City of Port Colborne
Council Meeting Agenda

Date:	Tuesday, March 10, 2026
Time:	6:30 pm
Location:	Council Chambers, 3rd Floor, City Hall 66 Charlotte Street, Port Colborne

Pages

1. Call to Order

2. Adoption of Agenda

3. Disclosures of Interest

4. Closed Session (Beginning at 5 p.m.)

    4.1 Approval of Closed Session Minutes

        a. Regular Council Meeting (Closed Session) - February 10, 2026

        b. Regular Council Meeting (Closed Session) - February 24, 2026

    4.2 Legal Opinion Regarding Council Composition

    Legal Opinion Regarding Council Composition pursuant to the *Municipal Act, 2001*, subsection 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

5. Back to Open Session (Beginning at 6:30 p.m.)

6. National Anthem

7. Land Acknowledgement

The Niagara Region is situated on treaty land. This land is steeped in the rich history of the First Nations such as the Hatiwendaronk, the Haudenosaunee, and the Anishinaabe, including the Mississaugas of the Credit First Nation. There are many First Nations, Métis, and Inuit people from across Turtle Island that live and work in Niagara today. The City of Port Colborne stands with all Indigenous people, past and present, in promoting the wise stewardship of the lands on which we live.

8. Proclamations

9. Presentations

10. Delegations

In order to speak at a Council meeting, individuals must register no later than 12 noon on the date of the scheduled meeting. To register, complete the online application at www.portcolborne.ca/delegation, email deputyclerk@portcolborne.ca or phone 905-228-8118.

11. Mayor's Report

12. Regional Councillor's Report

13. Consent Agenda

All items listed in the Consent Agenda are subject to a single motion that is not debatable. A Member may make a brief comment or ask a question regarding a Consent Item prior to the consideration of the motion, however, if an item requires further discussion, debate, or an amendment it must be removed from the Consent Agenda and dealt with under Items Requiring Separate Discussion.

13.1 Approval of Minutes

a. Special Council Meeting - February 24, 2026 1

b. Regular Council Meeting - February 24, 2026 4

13.2 Receipt of Minutes of Boards & Committees

a. Port Colborne Public Library Board - January 7, 2026 17

b. Port Colborne Museum, Heritage and Culture Board - January 20, 2026 21

13.3 Staff Reports

a. Amendments to Delegation of Authority By-law, 2026-07 28

b. Corporate Use of Resources Policy for Election Purposes, 2026-42 53

c. Comprehensive CIP Downtown CIPA Tax Increment Grant – 395 Elm Street, 2026-24 61

d. 2025 Audit Plan, 2026-38 84

e. 725 King Street – Surplus Property Declaration, 2026-43 118

f. 2025 Annual Drinking Water Quality Report, 2026-39 123

g. Housing-Enabling Water Systems Fund – Transfer Payment Agreement, 2026-35 194

h. Brownfield Tax Increment Grant – Fraser Street and Welland Street Properties – Canal Breeze Inc. Property, 2026-26 239

13.4 Receipt of Correspondence Items

a. The Future of Municipal Governance in Niagara - Mayor W. Steele, City of Port Colborne 268

b. Joint Letter from 8 Lower-Tier Municipalities of Niagara Region 271

c. Regional Governance in Niagara - Bob Gale, Niagara Regional Chair 273

d. Town of Niagara-on-the-Lake - NR Transportation Master Plan 276

e. Township of Wainfleet - Notice of Public Meeting - Official Plan Review 277

f. Niagara Peninsula Conservation - Request for Support: Coordinated Spring Flood Preparedness Communications 278

g. Niagara Transit Q4 Microtransit Statistics and LAM Enhanced Service Requests Policy 280

h. Township of Papineau-Cameron - Ontario Veterinary College expansion of enrollment capacity 306

i. City of Sarnia - Mayoral Authority and Municipal Police Budget Sustainability 308

j. Township of Casey - OMERS Bill 68 318

k. Municipality of St. Charles - Support Moosonee - Strengthening Self-Defence Protections and Addressing Rising Home Invasions in Ontario 320

14. Items Requiring Separate Discussion

14.1 City of Port Colborne Healthcare Analysis Report Prepared by KPMG, 2026-40 321

15. Staff Remarks

16. Councillors' Remarks

17. Motions

18. Notice of Motions

19. Procedural Motions

20. By-laws

20.1 By-law No. 7437/21/26 673

Being a by-law to designate the lands municipally known as 837 Reuter Road, in the City of Port Colborne, Regional Municipality of Niagara, as a Class IV Noise Area for the purposes of MECP's NPC-300 guidelines.

20.2 By-law No. 7438/22/26 675

Being a By-law to Delegate Certain powers and Duties under the Municipal Act, S.O. 2001 c.25, the Planning Act, R.S.O. 1990 c. P. 13, and other Acts to Municipal Officers and Employees

20.3 By-law No. 7439/23/26 695

Being a By-law to Authorize Entering into an Agreement with 13489116 Canada Inc. (Azim Kassam) Regarding the Comprehensive CIP Downtown CIPA Tax Increment Grant – 395 Elm Street

20.4 By-law No. 7440/24/26 712

Being a By-law to Authorize Entering into an Agreement with Canal Breeze Inc. Regarding the Comprehensive CIP Brownfield CIP Tax Increment Grant and Development Charge Grant– 302 Welland Ave, 302 Welland Ave. rear property, 46, 48 and 54 Fraser Street

20.5 By-law No. 7441/25/26 733

Being a By-law to Authorize Entering into a Transfer Payment Agreement with His Majesty the King in Right of Ontario, as represented by the Minister of Infrastructure, for the Housing-Enabling Water Systems Fund: Intake 2

20.6 By-law No. 7442/26/26 774

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

21. Adjournment

City of Port Colborne

Special Meeting of Council Minutes

Date:	**Tuesday, February 24, 2026**
Time:	**5:00 pm**
Location:	**Committee Room 3-City Hall** **66 Charlotte Street, Port Colborne, Ontario, L3K 3C8**

Members Present:
M. Aquilina, Councillor
M. Bagu, Councillor
E. Beauregard, Councillor
R. Bodner, Councillor
G. Bruno, Councillor
F. Danch, Councillor
D. Elliott, Councillor
T. Hoyle, Councillor
W. Steele, Mayor (presiding officer)

Staff Present:
B. Boles, Chief Administrative Officer
J. Beaupre, Deputy Clerk
C. Madden, City Clerk
J. Peazel-Graham, Manager of Communications
J. Rorison, Corporate Affairs Manager

1. Call to Order

Mayor Steele called the meeting to order at 5 p.m.

2. Adoption of Agenda

C-25- 026

Moved by Councillor T. Hoyle
Seconded by Councillor M. Aquilina

That the Special Council agenda, dated February 24, 2026, be confirmed, as circulated.

Carried

3. Disclosures of Interest

There were no disclosures of interest.

4. Closed Session

C-25- 027

Moved by Councillor F. Danch
Seconded by Councillor D. Elliott

That Council do now proceed to meet in Closed Session at 5 p.m. under the *Municipal Act, 2001*:

- subsection 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose and subsection; and
- subsection 239(2)(k) a position, plan, procedure, criteria, or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

Carried

4.1 Niagara Region Governance Review

5. Back to Open Session

C-25- 028

Moved by Councillor R. Bodner
Seconded by Councillor M. Bagu

That Council rise and reconvene from Closed Session at 6:22 p.m. without report.

Carried

6. By-laws

6.1 By-law No. 7436/20/26

C-25- 029

Moved by Councillor R. Bodner
Seconded by Councillor E. Beauregard

That By-law No.7436/20/26 be enacted and passed, as presented.

Carried

7. Adjournment

Mayor Steele adjourned the meeting at 6:23 p.m.

William C. Steele, Mayor

Charlotte Madden, City Clerk

City of Port Colborne

Council Meeting Minutes

Date:	**Tuesday, February 24, 2026**
Time:	**6:30 pm**
Location:	**Council Chambers, 3rd Floor, City Hall** **66 Charlotte Street, Port Colborne**

Members Present:	M. Aquilina, Councillor M. Bagu, Councillor E. Beauregard, Councillor R. Bodner, Councillor G. Bruno, Councillor F. Danch, Councillor D. Elliott, Councillor T. Hoyle, Councillor W. Steele, Mayor (presiding officer)
Staff Present:	E. Acs, Chief Planner B. Boles, Chief Administrative Officer J. Beaupre, Deputy Clerk S. Double, Fire Chief C. Madden, City Clerk K. Martel, Manager of Planning S. Morris, Supervisor of Environmental Compliance J. Peazel-Graham, Manager of Communications E. Rzeczyca, Election Coordinator S. Shypowskyj, Director of Public Works
Others Present:	W. Wright, Walter Fedy Group B. Kon, Indigenous Educator V. Badawey, Regional Councillor

1. Call to Order

Mayor Steele called the meeting to order at 6:36 p.m.

2. National Anthem

Everyone stood for the National Anthem.

3. Land Acknowledgement

The Land Acknowledgement was read:

The Niagara Region is situated on treaty land. This land is steeped in the rich history of the First Nations such as the Hatiwendaronk, the Haudenosaunee, and the Anishinaabe, including the Mississaugas of the Credit First Nation. There are many First Nations, Métis, and Inuit people from across Turtle Island that live and work in Niagara today. The City of Port Colborne stands with all Indigenous people, past and present, in promoting the wise stewardship of the lands on which we live.

4. Adoption of Agenda

Two delegations and one item of correspondence were added to the agenda.

C-25- 030

Moved by Councillor R. Bodner
Seconded by Councillor T. Hoyle

That the Regular Council Agenda dated February 24, 2026, be confirmed, as amended.

Carried

5. Disclosures of Interest

There were no disclosures of interest.

6. Proclamations

There were no proclamations.

7. Presentations

7.1 Indigenous Colonial Relations - Communities Connecting

Brian Kon presented to Council on Indigenous Colonial Relations and Communities Connecting.

8. Delegations

8.1 Aaron Butler - NPG Planning Solutions Inc.

Aaron Butler delegated on item 11.3 c, Recommendation Report for Draft Plan of Subdivision- Approval for Mapleview Subdivision (File D12-01-24), 2026-29.

8.2 Maureen Anthes - 25 Third Avenue

Maureen Anthes provided a written delegation on 11.3 c, Recommendation Report for Draft Plan of Subdivision- Approval for Mapleview Subdivision (File D12-01-24), 2026-29.

9. Mayor's Report

A copy of the Mayor's Report is attached.

10. Regional Councillor's Report

Vance Badawey, Regional Councillor, provided a report to Council.

11. Consent Agenda

Item 11.3 a was lifted from the consent agenda and considered as item 12.3 under Items Requiring Separate Discussion. Item 11.3 c was lifted from the consent agenda and was considered as item 12.4 under Items Requiring Separate Discussion.

C-25- 031

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

That Council hereby approves the listed consent items on the February 24, 2026, Council agenda; and

That the consent items be approved on the recommendations as contained therein.

Carried

11.1 Approval of Minutes

a. Special Council Meeting - November 4, 2025

b. Regular Council Meeting - February 10, 2026

11.2 Receipt of Minutes of Boards & Committees

a. Healthcare Advisory Committee Meeting - January 12, 2026

b. Port Colborne Public Library Board - January 7, 2026

c. Healthcare Advisory Committee Meeting - January 26, 2026

11.3 Staff Reports

b. Green House Gas Reduction Feasibility Studies Grant Funding, 2026-30

d. Sale of Surplus City Property Raglan Street (AKA Bell Street), 2026-04

e. Recommendation Report - Downtown Community Improvement Plan Area (CIPA) Expansion – 395 Elm Street, 2026-20

11.4 Receipt of Correspondence Items

a. Prince Edward County - Bill 21, Protect our Food Act

b. City of St. Catharines - City Discontinuing the Use of Platform X

c. Township of Joly - Support for Steel and Lumber Sectors

d. Regional Governance in Niagara - Office of the Niagara Regional Chair

12. Items Requiring Separate Discussion

12.1 Nickel Beach Report 2026, 2026-19

Luke Rowe, Recreation Supervisor, and Kennedy Stock, Events & Recreation Assistant/Volunteer Coordinator, presented to Council on the 2025 Nickel Beach season.

C-25- 032

Moved by Councillor T. Hoyle
Seconded by Councillor E. Beauregard

That Recreation and Tourism Department Report 2026-19 be received for information.

Carried

12.2 Partners for Climate Protection Program and Corporate Climate Action Plan, 2026-28

Samantha Morris, Supervisor of Environmental Compliance, and Will Wright from Walter Fedy Group presented to Council on the Climate Protection Program and Corporate Climate Action Plan.

C-25- 033

Moved by Councillor M. Bagu
Seconded by Councillor F. Danch

That Public Works Department Report 2026-28, respecting FCM-ICLEI Partners for Climate Protection Program – Joining Resolution, BE RECEIVED; and

That the City of Port Colborne's participation in the FCM-ICLEI (Local Government for Sustainability) Partners for Climate Protection Program, BE APPROVED; and

That the Supervisor of Environmental Compliance for the City of Port Colborne, and Mark Bagu, Member of Council of The Corporation of the City of Port Colborne, BE APPOINTED to oversee the implementation of the Partners for Climate Protection Program (PCP) milestones and serve as the primary points of contact for the City of Port Colborne; and

That the Mayor and City Clerk BE AUTHORIZED to execute the Council Resolution to Join the FCM–ICLEI Partners for Climate Protection Program, attached hereto as Appendix A.

That Council adopt a revised corporate greenhouse gas (GHG) emissions reduction target, replacing previous corporate target, to fulfill Milestone 2 of the PCP program.

That the Corporate Climate Action Plan attached hereto as Appendix C, BE APPROVED.

Carried

12.3 Brownfield Community Improvement Plan Tax Increment Grant With Development Charge Grant Agreement – 714 and 706 King Street, 2026-05

C-25- 034

Moved by Councillor D. Elliott
Seconded by Councillor E. Beauregard

That Planning and Development Department Report 2026-05 be received; and

That the by-law attached as Appendix B, being a by-law to enter into the Agreement with Cornerstone Homes (Niagara) Ltd. (Brandon Anger) for a Tax Increment-Based Grant with Development Charge Grant in the

Brownfield Community Improvement Project Area (CIPA) under the Comprehensive Community Improvement Plan (CIP), for 714 and 706 King Street, be brought forward for Council's approval.

Carried

12.4 Recommendation Report for Draft Plan of Subdivision- Approval for Mapleview Subdivision (File D12-01-24), 2026-29

C-25- 035

Moved by Councillor G. Bruno
Seconded by Councillor F. Danch

That Planning and Development Department Report 2026-29 be received; and

That the Draft Plan of Subdivision and associated Draft Plan Conditions attached as Appendix A to this report, be approved; and,

That the City Clerk be directed to issue the Notices of Decisions regarding the By-laws in accordance with the Planning Act.

Carried

Amendment:
Moved by Councillor G. Bruno
Seconded by Councillor F. Danch

That the Chief Planner and Director of Public Works be directed to undertake a review of options to manage and control traffic on Third Avenue, including the potential closure of Third Avenue at Killaly Street; and

That the Chief Planner and Director of Public Works report back to Council with recommended options, associated timelines, and estimated costs by May 2026.

Carried

13. Staff Remarks

Steve Shypowskyj, Director of Public Works, explained that the Niagara Region's Public Works committee approved a recommendation to extend the current

curbside waste collection contract to 2030, and will go to Regional Council Thursday for approval. If approved, this would push the timeline back by around 1 year. He noted that staff will still be coming to Council this year to speak about the green cart switch out program.

Erik Acs, Chief Planner, noted an Official Plan background report has been published to the City's website and he encouraged anyone who is interested to review the report and fill out the online feedback form. Lastly, he noted they will be coming to the March 24th Council meeting to provide an updated on the Official Plan and engagement.

Jasmine Peazel-Graham, Manager of Communications, noted they are beginning the City website re-design project, as the platform the website is currently hosted on will no longer be operable at the end of 2026. She noted they went through the Request for Proposal (RFP) process and had 26 submissions. They have selected the Canadian vendor Up and Up and will do public consultation on features they would like to see on the website. The launch of the new website is scheduled for September 2026.

Greg Zwiep, Manager of Recreation and Tourism, provided an update to Council on the minor hockey league associations that they both recently held tournaments, and he wanted to recognize all the volunteers who helped to support these events.

Bryan Boles, Chief Administrative Officer, noted the City keeps running despite the current discussions of amalgamation. He noted that staff have met and are committed to carrying out the goals set by Council. There will be discussion coming forward about community consultation on healthcare in the coming months. He also thanked staff for stepping up and continuing to do their work everyday.

14. Councillors' Remarks

Councillor Bodner inquired to Steve Shypowskyj, Director of Public Works about garbage collection in the pleasant beach area.

Councillor Hoyle thanked staff for answering his questions. He also reminded folks to contact their ward councillors and the Mayor to express their opinions on amalgamation.

Councillor Elliott inquired to Jasmine Peazel-Graham, Manager of Communications, if the RFP process for the website included only Canadian companies. He also expressed that he is not for amalgamation, and that Council and staff are working hard for the City of Port Colborne. He also encouraged

people to look at the City's website for more information, and to watch the recent Town of Fort Erie council meeting video.

Councillor Bruno noted the Regional Chair has already attended a council meeting, prior to the topic of amalgamation being brought up. He noted he would be welcome back to talk about amalgamation.

Councillor Bagu thanked the Director of Public Works for responding to his call about a broken fire hydrant, and asked for him to look into the Public Works on-call number. He also noted he will be attending the State of the Region event, and will report back to Council on the event.

Councillor Beauregard thanked the Director of Public Works for his assistance on a matter. He also noted he agrees with the Mayor and Councillors regarding amalgamation; he does not want to see Port Colborne change.

Councillor Aquilina thanked the Mayor and staff for being quick to pivot after the amalgamation news. Nothing has been decided yet, and is hopeful that eases any worries for staff. She inquired to the Director of Public Works if there were any updates regarding notifications with the road ends and key access.

15. Motions

There were no motions.

16. Notice of Motions

There were no notices of motions.

17. Procedural Motions

There were no procedural motions.

18. By-laws

C-25- 036

Moved by Councillor M. Bagu
Seconded by Councillor T. Hoyle

That the following by-law(s) be passed and enacted, as presented:

- By-law No. 7433/17/26
- By-law No. 7434/18/26
- By-law No. 7435/19/26

Carried

18.1 By-law No. 7433/17/26

18.2 By-law No. 7434/18/26

18.3 By-law No. 7435/19/26

19. Adjournment

Mayor Steele adjourned the meeting at 9:29 p.m.

William C. Steele, Mayor

Charlotte Madden, City Clerk

PORT COLBORNE

Mayor Steele Speaking Notes

Mayor's Update at Council February 24, 2026

- **Date**: Tuesday, February 24, 2026
- **Place**: Council Chambers
- **Topic**: Governance Changes in Niagara

I want to take a moment to speak about the recent discussions around potential changes to municipal governance in Niagara, including possible amalgamation, following the letter from Niagara Region Chair Bob Gale that's on our addendum today.

I know many of you are wondering what this could mean for Port Colborne, and while we currently have more questions than answers, I wanted to speak to you directly as we work through these conversations together.

As I said in my public statement on Friday, I am disappointed in how this discussion has come about. Port Colborne is a strong and independent community with significant momentum, and I do not believe we need to be forcefully amalgamated with other municipalities to continue building on that success.

Discussions of this magnitude, given their potential to fundamentally reshape how our communities are governed, must be approached thoughtfully and transparently, with meaningful consultation involving municipalities, residents, and community partners.

Our residents expect decisions of this scale to be guided by **evidence**, open dialogue, and respect for local voices.

At the same time, I recognize that there are legitimate challenges worth examining, particularly at the upper-tier level. Across Niagara, we continue to face pressures related to the delivery and cost of major infrastructure such as water, wastewater, and regional roads. I support a serious and constructive review that looks at how we can

improve coordination, reduce duplication, and ensure taxpayers are receiving value for money. That conversation is both necessary and appropriate.

However, a review of governance does not automatically mean amalgamation. Both scholarly research and experiences across Ontario show that amalgamation is not a guaranteed path to savings or improved outcomes.

Last night, Chair Gale appeared before Fort Erie Town Council to discuss his proposal.

It was an important opportunity to hear directly about his views on governance reform, but the discussion also highlighted significant gaps in his proposal. While he spoke at length about rising costs for taxpayers, deferred infrastructure funding, and the need for change, he acknowledged that he not done **any** sort of analysis, does not have **any** data demonstrating savings, and has not developed even a semblance of a business case or transition plan.

He confirmed that options such as amalgamation are being put forward without modelling impacts on service levels, policing costs, labour harmonization, or local planning processes, and that he expects the Province to do that work later. That approach raises serious concerns about advancing structural change before fully understanding the consequences for residents and communities.

Amalgamation is not a silver bullet and does not automatically reduce costs, particularly when the largest drivers, such as policing and infrastructure obligations, remain unchanged regardless of governance structure.

If you want your voice heard, I encourage you to share your feedback directly with Chair Gale by email at Bob.Gale@NiagaraRegion.ca or to me at Mayor@PortColborne.ca Please note that the deadline for comments is next week, so I encourage you to share your thoughts as soon as possible.

The City has also added information to our website to help residents stay informed, and we are committed to being as transparent as possible as we work through this —

because as I've said already in my remarks today, **transparency and accountability are important to us.**

As I've said, here in Port Colborne we are a strong, independent community that has built real momentum in recent years. We have attracted more than $2 billion in new investment and jobs over the past two years, are strengthening our marine and industrial base, advancing critical priorities like affordable and missing-middle housing and new child-care spaces, and taking proactive steps to secure a strong healthcare future for our residents.

We have also stepped up to meet the Province's identified priorities by accelerating housing, reducing development charges to encourage investment, and working closely with provincial partners on new governance tools — including establishing a municipal services corporation to help fund the servicing of the East Side Employment Lands.

Council and senior staff believe there is a better path forward that focuses on practical solutions rather than large-scale amalgamation. Today, some of the water, wastewater, and road infrastructure within our community is operated and maintained by the Niagara Region – which is a driving force behind the high costs of water and wastewater in Port Colborne.

We believe the City of Port Colborne is well positioned to take on the responsibility for all the water, wastewater and road infrastructure locally. We are confident we could manage these services in a way that is more affordable for taxpayers and grounded in strong, responsible asset management. We have a plan in place and a proven track record of managing our infrastructure carefully, and we believe this approach can help control costs and protect service levels without the disruption and potential cost increases that often come with amalgamation.

Like our Prime Minister recently said, if you're not at the table, you're on the menu. As Mayor, I intend to make sure Port Colborne is at the table — standing up for our community, putting forward practical solutions, and making sure our voice is heard clearly in these discussions. We will advocate for what is in the best interest of our

residents, protect the progress we've made, and work constructively with our partners to shape a path forward that reflects the needs and values of Port Colborne.

In closing, let me be clear – I believe in a strong and independent Port Colborne today and for years to come, and I look forward to continuing this conversation in a way that reflects the values and interests of our community.

Port Colborne Public Library Board Meeting Minutes

Date:	**Wednesday, January 7, 2026**
Time:	**6:00 pm**
Location:	**Library Auditorium, Port Colborne Public Library** **310 King St, Port Colborne**
Members Present:	A. Desmarais, Vice Chair M. Bagu, Councillor B. Ingram, Chair C. MacMillan B. Beck M. Booth E. Tanini A. Smits
Member(s) Absent:	H. Cooper
Staff Present:	R. Tkachuk, Chief Executive Officer (Board Secretary-Treasurer) L. MacDonald, Library Services Manager
Others Present:	M. Murray, Chief Human Resources Officer (Attended virtually)

1. Call to Order

The Chair called the meeting to order at 6:05 PM.

2. Land Acknowledgement

A. Smits recited the Land Acknowledgement.

3. Disclosures of Interest

There were no disclosures of interest.

4. Adoption of Agenda

The agenda was amended to include Minutes of the Closed Session of the December 3, 2025, meeting under Item 7.2.

Moved by A. Desmarais
Seconded by C. MacMillan

That the agenda dated January 7, 2026, be confirmed, as amended.

Carried

5. Approval of Minutes

Moved by M. Booth
Seconded by B. Beck

That the minutes dated December 3, 2025, be confirmed, as circulated.
A. Smits abstained.

Carried

6. Business Arising from the Minutes

Nil.

7. Confidential Items

Moved by C. MacMillan
Seconded by A. Desmarais

That the Board do now proceed into closed sessions in order to address the following matters at approximately 6:10 PM.

Carried

7.1 Confidential Human Resources Matter

7.2 Minutes of the closed session of the December 3, 2025, meeting

Moved by A. Smits
Seconded by A. Desmarais

That the Board do now rise from closed session at 6:16 PM.

Carried

8. Policy Item

Moved by C. MacMillan
Seconded by A. Desmarais

That the Board approves Policy Item 8.1, as presented.

Carried

8.1 OP-15: Accessibility in the Library

a. City of Port Colborne. Multi-Year Accessibility Plan

9. Consent Items

Moved by Councillor M. Bagu
Seconded by A. Smits

That the Board approves Consent Items 9.1 to 9.4, as presented.

Carried

9.1 Staff Reports

a. Public Relations Report - October/November 2025

b. Strategic Plan Update

9.2 Circulation Reports

a. Circulation Report, November 2025

a. Circulation Snapshot, November 2025

9.3 Financial Report

a. 2025 Operating Budget (as of January 2, 2026)

9.4 Receipt of Correspondence Items

a. The Royal Canadian Legion, Branch 56 - Public Notice Poppy Balance 2025

b. Federation of Ontario Public Libraries - Amendment to the Canada Post Corporations Act, Bill C-15

10. Roundtable

Trustee A. Desmarais shared positive community feedback about the library's programs, services, and staff.
Trustee M. Booth shared a few potential community partnership opportunities.
Trustee A. Smits shared information regarding a granting opportunity.
Councillor M. Bagu reported that Assistant Librarian Kristen Lascelles received the City of Port Colborne's Inclusion Award at the annual holiday luncheon, and congratulated staff on their achievement.

Library CEO R. Tkachuk reported the launch of several new library programs in January and February.
Library Services Manager L. MacDonald thanked the Board.

11. Next Meeting Date and Adjournment

The next meeting will be held Wednesday, February 4, 2026, at 6 PM in the Library Auditorium.

The Chair adjourned the meeting at 6:44 PM.

Bryan Ingram, Chair	Rachel Tkachuk, Chief Executive Officer (Board Secretary-Treasurer)

Port Colborne Museum, Heritage and Culture Board Meeting Minutes

Date:	**Tuesday, January 20, 2026**
Time:	**7:00 pm**
Location:	**Roselawn Centre** **296 Fielden Ave, Port Colborne, ON L3K 4T6**
Members Present:	B. Heaslip C. MacMillan T. Huffman C. Brema J. Piniak G. Hoyle L. Brazeau J. van Dillen M. Hili B. Schneider M. Heaslip
Member(s) Absent:	E. Beauregard, Councillor A. Lessard
Staff Present:	Tami Nail S. Powell Baswick, Director of Museum and Culture S. Kaufman

1. Call to Order Annual General Meeting

The Vice Chair called the meeting to order at 7:00pm. Luke welcomed guests Rick Hall from the Ontario Heritage Trust and Kathy, owner of the Locktender's House. Luke also welcomed new Curator, Sarah Kaufman, who joined the team on January 5.

2. Disclosures of Interest

None to report.

3. AGM Elections

In accordance with the Museum Board's Procedural Policy, Terry Huffman, past chair, led the nominations and elections for the Executive. Nominations were also taken from the floor and positions voted on by a show of hands. Board members volunteered for committees, and the appointment of the Roselawn liaison was announced. The Auxiliary liaison will remain the same and will be confirmed after their first meeting.

Executive:

Chair: Arlene Lessard

Vice Chair: Luke Brazeau

Finance Chair: Bonnie Schneider

Secretary: Staff (presently Tami Nail)

Committee Chair:

Membership: Claudia Brema

Building & Property: Brian Heaslip (Co-Chair), Terry Huffman (Co-Chair)

Accession: Luke Brazeau

Programming: Cheryl MacMillan

Fundraising: Claudia Brema

Policy: Cheryl MacMillan

Heritage: Mike Hili

Liaisons:

Auxiliary Liaison: Marianne Heaslip

Roselawn Liaison: Bonnie Schneider

4. Adoption of Agenda

Moved by C. MacMillan
Seconded by J. Piniak

That the AGM agenda dated January 20, 2026, be confirmed as circulated or as amended.

Carried

5. Approval of Minutes

Moved by James van Dillen
Seconded by G. Hoyle

That the minutes from the previous meeting dated November 18, 2025, be confirmed as circulated or as amended.

Carried

6. Business Arising from the Minutes

Stephanie Powell-Baswick provided an update on the Williams' House Floor capital project from Tim Anderson and Pamela Bunnin. It will be a two-phase repair - phase 1 will be replacing the beam that goes through the wall and under the floor; phase 2 will be taking out the floor and relaying it straight. A quote for the repairs will be presented at the February board meeting.

7. Correspondence

Tami reported that two thank you cards were received from Lakeshore Catholic High School for hosting Ella Hayes as a co-op student. One from the school staff, Margaret Benko, and one from Ella Hayes. Ella's last day of her co-op placement was January 20th.

A thank you card to the Board from former Curator, Michelle Mason, for her wonderful retirement party, gift, and support over the years.

Tami received an e-mail from Mary Reeves expressing her gratitude for being a part of the Grand Old Christmas Festival Craft Show: Thank you for including me in your beautiful show. It was a delightful experience as usual and extremely well organized. It is such a joyful event. You and the staff did a marvellous job. I know how much time and effort goes into what looks like just a fun casual lay back and enjoy kinda of day. Everyone was happy and loving the festival. Great job to you all.

A package from Robert Sheele regarding the repatriation of a local Indigenous object from the Smithsonian to Port Colborne was given to the Board.

8. Council Report

No report as Councilor Beauregard was absent. The Board requests that Councilor Beauregard sends a report in his absence.

9. Curator's Report

Sarah Kaufman introduced herself as the new Curator.

Sarah reported that the Francophone Travelling Exhibit, Nos Histoires, is currently on display at the Vale Centre. The Travelling exhibit will be going to many other locations within Port Colborne, Welland and Pelham between now through the Fall.

Tami is working on this year's main exhibit: Putting Port Colborne on the Map. Sarah and Tami will be working together to create a long-term exhibit plan. If you have any exhibit ideas, please send them to Tami or Sarah.

Sarah provided copies of the Digital Strategy, which was developed by Meghan. It has four goals:

1. Digital Programming

2. Expand Collaboration

3. Increase Engagement

4. Re-establish how to Preserve & Conserve

The Archives had a very successful Speaker Series in the fall. The last one was held on November 29. Anna Carlson presented on Victorian Women and Handcrafts. Katelynn Best showcased Victorian handcrafts from the collection. Anna provided an embroidery workshop after the presentation.

Work continues on digitizing the Lockview High School yearbooks. Planning 2026 programs and events: adding walking tours to go along with the Travelling Lecture Series of the Bicentennial of the Canals as well as a full day bus tour of the Canal. Have applied for a Young Canada Works grant for someone to digitize the Dwor collection. Staff are also prepping the RFP for the archives' expansion.

10. Auxiliary Report

Marianne reported that the Tea Room had a very successful Christmas season. All of the Christmas pudding and sauces were sold, as well as the extra biscuit mix.

They would like to have a list of all the users of the My Space at Roselawn for their records, as they sponsor it.

11. Friends of Roselawn Centre Liaison Report

Bonnie reported that the Christmas Makers Market at Roselawn went well and ran smoothly, even with the on-going construction.

They held their first meeting of 2026 last week. February's meeting will plan out the dates for all events in 2026.

12. Committee Report

12.1 Finance Committee

Bonnie reported that at as Dec 31, 2025 donations are as follows:

- Donations with memberships and donation box: $3,269.41

- Corporate Donors: $12,455

- Christmas Festival Sponsors: $2,119

- Christmas Festival Revenue: $3,360

- Donation from Museum Auxiliary: $24,000

- Canada Helps: $1,778.69

- L.R. Wilson Foundation: $1,000,000

12.2 Membership Committee

Claudia reported that membership from January 2025 to January 2026 stands at:

36 seniors

7 individuals

35 families

23 life patrons

for a total of 101 members

12.3 Building and Property Committee

Brian reported that the Sherk cabin has been re-shingled by contractor. The Building and Property crew will fix the eavestrough on the back of the cabin.

They are currently helping with renovations at Roselawn. They have repaired a table at Arabella's. The hickory tree beside the Carriage House has been taken down by arborists. The wood will be picked up and milled so it can be used for special projects.

They are looking into putting the drainage hole into the west side of the Hochelaga life boat.

12.4 Programme Committee

Tami gave a report on the Christmas Festival. It was successful and well attended with 1,200 people in 4 hours. We received many compliments on the festival from visitors and participants.

Thank you to the sponsors: Museum Auxiliary, Boggios, Sobeys, Knights of Columbus, Dairy Queen, and the Canalside Restaurants and Inns for a total of $2,119 in donations. A total revenue of $3,360

12.5 Fundraising Committee

Terry reported that a meeting was held last week. They had many bands who expressed interest in performing at Music on the Lawn for 2026. Due to its popularity, Music on the Lawn will expand to 4 dates. Dates and bands were discussed and there will be a mix of returning and new, Juno award winning bands considered. They are also looking into the idea of having music played over speakers or a single entertainer play during set-up and people placing their chairs.

12.6 Policy Committee

Nothing to report.

12.7 Accession Committee

Luke reported that a meeting was held on November 25. They looked at 32 objects from 18 donors, of which 18 objects were accepted, and 2 conditionally accepted.

12.8 Heritage Committee

Luke reported that no meeting has been held due to lack of communication with the Planning Department.

13. Confidential Items

None to report.

14. Director's Report

Stephanie thanked the Board for their dedication in 2025. She reported that 2026 will focus on communicating more with other departments to help support our goals.

The facilities department have been working hard, including over the holidays, to get the renovations at Roselawn complete, which we are very grateful for.

The report from the project manager, Pamela Bunnin, gave updates on heat added to the ramp, change orders for drop ceiling, carpeting replaced, installing new hallway and sconce lighting which will be activated by motion sensors, and the budget changes are being tracked. Stephanie will be approaching Friends of Roselawn Centre for donation towards these capital improvements.

The original completion date was January 19, but due to the projects in Pam's report completion will now be mid-February, which will align well for Heritage Week.

15. New Business

Guest Rick Hall discussed Ontario Heritage Trust's project of the Blue Heritage plaques for designation of historical buildings and landmarks. There is also a provincial plaque, which requires unique importance to the area for the province. Rick also brought forward the idea from local community group, PoCoBeautiful, about a Doors Open event in Port Colborne with a maritime theme. It would require a committee of 6 people and have to have at least 6 locations. His suggestions were Locktender's House, Port Colborne Lighthouse, Robin Hood Mill, and the Museum. If anyone is interested in joining a Doors Open Committee or has suggestions for locations of plaques, please contact Rick Hall and the Ontario Heritage Trust.

16. Adjournment

The Chair adjourned the meeting at approximately 8:16pm.

Chair	Staff Liaison

PORT COLBORNE

Subject: **Amendments to Delegation of Authority By-law**

To: **Council**

From: **Legislative Services Department**

Report Number: 2026-07

Meeting Date: March 10, 2026

Recommendation:

That Legislative Services Department Report 2026-07 be received; and

That the newly revised Delegation of Authority By-law, attached as Appendix A of Legislative Services Department Report 2026-07, be brought forward for Council's approval.

Purpose:

The purpose of this report is to present a revised Delegation of Authority By-law to Council for approval reflecting best practices in municipal governance. If approved, the Delegation of Authority By-law will continue to allow certain municipal Council powers and duties to be delegated to City staff for efficiency, to improve customer service, and streamline administrative processes and minimize unnecessary reports.

Background:

The *Municipal Act, 2001, S.O. 2001, c. 25,* as amended, (*Municipal Act, 2001*) provides the legislative framework that permits municipalities to delegate certain powers and duties to individuals or bodies, subject to the restrictions and conditions outlined in sections 23.1 to 23.5. This statutory framework enables the delegation of administrative and minor legislative or quasi‑judicial functions to staff, while ensuring that non‑delegable matters remain under the direct authority of Council. In addition, section 270(1)6 of the *Municipal Act, 2001* requires municipalities to adopt and maintain a policy governing such delegation.

Delegation is recognized as an essential tool for facilitating the efficient management of municipal operations. The ability to assign routine or time‑sensitive functions to staff

allows the Corporation to respond promptly to operational needs while ensuring accountability is preserved. Delegated powers must be exercised within approved budget parameters or with Council authorization, and delegates must remain within the limits of the authority assigned to them.

The City's current Delegation of Authority By-law, No. 7172/114/23, was enacted by Council on November 28, 2023. The proposed revisions to the by-law are structured to align fully with the delegation provisions of the *Municipal Act, 2001*, and reflect best practices in municipal governance. The by-law also clearly identifies the municipal officers and employees responsible for carrying out delegated actions, each of whom is accountable for the duties assigned under their respective areas of responsibility.

Discussion:

The delegation of power and duties is a tool broadly utilized throughout Ontario. Each member of the Senior Management Team reviewed and provided updates to the current by-law in alignment with best practices. Consideration was given to each item listed in the by-law with the lens to identify if the function:

- is routine or minor in nature;
- generally would not prompt Council debate;
- provides more efficient customer service through delegation.

Many recommended updates to the by-law (attached as Appendix A) are administrative in nature, with a few notable changes as outlined below:

Expanded Delegations Across Departments

Chief Administrative Officer (CAO):

- New authority to approve agreements for grant applications when Council approval cannot be obtained before deadlines.
- Additional delegation for mutual releases from agreements with reporting back to Council.
- Additional delegation to approve and execute temporary leases of third-party lands for a municipal use or event.

City Clerk:

- New authority to amend Civil Marriage Ceremony Policy as needed, subject to consultation with the CAO.
- New authority to amend membership composition within the Terms of Reference for the citizen boards and committees, as needed, subject to consultation with the CAO.

Planning and Development Department:

Planning staff have identified several additions aimed at decreasing processing and approval times including:

- Deeming by-laws. This process allows the merging of two properties into one. Delegation of Authority on this matter would allow the process to be exempt from a staff recommendation report. Applications would proceed directly to a by-law which would be approved by Council.
- Subdivision agreements. This process is completed after conditions of draft approval have been satisfied. Historically, these agreements have been approved at the staff level, however, they were not explicitly included in the current Delegation of Authority By-law No. 7172/114/23. As such, these agreements have been added to the proposed list.
- Heritage Alteration Permits. This process is a required step under the Heritage Act for property owners seeking to alter heritage designated properties. Currently Council is the approval authority. Delegated Authority would allow staff to approve the permit in consultation with the Heritage Sub-Committee to review, approve or deny alteration permit requests.
- Zoning by-law amendments for affordable/modular housing. This process would allow development projects that meet the criteria for affordable or modular housing to be exempt from a staff recommendation report. These applications would proceed directly to a by-law which would be approved by Council, reducing the approval process timeline for affordable / modular housing, in accordance with provincial housing priorities.

Recreation Department:

- Additional authority to waive/reduce certain fees for community and non-profit events, subject to consultation with the CAO.

Conditions and Restrictions

- Most delegations now include explicit requirements for consultation with the CAO, City Solicitor, or relevant departments, and reporting back to Council where applicable.
- Financial delegation is tied to Council-approved budgets and policy compliance.

In addition to the specific updates noted above, the proposed revisions function largely as administrative refinements to enhance efficiency, strengthen service delivery, and streamline routine processes. These changes do not alter Council's policy direction but instead clarify authority for day-to-day operational decisions in accordance with sections 23.1 to 23.5 of the *Municipal Act, 2001*.

By delegating minor and routine matters, approval timelines are reduced, customer service response times are improved, and unnecessary reports to Council are minimized. The revisions maintain full compliance with statutory requirements while preserving all non-delegable powers for Council, ensuring accountability and transparent administration.

Internal Consultations:

The City's Senior Management Team, in collaboration with the City Solicitor, have undertaken a comprehensive review of the existing Delegation of Authority By-law and jointly developed the proposed updates to the delegated powers and duties.

Financial Implications:

There are no financial implications associated with this report.

Strategic Plan Alignment:

The initiative contained within this report supports the following pillars of the strategic plan:

- Environment and Climate Change
- Welcoming, Livable, Healthy Community
- Economic Prosperity
- Increased Housing Options
- Sustainable and Resilient Infrastructure

Conclusion:

Staff recommend that Council adopt the revised Delegation of Authority By-law to enhance organizational efficiency, strengthen customer service, and streamline administrative processes. The proposed updates ensure that the City's delegation framework aligns with the authority and restrictions set out in the *Municipal Act, 2001*, thereby supporting legal compliance while enabling designated staff to address routine administrative matters in a timely and effective manner.

Appendices:

a. Revised Delegation of Authority By-law

Respectfully submitted,

Charlotte Madden
City Clerk/Manager of Legislative Services
905-228-8031
charlotte.madden@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 Delegate Certain powers and Duties under the *Municipal Act*, S.O. 2001 c.25, the *Planning Act*, R.S.O. 1990 c. P. 13, and other Acts to Municipal Officers and Employees

Whereas Section 23.1 of the *Municipal Act, 2001, S.O. 2001,* c. 25 (the Act) authorizes a municipality to delegate its powers and duties under the Act or any other Act to a person or body, subject to the rules and restrictions set out in Part II of the Act; and

Whereas subsections 33(15), 33(16), 42(16), and 42(17) of the *Ontario Heritage Act*, R.S.O. 1990, c.O.18 authorize a municipality to delegate by by-law its power relating to protected heritage properties, the power to consent to alterations to a property, subject to prior consultation with the City's Heritage Committee; and

Whereas Section 39.2 of the Planning Act authorizes a municipality, by by-law, to delegate its authority to pass zoning by-laws that are minor in nature; and

Whereas Section 224 (d) of the Act states that it is the role of Council to ensure that administrative policies, practices, and procedures are in place to implement the decisions of Council; and

Whereas Section 227 of the Act states that it is the role of officers and employees of the municipality to: (a) implement Council's decisions and establish administrative practices and procedures to carry out Council's decisions; and (c) carry out other duties under this or any other Act and other duties assigned by the municipality; and

Whereas the Council of The Corporation of the City of Port Colborne deems it expedient to delegate certain administrative functions to staff to improve business efficiencies while adhering to the principles of accountability and transparency;

Whereas the Council of The Corporation of the City of Port Colborne enacted By-law No. 7172/114/23, Being a By-law to Delegate Certain powers and Duties under the Municipal Act, S.O. 2001 c.25, the Planning Act, R.S.O. 1990 c. P. 13, and other Acts to Municipal Officers and Employees on November 28, 2023;

Now therefore the Council of The Corporation of the City of Port Colborne enacts as follows:

Definitions

For the purposes of this by-law the following words shall mean:

"Act" means the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended;

"CAO" means the Chief Administrative Officer of The Corporation of the City of Port Colborne;

"City" means The Corporation of the City of Port Colborne,

and "Corporation" has a corresponding meaning;

"City Clerk" means the City Clerk of The Corporation of the City of Port Colborne, whose duties are assigned under subsection 228 (1) of the Act, and includes the Deputy Clerk or any Deputy acting under the direction of the City Clerk or any successor position thereof;

"Council" means the elected Council of The Corporation of the City of Port Colborne;

“Delegation” means Council conferring a duty on City staff, and is inclusive of both powers delegated from Council to City staff and powers granted by Council to City staff;

and “delegated power” has a corresponding meaning;

“Department Head” means a member of the Corporate Leadership Team, as comprised from time to time;

“Designate” means a person appointed by an individual named in Schedule “A” to exercise their authority under this by-law;

and “delegate” has a corresponding meaning;

“Document” means any written instrument whether on paper or in electronic form including, without limiting the foregoing, any contract, agreement, deed, memorandum, letter of intent, application, permit, release, waiver or acknowledgement which, when executed, will have or is intended to have the effect of causing the City to be bound in a legally enforceable relationship with any other person, but shall not include:

a) any cheques, bank drafts, orders for payment of money, promissory notes, acceptances, bills of exchange, debentures, and any similar instruments; and

b) correspondence, whether by letter or in electronic form, intended to convey information or confirm a position on a matter, but not intended to create a contract or agreement between the City and any other person, whether or not a legally enforceable right or remedy is created thereby;

And “documents” has a corresponding meaning;

“Execute” means to complete the formalities intended to give effect to a document and may include any one or more of the following formalities as may be required in the circumstances:

a) signing the document;
b) causing the seal of the City to be affixed to the document; and
c) causing delivery of the document to be made to the other parties thereto;

“Procurement Policy” means Administrative Policy No. FIN – 05, as amended; and

“Signing officer(s)” has the meaning ascribed to it in section 17 of this By-law.

Administration

1. The short title of this By-law is the “Delegation of Authority By-law”.

2. Any reference to legislation, regulations, and to by-laws in this By-law shall be interpreted to include all amendments to and any successor legislation thereof.

3. It is the opinion of Council that any of the legislative powers delegated pursuant to this By-law are of a minor nature within the meaning of subsection 23.2(4) of the Act.

4. If a court of competent jurisdiction declares any provision, or any part of a provision, of this By-law to be invalid, or to be of no force and effect, it is the intention of Council in enacting this By-law that each and every other provision of this By-law, authorized by law, be applied and enforced in accordance with its terms to the extent possible according to law.

5. All documents to be executed shall be prepared in a sufficient number of identical originals to permit at least one executed original, which may be executed in counterparts, to be retained by the City, except that, if the document provides that

electronic signatures or execution in counterparts with exchange by PDF and e-mail are sufficient, an executed original is not required.

6. The initiator of any document shall arrange for the execution of such document by the appropriate signing officers.

7. A copy of each fully executed document shall be forwarded to the Office of the City Clerk after execution, and the remaining originals, if any, shall be kept by the Department Head with primary oversight for the contract or agreement to which the document pertains.

8. The Department Head with primary oversight for a contract or agreement shall be responsible for the distribution of the executed document.

9. A document executed under authority delegated by this By-law shall first be approved as to content by the CAO and the Department Head responsible for the relevant department, or a delegate of the Department Head and, when required, approved as to form by the City Solicitor.

10. Schedule “A” – “Delegation of Powers and Duties” attached hereto forms part of this By-law.

11. Where specified, delegated authority set out in Schedule “A” to this By-law and exercised shall be reported on an annual basis to Council, or a Committee of the Council, by the CAO described as responsible for the delegated authority.

12. Council hereby delegates the powers and duties set out in the attached Schedule “A” to those officers, employees, committees or tribunals listed therein and subject to any limitations specified therein.

13. Council retains the authority to revoke any power delegated by this By-law at any time by further by-law.

14. All Delegations shall be deemed to include the CAO as a delegate, with the exception of delegations to the City Clerk and the City Treasurer.

15. Unless otherwise noted, where a Delegation has been assigned in Schedule “A”, the Delegate may further designate an individual, in writing, to act in their place. In the event of the sudden departure of a delegate, the CAO may designate an individual, in writing, to act in the delegate’s place. Sub-delegations may be time-limited to service temporary absences, or long-term to facilitate corporate workflow. The maintenance of the written sub-delegation is the responsibility of delegator.

16. Where the exercise of a delegated power or duty requires the expenditure of money or subjects The Corporation to a potential financial loss or obligation, funding for the expenditure or provision for the potential loss or obligation must be included in an approved budget or managed in alignment with reserve fund policies under the advisement of the City Treasurer. All relevant requirements of the City’s policies, including the Procurement Policy shall be followed as a condition to the exercise of the delegated authority.

Appointment of Signing Officers

17. Subject to the requirements of this By-law and any legislation regarding the execution of any particular kind of document, an employee or officer of the City, who at the time of execution of any document holds any of the following offices or positions, is a signing officer of the City and has the authority to execute the document on its behalf:

    a) the Mayor;
    b) the CAO; and
    c) the City Clerk.

18. In addition to the signing officers designated in section 17 of this By-law, a document listed in the delegation column of Schedule A of this By-law is considered a routine document which may be executed by an employee or officer of the City of Port Colborne who, at the time of execution of the particular document, holds any one of the offices or positions set out in the delegate column of Schedule A, These individuals shall be considered to be signing officers, but only for the limited purposes of the documents set out in Schedule A, that they are authorized to sign, provided that all other provisions of this By-law are compiled with.

19. Should any position listed as a delegate in Schedule “A” become vacant, or should any such delegate be absent or otherwise unable to carry out the Delegation pursuant to this By-law:

    a) if there is a By-law which designates a deputy or other acting person as having the authority of the person holding the position or office of the Delegate, such deputy or acting person is authorized to exercise the authority of the Delegate under this Bylaw; and

    b) unless otherwise prohibited, any employee or officer of the City appointed in writing by the Delegate as acting in the position or office of the Delegate in their absence is authorized to exercise the authority of the Delegate under this By-law.

Repeal of By-law

20. That By-law 7172/114/23, Being a By-law to Delegate Certain powers and Duties under the Municipal Act, S.O. 2001 c.25, the Planning Act, R.S.O. 1990 c. P. 13, and other Acts to Municipal Officers and Employees, is hereby repealed.

Enacted and passed this ___ day of _____, 2026.

_____
William C. Steele
Mayor

_____
Charlotte Madden
City Clerk

SCHEDULE “A” – Delegation of Powers and Duties

Office of the Chief Administrative Officer (“CAO”)		
Delegation	**Delegate**	**Conditions/Restrictions**
Entering into agreements necessary to complete capital projects including but not limited to acquiring or disposing of easements provided value of consideration does not exceed $100,000, pursuant to the *Municipal Act, 2001, SO. 2001, C.25,* as amended.	Chief Administrative Officer	Terms and conditions of such agreements and related documents must be acceptable to City Solicitor.
Develop, approve, and implement administrative policies, procedures, and practices, including but not limited to Human Resources, pursuant to the *Municipal Act, 2001, SO. 2001, C.25,* as amended.	Chief Administrative Officer	In consultation with Chief Human Resources Officer and/or delegation to appropriate department director, pursuant to City policies.
Approve and/or amend any agreements/documents required for the submission of applications to secure grant funding, for cases where there is an incremental expenditure or staffing impact and the application deadlines do not coincide with the Council reporting cycle, such that Council approval is not possible prior to the application deadline, and that the Department Director/Manager, or his or her designate, be authorized to pre-apply with the option of withdrawing, if Council does not subsequently approve the program through a staff report to Council, and the Mayor and Clerk, or his or her designate(s), be authorized to execute such agreements/documents;	Chief Administrative Officer	
Approve and execute Mutual Releases from Agreements when performance of agreement has become impossible.	Chief Administrative Officer	In consultation with the City Solicitor. Update provided to Council once completed.
Approve and execute a temporary lease of third-party lands to facilitate a municipal use or event in the normal course of operations.	Chief Administrative Officer	Lease must be less than 30 days, with no extensions to be permitted at a cost of which is within budget,

Economic Development & Tourism Services		
Delegation	**Delegate**	**Conditions/Restrictions**
Provide commentary, feedback, and information to provincial and federal governments regarding legislative/regulatory changes.	Director of Government Relations	Commentary, feedback, and information provided to provincial and federal governments is to be from a staff opinion and not on behalf of the Mayor and Council. Subsequent information report to Council.
Execute agreements for pop-up patios, pursuant to the Encroachment By-law.	Economic Development Officer	Consult with Planning and By-law Enforcement Services regarding the variance process. Report to Council.
Procedural amendments to the Filming Policy under By-law No. 7148/90/23.	City Clerk or designate	
Issue film permits, approve exemptions to the Noise By-law for projects with a film permit, and execute any related documents resulting from the administration of the Filming Policy, pursuant to the Filming Policy/By-law and the Noise By-law.	City Clerk or designate	
Negotiate with film permit applicants the price of rates and fees for any good or service not identified in the Rates and Fees By-law, pursuant to the Filming Policy/By-law and the Rates and Fees By-law.	Chief Financial Officer/Treasurer or designate	

Approve temporary road closures, intermittent traffic control, and traffic sign alteration, removal or control as requested by film permit applicants, pursuant to the Filming Policy/By-law.	Director of Public Works or designate	
Approve permits for fireworks displays and discharging of fireworks, as well as variances to the Open Air Burning and Recreational Fires By-law and Discharge of Firearms By-law, as requested by film permit applicants, pursuant to the Filming Policy/By-law and other applicable by-laws.	Fire Chief or designate	
Planning and Development Department		
Delegation	**Delegate**	**Conditions/Restrictions**
Draft Condominium Approval, pursuant to the *Planning Act, R.S.O.* 1990, c. P. 13.	Chief Planner or designate	
Draft Condominium Exemption, pursuant to the *Planning Act, R.S.O.* 1990, c. P. 13.	Chief Planner or designate	
Authority to approve final Subdivision Agreement to the satisfaction of the Chief Administrative Officer and City Solicitor.	Chief Planner or designate	Delegation only takes effect once Council has approved a draft plan of subdivision under section 51 of the Planning Act. Agreement must be satisfactory to the Chief Administrative Officer and City Solicitor. Agreement to be executed by Mayor and City Clerk.
Part Lot Control approval, pursuant to the *Planning Act, R.S.O.* 1990, c. P. 13.	Chief Planner or designate	Subsequent By-law to Council.
Deeming By-law approval, pursuant to the *Planning Act, R.S.O.* 1990, c. P. 13.	Chief Planner or designate	Subsequent By-law to Council.

Approve discharge of Site Plan Control Agreements, pursuant to the *Planning Act, R.S.O.* 1990, c. P. 13.	Chief Planner or designate	
Approve Development Agreements, pursuant to the *Planning Act, R.S.O.* 1990, c. P. 13.	Chief Planner or designate	
Approve alteration permits under subsections 33(15), 33(16), 42(16), and 42(17) of the *Ontario Heritage Act, R.S.O. 1990, c.O.18* relating to protected heritage properties, subject to prior consultation with the City's Heritage Committee.	Chief Planner or designate	
Approve the removal of a Holding "H" Provision when all conditions have been fulfilled, pursuant to the *Planning Act, R.S.O.* 1990, c. P. 13.	Chief Planner or designate	Subsequent By-law to Council.
Pass zoning by-laws that are minor in nature under section 39.2 of the *Planning Act, R.S.O.* 1990, c. P. 13 to authorize the temporary use of land, buildings or structures where there is no dispute or objection with respect to the passing of the by-law.	Chief Planner or designate	Subsequent By-law to Council.
Pass amendments to the zoning by-law pursuant to section 39.2 of the *Planning Act, R.S.O.* 1990, c. P. 13 which are minor in nature and for the purpose of accommodating new dwelling units greater than the current number of dwelling units that exist on a site, including affordable housing and modular housing, subject to satisfying the criteria in Section 2.9.1 of the City's Comprehensive Zoning By-law No. 6575/30/18.	Chief Planner or designate	

Legislative Services Department		
Delegation	**Delegate**	**Conditions/Restrictions**
Signing authority for agreements under by-law and/or pursuant to tender awards, pursuant to the *Municipal Act, 2001, S.O. 2001, C.25,* as amended.	City Clerk	All agreements authorized by municipal by-law; affix corporate seal; two signatures required. Note: Deputy Mayor in absence of Mayor; Deputy Clerk or Chief Administrative Officer in absence of Clerk.
Approve the execution, amendment or termination of agreements or grant applications with the Government of Canada; the Government of Ontario; an agency of the Government of Ontario or the Government of Canada; or other grantor organizations providing funding to municipalities with respect to funding commitments for City initiatives, programs or operations.	City Clerk	Subject to any City funding requirements. Applications may be made so long as the grant will not require additional expenses not already approved by Council. The grant must be at no cost to the City or funded through a current year's operating or capital budget, which has been approved by Council. Reporting to Council will be done to provide notification of a received grant.
Returning Officer responsible for administration of all municipal general elections and all by-elections, pursuant to the *Municipal Elections Act, 1996, S.O. 1996, c. 32.*	City Clerk	Prepare and update forms and written procedures for all components of conducting an election.
Designate an event as an event of municipal significance for the purpose of prescribing it as a special event occasion where an application has been made, pursuant to the *Liquor License Act R.S.O. 1990, c. L. 19.*	City Clerk	Compliance with all applicable Alcohol and Gaming Commission (AGCO) regulations. Consultation with applicable City and/or Regional approvals for licensing.
Issuance of "Letters of No Objection" for temporary liquor licence extensions, pursuant to the *Liquor License Act R.S.O. 1990, c. L. 19.*	City Clerk	In consultation with applicable City departments.

Liquor Licence Municipal Clearance (Wet/Dry Status), pursuant to the *Liquor License Act R.S.O. 1990, c. L. 19.*	City Clerk	Issue subject to municipal clearance by agencies/departments as per AGCO regulations.
Issuance of “Tag Day” approvals for non-profit organizations, pursuant to the *Income Tax Act (Canada).*	City Clerk	
Issuance of Lottery Licenses, pursuant to the *Criminal Code (Canada) Order in Council 1413/08 Gaming Control Act, 1992*	City Clerk	Compliance with all applicable AGCO regulations and Lottery Licensing Policy Manual (LLPM)
Records management oversight, pursuant to the *Municipal Act, 2001, S.O. 2001, C. 25*, as amended.	City Clerk	
All powers and duties under the *Municipal Freedom of Information and Protection of Privacy Act*, pursuant to *Municipal Freedom of Information and Protection of Privacy Act.*	City Clerk	Associated policy.
By virtue of office: Division Registrar, Commissioner of Oaths, and Licensing of Marriage, pursuant to the *Commissioner for Taking Affidavits Act, R.S.O. 1990, c. C. 17,* the *Marriage Act, R.S.O. 1990, c. V.4,* and the *Vital Statistics Act, R.S.O. 1990, c. V.4.*	City Clerk	
Marriage Officiant, pursuant to the *Marriage Act, R.S.O. 1990, c. V.4.*	City Clerk and CAO	
Approve amendments to Civil Marriage Ceremony Policy, as needed.	City Clerk	Subject to consultation with Chief Administrative Officer.
Amend membership composition within the Terms of Reference for the citizen boards and committees, as needed.	City Clerk	Subsequent By-law to Council. Subject to consultation with the Chief Administrative Officer and Board/Committee Staff Liaison.

Human Resources Department		
Delegation	**Delegate**	**Conditions/Restrictions**
Negotiate and execute employment grants, including related documentation.	Chief Human Resources Officer (CHRO)	Consultation with appropriate department director.
Negotiate and execute contracts of employment (full-time and/or temporary), including related documentation, pursuant to the *Ontario Human Rights Code, AODA, MFIPPA, Pay Equity Act,* and *Employment Standards Act.*	CHRO or in their absence, the Chief Administrative Officer	Subject to an identified budgeted funding source. This delegation does not include negotiating and executing contracts of employment for the following positions of the municipality: • CAO (S. 284.5) • Head of any Division (S. 284.6) • Clerk (S. 284.6 (3)) • Deputy Clerk (S. 284.6 (3)) • Treasurer (S. 284.6 (3)) • Deputy Treasurer (S. 284.6 (3)) • Chief Building Official (S. 284.6 (3)) • Fire Chief (S. 284.6 (3)) • Other statutory officers (S. 284.6 (3))
Negotiate collective agreements and prepare and send Memoranda of Agreements pertaining to collective bargaining negotiations, provided that such memoranda are conditional upon Council approval, pursuant to the *Labour Relations Act.*	CHRO or in their absence, the Chief Administrative Officer	Subject to an identified budgeted funding source. In consultation with the CAO, Chief Financial Officer/Treasurer, and City Solicitor.

Administer and execute all documentation and remit payments related to pay and payroll deductions (including but not limited to Canada Pension Plan (CPP), Employment Insurance (EI), Employer Health Tax (EHT), Long-term Disability (LTD), Ontario Municipal Employees Retirement System (OMERS) and other documentation and remittances to government agencies, unions and/or employees such as T4 tax preparation and pay equity adjustments, and others by way of court ordered deductions, pursuant to the *Pay Equity Act, Employment Standards Act, Canada Income Tax Act, Pension Benefits Act, Canada Pension Plan, Employment Insurance Act, Employer Health Tax Act, Workers' Compensation Act,* and *Ontario Municipal Employees Retirement System Act.*	CHRO or designate	Subject to an identified budgeted funding source.
Negotiation and execute minutes of settlement of any labour relations matter (union or non-union), including related documentation, pursuant to the *Labour Relations Act.*	CHRO or designate	Subject to an identified funding source. In consultation with the CAO, Director of the impacted department and the City Solicitor.
Administer and execute all documentation and remit payments related to benefits that include but are not limited to health, dental, short-term disability (STD), LTD, workplace safety and insurance boards (WSIB), OMERS and execute all associated documentation, pursuant to the *Workplace Safety and Insurance Act, Pension Benefits Act, Workers Compensation Act,* and *Ontario Municipal Employees Retirement System Act.*	CHRO or designate	Subject to an identified funding source.

Financial Services Department		
Delegation	**Delegate**	**Conditions/Restrictions**
Execute agreements required for the delivery of bank and investment services to the City and related trust accounts, including agreements for purchasing cards and related electronic services but excluding credit and financing facilities such as debentures, mortgages, loans and lines of credit, pursuant to the Investment Policy, the Reserve Policy, the Procurement Policy, and all applicable by-laws.	Chief Financial Officer/Treasurer or Designate	
Transfer funds between City and related trust bank accounts and/or investments accounts to fulfill financial obligations, pursuant to the Investment Policy, the Reserve Policy, the Procurement Policy, and all applicable by-laws.	Chief Financial Officer/Treasurer or Designate	
Negotiate, conclude and execute contracts on behalf of the City for future utility commodity purchases up to two years in advance to a maximum of 2/3 of historical volumes, pursuant to the Investment Policy, the Reserve Policy, the Procurement Policy, and all applicable by-laws.	Chief Financial Officer/Treasurer or Designate	Decision to purchase must be budgeted, documented and based on a third-party recommendation.
Approve the write-off of an amount owing to the City and refunds disbursed from the City <=0.1% of the Tax Levy, pursuant to the Investment Policy, the Reserve Policy, the Procurement Policy, and all applicable by-laws.	Chief Financial Officer/Treasurer or Designate	
Implement a general insurance program, including the negotiation and execution of insurance agreements with person(s) or agencies that provide services under the general insurance program, pursuant to the Investment Policy, the Reserve Policy, the Procurement Policy, and all applicable by-laws.	Chief Financial Officer/Treasurer or Designate	

Negotiate and settle claims against the municipality, pursuant to the *Municipal Act, 2001, S.O. 2001, C.25*, as amended, and all applicable policies and by-laws.	Chief Financial Officer/Treasurer or Designate	In consultation with insurance adjuster, the appropriate department director and the City's claims administration policy. Subject to a maximum cost in the amount of the City's insurance deductible. Subsequent report to Council on significant settlements at the discretion of the CAO.
Address potential development charge complaints for projects who have substantive proof to be initiated prior to the passing of by-law 7278/100/24, who could not obtain their permit before said passing due to municipal reviews or delays.	Chief Financial Officer/Treasurer or Designate	In consultation with the City Solicitor. For projects with a site plan amendment or zoning by-law amendment application, the rate freeze permitted by s. 26(2) of the *Development Charges Act, 1997, S.O. 1997, c. 27* will apply in lieu of staff relief.
Recreation Department		
Delegation	**Delegate**	**Conditions/Restrictions**
Issue and process permits at City recreation facilities, including but not limited to ice rentals, sports fields, parks, pavilions, and community/meeting rooms.	Manager, Recreation and Tourism or Designate(s)	Follow Council approval allocation for priority users (youth, minor sports, schools, and locals first)
Authority to waive or reduce the following fees: park permits, pavilion/bandshell rentals and related fees (picnic tables, hydro, washroom rental rate), road closures, parade and event services fees, and Vale Health and Wellness Centre rates for the purposes of third-party events run by community organizations and non-profits.	Manager, Recreation and Tourism or Designate(s)	In consultation with the CAO.
Negotiate, conclude and execute recreation licensing agreements with user groups and stakeholders.	Supervisor, Recreation or Supervisor, Marina or Designate(s)	

Approve temporary road closures for municipally-run events or events of municipal significance including, but not limited to, Canada Day, Canal Days, and the Santa Claus Parade	Director, Public Works or Manager of Road and Park Operations	Road closure plan reviewed and approved by By-law. Third party events requesting road closures will be brought in a report to Council for approval unless otherwise delegated.
Approve variances or exemptions to the Noise By-law for municipally-run events or events of municipal significance including, but not limited to, Canada Day, Canal Days, and the Santa Claus Parade.	City Clerk	Event plan reviewed and approved by By-law. Third party events requesting a variance will be brought in a report to Council for approval unless otherwise delegated.
Facilitate the disposition of abandoned boats from marina slips or storage facility.	Manager, Recreation and Tourism or Designate(s)	Consult with City Solicitor.
Information Technology Department		
Delegation	**Delegate**	**Conditions/Restrictions**
Authority to oversee the planning, procurement, implementation, and governance of digital systems, physical security infrastructure, and emerging technologies	Chief Information Officer, or Designate	- Must comply with applicable legislation (e.g., MFIPPA, AODA, etc.), procurement policies, and internal governance frameworks. - Consultation with legal resources (internal or external) and other affected departments as required. - Emergency actions permitted in response to cybersecurity or physical security threats, with post-incident reporting to CAO. - Annual reporting to CAO or Council on technology initiatives, technology deployments, risk assessments, and compliance status, as required. - All agreements subject to legal review and must fall within approved budgets.

Fire Department		
Delegation	**Delegate**	**Conditions/Restrictions**
Enter into Fire Service Agreements for provision of fire protection services to lands located outside Port Colborne or receive services from a fire department located out of Port Colborne.	Fire Chief	Only if agreement is acceptable to the City Solicitor. Subsequent report must be provided to Council.
Activate an emergency plan and implement municipal emergency control group notification.	CEMC	Decision to be made in accordance with City Emergency Plan. Mayor and CAO advised as soon as possible.
Enter into agreements for mutual or automatic aid management operations or emergency response outside scope of Emergency response such as but not limited to chemical, biological, radiological, nuclear, high yield explosive, Hazmat, confined space, high angle rescue.	Fire Chief	Agreement acceptable to City Solicitor. Report to Council.
Execute agreements for emergency management and emergency response for services such as Red Cross, Transit, Niagara Region Police, Ontario Provincial Police, etc.	Fire Chief	Agreement acceptable to City Solicitor. Report to Council.
Process and issue permits pertaining to fireworks displays and discharging of fireworks, pursuant to the Fireworks By-law.	Fire Chief	
Designate Fire Routes once satisfied requirements have been complied with and submit to By-law for approval.	Fire Chief	Council to approve designation by-law. Council pre-approval not required.
Authority to take all proper measures for prevention, control and extinguishment of fires and protection of life and property and shall exercise all powers mandated by legislation, pursuant to the *Fire Protection and Prevention Act, 1997, S.O. 1997, c. 4.*	Fire Chief	

Approval and signing authority to execute agreements and documents to provide fire and public safety training, facility and equipment rentals, and other related fees for services to external clients.	Fire Chief	
Ability to review and rescind bills issued by the Fire Service.	Fire Chief	
<u>Building and By-law Services Department</u>		
Delegation	**Delegate**	**Conditions/Restrictions**
Authority to enter into limiting distance agreements, pursuant to the *Building Code Act, 1992, S.O 1992, c. 23.*	Chief Building Official	Agreements acceptable to City Solicitor.
Authority to enter into conditional building permit agreements, pursuant to the *Building Code Act, 1992, S.O 1992, c. 23*.	Chief Building Official	Agreements acceptable to City Solicitor.
Approve temporary noise variances, pursuant to the Noise By-law.	City Clerk, Chief Building Official and Chief Planner	Temporary nature. In consultation with CAO.
Approve minor variances to the Sign By-law including but not limited to extensions and minor technical non-compliance, pursuant to the Sign By-law.	City Clerk, Chief Building Official and Chief Planner	Ensure general intent and purpose of the Sign by-law are upheld.
Approve minor variances to the Fence By-law including but not limited to extensions and minor technical non-compliance, pursuant to the Fence By-law.	City Clerk, Chief Building Official, and Chief Planner	Consult with public and follow variance process. Advise Council.
Enter into Encroachment Agreements on road allowances and over easements with private property owners.	Chief Planner	Consult with By-law Enforcement Services and Director of Public Works. Agreements acceptable to City Clerk. Conditional but not limited to obtaining survey, covenants to protect the City. Once satisfied, submit by-law for Council approval.

Authority to amend the schedules that regulate stopping prohibition, stop controlled intersections, parking prohibition, limited parking restrictions, parking meter zones, commercial vehicle load permits, loading prohibitions, yield signs, prohibited turns, one-way highways, and speed limits on highways under the jurisdiction of the City of Port Colborne.	Director of Public Works	Consult with By-law Enforcement Services and report to Council.
Appoint a Hearing Officer in respect of the AMPS By-laws, pursuant to the Inter-municipal agreement.	CAO	
Appoint a Municipal Law Enforcement Officer.	Chief Building Official	Advise Council.
Appoint a Property Standards Officer.	Chief Building Official	Advise Council.
Authority to appoint temporary staff parking enforcement	Chief Building Official	
Approve waiving all or a portion of administrative monetary penalties in exceptional circumstances.	CAO	Limit of $10,000 per request in exceptional circumstances where the property owner did not have opportunity to avail themselves through the AMPS process. Report to Council.
Approve waiving the timelines and expiry deadlines outlined in Sections 5.0 and 6.0 of the Non-Parking AMPS By-law associated with requesting a Screening Officer review and appealing to the Hearing Officer.	CAO	Only to be used in exceptional circumstances where the property owner did not have opportunity to avail themselves through the AMPS process. Report to Council.

Public Works Department – Road and Transportation Services		
Delegation	**Delegate**	**Conditions/Restrictions**
Designate construction zones where municipal permit involves construction or repair of a highway or works near a highway, including authority to designate a lower rate of speed for vehicles traveling in construction zones, pursuant to the *Highway Traffic Act, R.S.O. 1990, c. H.8.*	Director of Public Works	Consultation with Planning Division
Authority to complete and execute cost-sharing agreements between the City of Port Colborne and the Niagara Region as well as local area municipalities in the Niagara Region, regarding road construction and/or road maintenance.	Director of Public Works	Subsequent report to Council.
Temporary reduction or lifting of load limits on highway, including designation of alternate routes where applicable.	Director of Public Works	Consultation with Chief Building Official and By-law Enforcement Services
Authority to declare a significant weather event in order to extend the response time to achieve Minimum Maintenance Standards, pursuant to *Ontario Regulation 239/02 – Minimum Maintenance Standards for Municipal Highways.*	Director of Public Works	
Authority to negotiate and sign agreements with Railway Authorities for cost sharing or warning systems and maintenance at level railway crossings.	Director of Public Works	
Authority to provide reciprocal assistance to Public Works Departments in other local area municipalities, pursuant to the Mutual Aid Agreement between local area municipalities and the Niagara Region.	Director of Public Works	Subsequent report to Council.
Approve temporary road closures, intermittent traffic control, and traffic sign alteration, removal, or control.	Director of Public Works	

Authorization to close municipal parks due to seasonal restrictions, inclement weather, and emergencies which could affect the health and well-being of the community.	Director of Public Works	
Authorization to control and manage each cemetery under the jurisdiction of the City of Port Colborne, pursuant to the City Cemetery By-law and the *Cemeteries Act (Revised), R.S.O. 1990, c. C.4.*	Director of Public Works/ Manager of Road and Park Operations	
<u>Public Works Department – Water and Wastewater</u>		
Delegation	**Delegate**	**Conditions/Restrictions**
Authority to complete and sign applications with the Ministry of Environment, Conservation, & Parks, pursuant to the *Ontario Water Resources Act, R.S.O. 1990, c. O.40.*	Director of Public Works	
Authority to provide reciprocal assistance to Public Works Departments in other local area municipalities and the Niagara Region, pursuant to the Memorandum of Understanding between local area municipalities and Niagara Region.	Director of Public Works	
Authority to designate the Overall Responsible Operator (ORO) and the Drinking Water Quality Management System Representative for the City's water distribution system, pursuant to the City of Port Colborne DWQMS Operational Plan and the *Safe Drinking Water Act*, O. Reg. 170-03.	Director of Public Works	

PORT COLBORNE

Subject: **Corporate Use of Resources Policy for Election Purposes**

To: **Council**

From: **Legislative Services Department**

Report Number: 2026-42

Meeting Date: February 24, 2026

Recommendation:

That Legislative Services Department Report 2026-42 be received; and

That the Corporate Use of Resources Policy for Election Purposes labelled as Appendix A of Legislative Services Department Report 2026-42 be approved.

Purpose:

The purpose of this report is to seek Council's approval of the amended policy that oversees the use of corporate resources for election purposes.

Background:

Section 88.18 of The Municipal Election Act, 1996 (MEA) dictates in that prior to May 1 in an election year, municipalities and local boards must establish rules and procedures regarding the use of corporate (municipal or board) resources during the election campaign period. The City of Port Colborne (the City) cannot provide any contributions to candidates, including monetary contributions, or goods and services. Council approved the Corporate Use of Resources Policy for Election Purposes on April 26, 2022. Staff are now bringing forward an amended policy to address some language changes and to better define the scope of the policy.

Discussion:

The amended policy, attached as Appendix A, sets out a list of guidelines restricting the use of City resources for election purposes in general, and includes further restrictions

for sitting councillors after nomination day (August 21, 2026) regarding the use of corporate resources. There are limited changes to the amended policy, including:

- changing the short form of the Municipal Elections Act, 1996, from “the act” to the “MEA”;
- updating the scope to better define who the policy applies to; and
- removal of definitions not used in the policy.

Should Council approve the amended policy, the new policy would be communicated to all future candidates, staff, and members of Council.

Financial Implications:

There are no financial implications associated with this report.

Strategic Plan Alignment:

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

- Welcoming, Livable, Healthy Community

Conclusion:

Clerks staff are recommending the approval of the amended Corporate Use of Resources for Election Purposes policy to provide clear, comprehensive information to those for whom it applies.

Appendices:

a. Corporate Use of Resources Policy for Election Purposes

Respectfully submitted,

Jessica Beaupre
Deputy Clerk
905-228-8118
Jessica.beaupre@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.

CITY OF PORT COLBORNE
2026 MUNICIPAL ELECTION
PROCEDURE MANUAL

Corporate Use of Resources Policy for Election Purposes

Section: Clerk's Division
Contact: City Clerk
Primary Backup: Deputy Clerk
Secondary Backup: Election Coordinator
Created: September 10, 2010
Revised: May 5, 2014, April 4, 2018, April 26, 2022, February 3, 2026

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Policy Statement

The purpose of this policy is to notify all registered candidates, including members of City Council, of the requirement to follow the provisions of the *Municipal Elections Act,* 1996, (MEA) as amended, and that:

- No member/candidate shall use the facilities, equipment, supplies, services, staff, or other resources of the municipality (including City letterhead, City business cards, City e-mail accounts, City computers, tablets, cell phones, and any Councillor budgets) for any election campaign or campaign-related activities;

- No member/candidate shall undertake campaign-related activities on municipal property during regular working hours; and

- No member/candidate shall use the services of persons during hours in which those persons receive any compensation from the municipality.

Purpose

To ensure that members of City Council, registered candidates, and staff adhere to the provisions of the MEA, as amended.

Scope

This policy is applicable to:

- all candidates for a municipal election or by-election;
- all candidates for a provincial or federal election or by-election;
- all elected officials of the town including those not seeking re-election;
- all municipal staff, including individuals employed by the offices of the elected officials;
- Registered third parties.

Definitions

In this policy:

“Blackout Period” is a term which refers to the temporary period from Nomination Day in a municipal election year to and including Voting Day in which certain privileges are discontinued for sitting members of Municipal Council and the Mayor;

“By-election” means an election other than a regular election;

“Candidate” means a person who has filed a nomination to run in a municipal, provincial or federal election, and shall be deemed to include third party advertisers and any person seeking to influence other persons to vote for or against any candidate, or any question, or by-law submitted to the electors under section 8 of the MEA;

“City of Port Colborne” means The Corporation of the City of Port Colborne;

“Corporate Resources” includes but is not limited to the City of Port Colborne staff, events, funds, information, and assets;

“Election Period” begins the first day that Candidates may file their nomination, as prescribed by the *Municipal Elections Act, 1996*, as amended, through to and including Voting Day;

“Municipal Facilities” means any real property owned or under the control of the City of Port Colborne;

“MEA” means the *Municipal Elections Act,* 1996, as amended from time to time, and includes any regulation made thereunder;

“Nomination Day” for a regular municipal election is the date prescribed by the *Municipal Elections Act, 1996*, as amended;

“Staff” includes full-time, part-time, and contract employees, paid by the City of Port Colborne;

“Voting Day” is the day on which the final vote is to be taken in an election as prescribed by the *Municipal Elections Act, 1996*, as amended.

Policy

1. That in accordance with the provisions of the MEA:

    a. Corporate resources may not be used for campaign related purposes;

    b. Staff shall not canvass or actively work in support of a municipal, provincial, or federal candidate or party during normal working hours unless they are on a leave of absence without pay, lieu time, float day, or vacation leave;

    c. Members of Council, including the Mayor, candidates, and registered third parties shall not use any municipal facilities for any election-related purposes. Campaign-related signs or any other election-related material shall not be displayed in any municipally owned facility;

    d. Candidates shall not engage in any campaign related activity at a municipally-

sponsored event or festival;

e. During the Blackout Period, no Member of Council, including the Mayor shall:

    i. Advertise, including in municipality funded publications;

    ii. Print, photocopy or distribute any newsletters unless so directed and approved by Council;

    iii. Order office furniture or furnishings, except those of an emergency nature; and

    iv. Order any stationery or business cards, except within reason and as needed to carry out their current duties.

f. Members of Council, including the Mayor, shall not deliver any unsolicited material outside of their existing ward where the printing and/or distribution costs are paid by the municipality. Care should be taken to ensure that the mailing of newsletters be restricted to the member's ward only;

g. Members of Council shall not:

    i. Print or distribute any material using municipal funds that make reference to, or contains the names or photographs of, or identifies registered candidates for municipal elections; and that minutes of municipal council and committee meetings be exempt from this policy;

    ii. Enter into joint ventures using corporate resources outside of their existing wards from Nomination Day to Voting Day, unless specifically approved by Council.

h. Members of Council are responsible to ensure that the content of any communications material, including printed materials such as newsletters, advertising, etc. funded by the municipality for the operation of each Councillor's office, are not directly election-related;

i. Websites or domain names that are funded by the municipality may not include any election-related campaign material;

    i. Candidates are permitted to link to any City document available to the public or on a public City webpage from their campaign website;

    ii. Candidates are not permitted to incorporate a video or other material

(i.e. photos) for which the City has proprietary rights on the Candidate's own webpage;

iii. Sitting Members of Council are permitted to place campaign phone numbers, website, and e-mail addresses on the election page of the City's website, which is available and authorized for use by all Municipal Candidates;

iv. Sitting Members of Council shall not use the City's IT resources, including individual websites linked through the City's website and social media accounts used for communication, for any election campaign and/or campaign-related activities;

v. If a Member of Council uses any social media account for campaigning, such accounts must not be created or supported by corporate resources. Social media accounts used for campaign purposes must utilize personal cell phones, tablets and/or computers; and

vi. Sitting Members of Council who choose to create or use social media accounts for campaigning must include, for the duration of the election period, a clear and easily accessible statement on each campaign website or social media account's home page indicating that the account is being used for election campaign purposes and is not related to their duties as a Member of Council.

j. Candidates must not, under any circumstances, use a City logo or any variation of it on any campaign material, election signs, social media, or campaign websites;

k. A City of Port Colborne e-mail address may not be used for the distribution of campaign related correspondence or include campaign related material;

l. Members of Council may not use the municipality's voicemail system and/or cell phones to record election related messages;

m. Photographs produced for and owned by the City of Port Colborne may not be used for any election purposes;

n. The policies contained herein also apply to an acclaimed member, a member not seeking re-election, or to a registered third party.

2. That the Municipal Clerk be authorized and directed to take the necessary action to give effect to this policy.

Limitation

This policy does not restrict the City Clerk from utilizing municipal resources for the proper conduct of an election in accordance with the requirements of the MEA.

This policy does not preclude a member of Municipal Council or Regional Council from performing their duties as a Councillor or Regional Chair, nor inhibit them from representing the interests of the constituents who elected them.

Implementation

This policy shall become effective immediately upon approval by the Municipal Council.

Rationale and Legislative Authority

It is necessary to establish on the appropriate use of corporate resources during an election period to protect the interests of both members of Council and the City of Port Colborne.

The MEA prohibits a municipality from making any contribution to a candidate. The MEA also prohibits a candidate, or someone acting on the candidate's behalf, from accepting any contribution from a person who is not entitled to contribute.

Any use of the Corporation's resources by a Member of Council for their election campaign would be viewed as a contribution by the municipality to the member, which is a violation of the MEA.

PORT COLBORNE

Subject: **Comprehensive CIP Downtown CIPA Tax Increment Grant – 395 Elm Street**

To: **Council**

From: **Planning and Development Department**

Report Number: 2026-24

Meeting Date: March 10, 2026

Recommendation:

That Planning and Development Report 2026-24 be received; and

That the by-law and agreement attached as Appendix B, being a by-law to enter into the Comprehensive Community Improvement Plan (CIP) Downtown Community Improvement Project Area (CIPA) Tax Increment Grant (TIG) Agreement with 13489116 Canada Inc. (Azim Kassam), be brought forward for Council's approval.

Purpose:

The purpose of this report is to provide Council with a recommendation regarding an application for a TIG in the Downtown CIPA submitted by 13489116 Canada Inc. for vacant land at 395 Elm Street as depicted in Appendix A.

Background:

Since 2008, Council has adopted and implemented six Community Improvement Plans (CIPs) for various project areas throughout the City. On November 28, 2023, Council approved a new Comprehensive CIP that consolidates all CIPs into one document.

The 13489116 Canada Inc. has applied for a TIG in the Downtown CIPA under the Comprehensive CIP for vacant land at 395 Elm Street. The TIG is a 10-year grant for 80% of the increase in municipal taxes that result from property rehabilitation and improvements. The grant payment is based on the actual post-project assessed value as determined by the Municipal Property Assessment Corporation (MPAC).

A condition of approving the application for tax assistance is that the owner is required to enter into an agreement with the City. The agreement requires that the applicant develop the subject property in accordance with the City's objectives and required information in the CIP Program Guides.

While many of the CIP programs can be approved through the authority delegated to staff, any application for tax assistance must go through Council for approval. The CIP Review Team has met and recommended that this application be brought forward to Council for approval.

The property at 395 Elm Street is currently site plan approved and was added to the Downtown CIPA when Report 2026-20 was adopted by Council on February 24th, 2026.

Discussion:

The 13489116 Canada Inc. owner of 395 Elm Street has submitted a proposal to construct a 78-unit apartment building consisting of 20 - 1 Bedroom apartments and 58 - 2 Bedroom apartments. This project is in direct alignment with the City's strategic plan, aiming to augment housing options by introducing rental housing in the downtown area.

Currently, the property contributes $10,276 in property tax to the City and $7,839 to the Region, based on 2025 tax rates. Upon project completion, the anticipated City property tax is estimated to increase to $181,719, with the Niagara Region tax expected to be $140,185 annually. With an 80% TIG, the City's tax portion is projected to rise to $36,344 from $10,276, and the Region's to $28,032 from $7,839 in the first year of new assessment.

The introduction of new rental housing units in the Downtown CIP area of the City of Port Colborne aligns with the objectives of the CIP and the strategic plan, aiming to enhance housing stock, density, and walkability to local restaurants and shopping.

The CIP TIG agreement is comprehensive, outlining the City's expectations for the owner to meet eligibility requirements for the tax increment grant. Key provisions include:

- The annual grant is based on the actual post-project MPAC assessed value;
- The City must be satisfied, at its discretion, that the owner has completed property improvements in accordance with the proposed plans;
- The City must be satisfied with its review of all documentation submitted to support the actual cost of works incurred by the owner, including third-party review if required by the City at the owner's cost;

- Payments are repayable by the owner if the City determines that conditions set out in the Application or Agreement have not been met;
- The grant may be reduced by the amount of any tax arrears on the property; and
- Specific preconditions for the annual grant must be met to the satisfaction of the City.

Internal Consultations:

The application and the agreement have been reviewed by the City's CIP Review Team comprised of staff from Building, Economic Development and Planning departments. The TIG calculations were reviewed by Finance.

Financial Implications:

As outlined in Appendix C attached hereto, it indicates that the amount of the TIG over a 10-year period is estimated to be $5,229,661 combined between the City and Region based on 2025 tax rates and the current estimated post-construction assessed value.

As noted above, the property currently generates $10,276 in annual City property tax and $7,839 in Niagara Regional property tax based on 2025 tax rates. Upon completion of the project the new estimated amount of City property tax is $181,719 and Niagara Region tax is $140,185 per year. As the CIP provides an 80% TIG grant, the City's tax portion is estimated to increase to $36,344 from $10,276 and the Region's to $28,032 from $7,839 in year one.

Following the 10-year period, the City will receive the full property tax value, estimated to be $181,719 based on 2025 tax rates and the current estimated post construction assessed value.

It is important to note that the property owner is responsible for the upfront costs associated with the redevelopment and is required to cover the increased taxes resulting from the higher assessed value. Please see Appendix C for TIG calculation details.

Strategic Plan Alignment:

The initiative contained within this report supports the following pillars of the strategic plan:

- Welcoming, Livable, Healthy Community

- Increased Housing Options

Conclusion:

Staff recommend that Council approve the CIP TIG application submitted by 13489116 Canada Inc. to assist with the development of the property and construction of a 78-unit residential apartment building on Elm Street. If approved, the TIG would return 80% of the tax assessment increase for 10-years Following the 10-year period, the City and Region will receive the full property tax value.

As a condition of approval, the owner is required to enter into an agreement with the City that outlines obligations of the owner to satisfy the eligibility requirements of the City's CIP programs.

Appendices:

a. Property Map
b. By-law and Comprehensive CIP Downtown CIPA Tax Increment Grant Agreement
c. TIG Calculation

Respectfully submitted,

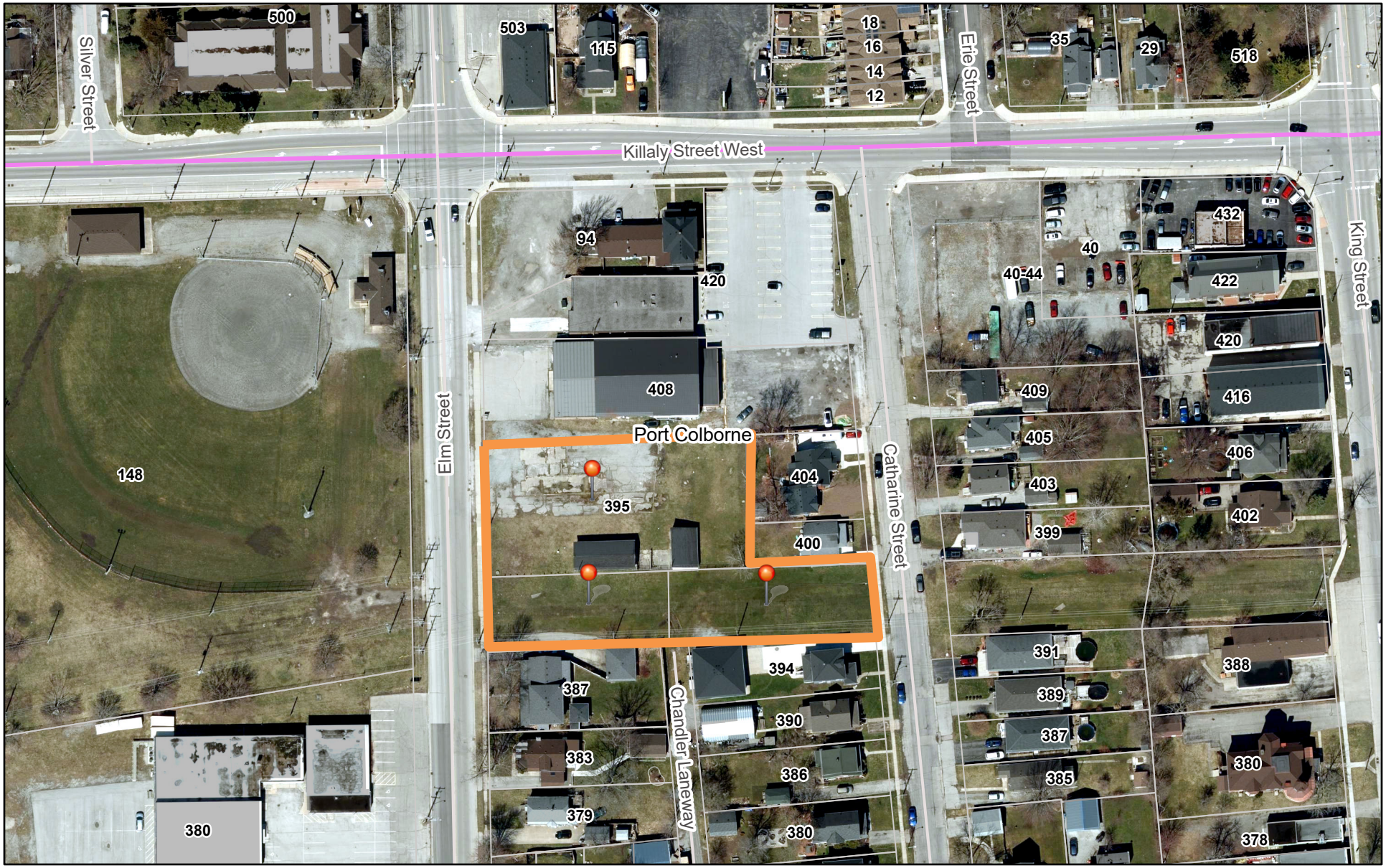
Bram Cotton
Economic Development Officer
(905) 228-8063
Bram.Cotton@portcolborne.ca

Erik Acs
Chief Planner
(905) 228-8117
Erik.Acs@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.

Port Colborne Mapping Application



2026-02-10, 6:00:37 p.m.

Port Colborne Boundary

Building Footprints

Assessment Parcel

Roads

MUN

RMN

2023 Aerial Imagery

Red: Red

Green: Green

Blue: Blue

World_Hillshade

1:1,456

0 65 130 260 ft

0 20 40 80 m

Sources: Esri, Vantor, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland,

City of Port Colborne

© City of Port Colborne

The Corporation of the City of Port Colborne

By-law No._____

Being a By-law to Authorize Entering into an Agreement with 13489116 Canada Inc. (Azim Kassam) Regarding the Comprehensive CIP Downtown CIPA Tax Increment Grant – 395 Elm Street

Whereas at its meeting of March 10, 2026, the Council of The Corporation of the City of Port Colborne (Council) approved the recommendations of Planning and Development Report 2026-24, Subject: Comprehensive CIP Downtown CIPA Tax Increment Grant – 395 Elm Street; and

Whereas Council is desirous of entering into a Comprehensive CIP within the Downtown CIP area Tax Increment Grant agreement with 13489116 Canada Inc.;

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 enters into an agreement with 13489116 Canada Inc., for the purposes of a Comprehensive CIP within the Downtown CIP area Tax Increment Grant;

2. That the Mayor and 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 City Clerk is duly authorized to affix the Corporate Seal thereto.

Enacted and passed this 10th day of March, 2026.

_____
William C. Steele
Mayor

_____
Charlotte Madden
City Clerk

TAX INCREMENT GRANT AGREEMENT

BY AND BETWEEN:

THE Corporation of the City of Port Colborne (hereinafter referred to as the “City”)

and

13489116 Canada Inc. (Azim Kassan) (hereinafter referred to as the “Applicant”)

WHEREAS the Applicant is the registered Owner of lands described in Schedule “A” attached to this Agreement (“the subject lands”) which are situated within the Brownfield Community Improvement Project Area/Main Street Community Improvement Project Area/Downtown Community Improvement Project Area/East Waterfront Community Improvement Project Area, and the Applicant has applied to the City for a Tax Increment Grant (“Grant”) and the City has agreed to make such a Grant pursuant to Section 28 of the *Planning Act* and under By-Law No (insert CIP by-law number);

AND WHERES as a condition of approval of such a Grant, the Applicant is required by the City to enter into this Agreement;

NOW THEREFORE IN CONSIDERATION of the City making this Grant in the estimated maximum amount **of** $ 295,950.94 annually for up to ten (10) years to the Applicant, the Applicant and the City hereby agree as follows:

1. INFORMATION ON SUBJECT LANDS

1.1 The Grant shall apply to the subject lands as set out in Schedule A attached.

1.2 The subject lands are/are not designated under the *Ontario Heritage Act*.

2. GRANT ELIGIBILITY

2.1 To be eligible for the Grant, the works on the subject land shall conform to and fulfill:

a) The objectives and program requirements of the Tax Increment Grant Program and the Port Colborne Comprehensive CIP (“CIP”); and,

b) Any other requirements as specified by the City.

2.2 The Applicant acknowledges that it has received and read a copy of the: CIP, General Program Requirements, Tax Increment Grant Program Guide (the “Guide”), Urban Design Guidelines (the “Guidelines”), and the Applicant covenants with the City that the subject lands shall be improved and the Grant provided for in this Agreement shall be applied in accordance with the City’s goals, policies, and program requirements as set out in the CIP, General Program Requirements, Guide, and Guidelines.

2.3 The City shall review all cost estimates submitted in support of the Application in evaluating the estimated costs eligible for the Grant program, which costs, when designated by the City shall constitute the maximum eligible cost upon which the total

grant amount will be calculated and paid. In the event the City is not satisfied with said cost estimates, the City may substitute their opinion of such amounts for purposes of calculating the eligible costs for the Grant.

2.4 If the City is not in receipt of sufficient information satisfactory to the City to determine eligible program costs and the amount of the Grant, the application will not be processed and the application file will be closed. The decision of the City regarding the total amount of eligible costs, and the calculation of the estimated and actual annual grant payment is final, absolute and within the City's sole discretion.

3. GRANT CALCULATION

3.1 Definitions:

"Pre-project assessed value" – the assessed value of the subject lands as determined by the Municipal Property Assessment Corporation ("MPAC") the day before development works commence.

"Post-project assessed value" – the assessed value of the subject lands as determined by the MPAC when the development is complete.

"City pre-project property taxes" - City of Port Colborne property taxes the day before development works commence.

"Regional pre-project property taxes" – Regional Municipality of Niagara property taxes the day before development works commence.

"Municipal pre-project property taxes" – the total of City and Regional property taxes the day before development works commence.

"City post-project property taxes" - City of Port Colborne property taxes based on the assessed value of the subject lands as determined by the MPAC when the development is complete.

"Regional post-project property taxes" – Regional Municipality of Niagara property taxes based on the assessed value of the subject lands as determined by the MPAC when the development is complete.

"Municipal post-project property taxes" – the total of City and Regional property taxes based on the assessed value of the subject lands as determined by the MPAC when the development is complete.

3.2 The annual Grant will be equal to a percentage of the increase in the municipal (City and Region) property taxes on the subject lands that result from the development, as follows:

a) 80% if the project is in the Main Street/Downtown/East Waterfront Community Improvement Project Area;

b) 100% for all new affordable rental residential units if the project is in the Main Street/Downtown/East Waterfront Community Improvement Project Area, where an "affordable rental residential unit" means a new residential unit intended for use as a rented residential premises where:

i) The rent is no greater than 80% of the average market rent based on CMHC data; and,

ii) The tenant is dealing at arm's length with the landlord; and,

iii) The rent for the unit is maintained as per b) i) above for a period of 25 years from the date that the unit is first rented;

c) 100% for a brownfield redevelopment project in the Brownfield Community improvement Project Area (entire Urban Area).

3.3 Grant payments will cease on the earlier of:

a) The date when the total of all annual Grant payments equals the total eligible Tax Increment Grant Program costs that have been approved/set by the City; or,

b) Ten (10) years (equivalent) after the date of completion of development of the subject lands.

3.4 The amount of the annual Grant payment is calculated according to the formulas set out below. Some of the figures set out below are estimates only. The amount of the actual annual Grant payment will be based on the actual post-project assessed value (AV) as determined by the MPAC:

Estimated Cost of Project $ **19,000,000**

Pre-project AV: $ **457,000** **Date: 2026**

Estimated Post-project AV $ 17,000,000

Actual Post-project AV
(provided by MPAC): $_____ Date:_____

If the difference between the Pre-project Assessment Value (AV) and the Post-Project Assessment Value (AV) is not at least $500,000, there will be no grant paid by the City and this Grant Agreement will terminated.

a) Municipal Pre-Project Property Taxes

Municipal pre-project property taxes = City pre-project property taxes + Regional pre-project property taxes, where:

City pre-project property taxes = (Pre-project AV x City Tax Rate) + Clawback/-Cap + other charges, and

Regional pre-project property taxes = (Pre-project AV x Regional Tax Rate) + Clawback/-Cap + other charges

Municipal Pre-project property taxes: $ 10,276 Date: 2025

b) Estimated Municipal Post-Project Property Taxes

Estimated Municipal post-project property taxes = Estimated City post-project property taxes + estimated Regional post-project property taxes, where:

Estimated City post-project property taxes = (Estimated Post-project AV x applicable City Tax Rate), and

Estimated Regional post-project property taxes = (Estimated Post-project AV x applicable Regional Tax Rate)

Estimated Municipal Post-project property taxes: $ 181,714

c) Actual Municipal Post-Project Property Taxes

Actual Municipal post-project property taxes = Actual City post-project property taxes + actual Regional post-project property taxes, where:

Actual City post-project property taxes = (Actual Post-project AV x applicable City Tax Rate), and

Actual Regional post-project property taxes = (Actual Post-project AV x applicable Regional Tax Rate)

Actual Municipal Post-project property taxes: $_____

Calculation of Estimated Annual Grant

Estimated Annual Grant = (Estimated Municipal Post-project property taxes - Municipal Pre-project property taxes) x 0.80/1.0

Calculation of Actual Annual Grant

Actual Annual Grant = (Actual Municipal Post-project property taxes - Municipal Pre-project property taxes) x 0.80/1.0

3.5 The total value of the sum of the annual Grant payments that may be provided under this grant Program shall not exceed the total costs of the development that have been accepted by the City, which costs are estimated, as of the date of this agreement, at $17,000,000 .

3.6 Where the actual costs of development are, in the opinion of the City, less than the estimated costs of development ($ 17,000,000), the maximum permitted amount of the total annual Grant payments shall be reduced.

3.7 Where at any time after the original development of the subject lands, new construction is added to the subject lands that is not part of the original Program Application, the Grant payment will be calculated only in respect of the original development contained in the original application, based on the property taxes levied in the last year before revaluation by MPAC as a result of the new construction added to the subject lands.

3.8 The annual Grant payment shall be calculated by the City based upon, and provided the City is satisfied in its discretion that:

a) Development of the property was completed and took place in accordance with the proposed development as specified in the Program Application, supporting documentation, and this Agreement;

b) There was and remains during each year of the Grant payment, an increase in net municipal property taxes as a result of an increase in the assessed value attributable to the completion of the development;

c) Annual Grant payments after the first Grant payment are adjusted downwards in the event the property tax increase in any subsequent year has been reduced.

3.9 The estimated annual Grant calculated as set out above in this Agreement is based on preliminary estimates of post-project assessed value and post-project tax rates. Accordingly, the amount of the Grant payment shall be re-calculated by the City based on actual assessed value as determined by MPAC and actual post-project tax rates prior to payment of the Grant.

4. GRANT PAYMENT

4.1 Payment of the grant is subject to the City's review and satisfaction with all reports and documentation submitted in support of the application, including but not limited to: documentation of the estimated and actual costs of eligible works. Any and all of these costs may be, where required by the City, subject to verification, third party review or independent audit, at the expense of the Applicant.

4.2 The Applicant shall not be entitled to a grant unless and until they have met all the conditions of this Agreement to the satisfaction of the City. Except where expressly stated in this Agreement, all conditions in this Agreement are for the benefit of the City and may only be waived by the City. No waiver is effective unless in writing.

4.3 The total sum value of the annual grant payments that may be provided to the Applicant shall not exceed the total eligible Tax Increment Grant Program costs that have been accepted by the City.

4.4 Any and all grant payments that have been provided to the Applicant will become payable upon notice in writing from the City that one or more of the conditions set out in the application, this Agreement, or the Grant Program have not been met.

4.5 The Grant is not payable by the City until such time as additional assessment eligible for a Grant has been added to the assessment roll by the MPAC, all taxes eligible for a Grant have been billed by the City, and taxes have been paid in full for at least one (1) year. The Grant will not be issued if there is an outstanding tax payment. If at any time after the execution of this Agreement, property taxes are owing on a property for more than one (1) full year, the City will have the option, upon notice to the Applicant, and at its sole discretion, to terminate all future Grant payments.

4.6 The Grant is not payable by the City until such time as all assessment appeals relating to the value of the subject lands before the additional assessment or as to the additional assessment have been filed and finally determined.

4.7 Annual Grant payments are not payable by the City until the Applicant has satisfied the City that:

a) The development of the subject lands has been fully completed in accordance with the development as described in the Application;

b) The Applicant has supplied the City with the actual amount of the construction costs incurred by the Applicant

c) There are no outstanding work orders and/or orders or requests to comply from any City department or other regulatory authority in respect of the subject lands, the property and the business of the Applicant conducted on the subject lands;

d) As of the date of the proposed first Grant payment, the Applicant, its development and property are in full compliance with:

i) Any agreement(s) relating to the property in favour of the City or Region, including any Agreement relating to: subdivision, modified subdivision, service, site plan approval, encroachment, joint sewer & water use, easement or other Agreement; and,

ii) By-laws of the City, Region, provincial or federal legislation and their regulations.

g) The post-project assessed value of the subject property has increased as a result of the development;

h) The Applicant has not appealed the post-project assessed value and there exists no other pending appeal which has not been finally determined in respect of the post-project assessed value;

i) The property taxes for the year during which property taxes were calculated pursuant the said increased assessment and for each of the preceding years, have been paid in full, have not been deferred and there are, at the time of payment of the annual Grant, no instalments of property taxes for the current year remaining to be paid;

j) There are no unpaid charges (where applicable) against the subject lands in favour of the City or the Region, including but not limited to: development charges, park land dedication fees, special assessments, building permit fees and local improvement charges.

4.8 Provided that all Program and Grant Agreement requirements have been met, each year, the same grant payment will be made to the Applicant or assignee (Brownfield Tax Increment Grant only).

5. CORPORATE STATUS

5.1 The Applicant represents to the City that:

a) The Applicant has been duly incorporated as a corporation and is in good standing under the *Business Corporations Act* and is in compliance with all laws that may affect it and will remain so throughout the term of this Agreement;

b) The Applicant has the corporate capacity to enter into this Agreement and to perform and meet any and all duties, liabilities and obligations as may be required of it under this Agreement;

c) The Applicant is a resident of Canada as of the date of this Agreement and that in the event the Applicant ceases to be a resident of Canada, the Applicant shall immediately notify the City, and it is agreed, the City may deduct for any or all annual Grant payments, such sum(s) as may be required by the Canada Customs and Revenue Agency in order to meet the City's obligations as a payor and the Applicant's obligations under the *Income Tax Act (Canada)* and other applicable laws;

d) To the best of its knowledge and belief, there are no actions, suits or proceedings pending or threatened against or adversely affecting the Applicant in any court or before or by any federal, provincial, municipal or other governmental department, commission, board, bureau or agency, Canadian or foreign, which might materially affect the financial condition of the Applicant or title to the subject lands or assets;

e) The Applicant shall notify the City immediately of any material change in the conditions set out in paragraphs (a)-(d) above.

6. PROVISIONS RELATING TO THE APPLICANT

6.1 At the time of application for the Program, the Applicant shall have submitted to the City for its review and acceptance, the Applicant's plans for the development and supporting documentation, including the Applicant's proposed residential and non-residential uses for the property.

6.2 The Applicant shall notify the City if the Applicant has applied for, been approved for, or has received project funding from any other levels of government or government funded agencies, e.g., Region, Provincial, Federal, Canada Mortgage and Housing Corporation, Federation of Canadian Municipalities, etc…). The Applicant will notify the City immediately upon receiving any and all project funding from other levels of government even if said funding is received after the execution of this agreement.

6.3 At the time the Applicant signs this Agreement, the Applicant will provide the City with a certified true copy of a resolution of the Board of Directors of the Applicant (certified by an officer of the corporation) that authorizes the Applicant to enter into this Agreement with the City.

6.4 The Applicant agrees that it shall not commence any works that are the subject of a Grant Application prior to receiving approval of the Grant Application from the City, execution of this Agreement, and issuance of a building permit (if required).

6.5 The Applicant will complete all eligible works as specified in the approved Grant application, and in documentation submitted in support of the Grant application, including but not limited to: all required planning approvals, the architectural/design drawings, specifications, contracts and cost estimates. As the City is relying upon this information, if the information in this Agreement, the associated application, and/or any supporting documentation submitted to the City is, in the opinion of the City, incomplete, false, inaccurate or misleading, the Grant may be reduced and/or delayed, and/or cancelled, and where part or all of the Grant has already been paid by the City, such payments shall be repaid by the Applicant as required by the City.

6.6 The Applicant agrees that the development shall be constructed in compliance with all required Building Permits and constructed in accordance with the Ontario Building Code and all applicable zoning by-law requirements, municipal requirements and other approvals required at law.

6.7 The Applicant agrees that it shall commence construction of the development (building permit issued) as described in the associated Tax Increment Grant (TIG) Program Application within two (2) years and complete construction of the development within four (4) years of the date of approval by City Council for residential TIGs and three (3) years and within five (5) years for a Brownfield Grant TIG, failing which, unless extended by the City, this Grant approval shall be at an end, there shall be no Grant, and this Agreement shall be terminated. The City's decision as to when such project is commenced and completed is final and absolute.

6.9 Upon request, the Applicant shall supply to the satisfaction of the City prior to issuance of any and all Grant payments, environmental reports and documentation showing that the subject lands have been remediated to the appropriate levels for the proposed use. This

includes, where required by the City, proof of acknowledgement of a signed Record of Site Condition (RSC) by the Ministry of Environment, Conservation and Parks (MOECP) for the subject lands.

6.10 The Applicant agrees and covenants to the City that if the building(s) and improvements that are the subject of this Agreement are demolished, in whole or in part, or any of the heritage features of the property are altered in any way that would compromise the reasons for designation, prior to the expiration of the term of this Agreement, all subsequent Grant payments shall cease, and all Grant payments already paid by the City to the Applicant shall be repaid to the City.

6.11 Upon completion of the project, the Applicant shall provide the City with documentation satisfactory to the City as to the amount of the actual costs of the construction project incurred by the Applicant and the City shall, in its discretion designate this cost as the total maximum amount of the Grant.

6.12 The Applicant will provide to the City, upon request, a status report signed by the Applicant to confirm the status and completion of the approved development; a detailed progress report of the status of the development, including, but not limited to, the development schedule, the existence and extent of any faults or defects, the value of the work done under any contract, the amount owing to any contractor and the amounts paid or retained by the Applicants on any contract.

6.13 The Applicant shall ensure there are no liens or other claims outstanding in respect of the subject lands, including its development, and all accounts for work and materials which could give rise to any claim for a construction lien against the subject lands have been paid.

6.14 The Applicant shall ensure that the Applicant is in compliance with the *Construction Lien Act*, including its holdback provisions and is not aware of any potential or unresolved Lien claim in respect of the redevelopment.

6.15 The Applicant agrees to comply with all outstanding work orders and/or orders or requests to comply from any and all City departments prior to or as a condition of Grant approval.

6.16 The Applicant covenants to the City that where the ownership of part or all of the subject lands ceases for any reason to be in the Applicant's name by sale, assignment or otherwise, prior to the advance of all of the Grant payments, the Applicant will notify the City in writing of said pending ownership change at least 45 days prior to the ownership change taking place.

6.16 With the exception of an approved Brownfield Tax Increment Grant, the Applicant acknowledges that it may not assign its interest in this Agreement nor the grant payments to an assignee or new owner.

6.17 For an approved Brownfield Tax Increment Grant only, the Applicant acknowledges that it may not assign its interest in this Agreement nor the remaining grant payments to an assignee or new owner without the express written consent of the City. The City, entirely at its own discretion and to its satisfaction, prior to assignment of the Applicant’s interest in this Agreement and/or the remaining grant payments to an assignee or new owner, agrees that such consent shall not be unreasonably withheld, subject to:

a) The assignee/new owner agreeing in writing to be bound by all of the Applicant's obligations and maintenance conditions under this Agreement that have not been fulfilled;

b) The assignee/new owner agreeing in writing to be bound by any new conditions and requirements imposed by the City to address any project deficiencies; and,

c) The Applicant and new owner executing such written consent, agreement or other documentation as required by the City and providing said executed documentation to the City.

6.18 The Applicant will be responsible for ensuring that they can be contacted by the City for the purpose of delivering Grant cheques.

6.19 The Applicant acknowledges that without limiting the generality of the other provisions of this Agreement:

a) The onus and responsibility is upon the Applicant at all times to assume all costs of rehabilitation of the subject lands and to apply for and obtain, at the Applicant's expense, all approvals required from the City, the Region, and all other agencies for the rehabilitation of the subject lands, including but not limited to: all Official Plan amendments, Zoning By-law amendments, minor variances, and Site Plan approval;

b) Nothing in this Agreement limits or fetters the City or the Region in exercising its statutory jurisdiction under the *Planning Act* or under any other legislative authority or by-law and that in the event the City or Region decides to deny or oppose or appeal any such decision, that such action by the City or Region is not in any manner limited by reason of the City entering into this Agreement;

c) The Applicant releases the City from any liability in respect of the City's reviews, decisions, inspections or absence of inspections regarding this rehabilitation and the Applicant agrees that it is its responsibility at all times to prepare and implement its rehabilitation as would a careful and prudent land owner;

d) Nothing in this Agreement is intended to impose or shall impose upon the City any duty or obligation to inspect or examine the land for compliance or non-compliance or to provide an opinion or view respecting any condition of development; and,

e) Nothing in this Agreement is intended to be or shall be construed to be a representation by the City regarding compliance of the land with: (1) applicable environmental laws, regulations, policies, standards, permits or approvals, or, (2) other by-laws and policies of the City.

6.20 The Applicant agrees that if after it has received a Grant payment(s) from the City, it or any new owner successfully appeals the post-project assessed value on which that Grant payment(s) is based, and as a result, there is a retroactive decrease in the assessed value, the City may deduct the amount of any resulting Grant overpayment from future Grant payments and/or add any Grant overpayment to municipal property taxes payable on the property.

6.21 If the City determines in its sole discretion that any of the conditions of this Agreement are not fulfilled, the City may at its sole discretion cease or delay the Grant payments, and/or require repayment Grant payments already made to the Applicant, and/or terminate this Agreement, and the Applicant shall not have any claim for compensation or reimbursement of these costs and expenses against the City and that the City is not liable to the Applicant for losses, damages, interest, or claims which the Applicant may bear as a result of the lapse of time (if any) where the City is exercising its rights herein to cease, delay, require repayment of a Grant payment or terminate this Agreement.

6.22 The Applicant shall indemnify and save harmless from time to time and at all times, the City, its officers, employees, and agents from and against all claims, actions, causes of action, interest, demands, costs, charges, damages, expenses and loss made by any person arising directly or indirectly from:

a) The City entering into this Agreement; and,

b) Any failure by the Applicant to fulfil its obligations under this Agreement.

This indemnification shall, in respect of any matter arising prior to the termination of this Agreement, remain in force following termination or expiry of this Agreement, or satisfactory completion of the works approved under this Agreement.

6.23 The Applicant is bound by this Agreement, unless, prior to the Applicant receiving the Initial Grant payment, the Applicant gives notice in writing to the City, that the Applicant has decided not to accept the Grant contemplated by this Agreement, in which case, the Agreement is terminated.

7. PROVISIONS RELATING TO THE CITY

7.1 The City agrees to provide a Grant to the Applicant to be paid out over a maximum of 10 years, to be used towards the costs of the development of the subject lands, subject to and in accordance with the terms and conditions set out in this Agreement, provided that the total of such Grants shall not exceed the total costs of the development project and accepted and designated by the City, estimated as of the date of this agreement, in the amount of $ 1,453,752.

7.2 Upon revaluation of the subject lands by MPAC, the City shall calculate the actual post-project City property taxes and the actual annual Grant.

7.3 On an annual basis, the City, upon being satisfied that the Applicant is in compliance with this Agreement and has met all and any other requirements of the City, shall pay the annual Grant payment.

7.4 The City reserves the right to require a third party review or independent audit, at the Applicant's expense, of all documentation submitted in support of the Application or during the administration of the initial or subsequent annual Grant payments, including, but not limited to:

a) Estimates and actual costs of all development works; and,

b) Environmental reports and documentation.

7.5 The City, its employees and agents are entitled to inspect the subject lands and all fixtures and improvements upon the subject lands at any time during usual business hours for the purpose of ascertaining their condition or state of repair or for the purpose of verifying compliance with the provisions of this Agreement.

7.6 If the Applicant cannot be reached over a protracted period (more than 2 years), the City will have the option, without notice and at its own discretion, of terminating all future Grant payments to the Applicant.

7.7 If in the opinion of the City the subject lands are not maintained in their rehabilitated condition, the City may at its own discretion, terminate all future Grant payments and require repayment of all Grant payments already paid out by the City to the Applicant.

7.8 The City retains the right at all times not to make any or all Grant payments or to delay payment where the City deems that there is non-compliance by the Applicant with this Agreement. In particular, without limiting the generality of the foregoing, the Grant is conditional upon periodic reviews satisfactory to the City to there being no adverse change in the rehabilitation and condition of the subject lands, and to there being compliance on the part of the Applicant with all requirements contained in this Agreement.

7.9 Except where expressly stated in this Agreement, all conditions in this Agreement are for the benefit of the City and may only be waived by the City. No waiver is effective unless in writing.

8. DEFAULT AND REMEDIES

8.1 On the occurrence of default under this Agreement, the City shall be entitled to its remedies to enforce the terms of this Agreement, including:

a) Delaying or ceasing payment of the Grant;

b) Requiring repayment of the Grant; and/or

c) Terminating this Agreement.

8.2 Default shall be deemed to occur upon any default of the Applicant or assignee in complying with the terms set out in this Agreement, including but not limited to the following:

a) The as constructed works do not comply with the description of the works as provided in the Application Form and supporting plans and documents;

b) Deficiencies in the as constructed works during the term of this Agreement;

c) The works are not undertaken in conformity with the Ontario Building Code and all applicable zoning requirements and planning approvals;

d) The Applicant sells, transfers or otherwise disposes of the property without advising the City;

e) The building for which a Grant was provided is demolished or designated heritage features of that building are altered during the term of the Grant;

f) The building is damaged by fire or otherwise, and repair or reconstruction is not commenced with 90 days;

g) The Applicant is in property tax arrears with respect to the property for more than one (1) year;

h) Any representation or warranty made by the Applicant is incorrect in any material respect;

i) Failure to perform or comply with any of the obligations contained in this Agreement or contained in any other Agreement entered into between the Applicant and the City;

j) The Applicant makes an assignment for the benefit of creditors, or assigns in bankruptcy or takes the advantage in respect of their own affairs of any statute for relief in bankruptcy, moratorium, settlement with creditors, or similar relief of bankrupt or insolvent debtors, or if a receiving order is made against the Applicant, or if the Applicant is adjudged bankrupt or insolvent, or if a liquidator or receiver is appointed by reason of any actual or alleged insolvency, or any default of the Applicant under any mortgage or other obligation, or if the subject lands or interest of the Applicant in the subject lands becomes liable to be taken or sold by any creditors or under any writ of execution or other like process;

k) Construction ceases for a period of 60 days due to the Applicant's default (strikes and Acts of God excepted) and/or the Applicant abandons the property or project;

l) The Applicant is in default of the terms and conditions of the construction financing secured by the first mortgage;

m) This Agreement is forfeited or is terminated by any other provision contained in it.

8.3 The City may, at its sole discretion, provide the Applicant with an opportunity to remedy any default.

9. ADDITIONAL PROVISIONS

9.1 This Agreement shall remain in effect from the date of its execution to the earlier of:

a) The Applicant informing the City in writing prior to the initial Grant payment, that the Applicant has decided not to accept the Grant;

b) The City informs the Applicant in writing that due to the non-fulfilment or non-compliance with a required condition or due to default, this Agreement is at an end;

c) The total amount of the Grant paid out to the Applicant equals the total costs of development;

d) Ten (10) years from the date of completion of the development.

9.2 Time shall be of the essence with respect to all covenants, Agreements and matters contained in this Agreement.

9.3 Schedule "A" attached to this Agreement forms part of this Agreement.

10. NOTICES

10.1 Where this Agreement requires notice to be delivered by one party to the other, such notice shall be in writing and delivered either personally, by e-mail, by fax or by prepaid registered first class post, by party wishing to give such notice, to the other party at the address noted below:

Such notice shall be deemed to have been given:

a) In the case of personal delivery, on the date of delivery;

b) In the case of e-mail or fax, on the date of transmission provided it is received before 4:30 p.m. on a day that is not a holiday, as defined in the *Interpretation* Act, failing which it shall be deemed to have been received the next day, provided the next day is not a holiday; and,

c) In the case of registered post, on the third day, which is not a holiday, following posting.

Notice shall be given:

To the Applicant at:
Azim E Kassam
55 Skymark Drive, Suite 805
Toronto. M2H 3N4
Email; kassam-1@rogers.com

To the City at:
City of Port Colborne
66 Charlotte Street
Port Colborne Ontario, L3K 3C8
Attention: Bram Cotton, Economic Development Officer
Ph: 905-835-2900 ext 504
Fax: 905-835-2939
Email: cipapplication@portcolborne.ca

IN WITNESS WHEREOF the parties hereto have executed this Agreement all as of the day and year first written above, and the parties hereto have hereunto affixed their corporate seals duly witnessed and attested by the hands of the proper signing officers in that behalf, and said signing officers certify that they have authority to bind their corporation.

Signed for and on behalf of (insert Applicant Name) by:

Per: _____
Name:
Title: Authorized Signing Officer

Per: _____
Name:
Title: Authorized Signing Officer

Signed for and on behalf of The Corporation of the City of Port Colborne by:

Per: _____
Name:
Title: Mayor

Per: _____
Name
Title: City Clerk

SCHEDULE "A"

of a Grant Agreement between the City and the Applicant named in this Agreement.

Legal Description of Applicant's land

271103002914900
HUMBERSTONE CON 1 PT LOT 28 PLAN 861 LOTS 29 TO 31 PT LOTS 41 TO 43 RP 59R2366 PART 2 RP 59R9034 PARTS 4 AND 6

NIAGARA ECONOMIC GATEWAY & COMMUNITY IMPROVEMENT PLANS
TAX INCREMENT GRANT PROGRAM ESTIMATE

Report 2026 -24
Appendix C

Municipality: Port Colborne
Address: 395 Elm St
Roll Number: 271103002914900
Pre Project Year: 2025 Pre project year is actually 2026. Rates and fees used in this estimate are based on 2025 since 2026 rates are not yet finalized.
Post Project Year: 2025

	Commercial	Industrial	Residential	Total Pre-Project Taxes	Commercial	New Multi-residential	Commercial	Total Post Project Taxes	Tax Increment	Annual Grant amount
Class Code	**CX**	**IT**	**MT**		**CT**	**NT**	**CT**			
Assessment Value[1]	**$0**	**$0**	**$457,000**	$457,000	**$0**	**$17,000,000.00**	**$0**	$17,000,000.00		
Municipal Taxes[2,3,4]	$0	$0	$10,276	$10,276	$0	$194,041	$0	$194,041	$181,719	$145,375
Municipal Fees	$0	$0	$2,046	$2,046	N/A	N/A	N/A	N/A		
Regional Taxes[5,6,7]	$0	$0	$7,839	$7,839	$0	$148,024	$0	$148,024	$140,185	$112,148
Provincial Taxes[8,9,10]	$0	$0	$699	$699	$0	$26,010	$0	$26,010	N/A	N/A
					Total				$321,904.42	
					% of Tax Increment Year 1[11]				**80.00%**	
					Annual Grant Payment[13]				$257,523.53	

This estimates the completed project being assessed at $17,000,000 based on cost of land and construction costs; actual assessment will be completed by MPAC following the project completion. Existing assessment value is based on actual 2025 MPAC assessment. These results are estimated using the 2025 tax rates. Actual annual amount will be based on the grant percentage applied to the incremental taxes paid each year for the duration of the grant however may be subject to a reduction should the taxes owing be reduced in any given year due to a assessment appeal.

[1] Both Pre- and post-project completion assessments are estimates and may be subject to change.
2 Municipal Commercial Tax Rate
3 Municipal Industrial Tax Rate
4 Municipal Residential Tax Rate
5 Regional Commercial Tax Rate
6 Regional Industrial Tax Rate
7 Regional Residential Tax Rate
8 Education Commercial Tax Rate
9 Education Industrial Tax Rate
10 Education Residential Tax Rate

	2025 Pre-Project Tax Rates	2025 Post-Project Tax Rates
	0.01980244	**0.01980244**
	0.03001927	**0.03001927**
MT	**0.02248591**	**0.01141417**
	0.01510633	**0.01510633**
	0.02290025	**0.02290025**
MT	**0.01715342**	**0.00870732**
	0.00880000	**0.00880000**
	0.00880000	**0.00880000**
MT	**0.00153000**	**0.00153000**

[13] This is an estimate only and does not constitute any guarantee or assurance of a grant and should not be relied upon as such.

SUMMARY FORECAST (excluding education)

Event	Year	Grant %	Municipal Grant Estimate	Regional Grant Estimate	Total Grant Estimate
Base year	2025				
Grant Year 1	2025	80%	$ 145,375.27	$ 112,148.26	$ 257,523.53
Grant Year 2	2026	80%	$ 145,375.27	$ 112,148.26	$ 257,523.53
Grant Year 3	2027	80%	$ 145,375.27	$ 112,148.26	$ 257,523.53
Grant Year 4	2028	80%	$ 145,375.27	$ 112,148.26	$ 257,523.53
Grant Year 5	2029	80%	$ 145,375.27	$ 112,148.26	$ 257,523.53
Grant Year 6	2030	80%	$ 145,375.27	$ 112,148.26	$ 257,523.53
Grant Year 7	2031	80%	$ 145,375.27	$ 112,148.26	$ 257,523.53
Grant Year 8	2032	80%	$ 145,375.27	$ 112,148.26	$ 257,523.53
Grant Year 9	2033	80%	$ 145,375.27	$ 112,148.26	$ 257,523.53
Grant Year 10	2034	80%	$ 145,375.27	$ 112,148.26	$ 257,523.53
Total Estimate	Total Estimate		$ 1,453,752.71	$ 1,121,482.62	$ 2,575,235.33

PORT COLBORNE

Subject: **2025 Audit Plan**

To: **Council**

From: **Financial Services Department**

Report Number: 2026-38

Meeting Date: March 10, 2026

Recommendation:

That Financial Services Department Report 2026-38 be received for information.

Purpose:

This report provides Council with the Auditors' Audit Strategy for the financial statement year ending December 31, 2025. The Auditors' Audit Strategy document is attached as Appendix A.

Background:

On November 26, 2024, through report 2024-223, Council approved the recommendation to extend the City's engagement agreement with Doane Grant Thornton. This engagement agreement covers the 2024 to 2025 audits.

The audit of the City's financial statements for the year ending December 31, 2025 will follow a similar timeline to that of the prior year. The closing of year end is on schedule with staff expecting to complete and present the audited financial statements to Council in May 2026 with the Financial Information Return (FIR) being filed at the same time. The auditors are scheduled to begin the audit in the middle of April 2026.

The Auditors' Audit Strategy document, outlines the following roles and responsibilities of Council with respect to the audit:

- Help set the tone for the organization by emphasizing honest, ethical behaviour and fraud prevention.

- Oversee management, including ensuring that management establishes and maintains internal controls to provide reasonable assurance regarding reliability of financial reporting.
- Recommend the nomination and compensation of external auditors.
- Oversee the work of the external auditors including reviewing and discussing the audit plan.

Discussion:

Content	Management Comments
Audit plan and risk assessment (accompanied by auditors' Appendix A to City report Appendix A)	This section highlights the concept of materiality and the Auditors' approach to risk and how they will approach the audit.
Audit fees (accompanied by auditors' Appendix B to City report Appendix A)	On November 26, 2024, through report 2024-223, Council approved the recommendation to extend the City's engagement agreement with Doane Grant Thornton. This engagement agreement covers the 2024 to 2025 audits.
Team, timing, and communications	Staff appreciates Doane Grant Thornton's commitment to the City and their ability to accommodate the City's request for the audit to be performed in April 2026.
Technical updates – highlights (accompanied by auditors' Appendix C to City report Appendix A)	Staff continue to monitor. There are no accounting developments for 2025.

Internal Consultations:

Financial Services has worked with departments throughout the fiscal year to ensure that City transactions are accounted for correctly. As part of preparing for the closing of the year, Financial Services communicated key dates and deliverables with each department.

Financial Implications:

The audit has been budgeted in accordance with the engagement letter on page 13 of Appendix A.

Public Engagement:

None required.

Strategic Plan Alignment:

The initiative contained within this report supports the following pillars of the strategic plan:

- Environment and Climate Change
- Welcoming, Livable, Healthy Community
- Economic Prosperity
- Increased Housing Options
- Sustainable and Resilient Infrastructure

Conclusion:

That Financial Services Department Report 2026-38 be received for information.

Appendices:

a. Port Colborne - Audit Strategy Communication 2025

Respectfully submitted,

Adam Pigeau, CPA, CA
Chief Financial Officer/Treasurer
(905) 228-8019
adam.pigeau@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.

Doane Grant Thornton

City of Port Colborne

For the year ended December 31, 2025

Report to Members of Council
Audit strategy

February 12, 2026

James D. Brennan CPA, CA
Principal
T 905-834-6622
E James.Brennan@doane.gt.ca



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Executive summary	1
Audit plan and risk assessment	2
Audit fees	5
Team, timing and communications	6
Technical updates – highlights	7

Appendices

Appendix A – Overview and approach

Appendix B – Engagement letter

Appendix C – PSAS Accounting developments

Appendix D – Auditing developments

Executive summary

Purpose of report and scope

The purpose of this report is to engage in an open dialogue with you regarding our audit of the consolidated financial statements of City of Port Colborne (the "municipality") for the year ended December 31, 2025. This communication will assist Members of Council in understanding the terms of the audit engagement, our proposed audit strategy and the level of responsibility assumed by us.

The information in this document is intended solely for the information and use of the Members of Council. It is not intended to be distributed to or used by anyone other than these specified parties.

We have obtained our engagement letter dated January 9, 2025, which outlines our responsibilities and the responsibilities of management. (**Appendix B**)

Status of our audit plan

We have substantially completed our initial planning of the audit of the consolidated financial statements of the municipality.

Approach

Our audit approach requires that we establish an overall strategy that focuses on risk areas. We identify and assess risks of material misstatement of the consolidated financial statements, whether due to fraud or error. The greater the risk of material misstatement associated with an area of the consolidated financial statements, including disclosures, the greater the audit emphasis placed on it in terms of audit verification and analysis. Where the nature of a risk of material misstatement is such that it is close to the upper end of the spectrum of inherent risk, it is classified as a significant risk.

Our approach is discussed further in **Appendix A**.

Independence

We are required to comply with the independence and other ethical requirements of the relevant rules of professional conduct / code of ethics applicable to the practice of public accounting and related to assurance engagements, issued by various professional accounting bodies, which are founded on fundamental principles of integrity, objectivity, professional competence and due care, confidentiality and professional behaviour. We have rigorous processes in place to continually monitor and maintain compliance with these requirements. With respect to independence, our process includes, but is not limited to:

- Identification of threats to our independence and putting into place safeguards to mitigate those threats. For example, we evaluate the independence threat of any non-audit services provided to the municipality
- Confirming the independence of our engagement team members

We have determined that the following information regarding our independence should be brought to your attention:

- We provide assistance in the preparation of the financial statements for the year end

Appendix A - Port Colborne - Audit Strategy Communication 2025

Audit plan and risk assessment

We have planned our audit in accordance with our approach summarized in Appendix A.

Materiality

The purpose of our audit is to provide an opinion as to whether the consolidated financial statements are prepared, in all material respects, in accordance with Public Sector Accounting Standards as at December 31, 2025. Therefore, materiality is a critical auditing concept and as such we apply it in all stages of our engagement.

The concept of materiality recognizes that an auditor cannot verify every balance, transaction or judgment made in the financial reporting process. During audit planning, we made a preliminary assessment of materiality for the purpose of developing our audit strategy, including the determination of the extent of our audit procedures.

During execution of the audit, we will consider whether materiality should be re-assessed due to changes or events identified. At completion, we will consider not only the quantitative assessment of materiality, but also qualitative factors, in assessing the impact on the consolidated financial statements, our audit opinion and whether matters should be brought to your attention.

Considerations

The following is a summary of matters that relate to changes to the municipality and its environment that were considered in preparing our audit plan.

Matter	Discussion and impact
Laws and regulations	During the course of the audit, we will perform specified audit procedures to help identify instances of non-compliance with laws and regulations that may have a material effect on the consolidated financial statements. An audit of financial statements is not designed to detect all instances of non-compliance with laws and regulations and does not represent an audit of the municipality's compliance with applicable laws and regulations. While we have not identified any instances of non-compliance, we would like to know if you are aware of any instances of non-compliance.
Fraud	We are responsible for obtaining reasonable assurance that the consolidated financial statements taken as a whole are free from material misstatement, whether caused by fraud or error. However, owing to the inherent limitations of an audit, there is an unavoidable risk that some material misstatements may not be detected and this is particularly true in relation to fraud. The primary responsibility for the prevention and detection of fraud rests with those charged with governance and management. During our audit planning, we enquired of management as to their views on the risks of fraud and their processes for identifying and assessing fraud risks. We are not aware of any fraud-related matters that could affect our audit approach.

Significant risks

We identified the following significant risks on which we plan to focus our attention:

Area of risk	Why there is a risk	Planned audit response
Fraud risk from revenue recognition	There is a presumed risk of fraud in revenue. The risk primarily relates to other revenue	• Analytical assessment of revenues based on budgeted expectations • Subsequent receipts testing of receivables as at December 31, 2025 (statistical sample) • Assessing the adequacy of allowances for doubtful accounts by testing subsequent receipts, reviewing management estimates and examining supporting documentation
The risk primarily relates to revenue recognized under water and sewer and other revenue	This is a presumed fraud risk. The risk primarily relates to the limited segregations of duties. Administrative access to accounting system and the senior finance management's ability to post journal entries	• Test the appropriateness of journal entries recorded in the general ledger and other adjustments made in the preparation of the financial statements • Review accounting estimates for biases • Evaluate the business rationale for significant transactions that are or appear to be outside the normal course of business

Area of risk	Why there is a risk	Planned audit response
Taxation revenue and receivables	The taxes receivable balances may be invalid and the allowance for uncollectible taxes understated.	• Recalculation of the net tax revenues based on verified assessment rolls and approved tax rates • Subsequent receipts testing of taxes receivable as at December 31, 2025 (statistical sample) • Assessing the adequacy of the allowance for doubtful accounts by testing subsequent receipts, reviewing management estimates and examining support for the value of underlying property
Purchases and payables	Payables may be understated or not recorded in the correct period.	• Analytical assessment of expenses based on budgeted expectations • Reviewing supporting documentation and management estimates with respect to the completeness and accuracy of significant year end accruals • Perform a search for unrecorded liabilities
Provisions for employee benefits	Provision and related expenses may be understated.	• Reviewing actuarial reports, method and assumptions used • Testing supporting calculations relating to the various amounts and disclosures
Provision for contaminated sites	Provision and related expenses may be understated.	• Reviewing assumptions used by management • Testing supporting calculations relating to the various amounts and disclosures
Commitments and contingencies	There is uncertainty regarding contingent liabilities.	• Verifying the accuracy and reasonableness of amounts and disclosures, with reference to correspondence with lawyers, examination of supporting documentation, and discussions with management

Audit fees

Proposed fees

Service	Current year fees	Prior year fees
Annual audit of the consolidated financial statements	$ 56,650	$ 59,500
Assistance in the preparation of the consolidated financial statements	4,625	4,500
CSAE 3531 Cemetery reasonable assurance report on compliance	4,425	4,300
Total*	$ 65,700	$ 68,300

*before disbursements and applicable taxes

Deliverables

Deliverable
Communication of audit strategy
Report on the December 31, 2025 consolidated financial statements
Communication of audit results

Fee estimate considerations

Upfront and periodic discussions are central to our approach in dealing with fees. Our goal is to avoid surprises by having early and frank communication. We wish to provide you with a competitive price and fair value, while also allowing sufficient audit hours to conduct an effective audit and deliver quality service.

We have established a proposed fee for the audit for the year ended December 31, 2025 that is based on the level of activity and the anticipated complexity of the audit of the municipality's consolidated financial statements. If there are any variances to the above plan, we will discuss them with you and agree on any additional fees before costs are incurred, wherever possible. Any unforeseen work outside the scope of this proposal will be billed separately after discussion with the finance committee.

The proposed fee is based on receiving the following from management:

- All working papers and schedules as outlined in our requirements letter
- Trial balance together with reconciled control accounts
- All books and records when requested
- Use of municipality staff to help us locate information and provide explanations
- Draft consolidated financial statements including the notes to the financial statements

Team, timing and communications

Timing and communications

We are committed to delivering exceptional client service and executing our audit in the most effective, efficient and timely manner. The planned timing of our audit work and the deliverables we will provide to Members of Council are as follows:

Stage or deliverable	Timing/Status
Planning and interim procedures	December, 2025
Communication of audit strategy	February, 2026
Performance of fieldwork	April, 2026
Communication of audit results	May, 2026

In our communication of audit results, we will report on the following matters:

- Our views on significant accounting practices
- Significant difficulties, if any, encountered during the audit
- Misstatements, other than trivial errors
- Actual or suspected fraud or illegal acts
- Significant deficiencies in internal control
- Other significant audit matters, as applicable

Team

Engagement team member	Contact information
James D. Brennan CPA, CA Principal	P +1 905-834-6622 E James.Brennan@daone.gt.ca
Chris Guglielmi CPA, CA Senior Manager	P +1 905-834-2970 E Chris.Guglielmi@doane.gt.ca
Brandon Mollison CPA Manager	P +1 905-834-2975 E Brandon.Mollison@doane.gt.ca
Dylan Head CPA Senior Accountant	P +1 905-834-2463 E Dylan.Head@doane.gt.ca

Technical updates – highlights

Accounting

Accounting standards issued by the Accounting Standards Board that may affect the municipality in the current year and future years include:

- **Section PS 1202 Financial Statement Presentation**
- **Conceptual Framework for Financial Reporting in the Public Sector**

Further details of the changes to accounting standards, including management's preliminary comments on their applicability to the municipality, are included in **Appendix C**. If you have any questions about these changes we will be pleased to address your concerns.

Assurance

Assurance standards issued by the AASB that may change the nature, timing and extent of our audit procedures on the municipality and our communication with Members of Council include:

- **Revisions to CAS 570 Going Concern**
- **Revisions to CAS 240 The Auditor's Responsibilities Relating to Fraud in an Audit of Financial Statements**

Further details of the changes to assurance standards, including management's preliminary comments on their applicability to the municipality, are included in **Appendix D**. If you have any questions about these changes we will be pleased to address your concerns.

Appendix A – Overview and approach

Our audit is planned with the objective of obtaining reasonable assurance about whether the consolidated financial statements as a whole are free from material misstatement, so that we are able to express an opinion on whether the consolidated financial statements are prepared, in all material respects, in accordance with Public Sector Accounting Standards. The following outlines key concepts that are applicable to the audit, including the responsibilities of parties involved, our general audit approach and other considerations.

Roles and responsibilities

Role of the Members of Council	• Help set the tone for the organization by emphasizing honesty, ethical behaviour and fraud prevention • Oversee management, including ensuring that management establishes and maintains internal controls to provide reasonable assurance regarding reliability of financial reporting • Oversee the work of the external auditors including reviewing and discussing the audit plan
Role of management	• Prepare financial statements in accordance with Public Sector Accounting Standards • Design, implement and maintain effective internal controls over financial reporting processes, including controls to prevent and detect fraud • Exercise sound judgment in selecting and applying accounting policies • Prevent, detect and correct errors, including those caused by fraud • Provide representations to external auditors • Assess quantitative and qualitative impact of misstatements discovered during the audit on fair presentation of the financial statements
Role of Doane Grant Thornton LLP	• Provide an audit opinion that the financial statements are in accordance with Public Sector Accounting Standards • Conduct our audit in accordance with Canadian Generally Accepted Auditing Standards (GAAS) • Maintain independence and objectivity • Be a resource to management and to those charged with governance • Communicate matters of interest to those charged with governance • Establish an effective two-way communication with those charged with governance, to report matters of interest to them and obtain their comments on audit risk matters

Audit approach

Our understanding of the municipality and its operations drives our audit approach, which is risk based and specifically tailored to City of Port Colborne.

The five key phases of our audit approach



Phase	Our approach
1. Planning	• We obtain our understanding of your operations, internal controls and information systems • We plan the audit timetable together
2. Assessing risk	• We use our knowledge gained from the planning phase to assess financial reporting risks • We customize our audit approach to focus our efforts on key areas
3. Evaluating internal controls	• We evaluate the design of controls you have implemented over financial reporting risks • We identify areas where our audit could be more effective or efficient by taking an approach that includes testing the controls • We provide you with information about the areas where you could potentially improve your controls
4. Testing accounts and transactions	• We perform tests of balances and transactions • We use technology and tools, including data interrogation tools, to perform this process in a way that enhances effectiveness and efficiency
5. Concluding and reporting	• We conclude on the sufficiency and appropriateness of our testing • We finalize our report and provide you with our observations and recommendations

Our tailored audit approach results in procedures designed to respond to an identified risk. The greater the risk of material misstatement associated with the account, class of transactions or balance, the greater the audit emphasis placed on it in terms of audit verification and analysis.

Throughout the execution of our audit approach, we will maintain our professional skepticism, recognizing the possibility that a material misstatement due to fraud could exist notwithstanding our past experiences with the municipality and our beliefs about management's honesty and integrity.

Internal control

Our audit will include gaining an understanding of the municipality's internal control over financial reporting. Our understanding will focus on processes associated with the identified risk areas, as described in this report. We use this understanding to determine the nature, extent and timing of our audit procedures.

Our understanding may also result in valuable internal control findings for your consideration. Note that the auditor's objectives with regards to internal control are different from those of management and those charged with governance. For example, we primarily target controls that relate to financial reporting and not those that relate to the municipality's operations or compliance which may also be relevant to its objectives. Therefore, management and those charged with governance cannot solely rely on our findings to discharge their responsibilities in this area.

Quality management

We have a robust system of quality management that forms a core part of our client service and is designed to ensure the firm is meeting its quality objectives by designing responses to address identified quality risks. We combine numerous specific responses including the application of our internationally developed audit methodology, advanced audit technology, rigorous review procedures, mandatory professional development requirements, and the use of specialists to consistently deliver high quality audit services to our clients. We also monitor the design, implementation and operating effectiveness of each element of our system of quality management to ensure that we are appropriately addressing the quality risks and to identify deficiencies and required remedial actions in the system of quality management. In addition to our internal processes, we are subject to inspection and oversight by standard setting and regulatory bodies. We are proud of our firm's approach to quality management and would be pleased to discuss any aspect with you at your convenience.

Data analysis software

We apply our audit methodology using advanced software tools. Doane Grant Thornton continues to invest in developing industry-leading advanced audit data analytics tools.

IDEA

IDEA Data Analysis Software is a powerful analysis tool that allows audit teams to read, display, analyze, manipulate, sample and extract data from almost any electronic source. The tool has the advantages of enabling the audit team to perform data analytics on very large data sets in a very short space of time, while providing the checks, balances and audit trail necessary to ensure that the data is not corrupted and that the work can be easily reviewed. SmartAnalyzer, an add-on to IDEA, further improves the efficiency and effectiveness of the audit by providing automated routines for certain common analytical tasks, such as identifying unusual and potentially fraudulent journal entries.

Appendix B – Engagement Letter

Doane Grant Thornton

Doane Grant Thornton LLP
Suite B
222 Catharine Street
PO Box 336
Port Colborne, ON
L3K 5W1

T +1 905 834-3651
F +1 905 834-5095

January 9, 2025

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

Attention: Mr. Bryan Boles, CPA, CA, MBA
Director of Corporate Services

Dear Mr. Boles:

Thank you for reappointing Doane Grant Thornton LLP ("Doane Grant Thornton", "we", "us", or "our") to perform the audit of the consolidated financial statements and other related services for City of Port Colborne (the "Municipality", "you" or "your") for the years ending December 31, 2024 and December 31, 2025 (collectively, the "Services"). The purpose of this letter and the attached Schedule A (the "Engagement") is to outline the nature of the Services and the terms under which you are engaging us to perform those Services.

Objective, scope and limitations

You have requested that we audit the consolidated financial statements of City of Port Colborne, which comprise the consolidated statement of financial position as at December 31, 2024 and the consolidated statements of operations, changes in net financial assets and cash flows for the years then ended, and a summary of significant accounting policies. We are pleased to confirm our acceptance and our understanding of this Engagement by means of this letter agreement.

Our audit will be conducted with the objectives of obtaining reasonable assurance about whether the consolidated financial statements as a whole are free from material misstatement, whether due to error or fraud, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these consolidated financial statements.

The sole purpose of the Engagement is for us to conduct an audit of the Municipality pursuant to the requirements of the statute pursuant to which the Municipality is formed.

The audit will not be planned or conducted in contemplation of reliance by any third party or with respect to any specific transaction. Therefore, items of possible interest to a third party will not be specifically addressed and matters may exist that would be assessed differently by a third party, possibly in connection with a specific transaction.

Requests for additional services may arise while we are performing the Services that are specifically identified in this Engagement, including general business advice. The provision of additional services by us does not relieve management of their responsibility for determining what actions the Municipality should take and performing adequate research and/or due diligence in relation to their decisions, including obtaining separate formal written advice from us in relation to complex or significant matters. Unless covered under a

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separate engagement letter, this Engagement will cover any such additional services we provide you, which will be billed at our standard hourly rates for the type of services requested. Notwithstanding anything to the contrary herein, we shall bear no responsibility in the event that management makes significant decisions on the basis of advice provided by us that is not formal written advice (for greater certainty, e-mail does not constitute formal written advice for the purposes of this section).

Our responsibilities

We will conduct our audit in accordance with Canadian generally accepted auditing standards. Those standards require that we comply with ethical requirements. As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the consolidated financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate for our audit opinion. The risk of not detecting a material misstatement resulting from fraud is higher than one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the auditor in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. However, we will communicate to you in writing concerning any significant deficiencies in internal control relevant to the audit of the consolidated financial statements that we have identified during the audit.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Municipality's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the consolidated financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Municipality to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the consolidated financial statements, including the disclosures, and whether the consolidated financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

Because of the inherent limitations of an audit, together with the inherent limitations of internal control, there is an unavoidable risk that some material misstatements may not be detected, even though the audit is properly planned and performed in accordance with Canadian generally accepted auditing standards.

Management's responsibilities

Our audit will be conducted on the basis that the Municipality's management and, where appropriate, those charged with governance acknowledge and understand that they have responsibility:

a) for the preparation and fair presentation of the consolidated financial statements in accordance with Canadian Public Sector Accounting Standards;

b) for such internal control as management determines is necessary to enable the preparation of consolidated financial statements that are free from material misstatement, whether due to fraud or error; and

c) to provide us with:

   i. Access to all information of which the Municipality's management is aware, that is relevant to the preparation of the consolidated financial statements such as records, documentation and other matters;

ii. Additional information that we may request from the Municipality's management for the purpose of the audit; and
iii. Unrestricted access to persons within the Municipality from whom we determine it necessary to obtain audit evidence.

As part of our audit process, we will request from the Municipality's management and, where appropriate, those charged with governance written confirmation concerning representations made to us in connection with the audit. Those representations will include:

Consolidated Financial statements

a) communicating that all responsibilities, as set out in the terms of this Engagement, for the preparation of the consolidated financial statements in accordance with Canadian Public Sector Accounting Standards in particular the consolidated financial statements are fairly presented;

b) communicating its belief that significant assumptions used in making accounting estimates, including those measured at fair value are reasonable;

c) acknowledging that all events subsequent to the date of the consolidated financial statements and for which Canadian Public Sector Accounting Standards require adjustment or disclosure have been adjusted or disclosed;

Completeness of information

d) providing us with and making available complete financial records and related data, and copies of all minutes of meetings of Members of Council and committees;

e) acknowledging that all transactions have been recorded and are reflected in the consolidated financial statements;

f) providing us with information relating to any known or probable instances of non-compliance with legislative or regulatory requirements, including financial reporting requirements;

g) providing us with information relating to any illegal or possibly illegal acts, and all facts related thereto;

h) acknowledging that all related party relationships and related party transactions have been appropriately accounted for and disclosed in accordance with the requirements of Canadian Public Sector Accounting Standards;

Fraud and error

i) the design and implementation of internal controls to prevent and detect fraud and error;

j) an assessment of the risk that the consolidated financial statements may be materially misstated as a result of fraud;

k) providing us with information relating to fraud or suspected fraud affecting the Municipality involving:

i. management;
ii. employees who have significant roles in internal control; or
iii. others, where the fraud could have a material effect on the consolidated financial statements;

l) providing us with information relating to any allegations of fraud or suspected fraud affecting the Municipality's consolidated financial statements communicated by employees, former employees, analysts, regulators, or others;

m) communicating its belief that the effects of any uncorrected financial statement misstatements aggregated during the audit are immaterial, both individually and in the aggregate, to the consolidated financial statements taken as a whole. A list of the uncorrected misstatements will be attached to the representation letter;

Recognition, measurement and disclosure

n) providing us with its assessment of the reasonableness of significant assumptions underlying fair value measurements and disclosures in the consolidated financial statements;

o) providing us with any plans or intentions that may affect the carrying value or classification of assets or liabilities;

p) providing us with an assessment of all areas of measurement uncertainty known to management that are required to be disclosed in accordance with MEASUREMENT UNCERTAINTY, PSA HANDBOOK – ACCOUNTING Section 2130;

q) acknowledging that no subsequent events occurred that require adjustment to the accounting estimates and disclosures included in the consolidated financial statements.

r) providing us with information relating to claims and possible claims, whether or not they have been discussed with the Municipality's legal counsel;

s) providing us with information relating to other liabilities and contingent gains or losses, including those associated with guarantees, whether written or oral, under which the Municipality is contingently liable;

t) providing us with information on whether or not the Municipality has satisfactory title to assets, liens or encumbrances on assets, and assets pledged as collateral;

u) providing us with information relating to compliance with aspects of contractual agreements that may affect the consolidated financial statements;

v) providing us with information concerning subsequent events; and

Written confirmation of significant representations

w) providing us with written confirmation of significant representations provided to us during the Engagement on matters that are:

   i. directly related to items that are material, either individually or in the aggregate, to the consolidated financial statements; and
   ii. not directly related to items that are material to the consolidated financial statements but are significant, either individually or in the aggregate, to the Engagement.

The Municipality's management agrees to make available draft consolidated financial statements, including appropriate note disclosures and any accompanying other information in time to allow for the audit to be completed within the proposed timeframe. In addition, the Municipality's management agrees to inform us of any factors or circumstances that come to their attention during the period from the date of the auditor's report to the date consolidated financial statements are issued that may impact the consolidated financial statements; including their disclosures.

It is agreed that for any electronic distribution of your consolidated financial statements and our report thereon, the Municipality's management is solely responsible for the accurate and complete reproduction of the consolidated financial statements and our report thereon.

While the report may be sent to the Municipality electronically by us for your convenience, only the signed (electronically or manually) report constitutes the Municipality's record copy.

If the Municipality's management intends to publish or otherwise reproduce our report (or otherwise make reference to Doane Grant Thornton LLP) in a document(s) that contains other information (including in a document(s) that will be used in connection with a public offering of securities), the Municipality's management agrees to (a) provide Doane Grant Thornton with a draft of such document(s) to read, and (b) obtain our approval for inclusion of our report in such document(s), before the document(s) are finalized and distributed. The Municipality's management also agrees that if our name is to be used in connection with the consolidated financial statements, it will attach our auditors' report when distributing the consolidated financial statements to any third parties. The Municipality's management agrees to provide us with adequate notice of the preparation of such document(s).

We look forward to full cooperation from your staff during our audit.

Non-audit services directly related to the audit

We will assist the Municipality's management in preparation of the consolidated financial statements. However, the Municipality's management remains at all times responsible for the preparation and fair presentation of the Municipality's consolidated financial statements in accordance with Canadian Public Sector Accounting Standards.

Reporting

Unless unanticipated difficulties are encountered, our report will be substantially in the following form:

INDEPENDENT AUDITOR'S REPORT

To the Members of Council, Inhabitants and Taxpayers of the Corporation of the City of Port Colborne

Opinion

We have audited the consolidated financial statements of the Corporation of the City of Port Colborne ("the Municipality"), which comprise the consolidated statement of financial position as at December 31, 2024, and the consolidated statements of operations, changes in net debt and cash flows for the year then ended, and notes to the consolidated financial statements, including a summary of significant accounting policies.

In our opinion, the accompanying consolidated financial statements present fairly in all material respects, the financial position of the Corporation of the City of Port Colborne as at December 31, 2024, and its results of operations, its changes in its net financial assets, and its cash flows for the year then ended in accordance with Canadian public sector accounting standards.

Basis for Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Consolidated Financial Statements* section of our report. We are independent of the Municipality in accordance with the ethical requirements that are relevant to our audit of the consolidated financial statements in Canada, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Responsibilities of Management and Those Charged with Governance for the Consolidated Financial Statements

Management is responsible for the preparation and fair presentation of these consolidated financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of consolidated financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the consolidated financial statements, management is responsible for assessing the Municipality's ability to continue as a going concern, disclosing, as applicable, matters related to a going concern and using the going concern basis of accounting unless management either intends to liquidate the Municipality or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Municipality's financial reporting process.

Auditor's Responsibilities for the Audit of the Consolidated Financial Statements

Our objectives are to obtain reasonable assurance about whether the consolidated financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these consolidated financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the consolidated financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Municipality's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Municipality's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the consolidated financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Municipality to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the consolidated financial statements, including the disclosures, and whether the consolidated financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Plan and perform the group audit to obtain sufficient appropriate audit evidence regarding the financial information of the entities or business units within the Mu as a basis for forming an opinion on the group financial statements. We are responsible for the direction, supervision and review of audit work performed for purposes of the group audit. We remain solely responsible for our audit opinion..

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

[Auditor's signature]
[Date of the auditor's report]
[Auditor's address]

The form and content of our report may need to be amended in the light of our audit findings.

Fees

Fees are based on the time required by the individuals assigned to perform the Services defined herein. Individual hourly rates vary according to the degree of responsibility involved and experience and skill required.

Any fee estimates by Doane Grant Thornton take into account i) the agreed-upon level of preparation and assistance from your personnel; and ii) the hourly rates for our professionals that will be providing the Services. Doane Grant Thornton undertakes to advise the Municipality's management on a timely basis should this preparation and assistance not be provided, or should any other circumstances arise which cause actual time to exceed that estimate. We will provide the services outlined in this letter for fees not to exceed the following:

Report	2024 Fees	2025 Fees
Audit of the City of Port Colborne consolidated financial statements	$ 55,000	$ 56,650
Preparation of the consolidated financial statements	4,500	4,625

Other services

Depending on the nature and significance of requests for additional services, we may issue a separate engagement letter to cover the additional services and/or provide a fee estimate before we invest significant professional time in providing the additional services. As noted above, in the absence of such a separate engagement letter, the provisions of this Engagement shall apply to the additional services, which will be billed at our standard hourly rates for the types of services requested unless otherwise specified in a fee estimate.

Municipality consent to production

The Municipality hereby acknowledges that we may from time to time receive requests or orders from professional (provincial institutes) or other regulatory or governmental authorities (including the Canada Revenue Agency) to provide them with information and copies of documents in our files including working papers and other work-product relating to the Municipality's affairs. The Municipality consents to us providing or producing, as applicable, these documents and information without further reference to, or authority from, you.

When a regulatory authority requests access to our working papers and other work-product relating to the Municipality's affairs, we will, on a reasonable efforts basis, refuse access to any document over which the Municipality has expressly informed us at the time of delivery that the Municipality asserts privilege, except where disclosure of documents is required by law or requested by a provincial Institute/Order of Canadian Chartered Professional Accountants pursuant to its statutory authority in which event the Municipality expressly consents to such disclosure. The Municipality must mark any document over which it asserts privilege as privileged and inform us of the grounds for the Municipality's assertion of privilege (such as whether it claims solicitor-client privilege or litigation privilege).

We may also be required to provide information relating to the fees that we collect from the Municipality for the provision of audit services, other accounting services and non-audit services, and the Municipality consents to the disclosure of that information as may be required by the regulatory authority.

The Municipality agrees to reimburse us, upon request, at our standard billing rates for our professional time and expenses, including reasonable legal fees, incurred in dealing with the matters described above.

Release and indemnification

You agree to release, indemnify and hold harmless Doane Grant Thornton, its affiliates and their respective directors, officers, partners, principals, employees, consultants and contractors from any and all claims, liabilities, costs and expenses (including any and all legal expenses incurred by Doane Grant Thornton) arising out of or based upon:

a) any misstatement or omission in any material, information or representation supplied or approved by you;

b) any third party claim relating to or arising out of this Engagement; or

c) any other matter related to or arising out of this Engagement, except to the extent finally determined to have resulted from the negligence, wilful misconduct or fraudulent behaviour of Doane Grant Thornton.

Limitation of liability

In any action, claim, loss or damage arising out of the Engagement, you agree that Doane Grant Thornton's liability will be several, and not joint and several and you may only claim payment from Doane Grant Thornton of its proportionate share of the total liability based on its degree of fault as finally determined. Any action against us must be commenced on or before the date which is the earlier of i) eighteen months from the completion of the Services; and ii) the date by which an action must be commenced under any applicable legislation other than limitation legislation.

The total liability assumed by Doane Grant Thornton for any claim, loss or damage arising out of or in connection with the Engagement, regardless of the form of action, claim, loss or damage be it tort, contract or otherwise, shall in no event exceed the aggregate of the professional fees paid to Doane Grant Thornton for that portion of the Services that has given rise to the claim. In addition, Doane Grant Thornton shall not under any circumstances be liable for any special, indirect or consequential damages, including without limitation, lost profit or revenue, or similar damages.

Standard terms and conditions

This letter and our standard terms and conditions attached as Schedule A, shall form the basis of the Engagement.

Survival of terms

This engagement letter will continue in force for subsequent audits unless terminated by either party by written notice prior to the commencement of the subsequent audit.

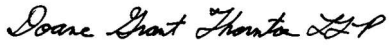
Acceptance of engagement letter

Please confirm your acceptance of this Engagement by signing below and returning this letter to us.

We are proud to serve you and we appreciate your confidence in our work. If you have any questions about the contents of this letter, please raise them with us.

Yours sincerely,

Doane Grant Thornton LLP



James D. Brennan, CPA, CA
Principal

JDB/jf

The services and terms as set forth in this letter are agreed to.

City of Port Colborne

By:

"Bryan Boles"

(Signature)

Bryan Boles, CPA, CA, MBA

(Name)

Director of Corporate Services

(Title)

January 9, 2025

(Date)

Schedule A

Terms and conditions

Except as otherwise specifically stated in the Engagement, the following general terms and conditions apply to and form part of the Engagement.

Responsibilities – Doane Grant Thornton shall use all reasonable efforts to complete the Services within the time-frame, if any, stipulated in the Engagement. Doane Grant Thornton shall not be liable for failures or delays in performance of the Services that arise from causes beyond its control, including the untimely performance by the Municipality of its obligations and responsibilities as set out in the Engagement.

In addition, Doane Grant Thornton reserves the right, in whole or in part, to decline the performance of any Service(s) if, in the sole discretion of Doane Grant Thornton, the performance of any of the Services may cause Doane Grant Thornton to be in violation of any applicable law, regulations, professional standards or obligations or which may otherwise result in damage to Doane Grant Thornton's reputation.

Information and announcements – The Municipality shall cause to be provided or provide Doane Grant Thornton with all material information in its possession or control or to which it has access and such other information as Doane Grant Thornton deems relevant for the purposes of the Engagement. The Municipality shall also provide where applicable, access to its directors, officers or professional advisers as required to complete the Services. The Municipality undertakes that if anything occurs after the supply of any such information or documents which would render same inaccurate, untrue, unfair or misleading it will promptly notify Doane Grant Thornton and take all such steps as Doane Grant Thornton may require to correct such information or documents.

Unless otherwise contemplated or permitted by the Engagement, any advice, reports (including the audit report), compiled or reviewed financial statements, discoveries, information or opinions, whether written or oral, rendered or provided by Doane Grant Thornton to the Municipality (and/or its affiliates) ("Deliverables"), or any communications between Doane Grant Thornton and the Municipality (and/or its affiliates) in connection with the Engagement may not be disclosed to any third party without the prior written consent of Doane Grant Thornton with the exception of any applicable Canadian taxing authorities and the Municipality's financial institution. Any Deliverables shall be solely for the benefit of the Municipality and not for the benefit of any third party and may be relied upon only for the purpose for which the Deliverable is intended as contemplated or defined within the Engagement. Doane Grant Thornton recognizes no responsibility whatsoever, other than that owed to the Municipality as at the date on which the Deliverable is given to the Municipality by Doane Grant Thornton, for any unauthorized use of or reliance on any Deliverables. Unless otherwise expressly provided for within the Engagement or upon written consent of Doane Grant Thornton, no Deliverables shall be used or relied on by the Municipality as expert evidence or included as evidence in any litigation or court proceeding. Notwithstanding any term within the Engagement and by way of an exception to this paragraph, nothing within the Engagement shall prohibit the disclosure by the Municipality or Doane Grant Thornton to any person or to the Minister of National Revenue, or the Quebec Minister of Finance as applicable, of the details, including the tax treatment or structure of any transaction or series of transactions, contemplated by the Deliverables, if the transaction or series or transactions would be, or would otherwise be if not for this exception, i) a reportable transaction or an avoidance transaction, as defined by subsection 237.3(1) of the *Income Tax Act* (Canada) ("ITA"), or a series of transactions including an avoidance transaction under which a tax benefit to the Municipality results or would result but for section 237.3(1) of the ITA; ii) a notifiable transaction as defined by 237.4(1) of the ITA; iii) a confidential transaction under section 1079.8.6 of the *Taxation Act* (Quebec) ("TA"); or iv) any other type of reportable tax avoidance transaction or similar type of transaction requiring disclosure to a taxing authority as defined by any other applicable legislation or regulations.

The Municipality acknowledges that the Services will involve analysis, judgement and other performance from time to time in a context where the participation of the Municipality or others is necessary, where answers often are not certain or verifiable in advance and where facts and available information change with time. Accordingly, the Municipality agrees that the evaluation of the Services provided by Doane Grant Thornton shall be based solely on Doane Grant Thornton's substantial conformance with any standards or specifications expressly set forth within this Engagement and applicable professional standards, and any claim of non-conformance (and applicably of such standards) must be clearly and convincingly shown. Unless the Municipality or Doane Grant Thornton agree otherwise in writing, Doane Grant Thornton shall have no responsibility to update any of the Services or Deliverables after their completion, and any such updates will be billed at Doane Grant Thornton's then current hourly rates.

Independence – In the event, the Municipality is (i) an entity that is registered with the United States Securities and Exchange Commission; or (ii) an affiliate of a registrant, and a provision(s) contained within the Engagement would be prohibited by, or impair the independence of, any member firm of Grant Thornton International Ltd ("Grant Thornton International") under any law or regulation applying to the Municipality, such provision(s) shall not apply to the Engagement to the

extent that is necessary to avoid the prohibition against or impairment of the referenced independence of the respective Grant Thornton International member firm.

Independent contractor – Doane Grant Thornton shall provide all services as an independent contractor and nothing in this Engagement shall be construed as to create a partnership, joint venture or other similar relationship with the Municipality or any other party. Neither the Municipality nor Doane Grant Thornton shall have the right, power or authority to obligate or bind the other in any manner.

Subcontracting – The Municipality agrees that Doane Grant Thornton may authorize, allow or require its affiliates and contractors to assist in the performance of the Services and to share in Doane Grant Thornton's rights under the Engagement, including any protections available thereunder, provided that such party(ies) shall commit (as applicable) to be bound by the obligations set forth in the Engagement.

Grant Thornton International Ltd – Doane Grant Thornton is a Canadian member of Grant Thornton International Ltd., a global organization of member firms in over 100 countries. Member firms are not members of one international partnership or otherwise legal partners with each other. There is no common ownership, control, governance, or agency relationship between member firms.

Assisting Firms – Unless otherwise stipulated within the Engagement, this Engagement is with Doane Grant Thornton. In the course of providing the Services, we may at our sole discretion, draw upon the resources of or subcontract a portion of the Services to another entity (including a partnership) which may carry on business under the name which may include within its name "Grant Thornton" or be another member firm of the worldwide network of Grant Thornton International Ltd. member firms (hereinafter "GTIL Member Firms").

Unless a GTIL Member Firm is directly contracted by you to provide any of the Services which are subject to this Engagement, the provision of those Services remain the responsibility of Doane Grant Thornton and the Municipality agrees that it will not bring any claim, whether in contract, tort (including negligence) or otherwise against any GTIL Member Firm in respect of this Engagement or the Services defined herein. In these circumstances, any GTIL Member Firm that deals with you for the purpose of completing the Services does so on behalf of Doane Grant Thornton. The provisions of this clause have been stipulated for the benefit of GTIL Member Firms. GTIL Member Firms will have the right to rely on this clause as if they were parties to the Engagement and will have the right (subject to the discretion of the courts) to a stay in proceedings if you bring any claim against any GTIL Member Firms in breach of this clause.

Non-solicitation –The Municipality agrees that it shall not solicit for employment or hire any of the partners, principals, employees or consultants of Doane Grant Thornton who are involved in the performance of the Services during the term of the Engagement and for a period of twelve (12) months thereafter.

Confidentiality – All information which Doane Grant Thornton receives from the Municipality or the Municipality's directors, officers, agents, advisors or counsel in connection with the Engagement and which is for the time being confidential ("Confidential Information"), will be held in strict confidence, provided that Doane Grant Thornton shall be free to, without the requirement to seek any further consent or authorization from the Municipality, make disclosures (a) as a result of any applicable law or regulation (including any disclosure, notification or other reporting obligation under the *Income Tax Act* (Canada), *Taxation Act* (Quebec) or any other applicable legislation), court or other order binding upon it, under the laws of, or pursuant to any governmental action (including requests and orders), regulatory requirement, or professional standard obligations (including disclosure to a provincial institute of chartered professional accountants); (b) of such information to any professional advisers, consultants and contractors, including GTIL Member Firms it may consult in connection with the Engagement and the performance of the Services; and (c) as set out in the Engagement.

Doane Grant Thornton may disclose Confidential Information to GTIL Member Firms for the purposes of fulfilling its professional obligations to manage conflicts of interest and to maintain auditor independence. Confidential Information may also be disclosed as part of compliance reviews or to implement standardized performance measurement, client relationship management and documentation systems within the global Grant Thornton network. The Confidential Information disclosed may include ownership information and information about related entities and such information may be stored, processed and accessed from locations outside of Canada.

Notwithstanding anything to the contrary contained within the Engagement, Doane Grant Thornton shall not be obligated to treat as confidential, or otherwise be subject to any restrictions on use, disclosure or treatment as contained within the Engagement, of any information disclosed by the Municipality which, (i) is rightfully known by Doane Grant Thornton on a non-confidential basis prior to its disclosure by the Municipality; (ii) is independently developed by Doane Grant Thornton without reference to or use of the Municipality's Confidential Information; (iii) is or later becomes publicly available without violation of the Engagement; or (iv) is lawfully obtained by Doane Grant Thornton from another party.

Working papers/reports – The advice or opinions of Doane Grant Thornton, including all materials, reports, information, data, and work created, developed or performed by Doane Grant Thornton during the course of the Engagement ("the Doane Grant Thornton Materials") shall belong to Doane Grant Thornton, with the exception of final tax returns, original contracts, other documents of title held to the Municipality's order and any documents the return of which the Municipality has stipulated, on or prior to their release to Doane Grant Thornton (the "Municipality Materials"). Notwithstanding the foregoing, (i) Doane Grant Thornton may retain a copy of the Municipality Materials (including Confidential Information) as required by Doane Grant Thornton, in its sole discretion, to meet any obligations imposed by professional standards; and (ii) nothing shall require the return, erasure or destruction of back-ups made in accordance with Doane Grant Thornton's document-retention procedures.

Conflict of interest – Doane Grant Thornton, its associated entities and GTIL Member Firms are involved in a wide range of financial advisory activities out of which conflicting interests or duties may arise. Within Doane Grant Thornton, its associated entities and GTIL Member Firms, practices and procedures are maintained to restrict the flow of information and thereby manage or assist in managing such conflicts in a proper manner. Nothing within this Engagement will be interpreted to preclude Doane Grant Thornton, its associated entities and GTIL Member Firms from engaging in any transaction or representing any other party at any time or in any capacity, provided that Doane Grant Thornton shall not, knowingly provide services to another party under circumstances which would place Doane Grant Thornton in a direct conflict of interest during the term of the Engagement without the Municipality's prior written consent. In the event Doane Grant Thornton becomes conflicted, as determined in its discretion, Doane Grant Thornton shall be permitted, but not obligated to, terminate this Engagement without any additional liability to the Municipality, upon fourteen (14) days prior written notice.

Access to and disclosure of information – Doane Grant Thornton is committed to the protection of personal information. During the course of planning, performing and reporting the result of the Services, Doane Grant Thornton, its employees, partners, contractors, consultants, and GTIL Member Firms may need to obtain, use and disclose Municipality information (including Confidential Information and personal information) in the possession of, or under the control of the Municipality. The Municipality acknowledges this potential use and/or disclosure and agrees that it is responsible for obtaining, where required under applicable law or regulation, a court order or consent from any third party in order to permit Doane Grant Thornton, its employees, partners, contractors, consultants, and/or GTIL Member Firms, to access, obtain, use and/or disclose Municipality information (including Confidential Information and personal information) accessed by us or provided to us by the Municipality or a party authorized by the Municipality for the purposes of completing the Services, and/or other disclosure so defined within the Engagement or for those additional purposes as more fully explained within Doane Grant Thornton's privacy policy, as it may be amended from time to time and available at www.doanegrantthornton.ca.

Electronic communication – Doane Grant Thornton and the Municipality may need to electronically transmit confidential information to each other and to other entities engaged by either party during the Engagement. Electronic methods include, but are not limited to telephones, cellular telephones, electronic mail and facsimiles. These technologies provide for a fast and convenient way to communicate. However, all forms of communications have inherent security weaknesses and the risks of compromised confidentiality cannot be eliminated. Notwithstanding the inherent risks, the Municipality agrees to the use of such electronic methods to transmit and receive information (including confidential information), between Doane Grant Thornton and the Municipality and between Doane Grant Thornton and outside specialists, contractors or other entities engaged by either Doane Grant Thornton or the Municipality. The Municipality further agrees that Doane Grant Thornton shall not be liable for any loss, damage, expense, inconvenience or harm resulting from the loss, delay, interception, corruption or alteration of any electronic communication due to any reason whatsoever.

The Municipality also agrees that Doane Grant Thornton professionals shall be authorized to connect their computers to the Municipality's IT network, subject to any specific restrictions the Municipality provides to Doane Grant Thornton. Connecting to the Municipality's IT network or the internet via this network, while at the Municipality's premises, will be primarily for the purpose of conducting normal business activities, and those relating to the completion of the Services.

Expenses – If applicable, the Municipality will reimburse Doane Grant Thornton for all reasonable out-of-pocket expenses incurred by Doane Grant Thornton in entering into and performing the Services, whether or not it is completed, including but not limited to, travel, telecommunications costs, fees and disbursements of other professional advisers, and other disbursements customary in engagements of this nature. All other out-of-pocket expenses will be charged at cost as incurred by Doane Grant Thornton.

Taxes – All fees and other charges payable to Doane Grant Thornton do not include any applicable federal, provincial, or other goods and services tax or sales tax, or any other taxes or duties whether presently in force

or imposed in the future. All sums payable to Doane Grant Thornton hereunder shall be paid in full without withholding or deduction.

Billing – All invoices issued by Doane Grant Thornton hereunder are due within 30 days of the invoice date. Interest will be charged on all overdue accounts at a rate of 1.5% per month (18% per annum) until paid. Fees paid or payable to Doane Grant Thornton under this Engagement are non-refundable and shall not be subject to set-off. Unless otherwise directed by Doane Grant Thornton, all fees, expenses and other sums will be billed and payable in Canadian Dollars.

Termination – Either the Municipality or Doane Grant Thornton may terminate the Engagement upon fourteen (14) days prior written notice to the other party. In addition to the foregoing, Doane Grant Thornton may also terminate the Engagement in the event of a breach of any term of the Engagement by the Municipality which is not cured by the Municipality within ten (10) days of receipt of written notice as to the breach. Upon termination for any reason, the parties shall return each other's confidential information, except that Doane Grant Thornton may retain one copy for its working papers and one copy of the Municipality Data may also be retained by Doane Grant Thornton even if same may contain confidential information of the Municipality. In addition to its rights of termination provided herein and notwithstanding anything to the contrary in the Engagement, Doane Grant Thornton shall also have the right (i) upon five (5) days prior written notice to the Municipality, to suspend or terminate its Services in the event the Municipality fails to pay Doane Grant Thornton any amount due to it under the terms of the Engagement; or (ii) immediately upon written notice to the Municipality, terminate its Services in the event Doane Grant Thornton discovers any information which Doane Grant Thornton determines, in its sole discretion, may affect its reputation, integrity or independence. In the event of termination, the Municipality agrees to compensate Doane Grant Thornton for all time expended and costs incurred up to and including the date of termination.

Severability – Each provision of this Engagement is severable and if any provision (in whole or in part) is or becomes invalid or unenforceable or contravenes any applicable regulations or laws, the remaining provisions and the remainder of the affected provision (if any) will not be affected.

Assignment – No assignment shall be made by either party of their respective obligations under this Engagement without the prior written consent of the other party.

Publication – Under no circumstances without the express prior written consent of Doane Grant Thornton, shall the Municipality disclose, release, use, make reference to, or quote Doane Grant Thornton's name, logo or any Deliverable (whether written or verbal) within any press release, press conference, website update, media release or any other form of public disclosure ("Disclosure Document") other than for litigation purposes, but only to the extent and in the manner that such use is contemplated by the Engagement. In the event the Municipality wishes to seek Doane Grant Thornton's consent as required by the Engagement, the Municipality shall provide to Doane Grant Thornton a copy of such Disclosure Document for prior approval, which approval may be unreasonably withheld. As aforementioned, notwithstanding the terms of this paragraph, the Municipality is not prohibited from disclosing details, including the tax treatment or structure of any transaction, if the transaction or series or transactions would be, or would otherwise be if not for this exception, i) a reportable transaction or an avoidance transaction, as defined by subsection 237.3(1) of the ITA, or a series of transactions including an avoidance transaction under which a tax benefit to the Municipality results or would result but for section 237.3(1) of the ITA; ii) a notifiable transaction as defined by 237.4(1) of the ITA; iii) a confidential transaction under section 1079.8.6 of the TA; or iv) any other type of reportable tax avoidance transaction or similar type of transaction requiring disclosure to a taxing authority as defined by any other applicable legislation or regulations.

Municipality representations, warranties and covenants – The Municipality represents, warrants and covenants to Doane Grant Thornton that:

a. the execution, delivery and performance of the Engagement has been duly authorized and does not, and with the passage of time, will not conflict with or violate any contractual, statutory, common law, legal, regulatory or other obligation by which the Municipality is bound; and

b. the Engagement is the legal, valid and binding obligation of the Municipality, enforceable in accordance with its terms.

Doane Grant Thornton representations, warranties and covenants – Doane Grant Thornton represents, warrant and covenants to the Municipality that Doane Grant Thornton will provide the Services described within the Engagement in a professional and competent manner. Doane Grant Thornton makes no other representation or warranties and explicitly disclaims all other warranties and representations whether expressed or implied by law, usage of trade, course of dealing or otherwise.

Surviving provisions – The Municipality's obligations in respect of confidentiality, payment of fees and expenses, limitation of liability and Release and Indemnification as outlined within the Engagement and these terms and conditions shall survive termination of the Engagement.

Governing law and forum – The Engagement, including these terms and conditions shall be governed by and construed in accordance with the laws of the Province in which the Engagement was signed by Doane Grant Thornton.

Other matters – The failure of either party to insist on strict performance of the Engagement, or to exercise any option herein, shall not act as a waiver of any right, promise or option, but the same shall be in full force and effect. No waiver of any term or provision or of any breach or default shall be valid unless in writing and signed by the party giving such waiver, and no such waiver shall be deemed a waiver of any other term or provision or any subsequent breach or default of the same or similar nature.

Complete agreement – This Engagement, including these terms and conditions and any schedules, sets forth the entire understanding of the parties relating to the subject matter hereof and supersedes and cancels any prior communications, understandings, and agreements between the parties. This Engagement may not be amended or modified except in writing between the parties and shall inure to the benefit of and be binding upon the parties and their respective successors and assigns.

Appendix C – PSAS Accounting developments

Public Sector Accounting Standards [updated March 31, 2025]	Effective date
Section PS 1202 *Financial Statement Presentation* New Section PS 1202 *Financial Statement Presentation* replaces Section PS 1201 *Financial Statement Presentation*. The main features of the new Section include: • Changes to the statement of financial position to present financial assets, non-financial assets, total assets, financial liabilities, non-financial liabilities total liabilities and net assets/net liabilities • Separate statement of changes in net assets or net liabilities (formerly known as accumulated surplus) by required categories • The addition of a statement of net financial assets or net financial liabilities that presents a revised net financial assets or net financial liabilities (formerly known as "net debt") calculation • The option to present the change in net financial assets or net financial liabilities on the statement of net financial assets or net financial liabilities • Ability to present an amended budget when there is an election or the majority of the governing body of a government organization is newly elected or appointed • The requirement to provide a subtotal prior to financing activities in the statement of cash flow • Guidance on assessing the going concern assumption As a result of the issuance of the new Section, various Sections and Guidelines of the Handbook have been amended to include references to the Section. The impacted Sections and Guidelines include: • PS 1300 *Government Reporting Entity* • PS 2120 *Accounting Changes* • PS 2500 *Basic Principles of Consolidation* • PS 2510 *Additional Areas of Consolidation* • PS 2601 *Foreign Currency Translation* • PS 3041 *Portfolio Investments* • PS 3060 *Interest in Partnerships* • PS 3070 *Investments in Government Business Enterprises* • PS 3100 *Restricted Assets and Revenues* • PS 3160 *Public Private Partnerships* • *PS 3230 Long-Term Debt* • *PS 3250 Retirement Benefits* • PS 3255 *Post-Employment Benefits, Compensated Absences and Termination Benefits* • PS 3260 *Liability for Contaminated Sites* • PS 3280 Asset Retirement Obligations • PS 3300 Contingent Liabilities • PS 3310 Loan Guarantees • PS 3400 Revenue • PS 3410 Government Transfers • PS 3430 Restructuring Transactions • PS 3450 Financial Instruments • PS 4200 Financial Statement Presentation by Not-for-Profit Organizations • PSG-2 Leased Tangible Capital Assets • PSG-4 Funds and Reserves • PSG-5 Sale-*Leaseback Transactions*	Fiscal years beginning on or after April 1, 2026. Earlier adoption is permitted only if the Conceptual Framework is also adopted at the same time. Prior period amounts would need to be restated to conform to the presentation requirements for comparative financial information in Section PS 1202.

Public Sector Accounting Standards [updated March 31, 2025]	Effective date
Conceptual Framework for Financial Reporting in the Public Sector PSAB's Conceptual Framework for Financial Reporting in the Public Sector replaces Sections PS 1000 *Financial Statement Concepts* and PS 1100 *Financial Statement Objectives*. The new Conceptual Framework includes: • Characteristics of public sector entities • Objectives of financial reporting • Primary users of financial reporting and their expectations • Role of financial statements • Foundations and objectives of financial statements • Qualitative characteristics of information in financial statements • Qualitative characteristics of information in financial statements and related considerations • Definitions of elements • Criteria of general recognition and derecognition; and, • Concepts of general measurement and presentation As a result of the issuance of the Conceptual Framework, various Sections and Guidelines of the Handbook have been amended to include references to the new Conceptual Framework, add/clarify key definitions that are consistent with the Conceptual Framework, and/or remove references to qualitative characteristics that are no longer qualitative characteristics in the new Conceptual Framework. These Sections include: • Introduction to the Public Sector Accounting Handbook (formerly the Introduction to the Public Sector Accounting Standards) • PS 1150 *Generally accepted Accounting Principles* • PS 1201 *Financial Statement Presentation* • PS 1300 *Government Reporting Entity* • PS 2100 *Disclosure of Accounting Policies* • PS 2120 *Accounting Changes* • PS 2130 *Measurement Uncertainty* • PS 2200 *Related Party Transactions* • PS 3150 *Tangible Capital Assets* • PS 3200 *Liabilities* • PS 3210 *Assets* • PS 3400 *Revenue* • PS 3430 *Restructuring Transactions* • PS 3450 *Financial Instruments; and* • PS 4230 *Capital Assets Held by Not-for-Profit Organizations* The Conceptual Framework will be applied prospectively.	Fiscal years beginning on or after April 1, 2026. Earlier adoption is permitted.
2022-2023 Annual Improvements The following relevant amendments have been made to PSG 2 *Leased tangible capital assets* • deleted an outdated cross-reference in Appendix A to Section 3065 *Leases* in former Part V of the CPA Canada Handbook – Accounting, pre-changeover accounting standards and added specific guidance which outlines that lease rentals under an operating lease are included in the determination of surplus or deficit over the lease term on a straight-line basis, unless another systematic and rational basis is more representative of the time pattern of the entity's benefit.	Immediate

Appendix D – Auditing developments

Canadian Auditing Standards (CASs) and other Canadian Standards issued by the AASB	Effective date
Revisions to CAS 570 *Going Concern* Auditors are required to obtain sufficient appropriate audit evidence on the appropriateness of management's use of the going concern basis of accounting and conclude on whether a material uncertainty exists in relation to going concern. Financial statement users raised questions about how much auditors should be able to detect from their audit procedures in this area, and what is communicated to users about the entity's ability to continue as a going concern. In response, the International Auditing and Assurance Standards Board (IAASB) issued a revised standard incorporating several key changes and, in June 2025, the Auditing and Assurance Standards Board (AASB) issued the equivalent Canadian standard with no Canadian-specific amendments. Key changes to the standard included: • Defining material uncertainty related to going concern • Enhancing the risk identification and assessment requirements so they are consistent with those set out in CAS 315 (Revised) *Identifying and Assessing the Risks of Material Misstatement* • Enhancing the auditor's evaluation of management's going concern assessment, including requirements to support the auditor's application of professional skepticism • Adding a requirement for the auditor to request management to extend its going concern assessment of the entity to cover at least 12 months from the date of approval of the financial statements if management has not already done so • Enhancing the auditor's consideration of information related to management's going concern assessment that becomes available to the auditor after the date of the auditor's report but before the date the financial statements are issued • Adding requirements to enhance communications about going concern in the auditor's report.	Periods beginning on or after December 15, 2026.

Canadian Auditing Standards (CASs) and other Canadian Standards approved by the AASB but not issued	Effective date
Revisions to CAS 240 *The Auditor's Responsibilities Relating to Fraud in an Audit of Financial Statements* High quality audits contribute to the efficiency of capital markets and financial stability. In recent years, corporate failures and scandals have brought the topic of fraud to the forefront and led to questions from stakeholders about the role and responsibilities of the auditor relating to fraud in an audit of financial statements. This led the IAASB to initiate a project to revise the standard. In June 2025, the IAASB approved its final standard, which will be issued in September 2025. Changes include: • Clarifying the roles and responsibilities of the auditor with respect to fraud • Establishing more robust requirements if fraud or suspected fraud is identified • Reinforcing the importance of exercising professional skepticism in fraud-related audit procedures • Strengthening communications through the audit with management and those charged with governance about matters related to fraud • Adding transparency on fraud-related responsibilities and procedures in the auditor's report	Periods beginning on or after December 15, 2026.

PORT COLBORNE

Subject: **725 King Street – Surplus Property Declaration**

To: **Council**

From: **Government Relations and Business Enterprises Department**

Report Number: 2026-43

Meeting Date: March 10, 2026

Recommendation:

That Government Relations and Business Enterprises Report 2026-43 be received; and

That Council declare the City-owned property located at 725 King Street as surplus and that this property be exempt from the City's Sale of Land Policy process.

Purpose:

The purpose of this report is to seek Council approval to declare 725 King Street as surplus so that it can be merged with other adjoining properties for an affordable housing project with Niagara Regional Housing (NRH).

Background:

The City's 2023-2026 Strategic Plan, adopted by Council in May 2023, includes "Increasing Housing Options" as one of five strategic pillars. This strategic pillar complements the Affordable Housing Strategy and Action Plan approved by Council on September 13, 2022 and the Memorandum of Understanding (MOU) with Niagara Regional Housing (NRH) approved by Council on October 11, 2022. A revised MOU has been prepared and will be brought forward at an upcoming Council meeting.

Staff have been focused on bringing forward opportunities for the City to help facilitate the construction of more affordable housing units through partnerships with the public and private sector. To this end, the City purchased 725 King Street in May 2024 as it is located adjacent to the City-owned Haney Street Road Allowance that is adjacent to NRH's property at 709 King Street (see Appendix A). The objective of this land

acquisition was to eventually merge this property with the City's and NRH's property to create a larger development parcel that would accommodate more units.

Discussion:

725 King Street is zoned R2 and has a frontage of 66 feet and a depth of 131 feet. It is legally described as Lt 22 E/S Victoria Street Plan 765 Humberstone. The Haney Street Road Allowance, which abuts 725 King Street, was stopped up and closed through a public process and it was declared as surplus by Council on August 23, 2022 (staff report 2022-186).

To support planning, including federal-provincial applications seeking project funding, it is important for 725 King Street, the Haney Street Road Allowance, and the NRH property at 709 King Street to be merged together as one legal parcel for residential development. A key criteria used when evaluating housing-related funding applications is project readiness and this includes clear land ownership, not multiple owners, and no encumbrances on title.

Staff are preparing a report for the upcoming Council meeting regarding the transfer of the two City properties to NRH to help position the project for federal-provincial funding opportunities.

City-owned properties that are declared surplus by Council are divested based on the process outlined in the City's Sale of Land Policy. Staff are recommending 725 King Street be exempt from this policy as it being used for an affordable housing project which is in the public interest and helps to address the need for affordable housing and key social determinants of health in our community.

Internal Consultations:

City staff from Government Relations, Building, and Planning have reviewed the updated MOU and it was shared with the City Solicitor.

Financial Implications:

The property was acquired in May 2024 for $407,000. Since then, the City has incurred costs for Environmental Site Assessments ($35,000), a Designated Substance and Hazardous Materials Survey and External Lead Abatement ($45,000), and demolition and soil sampling ($75,000).

The acquisition costs will be reimbursed from the City's Housing Accelerator Fund (HAF) allocation based on permission received by the Canada Mortgage and Housing

Corporation (CMHC) who are administering HAF on behalf of the federal government. Pre-development costs of approximately $80,000 are ineligible for HAF reimbursement as they were incurred before the HAF approval while all other costs, approximately $75,000 are eligible for reimbursement as they were incurred after the HAF approval date.

Strategic Plan Alignment:

The initiative contained within this report supports the following pillars of the strategic plan:

- Welcoming, Livable, Healthy Community
- Increased Housing Options

Conclusion:

Council and the community have consistently identified affordable housing as a priority. This was included in the 2020-2023 Strategic Plan and Increasing Housing Options is a pillar in the 2023-2026 Strategic Plan. Staff continue to explore supportive policies and incentive ideas, innovative approaches, ownership structures, financing alternatives, and strategic partnerships to address affordable housing shortages and wait lists in the community.

725 King Street, located beside the City's Haney Street Road Allowance, was purchased in May 2024 as City ownership would provide more options to expand the developable area for more affordable housing units.

Staff are seeking Council approval to declare 725 King Street as surplus so that the City's two properties can be merged with NRH's property at 709 King Street for an affordable housing project. It is also recommended that the divestment of this property be exempt from the City's Sale of Land Policy given it's intended purpose to be included in a development project that has a greater community benefit.

Appendices:

a. 725 King Street and adjoining properties

Respectfully submitted,

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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.


2026-43
Appendix A
Total: 815.9m²
39.8m
20.5m
20.5m
39.8m
725
Haney Street
King Street
709
709A
709B
709C
709D
709E
699
740
730
720
714B
714
706

PORT COLBORNE

Subject: **2025 Annual Drinking Water Quality Report**

To: **Council**

From: **Public Works Department**

Report Number: 2026-39

Meeting Date: March 10, 2026

Recommendation:

That Public Works Department Report 2026-39 be received, including the 2025 Distribution System Annual Summary Report, attached hereto as Appendix A.

Purpose:

The Ministry of the Environment, Conservation and Parks (MECP) requires that an annual summary report on the performance of the City's Drinking Water System be prepared and provided to Council in accordance with the regulatory requirements of Schedule 22 and Section 11 of *Ontario Regulation (O. Reg.) 170/03* under the *Safe Drinking Water Act*, 2002 (SDWA). This report also provides Council with a summary of the 2025 Management Review, which is required under Element 20 of the Drinking Water Quality Management Standard (DWQMS) and provides an overview of the results of the 2025 MECP Inspection.

Background:

Ensuring the safety and quality of municipal drinking water is a legal responsibility governed by the SDWA. This legislation mandates that individuals overseeing municipal water systems, including City Council representatives, make informed decisions and act diligently regarding the drinking water system. These decisions directly impact the safety and quality of drinking water provided to the community.

Council's oversight and due diligence is demonstrated through various reports, including the Municipal Drinking Water System Annual Report, the DWQMS Management Review, and the MECP inspection result report. The outcomes of these reports are contained herein.

Water services are a shared responsibility between the City of Port Colborne and Niagara Region. The City is responsible for the water distribution system (the watermains and pipes that connect to homes and businesses). The City's water system receives treated water from the Niagara Region, which is responsible for the water treatment system, including operation of the Port Colborne Water Treatment Plant.

Municipal Drinking Water System Annual Report

In accordance with the SDWA, the Annual Drinking Water System Summary Report for 2025 (Appendix A) has been completed for the Port Colborne Drinking Water System. This report, as per the requirements outlined in Schedule 22 and Section 11 of *O. Reg. 170/03*, includes crucial information such as legal obligations of the Act and other approvals relating to the system, system descriptions, incidents of non-compliance and adverse test results, corrective actions taken, and water test results. The report must be prepared by February 28 each year and is made publicly available via the City's website and physical copies can be obtained from the Engineering and Operations Centre.

DWQMS Management Review

Under the Municipal Drinking Water Licensing Program overseen by the MECP, all municipal water systems must be operated by accredited Operating Authorities. Port Colborne's Operating Authority underwent a full reaccreditation audit in 2025, ensuring conformance with the DWQMS standards as documented in the City's Operational Plan. Part of the requirements of the DWQMS entails conducting an annual Management Review, evaluating the effectiveness and suitability of the Quality Management System.

2025 MECP Inspection Report

The MECP conducts annual inspections of the Port Colborne Distribution System to verify compliance with legislative requirements and municipal licensing. This inspection, which occurred in November 2025, inspected the adherence to the SDWA, the Ontario Water Resources Act, 1990, and the City's Municipal Drinking Water Licence. The thorough inspection process is part of the MECP's commitment to ensuring the safety and quality of municipal drinking water. The results of the inspection are provided in Appendix B.

Discussion:

2025 Annual Summary Report

The Annual Drinking Water Quality Report was prepared on February 28, 2026, and is provided in Appendix A. The Report has been posted to the City website and notification

of the report's availability will be published in an upcoming issue of the City Hall News. Highlights include:

- 833 routine chlorine samples and 2,273 non-routine chlorine samples were taken. All sample results were within regulated limits.
- 65 routine turbidity samples and 2,273 non-routine were taken. All sample results were within the aesthetic objective.
- Alkalinity, pH, Trihalomethanes and Haloacetic Acids were also sampled and all well within the regulated standards.
- 416 regulated bacteriological samples were collected with one (1) adverse test result. The adverse result was due to the presence of one (1) total coliform. The timely response by a Certified Water Operator ensured that the safety of the drinking water was maintained. Details are outlined in Appendix A.
- The City applied for a renewal of its Municipal Drinking Water Licence and Water Works Permit in April 2024 and completed a Water Financial Plan in advance of the submission.
- The approved Infrastructure Needs Study (INS), Water Master Plan, Asset Management Plan, and Water Financial Plan guide decision making for operational and capital planning and investment.
- One of Council's strategic plan goals is to move linear assets out of the "very poor condition" category. In 2025, the City completed construction of four (4) replacement watermain projects on Davis Street, West Street, Homewood Avenue, and Berkley Avenue. Additionally, watermains were lined on Ash Street, Jefferson Street, North Crescent, South Crescent, Hampton Avenue, Schofield Avenue, and Clarence Street.

Port Colborne Water Treatment Plant Reports

The Port Colborne Water Treatment Plant Annual Summary Report prepared by the Niagara Region Water and Wastewater Services Division provides information related to quantities and flow rates of water within the system. According to the Region's Summary Report, provided in Appendix C, the Port Colborne WTP is operating on average at 24% capacity and has sufficient capacity to meet the City's long-term growth demands. The water distribution system meets present needs but may require upgrades and extensions to satisfy growth demands as they are identified.

The Port Colborne Water Treatment Plant Annual Water Quality Report prepared by the Niagara Region Water and Wastewater Services Division provides water quality information reported under *O.Reg 170/03*. This document is provided in Appendix D.

2025 Management Review Summary

The City's DWQMS is documented in the Operating Authority's water system Operational Plan. The Operational Plan reflects a fully implemented DWQMS with a

focus on continual improvement and is made available to the public. The Province requires each Operating Authority to conduct an annual Management Review. The purpose of the Management Review is to summarize the activities of the PCDS Operating Authority so that Top Management can ensure the continuing effectiveness of the Quality Management System.

The Management Review Meeting takes place annually in March to review data from the prior calendar year. The 2025 review meeting is scheduled for March 4, 2026.The Management Meeting QMS Summary Report that was provided to all attendees is attached as Appendix E and a copy of the minutes are included in Appendix F.

The Operational Plan also requires that the outcomes of the annual Management Review be communicated to the system Owner. The Management Review Summary report covered the period of January 1 – December 31, 2025. The Management Review summarizes many of the same findings as the Annual Summary Report, but over a different time frame. It expands on DWQMS-related conformance items and general performance of the water system. Other than the items already mentioned above, the Management Review highlighted the following:

- The 2025 Internal Audit was completed on September 25, 2025. Six (6) opportunities for improvement (OFIs) were identified, two of which were immediately implemented.
- The external audit occurred on October 20, 2025 and reaccreditation audit on November 19-20, 2025. Three (3) OFIs were identified.
- There were 42 main breaks reported in 2025 compared to 20 in 2024.
- Water quality complaints totaled 10 in 2025. Where the source of the complaint could be determined, activities in the distribution system, such as fire flow testing, were the most common sources.
- The City's Municipal Drinking Water License and Drinking Water Works Permit were renewed in September 2024.

2025 MECP Inspection Results

The 2025 MECP inspection was an announced inspection covering the period from November 1, 2024 – October 31, 2025. The requested documents were sent to the Ministry Inspectors and were reviewed remotely. An onsite inspection was conducted on November 7, 2025 as well.

An official Inspection Report, detailing any findings and the City's Inspection Rating was issued on December 3, 2025; a copy of the inspection is provided in Appendix B. Once an inspection is completed, the Inspector generates an Inspection Rating for the drinking water system.

Overall, the inspection indicated the City's drinking water system provides a safe and reliable source of drinking water. The MECP inspection rated the PCDS a score of 98.8% with one (1) non-compliance finding during this reporting year. This was a minor

administrative non-compliance which was resolved immediately by City staff. No opportunities for improvement were recommended.

Internal Consultations:

There are no comments from other departments.

Financial Implications:

There are no financial implications. Capital works projects discussed in this report have been previously approved.

Public Engagement:

There was no public notification or engagement initiatives as part of this report. The Annual Drinking Water Quality Report will be posted on the City's website and hardcopies available upon request.

Strategic Plan Alignment:

The initiative contained within this report supports the following pillars of the strategic plan:

- Environment and Climate Change
- Sustainable and Resilient Infrastructure

Conclusion:

The 2025 Annual Drinking Water Quality Report demonstrates Public Works' continued commitment of the Port Colborne Drinking Water System to provide a safe and reliable supply of municipal drinking water for its residents and businesses.

Appendices:

a. 2025 Port Colborne Distribution System Annual Drinking Water Quality Report
b. MECP Port Colborne Distribution System Inspection Report
c. 2025 Port Colborne Water Treatment Plant Annual Summary Report (*Niagara Region*)

d. 2025 Port Colborne Water Treatment Plant Annual Water Quality Report (*Niagara Region*)
e. Port Colborne Distribution System, Summary QMS Report for the Management Review
f. 2025 Management Review Meeting Minutes

Respectfully submitted,

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PORT COLBORNE

Port Colborne Distribution System Annual Drinking Water Quality Report

January 1, 2025 to December 31, 2025

Prepared on February 28, 2026

Introduction

The City of Port Colborne is required, under *O.Reg.170/03 Drinking Water Systems*, to prepare an annual report detailing the operation of the Port Colborne Distribution System. The regulation specifies in Section 11 what the report must contain and sets a February 28 deadline for having the report prepared. The report must be made available to the Public and can be found on the City's website and by request.

Information regarding the City of Port Colborne's drinking water system is included below. This report is prepared in accordance with *O.Reg. 170/03*.

Drinking Water System number: 260001643
Drinking Water System category: Large Municipal Residential
Owned and operated by: The Corporation of the City of Port Colborne

Water Supply and Distribution

The City of Port Colborne (City) is the Owner and Operating Authority of the Port Colborne Distribution System (PCDS), which serves approximately 16,000 residents. The PCDS is a stand-alone Class 1 distribution system, with no downstream connections. It obtains water from the Niagara Region's Port Colborne Drinking Water System water treatment plant (WTP). Treated water is purchased from the Niagara Region on a volume basis and distributed through the City-owned distribution system via Niagara Region owned trunk mains. The Niagara Region's WTP draws water from the Welland Canal, treats it, and is responsible for sampling, testing and monitoring water at and leaving the WTP.

The City does not perform any secondary disinfection as the WTP sufficiently chlorinates the water to meet the minimum requirement of >0.05 mg/L free chlorine residual. The only water treatment chemical used by the City is 12% sodium hypochlorite which is used when making repairs or performing maintenance on the distribution system to meet disinfection requirements. The distribution system has an average pressure of 58 psi, with

pressure maintained by the Barrick Road Water Tower together with the Fielden Avenue Reservoir, which are owned, operated, and maintained by the Niagara Region.

The Niagara Region prepares an annual report for the Port Colborne Drinking Water System, providing information on the treatment methodology, the type of chemicals used, water quality reports, and any significant maintenance, repair or upgrades to the WTP. The Niagara Region is also required to make their reports available online. Contact information is provided under the section entitled “Where to Obtain Additional Information” below.

Water Quality Monitoring

The City is required to supply drinking water that meets the requirements of the *Safe Drinking Water Act* and associated regulations. To ensure the City meets these requirements, the following individuals have been assigned as responsible persons for the distribution system:

Table 1: Port Colborne Distribution System Responsible Persons

Position	Name	Phone number
Director of Public Works	Steve Shypowskyj	905-228-8133
Environmental Services Manager	Cassandra Banting	905-228-8137
Water/Wastewater Supervisor and Overall Responsible Operator	Shaun Emery	905-228-8139
Environmental Compliance Supervisor, Backup Quality Management System Representative	Samantha Morris	905-228-8030
Environmental Analyst and Quality Management System Representative	Vacant	

The City has identified the Public Works Department as the Operating Authority for the PCDS. The Water and Wastewater group operates in the Environmental Services Division in the Public Works Department and is specifically responsible for the daily operation of the distribution system. Certified Water Operators are assigned to conduct both the routine weekly water quality sampling and testing, and non-routine sampling (e.g., during and after watermain breaks). These activities ensure the water quality meets the Ontario Drinking Water Quality Standards (*O.Reg. 169/03*) at all times and under all conditions. The Water and Wastewater group also ensures that the operational checks, sampling and testing requirements specified in the Drinking Water Systems Regulation (*O.Reg. 170/03*) are conducted and recorded. If it is determined that the water quality or

an operational parameter does not meet the regulated requirements or exceeds the regulated limits, Certified Water Operators immediately implement corrective action to ensure the continued supply of safe drinking water. The operational checks, sampling and testing requirements, which the City must conduct, are outlined in Table 4.

The Niagara Region operates the WTP, the Fielden Avenue Reservoir and Barrick Road Water Tower, and as such, is required to conduct operational checks, sampling, and testing activities. Details regarding the Niagara Region's requirements are summarized in their Annual Report; information on how to obtain a copy of their report is provided under the section entitled "Where to Obtain Additional Information" below.

Water Quality Test Results

As per the sampling and testing requirements detailed in Table 4, the City conducted the following sampling in the period of January 1, 2025 to December 31, 2025.

Microbiological Analysis

In accordance with the requirements of Schedule 10, Section 10-2 (1) of *O.Reg.170/03*, samples are collected and submitted for analysis on a weekly basis. Additionally, samples are collected and submitted for analysis after watermain breaks, during hydrant flushing activities, in response to some water quality complaints, etc.

In 2025, a total of 416 samples were collected and analyzed for the presence of E.coli and Total Coliforms (Table 5). Laboratory results indicated that one (1) Total Coliform was detected on one (1) occasion with a chlorine residual well within regulatory ranges. Details about the adverse results are discussed below and in Table 2.

To monitor the potential deterioration of the water quality, 416 samples were collected and analyzed for Heterotrophic Plate Count (HPC). Laboratory results indicated that in 2025, HPC was detected at very low levels, between 0-7 CFU/mL well below the 500 HPC maximum (see Table 5 for further detail on sampling and testing results).

Operational Parameters

The City monitors the operational parameter, free chlorine, twice weekly, and on an as-required basis in response to watermain breaks, hydrant flushing, and complaints. Turbidity is measured weekly, and on an as-required basis.

In 2025, this resulted in the collection and analysis of 3,106 chlorine samples (833 routine and 2,273 non-routine) and 2,338 turbidity samples (65 routine and 2,273 non-routine).

Free chlorine levels ranged between 0.20 - 1.99 mg/L and turbidity levels ranged from 0.05 - 1.65 NTU (Table 5).

Lead Testing (Schedule 15.1) Results

The City is no longer required to collect lead samples from plumbing systems and is only required to collect samples from the distribution system. Under *O.Reg. 170/03*, distribution system samples are required to be collected twice annually, with one set collected during the winter sampling cycle (December 15 to April 15) and another set during the summer sampling cycle (June 15 to October 15). The collected samples are tested for alkalinity and pH in years one and two, with lead sampled in year three.

In this reporting year, samples were collected from four (4) locations in the distribution system and analyzed for alkalinity, and pH. Alkalinity values ranged from 81 to 88 mg/L, and pH values ranged from 6.96 to 7.34. All values were well within the recommended guidelines (Table 5).

Organic Parameters

The City is required to sample for trihalomethanes (THMs) and haloacetic acids (HAAs) on a quarterly basis.

THM results, from eight (8) THM samples,from 2025 continue to indicate that THMs are not a concern in the distribution system. The running annual average concentration was 0.0280 mg/L, much less than the 0.10 mg/L regulated limit (Table 5). None of the individual samples exceeded half the standard prescribed in Schedule 2 of the Ontario Drinking Water Quality Standards.

Results from the four (4) HAA samples collected in 2025 continue to indicate that HAAs are not a concern in the distribution system as the running annual average concentration was 0.0054mg/L. The regulated limit is 0.08 mg/L (Table 5). The samples were well below half of the standard prescribed in Schedule 2 of the Ontario Drinking Water Quality Standards.

Regulatory Non-Compliances

There was one (1) reportable adverse water quality incident in 2025. The adverse result was due to the presence of one (1) total coliform. Table 2 below summarizes the date the adverse occurred, the adverse parameter, and describes the corrective action taken by the City.

When an adverse water incident occurs, immediate action by the City's Certified Water Operators ensures that the adverse incidents are addressed in a timely manner. In this instance, this timely response ensured that the safety of the drinking water was maintained, as indicated by the results of special follow-up sampling and evaluation, which found the water to be safe.

Table 2: Summary of Adverse Test Results - 2025

Sample Date	Date Adverse Reported to City	Parameter	Result	Corrective Action Date	Corrective Action
June 9, 2025	June 11, 2025	Total Coliform	TC-1	June 11, 2025	Sample had indicated 1 TC, likely due to a contaminated sample. Chlorine at the time of sample was well above the standard (0.97 mg/L). Staff still immediately flushed upstream and downstream and resampled. Total coliforms were absent from the resamples and free chlorine residuals >0.20 mg/L were maintained at all points in the affected part of the distribution system.

Our Commitment to Providing Safe Drinking Water

To ensure that residents, businesses, and visitors to our community continue to receive the safest drinking water, the City has incorporated the following practices into the routine operations of the Distribution System:

- Exceed the minimum regulatory sampling requirements, by sampling additional sites for both operational and microbiological parameters.
- Implement a comprehensive flushing program targeting "dead ends", where water use is not very high, to ensure chlorine levels are at least 0.10 mg/L.
- Respond promptly to watermain breaks and customer complaints.

Major expenditures for 2025 included the following:

- Completed construction of four (4) replacement watermain projects on Davis St., West St., Homewood Ave., and Berkley Ave. Federal and provincial funding was received for these projects.
- Watermain lining on Ash Street, Berkley Avenue, Clarence Street, Homewood Street, Jefferson Street, and North and South Crescent.

Additionally, the City has the following plans for 2026:

- After successful watermain lining in 2025, the City will line an additional 3 km of watermains in 2026-27.
- The water master plan is currently in development and will be completed in 2026.

What's New?

The City applied for a renewal of its Municipal Drinking Water Licence in April 2024 and completed a Water Financial Plan in advance of the submission. The City had its re-accreditation audit in November 2025 and is awaiting its new Certificate of Accreditation from SAI Global for the City's Drinking Water Quality Management System. The City's Operational Plan is available on the City's website at: https://portcolborne.ca/en/living-here/drinking-water-licensing.aspx

Where to Obtain Additional Information

Copies of this annual report are available, free of charge, at the Engineering and Operations Centre, 1 Killaly Street West. It can also be downloaded from the internet at https://portcolborne.ca/en/living-here/drinking-water-quality-reports.aspx. Copies may also be obtained by contacting the City number listed below.

Additionally, all laboratory test results are available at the Engineering and Operations Centre, 1 Killaly Street West. Copies may be obtained by contacting the City number listed below.

The Niagara Region provides an annual report for the Port Colborne Water Treatment Plant, and it can be downloaded from the Niagara Region's website: https://www.niagararegion.ca/living/water/water-quality-reports/default.aspx Copies may also be obtained by contacting the numbers listed below.

Table 3: Contact Information for the City and Niagara Region

Organization	Department	Phone Number
City of Port Colborne	Public Works	905-835-2900
Niagara Region	Water and Wastewater Division	905-685-1571

Table 4: Distribution System Water Quality Sampling and Testing Requirements

Parameter	Sampling and Analysis	Distribution System Standards	Comments
Microbiological	Required to collect a minimum of 24 samples each month. However, the City collects 32 samples per month and tests for total coliforms and/or *E.coli.* Required to analyze 25% of all samples collected weekly for heterotrophic plate count. However, the City analyzes all samples.	• *E.coli* – NONE detected • Total Coliforms – 1 detected • Heterotrophic plate count - <500 cfu/mL	• 8 samples collected each week. • Samples sent to an accredited laboratory for analysis. • Adverse results are immediately reported by the lab to the City.
Free Chlorine Residual	Required to collect a minimum of 28 samples per month, however the City collects 64 samples per month and tests for free chlorine. Collected twice weekly (at least 48 hours apart) from representative areas of the distribution system.	• Minimum residual chlorine 0.05 mg/L • City targets 0.20 mg/L • City's acceptable low limit is 0.10 mg/L	• City flushes known dead ends on a regular basis to ensure at least 0.10 mg/L is maintained at all areas of the distribution system.
Turbidity	Frequency of sampling not specified. However, the City collects a minimum of one (1) sample weekly from the bulk water depots, and during non-routine sampling (i.e., flushing, watermain breaks).	• 5.0 NTU maximum aesthetic objective	• Turbidity is generally not an issue in the distribution system.
Trihalomethanes (THMs)	Required to collect at least one sample quarterly. However, the City collects two (2) samples quarterly, and submits for analysis.	• 0.10 mg/L maximum acceptable concentration	• Based on a four-quarter progressive annual average of test results (average of all test results each quarter) at points that are likely to have an elevated potential for the formation of THMs.
Haloacetic Acids (HAAs)	Sampled quarterly. Required to collect one (1) sample per quarter.	• 0.08 mg/L maximum acceptable concentration	• Based on a four-quarter progressive annual average of test results (average of all test results each quarter) at points that are likely to have an elevated potential for the formation of HAAs.
Lead	Regulatory amendments late in 2009 and the City's historical results from 2008/09 resulted in the City qualifying for exemption from having to collect samples from plumbing. Required to collect samples twice annually (between December 15 and April 15 and between June 15 and October 15) from four (4) locations in the distribution system and analyze the samples for pH and alkalinity for two years, and then in the third year, perform the pH and alkalinity analysis and lead analysis. Eight (8) samples total per year.	• No standard for alkalinity or pH, these parameters are monitored so that, should they change, the potential for lead levels to increase is analyzed • Maximum acceptable concentration for lead is 0.010 mg/L	• Distribution system samples are generally collected from water sampling stations and/or fire hydrants. • If a lead exceedance occurs in future, the City may be required to resume standard sampling.

Table 5: Distribution System Water Quality Sampling and Testing Results – January 1 to December 31, 2025

Parameter		Requirement	Number of samples		Results			Comments
			Routine	Non-Routine	Range	Unit	# of Adverse	
Microbiological Analysis								
E. coli		ND	416*	0	0	counts 100 mL	0	Presence of *E.coli* indicates presence of fecal matter.
Total Coliforms		ND	416*	0	0 - 1 count	counts/ 100 mL	1	Presence of Total Coliforms indicates possible presence of pathogenic bacteria.
Heterotrophic Plate Count (HPC)		<500	416*	0	0 - 7	cfu/mL	N/A	Presence of HPC indicates water quality deterioration.
Operational Parameters								
Free Chlorine		Minimum 0.05	833*	2,273	0.20 - 1.99	mg/L	0	Level of disinfectant present.
Turbidity		5.0	65*	2,273	0.05 - 1.65	NTU	N/A	Not a reportable parameter; 5.0 NTU is aesthetic guideline.
Lead Testing Results								
Alkalinity		30 - 500	8		81 - 88	mg/L	N/A	Neither are reportable parameters; guidelines are the recommended operational level. Low alkalinity and/or low pH may accelerate corrosion, which may cause lead from soldering or lead lines to be released into drinking water.
pH		6.5 – 8.5	8		6.96 – 7.34		N/A	
Lead	Plumbing	0.010 mg/L	N/A	N/A	N/A	mg/L	N/A	Corrosion of lead or lead soldered plumbing/distribution systems may cause lead to be released into drinking water.
	Distribution		N/A					
Organic Parameters								
Trihalomethanes		0.10	8		(Running Annual Avg) 0.0280	mg/L	0	By-product of chlorination; forms when chlorine reacts with suspended organics.
Haloacetic Acids		0.08	4		(Running Annual Avg) 0.0054	mg/L	0	By-product of chlorination; forms when chlorine reacts with suspended organics.

** Note – operational checks are routine samples. Only routine microbiological samples, collected in accordance with Schedule 10, section 10-2 (1) of O.Reg. 170/03, are analyzed for Heterotrophic Plate Count (HPC) to meet the required 25%. Non-routine sampling includes sampling after watermain breaks, complaints, annual hydrant flushing and dead-end flushing. Range results for these parameters only include results from routine samples.*

Ministry of the Environment, Conservation and Parks
Drinking Water and Environmental Compliance Division
West Central Region
Niagara District Qffice

9th Floor, Suite 15
301 St. Paul Street
St. Catharines, ON L2R 7R4
Tel.: 905-704-3900
1-800-263-1035
Fax.: 905-704-4015

Ministere de l'Environnement de la Protection de la nature et des Parcs
Division de la conformite en matiere d'eau potable et d'environnement
Direction regionale du Centre-Quest
Bureau de district de Niagara

9e etage, bureau 15
301, rue St. Paul
St. Catharines, ON L2R 7R4
Tel.: 905 704-3900
1-800-263-1035
Fax: 905 704-4015

Ontario

December 3, 2025

Cassandra Banting
Environmental Services Manager
Port Colborne Distribution System

Re: MECP Inspection – Port Colborne Distribution System (DWS# 260001643)

Please find the enclosed copy of the inspection report # 1-1422856245 for the Port Colborne Distribution System completed under the Ministry's detailed inspection protocol to assess compliance with Safe Drinking Water legislation. The report is based on conditions encountered at the time of inspection, and subsequent follow-up.

If applicable, any items found within the section entitled "Non-Compliance/Non-Conformance Items" which have sections under legislative requirements outline noncompliance with regulatory requirements contained within an Act, a Regulation, or site-specific approvals, licenses, permits, orders, or guidelines. Please ensure that the required actions are completed within the prescribed timeframe, if applicable.

The items with "Not Applicable" legislative requirements provide information to the owner or operating authority outlining practices or standards established through existing and emerging industry standards that should be considered in order to advance current efforts. These items do not, in themselves, constitute violations. More recommendations may also be provided within the body of the report.

In order to measure individual inspection results, the Ministry has established an inspection compliance risk framework based on the principles of the Inspection, Investigation & Enforcement (II&E) Secretariat and advice of internal/external risk experts.

The Inspection Summary Rating Record (IRR), included as an Appendix of the inspection report, provides the Ministry, the system owner and the local Public Health Units with a summarized quantitative measure of the drinking water system's annual inspection and regulated water quality testing performance. IRR ratings are published (for the previous inspection year) in the Ministry's Chef Drinking Water Inspectors' Annual Report.

Thank you for your time and assistance during the inspection process. If you have any questions or concerns, do not hesitate to contact me or Elizabeth Chee Sing, Water Compliance Supervisor, West Central Region at 519-400-6731 or Elizabeth.cheesing@ontario.ca.

Sincerely,



Kiersten Atamanyk
Provincial Officer #2067, Water Compliance Officer
MECP Niagara District Office
West Central Region
kiersten.atamanyk@ontario.ca

CC:

Steve Shypowskyj – City of Port Colborne
Samantha Morris – City of Port Colborne
Colin Horne - Niagara Public Health Department
Jason Wolf - Niagara Public Health Department
Leilani Lee-Yates - Niagara Peninsula Conservation Authority
Thomas Proks - Niagara Peninsula Conservation Authority
Elizabeth Chee Sing - Ministry of the Environment, Conservation and Parks

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APPENDIX B	INSPECTION RATING RECORD (IRR)

Ontario

PORT COLBORNE DISTRIBUTION SYSTEM
Physical Address: 1 KILLALY ST W, PORT COLBORNE, ON L3K 6H1

INSPECTION REPORT

System Number:	260001643
Entity:	CORPORATION OF THE CITY OF PORT COLBORNE
Inspection Start Date:	October 28, 2025
Site Inspection Date:	November 07, 2025
Inspection End Date:	November 24, 2025
Inspected By:	Kiersten Atamanyk
Badge #:	2067



_____
(signature)

INTRODUCTION

Purpose

This announced, detailed inspection was conducted to confirm compliance with Ministry of the Environment, Conservation and Parks' (MECP) legislation and conformance with ministry drinking water policies and guidelines.

Scope

The ministry utilizes a comprehensive, multi-barrier approach in the inspection of water systems that focuses on the source, treatment, and distribution components as well as management and the operation of the system.

The inspection of the drinking water system included both the physical inspection of the component parts of the system listed in section 4 "Systems Components" of the report and the review of data and documents associated with the operation of the drinking water system during the review period.

This drinking water system is subject to the legislative requirements of the Safe Drinking Water Act, 2002 (SDWA) and regulations made therein, including Ontario Regulation 170/03, "Drinking Water Systems" (O. Reg. 170/03). This inspection has been conducted pursuant to Section 81 of the SDWA.

This inspection report does not suggest that all applicable legislation and regulations were evaluated. It remains the responsibility of the owner to ensure compliance with all applicable legislative and regulatory requirements.

Facility Contacts and Dates

The drinking water system is owned and operated by the City of Port Colborne.

The system serves an estimated population of 16,000 and is categorized as a Large Municipal Residential System. Information reviewed for this inspection covered the time period of November 1, 2024, to October 31, 2025.

The water compliance officer met with Cassandra Banting, Manager of Environmental Services, Samantha Morris, Supervisor of Environmental Services, Alicia Riolino, Environmental Analyst and Quality Management System Representative, and Shaun Emery, Water Wastewater Operations Supervisor, as part of the inspection process.

Systems/Components

Port Colborne Distribution System only maintains secondary disinfection and distribution of water. Primary disinfection is undertaken by another regulated drinking water system which provides treated water to this drinking water system.

Treated water is received from the Niagara Region's Port Colborne Water Treatment Plant. The Port Colborne Water Treatment Plant is inspected separately from this drinking water system.

Permissions/Approvals

This drinking water system was subject to specific conditions contained within the following permissions and/or approvals (please note this list is not exhaustive) at the time of the inspection in addition to the requirements of the SDWA and its regulations: Municipal Drinking Water Licence 073-101 Issue #5, issued on September 18, 2024, and Drinking Water Works Permit 073-201 Issue #6, issued on September 18, 2024.

NON-COMPLIANCE

The following item(s) have been identified as non-compliance, based on a "No" response captured for a legislative question(s).

For additional information on each question see the Inspection Details section of the report.

Ministry Program: DRINKING WATER | **Regulated Activity:** DW Municipal Residential

Item	Question	Compliance Response/Corrective Action(s)
NC-1	**Question ID:** DWMR1113001 Were changes to the system registration information provided to the ministry within ten (10) days of the change?	Changes to the system registration information were not provided within ten (10) days of the change.

RECOMMENDATIONS

This should not be construed as a confirmation of full conformance with all potential applicable BMPs. These inspection findings are limited to the components and/or activities that were assessed, and the legislative framework(s) that were applied. It remains the responsibility of the owner to ensure compliance with all applicable legislative and regulatory requirements.

If you have any questions related to this inspection, please contact the signed Provincial Officer.

INSPECTION DETAILS

This section includes all questions that were assessed during the inspection.

Ministry Program: DRINKING WATER | **Regulated Activity:** DW Municipal Residential

Question ID	DWMR1018001	**Question Type**	Legislative

Legislative Requirement(s):
SDWA | 31 | (1);

Question:
Did the owner ensure that equipment was installed in accordance with Schedule A and Schedule C of the Drinking Water Works Permit?

Compliance Response(s)/Corrective Action(s)/Observation(s):
The owner ensured that equipment was installed as required.

Question ID	DWMR1028001	**Question Type**	Legislative

Legislative Requirement(s):
SDWA | 31 | (1);

Question:
Were up-to-date plans for the drinking water system made available in such a manner that they could be readily viewed by all persons responsible for all or part of the operation of the drinking water system, in accordance with the Drinking Water Works Permit and Municipal Drinking Water Licence?

Compliance Response(s)/Corrective Action(s)/Observation(s):
Plans for the drinking water system were kept up-to-date and made available as required.

Question ID	DWMR1025001	**Question Type**	Legislative

Legislative Requirement(s):
SDWA | 31 | (1);

Question:
Were all parts of the drinking water system that came in contact with drinking water disinfected in accordance with a procedure listed in Schedule B of the Drinking Water Works Permit?

Compliance Response(s)/Corrective Action(s)/Observation(s):
All parts of the drinking water system were disinfected as required.

For watermain shutdown and repairs, the City uses the 2020 Ontario Watermain Disinfection Procedure and relevant AWWA Standards (C651, C652 & C653).

During the inspection period 60 watermain breaks/maintenance repairs occurred.
During the inspection period, 19 watermain commissioning projects not requiring a Form 1 were completed.

Records indicate that all parts of the drinking water system were disinfected in accordance with a procedure listed in Schedule B of the Drinking Water Works Permit.

Question ID	DWMR1027001	**Question Type**	Legislative

Legislative Requirement(s):
SDWA | 31 | (1);

Question:
Did the owner have evidence indicating that chemicals and materials that came in contact with water within the drinking water system met all applicable AWWA and ANSI standards in accordance with the Municipal Drinking Water Licence and Drinking Water Works Permit?

Compliance Response(s)/Corrective Action(s)/Observation(s):
The owner had evidence indicating that chemicals and materials that came in contact with water within the drinking water system met the applicable standards.

Question ID	DWMR1033001	**Question Type**	Legislative

Legislative Requirement(s):
SDWA | O. Reg. 170/03 | 7-2 | (3); SDWA | O. Reg. 170/03 | 7-2 | (4);

Question:
Was secondary disinfectant residual tested as required for the large municipal residential distribution system?

Compliance Response(s)/Corrective Action(s)/Observation(s):
Secondary disinfectant residual was tested as required.

The City of Port Colborne monitors Free Chlorine Residual (FCR) in the distribution system, utilizing the 4/3 option as described in Sched. 7-2(4) of O. Reg. 170/03.

Question ID	DWMR1049001	**Question Type**	BMP

Legislative Requirement(s):
Not Applicable

Question:
Did records confirm that disinfectant residuals were routinely checked at the extremities and dead ends of the distribution system?

Compliance Response(s)/Corrective Action(s)/Observation(s):
Records confirmed that disinfectant residuals were routinely checked at the extremities and dead ends of the distribution system.

Question ID	DWMR1036001	Question Type	Legislative

Legislative Requirement(s):
SDWA | O. Reg. 170/03 | 6-7 | (1);

Question:
Where continuous monitoring equipment was not used for chlorine residual analysis, were samples tested using an acceptable portable device?

Compliance Response(s)/Corrective Action(s)/Observation(s):
Samples for chlorine residual analysis were tested using an acceptable portable device.

Question ID	DWMR1099001	Question Type	Information

Legislative Requirement(s):
Not Applicable

Question:
Do records show that water provided by the drinking water system met the Ontario Drinking Water Quality Standards?

Compliance Response(s)/Corrective Action(s)/Observation(s):
Records showed that not all water sample results met the Ontario Drinking Water Quality Standards.

During the inspection period, there was one adverse water quality incident that occurred.

- AWQI # 168516 - Total Coliform 1 cfu/100mL, sample taken at SS13 – Marina Road @ King Street on June 10, 2025. All re-samples came back clear.

All corrective actions were completed as required.

Question ID	DWMR1081001	Question Type	Legislative

Legislative Requirement(s):
SDWA | O. Reg. 170/03 | 10-2 | (1); SDWA | O. Reg. 170/03 | 10-2 | (2); SDWA | O. Reg. 170/03 | 10-2 | (3);

Question:
Were distribution microbiological sampling requirements prescribed by Schedule 10-2 of O. Reg. 170/03 for large municipal residential systems met?

Compliance Response(s)/Corrective Action(s)/Observation(s):
Distribution microbiological sampling requirements were met.

As per Schedule 10-2 of O. Reg 170/03, the City is required to take a minimum of 24 microbiological samples per month.
During the inspection period, the City complied with the minimum microbiological sampling requirements. In addition, at least 25% of these samples must also be tested for Heterotrophic Plate Count (HPC). All bacteriological samples were tested for HPC.

Question ID	DWMR1096001	**Question Type**	Legislative

Legislative Requirement(s):
SDWA | O. Reg. 170/03 | 6-3 | (1);

Question:
Did records confirm that chlorine residual tests were conducted at the same time and location as microbiological samples?

Compliance Response(s)/Corrective Action(s)/Observation(s):
Records confirmed that chlorine residual tests were conducted as required.

Question ID	DWMR1086001	**Question Type**	Legislative

Legislative Requirement(s):
SDWA | O. Reg. 170/03 | 13-6.1 | (1); SDWA | O. Reg. 170/03 | 13-6.1 | (2); SDWA | O. Reg. 170/03 | 13-6.1 | (3); SDWA | O. Reg. 170/03 | 13-6.1 | (4); SDWA | O. Reg. 170/03 | 13-6.1 | (5); SDWA | O. Reg. 170/03 | 13-6.1 | (6);

Question:
Were haloacetic acid sampling requirements prescribed by Schedule 13-6 of O. Reg. 170/03 met?

Compliance Response(s)/Corrective Action(s)/Observation(s):
Haloacetic acid sampling requirements were met.

Section 13-6.1 of Schedule 13 of O. Reg. 170/03 requires that at least one distribution sample be taken every three months and tested for Haloacetic Acid (HAA), during the inspection period samples were taken as required from Sample Station 36 at 76 Ost Avenue.

The current running annual average for HAA in the distribution system was 5.475 ug/L. The standard for this parameter is 80 ug/L.

Question ID	DWMR1087001	**Question Type**	Legislative

Legislative Requirement(s):
SDWA | O. Reg. 170/03 | 13-6 | (1); SDWA | O. Reg. 170/03 | 13-6 | (2); SDWA | O. Reg. 170/03 | 13-6 | (3); SDWA | O. Reg. 170/03 | 13-6 | (4); SDWA | O. Reg. 170/03 | 13-6 | (5);

SDWA | O. Reg. 170/03 | 13-6 | (6);

Question:
Were trihalomethane sampling requirements prescribed by Schedule 13-6 of O. Reg. 170/03 met?

Compliance Response(s)/Corrective Action(s)/Observation(s):
Trihalomethane sampling requirements were met.

Section 13-6 of Schedule 13 of O. Reg. 170/03 requires that at least one distribution sample be taken every three months and tested for trihalomethanes (THMs). The City takes samples at two different locations throughout its distribution system, Sample Station 14 on the east end of Barrick Road and Sample Station 6 at 735 Barrick Road.

The current running annual average for THM in the distribution system 26.75 ug/L. The standard is 100 ug/L for this parameter.

Question ID	DWMR1092001	**Question Type**	Legislative

Legislative Requirement(s):
SDWA | O. Reg. 170/03 | 6-2;

Question:
Were water samples taken at the prescribed location?

Compliance Response(s)/Corrective Action(s)/Observation(s):
Water samples were taken at the prescribed location.

Question ID	DWMR1095001	**Question Type**	Legislative

Legislative Requirement(s):
SDWA | O. Reg. 170/03 | 15.1-10; SDWA | O. Reg. 170/03 | 15.1-4 | (1); SDWA | O. Reg. 170/03 | 15.1-5 | (1); SDWA | O. Reg. 170/03 | 15.1-5 | (10); SDWA | O. Reg. 170/03 | 15.1-5 | (11); SDWA | O. Reg. 170/03 | 15.1-5 | (2); SDWA | O. Reg. 170/03 | 15.1-5 | (3); SDWA | O. Reg. 170/03 | 15.1-5 | (4); SDWA | O. Reg. 170/03 | 15.1-5 | (5); SDWA | O. Reg. 170/03 | 15.1-5 | (6); SDWA | O. Reg. 170/03 | 15.1-5 | (7); SDWA | O. Reg. 170/03 | 15.1-5 | (8); SDWA | O. Reg. 170/03 | 15.1-5 | (9); SDWA | O. Reg. 170/03 | 15.1-7 | (1); SDWA | O. Reg. 170/03 | 15.1-7 | (2); SDWA | O. Reg. 170/03 | 15.1-7 | (3); SDWA | O. Reg. 170/03 | 15.1-7 | (4); SDWA | O. Reg. 170/03 | 15.1-9 | (1); SDWA | O. Reg. 170/03 | 15.1-9 | (2); SDWA | O. Reg. 170/03 | 15.1-9 | (3); SDWA | O. Reg. 170/03 | 15.1-9 | (4); SDWA | O. Reg. 170/03 | 15.1-9 | (5); SDWA | O. Reg. 170/03 | 15.1-9 | (6); SDWA | O. Reg. 170/03 | 15.1-9 | (7); SDWA | O. Reg. 170/03 | 15.1-9 | (8); SDWA | O. Reg. 170/03 | 15.1-9 | (9);

Question:
Were lead sampling requirements prescribed by Schedule 15.1 of O. Reg. 170/03 met?

Compliance Response(s)/Corrective Action(s)/Observation(s):
Lead sampling requirements were met.

The City of Port Colborne follows Reduced Sampling as per Schedule 15.1-5.(3), which requires the City take four (4) sampling points in the distribution system every three years. Lead samples were last taken on February 24, 2024 and August 28, 2024.

All water quality monitoring requirements have been met.

Question ID	DWMR1104001	**Question Type**	Legislative

Legislative Requirement(s):
SDWA | O. Reg. 170/03 | 16-6 | (1); SDWA | O. Reg. 170/03 | 16-6 | (2); SDWA | O. Reg. 170/03 | 16-6 | (3); SDWA | O. Reg. 170/03 | 16-6 | (3.1); SDWA | O. Reg. 170/03 | 16-6 | (3.2); SDWA | O. Reg. 170/03 | 16-6 | (4); SDWA | O. Reg. 170/03 | 16-6 | (5); SDWA | O. Reg. 170/03 | 16-6 | (6);

Question:
Were immediate verbal notification requirements for adverse water quality incidents met?

Compliance Response(s)/Corrective Action(s)/Observation(s):
Immediate verbal notification requirements for adverse water quality incidents were met.

Question ID	DWMR1105001	**Question Type**	Legislative

Legislative Requirement(s):
SDWA | O. Reg. 170/03 | 16-7 | (1); SDWA | O. Reg. 170/03 | 16-7 | (2); SDWA | O. Reg. 170/03 | 16-7 | (3); SDWA | O. Reg. 170/03 | 16-7 | (4); SDWA | O. Reg. 170/03 | 16-7 | (5);

Question:
Were written notice requirements for adverse water quality incidents met?

Compliance Response(s)/Corrective Action(s)/Observation(s):
Written notice requirements for adverse water quality incidents were met.

Question ID	DWMR1106001	**Question Type**	Legislative

Legislative Requirement(s):
SDWA | O. Reg. 170/03 | 16-9 | (1); SDWA | O. Reg. 170/03 | 16-9 | (2);

Question:
Were issue resolution notice requirements for adverse water quality incidents met?

Compliance Response(s)/Corrective Action(s)/Observation(s):
Requirements for written notices of issue resolution for adverse water quality incidents were met.

Question ID	DWMR1101001	Question Type	Legislative

Legislative Requirement(s):
SDWA | O. Reg. 170/03 | 17-1; SDWA | O. Reg. 170/03 | 17-10 | (1); SDWA | O. Reg. 170/03 | 17-11; SDWA | O. Reg. 170/03 | 17-12; SDWA | O. Reg. 170/03 | 17-13; SDWA | O. Reg. 170/03 | 17-14; SDWA | O. Reg. 170/03 | 17-2; SDWA | O. Reg. 170/03 | 17-3; SDWA | O. Reg. 170/03 | 17-4; SDWA | O. Reg. 170/03 | 17-5; SDWA | O. Reg. 170/03 | 17-6; SDWA | O. Reg. 170/03 | 17-9;

Question:
For large municipal residential systems, were corrective actions, including any steps directed by the Medical Officer of Health, taken to address adverse conditions?

Compliance Response(s)/Corrective Action(s)/Observation(s):
Corrective actions were taken to address adverse conditions.

Question ID	DWMR1110001	Question Type	Legislative

Legislative Requirement(s):
SDWA | O. Reg. 170/03 | 11 | (6);

Question:
Was the annual report prepared by February 28th of the following year and did it contain the required information?

Compliance Response(s)/Corrective Action(s)/Observation(s):
The annual report requirements were met.

Question ID	DWMR1057001	Question Type	Legislative

Legislative Requirement(s):
SDWA | O. Reg. 170/03 | 11 | (2.1);

Question:
Did the owner of this system provide an annual report to the owner(s) of all standalone distribution systems connected to this system?

Compliance Response(s)/Corrective Action(s)/Observation(s):
The owner provided an annual report to the standalone distribution system(s) connected to this system.

Question ID	DWMR1056001	Question Type	Information

Legislative Requirement(s):
Not Applicable

Question:
Did the donor provide an annual report to the owner of this receiver drinking water system?

Compliance Response(s)/Corrective Action(s)/Observation(s):
The donor provided an annual report to the owner of the receiver drinking water system.

Question ID	DWMR1111001	Question Type	Legislative

Legislative Requirement(s):
SDWA | O. Reg. 170/03 | 22-2 | (1); SDWA | O. Reg. 170/03 | 22-2 | (2); SDWA | O. Reg. 170/03 | 22-2 | (3); SDWA | O. Reg. 170/03 | 22-2 | (4);

Question:
Did the summary report contain the required information and was it completed and distributed as required?

Compliance Response(s)/Corrective Action(s)/Observation(s):
The summary report requirements were met.

Question ID	DWMR1113001	Question Type	Legislative

Legislative Requirement(s):
SDWA | O. Reg. 170/03 | 10.1 | (3);

Question:
Were changes to the system registration information provided to the ministry within ten (10) days of the change?

Compliance Response(s)/Corrective Action(s)/Observation(s):
Changes to the system registration information were not provided within ten (10) days of the change.

At the time of the inspection, the Drinking Water System Profile Information was not up to date. The 24/7 contact information was not updated to reflect the new ORO, Shaun Emery, as of November 30, 2024.

Once identified, the City updated the profile information accordingly. The profile update was submitted via waterforms@ontario.ca as required.

No further actions required.

Question ID	DWMR1114001	Question Type	Legislative

Legislative Requirement(s):
SDWA | 31 | (1);

Question:
Did the owner have evidence that, when required, all legal owners associated with the drinking water system were notified of the requirements of the Municipal Drinking Water Licence and Drinking Water Works Permit?

Compliance Response(s)/Corrective Action(s)/Observation(s):
The owner had evidence that the required notifications were made.

Question ID	DWMR1098001	Question Type	Legislative

Legislative Requirement(s):
SDWA | O. Reg. 170/03 | 13 | (1); SDWA | O. Reg. 170/03 | 13 | (2); SDWA | O. Reg. 170/03 | 13 | (3);

Question:
Were the required records kept for the periods prescribed by section 13 of O. Reg. 170/03?

Compliance Response(s)/Corrective Action(s)/Observation(s):
The required records were kept for the prescribed periods.

Question ID	DWMR1045001	Question Type	Legislative

Legislative Requirement(s):
SDWA | 31 | (1);

Question:
Did the owner update the document describing the distribution components within 12 months of completion of alterations to the system in accordance with the Drinking Water Works Permit?

Compliance Response(s)/Corrective Action(s)/Observation(s):
The owner had up-to-date documents describing the distribution components.

Question ID	DWMR1046001	Question Type	BMP

Legislative Requirement(s):
Not Applicable

Question:
Was there a backflow prevention program, policy and/or bylaw in place that addressed cross

connections and connections to high hazard facilities?

Compliance Response(s)/Corrective Action(s)/Observation(s):
There was a backflow prevention program, policy and/or bylaw in place.

The City of Port Colborne has an Infrastructure Maintenance SOP that states City-owned backflow prevention devices are to be inspected and tested annually or as required. During the inspection period, 24 backflow prevention devices were inspected and tested.

Question ID	DWMR1053001	**Question Type**	BMP

Legislative Requirement(s):
Not Applicable

Question:
Was the owner able to maintain proper pressures in the distribution system and was pressure monitored to alert the operator of conditions of loss of pressure below the value under which the system was designed to operate?

Compliance Response(s)/Corrective Action(s)/Observation(s):
The owner was able to maintain proper pressures in the distribution system and pressure was monitored to alert the operator of conditions which may lead to loss of pressure below the value under which the system is designed to operate.

Question ID	DWMR1048001	**Question Type**	BMP

Legislative Requirement(s):
Not Applicable

Question:
Had the owner implemented a program for the flushing of watermains as per industry standards?

Compliance Response(s)/Corrective Action(s)/Observation(s):
The owner had implemented a program for the flushing of watermains.

The City of Port Colborne has an Infrastructure Maintenance SOP that states hydrants and flushing stations at dead ends are flushed weekly from May to October.

Question ID	DWMR1050001	**Question Type**	BMP

Legislative Requirement(s):
Not Applicable

Question:
Was there a program in place for inspecting and exercising valves?

Compliance Response(s)/Corrective Action(s)/Observation(s):
There was a program in place for inspecting and exercising valves.

The City of Port Colborne has an Infrastructure Maintenance SOP that states 25% of main valves in the distribution system are to be exercised annually. Valves are inspected at time of exercising. During the inspection period, 397 of 996 valves were exercised.

Question ID	DWMR1051001	**Question Type**	BMP

Legislative Requirement(s):
Not Applicable

Question:
Was there a program in place for inspecting and operating hydrants?

Compliance Response(s)/Corrective Action(s)/Observation(s):
There was a program in place for inspecting and operating hydrants.

The City of Port Colborne has an Infrastructure Maintenance SOP that states fire hydrants in the distribution system are inspected once annually. Winter hydrant inspection checks occur once between November 1 to December 31 and once between January 1 to April 1. Flush hydrants at dead ends are flushed weekly from May to October.

Question ID	DWMR1052001	**Question Type**	BMP

Legislative Requirement(s):
Not Applicable

Question:
Was there a bylaw or policy in place limiting access to hydrants?

Compliance Response(s)/Corrective Action(s)/Observation(s):
There was a bylaw or policy in place limiting access to hydrants.

The City has implemented bylaw #3151/22/95, section 4 (f) states No person shall in any way interfere with, obstruct or conceal any hydrant, valve, curb stop, service pipe, stopcock, meter, remote reader or other waterworks appurtenance.

Question ID	DWMR1058001	**Question Type**	Legislative

Legislative Requirement(s):
SDWA | O. Reg. 128/04 | 28;

Question:
Did operators and maintenance personnel have ready access to operations and maintenance manuals?

Compliance Response(s)/Corrective Action(s)/Observation(s):
Operators and maintenance personnel had ready access to operations and maintenance manuals.

Question ID	DWMR1059001	Question Type	Legislative

Legislative Requirement(s):
SDWA | O. Reg. 128/04 | 28;

Question:
Did the operations and maintenance manuals contain plans, drawings, and process descriptions sufficient for the safe and efficient operation of the system?

Compliance Response(s)/Corrective Action(s)/Observation(s):
The operations and maintenance manuals contained plans, drawings, and process descriptions sufficient for the safe and efficient operation of the system.

Question ID	DWMR1060001	Question Type	Legislative

Legislative Requirement(s):
SDWA | 31 | (1);

Question:
Did the operations and maintenance manual(s) meet the requirements of the Municipal Drinking Water Licence?

Compliance Response(s)/Corrective Action(s)/Observation(s):
The operations and maintenance manual(s) met the requirements of the Municipal Drinking Water Licence.

Question ID	DWMR1064001	Question Type	Legislative

Legislative Requirement(s):
SDWA | O. Reg. 128/04 | 26 | (2);

Question:
Did an operator-in-charge ensure that records were maintained of all adjustments to the processes within their responsibility?

Compliance Response(s)/Corrective Action(s)/Observation(s):
The operator-in-charge ensured that records were maintained of all adjustments to the processes within their responsibility.

Question ID	DWMR1062001	Question Type	Legislative

Legislative Requirement(s):
SDWA | O. Reg. 170/03 | 7-5;

Question:
Did records or other record keeping mechanisms confirm that operational testing not performed by continuous monitoring equipment was done by a certified operator, water quality analyst, or person who met the requirements of Schedule 7-5 of O. Reg. 170/03?

Compliance Response(s)/Corrective Action(s)/Observation(s):
Records or other record keeping mechanisms confirmed that operational testing not performed by continuous monitoring equipment was done by a certified operator, water quality analyst, or person who met the requirements of Schedule 7-5 of O. Reg. 170/03.

Question ID	DWMR1063001	Question Type	Legislative

Legislative Requirement(s):
SDWA | O. Reg. 170/03 | 6-10 | (1);

Question:
For every required operational test and sample, was a record made of the date, time, location, results, and name of the person conducting the test?

Compliance Response(s)/Corrective Action(s)/Observation(s):
For every required operational test and sample, a record was made as required.

Question ID	DWMR1061001	Question Type	Legislative

Legislative Requirement(s):
SDWA | O. Reg. 128/04 | 27 | (1); SDWA | O. Reg. 128/04 | 27 | (2); SDWA | O. Reg. 128/04 | 27 | (3); SDWA | O. Reg. 128/04 | 27 | (4); SDWA | O. Reg. 128/04 | 27 | (5); SDWA | O. Reg. 128/04 | 27 | (6); SDWA | O. Reg. 128/04 | 27 | (7);

Question:
Were logbooks properly maintained and did they contain the required information?

Compliance Response(s)/Corrective Action(s)/Observation(s):
Logbooks were properly maintained and contained the required information.

Question ID	DWMR1065001	Question Type	Legislative

Legislative Requirement(s):
SDWA | O. Reg. 128/04 | 27 | (6);

Question:
Were logs and other record keeping mechanisms available for at least five (5) years?

Compliance Response(s)/Corrective Action(s)/Observation(s):
Logs or other record keeping mechanisms were available for at least five (5) years.

Question ID	DWMR1066001	Question Type	BMP

Legislative Requirement(s):
Not Applicable

Question:
Was spill containment provided for process chemicals and standby power generator fuel?

Compliance Response(s)/Corrective Action(s)/Observation(s):
Spill containment was provided for process chemicals and/or standby power generator fuel.

Question ID	DWMR1067001	Question Type	BMP

Legislative Requirement(s):
Not Applicable

Question:
Were equipment and materials in place for the clean up of spills?

Compliance Response(s)/Corrective Action(s)/Observation(s):
Equipment and materials were in place for the clean up of spills.

Question ID	DWMR1071001	Question Type	BMP

Legislative Requirement(s):
Not Applicable

Question:
Did the owner provide security measures to protect components of the drinking water system?

Compliance Response(s)/Corrective Action(s)/Observation(s):
The owner provided security measures to protect components of the drinking water system.

The City owns and operates two bulk water stations, each secured by a PIN-based access system to access the facility. Individual bulk water haulers and City users must also then enter a unique PIN and password to use the water.

Access to the City's bulk water stations is strictly limited to:
- Certified bulk water haulers who meet the City's minimum insurance requirements and sign a contract with the City.

- City staff or contractors directly working for the City, provided they use the required PIN and password.

The City monitors water usage from these stations through the Water Plus software program.

Question ID	DWMR1072001	Question Type	BMP

Legislative Requirement(s):
Not Applicable

Question:
Had the owner and/or operating authority undertaken efforts to promote water conservation and reduce water losses in the drinking water system?

Compliance Response(s)/Corrective Action(s)/Observation(s):
The owner and/or operating authority undertook efforts to promote water conservation and reduce water losses in their system.

The City of Port Colborne does not have an overarching water conservation plan. However, one of the current strategic plan goals is "to implement capital projects required for the sustainability of the water, wastewater, and storm water rate systems". A measure of this is to reduce water loss rate to 15% by 2040.

Aging infrastructure is causing leaks and inflow and infiltration on both the public and private side of the water system. The City is working on reducing leakage throughout the system through investing in infrastructure updates (e.g., lining water mains), offering residents grant incentives to fix private-side issues, inspecting meters to ensure accuracy and develop a future replacement/monitoring plan, and funding outreach initiatives (e.g., Rain Barrel Sale).

Question ID	DWMR1073001	Question Type	Legislative

Legislative Requirement(s):
SDWA | O. Reg. 128/04 | 23 | (1);

Question:
Was an overall responsible operator designated for all subsystems which comprise the drinking water system?

Compliance Response(s)/Corrective Action(s)/Observation(s):
An overall responsible operator was designated for all subsystem.

Port Colborne Distribution system is classified as a Class 1 Distribution System (DS) which received License #997 on November 28, 2017. The designated ORO is Shaun Emery, who holds a valid Class 3 license, expiring February 28, 2027. James Noxel has been designated as the backup ORO, who holds a valid Class 1 license, expiring May 31, 2028.

Question ID	DWMR1078001	Question Type	Legislative

Legislative Requirement(s):
SDWA | O. Reg. 128/04 | 23 | (1); SDWA | O. Reg. 128/04 | 23 | (2); SDWA | O. Reg. 128/04 | 23 | (4); SDWA | O. Reg. 128/04 | 23 | (6); SDWA | O. Reg. 128/04 | 23 | (7);

Question:
When the overall responsible operator was unable to act, was a properly certified operator designated to act in their place?

Compliance Response(s)/Corrective Action(s)/Observation(s):
A properly certified operator was designated to act in place of the overall responsible operator.

Question ID	DWMR1074001	Question Type	Legislative

Legislative Requirement(s):
SDWA | O. Reg. 128/04 | 25 | (1);

Question:
Were operators-in-charge designated for all subsystems which comprise the drinking water system?

Compliance Response(s)/Corrective Action(s)/Observation(s):
Operators-in-charge were designated for all subsystems.

Question ID	DWMR1075001	Question Type	Legislative

Legislative Requirement(s):
SDWA | O. Reg. 128/04 | 22;

Question:
Were all operators certified as required?

Compliance Response(s)/Corrective Action(s)/Observation(s):
All operators were certified as required.

A search of the Ontario Water Wastewater Certification Office (OWWCO) operator listing report website showed that all operators have the required certification.

Appendix A

Stakeholder Appendix

Key Reference and Guidance Material for Municipal Residential Drinking Water Systems

Many useful materials are available to help you operate your drinking water system. Below is a list of key materials owners and operators of municipal residential drinking water systems frequently use.

To access these materials online click on their titles below or use your web browser to search for their titles. Contact the Ministry if you need assistance or have questions at 1-866-793-2588 or waterforms@ontario.ca.
For more information on Ontario's drinking water visit www.ontario.ca/page/drinking-water



Click on the publication below to access it

- Drinking Water System Profile Information Form - 012-2149E
- Laboratory Services Notification Form – 012-2148E
- Adverse Test Result Notification Form – 012-4444E
- Taking Care of Your Drinking Water: A Guide for Members of Municipal Councils
- Procedure for Disinfection of Drinking Water in Ontario
- Strategies for Minimizing the Disinfection Products Trihalomethanes and Haloacetic Acids
- Filtration Processes Technical Bulletin
- Ultraviolet Disinfection Technical Bulletin
- Guide for Applying for Drinking Water Works Permit Amendments, & License Amendments
- Certification Guide for Operators and Water Quality Analysts
- Training Requirements for Drinking Water Operator
- Community Sampling and Testing for Lead: Standard and Reduced Sampling and Eligibility for Exemption
- Drinking Water System Contact List – 7128E01
- Ontario's Drinking Water Quality Management Standard - Pocket Guide
- 2020 Watermain Disinfection Procedure
- List of Licensed Laboratories

Appendix B

Inspection Rating Record (IRR)

DWS Name:	PORT COLBORNE DISTRIBUTION SYSTEM
DWS Number:	260001643
DWS Owner:	CORPORATION OF THE CITY OF PORT COLBORNE
Municipal Location:	PORT COLBORNE
Regulation:	O.REG. 170/03
DWS Category:	DW Municipal Residential
Type of Inspection:	Detailed
Compliance Assessment Start Date:	Oct-28-2025
Ministry Office:	Niagara District Office

Maximum Risk Rating: 333

Inspection Module	Non Compliance Risk (X out of Y)
Certification and Training	0/35
Distribution System	0/8
Logbooks	0/30
Operations Manuals	0/42
Reporting & Corrective Actions	4/71
Treatment Processes	0/76
Water Quality Monitoring	0/71
Overall - Calculated	**4/333**

Inspection Risk Rating:	**1.20%**

Final Inspection Rating:	**98.80%**

DWS Name:	PORT COLBORNE DISTRIBUTION SYSTEM
DWS Number:	260001643
DWS Owner Name:	CORPORATION OF THE CITY OF PORT COLBORNE
Municipal Location:	PORT COLBORNE
Regulation:	O.REG. 170/03
DWS Category:	DW Municipal Residential
Type of Inspection:	Detailed
Compliance Assessment Start Date:	Oct-28-2025
Ministry Office:	Niagara District Office

Non-Compliance Question(s)	Non Compliance Risk
Reporting & Corrective Actions	
Were changes to the system registration information provided to the ministry within ten (10) days of the change?	4
Overall - Total	**4**

Maximum Question Rating: 333

Inspection Risk Rating:	**1.20%**
FINAL INSPECTION RATING:	**98.80%**

Port Colborne Water Treatment Plant

Regional Municipality of Niagara

2025 Summary Report

(Prepared under Ontario Regulation 170/03)

January 1 to December 31, 2025

Ministry of the Environment, Conservation and Parks

Municipal Drinking Water License # 007-101
Drinking Water Works Permit # 007-201

Port Colborne Water Treatment Plant - 2025 Summary Report

This report summarizes the water flows for the Port Colborne Water Treatment Plant, drinking water system number 220002075, from January 1 to December 31, 2025.

This report satisfies the requirements of Ontario Regulation 170/03 – Drinking Water Systems.

Inspection Rating

The Port Colborne Water Treatment Plant was granted a 100% inspection rating during the 2025-2026 Ministry of Environment, Conservation and Parks annual drinking water system inspection.

Summary of Non-Compliance

The Port Colborne Water Treatment Plant was operated in such a way that at no time did it fail to meet or exceed the requirements of the Safe Drinking Water Act, associated regulations, the system's approval or any order that may have been issued for this reporting period.

Summary of Water Treatment Plant Flows

The flow rates captured below are moments in time, and can be affected by various circumstances, such as pump changes or valve position. It is not unusual to have higher or lower than normal flows for this reason.

Month	Total Flow Raw (ML)	Total Flow Treated (ML)	Average Day Raw (ML)	Average Day Treated (ML)	Maximum Daily Treated (ML)	Minimum Day Treated (ML)	Maximum Flow Rate Treated (ML/d))	Minimum Flow Rate Treated (ML/d)	Total Waste Sludge (ML)
Jan	318.570	308.193	10.276	9.942	14.090	6.790	17.108	7.610	1.587
Feb	320.798	309.332	11.457	11.048	13.010	8.997	15.046	5.518	1.910
Mar	339.272	326.445	10.944	10.530	13.320	8.540	27.309	7.867	2.198
Apr	283.930	274.370	9.464	9.146	11.100	7.380	17.231	5.651	1.971
May	282.422	264.924	9.110	8.546	9.920	6.658	27.014	7.882	1.767
Jun	279.148	266.416	9.305	8.881	10.550	7.135	17.908	7.979	1.517
Jul	279.460	266.170	9.015	8.586	10.597	6.665	17.210	7.364	2.344
Aug	257.200	240.610	8.297	7.762	9.973	5.910	19.631	6.789	2.088
Sep	231.850	220.160	7.728	7.339	8.980	5.650	20.088	5.979	2.002
Oct	244.860	230.540	7.899	7.437	8.973	6.099	17.338	7.566	1.752
Nov	262.750	244.190	8.758	8.140	10.615	6.280	26.753	8.059	1.674
Dec	253.940	237.270	8.192	7.654	9.900	5.530	17.755	6.756	1.278

Month	Total Flow Raw (ML)	Total Flow Treated (ML)	Average Day Raw (ML)	Average Day Treated (ML)	Maximum Day Treated (ML)	Minimum Day Treated (ML)	Maximum Flow Rate Treated (ML/d)	Minimum Flow Rate Treated (ML/d)	Total Waste Sludge (ML)
Total	3354.200	3188.620							22.088
Min						5.530		5.518	1.278
Max					14.090		27.309		2.344
Avg			9.204	8.751					1.841

Comparison of Actual to System Approved Flow

Flow rates are required by Municipal Drinking Water Licence number 007-101.

- Maximum daily flow: 36.000 ML
- Maximum flow rate: 36.000 ML/day

Month	Average Day Treated (ML)	% of Rated Capacity	Maximum Day Treated (ML)	% of Rated Capacity	Maximum Flow Rate Treated (ML/d)	% of Rated Capacity
Jan	9.942	28%	14.090	39%	17.108	48%
Feb	11.048	31%	13.010	36%	15.046	42%
Mar	10.530	29%	13.320	37%	27.309	76%
Apr	9.146	25%	11.100	31%	17.231	48%
May	8.546	24%	9.920	28%	27.014	75%
Jun	8.881	25%	10.550	29%	17.908	50%
Jul	8.586	24%	10.597	29%	17.210	48%
Aug	7.762	22%	9.973	28%	19.631	55%
Sep	7.339	20%	8.980	25%	20.088	56%
Oct	7.437	21%	8.973	25%	17.338	48%
Nov	8.140	23%	10.615	29%	26.753	74%
Dec	7.654	21%	9.900	28%	17.755	49%

Port Colborne Water Treatment Plant

Regional Municipality of Niagara

2025 Annual Water Quality Report

(Prepared under Ontario Regulation 170/03)

January 1 to December 31, 2025

Ministry of the Environment, Conservation and Parks

Municipal Drinking Water License # 007-101
Drinking Water Works Permit # 007-201

Port Colborne Water Treatment Plant - 2025 Annual Water Quality Report

This annual water quality report summarizes the quality of drinking water from the Port Colborne Water Treatment Plant, drinking water system number 220002075, from January 1 to December 31, 2025.

This report satisfies the requirements of Ontario Regulation 170/03 – Drinking Water Systems.

Description of Drinking Water System

A conventional surface water treatment plant incorporates the following steps in its purification process:

- Zebra mussel control
- Travelling screens
- Coagulation
- Flocculation
- Sedimentation
- Filtration
- Disinfection

The plant has a rated daily flow capacity of 36,000 m3/day. Primary disinfection is achieved with sodium hypochlorite.

The Port Colborne Water Treatment provides water to the City of Port Colborne (260001643) in the Niagara region and is located at 323 King St. in Port Colborne, Ontario.

The water treatment chemicals used over this reporting period are:

- Sodium Hypochlorite
- Aluminum Sulphate

Water Treatment Plant Infrastructure / System Infrastructure

Monetary Expenses:

To ensure safe and efficient operations, the following major repairs or upgrade projects took place.

- New Barrick Road Watermain (In progress) $3,333,387
- Port Colborne WTP Upgrade (In progress) $100,695
- Port Colborne WTP Boiler Upgrade (In progress) $25,632.31
- Port Colborne WTP Clearwell No. 1 Upgrades (In progress) $18,567.84

Summary of Adverse Water Quality Incidents

The following table summarizes the notices of adverse water quality incidents submitted in accordance with the Safe Drinking Water Act. Adverse water quality incidents are reported to the Spills Action Centre and the Medical Officer of Health.

Where there have been no adverse water quality incidents for the reporting period, the table will show "NIL".

Incident Date	Location	Adverse Condition	Corrective Action	Notice of Issue Resolution
NIL				

Water Quality Test Results

Reported results that are shown with "ND" (non-detect) instead of a numerical value indicates that the sample result is below the lowest possible detection limit for the parameter.

Microbiological Testing

Microbiological testing carried out under Schedule 10 of Ontario Regulation 170/03 – Drinking Water systems, during this reporting period.

Location	Number of Samples	Range of E.Coli Results (minimum number)-(maximum number)	Range of Total Coliform Results (minimum number)-(maximum number)	Prescribed Standard*	Unit of Measure
Raw	52	0 - 280	0 - 960	Not applicable	CFU/100ml
Treated	52	0	0	Not detectable	CFU/100ml
Distribution	104	0	0	Not detectable	CFU/100ml

Heterotrophic Plate Count Testing

Heterotrophic plate count (HPC) testing is conducted on some treated and distribution system samples. The HPC test is used as a tool to monitor overall quality, but the results are not indicators of water safety. There is no prescribed standard for HPC.

Location	Number of Samples	Range of HPC Results (minimum number)-(maximum number)	Unit of Measure
Treated	52	0 - 1	CFU/ml
Distribution	104	0 - 4	CFU/ml

Operational Testing

Operational testing carried out under Schedule 7 of Ontario Regulation 170/03 – Drinking Water Systems, during this reporting period. An analyzer continuously monitors the water treatment process

and records results on a predetermined frequency. Where continuous monitors are used, 8760 is reflected as the number of samples.

Parameter	Number of Samples	Range of Results (minimum number)-(maximum number)	Unit of Measure
Filter Turbidity	8760	0.014 - 0.188	NTU*
Treated Chlorine	8760	0.57 - 1.83	mg/L

*NTU (nephelometric turbidity units) is a unit that measures the lack of water clarity.

Additional Testing

Summary of additional testing and sampling carried out in accordance with the requirement of an approval, order or other legal instrument.

Date of Legal Instrument Issued	Location: Parameter	Date Sampled	Result Value or Range (minimum number)-(maximum number)	Requirement	Unit of Measure
Municipal Drinking Water License Issue 10 December 16,2024	Environmental Discharge: Total Suspended Solids	Monthly (January – December)	<3 - 101	25 (Running Annual Average)	mg/L
Municipal Drinking Water License Issue 10 December 16,2024	Raw: Microcystin	Weekly (June – October)	ND	0.0015*	mg/L
Municipal Drinking Water License Issue 10 December 16,2024	Treated: Microcystin	Weekly (June – October)	ND	0.0015*	mg/L

*Prescribed standards are copied from Ontario Regulation 169/03 - Ontario Drinking Water Quality Standards.

Inorganic Testing

Inorganic parameter testing carried out under Schedule 13 of Ontario Regulation 170/03 – Drinking Water Systems, during this reporting period. Inorganic substances include heavy metals and dissolved minerals that may be present in treated drinking water.

Parameter	Number of Samples	Last Sample Date	Range of Results (minimum number)-(maximum number)	Prescribed Standard*	Unit of Measure	Exceedance
Antimony	4	2025-11-12	ND	0.006	mg/L	No
Arsenic	4	2025-11-12	ND – 0.0006	0.01	mg/L	No
Barium	4	2025-11-12	0.019 – 0.02	1.0	mg/L	No
Boron	4	2025-11-12	0.004 – 0.024	5.0	mg/L	No
Cadmium	4	2025-11-12	ND	0.005	mg/L	No

Parameter	Number of Samples	Last Sample Date	Range of Results (minimum number)-(maximum number)	Prescribed Standard*	Unit of Measure	Exceedance
Chromium	4	2025-11-12	ND – 0.002	0.05	mg/L	No
Mercury	4	2025-11-12	ND	0.001	mg/L	No
Selenium	4	2025-11-12	ND – 0.0006	0.05	mg/L	No
Sodium	4	2025-11-12	10.4 – 12.1	20	mg/L	No
Uranium	4	2025-11-12	ND	0.02	mg/L	No
Fluoride	12	2025-11-12	ND – 0.11	1.5	mg/L	No
Nitrite	12	2025-11-12	ND	10.0	mg/L	No
Nitrate	12	2025-11-12	0.06– 0.33	1.0	mg/L	No

*Prescribed standards are copied from Ontario Regulation 169/03 - Ontario Drinking Water Quality Standards. The prescribed standard for sodium is copied from Ontario Regulation 170/03 – Drinking Water Systems.

Lead Testing

Lead testing carried out under Schedule 15.1 of Ontario Regulation 170/03 – Drinking Water Systems, during this reporting period.

Location	Number of Samples	Last Sample Date	Range of Lead Results (minimum number)-(maximum number)	Prescribed Standard*	Unit of Measure	Exceedance
Treated	4	2025-11-12	ND	0.010	mg/L	No
Distribution	4	2025-11-12	ND	0.010	mg/L	No

*Prescribed standards are copied from Ontario Regulation 169/03 - Ontario Drinking Water Quality Standards.

Organic Testing

Organic parameter testing carried out under Schedule 13 of Ontario Regulation 170/03 – Drinking Water Systems, during this reporting period. Trace organic test parameters include volatile organic substances, pesticides, solvents, dioxins, PCB's, and disinfection by-products.

Parameter	Number of Samples	Last Sample Date	Range of Results (minimum number)-(maximum number)	Prescribed Standard*	Unit of Measure	Exceedance
1,1-Dichloroethylene (vinylidene chloride)	4	2025-11-12	ND	0.014	mg/L	No
1,2-Dichlorobenzene	4	2025-11-12	ND	0.2	mg/L	No
1,2-Dichloroethane	4	2025-11-12	ND	0.005	mg/L	No
1,4-Dichlorobenzene	4	2025-11-12	ND	0.005	mg/L	No
2,3,4,6-Tetrachlorophenol	4	2025-11-12	ND	0.1	mg/L	No

Parameter	Number of Samples	Last Sample Date	Range of Results (minimum number)-(maximum number)	Prescribed Standard*	Unit of Measure	Exceedance
2,4,6-Trichlorophenol	4	2025-11-12	ND	0.005	mg/L	No
2,4-Dichlorophenoxy acetic acid (2,4-D)	4	2025-11-12	ND	0.1	mg/L	No
2-4 Dichlorophenol	4	2025-11-12	ND	0.9	mg/L	No
2-Methyl-4-chlorophenoxyacetic acid (MCPA)	4	2025-11-12	ND	0.1	mg/L	No
Alachlor	4	2025-11-12	ND	0.005	mg/L	No
Atrazine + N-dealkylated metobolites	4	2025-11-12	ND	0.005	mg/L	No
Azinphos-methyl	4	2025-11-12	ND	0.02	mg/L	No
Benzene	4	2025-11-12	ND	0.001	mg/L	No
Benzo(a)pyrene	4	2025-11-12	ND	0.00001	mg/L	No
Bromoxynil	4	2025-11-12	ND	0.005	mg/L	No
Carbaryl	4	2025-11-12	ND	0.09	mg/L	No
Carbofuran	4	2025-11-12	ND	0.09	mg/L	No
Carbon Tetrachloride	4	2025-11-12	ND	0.002	mg/L	No
Chlorobenzene	4	2025-11-12	ND	0.03	mg/L	No
Chlorpyrifos	4	2025-11-12	ND	0.09	mg/L	No
Diazinon	4	2025-11-12	ND	0.02	mg/L	No
Dicamba	4	2025-11-12	ND	0.12	mg/L	No
Dichloromethane	4	2025-11-12	ND	0.05	mg/L	No
Diclofop-methyl	4	2025-11-12	ND	0.009	mg/L	No
Dimethoate	4	2025-11-12	ND	0.02	mg/L	No
Diquat	4	2025-11-12	ND	0.07	mg/L	No
Diuron	4	2025-11-12	ND	0.15	mg/L	No
Glyphosate	4	2025-11-12	ND	0.28	mg/L	No
HAA – Distribution (latest running annual average)	12	2025-12-15	0.012	0.080 (running annual average)	mg/L	No
Malathion	4	2025-11-12	ND	0.19	mg/L	No
Metolachlor	4	2025-11-12	ND	0.05	mg/L	No
Metribuzin	4	2025-11-12	ND	0.08	mg/L	No
Monochlorobenzene	4	2025-11-12	ND	0.08	mg/L	No
Paraquat	4	2025-11-12	ND	0.01	mg/L	No

Parameter	Number of Samples	Last Sample Date	Range of Results (minimum number)-(maximum number)	Prescribed Standard*	Unit of Measure	Exceedance
Pentachlorophenol	4	2025-11-12	ND	0.06	mg/L	No
Phorate	4	2025-11-12	ND	0.002	mg/L	No
Picloram	4	2025-11-12	ND	0.19	mg/L	No
Polychlorinated Biphenyls (PCB)	4	2025-11-12	ND	0.003	mg/L	No
Prometryne	4	2025-11-12	ND	0.001	mg/L	No
Simazine	4	2025-11-12	ND	0.01	mg/L	No
Terbufos	4	2025-11-12	ND	0.001	mg/L	No
Tetrachloroethylene	4	2025-11-12	ND	0.01	mg/L	No
THM – Distribution (latest running annual average)	12	2025-12-15	0.017	0.100 (running annual average)	mg/L	No
Triallate	4	2025-11-12	ND	0.23	mg/L	No
Trichloroethylene	4	2025-11-12	ND	0.005	mg/L	No
Trifluralin	4	2025-11-12	ND	0.045	mg/L	No
Vinyl Chloride	4	2025-11-12	ND	0.001	mg/L	No

*Prescribed standards are copied from Ontario Regulation 169/03 - Ontario Drinking Water Quality Standards.

Parameters Exceeding Prescribed Half-Standard

Any inorganic or organic parameter(s) that exceeded half the standard prescribed in Schedule 2 of prescribed standards documented in Ontario Regulation 169/03 - Ontario Drinking Water Quality Standards or prescribed standards documented within Ontario Regulation 170/03 – Drinking Water Systems for large municipal residential drinking water systems.

Where there have been no instances of a half-standard exceedance for the reporting period, the table will show “NIL”.

Parameter	Result Value or Range (minimum number)-(maximum number)	Prescribed Standard*	Unit of Measure	Date of Sample
Sodium	10.4 – 12.1	20	mg/L	2025-02-12 2025-05-14 2025-08-13 2025-11-12

*Prescribed standards are copied from Ontario Regulation 169/03 - Ontario Drinking Water Quality Standards. The prescribed standard for sodium is copied from Ontario Regulation 170/03 – Drinking Water Systems.

PORT COLBORNE

Port Colborne Distribution System Summary QMS Report for the Management Review

Report prepared on:
February 23, 2026

For the period of:
January 1, 2025 - December 31, 2025

Executive Summary

- This management review summary covers the period of January 1 – December 31, 2025.
- A Ministry of Environment, Conservation and Parks inspection occurred on November 7, 2025 for the reporting period of November 1, 2024 – October 31, 2025. The inspection rated the Port Colborne Distribution System with a score of 98.8% with one incident of regulatory non-compliance in 2025.
- There was one adverse sample during this reporting period.
- The 2025 Internal Audit was completed on September 25, 2025.
- The external audit occurred on October 20, 2025 and reaccreditation audit on November 19-20, 2025. The City received reaccreditation in 2025.
- There were 42 water main breaks reported in 2025.
- The City's Municipal Drinking Water License (MDWL) and Drinking Water Works Permit were renewed in September 2024.
- Water quality complaints totaled ten (10) in 2025. Where the source of the complaint could be determined, activities in the distribution system, such as fire flow testing, were the most common sources.
- Staff continue training on the American Water Works Association (AWWA) water balance standards and are collaborating with other Niagara municipalities for training and resource sharing.
- Two new staff started on the Environmental Services team in 2025, including a new water operator and water meter technician. The Environmental Analyst (QMS Rep) vacancy is in the process of being filled at the time of writing this report.

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Introduction

Purpose

The purpose of this report is to summarize the activities of the Port Colborne Distribution System (PCDS) Operating Authority so that Top Management can ensure the continuing effectiveness of the Quality Management System (QMS) at scheduled Management Reviews.

Scope

This Summary Report for the Management Review covers key operational elements of the Drinking Water Quality Management Standard (DWQMS) from January 1 to December 31, 2025.

Top Management reviews the information specified in Procedure QMS-SOP20-1 Management Review.

This review will include, but is not limited to, the following:

a. Incidents of regulatory non-compliance
b. Incidents of adverse drinking water tests
c. Deviations from critical control point limits and response actions
d. Effectiveness of the risk assessment process
e. Results of internal and third-party audits, including best management practices
f. Results of relevant emergency response testing
g. Operational performance
h. Raw water supply and water quality trends
i. Follow up on action items from previous management reviews
j. Status of management action items identified between reviews
k. Changes in resource requirements, infrastructure, process, personnel, the Standard or regulations that could affect the QMS
l. Consumer feedback
m. Resources needed to maintain the QMS
n. Results of infrastructure review
o. Operational plan currency, content and updates
p. Staff suggestions

Summary of Items

a. Incidents of Regulatory Non-Compliance

During the Ministry of Environment, Conservation and Parks (Ministry) inspection on November 7, 2025, one incident of regulatory non-compliance was found.

b. Incidents of Adverse Drinking Water Tests

One adverse incident occurred during this reporting period.

One sample containing one (1) total coliform was collected in Summer 2025 with a free chlorine residual of 0.97mg/L. Public Health and the Spills Action Centre were immediately notified orally. As advised, the following corrective actions were taken immediately: sampled upstream, downstream and at point of sample and re sampled 24 hours later. No total coliforms or E.coli were found during resample. Free chlorine measured at 1.05 mg/L.

c. Deviations from Critical Control Point Limits and Response Actions

Critical Control Limits (CCL) for the PCDS are, where applicable, higher than the regulated limits, which then trigger a response procedure. During this period, staff responded appropriately to low free chlorine levels (<0.20 mg/L but $\geq$0.05 mg/L) by flushing the distribution system to bring the chlorine levels up. Routine dead-end flushing aided in ensuring free chlorine levels remained adequate. Minimum regulatory requirements were always being met.

All free chlorine samples taken during the reporting period were above the required level (0.20 mg/L).

d. Risk Assessment

A full risk assessment must be completed every three (3) years. A full risk assessment took place in November 2025.

During warmer months, chlorine levels lower in the distribution system. A flushing procedure has been followed ensure that levels are maintained above the CCL range. This has proven to be a very effective risk mitigation strategy.

e. Results of Internal and Third-Party Audits

Internal Audit
The 2025 Internal Audit was completed on September 25, 2025. The audit was completed by an auditor from Acclaims Environmental. The Operational Plan and supporting documents were reviewed for conformity to the DWQMS 2.0. The auditor identified

opportunities for improvement (OFIs), which will be discussed at the Management Meeting.

OFIs:

- Consider updating the description of the drinking water system to include all distribution system components (hydrants, valves, length of pipe & construction in the DWS, etc.).
- Consider improving the connection between the procedural description and Appendix 1 ratings chart. The procedure speaks to the Hazard total for each hazardous event as the sum of Likelihood, Consequence and Detectability. However, QMS-SOP7-1A, rev 6 speaks to Likelihood, Consequence and Responsiveness, with the total calculated by L x C + R.
- The Facilities Maintenance Technician is described in the Organizational Chart as staff having direct effect on drinking water, but no required competencies are listed for this position. Consider describing the required competencies for this position with respect to the drinking water distribution system.
- Consider exploring options for a more efficient contractor awareness training process.
- Consider implementing an annual review of the Critical Water User List (DSEPP-3).
- Paper records/logs going electronic would improve accuracy.

Non-Conformances:

N/A

External Audits/Accreditation Status

The City's auditor from Intertek Inform (formerly SAI Global) completed a system audit on October 20, 2025, and an external full re-accreditation audit on November 19-20, 2025.

The auditor identified three (3) OFIs during the 2025 audit and zero (0) non-conformances.

OFIs:

- Consider updating the approval responsibility section (Section 4.3) in QMS-SOP-05-1. The Environmental Analyst and Environmental Compliance Supervisors demonstrated following the Document Change process for QMS-SOP17-1 in the Document Change Log and e-mail communication about changes. The QMS Representative will verify implementation of the changes and complete one-on-one training, as needed.
- Consider sorting and ranking the individual hazardous events to help identify the risk assessment threshold.
- Review the existing NC and Corrective Action Report (QMS-FORM21-1) to ensure all necessary fields are included in the QMS Change Log (i.e. column for the root cause analysis).

Non-Conformances:

- N/A

Ministry Inspections

The Ministry performed a document review inspection and on-site inspection of the PCDS on November 7, 2025. The inspection period covers November 1, 2024 – October 31, 2025. The inspection rated the PCDS with a score of 98.8% with one incident of regulatory non-compliance and no opportunities for improvement (OFI) in 2025. The report will be circulated.

Non-compliances:

- Changes to the system registration information were not provided within ten (10) days of the change.

Staff resolved this administrative issue immediately by updating the ORO's information (name and contact details) in the Ministry's system. Moving forward, staff have noted a process change for onboarding new ORO to include sending updated information to the Ministry.

f. Results of Relevant Emergency Response Testing

The last emergency response training session took place on September 15, 2025. The training included review of two relevant emergency response scenarios, and a written test to assess comprehension and awareness of emergency response procedures.

Staff are currently scheduling annual emergency response training for Fall of 2026.

g. Operational Performance

Table 1 summarizes Operational statistics for the PCDS 2024 and 2025.

Table 1: PCDS Activity Report

Item	Amount	
	2024	2025
Routine Distribution Samples		
Bacteriological	424	416
Operational (free chlorine)	840	833
Adverse Samples	1	1
Lead Samples		
Distribution – Alkalinity and pH	8	8
Distribution – Lead (Exempt from plumbing sampling as of Dec/09)	4	N/A
Sample results > 10 ppb	0	N/A
Watermain breaks	20	42

A summary of the 2024 and 2025 operational performance indicators (OPI) are provided in Table 2 below. Targets and OPIs are periodically reviewed to make sure they reflect all the efforts made by staff.

Table 2: PCDS Maintenance and Operational Performance Indicators (OPI)

Maintenance Activity	Target/OPI	Status 2024	Status 2025
Watermain Breaks	Meet response times in SOP	20	42
Valve Exercising, Inspections	25% annually/< 5 inoperable	374 valves of 1193 = 31%	472 of 1193 = 40%
Hydrant Inspections	100% annually/< 5 inoperable	673 Target met	581 Target met
Winter Hydrant Inspection	2 inspections (Nov 1-Dec 31 and Jan 1-Apr 1)/0 frozen	1,353 0 frozen	863 5 frozen, resolved immediately
Fire flow testing	100% Completed over ten (10) yrs/<2 out of service, marked within 60 days	Target met	Target met
Curb stop/curb box repairs	Repair < 2 weeks	34	26
Emergency service repairs	Meet response times in Watermain Break SOP	Target met	Target met
Inspect bulk water stations	Annual/< 2 service disruptions	Part of routine sampling as required	Part of routine sampling as required
Dead end flushing	Weekly, May-Oct, autoflush stations/0 AWQIs, <10 complaints	674	582
Backflow inspections	Annually or as required/<40% failure	Target met	Target met

Total water purchased from the Region and annual water sales over the past 10 years are included in Figure 1 below. A closer look at monthly totals for 2025 are included in Figure 2.

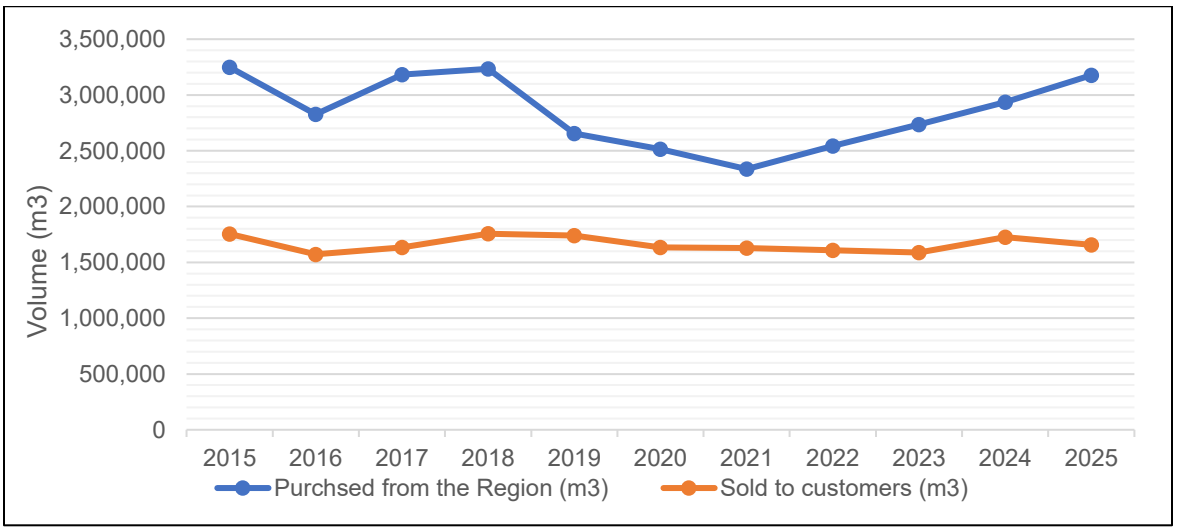


Figure 1: 2015-2025 Annual Purchased Volume vs. Metered Volume over 10 years

Table 3: Total water purchased from the Region and metered consumption from 2020 to 2025 (m^3)

	2020	2021	2022	2023	2024	2025
Purchased from Region	2,515,060	2,335,980	2,543,630	2,735,980	2,937,341	3,178,034
Metered Consumption	1,625,882	1,607,686	1,622,345	1,587,388	1,730,882	1,657,261

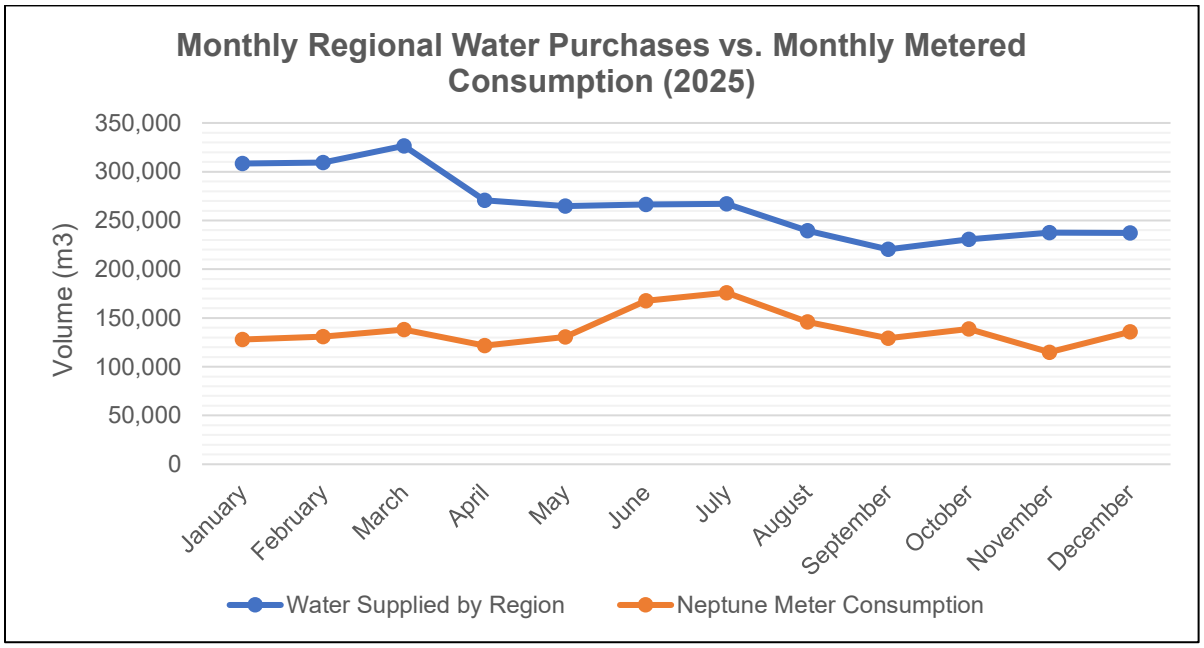


Figure 2: 2025 Monthly Purchased Volume vs. Monthly Metered Consumption

Of the 42 watermain breaks that occurred in 2025, 26 happened between January – March. The wider gap between water purchased and sold during this period, as seen in figure 2, is directly correlated with this high number of breaks.

The City is actively addressing water loss issues in the water distribution system through a combination of strategic initiatives and operational improvements. The City has prioritized the development and ongoing implementation of a comprehensive Water Loss Strategy, which involves detailed monitoring and reporting of water loss metrics, including monthly percent water loss. Key actions include targeted infrastructure upgrades, proactive leak detection programs, and robust data analysis to identify and prioritize areas of concern, specifically related to water meters.

h. Raw Water Supply and Water Quality Trends

The Niagara Region (Region) supplies all drinking water to the PCDS, and as such, is responsible for all testing of the raw water supply (Welland Canal). Results of the testing are provided annually to the City in the Region's annual report.

Within the PCDS, the City is required to collect samples on a routine basis and evaluate them for several parameters. Microbiological samples, in addition to free chlorine samples are the best indicators of water quality trends within the PCDS.

Figure 6 shows the average monthly free chlorine measured in the PCDS and from the Region locations. Chlorine trends in the PCDS follow the concentrations in the Fielden reservoir closely. Seasonal variation is apparent. In 2021, there were some concerns about decreasing trends in chlorine from the Water Treatment Plant (WTP). In 2022, due to quality concerns, staff approached Niagara Region and requested an increase in chlorine at the water tower. City staff will continue to work with the Region to ensure that the Region continues to target chlorination at the tower and optimize chemical dosing for seasonal fluctuations.

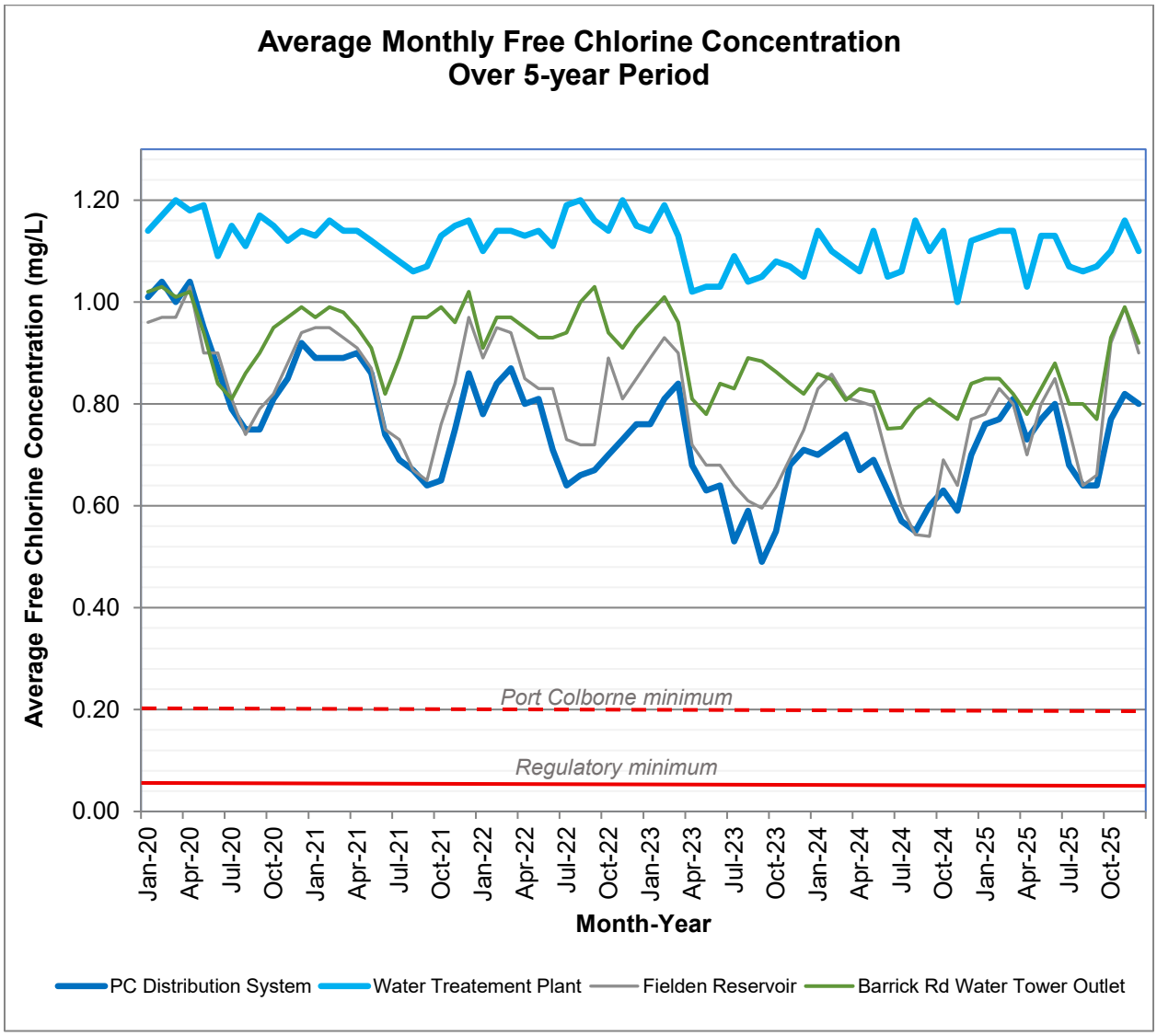


Figure 3: Average Monthly Free Chlorine Concentration in the Port Colborne Distribution System over a 5-year period

Quarterly trihalomethanes (THM) have remained relatively stable since 2013 (Table 4).

Table 4: Average Annual Trihalomethanes Concentrations – 2010-2025

Year	2010	2011	2012	2013	2014	2015	2016	2017
Average THMs (µg/L)	25.3	7.5	16.8	26.0	25.5	19.1	26.1	22.3
Year	**2018**	**2019**	**2020**	**2021**	**2022**	**2023**	**2024**	**2025**
Average THMs (µg/L)	29.0	26.9	31.5	20.8	21.0	16.8	23.3	28.0

The City began sampling for Haloacetic Acids (HAAs), as required by the regulation, on a quarterly basis in 2017. HAAs have remained far below the Ministry's maximum acceptable concentration of 0.08 mg/L. In 2024, the average was 0.0058 mg/L and in 2025 the average was 0.0054 mg/L. These results indicate that HAAs are not a water quality issue in the distribution system.

i. Follow up on Action Items from Previous Management Reviews

Action Items carried forward from the 2025 Management Review Meetings:

1. Leak detection on Region's trunk watermains – the Region does not do active leak detection on their trunk watermains, however, it has been indicated that there is an appetite to pursue program(s).
   - *STATUS*: Region WTP staff have procured a company to complete leak detection on approximately half of their transition mains. Awaiting results.
2. Adopt AWWA processes for calculating and identifying water loss.
   - *STATUS*: Will complete in 2026.
3. Review and adjust KPIs in the new year to align with current goals.
   - *STATUS*: Staff will review and adjust KPIs to align with goals as necessary in 2026.
4. Explore the feasibility of updating the water use bylaw to require new builds to replace services.
   - STATUS: An updated water use bylaw has been drafted and is currently being reviewed. Will go to the public for feedback before submitting to Council.
5. Include tear downs and new builds for service replacement in new water bylaw. Explore cutting off water service when properties are decommissioned.
   - *STATUS*: To be considered in the new water bylaw.
6. Look into metering water for development.
   - STATUS: Discussing concurrently with the new water use bylaw and proposing new water for construction fees.
7. Explore rotating Councillors through the Management Review Meeting/water loss committee. Consider mandating it in a similar way to the deputy mayor rotation.
   - *STATUS*: Not moving forward with this as advised by the City Clerks. Staff will consider alternative approaches, such as hosting training sessions with Council.
8. Update water loss calculations for main breaks.
   - *STATUS*: Included in ongoing data project.

9. Connect with other local area municipalities about FAC levels dropping in the warmer months.
    - *STATUS*: Staff have connected with other municipalities who reported having similar experiences.
10. Request that City Communications staff aid in the water loss program, specifically to help tell a story about water in Port Colborne.
    - *STATUS*: Staff have been working with Communications team to add more water-related content to social media (e.g., Water Wednesdays). Staff are also involved with the City's website redesign. This request will be integrated into the new water webpages as they are developed.
11. Should the Water and Sewer Service Lateral Replacement Grant program (grant program) structure be altered to encourage residents to take up the grant program, including waving permit fees?
    - *STATUS*: Staff brought forward this suggestion to Council and recommended an increase in the grant amounts. Approved in 2025. Website updated, and details shared with residents.
12. Visualize infrastructure investments and work completed to date.
    - *STATUS*: Need for reporting on project progress has been raised to Asset Management Team and Senior Staff. Handed over accordingly.

j. Status of Management Action Items Identified Between Reviews

There were no Management Action Items identified between management reviews.

k. Changes that Could Affect the QMS or the PCDS

On February 20, 2026, The Ministry posted an update to the Drinking Water Quality Management Standard (DWQMS 3.0). Staff are working through these changes to ensure that the City remains compliant with the Standard.

Staff are monitoring developments surrounding the new battery separator plant. Water infrastructure required for the plant may require the PDCS to move from a Class 1 to a Class 2 distribution system. Staff will continue to monitor progress and report any developments to the PCDS management team and Owner when available.

l. Consumer Feedback

There were six (6) water quality complaints 2024 and 10 in 2025. Where the source of the complaint could be determined, fire flow testing was the most common source. Other distribution activities that may result in complaints are valve turning activities and hydrant flushing.

m. Resources Needed to Maintain the QMS

There are currently adequate resources to maintain the QMS. The Environmental Analyst, when hired, will act as the QMS Representative and the Environmental Compliance Supervisor will act as the backup QMS Representative.

n. Results of Infrastructure Review

The Infrastructure Review must be completed once every calendar year. The 2025 Infrastructure Review meeting occurred on June 25, 2025.

Long-term rehabilitation planning is guided by the Infrastructure Needs Study (INS), which is in alignment with Water Financial Plan. These documents guide the capital improvement program for the City. One of the strategic plan goals is to move linear assets out of the" very poor condition" category. In working towards this goal, four (4) watermains were replaced in 2024/25, and lining of sewer pipes and water mains occurred in 2025. After a successful experience with lining, staff are moving forward with more lining in 2026.

Staff are also working on reducing water loss in the City's distribution system. This includes actions such as: meter checks, large meter calibration, proactive leak detection, meter data analysis, and more.

o. Operational Plan Currency, Content and Updates

The Operational Plan was endorsed by the new City Council in 2023. Other than administrative changes and staffing updates, no major updates were completed. If major updates are required as a result of changes to the Drinking Water Quality Management Standard, Council will receive updates from staff.

p. Staff Suggestions

Staff continue to use the QMS Change Management Log as a central database for all changes to QMS documents and records, staff suggestions/preventative actions, and Nonconformance and Corrective Action (from audits and inspections). This log has allowed for increased efficiency, and enabled the team to address and track concerns more effectively.

Staff have implemented two new sets of meetings to ensure that staff in the operating authority have opportunity to provide feedback, receive status updates on feedback, and develop action plans on a regular basis. These include scheduled quarterly meetings for management staff and bi-annual meetings for operators. Feedback and status updates are recorded in the QMS Change Management Log.

PORT COLBORNE

Drinking Water Quality Annual Management Review
March 4, 2026

6:00 – 7:45 p.m. EST
Engineering and Operations Centre

The following were in attendance: Councillor Gary Bruno, Councillor Dave Elliott, Steve Shyposwkyj, Cassandra Banting (Meeting Secretary), Shaun Emery, Samantha Morris

Regrets: N/A

Items	Actions/Deadline
1. Overview of purpose and outcomes of annual Management Review	
Samantha provided an overview of the Management Review, indicating that the main purpose is to provide Management with appropriate and sufficient data to make decisions regarding the Quality Management System, and to meet Ministerial requirements for the system. As of this year, this review algins with annual reporting requirements to improve efficiency (i.e., reporting on a full calendar).	
2. Management Review - Items to be Discussed	
Attendees were provided with a summary of the items required to be discussed, as specified by the DWQMS. Notable updates include reports on the outcomes of PCDS inspections and data for the full 2025 calendar year.	
a) Incidents of Regulatory Non-Compliance	
We had one incident of regulatory non-compliance in our 2025 inspection.	
b) *Incidents of Adverse Drinking Water Tests*	

Items	Actions/Deadline
There was one incident of adverse drinking water results. It was dealt with immediately and the appropriate corrective actions were taken.	
c) Deviations from critical control point limits and response actions	
There were no incidents of low chlorine levels in the PCDS in 2025. Samantha reminded the committee that PCDS has higher thresholds than regulated limits for chlorine, and that minimum regulatory requirements were always met in the PCDS.	
d) Risk Assessment	
A full Risk Assessment was completed in 2025.	
e) Results of Internal and Third-Party Audits	
Samantha presented the results of the internal audit and the external accreditation audit, and the Ministry inspection. There were zero instances of non-conformance and one instance of non-compliance across all audits and inspections. • The internal audit found six opportunities for improvement (OFIs). • The external audit and re-accreditation audit identified three OFIs. • The Ministry Inspection identified zero OFIs and one occurrence of non-compliance with a score of 98.8%. This non-compliance was a minor administrative issue and was addressed immediately. Staff are currently addressing all OFIs highlighted in the inspection and audits.	
f) *Results of Relevant Emergency Response Testing*	
Staff conducted Emergency Response Training in September 2025. Training will now be held annually in the fall.	

g) Operational Performance	
2025 operational performance targets were met. Operations staff are working to address water loss throughout the PCDS through proactive leak detection, meter inspections, and more.	
h) Raw Water Supply and Water Quality Trends	
Test results indicate that water quality is not an issue in the PCDS. The City continues to monitor free chlorine in the PCDS and work with the Region ensure that target chlorination is maintained seasonally. Quarterly measurements of Trihalomethanes (THMs) have remained stable since 2013. Haloacetic Acids (HAAs) have remained far below Ministry standards.	
i) Follow up on action items from previous management reviews	
Samantha provided an update on items that were carried forward from the 2025 Management Review Meetings. The committee discussed the Niagara Region's upcoming leak detection project. They will be using Smart Ball technology for leak detection on regional mains.	**ACTION**: Councillor Bruno asked staff to consider creating a water bill insert or communication tool to show customers where their money is going that year. **ACTION**: Steve recommended that staff present to Council annually to provide an update on the asset management plan (very poor condition and moving forward on strategic plan objectives) and water loss goals. **ACTION**: Staff will update the committee on Region's leak detection program when information is available.
j) Status of management action items identified between reviews	
There were no action items identified between reviews.	
k) Changes that could affect the QMS or the PCDS	
Samantha discussed the potential change to system as progress is made on the Battery Separator Plant. There were no further updates at this time though.	

DWQMS 3.0 was released last month. Samantha is examining how this will affect our system and will update the committee as required.	
l) Consumer Feedback	
There were six water quality complaints in 2024 and 10 in 2025.	
m) Resources Needed to maintain the QMS	
The PCDS has adequate resources to maintain the QMS when the Analyst position is filled.	
n) *Results of Infrastructure Review*	
Samantha provided an overview of the infrastructure review. The INS and Water Financial Plan continue to guide capital decision making for upgrades to the drinking water system. In 2025, lining projects aided in moving several watermains out of the “very poor condition”. This technology will continue to be used in 2026 as a more cost-effective option to rehabilitate our mains. Cassandra discussed the Water Master Plan that is in progress and is set to go to Council later this year. This plan will align with the Stormwater and Wastewater master plans to ensure efficient resource planning in future years.	
o) *Operational Plan currency, content and updates*	
Samantha confirmed that the Operational Plan was approved in 2023, and that the only updates to the Operational Plan were staffing changes.	
p) Staff suggestions	
Samantha explained that we are tracking staff suggestions in one spreadsheet and are working closely with the Water Operators to track their insights and feedback to identify any additional OFIs.	
3. Round Table	
4. Next Scheduled Review	

The Next Management Review will be scheduled for Spring 2027.	

PORT COLBORNE

Subject: **Housing-Enabling Water Systems Fund – Transfer Payment Agreement**

To: **Council**

From: **Government Relations / Government Business Enterprises Department**

Report Number: 2026-35

Meeting Date: March 10, 2026

Recommendation:

That Government Relations and Business Enterprises Department Report 2026-35 be received;

That the Mayor and City Clerk be authorized to execute the transfer payment agreement attached hereto as Appendix A for the Housing-Enabling Water Systems Fund: Intake 2; and

That the Mayor and City Clerk be authorized to execute the by-law brought forward with respect to entering into the above-mentioned agreement.

Purpose:

This report seeks authorization to execute the transfer payment agreement with the Province of Ontario and the Minister of Infrastructure for the Housing-Enabling Water Systems Fund: Intake 2, along with the accompanying by-law.

Background:

In November 2023, the Ontario government announced their investment of $200 million in the new Housing-Enabling Water Systems Fund (HEWSF) to help municipalities repair, rehabilitate, and expand core drinking water, wastewater, and stormwater infrastructure. Five months later, the government increased the fund by $625 million, bringing the total to $825 million.

Under the first intake, the HEWSF program funded 54 water infrastructure projects across 61 Ontario municipalities. Strong demand for funding prompted a second intake, which opened on August 14, 2024, and closed on November 1, 2024.

Public Works staff submitted a HEWSF application under the second intake and were notified of approval on September 3, 2025.

Discussion:

The City will receive $11,132,500 for the installation of a new 1,600-metre-long sanitary forcemain in conjunction with Niagara Region's servicing tunnel. As a program designed to increase housing opportunities, this HEWSF-funded project will support new residential development of approximately 3,000 units within the 351-acre area bounded by Elizabeth Street, Highway 3, Lorraine Road, and Killaly Street East.

The Region's servicing tunnel beneath the Welland Canal is crucial for supporting not only the East Side Employment Lands but also properties on the east side of Port Colborne, where new housing will be built. With construction of the tunnel already underway for the past four months, it is important that the sanitary forcemain for new housing be installed in coordination with the main pipes extending from the tunnel and Second Concession Road to the East Side Employment Lands.

The transfer payment agreement attached to this report, as well as the contribution agreement attached to Report 2025-240 (Canada Housing Infrastructure Fund – Contribution Agreement; dated December 9, 2025), indicate that both the HEWSF and CHIF programs allow for stacking from other government sources. The City has received federal approval to utilize this $11,132,500 in HEWSF funding as part of the City's $38.5 million CHIF project, as detailed in Report 2025-240. Both grant programs share a common goal of enabling growth and housing development.

As a final note, the City has been given a deadline of March 31, 2029, to complete the sanitary forcemain project. Niagara Region anticipates that the "East Side Employment Lands Water and Wastewater Servicing" project, including the tunnel, will be completed by June 2027.

Internal Consultations:

Since receiving approval from the Housing-Enabling Water Systems Fund, Public Work's Infrastructure Division has been coordinating with staff from the Government Relations and Planning & Development departments on the schedule, budget, and installation of the new sanitary forcemain.

Financial Implications:

Supporting up to 73% of the project's total eligible costs, to a maximum of $11,132,500, the remaining 27% of costs — at $4,117,500 — represent the City's portion. The total project cost, therefore, is $15.25 million. Debt financing will be structured to fund the City's portion, which will be further funded through development charges for new and upsizing infrastructure, and through rate budgets where the infrastructure serves existing development or addresses deferred maintenance.

Public Engagement:

The Province assessed the City's project under their Duty to Consult (DTC) and accommodate Indigenous communities, and on January 8, 2026, confirmed that DTC requirements have been met. The City, however, must continue consultation with Indigenous communities as needed throughout the project.

Strategic Plan Alignment:

The initiative contained within this report supports the following pillars of the strategic plan:

- Increased Housing Options
- Sustainable and Resilient Infrastructure

Conclusion:

Niagara Region's project to cross the Welland Canal and service the East Side Employment Lands creates a timely opportunity to extend core water infrastructure to lands designated for new housing. With $11,132,500 in funding support from the Province's Housing-Enabling Water Systems Fund (HEWSF), the City will install a new sanitary forcemain to service an area on the east side of Port Colborne where approximately 3,000 units will be built.

The City's project is one of 50 new projects — in addition to 23 other projects across 26 municipalities — approved in the second intake of HEWSF. Staff have brought forward the HEWSF transfer payment agreement and by-law for authorization.

Appendices:

a. Transfer Payment Agreement: HEWSF Intake 2

b. Transfer Payment Agreement By-law – Housing-Enabling Water Systems Fund: Intake 2

Respectfully submitted,

Greg Higginbotham
Manager of Government Relations
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Gary Long
Director of Development & Business Enterprises
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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.

Case: #2024-10-1-3012879709

ONTARIO TRANSFER PAYMENT AGREEMENT
HOUSING-ENABLING WATER SYSTEMS FUND: INTAKE 2 Top-Up

THE AGREEMENT is effective as of the _____ day of _____, 20___.

BETWEEN:

His Majesty the King in right of Ontario
as represented by the **Minister of Infrastructure**

(the "Province")

- and -

CORPORATION OF THE CITY OF PORT COLBORNE

(the "Recipient")

BACKGROUND

The Housing-Enabling Water Systems Fund (HEWSF) is an application-based program designed to help municipalities repair, rehabilitate, and expand core water, wastewater, and stormwater infrastructure.

Projects funded through the program aim to unlock more housing opportunities, support the province's growing population, protect communities, and enhance economic growth.

CONSIDERATION

In consideration of the mutual covenants and agreements contained in the Agreement and for other good and valuable consideration, the receipt and sufficiency of which are expressly acknowledged, the Province and the Recipient agree as follows:

1.0 ENTIRE AGREEMENT

1.1 Schedules to the Agreement. The following schedules form part of the Agreement:

Schedule "A" - General Terms and Conditions

Schedule “B” - Project Specific Information and Additional Provisions
Schedule “C” - Project Description and Financial Information
Schedule “D” - Eligible and Ineligible Costs
Schedule “E” - Milestone Payment Plan
Schedule “F” - Reporting Requirements
Schedule “G” - Communications Protocol
Schedule “H” - Indigenous Consultation Protocol

1.2 Entire Agreement. The Agreement constitutes the entire agreement between the Parties with respect to the subject matter contained in the Agreement and supersedes all prior oral or written representations and agreements.

2.0 CONFLICT OR INCONSISTENCY

2.1 Conflict or Inconsistency. In the event of a conflict or inconsistency between the Additional Provisions and the provisions in Schedule “A”, the following rules will apply:

(a) the Parties will interpret any Additional Provisions in so far as possible, in a way that preserves the intention of the Parties as expressed in Schedule “A”; and

(b) where it is not possible to interpret the Additional Provisions in a way that is consistent with the provisions in Schedule “A”, the Additional Provisions will prevail over the provisions in Schedule “A” to the extent of the inconsistency.

3.0 COUNTERPARTS AND ELECTRONIC SIGNATURES

3.1 One and the Same Agreement. The Agreement may be executed in any number of counterparts, each of which will be deemed an original, but all of which together will constitute one and the same instrument.

3.2 Electronic Signatures. This Agreement may be executed electronically. The electronic signature of a Party may be evidenced by one of the following means and transmission of this Agreement may be as follows:

(a) a manual signature of an authorized signing officer placed in the respective signature line of this Agreement and this Agreement scanned as a pdf file and delivered by email to the other Party;

(b) a digital signature placed in the respective signature line of this Agreement, including:

(i) the name of the authorized signing officer typed in the respective signature line of this Agreement,

(ii) an image of a manual signature inserted in the respective signature line of this Agreement,

(iii) an Adobe signature of an authorized signing officer, or

(iv) any other digital signature of an authorized signing officer with the other Party's prior written consent, and this Agreement delivered by email to the other Party; or

(c) any other means with the other Party's prior written consent.

4.0 AMENDING THE AGREEMENT

4.1 Amending the Agreement. The Agreement may only be amended by a written agreement duly executed by the Parties.

5.0 ACKNOWLEDGEMENT

5.1 Acknowledgement. The Recipient acknowledges that:

(a) by receiving Funds it may become subject to legislation applicable to organizations that receive funding from the Government of Ontario, including the *Broader Public Sector Accountability Act, 2010* (Ontario), the *Public Sector Salary Disclosure Act, 1996* (Ontario), and the *Auditor General Act* (Ontario);

(b) His Majesty the King in right of Ontario has issued expenses, perquisites, and procurement directives and guidelines pursuant to the *Broader Public Sector Accountability Act, 2010* (Ontario);

(c) the Funds are:

(i) to assist the Recipient to carry out the Project and not to provide goods or services to the Province;

(ii) funding for the purposes of the *Public Sector Salary Disclosure Act, 1996* (Ontario);

(d) the Province is not responsible for carrying out the Project;

(e) the Province is bound by the *Freedom of Information and Protection of Privacy Act* (Ontario) and that any information provided to the Province in connection with the Project or otherwise in connection with the Agreement may be subject to disclosure in accordance with that Act; and

(f) the Province is bound by the *Financial Administration Act* (Ontario) ("FAA") and, pursuant to subsection 11.3(2) of the FAA, payment by the Province of Funds under the Agreement will be subject to,

(i) an appropriation, as that term is defined in subsection 1(1) of the FAA, to which that payment can be charged being available in the Funding Year in which the payment becomes due; or

(ii) the payment having been charged to an appropriation for a previous fiscal year.

SIGNATURE PAGE FOLLOWS

The Parties have executed the Agreement on the dates set out below.

HIS MAJESTY THE KING IN RIGHT OF ONTARIO, as represented by the Minister of Infrastructure

Date:

The Honourable Todd McCarthy
Minister of Infrastructure

CORPORATION OF THE CITY OF PORT COLBORNE

Date: _____

Name: _____
Title: _____

I have authority to bind the Recipient.

Date: _____

Name: _____
Title: _____

I have authority to bind the Recipient.

SCHEDULE "A"
GENERAL TERMS AND CONDITIONS

A1.0 INTERPRETATION AND DEFINITIONS

A1.1 Interpretation. For the purposes of interpretation:

(a) words in the singular include the plural and vice-versa;

(b) words in one gender include all genders;

(c) the headings do not form part of the Agreement; they are for reference only and will not affect the interpretation of the Agreement;

(d) any reference to dollars or currency will be in Canadian dollars and currency; and

(e) "include", "includes" and "including" denote that the subsequent list is not exhaustive.

A1.2 Definitions. In the Agreement, the following terms will have the following meanings:

"Additional Provisions" means the terms and conditions set out in Schedule "B".

"Agreement" means this agreement entered into between the Province and the Recipient, all of the schedules listed in section 1.1, and any amending agreement entered into pursuant to section 4.1.

"Business Day" means any working day, Monday to Friday inclusive, excluding statutory and other holidays, namely: New Year's Day; Family Day; Good Friday; Easter Monday; Victoria Day; Canada Day; Civic Holiday; Labour Day; Thanksgiving Day; Remembrance Day; Christmas Day; Boxing Day and any other day on which the Province has elected to be closed for business.

"Construction Contract Award Deadline" means the construction contract award deadline set out in Schedule "E".

"Contract" means an agreement between the Recipient and a third-party whereby the third-party provides a good, service or both for the Project in return for financial consideration that the Recipient wants to pay using the Funds under this Agreement.

"Effective Date" means the date set out at the top of the Agreement.

"Eligible Costs" means the costs in respect of the Project that the Recipient has incurred and paid and that are eligible for payment under the terms and conditions of the Agreement, and that are further described in Schedule "D".

"Event of Default" has the meaning ascribed to it in section A13.1.

"Expiry Date" means the expiry date set out in Schedule "B".

"Funds" means the money the Province provides to the Recipient pursuant to the Agreement.

"Indemnified Parties" means His Majesty the King in right of Ontario, and includes His ministers, agents, appointees, and employees.

"Indigenous Community", includes First Nation, Métis, and Inuit communities or peoples of Canada.

"Indigenous Consultation Record" means a document that summarizes the Recipient's consultation and engagement activities, including a list of Indigenous Communities consulted, concerns raised, and how each of the concerns have been addressed or, if not addressed, an explanation as to why not;

"Ineligible Costs" means the costs in respect of the Project that are ineligible for contribution by the Province under the terms and conditions of the Agreement, and that are described in Schedule "D".

"Loss" means any cause of action, liability, loss, cost, damage, or expense (including legal, expert and consultant fees) that anyone incurs or sustains as a result of or in connection with the Project or any other part of the Agreement.

"Maximum Funds" means the maximum set out in Schedule "B".

"Notice" means any communication given or required to be given pursuant to the Agreement.

"Notice Period" means the period of time within which the Recipient is required to remedy an Event of Default pursuant to section A13.3(b), and includes any such period or periods of time by which the Province extends that time pursuant to section A13.4.

"Parties" means the Province and the Recipient.

"Party" means either the Province or the Recipient.

"Proceeding" means any action, claim, demand, lawsuit, or other proceeding

that anyone makes, brings or prosecutes as a result of or in connection with the Project or with any other part of the Agreement.

"Project" means the undertaking described in section C1.0 of Schedule "C".

"Project Start Deadline" means the project start deadline set out in Schedule "B".

"Project Completion Deadline" means the project completion deadline set out in Schedule "B".

"Records Review" means any assessment the Province conducts pursuant to section A7.4.

"Reports" means the reports described in Schedule "F".

"Requirements Of Law" means all applicable statutes, regulations, by-laws, ordinances, codes, official plans, rules, approvals, permits, licenses, authorizations, orders, decrees, injunctions, directions and agreements with all authorities.

A2.0 REPRESENTATIONS, WARRANTIES, AND COVENANTS

A2.1 General. The Recipient represents, warrants, and covenants that:

(a) it is, and will continue to be, a validly existing legal entity with full power to fulfill its obligations under the Agreement;

(b) it has, and will continue to have, the experience and expertise necessary to carry out the Project;

(c) it is in compliance with, and will continue to comply with, all federal and provincial laws and regulations, all municipal by-laws, and any other orders, rules, and by-laws related to any aspect of the Project, the Funds, or both; and

(d) unless otherwise provided for in the Agreement, any information the Recipient provided to the Province in support of its request for funds (including information relating to any eligibility requirements) was true and complete at the time the Recipient provided it and will continue to be true and complete.

A2.2 Execution of Agreement. The Recipient represents and warrants that it has:

(a) the full power and capacity to enter into the Agreement; and

(b) taken all necessary actions to authorize the execution of the Agreement, including passing a municipal by-law authorizing the Recipient to enter into the Agreement.

A2.3 Governance. The Recipient represents, warrants, and covenants that it has, will maintain in writing, and will follow:

(a) procedures to enable the Recipient to manage Funds prudently and effectively;

(b) procedures to enable the Recipient to complete the Project successfully;

(c) procedures to enable the Recipient to identify risks to the completion of the Project and strategies to address the identified risks, all in a timely manner;

(d) procedures to enable the preparation and submission of all Reports required pursuant to Article A7.0; and

(e) procedures to enable the Recipient to address such other matters as the Recipient considers necessary to enable the Recipient to carry out its obligations under the Agreement.

A2.4 Supporting Proof. Upon the request of the Province, the Recipient will provide the Province with proof of the matters referred to in Article A2.0.

A2.5 Adverse Fact or Event. The Recipient will inform the Province immediately of any fact or event of which it is aware that has or will compromise, wholly or in part, the Project.

A3.0 TERM OF THE AGREEMENT

A3.1 Term. The term of the Agreement will commence on the Effective Date and will expire on the Expiry Date unless terminated earlier pursuant to Article A12.0 or Article A13.0.

A3.2 Project Deadlines. The Recipient will:

(a) commence the Project by the Project Start Deadline;

(b) award the Project construction contracts that account for the bulk of the construction work by the Construction Contract Award Deadline; and

(c) complete the Project by the Project Completion Deadline.

A4.0 FUNDS AND CARRYING OUT THE PROJECT

A4.1 Funds Provided. The Province will:

(a) provide the Recipient with Funds up to the Maximum Funds for the purpose of carrying out the Project;

(b) provide the Funds to the Recipient in accordance with the payment plan attached to the Agreement as Schedule “E”; and

(c) deposit the Funds into an account the Recipient designates provided that the account:

(i) resides at a Canadian financial institution; and

(ii) is in the name of the Recipient.

A4.2 Limitation on Payment of Funds. Despite section A4.1:

(a) the Province is not obligated to provide any Funds to the Recipient until the Recipient provides the certificates of insurance or other proof required pursuant to section A11.2;

(b) the Province is not obligated to provide instalments of Funds until it is satisfied with the progress of the Project;

(c) the Province is not obligated to provide instalments of Funds until it has received confirmation that an Environmental Assessment is complete or exempt;

(i) Payments will be held until a Notice of Completion is received by MOI and 60 days have passed since the Notice of Completion was issued.

(d) the Province may adjust the amount of Funds it provides to the Recipient in connection with any Payment Milestone based upon the Province’s assessment of the information the Recipient provides to the Province pursuant to section A7.2.

A4.3 Use of Funds and Carry Out the Project. The Recipient will do all of the following:

(a) carry out the Project in accordance with the Agreement;

(b) use the Funds only for the purpose of carrying out the Project;

(c) spend the Funds only in accordance with the Eligible Costs;

(d) not use the Funds to cover any cost that has been or will be funded or reimbursed by one or more of any third party, ministry, agency, or organization of the Government of Ontario.

A4.4 Interest-Bearing Account. If the Province provides Funds before the Recipient's immediate need for the Funds, the Recipient will place the Funds in an interest-bearing account in the name of the Recipient at a Canadian financial institution.

A4.4.1 Use of Interest. Unless otherwise directed by the Province by Notice, if the Recipient earns any interest on the Funds, the Recipient must use any interest earned on Eligible Costs.

A4.5 Interest. Upon Notice to the Recipient by the Province, if the Recipient earns any interest on the Funds, the Province may do either or both of the following:

(a) deduct an amount up to the interest earned from any further instalments of Funds;

(b) demand from the Recipient the payment of an amount up to the interest earned.

A4.6 Recipient's Acknowledgement of Responsibility for Project. The Recipient will, in respect of the Project, assume full responsibility for the Project, including, without limitation:

(a) complete, diligent, and timely Project implementation within the costs and timelines specified in the Agreement and in accordance with all other terms and conditions of the Agreement;

(b) all of the costs of the Project, including, without limitation, unapproved expenditures, Ineligible Costs, cost escalations and cost overruns, if any;

(c) subsequent operation, maintenance, repair, rehabilitation, construction, demolition, or reconstruction, as required and in accordance with industry standards, and any related costs for the full lifecycle of the Project; and

(d) the engineering work being undertaken in accordance with industry standards.

A4.7 Rebates, Credits, and Refunds. The Province will calculate Funds based on the actual costs to the Recipient to carry out the Project, less any costs (including taxes) for which the Recipient has received, will receive, or is eligible to receive, a rebate, credit, or refund.

A4.8 Increase in Project Costs. If, at any time during the Term, the Recipient determines that it will not be possible to complete the Project due to cost escalations or cost overruns (a "**Shortfall**"), the Recipient will immediately notify the Province of that determination. The Province may exercise one or more of the remedies available to it pursuant to section A13.2.

A4.9 Retention of Contribution. The Province will retain 15% of the Maximum Funds in respect of the Project ("Holdback") up until the following conditions have been met:

5.2 the Recipient has fulfilled all of its obligations under the Agreement for the Project; and

5.3 the Province has carried out the reconciliation, as set out in section A4.10 (Final Reconciliation and Adjustments), and has made any adjustments required in the circumstances.

A4.10 Final Reconciliation and Adjustments. Without limiting the rights of the Province under this Agreement or otherwise, following receipt and satisfactory review of the Final Report and supporting material by the Province, the Province will carry out a final reconciliation of payment in respect of the Project and make any adjustments required in the circumstances.

A5.0 RECIPIENT'S ACQUISITION OF GOODS OR SERVICES, AND DISPOSAL OF ASSETS

A5.1 Acquisition. If the Recipient acquires goods, services or both with the Funds, it will:

(a) Do so through a process that is transparent, fair and promotes the best value for the money expended and at competitive prices that are no greater than fair market value after deducting trade discounts or any other discounts available to the Recipient; and
(b) Comply with any Requirements Of Law that may be applicable to how the Recipient acquires goods, services or both.

A5.2 Contracts. The Recipient will ensure that all Contracts:

(a) Are consistent with this Agreement;
(b) Do not conflict with this Agreement;
(c) Incorporate the relevant provisions of this Agreement to the fullest extent possible;

(d) Require that any parties to those Contracts comply with all Requirements Of Law; and

(e) Authorize the Province to perform audits of the parties to those Contracts in relation to the Project as the Province sees fit in connection with Article A7.0 of this Schedule "A".

A5.3 Disposal of Assets. The Recipient will not, without the Province's prior consent, sell, lease or otherwise dispose of any asset purchased or created with the Funds or for which Funds were provided, the cost of which exceeded the amount as provided for in Schedule "B" at the time of purchase.

A6.0 CONFLICT OF INTEREST

A6.1 Conflict of Interest Includes. For the purposes of Article A6.0, a conflict of interest includes any circumstances where:

(a) the Recipient; or

(b) any person who has the capacity to influence the Recipient's decisions, has outside commitments, relationships, or financial interests that could, or could be seen by a reasonable person to, interfere with the Recipient's objective, unbiased, and impartial judgment relating to the Project, the use of the Funds, or both.

A6.2 No Conflict of Interest. The Recipient will carry out the Project and use the Funds without an actual, potential, or perceived conflict of interest unless:

(a) the Recipient:

(i) provides Notice to the Province disclosing the details of the actual, potential, or perceived conflict of interest; and

(ii) requests the consent of the Province to carry out the Project with an actual, potential, or perceived conflict of interest;

(b) the Province provides its consent to the Recipient carrying out the Project with an actual, potential, or perceived conflict of interest; and

(c) the Recipient complies with any terms and conditions the Province may prescribe in its consent.

A7.0 REPORTS, ACCOUNTING, AND REVIEW

A7.1 Province Includes. For the purposes of sections A7.4, A7.5 and A7.6, "Province" includes any auditor or representative the Province may identify.

A7.2 Preparation and Submission. The Recipient will:

(a) submit to the Province at the address set out in Schedule "B":

(i) all Reports in accordance with the timelines and content requirements set out in Schedule "F";

(ii) any other reports in accordance with any timelines and content requirements the Province may specify from time to time;

(b) ensure that all Reports and other reports are:

(i) completed to the satisfaction of the Province; and

(ii) signed by an authorized signing officer of the Recipient.

A7.3 Record Maintenance. The Recipient will keep and maintain:

(a) all financial records (including invoices and evidence of payment) relating to the Funds or otherwise to the Project in a manner consistent with generally accepted accounting principles applicable in Canada; and

(b) all non-financial records and documents relating to the Funds or otherwise to the Project.

A7.4 Records Review. The Province may, at its own expense, upon twenty-four hours' Notice to the Recipient and during normal business hours enter upon the Recipient's premises to conduct an audit or investigation of the Recipient regarding the Recipient's compliance with the Agreement, including assessing any of the following:

(a) the truth of any of the Recipient's representations and warranties;

(b) the progress of the Project;

(c) the Recipient's allocation and expenditure of the Funds.

A7.5 Inspection and Removal. For the purposes of any Records Review, the Province may take one or both of the following actions:

(a) inspect and copy any records and documents referred to in section A7.3;

(b) remove any copies the Province makes pursuant to section A7.5(a).

A7.6 Cooperation. To assist the Province in respect of its rights provided for in

section A7.5, the Recipient will cooperate with the Province by:

5.4 ensuring that the Province has access to the records and documents wherever they are located;

5.5 assisting the Province to copy records and documents;

5.6 providing to the Province, in the form the Province specifies, any information the Province identifies; and

5.7 carrying out any other activities the Province requests.

A7.7 No Control of Records. No provision of the Agreement will be construed to give the Province any control whatsoever over any of the Recipient's records.

A7.8 Auditor General. The Province's rights under Article A7.0 are in addition to any rights provided to the Auditor General pursuant to section 9.1 of the *Auditor General Act* (Ontario).

A8.0 COMMUNICATIONS REQUIREMENTS

A8.1 Communications Protocol. The Parties agree to be bound by the terms and conditions of the communications protocol provided for in Schedule "G" (Communications Protocol).

A9.0 INDIGENOUS CONSULTATION

A9.1 Indigenous Consultation Protocol. The Parties agree to be bound by the terms and conditions of the Indigenous Consultation Protocol provided for in Schedule "H" (Indigenous Consultation Protocol).

A9.2 Legal Duty to Consult. In the event that the Province determines that a legal duty to consult and, where appropriate, accommodate Indigenous Communities (the "Duty to Consult") arises in respect of the Province's proposed funding of the Project:

(a) no site preparation, removal of vegetation or construction will occur in respect of the Project until the Province provides confirmation in writing to the Recipient otherwise;

(b) the Province may, in writing, require the Recipient to suspend further site preparation, removal of vegetation or construction pending completion of the required consultation;

(c) despite section A.4.1, if the Province has not provided confirmation in writing to the Recipient that site preparation, removal of vegetation or

construction may begin or resume, the Province has no obligation to pay any Eligible Costs that are capital costs incurred during that period, as determined by the Province; and,

(d) the Province must be satisfied that:

(i) Indigenous Communities have been notified and, if applicable, consulted;

(ii) where consultation has occurred, the Recipient has provided an Indigenous Consultation Record;

(iii) the Recipient is carrying out accommodation measures, where appropriate; and

(iv) any other information has been provided which the Province may deem appropriate.

A10.0 INDEMNITY

A10.1 Indemnify. The Recipient will indemnify and hold harmless the Indemnified Parties from and against any Loss and any Proceeding, unless solely caused by the gross negligence or wilful misconduct of the Indemnified Parties.

A11.0 INSURANCE

A11.1 Insurance. The Recipient represents, warrants, and covenants that it has, and will maintain, at its own cost and expense, with insurers having a secure A.M. Best rating of B+ or greater, or the equivalent, all the necessary and appropriate insurance that a prudent person carrying out a project similar to the Project would maintain, including commercial general liability insurance on an occurrence basis for third party bodily injury, personal injury, and property damage, to an inclusive limit of not less than the amount set out in Schedule “B” per occurrence, which commercial general liability insurance policy will include the following:

(a) the Indemnified Parties as additional insureds with respect to liability arising in the course of performance of the Recipient’s obligations under, or otherwise in connection with, the Agreement;

(b) a cross-liability clause;

(c) contractual liability coverage; and

(d) at least 30 days' written notice of cancellation.

A11.2 Proof of Insurance. The Recipient will:

(a) provide to the Province, either:

(i) certificates of insurance that confirm the insurance coverage required by section A11.1; or

(ii) other proof that confirms the insurance coverage required by section A11.1; and

(b) in the event of a Proceeding, and upon the Province's request, the Recipient will provide to the Province a copy of any of the Recipient's insurance policies that relate to the Project or otherwise to the Agreement, or both.

A12.0 TERMINATION ON NOTICE

A12.1 Termination on Notice. The Province may terminate the Agreement at any time without liability, penalty, or costs upon giving 30 days' Notice to the Recipient.

A12.2 Consequences of Termination on Notice by the Province. If the Province terminates the Agreement pursuant to section A12.1, the Province may take one or more of the following actions:

(a) cancel further instalments of Funds;

(b) demand from the Recipient the payment of any Funds remaining in the possession or under the control of the Recipient; and

(c) determine the reasonable costs for the Recipient to wind down the Project, and do either or both of the following:

(i) permit the Recipient to offset such costs against the amount the Recipient owes pursuant to section A12.2(b); and

(ii) subject to section A4.1(a), provide Funds to the Recipient to cover such costs.

A13.0 EVENT OF DEFAULT, CORRECTIVE ACTION, AND TERMINATION FOR DEFAULT

A13.1 Events of Default. Each of the following events will constitute an Event of Default:

(a) in the opinion of the Province, the Recipient breaches any representation, warranty, covenant, or other term of the Agreement, including failing to do any of the following in accordance with the terms and conditions of the Agreement:

(i) carry out the Project;

(ii) use or spend Funds; or

(iii) provide, in accordance with section A7.2, Reports or such other reports as the Province may have requested pursuant to section A7.2(a)(ii);

(b) the Recipient's operations, its financial condition, its organizational structure or its control changes such that it no longer meets one or more of the eligibility requirements of the program under which the Province provides the Funds;

(c) the Recipient makes an assignment, proposal, compromise, or arrangement for the benefit of creditors, or a creditor makes an application for an order adjudging the Recipient bankrupt, or applies for the appointment of a receiver;

(d) the Recipient ceases to operate.

A13.2 Consequences of Events of Default and Corrective Action. If an Event of Default occurs, the Province may, at any time, take one or more of the following actions:

(a) initiate any action the Province considers necessary in order to facilitate the successful continuation or completion of the Project;

(b) provide the Recipient with an opportunity to remedy the Event of Default;

(c) suspend the payment of Funds for such period as the Province determines appropriate;

(d) reduce the amount of the Funds;

(e) cancel further instalments of Funds;

(f) demand from the Recipient the payment of any Funds remaining in the possession or under the control of the Recipient;

(g) demand from the Recipient the payment of an amount equal to any

Funds the Recipient used, but did not use in accordance with the Agreement;

(h) demand from the Recipient the payment of an amount equal to any Funds the Province provided to the Recipient;

(i) demand from the Recipient the payment of an amount equal to the costs the Province incurred or incurs to enforce its rights under the Agreement, including the costs of any Records Review and the costs it incurs to collect any amounts the Recipient owes to the Province; and

(j) upon giving Notice to the Recipient, terminate the Agreement at any time, including immediately, without liability, penalty or costs to the Province.

A13.3 Opportunity to Remedy. If, pursuant to section A13.2(b), the Province provides the Recipient with an opportunity to remedy the Event of Default, the Province will give Notice to the Recipient of:

(a) the particulars of the Event of Default; and

(b) the Notice Period.

A13.4 Recipient not Remedying. If the Province provides the Recipient with an opportunity to remedy the Event of Default pursuant to section A13.2(b), and:

(a) the Recipient does not remedy the Event of Default within the Notice Period;

(b) it becomes apparent to the Province that the Recipient cannot completely remedy the Event of Default within the Notice Period; or

(c) the Recipient is not proceeding to remedy the Event of Default in a way that is satisfactory to the Province,

(d) the Province may extend the Notice Period, or initiate any one or more of the actions provided for in sections A13.2(a), (c), (d), (e), (f), (g), (h), (i) and (j).

A13.5 When Termination Effective. Termination under Article A13.0 will take effect as provided for in the Notice.

A14.0 FUNDS UPON EXPIRY

A14.1 Funds Upon Expiry. Upon expiry of the Agreement, the Recipient will pay to the Province any Funds remaining in its possession, under its control, or both.

A15.0 DEBT DUE AND PAYMENT

A15.1 Payment of Overpayment. If at any time the Province provides Funds in excess of the amount to which the Recipient is entitled under the Agreement, the Province may:

(a) deduct an amount equal to the excess Funds from any further instalments of Funds; or

(b) demand that the Recipient pay to the Province an amount equal to the excess Funds.

A15.2 Debt Due. If, pursuant to the Agreement:

(a) the Province demands from the Recipient the payment of any Funds, an amount equal to any Funds or any other amounts owing under the Agreement; or

(b) the Recipient owes to the Province any Funds, an amount equal to any Funds or any other amounts owing under the Agreement, whether or not the Province has demanded their payment,

(c) such amounts will be deemed to be debts due and owing to the Province by the Recipient, and the Recipient will pay the amounts to the Province immediately, unless the Province directs otherwise.

A15.3 Interest Rate. The Province may charge the Recipient interest on any money owing to the Province by the Recipient under the Agreement at the then current interest rate charged by the Province of Ontario on accounts receivable.

A15.4 Payment of Money to Province. The Recipient will pay any money owing to the Province by cheque payable to the “Ontario Minister of Finance” and delivered to the Province at the address set out in Schedule “B".

A15.5 Fails to Pay. Without limiting the application of section 43 of the *Financial Administration Act* (Ontario), if the Recipient fails to pay any amount owing under the Agreement, His Majesty the King in right of Ontario may deduct any unpaid amount from any money payable to the Recipient by His Majesty the King in right of Ontario.

A16.0 NOTICE

A16.1 Notice in Writing and Addressed. Notice will be:

(a) in writing;

(b) delivered by email, postage-prepaid mail, personal delivery or courier and

(c) addressed to the Province or the Recipient as set out in Schedule “B”, or as either Party later designates to the other by Notice.

A16.2 Notice Given. Notice will be deemed to have been given:

(a) in the case of postage-prepaid mail, five Business Days after the Notice is mailed; and

(b) in the case of email, personal delivery or courier, on the date on which the Notice is delivered.

A16.3 Postal Disruption. Despite section A16.2(a), in the event of a postal disruption:

(a) Notice by postage-prepaid mail will not be deemed to be given; and

(b) the Party giving Notice will give Notice by email, personal delivery or courier.

A17.0 CONSENT BY PROVINCE AND COMPLIANCE BY RECIPIENT

A17.1 Consent. When the Province provides its consent pursuant to the Agreement:

(a) it will do so by Notice;

(b) it may attach any terms and conditions to the consent; and

5.8 the Recipient may rely on the consent only if the Recipient complies with any terms and conditions the Province may have attached to the consent.

A18.0 SEVERABILITY OF PROVISIONS

A18.1 Invalidity or Unenforceability of Any Provision. The invalidity or unenforceability of any provision of the Agreement will not affect the validity or enforceability of any other provision of the Agreement.

A19.0 WAIVER

A19.1 Condonation not a waiver. Failure or delay by the either Party to exercise any of its rights, powers or remedies under the Agreement will not constitute a waiver of those rights, powers or remedies and the obligations of the Parties with respect to such rights, powers or remedies will continue in full force and effect.

A19.2 Waiver. Either Party may waive any of its rights, powers or remedies under the Agreement by providing Notice to the other Party. A waiver will apply only to the specific rights, powers or remedies identified in the Notice and the Party providing the waiver may attach terms and conditions to the waiver.

A20.0 INDEPENDENT PARTIES

A20.1 Parties Independent. The Recipient is not an agent, joint venturer, partner, or employee of the Province, and the Recipient will not represent itself in any way that might be taken by a reasonable person to suggest that it is or take any actions that could establish or imply such a relationship.

A21.0 ASSIGNMENT OF AGREEMENT OR FUNDS

A21.1 No Assignment. The Recipient will not, without the prior written consent of the Province, assign any of its rights or obligations under the Agreement.

A21.2 Agreement Binding. All rights and obligations contained in the Agreement will extend to and be binding on:

5.9 the Recipient's heirs, executors, administrators, successors, and permitted assigns; and

(a) the successors to His Majesty the King in right of Ontario.

A22.0 GOVERNING LAW

A22.1 Governing Law. The Agreement and the rights, obligations, and relations of the Parties will be governed by and construed in accordance with the laws of the Province of Ontario and the applicable federal laws of Canada. Any actions or proceedings arising in connection with the Agreement will be conducted in the courts of Ontario, which will have exclusive jurisdiction over such proceedings.

A23.0 FURTHER ASSURANCES

A23.1 Agreement into Effect. The Recipient will:

(a) provide such further assurances as the Province may request from time to time with respect to any matter to which the Agreement pertains; and

(b) do or cause to be done all acts or things necessary to implement and carry into effect the terms and conditions of the Agreement to their full extent.

A24.0 JOINT AND SEVERAL LIABILITY

A24.1 Joint and Several Liability. Where the Recipient comprises more than one entity, each entity will be jointly and severally liable to the Province for the fulfillment of the obligations of the Recipient under the Agreement.

A25.0 RIGHTS AND REMEDIES CUMULATIVE

A25.1 Rights and Remedies Cumulative. The rights and remedies of the Province under the Agreement are cumulative and are in addition to, and not in substitution for, any of its rights and remedies provided by law or in equity.

A26.0 FAILURE TO COMPLY WITH OTHER AGREEMENTS

A26.1 Other Agreements. If the Recipient:

(a) has failed to comply with any term, condition, or obligation under any other agreement with His Majesty the King in right of Ontario or one of Her agencies (a "**Failure**");

(b) has been provided with notice of such Failure in accordance with the requirements of such other agreement;

(c) has, if applicable, failed to rectify such Failure in accordance with the requirements of such other agreement; and

(d) such Failure is continuing, the Province may suspend the payment of Funds for such period as the Province determines appropriate.

A27.0 SURVIVAL

A27.1 Survival. The following Articles and sections, and all applicable cross-referenced Articles, sections and schedules, will continue in full force and effect for a period of seven years from the date of expiry or termination of the Agreement: Article 1.0, Article 2.0, Article A1.0 and any other applicable definitions, section A2.1(a), sections A4.4, A4.5, A4.7, A4.9, A4.10, section A5.3, section A7.1, section A7.2 (to the extent that the Recipient has not provided the Reports or other reports as the Province may have requested and to the satisfaction of the Province), sections A7.3, A7.4, A7.5, A7.6, A7.7, A7.8, Article A8.0, Article A10.0, section A12.2, section A13.1, sections A13.2(d), (e),

(f), (g), (h), (i) and (j), Article A14.0, Article A15.0, Article A16.0, Article A18.0, section A21.2, Article A22.0, Article A24.0, Article A25.0 and Article A27.0.

END OF GENERAL TERMS AND CONDITIONS

SCHEDULE "B"
PROJECT SPECIFIC INFORMATION AND ADDITIONAL PROVISIONS

Maximum Funds	$11,132,500.00
Expiry Date	March 31, 2030
Project Start Deadline	September 30, 2025
Project Completion Deadline	March 31, 2029
Amount for the purposes of section A5.3 (Disposal of Assets) of Schedule "A"	$50,000
Insurance	$2,000,000
Contact information for the purposes of Notice to the Province	Position: Manager, Housing Enabling Program Delivery Unit Address: Ministry of Infrastructure Program Policy and Development Branch 777 Bay St Toronto, ON M5G 2E5 Email: HEWS@ontario.ca
Contact information for the purposes of Notice to the Recipient	Position: Steve Shypowskyj, Director of Public Works Address: 66 Charlotte Street Port Colborne, ON L3K 3C8 Email: steve.shypowskyj@portcolborne.ca

Additional Provisions:

None

SCHEDULE "C"
PROJECT DESCRIPTION AND FINANCIAL INFORMATION

C1.0 PROJECT DESCRIPTION

The Recipient will provide increased sanitary sewer capacity to support new housing development on the east side of Port Colborne through the construction of one (1) new sanitary forcemain. The forcemain will be approximately 1,600 metres in length and will extend from Niagara Region's Seaway Wastewater Treatment Plant, travel beneath the Welland Canal via Niagara Region's new east side servicing tunnel and connect to Second Concession on the east side of the city. The outcomes of this project will enhance the water system, promote growth, and enable housing.

C2.0 FINANCIAL INFORMATION

C2.1 **Total Eligible Costs.** The total Eligible Costs means $15,250,000.00.

C2.2 **Province's Reimbursement Rate**. Without limiting the generality of the Province's rights and remedies under this Agreement, the Province will reimburse the Recipient for up to a maximum 73% of Total Eligible Costs, or up to the Maximum Funds.

C2.3 **Combining Funding from Other Government Sources (Stacking).** The Recipient may combine (i.e., stack) federal and municipal funding (including development charges revenue) to fund a minimum of 27% recipient contribution to Total Eligible Costs. The Recipient shall not stack other sources of provincial funding, with the exception of funding received from the Building Faster Fund (BFF) and the Ontario Community Infrastructure Fund (OCIF).

SCHEDULE "D"
ELIGIBLE AND INELIGIBLE COSTS

D1.0 ELIGIBLE COSTS

D1.1 Eligible Costs are those direct costs that are, in the Province's sole and absolute discretion, properly and reasonably incurred and paid by the Recipient, are necessary for the successful completion of the Project, and are paid to an arm's length third party, as evidenced by invoices, receipts or other records that are satisfactory to the Province. Eligible Costs do not include Ineligible Costs. Eligible Costs include the following costs incurred and paid after April 1, 2023:

(a) Costs associated with the planning, environmental assessments, design and engineering, project management, materials and construction of the Project;

(b) Costs associated with Indigenous consultation related to the Project; and

(c) Costs associated with any compliance audit undertaken in accordance with Article F3.0.

D2.0 INELIGIBLE COSTS

D2.1 Unless a cost is considered an Eligible Cost pursuant to section D1.1, such cost will be an Ineligible Cost. Without limiting the discretion of the Province in section D1.1, the following costs are Ineligible Costs and are therefore ineligible to be paid from the Funds:

(a) All capital costs, including site preparation, removal of vegetation and construction costs, prior to confirmation in writing from the Province to the Recipient that site preparation, removal of vegetation or construction may begin or resume, as described in section A9.2;

(b) Financing and financing charges, debt restructuring, loan interest payments bank fees, and legal fees including those related to easements;

(c) Costs associated with operating expenses for assets and regularly scheduled maintenance work;

(d) Costs of relocating entire communities;

(e) Planning costs, if not tied to a capital project (i.e., planning-only project submitted);

(f) Land acquisition; leasing land, buildings and other facilities; real estate fees and related costs;

(g) Leasing equipment other than equipment directly related to the construction of the Project;

(h) Costs related to furnishing and non-fixed assets which are not essential for the operation of the asset/Project;

(i) Any overhead costs, including salaries and other employment benefits of any employees of the Recipient, any direct or indirect operating or administrative costs of the Recipient, and more specifically any costs related to planning, engineering, architecture, supervision, management and other activities normally carried out by the Recipient's staff;

(j) Any goods and services costs which are received through donations or in kind;

(k) Provincial sales tax, goods and services tax, or harmonized sales tax; and

(l) Any costs eligible for rebates.

SCHEDULE "E"
MILESTONE PAYMENT PLAN

E1.0 MILESTONE PAYMENTS

E1.1. The table below sets out the milestones and, if the conditions for achieving the milestone are met, the amount that the Recipient is entitled to be paid in connection with the completion of that milestone, subject to the Recipient's compliance with the terms of the Agreement, calculated as a percentage of the Maximum Funds.

PAYMENT MILESTONE	PAYMENT AMOUNT	REQUIRED REPORTS (see Schedule "F" for more detail)
Milestone 1: Execution of the Agreement.	25% of the Maximum Funds.	The following documentation is required prior to execution of the Agreement: • Municipal by-law as described in section A2.2(b), and • Initial Project Report as described in Schedule "F". • Any other reporting requested by the Ministry.
Milestone 2: Subject to the terms and conditions of this Agreement, following the receipt, to the satisfaction of the Province, of the Construction Contract Award Documentation and Spring 2025 or Fall 2025 Project Progress Report.	Up to 60% of the Maximum Funds. The payment amount is subject to the adjustments set out in section A4.2(c).	• Construction Contract Award Documentation, • Spring 2026 or Fall 2026 Project Progress Report, including a revised expenditure forecast, and • Any other reporting requested by the Ministry.
Milestone 3: Subject to the terms and conditions of this Agreement, following the receipt, to the satisfaction of the	Release of Holdback as defined in section A4.9: Up to 15% of the Maximum Funds.	• Final Report, • Compliance with the Financial Information Return (FIR); • Compliance audit documentation if

Province, of the Final Report.	The payment amount is subject to the reconciliation and adjustments set out in sections A4.2(c) and A4.10.	required by the Province, and • Any other reporting requested by the Ministry.

SCHEDULE "F"
REPORTING REQUIREMENTS

F1.0 DOCUMENTATION REQUIRED FOR EXECUTION OF THE AGREEMENT

Name of Document	Description	Submission Timeframe
Initial Project Report	Recipient's forecast of timelines and costs (expenditure forecast) to Project completion.	Within two weeks of being sent by the Province and prior to execution of the Agreement.
Council By-Law	Municipal by-law as described in section A2.2(b).	Prior to execution of the Agreement.
Executed Agreement	The executed Agreement between the Province and Recipient.	Required for Milestone 1 payment.

F2.0 REPORTS

F2.1 **Reporting Requirements.** The Recipient will submit to the Province the following Reports in a format to be provided by the Province and in accordance with the timelines below.

Required Documentation	Description	Submission Timeframe
Construction Contract Award Documentation	A report from council including a resolution or by-law recognizing the awarding of the Project construction contracts following tender.	This documentation is due within 60 Business Days of awarding the Project construction contracts that account for the bulk of the construction work and must be awarded no later than September 30, 2026. Required for Milestone 2 payment.
Project Progress Report	A report that includes: • an update on the Project's status and signage status; • Revised expenditure forecast, which must be based on contracts awarded to complete the Project; • interest earned on the Funds; and	Project Progress Reports are required twice per calendar year, in the Spring and Fall, for the duration of the project. This Report is due within 30 Business Days of a written notice from the Province unless otherwise indicated by the Province.

	• any other information as requested by the Province.	A Project Progress Report is required for the Milestone 2 payment.
Final Report	A report that summarizes the Project's final timelines, costs, project and signage photos, and outcomes, and includes the information required under the Project Progress Reports.	This Report is due within 60 Business Days of the Project Completion Period. Required for Milestone 3 payment.
Other Reports	Reports with such content as may be requested by the Province, which may include an Indigenous Consultation Record.	Within the timeframe requested in a written notice from the Province.

F3.0 COMPLIANCE AUDIT

F3.1 **Financial Information Return.** Without limiting the generality of Article A7.0 (Reports, Accounting, and Review), the Recipient must have submitted Financial Information Returns (FIR) for the preceding two fiscal years.

F3.2 **Financial Information Return Compliance.** If the Recipient does not submit the FIR in accordance with F3.1, without limiting the Province's rights under Article A13.0, the Province will suspend the payment of Funds until the FIR are satisfactorily completed.

F3.3 **Compliance Audit.** Without limiting the generality of Article A7.0 (Reports, Accounting, and Review), the Recipient may be required to engage the services of an external auditor to conduct a final compliance audit upon reaching the project completion date.

Additional compliance audits may be conducted by the Province at its sole discretion, for which the Recipient shall assist and disclose any information requested by any independent auditor.

F3.4 **Requirements of Compliance Audit.** Each compliance audit will be conducted in accordance with Canadian Generally Accepted Auditing Standards, as adopted by the Canadian Institute of Chartered Accountants, applicable as of the date on which a record is kept or required to be kept under such standards. In addition, each compliance audit will assess the Recipient's compliance with the terms of the Agreement and will prepare a report that addresses, without limitation:

(a) whether the Funds were spent in accordance with the Agreement;

(b) the progress or state of completion of the Project;

(c) whether the financial information the Recipient provided to the Province was complete, accurate, and provided in a timely manner;

(d) whether the Recipient's information and monitoring processes and systems are adequate to carry out its obligations under the Agreement;

(e) the Recipient's overall management and administration of the Project;

(f) recommendations for improvement or redress of non-compliance of the terms of the Agreement by the Recipient; and

(g) whether the Recipient took timely corrective action on any prior audit findings, if any.

SCHEDULE "G"
COMMUNICATIONS PROTOCOL

G1.0 DEFINITIONS

G1.1 **Definitions.** For the purposes of this Schedule "G" (Communications Protocol):

"Joint Communications" means events, news releases, and signage that relate to the Agreement that are not operational in nature, and that are collaboratively developed and approved by the Province and the Recipient.

"Communications Activities" means, but is not limited to, public or media events or ceremonies including key milestone events, news releases, reports, web and social media products or postings, blogs, news conferences, public notices, physical and digital signs, publications, success stories and vignettes, photos, videos, multi-media content, advertising campaigns, awareness campaigns, editorials, multi-media products, and all related communication materials under the Agreement.

"Contentious Issues" means matters that are, or may reasonably be expected to be, of concern to the Legislative Assembly or the public, or are likely to result in inquiries being directed to the Minister or the provincial government. Contentious Issues may be raised by:

- Members of the Legislative Assembly
- The public
- Media
- Stakeholders
- Service delivery partners

G2.0 PURPOSE

G2.1 **Purpose.** This communications protocol outlines the roles and responsibilities of each of the Parties to the Agreement in respect of Communications Activities related to the Project.

G2.2 **Guidance.** This communications protocol will guide all planning, development and implementation of Communications Activities with a view to ensuring efficient, structured, continuous, consistent, and coordinated communications to the public.

G2.3 **Application to Communications Activities.** The provisions of this communications protocol apply to all Communications Activities related to the Agreement and the Project.

G3.0 GUIDING PRINCIPLES

G3.1 **Information to public.** Communications Activities undertaken through this communications protocol should ensure that the public are informed about the Project's benefits, including the ways in which the Project helps improve their quality of life.

G3.2 **Factors to Consider.** The scale and scope of Communications Activities undertaken for any Project will take into consideration the financial value, scope and duration of the Project and the feasibility of Joint Communications for such Communications Activities.

G3.3 **Deficiencies and Corrective Actions.** The Province will communicate to the Recipient any deficiencies or corrective actions, or both, identified by the Province or, as applicable, the Committee.

G3.4 **Approval of Communications Material.** The announcement or publication of the Project must be approved by the Parties prior to being carried out.

G3.5 **Costs of Communication Activities.** With the exception of advertising campaigns outlined in Article G.9.0 (Advertising Campaigns), the costs of Communication Activities and signage will follow the eligibility rules established in Schedule "D" (Eligible and Ineligible Costs).

G4.0 JOINT COMMUNICATIONS

G4.1 **Subject Matter.** The Parties may have Joint Communications about the funding and status of the Project, including recognition of key project milestones.

G4.2 **Prior Knowledge and Agreement.** Joint Communications in respect of the Project should not occur without the prior knowledge and agreement of the Parties.

G4.3 **Recognition of the Province's Contributions.** All Joint Communications material must be approved by the Province and will recognize the Province's contribution to the Project.

G4.4 **Notice and Timing.** The Recipient and the Province may request Joint Communications. The Party requesting the Joint Communications will provide at least 15 Business Days' notice to the other Party. If the Communications Activity is an event, it will take place at a date and location mutually agreed to by the Parties.

G4.5 **Participation and Representatives.** The Party requesting a Joint Communications will provide the opportunity for the other Party to choose to

participate and, if they do so choose, their own designated representative (in the case of an event).

G4.6 **English and French.** The Province has an obligation to communicate in English and French. Communications products related to events must be bilingual in many instances. In such cases, the Province will provide the translation services and final approval on products.

G5.0 INDIVIDUAL COMMUNICATIONS

G5.1 **The Province's Obligations.** Notwithstanding Article G.4.0 (Joint Communications), the Parties agree that the Province has the right to communicate information to Ontarians about the Agreement and the use of Funds to meet its legislated and regulatory obligations through their respective own Communications Activities.

G5.2 **Restrictions.** Each Party may include an overview in respect of the Project in their own Communications Activities. The Province and the Recipient will not unreasonably restrict the use of, for their own purposes, Communications Activities related to the Project and, if the communications are web- or social-media based, the ability to link to it.

G5.3 **Publication.** The Recipient will indicate, in respect of the Project-related publications, whether written, oral, or visual, that the views expressed in the publication are the views of the Recipient and do not necessarily reflect those of the Province.

G5.4 **Recognition in Documents.** In respect of the Project where the deliverable is a document, such as but not limited to plans, reports, studies, strategies, training material, webinars, and workshops, the Recipient will clearly recognize the Province's respective financial contribution for the Project.

G5.5 **Acknowledgement of Support.** Unless the Province directs the Recipient to do otherwise, the Recipient will, in respect of the Project-related publications, whether written, oral, or visual, acknowledge the Province's support for the Project.

G6.0 OPERATIONAL COMMUNICATIONS

G6.1 **Responsibility of Recipient.** The Recipient is solely responsible for operational communications in respect of the Project, including but not limited to calls for tender, contract awards, and construction and public safety notices.

G7.0 MEDIA RELATIONS

G7.1 **Significant Media Inquiry.** The Province and the Recipient will share information promptly with the other Party if significant media inquiries are received or if emerging contentious issues arise in respect of a Project. Significant media inquiries include, but are not limited to, contentious media requests where either or both the province and the recipient are implicated. Note that any media request that impacts or falls under the purview of the province (e.g., program guidelines, funding allocations) must be shared with each partner to determine who is best positioned to respond.

G8.0 SIGNAGE

G8.1 **Recognition of Funding Contribution.** The Parties agree that the Province and the Recipient may each have signage recognizing their funding contribution in respect of the Project.

G8.2 **Funding Recognition.** Unless otherwise agreed by the Province, the Recipient will produce and install a sign to recognize the funding contributed by the Province at the Project site in accordance with, as applicable, their current respective signage guidelines. Provincial sign design, content, and installation guidelines will be provided by the Province.

G8.3 **Notice of Sign Installation.** The Recipient will inform the Province of sign installations, including providing the Province with photographs of the sign once the sign has been installed.

G8.4 **Timing for Erection of Sign.** If erected, signage recognizing the Province's contributions will be installed at the Project site(s) 30 days prior to the start of construction, be visible for the duration of the Project, and remain in place until 90 days after construction is completed and the infrastructure is fully operational or opened for public use.

G8.5 **Size of Sign.** If erected, signage recognizing the Province's respective contribution will be at least equivalent in size and prominence to Project signage for contributions by other orders of government and will be installed in a prominent and visible location that takes into consideration pedestrian and traffic safety and visibility.

G8.6 **Responsibility of Recipient.** The Recipient is responsible for the production and installation of Project signage, and for maintaining the signage in a good state of repair during the Project, or as otherwise agreed upon.

G9.0 ADVERTISING CAMPAIGNS

G9.1 **Notice of Advertising Campaigns.** Recognizing that advertising can be an effective means of communicating with the public, the Recipient agrees that the

Province may, at their own cost, organize an advertising or public information campaign in respect of the Project or the Agreement. However, such a campaign will respect the provisions of the Agreement. In the event of such a campaign, the Province will inform the Recipient of its intention no less than 21 Business Days prior to the campaign launch.

SCHEDULE "H"
INDIGENOUS CONSULTATION PROTOCOL

H1.0 INDIGENOUS CONSULTATION

H1.1 **Procedural Aspects of Consultation.** If consultation with Indigenous Communities is required, the Recipient agrees that:

(a) the Province may delegate certain procedural aspects of the consultation to the Recipient; and

(b) the Province will provide the Recipient with an initial list of the Indigenous Communities the Recipient will consult.

H1.2 **Development of Indigenous Consultation Plan.** The Province, based on the scope and nature of the Project, may require the Recipient, in consultation with the Province, to develop and comply with an Indigenous consultation plan ("**Indigenous Consultation Plan**").

H1.3 **Provision of Plan to Province.** If, pursuant to section H1.2, the Province provides Notice to the Recipient that an Indigenous Consultation Plan is required, the Recipient will, within the timelines provided in the Notice, provide the Province with a copy of the Indigenous Consultation Plan.

H1.4 **Changes to Plan.** The Recipient agrees that the Province, in its sole discretion and from time to time, may require the Recipient to make changes to the Indigenous Consultation Plan.

H1.5 **Requirement for Indigenous Consultation Record.** If consultation with an Indigenous Community is required, the Recipient will maintain an Indigenous Consultation Record and provide such record to the Province, and any update to it, as part of its reporting to the Province pursuant to section F2.1.

H1.6 **Notification to and Direction from the Province.** The Recipient will immediately notify the Province:

(a) of contact by Indigenous Communities regarding the Project; or

(b) of any Indigenous archaeological resources that are discovered in relation to the Project,

and, in either case, the Recipient agrees that the Province may direct the Recipient to take such actions as the Province may require. The Recipient will comply with the Province's direction.

H1.7 **Direction from the Province and Contracts.** In any Contract, the Recipient will provide for the Recipient's right and ability to respond to direction from the Province as the Province may provide in accordance with section H1.6.

The Corporation of the City of Port Colborne

By-law No._____

Being a By-law to Authorize Entering into a Transfer Payment Agreement with His Majesty the King in Right of Ontario, as represented by the Minister of Infrastructure, for the Housing-Enabling Water Systems Fund: Intake 2

Whereas at its meeting of March 10, 2026, the Council of The Corporation of the City of Port Colborne (Council) approved the recommendations of Report No. 2026-35, Subject: Housing-Enabling Water Systems Fund – Transfer Payment Agreement; and

Whereas Council is desirous of entering into a Transfer Payment Agreement with His Majesty the King in Right of Ontario, as represented by the Minister of Infrastructure, and

Whereas the *Municipal Act*, 2001 S.O. 2001, c.25, as amended, confers broad authority on municipalities to enter into such agreements;

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 enters into a Transfer Payment Agreement with His Majesty the King in Right of Ontario, as represented by the Minister of Infrastructure, regarding the Housing-Enabling Water Systems Fund.

2. That the Mayor and the City Clerk be and they are hereby authorized and directed to sign the said agreement, attached hereto as Schedule “A”, together with any documents necessary to complete the conditions of the said agreement or any other phase of the Housing-Enabling Water Systems Fund, and the City Clerk is hereby authorized to affix the Corporate Seal thereto.

Enacted and passed this 10th day of March, 2026.

_____
William C. Steele
Mayor

_____
Charlotte Madden
City Clerk

PORT COLBORNE

Subject: **Brownfield Tax Increment Grant – Fraser Street and Welland Street Properties – Canal Breeze Inc. Property**

To: **Council**

From: **Planning and Development**

Report Number: 2026-26

Meeting Date: March 10, 2026

Recommendation:

That Planning and Development Department Report 2026-26 be received; and

That the by-law attached as Appendix B, being a by-law to enter into the Agreement with Canal Breeze Inc. (Rankin Construction) for a Tax Increment-Based Grant with Development Charge Grant in the Brownfield Community Improvement Project Area (CIPA) under the Comprehensive Community Improvement Plan (CIP), for 46, 48 & 54 Fraser Street, 302 Welland Street with the Alma & Bell St road allowances be approved.

Purpose:

The purpose of this report is to provide Council with a recommendation regarding an application for a Brownfield Tax Increment Grant (TIG) with Development Charge Grant under the Comprehensive CIP submitted by Canal Breeze Inc. for 46, 48 & 54 Fraser Street, 302 Welland Street with the Alma & Bell St road allowances (Canal Breeze Project) in Port Colborne, as depicted in Appendix A, and to approve the agreement.

Background:

Since 2008, Council has adopted and implemented six Community Improvement Plans (CIPs) for various project areas throughout the City. On November 28, 2023, Council approved a new Comprehensive CIP that consolidated all CIPs into one document.

Canal Breeze Inc. has applied for a TIG and Development Charge Grant in the Brownfield CIPA under the Comprehensive CIP for the Canal Breeze Project Property. The TIG is a 10-year grant for 100% of the increase in municipal taxes that result from property rehabilitation and improvements. The grant payment is based on the actual

post-project assessed value as determined by the Municipal Property Assessment Corporation (MPAC). The applicant also has the option to opt into the Development Charge Grant (DCG) Program which is equal up to 100% of the City DC payable. The applicant must be approved for a Brownfield TIG to be eligible. The total amount to be payable between the DCG and TIG will not exceed the approved remediation costs. The remediation costs are comprised of eligible expenses defined in the Brownfield CIP Guidebook and are audited and confirmed prior to the MPAC re-evaluation.

A condition of approving the application for tax assistance is that the owner is required to enter into an agreement with the City. The agreement requires that the applicant develop the subject property in accordance with the City's objectives and required information in the CIP Program Guides. When an applicant is approved for a Brownfield CIP Grant, they are also approved for the Development Charge Grant, and it is one agreement. The program builder can choose to receive the DCG which is deducted from the eligible TIG Grant, the remainder of the eligible grant is distributed as a TIG over the 10-year time frame until reaching the cap of the approved remediation costs.

While many of the CIP programs can be approved through the authority delegated to staff, any application for tax assistance must go through Council for approval. The CIP Review Team has met and recommended that this application be brought forward to Council for approval.

Discussion:

The owner of the Canal Breeze Project Property has submitted a proposal to rehabilitate the lands to develop two towers in two phases. This consists of Phase I, an eleven (11) storey, 60 Unit building (88,910 sf) made up of 19 - One Bedroom Units, 39 - Two Bedrooms Units, and 2 - Three Bedroom Units. Phase II of the development will be a fourteen (14) storey - 78 Unit building (113,650 sf) made up of 25 - One Bedroom Units, 51 - Two Bedrooms Units, and 2- Three Bedroom Units. This project is in direct alignment with the City's strategic plan, aiming to increase housing options by introducing new housing stock and options in the City, while rehabilitating historic brownfield areas. This application also aligns with the goals of the East Waterfront CIP and the Downtown CIP areas for revitalization and creating new housing options that are in walking distance of a shopping and business district, namely the Downtown BIA catchment area. This project will produce many benefits to the City and achieves numerous City goals targeted in the CIP program.

Currently, the properties generate $6,523 in property tax to the City and $4,976 to Niagara Region annually, based on 2025 tax rates. Upon project completion with both phases, the anticipated City property tax is estimated to increase to $406,390, with the Region's taxes expected to be $310,015 annually.

The TIG is capped at the estimated amount of remediation costs comprised of eligible expenses. This remediation must consist of eligible costs under the Brownfield CIP. These estimated remediation costs, which will be verified and audited, are estimated to be $5,505,191 combined between the two phases.

The agreement is comprehensive, outlining the City's expectations for the owner to meet eligibility requirements for the tax increment grant. Key provisions include:

- The annual grant is based on the actual post-project MPAC assessed value;
- The City must be satisfied, at its discretion, that the owner has completed property improvements in accordance with the proposed plans;
- The City must be satisfied with its review of all documentation submitted to support the actual cost of works incurred by the owner, including third-party review if required by the City at the owner's cost;
- Payments are repayable by the owner if the City determines that conditions set out in the Application or Agreement have not been met;
- The grant may be reduced by the amount of any tax arrears on the property; and
- Specific preconditions for the annual grant must be met to the satisfaction of the City.

Internal Consultations:

The application and the agreement have been reviewed by the City’s CIP Review Team comprised of staff from Building, Economic Development, and Planning. The TIG calculations were verified by the Finance Department. The CIP agreements are based on template agreements prepared by the City’s CIP Consultant and reviewed by the City Solicitor.

Financial Implications:

As per the agreement attached, Schedule B indicates that the annual amount of the TIG over a 10-year period is estimated to be $6,918,537 combined between the City and Region. These values are based on 2025 tax rates and the current estimated post-construction assessed value. Please note however that the DCG and TIG are capped at the confirmed and audited remediation costs, these are estimated to be $5,505,191 for Phase I and II combined.

As noted above, the property currently generates $6,523 in annual City property taxes and $4,976 in Regional property taxes based on 2025 tax rates. Upon completion of the project, the new estimated amount of City property tax will be $406,390 and $310,015 per year for the Niagara Region. Following the 10-year period or when the maximum of

the audited Brownfield remediation costs is reached, the City will receive the full property tax value.

The total amount of the combined DCG and TIG will not exceed the total estimated amount of remediation, estimated to be up to $5,505,191 for Phase I and II combined.

It is important to note that the property owner is responsible for the upfront costs associated with the redevelopment and is required to cover the increased taxes resulting from the higher assessed value. Additional details are provided in Appendix C.

Strategic Plan Alignment:

The initiative contained within this report supports the following pillars of the strategic plan:

- Environment and Climate Change
- Welcoming, Livable, Healthy Community
- Economic Prosperity
- Increased Housing Options
- Sustainable and Resilient Infrastructure

Conclusion:

Staff recommend that Council approve the CIP application by Canal Breeze Inc. to assist with the re-development of the contaminated brownfield property and construction of an eleven (11) storey, 60 Unit building and a fourteen (14) storey - 78 Unit building on Welland Street. If approved, the DCG and TIG would return 100% of the approved remediation costs over up to 10-years per phase or when the remediation costs are reached. Following the 10-year period (or when remediation maximum is reached, the City and Region will receive the full property tax value.

As a condition of approval, the owner is required to enter into agreement with the City that outlines obligations of the owner to satisfy the eligibility requirements of the City’s CIP programs.

Appendices:

a. Property Map

b. By-law and Brownfield CIPA Comprehensive CIP TIG with DCG Agreement

c. TIG Calculation – Phase I

d. TIG Calculation Phase II

Respectfully submitted,

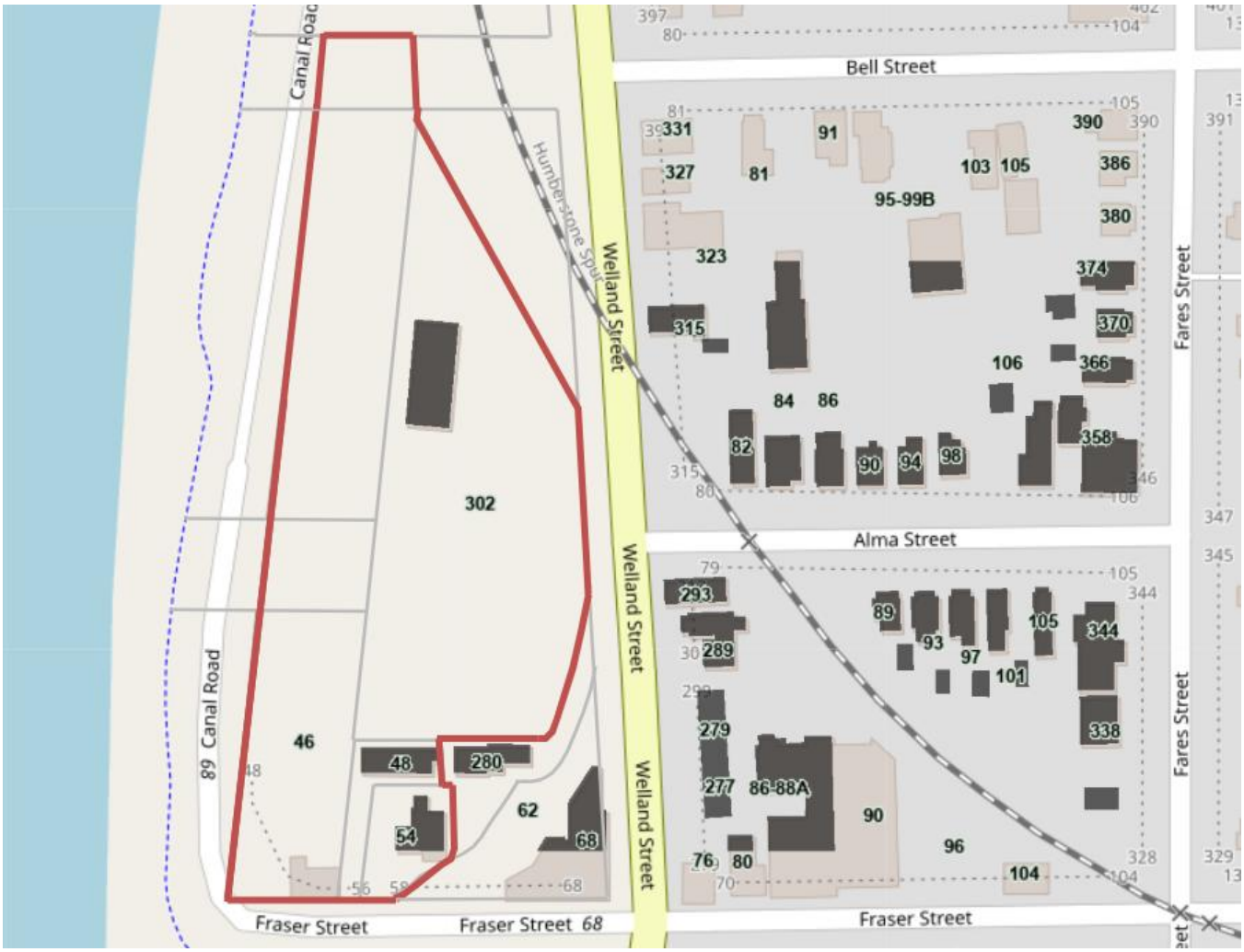
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Report Approval:

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

Canal Breeze Consolidated Property Map



The Corporation of the City of Port Colborne

By-law No._____

Being a By-law to Authorize Entering into an Agreement with Canal Breeze Inc. Regarding the Comprehensive CIP Brownfield CIP Tax Increment Grant and Development Charge Grant– 302 Welland Ave, 302 Welland Ave. rear property, 46, 48 and 54 Fraser Street

Whereas at its meeting of March 10th, 2026, the Council of The Corporation of the City of Port Colborne (Council) approved the recommendations of Planning and Development Report 2026-26, Subject: Brownfield Tax Increment Grant – Fraser Street and Welland Street Properties – Canal Breeze Inc. Property.

Whereas Council is desirous of entering into an agreement with Canal Breeze Inc., for the purposes of a Brownfield Tax Increment Grant and Development Charge Grant within the Agreement; and

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 enters into an agreement with Canal Breeze Inc. Inc.**,** for the purposes of a Brownfield Tax Increment Grant and Development Charge Grant Agreement;

2. That the Mayor, the 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 City Clerk is dully authorized to affix the Corporate Seal thereto.

Enacted and passed this 10th day of March 2026.

_____
William C. Steele
Mayor

_____
Charlotte Madden
City Clerk

TAX INCREMENT GRANT AGREEMENT

BY AND BETWEEN:

THE Corporation of the City of Port Colborne (hereinafter referred to as the "City")

and

Canal Breeze Inc. (hereinafter referred to as the "Applicant")

WHEREAS the Applicant is the registered Owner of lands described in Schedule "A" attached to this Agreement ("the subject lands") which are situated within the Brownfield Community Improvement Project Area/Main Street Community Improvement Project Area/Downtown Community Improvement Project Area/East Waterfront Community Improvement Project Area, and the Applicant has applied to the City for a Tax Increment Grant ("Grant") and the City has agreed to make such a Grant pursuant to Section 28 of the *Planning Act* and under By-Law No (insert CIP by-law number);

AND WHERES as a condition of approval of such a Grant, the Applicant is required by the City to enter into this Agreement;

NOW THEREFORE IN CONSIDERATION of the City making this Grant in the estimated maximum amount of $ 157,116 for Phase I and $229,699 for Phase II, annually for up to ten (10) years to the Applicant, the Applicant and the City hereby agree as follows:

1. INFORMATION ON SUBJECT LANDS

1.1 The Grant shall apply to the subject lands as set out in Schedule A attached.

1.2 The subject lands are/are not designated under the *Ontario Heritage Act*.

2. GRANT ELIGIBILITY

2.1 To be eligible for the Grant, the works on the subject land shall conform to and fulfill:

a) The objectives and program requirements of the Tax Increment Grant Program and the Port Colborne Comprehensive CIP ("CIP"); and,

b) Any other requirements as specified by the City.

2.2 The Applicant acknowledges that it has received and read a copy of the: CIP, General Program Requirements, Tax Increment Grant Program Guide (the "Guide"), Urban Design Guidelines (the "Guidelines"), and the Applicant covenants with the City that the subject lands shall be improved and the Grant provided for in this Agreement shall be applied in accordance with the City's goals, policies, and program requirements as set out in the CIP, General Program Requirements, Guide, and Guidelines.

2.3 The City shall review all cost estimates submitted in support of the Application in evaluating the estimated eligible costs for the Grant program, which costs, when designated by the City shall constitute the maximum eligible cost upon which the total

grant amount will be calculated and paid. In the event the City is not satisfied with said cost estimates, the City may substitute their opinion of such amounts for purposes of calculating the eligible costs for the Grant.

2.4 If the City is not in receipt of sufficient information satisfactory to the City to determine eligible costs and the amount of the Grant, the application will not be processed and the application file will be closed. The decision of the City regarding the total amount of eligible costs, and the calculation of the estimated and actual annual grant payment is final, absolute and within the City's sole discretion.

3. GRANT CALCULATION

3.1 Definitions:

"Eligible works" (applies only to a Brownfield Tax Increment Grant) – the works specified in Schedule B attached to this Agreement.

"Eligible costs" (applies only to a Brownfield Tax Increment Grant) – the cost of the eligible works specified in Schedule B attached to this Agreement.

"Pre-project assessed value" – the assessed value of the subject lands as determined by the Municipal Property Assessment Corporation ("MPAC") the day before development works commence.

"Post-project assessed value" – the assessed value of the subject lands as determined by the MPAC when the development is complete.

"City pre-project property taxes" - City of Port Colborne property taxes the day before development works commence.

"Regional pre-project property taxes" – Regional Municipality of Niagara property taxes the day before development works commence.

"Municipal pre-project property taxes" – the total of City and Regional property taxes the day before development works commence.

"City post-project property taxes" - City of Port Colborne property taxes based on the assessed value of the subject lands as determined by the MPAC when the development is complete.

"Regional post-project property taxes" – Regional Municipality of Niagara property taxes based on the assessed value of the subject lands as determined by the MPAC when the development is complete.

"Municipal post-project property taxes" – the total of City and Regional property taxes based on the assessed value of the subject lands as determined by the MPAC when the development is complete.

3.2 The annual Grant will be equal to a percentage of the increase in the municipal (City and Region) property taxes on the subject lands that result from the development, as follows:

a) 80% if the project is in the Main Street/Downtown/East Waterfront Community Improvement Project Area;

b) 100% for all new affordable rental residential units if the project is in the Main Street/Downtown/East Waterfront Community Improvement Project Area, where an "affordable rental residential unit" means a new residential unit intended for use as a rented residential premises where:

i) The rent is no greater than 80% of the average market rent based on CMHC data; and,

ii) The tenant is dealing at arm's length with the landlord; and,

iii) The rent for the unit is maintained as per b)i) above for a period of 25 years from the date that the unit is first rented;

c) 100% for a brownfield redevelopment project in the Brownfield Community improvement Project Area (entire Urban Area).

3.3 Grant payments will cease on the earlier of:

a) The date when the total of all annual Grant payments equals the total eligible costs that have been approved/set by the City; or,

b) Ten (10) years (equivalent) after the date of completion of development of the subject lands.

3.4 The amount of the annual Grant payment is calculated according to the formulas set out below. Some of the figures set out below are estimates only. The amount of the actual annual Grant payment will be based on the actual post-project assessed value (AV) as determined by the MPAC:

Estimated Cost of Project $91,000,000

Pre-project AV: $ 401,700 Date: February 2026

Estimated Post-project AV $ 51,000,000

Actual Post-project AV
(provided by MPAC): $_____ Date:_____

If the difference between the Pre-project Assessment Value (AV) and the Post-Project Assessment Value (AV) is not at least $500,000, there will be no grant paid by the City and this Grant Agreement will terminated.

a) Municipal Pre-Project Property Taxes

Municipal pre-project property taxes = City pre-project property taxes + Regional pre-project property taxes, where:

City pre-project property taxes = (Pre-project AV x City Tax Rate) + Clawback/-Cap + other charges, and

Regional pre-project property taxes = (Pre-project AV x Regional Tax Rate) + Clawback/-Cap + other charges

Municipal Pre-project property taxes: Phase I $24,552,
Phase II (estimated) $311,480 Date: February 2026

b) Estimated Municipal Post-Project Property Taxes

Estimated Municipal post-project property taxes = Estimated City post-project property taxes + estimated Regional post-project property taxes, where:

Estimated City post-project property taxes = (Estimated Post-project AV x applicable City Tax Rate), and

Estimated Regional post-project property taxes = (Estimated Post-project AV x applicable Regional Tax Rate)

Estimated Municipal Post-project property taxes**:** Phase I $311,480
; Phase II Estimated $716,405

c) Actual Municipal Post-Project Property Taxes

Actual Municipal post-project property taxes = Actual City post-project property taxes + actual Regional post-project property taxes, where:

Actual City post-project property taxes = (Actual Post-project AV x applicable City Tax Rate), and

Actual Regional post-project property taxes = (Actual Post-project AV x applicable Regional Tax Rate)

Actual Municipal Post-project property taxes: $_____

Calculation of Estimated Annual Grant

Estimated Annual Grant = (Estimated Municipal Post-project property taxes - Municipal Pre-project property taxes) x 0.80/1.0

Calculation of Actual Annual Grant

Actual Annual Grant = (Actual Municipal Post-project property taxes - Municipal Pre-project property taxes) x 0.80/1.0

3.5 The total value of the sum of the annual Grant payments that may be provided under this grant Program shall not exceed the total eligible costs that have been accepted by the City, which costs are estimated, as of the date of this agreement, at $ 5,505, 191.

3.6 Where the actual eligible costs are, in the opinion of the City, less than the estimated eligible costs ($ 5,505,191), the maximum permitted amount of the total annual Grant payments shall be reduced.

3.7 Where at any time after the original development of the subject lands, new construction is added to the subject lands that is not part of the original Program Application, the Grant payment will be calculated only in respect of the original development contained in the original application, based on the property taxes levied in the last year before revaluation by MPAC as a result of the new construction added to the subject lands.

3.8 The annual Grant payment shall be calculated by the City based upon, and provided the City is satisfied in its discretion that:

a) Development of the subject lands was completed and took place in accordance with the proposed development as specified in the Program Application, supporting documentation, and this Agreement;

b) There was and remains during each year of the Grant payment, an increase in net municipal property taxes as a result of an increase in the assessed value attributable to the completion of the development;

c) Annual Grant payments after the first Grant payment are adjusted downwards in the event the property tax increase in any subsequent year has been reduced.

3.9 The estimated annual Grant calculated as set out above in this Agreement is based on preliminary estimates of post-project assessed value and post-project tax rates. Accordingly, the amount of the Grant payment shall be re-calculated by the City based on actual assessed value as determined by MPAC and actual post-project tax rates prior to payment of the Grant.

4. GRANT PAYMENT

4.1 Payment of the grant is subject to the City's review and satisfaction with all reports and documentation submitted in support of the application, including but not limited to: documentation of the estimated and actual eligible costs. Any and all of these costs may be, where required by the City, subject to verification, third party review or independent audit, at the expense of the Applicant.

4.2 The Applicant shall not be entitled to a grant unless and until they have met all the conditions of this Agreement to the satisfaction of the City. Except where expressly stated

in this Agreement, all conditions in this Agreement are for the benefit of the City and may only be waived by the City. No waiver is effective unless in writing.

4.3 The total sum value of the annual grant payments that may be provided to the Applicant shall not exceed the total eligible costs that have been accepted by the City.

4.4 Any and all grant payments that have been provided to the Applicant will become re-payable to the City upon notice in writing from the City that one or more of the conditions set out in the application, this Agreement, or the Grant Program have not been met.

4.5 The Grant is not payable by the City until such time as additional assessment eligible for a Grant has been added to the assessment roll by the MPAC, all taxes eligible for a Grant have been billed by the City, and taxes have been paid in full for at least one (1) year. The Grant will not be issued if there is an outstanding tax payment on portions of the subject lands owned by the Applicant. If at any time after the execution of this Agreement, property taxes are owing on portions of the subject lands owned by the Applicant for more than one (1) full year, the City will have the option, upon notice to the Applicant, and at its sole discretion, to terminate all future Grant payments.

4.6 The Grant is not payable by the City until such time as all assessment appeals relating to the value of the subject lands before the additional assessment or as to the additional assessment have been filed and finally determined.

4.7 Annual Grant payments are not payable by the City to the Applicant until the Applicant has satisfied the City that:

a) The development of the subject lands has been fully completed in accordance with the development as described in the Application;

b) The Applicant has supplied the City with the actual amount of the eligible costs incurred by the Applicant

c) There are no outstanding work orders and/or orders or requests to comply from any City department or other regulatory authority in respect of the subject lands, the property and the business of the Applicant conducted on the subject lands;

d) As of the date of the proposed first Grant payment, the Applicant, its development and the subject lands are in full compliance with:

i) Any agreement(s) relating to the subject lands in favour of the City or Region, including any Agreement relating to: subdivision, modified subdivision, service, site plan approval, encroachment, joint sewer & water use, easement or other Agreement; and,

ii) By-laws of the City, Region, provincial or federal legislation and their regulations.

g) The post-project assessed value of the subject property has increased as a result of the development;

h) The Applicant has not appealed the post-project assessed value for the portions of the subject lands owned by the Applicant, and there exists no other pending appeal which has not been finally determined in respect of the post-project assessed value for the portions of the subject lands owned by the Applicant;

i) The property taxes for the year during which property taxes were calculated pursuant to the increased post-project assessment and for each of the preceding years for the portions of the subject lands owned by the Applicant, have been paid in full, have not been deferred and there are, at the time of payment of the annual Grant, no instalments of property taxes for the current year remaining to be paid for the portions of the subject lands owned by the Applicant;

j) There are no unpaid charges (where applicable) in favour of the City or the Region against the portions of the subject lands owned by the Applicant, including but not limited to: development charges, park land dedication fees, special assessments, building permit fees and local improvement charges.

4.8 Provided that all Program and Grant Agreement requirements have been met, each year, the same grant payment will be made to the Applicant or assignee (Brownfield Tax Increment Grant only).

4.9 If the Applicant has not assigned the Grant, and an assessment appeal has been made on portions of the subject lands not owned by the Applicant, or property taxes are owning on portions of the subject lands not owned by the Applicant, Grant payments will be made, but they will be pro-rated, i.e., the portion of the Grant payment that is subject to an assessment appeal, or where property taxes are owing, will be paid to the Applicant once the assessment appeal has been resolved and/or property taxes have been collected in full.

5. CORPORATE STATUS

5.1 The Applicant represents to the City that:

a) The Applicant has been duly incorporated as a corporation and is in good standing under the *Business Corporations Act* and is in compliance with all laws that may affect it and will remain so throughout the term of this Agreement;

b) The Applicant has the corporate capacity to enter into this Agreement and to perform and meet any and all duties, liabilities and obligations as may be required of it under this Agreement;

c) The Applicant is a resident of Canada as of the date of this Agreement and that in the event the Applicant ceases to be a resident of Canada, the Applicant shall immediately notify the City, and it is agreed, the City may deduct for any or all annual Grant payments, such sum(s) as may be required by the Canada Customs and Revenue Agency in order to meet the City's obligations as a payor and the Applicant's obligations under the *Income Tax Act (Canada)* and other applicable laws;

d) To the best of its knowledge and belief, there are no actions, suits or proceedings pending or threatened against or adversely affecting the Applicant in any court or before or by any federal, provincial, municipal or other governmental department, commission, board, bureau or agency, Canadian or foreign, which might materially affect the financial condition of the Applicant or title to the subject lands or assets;

e) The Applicant shall notify the City immediately of any material change in the conditions set out in paragraphs (a)-(d) above.

6. PROVISIONS RELATING TO THE APPLICANT

6.1 At the time of application for the Program, the Applicant shall have submitted to the City for its review and acceptance, the Applicant's plans for the development and supporting documentation, including the Applicant's proposed residential and non-residential uses for the property.

6.2 The Applicant shall notify the City if the Applicant has applied for, been approved for, or has received project funding from any other levels of government or government funded agencies, e.g., Region, Provincial, Federal, Canada Mortgage and Housing Corporation, Federation of Canadian Municipalities, etc…). The Applicant will notify the City immediately upon receiving any and all project funding from other levels of government even if said funding is received after the execution of this agreement.

6.3 At the time the Applicant signs this Agreement, the Applicant will provide the City with a certified true copy of a resolution of the Board of Directors of the Applicant (certified by an officer of the corporation) that authorizes the Applicant to enter into this Agreement with the City.

6.4 The Applicant agrees that it shall not commence any eligible works that are the subject of a Grant Application prior to receiving approval of the Grant Application from the City, execution of this Agreement, and issuance of a building permit (if required).

6.5 The Applicant will complete all eligible works as specified in the approved Grant application, and in documentation submitted in support of the Grant application, including but not limited to: all required planning approvals, the architectural/design drawings, specifications, contracts and cost estimates. As the City is relying upon this information, if the information in this Agreement, the associated application, and/or any supporting documentation submitted to the City is, in the opinion of the City, incomplete, false, inaccurate or misleading, the Grant may be reduced and/or delayed, and/or cancelled, and where part or all of the Grant has already been paid by the City, such payments shall be repaid by the Applicant as required by the City.

6.6 The Applicant agrees that the development shall be constructed in compliance with all required Building Permits, and constructed in accordance with the Ontario Building Code and all applicable zoning by-law requirements, municipal requirements and other approvals required at law.

6.7 The Applicant agrees that it shall commence construction of the development as described in the associated Tax Increment Grant (TIG) Program Application (building permit issued) within four (4) years and complete construction of the development within seven (7) years of the execution of this Agreement, failing which, unless extended by the City, this Grant approval shall be at an end, there shall be no Grant, and this Agreement shall be terminated. The deadline imposed by this paragraph shall not include delays that are outside the control of the Applicant. The City's decision as to when such project is commenced and completed is final and absolute.

6.9 Upon request, the Applicant shall supply to the satisfaction of the City prior to issuance of any and all Grant payments, environmental reports and documentation showing that the subject lands have been remediated to the appropriate levels for the proposed use. This includes, where required by the City, proof of acknowledgement of a signed Record of

Site Condition (RSC) by the Ministry of Environment, Conservation and Parks (MOECP) for the subject lands.

6.10 The Applicant agrees and covenants to the City that if the building(s) and improvements that are the subject of this Agreement are demolished, in whole or in part, or any of the heritage features of the property are altered in any way that would compromise the reasons for designation, prior to the expiration of the term of this Agreement, all subsequent Grant payments shall cease, and all Grant payments already paid by the City to the Applicant shall be repaid to the City.

6.11 Upon completion of the project, the Applicant shall provide the City with documentation satisfactory to the City as to the amount of the actual eligible costs incurred by the Applicant and the City shall, in its discretion designate this cost as the total maximum amount of the Grant.

6.12 The Applicant will provide to the City, upon request, a status report signed by the Applicant to confirm the status and completion of the approved development; a detailed progress report of the status of the development, including, but not limited to, the development schedule, the existence and extent of any faults or defects, the value of the work done under any contract, the amount owing to any contractor and the amounts paid or retained by the Applicants on any contract.

6.13 The Applicant shall ensure there are no liens or other claims outstanding in respect of the subject lands, including its development, and all accounts for work and materials which could give rise to any claim for a construction lien against the subject lands have been paid.

6.14 The Applicant shall ensure that the Applicant is in compliance with the *Construction Lien Act*, including its holdback provisions and is not aware of any potential or unresolved Lien claim in respect of the redevelopment.

6.15 The Applicant agrees to comply with all outstanding work orders and/or orders or requests to comply from any and all City departments prior to or as a condition of Grant approval.

6.16 The Applicant covenants to the City that where the ownership of part or all of the subject lands ceases for any reason to be in the Applicant's name by sale, assignment or otherwise, prior to the advance of all of the Grant payments, the Applicant will notify the City in writing of said pending ownership change at least 45 days prior to the ownership change taking place.

6.16 With the exception of an approved Brownfield Tax Increment Grant, the Applicant acknowledges that it may not assign its interest in this Agreement nor the grant payments to an assignee or new owner.

6.17 For an approved Brownfield Tax Increment Grant only, the Applicant acknowledges that it may not assign its interest in this Agreement nor the remaining grant payments to an assignee or new owner without the express written consent of the City. The City, entirely at its own discretion and to its satisfaction, prior to assignment of the Applicant’s interest in this Agreement and/or the remaining grant payments to an assignee or new owner, agrees that such consent shall not be unreasonably withheld, subject to:

a) The assignee/new owner agreeing in writing to be bound by all of the Applicant's obligations and maintenance conditions under this Agreement that have not been fulfilled;

b) The assignee/new owner agreeing in writing to be bound by any new conditions and requirements imposed by the City to address any project deficiencies; and,

c) The Applicant and new owner executing such written consent, agreement or other documentation as required by the City and providing said executed documentation to the City.

6.18 The Applicant will be responsible for ensuring that they can be contacted by the City for the purpose of delivering Grant cheques.

6.19 The Applicant acknowledges that without limiting the generality of the other provisions of this Agreement:

a) The onus and responsibility is upon the Applicant at all times to assume all costs of rehabilitation of the subject lands and to apply for and obtain, at the Applicant's expense, all approvals required from the City, the Region, and all other agencies for the rehabilitation of the subject lands, including but not limited to: all Official Plan amendments, Zoning By-law amendments, minor variances, and Site Plan approval;

b) Nothing in this Agreement limits or fetters the City or the Region in exercising its statutory jurisdiction under the *Planning Act* or under any other legislative authority or by-law and that in the event the City or Region decides to deny or oppose or appeal any such decision, that such action by the City or Region is not in any manner limited by reason of the City entering into this Agreement;

c) The Applicant releases the City from any liability in respect of the City's reviews, decisions, inspections or absence of inspections regarding this rehabilitation and the Applicant agrees that it is its responsibility at all times to prepare and implement its rehabilitation as would a careful and prudent land owner;

d) Nothing in this Agreement is intended to impose or shall impose upon the City any duty or obligation to inspect or examine the land for compliance or non-compliance or to provide an opinion or view respecting any condition of development; and,

e) Nothing in this Agreement is intended to be or shall be construed to be a representation by the City regarding compliance of the land with: (1) applicable environmental laws, regulations, policies, standards, permits or approvals, or, (2) other by-laws and policies of the City.

6.20 The Applicant agrees that if after it has received a Grant payment(s) from the City, it or any new owner successfully appeals the post-project assessed value on which that Grant payment(s) is based, and as a result, there is a retroactive decrease in the assessed value, the City may deduct the amount of any resulting Grant overpayment from future Grant payments and/or add any Grant overpayment to municipal property taxes payable on the property.

6.21 If the City determines in its sole discretion that any of the conditions of this Agreement are not fulfilled, the City may at its sole discretion cease or delay the Grant payments, and/or require repayment Grant payments already made to the Applicant, and/or terminate this Agreement, and the Applicant shall not have any claim for compensation or reimbursement of these costs and expenses against the City and that the City is not liable to the Applicant for losses, damages, interest, or claims which the Applicant may bear as a result of the lapse of time (if any) where the City is exercising its rights herein to cease, delay, require repayment of a Grant payment or terminate this Agreement.

6.22 The Applicant shall indemnify and save harmless from time to time and at all times, the City, its officers, employees, and agents from and against all claims, actions, causes of action, interest, demands, costs, charges, damages, expenses and loss made by any person arising directly or indirectly from:

a) The City entering into this Agreement; and,

b) Any failure by the Applicant to fulfil its obligations under this Agreement.

This indemnification shall, in respect of any matter arising prior to the termination of this Agreement, remain in force following termination or expiry of this Agreement, or satisfactory completion of the eligible works approved under this Agreement.

6.23 The Applicant is bound by this Agreement, unless, prior to the Applicant receiving the Initial Grant payment, the Applicant gives notice in writing to the City, that the Applicant has decided not to accept the Grant contemplated by this Agreement, in which case, the Agreement is terminated.

7. PROVISIONS RELATING TO THE CITY

7.1 The City agrees to provide a Grant to the Applicant to be paid out over a maximum of 10 years, to be used towards the eligible costs on the subject lands, subject to and in accordance with the terms and conditions set out in this Agreement, provided that the total of such Grants shall not exceed the total actual eligible costs accepted and designated by the City, estimated as of the date of this agreement, in the amount of $ 5,005, 191,

7.2 Upon revaluation of the subject lands by MPAC, the City shall calculate the actual post-project City property taxes and the actual annual Grant.

7.3 On an annual basis, the City, upon being satisfied that the Applicant is in compliance with this Agreement and has met all and any other requirements of the City, shall pay the annual Grant payment.

7.4 The City reserves the right to require a third party review or independent audit, at the Applicant's expense, of all documentation submitted in support of the Application or during the administration of the initial or subsequent annual Grant payments, including, but not limited to:

a) Estimated and actual eligible costs; and,

b) Environmental reports and documentation.

7.5 The City, its employees and agents are entitled to inspect the subject lands and all fixtures and improvements upon the subject lands at any time during usual business hours for the purpose of ascertaining their condition or state of repair or for the purpose of verifying compliance with the provisions of this Agreement.

7.6 If the Applicant cannot be reached over a protracted period (more than 2 years), the City will have the option, without notice and at its own discretion, of terminating all future Grant payments to the Applicant.

7.7 If in the opinion of the City the subject lands are not maintained in their rehabilitated condition, the City may at its own discretion, terminate all future Grant payments and require repayment of all Grant payments already paid out by the City to the Applicant.

7.8 The City retains the right at all times not to make any or all Grant payments or to delay payment where the City deems that there is non-compliance by the Applicant with this Agreement. In particular, without limiting the generality of the foregoing, the Grant is conditional upon periodic reviews satisfactory to the City to there being no adverse change in the rehabilitation and condition of the subject lands, and to there being compliance on the part of the Applicant with all requirements contained in this Agreement.

7.9 Except where expressly stated in this Agreement, all conditions in this Agreement are for the benefit of the City and may only be waived by the City. No waiver is effective unless in writing.

8. DEFAULT AND REMEDIES

8.1 On the occurrence of default under this Agreement, the City shall be entitled to its remedies to enforce the terms of this Agreement, including:

a) Delaying or ceasing payment of the Grant;

b) Requiring repayment of the Grant; and/or

c) Terminating this Agreement.

8.2 Default shall be deemed to occur upon any default of the Applicant or assignee in complying with the terms set out in this Agreement, including but not limited to the following:

a) The as constructed works do not comply with the description of the works as provided in the Application Form and supporting plans and documents;

b) Deficiencies in the as constructed works during the term of this Agreement;

c) The works are not undertaken in conformity with the Ontario Building Code and all applicable zoning requirements and planning approvals;

d) The Applicant sells, transfers or otherwise disposes of the property without advising the City;

e) The building for which a Grant was provided is demolished or designated heritage features of that building are altered during the term of the Grant;

f) The building is damaged by fire or otherwise, and repair or reconstruction is not commenced with 90 days;

g) The Applicant is in property tax arrears with respect to the property for more than one (1) year;

h) Any representation or warranty made by the Applicant is incorrect in any material respect;

i) Failure to perform or comply with any of the obligations contained in this Agreement or contained in any other Agreement entered into between the Applicant and the City;

j) The Applicant makes an assignment for the benefit of creditors, or assigns in bankruptcy or takes the advantage in respect of their own affairs of any statute for relief in bankruptcy, moratorium, settlement with creditors, or similar relief of bankrupt or insolvent debtors, or if a receiving order is made against the Applicant, or if the Applicant is adjudged bankrupt or insolvent, or if a liquidator or receiver is appointed by reason of any actual or alleged insolvency, or any default of the Applicant under any mortgage or other obligation, or if the subject lands or interest of the Applicant in the subject lands becomes liable to be taken or sold by any creditors or under any writ of execution or other like process;

k) Construction ceases for a period of 60 days due to the Applicant's default (strikes and Acts of God excepted) and/or the Applicant abandons the property or project;

l) The Applicant is in default of the terms and conditions of the construction financing secured by the first mortgage;

m) This Agreement is forfeited or is terminated by any other provision contained in it.

8.3 The City may, at its sole discretion, provide the Applicant with an opportunity to remedy any default.

9. ADDITIONAL PROVISIONS

9.1 This Agreement shall remain in effect from the date of its execution to the earlier of:

a) The Applicant informing the City in writing prior to the initial Grant payment, that the Applicant has decided not to accept the Grant;

b) The City informs the Applicant in writing that due to the non-fulfilment or non-compliance with a required condition or due to default, this Agreement is at an end;

c) The total amount of the Grant paid out to the Applicant equals total eligible;

d) Ten (10) years from the date of completion of the development.

9.2 Time shall be of the essence with respect to all covenants, Agreements and matters contained in this Agreement.

9.3 Schedules “A” and “B” attached to this Agreement forms part of this Agreement.

10. NOTICES

10.1 Where this Agreement requires notice to be delivered by one party to the other, such notice shall be in writing and delivered either personally, by e-mail, by fax or by prepaid registered first class post, by party wishing to give such notice, to the other party at the address noted below:

Such notice shall be deemed to have been given:

a) In the case of personal delivery, on the date of delivery;

b) In the case of e-mail or fax, on the date of transmission provided it is received before 4:30 p.m. on a day that is not a holiday, as defined in the *Interpretation* Act, failing which it shall be deemed to have been received the next day, provided the next day is not a holiday; and,

c) In the case of registered post, on the third day, which is not a holiday, following posting.

Notice shall be given:

To the Applicant at:
Address: 20 Corporate Drive, Suite 101, St .Catharines, Ontario, L2S 3W2
Telephone No: (289) 969-7008
Fax No:
E-mail: jfrank@rankin.ca

To the City at:
City of Port Colborne
66 Charlotte Street
Port Colborne Ontario, L3K 3C8
Attention: Bram Cotton, Economic Development Officer
Ph: 905-835-2900 ext 504
Fax: 905-835-2939
Email: cipapplication@portcolborne.ca

IN WITNESS WHEREOF the parties hereto have executed this Agreement all as of the day and year first written above, and the parties hereto have hereunto affixed their corporate seals duly witnessed and attested by the hands of the proper signing officers in that behalf, and said signing officers certify that they have authority to bind their corporation.

Signed for and on behalf of (insert Applicant Name) by:

Per: _____
Name:
Title: Authorized Signing Officer

Per: _____
Name:
Title: Authorized Signing Officer

Signed for and on behalf of The Corporation of the City of Port Colborne by:

Per: _____
Name:
Title: Mayor

Per: _____
Name
Title: City Clerk

SCHEDULE "A"

of a Grant Agreement between the City and the Applicant named in this Agreement.

Legal Description of Applicant's land

LEGAL DESCRIPTION

(1) PART ALMA STREET PL843 PORT COLBORNE LYING WEST OF WELLAND STREET, PART 1, 59R18193; CITY OF PORT COLBORNE, being all of PIN 64149-0248 (LT)

(2) PART LOT 5 NORTH SIDE ALMA STREET PLAN 843 PORT COLBORNE; PART LOT 6 NORTH SIDE ALMA STREET PLAN 843 PORT COLBORNE; PART LOT 7 NORTH SIDE ALMA STREET PLAN 843 PORT COLBORNE; PART LOT 5 SOUTH SIDE RAGLAN STREET PLAN 843 PORT COLBORNE; PART LOT 6 SOUTH SIDE RAGLAN STREET PLAN 843 PORT COLBORNE; PART LOT 7 SOUTH SIDE RAGLAN STREET PLAN 843 PORT COLBORNE DESIGNATED AS PART 1 ON 59R11209; CITY OF PORT COLBORNE, being all of PIN 64149-0247 (LT)

(3) PT LT 4 S/S ALMA ST PL 843 ;PT LT 5 S/S ALMA ST PL 843 ;PT LT 6 S/S ALMA ST PL 843 ; PT LT 4 N/S FRAZER ST PL 843 ; PT LT 5 N/S FRAZER ST PL 843 DESIGNATED AS PART 2 PL 59R11209; S/T RO777067; SUBJECT TO AN EASEMENT OVER PART 1 59R11920 AS IN RO777067; CITY OF PORT COLBORNE, being all of PIN 64149-0239 (LT)

(4) PT LT 5 N/S FRAZER ST PL 843 PORT COLBORNE; PT LT 6 N/S FRAZER ST PL 843 PORT COLBORNE; PT LT 7 N/S FRAZER ST PL 843 PORT COLBORNE AS IN RO72742 ; PORT COLBORNE, being all of PIN 64149-0160 (LT)

(5) PT LT 5 N/S FRAZER ST PL 843 PORT COLBORNE; PT LT 6 N/S FRAZER ST PL 843 PORT COLBORNE; PT LT 7 N/S FRAZER ST PL 843 PORT COLBORNE AS IN RO619829; PORT COLBORNE, being all of PIN 64149-0159 (LT)

(6) LT 7 S/S ALMA ST PL 843 PORT COLBORNE; PT LT 7 S/S RAGLAN ST PL 843 PORT COLBORNE; PT LT 8 S/S RAGLAN ST PL 843 PORT COLBORNE; PT LT 6 N/S ALMA ST PL 843 PORT COLBORNE; PT LT 7 N/S ALMA ST PL 843 PORT COLBORNE; PT LT 8 N/S ALMA ST PL 843 PORT COLBORNE; PT LT 5 S/S ALMA ST PL 843 PORT COLBORNE; PT LT 6 S/S ALMA ST PL 843 PORT COLBORNE; PT LT 8 S/S ALMA ST PL 843 PORT COLBORNE; PT ALMA ST PL 843 PORT COLBORNE (CLOSED BY BB75503) ; AS IN RO689134 ; PORT COLBORNE, being all of PIN 64149-0157 (LT)

(7) PART OF RAGLAN STREET PLAN 843 PORT COLBORNE (AKA BELL STREET) LYING WEST OF WELLAND STREET, PORT COLBORNE DESIGNATED AS PART 1 ON 59R-18513, BEING PART OF PIN 64149-0138(LT)

SCHEDULE "B"

of a Grant Agreement between the City and the Applicant named in this Agreement.

Eligible Works for the Brownfield Tax Increment Grant

iii) **Cost Summary –Brownfield Tax Assistance/Brownfield Tax Increment Grant**
Please attach a work plan and two (2) detailed cost estimates prepared by a Qualified Person for the costs listed in a. to f. below, as applicable.

a.	Phase II ESA, Designated Substances and Hazardous Materials Survey, Remedial Work Plan, and Risk Assessment/Risk Management Plan not disbursed by the ESA Grant Program	$ 7,070.00
b.	Environmental Remediation including the cost of preparing an RSC and CPU	$ 1,451,652.00
c.	Placing, compacting and grading of clean fill to replace contaminated soils/fill disposed of off-site	$ 795,200.00
d.	Installing, monitoring, maintaining, and operating environmental and/or engineering controls/works as specified in the Remedial Work Plan and/or Risk Assessment/Management Plan and/or CPU	$ 0
e.	Testing of on-site excess soils for potential reuse, but excludes excavation, management, transportation or disposal of such soils except where the soil is found to be contaminated	$ 0
f.	Environmental Insurance Premiums	$ 30,000.00
	Total Brownfield Tax Assistance/Tax Increment Grant Eligible Costs (a. to f. above)	**$ 2,283,922.00**

Please attach one (1) detailed cost estimate prepared by a bona fide Contractor for the costs listed in g. to i. below, as applicable.

g.	Demolishing buildings (excluding permit fees)	$ 45,000.00
h.	Building rehabilitation and retrofit works (excluding permit fees)	$ 0
i.	Upgrading on-site infrastructure including water services, sanitary sewers and stormwater management facilities	$ 837,505.00
	Total Brownfield Tax Increment Grant Eligible Costs (a. to i. above)	**$ 3,166,427**

iii) **Cost Summary –Brownfield Tax Assistance/Brownfield Tax Increment Grant**
Please attach a work plan and two (2) detailed cost estimates prepared by a Qualified Person for the costs listed in a. to f. below, as applicable.

a.	Phase II ESA, Designated Substances and Hazardous Materials Survey, Remedial Work Plan, and Risk Assessment/Risk Management Plan not disbursed by the ESA Grant Program	$ 7,070.00
b.	Environmental Remediation including the cost of preparing an RSC and CPU	$ 1,309,952.00
c.	Placing, compacting and grading of clean fill to replace contaminated soils/fill disposed of off-site	$ 715,200.00
d.	Installing, monitoring, maintaining, and operating environmental and/or engineering controls/works as specified in the Remedial Work Plan and/or Risk Assessment/Management Plan and/or CPU	$ 0
e.	Testing of on-site excess soils for potential reuse, but excludes excavation, management, transportation or disposal of such soils except where the soil is found to be contaminated	$ 0
f.	Environmental Insurance Premiums	$ 30,000.00
	Total Brownfield Tax Assistance/Tax Increment Grant Eligible Costs (a. to f. above)	**$** 2,062,222.00

Please attach one (1) detailed cost estimate prepared by a bona fide Contractor for the costs listed in g. to i. below, as applicable.

g.	Demolishing buildings (excluding permit fees)	$ 0
h.	Building rehabilitation and retrofit works (excluding permit fees)	$ 0
i.	Upgrading on-site infrastructure including water services, sanitary sewers and stormwater management facilities	$ 276,542.00
	Total Brownfield Tax Increment Grant Eligible Costs (a. to i. above)	**$** 2,338,764.00

i) a Phase II ESA, Designated Substances and Hazardous Materials Survey, Remedial Work Plan, Risk Assessment /Risk Management Plan, not disbursed by the Environmental Site Assessment (ESA) Grant Program or the Brownfield Tax Assistance Program (TAP);
ii) environmental remediation, including the costs of preparing a Record of Site Condition (RSC), not disbursed by the Brownfield TAP;
iii) placing, compacting and grading of clean fill required to replace contaminated soils/fill disposed of off-site not disbursed by the Brownfield TAP;
iv) installing, monitoring, maintaining and operating environmental and/or engineering controls/works, as specified in the Remedial Work Plan and/or Risk Assessment and/or CPU, not disbursed by the Brownfield TAP;
v) testing of on-site excess soils for potential reuse, but shall not include the excavation, management, transportation or disposal of such soil, except where the soil is found to be contaminated;
vi) environmental insurance premiums not disbursed by the Brownfield TAP;
vii) demolishing buildings (excluding permit fees);
viii) building rehabilitation and retrofit works (excluding permit fees); and,
ix) upgrading on-site infrastructure including water services, sanitary sewers and stormwater management facilities.

The total value of the grant provided under the Brownfield TIG Program shall not exceed the total cost of the eligible works specified in i) to ix) above.

NIAGARA ECONOMIC GATEWAY & COMMUNITY IMPROVEMENT PLANS
TAX INCREMENT GRANT PROGRAM ESTIMATE

Municipality: Port Colborne
Address: 302 Welland St area
Roll Number:

2711 020 009 04900	302 Welland St, Rear Land	*Alma Rd allowance #1 was added into Rear land
2711 020 009 04800	302 Welland St	
2711 020 009 00100	46 Fraser St	
2711 020 009 00200	48 Fraser St	*house demolished in 2025
2711 020 009 00400	54 Fraser St	*house demolished in 2025
unknown	Sale of Rd Allowance #2	

Pre Project Year: 2025 Pre Project year is actually 2026. Using 2025 rates/fees because 2026 rates are not yet finalized.
Post Project Year: 2025

Average assessment per residential unit at 118 West St	$ 258,000
# residential units in Phase 1	60
# residential units in Phase 2	78
Post assessment estimate phase 1	$ 15,480,000
Post assessment estimate phase 2	$ 20,124,000
Total post-project asssessment estimate	$ 35,604,000

	Commercial	Commercial	Residential	Total Pre-Project Taxes	Commercial	New Multi-residential	Commercial	Total Post Project Taxes	Tax Increment	Annual Grant amount
Class Code	CT	CX	RT		CT	NT	CT			
Assessment Value[1]	$82,000	$149,000	$170,700	$401,700	$0	$15,480,000	$0	$15,480,000		
Municipal Taxes[2,3,4]	$1,624	$2,951	$1,948	$6,523	$0	$176,691	$0	$176,691	$157,116	$157,116
Municipal Fees	$5,546	$1,370	$6,137	$13,053	N/A	N/A	N/A	N/A		
Regional Taxes[5,6,7]	$1,239	$2,251	$1,486	$4,976	$0	$134,789	$0	$134,789	$129,813	$129,813
Provincial Taxes[8,9,10]	$722	$1,311	$261	$2,294	$0	$23,684	$0	$23,684	N/A	N/A
					Total				$286,928.98	
					% of Tax Increment Year 1[11]				100.00%	
					Annual Grant Payment[13]				$286,928.98	

This estimates the completed project (both phases) being assessed at $35,604,000 based on the post-project assessment at 118 West St; actual assessment will be completed by MPAC following the project completion. Existing assessment value is based on actual 2026 MPAC assessment. These results are estimated using the 2025 tax rates. Actual annual amount will be based on the grant percentage applied to the incremental taxes paid each year for the duration of the grant however may be subject to a reduction should the taxes owing be reduced in any given year due to a assessment appeal.

[1] Both Pre- and post-project completion assessments are estimates and may be subject to change.
2 Municipal Commercial Tax Rate
3 Municipal Commercial Tax Rate
4 Municipal Residential Tax Rate
5 Regional Commercial Tax Rate
6 Regional Commercial Tax Rate
7 Regional Residential Tax Rate
8 Education Commercial Tax Rate
9 Education Commercial Tax Rate
10 Education Residential Tax Rate

	2025 Pre-Project Tax Rates	2025 Post-Project Tax Rates	
CT	0.01980244	0.01980244	
CX	0.01980244	0.01980244	
RT	0.01141417	0.01141417	NT
CT	0.01510633	0.01510633	
CX	0.01510633	0.01510633	
RT	0.00870732	0.00870732	NT
CT	0.00880000	0.00880000	
CX	0.00880000	0.00880000	
RT	0.00153000	0.00153000	NT

[13] This is an estimate only and does not constitute any guarantee or assurance of a grant and should not be relied upon as such.

SUMMARY FORECAST (excluding education)

Event	Year	Grant %	Municipal Grant Estimate	Regional Grant Estimate	Total Grant Estimate
Base year	2025				
Grant Year 1	2025	100%	$ 157,115.57	$ 129,813.41	$ 286,928.98
Grant Year 2	2026	100%	$ 157,115.57	$ 129,813.41	$ 286,928.98
Grant Year 3	2027	100%	$ 157,115.57	$ 129,813.41	$ 286,928.98
Grant Year 4	2028	100%	$ 157,115.57	$ 129,813.41	$ 286,928.98
Grant Year 5	2029	100%	$ 157,115.57	$ 129,813.41	$ 286,928.98
Grant Year 6	2030	100%	$ 157,115.57	$ 129,813.41	$ 286,928.98
Grant Year 7	2031	100%	$ 157,115.57	$ 129,813.41	$ 286,928.98
Grant Year 8	2032	100%	$ 157,115.57	$ 129,813.41	$ 286,928.98
Grant Year 9	2033	100%	$ 157,115.57	$ 129,813.41	$ 286,928.98
Grant Year 10	2034	100%	$ 157,115.57	$ 129,813.41	$ 286,928.98
Total Estimate	Total Estimate		$ 1,571,155.69	$ 1,298,134.12	$ 2,869,289.81

NIAGARA ECONOMIC GATEWAY & COMMUNITY IMPROVEMENT PLANS

TAX INCREMENT GRANT PROGRAM ESTIMATE

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Roll Number:

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Post assessment estimate phase 1	$ 15,480,000
Post assessment estimate phase 2	$ 20,124,000
Total post-project asssessment estimate	$ 35,604,000

	Commercial	Commercial	New Multi-residential	Total Pre-Project Taxes	Commercial	New Multi-residential	Commercial	Total Post Project Taxes	Tax Increment	Annual Grant amount
Class Code	CT	CX	NT		CT	NT	CT			
Assessment Value[1]	$0	$0	$15,480,000	$15,480,000	$0	$35,604,000	$0	$35,604,000		
Municipal Taxes[2,3,4]	$0	$0	$176,691	$176,691	$0	$406,390	$0	$406,390	$229,699	$229,699
Municipal Fees	$0	$0	N/A	$0	N/A	N/A	N/A	N/A		
Regional Taxes[5,6,7]	$0	$0	$134,789	$134,789	$0	$310,015	$0	$310,015	$175,226	$175,226
Provincial Taxes[8,9,10]	$0	$0	$23,684	$23,684	$0	$54,474	$0	$54,474	N/A	N/A
					Total				$404,924.86	
					% of Tax Increment Year 1[11]				**100.00%**	
					Annual Grant Payment[13]				$404,924.86	

This estimates the completed project (both phases) being assessed at $35,604,000 based on the post-project assessment at 118 West St; actual assessment will be completed by MPAC following the project completion. Existing assessment value is based on actual 2026 MPAC assessment. These results are estimated using the 2025 tax rates. Actual annual amount will be based on the grant percentage applied to the incremental taxes paid each year for the duration of the grant however may be subject to a reduction should the taxes owing be reduced in any given year due to a assessment appeal.

[1] Both Pre- and post-project completion assessments are estimates and may be subject to change.
2 Municipal Commercial Tax Rate
3 Municipal Commercial Tax Rate
4 Municipal New Multi-residential Tax Rate
5 Regional Commercial Tax Rate
6 Regional Commercial Tax Rate
7 Regional New Multi-residential Tax Rate
8 Education Commercial Tax Rate
9 Education Commercial Tax Rate
10 Education New Multi-residential Tax Rate

	2025 Pre-Project Tax Rates	2025 Post-Project Tax Rates	
CT	0.01980244	0.01980244	
CX	0.01980244	0.01980244	
RT	0.01141417	0.01141417	NT
CT	0.01510633	0.01510633	
CX	0.01510633	0.01510633	
RT	0.00870732	0.00870732	NT
CT	0.00880000	0.00880000	
CX	0.00880000	0.00880000	
RT	0.00153000	0.00153000	NT

[13] This is an estimate only and does not constitute any guarantee or assurance of a grant and should not be relied upon as such.

SUMMARY FORECAST (excluding education)

Event	Year	Grant %	Municipal Grant Estimate	Regional Grant Estimate	Total Grant Estimate
Base year	2025				
Grant Year 1	2025	100%	$ 229,698.76	$ 175,226.11	$ 404,924.86
Grant Year 2	2026	100%	$ 229,698.76	$ 175,226.11	$ 404,924.86
Grant Year 3	2027	100%	$ 229,698.76	$ 175,226.11	$ 404,924.86
Grant Year 4	2028	100%	$ 229,698.76	$ 175,226.11	$ 404,924.86
Grant Year 5	2029	100%	$ 229,698.76	$ 175,226.11	$ 404,924.86
Grant Year 6	2030	100%	$ 229,698.76	$ 175,226.11	$ 404,924.86
Grant Year 7	2031	100%	$ 229,698.76	$ 175,226.11	$ 404,924.86
Grant Year 8	2032	100%	$ 229,698.76	$ 175,226.11	$ 404,924.86
Grant Year 9	2033	100%	$ 229,698.76	$ 175,226.11	$ 404,924.86
Grant Year 10	2034	100%	$ 229,698.76	$ 175,226.11	$ 404,924.86
Total Estimate	Total Estimate		$ 2,296,987.57	$ 1,752,261.08	$ 4,049,248.65

PORT COLBORNE
· MAYOR'S OFFICE ·

Municipal Offices: 66 Charlotte Street
Port Colborne ON L3K 3C8 · www.portcolborne.ca

T 905.228.8099 F 905.834.5746
E william.steele@portcolborne.ca

March 5, 2026

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

Re: The Future of Municipal Governance in Niagara

The Honourable Premier Doug Ford:

As Mayor of the City of Port Colborne, I am writing in response to the recent discussion regarding municipal governance reform in Niagara. Port Colborne does not support amalgamation. Period.

We are a strong and independent community with unique marine heritage and real momentum. Forced amalgamation is neither necessary nor beneficial to our continued success. Past restructuring has not produced positive outcomes for Port Colborne, particularly in areas such as healthcare and transit, and decades of research show that municipal amalgamation fails to produce cost savings while also reducing local responsiveness and accountability.

That said, we recognize that there are legitimate regional challenges that deserve serious review. Pressures related to infrastructure funding, water and wastewater costs, and regional roads are concerning and require innovative solutions. A thoughtful governance review, focused on coordination, efficiency, and value for taxpayers, is both appropriate and necessary.

For that reason, we support the governance review approved by Niagara Regional Council on February 26 as a responsible path forward grounded in analysis rather than assumption.

While Regional Council has indicated that the Chair's work on this matter should not proceed further at this time, it remains my responsibility as Mayor to ensure that

Port Colborne's voice is heard and our community's perspective is clearly represented in this discussion.

Port Colborne has built significant momentum over the past two years, demonstrating strong leadership and measurable results, including:

- Securing over $2 billion in new investment and job creation, strengthening our marine, industrial, and employment lands.
- Advancing provincial housing priorities through accelerated approvals and a strong development pipeline.
- Expanding licensed childcare spaces to better support working families and population growth.
- Taking proactive, evidence-based steps to improve healthcare access and outcomes within our community.
- Using Community Improvement Plans to strategically reduce development charges and encourage investment.
- Partnering with the Province to establish a Municipal Services Corporation for water and wastewater servicing on the East Side Employment Lands which, if expanded under the *Water and Wastewater Public Corporations Act, 2025*, would create a path to stabilize and lower rates for Port Colborne residents.

This momentum is underpinned by strong financial management. Port Colborne operates under a disciplined and forward-looking financial plan that prioritizes sustainable investment to grow the city. Our financial position has been assessed as low risk by the Ministry of Municipal Affairs and Housing under its Financial Health Indicators framework. As our community and economy continue to grow, we have been intentional about balancing expansion with fiscal responsibility. In partnership with the provincial and federal governments, we have invested heavily in infrastructure and have a funded asset management plan that addresses our infrastructure needs. We are confident in our ability to deliver services efficiently and responsibly, backed by strong asset management and direct accountability to our residents.

If the objective is to reduce bureaucracy and duplication in Niagara's governance system, we believe there are more targeted solutions available than full-scale amalgamation. Port Colborne is prepared to assume greater responsibility for local services and ready to explore modernized governance models that improve efficiency without destabilizing communities. We are aligned with the following recommendations put forward by the eight mayors in their joint letter released on March 4:

- Establishing one or more municipally-owned Water and Wastewater Public Corporation(s) under the *Water and Wastewater Public Corporations Act, 2025.*
- Subject to a financial review, reforming local and regional services to drive savings and deliver better value for every tax dollar – such as transitioning the regional road network and remaining services such as Social Services, Public Health, and EMS, to locally-governed Public Service Boards.
- Reducing the number of politicians by streamlining councils to reflect the needs and scale of each community.

These are practical, modern governance tools that deserve full evaluation before pursuing structural amalgamation.

Simply put, decisions of this magnitude require careful review and a clear understanding of the impacts on our communities. Our residents deserve a process grounded in evidence, supported by a strong business case, and informed by meaningful consultation.

Port Colborne is committed to working constructively with our regional and provincial partners through that process. At the same time, we will continue to advocate for solutions that strengthen Niagara while protecting the progress our community has worked hard to achieve.

Thank you for your attention to this important matter. I appreciate the opportunity to contribute to the discussion about Niagara's future and look forward to working constructively with Regional Council and the Province as these issues are considered.

Sincerely,



Mayor William Steele
City of Port Colborne

cc: Honourable Rob Flack, Minister of Municipal Affairs and Housing
Sam Oosterhoff, MPP – Niagara West
Robert Dodd, Chief of Staff, Minister of Municipal Affairs and Housing
Bob Gale, Regional Chair
Regional Councillors c/o the Regional Clerk

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March 4, 2026

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

RE: Joint Letter from the Lower-Tier Municipalities of Niagara Region

The Honourable Premier Doug Ford,

We, the Mayors of Thorold, West Lincoln, Port Colborne, Fort Erie, Grimsby, Pelham, Wainfleet and the Lord Mayor of Niagara-on-the-Lake, write with a unified voice to present our agenda for modernizing governance in Niagara. We are taking decisive action to address the number of politicians, strengthen efficiency, and eliminate duplication to enable economic growth and long-term sustainability for our municipalities and the taxpayers we serve.

We have heard the Province's concerns clearly, and we are acting on them. We share the goal of building a governance model that is streamlined, transparent to the public, and results-driven, and are committed to implementing practical, evidence-based reforms that align with provincial priorities while maintaining strong, responsive local representation and preserving the integrity of our communities.

This is Niagara stepping up – not standing in the way.

At Niagara Regional Council on February 26, 2026, an overwhelming majority of Niagara's mayors and elected representatives passed a motion directing a comprehensive governance and service delivery review be initiated. Niagara is positioning itself as a provincial leader in responsible municipal reform – and we are moving forward with purpose. The review will include focus on the following priority areas, with a firm commitment to act where a clear fiscal business case supports doing so:

- Establishing one or more Water and Wastewater Public Corporation(s) under the *Water and Wastewater Public Corporations Act, 2025*.
- Subject to a financial review, reforming local and regional services to drive savings and deliver better value for every tax dollar – such as transitioning the Regional road network and remaining services such as Social Services, Public Health and EMS to locally-governed Public Service Boards.

Docusign Envelope ID: 2D8956EA-8B15-4E3D-88F3-5649764D9773

- Reducing the number of politicians by streamlining councils to reflect the needs and scale of each community.

These reforms reflect what our residents have told us directly: they want governance that is efficient, affordable, locally accountable, and reflective of the unique character of Niagara's small and rural communities. We are delivering on that mandate.

We are committed to a made-in-Niagara local and regional governance reform that will be reflected in the 2026 municipal election, as well as the ongoing support for the governance and service delivery review passed by Regional Council in February 2026.

We would welcome the opportunity to meet with you at your earliest convenience to discuss this further and to outline how Niagara's municipalities can work collaboratively with the Province to advance these reforms. We are confident that, together, we can deliver a governance model that reflects shared priorities and achieves meaningful, lasting results for the people of Ontario.

Respectfully,

The Mayors of Fort Erie, Grimsby, Port Colborne, West Lincoln, Pelham, Thorold, Wainfleet, and the Lord Mayor of Niagara-on-the-Lake.

Wayne Redekop	Jeff Jordan	Bill Steele	Cheryl Ganann
Signed by: 3A43FF19EE6140C...	Signed by: 87A72EB82CA442E...	Signed by: William Steele AD180B52B5EA42F...	Signed by: Cheryl Ganann 94FE23EC4E6348D...
Mayor Town of Fort Erie	**Mayor Town of Grimsby**	**Mayor City of Port Colborne**	**Mayor Township of West Lincoln**
Marvin Junkin	Terry Ugulini	Brian Grant	Gary Zalepa
Signed by: A647AE485EEF4BE...	Signed by: Terry Ugulini 4B49A080FCA1449...	Signed by: Brian Grant 2F47F42FA0984AC...	Signed by: D5DA89448B88449...
Mayor Town of Pelham	**Mayor City of Thorold**	**Mayor Township of Wainfleet**	**Lord Mayor Town of Niagara-on-the-Lake**

Enclosure: Niagara Region Committee of the Whole Meeting Motion – February 26, 2026

cc: Honourable Rob Flack, Minister of Municipal Affairs and Housing
Sam Oosterhoff, MPP – Niagara West
Jeff Burch, MPP – Niagara Centre
Wayne Gates, MPP – Niagara Falls
Jennifer (Jennie) Stevens, MPP – St. Catharines
Robert Dodd, Chief of Staff, Minister of Municipal Affairs and Housing
Bob Gale, Regional Chair
Regional Councillors c/o Ann-Marie Norio, Regional Clerk

March 4, 2026

The Honourable Rob Flack
Minister of Municipal Affairs and Housing
Government of Ontario
Delivered via email: minister.mah@ontario.ca
CC: Robert.Dodd@ontario.ca Robert Dodd, Chief of Staff to Minister Flack

Re: Regional Governance in Niagara

Dear Minister Flack,

Following my earlier correspondence on options for improving governance in the Niagara Region, I received considerable feedback from regional councillors, local councils and residents about both the process and the substance of that discussion.

While I heard criticism with the initial lack of advance consultation, it was widely acknowledged that the current structure of 126 municipally elected officials across 12 municipalities and 31 members at Regional Council is not as lean, efficient or affordable as it should be.

In addition to many phone calls, emails and meetings, I held a special regional meeting to hear in public from regional councillors and mayors. They:

- Agreed that we must reduce duplication and improve coordination and shared services, rather than defend the status quo.
- Expressed support for reducing the overall number of elected officials at both tiers.
- Raised weighted voting at the regional table as a fair way to reflect population differences while preserving a voice for every municipality.

I have also heard from several major private-sector employers, representing more than 23,000 employees across Niagara, who have written in support of streamlined, more decisive local governance.

In light of these discussions and consultations, I propose the following made-in-Niagara option, effective at the start of the next municipal term in fall 2026:

1. Regional Council composition

That Regional Council be composed of the 12 municipal mayors plus a Regional Chair, directly addressing concerns that the current body is too large to operate efficiently while maintaining a clear voice for every municipality.

2. Weighted voting based on population

That each mayor's vote at Regional Council be weighted according to population in increments of 15,000 residents (e.g., a municipality of 100,000 residents would have six votes; a municipality of 6,000 residents would have one vote), reflecting both representation by population and municipal diversity.

3. Rationalized local council sizes

That, beginning in the same term:

- St. Catharines will have 12 municipal councillors plus the mayor,
- Niagara Falls will have 8 municipal councillors plus the mayor;
- Welland, Niagara-on-Lake, Thorold, Pelham, West Lincoln, Grimsby, Lincoln, Port Colborne Fort Erie will each have 6 municipal councillors plus the mayor,
- Wainfleet will have 4 municipal councillors plus the mayor.

This delivers a clear and consistent reduction in council size across Niagara.

4. Mandated exploration of shared services and efficiencies

That you consider assigning a commissioner, or similar, after the municipal election to explore shared services and other efficiency measures, building on the many ideas raised by councillors and mayors.

This package reflects what we have heard: Niagara needs meaningful governance reform, smaller and more effective councils, and a more efficient regional decision-making table, while avoiding the disruption and risk of full amalgamation at this time. It preserves local identities and accountability, reduces the number of elected officials, and creates a Regional Council structure better able to respond to Niagara's fiscal and infrastructure challenges.

I believe this option strikes a pragmatic balance between fiscal responsibility, democratic representation and local autonomy, and will command broader support across Niagara than any immediate move to full amalgamation.

You will find that this recommendation, representing 74% of the population, is supported by several mayors including:

- Mayor Siscoe of St. Catharines, pop. 136,803
- Mayor Diodati of Niagara Falls, pop. 94,415
- Mayor Campion, Welland pop. 55,750
- Mayor Easton of Lincoln, pop. 25,719
- Mayor Junkin, Pelham, pop. 18,192

- Lord Mayor Zalepa, Niagara-on-the-Lake, 19,088
- Mayor Grant, Wainfleet, pop. 6,887

Thank you for your consideration.

Respectfully,



Bob Gale
Regional Councillor
Niagara Region

Department of Corporate Services
1593 Four Mile Creek Road
P.O. Box 100, Virgil, ON L0S 1T0
905-468-3266 • Fax: 905-468-2959

www.notl.com

SENT ELECTRONICALLY

February 26, 2026

Regional Municipality of Niagara
1815 Sir Issac Brock Way,
Box 1042
Thorold ON
L2V 4T7

Attention: Ann-Marie Norio, Regional Clerk

Dear Ms. Norio:

RE: Niagara Region Transportation Master Plan

Please be advised the Council of The Corporation of the Town of Niagara-on-the Lake, at its regular meeting held on January 27, 2026, approved the following resolution:

> **WHEREAS** the Regional Municipality of Niagara has a proposed design for a traffic roundabout in St. Davids; and
>
> **WHEREAS** safety should be a core consideration moving forward in the design and implementation of the roundabout; and
>
> **WHEREAS** it would be prudent for any major investment or construction on the roundabout to align with the updated Transportation Master Plan once finalized;
>
> **THEREFORE, BE IT RESOLVED THAT** the Council of the Town of Niagara-on-the-Lake formally requests that Niagara Region place a hold on the St. Davids roundabout project until the completion of the forthcoming Transportation Master Plan; and
>
> **BE IT FURTHER RESOLVED THAT** an additional safety review or community consultation be requested from the Region based off the Regional Transportation Master Plan.

If you have any questions or require further information, please contact my office at 905-468-6488.

Sincerely,

Grant Bivol
Town Clerk/ Manager of Legislative Services

COMMUNITY & DEVELOPMENT SERVICES – PLANNING DEPARTMENT
P.O. Box 40, 31940 Highway #3 Wainfleet, ON L0S 1V0
Tel: 905-899-3463 Fax: 905-899-2340
www.wainfleet.ca/planning

NOTICE OF PUBLIC MEETING
OFFICIAL PLAN REVIEW

TAKE NOTICE THAT the Corporation of the Township of Wainfleet has initiated a review of the Official Plan and will hold a Public Meeting pursuant to Section 26 of the Planning Act, R.S.O. 1990, c.P.13, as amended.

TAKE NOTICE THAT the Corporation of the Township of Wainfleet is seeking public input to this important planning initiative and will hold a Public Meeting on:

April 14, 2026 at 6:30 p.m.
Council Chambers, Township of Wainfleet Municipal Office
31940 Highway #3, Wainfleet ON L0S 1V0

The meeting will be live streamed and can be accessed from the Township's website at https://www.wainfleet.ca/town-hall/council/council-meeting-calendar.

WHAT IS AN OFFICIAL PLAN?

The Official Plan is a statement of goals, objectives and policies to guide future growth, land use and development within the Township of Wainfleet for the next 20 years and beyond. The Township's current Official Plan has been in effect since 2016 and has a twenty-year planning period to the year 2031. The purpose of the current review is to establish a renewed long-term community perspective, update the plan to reflect recent Provincial legislative and policy changes and incorporate relevant and desirable elements from the Niagara Region's Official Plan (2022). Through this review, an updated Official Plan will be prepared in place of the 2016 Township Official Plan.

WHY ARE WE UPDATING OUR OFFICIAL PLAN?

The Provincial *Planning Act* requires municipalities to review their Official Plans every five years, or ten years after a new Official Plan comes into effect, to ensure conformity with Provincial plans, policies and matters of Provincial interest. The Official Plan Review is a Township-wide initiative, affecting all land within the Township of Wainfleet. GSP Group Inc. has been retained by the Township to assist Staff with the process.

PURPOSE OF THE MEETING

The purpose of the Public Meeting is to provide members of the public with information about the Official Plan Review process and how to participate. This is also an initial opportunity for public input regarding areas of the current Official Plan that should be changed or addressed in the new Official Plan, and to participate in shaping the future vision and direction for the Township of Wainfleet.

Anyone wishing to address Council with respect to the Official Plan Review will be given an opportunity to do so at the Public Meeting. You may provide written comments to Council up until the time of the Public Meeting. If you are submitting letters, e-mails, presentations or other communications to the Township concerning the Official Plan Review, please be aware that your name and comments to the Township will become part of the public record and may be publically released. The public meeting will also be live-streamed through the Township's Youtube page.

Written comments are encouraged and can be submitted by email to officialplan@wainfleet.ca, personal delivery to the Township Office at 31940 Highway #3, Wainfleet or regular mail to P.O. Box 40, Wainfleet ON L0S 1V0, to the attention of Lindsay Earl, Manager of Community & Development Services. Please note that there will be additional formal opportunities to participate in the public process throughout the summer.

If you require any accommodations to participate in the public meeting, please contact Sarah Ivins, Planner, at 905-899-3463 ext. 225 or officialplan@wainfleet.ca.

ADDITIONAL INFORMATION

Information regarding the Official Plan Update is available on Township's website at www.wainfleet.ca/officialplanupdate

To ask questions, to be added to the mailing list, request information about appeal rights, or if you wish to make a written request for notification on decisions regarding the Official Plan Update, please contact: Lindsay Earl, Manager of Community & Development Services at 905-899-3463 ext. 288 or officialplan@wainfleet.ca.

A public information report regarding the proposed Official Plan Update will be published in the Council meeting agenda package on Friday April 10, 2026 and made available on the Township's website at https://www.wainfleet.ca/town-hall/council/council-meeting-calendar.

Dated at the Township of Wainfleet this 3rd day of March, 2026.

Niagara Peninsula CONSERVATION
nature for all

3350 Merrittville Hwy. Unit 9
Thorold Ontario L2V 4Y6
905.788.3135 | info@npca.ca | npca.ca

March 3, 2026

SENT ELECTRONICALLY

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

RE: Request for Support: Coordinated Spring Flood Preparedness Communications

As we move into the spring thaw period, NPCA is requesting your leadership in supporting a coordinated approach to flood preparedness communications.

Seasonal conditions—including significant winter snowfall, potential rapid snowmelt, rainfall, and frozen ground—may elevate flood risk in the coming weeks, particularly in low-lying areas and near watercourses. Clear, consistent messaging across jurisdictions is essential to ensuring residents are informed and prepared.

We respectfully ask for your support in:

- Sharing NPCA's flood preparedness messaging through municipal communication channels.
- Circulating social media posts to broaden reach within your communities.
- Displaying the attached digital advertisement within municipal facilities and community hubs where feasible.
- Reinforcing key preparedness messaging through council communications and community updates, as appropriate.

NPCA continues to actively monitor watershed conditions through snowpack assessments, real-time water level monitoring, and weather tracking. Flood outlooks, advisories, or warnings will be issued as warranted.

Residents are encouraged to monitor conditions at npca.ca/flood-status, follow NPCA on social media, download the Alertable app for real-time notifications, and report drainage concerns to their municipality.

Your support ensures a unified and proactive approach to public safety during the spring thaw. Thank you for your continued collaboration and leadership.

Sincerely,

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

Niagara Peninsula
CONSERVATION
nature for all

The Groundhog Says Early Spring.

NPCA Says: Check Flood Conditions.



ALERTABLE

npca.ca/flood-status

March 4, 2026

Mayor and Council
City of Port Colborne
66 Charlotte St
Port Colborne ON
L3K 3C8

Dear Mayor Steele and Council,

I am pleased to provide the 2025 Q4 statistics from our commingled services. Building on the outcomes and observations reported in Q3, this update highlights ridership trends, operational insights, and service developments specific to the fourth quarter of 2025.

During Q4 2025, the commingled service completed 63,936 trips. This represents a 1% increase compared to the 2023 baseline, a 2.6% decrease compared to Q4 2024, and a 4.8% increase compared to Q3 2025.

Specialized transit ridership totaled 12,101 trips, representing an 17.8% increase compared to Q4 2024 and a 14% increase over the RFP baseline. Specialized ridership represents approximately 20% of total service delivered, demonstrating sustained growth and service stabilization. Microtransit accounted for 51,835 trips, representing a 6.4% decrease compared to Q4 2024 and a 2% decrease over the RFP baseline.

Ridership trends in Q4 2025 reflect continued stabilization within the commingled service model. While the contractual 20% ridership growth target remains influenced by broader shifts in customer travel behaviour, Q4 results show total ridership closely aligned with the RFP baseline and improving quarter over quarter.

Niagara Transit remains committed to delivering an accessible, reliable, and financially sustainable transit network that supports equitable mobility and a consistent, high quality customer experience across the region.

For further information, please see the full report presented at the February 17, 2026 meeting of the Niagara Transit Commission.

Thank you for your ongoing support of transit. Together we're continuing to create a truly connected, barrier free Niagara.

Sincerely,



Carla Stout
General Manager, Niagara Transit

Power BI Desktop

Overall NT+ Service Metrics - 2025 (Q4)

Number of Passengers
87,760

Number of Trips
78,424

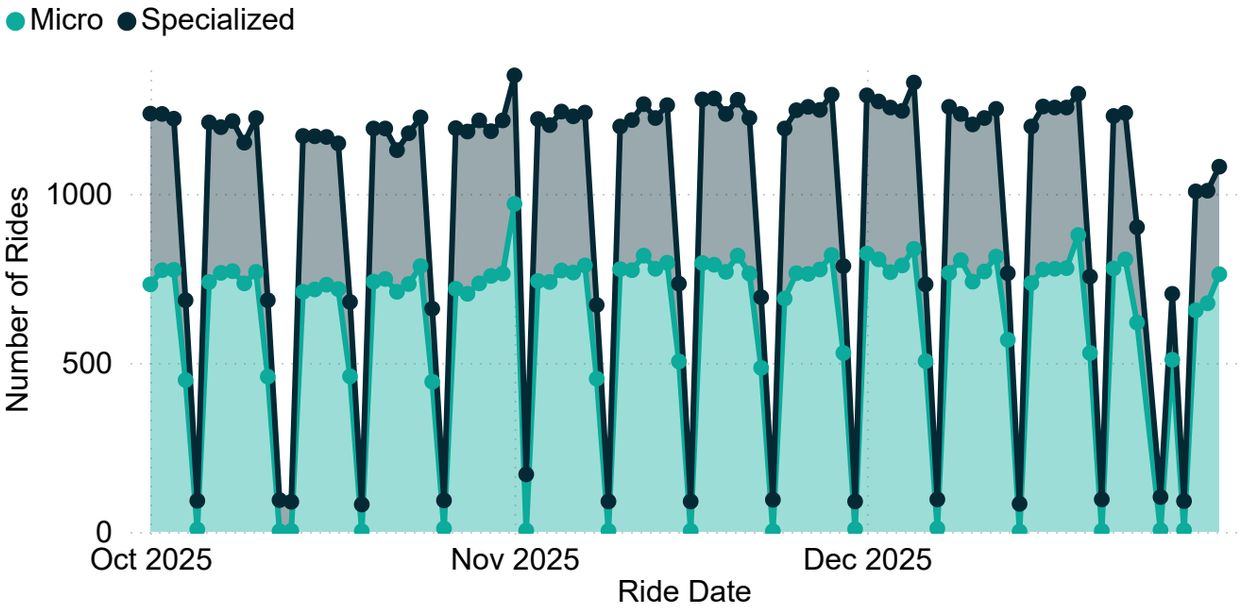
Number of Accessible Trips
12,493

Number of Micro Trips with an Accessibility Device
794

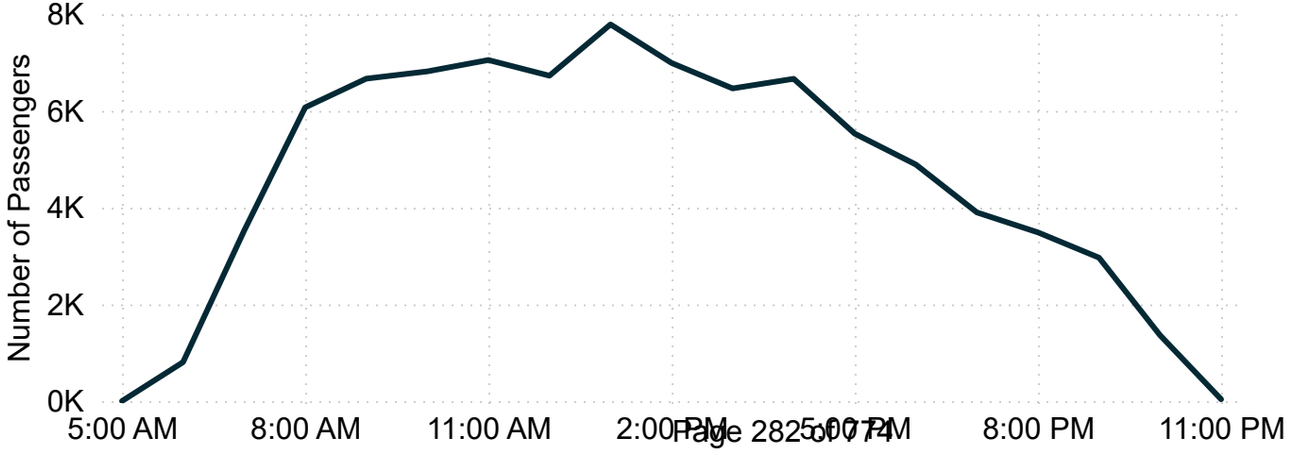
Average Direct Distance (km)
9.50

Average Time On-Board (min)
18.27

Daily Ridership



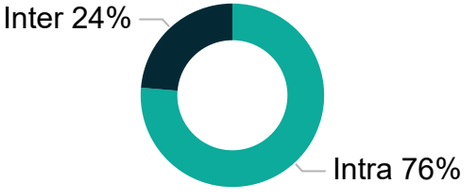
Peak Hours



Service Type



Trip Type



Trip Utilization



Booking Method	Day Of	Pre-Booked	Total
Agent	2983	14060	**17043**
App	27220	30824	**58044**
Subscription		2669	**2669**
Total	**30203**	**47553**	**77756**

Power BI Desktop

Overall NT+ In-House Service Metrics - 2025 (Q4)

Number of Passengers
23,824

Number of Trips
20,186

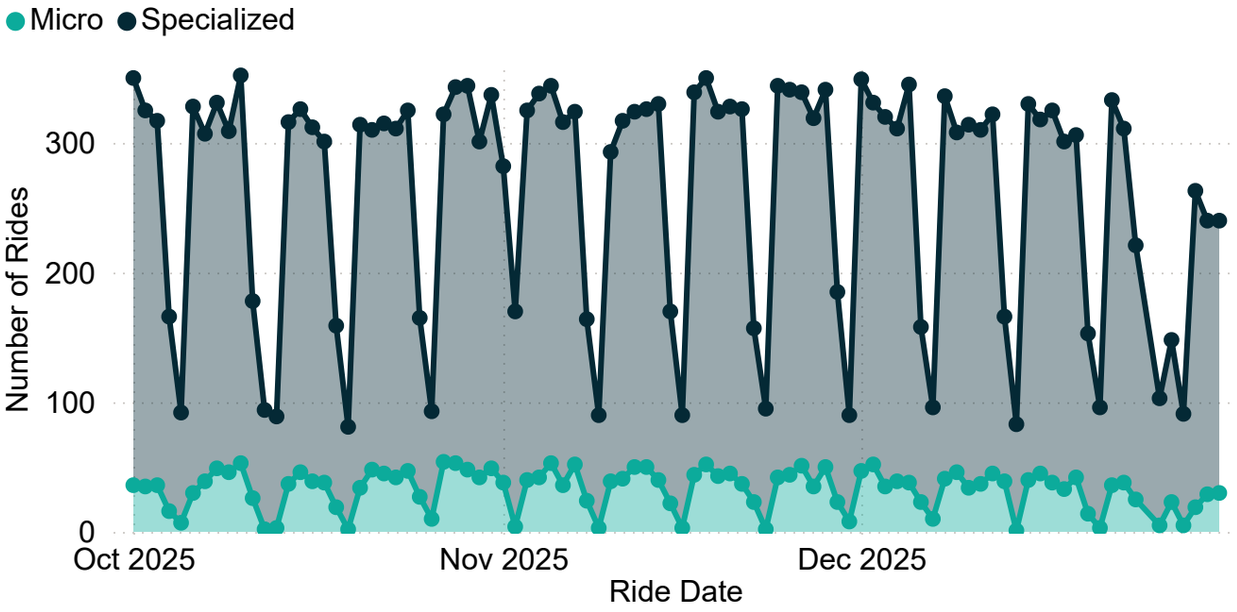
Number of Accessible Trips
7,988

Number of Micro Trips with an Accessibility Device
68

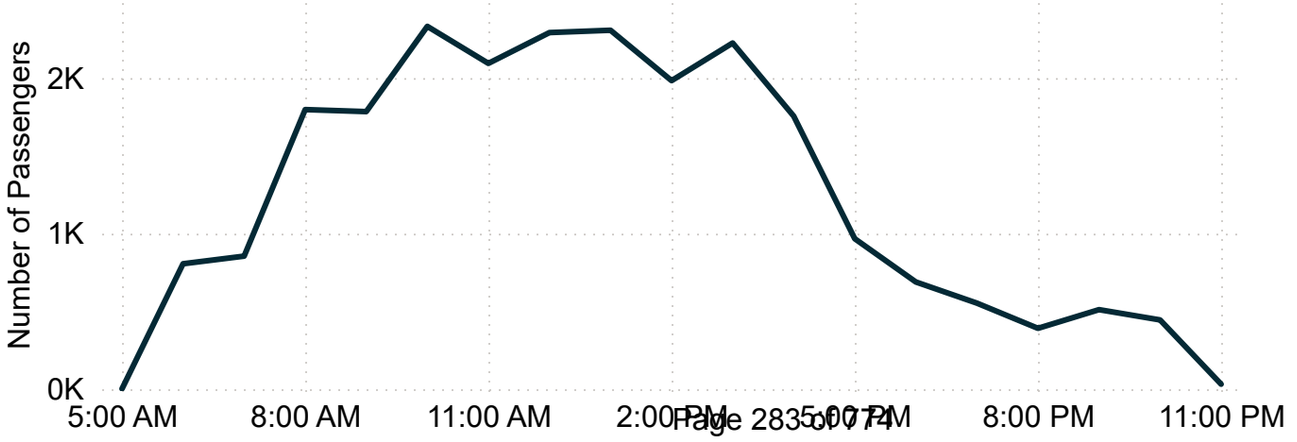
Average Direct Distance (km)
5.03

Average Time On-Board (min)
16.20

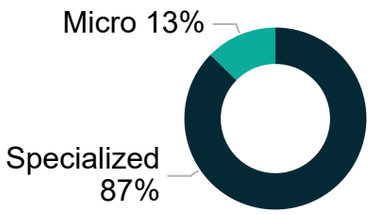
Daily Ridership



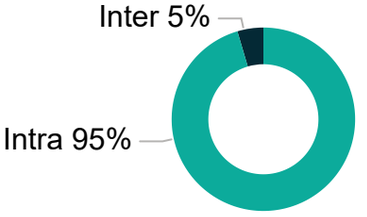
Peak Hours



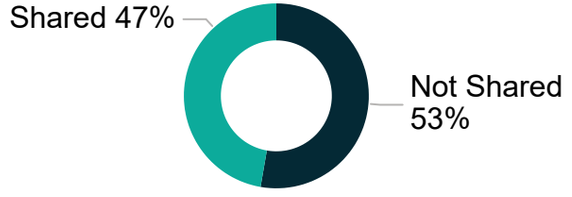
Service Type



Trip Type



Trip Utilization



Booking Method	Day Of	Pre-Booked	Total
Agent	1379	7984	**9363**
App	3464	6518	**9982**
Subscription		651	**651**
Total	**4843**	**15153**	**19996**

Power BI Desktop

Overall NT+ In-House 2025 (Q4) Service Metrics - Niagara Falls

Number of Passengers
7,190

Number of Trips
6,288

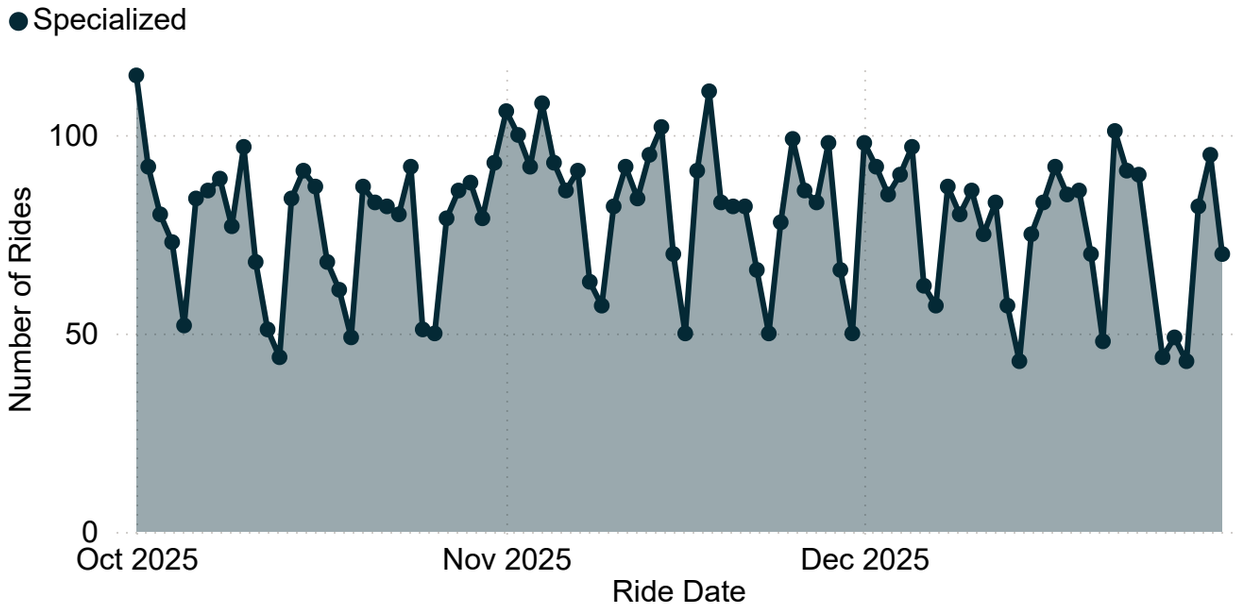
Number of Accessible Trips
2,260

Number of Micro Trips with an Accessibility Device
(Blank)

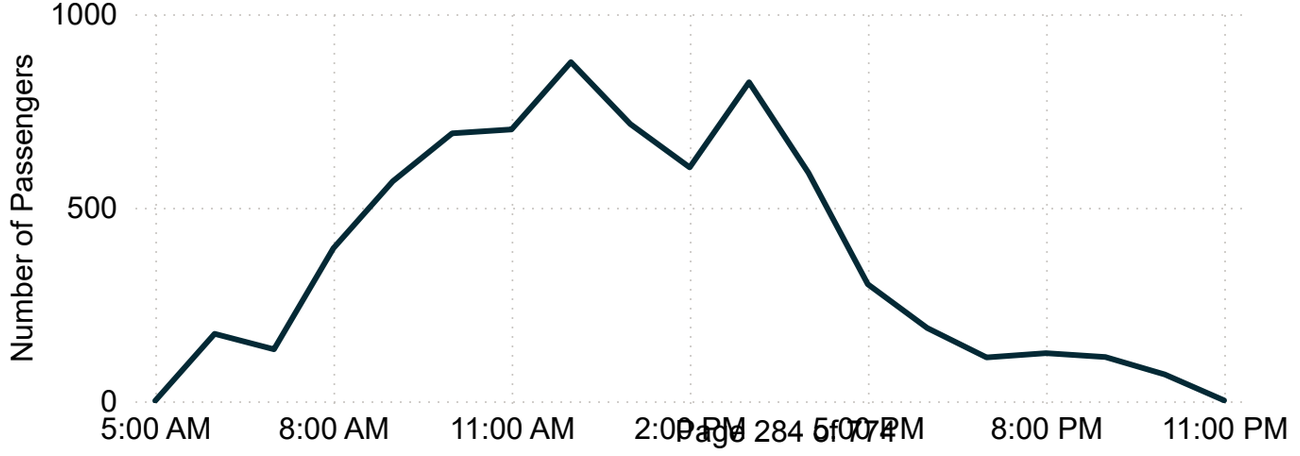
Average Direct Distance (km)
4.83

Average Time On-Board (min)
15.41

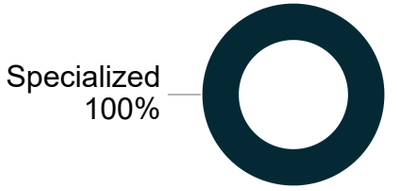
Daily Ridership



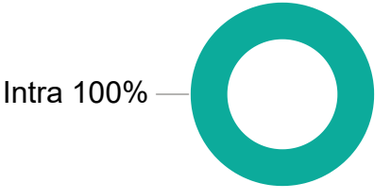
Peak Hours



Service Type



Trip Type



Trip Utilization



Booking Method	Day Of	Pre-Booked	Total
Agent	789	2635	**3424**
App	1051	1071	**2122**
Subscription		651	**651**
Total	**1840**	**4357**	**6197**

Power BI Desktop

Overall NT+ In-House 2025 (Q4) Service Metrics - St. Catharines

Number of Passengers
8,878

Number of Trips
7,254

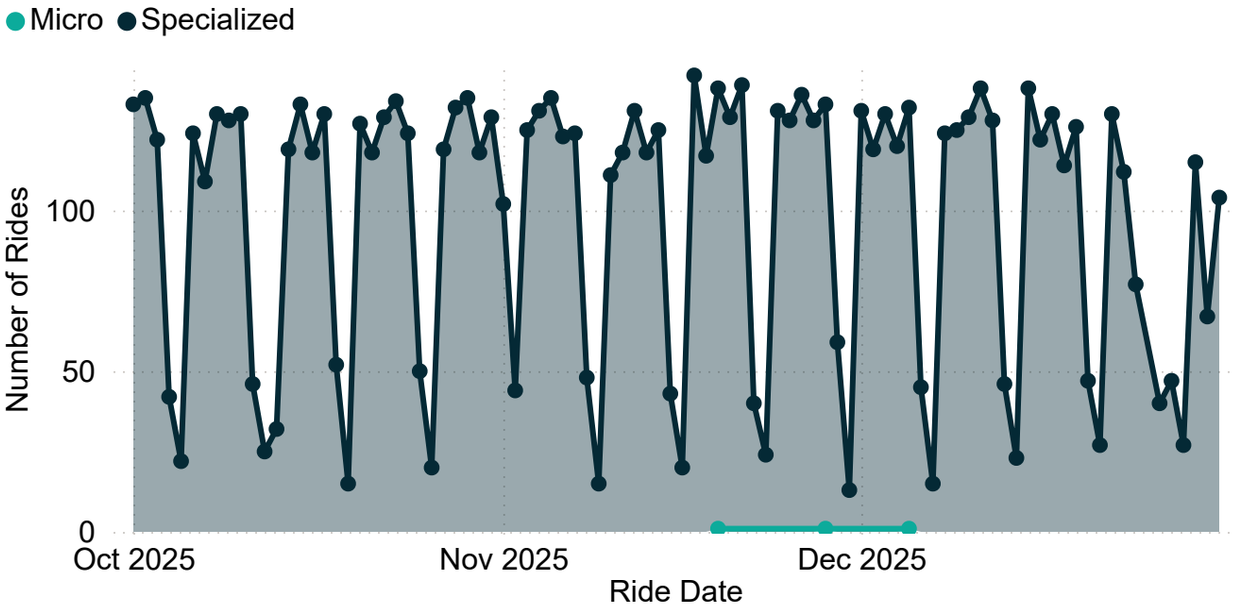
Number of Accessible Trips
3,211

Number of Micro Trips w an Accessibility Device
(Blank)

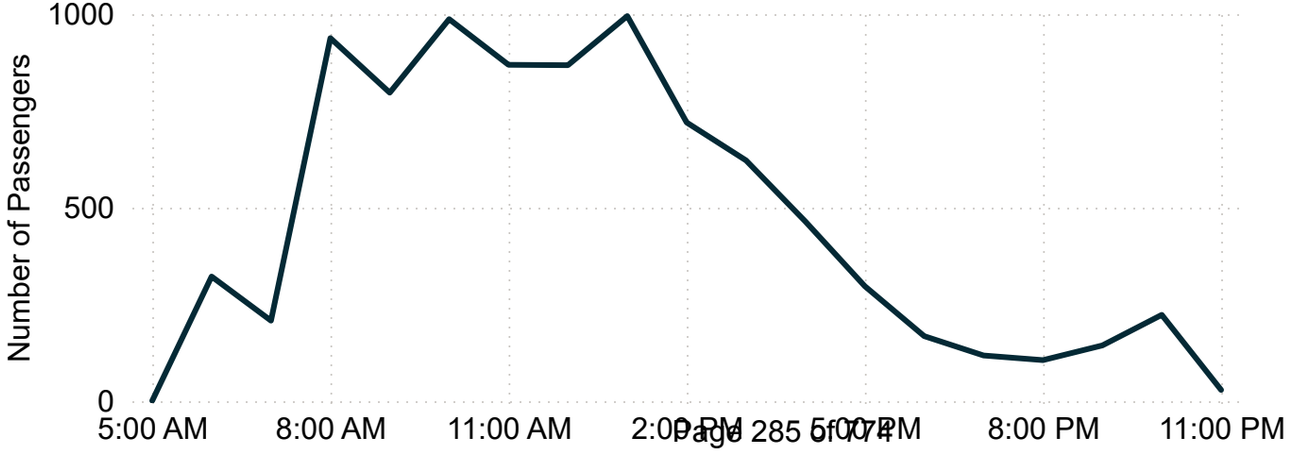
Average Direct Distance (km)
5.12

Average Time On-Board (min)
17.48

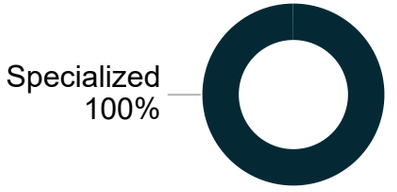
Daily Ridership



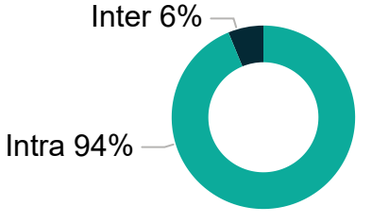
Peak Hours



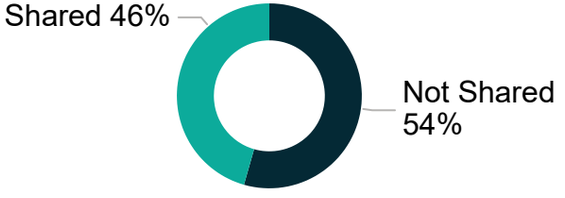
Service Type



Trip Type



Trip Utilization



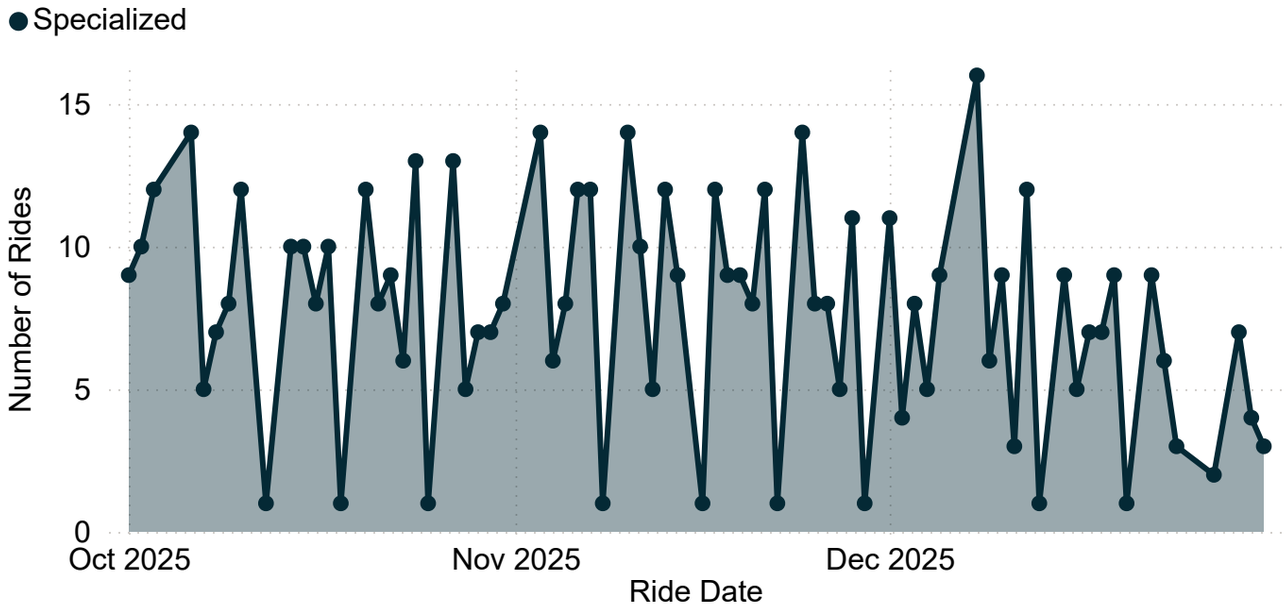
Booking Method	Day Of	Pre-Booked	Total
Agent	391	2983	**3374**
App	704	3121	**3825**
Total	**1095**	**6104**	**7199**

Power BI Desktop

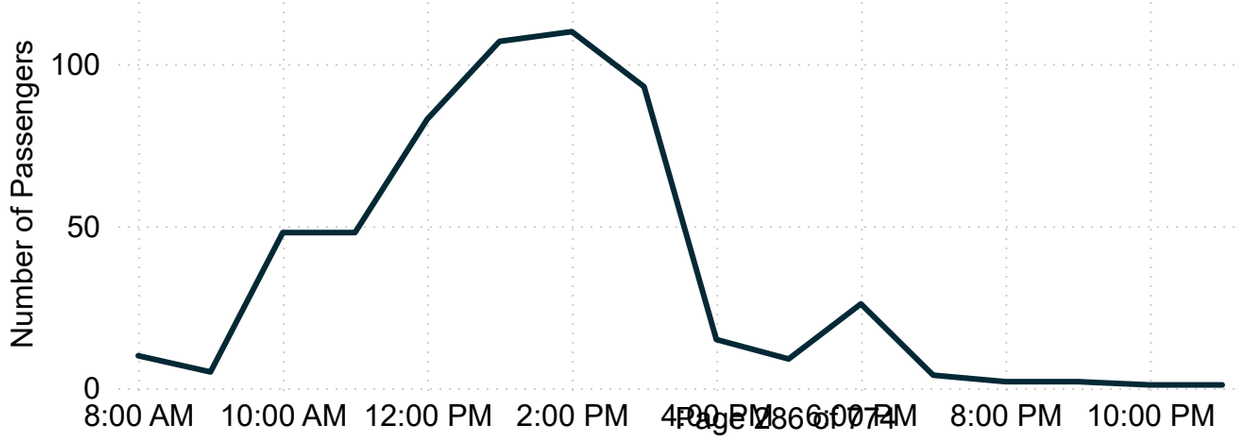
Overall NT+ In-House 2025 (Q4) Service Metrics - Thorold

Number of Passengers	Number of Trips	Number of Accessible Trips	Number of Micro Trips with an Accessibility Device	Average Direct Distance (km)	Average Time On-Board (min)
564	514	412	(Blank)	8.06	21.07

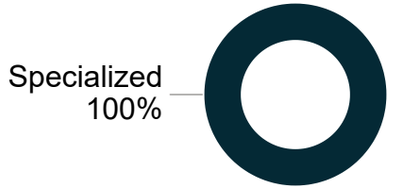
Daily Ridership



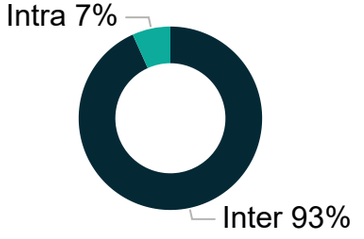
Peak Hours



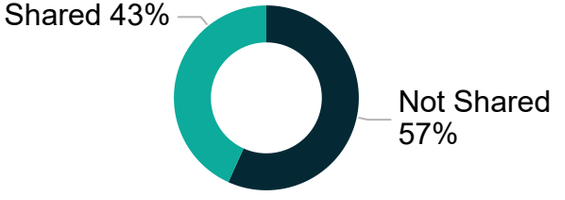
Service Type



Trip Type



Trip Utilization



Booking Method ▲	Day Of	Pre-Booked	**Total**
Agent	13	132	**145**
App	61	308	**369**
Total	**74**	**440**	**514**

Power BI Desktop

Overall NT+ In-House 2025 (Q4) Service Metrics - Welland

Number of Passengers
7,192

Number of Trips
6,130

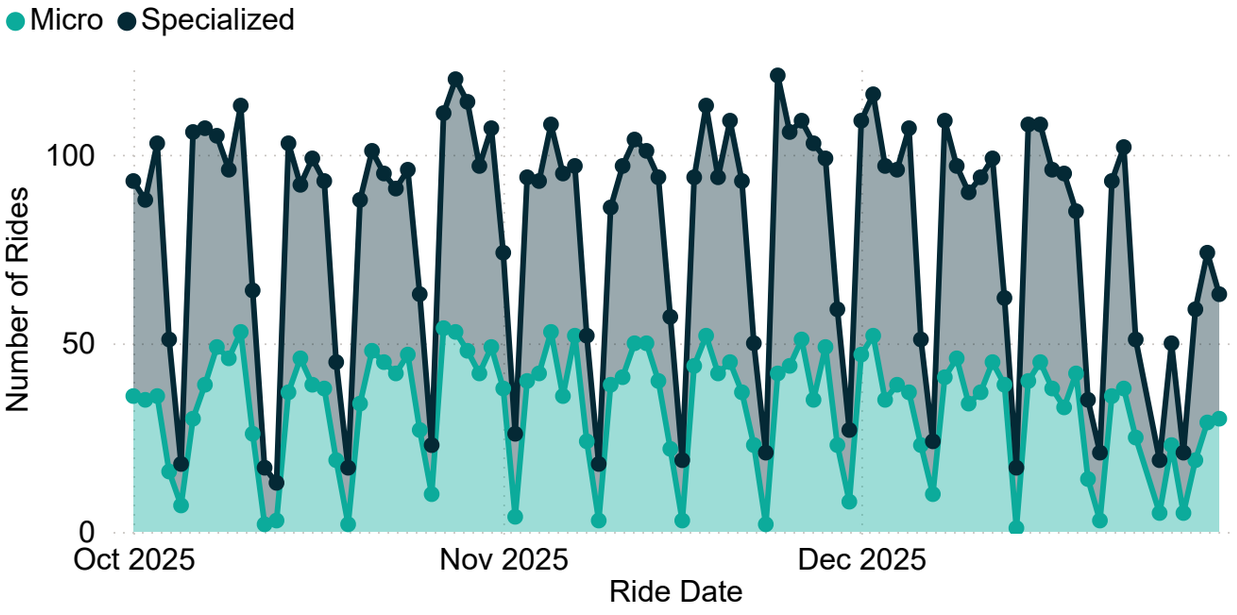
Number of Accessible Trips
2,105

Number of Micro Trips with an Accessibility Device
68

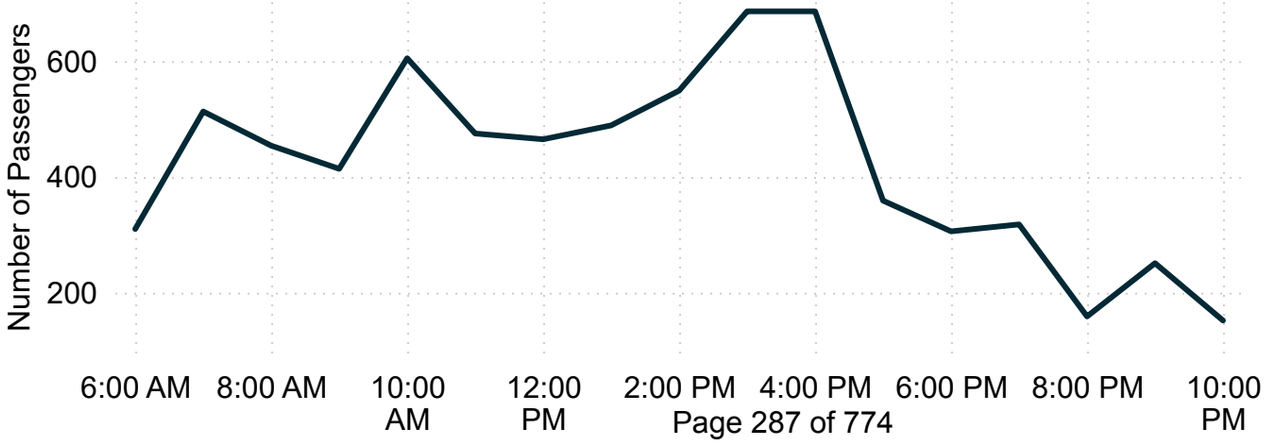
Average Direct Distance (km)
4.88

Average Time On-Board (min)
15.07

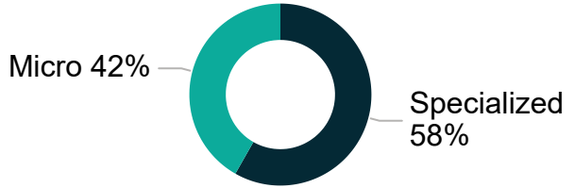
Daily Ridership



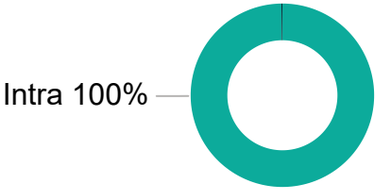
Peak Hours



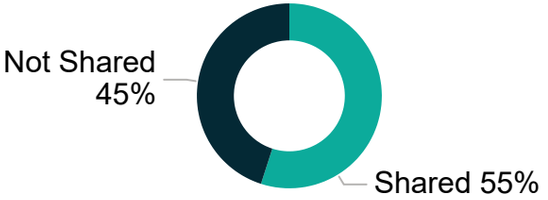
Service Type



Trip Type



Trip Utilization



Booking Method ▲	Day Of	Pre-Booked	Total
Agent	186	2234	**2420**
App	1648	2018	**3666**
Total	**1834**	**4252**	**6086**

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Overall NT+ (Contract) Voyago Service Metrics - 2025 (Q4)

Number of Passengers
63,936

Number of Trips
58,238

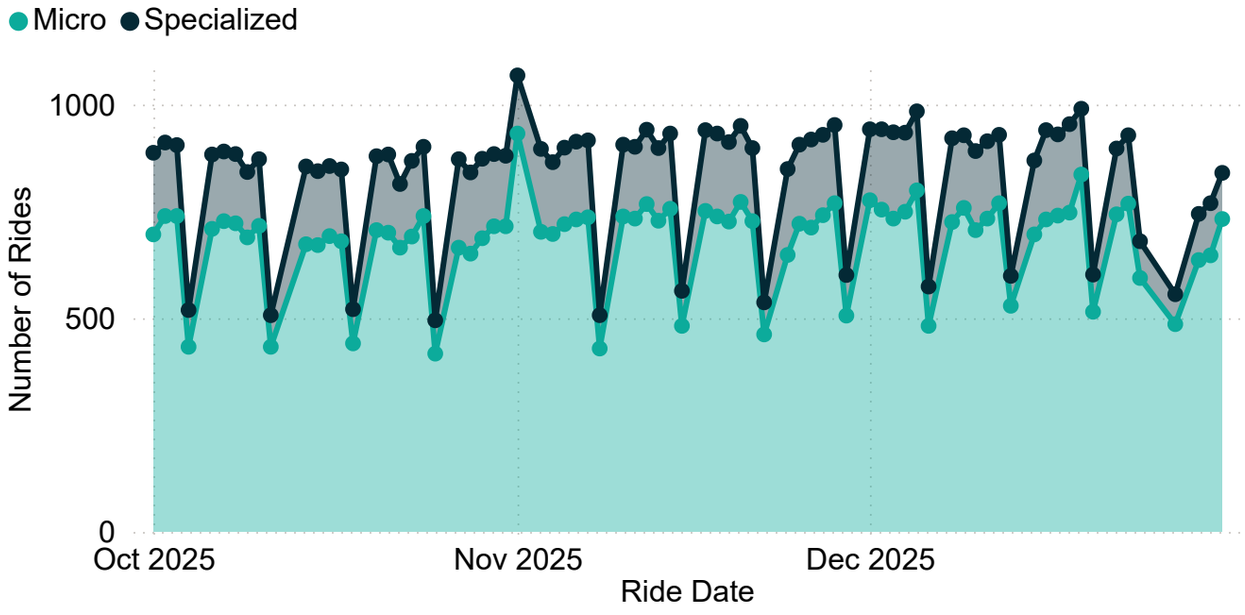
Number of Accessible Trips
4,505

Number of Micro Trips with an Accessibility Device
726

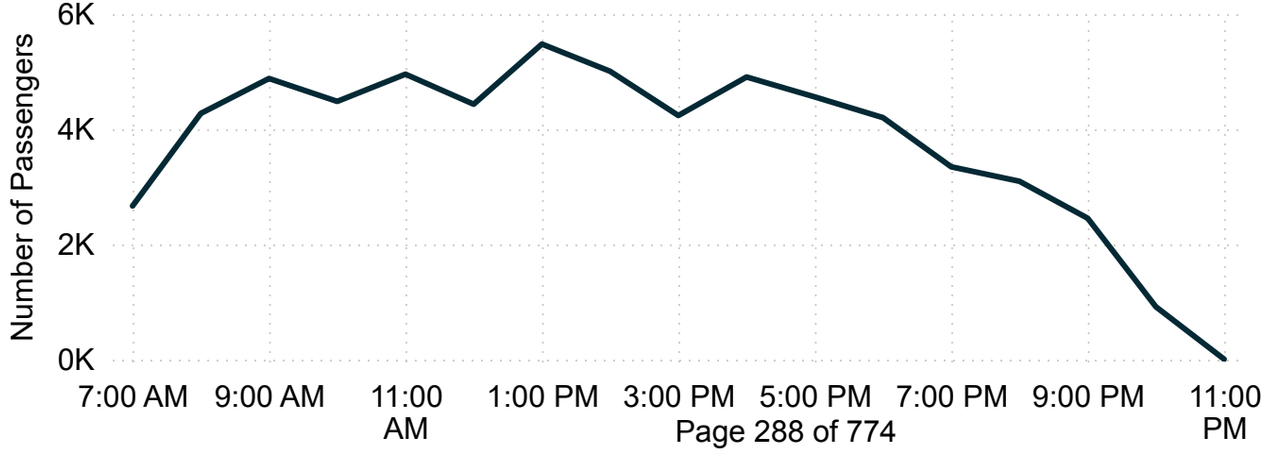
Average Direct Distance (km)
11.04

Average Time On-Board (min)
18.98

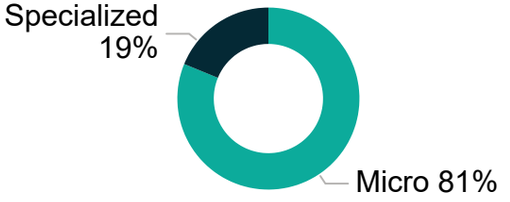
Daily Ridership



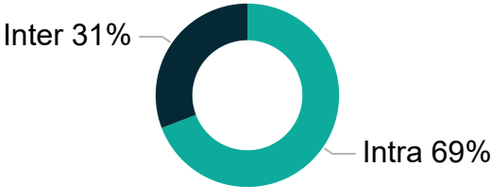
Peak Hours



Service Type



Trip Type



Trip Utilization



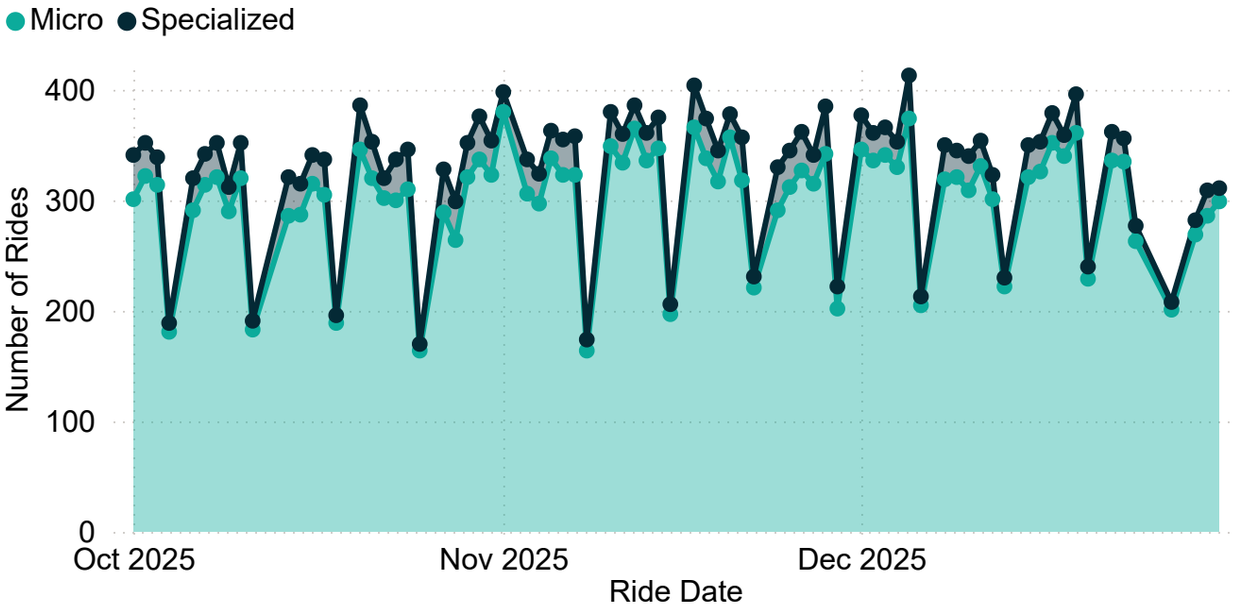
Booking Method	Day Of	Pre-Booked	Total
Agent	1604	6076	**7680**
App	23756	24306	**48062**
Subscription		2018	**2018**
Total	**25360**	**32400**	**57760**

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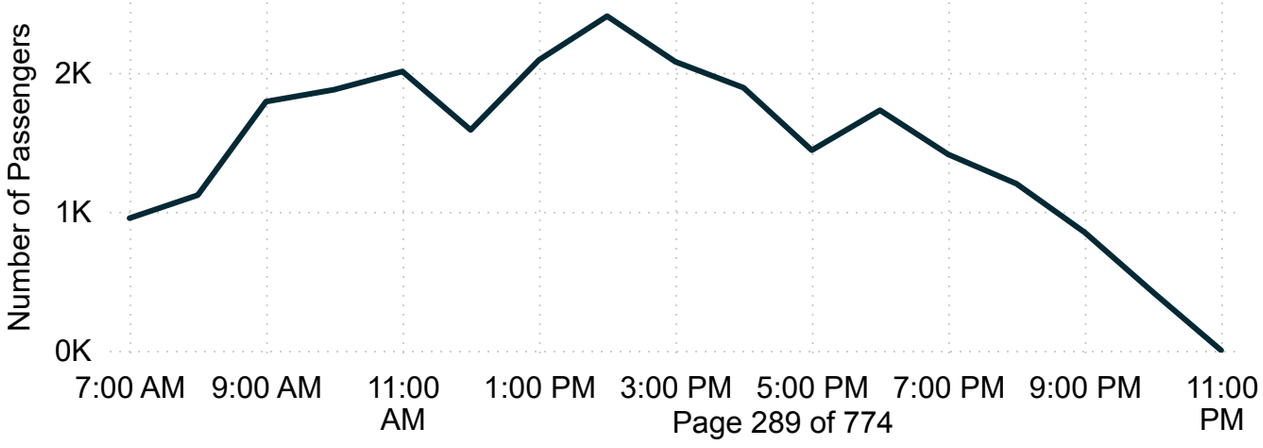
NT+ (Contract) Voyago 2025 (Q4) Service Metrics - Fort Erie

Number of Passengers	Number of Trips	Number of Accessible Trips	Number of Micro Trips with an Accessibility Device	Average Direct Distance (km)	Average Time On-Board (min)
24,879	21,853	876	287	7.93	15.00

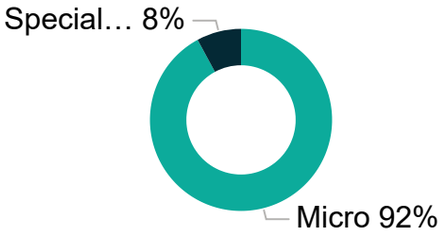
Daily Ridership



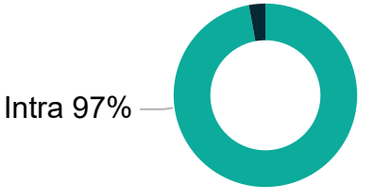
Peak Hours



Service Type



Trip Type



Trip Utilization



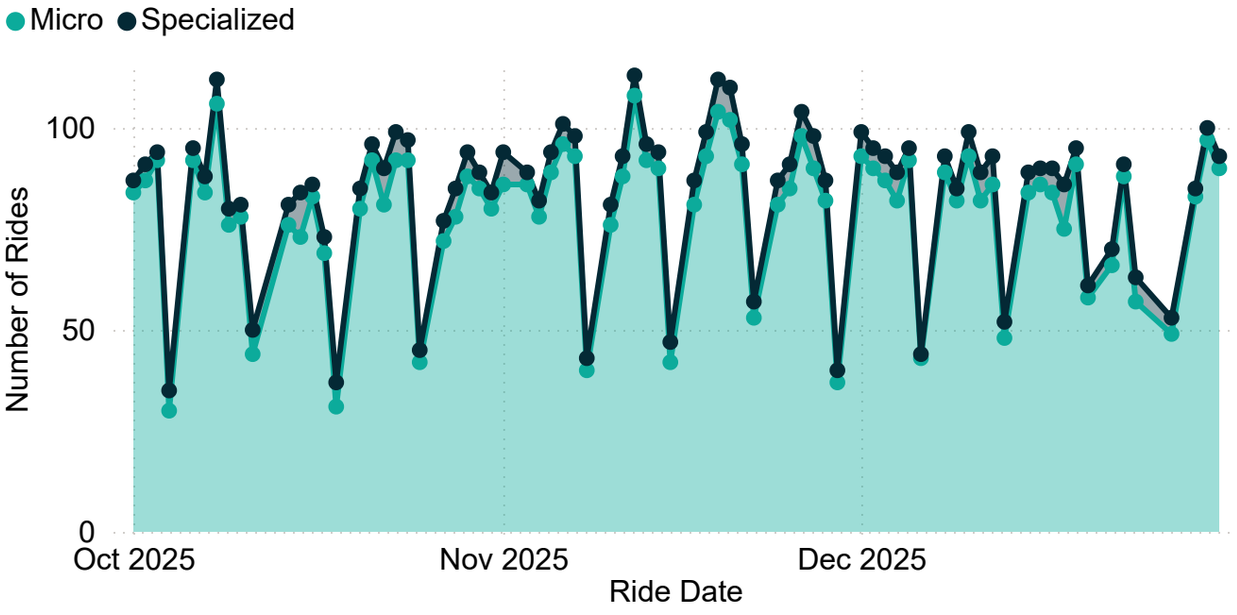
Booking Method	Day Of	Pre-Booked	Total
Agent	820	1632	**2452**
App	11123	7755	**18878**
Subscription		351	**351**
Total	**11943**	**9738**	**21681**

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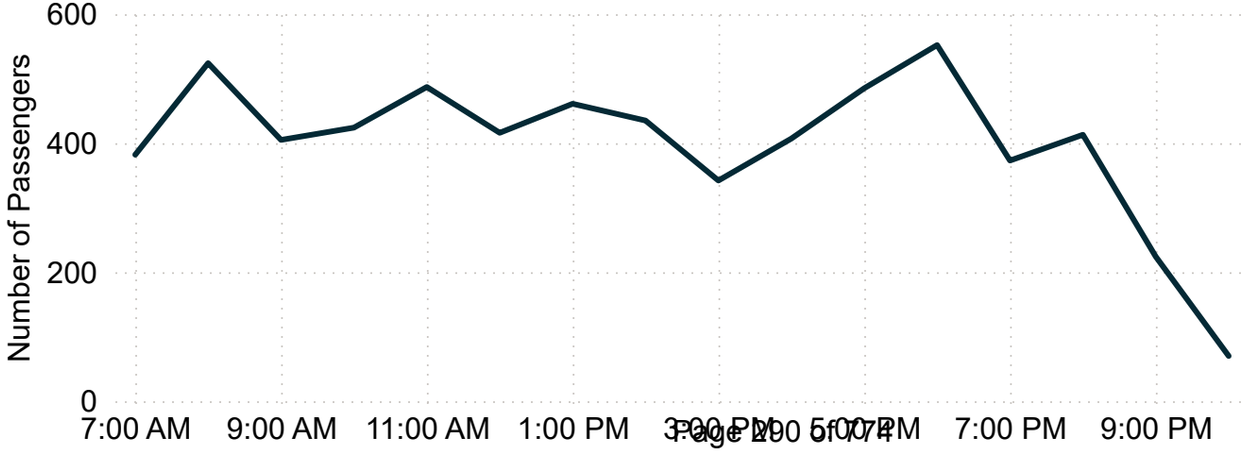
NT+ (Contract) Voyago 2025 (Q4) Service Metrics - Grimsby

Number of Passengers	6,400
Number of Trips	6,161
Number of Accessible Trips	126
Number of Micro Trips with an Accessibility Device	63
Average Direct Distance (km)	9.40
Average Time On-Board (min)	16.31

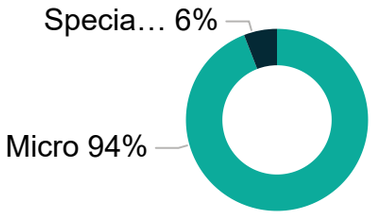
Daily Ridership



Peak Hours



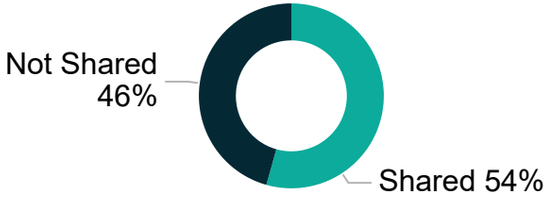
Service Type



Trip Type



Trip Utilization



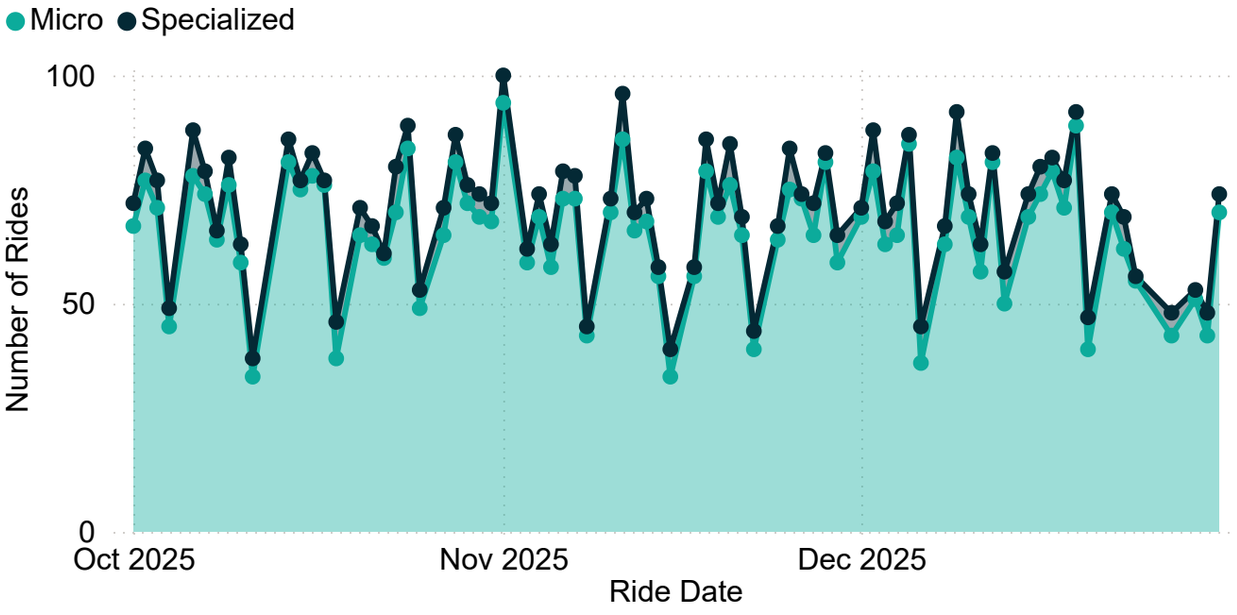
Booking Method	Day Of	Pre-Booked	Total
Agent	108	212	**320**
App	2555	3082	**5637**
Subscription		161	**161**
Total	**2663**	**3455**	**6118**

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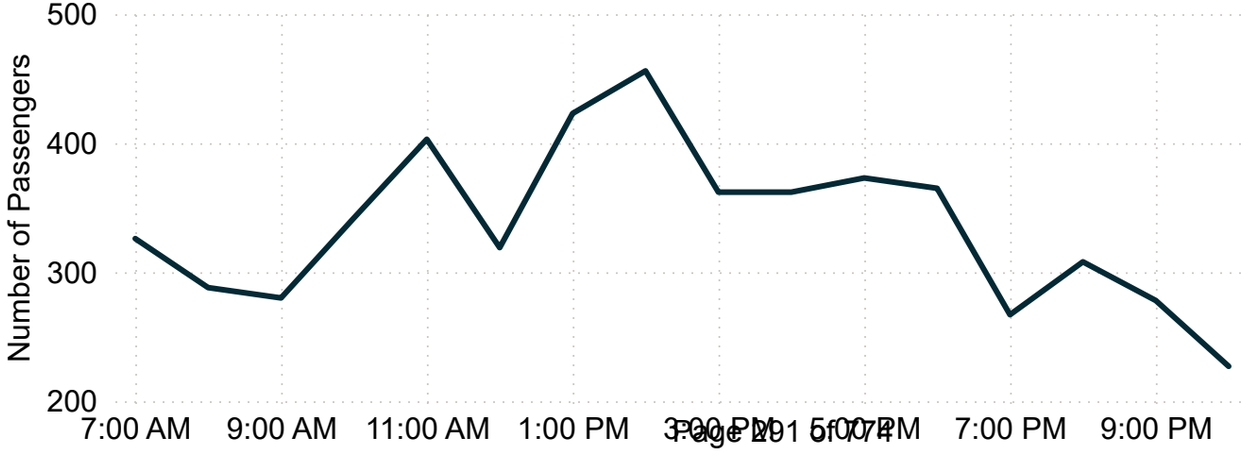
NT+ (Contract) Voyago 2025 (Q4) Service Metrics - Lincoln

Number of Passengers	Number of Trips	Number of Accessible Trips	Number of Micro Trips with an Accessibility Device	Average Direct Distance (km)	Average Time On-Board (min)
5,379	5,084	234	149	12.02	18.31

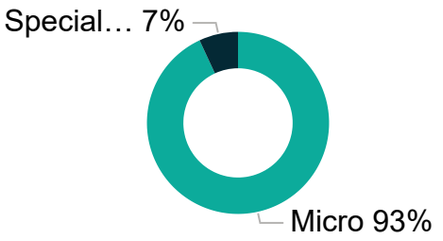
Daily Ridership



Peak Hours



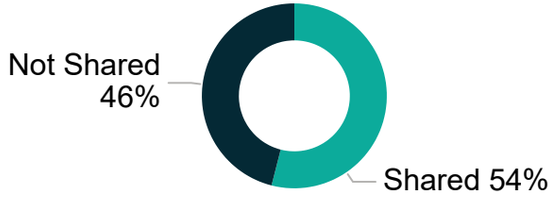
Service Type



Trip Type



Trip Utilization



Booking Method	Day Of	Pre-Booked	Total
Agent	100	383	**483**
App	2099	2374	**4473**
Subscription		81	**81**
Total	**2199**	**2838**	**5037**

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NT+ (Contract) Voyago 2025 (Q4) Service Metrics - Niagara Falls

Number of Passengers
2,468

Number of Trips
2,162

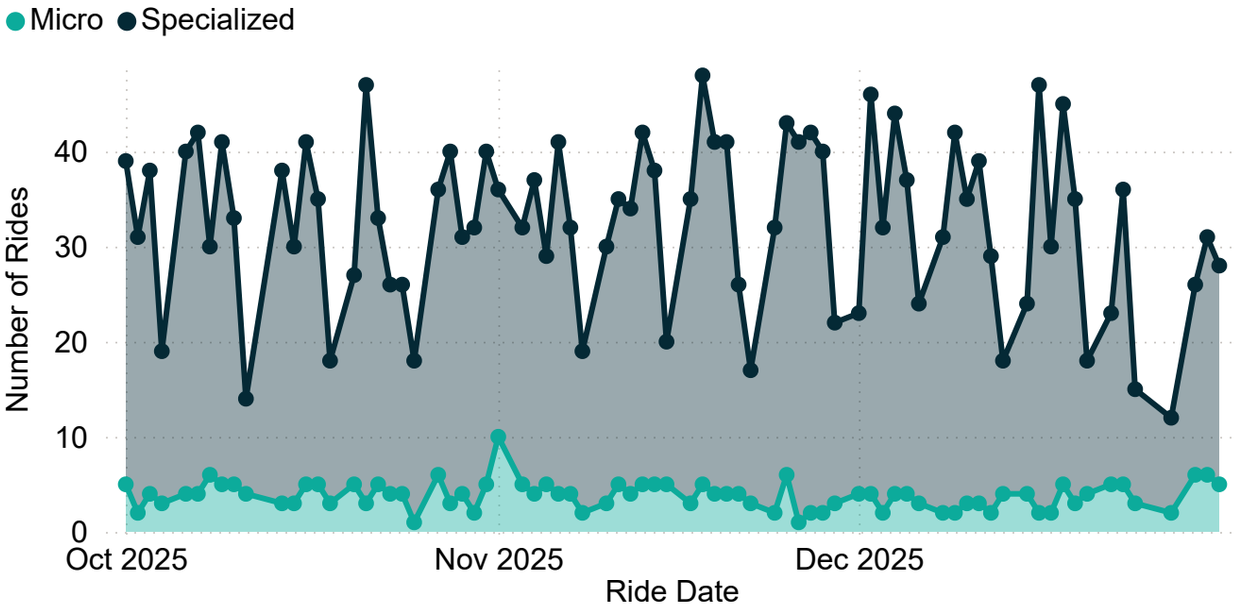
Number of Accessible Trips
645

Number of Micro Trips with an Accessibility Device
1

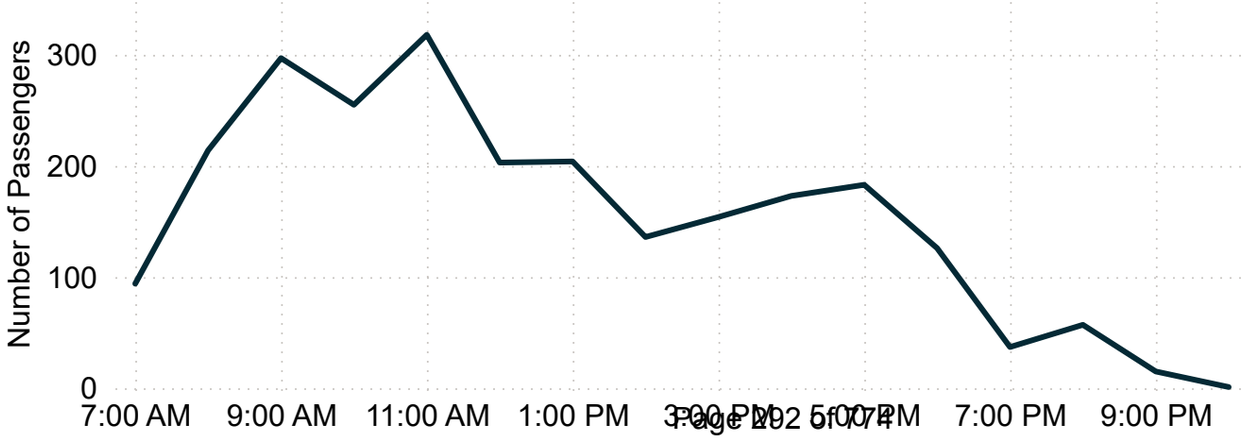
Average Direct Distance (km)
20.80

Average Time On-Board (min)
34.66

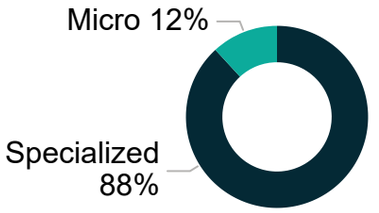
Daily Ridership



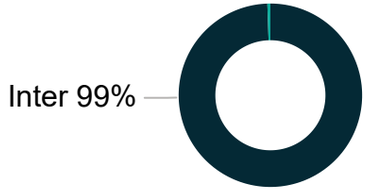
Peak Hours



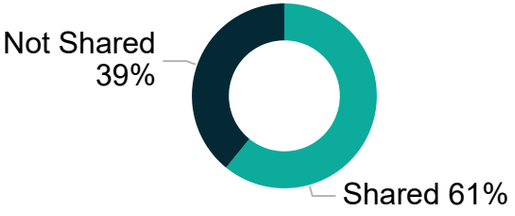
Service Type



Trip Type



Trip Utilization



Booking Method	Day Of	Pre-Booked	Total
Agent	28	895	**923**
App	129	766	**895**
Subscription		328	**328**
Total	**157**	**1989**	**2146**

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NT+ (Contract) Voyago 2025 (Q4) Service Metrics - Niagara-on-the-Lake

Number of Passengers
9,352

Number of Trips
8,978

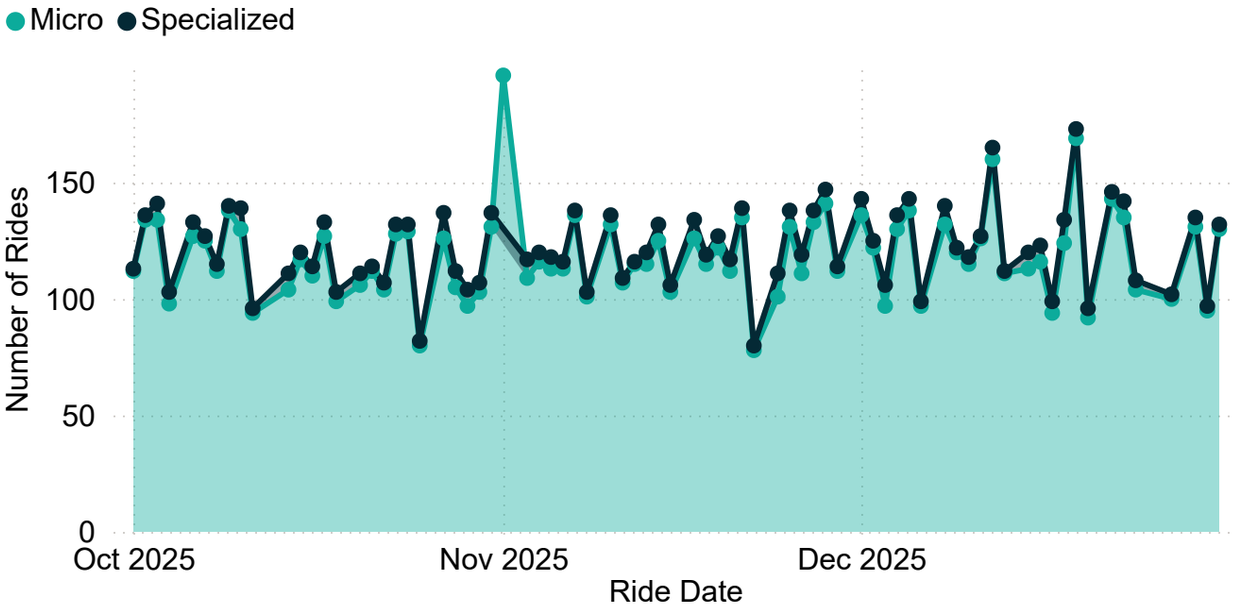
Number of Accessible Trips
174

Number of Micro Trips with an Accessibility Device
72

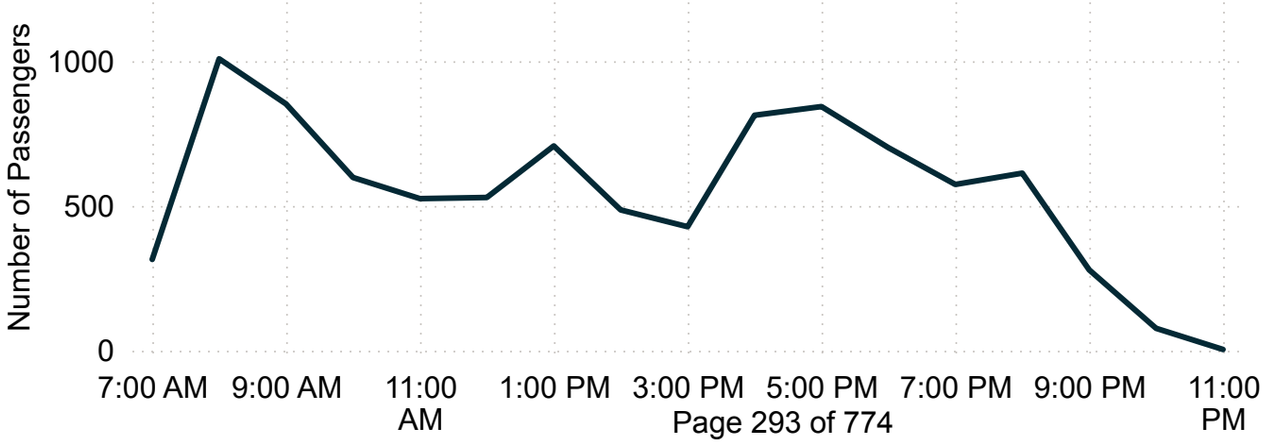
Average Direct Distance (km)
10.84

Average Time On-Board (min)
19.89

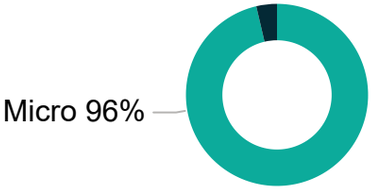
Daily Ridership



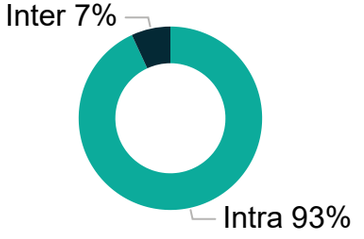
Peak Hours



Service Type



Trip Type



Trip Utilization



Booking Method	Day Of	Pre-Booked	Total
Agent	100	195	**295**
App	4251	4278	**8529**
Subscription		59	**59**
Total	**4351**	**4532**	**8883**

Power BI Desktop

NT+ (Contract) Voyago 2025 (Q4) Service Metrics - Pelham

Number of Passengers
1,670

Number of Trips
1,597

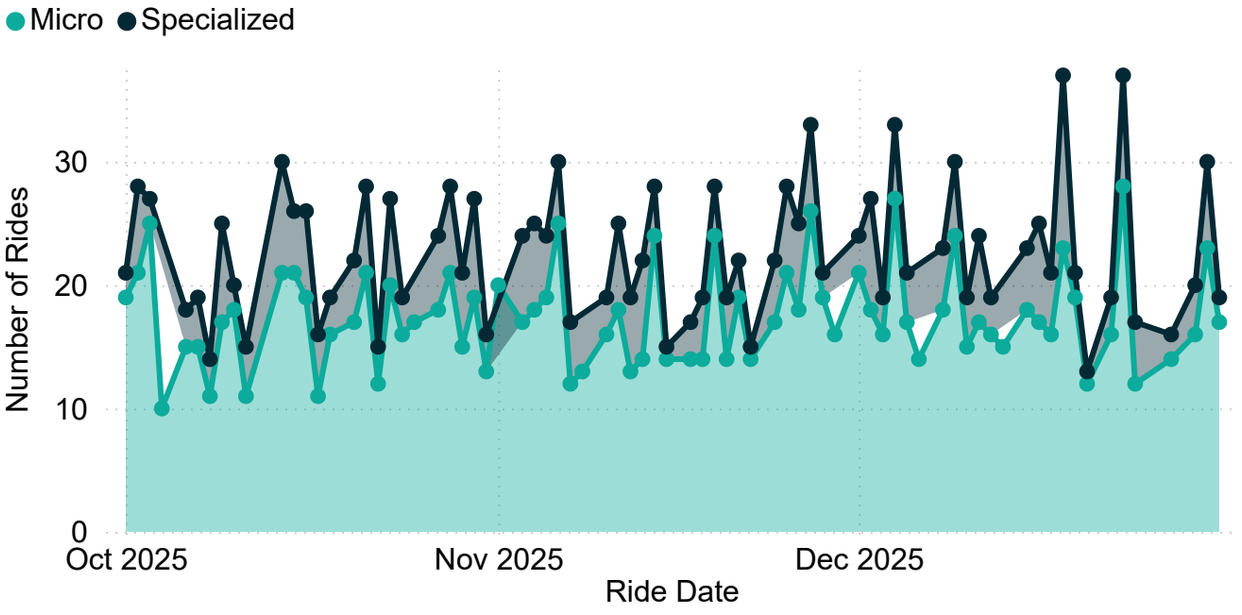
Number of Accessible Trips
223

Number of Micro Trips with an Accessibility Device
50

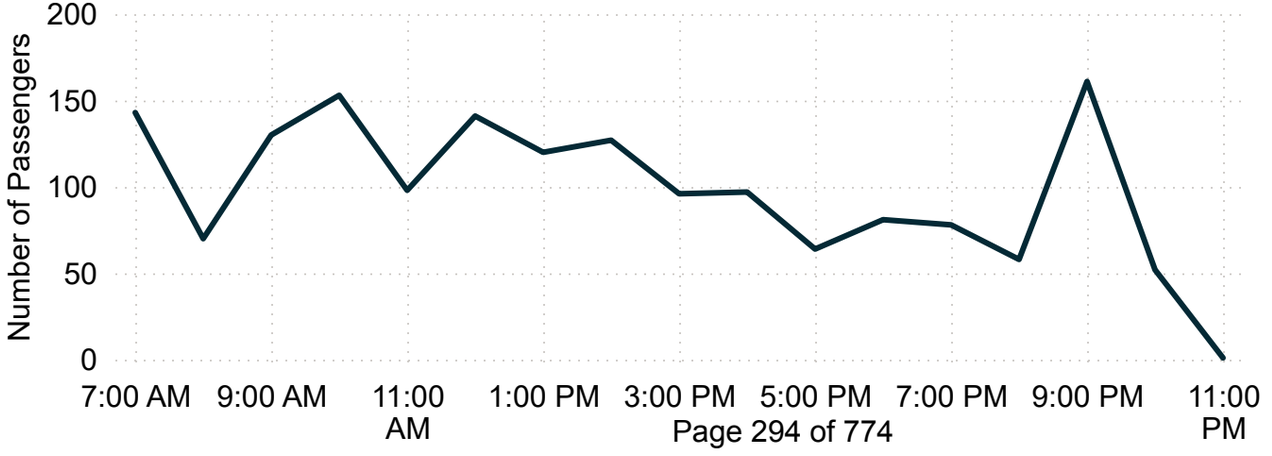
Average Direct Distance (km)
11.07

Average Time On-Board (min)
19.13

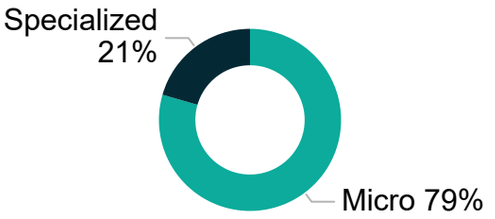
Daily Ridership



Peak Hours



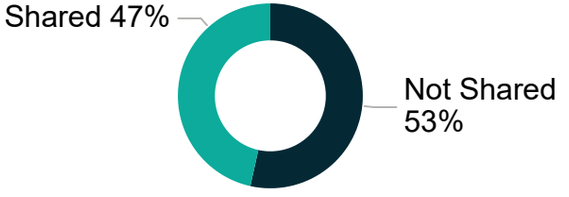
Service Type



Trip Type



Trip Utilization



Booking Method	Day Of	Pre-Booked	Total
Subscription		62	**62**
App	588	699	**1287**
Agent	20	218	**238**
Total	**608**	**979**	**1587**

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NT+ (Contract) Voyago 2025 (Q4) Service Metrics - Port Colborne

Number of Passengers
4,417

Number of Trips
4,022

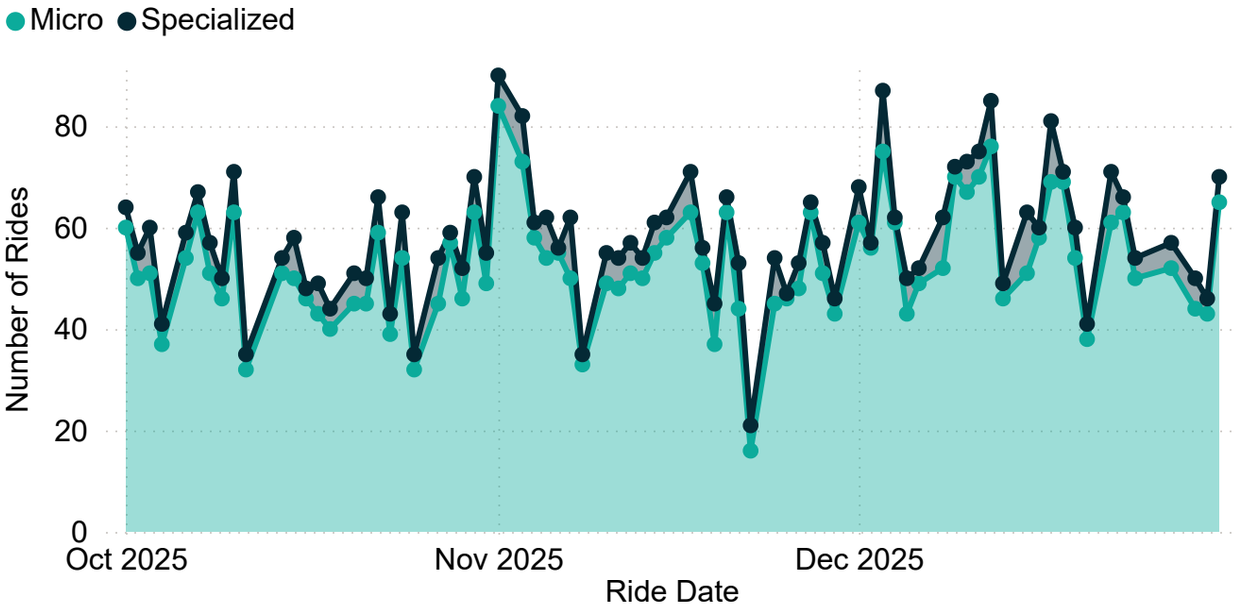
Number of Accessible Trips
244

Number of Micro Trips with an Accessibility Device
51

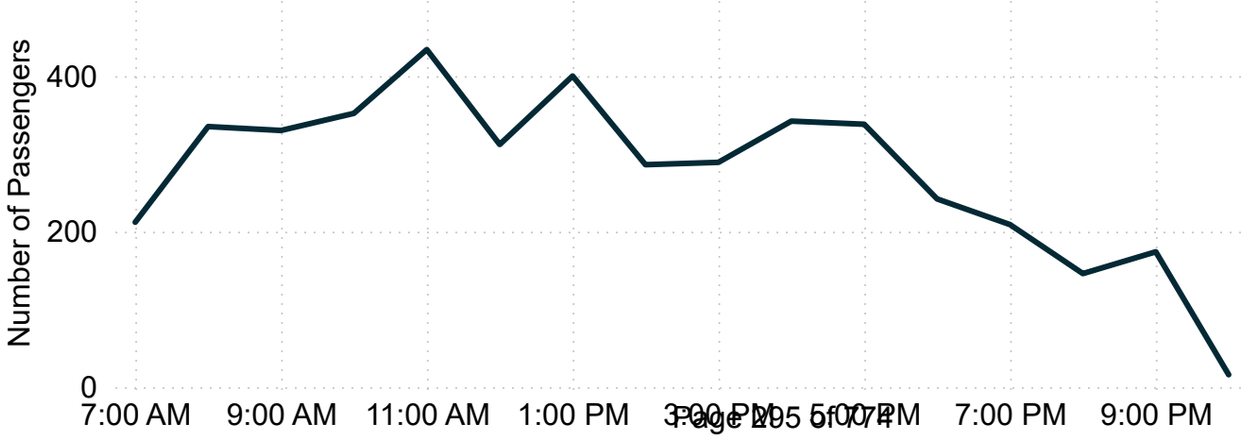
Average Direct Distance (km)
5.82

Average Time On-Board (min)
11.40

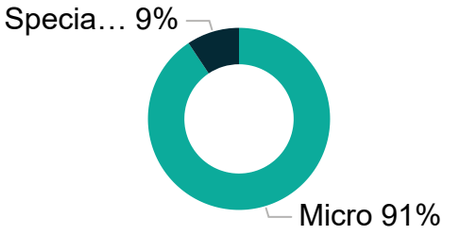
Daily Ridership



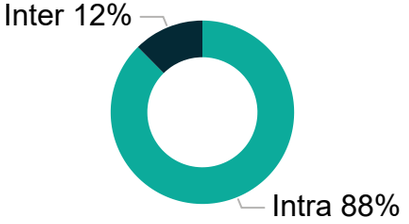
Peak Hours



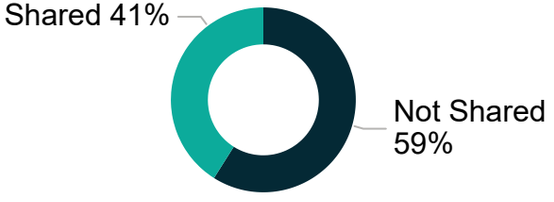
Service Type



Trip Type



Trip Utilization



Booking Method	Day Of	Pre-Booked	Total
Agent	280	316	**596**
App	2079	1096	**3175**
Subscription		213	**213**
Total	**2359**	**1625**	**3984**

Power BI Desktop

NT+ (Contract) Voyago 2025 (Q4) Service Metrics - St. Catharines

Number of Passengers
4,433

Number of Trips
4,025

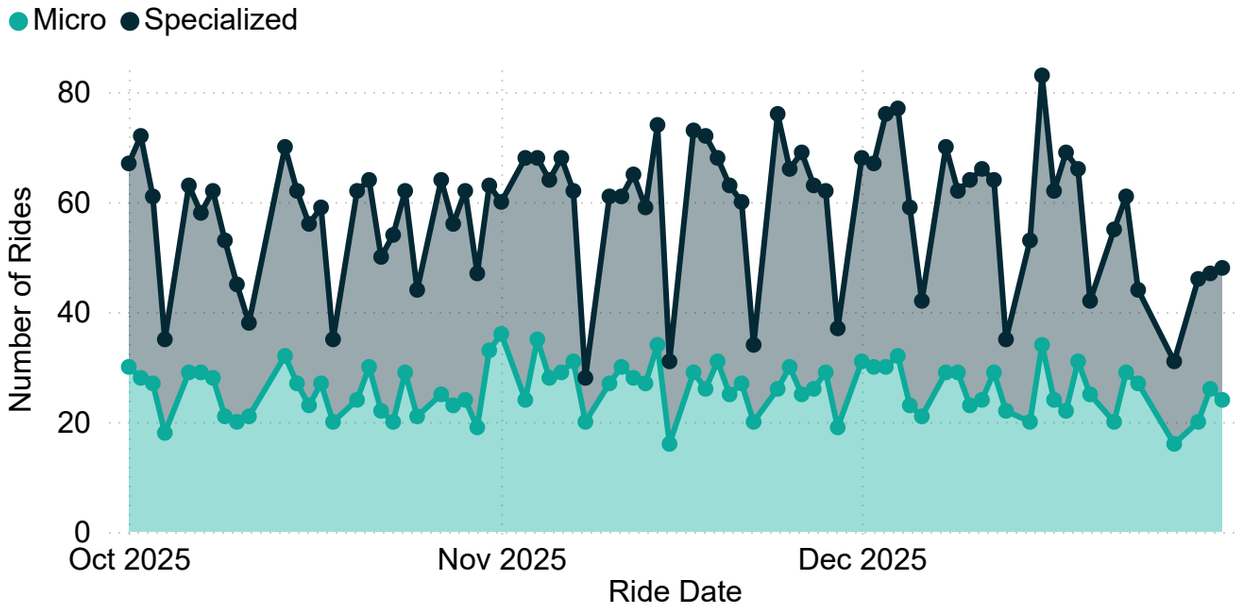
Number of Accessible Trips
682

Number of Micro Trips with an Accessibility Device
18

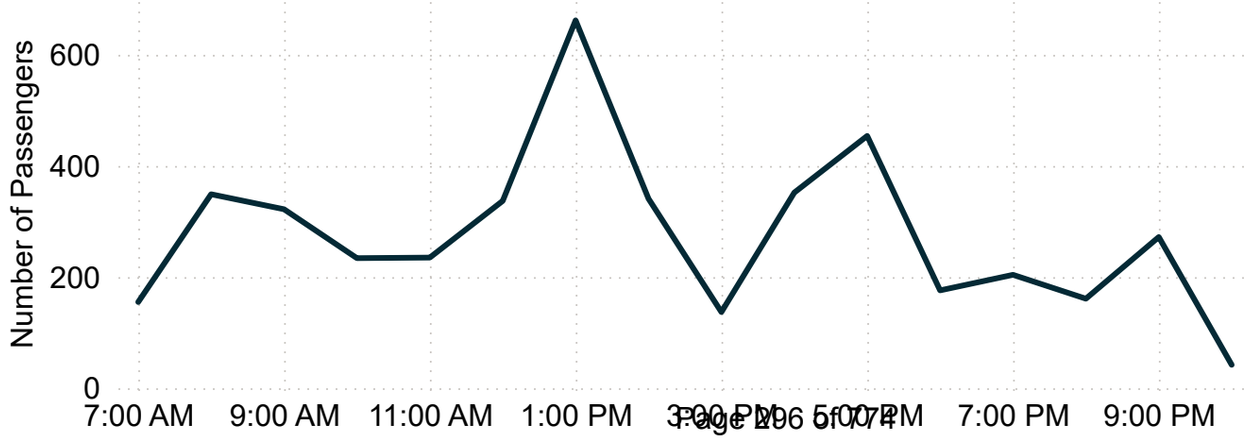
Average Direct Distance (km)
21.61

Average Time On-Board (min)
30.65

Daily Ridership



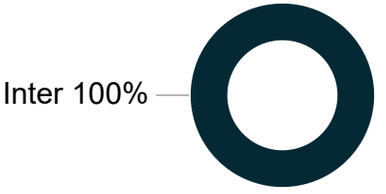
Peak Hours



Service Type



Trip Type



Trip Utilization



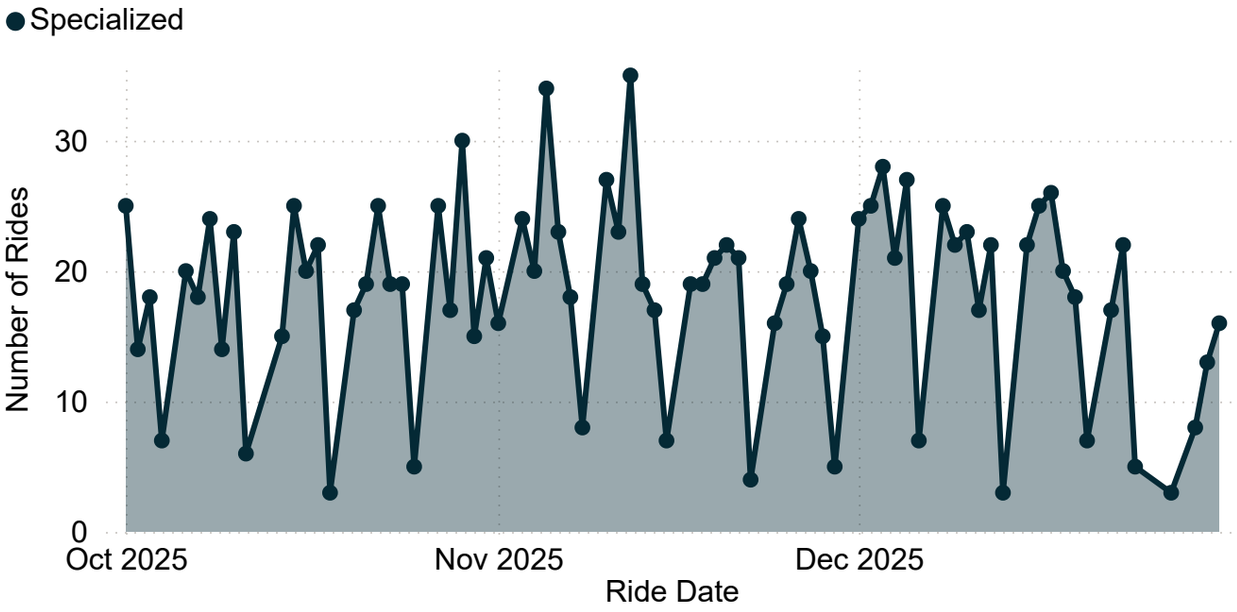
Booking Method ▲	Day Of	Pre-Booked	**Total**
Agent	72	909	**981**
App	535	2122	**2657**
Subscription		360	**360**
Total	**607**	**3391**	**3998**

Power BI Desktop

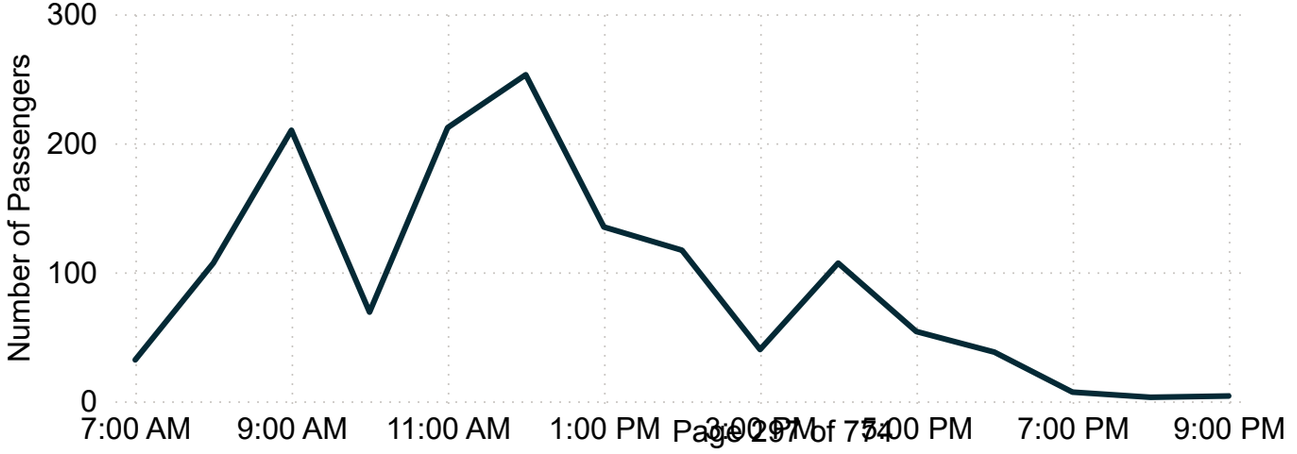
NT+ (Contract) Voyago 2025 (Q4) Service Metrics - Thorold

Number of Passengers	Number of Trips	Number of Accessible Trips	Number of Micro Trips with an Accessibility Device	Average Direct Distance (km)	Average Time On-Board (min)
1,388	1,187	492	(Blank)	12.23	23.75

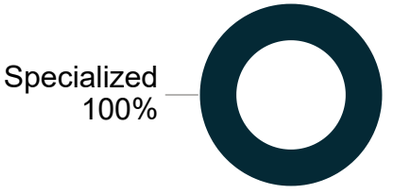
Daily Ridership



Peak Hours



Service Type



Trip Type



Trip Utilization



Booking Method ▲	Day Of	Pre-Booked	Total
Agent	16	440	**456**
App	21	631	**652**
Subscription		74	**74**
Total	**37**	**1145**	**1182**

Power BI Desktop

NT+ (Contract) Voyago 2025 (Q4) Service Metrics - Wainfleet

Number of Passengers
166

Number of Trips
141

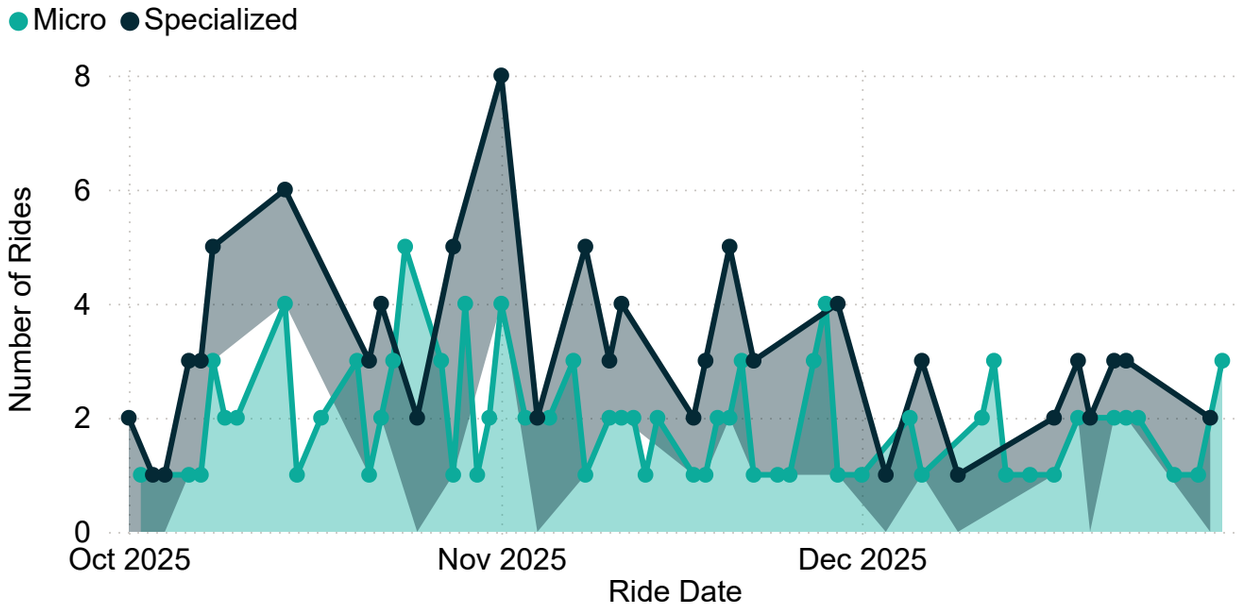
Number of Accessible Trips
35

Number of Micro Trips with an Accessibility Device
4

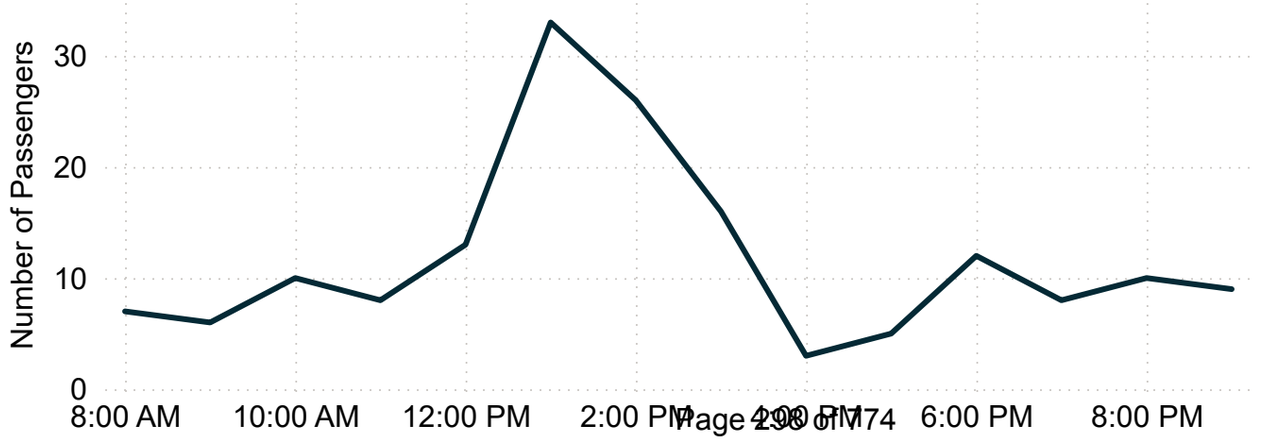
Average Direct Distance (km)
20.59

Average Time On-Board (min)
28.87

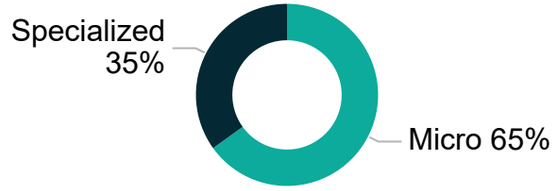
Daily Ridership



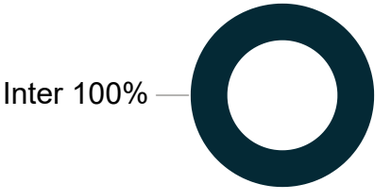
Peak Hours



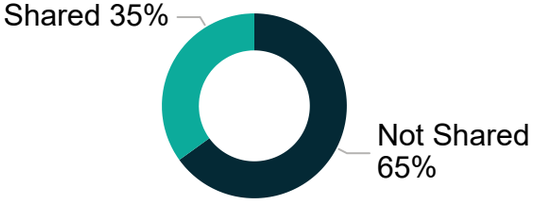
Service Type



Trip Type



Trip Utilization



Booking Method	Day Of	Pre-Booked	Total
Agent	2	24	**26**
App	22	90	**112**
Total	**24**	**114**	**138**

Power BI Desktop

NT+ (Contract) Voyago 2025 (Q4) Service Metrics - Welland

Number of Passengers
2,672

Number of Trips
2,361

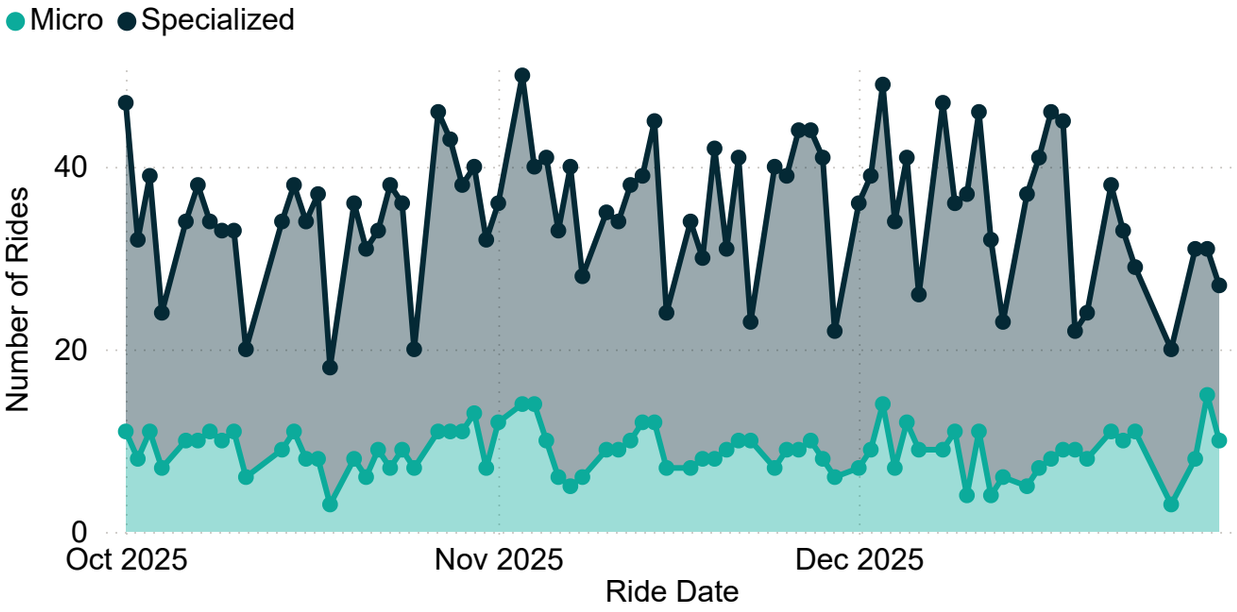
Number of Accessible Trips
728

Number of Micro Trips with an Accessibility Device
11

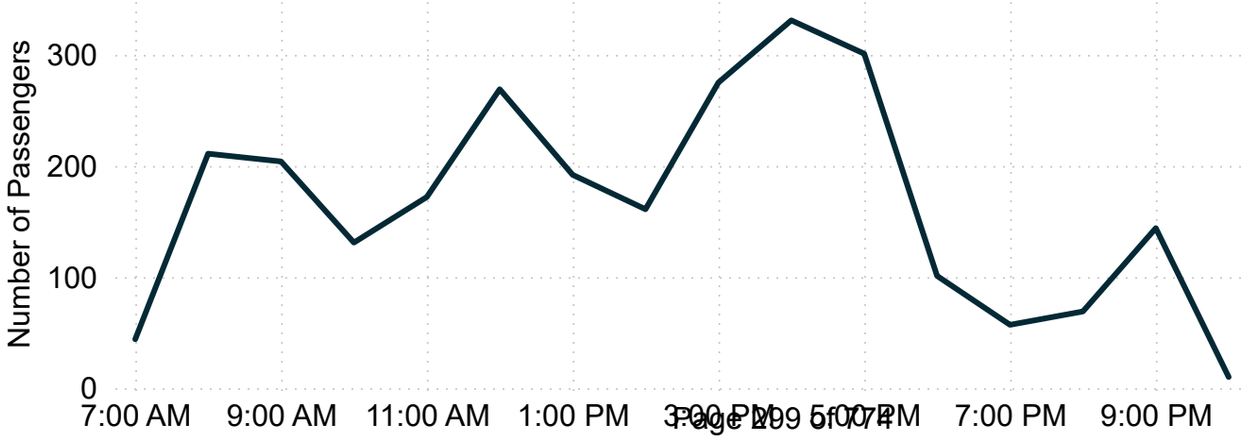
Average Direct Distance (km)
19.44

Average Time On-Board (min)
32.12

Daily Ridership



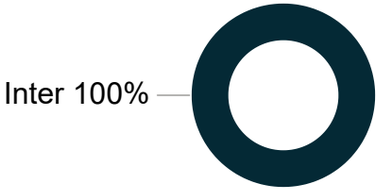
Peak Hours



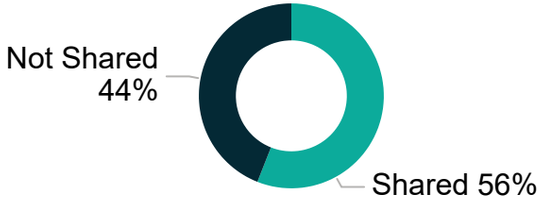
Service Type



Trip Type



Trip Utilization



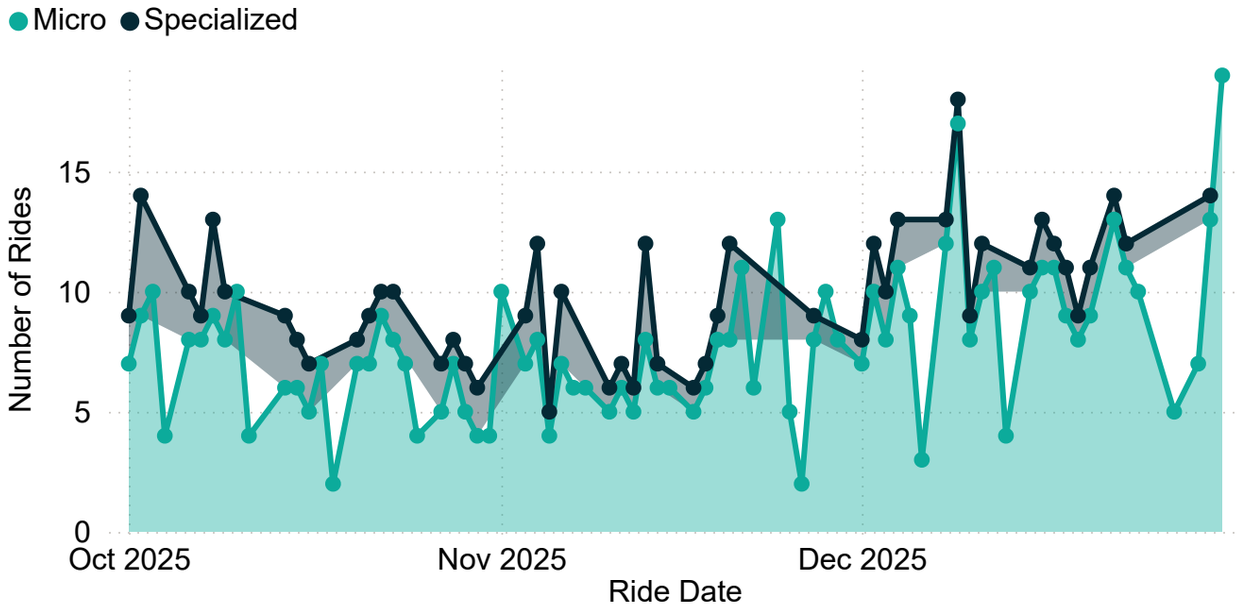
Booking Method	Day Of	Pre-Booked	Total
Agent	55	803	**858**
App	199	959	**1158**
Subscription		329	**329**
Total	**254**	**2091**	**2345**

Power BI Desktop

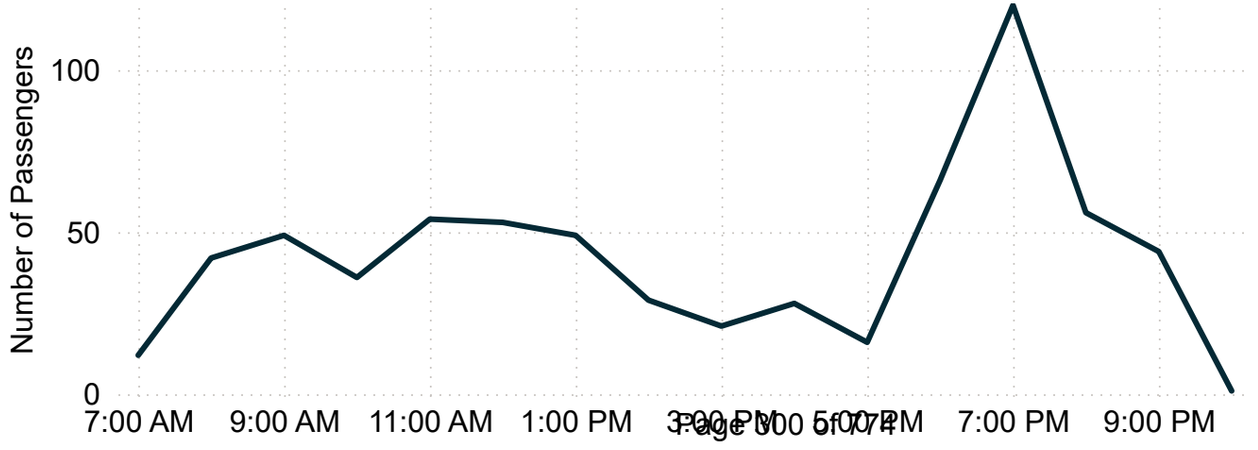
NT+ (Contract) Voyago 2025 (Q4) Service Metrics - West Lincoln

Number of Passengers	Number of Trips	Number of Accessible Trips	Number of Micro Trips wit an Accessibility Device	Average Direct Distance (km)	Average Time On-Board (min)
676	644	32	20	25.01	33.54

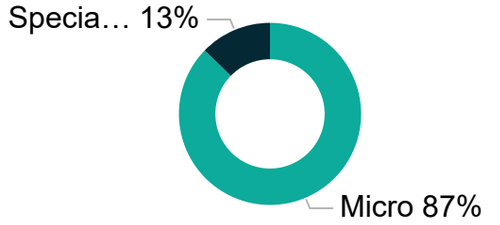
Daily Ridership



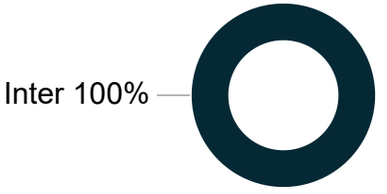
Peak Hours



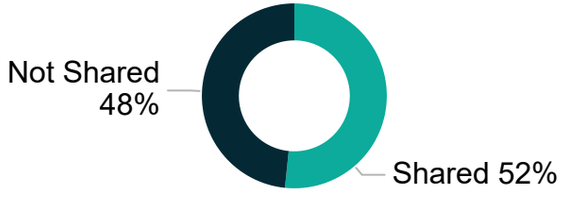
Service Type



Trip Type



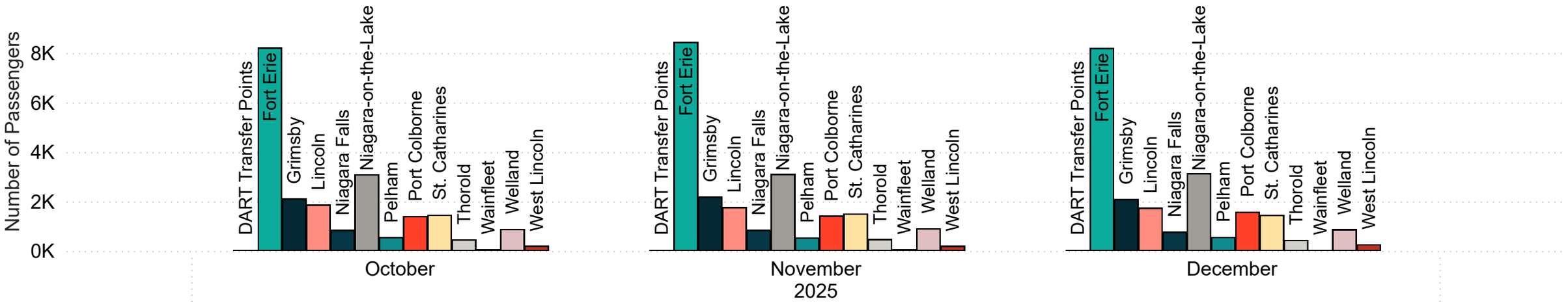
Trip Utilization



Booking Method	Day Of	Pre-Booked	Total
Agent	3	31	**34**
App	155	450	**605**
Total	**158**	**481**	**639**

Overall NT+ (Contract) Voyago Trip Origin Metrics - 2025 (Q4)

Ridership By Trip Origin



Origin Municipality	DART Transfer Points	Fort Erie	Grimsby	Lincoln	Niagara College Welland Campus	Niagara Falls	Niagara-on-the-Lake	Pelham	Port Colborne	St. Catharines	Thorold	Wainfleet
DART Transfer Points		4	2	4		5				13		
Fort Erie	4	24160				271	7	1	167	129	37	
Grimsby	5		4215	1007		8		46	12	836	16	3
Lincoln	4		1121	2290		6	2	57	4	1624	27	7
Niagara Falls	4	223	8	6	9	13	372	7	13	796	302	2
Niagara-on-the-Lake		6	1	2		390	8707	11		200	29	
Pelham			42	45		6	11	555	4	265	19	9
Port Colborne	1	103	11			10		9	3869	22	13	51
St. Catharines	12	124	823	1315	21	741	261	247	20		332	15
Thorold		34	13	25	19	294	33	25	11	358	437	14
Wainfleet			3	2		1		6	7	21	20	
Welland	8	109	11	164		714	5	664	328	390	127	94
West Lincoln			181	145		9	1	36	6	155	40	8
Total	**38**	**24763**	**6431**	**5005**	**49**	**2468**	**9399**	**1664**	**4441**	**4809**	**1399**	**203**

Glossary

- **Agent Booking Method -** Rides that are booked by phoning in and speaking with a customer service representative
- **App Booking Method -** Rides that are booked by using the Niagara Transit Plus application on a mobile device
- **Average Direct Distance -** The average distance in kilometres it would take to drive directly from origin to destination without any stops
- **Average Time On-Board -** The average time a passenger is spending on-board the vehicle
- **Day of Booking Type -** Rides that are booked on the same day of use
- **Inter Trip Type -** Rides that travel from one municipality to another, crossing municipal boundaries
- **Intra Trip Type -** Rides that say within the municipal boundary in which the trip originated
- **Micro Daily Ridership -** Number of passengers taking micro transit trips per day
- **Micro Service Type -** Number of trips that are using the micro transit service
- **Number of Accessible -** Number of trips that are are using either the micro or specialized transit service that are accessible, where the passenger is using a mobility device
- **Number of Micro Trips with Accessible Device -** Number of trips using the micro transit service that are accessible, where the passenger is using a mobility device
- **Number of Passengers -** Total number of passengers that have competed trips
- **Number of Trips -** Total number of trips being completed
- **Peak Hours -** Hours of the day that have the highest demand for ridership
- **Pre-Book Booking Type -** Rides that are booked in advance of the requested trip day
- **Specialized Daily Ridership -** Number of passengers taking specialized transit trips per day
- **Specialized Service Type -** Number of trips that are using the specialized transit service
- **Subscription Booking Method -** Trips that are booked once and happen on a recurring schedule ie. trips to dialysis

Niagara Transit
We're going your way.

March 2, 2026

Mayor and Council
City of Port Colborne
66 Charlotte St
Port Colborne ON
L3K 3C8

Dear Mayor Steele and Council,

I am pleased to share with you the new policy, adopted by the Niagara Transit Commission Board at our February 17th, 2026 meeting, outlining the procedure for requests for enhanced transit service by local area municipalities (LAMs). This policy was developed in response to the growing number of requests since the amalgamation of Niagara Transit in 2023. It will provide structure and clarity and ensure that local municipalities have a defined process for future requests.

While this policy provides clarity for the requests for enhanced services from LAMs, it is important to note that this policy does not supersede the role of the Board and Regional Council. Decisions on Niagara Transit's service levels and its budget will continue to reside with the NTC Board, to be approved by Regional Council.

This policy does not apply to requests for reductions in service. Niagara Transit is committed to enhancing transit service across the Niagara Region and reductions to service will only be identified by Niagara Transit staff and, if needed, presented to the NTC Board of Directors for their consideration.

The process for requests is as follows:

1. **Local Area Municipality (LAM) Request for Information Motion**
   - **1.1** To initiate the process, the LAM must pass a motion requesting information from Niagara Transit on enhanced service.

Note: In any case where it is not apparent that the NTC Board member representing the LAM initiating the request is aware of the request, NT staff are required to notify them immediately.

1.2 The motion must be specific about the services or areas of the municipality where service enhancement is being sought.

1.3 Niagara Transit staff will aid the LAM's council, councillor(s) or staff in drafting this motion.

1.4 A copy of the Request for Information Motion must then be provided by the LAM Clerk to the NTC Board of Directors as formal correspondence.

1.5 The NTC Board must approve the request for information prior to staff preparing a proposal/options.

2. Preparation of Proposal/Options

2.1 The proposal/options will be drafted by Niagara Transit staff and will include details of the enhanced service, associated costs to the LAM, projected timelines for the service enhancements, any information related to the proposed enhancements' impact on other areas of the Niagara Transit system, and any other relevant information as determined by Transit staff.

2.2 The proposal/options will:

- **2.2.1** Align with the current Niagara Transit Master Plan, as approved by the NTC Board of Directors
- **2.2.2** Meet the minimum thresholds set out in the Niagara Transit service standards
- **2.2.3** Not create gaps in service

3. Niagara Transit Presentation of Service Enhancement or Options

3.1 Niagara Transit will make a presentation to the LAM requesting the service enhancement at a meeting of their Council.

3.2 The presentation must include details of the enhanced service, associated projected costs to the LAM, projected timelines for the service enhancements, any information related to the proposed enhancement(s)

impact on other areas of the Niagara Transit system, and any other relevant information as determined by Transit staff.

4. **Local Area Municipality Enhancement Request Motion**
   - **4.1** For the enhancement(s) to be adopted into the Niagara Transit budget process the LAM council must pass a motion explicitly endorsing the proposed solution or option(s) provided by Niagara Transit staff.
   - **4.2** Niagara Transit staff will aid the LAM's council, councillor(s) or staff in drafting this motion.

5. **Budget Inclusion**
   - **5.1** A copy of the Enhancement Request Motion must then be provided by the LAM Clerk to the NTC Board of Directors as formal correspondence.
   - **5.2** Niagara Transit staff will then incorporate the endorsed enhancement into the LAM's local service in the next budget cycle, or a future budget cycle where appropriate.
   - **5.3** The enhancement must then be finalized through the normal NTC budget cycle up to and including the requirement of full approval by Niagara Regional Council on the matter.

To initiate the process or if you have any questions, please contact Jordan Hambleton, Chief of Staff at jordan.hambleton@niagaratransit.ca.

We look forward to working with you to create a truly connected Niagara.

Sincerely,

Carla Stout
General Manager, Niagara Transit

THE CORPORATION OF THE TOWNSHIP OF PAPINEAU-CAMERON

4861 Highway 17, P.O. Box 630, Mattawa ON P0H 1V0
Office: (705) 744-5610 • Fax: (705) 744-0434 • Garage: (705) 744-5072
E-mail: admin@papineaucameron.ca Website: www.papineaucameron.ca

February 26, 2026

The Ontario Veterinary College
50 Stone Road East
Guelph, ON N1G 2W1

RE: Ontario Veterinary College expansion of enrollment capacity

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The Council of The Corporation of The Township of Papineau-Cameron met at their Regular Council Meeting on February 24, 2026 and passed the attached resolution 2026-50 that relates to the Ontario Veterinary College's enrollment capacity.

Yours truly,

Venessa Wilson
Administrative Assistant

Encl: Resolution 2026-50, Township of Papineau-Cameron

Cc: The Ontario Ministry of Agriculture, Food and Agribusiness
The Canadian Veterinary Medical Association
The Honorable Victor Fedeli, MPP, Minister of Economic Development, Job Creation and Trade
The Honorable Trevor Jones, MPP, Minister of Agriculture, Food and Agribusiness
The Honorable Nolan Quinn, MPP, Minister of Colleges, Universities, Research Excellence and Security
Association of Municipalities of Ontario
All Ontario Municipalities

THE CORPORATION OF THE TOWNSHIP OF PAPINEAU-CAMERON
4861 Highway 17, P.O. Box 630, Mattawa ON P0H 1V0
Office: (705) 744-5610 • Fax: (705) 744-0434 • Garage: (705) 744-5072
Website: www.papineaucameron.ca

DATE: February 24, 2026 RESOLUTION NUMBER: 2026-50

MOVED BY: Shelley L Belanger SECONDED BY: M Chenier

WHEREAS large animal livestock owners in Northern Ontario have extremely limited access to large animal veterinary services;

AND WHEREAS the cost of large animal veterinary services in Northern Ontario is significantly higher due to long travel distances and the limited number of large animal veterinarians available to service the region;

AND WHEREAS it has come to the attention of the Council of Papineau-Cameron Township that three qualified individuals within our community have applied to the Ontario Veterinary College for large animal veterinary, but were denied admission due to limited enrollment capacity;

THAT the Council of Papineau-Cameron Township formally requests that the Ontario Veterinary College, the Ontario Ministry of Agriculture, Food and Agribusiness, and the Canadian Veterinary Medical Association consider expanding enrollment capacity at the Ontario Veterinary College to allow more qualified applicants to pursue certification as large animal veterinarians.

AND FURTHER THAT a copy of this resolution be forwarded to the Ontario Veterinary College, the Ontario Ministry of Agriculture, Food and Agribusiness, the Canadian Veterinary Medical Association, the Hon. Victor Fedeli MPP Minister of Economic Development, Job Creation and Trade, the Hon. Trevor Jones MPP Minister of Agriculture, Food and Agribusiness, the Hon. Nolan Quinn MPP Minister of Colleges, Universities, Research Excellence and Security, Association of Municipalities of Ontario, and Ontario Municipalities for their consideration and support.

CARRIED: Robert Corriveau NOT CARRIED: _____
(Mayor) (Mayor)

Recorded Vote (Upon Request of Councillor _____) Section 246 (1) Municipal Act

RECORDED DIVISION VOTE	YES Signature	NO Signature	ABSTAIN Signature
Mayor Robert Corriveau			
Deputy Mayor Shelley Belanger			
Councillor Keith Dillabough			
Councillor Jason Bélanger			
Councillor Mélanie Chenier			

COPY

SARNIA ONTARIO

THE CITY OF SARNIA
Office of the Mayor

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

February 19, 2026

Re: Mayoral Authority and Municipal Police Budget Sustainability

Dear Premier Ford,

I am writing to express concern regarding the province's current position that limits a mayor and council's ability to meaningfully reduce or amend police service budget proposals once they have advanced through local police governance structures.

Municipal leaders across Ontario are operating within an increasingly constrained fiscal environment. Escalating administrative costs, combined with sustained growth in police budgets, are placing significant pressure on municipal finances. Without the tools to influence or moderate these expenditures, municipalities are left financially vulnerable, undermining long-term stability and responsible budget planning.

Mayors and members of council are accountable to residents for overall municipal fiscal health. However, under the province's current interpretation, they lack sufficient authority to address one of the fastest-growing areas of local spending. This creates a clear imbalance in accountability, where elected leadership bears responsibility for budget outcomes without the ability to manage risk, respond to local conditions, or ensure alignment with broader municipal priorities.

You have recently noted that education costs have become unsustainable, and the Minister of Finance has expressed similar concerns regarding health care expenditures. Policing costs present the same challenge, with the added constraint that mayors are now unable to intervene. This limits a municipality's capacity to balance competing service demands, invest in preventative and social supports, and respond flexibly to emerging community priorities, including housing. Over time, this approach risks crowding out essential services and capital projects while placing increased pressure on taxpayers.

In Sarnia, veto authority was used for the first time, and only with respect to capital funding. The operational police budget, which has increased by 40% over the past four years, was left untouched. The mayoral veto removed a proposed $5 million capital item that would have committed the municipality to a long-term financial obligation estimated to reach $120 million. Allowing such exposure without intervention would have been fiscally irresponsible and inconsistent with the principles of responsible municipal governance. The existing building was reported to be suitable for upgrades and maintenance at a cost of approximately $5 million; however, the Sarnia Police Board and Chief have insisted that the Cadillac of all buildings is required. Proceeding with this option would saddle the taxpayers with substantial long-term debt and sustained tax increases for decades to come.

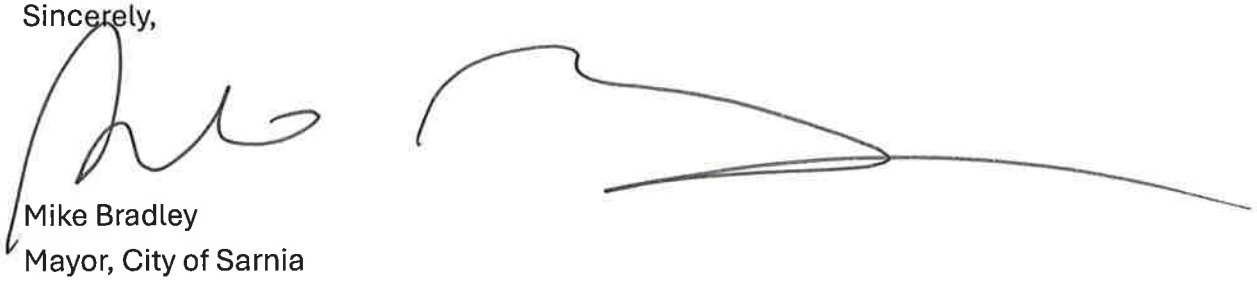
After 21 years of carrying municipal debt, the City of Sarnia has just recently achieved the distinction of being one of the few debt-free cities in Ontario. Under the current framework, renewed debt will become unavoidable, with financial impacts extending to future generations.

While this issue may not yet have arisen in every municipality responsible for funding and overseeing its own police service, the experience in Sarnia illustrates a challenge that other mayors may reasonably face in future budget years. As policing and capital costs continue to escalate, circumstances will emerge where elected municipal leaders are required to intervene to protect long-term fiscal sustainability. This is a critical issue that warrants careful reconsideration. I have therefore copied Heads of Council for municipalities across Ontario to unite in encouraging an approach that better aligns accountability with decision-making and supports more sustainable municipal governance across Ontario.

Given the practical implications for municipal budget deliberations and fiscal planning, I believe this matter should be addressed in advance of the next municipal council taking office. I respectfully urge the province to engage with municipalities on this issue and to explore legislative or policy adjustments that would provide local elected leaders with the tools necessary to manage fiscal pressures responsibly, transparently, and in the best interests of their communities.

I appreciate your attention to this issue and look forward to the province's consideration of next steps.

Sincerely,



Mike Bradley
Mayor, City of Sarnia

Cc: The Honourable Michael S. Kerzner, Solicitor General
The Honourable Rob Flack, Minister of Municipal Affairs and Housing
The Honourable Peter Bethlenfalvy, Minister of Finance
Heads of council for municipalities across Ontario
Bob Bailey, MPP for Sarnia-Lambton
Sarnia City Council

Encl.: CBC News February 18, 2026 - Province tells Ontario mayors they can't use 'strong powers' on police budgets | CBC News

CTV News February 18, 2026 - Sarnia Police Board weighing options in efforts to build new headquarters

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London

Province tells Ontario mayors they can't use 'strong powers' on police budgets

Finance expert says province needs to review fiscal relationship with municipalities to keep up with costs

Isha Bhargava · CBC News · Posted: Feb 18, 2026 5:00 AM EST | Last Updated: February 18

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A file photo of a police officer walking in downtown Hamilton, Ont. (Bobby Hristova/CBC)

The Ontario government is reminding municipal leaders that they cannot use their provincially granted "strong mayor powers" to challenge or limit police budgets.

This comes two months after Sarnia's mayor vetoed his city's police budget request of $5 million for a new police headquarters, in what's led to an ongoing battle over the city's police funding.

In a letter sent to mayors and police board chairs in January, the province reiterated that municipalities are required to provide police boards with "sufficient funding" to comply with the Community Safety and Policing Act (CSPA).

"The Head of Council's strong mayor budget powers do not include the power to limit police service board budget increases or veto estimates submitted by police service boards," Solicitor General Michael Kerzner and Municipal Affairs Minister Rob Flack wrote in their Jan. 12 letter.

"Although municipalities are not required to adopt the board's estimates as submitted, they cannot approve or reject specific line items within the estimates."

- **Less than half of 'strong mayors' were using powers before Ontario expanded system: reports**

Municipal budgets include estimates of amounts required during the year and includes various boards, the letter explains. A police service board must submit their operating and capital costs to municipalities, which then establish the service's overall budget.

Premier Doug Ford's government created the strong mayor system in 2022 and it now applies to 216 mayors. The powers give the leaders control over appointments, the ability to hire and fire most city staff, vetoes over some council votes and the ability to pass some bylaws with support of only a third of council support.

'We can't chop public safety' says Premier

When asked by CBC about the issue of strong mayor powers relating to police budgets on Tuesday, Ford said investments in public safety need to be a top priority.

"We can't chop safety and protecting communities," Ford told reporters. "We need to make sure our priority is keeping our community safe because right now people don't feel safe. So we have to continue investing in our police, give them the tools they need to keep our community safe."

Sarnia Mayor Mike Bradley disagrees arguing the legislation prevents municipalities from balancing the needs of police and taxpayers. He said Sarnia police has received a 45 per cent operational increase over the last four years, and he only vetoed one capital spending item which the city cannot afford this year.



Sarnia's Mayor Mike Bradley says police budget increases in recent years have led to spending cuts in other city projects. (Facebook)

"The province has just wiped out our ability to control spending in our own communities. In most cases [police budgets] run from 30 to 40 per cent of the

municipal budget, so what the Ford government is saying is that councils and mayors cannot touch it," he said.

"So the message is, police boards who are unaccountable, can now just set the budget and the taxpayers have to pay. That's a pretty shocking statement from Queens Park."

Bradley argues he has supported increasing police budgets for frontline services, which have been substantial over the years and have led the city to cut back on spending for other projects.

In its letter, the province clarifies that there are dispute resolution mechanisms under the CPSA, namely arbitration, when a council disagrees with a police board's budget request.

Municipalities limited in challenging police budgets

However, proving a case against the police can be difficult for municipal councils who don't often have the capacity or technical knowledge to offer a challenge, said Nigel Bellchamber, a London, Ont., consultant specializing in municipal finances.

"It's a high bar that the municipality has to meet in order to succeed in an arbitration," he said, noting that municipalities are tasked with funding a variety of services whose costs outpace inflation.

"As a result, there are some significant challenges and tough decisions being made as to prioritizing capital expenditures in municipal budgets. So councils and municipal staff, whether you're in a strong mayor situation or not, they're all caught in a very difficult situation."



Nigel Bellchamber is a consultant in London, Ont., who specializes in municipal finances (Nigel Bellchamber/LinkedIn)

Bellchamber said the provincial and municipal fiscal relationship hasn't been properly reviewed in about 25 years and it needs to be revisited to respond to changing economic demands.

London's Mayor Josh Morgan agrees. His council approved a historic $672-million investment in police spending during the last four-year budget, and while he's satisfied with the results of crime trending lower in the city, ballooning police budgets are a concern for municipalities, he said.

"Obviously when the largest portion of your budget is increasing by a fair amount, that's concerning in multiple ways," said Morgan.

"It's difficult for a municipality to shoulder all of the necessary investments in public safety that we need to make with all of the other things that we're obligated to do, and with the revenue streams we have available to us."

Morgan said it's important for municipalities to partner with provincial and federal governments to seek "broad-based, stable multi-year support for public safety funding."

In London's case, Morgan notes the police returned more than $2.3 million to city coffers in the budget's first two years.

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Questions of 'strong mayor' veto powers remain after province attempts to clarify police budgets

By Bryan Bicknell

Published: February 18, 2026 at 5:14PM EST



The provincial government says municipalities can't use strong mayor powers to limit police budgets. CTV's Bryan Bicknell with local reaction.

The chair of the Sarnia Police Service Board says the board is still weighing options in its bid to build a new police headquarters.

The comments follow a letter from Ontario's Solicitor General to municipalities that mayors cannot use so-called strong mayor powers to challenge police budgets.

"We sent the letter to council requesting that the veto to be vetoed, basically, and that the five million [dollars] be added back into the budget," explained Board Chair Kelly Ash. "We are re-evaluating, looking to see what we can get accomplished with the funds that we do have, while still hoping that council does deliberate over the $5 million so that we can get started."



Sarnia Police Board Chair Kelly Ash speaks to CTV News via Zoom on Feb 18 2026 (Bryan Bicknell/CTV News London)

Late last year Sarnia Mayor Mike Bradley vetoed the city's police budget request of $5 million to begin work on a new police headquarters. Bradley insists he's not about to re-open the city budget.

"This idea that police boards now, without any accountability, they're not elected and they don't report to the public and you can't remove them, will now be able to say to any town, 'This is how much money we want each year, and govern yourself accordingly. You're going to have to find money or kill other projects that are really important to your community because we're number one,'" he said.

In London, the police budget has also been a sensitive item.



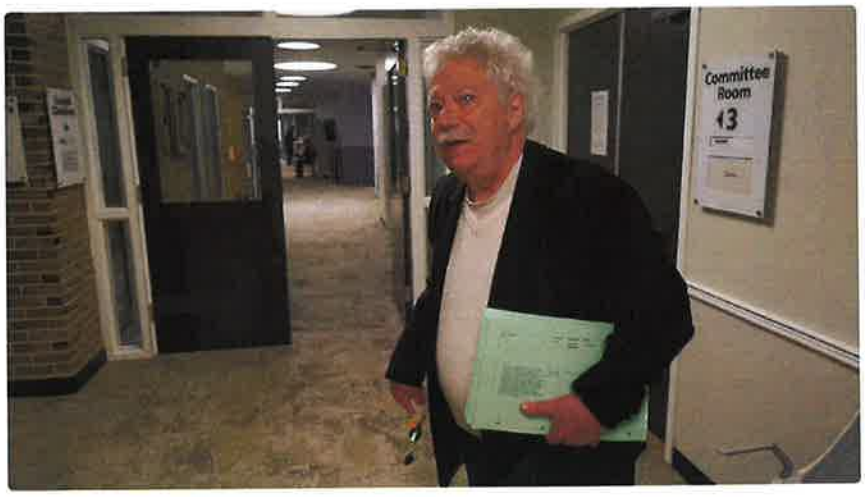
London, Ont. Mayor Josh Morgan speaks to CTV News on Feb 18, 2026 (Bryan Bicknell/CTV News London)

The most recent police budget passed two years ago in the city's four-year budget cycle increased police spending by $672 million.

The London Police Service has since returned $2.3 million in a bid to keep municipal property taxes at bay, explains London Mayor Josh Morgan.

"It's a pretty high bar to set for a municipality to not supply the budget, which is why my approach has been to work closely with the police board as a member of the board. And this board has returned dollars for the past two years," Morgan said.

Introduced in 2022 for Ontario's largest urban centres, strong mayor powers were expanded last year to include all 216 Ontario mayors. At least one legal opinion suggests this was when questions of interpretation began to arise.



London Ont. Coun. Sam Trosow speaks to CTV News on Feb. 18, 2026. (Bryan Bicknell/CTV News London)

London Coun. Sam Trosow is a retired Western University law professor. He believes the strong mayor legislation was rushed.

"I think if it was the intention of the legislature to categorically exempt police services matters from the act they would have or they should have said so. And they probably rushed this through so quickly, maybe they didn't even bother to think about it," he explained.

"But I think that the mayor of Sarnia is within his rights to challenge this part of the budget," Trosow said.



Sarnia Mayor Mike Bradley speaks to CTV News via Zoom on Feb. 18, 2026. (Bryan Bicknell/CTV News London)

Related Stories

- 'We need to do it, and soon': Sarnia Police Services Board launches renewed effort to move forward with new headquarters
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February 12th, 2026

Township of Southgate
Administrative Office
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N0C 1B0

Your correspondence from January 21st, 2026 was received by the Casey Township Council at their regular meeting of February 11th, 2026 and the following resolution was passed:

Resolution 2026-027

WHEREAS the Ontario Municipal Employees Retirement System (OMERS) Pension Fund serves over 1,000 employers and over half a million employees and retirees from diverse groups including: municipal governments, school boards, libraries, police and fire departments, children's aid societies, and electricity distribution companies; and

WHEREAS the long-standing jointly-sponsored governance model with two corporate boards has provided stability, accountability, and fairness for both plan members and employers for more than two decades; and

WHEREAS the Government of Ontario has passed legislative changes to OMERS' governance structure through Bill 68; and

WHEREAS these changes would replace the current OMERS Sponsors Corporation with a new Sponsors Council that would lose its corporate status and independent resources; and

WHEREAS the proposed model could allow pension decisions affecting municipal employers and employees to be made without meaningful municipal oversight, increasing financial risk for municipalities and local taxpayers; and

WHEREAS municipalities are already under significant financial strain and cannot absorb additional pension costs without consequences for property taxes or local services;

THEREFORE BE IT RESOLVED THAT the Township of Casey does not support the legislative changes to the *OMERS Act* contained in Bill 68 and requests that the Government of Ontario reconsider the advisability of proceeding with these changes;

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FURTHER BE IT RESOLVED THAT the Council of the Township of Casey supports the Association of Municipalities of Ontario (AMO) in calling on the Government of Ontario to maintain the current OMERS governance model, with two corporate Boards, as the structure that would best deliver on the long-term interests of municipalities, taxpayers, and employees.

BE IT FURTHER RESOLVED THAT this resolution be circulated to The Honourable Rob Flack, Minister of Housing and Municipal Affairs, The Honourable Peter Bethlenfalvy, Minister of Finance, MPP John Vanthof, The Association of Municipalities of Ontario (AMO), and all Ontario municipalities.
"CARRIED"

Yours Truly,

Krystle Seymour
Clerk-Treasurer
MW

The Corporation of the Municipality of St. Charles
RESOLUTION PAGE

Regular Meeting of Council

Agenda Number:	5.4.1.
Resolution Number	2026-022
Title:	Resolution of Support - Moosonee - Strengthening Self-Defence Protections and Addressing Rising Home Invasions in Ontario
Date:	February 18, 2026

Moved by: Councillor Pothier

Seconded by: Councillor Lachance

BE IT RESOLVED THAT Council for the Corporation of the Municipality of St.-Charles hereby supports Resolution Number 2026-008 passed on January 6, 2026 by the Corporation of the Town of Moosonee regarding strengthening self-defence protections and addressing rising home invasions in Ontario;

AND BE IT FURTHER RESOLVED THAT a copy of this Resolution be sent to the Prime Minister of Canada, the Minister of Justice and Attorney General of Canada, the Premier of Ontario, the Attorney General of Ontario, the Solicitor General of Ontario, our local Member of Parliament (MP), our local Member of Provincial Parliament (MPP), and all Ontario Municipalities.

CARRIED

MAYOR

PORT COLBORNE

Subject: **City of Port Colborne Healthcare Analysis Report Prepared by KPMG**

To: **Council**

From: **Office of the Chief Administrative Officer**

Report Number: 2026-40

Meeting Date: March 10, 2026

Recommendation:

That the Office of the Chief Administrative Officer Department Report 2026-40 be received;

That Council endorse the City of Port Colborne Healthcare Analysis Report (Appendix A) as the technical foundation to inform the development of the City's Health and Wellness Strategy and to support evidence-based healthcare planning, advocacy, and partnership development in the City of Port Colborne; and

That Council direct staff to pursue provincial, federal, and partnership-based funding and infrastructure opportunities that support healthcare infrastructure, primary care expansion, diagnostic access, and community-based health services in Port Colborne; and

That staff bring forward any resulting financial implications to Council as opportunities arise; and

That Council direct staff to continue evidence-based advocacy to ensure equitable access to healthcare services for Port Colborne residents during and beyond the transition of the Complex and Urgent Care Centre (UCC).

Purpose:

To present Council with the findings of the City of Port Colborne Healthcare Analysis Report prepared by KPMG (February 2026), which will guide the development of the City's Health & Wellness Strategy to improve healthcare access, equity, and long-term health system planning in Port Colborne.

Background:

Historical Context: From Local Hospital to Regional Consolidation

Era of Local Hospital-Based Care

Healthcare in Port Colborne was historically rooted in strong local governance and community leadership. In the late 1940s, residents organized fundraising efforts through the formation of the Port Colborne Site Auxiliary. The City donated the land and residents participated in a community share program to support construction of a new hospital facility.

When the Port Colborne General Hospital opened in 1951, it operated as a full-service community hospital with inpatient beds, a 24/7 emergency department, maternity services, diagnostic imaging, and general surgery. The hospital served Port Colborne and surrounding rural communities and was municipally significant, both as a primary care provider and as a major local employer.

2001 Amalgamation of Niagara Hospitals

In 2000–2001, under direction from Ontario's Health Services Restructuring Commission, independently governed hospitals across the Niagara Region were amalgamated into a single regional entity: the Niagara Health System (now Niagara Health).

This consolidation included hospital sites in St. Catharines, Niagara Falls, Welland, Port Colborne, Fort Erie, and other communities. The objectives of amalgamation were to:

- Improve coordination and reduce duplication
- Enhance financial sustainability
- Rationalize aging infrastructure
- Enable regional planning of acute and specialty services

Governance and administration were centralized, while services continued to operate across multiple sites.

2012 Supervisor's Report and System Redesign

In 2011, ongoing concerns regarding service fragmentation, infrastructure limitations, and public confidence led the province to appoint Dr. Kevin P.D. Smith as Supervisor of the Niagara Health System under the Public Hospitals Act.

The 2012 Supervisor's Report concluded that while administrative integration had occurred, clinical services remained fragmented and infrastructure at several sites was not aligned with modern care delivery.

Key recommendations included:

- Construction of a new South Niagara Hospital
- Strengthening the St. Catharines site
- Conversion of Port Colborne and Fort Erie sites to 24/7 Urgent Care Centres
- Consolidation of acute and specialty services
- Improved integration with primary and community care

These recommendations form the basis of the current regional hospital redevelopment model, including the new South Niagara Hospital anticipated to open in 2028.

Reflection on Amalgamation Outcomes

The amalgamation of Niagara hospitals achieved several structural objectives:

- Centralized governance and financial oversight
- Coordinated regional capital planning
- Consolidation of specialty services
- Advancement of major infrastructure investments

However, from a local access perspective, the long-term impact for Port Colborne reflects increased centralization of acute services.

The Port Colborne site transitioned from a full-service hospital to an Urgent Care Centre in 2010. Under current redevelopment plans, the UCC is scheduled to close in 2028. Services at the Welland Hospital have also been redefined through redevelopment and regional service realignment.

As a result, Port Colborne residents face:

- Loss of local urgent care access
- Greater reliance on regional hospitals outside the municipality
- Increased transportation burdens
- Elevated utilization of ED/UCC for primary care sensitive conditions
- Higher overall access risk relative to peer communities

While the 2012 Supervisor’s model envisioned Urgent Care Centres as sustainable local access points within a balanced regional system, Port Colborne UCC utilization patterns and data suggests that local access capacity has not been fully offset by strengthened primary care or community-based alternatives.

While regional consolidation improved administrative efficiency and enabled capital investment, it has also resulted in progressive service centralization. For a community characterized by high social determinants of health risk, aging demographics, and transportation barriers, this centralization presents equity challenges.

The City's current planning efforts, informed by the February 2026 KPMG Healthcare Analysis, reflect a proactive approach to addressing these risks within the evolving regional healthcare framework.

Responding to System Transition: Council Action and Evidence-Based Planning (2025–2026)

Port Colborne is undergoing another significant transition in its local healthcare landscape with the anticipated closure of the Port Colborne Complex and Urgent Care Centre (UCC) in 2028 and the continued regional consolidation of hospital services to the Marotta Family Hospital (St. Catharines), the new South Niagara Hospital (Niagara Falls), and the redeveloped Welland Hospital.

In response to community concerns regarding the UCC closure announcement in late 2024, and robust community engagement in early 2025 (with over 2,000 survey responses and 10,000+ open-ended comments), Council established the Healthcare Advisory Committee to guide future healthcare planning efforts through the development of a healthcare services strategy. After consulting with healthcare partners, this has been revised to a Health & Wellness Strategy which allows for the consideration of the Social Determinants of Health, a framework that reflects the non-medical factors that can influence a person's health status, healthcare access, and life expectancy

As part of its mandate to ensure the Health and Wellness Strategy and all healthcare related decisions are evidence-based and attainable, the Healthcare Advisory Committee passed a resolution at its September 3, 2025 meeting recommending: "That staff be directed to hire a consultant to conduct a health service and equity audit and bring forward the report; and that this be included in the 2026 Operating Budget."

Following adoption of the 2026 Budget on November 5, 2025, staff-initiated procurement in accordance with City's policy. KPMG was commissioned to complete a comprehensive Healthcare Analysis Report to establish a factual foundation for strategic planning and advocacy.

The report examines:

- Population growth and aging projections
- Social Determinants of Health (SDH) risk
- Healthcare utilization patterns
- Urgent Care Centre trends

- Inpatient bed demand forecasting
- Peer community benchmarking
- Interest holder engagement findings
- System context and provincial policy alignment

Discussion:

Key Findings

High-Risk Population and Growing Demand

Under the City's moderate growth scenario, Port Colborne's population is projected to increase 28% by 2051 (to approximately 28,000 residents). Under a high growth scenario, the population could reach 35,000 by 2051, representing 60% growth.

The fastest growing segment is residents aged 75+, projected to increase 102% under the moderate growth scenario.

Port Colborne also faces elevated social vulnerability:

- 84% of residents live in high or highest SDH risk neighbourhoods, compared to 15% provincially.
- Median household income ($70,000) is 23% lower than the provincial average.
- Residents in highest-risk areas are 57% more likely to have no certificate, diploma, or degree compared to the provincial average.
- The proportion of Indigenous residents (5.4%) is higher than the provincial average (1.8%) and Niagara Region's average (3.0%).

Elevated SDH risk correlates strongly with increased healthcare use and poorer health outcomes. Without changes to care models, resources supporting seniors, including primary care, community supports, and inpatient services, would need to nearly double over time to meet projected demand.

Reliance on the Urgent Care Centre

The KPMG analysis confirms that Port Colborne residents rely heavily on Emergency Department (ED)/UCC services. Key findings include:

- Port Colborne residents account for 45% of all UCC visits.
- Residents have 37% more ED/UCC visits than expected compared to the provincial average.

- Residents are 95% more likely to use ED/UCC services for acute primary care sensitive conditions (PCSCs).
- Residents are 52% more likely to use ED/UCC for chronic *PCSCs.
- Residents are concerned with the limited options for after-hours care and weekend access, compounded by the further reduction in access associated with the anticipated closure of the UCC.
- In Port Colborne, the UCC currently plays an important role in access to laboratory, diagnostic services and urgent care. Without changes to existing service delivery or the introduction of new services, the anticipated closure of the UCC in 2028 presents the risk of reduced access to these wrap-around healthcare services.

*Primary care sensitive conditions are conditions typically manageable through timely primary care access.

Acuity Profile

In 2024/25, out of the approximately 17,000 patients that presented at the Port Colborne UCC:

- 18% of visits were CTAS 1–2 (high acuity)
- 49% were CTAS 3 (urgent)
- 33% were CTAS 4–5 (lower acuity)

This means 82% of visits were low to medium acuity (CTAS 3–5), suggesting that many cases could potentially be managed in strengthened primary care or community settings.

When the UCC previously operated 24 hours a day, overnight volumes averaged fewer than one patient arrival per hour (6 visits per night between 10 p.m. and 6 a.m.).

Regional Role of the Port Colborne Site

The analysis confirms the site currently functions as a regional access point for urgent and complex care:

- 55% of UCC visits originate from outside Port Colborne.
- 86% of complex care days at the Port Colborne site are for patients residing outside the municipality.
- 38% of complex care days are from St. Catharines residents.

Inpatient Demand Forecasting (Hospital Beds)

Under the moderate growth scenario:

- Total inpatient bed need for Port Colborne residents increases from 61 beds today to 89 beds by 2044/45 (+71%).
- Complex continuing care demand increases 118%.

Under the high growth scenario:

- Total bed need increases 116% over the planning horizon.

Expanded community care could mitigate some future inpatient demand presented in these scenarios.

Peer Benchmarking and Access Risk

Port Colborne was compared against nine peer municipalities with similar populations sizes, proximity to waterfront, seasonal tourism influx and level of rurality. Port Colborne currently ranks 4th highest overall in health needs and access risk among peer communities. However, these risks are likely to intensify with the anticipated UCC closure unless alternative models are implemented. Key risk indicators:

- 84% high SDH risk (peer average: 60%)
- 122% higher ED/UCC use for PCSC compared to provincial benchmark
- 15% higher hospital admission rates for PCSC
- Moderate ALC pressure among seniors
- Lower projected ED/UCC growth relative to peers (based on moderate projected population growth scenario)

See Table 14 Port Colborne Peer Comparators on page 26 of the Healthcare Analysis Report, Appendix A.

Transportation as a Structural Barrier

Transportation was consistently identified as a significant barrier. Residents must travel outside Port Colborne for:

- CT and MRI
- Fracture care
- Specialist services
- Regional Centres of Excellence

Public transit to Welland Hospital can take approximately 1.5 hours one way. Travel to Niagara Falls or St. Catharines may require a full day for vulnerable residents.

Transportation challenges disproportionately affect seniors, low-income residents and residents without a vehicle.

Opportunities Identified

Building on the findings from the healthcare needs and access analysis as well as input from interest holder engagement, the report provided the following considerations to support future health and wellness services planning in Port Colborne:

Consideration 1: Exploring Options to Strengthen Primary Care and Integrated Models of Care

- Explore opportunities to strengthen primary care capacity, including the potential role of team‑based or primary care-led models. Providing expanded allied health and interprofessional support (i.e., nurse practitioners, social workers, dieticians, etc.) would enhance existing primary care capacity and access.
- Consider a Health and Wellness Hub that brings together core health and wellness services, such as primary care, after-hours and weekend care, and provides clinic space opportunities for visiting physician specialists to address key service gaps.
- Establish key supports for primary care teams such as diagnostic and lab services through affiliation agreements or new partnerships.

Consideration 2: Communication to Support Care Access and System Navigation

- Strengthen communication to enhance awareness of available services and support health and wellness system navigation.

Consideration 3: Support Collaboration and Alignment Among Partners

- Enhance collaboration and alignment among partners to support coordinated care delivery, enhance access and advance shared goals around improving care for the community.

Consideration 4: Review Transportation Service Needs

- Review access to transportation and identify strategies to better align transportation services with community needs.

Overall, the analysis highlights an opportunity to strengthen coordinated community-based care services as a part of future health and wellness planning efforts in Port Colborne.

Internal Consultations:

In addition to external community engagement conducted in early 2025 and again in January 2026, the following internal Committees of Council were engaged:

- Healthcare Advisory Committee

- Seniors Advisory Committee
- Social Determinants of Health Committee
- Mayor’s Youth Advisory Committee
- City Council

Finance staff were consulted during procurement and budget approval processes.

Financial Implications:

The City of Port Colborne Healthcare Analysis Report was funded through the approved 2026 Budget. There are no immediate financial implications associated with receiving this report.

Future initiatives, including development of a possible Health Hub, diagnostic expansion, transportation alignment, partnership models, or capital grant applications, may carry financial implications and will be brought forward to Council in subsequent reports.

Public Engagement:

The report builds upon:

- 2,000+ community survey responses
- 10,000+ open-ended comments
- Public open houses and town halls
- Targeted surveys through KMPG Targeted Engagement (31 respondents)
- 20+ interest holder consultations and focus groups through KMPG

Survey results indicate:

- Only 32% rate healthcare accessibility as good or excellent, 61% rate healthcare accessibility as Poor or Very Poor
- Only 19% rate equity as good or excellent, 39% rate equity as Poor or Very Poor
- 45% believe services will worsen over the next 3–5 years
- Transportation identified as the most significant barrier
- Strong support for an integrated health and wellness hub model

---

Strategic Plan Alignment:

This initiative supports:

- Welcoming, Livable, Healthy Community
- Economic Prosperity
- Sustainable and Resilient Infrastructure

Reliable healthcare access supports workforce attraction, economic competitiveness, population growth, and long-term resilience.

Conclusion:

The City of Port Colborne Healthcare Analysis Report prepared by KPMG confirms that Port Colborne faces:

- Elevated social vulnerability
- Rapid population aging
- Heavy reliance on urgent care or episodic care
- High use of ED/UCC for primary care sensitive conditions
- Systemic transportation barriers
- Above-average access risk relative to peer communities

At the same time, the report identifies clear strategic opportunities to strengthen community-based care, advance team-based primary care, enhance coordination, and align local planning with provincial and federal policy directions.

Appendices:

a. City of Port Colborne Healthcare Analysis Report, prepared by KPMG, February 2026.

b. The City of Port Colborne Policy Directions Background Report, authored by Dillon Consulting, February 2026.

c. Report to The Honourable Deb Matthews, Minister of Health and Long-Term Care on Restructuring of the Niagara Health System, authored by Dr. Kevin P.D. Smith, Supervisor Niagara Health System. September 2012.

d. Healthcare Analysis Report City Council Presentation.

Respectfully submitted,

Geneviève-Renée Bisson
Senior Health Advisor
Genevieve-renee.bisson@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.

Healthcare Analysis Report: Building a Brighter Future for Healthcare in Port Colborne

February 2026

PORT COLBORNE

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Executive Summary

The City of Port Colborne is undergoing a period of change across its local healthcare environment, including the anticipated shift of services to the South Niagara and Welland Hospitals and the closure of the local Complex and Urgent Care Centre (UCC). These changes are creating some uncertainty around future access to care and impact on the community. The City of Port Colborne commissioned this Healthcare Analysis Report to provide a clear, evidence-based understanding of the current and future health service needs. The following summarizes key findings and takeaways from the Healthcare Analysis Report.

Key Findings

High Risk Population

Port Colborne's population profile presents elevated healthcare need driven by both aging and social risk. The community is projected to see rapid growth among residents aged 75 and older, the age group with the highest rates of chronic conditions and healthcare use. While aging is a nation- and province-wide trend, this shift will materially increase demand for primary care, community supports, and acute services in Port Colborne over the next two decades.

More notably, 84% of Port Colborne residents live in neighbourhoods classified as high or highest social determinants of health (SDH) risk, compared to 15% provincially. These risks, related to income, education, seniors living alone, and other structural factors, are associated with higher healthcare utilization.

Taken together, Port Colborne's aging population and relatively higher SDH risk indicate that healthcare needs are likely to exceed what population size or age alone would predict, with implications for future service planning.

Urgent Care Centre Fills Access Gap

The Port Colborne Urgent Care Centre (UCC) currently functions as a primary access point for healthcare for residents of Port Colborne and the region. Port Colborne residents account for 45% of all visits to the Niagara Health System (NHS) Port Colborne UCC indicating heavy reliance on the site for urgent and episodic care.

Moreover, Port Colborne residents are 95% more likely than the provincial average to use ED/UCC services for acute primary care sensitive conditions[1] (PCSCs) – conditions that can often be treated or managed through effective primary care or outpatient services.

[1] Primary care sensitive conditions (PCSC) are conditions for which access to effective primary care can avoid or substantially reduce patient need to seek care at urgent care centres or emergency care departments. Acute PCSC are conditions typically presenting with rapid onset and have short duration if treated, including for example: urinary tract infections, ear and upper respiratory infections, and bronchitis. Chronic PCSC include asthma, diabetes, and hypertension.

Barriers to Accessing Care:

Interest holder engagement and survey findings indicate that residents perceive significant barriers to accessing timely healthcare, particularly related to after-hours availability and transportation. Residents consistently raised concerns about limited options to access care during evenings and weekends, and the potential further reduction in access associated with anticipated changes to Urgent Care Centre services.

Transportation was also frequently identified as a barrier to care, particularly for residents who must travel outside Port Colborne to access emergency departments, diagnostics, and specialist services. Limited public transit options, long travel times, and reliance on personal vehicles were described as challenges, disproportionately affecting seniors, low-income residents, and those without access to transportation. Together, these factors contribute to gaps in access and equity across the local health system.

Considerations

Building on the findings from the healthcare needs and access analysis as well as input from interest holder engagement, the following summarizes four considerations to support future health and wellness services planning in Port Colborne.

Consideration 1: Exploring Options to Strengthen Primary Care and Integrated Models of Care

Findings from this analysis highlight patterns of healthcare utilization that suggest potential gaps in access to timely primary care and community-based services. In this context, the City may wish to explore opportunities to strengthen primary care capacity, including the potential role of team-based or primary care-led models. Such approaches could include expanded access to allied health professionals, shared administrative supports, and enhanced coordination with community-based services, with the aim of improving access, continuity, and sustainability of care.

There may also be value in considering a Health and Wellness Hub model as one possible framework to bring together primary care, after-hours services, diagnostics, and visiting specialists in a coordinated way. Exploring such a model could help assess whether more integrated, community-based approaches might reduce reliance on urgent and acute care settings and support care delivery closer to home, particularly in light of anticipated changes to UCC services.

Consideration 2: Explore Opportunities to Strengthen Community Awareness and Navigation of Healthcare Services

Findings from community engagement and service utilization analysis suggest that residents may not always have clear or consistent understanding of available health services or the most appropriate settings in which to seek care. The Port Colborne Urgent Care Centre has historically functioned as a trusted and familiar access point, which may contribute to continued reliance on urgent and hospital-based services even when other care options are available or more appropriate.

As service models evolve, there may be value in exploring approaches to strengthen communication and system navigation to help residents better understand where and how to access care. This could include clearer information about the roles of primary care, urgent care, emergency departments, walk-in clinics, pharmacies, and community-based services, as well as how these services work together within the broader health system.

Improved communication and coordination among providers may also help support more appropriate use of services and reduce confusion during periods of system change. Exploring opportunities to align messaging across partners could support residents in making informed care-seeking decisions, particularly in the context of anticipated changes to local urgent care services.

Consideration 3: Exploring Opportunities to Strengthen Collaboration and Alignment Among Partners

Findings from this analysis and interest holder engagement suggest that healthcare and community services in Port Colborne are delivered by a range of organizations, often with limited formal coordination or shared planning mechanisms. As service models evolve and access pressures increase, there may be value in exploring opportunities to improve alignment among providers, system partners, and the City around shared goals related to access, equity, and continuity of care. Enhanced collaboration could support clearer role definition, reduce duplication, and improve coordination across primary care, community-based services, municipal programs, and regional health system partners. Exploring more structured opportunities for dialogue and alignment may help partners respond more effectively to changing community needs and anticipated system changes.

There may also be value in considering how local leadership and partnership structures could support ongoing collaboration, information sharing, and collective problem-solving. Strengthening alignment among partners could help create a more coordinated and resilient local health and wellness system over time, without presupposing specific service or governance models.

Consideration 4: Exploring Opportunities to Better Align Transportation Supports with Healthcare Access

Findings from community engagement surfaced that transportation can be a barrier to accessing healthcare for many Port Colborne residents, particularly for services that require travel outside the community. Limited public transit options, and reliance on personal or public transportation were consistently identified as challenges, with disproportionate impacts on seniors, low-income residents, and those without access to a vehicle.

As regional healthcare services continue to evolve, there may be value in exploring how transportation planning could better align with health and wellness objectives, recognizing transportation as an important enabler of timely and equitable access to care.

Conclusion

Overall, the analysis highlights an opportunity to strengthen coordinated community-based care services as a part of future health and wellness planning efforts in Port Colborne. The Report provides more in-depth information and data related to Port Colborne's population demographics, local healthcare needs and utilization, as well as considerations for enhancing health and wellness services to better meet the needs of the community.

Section A: Introduction and Context

Port Colborne is undergoing a period of change in its local health service landscape, shaped by changes to health and wellness services and evolving community needs. The anticipated closure of the local Complex and Urgent Care Centre in 2028 and shift of services to the South Niagara and Welland Hospitals has increased uncertainty for residents, providers, and community partners regarding future access to timely care. This report aims to provide an overview of the access and needs of health services in Port Colborne and establish a fact base for supporting future planning efforts.

Community Overview

Population demographics are the single biggest drivers of future health service needs. Population growth and aging projections are therefore essential to forecasting future needs. The Ontario Ministry of Health relies on population projections updated annually by the Ministry of Finance to inform its planning and resource allocation decisions. The accuracy of population projections is sensitive to both the forecasting horizon and community size. Put differently, short term projections will generally be more accurate than long term projections, and projections for larger communities will generally be more accurate than projections for smaller communities.

The current release of the Ministry of Finance population projections shows Port Colborne's population growing to 26,251 people by 2051. However, recent work by City of Port Colborne staff shows that the population could grow substantially faster than this. Shown below is a comparison of the Ministry of Finance projections with two growth scenarios developed in The City of Port Colborne Official Plan Policy Directions Report 2026 by Dillon Consulting.

Table 1. Port Colborne Population Growth Scenarios

	Port Colborne Population Projections				
Population Growth Projections	***2024***	***2034***	***2044***	***2051***	***2024 - 2051 % Growth***
Scenario 1: Ontario Ministry of Finance	21,830	22,643	24,546	26,251	20%
Scenario 2: Port Colborne, Moderate Growth	21,830	23,526	25,866	28,000	28%
Scenario 3: Port Colborne, High Growth	21,830	26,708	31,586	35,000	60%

Sources: Scenario 1: Ministry of Finance Projections Summer 2025 Release; Scenarios 2 and 3: The City of Port Colborne Official Plan Policy Directions Report by Dillon Consulting, February 2026

Under the high growth scenario, Port Colborne's population will increase to 35,000 people by 2051, which is roughly three times faster growth than projected by the Ministry of Finance.

Analysis shown in the rest of this report is based on the moderate growth scenario (i.e., Scenario 2) shown above which expects the population to increase to 28,000 people by 2051. Given the importance of population projections for effective healthcare needs and services

planning, local population estimates and projections generally should be reassessed at least every 3 to 5 years.

Table 2 shows that Port Colborne's population is projected to grow 28% by 2051. Over the same timeframe, seniors 75+ are the fastest-growing segment, projected to grow 102%. Without changes to care models, all resources for seniors, including primary care, community support services, and inpatient services will need to double to keep pace with needs. The system will face increasing pressure related to an aging population and greater need for care coordination and continuity.

Table 2. Projected Growth and Aging of the Port Colborne Population

	Port Colborne Population Projections				
Age Group	***2024***	***2034***	***2044***	***2051***	***27-yr % Growth***
<1	188	172	202	219	16%
1-17	3,322	3,289	3,282	3,569	7%
18-59	10,819	11,372	12,690	13,518	25%
60-74	4,806	4,823	4,666	5,249	9%
75-84	1,847	2,663	3,060	2,955	60%
85+	848	1,207	1,966	2,491	194%
Total	**21,830**	**23,526**	**25,866**	**28,000**	**28%**

Sources: Watson and Associates Growth Forecast (2024), Dillon Consulting Growth Analysis Review (2023), and The City of Port Colborne Official Plan Policy Directions Report by Dillon Consulting (2026)

Francophone and Indigenous communities are important interest holders in the planning of health services in Port Colborne. Table 3 shows the share of French Spoken at Home (FSAH) and Indigenous individuals in Port Colborne and the Broader Niagara Region, relative to the total population. Port Colborne's FSAH rate (2.0%) moved in line with the Niagara Region (2.1%) as of 2021. Port Colborne's Indigenous population share grew to 5.4%, while Niagara Region's share declined to 3% between 2011 to 2021. These population characteristics provide important context for understanding the community served by the local health system.

Table 3. Trends in French Spoken at Home and Indigenous Populations

French Spoken at Home and Indigenous Identity Trends, Port Colborne and Niagara

Region	*Measure*	*2011*	*2016*	*2021*	*% Change*
Port Colborne	% FSAH	1.2%	3.6%	2.0%	0.8%
	% Indigenous	4.9%	5.2%	5.4%	0.5%
	Total Population	**18,865**	**18,806**	**20,744**	**10%**
Niagara	% FSAH	1.2%	2.7%	2.1%	0.9%
	% Indigenous	3.7%	2.8%	3.0%	-0.7%
	Total Population	**443,099**	**460,651**	**497,159**	**12%**

Sources: StatCan NHS Profile (2011), StatCan Census Profiles (2011, 2016, 2021), MOF Population Summer 2025 Release

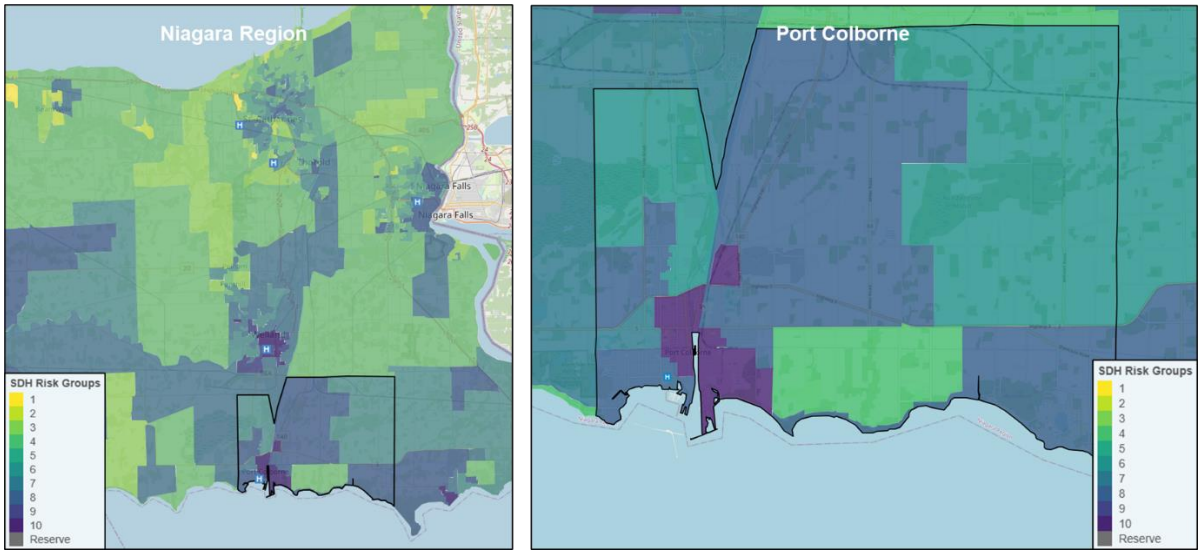
Port Colborne's health and wellness services context is further shaped by relatively high social determinants of health risk compared to peers in the region and province. Social determinants of health (SDH) are non-medical factors that impact health status and outcomes. SDH risk levels are calculated based on a variety of factors including income and wealth, age, education level, immigration status and region type[2]. The SDH gradient aims to provide an indicator of healthcare needs and outcomes. Table 4 shows the percentage of Port Colborne residents by SDH risk group compared to the provincial average. Figure 1 shows that a high proportion of Port Colborne residents live in higher SDH risk neighbourhoods compared to the Ontario average. The left panel illustrates SDH risk stratification across Niagara Region, while the right panel highlights Port Colborne specifically. Darker shading reflects higher SDH risk. Compared to much of the region, Port Colborne contains a concentrated cluster of neighbourhoods in the highest risk categories, particularly along the southern and central areas of the city. 84% of Port Colborne residents live in the high and highest risk stratifications, compared to a provincial average of just 15%[3]. Typically, those higher in SDH gradient groups face more barriers to health, leading to poorer health outcomes and increased healthcare needs and use. Often traditional health service planning approaches emphasize age, sex, and population growth, and can under-account for the extent to which social and structural factors impact care need and access. As a result, traditional planning can underestimate service needs in communities with elevated SDH risk.

[2] Calculated using the Preyra Solutions Group SDH Classification system
[3] See Appendix A, Table 1A

Table 4. 2024 Population by Social Determinants of Health

SDH Group	*Port Colborne*	*Ontario*
Low: Groups 1-4	6%	65%
Moderate: Groups 5-7	10%	19%
High: Group 8	56%	6%
Highest: Groups 9-10	28%	9%
Reserve		0.5%
Total	**21,800**	**16,124,000**

Figure 1. Population Health: The Social Determinants of Health Gradient



Socioeconomic and Demographic Profile

The following Table 5A provides a summary of the Socioeconomic and Demographic Profile by Social Determinant of Health Risk Group for Port Colborne compared to the Niagara Region and provincial averages.

PORT COLBORNE

Table 5A. Socioeconomic and Demographic Profile by Social Determinants of Health Risk Group

Region	2024 Population	Median Household Income	Median Household Value	No Certificate, Diploma or Degree	Aged 75 Plus and Unmarried	Immigrated in the Past 10 Years	Indigenous Population
Port Colborne	**21,800**	**$70,000**	**$448,000**	**19%**	**53%**	**0.4%**	**2.1%**
Low Risk	*700*	*$100,000*	*$600,000*	*10%*	*33%*	*0.0%*	*2.2%*
Moderate Risk	*2,800*	*$72,644*	*$536,101*	*18%*	*50%*	*0.4%*	*1.7%*
High Risk	*12,100*	*$82,661*	*$482,478*	*17%*	*52%*	*0.4%*	*1.0%*
Highest Risk	*6,200*	*$53,253*	*$386,462*	*24%*	*64%*	*0.3%*	*2.7%*
Niagara Region[4]	**539,200**	**$79,000**	**$600,000**	**15%**	**47%**	**3.2%**	**1.7%**
Ontario	**16,124,100**	**$91,000**	**$700,000**	**15%**	**48%**	**7.5%**	**1.8%**

Source: Statistics Canada Census 2021 Profile, PSG Population Projections Summer 2025 Release

The following table examines the Socioeconomic and Demographic Profile by Social Determinant of Health Group, comparing Port Colborne to the Ontario average for each component.

Table 5B. Socioeconomic and Demographic Profile by Social Determinants of Health Risk Group Relative to Provincial Average

	Relative to Provincial Average					
Region	Median Household Income	Median Household Value	No Certificate, Diploma or Degree	Aged 75 Plus and Unmarried	Immigrated in the Past 10 Years	Indigenous Population
Port Colborne	**23% lower**	**36% lower**	**24% higher**	**12% higher**	**90% lower**	**20% higher**
Low Risk	*10% higher*	*14% lower*	*35% lower*	*30% lower*	*100% lower*	*22% higher*
Moderate Risk	*20% lower*	*23% lower*	*16% higher*	*4% higher*	*94% lower*	*6% lower*
High Risk	*9% lower*	*31% lower*	*12% higher*	*8% higher*	*95% lower*	*45% lower*
Highest Risk	*41% lower*	*45% lower*	*57% higher*	*34% higher*	*95% lower*	*54% higher*
Niagara Region	**13% lower**	**14% lower**	**1% higher**	**1% lower**	**57% lower**	**7% lower**

Source: Statistics Canada Census 2021 Profile, PSG Population Projections Summer 2025 Release

[4] Tables 4 and 5 use the Niagara Census Division for the Niagara Region figures

Reflecting on how Port Colborne compares to the Niagara Region and provincial averages, there are several key observations.

Key observations include:

- **Household income in Port Colborne is lower than the Niagara Region and provincial averages:** Median household income in Port Colborne ($70,000) is 23% lower than the provincial average ($91,000) and 13% lower than Niagara Census Division ($79,000).
- **Education varies by SDH risk level:** Port Colborne residents in the highest SDH risk level are 57% more likely to have no certificate, diploma, or degree compared to the provincial average.

These findings highlight Port Colborne's relatively high SDH risk, which correlates with higher health service needs.

Regional Healthcare Services Overview

Port Colborne is situated on the northern shore of Lake Erie, at the southern end of the Welland Canal, in the Niagara Region of Southern Ontario, with much of the region's acute care (i.e., hospital-based) health services managed and overseen by the Niagara Health System (NHS). Niagara Health System's 2023-28 Strategic Plan[5] details the planned consolidation of hospital services to three sites: the Marotta Family Hospital, the new South Niagara Hospital[6], and the re-developed Welland Hospital[7]. As part of the transition to this three hospital site model, both the NHS Port Colborne UCC and Fort Erie UCC are expected to close in 2028, as regional acute care services are further rationalized[8] across the hospital sites.

The three sites collectively deliver core hospital-based services as well as regional Centres of Excellence which provide specialty services.The Centre of Excellence model aims to centralize specialty care across the Niagara Health System. Table 6 outlines the planned organization and delivery of health services and Centres of Excellence across Niagara Health's three hospital sites as outlined in the Niagara Health planning materials, which may be subject to change.

Port Colborne residents must travel to neighbouring communities to access these acute care and specialty services. The travel associated with seeking care at the regional hospital sites has been identified by residents as a barrier to accessing timely care, particularly for low-income residents, residents without transportation, seniors, and other priority populations. While driving times are approximately 15-20 minutes to Welland Hospital, approximately 25-30 minutes to the South Niagara Hospital in Niagara Falls, and approximately 30-35 minutes to the Marotta Family Hospital in St. Catharines, access is more complex for residents who rely on public transit. Due to the lack of a direct bus route, public transit to the Welland Hospital from Port Colborne takes approximately 1.5 hours. Public transit to the other Centres of Excellence in Niagara Falls and St. Catharines can require multiple transfers and involves long travel times.

[5] NH Strategic Plan - 2023-28
[6] Centres are expected to open in 2028 with the opening of the South Niagara Hospital.
[7] Based on proposed programs and services for the Welland Hospital renovations.
[8] Rationalization of healthcare services involves a strategic process aimed at optimizing resource use and improving care delivery. This includes eliminating redundancies, standardizing practices, and streamlining clinical services.

Table 6. Niagara Health Planned Regional Three-Site Hospital System (at 2028)

	Marotta Family Hospital	*South Niagara Hospital*	*Welland Hospital*
Services	• 24/7 Emergency Services • Critical Care • General Surgery • Outpatient Clinics and Surgical Services • Diagnostic Imaging and Laboratory • Children's Health • Kidney Care • Administration	• 24/7 Emergency Services • Critical Care • General Surgery • Outpatient Clinics and Surgical Services • Mental Health and Addictions • Diagnostic Imaging and Laboratory • Kidney Care • Joint Care • Indigenous Healing • Administration	• 24/7 Emergency Services with observation beds • 90+ complex care beds • Outpatient clinics (Orthopedics/Fracture, Plastics, Chronic Disease Management and Geriatric) • Mental Health and Addictions (Residential Addictions and Treatment) • Diagnostic Imaging and Laboratory (X-ray, Ultrasound, CT, ECG, Echocardiography, Ontario Breast Screening) • Kidney Care • Administration hub
Centres of Excellence	• Women and Babies, Cancer • Cardiac • Mental Health and Addictions	• Complex Care • Stroke • Wellness in Aging	• Eye Care

Source: Niagara Health – Partnering for the future of healthcare in South Niagara

Health System Context

Across Canada, healthcare systems are undergoing significant transformation in response to population changes, workforce challenges, and rising financial pressures. Health and wellness services in Port Colborne are impacted by these trends within the regional and provincial healthcare landscapes. Understanding these broader trends provides insight into the current state of Port Colborne's health and wellness services and can support future planning.

Port Colborne is impacted by provincial system integration, continuing emphasis on primary care, and regional consolidation of acute and specialized services.

- **System Integration:** The Ontario Health Team (OHT) model aims to integrate and coordinate patient care across the system, representing a broader change to a more connected system. Port Colborne sits within the Niagara Ontario Health Team (NOHT), which brings together more than 45 health and social services organizations. Its

governance structure includes leadership from Niagara Health, local family health teams, community organizations, among others. Applications for provincial healthcare funding are typically coordinated and reviewed by the NOHT Planning Table and the Niagara Practitioners Healthcare Alliance (NPHA) before going to Ontario Health West for consideration. Primary Care Networks (PCN) are local networks of primary care physicians that support OHTs, serving as a voice in OHT decision making[9]. The integration of PCN's into OHTs aims to enable primary care providers to contribute directly to system planning and community-based health services delivery.

- **Primary Care Investment:** Ontario has been investing heavily in primary care. Ontario's Primary Care Action Plan[10] outlines the provincial commitment to connect[11] two million residents to primary care by 2029, investing up to $2.1 billion[12] in these efforts.
    - **Emphasis on Team-Based Primary Care Models:** Team-based care is a provincial priority. In Ontario, this direction has been reinforced by the expansion of Family Health Teams[13] (FHTs) and Community Health Centres[14] (CHCs). FHTs provide primary care services to their community through interdisciplinary teams that often include family physicians, nurse practitioners, registered nurses, social workers, and other allied health professionals. In this model, patients are rostered to physicians and care is delivered through a shared-care team model. CHCs also provide wrap-around support, with a model centered around family physicians and nurse practitioners, along with other allied health supports. CHCs have a specific mandate to support vulnerable populations in a community and in turn, they tend to emphasize equity, outreach, and system navigation.
    - **Anticipated Changes to the Family Health Organization Model (FHO):** The province is advancing the Family Health Organization model through the anticipated release of the FHO+ model in Spring of 2026[15]. This model is expected to introduce updated compensation structures and administrative support. These changes are intended to enable more comprehensive primary care access, providing additional support to smaller practices that do not meet the size requirements of becoming a Family Health Team (FHT). The current FHO+ proposal considers the removal of negation, where a physician's payment is reduced if an enrolled patient seeks certain health services outside their practice[16]. If confirmed, this change would enable greater flexibility and could introduce new options for enhancing timely access to care.
- **Federal Investment:** The federal government's Build Communities Strong Fund[17] commits $51 billion over 10 years to revitalize local infrastructure, including a dedicated Healthcare Infrastructure Fund that allocates $5 billion over three years specifically to

[9] Primary Care Networks in Ontario Health Teams: Guidance Document | Supports for Ontario Health Teams | ontario.ca
[10] Ontario's Primary Care Action Plan, January 2025 | ontario.ca
[11] Attach to a publicly funded primary care provider or primary care team
[12] Ontario's Primary Care Action Plan: 1-year progress update
[13] Family Health Teams | ontario.ca
[14] Community Health Centres | ontario.ca
[15] Understanding the Proposed FHO+ Model: What Ontario Family Physicians Need to Know – DoctorCare
[16] Ontario Medical Association | FHO+ Webinar
[17] Budget 2025 investments in the Build Communities Strong Fund - Canada.ca

healthcare infrastructure (i.e., building construction and retrofitting, core diagnostic infrastructure, etc.).

- **Rationalization of Acute and Specialized Services:** In Ontario, hospital service and infrastructure planning is informed by a region's population size, demographic characteristics, and projected service demand. Across the province, high-acuity and specialty services are being consolidated in more urban areas to drive efficiencies and combat workforce challenges.

These broader system changes present both constraints and opportunities for Port Colborne health and wellness services planning. While acute and specialized services are increasingly being centralized, provincial and federal investments in primary care and infrastructure may create pathways to strengthen community-based services closer to home.

Prior Community Engagement Summary

The City has undertaken extensive engagement to inform decision-making related to the future of health and wellness services in Port Colborne. Between January and April 2025, the City led a large-scale community engagement campaign (i.e., the Future of Healthcare in Port Colborne) that included online and paper-based surveys, public open houses, virtual and in-person town halls, and other events. The goals of the engagement were to inform the community, gather feedback, promote inclusion, identify concerns and opportunities, and ensure transparency. Input from this community engagement contributed to the formal establishment of the City's Healthcare Advisory Committee, a committee of Council tasked with supporting health and wellness services planning in Port Colborne.

The Future of Healthcare engagement provided important insights into community sentiments related to healthcare in Port Colborne. The survey had more than 2,000 responses and generated over 10,000 open-ended comments. Key themes from across the community engagement activities include strong concerns regarding the availability of urgent and after-hours care, along with concerns about access to primary care providers and local diagnostic services. Notably, 83% of survey respondents believed that Port Colborne requires an Urgent Care Centre open 24 hours per day and 90% of respondents reported that the community needs more family doctors[18]. The engagement also revealed concerns about public transportation, and the impacts of service changes for vulnerable populations such as seniors. This Healthcare Analysis Report builds on this previous community engagement.

[18] Future of Healthcare in Port Colborne - Public Engagement Results

Section B: Methodology

The Healthcare Analysis report was designed to provide an evidence-based foundation to help inform future health and wellness system planning in Port Colborne. The methodology integrates data analysis with interest holder engagement to identify and assess health service needs and access to support future planning. This report highlights findings related to demographic trends, health and wellness services utilization data, comparative analysis with peer municipalities, and considers the lived experience of Port Colborne residents.

Data and Analytical Approach

Population Demographics and Projected Growth

Healthcare demand is shaped by the demographic composition of a community and projected population trends. The analysis examined Port Colborne's current population profile and long-term projections to 2051 to assess how anticipated changes in age structure, population growth, and social risk factors may influence future service demand and resource needs.

Healthcare Needs and Access

Healthcare needs and access were assessed using utilization patterns, access indicators, and population health measures. This analysis identified areas of elevated service use, potential gaps in access, and populations at increased risk of unmet need.

Peer Community Benchmarking

To contextualize findings, Port Colborne was compared to nine peer communities with similar demographic and geographic characteristics. Five standardized measures of need and access were used to assess relative performance and identify areas where Port Colborne differs from comparable municipalities.

Interest Holder Engagement Approach

Quantitative findings were complemented by structured interest holder engagement to contextualize data trends and incorporate lived experience.

Community Survey

A targeted community survey gathered perspectives on healthcare access, equity, and service availability. Responses were analyzed to identify recurring themes related to barriers, strengths, and priority areas for improvement. The survey was distributed to committees of Council, healthcare providers, and community agency representatives.

Interest Holder Interviews

Interviews and focus groups were conducted with over 20 healthcare providers, municipal leaders, and community organizations. Engagement sessions were guided by structured questions and facilitated discussion to explore current system strengths, access challenges, and opportunities for future service models. Findings were anonymized and synthesized to identify cross-cutting themes.

Section C: Results

Analysis Key Takeaways

The analysis examined healthcare needs, service utilization, and access patterns for Port Colborne residents using population data, utilization metrics, peer benchmarking, and community and interest holder input. The key takeaways are summarized below with detailed results and supporting analysis in the following section.

1. Healthcare need in Port Colborne is elevated and shaped by multiple factors.

Port Colborne residents experience elevated healthcare need driven by the combined effects of population aging and high social determinants of health (SDH) risk. 84% percent of residents live in high or highest SDH risk neighbourhoods, compared to 15% provincially. These factors are associated with higher healthcare utilization and more complex care needs, increasing demand beyond what population size or age alone would suggest.

2. Residents rely heavily on emergency and urgent care services.

Overall ED/UCC utilization among Port Colborne residents is 37% higher than the provincial average, with elevated use observed across SDH risk groups. This pattern suggests that reliance on urgent and emergency care is not limited to the most vulnerable populations but reflects broader access challenges within the local healthcare system.

3. High use of urgent and emergency care for conditions typically managed in primary care.

Port Colborne residents are 95% more likely than the provincial average to use ED/UCC services for acute primary care sensitive conditions, and 52% more likely for chronic primary care sensitive conditions. These utilization patterns indicate that hospital-based settings are frequently being used to manage conditions that could often be addressed through timely access to primary care or outpatient services.

4. The Urgent Care Centre functions as a central access point for care.

The Port Colborne UCC serves as a central access point for a wide range of healthcare needs for residents of Port Colborne and the region. 45% percent of all UCC visits are from Port Colborne residents, and visits span all acuity levels. While a portion of visits involve high-acuity conditions, the majority are low- to medium-acuity cases, suggesting that the UCC plays an important role in meeting both urgent needs and broader gaps in timely access to care.

5. Local access to diagnostics and laboratory services through the Urgent Care Centre supports care close to home.

In addition to urgent care, the UCC currently provides local access to diagnostic imaging (i.e., x-ray and ultrasound) and laboratory services. This access supports timely assessment, reduces the need for travel, and may help prevent escalation to higher-acuity care settings. Anticipated changes to UCC services therefore have implications not only for urgent care access, but also for residents' ability to obtain diagnostics and laboratory services locally.

6. Anticipated changes to UCC services present a potential access risk.

Given the UCC's currently role in providing urgent care, diagnostics and laboratory services, as well as after-hours access, anticipated service changes represent a potential shift in the local health services landscape. Without alternative community-based capacity, reductions in UCC services may increase travel burden, exacerbate perceived access gaps, and place additional pressure on regional emergency departments.

7. Transportation constraints intersect with healthcare access challenges.

Transportation was consistently cited as a barrier to accessing care locally and within the region. Limited public transit, long travel times, and reliance on personal transportation affect residents' ability to access hospital-based care, diagnostics, and specialist services outside the community. These challenges disproportionately affect seniors, low-income residents, and those without access to a vehicle.

Detailed tables, figures, and trend analyses supporting these findings are provided in the section below.

Population Healthcare Needs and Access Overview

An analysis was conducted to examine patterns of health service need and access in Port Colborne. Key findings from the analysis are summarized below.

SDH Impact on Hospital Service Use

The following analysis examines how the SDH groupings impact hospital use of Emergency Department (ED) and UCC visits. The analysis compares the actual number of ED/UCC visits to the number of visits expected based on the provincial average. Results are presented as the ratio of actual-to-expected visits[19]. ED and UCC visits are reported together as provincial data do not distinguish between ED and UCC visits.

Table 7. Variations in ED and UCC Visits by Social Determinants of Health Risk Group

	Actual / Expected ED and UCC Visits	
SDH Risk Group	***Port Colborne***	***Ontario***
Low Risk	1.23	0.80
Moderate Risk	1.32	1.16
High Risk	1.24	1.33
Highest Risk	1.67	1.83
Total	**1.37**	**1.00**

Observed ED and UCC utilization in Port Colborne is higher than the Ontario average, with some variation across the social determinants of health risk groups.

Key observations include:

- **High SDH risk groups use more ED/UCC services:** Among Port Colborne residents, those in the highest SDH risk group are 36% more likely (1.67/1.23) to visit an ED or UCC than residents of low-risk neighbourhoods. This demonstrates a clear correlation between social determinants of health and health service utilization (i.e., ED/UCC visits).
- **High ED/UCC utilization compared to Provincial Average Rate:** Port Colborne population had 37% more ED/UCC visits compared to the provincial average rate (actual to expected ratio = 1.37).

These findings indicate that higher ED and UCC utilization in Port Colborne is not limited to individuals in higher-risk neighbourhoods and reflects a broader pattern of high ED/UCC usage

[19] A value of 1.00 represents the provincial average level. Values above 1.00 indicate higher than expected reliance on ED/UCC services. Values below 1.00 indicate lower than expected use of ED/UCC services.

among residents of Port Colborne. This suggests that the population relies heavily on ED/UCC services to meet their healthcare needs.

UCC Visits by Acuity Level

Emergency Department and Urgent Care Centre visit acuity level is measured using the Canadian Triage and Acuity Scale (CTAS)[20]. It is a nationally used system that categorizes patients upon arrival at the ED/UCC based on the urgency of their medical needs. An overview of CTAS groups along with examples is highlighted in the table below.

Table 8. CTAS Levels and Examples

CTAS Group	*Definition*	*Examples*
CTAS 1 (Resuscitation)	Life-threatening conditions requiring immediate care.	Cardiac arrest, severe trauma, difficulty breathing
CTAS 2 (Emergent)	Serious conditions that could quickly become life threatening.	Chest pain, stroke symptoms, major infections
CTAS 3 (Urgent)	Conditions requiring prompt medical assessment but not immediately life-threatening.	Fractures, significant infections, moderate asthma
CTAS 4 (Less Urgent)	Conditions that require care but can safely wait, with stable vital signs and lower pain scales.	Minor injuries, mild infections, sprains
CTAS 5 (Non Urgent)	Minor complaints that do not pose immediate risk to the patient and can be managed with follow-up care.	Sore throat, mild diarrhea, cuts

The following analysis examines trends in visits to the Niagara Health System (NHS) UCC in Port Colborne by acuity level between 2019 and 2025.

[20] Prehospital Canadian Triage & Acuity Scale - Prehospital CTAS Paramedic Guide

Table 9. UCC Visit Trends

	NHS Port Colborne UCC Visit Trends						
CTAS Group	***2019/20***	***2020/21***	***2021/22***	***2022/23***	***2023/24***	***2024/25***	***% Change***
CTAS 1 & 2	3,567	1,809	2,442	3,177	2,939	3,060	-14%
CTAS 3	10,481	5,913	8,105	9,233	8,836	8,576	-18%
CTAS 4 & 5	7,515	5,032	5,957	6,439	6,171	5,736	-24%
Total	**21,563**	**12,754**	**16,504**	**18,849**	**17,946**	**17,434**	**-19%**

The observed UCC utilization highlights the range of different CTAS levels across visits to the Port Colborne UCC.

Key observations include:

- **UCC closures impact visit trends:** The UCC reduced its hours of operation in 2023, shifting from 24-hour service to 10 hours per day. This change in operating hours contributes to the observed decline in year-over-year visit volumes.
- **UCC visits span a range of acuity:** In 2024/25, 33% of UCC visits were triaged as lower acuity (CTAS 4 and 5), 49% were urgent (CTAS 3), and 18% were high acuity visits (CTAS 1 and 2). The high acuity visits (CTAS 1 and 2) reflect patients with severe or potentially life-threatening conditions that generally exceed the clinical scope of an urgent care centre and may be redirected to a higher level of care, such as an emergency department.
- **UCC serves as a central access point for care:** The observed range of high and low acuity visits suggests that the Port Colborne UCC serves as a central health services access point for the population.

These findings suggest that the UCC is functioning as a trusted access point for residents with a range of healthcare needs across all CTAS levels. Roughly 3,000 visits, or 18% percent of total visits, were CTAS 1 or 2, indicating that the UCC serves as access point for patients with serious and potentially life-threatening conditions. A majority (82%) of visits are classified as low and medium acuity (CTAS 3-5), suggesting that the UCC sees many cases that could be treated or managed in other care settings, particularly with timely access to primary care and other community-based services.

UCC Visits by Time of Day

The following analysis examines the daily visits to the Port Colborne UCC by time of day between 2019/20 and 2024/25.

Table 10. Port Colborne UCC Visits by Time of Day

		NHS Port Colborne UCC Visits					
Measure	***Patient Registration Time***	***2019/20***	***2020/21***	***2021/22***	***2022/23***	***2023/24***	***2024/25***
Visits	6am to 10pm	19,366	11,519	14,963	16,859	17,381	17,434
	10pm to 6am	2,183	1,213	1,531	1,971	561	
	Total Visits	21,563	12,754	16,504	18,849	17,946	17,434
Daily Average Visits	6am to 10pm	53	32	41	46	48	48
	10pm to 6am	6.0	3.3	4.2	5.4	*1.5*	
	Total Visits	**59**	**35**	**45**	**52**	**49**	**48**

Table 10 shows average daily visits to the Port Colborne UCC by time of day. In 2019/20, there was an average of six visits per day between the hours of 10pm and 6am, corresponding to an average of less than one visit per hour. The 2023/24 results are only a partial data set and are not comparable to other years as the UCC stopped providing 24-hour service during that year.

Key observations include:

- **The UCC had low overnight volumes:** When operating on a 24-hour basis, the UCC had, on average, fewer than one patient arrival per hour between 10pm and 6am.

UCC Use as Substitute for Primary Care

The following analysis examines how Port Colborne residents are using the UCC for different types of health conditions. It compares the actual number of ED/UCC visits by residents of Port Colborne to expected ED/UCC visits using the provincial average for different Condition Types[21]. This analysis looks at UCC usage for Primary Care Sensitive Conditions (PCSC), which are conditions, like heart failure, diabetes, COPD, asthma, for which access to effective primary care or outpatient clinics can avoid the need for ED and inpatient care.

[21] Results are presented as a ratio of actual-to-expected visits. A value of 1.00 represents the provincial average level. Values above 1.00 indicate higher than expected reliance on ED/UCC services for that condition. Values below 1.00 indicate lower than expected use of ED/UCC services for that condition.

Table 11. ED and UCC Visit Rates by Condition Type

	2024/25 Actual and Expected ED and UCC Visits			
		Age and Sex Adjusted		
Condition Type	*Actual*	*Expected*	*Actual - Expected*	*Actual / Expected*
PCSC Acute	2,877	1,477	1,400	1.95
PCSC Chronic	791	521	270	1.52
PCSC Vaccine	138	92	46	1.50
Preference Sensitive	630	609	21	1.03
Process Sensitive	174	120	54	1.45
All Other Conditions	10,120	7,969	2,151	1.27
Total	**14,730**	**10,788**	**3,942**	**1.37**

The observed ED and UCC utilization varies by condition type, with particularly high use for PCSC.

Key observations include:

- **High ED and UCC use for primary care sensitive conditions:** Port Colborne residents are 95% more likely (actual to expected ratio = 1.95) to use ED/UCC services for acute primary care sensitive conditions than the Ontario average and 52% more likely (actual to expected ratio = 1.52) to use ED/UCC services for chronic primary care sensitive conditions than the Ontario average. High rates of ED/UCC for primary care sensitive conditions are typically correlated with lack of adequate access to primary care and outpatient clinics.

These findings suggest that ED and UCC services are frequently being used to manage conditions that could otherwise be treated with access to primary care or other community-based care settings.

Port Colborne Complex and Urgent Care Centre Catchment Population

The following analysis examines the utilization of the Port Colborne Complex Care beds and UCC visits based on Patient Residence.

Table 12. Users of NHS Port Colborne by Patient Residence

		NHS Port Colborne Catchment by Patient Residence										
Measure		***Port Colborne***	***Welland***	***Wainfleet***	***Niagara Falls***	***St. Cath-arines***	***Fort Erie***	***Thorold***	***Pelham***	***West Lincoln***	***All Other Regions***	***Total***
Complex Care Days		**14%**	**16%**	**1%**	**12%**	**38%**	**6%**	**4%**	**3%**	**2%**	**4%**	**15,771**
UCC Visits	CTAS 1 & 2	46%	27%	5%	3%	3%	2%	3%	3%	1%	7%	3,060
	CTAS 3	45%	27%	5%	3%	3%	3%	3%	3%	1%	7%	8,576
	CTAS 4 & 5	43%	27%	5%	4%	3%	3%	3%	4%	2%	8%	5,736
	Total	**45%**	**27%**	**5%**	**4%**	**3%**	**3%**	**3%**	**3%**	**2%**	**7%**	**17,434**

The observed utilization patterns indicate that the Port Colborne UCC serves both local residents and a broader regional population.

Key observations include:

- **Port Colborne residents are the highest users of ED/UCC services:** 45% of all UCC visits are from patients that live in Port Colborne and 55% of UCC visits are from patients that reside outside of Port Colborne (i.e., 27% visits by Welland residents, 5% by Wainfleet residents, etc.).
- **Complex Care Beds at NHS Port Colborne is primary used by residents of neighbouring communities:** 86% of complex care days are from patients residing outside Port Colborne, with 38% of total complex care days from patients that live in St. Catharines. Port Colborne residents account for 14% of complex care days, indicating that the site supports a broader regional population in its complex care facility.

These findings indicate that NHS Port Colborne functions as a regional access point, especially in terms of complex care. Anticipated UCC service changes will impact residents of nearby communities who currently use the UCC for complex and urgent care needs.

Population-Based Demand Forecasting

The following analysis looks at the population-based inpatient bed forecasts over the next 10, 20 and 30 years. The Ministry of Health's Capital Planning Branch uses the same horizons for its hospital capital planning projections.

Table 13. Projected Inpatient Bed Demand (Hospital Beds)

	Projected Hospital Bed Need for Port Colborne Residents				
Program	***2024/25***	***2034/35***	***2044/45***	***2054/55***	***30-yr Growth***
Adult Medical	26	31	38	44	71%
Adult Surgical	8	10	11	13	57%
Critical Care	4	5	5	6	44%
SDU	1	1	1	1	34%
NICU	1	1	1	1	16%
Obstetrics	1	1	1	1	13%
Paediatrics	1	1	1	1	12%
Paediatrics: MH	0	0	0	0	11%
Inpatient Mental Health	4	5	5	6	31%
Complex Continuing Care	13	18	24	28	118%
Inpatient Rehab	1	2	2	2	69%
Total: Moderate Growth	**61**	**74**	**89**	**104**	**71%**
Total: High Growth		**84**	**109**	**131**	**116%**

Table 13 shows projected bed need for Port Colborne residents based on expected population growth and aging. Bed projections are based on the total inpatient care received by the Port Colborne population in 2024/25 and the moderate population growth scenario described earlier in the report. The last row of the table shows the projected total bed need under the high population growth scenario.

Key observations include:

- **Modest bed growth projections over the next 20 years:** Total bed increases required by the Port Colborne population is 28 beds, from 61 to 89, over the next 20 years.

These projections are based on current practice and the expected population growth and aging of the Port Colborne population. The need for new beds could be attenuated over time with improvements in population health or with success of new care models that shift care from inpatient to community settings.

Benchmarking Summary

Healthcare Services Access Assessment

To contextualize Port Colborne's health service needs and access, a comparative benchmarking analysis was conducted using a peer group of nine municipalities with similar population size and geographic characteristics (i.e., rurality, waterfront). Peer community characteristics are summarized below:

Table 14. Port Colborne Peer Comparators[22]

Characteristic	*Port Colborne*	*Collingwood*	*Essex*	*Fort Erie*	*Greater Napanee*	*Niagara-on-the-Lake*	*Orillia*	*Port Hope*	*Port Elgin / Saugeen Shores*	*Wasaga Beach*
Population Size	21,030	27,900	23,700	38,900	17,700	20,300	36,600	18,700	17,800	28,100
Hospital-based Laboratory Services	✓	✓	✗	✓	✓	✗	✓	✗	✓	✗
Community-based Lab Services	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓
X-ray	✓	✓	✓	✓	✓	✗	✓	✓	✓	✓
Ultrasound	✓	✓	✓	✓	✓	✗	✓	✓	✓	✓
CT Scan	✗	✓	✗	✗	✓	✗	✓	✗	✗	✗
MRI	✗	✓	✗	✗	✓	✗	✓	✗	✗	✗
ED or Urgent Care Services	✓	✓	✗	✓	✓	✗	✓	✗	✓	✗
Closest Emergency Department	Welland	Collingwood	Windsor	Niagara Falls	Lennox & Addington	St. Catharines	Orillia	Coburg	Saugeen Shores	Collingwood
Closest Emergency Department (kms)	~15km	--	~24km	~29km	--	~25km	--	~9km	--	~20km

Table 14 shows how Port Colborne compares to peers in terms of access to core healthcare[23], laboratory and diagnostic services.

Key observations include:

- Most have access to Laboratory Services
    - 60% through Hospital-based Services
    - 90% through Community-based Services
- Most have access to Diagnostics although the extent differs
    - 90% have access to X-ray
    - 90% have access to Ultrasound
    - 40% have access to CT Scan
    - 40% have access to MRI
- More than half (60%) have access to Emergency or Urgent Care

[22] Check marks denoted in grey signify characteristics that are tied to local UCC access. These services are at risk due to the anticipated UCC closures.
[23] This benchmarking exercise considers the Welland Hospital as a full-service hospital with an Emergency Department. Recent planning documents suggest that the Welland Hospital redevelopment may involve with further service changes, in which case, the closest full-service hospital to Port Colborne with on-site surgical, ICU beds, and critical care beds will be Niagara Falls.

- Of municipalities with access to Emergency Department (ED) or Urgent Care Centre (UCC) services, two have a UCC and four have an ED

In Port Colborne, the UCC currently plays an important role in access to laboratory, diagnostic services and urgent care. Without changes to existing service delivery or the introduction of new services, the anticipated closure of the UCC in 2028 presents the risk of reduced access to these wrap-around healthcare services.

Health Needs and Access Risk Assessment

Health services needs and access risks were assessed across the peer comparators using five measures detailed below:

1. **Social Determinants of Health (SDH) Risk:** The proportion of the population at high risk from the SDH; health service needs increase as SDH risk increases.
2. **ED/UCC visits primary care sensitive conditions (PCSC):** The percent that ED/UCC visits rates for PCSCs exceeds the age-sex adjusted provincial average; high rates imply high population morbidity and inadequate access to effective primary and ambulatory care.
3. **Admission Rate for primary care sensitive conditions (PCSC):** The percent that admission rates for PCSCs exceeds the age-sex adjusted provincial average; rates are correlated with inadequate access to preventative and maintenance community-based services.
4. **ALC use of acute resources:** Rate of ALC days per capita; high rates imply lack of access to post-acute care services.
5. **Projected Growth in Demand for ED/UCC Visits:** Percent increase in demand for ED/UCC care based on projected population growth and aging; investments across the continuum will be required to keep pace with needs.

Table 15. Risk Assessment: Port Colborne and Peer Regions

Measure	*Port Colborne*	*Collingwood*	*Essex*	*Fort Erie*	*Greater Napanee*	*Niagara-on-the-Lake*	*Orillia*	*Port Hope*	*Port Elgin / Saugeen Shores*	*Wasaga Beach*	Group Average
1. Population at High Risk from the Social Health Determinants	84%	44%	74%	71%	77%	0%	56%	41%	93%	61%	60%
2. ED/UCC Visit Rate for Primary Care Sensitive Conditions	122%	23%	-41%	66%	92%	-48%	84%	36%	141%	19%	49%
3. Admission Rate for Primary Care Sensitive Conditions	15%	7%	1%	4%	21%	-37%	53%	24%	-15%	5%	8%
4. ALC Use of Acute Resources	0.32	0.21	0.1	0.34	0.65	0.15	0.75	0.57	0.39	0.15	0.36
5. Projected Growth in ED/UCC Demand	16%	38%	23%	22%	24%	51%	24%	30%	38%	47%	30%
Composite Risk Score (Group Rank)	**66 (4)**	**54 (8)**	**46 (9)**	**60 (6)**	**75 (3)**	**36 (10)**	**77 (1)**	**63 (5)**	**77 (1)**	**59 (7)**	

Table 15 shows how Port Colborne compares to peer municipalities in terms of health services needs and access risks. Port Colborne ranks 4th overall on the needs and access risks among the 10 comparator municipalities, placing it among the higher need peer communities.

Key observations include:

- **High risk population**: 84% of residents in Port Colborne live in high risk SDH neighborhoods compared to a peer average of 60%, indicating that a high percentage of the population live in neighborhoods with social determinants of health risk factors (i.e., low income and wealth, seniors 65+ living alone, recent immigrants, low education status, etc.). Port Colborne is among the highest-risk communities in the group, exceeded only by Port Elgin / Saugeen Shores. High SDH is strongly associated with poorer baseline health and increased reliance on healthcare services.
- **Higher rate of visits to the ED/UCC for conditions often treatable through primary care:** Port Colborne has 122% higher ED/UCC visits for PCSC compared to the provincial average. This is among the highest rates observed across peers and indicates a pattern of residents relying on hospital-based settings for conditions that could typically be managed through timely primary care.
- **High admission rate for PCSCs:** Admission rates for primary care sensitive conditions in Port Colborne is 15% higher than the provincial benchmark, placing the municipality as the 4th highest in the group. Higher admission rates signal access challenges.
- **Moderate but notable pressure on ALC use:** Port Colborne ranks 5th highest on ALC Days among patients 65 years or older, behind Orillia, Port Hope, Port Elgin / Saugeen Shores, and Fort Erie. This reflects potential challenges in transitioning patients to appropriate post-acute settings with adequate community supports. Given Port Colborne's older population profile, even moderate ALC pressure suggests vulnerability to future strain.
- **Lower projected growth in ED/UCC demand**: Port Colborne ranks 10th (lowest) on projected growth in demand for ED/UCC visits among the comparator municipalities. The ED/UCC visit growth is driven by population growth forecasts, indicating that Port Colborne has lower projected population growth than its peers.

These health service access risks are likely to be exacerbated with the closure of the UCC.

Survey Result Summary

The survey collected input from members of committees of Council, healthcare professionals, as well as community organization representatives. More detailed survey results can be found in the appendix.

Key observations include:

- **Mixed perceptions of healthcare accessibility:** 32% of respondents rated the accessibility[24] of healthcare services as 'good' or 'excellent'.

[24] "Accessibility" refers to how easy it is to access healthcare when you need it, including factors such as travel distance, wait times, appointment availability, and hours of service.

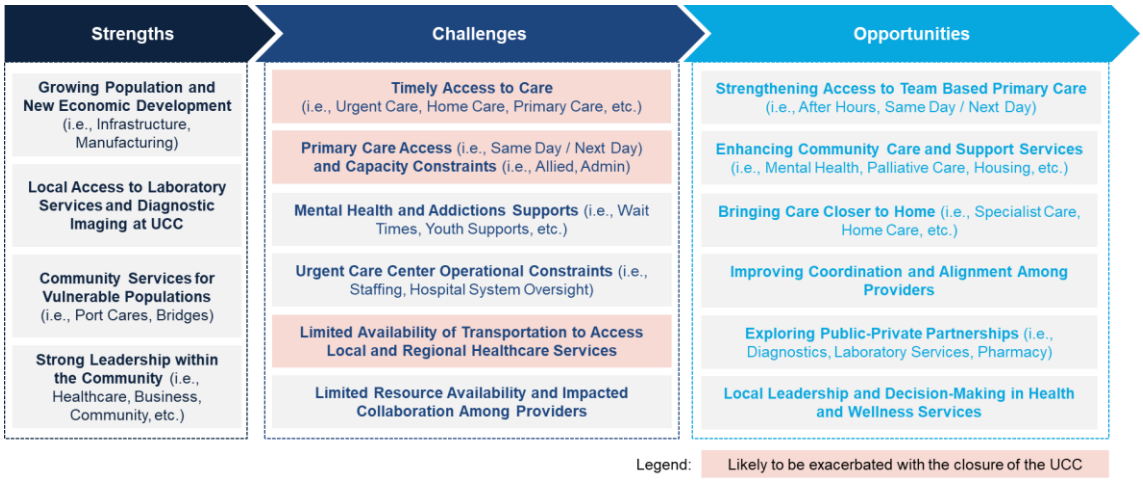
- **Healthcare services rated as inequitable:** Only 19% of respondents rated the equity[25] of healthcare services in Port Colborne as 'good' or 'excellent'.
- **Negative outlook of the future of healthcare services:** Over 40% of survey respondents believe that healthcare services in Port Colborne will be getting worse in the next 3-5 years.
- **Transportation identified as a priority:** People without transportation were identified as the group facing the most significant healthcare barrier. Respondents described limited public transit, long travel times to regional hospitals and specialists, and challenges accessing care without a personal vehicle.
- **Concern for the loss of urgent care**: Urgent care or after-hours care was identified as the top service needed. Many emphasized the importance of having reliable, local options for urgent needs and noted that travel to other emergency departments is a safety and equity issue.
- **Access to primary care:** Access to timely primary care was identified as a concern in survey responses. Respondents highlighted difficulty attaching to a primary care provider and long wait times for appointments.
- **Opportunity for an integrated health and wellness hub**: Many respondents articulated a preference for a centralized, integrated healthcare hub that co-locates primary care with allied health professionals, diagnostics, and mental health and addictions services.

Interest Holder Consultation Summary

Interest holder interviews and focus group sessions were conducted to gather insights into the current state of health and wellness services and access in Port Colborne. Seven interest holder interviews and focus group sessions were conducted with over 20 participants consulted. Several themes emerged across the interviews and focus group sessions. Findings are summarized below based on current state strengths, challenges, and opportunities.

[25] "Equity" refers to whether healthcare services are provided fairly and consistently across the community and region, and whether certain groups, such as seniors, low-income residents, newcomers, or people with disabilities face greater challenges accessing care than others.

Figure 2. Key Strengths, Challenges and Opportunities from Interest Holder Engagement



Current State – Strengths:

- **Growing population and new economic development:** Population growth is driven in part by new manufacturing and infrastructure investment, including an estimated 350 new industrial sector jobs being added over the next year or two. This anticipated growth in the Port Colborne population is expected to increase demand for healthcare services locally. Several interest holders also identified proximity to healthcare services as a key consideration and factor for manufacturing investment, raising concerns about future competitiveness following the anticipated UCC closure.
- **Local Access to Laboratory Services and Diagnostic Imaging at UCC:** Interest holders identified local access to diagnostics and laboratory services as a key strength. On site X-ray, ultrasound, and hospital-based laboratory testing at the UCC, along with community-based laboratory services at LifeLabs were described as enablers for timely access to care and reducing the need for residents to travel. Interviewees emphasized the importance of preserving and/or expanding local access to diagnostics following the UCC closure.
- **Community Services for Vulnerable Populations:** Interest holders highlighted Port Colborne's strong network of community-based organizations such as Bridges Community Health Centre and Port Cares, which support seniors, low-income residents, and other vulnerable populations. Participants emphasized that these organizations play a critical role in health equity, often serving as trusted access points for the community.
- **Strong Leadership within the Community:** Port Colborne was described as a highly engaged community with strong leadership. Interest holders highlighted strong leadership within municipal, community, healthcare and business sectors, with a shared goal of strengthening health and wellness services in Port Colborne.

Current State – Challenges:

- **Timely Access to Care:** Interest holders highlighted challenges around accessing timely care as well as limited after-hours access. The reduction in UCC hours of operations beginning in 2023 and intermittent closures have negatively impacted access to care. While some community organizations have attempted to mitigate these changes by extending service hours on a temporary basis, these changes and extended hours were not sustainable due to funding and resource constraints.
- **Primary Care Access and Capacity Constraints:** Primary care access emerged as a central theme across interviews. Interest holders described high patient volumes, a population with increasing medical complexity, and limited access to allied health and administrative support as key constraints. It was noted that the absence of a Family Health Team in Port Colborne limits physicians' ability to expand capacity and contributes to challenges related to timely access, patient attachment rates, and longer-term sustainability. Interest holders noted that the lack of wrap around services connected with primary care physicians contributes to fragmented referral pathways, increasing the likelihood that some patients do not receive timely or continuous follow-up. In addition, physician burnout, driven in part by administrative burden, was cited as a key concern.
- **Mental Health and Addictions Supports:** Interest holders identified access to mental health and addictions services as a challenge, describing long wait times for referral-based care and limited availability of locally delivered services. It was noted that youth-focused mental health services, notably eating disorder and substance use supports are a current service gap within the community.
- **Urgent Care Center Operational Constraints:** Operational constraints at the UCC were frequently raised as an issue. Rolling closures and reduced hours of the UCC were attributed to staffing challenges, compounded by broader workforce shortages across the region and province. Participants noted that the reliance on emergency-trained physicians has made Port Colborne's UCC more vulnerable to the regional staffing environment.
- **Limited Availability of Transportation to Access Local and Regional Healthcare Services**: Transportation was consistently identified as a significant barrier to accessing care locally and within the region. Transit costs and limited options make it difficult to reach local and out-of-community appointments. In addition, residents must travel outside Port Colborne for services such as CT and MRI scans, fracture care, wound care, and various specialist appointments (i.e., at Regional Centres of Excellence). Interest holders emphasized that these challenges disproportionally affect residents without access to a vehicle, seniors as well as other vulnerable communities.
- **Limited Resource Availability and Impacted Collaboration Among Providers:** Limited resources and capacity constraints have negatively impacted the collaboration among providers in Port Colborne. Additionally, the existence of a UCC in the community has likely contributed to reduced investment and a slower growth rate in primary care, leading to the community's reliance on the UCC for episodic care and conditions often treatable by primary care.

Opportunities:

- **Strengthening Access to Team Based Primary Care:** Interest holders consistently identified strengthening multi-disciplinary and team-based primary care models as a key opportunity. Strengthening primary care through allied health and administrative supports were noted as potential strategies to reduce physician burnout and enhance timely access to care. Pursuing the expected FHO+ model and extending partnership and integration with community partners were also identified as strategies to strengthen access to primary care.
- **Enhancing Community Care and Support Services:** Interest holders highlighted opportunities to build upon existing community-based care and support services (i.e., mental health and addictions, home care, housing support, transportation, etc.) to help address current needs and reduce reliance on acute care settings (i.e., hospitals). Interest holders described community-based services as trusted access points that support system navigation, housing, mental health, and social needs, particularly for vulnerable populations.
- **Bringing Care Closer to Home:** Participants expressed a strong interest in reducing the need for residents to travel for specialty services and care. Hoteling and itinerant physician models, where specialists from the Centres of Excellence provide services in Port Colborne on a scheduled, part-time basis, were highlighted as opportunities for the community.
- **Improving Coordination and Alignment Among Providers:** Interest holders expressed opportunities to improve the coordination and collaboration of the City and partners around shared goals through role alignment and clear communication pathways. Enabling greater dialogue and alignment were seen as ways to reduce duplication, improve access and equity, and help advance shared goals. There is also an opportunity to align existing services with the needs of the community and help connect members of the community to the appropriate resources and services.
- **Exploring Public-Private Partnerships:** Participants noted the potential for public-private partnerships to expand local access to health and wellness services (i.e., diagnostics, laboratory services, and pharmacy). Participants noted that these partnerships could help complement existing services, reduce the need for residents to travel outside the community, and increase flexibility and responsiveness in how services are delivered locally.
- **Local Leadership and Decision-Making in Health and Wellness Services:** Interest holders emphasized building upon strong local leadership to better align health and wellness services with the needs of the community. Participants expressed a desire for greater local input into planning and decision-making, particularly in the context of changing service models and service delivery in line with local needs. Partnerships with Niagara Region Public Health were also identified as a potential strategy to support community wellness and preventative care programs.

Section D: Discussion

Synthesis and Analysis of Findings

The analysis highlights a community with elevated healthcare need and significant reliance on local urgent care services, shaped by population aging, high social determinants of health risk, and access constraints. Together, these findings point to several considerations that may inform future health and wellness planning in Port Colborne

Considerations: Building a Brighter Future for Healthcare in Port Colborne

Consideration 1: Exploring Options to Strengthen Primary Care Capacity and Integrated Models of Care

Patterns of healthcare utilization observed in the analysis suggest potential gaps in access to timely primary care and community-based services. Elevated use of ED/UCC services for primary care sensitive conditions indicates that hospital-based settings are frequently being used to manage conditions that could often be addressed through effective primary care or outpatient care models.

In this context, there may be value in exploring opportunities to strengthen primary care capacity in Port Colborne, including the potential role of team-based primary care models. Team-based approaches may offer opportunities to expand access through the involvement of allied health professionals, shared administrative supports, and enhanced coordination with community-based services, while also supporting continuity of care and provider sustainability.

There may also be value in considering whether co-located or integrated service models, such as a primary care-led Health and Wellness Hub, could support access and coordination of care. Such models could bring together primary care, after-hours services, diagnostics, and visiting or itinerant specialists in a coordinated way, supporting care delivery closer to home. Exploring integrated models may help assess whether more comprehensive, community-based approaches could reduce reliance on urgent and acute care settings, particularly in light of anticipated changes to local UCC services.

Consideration 2: Exploring Opportunities to Strengthen Community Awareness and Navigation of Healthcare Services

Findings from the analysis and community engagement indicate that residents may not always have a clear or consistent understanding of the healthcare services available to them or the most appropriate settings in which to seek care. Utilization patterns suggest that the Urgent Care Centre has historically functioned as a trusted and familiar access point, which may contribute to continued reliance on urgent or hospital-based services even when other care options could be appropriate.

As outlined in Table 16, healthcare services are delivered across multiple settings, each with a distinct role, scope, and intended purpose within the broader health system. Emergency

Departments are designed to manage high-acuity, life-threatening conditions; Urgent Care Centres provide same-day care for non-life-threatening issues; primary care serves as the foundation for longitudinal and preventive care; and other settings such as walk-in clinics, pharmacies, and community health centres play complementary roles. When the distinctions between these settings are not well understood, residents may default to familiar access points rather than those best aligned with their needs.

Table 16. Health Services Delivery Considerations

		Emergency Department	Urgent Care Centre	Walk In Clinic	Pharmacy	Team Based Primary Care	Community Health Centre
Care Intent	Primary Purpose	Life-saving emergency care	Same-day urgent care	Rapid access for minor issues	Medication management	Comprehensive, continuous care	Health equity & community wellbeing
	Typical Conditions Treated	Trauma, stroke, cardiac events	Injuries, infections, fractures	Minor illness, prescriptions	Prescriptions, vaccines, minor ailments	Chronic, preventive, some urgent	Chronic disease, mental health, prevention
	Population Focus	All, including critical cases	General population	General population	General population	Attached population	High-needs, underserved
Care Delivery	Care Type	Episodic, high acuity	Episodic	Episodic	Episodic	Longitudinal, coordinated	Longitudinal, holistic
	Patient Attachment	No	No	No	No	Yes (registered panels)	Yes (targeted populations)
	Continuity of Care	Very Low	Low	Low	Low	High	High
Resources	System Role	Tertiary & emergency care	Reduce ED pressure	Improve access convenience	Support access and redirect minor care	Foundation of care system	Reduce inequities; prevention
	Relative Cost per Visit	Very High	Moderate-High	Low	Low	Low	Low-Moderate

In this context, there may be value in exploring opportunities to strengthen community awareness and system navigation, helping residents better understand where and how to access care across the continuum. Clearer, more consistent communication about the roles of different care settings and how they work together could support more informed care-seeking decisions and improve the overall functioning of the local health system.

There may also be value in exploring how coordination and alignment of messaging among providers and partners could support residents during periods of system change. Consistent, accessible information may help reduce confusion, mitigate reliance on urgent and emergency care for non-urgent needs, and support more appropriate use of services, particularly in the context of anticipated changes to local urgent care services.

Consideration 3: Exploring Opportunities to Strengthen Collaboration and Alignment Among Partners

The analysis indicates that healthcare and community services in Port Colborne are delivered by a diverse set of providers operating across local and regional systems. Utilization patterns demonstrate that residents rely on a mix of local services and the broader Niagara health system, particularly for acute, diagnostic, and specialist care. This multi-provider environment underscores the importance of coordination across organizations and jurisdictions to support access, continuity, and equity of care.

As service models evolve and pressures on access increase, there may be value in exploring opportunities to strengthen collaboration and alignment among healthcare providers, community organizations, municipal partners, and regional system actors. Improved alignment could help clarify roles across the continuum of care, reduce fragmentation, and support more coordinated responses to shared challenges, including access constraints, population aging, and service transitions.

There may also be value in considering how more structured mechanisms for dialogue and shared planning could support collaboration over time. Exploring opportunities for information sharing, joint problem-solving, and alignment around common objectives may help partners respond more effectively to changing community needs and anticipated system changes, without presupposing specific governance or service delivery models.

Consideration 4: Exploring Opportunities to Better Align Transportation Supports with Healthcare Access

Findings from the analysis and community engagement consistently indicate that transportation is a significant barrier to accessing healthcare for many Port Colborne residents, particularly for services that require travel outside the community. Utilization patterns and interest holder input highlight that access challenges are not driven by distance alone, but by limited public transit options, long travel times, and reliance on personal or informal transportation.

Transportation barriers were identified as having disproportionate impacts on seniors, low-income residents, and individuals without access to a vehicle, particularly when accessing emergency departments, diagnostic services, and specialist care delivered through regional centres. As healthcare services continue to consolidate regionally, these transportation constraints may become increasingly consequential to timely and equitable access to care.

In this context, there may be value in exploring how transportation planning could be more closely aligned with health and wellness objectives, recognizing transportation as an enabling component of healthcare access rather than a standalone service issue. Considering transportation needs alongside broader health and wellness planning may help mitigate access barriers associated with receiving care beyond Port Colborne and support a more equitable local healthcare system as service models evolve

Section E: Conclusion

This Healthcare Analysis Report provides an evidence-based overview of healthcare needs, access patterns, and system pressures affecting residents of Port Colborne. Drawing on population data, service utilization, peer benchmarking, and community and interest holder input, the analysis highlights a community with elevated healthcare need and significant reliance on local urgent care services, shaped by population aging, high social determinants of health risk, and access constraints.

The findings underscore that Port Colborne's healthcare challenges are not driven by a single factor, but by the intersection of demographic change, social risk, system structure, and geography. While many of these dynamics reflect broader provincial and regional trends, their combined effects are particularly pronounced in Port Colborne, increasing the importance of thoughtful, locally informed planning.

This report does not prescribe specific solutions. Rather, it establishes a shared fact base to support informed discussion and future decision-making. The considerations outlined in this report are intended to help frame potential areas for exploration as the City and its partners continue to navigate system change, including anticipated changes to urgent care services and the evolving regional healthcare landscape.

Taken together, the analysis highlights both risk and opportunity. While access pressures and service transitions pose real challenges, Port Colborne also benefits from strong community leadership and engagement, and a foundation of local health and social services. Leveraging these strengths and aligning planning efforts with community needs and regional realities will be central to supporting access, equity, and sustainability over time.

This report is intended to inform ongoing dialogue and planning as the City advances its broader health and wellness strategy. As regional healthcare services continue evolve, the findings presented here can serve as a reference point to support continued engagement, collaboration, and evidence-based decision-making in pursuit of a more resilient and responsive local health and wellness system.

Appendices

Appendix A

Population Data

Table A1. 2024 Population by Social Determinants of Health

	2024 Population by Social Determinants of Health	
SDH Group	***Port Colborne***	***Ontario***
Low: Groups 1-4	6%	65%
Moderate: Groups 5-7	10%	19%
High: Group 8	56%	6%
Highest: Groups 9-10	28%	9%
Reserve		0.5%
Total Population	**22,000**	**16,124,000**

Sources: Statistics Canada Census, MOF Population Projections Summer 2025 Release

Appendix B

Detailed Survey Results

Q1. *Which option best describes you or your current role?*

Table B1. Respondent Profile: Interest Holder Category

Interest Holder Category by Number of Responses

Interest Holder Category	# of Responses	% of Total
Residents of Port Colborne or Surrounding Areas	15	48%
Healthcare Professionals	8	26%
City of Port Colborne Representatives	5	16%
Community Agency or Service Providers	2	6%
Other	1	3%
Total	**31**	**100%**

Respondents represented a mix of community and system perspectives. Table B1 shows the breakdown of respondents by interest holder type. Nearly half of respondents identified as

residents (48%), while the remaining included healthcare professionals (26%), City representatives (16%), community agencies/service providers (6%), and others (3%). This composition provides a blend of lived experience and system-facing perspectives.

Q2. *Which municipality do you primarily reside in?*

Table B2. Respondent Profile: Municipality

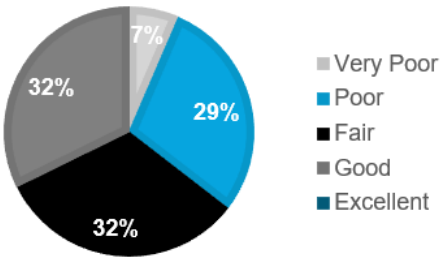
Respondent Municipality by Number of Responses

Interest Holder Category	# of Responses	% of Total
Port Colborne	24	78%
Welland	1	3%
Wainfleet	2	6%
Fort Erie	0	0%
Niagara Falls	1	3%
Other	3	10%
Total	**31**	**100%**

The respondent base is primarily local to Port Colborne (78%), with some representation from Wainfleet (6%) Welland (3%) and Niagara Falls (3%). This suggests that most of the survey's feedback reflects Port Colborne specific experiences.

Q3. *How would you rate the accessibility[26] of healthcare services for residents of Port Colborne?*

Figure B1. Accessibility of Healthcare Services in Port Colborne



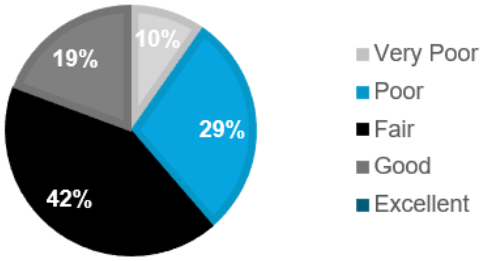
Perceptions of accessibility were mixed. 32% rated accessibility positively (as 'good' or 'excellent'), 32% rated it as 'fair', and the remaining 36% rated it negatively (as 'poor' or 'very

[26] "Accessibility" refers to how easy it is to access healthcare when you need it, including factors such as travel distance, wait times, appointment availability, and hours of service.

poor'). The distribution suggests a mixed experience in terms of accessibility, where many struggle to easily access healthcare services.

Q4. *How would you rate the equity[27] of healthcare services for residents of Port Colborne compared to similar communities?*

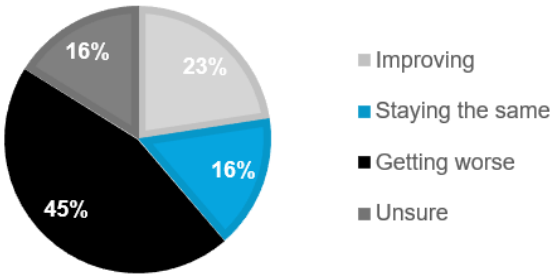
Figure B2. Equity of Healthcare Services in Port Colborne



Equity was rated more negatively than accessibility. Only 19% rated equity positively (as 'good' or 'excellent'), 42% rated it as 'fair', and the remaining 39% rated equity negatively (as 'poor' or 'very poor'). The equity result indicates that respondents perceive meaningful differences in the fairness and consistency of healthcare services across the system across groups and circumstances.

Q5. *Over the next 3-5 years, do you believe healthcare services in Port Colborne will be improving, staying the same, or getting worse?*

Figure B3. Future Outlook of Healthcare Services in Port Colborne

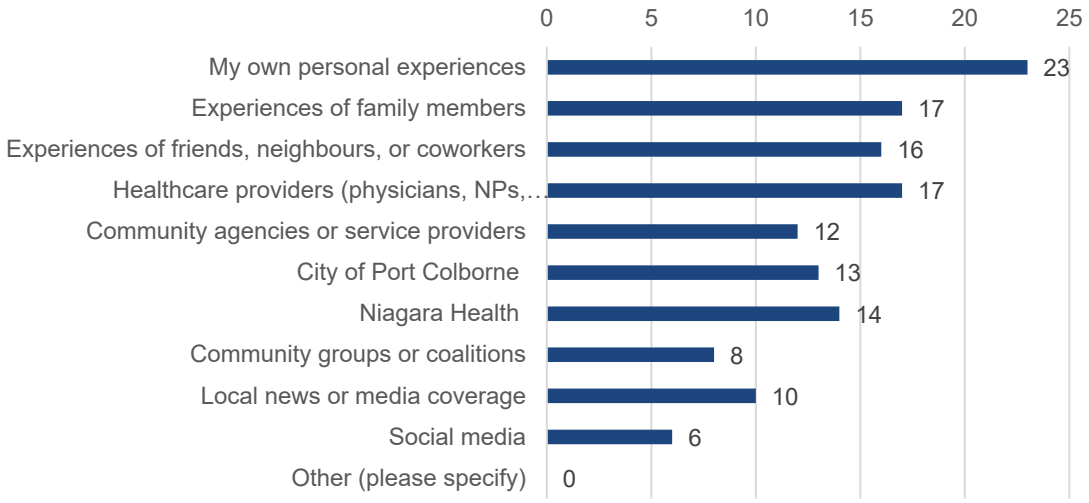


Overall, respondents expressed a negative outlook about the future of healthcare services in Port Colborne. Nearly half anticipate services will get worse (45%), compared to 23% anticipating improvement. The remainder expect services to stay the same (16%) or are unsure (16%). These results indicate heightened sensitivity to future service changes, with the anticipated closure of the Port Colborne UCC likely contributing to these results.

[27] "Equity" refers to whether healthcare services are provided fairly and consistently across the community and region, and whether certain groups, such as seniors, low-income residents, newcomers, or people with disabilities face greater challenges accessing care than others.

Q6. *What has most informed your perception of healthcare in the City of Port Colborne?*

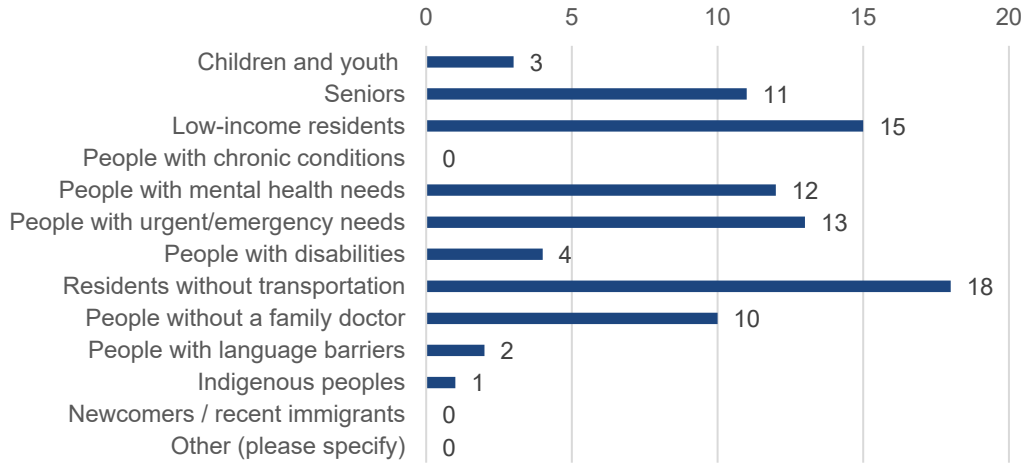
Figure B4. Sources of Perception about Healthcare Services in Port Colborne



Perceptions about healthcare services are primarily shaped by direct experience as well as the experience of family and friends. The most frequently selected influences were personal experiences (74%), followed by healthcare providers (55%), family members' experiences (55%), and friends/neighbours' experiences (52%). Local and regional sources were also noteworthy, including Niagara Health (45%) and the City of Port Colborne (42%).

Q7. *Which groups currently face the most significant barriers to accessing healthcare in Port Colborne?*

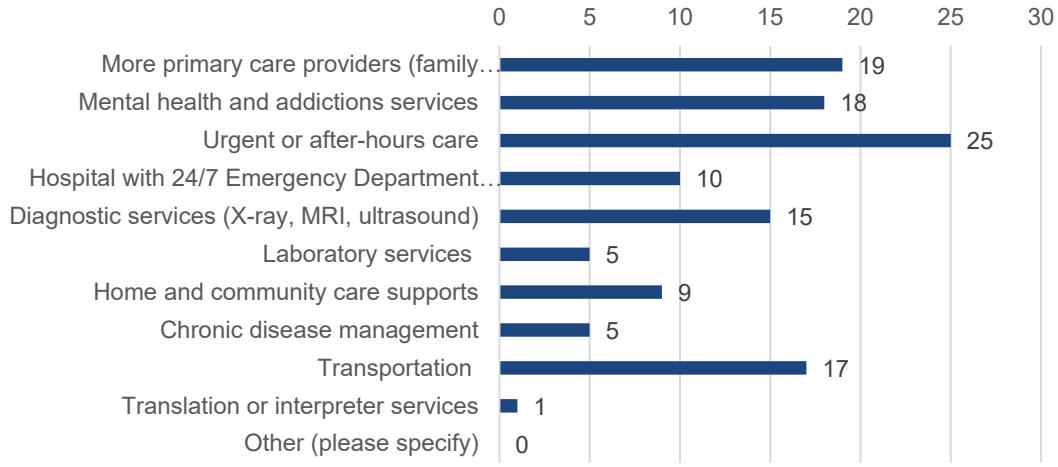
Figure B5. Groups Facing Significant Barriers to Healthcare in Port Colborne



The most commonly identified groups experiencing barriers to healthcare in Port Colborne were people without transportation (58%) and low-income residents (48%), followed by people with urgent/emergency needs (42%), people with mental health needs (39%), and seniors (36%).

Q8. *Which healthcare services do you believe are most urgently needed in Port Colborne?*

Figure B6. Healthcare Services Most Urgently Needed in Port Colborne



Respondents prioritized urgent or after-hours care[28] (81%), followed by more primary care providers (61%), mental health and addictions services (58%), transportation (55%), and diagnostics (48%). These results indicate that respondents prioritize reliable day-to-day access to care, particularly through timely urgent or after-hours services and consistent primary care.

Q9. *Based on your response to the previous question, which strategies, investments, or changes do you believe would most improve community and health services in the City of Port Colborne?*

Responses to this question were synthesized into three key themes. Respondents emphasized improving access, coordination, and the practicality of obtaining care locally.

[28] Some respondents noted that urgent care and after-hours care represent distinct service needs

Figure B7. Identified Opportunities in Healthcare Services



- **Establish a Centralized Integrated Healthcare Hub:** Many respondents mentioned the creation of a centralized health hub that brings together multiple services in one location. This would focus on primary care while co-locating allied health professionals and enabling access to diagnostic and laboratory services. Respondents framed this approach to overcome long travel times and reduce the burden of system navigation.
- **Strengthen Primary Care Services:** Respondents identified primary care as a foundational element of improved access. Many responses suggested that stronger primary care could reduce reliance on urgent care services and improve overall care coordination, especially for patients with existing barriers to access.
- **Improve Local Transportation Options:** Transportation was highlighted as a critical enabler of care access, particularly for specialty services. Respondents emphasized that limited transportation options create significant barriers that are worsened for seniors and those without access to a vehicle. Improving transportation was not presented as a standalone issue, but rather as an essential factor to accessing care.

Q10. *What do you see as the biggest challenge related to healthcare services (i.e., access, equity, etc.) for residents of Port Colborne today and/or in the future?*

Responses to this question were synthesized into three core challenge areas. These themes reflect concern about the reliability of local access, variability in primary care access, and concerns about needing to travel to obtain care.

Figure B8. Identified Challenges in Healthcare Services



- **Concern About the Loss of Local Access to Care:** Respondents expressed concern about the loss of local access to after-hours and urgent care. Many responses highlighted the gap in local after-hours care that will need to be addressed after the anticipated closure of the Port Colborne UCC.
- **Inconsistent Access to Primary Care:** Respondents highlighted primary care access as a key challenge. They noted long wait times for appointments, limited availability of timely care, and difficulty attaching to a provider.
- **Increased Travel Burden:** Increased travel burden was described as both an access issue and an equity concern, as it disproportionally affects residents with fewer resources and greater care needs.

2026-40
Appendix B

PORT COLBORNE

Official Plan Policy Directions Report

February 2026







DILLON CONSULTING

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ABBREVIATIONS AND ACRONYMS

Additional Dwelling Unit	ADU
Agricultural Impact Assessment	AIA
Archaeological Management Plan	AMP
Areas of Natural and Scientific Interest	ANSIs
Community Benefits Charge	CBC
Census Division	CD
Canada Housing Investment Fund	CHIF
Community Infrastructure Housing Accelerator	CIHA
Cultural Heritage Impact Assessment	CHIA
Cultural Heritage Landscape	CHL
Community Improvement Plan	CIP
Development Charge	DC
Designated Greenfield Area	DGA
East Side Employment Lands	ESEL
Electric Vehicle	EV
Elevated Tank	ET
Environmental Assessment	EA
Environmental Conservation Areas	ECAs
Environmental Impact Study	EIS
Environmental Protection Areas	EPAs
Government Business Enterprises	GBEs

Greater Toronto and Hamilton Area	GTHA
Housing Accelerator Fund	HAF
Housing Enabling Water Systems Fund	HEWSF
Intake Protection Zone	IPZ
Lands Needs Assessment	LNA
Litres per second	L/s
Local Planning Appeal Tribunal	LPAT
Megalitres	ML
Megalitres per day	MLD
Municipal Comprehensive Review	MCR
Minimum Distance Separation	MDS
Ministry of Finance	MOF
Ministry of Tourism Culture and Sport	MTCS
Minister's Zoning Order	MZO
(Region of) Niagara Official Plan	NOP
Niagara Peninsula Conservation Authority	NPCA
Niagara Regional Housing	NRH
Persons Per Unit	PPU
Pollution Prevention Control Plan	PPCP
Projection Methodology Guidelines	PMG
Provincial Planning Statement, 2024	PPS
Provincially Significant Wetland	PSW
Sanitary Pumping Station	SPS
Stormwater Management	SWM

Strategic Growth Area	SGA
Technical Advisory Team	TAT
Transportation Master Plan	TMP
Wastewater Treatment Plant	WWTP

Executive Summary

Need for a New Official Plan

The City of Port Colborne (the City) is preparing a new Official Plan. This document will be the City's primary guide for managing growth and infrastructure, land use change, development and environmental protection over the next 30 years. The City's new Official Plan will establish a long term vision for the City up to the 2056 planning horizon. The City's current Official Plan, last consolidated in 2017, was approved by the Ontario Municipal Board in 2013 and planned growth up to 2031.

In the years since the Plan's approval, the planning landscape in Ontario has seen a dramatic shift in policy focus at the provincial level; the Province has introduced a series of major legislative changes intended to build homes faster, protect employment lands, and streamline development approvals. Of major significance for the City's Official Plan is the removal of planning powers at the Region of Niagara - a change intended to reduce redundancy and accelerate the planning approvals process. The Province's focus on housing development is further expanded upon in the new Provincial Planning Statement (PPS) which came into force and effect in 2024.

Locally, the City is experiencing a period of important economic transformation. The City's population has grown by approximately 10% since 2016, and housing approvals have steadily been increasing over the last decade. The City has also attracted several new large industrial developments. Combined with the City's attractive lakefront setting and other quality of life factors, the City is well positioned for future development. The City's new Official Plan will be an important tool to support growth, by guiding the provision of sufficient housing, infrastructure, and community services.

Purpose of the Policy Directions Background Report

This Report presents the analysis of various policy themes, identifies gaps between the City's current Official Plan and the new provincial legislation and policy, and also identifies relevant Regional Official Plan considerations. This report concludes with a series of policy directions to guide the drafting of the new Official Plan. The following section summarizes the policy directions that will inform the new Official Plan.

Summary of Recommended Policy Directions

Policy Context

- The City's current Official Plan (2013) is outdated (planning to 2031) and does not reflect any of recent changes to the *Planning Act*, PPS (2024) and Region of Niagara Official Plan (NOP) (2022);
- The Planning Act has been significantly changed by multiple new bills focused on building more homes and streamlining development approvals processes;
- The City of Port Colborne, not the Region of Niagara, is now the primary approval authority for Official Plan amendments and development applications (the Ministry of Municipal Affairs is the approval authority for the City's new Official Plan);
- A new PPS (2024) is in effect, and the new Official Plan must be consistent with its policy directions;
- The NOP (2022) provides the relevant policies to be considered in the City's new Official Plan, however, the NOP does not conform to the PPS (2024) and so a degree of judgement is required when considering which aspects of the NOP can be rolled into the new Official Plan; and
- The preparation of the City's new Official Plan will be guided by the need to conform with a number of provincial and relevant regional policies, the City's Official Plan will also provide an opportunity to chart a new long term path for sustainable growth that takes into account the City's unique local values, geographic strengths as well as social, environmental and economic development objectives.

Growth Forecast

- **The new Official Plan should include updated 2056 forecasts.** The City's new Official Plan should be based on a 2056 population of 29,130 people, 10,200 jobs and 12,735 housing units.
- **Establish a growth planning monitoring framework:**
    - **Adaptive planning and monitoring.** Implement a formal "Policy Monitoring" program to conduct administrative reviews of growth-related definitions (e.g., "Employment Areas") within one year of the finalization of the Projection Methodology Guidelines (PMG).
    - **Ground-related housing demand.** Prioritize a suitable land supply that reflects a return to historic market norms for ground-related housing demand within urban settlement areas.

    - **Strategic growth potential.** Include language that acknowledges the potential for growth beyond baseline projections to account for major economic catalysts like the Asahi Kasei lithium-ion battery separator plant, to ensure that long-term infrastructure and investment strategies remain robust.
    - **Infrastructure-first phasing.** Strictly align development timing with the City's water, wastewater, and transportation capacity to prevent "under-piping".
- **Forecast mix of housing**. The planned mix of housing (single- and semi-detached dwellings, rowhouses and apartments) will be a central issue in the Official Plan review. The City must have regard to the PPS (2024) that is focussed on planning for the full range and mix of housing options by type. The balance of policy in the PPS (2024) and Proposed PMG has shifted away from a restrictive approach to growth management towards facilitating a suitable if not ample land supply to accommodate housing demand. That said, it is worth repeating that the PMG is not yet final, and it is uncertain what, if any changes will be made to the mandated methods.
- **Demand for ground-related housing**. While debateable, changes in the pattern of new home occupancy by structure type have arisen mostly from the nearly continuous increase (until recently) in the cost of ground-related housing over the past decade, especially during the COVID pandemic. This dynamic has been the main factor driving accelerated population and housing growth at the edge of the metropolitan area including the Region of Niagara and City of Port Colborne. Going forward, it is expected that the profile of market demand to return to historic norms of occupancy by unit type, meaning a return of strong demand for ground-related housing within urban settlement areas. However, like the forecast mix of housing, the urban/rural split of growth is a matter of policy to be addressed in the next steps of the Official Plan review.
- **Planning for intensification**. The treatment of residential intensification in the Proposed PMG is a key question for the Official Plan review which, like the forecasts, influences land needs and is yet to be finalized. The Proposed PMG maintains some elements of the prior *Growth Plan* (2020) policy construct, most importantly that intensification units be subtracted from the total forecast housing units when assessing residential land need. Otherwise, the recommended approach is more flexible. No minimum is mandated, rather the Proposed PMG indicates that planning targets be set to reflect municipal objectives, local conditions, and "various forms of intensification" including supply potential, infrastructure availability, market demand and availability and suitability of sites in terms of environmental constraints. The planning challenge, as always, will be to maximize the tolerance of the market to policy intervention without jeopardizing the growth forecasts and Provincial (and Federal) goals to increase housing supply, which are clear.

- **Compatibility for infill development.** As part of planning for intensification, the new Official Plan should introduce policies/criteria to guide the review infill development with respect to location/surrounding land use, density, scale, etc.
- **Planning for Employment Areas**. The PPS (2024) directs municipalities to assess and update their Employment Areas to ensure the "designation is appropriate" to their planned function. Implementing this direction is a significant change best undertaken on a comprehensive City-wide basis to implement the new definition of Employment Areas in the PPS and *Planning Act.* Chapter 4 further explores the supply of designated Employment Area supply to confirm its planned function in the new Official Plan, including the notion of "clusters" also introduced in the PPS (2024).
- **The Official Plan vision, objectives and policies should capture the positive longer term growth outlook for the City.** Notwithstanding some uncertainty around the implementation of current Provincial policy directions, the growth outlook is positive for the City of Port Colborne. Population, housing and employment is forecast to grow steadily, along with demand for residential and non-residential building space. Accordingly, the next section of this report turns to a discussion of broader growth management issues for the Official Plan review, including the currently planned urban structure, residential and employment land supply, servicing and transportation infrastructure and related policy directions.

Growth Management

- **Strategic urban boundary extension for employment uses.** Consider extending the urban boundary to the north along the Welland Canal to connect the Asahi Kasei plant to the East Side Employment Lands, creating a contiguous industrial corridor.
- **Strategic Growth Areas.** Refine the "Intensification Area" terminology to align with the PPS term "Strategic Growth Areas," as well as connect and properly delineate the two existing nodes through a potential redevelopment/intensification corridor along King Street.

Natural Heritage

- **Align protection requirements with provincial and regional policies.** Incorporate new policies that are consistent with and comply with regional and provincial policies related to the promotion of connectivity, protection of coastal wetlands and the requirement for minimum and mandatory buffers between natural heritage features and adjacent development and site alteration. Mandatory buffers would be determined through an Environmental Impact Study (EIS) that demonstrates that there will be no negative impacts to the ecological and hydrological functions of the feature or area.

- **Adopt key regional climate change policies.** Carry forward the NOP policies that are denoted as "key climate change policies" into Section 3.1 into the new Official Plan.
- **Update the natural heritage system to align with the NOP.** Rather than distinguishing between environmental protection and environmental conservation areas, the new Official Plan should adopt an integrated natural environment system approach that better aligns with provincial and regional policies and links natural heritage features and areas into a larger system. The natural heritage system should also recognize the location and mapping of linkages based on the NOP Schedule C2.
- **Enhance an expanded range natural heritage features.** Include new policies that are focused on protecting, maintaining and enhancing an expanded scope of natural heritage features and areas from development. These would include non-provincially significant features like wetland cover, woodland cover and riparian vegetation cover, which will contribute to building overall system resilience.

Water Resources

- **Adopt Regional source water protection policies.** Replace the current Official Plan Section 8.3 and Schedule H entirely with the NOP's policies and mapping of Section 3.3 and Schedule E, respectively. This will help to ensure the new Official Plan is compliant with the *Clean Water Act* and legally implements the binding policies of the Source Protection Plan.
- **Integrate the NOP watershed planning framework.** Introduce new policies that formally adopt the watershed planning hierarchy from the NOP (Section 3.2). The new Official Plan shall require the completion of a subwatershed study, to the satisfaction of the City, Region, and the Niagara Peninsula Conservation Authority (NPCA), as a prerequisite for any new secondary plan or large-scale development proposal in a designated greenfield area (3.2.3.1).
- **Introduce a climate change adaptation lens.** Draft a new overarching policy framework that explicitly links the management of water resources, natural hazards, and stormwater systems to climate change adaptation. This framework must align with the new directive in the PPS (5.2.4) to ensure the City prepares for and mitigates future risks from extreme weather, flooding, and erosion.
- **Mandate modern stormwater management.** Update stormwater policies (from Section 8.2) to require integrated Stormwater Management Master Plans for new development areas, consistent with NOP (5.2.1.19). These policies shall mandate the use of Low Impact Development (LID) and green infrastructure as the primary approach for managing runoff, protecting water quality, and addressing cumulative impacts, consistent with the PPS (3.6.8).

- **Maintain general water protection policies.** Carry forward the intent of the current Official Plan's general water protection policies (e.g., Section 4.1.3) that restrict development from negatively impacting water quality and quantity, ensuring they are consistent with the language and intent of the PPS (4.2.1).
- **Identify and Map the Water Resource System.** Update the City's mapping schedules to identify the Water Resource System, including Significant Groundwater Recharge Areas and Highly Vulnerable Aquifers, consistent with NOP Schedule C3. This will satisfy the PPS (2024) requirement to identify these systems.

Agriculture

- **Ensure consistency with PPS (2024) policies and direction.** The agricultural policies Port Colborne Official Plan must be consistent with the PPS (2024) as it relates to taking an agricultural systems approach, lot creation for the purpose of infrastructure and permitting two additional dwelling units on agricultural policies. The new Official Plan should also include policies and definitions that acknowledge the differences between agricultural, agriculture-related and on-farm diversified uses. Agri-tourism and urban and near-urban agricultural activities should also be included and promoted in the policies of the new Official Plan. The NOP and the Ministry of Agriculture's Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas provide sufficient direction for updating the City's range of permitted uses and policies and should be used as a guide for the new Official Plan.
- **Further protect prime agricultural areas.** Both the PPS (2024) and the NOP prohibit the removal of prime agricultural lands by planning authorities unless it is for the purpose of expanding or identifying settlement areas. The new Official Plan should carry forward these policies and prohibit the removal of agricultural lands with very limited prescribed exceptions.
- **Require agricultural impact assessments (AIAs).** New policies that require AIAs for non-agricultural development proposed or adjacent to agricultural areas should be included within the new Official Plan. These policies, which would align the new Official Plan with the PPS (2024) and the NOP and would require an applicant to demonstrate how development avoids, minimizes and mitigates any adverse impacts on the agricultural system.
- **Study compatibility.** Updated policies that aim to minimize land use conflicts between agricultural and non-agricultural uses by using buffers and separation distances must be included in the new Official Plan.
- **Additional Dwelling Units.** The new Official Plan should include permissions for additional dwelling units on agricultural properties.

Mineral Aggregates and Petroleum Resources

- **A new set of policies is needed to facilitate the protection of aggregate resources for long term extraction.** The Region of Niagara's policies under the NOP's section 4.3 provide a reasonable starting point for drafting new policies as they generally conform to the intents of the PPS (2024) around matters related to protection of operations, conservation, extraction in prime agricultural lands, temporary wayside pits and quarries and rehabilitation.
- **Policies to address abandoned petroleum wells:** The NOP and the City's current plan do not provide policy guidance related to the proper plugging or capping of abandoned petroleum wells. Direction should be provided on the process for making these wells safe, in the event of their discovery during proposed development.
- **New policies are needed for the protection of petroleum resources**. The current plan is largely silent on the policy implications of the City's vast area of petroleum resources – section 4.4 of the NOP provides a good foundation for updating the City's Official Plan policies and should be used as a template for the new Official Plan.

Cultural Heritage and Archaeology

- **Welland Canal National Heritage Corridor:** Establish a local policy framework to celebrate the canal's national significance, including:
    - Identifying lands within a specific buffer of the canal as high-potential areas requiring at least a Stage 1 Archaeological Assessment;
    - Implementing architectural guidelines for the Downtown and Waterfront that reflect marine heritage; and
    - Identifying and protecting key viewpoints from the Downtown and Waterfront to the canal.
- **Carry forward regional archaeological potential policies and update municipal mapping:** The City's new Official Plan should carry forward the NOP's policies and conduct an update to mapping regarding archaeological resources as part of the determination of appropriate studies required with a development application.
- **Consider cultural heritage impact assessments:** The City should explore the inclusion of policies that would require a Cultural Heritage Impact Assessment (CHIA) for development or site alteration proposed on, or adjacent to identified cultural heritage

resources to determine impacts and outline mitigation measures, ensuring the scale, design and land use of new development or site alteration is compatible with the heritage context.

- **Build relationships with First Nations and Indigenous communities**: The new Official Plan has the opportunity to include explicit and robust policies regarding early and meaningful consultation with First Nations and Indigenous communities on archaeological potential and findings, similar to the policies in the NOP, which would ensure that conservation efforts reflect Indigenous interests, rights and protocols.
- **Update the approach to heritage conservation:** The City's new Official Plan should take a proactive approach to conservation, by developing and implementing proactive strategies for conserving built-heritage resources and cultural heritages landscapes, aligning with the PPS's (2024) encouragement for municipalities to go beyond the minimum.

Next Steps

The next step in the process is to prepare a full draft of the new Official Plan based on the policy directions in this Report and taking into account feedback received from stakeholders, the public, staff/Council in Phase 2. The first draft of the new Official Plan will be prepared in the Spring of 2026, with the goal of having a version available for public review by late Spring / early Summer, 2026.



1.0 INTRODUCTION

1.1 New Official Plan

The City of Port Colborne (the City) is preparing a new Official Plan. This document will be the City's primary guide for managing growth and infrastructure, land use change, development and environmental protection over the next 30 years. The City's new Official Plan will establish a long term vision for the City up to the 2056 planning horizon. The City's current Official Plan, last consolidated in 2017, was approved by the Ontario Municipal Board in 2013 and planned growth up to 2031.

In the years since the Plan's approval, the planning landscape in Ontario has seen a dramatic shift in policy focus at the provincial level; the Province has introduced a series of major legislative changes, including Bill 23 (*More Homes Built Faster Act, 2022*), Bill 185 (*Cutting Red Tape to Build More Homes Act, 2024*), and Bill 17 (*Protect Ontario by Building Faster and Smarter Act, 2025*) to name just a few. These changes are intended to build homes faster, protect employment lands, and streamline development approvals. Of major significance for the City's Official Plan is the removal of planning powers at the Region of Niagara as a result of Bill 23 – a change intended to reduce redundancy and accelerate the planning approvals

process. The Province's focus on housing development is further expanded upon in the new Provincial Planning Statement (PPS) which came into force and effect in 2024.

Locally, the City is experiencing a period of important economic transformation. The City's population has grown by approximately 10% since 2016, and housing approvals have steadily been increasing over the last decade. One of the major drivers of growth is tied to several major economic development successes, including a $200 million expansion of the Jungbunzlauer plant, a global leader in bio-based ingredients[1] (City of Port Colborne, 2024) and more recently the $1.6-billion investment by Asahi Kasei to build an electric vehicle (EV) battery separator plant, announced in October 2024[2]. These investments, combined with the City's attractive lakefront setting and other quality of life factors are positioning the City as an attractive place for investment and living. The City's new Official Plan will be an important tool to support growth, by guiding the provision of sufficient housing, infrastructure, and community services.

The new Official Plan is an opportunity to:

- Draft policies that conform to new legislation, are consistent with the PPS (2024) and the *Planning Act* and integrates the relevant policies from the NOP;
- Establish a modern, local policy framework to guide and manage future growth that promotes orderly, sustainable, and efficient use of land and infrastructure;
- Implement the City's vision and goals outlined in its 2023 to 2026 Strategic Plan, as well as respond to key local priorities like housing diversity, economic prosperity, and climate change adaptation; and
- Address the specific challenges and opportunities within Port Colborne, from revitalizing the waterfront and downtown to protecting valuable agricultural lands and natural heritage.

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[1] Jungbunzlauer Suisse AG. "Major investment strengthens company's North American operations, fosters job creation, and advances sustainability goals". Retrieved from: https://www.jungbunzlauer.com/es/about/news/investment-in-canada/

[2] Hristova, Bobby (2024). " A 1st in Canada, $1.6B EV battery separator plant to open in Port Colborne, Ont., in 2027." [Press Release/News Article]. Retrieved from: https://www.cbc.ca/news/canada/hamilton/port-colborne-electric-vehicle-battery-plant-1.7204175

1.2 New Official Plan Process

1.2.1 Official Plan Process

The new Official Plan is a comprehensive and multi-phased exercise organized into five distinct phases:



Figure 1-1: Process diagram for the New Official Plan

1. **Project Initiation and Visioning (Phase 1):** This first phase includes a review of relevant background documents, a policy audit to identify gaps in the current Official Plan, and the launch of the project.
2. **Policy Directions (Phase 2):** This phase involves analyzing key planning topics and developing high-level policy directions for the new Official Plan's framework. This Policy Directions Background Report is the primary deliverable of Phase 2 and provides the policy foundation for drafting the new plan.
3. **Draft Official Plan (Phase 3):** Based on public engagement and Council directions on the recommendations in Phase 2, a complete "first draft" of the new Official Plan will be prepared.

4. **Final Official Plan (Phase 4):** This phase involves the preparation and release of the public facing version of the new Official Plan. This draft will be presented to the public and Council at a statutory public meeting, as required by the *Planning Act*.

5. **Approval Process (Phase 5):** After Council adopts the new Official Plan, it is submitted to the Ministry of Municipal Affairs and Housing for final approval.

1.2.2 Pre-Official Plan Engagement Program

1.2.2.1 Engagement Summary

As required by Section 26 of the *Planning Act*, the City, supported by Dillon Consulting, has already completed a "pre-Official Plan" engagement program to gather initial ideas for its policy framework and establish a community vision. The project was formally initiated through a Special Meeting of Council, held on August 8, 2024, in accordance with Sections 17 and 26 of the *Planning Act*.

This preliminary phase of consultation was detailed in the Preliminary Engagement and Work Planning for the New Official Plan Summary Report to Council (August 2024) and included:

- A Technical Advisory Team (TAT) meeting with staff from the representatives from City Council, City Staff, Niagara Region, and the NPCA to identify key technical issues and policy gaps;
- A public online survey and interactive map on the "Let's Connect Port Colborne" platform, which gathered feedback on priorities, housing, and a vision for 2051; and
- A community Open House to introduce the project, answer questions, and gather input on priorities and a future vision.

This first round of consultation confirmed that residents and stakeholders are looking for a plan that balances the City's rich heritage with a desire for a vibrant, sustainable, and prosperous future. Key priorities identified by the community included enhancing green spaces, protecting source water, managing growth, promoting economic development, and preserving community design. This Policy Directions Background Report builds directly on that feedback. Engagement will continue throughout every phase of the project, and this report will be a key item for public discussion; it is intended to provide the community with the opportunity to review and comment on the proposed policy directions before the new Official Plan is drafted.



1.2.2.2 Official Plan Vision

The pre-engagement program delivered a new long term vision for the City. The following vision statement summarizes the vision statement to be included in the new Official Plan:

Port Colborne is a thriving, vibrant, and diverse rural and urban lakefront community that is rooted in our cultural heritage and the natural landscapes of Lake Erie. Our community is welcoming, inclusive, and accessible to all ages and abilities. We work together to build a community that is walkable with a thriving downtown, complete streets, and varied and affordable housing options, while protecting our farmland and natural heritage features. Inspired by our commitment to maintain proper infrastructure, we also plan for expansive parks, green spaces, and community gathering spaces ensuring a healthy community for current and future generations. We have places to work and promote economic development, tourism, and arts and culture that support our community. Port Colborne is a growing community, and our Official Plan creates a strong foundation to support future growth.

1.3 Purpose and Organization

1.3.1 Report Purpose

The purpose of this Policy Directions Background Report (report) is to provide a comprehensive summary of the findings from Phases 1 and 2. It serves as the primary technical document and key checkpoint for Council, City staff, public, agencies, and other stakeholders before the new Official Plan is written. This report presents the analysis of various policy themes, identifies gaps between the City's current Official Plan and the new provincial legislation and policy, and also identifies relevant Regional Official Plan considerations. This report concludes with a series of policy directions to guide the drafting of the new Official Plan.

1.3.2 Report Organization

This report is organized thematically, covering the major policy aspects of land use planning to be addressed in the new Official Plan. The second section provides a high-level overview of the policy context in which the new Official Plan is being undertaken. The following eight sections cover the 2025 to 2056 growth forecast, growth management, natural heritage, water resources, agriculture, mineral and petroleum resources, cultural heritage and archaeology. Generally, each of the above-noted sections follows a similar organizational structure and includes:

- A review of provincial and regional policies, along with commentary on the current Official Plan;
- Identification and analysis of policy gaps, emerging issues, and opportunities; and
- A concise set of recommended policy directions to be addressed in new Official Plan.



2.0 POLICY CONTEXT

An Official Plan is the City's primary tool for implementing provincial land use policies at the local level. The *Planning Act* requires the City's Official Plan to be consistent with the PPS and conform with any applicable provincial plans.

The new Port Colborne Official Plan is being prepared within a policy framework that has undergone a complete transformation since the City's current plan was adopted. Major new legislation from the Province and a new NOP (which the City's Official Plan must now incorporate) have impacted the rules and expectations for managing growth in Ontario. This section outlines the key policy documents and legislative changes that define the new context for Port Colborne's Official Plan.

2.1 Provincial Policy Context

2.1.1 Planning Act and Recent Legislative Changes

2.1.1.1 The Planning Act

The *Planning Act* is the governing legislation for land use planning in Ontario. It sets the rules for how municipalities, including Port Colborne, create and update their Official Plans and Zoning By-laws. It grants the City the authority to plan its community and outlines "matters of provincial interest"—such as the provision of housing, the protection of agricultural lands, and the conservation of the natural environment—that all planning decisions must consider.

Section 24 of the *Planning Act* states that all municipal by-laws and public works (like new roads or sewers) must conform to the Official Plan. This makes the Official Plan the most important document for guiding the City's future.

2.1.1.2 Recent Changes to the Planning Act

Over the past several years, the Province has introduced a series of major legislative bills aimed at accelerating the construction of new homes and streamlining development approvals across the Province. These legislative changes have significantly altered the planning landscape. Relevant changes to the *Planning Act* include:

- **Bill 108, the *More Homes, More Choice Act, 2019*:** This legislation replaced various municipal funding tools with a single Community Benefits Charge (CBC) and alters how development charges are collected. The act shortened municipal decision-making timelines for planning applications and restored greater final authority to the Local Planning Appeal Tribunal (LPAT) on appeals/decision making. The act also limited the circumstances in which inclusionary zoning can be applied.
- **Bill 109, the *More Homes for Everyone Act, 2022*:** Designed to further accelerate development approvals and enhance consumer protection for new homebuyers, the changes to the *Planning Act* required municipalities to issue partial refunds of application fees if they fail to make timely decisions on zoning by-law or site plan applications. These changes to Sections 34 and 41 were later repealed by Bill 185 the *Cutting Red Tape to Build More Homes Act, 2024*. To help fast-track projects, the bill created the Community Infrastructure and Housing Accelerator (CIHA) tool, allowing municipalities to request ministerial zoning orders for certain housing and infrastructure developments. On the consumer side, it significantly increased fines and strengthened

the ability of the provincial regulator to address unethical or non-compliant actions by home builders.

- **Bill 23, the *More Homes Built Faster Act, 2022***: This Bill introduced one of the most significant changes for the City of Port Colborne. It removed the planning approval authority from the Region of Niagara. As part of the transition clause, the City of Port Colborne absorbed the NOP. The City of Port Colborne is also now the primary approval authority for amendments to its Official Plan and for most development applications (e.g., plans of subdivision). Bill 23 also mandated that municipal zoning by-laws permit up to three residential units "as-of-right" on most urban residential properties.
- **Bill 185, the *Cutting Red Tape to Build More Homes Act, 2024***: This Bill continued the Province's focus on streamlining by making pre-application consultation voluntary for applicants, further modifying appeal rights, and strengthening "use it or lose it" provisions to prevent approved projects from sitting idle.
- **Bill 17, the *Protect Ontario by Building Faster and Smarter Act, 2025***: This Bill proposed further changes to streamline approvals, including changes related to "as-of-right" variances and new rules for the type of studies that may be required as part of complete applications. The studies that may be permitted as a requirement of a complete application are to be determined by a future regulation. Bill 17 also requires written approval from the Minister of Municipal Affairs and Housing before adopting an amendment to their Official Plan that affects the requirements for a complete application. The Bill also prohibits municipalities from passing by-laws that regulate building construction outside of the Ontario Building Code, effectively preventing municipalities from developing local green building standards.

2.1.1.3 Repeal of the Growth Plan for the Greater Golden Horseshoe (2019)

In addition to the above, one of the most significant changes to Ontario's planning system was the repeal of the Growth Plan for the Greater Golden Horseshoe (2019). The Provincial Growth Plan had been in place since 2006 and was designed to reduce urban sprawl across the Greater Golden Horseshoe, promote transit-oriented development and coordinate infrastructure and development across the region. The Growth Plan was officially repealed in October 2024 as part of the Province's attempt to streamline the planning process. The repeal of the Growth Plan was accomplished with the introduction of the new PPS (2024) through Ontario Regulations 328/24 and 329/24.

2.1.1.4 Changes to the *Planning Act*

Ontario's planning landscape continues to evolve. At the time this report (November 2025) the Province made further changes to the *Planning Act* through Bill 60, *Fighting Delays Building Faster* Act (2025). Bill 60 includes changes to multiple provincial acts – including the *Planning Act*. With respect to the *Planning Act*, Bill 60 aimed to centralize power with the provincial government and accelerate development approvals. Notably, the Minister's decisions under the *Act* would no longer need to be consistent with the PPS (2024), giving the Province greater flexibility to bypass its own provincial policies. Bill 60 also intended to streamline the process for issuing Minister's Zoning Orders (MZOs) by exempting them from certain regulatory requirements and allowing municipalities to delegate the signing of MZO agreements to staff. Furthermore, it expands the Minister's power to allow "as-of-right" deviations from zoning by-law standards, making minor variances easier to obtain without a formal application. To reduce cost disputes, municipalities would be required to create Local Services Policies clearly defining services that must be paid for by developers through subdivision agreements. Finally, the bill restores and expands the ability of upper-tier municipalities to use Community Improvement Plans (CIPs) as a tool to incentivize specific types of redevelopment.

The Province is also requesting comments on a proposal to standardize the approach for official plans (ERO Notice 025-1099) that could significantly impact the format and content of the new Official Plan. The proposal aims to simplify, standardize, and streamline Official Plans across Ontario. Key concepts under consideration include:

- Standardizing the structure and content by mandating a standard set of chapters and schedules for all Official Plans;
- Limiting the inclusion of detailed development standards (e.g., building heights, densities, setbacks) in Official Plans and moving these details exclusively to zoning by-laws;
- Introducing a standard, more permissive set of land use designations to be used by all municipalities;
- Setting a maximum page or word count or page limit; and
- Potentially prohibiting the use of secondary or site-specific plans.

These changes are currently under consultation and not yet law. Given the potential impact that the above-noted changes may have on the City's new Official Plan, these proposals will be closely monitored in the coming months ahead.

2.1.2 Provincial Planning Statement (2024)

The Provincial Planning Statement (PPS) is the primary policy document that sets the direction for land use planning in Ontario. Under the *Planning Act*, all planning decisions made by the City "shall be consistent with" the PPS, as stated in 3(5) of Part I of the *Planning Act.* In 2024, the Province issued a new PPS, which replaces the previous 2020 version. This new PPS (2024) "combines" the PPS with the Growth Plan (2019), although it's important to note that only a handful of Growth Plan (2019) policies were retained when the two document were combined. The PPS (2024) places a strong, clear emphasis on:

- Requiring municipalities to plan for a sufficient supply and mix of housing and establish affordable housing targets;
- Preserving designated employment areas for future job creation;
- Encouraging efficient and timely development approvals; and
- Protecting agricultural lands, natural heritage systems, and water resources.

A primary driver for the City of Port Colborne's new Official Plan is to ensure that its policies are fully consistent with the new direction set by the PPS (2024). A more detailed overview of relevant PPS (2024) directions is covered in the following chapters.

2.2 Niagara Official Plan (2022)

The Region of Niagara adopted its new Official Plan in 2022, which establish a planning horizon to 2051. While Bill 23 removed the Region's role as a planning approval authority, the 2022 NOP remains applicable through the City's planning and development approvals process. The Province expects the City to use the NOP to inform its local planning decisions. For City's new Official Plan, the 2022 NOP policies need to be reviewed and considered, as there may be relevant policies to be carried forward – however it is important to note that the 2022 NOP is not in conformity with the PPS (2024) and so a degree of judgment is required when considering the NOP and how particular policies may be applied in the City's context.

The NOP provides guidance for growth to 2051, identifies an intensification target of 30% for Port Colborne and includes mapping for the Agricultural System, Natural Environment System, and Core Employment Areas. The NOP also provides policy direction for water resources, cultural heritage resources and a number of other policy themes that will need to be considered in the City's new Official Plan.

2.3 Port Colborne Official Plan (2013)

The City's current Official Plan was prepared in 2013 and last consolidated in 2017. It is based on a planning horizon to 2031 and was written to be consistent with the 2014 Provincial Policy Statement and the Regional Official Plan that were in effect at that time. It was also prepared under a two-tier planning system, where the Region of Niagara was the approval authority for the City's plan.

Given the PPS (2024), the 2022 NOP, and the fundamental changes to the *Planning Act*, the 2013 Official Plan is outdated, and large portions of the Plan are obsolete. For example, the policies and growth projections to 2031 are no longer adequate to plan for long term growth and would not adequately address provincial requirements regarding housing supply. While the 2013 Official Plan also articulates local priorities, such as the importance of the Downtown as a focus for revitalization and the role that the Welland Canal plays as a driver for the City's economic development, it no longer reflects the full range of local economic development opportunities. The 2013 Official Plan's local priorities should be reviewed and considered during the development of the new Official Plan. The successive chapters that follow will briefly address the current Plan's directions on a topic-by-topic basis. This structured review ensures that relevant local context is considered.

2.4 Summary of Policy Context

The new Port Colborne Official Plan is being prepared in response to a completely new planning framework. The key takeaways are as follows:

- The City's current Official Plan (2013, last consolidated in 2017) is outdated (planning to 2031) and does not reflect any of the recent changes to the *Planning Act*, PPS (2024) and NOP (2022).
- The *Planning Act* has been significantly changed by multiple new bills focused on building more homes and streamlining development approvals processes.
- The City of Port Colborne, not the Region of Niagara, is now the primary approval authority for Official Plan amendments and development applications (the Ministry of Municipal Affairs is the approval authority for the City's new Official Plan).
- A new PPS (2024) is in effect, and the new Official Plan must be consistent with its policy directions.
- The NOP (2022) provides the relevant policies to be considered in the City's new Official Plan, however the NOP does not conform to the PPS (2024). A degree of judgement is

required when considering which aspects of the NOP can be rolled into the new Official Plan.

- The preparation of the City's new Official Plan will be guided by the need to conform with a number of provincial and relevant regional policies.
- The City's Official Plan will provide an opportunity to chart a new long term path for sustainable growth that takes into account the City's unique local values, geographic strengths as well as social, environmental and economic development objectives.



3.0 GROWTH FORECAST

This chapter sets out the growth forecasts for the City of Port Colborne, updated to align with the current Ministry of Finance (MOF) projections to 2051. Forecasts to 2056 and 2061 are provided for consideration in the Official Plan review, related to PPS (2024) direction on planning for long-term employment and infrastructure beyond 2051 (2.1.3).

The growth forecast for Port Colborne has been addressed most recently in two reports: the *Growth Analysis Review,* prepared by Dillon Consulting Limited in July 2023 ("Dillon") and the *Development Charges Background Study*, prepared in August 2024 by Watson & Associates Economists Ltd. ("Watson"). The Dillon growth analysis assessed potential growth scenarios and recommended policy directions over the period to 2051. The Watson Development Charges (DC) Background Study forecast growth to 2036.

The purpose of the 2023 Growth Analysis Review was to address concerns that the Region of Niagara had underestimated growth in its Municipal Comprehensive Review (MCR) and Land Needs Assessment (LNA) for Port Colborne. Generally, the trend of the City outpacing Regional growth expectations has continued since the analysis was completed. The 2024 Watson DC study confirmed this to be the case over the period to 2036.

The purpose of this section is to set out the updated forecasts to the plan horizon in 2056, including total population, housing units and employment by type: employment land, major office, population-related employment and rural jobs. A range of factors are taken into account, including regional macro-economic employment and demographic trends, local investment attraction opportunities, along with key changes to the Provincial policy framework for forecasting and LNA.

3.1 Policy Context

The PPS (2024) provides guidance to municipalities for planning for long term growth. The PPS (2024) requires municipalities to base population and employment growth forecasts on the Ontario Population Projections published by the Ministry of Finance (MOF) (2.1.1). The PPS (2024) also requires municipalities to plan for between 20 (minimum) and up to 30 years of growth based on Provincial guidance (2.1.3). Policy 2.1.3 also notes that municipalities may extend this time horizon for the purposes of infrastructure, public service facilities, strategic growth areas and employment areas.

With respect to forecasting long term growth, the PPS (2024) provides a degree of flexibility, allowing municipalities to continue to forecast growth using population and employment forecasts previously issued by the Province under the Growth Plan (2.1.2); in this case, that would be the population and employment forecasts prepared by the Region of Niagara in the NOP. But also, policy 2.1.3 notes that precise methods for forecasting growth should consider provincial guidelines. To that end, the Province has prepared a draft Projection Methodology Guideline (PMG) to help municipalities prepare growth forecasts and assess land needs (additional commentary on land needs is covered in Chapter 4). Effectively, the Province requires municipalities to either use the MOF projections, a previously approved forecast or (as the draft Guidelines allow for) an alternative forecast based on local conditions.

3.2 Regional Macro-Economic Employment and Demographic Trends

As noted, several demographic and economic trends underway when the 2023 Growth Analysis Review was prepared, along with insights provided by City staff, indicated that the City was likely to outpace Regional growth expectations. Reasons included:

- The upswing in population observed during the 2016 to 2021 Census period, which was a shift away from the City's long-standing role of stability and a gradually declining share of the Regional population base.
- Accompanying evidence of accelerating developer interest in the form of increased Official Plan Amendments, Zoning By-law Amendments, Site Plan Control, Draft Plan of Subdivision, variances for increased height/ density, and requests for pre-consultation at the time.
- Housing cost spillovers from the Greater Toronto and Hamilton Area (GTHA), other Niagara municipalities and Hamilton that will continue to motivate buyers over the next 10 to 15 years to purchase more affordable homes in nearby urban areas in southwest Niagara, including Port Colborne.
- At the time, the introduction of Bill 23, the *More Homes Built Faster Act* (2022) which sought to increase the number of new homes built over the period to 2031, including Niagara Region and local municipalities.

As noted earlier in Chapter 2, several provincial planning policy changes have occurred in recent years. A number of these changes have occurred at the Provincial level since the 2023 Growth Analysis Review was completed, including the PPS (2024) and Bill 60, the *Fighting Delays, Building Faster Act*, 2025. The recent Federal Budget also sets new targets for immigration, which are for moderated population growth at the national level.

3.3 Local Investment Attraction and Economic Opportunities

The local context for growth in Port Colborne remains positive, though likely to occur at a somewhat slower pace than forecast in the Watson work. Continued uncertainty in the current economic context and lower national immigration in the short term are the main reasons for this conclusion.

Several significant investment attraction and economic opportunities have been advanced since 2022, which will support increased job and economic growth. The most significant of all is the $1.6 billion investment in the Asahi Kasei lithium-ion battery separator plant in the north of the City, located on the southwest quadrant of Highways 140 and 58a. The location is illustrated below from the MZO, which was approved in order to compress approval timelines for the project (O. Reg. 337/24: Zoning Order).

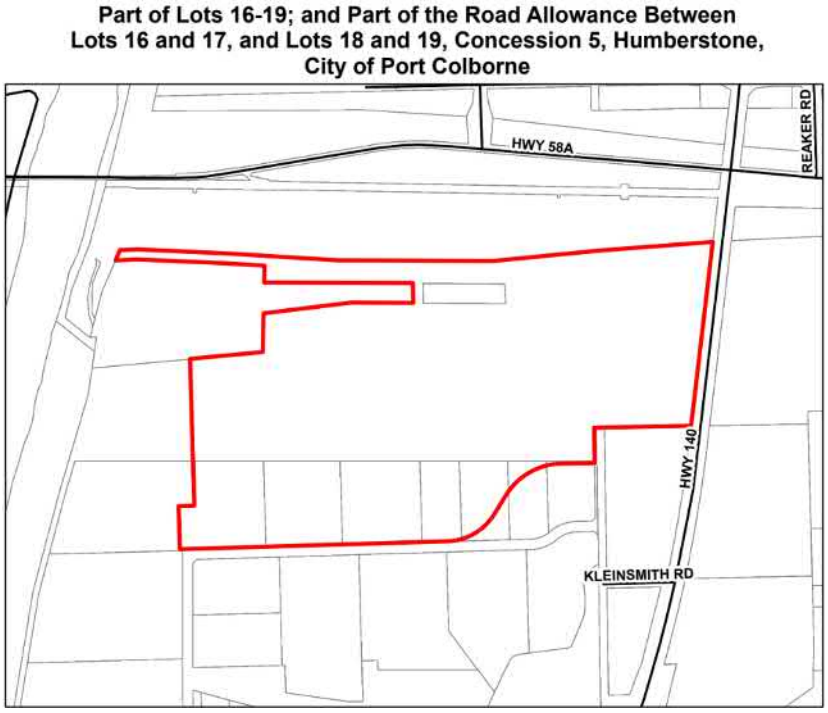


Figure 3-1: Key Map for the Ministers Zoning Order for the Asahi Kasei plant

The development of this facility is expected to generate new economic activity and support further industrial development on the area to the south. Significant investments are being made in new infrastructure to support future development including: a $24.2 million wastewater crossing of the Welland Canal, a $79.8 million watermain crossing and $32.4 million in additional infrastructure investment to accelerate servicing and future job growth within the East Side Employment Lands (East Side Lands or ESEL).[3]

[3] Report 2025-185: Servicing the East Side Employment Lands (September 23, 2025)

It is generally recognized that this project is a catalytic, infrastructure-led investment attraction effort that will fundamentally alter the City's economic development and employment growth trajectory. To minimize impacts on future borrowing capacity, the City is establishing two Government Business Enterprises (GBEs) to own and operate the new water/wastewater district and Niagara Region will assume ownership of all new pumping stations and force mains in the area once they are operational.

On the residential side, Port Colborne continues to advance its housing strategy, securing $4.3 million in funding from the federal Housing Accelerator Fund (HAF). The City is also partnering with Niagara Regional Housing (NRH) to develop a 50+ unit affordable housing project and has secured additional funding to advance affordable housing goals, including $19 million from the Canada Housing Investment Fund (CHIF) and $11.1 million from the Housing Enabling Water Systems Fund (HEWSF).

In addition to these specific local initiatives, the City continues to focus on taking proactive action to attract new investment on a community-wide basis, including implementation of the 2018 *Economic Development Strategy and Action Plan* and streamlining development approvals. The City's Community Improvement Plan (CIP) continues to be reviewed and updated, including incentive programs to leverage private sector investment, alongside a comprehensive and multi-phased real estate initiative to maximize the potential of City-owned surplus lands as part of the housing strategy.

Taken as a whole, the evolving Regional dynamic combined with the above investment attraction 'success stories' bodes very well for future growth. As with population, Port Colborne is expected to outpace Regional expectations for economic development and overall job growth to the plan horizon in 2051 and beyond.

3.4 Approach and Methodology

As noted, since 2022 the Province has made many changes to land use planning policy and provided updated guidance on forecasting and land needs. The most significant changes related to the Official Plan review are the release of the PPS (2024), guidance on forecasting and land needs with the Proposed Updates to the *Projection Methodology Guidelines*[4] and updated population projections from the MOF.

[4] *Proposed Updates to the Projection Methodology Guidelines*, August 2025.

In the case of Niagara Region, the 2051 MOF projections are generally in line with the Region's growth management expectations: a total population of just over 689,000. This MOF projection compares to the Region's 2051 LNA forecast of 694,000 in 2051, so the two outlooks are essentially the same.

While not yet finalized, the proposed PMG indicates Municipalities should use the most recent MOF projections published and available at the time of their next official plan update, pursuant to the provisions of the *Planning Act*. There is no requirement in either the PPS (2024) or Proposed PMG to update municipal growth forecasts outside statutory requirement for plan review. Because the City of Port Colborne is now undertaking its plan review, the approach taken for this assignment is to use the most recent MOF forecasts and PMG method as the basis for analysis.

The methodology for allocating the MOF population projections in the proposed PMG is to develop a range based on two methods: one, a municipality's share of the current Census Division (CD) population and two, its share of population growth within the CD over the last five years. The PMG encourages municipalities to use both methods to forecast growth and compare results. For reasons set out in more detail below, the high end of the resulting range of projections is considered appropriate for the purposes of growth management and long-range planning in Port Colborne.

3.5 Population Forecast

Applying the proposed PMG approach to the City of Port Colborne results in a total 2051 population that ranges between 18,100 and 28,000, compared to the Region's 2022 LNA 2051 forecast of 23,230 people. Details are shown in **Table 3-1** and **Table 3-2** on the following page, recognizing that the proposed PMG is not yet finalized, and results could be differ depending on the changes, if any, that are made to the current Proposed PMG method. Forecast results will need to be revised should significant changes be made.

Table 3-1: 2051 Population Forecast for the City of Port Colborne – MOF Projections

Niagara Official Plan 2051 Land Needs Assessment	2021	2051	Growth 2021 to 2051
Port Colborne	20,742	23,230	2,488
Rest of Niagara	476,417	670,770	194,353
Niagara Region Total	497,159	694,000	196,841
Port Colborne Share of Region Total	**4.2%**	**3.3%**	**1.3%**
Growth Over the 5-year Period 2020 to 2024	**2020**	**2024**	**Growth 2020 to 2024**
Port Colborne	20,548	21,830	1,282
Rest of Niagara	469,895	517,350	47,455
Niagara Region Total	490,443	539,180	48,737
Port Colborne Share of Region Total	**4.2%**	**4.0%**	**2.6%**

Table 3-2: Distribution of Ministry of Finance Forecasts to Port Colborne

Total 2051 MOF Population Forecast for Niagara Region	689,016
Port Colborne 2051 Population Based on 2024 Share of Total	28,000
Port Colborne Population Based on 2020 to 2024 Growth	18,124
Port Colborne Niagara Region LNA 2051 Population Forecast	23,230
Total 2051 MOF Population Forecast for Niagara Region	689,016
Variance from Ministry of Finance 2024 Share of Total	20% (4,770)
Variance from Ministry of Finance 2020 to 2024 Growth	-22% (-5,106)

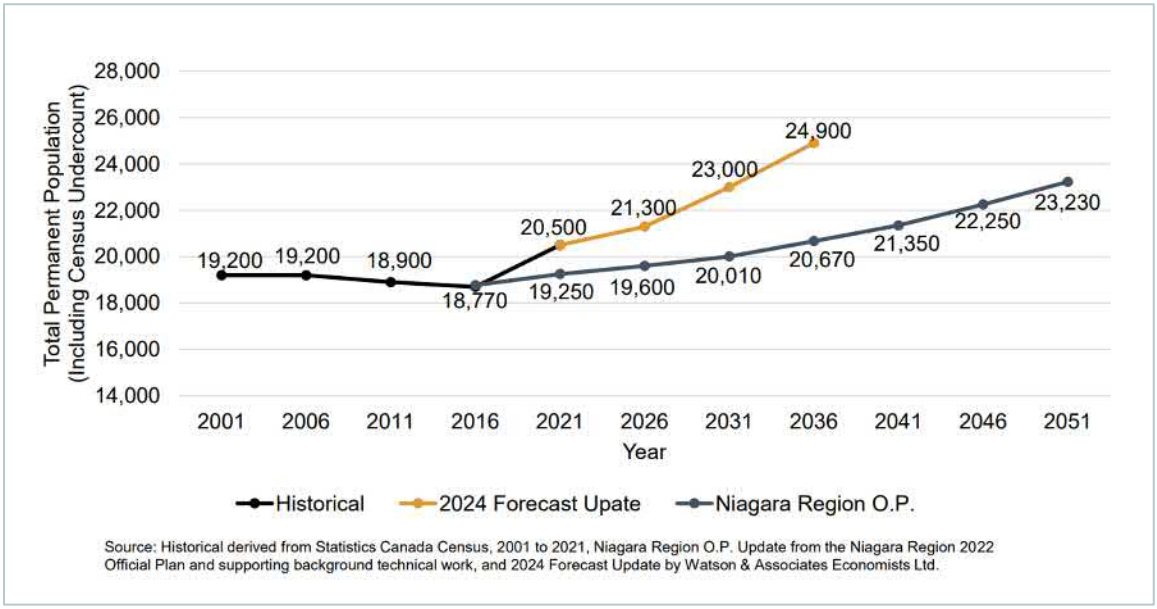
As noted, forecasts to 2056 and 2061 are also provided for consideration in the Official Plan review and to take into consideration PPS (2024) direction on planning for long-term employment and infrastructure beyond the traditional 30-year period (2.1.3). The MOF projections are pro-rated beyond 2051, by period, according to the growth projected for the 2046 to 2051 period. The results are shown in **Table 3-3** on the following page.

Table 3-3: 2056 and 2061 Population Forecast for the City of Port Colborne – MOF Projections

Year	MOF Pro-Rated Projections	City of Port Colborne Share	City Population Forecast
2051	689,016	4.0%	28,000
2056	719,454	4.0%	29,130
2061	749,892	4.0%	30,360

As demonstrated in both the 2023 Growth Analysis Review and 2024 DC Background work, Port Colborne has been exceeding Regional growth expectations since 2016. For convenience, this divergence is illustrated in the graphic below, prepared by Watson.[5] Of note, the most recent Census actual total 2024 population figure of 21,830 (shown in **Table 3-1** above) is higher than the 2026 population forecast in the Watson DC study: suggesting that growth continues to outpace the expectations of even recently updated forecasts.

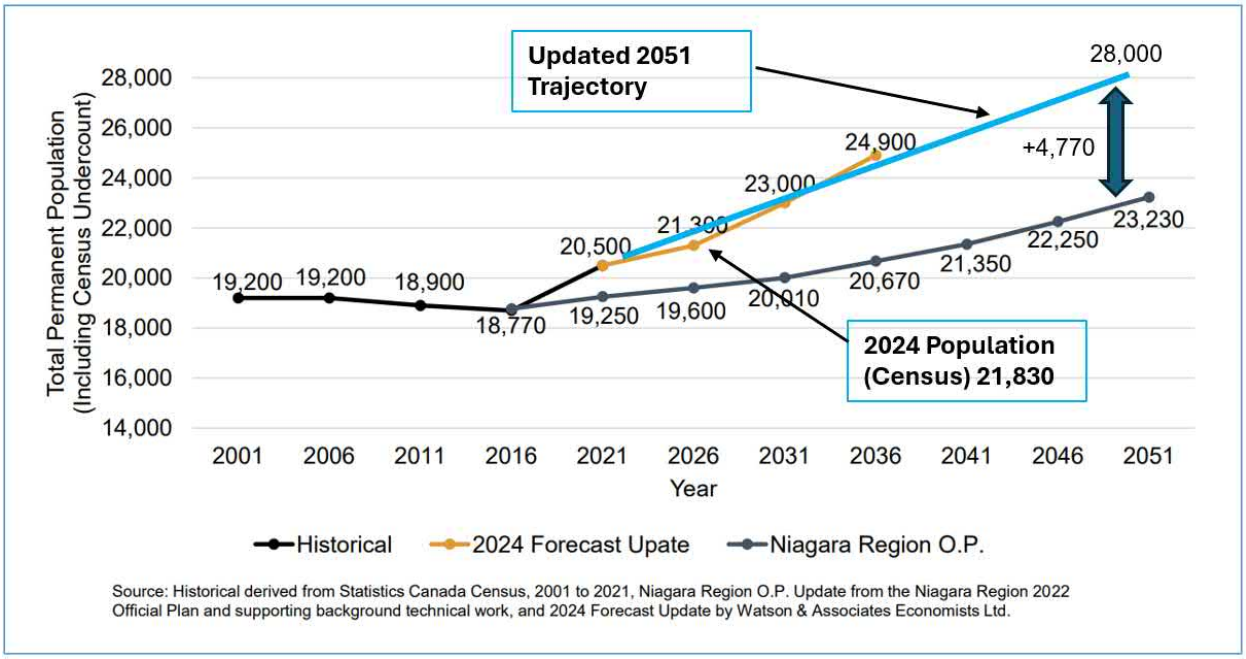
Figure 3-2: Population Forecast, City of Port Colborne - 2021 to 2036



[5] Reproduced from *City of Port Colborne Growth Forecast Update to 2036*, Final Growth Forecast presentation dated January 19, 2024

The MOF forecast of 28,000 people in 2051 does, however, signal a lower trajectory of growth to 2051 compared to the 2036 Waston DC study. A moderated pace of growth to the plan horizon is likely, given the current economic situation and 2026 to 2028 Immigration Levels Plan in the Federal Budget.[6] For convenience, the forecast to 2051 has been added to the Watson graphic previously shown.[7]

Figure 3-3: Population Forecast City of Port Colborne - 2021 to 2051



Source: Historical derived from Statistics Canada Census, 2001 to 2021, Niagara Region O.P. Update from the Niagara Region 2022 Official Plan and supporting background technical work, and 2024 Forecast Update by Watson & Associates Economists Ltd.

[6] The plan is to "return immigration to sustainable levels" by stabilizing new permanent resident additions at less than one percent of total Canadian population beyond 2027 and reducing the total number of temporary residents to less than 5 per cent of population by the end of 2027, down from a peak of 7.6 per cent in 2024. The 2025 *Ontario Economic Outlook and Fiscal Review: A Plan to Protect Ontario* also anticipates a reduced level of housing starts in the short term between now and 2028.

[7] It should also be noted that the current MOF projections are based on the Federal immigration targets in place at the time those were prepared. Since the Federal Budget envisions somewhat lower immigration under the new plan, the next release of the MOF projections will likely be lower.

The underlying factors and drivers of accelerated growth in the City will remain in place to 2051. The community's strategic location and pricing advantages are key. As a relatively affordable alternative for employers and families struggling with the cost of living in more established (and expensive) markets in the GTHA and within Niagara Region, market demand will be strong.

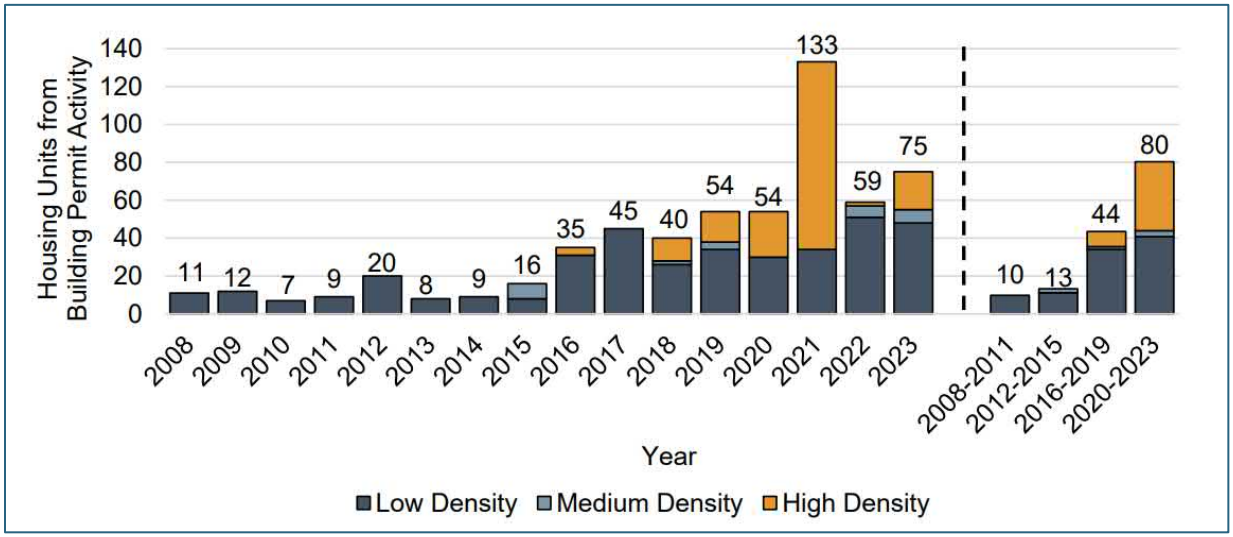
Planned transportation infrastructure investments, particularly year-round daily GO Rail service to Niagara, will further integrate the Region with the GTHA, improving accessibility and commuter travel, and, in turn, raising the market appeal of all communities within Niagara including the City of Port Colborne. This improved accessibility combined with recent and ongoing investment attraction successes in Port Colborne will further support growth to the plan horizon.

From a policy perspective, there is no question that the intent of recent Provincial policy and legislative changes is to accelerate the supply of housing to address the affordability crisis. Both the PPS (2024) and Proposed PMG also provide considerably more flexibility to local municipalities in their planning to accommodate growth. Accordingly, for reasons related to both regional and local economic opportunities and clear Provincial policy directions to increase housing supply, the high end of the current MOF forecast range to 2051 is the appropriate basis for the Official Plan review.

3.6 Housing Forecast

As noted, the level of new housing production in Port Colborne was comparatively limited until around 2016, when the upswing began. This trend of accelerating growth is illustrated in Figure **3-4** (on the following page) from the 2036 Watson growth update. A notable shift towards higher density forms such as rowhouses and apartment has also occurred.

Figure 3-4: Growth Trends and Drivers, Housing Permits 2008 to 2023 (Watson and Associates)



As shown in **Figure 3-3** previously, the MOF forecast to 2051 is approximately 4,800 people higher than in the NOP. The higher population growth will translate into additional housing demand and, in turn, increase the amount of residential development anticipated in Region's LNA and current NOP.

In the most recent 2020 to 2023 period, the rate of housing unit production was 80 units per year. A similar average five-year rate was calculated in the 2023 Growth Analysis Review (77 units per year) based on building permit activity up to 2021. The 2023 Growth Analysis Review also estimated the remaining years of supply for three higher growth scenarios, including:

- A "High-Pace" scenario", that was set to be reasonably above the peak single-year rate of housing production in 2021 (133 units);
- A "work-back" 30-year scenario that is based on full development of the designated residential land supply including all apartment potential; and
- An "Ultra-high" scenario that was aspirational in the context of the 30-year full land supply potential scenario.

The results are shown in **Table 3-4** on the following page for reference.

Table 3-4: Estimated Years of Supply Based on Build-out of Total Residential Capacity

Scenario	Annual Growth (units)	Total Residential Capacity (Pipeline+ Vacant + Intensification)	Estimated Years of Supply
Region of Niagara	77 units annually	6,448	84 years
Five-year Building Permit Average	65 units annually	6,448	99 years
High Pace	150 units annually	6,448	43 years
30-year “work back” Pace	215 units annually	6,448	30 years
Ultra-High	300 units annually	6,448	22 years

While the MOF projections provide a prudent, Provincially compliant anchor for the Official Plan’s growth forecast, there is a distinct "High Growth" scenario that warrants recognition for the purposes of long-term economic development and infrastructure planning. This aspirational outlook envisions a trajectory of approximately 5,200 new units over the planning horizon to 2056, averaging 150 units per year—a rate consistent with the "High Pace" scenario identified in the 2023 Growth Analysis. This scenario acknowledges that Port Colborne has consistently outpaced regional growth forecasts since 2016 and accounts for catalytic investments that are not fully captured in standard demographic extrapolations.

The primary driver for this potential upside is the structural economic shift triggered by the new Asahi Kasei battery separator plant. Unlike "business as usual" growth, this major industrial investment can act as a catalyst that is envisioned to create immediate housing demand from a specialized workforce and unlocking the East Side Employment Lands through significant water and wastewater infrastructure investments. Furthermore, the City’s active development pipeline includes large-scale proposals, such as the Elite and Mapleview subdivisions, which alone suggest a supply potential that could absorb the baseline forecast if market conditions remain favourable over the forecast period.

Therefore, while the new Official Plan should adopt the MOF-aligned forecast of approximately 3,450 units to conform to Provincial policy, the City should also recognize the potential for this "High Growth" scenario of 5,200 units. This higher figure serves as a strategic target for economic development initiatives and investment attraction. It also enables the City to plan its infrastructure and servicing capacity with sufficient flexibility to accommodate a surge in growth, preventing the municipality from being "under-piped", should the local economy outpace the current provincial outlook.

Achieving the "High Pace" of growth (150 units per year) represents an aspirational scenario driven by significant economic catalysts, above and beyond the current MOF projections. Given that Port Colborne continues to outpace growth expectations, an outlook of somewhere between 80 and 150 units per year is considered to be a reasonable range of housing demand expected to the plan horizon. Taking the mid-point of the range (115 units per year) results in a **growth of 3,450 units between 2021 and 2051**. Adding this growth to the 2021 Census base of 8,710 units results in a 2051 total of 12,160 housing units. The results are shown in **Table 3-5**, along with Person Per Unit (PPU) factors for 2021 and 2051.

Table 3-5: 2051 Housing Forecast for the City of Port Colborne

2021 Census Occupied Households	**8,710**
2021 Census Population (Excluding the Undercount)	20,033
2021 Persons Per Unit (PPU)	**2.30**
Average Annual Rate of New Unit Production	115
Housing Unit Growth 2021 to 2051	3,450
2021 Census Occupied Households	8,710
Total 2051 Forecast Total Housing Units	**12,160**
2051 Forecast Total Population	28,000
2051 Forecast Census Population (Excluding the Undercount)	26,818
Total 2051 Forecast Total Housing Units	12,160
2051 PPU	**2.21**

Maintaining an average production rate of 115 units per year beyond 2051 would translate into a 2056 and 2061 forecast of 12,735 and 13,310 units, respectively. The results are shown below in **Table 3-6** on the following page.

Table 3-6: 2056 and 2061 Housing Forecast for the City of Port Colborne

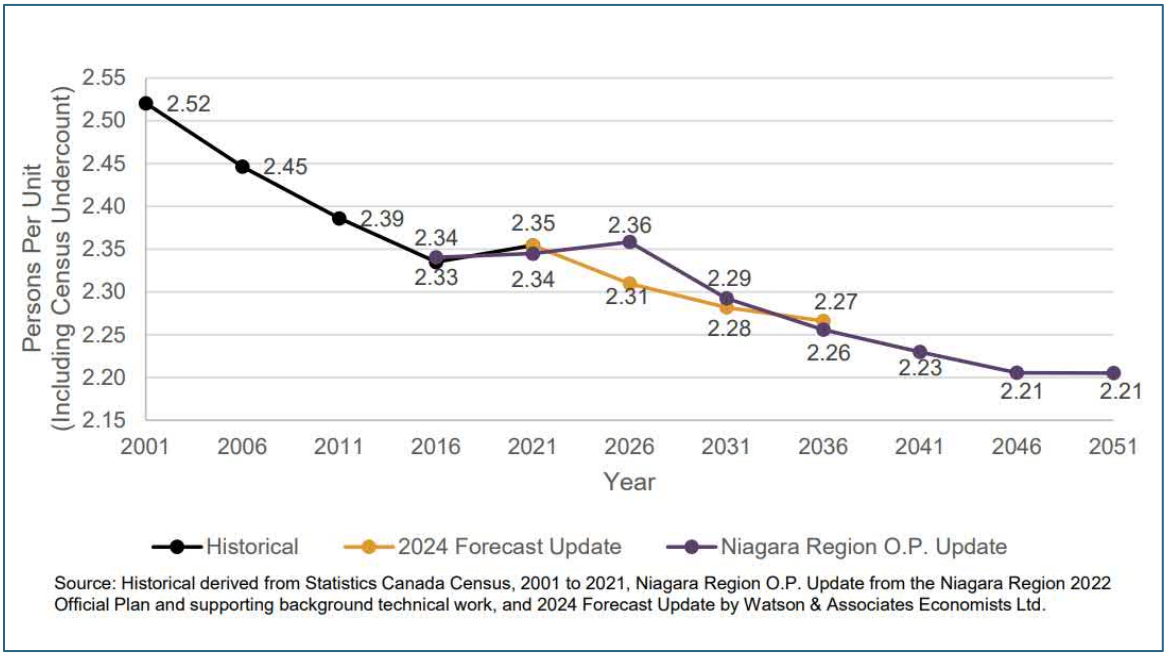
Year	Total Housing Units
2051	12,160
2056	12,735
2061	13,310

As shown in **Table 3-5** (on the previous page) and **Figure 3-5** (on the following page), the 2051 housing forecast translates into an overall PPU factor of 2.21, which is a decline from the 2021 PPU of 2.30 as shown in the 2024 DC work to 2036 as well as the Region of Niagara LNA over the period to 2051.

Most urban communities in the GTHA and Niagara have, for many years, been experiencing a decline in housing occupancy rates (i.e., PPUs). Several factors have been driving this trend, principal amongst which is the aging of the population: generally, the older the population, the higher the rate at which households are formed. Rising household formation results in a decline in average occupancy rates per unit. Other factors that have contributed to this trend include life cycle changes and lower fertility rates. For further context, the long-term trend of declining PPUs in Port Colborne is illustrated in the graphic below prepared by Watson for the 2036 growth update.

Affordability has also had an effect over the last 20 years, as it forced a broad shift in the mix of new housing units towards higher density forms like rowhouses and apartments. Related to the question of the market, there is no question that housing in general has experienced an overall shift to higher density forms. This trend is clear from the housing completions data and permit activity shown previously in **Figure 3-4**. This shift to higher density housing forms is a combination of policy and more broadly pricing.

Figure 3-5: Persons Per Unit Forecast City of Port Colborne to 2036 and 2051



Source: Historical derived from Statistics Canada Census, 2001 to 2021, Niagara Region O.P. Update from the Niagara Region 2022 Official Plan and supporting background technical work, and 2024 Forecast Update by Watson & Associates Economists Ltd.

More recently, there is some evidence that PPUs may be stabilizing, primarily due to delays in adult children leaving home. Another factor stabilizing PPUs is an increase in multi-family dwellings, especially in the older '905' areas of the GTHA such as southern Peel region, and the shift towards higher density housing forms in general that tend to have lower rates of occupancy compared to detached family-oriented homes.

Affordability challenges have also affected the overall rate of household formation, as discussed previously. This particular issue is addressed in the Proposed PMG in terms of "suppressed household formation".[8] Given the Provincial focus on increasing housing supply, and like-minded initiatives in the Federal Budget including significant investments to facilitate growth in the 'modular' housing sector, it is expected that there will be some policy success in moderating high housing prices rather than the alternative, which is for the current housing

[8] A related factor to be considered is the notion of "Suppressed Household Formation", which is described in the proposed PMG as new households that would have been formed but are not due to a lack of attainable options. The persons who would have formed these households include, but are not limited to, many adults living with family members or roommates and individuals wishing to leave unsafe or unstable environments but cannot due to a lack of places to go.

situation to worsen indefinitely. In other words, it is expected that conditions will improve not worsen over time in terms of affordability.

In this case, the rate of household formation would increase leading to declines in the rate of new unit occupancy and more units required. However, the extent to which Provincial and Federal initiatives will succeed, and when, remains unclear. As such, the housing forecast for the Official Plan review is anchored to current patterns of PPU decline to the planning horizon in 2051. Though likely to occur at a somewhat lower trajectory than envisioned in the Watson DC work to 2036, the forecast still represents considerable growth in new units compared to longer-term historic patterns.

3.7 Employment Forecast

The employment forecast is based on the "activity rate" approach, consistent with the 2036 Watson DC work. Discussed below is the Census base employment and activity rates, the forecast of total employment and employment by type to 2051.

3.7.1 2016 and 2021 Census Employment and Activity Rate

The 2023 Growth Analysis Review provided Census 2016 and 2021 employment by major category. Of note is the increase in Work at Home (+11%) and No Fixed employment (+6%) that occurred due to the rapid changes brought about by the COVID pandemic at the time. The results are shown in **Table 3-7** below for reference.

Table 3-7: Estimated Employment by Category, 2016 and 2021 Census

Category	2016	Share	2021	Share	Shift
Total Place of Work (Commuting Flows)	4,835	84%	4,410	67%	-17%
Work at Home (Census, LF)	310	5%	1,105	17%	11%
No Fixed Place (Census, LF)	615	11%	1,080	16%	6%
TOTAL	**5,750**	**100%**	**6,595**	**100%**	**0%**

The 2023 Growth Analysis Review also calculated Port Colborne's "Activity Rate", which represents the ratio of jobs to residents in a municipality. Of note is that the City's Activity Rate has increased somewhat over the 2016 to 2021 period: from 30.5% to 31.5% of the population, shown in **Table 3-8** on the following page for reference.

Table 3-8: Estimated Employment by Category, 2016 and 2021 Census

	2016	2021
Population, Census	18,306	20,033
Population, Total	18,872	20,653
Employment	5,760	6,595
Activity Rate	30.5%	31.9%

3.7.2 Forecast 2051 Total Employment

The 2016 and 2021 Census information has not changed since the 2023 Growth Analysis Review was prepared, so these figures are maintained for the analysis. The employment forecast is based on the "activity-rate" method, as noted. However, a higher Activity Rate is applied to forecast population compared to the 2036 Watson DC work.

Total 2051 employment is based on applying an increased 35% Activity Rate to the forecast 2051 population of 28,000 people. There are many sound growth management reasons why planning for a higher Activity Rate is warranted:

- Port Colborne will become an increasingly attractive location for growth of all types to the plan horizon, along with many other Niagara locations.
- The community is particularly well positioned to accommodate demand for affordable family-oriented housing that is expected to accelerate as Provincial and Federal initiatives (and housing market recovery) gains traction.
- The associated growth in the resident labour force over time will make Port Colborne more attractive for employment across a range of economic sectors, occupations and non-residential land uses, including larger or more 'regional' population-related functions.
- Planning for an increased activity rate is also appropriate given the positive regional growth outlook, local economic success stories and ongoing efforts to support investment attraction on a community-wide basis.
- Of particular importance are the expected catalytic effects of the major new battery plant and related investments in infrastructure to unlock other shovel-ready parcels in broader East Side lands. To account for the potential to 'unlock' growth in the East Side lands, and the factors above, an increased Activity Rate is appropriate for long-range planning purposes.

Current and future planned investments in the Welland Canal will further boost the City's economic potential, discussed in more detail below. Applying an Activity Rate of 35% to the forecast total 2051 population of 28,000 indicates a total employment forecast of 9,800 jobs, or **growth of approximately 3,200 jobs** from the 2021 Census base of 6,595 jobs shown previously in **Table 3-8** above.

3.7.3 Forecast of Employment by Type

In accordance with standard industry practice, the forecast is prepared for the three types of employment in addition to rural employment:

- **Major office employment**, which are jobs accommodated in freestanding office buildings of 20,000 square feet or greater including public buildings such as City Halls and Police Stations. Major Office buildings can also be within any of the geographic areas of the other categories.
- **Population-Related Employment,** which are the jobs that exist in response to a resident population and is mainly commercial retail, institutional and urban work at home employment.
- **Employment Land Employment**, which are the jobs in designated Employment Areas. Under the PPS (2024) only a narrow range of industrial-type employment is permitted. Any offices, large retail concentrations and/or major institutions that lie within existing employment areas, or variously designated but as yet unbuilt land supply, are not permitted.
- **Rural Employment**, which are jobs of all types occurring within the rural geography of Port Colborne, except for major industrial uses or larger rural industrial areas that are treated as Employment Land Employment. "Work at home" employment can be a substantial proportion of jobs in this category, mainly in the form of residents that live on the farm where they work.

The base 2021 employment by type is maintained from the 2023 Growth Analysis Review since it is unchanged. Population-related employment is estimated at a rate of 1 job for every 6.0 new residents, which is reduced marginally from the rate used in the 2023 Growth Analysis Review (1 job for every 6.2 new residents) to account for the expectation of demand for

regional population related functions over the longer-term. A lower ratio of new residents to jobs translates into more employment in this category.[9]

The 2021 and 2051 rural employment is maintained from the 2023 Growth Analysis Review, as it is based on the expectation that most future employment growth will occur within the City's designated urban employment areas along with other commercial and institutional areas throughout the existing urban area. There is no evidence to suggest this pattern of growth will change rapidly or significantly to the plan horizon.

Employment Land Employment (industrial type jobs) is calculated as the residual in 2051 from other types of employment growth, in accordance with the PPS (2024) Employment Area definition. Results are summarized in **Table 3-9** below.

Table 3-9: Forecast Growth in Employment by Type, 2021 to 2051

Employment Type	2021	Growth 2021 to 2051	2051	2056	2061
Major Office Employment	0	0	0	0	0
Population-Related Employment	3,470	1,200	4,670	4,855	5,060
Employment Areas Employment	2,210	1,560	3,770	3,980	4,205
Rural Employment	915	445	1,360	1,360	1,360
TOTAL	**6,595**	**3,205**	**9,800**	**10,200**	**10,625**

Consistent with the 2023 Growth Analysis Review, no major office growth is anticipated. Over the period to 2051, the City's Employment Areas are forecast to grow by roughly 1,560 jobs, which is higher than the Regional LNA. Growth for this type of employment and the overall total would be higher for 2056 and 2061, as shown above. More rapid population growth will drive more population-related employment, including uses no longer permitted within Employment Areas under the PPS (2024).

Likewise, it is also anticipated that the City will see additional growth in the port and marine-related jobs arising from planned investments in the Federal Budget, but the precise timing is

[9] The new PPS (2024) and *Planning Act* definition also implicitly allocates more growth to this employment type, as it excludes the relatively small number of population-related jobs that are typically accommodated within Employment areas that are not "accessory" to the main industrial building.

not clear. Several investments were already announced for the Welland Canal prior to the tabling of the Federal Budget, including the Port Colborne capacity-building and clean fuels projects.[10] These canal-related investments will support continued growth in marine-related activities and other retail and industrial uses in the short term and will be a positive catalyst for economic development and investment attraction over time, along with the new lithium-ion batter plan in north Port Colborne.

It should also be noted that these forecast results represent net growth in industrial jobs, which is to say that declines in the existing occupied land base are not taken into account. It is likely, especially in the City's older industrial areas, that some existing buildings and sites will decline in employment or be recycled to lower density uses. Others will become more attractive for emerging uses such as "last mile" delivery centres that will support the re-use and repurposing of space in older areas over time.

Related to Provincial policy changes, however, there will be strong pressure to convert sites within the City's designated Employment Areas to residential use in the short-term, mainly due to PPS (2024) definitional changes noted above. It has become clear from an approvals perspective that sites can now be converted if they do not meet the new definition.[11] How the City chooses to respond to this, and the other growth-related matters above, is a matter of policy for the next phase of the Official Plan review. Key issues and directions for consideration are set out the final section on the following page.

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[10] Details on currently planned Federal investments can be found here: https://www.portcolborne.ca/en/news/government-of-canada-invests-in-the-revitalization-of-port-colborne.aspx#:~:text=Catharines%2C%20Chris%20Bittle%2C%20announced%20an,congestion%20along%20Canada's%20trade%20corridors.

And here: https://www.canada.ca/en/natural-resources-canada/news/2024/03/government-of-canada-invests-15-million-in-clean-fuels-projects-in-the-niagara-region-and-across-canada.html

[11] For an example of an otherwise very competitive site for industrial use where an appeal for residential use was allowed because it did not meet the new PPS (2024) definition, see the recent decision on 1400 South Service Road in the City of Hamilton, CASE NO(S).: OLT-23-001146.

3.8 Growth Forecast Policy Directions

Based on the foregoing, and from the perspective of the City's growth management and Official Plan review objectives, the following policy directions stand out:

- **The new Official Plan should include updated 2056 forecasts.** The City's new Official Plan should be based on a 2056 population of 29,130 people, 10,200 jobs and 12,735 housing units.
- **Establish a growth planning monitoring framework:**
    - **Adaptive planning and monitoring.** The OP should include policies to provide direction on monitoring of land supply and servicing capacity based on the PPS and any updates to the Province's Projection Methodology Guidelines.
    - **Ground-related housing demand.** Prioritize a suitable land supply that reflects a return to historic market norms for ground-related housing demand within urban settlement areas.
    - **Strategic growth potential.** Include language that acknowledges the potential for growth beyond baseline projections to account for major economic catalysts like the Asahi Kasei plant, to ensure that long-term infrastructure and investment strategies remain robust.
    - **Infrastructure-first phasing.** Strictly align development timing with the City's water, wastewater, and transportation capacity to prevent "under-piping".
- **Strategic growth potential.** While the Official Plan land needs will be anchored the MOF projections to align with Provincial requirements, the Official Plan should contain strategic language that acknowledges the potential for accelerated growth. This is to help ensure that long-term infrastructure planning and economic development strategies are robust enough to accommodate upside potential generated by major investments such as the Asahi Kasei plant.
- **Forecast mix of housing**. The planned mix of housing (single and semi-detached homes, rowhouses, and apartments) will be a central issue in the Official Plan review. The City must have regard to the PPS (2024) that is focussed on planning for the full range and mix of housing options by type. The balance of policy in the PPS (2024) and Proposed PMG has shifted away from a restrictive approach to growth management towards facilitating a suitable if not ample land supply to accommodate housing demand. That

said, it is worth repeating that the PMG is not yet final; it is uncertain what, if any, changes will be made to the mandated methods.

- **Demand for ground-related housing**. While debateable, changes in the pattern of new home occupancy by structure type have arisen mostly from the nearly continuous increase (until recently) in the cost of ground-related housing over the past decade, especially during the COVID pandemic. This dynamic has been the main factor driving accelerated population and housing growth at the edge of the metropolitan area including the Region of Niagara and City of Port Colborne. Going forward, it is expected that the profile of market demand to return to historic norms of occupancy by unit type, meaning a return of strong demand for ground-related housing within urban settlement areas. However, like the forecast mix of housing, the urban/rural split of growth is a matter of policy to be addressed in the next steps of the Official Plan review.

- **Planning for intensification**. The treatment of residential intensification in the Proposed PMG is a key question for the Official Plan review which, like the forecasts, influences land needs and is yet to be finalized. The Proposed PMG maintains some elements of the prior *Growth Plan* (2020) policy construct, most importantly that intensification units be subtracted from the total forecast housing units when assessing residential land need. Otherwise, the recommended approach is more flexible. No minimum is mandated, rather the Proposed PMG indicates that planning targets be set to reflect municipal objectives, local conditions, and "various forms of intensification" including supply potential, infrastructure availability, market demand and availability and suitability of sites in terms of environmental constraints. The planning challenge, as always, will be to maximize the tolerance of the market to policy intervention without jeopardizing the growth forecasts and Provincial (and Federal) goals to increase housing supply, which are clear.

- **Compatibility for infill development.** As part of planning for intensification, the new Official Plan should introduce policies/criteria to guide the review infill development with respect to location/surrounding land use, density, scale, etc.
- **Planning for Employment Areas**. The PPS (2024) directs municipalities to assess and update their Employment Areas to ensure the "designation is appropriate" to their planned function. Implementing this direction is a significant change best undertaken on a comprehensive City-wide basis to implement the new definition of Employment Areas in the PPS and *Planning Act.* Chapter 4 further explores the supply of designated Employment Area supply to confirm its planned function in the new Official Plan, including the notion of "clusters" also introduced in the PPS (2024).

- **The Official Plan vision, objectives and policies should capture the positive longer term growth outlook for the City.** Notwithstanding some uncertainty around the implementation of current Provincial policy directions, the growth outlook is positive for the City of Port Colborne. Population, housing and employment is forecast to grow steadily, along with demand for residential and non-residential building space. Accordingly, the next section of this report turns to a discussion of broader growth management issues for the Official Plan review, including the currently planned urban structure, residential and employment land supply, servicing and transportation infrastructure and related policy directions.



4.0 GROWTH MANAGEMENT

Port Colborne's existing urban structure plan divides the City's urban area into two sub-areas: designated greenfield areas for new neighbourhood development; and a built boundary where intensification of lands within the built-up area occurs. To determine if this existing structure can accommodate projected population, housing and employment growth an assessment of residential and employment land supply against future demand is critical to determining the appropriate policy directions for the new Official Plan. In addition to supply and demand, updating the City's long term growth management strategy also means assessing infrastructure needs to ensure that there is sufficient water, sanitary sewer and transportation infrastructure in place to accommodate the planned growth. The following section provides an overview of the City's current growth management strategy, including a review of provincial, regional and

current Official Plan policy; analysis of residential and employment land needs; a brief overview of infrastructure capacity; and a summary of proposed growth management policy directions.

4.1 Policy Context

4.1.1 Provincial Policy Context

The PPS (2024) provides guidance to municipalities for how growth management is to occur in Ontario, directing municipalities to provide for an appropriate mix of housing options and densities to meet projected requirements (2.1.4). Highlights of the PPS with respect to growth management are as follows:

- **Maintaining a robust supply of lands:** Policy 2.1.4.a requires municipalities to maintain the ability to accommodate at all times a minimum of 15 years of residential growth through designated land. PPS policy 2.1.4.b requires municipalities to maintain servicing capacity of at least three years supply of residential units.
- **Settlement areas as the focus for growth:** Policy 2.3.1.1 clearly identifies that lands within settlement areas are to be the focus for growth and development. This policy also introduces the concept of strategic growth areas – lands within settlement areas that are to be planned for accommodating intensification and higher-density mixed uses in a more compact built form.
- **Planning for intensification:** Policy 2.3.1.3 directs municipalities to plan for complete communities and a mix of housing options by prioritizing planning and investment in the necessary public service facilities and infrastructure. Policy 2.3.1.4 requires municipalities to establish intensification targets in their Official Plans.
- **Planning for Designated Growth Areas:** Policy 2.3.1.5 directs municipalities to consider planning for a minimum density target of 50 people and jobs per hectare on designated growth areas. Policy 2.3.1.6 encourages municipalities to establish and implement phasing policies to allow for the orderly development of designated growth areas[12].

[12] The PPS (2024) uses the term “designated growth areas” which is defined as “lands within settlement areas designated for growth or lands added to settlement areas that have not yet been fully developed. Designated growth areas include lands which are designated and

- **New guidance for settlement area expansion:** Policy 2.3.2.1 provides guidance to planning authorities when identifying a new settlement area or allowing for a boundary expansion, outlining seven tests to be considered. These tests require planning authorities to consider a) need; b) infrastructure capacity; c) presence of specialty crop area; d) evaluation of prime agricultural lands and options for expansion on lower priority lands; e) compliance with minimum distance separation formulae; f) impacts and mitigation on the agricultural system; and, g) phased progression of urban development.

- **Importance of Strategic Growth Areas:** Strategic growth areas are nodes, corridors and other areas that been identified by municipalities to be the focus for accommodating intensification and higher density mixed uses in a more compact build form. Policy 2.4 directs municipalities to focus growth and development in strategic growth areas (2.4.1.1) and to plan to accommodate significant population and employment in these areas, along with a range of education, commercial, recreational and cultural uses, as well as transit and affordable housing (2.4.1.2). Policy 2.4.1.3 provides additional guidance, directing municipalities to prioritize infrastructure investment, built form transitions and the redevelopment of commercially-designated retail lands that are underutilized.

- **Planning for employment areas:** Employment directions focus on promoting a modern, competitive, and diversified economy by requiring planning authorities to secure an appropriate mix and range of suitable, long-term employment sites and strategically identifying areas for investment (Policy 2.8.1). To support complete communities and effective land use, intensification of employment and compatible mixed-use development are encouraged in Strategic Growth Areas with frequent transit, and major office/institutional uses are specifically directed to these areas. The PPS also directs planning authorities to plan, protect and preserve employment areas for current and future use and to ensure that infrastructure is provided (2.8.2.1).

- **Protection of employment areas in strategic locations:** The PPS (2024) directs municipalities to protect employment areas located near major goods movements facilities and corridors, such as ports, airports, rail facilities and freight corridors,

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available for residential growth in accordance of with policy 2.1.4.a), as well as lands required for employment and other uses".

including those corridors identified in provincial transportation plans, for the employment area uses that require those locations (2.8.2.2)[13].

- **Removal of employment areas:** The PPS provides guidance to municipalities on the removal of lands from employment areas, stating that lands may only be removed where there is a need, the lands aren't required for the employment use over the long term, the proposed use would not negatively impact the overall viability of the employment area, existing and planned infrastructure are available to accommodate the proposed use and the municipality has sufficient employment lands to accommodate project growth (2.8.2.5).
- **Maintain land use compatibility:** The PPS directs municipalities to update employment areas in official plans to ensure that the designation is appropriate to the planned function and that planning authorities are to maintain land use compatibility between sensitive uses and employment areas (2.8.2.4).

4.1.2 Niagara Official Plan (2022)

The Region of Niagara's Official Plan identifies the planned urban structure for Port Colborne, identifying its Urban Area Boundary, Greenfield Area and Built Up Area on Schedule B Regional Structure. The NOP does not include the specific intensification areas for the City, but does provide guidance for intensification, identifying a minimum intensification target of 30% for the City (Table 2-2 in the NOP). Policy 2.2.2 of the NOP directs local municipalities to prepare intensification strategies for how and where intensification is to be accommodated, including the identification of strategic growth areas (SGAs)[14] and Local Growth Centres. The NOP defines Local Growth Centres and Corridors as "established areas, outside of strategic growth areas, that will be the focus for growth within Area Municipalities and the preferred location for public and private investment. Local growth centres and corridors will vary in size, nature and character, and may include traditional downtown cores and key mixed use areas and areas of intensification along transit corridors."

[13] The Welland Canal would be an example of a major goods movement corridor.

[14] The NOP identifies nine specific SGAs for Niagara. There are no SGAs identified in Port Colborne.

4.1.3 Port Colborne Official Plan (2013)

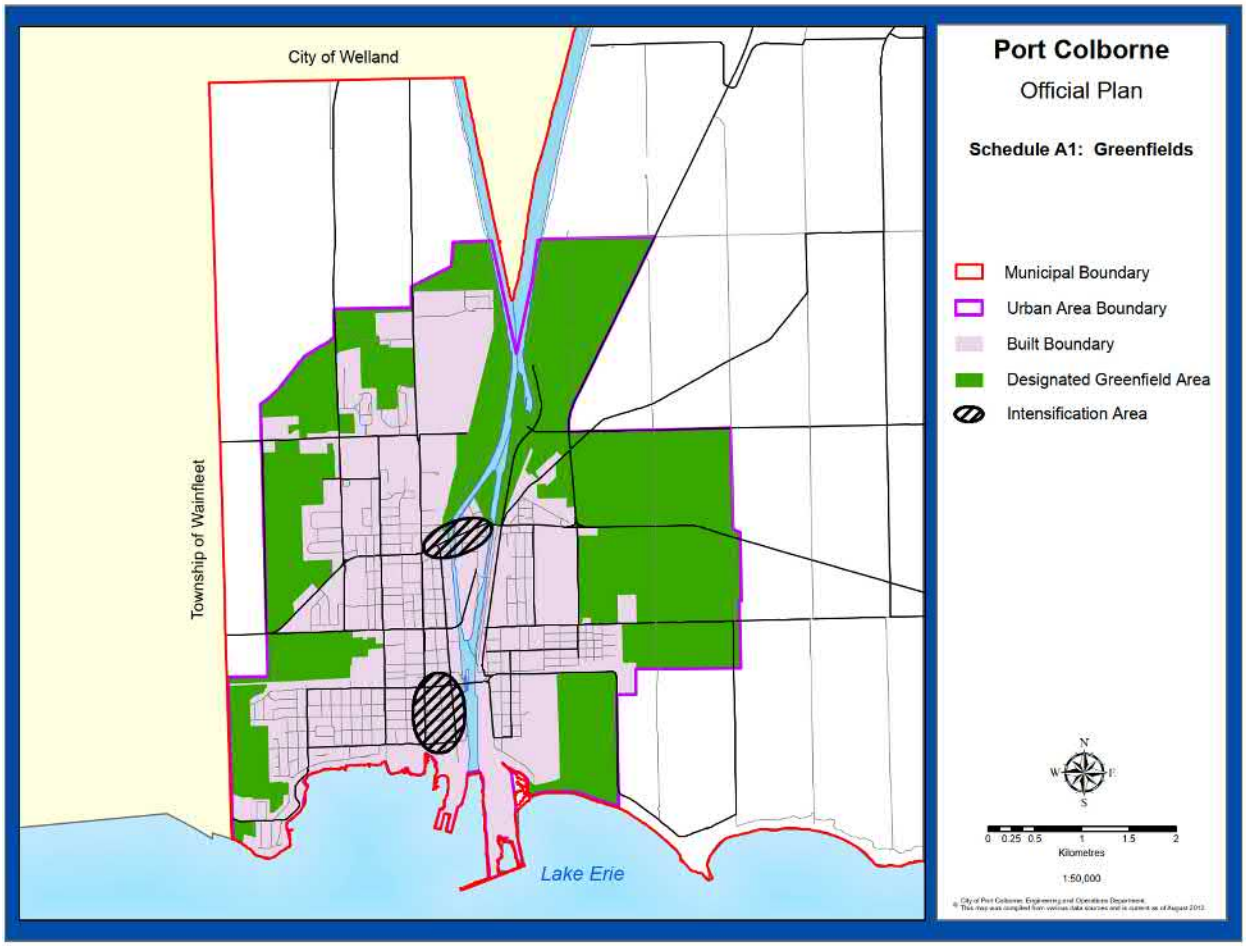
The City's municipal land area is approximately 12,410 gross hectares. The City's Urban Area comprises approximately 19% (2,387 gross hectares) of the total municipal land area, with the three hamlets of Gasline, Sherkston and Bethel comprising a further 340 gross hectares. Combined, the City's Urban Area and three rural Hamlets total 2,727 gross hectares (22% of total municipal land area). Agricultural is the predominant land use designation in the City, estimated 8,100 gross hectares (65%) of lands designated for agricultural purposes. The remaining lands within the City's municipal boundary are comprised of rural uses (14%).

The term urban structure describes the spatial arrangement of the major land uses in an urban system. The current Official Plan recognizes three geographic areas within the City's Urban Boundary, each with a distinct planned function:

- Designated Greenfield Area (focus for new neighbourhood development);
- Built Boundary (focus for infilling, intensification); and
- Intensification Area (located within the Built Boundary and is to be the focus for mixed use development, downtown revitalization).

Figure 4-1 shows the existing planned urban structure for the City (Schedule A1). The current Official Plan targets 15% of annual housing growth to occur within the Built Boundary to (Policy 2.4.3). In addition, development on Designated Greenfields is planned to support an overall average of 50 people and jobs per hectare (identified as a Regional target).

Figure 4-1: Current Planned Urban Structure (Schedule A1, Port Colborne Official Plan)



The current Official Plan states that intensification "will be encouraged specifically within local intensification areas which include the Downtown and Main Street West and throughout the Built Up Area". Policy 2.4.3 goes on to state that:

a) The majority of the Municipality's intensification will be accommodated within the Urban Area where development is compatible with the surrounding uses;
b) The City is supportive of intensification through accessory dwellings and garden suites; and
c) The objectives of the intensification policies are to support the revitalization of the Downtown, encourage mixed use development in the Downtown, guide intensification for Urban Residential and Downtown Commercial lands and allow for limited infilling in the Hamlet areas.

Policy 3.1.1.2 of the Official Plan states that the City will guide development of Greenfield Areas by:

a) Promoting compact, mixed use and transit supportive development;
b) Promoting higher densities and a greater mix of housing types;
c) Improving connections between greenfield areas and the built-up area;
d) Enhancing the physical design of new neighbourhoods;
e) Supporting the Region's DGA density target of 50 people and jobs per hectare by adopting minimum and maximum densities, designating portions of the Greenfield area for low, medium and high density development, providing separate housing mix targets and encouraging/allowing for mixed use development in greenfield areas; and
f) Supporting phasing of greenfield development over time to ensure there is a balance of intensification and greenfield development.

4.2 Residential Land Supply Analysis

4.2.1 Urban Residential Land Supply

The following section builds on and updates the urban residential land supply and demand analysis presented in the Growth Analysis Review (2023, Dillon Consulting). The following section summarizes the latest estimate of land supply in Port Colborne for residential development and includes:

- Development opportunities in the City's development pipeline;
- Estimate of vacant residential land within the City's urban area (and corresponding unit potential);
- Estimate of intensification potential through redevelopment, intensification; and
- Potential for additional dwelling unit development.

4.2.1.1 Residential Development Pipeline

The residential development pipeline is comprised of unbuilt units in draft approved plans and registered plans, as well proposed units in the development approvals cycle[15]**. Table 4-1** provides a summary of the City's residential development pipeline, organized by unit type. Low density units are comprised of single and semi-detached dwellings; Medium density units include street townhomes, stacked townhomes and back-to-back townhomes; and, High density units which include all forms of apartments dwellings (low rise, mid rise, high rise, additional dwelling units, etc.).

Table 4-1: Residential Development Pipeline

Category	Low Density (units)	Medium Density (units)	High Density (units)	Total (units)
Draft Approved and Registered Plans	348	1,529	1,254	3,131
In-Process Applications	238	230	470	938
Elite Secondary Plan	1,027	1,215	0	2,242
Total	**1,613**	**2,974**	**1,724**	**6,311**
Resulting Unit Mix	26%	47%	27%	100%

There are 6,311 potential residential units in the City's development pipeline. Approximately 73% would be considered as ground-oriented housing opportunities (singles, semi-detached and townhouse dwellings) and 27% are apartment style units. It should be noted, that the total quantum of units presented in **Table 4-1** is heavily influenced by the Mapleview Subdivision located on Killaly Street West (east of Quarry Ponds), which features 1,819 units (84 single-detached dwellings, 391 regular townhomes, 18 two-storey townhomes, 72 rear-lane townhomes, 164 back-to-back townhomes, 483 stacked townhomes, and 607 apartment units) and the Elite Killaly Secondary Plan development on Main Street East, consisting of 1,027 low density units and 1,215 medium density units. Collectively, these two large developments represent over 64% of the units in the development pipeline.

[15] Development potential resulting from site specific official plan and zoning by-law amendments (but without a draft plan or site plan) is accounted for in the vacant land inventory.

4.2.1.2 Vacant Residential Land

Vacant residential land is land within the City's urban area which are designated for residential development and have not been subject to a site plan, draft plan or registered plan. A small selection of these lands has been the subject of site-specific Official Plan and Zoning by-law amendments in recent years, however, at the time of writing, no other formal application (Draft Plan of Subdivision/Condominium) has been received. To determine the unit potential on vacant lands, the following steps were taken:

- Identify and confirm location of vacant lands based on input from City staff.
- Net out any non-development environmental features and lands within the NPCA's regulated areas.
- Convert the remaining net vacant land area into net vacant area using a gross to net factor of 50% to account for infrastructure, local roads, park land, etc.
- Estimate unit potential based on a housing mix of 50% low density, 20% medium density and 30% high density using net density of 16 units per hectare (low), 28 units per hectare (medium) and 90 units per hectare (high density).
- The above-noted target housing mix was derived using a blend of recent development approvals, the housing mix from the City's Development Charges Study and historic residential completions.

The above-noted methodology generally replicates the methods used in the 2023 Growth Analysis Review. It should be noted that this 2026 review has identified a relatively larger quantum of vacant residential land compared to the 2023 review (approximately 239 hectares in 2026 versus 160 hectares in 2023). **Table 4-2** to **Table 4-4** present the vacant land calculations for Port Colborne.

Table 4-2: Vacant Land Adjustments

Vacant Land	
Total Area of Vacant Residential Land (ha)	117.1
Gross to Net Adjustment	50%
Net Vacant Residential Lands (ha)	58.55

Table 4-3: Density and Housing Mix Assumptions[16]

Density Assumption	Units per het hectare
Low Density	16
Medium Density	28
High Density	90
Housing Mix	**Percent**
Low Density	50%
Medium Density	20%
High Density	30%

Table 4-4 provides a summary of the unit potential derived from the City's vacant residential lands. It is estimated that the City has potential for a further 1,403 units through the development of its vacant land inventory.

Table 4-4: Vacant Residential Lands

Vacant Land	Low Density (units)	Medium Density (units)	High Density (units)	Total (units)
Total Vacant Designated Lands	701	281	421	1,403

4.2.1.3 Redevelopment / Intensification

The PPS defines intensification as "the development of a property, site or area at a higher density than currently exists through redevelopment, including the reuse of brownfield sites and underutilized shopping malls and plazas; the development of vacant and/or underutilized lots within previously developed areas; infill development; and the expansion or conversion of existing buildings". Intensification can be measured by counting the number of new units constructed within the City's built boundary (built-up area).

The City's current Official Plan generally encourages intensification throughout the built-up area and also targets development in two locations for intensification. The two locations are the Downtown and Main Street West (referred to as Intensification Areas in the Official Plan).

[16] To generate the desired housing mix of 50% low, 20% medium and 30% high from the 58.54 hectares of vacant lands a conversion ratio of 74.9% (low), 17.1% (medium) and 8.0% is applied (net vacant area x density by type x conversion ratio by type = desired quantum of units by type).

The boundaries of the City's two Intensification Areas are loosely defined but can be characterized as follows:

Intensification Area 1: Downtown	Intensification Area 2: Main Street West
• Generally bounded by the Port Colborne Harbour Railway corridor north of Park Street, Sugarloaf Road to the south, the Welland Canal to the east and Railway corridor to the west. • This area is approximately 37 gross hectares and includes a mix of commercial, residential, mixed use, institutional and parks/open space uses. • The area includes a number of small infill development sites, as well as redevelopment opportunities. • The downtown area of Port Colborne is organized in a walkable grid-shaped block pattern, with block lengths ranging from 100 to 150 metres. • Area 1 also includes a portion of low-rise established residential neighbourhoods that have limited potential for higher density intensification given the character of the streets, quality of housing, challenges for lot assembly, etc.	• Generally centred along Main Street West between Elm Street and Ramey Avenue. Generally, Area 2 is referred to as the Humberstone neighbourhood. • The area is approximately 21 gross hectares and extends a distance of 600 metres covering lands between Elm Street and Ramey on both sides of the Welland Canal. • This area includes a mix of mainly residential, commercial and mixed use developments. The area is generally low-rise in character and featuring mostly one and two buildings. There is one four storey apartment building and one three storey mixed use development. • A CIP was prepared for this area in 2008 to help improve the pedestrian environment, promote economic development and enhance the overall vibrancy of the area. A core principle of the CIP was to strongly encourage mixed-use development. This was seen as a way to increase street animation, support transit, and boost economic vitality by providing live/work opportunities. The CIP includes a more refined boundary than the general intensification area identified in the City's Official Plan.

Intensification Area 1: Downtown	Intensification Area 2: Main Street West
• A portion of the Downtown Intensification Area is covered by the City's Downtown Central Business District CIP. The CIP's main goals are to implement a vision of a vibrant and pedestrian-friendly downtown centered on the Welland Canal, and to achieve this by using a toolbox of public realm improvements and financial incentives to spur private sector investment. Key actions include enhancing streetscapes, establishing public gathering spaces, updating aging building facades, and increasing the residential population through infill and conversion programs.	

In the 2023 Growth Analysis Review, the City's two Intensification Areas were assessed to determine the potential for future residential development. The results the 2023 Review are presented in **Table 4-5**.

Table 4-5: Redevelopment Potential by Intensification Area

Intensification Area	Redevelopment Potential Low Density Units	Redevelopment Potential Medium Density Units	Redevelopment Potential High Density Units	Total Units
Intensification Area 1: Downtown	60	19	23	102
Intensification Area 2: Main Street West	239	76	93	409
Total	299	95	116	510

Table 4-5 identifies the potential for 510 additional units in the City's strategically identified intensification areas. The above-noted results exclude development potential associated with the vacant land inventory and development pipeline.

4.2.1.4 Additional Dwelling Units

An Additional Dwelling Unit (ADU) is a secondary, self-contained residential unit located on the same lot as a larger, existing principal dwelling. Some examples of ADUs include basement apartments, in-law suites, coach houses, laneway houses, and garden suites. ADUs are a tool to achieve several key community development goals. Primarily, they facilitate “gentle” intensification by increasing the overall supply of housing units within existing residential neighbourhoods without requiring large-scale development or fundamentally altering the neighbourhood's established character. This strategy helps promote housing affordability by creating smaller, typically more attainable rental units for various demographics. Additionally, ADUs are instrumental in supporting multigenerational housing, offering independent, self-contained living spaces for family members, such as aging parents or adult children, while keeping them close to the main household. Finally, permitting ADUs encourages more efficient infrastructure use, as they leverage existing public services like roads, sewers, and transit systems, reducing the pressure and cost associated with expanding infrastructure into new developments.

In October 2025, the City of Port Colborne passed OPA 20 and Zoning By-law Amendment 7393/84/25 which increased as-of-right permissions for ADUs in the City. Highlights of these changes include:

- Permission for up to four (4) residential units per lot in the urban area, consisting of one primary dwelling and up to three ADUs;
- Permission for up to three (3) residential units per lot in hamlet and rural areas, consisting of one primary dwelling and up to two ADUs;
- Permission for up to two (2) residential units per lot in agricultural areas, consisting of one primary dwelling and one ADU;
- Exemption of ADUs from density limits in the Official Plan, allowing them without triggering maximum density thresholds; and
- The establishment of general policy criteria for ADUs, including:
    - Compatibility with lot size and layout;
    - Adequate servicing (municipal or private);
    - Avoidance of hazardous areas;
    - Compatibility with rural/agricultural character and nearby farm operations; and

- Compliance with Minimum Distance Separation (MDS) where applicable.

ADUs are expected to form an important part of the City's overall residential land supply over the next thirty years. However, it is difficult to quantify the precise number of ADUs that could be constructed resulting from the progressive changes implemented by the City as there is a lack of historic data – but also historic prohibitions would have skewed historic trends. Nonetheless, the following provides a snapshot of how some Ontario municipalities are incorporating ADUs into the residential mix based on CMHC's review (Housing Market Snapshot, 2021):

- Toronto has the highest number and greatest prevalence of secondary units in Ontario, with an estimated 75,000 secondary units in ground-oriented homes, representing nearly 1 in 6 such properties (approximately 16% of the supply of single detached dwellings).
- Basement Apartments Dominate: Historically, the most common type of ADU is the basement apartment. In municipalities like Guelph and Brampton, nearly 75% of secondary units are basement apartments.
- Correlation with Rental Market: CMHC data shows that municipalities with a higher ratio of secondary units tend to have a low supply of other rental housing (purpose-built rentals, condominiums, subsidized housing) and low vacancy rates. This confirms that ADUs are a vital, market-driven response to housing scarcity.
- Older Homes: ADUs are more prevalent in older, established neighbourhoods, particularly in single-story homes, as they were often designed with easier access to the basement for a separate unit.
- Municipalities like Brampton (9.6%), Guelph (9.2%), Greater Sudbury (8.9%), and Thunder Bay (8.4%) also registered high prevalence rates. In contrast, municipalities in the Halton Region, such as Burlington (1.7%), Milton (2.0%), and Oakville (2.1%), showed the lowest percentages of properties with a secondary unit. This variation suggests that the presence of ADUs is closely tied to local housing market factors and historical development patterns.

Table 4-6 provides a range of unit potential based on number of existing dwellings recorded as part of the 2021 Census.

Table 4-6: Potential Supply Opportunities for Additional Dwelling Units

Number of Single-Detached Dwellings (2021 Census)	Potential Yield at 2%	Potential Yield at 5%	Potential Yield at 10%	Potential Yield at 20%
6,145 units	123 units	307 units	615 units	1,229 units

Given the age of the City's housing stock, the prevalence of larger / older homes and recent changes to the City's Official Plan and Zoning by-law making it easier for ADU construction, it would not be unreasonable to see the City achieve anywhere between 5% to 10% over the next thirty years. For the purposes of calculating the City's overall supply of potential development, an additional 307 units have been included in the City's supply. These units are accounted for in the High Density (apartment category), although it should be noted that this form of development also has a number of attributes that are similar to the Low and Medium Density forms of development (in that they are effectively ground oriented units).

4.2.2 Total Residential Land Supply

Table 4-7 summarizes the total supply of for residential development within the City's urban area.

Table 4-7: Summary of Residential Supply by Category

Residential Supply Type	Low Density (units)	Medium Density (units)	High Density (units)	Total (units)
Development Pipeline	1,613	2,974	1,724	6,311 (74%)
Vacant Residential Lands	701	281	421	1,403 (16%)
Traditional Intensification / Redevelopment	299	95	116	510 (6%)
Additional Dwelling Units	0	0	307	307 (4%)
Total	**2,613**	**3,350**	**2,568**	**8,531**
Percent	**31%**	**39%**	**30%**	**100%**

4.3 Urban Residential Land Needs

4.3.1.1 Land Need

Section 3 of this report identified an incremental housing demand of 3,450 units between 2026 and 2056. **Table 4-8** presents the housing demand by unit type based on a 50% low density, 20% medium density and 30% high density mix.

Table 4-8: 2026 to 2056 Housing Demand

	Low Density (units)	Medium Density (units)	High Density (units)	Total Units
Housing Demand	1,725	690	1,035	3,450

Based on the supply presented earlier in this chapter there is a sufficient amount of land designated for residential development within the City. **Table 4-9** compares the total supply with demand showing that there is capacity/potential for all unit types.

Table 4-9: 2026 to 2056 Housing Demand versus Supply

	Low Density (units)	Medium Density (units)	High Density (units)	Total Units
2026-2056 Housing Demand	1,725	690	1,035	3,450
2026 Housing Supply	2,613	3,350	2,568	8,531
Surplus / Shortfall	+888	+2,660	+1,533	+5,081

The following conclusions can be draw from a review of the City's supply and demand for residential development:

- **There is no need to contemplate an expansion to the City's urban boundary for additional residential lands as part of this Official Plan exercise**. The total supply of 8,531 units translates into a 74-year supply of residential development (based on the average annual demand of 115 units). There is potential for the City to accelerate and grow at a much faster pace, should market conditions evolve more rapidly than contemplated in the OP growth forecast of 115 units annually. As noted earlier, under a scenario where the City grows by 5,200 households over the forecast period to 2056, the City would still have a surplus of residential lands at the end of the forecast period.

The City would have to grow at a pace of approximately 284 units per year over the 30-year planning horizon to fully exhaust the designated residential supply.

- **The City has sufficient land designated and available for development** to meet PPS Policy 2.1.4.a requiring municipalities to maintain the ability to accommodate at all times a minimum of 15 years of residential growth through designated and available land. The 15-year equivalent of housing demand translates in 2,070 units. Of the total estimated supply of 8,531 units, approximately 6,580 would meet the PPS' definition of "designated and available" (only the units associated with the Elite Killaly Secondary Plan would be excluded from the "definition of designated" and available, as the Secondary Plan is not yet approved).

- **The City has more than three-year supply of serviced developments.** The PPS policy 2.1.4.b requires municipalities to maintain servicing capacity of at least three years supply of residential units. A spatial analysis of the City's development pipeline and suitably designated vacant lands demonstrates that approximately 1,450 units (rounded) are located within the City's built up area. 1,450 units is equivalent to a 10-year supply. The built area does not precisely match the limits of the city's existing urban service area but for the purposes of assessing conformity it is sufficient. Refer to section 4.5 for additional details on municipal servicing.

4.3.1.2 Strategic Growth Areas

Policy 2.4 of the PPS directs planning authorities to "identify and focus growth and development in strategic growth areas". Strategic growth areas are "lands in settlement areas, nodes, corridors and other areas that have been identified by municipalities to be the focus for accommodating intensification and higher density mixed uses in a more compact built form". Strategic growth areas are to be planned to accommodate a significant amount of growth, be focal areas for education, commercial, recreational and cultural uses, support transit and provide opportunities for affordable housing. With this in mind, there is an opportunity to refine the City's overall planned urban structure. The two existing designated Intensification Areas should be refined to align with parcel boundaries and the City should consider adding a third area to link the two nodes together by adding developable lands along King Street. There may be opportunities to further extend the Intensification Area 2 further east and west along Main Street. The precise limits of the Intensification Areas should be reviewed as part of the Official Plan community/stakeholder sessions. Additionally, the Official Plan language should be revised to more closely aligned with the PPS term "strategic growth areas". Identifying a broader area of intensification and mixed use development will help to support the vibrancy of

the Downtown, make efficient use of existing infrastructure and land and provide an overall balance to where future growth and development occurs in the City.

4.3.1.3 Intensification Target

The City's current Official Plan target for intensification is 15%. The Region of Niagara's Official Plan identifies an intensification target of 30% for the City. A 30% target based on the 2056 housing forecast of 3,450 units translates into 1,035 units (or ~35 units per year) over the thirty-year planning horizon. A spatial analysis of the City's 8,531-unit supply reveals that 2,112 units are located within the built-up area (or 25% of the total potential supply). An estimated 1,000 units within the Development Pipeline are located within the City's built-up area. Comparing the built-up area development pipeline supply against the forecast demand, the 1,000 units is equivalent to 29% of future demand. Recognizing that is it difficult to predict which developments will advance over the forecast period, the Regional target of 30% represents an appropriate aspirational target for future intensification.

4.4 Employment

4.4.1 Employment Land Supply

The City's current Official Plan recognizes three types of employment areas, which are illustrated on **Figure 4-2** and include Industrial / Employment Areas, the Gateway Economic Centre lands and Rural Employment Areas. The City's Industrial/Employment Areas are located within the urban area and are intended to accommodate a range of industrial uses, such as manufacturing, processing, servicing/repairs, warehousing, storage and logistics uses and accessory uses. The lands identified as Economic Gateway Centre lands are within the urban boundary and are near the Welland Canal and Highway 140 and are designated to accommodate a range of uses tied to transportation/logistics uses as well as light manufacturing, research and development, training facilities, hotels and other similar uses[17]. The City's Official Plan also recognizes opportunities for employment opportunities in the form of Rural Employment Areas – which are lands outside of the urban boundary but near the Welland Canal and Highway 140 for dry industrial purposes.

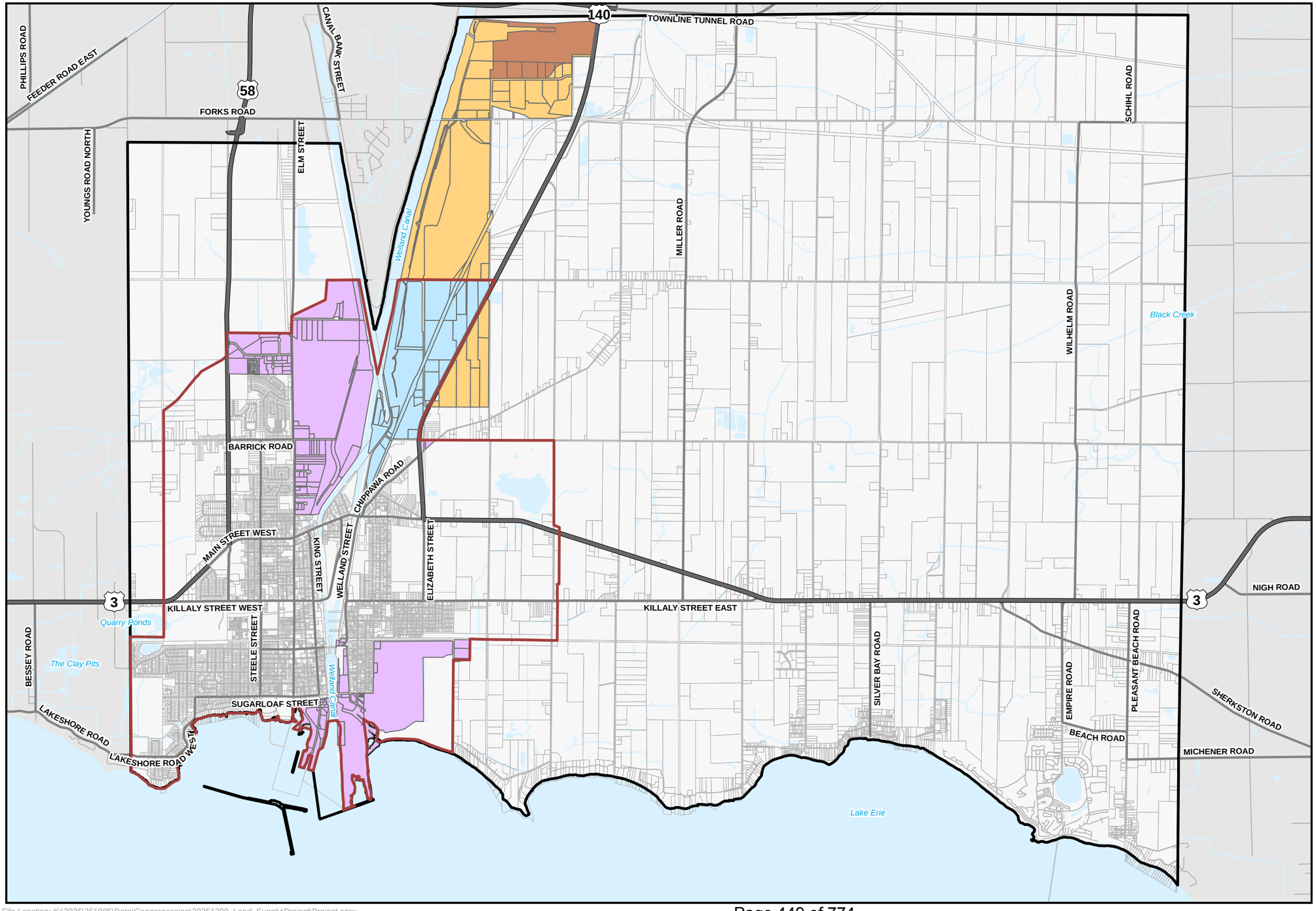
[17] The lands designated as Gateway Economic Centre in the City's Official Plan are part of a broader network of lands in Port Colborne, Welland, Niagara Falls, Thorold, Fort Erie that were identified in the Growth Plan for the Greater Golden Horseshoe to promote cross border trade and tourism opportunities.

Taking into account non-developable lands within the NPCA's regulated area and lands which are part of the Environmental Protection Area, the City has a total estimated supply of 769.8 hectares of employment lands. An estimated 60% (464.3 hectares) of the City's supply are located within the Urban Area and the remaining 40% (305.4 hectares) are located outside of the Urban Area in the Rural Area. Within the Urban Area, approximately 64% (296.1 hectares) of all designated employment areas are occupied, with 36% (168.3 hectares) considered vacant. Within the Rural Area, only 28% (85.5 hectares) are occupied and the majority of the lands, 72% (219.6 hectares) are vacant. The inventory includes the lands designated through a Minister's Zoning Order for the Asahi Kasei battery separator plant (for the purposes of this analysis these lands were considered occupied).

Table 4-10 on page 58 provides a breakdown of the supply by designation and location. **Figure 4-3** illustrates the supply of employment lands, comparing vacant and occupied lands.

CITY OF PORT COLBORNE NEW OFFICIAL PLAN

Figure 4.2 Designated Employment Areas



- Municipal Boundary
- Urban Area Boundary
- Gateway Economic Centre
- Industrial / Employment Area
- Rural Employment
- Rural Employment - MZO - Project Eagle

NORTH

Map Prepared by: PFM
Dillon Consulting Limited
Map Checked by: PK
Dillon Consulting Limited

February 13, 2026

Scale 1:50,000

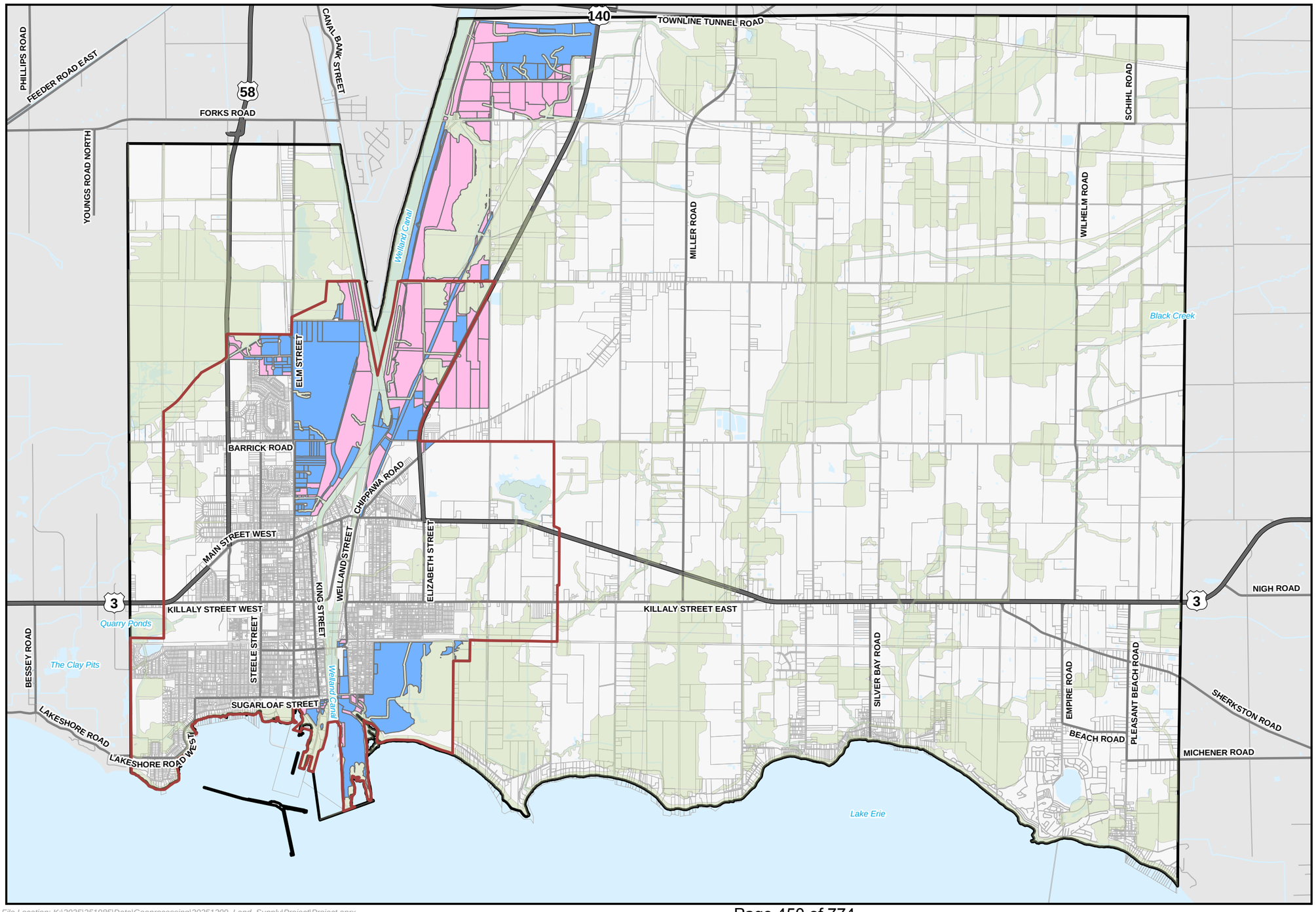
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CITY OF PORT COLBORNE NEW OFFICIAL PLAN

Figure 4.3 Employment Areas, Vacant vs. Occupied



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Table 4-10: Supply of Employment Lands, Vacant and Occupied Lands

Location	Official Plan Designation	Occupied (gross ha)	Vacant (gross ha)	Total (gross ha)
Urban Area	Industrial / Employment Area	254.8	75.0	329.7
Urban Area	Gateway Economic Centre	41.3	93.3	134.6
Sub-Total Urban Area	Industrial / Employment Area; Gateway Economic Centre	**296.1**	**168.3**	**464.4**
Rural Area	Rural Employment Area	85.8	219.6	305.4
Total Supply (Urban and Rural Employment Lands)	Industrial / Employment Area; Gateway Economic Centre; Rural Employment Area	**381.9**	**387.9**	**769.8**

The above-noted estimate of supply updates the previous estimates prepared in 2023. The following observations can be made regarding the City's supply of vacant lands:

- The City has few remaining large lot vacant parcels for accommodating future industrial development. The majority of the City's vacant supply is concentrated in the northern portion of the City, on the east and west side of the Welland Canal.
- Vacant lands along the Welland Canal are of strategic importance to the long term economic competitiveness of the City. A number of these parcels are presently un-serviced, but they are expected to be serviced in the near term (see next section for additional details).
- A small portion of the vacant land inventory may not be suitable for future employment land development, for example there are several small parcels of isolated land located near the waterfront. Generally, their location, size and shape would – at least on the east side of the Welland Canal be more conducive to residential / mixed use / commercial infilling.
- There is a large portion of rurally designated employment lands along the Welland Canal in between the existing urban area boundary and the MZO lands to the south of the municipal boundary. To facilitate additional opportunities for future employment land development / economic development, the City should explore opportunities to expand the boundary and link the Asahi Kasei/MZO lands with the East Side employment lands as part of this Official Plan process.

Table 4-11 provides an estimate of net vacant employment lands in the Urban Area and shows that the City's supply of vacant lands within the Urban Area is 134.6 net hectares.

Table 4-11: Estimated Supply of Vacant Employment Lands

Category	Amount
Vacant Employment Lands within the Urban Area	168.3 gross hectares
Gross to Net Adjustment for Local Infrastructure	80%
Vacant Employment Lands within the Urban Area	134.6 net hectares

4.4.2 Employment Land Needs

Section 3.7 of this report presented the long term employment forecast for the City of Port Colborne. The forecast projects demand for a total of 3,980 employment land jobs by 2056 and 4,205 employment land jobs by 2061. The incremental employment land growth for the 2021-2056 forecast period is 1,770 jobs, which translates into a net land need of 88.5 hectares by 2056 and a further 11.3 hectares by 2061 (based on a further 225 jobs between 2056 and 2061), for a total longer term land need of just under 100 hectares[18]. Based on the overall supply of vacant urban employment land (135.3 net hectares) and the forecast demand (100 net hectares) there appears to be a sufficient overall quantum of urban employment land to meet projected demand.

As noted earlier, there is a case for the City to consider strategic expansion for its employment areas. Firstly, the PPS allows for municipalities to consider employment needs beyond the 30-year time horizon (2.1.3, 2024 PPS). In addition, the NOP (2022) provides additional direction for the long term planning of employment areas. **Figure 4-4** provides an excerpt from Appendix 2 of the NOP (2022) illustrating lands to north of the existing urban boundary and east of the Welland Canal as "Future Employment Areas" (lands demarcated with a pink cross-hatch). Policy 4.2.3 of the NOP states that Future Employment Areas are beyond the NOP's 2051 timeline but can be considered for inclusion within an urban area through a municipal comprehensive review. The NOP notes that the Future Employment Areas have been identified "due to their location within the Niagara Economic Gateway and proximity to major goods movement facilities and corridors, and/or near planned corridors".

[18] Land need based on a net density of 20 jobs per net hectare.

In addition to the above, given some of the locational characteristics of the City's supply, the City should consider opportunities to expand the urban boundary for employment area purposes to better integrate and connect the East Side Employment Lands with the Asahi Kasei batter separator lands which are separated by the majority of the City's underserviced Rural Employment land supply. These lands are adjacent to the Welland Canal and Highway 140 and are strategically located for further employment land investment. Bringing these lands into the City's urban boundary will allow for detailed planning to take place and provide additional options for long term economic development. Further analysis of these lands is required to ensure alignment with the PPS's (2024) direction on settlement area expansions, which require planning authorities to consider a range of tests related to need, servicing, agricultural impacts and phasing.

Figure 4-4: NOP 2022 Future Employment Area (Excerpt)



4.5 Municipal Servicing

4.5.1 Context

The coordination of water and sewer development with land use planning is important for ensuring that infrastructure capacity is commensurate with planned population, housing and employment growth. Integrating these processes facilitates the efficient allocation of resources, supports environmental management objectives, helps to maintain standards for public health and safety and ensures that development can be serviced in a timely, cost-effective manner. To that end, the PPS (2024) directs municipalities to plan for growth and that settlement areas are to the be focus for future growth and development. The PPS further notes that within settlement areas, the preferred form of water and sanitary services are municipal services (as opposed to private site servicing solutions (3.6.1.e). The PPS (2024) directs municipalities to accommodate forecasted growth in a timely manner by optimizing existing municipal water and sanitary services (3.6.1.a). The PPS states that municipalities are to ensure that water and sanitary services are sustainable by protecting water resources and the natural environment, be financially viable, and promote water and energy conservation (3.6.1.b and c). A critical requirement is the integration of servicing with land use planning at all stages, including considering the re-allocation of unused system capacity to support the need for increased housing supply (3.6.1.d and e).

The following section provides a high-level overview of water and wastewater services in the City of Port Colborne. The following reports were referenced for this background study:

- The Niagara Region 2021 Water and Wastewater Master Servicing Plan;
- Servicing the East Side Employment Lands (Report Number 2025-185); and
- Functional Servicing Report – Project Eagle Battery Plant.

4.5.2 Water System

The City of Port Colborne's water and sanitary services are managed under a two-tier system where responsibilities for the services are shared between the City and Niagara Region. Niagara Region is responsible for managing the existing water distribution system in the Region which consists of six water treatment plants, 316 kilometres of watermains, 11 booster stations, six high lift pump stations at treatment plants, 25 storage facilities and reservoirs, 15 re-chlorination stations, and 82 pressure reducing valves. In the City of Port Colborne, the Region draws its water from the Welland Canal and treats it at the Port Colborne Water Treatment Plant located at 32 King Street. The Water Treatment Plan is a conventional surface water

treatment plant, with a rated capacity of 36.0 megalitres per day (MLD) (417 L/s). The treated water is then sent to the Fielden Avenue Reservoir, or the Barrick Road Water Tower, and then to the City-owned local water distribution system. Additional system highlights include:

- Port Colborne has two water pump stations and three water storage facilities managed by the Region. The three storage facilities and their storage volumes are:
    - Port Colborne Water Treatment Plant Reservoir: 3.8 megalitres (ML);
    - Fielden Avenue Reservoir: 4.6 ML; and
    - Barrick Road Water Tower (Elevated Tank): 6 ML.

4.5.3 Sanitary System

The existing wastewater system managed by the Region consists of 10 wastewater treatment plants, one lagoon system, approximately 322 kilometres of trunk wastewater linear infrastructure, 10 leachate pumping stations, and 108 sewage pumping stations. Wastewater in Port Colborne is processed at the Seaway Wastewater Treatment Plant (WWTP) located at 30 Prosperity Avenue. The Seaway WWTP is a modified conventional activated sludge facility with a current rated capacity of 19.6 MLD, and a peak flow capacity of 45.4 MLD. Flows over 45.4 MLD are diverted to a 5.67 ML storage tank. System flows are pumped to the treatment via Regionally owned pump stations and forcemains. The Region operates 17 Sanitary Pump Stations (SPS) in Port Colborne.

4.5.4 Water and Wastewater Master Servicing Plan Update

The 2021 Water and Wastewater Master Servicing Plan Update was prepared to support the Region's long range growth management plan to 2051. The Master Plan is based on a 2051 population of 20,094 residents and 6,592 employees by 2051. A total service population of 35,096 residents and 10,771 jobs are expected post-2051. The 2021 Water and Wastewater Master Servicing Plan shows that that the Port Colborne Water Treatment Plant has surplus capacity to support projected growth and will not reach 80% capacity within the 2051 time horizon. Highlights include:

- The projected Average Maximum Day Demand will increase to 15 MLD by 2051 and just under 25 MLD by post 2051 with the plant being rated for a maximum of 36 MLD.
- The Port Colborne pump stations are expected to have sufficient capacity for post-2051 populations according to the 2021 Water and Wastewater Master Servicing Plan (6.4 MLD surplus for post-2051 population).

- The water storage volume for Port Colborne requires expansion according to the 2021 report. The 2016 Master Servicing Plan recommended the decommissioning of the Fielden Reservoir which will lead to a capacity deficit by 2051.
- The Seaway WWTP is expected to have sufficient capacity to support 2051 population projections. However, post-2051 flows are expected to exceed the 80% capacity level, at which time a potential upgrade study may be triggered:
    - A key strategy for the Seaway system is to provide wet weather management across the system. The City of Port Colborne's Pollution Prevention Control Plan (PPCP) update will further identify catchments and strategies for inflow and infiltration reduction and other wet weather management solutions.
    - The expected service population growth will require pumping station expansions to Oxford SPS, Steele SPS, Union SPS, and Omer SPS.
- The 2021 Master Servicing Plan Update identifies several projects to support water and wastewater servicing needs in Port Colborne through 2051 and beyond, including:
    - The Trunk Main Crossing project (W-M-002) proposes a new 450-millimetre trunk main recommended for the east side of Port Colborne across the Welland Canal travelling generally along Second Concession Road. This project is scheduled for 2027 to 2031.
    - New or additional elevated storage is recommended post 2051 to support long term growth needs. The Master Servicing Plan identifies project W-S-012 as a new 9.0 ML elevated tank post-2051. The location of the new elevated tank is currently shown as a twinned elevated trunk (ET) with the existing Barrick Road ET however the location will be determined through a separate EA supporting the project.

4.5.5 Additional Improvements

Since the completion of the Region's Master Plan, the Region and the City have been working to implement a series of capital improvements that will facilitate further development. Two major projects are currently underway that will significantly impact the water and wastewater servicing in Port Colborne. These two projects are the servicing plans for the ESEL and lands to the north to support the development of the Asahi Kasei lithium-ion battery separator plant. The ESEL were referenced in the 2021 Master Servicing Plan, but details were unavailable at the time; assumptions were made that local sewer and pump stations would be built by

developers. The Asahi Kasei plant was not specifically referenced in the Master Servicing Plan, and it is assumed that the requirements of this battery plant were not considered in the capital program. Highlights of these improvements are as follows:

- The ESEL is planned to unlock designated employment lands for industrial purposes. The extension of services to the ESEL includes a 500-millimetre watermain crossing the Welland Canal at 2nd Concession Road (W-M-002). The 2021 Master Servicing Plan originally assumed this would be a 450-millimetre watermain but has since been resized through the Project Eagle Functional Servicing Report to a 500-millimetre watermain.
- The City of Port Colborne has also committed to design and construct a gravity sewer upstream of the new SPS along Ramey Road. The City will design and construct one wastewater pumping station for the ESEL.
- The Servicing the East Side Employment Lands report (2025-185) requested the approval of two Government Business Enterprises where one of them ("District") will own and operate the water and wastewater systems in a new water and wastewater district, connected to the City but separate from the City. A key function of the District will be to attract and support other businesses to the ESEL to support job growth and diversify the assessment base.
- A number of improvements are needed to facilitate the development of the Asahi Kasei lands located on approximately 74.4 hectares of land at 5088 Highway 140. The area does not have existing municipal sanitary sewers, and the nearest local sanitary sewer is the 200-millimetre diameter sewer on Chippawa Road. This sewer drains to the Clarke SPS, pumping to the East Side SPS which conveys the flows to the Seaway WWTP. The estimated total sanitary flow contributions from the site to the downstream municipal system at ultimate build-out is 50 litres per second (L/s) (approximately 4.32 MLD). The existing local and trunk sewers as well as both downstream SPSs do not have enough capacity to accommodate the proposed development full build-out flows. This lack of capacity was not acknowledged in the 2021 Master Servicing Plan as details were not yet available.
- Discussions with the Niagara Region have identified that the proposed development will utilize the new SPS identified in the EA for the East Side Employment Lands constructed on the west side of Ramey Road south of Third Concession Road. This will connect to the new wastewater trunk crossing the Welland Canal.
- Niagara Region has committed to provide required capacity and sanitary outlet at Third Concession Road by Q3-2027. Asahi Kasei development will have a private sewage

pumping station and forcemain following Snider Road, Third Concession, Ramey Road and/or Railway to discharge into the future City sanitary sewer.

- The maximum day demand on water supply for the Battery Plant is estimated to be 120.07 L/s and a fire flow water supply of 350 L/s is required.
- A new watermain extension will be required on 2nd Concession Road which has been identified in both the Region's Water Master Servicing Plan and the East Side Employment Lands EA. Two watermain alignments are required to service the northeast employment lands which include:
    - A 500-millimetre watermain crossing the Welland Canal (W-M-002): and
    - A new 500-millimetre watermain which follows the City owned railway from 2nd Concession Road north to Ramey Road and north along Ramey Road to Third Concession Road.

4.5.6 Commentary on 2056 Growth Projections

As noted above, the Region's 2021 Water and Wastewater Master Plan identified a number of capital improvements to facilitate development in the City up to 2051. The Region's Master Plan was based on a 2051 population of 20,094 residents and 6,592 jobs but also noted a post 2051 service population of 35,096 residents and 10,771 jobs. The Asahi Kasei and East Side Employment Lands projects have accelerated infrastructure investment in the City and point towards a higher level of future population and employment growth for the City than was previously anticipated in the Region's Master Plan Update. Chapter 3 of this Report recommends new population and employment forecast for the City which captures these additional growth opportunities.

Table 4-12 provides a comparison of the different forecasts for reference purposes.

Table 4-12: Comparison of Population and Employment Forecasts for Infrastructure Planning

Forecast	Population	Employment	Population & Jobs
Region of Niagara Water and Wastewater Master Plan (2051)	20,094	6,592	26,686
Region of Niagara Water and Wastewater Master Plan (post-2051)	35,096	10,771	45,876
City of Port Colborne New Official Plan (2051)	28,000	9,800	37,800

Forecast	Population	Employment	Population & Jobs
City of Port Colborne New Official Plan (2056)	29,130	10,200	39,330

While the 2021 Water and Wastewater Master Plan's 2051 population and employment forecasts understated the growth potential for the City, the post-2051 assumptions are in line with the new 2051 population and employment forecasts identified in this Report. Further, the recent works being undertaken by the City and the Region should help to accelerate development within the 2056 time horizon. From a treatment plant capacity perspective, there is not expected to be a shortage of water or sanitary treatment plant capacity between now and 2056. However, care should be taken as the 2021 Master Servicing Plan already identified that the post-2051 demands would exceed 80% capacity of the wastewater treatment plant which was completed prior to the Asahi Kasei plant servicing requirements. While there are no immediate concerns with the water and wastewater treatment capacity, the conveyance capacity is currently insufficient but is being addressed through planned capital projects including new SPS, and watermains. A large portion of the City's vacant greenfield lands are not serviced, and the City will need to ensure that it has phasing policies in place to allow for the timely and orderly development of its greenfield lands. In addition, the City may need to consider a more robust approach to annual monitoring to ensure that there is alignment between local development priorities and servicing capacity – this will be particularly relevant for working effectively with the Region of Niagara.

4.6 Transportation System

4.6.1.1 Niagara Region Transportation Master Plan

The City of Port Colborne's transportation network is integrated with the broader Niagara Region system. The Niagara Region Transportation Master Plan (TMP), 2017 provides the primary policy direction for regional transportation planning to 2041. It should be noted that the Niagara Region 2051 TMP was recently awarded and can be expected to be complete by mid to late 2027.

The TMP identifies the Welland Canal as a trade corridor but also a physical barrier to east-west travel in the southern part of the Region. To address this, the TMP identifies the South Niagara East-West Arterial Road as a key planned project (Phased for 2022 to 2031). This new corridor is planned to run east from the Highway 406 extension, passing north of Port Colborne's urban area, to improve regional connectivity and support goods movement.

Port Colborne is a major hub on the Greater Niagara Circle Route, a 140-kilometre regional trail that is a key spine for both recreational and utilitarian cycling. To build on this, the TMP's "Strategic Cycling Network" identifies several planned infill links on municipal roads within Port Colborne.

The TMP's land use-density maps identify most of Port Colborne as "Rural and Not Transit-Supportive," which presents challenges for conventional fixed-route transit. However, the plan's long-term conceptual network includes "Improved Fixed-Route Transit" connecting Port Colborne north to Welland and east-west along the Lake Erie coast. Furthermore, a long-term "North-South Transit Corridor" is conceptually identified, linking Port Colborne with Welland, Thorold, and St. Catharines, with the potential to leverage existing rail corridors.

4.6.1.2 Niagara Official Plan (2022)

The Niagara Official Plan, 2022 (2024 consolidation), supports a policy shift towards an integrated, multimodal transportation system. It establishes the Region's TMP as the primary transportation policy document. A key objective is the prioritization of public transit, including the establishment of a single Regional Transit Commission (which has been completed - Niagara Region Transit) and focusing growth on transit-supportive areas.

For active transportation, the plan mandates the implementation of the Strategic Cycling Network, which includes key routes in and through Port Colborne. Furthermore, the plan requires both the Region and all Local Area Municipalities to adopt a "Complete Streets" approach for all new and reconstructed roads, using the Region’s Design Manual as the standard.

For Port Colborne, the plan heavily emphasizes Goods Movement. It calls for a Goods Movement Study and includes policies to protect lands near major freight facilities, specifically identifying the Welland Canal and marine facilities as key assets.

4.6.1.3 Niagara Region Transit Plan

The Niagara Transit Master Plan, 2025 is a 10-year strategy (2026 to 2035) designed to create a faster, more reliable, and easier-to-use transit system across the region. For Port Colborne, the improvements are rolled out in three distinct stages.

Stage 1 (2026 to 2027) focuses on service harmonization and immediate rider needs. Port Colborne will see an expansion of service hours on its routes, operating from 6 a.m. to midnight. This stage will also introduce new Sunday service on fixed routes and increase the availability of specialized and micro-transit services.

Stage 2 (2028 to 2030) brings significant network improvements. Port Colborne will receive two new community-level fixed routes operating at a 30-minute frequency. The city will also be integrated into a new regional route originating in Fort Erie and traveling through Port Colborne to Welland and St. Catharines. Service hours will be expanded again to run from 5:30 a.m. to 1:30 a.m., and the new fixed routes will help reduce trip denials for micro-transit users.

Stage 3 (2031 to 2035) focuses on future growth. This phase includes adding another new community fixed route to service planned development areas in the city. Micro-transit capacity will be increased by 25% to adapt to regional growth, and the city will see the introduction of some overnight services.

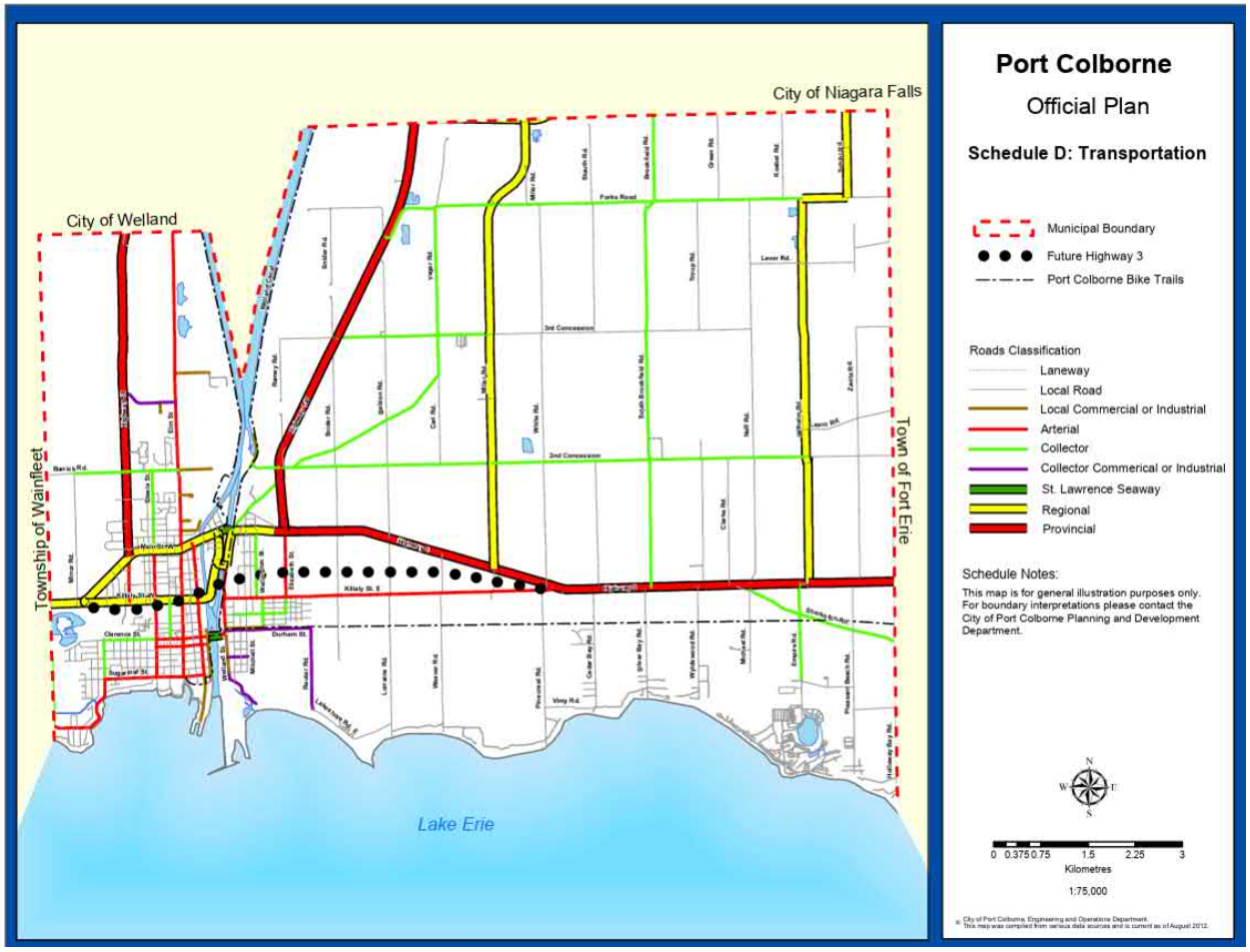
4.6.1.4 Port Colborne Official Plan (2013)

The City of Port Colborne's Official Plan, 2013 (2017 consolidation), outlines a transportation strategy focused on creating a balanced, multi-modal, and accessible network. The plan explicitly identifies non-automobile modes, particularly walking and cycling, as the preferred methods of movement. This is supported by a foundational policy to develop "Complete Streets" that are safe for all users. Specific policies mandate sidewalks on new streets, require bicycle racks at new non-residential developments, and focus new active transportation investments in the downtown and waterfront areas. For public transit, the plan supports an interconnected system coordinated at the regional level.

A portion of the plan addresses goods movement, recognizing Port Colborne's role as a transportation hub. Policies are designed to protect and support the "Major Port" designation, encourage rail access, and support the acquisition of abandoned rail corridors for public uses like trails. The plan recommends managing the impact of freight by designating specific truck routes to direct heavy traffic away from residential and local collector roads.

The road network is managed through a classification system of Provincial, Regional and Municipal (arterial, collector, and local) roads (**Figure 4-5**, following page).

Figure 4-5: Schedule D (Transportation) to the 2013 Port Colborne OP



4.7 Growth Management Policy Directions

The following summarizes the key growth management policy directions for the new Official Plan:

- **The Official Plan growth management framework should be updated.** The updated growth management framework should include the new 2056 population, housing and employment forecasts presented in Chapter 3. In addition, the growth management framework should include an updated intensification target of 30%, a refined urban structure plan that identifies strategic growth areas in the Downtown, along Humberstone and include a corridor to connect the two locations and identify greenfield areas as the focus for new neighbourhoods and the built boundary for the purposes of measuring/monitoring intensification.

- **Consider a strategic extension of the urban boundary to promote additional employment land and economic development opportunities north of the east side lands.** While there is no need to expand the City's urban boundary for the residential purpose, the City should consider extending the urban boundary to the north along the Canal to connect the Asahi Kasei facility to the urban area for additional employment area development opportunities. At a high level there appears to be a sufficient quantum of land designated for employment purposes to meet the thirty-year forecast, however a number of the vacant lands are small, isolated and less attractive for larger scale industrial development. The rural employment lands to the north of the east side lands are large, contiguous parcels, with access to existing and planned municipal services. Furthermore, these lands have access and proximity to highway 140 and the Welland Canal.
- **The new Official Plan should include updated infrastructure phasing policies**. The City and Region are undertaking several significant infrastructure improvements in the City. The new Official Plan should include phasing policies for greenfield areas to align development timing with water / wastewater infrastructure planning. Given that post-2051 flows are expected to exceed 80% of the Seaway WWTP capacity, the City should initiate a Wastewater Master Plan Study or Capacity Review in the medium term to account for the accelerated growth from the Asahi Kasei project.



5.0 NATURAL HERITAGE

The City of Port Colborne has a number of important and valuable natural heritage features, such as the Mud Lake Conservation Area which is a complex and diverse ecosystem located near the old Welland Canal and encompasses a substantial amount of wetland and woodland habitat; the Lake Erie shoreline area and significant coastal wetlands which include dunes, fish habitat and is a biodiversity hot-spot supporting a variety of plant and animal species; as well as a number of significant wetlands, woodlands and other natural heritage features which are critical to the long-term ecological, economic, and social well-being of the City. These interconnected natural areas provide essential ecosystem functions such as clean water, air filtration, flood mitigation, and climate regulation. Updating the City's natural heritage system policies will help to ensure the resilience and long-term protection of these vital systems against growing development pressures and the accelerating impacts of climate change.

5.1 Provincial Policy Context

The PPS (2024) sets out a broad framework for natural heritage protection and provides guidance for the level of protection based on the significance of features and takes into federal jurisdiction related to fish habitat. Generally, the PPS directs municipalities to protect natural

heritage features and areas for the long term (PPS 2024, 4.1.1) and to define natural heritage systems in official plans (PPS, 2024, 4.1.3). Natural heritage features and areas include significant wetlands, significant coastal wetlands and other coastal wetlands, fish habitat, significant woodlands and significant valleylands, significant areas of naturals and scientific interest as well as the habitats of endangered and threatened species and significant wildlife habitats which are important for their environmental and social values as a legacy of the natural landscapes of an area. A natural heritage system is broader than a collection of natural features and areas, rather it is a system of natural features and areas and linkages that are intended to provide connectivity (at the regional and site level) and support natural processes which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species and ecosystems. These systems can include:

- Natural features and areas (as defined in the PPS (2024));
- Federal and provincial parks and conservation reserves;
- Other natural heritage features;
- Lands that have been restored or have the potential to be restored to a natural state;
- Areas that support hydrologic functions; and
- Working landscapes that enable ecological functions to continue.

The PPS (2024) directs municipalities to maintain, restore or, where possible, improve the diversity and connectivity of natural features in an area (4.1.2). Policy 4.1.3 directs municipalities in Ecoregions 6E and 7E (generally southern Ontario) to identify natural heritage systems, recognizing that they will vary in size and form in settlement areas, rural areas and prime agricultural areas.

The PPS also provides guidance for natural heritage protection, enhancement and development and site alteration. The PPS expressly prohibits development and site alteration within significant wetlands or significant coastal wetlands (4.1.4). Development and site alteration in fish habitat or the habitat or threatened and endangered species must be done in accordance with federal and provincial requirements (4.1.6, 4.1.7). Policy 4.1.5 states that development and site alteration may be permitted in the following natural heritage features and areas where it can be demonstrated that there will be no negative impacts on the features or their ecological functions:

- Significant woodlands;
- Significant valley lands;

- Significant wildlife habitat;
- Significant areas of natural and scientific interest; and
- Coastal wetlands (that are not subject to policy 4.1.4).

Lands adjacent to natural heritages features and areas identified above are also subject to evaluation and must demonstrate that there will be no negative impacts on the natural features or their ecological functions before development or site alteration can be permitted (4.1.8). However, nothing in Policy 4.1 of the PPS (2024) is intended to limit the ability of agricultural uses to continue.

5.2 Niagara Official Plan (2022)

Section 3.1 of the NOP outlines objectives and policies for a regional natural heritage system. Like the City's Official Plan, the NOP includes policies for the protection of wetlands, woodlands, valleylands, wildlife habitat, linkages, buffers, supporting features and areas and enhancement areas. The NOP's natural heritage system policies and mapping was last updated in 2022 as part of the broader exercise to review and update NOP. A number of technical studies as well as engagement was undertaken as part of the preparation of the NOP's policies.

The objectives of this section of the NOP include but are not limited to:

- Identify and protect a natural heritage system and water resource system that will form the natural environment system;
- Recognize the important role of the natural environment systems plays in mitigating the impacts the climate change by protecting and enhancing natural features;
- Minimize risks to human health and safety and property associated with natural hazards;
- Consider cumulative impact through watershed planning and the development application process; and
- Outline the process for environmental impact studies and hydrological evaluation where they are required to support applications for development or site alteration.

The Region's natural heritage system (referred to as the Natural Environment System) distinguishes between lands covered by Provincial Plans and lands outside of Provincial plan areas. The City of Port Colborne is not located within the Greenbelt Plan Area or the Niagara Escarpment Plan Area, accordingly the relevant NOP policies are those which pertain to lands outside of Provincial plans and covered in policy 3.1.9 of the NOP. Generally, the NOP policies define the natural heritage system in a manner that is consistent with the PPS (2024), however

the NOP provides more details. A few highlights of the NOP's natural heritage system planning policies are as follows:

- The NOP prohibits development and site alteration within significant woodlands (policy 4.5.5 of the PPS prohibits development and site alternation unless it has been demonstrated that there will be no negative impacts on the natural features and functions, PPS, 2024).
- The NOP elevates the protection status for a variety of features, prohibiting development and site alteration within other woodlands and areas of natural and scientific interest unless it has been demonstrated that there will be no negative impacts on the natural features and functions – the PPS protection framework applies to significant features.
- The NOP clearly defines the natural heritage system as an "overlay", which is an additional layer of regulation that is placed on top of an underlying land use designation.
- The NOP defines permitted uses for natural heritage features and areas which are limited to forest, fish, wildlife management, conservation / flood control projects, infrastructure activities, expansions to existing legally established buildings/structures under specific conditions and small-scale structures for recreational uses.
- The NOP policy 3.1.9.7 provides more detailed policies for other wetlands (i.e. non provincially significant wetlands) as well as lands adjacent to natural heritage features and areas (120 metres for significant wetlands, coastal wetlands and significant woodlands; 50 metres for other woodlands, significant valleylands, significant wildlife habitat, habitat of threatened and endangered species and life science areas of natural and scientific interest).
- The NOP's Table 3-2 identifies the minimum prescribed buffers for natural heritage features located outside settlement areas (30 metres for Provincially Significant Wetlands; 20 metres for significant woodlands; 10 metres for other woodlands; 15 metres for significant valleylands; and 20 metres for life science areas of natural and scientific interest). The NOP also directs municipalities to establish minimum buffers through environmental impact studies for lands within the settlement area.

Figure 5-1 on the following page provides an extract of the NOP's natural heritage system overlay clipped to the City's limits. **Figure 5-2** illustrates the individual features that comprise of NOP's natural heritage system within the City of Port Colborne.

Figure 5-1: Extract of NOP Schedule C1, Natural Environment Overlay

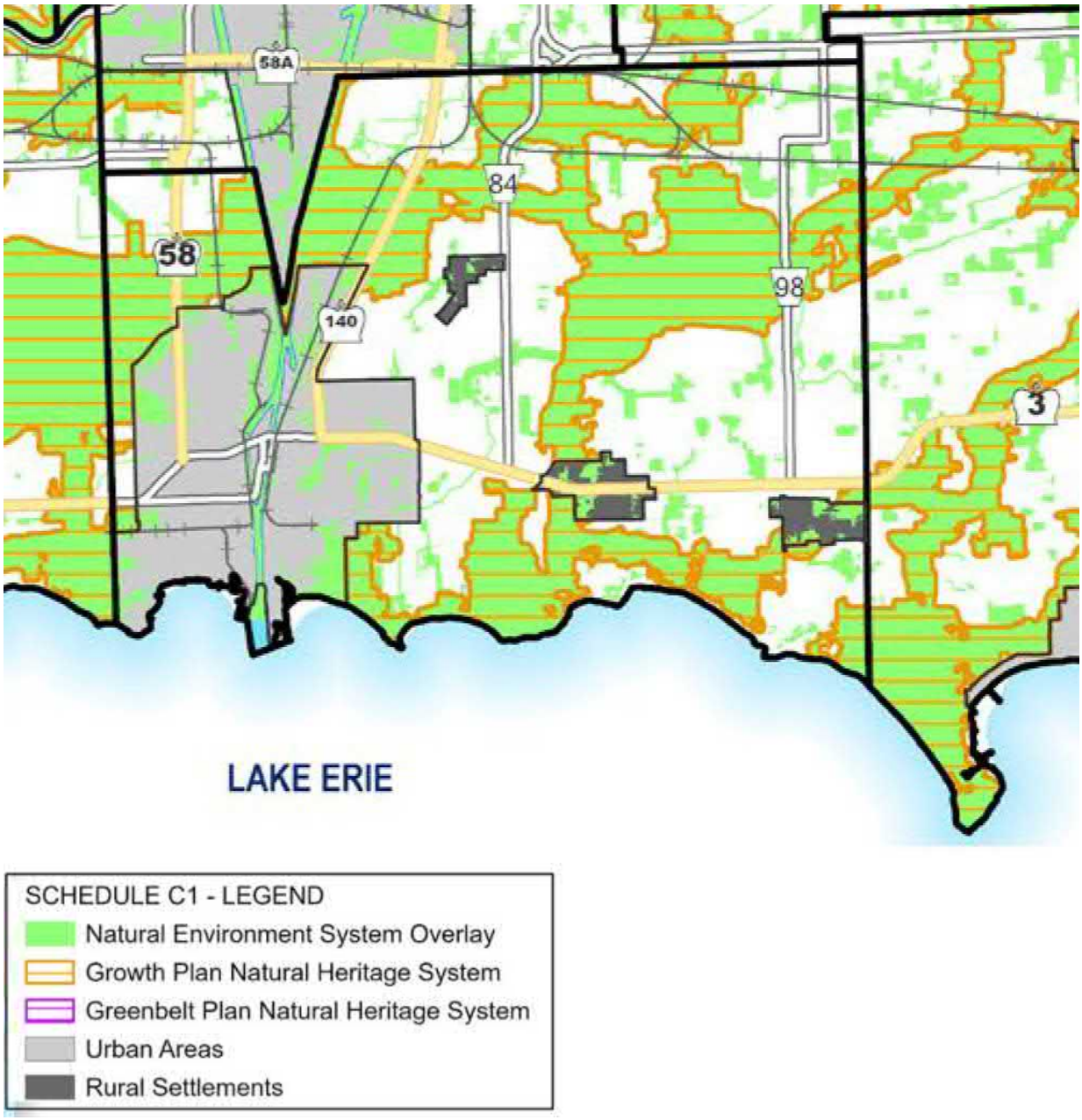
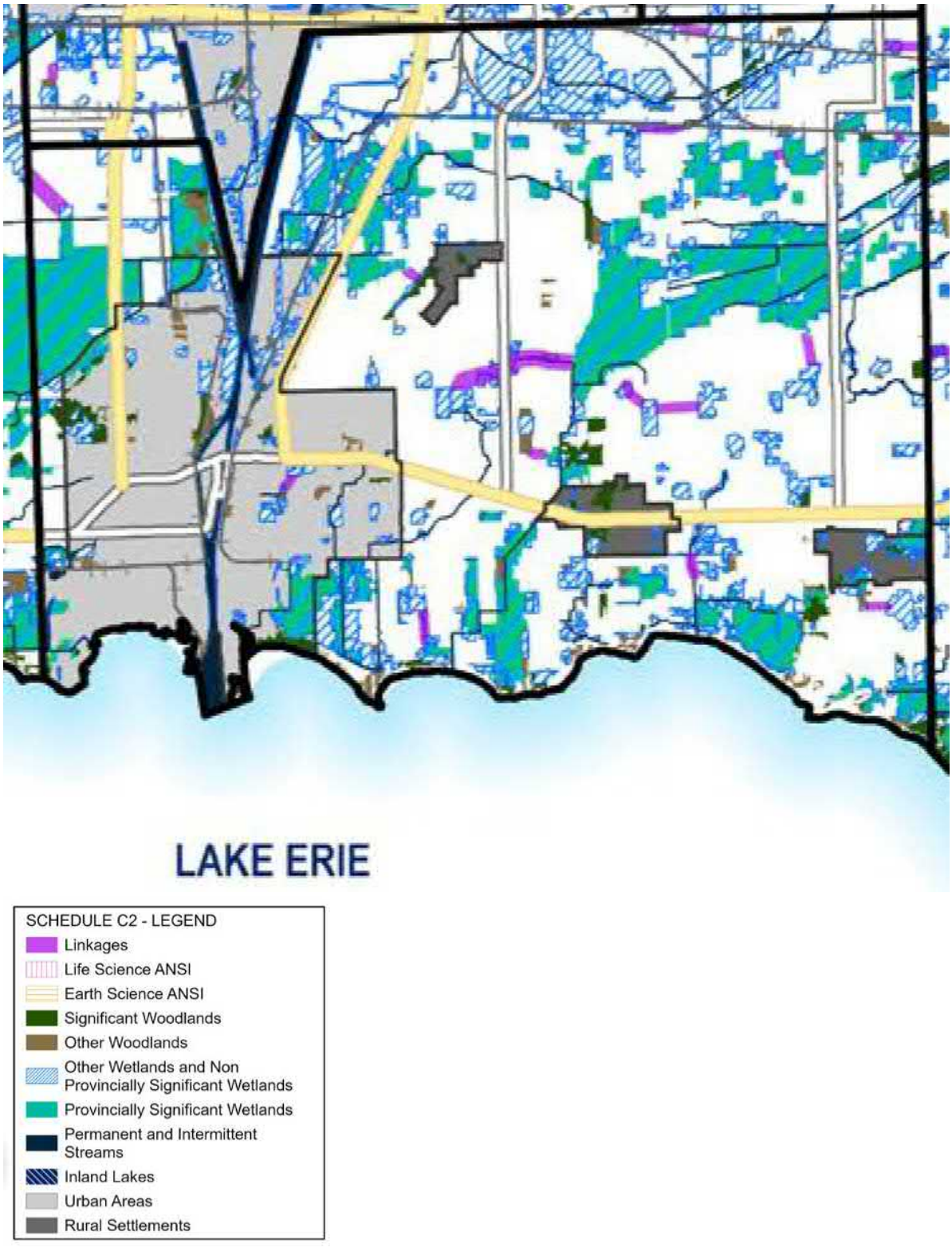


Figure 5-2: Extract of NOP Schedule C2, Natural Environment System, Individual Features



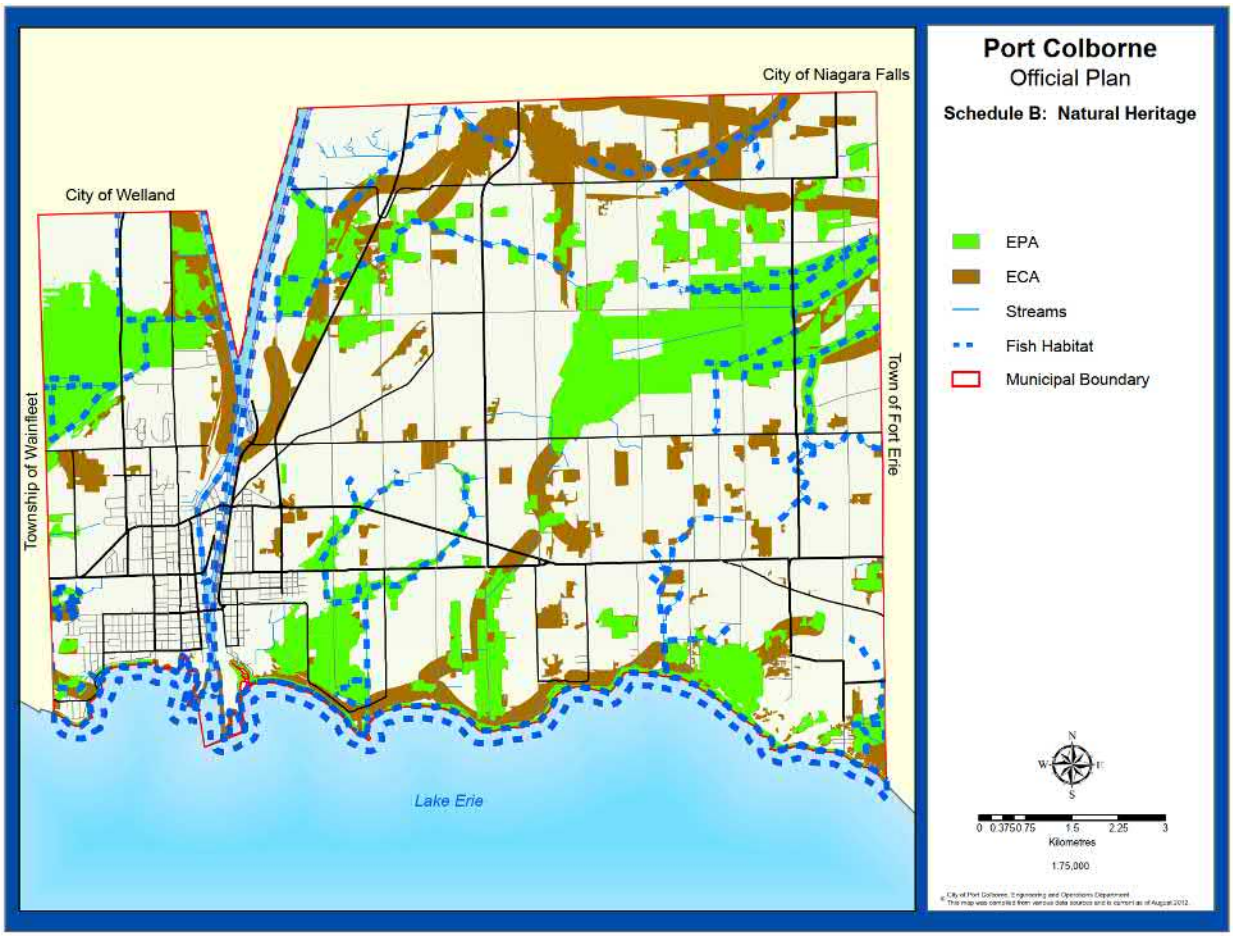
The Regional Official Plan also contains “key climate change polices”. These policies are intended to reduce greenhouse gas emissions and increase resilience, further integrating climate change into regional operations and services. Among the key climate change policies within Section 3.1 are policies related to:

- **Supporting Features and Areas**: lands that have been restored or have the potential of being restored.
- **Enhancement Areas**: areas intended to consist of natural self-sustaining vegetation that increase the ecological resilience and individual key natural heritage features, key hydrologic features or natural features and areas or groups of such features.
- **Linkages**: large, medium and small linkages outside of the provincial natural heritage system and small linkages inside of settlement areas.
- **Cumulative Impacts:** the impact of multiple environmental stressors that, when combined with development, can have significant negative consequences for ecosystems.
- **Woodland, Wetland and Riparian Vegetation Cover:** which shall be maintained or enhanced.
- **Native Species:** which are required to be used when planting within the natural environment system.
- **Invasive Species:** local area municipalities are encouraged to develop policies and programs that require or promote measures to eliminate and/or manage invasive species and are discouraged from using non-native invasive species in plantings in new developments.

5.3 Port Colborne Official Plan (2013)

Chapter 4 of the City’s Official Plan sets out the policies for the protection of natural heritage features and natural hazard features. The Official Plan aims to take an ecosystem approach to addressing the interrelationships between air, land, water, plant and animal life and human activities while preserving the health and integrity of the broader landscape. Official Plan Schedule B, included as **Figure 5-3** below, outlines the City’s natural heritage features.

Figure 5-3: Official Plan Schedule B (Natural Heritage)



The Official Plan implements the policies set out in earlier PPS versions, promoting the protection, conservation and, where appropriate, the restoration and enhancement of natural heritage features and their ecological functions. Development should maintain, enhance or restore ecosystem health and integrity by avoiding or mitigating negative impacts (4.1.1.f). Site specific development requiring development approval will require an EIS with buffers between the natural heritage feature and any adjacent development (4.1.1.i).

The City's current Official Plan natural heritage system was developed to align with an earlier version of the NOP, which distinguished between Environmental Protection Areas (EPAs), Environmental Conservation Areas (ECA) and linkages. EPA are lands where development and site alteration is not permitted and includes provincially significant wetlands (PSWs), provincially significant areas of natural and scientific interest (ANSIs), the significant habitat of threatened and endangered species and natural hazard areas. EPAs are intended for use as forests, fish and wildlife management and small-scale passive recreational uses. EPAs are



differentiated from ECAs which are lands classified as non-provincially significant wetlands, significant wildlife habitat, significant woodlands, significant valleylands, habitats of species of concern and environmental corridors and linkage. ECAs permit a slightly broader range of uses, including existing uses, conservation uses, flood and erosion control, fish, forestry and wildlife management as well as passive recreational uses. Development is generally encouraged to occur outside of EPAs, ECAs and natural hazard areas.

5.4 Policy Gaps, Emerging Issues and Opportunities

Generally, the current Official Plan is consistent with the underlying principles of the PPS (2024), as the City's current plan provides a framework that protects natural areas are for the long term and recognizes linkages. However, the current Official Plan uses a dated policy framework, older terminology and is missing policies that are now contained within the PPS (2024) and the NOP. Natural heritage related policy gaps, emerging issues and opportunities are outlined below:

- **Protecting coastal wetlands:** While coastal wetlands are included within the definition of natural features and areas the City's Official Plan is silent on the prohibition of development within coastal wetlands, which is a key natural heritage policy within the PPS (2024) (4.1.4) as well as the NOP (3.1.9.5.1.b).

- **Outdated natural heritage system classifications:** The City's natural heritage system differentiates between EPAs and ECAs – the classification and level of protection will need to be updated to align with the PPS (2024) and the NOP's Schedule C1. The buffer and adjacent lands policies will also need to be updated to align with the recent NOP framework.
- **Recognizing the impacts of climate change:** The current Port Colborne Official Plan does not contain policies that speak to the impact of climate change on the City's natural heritage features and areas. The key climate change policies in the NOP are detailed above, but include policies related to invasive species (3.1.29), supporting features and areas (3.1.15) and enhancement areas (3.1.16), other woodlands (3.1.11).
- **Promoting connectivity and diversity:** Both the NOP (3.1.b) and the PPS (2024) (4.1.2) state the importance of preserving and enhancing the connectivity and diversity of natural heritage features. The City's Official Plan contains policies related to environmental corridors and linkages (4.3.6) that should be amended to explicitly aim to maintain, restore or enhance the biodiversity and connectivity of natural features and their associated ecological and hydrological functions.
- **Enhancing natural heritage features and areas:** The NOP contains policies related to woodland cover (3.1.25), wetland cover (3.1.26) and riparian vegetation cover (3.1.27) that aim to maintain or enhance these natural heritage features. These policies should be carried down into the new official plan to promote and recognize the importance of protecting and improving non-provincially significant natural features.
- **Standardizing buffer requirements:** the City's Official Plan (4.1.1.j) and the NOP (Table 3-2) contain similar policies for the required buffer between natural heritage features and proposed buildings or structures of adjacent development. However, the NOP distinguishes between minimum buffers, for which the buffer width cannot be less than but may be larger than, and mandatory buffers, for which the NOP states that a buffer is required but does not provide a minimum and requires the width be determined through further study (p. 56).

5.5 Recommended Policy Directions for Natural Heritage

Based on the policy gaps, emerging issues and opportunities identified above, the recommended policy directions for natural heritage are as follows:

- **Align protection requirements with provincial and regional policies:** Incorporate new policies that are consistent with and comply with regional and provincial policies related to the promotion of connectivity, protection of coastal wetlands and the requirement for minimum and mandatory buffers between natural heritage features and adjacent development and site alteration. Mandatory buffers would be determined through an EIS that demonstrates that there will be no negative impacts to the ecological and hydrological functions of the feature or area.
- **Adopt key regional climate change policies:** Carry forward the NOP policies that are denoted as "key climate change policies" into Section 3.1 into the new Official Plan.
- **Update the natural heritage system to align with the NOP:** Rather than distinguishing between environmental protection and environmental conservation areas, the new Official Plan should adopt an integrated natural environment system approach that better aligns with provincial and regional policies and links natural heritage features and areas into a larger system. The natural heritage system should also recognize the location and mapping of linkages based on the NOP Schedule C2.
- **Enhance an expanded range natural heritage features:** Include new policies that are focused on protecting, maintaining and enhancing an expanded scope of natural heritage features and areas from development. These would include non-provincially significant features like wetland cover, woodland cover and riparian vegetation cover, which will contribute to building overall system resilience.



6.0 WATER RESOURCES

Water is the single most fundamental resource underpinning community health, environmental integrity, and sustained economic growth, particularly for Port Colborne, given its location on Lake Erie and its reliance on the lake for its municipal drinking water supply. Effective planning requires a shift from managing water merely as a utility to treating it as an integrated ecological resource, with the watershed serving as the primary planning unit. The City's new Official Plan will need modernize its policies to address the increasingly complex challenges of source water protection, climate change adaptation, and sustainable stormwater management to ensure a safe and resilient water future for all residents and to safeguard the quality of Lake Erie's coastal waters.

6.1 Provincial Policy Context

The PPS (2024) provides direction for the protection of water resources. Policy 4.2.1, specifically, directs municipalities to protect, improve, or restore the quality and quantity of water by:

a) using the watershed as the ecologically meaningful scale for all long-term planning;
b) Minimizing potential negative impacts, including cross-jurisdictional and cross-watershed impacts;
c) Identifying water resource systems consisting of groundwater features, surface water features (including shoreline areas), and hydrologic functions;
d) Maintaining linkages and functions of these systems;
e) Implementing necessary restrictions on development and site alteration to protect municipal drinking water supplies and designated vulnerable areas;
f) Planning for efficient and sustainable use of water resources; and
g) Ensuring consideration of environmental lake capacity, where applicable.

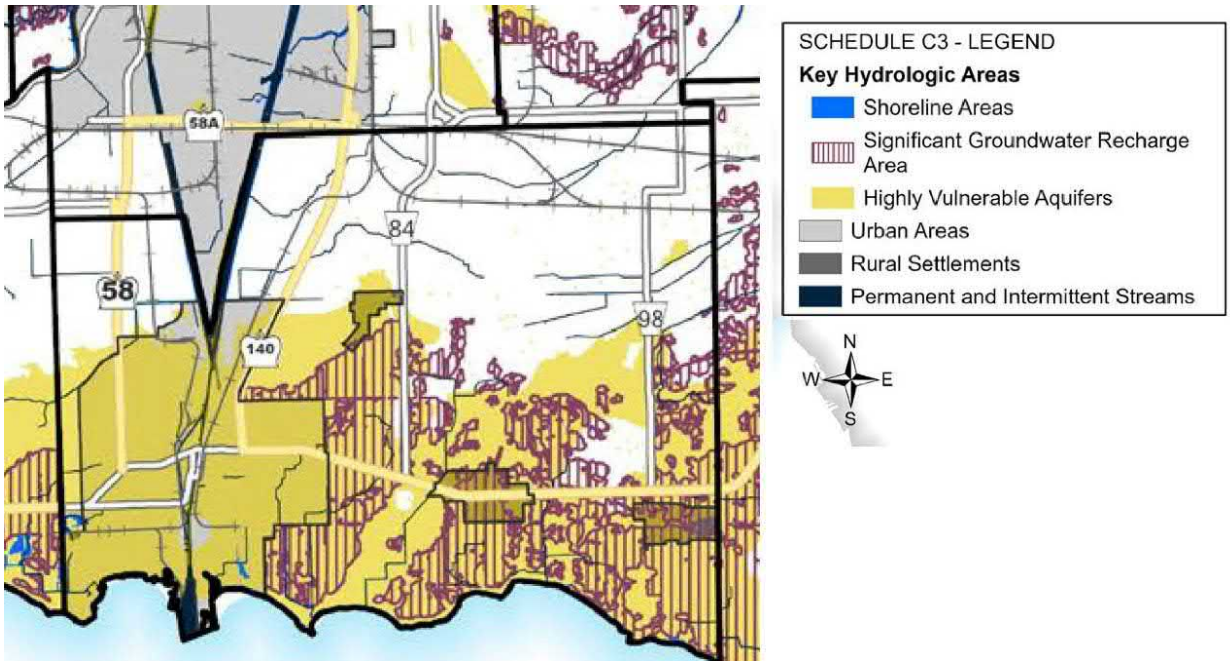
Additionally, it introduces a stronger, more direct link between water management and climate change, which requires municipalities to prepare for the impacts of a changing climate that may increase risks associated with natural hazards like flooding and erosion (5.2.4).

6.2 Niagara Official Plan (2022)

The NOP (2022) provides the detailed regional framework for implementing the above-noted provincial directions. Of relevance for the City's Official Plan are the following:

- **Water Resource System Mapping:** The NOP integrates the Water Resource System directly into its "Natural Environment System." Schedule C3 (Key Hydrologic Areas Overlay) of the NOP identifies key features such as Significant Groundwater Recharge Areas and Highly Vulnerable Aquifers that must be protected. **Figure 6-1** on the following page illustrates the NOP's Schedule C3 (Key Hydrologic Areas Overlay) to the NOP.

Figure 6-1: Excerpt of Schedule C3 (Key Hydrologic Areas Overlay), NOP

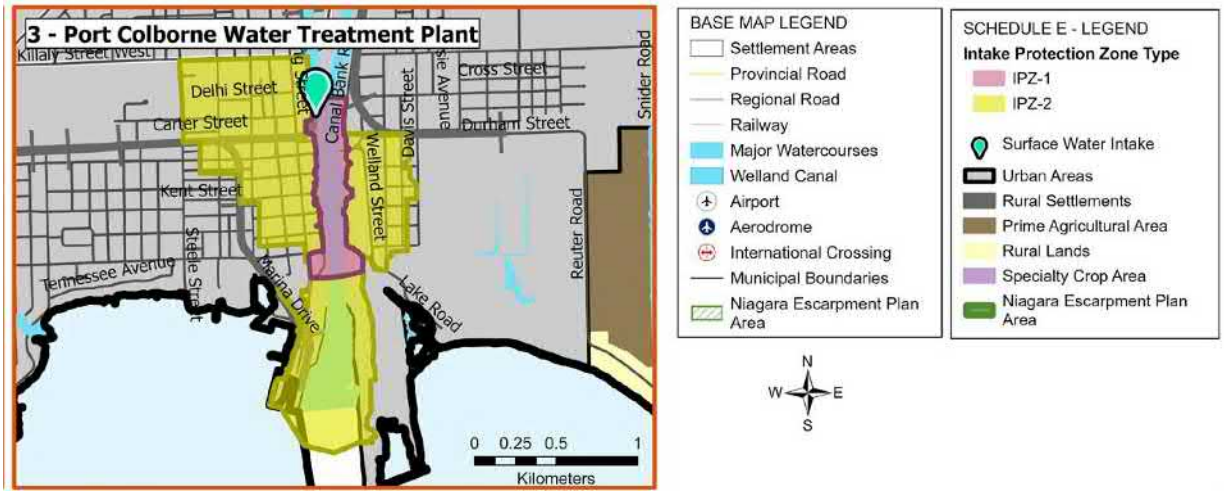


- **Watershed Planning Framework** (Section 3.2): The NOP establishes a hierarchy for water management. While the Region takes responsibility for high-level watershed plans, it directs local municipalities like Port Colborne to undertake subwatershed studies to inform secondary plans and large-scale development (3.2.3.1).

- **Source Water Protection (Section 3.3):** This section contains legally binding policies that implement the provincially approved Source Protection Plan. It specifically identifies the Port Colborne Water Treatment Plant Intake Protection Zones (IPZ-1 and IPZ-2) on Schedule E. The NOP includes specific prohibitions within these zones, including restrictions on new waste disposal sites (3.3.2.1), large-scale road salt and snow storage (3.3.2.3, 3.3.2.4), and new agricultural land uses (3.3.2.7). **Figure 6-2** illustrates the location of the City's IPZ in the NOP.

- **Stormwater Management (SWM):** The NOP requires local municipalities to develop stormwater master plans (5.2.1.19) and promotes the use of green infrastructure and Low Impact Development (LID) to manage runoff, mitigate contaminants, and address cumulative impacts (5.2.1.18).

Figure 6-2: Excerpt of Schedule E, Intake Protection Zones, NOP



6.3 Port Colborne Official Plan (2013)

The City's current Official Plan (2013) contains a solid foundation for water resource management, though its mapping and terminology predate the current Provincial framework. Policy and mapping are primarily located in three sections:

- **Section 4.1.3 (Surface Water and Groundwater Protection):** These policies protect water resources by restricting development from having negative impacts on water quality and quantity.
- **Section 8.0 (Servicing and Stormwater Management):** This chapter includes policies for stormwater management (Section 8.2) that require SWM plans and encourage the use of LID.
- **Section 8.3 (Source Water Protection):** The current Official Plan contains a dedicated Source Water Protection section and map (Schedule H). This section already identifies the City's IPZ-1 and IPZ-2 and includes many of the specific prohibitions (e.g., on road salt, snow storage, and new agricultural uses) that are mirrored in the NOP.

The current Official Plan also includes a policy that states the City "shall participate" with the Region and the NPCA in the preparation of watershed plans (4.1.2.3). Regarding mapping, the current Official Plan identifies Vulnerable Aquifer Areas on Schedule B3 and Streams/Fish Habitat on Schedule B. However, it does not currently contain a consolidated "Water Resource System" map that integrates these features with Significant Groundwater Recharge Areas, as required by latest PPS and the NOP.

6.4 Policy Gaps, Emerging Issues and Opportunities

While the current Official Plan is largely consistent with the provincial framework, particularly on source water protection, there are key gaps and opportunities to modernize the policies to align with the NOP and PPS.

- **Taking a passive approach to watershed planning:** The current policy to "participate" in watershed planning (4.1.2.3) is passive. The NOP (2022) now assigns local municipalities the direct responsibility of preparing subwatershed studies to inform secondary plans and new growth areas (3.2.3.1). The new Official Plan should adopt this more active and specific role.
- **Missing the link to climate change:** The current Official Plan does not explicitly link its water resource and natural hazard policies to climate change adaptation. The PPS (2024) now requires municipalities to plan for and mitigate risks from a changing climate (5.2.4). This is a significant policy gap that must be addressed to ensure the City is planning for future conditions, not just current ones.
- **Modernizing stormwater management:** The current Official Plan "encourages" LID (8.2e). The new provincial and regional policies require a more robust and integrated approach. The new Official Plan must elevate this policy to require integrated SWM master plans for new development areas and mandate LID and green infrastructure as fundamental components of stormwater design, rather than just an option.
- **Directly aligning on source water protection:** The policies in the current Official Plan (Section 8.3) and the NOP (Section 3.3) are intended to implement the same Source Protection Plan. While they are very similar, the NOP policies are the most current, provincially approved version. For example, the NOP policy (3.3.2.6) for SWM plans in the IPZ is more specific than the current Official Plan's policy (8.3f). To ensure legal conformity and eliminate ambiguity, the new Official Plan should adopt the NOP policies and mapping verbatim, as they represent the binding legal framework.
- **Mapping the Water Resource System:** The current Official Plan mapping is fragmented across Schedule B (Natural Heritage) and Schedule B3 (Vulnerable Aquifers). To align with the PPS (2024) and NOP, the new Official Plan should consolidate these features into a Water Resource System overlay that includes Significant Groundwater Recharge Areas, consistent with NOP Schedule C3.

6.5 Recommended Policy Direction for Water Resources

The following policy directions are recommended to guide the drafting of the new Official Plan:

- **Adopt Regional source water protection policies:** Replace the current Official Plan Section 8.3 and Schedule H entirely with the NOP's policies and mapping of Section 3.3 and Schedule E, respectively. This will help to ensure the new Official Plan is compliant with the *Clean Water Act* and legally implements the binding policies of the Source Protection Plan.
- **Integrate the NOP watershed planning framework:** Introduce new policies that formally adopt the watershed planning hierarchy from the NOP (Section 3.2). The new Official Plan shall require the completion of a subwatershed study, to the satisfaction of the City, Region, and NPCA, as a prerequisite for any new secondary plan or large-scale development proposal in a designated greenfield area (3.2.3.1).
- **Introduce a climate change adaptation lens:** Draft a new overarching policy framework that explicitly links the management of water resources, natural hazards, and stormwater systems to climate change adaptation. This framework must align with the new directive in the PPS (5.2.4) to ensure the City prepares for and mitigates future risks from extreme weather, flooding, and erosion.
- **Mandate modern stormwater management:** Update stormwater policies (from Section 8.2) to require integrated Stormwater Management Master Plans for new development areas, consistent with NOP (5.2.1.19). These policies shall mandate the use of Low Impact Development (LID) and green infrastructure as the primary approach for managing runoff, protecting water quality, and addressing cumulative impacts, consistent with the PPS (3.6.8).
- **Maintain general water protection policies:** Carry forward the intent of the current Official Plan's general water protection policies (e.g., Section 4.1.3) that restrict development from negatively impacting water quality and quantity, ensuring they are consistent with the language and intent of the PPS (4.2.1).
- **Identify and Map the Water Resource System:** Update the City's mapping schedules to identify the Water Resource System, including Significant Groundwater Recharge Areas and Highly Vulnerable Aquifers, consistent with NOP Schedule C3. This will satisfy the PPS (2024) requirement to identify these systems.



7.0 AGRICULTURE

Agriculture is an important economic activity and an integral part of the landscape and identity of Port Colborne. The majority of the City's lands are outside of settlement areas and are classified as prime agricultural lands. Recognizing this importance, the Province and Region have adopted an Agricultural Systems Approach that requires the City's new Official Plan to not only protect the farmland base but also to foster the entire agri-food network—from the fields to processing and local sales. Updating the Official Plan is essential to align local policy with these provincial and regional directives, providing clear direction for permitted uses, promoting agri-tourism and value-added activities, and ensuring the long-term viability and resilience of Port Colborne's farming community against the pressures of development and land use conflict.

7.1 Provincial Policy Context

Section 4.3 of the PPS (2024) sets out policies related to the use, protection and promotion of agricultural activities throughout the Province. Planning authorities are to use an agriculture systems approach to maintain and enhance the agricultural land base and foster the long-term economic prosperity and productive capacity of the agri-food network (4.3.1.1). Permitted uses and activities in agricultural areas are limited to agricultural uses, agriculture-related uses and

on-farm diversified uses, (4.3.2.1). Agriculture-related and on-farm diversified uses must be compatible with and not hinder surrounding agriculture operations, based on (4.3.2.1). A principal dwelling associated with an agricultural operation is also a permitted (4.3.2.4). Where residential dwellings are a permitted use, up to two additional dwelling units are also permitted, granted that one is located in or attached to the principal dwelling and any other additional dwelling unit complies with criteria set out by the Province that served to preserve the agricultural use of the property (4.3.2.5). Non-agricultural uses are permitted in prime agricultural areas for the extraction of minerals, petroleum resources and mineral aggregate resources provided that the site will be rehabilitated. Limited non-residential uses are also permitted provided they demonstrate that the use is necessary, does not impact agricultural uses and that there are no reasonable alternative locations (4.3.5.1). Impacts from new or expanding uses are to be avoided or where avoidance is not possible, minimized and mitigated as determined through an agricultural impact assessment (4.3.5.2)

The PPS (2024) discourages lot creation in prime agricultural areas and only permits them in accordance with provincial guidance. This guidance dictates appropriate and minimum lot sizes for agricultural and agriculture-related uses and prohibits new dwellings and additional dwelling units on remnant parcels of properties severed because of farm consolidation (4.3.3.1). The removal of lands from prime agriculture areas is only permitted for expansion of or identification of settlement areas (4.3.4.1).

Finally, planning authorities are encouraged to support local food and to facilitate near-urban and urban agriculture and to foster a strong agri-food network (4.3.6.1).

7.2 Niagara Official Plan (2022)

The NOP takes the agricultural systems approach set out in the PPS (2024) and takes it further by acknowledging the connection between the region's agricultural and natural environment. The NOP also notes the contributions of these systems to the region's resilience and ability to adapt to climate change. The objectives of the NOP are to:

- Facilitate a strong, diverse and resilient agricultural economy;
- Protect the region's agricultural land base;
- Ensure agriculture is the predominant land use in specialty crop areas and prime agricultural areas;
- Restrict and control non-agricultural uses to minimize potential conflicts;
- Protect speciality crop areas and prime agricultural areas from fragmentation;

- Protect and recognize rural lands as part of the agricultural system;
- Provide for a limited amount of non-agricultural residential development on rural lands; and
- Recognize and control changes to existing uses to ensure a viable agricultural system.

Schedule F of the NOP delineates prime agricultural lands, speciality crop area, rural lands, and urban and rural settlements. Lands within the City's limits are predominantly designated as Prime Agricultural Areas in the NOP, along with several other locations identified as Rural Lands along the Welland Canal and Lake Erie Shoreline. **Figure 7-1** provides an excerpt of Schedule F from the NOP:

Figure 7-1: Excerpt, Schedule F Agricultural Land Base, NOP



The remainder of Section 4.1 provides for the protection of the region's agricultural land base, specialty crop areas and prime agricultural areas and seeks to minimize conflicts between agricultural and non-agricultural uses by preventing their location in specialty crop areas or prime agricultural areas. The NOP also discourages lot creation within the agricultural system, unless the new lot meets specified conditions. The NOP then sets out various requirements for lot creation in specialty crop areas and prime agricultural areas that are consistent with and expand on the policies in the PPS (2024).

The NOP also provides additional policy direction to better define the distinctions between agricultural uses, agriculture-related uses and on-farm diversified uses. These distinctions are based on provincial guidelines and are as follow:

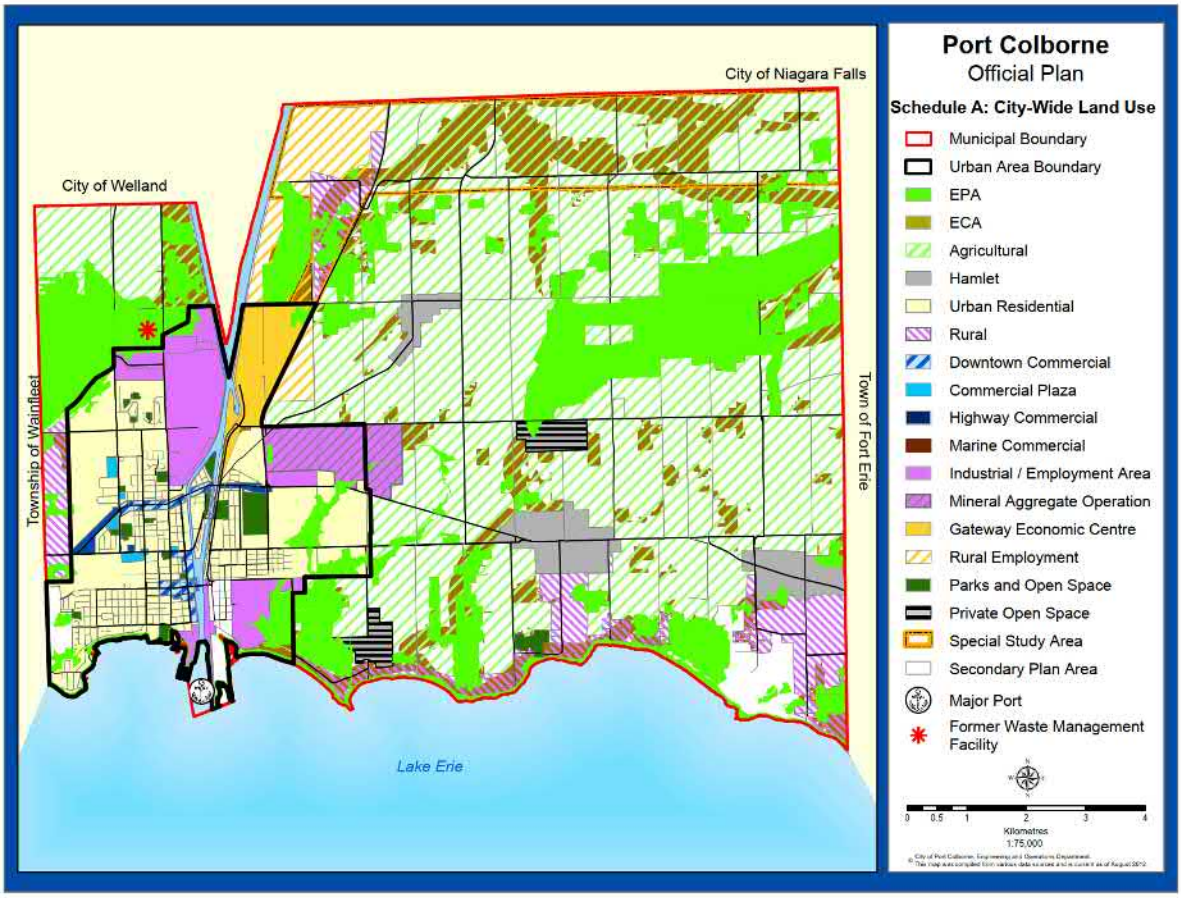
- **Agricultural uses:** growing of crops or raising of livestock, raising of other animals for food or fibre, aquaculture, apiaries, agro-forestry, maple syrup production and associated on-farm buildings and structure.
    - Examples: cropland, pastureland, barns and other associated buildings and structures.
- **Agriculture-related uses:** may or may not be on a farm, farm-related commercial or industrial use, compatible with surrounding agricultural operations, directly related to farms in the area, supports agriculture, provides products or services to farms, benefits from proximity to farms.
    - Examples: processing of agricultural products, farm equipment repair shop, agriculture research centre.
- **On a farm, secondary uses:** should be limited in area, includes but is not limited to, home occupations, home industries, agri-tourism uses and value-added uses, compatible with surrounding agricultural operations
    - Examples: agri-tourism uses, pick your own operation, home occupations.

Section 4.1.7.4 through 4.1.7.9 detail the corresponding policies for these uses, detailing the requirements and the criteria that will be considered as part of the development application process. The remainder of this section of the NOP concerns rural lands, non-agricultural uses on rural lands and existing non-conforming uses in the agricultural system. These sections are consistent with PPS (2024) policies and permit limited amounts of non-agriculture related development subject to the policies in Sections 4.1.8 and 4.1.9 and 4.1.10.

7.3 Port Colborne Official Plan (2013)

The City's current Official Plan does not have a stand-alone schedule illustrating prime agricultural lands. Rather, agricultural lands and rural area are depicted on the overall City-Wide Land Use Schedule A. See **Figure 7-2** for additional details.

Figure 7-2: Official Plan Schedule A (City-Wide Land Use)



The predominant uses of agricultural lands are to include but not be limited to:

- The cultivation of crops on a commercial basis;
- The storage and processing of produce grown on the premises;
- The raising of livestock;
- Greenhouses;

- Small-scale agri-tourism;
- Value-added agricultural activities;
- Specialty agricultural uses such as an agricultural research station, fertilizer or seed depot, feed mill, sawmill or kennel (provided the uses are compatible with adjacent uses); and
- Agriculture related accessory uses, including the sale of products from the farm operation.

The general policies of the Official Plan describe the City's intent to protect and preserve lands in the agricultural areas and reduce conflicts with agricultural activities for the long term. They include specific requirement for greenhouses and livestock barns, stating that these uses are permitted but may require assessments, additional plans and be subject to site plan control. It also includes policies that limit the scale, impacts (traffic, infrastructure) and water usage of agri-tourism and specialty agricultural uses.

Bed and breakfast facilities and other uses that produce market value-added agricultural products may be permitted as secondary uses to the principal use of a property that is designated Agriculture, so long as:

- The use is compatible with farm operations;
- Any value-added agricultural products are from the farm operation on the property;
- The use is small-scale and ancillary to the primary farm operation;
- The use does not adversely affect the use and enjoyment of adjacent farm or rural properties, the cultural and rural character of the area and the natural environment; and
- All of the property remains designated and zoned Agriculture.

The current Official Plan also recognizes value-added agricultural activities, noting that they are those activities that bolster the competitiveness, adaptability, diversification or improvement of agriculture, sustainability or the understanding of agriculture by the public.

The current Official Plan contains policies related to severances and lot creation. Policies concerning severances that occur as a result of amalgamation of farm properties remain consistent with the PPS (2024). However, policies related to general severances and lot creation do not specify a minimum lot size that would be considered appropriate for the type of uses common in the area or a size that would maintain flexibility for future changes.

7.4 Policy Gaps, Emerging Issues and Opportunities

The PPS (2024)'s and NOP's policies related to agriculture have changed substantially since the Port Colborne Official Plan was adopted. The following policy gaps and opportunities exist to make the new Official Plan more consistent and compliant with provincial and regional policies.

- **Taking an agricultural systems approach:** The PPS (2024) defines the agricultural system as one that is comprised of a group of inter-connected elements the collectively create a viable, thriving agri-food sector. It is composed of both the agricultural land base (prime agricultural and specialty crop areas) and the agri-food network (agricultural operations, infrastructure, services and assets). It is now mandatory under provincial policy for official plans to implement an agricultural systems approach that protects both components mentioned above.
- **Embracing the agri-food network opportunities:** Planning authorities are encouraged to support local food systems and facilitate near-urban and urban agricultural uses with the goal of fostering a robust agri-food network. The current Official Plan is silent on the topic of urban and near-urban agriculture and should explore the potential of stimulating growth in this sector within it's urban limits.
- **Moving away from outdated nomenclature:** The current Official Plan differentiates between secondary agricultural uses and value-added agricultural uses. This framework is no longer used by either the Province or the region and should be removed from the Official Plan and replaced with the updated distinction between agricultural, agriculture related, and on-farm diversified uses contained within the PPS (2024) and the Regional Official.
- **Broadening the economic development opportunities for farmers:** The City's Official Plan does not contain a definition for agri-tourism or policies which would explicitly encourage agri-tourism and related activities. The plan is also silent with respect to on-farm diversified uses. A more robust set of policies which expressly promotes and permits a full range of agri-tourism and on-farm diversified uses would help to strengthen the support farming in the City.
- **Mitigating, minimizing and avoiding conflict:** While the City's Official Plan contains policies that restrict non-agricultural uses in agricultural areas the older framework is less explicit in its direction to avoid, minimize and mitigate conflicts between non-agricultural uses and existing farming operations.

- **Additional Dwelling Units:** Provincial policy regarding residential allowances have changed to permit two additional residential uses (where a dwelling is a permitted use). The new Official Plan must reflect these changes and expand the permissions for dwelling units on agricultural properties.

7.5 Recommended Policy Direction for Agriculture

The recommended policy direction for the new Agriculture policies of the City's Official Plan are as follows:

- **Ensure consistency with PPS (2024) policies and direction:** The agricultural policies Port Colborne Official Plan must be consistent with the PPS (2024) as it relates to taking an agricultural systems approach, lot creation for the purpose of infrastructure and permitting two additional dwelling units on agricultural policies. The new Official Plan should also include policies and definitions that acknowledge the differences between agricultural, agriculture-related and on-farm diversified uses. Agri-tourism and urban and near-urban agricultural activities should also be included and promoted in the policies of the new Official Plan. The NOP and the Ministry of Agriculture's Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas provide sufficient direction for updating the City's range of permitted uses and policies and should be used as a guide for the new Official Plan.
- **Further protect prime agricultural areas:** Both the PPS (2024) and the NOP prohibit the removal of prime agricultural lands by planning authorities unless it is for the purpose of expanding or identifying settlement areas. The new Official Plan should carry forward these policies and prohibit the removal of agricultural lands with very limited prescribed exceptions.
- **Require agricultural impact assessments (AIAs):** New policies that require AIAs for non-agricultural development proposed or adjacent to agricultural areas should be included within the new Official Plan. These policies, which would align the new Official Plan with the PPS (2024) and the NOP and would require an applicant to demonstrate how development avoids, minimizes and mitigates any adverse impacts on the agricultural system.
- **Study compatibility:** Updated policies that aim to minimize land use conflicts between agricultural and non-agricultural uses by using buffers and separation distances must be included in the new Official Plan.

- **Additional Dwelling Units:** The new Official Plan should include permissions for additional dwelling units on agricultural properties.



8.0 MINERAL & PETROLEUM RESOURCES

Port Colborne's location in south Niagara means that it has an abundance of geological wealth in mineral aggregate resources, stemming from two main sources. Bedrock aggregates, like limestone, are sourced from the Paleozoic layers that underlie the area, close to the surface, and are part of the broader Niagara Escarpment structure. The sand and gravel aggregates were deposited later by melting glaciers and ancient glacial lakes (lacustrine deposits), which sorted and layered these materials across the landscape. This combination of durable bedrock and abundant glacial deposits makes the City naturally rich in construction materials.

Mineral aggregate resources are essential, non-renewable materials that form the foundation of modern infrastructure, including the roads, buildings, and industrial facilities. Given the numerous challenges with resource extraction, municipalities in Ontario are directed to adopt a robust planning framework to balance the need to protect these known deposits for long-term use with the need to mitigate the environmental and social impacts of resource extraction, particularly near sensitive Lake Erie coastal areas. Updating the Official Plan is critical to ensuring the efficient supply of aggregates, promoting their conservation and progressive rehabilitation, and establishing clear, consistent policies for managing extraction in alignment

with the latest provincial and regional mandates. A similar policy framework for the protection of petroleum resources is also required, given the large amount of land within the City's boundaries which are classified as petroleum resource areas.

8.1 Provincial Policy Context

Mineral aggregate resources refer to a variety of naturally occurring materials prescribed under the *Aggregate Resources Act*, such as sand, gravel and limestone that are essential for construction and infrastructure development. The PPS (2024) recognizes mineral aggregates as a valuable non-renewable resource that must be protected for long-term use and supply. The key policy direction to municipalities under the PPS (2024) are as follows:

- Mineral aggregate resources shall be protected for long term use and known deposits are to be identified in Official Plans (4.5.1).
- Mineral aggregate resources are to be available as close to market as possible (4.5.2.1).
- Extraction is to be undertaken in a manner that minimizes social, economic and environmental impacts (4.5.2.2).
- Mineral aggregate conservation shall be undertaken where feasible (4.5.2.3).
- Mineral aggregate operations shall be protected from development activities that would preclude / hinder future expansion or continued use (4.5.2.4).
- Existing operations are permitted to continue without the need for official plan amendments, rezoning, etc. under the *Planning Act* (4.5.2.4).
- Where there is potential conflict between potential future extraction based on the location of known mineral aggregate resources and uses on adjacent lands, development activities are only permitted where the resource extraction is not feasible, the proposed development use serves a greater long term public interest or there are issues of public health and safety (4.5.2.5).
- Aggregate resource extraction is considered to be an interim use. Progressive and final rehabilitation is required to accommodate subsequent uses and to promote land use compatibility (4.5.3.1). In instances where there are multiple operations in close proximity to one another, the Province encourages comprehensive rehabilitation (4.5.3.2).

- Extraction is permitted on prime agricultural lands provided impacts on the agricultural system are addressed and that the lands will be rehabilitated back to an agricultural condition (4.5.4.1), except in instances where the depth of extraction makes restoration unfeasible, and rehabilitation elsewhere is maximized (4.5.4.2).
- Wayside pits and quarries, portable asphalt and concrete plants used by public authorities are permitted without the need for an Official Plan Amendment.

8.2 Niagara Official Plan (2022)

Chapter 4.3 of the Region's Official Plan provides guidance for mineral aggregate resources. The policies of this section were updated in 2022 and are more recent than the City's 2013 Official Plan. The Region's policies focus on the goal of protecting these finite resources—including sand, gravel, stone, and shale—from incompatible land uses that could hinder future extraction. The policies also aim to ensure the efficient extraction, processing, and transportation of aggregates while actively minimizing social, economic, and environmental impacts. Relevant policies include:

- To prevent future conflicts, new development is restricted near known deposits (300 metres for sand/gravel, 500 metres for bedrock) and existing operations (500 metres and 1,000 metres, respectively), requiring the applicant to provide satisfactory mitigation at their own cost if development proceeds.
- New mineral aggregate operations are prohibited within settlement areas and must avoid specific key natural heritage features, such as provincially significant wetlands or endangered species habitat. Applications for new operations are complex, requiring an amendment to the Plan and a comprehensive review.
- Extraction must minimize social, economic, and environmental impacts, including protecting water resources (especially where extraction is below the water table) and mitigating noise, dust, and vibration. In prime agricultural areas, an Agricultural Impact Assessment is required, and extraction is considered an interim use.
- Progressive and final rehabilitation is mandatory, recognizing that extraction is temporary. Rehabilitation plans must aim to maintain or enhance ecological value. In agricultural areas, the land must be restored to an agricultural condition, though exceptions exist for deep extraction below the water table.
- Logistically, mineral aggregate truck traffic must be directed away from settlement areas utilizing Provincial and Regional roads, and Haul Route Agreements may be

required. The policies also encourage conservation through the recycling of aggregates and the wise use of on-site resources prior to development.

8.3 Port Colborne Official Plan (2013)

Chapter 10 of the City's Official Plan provides guidance for mineral aggregate resources, mineral aggregate operations and petroleum resources. Known aggregate and petroleum resources are illustrated on Schedule C, along with Mineral Aggregate Operations and active gas wells. An excerpt of Schedule C is shown below on **Figure 8-1**. Chapter 10 generally implements the policies of the PPS (2024) and provides guidance to ensure that the resources are protected for the long term and includes more detailed policies to address land use compatibility within 300 metres of known deposits (10.1). The Official Plan also includes policies to guide future applications for mineral aggregate extraction (referred to as Aggregate/Extractive Industrial Sites), requiring Regional Official Plan Amendment, Zoning by-law amendment, site plan and other application information including pre-consultation guidance and study requirements.

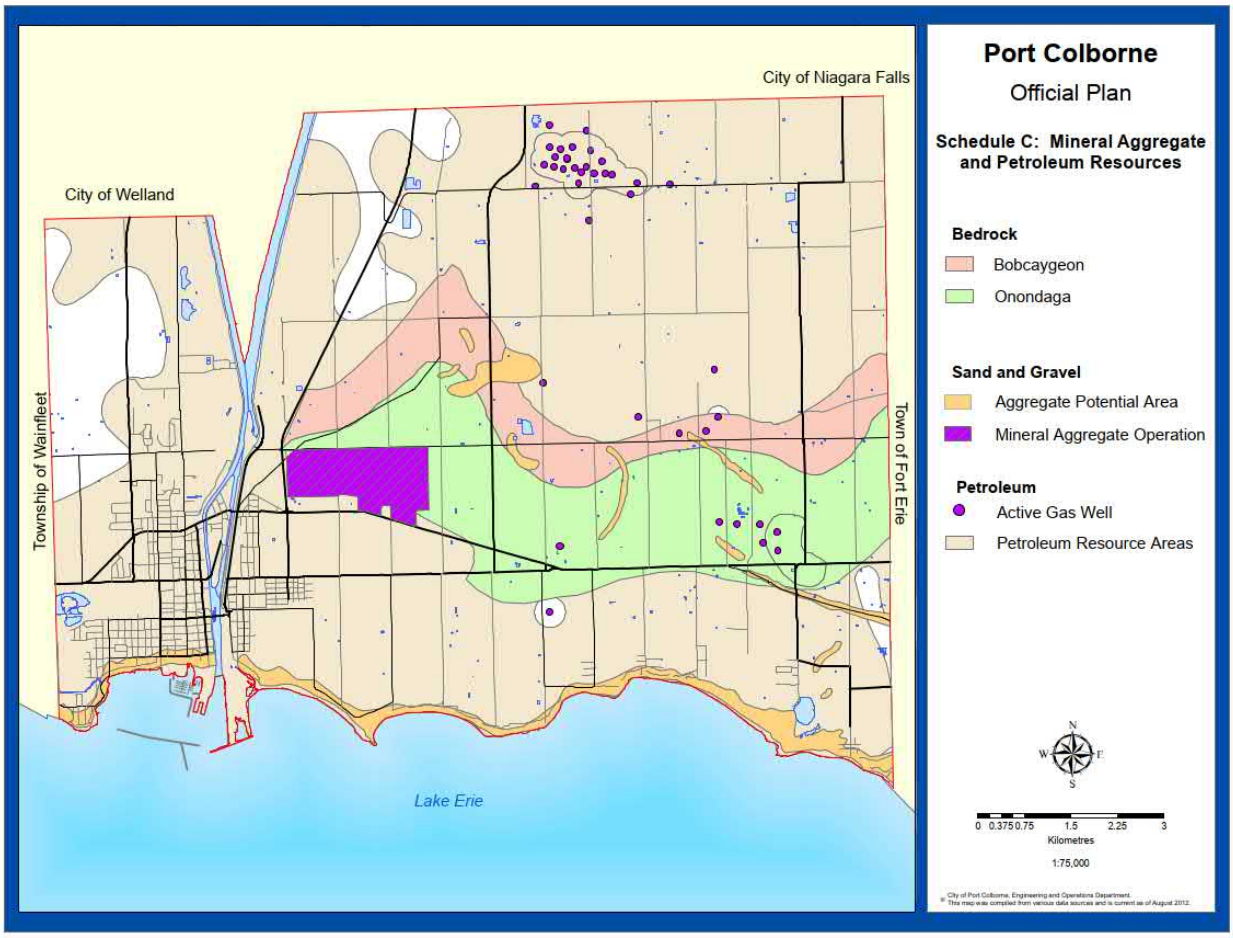
8.4 Policy Gaps, Emerging Issues and Opportunities

The following summarizes the key policy gaps, emerging issues and opportunities with respect to mineral aggregate and petroleum resources:

- **An opportunity for a more robust framework:** The City's current Official Plan policies for mineral aggregate resources are based on an earlier version of the PPS and no longer align with the PPS (2024). The Region of Niagara's aggregate resource policies were prepared under the 2020 PPS and provide a more up to date set of policies to guide resource protection and management.
- **There is an opportunity to improve the legibility of the schedules.** The mapping for mineral aggregate resource areas and petroleum resources is generally consistent with the NOP, however there is an opportunity for cartographic improvements to enhance the legibility of the schedules. The schedules should be prepared as separate schedules (currently combined on one figure in the 2013 Official Plan).
- **Additional guidance needed for petroleum resource areas.** The City's current Official Plan has very basic policy guidance with respect to development in proximity to existing petroleum wells and is largely silent on how development is to occur or be restricted on

petroleum resource areas. New direction related to abandoned petroleum wells is also required to be added to the new Official Plan.

Figure 8-1: Official Plan Schedule C (Mineral Aggregate and Petroleum Resources)



8.5 Recommended Policy Direction for Minerals and Petroleum Resources

The following are the key policy directions for mineral aggregate and petroleum resources:

- **A new set of policies is needed to facilitate the protection of aggregate resources for long term extraction.** The Region of Niagara's policies under the NOP's section 4.3 provide a reasonable starting point for drafting new policies as they generally conform to the intents of the PPS (2024) around matters related to protection of operations, conservation, extraction in prime agricultural lands, temporary wayside pits and quarries and rehabilitation.

- **Policies to address abandoned petroleum wells:** The NOP and the City's current plan do not provide policy guidance related to the proper plugging or capping of abandoned petroleum wells. Direction should be provided on the process for making these wells safe in the event of their discovery during proposed development.
- **New policies are needed for the protection of petroleum resources**. The current plan is largely silent on the policy implications of the City's vast area of petroleum resources – section 4.4 of the NOP provides a good foundation for updating the City's Official Plan policies and should be used as a template for the new Official Plan.



9.0 CULTURAL HERITAGE AND ARCHAEOLOGY

Port Colborne's history is etched into its landscape, representing layers of settlement that began with the deep Indigenous heritage of the Niagara region, followed by the establishment of early European farms and into the 19th and early 20th century with industrialization. Its defining historical feature, however, is its strategic role as the southern gateway to the Welland Canal, which transformed the community into a vital port and industrial centre beginning in the 19th century. Conserving this cultural heritage and archaeology—from its earliest Indigenous sites to the massive engineering works of the Canal—is not just a regulatory requirement but a powerful way to foster civic identity and promote tourism. The City's new Official Plan has an

opportunity to modernize its approach by adopting balanced cultural heritage and protection strategies which will help conserve the past and provide opportunities for economic development.

9.1 Provincial Policy Context

The PPS (2024) policies related to cultural heritage state that:

- Protected heritage property, which may contain built heritage resources and cultural heritage landscapes shall be conserved (4.6.1); and
- Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property unless the heritage attributes will be conserved (4.6.4).

As it relates to archaeology, the PPS (2024) does not permit development and site alteration on lands containing archaeological resources or areas of archaeological potential unless the significant archaeological resources have been conserved (4.6.2).

Planning authorities are encouraged to develop and implement:

- Archaeological management plans for conserving archaeological resources (4.6.4.a); and
- Proactive strategies for conserving significant built heritage resources and cultural heritage landscapes (4.6.4.b).

9.2 Niagara Official Plan (2022)

9.2.1 Cultural Heritage

The key objectives of the Regional Official Plan's cultural heritage policies under Section 6.5 are to:

- Support the identification, conservation, wise use and management of cultural heritage resources; and
- Promote the Welland Canal Cultural Heritage Landscape as a multi faceted cultural heritage destination.

To foster a sense of place and benefit communities (including First Nations and Métis communities) significant cultural heritage resources shall be conserved and local area municipalities are encouraged to:

- Designate properties of cultural heritage value or interest, either individually or as part of a larger area or Heritage Conservation District, under the *Ontario Heritage Act*;

- Develop and use cultural master plans to inform decision making;
- Consider the use of heritage impact assessment in conserving cultural heritage resources on a community planning basis; and
- Local municipalities must also advise the region of properties of cultural heritage value or interest that have been designated or listed on the register under the *Ontario Heritage Act.*

Development and site alteration on protected heritage property or adjacent lands shall not be permitted except where it has been evaluated through a heritage impact assessment, and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved (6.5.1.5). It is the Region's responsibility to maintain cultural asset mapping of fixed resources to assist in the review of development applications (6.5.1.6).

The Welland Canal Cultural Heritage Landscape is not defined within Section 6.5.2 of the NOP, but local area municipalities are encouraged to identify and refine its boundaries in their official plans. Local area municipalities are also encouraged to designate properties of cultural heritage value or interest within the Welland Canal Cultural Heritage Landscape for conservation under the *Ontario Heritage Act* and to use other available tools to support conservation as appropriate. The NOP directs local area municipalities to provide policy direction in their official plan for the following within the Welland Canal Cultural Heritage Landscape:

- Open space, parks and recreation opportunities;
- Site and architectural design of properties that reflect the themes found within the landscape;
- Preservation of cultural heritage resources; and
- Development and site alteration on lands within the landscape.

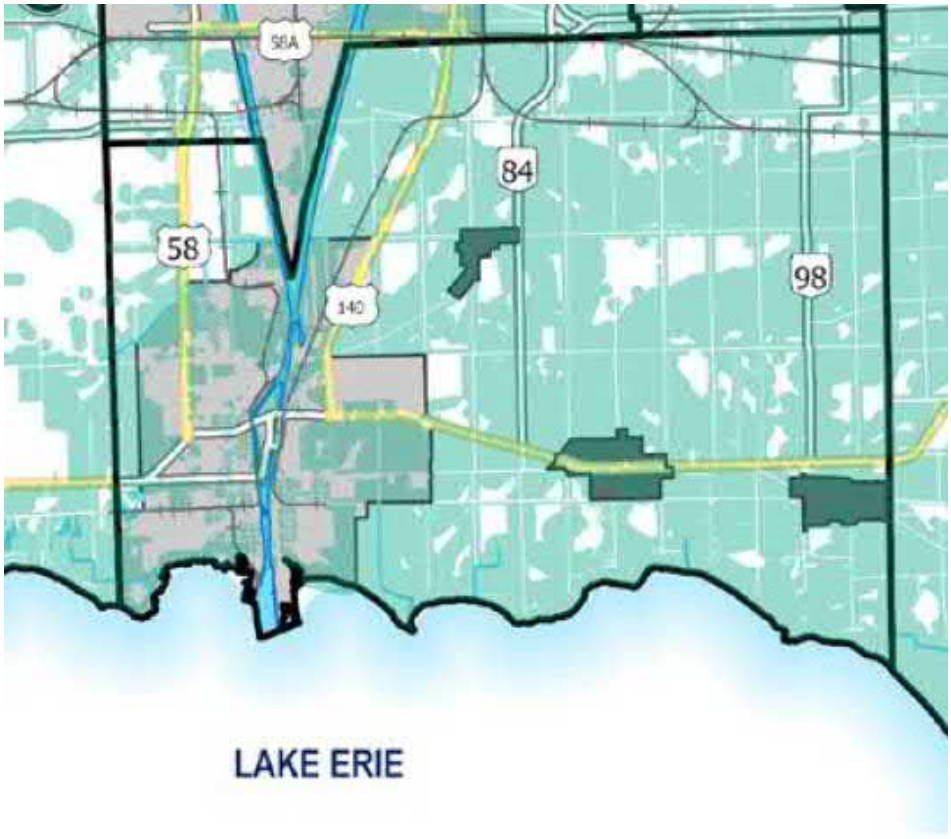
9.2.2 Archaeology

The NOP recognizes the importance of conserving both Indigenous and European archeological resources and the potential to commemorate significant archaeological discoveries. Section 6.4 of the NOP seeks to:

- Support the identification of archaeological resources and areas of archaeological potential; and
- Ensure archaeological resources are conserved in accordance with provincial requirements.

The Region is tasked within preparing and maintaining an Archaeological Management Plan that contains mapped areas of archaeological potential, as shown on Schedule K. The Archaeological Management Plan (AMP) is to be reviewed every five years in consultation with First Nations and Indigenous communities and local area municipalities, the development community and the public. A Memorandum of Understanding between the region and local area municipalities will be the vehicle to address the process for managing archaeological information necessary to implement the AMP. **Figure 9-1** presents an extract of Schedule K.

Figure 9-1: Excerpt of Archaeological Potential, Schedule K, NOP



As illustrated on **Figure 9-1**, a large portion of the City is identified as having archaeological potential.

Section 6.4.2 of the NOP contains policies that implement the archaeological conservation policies set out in the PPS (2024). These policies prohibit development and site alteration on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved. Where there is the potential for marine features a marine archaeological assessment shall be conducted by a licensed archaeologist pursuant to the *Ontario Heritage Act.* Where a site proposed for development is located within an area of archaeological potential, local area municipalities are required to circulate the application and a Stage 1 Archaeological Assessment (and Stage 2 where required) to the region as part of a complete application. Local area municipalities are encouraged to support the conservation of archaeological resources by reviewing municipal projects to determine impacts upon potential archaeological resources and requiring an archaeological assessment if the lands are:

- Located within an area of archaeological potential as indicated in the AMP;
- The municipality's archaeological potential mapping; or
- Where an archaeological site has been previously registered on the property.

9.3 Port Colborne Official Plan (2013)

Section 7 of the City's current Official Plan provides policies and direction for the identification and conservation of cultural heritage features and archaeological resources within the City. The intent of the Official Plan's policies to ensure the protection and enhancement of cultural heritage assets.

For historic structures and heritage conservation districts the Official Plan's policies:

- Encourage the designation of historic buildings, structures and land under the *Ontario Heritage Act*;
- Support the protection and enhancement of cultural and heritage assets, including the establishment of Heritage Character Areas and Urban Design Guidelines that can preserve and guide new development or redevelopment;
- Require a heritage impact assessment by a qualified person to demonstrate that the heritage attributes of a property will be conserved prior to alterations to a designated heritage property;

- Require new development permitted by the land-use policies and designation of the Official Plan to conserve cultural heritage resources and incorporate these resources and the context in which they are situated into new development plans; and
- Permit development and site alteration on adjacent lands to a protected heritage property where it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.

The Official Plan also includes policies that enable the City to establish a Municipal Heritage Committee, pursuant to the *Ontario Heritage Act.*

Section 7.3 of the City's Official Plan contains four policies related to the conservation of archaeological resources. The first requires a minimum of a Stage 1 Archaeological Assessment to be submitted to the Ministry of Tourism Culture and Sport (MTCS) for approval where development is proposed on land which are determined to have archaeological potential by the City, the Region or the MTCS. The second states that further assessment may be necessary based on the results of the Stage 1 Archaeological Assessment. The third relates to the retention and protection of pioneer cemeteries and the fourth is related to development and site alteration on lands containing archaeological resources or areas of archaeological potential and the protection of significant archaeological resources.

9.4 Policy Gaps, Emerging Issues and Opportunities

The cultural heritage and archeological-related policy gaps, emerging issues and opportunities are summarized below:

- **Reimagining the Welland Canal Gateway:** The NOP identifies the Welland Canal as a Cultural Heritage Landscape (CHL). As a functioning major economic development corridor, the NOP's identification as a CHL has been met with a degree of jurisdictional resistance. The current Port Colborne Official Plan does not contain detailed policies related to this cultural heritage landscape and does not address the interrelationship of the built, natural and archaeological features that may exist along this defined area. Given the Welland Canal's status as a National Historic Site of Canada, a gap exists in using this national prestige to drive local land use and urban design policies. There is an opportunity for the City to consider how best to address the NOP's CHL designations and policies in the new Official Plan.

- **Archaeological Management Planning:** While the region has an AMP, the City's Official Plan does not contain sufficiently detailed policies on how it will implement the regional AMP or the region's archaeological potential mapping and conservation strategies on a local level.
- **Archaeological mapping:** The City has historically relied on the Region's mapping to identify areas of archaeological potential and does not have policies or a schedule that speak to the identification of these areas.
- **A focus on historic significance:** The current official plan places its emphasis on the historic nature, age and features of cultural heritage features when determining their significance and need for protection and conservation. Rather than a focus on history, the PPS emphasizes the contribution of a built heritage resource on a property's cultural heritage value, which may include its history, but also its age and association with a significant event or person as defined under the *Ontario Heritage Act.*
- **Protected vs. significant resources:** The PPS (2024) has reduced the minimum mandatory protection standard from "significant cultural heritage resources" (which included non-designated but evaluated properties) to only protected heritage property, which are properties designated on the *Ontario Heritage Act.* The current Official Plan relies on an older, broader PPS standard of protecting significant resources.

9.5 Recommended Policy Direction for Cultural Heritage and Archaeology

Based on the policy gaps, emerging issues and opportunities identified above, the following policy directions for the cultural heritage and archaeology are recommended:

- **Consider the "Welland Canal National Heritage Corridor":** The new Official Plan should include a local policy framework that celebrates and protects the canal's national significance, in line with its role as a working waterway. Some potential considerations include:
    - Archaeological potential: Identifying lands within a specific buffer of the canal as having high archaeological potential, requiring at least a Stage 1 Archaeological Assessment for new development applications to check for buried cultural remnants;

- Marine Industrial Design: Developing architectural and site design guidelines for the Downtown and Waterfront that reflect the City's marine heritage;
- Standards for Municipal Work: Providing direction for municipal projects adjacent to the canal to consider the *Standards and Guidelines for the Conservation of Historic Places in Canada*; and
- Viewshed Protection: Identifying and protecting key viewpoints from the Downtown and Waterfront to the canal to maintain the historic visual connection.

- **Carry forward regional archaeological potential policies and update municipal mapping:** The City's new Official Plan should carry forward the NOP's policies and conduct an update to the NOP's mapping regarding archaeological resources as part of the determination of appropriate studies required with a development application.
- **Consider cultural heritage impact assessments:** The City should explore the inclusion of policies that would require a Cultural Heritage Impact Assessment (CHIA) for development or site alteration proposed on, or adjacent to identified cultural heritage resources to determine impacts and outline mitigation measures, ensuring the scale, design and land use of new development or site alteration is compatible with the heritage context.
- **Build relationships with First Nations and Indigenous communities**: The new Official Plan has the opportunity to include explicit and robust policies regarding early and meaningful consultation with First Nations and Indigenous communities on archaeological potential and findings, similar to the policies in the NOP, which would ensure that conservation efforts reflect Indigenous interests, rights and protocols.
- **Update the approach to heritage conservation:** The City's new Official Plan should take a proactive approach to conservation, by developing and implementing proactive strategies for conserving built-heritage resources and cultural heritages landscapes, aligning with the PPS's (2024) encouragement for municipalities to go beyond the minimum.

10.0 SUMMARY

10.1 Summary of Recommended Policy Directions

The following subsections provide a summary of the key policy directions for the City's new OP.

10.1.1 Policy Context

- The City's current Official Plan (2013) is outdated (planning to 2031) and does not reflect any of recent changes to the *Planning Act*, PPS (2024), and NOP (2022);
- The Planning Act has been significantly changed by multiple new bills focused on building more homes and streamlining development approvals processes;
- The City of Port Colborne, not the Region of Niagara, is now the primary approval authority for Official Plan amendments and development applications (the Ministry of Municipal Affairs is the approval authority for the City's new Official Plan);
- A new PPS (2024) is in effect, and the new Official Plan must be consistent with its policy directions;
- The NOP (2022) provides the relevant policies to be considered in the City's new Official Plan, however, the NOP does not conform to the PPS (2024). A degree of judgement is required when considering which aspects of the NOP can be rolled into the new Official Plan; and
- The preparation of the City's new Official Plan will be guided by the need to conform with a number of provincial and relevant regional policies, the City's Official Plan will also provide an opportunity to chart a new long term path for sustainable growth that takes into account the City's unique local values, geographic strengths as well as social, environmental and economic development objectives.

10.1.2 Growth Forecast

- **The new Official Plan should include updated 2056 forecasts**: The City's new Official Plan should be based on a 2056 population of 29,130 people, 10,200 jobs and 12,735 housing units.

- **Establish a growth planning monitoring framework:**
    - **Adaptive planning and monitoring:** The OP should include policies to provide direction on monitoring of land supply and servicing capacity based on the PPS and any updates to the Province's Projection Methodology Guidelines.
    - **Ground-related housing demand.** Prioritize a suitable land supply that reflects a return to historic market norms for ground-related housing demand within urban settlement areas.
    - **Strategic growth potential.** Include language that acknowledges the potential for growth beyond baseline projections to account for major economic catalysts like the Asahi Kasei plant, to ensure that long-term infrastructure and investment strategies remain robust.
    - **Infrastructure-first phasing.** Strictly align development timing with the City's water, wastewater, and transportation capacity to prevent "under-piping".
- **Forecast mix of housing**. The planned mix of housing (single- and semi-detached dwellings, rowhouses and apartments) will be a central issue in the Official Plan review. The City must have regard to the PPS (2024) that is focussed on planning for the full range and mix of housing options by type. The balance of policy in the PPS (2024) and Proposed PMG has shifted away from a restrictive approach to growth management towards facilitating a suitable if not ample land supply to accommodate housing demand. That said, it is worth repeating that the PMG is not yet final, and it is uncertain what, if any changes will be made to the mandated methods.
- **Demand for ground-related housing**. While debateable, changes in the pattern of new home occupancy by structure type have arisen mostly from the nearly continuous increase (until recently) in the cost of ground-related housing over the past decade, especially during the COVID pandemic. This dynamic has been the main factor driving accelerated population and housing growth at the edge of the metropolitan area including the Region of Niagara and City of Port Colborne. Going forward, it is expected that the profile of market demand to return to historic norms of occupancy by unit type, meaning a return of strong demand for ground-related housing within urban settlement areas. However, like the forecast mix of housing, the urban/rural split of growth is a matter of policy to be addressed in the next steps of the Official Plan review.
- **Planning for intensification**. The treatment of residential intensification in the Proposed PMG is a key question for the Official Plan review which, like the forecasts, influences

land needs and is yet to be finalized. The Proposed PMG maintains some elements of the prior *Growth Plan* (2020) policy construct, most importantly that intensification units be subtracted from the total forecast housing units when assessing residential land need. Otherwise, the recommended approach is more flexible. No minimum is mandated, rather the Proposed PMG indicates that planning targets be set to reflect municipal objectives, local conditions, and "various forms of intensification" including supply potential, infrastructure availability, market demand and availability and suitability of sites in terms of environmental constraints. The planning challenge, as always, will be to maximize the tolerance of the market to policy intervention without jeopardizing the growth forecasts and Provincial (and Federal) goals to increase housing supply, which are clear.

- **Compatibility for infill development.** As part of planning for intensification, the new Official Plan should introduce policies/criteria to guide the review infill development with respect to location/surrounding land use, density, scale, etc.
- **Planning for Employment Areas**. The PPS (2024) directs municipalities to assess and update their Employment Areas to ensure the "designation is appropriate" to their planned function. Implementing this direction is a significant change best undertaken on a comprehensive City-wide basis to implement the new definition of Employment Areas in the PPS and *Planning Act.* Chapter 4 further explores the supply of designated Employment Area supply to confirm its planned function in the new Official Plan, including the notion of "clusters" also introduced in the PPS (2024).
- **The Official Plan vision, objectives, and policies should capture the positive longer term growth outlook for the City**. Notwithstanding some uncertainty around the implementation of current Provincial policy directions, the growth outlook is positive for the City of Port Colborne. Population, housing and employment is forecast to grow steadily, along with demand for residential and non-residential building space. Accordingly, the next section of this report turns to a discussion of broader growth management issues for the Official Plan review, including the currently planned urban structure, residential and employment land supply, servicing and transportation infrastructure and related policy directions.

10.1.3 Growth Management

- **Strategic urban boundary extension for employment uses.** Consider extending the urban boundary to the north along the Welland Canal to connect the Asahi Kasei plant to the East Side Employment Lands, creating a contiguous industrial corridor.

- **Strategic Growth Areas.** Refine the "Intensification Area" terminology to align with the PPS term "Strategic Growth Areas," as well as connect and properly delineate the two existing nodes through a potential redevelopment/intensification corridor along King Street.

10.1.4 Natural Heritage

- **Align protection requirements with provincial and regional policies.** Incorporate new policies that are consistent with and comply with regional and provincial policies related to the promotion of connectivity, protection of coastal wetlands and the requirement for minimum and mandatory buffers between natural heritage features and adjacent development and site alteration. Mandatory buffers would be determined through an EIS that demonstrates that there will be no negative impacts to the ecological and hydrological functions of the feature or area.
- **Adopt key regional climate change policies.** Carry forward the NOP policies that are denoted as “key climate change policies” into Section 3.1 into the new Official Plan.
- **Update the natural heritage system to align with the NOP.** Rather than distinguishing between environmental protection and environmental conservation areas, the new Official Plan should adopt an integrated natural environment system approach that better aligns with provincial and regional policies and links natural heritage features and areas into a larger system. The natural heritage system should also recognize the location and mapping of linkages based on the NOP Schedule C2.
- **Enhance an expanded range natural heritage features.** Include new policies that are focused on protecting, maintaining and enhancing an expanded scope of natural heritage features and areas from development. These would include non-provincially significant features like wetland cover, woodland cover and riparian vegetation cover, which will contribute to building overall system resilience.

10.1.5 Water Resources

- **Adopt Regional source water protection policies.** Replace the current Official Plan Section 8.3 and Schedule H entirely with the NOP's policies and mapping of Section 3.3 and Schedule E, respectively. This will help to ensure the new Official Plan is compliant with the *Clean Water Act* and legally implements the binding policies of the Source Protection Plan.
- **Integrate the NOP watershed planning framework.** Introduce new policies that formally adopt the watershed planning hierarchy from the NOP (Section 3.2). The new Official Plan shall require the completion of a subwatershed study, to the satisfaction of the City, Region, and NPCA, as a prerequisite for any new secondary plan or large-scale development proposal in a designated greenfield area (3.2.3.1).
- **Introduce a climate change adaptation lens.** Draft a new overarching policy framework that explicitly links the management of water resources, natural hazards, and stormwater systems to climate change adaptation. This framework must align with the new directive in the PPS (5.2.4) to ensure the City prepares for and mitigates future risks from extreme weather, flooding, and erosion.
- **Mandate modern stormwater management.** Update stormwater policies (from Section 8.2) to require integrated Stormwater Management Master Plans for new development areas, consistent with NOP (5.2.1.19). These policies shall mandate the use of Low Impact Development (LID) and green infrastructure as the primary approach for managing runoff, protecting water quality, and addressing cumulative impacts, consistent with the PPS (3.6.8).
- **Maintain general water protection policies.** Carry forward the intent of the current Official Plan's general water protection policies (e.g., Section 4.1.3) that restrict development from negatively impacting water quality and quantity, ensuring they are consistent with the language and intent of the PPS (4.2.1).
- **Identify and map the Water Resource System.** Update the City's mapping schedules to identify the Water Resource System, including Significant Groundwater Recharge Areas and Highly Vulnerable Aquifers, consistent with NOP Schedule C3. This will satisfy the PPS (2024) requirement to identify these systems.

10.1.6 Agriculture

- **Ensure consistency with PPS (2024) policies and direction.** The agricultural policies Port Colborne Official Plan must be consistent with the PPS (2024) as it relates to taking an

agricultural systems approach, lot creation for the purpose of infrastructure and permitting two additional dwelling units on agricultural policies. The new Official Plan should also include policies and definitions that acknowledge the differences between agricultural, agriculture-related and on-farm diversified uses. Agri-tourism and urban and near-urban agricultural activities should also be included and promoted in the policies of the new Official Plan. The NOP and the Ministry of Agriculture's Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas provide sufficient direction for updating the City's range of permitted uses and policies and should be used as a guide for the new Official Plan.

- **Further protect prime agricultural areas.** Both the PPS (2024) and the NOP prohibit the removal of prime agricultural lands by planning authorities unless it is for the purpose of expanding or identifying settlement areas. The new Official Plan should carry forward these policies and prohibit the removal of agricultural lands with very limited prescribed exceptions.
- **Require agricultural impact assessments (AIAs).** New policies that require AIAs for non-agricultural development proposed or adjacent to agricultural areas should be included within the new Official Plan. These policies, which would align the new Official Plan with the PPS (2024) and the NOP and would require an applicant to demonstrate how development avoids, minimizes and mitigates any adverse impacts on the agricultural system.
- **Study compatibility.** Updated policies that aim to minimize land use conflicts between agricultural and non-agricultural uses by using buffers and separation distances must be included in the new Official Plan.
- **Additional Dwelling Units.** The new Official Plan should include permissions for additional dwelling units on agricultural properties.

10.1.7 Mineral Aggregates and Petroleum Resources

- **A new set of policies is needed to facilitate the protection of aggregate resources for long term extraction.** The Region of Niagara's policies under the NOP's section 4.3 provide a reasonable starting point for drafting new policies as they generally conform to the intents of the PPS (2024) around matters related to protection of operations, conservation, extraction in prime agricultural lands, temporary wayside pits and quarries and rehabilitation.

- **Policies to address abandoned petroleum wells.** The NOP and the City's current plan do not provide policy guidance related to the proper plugging or capping of abandoned petroleum wells. Direction should be provided on the process for making these wells safe, in the event of their discovery during proposed development.
- **New policies are needed for the protection of petroleum resources**. The current plan is largely silent on the policy implications of the City's vast area of petroleum resources – section 4.4 of the NOP provides a good foundation for updating the City's Official Plan policies and should be used as a template for the new Official Plan.

10.1.8 Cultural Heritage and Archaeology

- **Consider the "Welland Canal National Heritage Corridor".** The new Official Plan should include a local policy framework that celebrates and protects the canal's national significance, in line with its role as a working waterway.
- **Carry forward regional archaeological potential policies and update municipal mapping.** The City's new Official Plan should carry forward the NOP's policies and conduct an update to the NOP's mapping regarding archaeological resources as part of the determination of appropriate studies required with a development application.
- **Consider Cultural Heritage Impact Assessments.** The City should explore the inclusion of policies that would require a Cultural Heritage Impact Assessment (CHIA) for development or site alteration proposed on, or adjacent to identified cultural heritage resources to determine impacts and outline mitigation measures, ensuring the scale, design and land use of new development or site alteration is compatible with the heritage context.
- **Build relationships with First Nations and Indigenous communities.** The new Official Plan has the opportunity to include explicit and robust policies regarding early and meaningful consultation with First Nations and Indigenous communities on archaeological potential and findings, similar to the policies in the NOP, which would ensure that conservation efforts reflect Indigenous interests, rights and protocols.
- **Update the approach to heritage conservation.** The City's new Official Plan should take a proactive approach to conservation, by developing and implementing proactive strategies for conserving built-heritage resources and cultural heritage landscapes, aligning with the PPS's (2024) encouragement for municipalities to go beyond the minimum.

10.2 Next Steps

The next step in the process is to prepare a full draft of the new Official Plan based on the policy directions in this Report and taking into account feedback received from stakeholders, the public, staff/Council in Phase 2. The first draft of the new Official Plan will be prepared in the Spring of 2026, with the goal of having a version available for public review by late Spring / early Summer of 2026.

Report to

The Honourable Deb Matthews

Minister of Health and Long-Term Care

on Restructuring of the Niagara Health System

Dr. Kevin P.D. Smith
Supervisor
Niagara Health System

September 2012

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Executive Summary

Minister:

It has been just over one year since my appointment as Supervisor of the Niagara Health System (NHS) on August 30, 2011. I have been privileged to **hear from literally thousands of people** from across the communities of Niagara, and from the staff, volunteers and physicians of the NHS, and other partner provider organizations. In addition, I have **consulted with many experts** in the field with expertise in quality, multi-site health care delivery models, and examined data ranging from population density, projected staff/physician turnover rates, financial forecasts, and patient care information, to name but a few. This report **details my final recommendations** and builds on the Interim Report released on May 3rd 2012.

For the most part, the recommendations in the Interim Report remain unchanged. This is a testament to the wise and thoughtful advice of the thousands of individuals with whom we met. Much has improved since August 2011, and I want to express my gratitude to Team NHS and our community partners for their unwavering support and guidance. This includes the past board members who were helpful and gracious in this difficult transition.

While I am pleased that we have **begun** our journey of restored confidence, the road ahead will be challenging and **require focus and fortitude**. What is underway is **a cultural change** at the NHS which typically takes 5-10 years to embed in a large and complex organization. Walking the talk and rewarding what we say is important will demonstrate our **focused commitment from this point forward.**

The key is **leadership** and never has it been more important that we **retain and attract** an aligned, accountable, experienced and tenacious group of leaders at both **the Board and management levels - especially physician managers.** The creation of a comprehensive, consultative and explicit strategic and tactical plan will allow the future leaders of the NHS to be aligned in the points of the destination, and ensure all those who take up the challenge of leadership **sign on to clear directions**. With your approval, we will launch the early phase of the NHS **Strategic Planning Process,** which will transition to the new **Board and Senior Management Team** in the coming months.

For **more than a decade,** the NHS has undergone repeated clinical planning exercises and now must expeditiously **implement the clinical site changes** described herein. **Further study is most definitely not required!** While consensus was not to be found on all issues, most notably obstetrics and pediatrics, I am pleased to say that **most recommendations have received almost unanimous support.**

Since the inception of the NHS, **disagreement with respect to clinical siting** seems to have prevented the formation of a truly integrated single organization across multiple sites. The test before the NHS is to demonstrate that chapter has closed, and **a new era focused on creating a sustainable, high quality health system is upon us**. The test will be in implementing these changes while rebuilding trust in our communities. I am confident this report offers a blue-print to do so.

The **successful opening of the new St. Catharines site and the successful planned consolidations** will demonstrate to you that the **NHS is ready and able to move forward**. The implementation of the other major recommendations in this Report, namely the closure of five (5) aging sites and the creation of a single replacement **site should be contingent on the successful implementation of the clinical reconfiguration, and as appropriate, consolidation detailed herein.**

I recognize constructing a new "southern site" is a challenging recommendation, especially in the backdrop of the fiscal pressures facing our province and country. It is made more so by the necessary delay of some previously approved capital projects. I believe, however, **Niagara is a unique situation which offers significant opportunities to improve how we care for patients and families, the quality of work life and retention/recruitment of qualified staff, and the education and training of future health professionals** in partnership with our university and college partners. In addition, it offers **significant operating and ongoing capital savings**, unlike any other region in Ontario of which I am aware. That being said, **my appointment was not about "bricks and mortar" but a loss of community confidence** as stated above. Such a commitment from the Province must be as a result of having created **a well governed and managed hospital system with high community support and workplace satisfaction**. I know you will be looking for actions and outcomes to demonstrate this healthy evolution**. Moving a broken culture into a new home is simply not a solution.**

I have **many colleagues to thank** and would be remiss if I didn't acknowledge them herein.

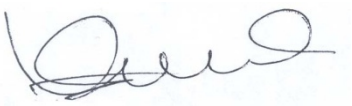
- NHS Staff, Physicians and Volunteers who passionately offered their thoughtful insights and recommendations;
- The HNHB LHIN, most especially CEO Donna Cripps and Chair Michael Shea who have been tireless in their support and assistance;
- The Mayors and Regional Chair have been nothing short of outstanding partners in this process and stepped firmly up to the plate throughout my time in Niagara;
- Your colleague MPP's, Mr. Bradley, Mr. Craitor, Ms. Forster and Mr. Hudak have shown keen interest and offered essential observations and advice;
- The Senior Management Team and Medical Advisory Committee of the NHS led by Drs. Sue Matthews and Joanna Hope, who worked tirelessly on the road to improvement and in offering creative and patient focused solutions;

- The Medical Staff Association, led by Dr. Arvinte and previously Dr. Reddy;
- Our partner health care provider groups, especially EMS and Public Health;
- The Expert Panel members for Obstetrics and Pediatrics, Mary Jo Haddad, Brenda Flaherty, Dr. Nicolas Leyland and Dr. Lennox Huang;
- Tom Closson, Chair, ad hoc Base Budget Review Taskforce;
- Professor John Eyles, Department of Geography, McMaster University;
- Lynne Pollard and Diane Martin who organized and supported our Team beyond compare;
- And, most especially, my colleague Mr. Brian Guest, without whom this work would not have been possible.

At your instruction, our focus has, and continues to be, on **building a high quality, sustainable hospital system which enjoys the confidence and trust of the communities and individuals it exists to serve. I am confident these recommendations reflect what is best for patients and their families, enables a high quality of work life environment and incrementally rebuilds trust and confidence in the NHS**. I have tried to be extremely mindful of the economic reality upon us, and very much considered a value for money investment strategy for the NHS. Thank you for the opportunity to work with the NHS Team and the community leaders who are so dedicated to their hospital.

Following are **the revisions to the Interim Report and the final recommendations**. While we await your response, we are actively moving forward with board member selection and recruitment of the leadership team.

Sincerely,



Dr. Kevin Smith

Outline of Significant Revisions from Interim to Final Report of Supervisor

September 2012

Following public release of the Interim Report to the Niagara Community on Restructuring of the Niagara Health System on May 3, 2012, I have received thoughtful input from members of our community. Below is an outline of significant revisions to the Interim Report:

1) *Input from Mayors/Regional Chair on siting of a single hospital to replace the aging sites in Niagara Falls, Welland, Port Colborne, Fort Erie and Niagara-on-the-Lake.*
   There are two unanimously acceptable options for a southern site proposed by the Regional Chair and Mayors of "South" Niagara. Following detailed review, the recommended location, should a southern site be constructed, is the ***QEW and Lyons Creek area of Niagara.***

2) *Urgent Care Centres and Hours of Operation*
   The Regional Chair and Mayors of "South" Niagara also requested the ***operation of two Urgent Care Centres in South Niagara (locations to be determined). We support this recommendation*** *but must be clear that these should be freestanding entities in leased space, which* ***work closely with the evolving primary care network and EMS****. As there are very low volumes of patients between the hours of 10 p.m. to 8 a.m. at our existing UCC's, hours of operation for our existing and future UCC's must be carefully monitored and keep pace with practices elsewhere in Ontario.* ***We see a very important opportunity for the HNHB LHIN to create a provincial model for primary care planning and community service integration through this process.***

3) *Consolidation of Obstetrics/Pediatrics*
   The recommendation that both programs ***be consolidated at our new hospital in St. Catharines and then relocated to the new South site****, if approved, has been the subject of significant discussion and in-depth review. We were fortunate to establish an ad Hoc Expert Panel of internationally recognized leaders in maternal child health. The Expert Panel reviewed the prior studies, data and other background material, and heard directly from "both sides" in this important matter. A special meeting was held for this purpose and the presentations were both well-articulated and passionate. The final recommendation is consistent with my interim report - to* ***consolidate both inpatient obstetrics and pediatrics, subject to the caveats as recommended by the Expert Panel*** *- initially at the new St. Catharines site (March 2013) and to transfer both programs to the new purpose built facility in the South, if approved.*

Outline of Significant Revisions from Interim to Final Report of Supervisor (cont'd)

These caveats are:

- *Gynecology day surgery should continue to be offered at all full service acute sites. Consolidation should be for inpatient and birthing services.*
- *Ultrasound and other associated services remain at all acute sites.*
- *Interprofessional Models of Care be clearly identified drawing from the work of the Provincial Council for Maternal Child Health.*
- *A model for low risk hospital-based family medicine obstetrics be clearly defined.*
- *Midwifery with a full scope of practice be offered.*
- *Obstetricians and Pediatricians should continue to be based in the communities of Niagara where they can provide the vast majority of consultative and ongoing care to the people in these communities.*
- *Physician and administrative leaders support all members on the Interprofessional Team to build an integrated Niagara Health System inpatient model at the St. Catharines site.*
- *EMS and NHS will utilize protocols for the very rare medical emergencies of any nature.*

*A proposal to determine the **feasibility for a Birthing Centre** in Niagara remains a possibility.*

4) *The Welland City Council*

The Welland City Council requested that a review of costs to renovate the existing Welland Hospital as the "new" South site be undertaken. That review conducted by a leading consulting firm is included in this report, and based on that analysis, it is not a viable option from a cost/benefit perspective.

5) *Accomplishments*

An outline of accomplishments by our staff, physicians, volunteers, and management over the past several months to improve care at the NHS is included in this report.

6) *Decommissioned Sites*

If the consolidation of the aging sites is approved, any municipality that wishes to purchase an existing site slated for closure will be given the right of first refusal at fair market value. A number of suggestions for community based programs have been proposed for some of these sites. Revenue for the sale of decommissioned sites will be reinvested in capital improvements at the NHS.

Recommendations

It is recommended that:

- *A new skills-based Board of Directors for the NHS be constituted. A community-based Nominating Committee will be formed to recommend appointments to the Board. This model should remain in place for a 3-5 year period for Board renewal. The establishment of two advisory committees (North and South) will follow the establishment of the Board.* ***Page 43***

- Interim Recommendation:
  The Maternal Child, In-Patient Pediatric Program, In-Patient Mental Health be consolidated at the new St. Catharines Hospital in the interim, with the full Maternal Child, In-Patient Pediatric Program ultimately moving to the "new South site" when it is built.

  Final Recommendation:
  Following consideration of prior reviews, examination of utilization data and both internal and external expertise, the recommendation from the Interim Report is confirmed - to consolidate Maternal Child, In-Patient Pediatrics, Inpatient Mental Health at the new St. Catharines Hospital in the interim, with the full Maternal Child, In-Patient Pediatric Program ultimately moving to the new facility in the South when it is built subject to the following caveats:

  - *Gynecology day surgery should continue to be offered at all full service acute sites. Consolidation should be for inpatient and birthing services.*
  - *Ultrasound and other associated services remain at all acute sites.*
  - *Interprofessional Models of Care be clearly identified drawing from the work of the Provincial Council for Maternal Child Health.*
  - *A model for low risk hospital-based family medicine obstetrics be clearly defined.*
  - *Midwifery with a full scope of practice be offered.*
  - *Obstetricians and Pediatricians should continue to be based in the communities of Niagara where they can provide the vast majority of consultative and ongoing care to the people in these communities.*
  - *Physician and administrative leaders support all members on the Interprofessional Team to build an integrated Niagara Health System inpatient model at the St. Catharines site.*
  - *EMS and NHS will utilize protocols for the very rare medical emergencies of any nature.* ***Page 48***

Recommendations (cont.)

- *Due to noted concerns with respect to access, the feasibility of a low risk Birthing Centre, a model recently announced by the Government of Ontario, be treated as a high priority, and the NHS be recommended as a pilot program through the Hamilton Niagara Haldimand Brant (HNHB) LHIN. The MOHLTC has recently made a call for proposal for Birthing Centres.* ***Page 49***

- *In concert with EMS, and Public Health:*
  - *Expand the Advanced Care Paramedic Program across the Region, already a leader in this practice; and,*
  - *Actively explore innovative models of care in which paramedics offer appropriate services to divert ER presentations, support appropriate use of home care, and continue to evolve the Critical Care Transport Service.*

  Page 47

- *In addition to the St. Catharines site currently under construction, the NHS should:*
  - *Construct a new general acute care hospital in "South Niagara";*
  - *Locate two free-standing Urgent Care Centres in "South Niagara";*
  - *Close the existing sites in Port Colborne, Fort Erie, Niagara Falls and Welland; and,*
  - *Relocate the Nurse Practitioner-led walk in clinic and Family Health Program to a suitable location with much lower operating costs than the existing site in Niagara-on-the-Lake with the closure of that site when complex continuing care can be consolidated to other sites.*

  Page 37

- Interim Recommendation:
  The recommendations of the Mayors of the "Southern Tier" with input from the Regional Chair be utilized to determine:
  - *The location of the new hospital in the "South";*
  - *The location of a stand-alone "new" Urgent Care Centre; and,*
  - *Population density and access should be the primary consideration in determining location.*

Recommendations (cont.)

Local Response to this Recommendation:

The unanimous recommendation of the Mayors of the Southern Region (6 in total) and Regional Chair follows:

"2 Geographic areas, being described as QEW & Lyons Creek area, and East Main Street and Highway 140 area be considered as short-listed locations for the proposed development of a south Niagara hospital complex, conditional that Urgent Care Centres continue to operate in Port Colborne and Fort Erie. I cannot stress enough that the southern Mayors are unanimous in their support of a south Niagara hospital being built."

Final Recommendation:

Following significant deliberations, considering external expertise and in keeping with alternatives approved by the Mayors and Regional Chair, the final recommendation, subject to approval by the Ministry, is to build the new facility in the QEW and Lyons Creek area of Niagara. Two additional freestanding UCC's, site and location to be determined, can be supported. Hours of operation should be in keeping with patient volume and other provincial practice. ***Page 41***

- *NHS will establish a Patient Advisory Committee to ensure the continued evolution of patient and family centered care.* ***Page 30***

- *With the Region of Niagara, and interested volunteer agencies, establish a limited transportation model for lower income frail seniors and chronic mental health patients and their families.* ***Page 55***

- *Ensure clarity of roles and responsibilities across the NHS. Immediately implement a management structure with on-site leads, and where appropriate, physician leads (acute sites) with clearly defined standards and accountability measures. It should never be unclear "who's in charge" and accountable.* ***Page 21***

- *All programs and support services develop consistent standards across all the sites of the NHS based on evidence and accepted best practices. Eliminate variation by site unless rationale clearly indicated and approved.* ***Page 23***

Recommendations (cont.)

- *As LHIN's have recently been charged with planning for primary care, the MOHLTC request that the Hamilton Niagara Haldimand Brant (HNHB) LHIN to develop a prototype model for primary care planning, which supports the implementation of this report and the restructuring of the NHS.* ***Page 57***

- *The approved recommendations of the NHS Task Force on employee morale and employee satisfaction be a high priority for implementation.* ***Page 20***

- *The NHS Code of Conduct and Standards of Behaviour for physicians, staff and patients/visitors be communicated and consistently enforced.* ***Page 21***

- *The continued development of an Academic Health Centre in conjunction with McMaster University, Brock University, Niagara College, and community partners be a primary goal of the NHS.* ***Page 22***

- *Develop formal education plans for leaders across the organization to ensure leading edge knowledge and personal development as well as to support a comprehensive retention/recruitment strategy for physicians and staff at all levels.* ***Page 30***

- *National searches be undertaken to recruit 1) Chief Executive Officer and 2) Vice-President Medical/Chief of Staff. Search Committees will include representatives of the newly formed Board of the NHS or Board Nominating Committee and other important stakeholder representatives.* ***Page 45***

- *The immediate priorities of the new NHS Board be:*
  - *Approve a process to develop a strategic plan for NHS, which includes consultation and input from community and provider organizations;*
  - *Form Board Structure; and,*
  - *Oversee the implementation of a comprehensive performance management system.* ***Page 44***

Recommendations (cont.)

- *The "OHA Guide to Good Governance" be adopted as the primary resource for Board activities. A governance coach should work with the Board for the first year.* ***Page 45***

- *As requested by many physicians, the potential of a stand- alone Ophthalmology and Minor Surgery Centre is currently being explored conditional on providing emergency and inpatient coverage at the NHS sites. A formal Request for Proposal document has been prepared for this initiative.* ***Page 50***

- *Support for the review by our Foundations that potential realignment be considered to meet the philanthropic needs of the NHS.* ***Page 56***

- *Recognize and celebrate the essential role and impact of NHS Volunteers and Auxiliary organizations, and develop an effective retention/recruitment plan for volunteers, who are the backbone of the NHS.* ***Page 56***

- *Develop a plan for the disposition of NHS sites designated for closure. Each municipality that has an existing site slated for closure will be given first option to purchase the site and buildings from the NHS at fair market value through a process to be determined. The NHS will not retain ownership of any of these sites and will utilize proceeds to fund capital costs for existing operations.*

  Page 58

Recommendations (cont.)

- *Interim Clinical Service Siting Plan*

During the transition period, ongoing clinical viability and coverage requirements on a "24/7" basis of the two acute care sites in Niagara Falls and Welland will be a high priority.

The following is a high level overview of the interim clinical service siting plan. As implementation planning evolves for the new 'South' site, there could be further refinement within the context of providing quality, safe, efficient and cost-effective patient care to accommodate the transition in a phased-in approach.

Page 51-54

	New "North" Healthcare Complex	**Greater Niagara**	**Welland**	**Douglas Memorial**	**Port Colborne**	**Niagara-on-the-Lake**
Emergency and Critical Care Services						
Emergency	x	X	x			
Urgent Care				x	x	
Critical Care	X	X	x			
Surgical Services -- NOTE: Age Criteria for out-patient pediatric surgery to be confirmed for services outside of the new 'North' healthcare complex						
General Surgery	In and Out-Patient	In and Out-Patient	In and Out-Patient			
Orthopedics*	In and Out-Patient	In and Out-Patient	In and Out-Patient			
		*NOTE: Discussions regarding potential consolidation of the Total Joint Program prior to the "new South site" will commence immediately to assess feasibility of early consolidation.				
Urology	In and Out-patient + Cystoscopy	Out-patient + Cystoscopy	Out-patient + Cystoscopy			
Gynecology*	In and Out-Patient	Out-patient	Out-Patient			
Ear Nose Throat	In and Out-Patient	Out-Patient	Out-Patient			
Plastics	X In and Out-Patient	X In and Out-Patient				
Dental	In and Out-Patient	In and Out-Patient				
Ophthalmology			x			

	New "North" Healthcare Complex	Greater Niagara	Welland	Douglas Memorial	Port Colborne	Niagara-on-the-Lake
Vascular	X In and Out-Patient					
Ambulatory Clinics						
Clinics	x	x	x	x	x	
Maternal Child Services						
Obstetrics	x					
Level 2 Neonatal Nursery	x					
In-Patient Pediatrics	X					
Medicine						
General Internal Medicine	x	x	x			
Regional Geriatric Assessment		x				
Nephrology	In-Patient					
Dialysis - Ambulatory	X	X Satellite in Niagara Falls	X Satellite			
Stroke		X *NOTE: discussions regarding potential stroke program expansion to take place				
Cardiology	x	X	X			
Cardiac Care Unit and Heart Investigation Unit	x					
Respirology	x	x	X			
Oncology/Walker Family Cancer Centre	x					
Diabetes Hub			X			

	New "North" Healthcare Complex	Greater Niagara	Welland	Douglas Memorial	Port Colborne	Niagara-on-the-Lake
Mental Health and Addictions						
Mental Health	X In and Out-patient	Out-patient	Out-patient	Out-Patient		
Addictions	Consolidated Site TBD				Residential and Out-Patient	
Complex Care						
Complex Care		x	x	x	x	x
Assess Restore		X *NOTE: Assess and Restore program may need to relocate to Welland to accommodate potential stroke program expansion at GNG				
Long-Term Care						
LTC			x			

Note:

- All sites will have access to appropriate clinical support services [e.g. diagnostics, lab, pharmacy etc.] as appropriate.

Overview

The purpose of this report is to outline, for both internal and external stakeholders, a series of recommendations for restructuring the Niagara Health System (NHS).

On August 30, 2011, I was appointed as Supervisor for the NHS by the Government of Ontario. The appointment of a Supervisor for a hospital or system of hospitals is not taken lightly by any government but was felt necessary at the time for a number of reasons - primarily a loss of confidence in the NHS by the Niagara community, including its elected officials at all levels.

In the intervening twelve (12) months, I have engaged in a widespread consultation process including but not limited to:

- Meeting face-to-face with community leaders, elected officials and existing/former patients/families cared for by the NHS;
- Release of an interim report with detailed recommendations for community and provider feedback;
- Establishing a confidential "NHS Supervisor" email address in which I have received, read and responded to over twelve hundred (1200) email submissions;
- Meetings/updates with important partner organizations of the NHS including but not limited to Emergency Medical Services (EMS), Public Health, our member Foundations, Hotel Dieu Shaver Health and Rehabilitation Centre, the Hamilton Niagara Haldimand Brant (HNHB) Local Health Integration Network (LHIN) and Community Care Access Centre (CCAC);

Overview (cont.)

- Ongoing dialogue and embracing a culture of transparency with our colleagues in the media throughout the Region as a means to communicate with the broader community in a meaningful fashion;
- Many meetings, with both large and small groups of our staff and physicians at all levels – executive team, management, union leadership, front line staff; and,
- Engaging external expertise to complement internal stakeholders to assist in determining the best solutions related to program realignment of obstetrics and pediatrics and the most appropriate location of the new South hospital in order to meet future needs.

In total, there have likely been interactions with thousands of individuals from the Niagara community. All those I spoke to or corresponded with have a common goal of providing the best health care delivery system possible for our community.

Without question, this assignment has proven to be more complex and multi-faceted than I initially anticipated. Normally a Supervisor is faced with one or two major goals to accomplish (e.g. financial solvency or community relations), but in this case, the NHS was and still is facing multiple challenges.

Overview (cont.)

Prior to addressing observations and recommendations in this report, I feel it appropriate to express the following comments:

- To our patients and families who have received less than optimal care or caring at the NHS, please accept my sincere apologies. Many of you have shown remarkable courage in sharing your stories with me and please be assured your suggestions to improve the NHS have been taken seriously;
- To our staff, volunteers and physicians who work diligently on the front line to provide the best possible care – your work to support our Mission, Vision, and Values on a day to day basis is much appreciated;
- To our leadership team at the management, physician and union levels – your support, insight and recognition of opportunities have been very helpful; and,
- To the former NHS Board of Directors – as volunteer leaders from the community, your contribution in an extremely challenging environment is recognized. While no Board wants to reach the point where an external appointment is necessary, you clearly did the best you could as volunteer governors and your many contributions to the betterment of health care in Niagara is recognized.

Observations

Based on the feedback from both the NHS "family" and the Niagara community, I have the following observations which influence the various recommendations in the report.

1) A Regional Approach to Health Care

   When I first arrived in Niagara, I heard the expression "there is no Niagara" from many of its citizens. However, over the period of this review, many insightful observations were shared with me that all communities in Niagara are interdependent for health care delivery. The spirit of cooperation was clearly demonstrated by the Southern Tier Mayors and Regional Chair in developing a recommendation on siting of a new hospital.

2) A "North-South" Mentality Seems to Exist

   One hears consistently of a "North and South" division in Niagara, but the basis and "Mason-Dixon Line" does not appear on any map nor is it clearly defined on any logical basis. My conclusion is that for most people in Niagara, at least related to the NHS, St. Catharines represents the "North" and all other communities the "South". For the purpose of this report only I will refer to "North" and "South" in this context.

3) Lack of Community Confidence in the NHS

   The independent report by Dr. Terry Flynn from McMaster University, "The NHS Trust and Reputation Study Report" (November 2011) contained many troubling findings. No healthcare provider can ever achieve total community satisfaction but trust, confidence and support for the NHS – "your NHS"- was at an extreme low at the time of that report. As noted in the Interim Report, I commissioned an updated community feedback report which was conducted by a well-respected national polling firm - Pollara. That report has been made public and is included as Appendix "A". While there is widespread support

Observations (cont.)

for the building of a new state-of-the-art hospital in the South, there clearly remains much work to do to regain trust and support for the NHS from both internal and external stakeholders.

4) Poor Morale at all Levels of the Organization

It was obvious through our initial meetings with the staff and physicians that morale was/is a major concern. This of course impacts on the delivery of care, caring and attitude of our colleagues in interactions with our patients. Concerns expressed by our staff included a perception of punishment for speaking out, favoritism in promotions and overall poor communications and recognition of contributions. The overall poor morale at the NHS was confirmed in a recent National Research Corporation (NRC) Picker Employee Survey Report on Employee Satisfaction.

The approved recommendations of the NHS Task Force on employee morale and employee satisfaction be a high priority for implementation.

5) Complex Decision-Making Process at the NHS

Initially, on arriving in Niagara, I heard many individuals comment that the NHS was too big and too complex to work and that it needed to be "broken into smaller parts" to work effectively. This is simply not true and there are many larger, more complex health care organizations in place across Canada that work effectively and efficiently. The current decision-making process at the NHS is not universally understood nor consistently applied across the various sites in the organization.

Observations (cont.)

6) Lack of Accountability

This observation is related in part to the lack of a clear decision-making framework but appears to apply throughout the organization. All staff and physicians from the front line to the executive team need to have clear guidelines and standards of accountability and be held responsible. This doesn't mean moving to a punitive system as mistakes will happen, but we need to learn from that experience.

Ensure clarity of roles and responsibilities across the NHS. Immediately implement a management structure with on- site leads, and where appropriate, physician leads (acute sites) with clearly defined standards and accountability measures. It should never be unclear "who's in charge" and accountable.

7) Little Reinforcement of Code of Conduct and Culture of Mutual Respect

Many of the concerns we heard from our staff involved lack of support and reinforcement of a standard code of conduct, consistently applied, at all levels of the organization. All employees and physicians from front line to executives should be required to "follow the same rules" with respect to their interactions with colleagues, and be held accountable if they don't meet accepted standards of behaviour.

The NHS Code of Conduct and Standards of Behaviour for physicians, staff and patients/visitors be communicated and consistently enforced.

Observations (cont.)

8) Openness to Learning from Outside Organizations

Until recently, the NHS appears to have taken on a somewhat isolated approach both in terms of learning from other organizations and also demonstrating our successes to others. Continuous learning involves sharing and adopting best practices from other like organizations – provincially, nationally and internationally.

9) Support for Development of Academic Health Centre

The NHS has a unique opportunity to develop a first class academic environment for learners in partnership with McMaster University, Brock University, and Niagara College. Teaching, research and related scholarly activity have a direct positive impact on the quality of care, and are a key factor in developing a successful retention/recruitment process. Quite simply, learners are often influenced by an academic placement when choosing a future place of employment.

The continued development of an Academic Health Centre in conjunction with McMaster University, Brock University, Niagara College, and community partners be a primary goal of the NHS.

Observations (cont.)

10) Lack of Recognition/Celebration of Advances

There has been a tremendous amount of work done over recent years to bring state-of-the-art programs and facilities in Cancer Care, Regional Tertiary Cardiac Program, and expanded Mental Health Programs to all citizens of the Niagara Region. It is not my intent to be critical, but in my interactions with some residents of Niagara, there seems to be little acknowledgement of these enhanced services, despite the efforts of our staff and media colleagues to inform the community. The Walker Family Cancer Centre will bring much needed services closer to home for over 1200 cancer patients who now are required to leave the community for care. The Regional Tertiary Cardiac Program at the Heart Investigation Unit will result in reduced wait times and improved access to services. The expanded Mental Health Program will provide much needed assistance to those most vulnerable in our community.

11) Lack of Standardization

At a program and service level, there is a lack of standardization at the level of best practices. Examples range from a lack of consistent housekeeping standards from site to site, to inconsistent adoption of best practices in clinical care delivery from one department to another. This is both costly and confusing for our staff, physicians and patients.

All programs and support services develop consistent standards across all the sites of the NHS based on evidence and accepted best practices. Eliminate variation by site unless clearly indicated and approved.

Observations (cont.)

12) Location of St. Catharines Site

I certainly heard many concerns expressed on the location of our new NHS site in St. Catharines. While I can relate to the varied opinions expressed, we need to move on, recognize that it can't be "moved', and celebrate the tremendous improvements in clinical care for all the citizens of Niagara that will result. In addition, the location of the new South site, if approved, is more important than ever, and it should be designed to complement the new facility in St. Catharines.

Environment

For hospitals in the Province of Ontario, there are a number of factors that influence the delivery of patient centered care and are the new reality.

These include the following:

a) Financial Pressures

With the current economic situation in Ontario, and throughout the developed world for that matter, the prior government practice of matching funding levels to increased costs is not sustainable. The current budget projections for hospitals in Ontario includes a 0% increase for the next three years. As costs will continue to rise at a rate of approximately 3% per year, this translates into the following forecast deficits for the NHS of approximately 10% per year if no further action is taken;

Fiscal Year	Forecast Deficit (Cumulative)
2012/13	**13.7 M**
2013/14	**21.7 M**
2014/15	**29.2 M**

As a result of this economic pressure, future consolidation of programs and services, increased efficiencies and reduced costs are both essential and unavoidable.

In addition, hospitals are moving to a patient-based funding model with two components:

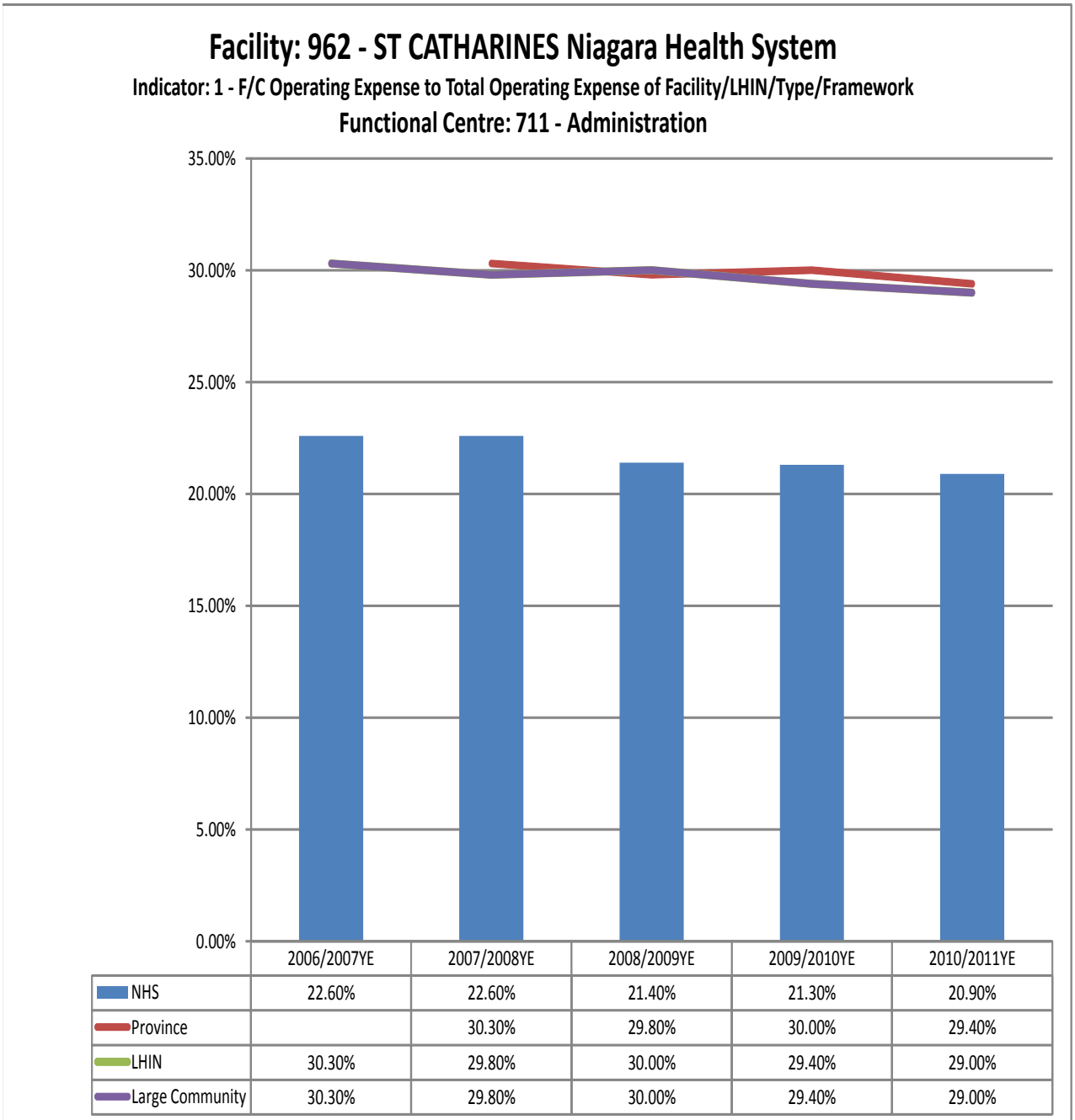
i) Health Based Allocation Model (HBAM) based on demographics for communities served as well as measurement of complexity of care and type of care; and

Environment (cont.)

ii) Quality Based Procedures (e.g. hip/knee replacements, dialysis, etc). Funding will be based on achieving efficiencies and best practices by procedure. In other words, the NHS will be measured against comparable hospitals and hospital systems throughout the province and reimbursed accordingly.

To assess the ability of the NHS to balance its operating budget for 2012/13, and to achieve ongoing financial stability, I have formed a team consisting of experts in the field to conduct a formal review. This review is now underway and will assist the NHS in identifying additional opportunities to improve efficiency of operations and effectiveness of health care services, while achieving its performance obligations, and preparing to successfully transition to the opening of the new St. Catharines hospital.

I would also like to take this opportunity to dispel a rumour related to the administrative costs for the NHS. During the consultation process, I have heard comments such as "The NHS is top heavy" or "Get the money out of administration". The data produced through our LHIN and Government of Ontario indicates that this is not the case, and in fact, the NHS has lower administrative costs than comparable hospital systems.



	2006/2007YE	2007/2008YE	2008/2009YE	2009/2010YE	2010/2011YE
NHS	22.60%	22.60%	21.40%	21.30%	20.90%
Province		30.30%	29.80%	30.00%	29.40%
LHIN	30.30%	29.80%	30.00%	29.40%	29.00%
Large Community	30.30%	29.80%	30.00%	29.40%	29.00%

Source Data: Heatlhcare Indicator Tool, Ministry of Health and Long-Term Care

Notes:

NHS (Facility) – Provides data of a selected indicator for the specific facility.

Province – Provides the average or minimum or maximum for all facilities within Ontario.

LHIN – Provides the average or minimum or maximum of facilities within the LHIN of the selected facility.

Large Community (Type) – Provides the average or minimum or maximum of facilities within the type of the selected facility.

Environment (cont.)

Please be assured that effectiveness and efficiency in limiting administrative costs will continue to be an important goal, but the evidence is that this has not contributed to the current NHS budget deficit.

b) Retention/Recruitment

The retention and recruitment of staff and physicians must be a high priority in order to deliver high quality patient centered care to the community.

There is intense pressure and frankly competition to attract the best and the brightest to any organization and the NHS is currently at a disadvantage in that regard due to:

i) The reputational damage associated with the requirement for an intervention involving a provincially appointed Supervisor;

ii) No current Board in place and "interim" appointments for the two most senior positions in the organizations - Chief Executive Officer and Chief of Staff;

iii) Lack of a clear strategic plan and vision for health care delivery in the region;

iv) Low morale resulting in lack of encouragement from NHS physicians/staff to recommend the NHS to colleagues;

v) Lack of trust and confidence in the community for the NHS which impacts patient/staff satisfaction; and,

vi) Fragmented academic programming and lower than optimal number of learners experiencing the NHS.

Environment (cont.)

For the purposes of this report, a review of anticipated turnover was undertaken for both staff and physician classifications at the NHS. Turnover projections are compounded by an aging workforce which is not uncommon in Ontario hospitals today. While new state-of-the-art facilities will be a key factor in recruiting strong external candidates to the NHS, improving staff/physician morale, community support, and a strong academic environment for learners are also important considerations.

For staff, the projected turnover by year for all staff categories is 5.7 % or approximately two-hundred and fifty (250) positions to be filled each year through 2019 based on current staffing levels. This projection is based on the average age of our staff and the average turnover rate experienced at the NHS over the past three year period.

For physicians, there is a comprehensive Medical Manpower Plan which includes assumptions based on anticipated retirements, introduction of new programs and historical turnover data.

The current 2012 plan projects that the NHS will need to recruit seventy (70) new hospital based physicians by December 31, 2019. Of this number, approximately fifty (50) physicians will need to be recruited over the next three years.

Projected Turnover to 2019

	NHS Staff	NHS Physicians
Current #	4390	300
Average age of Retirement	59	70
Projected Turnover Rate to 2019		
– Resignation	2.7% (120 per year)	1.4% (4 per year)
– Retirement	3% (130 per year)	2.0% (6 per year)
Total	**5.7% (250 per year)**	**3.4% (10 per year)**

Comment

1. Approximately 1,750 staff will need to be replaced over the period 2013-2019
2. Approximately 70 physicians will need to be replaced over the period 2013-2019

Environment (cont.)

On the positive side, it is hard to imagine a more attractive community than Niagara to raise a family. One can choose virtually any type of housing, costs are reasonable, quality education at the post-secondary level is available, and Niagara is centrally located. Our recruitment goals present both an opportunity and a challenge to the NHS and our community to find the best possible candidates to fill these positions in the organization.

Develop formal education plans for leaders across the organization to ensure leading edge knowledge and personal development, as well as to support a comprehensive retention/recruitment strategy for physicians and staff at all levels.

c) Patient/Family Expectations

Ultimately, the NHS will and should be judged by how we meet patient and family expectations of patient centered care delivery. With that, comes a responsibility for enhanced communications, follow up to concerns expressed, and a commitment to both quality care and caring.

There is no question that any intervention with a hospital places undeniable stress on a patient and their family. Often it can be a life changing experience. That being said, there is also an expectation of civility and respect from the patient/family to our staff. In other words, those we serve also are expected to adhere to a code of conduct.

NHS will establish a Patient Advisory Committee to ensure the continued evolution of patient and family centered care.

Accomplishments to Date:

Since my work started in September 2011, most of the focus has been on "listening" and learning from those individuals and groups that I have met or who have taken the time to forward their concerns and insights to me. Again, I very much appreciate your constructive feedback.

While much attention has been focused on the new model of delivery for the future, there have been a number of new initiatives introduced during this consultation period. My appreciation to the leadership team and all the staff and physicians at the NHS for their support in this regard.

a) Culture of Transparency

Health care organizations have a responsibility and obligation to be transparent with the community. Too often in the past, important information was "held back" and the relationship with the local media understandably became strained. For the most part, I have found the media to be fair and balanced. I have strived to be available for comment and clarification, and in return, our media partners have served a vital role in communicating with the community at large on new developments. This relationship must continue to be fostered to rebuild trust in the NHS.

b) Process of Handling Patient Complaints/Concerns

The prior system of responding to complaints/concerns from our patients/families was a major source of frustration in our community. Several months ago, the process was completely overhauled and concerns are now addressed in a timely fashion with one to one contact. We follow up on concerns expressed so that we can learn from those experiences.

Accomplishments to Date (cont.)

c) Ad Hoc Committee on Decision-Making

An ad hoc committee was formed in February 2012 to review the decision-making process for other multi-site health care systems at the corporate/program/site levels as well as their accountability framework.

A report was released to our management, physician and union leadership team, and, based on that feedback, a clearer model of decision-making and accountability is being introduced. There is strong consensus that the model should be:

- patient centred;
- clear;
- communicated effectively; and,
- have a clear accountability framework.

d) Encouraging Education for Staff

Incentives have been put in place to encourage our staff to seek further education and enhance their skills. We are gratified that many members of the NHS family have taken advantage of this opportunity.

e) Structured Interviews

One- on-one structured interviews and questionnaires were completed during March 2012 with management, physician leadership, and our union presidents to gain their insights on a wide range of topics including;

- Likes/dislikes with the current NHS model;
- Ways to improve quality of care and quality of work life;
- "If I was Supervisor I would focus on….."

Accomplishments to Date (cont.)

A report on the findings of their review has been integrated into the overall NHS goals and objectives for the organization.

f) Employee Satisfaction

An ad hoc committee has been formed to address key findings of the NRC Picker Employee Survey Report on Employee Satisfaction. This multidisciplinary team has studied the results, and developed and prioritized a series of recommendations to improve the quality of work life at the NHS.

g) Partnership with Unions on Workplace Safety

Our NHS Unions - Ontario Nurses' Association (ONA), Service Employees International Union (SEIU), and Ontario Public Sector Employees Union (OPSEU) – have established a unique partnership with the NHS and external safety experts to develop an innovative approach to improving workplace safety through accident prevention and return to work improvements.

h) Ongoing Improvements

I would be remiss if I didn't recognize the many contributions of staff, physicians, volunteers and management at the NHS to improve the quality of care and caring for our patients, and the quality of work life for our staff during my tenure as Supervisor. These initiatives include but are not limited to the following:

- We've become a leader in infection prevention and control with other hospitals seeking our advice on how to combat superbugs;
- Reduction of sick time with $1.3m reduction in sick costs;
- Launch of Return- to-Work pilot project in partnership with our three unions and four external organizations;
- Regional Laboratory Partnership within the LHIN;

Accomplishments to Date (cont.)

- Signed Partnership Agreement with Hamilton Health Sciences for Radiation Treatment Services;
- Implementation of Mosaiq – Regional Oncology Information Management System;
- Development of pilot Rapid Cardiac Assessment Clinic;
- Lung Diagnostic Assessment Program;
- Approval for GNG Satellite Dialysis - construction has begun;
- 100% Oncology Outpatient Nurses achieve Canadian Nursing Association Certification; and,
- New hospital on time, on scope and on budget.

Future Siting Options

Much of the attention over the past several months has been directed to future siting of hospital-based services outside of St. Catharines or as many refer to it "the South". Many meetings have been held, suggestions made, concerns expressed and considered, and options studied.

OPTIONS CONSIDERED		
1)	Two Sites and One UCC	• New SOUTH Niagara Hospital • NORTH St. Catharines Healthcare Complex • One "new" stand-alone Urgent Care Centre (UCC) • Closure of all other sites
2)	Two Acute, One Ambulatory, Two Complex Care (CC) Sites	• Redevelop GNGH • NORTH St. Catharines Healthcare Complex • Ambulatory Centre in Welland with UCC • CC in PCG and DMH
3)	Status Quo	• 3 acute sites: GNGH, SCGH, Welland • 3 CC sites: NOTL, DMH, PCG • 3 ER's • 2 UCC's

At the request of the Welland City Council, a review of additional options to renovate the current Welland Hospital site to serve as the hospital for the entire Southern tier were undertaken. A report on capital costs prepared by Hanscomb consultants is included as Appendix "B ".

Future Siting Options (cont.)

Each option was evaluated based on analysis and feedback on the following criteria;

Evaluation Criteria

QUALITY →

- Safe, effective, viable
- Evidence-based
- Retain and recruit the best physicians/staff
- Enhance Academic environment- learners who want to stay in Niagara

ACCESS →

- Responds to population need
- Access based on higher density populations

AFFORDABILITY →

- Operating cost efficiency
- Capital infrastructure return on investment, meeting new standards (e.g. private rooms)
- Minimize duplication of equipment-investment in new technology

The recommended option for siting is “Option 1”.

Future Siting Options (cont.)

The recommended configuration of programs and services for the recommended option is outlined below;

New South Tier Hospital:	**North St. Catharines Healthcare Complex:**
• Emergency and Level 3 Critical Care • Regional Stroke Centre • Regional Geriatrics Program • Total Joint Replacement Centre • General Internal Medicine and Surgical Services, including General Surgery, Cancer Surgery, Orthopedics and Ambulatory Clinics (e.g. endo/cyst, oncology, outpatient mental health, etc) • Complex Care including specialized Regional Services (i.e. Behavioural Health, Bariatric and Vented)	• Emergency and Level 3 Critical Care • Cancer Centre • Heart Investigation Unit • In-patient Mental Health • Chronic Kidney Disease Program • Maternal Child/In-Patient Pediatrics * • General Internal Medicine and Surgical Services, including General Surgery, Cancer Surgery, Orthopedics and Ambulatory Clinics
PLUS Two NEW UCC's situated based on location chosen for South hospital site	
Develop business case proposal - free standing Eye and Minor Surgery Centre	
* Move to new South site when built	

In addition to the St. Catharines site currently under construction, the NHS should:

- *Construct a new general acute care hospital in "South Niagara";*
- *Locate two free standing Urgent Care Centres in "South Niagara";*
- *Close the existing sites in Port Colborne, Fort Erie, Niagara Falls and Welland; and,*
- *Relocate the Nurse-Practitioner-led walk in clinic and Family Health Program to a suitable location with much lower operating costs than the existing site in Niagara-on-the-Lake with the closure of that site when complex continuing care can be consolidated to other sites.*

Future Siting Options (cont.)

An alternative to the initial program alignment is to move the consolidated Maternal Child/In-Patient Pediatrics service to the "South site", if approved, when it is completed. The rationale for this recommendation is that it will be more central to the majority of the population and, furthermore, the expected growth of the "new" cancer and cardiac programs will likely impact on the capacity of the "North site" to expand these essential services.

Rationale for Recommendation

The rationale for recommending "Option 1" is as follows;

i) Quality

- By consolidating the critical mass of clinical activity in 2 sites, providers will develop and maintain valuable skills based on exposure to higher volume activities;
- All evidence points to consolidation of expertise as a key determinant of quality health care;
- Physicians and staff coverage will be simplified based on fewer sites to cover, and response time including off hours coverage will be enhanced;
- By concentrating clinical care in two sites, learners will be more attracted to the NHS as a preferred option; and,
- The retention/recruitment issue cannot be overemphasized, and the projected turnover of physicians and staff by discipline to 2019 is outlined previously in this report.

Future Siting Options (cont.)

ii) Access

While some would prefer a full service hospital in every community, we now know that is not feasible in today's environment for the following reasons:

- Lack of critical mass to provide expertise in procedures and clinical practice;
- Major increase in costs to duplicate equipment and infrastructure (buildings);
- Inability to recruit expertise with low volume workload; and,
- Costs to maintain coverage when clinical volumes do not support physician income. (Please note the NHS currently spends approximately $2.2 million to provide on-call coverage when the volume of patients does not provide expected physician income). These funds should be used to provide direct patient care, not to supplement volumes.

I am pleased that our Mayors from the Southern Tier and our Regional Chair took on the important task of recommending the preferred site of both the proposed new facility and stand-alone Urgent Care Centre to address access considerations. They have recommended two acceptable options for siting of the new hospital and also have recommended an additional Urgent Care Centre (UCC) - total of two.

Future Siting Options (cont.)

I requested that siting recommendations be based on current population density information, and future projections of population growth to ensure the most appropriate location for the most people in our community. I engaged a well-respected external expert to assist me in determining the most appropriate site based on demographic data and population density projections provided through the Mayors and Regional Chair. The recommendation is that the preferred site of the proposed new hospital in the south be in the QEW and Lyons Creek area of Niagara.

With respect to the siting of the UCC's, I also want to review hours of operation, especially as I am supporting the recommendation of the Mayors/Regional Chair for a second UCC site in the South. Our data demonstrates there are very few patients presenting at the Fort Erie and Port Colborne UCC's between the hours of 10 p.m. and 8 a.m., and the challenges to maintain nurse/physician staffing levels and resultant costs to maintain coverage during those hours are very significant. In addition, normal travel time to a full service hospital is much less during those hours due to decreased traffic on the road. We have also discussed the potential of having the flexibility to maintain coverage when there are threatening weather forecasts through an on-call system as required. There may be opportunities with EMS siting to ensure after hours supports.

Future Siting Options (cont.)

Interim Recommendation:

The recommendations of the Mayors of the "Southern Tier" with input from the Regional Chair be utilized to determine:

- *The location of the new hospital in the "South";*
- *The location of a stand-alone "new" Urgent Care Centre; and,*
- *Population density and access should be the primary consideration in determining location.*

Local Response to this Recommendation:

The unanimous recommendation of the Mayors of the Southern Region (6 in total) and Regional Chair follows:

"2 Geographic areas, being described as QEW & Lyons Creek area, and East Main Street and Highway 140 area be considered as short-listed locations for the proposed development of a south Niagara hospital complex, conditional that Urgent Care Centres continue to operate in Port Colborne and Fort Erie. I cannot stress enough that the southern mayors are unanimous in their support of a south Niagara hospital being built."

Final Recommendation:

Following significant deliberations, considering external expertise and in keeping with alternatives approved by the Mayors and Regional Chair, the final recommendation, subject to approval by the Ministry, is to build the new facility in the QEW and Lyons Creek area of Niagara. Two additional freestanding UCC's, site and location to be determined, can be supported. Hours of operation should be in keeping with patient volume and other provincial practice.

iii) Affordability

Previously in this document, the financial pressures on the NHS with the status quo alignment of programs and services was noted. Simply put, business as usual is not even remotely an option. As part of this review, external experts were engaged to review and

Future Siting Options (cont.)

confirm capital and operating costs for the options under consideration. At a high level, an outline comparing the options is noted below:

Capital Costs (Total Project Cost)

(on new versus renovated facilities to today's standards)

Option 1	$878,800,800
Option 2	$1,164,961,200
Option 3	$883,256,900

Operating Saving (from Current Configuration)

Option 1	$9,500,000
Option 2	$2,750,000
Option 3	$2,000,000

While projections into the future are by nature speculative, it can be expected that consolidation of services in the Southern tier will be very cost effective from both a capital and operating perspective. While health care costs will certainly continue to rise, the relative savings are undeniable.

Also, two additional options studied at the request of Welland City Council resulted in the following cost estimates:

Option 4:	New Acute Site (North), Redevelop Welland for Acute (South), One Ambulatory at Greater Niagara (minimally invasive surgical site), Two Complex Care Sites (Port Colborne & Douglas) - Maintains UCC, Complex Care	$1,292,493,500
Option 5:	New Acute Site (North), Redevelop Welland for Acute (South) including consolidation of Ambulatory, Complex Care, UCC and Extended Care	$1,432,984,700

Governance

A number of models for governing the NHS were considered ranging from "divorce"- forming separate autonomous Boards for each site, to reviewing the pre-existing model based on good governance practices.

To support an integrated system of health care delivery in Niagara, a single governing Board is essential. To do otherwise would perpetuate friction and destructive competition between communities. Patient centred quality health care would suffer as all current and future sites of the NHS are interdependent and serve the entire Niagara community in a complementary manner.

My plan is to form a community-based Nominating Committee (CBNC) to select the NHS Board based on necessary skills and abilities together with a consciousness for broad-based community representation. As any new start up Board will have staggered terms for Board members to ensure orderly turn over, the Nominating Committee will remain in place for a 3-5 year period. This will also deal with a perception that former Boards were a "closed shop" and only friends/colleagues were chosen to replace departing Board members. Members of the Nominating Committee will be widely respected in their community and not be eligible to be a member of the Board itself.

A new skills-based Board for the NHS be constituted. A community-based Nominating Committee will be formed to recommend appointments to the Board. This model should remain in place for a 3-5 year period for Board renewal. The establishment of two advisory committees (North and South) will follow the establishment of the Board.

Governance (cont.)

Immediate priorities for the newly formed Board will be to:

- Approve a process to develop a strategic plan for NHS, which includes consultation and input from community and provider organizations;
- Form Board structure; and,
- Oversee the implementation of a comprehensive performance management system.

In addition to the NHS governing Board of Directors, two Community Advisory Committees will be formed to advise the Board on local issues and form an important linkage to the community. I would like to express our sincere appreciation to all members of the community-based Standing Committees of the Board who served with distinction, and were an important linkage to our local communities.

The immediate priorities of the new NHS Board be:

- *Approve a process to develop a strategic plan for NHS, which includes consultation and input from community and provider organizations;*
- *Form Board structure; and,*
- *Oversee the implementation of a comprehensive performance management system.*

During the same general time period that we are recruiting members of the Board, we will begin a national search process for a permanent Chief Executive Officer and Vice-President Medical/Chief of Staff. Members of the Board and other key stakeholders will be represented on the Committee which will be chaired by and report to me as Supervisor.

Governance (cont.)

National searches be undertaken to recruit 1) Chief Executive Officer and, 2) VP Medical/Chief of Staff. Search Committees will include representatives of the newly formed Board of the NHS or Board Nominating Committee, and other important stakeholder representatives.

The Board will be recruited and formed in the fall of 2012, and will serve in an advisory capacity to the Supervisor for an initial three month period. This will allow for a comprehensive orientation process and governance policy development.

The Board will follow a policy governance model and be based on the Ontario Hospital Association (OHA) Guide to Good Governance which is widely accepted as best practice in the health care industry.

The "OHA Guide to Good Governance" be adopted as the primary resource for Board activities. A governance coach should work with the Board for the first year.

Transitional Plans

If the proposal to build a new facility in the Southern tier is approved by the Government of Ontario, the time frame from approval to occupancy will be approximately six (6) years. This will allow for the various critical stages of the planning cycle as well as tendering of contracts, selection of site, etc. With a "greenfield" site, construction can occur much more quickly than extensive renovation of an existing site. In a renovation project, construction must be staged to allow for the continued operation of the hospital.

The clinical programs and services that have been planned for the St. Catharines site will proceed as scheduled. This will include of course new programs, equipment and facilities in your region for oncology, cardiac and mental health. Please be assured this will represent one of the largest advances in health services for your community in many years.

In my discussions over the last several months, the most debated program consolidation is related to Maternal/Child and In-Patient Pediatrics to the new St. Catharines site. I have consulted with many professionals both inside Niagara and throughout Ontario, and there is universal support for consolidation to achieve the safest and highest level of quality care possible. I have received another proposal from physicians in Welland and Niagara Falls to maintain Obstetrics/Pediatrics at both sites during the transition period. The Medical Advisory Committee (MAC) reviewed this proposal and, based on the information provided, made a unanimous recommendation to support the consolidation of both programs to a single site. In addition, the NHS Medical Staff Association (MSA) has also expressed concern with the recommendation in the Interim Report. As there was no strong local consensus, I engaged an

external expert panel to assist me in this process. The panel considered several prior reviews, examined current utilization data, and participated in a special meeting held to listen to presentations from "both sides" in this important debate. While the presentations were very well-articulated and passionate as to a particular position, there was also an environment of mutual respect by all parties. The report of the expert panel is included as Appendix "C".

This plan will allow for on-site pediatricians at all times to support obstetrics as well as better focused care for our children. The main concern relates to travel time. Protocols have been developed with our existing Emergency Departments/Urgent Care Centres for immediate support if a mother or child arrives unannounced for care at any of our sites. Our EMS partners will have clear instructions on where to take all patients requiring emergency care when an individual calls "911". EMS will also treat any emergency patient transfers for obstetric and pediatric patients as a high priority call.

In concert with EMS and Public Health:

- *Expand the Advanced Care Paramedic Program across the Region, already a leader in this practice; and,*
- *Actively explore innovative models of care in which paramedics offer appropriate services to divert ER presentations, support appropriate use of home care, and continue to evolve the Critical Care Transport service.*

I recommend to the Ministry of Health and Long Term Care /HNBH LHIN that Maternal Child/ In-Patient Pediatrics be relocated to the proposed new facility in the South when it is built. The rationale for this recommendation is two-fold, namely:

Transitional Plans (cont.)

1) The new South hospital will be more centrally located to serve the most patients requiring these services and,
2) With the introduction of new regional programs in oncology and cardiac care in the St. Catharine's site, program expansion is anticipated with the result being that there is increased pressure on space utilization.

Interim Recommendation:

The Maternal Child, In-Patient Pediatric Program, In-Patient Mental Health be consolidated at the new St. Catharines Hospital in the interim, with the full Maternal Child, In-Patient Pediatric Program ultimately moving to the "new South site" when it is built.

Final Recommendation:

Following consideration of prior reviews, examination of utilization data and both internal and external expertise, the recommendation from the Interim Report is confirmed - to consolidate Maternal Child, In-Patient Pediatrics, Inpatient Mental Health at the new St. Catharines Hospital in the interim, with the full Maternal Child, In-Patient Pediatric Program ultimately moving to the new facility in the South when it is built subject to the following caveats:

- *Gynecology day surgery should continue to be offered at all full service acute sites. Consolidation should be for inpatient and birthing services.*
- *Ultrasound and other associated services remain at all acute sites.*
- *Interprofessional Models of Care be clearly identified drawing from the work of the Provincial Council for Maternal Child Health.*
- *A model for low risk hospital-based family medicine obstetrics be clearly defined.*
- *Midwifery with a full scope of practice be offered.*
- *Obstetricians and Pediatricians should continue to be based in the communities of Niagara where they can provide the vast majority of consultative and ongoing care to the people in these communities.*
- *Physician and administrative leaders support all members on the Interprofessional Team to build an integrated Niagara Health System inpatient model at the St. Catharines site.*
- *EMS and NHS will utilize protocols for the very rare medical emergencies of any nature.*

Transitional Plans (cont.)

We will also review the Ministry plans to introduce low risk "Birthing Centres" in the province. At this time, there is not enough detail to determine applicability to our region, but strong consideration will be given as government plans develop. An expanded role for midwives will also be considered in developing this proposal in keeping with accepted provincial standards related to scope of practice.

During the period of my appointment as Supervisor of the NHS, a delay of the planned capital redevelopment of West Lincoln Memorial Hospital (WLMH) was announced. My Interim Report did not address the potential impact of this delay to the broader Niagara Peninsula. Since my Interim Report, I have had the opportunity to speak with the LHIN leadership and the senior leadership at WLMH, and believe it is prudent to explore delivery models of obstetrical and pediatric care for the geography spanning Grimsby and Niagara, as well as the appropriate links to tertiary pediatric and obstetrical care in Hamilton. The future model of care in Niagara should contribute to a broader LHIN-wide vision in obstetrics, gynecology and pediatric care. The Expert panel was asked to take this into consideration as they deliberated on advice to inform our final recommendations.

Due to noted concerns with respect to access, the feasibility of a low risk Birthing Centre, a model recently announced by the Government of Ontario, be treated as a high priority, and the NHS be recommended as a pilot program through the Hamilton Niagara Haldimand Brant (HNHB) LHIN. The MOHLTC has recently made a call for proposal for Birthing Centres.

Transitional Plans (cont.)

Other proposals that have been forwarded to me such as a stand-alone Ophthalmology Centre are being considered, but with any proposal, it must enhance or at a minimum maintain safe quality care.

As requested by many physicians, the potential of a stand-alone Ophthalmology and Minor Surgery Centre is currently being explored conditional on providing emergency and inpatient coverage at the NHS sites. A formal Request for Proposal document has been prepared for this initiative.

With a six year period from approval to occupancy, we must commit to maintaining the existing buildings/sites at an acceptable level in the short term. This will involve careful planning and sound judgment, but the NHS has that experience with the pending move to the new St. Catharines site occurring after years of planning.

We must begin immediately with plans and program alignment to ensure critical "24/7" services are maintained at the Niagara Falls and Welland sites during the transition period to the proposed new South site. While the Port Colborne, Fort Erie and Niagara-on-the Lake sites are also important in providing services to their respective communities, these sites are not as directly impacted by the opening of the St. Catharines site.

As part of the overall review of options related to siting, it is critical that the move to the new St. Catharines site be accomplished in an orderly and effective manner. A re-examination of the NHS Hospital Improvement Plan (HIP) took place along with other internal/external reviews.

Transitional Plans (cont.)

Following extensive additional review and consultation, the following transitional clinical services plan is recommended.

During the transition period, ongoing clinical viability and coverage requirements on a "24/7" basis of the two acute care sites in Niagara Falls and Welland be a high priority.

The following is a high level overview of the interim clinical service siting plan. As implementation planning evolves for the proposed new 'South' site, there could be further refinement within the context of providing quality, safe, efficient and cost-effective patient care to accommodate the transition in a phased-in approach.

Interim Clinical Service Siting Plan

The following is a high level overview of the interim clinical service siting plan. As implementation planning evolves for the new 'South' site, there could be further refinement within the context of providing quality, safe, efficient and cost-effective patient care to accommodate the transition in a phased-in approach.

	New "North" Healthcare Complex	**Greater Niagara**	**Welland**	**Douglas Memorial**	**Port Colborne**	**Niagara-on-the-Lake**
Emergency and Critical Care Services						
Emergency	x	X	x			
Urgent Care				x	x	
Critical Care	X	X	x			
Surgical Services -- NOTE: Age Criteria for out-patient pediatric surgery to be confirmed for services outside of the new 'North' healthcare complex						
General Surgery	In and Out-Patient	In and Out-Patient	In and Out-Patient			
Orthopedics*	In and Out-Patient	In and Out-Patient *NOTE: Discussions regarding potential consolidation of the Total Joint Program prior to the "new South site" will commence immediately to assess feasibility of early consolidation.	In and Out-Patient			
Urology	In and Out-patient + Cystoscopy	Out-patient + Cystoscopy	Out-patient + Cystoscopy			
Gynecology*	In and Out-Patient	Out-patient	Out-Patient			
Ear Nose Throat	In and Out-Patient	Out-Patient	Out-Patient			
Plastics	X In and Out-Patient	X In and Out-Patient				
Dental	In and Out-Patient	In and Out-Patient				
Ophthalmology			x			
Vascular	X In and Out-Patient					
Ambulatory Clinics						
Clinics	x	x	x	x	x	
Obstetrics	x					
Level 2 Neonatal Nursery	x					

	New "North" Healthcare Complex	Greater Niagara	Welland	Douglas Memorial	Port Colborne	Niagara-on-the-Lake
In-Patient Pediatrics	X					
Medicine						
General Internal Medicine	x	x	x			
Regional Geriatric Assessment		x				
Nephrology	In-Patient					
Dialysis - Ambulatory	X	X Satellite in Niagara Falls	X Satellite			
Stroke		X *NOTE: discussions regarding potential stroke program expansion to take place				
Cardiology	x	X	X			
Cardiac Care Unit and Heart Investigation Unit	x					
Respirology	x	x	X			
Oncology/Walker Family Cancer Centre	x					
Diabetes Hub			X			
Mental Health and Addictions						
Mental Health	X In and Out-patient	Out-patient	Out-patient	Out-Patient		
Addictions	Consolidated Site TBD				Residential and Out-Patient	
Complex Care						
Complex Care		x	x	x	x	X

	New "North" Healthcare Complex	Greater Niagara	Welland	Douglas Memorial	Port Colborne	Niagara-on-the-Lake
Assess Restore		X *NOTE: Assess and Restore program may need to relocate to Welland to accommodate potential stroke program expansion at GNG				
Long-Term Care						
LTC			x			

Note:

- All sites will have access to appropriate clinical support services [e.g. diagnostics, lab, pharmacy etc.] as appropriate.

Additional Considerations

There are many important additional considerations which must be addressed in a timely fashion once the recommendations of the Supervisor are approved.

These considerations include but are by no means limited to the following:

a) Transportation

Transportation within Niagara has been one of the most consistent concerns expressed during the consultation process. The concerns include non-urgent transportation to outpatient appointments in adjacent communities, visiting relatives who are inpatients, and transportation in the event of an emergency.

Meetings have been held with senior representatives of the EMS on the various models on an ongoing basis. The Region has invested significantly in coverage of paramedics including the investment of the Region in training for Advanced Care Paramedics. While payment for non-urgent transportation is not an approved hospital expense, I am prepared to review this important matter with both the Niagara Region and our LHIN. One suggestion would be a system of reimbursing those in need with taxi vouchers, but a funding source would need to be identified.

We will also review existing successful services such as the Fort Erie Accessible Specialized Transit (FAST) program.

With the Region of Niagara, and interested volunteer agencies, establish a limited transportation model for lower income frail seniors and chronic mental health patients and their families.

Additional Considerations (cont.)

b) Review the Structure and Role of the Foundations that Support the NHS

Our Foundations work tirelessly to raise funds to support the programs and services of the NHS. Foundations are separately incorporated entities and not included in the mandate of the Supervisor. If asked, I would be happy to provide advice to our Foundations, but I have every confidence that our community leaders in our Foundations will adjust to the new reality for the NHS in an appropriate fashion. I am very pleased that our Foundation leaders have begun the process of reviewing their respective mandates and best way to serve the health care needs of our community through the NHS.

Support for the review by our Foundations that potential realignment be considered to meet the philanthropic needs of the NHS.

c) Maintain and Enhance the Role of Volunteers at the NHS

Volunteers provide an essential service to our patients, families and staff. For the most part, individual volunteers are aligned to a specific site. We must do everything possible to maintain a positive volunteer experience and express our appreciation for their many contributions.

Recognize and celebrate the essential role and impact of NHS Volunteers and Auxiliary organizations, and develop an effective retention/recruitment plan for volunteers, who are the backbone of the NHS.

Additional Considerations (cont.)

d) Primary Care Reform

A number of the Region's Mayors have expressed interest in primary care reform models through Family Health Teams and associated services. I believe this an exciting opportunity and encourage our LHIN to establish a task force with the goal of developing a pilot for a regional primary care consortia. This would represent an excellent opportunity to collaborate on an academic model for learners with McMaster University.

As LHIN's have recently been charged with planning for primary care, the MOHLTC request the Hamilton Niagara Haldimand Brant (HNHB) LHIN to develop a prototype model for primary care planning , which supports the implementation of this report and the restructuring of the NHS.

e) Adjust to New Health Care Models

Innovations in health care delivery are continually being introduced, and we must remain both flexible and leaders in innovation.

f) Sale of Sites

The NHS owns all sites, and the Ontario Street Site and St. Catharines General Site have already been sold. If the recommendations in this report are approved, an important priority of our NHS Board will be to meet with local elected officials to find the best use of the property. I recommend to the Minister that each municipality be given the right of first refusal for purchase of a decommissioned site at fair market value. Criteria will include both revenue from sale of property and potential utility to meet other community needs.

Additional Considerations (cont.)

In this analysis, it will be important to note that hospitals are very expensive buildings to both construct and maintain.

Develop a plan for the disposition of NHS sites designated for closure. Each municipality that has an existing site slated for closure will be given first option to purchase the site and buildings from the NHS at fair market value through a process to be determined. The NHS will not retain ownership of any of these sites and will utilize proceeds to fund capital costs for existing operations.

This report is available in full on the NHS website at www.niagarahealth.on.ca

As Supervisor, I will make myself available to our media colleagues for comment.

Thank you for taking the time to read this material and I look forward to the implementation of the recommendations in this report and moving ahead with the exciting vision for your Niagara Health System.

APPENDIX “A”

HANSCOMB REPORT

ON

CAPITAL COSTS

NIAGARA HEALTH SYSTEM
OPTIONS ANALYSIS
ST. CATHARINES, ONTARIO

ORDER OF MAGNITUDE ESTIMATES

June 5, 2012

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1.1 General

These Order of Magnitude Estimates are intended to provide a realistic assessment of the total project costs associated with the proposed options for the hospitlal sites of the Niagara Health System in St. Catharines, Welland and Port Colburne Ontario as outlined in the documents provided by the Niagara Health System.

Accordingly, these Order of Magnitude Estimates should only be considered within the full context of the above noted documentation.

1.2 Methodology

Generally, the areas of work projected are priced using parametric quantities and unit rates considered appropriate for a project of this scope and nature.

Costs reported in this estimate provides for all building construction and include related site development work, allowances for Furnishings & Equipment and Professional Fees & Expenses. Separate provision has also been made where appropriate for such things as building demolition, site clearance, etc.

For the purposes of these estimates, Hanscomb has reported the projected building areas and priced the work in these areas based on the scope outlined in the documentation received from Niagara Health System.

1.3 Construction Phasing

Allowances have been made to cover premiums for phased construction, where applicable.

1.4 Cost Considerations

All costs are estimated on the basis of competitive bids (a minimum of 6 general contractor bids and at least 3 subcontractor bids for each trade) being received in April 2012 from general contractors and all major subcontractors and suppliers based on a stipulated sum form of contract. Pricing shown reflects probable costs obtainable in the St. Catharines area on the effective date of this report and is therefore a determination of fair market value for the construction of the work and not a prediction of low bid.

Escalation to tender has been allowed at 5% per annum.

Escalation during the construction period is included in the unit rates used in this estimate.

An allowance of 10% has been included to cover design and pricing unknowns. This allowance is not intended to cover any program space or quality modifications but rather to provide some flexibility for the designers and cost planners during the redevelopment design stages.

An allowance of 5% has been made to cover construction (post contract) unknowns for Option 1 and 10% for Options 2 and 3 to reflect the complexity of these redevelopments and the associated risks.

1.4 Cost Considerations (continued)

The unit rates in the preparation of these Order of Magnitude Estimates include labour and material, equipment, subcontractor's overheads and profits.

The following items have been specifically excluded from these Order of Magnitude Estimates:
- owner's staff and management expenses
- financing and/or fund raising expenses
- operating and maintenance costs

1.5 Ongoing Cost Control

Hanscomb has no control over the cost of labour and materials, the general contractor's or any subcontractor's method of determining prices, or competitive bidding and market conditions. This opinion of probable cost of construction is made on the basis of experience, qualifications and best judgment of the professional consultant familiar with the construction industry. Hanscomb cannot and does not guarantee that proposals, or actual construction costs will not vary from this or subsequent estimates.

Hanscomb recommends that the Owner and the design team carefully review these Order of Magnitude Estimates documents, including line item description, unit price clarifications, exclusions, inclusions and assumptions, contingencies, escalation and mark-ups. If the project is over budget, or if there are unresolved budgeting issues, alternative systems/schemes should be evaluated before proceeding into the bidding phase.

Requests for modifications of any apparent errors or omissions to this document must be made to Hanscomb within ten (10) days of receipt of this estimate. Otherwise, it will be understood that the contents have been concurred with and accepted.

It is recommended that a final updated estimate be produced by Hanscomb using Bid Documents to determine overall cost changes which may have occurred since the preparation of these estimates. The final updated estimates will address changes and additions to the documents, as well as addenda issued during the bidding process. Hanscomb cannot reconcile bid results to any estimate not produced from bid documents including all addenda.

GROSS FLOOR AREAS:

	OPTION 1 (SF)	OPTION 2 (SF)	OPTION 3 (SF)	OPTION 4 (SF)	OPTION 5 (SF)
ACUTE SITES	**849,900**	**640,990**	**703,190**	**714,190**	**714,190**
North - New Facility (NIC for Analysis)	NIC	NIC	NIC	NIC	NIC
South - New Facility	849,900	0	0	0	0
South - Redevelop Greater Niagara General	0	640,990	322,290	0	0
Redevelop Welland Site	0	0	380,900	640,990	640,990
Extended Care Unit at Welland	0	0	0	73,200	73,200
COMPLEX CARE SITES	**0**	**186,960**	**225,960**	**186,960**	**186,960**
Port Colborne (UCC, Complex Care)	0	100,000	100,000	100,000	***100,000*** *
Douglas (UCC, Complex Care)	0	86,960	86,960	86,960	***86,960*** *
Niagara on the Lake (Complex Care)	0	0	39,000	0	0
AMBULATORY CARE	**0**	**380,900**	**0**	**380,900**	**380,900**
Greater Niagara General (min invasive Surg)	0	0	0	380,900	***380,900*** *
Welland (minimally invasive Surgical Site)	0	380,900	0	0	0
Total	**849,900**	**1,208,850**	**929,150**	**1,282,050**	**1,282,050**

The above areas are approximations of the potential gross floor areas required and are very preliminary.

* ***All areas reported for Option 5 are to be consolidated on the Welland Site.***

Notes and Assumptions:

[1] The New North Acute Care Facility is common for all options and is excluded from this study.

[2] The New South Acute Care Facility assumes the following:

Acute beds	192 Beds	2,700 bgsf/bed	518,400 bgsf
Complex Continuing Care Beds	195 Beds	1,700 bgsf/bed	331,500 bgsf
Total Potential GFA			849,900 bgsf

[3] Redeveloped GNG assumes the following:

Existing Facility per VFA			298,000 bgsf
Demolition of portion of existing building per MP			-96,710 bgsf
Phase 1 South Addition per MP June 2010 (Surg)			65,000 bgsf
Phase 2 South East Addtion MP June 2010 (Inpatient)			56,000 bgsf
Acute beds	96 Beds	2,700 bgsf/bed	259,200 bgsf
Complex Continuing Care Beds	35 Beds	1,700 bgsf/bed	59,500 bgsf
Total Potential GFA Option 2			640,990 bgsf

Existing Facility per VFA	298,000 bgsf
Demolition of portion of existing building per MP	-96,710 bgsf
Phase 1 South Addition per MP June 2010 (Surg)	65,000 bgsf
Phase 2 South East Addtion MP June 2010 (Inpatient)	56,000 bgsf
Total Potential GFA Option 3	322,290 bgsf

[4] Redevelopment of the Welland site includes areas from the VFA as follows:

Main Building per VFA	348,900 bgsf
MacLean Building per VFA	27,000 bgsf
Regional Health Building per VFA	5,000 bgsf
Total Potential GFA	380,900 bgsf

Extended Care Unit (75 Beds)		nsf / bed		cgsf / bed		Building Gross
Allow	75 beds	450.00	1.55	52,300	1.40	73,200 bgsf

[5] Renovation of the Port Colborne site includes 100,000 SF of existing building per the VFA.

[6] Renovation of the Douglas site includes 86,960 SF of existing building per the VFA.

PROJECT COST SUMMARY:

	OPTION 1	OPTION 2	OPTION 3	OPTION 4	OPTION 5
Acute Sites	$382,455,000	$259,601,000	$265,161,500	$314,243,600	$314,243,600
Complex Care Sites	$0	$51,414,000	$62,139,000	$51,414,000	$82,236,000
Ambulatory Care Sites	$0	$133,315,000	$0	$142,837,500	$190,450,000
Infrastructure Upgrade Allowance	$0	$36,191,600	$42,588,900	$38,206,900	$23,075,600
Hazardous Materials Allowance	$0	$13,325,300	$13,937,300	$13,429,800	$5,768,900
Site Works Allowance	$10,000,000	$5,710,400	$6,968,700	$6,259,400	$8,630,700
Phasing & Logistics Allowance	$0	$22,157,700	$32,840,700	$24,306,000	$29,654,000
SUB-TOTAL	**$392,455,000**	**$521,715,000**	**$423,636,100**	**$590,697,200**	**$654,058,800**
Design & Pricing Allowance	$39,245,500	$52,171,400	$42,363,700	$59,069,700	$65,405,900
LEED Silver Allowance	$10,792,500	$14,347,200	$11,650,000	$16,244,200	$17,986,600
SUB-TOTAL	**$442,493,000**	**$588,233,600**	**$477,649,800**	**$666,011,100**	**$737,451,300**
Construction Contingency	$22,124,700	$58,823,300	$47,765,000	$66,601,100	$73,745,100
TOTAL CONSTRUCTION COST	**$464,617,700**	**$647,056,900**	**$525,414,800**	**$732,612,200**	**$811,196,400**
Ancillaries (soft costs)	$107,791,300	$150,117,200	$121,896,200	$169,966,000	$188,197,500
FF&E / IT	$116,154,400	$110,583,300	$95,446,000	$119,103,200	$120,627,800
SUB-TOTAL	**$688,563,400**	**$907,757,400**	**$742,757,000**	**$1,021,681,400**	**$1,120,021,700**
Escalation to Construction Start	$190,237,400	$257,203,800	$140,499,900	$270,812,100	$312,963,000
SUB-TOTAL	**$878,800,800**	**$1,164,961,200**	**$883,256,900**	**$1,292,493,500**	**$1,432,984,700**
Land Acquisition	$0	$0	$0	$0	$0
Sale of Property	$0	$0	$0	$0	$0
TOTAL PROJECT COST	**$878,800,800**	**$1,164,961,200**	**$883,256,900**	**$1,292,493,500**	**$1,432,984,700**
Gross Floor Area	849,900	1,208,850	929,150	1,282,050	1,282,050
PROJECT COST PER SQUARE FOOT	**$1,034.00**	**$963.69**	**$950.61**	**$1,008.15**	**$1,117.73**

Percentage New Facilities	**100%**	**36%**	**13%**	**40%**	**70%**
Percentage Old Facilities	**0%**	**64%**	**87%**	**60%**	**30%**

Notes:

[1] Please note that the above costs are PRELIMINARY and are subject to change with design.

[2] An allowance of 10% for design & pricing has been included to provide some further flexibility in design.

[3] An allowance of 2.5% for LEED silver has been included.

[4] An allowance of 5% construction contingency has been included for Option 1 and 10% for Options 2 and 3.

[5] An allowance of 23.2% on construction has been included for project soft costs.

[6] FF&E / IT costs have been included as a % of construction costs. This will require verification as the project advances.

[7] An allowance for escalation at 5% per annum has been included to cover potential cost increases in labour and material from this current date to the time of construction start to allow for project approval and design.

[8] The above costs exclude the following:

- owner's staff and management expenses
- financing and/or fund raising expenses
- operating and maintenance costs
- land acquistion costs
- income from sale of property

APPENDIX A

Option 1

Option 1 : Two New Acute Sites (North & South) (UCC to be determined)

Option 1	Construction Type	GFA	Net Constr. Rate ($/SF)	Net Construction Cost ($)	Infra-Structure Upgrade Allowance	Hazardous Materials Abatement $10.00	Site Works Allowance	Phasing & Logistics Allowance	Design & Pricing Allowance 10.0%	LEED Silver Allowance 2.5%	Construction Contingency 5.0%	Total Construction Cost	Allowance for Ancillaries 23.2%	Allowance for FF&E / IT	CURRENT PROJECT COST with FF&E / IT	Escalation to Construction Start Yrs	Escalation to Construction Start 5.0% per annum	TOTAL PROJECT COST
ACUTE SITES		**849,900 SF**	**450.00**	**$382,455,000**	**$0**	**$0**	**$10,000,000**	**$0**	**$39,245,500**	**$10,792,500**	**$22,124,700**	**$464,617,700**	**$107,791,300**	**$116,154,400**	**$688,563,400**		**$190,237,400**	**$878,800,800**
North - New Facility (NIC for Analysis)	New	NIC	0.00	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0		$0	$0
South - New Facility	New	849,900 SF	450.00	$382,455,000	$0	$0	$10,000,000	$0	$39,245,500	$10,792,500	$22,124,700	$464,617,700	$107,791,300	$116,154,400	$688,563,400	5	$190,237,400	$878,800,800
South - Redevelop Greater Niagara General	Reno/New	- SF	0.00	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0		$0	$0
Redevelop Welland Site	Reno	- SF	0.00	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0		$0	$0
COMPLEX CARE SITES		**- SF**	**0.00**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**		**$0**	**$0**
Port Colborne (UCC, Complex Care)	Reno	- SF	0.00	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0		$0	$0
Douglas (UCC, Complex Care)	Reno	- SF	0.00	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0		$0	$0
Niagara on the Lake (Complex Care)	Reno	- SF	0.00	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0		$0	$0
AMBULATORY CARE		**- SF**	**0.00**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**		**$0**	**$0**
Greater Niagara General (min invasive Surg)	Reno	- SF	0.00	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0		$0	$0
Welland (minimally invasive Surgical Site)	Reno	- SF	0.00	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0		$0	$0
Total		**849,900 SF**	**450.00**	**$382,455,000**	**$0**	**$0**	**$10,000,000**	**$0**	**$39,245,500**	**$10,792,500**	**$22,124,700**	**$464,617,700**	**$107,791,300**	**$116,154,400**	**$688,563,400**		**$190,237,400**	**$878,800,800**

Notes:

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[2] An allowance of 10% for design & pricing has been included to provide some further flexibility in design.
[3] An allowance of 2.5% for LEED silver has been included.
[4] An allowance of 5% construction contingency has been included for Option 1 and 10% for Options 2 and 3.
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[6] FF&E / IT costs have been included as a % of construction costs. This will require verification as the project advances.
[7] An allowance for escalation at 5% per annum has been included to cover potential cost increases in labour and material from this current date to the time of construction start to allow for project approval and design.
[8] The above costs exclude the following:
owner's staff and management expenses
financing and/or fund raising expenses
operating and maintenance costs
land acquistion costs
income from sale of property

APPENDIX B

Option 2

Option 2 : New Acute Site (North), Redevelop Greater Niagara for Acute (South), One Ambulatory at Welland (minimally invasive surgical site), Two Complex Care Sites (Port Colborne & Douglas - Maintains UCC, Complex Care)

Option 2	Construction Type	GFA	Net Constr. Rate ($/SF)	Net Construction Cost ($)	Infra-Structure Upgrade Allowance	Hazardous Materials Abatement $15.00	Site Works Allowance	Phasing & Logistics Allowance	Design & Pricing Allowance 10.0%	LEED Silver Allowance 2.5%	Construction Contingency 10.0%	Total Construction Cost	Allowance for Ancillaries 23.2%		Allowance for FF&E / IT	CURRENT PROJECT COST with FF&E / IT	Escalation to Construction Start Yrs	Escalation to Construction Start 5.0% per annum	TOTAL PROJECT COST
ACUTE SITES		**640,990 SF**	**405.00**	**$259,601,000**	**$11,537,800**	**$4,807,400**	**$2,403,700**	**$5,567,000**	**$28,391,700**	**$7,807,700**	**$32,011,600**	**$352,127,900**	**$81,693,700**		**$70,425,600**	**$504,247,200**		**$79,482,000**	**$583,729,200**
North - New Facility (NIC for Analysis)	New	NIC	0.00	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0		$0	$0		$0	$0
South - New Facility	New	- SF	0.00	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0		$0	$0		$0	$0
South - Redevelop Greater Niagara General	Reno/New	640,990 SF	405.00	$259,601,000	$11,537,800	$4,807,400	$2,403,700	$5,567,000	$28,391,700	$7,807,700	$32,011,600	$352,127,900	$81,693,700	20%	$70,425,600	$504,247,200	3	$79,482,000	$583,729,200
Redevelop Welland Site	Reno	- SF	0.00	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0		$0	$0		$0	$0
COMPLEX CARE SITES		**186,960 SF**	**275.00**	**$51,414,000**	**$5,608,800**	**$2,804,400**	**$1,402,200**	**$4,592,300**	**$6,582,100**	**$1,810,100**	**$7,421,400**	**$81,635,300**	**$18,939,400**		**$8,163,600**	**$108,738,300**		**$36,981,400**	**$145,719,700**
Port Colborne (UCC, Complex Care)	Reno	100,000 SF	275.00	$27,500,000	$3,000,000	$1,500,000	$750,000	$2,456,300	$3,520,600	$968,200	$3,969,500	$43,664,600	$10,130,200	10%	$4,366,500	$58,161,300	6	$19,780,400	$77,941,700
Douglas (UCC, Complex Care)	Reno	86,960 SF	275.00	$23,914,000	$2,608,800	$1,304,400	$652,200	$2,136,000	$3,061,500	$841,900	$3,451,900	$37,970,700	$8,809,200	10%	$3,797,100	$50,577,000	6	$17,201,000	$67,778,000
Niagara on the Lake (Complex Care)	Reno	- SF	0.00	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0		$0	$0		$0	$0
AMBULATORY CARE		**380,900 SF**	**350.00**	**$133,315,000**	**$19,045,000**	**$5,713,500**	**$1,904,500**	**$11,998,400**	**$17,197,600**	**$4,729,400**	**$19,390,300**	**$213,293,700**	**$49,484,100**		**$31,994,100**	**$294,771,900**		**$140,740,400**	**$435,512,300**
Greater Niagara General (min invasive Surg)	Reno	- SF	0.00	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	0%	$0	$0	8	$0	$0
Welland (minimally invasive Surgical Site)	Reno	380,900 SF	350.00	$133,315,000	$19,045,000	$5,713,500	$1,904,500	$11,998,400	$17,197,600	$4,729,400	$19,390,300	$213,293,700	$49,484,100	15%	$31,994,100	$294,771,900	8	$140,740,400	$435,512,300
Total		**1,208,850 SF**	**367.56**	**$444,330,000**	**$36,191,600**	**$13,325,300**	**$5,710,400**	**$22,157,700**	**$52,171,400**	**$14,347,200**	**$58,823,300**	**$647,056,900**	**$150,117,200**		**$110,583,300**	**$907,757,400**		**$257,203,800**	**$1,164,961,200**

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land acquistion costs
income from sale of property

APPENDIX C

Option 3

Option 3 : New Acute Site (North), Redevelop Greater Niagara for Acute (South), Redevelop Welland Site for Acute, Three Complex Care Sites (Port Colborne & Douglas - Maintains UCC, Complex Care, NOTL - Maintains Complex Care)

Option 3	Construction Type	GFA	Net Constr. Rate ($/SF)	Net Construction Cost ($)	Infra-Structure Upgrade Allowance	Hazardous Materials Abatement $15.00	Site Works Allowance	Phasing & Logistics Allowance	Design & Pricing Allowance 10.0%	LEED Silver Allowance 2.5%	Construction Contingency 10.0%	Total Construction Cost	Allowance for Ancillaries 23.2%		Allowance for FF&E / IT	CURRENT PROJECT COST with FF&E / IT	Escalation to Construction Start Yrs	Escalation to Construction Start 5.0% per annum	TOTAL PROJECT COST
ACUTE SITES		**703,190 SF**	**377.08**	**$265,161,500**	**$35,810,100**	**$10,547,900**	**$5,274,000**	**$29,140,600**	**$34,593,500**	**$9,513,200**	**$39,004,100**	**$429,044,900**	**$99,538,400**		**$85,809,000**	**$614,392,300**		**$96,843,600**	**$711,235,900**
North - New Facility (NIC for Analysis)	New	NIC	0.00	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0		$0	$0		$0	$0
South - New Facility	New	- SF	0.00	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0		$0	$0		$0	$0
South - Redevelop Greater Niagara General	Reno/New	322,290 SF	350.00	$112,801,500	$12,956,100	$4,834,400	$2,417,200	$19,951,400	$15,296,100	$4,206,400	$17,246,300	$189,709,400	$44,012,600	20%	$37,941,900	$271,663,900	3	$42,821,000	$314,484,900
Redevelop Welland Site	Reno	380,900 SF	400.00	$152,360,000	$22,854,000	$5,713,500	$2,856,800	$9,189,200	$19,297,400	$5,306,800	$21,757,800	$239,335,500	$55,525,800	20%	$47,867,100	$342,728,400	3	$54,022,600	$396,751,000
COMPLEX CARE SITES		**225,960 SF**	**275.00**	**$62,139,000**	**$6,778,800**	**$3,389,400**	**$1,694,700**	**$3,700,100**	**$7,770,200**	**$2,136,800**	**$8,760,900**	**$96,369,900**	**$22,357,800**		**$9,637,000**	**$128,364,700**		**$43,656,300**	**$172,021,000**
Port Colborne (UCC, Complex Care)	Reno	100,000 SF	275.00	$27,500,000	$3,000,000	$1,500,000	$750,000	$1,637,500	$3,438,800	$945,700	$3,877,200	$42,649,200	$9,894,600	10%	$4,264,900	$56,808,700	6	$19,320,400	$76,129,100
Douglas (UCC, Complex Care)	Reno	86,960 SF	275.00	$23,914,000	$2,608,800	$1,304,400	$652,200	$1,424,000	$2,990,300	$822,300	$3,371,600	$37,087,600	$8,604,300	10%	$3,708,800	$49,400,700	6	$16,801,000	$66,201,700
Niagara on the Lake (Complex Care)	Reno	39,000 SF	275.00	$10,725,000	$1,170,000	$585,000	$292,500	$638,600	$1,341,100	$368,800	$1,512,100	$16,633,100	$3,858,900	10%	$1,663,300	$22,155,300	6	$7,534,900	$29,690,200
AMBULATORY CARE		**- SF**	**0.00**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**	**$0**		**$0**	**$0**		**$0**	**$0**
Greater Niagara General (min invasive Surg)	Reno	- SF	0.00	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0		$0	$0		$0	$0
Welland (minimally invasive Surgical Site)	Reno	- SF	0.00	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0		$0	$0		$0	$0
Total		**929,150 SF**	**352.26**	**$327,300,500**	**$42,588,900**	**$13,937,300**	**$6,968,700**	**$32,840,700**	**$42,363,700**	**$11,650,000**	**$47,765,000**	**$525,414,800**	**$121,896,200**		**$95,446,000**	**$742,757,000**		**$140,499,900**	**$883,256,900**

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financing and/or fund raising expenses
operating and maintenance costs
land acquistion costs
income from sale of property

APPENDIX D

Option 4

Option 4 : New Acute Site (North), Redevelop Welland for Acute (South), One Ambulatory at Greater Niagara (minimally invasive surgical site), Two Complex Care Sites (Port Colborne & Douglas - Maintains UCC, Complex Care)

Option 4	Construction Type	GFA	Net Constr. Rate ($/SF)	Net Construction Cost ($)	Infra-Structure Upgrade Allowance	Hazardous Materials Abatement $15.00	Site Works Allowance	Phasing & Logistics Allowance	Design & Pricing Allowance 10.0%	LEED Silver Allowance 2.5%	Construction Contingency 10.0%	Total Construction Cost	Allowance for Ancillaries 23.2%		Allowance for FF&E / IT	CURRENT PROJECT COST with FF&E / IT	Escalation to Construction Start Yrs	Escalation to Construction Start 5.0% per annum	TOTAL PROJECT COST
ACUTE SITES		**714,190 SF**	**440.00**	**$314,243,600**	**$23,075,600**	**$5,768,900**	**$2,952,700**	**$15,735,700**	**$36,177,700**	**$9,948,900**	**$40,790,300**	**$448,693,400**	**$104,096,800**		**$78,978,800**	**$631,769,000**		**$99,582,600**	**$731,351,600**
North - New Facility (NIC for Analysis)	New	NIC	0.00	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0		$0	$0		$0	$0
South - New Facility	New	- SF	0.00	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0		$0	$0		$0	$0
Redevelop Welland Site	Reno/New	640,990 SF	440.00	$282,035,600	$23,075,600	$5,768,900	$2,403,700	$14,097,800	$32,738,200	$9,003,000	$36,912,300	$406,035,100	$94,200,100	17%	$70,447,100	$570,682,300	3	$89,953,800	$660,636,100
Extended Care Unit at Welland	New	73,200 SF	440.00	$32,208,000	$0	$0	$549,000	$1,637,900	$3,439,500	$945,900	$3,878,000	$42,658,300	$9,896,700	20%	$8,531,700	$61,086,700	3	$9,628,800	$70,715,500
COMPLEX CARE SITES		**186,960 SF**	**275.00**	**$51,414,000**	**$5,608,800**	**$2,804,400**	**$1,402,200**	**$4,592,300**	**$6,582,100**	**$1,810,100**	**$7,421,400**	**$81,635,300**	**$18,939,400**		**$8,163,600**	**$108,738,300**		**$36,981,400**	**$145,719,700**
Port Colborne (UCC, Complex Care)	Reno	100,000 SF	275.00	$27,500,000	$3,000,000	$1,500,000	$750,000	$2,456,300	$3,520,600	$968,200	$3,969,500	$43,664,600	$10,130,200	10%	$4,366,500	$58,161,300	6	$19,780,400	$77,941,700
Douglas (UCC, Complex Care)	Reno	86,960 SF	275.00	$23,914,000	$2,608,800	$1,304,400	$652,200	$2,136,000	$3,061,500	$841,900	$3,451,900	$37,970,700	$8,809,200	10%	$3,797,100	$50,577,000	6	$17,201,000	$67,778,000
Niagara on the Lake (Complex Care)	Reno	- SF	0.00	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	10%	$0	$0	6	$0	$0
AMBULATORY CARE		**380,900 SF**	**375.00**	**$142,837,500**	**$9,522,500**	**$4,856,500**	**$1,904,500**	**$3,978,000**	**$16,309,900**	**$4,485,200**	**$18,389,400**	**$202,283,500**	**$46,929,800**		**$31,960,800**	**$281,174,100**		**$134,248,100**	**$415,422,200**
Greater Niagara General (min invasive Surg)	Reno/New	380,900 SF	375.00	$142,837,500	$9,522,500	$4,856,500	$1,904,500	$3,978,000	$16,309,900	$4,485,200	$18,389,400	$202,283,500	$46,929,800	16%	$31,960,800	$281,174,100	8	$134,248,100	$415,422,200
Welland (minimally invasive Surgical Site)	Reno	- SF	0.00	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0		$0	$0		$0	$0
Total		**1,282,050 SF**	**396.63**	**$508,495,100**	**$38,206,900**	**$13,429,800**	**$6,259,400**	**$24,306,000**	**$59,069,700**	**$16,244,200**	**$66,601,100**	**$732,612,200**	**$169,966,000**		**$119,103,200**	**$1,021,681,400**		**$270,812,100**	**$1,292,493,500**

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land acquistion costs
income from sale of property

APPENDIX E

Option 5

Option 5 : New Acute Site (North), Redevelop Welland for Acute (South) including consolidation of Ambulatory, Complex Care, UCC and Extended Care

Option 5	Construction Type	GFA	Net Constr. Rate ($/SF)	Net Construction Cost ($)	Infra-Structure Upgrade Allowance	Hazardous Materials Abatement $15.00	Site Works Allowance	Phasing & Logistics Allowance	Design & Pricing Allowance 10.0%	LEED Silver Allowance 2.5%	Construction Contingency 10.0%	Total Construction Cost	Allowance for Ancillaries 23.2%	Allowance for FF&E / IT	CURRENT PROJECT COST with FF&E / IT	Escalation to Construction Start Yrs	Escalation to Construction Start 5.0% per annum	TOTAL PROJECT COST
ACUTE SITES		**714,190 SF**	**440.00**	**$314,243,600**	**$23,075,600**	**$5,768,900**	**$2,952,700**	**$15,735,700**	**$36,177,700**	**$9,948,900**	**$40,790,300**	**$448,693,400**	**$104,096,800**	**$78,978,800**	**$631,769,000**		**$99,582,600**	**$731,351,600**
North - New Facility (NIC for Analysis)	New	NIC	0.00	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0		$0	$0
South - New Facility	New	- SF	0.00	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0		$0	$0
Redevelop Welland Site	Reno/New	640,990 SF	440.00	$282,035,600	$23,075,600	$5,768,900	$2,403,700	$14,097,800	$32,738,200	$9,003,000	$36,912,300	$406,035,100	$94,200,100	17% $70,447,100	$570,682,300	3	$89,953,800	$660,636,100
Extended Care Unit at Welland	New	73,200 SF	440.00	$32,208,000	$0	$0	$549,000	$1,637,900	$3,439,500	$945,900	$3,878,000	$42,658,300	$9,896,700	20% $8,531,700	$61,086,700	3	$9,628,800	$70,715,500
COMPLEX CARE SITES		**186,900 SF**	**440.00**	**$82,236,000**	**$0**	**$0**	**$1,869,000**	**$4,205,300**	**$8,831,000**	**$2,428,500**	**$9,957,000**	**$109,526,800**	**$25,410,200**	**$8,762,100**	**$143,699,100**		**$48,871,400**	**$192,570,500**
Welland (UCC, Complex Care)	New	186,900 SF	440.00	$82,236,000	$0	$0	$1,869,000	$4,205,300	$8,831,000	$2,428,500	$9,957,000	$109,526,800	$25,410,200	8% $8,762,100	$143,699,100	6	$48,871,400	$192,570,500
AMBULATORY CARE		**380,900 SF**	**500.00**	**$190,450,000**	**$0**	**$0**	**$3,809,000**	**$9,713,000**	**$20,397,200**	**$5,609,200**	**$22,997,800**	**$252,976,200**	**$58,690,500**	**$32,886,900**	**$344,553,600**		**$164,509,000**	**$509,062,600**
Welland (minimally invasive Surgical Site)	New	380,900 SF	500.00	$190,450,000	$0	$0	$3,809,000	$9,713,000	$20,397,200	$5,609,200	$22,997,800	$252,976,200	$58,690,500	13% $32,886,900	$344,553,600	8	$164,509,000	$509,062,600
Total		**1,281,990 SF**	**457.83**	**$586,929,600**	**$23,075,600**	**$5,768,900**	**$8,630,700**	**$29,654,000**	**$65,405,900**	**$17,986,600**	**$73,745,100**	**$811,196,400**	**$188,197,500**	**$120,627,800**	**$1,120,021,700**		**$312,963,000**	**$1,432,984,700**

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APPENDIX “B”

POLLARA REPORT

ON

COMMUNITY FEEDBACK

NIAGARA HEALTH SYSTEM
SYSTÈME DE SANTÉ DE NIAGARA
Working within an integrated system for a healthier Niagara.

Niagara Health System:
2012 Public Opinion Survey

POLLARA

Final Research Report

June 2012

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Part 5: Community Response to Restructuring Proposal	Slide 28

Methodology

- From May 25 to June 5, 2012, Pollara conducted a telephone survey among a randomly selected, representative sample of at least 75 adult residents in each of the 12 communities comprising the Niagara Health System catchment area. For the purpose of this research, the Niagara Health System catchment area was defined as the area including the communities of Fort Erie, Grimsby, Lincoln, Niagara-on-the-Lake, Niagara Falls, Pelham, Port Colborne, St. Catharines, Thorold, Wainfleet, Welland and West Lincoln as depicted in this map:



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Methodology

- The overall sample size for all 12 communities combined is n=1000. The margin of error for the overall sample is +/- 3.1%, 19 times out of 20. The table below shows the distribution of completed surveys across the communities:

Community	Sample Size	Margin of Error (95% Confident Interval)
Fort Erie	83	+/- 10.7%
Grimsby	80	+/- 10.9%
Lincoln	77	+/- 11.1%
Niagara-on-the-Lake	79	+/- 11.0%
Niagara Falls	81	+/- 10.9%
Pelham	76	+/- 11.2%
Port Colborne	80	+/- 10.9%
St. Catharines	127	+/- 8.7%
Thorold	81	+/- 10.9%
Wainfleet	75	+/- 11.2%
Welland	80	+/- 11.0%
West Lincoln	81	+/- 10.9%

- The results have been statistically weighted according to Statistics Canada's 2011 Census data for age, gender and region to ensure a representative sample of the entire Niagara Health System catchment area. Discrepancies in or between totals are due to rounding.

Key Findings & Recommendations:

Usage and Impressions

- Although NHS sites comprised 68% of the hospitals used most often by patients, they are considered “My local community hospital” by 83% of Niagara Region residents.
- The overall impression rating for the NHS is 4.5 out of 10, which can be considered below average compared to other hospitals in Ontario. Impressions of key NHS attributes were also below average except for the quality of doctors and the nursing staff.
- The key attributes to focus on in order to improve the region’s overall impression of the NHS are “meeting the health care needs of your community,” “the quality of hospital administration within the NHS” and “the ease and speed of access to health care.” Improving perceptions of other attributes will not have as great an impact on overall impression as these.

Key Findings & Recommendations:

Appetite for Restructuring

- Currently, it take residents 11:41 to drive to their local hospital on average, but they are prepared to drive as much as 19:35 to their local hospital. In fact, three quarters say they are willing to drive as much as 30 minutes further if they knew they could get the highest quality of care possible.
- Respondents overwhelmingly prefer a model of care based on a distribution of programs and services across sites focused more on quality over quantity.
- As such, residents of the Niagara Region support the principles behind the supervisor's proposed restructuring plan. Support for the plan itself, however, is a different story, as outlined on the next slide.

Key Findings & Recommendations:

Response to Restructuring Proposal

- Despite a stated preference for quality over quantity and a willingness to travel further to receive better care, most Niagara residents oppose the supervisor's recommendation to close the sites in Port Colborne, Fort Erie, Niagara Falls and Welland and replace them with two new facilities in South Niagara.
- The four directly-affected communities are among the most opposed. Meanwhile, Niagara-on-the-Lake and Pelham are the only communities in favour of the restructuring plan.
- The main reason for opposing the restructuring plan is location. Gaining public support will depend largely on a careful study and selection of optimal locations for the new sites that are well within the region's travel time threshold of 19:35.
- The proposed closures represent the primary hospital sites used by residents of Fort Erie, Niagara Falls, Pelham, Port Colborne and Welland, as well as secondary sites used by Niagara-on-the-Lake, St. Catharines and Thorold. Taking such broad regional considerations into account when selecting new sites will be an important challenge to overcome.
- If residents are to accept longer travel times, the "highest quality of care possible" part of the promise must be kept. In other words, trading off quantity must yield quality.

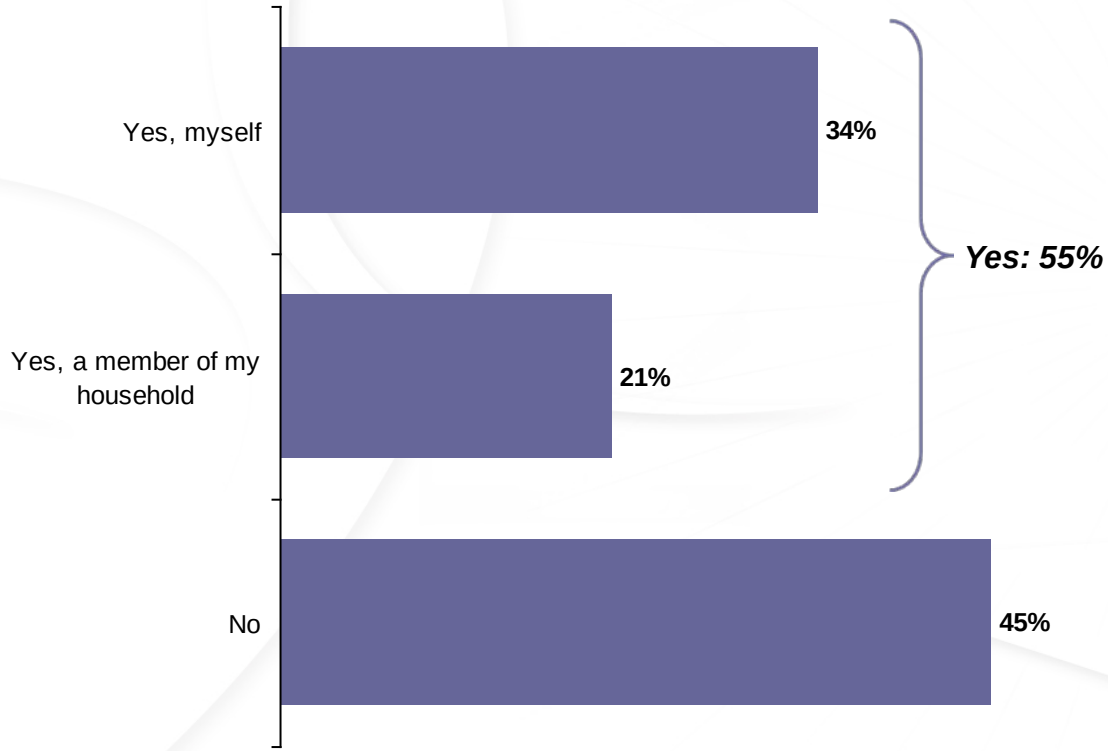
Part 1:

Hospital Site Usage

Recent Visitation for Hospital Care:

Majority of Niagara households have required hospital care in past year

- More than half of all households in the Niagara Region (55%) have received health care treatment at a hospital within the past 12 months. There is not a great deal of variability in hospital visitation across the region, although households in Welland (65%) and Fort Erie (62%) are the most likely to have visited a hospital in the past year, whereas households in Pelham (40%), West Lincoln (42%) and Thorold (43%) are the least likely.



Question: "To the best of your knowledge, have you or anyone in your household received health care treatment at a hospital within the past 12 months?" [n=1000]

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Local Hospital Usage:

NHS sites first choice for two-thirds of region's hospital care needs

- Combined, the seven NHS sites accounted for 68% of the hospitals gone to most often for health care services over the past 12 months by Niagara Region households. The top three – St. Catharines General, Niagara General, and Welland County General – account for a majority on their own (59%). NHS sites also comprised the majority of hospitals cited most often as being respondents' "local community hospital" (83% combined).

Hospital Gone to Most Often in Past 12 Months

- **St. Catharines General Hospital Site (24%)**
- **Greater Niagara General Hospital Site (20%)**
- **Welland County General Hospital Site (15%)**
- **West Lincoln Memorial Hospital (10%)**
- **Douglas Memorial Hospital Site (4%)**
- **Hamilton General Hospital (3%)**
- **Port Colborne General Hospital Site (3%)**
- **Juravinski Cancer Centre (3%)**
- **Hotel Dieu Shaver Health & Rehab Centre (3%)**

- **All others: 2% or less**
- **Don't know (<1%)**

Site Considered "My Local Hospital"

- **St. Catharines General Hospital Site (34%)**
- **Greater Niagara General Hospital Site (24%)**
- **Welland County General Hospital Site (17%)**
- **West Lincoln Memorial Hospital (13%)**
- **Douglas Memorial Hospital Site (3%)**
- **Port Colborne General Hospital Site (3%)**

- **All others: 1% or less**
- **Don't know (1%)**

Questions: "Which hospital have you or a member of your household gone to most often for the health care services you have needed over the past 12 months?" [n=532]; "Which hospital would you consider to be your local community hospital?" [n=1000]

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Local Hospital Usage by Community:
Significant regional variance in choice

- This slide depicts only the most prevalent hospital sites gone to most often by households in each community for the health care services they have needed over the past 12 months.

- **Fort Erie** ► Greater Niagara General (38%) > Douglas Memorial (36%) > Welland County General (12%)
- **Grimsby** ► West Lincoln Memorial (70%) > Juravinski Cancer Centre (10%)
- **Lincoln** ► West Lincoln Memorial (71%) > St. Catharines General (7%)
- **Niagara-on-the-Lake** ► St. Catharines General (41%) > Greater Niagara General (27%) > Hotel Dieu Shaver (8%)
- **Niagara Falls** ► Greater Niagara General (71%) > St. Catharines General (11%)
- **Pelham** ► Welland County General (37%) > St. Catharines General (22%)
- **Port Colborne** ► Port Colborne General (50%) > Welland County General (37%)
- **St. Catharines** ► St. Catharines General (59%) > Hotel Dieu Shaver (7%) > Greater Niagara General (6%)
- **Thorold** ► St. Catharines General (55%) > West Lincoln Memorial (15%) > Welland County General (9%)
- **Wainfleet** ► Haldimand War Memorial (37%) > Welland County General (31%) > Port Colborne General (21%)
- **Welland** ► Welland County General (67%) > Greater Niagara General (10%)
- **West Lincoln** ► West Lincoln Memorial (58%) > Haldimand War Memorial (15%)

Question: "Which hospital have you or a member of your household gone to most often for the health care services you have needed over the past 12 months?" [n=532]

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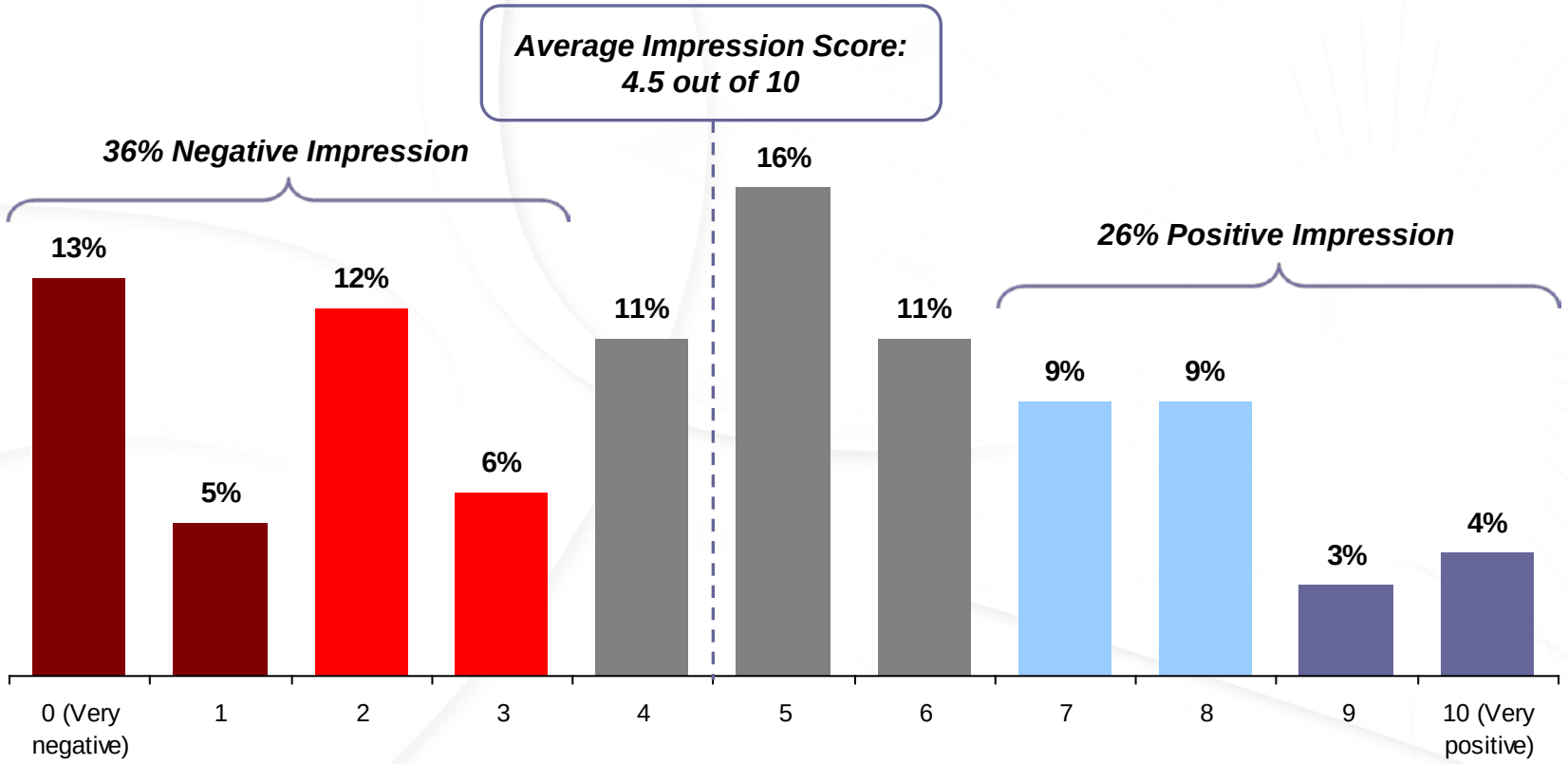
Part 2:

Impression Ratings

Overall Impression of NHS:

Average impression score of 4.5 out of 10 among the lowest in Ontario

- The average impression score for the NHS among its catchment residents is 4.5 out of 10.



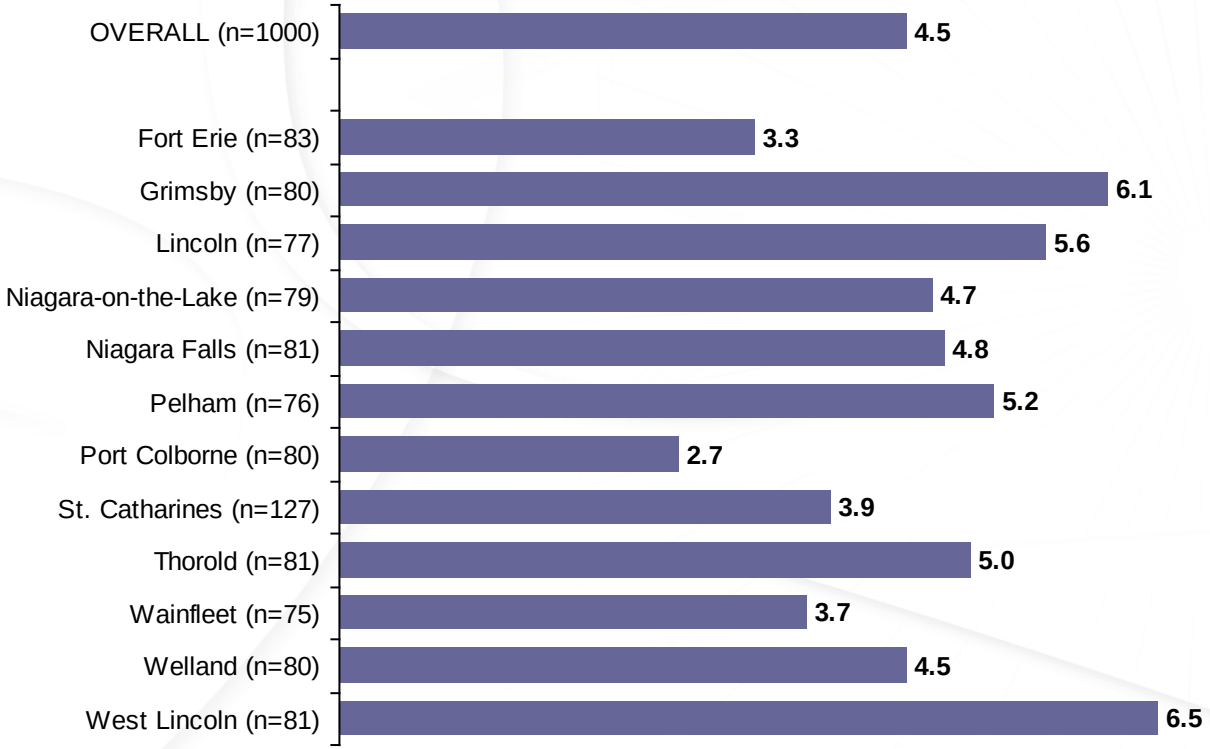
Question: "Overall, what is your impression of the Niagara Health System? Please use a scale from zero to 10, where zero means you have a 'very negative' impression and 10 means you have a 'very positive' impression." [n=1000]

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Overall Impression of NHS by Community:

10 out of 12 communities have below-average impressions of the NHS

- The impression scores within each of the 12 component communities of the NHS catchment areas reveal particularly poor impressions within Port Colborne (2.7), Fort Erie (3.3), Wainfleet (3.7) and St. Catharines (3.9). The two best scores are in West Lincoln (6.5) and Grimsby (6.1).



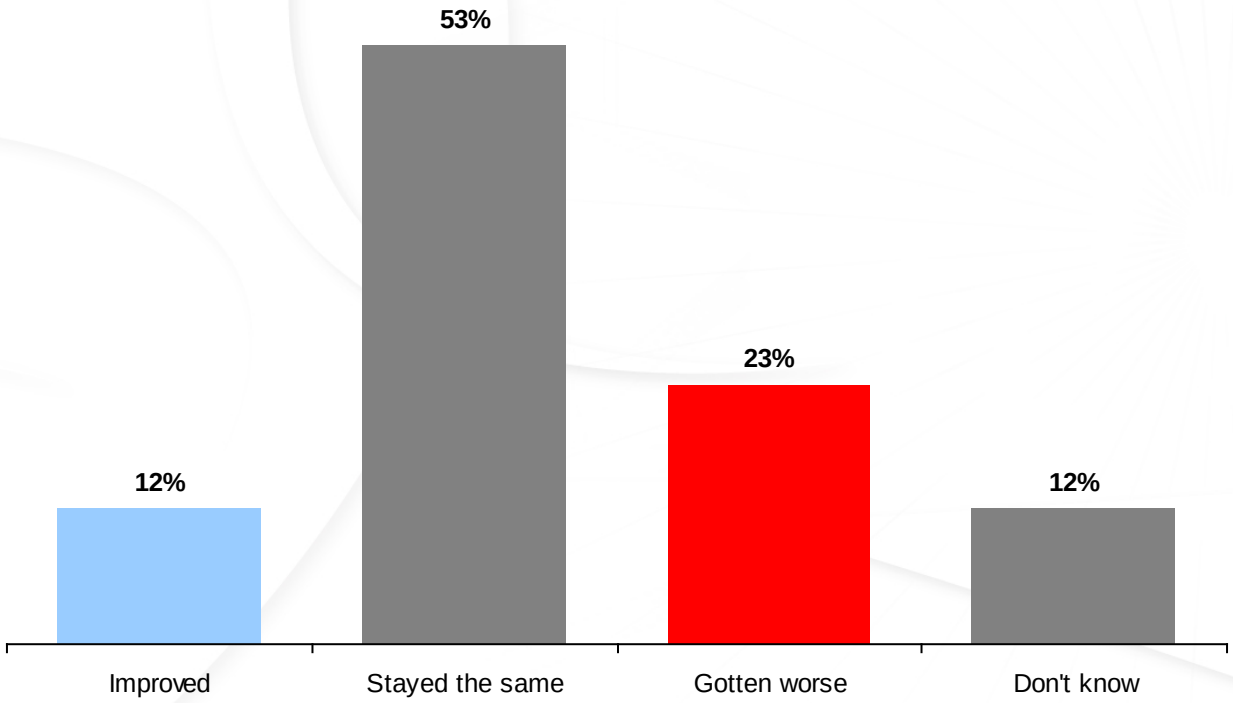
Question: "Overall, what is your impression of the Niagara Health System? Please use a scale from zero to 10, where zero means you have a 'very negative' impression and 10 means you have a 'very positive' impression." [n=1000]

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Impression Momentum:

Most opinions of the NHS have not changed since the supervisor's appointment

- Most residents (53%) say their impression of the NHS has not changed since the appointment of the supervisor. Pelham is the only community wherein more residents say their opinion of the NHS has improved (21%) since the appointment of the supervisor than gotten worse (9%). There is a noteworthy difference among income groups: the improved/gotten worse ratio is better among higher-income groups (22%/19% among those earning >$100k, 12%/21% among those earning $50-$100k, 7%/30% among those earning <$50k).



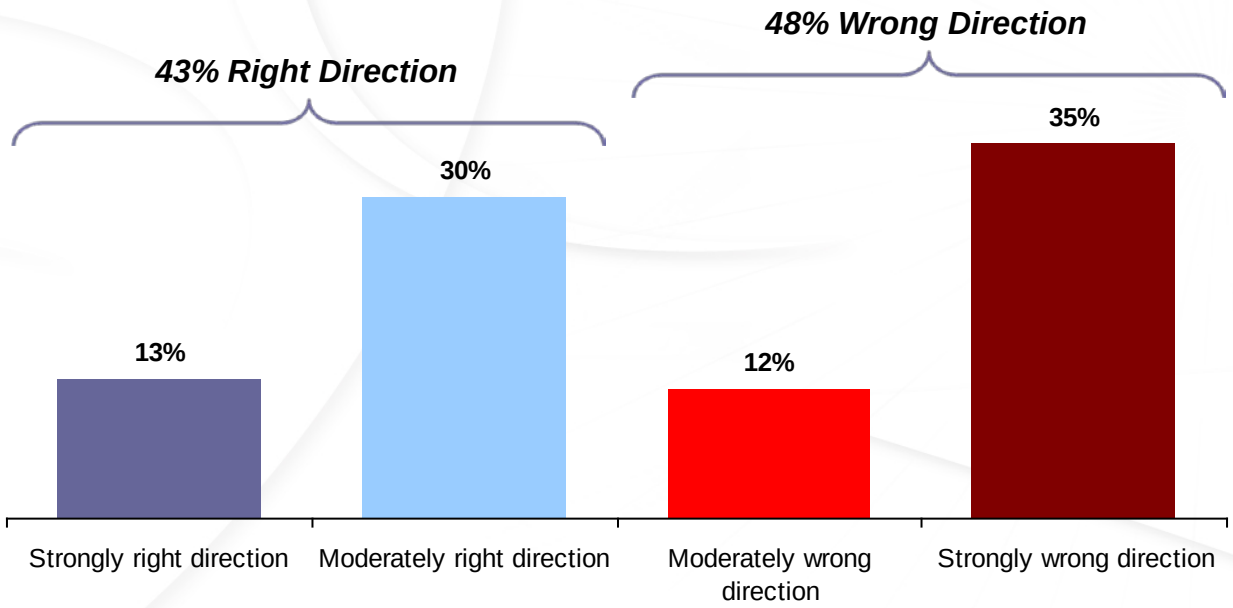
Question: "As you may know, the Ontario government appointed a supervisor to take control of the Niagara Health System in August 2011. Would you say your overall impression of the Niagara Health System has improved, gotten worse or stayed the same since the appointment of the supervisor?" [n=1000]

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Current Direction of the NHS:

Moderate opinions divided; Strong opinions point to wrong direction

- Overall, residents are fairly divided on whether the NHS is currently headed in the right direction (43%) or the wrong direction (48%) (NB: 9% don't know). However, strong opinions on the matter tell a different story, as 35% feel strongly the NHS is headed in the wrong direction compared to just 13% who feel strongly that it is headed in the right direction. Residents in Pelham (57%), Thorold (56%) and St. Catharines (54%) are the most likely to say the NHS is currently headed in the right direction. Meanwhile, residents of Port Colborne (71%), Welland (64%) and West Lincoln (62%) are most likely to say the opposite. Those who have been to a hospital themselves in the past 12 months are significantly more likely to say the NHS is headed in the wrong direction than in the right direction (54% vs. 38%).



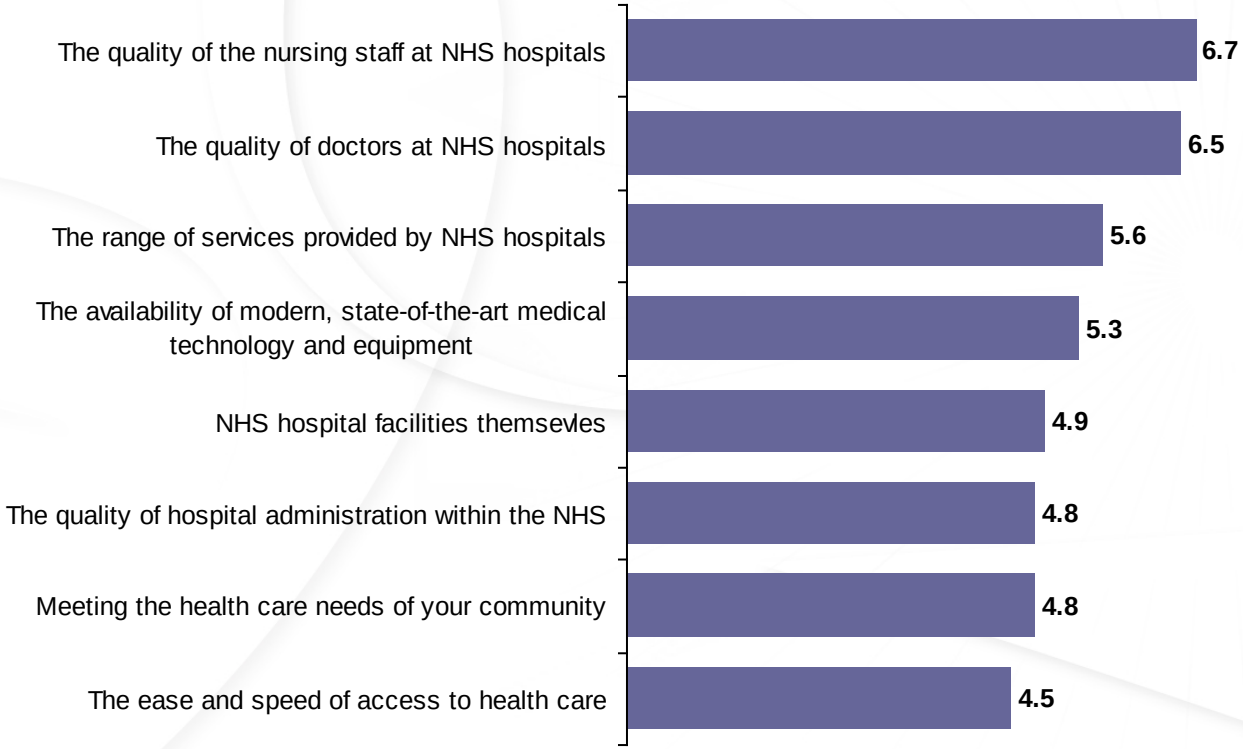
Question: "All things considered, would you say the Niagara Health System is currently headed in the right direction, or is it headed in the wrong direction? …And do you feel strongly or moderately about that?" [n=1000]

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Impression of NHS Attributes:

All attributes rated below average except quality of doctors and nursing staff

- NHS rated below average compared to other hospitals in Ontario on all of the attributes tested except the quality of the doctors and nursing staff. In terms of meeting the health care needs of the community, the NHS ranks highest in West Lincoln (6.4), Grimsby (5.9), Pelham (5.7) and Lincoln (5.5). Of those, only Pelham is principally served by an NHS site.

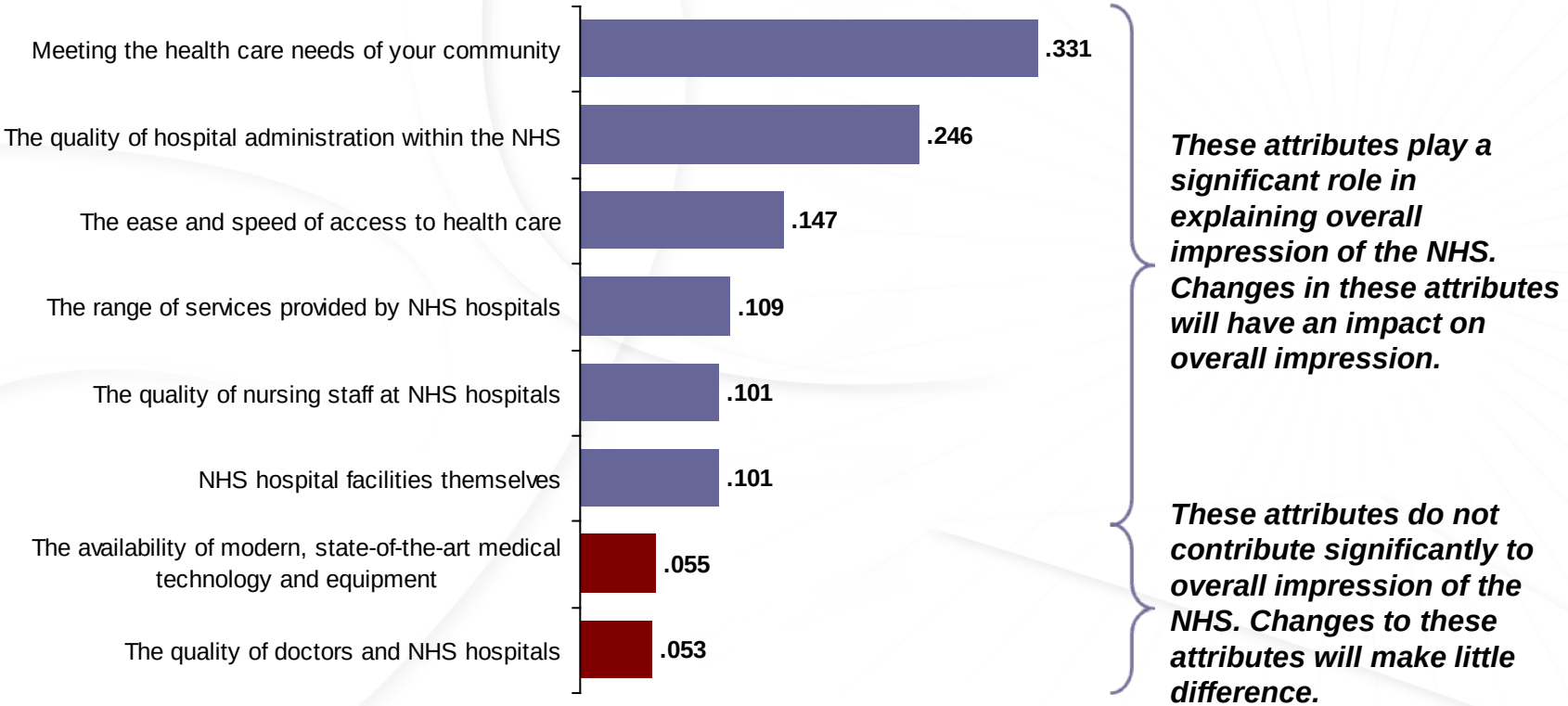


Question: "Now, I would like you to tell me your impression of each of the following aspects of the Niagara Health System. Please use the same zero-to-10 scale as before for each." [n=1000]

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Relative Importance of Attributes on Overall Impression:
Quality of hospital administration should be a target for improvement

- A regression analysis was used to determine which attributes are the most important drivers of overall impression. Combined, these eight attributes explain 63% of an individual's overall impression of the NHS. The graph below shows the absolute standardized coefficient of each attribute, and this value shows how important each attribute is in explaining the overall impression ratings. Improving impressions of the attributes with the highest coefficients will have the most significant impact on improving overall impression.



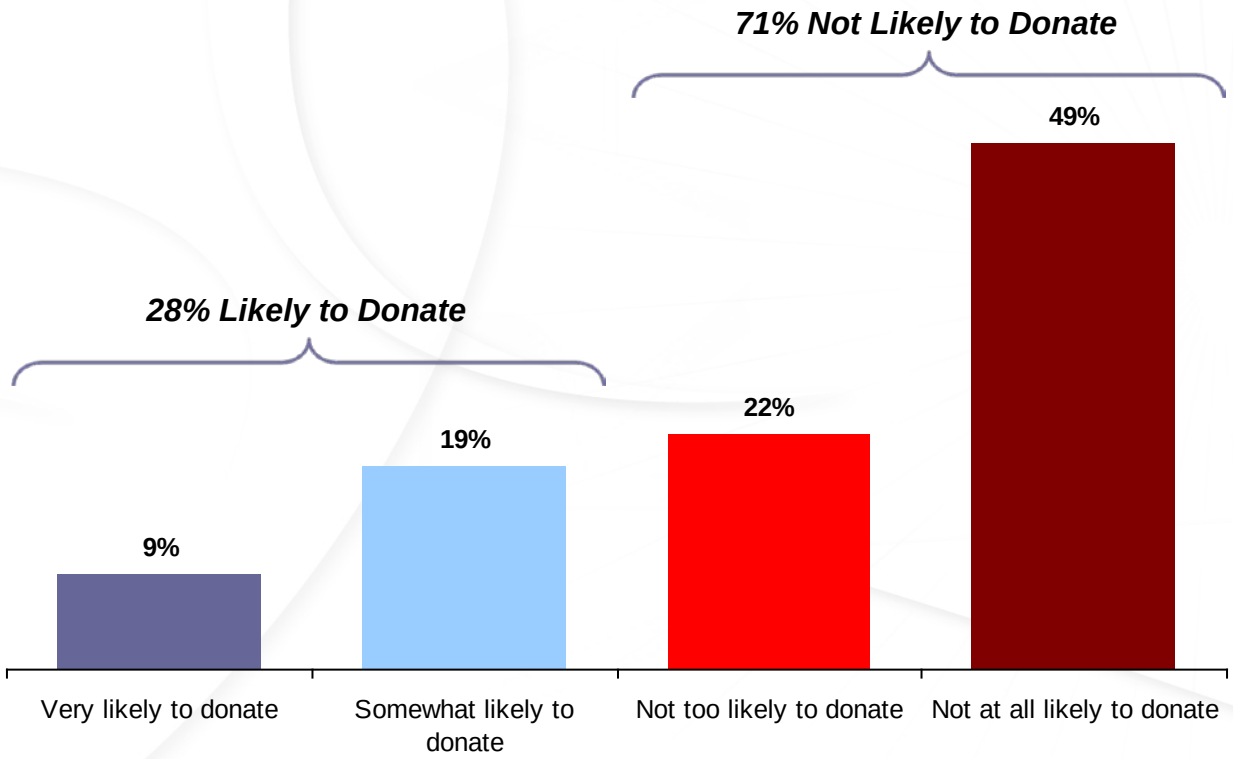
Question: "Now, I would like you to tell me your impression of each of the following aspects of the Niagara Health System. Please use the same zero-to-10 scale as before for each." [n=1000]

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Likelihood to Donate:

Experience with the NHS is not helping to create good will

- Niagara residents who have been themselves or have had a family member go to a hospital for treatment in the past 12 months are no more likely to express a likelihood to donate to the NHS than those who have not (27% vs. 28%). This stands in contrast to the pattern of responses observed for most other Ontario hospitals and suggests a degree of dissatisfaction with the experience they or a family member have had while in the NHS's care.



Question: "How likely would you be to make a financial donation within the next 12 months to the Niagara Health System?" [n=1000]

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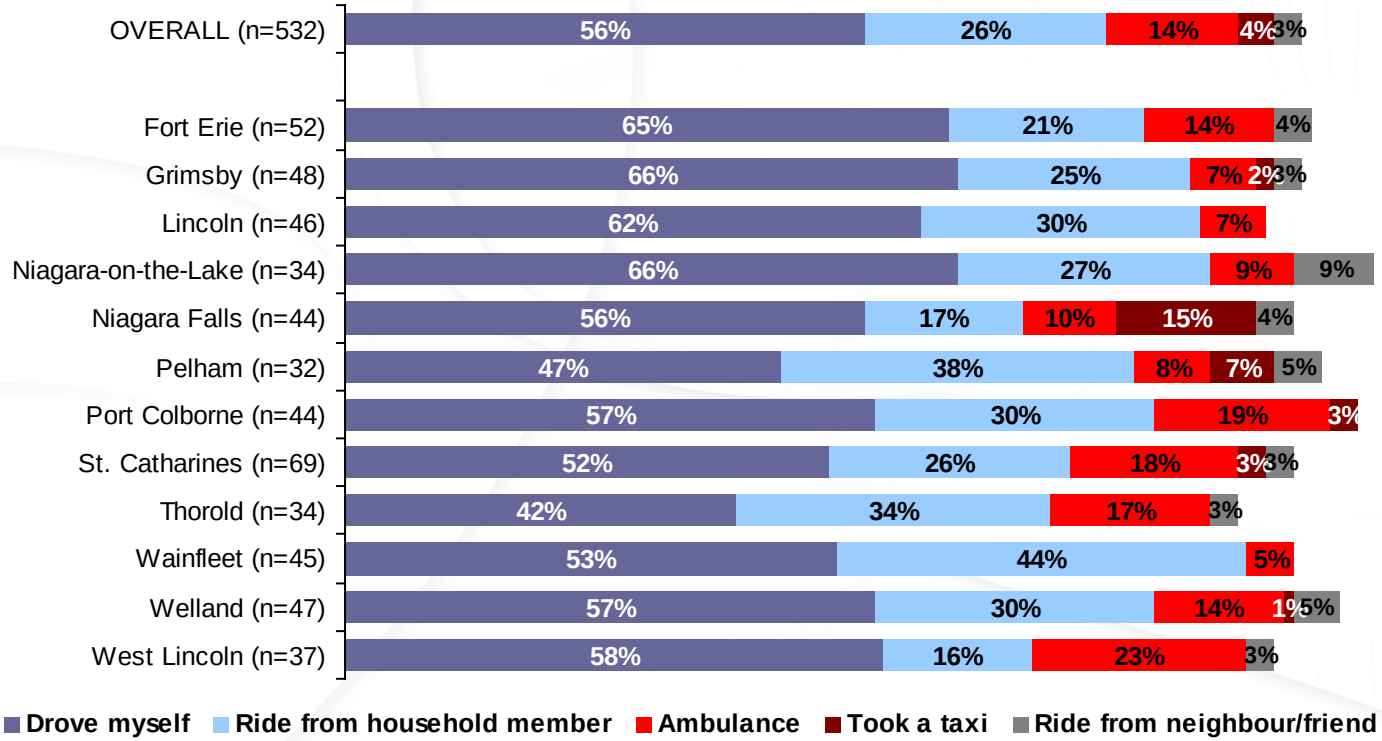
Part 3:
Traveling to Local Hospital

POLLARA

Method of Transportation:

Most Niagara residents drive themselves to the hospital

- Income plays a notable role in method of transportation. Residents in higher income households (>$100k/year) are much more likely to drive themselves to the hospital than lower income households (<$50k/year) by a 76%-to-41% margin. Meanwhile 22% in lower income household took an ambulance, compared to just 5% in higher income households. Residents aged 55 and over are also more likely to have taken an ambulance to the hospital than those aged 18-34 (21% vs. 5%), although both age groups are equally as likely to have driven themselves.



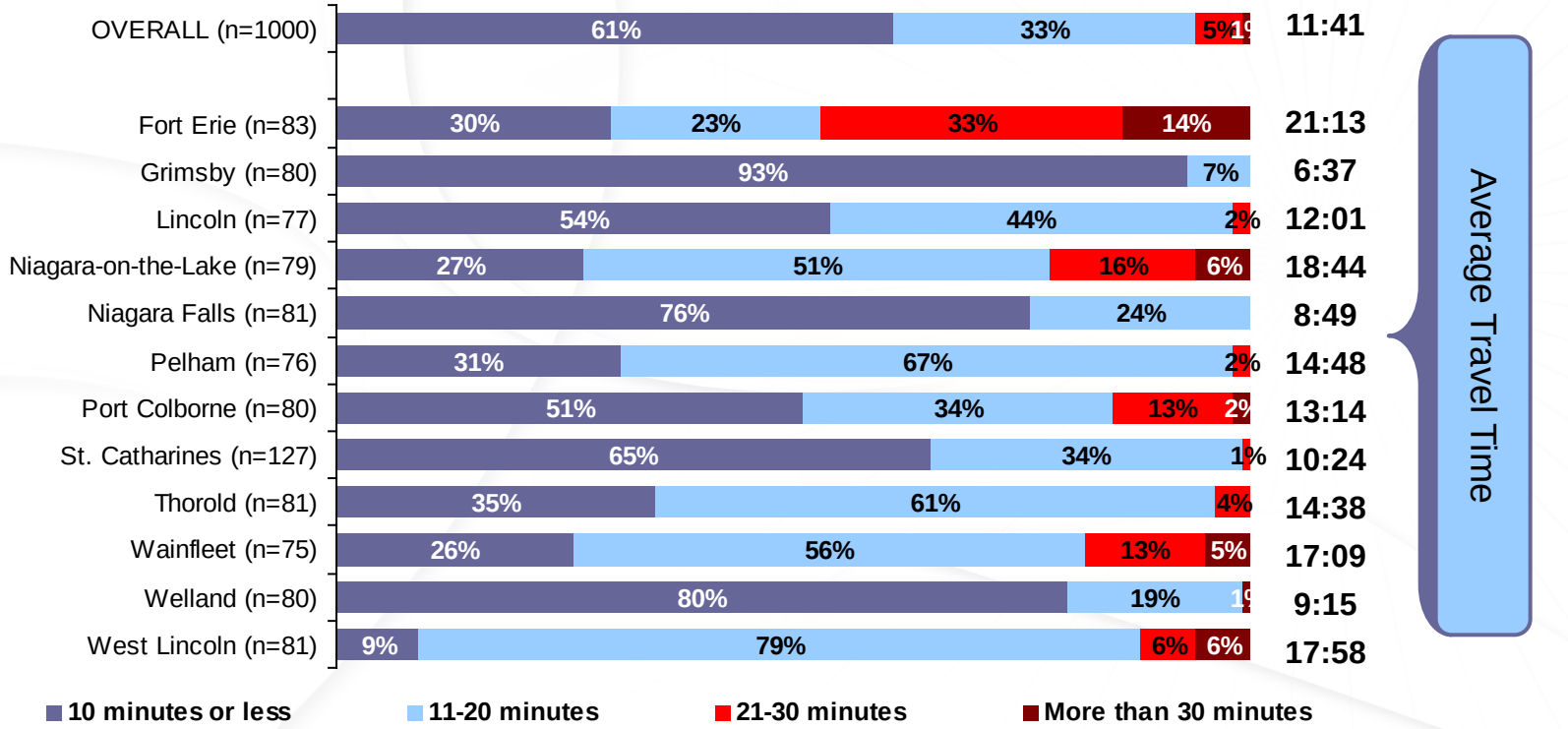
Question: "Thinking of the last time you or a member of your household went to a hospital as a patient, what method of transportation was used to get there?" [n=532]

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Current Driving Distance:

Residents say they are a 11:41 drive from their closest hospital on average

- The average travel time of 11:41 across the region is not shared by all communities. Those living in Fort Erie (21:13), Niagara-on-the-Lake (18:44), West Lincoln (17:58) and Wainfleet (17:09) face significantly longer-than-average driving distances. Meanwhile, residents in Grimsby (6:37) and Niagara Falls (8:49) have below average travel times to their closest hospital. Whether related to geography or not, the perception of travel time increases with age, from an average of 9:55 among those aged 18-34 to an average of 13:22 among those aged 55 and over.



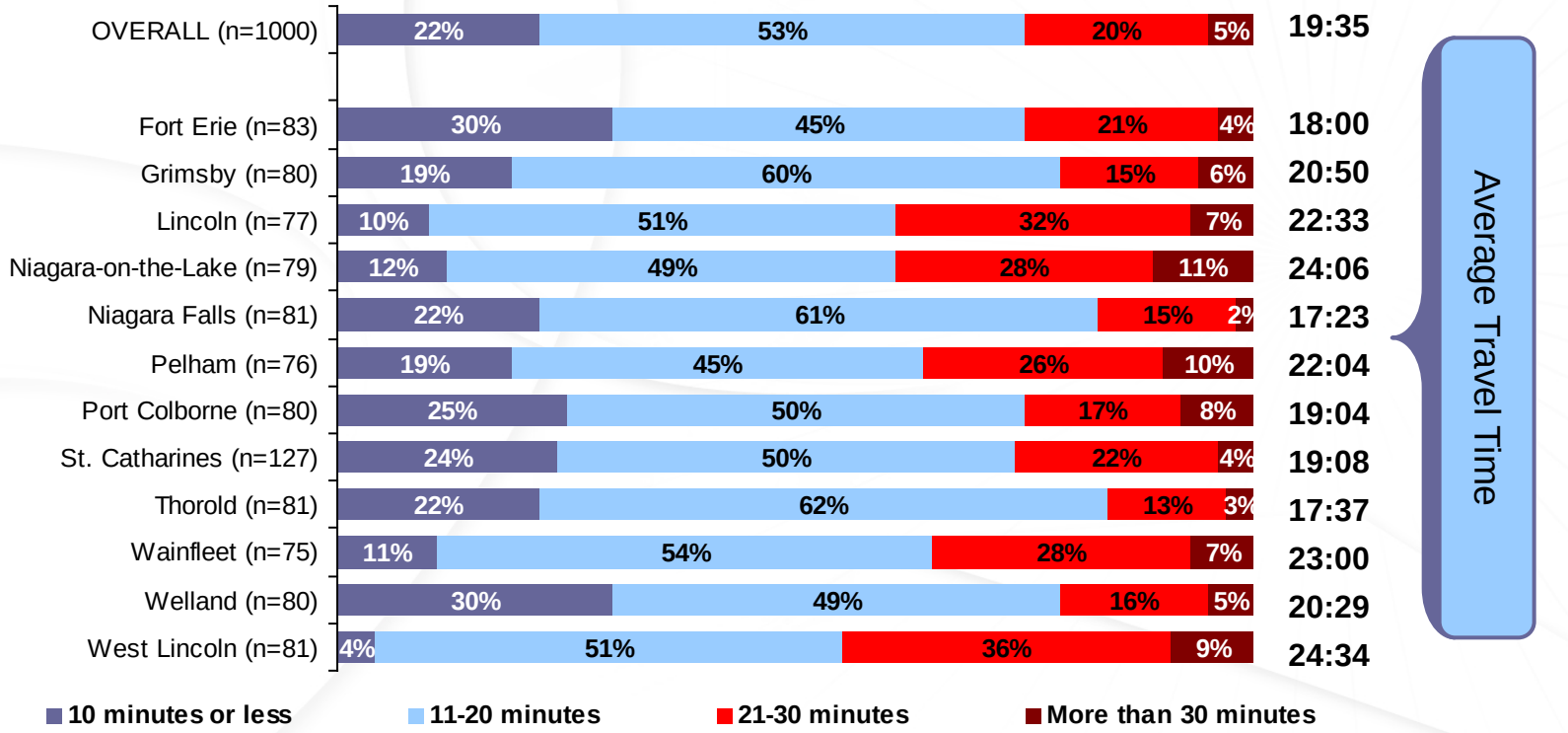
Question: "Roughly how long do you think it would take to get to the closest hospital from your home by car?" [n=1000]

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Maximum Acceptable Driving Distance:

Residents willing to drive as much as 19:35 to their closest hospital on average

- With a maximum acceptable driving distance of 18:00, Fort Erie is the only community not willing to drive longer for hospital care than currently on average (21:13). In fact, Niagara region residents are willing to travel for an average of 7:54 longer for hospital care – an increase of 68%. On an individual basis, 56% of residents are willing to have a longer travel time to the hospital than they do currently, compared to 34% who want travel times to stay the same and 10% who want to travel for less time.



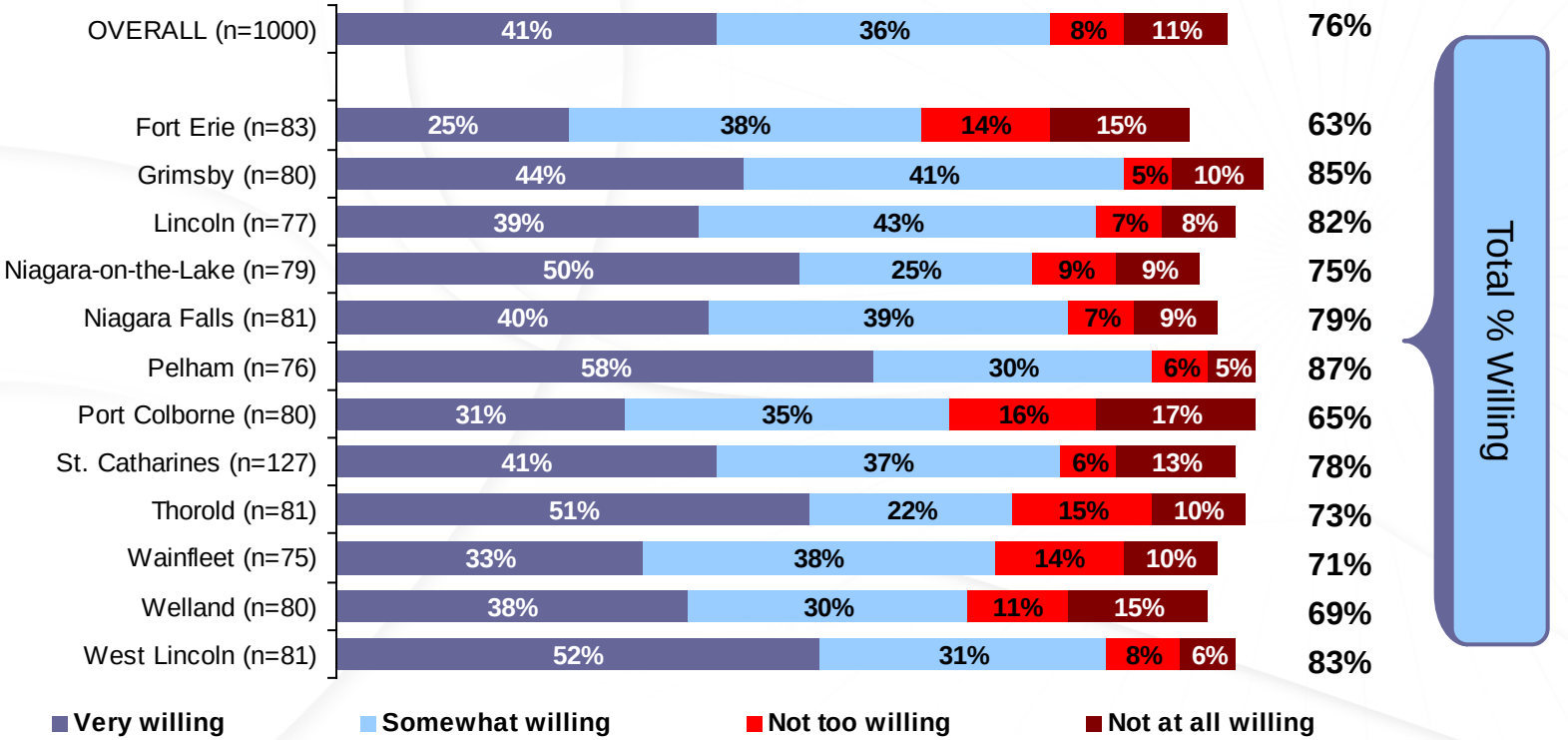
Question: "Generally speaking, what do you think is the maximum amount of time it should reasonably take somebody to drive to their local hospital from their home? That is, at what point would a hospital be too far away?" [n=1000]

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Willingness to Travel for Higher Quality of Care:

Three quarters willing to drive as much as 30 minutes further for the best care

- It should be noted that this question was asked after respondents were asked about the supervisor's recommendation to close certain sites and open new facilities. This helps explain why the willingness to travel further – while still a majority – is somewhat lower in the four directly affected communities of Port Colborne, Fort Erie, Niagara Falls and Welland (72% combined). By comparison, the willingness to travel further for the best available care is 79% in the rest of the Niagara Region combined.



Question: "Overall, how willing would you be to travel as much as 30 minutes further for hospital care services if you knew the extra distance travelled meant that you could get the highest quality of care possible?" [n=1000]

POLLARA

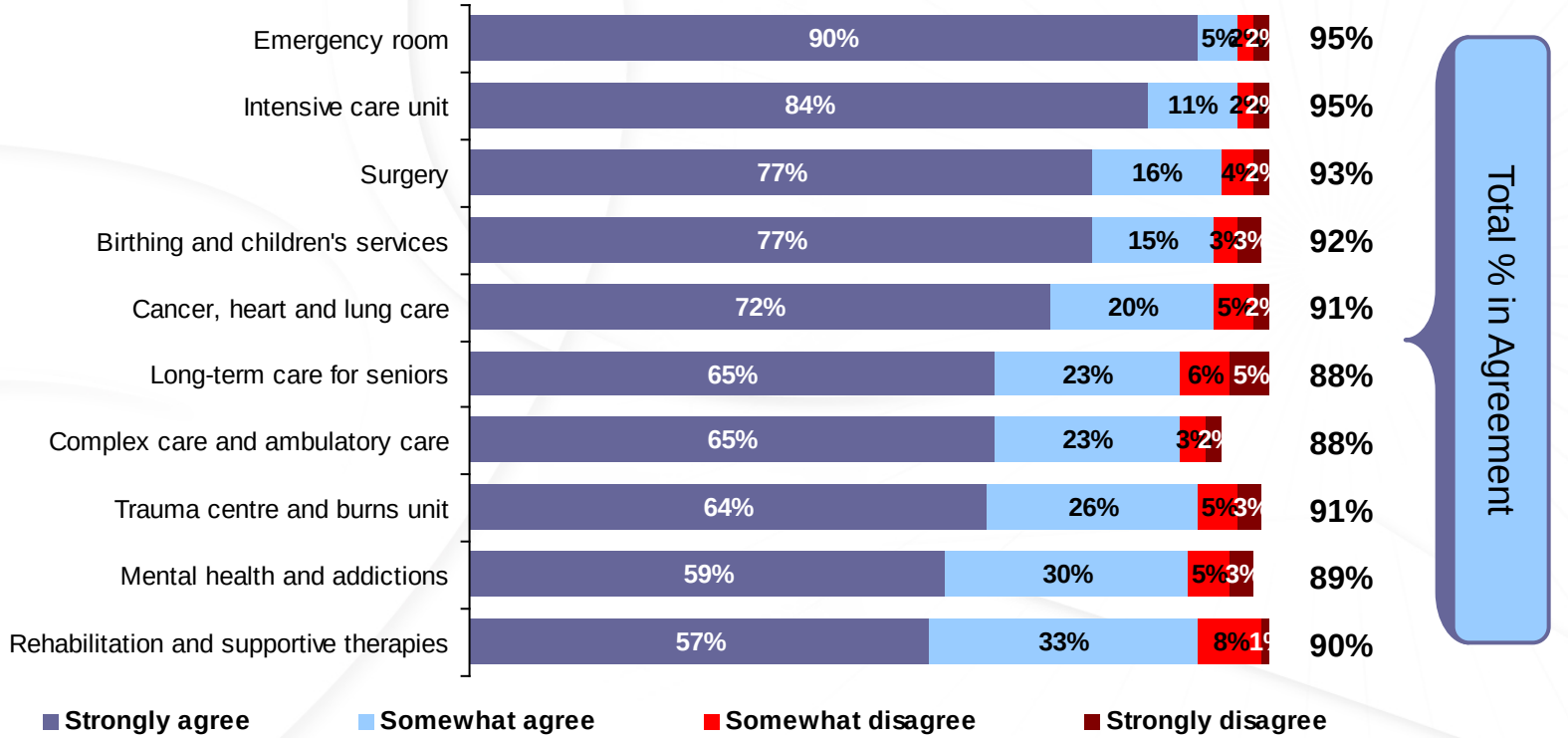
Part 4:
Attitudes Towards Hospital Care Delivery

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Essential Hospital Care Services:

Directly affected communities react most negatively to recommended closures

- As the "Total % in Agreement" figures in the chart below show, roughly nine in 10 respondents agree that all of the tested hospital services are essential to their community. It's the *intensity* of that agreement that reveals priority areas – namely ER, ICU, surgery, and paediatrics/maternity. For each of the six remaining services, there is some flexibility from the public's perspective in terms of what is offered and at what sites. Mental health/addictions is particularly important in St. Catharines (70%), but otherwise all services are similarly important to each community (within the survey's margin of error).



Question: "I am going to read you a list of some hospital care services that may or may not be offered at various hospitals throughout the Niagara Region. For each, please tell me if you strongly agree, somewhat agree, somewhat disagree or strongly disagree that it is an essential service to your community?" [n=1000]

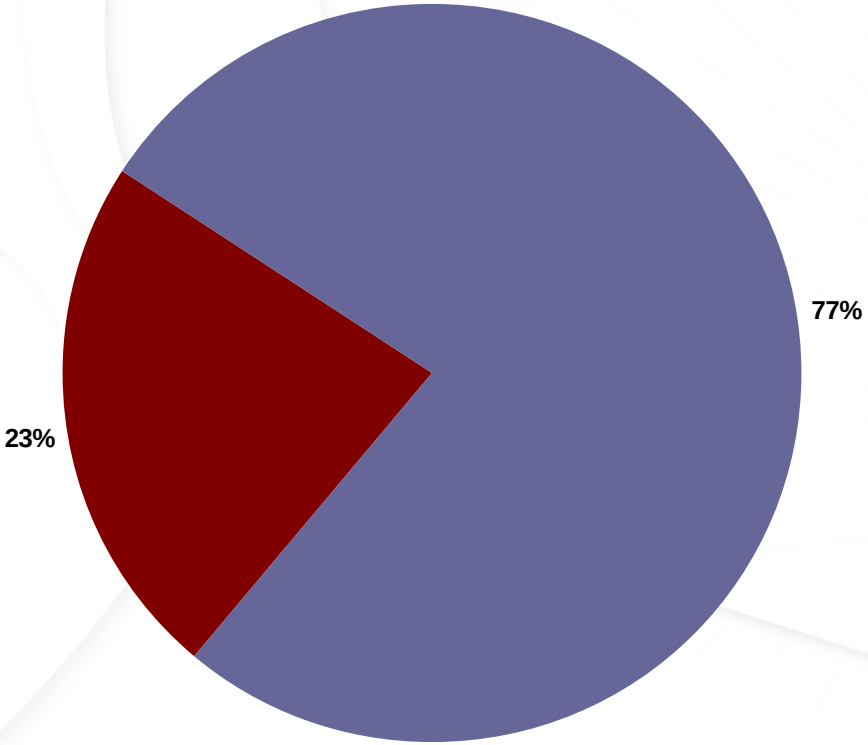
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Attitudes Towards Guiding Principle of Care:

Three-quarters choose "quality" over "quantity"

- Most Niagara Region residents (77%) side with the viewpoint that "programs and services should be divided up among the hospitals in the Niagara Region to make sure that each hospital offers the highest quality of care possible. Basically, quality over quantity." The principle of quality is preferential to the principle of quantity in all 12 communities and across all demographic and socio-economic groups.

"Each hospital in the Niagara Region should offer as many programs and services as possible in order to serve as many people as possible. Basically, quantity over quality."



"Programs and services should be divided up among the hospitals in the Niagara Region to make sure that each hospital offers the highest quality of care possible. Basically, quality over quantity."

Question: "I am now going to read you a couple different viewpoints regarding how hospital programs and services should be provided. Which one comes closest to your own viewpoint?" [n=1000]

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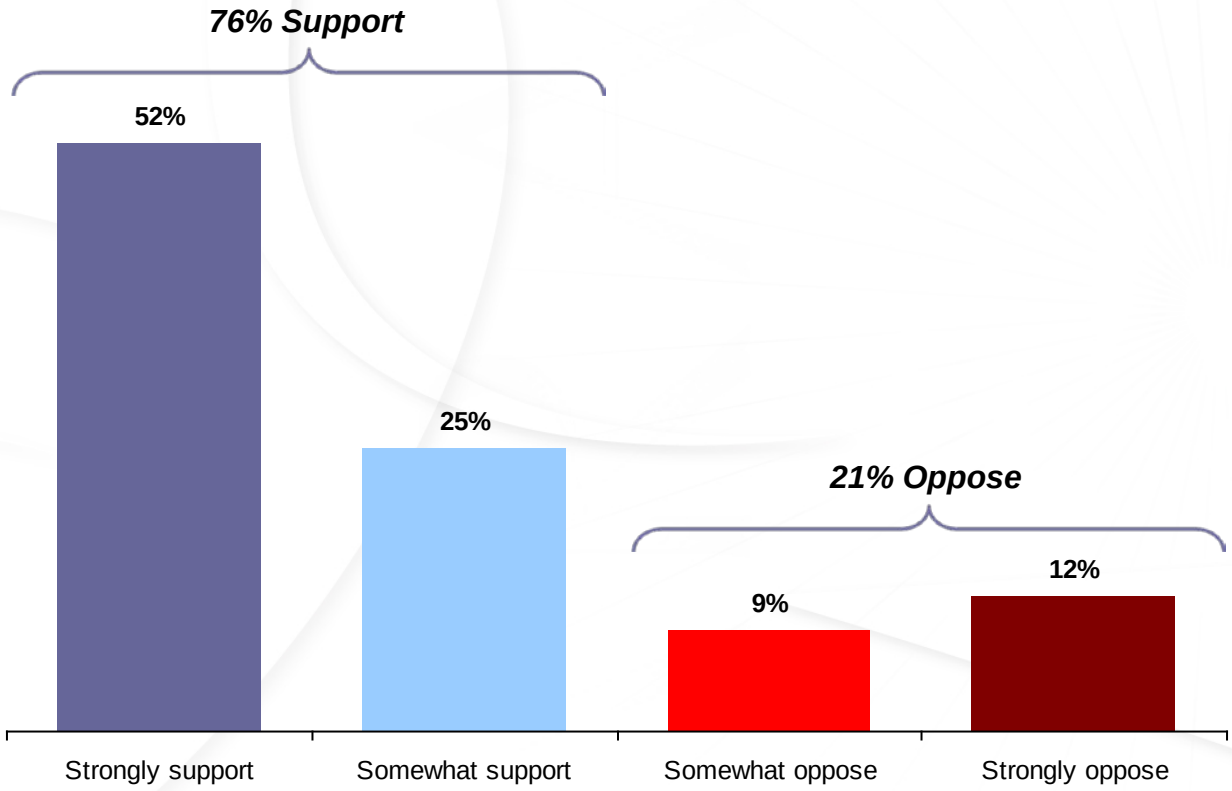
Part 5:

Community Response to Restructuring Proposal

Support for New Facilities:

Three-quarters of residents support the proposed new facilities on their own

- Within a vacuum, 76% of Niagara region residents say they support opening a new general acute care hospital and a new urgent care centre in South Niagara. Support is strong across all 12 communities, even those in North Niagara such as Niagara-on-the-Lake (78%) and St. Catharines (85%).



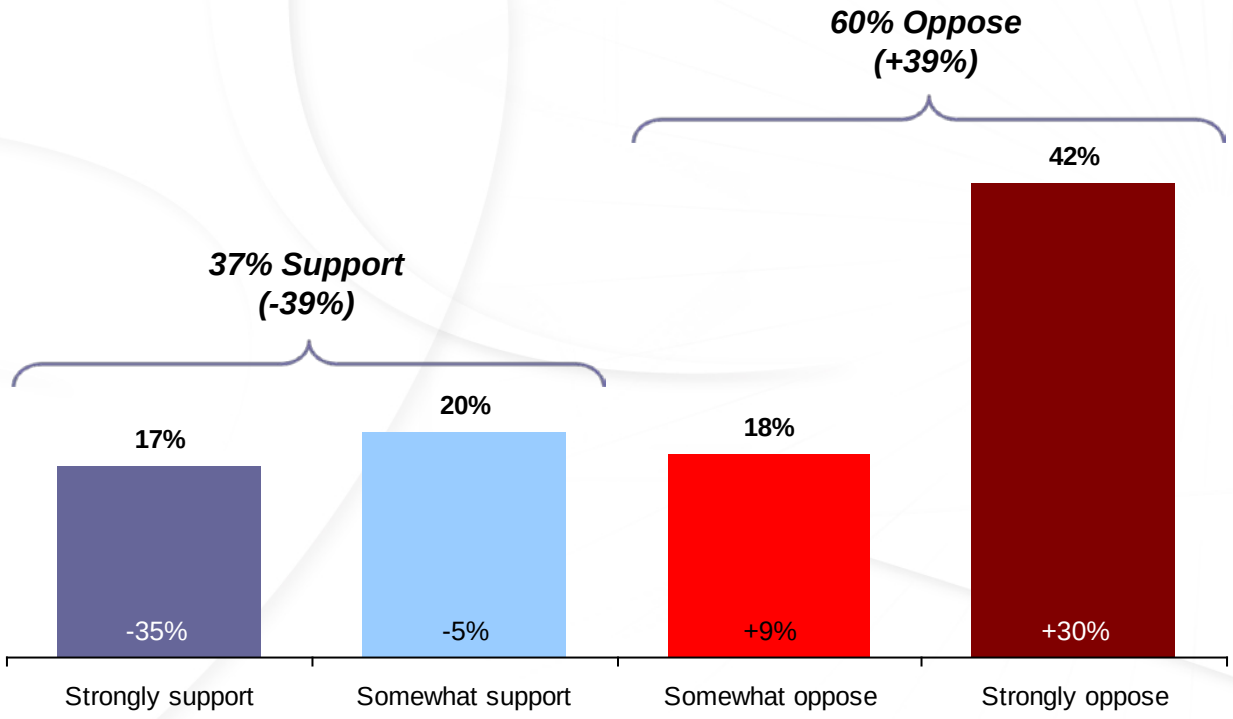
Question: "How much would you support or oppose opening a new general acute care hospital and a new urgent care centre in a conveniently accessible location somewhere in South Niagara?" [n=1000]

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Support for New Facilities While Closing Others:

Majority support reverts to majority opposed amid 39-point swing

- Support for the new facilities erodes when offset by the proposed closures in Port Colborne, Fort Erie, Niagara Falls and Welland. Only 37% of residents continue to support the restructuring in this case, a decrease of over 50%. However, a majority of those in households earning over $100,000 annually would continue to support the recommended openings despite the closures (56%).



Question: "Now, how much would you support or oppose closing the existing hospital sites in Port Colborne, Fort Erie, Niagara Falls and Welland and replacing them with a new general acute care hospital and a new urgent care centre in a conveniently accessible location somewhere in South Niagara?" [n=1000]

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Support Retention Pools:

Most of those who support the openings would oppose them due to closures

- A majority of those who support opening a new general acute care hospital and a new urgent care centre in South Niagara would oppose it if it meant closures in Port Colborne, Fort Erie, Niagara Falls and Welland (53%). Meanwhile 15% of those who originally opposed the new openings would actually support them alongside the concomitant closures. Having said that, the general trend is that the recommended closures make Niagara Region residents less likely to support the recommended openings.

Support for Openings → / Support for Openings/ Closures ↓	TOTAL SUPPORT	Strongly Support	Somewhat Support	TOTAL OPPOSE	Somewhat Oppose	Strongly Oppose
TOTAL SUPPORT	44%	48%	35%	15%	18%	13%
Strongly Support	21%	27%	7%	6%	3%	7%
Somewhat Support	23%	21%	29%	10%	15%	6%
TOTAL OPPOSE	53%	48%	63%	84%	81%	86%
Somewhat Oppose	19%	17%	22%	14%	23%	9%
Strongly Oppose	34%	31%	41%	69%	57%	77%

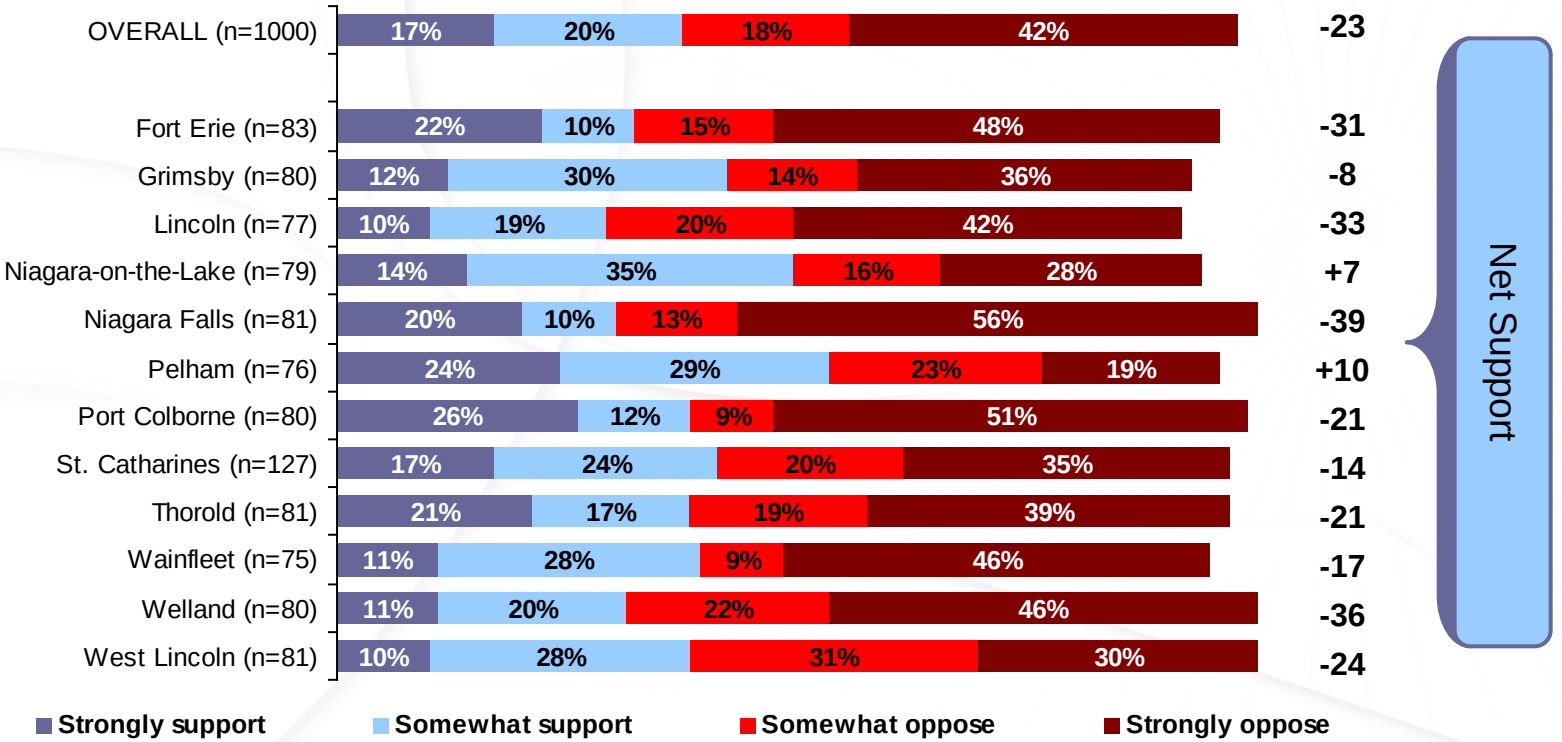
NB: Highlighted cells in table above denote the proportion of respondents who provided the same answer to both questions.

Questions: "How much would you support or oppose opening a new general acute care hospital and a new urgent care centre in a conveniently accessible location somewhere in South Niagara?" [n=1000]; "Now, how much would you support or oppose closing the existing hospital sites in Port Colborne, Fort Erie, Niagara Falls and Welland and replacing them with a new general acute care hospital and a new urgent care centre in a conveniently accessible location somewhere in South Niagara?" [n=1000]

Support for Restructuring by Community:

Directly affected communities react most negatively to recommended closures

- A couple of communities continue to have majority support for the recommended openings and closures; i.e., Niagara-on-the-Lake (50%) and Pelham (52%). The four directly affected communities – Port Colborne, Fort Erie, Niagara Falls and Welland – all react negatively to the recommended closures. The combined net support of these four communities is a strongly negative -35. Meanwhile, net support throughout the rest of the Niagara Region combined is not nearly as negative, at -13.



Question: "Now, how much would you support or oppose closing the existing hospital sites in Port Colborne, Fort Erie, Niagara Falls and Welland and replacing them with a new general acute care hospital and a new urgent care centre in a conveniently accessible location somewhere in South Niagara?" [n=1000]

POLLARA

Main Reasons for Position on Restructuring:

Site location is the most significant reason for opposing the restructuring

- Fears about the adverse impact of reducing/changing hospital site locations represent the primary reasons for opposing the recommended openings and closures. If the restructuring is to gain any measure of public support, location-related concerns must be allayed. A careful study into optimal locations for the proposed new facilities will be necessary to ensure easy access well within the 19:35 travel time tolerance threshold for the region and the 17:23 threshold for Niagara Falls in particular.

Main Reasons for Supporting the Recommendation

- **Current facilities are old / in disrepair (23%)**
- **Good idea (20%)**
- **Location: Current sites not accessible / too far (13%)**
- **New facilities will have modern equipment / technology (12%)**
- **New facilities will provide better continuity / quality of care (11%)**
- **Location: Centralized / Conveniently located (10%)**
- **New facilities will be more cost efficient (9%)**
- **Location: Each city needs its own site (8%)**
- **All others: 4% or less**
- **Don't know (4%)**

Main Reasons for Opposing the Recommendation

- **Location: New sites not accessible / too far (51%)**
- **Location: Each city needs its own site (21%)**
- **Bad idea (9%)**
- **Concern about wait times increasing (8%)**
- **Nothing wrong with current facilities (7%)**
- **Location: Possible loss of life due to increased travel time (7%)**
- **Should improve current facilities instead (6%)**
- **Costing tax payers / wasteful (6%)**
- **All others: 5% or less**
- **Don't know (1%)**

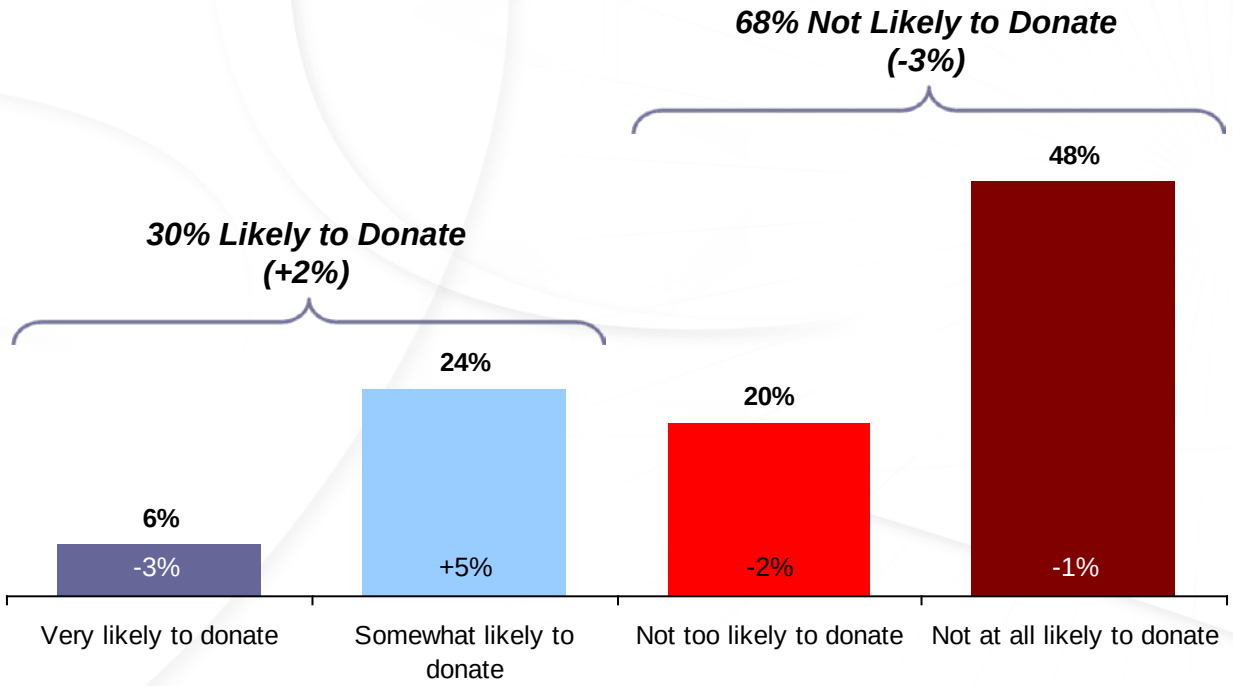
Question: "What is the main reason why you [support/oppose] closing the existing Hospital Sites and replacing them with new facilities as described?" [Support n=396; Oppose n=555]

POLLARA

Likelihood to Donate If NHS Proceeds with Restructuring:

Net donor behaviour largely unchanged despite opposition to closures

- Overall, the likelihood to donate to the NHS remains roughly the same if the restructuring plan is approved. However, the small changes in the overall numbers belie massive shifts in the underlying numbers. In terms of donor retention, just 61% who initially said they would be likely to donate would maintain this position if the plan were to proceed. Meanwhile, the closures and openings would inspire 18% of those who were initially unlikely to donate to become likely donors. Part of this is explained by gender as men grow less likely to donate and women grow more likely with the restructuring. There is also a regional component as likely donors in Grimsby, West Lincoln and Welland are lost while others are gained in St. Catharines and Wainfleet.



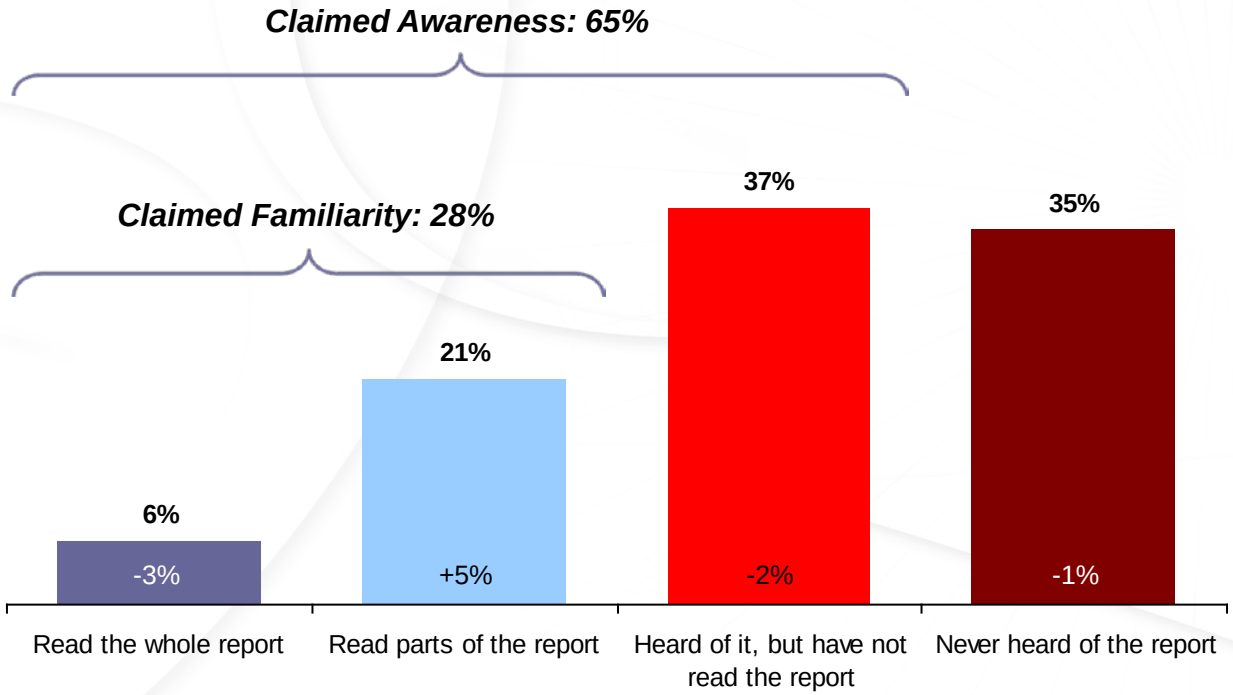
Question: "Now, please imagine that the plan to close the existing hospital sites in Port Colborne, Fort Erie, Niagara Falls and Welland and replace them with a new general acute care hospital and a new urgent care centre in a conveniently accessible location somewhere in South Niagara is approved. If this happens, how likely would you be to make a financial donation within the next 12 months to the Niagara Health System?" [n=1000]

POLLARA

Awareness of Supervisor's Interim Report:

Two-thirds say they are aware of the report; A quarter claim to have read it

- Those who claim to be aware of the report also tend to have a more negative impression of the NHS (4.1 out of 10 vs. 5.1 for the unaware) and are more likely to say the NHS is headed in the wrong direction (52% vs. 40% for the unaware). They are, however, more likely to support the restructuring plan (40% vs. 32% for the unaware).
- It should be noted that these are self-reported figures that likely suffer from the pitfalls of social desirability bias. As such, the claimed awareness and readership numbers are probably overstated to some degree.



Question: "As you may know, NHS Supervisor Dr. Kevin Smith recently released a report to the Niagara community on the restructuring of the Niagara Health System. How familiar are you with this report?" [n=1000]

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APPENDIX “C”

REPORT OF

MATERNAL/CHILD SERVICES

EXPERT PANEL

Date: August 2012

To: Dr. Kevin Smith
Supervisor Niagara Health System

From: Ms. Mary Jo Haddad, President and Chief Executive Officer, The Hospital For Sick Children, Toronto
Dr. Lennox Huang, Chair, Department of Pediatrics, Faculty of Health Sciences, McMaster University and Chief, Department of Pediatrics, Hamilton Health Sciences and St. Joseph's Healthcare Hamilton
Ms. Brenda Flaherty, Executive Vice-President, Clinical Operations, Hamilton Health Sciences
Dr. Nicholas Leyland, Chair, Department of Obstetrics and Gynecology, Faculty of Health Sciences, McMaster University and Chief, Department of Obstetrics and Gynecology Hamilton Health Sciences

Re: Obstetrics and Pediatrics Care in Niagara

Thank you for the opportunity to participate in the review of Obstetrics and Pediatrics care in Niagara to build a sustainable model of care. Both programs provide an essential component of health care delivery to any community and as we look across our province and country proposed changes to these programs often result in emotional and passionate perspectives. We acknowledge and compliment the presenters of both alternate options for their professionalism and focus on patient centered care in presenting their positions.

It is not our intent to elaborate on the history of debate and consulting reviews on this important matter. In addition to listening intently to all of the presentations on August 14, 2012 our panel carefully reviewed all material prepared for us including the following:

- Niagara Health System Maternal Child Program – A Case for Change: Proposal to Consolidate Maternal Child Care Program – August 2006 By NHS Maternal Child Care Program Management Team
- Niagara Health System Maternal Child Program Meeting Minutes of March 22, 2006
- Report on External Review of the Obstetrical and Gynecology Services in the Niagara Health System (Executive Summary) – January 2005 By Ron Livingstone, Remi Ejwunmi, Roseanne Hickey
- Review of the Niagara Health System Hospital Improvement Plan – October 2008 By Dr. Jack Kitts

Review Material (cont.)

- Pediatric Hospitalist/Ambulatory Care & Teaching Centre Proposal – NHS
- Maternal Child Program at the New Hospital Site – November 2009/Revised June 2012
  By Donna Rothwell and NHS Pediatric Department

- Proposal to Maintain Maternal Child Services in Niagara South – June 2012
  By the Greater Niagara Medical Society

- NHS Medical Advisory Committee Response – July 2012

- NHS Medical Advisory Committee Meeting Minutes – July 4 and July 12, 2012

- Niagara Emergency Medical Service Response – July 2012
- Niagara Health System – Statistics:
  - Maternal Child CHRP Quality Indicators
  - ER Visits for OBS-GYN-Peds
  - Key Statistics (Unit Bed Volumes, Occupancy, etc.)
  - Newborn Statistics (Deaths, Stillbirths, etc.)
  - Maternal Child Quarterly Indicators
  - New Born Quarterly Indicators
  - Pediatrics Quarterly Indicators

In addition, we also referenced the Provincial Council for Maternal Health (PCMCH) Benchmarking Report for the prior two periods which included benchmarking and quality indicators.

Basically, the two positions on the most appropriate model for delivery of Obstetrics and Pediatrics care are as follows:

1. Maintain the current decentralized model of delivery with inpatient programs remaining at the Niagara Falls, Welland and St. Catharines sites until the new hospital in the "South" is built. Niagara Falls and Welland physicians would have a shared on-call arrangement for those sites. There would be one scheduled weekend "by-pass" in Niagara Falls and one weekend "by-pass" in Welland for both services on a monthly basis during which physician coverage at the site on "bypass" would not be available.

2. Consolidate or centralize all inpatient Obstetrics and Pediatrics at the new NHS St. Catharines site when it opens in 2013. The Interim Report of the Supervisor (May 2012) further recommends that these programs move to the new "South" site when it is completed.

   Please note that in our deliberations, our panel focused entirely on the best model for delivery of Obstetrics and Pediatrics for the future for the entire Niagara Region.

   We observed that the delivery of these programs in the past and present is provided by competent and dedicated physicians, midwives, nurses and allied health professionals and support staff.

   Based on our analysis, and considering all factors, but primarily the provision of high quality, safe patient care on a sustainable basis our committee unanimously recommends:

That the recommendation for consolidation of Obstetrics and Pediatrics contained in the Interim Report of the Supervisor (May 2012) be confirmed and that all parties commit to comprehensive transition process to begin immediately within a targeted completion in the Spring of 2013. In addition the following recommendations should be implemented.

a. Gynecology day surgery should continue to be offered at all full service acute sites. Consolidation should be for inpatient and birthing services.
b. Ultrasound and other associated services remain at all acute sites
c. Interprofessional Models of Care be clearly identified drawing from the work of the Provincial Council for Maternal Child Health
d. A model for low risk hospital based family medicine obstetrics be clearly defined
e. Midwifery with a full scope of practice be offered
f. Obstetricians and Pediatricians should continue to be based in the communities of Niagara where they can provide the vast majority of consultative and ongoing care to the people in these communities
g. Physician and administrative leaders support all members on the Interprofessional team to build an integrated Niagara Health System inpatient model at the St. Catharines site
h. EMS and NHS will utilize protocols for the very rare medical emergencies of any nature.

Without question, this is both a complex and emotional matter for decision at both the provider and community levels. The primary rationale for the recommendations of our panel is as follows:

A) *SUSTAINABILITY*

1. We believe the proposed three site model is unsustainable for recruitment and retention of quality physician, midwifery, nursing, and allied health professionals. The competition for the best and most highly sought physicians, midwives, nurses and allied health professionals is intense at the provincial, national and international levels. The consolidated model clearly provides the most competitive advantages to attract the level of specialized skill and expertise to the Niagara Region for both programs. Practitioners would be offered state of the art facilities and equipment and an attractive on-call schedule. Please note that while much of the attention at our meeting was on physicians, the ability to retain and attract highly quality midwives, nurses and allied health professionals is no less important.
2. From an academic point of view, a decentralized model will be less appealing to health professional trainees. The consolidated model provides- by far- the best opportunity to attract nursing, midwife and physician learners to Niagara, leading to improved recruitment and an enhanced profile in education and research translates to improved quality of care and has additional advantages of exposing potential new recruits to work at the NHS.
3. While the dedication and commitment of the existing care providers is commendable there are significant concerns with the aging of current compliment of staff in all classifications and the added pressure of covering multiple sites and resultant diminished capacity to address short and long term unplanned absences.
4. Financial projections are complex and often the subject of skepticism of validity. We have reviewed material presented and feel confident that the consolidated model provides the

best opportunity for cost saving at both the operational and capital levels for the organization. With decreased government funding for health care all opportunities for savings while maintaining quality care must be realized.

B) *PATIENT SAFETY*

1. It was noted that even under the proposed model we would begin with planned "by-pass" or closures once a month. Current experience is that there are also unplanned periods of "by-pass" resulting from unavoidable absences by key providers. This model of care increases risks to mothers and children and is confusing to consumers. Expecting patients to know when Welland or Niagara Falls is closed is concerning and potentially dangerous.
2. One site on-call coverage offers significant advantages from patient safety and quality perspectives for both mothers and children. While physicians in both Welland and Niagara Falls tend to live close to the respective sites, shared emergency on-call proposed under the decentralized model will require travel between sites. The centralized model includes provisions for back-up of the emergency departments without in-patient pediatrics or obstetrics.
3. Standardization and adoption of best practices translate directly to higher quality safe patient care. These are many examples at the Niagara Health System (NHS) where efforts are being made to adapt best practices. Under a decentralized model this has proven to be much more difficult.

C) *FUTURE VISION OF HEALTH CARE IN ONTARIO*

1. Innovation and expanded services are much more likely under a consolidated in patient model with a strong teaching and research focus through advantages of critical mass, 24/7 on site coverage and economies of expertise and scale.
2. The future vision for health care delivery in Ontario as well as nationally and internationally is to increase out-patient and home care services and correspondingly reduces higher cost inpatient services. This focus applies to all clinical programs and services that are currently provided in hospitals and is evidenced by the overall reduction in inpatient beds in recent years. This trend in health care delivery will certainly continue and having a highly skilled workforce providing specialized care in a consolidated unit is very much in keeping with this vision.
3. For the NHS to be a recognized leader in Obstetrics and Pediatrics a culture needs to be developed and embraced that fosters Interprofessional practice and education, leveraging of scope of practice and maximizing access to competent care. The NHS and Niagara Region have an exciting opportunity to create a dynamic and rewarding work environment at a time when the competition for talent and resources is immense.

As with any comparison of this nature there are also valid concerns on the negative impact of one model versus another and this is no exception. The potential concerns expressed with the consolidated model must be addressed to the fullest extent possible and include but are not limited to the following:

1. Increased travel time to a single site is a real and legitimate concern in all regions of the province providing obstetrical, newborn and pediatric care. Our understanding is that the Niagara Emergency Medical Services (EMS) is well situated with a highly qualified complement of Advanced Care Paramedics and has been actively involved in the review of the Supervisor to date. EMS is committed to continue to be actively involved in the transition process and plan. In addition, an extensive communication plan with the community at large and obstetricians, midwives and pediatricians in particular on access related matters and to reinforce that outpatient services would remain in the communities under the consolidated model.
2. Both the Greater Niagara General and Welland Hospitals must remain as comprehensive acute care hospitals until the new hospital in the "South" is built. The NHS Administration and Medical Advisory Committee needs to focus on the residual impact on other services, particularly Emergency Medicine, with the transfer of Obstetrics and Pediatrics to the new St. Catherines Hospital.
3. There is no escaping the additional stress that these recommendations may have on the professional practices, including physicians, the dedicated nursing staff and allied health workers at all facilities. Rationalization of clinical services is our new reality both provincially and nationally and naturally results in this unavoidable consequence. We are grateful to those who will be required to undergo the needed changes for the betterment of the NHS

and the population of the Niagara Region. These necessary changes will require the focus and collaboration of physicians, nurses, and allied health workers at all facilities, working together to create improved services and outcomes for patient and improved quality of life and satisfaction for staff and physicians.

In conclusion, our panel, following careful consideration for all information provided, is unanimous in our recommendations for a consolidated model. In our view it clearly provides the best opportunities for enhanced quality of care and patient safety and address as the critical retention and recruitment considerations for now and into the future. We very much appreciate the opportunity to provide our recommendation to the Supervisor on these important programs and services and compliment the professionalism and commitment of all parties to finding the best possible solution for the Niagara Region.



2012/08/21

Mary Jo Haddad Date



2012/08/21

Dr. Lennox Huang Date



2012/08/21

Brenda Flaherty Date



2012/08/21

Dr. Nicholas Leyland Date

Healthcare Analysis Report
City Council Presentation

March 10, 2026

PORT COLBORNE

Today’s Agenda and Objectives

The following outlines our agenda and objectives for today’s City Council Meeting.

Agenda Item	Time
Welcome and Introduction	5 min
Current State Assessment Summary	20 min
Group Discussion: Current State Findings	20 min
Health and Wellness Planning Considerations	10 min
Group Discussion: Building A Brighter Future for Healthcare in Port Colborne	20 min
Wrap Up	5 min

1. **Review current state findings** including data analysis and stakeholder engagement themes
2. **Identify key opportunities** for enhancing health and wellness services in Port Colborne
3. **Discuss health and wellness planning considerations** for Port Colborne

Healthcare Analysis Report Objectives

The following outlines the key objectives of City of Port Colborne's Healthcare Analysis Report:



Understand Port Colborne's current and future healthcare needs through assessment of service access, utilization, and the impacts of system changes.



Benchmark health access and outcomes against Ontario comparators to identify gaps, risks, and opportunities for improvement.



Provide an evidence-based foundation for planning by delivering clear insights and considerations to inform the City's future Health & Wellness Strategy.

Current State Findings

PORT COLBORNE

Healthcare Analysis Approach

Building upon the community engagement conducted by the City of Port Colborne in 2025, the following activities were undertaken to inform this healthcare analysis report. A summary of the results and analysis for each activity is outlined in the following slides.

Healthcare Needs and Access

- Analyzed census data to assess current population characteristics and projected growth trends
- Assessed healthcare needs and access using utilization data, access indicators, and population health measures
- Identified current and emerging access pressures specific to Port Colborne

Peer Benchmarking

- Health service needs and access risks were assessed for Port Colborne and 9 peer communities
- Peer group comprises of communities with similar populations and geographic characteristics

Survey

- Conducted a current state survey with select committees of Council, healthcare providers, and community agency representatives to understand their experiences and perspectives related to local health and wellness services

Interest Holder Consultation

- Conducted interviews and focus groups with interest holders including healthcare providers, municipal leadership, and community organization representatives to assess current state strengths, challenges and opportunities related to health and wellness services in Port Colborne

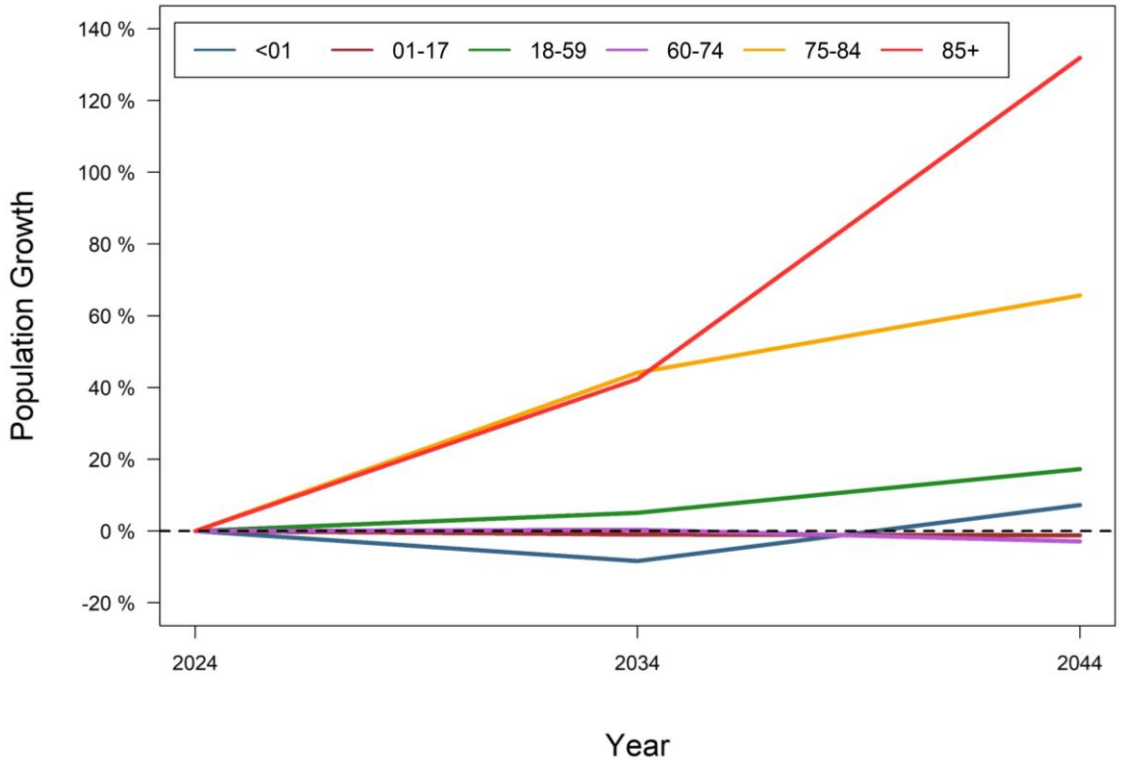
Current State: Summary of Key Takeaways

Residents of Port Colborne are at higher risk and have elevated healthcare needs; however, the current services and supports could be enhanced to better meet those needs.

High Risk Population	• **Aging population, with those aged 75+ being the fastest growing cohort** • **High proportion of residents at elevated SDH risk** (increased risk for social determinants of health correlates with increased ED/UCC use)
Urgent Care Centre Fills Access Gap	• **Population relies heavily on ED/UCC services to meet their care needs** (Port Colborne residents account for 45% of total NHS Port Colborne UCC visits and 14% of complex care bed days) • **High ED/UCC utilization for primary care sensitive conditions** (Port Colborne residents are 95% more likely to use ED/UCC services for acute PCSC compared to the provincial average)
Barriers to Accessing Care	• Residents raised concerns about **limited options to access care after-hours and on weekends** • **Transportation** cited as a key challenges for accessing care locally and within the region

Population Demographics and Growth

Port Colborne's population is projected to grow 28% by 2051.



Seniors defined as ages 75+

- Use of most health services increases with age.
- Seniors 75+ are the fastest growing population, projected to grow 86% over the next twenty years.
- Without changes in care models, all resources for seniors, including primary care, community support services, social services, and inpatient services will need to nearly double to keep pace with needs.

Port Colborne Population Projections

Age Group	***2024***	***2034***	***2044***	***2051***	***27-yr %Growth***
<1	188	172	202	219	16%
1-17	3,322	3,289	3,282	3,569	7%
18-59	10,819	11,372	12,690	13,518	25%
60-74	4,806	4,823	4,666	5,249	9%
75-84	1,847	2,663	3,060	2,955	60%
85+	848	1,207	1,966	2,491	194%
Total	**21,830**	**23,526**	**25,866**	**28,000**	**28%**

Sources: Watson and Associates Growth Forecast (2024), Dillon Consulting Growth Analysis Review (2023), and The City of Port Colborne Official Plan Policy Directions Report by Dillon Consulting (2026)

PORT COLBORNE

Population Demographics and Growth

The following table summarizes three Population Growth Projection scenarios for the City of Port Colborne.

	Port Colborne Population Projections				
Population Growth Projections	***2024***	***2034***	***2044***	***2051***	***2024 - 2051 % Growth***
Scenario 1: Ontario Ministry of Finance	21,830	22,643	24,546	26,251	20%
Scenario 2: Port Colborne, Moderate Growth	21,830	23,526	25,866	28,000	28%
Scenario 3: Port Colborne, High Growth	21,830	26,708	31,586	35,000	60%

Sources: Scenario 1: Ministry of Finance Projections Summer 2025 Release;

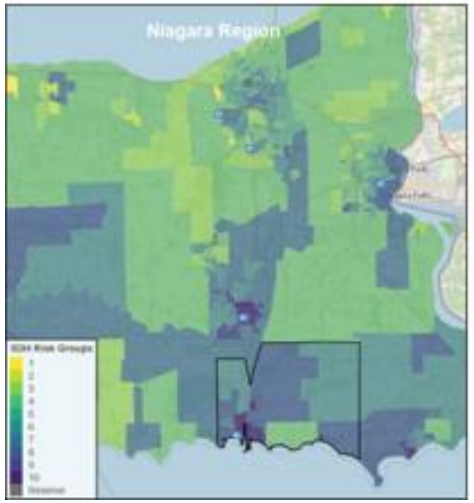
Scenarios 2 and 3: The City of Port Colborne Official Plan Policy Directions Report by Dillon Consulting, February 2026

- The Ontario Ministry of Health relies on population projections updated annually by the Ministry of Finance to inform its health services planning and funding allocation decisions. Ministry of Finance data was used for Scenario 1 shown above.
- The recent City of Port Colborne Official Plan Policy Directions Report by Dillon Consulting (2026) presented additional population growth projections aligned to the Moderate Growth and High Growth scenarios shown above.
- Analysis shown in the rest of this report is based on the moderate growth scenario (i.e., Scenario 2) shown above which expects the population to increase to 28,000 people by 2051.

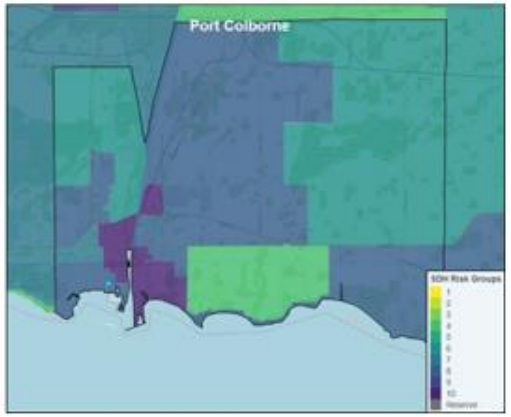
The Social Determinants of Health

Port Colborne's population is at higher risk from the social determinants of health than the provincial average.

Niagara Region



Port Colborne



This map colours Dissemination Areas (DAs) based on their PSG Social Determinants of Health (SDH) Risk Group

PSG assigns DAs to SDH risk levels based on a variety of factors, including:

- Income and wealth
- Seniors 65+ living alone
- Recent immigrants
- Education
- Region type

	2024 Population by Social Determinants of Health	
SDH Group	***Port Colborne***	***Ontario***
Low: Groups 1-4	6%	65%
Moderate: Groups 5-7	10%	19%
High: Group 8	56%	6%
Highest: Groups 9-10	28%	9%
Reserve		0.5%
Total	**22,000**	**16,124,000**

Sources:

- StatCan Census, MOF Population Projections Summer 2025 Release

The Social Determinants of Health

The following tables summarize key SDH risk factors for Port Colborne and Niagara populations and compare to the provincial averages.

Region	2024 Population	Median Household Income	Median Household Value	No Certificate, Diploma or Degree	Aged 75 Plus and Unmarried	Immigrated in the Past 10 Years	Indigenous Population
Port Colborne	21,800	$70,000	$448,000	19%	53%	0.4%	2.1%
Low SDH Risk	*700*	*$100,000*	*$600,000*	*10%*	*33%*	*0.0%*	*2.2%*
Moderate SDH Risk	*2,800*	*$72,644*	*$536,101*	*18%*	*50%*	*0.4%*	*1.7%*
High SDH Risk	*12,100*	*$82,661*	*$482,478*	*17%*	*52%*	*0.4%*	*1.0%*
Highest SDH Risk	*6,200*	*$53,253*	*$386,462*	*24%*	*64%*	*0.3%*	*2.7%*
Niagara Census Division	539,200	$79,000	$600,000	15%	47%	3.2%	1.7%
Ontario	16,124,100	$91,000	$700,000	15%	48%	7.5%	1.8%

Region	Relative to Provincial Average					
	Median Household Income	Median Household Value	No Certificate, Diploma or Degree	Aged 75 Plus and Unmarried	Immigrated in the Past 10 Years	Indigenous Population
Port Colborne	23% lower	36% lower	24% higher	12% higher	90% lower	20% higher
Low SDH Risk	*10% higher*	*14% lower*	*35% lower*	*30% lower*	*100% lower*	*22% higher*
Moderate SDH Risk	*20% lower*	*23% lower*	*16% higher*	*4% higher*	*94% lower*	*6% lower*
High SDH Risk	*9% lower*	*31% lower*	*12% higher*	*8% higher*	*95% lower*	*45% lower*
Highest SDH Risk	*41% lower*	*45% lower*	*57% higher*	*34% higher*	*95% lower*	*54% higher*
Niagara Census Division	13% lower	14% lower	1% higher	1% lower	57% lower	7% lower

Source: Statistics Canada Census 2021 Profile, PSG Population Projections Summer 2025 Release

SDH Impact on Hospital Service Use

Within Port Colborne, hospital service use is correlated with social determinants of health risk.

	Actual / Expected ED and UCC Visits	
SDH Risk Group	***Port Colborne***	***Ontario***
Low Risk	1.23	0.80
Moderate Risk	1.32	1.16
High Risk	1.24	1.33
Highest Risk	1.67	1.83
Total	**1.37**	**1.00**

Key Takeaways:

- **High SDH risk groups use more ED/UCC services**: Residents of the highest risk neighbourhoods in Port Colborne are 36% more likely (1.67/1.23) to visit an ED or UCC than residents of low-risk neighbourhoods, demonstrating a clear correlation between social determinants of health and ED/UCC visits.
- **Elevated utilization is observed across all SDH risk groups:** Port Colborne population had 37% more ED/UCC visits than expected at the provincial average rate, implying that the population relies heavily on ED/UCC services to meet their care needs.

UCC Visits by Acuity Level

The Port Colborne UCC serves patients with a range healthcare needs and acuity levels across the Canadian Triage and Acuity Scale* (CTAS), with a mix of both urgent and lower acuity concerns.

	NHS Port Colborne UCC Visit Trends						
CTAS Group	***2019/20***	***2020/21***	***2021/22***	***2022/23***	***2023/24***	***2024/25***	***% Change***
CTAS 1 & 2	3,567	1,809	2,442	3,177	2,939	3,060	-14%
CTAS 3	10,481	5,913	8,105	9,233	8,836	8,576	-18%
CTAS 4 & 5	7,515	5,032	5,957	6,439	6,171	5,736	-24%
Total	**21,563**	**12,754**	**16,504**	**18,849**	**17,946**	**17,434**	**-19%**

Key Takeaways:

- **UCC closures impact visit trends:** The UCC reduced its hours of operation in 2023 which contributes to the observed decline in year-over-year number of visits.
- **UCC visits span a wide range of acuity:** In 2024/25, 33% of UCC visits were lower acuity (CTAS 4 and 5), 49% were urgent (CTAS 3), and 18% were high-acuity visits (CTAS 1 and 2). This distribution indicates that the UCC serves a broad spectrum of clinical needs, ranging from non-urgent to emergency needs.
- **UCC serves as a central access point for care:** The observed range of high and low acuity visits suggests that the Port Colborne UCC serves as a central access point for the population.

UCC Visits by Time of Day

When the Port Colborne UCC was open on a 24-hour basis, it had low overnight volumes. The 2023/24 results are not comparable to other years since the UCC stopped providing 24-hour service during that year.

		NHS Port Colborne UCC Visits					
Measure	***Patient Registration Time***	***2019/20***	***2020/21***	***2021/22***	***2022/23***	***2023/24***	***2024/25***
Visits	6am to 10pm	19,366	11,519	14,963	16,859	17,381	17,434
	10pm to 6am	2,183	1,213	1,531	1,971	561	
	Total Visits	21,563	12,754	16,504	18,849	17,946	17,434
Daily Average Visits	6am to 10pm	53	32	41	46	48	48
	10pm to 6am	6.0	3.3	4.2	5.4	*1.5*	
	Total Visits	**59**	**35**	**45**	**52**	**49**	**48**

Key Takeaway:

- **The UCC had very low overnight volumes:** When operating on a 24-hour basis, the UCC had, on average, fewer than one patient arrival per hour between 10pm and 6am.

UCC Use As Substitute for Primary Care

Observed ED and UCC utilization is particularly high for primary care sensitive conditions* (PCSC). These conditions can typically be managed through effective and timely primary care and outpatient clinics.

2024/25 Actual and Expected ED and UCC Visits

Condition Type	Actual	Age and Sex Adjusted		
		Expected	Actual - Expected	Actual / Expected
PCSC* Acute	2,877	1,477	1,400	1.95
PCSC* Chronic	791	521	270	1.52
PCSC* Vaccine	138	92	46	1.50
Preference Sensitive	630	609	21	1.03
Process Sensitive	174	120	54	1.45
All Other Conditions	10,120	7,969	2,151	1.27
Total	**14,730**	**10,788**	**3,942**	**1.37**

Key Takeaway:

- **ED and UCC use is high for primary care sensitive conditions:** Port Colborne residents are 95% more likely to use ED or UCC services for acute primary care sensitive conditions than the Ontario average. High rates of ED/UCC for primary care sensitive conditions are correlated with lack of adequate access to primary care and outpatient clinics.

*Primary care sensitive conditions (PCSC) are conditions for which access to effective primary care can avoid or substantially reduce patient need to seek care at urgent care centres or emergency care departments. Acute PCSC are conditions typically presenting with rapid onset and have short duration if treated, including for example: urinary tract infections, ear and upper respiratory infections, and bronchitis. Chronic PCSC include asthma, diabetes, and hypertension.

Port Colborne UCC Catchment Population

Observed utilization patterns indicate that the Port Colborne UCC serves both local residents and a broader regional group.

		NHS Port Colborne Catchment by Patient Residence										
Measure		***Port Colborne***	***Welland***	***Wainfleet***	***Niagara Falls***	***St. Cath-arines***	***Fort Erie***	***Thorold***	***Pelham***	***West Lincoln***	***All Other Regions***	***Total***
Complex Care Days		**14%**	**16%**	**1%**	**12%**	**38%**	**6%**	**4%**	**3%**	**2%**	**4%**	**15,771**
UCC Visits	CTAS 1 & 2	46%	27%	5%	3%	3%	2%	3%	3%	1%	7%	3,060
	CTAS 3	45%	27%	5%	3%	3%	3%	3%	3%	1%	7%	8,576
	CTAS 4 & 5	43%	27%	5%	4%	3%	3%	3%	4%	2%	8%	5,736
	Total	**45%**	**27%**	**5%**	**4%**	**3%**	**3%**	**3%**	**3%**	**2%**	**7%**	**17,434**

Key Takeaways:

- **Port Colborne residents are the highest users of ED/UCC services:** 45% of all UCC visits are from patients residing in Port Colborne and 55% of UCC visits are from patients that reside outside of Port Colborne.
- **Complex Care Beds at NHS Port Colborne is primary used by residents of neighbouring communities**: 86% of complex care days are from patients residing outside Port Colborne. In specific, 38% of total complex care days are from patients residing in St. Catharines. In contrast, Port Colborne residents account for 14% of complex care days, indicating that the site supports a broader regional population in its complex care facility.

Benchmarking: Peer Comparators

Health service needs and access risks were assessed for Port Colborne and 9 comparators with similar population size and geographic characteristics.

Port Colborne Peer Comparators

Characteristic	*Port Colborne*	*Collingwood*	*Essex*	*Fort Erie*	*Greater Napanee*	*Niagara-on-the-Lake*	*Orillia*	*Port Hope*	*Port Elgin / Saugeen Shores*	*Wasaga Beach*
Population Size	21,030	27,900	23,700	38,900	17,700	20,300	36,600	18,700	17,800	28,100
Hospital-based Laboratory Services	✓	✓	✗	✓	✓	✗	✓	✗	✓	✗
Community-based Lab Services	✓	✓	✗	✓	✓	✓	✓	✓	✓	✓
X-ray	✓	✓	✓	✓	✓	✗	✓	✓	✓	✓
Ultrasound	✓	✓	✓	✓	✓	✗	✓	✓	✓	✓
CT Scan	✗	✓	✗	✗	✓	✗	✓	✗	✗	✗
MRI	✗	✓	✗	✗	✓	✗	✓	✗	✗	✗
ED or Urgent Care Services	✓	✓	✗	✓	✓	✗	✓	✗	✓	✗
Closest Emergency Department	Welland	Collingwood	Windsor	Niagara Falls	Lennox & Addington	St. Catharines	Orillia	Coburg	Saugeen Shores	Collingwood
Closest Emergency Department (kms)	~15km	--	~24km	~29km	--	~25km	--	~9km	--	~20km

- In Port Colborne, the UCC currently plays an important role in access to **laboratory**, **diagnostic services** (i.e., x-ray, ultrasound) and **urgent care**.

Legend: ✓ Local access ✓ Local UCC access ✗ No local access

Sources:
- StatCan Census, MOF Population Projections Summer 2025 Release
- Desktop research including Niagara Health | Santé Niagara, Georgian Radiology Consultants, Town of Essex, Bluewater Imaging

PORT COLBORNE

Benchmarking: Health Service Risks

Health Service Needs and access risks were assessed using five measures. Detailed interpretations of these measures can be found in the appendix.

Health Service Needs and Access Risks: Port Colborne and Peer Regions

Measure	*Port Colborne*	*Collingwood*	*Essex*	*Fort Erie*	*Greater Napanee*	*Niagara-on-the-Lake*	*Orillia*	*Port Hope*	*Port Elgin / Saugeen Shores*	*Wasaga Beach*	Group Average
1. Population at High Risk from the Social Health Determinants	84%	44%	74%	71%	77%	0%	56%	41%	93%	61%	60%
2. ED/UCC Visit Rate for Primary Care Sensitive Conditions	122%	23%	-41%	66%	92%	-48%	84%	36%	141%	19%	49%
3. Admission Rate for Primary Care Sensitive Conditions	15%	7%	1%	4%	21%	-37%	53%	24%	-15%	5%	8%
4. ALC Use of Acute Resources	0.32	0.21	0.1	0.34	0.65	0.15	0.75	0.57	0.39	0.15	0.36
5. Projected Growth in ED/UCC Demand	22%	38%	23%	22%	24%	51%	24%	30%	38%	47%	30%
Composite Risk Score (Group Rank)	**66 (4)**	**54 (8)**	**46 (9)**	**60 (6)**	**75 (3)**	**36 (10)**	**77 (1)**	**63 (5)**	**77 (1)**	**59 (7)**	

84% of residents at **high risk from SDH**

122% higher **ED/UCC visits for PCSC** compared to provincial average

Healthcare access risks are likely to be exacerbated with the closure of the UCC, given **population demographics** and **limited access to transportation** among residents

Interpretation of Benchmarking Measures

The following provides detailed interpretations of the benchmarking results from the analysis between Port Colborne and 9 peer comparators.

- **Social Determinants of Health Risk:** Port Colborne (84%) ranks 2nd highest on SDH risk score, behind only Port Elgin / Saugeen Shores (93%). This indicates a high percentage of the population live in neighborhoods with social determinants of health risk factors (i.e., low income and wealth, seniors 65+ living alone, recent immigrants, low education status, etc.). Across Ontario, population health decreases as SDH risk increases.

- **ED/UCC Visit Rate for Primary Care Sensitive Conditions:** Port Colborne (122%) ranks 2nd highest on ED/UCC Visits for Primary Care Sensitive Conditions, behind only Port Elgin / Saugeen Shores (141%). This Actual vs Expected Ratio indicates that residents of Port Colborne are 2.22x or 122% more likely to use ED/UCC for Primary Care Sensitive Conditions compared to other Ontarians after adjusting for age and sex.

- **Admission Rate for Primary Care Sensitive Conditions:** Port Colborne (15%) ranks 4th highest on Admissions for Primary Care Sensitive Conditions, behind Orillia (53%), Port Hope (24%), and Greater Nappanee (21%). This Actual vs Expected Ratio indicates that residents of Port Colborne are 1.15x or 15% more likely to be admitted for PCSC compared to other Ontarians after adjusting for age and sex.

- **ALC Use of Acute Resource:** Port Colborne (0.32) ranks 5th highest on ALC Days among patients 65 years or older, behind Orillia (0.75), Port Hope (0.57), Port Elgin / Saugeen Shores (0.39), and Fort Erie (0.34).

- **Projected Growth in Demand for ED/UCC Visits:** Port Colborne (22%) ranks 10th (lowest) on project growth in demand for ED/UCC Visits among the ten comparator municipalities. The ED/UCC Visit Growth is driven by population growth forecasts, indicating that Port Colborne has lower projected population growth then its peer comparators.

Interest Holder Engagement Context

Building upon the Community Engagement campaign conducted by the City of Port Colborne in 2025, survey and interviews were undertaken in January 2026 to gain a deeper understanding of the current state strengths, challenges and opportunities to enhance health and wellness services in Port Colborne.

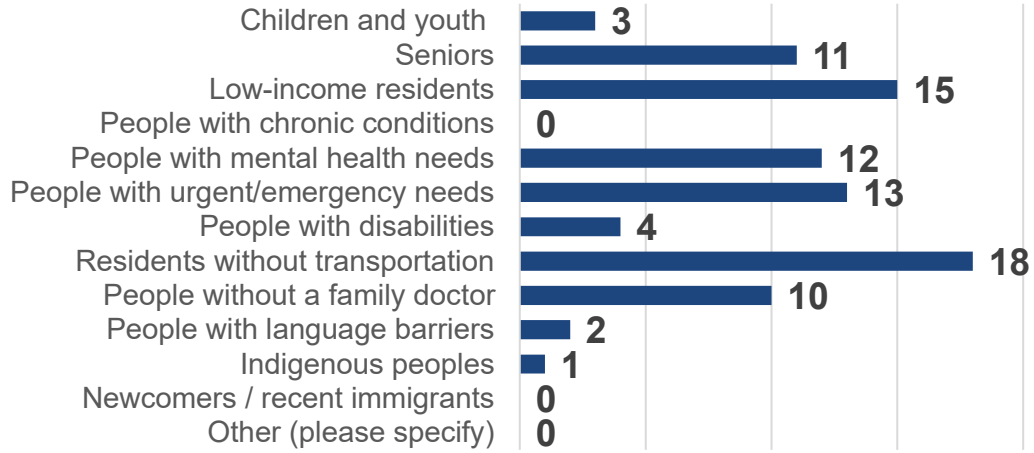
City of Port Colborne Healthcare Analysis Report

2025	2026		
Future of Healthcare Public Engagement Survey	**Health and Wellness Survey**	**Interviews and Focus Groups**	**Health and Wellness Strategy Community Engagement**
• 2,000+ responses • The survey captured **a broad population view** on healthcare issues and priorities	• **Targeted engagement** with committees of council, healthcare providers, community agencies and representatives	• **Targeted engagement** with health system partners, healthcare providers, community agencies, and community representatives	• Further community engagement is planned for the Spring 2026 • Intended to support the City of Port Colborne Health and Wellness planning

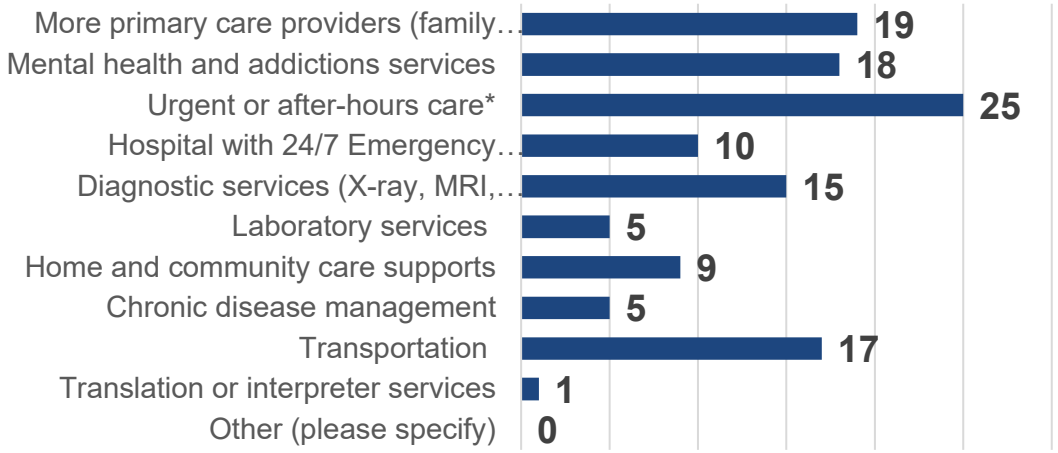
Survey Results: Key Takeaways

Select results are highlighted below. Detailed survey results are available in the appendix.

Groups Facing Barriers to Healthcare in Port Colborne



Healthcare Services Most Urgently Needed in Port Colborne



Key Takeaway:

People Without Transportation was identified as the **#1** most impacted group

Key Takeaway:

Urgent Care or After-Hours Care was identified as the **#1** service needed by survey respondents

*Some respondents noted that urgent care and after-hours care represent distinct service needs

Survey Results: Key Themes

The following provides themes and input from the survey related to current state challenges and concerns.

CONCERNS ABOUT TRANSPORTATION

"I believe the biggest challenge is transportation. How can you get help if you can't get there?"

"The need to travel to other sites/cities for specialist care, diagnostics and after-hours care is particularly challenging for those without access to transportation."

"More city transportation (i.e. bussing or Niagara taxi services) [is needed] to support travel to any health care facility."

CONCERN FOR LOSS OF URGENT CARE

"More access to urgent care and after hours. Wait times are too large to go to Niagara Falls, Welland, or St. Catherines. It is also too far and in accessible. Waking up in the middle of the night with a screaming child for an ear ache and having to wait until the morning is not an option."

"I think that having a 24-hour open emergency department would improve Port Colborne a lot. Since the other hospitals are for some people over 20 minutes"



ACCESS TO PRIMARY CARE

"I believe that investing in more family physicians would benefit the community greatly, as it is very difficult to acquire an appointment with a doctor."

"For today - a huge challenge currently existing is being able to access your primary care provider when you need them. Hours of service are not sufficient; therefore people go to the UCC and/or ED for issues better dealt with in the community."

OPPORTUNITY FOR AN INTEGRATED HEALTH AND WELLNESS HUB

"A new centrally located building with after hours urgent care with imaging, lab and some wrap around services like mental health and addictions care."

"Access to allied health/interprofessional teams for all patients who have a family doctor in Port Colborne with particular emphasis on rehabilitation (physio/OT), mental health services and specialist (referral) care)."

Interest Holder Consultation Summary

As part of the Current State Assessment, interview and focus group sessions were conducted with interest holders representing health system partners, healthcare providers and community representatives. A summary of the key themes from the sessions is provided below.

Strengths

- **Growing Population and New Economic Development** (i.e., Infrastructure, Manufacturing)
- **Local Access to Laboratory Services and Diagnostic Imaging at UCC**
- **Community Services for Vulnerable Populations** (i.e., Port Cares, Bridges)
- **Strong Leadership within the Community** (i.e., Healthcare, Business, Community, etc.)

Challenges

- **Timely Access to Care** (i.e., Urgent Care, Home Care, Primary Care, etc.)
- **Primary Care Access** (i.e., Same Day / Next Day) **and Capacity Constraints** (i.e., Allied, Admin)
- **Mental Health and Addictions Supports** (i.e., Wait Times, Youth Supports, etc.)
- **Urgent Care Center Operational Constraints** (i.e., Staffing, Hospital System Oversight)
- **Limited Availability of Transportation to Access Local and Regional Healthcare Services**
- **Limited Resource Availability and Impacted Collaboration Among Providers**

Opportunities

- **Strengthening Access to Team Based Primary Care** (i.e., After Hours, Same Day / Next Day)
- **Enhancing Community Care and Support Services** (i.e., Mental Health, Palliative Care, Housing, etc.)
- **Bringing Care Closer to Home** (i.e., Specialist Care, Home Care, etc.)
- **Improving Coordination and Alignment Among Providers**
- **Exploring Public-Private Partnerships** (i.e., Diagnostics, Laboratory Services, Pharmacy)
- **Local Leadership and Decision-Making in Health and Wellness Services**

Legend: Likely to be exacerbated with the closure of the UCC

Group Discussion

PORT COLBORNE

Discussion Questions

1. Do these data and key findings resonate? Is there anything from the analysis that was **surprising** or **unexpected**?

2. Do you have **any questions** about the data analysis or key findings?

Health and Wellness Planning Considerations

PORT COLBORNE

Planning Considerations for Port Colborne

The following outlines some considerations to support the health and wellness services planning in Port Colborne.



Consideration 1: Exploring Options to Strengthen Primary Care and Integrated Care Models

Findings from this analysis highlight patterns of healthcare utilization that suggest potential gaps in access to timely primary care and community-based services. In this context, the City may wish to explore opportunities to strengthen primary care capacity, including the potential role of team-based or primary care-led models.



Consideration 2: Explore Opportunities to Strengthen Community Awareness and Navigation of Healthcare Services

Findings from community engagement and service utilization analysis suggest that residents may not always have clear or consistent understanding of available health services or the most appropriate settings in which to seek care. As service models evolve, there may be value in exploring approaches to strengthen communication and system navigation to help residents better understand where and how to access care.



Consideration 3: Exploring Opportunities to Strengthen Collaboration and Alignment Among Partners

Findings from this analysis and interest holder engagement suggest that healthcare and community services in Port Colborne are delivered by a range of organizations, often with limited formal coordination or shared planning mechanisms. As service models evolve and access pressures increase, there may be value in exploring opportunities to improve alignment among providers, system partners, and the City around shared goals related to access, equity, and continuity of care.



Consideration 4: Exploring Opportunities to Better Align Transportation Supports with Healthcare Access

Findings from community engagement surfaced that transportation can be a barrier to accessing healthcare for many Port Colborne residents, particularly for services that require travel outside the community. As regional consolidation of healthcare services continues, there may be value in exploring how transportation planning could better align with health and wellness objectives, recognizing transportation as an important enabler of timely and equitable access to care.

Group Discussion

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Discussion Questions

1. Where do you see the **greatest opportunities** for enhancing healthcare and wellness services in Port Colborne?

2. How can the City of Port Colborne, City Council and partners **work together** to help achieve a brighter future for healthcare in Port Colborne?

Thank You!

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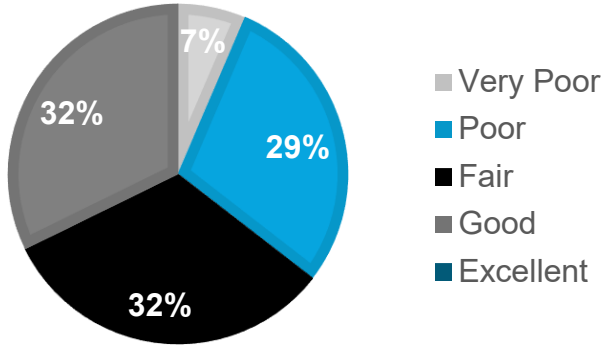
Appendix: Survey Results

PORT COLBORNE

Perceptions of Healthcare Access and Equity

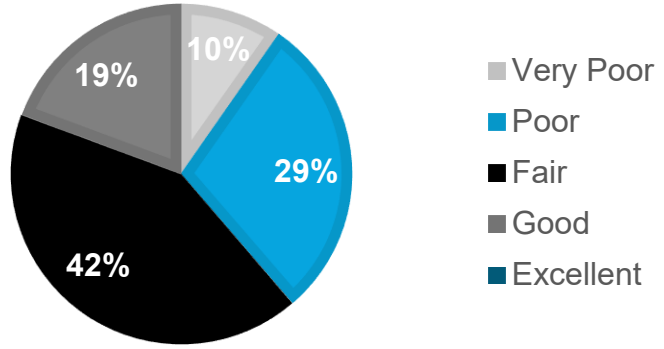
This slide outlines how respondents answered the following questions: *How would you rate the accessibility of healthcare services for residents of Port Colborne?*, and *How would you rate the equity of healthcare services for residents of Port Colborne compared to similar communities?*

Accessibility* of Healthcare Services in Port Colborne



“ ”Accessibility” refers to how easy it is to access healthcare when you need it, including factors such as travel distance, wait times, appointment availability, and hours of service.

Equity** of Healthcare Services in Port Colborne



** “Equity” refers to whether healthcare services are provided fairly and consistently across the community and region, and whether certain groups, such as seniors, low-income residents, newcomers, or people with disabilities face greater challenges accessing care than others.

Key Takeaway:

36% of respondents rated the **accessibility** of healthcare services as ‘poor’ or ‘very poor’

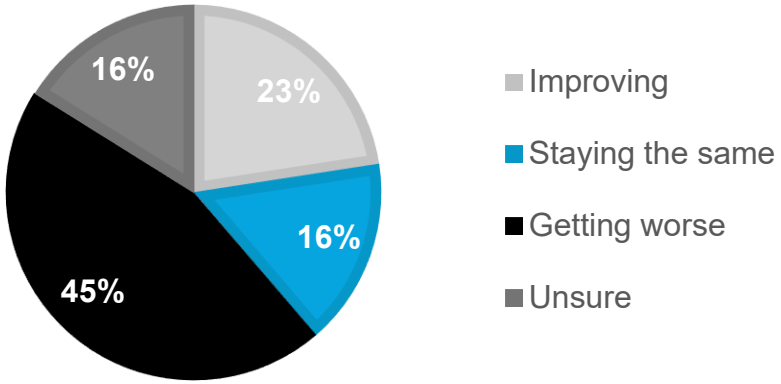
Key Takeaway:

39% of respondents rated the **equity** of healthcare services as ‘poor’ or ‘very poor’

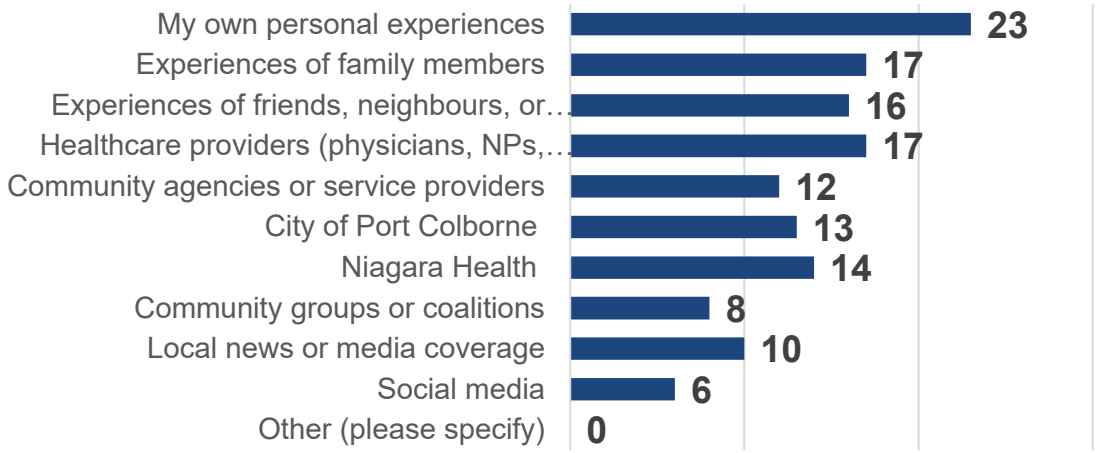
Future Outlook and Sources of Healthcare Information

This slide outlines how respondents answered the following questions: *Over the next 3-5 years, do you believe healthcare services in Port Colborne will be improving, staying the same, or getting worse?,* and *What has most informed your perception of healthcare in the City of Port Colborne?*

Future Outlook of Healthcare Services in Port Colborne in the Next 3-5 Years



Sources Informing Perceptions About Healthcare Services in Port Colborne



Key Takeaway:

Over **40%** of respondents believe that healthcare services in Port Colborne will be **getting worse** in the next 3-5 years

Key Takeaway:

Nearly all respondents indicate their personal, family and/or friends' experience informs their perception about healthcare

Identified Challenges in Healthcare Services

This slide summarizes how respondents answered the following question: *What do you see as the biggest challenge related to healthcare services (i.e., access, equity, etc.) for residents of Port Colborne today and/or in the future?* Answers can be synthesized into the following themes, highlighting key quotations:

Concern for the Loss of Local Access to Care

“Access to after-hours care and emergency care”

“I think the biggest challenge is the access”

Inconsistent Access to Primary Care

“Wait times to see family doctor [are] an urgent issue”

“It is very difficult to acquire an appointment with a doctor”

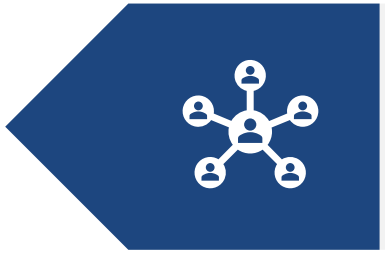
Increased Travel Burden

“The need to travel to other sites… is particularly challenging for those without access to transportation.”

“I believe the biggest challenge is transportation. How can you get help if you can't get there?”

Identified Opportunities in Healthcare Services

This slide summarizes how respondents answered the following question: *What strategies, investments, or changes do you believe would improve community and health services in Port Colborne?.* Answers can be synthesized into the following themes, highlighting key quotations:



Establish a Centralized, Integrated Health Hub

“Integrated health hub with multiple services under one roof.”

“One stop shop with almost everything at one location. X-Rays/MRI for sure.”



Strengthen Primary Care Services

“Increase access to team-based primary care”

“More primary care investment as well as diagnostics and evening/weekend services.”



Improve Local Transportation Options

“There is need for transportation supports for people to seek care out of town.”

“Direct transportation services to doctors, specialists, and hospitals”

Appendix: Consultation Summary

PORT COLBORNE

Interest Holder Consultation Summary

As part of the Current State Assessment, interview and focus group sessions were conducted with interest holders representing municipal leadership as well as health and community care services. A summary of the key strengths is provided below.

Strengths

Growing Population and New Economic Development: Population growth is driven in part by new manufacturing and infrastructure investment, including an estimated 350 new positions across two major developments. This anticipated growth in the local population is expected to increase demand for healthcare services locally. Several interest holders also identified proximity to healthcare services as a decision factor for manufacturing investment, raising concerns about future competitiveness following the anticipated UCC closure.

Local Access to Laboratory Services and Diagnostic Imaging at UCC: Interest holders identified local access to diagnostics and laboratory services as a key strength. On site X-ray, ultrasound, and point of care testing at the UCC, along with laboratory services at LifeLabs, were described as reducing the need for residents to travel. Interviewees emphasized the importance of preserving and/or expanding local access to diagnostics following the UCC closure.

Community Services for Vulnerable Populations: Interest Holders highlighted Port Colborne's strong network of community-based organizations such as Bridges Community Health Centre and Port Cares, which support seniors, low-income residents, and other vulnerable populations. Participants emphasized that these organizations play a critical role in health equity, often serving as trusted access points for residents.

Strong Leadership within the Community: Port Colborne was described as a highly engaged community with strong leadership. Interest holders highlighted strong leadership within municipal, community, healthcare and business sectors, with a shared goal of enhancing health and wellness services in Port Colborne.

Interest Holder Consultation Summary

As part of the Current State Assessment, interview and focus group sessions were conducted with interest holders representing municipal leadership as well as health and community care services. A summary of the key challenges is provided below.

Challenges

Timely Access to Care: Interest holders highlighted challenges around accessing timely care, such as limited after-hours access. The reduction in UCC hours of operations beginning in 2023 and intermittent closures have negatively impacted access to care. While some community organizations have attempted to mitigate these changes by extending service hours on a temporary basis, interest holders emphasized that the problem of timely care access remains.

Primary Care Access and Capacity Constraints: Primary care access emerged as a central theme across interviews. Interest holders described high patient volumes, increasing medical complexity, and limited access to allied health and administrative support as key constraints. It was noted that the absence of a Family Health Team in Port Colborne limits physicians' ability to expand capacity and contributes to challenges related to timely access, continuity of care, and longer-term sustainability. Physician burnout, driven in part by administrative burden, was cited as a key concern.

Mental Health and Addictions Supports: Interest holders identified access to mental health and addictions services as a challenge, describing long wait times for referral-based care and limited availability of locally delivered services. It was also noted that youth-focused mental health services are a gap within the community.

Interest Holder Consultation Summary

As part of the Current State Assessment, interview and focus group sessions were conducted with interest holders representing municipal leadership as well as health and community care services. A summary of the key challenges is provided below.

Challenges

Urgent Care Center Operational Constraints: Operational constraints at the UCC were frequently raised as an issue. Rolling closures and reduced hours of the UCC were attributed to staffing challenges, compounded by broader workforce shortages across the province and region. Participants noted that the reliance on emergency-trained physicians has made Port Colborne's UCC vulnerable within the regional staffing environment.

Limited Availability of Transportation to Access Local and Regional Healthcare Services: Transportation was consistently identified as a significant barrier to access care locally and within the region. Residents must travel outside Port Colborne for services such as CT and MRI scans, fracture care, wound care, and various other specialist appointments (i.e., Regional Centres of Excellence). Interest holders emphasized that these challenge disproportionally affect residents without access to a vehicle, as well as seniors and other vulnerable communities.

Limited Resource Availability and Impacted Collaboration Among Providers: Limited resources and capacity constraints have negatively impacted the collaboration among providers in Port Colborne. The development of separate proposals for Ontario's Primary Care Action Plan by local groups was highlighted as an example of misalignment among providers and continues to impact the coordination and collaboration among local partners and providers.

Interest Holder Consultation Summary

As part of the Current State Assessment, interview and focus group sessions were conducted with interest holders representing municipal leadership as well as health and community care services. A summary of the key opportunities is provided below.

Opportunities

Strengthening Access to Team Based Primary Care: Interest holders consistently identified strengthening multi-disciplinary and team-based primary care models as a key opportunity. Allied health and administrative supports were seen as important enablers for these models and improving timely access to care. Strengthening existing primary healthcare through allied health and administrative supports were identified as potential strategies to reduce physician burnout and enhance timely access to care.

Enhancing Community Care and Support Services: Interest holders highlighted opportunities to build upon existing community-based care and support services (i.e., mental health and addictions, home care, housing supports, transportation, etc.) to help address current needs and reduce reliance on acute care. Interest Holders described community-based services as trusted access points that support system navigation, housing, mental health, and social needs, particularly for vulnerable populations.

Bringing Care Closer to Home: Participants expressed a strong interest in reducing the need for residents to travel for specialty services. Hoteling and itinerant physical models, where specialists (i.e., from Centres of Excellence) provide services in Port Colborne on a scheduled, part-time basis, were highlighted as opportunities for the community.

Interest Holder Consultation Summary

As part of the Current State Assessment, interview and focus group sessions were conducted with interest holders representing municipal leadership as well as health and community care services. A summary of the key opportunities is provided below.

Opportunities

Improving Coordination and Alignment Among Providers: Interest holders expressed opportunities to improve the coordination and collaboration of the City and partners around shared goals through role alignment and clear communication pathways. Enabling greater dialogue and alignment were seen as ways to reduce duplication, improve access and equity, and help advance shared goals. There is also an opportunity to align existing services with the needs of the community and help connect members of the community to the appropriate resources and services.

Exploring Public-Private Partnerships: Participants noted the potential for public-private partnerships to expand local access to health and wellness services (i.e., diagnostics, laboratory services, and pharmacy). Participants noted that these partnerships could help complement existing services, reduce the need for residents to travel outside the community, and increase flexibility and responsiveness in how services are delivered locally.

Local Leadership and Decision-Making in Health and Wellness Services: Interest holders emphasized building upon strong local leadership to better align health and wellness services with community needs. Participants expressed a desire for greater local input into planning and decision-making, particularly in the context of changing service models and service delivery in line with local needs.

The Corporation of the City of Port Colborne

By-law no. _____

Being a by-law to designate the lands municipally known as 837 Reuter Road, in the City of Port Colborne, Regional Municipality of Niagara, as a Class IV Noise Area for the purposes of MECP's NPC-300 guidelines.

Whereas the Municipal Act, R.S.O. 2001, Section 129. (1) Paragraphs 1,2 and 3 authorizes municipalities to pass by-laws to prohibit and regulate noise; and

Whereas a recognized body of scientific and technological knowledge exists by which sound and vibration may be substantially reduced; and

Whereas changes in the Ministry of Environment, Conservation and Parks (MECP) noise emission threshold requirements mean PC Forge can no longer meet these requirements; and

Whereas the Council of Corporation of the City of Port Colborne has authority pursuant to the Ministry of Environment, Conservation and Parks' *Environmental Noise Guideline: Stationary and Transportation Noise Sources - Approval and Planning (NPC-300)* guidelines, to classify noise-sensitive receptors by area; and

Whereas in order for PC Forge to continue operations, the City must designate the lands with a site-specific standard to permit noise emissions of 60 decibels;

Now therefore, the Council of the Corporation of the City of Port Colborne hereby enacts as follows:

1. PC Forge Lands; 837 Reuter Road, Port Colborne, is hereby deemed a Class IV Noise Area for the purposes of the MECP's Publication NPC-300.

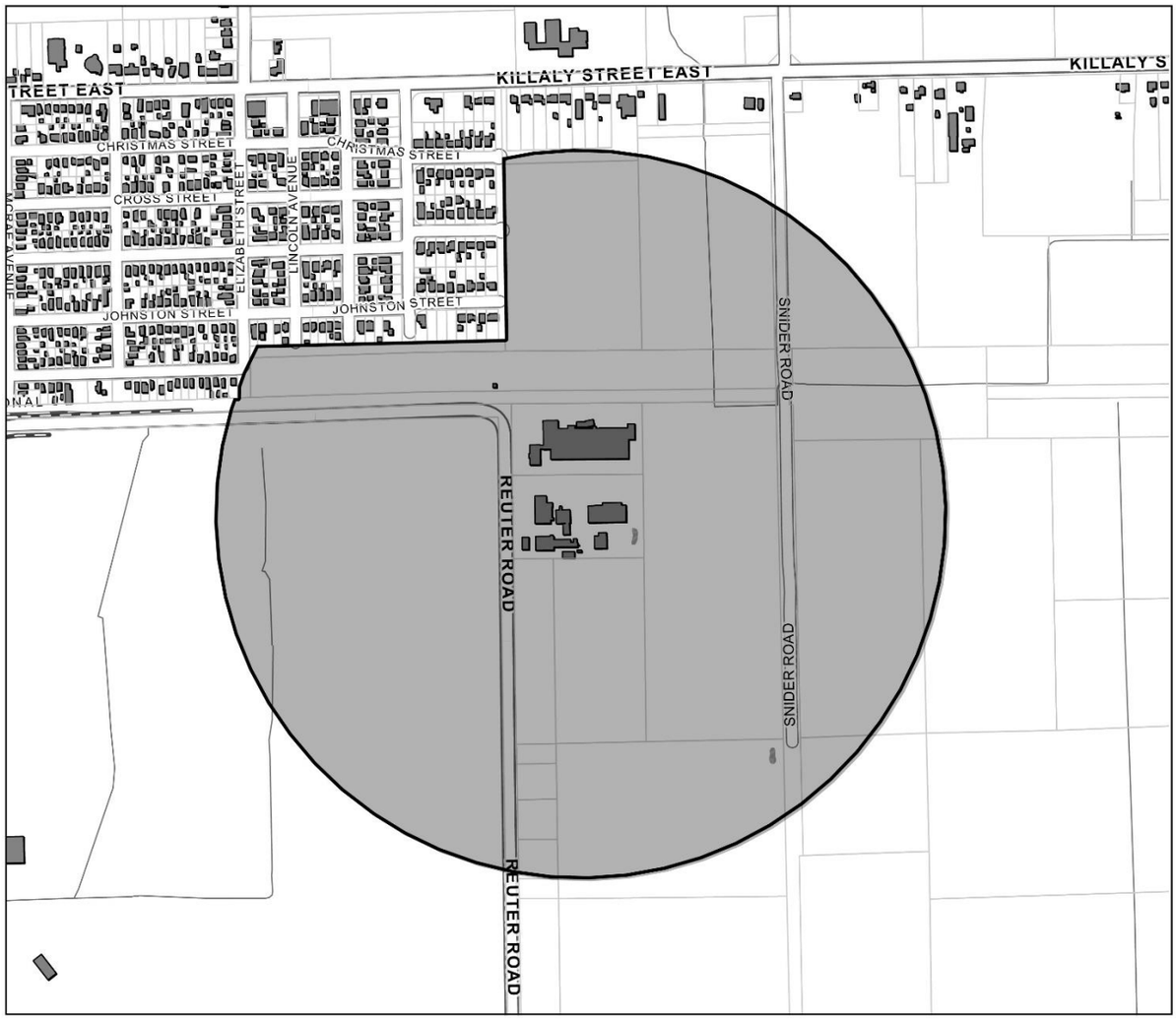
2. This By-law shall come into full force and effect on the date it is passed by the Council of the Corporation of the City of Port Colborne.

Enacted and passed this 10th day of March, 2026.

_____
William C Steele
Mayor

_____
Charlotte Madden
City Clerk

SCHEDULE ‘A’
ZONING BY-LAW AMENDMENT NO._____



LANDS TO BE DESIGNATED CLASS IV NOISE AREA

The Corporation of the City of Port Colborne

By-law No. _____

Being a By-law to Delegate Certain powers and Duties under the *Municipal Act*, S.O. 2001 c.25, the *Planning Act*, R.S.O. 1990 c. P. 13, and other Acts to Municipal Officers and Employees

Whereas Section 23.1 of the *Municipal Act, 2001, S.O. 2001,* c. 25 (the Act) authorizes a municipality to delegate its powers and duties under the Act or any other Act to a person or body, subject to the rules and restrictions set out in Part II of the Act; and

Whereas subsections 33(15), 33(16), 42(16), and 42(17) of the *Ontario Heritage Act*, R.S.O. 1990, c.O.18 authorize a municipality to delegate by by-law its power relating to protected heritage properties, the power to consent to alterations to a property, subject to prior consultation with the City's Heritage Committee; and

Whereas Section 39.2 of the Planning Act authorizes a municipality, by by-law, to delegate its authority to pass zoning by-laws that are minor in nature; and

Whereas Section 224 (d) of the Act states that it is the role of Council to ensure that administrative policies, practices, and procedures are in place to implement the decisions of Council; and

Whereas Section 227 of the Act states that it is the role of officers and employees of the municipality to: (a) implement Council's decisions and establish administrative practices and procedures to carry out Council's decisions; and (c) carry out other duties under this or any other Act and other duties assigned by the municipality; and

Whereas the Council of The Corporation of the City of Port Colborne deems it expedient to delegate certain administrative functions to staff to improve business efficiencies while adhering to the principles of accountability and transparency;

Whereas the Council of The Corporation of the City of Port Colborne enacted By-law No. 7172/114/23, Being a By-law to Delegate Certain powers and Duties under the Municipal Act, S.O. 2001 c.25, the Planning Act, R.S.O. 1990 c. P. 13, and other Acts to Municipal Officers and Employees on November 28, 2023;

Now therefore the Council of The Corporation of the City of Port Colborne enacts as follows:

Definitions

For the purposes of this by-law the following words shall mean:

"Act" means the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended;

"CAO" means the Chief Administrative Officer of The Corporation of the City of Port Colborne;

"City" means The Corporation of the City of Port Colborne,

and "Corporation" has a corresponding meaning;

"City Clerk" means the City Clerk of The Corporation of the City of Port Colborne, whose duties are assigned under subsection 228 (1) of the Act, and includes the Deputy Clerk or any Deputy acting under the direction of the City Clerk or any successor position thereof;

“Council” means the elected Council of The Corporation of the City of Port Colborne;

“Delegation” means Council conferring a duty on City staff, and is inclusive of both powers delegated from Council to City staff and powers granted by Council to City staff;

and “delegated power” has a corresponding meaning;

“Department Head” means a member of the Corporate Leadership Team, as comprised from time to time;

“Designate” means a person appointed by an individual named in Schedule “A” to exercise their authority under this by-law;

and “delegate” has a corresponding meaning;

“Document” means any written instrument whether on paper or in electronic form including, without limiting the foregoing, any contract, agreement, deed, memorandum, letter of intent, application, permit, release, waiver or acknowledgement which, when executed, will have or is intended to have the effect of causing the City to be bound in a legally enforceable relationship with any other person, but shall not include:

a) any cheques, bank drafts, orders for payment of money, promissory notes, acceptances, bills of exchange, debentures, and any similar instruments; and

b) correspondence, whether by letter or in electronic form, intended to convey information or confirm a position on a matter, but not intended to create a contract or agreement between the City and any other person, whether or not a legally enforceable right or remedy is created thereby;

And “documents” has a corresponding meaning;

“Execute” means to complete the formalities intended to give effect to a document and may include any one or more of the following formalities as may be required in the circumstances:

a) signing the document;
b) causing the seal of the City to be affixed to the document; and
c) causing delivery of the document to be made to the other parties thereto;

“Procurement Policy” means Administrative Policy No. FIN – 05, as amended; and

“Signing officer(s)” has the meaning ascribed to it in section 17 of this By-law.

Administration

1. The short title of this By-law is the “Delegation of Authority By-law”.

2. Any reference to legislation, regulations, and to by-laws in this By-law shall be interpreted to include all amendments to and any successor legislation thereof.

3. It is the opinion of Council that any of the legislative powers delegated pursuant to this By-law are of a minor nature within the meaning of subsection 23.2(4) of the Act.

4. If a court of competent jurisdiction declares any provision, or any part of a provision, of this By-law to be invalid, or to be of no force and effect, it is the intention of Council in enacting this By-law that each and every other provision of this By-law, authorized by law, be applied and enforced in accordance with its terms to the extent possible according to law.

5. All documents to be executed shall be prepared in a sufficient number of identical originals to permit at least one executed original, which may be executed in counterparts, to be retained by the City, except that, if the document provides that electronic signatures or execution in counterparts with exchange by PDF and e-mail are sufficient, an executed original is not required.

6. The initiator of any document shall arrange for the execution of such document by the appropriate signing officers.

7. A copy of each fully executed document shall be forwarded to the Office of the City Clerk after execution, and the remaining originals, if any, shall be kept by the Department Head with primary oversight for the contract or agreement to which the document pertains.

8. The Department Head with primary oversight for a contract or agreement shall be responsible for the distribution of the executed document.

9. A document executed under authority delegated by this By-law shall first be approved as to content by the CAO and the Department Head responsible for the relevant department, or a delegate of the Department Head and, when required, approved as to form by the City Solicitor.

10. Schedule “A” – “Delegation of Powers and Duties” attached hereto forms part of this By-law.

11. Where specified, delegated authority set out in Schedule “A” to this By-law and exercised shall be reported on an annual basis to Council, or a Committee of the Council, by the CAO described as responsible for the delegated authority.

12. Council hereby delegates the powers and duties set out in the attached Schedule “A” to those officers, employees, committees or tribunals listed therein and subject to any limitations specified therein.

13. Council retains the authority to revoke any power delegated by this By-law at any time by further by-law.

14. All Delegations shall be deemed to include the CAO as a delegate, with the exception of delegations to the City Clerk and the City Treasurer.

15. Unless otherwise noted, where a Delegation has been assigned in Schedule “A”, the Delegate may further designate an individual, in writing, to act in their place. In the event of the sudden departure of a delegate, the CAO may designate an individual, in writing, to act in the delegate’s place. Sub-delegations may be time-limited to service temporary absences, or long-term to facilitate corporate workflow. The maintenance of the written sub-delegation is the responsibility of delegator.

16. Where the exercise of a delegated power or duty requires the expenditure of money or subjects The Corporation to a potential financial loss or obligation, funding for the expenditure or provision for the potential loss or obligation must be included in an approved budget or managed in alignment with reserve fund policies under the advisement of the City Treasurer. All relevant requirements of the City’s policies, including the Procurement Policy shall be followed as a condition to the exercise of the delegated authority.

Appointment of Signing Officers

17. Subject to the requirements of this By-law and any legislation regarding the execution of any particular kind of document, an employee or officer of the City, who at the time of execution of any document holds any of the following offices or positions, is a signing officer of the City and has the authority to execute the document on its behalf:

    a) the Mayor;
    b) the CAO; and
    c) the City Clerk.

18. In addition to the signing officers designated in section 17 of this By-law, a document listed in the delegation column of Schedule A of this By-law is considered a routine document which may be executed by an employee or officer of the City of Port Colborne who, at the time of execution of the particular document, holds any one of the offices or positions set out in the delegate column of Schedule A, These individuals shall be considered to be signing officers, but only for the limited purposes of the documents set out in Schedule A, that they are authorized to sign, provided that all other provisions of this By-law are compiled with.

19. Should any position listed as a delegate in Schedule “A” become vacant, or should any such delegate be absent or otherwise unable to carry out the Delegation pursuant to this By-law:

    a) if there is a By-law which designates a deputy or other acting person as having the authority of the person holding the position or office of the Delegate, such deputy or acting person is authorized to exercise the authority of the Delegate under this Bylaw; and

    b) unless otherwise prohibited, any employee or officer of the City appointed in writing by the Delegate as acting in the position or office of the Delegate in their absence is authorized to exercise the authority of the Delegate under this By-law.

Repeal of By-law

20. That By-law 7172/114/23, Being a By-law to Delegate Certain powers and Duties under the Municipal Act, S.O. 2001 c.25, the Planning Act, R.S.O. 1990 c. P. 13, and other Acts to Municipal Officers and Employees, is hereby repealed.

Enacted and passed this 10th day of March, 2026.

_____
William C. Steele
Mayor

_____
Charlotte Madden
City Clerk

SCHEDULE "A" – Delegation of Powers and Duties

Office of the Chief Administrative Officer ("CAO")		
Delegation	**Delegate**	**Conditions/Restrictions**
Entering into agreements necessary to complete capital projects including but not limited to acquiring or disposing of easements provided value of consideration does not exceed $100,000, pursuant to the *Municipal Act, 2001, SO. 2001, C.25,* as amended.	Chief Administrative Officer	Terms and conditions of such agreements and related documents must be acceptable to City Solicitor.
Develop, approve, and implement administrative policies, procedures, and practices, including but not limited to Human Resources, pursuant to the *Municipal Act, 2001, SO. 2001, C.25,* as amended.	Chief Administrative Officer	In consultation with Chief Human Resources Officer and/or delegation to appropriate department director, pursuant to City policies.
Approve and/or amend any agreements/documents required for the submission of applications to secure grant funding, for cases where there is an incremental expenditure or staffing impact and the application deadlines do not coincide with the Council reporting cycle, such that Council approval is not possible prior to the application deadline, and that the Department Director/Manager, or his or her designate, be authorized to pre-apply with the option of withdrawing, if Council does not subsequently approve the program through a staff report to Council, and the Mayor and Clerk, or his or her designate(s), be authorized to execute such agreements/documents;	Chief Administrative Officer	
Approve and execute Mutual Releases from Agreements when performance of agreement has become impossible.	Chief Administrative Officer	In consultation with the City Solicitor. Update provided to Council once completed.
Approve and execute a temporary lease of third-party lands to facilitate a municipal use or event in the normal course of operations.	Chief Administrative Officer	Lease must be less than 30 days, with no extensions to be permitted at a cost of which is within budget,

Economic Development & Tourism Services		
Delegation	**Delegate**	**Conditions/Restrictions**
Provide commentary, feedback, and information to provincial and federal governments regarding legislative/regulatory changes.	Director of Government Relations	Commentary, feedback, and information provided to provincial and federal governments is to be from a staff opinion and not on behalf of the Mayor and Council. Subsequent information report to Council.
Execute agreements for pop-up patios, pursuant to the Encroachment By-law.	Economic Development Officer	Consult with Planning and By-law Enforcement Services regarding the variance process. Report to Council.
Procedural amendments to the Filming Policy under By-law No. 7148/90/23.	City Clerk or designate	
Issue film permits, approve exemptions to the Noise By-law for projects with a film permit, and execute any related documents resulting from the administration of the Filming Policy, pursuant to the Filming Policy/By-law and the Noise By-law.	City Clerk or designate	
Negotiate with film permit applicants the price of rates and fees for any good or service not identified in the Rates and Fees By-law, pursuant to the Filming Policy/By-law and the Rates and Fees By-law.	Chief Financial Officer/Treasurer or designate	

Approve temporary road closures, intermittent traffic control, and traffic sign alteration, removal or control as requested by film permit applicants, pursuant to the Filming Policy/By-law.	Director of Public Works or designate	
Approve permits for fireworks displays and discharging of fireworks, as well as variances to the Open Air Burning and Recreational Fires By-law and Discharge of Firearms By-law, as requested by film permit applicants, pursuant to the Filming Policy/By-law and other applicable by-laws.	Fire Chief or designate	
<u>Planning and Development Department</u>		
Delegation	**Delegate**	**Conditions/Restrictions**
Draft Condominium Approval, pursuant to the *Planning Act, R.S.O.* 1990, c. P. 13.	Chief Planner or designate	
Draft Condominium Exemption, pursuant to the *Planning Act, R.S.O.* 1990, c. P. 13.	Chief Planner or designate	
Authority to approve final Subdivision Agreement to the satisfaction of the Chief Administrative Officer and City Solicitor.	Chief Planner or designate	Delegation only takes effect once Council has approved a draft plan of subdivision under section 51 of the Planning Act. Agreement must be satisfactory to the Chief Administrative Officer and City Solicitor. Agreement to be executed by Mayor and City Clerk.
Part Lot Control approval, pursuant to the *Planning Act, R.S.O.* 1990, c. P. 13.	Chief Planner or designate	Subsequent By-law to Council.
Deeming By-law approval, pursuant to the *Planning Act, R.S.O.* 1990, c. P. 13.	Chief Planner or designate	Subsequent By-law to Council.

Approve discharge of Site Plan Control Agreements, pursuant to the *Planning Act, R.S.O.* 1990, c. P. 13.	Chief Planner or designate	
Approve Development Agreements, pursuant to the *Planning Act, R.S.O.* 1990, c. P. 13.	Chief Planner or designate	
Approve alteration permits under subsections 33(15), 33(16), 42(16), and 42(17) of the *Ontario Heritage Act, R.S.O. 1990, c.O.18* relating to protected heritage properties, subject to prior consultation with the City's Heritage Committee.	Chief Planner or designate	
Approve the removal of a Holding "H" Provision when all conditions have been fulfilled, pursuant to the *Planning Act, R.S.O.* 1990, c. P. 13.	Chief Planner or designate	Subsequent By-law to Council.
Pass zoning by-laws that are minor in nature under section 39.2 of the *Planning Act, R.S.O.* 1990, c. P. 13 to authorize the temporary use of land, buildings or structures where there is no dispute or objection with respect to the passing of the by-law.	Chief Planner or designate	Subsequent By-law to Council.
Pass amendments to the zoning by-law pursuant to section 39.2 of the *Planning Act, R.S.O.* 1990, c. P. 13 which are minor in nature and for the purpose of accommodating new dwelling units greater than the current number of dwelling units that exist on a site, including affordable housing and modular housing, subject to satisfying the criteria in Section 2.9.1 of the City's Comprehensive Zoning By-law No. 6575/30/18.	Chief Planner or designate	

Legislative Services Department		
Delegation	**Delegate**	**Conditions/Restrictions**
Signing authority for agreements under by-law and/or pursuant to tender awards, pursuant to the *Municipal Act, 2001, S.O. 2001, C.25,* as amended.	City Clerk	All agreements authorized by municipal by-law; affix corporate seal; two signatures required. Note: Deputy Mayor in absence of Mayor; Deputy Clerk or Chief Administrative Officer in absence of Clerk.
Approve the execution, amendment or termination of agreements or grant applications with the Government of Canada; the Government of Ontario; an agency of the Government of Ontario or the Government of Canada; or other grantor organizations providing funding to municipalities with respect to funding commitments for City initiatives, programs or operations.	City Clerk	Subject to any City funding requirements. Applications may be made so long as the grant will not require additional expenses not already approved by Council. The grant must be at no cost to the City or funded through a current year's operating or capital budget, which has been approved by Council. Reporting to Council will be done to provide notification of a received grant.
Returning Officer responsible for administration of all municipal general elections and all by-elections, pursuant to the *Municipal Elections Act, 1996, S.O. 1996, c. 32.*	City Clerk	Prepare and update forms and written procedures for all components of conducting an election.
Designate an event as an event of municipal significance for the purpose of prescribing it as a special event occasion where an application has been made, pursuant to the *Liquor License Act R.S.O. 1990, c. L. 19.*	City Clerk	Compliance with all applicable Alcohol and Gaming Commission (AGCO) regulations. Consultation with applicable City and/or Regional approvals for licensing.
Issuance of "Letters of No Objection" for temporary liquor licence extensions, pursuant to the *Liquor License Act R.S.O. 1990, c. L. 19.*	City Clerk	In consultation with applicable City departments.

Liquor Licence Municipal Clearance (Wet/Dry Status), pursuant to the *Liquor License Act R.S.O. 1990, c. L. 19.*	City Clerk	Issue subject to municipal clearance by agencies/departments as per AGCO regulations.
Issuance of “Tag Day” approvals for non-profit organizations, pursuant to the *Income Tax Act (Canada).*	City Clerk	
Issuance of Lottery Licenses, pursuant to the *Criminal Code (Canada) Order in Council 1413/08 Gaming Control Act, 1992*	City Clerk	Compliance with all applicable AGCO regulations and Lottery Licensing Policy Manual (LLPM)
Records management oversight, pursuant to the *Municipal Act, 2001, S.O. 2001, C. 25*, as amended.	City Clerk	
All powers and duties under the *Municipal Freedom of Information and Protection of Privacy Act*, pursuant to *Municipal Freedom of Information and Protection of Privacy Act.*	City Clerk	Associated policy.
By virtue of office: Division Registrar, Commissioner of Oaths, and Licensing of Marriage, pursuant to the *Commissioner for Taking Affidavits Act, R.S.O. 1990, c. C. 17,* the *Marriage Act, R.S.O. 1990, c. V.4,* and the *Vital Statistics Act, R.S.O. 1990, c. V.4.*	City Clerk	
Marriage Officiant, pursuant to the *Marriage Act, R.S.O. 1990, c. V.4.*	City Clerk and CAO	
Approve amendments to Civil Marriage Ceremony Policy, as needed.	City Clerk	Subject to consultation with Chief Administrative Officer.
Amend membership composition within the Terms of Reference for the citizen boards and committees, as needed.	City Clerk	Subsequent By-law to Council. Subject to consultation with the Chief Administrative Officer and Board/Committee Staff Liaison.

Human Resources Department		
Delegation	**Delegate**	**Conditions/Restrictions**
Negotiate and execute employment grants, including related documentation.	Chief Human Resources Officer (CHRO)	Consultation with appropriate department director.
Negotiate and execute contracts of employment (full-time and/or temporary), including related documentation, pursuant to the *Ontario Human Rights Code, AODA, MFIPPA, Pay Equity Act,* and *Employment Standards Act.*	CHRO or in their absence, the Chief Administrative Officer	Subject to an identified budgeted funding source. This delegation does not include negotiating and executing contracts of employment for the following positions of the municipality: • CAO (S. 284.5) • Head of any Division (S. 284.6) • Clerk (S. 284.6 (3)) • Deputy Clerk (S. 284.6 (3)) • Treasurer (S. 284.6 (3)) • Deputy Treasurer (S. 284.6 (3)) • Chief Building Official (S. 284.6 (3)) • Fire Chief (S. 284.6 (3)) • Other statutory officers (S. 284.6 (3))
Negotiate collective agreements and prepare and send Memoranda of Agreements pertaining to collective bargaining negotiations, provided that such memoranda are conditional upon Council approval, pursuant to the *Labour Relations Act.*	CHRO or in their absence, the Chief Administrative Officer	Subject to an identified budgeted funding source. In consultation with the CAO, Chief Financial Officer/Treasurer, and City Solicitor.

Administer and execute all documentation and remit payments related to pay and payroll deductions (including but not limited to Canada Pension Plan (CPP), Employment Insurance (EI), Employer Health Tax (EHT), Long-term Disability (LTD), Ontario Municipal Employees Retirement System (OMERS) and other documentation and remittances to government agencies, unions and/or employees such as T4 tax preparation and pay equity adjustments, and others by way of court ordered deductions, pursuant to the *Pay Equity Act, Employment Standards Act, Canada Income Tax Act, Pension Benefits Act, Canada Pension Plan, Employment Insurance Act, Employer Health Tax Act, Workers' Compensation Act,* and *Ontario Municipal Employees Retirement System Act.*	CHRO or designate	Subject to an identified budgeted funding source.
Negotiation and execute minutes of settlement of any labour relations matter (union or non-union), including related documentation, pursuant to the *Labour Relations Act.*	CHRO or designate	Subject to an identified funding source. In consultation with the CAO, Director of the impacted department and the City Solicitor.
Administer and execute all documentation and remit payments related to benefits that include but are not limited to health, dental, short-term disability (STD), LTD, workplace safety and insurance boards (WSIB), OMERS and execute all associated documentation, pursuant to the *Workplace Safety and Insurance Act, Pension Benefits Act, Workers Compensation Act,* and *Ontario Municipal Employees Retirement System Act.*	CHRO or designate	Subject to an identified funding source.

Financial Services Department		
Delegation	**Delegate**	**Conditions/Restrictions**
Execute agreements required for the delivery of bank and investment services to the City and related trust accounts, including agreements for purchasing cards and related electronic services but excluding credit and financing facilities such as debentures, mortgages, loans and lines of credit, pursuant to the Investment Policy, the Reserve Policy, the Procurement Policy, and all applicable by-laws.	Chief Financial Officer/Treasurer or Designate	
Transfer funds between City and related trust bank accounts and/or investments accounts to fulfill financial obligations, pursuant to the Investment Policy, the Reserve Policy, the Procurement Policy, and all applicable by-laws.	Chief Financial Officer/Treasurer or Designate	
Negotiate, conclude and execute contracts on behalf of the City for future utility commodity purchases up to two years in advance to a maximum of 2/3 of historical volumes, pursuant to the Investment Policy, the Reserve Policy, the Procurement Policy, and all applicable by-laws.	Chief Financial Officer/Treasurer or Designate	Decision to purchase must be budgeted, documented and based on a third-party recommendation.
Approve the write-off of an amount owing to the City and refunds disbursed from the City <=0.1% of the Tax Levy, pursuant to the Investment Policy, the Reserve Policy, the Procurement Policy, and all applicable by-laws.	Chief Financial Officer/Treasurer or Designate	
Implement a general insurance program, including the negotiation and execution of insurance agreements with person(s) or agencies that provide services under the general insurance program, pursuant to the Investment Policy, the Reserve Policy, the Procurement Policy, and all applicable by-laws.	Chief Financial Officer/Treasurer or Designate	

Negotiate and settle claims against the municipality, pursuant to the *Municipal Act, 2001, S.O. 2001, C.25*, as amended, and all applicable policies and by-laws.	Chief Financial Officer/Treasurer or Designate	In consultation with insurance adjuster, the appropriate department director and the City's claims administration policy. Subject to a maximum cost in the amount of the City's insurance deductible. Subsequent report to Council on significant settlements at the discretion of the CAO.
Address potential development charge complaints for projects who have substantive proof to be initiated prior to the passing of by-law 7278/100/24, who could not obtain their permit before said passing due to municipal reviews or delays.	Chief Financial Officer/Treasurer or Designate	In consultation with the City Solicitor. For projects with a site plan amendment or zoning by-law amendment application, the rate freeze permitted by s. 26(2) of the *Development Charges Act, 1997, S.O. 1997, c. 27* will apply in lieu of staff relief.
Recreation Department		
Delegation	**Delegate**	**Conditions/Restrictions**
Issue and process permits at City recreation facilities, including but not limited to ice rentals, sports fields, parks, pavilions, and community/meeting rooms.	Manager, Recreation and Tourism or Designate(s)	Follow Council approval allocation for priority users (youth, minor sports, schools, and locals first)
Authority to waive or reduce the following fees: park permits, pavilion/bandshell rentals and related fees (picnic tables, hydro, washroom rental rate), road closures, parade and event services fees, and Vale Health and Wellness Centre rates for the purposes of third-party events run by community organizations and non-profits.	Manager, Recreation and Tourism or Designate(s)	In consultation with the CAO.
Negotiate, conclude and execute recreation licensing agreements with user groups and stakeholders.	Supervisor, Recreation or Supervisor, Marina or Designate(s)	

Approve temporary road closures for municipally-run events or events of municipal significance including, but not limited to, Canada Day, Canal Days, and the Santa Claus Parade	Director, Public Works or Manager of Road and Park Operations	Road closure plan reviewed and approved by By-law. Third party events requesting road closures will be brought in a report to Council for approval unless otherwise delegated.
Approve variances or exemptions to the Noise By-law for municipally-run events or events of municipal significance including, but not limited to, Canada Day, Canal Days, and the Santa Claus Parade.	City Clerk	Event plan reviewed and approved by By-law. Third party events requesting a variance will be brought in a report to Council for approval unless otherwise delegated.
Facilitate the disposition of abandoned boats from marina slips or storage facility.	Manager, Recreation and Tourism or Designate(s)	Consult with City Solicitor.
Information Technology Department		
Delegation	**Delegate**	**Conditions/Restrictions**
Authority to oversee the planning, procurement, implementation, and governance of digital systems, physical security infrastructure, and emerging technologies	Chief Information Officer, or Designate	- Must comply with applicable legislation (e.g., MFIPPA, AODA, etc.), procurement policies, and internal governance frameworks. - Consultation with legal resources (internal or external) and other affected departments as required. - Emergency actions permitted in response to cybersecurity or physical security threats, with post-incident reporting to CAO. - Annual reporting to CAO or Council on technology initiatives, technology deployments, risk assessments, and compliance status, as required. - All agreements subject to legal review and must fall within approved budgets.

Fire Department		
Delegation	**Delegate**	**Conditions/Restrictions**
Enter into Fire Service Agreements for provision of fire protection services to lands located outside Port Colborne or receive services from a fire department located out of Port Colborne.	Fire Chief	Only if agreement is acceptable to the City Solicitor. Subsequent report must be provided to Council.
Activate an emergency plan and implement municipal emergency control group notification.	CEMC	Decision to be made in accordance with City Emergency Plan. Mayor and CAO advised as soon as possible.
Enter into agreements for mutual or automatic aid management operations or emergency response outside scope of Emergency response such as but not limited to chemical, biological, radiological, nuclear, high yield explosive, Hazmat, confined space, high angle rescue.	Fire Chief	Agreement acceptable to City Solicitor. Report to Council.
Execute agreements for emergency management and emergency response for services such as Red Cross, Transit, Niagara Region Police, Ontario Provincial Police, etc.	Fire Chief	Agreement acceptable to City Solicitor. Report to Council.
Process and issue permits pertaining to fireworks displays and discharging of fireworks, pursuant to the Fireworks By-law.	Fire Chief	
Designate Fire Routes once satisfied requirements have been complied with and submit to By-law for approval.	Fire Chief	Council to approve designation by-law. Council pre-approval not required.
Authority to take all proper measures for prevention, control and extinguishment of fires and protection of life and property and shall exercise all powers mandated by legislation, pursuant to the *Fire Protection and Prevention Act, 1997, S.O. 1997, c. 4.*	Fire Chief	

Approval and signing authority to execute agreements and documents to provide fire and public safety training, facility and equipment rentals, and other related fees for services to external clients.	Fire Chief	
Ability to review and rescind bills issued by the Fire Service.	Fire Chief	
<u>Building and By-law Services Department</u>		
Delegation	**Delegate**	**Conditions/Restrictions**
Authority to enter into limiting distance agreements, pursuant to the *Building Code Act, 1992, S.O 1992, c. 23.*	Chief Building Official	Agreements acceptable to City Solicitor.
Authority to enter into conditional building permit agreements, pursuant to the *Building Code Act, 1992, S.O 1992, c. 23*.	Chief Building Official	Agreements acceptable to City Solicitor.
Approve temporary variances, pursuant to the Noise By-law.	City Clerk, Chief Building Official and Chief Planner	Temporary nature. In consultation with CAO.
Approve minor variances to the Sign By-law including but not limited to extensions and minor technical non-compliance, pursuant to the Sign By-law.	City Clerk, Chief Building Official and Chief Planner	Ensure general intent and purpose of the Sign by-law are upheld.
Approve minor variances to the Fence By-law including but not limited to extensions and minor technical non-compliance, pursuant to the Fence By-law.	City Clerk, Chief Building Official, and Chief Planner	Consult with public and follow variance process. Advise Council.
Enter into Encroachment Agreements on road allowances and over easements with private property owners.	Chief Planner	Consult with By-law Enforcement Services and Director of Public Works. Agreements acceptable to City Clerk. Conditional but not limited to obtaining survey, covenants to protect the City. Once satisfied, submit by-law for Council approval.

Authority to amend the schedules that regulate stopping prohibition, stop controlled intersections, parking prohibition, limited parking restrictions, parking meter zones, commercial vehicle load permits, loading prohibitions, yield signs, prohibited turns, one-way highways, and speed limits on highways under the jurisdiction of the City of Port Colborne.	Director of Public Works	Consult with By-law Enforcement Services and report to Council.
Appoint a Hearing Officer in respect of the AMPS By-laws, pursuant to the Inter-municipal agreement.	CAO	
Appoint a Municipal Law Enforcement Officer.	Chief Building Official	Advise Council.
Appoint a Property Standards Officer.	Chief Building Official	Advise Council.
Authority to appoint temporary staff parking enforcement	Chief Building Official	
Approve waiving all or a portion of administrative monetary penalties in exceptional circumstances.	CAO	Limit of $10,000 per request in exceptional circumstances where the property owner did not have opportunity to avail themselves through the AMPS process. Report to Council.
Approve waiving the timelines and expiry deadlines outlined in Sections 5.0 and 6.0 of the Non-Parking AMPS By-law associated with requesting a Screening Officer review and appealing to the Hearing Officer.	CAO	Only to be used in exceptional circumstances where the property owner did not have opportunity to avail themselves through the AMPS process. Report to Council.

Public Works Department – Road and Transportation Services		
Delegation	**Delegate**	**Conditions/Restrictions**
Designate construction zones where municipal permit involves construction or repair of a highway or works near a highway, including authority to designate a lower rate of speed for vehicles traveling in construction zones, pursuant to the *Highway Traffic Act, R.S.O. 1990, c. H.8.*	Director of Public Works	Consultation with Planning Division
Authority to complete and execute cost-sharing agreements between the City of Port Colborne and the Niagara Region as well as local area municipalities in the Niagara Region, regarding road construction and/or road maintenance.	Director of Public Works	Subsequent report to Council.
Temporary reduction or lifting of load limits on highway, including designation of alternate routes where applicable.	Director of Public Works	Consultation with Chief Building Official and By-law Enforcement Services
Authority to declare a significant weather event in order to extend the response time to achieve Minimum Maintenance Standards, pursuant to *Ontario Regulation 239/02 – Minimum Maintenance Standards for Municipal Highways.*	Director of Public Works	
Authority to negotiate and sign agreements with Railway Authorities for cost sharing or warning systems and maintenance at level railway crossings.	Director of Public Works	
Authority to provide reciprocal assistance to Public Works Departments in other local area municipalities, pursuant to the Mutual Aid Agreement between local area municipalities and the Niagara Region.	Director of Public Works	Subsequent report to Council.
Approve temporary road closures, intermittent traffic control, and traffic sign alteration, removal, or control.	Director of Public Works	

Authorization to close municipal parks due to seasonal restrictions, inclement weather, and emergencies which could affect the health and well-being of the community.	Director of Public Works	
Authorization to control and manage each cemetery under the jurisdiction of the City of Port Colborne, pursuant to the City Cemetery By-law and the *Cemeteries Act (Revised), R.S.O. 1990, c. C.4.*	Director of Public Works/ Manager of Road and Park Operations	
<u>Public Works Department – Water and Wastewater</u>		
Delegation	**Delegate**	**Conditions/Restrictions**
Authority to complete and sign applications with the Ministry of Environment, Conservation, & Parks, pursuant to the *Ontario Water Resources Act, R.S.O. 1990, c. O.40.*	Director of Public Works	
Authority to provide reciprocal assistance to Public Works Departments in other local area municipalities and the Niagara Region, pursuant to the Memorandum of Understanding between local area municipalities and Niagara Region.	Director of Public Works	
Authority to designate the Overall Responsible Operator (ORO) and the Drinking Water Quality Management System Representative for the City's water distribution system, pursuant to the City of Port Colborne DWQMS Operational Plan and the *Safe Drinking Water Act*, O. Reg. 170-03.	Director of Public Works	

The Corporation of the City of Port Colborne

By-law No._____

Being a By-law to Authorize Entering into an Agreement with Cornerstone 13489116 Canada Inc. (Azim Kassan). Regarding the Comprehensive CIP Downtown CIPA Tax Increment Grant – 395 Elm Street

Whereas at its meeting of March 10th, 2026, the Council of The Corporation of the City of Port Colborne (Council) approved the recommendations of Planning and Development Report 2026-24, Subject: Comprehensive CIP Downtown CIPA Tax Increment Grant – 395 Elm Street.

Whereas Council is desirous of entering into an agreement with 13489116 Canada Inc., for the purposes of a Comprehensive CIP within the Downtown CIP area Tax Increment Grant Agreement; and

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 enters into an agreement with 13489116 Canada Inc..**,** for the purposes of a Comprehensive CIP within the Downtown CIP area Tax Increment Grant Agreement;

2. That the Mayor, the 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 City Clerk is dully authorized to affix the Corporate Seal thereto.

Enacted and passed this 10th day of March 2026.

_____
William C. Steele
Mayor

_____
Charlotte Madden
City Clerk

TAX INCREMENT GRANT AGREEMENT

BY AND BETWEEN:

THE Corporation of the City of Port Colborne (hereinafter referred to as the "City")

and

13489116 Canada Inc. (Azim Kassan) (hereinafter referred to as the "Applicant")

WHEREAS the Applicant is the registered Owner of lands described in Schedule "A" attached to this Agreement ("the subject lands") which are situated within the Brownfield Community Improvement Project Area/Main Street Community Improvement Project Area/Downtown Community Improvement Project Area/East Waterfront Community Improvement Project Area, and the Applicant has applied to the City for a Tax Increment Grant ("Grant") and the City has agreed to make such a Grant pursuant to Section 28 of the *Planning Act* and under By-Law No (insert CIP by-law number);

AND WHERES as a condition of approval of such a Grant, the Applicant is required by the City to enter into this Agreement;

NOW THEREFORE IN CONSIDERATION of the City making this Grant in the estimated maximum amount **of** $ 295,950.94 annually for up to ten (10) years to the Applicant, the Applicant and the City hereby agree as follows:

1. INFORMATION ON SUBJECT LANDS

1.1 The Grant shall apply to the subject lands as set out in Schedule A attached.

1.2 The subject lands are/are not designated under the *Ontario Heritage Act*.

2. GRANT ELIGIBILITY

2.1 To be eligible for the Grant, the works on the subject land shall conform to and fulfill:

a) The objectives and program requirements of the Tax Increment Grant Program and the Port Colborne Comprehensive CIP ("CIP"); and,

b) Any other requirements as specified by the City.

2.2 The Applicant acknowledges that it has received and read a copy of the: CIP, General Program Requirements, Tax Increment Grant Program Guide (the "Guide"), Urban Design Guidelines (the "Guidelines"), and the Applicant covenants with the City that the subject lands shall be improved and the Grant provided for in this Agreement shall be applied in accordance with the City's goals, policies, and program requirements as set out in the CIP, General Program Requirements, Guide, and Guidelines.

2.3 The City shall review all cost estimates submitted in support of the Application in evaluating the estimated costs eligible for the Grant program, which costs, when designated by the City shall constitute the maximum eligible cost upon which the total

grant amount will be calculated and paid. In the event the City is not satisfied with said cost estimates, the City may substitute their opinion of such amounts for purposes of calculating the eligible costs for the Grant.

2.4 If the City is not in receipt of sufficient information satisfactory to the City to determine eligible program costs and the amount of the Grant, the application will not be processed and the application file will be closed. The decision of the City regarding the total amount of eligible costs, and the calculation of the estimated and actual annual grant payment is final, absolute and within the City's sole discretion.

3. GRANT CALCULATION

3.1 Definitions:

"Pre-project assessed value" – the assessed value of the subject lands as determined by the Municipal Property Assessment Corporation ("MPAC") the day before development works commence.

"Post-project assessed value" – the assessed value of the subject lands as determined by the MPAC when the development is complete.

"City pre-project property taxes" - City of Port Colborne property taxes the day before development works commence.

"Regional pre-project property taxes" – Regional Municipality of Niagara property taxes the day before development works commence.

"Municipal pre-project property taxes" – the total of City and Regional property taxes the day before development works commence.

"City post-project property taxes" - City of Port Colborne property taxes based on the assessed value of the subject lands as determined by the MPAC when the development is complete.

"Regional post-project property taxes" – Regional Municipality of Niagara property taxes based on the assessed value of the subject lands as determined by the MPAC when the development is complete.

"Municipal post-project property taxes" – the total of City and Regional property taxes based on the assessed value of the subject lands as determined by the MPAC when the development is complete.

3.2 The annual Grant will be equal to a percentage of the increase in the municipal (City and Region) property taxes on the subject lands that result from the development, as follows:

a) 80% if the project is in the Main Street/Downtown/East Waterfront Community Improvement Project Area;

b) 100% for all new affordable rental residential units if the project is in the Main Street/Downtown/East Waterfront Community Improvement Project Area, where an "affordable rental residential unit" means a new residential unit intended for use as a rented residential premises where:

i) The rent is no greater than 80% of the average market rent based on CMHC data; and,

ii) The tenant is dealing at arm's length with the landlord; and,

iii) The rent for the unit is maintained as per b) i) above for a period of 25 years from the date that the unit is first rented;

c) 100% for a brownfield redevelopment project in the Brownfield Community improvement Project Area (entire Urban Area).

3.3 Grant payments will cease on the earlier of:

a) The date when the total of all annual Grant payments equals the total eligible Tax Increment Grant Program costs that have been approved/set by the City; or,

b) Ten (10) years (equivalent) after the date of completion of development of the subject lands.

3.4 The amount of the annual Grant payment is calculated according to the formulas set out below. Some of the figures set out below are estimates only. The amount of the actual annual Grant payment will be based on the actual post-project assessed value (AV) as determined by the MPAC:

Estimated Cost of Project $ **19,000,000**

Pre-project AV: $ **457,000** **Date: 2026**

Estimated Post-project AV $ 17,000,000

Actual Post-project AV
(provided by MPAC): $_____ Date:_____

If the difference between the Pre-project Assessment Value (AV) and the Post-Project Assessment Value (AV) is not at least $500,000, there will be no grant paid by the City and this Grant Agreement will terminated.

a) Municipal Pre-Project Property Taxes

Municipal pre-project property taxes = City pre-project property taxes + Regional pre-project property taxes, where:

City pre-project property taxes = (Pre-project AV x City Tax Rate) + Clawback/-Cap + other charges, and

Regional pre-project property taxes = (Pre-project AV x Regional Tax Rate) + Clawback/-Cap + other charges

Municipal Pre-project property taxes: $ 20,161 Date: 2025

b) Estimated Municipal Post-Project Property Taxes

Estimated Municipal post-project property taxes = Estimated City post-project property taxes + estimated Regional post-project property taxes, where:

Estimated City post-project property taxes = (Estimated Post-project AV x applicable City Tax Rate), and

Estimated Regional post-project property taxes = (Estimated Post-project AV x applicable Regional Tax Rate)

Estimated Municipal Post-project property taxes: $ 342,065

c) Actual Municipal Post-Project Property Taxes

Actual Municipal post-project property taxes = Actual City post-project property taxes + actual Regional post-project property taxes, where:

Actual City post-project property taxes = (Actual Post-project AV x applicable City Tax Rate), and

Actual Regional post-project property taxes = (Actual Post-project AV x applicable Regional Tax Rate)

Actual Municipal Post-project property taxes: $_____

Calculation of Estimated Annual Grant

Estimated Annual Grant = (Estimated Municipal Post-project property taxes - Municipal Pre-project property taxes) x 0.80/1.0

Calculation of Actual Annual Grant

Actual Annual Grant = (Actual Municipal Post-project property taxes - Municipal Pre-project property taxes) x 0.80/1.0

3.5 The total value of the sum of the annual Grant payments that may be provided under this grant Program shall not exceed the total costs of the development that have been accepted by the City, which costs are estimated, as of the date of this agreement, at $17,000,000**.**

3.6 Where the actual costs of development are, in the opinion of the City, less than the estimated costs of development ($ 17,000,000), the maximum permitted amount of the total annual Grant payments shall be reduced.

3.7 Where at any time after the original development of the subject lands, new construction is added to the subject lands that is not part of the original Program Application, the Grant payment will be calculated only in respect of the original development contained in the original application, based on the property taxes levied in the last year before revaluation by MPAC as a result of the new construction added to the subject lands.

3.8 The annual Grant payment shall be calculated by the City based upon, and provided the City is satisfied in its discretion that:

a) Development of the property was completed and took place in accordance with the proposed development as specified in the Program Application, supporting documentation, and this Agreement;

b) There was and remains during each year of the Grant payment, an increase in net municipal property taxes as a result of an increase in the assessed value attributable to the completion of the development;

c) Annual Grant payments after the first Grant payment are adjusted downwards in the event the property tax increase in any subsequent year has been reduced.

3.9 The estimated annual Grant calculated as set out above in this Agreement is based on preliminary estimates of post-project assessed value and post-project tax rates. Accordingly, the amount of the Grant payment shall be re-calculated by the City based on actual assessed value as determined by MPAC and actual post-project tax rates prior to payment of the Grant.

4. GRANT PAYMENT

4.1 Payment of the grant is subject to the City's review and satisfaction with all reports and documentation submitted in support of the application, including but not limited to: documentation of the estimated and actual costs of eligible works. Any and all of these costs may be, where required by the City, subject to verification, third party review or independent audit, at the expense of the Applicant.

4.2 The Applicant shall not be entitled to a grant unless and until they have met all the conditions of this Agreement to the satisfaction of the City. Except where expressly stated in this Agreement, all conditions in this Agreement are for the benefit of the City and may only be waived by the City. No waiver is effective unless in writing.

4.3 The total sum value of the annual grant payments that may be provided to the Applicant shall not exceed the total eligible Tax Increment Grant Program costs that have been accepted by the City.

4.4 Any and all grant payments that have been provided to the Applicant will become payable upon notice in writing from the City that one or more of the conditions set out in the application, this Agreement, or the Grant Program have not been met.

4.5 The Grant is not payable by the City until such time as additional assessment eligible for a Grant has been added to the assessment roll by the MPAC, all taxes eligible for a Grant have been billed by the City, and taxes have been paid in full for at least one (1) year. The Grant will not be issued if there is an outstanding tax payment. If at any time after the execution of this Agreement, property taxes are owing on a property for more than one (1) full year, the City will have the option, upon notice to the Applicant, and at its sole discretion, to terminate all future Grant payments.

4.6 The Grant is not payable by the City until such time as all assessment appeals relating to the value of the subject lands before the additional assessment or as to the additional assessment have been filed and finally determined.

4.7 Annual Grant payments are not payable by the City until the Applicant has satisfied the City that:

a) The development of the subject lands has been fully completed in accordance with the development as described in the Application;

b) The Applicant has supplied the City with the actual amount of the construction costs incurred by the Applicant

c) There are no outstanding work orders and/or orders or requests to comply from any City department or other regulatory authority in respect of the subject lands, the property and the business of the Applicant conducted on the subject lands;

d) As of the date of the proposed first Grant payment, the Applicant, its development and property are in full compliance with:

i) Any agreement(s) relating to the property in favour of the City or Region, including any Agreement relating to: subdivision, modified subdivision, service, site plan approval, encroachment, joint sewer & water use, easement or other Agreement; and,

ii) By-laws of the City, Region, provincial or federal legislation and their regulations.

g) The post-project assessed value of the subject property has increased as a result of the development;

h) The Applicant has not appealed the post-project assessed value and there exists no other pending appeal which has not been finally determined in respect of the post-project assessed value;

i) The property taxes for the year during which property taxes were calculated pursuant the said increased assessment and for each of the preceding years, have been paid in full, have not been deferred and there are, at the time of payment of the annual Grant, no instalments of property taxes for the current year remaining to be paid;

j) There are no unpaid charges (where applicable) against the subject lands in favour of the City or the Region, including but not limited to: development charges, park land dedication fees, special assessments, building permit fees and local improvement charges.

4.8 Provided that all Program and Grant Agreement requirements have been met, each year, the same grant payment will be made to the Applicant or assignee (Brownfield Tax Increment Grant only).

5. CORPORATE STATUS

5.1 The Applicant represents to the City that:

a) The Applicant has been duly incorporated as a corporation and is in good standing under the *Business Corporations Act* and is in compliance with all laws that may affect it and will remain so throughout the term of this Agreement;

b) The Applicant has the corporate capacity to enter into this Agreement and to perform and meet any and all duties, liabilities and obligations as may be required of it under this Agreement;

c) The Applicant is a resident of Canada as of the date of this Agreement and that in the event the Applicant ceases to be a resident of Canada, the Applicant shall immediately notify the City, and it is agreed, the City may deduct for any or all annual Grant payments, such sum(s) as may be required by the Canada Customs and Revenue Agency in order to meet the City's obligations as a payor and the Applicant's obligations under the *Income Tax Act (Canada)* and other applicable laws;

d) To the best of its knowledge and belief, there are no actions, suits or proceedings pending or threatened against or adversely affecting the Applicant in any court or before or by any federal, provincial, municipal or other governmental department, commission, board, bureau or agency, Canadian or foreign, which might materially affect the financial condition of the Applicant or title to the subject lands or assets;

e) The Applicant shall notify the City immediately of any material change in the conditions set out in paragraphs (a)-(d) above.

6. PROVISIONS RELATING TO THE APPLICANT

6.1 At the time of application for the Program, the Applicant shall have submitted to the City for its review and acceptance, the Applicant's plans for the development and supporting documentation, including the Applicant's proposed residential and non-residential uses for the property.

6.2 The Applicant shall notify the City if the Applicant has applied for, been approved for, or has received project funding from any other levels of government or government funded agencies, e.g., Region, Provincial, Federal, Canada Mortgage and Housing Corporation, Federation of Canadian Municipalities, etc…). The Applicant will notify the City immediately upon receiving any and all project funding from other levels of government even if said funding is received after the execution of this agreement.

6.3 At the time the Applicant signs this Agreement, the Applicant will provide the City with a certified true copy of a resolution of the Board of Directors of the Applicant (certified by an officer of the corporation) that authorizes the Applicant to enter into this Agreement with the City.

6.4 The Applicant agrees that it shall not commence any works that are the subject of a Grant Application prior to receiving approval of the Grant Application from the City, execution of this Agreement, and issuance of a building permit (if required).

6.5 The Applicant will complete all eligible works as specified in the approved Grant application, and in documentation submitted in support of the Grant application, including but not limited to: all required planning approvals, the architectural/design drawings, specifications, contracts and cost estimates. As the City is relying upon this information, if the information in this Agreement, the associated application, and/or any supporting documentation submitted to the City is, in the opinion of the City, incomplete, false, inaccurate or misleading, the Grant may be reduced and/or delayed, and/or cancelled, and where part or all of the Grant has already been paid by the City, such payments shall be repaid by the Applicant as required by the City.

6.6 The Applicant agrees that the development shall be constructed in compliance with all required Building Permits and constructed in accordance with the Ontario Building Code and all applicable zoning by-law requirements, municipal requirements and other approvals required at law.

6.7 The Applicant agrees that it shall commence construction of the development as described in the associated Tax Increment Grant (TIG) Program Application (building permit issued) within two (2) years and complete construction of the development within four (4) years of the execution of this Agreement for residential TIGs and three (3) years and within five (5) years for a Brownfield Grant TIG, failing which, unless extended by the City, this Grant approval shall be at an end, there shall be no Grant, and this Agreement shall be terminated. The deadline imposed by this paragraph shall not include delays that are outside the control of the Applicant. The City's decision as to when such project is commenced and completed is final and absolute.

6.9 Upon request, the Applicant shall supply to the satisfaction of the City prior to issuance of any and all Grant payments, environmental reports and documentation showing that the subject lands have been remediated to the appropriate levels for the proposed use. This

includes, where required by the City, proof of acknowledgement of a signed Record of Site Condition (RSC) by the Ministry of Environment, Conservation and Parks (MOECP) for the subject lands.

6.10 The Applicant agrees and covenants to the City that if the building(s) and improvements that are the subject of this Agreement are demolished, in whole or in part, or any of the heritage features of the property are altered in any way that would compromise the reasons for designation, prior to the expiration of the term of this Agreement, all subsequent Grant payments shall cease, and all Grant payments already paid by the City to the Applicant shall be repaid to the City.

6.11 Upon completion of the project, the Applicant shall provide the City with documentation satisfactory to the City as to the amount of the actual costs of the construction project incurred by the Applicant and the City shall, in its discretion designate this cost as the total maximum amount of the Grant.

6.12 The Applicant will provide to the City, upon request, a status report signed by the Applicant to confirm the status and completion of the approved development; a detailed progress report of the status of the development, including, but not limited to, the development schedule, the existence and extent of any faults or defects, the value of the work done under any contract, the amount owing to any contractor and the amounts paid or retained by the Applicants on any contract.

6.13 The Applicant shall ensure there are no liens or other claims outstanding in respect of the subject lands, including its development, and all accounts for work and materials which could give rise to any claim for a construction lien against the subject lands have been paid.

6.14 The Applicant shall ensure that the Applicant is in compliance with the *Construction Lien Act*, including its holdback provisions and is not aware of any potential or unresolved Lien claim in respect of the redevelopment.

6.15 The Applicant agrees to comply with all outstanding work orders and/or orders or requests to comply from any and all City departments prior to or as a condition of Grant approval.

6.16 The Applicant covenants to the City that where the ownership of part or all of the subject lands ceases for any reason to be in the Applicant's name by sale, assignment or otherwise, prior to the advance of all of the Grant payments, the Applicant will notify the City in writing of said pending ownership change at least 45 days prior to the ownership change taking place.

6.16 With the exception of an approved Brownfield Tax Increment Grant, the Applicant acknowledges that it may not assign its interest in this Agreement nor the grant payments to an assignee or new owner.

6.17 For an approved Brownfield Tax Increment Grant only, the Applicant acknowledges that it may not assign its interest in this Agreement nor the remaining grant payments to an assignee or new owner without the express written consent of the City. The City, entirely at its own discretion and to its satisfaction, prior to assignment of the Applicant’s interest in this Agreement and/or the remaining grant payments to an assignee or new owner, agrees that such consent shall not be unreasonably withheld, subject to:

a) The assignee/new owner agreeing in writing to be bound by all of the Applicant's obligations and maintenance conditions under this Agreement that have not been fulfilled;

b) The assignee/new owner agreeing in writing to be bound by any new conditions and requirements imposed by the City to address any project deficiencies; and,

c) The Applicant and new owner executing such written consent, agreement or other documentation as required by the City and providing said executed documentation to the City.

6.18 The Applicant will be responsible for ensuring that they can be contacted by the City for the purpose of delivering Grant cheques.

6.19 The Applicant acknowledges that without limiting the generality of the other provisions of this Agreement:

a) The onus and responsibility is upon the Applicant at all times to assume all costs of rehabilitation of the subject lands and to apply for and obtain, at the Applicant's expense, all approvals required from the City, the Region, and all other agencies for the rehabilitation of the subject lands, including but not limited to: all Official Plan amendments, Zoning By-law amendments, minor variances, and Site Plan approval;

b) Nothing in this Agreement limits or fetters the City or the Region in exercising its statutory jurisdiction under the *Planning Act* or under any other legislative authority or by-law and that in the event the City or Region decides to deny or oppose or appeal any such decision, that such action by the City or Region is not in any manner limited by reason of the City entering into this Agreement;

c) The Applicant releases the City from any liability in respect of the City's reviews, decisions, inspections or absence of inspections regarding this rehabilitation and the Applicant agrees that it is its responsibility at all times to prepare and implement its rehabilitation as would a careful and prudent land owner;

d) Nothing in this Agreement is intended to impose or shall impose upon the City any duty or obligation to inspect or examine the land for compliance or non-compliance or to provide an opinion or view respecting any condition of development; and,

e) Nothing in this Agreement is intended to be or shall be construed to be a representation by the City regarding compliance of the land with: (1) applicable environmental laws, regulations, policies, standards, permits or approvals, or, (2) other by-laws and policies of the City.

6.20 The Applicant agrees that if after it has received a Grant payment(s) from the City, it or any new owner successfully appeals the post-project assessed value on which that Grant payment(s) is based, and as a result, there is a retroactive decrease in the assessed value, the City may deduct the amount of any resulting Grant overpayment from future Grant payments and/or add any Grant overpayment to municipal property taxes payable on the property.

6.21 If the City determines in its sole discretion that any of the conditions of this Agreement are not fulfilled, the City may at its sole discretion cease or delay the Grant payments, and/or require repayment Grant payments already made to the Applicant, and/or terminate this Agreement, and the Applicant shall not have any claim for compensation or reimbursement of these costs and expenses against the City and that the City is not liable to the Applicant for losses, damages, interest, or claims which the Applicant may bear as a result of the lapse of time (if any) where the City is exercising its rights herein to cease, delay, require repayment of a Grant payment or terminate this Agreement.

6.22 The Applicant shall indemnify and save harmless from time to time and at all times, the City, its officers, employees, and agents from and against all claims, actions, causes of action, interest, demands, costs, charges, damages, expenses and loss made by any person arising directly or indirectly from:

a) The City entering into this Agreement; and,

b) Any failure by the Applicant to fulfil its obligations under this Agreement.

This indemnification shall, in respect of any matter arising prior to the termination of this Agreement, remain in force following termination or expiry of this Agreement, or satisfactory completion of the works approved under this Agreement.

6.23 The Applicant is bound by this Agreement, unless, prior to the Applicant receiving the Initial Grant payment, the Applicant gives notice in writing to the City, that the Applicant has decided not to accept the Grant contemplated by this Agreement, in which case, the Agreement is terminated.

7. PROVISIONS RELATING TO THE CITY

7.1 The City agrees to provide a Grant to the Applicant to be paid out over a maximum of 10 years, to be used towards the costs of the development of the subject lands, subject to and in accordance with the terms and conditions set out in this Agreement, provided that the total of such Grants shall not exceed the total costs of the development project and accepted and designated by the City, estimated as of the date of this agreement, in the amount of $ 375,000.

7.2 Upon revaluation of the subject lands by MPAC, the City shall calculate the actual post-project City property taxes and the actual annual Grant.

7.3 On an annual basis, the City, upon being satisfied that the Applicant is in compliance with this Agreement and has met all and any other requirements of the City, shall pay the annual Grant payment.

7.4 The City reserves the right to require a third party review or independent audit, at the Applicant's expense, of all documentation submitted in support of the Application or during the administration of the initial or subsequent annual Grant payments, including, but not limited to:

a) Estimates and actual costs of all development works; and,

b) Environmental reports and documentation.

7.5 The City, its employees and agents are entitled to inspect the subject lands and all fixtures and improvements upon the subject lands at any time during usual business hours for the purpose of ascertaining their condition or state of repair or for the purpose of verifying compliance with the provisions of this Agreement.

7.6 If the Applicant cannot be reached over a protracted period (more than 2 years), the City will have the option, without notice and at its own discretion, of terminating all future Grant payments to the Applicant.

7.7 If in the opinion of the City the subject lands are not maintained in their rehabilitated condition, the City may at its own discretion, terminate all future Grant payments and require repayment of all Grant payments already paid out by the City to the Applicant.

7.8 The City retains the right at all times not to make any or all Grant payments or to delay payment where the City deems that there is non-compliance by the Applicant with this Agreement. In particular, without limiting the generality of the foregoing, the Grant is conditional upon periodic reviews satisfactory to the City to there being no adverse change in the rehabilitation and condition of the subject lands, and to there being compliance on the part of the Applicant with all requirements contained in this Agreement.

7.9 Except where expressly stated in this Agreement, all conditions in this Agreement are for the benefit of the City and may only be waived by the City. No waiver is effective unless in writing.

8. DEFAULT AND REMEDIES

8.1 On the occurrence of default under this Agreement, the City shall be entitled to its remedies to enforce the terms of this Agreement, including:

a) Delaying or ceasing payment of the Grant;

b) Requiring repayment of the Grant; and/or

c) Terminating this Agreement.

8.2 Default shall be deemed to occur upon any default of the Applicant or assignee in complying with the terms set out in this Agreement, including but not limited to the following:

a) The as constructed works do not comply with the description of the works as provided in the Application Form and supporting plans and documents;

b) Deficiencies in the as constructed works during the term of this Agreement;

c) The works are not undertaken in conformity with the Ontario Building Code and all applicable zoning requirements and planning approvals;

d) The Applicant sells, transfers or otherwise disposes of the property without advising the City;

e) The building for which a Grant was provided is demolished or designated heritage features of that building are altered during the term of the Grant;

f) The building is damaged by fire or otherwise, and repair or reconstruction is not commenced with 90 days;

g) The Applicant is in property tax arrears with respect to the property for more than one (1) year;

h) Any representation or warranty made by the Applicant is incorrect in any material respect;

i) Failure to perform or comply with any of the obligations contained in this Agreement or contained in any other Agreement entered into between the Applicant and the City;

j) The Applicant makes an assignment for the benefit of creditors, or assigns in bankruptcy or takes the advantage in respect of their own affairs of any statute for relief in bankruptcy, moratorium, settlement with creditors, or similar relief of bankrupt or insolvent debtors, or if a receiving order is made against the Applicant, or if the Applicant is adjudged bankrupt or insolvent, or if a liquidator or receiver is appointed by reason of any actual or alleged insolvency, or any default of the Applicant under any mortgage or other obligation, or if the subject lands or interest of the Applicant in the subject lands becomes liable to be taken or sold by any creditors or under any writ of execution or other like process;

k) Construction ceases for a period of 60 days due to the Applicant's default (strikes and Acts of God excepted) and/or the Applicant abandons the property or project;

l) The Applicant is in default of the terms and conditions of the construction financing secured by the first mortgage;

m) This Agreement is forfeited or is terminated by any other provision contained in it.

8.3 The City may, at its sole discretion, provide the Applicant with an opportunity to remedy any default.

9. ADDITIONAL PROVISIONS

9.1 This Agreement shall remain in effect from the date of its execution to the earlier of:

a) The Applicant informing the City in writing prior to the initial Grant payment, that the Applicant has decided not to accept the Grant;

b) The City informs the Applicant in writing that due to the non-fulfilment or non-compliance with a required condition or due to default, this Agreement is at an end;

c) The total amount of the Grant paid out to the Applicant equals the total costs of development;

d) Ten (10) years from the date of completion of the development.

9.2 Time shall be of the essence with respect to all covenants, Agreements and matters contained in this Agreement.

9.3 Schedule "A" attached to this Agreement forms part of this Agreement.

10. NOTICES

10.1 Where this Agreement requires notice to be delivered by one party to the other, such notice shall be in writing and delivered either personally, by e-mail, by fax or by prepaid registered first class post, by party wishing to give such notice, to the other party at the address noted below:

Such notice shall be deemed to have been given:

a) In the case of personal delivery, on the date of delivery;

b) In the case of e-mail or fax, on the date of transmission provided it is received before 4:30 p.m. on a day that is not a holiday, as defined in the *Interpretation* Act, failing which it shall be deemed to have been received the next day, provided the next day is not a holiday; and,

c) In the case of registered post, on the third day, which is not a holiday, following posting.

Notice shall be given:

To the Applicant at:
Azim E Kassam
55 Skymark Drive, Suite 805
Toronto. M2H 3N4
Email; kassam-1@rogers.com

To the City at:
City of Port Colborne
66 Charlotte Street
Port Colborne Ontario, L3K 3C8
Attention: Bram Cotton, Economic Development Officer
Ph: 905-835-2900 ext 504
Fax: 905-835-2939
Email: cipapplication@portcolborne.ca

IN WITNESS WHEREOF the parties hereto have executed this Agreement all as of the day and year first written above, and the parties hereto have hereunto affixed their corporate seals duly witnessed and attested by the hands of the proper signing officers in that behalf, and said signing officers certify that they have authority to bind their corporation.

Signed for and on behalf of (insert Applicant Name) by:

Per: _____
Name:
Title: Authorized Signing Officer

Per: _____
Name:
Title: Authorized Signing Officer

Signed for and on behalf of The Corporation of the City of Port Colborne by:

Per: _____
Name:
Title: Mayor

Per: _____
Name
Title: City Clerk

SCHEDULE "A"

of a Grant Agreement between the City and the Applicant named in this Agreement.

Legal Description of Applicant's land

271103002914900
HUMBERSTONE CON 1 PT LOT 28 PLAN 861 LOTS 29 TO 31 PT LOTS 41 TO 43 RP 59R2366 PART 2 RP 59R9034 PARTS 4 AND 6

The Corporation of the City of Port Colborne

By-law No._____

Being a By-law to Authorize Entering into an Agreement with Canal Breeze Inc. Regarding the Comprehensive CIP Brownfield CIP Tax Increment Grant and Development Charge Grant– 302 Welland Ave, 302 Welland Ave. rear property, 46, 48 and 54 Fraser Street

Whereas at its meeting of March 10th, 2026, the Council of The Corporation of the City of Port Colborne (Council) approved the recommendations of Planning and Development Report 2026-26, Subject: Brownfield Tax Increment Grant – Fraser Street and Welland Street Properties – Canal Breeze Inc. Property.

Whereas Council is desirous of entering into an agreement with Canal Breeze Inc., for the purposes of a Brownfield Tax Increment Grant and Development Charge Grant within the Agreement; and

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 enters into an agreement with Canal Breeze Inc. Inc.**,** for the purposes of a Brownfield Tax Increment Grant and Development Charge Grant Agreement;

2. That the Mayor, the 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 City Clerk is dully authorized to affix the Corporate Seal thereto.

Enacted and passed this 10th day of March 2026.

_____
William C. Steele
Mayor

_____
Charlotte Madden
City Clerk

TAX INCREMENT GRANT AGREEMENT

BY AND BETWEEN:

THE Corporation of the City of Port Colborne (hereinafter referred to as the "City")

and

Canal Breeze Inc. (hereinafter referred to as the "Applicant")

WHEREAS the Applicant is the registered Owner of lands described in Schedule "A" attached to this Agreement ("the subject lands") which are situated within the Brownfield Community Improvement Project Area/Main Street Community Improvement Project Area/Downtown Community Improvement Project Area/East Waterfront Community Improvement Project Area, and the Applicant has applied to the City for a Tax Increment Grant ("Grant") and the City has agreed to make such a Grant pursuant to Section 28 of the *Planning Act* and under By-Law No (insert CIP by-law number);

AND WHERES as a condition of approval of such a Grant, the Applicant is required by the City to enter into this Agreement;

NOW THEREFORE IN CONSIDERATION of the City making this Grant in the estimated maximum amount of $ 157,116 for Phase I and $229,699 for Phase II, annually for up to ten (10) years to the Applicant, the Applicant and the City hereby agree as follows:

1. INFORMATION ON SUBJECT LANDS

1.1 The Grant shall apply to the subject lands as set out in Schedule A attached.

1.2 The subject lands are/are not designated under the *Ontario Heritage Act*.

2. GRANT ELIGIBILITY

2.1 To be eligible for the Grant, the works on the subject land shall conform to and fulfill:

a) The objectives and program requirements of the Tax Increment Grant Program and the Port Colborne Comprehensive CIP ("CIP"); and,

b) Any other requirements as specified by the City.

2.2 The Applicant acknowledges that it has received and read a copy of the: CIP, General Program Requirements, Tax Increment Grant Program Guide (the "Guide"), Urban Design Guidelines (the "Guidelines"), and the Applicant covenants with the City that the subject lands shall be improved and the Grant provided for in this Agreement shall be applied in accordance with the City's goals, policies, and program requirements as set out in the CIP, General Program Requirements, Guide, and Guidelines.

2.3 The City shall review all cost estimates submitted in support of the Application in evaluating the estimated eligible costs for the Grant program, which costs, when designated by the City shall constitute the maximum eligible cost upon which the total

grant amount will be calculated and paid. In the event the City is not satisfied with said cost estimates, the City may substitute their opinion of such amounts for purposes of calculating the eligible costs for the Grant.

2.4 If the City is not in receipt of sufficient information satisfactory to the City to determine eligible costs and the amount of the Grant, the application will not be processed and the application file will be closed. The decision of the City regarding the total amount of eligible costs, and the calculation of the estimated and actual annual grant payment is final, absolute and within the City's sole discretion.

3. GRANT CALCULATION

3.1 Definitions:

"Eligible works" (applies only to a Brownfield Tax Increment Grant) – the works specified in Schedule B attached to this Agreement.

"Eligible costs" (applies only to a Brownfield Tax Increment Grant) – the cost of the eligible works specified in Schedule B attached to this Agreement.

"Pre-project assessed value" – the assessed value of the subject lands as determined by the Municipal Property Assessment Corporation ("MPAC") the day before development works commence.

"Post-project assessed value" – the assessed value of the subject lands as determined by the MPAC when the development is complete.

"City pre-project property taxes" - City of Port Colborne property taxes the day before development works commence.

"Regional pre-project property taxes" – Regional Municipality of Niagara property taxes the day before development works commence.

"Municipal pre-project property taxes" – the total of City and Regional property taxes the day before development works commence.

"City post-project property taxes" - City of Port Colborne property taxes based on the assessed value of the subject lands as determined by the MPAC when the development is complete.

"Regional post-project property taxes" – Regional Municipality of Niagara property taxes based on the assessed value of the subject lands as determined by the MPAC when the development is complete.

"Municipal post-project property taxes" – the total of City and Regional property taxes based on the assessed value of the subject lands as determined by the MPAC when the development is complete.

3.2 The annual Grant will be equal to a percentage of the increase in the municipal (City and Region) property taxes on the subject lands that result from the development, as follows:

a) 80% if the project is in the Main Street/Downtown/East Waterfront Community Improvement Project Area;

b) 100% for all new affordable rental residential units if the project is in the Main Street/Downtown/East Waterfront Community Improvement Project Area, where an "affordable rental residential unit" means a new residential unit intended for use as a rented residential premises where:

i) The rent is no greater than 80% of the average market rent based on CMHC data; and,

ii) The tenant is dealing at arm's length with the landlord; and,

iii) The rent for the unit is maintained as per b)i) above for a period of 25 years from the date that the unit is first rented;

c) 100% for a brownfield redevelopment project in the Brownfield Community improvement Project Area (entire Urban Area).

3.3 Grant payments will cease on the earlier of:

a) The date when the total of all annual Grant payments equals the total eligible costs that have been approved/set by the City; or,

b) Ten (10) years (equivalent) after the date of completion of development of the subject lands.

3.4 The amount of the annual Grant payment is calculated according to the formulas set out below. Some of the figures set out below are estimates only. The amount of the actual annual Grant payment will be based on the actual post-project assessed value (AV) as determined by the MPAC:

Estimated Cost of Project $91,000,000

Pre-project AV: $ 401,700 Date: February 2026

Estimated Post-project AV $ 51,000,000

Actual Post-project AV
(provided by MPAC): $_____ Date:_____

If the difference between the Pre-project Assessment Value (AV) and the Post-Project Assessment Value (AV) is not at least $500,000, there will be no grant paid by the City and this Grant Agreement will terminated.

a) Municipal Pre-Project Property Taxes

Municipal pre-project property taxes = City pre-project property taxes + Regional pre-project property taxes, where:

City pre-project property taxes = (Pre-project AV x City Tax Rate) + Clawback/-Cap + other charges, and

Regional pre-project property taxes = (Pre-project AV x Regional Tax Rate) + Clawback/-Cap + other charges

Municipal Pre-project property taxes: Phase I $24,612,
Phase II (estimated) $311,480 Date: February 2026

b) Estimated Municipal Post-Project Property Taxes

Estimated Municipal post-project property taxes = Estimated City post-project property taxes + estimated Regional post-project property taxes, where:

Estimated City post-project property taxes = (Estimated Post-project AV x applicable City Tax Rate), and

Estimated Regional post-project property taxes = (Estimated Post-project AV x applicable Regional Tax Rate)

Estimated Municipal Post-project property taxes**:** Phase I $311,480
; Phase II Estimated $716,405

c) Actual Municipal Post-Project Property Taxes

Actual Municipal post-project property taxes = Actual City post-project property taxes + actual Regional post-project property taxes, where:

Actual City post-project property taxes = (Actual Post-project AV x applicable City Tax Rate), and

Actual Regional post-project property taxes = (Actual Post-project AV x applicable Regional Tax Rate)

Actual Municipal Post-project property taxes: $_____

Calculation of Estimated Annual Grant

Estimated Annual Grant = (Estimated Municipal Post-project property taxes - Municipal Pre-project property taxes) x 0.80/1.0

Calculation of Actual Annual Grant

Actual Annual Grant = (Actual Municipal Post-project property taxes - Municipal Pre-project property taxes) x 0.80/1.0

3.5 The total value of the sum of the annual Grant payments that may be provided under this grant Program shall not exceed the total eligible costs that have been accepted by the City, which costs are estimated, as of the date of this agreement, at $ 5,505, 191.

3.6 Where the actual eligible costs are, in the opinion of the City, less than the estimated eligible costs ($ 5,505,191), the maximum permitted amount of the total annual Grant payments shall be reduced.

3.7 Where at any time after the original development of the subject lands, new construction is added to the subject lands that is not part of the original Program Application, the Grant payment will be calculated only in respect of the original development contained in the original application, based on the property taxes levied in the last year before revaluation by MPAC as a result of the new construction added to the subject lands.

3.8 The annual Grant payment shall be calculated by the City based upon, and provided the City is satisfied in its discretion that:

a) Development of the subject lands was completed and took place in accordance with the proposed development as specified in the Program Application, supporting documentation, and this Agreement;

b) There was and remains during each year of the Grant payment, an increase in net municipal property taxes as a result of an increase in the assessed value attributable to the completion of the development;

c) Annual Grant payments after the first Grant payment are adjusted downwards in the event the property tax increase in any subsequent year has been reduced.

3.9 The estimated annual Grant calculated as set out above in this Agreement is based on preliminary estimates of post-project assessed value and post-project tax rates. Accordingly, the amount of the Grant payment shall be re-calculated by the City based on actual assessed value as determined by MPAC and actual post-project tax rates prior to payment of the Grant.

4. GRANT PAYMENT

4.1 Payment of the grant is subject to the City's review and satisfaction with all reports and documentation submitted in support of the application, including but not limited to: documentation of the estimated and actual eligible costs. Any and all of these costs may be, where required by the City, subject to verification, third party review or independent audit, at the expense of the Applicant.

4.2 The Applicant shall not be entitled to a grant unless and until they have met all the conditions of this Agreement to the satisfaction of the City. Except where expressly stated

in this Agreement, all conditions in this Agreement are for the benefit of the City and may only be waived by the City. No waiver is effective unless in writing.

4.3 The total sum value of the annual grant payments that may be provided to the Applicant shall not exceed the total eligible costs that have been accepted by the City.

4.4 Any and all grant payments that have been provided to the Applicant will become re-payable to the City upon notice in writing from the City that one or more of the conditions set out in the application, this Agreement, or the Grant Program have not been met.

4.5 The Grant is not payable by the City until such time as additional assessment eligible for a Grant has been added to the assessment roll by the MPAC, all taxes eligible for a Grant have been billed by the City, and taxes have been paid in full for at least one (1) year. The Grant will not be issued if there is an outstanding tax payment on portions of the subject lands owned by the Applicant. If at any time after the execution of this Agreement, property taxes are owing on portions of the subject lands owned by the Applicant for more than one (1) full year, the City will have the option, upon notice to the Applicant, and at its sole discretion, to terminate all future Grant payments.

4.6 The Grant is not payable by the City until such time as all assessment appeals relating to the value of the subject lands before the additional assessment or as to the additional assessment have been filed and finally determined.

4.7 Annual Grant payments are not payable by the City to the Applicant until the Applicant has satisfied the City that:

a) The development of the subject lands has been fully completed in accordance with the development as described in the Application;

b) The Applicant has supplied the City with the actual amount of the eligible costs incurred by the Applicant

c) There are no outstanding work orders and/or orders or requests to comply from any City department or other regulatory authority in respect of the subject lands, the property and the business of the Applicant conducted on the subject lands;

d) As of the date of the proposed first Grant payment, the Applicant, its development and the subject lands are in full compliance with:

i) Any agreement(s) relating to the subject lands in favour of the City or Region, including any Agreement relating to: subdivision, modified subdivision, service, site plan approval, encroachment, joint sewer & water use, easement or other Agreement; and,

ii) By-laws of the City, Region, provincial or federal legislation and their regulations.

g) The post-project assessed value of the subject property has increased as a result of the development;

h) The Applicant has not appealed the post-project assessed value for the portions of the subject lands owned by the Applicant, and there exists no other pending appeal which has not been finally determined in respect of the post-project assessed value for the portions of the subject lands owned by the Applicant;

i) The property taxes for the year during which property taxes were calculated pursuant to the increased post-project assessment and for each of the preceding years for the portions of the subject lands owned by the Applicant, have been paid in full, have not been deferred and there are, at the time of payment of the annual Grant, no instalments of property taxes for the current year remaining to be paid for the portions of the subject lands owned by the Applicant;

j) There are no unpaid charges (where applicable) in favour of the City or the Region against the portions of the subject lands owned by the Applicant, including but not limited to: development charges, park land dedication fees, special assessments, building permit fees and local improvement charges.

4.8 Provided that all Program and Grant Agreement requirements have been met, each year, the same grant payment will be made to the Applicant or assignee (Brownfield Tax Increment Grant only).

4.9 If the Applicant has not assigned the Grant, and an assessment appeal has been made on portions of the subject lands not owned by the Applicant, or property taxes are owning on portions of the subject lands not owned by the Applicant, Grant payments will be made, but they will be pro-rated, i.e., the portion of the Grant payment that is subject to an assessment appeal, or where property taxes are owing, will be paid to the Applicant once the assessment appeal has been resolved and/or property taxes have been collected in full.

5. CORPORATE STATUS

5.1 The Applicant represents to the City that:

a) The Applicant has been duly incorporated as a corporation and is in good standing under the *Business Corporations Act* and is in compliance with all laws that may affect it and will remain so throughout the term of this Agreement;

b) The Applicant has the corporate capacity to enter into this Agreement and to perform and meet any and all duties, liabilities and obligations as may be required of it under this Agreement;

c) The Applicant is a resident of Canada as of the date of this Agreement and that in the event the Applicant ceases to be a resident of Canada, the Applicant shall immediately notify the City, and it is agreed, the City may deduct for any or all annual Grant payments, such sum(s) as may be required by the Canada Customs and Revenue Agency in order to meet the City's obligations as a payor and the Applicant's obligations under the *Income Tax Act (Canada)* and other applicable laws;

d) To the best of its knowledge and belief, there are no actions, suits or proceedings pending or threatened against or adversely affecting the Applicant in any court or before or by any federal, provincial, municipal or other governmental department, commission, board, bureau or agency, Canadian or foreign, which might materially affect the financial condition of the Applicant or title to the subject lands or assets;

e) The Applicant shall notify the City immediately of any material change in the conditions set out in paragraphs (a)-(d) above.

6. PROVISIONS RELATING TO THE APPLICANT

6.1 At the time of application for the Program, the Applicant shall have submitted to the City for its review and acceptance, the Applicant's plans for the development and supporting documentation, including the Applicant's proposed residential and non-residential uses for the property.

6.2 The Applicant shall notify the City if the Applicant has applied for, been approved for, or has received project funding from any other levels of government or government funded agencies, e.g., Region, Provincial, Federal, Canada Mortgage and Housing Corporation, Federation of Canadian Municipalities, etc…). The Applicant will notify the City immediately upon receiving any and all project funding from other levels of government even if said funding is received after the execution of this agreement.

6.3 At the time the Applicant signs this Agreement, the Applicant will provide the City with a certified true copy of a resolution of the Board of Directors of the Applicant (certified by an officer of the corporation) that authorizes the Applicant to enter into this Agreement with the City.

6.4 The Applicant agrees that it shall not commence any eligible works that are the subject of a Grant Application prior to receiving approval of the Grant Application from the City, execution of this Agreement, and issuance of a building permit (if required).

6.5 The Applicant will complete all eligible works as specified in the approved Grant application, and in documentation submitted in support of the Grant application, including but not limited to: all required planning approvals, the architectural/design drawings, specifications, contracts and cost estimates. As the City is relying upon this information, if the information in this Agreement, the associated application, and/or any supporting documentation submitted to the City is, in the opinion of the City, incomplete, false, inaccurate or misleading, the Grant may be reduced and/or delayed, and/or cancelled, and where part or all of the Grant has already been paid by the City, such payments shall be repaid by the Applicant as required by the City.

6.6 The Applicant agrees that the development shall be constructed in compliance with all required Building Permits, and constructed in accordance with the Ontario Building Code and all applicable zoning by-law requirements, municipal requirements and other approvals required at law.

6.7 The Applicant agrees that it shall commence construction of the development as described in the associated Tax Increment Grant (TIG) Program Application (building permit issued) within four (4) years and complete construction of the development within seven (7) years of the execution of this Agreement, failing which, unless extended by the City, this Grant approval shall be at an end, there shall be no Grant, and this Agreement shall be terminated. The deadline imposed by this paragraph shall not include delays that are outside the control of the Applicant. The City's decision as to when such project is commenced and completed is final and absolute.

6.9 Upon request, the Applicant shall supply to the satisfaction of the City prior to issuance of any and all Grant payments, environmental reports and documentation showing that the subject lands have been remediated to the appropriate levels for the proposed use. This includes, where required by the City, proof of acknowledgement of a signed Record of

Site Condition (RSC) by the Ministry of Environment, Conservation and Parks (MOECP) for the subject lands.

6.10 The Applicant agrees and covenants to the City that if the building(s) and improvements that are the subject of this Agreement are demolished, in whole or in part, or any of the heritage features of the property are altered in any way that would compromise the reasons for designation, prior to the expiration of the term of this Agreement, all subsequent Grant payments shall cease, and all Grant payments already paid by the City to the Applicant shall be repaid to the City.

6.11 Upon completion of the project, the Applicant shall provide the City with documentation satisfactory to the City as to the amount of the actual eligible costs incurred by the Applicant and the City shall, in its discretion designate this cost as the total maximum amount of the Grant.

6.12 The Applicant will provide to the City, upon request, a status report signed by the Applicant to confirm the status and completion of the approved development; a detailed progress report of the status of the development, including, but not limited to, the development schedule, the existence and extent of any faults or defects, the value of the work done under any contract, the amount owing to any contractor and the amounts paid or retained by the Applicants on any contract.

6.13 The Applicant shall ensure there are no liens or other claims outstanding in respect of the subject lands, including its development, and all accounts for work and materials which could give rise to any claim for a construction lien against the subject lands have been paid.

6.14 The Applicant shall ensure that the Applicant is in compliance with the *Construction Lien Act*, including its holdback provisions and is not aware of any potential or unresolved Lien claim in respect of the redevelopment.

6.15 The Applicant agrees to comply with all outstanding work orders and/or orders or requests to comply from any and all City departments prior to or as a condition of Grant approval.

6.16 The Applicant covenants to the City that where the ownership of part or all of the subject lands ceases for any reason to be in the Applicant's name by sale, assignment or otherwise, prior to the advance of all of the Grant payments, the Applicant will notify the City in writing of said pending ownership change at least 45 days prior to the ownership change taking place.

6.16 With the exception of an approved Brownfield Tax Increment Grant, the Applicant acknowledges that it may not assign its interest in this Agreement nor the grant payments to an assignee or new owner.

6.17 For an approved Brownfield Tax Increment Grant only, the Applicant acknowledges that it may not assign its interest in this Agreement nor the remaining grant payments to an assignee or new owner without the express written consent of the City. The City, entirely at its own discretion and to its satisfaction, prior to assignment of the Applicant’s interest in this Agreement and/or the remaining grant payments to an assignee or new owner, agrees that such consent shall not be unreasonably withheld, subject to:

a) The assignee/new owner agreeing in writing to be bound by all of the Applicant's obligations and maintenance conditions under this Agreement that have not been fulfilled;

b) The assignee/new owner agreeing in writing to be bound by any new conditions and requirements imposed by the City to address any project deficiencies; and,

c) The Applicant and new owner executing such written consent, agreement or other documentation as required by the City and providing said executed documentation to the City.

6.18 The Applicant will be responsible for ensuring that they can be contacted by the City for the purpose of delivering Grant cheques.

6.19 The Applicant acknowledges that without limiting the generality of the other provisions of this Agreement:

a) The onus and responsibility is upon the Applicant at all times to assume all costs of rehabilitation of the subject lands and to apply for and obtain, at the Applicant's expense, all approvals required from the City, the Region, and all other agencies for the rehabilitation of the subject lands, including but not limited to: all Official Plan amendments, Zoning By-law amendments, minor variances, and Site Plan approval;

b) Nothing in this Agreement limits or fetters the City or the Region in exercising its statutory jurisdiction under the *Planning Act* or under any other legislative authority or by-law and that in the event the City or Region decides to deny or oppose or appeal any such decision, that such action by the City or Region is not in any manner limited by reason of the City entering into this Agreement;

c) The Applicant releases the City from any liability in respect of the City's reviews, decisions, inspections or absence of inspections regarding this rehabilitation and the Applicant agrees that it is its responsibility at all times to prepare and implement its rehabilitation as would a careful and prudent land owner;

d) Nothing in this Agreement is intended to impose or shall impose upon the City any duty or obligation to inspect or examine the land for compliance or non-compliance or to provide an opinion or view respecting any condition of development; and,

e) Nothing in this Agreement is intended to be or shall be construed to be a representation by the City regarding compliance of the land with: (1) applicable environmental laws, regulations, policies, standards, permits or approvals, or, (2) other by-laws and policies of the City.

6.20 The Applicant agrees that if after it has received a Grant payment(s) from the City, it or any new owner successfully appeals the post-project assessed value on which that Grant payment(s) is based, and as a result, there is a retroactive decrease in the assessed value, the City may deduct the amount of any resulting Grant overpayment from future Grant payments and/or add any Grant overpayment to municipal property taxes payable on the property.

6.21 If the City determines in its sole discretion that any of the conditions of this Agreement are not fulfilled, the City may at its sole discretion cease or delay the Grant payments, and/or require repayment Grant payments already made to the Applicant, and/or terminate this Agreement, and the Applicant shall not have any claim for compensation or reimbursement of these costs and expenses against the City and that the City is not liable to the Applicant for losses, damages, interest, or claims which the Applicant may bear as a result of the lapse of time (if any) where the City is exercising its rights herein to cease, delay, require repayment of a Grant payment or terminate this Agreement.

6.22 The Applicant shall indemnify and save harmless from time to time and at all times, the City, its officers, employees, and agents from and against all claims, actions, causes of action, interest, demands, costs, charges, damages, expenses and loss made by any person arising directly or indirectly from:

a) The City entering into this Agreement; and,

b) Any failure by the Applicant to fulfil its obligations under this Agreement.

This indemnification shall, in respect of any matter arising prior to the termination of this Agreement, remain in force following termination or expiry of this Agreement, or satisfactory completion of the eligible works approved under this Agreement.

6.23 The Applicant is bound by this Agreement, unless, prior to the Applicant receiving the Initial Grant payment, the Applicant gives notice in writing to the City, that the Applicant has decided not to accept the Grant contemplated by this Agreement, in which case, the Agreement is terminated.

7. PROVISIONS RELATING TO THE CITY

7.1 The City agrees to provide a Grant to the Applicant to be paid out over a maximum of 10 years, to be used towards the eligible costs on the subject lands, subject to and in accordance with the terms and conditions set out in this Agreement, provided that the total of such Grants shall not exceed the total actual eligible costs accepted and designated by the City, estimated as of the date of this agreement, in the amount of $ 5,005, 191,

7.2 Upon revaluation of the subject lands by MPAC, the City shall calculate the actual post-project City property taxes and the actual annual Grant.

7.3 On an annual basis, the City, upon being satisfied that the Applicant is in compliance with this Agreement and has met all and any other requirements of the City, shall pay the annual Grant payment.

7.4 The City reserves the right to require a third party review or independent audit, at the Applicant's expense, of all documentation submitted in support of the Application or during the administration of the initial or subsequent annual Grant payments, including, but not limited to:

a) Estimated and actual eligible costs; and,

b) Environmental reports and documentation.

7.5 The City, its employees and agents are entitled to inspect the subject lands and all fixtures and improvements upon the subject lands at any time during usual business hours for the purpose of ascertaining their condition or state of repair or for the purpose of verifying compliance with the provisions of this Agreement.

7.6 If the Applicant cannot be reached over a protracted period (more than 2 years), the City will have the option, without notice and at its own discretion, of terminating all future Grant payments to the Applicant.

7.7 If in the opinion of the City the subject lands are not maintained in their rehabilitated condition, the City may at its own discretion, terminate all future Grant payments and require repayment of all Grant payments already paid out by the City to the Applicant.

7.8 The City retains the right at all times not to make any or all Grant payments or to delay payment where the City deems that there is non-compliance by the Applicant with this Agreement. In particular, without limiting the generality of the foregoing, the Grant is conditional upon periodic reviews satisfactory to the City to there being no adverse change in the rehabilitation and condition of the subject lands, and to there being compliance on the part of the Applicant with all requirements contained in this Agreement.

7.9 Except where expressly stated in this Agreement, all conditions in this Agreement are for the benefit of the City and may only be waived by the City. No waiver is effective unless in writing.

8. DEFAULT AND REMEDIES

8.1 On the occurrence of default under this Agreement, the City shall be entitled to its remedies to enforce the terms of this Agreement, including:

a) Delaying or ceasing payment of the Grant;

b) Requiring repayment of the Grant; and/or

c) Terminating this Agreement.

8.2 Default shall be deemed to occur upon any default of the Applicant or assignee in complying with the terms set out in this Agreement, including but not limited to the following:

a) The as constructed works do not comply with the description of the works as provided in the Application Form and supporting plans and documents;

b) Deficiencies in the as constructed works during the term of this Agreement;

c) The works are not undertaken in conformity with the Ontario Building Code and all applicable zoning requirements and planning approvals;

d) The Applicant sells, transfers or otherwise disposes of the property without advising the City;

e) The building for which a Grant was provided is demolished or designated heritage features of that building are altered during the term of the Grant;

f) The building is damaged by fire or otherwise, and repair or reconstruction is not commenced with 90 days;

g) The Applicant is in property tax arrears with respect to the property for more than one (1) year;

h) Any representation or warranty made by the Applicant is incorrect in any material respect;

i) Failure to perform or comply with any of the obligations contained in this Agreement or contained in any other Agreement entered into between the Applicant and the City;

j) The Applicant makes an assignment for the benefit of creditors, or assigns in bankruptcy or takes the advantage in respect of their own affairs of any statute for relief in bankruptcy, moratorium, settlement with creditors, or similar relief of bankrupt or insolvent debtors, or if a receiving order is made against the Applicant, or if the Applicant is adjudged bankrupt or insolvent, or if a liquidator or receiver is appointed by reason of any actual or alleged insolvency, or any default of the Applicant under any mortgage or other obligation, or if the subject lands or interest of the Applicant in the subject lands becomes liable to be taken or sold by any creditors or under any writ of execution or other like process;

k) Construction ceases for a period of 60 days due to the Applicant's default (strikes and Acts of God excepted) and/or the Applicant abandons the property or project;

l) The Applicant is in default of the terms and conditions of the construction financing secured by the first mortgage;

m) This Agreement is forfeited or is terminated by any other provision contained in it.

8.3 The City may, at its sole discretion, provide the Applicant with an opportunity to remedy any default.

9. ADDITIONAL PROVISIONS

9.1 This Agreement shall remain in effect from the date of its execution to the earlier of:

a) The Applicant informing the City in writing prior to the initial Grant payment, that the Applicant has decided not to accept the Grant;

b) The City informs the Applicant in writing that due to the non-fulfilment or non-compliance with a required condition or due to default, this Agreement is at an end;

c) The total amount of the Grant paid out to the Applicant equals total eligible;

d) Ten (10) years from the date of completion of the development.

9.2 Time shall be of the essence with respect to all covenants, Agreements and matters contained in this Agreement.

9.3 Schedules “A” and “B” attached to this Agreement forms part of this Agreement.

10. NOTICES

10.1 Where this Agreement requires notice to be delivered by one party to the other, such notice shall be in writing and delivered either personally, by e-mail, by fax or by prepaid registered first class post, by party wishing to give such notice, to the other party at the address noted below:

Such notice shall be deemed to have been given:

a) In the case of personal delivery, on the date of delivery;

b) In the case of e-mail or fax, on the date of transmission provided it is received before 4:30 p.m. on a day that is not a holiday, as defined in the *Interpretation* Act, failing which it shall be deemed to have been received the next day, provided the next day is not a holiday; and,

c) In the case of registered post, on the third day, which is not a holiday, following posting.

Notice shall be given:

To the Applicant at:
Address: 20 Corporate Drive, Suite 101, St .Catharines, Ontario, L2S 3W2
Telephone No: (289) 969-7008
Fax No:
E-mail: jfrank@rankin.ca

To the City at:
City of Port Colborne
66 Charlotte Street
Port Colborne Ontario, L3K 3C8
Attention: Bram Cotton, Economic Development Officer
Ph: 905-835-2900 ext 504
Fax: 905-835-2939
Email: cipapplication@portcolborne.ca

IN WITNESS WHEREOF the parties hereto have executed this Agreement all as of the day and year first written above, and the parties hereto have hereunto affixed their corporate seals duly witnessed and attested by the hands of the proper signing officers in that behalf, and said signing officers certify that they have authority to bind their corporation.

Signed for and on behalf of (insert Applicant Name) by:

Per: _____
Name:
Title: Authorized Signing Officer

Per: _____
Name:
Title: Authorized Signing Officer

Signed for and on behalf of The Corporation of the City of Port Colborne by:

Per: _____
Name:
Title: Mayor

Per: _____
Name
Title: City Clerk

SCHEDULE "A"

of a Grant Agreement between the City and the Applicant named in this Agreement.

Legal Description of Applicant's land

LEGAL DESCRIPTION

(1) PART ALMA STREET PL843 PORT COLBORNE LYING WEST OF WELLAND STREET, PART 1, 59R18193; CITY OF PORT COLBORNE, being all of PIN 64149-0248 (LT)

(2) PART LOT 5 NORTH SIDE ALMA STREET PLAN 843 PORT COLBORNE; PART LOT 6 NORTH SIDE ALMA STREET PLAN 843 PORT COLBORNE; PART LOT 7 NORTH SIDE ALMA STREET PLAN 843 PORT COLBORNE; PART LOT 5 SOUTH SIDE RAGLAN STREET PLAN 843 PORT COLBORNE; PART LOT 6 SOUTH SIDE RAGLAN STREET PLAN 843 PORT COLBORNE; PART LOT 7 SOUTH SIDE RAGLAN STREET PLAN 843 PORT COLBORNE DESIGNATED AS PART 1 ON 59R11209; CITY OF PORT COLBORNE, being all of PIN 64149-0247 (LT)

(3) PT LT 4 S/S ALMA ST PL 843 ;PT LT 5 S/S ALMA ST PL 843 ;PT LT 6 S/S ALMA ST PL 843 ; PT LT 4 N/S FRAZER ST PL 843 ; PT LT 5 N/S FRAZER ST PL 843 DESIGNATED AS PART 2 PL 59R11209; S/T RO777067; SUBJECT TO AN EASEMENT OVER PART 1 59R11920 AS IN RO777067; CITY OF PORT COLBORNE, being all of PIN 64149-0239 (LT)

(4) PT LT 5 N/S FRAZER ST PL 843 PORT COLBORNE; PT LT 6 N/S FRAZER ST PL 843 PORT COLBORNE; PT LT 7 N/S FRAZER ST PL 843 PORT COLBORNE AS IN RO72742 ; PORT COLBORNE, being all of PIN 64149-0160 (LT)

(5) PT LT 5 N/S FRAZER ST PL 843 PORT COLBORNE; PT LT 6 N/S FRAZER ST PL 843 PORT COLBORNE; PT LT 7 N/S FRAZER ST PL 843 PORT COLBORNE AS IN RO619829; PORT COLBORNE, being all of PIN 64149-0159 (LT)

(6) LT 7 S/S ALMA ST PL 843 PORT COLBORNE; PT LT 7 S/S RAGLAN ST PL 843 PORT COLBORNE; PT LT 8 S/S RAGLAN ST PL 843 PORT COLBORNE; PT LT 6 N/S ALMA ST PL 843 PORT COLBORNE; PT LT 7 N/S ALMA ST PL 843 PORT COLBORNE; PT LT 8 N/S ALMA ST PL 843 PORT COLBORNE; PT LT 5 S/S ALMA ST PL 843 PORT COLBORNE; PT LT 6 S/S ALMA ST PL 843 PORT COLBORNE; PT LT 8 S/S ALMA ST PL 843 PORT COLBORNE; PT ALMA ST PL 843 PORT COLBORNE (CLOSED BY BB75503) ; AS IN RO689134 ; PORT COLBORNE, being all of PIN 64149-0157 (LT)

(7) PART OF RAGLAN STREET PLAN 843 PORT COLBORNE (AKA BELL STREET) LYING WEST OF WELLAND STREET, PORT COLBORNE DESIGNATED AS PART 1 ON 59R-18513, BEING PART OF PIN 64149-0138(LT)

SCHEDULE "B"

of a Grant Agreement between the City and the Applicant named in this Agreement.

Eligible Works for the Brownfield Tax Increment Grant

iii) **Cost Summary –Brownfield Tax Assistance/Brownfield Tax Increment Grant**
Please attach a work plan and two (2) detailed cost estimates prepared by a Qualified Person for the costs listed in a. to f. below, as applicable.

a.	Phase II ESA, Designated Substances and Hazardous Materials Survey, Remedial Work Plan, and Risk Assessment/Risk Management Plan not disbursed by the ESA Grant Program	$ 7,070.00
b.	Environmental Remediation including the cost of preparing an RSC and CPU	$ 1,451,652.00
c.	Placing, compacting and grading of clean fill to replace contaminated soils/fill disposed of off-site	$ 795,200.00
d.	Installing, monitoring, maintaining, and operating environmental and/or engineering controls/works as specified in the Remedial Work Plan and/or Risk Assessment/Management Plan and/or CPU	$ 0
e.	Testing of on-site excess soils for potential reuse, but excludes excavation, management, transportation or disposal of such soils except where the soil is found to be contaminated	$ 0
f.	Environmental Insurance Premiums	$ 30,000.00
	Total Brownfield Tax Assistance/Tax Increment Grant Eligible Costs (a. to f. above)	**$ 2,283,922.00**

Please attach one (1) detailed cost estimate prepared by a bona fide Contractor for the costs listed in g. to i. below, as applicable.

g.	Demolishing buildings (excluding permit fees)	$ 45,000.00
h.	Building rehabilitation and retrofit works (excluding permit fees)	$ 0
i.	Upgrading on-site infrastructure including water services, sanitary sewers and stormwater management facilities	$ 837,505.00
	Total Brownfield Tax Increment Grant Eligible Costs (a. to i. above)	**$ 3,166,427**

iii) **Cost Summary –Brownfield Tax Assistance/Brownfield Tax Increment Grant**
Please attach a work plan and two (2) detailed cost estimates prepared by a Qualified Person for the costs listed in a. to f. below, as applicable.

a.	Phase II ESA, Designated Substances and Hazardous Materials Survey, Remedial Work Plan, and Risk Assessment/Risk Management Plan not disbursed by the ESA Grant Program	$ 7,070.00
b.	Environmental Remediation including the cost of preparing an RSC and CPU	$ 1,309,952.00
c.	Placing, compacting and grading of clean fill to replace contaminated soils/fill disposed of off-site	$ 715,200.00
d.	Installing, monitoring, maintaining, and operating environmental and/or engineering controls/works as specified in the Remedial Work Plan and/or Risk Assessment/Management Plan and/or CPU	$ 0
e.	Testing of on-site excess soils for potential reuse, but excludes excavation, management, transportation or disposal of such soils except where the soil is found to be contaminated	$ 0
f.	Environmental Insurance Premiums	$ 30,000.00
	Total Brownfield Tax Assistance/Tax Increment Grant Eligible Costs (a. to f. above)	**$** 2,062,222.00

Please attach one (1) detailed cost estimate prepared by a bona fide Contractor for the costs listed in g. to i. below, as applicable.

g.	Demolishing buildings (excluding permit fees)	$ 0
h.	Building rehabilitation and retrofit works (excluding permit fees)	$ 0
i.	Upgrading on-site infrastructure including water services, sanitary sewers and stormwater management facilities	$ 276,542.00
	Total Brownfield Tax Increment Grant Eligible Costs (a. to i. above)	**$** 2,338,764.00

i) a Phase II ESA, Designated Substances and Hazardous Materials Survey, Remedial Work Plan, Risk Assessment /Risk Management Plan, not disbursed by the Environmental Site Assessment (ESA) Grant Program or the Brownfield Tax Assistance Program (TAP);
ii) environmental remediation, including the costs of preparing a Record of Site Condition (RSC), not disbursed by the Brownfield TAP;
iii) placing, compacting and grading of clean fill required to replace contaminated soils/fill disposed of off-site not disbursed by the Brownfield TAP;
iv) installing, monitoring, maintaining and operating environmental and/or engineering controls/works, as specified in the Remedial Work Plan and/or Risk Assessment and/or CPU, not disbursed by the Brownfield TAP;
v) testing of on-site excess soils for potential reuse, but shall not include the excavation, management, transportation or disposal of such soil, except where the soil is found to be contaminated;
vi) environmental insurance premiums not disbursed by the Brownfield TAP;
vii) demolishing buildings (excluding permit fees);
viii) building rehabilitation and retrofit works (excluding permit fees); and,
ix) upgrading on-site infrastructure including water services, sanitary sewers and stormwater management facilities.

The total value of the grant provided under the Brownfield TIG Program shall not exceed the total cost of the eligible works specified in i) to ix) above.

The Corporation of the City of Port Colborne

By-law No._____

Being a By-law to Authorize Entering into a Transfer Payment Agreement with His Majesty the King in Right of Ontario, as represented by the Minister of Infrastructure, for the Housing-Enabling Water Systems Fund: Intake 2

Whereas at its meeting of March 10, 2026, the Council of The Corporation of the City of Port Colborne (Council) approved the recommendations of Report No. 2026-35,
Subject: Housing-Enabling Water Systems Fund – Transfer Payment Agreement; and

Whereas Council is desirous of entering into a Transfer Payment Agreement with His Majesty the King in Right of Ontario, as represented by the Minister of Infrastructure, and

Whereas the *Municipal Act*, 2001 S.O. 2001, c.25, as amended, confers broad authority on municipalities to enter into such agreements;

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 enters into a Transfer Payment Agreement with His Majesty the King in Right of Ontario, as represented by the Minister of Infrastructure, regarding the Housing-Enabling Water Systems Fund.

2. That the Mayor and the City Clerk be and they are hereby authorized and directed to sign the said agreement, attached hereto as Schedule “A”, together with any documents necessary to complete the conditions of the said agreement or any other phase of the Housing-Enabling Water Systems Fund, and the City Clerk is hereby authorized to affix the Corporate Seal thereto.

Enacted and passed this 10th day of March, 2026.

_____
William C. Steele
Mayor

_____
Charlotte Madden
City Clerk

ONTARIO TRANSFER PAYMENT AGREEMENT
HOUSING-ENABLING WATER SYSTEMS FUND: INTAKE 2 Top-Up

THE AGREEMENT is effective as of the _____ day of _____, 20___.

BETWEEN:

His Majesty the King in right of Ontario
as represented by the **Minister of Infrastructure**

(the "Province")

- and -

CORPORATION OF THE CITY OF PORT COLBORNE

(the "Recipient")

BACKGROUND

The Housing-Enabling Water Systems Fund (HEWSF) is an application-based program designed to help municipalities repair, rehabilitate, and expand core water, wastewater, and stormwater infrastructure.

Projects funded through the program aim to unlock more housing opportunities, support the province's growing population, protect communities, and enhance economic growth.

CONSIDERATION

In consideration of the mutual covenants and agreements contained in the Agreement and for other good and valuable consideration, the receipt and sufficiency of which are expressly acknowledged, the Province and the Recipient agree as follows:

1.0 ENTIRE AGREEMENT

1.1 Schedules to the Agreement. The following schedules form part of the Agreement:

Schedule "A" - General Terms and Conditions

Schedule “B” - Project Specific Information and Additional Provisions
Schedule “C” - Project Description and Financial Information
Schedule “D” - Eligible and Ineligible Costs
Schedule “E” - Milestone Payment Plan
Schedule “F” - Reporting Requirements
Schedule “G” - Communications Protocol
Schedule “H” - Indigenous Consultation Protocol

1.2 Entire Agreement. The Agreement constitutes the entire agreement between the Parties with respect to the subject matter contained in the Agreement and supersedes all prior oral or written representations and agreements.

2.0 CONFLICT OR INCONSISTENCY

2.1 Conflict or Inconsistency. In the event of a conflict or inconsistency between the Additional Provisions and the provisions in Schedule “A”, the following rules will apply:

(a) the Parties will interpret any Additional Provisions in so far as possible, in a way that preserves the intention of the Parties as expressed in Schedule “A”; and

(b) where it is not possible to interpret the Additional Provisions in a way that is consistent with the provisions in Schedule “A”, the Additional Provisions will prevail over the provisions in Schedule “A” to the extent of the inconsistency.

3.0 COUNTERPARTS AND ELECTRONIC SIGNATURES

3.1 One and the Same Agreement. The Agreement may be executed in any number of counterparts, each of which will be deemed an original, but all of which together will constitute one and the same instrument.

3.2 Electronic Signatures. This Agreement may be executed electronically. The electronic signature of a Party may be evidenced by one of the following means and transmission of this Agreement may be as follows:

(a) a manual signature of an authorized signing officer placed in the respective signature line of this Agreement and this Agreement scanned as a pdf file and delivered by email to the other Party;

(b) a digital signature placed in the respective signature line of this Agreement, including:

(i) the name of the authorized signing officer typed in the respective signature line of this Agreement,

(ii) an image of a manual signature inserted in the respective signature line of this Agreement,

(iii) an Adobe signature of an authorized signing officer, or

(iv) any other digital signature of an authorized signing officer with the other Party's prior written consent, and this Agreement delivered by email to the other Party; or

(c) any other means with the other Party's prior written consent.

4.0 AMENDING THE AGREEMENT

4.1 Amending the Agreement. The Agreement may only be amended by a written agreement duly executed by the Parties.

5.0 ACKNOWLEDGEMENT

5.1 Acknowledgement. The Recipient acknowledges that:

(a) by receiving Funds it may become subject to legislation applicable to organizations that receive funding from the Government of Ontario, including the *Broader Public Sector Accountability Act, 2010* (Ontario), the *Public Sector Salary Disclosure Act, 1996* (Ontario), and the *Auditor General Act* (Ontario);

(b) His Majesty the King in right of Ontario has issued expenses, perquisites, and procurement directives and guidelines pursuant to the *Broader Public Sector Accountability Act, 2010* (Ontario);

(c) the Funds are:

(i) to assist the Recipient to carry out the Project and not to provide goods or services to the Province;

(ii) funding for the purposes of the *Public Sector Salary Disclosure Act, 1996* (Ontario);

(d) the Province is not responsible for carrying out the Project;

(e) the Province is bound by the *Freedom of Information and Protection of Privacy Act* (Ontario) and that any information provided to the Province in connection with the Project or otherwise in connection with the Agreement may be subject to disclosure in accordance with that Act; and

(f) the Province is bound by the *Financial Administration Act* (Ontario) ("FAA") and, pursuant to subsection 11.3(2) of the FAA, payment by the Province of Funds under the Agreement will be subject to,

(i) an appropriation, as that term is defined in subsection 1(1) of the FAA, to which that payment can be charged being available in the Funding Year in which the payment becomes due; or

(ii) the payment having been charged to an appropriation for a previous fiscal year.

SIGNATURE PAGE FOLLOWS

The Parties have executed the Agreement on the dates set out below.

HIS MAJESTY THE KING IN RIGHT OF ONTARIO, as represented by the Minister of Infrastructure

Date:

The Honourable Todd McCarthy
Minister of Infrastructure

CORPORATION OF THE CITY OF PORT COLBORNE

Date: _____

Name: _____
Title: _____

I have authority to bind the Recipient.

Date: _____

Name: _____
Title: _____

I have authority to bind the Recipient.

SCHEDULE "A"
GENERAL TERMS AND CONDITIONS

A1.0 INTERPRETATION AND DEFINITIONS

A1.1 Interpretation. For the purposes of interpretation:

(a) words in the singular include the plural and vice-versa;

(b) words in one gender include all genders;

(c) the headings do not form part of the Agreement; they are for reference only and will not affect the interpretation of the Agreement;

(d) any reference to dollars or currency will be in Canadian dollars and currency; and

(e) "include", "includes" and "including" denote that the subsequent list is not exhaustive.

A1.2 Definitions. In the Agreement, the following terms will have the following meanings:

"Additional Provisions" means the terms and conditions set out in Schedule "B".

"Agreement" means this agreement entered into between the Province and the Recipient, all of the schedules listed in section 1.1, and any amending agreement entered into pursuant to section 4.1.

"Business Day" means any working day, Monday to Friday inclusive, excluding statutory and other holidays, namely: New Year's Day; Family Day; Good Friday; Easter Monday; Victoria Day; Canada Day; Civic Holiday; Labour Day; Thanksgiving Day; Remembrance Day; Christmas Day; Boxing Day and any other day on which the Province has elected to be closed for business.

"Construction Contract Award Deadline" means the construction contract award deadline set out in Schedule "E".

"Contract" means an agreement between the Recipient and a third-party whereby the third-party provides a good, service or both for the Project in return for financial consideration that the Recipient wants to pay using the Funds under this Agreement.

"Effective Date" means the date set out at the top of the Agreement.

"Eligible Costs" means the costs in respect of the Project that the Recipient has incurred and paid and that are eligible for payment under the terms and conditions of the Agreement, and that are further described in Schedule "D".

"Event of Default" has the meaning ascribed to it in section A13.1.

"Expiry Date" means the expiry date set out in Schedule "B".

"Funds" means the money the Province provides to the Recipient pursuant to the Agreement.

"Indemnified Parties" means His Majesty the King in right of Ontario, and includes His ministers, agents, appointees, and employees.

"Indigenous Community", includes First Nation, Métis, and Inuit communities or peoples of Canada.

"Indigenous Consultation Record" means a document that summarizes the Recipient's consultation and engagement activities, including a list of Indigenous Communities consulted, concerns raised, and how each of the concerns have been addressed or, if not addressed, an explanation as to why not;

"Ineligible Costs" means the costs in respect of the Project that are ineligible for contribution by the Province under the terms and conditions of the Agreement, and that are described in Schedule "D".

"Loss" means any cause of action, liability, loss, cost, damage, or expense (including legal, expert and consultant fees) that anyone incurs or sustains as a result of or in connection with the Project or any other part of the Agreement.

"Maximum Funds" means the maximum set out in Schedule "B".

"Notice" means any communication given or required to be given pursuant to the Agreement.

"Notice Period" means the period of time within which the Recipient is required to remedy an Event of Default pursuant to section A13.3(b), and includes any such period or periods of time by which the Province extends that time pursuant to section A13.4.

"Parties" means the Province and the Recipient.

"Party" means either the Province or the Recipient.

"Proceeding" means any action, claim, demand, lawsuit, or other proceeding

that anyone makes, brings or prosecutes as a result of or in connection with the Project or with any other part of the Agreement.

"Project" means the undertaking described in section C1.0 of Schedule "C".

"Project Start Deadline" means the project start deadline set out in Schedule "B".

"Project Completion Deadline" means the project completion deadline set out in Schedule "B".

"Records Review" means any assessment the Province conducts pursuant to section A7.4.

"Reports" means the reports described in Schedule "F".

"Requirements Of Law" means all applicable statutes, regulations, by-laws, ordinances, codes, official plans, rules, approvals, permits, licenses, authorizations, orders, decrees, injunctions, directions and agreements with all authorities.

A2.0 REPRESENTATIONS, WARRANTIES, AND COVENANTS

A2.1 General. The Recipient represents, warrants, and covenants that:

(a) it is, and will continue to be, a validly existing legal entity with full power to fulfill its obligations under the Agreement;

(b) it has, and will continue to have, the experience and expertise necessary to carry out the Project;

(c) it is in compliance with, and will continue to comply with, all federal and provincial laws and regulations, all municipal by-laws, and any other orders, rules, and by-laws related to any aspect of the Project, the Funds, or both; and

(d) unless otherwise provided for in the Agreement, any information the Recipient provided to the Province in support of its request for funds (including information relating to any eligibility requirements) was true and complete at the time the Recipient provided it and will continue to be true and complete.

A2.2 Execution of Agreement. The Recipient represents and warrants that it has:

(a) the full power and capacity to enter into the Agreement; and

(b) taken all necessary actions to authorize the execution of the Agreement, including passing a municipal by-law authorizing the Recipient to enter into the Agreement.

A2.3 Governance. The Recipient represents, warrants, and covenants that it has, will maintain in writing, and will follow:

(a) procedures to enable the Recipient to manage Funds prudently and effectively;

(b) procedures to enable the Recipient to complete the Project successfully;

(c) procedures to enable the Recipient to identify risks to the completion of the Project and strategies to address the identified risks, all in a timely manner;

(d) procedures to enable the preparation and submission of all Reports required pursuant to Article A7.0; and

(e) procedures to enable the Recipient to address such other matters as the Recipient considers necessary to enable the Recipient to carry out its obligations under the Agreement.

A2.4 Supporting Proof. Upon the request of the Province, the Recipient will provide the Province with proof of the matters referred to in Article A2.0.

A2.5 Adverse Fact or Event. The Recipient will inform the Province immediately of any fact or event of which it is aware that has or will compromise, wholly or in part, the Project.

A3.0 TERM OF THE AGREEMENT

A3.1 Term. The term of the Agreement will commence on the Effective Date and will expire on the Expiry Date unless terminated earlier pursuant to Article A12.0 or Article A13.0.

A3.2 Project Deadlines. The Recipient will:

(a) commence the Project by the Project Start Deadline;

(b) award the Project construction contracts that account for the bulk of the construction work by the Construction Contract Award Deadline; and

(c) complete the Project by the Project Completion Deadline.

A4.0 FUNDS AND CARRYING OUT THE PROJECT

A4.1 Funds Provided. The Province will:

(a) provide the Recipient with Funds up to the Maximum Funds for the purpose of carrying out the Project;

(b) provide the Funds to the Recipient in accordance with the payment plan attached to the Agreement as Schedule “E”; and

(c) deposit the Funds into an account the Recipient designates provided that the account:

(i) resides at a Canadian financial institution; and

(ii) is in the name of the Recipient.

A4.2 Limitation on Payment of Funds. Despite section A4.1:

(a) the Province is not obligated to provide any Funds to the Recipient until the Recipient provides the certificates of insurance or other proof required pursuant to section A11.2;

(b) the Province is not obligated to provide instalments of Funds until it is satisfied with the progress of the Project;

(c) the Province is not obligated to provide instalments of Funds until it has received confirmation that an Environmental Assessment is complete or exempt;

(i) Payments will be held until a Notice of Completion is received by MOI and 60 days have passed since the Notice of Completion was issued.

(d) the Province may adjust the amount of Funds it provides to the Recipient in connection with any Payment Milestone based upon the Province’s assessment of the information the Recipient provides to the Province pursuant to section A7.2.

A4.3 Use of Funds and Carry Out the Project. The Recipient will do all of the following:

(a) carry out the Project in accordance with the Agreement;

(b) use the Funds only for the purpose of carrying out the Project;

(c) spend the Funds only in accordance with the Eligible Costs;

(d) not use the Funds to cover any cost that has been or will be funded or reimbursed by one or more of any third party, ministry, agency, or organization of the Government of Ontario.

A4.4 Interest-Bearing Account. If the Province provides Funds before the Recipient's immediate need for the Funds, the Recipient will place the Funds in an interest-bearing account in the name of the Recipient at a Canadian financial institution.

A4.4.1 Use of Interest. Unless otherwise directed by the Province by Notice, if the Recipient earns any interest on the Funds, the Recipient must use any interest earned on Eligible Costs.

A4.5 Interest. Upon Notice to the Recipient by the Province, if the Recipient earns any interest on the Funds, the Province may do either or both of the following:

(a) deduct an amount up to the interest earned from any further instalments of Funds;

(b) demand from the Recipient the payment of an amount up to the interest earned.

A4.6 Recipient's Acknowledgement of Responsibility for Project. The Recipient will, in respect of the Project, assume full responsibility for the Project, including, without limitation:

(a) complete, diligent, and timely Project implementation within the costs and timelines specified in the Agreement and in accordance with all other terms and conditions of the Agreement;

(b) all of the costs of the Project, including, without limitation, unapproved expenditures, Ineligible Costs, cost escalations and cost overruns, if any;

(c) subsequent operation, maintenance, repair, rehabilitation, construction, demolition, or reconstruction, as required and in accordance with industry standards, and any related costs for the full lifecycle of the Project; and

(d) the engineering work being undertaken in accordance with industry standards.

A4.7 Rebates, Credits, and Refunds. The Province will calculate Funds based on the actual costs to the Recipient to carry out the Project, less any costs (including taxes) for which the Recipient has received, will receive, or is eligible to receive, a rebate, credit, or refund.

A4.8 Increase in Project Costs. If, at any time during the Term, the Recipient determines that it will not be possible to complete the Project due to cost escalations or cost overruns (a "**Shortfall**"), the Recipient will immediately notify the Province of that determination. The Province may exercise one or more of the remedies available to it pursuant to section A13.2.

A4.9 Retention of Contribution. The Province will retain 15% of the Maximum Funds in respect of the Project ("Holdback") up until the following conditions have been met:

5.2 the Recipient has fulfilled all of its obligations under the Agreement for the Project; and

5.3 the Province has carried out the reconciliation, as set out in section A4.10 (Final Reconciliation and Adjustments), and has made any adjustments required in the circumstances.

A4.10 Final Reconciliation and Adjustments. Without limiting the rights of the Province under this Agreement or otherwise, following receipt and satisfactory review of the Final Report and supporting material by the Province, the Province will carry out a final reconciliation of payment in respect of the Project and make any adjustments required in the circumstances.

A5.0 RECIPIENT'S ACQUISITION OF GOODS OR SERVICES, AND DISPOSAL OF ASSETS

A5.1 Acquisition. If the Recipient acquires goods, services or both with the Funds, it will:

(a) Do so through a process that is transparent, fair and promotes the best value for the money expended and at competitive prices that are no greater than fair market value after deducting trade discounts or any other discounts available to the Recipient; and
(b) Comply with any Requirements Of Law that may be applicable to how the Recipient acquires goods, services or both.

A5.2 Contracts. The Recipient will ensure that all Contracts:

(a) Are consistent with this Agreement;
(b) Do not conflict with this Agreement;
(c) Incorporate the relevant provisions of this Agreement to the fullest extent possible;

(d) Require that any parties to those Contracts comply with all Requirements Of Law; and

(e) Authorize the Province to perform audits of the parties to those Contracts in relation to the Project as the Province sees fit in connection with Article A7.0 of this Schedule "A".

A5.3 Disposal of Assets. The Recipient will not, without the Province's prior consent, sell, lease or otherwise dispose of any asset purchased or created with the Funds or for which Funds were provided, the cost of which exceeded the amount as provided for in Schedule "B" at the time of purchase.

A6.0 CONFLICT OF INTEREST

A6.1 Conflict of Interest Includes. For the purposes of Article A6.0, a conflict of interest includes any circumstances where:

(a) the Recipient; or

(b) any person who has the capacity to influence the Recipient's decisions, has outside commitments, relationships, or financial interests that could, or could be seen by a reasonable person to, interfere with the Recipient's objective, unbiased, and impartial judgment relating to the Project, the use of the Funds, or both.

A6.2 No Conflict of Interest. The Recipient will carry out the Project and use the Funds without an actual, potential, or perceived conflict of interest unless:

(a) the Recipient:

(i) provides Notice to the Province disclosing the details of the actual, potential, or perceived conflict of interest; and

(ii) requests the consent of the Province to carry out the Project with an actual, potential, or perceived conflict of interest;

(b) the Province provides its consent to the Recipient carrying out the Project with an actual, potential, or perceived conflict of interest; and

(c) the Recipient complies with any terms and conditions the Province may prescribe in its consent.

A7.0 REPORTS, ACCOUNTING, AND REVIEW

A7.1 Province Includes. For the purposes of sections A7.4, A7.5 and A7.6, "Province" includes any auditor or representative the Province may identify.

A7.2 Preparation and Submission. The Recipient will:

(a) submit to the Province at the address set out in Schedule "B":

(i) all Reports in accordance with the timelines and content requirements set out in Schedule "F";

(ii) any other reports in accordance with any timelines and content requirements the Province may specify from time to time;

(b) ensure that all Reports and other reports are:

(i) completed to the satisfaction of the Province; and

(ii) signed by an authorized signing officer of the Recipient.

A7.3 Record Maintenance. The Recipient will keep and maintain:

(a) all financial records (including invoices and evidence of payment) relating to the Funds or otherwise to the Project in a manner consistent with generally accepted accounting principles applicable in Canada; and

(b) all non-financial records and documents relating to the Funds or otherwise to the Project.

A7.4 Records Review. The Province may, at its own expense, upon twenty-four hours' Notice to the Recipient and during normal business hours enter upon the Recipient's premises to conduct an audit or investigation of the Recipient regarding the Recipient's compliance with the Agreement, including assessing any of the following:

(a) the truth of any of the Recipient's representations and warranties;

(b) the progress of the Project;

(c) the Recipient's allocation and expenditure of the Funds.

A7.5 Inspection and Removal. For the purposes of any Records Review, the Province may take one or both of the following actions:

(a) inspect and copy any records and documents referred to in section A7.3;

(b) remove any copies the Province makes pursuant to section A7.5(a).

A7.6 Cooperation. To assist the Province in respect of its rights provided for in

section A7.5, the Recipient will cooperate with the Province by:

5.4 ensuring that the Province has access to the records and documents wherever they are located;

5.5 assisting the Province to copy records and documents;

5.6 providing to the Province, in the form the Province specifies, any information the Province identifies; and

5.7 carrying out any other activities the Province requests.

A7.7 No Control of Records. No provision of the Agreement will be construed to give the Province any control whatsoever over any of the Recipient's records.

A7.8 Auditor General. The Province's rights under Article A7.0 are in addition to any rights provided to the Auditor General pursuant to section 9.1 of the *Auditor General Act* (Ontario).

A8.0 COMMUNICATIONS REQUIREMENTS

A8.1 Communications Protocol. The Parties agree to be bound by the terms and conditions of the communications protocol provided for in Schedule "G" (Communications Protocol).

A9.0 INDIGENOUS CONSULTATION

A9.1 Indigenous Consultation Protocol. The Parties agree to be bound by the terms and conditions of the Indigenous Consultation Protocol provided for in Schedule "H" (Indigenous Consultation Protocol).

A9.2 Legal Duty to Consult. In the event that the Province determines that a legal duty to consult and, where appropriate, accommodate Indigenous Communities (the "Duty to Consult") arises in respect of the Province's proposed funding of the Project:

(a) no site preparation, removal of vegetation or construction will occur in respect of the Project until the Province provides confirmation in writing to the Recipient otherwise;

(b) the Province may, in writing, require the Recipient to suspend further site preparation, removal of vegetation or construction pending completion of the required consultation;

(c) despite section A.4.1, if the Province has not provided confirmation in writing to the Recipient that site preparation, removal of vegetation or

construction may begin or resume, the Province has no obligation to pay any Eligible Costs that are capital costs incurred during that period, as determined by the Province; and,

(d) the Province must be satisfied that:

(i) Indigenous Communities have been notified and, if applicable, consulted;

(ii) where consultation has occurred, the Recipient has provided an Indigenous Consultation Record;

(iii) the Recipient is carrying out accommodation measures, where appropriate; and

(iv) any other information has been provided which the Province may deem appropriate.

A10.0 INDEMNITY

A10.1 Indemnify. The Recipient will indemnify and hold harmless the Indemnified Parties from and against any Loss and any Proceeding, unless solely caused by the gross negligence or wilful misconduct of the Indemnified Parties.

A11.0 INSURANCE

A11.1 Insurance. The Recipient represents, warrants, and covenants that it has, and will maintain, at its own cost and expense, with insurers having a secure A.M. Best rating of B+ or greater, or the equivalent, all the necessary and appropriate insurance that a prudent person carrying out a project similar to the Project would maintain, including commercial general liability insurance on an occurrence basis for third party bodily injury, personal injury, and property damage, to an inclusive limit of not less than the amount set out in Schedule “B” per occurrence, which commercial general liability insurance policy will include the following:

(a) the Indemnified Parties as additional insureds with respect to liability arising in the course of performance of the Recipient’s obligations under, or otherwise in connection with, the Agreement;

(b) a cross-liability clause;

(c) contractual liability coverage; and

(d) at least 30 days' written notice of cancellation.

A11.2 Proof of Insurance. The Recipient will:

(a) provide to the Province, either:

(i) certificates of insurance that confirm the insurance coverage required by section A11.1; or

(ii) other proof that confirms the insurance coverage required by section A11.1; and

(b) in the event of a Proceeding, and upon the Province's request, the Recipient will provide to the Province a copy of any of the Recipient's insurance policies that relate to the Project or otherwise to the Agreement, or both.

A12.0 TERMINATION ON NOTICE

A12.1 Termination on Notice. The Province may terminate the Agreement at any time without liability, penalty, or costs upon giving 30 days' Notice to the Recipient.

A12.2 Consequences of Termination on Notice by the Province. If the Province terminates the Agreement pursuant to section A12.1, the Province may take one or more of the following actions:

(a) cancel further instalments of Funds;

(b) demand from the Recipient the payment of any Funds remaining in the possession or under the control of the Recipient; and

(c) determine the reasonable costs for the Recipient to wind down the Project, and do either or both of the following:

(i) permit the Recipient to offset such costs against the amount the Recipient owes pursuant to section A12.2(b); and

(ii) subject to section A4.1(a), provide Funds to the Recipient to cover such costs.

A13.0 EVENT OF DEFAULT, CORRECTIVE ACTION, AND TERMINATION FOR DEFAULT

A13.1 Events of Default. Each of the following events will constitute an Event of Default:

(a) in the opinion of the Province, the Recipient breaches any representation, warranty, covenant, or other term of the Agreement, including failing to do any of the following in accordance with the terms and conditions of the Agreement:

(i) carry out the Project;

(ii) use or spend Funds; or

(iii) provide, in accordance with section A7.2, Reports or such other reports as the Province may have requested pursuant to section A7.2(a)(ii);

(b) the Recipient's operations, its financial condition, its organizational structure or its control changes such that it no longer meets one or more of the eligibility requirements of the program under which the Province provides the Funds;

(c) the Recipient makes an assignment, proposal, compromise, or arrangement for the benefit of creditors, or a creditor makes an application for an order adjudging the Recipient bankrupt, or applies for the appointment of a receiver;

(d) the Recipient ceases to operate.

A13.2 Consequences of Events of Default and Corrective Action. If an Event of Default occurs, the Province may, at any time, take one or more of the following actions:

(a) initiate any action the Province considers necessary in order to facilitate the successful continuation or completion of the Project;

(b) provide the Recipient with an opportunity to remedy the Event of Default;

(c) suspend the payment of Funds for such period as the Province determines appropriate;

(d) reduce the amount of the Funds;

(e) cancel further instalments of Funds;

(f) demand from the Recipient the payment of any Funds remaining in the possession or under the control of the Recipient;

(g) demand from the Recipient the payment of an amount equal to any

Funds the Recipient used, but did not use in accordance with the Agreement;

(h) demand from the Recipient the payment of an amount equal to any Funds the Province provided to the Recipient;

(i) demand from the Recipient the payment of an amount equal to the costs the Province incurred or incurs to enforce its rights under the Agreement, including the costs of any Records Review and the costs it incurs to collect any amounts the Recipient owes to the Province; and

(j) upon giving Notice to the Recipient, terminate the Agreement at any time, including immediately, without liability, penalty or costs to the Province.

A13.3 Opportunity to Remedy. If, pursuant to section A13.2(b), the Province provides the Recipient with an opportunity to remedy the Event of Default, the Province will give Notice to the Recipient of:

(a) the particulars of the Event of Default; and

(b) the Notice Period.

A13.4 Recipient not Remedying. If the Province provides the Recipient with an opportunity to remedy the Event of Default pursuant to section A13.2(b), and:

(a) the Recipient does not remedy the Event of Default within the Notice Period;

(b) it becomes apparent to the Province that the Recipient cannot completely remedy the Event of Default within the Notice Period; or

(c) the Recipient is not proceeding to remedy the Event of Default in a way that is satisfactory to the Province,

(d) the Province may extend the Notice Period, or initiate any one or more of the actions provided for in sections A13.2(a), (c), (d), (e), (f), (g), (h), (i) and (j).

A13.5 When Termination Effective. Termination under Article A13.0 will take effect as provided for in the Notice.

A14.0 FUNDS UPON EXPIRY

A14.1 Funds Upon Expiry. Upon expiry of the Agreement, the Recipient will pay to the Province any Funds remaining in its possession, under its control, or both.

A15.0 DEBT DUE AND PAYMENT

A15.1 Payment of Overpayment. If at any time the Province provides Funds in excess of the amount to which the Recipient is entitled under the Agreement, the Province may:

(a) deduct an amount equal to the excess Funds from any further instalments of Funds; or

(b) demand that the Recipient pay to the Province an amount equal to the excess Funds.

A15.2 Debt Due. If, pursuant to the Agreement:

(a) the Province demands from the Recipient the payment of any Funds, an amount equal to any Funds or any other amounts owing under the Agreement; or

(b) the Recipient owes to the Province any Funds, an amount equal to any Funds or any other amounts owing under the Agreement, whether or not the Province has demanded their payment,

(c) such amounts will be deemed to be debts due and owing to the Province by the Recipient, and the Recipient will pay the amounts to the Province immediately, unless the Province directs otherwise.

A15.3 Interest Rate. The Province may charge the Recipient interest on any money owing to the Province by the Recipient under the Agreement at the then current interest rate charged by the Province of Ontario on accounts receivable.

A15.4 Payment of Money to Province. The Recipient will pay any money owing to the Province by cheque payable to the “Ontario Minister of Finance” and delivered to the Province at the address set out in Schedule “B".

A15.5 Fails to Pay. Without limiting the application of section 43 of the *Financial Administration Act* (Ontario), if the Recipient fails to pay any amount owing under the Agreement, His Majesty the King in right of Ontario may deduct any unpaid amount from any money payable to the Recipient by His Majesty the King in right of Ontario.

A16.0 NOTICE

A16.1 Notice in Writing and Addressed. Notice will be:

(a) in writing;

(b) delivered by email, postage-prepaid mail, personal delivery or courier and

(c) addressed to the Province or the Recipient as set out in Schedule “B”, or as either Party later designates to the other by Notice.

A16.2 Notice Given. Notice will be deemed to have been given:

(a) in the case of postage-prepaid mail, five Business Days after the Notice is mailed; and

(b) in the case of email, personal delivery or courier, on the date on which the Notice is delivered.

A16.3 Postal Disruption. Despite section A16.2(a), in the event of a postal disruption:

(a) Notice by postage-prepaid mail will not be deemed to be given; and

(b) the Party giving Notice will give Notice by email, personal delivery or courier.

A17.0 CONSENT BY PROVINCE AND COMPLIANCE BY RECIPIENT

A17.1 Consent. When the Province provides its consent pursuant to the Agreement:

(a) it will do so by Notice;

(b) it may attach any terms and conditions to the consent; and

5.8 the Recipient may rely on the consent only if the Recipient complies with any terms and conditions the Province may have attached to the consent.

A18.0 SEVERABILITY OF PROVISIONS

A18.1 Invalidity or Unenforceability of Any Provision. The invalidity or unenforceability of any provision of the Agreement will not affect the validity or enforceability of any other provision of the Agreement.

A19.0 WAIVER

A19.1 Condonation not a waiver. Failure or delay by the either Party to exercise any of its rights, powers or remedies under the Agreement will not constitute a waiver of those rights, powers or remedies and the obligations of the Parties with respect to such rights, powers or remedies will continue in full force and effect.

A19.2 Waiver. Either Party may waive any of its rights, powers or remedies under the Agreement by providing Notice to the other Party. A waiver will apply only to the specific rights, powers or remedies identified in the Notice and the Party providing the waiver may attach terms and conditions to the waiver.

A20.0 INDEPENDENT PARTIES

A20.1 Parties Independent. The Recipient is not an agent, joint venturer, partner, or employee of the Province, and the Recipient will not represent itself in any way that might be taken by a reasonable person to suggest that it is or take any actions that could establish or imply such a relationship.

A21.0 ASSIGNMENT OF AGREEMENT OR FUNDS

A21.1 No Assignment. The Recipient will not, without the prior written consent of the Province, assign any of its rights or obligations under the Agreement.

A21.2 Agreement Binding. All rights and obligations contained in the Agreement will extend to and be binding on:

5.9 the Recipient's heirs, executors, administrators, successors, and permitted assigns; and

(a) the successors to His Majesty the King in right of Ontario.

A22.0 GOVERNING LAW

A22.1 Governing Law. The Agreement and the rights, obligations, and relations of the Parties will be governed by and construed in accordance with the laws of the Province of Ontario and the applicable federal laws of Canada. Any actions or proceedings arising in connection with the Agreement will be conducted in the courts of Ontario, which will have exclusive jurisdiction over such proceedings.

A23.0 FURTHER ASSURANCES

A23.1 Agreement into Effect. The Recipient will:

(a) provide such further assurances as the Province may request from time to time with respect to any matter to which the Agreement pertains; and

(b) do or cause to be done all acts or things necessary to implement and carry into effect the terms and conditions of the Agreement to their full extent.

A24.0 JOINT AND SEVERAL LIABILITY

A24.1 Joint and Several Liability. Where the Recipient comprises more than one entity, each entity will be jointly and severally liable to the Province for the fulfillment of the obligations of the Recipient under the Agreement.

A25.0 RIGHTS AND REMEDIES CUMULATIVE

A25.1 Rights and Remedies Cumulative. The rights and remedies of the Province under the Agreement are cumulative and are in addition to, and not in substitution for, any of its rights and remedies provided by law or in equity.

A26.0 FAILURE TO COMPLY WITH OTHER AGREEMENTS

A26.1 Other Agreements. If the Recipient:

(a) has failed to comply with any term, condition, or obligation under any other agreement with His Majesty the King in right of Ontario or one of Her agencies (a "**Failure**");

(b) has been provided with notice of such Failure in accordance with the requirements of such other agreement;

(c) has, if applicable, failed to rectify such Failure in accordance with the requirements of such other agreement; and

(d) such Failure is continuing, the Province may suspend the payment of Funds for such period as the Province determines appropriate.

A27.0 SURVIVAL

A27.1 Survival. The following Articles and sections, and all applicable cross-referenced Articles, sections and schedules, will continue in full force and effect for a period of seven years from the date of expiry or termination of the Agreement: Article 1.0, Article 2.0, Article A1.0 and any other applicable definitions, section A2.1(a), sections A4.4, A4.5, A4.7, A4.9, A4.10, section A5.3, section A7.1, section A7.2 (to the extent that the Recipient has not provided the Reports or other reports as the Province may have requested and to the satisfaction of the Province), sections A7.3, A7.4, A7.5, A7.6, A7.7, A7.8, Article A8.0, Article A10.0, section A12.2, section A13.1, sections A13.2(d), (e),

(f), (g), (h), (i) and (j), Article A14.0, Article A15.0, Article A16.0, Article A18.0, section A21.2, Article A22.0, Article A24.0, Article A25.0 and Article A27.0.

END OF GENERAL TERMS AND CONDITIONS

SCHEDULE "B"
PROJECT SPECIFIC INFORMATION AND ADDITIONAL PROVISIONS

Maximum Funds	$11,132,500.00
Expiry Date	March 31, 2030
Project Start Deadline	September 30, 2025
Project Completion Deadline	March 31, 2029
Amount for the purposes of section A5.3 (Disposal of Assets) of Schedule "A"	$50,000
Insurance	$2,000,000
Contact information for the purposes of Notice to the Province	Position: Manager, Housing Enabling Program Delivery Unit Address: Ministry of Infrastructure Program Policy and Development Branch 777 Bay St Toronto, ON M5G 2E5 Email: HEWS@ontario.ca
Contact information for the purposes of Notice to the Recipient	Position: Steve Shypowskyj, Director of Public Works Address: 66 Charlotte Street Port Colborne, ON L3K 3C8 Email: steve.shypowskyj@portcolborne.ca

Additional Provisions:

None

SCHEDULE "C"
PROJECT DESCRIPTION AND FINANCIAL INFORMATION

C1.0 PROJECT DESCRIPTION

The Recipient will provide increased sanitary sewer capacity to support new housing development on the east side of Port Colborne through the construction of one (1) new sanitary forcemain. The forcemain will be approximately 1,600 metres in length and will extend from Niagara Region's Seaway Wastewater Treatment Plant, travel beneath the Welland Canal via Niagara Region's new east side servicing tunnel and connect to Second Concession on the east side of the city. The outcomes of this project will enhance the water system, promote growth, and enable housing.

C2.0 FINANCIAL INFORMATION

C2.1 **Total Eligible Costs.** The total Eligible Costs means $15,250,000.00.

C2.2 **Province's Reimbursement Rate**. Without limiting the generality of the Province's rights and remedies under this Agreement, the Province will reimburse the Recipient for up to a maximum 73% of Total Eligible Costs, or up to the Maximum Funds.

C2.3 **Combining Funding from Other Government Sources (Stacking).** The Recipient may combine (i.e., stack) federal and municipal funding (including development charges revenue) to fund a minimum of 27% recipient contribution to Total Eligible Costs. The Recipient shall not stack other sources of provincial funding, with the exception of funding received from the Building Faster Fund (BFF) and the Ontario Community Infrastructure Fund (OCIF).

SCHEDULE "D"
ELIGIBLE AND INELIGIBLE COSTS

D1.0 ELIGIBLE COSTS

D1.1 Eligible Costs are those direct costs that are, in the Province's sole and absolute discretion, properly and reasonably incurred and paid by the Recipient, are necessary for the successful completion of the Project, and are paid to an arm's length third party, as evidenced by invoices, receipts or other records that are satisfactory to the Province. Eligible Costs do not include Ineligible Costs. Eligible Costs include the following costs incurred and paid after April 1, 2023:

(a) Costs associated with the planning, environmental assessments, design and engineering, project management, materials and construction of the Project;

(b) Costs associated with Indigenous consultation related to the Project; and

(c) Costs associated with any compliance audit undertaken in accordance with Article F3.0.

D2.0 INELIGIBLE COSTS

D2.1 Unless a cost is considered an Eligible Cost pursuant to section D1.1, such cost will be an Ineligible Cost. Without limiting the discretion of the Province in section D1.1, the following costs are Ineligible Costs and are therefore ineligible to be paid from the Funds:

(a) All capital costs, including site preparation, removal of vegetation and construction costs, prior to confirmation in writing from the Province to the Recipient that site preparation, removal of vegetation or construction may begin or resume, as described in section A9.2;

(b) Financing and financing charges, debt restructuring, loan interest payments bank fees, and legal fees including those related to easements;

(c) Costs associated with operating expenses for assets and regularly scheduled maintenance work;

(d) Costs of relocating entire communities;

(e) Planning costs, if not tied to a capital project (i.e., planning-only project submitted);

(f) Land acquisition; leasing land, buildings and other facilities; real estate fees and related costs;

(g) Leasing equipment other than equipment directly related to the construction of the Project;

(h) Costs related to furnishing and non-fixed assets which are not essential for the operation of the asset/Project;

(i) Any overhead costs, including salaries and other employment benefits of any employees of the Recipient, any direct or indirect operating or administrative costs of the Recipient, and more specifically any costs related to planning, engineering, architecture, supervision, management and other activities normally carried out by the Recipient's staff;

(j) Any goods and services costs which are received through donations or in kind;

(k) Provincial sales tax, goods and services tax, or harmonized sales tax; and

(l) Any costs eligible for rebates.

SCHEDULE "E"
MILESTONE PAYMENT PLAN

E1.0 MILESTONE PAYMENTS

E1.1. The table below sets out the milestones and, if the conditions for achieving the milestone are met, the amount that the Recipient is entitled to be paid in connection with the completion of that milestone, subject to the Recipient's compliance with the terms of the Agreement, calculated as a percentage of the Maximum Funds.

PAYMENT MILESTONE	PAYMENT AMOUNT	REQUIRED REPORTS (see Schedule "F" for more detail)
Milestone 1: Execution of the Agreement.	25% of the Maximum Funds.	The following documentation is required prior to execution of the Agreement: • Municipal by-law as described in section A2.2(b), and • Initial Project Report as described in Schedule "F". • Any other reporting requested by the Ministry.
Milestone 2: Subject to the terms and conditions of this Agreement, following the receipt, to the satisfaction of the Province, of the Construction Contract Award Documentation and Spring 2025 or Fall 2025 Project Progress Report.	Up to 60% of the Maximum Funds. The payment amount is subject to the adjustments set out in section A4.2(c).	• Construction Contract Award Documentation, • Spring 2026 or Fall 2026 Project Progress Report, including a revised expenditure forecast, and • Any other reporting requested by the Ministry.
Milestone 3: Subject to the terms and conditions of this Agreement, following the receipt, to the satisfaction of the	Release of Holdback as defined in section A4.9: Up to 15% of the Maximum Funds.	• Final Report, • Compliance with the Financial Information Return (FIR); • Compliance audit documentation if

Province, of the Final Report.	The payment amount is subject to the reconciliation and adjustments set out in sections A4.2(c) and A4.10.	required by the Province, and • Any other reporting requested by the Ministry.

SCHEDULE "F"
REPORTING REQUIREMENTS

F1.0 DOCUMENTATION REQUIRED FOR EXECUTION OF THE AGREEMENT

Name of Document	Description	Submission Timeframe
Initial Project Report	Recipient's forecast of timelines and costs (expenditure forecast) to Project completion.	Within two weeks of being sent by the Province and prior to execution of the Agreement.
Council By-Law	Municipal by-law as described in section A2.2(b).	Prior to execution of the Agreement.
Executed Agreement	The executed Agreement between the Province and Recipient.	Required for Milestone 1 payment.

F2.0 REPORTS

F2.1 **Reporting Requirements.** The Recipient will submit to the Province the following Reports in a format to be provided by the Province and in accordance with the timelines below.

Required Documentation	Description	Submission Timeframe
Construction Contract Award Documentation	A report from council including a resolution or by-law recognizing the awarding of the Project construction contracts following tender.	This documentation is due within 60 Business Days of awarding the Project construction contracts that account for the bulk of the construction work and must be awarded no later than September 30, 2026. Required for Milestone 2 payment.
Project Progress Report	A report that includes: • an update on the Project's status and signage status; • Revised expenditure forecast, which must be based on contracts awarded to complete the Project; • interest earned on the Funds; and	Project Progress Reports are required twice per calendar year, in the Spring and Fall, for the duration of the project. This Report is due within 30 Business Days of a written notice from the Province unless otherwise indicated by the Province.

	• any other information as requested by the Province.	A Project Progress Report is required for the Milestone 2 payment.
Final Report	A report that summarizes the Project's final timelines, costs, project and signage photos, and outcomes, and includes the information required under the Project Progress Reports.	This Report is due within 60 Business Days of the Project Completion Period. Required for Milestone 3 payment.
Other Reports	Reports with such content as may be requested by the Province, which may include an Indigenous Consultation Record.	Within the timeframe requested in a written notice from the Province.

F3.0 COMPLIANCE AUDIT

F3.1 **Financial Information Return.** Without limiting the generality of Article A7.0 (Reports, Accounting, and Review), the Recipient must have submitted Financial Information Returns (FIR) for the preceding two fiscal years.

F3.2 **Financial Information Return Compliance.** If the Recipient does not submit the FIR in accordance with F3.1, without limiting the Province's rights under Article A13.0, the Province will suspend the payment of Funds until the FIR are satisfactorily completed.

F3.3 **Compliance Audit.** Without limiting the generality of Article A7.0 (Reports, Accounting, and Review), the Recipient may be required to engage the services of an external auditor to conduct a final compliance audit upon reaching the project completion date.

Additional compliance audits may be conducted by the Province at its sole discretion, for which the Recipient shall assist and disclose any information requested by any independent auditor.

F3.4 **Requirements of Compliance Audit.** Each compliance audit will be conducted in accordance with Canadian Generally Accepted Auditing Standards, as adopted by the Canadian Institute of Chartered Accountants, applicable as of the date on which a record is kept or required to be kept under such standards. In addition, each compliance audit will assess the Recipient's compliance with the terms of the Agreement and will prepare a report that addresses, without limitation:

(a) whether the Funds were spent in accordance with the Agreement;

(b) the progress or state of completion of the Project;

(c) whether the financial information the Recipient provided to the Province was complete, accurate, and provided in a timely manner;

(d) whether the Recipient's information and monitoring processes and systems are adequate to carry out its obligations under the Agreement;

(e) the Recipient's overall management and administration of the Project;

(f) recommendations for improvement or redress of non-compliance of the terms of the Agreement by the Recipient; and

(g) whether the Recipient took timely corrective action on any prior audit findings, if any.

SCHEDULE "G"
COMMUNICATIONS PROTOCOL

G1.0 DEFINITIONS

G1.1 **Definitions.** For the purposes of this Schedule "G" (Communications Protocol):

"Joint Communications" means events, news releases, and signage that relate to the Agreement that are not operational in nature, and that are collaboratively developed and approved by the Province and the Recipient.

"Communications Activities" means, but is not limited to, public or media events or ceremonies including key milestone events, news releases, reports, web and social media products or postings, blogs, news conferences, public notices, physical and digital signs, publications, success stories and vignettes, photos, videos, multi-media content, advertising campaigns, awareness campaigns, editorials, multi-media products, and all related communication materials under the Agreement.

"Contentious Issues" means matters that are, or may reasonably be expected to be, of concern to the Legislative Assembly or the public, or are likely to result in inquiries being directed to the Minister or the provincial government. Contentious Issues may be raised by:

- Members of the Legislative Assembly
- The public
- Media
- Stakeholders
- Service delivery partners

G2.0 PURPOSE

G2.1 **Purpose.** This communications protocol outlines the roles and responsibilities of each of the Parties to the Agreement in respect of Communications Activities related to the Project.

G2.2 **Guidance.** This communications protocol will guide all planning, development and implementation of Communications Activities with a view to ensuring efficient, structured, continuous, consistent, and coordinated communications to the public.

G2.3 **Application to Communications Activities.** The provisions of this communications protocol apply to all Communications Activities related to the Agreement and the Project.

G3.0 GUIDING PRINCIPLES

G3.1 **Information to public.** Communications Activities undertaken through this communications protocol should ensure that the public are informed about the Project's benefits, including the ways in which the Project helps improve their quality of life.

G3.2 **Factors to Consider.** The scale and scope of Communications Activities undertaken for any Project will take into consideration the financial value, scope and duration of the Project and the feasibility of Joint Communications for such Communications Activities.

G3.3 **Deficiencies and Corrective Actions.** The Province will communicate to the Recipient any deficiencies or corrective actions, or both, identified by the Province or, as applicable, the Committee.

G3.4 **Approval of Communications Material.** The announcement or publication of the Project must be approved by the Parties prior to being carried out.

G3.5 **Costs of Communication Activities.** With the exception of advertising campaigns outlined in Article G.9.0 (Advertising Campaigns), the costs of Communication Activities and signage will follow the eligibility rules established in Schedule "D" (Eligible and Ineligible Costs).

G4.0 JOINT COMMUNICATIONS

G4.1 **Subject Matter.** The Parties may have Joint Communications about the funding and status of the Project, including recognition of key project milestones.

G4.2 **Prior Knowledge and Agreement.** Joint Communications in respect of the Project should not occur without the prior knowledge and agreement of the Parties.

G4.3 **Recognition of the Province's Contributions.** All Joint Communications material must be approved by the Province and will recognize the Province's contribution to the Project.

G4.4 **Notice and Timing.** The Recipient and the Province may request Joint Communications. The Party requesting the Joint Communications will provide at least 15 Business Days' notice to the other Party. If the Communications Activity is an event, it will take place at a date and location mutually agreed to by the Parties.

G4.5 **Participation and Representatives.** The Party requesting a Joint Communications will provide the opportunity for the other Party to choose to

participate and, if they do so choose, their own designated representative (in the case of an event).

G4.6 **English and French.** The Province has an obligation to communicate in English and French. Communications products related to events must be bilingual in many instances. In such cases, the Province will provide the translation services and final approval on products.

G5.0 INDIVIDUAL COMMUNICATIONS

G5.1 **The Province's Obligations.** Notwithstanding Article G.4.0 (Joint Communications), the Parties agree that the Province has the right to communicate information to Ontarians about the Agreement and the use of Funds to meet its legislated and regulatory obligations through their respective own Communications Activities.

G5.2 **Restrictions.** Each Party may include an overview in respect of the Project in their own Communications Activities. The Province and the Recipient will not unreasonably restrict the use of, for their own purposes, Communications Activities related to the Project and, if the communications are web- or social-media based, the ability to link to it.

G5.3 **Publication.** The Recipient will indicate, in respect of the Project-related publications, whether written, oral, or visual, that the views expressed in the publication are the views of the Recipient and do not necessarily reflect those of the Province.

G5.4 **Recognition in Documents.** In respect of the Project where the deliverable is a document, such as but not limited to plans, reports, studies, strategies, training material, webinars, and workshops, the Recipient will clearly recognize the Province's respective financial contribution for the Project.

G5.5 **Acknowledgement of Support.** Unless the Province directs the Recipient to do otherwise, the Recipient will, in respect of the Project-related publications, whether written, oral, or visual, acknowledge the Province's support for the Project.

G6.0 OPERATIONAL COMMUNICATIONS

G6.1 **Responsibility of Recipient.** The Recipient is solely responsible for operational communications in respect of the Project, including but not limited to calls for tender, contract awards, and construction and public safety notices.

G7.0 MEDIA RELATIONS

G7.1 **Significant Media Inquiry.** The Province and the Recipient will share information promptly with the other Party if significant media inquiries are received or if emerging contentious issues arise in respect of a Project. Significant media inquiries include, but are not limited to, contentious media requests where either or both the province and the recipient are implicated. Note that any media request that impacts or falls under the purview of the province (e.g., program guidelines, funding allocations) must be shared with each partner to determine who is best positioned to respond.

G8.0 SIGNAGE

G8.1 **Recognition of Funding Contribution.** The Parties agree that the Province and the Recipient may each have signage recognizing their funding contribution in respect of the Project.

G8.2 **Funding Recognition.** Unless otherwise agreed by the Province, the Recipient will produce and install a sign to recognize the funding contributed by the Province at the Project site in accordance with, as applicable, their current respective signage guidelines. Provincial sign design, content, and installation guidelines will be provided by the Province.

G8.3 **Notice of Sign Installation.** The Recipient will inform the Province of sign installations, including providing the Province with photographs of the sign once the sign has been installed.

G8.4 **Timing for Erection of Sign.** If erected, signage recognizing the Province's contributions will be installed at the Project site(s) 30 days prior to the start of construction, be visible for the duration of the Project, and remain in place until 90 days after construction is completed and the infrastructure is fully operational or opened for public use.

G8.5 **Size of Sign.** If erected, signage recognizing the Province's respective contribution will be at least equivalent in size and prominence to Project signage for contributions by other orders of government and will be installed in a prominent and visible location that takes into consideration pedestrian and traffic safety and visibility.

G8.6 **Responsibility of Recipient.** The Recipient is responsible for the production and installation of Project signage, and for maintaining the signage in a good state of repair during the Project, or as otherwise agreed upon.

G9.0 ADVERTISING CAMPAIGNS

G9.1 **Notice of Advertising Campaigns.** Recognizing that advertising can be an effective means of communicating with the public, the Recipient agrees that the

Province may, at their own cost, organize an advertising or public information campaign in respect of the Project or the Agreement. However, such a campaign will respect the provisions of the Agreement. In the event of such a campaign, the Province will inform the Recipient of its intention no less than 21 Business Days prior to the campaign launch.

SCHEDULE "H"
INDIGENOUS CONSULTATION PROTOCOL

H1.0 INDIGENOUS CONSULTATION

H1.1 **Procedural Aspects of Consultation.** If consultation with Indigenous Communities is required, the Recipient agrees that:

(a) the Province may delegate certain procedural aspects of the consultation to the Recipient; and

(b) the Province will provide the Recipient with an initial list of the Indigenous Communities the Recipient will consult.

H1.2 **Development of Indigenous Consultation Plan.** The Province, based on the scope and nature of the Project, may require the Recipient, in consultation with the Province, to develop and comply with an Indigenous consultation plan ("**Indigenous Consultation Plan**").

H1.3 **Provision of Plan to Province.** If, pursuant to section H1.2, the Province provides Notice to the Recipient that an Indigenous Consultation Plan is required, the Recipient will, within the timelines provided in the Notice, provide the Province with a copy of the Indigenous Consultation Plan.

H1.4 **Changes to Plan.** The Recipient agrees that the Province, in its sole discretion and from time to time, may require the Recipient to make changes to the Indigenous Consultation Plan.

H1.5 **Requirement for Indigenous Consultation Record.** If consultation with an Indigenous Community is required, the Recipient will maintain an Indigenous Consultation Record and provide such record to the Province, and any update to it, as part of its reporting to the Province pursuant to section F2.1.

H1.6 **Notification to and Direction from the Province.** The Recipient will immediately notify the Province:

(a) of contact by Indigenous Communities regarding the Project; or

(b) of any Indigenous archaeological resources that are discovered in relation to the Project,

and, in either case, the Recipient agrees that the Province may direct the Recipient to take such actions as the Province may require. The Recipient will comply with the Province's direction.

H1.7 **Direction from the Province and Contracts.** In any Contract, the Recipient will provide for the Recipient's right and ability to respond to direction from the Province as the Province may provide in accordance with section H1.6.

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 Meeting of March 10, 2026

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 Meeting of March 10, 2026, 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.

2. That where no individual by-law has been or is passed with respect to the taking of any action authorized in or with respect to the exercise of any powers by the Council, then this by-law is deemed for all purposes to be the by-law required for such authorization or exercise of any powers.

3. 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.

4. That the Clerk is authorized to affect any minor modifications, corrections, or omissions, solely of an administrative, numerical, grammatical, semantical, or descriptive nature to this by-law or its schedules after the passage of this by-law.

Enacted and passed this 10th day of March, 2026.

_____
William C. Steele
Mayor

_____
Charlotte Madden
City Clerk