for erecting election signs. In the past, candidates were permitted to have signage installed at the campaign headquarters prior to the period permitted for election signs at other locations; this will practice will remain in place under the proposed new by-law.

The time period proposed in the By-law for removal of signs is within five days immediately following 11:59 p.m. of the day of the election. By-laws in other municipalities may have more restrictive timelines for the removal of election signs, however with the large geographical area of the City, staff feel five days is more appropriate and provides candidates adequate time to coordinate the removal of the signs.

Signs on Vehicles/Trailers

Elections signs placed on a vehicle or trailer would be permitted, however the vehicle would not be permitted to be parked on City owned property, within 50 metres of a voting place or on an abutting street of a voting place.

Regulations for Signs – Private and Public Property

Staff recommends that election signs be permitted on private property with the number of signs restricted to no more than 2 election signs per candidate and a maximum size of 3 square metres. Election signs supporting a candidate must be within the electoral district in which the candidate is running for office. The maximum size of 3 square metres is consistent with the size limitations in the 2006 Election Sign By-law.

The proposed By-law contains regulations that dictate distance separation from municipal highways, crosswalks, on trees and utility poles.

The intent of these provisions is an attempt to strike a balance between existing general safety provisions and somewhat reducing what residents consider the “visual clutter” associated with election signs.

The chart below illustrates major changes from the City’s 2006 Election Sign By-law and the proposed Election Sign Bylaw:

Regulation	2006	Proposed Election Sign By-law
Time Period to Erect Signs	Municipal-close of nominations Provincial/Federal – Day Writ is Issued	Municipal – 45 days prior to Voting Day (2022 – Sept 9) Provincial/Federal – Day Writ is Issued
Sign Removal	48 hours following Voting Day	5 days following Voting Day
# Of Signs Permitted	No limit	2 Election Signs per Candidate or Registered Third Party

Enforcement	Order laid with 72 hours to comply to remove a sign in violation	Sign in contravention removed without notice
Signs on Vehicles/Trailers	Prohibited on vehicles parked at a polling place	Prohibited on vehicles and trailers parked at a voting place, 50 m of a voting place, on a street abutting a voting place

Enforcement Measures – Election Sign By-law

The enforcement strategy and measures will include:

- Social media campaigns prior to elections to increase public awareness of election sign regulations.
- Candidates in the municipal election will be provided a copy of the Council adopted Election Sign By-law.
- Ensuring progressive enforcement measures are taken in accordance with the By-law Enforcement Policy adopted by Council which includes but not limited to the issuance of fines and that court summonses (Part III Offence Notices under the *Provincial Offences Act*) which are served for more egregious or repeat offences.
- By-law Enforcement will conduct additional proactive patrols and immediately impound signs which present a visibility or safety hazard.

An amendment to the Administrative Penalty Non-Parking By-law with an updated fine schedule for the Election Sign By-law will be brought to a future meeting of Council.

The proposed by-law attempts to protect public safety and public amenities, yet allow candidates in federal, provincial, and municipal election campaigns to advertise their respective campaigns.

Internal Consultations:

By-law Enforcement Services, the Manager of Roads & Parks Operations and Director of Development & Legislative Services were consulted on the proposed By-law and report and concur with the recommendations.

Financial Implications:

There are no financial impacts associated with the Election Sign By-law.

The impact of the Fees and Charges By-law amendment to allow fees for removal and storage of elections signs is undetermined but is not expected to have a significant financial impact for the City.

Public Engagement:

Notice of the proposed Election Sign By-law was provided with the circulation of the Council meeting agenda.

Strategic Plan Alignment:

The initiative contained within this report supports the following pillar(s) of the strategic plan:

- Governance: Communications, Engagement, and Decision-Making
-

Conclusion:

Staff recommend adoption of the Election Sign By-law to regulate the placing, erecting, and displaying of elections signs within the boundaries of the City for federal, provincial, and municipal elections. Amendments to the Fees and Charges By-law will enable the City to appropriately charge for the removal and storage of elections signs in contravention of the Election Sign By-law.

Appendices:

- a. Election Sign By-law

Respectfully submitted,

Nicole Rubli
Acting City Clerk
905-835-2900 x106
cityclerk@portcolborne.ca

Report Approval:

All reports reviewed and approved by the Department Director and also the City Treasurer when relevant. Final review and approval by the Chief Administrative Officer.

The Corporation of the City of Port Colborne

By-Law No. _____

Being a by-law to regulate Election Signs
in the City of Port Colborne

Whereas Section 9 of the *Municipal Act*, 2001 S.O. 2001, c.25 provides a municipality with the capacity, rights, powers, and privileges of a natural person for the purpose of exercising its authority under this or any other Act; and

Whereas Municipal Act, S.O., 2001, c.25, Section 11(3) provides for the specific spheres of jurisdiction under which the lower and upper tier municipalities may pass bylaws respecting specific matters including matters with respect to signs and

Whereas subsection 63 (1) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides that a By-law may prohibit or regulate the placing or standing of an object on or near a highway, and may provide for the removal and impounding or restraining and immobilizing any object placed or standing on or near a highway; and

Whereas Section 425 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, establishes that any person who contravenes any by-law of the City of Port Colborne is guilty of an offence; and

Whereas Section 445 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides that a municipality may make an order requiring a person who has contravened a by-law or who caused or permitted the contravention, or the owner or occupier of land on which the contravention occurred to do work to correct the contravention; and

Whereas Section 446 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides that where a municipality has the authority to direct or require a person to do a matter or thing, the municipality may also provide that, in default of it being done by the person directed or required to do it, the matter or thing shall be done at the person's expense, and that the municipality may recover the costs of doing a matter or thing by action or by adding the costs to the tax roll and collecting them in the same matter as property taxes; and

Whereas at its meeting of April 8, 2022, the Council of The Corporation of the City of Port Colborne (Council) approved the recommendations of the Development and Legislative Services Department, Report No.2022-74, Subject: Election Sign By-law; and

Whereas Council of The Corporation of the City of Port Colborne is desirous of a by-law to regulate the erection of signs for federal, provincial and municipal elections; and

Now therefore the Council of The Corporation of the City of Port Colborne enacts as follows:

Part 1 – Title and Definitions

1. Short Title

1.1 This by-law shall be referred to as the Election Sign By-law.

2. Definitions

By-law No. _____

2.1 The following terms are defined for the purposes of this By-law:

- a) "By-Election" means any Election other than a regular Election in the case of a municipal Election or a general Election in the case of a provincial or federal Election.
- b) "Campaign Office" means a building or structure, or part of a building or structure used by a Candidate to conduct an election campaign.
- c) "Candidate" means:
 - i. A Candidate within the meaning of the Canada Election Act, the Election Act (Ontario) or the Municipal Elections Act, 1996 as amended; and
 - ii. Shall be deemed to include a person seeking to influence other persons to vote for or against any question or by-law to the electors under section 8 of the Municipal Elections Act, 1996 as amended.
- d) "City" means the Corporation of the City of Port Colborne, Ontario and its geographical boundaries.
- e) "Clerk" means the City Clerk or a person delegated by them for the purpose of administering this By-law.
- f) "Council" means the Council of the Corporation of the City of Port Colborne.
- g) "Election Sign" means any sign, including posters, promoting, opposing or taking a position with respect to:
 - i. Any Candidate or political party in an election under the Canada Elections Act, the Election Act (Ontario) or the Municipal Elections Act, 1996;
 - ii. An issue associated with a person or political party in an election under the Canada Elections Act, the Election Act (Ontario) or the Municipal Elections Act, 1996; or
 - iii. A question, law or by-law submitted to the electors under the Canada Elections Act, the Election Act (Ontario) or the Municipal Elections Act, 1996.

For the purposes of clarification, an Election Sign includes a Third Party Advertisement.

- h) "Electoral District" means a geographic area represented by a Member of Municipal Council, Member of School Board, Member of Provincial Parliament in the Legislative Assembly of Ontario, and Member of Federal Parliament in the House of Commons.
- i) "Enforcement Officer" – means a Municipal Law Enforcement Officer of The City of Port Colborne, Chief Building Official or other person appointed or employed by The City of Port Colborne for the enforcement of by-laws. and shall include members of the Niagara Regional Police Service or the Ontario Provincial Police Service.
- j) "Highway or Street" means a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct, or trestle, designed and intended for, or used by, the public for the passage of

vehicles but for the purposes of this by-law does not include highways under the jurisdiction of the Region or the Ministry of Transportation of Ontario.

- k) "Illumination" shall mean lighting of the Election Sign, in whole or in part, by artificial means, and when used in reference to:
 - i. internal illumination, means lighting the sign face with a light source located within the sign;
 - ii. external illumination, means having a light source exterior to the sign and on, or directed at, the sign; and
 - iii. flashing illumination shall mean illumination that varies and is perceived to vary in intensity or design at periodic intervals.
- l) "Median Strip" means the portion of a Street so constructed as to separate traffic travelling in one direction from traffic travelling in the opposite direction by a physical barrier or a raised or depressed paved or unpaved separation area that is not intended to allow crossing vehicular movement and includes a central island in a roundabout.
- m) "Nomination Day" means the deadline to file a nomination with the Clerk under the Municipal Election Act, 1996 as amended.
- n) "Owner" means the registered Owner of the property, tenant, or lessee on which an Election Sign is Placed; any person described on or whose name, image, address, or telephone number appears on the Election Sign; any Person who has Placed or permitted to be Placed the Election Sign; and for the purposes of this by-law there may be more than one Owner of an Election Sign.
- o) "Park" shall mean any land which the City owns or has the use of that is designated by Council as such and intended to be used and enjoyed by the public for pleasure and recreation and shall include any body of water enjoyed or used in connection therewith.
- p) "Person" means any individual, Candidate, Owner, Registered Third Party, occupant, association, firm, partnership, corporation, agent or trustee and the heirs, executors, or other legal representatives of a person to whom the context can apply according to law.
- q) "Place" means attach, install, erect, build, construct, reconstruct, move, display, or affix.
- r) "Private Property" means real property under private ownership.
- s) "Public Property" means real property owned by or under the control of the City; including a Park, or any of its agencies, local boards, commissions, or corporations but, for the purposes of this by-law but does not include a Highway.
- t) "Public Utility Facility" means a pole, transformer box, service container, equipment, or other such structure, owned or controlled by an entity which provides a municipal or public utility service.
- u) "Region" means The Regional Municipality of Niagara.
- v) "Registered Third Party" shall mean, an individual, corporation or trade union that is registered under section 88.6 of the Municipal Elections Act, 1996.
- w) "Sidewalk or Trail" means any municipal walkway, or that portion of

a Highway between the roadway and adjacent property line, primarily intended for the use of pedestrians.

- x) "Sight Triangle" means an area on a corner lot within the triangular space formed by the street lines and a line drawn from a point in one street line to a point in the other street line.
- y) "Third Party Advertisement" shall mean an advertisement in any broadcast, print, electronic or other medium that has the purpose of promoting, supporting, or opposing a candidate or a 'yes' or 'no' answer to a question referred to in subsection 8 (1), (2) or (3) of the Municipal Elections Act, 1996 and has been erected or displayed without the authorization, direction or involvement of a Candidate.
- z) "Trailer" means a Vehicle or device that is intended to at any time be drawn, temporarily drawn, propelled, or moved upon a Highway by a motor vehicle and for the purposes of this by-law shall include but not be limited to a wagon, implement of husbandry, trailer designed for recreational purposes or commercially registered vehicle or trailer.
- aa) "Vehicle" includes any means of transportation propelled or driven by any kind of power including muscular power.
- bb) "Voting Place" means the location(s) where electors cast their ballots as approved by the federal, provincial, or municipal Election officials and includes the entire property and all the boundaries associated with it, including any abutting Streets, when such Voting Place is located within a public or private premises and shall also include the common elements when the Voting Place is located within a private premises.
- cc) "Writ of Election" means the date as defined in the Canada Elections Act and the Elections Act (Ontario).

Part 2 – Application of the By-law

3. Interpretation

- 3.1 In this by-law, a word interpreted in the singular number has a corresponding meaning when used in the plural.
- 3.2 Nothing in this by-law shall be interpreted as reducing or eliminating compliance with the provisions of all applicable federal or provincial statutes.

4. Severability

- 4.1 Should any paragraph, clause or provision of the By-law be declared invalid by a court of competent jurisdiction, the same shall not affect the validity of the By-law as a whole or any part of thereof, other than the part which was declared to be invalid.
- 4.2 When any requirement of this by-law is at variance with any other by-law in effect in the City or with any applicable provincial or federal statute or regulation, the more restrictive requirement shall apply unless otherwise stated in such legislation.

Part 3 – General Provisions

5. General Prohibitions

- 5.1 No Person shall Place or permit to be Placed an Election Sign except in accordance with this by-law.
- 5.2 No Person shall Place or permit an Election Sign that:
 - 5.2.1 Is Illuminated.
 - 5.2.2 Interferes with the safe operation of vehicular traffic or the safety of pedestrians.
 - 5.2.3 Impedes or obstructs the City's maintenance operations.
- 5.3 No Person shall Place or permit an Election Sign:
 - 5.3.1 On a Public Utility Facility.
 - 5.3.2 On any City official sign or sign structure.
 - 5.3.3 On or in a Voting Place.
 - 5.3.4 On any abutting Streets of a Voting Place
 - 5.3.5 On or within a Vehicle or Trailer parked with 50 metres of a Voting Place.
 - 5.3.6 On or within a Vehicle or Trailer parked on Public Property.
- 5.4 No Person shall deface or willfully cause damage to a lawfully erected Election Sign.
- 5.5 No Registered Third Party shall Place a Third-Party Advertisement that does not contain valid and up-to-date contact information, including the name of the Registered Third Party, the municipality where the Registered Third Party is registered, and a telephone number, mailing address or e-mail address at which the Registered Third Party may be contacted, in order to identify at least one individual responsible for the Placing of the Third-Party Advertisements including any Election Sign(s).
- 5.6 No Person shall Place an Election Sign in such a position that such Election Sign would contravene any other applicable legislation.
- 5.7 No Person shall Place or permit to be Placed an Election Sign outside of the Electoral District where the Candidate is running for office.
- 5.8 No Person shall display on any Election Sign, a logo, trademark, official mark, or crest, in whole or in part, owned by the City.
- 5.9 Notwithstanding the requirements of any other by-law, no sign permit is required for an Election Sign.

6. Time Restrictions

- 6.1 No person shall Place or permit to be Placed an Election Sign for a municipal election earlier than forty-five (45) days before Voting Day.
- 6.2 No Person shall Place or permit to be Placed an Election Sign for a

federal or provincial election or By-election earlier than the day the Writ of Election or By-election is issued.

- 6.3 Despite Section 6.1 and 6.2 of this By-law, Election Signs may be erected at a Campaign Office once the Candidate has filed his or her nomination papers and paid the required filing fee. For the purpose of this section, a candidate may designate only one building or part thereof in the municipality as the Campaign Office at any one time and must advise the Clerk, in writing, of the address of the Campaign Office prior to erecting the signs authorized by this section.
- 6.4 No Person shall fail to remove an Election Sign within five (5) days immediately following 11:59 p.m. of the day of the election.

7. Election Signs on Public Property

- 7.1 No Person shall Place or permit to be Placed an Election Sign on Public Property.
- 7.2 No Person shall Place or permit to be Placed an Election Sign:
- 7.2.1 On a Highway
 - 7.2.2 Within a Sight Triangle
 - 7.2.3 Within 1 metre of a Highway
 - 7.2.4 Between a Highway and Sidewalk
 - 7.2.5 That impedes or obstructs the passage of pedestrians on a Sidewalk
 - 7.2.6 Along a Trail system
 - 7.2.7 In a Median Strip
 - 7.2.8 Within 3 metres of a Crosswalk
 - 7.2.9 On a tree, fence or gate located on Public Property
 - 7.2.10 That has a sign area larger than 3 square metres.
- 7.3 This by-law shall not apply to any highways or road allowances under the jurisdiction of the Ministry of Transportation of Ontario or the Regional Municipality of Niagara. Election candidates shall be responsible for compliance with the signage by-laws and regulations of The Regional Municipality of Niagara and Province of Ontario (including the Ministry of Transportation) as the case may be.

8. Election Signs on Private Property

- 8.1 Election Signs may be Placed on private property if:
- 8.1.1 The Election Signs are no larger than 3 square metres.
 - 8.1.2 The Election Signs do not interfere with the safe operation of vehicular traffic or with the safety of pedestrians.
- 8.2 No Person shall Place or permit to be Placed an Election Sign on Private Property without consent of the Owner of the property.
- 8.3 No Person shall Place or permit to be Placed an Election Sign on private property within 1.0 m of the Highway or within a Sight Triangle.

- 8.4 No Person shall Place or permit to be Placed more than two (2) Election Signs per Candidate or Registered Third Party on any Private Property.
- 8.5 No Person shall pull down or remove a lawfully erected Election Sign on private party without the consent of the Candidate to the sign, Registered Third Party or Owner of the property on which the sign is erected.

9. Removal/Storage/Disposal of Unlawful Election Signs

- 9.1 The Municipal Law Enforcement Officer may remove any Election Sign in contravention of this by-law without notice.
- 9.2 Where an Election Sign has been removed, notice shall be forwarded to the Candidate or Registered Third Party by personal service, email, or regular post, in which case the notice shall be deemed to have been received on the fifth day following the date the notice was sent.
- 9.3 Signs removed pursuant to this Section shall be stored by the City for a period of not less than 30 days, during which time the Candidate or Registered Third Party may be entitled to redeem, upon payment for the removal and storage fees as prescribed in the City's Fees and Charges By-law as amended, satisfactory to the City.
- 9.4 Where an Election Sign has been removed by the City and notice provided in accordance with Section 9.2 and stored for a period of at least 30 days and the Election Sign has not been redeemed, the sign may be forthwith destroyed or otherwise disposed of by the City and the Candidate will be invoiced for the removal and related storage fees.

Part 4 – Enforcement

10. Enforcement

- 10.1 A Municipal Law Enforcement Officer shall be permitted to enter onto land at any time for the purpose of enforcing this by-law and any orders or conditions imposed under the authority of this by-law.
- 10.2 No Person shall hinder or obstruct or attempt to hinder or obstruct the entry or the inspection of any property by a Municipal Law Enforcement Officer or otherwise hinder or obstruct a Municipal Law Enforcement Officer exercising a power or performing a duty under this By-law or Act.

11. Offences and Penalties

- 11.1 Every Person who contravenes any section of this by-law is, upon conviction, guilty of an offence and shall be liable to a fine as provided for by the Provincial Offences Act, R.S.O. 1990, c.P. 33, as amended, and be subjected to any other penalties permitted by law for each offence.
- 11.2 Any person who contravenes any of the provisions of this By-law and each Owner, when given a Penalty Notice in accordance with the City's Administrative (Non-Parking) Penalty By-law, is liable to pay the City an administrative penalty in the amount specified in the City's Administrative (Non-Parking) Penalty By-law, as amended from time to time."

Part 5 – Repeal

- 12. By-law Number 4879/104/06 and all amendments thereto are hereby repealed.

Enacted and passed this 8th day of April, 2022.

Eric Beauregard
Deputy Mayor

Nicole Rubli
Acting City Clerk

Subject: Heritage Report for Proposed Alterations at 1001 Firelane 1

To: Council

From: Development and Legislative Services Department

Report Number: 2022-72

Meeting Date: April 12, 2022

Recommendation:

That Development and Legislative Services Report 2022-72 be received; and

That Council approve the proposed addition of a balcony on the south side of the building located at 1001 Firelane 1 in accordance with Section 33 of the Ontario Heritage Act and the Project Overview attached hereto as Appendix A; and

That the property owner and the Ontario Heritage Trust be so notified.

Purpose:

The purpose of this report is to provide Council with a recommendation regarding the alterations of the heritage property at 1001 Firelane 1, owned by John and Pauline Groetelaars.

Background:

By-law 4356/29/03 was passed on March 24, 2003, which designated the property located at 1001 Firelane 1 as being of Historical and Architectural significance to the City of Port Colborne under Part IV of *The Ontario Heritage Act, R.S.O. 1990*. The "Reasons for Designation" which listed items that the Heritage Port Colborne Committee and City Council of the time, felt were worthy of designation, are outlined in the Record of Designation (Appendix B). Most notably, the pillar-like stone protrusions on the front and rear of the dwelling, the peaked gable ends, the arches above the windows, the stone façade, cross gables and decorative chimneys are the architectural features that were considered in this property's designation.

The Project Overview (Appendix A) illustrates the proposed works to be completed. The proposed works include the addition of a balcony on the south side of the building. The architectural features indicated on the Record of Designation will not be affected by the proposed addition. It has also been noted that the building has had two additions in the early to mid 20th century that match the overall style of the building. The balcony will match the existing window and roof trim, as well as the architectural style of the entrance on the east side of the building.

Discussion:

The Planning Department has reviewed the request for a proposed addition of a balcony on the south side of the building and feel that the proposal will not negatively impact the preservation of this heritage property. Planning Staff are of the opinion that the proposal will add to the aesthetics of the dwelling without impacting its heritage significance.

Internal Consultations:

The Port Colborne Historical & Marine Museum's Heritage Committee held a virtual meeting on February 23rd, 2022.

The Committee concluded that the proposed addition would not negatively impact the neighbouring properties and will not take away from the aesthetic of the heritage property.

Public Engagement:

Public input is not required as part of the heritage alteration process. The Heritage Committee was consulted to act as representation from the public.

Financial Implications:

There are no financial implications.

Strategic Plan Alignment:

The initiative contained within this report supports the following pillar(s) of the strategic plan:

- City-Wide Investments in Infrastructure and Recreational/Cultural Spaces
-

Conclusion:

Planning Staff recommend that Council approve the proposed addition of a balcony on the south side of the building located at 1001 Firelane 1 in accordance with Section 33 (1) of the *Ontario Heritage Act* and the Project Overview attached hereto as Appendix A. This proposal would not affect the preservation of this heritage property.

Appendices:

- a. Project Overview
- b. By-Law to Designate 1001 Firelane 1 as Being of Cultural Heritage Value or Interest.

Respectfully submitted,

Chris Roome
Planner
905-832-2900 ext. 205
chris.roome@portcolborne.ca

Report Approval:

All reports reviewed and approved by the Department Director and the City Treasurer when relevant. Final review and approval by the Chief Administrative Officer.

3D VIEWS ARE NOT TO
SCALE AND MAY NOT
REFLECT EXACTLY WHAT IS
AVAILABLE FOR THE
PROJECT. RENDER VIEWS
ARE REPRESENTATIONS OF
WHAT THE VIEW COULD
LOOK LIKE, NOT WHAT IT
WILL LOOK LIKE.
2D VIEWS ALWAYS
SUPERCEDE 3D VIEWS

SIDER BROS.COM
BUILDERS
SINCE 1972
5199 MICHENER RD. RIDGEWAY ONTARIO L0S 1S0
905-894-9999 www.siderbros.com



LAKESIDE RENDERING ORIGINAL

LAKESIDE RENDERING

REVISIONS	
Date	Description
2021-10-07	Initial Concepts

PLAN INDEX	
Page	Page Name
A-1	PROJECT OVERVIEW
A-3	FOUNDATION PLAN AS BUILT
A-4	MAIN FLOOR AS BUILT
A-5	SECOND FLOOR PLAN AS BUILT
A-6	FOUNDATION PROPOSED
A-7	MAIN FLOOR PROPOSED
A-8	SECOND FLOOR PROPOSED
A-9	ROOF PLAN
A-10	ELEVATION NORTH & EAST
A-11	ELEVATION SOUTH & WEST
A-12	BATH ELEVATIONS
A-13	POWDER ROOM/ FLEX ROOM/STAIRWELL
A-14	GLASS RAILING RENDERING
E-1	ELECTRICAL PLAN

QUALIFICATION INFORMATION: Required unless design is exempt under 2.17.5.1 of the building code. **Wayne Sider** _____ BCIN 32470
REGISTRATION INFORMATION: Required unless design is exempt under 2.17.4.1 of the building code **SIDER BROTHER BUILDERS** _____ BCIN 101543

CLIENT
JOHN & PAULINE
GROETELAARS
1001 Firelane #1
Port Colborne
Ontario

PAGE TITLE
PROJECT OVERVIEW

DRAWN BY
NICOLE
EMPRINGHAM

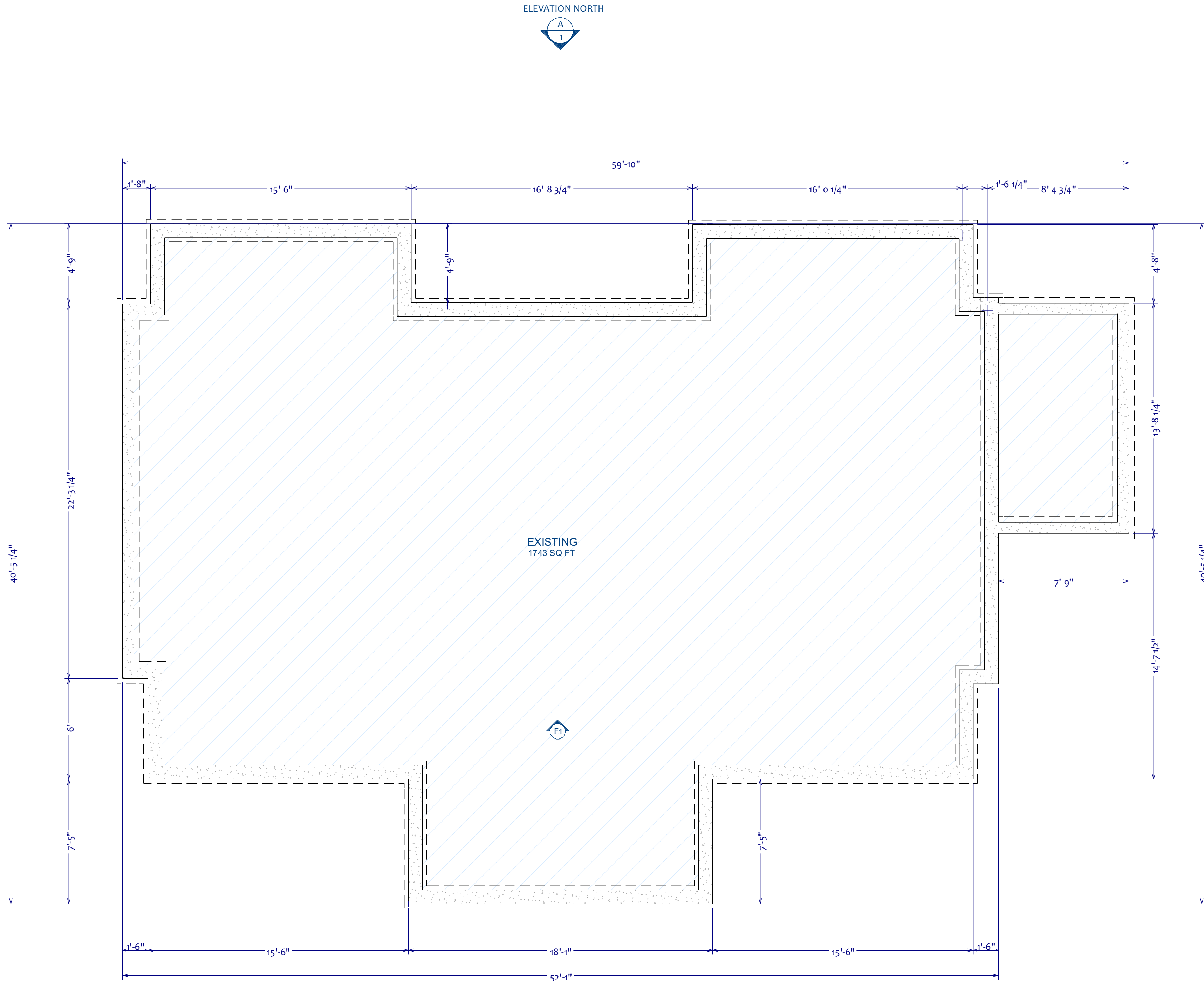
DATE
2021-10-22

SCALE
1/4"= 1'0"

SHEET #
A-1

TYPICAL NOTE SCHEDULE

- 2 **FOOTINGS:**
24" X 8" CONCRETE FOOTING (20 MPa)
ALL SHOULD BEAR ON UNDISTURBED SOIL
- 3 **INSULATION REQUIREMENTS: INTERIOR PERIMETER OF WALLS BELOW GRADE**
-R20 (MIN.) BLANKET INSULATION TO MAX. 8" ABOVE BASEMENT SLAB
-CONTINUOUS WITH NO THERMAL BREAK
-IF FINISHING INTERIOR REFER TO NOTE "W9: BASEMENT EXTERIOR WALL STRAPPING"
-ALL INSULATION SHOULD BE CONTINUOUS FROM UNDERSIDE OF THE JOISTS TO NOT MORE THAN 8" ABOVE THE FINISHED SLAB
-6 MIL VAPOUR BARRIER (AS PER O.B.C. DIV. B, 9.25.4) (IF REQ'D)
-BOTH OPTION A & B ARE INTERCHANGEABLE UNLESS SPECIFICALLY NOTED ON THE FLOOR PLANS AND ALL JOINTS SHOULD BE ADEQUATELY SEALED
- 4 **UNFINISHED BASEMENT PERIMETER**
-R20 BLANKET FROM TOP OF CEILING TO A MAX. 8" ABOVE BASEMENT SLAB CONTINUOUS WITH NO THERMAL BREAK
4" CONCRETE SLAB (20 MPa) ON 6" CRUSHED STONE COMPACTED ON UNDISTURBED SOIL (MIN.)
5" CONCRETE SLAB ON GRADE (32 MPa) WITH 6"X6"X6/6" WELDED WIRE MESH
-6" CLEAR CRUSHED STONE
-REMOVE TOPSOIL PER O.B.C. DIV. B, 9.12.1.1.
-SLOPE TO GARAGE DOOR
- 7 PROVISIONS FOR ELECTRIC VEHICLE
8 MAINTAIN R20 (MIN.) INSULATION ABOVE THE INSIDE SURFACE OF THE WALL (SPRAY FOAM IF REQUIRED)
(REFER TO SB-12 SECTION 2.1.1.7)
- 9 PROVIDE ADEQUATE BLOCKING BETWEEN STUDS FOR FUTURE INSTALLATION FOR GRAB BARS FOR WATER CLOSETS, BATHTUBS AND SHOWERS (IF NO WALL IS PRESENT DUE TO DESIGN CONSTRAINTS, THEN SPACE SHOULD BE PROVIDED FOR INSTALLATION OF A FUTURE WALL FOR THE GRAB BAR)
(AS PER O.B.C. DIV. B, 9.5.2.3 (1) (REFER TO TYPICAL DETAILS))
- 10 ALL WINDOWS U VALUE 1.6 (MAX) OR ER 25 (MIN)
11 PROVIDE GALVANIZED STEEL WINDOW WELL WITH ADEQUATE DRAINAGE WHERE REQUIRED (TYP.)
12 DEPRESS CONCRETE FOR MANDOOR (REFER TO PLAN FOR SIZE)
13 DEPRESS CONCRETE FOR GARAGE DOOR (REFER TO PLAN FOR SIZE)
14 DEPRESS CONCRETE FOUNDATION WALL FOR CONCRETE STAIR BEARING
(REFER TO TYP. CONCRETE STAIR WALKOUT DETAIL WHEN APPLICABLE)
15 SUMP PUMP (PROVIDE ADEQUATE SEAL AROUND SLAB PENETRATION)
16 PROVIDE SLEEVE FOR SUMP DISCHARGE
17 4" @ WEERING TILE WITH 6" (MIN.) GRANULAR STONE COVER (TYP.)
18 PROVIDE PRE-FINISHED AIR VENTS WITH RAIN & INSECT SCREEN (TYP.)
19 4" @ FLOOR DRAIN WITH COVER
-PROVIDE ADEQUATE SEAL AROUND SLAB PENETRATION
-VERIFY LOCATION
- 20 2 - 10M BARS VERTICAL 6" AT EACH SIDE OF WINDOW & 2 - 10M BARS HORIZONTAL
21 2 - 20M REBARS IN TOP OF FOUNDATION WALL FOR LATERAL SUPPORT AT STAIR OPENING
- 22 BACKFILL NOT TO EXCEED ABOVE 6" FROM STONE LEDGE, FINISH GRADE TO SLOPE AWAY
23 2X4 OR 2X6 SILL PLATE ON SILL GASKET ANCHORED WITH 8" LONG X 1/2" @ ANCHOR BOLTS @ 72" OC (TYP.)
24 -PRESSURE TREATED WOOD POST ACHORED TO REINFORCED CONCRETE PIER ON POURED CONCRETE PAD FOOTING
-REFER TO PLAN FOR POST, PIER AND FOOTING SIZES -VERIFY ON SITE
- 25 **FLOOR CONSTRUCTION:**
-3/4" TONGUE AND GROOVE PLYWOOD SUBFLOOR (GLUED AND SCREWED TO FLOOR JOISTS
(REFER TO PLAN FOR SIZING, SPACING AND BRACING REQUIREMENTS))
- 26 LOAD BEARING WALL ABOVE
-JOISTS TO CARRY LINE LOAD FROM ABOVE
-LUMBER SUPPLIER TO VERIFY
- 28 PROVIDE R22 (MIN.) BATT INSUL. (OR APPROVED EQ.) IN THE RIM JOIST OR HEADER AREA
(REFER TO O.B.C. SB-12, 3.1.1.1. (14))
-6 MIL VAPOUR BARRIER (AS PER O.B.C. DIV. B, 9.25.4) ON WARM SIDE OF INSUL.
- 30 **BRICK OR STONE SKIRT:**
-BRICK OR STONE SKIRT WALL (REFER TO PLAN FOR HEIGHT) WITH 4" CONCRETE STONE SILL
-PROVIDE CAULKING, FLASHING & TIES WHERE REQUIRED
-REFER TO WS: WALL CONSTRUCTION (BRICK/STONE) NOTE FOR TYPICAL CONSTRUCTION
- 31 36" (HEIGHT) HANDRAIL IF AGAINST A WALL OR 42" (HEIGHT) HANDRAIL IF GUARD REQUIRED
(O.B.C. DIV. B, 9.8.7.4)
-PROV'D 2" CLEARANCE FROM WALL WITH NO MORE THAN 4" PROJECTED INTO REQUIRED STAIR WIDTH
(REF O.B.C. DIV. B, 9.8.7.4)
42" (HEIGHT) RAILING (MIN)
-NO OPENING IN RAILING/GUARD CAN PERMIT THE PASSAGE OF A SPHERICAL OBJECT AT 4" @ OR LARGER
-NO MEMBER OF THE RAILING BETWEEN 5.5" & 36" ABOVE THE FLOOR OR WALKING SURFACE SHALL BE DESIGNED TO FACILITATE CLIMBING (REFER TO O.B.C. DIV. B.9.8.8)
- 33 -INSULATED SELF-CLOSING DOOR WITH WEATHER-STRIPPING
-GAS PROOF WALLS AND CEILING IN GARAGE WITH 1/2" TYPE "X" GYPSUM BOARD
-PROV'D R22 INSULATION
-TAPE AND SEAL ALL JOINTS GAS TIGHT
BASE & SHOE (WHERE REQ'D)
36 V-MATCH/BEAD BOARD WALL FINISH
- 37 **ROOF CONSTRUCTION:**
METAL STANDING SEAM
-5/8" PLYWOOD SHEATHING WITH "H" CLIPS
-PRE-ENG. ROOF TRUSSES @24" O/C
-R60 BLOWN INSULATION OR APPROVED EQUAL
-6 MIL VAPOUR BARRIER (AS PER O.B.C. DIV. B, 9.25.4)
1/2" DRYWALL (TYP.)
- 38 ASPHALT SHINGLES
-5/8" PLYWOOD SHEATHING WITH "H" CLIPS
-PRE-ENG. ROOF TRUSSES @24" O/C
-R60 BLOWN INSULATION OR APPROVED EQUAL
-6 MIL VAPOUR BARRIER (AS PER O.B.C. DIV. B, 9.25.4)
1/2" DRYWALL (TYP.)
- 39 **ROOF VENTS:**
-1/300 SQUARE FEET OF INSULATED CEILING AREA OR 1/150 WHERE ROOF SLOPE IS LESS THAN 1:6
(AS PER O.B.C. DIV. B.9.19.1.2)
- 40 **RIDGE VENT**
-CUT ROOF SHEATHING 3" ON EITHER SIDE OF RIDGE
- 41 **FLAT ROOF:**
-PROV'D BITUMINOUS MEMBRANE & FLASHING AS PER O.B.C.
-SLOPE 1/4" @ 1'-0" (MIN.) AWAY FROM HOUSE OR TO PROVIDED DRAIN
- 42 **TYPICAL CEILING:**
-R60 BATT OR BLOWN INSULATION
-1/2" DRYWALL
- 43 -PROVIDE DROPPED CEILING IN THIS AREA
-R31 BATT INSULATION (MIN) (SPRAYED FOAM INSULATION RECOMMENDED (OPTIONAL))
-PROVIDE HEAT DUCT & COLD AIR RETURN INTO VOID (TYP.)
- 44 **ATTIC ACCESS:**
-MINIMUM 22" X 36"
-PROVIDE R20 INSULATION & WEATHER STRIPPING -SITE VERIFY LOCATION
-ASPHALT EAVE PROTECTION (AS PER O.B.C. DIV. B, 9.26.5)
-1 1/2" AIR SPACE VENTS (BAPFLE) AT EVERY TRUSS FOR REQUIRED VENTILATION CLEARANCE
- 47 -PRE-FINISHED ALUMINUM EAVES ON 2"X6" CAPPED ALUMINUM FASCIA BOARD
48 -PRE-FIN ALUMINUM SOFFIT
-100% PERFORATED TO HAVE INSECT SCREEN (TYP.)
- 49 WOOD V-MATCH EAVES
-PVC FASCIA WITH VENTING (TYP.)
- 50 **EXTERIOR ENTRY**
-POURED CONCRETE STEPS
-VERIFY DIMENSIONS ON SITE
-RISER NOT TO EXCEED 7- 7/8" (REFER TO DETAIL)
-CONCRETE OR WOOD STEP(S) (SITE VERIFY)
- 52 -WOOD STEPS ANCHORED TO DECK
-NOT TO EXCEED 7- 7/8" RISE
-VERIFY DIMENSIONS ON SITE
- 53 -2X6 DECK PLANKS WITH 3/16" BETWEEN
-SLOPE AWAY FROM HOUSE (MIN. 1/4" PER FOOT) (TYP.)
- INTERIOR GENERAL**
54 GAS FIREPLACE - PROVIDE DIRECT VENT (AS PER O.B.C. DIV. B, 9.22.10.2)
55 PROVIDE SEPARATE DIRECT VENTS FOR FURNACE, HOT WATER TANK, HRV, DRYER & EXHAUST HOOD
- 56 6'-8" MINIMUM STAIR HEADROOM (AS PER O.B.C. DIV. B,9.8.2.2 (1)) (SLANT JOISTS IF NEEDED)
- 58 110V INTERCONNECTED SMOKE ALARM COMPLETE WITH REQUIRED VISUAL COMPONENT (I.S.A)
(AS PER O.B.C. DIV. B, 9.10.19)
- 59 110V INTERCONNECTED SMOKE & CARBON MONOXIDE ALARM C/W REQUIRED VISUAL COMPONENT (I.S.C.A)
(AS PER O.B.C. DIV. B, 9.10.19 & 9.33.4)
- 60 4" MASONRY CHASE IN FOUNDATION WALL (SITE VERIFY HEIGHT) (REFER TO GRADING PLAN)



ENERGY EFFICIENCY: TABLE 3.1.1.11 (IP)		
ZONE 1 - THERMAL REQ. FOR ADDITIONS TO EXISTING BUILDINGS		
COMPONENT		RSI/R VALUES
THERMAL INSULATION		
CEILING WITH ATTIC SPACE		R60
CEILING WITHOUT ATTIC SPACE		R31
EXPOSED FLOOR		R31
WALLS ABOVE GRADE		19 +5 ci
BASEMENT WALLS		20 ci
SLAB (ALL <600MM BELOW GRADE)		R10
SLAB (EDGE ONLY <600MM BELOW GRADE)		R10
SLAB (ALL <600MM BELOW GRD OR HEATED)		R10
WINDOWS AND DOORS		
WINDOW/SLIDING GLASS DOORS		1.8
SKYLIGHTS		2.8
MECHANICALS		
SPACE HEATING EQUIP.		94%
HRV EFFICIENCY		60%
DHW HEATER (EF)		0.67
PER SB-12 DRAIN WATER HEAT RECOVERY 3.1.1.12		
A drain water heat recovery unit shall be installed to receive drain water from all showers or from at least 2 showers where there are 2 or more showers in the dwelling unit.		

QUALIFICATION INFORMATION: Required unless design is exempt under 2.17.5.1 of the building code. Wayne Sider BCIN 32470
REGISTRATION INFORMATION: Required unless design is exempt under 2.17.4.1 of the building code SIDER BROTHER BUILDERS BCIN 101543

3D VIEWS ARE NOT TO SCALE AND MAY NOT REFLECT EXACTLY WHAT IS AVAILABLE FOR THE PROJECT. RENDER VIEWS ARE REPRESENTATIONS OF WHAT THE VIEW COULD LOOK LIKE, NOT WHAT IT WILL LOOK LIKE. 2D VIEWS ALWAYS SUPERCEDE 3D VIEWS



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CLIENT

JOHN & PAULINE GROETELAARS
1001 Firelane #1
Port Colborne Ontario

PAGE TITLE

FOUNDATION PLAN AS BUILT

DRAWN BY

NICOLE EMPRINGHAM

DATE

2021-10-22

SCALE

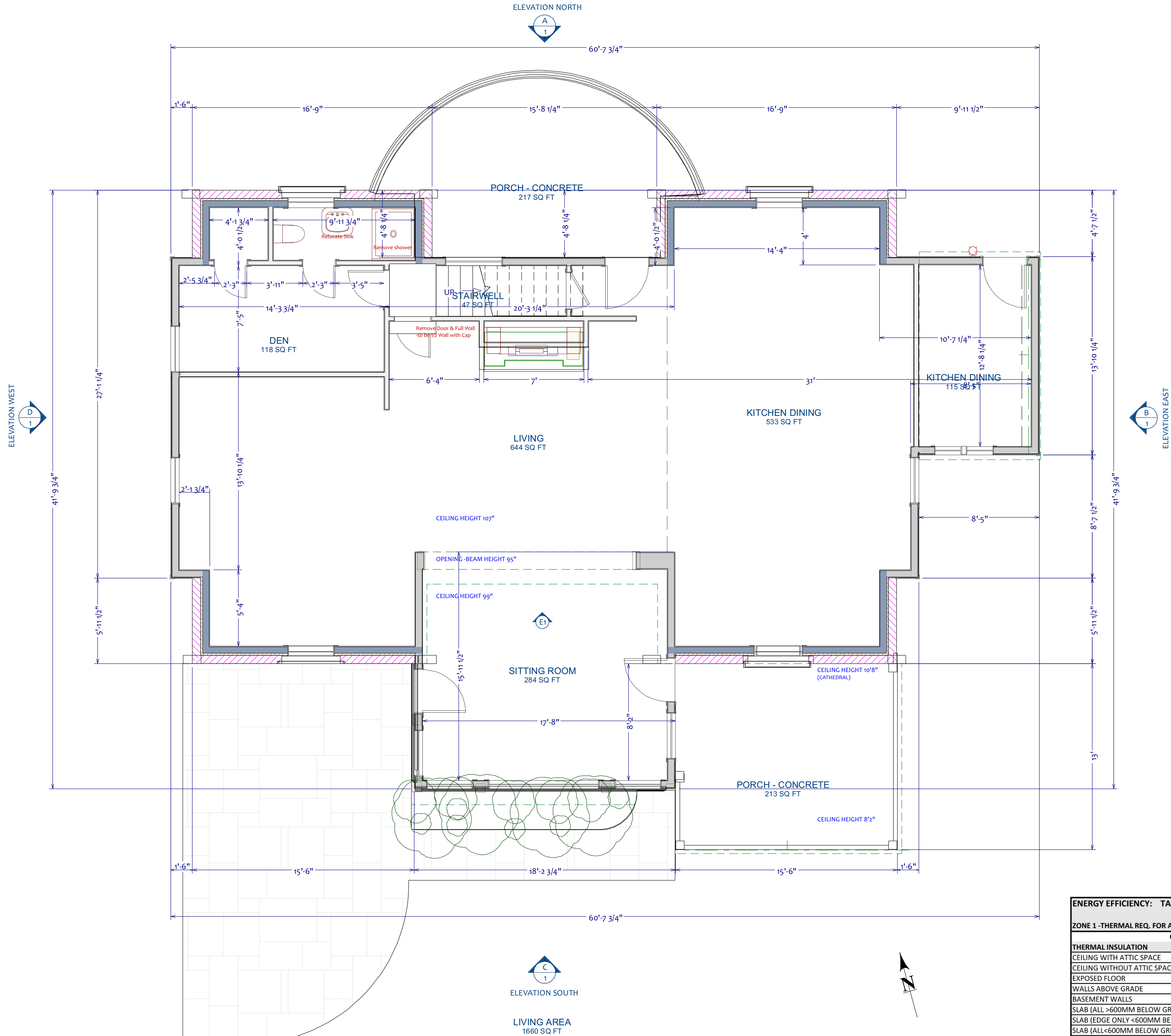
1/4" = 1'0"

SHEET #

A-3

TYPICAL NOTE SCHEDULE

- 2 **FOOTINGS:**
24" X 8" CONCRETE FOOTING (20 MPa)
ALL SHOULD BEAR ON UNDISTURBED SOIL
- 3 **INSULATION REQUIREMENTS: INTERIOR PERIMETER OF WALLS BELOW GRADE**
-R20 (MIN.) BLANKET INSULATION TO MAX. 8" ABOVE BASEMENT SLAB
-CONTINUOUS WITH NO THERMAL BREAK
-IF FINISHING INTERIOR REFER TO NOTE "W9: BASEMENT EXTERIOR WALL STRAPPING"
-ALL INSULATION SHOULD BE CONTINUOUS FROM UNDERSIDE OF THE JOISTS TO NOT MORE THAN 8" ABOVE THE FINISHED SLAB
-6 MIL VAPOUR BARRIER (AS PER O.B.C. DIV. 8, 9.25.4) (IF REQ'D)
-BOTH OPTION A & B ARE INTERCHANGEABLE UNLESS SPECIFICALLY NOTED ON THE FLOOR PLANS AND ALL JOINTS SHOULD BE ADEQUATELY SEALED
- 4 **UNFINISHED BASEMENT PERIMETER**
-R20 BLANKET FROM TOP OF CEILING TO A MAX. 8" ABOVE BASEMENT SLAB CONTINUOUS WITH NO THERMAL BREAK
4" CONCRETE SLAB (20 MPa) ON 6" CRUSHED STONE COMPACTED ON UNDISTURBED SOIL (MIN.)
5" CONCRETE SLAB ON GRADE (32 MPa) WITH 6"X6"X6/6 WELDED WIRE MESH
-6" CLEAR CRUSHED STONE
-REMOVE TOPSOIL PER O.B.C. DIV. 8, 9.12.1.1.
-SLOPE TO GARAGE DOOR
- 7 PROVISIONS FOR ELECTRIC VEHICLE
8 MAINTAIN R20 (MIN.) INSULATION ABOVE THE INSIDE SURFACE OF THE WALL (SPRAY FOAM IF REQUIRED)
(REFER TO SB-12 SECTION 2.1.1.7)
- 9 PROVIDE ADEQUATE BLOCKING BETWEEN STUDS FOR FUTURE INSTALLATION FOR GRAB BARS FOR WATER CLOSETS, BATHTUBS AND SHOWERS (IF NO WALL IS PRESENT DUE TO DESIGN CONSTRAINTS, THEN SPACE SHOULD BE PROVIDED FOR INSTALLATION OF A FUTURE WALL FOR THE GRAB BAR)
(AS PER O.B.C. DIV. 8, 9.5.2.3 (1) (REFER TO TYPICAL DETAILS))
- 10 ALL WINDOWS U VALUE 1.6 (MAX) OR ER 25 (MIN)
- 11 PROVIDE GALVANIZED STEEL WINDOW WELL WITH ADEQUATE DRAINAGE WHERE REQUIRED (TYP.)
- 12 DEPRESS CONCRETE FOR MANDOOK (REFER TO PLAN FOR SIZE)
- 13 DEPRESS CONCRETE FOR GARAGE DOOR (REFER TO PLAN FOR SIZE)
- 14 DEPRESS CONCRETE FOUNDATION WALL FOR CONCRETE STAIR BEARING
(REFER TO TYP. CONCRETE STAIR WALKOUT DETAIL WHEN APPLICABLE)
- 15 SUMP PUMP (PROVIDE ADEQUATE SEAL AROUND SLAB PENETRATION)
- 16 PROVIDE SLEEVE FOR SUMP DISCHARGE
- 17 4" WEEPING TILE WITH 6" (MIN.) GRANULAR STONE COVER (TYP.)
- 18 PROVIDE PRE-FINISHED AIR VENTS WITH RAIN & INSECT SCREEN (TYP.)
- 19 4" FLOOR DRAIN WITH COVER
-PROVIDE ADEQUATE SEAL AROUND SLAB PENETRATION
-VERIFY LOCATION
- 20 2 - 10M BARS VERTICAL 6" AT EACH SIDE OF WINDOW & 2 - 10M BARS HORIZONTAL
2 - 20M REBARS IN TOP OF FOUNDATION WALL FOR LATERAL SUPPORT AT STAIR OPENING
- 22 BACKFILL NOT TO EXCEED ABOVE 6" FROM STONE LEDGE, FINISH GRADE TO SLOPE AWAY
- 23 2X4 OR 2X6 SILL PLATE ON SILL GASKET ANCHORED WITH 8" LONG X 1/2" ANCHOR BOLTS @ 72" OC (TYP.)
- 24 -PRESSURE TREATED WOOD POST ANCHORED TO REINFORCED CONCRETE PIER ON POURED CONCRETE PAD FOOTING
-REFER TO PLAN FOR POST, PIER AND FOOTING SIZES -VERIFY ON SITE
- 25 **FLOOR CONSTRUCTION:**
-3/4" TONGUE AND GROOVE PLYWOOD SUBFLOOR GLUED AND SCREWED TO FLOOR JOISTS
(REFER TO PLAN FOR SIZING, SPACING AND BRACING REQUIREMENTS)
- 26 LOAD BEARING WALL ABOVE
-JOISTS TO CARRY LINE LOAD FROM ABOVE
-LUMBER SUPPLIER TO VERIFY
- 28 PROVIDE R22 (MIN.) BATT INSUL. (OR APPROVED EQ.) IN THE RIM JOIST OR HEADER AREA
(REFER TO O.B.C. SB-12, 3.1.1.1. (14))
-6 MIL VAPOUR BARRIER (AS PER O.B.C. DIV. 8, 9.25.4) ON WARM SIDE OF INSUL.
- 30 **BRICK OR STONE SKIRT:**
-BRICK OR STONE SKIRT WALL (REFER TO PLAN FOR HEIGHT) WITH 4" CONCRETE STONE SILL
-PROVIDE CAULKING, FLASHING & TIES WHERE REQUIRED
-REFER TO WS: WALL CONSTRUCTION (BRICK/STONE) NOTE FOR TYPICAL CONSTRUCTION
- 31 36" (HEIGHT) HANDRAIL IF AGAINST A WALL OR 42" (HEIGHT) HANDRAIL IF GUARD REQUIRED
(O.B.C. DIV. 8, 9.8.7.4)
-PROV'D 2" CLEARANCE FROM WALL WITH NO MORE THAN 4" PROJECTED INTO REQUIRED STAIR WIDTH
(REF O.B.C. DIV. 8, 9.8.7.4)
- 32 42" (HEIGHT) RAILING (MIN)
-NO OPENING IN RAILING/GUARD CAN PERMIT THE PASSAGE OF A SPHERICAL OBJECT 4" Ø OR LARGER
-NO MEMBER OF THE RAILING BETWEEN 5.5" & 36" ABOVE THE FLOOR OR WALKING SURFACE SHALL BE DESIGNED TO FACILITATE CLIMBING (REFER TO O.B.C. DIV. 8.9.8.8)
- 33 -INSULATED SELF-CLOSING DOOR WITH WEATHER-STRIPPING
-GAS PROOF WALLS AND CEILING IN GARAGE WITH 1/2" TYPE "X" GYPSUM BOARD
-PROV'D R22 INSULATION
-TAPE AND SEAL ALL JOINTS GAS TIGHT
-BASE & SHOE (WHERE REQ'D)
- 35 V-MATCH/BEAD BOARD WALL FINISH
- 36 **ROOF CONSTRUCTION:**
METAL STANDING SEAM
-5/8" PLYWOOD SHEATHING WITH "H" CLIPS
-PRE-ENG. ROOF TRUSSES @24" O/C
-R60 BLOWN INSULATION OR APPROVED EQUAL
-6 MIL VAPOUR BARRIER (AS PER O.B.C. DIV. 8, 9.25.4)
1/2" DRYWALL (TYP.)
- 38 ASPHALT SHINGLES
-5/8" PLYWOOD SHEATHING WITH "H" CLIPS
-PRE-ENG. ROOF TRUSSES @24" O/C
-R60 BLOWN INSULATION OR APPROVED EQUAL
-6 MIL VAPOUR BARRIER (AS PER O.B.C. DIV. 8, 9.25.4)
1/2" DRYWALL (TYP.)
- 39 **ROOF VENTS:**
-1/300 SQUARE FEET OF INSULATED CEILING AREA OR 1/150 WHERE ROOF SLOPE IS LESS THAN 1:6
(AS PER O.B.C. DIV. 8.9.19.1.2)
- 40 **RIDGE VENT**
-CUT ROOF SHEATHING 3" ON EITHER SIDE OF RIDGE
- 41 **FLAT ROOF:**
-PROV'D BITUMINOUS MEMBRANE & FLASHING AS PER O.B.C.
-SLOPE 1/4" = 1' - 0" (MIN.) AWAY FROM HOUSE OR TO PROVIDED DRAIN
- 42 **TYPICAL CEILING:**
-R60 BATT OR BLOWN INSULATION
-1/2" DRYWALL
-PROVIDE DROPPED CEILING IN THIS AREA
-R31 BATT INSULATION (MIN) (SPRAYED FOAM INSULATION RECOMMENDED (OPTIONAL))
-PROVIDE HEAT DUCT & COLD AIR RETURN INTO VOID (TYP.)
- 44 **ATTIC ACCESS:**
-MINIMUM 22" X 36"
-PROVIDE R20 INSULATION & WEATHER STRIPPING -SITE VERIFY LOCATION
-ASPHALT EAVE PROTECTION (AS PER O.B.C. DIV. 8, 9.26.5)
-1 1/2" AIR SPACE VENTS (BAPLE) AT EVERY TRUSS FOR REQUIRED VENTILATION CLEARANCE
-PRE-FINISHED ALUMINUM EAVES ON 2"X6" CAPPED ALUMINUM FASCIA BOARD
-PRE-FIN ALUMINUM SOFFIT
-100% PERFORATED TO HAVE INSECT SCREEN (TYP.)
- 49 WOOD V-MATCH EAVES
-PVC FASCIA WITH VENTING (TYP.)
- 50 **EXTERIOR ENTRY**
-POURED CONCRETE STEPS
-VERIFY DIMENSIONS ON SITE
-RISER NOT TO EXCEED 7- 7/8" (REFER TO DETAIL)
-CONCRETE OR WOOD STEP(S) (SITE VERIFY)
- 51 -WOOD STEPS ANCHORED TO DECK
-NOT TO EXCEED 7- 7/8" RISE
-VERIFY DIMENSIONS ON SITE
- 52 -2X6 DECK PLANKS WITH 3/16" BETWEEN
-SLOPE AWAY FROM HOUSE (MIN. 1/4" PER FOOT) (TYP.)
- 53 **INTERIOR GENERAL**
GAS FIREPLACE - PROVIDE DIRECT VENT (AS PER O.B.C. DIV. 8, 9.22.10.2)
PROVIDE SEPARATE DIRECT VENTS FOR FURNACE, HOT WATER TANK, HRV, DRYER & EXHAUST HOOD
- 56 6'-8" MINIMUM STAIR HEADROOM (AS PER O.B.C. DIV. 8, 9.8.2.2 (1)) (SLANT JOISTS IF NEEDED)
- 58 110V INTERCONNECTED SMOKE ALARM COMPLETE WITH REQUIRED VISUAL COMPONENT (I.S.A)
(AS PER O.B.C. DIV. 8, 9.10.19)
- 59 110V INTERCONNECTED SMOKE & CARBON MONOXIDE ALARM C/W REQUIRED VISUAL COMPONENT (I.S.C.A)
(AS PER O.B.C. DIV. 8, 9.10.19 & 9.33.4)
- 60 4" MASONRY CHASE IN FOUNDATION WALL (SITE VERIFY HEIGHT) (REFER TO GRADING PLAN)



ENERGY EFFICIENCY: TABLE 3.1.1.11 (IP)		
ZONE 1 - THERMAL REQ. FOR ADDITIONS TO EXISTING BUILDINGS		
COMPONENT		RSI/R VALUES
THERMAL INSULATION		
CEILING WITH ATTIC SPACE		R60
CEILING WITHOUT ATTIC SPACE		R31
EXPOSED FLOOR		R31
WALLS ABOVE GRADE		19 + 5 ci
BASEMENT WALLS		20 ci
SLAB (ALL >600MM BELOW GRADE)		R10
SLAB (EDGE ONLY <600MM BELOW GRADE)		R10
SLAB (ALL <600MM BELOW GRD OR HEATED)		R10
WINDOWS AND DOORS		
WINDOW/SLIDING GLASS DOORS		1.8
SKYLIGHTS		2.8
MECHANICALS		
SPACE HEATING EQUIP.		94%
HRV EFFICIENCY		60%
DHW HEATER (EF)		0.67
PER SB-12 DRAIN WATER HEAT RECOVERY 3.1.1.12		
A drain water heat recovery unit shall be installed to receive drain water from all showers or from at least 2 showers where there are 2 or more showers in the dwelling unit.		

QUALIFICATION INFORMATION: Required unless design is exempt under 2.17.5.1 of the building code. Wayne Sider BCIN 32470
REGISTRATION INFORMATION: Required unless design is exempt under 2.17.4.1 of the building code SIDER BROTHER BUILDERS BCIN 101543

3D VIEWS ARE NOT TO SCALE AND MAY NOT REFLECT EXACTLY WHAT IS AVAILABLE FOR THE PROJECT. RENDER VIEWS ARE REPRESENTATIONS OF WHAT THE VIEW COULD LOOK LIKE, NOT WHAT IT WILL LOOK LIKE. 2D VIEWS ALWAYS SUPERCEDE 3D VIEWS

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JOHN & PAULINE
GROETELAARS
1001 Firelane #1
Port Colborne
Ontario

PAGE TITLE
MAIN FLOOR AS BUILT

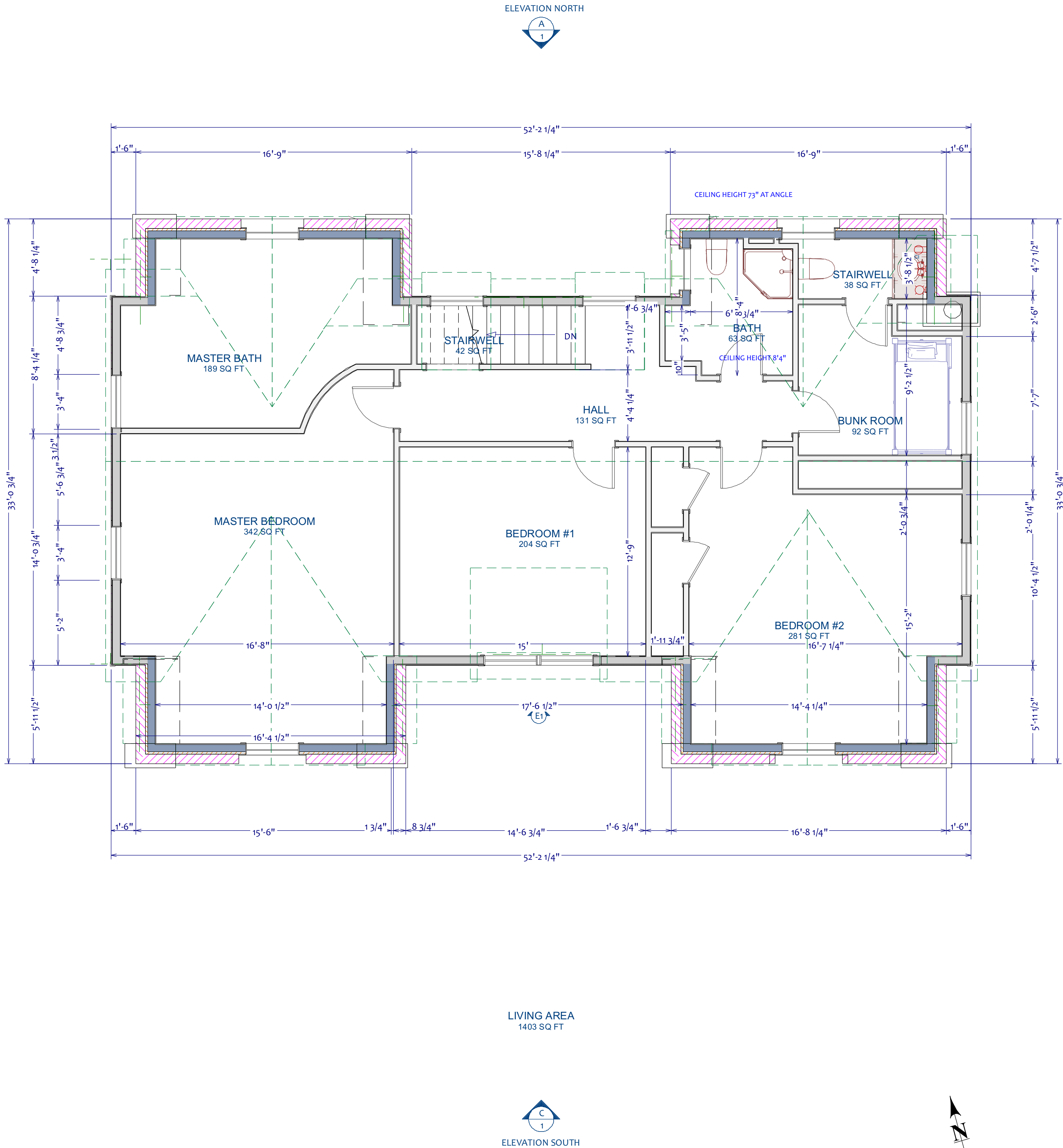
DRAWN BY
NICOLE
EMPRINGHAM

DATE
2021-10-22

SCALE
1/4" = 1'0"

SHEET #
A-4

- TYPICAL NOTE SCHEDULE**
- 2 **FOOTINGS:**
24" X 8" CONCRETE FOOTING (20 MPa)
ALL SHOULD BEAR ON UNDISTURBED SOIL
- 3 **INSULATION REQUIREMENTS: INTERIOR PERIMETER OF WALLS BELOW GRADE**
-R20 (MIN.) BLANKET INSULATION TO MAX. 8" ABOVE BASEMENT SLAB
-CONTINUOUS WITH NO THERMAL BREAK
-IF FINISHING INTERIOR REFER TO NOTE "W9: BASEMENT EXTERIOR WALL STRAPPING"
-ALL INSULATION SHOULD BE CONTINUOUS FROM UNDERSIDE OF THE JOISTS TO NOT MORE THAN 8" ABOVE THE FINISHED SLAB
-6 MIL VAPOUR BARRIER (AS PER O.B.C. DIV. B, 9.25.4) (IF REQ'D)
-BOTH OPTION A & B ARE INTERCHANGEABLE UNLESS SPECIFICALLY NOTED ON THE FLOOR PLANS AND ALL JOINTS SHOULD BE ADEQUATELY SEALED
- 4 **UNFINISHED BASEMENT PERIMETER**
-R20 BLANKET FROM TOP OF CEILING TO A MAX. 8" ABOVE BASEMENT SLAB CONTINUOUS WITH NO THERMAL BREAK
4" CONCRETE SLAB (20 MPa) ON 6" CRUSHED STONE COMPACTED ON UNDISTURBED SOIL (MIN.)
5" CONCRETE SLAB ON GRADE (32 MPa) WITH 6"x6"x6/6 WELDED WIRE MESH
-6" CLEAR CRUSHED STONE
-REMOVE TOPSOIL PER O.B.C. DIV. B, 9.12.1.1.
-SLOPE TO GARAGE DOOR
- 7 PROVISIONS FOR ELECTRIC VEHICLE
8 MAINTAIN R20 (MIN.) INSULATION ABOVE THE INSIDE SURFACE OF THE WALL (SPRAY FOAM IF REQUIRED)
(REFER TO SB-12 SECTION 2.1.1.7)
- 9 PROVIDE ADEQUATE BLOCKING BETWEEN STUDS FOR FUTURE INSTALLATION FOR GRAB BARS FOR WATER CLOSETS, BATHTUBS AND SHOWERS (IF NO WALL IS PRESENT DUE TO DESIGN CONSTRAINTS, THEN SPACE SHOULD BE PROVIDED FOR INSTALLATION OF A FUTURE WALL FOR THE GRAB BAR)
(AS PER O.B.C. DIV. B, 9.5.2.3 (1) (REFER TO TYPICAL DETAILS))
- 10 ALL WINDOWS U VALUE 1.6 (MAX) OR ER 25 (MIN)
- 11 PROVIDE GALVANIZED STEEL WINDOW WELL WITH ADEQUATE DRAINAGE WHERE REQUIRED (TYP.)
- 12 DEPRESS CONCRETE FOR MANDOOR (REFER TO PLAN FOR SIZE)
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-VERIFY LOCATION
- 20 2 - 10M BARS VERTICAL 6" AT EACH SIDE OF WINDOW & 2 - 10M BARS HORIZONTAL
2 - 20M REBARS IN TOP OF FOUNDATION WALL FOR LATERAL SUPPORT AT STAIR OPENING
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- 23 2X4 OR 2X6 SILL PLATE ON SILL GASKET ANCHORED WITH 8" LONG X 1/2" ϕ ANCHOR BOLTS @ 72" OC (TYP.)
- 24 -PRESSURE TREATED WOOD POST ANCHORED TO REINFORCED CONCRETE PIER ON POURED CONCRETE PAD FOOTING
-REFER TO PLAN FOR POST, PIER AND FOOTING SIZES -VERIFY ON SITE
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(REFER TO PLAN FOR SIZING, SPACING AND BRACING REQUIREMENTS)
- 26 LOAD BEARING WALL ABOVE
-JOISTS TO CARRY LINE LOAD FROM ABOVE
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- 28 PROVIDE R22 (MIN.) BATT INSUL. (OR APPROVED EQ.) IN THE RIM JOIST OR HEADER AREA
(REFER TO O.B.C. SB-12, 3.1.1.1. (14))
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-GAS PROOF WALLS AND CEILING IN GARAGE WITH 1/2" TYPE "X" GYPSUM BOARD
-PROV'D R22 INSULATION
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BASE & SHOE (WHERE REQ'D)
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- 37 **ROOF CONSTRUCTION:**
METAL STANDING SEAM
-5/8" PLYWOOD SHEATHING WITH "H" CLIPS
-PRE-ENG. ROOF TRUSSES @24" O/C
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-6 MIL VAPOUR BARRIER (AS PER O.B.C. DIV. B, 9.25.4)
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-R60 BLOWN INSULATION OR APPROVED EQUAL
-6 MIL VAPOUR BARRIER (AS PER O.B.C. DIV. B, 9.25.4)
1/2" DRYWALL (TYP.)
- 39 **ROOF VENTS:**
-1/300 SQUARE FEET OF INSULATED CEILING AREA OR 1/150 WHERE ROOF SLOPE IS LESS THAN 1:6
(AS PER O.B.C. DIV. B.9.19.1.2)
- 40 **RIDGE VENT**
-CUT ROOF SHEATHING 3" ON EITHER SIDE OF RIDGE
- 41 **FLAT ROOF:**
-PROV'D BITUMINOUS MEMBRANE & FLASHING AS PER O.B.C.
-SLOPE 1/4" = 1'-0" (MIN.) AWAY FROM HOUSE OR TO PROVIDED DRAIN
- 42 **TYPICAL CEILING:**
-R60 BATT OR BLOWN INSULATION
-1/2" DRYWALL
- 43 -PROVIDE DROPPED CEILING IN THIS AREA
-R31 BATT INSULATION (MIN) (SPRAYED FOAM INSULATION RECOMMENDED (OPTIONAL))
-PROVIDE HEAT DUCT & COLD AIR RETURN INTO VOID (TYP.)
- 44 **ATTIC ACCESS:**
-MINIMUM 22" X 36"
-PROVIDE R20 INSULATION & WEATHER STRIPPING -SITE VERIFY LOCATION
- 45 -ASPHALT EAVE PROTECTION (AS PER O.B.C. DIV. B, 9.26.5)
- 46 -1 1/2" AIR SPACE VENTS (BAPLE) AT EVERY TRUSS FOR REQUIRED VENTILATION CLEARANCE
- 47 -PRE-FINISHED ALUMINUM EAVES ON 2"x6" CAPPED ALUMINUM FASCIA BOARD
- 48 -PRE-FIN ALUMINUM SOFFIT
-100% PERFORATED TO HAVE INSECT SCREEN (TYP.)
- 49 WOOD V-MATCH EAVES
-PVC FASCIA WITH VENTING (TYP.)
- 50 **EXTERIOR ENTRY**
-POURED CONCRETE STEPS
-VERIFY DIMENSIONS ON SITE
-RISER NOT TO EXCEED 7- 7/8" (REFER TO DETAIL)
- 51 -CONCRETE OR WOOD STEP(S) (SITE VERIFY)
- 52 -WOOD STEPS ANCHORED TO DECK
-NOT TO EXCEED 7- 7/8" RISE
-VERIFY DIMENSIONS ON SITE
- 53 -2X6 DECK PLANKS WITH 3/16" BETWEEN
-SLOPE AWAY FROM HOUSE (MIN. 1/4" PER FOOT) (TYP.)
- INTERIOR GENERAL**
54 GAS FIREPLACE - PROVIDE DIRECT VENT (AS PER O.B.C. DIV. B, 9.22.10.2)
55 PROVIDE SEPARATE DIRECT VENTS FOR FURNACE, HOT WATER TANK, HRV, DRYER & EXHAUST HOOD
- 56 6'-8" MINIMUM STAIR HEADROOM (AS PER O.B.C. DIV. B,9.8.2.2 (1)) (SLANT JOISTS IF NEEDED)
- 58 110V INTERCONNECTED SMOKE ALARM COMPLETE WITH REQUIRED VISUAL COMPONENT (I.S.A)
(AS PER O.B.C. DIV. B, 9.10.19)
- 59 110V INTERCONNECTED SMOKE & CARBON MONOXIDE ALARM C/W REQUIRED VISUAL COMPONENT (I.S.C.A)
(AS PER O.B.C. DIV. B, 9.10.19 & 9.33.4)
- 60 4" MASONRY CHASE IN FOUNDATION WALL (SITE VERIFY HEIGHT) (REFER TO GRADING PLAN)



ENERGY EFFICIENCY: TABLE 3.1.1.11 (IP)		
ZONE 1 - THERMAL REQ. FOR ADDITIONS TO EXISTING BUILDINGS		
COMPONENT		RSI/R VALUES
THERMAL INSULATION		
CEILING WITH ATTIC SPACE		R60
CEILING WITHOUT ATTIC SPACE		R31
EXPOSED FLOOR		R31
WALLS ABOVE GRADE		19 +5 ci
BASEMENT WALLS		20 ci
SLAB (ALL >600MM BELOW GRADE)		R10
SLAB (EDGE ONLY <600MM BELOW GRADE)		R10
SLAB (ALL <600MM BELOW GRD OR HEATED)		R10
WINDOWS AND DOORS		
WINDOW/SLIDING GLASS DOORS		1.8
SKYLIGHTS		2.8
MECHANICALS		
SPACE HEATING EQUIP.		94%
HRV EFFICIENCY		60%
DHW HEATER (EF)		0.67
PER SB-12 DRAIN WATER HEAT RECOVERY 3.1.1.12		
A drain water heat recovery unit shall be installed to receive drain water from all showers or from at least 2 showers where there are 2 or more showers in the dwelling unit.		

QUALIFICATION INFORMATION: Required unless design is exempt under 2.17.5.1 of the building code. Wayne Sider BCIN 32470
REGISTRATION INFORMATION: Required unless design is exempt under 2.17.4.1 of the building code SIDER BROTHER BUILDERS BCIN 101543

3D VIEWS ARE NOT TO SCALE AND MAY NOT REFLECT EXACTLY WHAT IS AVAILABLE FOR THE PROJECT. RENDER VIEWS ARE REPRESENTATIONS OF WHAT THE VIEW COULD LOOK LIKE, NOT WHAT IT WILL LOOK LIKE. 2D VIEWS ALWAYS SUPERCEDE 3D VIEWS

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Ontario

PAGE TITLE
SECOND FLOOR PLAN AS
BUILT

DRAWN BY
NICOLE
EMPRINGHAM

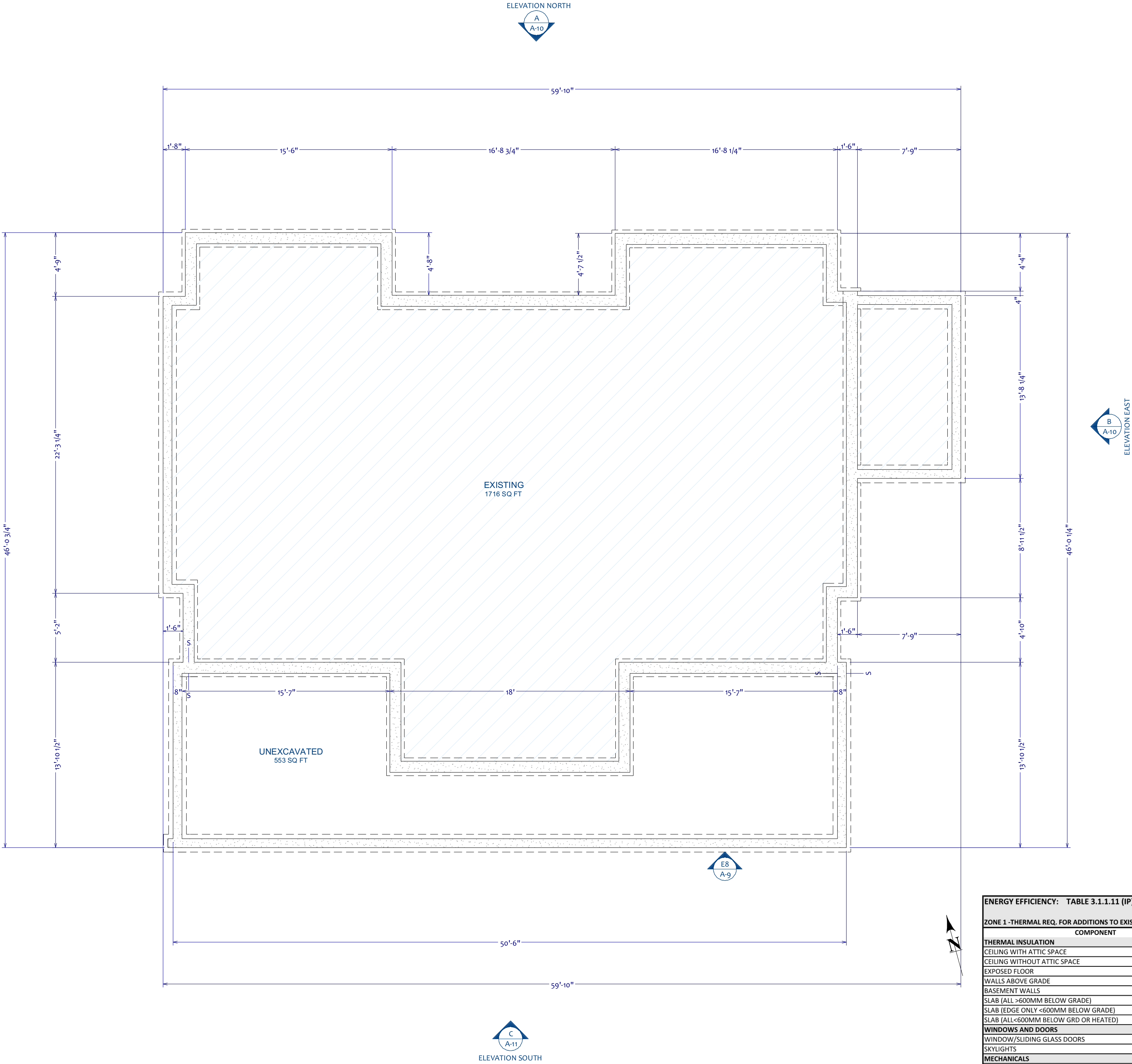
DATE
2021-10-22

SCALE
1/4" = 1'0"

SHEET #
A-5

TYPICAL NOTE SCHEDULE

- 2 **FOOTINGS:**
24" X 8" CONCRETE FOOTING (20 MPa)
ALL SHOULD BEAR ON UNDISTURBED SOIL.
- 3 **INSULATION REQUIREMENTS: INTERIOR PERIMETER OF WALLS BELOW GRADE**
-R20 (MIN.) BLANKET INSULATION TO MAX. 8" ABOVE BASEMENT SLAB
-CONTINUOUS WITH NO THERMAL BREAK
-IF FINISHING INTERIOR REFER TO NOTE "W9: BASEMENT EXTERIOR WALL STRAPPING"
-ALL INSULATION SHOULD BE CONTINUOUS FROM UNDERSIDE OF THE JOISTS TO NOT MORE THAN 8" ABOVE THE FINISHED SLAB
-6 MIL VAPOUR BARRIER (AS PER O.B.C. DIV. B.9.25.4) (IF REQ'D)
-BOTH OPTION A & B ARE INTERCHANGEABLE UNLESS SPECIFICALLY NOTED ON THE FLOOR PLANS AND ALL JOINTS SHOULD BE ADEQUATELY SEALED
- 4 **UNFINISHED BASEMENT PERIMETER**
-R20 BLANKET FROM TOP OF CEILING TO A MAX. 8" ABOVE BASEMENT SLAB CONTINUOUS WITH NO THERMAL BREAK
4" CONCRETE SLAB (20 MPa) ON 6" CRUSHED STONE COMPACTED ON UNDISTURBED SOIL (MIN.)
5" CONCRETE SLAB ON GRADE (32 MPa) WITH 6"x6"xM6/6 WELDED WIRE MESH
4" CLEAR CRUSHED STONE
-REMOVE TOPSOIL PER O.B.C. DIV. B. 9.12.1.1.
-SLOPE TO GARAGE DOOR
PROVISIONS FOR ELECTRIC VEHICLE
MAINTAIN R20 (MIN.) INSULATION ABOVE THE INSIDE SURFACE OF THE WALL (SPRAY FOAM IF REQUIRED) (REFER TO SB-12 SECTION 2.1.1.7)
- 9 PROVIDE ADEQUATE BLOCKING BETWEEN STUDS FOR FUTURE INSTALLATION FOR GRAB BARS FOR WATER CLOSETS, BATHTUBS AND SHOWERS IF NO WALLS PRESENT DUE TO DESIGN CONSTRAINTS, THEN SPACE SHOULD BE PROVIDED FOR INSTALLATION OF A FUTURE WALL FOR THE GRAB BAR) (AS PER O.B.C. DIV. B. 9.5.2.3 (1) (REFER TO TYPICAL DETAILS))
ALL WINDOWS U VALUE 1.6 (MAX) OR ER 25 (MIN)
PROVIDE GALVANIZED STEEL WINDOW WELL WITH ADEQUATE DRAINAGE WHERE REQUIRED (TYP.)
DEPRESS CONCRETE FOR MANDOOK (REFER TO PLAN FOR SIZE)
DEPRESS CONCRETE FOR GARAGE DOOR (REFER TO PLAN FOR SIZE)
DEPRESS CONCRETE FOUNDATION WALL FOR CONCRETE STAIR BEARING (REFER TO TYP. CONCRETE STAIR WALKOUT DETAIL WHEN APPLICABLE)
SUMP PUMP (PROVIDE ADEQUATE SEAL AROUND SLAB PENETRATION)
PROVIDE SLEEVE FOR SUMP DISCHARGE
4" @ WEeping TILE WITH 6" (MIN.) GRANULAR STONE COVER (TYP.)
PROVIDE PRE-FINISHED AIR VENTS WITH RAIN & INSECT SCREEN (TYP.)
4" @ FLOOR DRAIN WITH COVER
-PROVIDE ADEQUATE SEAL AROUND SLAB PENETRATION
-VERIFY LOCATION
2 - 10M BARS VERTICAL 6" AT EACH SIDE OF WINDOW & 2 - 10M BARS HORIZONTAL
2 - 20M REBARS IN TOP OF FOUNDATION WALL FOR LATERAL SUPPORT AT STAIR OPENING
BACKFILL NOT TO EXCEED ABOVE 6" FROM STONE LEDGE, FINISH GRADE TO SLOPE AWAY
2X4 OR 2X6 SILL PLATE ON SILL GASKET ANCHORED WITH 8" LONG X 1/2" @ ANCHOR BOLTS @ 72" OC (TYP.)
-PRESSURE TREATED WOOD POST ACHORED TO REINFORCED CONCRETE PIER ON POURED CONCRETE PAD FOOTING
-REFER TO PLAN FOR POST, PIER AND FOOTING SIZES -VERIFY ON SITE
- 25 **FLOOR CONSTRUCTION:**
-3/4" TONGUE AND GROOVE PLYWOOD SUBFLOOR GLUED AND SCREWED TO FLOOR JOISTS (REFER TO PLAN FOR SIZING, SPACING AND BRACING REQUIREMENTS)
LOAD BEARING WALL ABOVE
-JOISTS TO CARRY LINE LOAD FROM ABOVE
-LUMBER SUPPLIER TO VERIFY
PROVIDE R22 (MIN.) BATT INSUL. (OR APPROVED EQ.) IN THE RIM JOIST OR HEADER AREA (REFER TO O.B.C. SB-12, 9.1.1.1. (14))
-6 MIL VAPOUR BARRIER (AS PER O.B.C. DIV. B. 9.25.4) ON WARM SIDE OF INSUL.
- 30 **BRICK OR STONE SKIRT:**
BRICK OR STONE SKIRT WALL (REFER TO PLAN FOR HEIGHT) WITH 4" CONCRETE STONE SILL
-PROVIDE CAULKING, FLASHING & TIES WHERE REQUIRED
-REFER TO W5: WALL CONSTRUCTION (BRICK/STONE) NOTE FOR TYPICAL CONSTRUCTION
36" (HEIGHT) HANDRAIL IF AGAINST A WALL OR 42" (HEIGHT) HANDRAIL IF GUARD REQUIRED (O.B.C. DIV. B. 9.8.7.4)
-PROVIDE 2" CLEARANCE FROM WALL WITH NO MORE THAN 4" PROJECTED INTO REQUIRED STAIR WIDTH (REF O.B.C. DIV. B. 9.8.7.4)
42" (HEIGHT) RAILING (MIN)
-NO OPENING IN RAILING/GUARD CAN PERMIT THE PASSAGE OF A SPHERICAL OBJECT 4" @ OR LARGER
-NO MEMBER OF THE RAILING BETWEEN 5.5' & 36" ABOVE THE FLOOR OR WALKING SURFACE SHALL BE DESIGNED TO FACILITATE CLIMBING (REFER TO O.B.C. DIV. B.9.8.8)
-INSULATED SELF-CLOSING DOOR WITH WEATHER-STRIPPING
-GAS PROOF WALLS AND CEILING IN GARAGE WITH 1/2" TYPE "X" GYPSUM BOARD
-PROVIDE R22 INSULATION
-TAPE AND SEAL ALL JOINTS GAS TIGHT
BASE & SHOE (WHERE REQ'D)
V-MATCH/BEAD BOARD WALL FINISH
- 37 **ROOF CONSTRUCTION:**
METAL STANDING SEAM
-5/8" PLYWOOD SHEATHING WITH "H" CLIPS
-PRE-ENG. ROOF TRUSSES @24" O/C
-R60 BLOWN INSULATION OR APPROVED EQUAL
6 MIL VAPOUR BARRIER (AS PER O.B.C. DIV. B. 9.25.4)
1/2" DRYWALL (TYP.)
ASPHALT SHINGLES
-5/8" PLYWOOD SHEATHING WITH "H" CLIPS
-PRE-ENG. ROOF TRUSSES @24" O/C
-R60 BLOWN INSULATION OR APPROVED EQUAL
6 MIL VAPOUR BARRIER (AS PER O.B.C. DIV. B. 9.25.4)
1/2" DRYWALL (TYP.)
- 39 **ROOF VENTS:**
-1/300 SQUARE FEET OF INSULATED CEILING AREA OR 1/150 WHERE ROOF SLOPE IS LESS THAN 1:6 (AS PER O.B.C. DIV. B.9.19.1.2)
- 40 **RIDGE VENT:**
-CUT ROOF SHEATHING 3" ON EITHER SIDE OF RIDGE
- 41 **FLAT ROOF:**
-PROVIDE BITUMINOUS MEMBRANE & FLASHING AS PER O.B.C.
SLOPE "X" = 1" 0" (MIN.) AWAY FROM HOUSE OR TO PROVIDED DRAIN
- 42 **TYPICAL CEILING:**
-R60 BATT OR BLOWN INSULATION
-1/2" DRYWALL
-PROVIDE DROPPED CEILING IN THIS AREA
-R31 BATT INSULATION (MIN) (SPRAYED FOAM INSULATION RECOMMENDED (OPTIONAL))
-PROVIDE HEAT DUCT & COLD AIR RETURN INTO VOID (TYP.)
- 44 **ATTIC ACCESS:**
MINIMUM 22" X 36"
-PROVIDE R20 INSULATION & WEATHER STRIPPING -SITE VERIFY LOCATION
-ASPHALT EAVE PROTECTION (AS PER O.B.C. DIV. B. 9.26.5)
-1 1/2" AIR SPACE VENTS (BAFFLE) AT EVERY TRUSS FOR REQUIRED VENTILATION CLEARANCE
-PRE-FINISHED ALUMINUM EAVES ON 2"x6" CAPPED ALUMINUM FASCIA BOARD
-PRE-FIN ALUMINUM SOFFIT
-100% PERFORATED TO HAVE INSECT SCREEN (TYP.)
WOOD V-MATCH EAVES
-PVC FASCIA WITH VENTING (TYP.)
- 50 **EXTERIOR ENTRY**
-POURED CONCRETE STEPS
-VERIFY DIMENSIONS ON SITE
-RISER NOT TO EXCEED 7- 7/8" (REFER TO DETAIL)
-CONCRETE OR WOOD STEPS (SITE VERIFY)
-WOOD STEPS ANCHORED TO DECK
-NOT TO EXCEED 7-7/8" RISE
-VERIFY DIMENSIONS ON SITE
-2X6 DECK PLANKS WITH 3/16" BETWEEN
-SLOPE AWAY FROM HOUSE (MIN. 1/4" PER FOOT) (TYP.)
- 54 **INTERIOR GENERAL**
GAS FIREPLACE -PROVIDE DIRECT VENT (AS PER O.B.C. DIV. B. 9.22.10.2)
PROVIDE SEPARATE DIRECT VENTS FOR FURNACE, HOT WATER TANK, HRV, DRYER & EXHAUST HOOD
- 57 6'-8" MINIMUM STAIR HEADROOM (AS PER O.B.C. DIV. B.9.8.2.2 (1)) (SLANT JOISTS IF NEEDED)
110V INTERCONNECTED SMOKE ALARM COMPLETE WITH REQUIRED VISUAL COMPONENT (I.S.A) (AS PER O.B.C. DIV. B. 9.10.19)
- 59 110V INTERCONNECTED SMOKE & CARBON MONOXIDE ALARM C/W REQUIRED VISUAL COMPONENT (I.S.A) (AS PER O.B.C. DIV. B. 9.10.19 & 9.33.4)
- 60 4" MASONRY CHASE IN FOUNDATION WALL (SITE VERIFY HEIGHT) (REFER TO GRADING PLAN)



ENERGY EFFICIENCY: TABLE 3.1.1.11 (IP)		
ZONE 1 -THERMAL REQ. FOR ADDITIONS TO EXISTING BUILDINGS		
COMPONENT		RSI/R VALUES
THERMAL INSULATION		
CEILING WITH ATTIC SPACE		R60
CEILING WITHOUT ATTIC SPACE		R31
EXPOSED FLOOR		R31
WALLS ABOVE GRADE		19 +5 ci
BASEMENT WALLS		20 ci
SLAB (ALL >600MM BELOW GRADE)		R10
SLAB (EDGE ONLY <600MM BELOW GRADE)		R10
SLAB (ALL<600MM BELOW GRD OR HEATED)		R10
WINDOWS AND DOORS		
WINDOW/SLIDING GLASS DOORS		1.8
SKYLIGHTS		2.8
MECHANICALS		
SPACE HEATING EQUIP.		94%
HRV EFFICIENCY		60%
DHW HEATER (EF)		0.67
PER SB-12 DRAIN WATER HEAT RECOVERY 3.1.1.12		
A drain water heat recovery unit shall be installed to receive drain water from all showers or from at least 2 showers where there are 2 or more showers in the dwelling unit.		

QUALIFICATION INFORMATION: Required unless design is exempt under 2.17.5.1 of the building code. Wayne Sider BCIN 32470
REGISTRATION INFORMATION: Required unless design is exempt under 2.17.4.1 of the building code SIDER BROTHER BUILDERS BCIN 101543

3D VIEWS ARE NOT TO SCALE AND MAY NOT REFLECT EXACTLY WHAT IS AVAILABLE FOR THE PROJECT. RENDER VIEWS ARE REPRESENTATIONS OF WHAT THE VIEW COULD LOOK LIKE, NOT WHAT IT WILL LOOK LIKE. 2D VIEWS ALWAYS SUPERCEDE 3D VIEWS



CLIENT
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1001 Frelane #1
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PAGE TITLE
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NICOLE EMPRINGHAM

DATE
2021-10-22

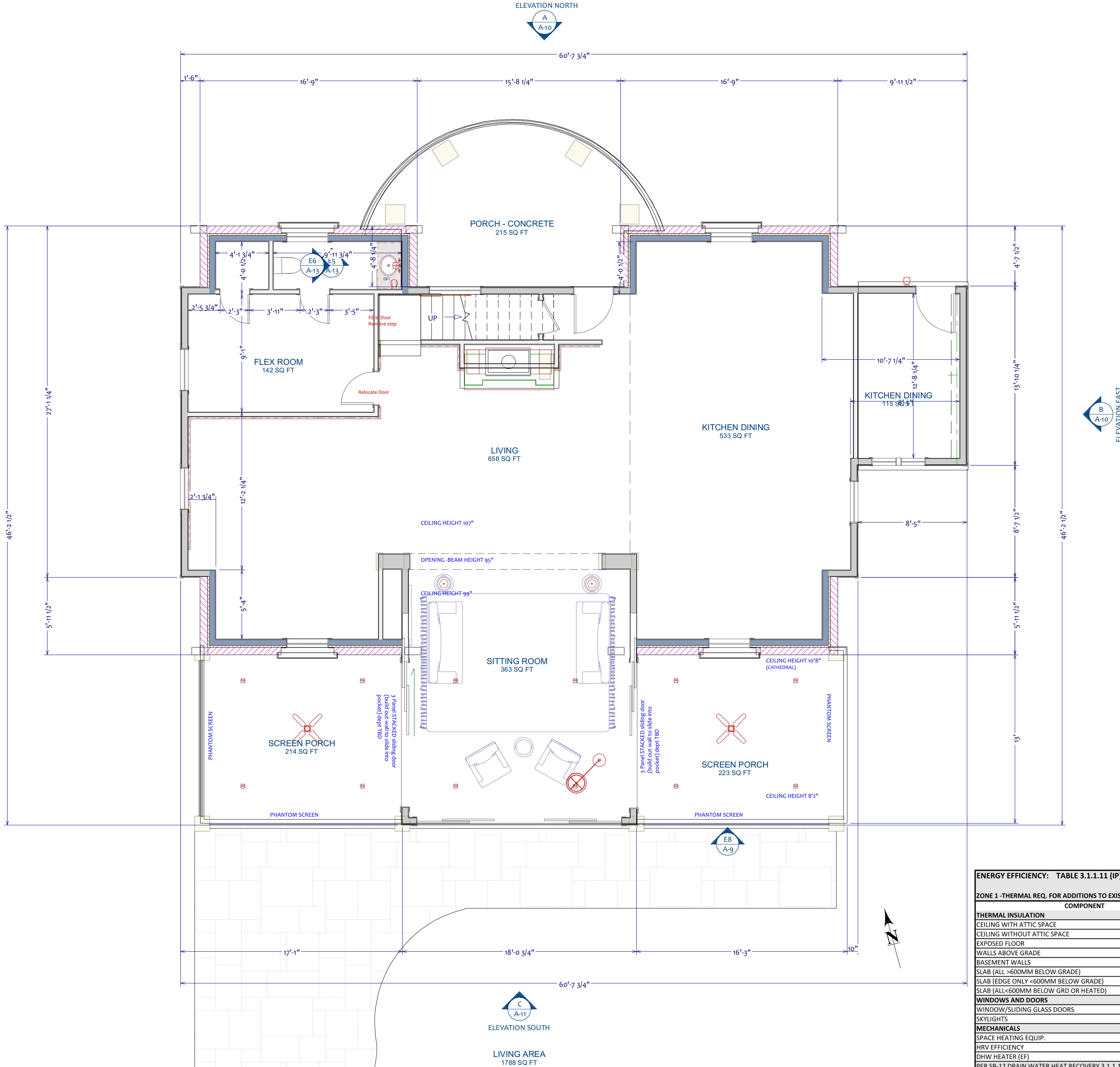
SCALE
1/4" = 1'0"

SHEET #
A-6

TYPICAL NOTE SCHEDULE

- 2 **FOOTINGS:**
24" X 8" CONCRETE FOOTING (20 MPa)
ALL SHOULD BEAR ON UNDISTURBED SOIL.
- 3 **INSULATION REQUIREMENTS: INTERIOR PERIMETER OF WALLS BELOW GRADE**
-R20 (MIN.) BLANKET INSULATION TO MAX. 8" ABOVE BASEMENT SLAB
-CONTINUOUS WITH NO THERMAL BREAK
-IF FINISHING INTERIOR REFER TO NOTE "W9: BASEMENT EXTERIOR WALL STRAPPING"
-ALL INSULATION SHOULD BE CONTINUOUS FROM UNDERSIDE OF THE JOISTS TO NOT MORE THAN 8" ABOVE THE FINISHED SLAB
-6 MIL VAPOUR BARRIER (AS PER O.B.C. DIV. B.9.25.4) (IF REQ'D)
-BOTH OPTION A & B ARE INTERCHANGEABLE UNLESS SPECIFICALLY NOTED ON THE FLOOR PLANS AND ALL JOINTS SHOULD BE ADEQUATELY SEALED
- 4 **UNFINISHED BASEMENT PERIMETER**
-R20 BLANKET FROM TOP OF CEILING TO A MAX. 8" ABOVE BASEMENT SLAB CONTINUOUS WITH NO THERMAL BREAK
4" CONCRETE SLAB (20 MPa) ON 6" CRUSHED STONE COMPACTED ON UNDISTURBED SOIL (MIN.)
5" CONCRETE SLAB ON GRADE (32 MPa) WITH 6"x6"xM6/6 WELDED WIRE MESH
4" CLEAR CRUSHED STONE
-REMOVE TOPSOIL PER O.B.C. DIV. B. 9.12.1.1.
-SLOPE TO GARAGE DOOR
PROVISIONS FOR ELECTRIC VEHICLE
MAINTAIN R20 (MIN.) INSULATION ABOVE THE INSIDE SURFACE OF THE WALL (SPRAY FOAM IF REQUIRED) (REFER TO SB-12 SECTION 2.1.1.7)
- 9 PROVIDE ADEQUATE BLOCKING BETWEEN STUDS FOR FUTURE INSTALLATION FOR GRAB BARS FOR WATER CLOSETS, BATHROOMS AND SHOWERS IF NO WALLS PRESENT DUE TO DESIGN CONSTRAINTS, THEN SPACE SHOULD BE PROVIDED FOR INSTALLATION OF A FUTURE WALL FOR THE GRAB BAR (AS PER O.B.C. DIV. B. 9.5.2.3 (1) (REFER TO TYPICAL DETAILS))
ALL WINDOWS U VALUE 1.6 (MAX) OR ER 25 (MIN)
PROVIDE GALVANIZED STEEL WINDOW WELL WITH ADEQUATE DRAINAGE WHERE REQUIRED (TYP.)
DEPRESS CONCRETE FOR MANDOOK (REFER TO PLAN FOR SIZE)
DEPRESS CONCRETE FOR GARAGE DOOR (REFER TO PLAN FOR SIZE)
DEPRESS CONCRETE FOUNDATION WALL FOR CONCRETE STAIR BEARING (REFER TO TYP. CONCRETE STAIR WALKOUT DETAIL WHEN APPLICABLE)
SUMP PUMP (PROVIDE ADEQUATE SEAL AROUND SLAB PENETRATION)
PROVIDE SLEEVE FOR SUMP DISCHARGE
4" w/ WEAVING TILE WITH 6" (MIN.) GRANULAR STONE COVER (TYP.)
PROVIDE PRE-FINISHED AIR VENTS WITH RAIN & INSECT SCREEN (TYP.)
4" w/ FLOOR DRAIN WITH COVER
-PROVIDE ADEQUATE SEAL AROUND SLAB PENETRATION
-VERIFY LOCATION
2 - 10M BARS VERTICAL 6" AT EACH SIDE OF WINDOW & 2 - 10M BARS HORIZONTAL
2 - 20M REBARS IN TOP OF FOUNDATION WALL FOR LATERAL SUPPORT AT STAIR OPENING
BACKFILL NOT TO EXCEED ABOVE 6" FROM STONE LEDGE, FINISH GRADE TO SLOPE AWAY
2X4 OR 2X6 SILL PLATE ON SILL GASKET ANCHORED WITH 8" LONG X 1/4" ANCHOR BOLTS @ 72" OC (TYP.)
-PRESSURE TREATED WOOD POST ANCHORED TO REINFORCED CONCRETE PIER ON POURED CONCRETE PAD FOOTING
-REFER TO PLAN FOR POST, PIER AND FOOTING SIZES -VERIFY ON SITE
- 25 **FLOOR CONSTRUCTION:**
-3/4" TONGUE AND GROOVE PLYWOOD SUBFLOOR GLUED AND SCREWED TO FLOOR JOISTS (REFER TO PLAN FOR SIZING, SPACING AND BRACING REQUIREMENTS)
LOAD BEARING WALL ABOVE
-JOISTS TO CARRY LINE LOAD FROM ABOVE
-LUMBER SUPPLIER TO VERIFY
PROVIDE R22 (MIN.) BATT INSUL. (OR APPROVED EQ.) IN THE RIM JOIST OR HEADER AREA (REFER TO O.B.C. SB-12, 3.1.1.1. (14))
-6 MIL VAPOUR BARRIER (AS PER O.B.C. DIV. B. 9.25.4) ON WARM SIDE OF INSUL.
- 30 **BRICK OR STONE SKIRT:**
BRICK OR STONE SKIRT WALL (REFER TO PLAN FOR HEIGHT) WITH 4" CONCRETE STONE SILL
-PROVIDE CAULKING, FLASHING & TIES WHERE REQUIRED
-REFER TO WS: WALL CONSTRUCTION (BRICK/STONE) NOTE FOR TYPICAL CONSTRUCTION
36" (HEIGHT) HANDRAIL IF AGAINST A WALL OR 42" (HEIGHT) HANDRAIL IF GUARD REQUIRED (O.B.C. DIV. B. 9.8.7.4)
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42" (HEIGHT) RAILING (MIN)
-NO OPENING IN RAILING/GUARD CAN PERMIT THE PASSAGE OF A SPHERICAL OBJECT 4" w/ OR LARGER
-NO MEMBER OF THE RAILING BETWEEN 5.5" & 36" ABOVE THE FLOOR OR WALKING SURFACE SHALL BE DESIGNED TO FACILITATE CLIMBING (REFER TO O.B.C. DIV. B.9.8.8)
-INSULATED SELF-CLOSING DOOR WITH WEATHER-STRIPPING
-GAS PROOF WALLS AND CEILING IN GARAGE WITH 1/2" TYPE "X" GYPSUM BOARD
-PROVIDE R22 INSULATION
-TAPE AND SEAL ALL JOINTS GAS TIGHT
BASE & SHOE (WHERE REQ'D)
V-MATCH/BEAD BOARD WALL FINISH
- 36 **ROOF CONSTRUCTION:**
METAL STANDING SEAM
-5/8" PLYWOOD SHEATHING WITH "H" CLIPS
-PRE-ENG. ROOF TRUSSES @24" O/C
-R60 BLOWN INSULATION OR APPROVED EQUAL
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ASPHALT SHINGLES
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-R60 BLOWN INSULATION OR APPROVED EQUAL
6 MIL VAPOUR BARRIER (AS PER O.B.C. DIV. B. 9.25.4)
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- 39 **ROOF VENTS:**
-1/300 SQUARE FEET OF INSULATED CEILING AREA OR 1/150 WHERE ROOF SLOPE IS LESS THAN 1:6 (AS PER O.B.C. DIV. B.9.19.1.2)
- 40 **RIDGE VENT:**
-CUT ROOF SHEATHING 3" ON EITHER SIDE OF RIDGE
- 41 **FLAT ROOF:**
-PROVIDE BITUMINOUS MEMBRANE & FLASHING AS PER O.B.C.
SLOPE "x" = 1" OF (MIN.) AWAY FROM HOUSE OR TO PROVIDED DRAIN
- 42 **TYPICAL CEILING:**
-R60 BATT OR BLOWN INSULATION
-1/2" DRYWALL
-PROVIDE DROPPED CEILING IN THIS AREA
-R31 BATT INSULATION (MIN) (SPRAYED FOAM INSULATION RECOMMENDED (OPTIONAL))
-PROVIDE HEAT DUCT & COLD AIR RETURN INTO VOID (TYP.)
- 44 **ATTIC ACCESS:**
MINIMUM 22" X 36"
-PROVIDE R20 INSULATION & WEATHER STRIPPING -SITE VERIFY LOCATION
-ASPHALT EAVE PROTECTION (AS PER O.B.C. DIV. B. 9.26.5)
-1 1/2" AIR SPACE VENTS (BAFFLE) AT EVERY TRUSS FOR REQUIRED VENTILATION CLEARANCE
-PRE-FINISHED ALUMINUM EAVES ON 2"x6" CAPPED ALUMINUM FASCIA BOARD
-PRE-FIN ALUMINUM SOFFIT
-100% PERFORATED TO HAVE INSECT SCREEN (TYP.)
WOOD V-MATCH EAVES
-PVC FASCIA WITH VENTING (TYP.)
- 50 **EXTERIOR ENTRY:**
-POURED CONCRETE STEPS
-VERIFY DIMENSIONS ON SITE
-RISER NOT TO EXCEED 7- 7/8" (REFER TO DETAIL)
-CONCRETE OR WOOD STEPS (SITE VERIFY)
-WOOD STEPS ANCHORED TO DECK
-NOT TO EXCEED 7-7/8" RISE
-VERIFY DIMENSIONS ON SITE
-2X6 DECK PLANKS WITH 3/16" BETWEEN
-SLOPE AWAY FROM HOUSE (MIN. 1/4" PER FOOT) (TYP.)
- 54 **INTERIOR GENERAL**
GAS FIREPLACE -PROVIDE DIRECT VENT (AS PER O.B.C. DIV. B. 9.22.10.2)
PROVIDE SEPARATE DIRECT VENTS FOR FURNACE, HOT WATER TANK, HRV, DRYER & EXHAUST HOOD
- 57 6"-8" MINIMUM STAIR HEADROOM (AS PER O.B.C. DIV. B.9.8.2.2 (1)) (SLANT JOISTS IF NEEDED)
110V INTERCONNECTED SMOKE ALARM COMPLETE WITH REQUIRED VISUAL COMPONENT (I.S.A) (AS PER O.B.C. DIV. B. 9.10.19)
110V INTERCONNECTED SMOKE & CARBON MONOXIDE ALARM C/W REQUIRED VISUAL COMPONENT (I.S.C.A) (AS PER O.B.C. DIV. B. 9.10.19 & 9.33.4)
4" MASONRY CHASE IN FOUNDATION WALL (SITE VERIFY HEIGHT) (REFER TO GRADING PLAN)

QUALIFICATION INFORMATION: Required unless design is exempt under 2.17.5.1 of the building code. Wayne Sider BCIN 32470
REGISTRATION INFORMATION: Required unless design is exempt under 2.17.4.1 of the building code SIDER BROTHER BUILDERS BCIN 101543



ENERGY EFFICIENCY: TABLE 3.1.1.11 (IP)		
ZONE 1 - THERMAL REQ. FOR ADDITIONS TO EXISTING BUILDINGS		
COMPONENT		RSI/R VALUES
THERMAL INSULATION		
CEILING WITH ATTIC SPACE		R60
CEILING WITHOUT ATTIC SPACE		R31
EXPOSED FLOOR		R31
WALLS ABOVE GRADE		19 +5 ci
BASEMENT WALLS		20 ci
SLAB (ALL <600MM BELOW GRADE)		R10
SLAB (EDGE ONLY <600MM BELOW GRADE)		R10
SLAB (ALL <600MM BELOW GRD OR HEATED)		R10
WINDOWS AND DOORS		
WINDOW/SLIDING GLASS DOORS		1.8
SKYLIGHTS		2.8
MECHANICALS		
SPACE HEATING EQUIP.		94%
HRV EFFICIENCY		60%
DHW HEATER (EF)		0.67
PER SB-12 DRAIN WATER HEAT RECOVERY 3.1.1.12		
A drain water heat recovery unit shall be installed to receive drain water from all showers or from at least 2 showers where there are 2 or more showers in the dwelling unit.		

3D VIEWS ARE NOT TO SCALE AND MAY NOT REFLECT EXACTLY WHAT IS AVAILABLE FOR THE PROJECT. RENDER VIEWS ARE REPRESENTATIONS OF WHAT THE VIEW COULD LOOK LIKE, NOT WHAT IT WILL LOOK LIKE. 2D VIEWS ALWAYS SUPERCEDE 3D VIEWS



CLIENT
JOHN & PAULINE GROETELAARS
1001 Frelane #1
Port Colborne Ontario

PAGE TITLE
MAIN FLOOR PROPOSED

DRAWN BY
NICOLE EMPRINGHAM

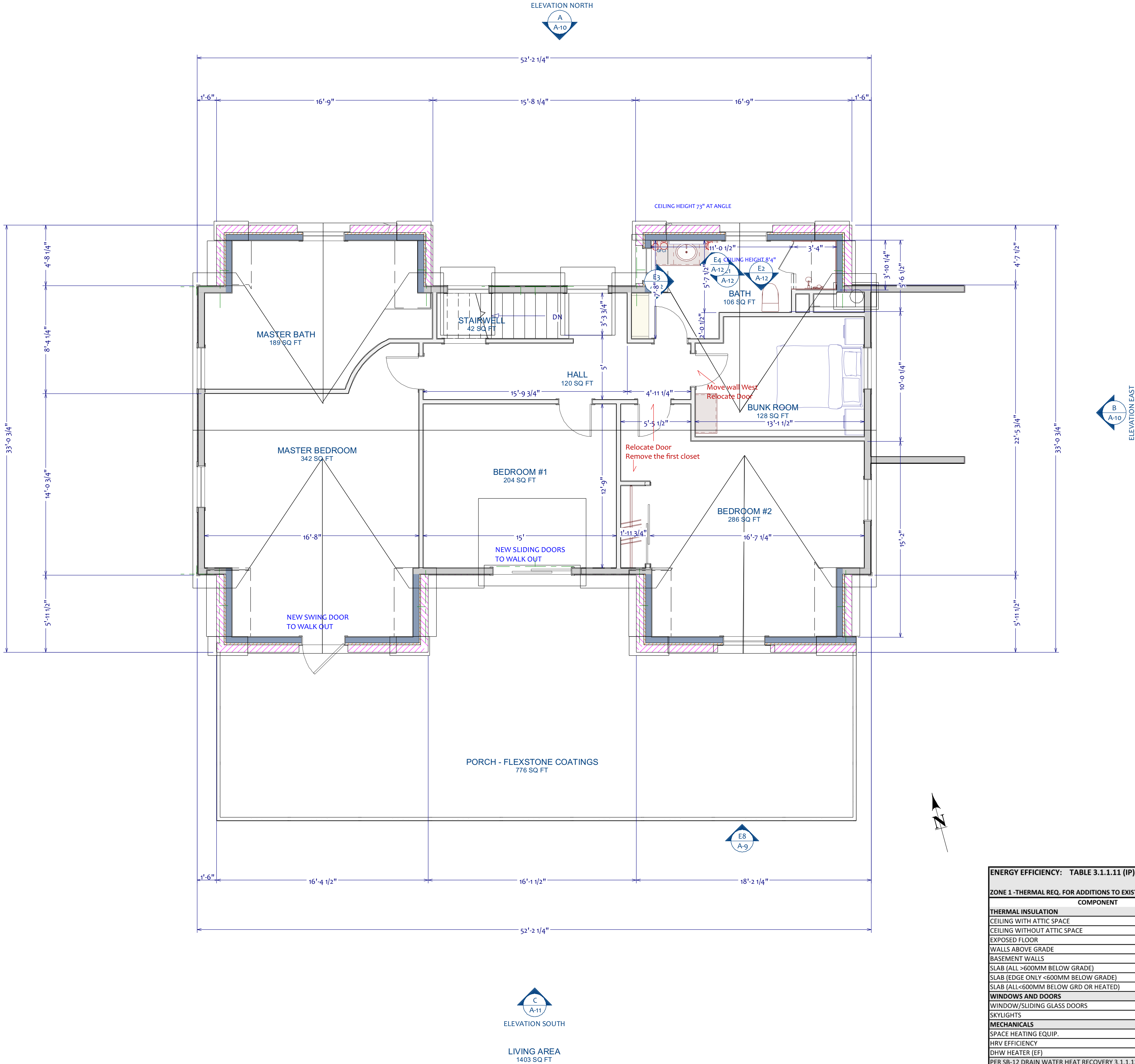
DATE
2021-10-22

SCALE
1/4" = 1'0"

SHEET #
A-7

TYPICAL NOTE SCHEDULE

- 2 **FOOTINGS:**
24" X 8" CONCRETE FOOTING (20 MPa)
ALL SHOULD BEAR ON UNDISTURBED SOIL.
- 3 **INSULATION REQUIREMENTS: INTERIOR PERIMETER OF WALLS BELOW GRADE**
-R20 (MIN.) BLANKET INSULATION TO MAX. 8" ABOVE BASEMENT SLAB
-CONTINUOUS WITH NO THERMAL BREAK
-IF FINISHING INTERIOR REFER TO NOTE "W9: BASEMENT EXTERIOR WALL STRAPPING"
-ALL INSULATION SHOULD BE CONTINUOUS FROM UNDERSIDE OF THE JOISTS TO NOT MORE THAN 8"
ABOVE THE FINISHED SLAB
-6 MIL VAPOUR BARRIER (AS PER O.B.C. DIV. B, 9.25.4) (IF REQ'D)
-BOTH OPTION A & B ARE INTERCHANGEABLE UNLESS SPECIFICALLY NOTED ON THE FLOOR PLANS AND
ALL JOINTS SHOULD BE ADEQUATELY SEALED
- 4 **UNFINISHED BASEMENT PERIMETER**
-R20 BLANKET FROM TOP OF CEILING TO A MAX. 8" ABOVE BASEMENT SLAB CONTINUOUS WITH NO THERMAL BREAK
4" CONCRETE SLAB (20 MPa) ON 6" CRUSHED STONE COMPACTED ON UNDISTURBED SOIL (MIN.)
5" CONCRETE SLAB ON GRADE (32 MPa) WITH 6"x6"xM6/6 WELDED WIRE MESH
4" CLEAR CRUSHED STONE
-REMOVE TOPSOIL PER O.B.C. DIV. B, 9.12.1.1.
-SLOPE TO GARAGE DOOR
PROVISIONS FOR ELECTRIC VEHICLE
8 MAINTAIN R20 (MIN.) INSULATION ABOVE THE INSIDE SURFACE OF THE WALL (SPRAY FOAM IF REQUIRED)
(REFER TO SB-12 SECTION 2.1.1.7)
- 9 PROVIDE ADEQUATE BLOCKING BETWEEN STUDS FOR FUTURE INSTALLATION FOR GRAB BARS FOR WATER
CLOSETS, BATHYUBS AND SHOWERS IF NO WALLS PRESENT DUE TO DESIGN CONSTRAINTS, THEN SPACE
SHOULD BE PROVIDED FOR INSTALLATION OF A FUTURE WALL FOR THE GRAB BAR)
(AS PER O.B.C. DIV. B, 9.5.2.3 (1)) (REFER TO TYPICAL DETAILS)
- 10 ALL WINDOWS U VALUE 1.6 (MAX) OR ER 25 (MIN)
- 11 PROVIDE GALVANIZED STEEL WINDOW WELL WITH ADEQUATE DRAINAGE WHERE REQUIRED (TYP.)
- 12 DEPRESS CONCRETE FOR MANDOOK (REFER TO PLAN FOR SIZE)
- 13 DEPRESS CONCRETE FOR GARAGE DOOR (REFER TO PLAN FOR SIZE)
- 14 DEPRESS CONCRETE FOUNDATION WALL FOR CONCRETE STAIR BEARING
(REFER TO TYP. CONCRETE STAIR WALKOUT DETAIL WHEN APPLICABLE)
- 15 SUMP PUMP (PROVIDE ADEQUATE SEAL AROUND SLAB PENETRATION)
- 16 PROVIDE SLEEVE FOR SUMP DISCHARGE
- 17 4" w/ WEAVING TILE WITH 6" (MIN.) GRANULAR STONE COVER (TYP.)
- 18 PROVIDE PRE-FINISHED AIR VENTS WITH RAIN & INSECT SCREEN (TYP.)
- 19 4" w/ FLOOR DRAIN WITH COVER
-PROVIDE ADEQUATE SEAL AROUND SLAB PENETRATION
-VERIFY LOCATION
- 20 2 - 10M BARS VERTICAL 6" AT EACH SIDE OF WINDOW & 2 - 10M BARS HORIZONTAL
- 21 2 - 20M REBARS IN TOP OF FOUNDATION WALL FOR LATERAL SUPPORT AT STAIR OPENING
- 22 BACKFILL NOT TO EXCEED ABOVE 6" FROM STONE LEDGE, FINISH GRADE TO SLOPE AWAY
- 23 2X4 OR 2X6 SILL PLATE ON SILL GASKET ANCHORED WITH 8" LONG X 1/2" w/ ANCHOR BOLTS @ 72" OC (TYP.)
- 24 -PRESSURE TREATED WOOD POST ANCHORED TO REINFORCED CONCRETE PIER ON POURED CONCRETE PAD FOOTING
-REFER TO PLAN FOR POST, PIER AND FOOTING SIZES -VERIFY ON SITE
- 25 **FLOOR CONSTRUCTION:**
-3/4" TONGUE AND GROOVE PLYWOOD SUBFLOOR GLUED AND SCREWED TO FLOOR JOISTS
(REFER TO PLAN FOR SIZING, SPACING AND BRACING REQUIREMENTS)
- 26 LOAD BEARING WALL ABOVE
-JOISTS TO CARRY LINE LOAD FROM ABOVE
-LUMBER SUPPLIER TO VERIFY
28 PROVIDE R22 (MIN.) BATT INSUL. (OR APPROVED EQ.) IN THE RIM JOIST OR HEADER AREA
(REFER TO O.B.C. SB-12, 3.1.1.1. (14))
-6 MIL VAPOUR BARRIER (AS PER O.B.C. DIV. B, 9.25.4) ON WARM SIDE OF INSUL.
- 30 **BRICK OR STONE SKIRT:**
-BRICK OR STONE SKIRT WALL (REFER TO PLAN FOR HEIGHT) WITH 4" CONCRETE STONE SILL
-PROVIDE CAULKING, FLASHING & TIES WHERE REQUIRED
-REFER TO WS: WALL CONSTRUCTION (BRICK/STONE) NOTE FOR TYPICAL CONSTRUCTION
36" (HEIGHT) HANDRAIL IF AGAINST A WALL OR 42" (HEIGHT) HANDRAIL IF GUARD REQUIRED
(O.B.C. DIV. B, 9.8.7.4)
-PROV'D 2" CLEARANCE FROM WALL WITH NO MORE THAN 4" PROJECTED INTO REQUIRED STAIR WIDTH
(REF O.B.C. DIV. B, 9.8.7.4)
42" (HEIGHT) RAILING (MIN)
- 31 -NO OPENING IN RAILING/GUARD CAN PERMIT THE PASSAGE OF A SPHERICAL OBJECT 4" w/ OR LARGER
-NO MEMBER OF THE RAILING BETWEEN 5.5' & 36" ABOVE THE FLOOR OR WALKING SURFACE SHALL BE
DESIGNED TO FACILITATE CLIMBING (REFER TO O.B.C. DIV. B, 9.8.8.8)
- 32 -INSULATED SELF-CLOSING DOOR WITH WEATHER-STRIPPING
- 33 -GAS PROOF WALLS AND CEILING IN GARAGE WITH 1/2" TYPE "X" GYPSUM BOARD
-PROV'D R22 INSULATION
-TAPE AND SEAL ALL JOINTS GAS TIGHT
BASE & SHOE (WHERE REQ'D)
V-MATCH/BEAD BOARD WALL FINISH
- 34 **ROOF CONSTRUCTION:**
METAL STANDING SEAM
-5/8" PLYWOOD SHEATHING WITH "H" CLIPS
-PRE-ENG. ROOF TRUSSES @ 24" O/C
-R60 BLOWN INSULATION OR APPROVED EQUAL
6 MIL VAPOUR BARRIER (AS PER O.B.C. DIV. B, 9.25.4)
1/2" DRYWALL (TYP.)
- 35 ASPHALT SHINGLES
-5/8" PLYWOOD SHEATHING WITH "H" CLIPS
-PRE-ENG. ROOF TRUSSES @ 24" O/C
-R60 BLOWN INSULATION OR APPROVED EQUAL
6 MIL VAPOUR BARRIER (AS PER O.B.C. DIV. B, 9.25.4)
1/2" DRYWALL (TYP.)
- 36 **ROOF VENTS:**
-1/300 SQUARE FEET OF INSULATED CEILING AREA OR 1/150 WHERE ROOF SLOPE IS LESS THAN 1:6
(AS PER O.B.C. DIV. B, 9.19.1.2)
- 37 **RIDGE VENT:**
-CUT ROOF SHEATHING 3" ON EITHER SIDE OF RIDGE
- 38 **FLAT ROOF:**
-PROV'D BITUMINOUS MEMBRANE & FLASHING AS PER O.B.C.
SLOPE "x" = 1" OF (MIN.) AWAY FROM HOUSE OR TO PROVIDED DRAIN
- 39 **TYPICAL CEILING:**
-R60 BATT OR BLOWN INSULATION
-1/2" DRYWALL
-PROVIDE DROPPED CEILING IN THIS AREA
-R31 BATT INSULATION (MIN) (SPRAYED FOAM INSULATION RECOMMENDED (OPTIONAL))
-PROVIDE HEAT DUCT & COLD AIR RETURN INTO VOID (TYP.)
- 40 **ATTIC ACCESS:**
MINIMUM 22" X 36"
-PROVIDE R20 INSULATION & WEATHER STRIPPING -SITE VERIFY LOCATION
-ASPHALT EAVE PROTECTION (AS PER O.B.C. DIV. B, 9.26.5)
- 41 -1 1/2" AIR SPACE VENTS (BAFFLE) AT EVERY TRUSS FOR REQUIRED VENTILATION CLEARANCE
- 42 -PRE-FINISHED ALUMINUM EAVES ON 2"x6" CAPPED ALUMINUM FASCIA BOARD
- 43 -PRE-FIN ALUMINUM SOFFIT
-100% PERFORATED TO HAVE INSECT SCREEN (TYP.)
- 44 WOOD V-MATCH EAVES
-PVC FASCIA WITH VENTING (TYP.)
- 45 **EXTERIOR ENTRY:**
-POURED CONCRETE STEPS
-VERIFY DIMENSIONS ON SITE
-RISER NOT TO EXCEED 7-7/8" (REFER TO DETAIL)
- 46 -CONCRETE OR WOOD STEPS (SITE VERIFY)
- 47 -WOOD STEPS ANCHORED TO DECK
-NOT TO EXCEED 7-7/8" RISE
-VERIFY DIMENSIONS ON SITE
- 48 -2X6 DECK PLANKS WITH 3/16" BETWEEN
-SLOPE AWAY FROM HOUSE (MIN. 1/4" PER FOOT) (TYP.)
- 49 **INTERIOR GENERAL**
GAS FIREPLACE -PROVIDE DIRECT VENT (AS PER O.B.C. DIV. B, 9.22.10.2)
PROVIDE SEPARATE DIRECT VENTS FOR FURNACE, HOT WATER TANK, HRV, DRYER & EXHAUST HOOD
- 50 6'-8" MINIMUM STAIR HEADROOM (AS PER O.B.C. DIV. B, 9.8.2.2 (1)) (SLANT JOISTS IF NEEDED)
- 51 110V INTERCONNECTED SMOKE ALARM COMPLETE WITH REQUIRED VISUAL COMPONENT (I.S.A)
(AS PER O.B.C. DIV. B, 9.10.19)
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QUALIFICATION INFORMATION: Required unless design is exempt under 2.17.5.1 of the building code. **Wayne Sider** BCIN 32470
REGISTRATION INFORMATION: Required unless design is exempt under 2.17.4.1 of the building code **SIDER BROTHER BUILDERS** BCIN 101543

3D VIEWS ARE NOT TO SCALE AND MAY NOT REFLECT EXACTLY WHAT IS AVAILABLE FOR THE PROJECT. RENDER VIEWS ARE REPRESENTATIONS OF WHAT THE VIEW COULD LOOK LIKE, NOT WHAT IT WILL LOOK LIKE. 2D VIEWS ALWAYS SUPERCEDE 3D VIEWS

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BUILDERS
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Ontario

PAGE TITLE
SECOND FLOOR PROPOSED

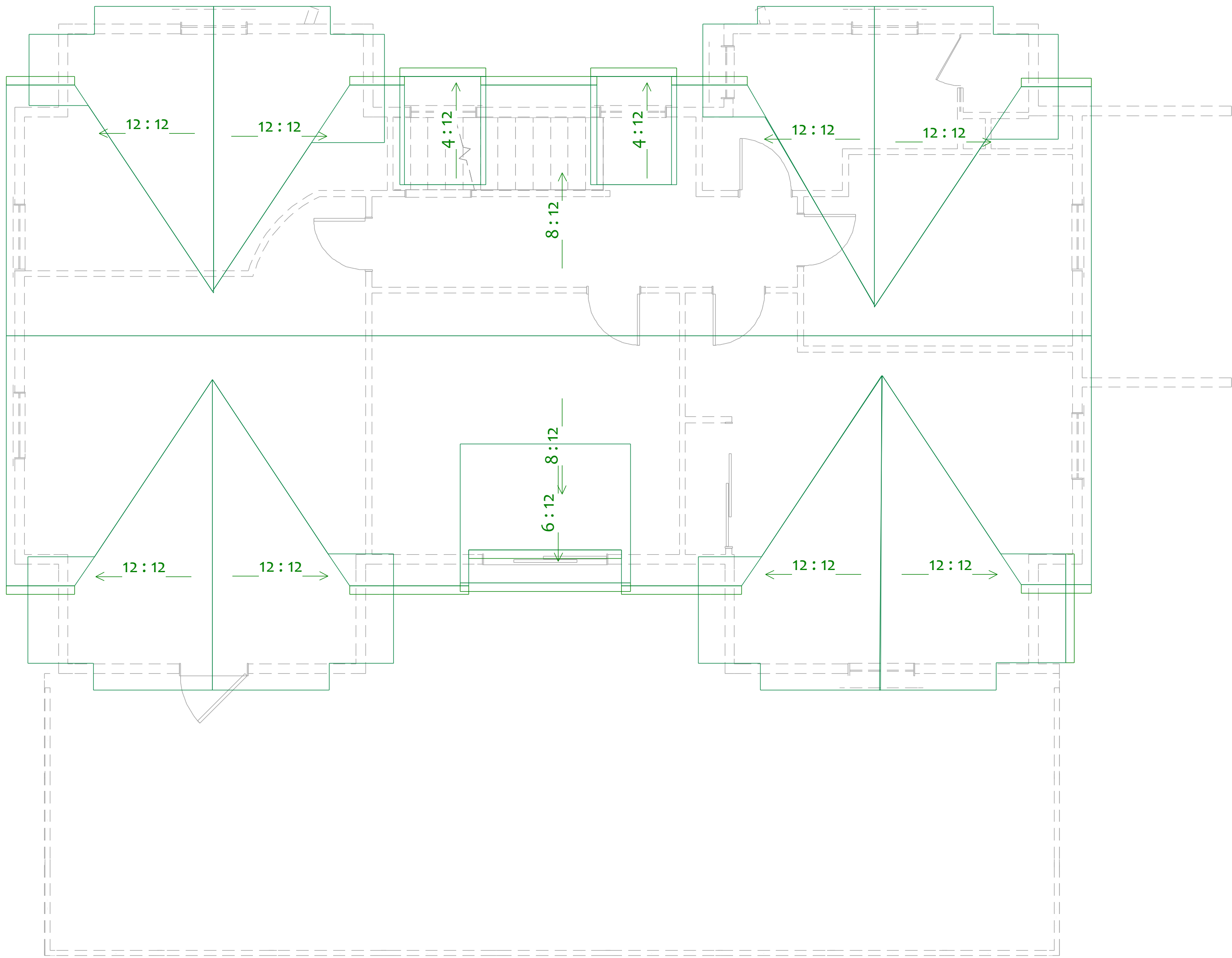
DRAWN BY
NICOLE EMPRINGHAM

DATE
2021-10-22

SCALE
1/4" = 1'0"

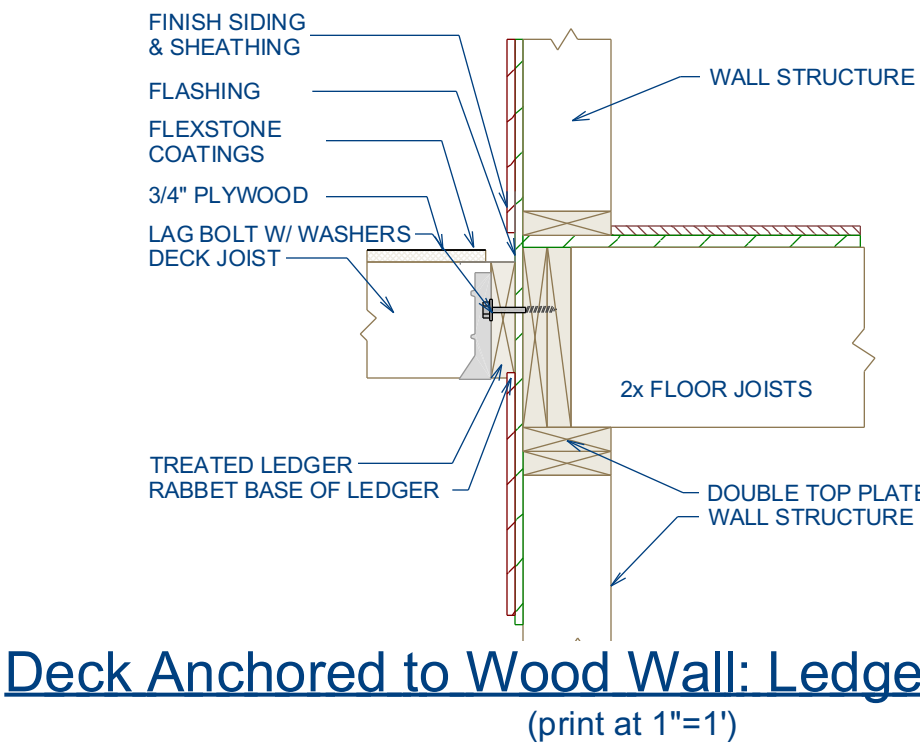
SHEET #
A-8

ROOF SYSTEM AND FLOOR SYSTEM DESIGN BY OTHERS



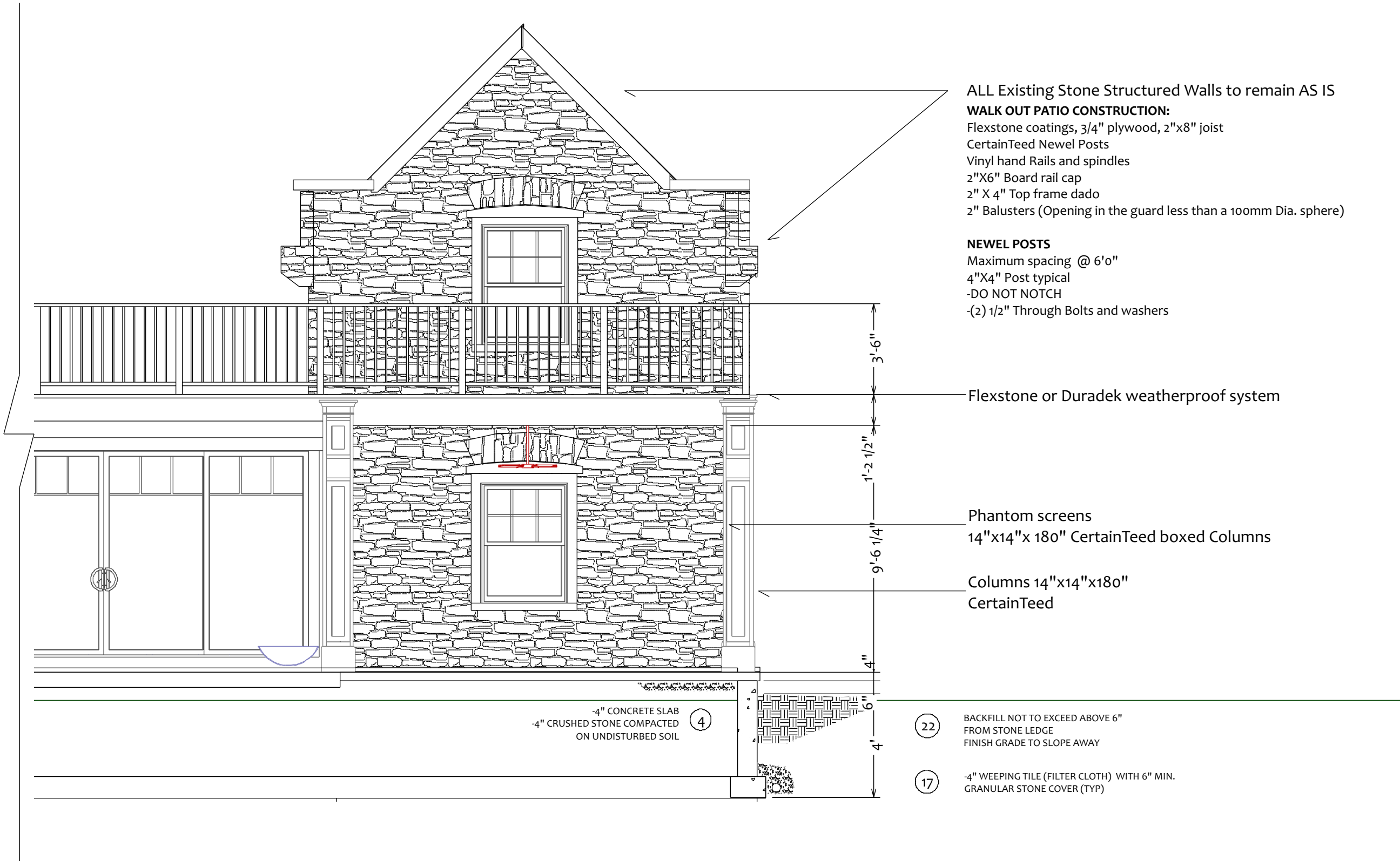
Roof Layout 1/4"

ROOF PLAN
1/4" = 1'0"



Deck Anchored to Wood Wall: Ledger to Wall
(print at 1"=1')

DECK DETAIL



TYPICAL WALL DETAIL
1/4" = 1'0"

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PAGE TITLE
ROOF PLAN

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SCALE
1/4" = 1'0"

SHEET #
A-9

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PAGE TITLE
ELEVATION NORTH & EAST

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DATE
2021-10-22

SCALE
1/4" = 1'0"

SHEET #
A-10

NORTH ELEVATION STRUCTURE TO REMAIN AS IS
Paint All exterior single siding -colour tbd
Replace all Trim and Window Casing with CertainTeed



ELEVATION NORTH



LAKESIDE SOUTH EAST RENDERING



ELEVATION EAST

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OBC 9.8.8.3
Exterior guards serving not more than one dwelling unit should be not less than 900mm high where the walking surface served by the guard is not more than 1800 mm above the finished ground level.

Then height of guards for exterior stairs and landings more than 10m above adjacent ground level should be not less than 1500m.



ELEVATION SOUTH



SOUTH EAST RENDERING



SOUTH WEST RENDERING



ELEVATION WEST

- Paint all shingle Siding
New Trim Boards and Window Casings -CertainTeed
- WALK OUT PATIO CONSTRUCTION:**
Flexstone coatings, 3/4" plywood, 2"x8" joist
CertainTeed Newel Posts
Vinyl hand Rails and spindles
2"x6" Board rail cap
2" X 4" Top frame dado
2" Balusters (Opening in the guard less than a 100mm Dia. sphere)
- NEWEL POSTS**
Maximum spacing @ 6'0"
4"x4" Post typical
-DO NOT NOTCH
(2) 1/2" Through Bolts and washers
- Flexstone or Duradek weatherproof system
- Phantom screens
14"x14"x 180" CertainTeed boxed Columns

QUALIFICATION INFORMATION: Required unless design is exempt under 2.17.5.1 of the building code. **Wayne Sider** _____ BCIN 32470
REGISTRATION INFORMATION: Required unless design is exempt under 2.17.4.1 of the building code **SIDER BROTHER BUILDERS** _____ BCIN 101543

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PAGE TITLE
ELEVATION SOUTH &
WEST

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2021-10-22

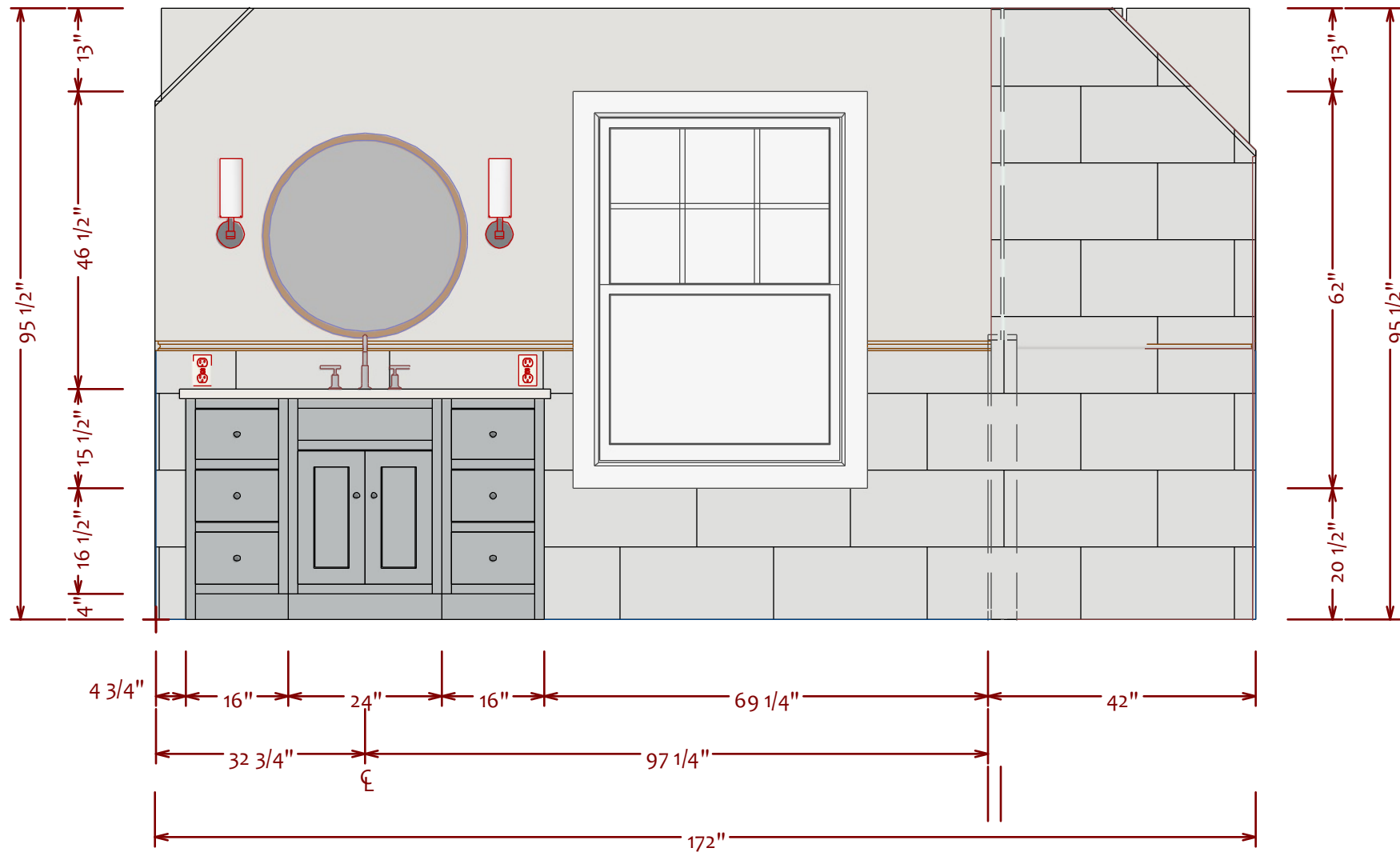
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SHEET #
A-11

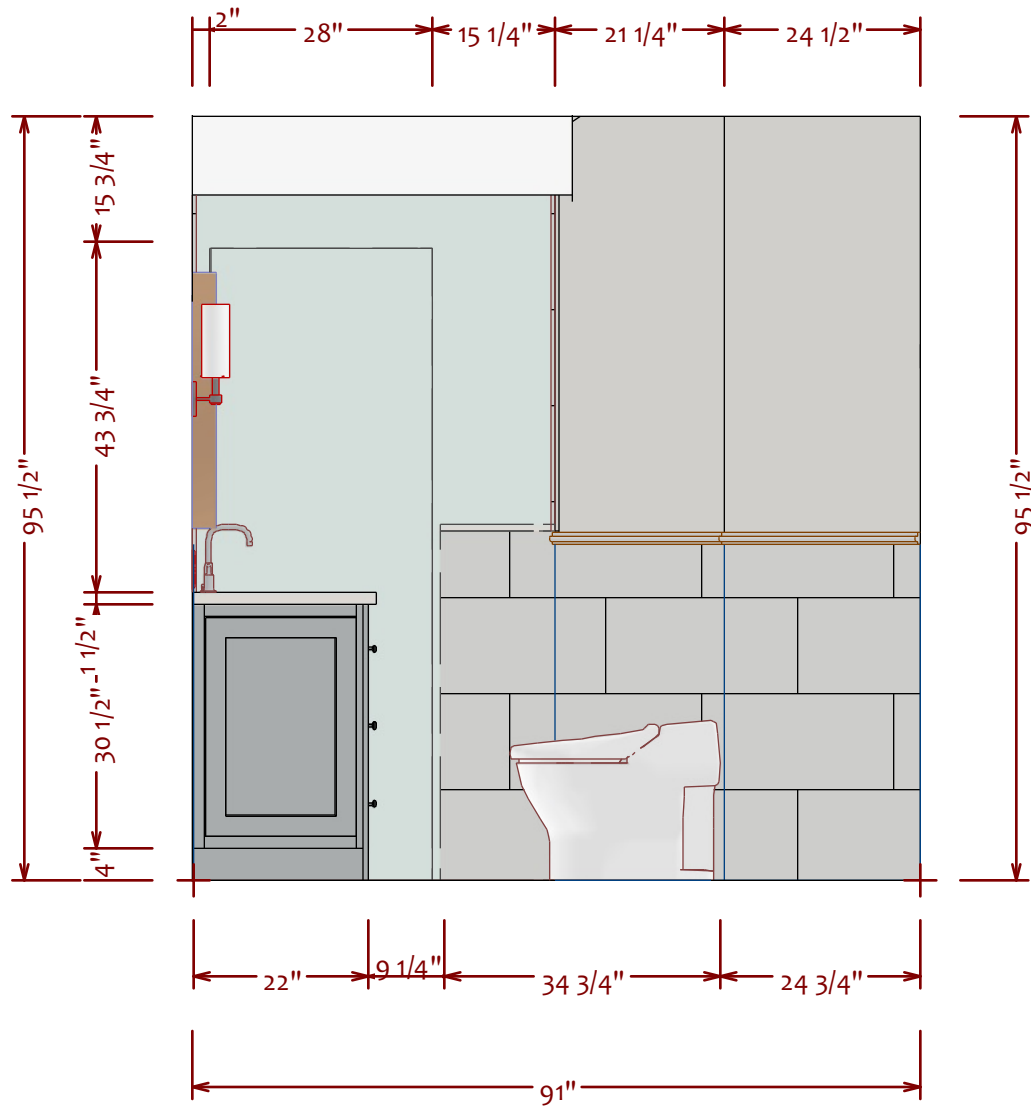


BATH OVERVIEW

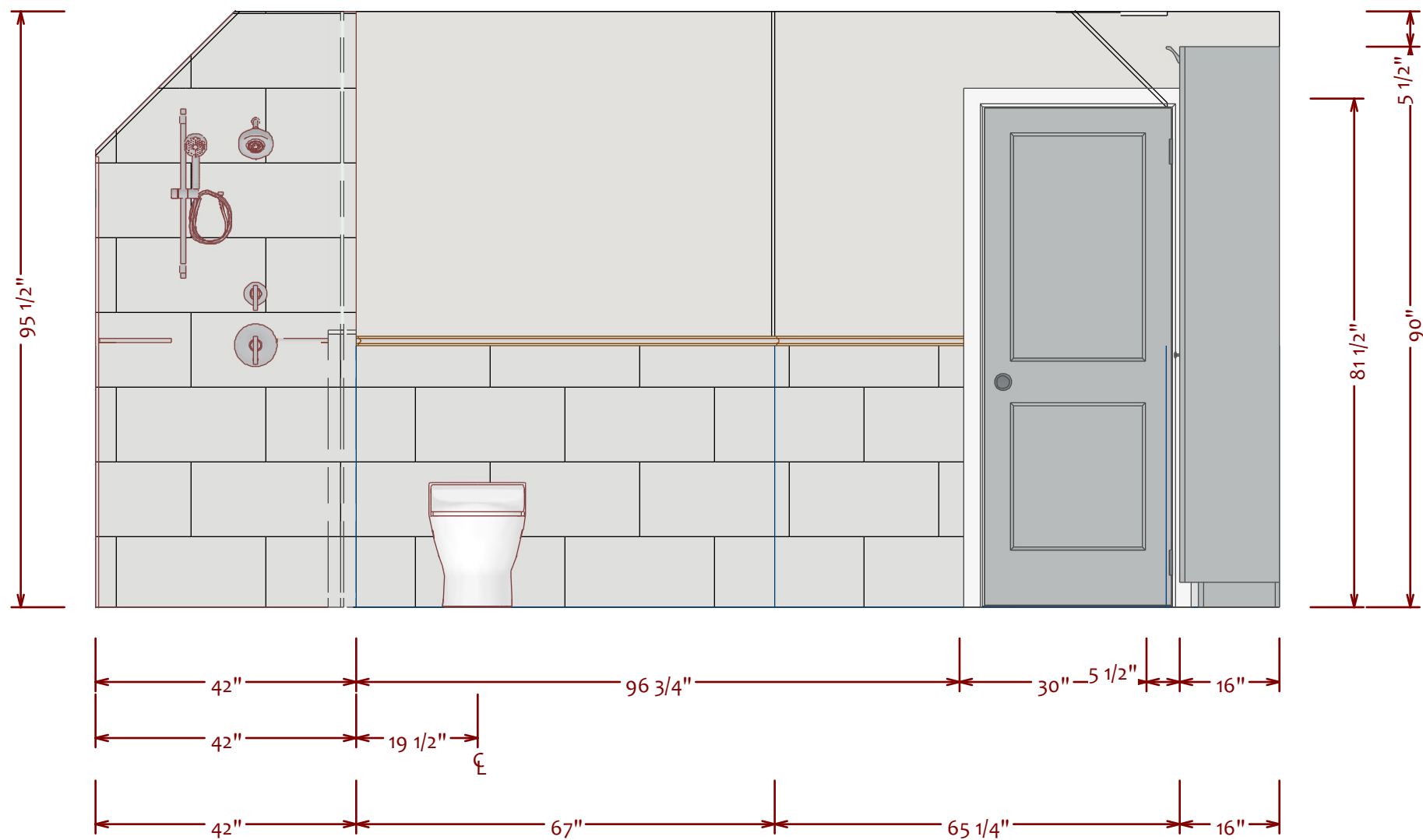
- PROPOSED BATH NOTES:
- Expand the footprint moving the south wall
 - Existing windows to remain
 - New large vanity
 - Tile room to 42" H
 - Relocate shower (tile complete) toilet beside new shower
 - Large Linen cabinet behind door to fill space



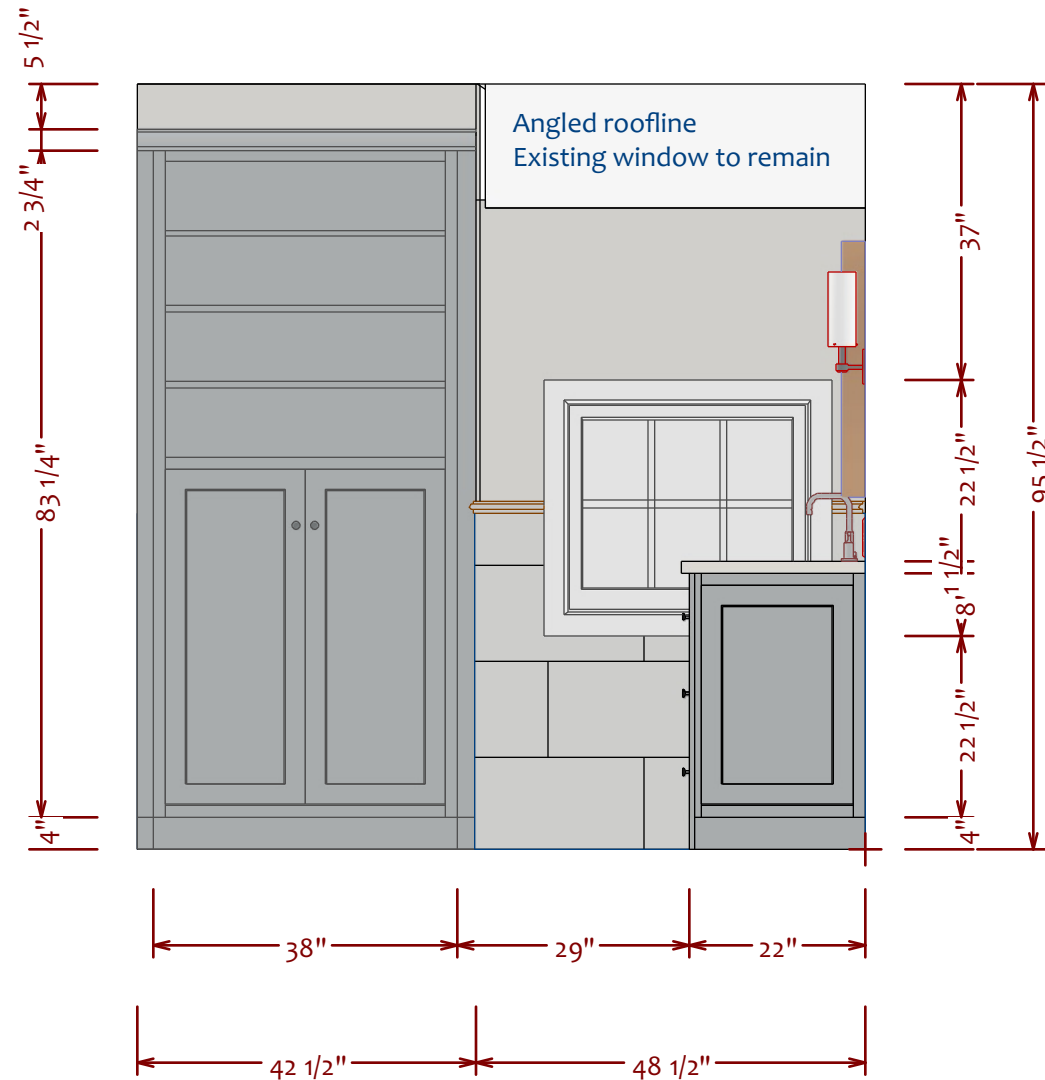
BATH NORTH



BATH EAST



BATH SOUTH



BATH WEST

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BATH ELEVATIONS

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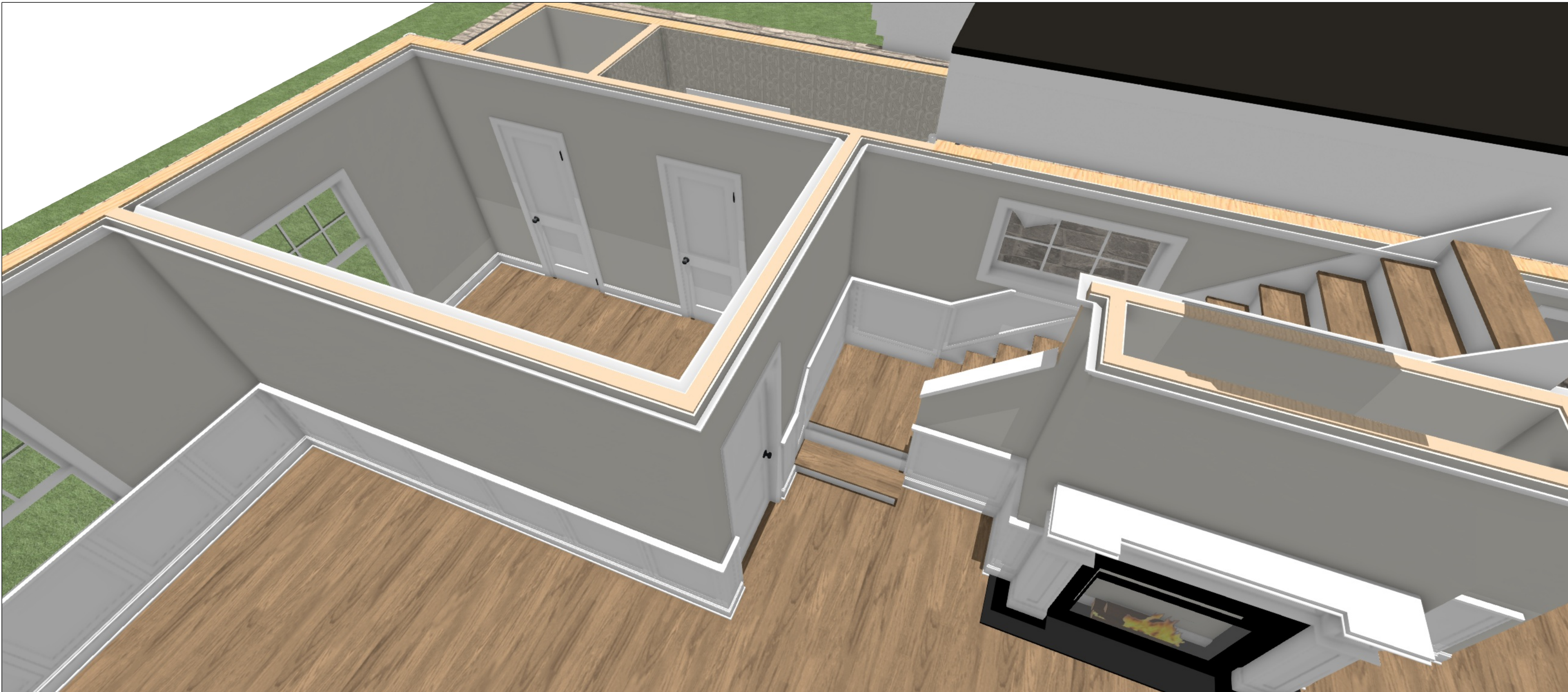
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SCALE
1/4" = 1'0"

SHEET #
A-12



POWDER ROOM OVERVIEW



FLEX ROOM/POWDER/STAIRWELL OVERVIEW

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PAGE TITLE
**POWDER ROOM/FLEX
ROOM/STAIRWELL**

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**NICOLE
EMPRINGHAM**

DATE
2021-10-22

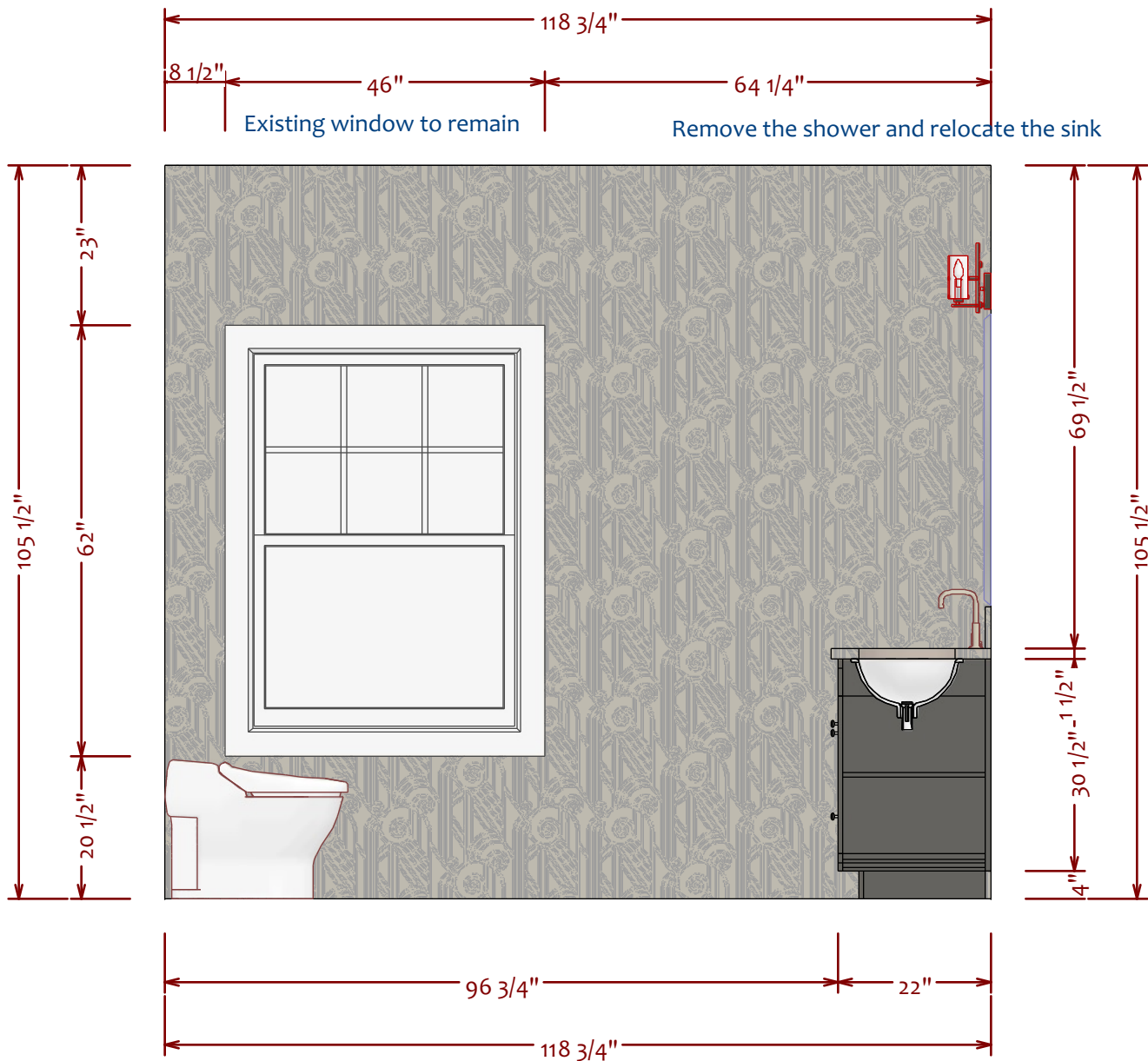
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SHEET #
A-13

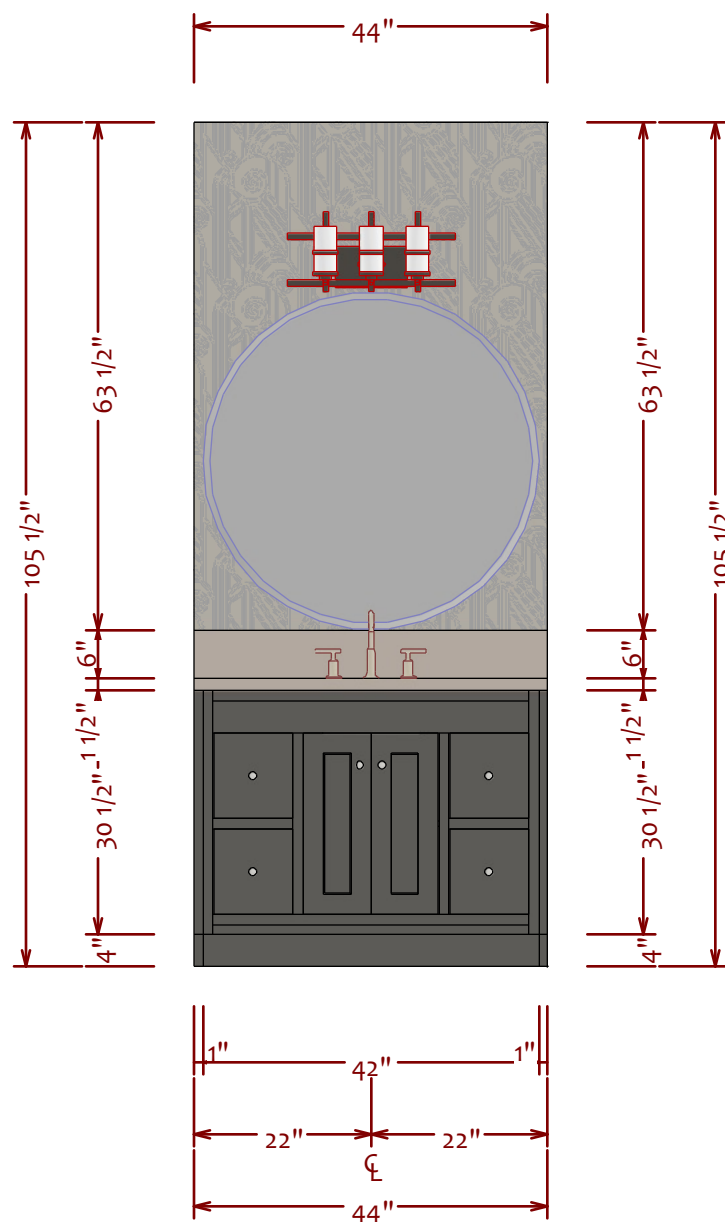
PROPOSED POWDER ROOM NOTES
Remove the shower and replace with new larger sink with vanity
Large mirror with scone above
Possible wallpaper throughout (or tiled mirror wall)
New tile flooring

FLEX ROOM
Remove the step and current door
Relocate the entry door to south east wall

STAIRWELL ENTRY
Remove the door and wall
Build a 1/2 wall (drywall) with capping (1 1/4" x 6") painted white
Molding and wall panels to continue



POWDER ROOM NORTH



POWDER ROOM EAST

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LAKESIDE RENDERING GLASS RAILING

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Ontario

PAGE TITLE
GLASS RAILING
RENDERING

DRAWN BY
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EMPRINGHAM

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SCALE
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SHEET #
A-14

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SIDER BROS.
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PAGE TITLE
ELECTRICAL PLAN

DRAWN BY
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DATE
2021-10-22

SCALE
1/4" = 1'0"

SHEET #
E-1

 ELECTRICAL PLAN MAIN
1/4" = 1'0"

THE CORPORATION OF THE CITY OF PORT COLBORNE

BY-LAW NO. 4356/29/03

**A BY-LAW TO DESIGNATE THE PROPERTY
KNOWN MUNICIPALLY AS 1001 FIRELANE 1,
PORT COLBORNE, AS BEING OF CULTURAL HERITAGE
VALUE OR INTEREST**

WHEREAS Section 29 of The Ontario Heritage Act, R.S.O. 1990, Chapter 0.18 authorizes the Council of a municipality to enact by-laws to designate real property, including all buildings and structures thereon, to be cultural heritage value or interest; and

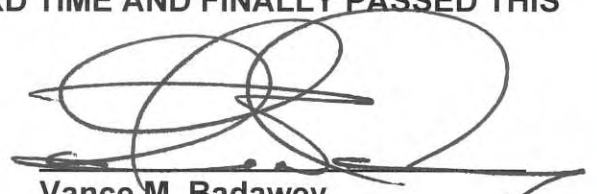
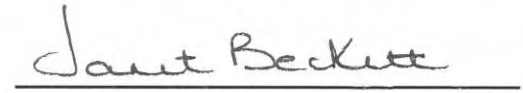
WHEREAS the Council of the Corporation of the City of Port Colborne has caused to be served on the owners of the lands and premises at 1001 Firelane 1 and upon the Ontario Heritage Foundation, notice of intention to so designate the aforesaid real property and has caused such notice of intention to be published in the same newspaper having general circulation in the municipality; and

WHEREAS no notice of objection to the proposed designation has been served on the clerk of the municipality;

THEREFORE the Council of the Corporation of the City of Port Colborne enacts as follows:

1. There is designated as being of architectural and historical value or interest the real property at 1001 Firelane 1, Port Colborne, more particularly described in Schedule "A" attached hereto.
2. The municipal solicitor is hereby authorized to cause a copy of this by-law to be registered against the property described in Schedule "A" attached hereto in the proper land registry office.
3. The Clerk is hereby authorized to cause a copy of this by-law to be served on the owner of the aforesaid property and on the Ontario Heritage Foundation and to cause notice of the passing of this by-law to be published in the same newspaper having general circulation in the municipality.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS
24TH DAY OF MARCH, 2003.


Vance M. Badawey
MAYOR
Janet Beckett
CITY CLERK

SCHEDULE “A” TO BY-LAW NO. 4356/29/03

LEGAL DESCRIPTION

FIRSTLY: PARTS OF LOTS 25 AND 26, PLAN 19, NOW PLAN 778, CITY OF PORT COLBORNE, REGIONAL MUNICIPALITY OF NIAGARA AND SECONDLY: THE WATER LOT IN FRONT OF LOTS 25 AND 26, PLAN 19, NOW PLAN 778, CITY OF PORT COLBORNE, REGIONAL MUNICIPALITY OF NIAGARA.

RECORD OF DESIGNATION

Name of Municipality:	City of Port Colborne
Municipal Address of Property:	The Chew House 1001 Firelane No. 1
Owner of Property:	John and Kathleen Chew
Address of Owner:	P.O. Box 1257 Ellicottville, New York 14731
Date of Service of Notice of Intention to Designate:	February 11, 2003
Date of Designating By-law:	March 24, 2003 (By-law 4356/29/03)
Date of Registration of By-law:	May 3, 2003 (Instrument No. LT243687)

Reasons for Designation:

The property that the Chew House stands on was first granted by the Crown in 1802 to the Kinsey family as Lot 19, Concession One in the former Township of Humberstone. This lot was the site of the Lorraine Summer Resort that was one of the earliest high class summer colonies along the Lake Erie shoreline. It may very well have been the first of this type of development, east of the Welland Canal. The original property chosen for this development was Lots 19 and 20 in the First Concession of Humberstone Township.

Lorraine was one of the most attractive summer resorts in the entire Niagara Peninsula. It was established in 1898 by Frank Fulton Brown and Jesse, Edward and Walter Dunn. These gentlemen were prominent Buffalo businessmen who chose to summer in what was then known as Humberstone Township. This settlement was named after Mr. Brown's only daughter, Lorraine. The resort was comprised of one half mile of the finest sandy beach in the area.

The land the Chew house stands on, was the site that Mr. Brown erected the first summer home, inside the west entrance off of Lorraine Road. A pair of stone arches supported the gates that led to the private road into the park. These stone pillars still exist today in the same location. Mr. Brown's home was located on the south side of the lot, just east of the gates.

The Grand Trunk Railway erected a flag station at Lorraine in 1904. They operated a special passenger train between Port Colborne and Buffalo during the busy summer months. A horse drawn bus carried passengers the one mile distance from the resort to this train station.

Many residents of Lorraine were among the first in the Port Colborne area to utilize the newly invented automobile. Around 1914, the resort was extended eastward to Weaver Road. Today it remains as a reminder of our past connection with American visitors. Many of the original families that resided here, still exist among this area today.

Both the Lorraine Summer Resort and Solid Comfort on Tennessee Avenue were paramount to the future development of this type of settlement along the Lake Erie shoreline, including Sherkston Shores Resort.

This structure possesses very unusual architectural characteristics. It is of a timber frame construction with large, almost pillar-like stone protrusions on the front and rear of the dwelling. The stone used in its construction is the same as the stone that was used to construct the entrance gate pillars on Loraine Road. This stone appears to be cut limestone.

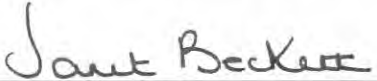
Details, such as the peaked gable ends and the arches above the windows indicate the work of a master stonemason. The overall building has had two additions in the early to mid 20th century that are sympathetic to the overall feel of the structure. The architecture that this building possesses is reminiscent of the Richardsonian Romanesque style of architecture. Henry Hobson Richardson was an American architect whose style was popular from 1880 to 1900. As a result of this being an indigenously American style of architecture, there are very few examples of this style in existence in Canada. This is the only example of Richardsonian Romanesque architecture in Port Colborne.

The Chew house has several of the hallmarks of this style, most notably being a rock faced facade (or front of the building) that is rough cut to emphasize the massiveness of the building, the use of arches, cross gables and decorative chimneys. Another signature of this style is an almost cavernous front entry. The deep set entryway at the front is reminiscent of this type of architecture. The fact that this building is partially constructed of stone supports the biographical information that states "Mr. Brown constructed a beautiful stone edifice on the lake front."

LEGAL DESCRIPTION:

FIRSTLY: PARTS OF LOTS 25 AND 26, PLAN 19, NOW PLAN 778, CITY OF PORT COLBORNE, REGIONAL MUNICIPALITY OF NIAGARA AND SECONDLY: THE WATER LOT IN FRONT OF LOTS 25 AND 26, PLAN 19, NOW PLAN 778, CITY OF PORT COLBORNE, REGIONAL MUNICIPALITY OF NIAGARA.

DATED AT THE CITY OF PORT COLBORNE, THIS 12th DAY OF JUNE, 2003.



Janet Beckett, City Clerk

Subject: Proposed Stop up and Close By-law for Borden Avenue Road Allowance

To: Council

From: Chief Administrative Office

Report Number: 2022-34

Meeting Date: April 12, 2022

Recommendation:

That Office of the Chief Administrative Officer Report 2022-34 be received; and

That the Stop Up and Close By-law, being a By-law to stop up and close the unimproved Borden Avenue Road Allowance, legally described as Part of the road allowance between Lots 15 and 16 on Plan 10, and Lots 23 and 24 on Plan 33 between Steele Street and Knoll Street be approved.

Purpose:

This report is being written regarding the creation of a Stop Up and Close By-law for the Borden Avenue Road Allowance legally described as Part of the road allowance between Lots 15 and 16 on Plan 10, and Lots 23 and 24 on Plan 33 between Steele Street and Knoll Street. The Borden Avenue Road Allowance is shown in Appendix A attached to this report.

Background:

The Economic Development and Tourism Services Division has undertaken a review of City owned property to identify potential surplus lands. The Borden Avenue Road Allowance has been identified during this exercise as being potential surplus property for future development. The property has been vacant for many years and is not required for future road and transportation purposes. The first step in this process would be a Stop Up and Close By- Law.

There are some existing private encroachments on the City property by neighbouring property owners.

The property is owned by the City of Port Colborne and is legally part of Borden Avenue which was laid out as a public highway under a plan of subdivision registered in 1914. There is no record of a road closing by-law registered on title.

Discussion:

A public meeting was held on March 15, 2022 to allow residents an opportunity to delegate before Council on the proposed Stop Up and Close By-law for the Borden Avenue road allowance.

At that meeting Ken and Wendy Busch delegated before Council and raised the following concerns:

- They would like to see nothing happen to the property or for it to remain as a road allowance for their personal use.
- They would be interested in purchasing the property or part of the property if it were put up for sale.

This property is currently generating no tax assessment for the City and is maintained by City staff. Public Works has identified Borden Avenue as not being required for future road or transportation purposes. In addition, there are potential liability issues with residents using City property for personal use.

Staff recommend that the Stop Up and Close By-law for the Borden Avenue road allowance be approved.

Once the Stop Up and Close process has been finalized, City staff will work with the neighbours to address the encroachment issues. Staff will also bring a report to Council requesting the lands be declared surplus pursuant to the City's Sale of Land Policy.

Internal Consultations:

The Planning Division has identified three encroachment issues with the neighbouring properties that can be resolved as part of this process to close the Borden Avenue road allowance.

Public Works have identified two catch basins on the road allowance connected to the roadside catch basin. Staff have requested that any future sale include a clause stating that the pipes and catch basins will become privately owned and the city will not maintain them.

Financial Implications:

There are no financial implications at this time.

Public Engagement:

Letters were sent to the owners of the four homes that border the City property to explain the process being followed by the City. Public Notice was provided through ads in the Port Colborne Leader on February 3rd, 10th, 17th and 28th for the Public Meeting held on March 15th, 2022.

Strategic Plan Alignment:

The initiative contained within this report supports the following pillar of the strategic plan:

- Attracting Business Investment and Tourists to Port Colborne
 - Service and Simplicity - Quality and Innovative Delivery of Customer Services
-

Conclusion:

The Borden Avenue Road Allowance has been identified as potential land that could be declared surplus and made available to support infill development opportunities and expand the City's tax base. It is recommended that the Stop Up and Close By-law be approved to mitigate the City's risk and may provide opportunity for future residential development.

Appendices:

- a. Map of the Borden Avenue Road Allowance
- b. Stop Up and Close By-Law

Respectfully submitted,

Bram Cotton
Economic Development Officer
(905) 835-2900 Ex 504
Bram.Cotton@portcolborne.ca

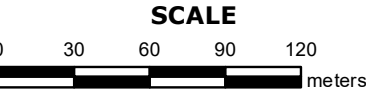
Gary Long
Manager of Strategic Initiatives
(905) 835-2900
Gary.Long@portcolborne.ca

Report Approval:

All reports reviewed and approved by the Department Director and also the City Treasurer when relevant. Final review and approval by the Chief Administrative Officer.



PRINTED ON 15 NOV, 2021 AT 09:26:03
FOR DWILLER01



PROPERTY INDEX MAP
NIAGARA SOUTH(No. 59)

LEGEND

FREEHOLD PROPERTY	
LEASEHOLD PROPERTY	
LIMITED INTEREST PROPERTY	
CONDOMINIUM PROPERTY	
RETIRED PIN (MAP UPDATE PENDING)	
PROPERTY NUMBER	0449
BLOCK NUMBER	08050
GEOGRAPHIC FABRIC	
EASEMENT	

THIS IS NOT A PLAN OF SURVEY

NOTES

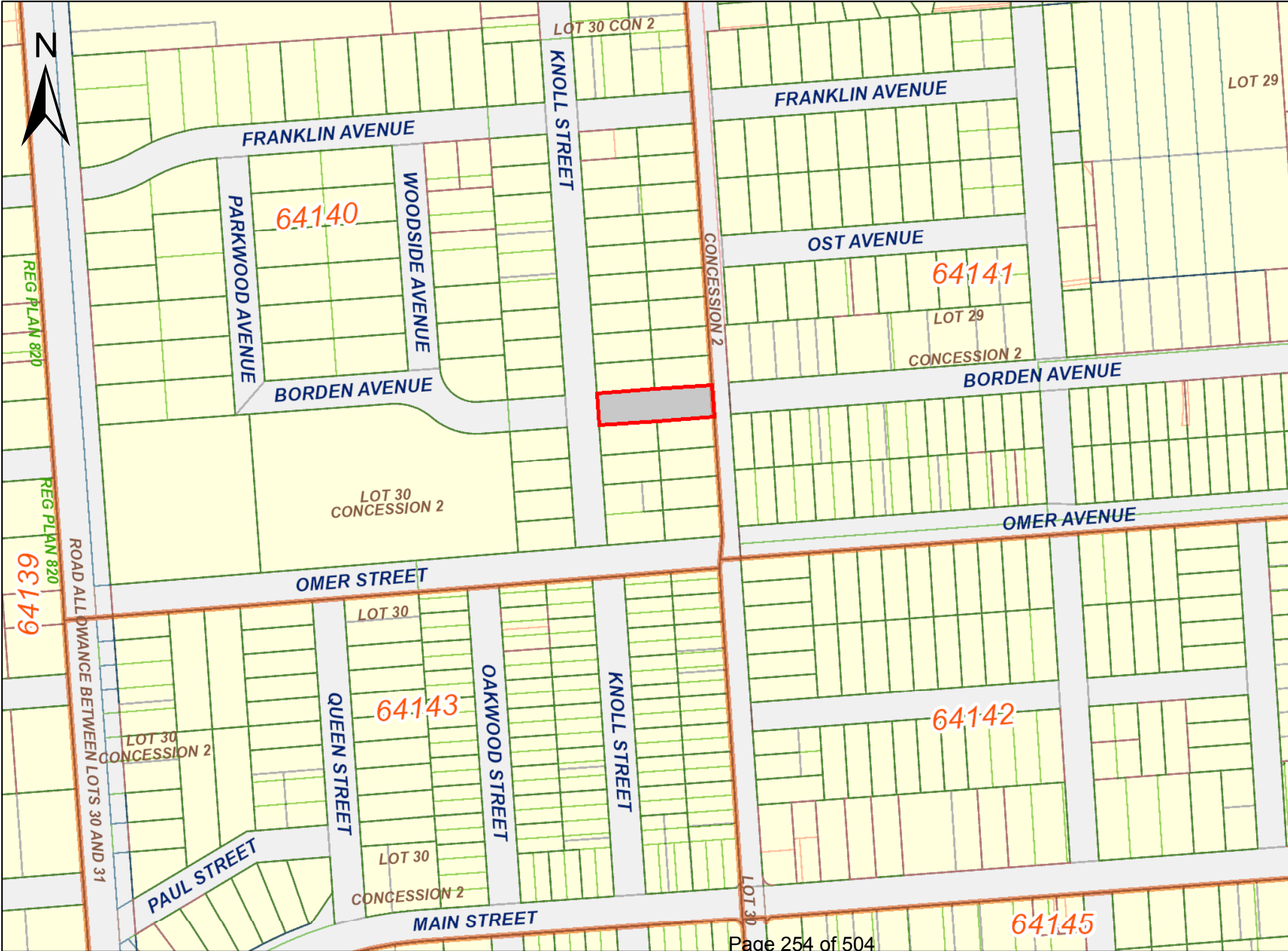
**REVIEW THE TITLE RECORDS FOR COMPLETE
PROPERTY INFORMATION AS THIS MAP MAY
NOT REFLECT RECENT REGISTRATIONS**

THIS MAP WAS COMPILED FROM PLANS AND
DOCUMENTS RECORDED IN THE LAND
REGISTRATION SYSTEM AND HAS BEEN PREPARED
FOR PROPERTY INDEXING PURPOSES ONLY

FOR DIMENSIONS OF PROPERTIES BOUNDARIES SEE
RECORDED PLANS AND DOCUMENTS

ONLY MAJOR EASEMENTS ARE SHOWN

REFERENCE PLANS UNDERLYING MORE RECENT
REFERENCE PLANS ARE NOT ILLUSTRATED



The Corporation of the City of Port Colborne

By-law No. _____

Being a By-law to Stop Up and Close Part of the Road Allowance between Lots 15 and 16 on Plan 10, and Lots 23 and 24 on Plan 33 between Steele Street and Knoll Street.

Whereas at its meeting of April 12, 2022, the Council of The Corporation of the City of Port Colborne (Council) approved the recommendations of the Office of the Chief Administrative Officer Report No. 2022-34, Subject: Proposed Stop Up and Close By-law for the Borden Avenue Road Allowance; and

Whereas Section 27(1) of the *Municipal Act*, 2001, provides that, except as otherwise provided in the Act, a municipality may pass by-laws in respect of a highway only if it has jurisdiction over the highway; and

Whereas it is deemed expedient in the interest of The Corporation of the City of Port Colborne that the road allowance set out and described in this by-law be stopped up and closed; and

Whereas in accordance with Section 34(1) of the *Municipal Act*, 2001 and By-law 4339/12/03 of the Corporation of the City of Port Colborne, Being a By-law to Prescribe the Form and Manner and Times for the Provision of Notice in Accordance with the Municipal Act, 2001, public notice of Council's intention to permanently close the highway set out and described in this by-law was provided; and

Whereas no person claiming their lands will be prejudicially affected by the by-law applied to was heard by the Council of the Corporation of the City of Port Colborne at the meeting held by the Council for that purpose on Tuesday, March 15, 2022.

Now therefore the Council of The Corporation of the City of Port Colborne enacts as follows:

1. That upon and after the passing of this by-law that portion of the road allowance described as Part of the road allowance between Lots 15 and 16 on Plan 10, and Lots 23 and 24 on Plan 33 between Steele Street and Knoll Street, part of the original Borden Avenue road allowance, being all of PIN 61410-0163 is hereby stopped up and closed.
2. That the Mayor, the Acting City Clerk be and are hereby authorized to execute any documents that may be required for the purpose of carrying out the intent of this by-law and the Clerk is dully authorized to affix the Corporate Seal thereto.
3. That the City Solicitor be and is hereby directed to prepare and register all such documents in the proper Land Registry Office to effect the closing of the Borden Street road allowance hereinbefore described.
4. This by-law shall take effect on the day that a certified copy of the by-law is registered in the proper land registry office.

Enacted and passed this _____ day of _____, _____.

Eric Beauregard
Deputy Mayor

Nicole Rubli
Acting City Clerk



Subject: Update on Inflow and Infiltration Activities
To: Council
From: Public Works Department

Report Number: 2022-65

Meeting Date: April 12, 2022

Recommendation:

That Public Works Department Report 2022-65 be received for information.

Purpose:

This report has been prepared, as requested, to provide Council with an update of the activities that have been taken to address inflow and infiltration (I&I) into the City's wastewater collection system to-date.

Background:

At a special meeting on February 17, 2021, Barbara Robinson from Norton Engineering provided a presentation entitled "Inflow and Infiltration in Sanitary Sewers". The purpose of the presentation was to provide an educational opportunity for Council and to help explain the impact of inflow and infiltration (I&I) on the City's wastewater flows to the Region's wastewater treatment plant. I&I is otherwise clean storm water or groundwater that gets into the sanitary system. I&I enters the sanitary sewer through a variety of pathways, some intentional, some not:

- Infiltration of groundwater through cracks, unsealed pipe joints and other defects in the underground pipe network, including the sewer mains, manholes and sewer laterals (sewer laterals are the private-side pipes that connect to the sewer main)
- Inflow of water from inadvertent cross-connections with the storm sewer system or from surface drainage in through manhole lids
- Inflow of water from private-side sources including rooftop drainage (downspouts) and foundation drainage (connected weeping tile or sump pumps)

Rainfall and lake levels have a direct impact on the amount of I&I that enters the wastewater collection system each year. In 2019 and 2020, very high lake levels

contributed to some of the highest wastewater volumes ever being received at the Region's wastewater treatment facility. This has directly impacted the City's Water/Wastewater budget and rates.

Discussion:

Since Ms. Robinson's presentation in February 2021, staff have been actively seeking ways to identify and reduce the amount of I&I entering the wastewater collection system and ensure that there is funding available to assist in these efforts. Below is a summary of the activities undertaken to-date, and the status of those activities.

Completed:

- Refinement of the Urban Stormwater Boundary and Municipal Drains within the urban area to ensure properties are correctly billed the annual stormwater fee.
- Purchase of a GoPro camera and accessories and completion of maintenance hole inspection training with the Town of Fort Erie.
- Completion of approximately 200 maintenance hole inspections, identification of 20 deficiencies.
- Following the July 17th, 2021, rainfall event, City staff met with Region staff to discuss the surcharging in the system. An enhanced communication process was developed for when the Omer pumping station high level alarm is triggered in the Region's Supervisory Control and Data Acquisition (SCADA) system. When this occurs, City Operational staff can monitor the level of wastewater on Bartok Avenue and bypass pump, if necessary, to reduce the chances of basement flooding.
- CCTV inspection of the sanitary sewers in the following areas:
 - from Bartok, down Elm to the Omer pumping station – no obvious defects
 - First, Second, Third and Sheba – some defects identified, scheduled for repair
 - Janet Street – no obvious defects
- Rented a six-inch trash pump with a float system and installed at the Neff Street stormwater outfall to prevent flooding during storm events.
- Stormwater sewer design for the Clarke Area (designed in 2013).

In progress:

- Wastewater and Stormwater Infrastructure Needs Studies (INS) were started in December 2021 and are anticipated to be complete in June 2022. The INS will identify infrastructure gaps, and staff will field verify any areas noted by the consultant.
- Completion of the last CCTV inspection cycle (there are 5 inspection cycles, one completed annually) of the sanitary collection system (South of Main St W to Killaly St W, from the Canal to intersection of Hwy 3 and Killaly St W, Coronation Dr and Merritt Pkwy N and S, Queen St and Paul St).
- Submitted an application for Consolidated Linear Infrastructure Environmental Compliance Approvals (CLI-ECAs) for the sanitary collection system and the stormwater system, as required by the Ministry of Environment, Conservation and Parks. The City should receive the CLI-ECAs before the end of 2022.
- Ordered two 6" trash pumps – one for the Neff Street stormwater outfall and one for the Bartok area when bypass pumping is required (24–30-week delivery).
- Completion of door-to-door inspections of homes in the Omer area that were not inspected in 2010; disconnection of any identified connections that would be contributing flows during rainfall events area. Received \$110K in Wet Weather Funding from Niagara Region. Estimated project completion is October 2022.
- Transitioning on-road stormwater system responsibility from Roads to Water/Wastewater.
- Evaluation of remediation options for the Neff Street stormwater outfall.
- In the 2022 water/wastewater budget, Council approved water service and sewer lateral replacement grants. These grants could help not only reduce the inflow and infiltration into the sanitary collection system, but they can also help reduce water loss.
- Applied for \$350K in Wet Weather Funding from Niagara Region to complete the Clarke Area Inflow and Infiltration Reduction Program.
- Applied for a \$100,000 grant from the Intact Insurance Municipal Climate Resiliency Fund. If this grant is received, homeowners affected by the July 17th storm event will have the first opportunity to apply for the following:
 - Free Home Flood Protection Assessment (\$500 value)

- \$500 grant to complete upgrades identified in the assessment report to protect homes from sewage back up/flooding
 - \$500 grant to install or replace a back water valve.
- Applied for \$400K through the federal Disaster Mitigation and Adaptation Fund to remediate sanitary sewer assets (pipes and maintenance holes) in the Clarke area sewershed.

Future:

- Issue a request for proposal (RFP) to evaluate alternative stormwater management options and conduct a pilot study for some sites. Focused on an area within the Omer Area where 25 connections (i.e. sump pumps) were previously identified, however the storm system is not adequate to take the sump pump flows. Received \$110K in Wet Weather Funding from Niagara Region.
- Together with Niagara Region, issue a request for quotation to complete flow monitoring in the sanitary collection system, and an RFP to complete a Pollution Prevention Control Plan (PPCP) and sewer model for the sanitary collection system. Estimated completion in 2025. Received \$125K in Wet Weather Funding from Niagara Region.
- Together with the Town of Fort Erie, issue a tender for Smart Cover flow monitor devices. 12 units will be ordered, 10 will be portable and 2 will be permanently installed – one in the sanitary manhole on Bartok and one at the manhole on Omer just outside the Region's pumping station. The permanent locations will be set up to alarm, so City Staff won't have to rely on the Region for notification if Omer is surcharged. Staff will also collect important data that will help with understanding how surcharging at Omer affects the sanitary sewer system at Bartok. Portable units will be deployed in focus areas to help determine I&I rates and monitor the success of remediation programs.
- Issue a tender to complete mainline sewer repairs and manhole repairs in the Omer, Steele, Arena and Rosemount North pumping stations. Received \$90K in Wet Weather Funding from Niagara Region.
- Public awareness campaign about I&I will roll out to residents over the next few months. This is to educate homeowners about inflow and infiltration, how it negatively affects the sanitary sewers and what they can do to help the situation. Although individuals may not be directly affected, their actions could impact their neighbours, and inflow and infiltration directly impact the wastewater rates.

- Continue to collaborate with Niagara Region Wastewater group to identify focus areas within the sanitary collection system and help monitor success in reducing I&I.
 - Continue to investigate and apply for funding opportunities
-

Financial Implications:

Any financial implications identified during the various studies that are being undertaken will be brought to Council during annual budget deliberations or within separate reports.

Public Engagement:

Various public education campaigns and notifications are part of the various I&I programs.

Strategic Plan Alignment:

The initiative contained within this report supports the following pillar(s) of the strategic plan:

- Service and Simplicity - Quality and Innovative Delivery of Customer Services
 - City-Wide Investments in Infrastructure and Recreational/Cultural Spaces
 - Governance: Communications, Engagement, and Decision-Making
-

Conclusion:

Recognizing the impact inflow and infiltration has on the wastewater rates, staff have completed, initiated and/or planned many tasks in an effort to address and reduce I&I. Various funding avenues have also been utilized, and continue to be explored, in an effort to reduce the burden of these tasks and projects on ratepayers. Inflow and infiltration is a complex issue and, while results may not be immediately apparent, continued focus and monitoring over time will track the success of the efforts of this multipronged approach to I&I reduction.

Respectfully submitted,

Darlene Suddard
Manager of Water/Wastewater
905-835-2900 x256
Darlene.Suddard@portcolborne.ca

Report Approval:

All reports reviewed and approved by the Department Director and the City Treasurer when relevant. Final review and approval by the Chief Administrative Officer.



Subject: AMO-LAS Water & Sewer Warranty Program

To: Council

From: Public Works Department

Report Number: 2022-64

Meeting Date: April 12, 2022

Recommendation:

That Public Works Department Report 2022-64 be received;

That Council approve entering into an agreement with Service Line Warranties of Canada, Inc., attached as Appendix A to Public Works Department Report 2022-64, to offer the Water and Sewer Warranty Program to City of Port Colborne residents; and

That a by-law to enter into the agreement with Service Line Warranties of Canada, Inc. be brought forward.

Purpose:

To obtain direction from Council on entering into an agreement with Service Line Warranties of Canada, Inc. which would provide a new service for the residents of the City of Port Colborne.

Background:

The City of Port Colborne's water and wastewater system currently supplies approximately 6,600 residential service connections. Residential property owners are responsible for the maintenance of the buried water and sewer lines that run from the property line to the exterior of their home. When these lines break, leak or become obstructed, the homeowner is often surprised to learn that it is not a municipal responsibility, and most home insurance policies will not cover the expensive repair/replacements of these pipes. Some policies will allow homeowners to add on this type of rider, however there is an expensive deductible and many exclusions (for example, most companies will not cover frozen service pipes). Currently, if a resident has an issue with water or wastewater service, they typically contact Public Works.

At this point, the resident is advised to contact a local service provider, who will in turn, determine the source of the issue. If during this investigation, it is determined that the contributing issue is on the municipal side of the property line, the cost for the investigation is assumed by the municipality and City resources are used to address and resolve the issue. If the issue is determined to be on the private side of the property line, all work is the responsibility of the resident. This can be a time consuming and costly process. The average cost to replace a water line in Port Colborne is \$2,500-\$4,000 while the average cost to replace a sewer line is \$4,000-\$7,000.

Service Line Warranties of Canada has been endorsed as a vendor of choice by the Local Authority Service (LAS). LAS was established in 1992 by the Association of Municipalities of Ontario (AMO). LAS works with Ontario's municipalities to provide vendors of choice that leverage economies-of-scale and cooperative procurement efforts. Most municipalities can use this procurement process to access vendors for specific services for aggregated buying power. Recently, Service Line Warranties of Canada (SLWC) has also become a corporate partner of the Federation of Canadian Municipalities.

SLWC is the only company in Canada presently providing this type of coverage as a warranty. Council would not be favouring SLWC over another provider, if put to an RFP, they would be the only responder for Canada. AMO-LAS approached SLWC after their partnership with City of Hamilton to agree to offer this pricing to all Ontario residents after the same partnership was put in place. The services include water service lines, sewer laterals, and even internal home plumbing and drainage repair and replacement services.

With the SLWC model, work is always performed by licensed contractors (local where available), to ensure a timely response and adherence to local code requirements. For a fixed monthly fee, the Warranty Provider (SLWC) will perform any repairs required to the private buried infrastructure. If the resident is a member of a service line warranty program the first point of contact for repair work would be SLWC, who would be responsible for facilitating the diagnosis and repair of the issue, if on the private side. SLWC would also liaise directly with municipal staff for any repairs required on the municipal side on behalf of the resident. This is a turnkey program, administered solely by SLWC about customer service, billing etc. and no municipal funds are used, with minimal staff resources.

This program is designed and currently offered to residential properties tied to municipal water and wastewater systems as well as to residential properties on private systems (i.e. well, cistern or septic). A list of frequently asked questions for Council and staff has been provided in Appendix B. Neighbouring municipalities who have adopted the program or are in the process of adopting the program are provided in Appendix C.

Discussion:

To participate in this program, municipal endorsement of the program model is required. The endorsement allows Service Line Warranties of Canada to credibly market the program to residential property owners. There is no direct participation cost to the

municipality. The program allows for the municipality to receive a nominal fee from SLWC in exchange for its endorsement of the service and to compensate for any staff time which may be spent answering questions about the program. SLWC provides an onboarding and training call for staff prior to launching the program.

A contractual agreement is required between the City of Port Colborne and Service Line Warranties of Canada (SLWC). The contractual agreement permits SLWC to present the warranty services being offered utilizing the City's name, logo, and residential contact information. SLWC purchases this list from a third party, and the City is not asked to provide any resident data outside of confirming postal codes and reviewing the list.

The proposed term of the Contract between the Municipality and SLWC is 3 years with an option to renew after the first contract expires. There would be no warranty contract between the Municipality and the resident. It is essentially a service pledge between SLWC and the resident. The Warranty Provider (SLWC) further undertakes to indemnify the City and staff against claims, actions and suits. The City's contract and the resident's contract can be cancelled at any time.

Port Colborne homeowners are under no obligation to participate in the SLWC program; however, they are encouraged to check their homeowner policy and find out what coverage they currently have for their water, sewer and internal plumbing and speak with their insurer to check what their options are.

Financial Implications:

While there is no cost associated with the implementation or operation of the program to the City, there is a royalty paid to the City annually. The royalty consists of 5% of the revenue collected from residential property owners enrolled in the program and is intended to compensate the City for any staff resources taken to get the program up and running. Alternatively, this 5% can be passed along in savings to residents who have signed up for the warranty program, reducing their monthly cost by roughly \$0.50.

The initial cost of the program, along with coverage caps, for residential homeowners is as follows:

Sewer Service Line (coverage cap \$8,000 per incident)

\$8.00 per month; \$96.00 annually

Water Service Line (coverage cap \$5,000 per incident)

\$6.00 per month; \$72.00 annually

In-home plumbing (coverage cap \$3,000 per incident)

\$9.00 per month; \$108.00 annually

Agreements with SLWC allow for modest price increases tied in with inflation/CPI. Since 2014, SLWC has denied very few claims.

Strategic Plan Alignment:

The initiative contained within this report supports the following pillar(s) of the strategic plan:

- Service and Simplicity - Quality and Innovative Delivery of Customer Services
 - Governance: Communications, Engagement, and Decision-Making
-

Conclusion:

Offering the Service Line Warranty program to our residents will provide peace of mind should a problem in the private water or sewer line occur and help avoid costly unplanned expenses.

Appendices:

- a. Agreement with Service Line Warranties of Canada
- b. Service Line Warranties of Canada FAQs for Council and Staff
- c. Service Line Warranties Partner List 2022

Respectfully submitted,

Darlene Suddard
Manager of Water/Wastewater
905-835-2900 x256
Darlene.Suddard@portcolborne.ca

Report Approval:

All reports reviewed and approved by the Department Director and also the City Treasurer when relevant. Final review and approval by the Chief Administrative Officer.

MARKETING AGREEMENT BETWEEN CITY OF PORT COLBORNE, ONTARIO &
SERVICE LINE WARRANTIES OF CANADA, INC.

This MARKETING AGREEMENT (“**Agreement**”) is entered into by and between the City of Port Colborne, Ontario, a municipal corporation in the Province of Ontario (“**Municipality**”), and Service Line Warranties of Canada, Inc. (“**SLWC**”), a corporation organized under the laws of British Columbia, herein each referred to individually as “**Party**” and collectively as the “**Parties**”. This Agreement shall be effective on the last signature date set forth below (“**Effective Date**”).

RECITALS

WHEREAS, SLWC has entered into a Master Contract with Local Authority Services, a not-for-profit corporation under the laws of Canada and an affiliate of the Association of Municipalities of Ontario, to provide services to participating Ontario municipalities; and

WHEREAS, residential real estate in the Municipality includes sewer and water line laterals and such line laterals are the responsibility of individual property owners in the Municipality (each a “**Residential Property Owner**”); and

WHEREAS, Municipality desires to offer Residential Property Owners the opportunity, but not the obligation, to purchase service lateral plan and other repair plans or services (“**Plans**”); and

WHEREAS, SLWC has agreed to provide the Plans to Residential Property Owners subject to the terms and conditions contained herein;

NOW, THEREFORE, in consideration of the foregoing recitals, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and with the intent to be legally bound hereby, the Parties agree as follows:

AGREEMENT

1. Municipality hereby grants to SLWC the right to offer the Plans to Residential Property Owners within the Municipality’s boundaries subject to the terms and conditions herein. Municipality agrees to provide SLWC with the applicable postal codes encompassing its municipal boundaries. SLWC agrees to purchase a mailing list from a qualified third-party provider covering those postal codes.

2. Municipality hereby grants to SLWC a non-exclusive license (“**License**”) to use Municipality’s name and logo on letterhead, advertising and marketing materials to be sent to Residential Property Owners from time to time, all at SLWC’s sole cost and expense and subject

to Municipality's prior review and approval, which will not be unreasonably conditioned, delayed, or withheld.

3. a) The term of this Agreement ("**Term**") shall be three (3) years from the Effective Date. The Agreement will automatically renew for additional one (1) year terms ("**Renewal Term**") unless one of the Parties gives the other written notice at least ninety (90) days prior to the end of the Term or a Renewal Term that the Party does not intend to renew this Agreement.

b) The Municipality may terminate this Agreement thirty (30) days after giving written notice to SLWC that SLWC is in material breach of this Agreement if said breach is not cured during said thirty (30) period. During the Term, SLWC shall conduct marketing campaigns at the times and prices indicated on **Exhibit "A"** attached hereto.

4. As consideration for such License, SLWC will pay to Municipality five percent (5%) of revenue for Plans collected from Residential Property Owners ("**License Fee**") during each calendar year during the Term or any Renewal Term. The License Fee is paid once per calendar year in a lump sum. The first payment shall be due by January 30th of the year following the first year of the Term. For example, if the Term were to begin on September first, the first payment of the License Fee would be paid by January 30th of the following year. Successive License Fee payments shall be made on an annual basis throughout the Term and any Renewal Term, due and payable on January 30th of the succeeding year. SLWC shall include with the License Fee payment to Municipality a statement signed by an SLWC corporate officer certifying the amount of revenue from Plans with respect to the applicable Term or Renewal Term. Municipality will have the right, at its sole expense, to conduct an annual audit, upon reasonable notice and during normal business hours, of SLWC's books and records pertaining to revenue generated by this Agreement while this Agreement is in effect and for one (1) year after any termination of this Agreement.

5. SLWC hereby agrees to protect, indemnify, and hold the Municipality, its elected officials, officers, employees and agents (collectively or individually, "**Indemnitee**"), harmless from and against any and all [third party] claims, damages, losses, expenses, suits, actions, decrees, judgments, awards, attorneys' fees and court costs (individually or collectively, "**Claim**"), which an Indemnitee may suffer or which may be sought against or are recovered or obtainable from an Indemnitee, as a result of, or by reason of, or arising out of or in consequence of any act or omission, negligent or otherwise, of the SLWC or its officers, employees, contractors, subcontractors, agents or anyone who is directly or indirectly employed by, or is acting in concert with, SLWC or its officers, its employees, contractors, subcontractors, or agents in the performance of this Agreement; provided that the applicable Indemnitee notifies SLWC of any such Claim within a time that does not prejudice the ability of SLWC to defend against such Claim. Any Indemnitee hereunder may participate in its, his, or her own defense, but will be responsible for all costs incurred in connection with such participation in such defense.

6. Any notice required to be given hereunder shall be deemed to have been given when notice is (i) received by the Party to whom it is directed by certified or registered mail (return receipt requested) or delivery service (with written confirmation of delivery), (ii) telephonically faxed to the telephone number below provided that confirmation of transmission is received

thereof, or (iii) by e-mail to the applicable address noted below, with confirmation of delivery and receipt. Any notice, if sent by facsimile or other means of electronic communication, shall be deemed to have been received on the business day following the delivery of such notice, or if delivered by hand or courier shall be deemed to have been received at the time it is delivered to the applicable address noted below. The notice shall be sent as follows:

To: Municipality:
ATTN: Darlene Suddard, Manager of Water/Wastewater
City of Port Colborne
66 Charlotte Street
Port Colborne, ON L3K 3C8
Phone: (905) 835-2900 x 256
Email: Darlene.Suddard@portcolborne.ca

ATTN: Chris Kalimootoo, Director of Public Works
City of Port Colborne
66 Charlotte Street
Port Colborne, ON L3K 3C8
Phone: (905) 835-2900 x223
Email: Chris.Kalimootoo@portcolborne.ca

To: SLWC:
ATTN: Senior Manager, Partner Acquisition, Business Development
Service Line Warranties of Canada, Inc.
150 King Street West, Suite 200
Toronto, ON M5H 1J9
Phone: (416) 400-2022
E-mail: elise.dostal@homeserveusa.com

A Party may from time to time change the representative designated for it under this section by giving the other Party prior written notice of the newly designated representative and the date upon which such designation will become effective.

7. No Third Party Beneficiary. Nothing expressed or implied in this Agreement is intended, or should be construed, to confer upon or give any person or entity not a party to this Agreement any third party beneficiary rights, interests, or remedies under or by reason of any term, provision, condition, undertaking, warranty, representation, or agreement contained in this Agreement.

8. Modifications or Amendments/Entire Agreement. All of the representations and obligations of the Parties are contained herein, and no modification, waiver or amendment of this Agreement or of any of its conditions or provisions shall be binding upon a party unless in writing signed by that Party or a duly authorized agent of that Party empowered by a written authority signed by that party. The waiver by any Party of a breach of any provision of this Agreement shall not operate or be construed as a waiver of any subsequent breach of that

provision by the same party, or of any other provision or condition of the Agreement. If any provision of this Agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable for whatever reason, the remaining provisions not so declared shall, nevertheless, continue in full force and effect, without being impaired in any manner whatsoever.

9. Authority. Each Party, or responsible representative thereof, has read this Agreement and understands the contents thereof. The person(s) executing this Agreement on behalf of each Party is empowered to do so and thereby bind the respective Party.

10. This Agreement and the License granted herein may not be assigned by SLWC without the previous written consent of the Municipality, such consent not to be unreasonably withheld.

11. This Agreement may be executed in counterparts, all such counterparts will constitute the same contract and the signature of any Party to any counterpart will be deemed a signature to, and may be appended to, any other counterpart. Executed copies hereof may be delivered by facsimile or e-mail and upon receipt will be deemed originals and binding upon the Parties hereto, regardless of whether originals are delivered thereafter.

12. Any litigation related to this Agreement shall be brought and prosecuted exclusively in courts of the Province of Ontario. The governing law shall be the laws of Ontario and the laws of Canada applicable therein.

13. The above Recitals are incorporated by this reference and expressly made part of this Agreement.

IN WITNESS WHEREOF, The Parties hereto have executed this Agreement on the day and year first written below.

City of Port Colborne

By: _____

Name: William C. Steele

Title: Mayor

Date:

By: _____

Name: Nicole Rubli

Title: Acting City Clerk

Date:

Service Line Warranties of Canada, Inc.

By: _____

Name: Michael Backus

Title: Chief Sales Officer

Date:

Exhibit A
Service Line Warranty Program
City of Port Colborne, ON
Term Sheet
March 24, 2022

- I. Initial Term. Three Years.
- II. License Fee – 5% of revenue for Plans collected from Residential Property Owners, paid annually, for:
 - a. Municipality logo on letterhead, advertising and marketing materials
 - b. Signature by Municipality official
- III. Products
 - a. External water service line plan (initially \$6.00 per month)
 - b. External sewer/septic line plan (initially \$8.00 per month)
 - c. In-home plumbing plan (initially \$9.00 per month)

Pricing does not include taxes. Company may adjust the foregoing Product fees once every twelve (12) months during the Term or any Renewal Term based on increases in the consumer price index (“CPI”) for Services in Ontario as defined by Statistics Canada. Any such adjustment shall not exceed the CPI percentage change over the prior year plus 2 percentage points unless the Parties agree in writing.
- IV. Scope of Coverage
 - a. External water service line plan:
 - i. Covers Residential Property Owner responsibility: From the property line to the external wall of the home.
 - ii. Covers thawing of frozen external water lines.
 - iii. Covers well service lines if applicable.
 - b. External sewer/septic line plan:
 - i. Covers Residential Property Owner responsibility: From the exit point of the home to the property line.
 - ii. Covers septic lines if applicable.
 - c. In-home plumbing plan:
 - i. Water supply pipes and drainage pipes within the interior of the home.
- V. Marketing Campaigns. SLWC shall have the right to conduct up to three campaigns per year (each campaign consists of two mailings) and such other channels as may be mutually agreed.



FAQ For Council & Staff

Why should we consider the Service Line Warranty program for our residents?

- 1) To provide an option to those who feel they may benefit. Water or sewer line repairs are often unexpected and expensive. There are often concerns from customers who are facing large bills for repairs to their privately-owned portion of the water or sewer line.
- 2) To educate residential property owners about their responsibilities for the maintenance, repair and replacement of water and sewer service lines (portion from their homes to the property line). Many customers do not understand their obligation to repair and maintain service laterals on private property, at their expense. When a problem with a service line arises, it can be costly to repair and a plan from SLWC offers a solution

About Us

Service Line Warranties of Canada is a subsidiary of HomeServe PLC. Homeserve was founded in 1993 in the United Kingdom and has grown to a market cap size of over \$2 billion dollars. We are the largest international service provider for service line warranty programs and currently operate these programs in Canada, the United States, the United Kingdom, France, Spain and Japan.

We partner with municipalities to offer their residential homeowners a low cost, high coverage warranty program for their privately owned water and wastewater service lines.

Why does Service Line Warranties want to partner with our municipality as opposed to approaching our constituents on their own?

Your residents are inundated with all kinds of 'home offers' and it can be difficult for people to determine what is legitimate and what isn't. Vulnerable residents could be taken advantage of, and people pay into things that don't end up being reliable. An average homeowner has never heard of AMO/LAS and if they haven't lived in one of the 60 municipalities where the program was offered, chances are they have never heard of our company either. As a result, our letters educating your residents on how to mitigate their risk in this area would go in the garbage. We could not offer the level of coverage that we do, at the low-cost rates that AMO/LAS secured for Ontario municipalities, without the open rates that direct mail can only achieve when residents recognize it is in conjunction with the town, it's trustworthy and is supported through their local municipality.

Isn't this covered in a home insurance policy?

We encourage you to contact your home insurance provider and find out what your coverage is in this area and whether our program is a better option. Chances are that the resulting damages would be covered but the actual repair or replacement of the pipes would not. This can cost thousands of dollars. Some insurance companies are now offering this as a 'rider' to a home owner policy however payment of a deductible is always required, plus out of pocket costs up front before the homeowner is back up

and running, and the concern of increased rates after a claim. Residents would also be required to find an available contractor as opposed to calling our 247/365 line and having us do the legwork on setting up a safe visit from a vetted, reputable contractor. We also frequently hear that there are many exclusions in insurers fine print. Our rates have never gone up in the 8 years we have been in Ontario, we do not deny claims and there is no deductible. *This program is designed to eliminate out of pocket expenses, particularly for the many Ontarians who do not have money saved for home emergencies or are on a fixed income.*

Would we be giving preference to Service Line Warranties over another company?

Service Line Warranties is the only company in Canada offering this type of program as a warranty which is why AMO/LAS approached us after we won Hamilton's RFP and were one of two responders. Since then, we have been acquired by that other company and are now one entity. As such, if your municipality were to do an RFP, we would be the only responder. The municipality is not 'choosing' Service Line Warranties over another provider.

Do homeowners in our municipality really need to manage their risks and costs in this area?

Your public works team likely put this before council because they are aware of problems residents have had, will continue to have and how costly it can be, particularly when it happens unexpectedly, as these things often do. For many older homes, it is not a matter of 'if' but 'when'. If residents choose to enroll in this optional warranty, they are given the peace of mind that if they pay a low monthly or annual fee, any problems of this nature that arise will be taken care of. Newer homes may not need this type of coverage although we are hearing more recently about some quality issues in some new builds that can result in problems occurring almost as frequently as older homes.

Can we cancel the program at any time? Can our residents?

Yes, and yes.

Does this take business away from local plumbers?

No. Any contractor is welcome to apply, provided that they are licensed and doing work up to code, this can ring the bell for them because it allows homeowners to be proactive with plumbing issues, instead of potentially putting off calling a plumber to avoid the cost. Further, it ensures plumbers get paid in a timely manner and appropriately for their work. We are happy to share references from contractors who have grown their businesses by participating in our contractor network.

What are the benefits of our contractor network to your residents?

A person with a plan is more apt to call for service on a small problem before it becomes worse, and potentially dangerous. Once on-site, our contractors can check other systems to ensure there are no additional issues and if any are discovered they can be fixed immediately.

While it can take days for a contractor from the phone book to arrive, SLWC customers receive a call back from a qualified contractor within two hours after reporting a claim to agree upon a convenient time for the contractor to arrive at the home to execute the repair.

Calling a stranger from the internet to address a problem in the home can be risky. SLWC network contractors are fully vetted, licensed and insured, and we send the customer email/text verification of who is coming.

There are many financial risks of using unlicensed contractors including poor quality work, non-permitted work which can impact property value, liability for personal injury and damage to third parties.

How will you communicate with our residents?

We will never mail anything to your residents without your approval. Each seasonal mailing, our teams will coordinate to ensure that the municipality approves the letter and how the details are being communicated to residents.

How does the 5% Royalty to the municipality work?

The royalty is paid annually to the municipality based on the revenue from your resident's enrollments. If council prefers, we can also pass this 5% along to your residents instead, making the rates offered to them around 50 cents less per month.

Who else supports the program?

In addition to AMO-LAS, we are partnered with the Federation of Canadian Municipalities. We have over 60 municipal partners in Ontario including cities such as Ottawa, Kingston, Windsor, Peel Region and Hamilton as well as many small towns across Northern and Southern Ontario.

What else can SLW offer our community?

We are proud to offer our partners access to our CARES fund which is designed to help low-income homeowners who are *not* enrolled in the program. If there is a resident in your community who has not taken advantage of this option and is struggling to afford their repairs relating to a home emergency with broken, leaking, frozen or clogged service lines, we will take care of the job as a partner of your municipality.

More questions?

Do not hesitate to get in touch!



Elise Dostal

Senior Manager, Partner Acquisition | Service Line Warranties (A HomeServe company)

phone: [416-400-2022](tel:416-400-2022)

site: www.servicelinewarranties.ca

email: edostal@slwofc.ca

address: #408-81A Front Street East, Toronto, ON, M5E 1B8

SERVICE LINE WARRANTIES PARTNER LIST 2022

- | | |
|------------------------------------|---|
| 1. Regional Municipality of Peel | 45. Township of North Glengarry |
| 2. City of Hamilton | 46. Township of South Glengarry |
| 3. County of Brant | 47. Township of South Stormont |
| 4. Town of Tecumseh | 48. Township of Stirling-Rawdon |
| 5. Town of Saugeen Shores | 49. City of Quinte West |
| 6. Town of Niagara-on-the-Lake | 50. Town of Shelburne |
| 7. Town of South Bruce Peninsula | 51. Town of Spanish |
| 8. Township of St. Clair | 52. Municipality of Southwest Middlesex |
| 9. Municipality of Meaford | 53. Township of Loyalist |
| 10. Municipality of Grey Highlands | 54. Municipality of Kincardine |
| 11. Township of Georgian Bluffs | 55. Municipality of Casselman |
| 12. Town of Fort Frances | 56. City of Ottawa |
| 13. Town of Arnprior | 57. Township of North Huron |
| 14. Town of Parry Sound | 58. Municipality of Central Huron |
| 15. Township of Southgate | 59. Municipality of South Huron |
| 16. Municipality of Bayham | 60. Town of Prescott |
| 17. Municipality of Callander | 61. Municipality of North Dundas |
| 18. Municipality of Wawa | 62. Town of Hawkesbury |
| 19. Town of Atikokan | |
| 20. Municipality of Temagami | |
| 21. Township of Manitouwadge | |
| 22. Town of Mattawa | |
| 23. Township of Assiginack | |
| 24. Township of Billings | |
| 25. Township of Hornepayne | |
| 26. Town of Gore Bay | |
| 27. Township of McGarry | |
| 28. Municipality of Killarney | |
| 29. Township of Dubreuilville | |
| 30. City of Elliot Lake | |
| 31. Town of Malahide | |
| 32. Town of Hanover | |
| 33. Township of Ramara | |
| 34. City of Kenora | |
| 35. Town of Bancroft | |
| 36. Township of Oro-Medonte | |
| 37. Town of Goderich | |
| 38. Town of Lincoln | |
| 39. City of Windsor | |
| 40. Municipality of Port Hope | |
| 41. Town of Grand Valley | |
| 42. Municipality of Dutton Dunwich | |
| 43. City of Kingston | |
| 44. Township of the North Shore | |

Administration

Office of the Regional Clerk

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

Telephone: 905-685-4225 Toll-free: 1-800-263-7215 Fax: 905-687-4977

www.niagararegion.ca

March 25, 2022

CL 6-2022, March 24, 2022

CSC 3-2022, March 9, 2022

Minute Item 5.4, March 9, 2022

LOCAL AREA MUNICIPALITIES

THE ASSOCIATION OF MUNICIPALITIES OF ONTARIO (AMO)

SENT ELECTRONICALLY

Motion – Safety and Security of Staff and Elected Officials

Minute Item 5.4

Regional Council, at its meeting held on March 24, 2022, approved the following recommendation of its Corporate Services Committee:

1. That staff **BE DIRECTED** to conduct the necessary research, including an environmental scan of other jurisdictions, in order to provide Regional Council with options for consideration that may enhance the safety and security of staff and elected officials;
2. That staff **BE DIRECTED** to brief Regional Council on the accepted best practices to maintain personal safety when not on Regional property;
3. That staff **BE DIRECTED** to report back to Regional Council no later than May 19, 2022; and
4. That this motion **BE CIRCULATED** to the local area municipalities and the Association of Municipalities of Ontario (AMO).

Yours truly,



Ann-Marie Norio
Regional Clerk

:kl

CLK-C 2022-044

Notice of Open House and Public Meeting

PROPOSED NIAGARA OFFICIAL PLAN

Niagara Region has prepared a new proposed Niagara Official Plan, and will hold an open house and public meeting, pursuant to subsection 17.5 and 17.6 of the Planning Act R.S.O. 1990, as amended.

OPEN HOUSE

Thursday, April 7, 2022 at 5:30 p.m.

It will be held virtually. The purpose of the open house is to present the new proposed Niagara Official Plan and give an opportunity to ask questions.

PUBLIC MEETING

Thursday, April 28, 2022 at 6:30 p.m.

It will be held virtually as part of a Special Regional Council Meeting. The purpose of the public meeting is to present the new proposed Niagara Official Plan and give an opportunity for the public to provide input.

PURPOSE OF THE NIAGARA OFFICIAL PLAN

The proposed Niagara Official Plan will shape the physical, economic and social development of the region over the next 30 years. It sets out objectives and policies that will, among other matters:

- Identify how and where growth will happen
- Help protect Niagara's natural environment and address our changing climate
- Ensure Niagara has an adequate and diverse supply of housing
- Plan for our future infrastructure needs and ensure they're properly funded
- Create the right conditions to attract and retain jobs in Niagara

As the proposed Niagara Official Plan will apply to the entire Niagara Region planning area, a location map has not been provided. Consultation has taken place on background work and draft policy. A final proposed Niagara Official Plan will be available for review and comment at niagararegion.ca/official-plan from the date of this notice.

HOW TO REGISTER TO ATTEND AND PROVIDE INPUT

Register to attend the April 7 open house at niagararegion.ca/official-plan. To provide input orally at the April 28 public meeting, please pre-register with the Regional Clerk at clerk@niagararegion.ca before 9 a.m. on Friday, April 22, 2022. For more information, visit niagararegion.ca/government/council/speakingatcouncil.

Due to efforts to contain the spread of COVID-19 and protect all individuals, Council Chamber at Regional Headquarters will not be open to the public to attend meetings until further notice. To view a live-stream meeting proceeding, without the ability to provide oral submissions, please visit niagararegion.ca/government/council.

To provide written input, please either mail your comments to the Office of the Regional Clerk, Niagara Region, 1815 Sir Isaac Brock Way, Ontario, L2V 4T7 or email clerk@niagararegion.ca by 9 a.m. on Friday April 22, 2022. If you are not able to attend, or would like more information, including information on appeal rights, you can provide input or ask questions to makingourmark@niagararegion.ca. If you wish to be notified of the decision of the Council of the Regional Municipality of Niagara on the proposed official plan, you must make a written request to the Clerk c/o Regional Clerk, Niagara Region, 1815 Sir Isaac Brock Way, P.O. Box 1042, Thorold, Ontario, L2V 4T7, or email clerk@niagararegion.ca. Such requests must include the name and address to which such notice should be sent.

If you require any accommodations for a disability in order to participate in meetings or events, please let us know in advance so that arrangements can be made in a timely manner. Special accessibility accommodations and materials in alternate formats can be arranged by contacting Niagara Region's **Accessibility Advisory Coordinator** at 905-685-4225 ext. 3252 or accessibility@niagararegion.ca.

Any personal information is collected under the authority of the Planning Act, R.S.O. 1990, c. P. 13 and may be used in an appendix of a staff report, published in the meeting agenda, delegation list and/or the minutes of the public meeting and made part of the public record. Niagara Region collects this information for the purposes of making informed decisions on the relevant issues and to notify interested parties of Council's decisions. It may also be used to serve notice of an Ontario Land Tribunal hearing. Information collected, used and disclosed is in accordance the **Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)**. Questions about this collection and disclosure should be directed to the Access & Privacy Office at 905-980-6000 ext 3779 or FOI@niagararegion.ca.

Notice first issued in the newspaper on March 31, 2022

Administration

Office of the Regional Clerk

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

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

www.niagararegion.ca

March 31, 2022

CL 6-2022, March 24, 2022

PEDC 2-2022, March 9, 2022

PDS 6-2022, March 9, 2022

DISTRIBUTION LIST

SENT ELECTRONICALLY

Niagara Official Plan: Preferred Urban Settlement Area Recommendations

PDS 6-2022

Regional Council, at its meeting held on March 24, 2022, passed the following recommendation of its Planning and Economic Development Committee:

That Report PDS 6-2022, dated March 9, 2022, respecting Niagara Official Plan: Preferred Urban Settlement Area Recommendations, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Council **ENDORSE** Urban Settlement Area Boundary recommendations, contained in Report PDS 6-2022; and
2. That Report PDS 6-2022 **BE CIRCULATED** to Local Area Municipalities, the NPCA and the Ministry of Municipal Affairs and Housing.

A copy of Report PDS 6-2022 is enclosed for your reference.

Yours truly,



Ann-Marie Norio

Regional Clerk

:cv

CLK-C 2022-047

Distribution List

Local Area Municipalities

Grant Bivol, Clerk, Niagara Peninsula Conservation Authority

Erika Ivanic, Senior Planner, Ministry of Municipal Affairs and Housing

Heather Watt, Manager, Ministry of Municipal Affairs and Housing

cc:

M. Sergi, Commissioner, Planning and Development Services

N. Oakes, Executive Assistant, Planning and Development Services

G. Bowie, Senior Planner, Long Range Planning, Planning and Development Services

Subject: Niagara Official Plan: Preferred Urban Settlement Area
Recommendations

Report to: Planning and Economic Development Committee

Report date: Wednesday, March 9, 2022

Recommendations

1. That Council **ENDORSE** Urban Settlement Area Boundary recommendations, contained in report PDS 6-2022; and
2. That report PDS 6-2022 be **CIRCULATED** to Local Municipalities, the NPCA and the Ministry of Municipal Affairs and Housing.

Key Facts

- This report provides preferred urban Settlement Area boundary recommendations for the purpose of the Niagara Official Plan (NOP) Statutory Public meeting.
- A Place to Grow directs Niagara Region to plan for population and employment growth to 2051 and ensure a sufficient supply of developable land, as identified through a Land Needs Assessment, is available within Settlement Areas.
- It also requires Niagara to plan for a minimum 50% intensification rate within existing settlement area boundaries. Niagara has allocated 60% of new housing growth, significantly higher than required, to its built-up areas.
- PDS 41-2021 identified a shortfall of Community and Employment Area lands within Niagara's urban areas and provided expansion recommendations with detailed assessment information for each location reviewed.
- Following Council's receipt of PDS 41-2021, staff consulted on the recommendations. A record of the consultation points through meetings, phone calls, a webinar and submissions is attached to this report. Consultation on settlement area boundary expansions concluded on February 7, 2022.

- Preferred Settlement Area recommendations have been informed by the consultation process and updates to the Natural Environmental System (NES), infrastructure and agricultural system.
- Two updated recommendations are identified; changes to the Community Area expansion in Fort Erie and delineation of an Employment Area expansion in Welland.
- Settlement Area recommendations are consistent with the Provincial Policy Statement (2020) and conform to A Place to Grow (2020), Niagara Escarpment Plan (2017) and Greenbelt Plan (2017).

Financial Considerations

This report is prepared as part of the NOP program. Council approved the resources to complete the NOP over a five year period as part of the 2017 Budget Process.

Background

A Place to Grow provides 2051 population and employment forecasts for upper- and single-tier municipalities in the Greater Golden Horseshoe. Niagara is required to plan for the minimum forecasts identified in A Place to Grow and ensure Settlement Areas can accommodate forecasted growth within Community and Employment Areas.

Council endorsed the alternative Made-in-Niagara forecast of 694,000 people in August 2021. A Place to Grow mandates a minimum 50% intensification rate for Niagara Region. The NOP targets 60% intensification, well above the Provincial target and 10 year average (50%). As such, Niagara is taking an intensification first approach to managing growth to 2051.

The remaining 40% of population and employment growth is generally allocated to the existing Designated Greenfield Area (DGA) and expansion areas. While the majority of population and employment growth is directed to established built-up and employment areas, Niagara still requires additional urban land to accommodate and plan for growth to 2051, as identified in the December 2021 Land Needs Assessment (LNA). PDS 41-2021 identified draft recommendations on urban Settlement Area expansions to accommodate the land needs associated with 2051 growth targets.

Staff consulted municipalities, land owners, developers and the public on the preliminary recommendations. Supplemental information was provided on various

components of the assessment, including updated information on servicing, the natural environment, agriculture, and transportation connections. This information was used to update the Settlement Area Boundary assessment.

This report presents preferred urban Settlement Area recommendations based on refinements to the assessment. Two revised boundary recommendations are provided in this report; one for Community Areas in Fort Erie and one for Employment Area in Welland. The remaining PDS 41-2021 recommendations remain unchanged. Updates on rural Settlement Area recommendations are included in PDS 7-2022.

Urban Settlement Area recommendations are informed by the Land Needs Assessment and conform to A Place to Grow, Greenbelt Plan and Niagara Escarpment Plan, and are consistent with the Provincial Policy Statement. The following section outlines the consultation process and revisions to the preferred Settlement Area boundary recommendations.

Consultation and Consideration

Multiple consultation efforts on recommended Settlement Area Boundary expansions occurred between December 2021 and February 2022.

First, staff mailed 255 letters to landowners within draft recommended expansion areas. The letters advised the landowners of the SABR process and the potential changes to their property. The Region received a number of phone calls from landowners in response to the letters sent.

Second, landowners or their representatives were given opportunity to request a meeting with staff to discuss their assessment following the December 2021 SABR Report and presentation. A total of 27 meetings were held with interested land owners. Topics of discussion generally included the application of assessment criteria, Provincial policy direction, infrastructure investment and timing, and information used by the Region in its LNA.

Third, a Public Information Centre on Settlement Area Boundary recommendations was held virtually on January 26, 2022. 118 participated and 148 questions were submitted during the session. A summary of questions and answers is included as Appendix 2. The Region received 110 submissions (letters, emails, comments) regarding boundary recommendations. This information has been carefully considered through the

preparation of this report and any adjustments made to recommendations. Written submissions are included in Appendix 3.

The following section provides a thematic summary of comments received on Settlement Area Boundary recommendations and staff response.

1. Focusing Growth within Existing Settlement Area Boundaries

The Region has received a number of inquiries on the subject of intensification versus boundary expansion. More specifically, is it suggested that Niagara should set a higher intensification rate to offset the need for Settlement Area Boundary expansions. In response to this, staff have assessed what increased intensification rates would mean to how growth is allocated in Niagara.

A Place to Grow requires Niagara to plan for a minimum 50% intensification rate. Through the Region's land needs assessment work, Staff, in consultation and with support of municipalities, set a significantly higher intensification target of 60%. This means 60% of new housing growth will be directed to the built-up areas across Niagara over the next 30 years. Specifically, it means over 11,000 additional units will need to be constructed in our built-up (or already developed) areas. By increasing our intensification rate to 60%, it reduces expansion needs by over 500 hectares.

Continuing to increase the intensification rate, however, will impact the Region's ability to accommodate forecasted growth and impact our ability to support a range and mix of housing while considering market demand. If the Region considered an intensification rate that supports a "no expansion scenario," it would mean that we would need to accommodate more intensification at a higher density within our built-up areas. This would direct additional growth pressure to established neighbourhoods where existing infrastructure is not sufficient and municipalities have received increased pressure to direct growth away from.

Staff's recommendation of directing 60% of growth to built-up areas and 40% of growth to the DGA will assist in achieving a balanced approach to growth management by addressing market demand and increasing housing choice and affordability.

2. Agricultural Land Supply and Food Security

Another key theme raised through correspondence is impact of proposed expansion areas on the loss of agricultural land.

The draft NOP is mapping the Region's Agricultural System. Through this work and based on Provincial mapping, the Region identified approximately 3,300 ha to be added to this system as prime agricultural lands.

There are very few potential expansion areas that are not located on prime agricultural land. The few that are, are difficult to service and did not meet the other criteria set out by the growth plan. When assessing expansion areas, impacts to the agricultural area were carefully considered. The Region considered soil quality and classification, the overall agricultural system (including the agri-food network) and the presence of existing livestock operations through minimum distance separation to ensure protection.

Food security was also considered as part of the SABR review. Agriculture is very important to Niagara and the Region is committed to preparing a Food Security Plan, as well as updating the 2015 Regional Agri-food Strategy, following the completion of the NOP.

3. Climate Change and Land Use Planning

Comments were received regarding the potential increase in greenhouse gas emissions resulting from the recommended settlement area boundary expansions, specifically as it relates to the loss of agriculture land, the impacts to natural environment features and areas, and additional infrastructure needed to support future development.

The Niagara Official Plan is an intensification first strategy. A major theme of the Official Plan is concentrating development in underutilized locations and redevelopment of brownfield sites. This type of development will support climate initiatives by improving watershed conditions within established communities.

Regarding boundary expansions, locations were determined following a comprehensive evaluation of a number of land use factors, including impacts to the Natural Environment System, watershed planning, and agriculture lands. This review was done with the understanding that, should the recommendations for expansion be adopted and approved, more detailed planning would follow, including updates to local Official Plans and the completion of secondary plans and sub-watershed plans. Implementation tools such as these would help to protect key natural features and identify opportunities to plan for communities in a sustainable and resilient manner, with the use of technology and built forms that contribute towards net-zero emissions targets and the establishment of future transit connections.

4. Natural Environment System

Concerns were raised regarding the protection of natural features in areas being considered for urban boundary expansions. Some comments indicated that there was a belief that if a natural feature was included in an area of expansion that it would lose its status and protection as a component of the natural environment system.

If a feature is added to an urban area it does not mean it will be removed for development. For example provincially significant wetlands, other wetlands, and significant woodland continue to be protected as a component of the Region's natural environment system whether or not they are in an urban area. Additionally, Secondary Planning for urban development will require subwatershed planning, which will further assess features and seek to improve overall health of the environment. For smaller scale developments an Environmental Impact Study will be required to ensure sustainable development. Official Plan policies, informed by Option 3C, go beyond Provincial standards to protect natural features, systems and linkages.

5. Affordable Housing

A number of questions and comments were submitted on the relationship between Settlement Area expansions and affordable housing. Housing studies, undertaken through the Official Plan review, demonstrate that Niagara must increase the supply of all housing types, especially medium and high density, to curb increasing housing costs.

The NOP directs 60% of new housing development to built-up areas requiring a significant shift in Niagara's historic housing mix predominately low density to higher density. Allocating the majority of housing growth to the built-up area is simply one of many factors that contribute towards supporting housing affordability. Other land use tools (such as Secondary Plans) and financial incentive tools further support housing affordability.

6. Making Efficient Use of Infrastructure

The Official Plan is focused on the utilization of existing infrastructure and alignment of future projects to growth forecasts were discussed. The NOP forecasts are key inputs into master servicing strategies at the Niagara Region, including the Water and Wastewater Master Servicing Plan and Transportation Master Plan. Growth forecasts and expansion recommendations are assessed through the Niagara 2051 program.

Ultimately, any improvements to infrastructure as a result of population and employment growth are identified and collected through Regional Development Charges.

Natural Environment System Consultation

Concurrent to the SABR consultation process, staff consulted the public and municipalities on the NES mapping and policies. Through this consultation process, updates to the NES were made based on local knowledge, more detailed studies, and active planning applications where an Environmental Impact Study is ongoing or had recently been completed. This included both additions and removals from the NES mapping.

The NES is a significant factor in calculating available land supply. The NES is one of few features that are categorized as a take out in the LNA. Therefore, changes to the NES has a direct impact on land need calculations. The NES is also a core component of the SABR assessment, as SABR considers the NES through the expansion review and looks to minimize impacts on the natural environment.

NES updates have resulted in a change in amount of developable land within municipalities and evaluation of a limited number of properties considered for boundary expansion.

Recommendations

This report presents preferred urban Settlement Area recommendations based on refinements to the assessment. Two revised boundary recommendations are provided in this report; one for Community Areas in Fort Erie and one for Employment Area in Welland. The remaining PDS 41-2021 recommendations remain unchanged. Staff have carefully considered all feedback received through both SABR and NES consultation processes.

Revisions have been made to the Urban Settlement Area Assessment Review, included as Appendix 4, to reflect supplemental information received from the Province, municipalities, land owners, developers and the public. A summary of changes to Settlement Area boundary expansions and/or the Land Needs Assessment are summarized by municipality below:

Town of Fort Erie

Three updates are proposed to the initial Fort Erie Settlement Area expansion recommendations.

Update 1: Removal of SABR 1511 (20 hectares)

Since December 2021, NES features and servicing constraints have been identified on the property identified as SABR 1151. Through the NES consultation process, environmental features have been identified on approximately half of the property. Additional water and wastewater servicing constraints have also been identified. Appendix 4 provides a revised assessment of the property.

Given the addition of environmental and servicing constraints, staff have determined that alternative locations within Fort Erie are better suited for Community Area expansion at this time.

Update 2: Addition of 171 Gorham Road (11 hectares)

Located on the west side of Ridgeway, 171 Gorham Road was reassessed for Community Area land needs. Further review indicates access to servicing on Gorham Road. Additionally, the site is located in the Ridgeway-Thunder Bay Neighbourhood area and this area has accounted for well over half of the Town's residential permits in the past decade and remains a strong market area. Absorption for the remaining DGA in draft and registered plans remains high. By including this site in the expansion area the supply of mid-term DGA to this market area is being addressed. This change reduces the potential for supply constraints while the master servicing strategy for the community and employment land north of Garrison can be finalized. The property at 171 Gorham Road is an appropriate alternative to fulfill the Community Area land needs of Fort Erie.

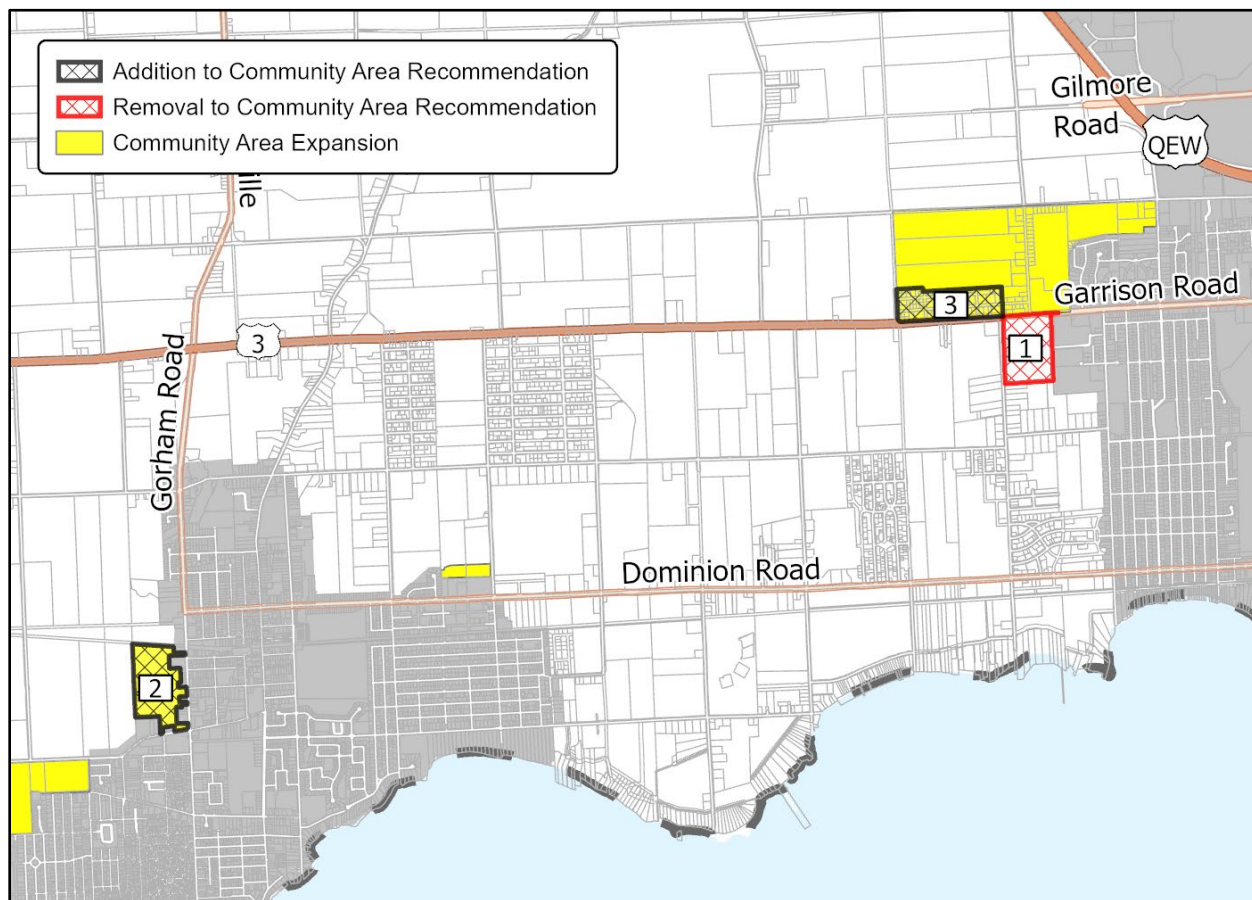
Update 3: Addition of lands north of Garrison Road, between Rosehill and Laur Road (19 hectares)

The properties to the north and east of the subject lands were previously recommended for Community Area in PDS 41-2021. This area includes a mix of existing homes and businesses on rural servicing, as well as some infill and redevelopment potential.

Numerous submissions were made requesting the remaining lands along Garrison Road be included in the expansion area as it provides for a more logical Settlement Area boundary, provides additional connections to the expansion lands to the north, and will see current residents connecting to wastewater services in the future.

The Fort Erie proper expansion area includes numerous developed areas, including over 300 people and jobs related to the existing homes, businesses and school within the area. The inclusion of existing people and jobs within the area offset the additional land being added to the Community Area. Figure 1 identifies updated Community Area expansion recommendations for Fort Erie.

Figure 1: Preferred Fort Erie Settlement Area Boundary Expansion Recommendation

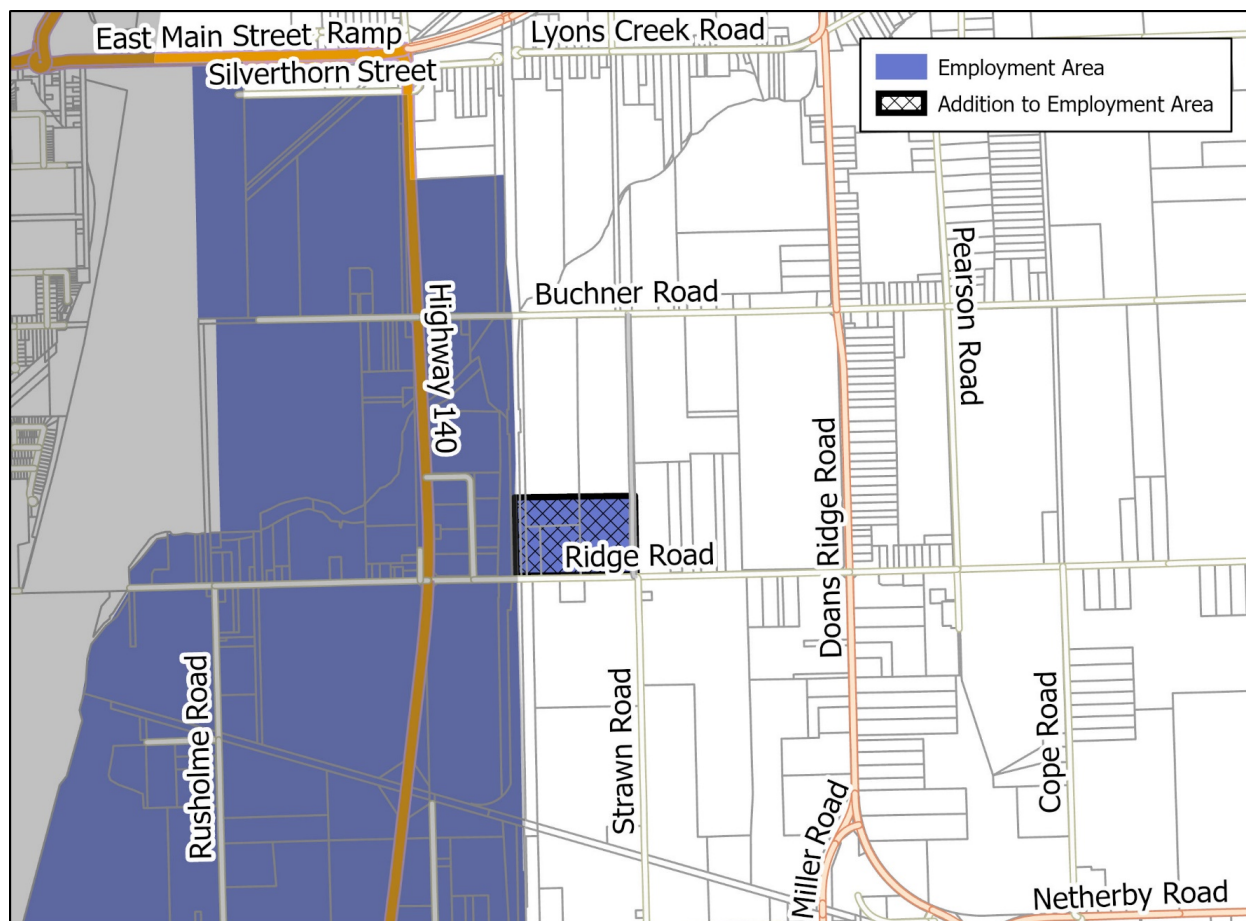


City of Welland

Update 4: Addition of Employment Area in Welland (15 hectares)

As identified in PDS 41-2021, Welland had an Employment Area land need of 45 hectares. No expansions were recommended in the previous report as consultation and discussion on the NES was ongoing with City staff at the time of the initial recommendation report drafting. Since December, staff at the Region and City have been collaborating on NES updates and identified numerous revisions to the NES, reducing Employment Area land need to 15 hectares. Future Employment Areas were identified in the Draft Niagara Official Plan, Appendix 2. A portion of these lands have been identified for inclusion in Welland's Employment Area to support growth to 2051. Figure 2 identifies new Employment Area lands in Welland.

Figure 2: New Employment Area lands in Welland.



City of Niagara Falls, Town of Pelham and Township of West Lincoln

The urban expansion areas recommended in Niagara Falls, Pelham and West Lincoln remain unchanged from PDS 41-2021.

While additional information was provided for a multiple properties in Niagara Falls (included in Appendix 3) staff continue to support the expansion areas previously identified in PDS 41-2021.

Preferred Settlement Area Boundary Recommendations

Appendix 1 identifies Settlement Area Boundaries recommendations for the Official Plan. It is the opinion of Regional staff that these boundaries best meet the objectives of the Niagara Official Plan, conform to A Place to Grow and Greenbelt Plan, and are consistent with the Provincial Policy Statement.

The Settlement Areas identified in Appendix 1 will be included in the draft Niagara Official Plan and presented at the Statutory Public Meeting.

Refinements to the Settlement Area Boundaries and the Land Needs Assessment will be considered through the remainder of the public process.

Alternatives Reviewed

Council could choose not to endorse the Settlement Area Boundary expansions. This is not recommended. By not supporting expansion areas, the Region will not conform to Provincial policies.

Relationship to Council Strategic Priorities

Settlement Area Boundary Expansion, as part of the Region's MCR and NOP are supported by 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 7-2022 Settlement Area Boundary Review – Updated Rural Recommendations

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

PDS 42-2021 Settlement Area Boundary Review – Rural Recommendations

PDS 41-2021 Settlement Area Boundary Review – Urban Recommendations

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

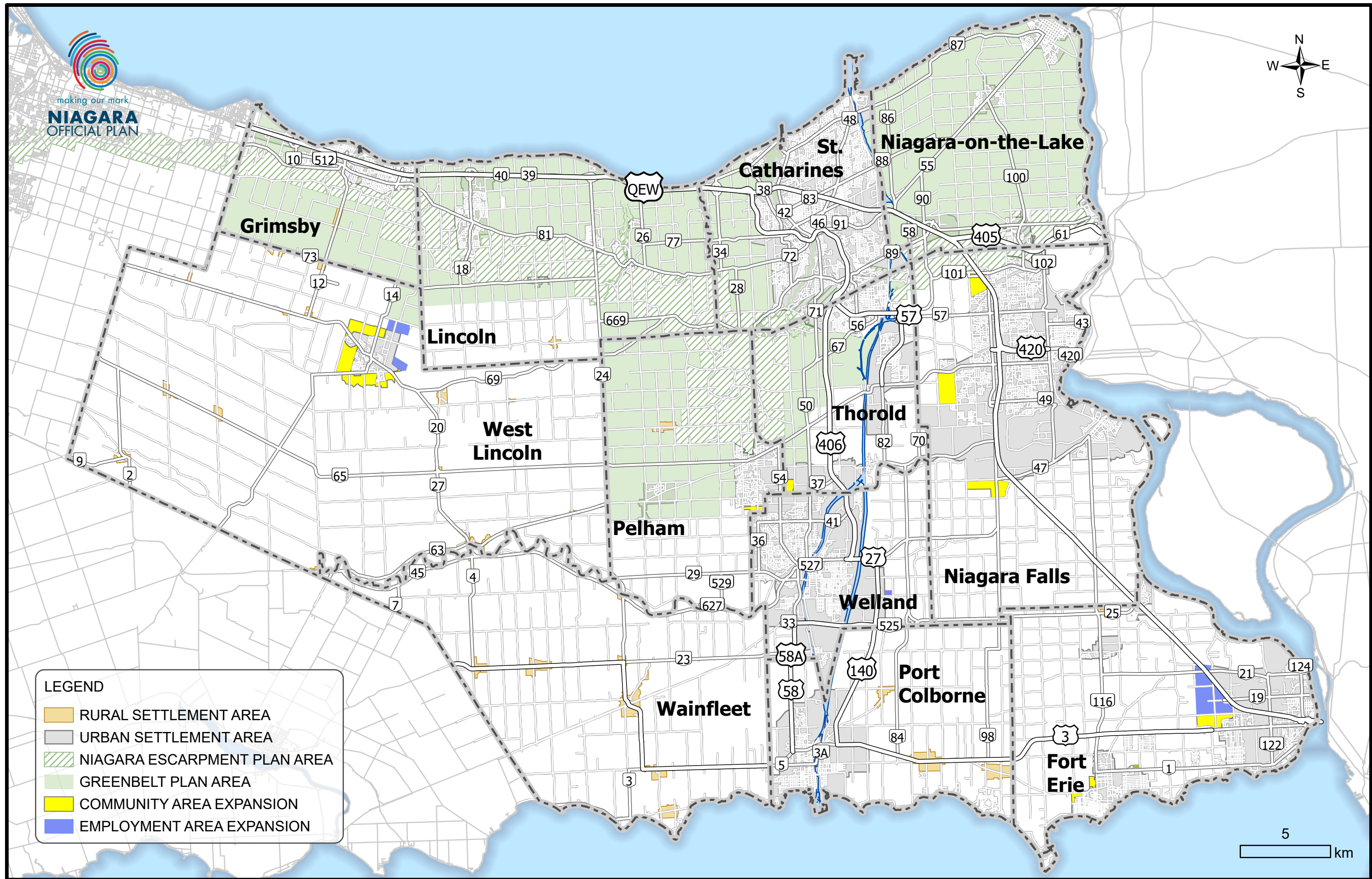
This report was prepared in consultation with Kirsten McCauley and Chris Millar, Senior Planners, and reviewed by Diana Morreale, Acting Director of Community and Long Range Planning.

Appendices

Appendix 1	Map of Recommended Settlement Area Boundary Expansions
Appendix 2	Settlement Area Boundary: Public Information Center Comments and Responses
Appendix 3	Settlement Area Boundary Comment Submission Responses
Appendix 4	Settlement Area Boundary Comment Submissions (website only)
Appendix 5	Urban Settlement Area Boundary Review: Revised Assessment (website only)

URBAN SETTLEMENT AREA BOUNDARY RECOMMENDATIONS

MARCH 2022



NIAGARA OFFICIAL PLAN

Appendix 2 - PDS 6-2022

Public Information Centre

Comments Summary

Urban Settlement Area Boundary Review

Niagara Region
March 2022



Niagara Official Plan – Settlement Area Boundary Expansion Webinar – January 26, 2022

Questions/Comments & Responses

#	Question/Comment	Response
1	Provincial Growth Plan (2019) introduced a new policy (2.2.8.5) to permit urban boundary expansions (each under 40 ha) outside of the Municipal Comprehensive Review (MCR) process. It was supposedly interim policy — was it not? What assurance do we have it will NOT be used to keep expanding urban boundaries beyond what you are showing us?	The City of Welland received an expansion under the Growth Plan 40 ha. expansion policy you reference. This expansion was factored in to our land needs assessment as part of the Municipal Comprehensive Review (MCR). This process has identified land needs in specific communities to satisfy growth to 2051 despite an intensification target above the provincial target. Therefore, there is no need for expansions outside of the next MCR process.
2	Why did the Niagara planners not support the comment of the Niagara Falls planners that a 60 percent intensification rate is preferable to the lower intensification rate adopted by the region?	Niagara Falls staff provided two options for council's consideration 50% and 60%. Niagara Falls Council endorsed the lower intensification rate of 50%. We are supporting 60% Regionally and area municipalities can be more ambitious if they choose to do so.
3	What research and/or analysis has been integrated into these boundary expansion reports relative to the amount of abandoned and/or polluted lands (commonly referred to as brown fields) in the Niagara Region? If you have a recent study in regards to brown fields and related lands, then please explain how that information has been taken into account when devising these current boundary expansion projections.	Larger brownfields with active development interests were identified in our intensification strategy. Development on these lands will contribute to the Region's 60% intensification target.
4	The Urban boundaries are being addressed in insolation for each Local municipality. If this were an amalgamated Region as proposed by the Province in 2018, the growth would be distributed over the entire Region. Why is the growth not the net area in the Region, averaging in those Local Municipalities that have excess area, such as Port Colborne that has surplus Urban area.	Urban boundary expansions are being considered on a municipal level in order to account for market demand. Not all urban lands in Port Colborne are available for development due to infrastructure limitations and proximity to active quarry activities.

#	Question/Comment	Response
5	If the Public Meeting on the new plan is to be held in April, when will the final recommendations from the Planning Department be available for public review	In accordance with the Planning Act, the final draft of the Region's new Official Plan will be available in advance of the April Public Meeting.
6	Why have the precise areas in land to be de-allocated in Thorold and Niagara Falls never mapped. Will these areas be identified before the final recommendation from Planning Department before the Public Meeting.	Lands identified are not de-allocated. They are lands that remain in the urban area unlikely to develop in the time horizon of the Official Plan but if circumstances change could develop.
7	It appears that active aggregate operations have been used as a reason to deallocate lands in Thorold. Is this reasonable if within the next 30 years, this area may be cksised to quarrying and rehabilitated.	Market conditions could change to bring lands online before the planning horizon as targets are minimums.
8	Regarding aggregates, there is a proposal for a new quarry in Niagara Falls close to Thorold. Could this proposal, if accepted have a negative impact on the proposed expansion area south of Lundy's Lane	These areas were outside the area of influence.
9	How close is the above proposed aggregate future operation to the proposed Niagara Falls expansion Number one.	Approximately a kilometer away
10	The recommendation report for expansion did not map the natural heritage features for any of the proposed urban expansions. Why was such mapping absent from the staff report.	Staff are aware of the NES mapping and information and given the timing of review of expansion areas considered both options 3B and 3C in the assessment.
11	The entire block of land from Elizabeth St to the west, Lorraine Road to the east, Hwy #3 to the north and Killaly St to the south are zoned Residential Development. This is close to 100 Ha. There are probably only about a dozen residences in that area at this time. MTE was surveying this area last summer for ELITE Development. So there is interest. That area could easily be averaged in with the PC+Welland demand area.	Port Colborne will be undertaking a secondary plan for the area you have identified and this has been factored into our land needs assessment.

#	Question/Comment	Response
12	Are not substantial areas proposed to be added to the natural heritage system, along the queen elizabeth highway and netherby road impacted by the proposed Employment Lands indicated in the consolidated plan?	There is no expansion proposed for employment in the Netherby Road area. Where there is natural heritage within an expansion areas the assessment took this in to account and the natural heritage features will be protected according to policy.
13	Good evening, could you please tell us what percentage (and actual acreage) of urban and rural lands have an environmental designation? Referring to percentage of proposed expansion areas.	Settlement area boundary expansion areas and the natural environment system features are both currently under review and subject to possible refinements, in order to delineate the natural features and system in accordance with the provisions for the urban area. Updates or changes to either mapped layer would alter any quantifiable percentage put forward at this time. Draft mapping of all natural environment features across the Region, is viewable through the following online mapping application link: NES Public Review Map (arcgis.com)
14	Can you name the measures that communities can use to increase the amount of intensification within the existing urban growth areas.	The Region will be working with local municipalities to accommodate intensification through intensification and secondary plans.
15	While recognizing the need for planning future population growth, Regional Council in September 2021 declared a Climate Emergency and in that Motion the words "mitigation and adaption" were repeatedly stated. Given your presented plans represent the planned destruction of many thousands of mature trees and the destruction of many wetlands (PSWs) which we ALL know only exacerbate the climate emergency, then how will your plans even meet a minimum criteria for mitigating and adapting its destructive effects?	Selection of expansion locations considered the Natural Environment System, watershed planning and impacts on agriculture amongst other factors. Brining natural features in to the urban area through expansion does not mean these areas will not be protected. The same NES policy protection will apply to these areas and the planning to protect these areas will be achieved by secondary planning, subwatershed planning and Environmental Impact Studies.
16	Where is Wellands official plan? is it included in the Regional Plan?	Once the Regional Official Plan is approved by the Province then local municipalities can adopt local Official Plans that conform to provincial and regional policy and address local

#	Question/Comment	Response
		issues. Local municipalities can begin initiating background work now.
17	Why is there not a focus on intensification towards the Lake in Wainfleet? Land proposed to be taken out of production in Chambers Corners, for instance, is some of the best land in the area. Should we not focus on saving prime agricultural lands?	The majority of growth for Wainfleet is focused on the Village of Wainfleet. There are environmental features and ground water issue which are constraints closer to the Lake.
18	Fort Erie, has unused commercial properties. What are the plans for starting to use that land before expansion occurs?	These unused lands were considered in the land needs assessment. Expansions for employment focused on more traditional manufacturing employment uses.
19	What uses would you see in rural employment lands?	Rural employment uses support the agricultural area. Examples are feed, tractor and dry industrial type uses.
20	<p>I am interested to know about application for planning & development of a Hamlets within the Region of Niagara. Precisely for (2) proposed Hamlets in recently recommended official plan of Region of Niagara.</p> <p>A: Fulton & B: Caistor Centre.</p> <p>We live within neighborhood town known as Smithville.</p> <p>Yes, I am in constant touch with Township of West Lincoln and like to begin working in a team environment working towards Hamlets plan & developments for both Fulton & Caistor Center.</p> <p>We are currently in negotiations with landowners to acquire proposed recommend Hamlets lands both in Fulton & Caistor Center.</p> <p>Understanding the fact that planning & development of Hamlets involves more with Province of Ontario in cooperation and coordination with local Township as well.</p> <p>And this is the reason that I am reaching out to you through this email communication.</p>	Can you send us your question to makingourmark@niagararegion.ca so that we have your email address and can follow up with you?

#	Question/Comment	Response
	Please assist, advise & connect with right person / resources.	
21	If we wanted to know if a certain area would be included in the new urban expansion area, who should we email/contact?	Hello, Please send your inquiries to makingourmark@niagararegion.ca
22	Are the SABR criteria equally related?	Provincial policy requires expansions to be assessed comprehensively. The criteria are treated the same and a professional planning opinion rendered based on a comprehensive assessment.
23	Can the maps not include arterial roads and not just regional and provincial roads?	The roads shown on a map are typically dependent on scale of the map. We can work to provide greater detail on future maps regarding expansions.
24	I would like to speak regarding recommendations for the 118 acre land located at Elm Street and Fork Street SABR ID 1234	The speaker was told a meeting would be established to discuss his specific proposal and staff's assessment of same.
25	Since there is no penalty for being late, can you defer this till next elections? I will vote based upon people's protection of the environment, for the region and municipal and provincial governments.	The Growth Plan requires us to conform to it by July 1, 2022. The Ministry has the power to amend our Plan if it does not conform. We are looking to put forward the best plan possible to address Niagara's needs by that date, including our housing/growth requirements.
26	Why was south Niagara Falls near hospital chosen as there is no infrastructure there waste water plant at the moment. There is better land with infrastructure in place near Kalar Road Along side Beaverdams. That would make more sense to me.	It is important to note this is a 30 year planning horizon and the hospital area will be a key focal point for growth over the long term. Infrastructure is planned for the area.
27	My greatest concern is the bias with the EIS process where the developer pays for the Environment Study. This needs to be fixed. Are you considering any options for peer review or preferably an independent peer review by the region? There would still be issues with this process which would need some controls.	Please join us on the 10th for the NES webinar.

#	Question/Comment	Response
28	Who do you consult with in regards to making good planning decisions to protect biodiversity within developmental sites? Do you incorporate peer reviews? In recent development such as AM-2018-12 we have seen EIS's that do not include species of concern, nor include objective scientific evidence. Hedgerows and trees are removed and wetland changes are made without approval by NDMRF. What does the region recommend to do in these circumstances and if this happens in future developments in our area?	<p>Most development applications are submitted to the local area municipalities as they are the approval authorities. If the application is near an environmental feature or has an environmental feature on site, the Region will require the developer to complete an Environmental Impact Study (EIS) as part of the development review process. The function of the EIS is to describe potential impacts, to better inform staff in making decisions about which impacts of development are acceptable, which should be avoided, and how impacts can be best mitigated. The EIS also describes how the proposed development is consistent with the relevant environmental planning policy.</p> <p>The EIS work is measured against approved survey protocols and is scoped to ensure the work adequately addresses the features impacting the site. Regional staff will reach out to Provincial and Niagara Peninsula Conservation Authority staff as necessary to clarify issues relating to Species at Risk, Provincially Significant and other Wetlands and Significant Wildlife Habitat. In situations where the EIS does not adequately address the requested information by the Region, the Region can retain a peer review of the EIS and will do so when needed.</p>
29	Is there an interactive map where i can look up my address to see if the zoning / for the wooded area behind my home has changed?	<p>With respect to zoning - you would need to reach out to your local municipality. However, the Region's proposed Natural Environment System mapping is available for review and comment online at the link below. If you have additional questions on this, please let us know.</p> <p>https://niagararegion.maps.arcgis.com/apps/instant/basic/index.html?appid=21e7b3d3663e476799277823f3a40b44</p>
30	Who is on the Review Team by name please.	Staff have expertise in planning, engineering and ecology.

#	Question/Comment	Response
31	Regarding the claims for deallocation to come up with a precise figure in hectares there must have been some internal map made. From the reply there is a refusal to release this before the public. meeting	The information will be provided in the final land needs assessment report.
32	I am concerned about the expansions in the rural-agricultural landscape. I want to give Kuddos to the City of Niagara Falls for their intensification within the concrete areas. I am concerned for the Expansion in Pelham along Merrit Rd and the intensification plans south of the Welland River in Niagara Falls. Was their a Comprehensive EIS process used to determine where to expand verses what the landowner wants? Why the need when Welland has expanded their boundary. Will this municipal expansions be used to offset the other ones planned by the region?	The Welland settlement area expansion was incorporated in to the Land Needs Assessment. Each municipality was assessed individually from a land needs perspective. Certain areas in Pelham were constrained by the Greenbelt Plan. Regional level watershed planning and the Natural Environment System informed assessments of areas and further sub-watershed planning will inform how development takes place in the larger expansion areas.
33	Is the Greenbelt review happening in 2025?	The Province of Ontario is responsible for the review of the Greenbelt Plan. They review the plan on a 10-year basis. The current Greenbelt Plan was released in 2017. I would expect the next review will begin in 2027.
34	Hi .. Thank you for all your hard work on this huge process. I just wanted a little clarification on the time line you have. Is July still the goal date to have the official plan finalized and provincially approved? When it is approved are the subject urban lands officially in the urban boundary?	The Region is required to get the Plan to the Province for approval by July 2022. Once the Official Plan is approved by the Province the proposed expansion areas would be final. However, that does not mean that development can begin right away as there needs to be further planning completed for these areas and local Official Plans updated first.
35	Why the need when Welland has expanded their boundary. Will this municipal expansions be used to offset the other ones planned by the region?	The boundary expansion Welland, which took place prior to the completion of the Niagara Official Plan, is reflective of their 2051 land need. Likewise, additional expansions have been recommended in other municipalities that require more land for development to 2051.
36	You just showed a map that shows no creeks being mapped	Thanks for the comment. Please also note all of our environmental mapping is up for public review, you can find

#	Question/Comment	Response
		the link to our mapping application on our OP homepage www.niagararegion.ca/official-plan
37	How are the NH features are going to be protected?	Natural features are protected through the policies of the official plan. When there is a proposed development that triggers the policies of the plan, and natural features could be impacted, an Environmental Impact Study (EIS) would be required. The EIS would be required to identify and protect features in accordance with the policies of the plan.
38	If proximity to aggregates used to deallocate lands in Thorold. Why is close proximity used to justify proposed urban expansion in Niagara Falls expansion area Number Two. It was used to discount the natural heritage features here. This close proximity shows why the agricultural area in expansion Area serves as a natural corridor to be protected from urbanization	The proximity of aggregates in Thorold is within an area of influence whereas the proposed expansion in Niagara Falls is not within an area of influence.
39	Would have been better to show the environmental areas within the expansion areas to get better feed back.	Thank you for the comment.
40	I would like hear how huge community expansion around rural hamlets, e.g. such as the huge expansion around places such as Fulton, addresses the issue of affordable housing. In recent years, the big developments in West Lincoln have included a lot of large, single-family houses on very large lots, and nowhere near public transportation systems. How would more of that kind of development provide affordable housing?	The settlement area in Smithville is for different forms of housing and will assist in addressing market need. The Fulton expansion is for rural employment.
41	How will the Region protect the natural environment features like woodland, wetlands, linkages etc. on the proposed expansion areas when developer-paid Environmental Impact Studies tend to diminish the features and argue for their reduction or elimination?	For expansion areas, larger areas will develop by secondary plans and subwatershed plans. Smaller areas will be planned with accompanying EIS work. Depending on complexity there could be peer reviews although there is staff with expertise to review the EIS work.

#	Question/Comment	Response
	Will they do peer reviews of the studies? Do they have any plans to hire ecologists to review the studies? How can we trust them to protect what's important when the Region itself is planning to destroy the wetlands and woodlands along Merritt Road?	
42	Niagara Falls canopy is at 17.5 % when 30 % is the min. requirement, if you employ this it will only harm this more.	Thank you for the comment.
43	In agr. area between Nec. lands and Welland River. for ex. Shriners Creek, Ten Mile, and Beaverdams Creeks all connected to Welland Canal Turning Basins.	Thank you for the comment.
44	Niagara has lost an enormous amount of farmland to urban and suburban development over the years, yet empty grocery shelves have shown us how vital local agriculture is to our food security. Young people need to be encouraged to take up farming. Can you assure us that these urban boundary expansions do not take any good farmland out of use?	Lands have been designated for urban development for sometime despite the lands sometimes being used for agriculture. The SABR Report assesses each site based on criteria and for agriculture looked at soil classification, impact on the agricultural system and minimum distance separation from livestock operations to proposed urban residential areas.
45	Regarding Netherby Road these areas are proposed for urban expansion in the just released consolidated plan, not the urban boundary expansions featured in tonights session. They and lands along the QEW are identified by a purple line.	Thank you for the comment/clarification.
46	95.4% of the provincially significant wetlands are not within the Green belt protection area.	Thank you for the comment.
47	it appears that 2 of the 3 blocks recommended in Niagara falls will depend on a new waste water treatment plant. Will Niagara falls not be short of developable land if the waste water treatment plant gets delayed or if not delayed only one block til 2027??	There is some connection to the central block mentioned. The Official Plan is planning to 2051 and the planning aligns with infrastructure planning. The Treatment Plant for Niagara Falls is planned for 2027. In addition to facilitating development in Niagara Falls the Plant will free up capacity in St. David's, Glendale District and St. Catharines.

#	Question/Comment	Response
48	You spoke about protecting areas in accordance with the mapping but did not answer the question regarding the mapping of the areas of Niagara Falls.	Apologies as we attempt to keep all the questions organized. Can you give us more detail on what you are asking here?
49	Regarding the purple line expansion in Port Colborne, this shows that the area is expected to grow faster than the rate employed to justify the deallocation here.,	Thank you for the comment.
50	What impact if any does this report have on the west side of highway140 bordering to the east side of the canal and north of highway 3 in Port Colborne.	There are no expansions proposed in Port Colborne
51	The Climate Change policies of the plan stress the need for planning to be serviced by transit. Then why is a 400 hectare expansion being proposed for Smithville which has no transit.,	The expansion in Smithville will add different forms of housing and address market demand. As the area grows transit can be reviewed through the Secondary Plan process.
52	Good evening Great work in progress 🖐 How effectively during this expansion plan, team has evaluated the real impact of population growth specially racialize community?	Niagara's demographic is shifting and we recognize the importance of creating a Region that celebrates diversity and inclusion.
53	Urban development impacts existing natural heritage features. through fragmentation and genetic isolation. How are you considering these aspects in the proposed expansion areas?	Impact on the natural environment system was considered in assessing expansion areas and further environmental planning at various levels will take place prior to development within expansion areas.
54	Are the lands around West Grimsby going to be zoned "specialty crop review area"?	The Province identifies Specialty Crop Lands in their Agricultural Land Base mapping. Specialty Crop Lands are not under review and can not be changed as part of this Official Plan work.
55	The former CMS lands in Fort Erie have been identified as Deer Wintering Habitat. How could this function reasonably persist if the area is included within the urban boundaries?	Significant wildlife habitat is requires protection in accordance with the policies of the plan regardless if they are in a rural or urban area of the region.

#	Question/Comment	Response
56	I understand that Niagara Falls planning staff brought forward a growth plan that included 65% intensification but the plan the NF Council approved is only 50% intensification. Can this be revisited? Also, what is the intensification target for Welland and can that possibly be improved, especially since Welland just got Regional approval for a secondary plan that will lead to the development of 190 ha?	The Niagara Falls Council considered a staff report with options for intensification. The Council supported the Region's proposed intensification target for Niagara Falls. The local intensification targets are minimums and can be exceeded.
57	Could you expand on how you assessed criteria in regards to transportation? How are is public transit judged for the future? Please define and describe active transportation.	Candidate sites were assessed based on their proximity and access to hierarchical road networks including arterial and collectors and highway access. Transit Planning for areas of higher density and future Strategic Growth Areas are imperative to support a healthy, vibrant community. Areas such as Downtown St. Catharines. The GO Stations, Glendale and Brock as well as Downtowns of Niagara Falls and Welland will see the highest focus for provision of transit services while fixed routes can be augmented/planned to areas that will support their service levels accordingly. Not all of Niagara has the same demands, and services for some of the smaller communities have been piloting an on-demand service to connect with fixed services where available. A single transit authority to oversee a metamorphosis will help ensure integration and connectivity for our many communities. Respecting Active Transportation (AT), there are several definitions, but the core is "people powered transportation". That is characterized as cycling and walking primarily, but can include any number of means such as rollerblades and foot scooters. Infrastructure such as sidewalks, trails and bicycle lanes support AT and by extension a healthy lifestyle choice for getting around. Provincial Plans speak to AT provision and many municipalities have AT Committees

#	Question/Comment	Response
		and/or AT Master Plans to ensure the facilities are being planned for their existing and future communities.
58	Regarding the CMS lands why does the consolidated plan have a provision for the Canadian Motor Speedway, while at the same time an urban expansion is proposed here. This is contradictory since the CMS land is not to allow employment land type uses until the racing stadium construction has begun.,	The site specific policy for the Canadian Motor Speedway reflects an approval process for the development approved by the Ontario Municipal Board.
59	Why are you ignoring the specialty crop findings of the 1979 OMB that revealed the capability for fruit and grapes of the	You are encouraged to review our agricultural system mapping. The draft official plan will introduce a significant amount of new agricultural area for protection.
60	Can the expansion demand meet the province's mandate and still keep all of our natural lands as well as farmlands and not lose either of these?	The Land Needs Assessment incorporated a Regional 60% intensification rate and certain municipalities still need more land to support community and employment growth. Without expansions the intensification rate goes up significantly which puts more people in the built up areas and existing urban areas putting added pressure on natural features in the current urban areas as well as on local planning to accommodate the intensification in established areas. The approach would also not consider the provincial requirement of addressing market demand.
61	We continue to talk about how NHS features will be protected. How does the region plan to accomplish this given that Environmental Impact assessments are paid for by developers? Will the region be hiring experts to review the studies, for example?	The Region currently has on staff qualified ecologist and environmental planners who review EIS that are submitted. The review process ensures that the EIS have been completed in accordance with the EIS guidelines, industry standards and sound ecological principles.
62	Given the average residential house prices rose approximately 27% last year in the Niagara Region and are forecasted to jump another 14% in 2022, do you believe the current proposed urban expansions coupled	Increasing the supply of housing in general as well as medium or higher density housing can assist in assisting with tackling affordability but there are many other social housing and financial aspects that must be considered

#	Question/Comment	Response
	with our intensification targets will be enough to make Niagara Region a place where young families can move and get into the housing market?	comprehensively to address affordable housing and core housing need.
63	In looking at the "actual need" of the municipalities, what over site is undertaken to be sure they are approving land use changes and future growth plans that actually address the housing needs not wants or current purchasing trends. Why is Niagara falls able to put forward a future growth plan that accommodates less Growth outside the existing boundaries (50 %) when their own personnel brought forward a viable plan that could accommodate up to 65% potential growth within the existing boundary.	The Niagara Falls Council considered a staff report with options for intensification. The Council supported the Region proposed intensification target for Niagara Falls. The target is a minimum and can be exceeded.
64	If we are not talking about development tomorrow why are we not considering properly zoned and designated lands in Thorold and port Colborne be developed before these agriculturally zoned and designated lands.	<p>The Province will approve our Official Plan; if it does not conform to the provincial policies on growth planning, the Province will add or amend our Official Plan to do so. As a result, the risk is that the Province may plan for growth without input from the Region or community. It's best that we plan for the growth with our Niagara-centered approach than leave it to others.</p> <p>The Settlement Area Boundary Review being presented to Council represents a balanced approach that protects the environment, agricultural lands, provides intensification opportunities and also allows for growth that will provided for different housing types.</p>
65	If a cities official plan has not been followed and land use is not aligned with the current mapping, does the region consider its impact on the plan, and on the surrounding properties? Does the region then amend the map to reflect the land use?	When the Region's Official Plan is approved by the Province local municipalities must bring their Official Plans in to conformity with the Region's. The Region works with the local municipalities on this process and the Region is the approval authority for local Official Plans.

#	Question/Comment	Response
66	Why is the overall intensification target for Niagara only 56%? I know the Province is now only asking for 50% and our Region has targeted 56% intensification. If the previous Provincial policy were still in effect, they would've had to reach 60%... And some cities like Hamilton have said no to urban boundary expansion altogether. Considering the need to protect agricultural land and natural areas, and to prevent the cost of sprawl and to limit our greenhouse gas emissions, can't we do better than 56%?	The intensification rate was increased from 56% to 60% in August 2021. 60% is a significant target and well above the Provincial minimum of 50%.
67	The Premier of the Province has issued somewhere around 22 ministerial orders to override local planning. How would the Region respond if a ministerial order is issued to put development outside the areas of the official plan and/or on a significant wetland?	Normally a Ministers zoning order receives input from the municipality. The planning work completed for the MCR demonstrates we can accommodate forecasted growth with the combination of the intensification target and settlement boundary expansions proposed.
68	Regarding the natural heritage features, some of these are protected wetlands, especially in the area south of the Niagara Falls hospital. Could not urban expansion led to species loss and the removal of their protected status.	Urban expansion will not lead to the loss of provincially significant wetlands (PSW's). PSW are protected regardless if they are in a rural or urban area of the region.
69	Regarding the future Employment Lands which there is a reluctance to discuss they are mapped in an Appendix Two of the Consolidated Plan. You are pretending that this mapping does not exist.	Thank you for the comment.
70	According to Environment Canada the area we live in (known as the Carolinian Zone). We have more endangered and rare species than any other ecoregion in Canada. According to biologists 95.4% of Niagara regions wetlands are located in Niagara South and where most remaining SAR exist. The proposals in Chippawa such as the proposed employment land along Welland River is one of the largest wooded areas left	Significant woodlands and significant wetlands are required to be protected in accordance with the policies of the plan, regardless if the area is within the urban or rural part of the Region. The habitat of endangered and threatened species is required to be protected in accordance with provincial and federal legislation.

#	Question/Comment	Response
	standing in area. Why are you and the remaining species at risk Niagara South according to biologists we have 95.4% of wetlands here -	
71	The mapping in Appendix Two shows that Port Colborne may have much more development than the projected deallocation justifies.	It is unclear what document is being referenced.
72	Once the plan is completed what steps will be taken to insure that the proper amount of intensity development inside present urban boundaries takes place and development does not only take place in green field community development areas.	Growth and intensification will be monitored and tracked. The Region's Official Plan is not a static document and can be updated as necessary. Further, the Region participates in the local municipality's secondary planning process where growth is planned on a community level.
73	Disagree. There was a clear disagreement with the intensification target	Thank you for the comment
74	This may be incredibly naive but ...Why Growth? Given the constraints of environment and problems with housing our current population why do we automatically consider growth to be a given aim of our governance? What is wrong with stasis and planning for dealing with our current reality?	The Province requires the region to plan for allocated growth. Communities are not static and southern Ontario is an attractive place to reside. Growth is coming as evidenced over the last few years so a proactive planning approach is best to ensure growth takes place in the overall best manner.

#	Question/Comment	Response
75	There are contaminated lands in Niagara Falls where they have ignored it and people will be harmed, through the brownfield redevelopments poor environmental protections hence people's health. What will be done when the growth programs in Niagara falls run into more contamination? just keep building on them?	As part of brownfield redevelopment there is a process to clean the sites up at the development stage in accordance with Provincial requirements. There are also financial incentives to assist with brownfield redevelopment.
76	Regarding two of the Niagara Falls expansions, two of them have never been subject of a council decision.	Thank you for the comment.
77	This summer did you not receive comments from the Niagara Falls Planning Department that they were not interested in urban boundary expansions.	Staff are not unaware of any direct correspondence sent to the Region with such a request. Staff are aware that Niagara Falls Planning staff made recommendation to their local Council to increase their intensification target higher than what the Region had allocated, but their local Council did not support the increased density, opting instead to have expansion to accommodate a portion of the forecasted growth.
78	In Fort Erie, you have identified adding 105 hectares for community land needs. That is a gross number have you calculated the net need after removing any constraints on those properties i.e. PSW or Natural Heritage features	The numbers reported are net numbers and remove non developable features.
79	In making the final recommendations to council, is it possible to recommend that future Environmental Impact Statements on these lands be funded by the Region rather than developers to inform the secondary plan development?	The policies promote looking at the natural environment comprehensively through Secondary Plans and Sub-Watershed Plans for large development areas. An EIS would then be completed following the direction of these plans. The Region has staff with expertise to review the numerous EISs associated with development applications and has the option for a complex EIS to incorporate peer review. There is ongoing discussion on policy implementation.

#	Question/Comment	Response
80	Under the current regional plan are not Environmental Planning studies required before urban boundary expansions. Why was this not done before these expansions were recommended.	For SABR environmental planning work was considered via Region wide watershed planning and the proposed Natural Environment System mapping.
81	I also feel strongly that environmental areas should have been included within the expansion areas. I found the maps hard to 'read' without these details, such as road names, etc.	Thank you for this comment.
82	EIS is just watershed planning before you add to urban area? What about species at risk. This should be more comprehensive EIS before these areas are added as urban expansion areas.	Adding land to an urban area is not the last step in the planning process. Each site added to an urban area will require a detailed analysis before development can begin. Either through a subwatershed study or environmental impact study. There is a requirement for natural features to be protected in accordance with the policies of the plan.
83	Regarding response to aggregate proximity in Thorold how can this statement be made with any credibility unless these lands that are supposed to have a negative impact from aggregates are actually mapped.	Thank you for the comment.
84	Many developers are clear cutting first then worry about everything later. How do we stop this?	The Region has a woodland by-law and investigates tree cutting when made aware. Tree clearing that occurs that is not in compliance with the by-law can be addressed through restoration or the courts. Niagara residents are doing a good job of notifying the Region of tree cutting.
85	What will the costs be to taxpayers to service the new growth in Smithville re. all the infrastructure that must be built? (Development charges do not pay the full cost). How do they plan on solving the transportation issue that Grimsby has as the gateway to Smithville.	The Smithville Master Plan is currently under development and is taking a comprehensive approach ensuring the transportation and servicing capital work can be incorporated into development charges so growth pays for growth.
86	The Natural Heritage Inventory map fails to show the areas proposed for urban expansion. (the boundary lines are not mapped). Why was this not shown before	The draft Schedule's C1, C2, and C3 are mapped with the proposed new urban boundaries.

#	Question/Comment	Response
	the Planning Department made recommendations for these expansion areas.	
87	Regarding Urban Expansion areas One and Two in Niagara Falls why was close proximity to estate wineries not considered.,	Yes, proximity to agricultural uses were considered for all expansion reviews.
88	So you are guaranteeing that no Class 1 farmland has been included in these urban boundaries expansions?	If you are referring to the Canada Land Inventory soil classification -Staff do not recall any of the preferred SABR sites containing class 1 soil. There were a number of SABR requests made within the Greenbelt Plan Specialty Crop area, where soil classes 1-3 are dominant. These areas were not considered for expansion under the SABR process.
89	Did not earlier mapping in Smithville's urban boundary expansion indicated that there were areas in the northerly expansion area that would impact livestock operations under Code of Practice.	Areas in the northwesterly portion of the study area did have impacts from livestock and were subsequently left out of recommendations for expansion.
90	People that will live where wet lands were inevitably will have flooding problems and there will be insurance problems like in BC. What are the plans when we get more rains from global warming...?	Planning for climate change is part of the scope of work for the official plan. In regards to natural hazards and flooding, this is the mandate of the NPCA under the Conservation Authorities Act.
91	Add on to my question- ... or is it possible to recommend that a peer review of future Environmental Impact Statements be required.	The Region can require peer review of very complex EIS but there are staff that have the expertise to review EISs submitted.
92	Are you able to provide insight and solutions as to what you see as effective actions and ways we can bring about change to ensure cities follow educated advice from biologists and ecologists to enforce solutions and better planning for sustainable development while maintaining biodiversity? The proposals in Niagara South are in areas where most remaining species at risk exist. Many developments in this area can have negative impacts on ecological functions. Can you	The Region is currently updating our stormwater management guidelines. The updated guidelines are proposed to place a greater emphasis on low impact development (LID) and other treatment train approaches to managing stormwater. The draft natural environment system policies include policies to protect woodlands in the Region.

#	Question/Comment	Response
	consider incorporating the following considerations: Do not include wet engineered stormwater ponds (they are ecological traps for wildlife) but rather support dry stormwater ponds (MOE 2003) and enhanced grassed swales to mitigate stormwater impacts as they are the preferred ecological solutions and request developers not to remove existing woodlands so we can try to reach the 30% tree canopy cover recommended by the government (note we are only at 17% tree cover in Niagara).	
93	Regarding Port Colborne your response ignores Appendix Two in consolidated plan	Thank you for the comment.
94	The recommendation report for expansion did not map the natural heritage features for any of the proposed urban expansions. Why was such mapping absent from the staff report.	If you are interested in reviewing the draft Official Plan's Natural Environment System mapping, you can view that here: https://niagararegion.maps.arcgis.com/apps/instant/basic/index.html?appid=21e7b3d3663e476799277823f3a40b44
95	Regarding Smithville the comments regarding Hamilton are part of the sub-market arguments that province in the past rejected as violation of Growth Plan. How has growth plan changed to now allow such expansion based on sub-market rather than regional need	West Lincoln is being allocated growth within the context of Niagara. Proximity to Hamilton is a consideration and one of the reasons why growth pressures have been high in Smithville for over a decade. Smithville was giving a boundary expansion through RPPA 2-2009 to support growth to 2031. The additional expansion is needed to support growth to 2051.
96	How does the passing of Option 3C effect the proposed development of t Merritt Rd. from Cataract to Rice Rd. when a major part of the undeveloped roadway is Provincial Significant Wetlands and Woodlot- I believe this is the Merrit Road EA	Infrastructure projects such as the Merritt Road Environmental Assessment (EA) are governed by the Environmental Assessment Act. The Environmental Assessment Act sets out a planning and decision-making process so that potential environmental effects are considered before a project begins. Both the current and

#	Question/Comment	Response
		draft Official Plan policies recognize the applicability of the Environmental Assessment Act for infrastructure projects and defer to that approval process.
97	On one of the maps, the area around west Grimsby was labelled as "Specialty Crop land review area".. will this be the new zoning designation for West Grimsby lands? Or will we be agriculture zoning?	The Province of Ontario has indicated that no changes can be made to the Greenbelt Plan Specialty Crop designation, this includes the redesignation of lands for urban boundary expansions. As such, land identified in the Greenbelt Plan Specialty Crop area will maintain its current designation in the draft Official Plan.
98	What would happen if a new provincial government changed the demands for urban growth and future planning?	If provincial planning policies were to change, the Region would update the policies in its Official Plan as necessary to comply. That said, this Official Plan must address the provincial policies currently in place.
99	Thanks for this response, Erik. I need to research what exactly is meant by "Specialty Crop area", but your answer has reassured me. :)	Specialty Crop Area, is what the Greenbelt Plan also illustrates to as "Niagara Peninsula Tender Fruit and Grape Area". If you would like additional information, please reach out erik.acs@niagararegion.ca
100	Once the Region has received all comments on February 7th is the Region open to adjusting the recommended boundary expansion areas if the technical responses provide sound planning and engineering justification?	The Region is undertaking consultation to confirm the policy directions make sense from a planning perspective. Revisions can be made based on new information that warrants a change and represents good planning.
101	Do arguments re Smithville contradict Hamilton council's decision that no urban expansions are needed here., It seems like a defacto Hamilton urban expansion	The Growth Plan has separate growth forecasts for municipalities across the Greater Golden Horseshoe. The City of Hamilton has a growth allocation separate from Niagara. Smithville is part of Niagara, any proposed growth is associated with Niagara's growth projections.
102	Mr. Lamberts comments about providing more sewage capacity in the north is a grave concern for anyone wanting to preserve this specialty crop area.	Thank you for the comment.

#	Question/Comment	Response
103	How would density targets be impacted if Thorold and Port Colborne actually built on?	Density targets are 50 people and jobs per hectare across the entirety of the Region's DGA.
104	SO can the Region tell the city's to go back to the drawing board to not expand and increase intensification through going up instead of out. This would also address a better way for affordable housing.	The Land Needs assessment incorporated a Regional 60% intensification rate and certain municipalities still need more land to support community and employment growth. Without expansions the intensification rate goes up significantly which puts more people in the built up areas and existing urban areas putting added pressure on natural features in the current urban areas as well as on local planning to accommodate the intensification in established areas. The approach would also not consider the provincial requirement of addressing market demand.
105	So — no interest in other sorts of agricultural production. Hmmmm... that seems to me to be very short-sighted. Not your problem, of course. Niagara Region's planners are doing an excellent job and all your comments are very much appreciated..	Thank you for the comment.
106	What are the ramifications to the Region if we do not plan for the growth that has been allocated by the province	<p>The Province will approve our Official Plan; if it does not conform to the provincial policies on growth planning, the Province will add or amend our Official Plan to do so. As a result, the risk is that the Province may plan for growth without input from the Region or community. It's best that we plan for the growth with our Niagara-centered approach than leave it to others.</p> <p>The Settlement Area Boundary Review being presented to Council represents a balanced approach that protects the environment, agricultural lands, provides for intensification opportunities and also allows for growth that will provided for different housing types.</p>

#	Question/Comment	Response
107	A recent Scotiabank report indicated that the Province of Ontario currently has a deficit of 650, 000 residential units..your Land Needs Assessment Methodology is based on future growth projections but it does not address the current residential unit shortage...how does the shortage of housing supply get addressed if the current deficit is not addressed in these settlement area boundary expansions.	The Provincial LNA is focused on increasing housing supply and mix. Urban expansions are not viewed as the solution to housing shortages nor affordability. The solution to shortages is an increase in housing mix (more towns and apartments) within the existing boundaries.
108	am wondering why the area on Ort Road in south Niagara Falls was not considered in the Urban Boundary expansion considering that properties and who got their application on the East, West and North side of Niagara Falls in this same area was included in the expansion? Was this excluded because of Niagara Falls 50% target for Urban expansion and the fact that others got their application in first and it was a first come first served?	The assessment process did not work on a first come first serve basis. Requested expansions were all reviewed against the same approved criteria that were presented in previous reports and SABR PIC webinar. The consideration of all the criteria together relative to various locations formed the basis of professional planning opinion and ultimately the selection of recommended expansion locations.
109	Why has no figure been given for brownfield redevelopment regarding need projections. This would appear to eliminate some of the proposed need for Employment lands since such areas have reduced clean up standards.	Redevelopment of brownfield lands was considered in both Community and Employment Area land needs.
110	Regarding need for Smithville if it is for Hamilton, could this growth projection just be assigned to Hamilton.	West Lincoln has been growing strong for over a decade. Growth allocations, and subsequent expansion, are reflective of a maturing community and one that is important to achieving the Regions overall growth forecasts from the Province. The City of Hamilton is its own Regional Market Area with forecasts set out in the Growth Plan.
111	Why have no Secondary Plans been considered which could encourage Thorold and Port Colborne to utilize all of their vacant Greenfield lands.	Secondary Plans are required for Strategic growth areas and larger expansion areas. The Region encourages secondary plans and intensification strategies for built up at areas. Secondary Plans are an important component for growth management planning.

#	Question/Comment	Response
112	We don't have a choice...no, of course you don't. And you are all doing an excellent job. We are voters, not employees of the region — and we DO have a choice. And it's high we decide what our priorities are for the future. One thing we all know now: the future is not going to look anything like the past.	Thank you for the comment
113	Why has the region not considered any Secondary Plans to encourage intensification to prevent urban expansion.	Secondary Plans are required for Strategic growth areas and larger expansion areas. The Region encourages secondary plans and intensification strategies for built up areas
114	The Region has a minimum growth target set by the Province. Is that broken down into categories? For example, growth within the current boundaries and growth within expansion.	The Growth Plan requires municipalities to direct a minimum of 50% of new housing to the existing built-up area. The other 50% is to be accommodated to the existing Designated Greenfield Area and expansion areas.
115	St. Catharines is developing a secondary plan to convert some Employment lands to residential lands. Could this reduce the residential need being used to justify urban expansions.	The conversion of lands in St. Catharines will support the 95% intensification rate for St. Catharines and does not offset the need for expansions elsewhere.
116	Risk assessments and record of site conditions are not done well and clean ups are minimal when they should be done to protect the environment, hence our health. It should be understood genetic disease is caused by these brown fields. Therefore if it costs 1 million for clean up the savings are in health care by many time s that .	Thank you for the comment
117	Can you provide the public with a large map of Nat. Areas as the on-line Map is very difficult to read?	The Natural environment system mapping tool on the website has a high resolution allowing the user to zoom in on specific sites. You will be contacted to provide you assistance in using the mapping tool.
118	the only secondary plans the region has developed are in parts of St. Catharines and Niagara on the Lake.	The Region has developed the Glendale District Plan (St. Catharines and Niagara-on-the-Lake) and the Brock District Plan (St. Catharines and Thorold). A District Plan is a tool

#	Question/Comment	Response
	Could not such plans in other municipalities reduce need for urban expansions.	the Region uses to set a shared vision and land use direction for areas with cross-jurisdictional interests. District Plans are implemented at the local level through a new or updated Secondary Plan process. New District Plans may be prepared in other areas of the Region in the future. Please see policies in Section 6.1.1 of the draft Niagara Official Plan related to District Plans.
119	Please ignore the first question as the curser had a bit of problem.	The Region has a woodland by-law and investigates tree cutting when made aware. Tree clearing that occurs that is not in compliance with the by-law can be addressed through restoration or the courts. Niagara residents are doing a good job of notifying the Region of tree cutting.
120	The situation regarding illegal tree cutting on Dominion Road, illustrates the problem in the real world of protecting natural areas within urban boundaries. Is not this a more difficult challenge than has been suggested in this matter.	The tree cutting at Dominion Road was investigated by the Regional Forester. An inspection by the Forester indicated that a few small trees were damaged by the work. However, the site visit, review of google street view images and review of the previously submitted Environmental Impact Study work confirms that the clearing was confined to an area not meeting the "woodland" definition in the Woodland Conservation by-law. Therefore, the work does not represent a violation of the Woodland Conservation by-law.
121	What are the preventative strategies the Region is using to stop clear cutting of lands? At the moment, it is a reactive system with photos and investigation FOLLOWING the destruction.	Niagara Region has a Woodland Conservation By-law. The by-law governs the protection and preservation of woodlands in Niagara. The intent of the by-law is to conserve woodlands and ensure that, where tree cutting occurs, it's carried out under good forestry practices. The by-law prohibits the injury or destruction of any tree located within a woodland or designated as a Heritage Tree or a Significant Community Tree except under certain specified circumstances.

#	Question/Comment	Response
122	<p>I applaud the hard work and consideration that the Region has undertaken to accommodate the required expansion of growth set down by the province. I realize and appreciate that intensification is a very viable planning tool.</p> <p>My question is why is this not mandated to happen within the existing boundary instead of promoting more sprawl outside the boundary.</p> <p>In 2051 these boundaries will be revisited again looking to forward expansion.</p> <p>We only have so much land please use it wisely!!!</p>	<p>The Province requires Niagara to plan for a wide range of housing options and consider market-demand for housing. Limiting housing growth to the existing urban areas will result in a shortfall of single detached housing units.</p>
123	<p>regarding the supposed excellence of West Lincoln's planning when the issue of natural heritage areas within the urban boundaries came up at a zoom meeting. The reply from the consultant is that these would disappear and be replaced in other areas. This is not good planning.</p>	<p>Thank you for the comment</p>
124	<p>Where can I obtain information on the new South Niagara WWTP Environmental Assessment Process, and where can I get information on the flow of the discharge</p>	<p>Project Page is at https://www.niagararegion.ca/projects/south-niagara-falls-treatment-plant/</p>
125	<p>Hi Sean, the exercise that you just spoke of - was it completed has a tabletop exercise or did it involve staff going onto the site and performing a comprehensive inventory of the area.</p>	<p>The Niagara Watershed Plan project was completed using the best available existing information. Typically site visits and detailed inventories of natural features is undertaken during the EIS or subwatershed study phase.</p>
126	<p>Regarding provincial requirements much of this could have been met within urban boundaries if there was no deallocations in Port Colborne and Thorold. Province should not be blamed for urban expansions-region has a choice.</p>	<p>Existing Settlement Areas cannot support all growth to 2051. Directing additional growth to Thorold and Port Colborne would still result in a shortfall of developable land and ignore market demands in other municipalities in Niagara.</p>

#	Question/Comment	Response
127	Appendix 2 - Urban Expansion Areas and Future Employment Areas shows a new graphic indicating future employment areas along the future Niagara GTA East Corridor. What is the status of the MTO's Environmental Assessment required to determine the final highway alignment within the designated corridor?	Additional details regarding the NGTA East Corridor were summarized in the Niagara Region's 2017 Transportation Master Plan. The specific section can be found at this link https://www.niagararegion.ca/2041/pdf/tmp-niagara-hamilton-trade-corridor.pdf The Niagara Region continues to work with the MTO, as well as Provincial and Federal Economic Development Offices on partnering and funding to start the first phase of the program; the Planning and EA Study. This will define the alignment and property requirements. The Region has made previous funding applications to commence the project which have not been successful to-date. Regional staff will continue to submit for future funding in order to start the project.
128	Given our climate crisis it seems that our regional government has the responsibility to guarantee citizens that all greenfield, wooded areas, wetlands, watersheds, natural heritage areas be fully protected from developers. The mapping should clearly identify these areas as off limits to development. We The citizens should not have to ask our government to protect these areas it should go without saying. it seems now that we The citizens have to fight and protest our governing bodies who only too often forfeit these precious assets and this seems absolutely backwards.-	Thank you for the comment
129	In developments in Niagara I have seen EIS peer reviews seem to go unaddressed and as a result habitat is being destroyed and simple solutions such terrestrial connections for species, need for edge expansion and management of PSWS, protection of waterways and improving linkages for species, are not be incorporated. Can you please support solutions that protect biodiversity in our sensitive areas.	Thank you for the comment

#	Question/Comment	Response
130	Mapping tool could have shown urban expansion areas. It did not. People are expected to do this themselves. I have actually commented on various areas and do not need help. It was wrong for you to keep this information out of the on line map. There should be apology not claim I do not understand the map.	Thank you for the comment

NIAGARA OFFICIAL PLAN

Appendix 3 - PDS 6-2022 Comments Summary

Urban Settlement Area Boundary Review

Niagara Region
March 2022



Table Description

In December 2021, Reports No. PDS 41-2021 and PDS 42-2021 outlined staff’s recommendations for urban and rural area expansions as a result of the Settlement Area Boundary Review (“SABR”). The recommendations were provided for further consultation with Council, stakeholders, and members of the public.

This document provides a summary of the submissions for urban area expansions received between November 29, 2021 and February 11, 2022. The tables are sorted by local municipality, and include the nature of the comments received and a summary response by staff. Additional comments received after the submission deadline were not included for reporting purposes. Documents submitted are available online as Appendix 3 to PDS 6-2022.

SABR Comments Received relating to sites in the Town of Fort Erie					
Comment Source ID(s)	Commenter	Parcel ID(s)	Location	Comments Received	Regional Response
1	Steve Fraser (AJ Clarke)	1130	Southwest corner of Schooley Road and Michener Road	Supports staff’s recommendation to include the subject lands into the settlement area boundary, as well as the lands west of the site (identified as “Recommendation No. 3 – Community Lands” in Staff Report PDS 41-2021).	Thank you for your feedback.
2	Jim Harnum (Municipal VU Consulting Inc.)	1137	0 Nigh Rd.	<p>Requests the subject property be included within the urban area boundary for the following reasons:</p> <ul style="list-style-type: none">Identified and supported by the Town of Fort Erie for inclusion.In proximity to “hard and soft services”.Unopened road allowances on the subject land indicate intent for the subject lands to be developed.Contiguous with existing development and, as such, “would represent a logical extension of the current settlement area boundary”. <p>Further provides an overview of the site context and the several studies submitted in support of the proposal, including: archaeological assessments, hydraulic modeling analysis and engineering services assignment, transit and transportation feasibility study, and environmental constraints analysis.</p>	<p>Staff reviewed the submission from MVU Consultants.</p> <p>As indicated in prior meetings and as reflected in the submission, there are environmental and servicing constraints restricting a considerable portion of the subject lands, impacting its developable area.</p> <p>While aspects of the site are appropriately reflected in the submission, Staff must consider all criteria in making recommendations.</p> <p>Staff’s recommendations allow for larger more comprehensive complete community planning in this area of the municipality.</p>
2.1	Stuart Wright	1137	0 Nigh Road	Submitted a Stage 1-2 Archaeological Assessment to support the inclusion of the subject property within the urban area boundary.	Staff received the analysis submitted by the property owner’s consultant. The Region maintains its initial assessment of the subject property.
2.2	Stuart Wright	1137	0 Nigh Road	Submitted a Hydraulic Modelling Analysis and Engineering Services Assignment to support the inclusion of the subject property within the urban area boundary.	Staff received the analysis submitted by the property owner’s consultant. The Region maintains its initial assessment of the subject property.
2.3	Stuart Wright	1137	0 Nigh Road	Submitted a Transit and Transportation Feasibility Study to support the inclusion of the subject property within the urban area boundary.	Staff received the analysis submitted by the property owner’s consultant. The Region maintains its initial assessment of the subject property.

SABR Comments Received relating to sites in the Town of Fort Erie

Comment Source ID(s)	Commenter	Parcel ID(s)	Location	Comments Received	Regional Response
2.4	Stuart Wright	1137	0 Nigh Road	Submitted an Environmental Constraints Analysis to support the inclusion of the subject property within the urban area boundary.	<p>Staff reviewed the Environmental Constraints analysis submitted. Staff contacted the property owner to receive permission to conduct a site visit to validate the findings of the Environmental Constraints analysis and met with the property owner's consultant to discuss those findings.</p> <p>Staff acknowledge that refinements to the feature boundaries is warranted, and our updated understanding of the Natural Environmental System on the subject lands was considered as part of the SABR.</p>
2.5	Stuart Wright	1137	0 Nigh Road	<p>Requests that the Town of Fort Erie Municipal Reports related to the subject property be uploaded to the Region's interactive online mapping tool.</p> <p>Further requests Staff give the subject property the same consideration as other properties being considered as part of the boundary review.</p> <p>Seeking to clarify where and when public comments will be made available for review.</p>	<p>Comments found in the online mapping tool are a point-in-time reference from an earlier stage in the process. The map has not been updated since this time, nor is there an intention to do so.</p> <p>The Staff Report (PDS 41-2021) was prepared for information and consultation purposes. All material provided by Mr. Wright will be carefully considered as part of our ongoing boundary review and will be given equal consideration as the other properties considered.</p> <p>Staff will post comments received on the Region's website following the commenting deadline in February 2022, and will report further to our Committee and Council.</p>
3	Greg Lipinski (Hawk Development)	1180	Erie Road and Willowwood Avenue	Seeking to clarify why the subject lands were not included in Regional Staff's recommendations given that the Town of Fort Erie supported its inclusion in the settlement area boundary.	<p>Staff reviewed all locations requested for settlement area boundary expansion using a comprehensive set of criteria.</p> <p>There is a fixed amount of land that can be expanded based on our Land Needs Assessment. Only those that most appropriately met the evaluation criteria were recommended by Staff for expansion. Staff's recommendations identify the most appropriate locations for expansion for the Town of Fort Erie.</p>
3.1	Greg Lipinski (Hawk Development)	1180	Erie Road and Willowwood Avenue	Requests staff to reconsider the inclusion of the subject lands in the settlement area boundary to permit the development of single-detached dwellings on each lot identified.	Staff reviewed the letter submitted and maintains the initial assessment of the subject lands.

SABR Comments Received relating to sites in the Town of Fort Erie					
Comment Source ID(s)	Commenter	Parcel ID(s)	Location	Comments Received	Regional Response
4	Murray Evans (Evans Planning Inc.)	1127	171 Gorham Road	Requests the subject property be included within the urban area boundary for the following reasons: <ul style="list-style-type: none">Identified and supported by the Town of Fort Erie for inclusion.Adjacent to existing residential and commercial government.Largely free of environmental constraints.In proximity to municipal infrastructure, including access to the Friendship Recreational Trail.	Staff reviewed the submission and has considered the content of the letter in the revisions made to the assessment of the subject property.
4.1	Murray Evans (Evans Planning Inc.)	1127	171 Gorham Road	Provides additional information for Staff to consider prior to final recommendations, including their comments of the assessment outcome.	Staff reviewed the additional materials submitted and considered the consultant criteria opinions. The Region maintains its initial assessment of the subject property.
4.2	Peter Van Loan (Aird & Berlis LLP)	1127	171 Gorham Road	Requests the subject property be included within the urban area boundary for the following reasons: <ul style="list-style-type: none">Identified and supported by the Town of Fort Erie for inclusion.Supports the objectives of the Growth Plan and Provincial Policy Statement.In proximity to municipal infrastructure and adjacent existing development.Supports the establishment of a trail system for the Town of Fort Erie.	Staff reviewed the submission and has considered the content of the letter in the revisions made to the assessment of the subject property.
5	Les Griffis	N/A	Highway 3, Ridge Road, Nigh Road and Gorham Road	Seeking to clarify whether the subject lands would be in the urban area boundary and eligible for future development.	The subject lands were assessed as part of SABR, but are not recommended for urban area expansion at this time.
6	Gary Davidson	1116	Bowen Road and the Q.E.W	Advised to speak to Regional staff regarding the SABR assessment in relation to the subject lands.	Staff spoke to Mr. Davidson regarding the SABR process and the draft recommendations for urban area expansion. Mr. Davidson noted that he was supportive of the inclusion of his lands into the urban area boundary. Staff also provided a link to the Staff Report (PDS 41-2021) and appendices as part of an e-mail follow-up.
7	Lori Edward	N/A	Gorham Road and Highland Drive	Requests mapping of the urban area boundary adjustments identified on the subject property.	There are no urban area boundary adjustments identified on the subject property. Supplemental mapping of the surrounding area was provided.

SABR Comments Received relating to sites in the Town of Fort Erie					
Comment Source ID(s)	Commenter	Parcel ID(s)	Location	Comments Received	Regional Response
8	Vince D'Ameilo	N/A	Nigh Road and Gorham Road	<p>Requested that the subject lands be considered for urban expansion for the following reasons:</p> <ul style="list-style-type: none">• Previously considered for urban area expansion.• Located adjacent to the Creekside Estates Subdivision and contains a right-of-way for future road and servicing access.• Access to both Night Road and Gorham Road, which are subject to significant infrastructure upgrades, including storm sewers, sidewalk realignment, and upgrades to the Nigh Road culvert crossing over Beaver Creek.• Lands are not viable for agricultural use.	<p>The commenter owns lands in the area identified in a portion of the SABR ID 1368 site and would seek Staff's reconsideration to include the lands in the settlement area expansion.</p> <p>The subject lands were considered as part of the SABR review and while contiguous with existing settlement area, the assessment for the site has not changed.</p> <p>Staff maintain that other, more appropriate locations in the Ridgeway-Thunder Bay – Crystal Beach settlement area are recommended for expansion at this time.</p>
9	Charles Irvine	1116	1622 Bertie Street	<p>Received the Notice Letter in the mail and wanted further information on the SABR.</p>	<p>Staff spoke to Mr. Irving regarding the SABR process and the draft recommendations for urban area expansion, and provided a link to the Staff Report (PDS 41-2021) and its appendices. Mr. Irvine indicated that he supported the Employment Area designation as recommended.</p>
10	Carol Anderson	N/A	General	<p>Verbatim: "When are these subdivisions ruining our town going to stop? There has been no improvement to infrastructure and no concern what so ever to the environment. I can't wait until the next election!"</p>	<p>Thank you for your feedback. Your comments will be taken under consideration as we finalize the new Niagara Official Plan.</p>
11	Cheryl Bailey	N/A	General	<p>Verbatim: "We need to protect our land from over development. The animals have no where to go and our current infrastructure cannot support more growth. We have grown in abundance the last few years and it has to stop."</p>	<p>Thank you for your feedback. Your comments will be taken under consideration as we finalize the new Niagara Official Plan.</p>
12	Debra Kassay	N/A	General	<p>Verbatim: "OMG. Please! You are ruining our town and the exact reason why it is so well loved. How the hell much money does someone need? Please stop!"</p>	<p>Thank you for your feedback. Your comments will be taken under consideration as we finalize the new Niagara Official Plan.</p>
13	Michelle	N/A	General	<p>Verbatim: "I live in greater Fort Erie. This boundary expansion will put a least one animal rescue out of business. What is happening with this region? Subdivisions, condos, (none of them affordable to low/medium income residents) reckless disregard for the environment. You are allowing these builders to ruin this area. We do not want another Toronto. I'm beginning to think Marz Homes is lining the pockets of our politicians."</p>	<p>Thank you for your feedback. Staff note that we considered the use of the Last Chance Horse and Pony Rescue during the assessment. Retention of the use impacts neighbouring properties that are also suitable for inclusion.</p>

SABR Comments Received relating to sites in the Town of Fort Erie					
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14	Stu Mcleod	1130, 1178	Schooley Road and Michener Road	<p>Concerned with the potential increase in residential development that is likely to occur as a result of urban area expansion on the subject lands. Specifically, Mr. Mcleod identified increased population in the area would negatively impact:</p> <ul style="list-style-type: none">• The viability of Crystal Beach’s tourist industry.• Capacity of transportation infrastructure, especially the ability to accommodate parking.• The character and “charm” of Crystal Beach.	<p>Communities are not static. There are many reasons municipalities like Fort Erie are seen as an attractive place to reside. Although this growth can present challenges, it is also an opportunity to invest and strengthen communities over time utilizing a proactive planning approach.</p> <p>The addition of lands into an urban area is not the last step in the planning process. Each site added will require new or updated secondary plans to be put in place to determine where and how future development will occur, as well as any associated infrastructure upgrades required.</p>
15	Alfred Beam	1146, 1148	1219 and 1255 Sunset Drive	<p>Verbatim: “I am the owner of the property located at 1219 and 1225 Sunset Drive in Fort Erie as well as land south. I have been following the Region’s proposed settlement area expansion. I view my and the neighbouring properties identified as being an excellent opportunity to support the Town’s future housing, employment and community development needs. As a lifelong resident I am excited about the positives that will be created as part of the plan as proposed.”</p>	<p>Thank you for your feedback. Your comments will be taken under consideration as we finalize the new Niagara Official Plan.</p>
16	Chris Dougherty	1178	4269 Michener Road	<p>Verbatim: “I live directly in this area. I do not want an ugly subdivision in my front yard. The Last Chance Horse and Pony Ranch is a beautiful place in a beautiful area that gives unwanted animals a chance. It is an area that provides therapy for individuals who need it, volunteering with the animals. Keep the city out of the country and build elsewhere.”</p>	<p>Staff considered the use of the Last Chance Horse and Pony Ranch during the boundary review. Retention of the use impacts neighbouring properties that are also suitable for inclusion. Inclusion of the facilities will eventually see the use needing to relocate as livestock/stable is generally not a permitted use in an urban settlement area</p> <p>The Town had also included the lands in their assessment work and identified the area of higher interest for inclusion.</p>
17	D Beyer	1178	4269 Michener Road	<p>Verbatim: “As a single parent of 3 special needs children (who are all grown up) I would have loved the opportunity to have been able to use the facility. It would have been not just a learning opportunity but also a good reward system as well. We need more of these places especially with Covid. It teaches everyone how to respect the area, the animals and themselves. It gives everyone and everything a way to feel useful. People who don’t have jobs at least have a place Togo to feel useful and needed. With more resources this could be a fantastic opportunity for people to enjoy. Could even be made into a school credited course. For younger, high school and college students.”</p>	<p>Staff considered the use of the Last Chance Horse and Pony Ranch during the boundary review. Retention of the use impacts neighbouring properties that are also suitable for inclusion. Inclusion of the facilities will eventually see the use needing to relocate as livestock/stable is generally not a permitted use in an urban settlement area</p> <p>The Town had also included the lands in their assessment work and identified the area of higher interest for inclusion.</p>

SABR Comments Received relating to sites in the Town of Fort Erie

Comment Source ID(s)	Commenter	Parcel ID(s)	Location	Comments Received	Regional Response
18	John Spencer	1178	4269 Michener Road	<p>Verbatim: “I am against development /and or rezoning in the Rebstock area which could cause problems for Last Chance Horse and Pony Rescue. The owners have been there for many years looking after retired and unwanted, sick, unwanted or lost horses and other animals. Please let them live out their natural lives without people encroaching onto their natural setting, and/or making complaints about them. It is an ongoing rescue mission with many volunteers, patrons and helpers to keep it operating as a registered charity. This need for a rescue will need to continue. This is their last chance.</p> <p>Don't let every development in our communities of Crystal Beach and Ridgeway, where we live and pay taxes, get overdeveloped. We came here because it WAS a village, and hopefully remains a village. If it gets bigger it will become just another city full of McDonalds and Walmarts and will NOT be inviting to those who wish to move to an area which we currently wish to maintain and enjoy. Nature was here first. Last Chance was here first. Cater to those who ARE here, please, use your conscience. If Last Chance was YOUR rescue, how would you react to know that it may be in jeopardy because of a grab for more taxes and "development ". Let there be some green space, and give the animals respect.”</p>	<p>Staff considered the use of the Last Chance Horse and Pony Ranch during the boundary review. Retention of the use impacts neighbouring properties that are also suitable for inclusion. Inclusion of the facilities will eventually see the use needing to relocate as livestock/stable is generally not a permitted use in an urban settlement area</p> <p>The Town had also included the lands in their assessment work and identified the area of higher interest for inclusion.</p>
19	Kimberley Simons	1178	4269 Michener Road	<p>Verbatim: “I am writing this letter of support for Last Chance Horse and Pony Rescue [...]. I run a business that supports adults with disabilities in Port Colborne. We provide educational and recreational activities for 120 people. We have enjoyed taking people to the rescue for tours for many years and believe that it is an important part of our community. The people we support have the opportunity to interact with animals and learn important lessons about taking care of animals and advocating regarding animal abuse. This is an activity that allows people to be out in nature and enjoy green space. It would be a real shame if the rescue was closed due to residential development. Please be in touch with any questions or concerns.”</p>	<p>Staff considered the use of the Last Chance Horse and Pony Ranch during the boundary review. Retention of the use impacts neighbouring properties that are also suitable for inclusion. Inclusion of the facilities will eventually see the use needing to relocate as livestock/stable is generally not a permitted use in an urban settlement area</p> <p>The Town had also included the lands in their assessment work and identified the area of higher interest for inclusion.</p>
20	Lizz Yakovich	1178	4269 Michener Road	<p>Verbatim: “I support the last chance horse and pony rescue. Building more homes in such close proximity will make it very difficult for then to operate. I believe they are an integral part of out community. Not every square inch of our green space needs to be developed!!</p>	<p>Staff considered the use of the Last Chance Horse and Pony Ranch during the boundary review. Retention of the use impacts neighbouring properties that are also suitable for inclusion. Inclusion of the facilities will eventually see the use needing to relocate as livestock/stable is generally not a permitted use in an urban settlement area</p>

SABR Comments Received relating to sites in the Town of Fort Erie					
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					The Town had also included the lands in their assessment work and identified the area of higher interest for inclusion.
21	Rita Smith	1178	4269 Michener Road	Verbatim: “It has come to our attention that the region is looking at rezoning in the area of Crystal Beach neat the Last Chance Rescue vicinity. Community Living has had a great partnership with Last Chance Rescue and we would like to continue taking our individuals with developmental disabilities there for therapy and leisure. We are concerned that if the land was rezoned so that homes could be built, the wildlife in that area would be disrupted. We hope that you will reconsider and think of the consequences.”	Staff considered the use of the Last Chance Horse and Pony Ranch during the boundary review. Retention of the use impacts neighbouring properties that are also suitable for inclusion. Inclusion of the facilities will eventually see the use needing to relocate as livestock/stable is generally not a permitted use in an urban settlement area The Town had also included the lands in their assessment work and identified the area of higher interest for inclusion.
22	Sherry Dixon	1178	4269 Michener Road	Verbatim: “Please do not disturb this section of land second chance farms is a good thing in our community. Stop being too greedy.”	Staff considered the use of the Last Chance Horse and Pony Ranch during the boundary review. Retention of the use impacts neighbouring properties that are also suitable for inclusion. Inclusion of the facilities will eventually see the use needing to relocate as livestock/stable is generally not a permitted use in an urban settlement area The Town had also included the lands in their assessment work and identified the area of higher interest for inclusion.
23	Sharron Allen Wallace	1178	4269 Michener Road	Verbatim: “As the owner and operator of Last Chance Horseand Pony Rescue and Sanctuary I am greatly concerned at the proposed Urban Expansion development. The proposal has just come to the attention of myself, volunteers and others affected by it. The LCHPR has been identified as part of the proposed changes to urban settlement area boundaries. With numerous sites for consideration, we at LCHPR need to continue to co-exist by following our charitable mission statement in protecting our existing purpose as a sanctuary. Future development will negatively impact our location, surrounding wildlife and agrarian lands. We need to be involved in future communications regarding additional proposals and changes. Your attention to resolving and excluding site #3 Fort Erie from the urban boundary expansion is crucial to our existence and neighbouring lands. We are forwarding letters of support from organizations and individuals and also invite you to review our activities on our website lchpr.org example the ‘Teen’ tab.”	Staff considered the use of the Last Chance Horse and Pony Ranch during the boundary review. Notification on the proposed inclusion was sent to the property owner in early December 2021. The Town had also included the lands in their assessment work and identified the area of higher interest for inclusion into the settlement area. Retention of the use impacts neighbouring properties that are also suitable for inclusion. Inclusion of the facilities will eventually see the use needing to relocate as livestock/stable is generally not a permitted use in an urban settlement area

SABR Comments Received relating to sites in the Town of Fort Erie					
Comment Source ID(s)	Commenter	Parcel ID(s)	Location	Comments Received	Regional Response
24	Tricia Graves	1178	4269 Michener Road	Verbatim: “It’s a sad thing to not just have green space, wild and agricultural areas. Not everything should be developed on. I support last chance horse farm and leaving it be.”	Staff considered the use during assessment. Retention of the use impacts neighbouring properties that are also suitable for inclusion.
25	Jessica Lasaga	1178	4269 Michener Road	Volunteer at the Last Chance Horse and Pony Rescue requesting that the use be retained for the horses rescued and wildlife in the area. There is a shared sense of pride for the community to have the facility and the impacts to mental health and wellbeing have been beneficial for her and others.	Staff considered the use during assessment. The Town had also included the lands in their assessment work and identified the area of higher interest for inclusion. Retention of the use impacts neighbouring properties that are also suitable for inclusion. The Town had also included the lands in their assessment work and identified the area of higher interest for inclusion.
26	Geoffrey Aldridge	N/A	Crystal Beach	Seeking information regarding the Crystal Beach Secondary Plan. Mr. Aldridge opposes rezoning of a property within the study area to allow for higher-density residential development, and the relationship between this and the proposed settlement area boundary expansions in the Town of Fort Erie.	Staff provided information and links to the SABR reports and replied to questions on growth forecast and intensification rate proposed for Fort Erie. Staff also provided Mr. Aldridge with information on the secondary planning process and, in particular, the intensification rate within the study area. The Crystal Beach Secondary Plan is already under appeal.
27	Marvin Riegle	N/A	General	Seeking to discuss matters related to intensification, expansion, and specific sites within the municipality Mr. Riegle felt were underutilized. Requested more detailed mapping of Staff’s recommendations.	Staff spoke to Mr. Riegle on a number of topics to help clarify understanding on intensification, redevelopment of long-term care homes, the planning and development review process, settlement area boundary expansions. Staff provided a link to the Staff Report (PDS 41-2021) and appendices, including detailed mapping of Staff’s recommended areas for expansion.
28	Stephen Bedford (LANDx)	1149	1257 Pettit Road	Supports staff’s recommendation to include the subject lands into the settlement area boundary.	Thank you for your feedback.
29	Jack and Larry Gibson	1149	1150 Sunset Drive	Supports staff’s recommendation to include the subject lands into the settlement area boundary.	Thank you for your feedback.

SABR Comments Received relating to sites in the Town of Fort Erie					
Comment Source ID(s)	Commenter	Parcel ID(s)	Location	Comments Received	Regional Response
30	Stephen Bedford (LANDx)	1150	809 Buffalo Road	<p>Requests the subject property be included within the urban area boundary for the following reasons:</p> <ul style="list-style-type: none">• A portion of the subject property is located in existing urban area.• The property owner also owns the property to the south, creating a larger parcel for potential development.• In proximity to municipal services.• Located adjacent to existing development and can be integrated into the existing fabric of the neighbourhood. <p>Further provides a detailed response to each criteria identified in the Region's assessment of the subject lands.</p>	<p>Staff reviewed the submission. No modifications have been made to assessment criteria response for this site as a result. Servicing remains challenging for the entire area south of Garrison Road.</p> <p>Staff recognizes the proximity to municipal facilities as being beneficial, however, there is a fixed amount of land that can be expanded based on our Land Needs Assessment. Only those that most appropriately met the evaluation criteria were recommended by Staff for expansion. Staff's recommendations identify the most appropriate locations for expansion for the Town of Fort Erie.</p>
31	Dalton Tartaglia	N/A	2034 Jewson Road	<p>Requests the subject property be included within the urban area boundary given the site's proximity to recommended expansion areas and improvements to the environmental conditions for existing residents if lands were brought in and serviced.</p>	<p>Staff are reviewing all comments received and will take them into consideration prior to finalizing our urban boundary recommendations, including comments received by the writer.</p>
Phone Call No Source document	Richard T.	N/A	N/A	<p>Advised of expansion program and is now seeking further information on the SABR.</p>	<p>In response to the caller's questions, Staff advised that his lands are not part of Regional staff's recommendations. He expressed that he was satisfied with this direction.</p>
Phone Call No Source document	Milos Krytek	1253	General	<p>Seeking to clarify whether the subject lands were included in the review and how to access the staff report.</p>	<p>Staff advised that the Staff Report (PDS 41-2021) is available on the Region's website.</p> <p>Staff also advised that the subject lands were not contiguous with the existing urban area, and due to Provincial Policy implications, cannot be considered for expansions as this would create a new settlement area.</p>
Phone Call No Source document	John Castrilli	1149	Fort Erie Golf Club	<p>Seeking an update on the SABR.</p>	<p>Staff spoke with Mr. Castrilli and directed him to the Staff Report (PDS 41-2021) for information regarding the boundary review and Staff's recommendations.</p>
Phone Call No Source document	Ed and Mary Geyer	N/A	Gilmore Road and Sunset Drive	<p>Received the Notice Letter in the mail and is seeking further information on the SABR.</p>	<p>Staff provided an overview of the SABR process and Staff's recommendations.</p> <p>Mr. and Ms. Geyer noted that they were not adverse to expansion in the area, and were in support of additional employment lands and other opportunities in the community. However, they still maintained concerns with potential impacts expansion may have on environmental features.</p>

SABR Comments Received relating to sites in the Town of Fort Erie					
Comment Source ID(s)	Commenter	Parcel ID(s)	Location	Comments Received	Regional Response
Phone Call No Source document	Glen Bowley	1149	1317 Pettit Road	Received the Notice Letter in the mail and is seeking to clarify whether he would be displaced as a result of the boundary review and whether his property taxes would be raised.	Staff spoke with Mr. Bowley to clarify questions regarding the impacts of the SABR. Clarified that there would be no displacement as a result of the expansion. Further advised that MPAC is the organization that assesses property values and that property taxes are based on land use. Eventually, when servicing is made available or development around him is occurring, he could expect changes.
Phone Call No Source document	Michael Racey	1116	1640 Sunset Drive	Received the Notice Letter in the mail and is seeking further information on the timing of the boundary review.	Staff spoke to Mr. Racey regarding the SABR process and the approximate timing for Council adoption, Provincial approval, and local conformity. Staff advised that no information is available yet regarding the timing of servicing and local land use planning studies.
Phone Call No Source document	Chris and Stacie Hollingsworth	N/A	1453 Pettit Road	Received the Notice Letter in the mail and is seeking further information on the timing of the boundary review, the land uses on the subject lands, and the potential that his lands would be expropriated.	Staff outlined the SABR process, what boundary expansions represent, and advised that local municipalities will conduct more detailed planning as part of conformity should the subject lands be approved for expansion. Staff also advised that there would be no expropriation of the subject lands as a result of the boundary review.
32	William Thompson	N/A	1325 Sunset Drive	Received the Notice Letter in the mail and is seeking further information regarding the SABR.	Staff spoke with Mr. Thompson regarding the overview of the SABR process and provided a link to the Staff Report (PDS 41-2021) and its appendices in a follow-up e-mail.
33	Matt Kernahan (Upper Canada Consultants)	N/A	Garrison Road and Rosehill Road	The current expansion limit recommended by Staff runs through the subject lands. Requests that the entire property, as well as properties to the west, be included within the urban area boundary in order to improve public health and environmental safety by providing sanitary services.	Staff reviewed the submission and confirm the boundary is currently illustrated through a former road allowance. Comments are under review and being considered.

SABR Comments Received relating to sites in the Town of Grimsby

Comment Source ID(s)	Commenter	Parcel ID(s)	Location	Comments Received	Regional Response
34	Josie Jarnevic	N/A	378 Main Street West	Inquired whether the Greenbelt designations could be removed from the subject lands.	Advised that per Provincial policy, expansions cannot be made into the Greenbelt Plan area.

SABR Comments Received relating to sites in the Town of Lincoln

Comment Source ID(s)	Commenter	Parcel ID(s)	Location	Comments Received	Regional Response
35	Gustavo Santana	1100	Hillside Drive and Mountain Road	Verbatim: “I saw in the map that an area currently with Long Term Care and houses to third age people in Mountain Street wants to be modify in their use but it is not clear. What type is zoning or use are propose in this area? It's close to the escarpment and considering the current use and very light concentration of people, need to be keep it in that way.”	The Niagara Escarpment Plan has desginted the area as “Urban”. As such, the inclusion of the subject lands into the urban area boundary is considered a technical adjustment needed for Provincial conformity. Any zoning changes would be a local matter as part of the local municipality’s future conformity to to the new Niagara Official Plan.

SABR Comments Received relating to sites in the City of Niagara Falls

Comment Source ID(s)	Commenter	Parcel ID(s)	Location	Comments Received	Regional Response
36	Liquat Mian (LJM Developments)	1061	Lands near Garner Road	Supports staff’s recommendation to include the subject lands into the settlement area boundary.	Thank you for your feedback.
37	Don Wilson (Colliers International)	N/A	Kalar Road and Mountain Road	Seeking to clarify the colour coding used for the online interactive mapping tool, specifically as it relates to the subject lands.	Staff directed the commenter to the Staff Report (PDS 41-2021) and its appendices, which provide detailed mapping of Staff’s settlement area boundary expansion recommendations and information on the overall review process.
38	Jean Grandoni	N/A	Multiple	<p>Seeking to provide comments on the recommended settlement area boundary expansion locations in the City of in Niagara Falls:</p> <p>Area 1: One of the property owners has cut two, aged hedgerows in the last year or two.</p> <p>Area 2: Concerned that the inclusion of these lands would require major infrastructure upgrades, disrupting the nearby agricultural community.</p> <p>Questioned whether the Review Team sought the opinion of Niagara South Federation of Agriculture on its recommendations. Believes the area southwest of Chippawa should be the location for proposed expansion as recommended in the past.</p>	<p>Impacts to the Natural Environment System and agricultural uses were two important criteria used to assess potential expansion areas. The agricultural assessment component, in particular, was based on the Province’s agricultural classifications.</p> <p>The Land Needs Assessment incorporated a Regional intensification rate of 60%, which is above the provincial requirement. Despite this, certain municipalities still need more land to support community and employment growth to 2051.</p> <p>Without expansions the intensification rate goes up significantly and the approach would also not consider the provincial requirement of addressing market demand relative to providing for different housing types.</p>

SABR Comments Received relating to sites in the City of Niagara Falls

Comment Source ID(s)	Commenter	Parcel ID(s)	Location	Comments Received	Regional Response
39	Greg Lipinski (Hawk Development)	1180	2233 Stanley Avenue	Requests the subject property be included within the urban area boundary given that a portion of the property is located within the existing urban area boundary and is zoned site-specific for development.	Staff advised that the lands are located outside of the urban boundary and within the Niagara Escarpment Plan area, designated Mineral Resource Extraction Area. The first stage of the Region’s review process eliminated sites within the Niagara Escarpment Plan area from being considered for expansion as is prohibited by Provincial policy.
40	Jennifer Vida (JV Consulting)	1199	21277 Willick Road	Requests a minor adjustment to the initial settlement area boundary expansion request on the subject lands, presented along with four separate scenarios that outlined how the lands fronting onto Willick Road could be configured for development if brought into the settlement area boundary.	Staff have reviewed submission and have determined that the subject lands are not ideal for adjustments at this time due to environmental constraints.
41	Victor Muratori (Sullivan Mahoney LLP)	1114, 1383	Garner Road and Beaverdams Road	Supports the inclusion of the recommended settlement area boundary expansions, specifically the lands identified as “Recommendation No. 2 – Community Lands” in Staff Report PDS 41-2021). Further requests that the subject lands be included within the settlement area boundary.	Staff acknowledge the support for Recommendation No. 2. The Region maintains its initial recommendations within Niagara Falls as identified in the Staff Report (PDS 41-2021).
42	Vince Piterna	1134	Thorold Stone Road and Garner Road	Seeking to determine whether his property was identified for expansion and whether the proximity of the Walkers landfill impacted the assessment. Commenter does not agree with the lands recommended for settlement area expansion in the City of Niagara Falls and does not believe that the Land Needs Assessment is accurate.	Staff agreed to meet with this landowner to discuss the SABR process and the assessment of the lands. Based on the outcome of the Land Needs Assessment and review of the 45 locations assessed around the Niagara Falls settlement area boundary, Staff have advanced sites that best meet the identified land need. In Staff’s opinion, the most appropriate locations in the City of Niagara Falls were recommended for expansion. The recommendations remain draft and will be subject to further commenting and public consultation. Staff provided a link to the Staff Report (PDS 41-2021) and its appendices for additional information.
8	Vince D’Ameilo	N/A	Willoughby Road and Marshall Drive	Requests that the subject lands be considered for urban expansion given the surrounding site characteristics, which includes existing residential development, the Legends on the Niagara Golf Course, and poor viability for agricultural uses.	Provincial policy requires that all settlement area expansions occur adjacent to existing urban areas or rural settlement areas. The subject lands are not contiguous with an existing urban area, and as such, cannot be recommended for expansion.

SABR Comments Received relating to sites in the City of Niagara Falls

Comment Source ID(s)	Commenter	Parcel ID(s)	Location	Comments Received	Regional Response
43	Councillor Greenwood	1370	Rexinger Road and Ort Road	Seeking to clarify why Staff’s recommendations did not include the subject lands given plans to extend infrastructure to Ort Road and its poor viability for agricultural uses.	<p>Staff carefully considered the subject lands in their evaluation of potential expansion areas. There is a fixed amount of land that can be expanded based on our Land Needs Assessment. Only sites that most appropriately met the evaluation criteria, including consideration of soil quality, natural heritage features, and transportation infrastructure, were recommended by staff for expansion.</p> <p>In this case, other sites in the City more appropriately met the criteria. For this reason, our expansion recommendations for Niagara Falls did not include any lands southeast of the Q.E.W towards Chippawa.</p>
44	Danny Pietrangelo	1370	North of Rexinger Road, West of Ort Road	Questioned why staff’s recommendations did not include the subject lands, especially given plans to extend infrastructure.	<p>Staff carefully considered the subject lands in their evaluation of potential expansion areas. There is a fixed amount of land that can be expanded based on our Land Needs Assessment. Only sites that most appropriately met the evaluation criteria, including consideration of soil quality, natural heritage features, and transportation infrastructure, were recommended by staff for expansion.</p> <p>In this case, other sites in the City more appropriately met the criteria. For this reason, our expansion recommendations for Niagara Falls did not include any lands southeast of the Q.E.W towards Chippawa.</p>
45	Terry Narweth	N/A	Miller Road, Welland River, the Q.E.W, and the Niagara River	Requests information regarding plans for urban area expansion on the subject lands. Also requests information on related plans for infrastructure expansion in the area, including expansion of internet cable/fibre optic phone service.	<p>The subject lands are already located within the settlement area, and as such, there is no boundary adjustments or expansions proposed.</p> <p>Staff undertook a review of lands south of Chippawa Creek between the Q.E.W and Niagara River. Following that review, Staff did not make any recommendations for lands to be added to the urban settlement area in that location.</p> <p>Matters of utilities, such as cable, are not a direct responsibility of the Niagara Region. Instead, Staff suggest contacting the utilities directly to inquire about any service planning that is within their purview and capital planning for your area of interest.</p>

SABR Comments Received relating to sites in the City of Niagara Falls

Comment Source ID(s)	Commenter	Parcel ID(s)	Location	Comments Received	Regional Response
46	Aric Greco	1061	McLeod Road, Lundy's Lane, and Garner Road	Requests information regarding the proposed expansion on the subject lands, and the different designations listed on the Region's mapping tool for expansion requests (i.e. Private, Local Area Municipality, and Regional).	Staff spoke with Mr. Greco to explain the SABR process, Staff's recommendations, and the purpose and function of the online mapping tool. Staff provided a link to the Staff Report (PDS 41-2021) for further information, including information on the evaluation of infrastructure and servicing criteria.
47	Ken Moore	1061	McLeod Road, Lundy's Lane, and Garner Road	Received the Notice Letter in the mail and is seeking further information regarding the SABR.	Staff provided a link to the Staff Report (PDS 41-2021) and its appendices, as well as a link to the comment mapping tool.
48	Joyce Sankey	1119, 1379, 1380,	South of Biggar Road, Southeast of the Q.E.W	<p>Verbatim: "The woodlands, especially on the other side of Montrose Road should be protected. Adequate buffers are needed for the wetlands and watercourses. Buffers must not be downgraded by the EIS process. Connections between natural features need to be planned for, mapped and then protected.</p> <p>Niagara Falls has many areas that are ripe for redevelopment and this should be the focus.</p> <p>There is a great need for affordable homes but all the emphasis is on single family homes and townhouses which are out of reach for so many current residents of Niagara. There is a great deal of talk about complete communities all the while sprawling residential subdivisions that are completely car dependent are what councils are approving and developers are building."</p>	<p>The Natural Environment System will be subject to the policies and mapping of the new Niagara Official Plan. The new Official Plan also contains direction for higher intensification, a range of housing types and densities, and other tools and methods of addressing housing affordability in a comprehensive manner</p> <p>A consolidated draft of the Official Plan, including mapping of the Natural Environment System, can be found through the following website: https://www.niagararegion.ca/official-plan/draft-consolidated-plan.aspx</p>
49	Kevin Kehl (Walker Aggregates)	1061	McLeod Road, Lundy's Lane, and Garner Road	<p>Concerned with the recommendation to expand the urban area boundary to the subject lands given the proximity of a new quarry being established approximately 0.9 kilometres away.</p> <p>Mr. Kehl noted that the Region must ensure that urban boundary expansions are consistent with the Provincial Policy Statement as it relates to the protection of mineral aggregate resources and surrounding land use compatibility.</p> <p>Suggests that sensitive land uses be located outside of a potential area of influence of 1,000 metres from the new quarry site.</p>	The addition of lands into an urban area is not the last step in the planning process. Each site added will require new or updated secondary plans to be put in place to determine where and how future development will occur, including the mitigation of any encroaching land uses on existing or planned mineral aggregate operations.

SABR Comments Received relating to sites in the City of Niagara Falls

Comment Source ID(s)	Commenter	Parcel ID(s)	Location	Comments Received	Regional Response
50	Stephen Bedford (LANDx)	1372	4336 Willick Road	<p>Requests the subject property be included within the urban area boundary for the following reasons:</p> <ul style="list-style-type: none"> • A portion of the subject property is located in existing urban area. • In proximity to existing municipal services. • Located adjacent to existing development and can be integrated into the existing fabric of the neighbourhood. <p>Further provides a detailed response to each criteria identified in the Region's assessment of the subject lands.</p>	<p>Staff reviewed the materials provided. While alternate opinions is provided by Mr. Bedford, Staff maintain the assessment it prepared as part of PDS 41-2021 due to existing constraints.</p> <p>While recognizing that a portion of the lands are within the existing urban area, additional lands for the area south of Chippawa Creek need a long term servicing strategy for trunk services for a larger area to include direction of flows to the new South Niagara WWTP. Existing wet weather conditions are also a constraint for addition of lands beyond that of the existing urban area.</p> <p>Additionally, the subject lands are fragmented with flood plain.</p>
51	Danato Pietrangelo	1370	North side of Rexinger Road between Ort Road and Stanley Avenue	<p>Requests the subject property be included within the urban area boundary. The subject lands should be considered together with lands to the east that have a small portion already in the urban area boundary. Believes traffic will occur through Sodom Road to gain access to Lyons Creek Road, not the Stanley bridge. States that the City will miss out on potential assessment / tax revenue if the lands are not brought into the urban area.</p>	<p>Staff have considered the comments provided and maintain the assessment it prepared as part of PDS 41-2021 reflects site conditions and characteristics.</p>
52	Linda Babb	N/A	General	<p>Objects strongly to settlement area boundary expansions and expresses concern for the loss of farmland. Disappointed in the Regional support for expansions to occur.</p>	<p>Thank you for your feedback. Your comments will be taken under consideration as we finalize the new Niagara Official Plan.</p>
53	Margaret Pirosko	N/A	10894 Willodell Road	<p>Expressed desire to have their site considered for settlement expansion. Critical of City permitting expansion of automotive wrecking yard along north side of their lands.</p>	<p>These lands were not previously identified for review during the SABR process.</p> <p>Land need has been satisfied in the City of Niagara Falls with the recommendations identified by Regional Staff in consultation with the City. The subject lands are not contiguous with the existing urban area boundary and would have been removed through Step 1 of the criteria review.</p>
54	Joseph Pirosko	N/A	10894 Willodell Road	<p>Verbatim: "In light of the changes that the City of Niagara Falls has made to the land use directly North of our property at 10894 Willodell Rd. Port Robinson, we are requesting to be added to the Settlement Boundary review."</p>	<p>These lands were not previously identified for review during the SABR process.</p> <p>Land need has been satisfied in the City of Niagara Falls with the recommendations identified by Regional Staff in consultation with the City. The subject lands are not contiguous with the existing urban area boundary and would have been removed through Step 1 of the criteria review.</p>

SABR Comments Received relating to sites in the City of Niagara Falls

Comment Source ID(s)	Commenter	Parcel ID(s)	Location	Comments Received	Regional Response
55	Karen Cudmore	1379	Montrose Road and Carl Road	Received the Notice Letter in the mail and is seeking further to determine how far over the boundary limits along Carl Road were.	Staff spoke to Ms. Cudmore with regards to the SABR process and Staff's recommendations. Prepared and supplied map showing the addresses in the vicinity to help with her question.
56	Stephen Bedford (LANDx)	1061	6169 Garner Road	Supports staff's recommendation to include the subject lands into the settlement area boundary.	Thank you for your feedback.
57	Durgesh Patel	1134	8472 Thorold Stone Road	Verbatim: "We are requesting 8472 Thorold Stone Road, Niagara Falls to be considered in the Urban Boundary expansion. This 62-acre parcel is located at the busy intersection of Garner Rd & Thorold Stone Road. We are at abutting the current boundary line with all services easily accessible. We would request to be included in the expansion of the boundary line."	<p>Staff spoke and met with the property owner (Piterna) to review and discuss Staff's recommendations and the Land Needs Assessment earlier in the commenting period.</p> <p>The lands are not contiguous with the existing settlement area boundary and would require intervening lands to be brought in prior to considering this site. Adjacent lands were assessed as part of the SABR process, however staff maintains their current recommendations.</p>
58	Livable Chippawa	N/A	General	Seeking to clarify the decision for intensification rates in the City of Niagara Falls and to express concerns regarding the environmental impacts of the proposed expansions in South Niagara Falls and in Niagara South. Supports sustainable development and see the dire need to maintain biodiversity and protect fragile natural ecosystems	<p>Thank you for your feedback. Your comments will be taken under consideration as we finalize the new Niagara Official Plan.</p> <p>The Region identified a 50% intensification rate for the City of Niagara Falls, increasing it from their current Official Plan target of 40%. City staff recommended a higher target of 65% intensification, however, City Council did not support the higher intensification rate, noting the increase from 40% to 50% intensification was already significant and growth should be balanced between new areas and existing built-up areas.</p> <p>Through the Region's work, more growth is being concentrated in our built-up areas, including an overall higher intensification rate for already developed areas.</p>
59	Stephen Bedford (LANDx)	1370	9265 Ort Road	<p>Requests the subject property and the adjacent vacant lands be included within the urban area boundary for the following reasons:</p> <ul style="list-style-type: none">A portion of the subject property is already located within the existing urban area.Development of both properties would support the creation of complete communities for the Village of Chippawa, for which there are limited opportunities.	<p>Staff reviewed the submission and note that no modifications have been made to the assessment criteria response for this site as a result.</p> <p>Staff recognize the proximity to the existing village area however, must consider the criteria holistically. While an option for servicing the site was presented, staff are not prepared to make any change to the assessment response at this time. Servicing remains challenging for the Chippawa area with wet weather compounding conditions.</p>

SABR Comments Received relating to sites in the City of Niagara Falls

Comment Source ID(s)	Commenter	Parcel ID(s)	Location	Comments Received	Regional Response
				<ul style="list-style-type: none">The lands are within proximity to existing municipal services. Further provides a detailed response to each criteria identified in the Region’s assessment of the subject lands.	This combined with Natural Environmental Systems features (i.e. Significant Woodlands and Provincially Significant Wetlands) identified on site, including the Provincial Natural Heritage System connection to Lyons Creek with areas south, Staff’s assessment remains as originally reported. Staff have advanced recommended expansion locations most appropriate for the City of Niagara Falls at this time.
60	John Paul Cahill	1135	4810 Garner Road	Seeking to clarify the land used in the calculation of the Land Needs Assessment Methodology. Believes constraints on the subject lands should be discounted, and that the Region should reconsider the site for inclusion into the urban area boundary.	Staff replied to multiple inquiries on this topic and met with the Mr. Cahill and adjacent owners as part of consultation with those who had requested. Staff included all discussion and topics as part of the public commenting and review phase of the SABR program and recommendations advanced.
Phone Call No Source document	Alice Reddick	1119	7093 McCredie Road	Received the Notice Letter in the mail and seeking further information on the SABR.	Staff spoke with Ms. Reddick regarding the SABR process and Staff’s recommendations. Ms. Reddick expressed that she would be supportive of sewer and water being brought to the subject property.
Phone Call No Source document	Kim Pennacchio	1061	7085 Garner Road	Received the Notice Letter in the mail and are not in favour favour of their lands being brought into the urban area as they would prefer to maintain their agricultural status and current property taxes.	Staff spoke with Ms. Pennacchio regarding the SABR process, its relationship to growth, and Staff’s recommendation. Ms. Pennacchio stated that they bought the lands thinking it would remain outside the urban area boundary. She had moved from a prior location that was included in expansion and is disappointed to see this happening to them once again. Staff advised that the phone call would be captured in commenting for the report to Committee and Council.

SABR Comments Received relating to sites in the Town of Niagara-on-the-Lake

Comment Source ID(s)	Commenter	Parcel ID(s)	Location	Comments Received	Regional Response
61	Pat Rapone	1211	York Road and Concession 5	While acknowledging that the subject lands did not advance to Step 2 of the SABR assessment as they are located in the Greenbelt Plan area, Mr. Rapone is of the opinion that the site would respond favorably to the majority of the Step 2 criteria and that the Greenbelt Plan is not intended to protect a collection of	The subject did not advance to Stage 2 assessment both because it is located in the Greenbelt Plan area <i>and</i> because the Region did not identify a land need in the Town of Niagara-on-the-Lake. Staff maintain their initial recommendations and encourage Mr.

SABR Comments Received relating to sites in the Town of Niagara-on-the-Lake

Comment Source ID(s)	Commenter	Parcel ID(s)	Location	Comments Received	Regional Response
				<p>small parcels in urban, rural residential and service commercial settings for agricultural use.</p> <p>Requests the Niagara Region and local municipality take the opportunity to consider all factors, support and approve the request for boundary expansion to include the subject lands.</p>	<p>Rapone to participate in the Provincial Plan review process to address his concerns with the Greenbelt Plan boundary.</p>

SABR Comments Received relating to sites in the Town of Pelham

Comment Source ID(s)	Commenter	Parcel ID(s)	Location	Comments Received	Regional Response
62	Andy Nero	1056	Rice Road and Quaker Road, Pelham	Supports staff’s recommendation to include the subject lands into the settlement area boundary and for their commitment to outreach during the SABR process.	Thank you for your feedback.
63	Doug McCollum	1056, 1065	1311 Rice Road	Received the Notice Letter in the mail and wanted further information regarding the SABR.	Staff spoke to Mr. McCollum regarding the SABR process as well as the unique context of the subject lands (i.e. located between Thorold and Pelham and the Greenbelt Plan area). Staff also provided a link to the Staff Report (PDS 41-2021) and its appendices.
64	Joyce Sankey	1056, 1065, 1181	South of Port Robinson Road, East of Rice Road	Verbatim: “This area has many wetlands and forests. The wetlands and forests are natural assets that cannot be replaced. The deep ditches that are planned on each side of the road would destroy the wetlands. This area should not be developed.”	Thank you for your feedback. Your comments will be taken under consideration as we finalize the new Niagara Official Plan.
65	Tom Richardson (Sullivan Mahoney)	N/A	1361 Rice Road	Received the Notice Letter that the subject lands are recommended for inclusion into the settlement area and is seeking clarification.	<p>Spoke to Mr. Richardson to explain the SABR process and the site context related to lands at the rear portion of the subject lands. Staff are recommending that the lands outside of the Greenbelt Plan area be included into the settlement area, which would effectively fill the hole left between the three municipal settlement areas of Pelham, Thorold, and Welland.</p> <p>Staff advised that, despite the property owner’s interest to be removed from Greenbelt Plan area, the Region cannot change the Provincial Plan designation. The property owner can make such requests during next Provincial Plan review.</p>
66	Marianne Schlett	N/A	1317 Rice Road	Received the Notice Letter in the mail and is seeking further information about what this means to them as property owners.	Staff spoke with Ms. Schlett and provided mapping to illustrate which part of their lands the notice was referencing. Discussed the Greenbelt Plan designation and that only the Province can

SABR Comments Received relating to sites in the Town of Pelham

Comment Source ID(s)	Commenter	Parcel ID(s)	Location	Comments Received	Regional Response
				Desire to have lands available for development like that on the west side of Rice Road.	make changes to remove. Staff explained the timing of the Provincial Plan review, and confirmed that they are aware of other similar requests on the east side of Rice Road.
67	Christine Knighton	N/A	Multiple	Verbatim: "I am very disturbed to see that the proposed boundary expansion for Welland/Thorold/Pelham includes Provincially Significant Wetlands at the unopened end of the (proposed) Merritt Road expansion. When will this end? We now KNOW how very important these wetlands are and the extremely important role they will play in helping us combat the destruction from climate change yet we keep filling them in and turning them into subdivisions and roads. There is no excuse for it when the science is clear. Studies show that wetlands are way more valuable "as is" than anything gray infrastructure we can build. Our regional representatives should be leading the way on this and it's not what I'm seeing."	Thank you for your feedback. Your comments will be taken under consideration as we finalize the new Niagara Official Plan.
Phone Call No Source document	Julia Sajn	1156	West side of Pelham Street	Received the Notice Letter in the mail and is seeking further information regarding the impacts to property value.	Staff spoke to Ms. Sajn regarding the SABR process. Advised Staff could not provide advice on the question of property value, and instead that a licenced appraisal firm could provide this information.

SABR Comments Received relating to sites in the City of St. Catharines

Comment Source ID(s)	Commenter	Parcel ID(s)	Location	Comments Received	Regional Response
68	Desmond Sequeira	N/A	General	<p>Requests that Council reject all recommendations to expand settlement area boundaries. Further requests that the Region restore the Natural Environment System to at least 30% tree canopy.</p> <p>Believes that future needs may be met by building vertically, that natural recreational and greening spaces can be incorporated into building structures, and that brownfield site redevelopment and intensification should be prioritized and awarded contracts first.</p>	<p>The Land Needs Assessment incorporated a 60% Regional intensification rate, well above the Provincial requirement. Despite this, certain municipalities still need more land to support community and employment growth to 2051. Without expansions the intensification rate goes up significantly, which puts more people in the built up areas and existing urban areas. This approach would also not consider the Provincial requirement for municipalities to address market demand for housing.</p> <p>New expansion areas will be planned using implementation tools such as secondary plans that utilize subwatershed plans in its analysis. Secondary plans provide direction for communities to grow and develop in a sustainable and resilient manner. This process will establish appropriate land uses and help to protect key natural features. It can also ensure that the plan addresses key climate change policies, including the use of technology and built forms that contribute towards net-zero emissions targets, requiring consideration for enhanced sustainability features (i.e. LID or green building design) and the establishment of transit supportive densities to facilitate future transit connections.</p>

SABR Comments Received relating to sites in the City of Thorold

Comment Source ID(s)	Commenter	Parcel ID(s)	Location	Comments Received	Regional Response
69	Shaylyn Costello (LANDx)	N/A	100 Dock Road and 1522 Beaverdams Road	Requests detailed mapping for the technical boundary adjustments proposed on the subject properties. Seeking to clarify whether the lands surrounding 1522 Beaverdams Road in Thorold have been included in the settlement area boundary through the technical adjustment process.	Staff provided mapping to identify the lands that would be brought into the settlement area boundary through the technical adjustments process. Staff advised that the lands surrounding 1522 Beaverdams Road have not been brought into the settlement area boundary.
70	Ron Palmer (Planning Partnership)	1143	Lands near the Brock Business Park	Requests that the lands adjacent to the Brock Business Park be included in the settlement area boundary. The subject lands are designated Environmental Protection and Open Space and Parks.	Staff considered the subject lands for settlement area boundary expansion and maintain the initial assessment of the property.

SABR Comments Received relating to sites in the City of Thorold

Comment Source ID(s)	Commenter	Parcel ID(s)	Location	Comments Received	Regional Response
71	Ian Macpherson (Primont)	1181	436 Quaker Road	Requests the subject lands be included in the settlement area boundary. Further requests that the Region consider amending the language in Policy 8.2.1 to allow for a scoped approach to be considered with respect to completing the required studies for the removal of the zoned holding symbol. This would be to permit individual property owners or smaller assemblies of land owner groups to advance approvals if deemed acceptable.	Staff acknowledge support for the recommendation to include the subject lands in the settlement area boundary. Staff will consider amending language in Policy 8.2.1.
72	Sam Vecchi	N/A	6071 Garner Road	Received the Notice Letter in the mail, and had questions regarding the ability to develop on the subject lands as well as timing for development surrounding the subject lands.	Staff provided an overview of the SABR process and the approximate timing for Council endorsement, Provincial approval, and local conformity. Staff also explained the role of local municipalities in overseeing community level planning (i.e. parks, schools, density locations, etc.) As part of the discussion, staff advised that municipal servicing for the area would ultimately be directed to new the South Niagara-WWTP, expected to be completed by 2027-2028.
73	Rajeev Sharma	1115	Lands near the Hwy 20 Corridor	Seeking guidance on how to prepare a motion to include the Hwy 20 Corridor for servicing in an effort to encourage employment growth in the area.	Staff advised Mr. Sharma that we cannot provide planning advice in this circumstance. Advised his comments are being captured and would be included in report to Committee and Council, and also indicated that the City of Thorold does not have an identified land need through the Land Needs Assessment.
74	Marcel and Jody Cadieux	n/a	2845 Port Robinson Road	Disappointed that the lands all around them are either developed or will be developed as they would like the same consideration to be extended for their lands within the Greenbelt Plan area.	Staff advised that the Region cannot change the Greenbelt Plan designation, however, their will be an upcoming Provincial Plan review in which they and others in the area can request the Province to remove them from the designation.
75	Durgesh Patel	N/A	13105 Hwy 20	Requests the subject property be included within the urban area boundary given that a portion of the lands are already within the existing urban area boundary, and that it could help to address rapid growth in the area.	The Land Needs Assessment does not identify a need for additional Community or Employment lands in the City of Thorold. Based on this outcome, Thorold is considered to have enough supply to accommodate growth to 2051 and no expansions are being considered within the municipality.
76	Stephen Bedford (LANDx)	N/A	100 Dock Street	Supportive of the changes reflected in the Region's draft mapping with respect to a technical adjustment on the subject lands.	Thank you for your feedback.

SABR Comments Received relating to sites in the City of Welland

Comment Source ID(s)	Commenter	Parcel ID(s)	Location	Comments Received	Regional Response
77	Nilesh Luhar (Antrix Architects)	1234	Forks Road and Elm Street, Welland/Port Colborne	Seeking to determine whether there was a change to the recommendation to include the subject lands within the settlement area boundary expansion.	<p>The Land Needs Assessment does not identify a need for additional Community or Employment lands in the Cities of Welland and Port Colborne. Based on this outcome, Thorold is considered to have enough supply to accommodate growth to 2051 and no expansions are being considered within these municipalities.</p> <p>Staff provided a link to the Staff Report (PDS 41-2021) for the more information.</p>
77.1	Nilesh Luhar (Antrix Architects)	1234	Forks Road and Elm Street	Proposing residences on private water and septic services in a net zero community. Acknowledges that servicing is not currently available. Believes that the Region should encourage rural residential development instead of designating the property for a prime agricultural use and natural heritage system.	Staff did not identify a land need in Welland or Port Colborne. As such, the Region is not recommending any settlement area boundary expansions in Welland or Port Colborne.
78	Chirag Patel (Flora Designs Inc.)	1234	Forks Road and Elm Street	Believed that the e-mail sent by the Region indicated that this site was included in the recommendations for inclusion in the settlement area boundary. After meeting with the Region the commenter was surprised that the lands are not being considered for inclusion in the settlement area boundary expansion. Does not understand why the lands are being designated for agricultural uses as it will not be able to undergo development for 30 years. The commenter would like to build a rural residential subdivision on the lands and would like to file an objection to the recommendation.	<p>Staff met with the commenter to address concerns and outline the overall settlement area boundary review process. Staff walked through the land needs assessment methodology undertaken for the Region and highlighted that no land need was identified for Welland or Port Colborne where the lands are located.</p> <p>Staff advised that the change in agricultural use is a Provincial designation which is outside the Regions jurisdiction. Staff encouraged the commenter to become involved in the Provincial plan review process. Region maintains its initial assessment for the lands.</p>
79	Manni Chauhan (G-force Urban Planners)	1234	Forks Road and Elm Street	<p>Submission supplied in advance of a scheduled meeting requesting the subject lands be included in the urban area boundary.</p> <p>Argues that the current market is missing estate dwellings, either in an urban area or in a rural area. The subject lands can meet this missing demand. Growth should not be limited to compact development such as apartment and townhomes.</p> <p>Opposed to being designated as Prime Agriculture.</p>	<p>Staff have met with the representatives to discuss. Staff advised that the Cities of Welland and Port Colborne do not have identified Community Land need and the Region would not be considering any further expansion for Community Land purposes.</p> <p>Further, whether the lands are Good General Agricultural or Prime Agricultural, the change is in name only. It does not change what is shown. Provincial policy is quite clear and that despite area having some rural residential, more would not be permitted under current policy.</p>

SABR Comments Received relating to sites in the Township of West Lincoln

Comment Source ID(s)	Commenter	Parcel ID(s)	Location	Comments Received	Regional Response
80	Paul Lowes (SGL Planning & Design)	N/A	Multiple	<p>Seeks to clarify the following matters:</p> <ul style="list-style-type: none">Staff Report PDS 41-2021 identifies an expansion of 400 ha, of which 330 ha is Community Area and 70 ha Employment Area. The Township’s consultants indicated the same boundary was comprised of 344 ha of Community Area and 78 ha of Employment Area. Please confirm the difference.The Preferred Concept Plan prepared by the Township’s consultants showed the portion of the proposed expansion area on Townline Road, south of the rail corridor as Employment. However, the Region shows this same area as Community Area. Please explain the difference.	<p>The difference in developable land supply between PDS 41-2021 and the Smithville Master Community Plan (SMCP) technical report, despite the same expansion boundaries, is related to environmental mapping. The Region’s figures were based on the Region’s Natural Environment System mapping, whereas the SMCP undertook a more comprehensive watershed exercise. The Region’s final Land Needs Assessment will be updated accordingly.</p> <p>Employment Area and Community Area boundaries, as recommended in PDS 41-2021, were established in consultation with Township staff and SMCP consultants. They reflect Township endorsed boundaries, found in Attachment No.1 to PD-115-2021.</p>
81	Mike Crough (IBI Group)	2169	South Chippewa Road and Caistorville Road	<p>Requests that the boundary of the lands being brought into the urban area reflect the natural heritage buffers identified in the attached mapping. The reason for the request is that bringing in all the lands would result in less efficient use of the expansion area and reduced ability to provide dwelling units.</p>	<p>Staff reviewed the request and associated mapping provided. The Region will maintain its recommendation to include the entirety of the lands within the settlement area boundary expansion. The environmental features brought into the settlement area boundary will be protected by environmental designations and appropriately buffered. These environmental features are discounted from land need and are non-developable.</p>
Phone Call No Source document	Robert Gerow	N/A	2449 Port Davidson Road	<p>Received the Notice Letter in the mail and is seeking further information on the SABR. Mr. Gerow noted that he has recently moved from Toronto to live in a rural location, and as such would not like to see subdivisions; however, he understands why growth in the area makes sense</p>	<p>Staff provided an overview of the SABR process, and advised that links to the Staff Report (PDS 41-2021) and its appendices, as well as a requested aerial image of the subject lands, would be provided.</p>
Phone Call No Source document	Zander Goldie	N/A	2453 Port Davidson Road	<p>Received the Notice Letter in the mail, and had questions regarding the timing of the boundary review and the proposed land uses on the subject lands.</p>	<p>Staff outlined the respective roles of the Region and local municipality in establishing land uses on the subject lands and in recommending urban area expansions.</p> <p>Staff also advised that Development Phasing has not been determined and will form part of future strategies for the subject lands. Staff provided a link to the Staff Report (PDS 41-2021) and its appendices.</p>

SABR General Comments Received

Comment Source ID(s)	Commenter	Parcel ID(s)	Location	Comments Received	Regional Response
82	Tina Schankula (Ontario Federation of Agriculture)	N/A	General	Not aware of the open house regarding the SABR. Requests any information available to review.	<p>Staff advised that a video recording of the session, the presentation, and a table of the questions and answers would be posted on the Region’s website</p> <p>Staff provided links to available information and informed Ms. Schankula where to sign-up for upcoming webinars and e-mail updates related to the development of the new Niagara Official Plan.</p>
83	Judy Doerr	N/A	General	The climate crisis and housing crisis have not been adequately addressed by the government for decades. Development must consider these priorities and ignoring these crises causes financial long term costs to tax payers and life threatening conditions. The responsibility to preserve, protect and enhance community health must be clear in the new Official Plan. Clear and precise language must be used.	<p>Thank you for your feedback. Your comments will be taken under consideration as we finalize the new Niagara Official Plan.</p> <p>The new Official Plan incorporates an integrated policy approach addressing climate change. Policy direction across the Plan supports the transition to net-zero, climate-resilient communities by: prioritizing investments in public transit and active transportation infrastructure; promoting the design of compact, mixed-use communities that use land wisely; encouraging intensification within existing urban areas and strategic growth areas; integrate low impact development and green infrastructure into new development; and enhance natural features that help to store greenhouse gas emissions.</p> <p>In addition, the new Official Plan commits to developing a greening strategy, adaptation strategy, greenhouse gas reduction targets and climate modelling.</p>
84	Mary Lou Jorgensen-Bacher	N/A	General	Requests a link to the Niagara Falls Housing Strategy, which contained recommendations regarding intensification and forecasted housing mix.	Staff provided a link to the October City Council agenda containing the subject report.
85	Antonio Gallo	N/A	General	Requests detailed mapping of the Region’s urban boundary extension recommendations.	Staff provided a link the Staff Report (PDS 41-2021) and it appendices, which contains detailed mapping of staff’s recommendations.
86	Jennifer Vida (JV Consulting)	Multiple	Multiple	Requests detailed mapping of technical amendments in Niagara Falls and Niagara-on-the-Lake.	Staff provided the detailed mapping as requested.

SABR General Comments Received

Comment Source ID(s)	Commenter	Parcel ID(s)	Location	Comments Received	Regional Response
87	Mary Lou Tanner (NPG)	Multiple	Multiple	Requests detailed mapping of technical amendments and a link to Appendix 9 to Report PDS 41-2021. Further requests rationalization for the technical amendments noted.	Staff provided a link to the Staff Report (PDS 41-2021) and its appendices, and attached both the detailed mapping as requested as well as Appendix 18.4 of Report PDS 17-2021, which outlined the criteria for boundary rationalizations/technical adjustments.
88	Rachael Haynes	N/A	General	Verbatim: “PSWs and Woodlots should be blocked from development. This proposal is irresponsible and greedy. Welland and Thorold have brown fields that should be developed before we destroy habitats that cannot be replaced nor replicated.”	Thank you for your feedback. Your comments will be taken under consideration as we finalize the new Niagara Official Plan.
89	Brigette Bonner	N/A	General	Concerned with the long-term ramifications for expansion onto agricultural lands and environmentally significant areas, and believes that development needs to be concentrated in existing urban areas, including brownfield development. Cites both the Niagara Falls Housing Strategy recommendations and the City of Hamilton’s decision to not expand as the preferred direction for Niagara Region.	The Land Needs Assessment incorporated a 60%, Regional intensification rate, which exceeds the minimum requirements laid out by the Province. Despite this, certain municipalities will still need more land to support community and employment growth. Selection of expansion locations considered the Natural Environment System, watershed planning and impacts on agriculture amongst other factors. Bringing natural features in to the urban area through expansion does not mean these areas will not be protected.
90	Mike Cushman	N/A	General	Has personally witness the health impacts of environmental pollution in the Niagara Region, and was happy with the progress of recent efforts to reverse this damage. However, concerned that these environmental efforts are being disregarded in exchange for urban expansions that will impact agricultural lands and environmentally significant areas. Smart growth principles and intensification should be used instead of urban expansion, with a particular need to increase development of high-rise apartments. In additional, it’s important that Regional and local governments undertake and verify environmental site assessments and risk assessments to ensure brownfield developments appropriately “cleans up” contaminated lands to reduce risks to human health and safety.	The Land Needs Assessment incorporated a Regional 60% intensification rate, which exceeds the minimum requirements laid out by the Province. Despite this, certain municipalities will still need more land to support community and employment growth. Selection of expansion locations considered the Natural Environment System, watershed planning and impacts on agriculture amongst other factors. Bringing natural features into the urban area through expansion does not mean these areas will not be protected as part of future development. Staff will take the comments risks to site contamination for brownfield development under advisement as part of site specific development.

SABR General Comments Received

Comment Source ID(s)	Commenter	Parcel ID(s)	Location	Comments Received	Regional Response
91	Kevin Beaulieu (Greenbelt Foundation)	N/A	Greenbelt Plan Area	Requests Region-wide mapping showing technical amendments to settlement area boundaries.	Staff provided mapping as requested with links to Staff Reports for general information.
92	Bruce Allen	N/A	General	Opposes expansions to the settlement area boundaries due to impacts on climate change and natural habitats.	<p>The new Niagara Official Plan will direct more growth in existing built up areas, including an overall higher intensification rate for the Niagara Region. Intensification and redevelopment will more efficiently use land and infrastructure and support climate initiatives by improving watershed conditions within established communities.</p> <p>Additionally, the Region will encourage areas undergoing change to prepare intensification strategies and secondary plans to proactively provide direction for sustainable redevelopment.</p> <p>New expansion areas will be planned using implementation tools such as secondary plans with associated subwatershed plans. Secondary plans provide the direction for communities to grow and develop in a sustainable and resilient manner. This process will establish appropriate land uses and help to protect key natural features. It can ensure that the plan addresses key climate change policies, including through the use of technology and built forms that contribute towards net-zero emissions targets, enhanced sustainability features (i.e. LID or green building design), and the establishment of transit supportive densities to facilitate future transit connections.</p> <p>In addition to providing current policy directions, the proposed Niagara Official Plan commits to development of a greening strategy, adaptation strategy, greenhouse gas reduction targets and climate modelling.</p>
93	Chris Koop (Niagara Federation of Agriculture)	N/A	General	<p>Supports a fixed boundaries approach and having even further intensification targets. Provides figures on agricultural economy and natural heritage policies, interpretation of CLI soil class designations and suggests that other development alternatives be considered to settlement area boundary expansions.</p> <p>Requests a breakdown of net areas gained and a response to the impacts on agricultural systems/agri-food networks.</p>	Thank you for your feedback. These comments will be taken under consideration as we advance the new Niagara Official Plan.

SABR General Comments Received

Comment Source ID(s)	Commenter	Parcel ID(s)	Location	Comments Received	Regional Response
94	Biodiversity and Climate Action Niagara	N/A	General	<p>Identified several overall areas of concern related to the proposed SABR recommendations, including:</p> <ul style="list-style-type: none">• Loss of prime agricultural land.• Addressing the climate crisis.• Impacts to the Natural Environment System• Market Demand.• Utilizing additional 40 hectare expansions as per Policy 2.2.8.5 of the Growth Plan. <p>The letter also identified specific concerns with the identification of a 50% intensification target for the City of Niagara Falls Intensification and several of the locations recommended for expansions in Niagara Falls, Fort Erie, Pelham, and West Lincoln.</p>	<p>Thank you for your feedback. The comments received on the site specific expansion areas are taken under consideration as we finalized our work.</p> <p>Staff have reached out to Biodiversity and Climate Change Niagara specifically with regards to the specific questions identified in their submission. In summary, the response clarifies that the Niagara Official Plan:</p> <ul style="list-style-type: none">• Bases its Settlement Area boundaries on a Land Needs Assessment that is required to identify a housing mix that considers both affordability and market-demand, establishing Settlement Areas that ensure sufficient supply of land is available for development to 2051.• Contains clear policies to protect the agricultural land base and the Agricultural System, including local processing.• Encourages intensification rates above the Provincial average, requires local municipalities to update or create intensification strategies to achieve or exceed these targets, and identifies strategic growth areas to support transit-oriented development.• Policies requiring secondary plans to be completed for larger expansion areas, which will include additional study including secondary plans, sub-watershed plans, transportation studies, servicing, urban design, etc. The planning of the expansion areas will look at net zero communities, protecting the environment, recommending engineering solutions that use green infrastructure.
95	Anne Yagi (8Trees Inc.)	N/A	General	<p>Writer cites decline of “smart growth” planning. Offers unsolicited proposal for Kraft Drain Watershed and Chippawa.</p>	<p>Thank you for your feedback. These comments will be taken under consideration as we advance the new Niagara Official Plan.</p>

SABR General Comments Received

Comment Source ID(s)	Commenter	Parcel ID(s)	Location	Comments Received	Regional Response
96	Don Ciparis, (National Farmers Union – Ontario)	N/A	General	Opposes any boundary expansion that results in the loss of prime agricultural land. Requests Staff to reimagine population growth through responsible densification.	<p>The new Niagara Official Plan will direct more growth in existing built up areas, including an overall higher intensification rate for the Niagara Region. Intensification and redevelopment will more efficiently use land and infrastructure and support climate initiatives by improving watershed conditions within established communities.</p> <p>Agriculture lands are important to Niagara. The Region’s assessment criteria carefully considered impacts to the agricultural area through the assessment; including soil classification, the overall agricultural system and any impacts to existing livestock operations using minimum distance separation (MDS) information.</p>
106	Linda Manson	N/A	General	<p>Identifies several areas of concern related to the urban settlement area boundary review, primarily in relation to the protection of the natural environment system. Questions and comments are summarized as follows:</p> <ol style="list-style-type: none">1. Desire to have a mapping tool that overlays information.<ul style="list-style-type: none">○ “Q: Will you start doing that?”2. Questions what the Region will do if developers ask to utilize the 40 hectare expansion policy in the Growth Plan.<ul style="list-style-type: none">○ “Q: What will you say when they ask?”3. In support of the City of Niagara Falls’ proposed 65% intensification rate and inquires if staff looked at the local report.<ul style="list-style-type: none">○ “Q: Did you, in fact, even take a look at that staff report?”4. Skeptical whether the natural environment system would be protected once lands are brought into the settlement area.<ul style="list-style-type: none">○ “Q: What opportunities will exist to improve on Option 3C — within urban boundaries?”	<p>Staff response provided in corresponding question sequence.</p> <p>1. The Region has made all Natural Environment Systems (NES) and feature layers available as part of the online mapping used for consultation. Users can “make visible” any individual layer or a complete, comprehensive set of layers for inspection. Mapping for the purposes of Official Plan Schedules are structured in a manner that provides clarity to distinguish features to assist those interpreting mapping and related policies. Multiple mapping schedules avoids instances of overlap that may otherwise block out features that are identified in the same location. The Schedules are to be used together when information is sought on properties.</p> <p>The online mapping tool can be viewed with the following link. https://niagararegion.maps.arcgis.com/apps/instant/basic/index.html?appid=21e7b3d3663e476799277823f3a40b44</p> <p>2. The Niagara Official Plan will establish Settlement Area boundaries to accommodate growth to 2051. Additional expansions to accommodate 2051 growth should not be required unless there are significant changes to housing demand and population growth.</p>

SABR General Comments Received

Comment Source ID(s)	Commenter	Parcel ID(s)	Location	Comments Received	Regional Response
				<div><div>5. Suggests Niagara needs a “you destroy ... you never develop there” policy. The tree cutting by-law and enforcement needs to be proactive, not reactive.</div><div><div>○ “Q: Are you aware of such a thing elsewhere?”</div><div>○ “Q: Would you be willing to suggest?”</div></div><div>6. Seeks to stop the Merritt Road extension in the Town of Pelham.</div><div><div>○ “Q: How do we stop it?”</div></div><div>7. Seeks to have lands south of Garrison Road next to Fort Erie’s Town Hall removed from the expansion recommendations.</div><div><div>○ “Q: Will you be looking for a replacement recommendation — or better yet, an intensification option?”</div></div></div>	<div><div>3. Yes, staff reviewed this report and many others. Staff have met with all our local counterparts throughout the Official Plan development and during the review of potential expansion areas. City of Niagara Falls Council made a decision to use a 50% intensification rate for Niagara Falls.</div><div>4. Council chose Option 3C for the Region. This was the highest level of environmental protection out of all the options put forward. For expansion areas further study work will determine appropriate setbacks/buffers/linkages (For example when secondary planning and sub-watershed study work is being undertaken). If a local council wishes to further enhance the environmental system for their own municipality, they can include policies in their local official plan during their conformity update.</div><div>5. The Region has a Woodland Conservation By-law (By-law No. 2020-79). The by-law prohibits the injury or destruction of any tree located within a woodland or designated as a Heritage Tree or a Significant Community Tree except under certain specified circumstances. The Region’s By-law has been in place since 1981.</div><div>6. Niagara Region is undertaking a Schedule C Municipal Class Environmental Assessment for Merritt Road (Regional Road 37) and Rice Road (Regional Road 54) in Pelham, Thorold and Welland. The project is following the approved process under the Ontario Environmental Assessment Act.</div></div>

SABR General Comments Received

Comment Source ID(s)	Commenter	Parcel ID(s)	Location	Comments Received	Regional Response
					<p>The proposed transportation improvements are required in order to provide capacity for the projected traffic growth in the area. Transportation improvements include active transportation facilities in line with the Region’s complete streets approach and sustainable transportation network. It is recognized that some impacts will occur on the natural environment. An Environmental Impact Study (EIS) is underway in consultation with the Niagara Peninsula Conservation Authority (NPCA) and will comply with Provincial and Regional plans, policies and guidelines as required to support the MCEA process.</p> <p>The Niagara Peninsula Conservation Authority has requested that additional work be completed to monitor the wetlands and to show how the ecohydrological functions of the watercourses and wetlands will be maintained during and post construction. All technical investigations prepared as part of the Class EA Study will be made available for public review along with the Environmental Study Report, when available.</p> <p>The natural environment features within the Study Area (provincially significant wetlands, woodlands) are part of the Core Natural Heritage under the existing Niagara Region Official Plan. These features are being identified as part of the Natural Environment System under the New Niagara Region Official.</p> <p>7. Based on public consultation and additional information that was made available the area was removed from the recommended expansion area.</p>

Administration

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March 31, 2022

CL 6-2022, March 24, 2022

PEDC 2-2022, March 9, 2022

PDS 3-2022, March 9, 2022

LOCAL AREA MUNICIPALITIES

SENT ELECTRONICALLY

Regional Transitional Incentive Timelines

PDS 3-2022

Regional Council, at its meeting held on March 24, 2022, passed the following recommendation of its Planning and Economic Development Committee:

That Report PDS 3-2022, dated March 9, 2022, respecting Regional Transitional Incentive Timelines, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the timelines and transitions for Niagara Region incentive programs outlined in this Report **BE APPROVED**; and
2. That Report PDS 3-2022 **BE CIRCULATED** to the Local Area Municipalities.

A copy of Report PDS 3-2022 is enclosed for your reference.

Yours truly,



Ann-Marie Norio

Regional Clerk

:cv

CLK-C 2022-045

cc:

M. Sergi, Commissioner, Planning and Development Services

N. Oakes, Executive Assistant, Planning and Development Services

M. Bannerman, Program Manager, Grants and Incentives, Planning and Development Services

Subject: Regional Transitional Incentive Timelines

Report to: Regional Council

Report date: Wednesday, March 9, 2022

Recommendations

1. That the timelines and transitions for Niagara Region incentive programs outlined in this report **BE APPROVED**; and
2. That Report PDS 3-2022 **BE CIRCULATED** to the Local Municipalities.

Key Facts

- This report fulfills Council direction in PDS 31-2021 as amended that “staff PROVIDE sunset clause policies for currently approved programs that include reasonable expiration dates.” Expiry dates, sunset clauses, and transitions for these programs are outlined below and in Appendix 1.
- The programs which did not have expiration dates otherwise mandated by Council through PDS 31-2021 include the following incentives in the Smarter Niagara Incentive Program (SNIP): Affordable Housing, Agricultural Feasibility Study Grant, Agricultural Buildings and Facilities Revitalization Tax Increment Grant, Façade and Building Improvement Grant, Heritage Restoration and Improvement Grant, Community Improvement Plan/Secondary Plan Grant, Public Domain Grant, Residential Grant, Environmental Assessment Study Grant, Brownfield Tax Assistance Program Grant.
- Two grants listed above either have never been operative (SNIP Affordable Housing) or have already been replaced by another program (SNIP Public Domain replaced in 2016 by the Public Realm Investment Program). They are included here as both programs will be officially discontinued.
- For two programs -- the SNIP Property Rehabilitation and Revitalization Tax Increment Grant (SNIP TIG) and the Smart Growth Regional Development Charge (RDC) Reduction – Council established an expiry date of October 1, 2024. This report provides a transition for the Smart Growth RDC program currently set to expire with the RDC bylaw on August 31, 2022 to Council's new expiration date of October 1, 2024.

Financial Considerations

The financial impact of delivering these incentives consists of:

(1) Regional staffing costs to administer the programs

Staff across Planning and Development Services, Economic Development, Housing Services, and Financial Management and Planning work to administer the various incentive programs offered by Niagara Region. SNIP incentive administration is led by Planning and supported by Finance staff. Continuing SNIP incentives until proposed program expiry in 2023, in conjunction with delivering new Niagara Region Incentive Policy programs, will lead to increased administrative costs. The intent is to manage these costs within the existing operating budget.

(2) Regional budget for the programs

SNIP incentives are budgeted differently depending on the program.

- The budget for the SNIP Affordable Housing Grant, Agricultural Feasibility Study Grant, Façade and Building Improvement Grant, Heritage Restoration and Improvement Grant, Community Improvement Plan/ Secondary Plan Grant, Public Domain Grant, Residential Grant, and Environmental Assessment Study Grant incentives is determined annually. For 2022 this budget is \$300,000. Program budget will need to be maintained in 2023 per proposed timelines outlined in this report and then is anticipated to be repurposed to support Affordable Housing incentives within the Niagara Region Incentive Policy.
- The Brownfield Tax Assistance Program Grant (BTAP) results in a freeze or cancellation of Regional taxes for a specified period. Annual budget requirements for the program vary depending on the approved projects and timing of development. The 2022 budget of \$38,000 was funded through assessment growth as part of the annual budget process.
- The SNIP Agricultural Buildings and Facilities Revitalization Tax Increment Grant would be funded like other Regional tax increment grants, with budget established through allocation of assessment growth revenue. Annual budget requirements vary depending on the approved projects and timing of development. To date there has been no uptake for this program.

- The SNIP TIG incentive is funded with budget established through allocation of assessment growth revenue. Annual budget requirements vary depending on the approved projects and timing of development. The 2022 budget for SNIP TIGs is \$2.2 million. It is anticipated this amount will increase annually based on existing and anticipated SNIP TIG grants through at least 2027. Estimated total Regional commitment for SNIP TIGs is over \$40 million.
- The Smart Growth RDC reduction is funded through the annual RDC grant budget. The total budget RDC grants for 2022 is \$7.8 million. Annual budget requirements vary depending on the approved projects and timing of development. Average annual Smart Growth RDC payments from 2018-2021 were \$273,447, with reductions ranging from \$23,000 to \$531,000. It is anticipated the average annual payment 2022-2027 will increase based on project completions, Smart Growth RDC reduction program extension, and the proposed Smart Growth RDC reduction transition policy.

Analysis

Background

In its October 2021 approval of the Niagara Region Incentive Policy (PDS 31-2021) as amended, Regional Council provided two specific directions regarding incentive expiration dates:

1. a) That the current Regional Tax Increment Grant and Smart Growth Development Charge programs be maintained in municipal Community Improvement Plan (CIP) districts until October 1, 2024, or until new programs are approved by Regional Council that further support municipal CIP Districts with criteria that supports residential intensification, employment enhancements and brownfield remediation;
2. That staff PROVIDE sunset clause policies for currently approved programs that include reasonable expiration dates.

Incentives with Mandated Expiration Dates

In item 1(a) above, Council directed that the SNIP Property Rehabilitation and Revitalization Tax Increment Grant (SNIP TIG) and the Smart Growth RDC reduction remain operative through October 1, 2024, or until new programs meeting certain criteria are approved by Council. Options for new programs with the criteria indicated by

Council were not approved in 2021. This report addresses the need to clarify implications of Council's extension of the SNIP TIG and Smart Growth RDC grants for program partners and participants. Appendix 1 outlines proposed timelines and transition policies for these two programs.

- (1) **SNIP TIG** – This program will have an expiration date of October 1, 2024 for submission of complete applications, with sunset clauses as outlined in individual agreements between the local municipality and applicant for each project.
- (2) **Smart Growth RDC grant** – This program will have an expiration date of October 1, 2024 for receipt of complete applications OR execution of a transition agreement with Niagara Region. Applications received prior to August 31, 2022 will be processed under the existing Smart Growth RDC program outlined in Schedule E of the Regional DC bylaw (2017-98). This report proposes Council approve the delivery and transition of this incentive under the parameters outlined here from September 1, 2022 until the expiry date of October 1, 2024 mandated by Council through PDS 31-2021. Criteria for a transition agreement for this grant include the following:

To qualify for the Smart Growth RDC reduction of a maximum of 50% of the Regional DC payable after demolition credits are applied, a project must be located within the Designated Exemption Areas indicated in Appendix 2 OR be a brownfield development located within the in the urban area of a local municipality as defined by the Regional Official Plan, AND by October 1, 2024:

- Have met with Regional staff to discuss a preliminary assessment under the Smart Growth RDC program. Assessment will be based on the Smart Growth criteria in place at the time of the assessment, which may be amended.
- Have obtained a building permit and initiated construction for the development.
- Have entered into a Smart Growth RDC transition agreement with Niagara Region.

Projects meeting these criteria will be subject to the following program parameters:

- Under the Smart Growth RDC program, applicants are required to pay all DCs at the time of building permit issuance. Any eligible reduction of RDCs is paid after confirmation that program criteria have been met.
- Projects must be completed by the date indicated in the transition agreement or within five years of execution of the transition agreement, whichever is first.
- Complete applications must be submitted within one month of project completion.

As noted above in PDS 31-2021 item 2, Council directed “That staff PROVIDE sunset clause policies for currently approved programs that include reasonable expiration dates.” These “currently approved” programs include the following SNIP incentives: Affordable Housing, Agricultural Feasibility Study Grant, Agricultural Buildings and Facilities Revitalization Tax Increment Grant, Façade and Building Improvement Grant, Heritage Restoration and Improvement Grant, Community Improvement Plan/Secondary Plan Grant, Public Domain Grant, Residential Grant, Environmental Assessment Study Grant, Brownfield Tax Assistance Program Grant. Two of these 10 programs either have never been operative (SNIP Affordable Housing) or have been replaced by another program (SNIP Public Domain was replaced in 2016 by the Public Realm Improvement Program).

Recommendations for sunset and expiry options were put forward by staff during consideration of PDS 31-2021 and related report PDS 37-2021. With these deliberations as background, Appendix 1 outlines proposed expiry dates, sunset clauses, transitions and related information regarding SNIP programs with no expiration dates otherwise directed by Council.

In summary, it is recommended that:

- The SNIP incentives Affordable Housing Grant, Agricultural Feasibility Study Grant, Environmental Assessment Study Grant, Façade and Building Improvement Grant, Heritage Restoration and Improvement Grant, Public Domain Grant, and Residential Grant have an expiration date of October 1, 2023 for submission of complete applications, with a sunset clause of October 1, 2024 for completion and invoicing of all projects
- The SNIP Agricultural Buildings and Facilities Revitalization Tax Increment Grant, Brownfield Tax Assistance Program (BTAP) Grant, and Community Improvement Plan/Secondary Plan Grant have an expiration date of October 1, 2023 for submission of complete applications, with sunset clauses as outlined in agreements and approval letters for each project

These dates are proposed as they take into account: Council’s mandated expiration date of October 1, 2024 for the SNIP TIG and Smart Growth RDC reduction; Council discussion of other program timing options during the incentive review process; Council direction regarding ongoing incentive program delivery; the nature and timing of projects in these programs; and the need to confirm clear, reasonable dates as quickly as possible to support project planning and funding by partners and stakeholders. Further considerations regarding these proposed dates are outlined below.

Rationale

Clear, reasonable timelines and transitions are vital for incentive providers and recipients to effectively plan and budget. Council mandated specific expiry dates for two incentive programs (the SNIP TIG and Smart Growth RDC reduction) but requested that staff provide recommendations for expiry dates and sunset clauses for the remaining SNIP programs. Previous reports identified a number of timeline options for incentive programs, and discussions around these timelines in conjunction with additional direction by Council including to “REVIEW and REPORT to Regional Council prior to October 2024 on the effectiveness, challenges and any recommended changes to the Region’s Incentive Programs, after consulting with the local area municipalities” have been taken into consideration in putting forward the proposed dates in this report.

These proposals:

- provide clear and reasonable timelines for developers and local municipalities to apply for and complete projects, to enhance project planning and financing
- provide sunset clauses in alignment with most local municipal programs and with average completion rates for most program projects
- provide timely information for local municipalities working to update their CIPs and incentive programs
- align with Council direction to provide expiry dates and sunset clauses for these programs, and to target incentive spending by redirecting program funding into priority areas
- provide time for staff to collate data and fulfill Council direction to review, engage with local municipalities and report on incentives by October 2024 while continuing to deliver existing and new Regional incentive programs

Though there are advantages and disadvantages to earlier or later dates, many of them have been discussed previously and have not been accepted by Council. The proposals here are recommended as providing the most reasonable dates with the greatest number of overall advantages while still providing opportunity for continued program delivery and preparation for additional program review.

Next Steps

If approved by Council, this report will be circulated to local municipalities, and Regional staff will also communicate timelines and transition policies through meetings with local municipal staff partners and on the Regional website.

Alternatives Reviewed

Several alternatives regarding expiry dates and sunset clauses for incentive programs were considered by Council during incentive review deliberations in 2021. The options put forward here take into account Council's comments and actions during those deliberations and provide the strongest alternative per Council direction to put forward expiry and sunset clause dates and for staff to continue administering parallel sets of incentives while preparing to consult with local municipalities, review, and report to Council on the effectiveness and recommendations for Regional incentives.

Relationship to Council Strategic Priorities

The recommendations in this report support the following Council strategic priorities:

Priority 1: Supporting Businesses and Economic Growth

- Objective 1.1: Economic Growth and Development

Priority 4: Sustainable and Engaging Government

- Objective 4.1: High quality, efficient and coordinated core services
- Objective 4.2: Enhanced Communication
- Objective 4.3: Fiscally Sustainable

Other Pertinent Reports

- Regional Development Charges By-law 2017-98
- PDS 31-2021 Niagara Region Incentives Policy
- PDS 37-2021 Regional Incentives Information and Alternatives

Prepared by:

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Program Manager, Grants and
Incentives
Planning and Development Services

Recommended by:

Michelle Sergi, MCIP, RPP
Commissioner
Planning and Development Services

Submitted by:

Ron Tripp, P.Eng.
Acting Chief Administrative Officer

This report was prepared in consultation with the Regional Incentive Review team (CAO Ron Tripp; Community Services: Donna Woiceshyn, Director, Niagara Housing Services, CEO of Niagara Regional Housing; Corporate Services: Todd Harrison, CPA, CMA, Commissioner of Corporate Services,/Treasurer; Helen Chamberlain, CPA, CA, Director, Financial Management and Planning/Deputy Treasurer; Margaret Murphy, CPA, CMA, Associate Director, Budget Planning & Strategy; Lyndsey Ferrell, Program Financial Specialist; Economic Development: Valerie Kuhns, Associate Director; Ken Scholtens, Manager, Business Development and Expedited Services; Planning and Development Services: Michelle Sergi, MCIP, RPP, Commissioner of Planning and Development Services; Diana Morreale, Acting Director, Community and Long-Term Planning; Marian Bannerman, Program Manager, Grants and Incentives).

Appendices

Appendix 1 Regional Incentive Dates

Appendix 2 Designated Exemption Areas for Smart Growth RDC Reduction Eligibility

Appendix 1: Regional Transitional Incentive Dates

A. Smarter Niagara Incentive Program (SNIP) Timeline Proposals

Projects must have submitted complete application packages by the expiry date indicated. Application submission in advance of expiry date is recommended to ensure applications are complete.

Program	Expiry Date	Sunset Clause	Transition	Notes
Affordable Housing Grant	October 1, 2023	N/A	N/A	Never operative
Agricultural Buildings and Facilities Revitalization Tax Increment Grant	October 1, 2023 Complete application must be received	Project completion and invoicing as specified in individual agreements	None	No uptake to date
Agricultural Feasibility Study Grant	October 1, 2023 Complete application must be received	October 1, 2024 Project completion and invoicing	None	No uptake to date
Brownfield Tax Assistance Program Grant	October 1, 2023 Complete application must be received	Project completion and invoicing as specified in individual agreements	None	None

Community Improvement Plan/ Secondary Plan Grant	October 1, 2023 Complete application must be received	Project completion and invoicing as specified through individual project approvals	None	Secondary plans mandated by Regional policy or deemed to have significant Regional interest will be considered for funding on a case by case basis
Environmental Assessment Study Grant	October 1, 2023 Complete application must be received	October 1, 2024 Project completion and invoicing	None	Studies will be considered eligible costs under Regional brownfield incentive programs
Façade and Building Improvement Grant	October 1, 2023 Complete application must be received	October 1, 2024 Project completion and invoicing	None	None
Heritage Restoration and Improvement Grant	October 1, 2023 Complete application must be received	October 1, 2024 Project completion and invoicing	None	None

Public Domain Grant	October 1, 2023	N/A	N/A	Replaced by Public Realm Investment Program in 2016
Residential Grant	October 1, 2023 Complete application must be received	October 1, 2024 Project completion and invoicing	None	Replaced by Small Building Rental grant program

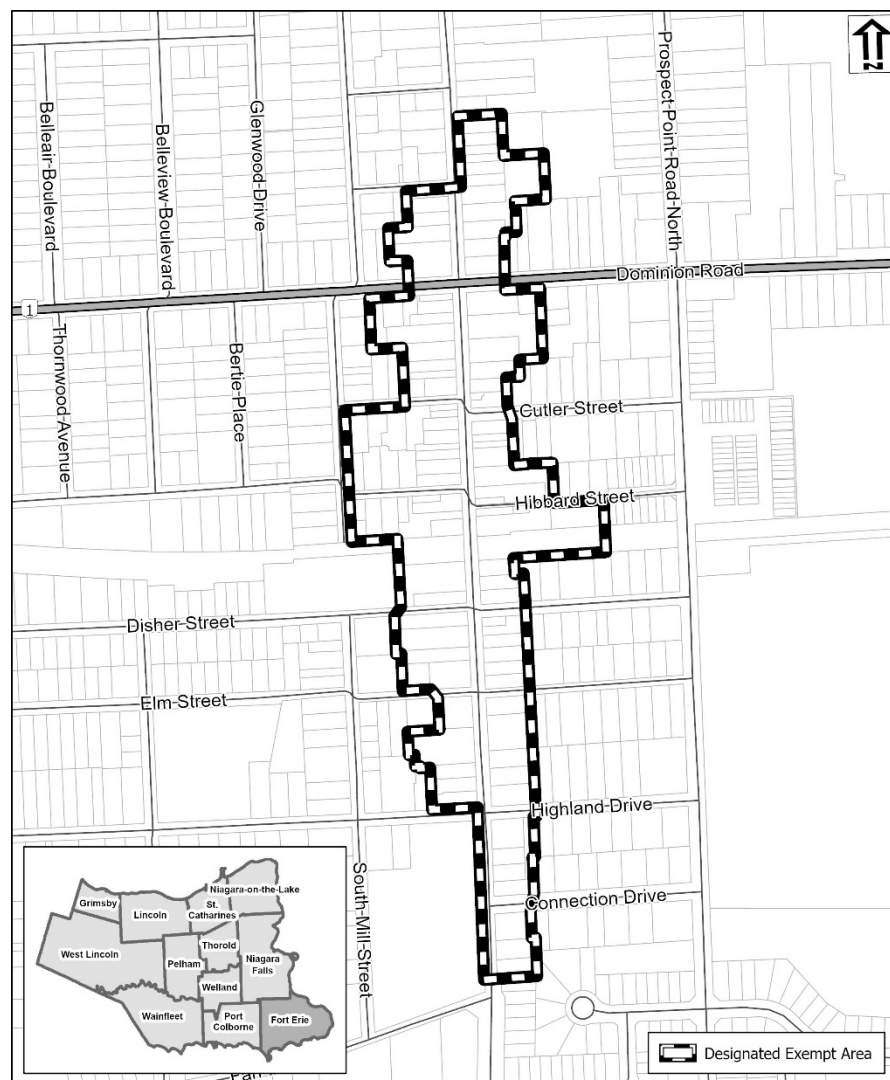
B. Council-Mandated Incentive Dates

Program	Expiry Date	Sunset Clause	Transition	Notes
SNIP Property Rehabilitation and Revitalization Tax Increment Grant	October 1, 2024 Complete application must be received	Project completion and invoicing as specified in individual project agreements	None	Replaced by Brownfield and by Niagara Business Attraction Tax Increment Grant programs
Smart Growth Regional Development Charge Reduction	October 1, 2024 Complete application received OR transition agreement executed	Project completion and invoicing as specified in individual project agreement	October 1, 2024 For eligible projects meeting criteria outlined in this report	Current program expires with Regional DC Bylaw August 31, 2022; transition to October 1, 2024 expiry provided through this report

Appendix 2: Designated Exemption Areas for Smart Growth RDC Reduction

A maximum 50% reduction in Regional Development Charges (RDCs), after any demolition credits are applied, not to exceed total RDCs payable, may apply to eligible projects provided the Smart Growth Design Criteria endorsed by Council of the Region and/or any level of LEED certification are achieved, in the following Designated Exemption Areas or to brownfield developments within Urban Areas of local municipalities as defined under the Regional Official Plan from September 1, 2022, provided that transition policy requirements outlined in PDS 3-2022 are met by October 1, 2024.

Designated Exemption Areas for Smart Growth Regional Development Charge Reductions for Town of Fort Erie (1)



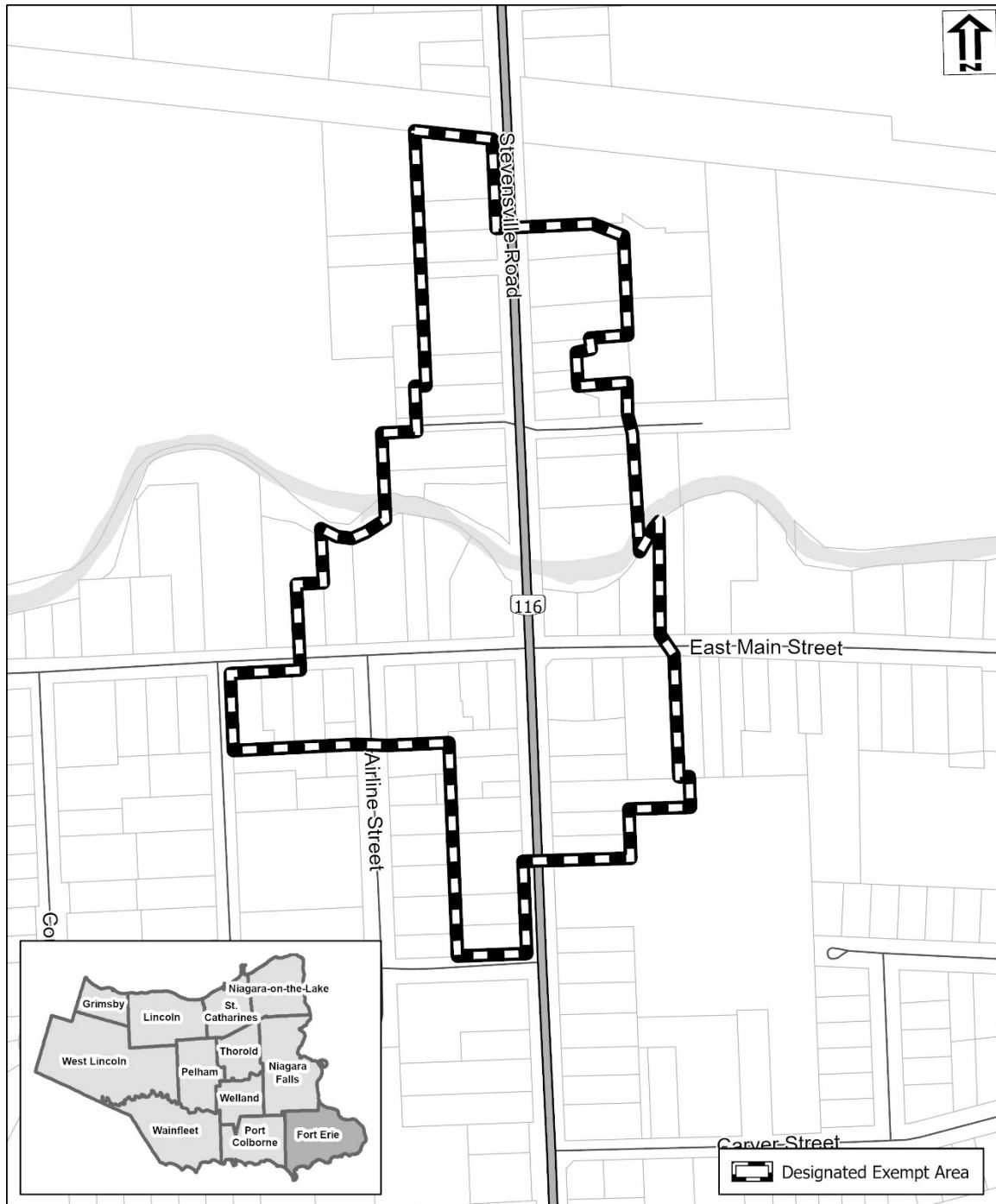
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Designated Exemption Areas for Smart Growth Regional Development Charge Reductions for Town of Fort Erie (2)



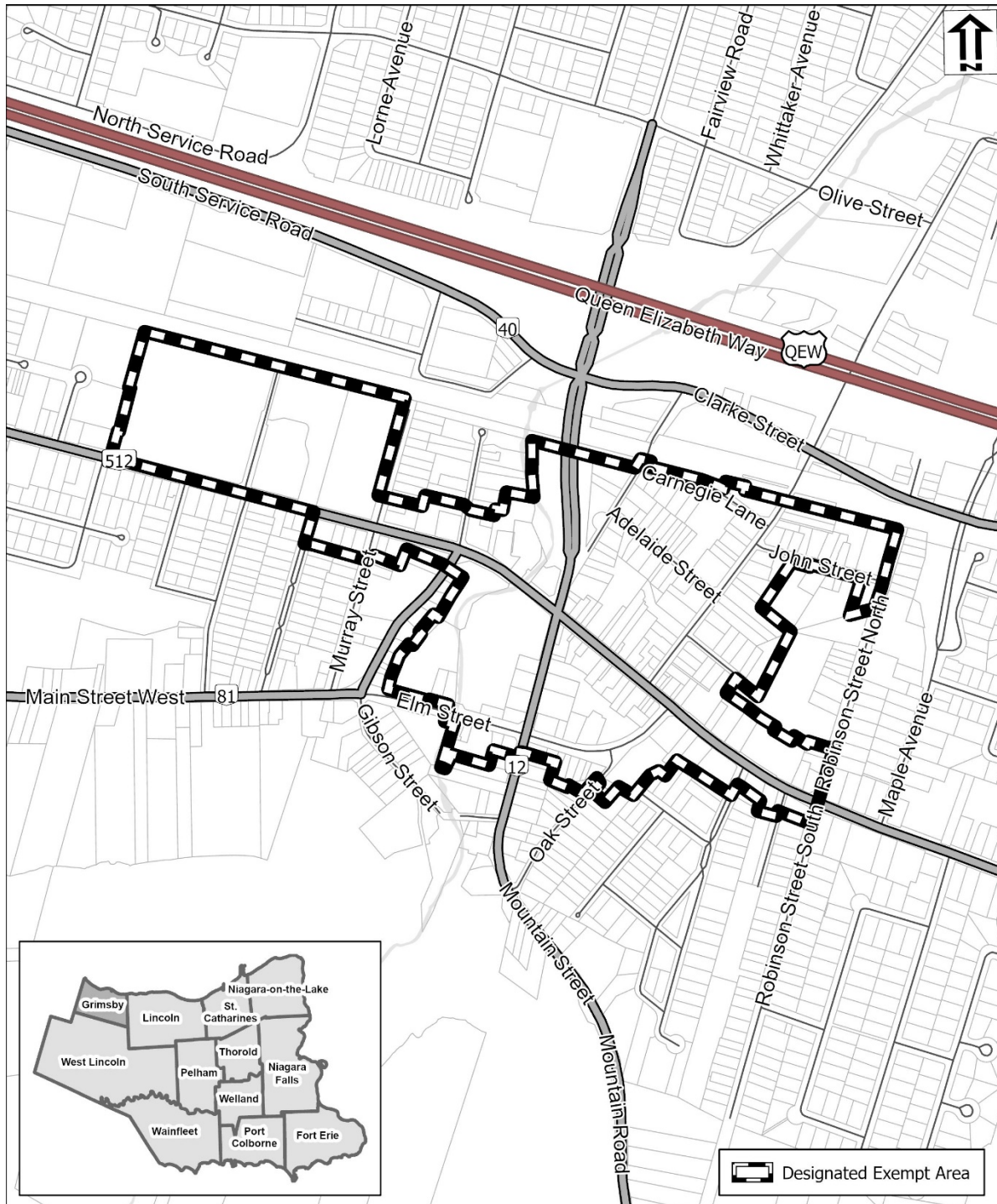
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Designated Exemption Areas for Smart Growth Regional Development Charge Reductions for Town of Fort Erie (3)



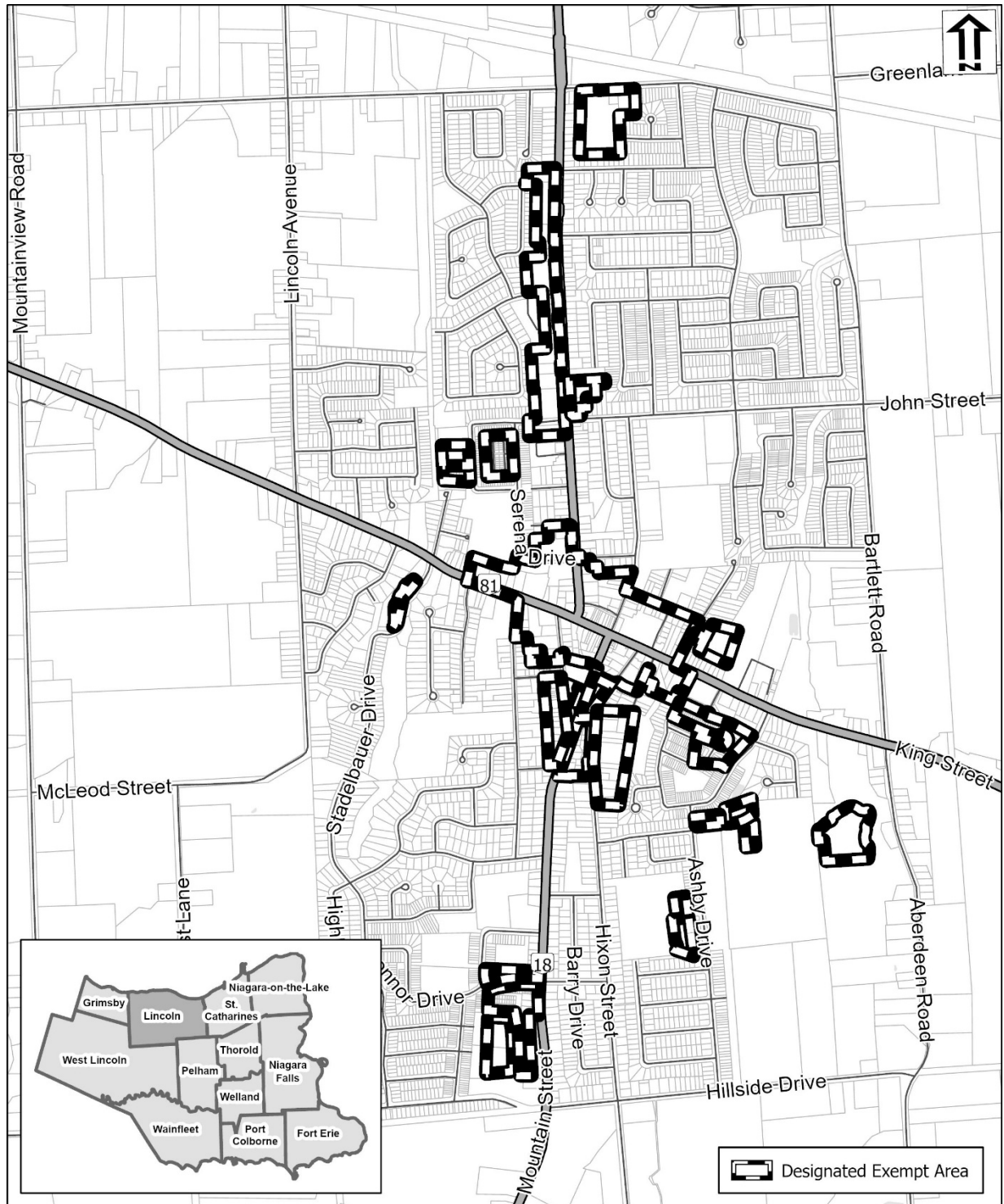
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Designated Exemption Areas for Smart Growth Regional Development Charge Reductions for Town of Grimsby



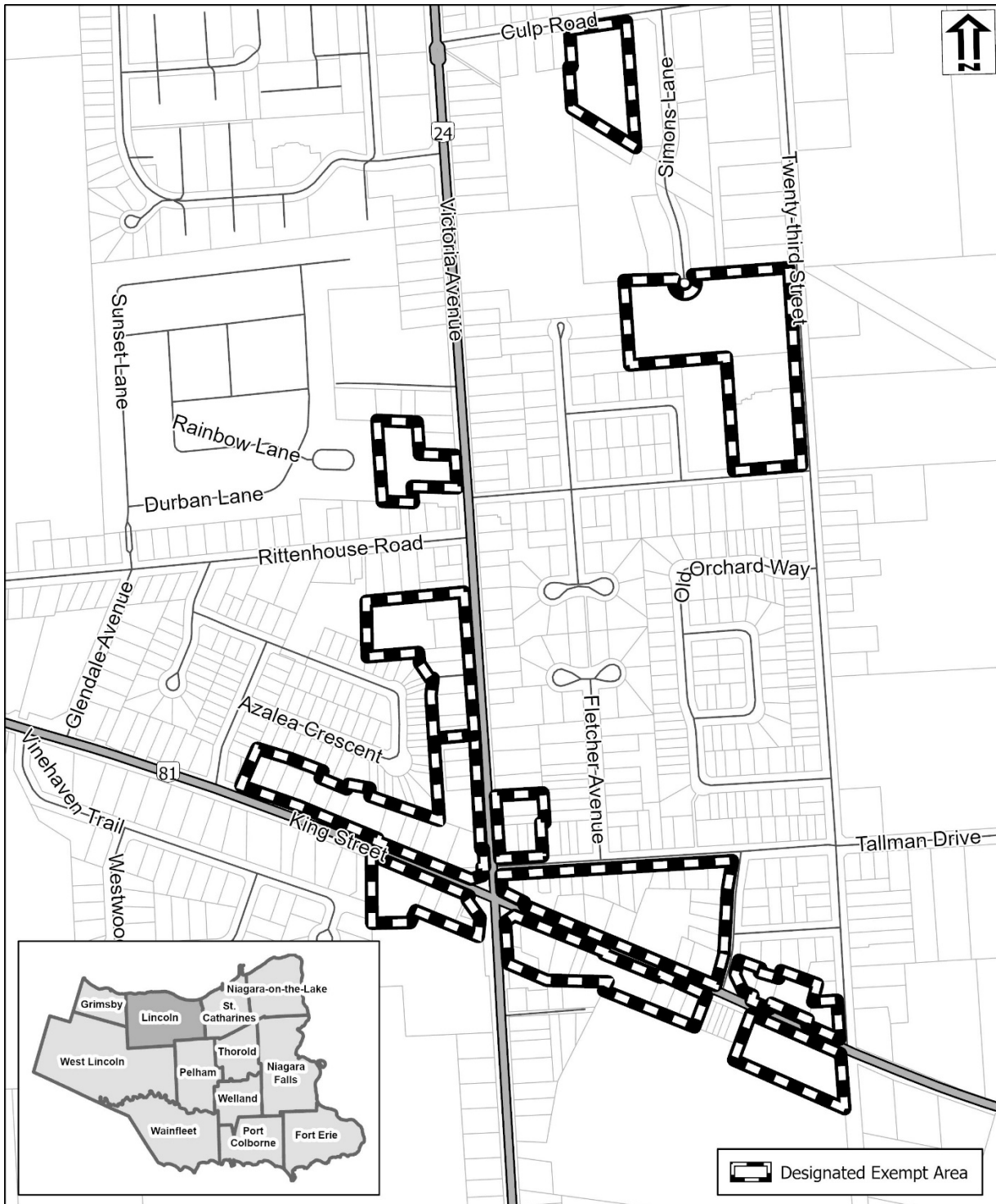
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Designated Exemption Areas for Smart Growth Regional Development Charge Reductions for Town of Lincoln (1)



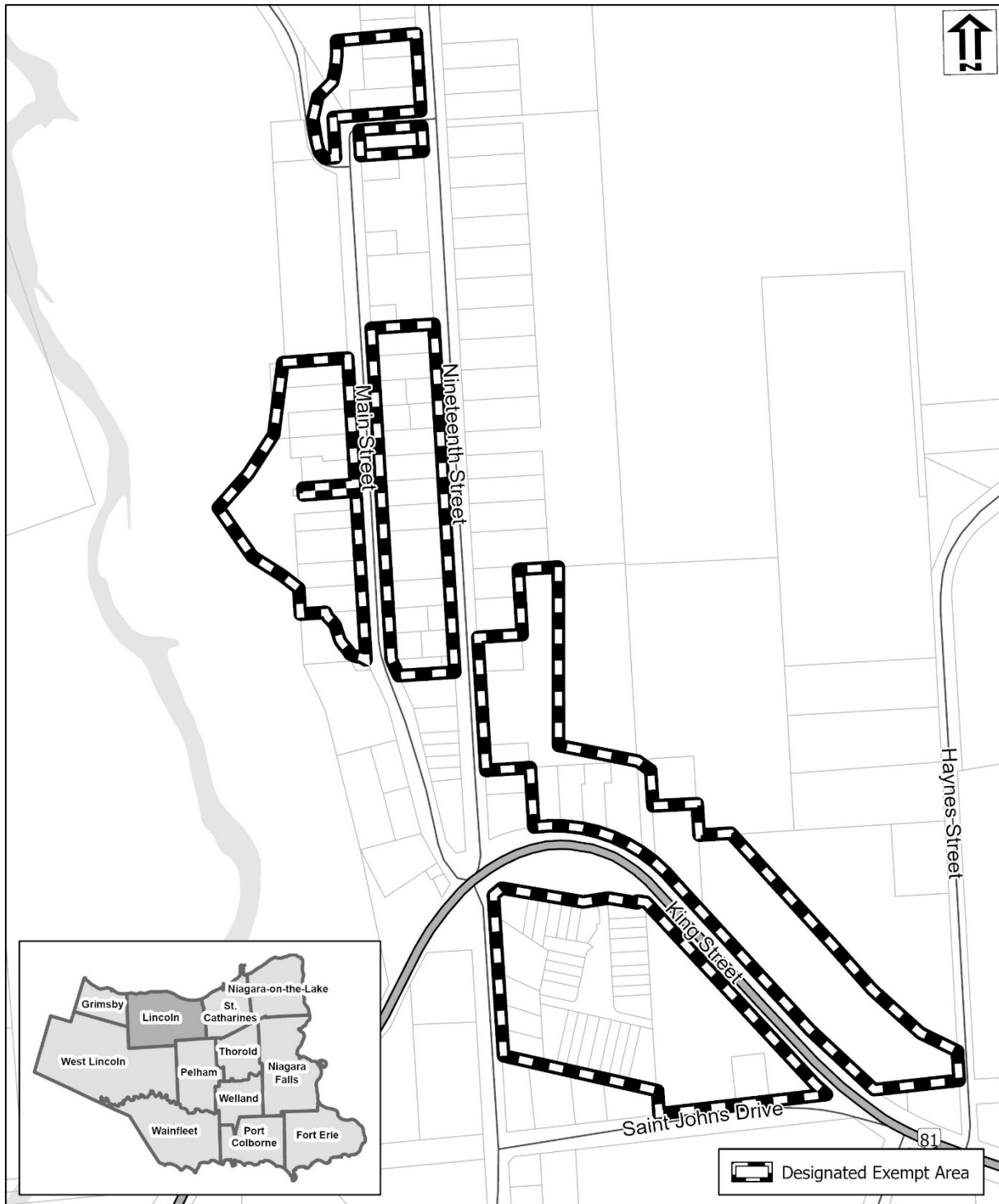
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Designated Exemption Areas for Smart Growth Regional Development Charge Reductions for Town of Lincoln (2)



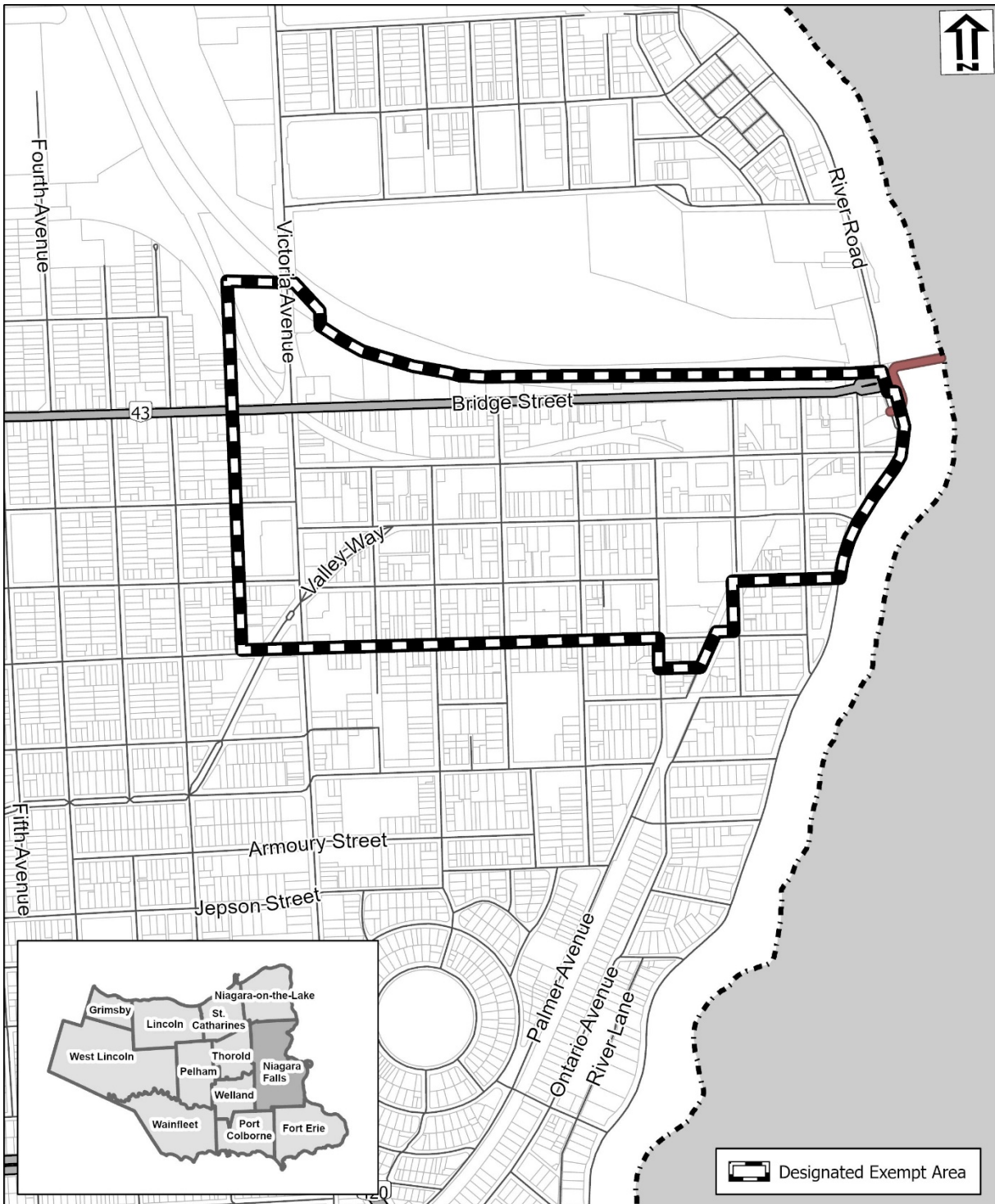
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Designated Exemption Areas for Smart Growth Regional Development Charge Reductions for Town of Lincoln (3)



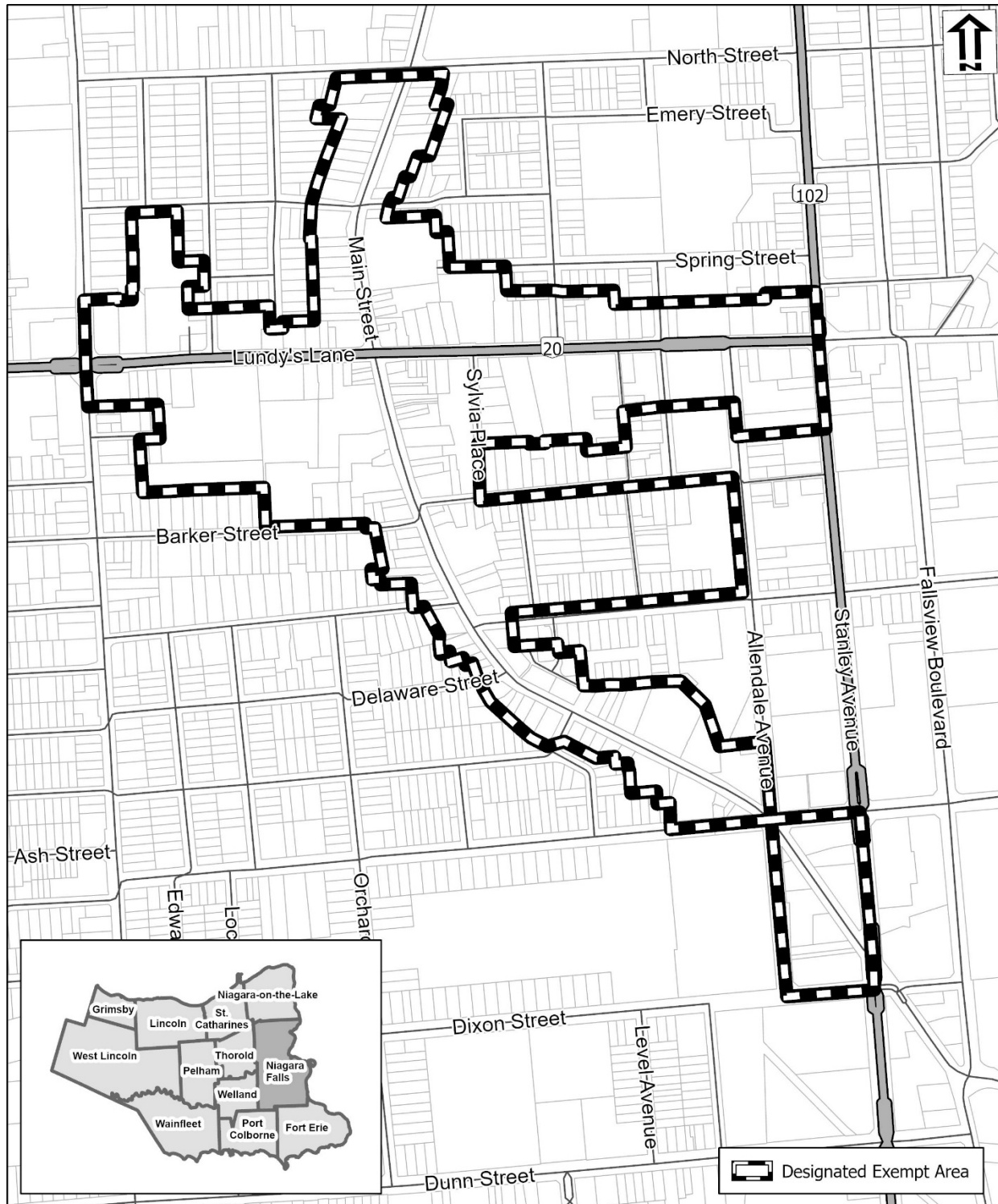
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Designated Exemption Areas for Smart Growth Regional Development Charge Reductions for City of Niagara Falls (1)



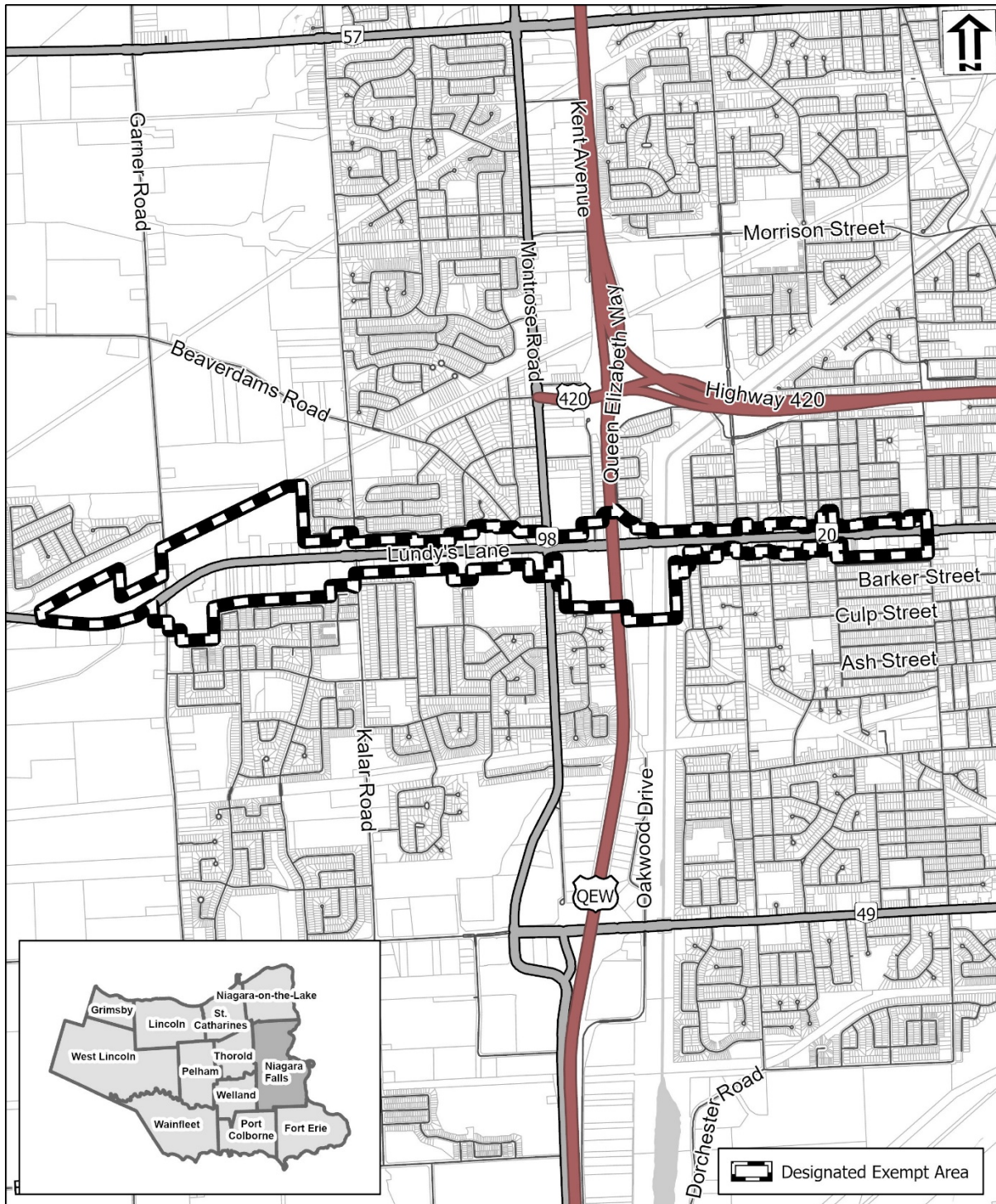
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Designated Exemption Areas for Smart Growth Regional Development Charge Reductions for City of Niagara Falls (2)



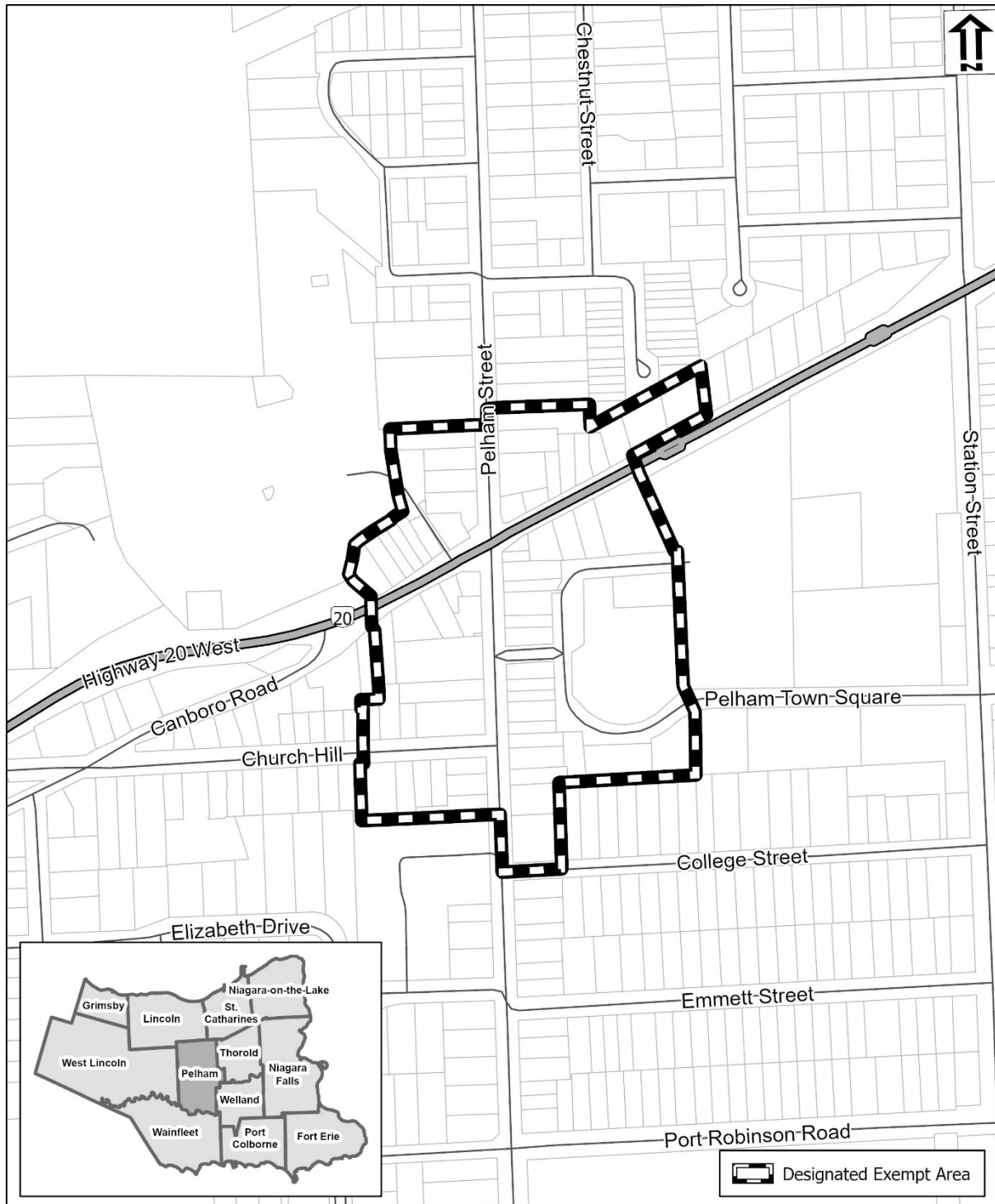
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Designated Exemption Areas for Smart Growth Regional Development Charge Reductions for City of Niagara Falls (3)



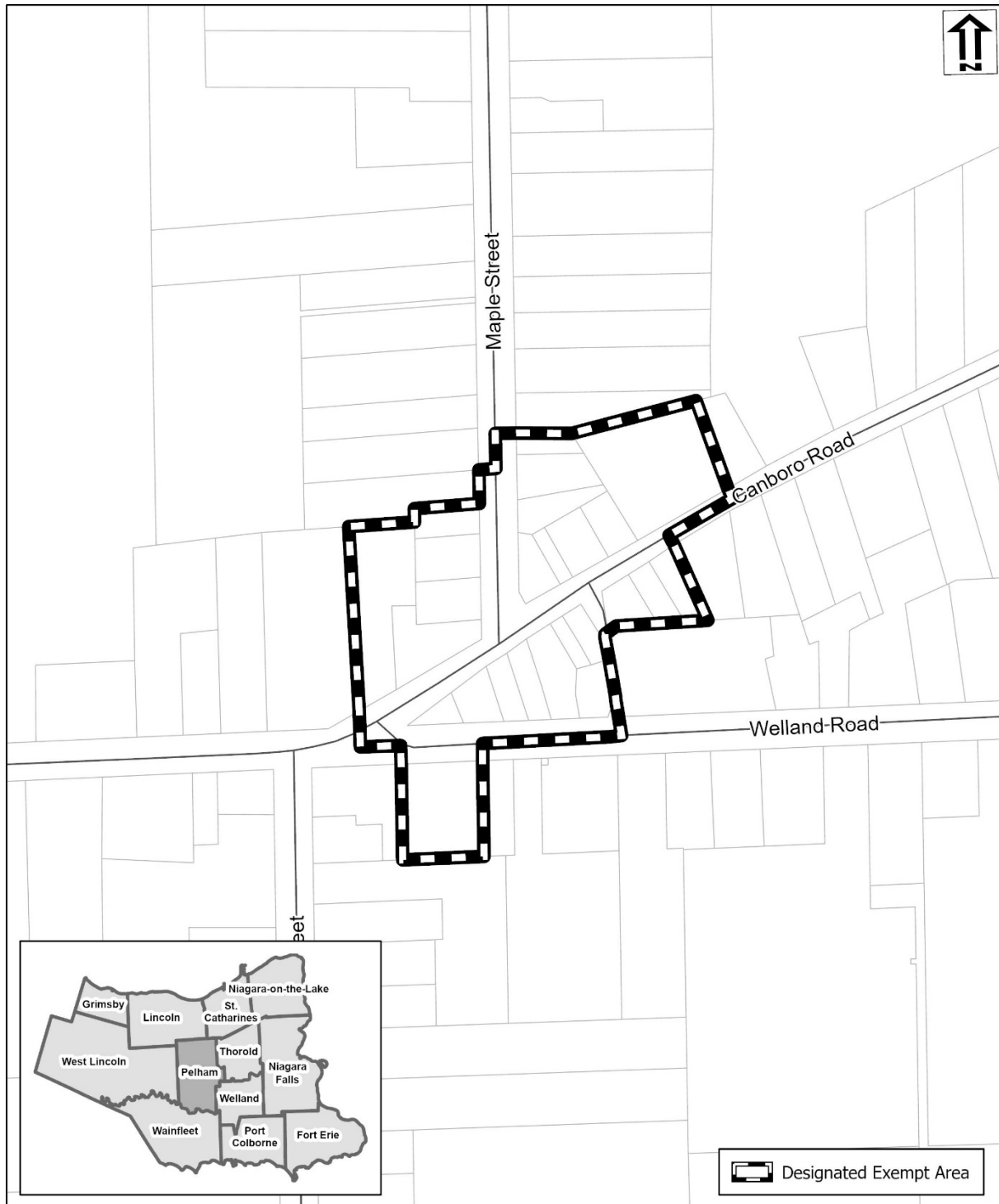
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Designated Exemption Areas for Smart Growth Regional Development Charge Reductions for Town of Pelham (1)



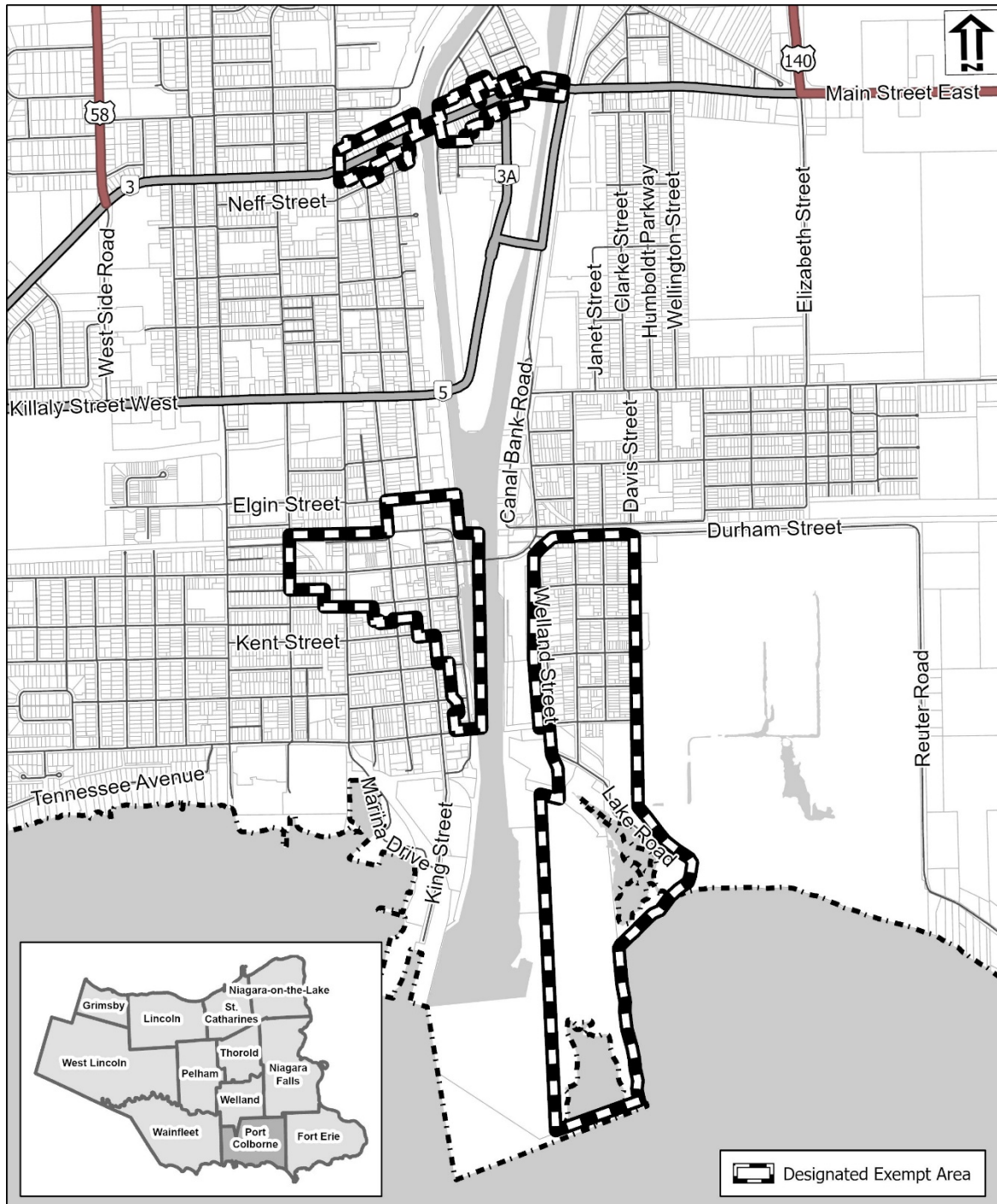
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Designated Exemption Areas for Smart Growth Regional Development Charge Reductions for Town of Pelham (2)



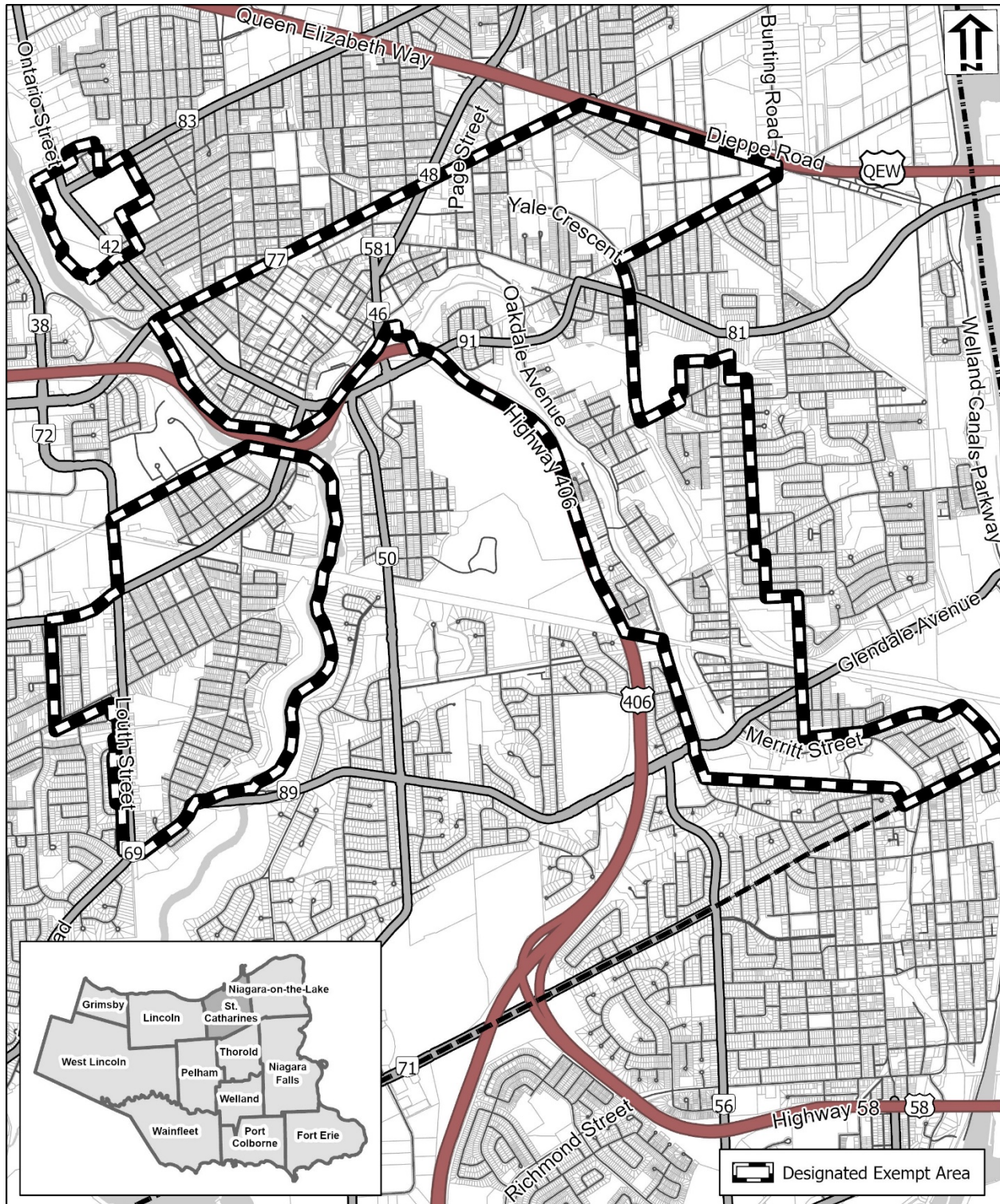
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Designated Exemption Areas for Smart Growth Regional Development Charge Reductions for City of Port Colborne



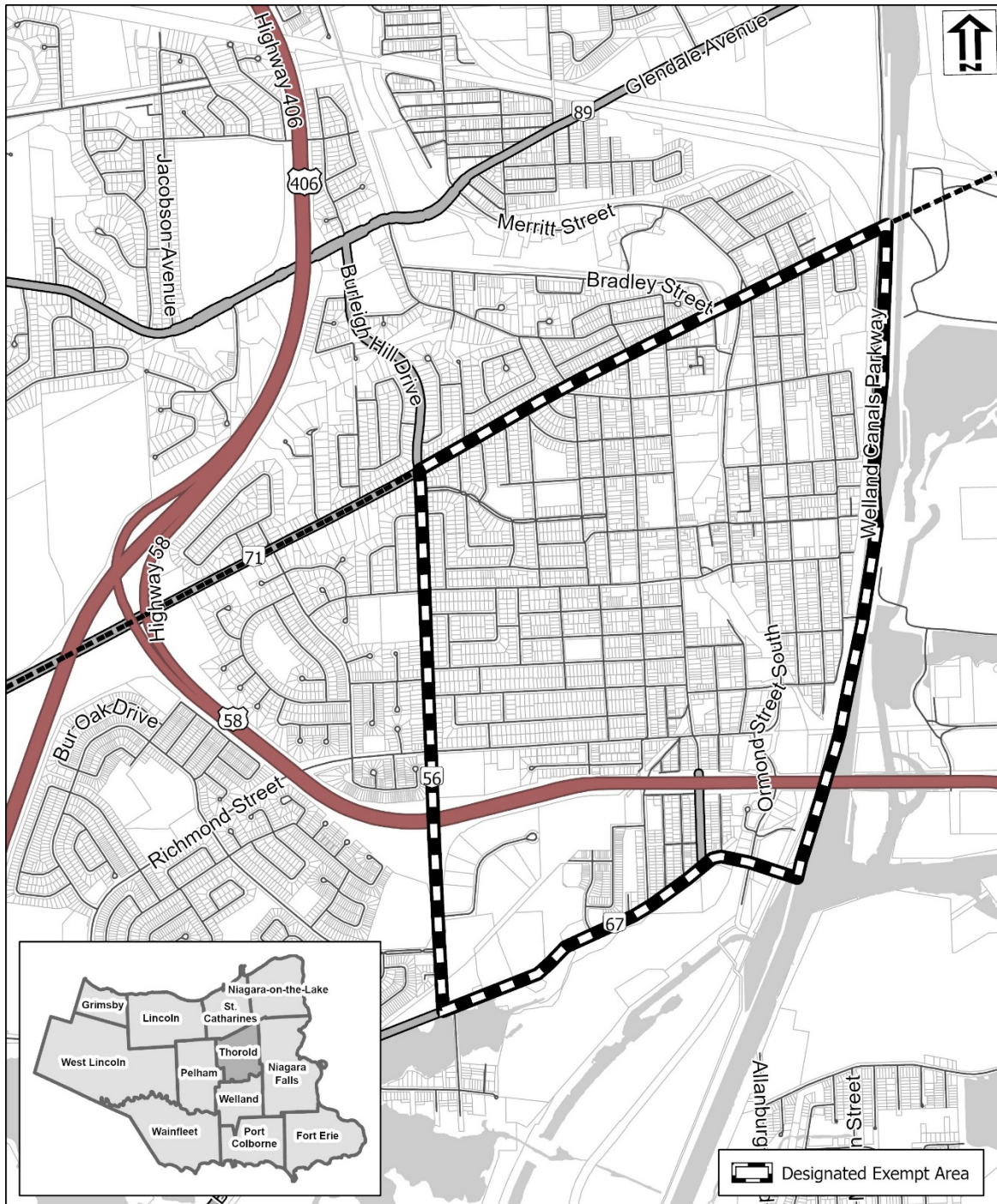
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Designated Exemption Areas for Smart Growth Regional Development Charge Reductions for City of St. Catharines



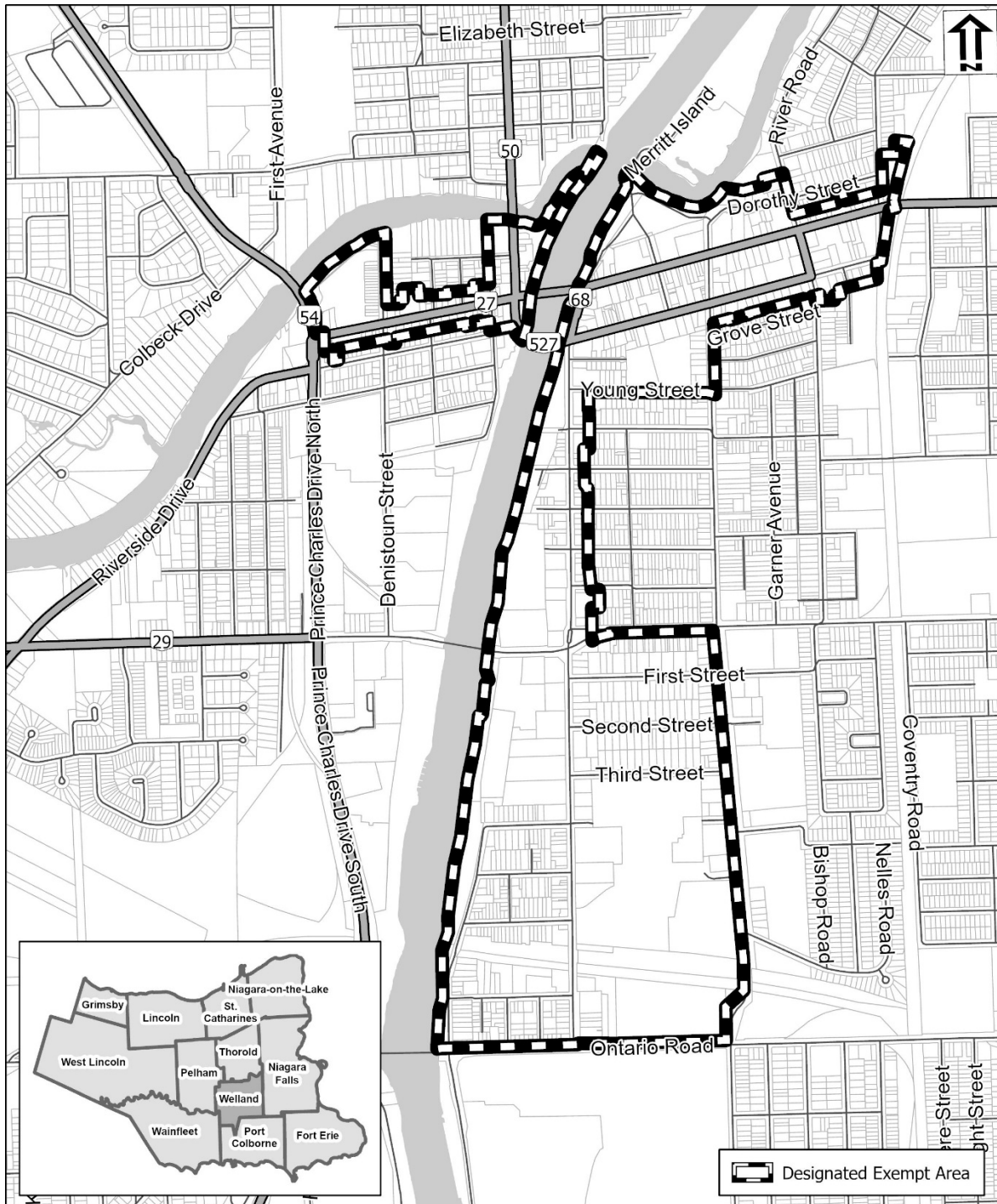
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Designated Exemption Areas for Smart Growth Regional Development Charge Reductions for City of Thorold



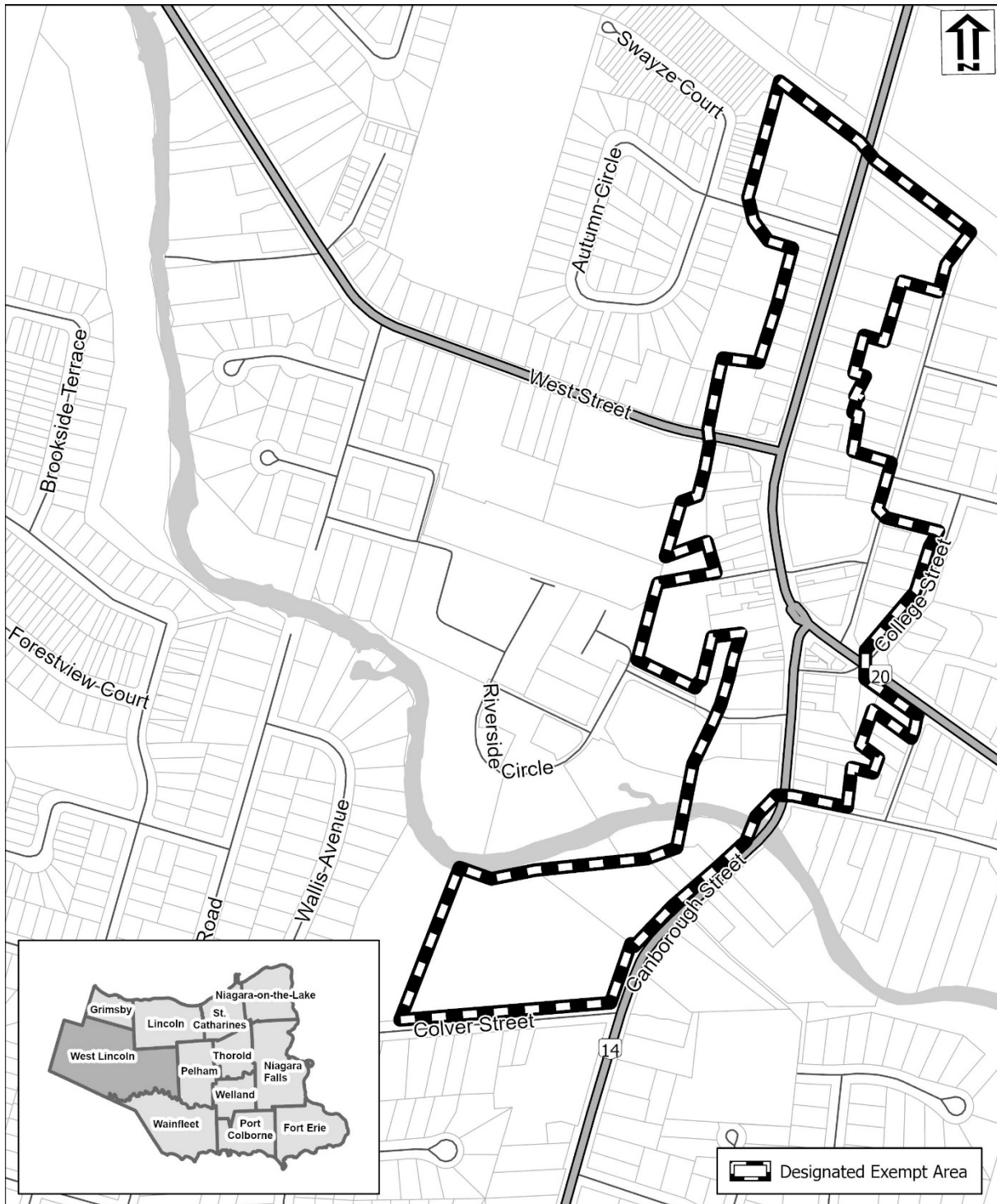
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Designated Exemption Areas for Smart Growth Regional Development Charge Reductions for City of Welland



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Designated Exemption Areas for Smart Growth Regional Development Charge Reductions for Township of West Lincoln



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Luanne Patterson
Senior System Manager
Environmental Assessment

Directrice de l'analyse des systèmes
Évaluation environnementale

Box 8100
Montreal, Quebec Canada
H3C 3N4

Boite 8100
Montréal, Québec/Canada
H3C 3N4

April 1, 2022

RE: CN RIGHT-OF-WAY VEGETATION CONTROL

Dear Mayor,

CN remains committed to running its railway safely and efficiently and building a level of trust and collaboration with the communities where we do business.

To that end, we are reaching out to advise you of our vegetation control activities in your area between April and October 2022. A regularly updated schedule is available at www.cn.ca/vegetation

If not managed properly, trees, brush or other vegetation can severely compromise rail and public safety. Vegetation can impede the view motorists have of oncoming trains and increase the risk of crossing accidents. Moreover, unwanted vegetation can damage the integrity of the railbed, interfere with signals and switches, contribute to track side fires, compromise employee and citizens safety, reduce visibility for train crews at road crossings/train control signals and track side warning devices, to name a few of the potential risks.

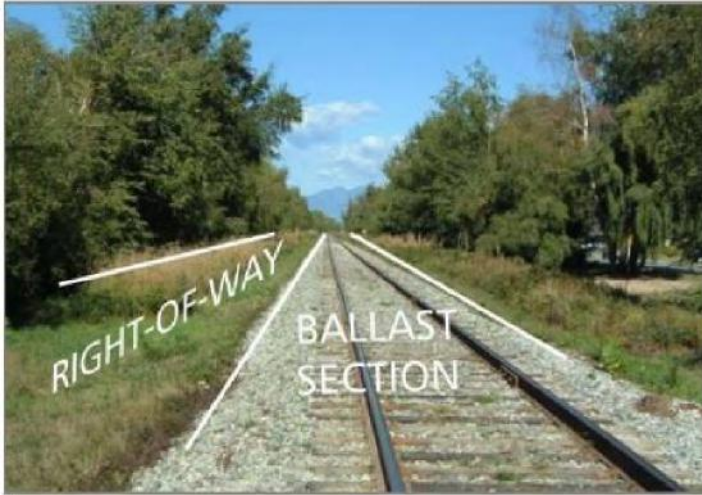
Our annual vegetation control program is designed to mitigate these risks by managing brush, weeds and other undesirable vegetation. CN's vegetation control program is critical to ensure safe operations and contributes to the overall safety of the communities in which we operate.

Control measures

CN manages vegetation using both chemical and mechanical methods. We are sensitive to concerns your community may have regarding chemical vegetation control and I would like to assure you that at CN, we strive to safeguard our neighbouring communities and the environment.

The track infrastructure is composed of two main sections, the ballast section typically ranging from 16-24 feet (which is primarily gravel and supports the track structure) and the right of way portion (which is the area outside of the ballast section to the CN property boundary).

The 16-24 foot ballast section and the areas around signals and communications equipment that are critical for safe railway operations will be managed using chemical methods. Application in these safety critical areas is done by spray trucks or spray trains with downcast nozzles that spray a short distance above the ground surface with shrouded booms, specially designed to limit the chemicals from drifting. The right-of-way section is maintained using mechanical control methods such as mowing or brush cutting and may be chemically treated to control noxious or invasive weeds or brush.



CN will use chemical control techniques on the ballast section and specific locations of the right of way throughout the network for safety reasons. Furthermore, when chemicals are applied via spray train or truck, as outlined in the photo below, additives called surfactants are included to make the chemical work better.



CN has retained professional contractors qualified to undertake this work. They are required to comply with all laws and regulations applicable to CN. In addition, the contractors will ensure that vegetation control is performed with consideration of the environment and in accordance with the highest industry standards.

Inquiries

Should your community have any noxious weed removal requests, we ask that you contact CN's Public Inquiry Line at contact@cn.ca or fill out the form at www.cn.ca/vegetation before June 1, 2022 with the specific information and location. CN will make every effort to include those locations as part of our 2022 Vegetation Management Program. All notices sent after the above-mentioned date will be included in the 2023 Vegetation Management Plan.

We look forward to working with you and answering any questions you may have regarding our vegetation control activities in your community.

Please find attached the notices CN is publishing in local papers to advise the public. We would kindly ask that you post copies on your community's website and at City Hall or other central locations for a wider distribution.

For any questions or more information, please contact the CN Public Inquiry Line by telephone at 1888-888-5909, or by email at contact@cn.ca.

Please also find attached a list of FAQs regarding the program that may be of further assistance. Best regards,

A handwritten signature in blue ink, appearing to read 'Luanne', with a stylized flourish at the end.

Luanne Patterson
Senior System Manager, Environmental Assessment



Annual Vegetation Management Program Frequently Asked Questions (FAQs)

Where can I get more information about CN's Vegetation Management Program?

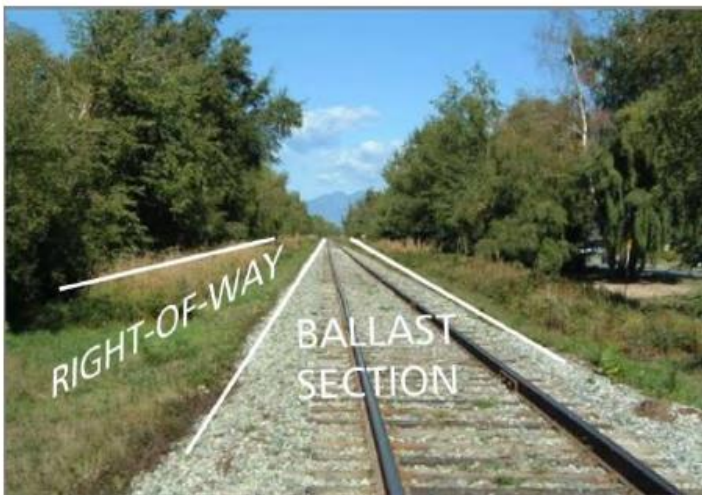
For more details please visit our website at www.cn.ca/vegetation

Why does CN need to remove vegetation along its train tracks annually?

At CN, safety is a core value. Part of maintaining and operating a safe railway is ensuring vegetation is managed along our corridors. CN also has an obligation, pursuant to the *Rules Respecting Track Safety*, adopted under the *Railway Safety Act*, to ensure that vegetation on or immediately adjacent to the railway roadbed is controlled. More specifically, the Rules require federal railways to ensure the track is free of vegetation that could create fire hazards, affect the track integrity or obstruct visibility of operations and inspections. Separate regulations also require removal of vegetation to ensure every grade crossing meets sightline requirements.

Where does CN remove vegetation?

For the purposes of vegetation control, CN divides its rail lines into two components: the ballast section and the right-of-way. The ballast section (graveled area) covers a 16 to 24ft width (4.9 to 7.3m). The right-of-way section covers a 42ft width (13m) on each side of the ballast section.





Vegetation in the right-of-way section needs to be controlled to protect sight lines for train crews to see signal systems and at road crossings, prevent trees from fouling the track during storms, reduce fuel loading to prevent fires, minimize wildlife mortality, ensure good drainage along ditches and culverts, amongst other safety requirements and is primarily controlled mechanically, by mowing and cutting of vegetation. Certain herbicide products are used (excluding glyphosate) to encourage grass rather than shrubs and trees.

The ballast section, on the other hand, is the most critical area as it supports the track infrastructure that supports the movement of freight and passengers and provides an area for train crew to safely inspect their train. Given the crucial role it plays in ensuring the safety and integrity of rail operations, this section must be clear of all vegetation. The only proven way to effectively completely remove vegetation in the ballast section is through chemical application.



How will you manage dry plants that remain once the spraying is completed?

Ensuring vegetation is controlled on an annual basis is the best method to reduce larger volumes of dead and dry plants. This is because it eradicates vegetation before it grows, reducing the amount of dead plant material. CN's program has been developed specifically with this in mind. Most vegetation, once dead, will naturally decay leaving little debris. As for the right-of-way, the herbicides used are selective and the grass cover will remain intact while shrubs or noxious weeds will be controlled.



What herbicides will CN be using?

The choice of chemicals used depends on the specific plants targeted. All pesticides used in Canada are approved for use in Canada and the province in which they are applied. The chemicals for 2022 may include:

Pesticide Product Brand Name	Active Ingredients	PCP Registration Number
VP480 (Dow) Esplanade (Bayer)	Glyphosate (480g/L) Indaziflam (200 g/L) Saflufenacil (29.74%)	28840 31333
Detail (BASF)	imazapyr isopropylamine (26.7%)	32773
Arsenal Powerline (BASF)	Metsulfuron-methyl (12.6%)	30203
Navius (Bayer)	Aminocyclopyrachlor (39.5%)	30922
Gateway (Corteva)	Paraffinic Oil (586 g/L)	31470
Hasten NT (Norac)	Alkoxylated alcohol non-ionic surfactants (242 g/L)	31760
VisionMax (Bayer)	Methyl and ethyl oleate (esterified vegetable oil) 75.20%	27736
	Glyphosate (540 grams acid equivalent per litre)	

Will you be using Glyphosate. If so, is it dangerous for us or my pets?

All pesticides CN uses in Canada are registered by Health Canada's Pest Management Regulatory Agency (PMRA) and have been approved for use in the province in which they are applied. Protection of human health and the environment is Health Canada's primary objective in the regulation of pesticides and all pesticides must undergo rigorous science-based assessments before being approved for sale in Canada. The PMRA also re-evaluates registered pesticides on a cyclical basis to ensure they continue to meet modern health and environmental standards. The PMRA re-evaluated glyphosate in 2017 and reconfirmed that products containing glyphosate do not present risks to human health or the environment when used in accordance with revised label directions. CN's vegetation control contractor uses glyphosate in accordance with label directions.



Has CN tried any non-chemical weed control options in the past, such as weed whacking? Have they worked?

CN has used weed cutting in the past to control vegetation, but this does not remove the roots, and actually encourages more growth. It is not an effective long-term solution for vegetation removal along railway tracks. The application of steam injection has also been investigated; however it has proven ineffective in killing the roots, which, if left to continue growing, could compromise the integrity of the rail bed, causing unsafe operating conditions.

CN has also explored other options, such as high concentrate vinegar (acetic acid), however this was deemed not to be a viable option as the acid reacts negatively with steel and the sensitive electronic monitoring equipment used to regulate safe movement and operation of our trains.

I am an organic farmer adjacent to your tracks, should I be worried?

Most of the vegetation control focuses on the ballast section (graveled area) which is 16 – 24 feet (4.9 to 7.3 meters) wide, leaving about 42 feet (13 meters) of right-of-way on each side of the ballast. The equipment used for application is a shrouded boom which focuses the spray downward to reduce potential drift. Application must also be done during appropriate weather conditions, including low wind levels.

Many properties back onto the railway. Are Detail, Overdrive, Esplanade, VP480, VisionMax, Arsenal Powerline, Navius, and Gateway safe to use in close proximity to people and pets?

All pesticides used in Canada must be registered by Health Canada's Pest Management Regulatory Agency (PMRA), which has one of the toughest regulatory requirements in the world for approving products for safe use. CN only uses pesticides that have been approved for use in Canada and the province in which they are applied. When used according to label directions, PMRA has evaluated them to be safe.

Can I request my area not be sprayed?

At CN, safety is a core value. CN is governed by the Railway Safety Act and must comply with the laws and regulations. Vegetation control is a key component of keeping our employees and the communities in which we operate safe. Ensuring vegetation is kept clear of our infrastructure, signals, road crossing sight lines and enabling our teams to



inspect and maintain the track is critically important. As a result, all areas of the CN ballast section will be treated to control vegetation.

April 1, 2022

Nancy Giles
Executive Assistant to Mayor & CAO
City of Port Colborne
1 Killaly Street West
Port Colborne, ON
L3K 6H1

Dear Nancy Giles:

**Subject: Notice of Study Commencement (G.W.P. 2178-20-00)
Detail Design of the Replacement of Thirty-Three (33) Non-Structural
Culverts in Niagara Region, City of Hamilton, Halton Region, Peel Region
and Dufferin County**

The Ministry of Transportation (MTO) Central Region has retained the services of CONSOR Engineers, LLC and Planmac Engineering Inc. to complete the Detail Design and Contract Package Preparation for Detail Design of the Replacement of Thirty-Three (33) Non-Structural Culverts in Niagara Region, City of Hamilton, Halton Region, Peel Region and Dufferin County. The location of the thirty-three (33) culverts are shown on the enclosed key plan.

The project will be completed in accordance with the approved Group 'C' planning process as outlined in the Class Environmental Assessment (EA) for Provincial Transportation Facilities document as prepared by the Ministry of Transportation (2000).

An Environmental Screening Document will be prepared documenting the existing environmental features, summary of studies completed, potential impacts of the undertaking, and required mitigation procedures and commitments to future work.

If you have any questions or comments, or if you would like to be added to the study's mailing list, please provide by **April 22, 2022**.

If you have any accessibility requirements in order to participate in this project please contact the undersigned.

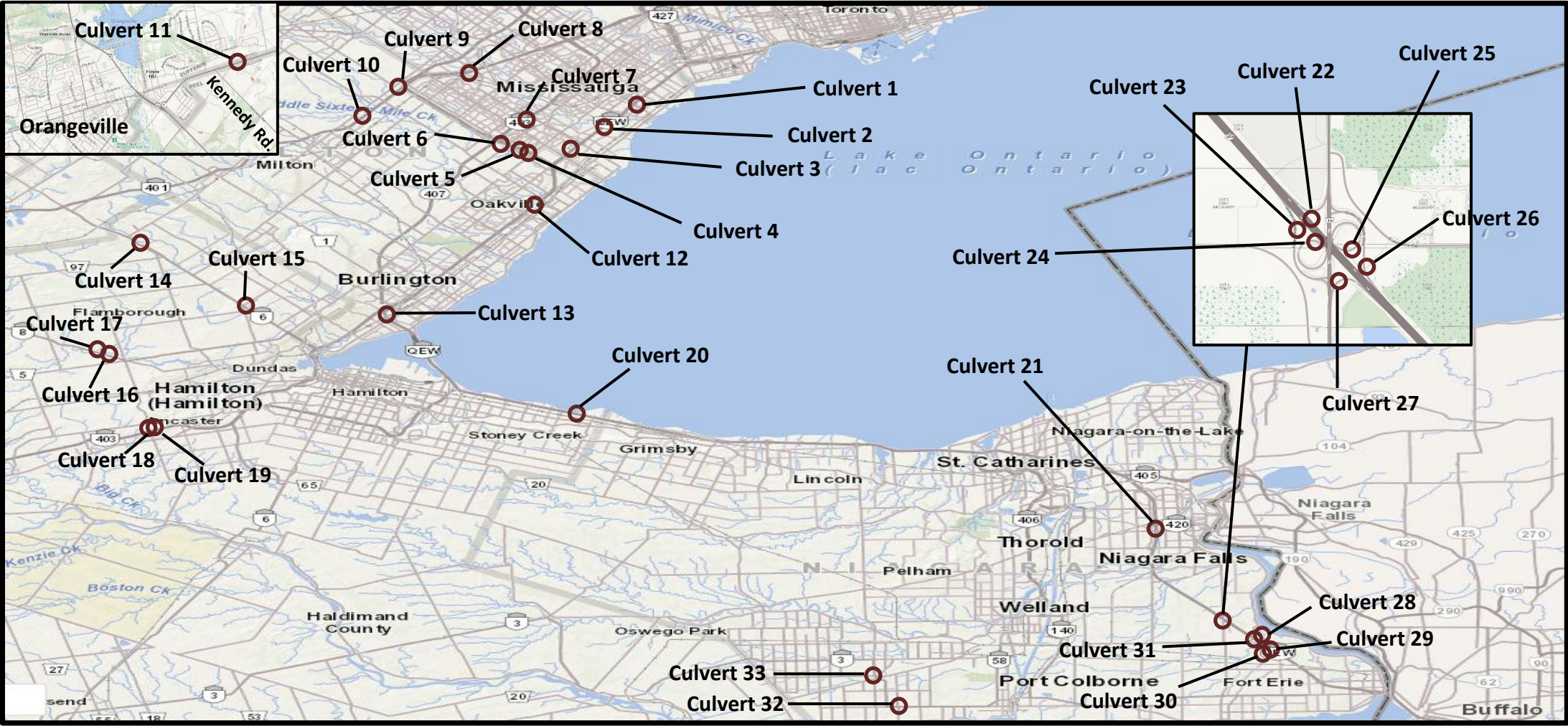
Sincerely,



Mr. Naveen Kaushik, P. Eng.
Project Manager, CONSOR Engineers, LLC
Tel: (647) 797-9411, Email: nkaushik@aiainc.com

cc: Kwame Afrani, Project Engineer, MTO
Andrea Dorton, Environmental Planner, MTO
Alastair Ross, Environmental Planner, Planmac Engineering Inc.

Encl. Key Plan



- Culvert 1 (1km west of QEW / Hurontario Intersection)	- Culvert 2 (1.3km west of QEW / Mississauga Rd Intersection)	- Culvert 3 (1.1km east of QEW / Winston Churchill Blvd Intersection)	- Culvert 4 (Dundas Street East to Hwy 403 On-Ramp)	- Culvert 5 (100m southwest of Dundas Street West to Hwy 403 On-Ramp)	- Culvert 6 (300m north of Burnhamthorpe Rd West on Hwy 403)	- Culvert 7 (Hwy 403 to Winston Churchill Blvd Off-Ramp)	- Culvert 8 (800m west of Hwy 401 and Derry Road West)
- Culvert 9 (Hwy 407 to Hwy 401 On-Ramp)	- Culvert 10 (Adjacent to Hwy 401 and Sixth Line)	- Culvert 11 (480m east of Kennedy Rd., Orangeville)	- Culvert 12 (Dorval Dr. to Highway 403 On-Ramp)	- Culvert 13 (Hwy 403 to QEW On-Ramp)	- Culvert 14 (50m north of Concession 12 E. Intersection, Freelon)	- Culvert 15 (1.9km north of Hwy 5 / Hwy 6 Intersection)	- Culvert 16 (300m north of Hwy 8 / Concession 4 W Intersection)
- Culvert 17 (1.2km north of Hwy 8 / Concession 4 W Intersection)	- Culvert 18 (Hwy 403 to Hwy 52 Off-Ramp)	- Culvert 19 (Hwy 52 to Hwy 403 On-Ramp)	- Culvert 20 (Adjacent to S. Service Rd. crossing Lewis Rd.)	- Culvert 21 (QEW to McLeod Rd. On-Ramp)	- Culvert 22 (Sodom Rd. South to QEW Northbound On-Ramp)	- Culvert 23 (QEW to Sodom Rd. Off-Ramp)	- Culvert 24 (Sodom Rd. to QEW Southbound On-Ramp)
- Culvert 25 (Sodom Rd. North to QEW Northbound On-Ramp)	- Culvert 26 (QEW Northbound to Sodom Rd. NB or SB)	- Culvert 26 (Sodom Rd. North to QEW Southbound On-Ramp)	- Culvert 27 (Sodom Rd. North to QEW Southbound On-Ramp)	- Culvert 28 (Netherby Rd. Southwest to QEW Southbound On-Ramp)	- Culvert 29 (QEW Northbound to Netherby Rd. N or SW)	- Culvert 30 (Netherby Rd. N to QEW SB On-Ramp)	- Culvert 31 (QEW SB to Netherby Rd. SW Off-Ramp)
- Culvert 32 (70m west of Hwy 3 / Golf Course Rd. Intersection)	- Culvert 33 (Hwy 3 / Bell Rd. Intersection)						



234-2022-378

March 24, 2022

Dear Head of Council:

**RE: Phase 2 Consultation on Urban River Valleys to Grow the Greenbelt:
Proposed amendments to the Greenbelt Plan (2017) and Greenbelt Area
Boundary Regulation (O. Reg 59/05) and Ideas for Adding more Urban River
Valleys to the Greenbelt**

I am writing today to announce that the Ministry of Municipal Affairs and Housing (MMAH) is launching the next phase in its consultation on Growing the Greenbelt.

In Ontario's 2020 and 2021 budgets, the government committed to protecting and expanding the Greenbelt.

In the spring of 2021, our government held consultations focused on ways to grow the size and enhance the quality of the Greenbelt, which included seeking ideas for adding, expanding and further protecting Greenbelt lands.

Since the close of the [first phase of consultation](#), our government has been undertaking work to identify potential boundaries to grow the Greenbelt that takes a balanced approach to supporting smart growth to create much-needed housing and jobs.

As a result, this phase of the consultation (Phase 2) will seek feedback on both:

1. **Proposed amendments to the Greenbelt Plan (2017) and the Greenbelt Area boundary regulation (O. Reg 59/05)** that includes the addition of 13 new and expanded Urban River Valley areas. The consultation is open for 30 days and ends on April 23, 2022; and
2. **Ideas for adding more Urban River Valleys to the Greenbelt** through new Urban River Valleys and expansions to existing Urban River Valleys that could include tributaries or parcels of publicly owned land. This part of the consultation is open for 30 days and ends on April 23, 2022.

This proposal is about growing the size and quality of the Greenbelt, and the government will not consider the removal of any lands from the existing Greenbelt, nor will it consider any changes that reduce existing policy protections in the Greenbelt.

.../2

For more information on these proposals, please visit [ERO 019-4485 - Proposed Amendment to the Greenbelt Plan - Growing the size of the Greenbelt](#) and [Ontario.ca/Greenbelt](#) where you will find information including the proposed amendments to Greenbelt Plan Schedules 1, 2 and 4, proposed mapping amendments to the Greenbelt Area boundary regulation (O. Reg 59/05) and interactive mapping displaying the proposed URV additions at various scales.

If you have any questions about the consultation, please contact the ministry at greenbeltconsultation@ontario.ca

I look forward to receiving your input on this proposal.

Sincerely,



Steve Clark
Minister

c: Planning Head and/or Clerks



234-2022-378

24 mars, 2022

Aux présidentes et présidents des conseils municipaux,

OBJET : Phase 2 des consultations sur les vallées fluviales urbaines et l'agrandissement de la ceinture de verdure – Modifications proposées du Plan de la ceinture de verdure de 2017 et du règlement sur les limites de la zone de la ceinture de verdure (Règl. de l'Ont. 59/05), et suggestions relatives à l'ajout de vallées fluviales urbaines à la ceinture de verdure

Je vous écris aujourd'hui pour vous annoncer que le ministère des Affaires municipales et du Logement lance la phase suivante de sa consultation sur l'élargissement de la ceinture de verdure.

Dans les budgets de l'Ontario de 2020 et de 2021, le gouvernement s'est engagé à protéger et à agrandir la ceinture de verdure.

Au printemps 2021, notre gouvernement a tenu des consultations sur les moyens d'augmenter la taille et d'améliorer la qualité de la ceinture de verdure, qui comprenait des suggestions d'ajout, d'agrandissement et de protection accrue de la ceinture de verdure.

Depuis la fin de la [première phase de consultation](#), notre gouvernement réalise des travaux visant à déterminer les limites éventuelles de l'agrandissement de la ceinture de verdure selon une approche équilibrée de l'appui à la croissance intelligente en vue de créer des logements et des emplois très recherchés.

Par conséquent, pendant l'actuelle phase des consultations (la phase 2), nous sollicitons des commentaires sur, à la fois :

1. **Les modifications proposées du Plan de la ceinture de verdure de 2017 et du règlement sur les limites de la zone de la ceinture de verdure (Règl. de l'Ont. 59/05)**, y compris l'ajout de 13 vallées fluviales urbaines nouvelles et agrandies. La consultation durera 30 jours et prendra fin le 23 avril, 2022.
2. **Les suggestions d'ajout de vallées fluviales urbaines à la ceinture de verdure**, notamment de nouvelles vallées fluviales urbaines et des agrandissements de vallées fluviales urbaines existantes pouvant comprendre des affluents ou des parcelles de terres publiques. Ce volet de la consultation durera 30 jours et prendra fin le 23 avril 2022.

La proposition vise à augmenter la taille et la qualité de la ceinture de verdure. Le gouvernement n'envisagera aucun retrait de terre de la ceinture de verdure actuelle ni aucun changement réduisant la protection prévue par les politiques qui s'y appliquent actuellement.

Pour en savoir plus sur ces propositions, veuillez visiter [ERO 019-4485 - Modifications proposées au Plan de la ceinture de verdure – élargissement de la taille de la ceinture de verdure](#) et [Ontario.ca/CeinturedeVerdure](#), où vous trouverez de l'information concernant notamment les modifications proposées des annexes 1, 2 et 4 du Plan de la ceinture de verdure, les modifications proposées des cartes du règlement sur les limites de la zone de la ceinture de verdure (Règl. de l'Ont. 59/05), ainsi que des cartes interactives à diverses échelles indiquant les vallées fluviales urbaines dont l'ajout est proposé.

[Si vous avez des questions sur la consultation, veuillez écrire au ministère à \[greenbeltconsultation@ontario.ca\]\(mailto:greenbeltconsultation@ontario.ca\).](#)

J'espère recevoir bientôt vos observations sur la proposition.

Veuillez agréer l'expression de mes meilleurs sentiments.

Le ministre,



Steve Clark

c : Responsable de l'aménagement et/ou secrétaire

March 31, 2022

Good Afternoon,

On March 30, 2022, the government released its [More Homes for Everyone Plan](#), that proposes targeted policies and initiatives for the immediate term to address market speculation, protect homebuyers and increase housing supply.

Details about the range of measures in the government's plan can be found in the news release here: [Ontario is Making It Easier to Buy a Home | Ontario Newsroom](#).

The More Homes for Everyone Plan is informed by a three-part consultation with industry, municipalities and the public. This includes the Rural Housing Roundtable and the first ever Ontario-Municipal Housing Summit, letters to all 444 municipalities asking for their feedback, and follow-up meetings with the leaders of municipal organizations. On behalf of the ministry, thank you for being part of our consultations and sharing your valuable input.

The government also introduced [Bill 109 - the More Homes for Everyone Act, 2022](#), and is seeking feedback on the changes proposed under the legislation and on other initiatives, through a series of housing related public consultations. This includes seeking input on how to support gentle density for [multi-generational and missing middle housing](#), as well as addressing [housing needs in rural and northern communities](#). These and other related consultations can be found through the [Environmental Registry of Ontario and the Ontario Regulatory Registry](#).

The government committed to prioritizing implementation of the [Housing Affordability Task Force's recommendations](#) over the next four years, with a housing supply action plan every year, starting in 2022-23. To facilitate this, the government plans to establish a Housing Supply Working Group, that would engage with municipal and federal governments, partner ministries, industry, and associations to monitor progress and support improvements to its annual housing supply action plans.

Ontario looks forward to continued collaboration with municipalities to address the housing crisis and hear your ideas and advice on the More Homes for Everyone Plan.

Sincerely,



Kate Manson-Smith

Deputy Minister

- c. Joshua Paul, Assistant Deputy Minister – Housing Division
Sean Fraser, Assistant Deputy Minister – Planning and Growth Division
Caspar Hall, Assistant Deputy Minister – Local Government Division

Le 31 mars 2022

Madame, Monsieur,

Le 30 mars 2022, le gouvernement a rendu public son [plan pour plus de logements pour tous](#), qui propose des politiques et des initiatives ciblées à court terme visant à éliminer la spéculation sur le marché, à protéger les acheteurs résidentiels et à accroître l'offre de logements.

Vous trouverez des détails sur la gamme de mesures du plan du gouvernement dans le communiqué suivant : [L'Ontario facilite l'achat d'un domicile | Salle de presse de l'Ontario](#).

Le plan pour plus de logements pour tous se fonde sur une consultation en trois phases menée auprès de l'industrie, des municipalités et du public. Elle comprenait la Table ronde sur le logement en milieu rural et le tout premier Sommet provincial-municipal sur le logement, des lettres sollicitant une rétroaction de l'ensemble des 444 municipalités et des réunions de suivi avec des leaders d'organisations municipales. Au nom du ministère, je vous remercie d'avoir participé à nos consultations et d'avoir communiqué vos précieux commentaires.

Le gouvernement a également déposé le [projet de loi 109, intitulé Loi de 2022 pour plus de logements pour tous](#), et sollicite une rétroaction sur les changements proposés par celui-ci et sur d'autres initiatives au moyen d'une série de consultations publiques relatives au logement. Il sollicite notamment des commentaires sur la manière de favoriser la densité douce pour [le logement multigénérationnel et le logement intermédiaire manquant](#) et de répondre [aux besoins en logements dans les collectivités rurales et du Nord](#). Vous trouverez ces consultations et d'autres connexes dans [le Registre environnemental de l'Ontario et le Registre ontarien de la réglementation](#).

Le gouvernement s'est engagé à donner la priorité à la mise en œuvre des [recommandations du Groupe d'étude sur le logement abordable](#) au cours des quatre prochaines années, y compris en produisant un plan d'action concernant l'offre de logements chaque année à compter de 2022-2023. Pour faciliter ce projet, le gouvernement prévoit constituer le Groupe de travail sur l'offre de logements, qui consulterait les administrations municipales et fédérale, les ministères partenaires, l'industrie et les associations afin de surveiller les progrès et d'appuyer les améliorations de ses plans d'action annuels concernant l'offre de logements.

L'Ontario entend continuer à collaborer avec les municipalités pour régler la crise du logement et accueillera vos idées et vos conseils sur le plan pour plus de logements pour tous.

Veuillez agréer, Madame, Monsieur, l'expression de mes meilleurs sentiments.

La sous-ministre,

A handwritten signature in black ink, appearing to read 'K. Manson-Smith'.

Kate Manson-Smith

- c. Joshua Paul, sous-ministre adjoint – Division du logement
- Sean Fraser, sous-ministre adjoint – Division de l'aménagement et de la croissance
- Caspar Hall, sous-ministre adjoint – Division des administrations locales



The Town of The Blue Mountains Council Meeting

Title: Ontario Housing Affordability Task Force Report, PDS.22.037
Date: Monday, February 28, 2022

Moved by: Councillor Matrosovs
Seconded by: Deputy Mayor Bordignon

THAT Council receive Staff Report PDS.22.037, entitled "Ontario Housing Affordability Task Force Recommendations – Information Report";
AND THAT Council direct Town staff to monitor any provincial policy and legislative changes that may be proposed by the Province to address Housing and Affordability issues.

The motion is Carried



Staff Report

Planning & Development Services – Planning Division

Report To: Council
Meeting Date: February 28, 2022
Report Number: PDS.22.037
Title: Ontario Housing Affordability Task Force Report
Prepared by: Nathan Westendorp, Director of Planning & Development Services

A. Recommendations

THAT Council receive Staff Report PDS.22.037, entitled “Ontario Housing Affordability Task Force Recommendations – Information Report”;

AND THAT Council direct Town staff to monitor any provincial policy and legislative changes that may be proposed by the Province to address Housing and Affordability issues.

B. Overview

This is an Information report to Council regarding Town staff’s response to the Ontario Housing Affordability Task Force Report and additional suggestions Town staff provided to the Province.

C. Background

During its February 14, 2022 Council meeting, Town Council considered correspondence from the Minister of Municipal Affairs & Housing. Specifically, the Minister sent correspondence to all Heads of Council within the Province seeking feedback and suggestions regarding opportunities to increase the supply of housing and expand affordability. Staff also provided a high level verbal overview of the Ontario Housing Affordability Task Force Report that was attached to the Minister’s letter.

As background, the Provincial Government struck the Ontario Housing Affordability Task Force in late 2021 to look into the housing and affordability challenges that continue to impact many Ontarians. The Task Force’s process included consultation with various stakeholders involved in the planning, development and housing industries. For more information on the Task Force and its mandate, please refer to Attachment #1.

On February 8, 2022, the Task Force released a report containing fifty-five (55) recommendations for the Provincial government to consider as potential actions to help address housing supply and affordability issues that are very prevalent across the Province. The Minister’s letter to Heads of

Council provided the Town with an opportunity to give feedback on the Task Force Recommendations as well as to offer additional suggested solutions that could also be explored.

Given that the Minister requested municipal feedback to be submitted by Tuesday February 15, 2022, there was insufficient turnaround time for Town staff to provide a thorough analysis of the Task Force Report recommendations through a staff report that could be considered by Council prior to the Provincial deadline. Therefore, Town Council directed staff to prepare a comment letter to the Province on behalf of the Town, with a copy of the letter provided to Council. On February 15, 2022, Town staff provided a letter to the Province outlining primary feedback on the Task Force's recommendations as well as some additional ideas/suggestions for the Province to consider, please refer to Attachment 3.

D. Analysis

As Council is fully aware, the housing supply and affordability issues in the Province has reached dramatic levels exacerbated by several factors, and the Town is one of several municipal examples where the issues are very prevalent and impactful on current residents, future residents and the local economy. To be clear, there is no single "silver bullet" to address the issues that exist. To effectively address the issues requires a suite of changes to adjust the systems involved in planning, development, building, and financing homes. All levels of government have a role to play in facilitating change. However, because provincial legislation guides how municipalities function and the decisions they make regarding housing, it is critical that municipalities engage the province in constructive dialogue to drive change that municipalities can implement effectively.

The Province has indicated that it is committed to action and it is possible that the Province will move forward on some of the Task Force recommendation in the near future. However, it is important to note that the Task Force's Report is only the first step towards action. They are recommendations at this time and are not yet proposed policy or legislation. Town staff have no indication regarding which, if any, of the Task Force recommendations will be acted upon. As a next step, staff expect that the Province will take the recommendations that are considered actionable and then translate them into proposed policy and legislation. The true impact of the Task Force recommendations will be difficult to fully understand until draft policy and draft legislation is released for further review and comment. It will be critical for the Town to continue to monitor the Province's next actions and provide comments on proposed policy and/or legislation when released for consultation.

Looking ahead, Town staff expect a season of change in the near future which will very likely impact municipal planning documents, processes and possibly, municipal decision-making. The Town's Official Plan Review process naturally offers the opportunity (if needed) to integrate proposed changes in Provincial policy into an updated Official Plan in the future. As noted above shifts in provincial policy direction and legislation will need to be assessed in the future by Planning staff to fully understand how the Official Plan Review workplan and timelines could be impacted. Depending on the scale of the policy and/or legislation changes the Province brings forward, it is possible that Phase One of the Official Plan Review Project may not be complete before the municipal election in Fall of 2022. The Planning Division remains well

positioned to continue to evaluate the impacts of future Provincial actions, policies and legislation on the Town. Under the leadership of Trevor Houghton, Manager of Community Planning, alongside Shawn Postma, Senior Policy Planner, the Planning Division will monitor these matters and report back to Council accordingly.

E. Strategic Priorities

1. Communication and Engagement

We will enhance communications and engagement between Town Staff, Town residents and stakeholders

3. Community

We will protect and enhance the community feel and the character of the Town, while ensuring the responsible use of resources and restoration of nature.

F. Financial Impacts

There are no direct financial impacts on the Town as a result of this specific Staff Report. However, policy and/or legislative changes from the Province may have undetermined impacts on resources and projects in the future.

G. In Consultation With

Trevor Houghton, Manager of Community Planning

Shawn Postma, Senior Policy Planner

H. Public Engagement

The topic of this Staff Report has not been the subject of a Public Meeting and/or a Public Information Centre as neither a Public Meeting nor a Public Information Centre are required. However, any comments regarding this report should be submitted to Nathan Westendorp, directorplanningdevelopment@thebluemountains.ca

I. Attached

1. Attachment 1 – Provincial Task Force Overview
2. Attachment 2 – Ontario Housing Affordability Task Force Report
3. Attachment 3 – Town Comment Letter to Province

Respectfully submitted,

Nathan Westendorp, RPP MCIP
Director of Planning and Development Services

For more information, please contact:
directorplanningdevelopment@thebluemountains.ca
519-599-3131 extension 246

NEWS RELEASE

Ontario Appoints Housing Affordability Task Force

Task Force of experts to provide recommendations on further opportunities to address housing affordability

December 06, 2021

[Municipal Affairs and Housing](#)

TORONTO — Ontario has appointed nine members to a new Housing Affordability Task Force who will provide the government with recommendations on additional measures to address market housing supply and affordability.

“Young families, seniors and all hardworking Ontarians are desperate for housing that meets their needs and budget,” said Premier Doug Ford. “At a time when our government is hard at work building an economy that works for everyone, this Task Force will provide us with concrete, expert advice that will support our government as we make it easier for more Ontarians to realize the dream of home ownership.”

The mandate of the Housing Affordability Task Force is to explore measures to address housing affordability by:

- Increasing the supply of market rate rental and ownership housing;
- Building housing supply in complete communities;
- Reducing red tape and accelerating timelines;
- Encouraging innovation and digital modernization, such as in planning processes;
- Supporting economic recovery and job creation; and
- Balancing housing needs with protecting the environment.

The Task Force, chaired by Jake Lawrence, CEO and Group Head, Global Banking and Markets at Scotiabank, represents a diverse range of experts in not-for-profit housing, Indigenous housing, real estate, home builders, financial markets and economics. The chair’s report outlining the Task Force’s recommendations will be published in early 2022.

“Our government’s policies under the Housing Supply Action Plan are working to address affordability, but more needs to be done at all levels of government,” said Steve Clark, Minister of Municipal Affairs and Housing. “The Housing Affordability Task Force will help our government build on our progress by identifying more opportunities to increase the supply of all kinds of housing, especially the missing middle. Under Mr. Lawrence’s strong leadership, I am confident in the expertise and experiences of this Task Force, and I thank them for their commitment to help us address the housing crisis.”

“I’m honoured to have been appointed as the Chair of Ontario’s new Housing Affordability Task Force,” said Lawrence. “I’m proud to work with a diverse team of experts who are committed to ensuring improved housing affordability for current and future Ontarians. We are eager to begin our work to identify and recommend actionable solutions and policies to support the government’s efforts to address the province’s housing affordability crisis.”

“Having a safe, affordable place to call home is an important building block in the foundation of success, which is why addressing housing supply and affordability is a key priority for our government,” said Peter Bethlenfalvy, Minister of Finance. “We are creating a Task Force to examine innovative policy solutions in order to ensure that the dream of home ownership is in reach for families in every corner of Ontario.”

The Housing Affordability Task Force was first announced as part of [the 2021 Ontario Economic Outlook and Fiscal Review: Build Ontario](#).

Everyone has a role to play in fixing Ontario’s housing crisis. Ontario will continue to work with municipal partners to help them use the tools the province has provided to unlock housing and make finding a home more affordable for hardworking Ontarians. This includes working with municipalities through the upcoming Provincial-Municipal Housing Summit and a special session with rural municipalities leading up to the ROMA conference in January 2022.

Quick Facts

- The provincial government’s housing policies under [More Homes, More Choice: Ontario’s Housing Supply Action Plan](#) are working to make housing more affordable by increasing the supply of the full range of housing options, from single-family homes to midrise housing to apartment buildings.
- In 2020, the year after More Homes, More Choice was implemented, Ontario saw the highest level of housing starts in a decade and the highest level of rental starts since 1992. Housing and rental starts in 2021 are on track to exceed these levels.
- The province’s ongoing work to address housing affordability complements our continued supports for affordable housing for our most vulnerable Ontarians. Through the [Community Housing Renewal Strategy](#) and Ontario’s response to COVID-19, the province is providing more than \$3 billion in this fiscal year and last year. This includes over \$1 billion in flexible supports through the Social Services Relief Fund to municipal and Indigenous partners.

Additional Resources

- [Ontario Names Chair and Members of Housing Affordability Task Force](#)

Related Topics

Government

Learn about the government services available to you and how government works. [Learn more](#)

Home and Community

Information for families on major life events and care options, including marriage, births and child care. Also includes planning resources for municipalities. [Learn more](#)

Media Contacts

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Minister’s Office

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Communications Branch

[mma.media@ontario.ca](mailto:mmm.media@ontario.ca)

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Report of the **Ontario Housing Affordability Task Force**

February 8, 2022



Contents

Letter to Minister Clark..... **3**

Executive summary and recommendations..... **4**

Introduction..... **6**

Focus on getting more homes built **9**

Making land available to build..... **10**

Cut the red tape so we can
build faster and reduce costs..... **15**

Reduce the costs to build, buy and rent..... **18**

Support and incentivize
scaling up housing supply **22**

Conclusion **26**

Appendix A: Biographies of Task Force Members **27**

Appendix B: Affordable Housing..... **29**

Appendix C: Government Surplus Land **31**

Appendix D: Surety Bonds **32**

References **33**

Letter to Minister Clark

Dear Minister Clark,

Hard-working Ontarians are facing a housing crisis. For many years, the province has not built enough housing to meet the needs of our growing population. While the affordability crisis began in our large cities, it has now spread to smaller towns and rural communities.

Efforts to cool the housing market have only provided temporary relief to home buyers. The long-term trend is clear: house prices are increasing much faster than Ontarian's incomes. The time for action is now.

When striking the Housing Affordability Task Force, you and Premier Ford were clear: you wanted actionable, concrete solutions to help Ontarians and there was no time to waste. You asked us to be bold and gave us the freedom and independence to develop our recommendations.

In the past two months, we have met municipal leaders, planners, unions, developers and builders, the financial sector, academics, think tanks and housing advocates. Time was short, but solutions emerged consistently around these themes:

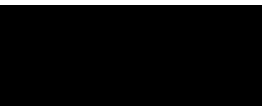
- More housing density across the province
- End exclusionary municipal rules that block or delay new housing
- Depoliticize the housing approvals process
- Prevent abuse of the housing appeals system
- Financial support to municipalities that build more housing

We present this report to you not as an "all or nothing" proposal, but rather as a list of options that the government has at its disposal to help address housing affordability for Ontarians and get more homes built. We propose an ambitious but achievable target: 1.5 million new homes built in the next ten years.

Parents and grandparents are worried that their children will not be able to afford a home when they start working or decide to start a family. Too many Ontarians are unable to live in their preferred city or town because they cannot afford to buy or rent.

The way housing is approved and built was designed for a different era when the province was less constrained by space and had fewer people. But it no longer meets the needs of Ontarians. The balance has swung too far in favour of lengthy consultations, bureaucratic red tape, and costly appeals. It is too easy to oppose new housing and too costly to build. We are in a housing crisis and that demands immediate and sweeping reforms.

It has been an honour to serve as Chair, and I am proud to submit this report on behalf of the entire Task Force.



Jake Lawrence

Chair, Housing Affordability Task Force

Chief Executive Officer and Group Head, Global Banking and Markets, Scotiabank

Executive summary and recommendations

House prices in Ontario have almost tripled in the past 10 years, growing much faster than incomes. This has home ownership beyond the reach of most first-time buyers across the province, even those with well-paying jobs. Housing has become too expensive for rental units and it has become too expensive in rural communities and small towns. The system is not working as it should.

For too long, we have focused on solutions to “cool” the housing market. It is now clear that we do not have enough homes to meet the needs of Ontarians today, and we are not building enough to meet the needs of our growing population. If this problem is not fixed – by creating more housing to meet the growing demand – housing prices will continue to rise. We need to build more housing in Ontario.

This report sets out recommendations that would set a bold goal and clear direction for the province, increase density, remove exclusionary rules that prevent housing growth, prevent abuse of the appeals process, and make sure municipalities are treated as partners in this process by incentivizing success.

Setting bold targets and making new housing the planning priority

Recommendations 1 and 2 urge Ontario to set a bold goal of adding 1.5 million homes over the next 10 years and update planning guidance to make this a priority.

The task force then recommends actions in five main areas to increase supply:

Require greater density

Land is not being used efficiently across Ontario. In too many neighbourhoods, municipal rules only allow single-family homes – not even a granny suite. Taxpayers have invested heavily in subway, light rail, bus and rail lines and highways, and the streets nearby are ideally suited for more mid- and high-rise housing. Underused or redundant commercial and industrial buildings are ripe to be redeveloped into housing or mixed commercial and residential use. New housing on undeveloped land should also be higher density than traditional suburbs, especially close to highways.

Adding density in all these locations makes better use of infrastructure and helps to save land outside urban boundaries. Implementing these recommendations will provide Ontarians with many more options for housing.

Recommendations 3 through 11 address how Ontario can quickly create more housing supply by allowing more housing in more locations “as of right” (without the need for municipal approval) and make better use of transportation investments.

Reduce and streamline urban design rules

Municipalities require numerous studies and set all kinds of rules for adding housing, many of which go well beyond the requirements of the provincial Planning Act. While some of this guidance has value for urban design, some rules appear to be arbitrary and not supported by evidence – for example, requiring condo buildings to include costly parking stalls even though many go unsold. These rules and requirements result in delays and extra costs that make housing either impossible to build or very expensive for the eventual home buyer or renter.

Recommendation 12 would set uniform provincial standards for urban design, including building shadows and setbacks, do away with rules that prioritize preservation of neighbourhood physical character over new housing, no longer require municipal approval of design matters like a building’s colour, texture, type of material or window details, and remove or reduce parking requirements.

Depoliticize the process and cut red tape

NIMBYism (not in my backyard) is a major obstacle to building housing. It drags out the approval process, pushes up costs, and keeps out new residents. Because local councillors depend on the votes of residents who want to keep the status quo, the planning process has become politicized. Municipalities allow far more public consultation than is required, often using formats that make it hard for working people and families with young children to take part. Too few technical decisions are delegated to municipal staff. Pressure to designate buildings with little or no heritage value as “heritage” if development is proposed and bulk listings of properties with “heritage potential” are also standing in the way of getting homes built. Dysfunction throughout the system, risk aversion and needless bureaucracy have resulted in a situation where Ontario lags the rest of Canada and the developed world in approval times. Ontarians have waited long enough.

Recommendations 13 through 25 would require municipalities to limit consultations to the legislated maximum, ensure people can take part digitally, mandate the delegation of technical decisions, prevent abuse of the heritage process and see property owners compensated for financial loss resulting from designation, restore the right of developers to appeal Official Plans and Municipal Comprehensive Reviews, legislate timelines for approvals and enact several other common sense changes that would allow housing to be built more quickly and affordably.

Fix the Ontario Land Tribunal

Largely because of the politicization of the planning process, many proponents look to the Tribunal, a quasi-judicial body, to give the go-ahead to projects that should have been approved by the municipality. Even when there is municipal approval, however, opponents appeal to the Tribunal – paying only a \$400 fee – knowing that this may well succeed in delaying a project to the point where it might no longer make economic sense. As a result, the Tribunal faces a backlog of more than 1,000 cases and is seriously under-resourced.

Recommendations 26 through 31 seek to weed out or prevent appeals aimed purely at delaying projects, allow adjudicators to award costs to proponents in more cases, including instances where a municipality has refused an approval to avoid missing a legislated deadline, reduce the time to issue decisions, increase funding, and encourage the Tribunal to prioritize cases that would increase housing supply quickly as it tackles the backlog.

Support municipalities that commit to transforming the system

Fixing the housing crisis needs everyone working together. Delivering 1.5 million homes will require the provincial and federal governments to invest in change. Municipalities that make the difficult but necessary choices to grow housing supply should be rewarded, and those that resist new housing should see funding reductions.

Recommendations 49 and 50 call for Ontario government to create a large “Ontario Housing Delivery Fund” and encourage the federal government to match funding, and suggest how the province should reward municipalities that support change and reduce funding for municipalities that do not.

This executive summary focuses on the actions that will get the most housing units approved and built in the shortest time. Other recommendations in the report deal with issues that are important but may take more time to resolve or may not directly increase supply (recommendation numbers are indicated in brackets): improving tax and municipal financing (**32-37, 39, 42-44**); encouraging new pathways to home ownership (**38, 40, 41**); and addressing labour shortages in the construction industry (**45-47**).

This is not the first attempt to “fix the housing system”. There have been efforts for years to tackle increasing housing prices and find solutions. This time must be different. **Recommendations 50-55** set out ways of helping to ensure real and concrete progress on providing the homes Ontarians need.

Introduction

Ontario is in a housing crisis. Prices are skyrocketing: the average price for a house across Ontario was \$923,000 at the end of 2021.^[1] Ten years ago, the average price was \$329,000.^[2] Over that period, average house prices have climbed 180% while average incomes have grown roughly 38%.^{[3][4]}

Not long ago, hard-working Ontarians – teachers, construction workers, small business owners – could afford the home they wanted. In small towns, it was reasonable to expect that you could afford a home in the neighbourhood you grew up in. Today, home ownership or finding a quality rental is now out of reach for too many Ontarians. The system is not working as it should be.

Housing has become too expensive for rental units and it has become too expensive in rural communities and small towns.

While people who were able to buy a home a decade or more ago have built considerable personal equity, the benefits of having a home aren't just financial. Having a place to call home connects people to their community, creates a gathering place for friends and family, and becomes a source of pride.

Today, the reality for an ever-increasing number of Ontarians is quite different. Everyone in Ontario knows people who are living with the personal and financial stress of not being able to find housing they can afford. The young family who can't buy a house within two hours of where they work. The tenant with a good job who worries about

where she'll find a new apartment she can afford if the owner decides to sell. The recent graduate who will have to stay at home for a few more years before he can afford to rent or buy.

While the crisis is widespread, it weighs more heavily on some groups than on others. Young people starting a family who need a larger home find themselves priced out of the market. Black, Indigenous and marginalized people face even greater challenges. As Ontarians, we have only recently begun to understand and address the reality of decades of systemic racism that has resulted in lower household incomes, making the housing affordability gap wider than average.

The high cost of housing has pushed minorities and lower income Ontarians further and further away from job markets. Black and Indigenous homeownership rates are less than half of the provincial average.^[5] And homelessness rates among Indigenous Peoples are 11 times the national average. When housing prevents an individual from reaching their full potential, this represents a loss to every Ontarian: lost creativity, productivity, and revenue. Lost prosperity for individuals and for the entire Ontario economy.



As much as we read about housing affordability being a challenge in major cities around the world, the depth of the challenge has become greater in Ontario and Canada than almost anywhere in the developed world.



Canada has the lowest amount of housing per population of any G7 country.

How did we get here? Why do we have this problem?

A major factor is that there just isn't enough housing. A 2021 Scotiabank study showed that Canada has the fewest housing units per population of any G7 country – and, our per capita housing supply has *dropped* in the past five years.^[6] An update to that study released in January 2022 found that two thirds of Canada's housing shortage is in Ontario.^[7] Today, Ontario is 1.2 million homes – rental or owned – short of the G7 average. With projected population growth, that huge gap is widening, and bridging it will take immediate, bold and purposeful effort. And to support population growth in the next decade, we will need one million more homes.

While governments across Canada have taken steps to “cool down” the housing market or provide help to first-time buyers, these demand-side solutions only work if there is enough supply. Shortages of supply in any market have a direct impact on affordability. Scarcity breeds price increases. Simply put, if we want more Ontarians to have housing, we need to build more housing in Ontario.

Ontario must build 1.5 million homes over the next 10 years to address the supply shortage

The housing crisis impacts all Ontarians. The ripple effect of the crisis also holds back Ontario reaching its full potential.

Economy

Businesses of all sizes are facing problems finding and retaining workers. Even high-paying jobs in technology and manufacturing are hard to fill because there's not enough housing nearby. This doesn't just dampen the economic growth of cities, it makes them less vibrant, diverse, and creative, and strains their ability to provide essential services.

Public services

Hospitals, school boards and other public service providers across Ontario report challenges attracting and retaining staff because of housing costs. One town told us that it

could no longer maintain a volunteer fire department, because volunteers couldn't afford to live within 10 minutes drive of the firehall.

Environment

Long commutes contribute to air pollution and carbon emissions. An international survey of 74 cities in 16 countries found that Toronto, at 96 minutes both ways, had the longest commute times in North America and was essentially tied with Bogota, Colombia, for the longest commute time worldwide.^[8] Increasing density in our cities and around major transit hubs helps reduce emissions to the benefit of everyone.

Ontario must build

1.5M

homes over the next 10 years
to address the supply shortage.



Our mandate and approach

Ontario's Minister of Municipal Affairs and Housing tasked us with recommending ways to accelerate our progress in closing the housing supply gap to improve housing affordability.

Time is of the essence. Building housing now is exactly what our post-pandemic economy needs. Housing construction creates good-paying jobs that cannot be outsourced to other countries. Moreover, the pandemic gave rise to unprecedented levels of available capital that can be invested in housing – if we can just put it to work.

We represent a wide range of experience and perspectives that includes developing, financing and building homes, delivering affordable housing, and researching housing market trends, challenges and solutions. Our detailed biographies appear as [Appendix A](#).



We acknowledge that every house in Ontario is built on the traditional territory of Indigenous Peoples.



People in households that spend 30% or more of total household income on shelter expenses are defined as having a “housing affordability” problem. Shelter expenses include electricity, oil, gas, coal, wood or other fuels, water and other municipal services, monthly mortgage payments, property taxes, condominium fees, and rent.

Our mandate was to focus on how to increase market housing supply and affordability. By market housing, we are referring to homes that can be purchased or rented without government support.

Affordable housing (units provided at below-market rates with government support) was not part of our mandate.

The Minister and his cabinet colleagues are working on that issue. Nonetheless, almost every stakeholder we spoke with had ideas that will help deliver market housing and also make it easier to deliver affordable housing. However, affordable housing is a societal responsibility and will require intentional investments and strategies to bridge the significant affordable housing gap in this province. We have included a number of recommendations aimed at affordable housing in the body of this report, but have also included further thoughts in [Appendix B](#).

We note that government-owned land was also outside our mandate. Many stakeholders, however, stressed the value of surplus or underused public land and land associated with major transit investments in finding housing solutions. We agree and have set out some thoughts on that issue in [Appendix C](#).

How we did our work

Our Task Force was struck in December 2021 and mandated to deliver a final report to the Minister by the end of January 2022. We were able to work to that tight timeline because, in almost all cases, viewpoints and feasible solutions are well known. In addition, we benefited from insights gleaned from recent work to solve the problem in other jurisdictions.

During our deliberations, we met with and talked to over 140 organizations and individuals, including industry associations representing builders and developers, planners, architects, realtors and others; labour unions; social justice advocates; elected officials at the municipal level; academics and research groups; and municipal planners. We also received written submissions from many of these participants. In addition, we drew on the myriad public reports and papers listed in the [References](#).

We thank everyone who took part in sessions that were uniformly helpful in giving us a deeper understanding of the housing crisis and the way out of it. We also thank the staff of the Ministry of Municipal Affairs and Housing who provided logistical and other support, including technical briefings and background.

The way forward

The single unifying theme across all participants over the course of the Task Force's work has been the urgency to take decisive action. Today's housing challenges are incredibly complex. Moreover, developing land, obtaining approvals, and building homes takes years.

Some recommendations will produce immediate benefits, others will take years for the full impact.

This is why there is no time to waste. We urge the Minister of Municipal Affairs and Housing and his cabinet colleagues to continue measures they have already taken to accelerate housing supply and to move quickly in turning the recommendations in this report into decisive new actions.

The province must set an ambitious and bold goal to build 1.5 million homes over the next 10 years. If we build 1.5 million new homes over the next ten years, Ontario can fill the housing gap with more affordable choices, catch up to the rest of Canada and keep up with population growth.

By working together, we can resolve Ontario's housing crisis. In so doing, we can build a more prosperous future for everyone.

The balance of this report lays out our recommendations.

Focus on getting more homes built

Resolving a crisis requires intense focus and a clear goal. The province is responsible for the legislation and policy that establishes the planning, land use, and home building goals, which guide municipalities, land tribunals, and courts. Municipalities are then responsible for implementing provincial policy in a way that works for their communities. The province is uniquely positioned to lead by shining a spotlight on this issue, setting the tone, and creating a single, galvanizing goal around which federal support, provincial legislation, municipal policy, and the housing market can be aligned.

In 2020, Ontario built about 75,000 housing units.^[9] For this report, we define a housing unit (home) as a single dwelling (detached, semi-detached, or attached), apartment, suite, condominium or mobile home. Since 2018, housing completions have grown every year as a result of positive measures that the province and some municipalities have implemented to encourage more home building. But we are still 1.2 million homes short when compared to other G7 countries and our population is growing. The goal of 1.5 million homes feels daunting – but reflects both the need and what is possible. In fact, throughout the 1970s Ontario built more housing units each year than we do today.^[10]

The second recommendation is designed to address the growing complexity and volume of rules in the legislation, policy, plans and by-laws, and their competing priorities, by providing clear direction to provincial agencies, municipalities, tribunals, and courts on the overriding priorities for housing.

1. Set a goal of building 1.5 million new homes in ten years.
2. Amend the Planning Act, Provincial Policy Statement, and Growth Plans to set “growth in the full spectrum of housing supply” and “intensification within existing built-up areas” of municipalities as the most important residential housing priorities in the mandate and purpose.



The “missing middle” is often cited as an important part of the housing solution. We define the missing middle as mid-rise condo or rental housing, smaller houses on subdivided lots or in laneways and other additional units in existing houses.

Making land available to build

The Greater Toronto Area is bordered on one side by Lake Ontario and on the other by the protected Greenbelt. Similarly, the Ottawa River and another Greenbelt constrain land supply in Ottawa, the province's second-largest city.

But a shortage of land isn't the cause of the problem. Land is available, both inside the existing built-up areas and on undeveloped land outside greenbelts.

We need to make better use of land. Zoning defines what we can build and where we can build. If we want to make better use of land to create more housing, then we need to modernize our zoning rules. We heard from planners, municipal councillors, and developers that "as of right" zoning – the ability to by-pass long, drawn out consultations and zoning by-law amendments – is the most effective tool in the provincial toolkit. We agree.

Stop using exclusionary zoning that restricts more housing

Too much land inside cities is tied up by outdated rules. For example, it's estimated that 70% of land zoned for housing in Toronto is restricted to single-detached or semi-detached homes.^[11] This type of zoning prevents homeowners from adding additional suites to create housing for Ontarians and income for themselves. As one person said, "my neighbour can tear down what was there to build a monster home, but I'm not allowed to add a basement suite to my home."

It's estimated that
70%

of land zoned for housing in Toronto is restricted to **single-detached** or **semi-detached** homes.



While less analysis has been done in other Ontario communities, it's estimated that about half of all residential land in Ottawa is zoned for single-detached housing, meaning nothing else may be built on a lot without public consultation and an amendment to the zoning by-law. In some suburbs around Toronto, single unit zoning dominates residential land use, even close to GO Transit stations and major highways.

One result is that more growth is pushing past urban boundaries and turning farmland into housing. Undeveloped land inside and outside existing municipal boundaries must be part of the solution, particularly in northern and rural communities, but isn't nearly enough on its own. Most of the solution must come from densification. Greenbelts and other environmentally sensitive areas must be protected, and farms provide food and food security. Relying too heavily on undeveloped land would whittle away too much of the already small share of land devoted to agriculture.

Modernizing zoning would also open the door to more rental housing, which in turn would make communities more inclusive.

Allowing more gentle density also makes better use of roads, water and wastewater systems, transit and other public services that are already in place and have capacity, instead of having to be built in new areas.

The Ontario government took a positive step by allowing secondary suites (e.g., basement apartments) across the province in 2019. However, too many municipalities still place too many restrictions on implementation. For the last three years, the total number of secondary suites in Toronto has actually declined each year, as few units get permitted and owners convert two units into one.^[12]

These are the types of renovations and home construction performed by small businesses and local trades, providing them with a boost.

Underused and vacant commercial and industrial properties are another potential source of land for housing. It was suggested to us that one area ripe for redevelopment into a mix of commercial and residential uses is the strip mall, a leftover from the 1950s that runs along major suburban streets in most large Ontario cities.

“As of right” zoning allows more kinds of housing that are accessible to more kinds of people. It makes neighbourhoods stronger, richer, and fairer. And it will get more housing built in existing neighbourhoods more quickly than any other measure.

3. Limit exclusionary zoning in municipalities through binding provincial action:

- a) Allow “as of right” residential housing up to four units and up to four storeys on a single residential lot.
 - b) Modernize the Building Code and other policies to remove any barriers to affordable construction and to ensure meaningful implementation (e.g., allow single-staircase construction for up to four storeys, allow single egress, etc.).
- 4.** Permit “as of right” conversion of underutilized or redundant commercial properties to residential or mixed residential and commercial use.
- 5.** Permit “as of right” secondary suites, garden suites, and laneway houses province-wide.
- 6.** Permit “as of right” multi-tenant housing (renting rooms within a dwelling) province-wide.
- 7.** Encourage and incentivize municipalities to increase density in areas with excess school capacity to benefit families with children.

Align investments in roads and transit with growth

Governments have invested billions of dollars in highways, light rail, buses, subways and trains in Ontario. But without ensuring more people can live close to those transit routes, we’re not getting the best return on those infrastructure investments.

Access to transit is linked to making housing more affordable: when reliable transit options are nearby, people can get to work more easily. They can live further from the centre of the city in less expensive areas without the added cost of car ownership.

The impacts of expanding public transit go far beyond serving riders. These investments also spur economic growth and reduce traffic congestion and emissions. We all pay for the cost of transit spending, and we should all share in the benefits.

If municipalities achieve the right development near transit – a mix of housing at high- and medium-density, office space and retail – this would open the door to better ways of funding the costs. Other cities, like London, UK and Hong Kong, have captured the impacts of increased land value and business activity along new transit routes to help with their financing.

Ontario recently created requirements (residents/hectare) for municipalities to zone for higher density in transit corridors and “major transit station areas”.^[13a] ^[13b] These are areas surrounding subway and other rapid transit stations and hubs. However, we heard troubling reports that local opposition is blocking access to these neighbourhoods and to critical public transit stations. City staff, councillors, and the province need to stand up to these tactics and speak up for the Ontarians who need housing.

The Province is also building new highways in the Greater Golden Horseshoe, and it’s important to plan thoughtfully for the communities that will follow from these investments, to make sure they are compact and liveable.

8. Allow “as of right” 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.
9. Allow “as of right” zoning of six to 11 storeys with no minimum parking requirements on any streets utilized by public transit (including streets on bus and streetcar routes).
10. Designate or rezone as mixed commercial and residential use all land along transit corridors and redesignate all Residential Apartment to mixed commercial and residential zoning in Toronto.
11. Support responsible housing growth on undeveloped land, including outside existing municipal boundaries, by building necessary infrastructure to support higher density housing and complete communities and applying the recommendations of this report to all undeveloped land.

example of a policy that appears neutral on its surface but is discriminatory in its application.^[14]

Far too much time and money are spent reviewing and holding consultations for large projects which conform with the official plan or zoning by-law and small projects which would cause minimal disruption. The cost of needless delays is passed on to new home buyers and tenants.

Minimum parking requirements for each new unit are another example of outdated municipal requirements that increase the cost of housing and are increasingly less relevant with public transit and ride share services. Minimum parking requirements add as much as \$165,000 to the cost of a new housing unit, even as demand for parking spaces is falling: data from the Residential Construction Council of Ontario shows that in new condo projects, one in three parking stalls goes unsold. We applaud the recent vote by Toronto City Council to scrap most minimum parking requirements. We believe other cities should follow suit.

While true heritage sites are important, heritage preservation has also become a tool to block more housing. For example, some municipalities add thousands of properties at a time to a heritage register because they have “potential” heritage value. Even where a building isn’t heritage designated or registered, neighbours increasingly demand it be as soon as a development is proposed.

This brings us to the role of the “not in my backyard” or NIMBY sentiment in delaying or stopping more homes from being built.

Start saying “yes in my backyard”

Even where higher density is allowed in theory, the official plans of most cities in Ontario contain conflicting goals like maintaining “prevailing neighbourhood character”. This bias is reinforced by detailed guidance that often follows from the official plan. Although requirements are presented as “guidelines”, they are often treated as rules.

Examples include:

- Angular plane rules that require successively higher floors to be stepped further back, cutting the number of units that can be built by up to half and making many projects uneconomic
- Detailed rules around the shadows a building casts
- Guidelines around finishes, colours and other design details

One resident’s desire to prevent a shadow being cast in their backyard or a local park frequently prevails over concrete proposals to build more housing for multiple families. By-laws and guidelines that preserve “neighbourhood character” often prevent simple renovations to add new suites to existing homes. The people who suffer are mostly young, visible minorities, and marginalized people. It is the perfect



New housing is often the last priority

A proposed building with market and affordable housing units would have increased the midday shadow by 6.5% on a nearby park at the fall and spring equinox, with no impact during the summer months. To conform to a policy that does not permit “new net shadow on specific parks”, seven floors of housing, including 26 affordable housing units, were sacrificed.

Multiple dry cleaners along a transit route were designated as heritage sites to prevent new housing being built. It is hard not to feel outrage when our laws are being used to prevent families from moving into neighbourhoods and into homes they can afford along transit routes.

NIMBY versus YIMBY

NIMBYism (not in my backyard) is a large and constant obstacle to providing housing everywhere. Neighbourhood pushback drags out the approval process, pushes up costs and discourages investment in housing. It also keeps out new residents. While building housing is very costly, opposing new housing costs almost nothing.

Unfortunately, there is a strong incentive for individual municipal councillors to fall in behind community opposition – it's existing residents who elect them, not future ones. The outcry of even a handful of constituents (helped by the rise of social media) has been enough, in far too many cases, to persuade their local councillor to vote against development even while admitting its merits in private. There is a sense among some that it's better to let the Ontario Land Tribunal approve the development on appeal, even if it causes long delays and large cost increases, then to take the political heat.

Mayors and councillors across the province are fed up and many have called for limits on public consultations and more “as of right” zoning. In fact, some have created a new term for NIMBYism: BANANAs – Build Absolutely Nothing Anywhere Near Anything, causing one mayor to comment “NIMBYism has gone BANANAs”. We agree. In a growing, thriving society, that approach is not just bad policy, it is exclusionary and wrong.

As a result, technical planning decisions have become politicized. One major city has delegated many decisions to senior staff, but an individual councillor can withdraw the delegation when there is local opposition and force a vote at Council. We heard that this situation is common across the province, creating an electoral incentive for a councillor to delay or stop a housing proposal, or forcing a councillor to pay the electoral cost of supporting it. Approvals of individual housing applications should be the role of professional staff, free from political interference.

The pressure to stop any development is now so intense that it has given rise to a counter-movement – YIMBYism, or “yes in my backyard,” led by millennials who recognize entrenched opposition to change as a huge obstacle to finding a home. They provide a voice at public consultations for young people, new immigrants and refugees, minority groups, and Ontarians struggling to access housing by connecting our ideals to the reality of housing. People who welcome immigrants to Canada should welcome them to the neighbourhood, fighting climate change means supporting higher-density housing, and “keeping the neighbourhood the way it is” means keeping it off-limits. While anti-housing voices can be loud,

a member of More Neighbours Toronto, a YIMBY group that regularly attends public consultations, has said that the most vocal opponents usually don't represent the majority in a neighbourhood. Survey data from the Ontario Real Estate Association backs that up, with almost 80% of Ontarians saying they are in favour of zoning in urban areas that would encourage more homes.

Ontarians want a solution to the housing crisis. We cannot allow opposition and politicization of individual housing projects to prevent us from meeting the needs of all Ontarians.

12. Create a more permissive land use, planning, and approvals system:

- a) Repeal or override municipal policies, zoning, or plans that prioritize the preservation of physical character of neighbourhood
- b) Exempt from site plan approval and public consultation all projects of 10 units or less that conform to the Official Plan and require only minor variances
- c) Establish province-wide zoning standards, or prohibitions, for minimum lot sizes, maximum building setbacks, minimum heights, angular planes, shadow rules, front doors, building depth, landscaping, floor space index, and heritage view cones, and planes; restore pre-2006 site plan exclusions (colour, texture, and type of materials, window details, etc.) to the Planning Act and reduce or eliminate minimum parking requirements; and
- d) Remove any floorplate restrictions to allow larger, more efficient high-density towers.

13. Limit municipalities from requesting or hosting additional public meetings beyond those that are required under the Planning Act.

14. Require that public consultations provide digital participation options.

15. Require mandatory delegation of site plan approvals and minor variances to staff or pre-approved qualified third-party technical consultants through a simplified review and approval process, without the ability to withdraw Council's delegation.

- 16.** Prevent abuse of the heritage preservation and designation process by:
 - a) Prohibiting the use of bulk listing on municipal heritage registers
 - b) Prohibiting reactive heritage designations after a Planning Act development application has been filed
- 17.** Requiring municipalities to compensate property owners for loss of property value as a result of heritage designations, based on the principle of best economic use of land.
- 18.** Restore the right of developers to appeal Official Plans and Municipal Comprehensive Reviews.

We have heard mixed feedback on Committees of Adjustment. While they are seen to be working well in some cities, in others they are seen to simply add another lengthy step in the process. We would urge the government to first implement our recommendation to delegate minor variances and site plan approvals to municipal staff and then assess whether Committees of Adjustment are necessary and an improvement over staff-level decision making.

Cut the red tape so we can build faster and reduce costs

One of the strongest signs that our approval process is not working: of 35 OECD countries, only the Slovak Republic takes longer than Canada to approve a building project. The UK and the US approve projects three times faster without sacrificing quality or safety. And they save home buyers and tenants money as a result, making housing more affordable.^[15]

A 2020 survey of development approval times in 23 Canadian cities shows Ontario seriously lagging: Hamilton (15th), Toronto (17th), Ottawa (21st) with approval times averaging between 20-24 months. These timelines do not include building permits, which take about two years for an apartment building in Toronto. Nor did they count the time it takes for undeveloped land to be designated for housing, which the study notes can take five to ten years.^[16]

Despite the good intentions of many people involved in the approvals and home-building process, decades of dysfunction in the system and needless bureaucracy have made it too difficult for housing approvals to keep up with the needs of Ontarians. There appear to be numerous reasons why Ontario performs so poorly against other Canadian cities and the rest of the developed world. We believe that the major problems can be summed up as:

- Too much complexity in the planning process, with the page count in legislation, regulation, policies, plans, and by-laws growing every year
- Too many studies, guidelines, meetings and other requirements of the type we outlined in the previous section, including many that go well beyond the scope of Ontario's Planning Act
- Reviews within municipalities and with outside agencies that are piecemeal, duplicative (although often with conflicting outcomes) and poorly coordinated
- Process flaws that include reliance on paper
- Some provincial policies that are more relevant to urban development but result in burdensome, irrelevant requirements when applied in some rural and northern communities.



All of this has contributed to widespread failure on the part of municipalities to meet required timelines. The provincial Planning Act sets out deadlines of 90 days for decisions on zoning by-law amendments, 120 days for plans of subdivision, and 30 days for site plan approval, but municipalities routinely miss these without penalty. For other processes, like site plan approval or provincial approvals, there are no timelines and delays drag on. The cost of delay falls on the ultimate homeowner or tenant.

The consequences for homeowners and renters are enormous. Ultimately, whatever cost a builder pays gets passed on to the buyer or renter. As one person said: "Process is the biggest project killer in Toronto because developers have to carry timeline risk."

Site plan control was often brought up as a frustration. Under the Planning Act, this is meant to be a technical review of the external features of a building. In practice, municipalities often expand on what is required and take too long to respond.

Then: In 1966, a draft plan of subdivision in a town in southwestern Ontario to provide 529 low-rise and mid-rise housing units, a school site, a shopping centre and parks was approved by way of a two-page letter setting out 10 conditions. It took seven months to clear conditions for final approval.

And now: In 2013, a builder started the approval process to build on a piece of serviced residential land in a seasonal resort town. Over the next seven years, 18 professional consultant reports were required, culminating in draft plan approval containing 50 clearance conditions. The second approval, issued by the Local Planning Appeals Board in 2020, ran to 23 pages. The developer estimates it will be almost 10 years before final approval is received.

An Ontario Association of Architects study calculating the cost of delays between site plan application and approval concluded that for a 100-unit condominium apartment building, each additional month of delay costs the applicant an estimated \$193,000, or \$1,930 a month for each unit.^[17]

A 2020 study done for the Building Industry and Land Development Association (BILD) looked at impacts of delay on low-rise construction, including single-detached homes. It estimated that every month an approval is delayed adds, on average, \$1.46 per square foot to the cost of a single home. A two-year delay, which is not unusual for this housing type, adds more than \$70,000 to the cost of a 2,000-square-foot house in the GTA.^[16]

Getting rid of so much unnecessary and unproductive additional work would significantly reduce the burden on staff.^[16b] It would help address the widespread shortages of planners and building officials. It would also bring a stronger sense among municipal staff that they are part of the housing solution and can take pride in helping cut approval times and lower the costs of delivering homes.

Adopt common sense approaches that save construction costs

Wood using “mass timber” – an engineer compressed wood, made for strength and weight-bearing – can provide a lower-cost alternative to reinforced concrete in many mid-rise projects, but Ontario’s Building Code is hampering its use. Building taller with wood offers advantages beyond cost:

- Wood is a renewable resource that naturally sequesters carbon, helping us reach our climate change goals

- Using wood supports Ontario’s forestry sector and creates jobs, including for Indigenous people

British Columbia’s and Quebec’s building codes allow woodframe construction up to 12 storeys, but Ontario limits it to six. By amending the Building Code to allow 12-storey woodframe construction, Ontario would encourage increased use of forestry products and reduce building costs.

Finally, we were told that a shift in how builders are required to guarantee their performance would free up billions of dollars to build more housing. Pay on demand surety bonds are a much less onerous option than letters of credit, and are already accepted in Hamilton, Pickering, Innisfil, Whitchurch-Stouffville and other Ontario municipalities. We outline the technical details in [Appendix D](#).

19. Legislate timelines at each stage of the provincial and municipal review process, including site plan, minor variance, and provincial reviews, and deem an application approved if the legislated response time is exceeded.
20. Fund the creation of “approvals facilitators” with the authority to quickly resolve conflicts among municipal and/or provincial authorities and ensure timelines are met.
21. Require a pre-consultation with all relevant parties at which the municipality sets out a binding list that defines what constitutes a complete application; confirms the number of consultations established in the previous recommendations; and clarifies that if a member of a regulated profession such as a professional engineer has stamped an application, the municipality has no liability and no additional stamp is needed.
22. Simplify planning legislation and policy documents.
23. Create a common, province-wide definition of plan of subdivision and standard set of conditions which clarify which may be included; require the use of standard province-wide legal agreements and, where feasible, plans of subdivision.
24. Allow wood construction of up to 12 storeys.
25. Require municipalities to provide the option of pay on demand surety bonds and letters of credit.

Prevent abuse of the appeal process

Part of the challenge with housing approvals is that, by the time a project has been appealed to the Ontario Land Tribunal (the Tribunal), it has usually already faced delay and compromises have been made to reduce the size and scope of the proposal. When an approved project is appealed, the appellant – which could just be a single individual – may pay \$400 and tie up new housing for years.

The most recent published report showed 1,300 unresolved cases.^[18] While under-resourcing does contribute to delays, this caseload also reflects the low barrier to launching an appeal and the minimal risks if an appeal is unsuccessful:

- After a builder has spent time and money to ensure a proposal conforms with a municipality's requirements, the municipal council can still reject it – even if its own planning staff has given its support. Very often this is to appease local opponents.
- Unlike a court, costs are not automatically awarded to the successful party at the Tribunal. The winning side must bring a motion and prove that the party bringing the appeal was unreasonable, clearly trying to delay the project, and/or being vexatious or frivolous. Because the bar is set so high, the winning side seldom asks for costs in residential cases.

This has resulted in abuse of the Tribunal to delay new housing. Throughout our consultations, we heard from municipalities, not-for-profits, and developers that affordable housing was a particular target for appeals which, even if unsuccessful, can make projects too costly to build.

Clearly the Tribunal needs more resources to clear its backlog. But the bigger issue is the need for so many appeals: we believe it would better to have well-defined goals and rules for municipalities and builders to avoid this costly and time-consuming quasi-judicial process. Those who bring appeals aimed at stopping development that meets established criteria should pay the legal costs of the successful party and face the risk of a larger project being approved.

The solution is not more appeals, it's fixing the system. We have proposed a series of reforms that would ensure only meritorious appeals proceeded, that every participant faces some risk and cost of losing, and that abuse of the Tribunal will be penalized. We believe that if Ontario accepts our recommendations, the Tribunal will not face the same volume of appeals. But getting to that point will take time, and the Tribunal needs more resources and better tools now.

Recommendation 1 will provide legislative direction to adjudicators that they must prioritize housing growth and intensification over competing priorities contained in provincial and municipal policies. We further recommend the following:

- 26.** Require appellants to promptly seek permission ("leave to appeal") of the Tribunal and demonstrate that an appeal has merit, relying on evidence and expert reports, before it is accepted.
- 27.** Prevent abuse of process:
 - a) Remove right of appeal for projects with at least 30% affordable housing in which units are guaranteed affordable for at least 40 years.
 - b) Require a \$10,000 filing fee for third-party appeals.
 - c) Provide discretion to adjudicators to award full costs to the successful party in any appeal brought by a third party or by a municipality where its council has overridden a recommended staff approval.
- 28.** Encourage greater use of oral decisions issued the day of the hearing, with written reasons to follow, and allow those decisions to become binding the day that they are issued.
- 29.** Where it is found that a municipality has refused an application simply to avoid a deemed approval for lack of decision, allow the Tribunal to award punitive damages.
- 30.** Provide funding to increase staffing (adjudicators and case managers), provide market-competitive salaries, outsource more matters to mediators, and set shorter time targets.
- 31.** In clearing the existing backlog, encourage the Tribunal to prioritize projects close to the finish line that will support housing growth and intensification, as well as regional water or utility infrastructure decisions that will unlock significant housing capacity.

Reduce the costs to build, buy and rent

The price you pay to buy or rent a home is driven directly by how much it costs to build a home. In Ontario, costs to build homes have dramatically increased at an unprecedented pace over the past decade. In most of our cities and towns, materials and labour only account for about half of the costs. The rest comes from land, which we have addressed in the previous section, and government fees.

A careful balance is required on government fees because, as much as we would like to see them lowered, governments need revenues from fees and taxes to build critically needed infrastructure and pay for all the other services that make Ontario work. So, it is a question of balance and of ensuring that our approach to government fees encourages rather than discourages developers to build the full range of housing we need in our Ontario communities.

Align government fees and charges with the goal of building more housing

Improve the municipal funding model

Housing requires more than just the land it is built on. It requires roads, sewers, parks, utilities and other infrastructure. The provincial government provides municipalities with a way to secure funding for this infrastructure through development charges, community benefit charges and parkland dedication (providing 5% of land for public parks or the cash equivalent).

These charges are founded on the belief that growth – not current taxpayers – should pay for growth. As a concept, it is compelling. In practice, it means that new home buyers pay the entire cost of sewers, parks, affordable housing, or colleges that will be around for generations and may not be located in their neighbourhood. And, although building

affordable housing is a societal responsibility, because affordable units pay all the same charges as a market unit, the cost is passed to new home buyers in the same building or the not-for-profit organization supporting the project. We do not believe that government fees should create a disincentive to affordable housing.

If you ask any developer of homes – whether they are for-profit or non-profit – they will tell you that development charges are a special pain point. In Ontario, they can be as much as \$135,000 per home. In some municipalities, development charges have increased as much as 900% in less than 20 years.^[20] As development charges go up, the prices of homes go up. And development charges on a modest semi-detached home are the same as on a luxury 6,000 square foot home, resulting in a disincentive to build housing that is more affordable. Timing is also a challenge as development charges have to be paid up front, before a shovel even goes into the ground.

To help relieve the pressure, the Ontario government passed recent legislation allowing builders to determine development charges earlier in the building process. But they must pay interest on the assessed development charge to the municipality until a building permit is issued, and there is no cap on the rate, which in one major city is 13% annually.

Cash payments to satisfy parkland dedication also significantly boost the costs of higher-density projects, adding on average \$17,000 to the cost of a high-rise condo across the GTA.^[21] We heard concerns not just about the amount of cash collected, but also about the money not being spent in the neighbourhood or possibly not being spent on parks at all. As an example, in 2019 the City of Toronto held \$644 million in parkland cash-in-lieu payments.^[22] Everyone can agree that we need to invest in parks as our communities grow, but if the funds are not being spent, perhaps it means that more money is being collected for parklands than is needed and we could lower the cost of housing if we adjusted these parkland fees.



A 2019 study carried out for BILD showed that in the Greater Toronto Area, development charges for low-rise housing are on average more than three times higher per unit than in six comparable US metropolitan areas, and roughly 1.75-times higher than in the other Canadian cities.

For high-rise developments the average per unit charges in the GTA are roughly 50% higher than in the US areas, and roughly 30% higher than in the other Canadian urban areas.^[19]

Modernizing HST Thresholds

Harmonized sales tax (HST) applies to all new housing – including purpose-built rental. Today, the federal component is 5% and provincial component is 8%. The federal and provincial government provide a partial HST rebate. Two decades ago, the maximum home price eligible for a rebate was set at \$450,000 federally and \$400,000 provincially, resulting in a maximum rebate of \$6,300 federally and \$24,000 provincially, less than half of today's average home price. Buyers of new homes above this ceiling face a significant clawback. Indexing the rebate would immediately reduce the cost of building new homes, savings that can be passed on to Ontarians. When both levels of government agree that we are facing a housing crisis, they should not be adding over 10% to the cost of almost all new homes.

- 32.** Waive development charges and parkland cash-in-lieu and charge only modest connection fees for all infill residential projects up to 10 units or for any development where no new material infrastructure will be required.
- 33.** Waive development charges on all forms of affordable housing guaranteed to be affordable for 40 years.
- 34.** Prohibit interest rates on development charges higher than a municipality's borrowing rate.
- 35.** Regarding cash in lieu of parkland, s.37, Community Benefit Charges, and development charges:
 - a) Provincial review of reserve levels, collections and drawdowns annually to ensure funds are being used in a timely fashion and for the intended purpose, and, where review points to a significant concern, do not allow further collection until the situation has been corrected.
 - b) Except where allocated towards municipality-wide infrastructure projects, require municipalities to spend funds in the neighbourhoods where they were collected. However, where there's a significant community need in a priority area of the City, allow for specific ward-to-ward allocation of unspent and unallocated reserves.
- 36.** Recommend that the federal government and provincial governments update HST rebate to reflect current home prices and begin indexing the thresholds to housing prices, and that the federal government match the provincial 75% rebate and remove any clawback.

Government charges on a new single-detached home averaged roughly \$186,300, or almost 22% of the price, across six municipalities in southcentral Ontario. For a new condominium apartment, the average was almost \$123,000, or roughly 24% of a unit's price.

Make it easier to build rental

In cities and towns across Ontario, it is increasingly hard to find a vacant rental unit, let alone a vacant rental unit at an affordable price. Today, 66% of all purpose-built rental units in the City of Toronto were built between 1960 and 1979. Less than 15% of Toronto's purpose-built rentals were constructed over the ensuing 40 years in spite of the significant population growth during that time. In fact, between 2006 and 2016, growth in condo apartments increased by 186% while purpose-built rental only grew by 0.6%.^[12] In 2018, the Ontario government introduced positive changes that have created growth in purpose-built rental units – with last year seeing 18,000 units under construction and 93,000 proposed against a 5-year average prior to 2020 of 3,400 annually.^[23]

Long-term renters often now feel trapped in apartments that don't make sense for them as their needs change. And because they can't or don't want to move up the housing ladder, many of the people coming up behind them who would gladly take those apartments are instead living in crowded spaces with family members or roommates. Others feel forced to commit to rental units at prices way beyond what they can afford. Others are trying their luck in getting on the wait list for an affordable unit or housing co-op – wait lists that are years long. Others are leaving Ontario altogether.

66%

of all purpose-built rental units
in the City of Toronto were
built between **1960** and **1979**.



A pattern in every community, and particularly large cities, is that the apartments and rented rooms that we do have are disappearing. Apartment buildings are being converted to condos or upgraded to much more expensive rental units. Duplexes get purchased and turned into larger single-family homes.

A major challenge in bridging the gap of rental supply is that, more often than not, purpose-built rental projects don't make economic sense for builders and investors. Ironically, there is no shortage of Canadian investor capital seeking housing investments, particularly large pension funds – but the economics of investing in purpose-built rental in Ontario just don't make sense. So, investments get made in apartment projects in other provinces or countries, or in condo projects that have a better and safer return-on-investment. What can governments do to get that investor capital pointed in the right direction so we can create jobs and get more of the housing we need built?

Some of our earlier recommendations will help, particularly indexing the HST rebate. So will actions by government to require purpose-built rental on surplus government land that is made available for sale. [\(Appendix C\)](#)

Municipal property taxes on purpose-built rental can be as much as 2.5 times greater than property taxes for condominium or other ownership housing.^[24] The Task Force recommends:

37. Align property taxes for purpose-built rental with those of condos and low-rise homes.

Make homeownership possible for hardworking Ontarians who want it

Home ownership has always been part of the Canadian dream. You don't have to look far back to find a time when the housing landscape was very different. The norm was for young people to rent an apartment in their twenties, work hard and save for a down payment, then buy their first home in their late twenties or early thirties. It was the same for many new Canadians: arrive, rent, work hard and buy. The house might be modest, but it brought a sense of ownership, stability and security. And after that first step onto the ownership ladder, there was always the possibility of selling and moving up. Home ownership felt like a real possibility for anyone who wanted it.

That's not how it works now. Too many young people who would like their own place are living with one or both parents well into adulthood.

The escalation of housing prices over the last decade has put the dream of homeownership out of reach of a growing number of aspiring first-time home buyers. While 73% of Canadians are homeowners, that drops to 48% for Black people, 47% for LGBTQ people^[5] (StatsCan is studying rates for other populations, including Indigenous People who are severely underhoused). This is also an issue for younger adults: a 2021 study showed only 24% of Torontonians aged 30 to 39 are homeowners.^[25]

In Canada, responsibility for Indigenous housing programs has historically been a shared between the federal and provincial governments. The federal government works closely with its provincial and territorial counterparts to improve access to housing for Indigenous peoples both on and off reserve. More than 85% of Indigenous people live in urban and rural areas, are 11 times more likely to experience homelessness and have incidence of housing need that is 52% greater than all Canadians. The Murdered and Missing Indigenous Women and Girls report mentions housing 299 times – the lack of which being a significant, contributing cause to violence and the provision of which as a significant, contributing solution. The Province of Ontario has made significant investments in Urban Indigenous Housing, but we need the Federal Government to re-engage as an active partner.

While measures to address supply will have an impact on housing prices, many aspiring homeowners will continue to face a gap that is simply too great to bridge through traditional methods.

The Task Force recognizes the need for caution about measures that would spur demand for housing before the supply bottleneck is fixed. At the same time, a growing number of organizations – both non-profit and for-profit are proposing a range of unique home equity models. Some of these organizations are aiming at households who have sufficient income to pay the mortgage but lack a sufficient down payment. Others are aiming at households who fall short in both income and down payment requirements for current market housing.

The Task Force heard about a range of models to help aspiring first-time home buyers, including:

- Shared equity models with a government, non-profit or for-profit lender holding a second “shared equity mortgage” payable at time of sale of the home
- Land lease models that allow residents to own their home but lease the land, reducing costs
- Rent-to-own approaches in which a portion of an occupant's rent is used to build equity, which can be used as a down payment on their current unit or another market unit in the future
- Models where the equity gain is shared between the homeowner and the non-profit provider, such that the non-profit will always be able to buy the home back and sell it to another qualified buyer, thus retaining the home's affordability from one homeowner to the next.

Proponents of these models identified barriers that thwart progress in implementing new solutions.

- The Planning Act limits land leases to a maximum of 21 years. This provision prevents home buyers from accessing the same type of mortgages from a bank or credit union that are available to them when they buy through traditional homeownership.
- The Perpetuities Act has a similar 21-year limit on any options placed on land. This limits innovative non-profit models from using equity formulas for re-sale and repurchase of homes.
- Land Transfer Tax (LTT) is charged each time a home is sold and is collected by the province; and in Toronto, this tax is also collected by the City. This creates a double-tax in rent-to-own/equity building models where LTT ends up being paid first by the home equity organization and then by the occupant when they are able to buy the unit.
- HST is charged based on the market value of the home. In shared equity models where the homeowner neither owns nor gains from the shared equity portion of their home, HST on the shared equity portion of the home simply reduces affordability.
- Residential mortgages are highly regulated by the federal government and reflective of traditional homeownership. Modifications in regulations may be required to adapt to new co-ownership and other models.

The Task Force encourages the Ontario government to devote further attention to avenues to support new homeownership options. As a starting point, the Task Force offers the following recommendations:

- 38.** Amend the Planning Act and Perpetuities Act to extend the maximum period for land leases and restrictive covenants on land to 40 or more years.
- 39.** Eliminate or reduce tax disincentives to housing growth.
- 40.** Call on the Federal Government to implement an Urban, Rural and Northern Indigenous Housing Strategy.
- 41.** Funding for pilot projects that create innovative pathways to homeownership, for Black, Indigenous, and marginalized people and first-generation homeowners.
- 42.** Provide provincial and federal loan guarantees for purpose-built rental, affordable rental and affordable ownership projects.

Support and incentivize scaling up housing supply

Our goal of building 1.5 million homes in ten years means doubling how many homes Ontario creates each year. As much as the Task Force’s recommendations will remove barriers to realizing this ambitious goal, we also need to ensure we have the capacity across Ontario’s communities to deliver this new housing supply. This includes capacity of our housing infrastructure, capacity within our municipal planning teams, and boots on the ground with the skills to build new homes.

There is much to be done and the price of failure for the people of Ontario is high. This is why the provincial government must make an unwavering commitment to keeping the spotlight on housing supply. This is also why the province must be dogged in its determination to galvanize and align efforts and incentives across all levels of government so that working together, we all can get the job done.

Our final set of recommendations turns to these issues of capacity to deliver, and the role the provincial government can play in putting the incentives and alignment in place to achieve the 1.5 million home goal.

Invest in municipal infrastructure

Housing can’t get built without water, sewage, and other infrastructure

When the Task Force met with municipal leaders, they emphasized how much future housing supply relies on having the water, storm water and wastewater systems, roads, sidewalks, fire stations, and all the other parts of community infrastructure to support new homes and new residents.

Infrastructure is essential where housing is being built for the first time. And, it can be a factor in intensification when added density exceeds the capacity of existing infrastructure, one of the reasons we urge new infrastructure in new developments to be designed for future capacity. In Ontario, there are multiple municipalities where the number one barrier to approving new housing projects is a lack of infrastructure to support them.

Municipalities face a myriad of challenges in getting this infrastructure in place. Often, infrastructure investments are required long before new projects are approved and funding must be secured. Notwithstanding the burden development charges place on the price of new housing, most municipalities report that development charges are still not enough to fully cover the costs of building new infrastructure and retrofitting existing infrastructure in neighbourhoods that are intensifying. Often infrastructure crosses municipal boundaries creating complicated and time-consuming “who pays?” questions. Municipal leaders also shared their frustrations with situations where new housing projects are approved and water, sewage and other infrastructure capacity is allocated to the project – only to have the developer land bank the project and put off building. Environmental considerations with new infrastructure add further cost and complexity. The Task Force recommends:

- 43.** Enable municipalities, subject to adverse external economic events, to withdraw infrastructure allocations from any permitted projects where construction has not been initiated within three years of build permits being issued.

44. Work with municipalities to develop and implement a municipal services corporation utility model for water and wastewater under which the municipal corporation would borrow and amortize costs among customers instead of using development charges.

Create the Labour Force to meet the housing supply need

The labour force is shrinking in many segments of the market

You can't start to build housing without infrastructure. You can't build it without people – skilled trades people in every community who can build the homes we need.

The concern that we are already facing a shortage in skilled trades came through loud and clear in our consultations. We heard from many sources that our education system funnels young people to university rather than colleges or apprenticeships and creates the perception that careers in the skilled trades are of less value. Unions and builders are working to fill the pipeline domestically and recruit internationally, but mass retirements are making it challenging to maintain the workforce at its current level, let alone increase it.

Increased economic immigration could ease this bottleneck, but it appears difficult for a skilled labourer with no Canadian work experience to qualify under Ontario's rules. Moreover, Canada's immigration policies also favour university education over skills our economy and society desperately need. We ought to be welcoming immigrants with the skills needed to build roads and houses that will accommodate our growing population.

The shortage may be less acute, however, among smaller developers and contractors that could renovate and build new "missing middle" homes arising from the changes in neighbourhood zoning described earlier. These smaller companies tap into a different workforce from the one needed to build high rises and new subdivisions. Nonetheless, 1.5 million more homes will require a major investment in attracting and developing the skilled trades workforce to deliver this critically needed housing supply. We recommend:

- 45.** Improve funding for colleges, trade schools, and apprenticeships; encourage and incentivize municipalities, unions and employers to provide more on-the-job training.
- 46.** Undertake multi-stakeholder education program to promote skilled trades.
- 47.** Recommend that the federal and provincial government prioritize skilled trades and adjust the immigration points system to strongly favour needed trades and expedite immigration status for these workers, and encourage the federal government to increase from 9,000 to 20,000 the number of immigrants admitted through Ontario's program.

Create a large Ontario Housing Delivery Fund to align efforts and incent new housing supply

Build alignment between governments to enable builders to deliver more homes than ever before

All levels of government play a role in housing.

The federal government sets immigration policy, which has a major impact on population growth and many tax policies. The province sets the framework for planning, approvals, and growth that municipalities rely upon, and is responsible for many other areas that touch on housing supply, like investing in highways and transit, training workers, the building code and protecting the environment. Municipalities are on the front lines, expected to translate the impacts of federal immigration policy, provincial guidance and other factors, some very localized, into official plans and the overall process through which homes are approved to be built.

The efficiency with which home builders can build, whether for-profit or non-profit, is influenced by policies and decisions at every level of government. In turn, how many home developers can deliver, and at what cost, translates directly into the availability of homes that Ontarians can afford.

Collectively, governments have not been sufficiently aligned in their efforts to provide the frameworks and incentives that meet the broad spectrum of housing needs in Ontario. Much action, though, has been taken in recent years.

- The Ontario government has taken several steps to make it easier to build additional suites in your own home: reduced disincentives to building rental housing, improved the appeal process, focused on density around transit stations, made upfront development charges more predictable, and provided options for municipalities to create community benefits through development.
- The federal government has launched the National Housing Strategy and committed over \$70 billion in funding.^[26] Most recently, it has announced a \$4 billion Housing Accelerator Fund aimed at helping municipalities remove barriers to building housing more quickly.^[27]
- Municipalities have been looking at ways to change outdated processes, rules, and ways of thinking that create delays and increases costs of delivering homes. Several municipalities have taken initial steps towards eliminating exclusionary zoning and addressing other barriers described in this report.

All governments agree that we are facing a housing crisis. Now we must turn the sense of urgency into action and alignment across governments.

Mirror policy changes with financial incentives aligned across governments

The policy recommendations in this report will go a long way to align efforts and position builders to deliver more homes.

Having the capacity in our communities to build these homes will take more than policy. It will take money. Rewarding municipalities that meet housing growth and approval timelines will help them to invest in system upgrades, hire additional staff, and invest in their communities. Similarly, municipalities that resist new housing, succumb to NIMBY pressure, and close off their neighbourhoods should see funding reductions. Fixing the housing crisis is a societal responsibility, and our limited tax dollars should be directed to those municipalities making the difficult but necessary choices to grow housing supply.

In late January 2022, the provincial government announced \$45 million for a new *Streamline Development Approval Fund* to “unlock housing supply by cutting red tape and improving processes for residential and industrial developments”.^[28] This is encouraging. More is needed.

Ontario should also receive its fair share of federal funding but today faces a shortfall of almost \$500 million,^[29] despite two thirds of the Canadian housing shortage being in Ontario. We call on the federal government to address this funding gap.

48. The Ontario government should establish a large “Ontario Housing Delivery Fund” and encourage the federal government to match funding. This fund should reward:

- a) Annual housing growth that meets or exceeds provincial targets
- b) Reductions in total approval times for new housing
- c) The speedy removal of exclusionary zoning practices

49. Reductions in funding to municipalities that fail to meet provincial housing growth and approval timeline targets.

We believe that the province should consider partial grants to subsidize municipalities that waive development charges for affordable housing and for purpose-built rental.

Sustain focus, measure, monitor, improve

Digitize and modernize the approvals and planning process

Some large municipalities have moved to electronic tracking of development applications and/or electronic building permits (“e-permits”) and report promising results, but there is no consistency and many smaller places don’t have the capacity to make the change.

Municipalities, the provincial government and agencies use different systems to collect data and information relevant to housing approvals, which slows down processes and leaves much of the “big picture” blank. This could be addressed by ensuring uniform data architecture standards.

Improve the quality of our housing data to inform decision making

Having accurate data is key to understanding any challenge and making the best decisions in response. The Task Force heard from multiple housing experts that we are not always using the best data, and we do not always have the data we need.

Having good population forecasts is essential in each municipality as they develop plans to meet future land and housing needs. Yet, we heard many concerns about inconsistent approaches to population forecasts. In the Greater Golden Horseshoe, the forecast provided to municipalities by the province is updated only when the Growth Plan is updated, generally every seven years; but federal immigration policy, which is a key driver of growth, changes much more frequently. The provincial Ministry of Finance produces a population forecast on a more regular basis than the Growth Plan, but these are not used consistently across municipalities or even by other provincial ministries.

Population forecasts get translated into housing need in different ways across the province, and there is a lack of data about how (or whether) the need will be met. Others pointed to the inconsistent availability of land inventories. Another challenge is the lack of information on how much land is permitted and how much housing is actually getting built once permitted, and how fast. The Task Force also heard that, although the Provincial Policy Statement requires municipalities to maintain a three-year supply of short-term (build-ready) land and report it each year to the province, many municipalities are not meeting that requirement.^[30]

At a provincial and municipal level, we need better data on the housing we have today, housing needed to close the gap, consistent projections of what we need in the future, and data on how we are doing at keeping up. Improved data will help anticipate local and provincial supply bottlenecks and constraints, making it easier to determine the appropriate level and degree of response.

It will also be important to have better data to assess how much new housing stock is becoming available to groups that have been disproportionately excluded from home ownership and rental housing.

Put eyes on the crisis and change the conversation around housing

Ours is not the first attempt to “fix the housing system”. There have been efforts for years to tackle increasing housing prices and find solutions so everyone in Ontario can find and afford the housing they need. This time must be different.

The recommendations in this report must receive sustained attention, results must be monitored, significant financial investment by all levels of government must be made. And, the people of Ontario must embrace a housing landscape in which the housing needs of tomorrow’s citizens and those who have been left behind are given equal weight to the housing advantages of those who are already well established in homes that they own.

- 50.** Fund the adoption of consistent municipal e-permitting systems and encourage the federal government to match funding. Fund the development of common data architecture standards across municipalities and provincial agencies and require municipalities to provide their zoning bylaws with open data standards. Set an implementation goal of 2025 and make funding conditional on established targets.

51. Require municipalities and the provincial government to use the Ministry of Finance population projections as the basis for housing need analysis and related land use requirements.

52. Resume reporting on housing data and require consistent municipal reporting, enforcing compliance as a requirement for accessing programs under the Ontario Housing Delivery Fund.

53. Report each year at the municipal and provincial level on any gap between demand and supply by housing type and location, and make underlying data freely available to the public.

54. Empower the Deputy Minister of Municipal Affairs and Housing to lead an all-of-government committee, including key provincial ministries and agencies, that meets weekly to ensure our remaining recommendations and any other productive ideas are implemented.

55. Commit to evaluate these recommendations for the next three years with public reporting on progress.

Conclusion

We have set a bold goal for Ontario: building 1.5 million homes in the next 10 years.

We believe this can be done. What struck us was that everyone we talked to – builders, housing advocates, elected officials, planners – understands the need to act now. As one long-time industry participant said, “for the first time in memory, everyone is aligned, and we need to take advantage of that.”

Such unity of purpose is rare, but powerful.

To leverage that power, we offer solutions that are bold but workable, backed by evidence, and that position Ontario for the future.

Our recommendations focus on ramping up the supply of housing. Measures are already in place to try to cool demand, but they will not fill Ontario’s housing need. More supply is key. Building more homes will reduce the competition for our scarce supply of homes and will give Ontarians more housing choices. It will improve housing affordability across the board.

Everyone wants more Ontarians to have housing. So let’s get to work to build more housing in Ontario.

APPENDIX A:

Biographies of Task Force Members

Lalit Aggarwal is President of Manor Park Holdings, a real estate development and operating company active in Eastern Ontario. Previously, Lalit was an investor for institutional fund management firms, such as H.I.G. European Capital Partners, Soros Fund Management, and Goldman Sachs. He is a past fellow of the C.D. Howe Institute and a former Director of both Bridgepoint Health and the Centre for the Commercialization of Regenerative Medicine. Lalit holds degrees from the University of Oxford and the University of Pennsylvania. He is also a current Director of the Hospital for Sick Children Foundation, the Sterling Hall School and the Chair of the Alcohol & Gaming Commission of Ontario.

David Amborski is a professional Urban Planner, Professor at Ryerson University's School of Urban and Regional Planning and the founding Director of the Centre for Urban Research and Land Development (CUR). His research and consulting work explore topics where urban planning interfaces with economics, including land and housing markets. He is an academic advisor to the National Executive Forum on Public Property, and he is a member of Lambda Alpha (Honorary Land Economics Society). He has undertaken consulting for the Federal, Provincial and a range of municipal governments. Internationally, he has undertaken work for the Canadian International Development Agency (CIDA), the World Bank, the Inter-American Development Bank, the Lincoln Institute of Land Policy, and several other organizations in Eastern Europe, Latin America, South Africa, and Asia. He also serves on the editorial boards of several international academic journals.

Andrew Garrett is a real estate executive responsible for growing IMCO's \$11+ Billion Global Real Estate portfolio to secure public pensions and insurance for Ontario families. IMCO is the only Ontario fund manager purpose built to onboard public clients such as pensions, insurance, municipal reserve funds, and endowments. Andrew has significant non-profit sector experience founding a B Corp certified social enterprise called WeBuild to help incubate social purpose real estate projects. He currently volunteers on non-profit boards supporting social purpose real estate projects, youth programs and the visual arts at Art Gallery

of Ontario. Andrew sits on board advisory committees for private equity firms and holds a Global Executive MBA from Kellogg School Management and a Real Estate Development Certification from MIT Centre for Real Estate.

Tim Hudak is the CEO of the Ontario Real Estate Association (OREA). With a passion and voice for championing the dream of home ownership, Tim came to OREA following a distinguished 21-year career in politics, including five years as Leader of the Progressive Conservative Party of Ontario.

In his role, Tim has focused on transforming OREA into Ontario's most cutting-edge professional association at the forefront of advocacy on behalf of REALTORS® and consumers, and providing world-class conferences, standard forms, leadership training and professional guidance to its Members. As part of his work at OREA, Tim was named one of the most powerful people in North American residential real estate by Swanepoel Power 200 for the last five years. Tim is married to Deb Hutton, and together they have two daughters, Miller and Maitland. In his spare time, Tim enjoys trails less taken on his mountain bike or hiking shoes as well as grilling outdoors.

Jake Lawrence was appointed Chief Executive Officer and Group Head, Global Banking and Markets in January 2021. In this role, Jake is responsible for the Bank's Global Banking and Markets business line and strategy across its global footprint. Jake joined Scotiabank in 2002 and has held progressively senior roles in Finance, Group Treasury and Global Banking and Markets. From December 2018 to January 2021, Jake was Co-Group Head of Global Banking and Markets with specific responsibility for its Capital Markets businesses, focused on building alignment across product groups and priority markets to best serve our clients throughout our global footprint. Previously, Jake was Executive Vice President and Head of Global Banking and Markets in the U.S., providing overall strategic direction and execution of Scotiabank's U.S. businesses. Prior to moving into GBM, Jake served as Senior Vice President and Deputy Treasurer, responsible for Scotiabank's wholesale funding activities and liquidity management as well as Senior Vice President, Investor Relations.

Julie Di Lorenzo (GPLLM, University of Toronto 2020), is self-employed since 1982, operates one of the largest female-run Real Estate Development Companies in North America. She was instrumental in the Daniel Burnham award-winning Ontario Growth Management Plan (2004) as President of BILD. Julie served as the first female-owner President of GTHBA (BILD) and on the boards of the Ontario Science Centre, Harbourfront Toronto, Tarion (ONHWP), St. Michael's Hospital, NEXT36, Waterfront Toronto, Chair of IREC Committee WT, Havergal College (Co-Chair of Facilities), York School (interim Vice-Chair), and Canadian Civil Liberties Association Board. Julie has served various governments in advisory capacity on Women's issues, Economic Development, Innovation and Entrepreneurship. Awards include Lifetime Achievement BILD 2017, ICCO Business Excellence 2005 & ICCO Businesswoman of the Year 2021.

Justin Marchand (CIHCM, CPA, CMA, BComm) is Métis and was appointed Chief Executive Officer of Ontario Aboriginal Housing Services (OAHS) in 2018. Justin has over 20 years of progressive experience in a broad range of sectors, including two publicly listed corporations, a large accounting and consulting firm, and a major crown corporation, and holds numerous designations across financial, operations, and housing disciplines. He was most recently selected as Chair of the Canadian Housing and Renewal Association's (CHRA's) Indigenous Caucus Working Group and is also board member for CHRA. Justin is also an active board member for both the Coalition of Hamilton Indigenous Leadership (CHIL) as well as Shingwauk Kinoomaage Gamig, located in Bawaating. Justin believes that Housing is a fundamental human right and that when Indigenous people have access to safe, affordable, and culture-based Housing this provides the opportunity to improve other areas of their lives.

Ene Underwood is CEO of Habitat for Humanity Greater Toronto Area), a non-profit housing developer that helps working, lower income families build strength, stability and self-reliance through affordable homeownership. Homes are delivered through a combination of volunteer builds, contractor builds, and partnerships with non-profit and for-profit developers. Ene's career began in the private sector as a strategy consultant with McKinsey & Company before transitioning to not-for-profit sector leadership. Ene holds a Bachelor of Arts (Honours) from the University of Waterloo and a Master of Business Administration from Ivey Business School.

Dave Wilkes is the President and CEO of the Building Industry and Land Development Association of the GTA (BILD). The Association has 1,300 members and proudly represents builders, developers, professional renovators and those who support the industry.

Dave is committed to supporting volunteer boards and organizations. He has previously served on the George Brown College Board of Directors, Ontario Curling Association, and is currently engaged with Black North Initiative (Housing Committee) and R-Labs I+T Council.

Dave received his Bachelor of Arts (Applied Geography) from Ryerson.

APPENDIX B:

Affordable Housing

Ontario's affordable housing shortfall was raised in almost every conversation. With rapidly rising prices, more lower-priced market rental units are being converted into housing far out of reach of lower-income households. In parallel, higher costs to deliver housing and limited government funding have resulted in a net decrease in the number of affordable housing units run by non-profits. The result is untenable: more people need affordable housing after being displaced from the market at the very time that affordable supply is shrinking.

Throughout our consultations, we were reminded of the housing inequities experienced by Black, Indigenous and marginalized people. We also received submissions describing the unique challenges faced by off-reserve Indigenous Peoples both in the province's urban centres and in the north.

While many of the changes that will help deliver market housing will also help make it easier to deliver affordable housing, affordable housing is a societal responsibility. We cannot rely exclusively on for-profit developers nor on increases in the supply of market housing to fully solve the problem.

The non-profit housing sector faces all the same barriers, fees, risks and complexities outlined in this report as for-profit builders. Several participants from the non-profit sector referred to current or future partnerships with for-profit developers that tap into the development and construction expertise and efficiencies of the private sector. Successful examples of leveraging such partnerships were cited with Indigenous housing, supportive housing, and affordable homeownership.

We were also reminded by program participants that, while partnerships with for-profit developers can be very impactful, non-profit providers have unique competencies in the actual delivery of affordable housing. This includes confirming eligibility of affordable housing applicants, supporting independence of occupants of affordable housing, and ensuring affordable housing units remain affordable from one occupant to the next.

One avenue for delivering more affordable housing that has received much recent attention is inclusionary zoning. In simple terms, inclusionary zoning (IZ) requires developers to deliver a share of affordable units in new

housing developments in prescribed areas. The previous Ontario government passed legislation in April 2018 providing a framework within which municipalities could enact Inclusionary Zoning bylaws.

Ontario's first inclusionary zoning policy was introduced in fall 2021 by the City of Toronto and applies to major transit station areas. Internationally, inclusionary zoning has been used successfully to incentivize developers to create new affordable housing by providing density bonuses (more units than they would normally be allowed, if some are affordable) or reductions in government fees. Unfortunately, the City's approach did not include any incentives or bonuses. Instead, Toronto requires market-rate fees and charges for below-market affordable units. This absence of incentives together with lack of clarity on the overall density that will be approved for projects has led developers and some housing advocates to claim that these projects may be uneconomic and thus will not get financed or built. Municipalities shared with us their concerns regarding the restriction in the provincial IZ legislation that prohibits "cash in lieu" payments. Municipalities advised that having the option of accepting the equivalent value of IZ units in cash from the developer would enable even greater impact in some circumstances (for example, a luxury building in an expensive neighbourhood, where the cost of living is too high for a low-income resident).

Funding for affordable housing is the responsibility of all levels of government. The federal government has committed to large funding transfers to the provinces to support affordable housing. The Task Force heard, however, that Ontario's share of this funding does not reflect our proportionate affordable housing needs. This, in turn, creates further financial pressure on both the province and municipalities, which further exacerbates the affordable housing shortages in Ontario's communities.

Finally, many participants in Task Force consultations pointed to surplus government lands as an avenue for building more affordable housing and this is discussed in [Appendix C](#).

We have made recommendations throughout the report intended to have a positive impact on new affordable housing supply. We offer these additional recommendations specific to affordable housing:

- Call upon the federal government to provide equitable affordable housing funding to Ontario.
 - Develop and legislate a clear, province-wide definition of “affordable housing” to create certainty and predictability.
 - Create an Affordable Housing Trust from a portion of Land Transfer Tax Revenue (i.e., the windfall resulting from property price appreciation) to be used in partnership with developers, non-profits, and municipalities in the creation of more affordable housing units. This Trust should create incentives for projects serving and brought forward by Black- and Indigenous-led developers and marginalized groups.
- Amend legislation to:
 - Allow cash-in-lieu payments for Inclusive Zoning units at the discretion of the municipality.
 - Require that municipalities utilize density bonusing or other incentives in all Inclusionary Zoning and Affordable Housing policies that apply to market housing.
 - Permit municipalities that have not passed Inclusionary Zoning policies to offer incentives and bonuses for affordable housing units.
 - Encourage government to closely monitor the effectiveness of Inclusionary Zoning policy in creating new affordable housing and to explore alternative funding methods that are predictable, consistent and transparent as a more viable alternative option to Inclusionary Zoning policies in the provision of affordable housing.
 - Rebate MPAC market rate property tax assessment on below-market affordable homes.

APPENDIX C:

Government Surplus Land

Surplus government lands fell outside the mandate of the Task Force. However, this question came up repeatedly as a solution to housing supply. While we take no view on the disposition of specific parcels of land, several stakeholders raised issues that we believe merit consideration:

- Review surplus lands and accelerate the sale and development through RFP of surplus government land and surrounding land by provincially pre-zoning for density, affordable housing, and mixed or residential use.
- All future government land sales, whether commercial or residential, should have an affordable housing component of at least 20%.
- Purposefully upzone underdeveloped or underutilized Crown property (e.g., LCBO).
- Sell Crown land and reoccupy as a tenant in a higher density building or relocate services outside of major population centres where land is considerably less expensive.
- The policy priority of adding to the housing supply, including affordable units, should be reflected in the way surplus land is offered for sale, allowing bidders to structure their proposals accordingly.

APPENDIX D:

Surety Bonds

Moving to surety bonds would free up billions of dollars for building

When a development proposal goes ahead, the developer typically needs to make site improvements, such as installing common services. The development agreement details how the developer must perform to the municipality's satisfaction.

Up until the 1980s, it was common practice for Ontario municipalities to accept bonds as financial security for subdivision agreements and site plans. Today, however, they almost exclusively require letters of credit from a chartered bank. The problem with letters of credit is that developers are often required to collateralize the letter of credit dollar-for-dollar against the value of the municipal works they are performing.

Often this means developers can only afford to finance one or two housing projects at a time, constraining housing supply. The Ontario Home Builders' Association estimates that across Ontario, billions of dollars are tied up in collateral or borrowing capacity that could be used to advance more projects.

Modern "pay on demand surety bonds" are proven to provide the same benefits and security as a letter of credit, while not tying up private capital the way letters of credit do. Moving to this option would give municipalities across Ontario access to all the features of a letter of credit with the added benefit of professional underwriting, carried out by licensed bonding companies, ensuring that the developer is qualified to fulfill its obligations under the municipal agreement.

Most important from a municipal perspective, the financial obligation is secured. If a problem arises, the secure bond is fully payable by the bond company on demand. Surety companies, similar to banks, are regulated by Ontario's Office of the Superintendent of Financial Institutions to ensure they have sufficient funds in place to pay out bond claims.

More widespread use of this instrument could unlock billions of dollars of private sector financial liquidity that could be used to build new infrastructure and housing projects, provide for more units in each development and accelerate the delivery of housing of all types.

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Town of The Blue Mountains

32 Mill Street, Box 310
THORNBURY, ON N0H 2P0
<https://www.thebluemountains.ca>

Via Email (housingsupply@ontario.ca)

February 15, 2022

Hon. Steve Clark
Minister of Municipal Affairs & Housing
College Park 17th Floor, 777 Bay Street
Toronto, ON M7A2J3

**RE: Opportunities & Feedback to Increase the Supply & Affordability of Market Housing
Town of The Blue Mountains Submission**

Dear Minister Clark,

Thank you for your recent email correspondence to municipal Heads of Council on February 7, 2022 seeking further advice from municipalities regarding opportunities to increase the supply and affordability of market housing. Like many municipalities in Ontario, the Town of The Blue Mountains is experiencing significant growth, pressure to grow more, and market housing prices that have vastly outpaced the incomes of so many local residents.

We appreciate your willingness to ask tough questions regarding the current housing crisis and your openness to act swiftly on some of the answers you receive through your consultations. It should be noted that municipal staff and Councils would be better able to provide well-thought out, constructive comments and suggestions with additional time. It is concerning that some innovative thoughts, ideas, and potential needed changes to Ontario's Housing System may not be heard through an accelerated consultation period.

On behalf of the Town of The Blue Mountains, the following represents Town staff's suggested opportunities for the Province's consideration as well as comments pertaining to the Housing Task Force Report Recommendations:

General Comment – The Town supports the Province in setting a target for new dwellings to be built. Without a target, neither the Province, nor municipalities will know the magnitude of the goal or how each can do their part in achieving it.

General Comment – The Town supports a municipality's ability to deliver a range of housing options that both meet local context and serviceability, while pursuing achievement of provincial priorities, objectives, and policies. Definition of terms such as "missing middle" and "attainable" may assist municipalities in understanding and what we are collectively striving towards.

General Comment – The current Planning System in Ontario is multi-tiered, complex and lengthy. In rural and small urban communities, plans, policies, and bylaws can articulate a community’s vision of a sustainable yet prosperous future. However substantial amounts of information that guide development on the ground is left to landowners and applicants to provide for review. This “back-ending” of information to support development proposals results in time and money required for both preparation and review of those materials. The result: a land development process that is often consumed with ground-truthing, review, technical assessment, and professional debate. While detailed information is critical to good decision-making, the current reactive structure does not lend itself to accelerated delivery of market housing. Municipalities need to be equipped to identify and clearly delineate areas that are available for development at the Official Plan and Zoning Bylaw stage. Mandating the use of the Community Planning Permit System may assist in bringing clarity and expediency to the process.

Suggestion: Pursue Clarity & Predictability – A new Planning System in Ontario needs to be based on clarity and predictability. Properties that are designated and zoned for uses that are deemed appropriate through Official Plan and Zoning Bylaw processes should be able to realize the community’s vision without further draw- out processes. Similarly, community residents should have the confidence that lands that are designated and zoned for protection will stay that way until the next Official Plan Review and Zoning Bylaw Review without concern that technical evaluations will reveal opportunity for unexpected change.

Suggestion: Stable & Sufficient Resources to Plan Ahead – It is recommended that a portion of the Land Transfer Tax collected within a municipality be directed to fund municipal planning and development resources. This approach stabilizes funding for many smaller municipalities. This approach also ensures that municipalities with higher land sale volumes (a potential sign of growth) can benefit from that growth by investing in resources to manage it. Finally, this approach also lessens the burden of municipal planning resources on the tax levy, freeing up much needed tax income to be dedicated to other municipal services.

Suggestion: Non-primary dwelling surtax to fund Community Improvement Plans – Seasonal homes, second homes, vacation homes and short-term accommodation units make up a critical mass in the Provincial housing stock. Ontarians should always have the freedom to buy real estate. However, when not occupied as a principal residence by either the owner or a long-term tenant, this housing stock consumes land without helping satisfy the market’s demand for housing. It is recommended that the Province investigate a surtax or unit levy on dwellings that are not used as a principal residence by the owner or a long-term tenant. Legislation could be introduced to require the surtax revenues to support municipal Community Improvement Programs that support attainable housing.

Suggestion: Attainable Unit Density Offset – We recommend that the Province allow municipalities to require up to 10% of development proposals over 10 units to be attainable in exchange for a 10% increase in density. Effectively, bonus density can be provided for the attainable housing. This takes advantage of the critical mass/cost efficiency of a development that is already constructing market-priced dwellings.

Suggestion: Minimum Density Plans -- To help achieve a provincial goal of dwelling creation, each region and municipality must understand what their respective contribution of new dwellings needs to be in the next 10 years. We recommend that the Province work with planning authorities to identify what the regional and local municipal dwelling targets shall be. The minimum densities required to achieve these dwelling targets should be outlined in Minimum Density Plans for serviced settlement areas with no threat of appeal to the Ontario Land Tribunal. This will ensure the densities required to achieve dwelling targets are put into place in a timely manner and sites are pre-zoned for development.

Housing Task Force Report Recommendations 3 through 11 – Town staff generally support pursuit of “as-of-right” permissions. We support the Province furthering legislative change to permit two additional residential units on a lot, to a maximum of 3 units. However, we question the liveability of 4 units on a single residential lot. Issues related to amenity space, parking, and waste collection could be exacerbated, particularly in smaller communities with little to no access to transit or public parkland within walking distance. Also, we do not support Recommendation 11 in its entirety as it suggests supporting housing growth outside municipal boundaries and may lead to unnecessary sprawl and premature extension of costly municipal infrastructure.

Housing Task Force Report Recommendation 12 – We caution against a complete repeal or override of municipal documents that prioritize the preservation of physical character of neighbourhood. However, we acknowledge that character does not equate to “the same”. Municipalities that wish to address character should be required to develop community design standards how development should compliment existing character, albeit at a higher density.

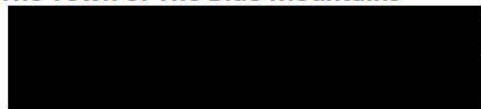
Housing Task Force Report Recommendation 13 through 25 -- Blanket exemptions of developments <10 units may create unintended confusion regarding critical issues (i.e. infrastructure ownership, access, etc.) and may allow poor quality design. This concept should only be entertained if the Province identified strict requirements outlining the site level details that are typically dealt with through the site plan process. Also, we caution the Province in its consideration of restoring all rights of developers to appeals Official Plans and Municipal Comprehensive Reviews. This could result in additional appeals resulting in further time and money directed towards matters at the Tribunal rather than devoted to building communities.

We do not support automatic approvals of applications that exceed legislative timelines. Often lengthened timelines result from professional differences of opinion over policy interpretation or technical substance. Instead, we recommend the Province engage with professional associations involved in the development process (planners, engineers, etc.) to develop clear and comprehensive criteria for technical information associated with developments.

Thank you again for the opportunity to convey our suggestions and provide feedback. We look forward to further collaboration with the Province and remain available if you require additional information or clarity.

Sincerely,

The Town of The Blue Mountains



Nathan Westendorp, MCIP RPP
Director of Planning & Development Services

cc.	Council	Town of The Blue Mountains
	Shawn Everitt, CAO	Town of The Blue Mountains
	Randy Scherzer, Deputy CAO	County of Grey

March 17, 2022

File: C00

The Honourable Doug Ford, MPP
Premier of Ontario
Premier's Office, 1 Queen's Park
Legislative Building, Room 281
Toronto ON M7A 1A1
premier@ontario.ca

Dear Premier Ford:

**Re: REQUEST TO THE PROVINCE OF ONTARIO FOR A PLAN OF ACTION
TO ADDRESS JOINT AND SEVERAL LIABILITY**

On behalf of the Council of The Corporation of the City of Barrie, I wish to advise that on March 7, 2022, City Council adopted the following resolution regarding a Plan of Action to Address Joint and Several Liability:

**22-G-064 REQUEST TO THE PROVINCE OF ONTARIO FOR A PLAN OF ACTION TO ADDRESS
JOINT AND SEVERAL LIABILITY**

WHEREAS the cost of municipal insurance in the Province of Ontario has continued to increase with especially large increases going into 2022; and

WHEREAS Joint and Several Liability continues to ask property taxpayers to carry the lion's share of a damage award when a municipality is found at minimum fault; and

WHEREAS these increases are unsustainable and unfair and eat at critical municipal services; and

WHEREAS the Association of Municipalities of Ontario outlined seven recommendations to address insurance issues including:

1. That the Provincial Government adopt a model of full proportionate liability to replace joint and several liability.
2. Implement enhancements to the existing limitations period including the continued applicability of the existing 10-day rule on slip and fall cases given recent judicial interpretations and whether a 1-year limitation period may be beneficial.
3. Implement a cap for economic loss awards.
4. Increase the catastrophic impairment default benefit limit to \$2 million and increase the third-party liability coverage to \$2 million in government regulated automobile insurance plans.

5. Assess and implement additional measures which would support lower premiums or alternatives to the provision of insurance services by other entities such as non-profit insurance reciprocals.
6. Compel the insurance industry to supply all necessary financial evidence including premiums, claims and deductible limit changes which support its own and municipal arguments as to the fiscal impact of joint and several liability.
7. Establish a provincial and municipal working group to consider the above and put forward recommendations to the Attorney General.

NOW THEREFORE BE IT RESOLVED that the Council for the Corporation of the City of Barrie call on the Province of Ontario to immediately review these recommendations despite COVID-19 delays, as insurance premiums will soon be out of reach for many communities and

BE IT FURTHER RESOLVED that this motion be provided to the Honourable Doug Ford, Premier of Ontario, the Honourable Peter Bethlenfalvy, Minister of Finance, the Honourable Doug Downey, Attorney General of Ontario and MPP for Barrie-Springwater, the Honourable Andrea Khanjin, MPP for Barrie-Innisfil, and all Ontario municipalities.

If you have any questions, please do not hesitate to contact the undersigned, wendy.cooke@barrie.ca or (705) 739.4220, Ext. 4560.

Yours truly,



Wendy Cooke
City Clerk/Director of Legislative and Court Services

WC/bt

Cc:

- The Honourable Peter Bethlenfalvy, Minister of Finance
- The Honourable Doug Downey, Attorney General and MPP for Barrie-Springwater
- The Honourable Andrea Khanjin, MPP for Barrie-Innisfil
- All Ontario municipalities



**The Corporation of the
Municipality of Mississippi Mills**

Council Meeting

Resolution Number 080-22

Title: Information List #05-22 Town of Bracebridge Resolution re: Joint and Several Liability Reform

Date: Tuesday, March 15, 2022

Moved by Councillor Holmes

Seconded by Councillor Dalgity

WHEREAS municipal governments provide essential services to the residents and businesses in their communities; and

WHEREAS the ability to provide those services is negatively impacted by exponentially rising insurance costs; and

WHEREAS one driver of rising insurance costs is the legal principle of “joint and several liability”, which assigns disproportionate liability to municipalities for an incident relative to their responsibility for it; and

WHEREAS the Government of Ontario has the authority and responsibility for the legal framework of “joint and several liability”; and

WHEREAS the Premier of Ontario committed to review the issue in 2018 with a view to helping municipal governments manage their risks and costs; and

WHEREAS the Provincial Review was conducted in 2019 with AMO and municipalities fully participating; and

WHEREAS the results of the Provincial Review have not been released and municipalities are still awaiting news of how the Attorney General will address this important matter; and

WHEREAS the Association of Municipalities of Ontario (AMO) on behalf of municipal governments has provided recommendations in their document “Towards a Reasonable Balance – Addressing Growing Municipal Liability and Insurance Costs” to align municipal liability with the proportionate responsibility for incidents and capping awards; and

WHEREAS The Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO) has written to the Attorney General in support of the abovementioned recommendations provided by AMO;

NOW THEREFORE BE IT RESOLVED THAT THE CORPORATION OF THE MUNICIPALITY OF MISSISSIPPI MILLS RESOLVES AS FOLLOWS:

1. That the Municipality of Mississippi Mills calls on the Attorney General of Ontario to work with municipal governments to put forward a plan of action to address “joint and several liability” before the end of the government’s current term.
2. That the Municipality of Mississippi Mills supports the seven (7) recommendations contained in the AMO submission “Towards a Reasonable Balance – Addressing Growing Municipal Liability and Insurance Costs” to re-establish the priority for provincial action on this issue.
3. That a copy of this resolution be forwarded to Attorney General, the Honourable Doug Downey; the Minister of Municipal Affairs and Housing, the Honourable Steve Clark; AMO President, Jamie McGarvey, AMCTO President, Sandra MacDonald; and all Municipalities in Ontario.

CARRIED

I, Casey Munro, Deputy Clerk for the Corporation of the Municipality of Mississippi Mills, do hereby certify that the above is a true copy of a resolution enacted by Council.



Casey Munro, Deputy Clerk



**THE CORPORATION
OF
THE TOWN OF HALTON HILLS**

Resolution No.:

Title: **New Gravel Extraction Licensing applications**

Date: February 7, 2022

Moved by: **Mayor R. Bonnette**

Seconded by: **Councillor J. Fogal**

Item No.

WHEREAS Ontario currently has over 5000 licenced pits and quarries located throughout the province that are able to meet the expected near term needs of Ontario's construction industry;

AND WHEREAS applications continue to be submitted without a definitive determination if there is a need for additional supply;

AND WHEREAS gravel pits and quarries are destructive of natural environments and habitats;

AND WHEREAS pits and quarries have negative social impacts on host communities in terms of noise, air pollution, and truck traffic;

AND WHEREAS the urgent need to reduce greenhouse gas emissions in order to combat climate change has brought awareness to the very high carbon footprint associated with the production of concrete and asphalt which are major end-users of aggregates;

AND WHEREAS there is an obligation to consult with First Nations peoples regarding the impacts of quarries on treaty lands and a responsibility to address those impacts;

NOW THEREFORE BE IT RESOLVED THAT the Ontario government be requested to impose an immediate temporary moratorium on all new gravel

mining applications pending a broad consultation process including with First Nations, affected communities, independent experts and scientists to chart a new path forward for gravel mining in Ontario which:

- Proposes criteria and processes for determining the need for new gravel licences;
- Recommends updated policies and restrictions for gravel mining below the water table to reflect current groundwater sciences;
- Develops new guidelines for reprocessing in order to ensure sustainable aggregate supplies;
- Recommends a fair levy for gravel mining that includes compensation for the full environmental and infrastructure maintenance costs to the local community of extraction and distribution of aggregate;
- Provides greater weight to the input by local municipalities to lessen the social impacts from mining operation and trucking through their communities;
- Proposes revisions to application procedures which fully honour First Nations' treaty rights;

AND FURTHER THAT a copy of this resolution be sent to the Honourable Doug Ford Premier of Ontario, the leaders of all Provincial Parties, Minister of Natural Resources and Forestry, the Honourable Ted Arnott MPP, AMO, Small Urban GTHA Mayors, Town of Milton, Town of Oakville, City of Burlington and Region of Halton.

Mayor Rick Bonnette

To: Mayor and Council
From: Reform Gravel Mining Coalition (RGMC)
Re: Correcting Ontario Stone, Sand and Gravel Association (OSSGA) Misinformation
Date: March 21, 2022

The Reform Gravel Mining Coalition recently became aware of a letter sent to Municipalities across Ontario regarding our organization and activities. We are disappointed that an organization such as the Ontario Stone, Sand and Gravel Association would stoop to name calling and fear mongering and we want to take this opportunity to set the record straight.

The March 18, 2022 memo misrepresents the statements of the RGMC. See comparison below between OSSGA claims and RGMC statements (Table 1). The OSSGA also makes claims about aggregate supply and demand that are questionable as they are not based on publicly available authoritative information. The OSSGA also omits information which would provide the reader a more comprehensive understanding of the issue – for example the contribution of the cement industry to the climate crisis. These are also itemized below (Table 2).

A primary purpose of proposing a moratorium, a temporary pause, on new gravel mining approvals is to conduct an independent third-party study of aggregate reserves. This independent study is an urgent priority as there is a finite amount of gravel reserves in Ontario, and gravel is a vital resource which needs to be carefully managed.

OSSGA member James Dick Construction Ltd. is proud of their “300-year resource management plan” indicating that they “consider long-term planning essential for long-term growth — except that in its case the planning horizon stretches three centuries into the future.”¹ It is difficult to reconcile the recurring claims that Ontario is running out of gravel when members of the industry make such statements.

Concerns around gravel mining have been raised for decades. Citizens demand to be protected. Municipalities’ ability to manage this environmentally and socially intrusive industry are increasingly hampered and reduced. We understand that the industry is concerned. Change can be frightening. But we invite municipalities to support the resolution for a moratorium, a temporary pause, on all new gravel mining approvals in Ontario. Let’s stop making the situation worse by continuing to issue new approvals. It is time to chart a new path forward.

Please contact the Reform Gravel Mining Coalition at campaign@reformgravelmining.ca for more information

¹ <https://canada.constructconnect.com/dcn/news/economic/2019/09/aggregate-supplier-plans-300-years-ahead>

Table 1: Corrections to OSSGA Misinformation

OSSGA Claim	RGMC Statement
<i>The industry digs out 13 times more gravel every year than it uses</i>	The provincial government has authorized the gravel mining industry to extract thirteen times more gravel each year than is required to meet average annual consumption. ²
<i>The aggregate industry takes up to 4.6 billion litres of precious water every day.</i>	The provincial government has approved up to 4.6 billion litres of water for daily consumption by the gravel mining industry. ³
<i>The aggregate industry destroys 5,000 acres of land a year.</i>	Gravel mining consumes an average of 5,000 acres of land in Ontario each year. An average of 5,000 acres of land is licensed each year for gravel mining in Ontario. ⁴

Table 2: Gravel Mining in Ontario/ OSSGA Claims vs. Facts

OSSGA Claims	FACTS
It is estimated that the industry has roughly a 10-year supply of aggregate licensed to extract.	This statement is not supported by publicly available data. RGMC's review of NDMNRF (Ministry) data, and The Ontario Aggregate Resources Corporation (TOARC) annual reports does not provide evidence to support the assertion that there are only 10 years of close to market reserves. The OSSGA fact is based on "industry estimates". RGMC cites TOARC data ⁵ .
The Golder/MHBC Supply Demand Study estimated the "amount of 'high' quality reserves is approximately 1.47 billion tonnes"	The OSSGA fails to cite the Golder/MHBC Supply Demand Study reference to the "high degree of uncertainty with this estimate" and the study authors' warning that "the results should not be taken as a very realistic indication of what resource may actually be proven and made available from these licenced sites". ⁶ The reality is that no one knows the true state of aggregate reserves in Ontario.

² Total of maximum extraction limits from the Ministry of NDMNRF Aggregate License and Permit System (ALPS)

³ MOECP Permits To Take Water Database total of active permits issued for Pits and Quarries Dewatering and Aggregate Washing

⁴ <https://toarc.com/production-statistics/>

⁵ <https://toarc.com/production-statistics/>

⁶ Golder MHBC Supply and Demand Study Executive Summary 2016

OSSGA Claims	FACTS
Ontario will require nearly 4 billion tonnes of aggregate over the next 20 years to meet the needs of citizens and the additional 5.3 million people that will call Ontario home. That is estimated to be 192 million tonnes of aggregate per year.	<p>In the last 20 years average gravel consumption has decreased while the population of Ontario grew by 3 million people in that same period.</p> <ul style="list-style-type: none"> • The average annual consumption of gravel from 2001 – 2010 was 168 MT per year. • From 2011 – 2020 it was 157 MT / year.⁷ • Ontario's population increased from 12M to 15M an increase of (25%) in the last 20 years.
It currently takes an average of 10 years to apply for and receive a new license.	There is no publicly available data to support this claim. The application process for new gravel mining approvals has a two-year time limit on it. Additional delays are often a result of decisions and choices made by the applicants.
The aggregate industry is not a significant contributor of GHG emissions	The cement industry produces 8% of global carbon emissions, as a country it would be the third largest global emitter of CO ₂ . Aggregate is the feedstock to cement production.
<p>With respect to the amount of new land that is excavated every year – the average for the past 10 years as reported in The Ontario Aggregate Resources Corporation annual production report is approximately 2600 acres per year.</p> <p>An average of 2000 acres per year is rehabilitated for a total net new disturbed area of 600 acres.</p>	<p>The publicly available data on excavation over the long term does not support this claim. TOARC data indicates that the acres under licence for gravel extraction have increased from 221,000 acres in 1998 to 333,000 acres in 2020, an increase of 112,000 acres or almost 5,000 acres per year.⁸</p> <p>TOARC data indicates the total disturbed area has increased from 50,000 acres in 1998 to 83,000 in 2020, an increase of 33,000 acres or 67%.⁹ The acres scarred by gravel mining in Ontario is increasing each year, rehabilitation is not keeping up.</p>

⁷ <https://toarc.com/production-statistics/>

⁸ <https://toarc.com/production-statistics/>

⁹ <https://toarc.com/production-statistics/>

A MORATORIUM ON ALL NEW GRAVEL MINING APPROVALS TODAY

—a step towards a sustainable tomorrow

ISSUES

- 1 Gravel mining permanently changes the existing natural environment and causes numerous negative impacts to surrounding communities. It is not a benign activity.
- 2 The gravel mining industry provides the raw materials for cement production, highway construction and urban sprawl. These activities are significant contributors to greenhouse gas emissions in Ontario.
- 3 Ontario's current application process for gravel mining:
 - Allows uncontrolled proliferation of gravel sites across Ontario
 - Favours corporations and places an unfair burden on municipalities and local communities forced to advocate for the protection of the natural environment and built communities
 - Does not fulfill the requirements for free, prior and informed consent of Indigenous Nations as guaranteed in the Canadian constitution

POLICY PROPOSAL

- 1 Impose an immediate moratorium on all new gravel mining approvals (including interim orders and site plan amendments for mining below the water table or that increase licensed tonnages).
- 2 Create an independent panel to conduct broad consultations involving Indigenous Nations, municipalities, affected communities, industry, and independent experts and scientists.
- 3 Chart a new path forward for gravel mining which:
 - Prevents greater climate chaos
 - Protects groundwater and farmland
 - Increases the weight of local perspectives in land use planning
 - Ensures long term supplies of a finite resource
 - Honours treaties and obligations with Indigenous Nations as prescribed in the Canadian Constitution

IMPACT OF A MORATORIUM

A moratorium on new approvals of gravel mining sites in Ontario will:

- 1 Provide an opportunity to **update gravel mining industry policies** and regulations to reflect current societal expectations and meet the national and international requirements of addressing climate change.
- 2 **Respond to the urgent requests** from thousands of Ontario residents (predominantly rural) struggling with the threats to their families, homes and communities from gravel mining.
- 3 **NOT impact** the current supply of gravel required to meet Ontario's needs.
- 4 **NOT impact** the rights existing gravel mining operators have to continue their existing operations as they do today.
- 5 **NOT impact** current employment in the gravel mining industry.

FOUR FACTS ON GRAVEL MINING IN ONTARIO

FACT #1

The provincial government has authorized the gravel mining industry to extract thirteen times more gravel each year than is required to meet average annual consumption.

- On average 157.4 million tonnes of gravel was extracted annually over the past 10 years in Ontario.^{1,2}
- 2.05 billion tonnes of gravel extraction are allowed each year from the 5000-plus licensed gravel mining sites in Ontario. (Note: 800-plus sites, {approximately 15%} are permitted to extract unlimited tonnages each year. These amounts are in addition to the 2.05 billion tonnes mentioned above.)

FACT #2

Gravel mining consumes an average of 5,000 acres of land in Ontario each year.

- Licenses for gravel extraction have increased from 183,000 acres in 1992 to 333,000 acres in 2020³, an increase of almost 150,000 acres or 5,000 acres per year over the past three decades. That's a land area equivalent to two proposed Melancthon mega-quarries each year.⁴

FACT #3

The gravel mining industry doesn't pay its fair share, for example municipal property taxes.

- Municipalities challenge preferential property tax treatment given to gravel mining sites.
- Disputes continue between Ontario Municipalities and the gravel industry over property taxes.
- Examples:
 - Wellington County asserts that *"other sectors, mainly residential and small business, are subsidizing the aggregate industry's artificially low valuations"*.
 - In Puslinch Township *"single family homes in Puslinch pay more taxes than 100-acre active (gravel) sites"*.⁵

FACT #4

The gravel mining industry supplies sand, stone and gravel for cement production, highway construction and urban sprawl, which make significant contributions to greenhouse gas emissions in Ontario.

- The cement industry produces 8% of global carbon emissions, as a country it would be the third largest global emitter of CO₂.⁶
- Transportation has become the biggest source of GHG emissions in Ontario.⁷

RECOMMENDED AREAS OF CONSULTATION AND INQUIRY

- Determine the total amount of licensed supply in Ontario's 5000-plus pits and quarries.
- Propose criteria and processes for determining and demonstrating the need for new gravel mining sites.
- Define limits on 'virgin' aggregate extraction, and set targets for aggregate reprocessing in order to ensure sustainable management of the finite gravel resources in Ontario.
- Propose revisions to application procedures which fully honour Indigenous Nations' treaty rights.
- Recommend updated policies and restrictions for gravel mining below the water table to reflect current groundwater sciences.
- Propose methods which increase the weight given to municipal and community perspectives in gravel mining decisions.
- Recommend approaches to ensure that gravel mining sites are not allowed to transform themselves in significant ways after initial approval. This would include changes to progressive or final rehabilitation plans.
- Recommend a fair levy for gravel mining that includes compensation for the full social and environmental costs of its extraction.
- Recommend approaches to gravel mining oversight to ensure full compliance with all regulations and license conditions.

1. Aggregate Resources Statistics in Ontario, Production Statistics annual reports, The Ontario Aggregate Resources Corporation (TOARC)

2. Active aggregate sites and related maximum tonnage

3. Aggregate Resources Statistics in Ontario, Production Statistics annual reports, The Ontario Aggregate Resources Corporation (TOARC)

4. <https://www.inthehills.ca/2011/06/melancthon-mega-quarry-by-the-numbers>

5. Presentation, Ken DeHart, Wellington County Treasurer May 30th 2021 Gravel Watch Ontario

6. <https://www.carbonbrief.org/qa-why-cement-emissions-matter-for-climate-change>

7. Why Are Ontario's GHG emissions going up instead of Down? Environmental Defence, April 21, 2020

**The Corporation of the City of Cambridge
Corporate Services Department
Clerk's Division
The City of Cambridge
50 Dickson Street, P.O. Box 669
Cambridge ON N1R 5W8
Tel: (519) 740-4680 ext. 4585
mantond@cambridge.ca**

March 31, 2022

Re: Motion: Councillor Wolf re: Request to impose a moratorium on all new gravel applications, including expansions to existing licensed sites

At the Special Council Meeting of March 22, 2022, the Council of the Corporation of the City of Cambridge passed the following Motion:

WHEREAS Ontario currently has over 3600 licenses and 2500 permits held by Operators located throughout the Province that are able to meet the expected near term needs of Ontario's construction industry;

AND WHEREAS in 2020 there was approximately 5,677,296 tonnes of aggregate extracted from properties located within the Township of North Dumfries;

AND WHEREAS applications continue to be submitted without a definitive determination if there is a need for additional supply;

AND WHEREAS gravel pits and quarries can be destructive of natural environments and habitats when not properly planned and managed;

AND WHEREAS pits and quarries have negative social impacts on host and neighbouring communities like Cambridge in terms of noise, air pollution, and truck traffic;

AND WHEREAS the urgent need to reduce greenhouse gas emissions in order to combat climate change has brought awareness to the very high carbon footprint associated with the production of concrete and asphalt which are major end-users of aggregates;

NOW THEREFORE BE IT RESOLVED THAT the Province of Ontario be requested to impose an immediate temporary moratorium on all new gravel applications, including expansions to existing licensed sites, pending a broad consultation process that would

include First Nations, affected communities, independent experts and scientists, to chart a new path forward for the extraction and processing of aggregates in Southern Ontario which:

- i) Proposes criteria and processes for determining the need for new aggregate licences (including the expansion to existing licenses);
- ii) Recommends updated policies and restrictions for aggregate extraction below the water table to reflect current groundwater sciences; including quarterly water monitoring reports.
- iii) Assesses the cumulative impacts of aggregate operations in terms of off-site impacts to environmental systems; the groundwater regime and baseflow contributions to area watercourses, wetlands, etc; area habitat including corridors; traffic along haul routes; and, dust and noise emissions;
- iv) Develops new guidelines for reprocessing / recycling of concrete and asphalt products in order to ensure sustainable aggregate supplies;
- v) Recommends a fair levy for aggregate extraction that includes compensation for the full environmental and infrastructure maintenance costs to the local community of extraction and distribution of aggregate;
- vi) Provides greater weight to the input by local municipalities to lessen the social impacts from aggregate extraction and truck haul routes through their communities

AND FURTHER THAT a copy of this Resolution be sent to the Honourable Doug Ford, Premier of Ontario, the leaders of all Provincial Parties, the Minister of Northern Development, Mines, Natural Resources & Forestry, the MPPs of Waterloo Region, and, the Region of Waterloo.

Should you have any questions related to the approved resolution, please contact me.

Yours Truly,



Danielle Manton
City Clerk

Cc: (via email)
Hon. Premier Ford
Association of Municipalities of Ontario
City of Cambridge Council



March 11, 2022

Mr. John Daly
Director of Legislative Services/Clerk
County of Simcoe
1110 Highway 26,
Midhurst, ON
L9Z 1N6

BY EMAIL ONLY

Dear Mr. Daly:

Re: County of Simcoe Regional Government Review Service Delivery Task Force - Fire
Services

Please be advised that the Town of Wasaga Beach Coordinated Committee, during its March 10, 2022 meeting, adopted the following resolution:

"That the Community Services Section of Coordinated Committee receive the Chief Administrative Officer's report on the County of Simcoe Regional Government Review Service Delivery Task Force Fire Services Review for information;

Further that the Community Services Section of Coordinated Committee authorize the Chief Administrative Officer to inform the County of Simcoe that the Town of Wasaga Beach supports recommendations nine and ten of the Fire Service Review report;

And Further, that the Community Services Section of Coordinated Committee authorizes the CAO to request that County Council, through the Regional Government Review, formally request the Province to further review the interest arbitration system, as the changes introduced in 2018 have not impacted wage increases awarded to the fire services sector, often exceeding negotiated settlements for other municipal employee groups, continuing to place a financial strain on municipalities, and creating wage compression with Fire Department leadership;

And Further, that as part of the review, the Province confirm that it is the employer's responsibility to define the hours of work that best fits their circumstance rather than an arbitrator awarding a change;

And that this motion be circulated to all municipalities in the Province."

Attached is a copy of the report dated March 10, 2022. Your favourable consideration of this matter is appreciated.

Should you have any questions, please contact me at cao@wasagabeach.com or (705) 429-3844 Ext. 2222.

Sincerely,

A handwritten signature in black ink, appearing to read "George Vadeboncoeur".

George Vadeboncoeur
Chief Administrative Officer

/pk

- c. Wasaga Beach Town Council Members
Association of Municipalities of Ontario
All Municipalities in Ontario

STAFF REPORT



TO: Community Services Section of Coordinated Committee

FROM: George Vadeboncoeur, Chief Administrative Officer

SUBJECT: County of Simcoe Regional Government Review
Service Delivery Task Force - Fire Services Report

DATE: March 10, 2022

RECOMMENDATION

THAT the Community Services Section of Coordinated Committee receive the Chief Administrative Officer's report on the County of Simcoe Regional Government Review Service Delivery Task Force Fire Services Review for information;

FURTHER that the Community Services Section of Coordinated Committee authorize the Chief Administrative Officer to inform the County of Simcoe that the Town of Wasaga Beach supports recommendations nine and ten of the Fire Service Review report.

BACKGROUND

The County of Simcoe established a Service Delivery Task Force Committee of County Council members to undertake reviews of the following services to determine if efficiencies could be found leading to improved services to tax payers. The services being reviewed are:

- Conservation Authority Services
- Fire Services
- Land Use Planning Services
- Library Services
- Transit Services
- Water and Waste Water Services
- Storm Water Management Services – completed, no further action required
- Legal Services – completed, no further action required

The subject of this report is the review of Fire Services.

The County engaged a third-party consultant to conduct a comprehensive review of Fire Services in the County of Simcoe, identifying possible efficiencies and preferred Service Delivery models including regional and sub-regional service models.

Through an RFP process, Pomax Consulting Inc. (Pomax) was selected by the County to complete the review. The Pomax team commenced the project and municipal engagement in May 2021.

On December 6, 2021 the County of Simcoe Regional Government Review Service Delivery Task Force received the final report and passed a resolution requesting that the report be sent to individual municipal Councils for review and comment.

The ten recommendations tabled with the Task Force are as follows:

1. "Share fire chiefs wherever possible. Examples of this include Innisfil and Bradford-West Gwillimbury, and Penetanguishene and Midland. There is an expectation that the number of responses will decline in the next few years as the province implements Medical Priority Dispatch System (MPDS). An advantage of sharing fire chiefs may be that the joint chief will find realistic ways to rationalize training, prevention, public education, and stations. Essa Township has an opportunity to share a fire chief with a neighbouring community or even amalgamating.
2. Share recruitment, intake, selection, training, and equipment in the same manner as takes place in North Simcoe. Duplication of these processes can be expensive. Sharing also supports consistency so that when the time comes that firefighters from different departments have to work together at mutual aid or other major incidents, they are familiar with common practices.
3. Share public education and prevention resources. This may not save money but may accomplish consistency in neighbouring communities and may enhance some communities that have inadequate resources.
4. Where possible consolidate fire services. This is not a minor step but it is one that has been accomplished before when municipalities amalgamate or a decision is made that shared services is best for a community <https://lincoln.ca/news/2021/06/media-releasetowns-lincoln-and-grimsby-embark-shared-fire-service-pilot-project>.
5. Several fire departments, during interviews, discussed establishing training centres – some with the perspective of providing services for a fee to other fire departments. Prior to taking those steps, partnerships should be discussed to defray costs and to determine the best location for training centres. Training centres that are established with the objective of defraying costs by renting to other fire departments do not have a history of success.

6. Prior to considering building a new fire station, undertake a needs analysis including response modelling and incident type. Fires may be an impetus for establishing a new or additional fire station but sometimes medical incidents are held out as part of the justification. Fires are on a downward trend. It is possible medical responses will also trend downwards. Schedule 1 RGR 2021-357 Page 28 Simcoe County Fire Services Review Final Report Part 1 Page | 27
7. Where possible, consider contracting services with a neighbouring municipality. Ramara Station 2's response area is a possible opportunity as are responses to areas that border other full time fire departments.
8. Employ the precept of closest or quickest vehicle responds. Although some form of cost per call may have to be worked out using the closest fire resource delivers service sooner.
9. Obtaining and understanding fire department data and information, particularly outcome information to answer the question "Why are we doing what we are doing?" should be the primary objective of all municipalities. It does not exist now notwithstanding the efforts of some departments who are attempting to secure information. This is a major undertaking that is not realistic for individual departments but could be provided by the county on a cost recovery basis. We recommend that municipalities work with the county to obtain that service, or the county should establish the service and offer it to those municipalities who see it as an advantage. During our interviews several CAOs envisioned the county as being the data and information centre.
10. We recommend that representatives of Simcoe County and the municipalities form a committee to further explore these recommendations, particularly the provision of a data service by the county as noted in recommendation 9."

On February 1, 2022 staff received a letter from the County of Simcoe Clerk's Department on behalf of the Service Delivery Task Force asking for feedback on the report.

At the February 10, 2022 Community Services Section of Coordinated Committee the Fire Chief provided a report requesting that if Council members had comments concerning the proposed efficiencies, service delivery models and recommendations outlined in the review, that they provide such comments to the Chief Administrative Officer.

DISCUSSION

Based on the feedback from individual Council members, it is felt two of the ten recommendations found within the Pomax report warrant additional exploration.

Recommendation number nine supports the County providing data collection and analysis services due to challenges for smaller municipalities undertaking the same

exercise. While conducting interviews with municipalities, Pomax received comments from several Chief Administrative Officers indicating that the County could assist as a data and information centre. This would ensure that the data required to make decisions is collected and what is collected is standardized across the County. One area identified is outcome information, similar to the data collected by other emergency services. With automation, training and building on data already collected for other purposes, this should be fairly easy to implement.

Recommendation number ten supports the creation of a committee comprised of municipalities and representatives of the County to further explore all of the recommendations, in particular the provision of a data service by the County as noted in recommendation nine. Some areas of interest include, sharing in the recruiting of volunteer Fire Fighters, Fire Prevention and Training. It was noted that a "...significant level of cooperation and sharing in Simcoe was identified..." as already occurring.

Although it was not considered as part of the review or a recommendation, some Council members feel the disproportionate escalation of firefighter wages and benefits, supported by the Arbitration system, is an issue that deserves attention and resources. It is acknowledged that this is beyond a local issue and should be addressed by the province as a priority as it impacts all fire services.

In discussing the recommendations with the Fire Chief, he is committed to reviewing all aspects of his administration and operations to identify areas to improve efficiencies and service delivery in the spirit outlined in the Promax Report.

Respectfully Submitted,

George Vadeboncoeur
Chief Administrative Officer

**SEPTEMBER 28, 2021
MEETING OF THE PORT COLBORNE ACTIVE TRANSPORTATION
ADVISORY COMMITTEE**

Minutes of the nineteenth regular meeting of the Committee Members of the Port Colborne Active Transportation Advisory Committee, held virtually with some presents in Committee Room 3, Third Floor Library, City Hall, 66 Charlotte Street, Port Colborne September 28, 2021, 5:00 p.m.

The following Committee Members were in attendance:

Committee Members: Gregg Dame, Ann Kennerly, George McKibbon, Michael Scott, Wade Smith
Council:
Staff: Karen Walsh
Regrets: Councillor Angie Desmarais, Tom Harrietha, and Cassandra Magazzeni,

1. CALLED TO ORDER: 5:05 p.m.

2. APPROVAL OF THE AGENDA

Moved by: George McKibbon
Seconded by: Wade Smith
THAT the agenda for September 28, 2021 be accepted as presented.
CARRIED

3. CONFIRMATION OF PREVIOUS MINUTES:

Moved by: Gregg Dame
Seconded by: Mike Scott
THAT the minutes from the January 20, 2020 meeting be accepted as presented.
CARRIED

4. DISCLOSURE OF INTEREST

None

5. BUSINESS ARISING FROM THE MINUTES:

None

6. STAFF REPORT

- There was a wig wag installed at the Pinecrest crossing

- Along with new wayfinding signs along the way but some of the signs have errors on the points of where you are. Mark has removed the one at Cedar Bay Rd. and is suppose to make the correction and inspect the others as well.
- There will be continued asphalt repairs for the rest of 2021 with no timelines yet for the Dain City portion but I believe they will be doing the work as soon as it dries up.
- We may also be doing some tree clean up and an arm mower cut to widen the sides to allow for future growth.
- Dain City Trail will be closed until October 9th for City crews replace multiple sections of deteriorated asphalt. The trail will be closed 24 hours a day, including weekends, and signs will be posted at the entrances. Cyclists will be redirected to Elm Street if looking to commute from Port Colborne to Welland.

Comments

- The new wig wag for new riders is easier to maneuver through
- Another solution is to keep the overgrowth would have a better sight line

7. BUSINESS

None

8. NEW BUSINESS

a) Active Transportation Master Plan

- Have reference to the Zoning By-law and Parks and Recreation Master Plan
- Current document is not focused enough too broad based
- Focus on the systems we have now and connect them
- Identify 10 areas such as 4 urban, 2 hamlet (Bethel/Gasline), 2 Sherkston/Cottages and 2 agricultural
- Expand the current system parking and where the trails go

b) Communication – winter activities – Karen to work with communications to promote active transportation winter activities

c) Karen to review and share the strategic plan

d) Waterfront Centre – Plan for West Street and connection to the Welcome Centre and H.H. Knoll Park – invite staff to next meeting to discuss the project in more detail

9. INFORMATION/CORRESPONDENCE

Cassandra Magazzeni has resigned from the committee.

10. ADJOURNMENT:

Moved by: Mike Scott
Seconded by: Greg Dame

Time of adjournment 5:35 p.m.

Next Meeting:



Present: Connie Butler, Betty Konc, Audrey Garrett
Council: Councillor Angie Desmarais
Staff: Karen Walsh
Regrets: Sue Brown, Valerie King, Nancy Busch, Heidi Grzesina, Maggie Wahl – Horne
Guest: Lisa Coxon, Niagara Region - Northland Pointe

1. Call to order 10:07 a.m. Meeting notes
2. Motion to accept the agenda for January 16, 2020.
Deferred
3. Disclosure of Interest.
None
4. Motion to accept the minutes of December 12, 2019.
Deferred
5. Business Arising from the Minutes
6. Business

Lisa Coxon – Northland Pointe Adult Day Program
Activities, exercise program, lunch included - 15 clients a day, transport independent or with minimum assistance, would need a valid health card \$35.35 per day subsidy, Program is from 9:30 a.m. – 3:30 p.m. doors open from 8:30 a.m. – 4:30 p.m.

Website is <https://www.niagararegion.ca/living/seniors/programs/adult-day-service.aspx>

The program offer three free trial days before they register (minimum once a week registration)

Balance Program – VHWC and Friends over 55

Leisure Guide – Seniors Page – list of what services and programs exist (provincial programs, federal programs, regional programs and city-wide)

Angie to provide Karen with a list.

May – Niagara Age Friendly Event, (May 13th) Guest Speaker, portable equipment to test out balance.

a. Senior Advisory Council Initiatives

- i. Housing – working on housing strategy will include senior housing, accessible housing – affordable, - Fort Erie is also working on it.

Welland - Stop poverty initiate. Will be attending Social Determinates meeting.

- ii. Transportation (rural) – Region did a presentation to council to include the rural areas. Would need to discuss during budget

- iii. Health Care Services – letter sent to NHS, Medical Education Physician Recruitment Committee meeting, Doctors delivering social programs – out of the Cold

- iv. Social Participation – nothing

- v. Communication & Information – working on the list of services, include in Leisure Guide, Distribute – SAC Facebook, Karen to talk to Michelle and SAC to provide information for post. 211 doing a presentation at SAC March's meeting.

- vi. Volunteer Check in programs – snow buddies need volunteers or low cost contractors. Program does not work in Port Colborne (volunteer base).

Home Brokerage program – screen people to work for seniors for minimum wage (police check would required). Services for seniors

Luke send out an email to volunteers, once we have contact information.

- b. Age Strategy – Connie will work with Val (Angie distribute other areas Age Friendly Strategy) Karen to send Connie and Val Shape Niagara and all committee members
- c. June Senior Month – Farmer’s market and an event at Library speakers and joining forces with Friends over 55. Fall prevention, power of attorney & power of care, create your own death binder, will, Health Services. In one package, public health.

Market Square – on the curb, once a month besides June, July, August, September with a package of information. Would need to decide which Friday of the month.

Let’s Talk Series at Library

- d. Age Friendly Business – Karen – email to committee members to review timeline to present to BIA’s (April), follow up in June and in July provide decals.
- e. Parks & Recreation Master plan – Most recommendations will fit seniors. But need to make sure seniors are included.

7. Age Friendly Network Meeting – next meeting January 22nd for event in Pelham in May, Next meeting in May.

8. New Business

None

9. Information/Correspondence

Crime stoppers – Betty send a letter in response.

10. Adjournment at 11:44 a.m.

Next meeting March 19th, 2020

DRAFT



Senior Advisory Council
September 9th, 2021 10:00 a.m.
Virtual

PORT COLBORNE

Present: Valerie King and Lesley Rickard
Council: Councillor Angie Desmarais
Staff: Alex Pedersen and Karen Walsh
Regrets: Sue Brown, Connie Butler, Audrey Garrett, Heidi Grzesina,
Maggie Wahl – Horne

1. Call to order 10:02 a.m.

2. Motion to accept the agenda.

Moved by Val King

Seconded by Lesley Richards

3. Disclosure of Interest.

None

4. Business

a. International Federation on Ageing Global Conference

The City will participate with Age Friendly Niagara Network provide images and a narrative working with Communications department. The City will contribute up to \$200

b. Lockview Park

Discuss took place with the on the conceptual plans of Lockview Park. Discussed there needed to be more for seniors such as conversation benches, and exercise equipment for seniors.

c. Brock Age Friendly Niagara Network

Discussion took place about the study, Karen to share file with Lesley and if they are any other comments please let Karen know and she will contact Brock.

5. New Business

Warming Centers – For Weather Alerts, (where, who needs them, and transportation).

Emergency Communications – Alex Pederson

6. Information/Correspondence

Received Betty's Letter – Karen to confirm a letter was sent to her

7. Adjournment at 11:09 a.m.

Next meeting October 14th, 2021



Senior Advisory Council
October 14, 2021 10:00 a.m.
Virtual

PORT COLBORNE

Present: Lesley Rickard
Council: Councillor Angie Desmarais
Staff: Karen Walsh
Regrets: Sue Brown, Connie Butler, Audrey Garrett, Valerie King,
Maggie Wahl – Horne

1. Call to order 10:02 a.m.
2. Motion to accept the agenda.
deferred
3. Motion to approve the minutes of:
 - a. January 16, 2020 - deferred
 - b. September 9, 2021 - deferred
4. Disclosure of Interest.
None
5. Election of new Chair/Vice Chair
 - a. Angie will fill in for Chair until the time of an Election
 - i. Lesley will put her name forward.
 - b. Val King has volunteer to be Vice Chair
6. Business
 - a. Age Friendly Business
 - i. Re- submit to committee for review to finalize – Karen and Communications

- ii. Contact Jessie at BIA or Julie at Main Street BIA and local Chamber – to have them roll it out.
 - b. Emergency Communications – reach out to Michelle & Amber
 - c. Let's Talk series at the Library – discussion took place on previous topics and possible future topics
 - d. International Federation on Ageing Global Conference – held virtually and in Niagara Falls in November – Karen will follow up with dates and send out calendar invite with details
7. New Business
- a. Allocated 2021 Funds – for Age Friendly Business Program for printing and decors (if not spend in 2021)
8. Information/Correspondence
9. Adjournment at 10:47 a.m.

Next meeting set up next year's November 18th, 2021 set up as virtual meetings

December – social?

January 13, 2022

February 10, 2022

March 10, 2022

April 14, 2022

May 12, 2022

June 9, 2022

July 14, 2022

August 11, 2022

September 8, 2022

October 13, 2022

November 10, 2022

December ? - Social

DRAFT Port Colborne Environmental Advisory Committee Annual Report: 2021

Introduction: Here is the annual report of Port Colborne's Environmental Advisory Committee (EAC) for 2021.

Purpose: *"The Environmental Advisory Committee is an Ad-Hoc Committee of Council whose purpose is to:*

- *Advise Council on environmental, energy conservation and shoreline protection issues that affect the City of Port Colborne and those matters referred to the committee by Council.*
- *To promote the integration of environmental, energy conservation and shoreline protection considerations into the planning and development of City policies, programs and services."*¹

2021 Membership: Trent Doan, Norbert Geiger, Jack Hellinga, Tim Hoyle, George McKibbon (Chair), Clayton Nadeau (Vice Chair), Steven Rivers, Kerry Royer (non-voting member (NPCA), Ryan Waines, Councillor Mark Bagu, Councillor Harry Wells, Cassandra Banting (City of Port Colborne Environmental Compliance Officer), Janice Peyton (City of Port Colborne Recording Secretary). Towards the end of the year, Clayton Nadeau resigned and two new members were introduced: Tim Lamb and Katherine Klauck.

Meetings: In 2021, given the COVID-19 pandemic, three virtual meetings were held using Teams in accordance with City policy. The meetings were held on August 11, October 13, and December 8. Presentations were made at these meetings by: Rod Tennyson, a citizen report on Great Lakes Water Quality; Ryan Waines, Jungbunzlauer's environmental land use compatibility; George McKibbon, Chair EAC on MECP's land use compatibility policies and the Ontario Professional Planners Institute guidance on Flyrock; Mike Audet, Parks Supervisor on the Bee City initiative; and Gregory Ford of Niagara Coastal Community Collaborative on their organizational activities.

Actions: Both reports on land use compatibility and the fly rock advisory were provided to City of Port Colborne Senior Planner David Shultz and Region of Niagara Planning Staff responsible for the review of PCQ's expansion applications. Arising from decisions taken in 2020, on January 15, 2021 Janice Peyton's email to Amber LaPointe was addressed on Council's January 25th meeting. That recommendation addressed further follow-up, addressing the results of Vale's Community Based Risk Assessment. An action statement on electric vehicle readiness is to be discussed with David Shultz, Port Colborne City Planner.

At the request of Cassandra Banting, EAC members who were available attended a Regional Transit webinar on the future of public transit. Prior to December 13, 2021, comments from

¹ Terms of Reference, Environmental Advisory Committee, City of Port Colborne

EAC were requested for Council's consideration of Regional transit proposals. Based on EAC's participation earlier in the webinar, EAC's chair, George McKibbin, provided comments by email to Michelle Idzenga.

What is next: With new members Tim Lamb and Katherine Klauck, members provided thoughts on actions they wish to consider:

- Be more conscious of climate change, address more climate change topics and provide comments to staff and council;
- The committee needs more recognition, we are rarely asked to do things;
- Public education and community development where environmental issues like climate warming and electrification are concerned;
- More interesting topics taking place, for example the Port Colborne Quarries application and the concerns about the groundwater aquifer and Lake Erie water quality;
- Expand the committee; and
- How do we make a difference?

On October 28, 2021, Chris Kalimootoo, Cassandra Banting and George McKibbin met remotely using Teams to discuss the working relationship between the Environmental Advisory Committee and Public Works Department. The following understanding was established:

1. Cassandra Banting will act as our liaison with the Department of Public Works. This is a step further than required by the EAC terms of reference.
2. Public Works holds monthly meetings at which time they discuss projects underway. Cassandra Banting will be notified of projects that may be of interest to EAC and reporting to EAC may occur.
3. Public Works will be clear about which advice the Committee offers can be used and which advice cannot and where Public Works cannot use EAC advice they will give reasons to EAC.
4. Where other City Departments are involved, we will need to speak to those Departments. Where inter-departmental committees are involved, we will be advised to the extent Public Works is involved.
5. Public Works will send the draft excess fill bylaw to EAC for comment. This is a topic which is of interest to EAC.
6. To the extent that is possible Public Works will provide draft materials to EAC for comment so Public Works can advise Council that EAC comments have been obtained and where possible used.
7. Committee research work is the responsibility of EAC members and not the responsibility of Public Works liaison staff.

In 2022, EAC will continue its efforts to meet the purposes Council established for this Committee.

The Corporation of the City of Port Colborne

By-law no. _____

Being a by-law to adopt amendment no. 10 to the
Official Plan for the City of Port Colborne

Whereas it is deemed expedient to further amend the Official Plan, heretofore adopted by Council for the City of Port Colborne Planning Area;

Therefore the Council of The Corporation of the City of Port Colborne under Section 17(22) of the Planning Act, hereby enacts as follows:

1. That Official Plan Amendment No. 10 to the Official Plan for the City of Port Colborne Planning Area, consisting of the attached map and explanatory text is hereby adopted.
2. That this By-law shall come into force and take effect on the day of passing thereof.

Enacted and passed this 12th day of April, 2022.

Eric Beauregard
Deputy Mayor

Nicole Rubli
Acting City Clerk

AMENDMENT NO. 10
TO THE
OFFICIAL PLAN
FOR THE
PORT COLBORNE PLANNING AREA

PREPARED BY:
CITY OF PORT COLBORNE
DEPARTMENT OF PLANNING & DEVELOPMENT

January 5, 2022

**AMENDMENT NO. 10
TO THE
OFFICIAL PLAN
FOR THE
PORT COLBORNE PLANNING AREA**

AMENDMENT NO. 10
TO THE OFFICIAL PLAN
FOR THE
CITY OF PORT COLBORNE

This Amendment to the Official Plan for the City of Port Colborne, which has been adopted by the Council of the Corporation of the City of Port Colborne, is hereby approved in accordance with Sections 17 and 21 of the Planning Act R.S.O. 1990, c. P.13, as Amendment No. 10 to the Official Plan for the City of Port Colborne.

Date: _____

**AMENDMENT NO. 10 TO THE OFFICIAL PLAN
FOR THE
PORT COLBORNE PLANNING AREA**

INDEX

The Statement of Components

Part A – The Preamble

Purpose

Location

Basis

Part B – The Amendment

Introductory Statement

Details of the Amendment

Implementation & Interpretation

Part C – The Appendices

1. Minutes of the Public Meeting

2. Department of Development and Legislative Services Report

STATEMENT OF COMPONENTS

PART A

The Preamble does not constitute part of this Amendment.

PART B

The Amendment, consisting of the following map and text changes, constitutes Amendment No. 10 to the Official Plan for the Port Colborne Planning Area.

Also attached is **PART C** – The Appendices, which do not constitute part of this Amendment. These appendices contain the background data, planning considerations and public involvement associated with this Amendment.

PART A - THE PREAMBLE

Purpose

The purpose of this amendment is to facilitate the development of the subject lands, shown on the attached Schedule, as residential stacked townhouses at a maximum density of 103 units per hectare.

Location

The lands affected by this amendment are legally described as Lots 9, 10 and Part of Lot 11, Registered Plan No. 767 and Block 'A' and Part of Block 'B', Registered Plan No. 775 in the City of Port Colborne, Regional Municipality of Niagara, municipally known as 54 George Street. A detailed map of the subject lands is attached as Schedule "A" to this Official Plan Amendment No. 10.

Basis

Currently, the subject lands are designated "Urban Residential". An application has been made to initiate amendments to the City of Port Colborne's Official Plan and Zoning By-law as they relate to these lands in order to facilitate the development of 30 residential stacked townhouse units within two blocks and 38 surface parking spaces. The proposed density is 103 units per hectare.

The proposed development provides an opportunity for commercial areas to be strengthened through the introduction of residential uses, meet the municipality's intensification target of 15% and maximize the efficiency of existing infrastructure as outlined in 2.4.3 of the Official Plan. The design of the proposed development is in a manner that is compatible and will limit impact on the existing neighbourhood to the south and west.

It is intended to concurrently approve an Amendment to the City's Zoning By-law 6575/30/18, rezoning of the lands from the existing "I - Institutional" zone to "R4-66" being a site-specific special provision of the Fourth Density Residential (R4) zone.

PART B - THE AMENDMENT

Introductory Statement

All of this part of the document entitled **PART "B"** – "The Amendment" consisting of the following text and map designated Schedule "A" constitutes Amendment No. 10 to the Official Plan for the City of Port Colborne. The Official Plan of the City of Port Colborne is hereby amended as follows:

Lands shown on Schedule A are permitted to develop residential stacked townhouses at a maximum density of 103 units per hectare.

Details of the Amendment

Notwithstanding Section 3.2.1 c) of the Official Plan for the City of Port Colborne, a maximum density of 103 units per hectare of land shall be permitted on the subject lands shown on Schedule “A” to this amendment.

The following changes are made to Schedule A – City Wide Land Use of the Official Plan for the Port Colborne Planning Area:

1. That the area shown as “Urban Residential”, and entitled “Schedule A to Official Plan Amendment No. 10”, shall be subject to Special Policy Area provisions and shall be identified on Schedule A City Wide Land Use Map of the Official Plan for the Port Colborne Planning Area.

Implementation and Interpretation

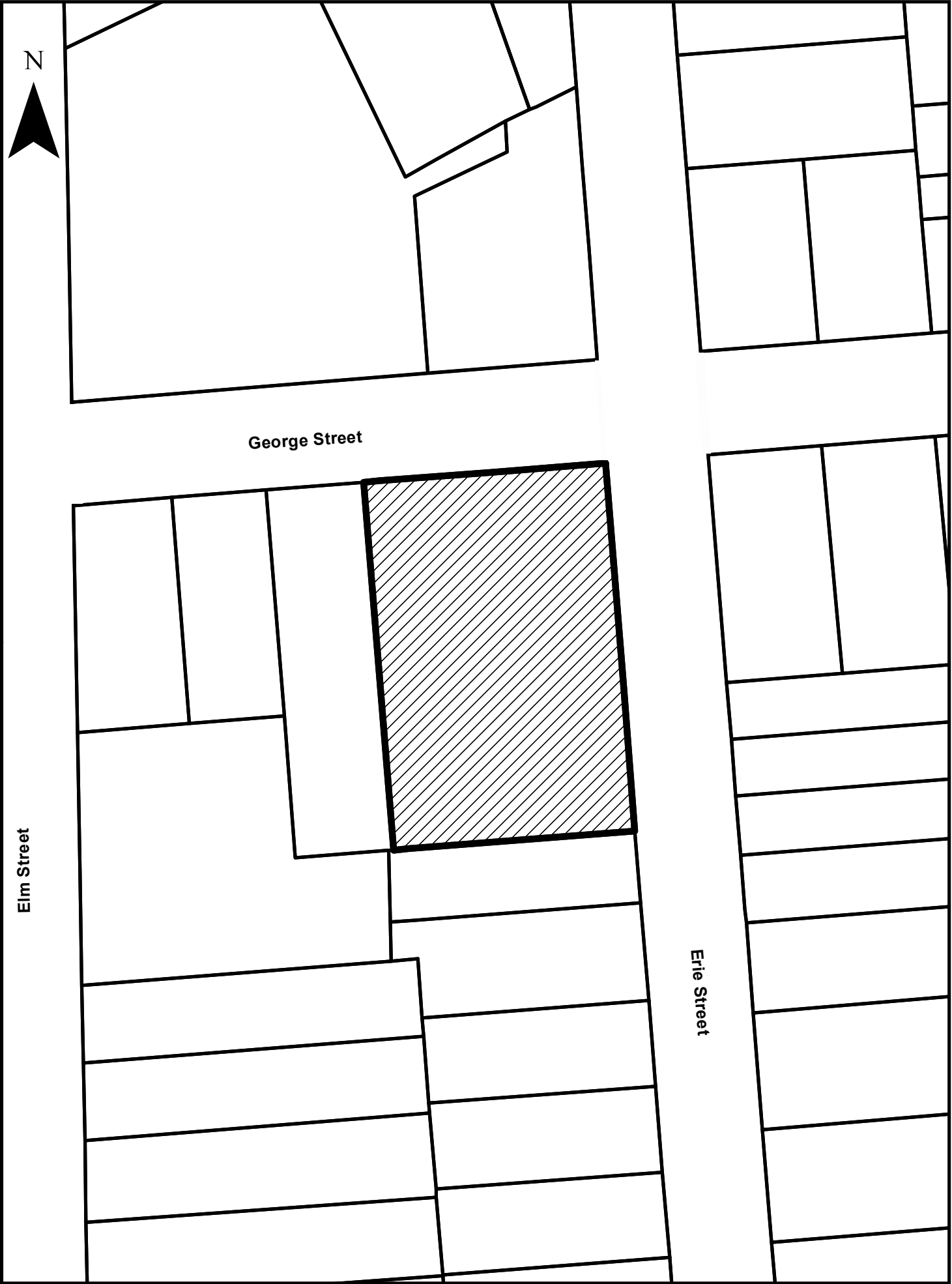
The implementation and interpretation of this amendment shall be in accordance with the respective policies of the Port Colborne Official Plan and an amendment to the City Zoning By-law to rezone the subject lands.

PART C – THE APPENDICES

The following appendices do not constitute part of Amendment No. 10 but are included as information to support the Amendment.

APPENDIX I – Minutes of the Public Meeting on January 18th, 2022

APPENDIX II – Department of Development and Legislative Services Report 2022-71

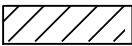


This is Schedule "A" to By-law No _____

Passed _____, 2022

Mayor

Clerk



- Lands subject to site-specific Official Plan Amendment No. 10

File No. D09-03-21 & D14-15-21

Drawn by: DS - City of Port Colborne Planning Division

Not to scale

January 2022

The Corporation of the City of Port Colborne

By-law no. _____

Being a by-law to amend Zoning By-law 6575/30/18 respecting lands legally described as Lots 9, 10, and Part of Lot 11 on Plan 767 and Block 'A' and Part of Block 'B' on Plan 775, on the southwest corner of George Street and Erie Street, formerly in the Township of Humberstone, now in the City of Port Colborne, Regional Municipality of Niagara, municipally known as 54 George Street and/or 192-200 Erie Street.

Whereas By-law 6575/30/18 is a by-law of The Corporation of the City of Port Colborne restricting the use of land and the location and use of buildings and structures; and

Whereas, the Council of The Corporation of the City of Port Colborne desires to amend the said by-law.

Now therefore, and pursuant to the provisions of Section 34 of the *Planning Act*, R.S.O. 1990, The Corporation of the City of Port Colborne enacts as follows:

1. This amendment shall apply to those lands described on Schedule "A" attached to and forming part of this by-law.
2. That the Zoning Map referenced as Schedule "A7" forming part of By-law 6575/30/18 is hereby amended by changing those lands described on Schedule A from Institutional (I) to R4-67, being a special provision of the Fourth Density Residential (R4) zone.
3. That Section 37 entitled "Special Provisions" of Zoning By-law 6575/30/18, is hereby further amended by adding the following:

R4-67

Notwithstanding the provisions of the Fourth Density Residential (R4) zone, "dwelling, townhouse, stacked" is deemed to be a permitted use and the following regulations shall apply:

- | | |
|--|---------------|
| a) Minimum Front Yard | 4 metres |
| b) Minimum Corner Side Yard | 3.5 metres |
| c) Maximum Height | 14.5 metres |
| d) Minimum parking spaces | 1.25 per unit |
| e) Minimum Landscape buffer area
between the edge of a parking area
and the lot line abutting a residential
zone. | 2.5 metres |
| f) Minimum Landscaped buffer area
between the edge of the parking area
and the lot line abutting a public road | 2.5 metres |

4. That Section 38 entitled "Definitions" of Zoning By-law 6575/30/18, is hereby further amended by adding the following:

Dwelling, Townhouse, Stacked: means a building containing five or more dwelling units, each of which has an independent entrance and does not include another dwelling type defined herein.

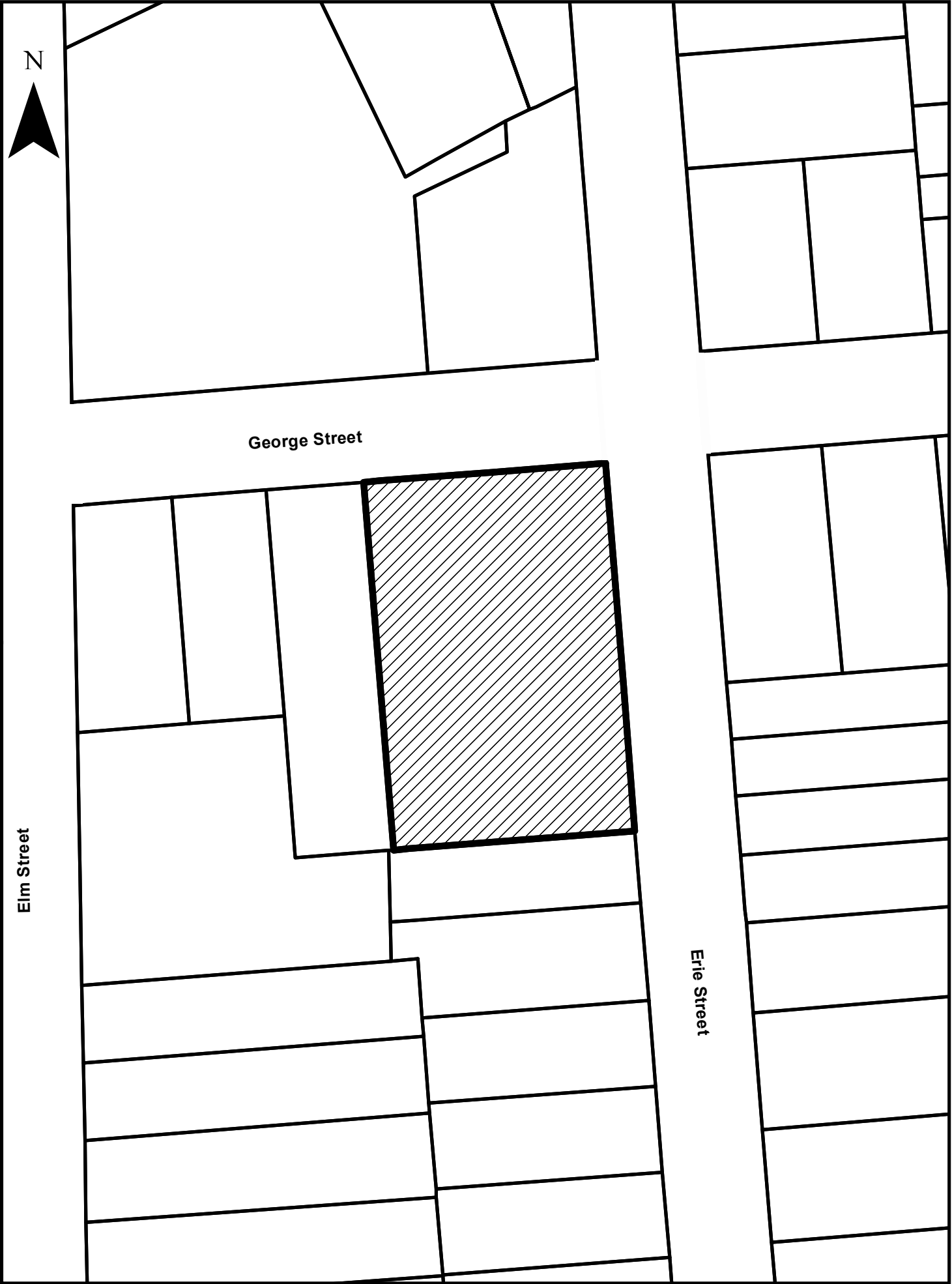
5. That this by-law shall come into force and take effect on the day that it is passed by Council, subject to the provisions of the *Planning Act*.

6. The City Clerk is hereby authorized and directed to proceed with the giving notice of the passing of this by-law, in accordance with the *Planning Act*.

Enacted and passed this 12th day of April, 2022.

Eric Beauregard
Deputy Mayor

Nicole Rubli
Acting City Clerk

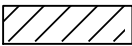


This is Schedule "A" to By-law No _____

Passed _____, 2022

Mayor

Clerk



- Lands subject to site-specific Zoning By-law Amendment, rezoning the lands from Institutional (I) to R4-67

File No. D09-03-21 & D14-15-21

Drawn by: DS - City of Port Colborne Planning Division

Not to scale

January 2022

The Corporation of the City of Port Colborne

By-Law No. _____

Being a by-law to regulate Election Signs
in the City of Port Colborne

Whereas Section 9 of the *Municipal Act*, 2001 S.O. 2001, c.25 provides a municipality with the capacity, rights, powers, and privileges of a natural person for the purpose of exercising its authority under this or any other Act; and

Whereas Municipal Act, S.O., 2001, c.25, Section 11(3) provides for the specific spheres of jurisdiction under which the lower and upper tier municipalities may pass bylaws respecting specific matters including matters with respect to signs and

Whereas subsection 63 (1) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides that a By-law may prohibit or regulate the placing or standing of an object on or near a highway, and may provide for the removal and impounding or restraining and immobilizing any object placed or standing on or near a highway; and

Whereas Section 425 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, establishes that any person who contravenes any by-law of the City of Port Colborne is guilty of an offence; and

Whereas Section 445 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides that a municipality may make an order requiring a person who has contravened a by-law or who caused or permitted the contravention, or the owner or occupier of land on which the contravention occurred to do work to correct the contravention; and

Whereas Section 446 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides that where a municipality has the authority to direct or require a person to do a matter or thing, the municipality may also provide that, in default of it being done by the person directed or required to do it, the matter or thing shall be done at the person's expense, and that the municipality may recover the costs of doing a matter or thing by action or by adding the costs to the tax roll and collecting them in the same matter as property taxes; and

Whereas at its meeting of April 8, 2022, the Council of The Corporation of the City of Port Colborne (Council) approved the recommendations of the Development and Legislative Services Department, Report No.2022-74, Subject: Election Sign By-law; and

Whereas Council of The Corporation of the City of Port Colborne is desirous of a by-law to regulate the erection of signs for federal, provincial and municipal elections; and

Now therefore the Council of The Corporation of the City of Port Colborne enacts as follows:

Part 1 – Title and Definitions

1. Short Title

1.1 This by-law shall be referred to as the Election Sign By-law.

2. Definitions

2.1 The following terms are defined for the purposes of this By-law:

- a) "By-Election" means any Election other than a regular Election in the case of a municipal Election or a general Election in the case of a provincial or federal Election.
- b) "Campaign Office" means a building or structure, or part of a building or structure used by a Candidate to conduct an election campaign.
- c) "Candidate" means:
 - i. A Candidate within the meaning of the Canada Election Act, the Election Act (Ontario) or the Municipal Elections Act, 1996 as amended; and
 - ii. Shall be deemed to include a person seeking to influence other persons to vote for or against any question or by-law to the electors under section 8 of the Municipal Elections Act, 1996 as amended.
- d) "City" means the Corporation of the City of Port Colborne, Ontario and its geographical boundaries.
- e) "Clerk" means the City Clerk or a person delegated by them for the purpose of administering this By-law.
- f) "Council" means the Council of the Corporation of the City of Port Colborne.
- g) "Election Sign" means any sign, including posters, promoting, opposing or taking a position with respect to:
 - i. Any Candidate or political party in an election under the Canada Elections Act, the Election Act (Ontario) or the Municipal Elections Act, 1996;
 - ii. An issue associated with a person or political party in an election under the Canada Elections Act, the Election Act (Ontario) or the Municipal Elections Act, 1996; or
 - iii. A question, law or by-law submitted to the electors under the Canada Elections Act, the Election Act (Ontario) or the Municipal Elections Act, 1996.

For the purposes of clarification, an Election Sign includes a Third Party Advertisement.

- h) "Electoral District" means a geographic area represented by a Member of Municipal Council, Member of School Board, Member of Provincial Parliament in the Legislative Assembly of Ontario, and Member of Federal Parliament in the House of Commons.
- i) "Enforcement Officer" – means a Municipal Law Enforcement Officer of The City of Port Colborne, Chief Building Official or other person appointed or employed by The City of Port Colborne for the enforcement of by-laws. and shall include members of the Niagara Regional Polices Service or the Ontario Provincial Police Service.
- j) "Highway or Street" means a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct, or trestle, designed and intended for, or used by, the public for the passage of vehicles but for the purposes of this by-law does not include

highways under the jurisdiction of the Region or the Ministry of Transportation of Ontario.

- k) "Illumination" shall mean lighting of the Election Sign, in whole or in part, by artificial means, and when used in reference to:
 - i. internal illumination, means lighting the sign face with a light source located within the sign;
 - ii. external illumination, means having a light source exterior to the sign and on, or directed at, the sign; and
 - iii. flashing illumination shall mean illumination that varies and is perceived to vary in intensity or design at periodic intervals.
- l) "Median Strip" means the portion of a Street so constructed as to separate traffic travelling in one direction from traffic travelling in the opposite direction by a physical barrier or a raised or depressed paved or unpaved separation area that is not intended to allow crossing vehicular movement and includes a central island in a roundabout.
- m) "Nomination Day" means the deadline to file a nomination with the Clerk under the Municipal Election Act, 1996 as amended.
- n) "Owner" means the registered Owner of the property, tenant, or lessee on which an Election Sign is Placed; any person described on or whose name, image, address, or telephone number appears on the Election Sign; any Person who has Placed or permitted to be Placed the Election Sign; and for the purposes of this by-law there may be more than one Owner of an Election Sign.
- o) "Park" shall mean any land which the City owns or has the use of that is designated by Council as such and intended to be used and enjoyed by the public for pleasure and recreation and shall include any body of water enjoyed or used in connection therewith.
- p) "Person" means any individual, Candidate, Owner, Registered Third Party, occupant, association, firm, partnership, corporation, agent or trustee and the heirs, executors, or other legal representatives of a person to whom the context can apply according to law.
- q) "Place" means attach, install, erect, build, construct, reconstruct, move, display, or affix.
- r) "Private Property" means real property under private ownership.
- s) "Public Property" means real property owned by or under the control of the City; including a Park, or any of its agencies, local boards, commissions, or corporations but, for the purposes of this by-law but does not include a Highway.
- t) "Public Utility Facility" means a pole, transformer box, service container, equipment, or other such structure, owned or controlled by an entity which provides a municipal or public utility service.
- u) "Region" means The Regional Municipality of Niagara.
- v) "Registered Third Party" shall mean, an individual, corporation or trade union that is registered under section 88.6 of the Municipal Elections Act, 1996.
- w) "Sidewalk or Trail" means any municipal walkway, or that portion of a Highway between the roadway and adjacent property line,

primarily intended for the use of pedestrians.

- x) "Sight Triangle" means an area on a corner lot within the triangular space formed by the street lines and a line drawn from a point in one street line to a point in the other street line.
- y) "Third Party Advertisement" shall mean an advertisement in any broadcast, print, electronic or other medium that has the purpose of promoting, supporting, or opposing a candidate or a 'yes' or 'no' answer to a question referred to in subsection 8 (1), (2) or (3) of the Municipal Elections Act, 1996 and has been erected or displayed without the authorization, direction or involvement of a Candidate.
- z) "Trailer" means a Vehicle or device that is intended to at any time be drawn, temporarily drawn, propelled, or moved upon a Highway by a motor vehicle and for the purposes of this by-law shall include but not be limited to a wagon, implement of husbandry, trailer designed for recreational purposes or commercially registered vehicle or trailer.
- aa) "Vehicle" includes any means of transportation propelled or driven by any kind of power including muscular power.
- bb) "Voting Place" means the location(s) where electors cast their ballots as approved by the federal, provincial, or municipal Election officials and includes the entire property and all the boundaries associated with it, including any abutting Streets, when such Voting Place is located within a public or private premises and shall also include the common elements when the Voting Place is located within a private premises.
- cc) "Writ of Election" means the date as defined in the Canada Elections Act and the Elections Act (Ontario).

Part 2 – Application of the By-law

3. Interpretation

- 3.1 In this by-law, a word interpreted in the singular number has a corresponding meaning when used in the plural.
- 3.2 Nothing in this by-law shall be interpreted as reducing or eliminating compliance with the provisions of all applicable federal or provincial statutes.

4. Severability

- 4.1 Should any paragraph, clause or provision of the By-law be declared invalid by a court of competent jurisdiction, the same shall not affect the validity of the By-law as a whole or any part of thereof, other than the part which was declared to be invalid.
- 4.2 When any requirement of this by-law is at variance with any other by-law in effect in the City or with any applicable provincial or federal statute or regulation, the more restrictive requirement shall apply unless otherwise stated in such legislation.

Part 3 – General Provisions

5. General Prohibitions

- 5.1 No Person shall Place or permit to be Placed an Election Sign except in accordance with this by-law.
- 5.2 No Person shall Place or permit an Election Sign that:
 - 5.2.1 Is Illuminated.
 - 5.2.2 Interferes with the safe operation of vehicular traffic or the safety of pedestrians.
 - 5.2.3 Impedes or obstructs the City's maintenance operations.
- 5.3 No Person shall Place or permit an Election Sign:
 - 5.3.1 On a Public Utility Facility.
 - 5.3.2 On any City official sign or sign structure.
 - 5.3.3 On or in a Voting Place.
 - 5.3.4 On any abutting Streets of a Voting Place
 - 5.3.5 On or within a Vehicle or Trailer parked with 50 metres of a Voting Place.
 - 5.3.6 On or within a Vehicle or Trailer parked on Public Property.
- 5.4 No Person shall deface or willfully cause damage to a lawfully erected Election Sign.
- 5.5 No Registered Third Party shall Place a Third-Party Advertisement that does not contain valid and up-to-date contact information, including the name of the Registered Third Party, the municipality where the Registered Third Party is registered, and a telephone number, mailing address or e-mail address at which the Registered Third Party may be contacted, in order to identify at least one individual responsible for the Placing of the Third-Party Advertisements including any Election Sign(s).
- 5.6 No Person shall Place an Election Sign in such a position that such Election Sign would contravene any other applicable legislation.
- 5.7 No Person shall Place or permit to be Placed an Election Sign outside of the Electoral District where the Candidate is running for office.
- 5.8 No Person shall display on any Election Sign, a logo, trademark, official mark, or crest, in whole or in part, owned by the City.
- 5.9 Notwithstanding the requirements of any other by-law, no sign permit is required for an Election Sign.

6. Time Restrictions

- 6.1 No person shall Place or permit to be Placed an Election Sign for a municipal election earlier than forty-five (45) days before Voting Day.
- 6.2 No Person shall Place or permit to be Placed an Election Sign for a

federal or provincial election or By-election earlier than the day the Writ of Election or By-election is issued.

- 6.3 Despite Section 6.1 and 6.2 of this By-law, Election Signs may be erected at a Campaign Office once the Candidate has filed his or her nomination papers and paid the required filing fee. For the purpose of this section, a candidate may designate only one building or part thereof in the municipality as the Campaign Office at any one time and must advise the Clerk, in writing, of the address of the Campaign Office prior to erecting the signs authorized by this section.
- 6.4 No Person shall fail to remove an Election Sign within five (5) days immediately following 11:59 p.m. of the day of the election.

7. Election Signs on Public Property

- 7.1 No Person shall Place or permit to be Placed an Election Sign on Public Property.
- 7.2 No Person shall Place or permit to be Placed an Election Sign:
- 7.2.1 On a Highway
 - 7.2.2 Within a Sight Triangle
 - 7.2.3 Within 1 metre of a Highway
 - 7.2.4 Between a Highway and Sidewalk
 - 7.2.5 That impedes or obstructs the passage of pedestrians on a Sidewalk
 - 7.2.6 Along a Trail system
 - 7.2.7 In a Median Strip
 - 7.2.8 Within 3 metres of a Crosswalk
 - 7.2.9 On a tree, fence or gate located on Public Property
 - 7.2.10 That has a sign area larger than 3 square metres.
- 7.3 This by-law shall not apply to any highways or road allowances under the jurisdiction of the Ministry of Transportation of Ontario or the Regional Municipality of Niagara. Election candidates shall be responsible for compliance with the signage by-laws and regulations of The Regional Municipality of Niagara and Province of Ontario (including the Ministry of Transportation) as the case may be.

8. Election Signs on Private Property

- 8.1 Election Signs may be Placed on private property if:
- 8.1.1 The Election Signs are no larger than 3 square metres.
 - 8.1.2 The Election Signs do not interfere with the safe operation of vehicular traffic or with the safety of pedestrians.
- 8.2 No Person shall Place or permit to be Placed an Election Sign on Private Property without consent of the Owner of the property.
- 8.3 No Person shall Place or permit to be Placed an Election Sign on private property within 1.0 m of the Highway or within a Sight Triangle.

- 8.4 No Person shall Place or permit to be Placed more than two (2) Election Signs per Candidate or Registered Third Party on any Private Property.
- 8.5 No Person shall pull down or remove a lawfully erected Election Sign on private party without the consent of the Candidate to the sign, Registered Third Party or Owner of the property on which the sign is erected.

9. Removal/Storage/Disposal of Unlawful Election Signs

- 9.1 The Municipal Law Enforcement Officer may remove any Election Sign in contravention of this by-law without notice.
- 9.2 Where an Election Sign has been removed, notice shall be forwarded to the Candidate or Registered Third Party by personal service, email, or regular post, in which case the notice shall be deemed to have been received on the fifth day following the date the notice was sent.
- 9.3 Signs removed pursuant to this Section shall be stored by the City for a period of not less than 30 days, during which time the Candidate or Registered Third Party may be entitled to redeem, upon payment for the removal and storage fees as prescribed in the City's Fees and Charges By-law as amended, satisfactory to the City.
- 9.4 Where an Election Sign has been removed by the City and notice provided in accordance with Section 9.2 and stored for a period of at least 30 days and the Election Sign has not been redeemed, the sign may be forthwith destroyed or otherwise disposed of by the City and the Candidate will be invoiced for the removal and related storage fees.

Part 4 – Enforcement

10. Enforcement

- 10.1 A Municipal Law Enforcement Officer shall be permitted to enter onto land at any time for the purpose of enforcing this by-law and any orders or conditions imposed under the authority of this by-law.
- 10.2 No Person shall hinder or obstruct or attempt to hinder or obstruct the entry or the inspection of any property by a Municipal Law Enforcement Officer or otherwise hinder or obstruct a Municipal Law Enforcement Officer exercising a power or performing a duty under this By-law or Act.

11. Offences and Penalties

- 11.1 Every Person who contravenes any section of this by-law is, upon conviction, guilty of an offence and shall be liable to a fine as provided for by the Provincial Offences Act, R.S.O. 1990, c.P. 33, as amended, and be subjected to any other penalties permitted by law for each offence.
- 11.2 Any person who contravenes any of the provisions of this By-law and each Owner, when given a Penalty Notice in accordance with the City's Administrative (Non-Parking) Penalty By-law, is liable to pay the City an administrative penalty in the amount specified in the City's Administrative (Non-Parking) Penalty By-law, as amended from time to time."

Part 5 – Repeal

- 12. By-law Number 4879/104/06 and all amendments thereto are hereby repealed.

Enacted and passed this 8th day of April, 2022.

Eric Beauregard
Deputy Mayor

Nicole Rubli
Acting City Clerk

The Corporation of the City of Port Colborne

By-law No. _____

Being a By-law to Stop Up and Close Part of the Road Allowance between Lots 15 and 16 on Plan 10, and Lots 23 and 24 on Plan 33 between Steele Street and Knoll Street.

Whereas at its meeting of April 12, 2022, the Council of The Corporation of the City of Port Colborne (Council) approved the recommendations of the Office of the Chief Administrative Officer Report No. 2022-34, Subject: Proposed Stop Up and Close By-law for the Borden Avenue Road Allowance; and

Whereas Section 27(1) of the *Municipal Act*, 2001, provides that, except as otherwise provided in the Act, a municipality may pass by-laws in respect of a highway only if it has jurisdiction over the highway; and

Whereas it is deemed expedient in the interest of The Corporation of the City of Port Colborne that the road allowance set out and described in this by-law be stopped up and closed; and

Whereas in accordance with Section 34(1) of the *Municipal Act*, 2001 and By-law 4339/12/03 of the Corporation of the City of Port Colborne, Being a By-law to Prescribe the Form and Manner and Times for the Provision of Notice in Accordance with the Municipal Act, 2001, public notice of Council's intention to permanently close the highway set out and described in this by-law was provided; and

Whereas no person claiming their lands will be prejudicially affected by the by-law applied to was heard by the Council of the Corporation of the City of Port Colborne at the meeting held by the Council for that purpose on Tuesday, March 15, 2022.

Now therefore the Council of The Corporation of the City of Port Colborne enacts as follows:

1. That upon and after the passing of this by-law that portion of the road allowance described as Part of the road allowance between Lots 15 and 16 on Plan 10, and Lots 23 and 24 on Plan 33 between Steele Street and Knoll Street, part of the original Borden Avenue road allowance, being all of PIN 61410-0163 is hereby stopped up and closed.
2. That the Mayor, the Acting City Clerk be and are hereby authorized to execute any documents that may be required for the purpose of carrying out the intent of this by-law and the Clerk is dully authorized to affix the Corporate Seal thereto.
3. That the City Solicitor be and is hereby directed to prepare and register all such documents in the proper Land Registry Office to effect the closing of the Borden Street road allowance hereinbefore described.
4. This by-law shall take effect on the day that a certified copy of the by-law is registered in the proper land registry office.

Enacted and passed this 12th day of April, 2022.

Eric Beauregard
Deputy Mayor

Nicole Rubli
Acting City Clerk

The Corporation of the City of Port Colborne

By-law No. _____

Being a By-law to Authorize Entering into a Contract Agreement with
Service Line Warranties of Canada, Inc. to offer the Water and Sewer Warranty
Program to City of Port Colborne Residents

Whereas at its meeting of April 12, 2022, the Council of The Corporation of the City of
Port Colborne (Council) approved the recommendations of the Public Works
Department Report No. 2022-64, AMO-LAS Water & Sewer Warranty Program; and

Whereas Council is desirous of entering into a contract agreement with Service Line
Warranties of Canada, Inc. to offer the Water and Sewer Warranty Program to City of
Port Colborne residents;

Now therefore the Council of The Corporation of the City of Port Colborne enacts as
follows:

1. That The Corporation of the City of Port Colborne enter into a contract agreement
with Service Line Warranties of Canada, Inc. to offer the Water and Sewer Warranty
Program to City of Port Colborne residents, for a period of three (3) years, with the
option to renew after the first contract expires.
2. That the Mayor and the Clerk be and each of them is hereby authorized and
directed to sign said agreement, attached hereto as Schedule A, together with any
documents necessary to complete the conditions of said agreement, and the Clerk
is hereby authorized to affix the Corporate Seal thereto.

Enacted and passed this 12th day of April, 2022.

Eric Beauregard
Deputy Mayor

Nicole Rubli
Acting City Clerk

MARKETING AGREEMENT BETWEEN CITY OF PORT COLBORNE, ONTARIO &
SERVICE LINE WARRANTIES OF CANADA, INC.

This MARKETING AGREEMENT (“**Agreement**”) is entered into by and between the City of Port Colborne, Ontario, a municipal corporation in the Province of Ontario (“**Municipality**”), and Service Line Warranties of Canada, Inc. (“**SLWC**”), a corporation organized under the laws of British Columbia, herein each referred to individually as “**Party**” and collectively as the “**Parties**”. This Agreement shall be effective on the last signature date set forth below (“**Effective Date**”).

RECITALS

WHEREAS, SLWC has entered into a Master Contract with Local Authority Services, a not-for-profit corporation under the laws of Canada and an affiliate of the Association of Municipalities of Ontario, to provide services to participating Ontario municipalities; and

WHEREAS, residential real estate in the Municipality includes sewer and water line laterals and such line laterals are the responsibility of individual property owners in the Municipality (each a “**Residential Property Owner**”); and

WHEREAS, Municipality desires to offer Residential Property Owners the opportunity, but not the obligation, to purchase service lateral plan and other repair plans or services (“**Plans**”); and

WHEREAS, SLWC has agreed to provide the Plans to Residential Property Owners subject to the terms and conditions contained herein;

NOW, THEREFORE, in consideration of the foregoing recitals, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and with the intent to be legally bound hereby, the Parties agree as follows:

AGREEMENT

1. Municipality hereby grants to SLWC the right to offer the Plans to Residential Property Owners within the Municipality’s boundaries subject to the terms and conditions herein. Municipality agrees to provide SLWC with the applicable postal codes encompassing its municipal boundaries. SLWC agrees to purchase a mailing list from a qualified third-party provider covering those postal codes.

2. Municipality hereby grants to SLWC a non-exclusive license (“**License**”) to use Municipality’s name and logo on letterhead, advertising and marketing materials to be sent to Residential Property Owners from time to time, all at SLWC’s sole cost and expense and subject

to Municipality's prior review and approval, which will not be unreasonably conditioned, delayed, or withheld.

3. a) The term of this Agreement ("**Term**") shall be three (3) years from the Effective Date. The Agreement will automatically renew for additional one (1) year terms ("**Renewal Term**") unless one of the Parties gives the other written notice at least ninety (90) days prior to the end of the Term or a Renewal Term that the Party does not intend to renew this Agreement.

b) The Municipality may terminate this Agreement thirty (30) days after giving written notice to SLWC that SLWC is in material breach of this Agreement if said breach is not cured during said thirty (30) period. During the Term, SLWC shall conduct marketing campaigns at the times and prices indicated on **Exhibit "A"** attached hereto.

4. As consideration for such License, SLWC will pay to Municipality five percent (5%) of revenue for Plans collected from Residential Property Owners ("**License Fee**") during each calendar year during the Term or any Renewal Term. The License Fee is paid once per calendar year in a lump sum. The first payment shall be due by January 30th of the year following the first year of the Term. For example, if the Term were to begin on September first, the first payment of the License Fee would be paid by January 30th of the following year. Successive License Fee payments shall be made on an annual basis throughout the Term and any Renewal Term, due and payable on January 30th of the succeeding year. SLWC shall include with the License Fee payment to Municipality a statement signed by an SLWC corporate officer certifying the amount of revenue from Plans with respect to the applicable Term or Renewal Term. Municipality will have the right, at its sole expense, to conduct an annual audit, upon reasonable notice and during normal business hours, of SLWC's books and records pertaining to revenue generated by this Agreement while this Agreement is in effect and for one (1) year after any termination of this Agreement.

5. SLWC hereby agrees to protect, indemnify, and hold the Municipality, its elected officials, officers, employees and agents (collectively or individually, "**Indemnitee**"), harmless from and against any and all [third party] claims, damages, losses, expenses, suits, actions, decrees, judgments, awards, attorneys' fees and court costs (individually or collectively, "**Claim**"), which an Indemnitee may suffer or which may be sought against or are recovered or obtainable from an Indemnitee, as a result of, or by reason of, or arising out of or in consequence of any act or omission, negligent or otherwise, of the SLWC or its officers, employees, contractors, subcontractors, agents or anyone who is directly or indirectly employed by, or is acting in concert with, SLWC or its officers, its employees, contractors, subcontractors, or agents in the performance of this Agreement; provided that the applicable Indemnitee notifies SLWC of any such Claim within a time that does not prejudice the ability of SLWC to defend against such Claim. Any Indemnitee hereunder may participate in its, his, or her own defense, but will be responsible for all costs incurred in connection with such participation in such defense.

6. Any notice required to be given hereunder shall be deemed to have been given when notice is (i) received by the Party to whom it is directed by certified or registered mail (return receipt requested) or delivery service (with written confirmation of delivery), (ii) telephonically faxed to the telephone number below provided that confirmation of transmission is received

thereof, or (iii) by e-mail to the applicable address noted below, with confirmation of delivery and receipt. Any notice, if sent by facsimile or other means of electronic communication, shall be deemed to have been received on the business day following the delivery of such notice, or if delivered by hand or courier shall be deemed to have been received at the time it is delivered to the applicable address noted below. The notice shall be sent as follows:

To: Municipality:
ATTN: Darlene Suddard, Manager of Water/Wastewater
City of Port Colborne
66 Charlotte Street
Port Colborne, ON L3K 3C8
Phone: (905) 835-2900 x 256
Email: Darlene.Suddard@portcolborne.ca

ATTN: Chris Kalimootoo, Director of Public Works
City of Port Colborne
66 Charlotte Street
Port Colborne, ON L3K 3C8
Phone: (905) 835-2900 x223
Email: Chris.Kalimootoo@portcolborne.ca

To: SLWC:
ATTN: Senior Manager, Partner Acquisition, Business Development
Service Line Warranties of Canada, Inc.
150 King Street West, Suite 200
Toronto, ON M5H 1J9
Phone: (416) 400-2022
E-mail: elise.dostal@homeserveusa.com

A Party may from time to time change the representative designated for it under this section by giving the other Party prior written notice of the newly designated representative and the date upon which such designation will become effective.

7. No Third Party Beneficiary. Nothing expressed or implied in this Agreement is intended, or should be construed, to confer upon or give any person or entity not a party to this Agreement any third party beneficiary rights, interests, or remedies under or by reason of any term, provision, condition, undertaking, warranty, representation, or agreement contained in this Agreement.

8. Modifications or Amendments/Entire Agreement. All of the representations and obligations of the Parties are contained herein, and no modification, waiver or amendment of this Agreement or of any of its conditions or provisions shall be binding upon a party unless in writing signed by that Party or a duly authorized agent of that Party empowered by a written authority signed by that party. The waiver by any Party of a breach of any provision of this Agreement shall not operate or be construed as a waiver of any subsequent breach of that

provision by the same party, or of any other provision or condition of the Agreement. If any provision of this Agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable for whatever reason, the remaining provisions not so declared shall, nevertheless, continue in full force and effect, without being impaired in any manner whatsoever.

9. Authority. Each Party, or responsible representative thereof, has read this Agreement and understands the contents thereof. The person(s) executing this Agreement on behalf of each Party is empowered to do so and thereby bind the respective Party.

10. This Agreement and the License granted herein may not be assigned by SLWC without the previous written consent of the Municipality, such consent not to be unreasonably withheld.

11. This Agreement may be executed in counterparts, all such counterparts will constitute the same contract and the signature of any Party to any counterpart will be deemed a signature to, and may be appended to, any other counterpart. Executed copies hereof may be delivered by facsimile or e-mail and upon receipt will be deemed originals and binding upon the Parties hereto, regardless of whether originals are delivered thereafter.

12. Any litigation related to this Agreement shall be brought and prosecuted exclusively in courts of the Province of Ontario. The governing law shall be the laws of Ontario and the laws of Canada applicable therein.

13. The above Recitals are incorporated by this reference and expressly made part of this Agreement.

IN WITNESS WHEREOF, The Parties hereto have executed this Agreement on the day and year first written below.

City of Port Colborne

By: _____

Name: William C. Steele

Title: Mayor

Date:

By: _____

Name: Nicole Rubli

Title: Acting City Clerk

Date:

Service Line Warranties of Canada, Inc.

By: _____

Name: Michael Backus

Title: Chief Sales Officer

Date:

Exhibit A
Service Line Warranty Program
City of Port Colborne, ON
Term Sheet
March 24, 2022

- I. Initial Term. Three Years.
- II. License Fee – 5% of revenue for Plans collected from Residential Property Owners, paid annually, for:
 - a. Municipality logo on letterhead, advertising and marketing materials
 - b. Signature by Municipality official
- III. Products
 - a. External water service line plan (initially \$6.00 per month)
 - b. External sewer/septic line plan (initially \$8.00 per month)
 - c. In-home plumbing plan (initially \$9.00 per month)

Pricing does not include taxes. Company may adjust the foregoing Product fees once every twelve (12) months during the Term or any Renewal Term based on increases in the consumer price index (“CPI”) for Services in Ontario as defined by Statistics Canada. Any such adjustment shall not exceed the CPI percentage change over the prior year plus 2 percentage points unless the Parties agree in writing.
- IV. Scope of Coverage
 - a. External water service line plan:
 - i. Covers Residential Property Owner responsibility: From the property line to the external wall of the home.
 - ii. Covers thawing of frozen external water lines.
 - iii. Covers well service lines if applicable.
 - b. External sewer/septic line plan:
 - i. Covers Residential Property Owner responsibility: From the exit point of the home to the property line.
 - ii. Covers septic lines if applicable.
 - c. In-home plumbing plan:
 - i. Water supply pipes and drainage pipes within the interior of the home.
- V. Marketing Campaigns. SLWC shall have the right to conduct up to three campaigns per year (each campaign consists of two mailings) and such other channels as may be mutually agreed.

The Corporation of the City of Port Colborne

By-Law No. _____

Being a by-law to adopt, ratify and confirm
the proceedings of the Council of The
Corporation of the City of Port Colborne at
its Regular Meeting of April 12, 2022

Whereas Section 5(1) of the *Municipal Act, 2001*, provides that the powers of a municipality shall be exercised by its council; and

Whereas Section 5(3) of the *Municipal Act, 2001*, provides that a municipal power, including a municipality's capacity rights, powers and privileges under section 9, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise; and

Whereas it is deemed expedient that the proceedings of the Council of The Corporation of the City of Port Colborne be confirmed and adopted by by-law;

Now therefore the Council of The Corporation of the City of Port Colborne enacts as follows:

1. Every action of the Council of The Corporation of the City of Port Colborne taken at its Regular Meeting of April 12, 2022 upon which a vote was taken and passed whether a resolution, recommendations, adoption by reference, or other means, is hereby enacted as a by-law of the City to take effect upon the passing hereof; and further
2. That the Mayor and Clerk are authorized to execute any documents required on behalf of the City and affix the corporate seal of the City and the Mayor and Clerk, and such other persons as the action directs, are authorized and directed to take the necessary steps to implement the action.

Enacted and passed this 12th day of April, 2022.

Eric Beauregard
Deputy Mayor

Nicole Rubli
Acting City Clerk