



PORT COLBORNE

**City of Port Colborne
Council Meeting Agenda**

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

Pages

1. Call to Order

2. National Anthem

3. Land 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.

4. Adoption of Agenda

5. Disclosures of Interest

6. Proclamations

6.1 National Day of Mourning - April 28, 2026

1

7. Presentations

7.1 YMCA Presentation

6

7.2 Marina Rate and Dock Project Updates

23

8. 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.

9. Mayor's Report

10. Regional Councillor's Report

11. 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.

11.1 Approval of Minutes

- a. Regular Council Meeting - March 10, 2026 42

11.2 Receipt of Minutes of Boards & Committees

- a. Port Colborne Public Library Board - February 4, 2026 56
- b. Healthcare Advisory Committee Meeting - February 9, 2026 60

11.3 Staff Reports

- a. 2025 Statement of Council Remuneration and Expenses, 2026-47 62
- b. Brownfield Community Improvement Plan Tax Increment Grant With Development Charge Grant Agreement – 547 King Street, 2026-54 66
- c. City of Port Colborne Official Plan – Mid-point Update to Council, 2026-53 93
- d. Port Colborne Bocce Club Loan Agreement, 2026-46 243

11.4 Receipt of Correspondence Items

a.	Association of Ontario Road Supervisors - ARS Certification - Brendan Flynn and Matthew Lannan	253
b.	City of Welland - Pilot Program Consideration	255
c.	Town of Lincoln - Support Regional Motion regarding Governance Review	257
d.	Niagara Region - Approval of 2026 Interim Levy Dates and Amounts	259
e.	Regional Municipality of York - Circular Materials Ontario	266
f.	Township of McNab/Braeside - Ontario Heritage Organization Development Grant Advocacy	268
g.	City of Ottawa - Proposed New Regulation under the Restricting Public Consumption of Illegal Substances Act	270
h.	Town of Whitby - Request for a Comprehensive Review of the Provincial-Municipal Fiscal Framework	272
i.	Township of Oro Medonte - Request for Provincial Legislation Amendments, Health and Safety Concerns	276
j.	Prince Edward County - OPP - Sustainable Police Services Funding	282

12. Items Requiring Separate Discussion

13. Staff Remarks

14. Councillors' Remarks

15. Motions

16. Notice of Motions

17. By-laws

17.1	By-law No. 7443/27/26	284
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Being a By-law to Authorize Entering into an Agreement with Elevate Living (Sandor Drew Toth) Regarding the Comprehensive CIP Brownfield Tax Increment Grant with Development Charge Grant – 547 King Street

17.2 By-law No. 7444/28/26 304
Being a By-law to Authorize Entering into a Loan Agreement with the Port Colborne Bocce Club to assist in financing a turf court upgrade.

17.3 By-law No. 7445/29/26 311
Being a By-law to Authorize Entering into an Agreement with Cornerstone Homes (Niagara) Ltd. Regarding the Comprehensive Brownfield Community Improvement Plan Tax Increment Grant with Development Charge Grant Agreement for 714 and 706 King Street and to Repeal By-law No. 7434/18/26

18. Closed Session

18.1 Approval of Closed Session Minutes

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

18.2 Staff Reports

a. Report 2026-52 - Potential Acquisition of Lands

Report 2026-52 Potential Acquisition of Lands pursuant to the *Municipal Act, 2001*, Subsection 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board.

b. Verbal Update on Governance Review

Verbal Update on Governance Review pursuant to the *Municipal Act, 2001*, 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.

19. Back to Open Session

20. Procedural Motions

21. Confirmatory By-law

21.1 By-law No. 7446/30/26 331
By-law to Adopt, Ratify and Confirm the Proceedings of the Council of The Corporation of the City of Port Colborne

22. Adjournment



Niagara Regional Labour Council

March 3, 2026

Mayor Bill Steele
City of Port Colborne
66 Charlotte Street,
Port Colborne, Ontario
L3K 3C8

Dear Mayor Steele:

On April 28th, the Niagara Regional Labour Council will observe the National Day of Mourning to remember those who have suffered injury and/or died on the job and fight for the living by demanding action on invisible injuries and hazards. This year, we are fighting for full recognition of psychological health and safety as occupational health and safety. We will share stories of workers living with psychological injuries, and of the workers who lost their lives because of a workplace psychological injury.

Therefore, as we approach April 28th we are requesting that City Council consider and issue a Proclamation with respect to the "National Day of Mourning". We are also requesting that flags be flying at Half-Mast at the City Hall on the 28th, as we remember those who have been injured or were killed in the workplace.

We have also attached the schedule of the ceremonies for the day if you are available to attend.

Kind regards and thanking you in advance.

Lou Ann Binning

Lou Ann Binning
President
Niagara Regional Labour Council
nrlc.clc@gmail.com

Niagara Regional Labour Council

Tuesday April 28, 2026

St. Catharines, 7:30 am

Monument dedicated to the Fallen Welland Canal Workers, located at Lock 3 on the Welland Canal Parkway – west side of the Canal

St. Catharines, 8:00 am

Monument dedicated to four fallen workers – under the St. Catharines Skyway. Located on the Welland Canal Parkway – west side of the canal, under the bridge

Niagara-on-the-Lake, 9:15 am

Monument located at the Centennial Arena – 1557 Four Mile Creek Rd. in Virgil

Niagara Falls, 10:30 am

Monument located at Niagara Falls City Hall – 4310 Queen Street

Fort Erie, 11:45 am

Monument located at Fort Erie City Hall – 1 Municipal Centre Dr., along Highway 3

Port Colborne, 1:00 pm

Monument located in H.H. Knoll Park on Sugarloaf St., beside the hospital

Welland, 2:00 pm

Monument located beside the canal in Merritt Park – 151 King St.

Port Robinson, 3:00 pm

In memory of Robyn Lafleur, Port Robinson Park (1999) – 1 River Road Port Robinson.

St. Catharines, 4:00 pm

Monument located at St. Catharines City Hall – 50 Church St.

Niagara Region, 5:15 pm

Monument located at the Region of Niagara Headquarters – 1815 Sir Isaac Brock Way

Contact: nrlc.clc@gmail.com

Example of Proclamation attached

Proclamation
“National Day of Mourning”
April 28, 2025

Whereas, the **National Day of Mourning** has been recognized since April 28th 1991; and

Whereas, on April 28th we honour the millions of Ontarians impacted by a workplace fatality, injury, or illness; and

Whereas, according to the Association of Workers’ Compensation Boards of Canada, in 2024, there were 1056 workplace fatalities recorded in Canada; and

Whereas, there were 274,022 accepted claims for lost time in 2023 due to a work-related injury or disease; and

Whereas, the **National Day of Mourning** has since spread to about 80 countries around the world.

Now therefore I, Mayor of _____,

Do hereby declare **April 28th 2025**, as **“National Day of Mourning”** for workers killed or injured on the job in the hopes that the annual observance of this day will strengthen the resolve to establish safe conditions in the workplace for all

In witness whereof, I have herewith set my hand and caused the great seal of the City of to be affixed.



PORT COLBORNE

March 24, 2026

Moved by Councillor
Seconded by Councillor

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

WHEREAS on April 28th we honour the millions of Ontarians impacted by a
workplace fatality, injury, or illness; and

WHEREAS according to the Association of Workers' Compensation Boards of
Canada, in 2024, there were 1056 workplace fatalities recorded in Canada; and

WHEREAS there were 274,022 accepted claims for lost time in 2023 due to a work-
related injury or disease; and

WHEREAS the National Day of Mourning has since spread to about 80 countries
around the world.

NOW THEREFORE I, Mayor William C. Steele do hereby proclaim April 28th 2026,
as "**National Day of Mourning**" in the City of Port Colborne, for workers killed or injured
on the job in the hopes that the annual observance of this day will strengthen the resolve
to establish safe conditions in the workplace for all.

William C. Steele
Mayor

Vale Health & Wellness Centre



Port Colborne YMCA

Igniting Potential Through Partnership





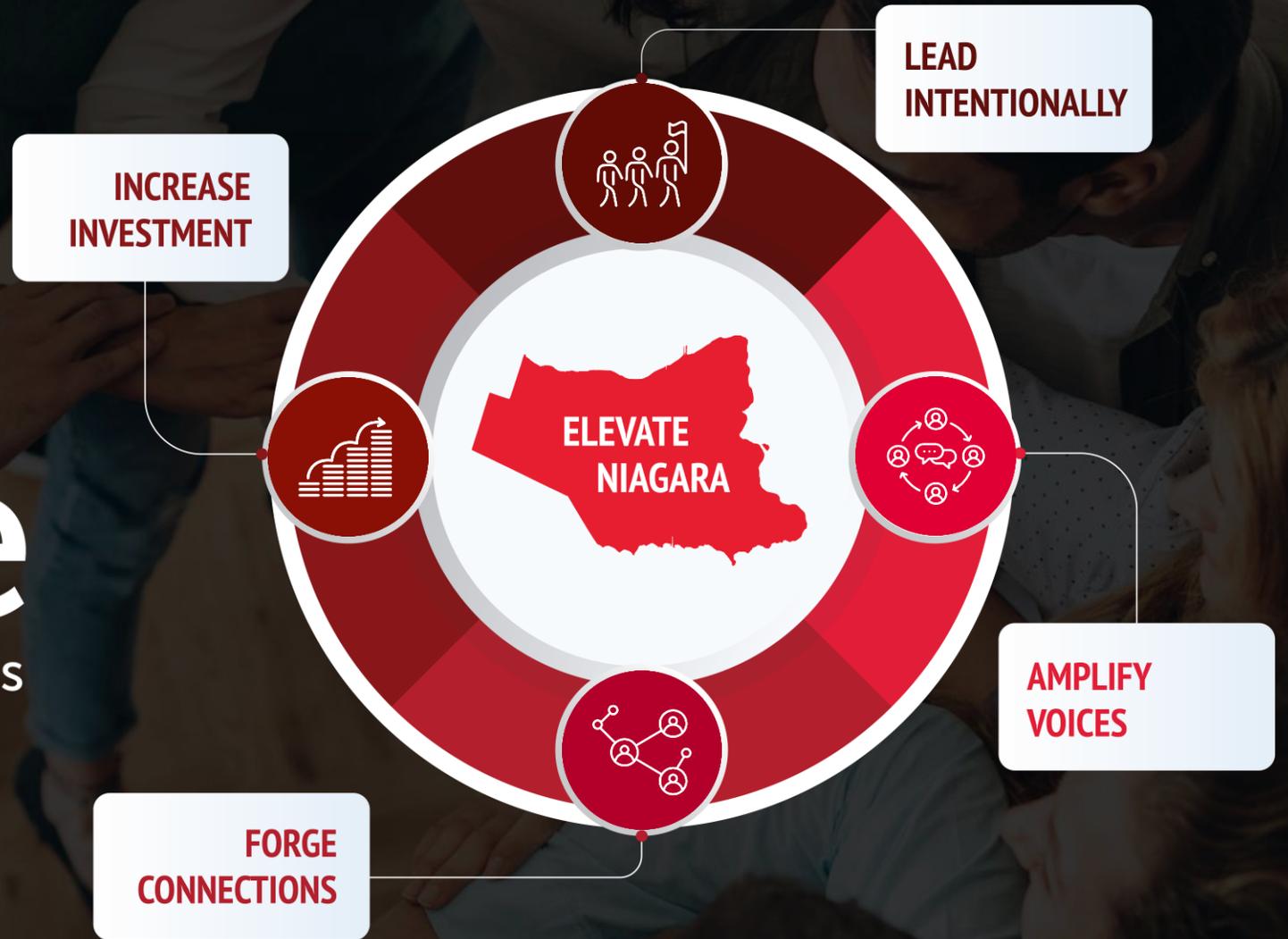
SECTION 1

YMCA of Niagara's Strategic Plan:
Elevate

OUR STRATEGIC PLAN TO

Elevate

Individuals and families across the Niagara community.





Deficit Approach



HEALTH INEQUITY

57% of people in Niagara do not meet the required amount of weekly exercise



ECONOMIC EXCLUSION

25% of families in Niagara struggle to afford basic needs



SOCIAL DISCONNECTION

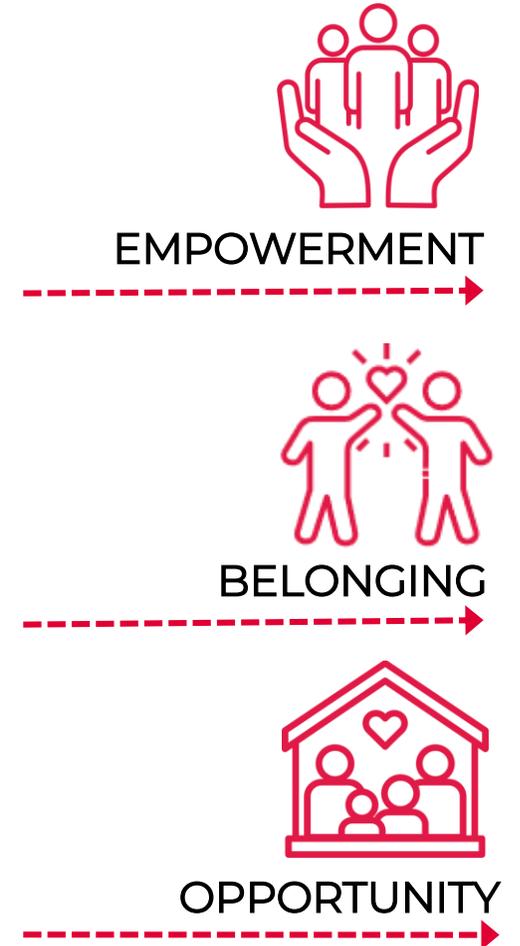
30% of people in Niagara do not feel connected to their community



Shine On

COMMUNITY WELL-BEING

Across Niagara, individuals face barriers to well-being — from health inequity and social disconnection to economic exclusion. Through our strategic actions — leading intentionally, amplifying voices, forging connections, and increasing investment — the YMCA responds to these challenges. Together, we create empowerment, opportunity, and belonging, helping everyone fulfill their potential.



SECTION 2

Elevating Community Well-Being in Port Colborne



Community Needs in Port Colborne



Healthy Aging

- Approximately 1 in 4 residents are over the age of 65
- Growing importance of programs that support mobility, health, and social connection for older adults



Affordability Pressures

- Rising costs for housing, food, and everyday living continue to impact households
- Accessible and affordable recreation opportunities are increasingly important for families and individuals



Community Connection

- Community spaces that bring residents together to help reduce isolation and strengthen community belonging.



The YMCA Response

Through the Vale Health & Wellness Centre, the YMCA provides accessible programs, financial assistance, and welcoming spaces that support health and community connection.



Welcoming, Liveable, Healthy Community

The YMCA supports the City's goal of enhancing community well-being by providing opportunities for residents of all ages to improve their health, stay active, and connect with others.

YMCA Contributions

- Health and wellness programs for residents of all ages
- Swim lessons and aquatics programs that promote water safety
- Programs that support healthy aging and social connection
- Financial assistance to ensure programs remain accessible
- Partnerships that strengthen community well-being



SECTION 3

Port Colborne YMCA Impact
2024-25 Fiscal Year

24

25

Total unique participants:

16,100

STATISTICS	NUMBERS
Average # of members on roll	1,574
Total # of individuals who received financial assistance for membership or programs	504
Value of financial assistance provided to the Port Colborne community	\$58,970
Total # of member visits	98,506
Total # of adult/senior day pass visits	1,625
Total # of youth day pass visits	1,470
Total # of family swim visits	15,250
Total # of children served in swim lessons	1,375
Total # of lifeguards and swim instructors trained	31
Average # of program hours per week	410 hours of programming every week
# of children who attended Day Camp (# of camper weeks)	115 individual children (across 274 camper weeks)

SPAR (Social Program Accounting and Reporting) Impact Calculator

Estimates the social and economic value generated by YMCA programs by measuring their impact on community health, social connection, and long-term well-being.

Annual Health Impacts	Economic Impacts
Non-Communicable Diseases (Economic Burden Averted): CA\$10,304,874	Operations <ul style="list-style-type: none"> Annual Impact of Operations on Gross Domestic Product: CA\$1,093,120 Jobs Created Through Annual Operations: 19
Depression (Economic Burden Averted): CA\$1,288,519	Volunteering (Annual Economic Value): CA\$4,052



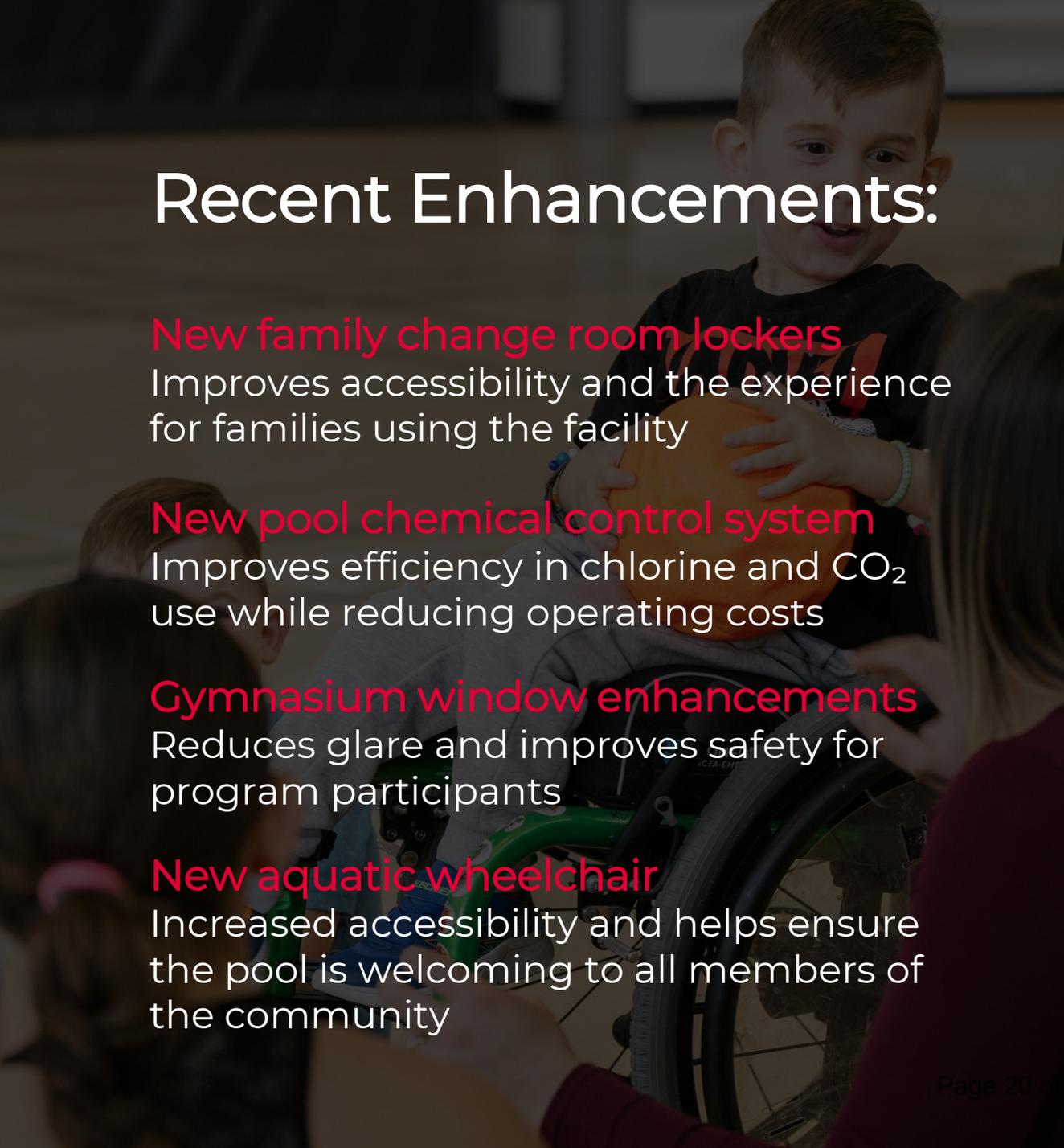
2023/24 2024/25

Port Colborne YMCA Financial Comparison

	2023/24	2024/25	Change
Revenue			
Membership Fees	639,934	750,433	110,499
Membership Subsidy	(58,558)	(58,970)	(412)
Program Fees and Day Passes	219,781	253,252	33,471
Operating Service Fund	179,526	179,526	-
Other Grants	64,325	73,531	9,206
Rental, Facility Fees and others	110,643	117,804	7,161
Strong Kids Allocation	28,089	25,788	(2,301)
Total Revenue	1,183,740	1,341,364	157,624
Expenses			
Wages & Benefits	982,812	1,080,241	(97,429)
Supplies - Program, Cleaning and Maintenance	65,784	69,180	(3,396)
Other Direct Expenses (repairs, training, etc.)	49,122	46,237	2,885
Total Expenses	1,097,718	1,195,658	(97,940)
Operating Contribution	86,022	145,706	59,684
Association Admin Allocation	103,481	113,530	10,049
Net Contribution	(17,459)	32,176	49,635

SECTION 4

Strengthening the Vale
Health and Wellness
Centre, Together

A young boy with short brown hair, wearing a dark t-shirt, is seated in a wheelchair. He is holding a large yellow ball with both hands. He is looking towards the camera with a slight smile. The background is slightly blurred, showing other people and what appears to be a gymnasium setting. The overall image has a dark, semi-transparent overlay.

Recent Enhancements:

New family change room lockers

Improves accessibility and the experience for families using the facility

New pool chemical control system

Improves efficiency in chlorine and CO₂ use while reducing operating costs

Gymnasium window enhancements

Reduces glare and improves safety for program participants

New aquatic wheelchair

Increased accessibility and helps ensure the pool is welcoming to all members of the community

Strengthening the Community, Together

With the financial support of the City of Port Colborne, the YMCA coordinated several facility improvements over the past year to enhance the experience, safety, and efficiency of the Vale Health & Wellness Centre.



A Strong Partnership

Serving Port Colborne, Together

The YMCA and the City of Port Colborne work closely together to ensure the Vale Health & Wellness Centre remains a welcoming, accessible, and vibrant community hub.

Together we support the community through:

Community events and celebrations

Collaboration on free community events such as Canal Days, Sportsfest, Ultimate Family Night, New Year's Eve, and Easter Family Events, helping bring residents together and strengthen community connection.

Expanded access to programs and services

Extended weekend operating hours at the Vale Health & Wellness Centre to support facility operations and increase opportunities for residents to participate in YMCA programs.

Employee wellness and workplace health

YMCA membership access for City of Port Colborne staff, supporting employee health and well-being.

A shared commitment to service excellence

Ongoing collaboration between YMCA and City teams to continually improve the customer service experience for residents using the Vale Health & Wellness Centre.

Shine On



Niagara

Thank You

Christian Wulff

Chief Executive Officer

Deanna D'Elia

Chief Operations Officer

Ben McDermott

General Manager Health,
Fitness & Aquatics

Marina Rate & Dock Project Updates

Council Presentation
March 24th, 2026



Discussion



Marina Storage



Transient Visitors



Marina Dock Project



Marina Storage

Sugarloaf Marina provides storage service for both winter and summer seasons

Permanent storage space is limited - requires use of public parking areas for winter storage demand

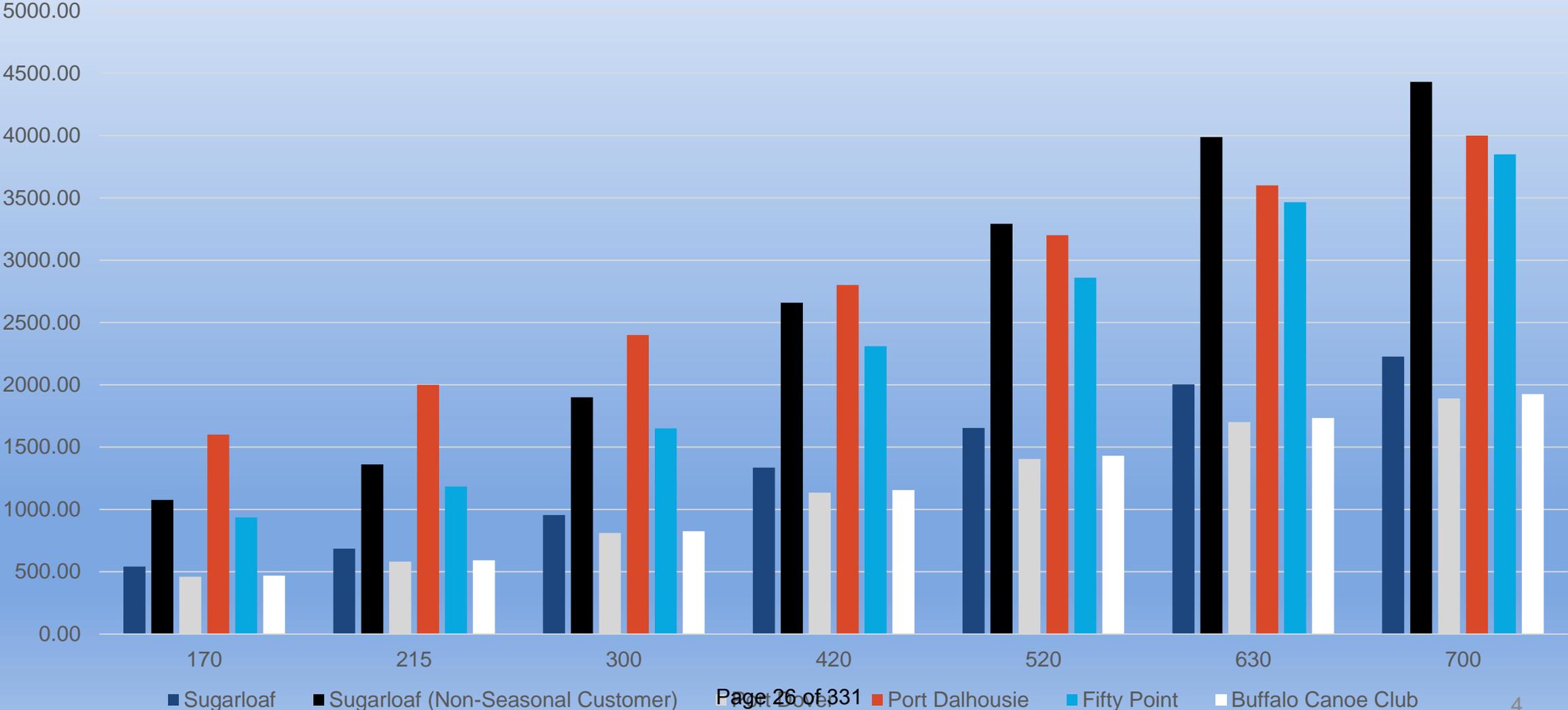
Annual challenges with launch dates and clearing parking lots

Available space for paying customers is at times reduced by customers in arrears and/or abandoned vessels



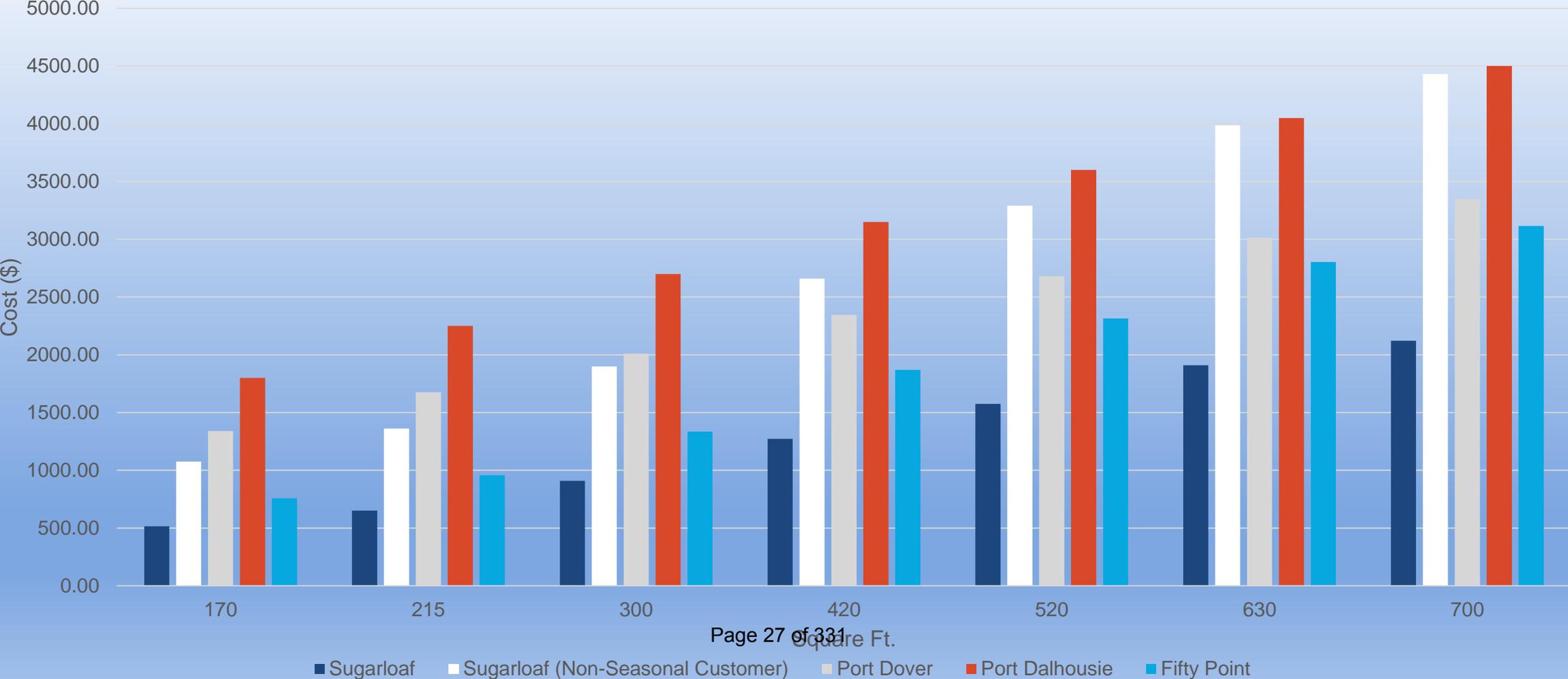
Winter Storage Comparisons 2025

Winter Storage Cost Per Square Ft.



Summer Storage Comparisons 2025

Summer Storage Cost Per Square Ft.



Transient Visitors



PORT COLBORNE

Transient Docking

Sugarloaf Marina is the designated port of entry for international travellers reporting to CBSA

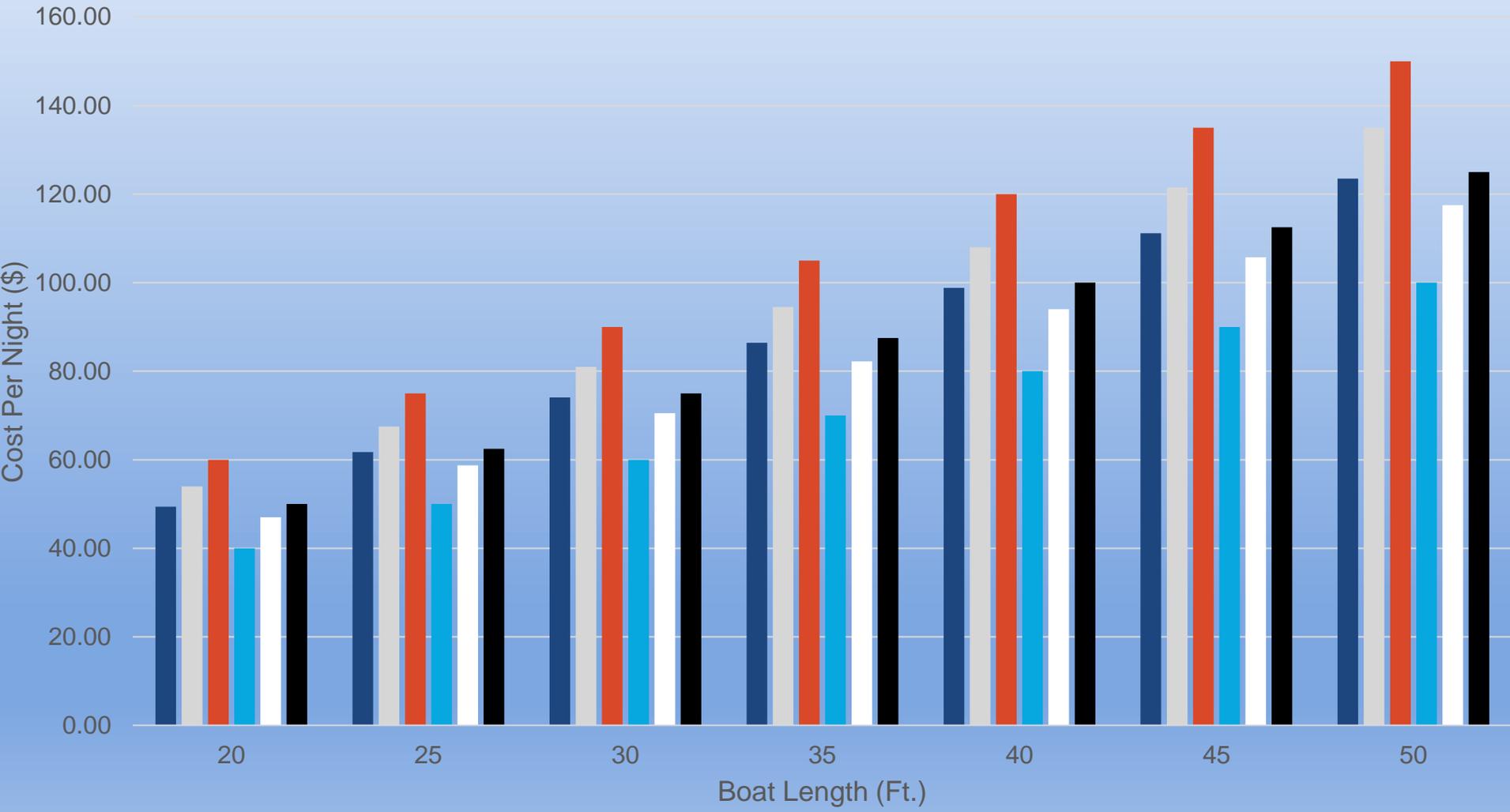
Dock infrastructure allows for the accommodation of many transient vessels at once during organized events

Geographic location makes it an attractive destination for refueling or overnight stays



Transient Rate Comparisons 2025

Transient Cost Per Night



Transient Visitors Canal Days Weekend

2022	2023	2024	2025
97	70	60	100

- 2022 – Canal Days rate 50% higher than standard transient rate
- 2023 – Canal Days rate 67% higher than standard transient rate
- 2024 – Canal Days rate 67% higher than standard transient rate
- 2025 – Canal Days rate reduced back to 50% higher than standard transient rate



Marina Transient Visits

Total number of boats

2022	2023	2024	2025
499	530	450	432

Total number of unique stays

2022	2023	2024	2025
1870	1899	2219	1969



Marina Dock Project



PORT COLBORNE

Conditions Assessment



Dock systems 3 & 4 are in significant states of disrepair



Dock 4 has critical damage and is no longer safe to operationalize



Dock 3 has many components past residual life stage



New Dock Construction

- Replacement costs for dock systems 3 & 4 quoted to be approximately \$520,000 +HST
- Quotation for new hydro and plumping service on new docks \$30,000
- \$220,000 extra cost to complete 7000 sq/ft decking in modern composite/plastic options vs. lumber



Repurposing Docks

Dock systems “J” & “I” on western side of harbour are newer construction

Aluminum framing and dock floats are in great condition, and much easier to maintain in house

Dock sizes are equivalent to docks “3” & “4”

Significant vacancy each season due to duplicate size availability, aquatic weeds, and need for dredging



Marina Dock Footprint

Docks I and J

- Newer Technomarine construction with aluminum framing and traditional dock floats – much easier to maintain
- Dock Sizes equivalent to docks 3 and 4
- Significant annual vacancy due to duplicate dock sizes, aquatic weeds, and need for dredging

Projected Costs

- New hydro and plumbing install \$30,000
- Fabrication for new connections \$12,000
- Brand new lumber decking \$30,000
- Projections assuming worst case scenario



Repurposing & Refurbishing Docks



Marina Dock Footprint

Phase 1

- Remove dock 4, and replace with section of I dock (2025/2026)

Phase 2

- Remove dock 3, and replace with section of J dock (2026/2027)

Phase 3 (Options)

- Remove and reattach remaining section of J dock to remaining section of I dock
- Leave both remaining sections as-is

Remaining Footprint

- After completion, marina dock footprint moves from 708 to 634 total slips



Marina Dock Footprint



THANK YOU



PORT COLBORNE

**City of Port Colborne
Council Meeting Minutes**

Date: Tuesday, March 10, 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
R. Bisson, Senior Health Advisor
S. Double, Fire Chief
G. Long, Director of Development and Business Enterprises
C. Madden, City Clerk
E. Rzeczyca, Election Coordinator
S. Shypowskyj, Director of Public Works

Others Present: V. Badawey, Regional Councillor
A. Berk, KPMG
C. Jeffreys, KMPG
D. Miller, KPMG
G. Wardle, Preyra Solutions Group

1. Call to Order

Mayor Steele called the meeting to order at 5:01 p.m.

2. Adoption of Agenda

There was the addition of two delegations and Appendix A was replaced for report 2026-07.

C-25- 037

Moved by Councillor F. Danch

Seconded by Councillor E. Beauregard

That the agenda dated March 10, 2026, be confirmed, as amended.

Carried

3. Disclosures of Interest

3.1 Councillor E. Beauregard - Brownfield Tax Increment Grant – Fraser Street and Welland Street Properties – Canal Breeze Inc. Property, 2026-26

I, Eric Beauregard, have an indirect pecuniary interest as my employer is an agent for Rankin Construction, the parent company of the Applicant.

3.2 Councillor E. Beauregard - By-law No. 7440/24/26

I, Eric Beauregard, declare an indirect pecuniary interest as I am employed by an agent of Rankin Construction, the parent company of the Applicant.

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

C-25- 038

Moved by Councillor D. Elliott

Seconded by Councillor T. Hoyle

That Council do now proceed to meet in Closed Session at 5:02 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.

Carried

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

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

C-25- 039

Moved by Councillor T. Hoyle

Seconded by Councillor F. Danch

That Council rise and reconvene from Closed Session at 6:30 p.m. with report:

4.1 Approval of the Closed Session Minutes

Regular Council Meeting (closed session) – February 10, 2026

Regular Council Meeting (closed session) – February 24, 2026

Carried

6. National Anthem

Everyone stood for the National Anthem.

7. 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.

8. Proclamations

There were no proclamations.

9. Presentations

There were no presentations.

10. Delegations

10.1 Gary Gaverluk - 21 Woodside Drive

Gary Gaverluk delegated to Council on item 13.4 c.

10.2 Barbara Butters - 1152 Weaver Road

Barbara Butters delegated to Council on item 13.4 c.

11. Mayor's Report

A copy of the Mayor's report is attached.

12. Regional Councillor's Report

Regional Councillor Vance Badawey provided a report to Council.

13. Consent Agenda

Councillor Bagu lifted items 13.3 e and 13.3 h, which were considered under item 14, Items Requiring Separate Discussion.

C-25- 040

Moved by Councillor D. Elliott

Seconded by Councillor F. Danch

That Council hereby approves the listed consent items on the March 10, 2026, Council agenda; and

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

Carried

13.1 Approval of Minutes

a. **Special Council Meeting - February 24, 2026**

b. **Regular Council Meeting - February 24, 2026**

13.2 Receipt of Minutes of Boards & Committees

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

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

13.3 Staff Reports

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

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

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

- d. **2025 Audit Plan, 2026-38**
- f. **2025 Annual Drinking Water Quality Report, 2026-39**
- g. **Housing-Enabling Water Systems Fund – Transfer Payment Agreement, 2026-35**

13.4 Receipt of Correspondence Items

- a. **The Future of Municipal Governance in Niagara - Mayor W. Steele, City of Port Colborne**
- b. **Joint Letter from 8 Lower-Tier Municipalities of Niagara Region**
- c. **Regional Governance in Niagara - Bob Gale, Niagara Regional Chair**
- d. **Town of Niagara-on-the-Lake - NR Transportation Master Plan**
- e. **Township of Wainfleet - Notice of Public Meeting - Official Plan Review**
- f. **Niagara Peninsula Conservation - Request for Support: Coordinated Spring Flood Preparedness Communications**
- g. **Niagara Transit Q4 Microtransit Statistics and LAM Enhanced Service Requests Policy**
- h. **Township of Papineau-Cameron - Ontario Veterinary College expansion of enrollment capacity**
- i. **City of Sarnia - Mayoral Authority and Municipal Police Budget Sustainability**
- j. **Township of Casey - OMERS Bill 68**
- k. **Municipality of St. Charles - Support Moosonee - Strengthening Self-Defence Protections and Addressing Rising Home Invasions in Ontario**

14. Items Requiring Separate Discussion

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

Renée Bisson, Senior Health Advisor, provided an introduction to the consultants from KPMG. Aaron Berk, Engagement Partner, Carrie Jeffreys, Engagement Director, and Doug Miller from KPMG and Gavin

Wardle, Clinical Data Analytics Lead from Preyra Solutions Group presented to Council on the Healthcare Analysis Report.

C-25- 041

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

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).

Carried

14.2 725 King Street – Surplus Property Declaration, 2026-43

C-25- 042

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

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.

Carried

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

Councillor E. Beauregard declared a conflict on this item and therefore did not vote.

C-25- 043

Moved by Councillor M. Aquilina
Seconded by Councillor M. Bagu

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.

Carried

15. Staff Remarks

Stan Double, Fire Chief, spoke about Port Colborne's status as a Next Generation 911 (NG911) community, an upgrade to emergency communications. He also announced that the Port Colborne Fire & Emergency Services is transitioning to its digital platform at the end of the month.

Steve Shypowskyj, Director of Public Works, noted there is an active weather advisory for the rain, and this could lead to localized flooding. He also noted there is a delay for the construction start date of the childcare facility on 76 Main Street West due to a material shortage.

Bryan Boles, Chief Administrative Officer, thanked staff for work over past two weeks.

16. Councillors' Remarks

Councillor Aquilina noted there has been a lot of information regarding amalgamation and healthcare recently, and thanked staff for their efforts and for keeping the momentum towards a path forward.

Councillor Bagu noted he spoke with Steve Shypowskyj, Director of Public Works, regarding extending the walking path for Sunset Park from Schofield Avenue so residents with mobility aids can better access the park. He also noted he received several emails from residents regarding amalgamation, who expressed their opposition to the idea.

Councillor Bruno noted he received feedback from residents on amalgamation.

Councillor Hoyle noted he is against amalgamation.

Councillor Bodner inquired to Steve Shypowskyj, Director of Public Works, if the drain ends with flat gates have been checked for ice that would prevent them from working.

17. Motions

C-25- 044

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

That Council suspend the rules of procedure pursuant to Section 26.3 of the Procedural By-law in order to consider the proposed Motion.

Carried

C-25- 045

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

Whereas the provincial government has expressed a desire to reduce the number of municipal councillors in the Niagara Region; and

Whereas the majority of Mayors signed a joint letter stating a commitment to building a governance model that is streamlined and transparent to the public; and

Whereas the timeline for Council to enact a by-law regarding ward structures, in accordance with the Municipal Act, 2001, has passed for the 2026 election;

Therefore, be it resolved That Council endorse a three ward structure and a Council composition of 6 Councillors and 1 Mayor for the City of Port Colborne, as outlined in Final Option 2 in Appendix A of Report 2025 137, Council Composition and Ward Boundary Review – Final Report; and

That the City Clerk be directed to confirm with the Premier and the Minister of Municipal Affairs and Housing that without provincial intervention, the above changes cannot take place until the 2030 election, and request that these changes be implemented for the 2026 election.

Carried

18. Notice of Motions

There were no notices of motions.

19. Procedural Motions

20. By-laws

20.4 By-law No. 7440/24/26

Councillor E. Beauregard declared a conflict on this item and therefore did not vote.

C-25- 046

Moved by Councillor G. Bruno
Seconded by Councillor D. Elliott

That By-law No. 7440/24/26 be passed and enacted, as presented.

Carried

C-25- 047

Moved by Councillor E. Beauregard
Seconded by Councillor M. Aquilina

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

- By-law No. 7437/21/26
- By-law No. 7438/22/26
- By-law No. 7439/23/26
- By-law No. 7441/25/26
- By-law No. 7442/26/26

Carried

20.2 By-law No. 7438/22/26

20.3 By-law No. 7439/23/26

20.5 By-law No. 7441/25/26

20.6 By-law No. 7442/26/26

21. Adjournment

Mayor Steele adjourned the meeting at 8:25 p.m.

William C. Steele, Mayor

Charlotte Madden, City Clerk



PORT COLBORNE

MAYOR'S REPORT TO COUNCIL

Tuesday, March 10, 2026

AMALGAMATION

Niagara's Mayors are speaking with one voice.

On March 4, the Mayors of Grimsby, Thorold, West Lincoln, Port Colborne, Fort Erie, Pelham, Niagara-on-the-Lake, and Wainfleet delivered a joint letter to Premier Doug Ford, outlining a clear plan to modernize regional governance in Niagara. Together, we're advancing a practical agenda to:

- ✓ Reduce duplication
- ✓ Strengthen efficiency
- ✓ Address the number of elected officials
- ✓ Support long-term economic growth
- ✓ Keep taxes low for residents

This united approach focuses on delivering smarter, more streamlined services for the communities we serve. Additionally, I submitted a letter outlining the City of Port Colborne 's position to the Province of Ontario regarding the ongoing discussion about municipal governance in Niagara. In a letter sent to Premier Doug Ford this morning, I confirmed that Port Colborne does not support municipal amalgamation and instead supports a careful, evidence-based governance review.

Port Colborne is a strong and independent community with real momentum. Forced amalgamation is neither necessary nor beneficial to our continued success. Our focus should be on practical solutions that improve efficiency and deliver better value for taxpayers. I highlighted the City's recent progress, including more than \$2 billion in new investment and job creation, accelerated housing approvals, expanded childcare spaces, and local initiatives to improve healthcare access. The City is also working with the Province to establish a municipally-owned Municipal Services Corporation to support water and wastewater servicing for the East Side Employment Lands.

The letter also highlights Port Colborne's strong economic momentum while noting that decades of research show municipal amalgamation does not produce cost savings and can reduce local responsiveness and accountability. We support a governance review that is grounded in strong analysis and meaningful consultation. Port Colborne is ready to work constructively with regional and provincial partners to find modern governance solutions that strengthen Niagara while protecting the progress our community has worked hard to achieve.”

The City will continue participating in the Niagara governance review process approved by Niagara Regional Council and advocating for practical reforms that improve coordination, reduce duplication, and maintain strong local accountability. Residents can read the letters on our website.

PUBLIC ENGAGEMENT

Following my letter to the Province outlining the City of Port Colborne's position on potential changes to municipal governance in Niagara, the City is launching a public engagement process to ensure residents are part of the conversation. Residents are invited to share their feedback through a short survey or by attending one of the City's upcoming open houses. Input from residents, business owners and community members will help inform Council's position as regional governance discussions continue.

Ways to participate:

Online survey: available on our website

Paper survey: Available at City Hall, the Vale Health & Wellness Centre, and the Port Colborne Public Library.

In-person open houses:

- Thursday, March 12 | 3–7 p.m. – City Hall Council Chambers
- Saturday, March 14 | 12–4 p.m. – Vale Health & Wellness Centre

The City will also gather feedback through small group discussions with several established community advisory groups. Feedback from all engagement opportunities will be compiled and presented to Council at an upcoming public meeting.

Learn more: Learn more and take the survey at

www.portcolborne.ca/governance

TOP HAT / POLAR PLUNGE

Each year, the City of Port Colborne celebrates the opening of the Welland Canal and the start of the shipping season by welcoming the captain of the first down-bound vessel at a Top Hat Ceremony.

Join us this month to celebrate at the 2026 Top Hat Ceremony!

This year, the event takes place on Sunday, March 22, 2026 at 8 a.m. at Lock 8 Gateway Park

The Port Colborne Fair Trade Committee will be providing a pancake breakfast with hot chocolate, tea and coffee.

More details at www.portcolborne.ca/tophatceremony

Due to the forecasted extreme cold weather earlier this Winter, and to ensure participant safety, the Port Colborne Polar Plunge in support of Special Olympics Ontario was rescheduled to March 22, 2026 at 1 p.m. at H.H. Knoll Lakeview Park Boat Ramp

Participants, teams, and spectators are all still invited to take part in the coolest event of the year. Whether you're plunging solo, with friends, or cheering from shore, every icy dip helps support over 23,000 Special Olympics athletes across Ontario.

THIS CONCLUDES MY REPORT FOR THIS EVENING

Port Colborne Public Library Board Meeting Minutes

Date: Wednesday, February 4, 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
E. Tanini
A. Smits

Member(s) Absent: H. Cooper
M. Booth

Staff Present: R. Tkachuk, Chief Executive Officer (Board Secretary-Treasurer)
L. MacDonald, Library Services Manager

1. Call to Order

The Vice Chair called the meeting to order at 6:13 PM.

2. Land Acknowledgement

The Vice Chair recited the Land Acknowledgement.

3. Disclosures of Interest

Nil.

4. Adoption of Agenda

Moved by C. MacMillan
Seconded by Councillor M. Bagu

That the agenda dated February 4, 2026, be confirmed, as circulated.

Carried

5. Approval of Minutes

Moved by A. Smits
Seconded by B. Beck

That the minutes dated January 7, 2026, be approved, as circulated.

Carried

6. Consent Items

Moved by C. MacMillan
Seconded by Councillor M. Bagu

That the Board approves Consent Items 6.1 to 6.3, as presented.

Carried

6.1 Staff Reports

- a. **Public Relations Report - December 2025**

6.2 Financial Report

- a. **2026 Operating Statement (as of January 30, 2026)**

6.3 Circulation Reports

- a. **Circulation Report, December 2025**
 - a. **Circulation Snapshot, December 2025**
- b. **Circulation Report - 4th Quarter, 2025**
 - a. **Circulation Report - 4th Quarter 2025 Snapshot**

7. Policy

Moved by A. Smits
Seconded by B. Beck

That the Board approves Policy Items 7.1 to 7.3, as presented.

7.1 OP-01: Privacy, Access to Information and Electronic Messages under CASL

7.2 OP-17: Records Retention and Schedule

7.3 GOV-13: CEO Succession Planning

8. Discussion Items

8.1 CEO's Report - Verbal (R. Tkachuk)

The CEO gave a verbal update including items such as, facility projects, partnerships, grants, and strategic planning.

9. Confidential Item

Moved by C. MacMillan

Seconded by E. Tanini

That the Board do now proceed into closed session in order to address the following matters at approximately 6:30 PM.

Carried

9.1 Minutes of the closed session of the January 7, 2026, meeting

Moved by A. Smits

Seconded by B. Beck

That the Board do now rise from closed session at 6:33 PM.

Carried

10. Roundtable

Councillor Bagu shared information about staffless library hours being announced at the Chippewa Branch of Niagara Falls Public Library.

Trustee MacMillan shared updates and resources being offered by the Ontario Library Service for the upcoming municipal elections.

Library Services Manager, L. MacDonald thanked the Board for the opportunity to attend the 2026 OLA Super Conference.

11. Next Meeting Date and Adjournment

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

The Chair adjourned the meeting at approximately 6:43 PM.

Bryan Ingram, Chair

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



City of Port Colborne

Healthcare Advisory Committee Meeting Minutes

Date: Monday, February 9, 2026
Time: 6:00 pm
Location: Council Chambers, 3rd Floor, City Hall
66 Charlotte Street, Port Colborne

Members Present: C. Tamas
M. Lallouet
T. Triano
S. McDowell, Chair
P. McGarry, Vice Chair
W. Steele, Mayor
M. Aquilina, Councillor
R. Bodner, Councillor

Staff Present: B. Boles, Chief Administrative Officer
G. Bisson, Senior Community Engagement Advisor

Others Present: C. Jeffries, KPMG
D. Miller, KPMG
G. Wardle, KPMG
A. Berk, KPMG
C. Brillowits, KPMG

1. Call to Order

The Chair called the meeting to order at 6:01 p.m.

2. Adoption of the Agenda

Moved By P. McGarry
Seconded By T. Triano

That the Healthcare Advisory Committee Agenda, dated February 9, 2026, be approved.

Carried

3. Disclosures of Interest

There were no disclosures of interest.

4. Approval of the Minutes

4.1 Healthcare Advisory Committee Meeting - January 26, 2026

Moved By M. Lallouet
Seconded By C. Tamas

That the Healthcare Advisory Committee minutes, dated January 26, 2026, be approved.

Carried

5. Presentations

5.1 KPMG - Validation Session

KPMG presented their Healthcare Analysis Report to the Committee.

6. New Business

6.1 April Meeting Date Change

This item was deferred to the next Healthcare Advisory Committee meeting on March 9, 2026.

6.2 Spring / Summer Dates

Moved By P. McGarry
Seconded By T. Triano

That the following Healthcare Advisory Committee meeting date be added:
May 11, 2026 at 6 p.m.

Carried

7. Adjournment

The Chair adjourned the meeting at 7:34 p.m.

Sydney McDowell, Chair

Geneviève-Renée Bisson, Senior
Health Advisor



Subject: 2025 Statement of Council Remuneration and Expenses

To: Council

From: Financial Services Department

Report Number: 2026-47

Meeting Date: March 24, 2026

Recommendation:

That Financial Services Department Report 2026-47 be received for information.

Purpose:

This report seeks to satisfy the reporting requirements of Section 284 of the *Municipal Act, 2001*, as amended requiring the treasurer to provide an annual statement of remuneration and expenses paid to members of Council.

Background:

In accordance with Section 283 of the *Municipal Act, 2001*, a municipality may pay any part of the remuneration and expenses of the members of any local board of the municipality and the officers and employees of the local board.

Pursuant to Section 284 of the *Municipal Act, 2001*, the City Treasurer shall, on or before March 31, provide Council an itemized statement of remuneration and expenses paid in the previous year to each member of Council and each person appointed by the municipality to serve as a member of any body, including local board; in respect of services as a member of Council or member of any body.

Discussion:

The attached Statement of Remuneration and Expenses for the 12-month period from January 1 to December 31, 2025, was prepared pursuant to Sections 283 and 284 of the *Municipal Act, 2001*.

Conclusion:

The report fulfills the reporting requirements outlined in Sections 283 and 284 of the *Municipal Act, 2001*. By meeting these statutory requirements, the report meets its intended purpose of providing transparency and accountability regarding remuneration and expenses. Therefore, staff recommended that the Corporate Services Department Report 2026-47 be received for informational purposes.

Appendices:

- a. Statement of Remuneration and Expenses
- b. Statement of Conference, Training and Development Expenses

Respectfully submitted,

Deborah Salmon
Accounts Payable Clerk
(905) 228-8027
deborah.salmon@portcolborne.ca

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.

Report 2026-47

Appendix A - Statement of Remuneration and Expenses

City of Port Colborne

Statement of Remuneration and Expenses 2025

	Payroll Remuneration	Fringe Benefits	Pay in Lieu of Benefits*		Car Allowance	Cell Phone Allowance	Total	Committees of Council	Conference Expenses**	Certification Program	Cellular Tablet Expense	Parking/ Transit	Total	Grand Total
			Current	Retro										
Council														
Mayor Bill Steele	50,773.11	13,544.00	-	-	2,520.00	240.00	67,077.11	-	18,255.99	-	101.17	67.19	18,424.35	85,501.46
Councillor Monique Aquilina	26,069.97	9,806.41	-	-	-	-	35,876.38	-	-	-	72.17	-	72.17	35,948.55
Councillor Mark Bagu	26,069.97	9,663.28	-	-	-	-	35,733.25	-	2,385.43	-	238.94	-	2,624.37	38,357.62
Councillor Eric Beauregard	26,069.97	5,192.71	-	-	-	-	31,262.68	850.00	4,610.11	-	56.04	-	5,516.15	36,778.83
Councillor Ron Bodner	26,069.97	7,857.80	2,346.30	4,416.03	-	-	40,690.10	-	-	-	276.73	-	276.73	40,966.83
Councillor Gary Bruno	26,069.97	7,857.80	2,346.30	4,416.03	-	-	40,690.10	750.00	4,243.78	4,197.82	159.65	-	9,351.25	50,041.35
Councillor Frank Danch	26,069.97	9,779.86	-	-	-	-	35,849.83	-	-	-	62.26	-	62.26	35,912.09
Councillor Dave Elliott	26,069.97	9,806.41	-	-	-	-	35,876.38	600.00	-	-	37.70	-	637.70	36,514.08
Councillor Timothy Hoyle	26,069.97	9,806.41	-	-	-	-	35,876.38	-	1,410.22	-	-	-	1,410.22	37,286.60
													-	
Committees of Council Non-Council Members														
Angie Demarais	-	-	-	-	-	-	-	530.00	-	-	-	-	530.00	530.00
Dan O'Hara	-	-	-	-	-	-	-	987.83	-	-	-	-	987.83	987.83
Totals	259,332.87	83,314.68	4,692.60	8,832.06	2,520.00	240.00	358,932.21	3,717.83	30,905.53	4,197.82	1,004.66	67.19	39,893.03	\$ 398,825.24

*Pay in Lieu of Benefits - for Councillors that are not eligible for OMERS Pension contributions

**Conference Expenses - see Appendix B - Statement of Conference, Training and Development Expenses for more details

Report 2026-47

Appendix B - Statement of Conference, Training and Development Expenses

City of Port Colborne

Detail of Conference, Training and Development Expenses 2025

	FCM	AMO	OGRA	GLSLCI	H2O	MCMWC	OWLS	OACA	ROMA	Total Conference Expenses
Council										
Mayor Bill Steele	4,334.77	3,138.83	3,495.47	3,085.97	661.20	1,913.72	55.54		1,570.49	18,255.99
Councillor Monique Aquilina										-
Councillor Mark Bagu		2,385.43								2,385.43
Councillor Eric Beauregard			3,283.43					1,326.68		4,610.11
Councillor Ron Bodner										-
Councillor Gary Bruno	4,243.78									4,243.78
Councillor Frank Danch										-
Councillor Dave Elliott										-
Councillor Timothy Hoyle									1,410.22	1,410.22
										-
Committees of Council Non-Council Members										-
Angie Desmarais										-
Dan O'Hara										-
TOTALS	8,578.55	5,524.26	6,778.90	3,085.97	661.20	1,913.72	55.54	1,326.68	2,980.71	30,905.53

FCM - Federation of Canadian Municipalities

AMO - Association of Municipalities of Ontario

OGRA - Ontario Good Roads Association

GLSLCI - Great Lakes & St Lawrence Cities Initiative

H2O - Highway H2O

MCMWC - Marine Club Marine Week Conference

OWLS - Ontario Water Leaders Summit

OACA - Ontario Association of Committees of Adjustment & Consent Authorities

ROMA - Rural Ontario Municipal Association



PORT COLBORNE

Subject: Brownfield Community Improvement Plan Tax Increment Grant With Development Charge Grant Agreement –547 King Street

To: Council

From: Planning and Development

Report Number: 2026-54

Meeting Date: March 24, 2026

Recommendation:

That Planning and Development Department Report 2026-54 be received; and

That the by-law attached as Appendix B, being a by-law to enter into the Agreement with Elevate Living (Sandor Drew Toth) for a Tax Increment Grant with Development Charge Grant in the Brownfield Community Improvement Project Area (CIPA) under the Comprehensive Community Improvement Plan (CIP), for 547 King Street, be brought forward for Council's approval.

Purpose:

This report provides Council with a recommendation to approve a Brownfield Tax Increment Grant (TIG) with Development Charge Grant under the Comprehensive CIP submitted by Elevate Living for 547 King Street in Port Colborne, 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 consolidated all CIPs.

The Brownfield Tax Increment Grant (TIG) is a 10-year grant for 100% of the increase in municipal taxes resulting 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).

Applicants can also opt into the Development Charge Grant (DCG) Program which is equal to 100% of the City development charges. The applicant must be approved for a Brownfield TIG to be eligible for the DCG. The total amount payable between the DCG and TIG will not exceed the approved remediation costs.

When an applicant is approved for a Brownfield CIP Grant, they are also approved for the DCG in one agreement. The applicant 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.

CIP applicants are required to enter an agreement with the City as a condition of approving the tax assistance which requires the applicant develop the subject property in accordance with the City's objectives and information required in the CIP Program Guides. While many of the CIP programs can be approved through delegated authority to staff, any application for tax assistance requires Council approval.

Discussion:

The owner of 547 King Street, Elevate Living, has submitted a proposal to rehabilitate the lands to develop a three (3) story purpose built rental apartment building. The proposed development generally aligns with the City's strategic plan, aiming to increase housing options by introducing new rental housing stock in the City, and is in walking distance of a shopping and business district, and the Main Street BIA catchment area.

The applicant is working through the development approvals process and has submitted applications for an Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) which are currently under review by planning staff and other departments and agencies, in accordance with the Planning Act. A statutory public meeting is scheduled for April 14, 2026. No decision has been made on these applications; consideration of the planning proposal will follow through a future staff report.

Currently the property generates \$2,673 in property tax to the City and \$2,039 to Niagara Region annually, based on 2025 tax rates. Upon project completion the anticipated City property tax is estimated to increase to \$67,177, and \$51,246 to the Region annually.

The eligible remediation costs under the Brownfield CIP are estimated to be \$261,318. The TIG paid is capped at the estimated amount of eligible remediation costs.

The standard CIP agreement is comprehensive, outlining the City's expectations for the owner to meet eligibility requirements for the TIG. 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 CIP application and agreement have been reviewed by the City's CIP Review Team comprised of staff from Building, Economic Development, and Planning. The TIG calculations were reviewed 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. It is important to note that the approval of this CIP Report does not constitute approval of the proposed development under the Planning Act process. It only confirms that the subject property remains eligible for the Brownfield CIP Tax Increment Grant (TIG) should the development ultimately receive all required planning approvals.

If the final development approved is different (less value) than the proposal in this report, the CIP is adjusted accordingly.

Financial Implications:

As per the standard CIP agreement attached, Schedule B indicates the annual amount of the TIG over a 10-year period is estimated to be \$112,341 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 \$2,673 in annual City property taxes and \$2,039, in regional property taxes based on 2025 tax rates. Upon completion of the project the new estimated amount of City property tax will be \$67,177 and \$51,246 per year for the Niagara Region. Following the 10-year TIG period, the City will receive the full property tax value.

As intended under the City's CIP programs, the total amount of the combined DCG and TIG will not exceed the total estimated amount of remediation, estimated to be up to \$261,318.

It is important to note the property owner is responsible for the costs of the redevelopment and is required to pay the increased taxes resulting from the higher assessed value. Additional details are provided in Appendix C TIG Calculator.

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 Council approve the CIP application by Elevate Living to assist with the re-development at 547 King Street. 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. 547 King Street Property Map
- b. Draft By-law and Brownfield CIPA Comprehensive CIP TIG with DCG Agreement
- c. 547 King Street TIG Calculation

Respectfully submitted,

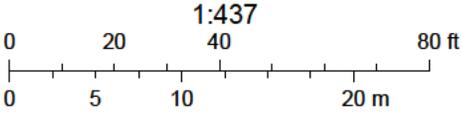
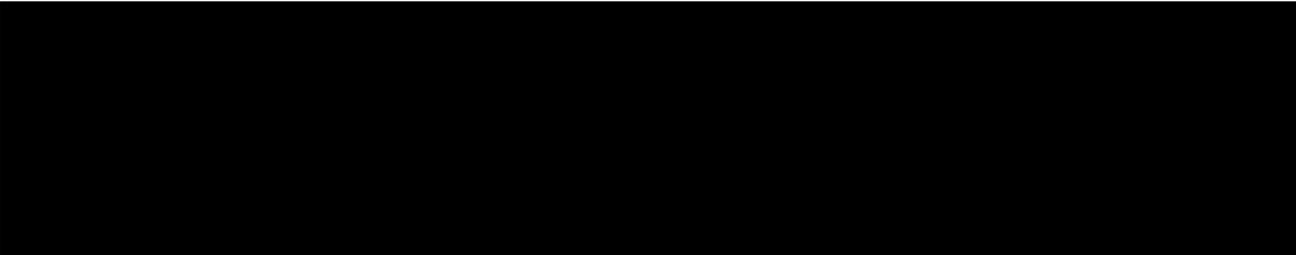
Bram Cotton
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Gary Long
Director of Development and Government Relations
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Gary.Long@portcolborne.ca

Report Approval:

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



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Sources: Esri, Vantor, Airbus DS,

The Corporation of the City of Port Colborne

By-law No. _____

**Being a By-law to Authorize Entering into an Agreement with Elevate Living
(Sandor Drew Toth) Regarding the Comprehensive CIP Brownfield Tax
Increment Grant with Development Charge Grant – 547 King Street**

Whereas at its meeting of March 24th, 2026, the Council of The Corporation of the City of Port Colborne (Council) approved the recommendations of Planning and Development Report 2026-54, Subject: 547 King Street Brownfield CIP.

Whereas Council is desirous of entering into an agreement with Elevate Living, for the purposes of a Tax Increment Grant within the Brownfield CIP area under the Comprehensive CIP;

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 Elevate Living, for the purposes of 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 547 King Street;
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 24th 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

Elevate Living (Sandor Drew Toth). (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 WHEREAS 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 \$ \$63,135 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

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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.

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- 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 \$5,885,417.00_____

Pre-project AV: \$ 177,000_____ Date: Jan 2026_____

Estimated Post-project AV \$ 5,885,417.00_____

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

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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: \$ 6,082 Date: Jan 2026 – Based on 2025 rates as 2026 not yet available

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: \$ 118,423

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

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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 \$261,3181.
- 3.6 Where the actual eligible costs are, in the opinion of the City, less than the estimated eligible costs (\$261,318), 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

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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 repayable 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;

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- 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 owing 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;

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- 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.

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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

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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:

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- 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.

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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.

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- 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;

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- 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 within 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;

TAX INCREMENT GRANT AGREEMENT

- 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 13 Carleton Street South, Thorold, ON L2V 125
Telephone No: (905) 246-8097
Fax No:
E-mail: Drew@ElevateLiving.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

TAX INCREMENT GRANT AGREEMENT

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

TAX INCREMENT GRANT AGREEMENT

SCHEDULE "A"

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

Legal Description of Applicant's land

Part of Lots 9 - 10, Plan 769 Humberstone as in RO359513

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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	\$ 5,000
b. Environmental Remediation including the cost of preparing an RSC and CPU	\$ 52,590.86 + 4,150 (RSC)
c. Placing, compacting and grading of clean fill to replace contaminated soils/fill disposed of off-site	\$
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	\$
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	\$ 3,986.53
f. Environmental Insurance Premiums	\$ 5,000.00
Total Brownfield Tax Assistance/Tax Increment Grant Eligible Costs (a. to f. above)	\$ 70,727

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)	\$ 25,000
h. Building rehabilitation and retrofit works (excluding permit fees)	\$ 40,000
i. Upgrading on-site infrastructure including water services, sanitary sewers and stormwater management facilities	\$ 125,591
Total Brownfield Tax Increment Grant Eligible Costs (a. to i. above)	\$ 261,318.31

Do you wish to receive payment of the total actual Brownfield TIG eligible costs in a. to f. above that are approved by the City in the form of a Brownfield Development Charge Grant after project completion?

Yes No

Please be advised that if you answered "yes", the amount of the Brownfield Development Charge Grant paid to you will be deducted from the maximum Brownfield Tax Increment Grant amount approved under the Brownfield TIG Program.

Port Colborne Comprehensive CIP Programs Application Form
Last Revised January 25 2024

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Document ID: 6bf5d468-1b56-40da-ba89-ba5fef46c22d

TAX INCREMENT GRANT AGREEMENT

- 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**

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Appendix C

Municipality: Port Colborne
Address: 547 King Street
Roll Number: #271103002905500
Pre Project Year: 2025
Post Project Year: 2025

Actual start date is 2026. We are using 2025 rates because the 2026 rates are not yet finalized.

	Commercial	Industrial	Residential	Total Pre-Project Taxes	Residential	New Multi-residential	Commercial	Total Post Project Taxes	Tax Increment	Annual Grant amount
Class Code	CT	IT	RT		RT	NT	CT			
Assessment Value¹	\$77,800	\$0	\$99,200	\$177,000	\$0	\$5,885,417.00	\$0	\$5,885,417.00		
Municipal Taxes^{2,3,4}	\$1,541	\$0	\$1,132	\$2,673	\$0	\$67,177	\$0	\$67,177	\$63,135	\$63,135
Municipal Fees	\$1,370	\$0	\$0	\$1,370	N/A	N/A	N/A	N/A		
Regional Taxes^{5,6,7}	\$1,175	\$0	\$864	\$2,039	\$0	\$51,246	\$0	\$51,246	\$49,207	\$49,207
Provincial Taxes^{8,9,10}	\$685	\$0	\$152	\$836	\$0	\$9,005	\$0	\$9,005	N/A	N/A
Total									\$112,341.81	
% of Tax Increment Year 1¹¹									100.00%	
Annual Grant Payment¹³									\$112,341.81	

This estimates the completed project being assessed at \$5,885,417 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 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 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	
CT	0.01980244	0.01980244	
IT	0.03001927	0.03001927	
RT	0.01141417	0.01141417	RT and NT
CT	0.01510633	0.01510633	
IT	0.02290025	0.02290025	
RT	0.00870732	0.00870732	RT and NT
CT	0.00880000	0.00880000	
IT	0.00880000	0.00880000	
RT	0.00153000	0.00153000	RT and 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	2026				
Grant Year 1	2026	100%	\$ 63,134.63	\$ 49,207.17	\$ 112,341.81
Grant Year 2	2027	100%	\$ 63,134.63	\$ 49,207.17	\$ 112,341.81
Grant Year 3	2028	100%	\$ 63,134.63	\$ 49,207.17	\$ 112,341.81
Grant Year 4	2029	100%	\$ 63,134.63	\$ 49,207.17	\$ 112,341.81
Grant Year 5	2030	100%	\$ 63,134.63	\$ 49,207.17	\$ 112,341.81
Grant Year 6	2031	100%	\$ 63,134.63	\$ 49,207.17	\$ 112,341.81
Grant Year 7	2032	100%	\$ 63,134.63	\$ 49,207.17	\$ 112,341.81
Grant Year 8	2033	100%	\$ 63,134.63	\$ 49,207.17	\$ 112,341.81
Grant Year 9	2034	100%	\$ 63,134.63	\$ 49,207.17	\$ 112,341.81
Grant Year 10	2035	100%	\$ 63,134.63	\$ 49,207.17	\$ 112,341.81
Total Estimate	Total Estimate		\$ 631,346.35	\$ 492,071.71	\$ 1,123,418.05



Subject: City of Port Colborne Official Plan – Mid-point Update to Council

To: Council

From: Planning and Development

Report Number: 2026-53

Meeting Date: March 24, 2026

Recommendation:

That Planning and Development Department Report 2026-53 be received; and

That Council endorse the Policy Directions Background Report attached hereto as Appendix A; and,

That Council direct Staff to continue to engage with departments, agencies, interested parties and the public on the proposed policy directions; and,

That Council direct Staff to continue the work necessary to prepare a draft of the New Official Plan for public consultation.

Purpose:

The purpose of this report is to provide an update on the work to date on the New Official Plan (“New OP”) and a summary of the Policy Directions Background Report to be used for the creation of the first draft of the City of Port Colborne New OP. At this stage, staff are seeking Council’s feedback to help identify additional stakeholders to consult and priority areas that should be addressed as the drafting phase begins.

Background:

The City is preparing a New OP that 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 New OP will establish a long-term vision for the City up to 2056. The City’s current OP, last consolidated in 2017, was approved by the Ontario Municipal Board in 2013 and planned growth up to 2031.

In August 2025, Dillon Consulting was selected as the successful proponent to work collaboratively with the City to prepare a New OP over approximately 12 months including the following:

- Phase 1 - Project Initiation and Visioning: Review of relevant background documents, a policy audit to identify gaps in the current OP and launch the project (complete).
- Phase 2 - Policy Directions: Analyzing key planning topics and developing high-level policy directions for the New OP framework (complete).
- Phase 3 - Draft Official Plan: Based on public engagement and Council directions on the recommendations in Phase 2, a complete “first draft” of the New OP will be prepared.
- Phase 4 Final Official Plan: Preparation and release of the public version of the New OP. This draft will be presented to Council at a statutory public meeting, as required by the *Planning Act*.
- Phase 5 - Approval of Official Plan: After Council adopts the New OP, it is submitted to the Ministry of Municipal Affairs and Housing for final approval.

The figure below shows the timeline.



Staff have reported updates to Council in September 2025 through [report 2025-193](#) and again in October 2025 in report 2025-207. Since the last update, staff and the Consulting team have completed a number of project milestones. Phase 1 and 2 are now complete. The Policy Directions Background Report presented with this report in Appendix A sets the policy foundation for drafting the New OP in Phase 3.

Discussion:

The Policy Directions Background Report presents the analysis of various policy themes, identifies gaps between the City's current OP and provincial legislation and policy, along with the relevant Niagara Official Plan considerations. This analysis is used to identify policy directions for a range of areas of importance for the City, including: growth forecast, growth management, natural heritage, water resources, agriculture, mineral aggregates and petroleum resources, cultural heritage and archaeology.

A brief summary of the recommended policy considerations from the Background Report is included in the following subsections. The full Policy Directions Background Report created by Dillon Consulting, is attached as Appendix A.

Policy Context

The *Planning Act* requires the City's OP to be consistent with the Provincial Planning Statement (PPS) and conform with any applicable provincial plans. Major new legislation from the Province and a new Niagara Official Plan (NOP) have impacted the rules and expectations for managing growth in Ontario.

- **Planning Act:** The governing legislation for land use planning in Ontario, setting the rules for how municipalities create and update their OP's and Zoning By-laws. Multiple bills introduced that are focused on building more homes and streamlining development approvals processes (Bill 108, Bill 109, Bill 23, Bill 185, Bill 17) have resulted in changes to the *Planning Act*. These changes are aimed at accelerating the construction of new homes and streamlining development approvals across the Province, which have changed the planning process for the City and must be considered in the New OP.
- **Provincial Planning Statement (2024):** The primary policy document setting the direction for land use planning in Ontario, as all planning decisions made by the City "shall be consistent with" the PPS. The province issued a new PPS in 2024, replacing the previous 2020 version and combining it with the Growth Plan (2019). The New OP must be consistent with the PPS (2024). Of particular relevance for the City's New OP are the policies that focus on population and employment forecasts, settlement areas and settlement area expansion, strategic growth areas, housing, employment and employment areas, efficient development approvals, infrastructure and facilities and the wise use and management of resources.
- **Niagara Official Plan (NOP, 2022):** This regional plan provides policy direction and guidance for growth to 2051 for the City's New OP. As Bill 23 removed the

Region's role as a planning approval authority, the City of Port Colborne absorbed the NOP, making the City the primary approval authority for Official Plan Amendments and development applications. These changes must be included in the New OP, as the NOP remains applicable through the City's planning and development approvals process, and should be used to inform planning decisions.

The New OP will provide an opportunity to chart a long-term path for sustainable growth that considers Port Colborne's unique local values, geographic strengths as well as social, environmental and economic development objectives.

The key findings in this section highlight that the City's current OP (2013, last consolidated in 2017) is outdated and does not reflect any of the recent legislative and policy changes. The preparation of the City's New OP will be guided by the need to conform with these policy changes, which have been taken into consideration to create recommended policy directions for the draft New OP.

Recommended Policy Directions

The pre-engagement program delivered a long-term vision for the City and a vision statement to be included in the New OP:

"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."

This vision and the current policy context have been used to create recommended policy directions to be considered in the New OP. The policy directions are organized thematically, under the following sections:

Growth Forecast

- The New OP should include updated 2056 population forecasts in order for the City to develop adequate infrastructure and housing to meet increased demand.

- The New OP should be based on a 2056 population of 29,130 people, 10,200 jobs and 12,735 housing units.
- The New OP should establish a growth planning monitoring framework.
 - Include policies to provide direction on monitoring land supply and servicing capacity, ground-related housing demand, strategic growth potential, infrastructure-first phasing.
- The New OP should contain strategic language acknowledging the potential for accelerated growth to ensure long-term infrastructure planning and economic development strategies are robust enough to accommodate upside potential generated by major investments.
- The City must align with the PPS (2024), which emphasizes planning for a full range of housing options. The urban/rural distribution of growth should be addressed in the next steps. Market demand is expected to return to historical patterns, including renewed demand for ground-related housing within urban settlement areas.
- Planning targets should be set to reflect City objectives, local conditions, and “various forms of intensification” including supply potential, infrastructure availability, market demand and availability and suitability of sites.
- The City should assess and update the Employment Areas to ensure the “designation is appropriate” to their planned function, best undertaken on a comprehensive city-wide basis.

Growth Management

- The growth management framework should be updated to include the new population forecasts, an intensification target of 30%, and a refined urban structure plan identifying strategic growth areas.
- While no residential expansion is needed, a strategic northward urban boundary expansion along the Welland Canal should be considered to offer more suitable land for industrial development to support additional economic development.
- The New OP should include updated infrastructure phasing policies for greenfield areas to align development timing with water/wastewater infrastructure planning.

Natural Heritage

- The New OP should 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.
- The City should carry forward the NOP policies that are denoted as “key climate change policies”.

- Rather than distinguishing between environmental protection and environmental conservation areas, the New OP should adopt an integrated natural environment system approach that better aligns with provincial and regional policies.
- The New OP should include policies focused on protecting, maintaining and enhancing an expanded scope of natural heritage features and areas from development.

Water Resources

- The New OP should adopt Regional source water protection policies to ensure that it is compliant with the *Clean Water Act* and implements the policies of the Source Protection Plan.
- The City should introduce policies that formally adopt the watershed planning hierarchy from the NOP.
- Draft an overarching policy framework aligning with the PPS, that explicitly links the management of water resources, natural hazards, and stormwater systems to climate change adaptation.
- Stormwater policies should be updated to include integrated stormwater management master plans for new development areas, mandating the use of Low Impact Development (LID) and green infrastructure.
- The New OP should carry forward the intent of the current OP's general water protection policies that restrict development from negatively impacting water quality and quantity.
- Update the City's mapping schedules to identify the water resource system, including significant groundwater recharge areas and highly vulnerable aquifers.

Agriculture

- The City should ensure agricultural policies are consistent with the PPS (2024), acknowledge the differences between agricultural, agriculture-related and on-farm diversified uses, and include and promote agri-tourism, urban, and near-urban agricultural activities.
- The New OP should carry forward the PPS (2024) and NOP policies prohibiting the removal of prime agricultural lands by planning authorities unless it is for the purpose of expanding or identifying settlement areas.
- New policies that require agricultural impact assessments (AIAs) for non-agricultural development proposed or adjacent to agricultural areas should be included within the New OP.
- The New OP should update policies to minimize land use conflicts between agricultural and non-agricultural uses by using buffers and separation distances.
- The New OP should include permissions for additional dwelling units on agricultural properties.

Mineral and Petroleum Resources

- A new set of policies is needed to facilitate the protection of aggregate resources for long term extraction.
- The New OP should include policies to address the proper plugging or capping of abandoned petroleum wells and safety in the event of their discovery during proposed development.
- New policies for the protection of petroleum resources are needed.

Cultural Heritage and Archaeology

- The New OP should consider the “Welland Canal National Heritage Corridor”, including a policy framework celebrating and protecting the canal’s national significance, including archaeological potential, marine industrial design, standards for municipal work, and viewshed protection.
- The New OP should carry forward regional archaeological potential policies and update municipal mapping.
- The City should explore the inclusion of policies that would require a Cultural Heritage Impact Assessment (CHIA) for development proposed on/adjacent to identified cultural heritage resources.
- The New OP should include explicit and robust policies regarding First Nations and Indigenous consultation on archeological potential and findings.
- The New OP should develop and implement proactive strategies for conserving built-heritage resources and cultural heritage landscapes.

All of the suggested policy directions are to be considered in drafting the New OP along with feedback received from stakeholders, the public, staff and Council. The first draft of will be prepared in Spring 2026, with the goal of having a version available for public review by late Spring/early Summer 2026.

Internal Consultations:

The City's Planning Department and Dillon Consulting held an internal staff/stakeholder workshop in November 2026 with staff from Development Services, Economic Development, Recreation/Tourism and Public Works. Feedback received included the following:

- The importance of marine industrial development/redevelopment opportunities along the Welland Canal (ensuring there is a sufficient supply of serviced and available lands to capitalize on future growth opportunities).
- There is an opportunity to align parks standards / parks and recreation master plan through new policies.
- Servicing improvements underway in the East Side Employment Lands are significant and will help to position the City for future economic development.

- There are wet weather flooding issues on the west side that are being addressed by the City. A number of other servicing improvements will be needed to support new proposed residential greenfield development elsewhere.
 - The OP should support more opportunities for value-added agricultural development but also needs to provide guidance for new larger scale rural development (e.g. servicing constraints).
-

Financial Implications:

There are no new financial implications associated with this report. Funding for the OP review was included in the 2024 and 2025 Capital Budgets and approved by Council. The OP review was also included as an eligible project in the City's new Development Charge (DC) By-law and therefore a portion of the costs of the OP review can be recovered from future DC revenues.

The New OP project is linked to the City's Housing Accelerator Fund (HAF) through Initiative 2 (Climate Adaptability Plan Integration) and Initiative 7 (Infill Development and Housing Density). A date change request was approved for these initiatives by CMHC to reflect the New OP project schedule. Completion of the New OP project within the identified timeframe is critical to ensure the City remains compliant with the Contribution Agreement and HAF program requirements. There is a risk that the final installment of HAF funding will not be remitted to the City if these conditions are not achieved.

Staff will work with the consultants retained for the New OP project to minimize project slippage and find efficiencies where possible.

Public Engagement:

Public engagement in the official planning process is required under provincial legislation. Supported by Dillon Consulting, the City has implemented a robust engagement plan that exceeds the legislated requirements.

A "pre-Official Plan" engagement program was formally initiated with a Special Council Meeting on August 8, 2024, to gather initial ideas for the policy framework and establish a community vision. The preliminary phase of consultation was detailed in the Preliminary Engagement and Work Planning for the New Official Plan Summary Report to Council (August 2024). In general, the first round of consultation identified the community's priorities including enhancing green spaces, protecting source water, managing growth, promoting economic development, and preserving community design. The feedback from the pre-Official Plan engagement program led to the draft vision statement presented earlier in this report.

The second round of consultation took place in February 2026 to solicit feedback on the City's long term vision for managing growth, infrastructure, land use, development and environmental protection through 2056. City Staff and consultants spoke with approximately 70 people at the two in-person open houses.

In addition to the above, the project website included an online feedback form. To date, five (5) submissions have been received through the website.

City staff have also met with stakeholders including the Masonry Council of Ontario, the Westport Gardens Residents Group and have received correspondence from the Tourism Partnership of Niagara (Appendix B).

A brief summary of the feedback received as part of Phase 2 includes:

Growth and Infrastructure Management

- Residents expressed a need for improved traffic control in the existing urban area, particularly on Highway 58 and Killaly Street East.
- Some residents expressed a desire for improved/expanded public transit, especially on the east side. It was noted that the opportunity for additional population and housing growth should help improve opportunities for future transit expansion.
- Some residents expressed concerns over existing stormwater flooding issues in the built-up area and the need for the City to continue improve existing infrastructure (balance priorities between existing residents needs and future system expansion).

Housing Options and Affordability

- Residents expressed a mix of opinions regarding housing needs. Some residents support increasing the diversity of housing options such as more townhomes, mid-rise apartments and accessory dwelling units, while others requested more affordable single-family homes.
- One landowner requested the City consider an expansion in the Hamlet of Gasline to add land for rural residential housing options.

Environmental and Waterfront Preservation

- Protecting source water, natural heritage systems, and the shoreline are top priorities.
- Residents expressed a desire for improved public access to the waterfront and improvements to the marina.
- One resident expressed concerns over the safety and security of rural source water and requested the OP's source water protection framework be expanded to address rural source water protection.

- There was also feedback to ensure the natural heritage system accurately reflects the most of up-to-date mapping of natural heritage features.

Economic Development

- Feedback includes a desire for more diverse local businesses, such as a grocery store on the east side and a variety of restaurants.
- There is also interest in more community gathering spaces, festivals, and recreational activities for all ages and making improvements to the waterfront.
- Increase opportunities for tourist accommodation.
- Ensure infrastructure is in place to support existing and future economic development opportunities.
- The City received a letter from a landowner to consider urban boundary / settlement area expansion to convert rural employment uses to urban industrial uses in the vicinity of the East Side Employment Lands.

Agricultural

- There is support for modernizing OP policies to better support "farm diversified uses" like seasonal events, farm stands, and markets to help these businesses thrive.

In addition to the above, the City has initiated engagement with Indigenous partners including:

- Six Nations of the Grand River
- Mississaugas of the Credit with a meeting scheduled for late March, 2026
- Fort Erie Native Friendship Centre
- Haudenosaunee Development Institute.

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:

Dillon Consulting's Policy Directions Background Report presents the analysis of various policy themes, identifies gaps between the City's current OP and provincial legislation and policy, and identifies relevant Niagara Official Plan considerations. Based on the Background Report and feedback from stakeholders, the public, staff, and Council, the project will move into Phase 3 and a full draft of the New OP will be prepared in Spring 2026. A version available for public review is planned to be available by late Spring/early Summer, 2026. The next round of engagement is anticipated to occur the first week of June 2026.

Appendices:

- a. Policy Directions Background Report
- b. Tourism Partnership of Niagara Written Comments

Respectfully submitted,

Kelly Martel, MCIP, RPP
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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.



PORT COLBORNE

Official Plan Policy Directions Report

February 2026



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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 ingredients¹ (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 2024². 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.

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 documents 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 establishes 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 the 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).

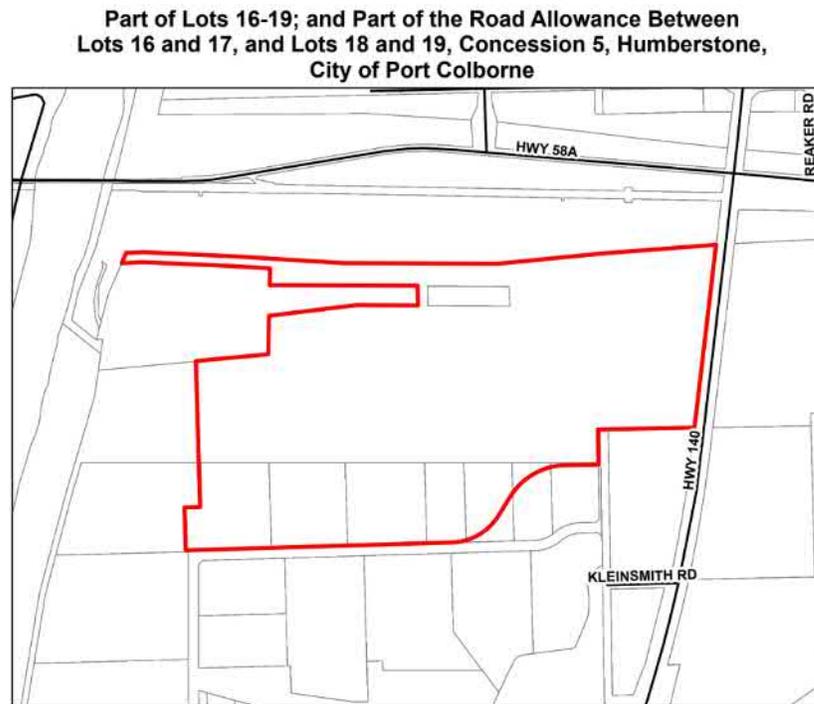


Figure 3-1: Key Map for the Ministers Zoning Order for the Asahi Kasei plant

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)

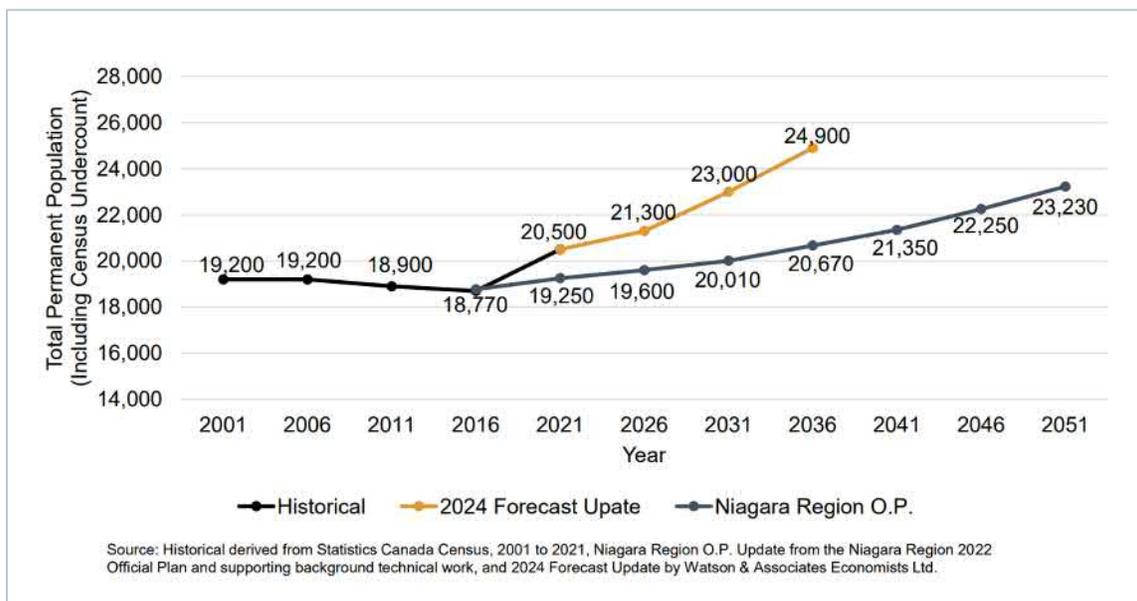
As noted, forecasts to 2056 and 2061 are also provided for consideration in the Official Plan review and to take into consideration PPS (2024) direction on planning for long-term employment and infrastructure beyond the traditional 30-year period (2.1.3). The MOF projections are pro-rated beyond 2051, 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.

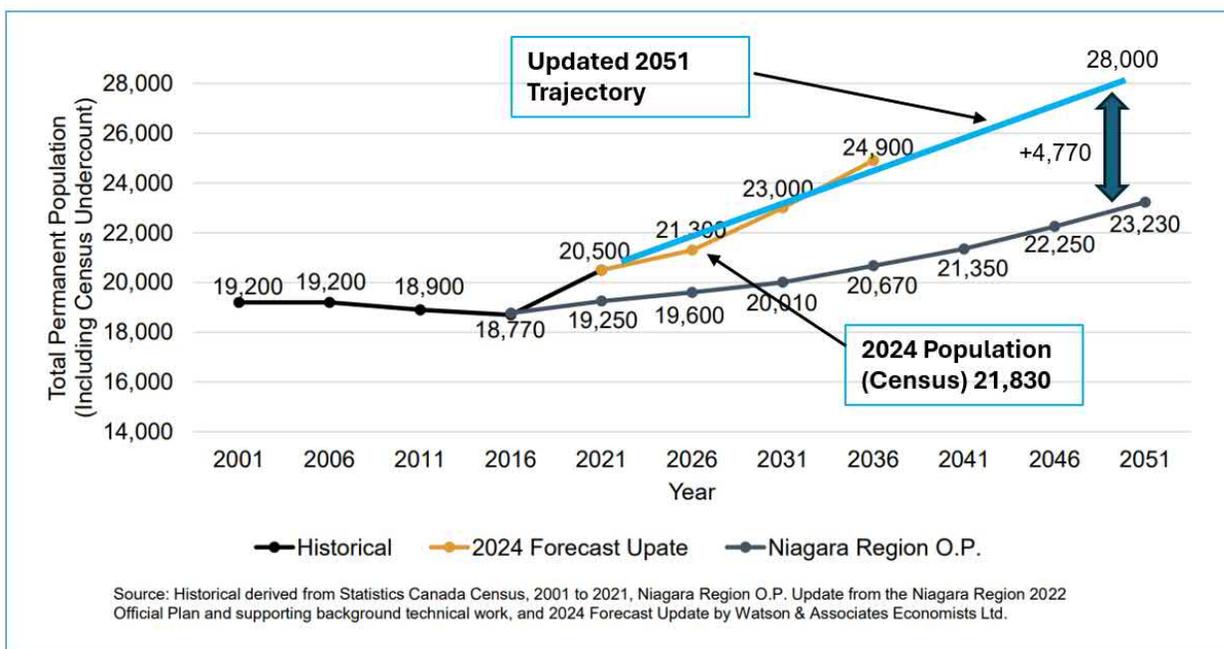
Figure 3-2: Population Forecast, City of Port Colborne - 2021 to 2036



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



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.

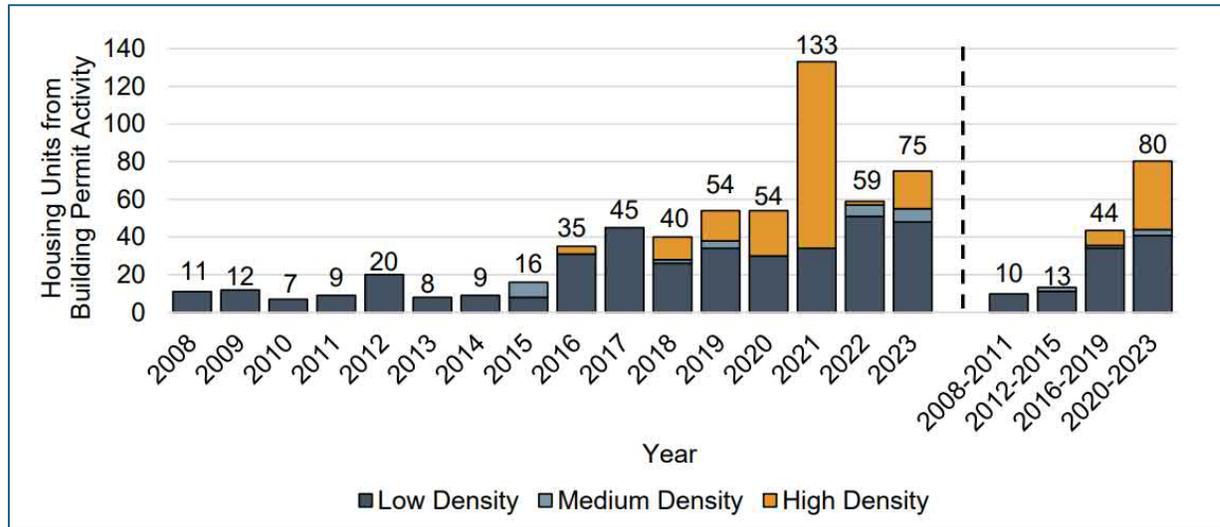
Planned transportation infrastructure investments, particularly year-round daily GO Rail service to Niagara, will further integrate the Region with the GTHA, improving accessibility and commuter travel, and, in turn, raising the market appeal of all communities within Niagara including the City of Port 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

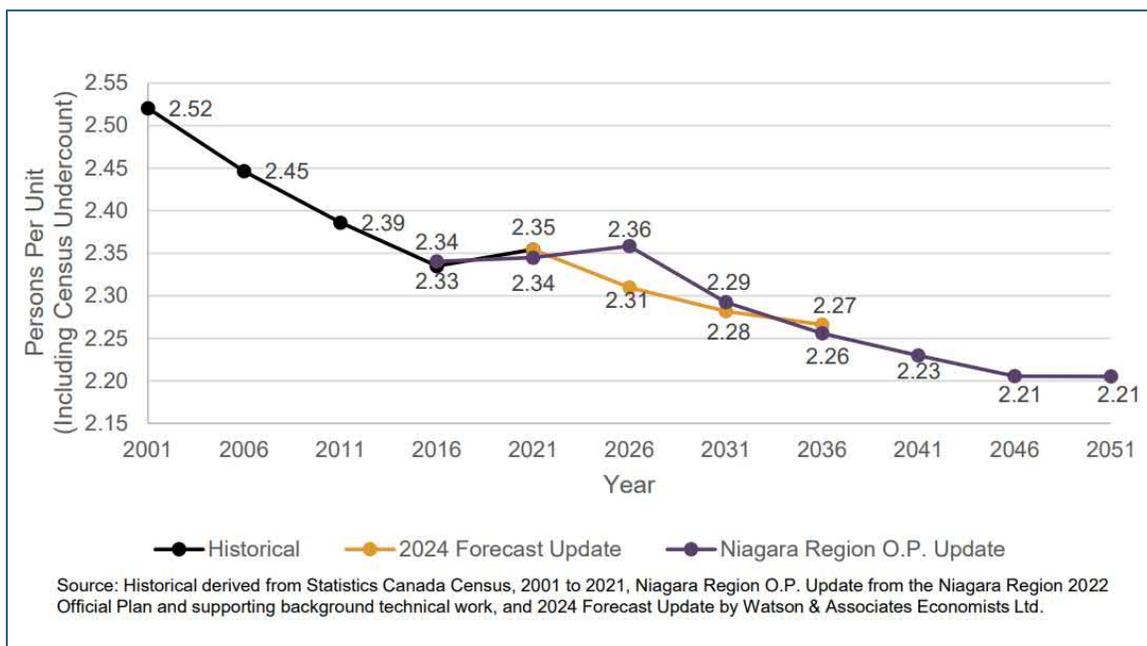
Year	Total Housing Units
2051	12,160
2056	12,735
2061	13,310

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



More recently, there is some evidence that PPU's may be stabilizing, primarily due to delays in adult children leaving home. Another factor stabilizing PPU's 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 battery plant 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.

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 areas¹².

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,

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)

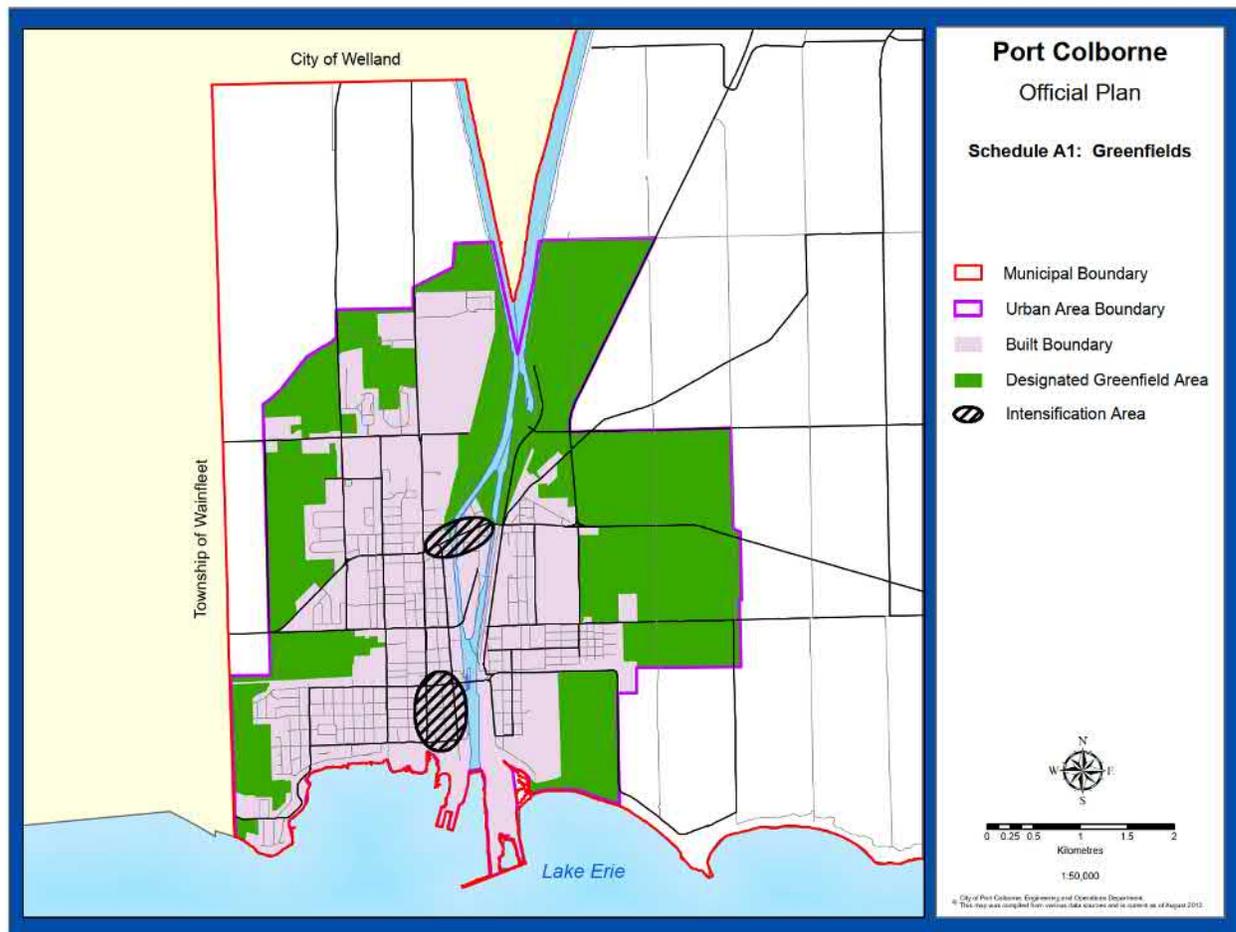
The City's municipal land area is approximately 12,410 gross hectares. The City's Urban Area comprises approximately 19% (2,387 gross hectares) of the total municipal land area, with the three hamlets of Gasline, Sherkston and Bethel comprising a further 340 gross hectares. Combined, the City's Urban 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 cycle¹⁵. **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 Assumptions¹⁶

Density Assumption	Units per 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
<ul style="list-style-type: none"> • 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. 	<ul style="list-style-type: none"> • 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
<ul style="list-style-type: none"> 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 drawn 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 it is 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 uses¹⁷. 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.

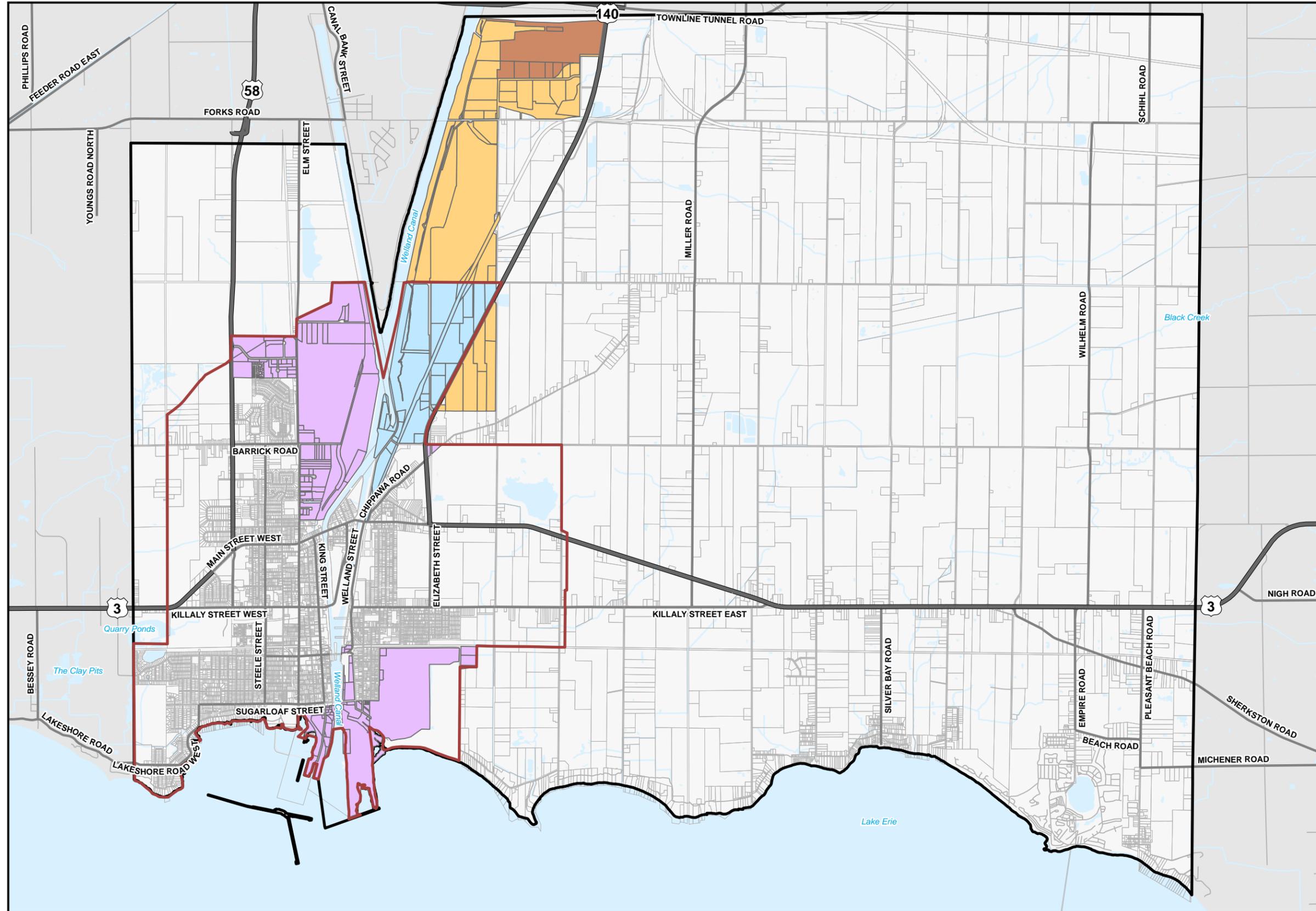
¹⁷ The lands designated as Gateway Economic Centre in the City's Official Plan are part of a broader network of lands in Port Colborne, Welland, Niagara Falls, Thorold, Fort Erie that were identified in the Growth Plan for the Greater Golden Horseshoe to promote cross border trade and tourism opportunities.

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

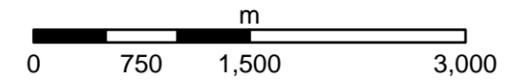
Figure 4.2 Designated Employment Areas



- Municipal Boundary
- Urban Area Boundary
- Gateway Economic Centre
- Industrial / Employment Area
- Rural Employment
- Rural Employment - MZO - Project Eagle

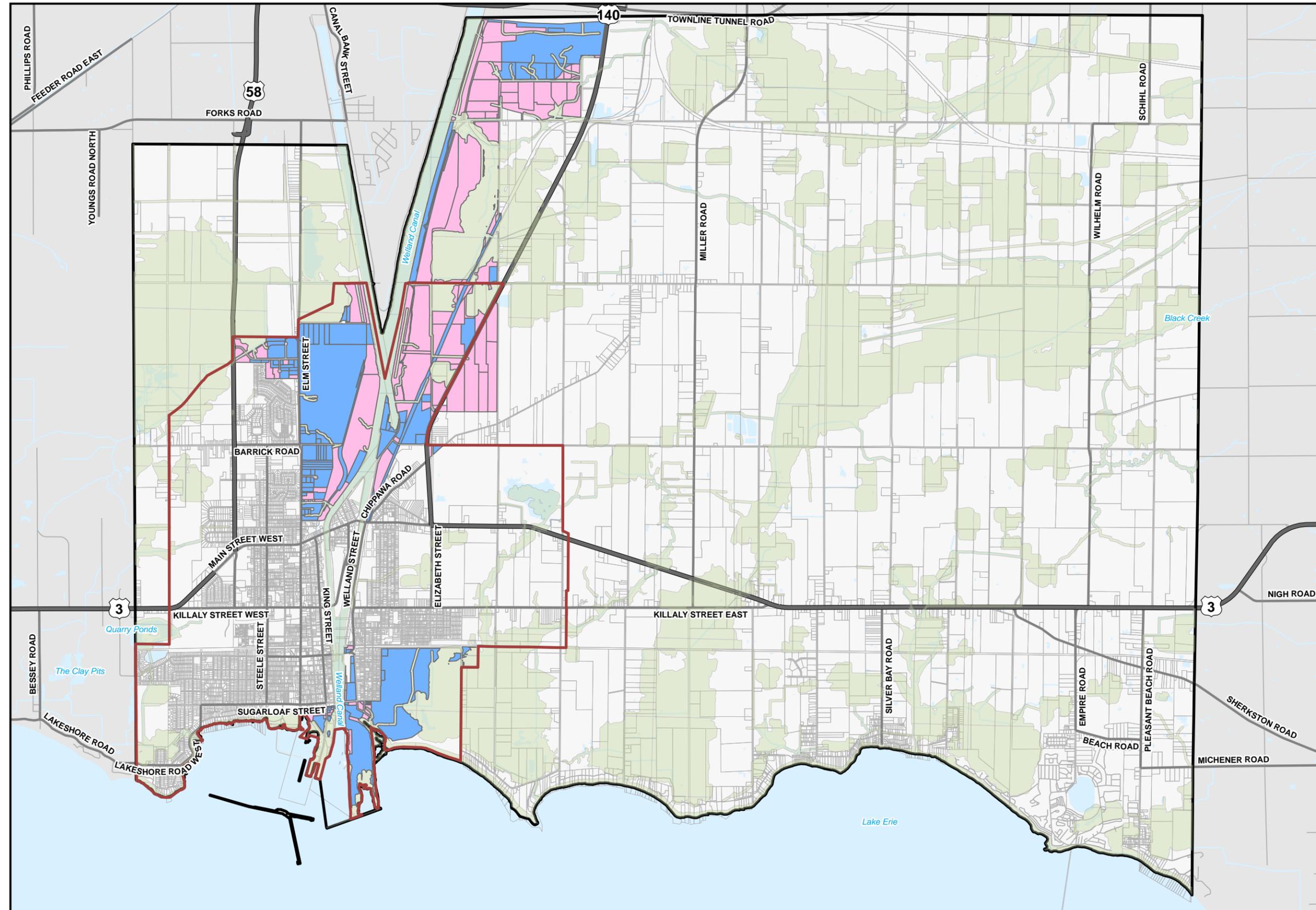


Map Prepared by: PFM
Dillon Consulting Limited
Map Checked by: PK
Dillon Consulting Limited
February 13, 2026
Scale 1:50,000

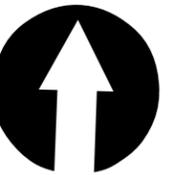


CITY OF PORT COLBORNE NEW OFFICIAL PLAN

Figure 4.3 Employment Areas, Vacant vs. Occupied



- Municipal Boundary
- Urban Area Boundary
- NPCA Regulated Area
- Development Status
 - Occupied
 - Vacant



NORTH

Map Prepared by: PFM
Dillon Consulting Limited
Map Checked by: PK
Dillon Consulting Limited

February 13, 2026

Scale 1:50,000

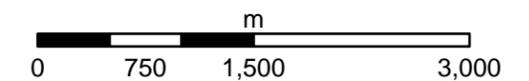


Table 4-10: Supply of Employment Lands, Vacant and Occupied Lands

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 hectares¹⁸. 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 underserved 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 be the 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.

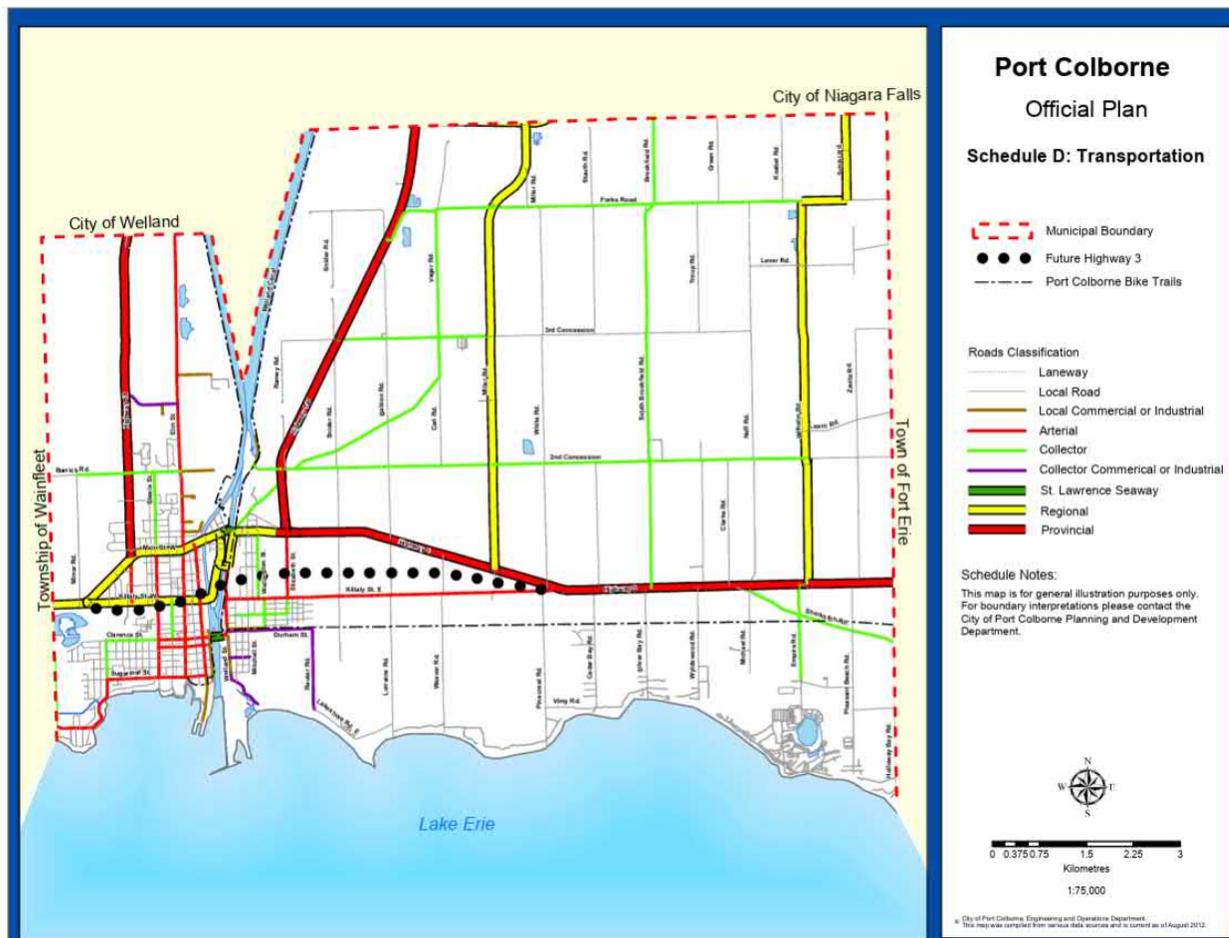
4.6.1.4 Port Colborne Official Plan (2013)

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.

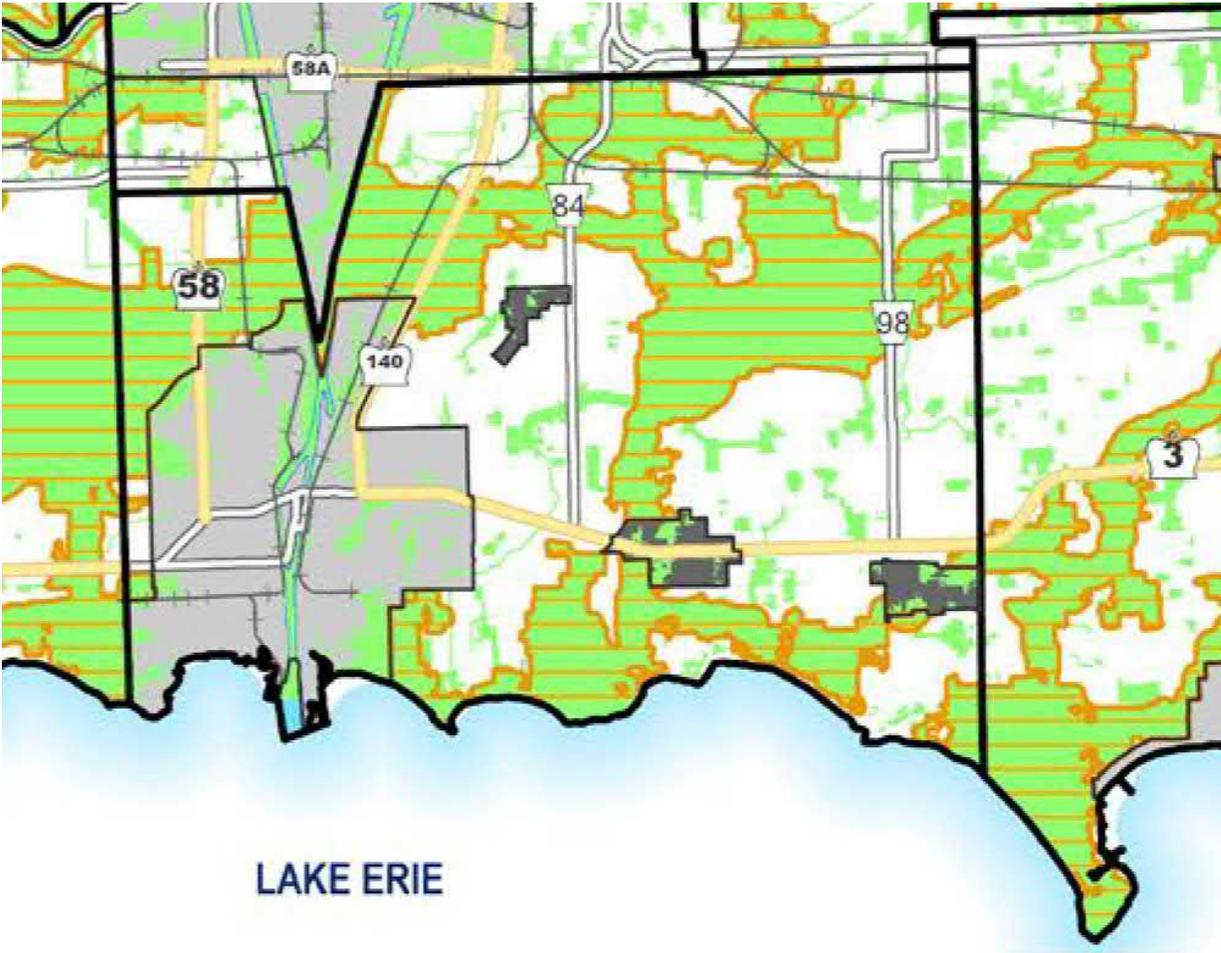
The Region's natural heritage system (referred to as the Natural Environment System) distinguishes between lands covered by Provincial Plans and lands outside of Provincial plan areas. The City of Port Colborne is not located within the Greenbelt Plan Area or the Niagara Escarpment Plan Area, accordingly 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 alteration 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.

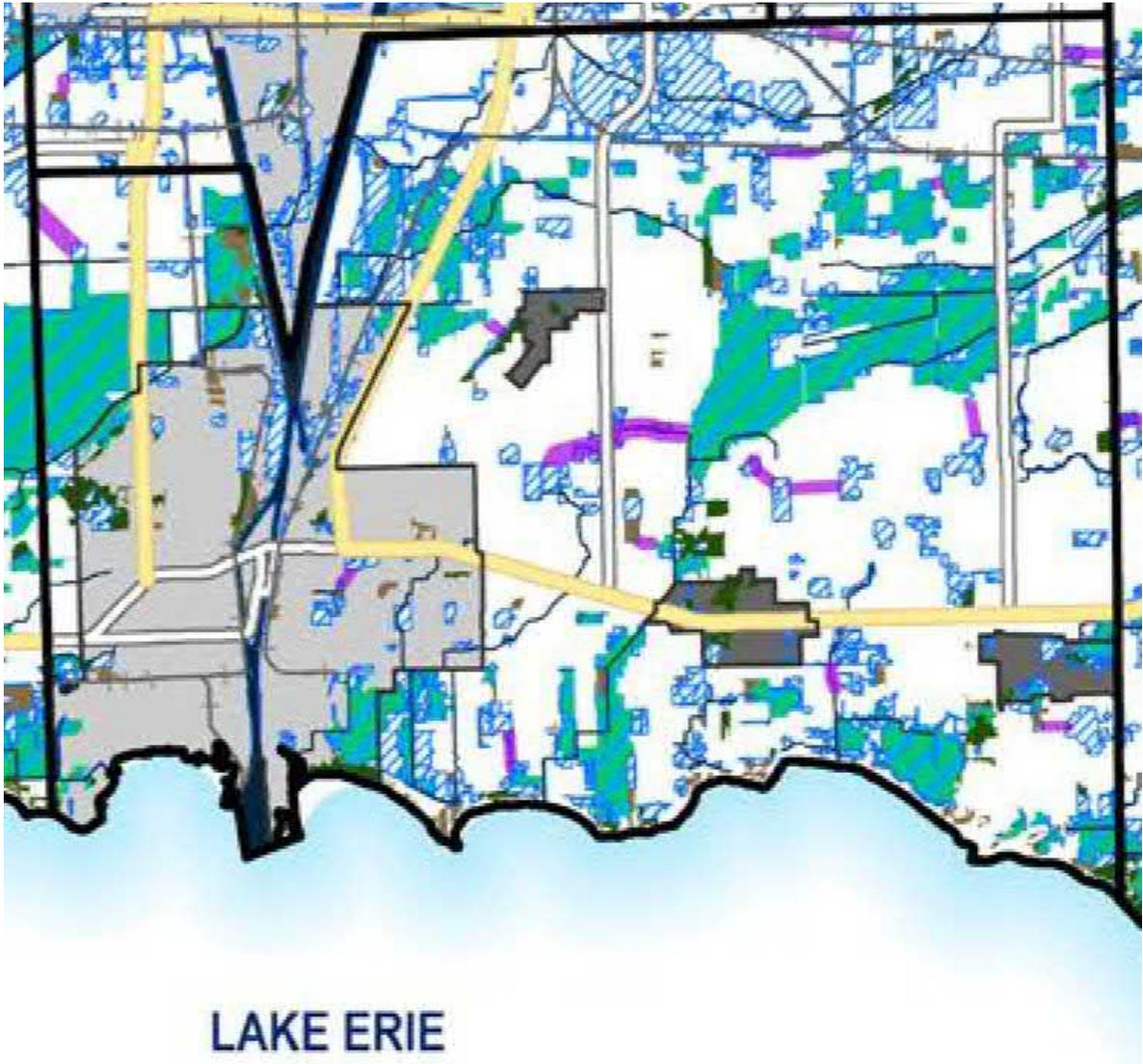
Figure 5-1 on the following page provides an extract of the NOP's natural heritage system overlay clipped to the City's limits. **Figure 5-2** illustrates the individual features that comprise of NOP's natural heritage system within the City of Port Colborne.

Figure 5-1: Extract of NOP Schedule C1, Natural Environment Overlay



SCHEDULE C1 - LEGEND	
	Natural Environment System Overlay
	Growth Plan Natural Heritage System
	Greenbelt Plan Natural Heritage System
	Urban Areas
	Rural Settlements

Figure 5-2: Extract of NOP Schedule C2, Natural Environment System, Individual Features



LAKE ERIE

SCHEDULE C2 - LEGEND	
	Linkages
	Life Science ANSI
	Earth Science ANSI
	Significant Woodlands
	Other Woodlands
	Other Wetlands and Non Provincially Significant Wetlands
	Provincially Significant Wetlands
	Permanent and Intermittent Streams
	Inland Lakes
	Urban Areas
	Rural Settlements

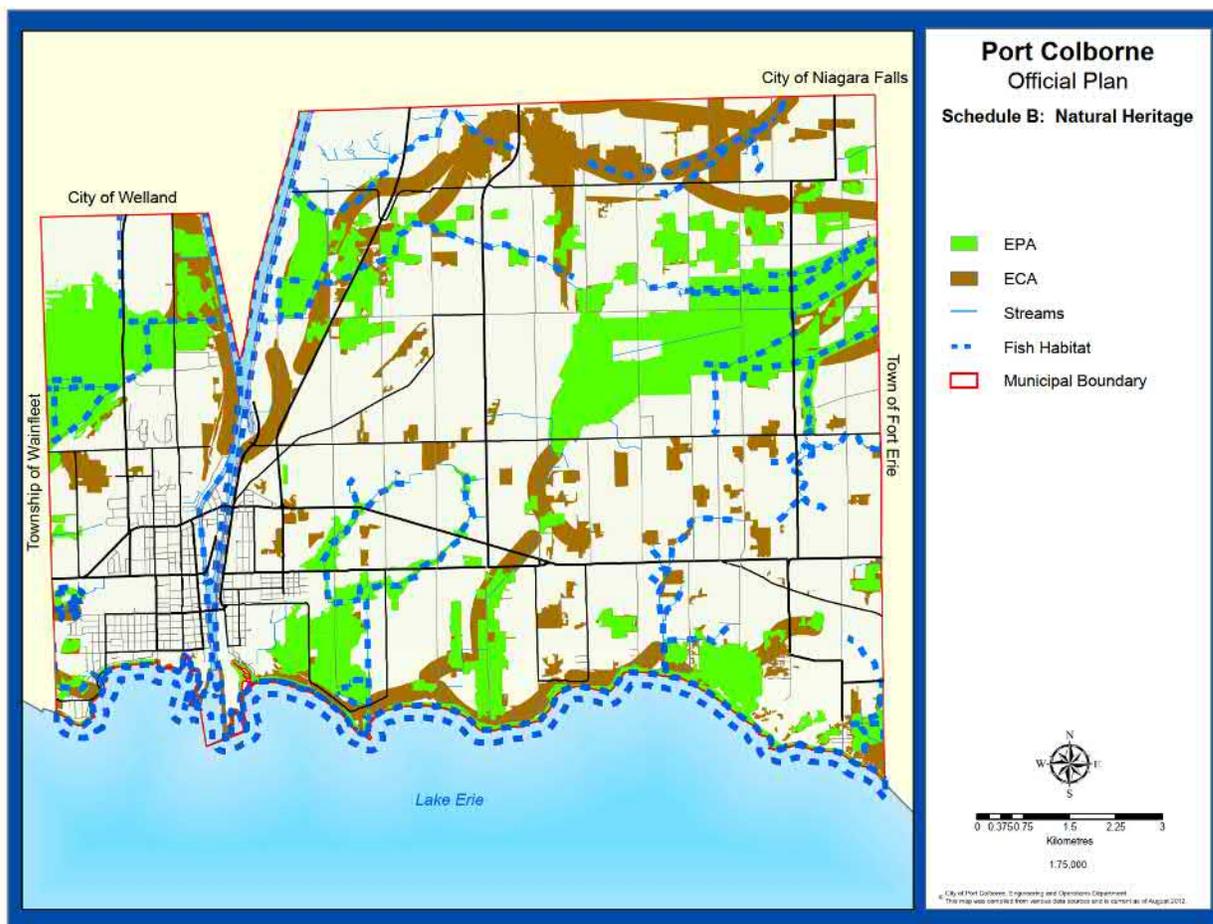
The Regional Official Plan also contains “key climate change policies”. These policies are intended to reduce greenhouse gas emissions and increase resilience, further integrating climate change into regional operations and services. Among the key climate change policies within Section 3.1 are policies 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 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.

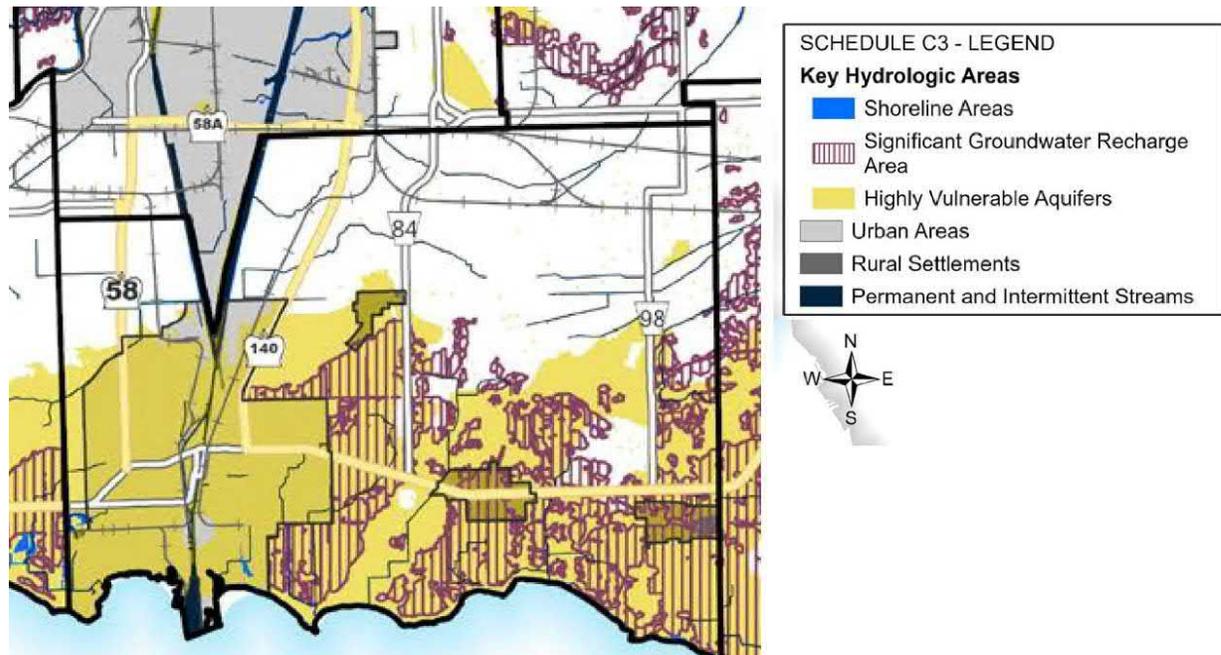
Additionally, it introduces a stronger, more direct link between water management and climate change, which requires municipalities to prepare for the impacts of a changing climate that may increase risks associated with natural hazards like flooding and erosion (5.2.4).

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:

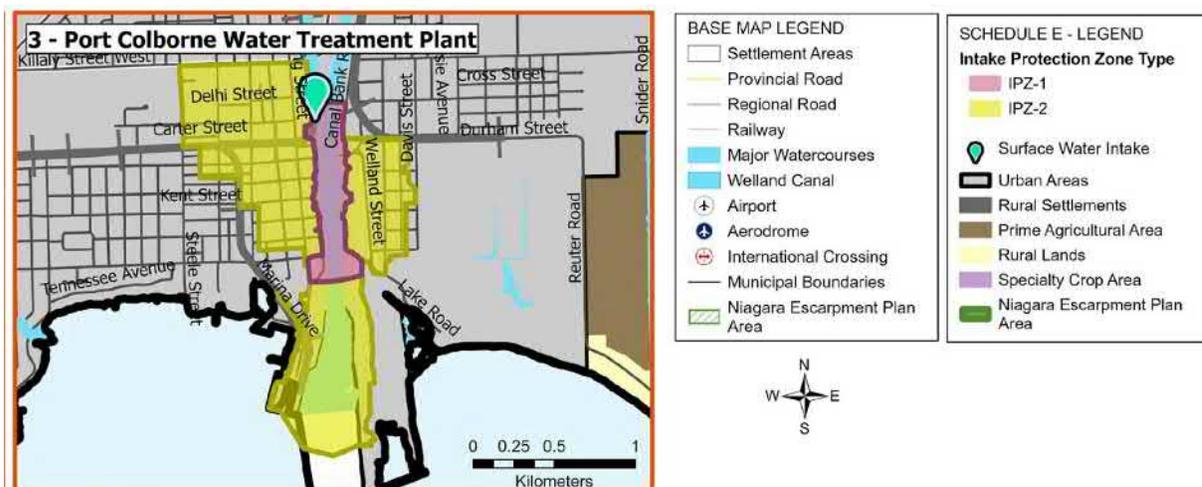
- **Water Resource System Mapping:** The NOP integrates the Water Resource System directly into its "Natural Environment System." Schedule C3 (Key Hydrologic Areas Overlay) of the NOP identifies key features such as Significant Groundwater Recharge Areas and Highly Vulnerable Aquifers that must be protected. **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)

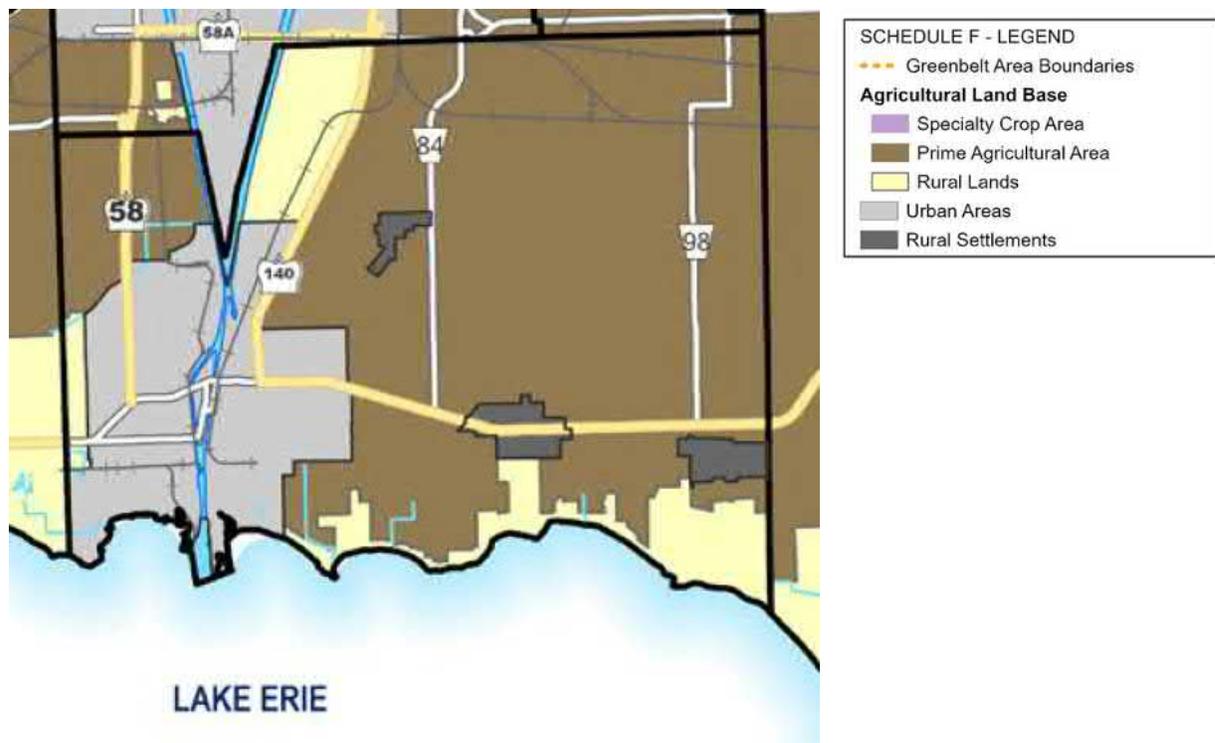
The NOP takes the agricultural systems approach set out in the PPS (2024) and takes it further by acknowledging the connection between the region's agricultural and natural environment. The NOP also notes the contributions of these systems to the region's resilience and ability to adapt to climate change. 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, speciality crop areas and prime agricultural areas and seeks to minimize conflicts between agricultural and non-agricultural uses by preventing their location in speciality 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 speciality 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:

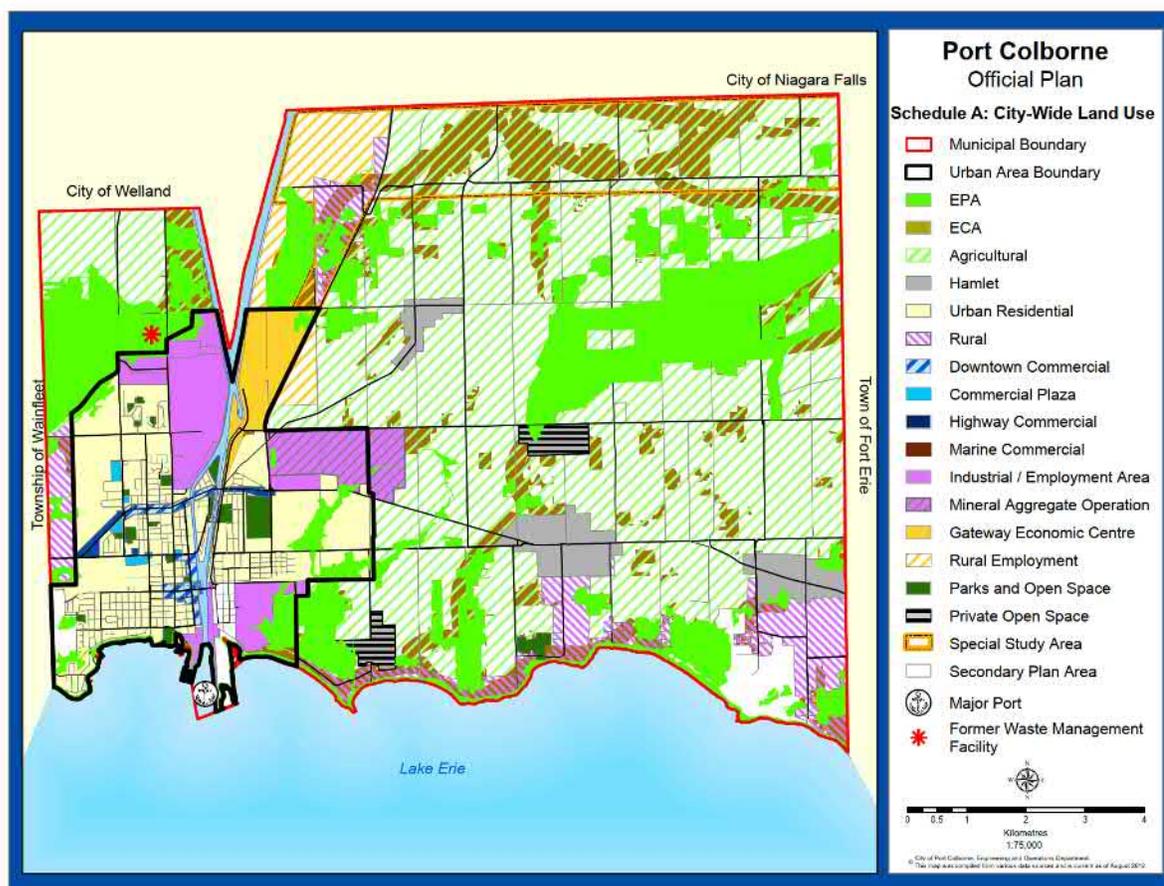
- **Agricultural uses:** growing of crops or raising of livestock, raising of other animals for food or fibre, aquaculture, apiaries, agro-forestry, maple syrup production and associated on-farm buildings and structure.
 - Examples: cropland, pastureland, barns and other associated buildings and structures.
- **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 that 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 its 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.

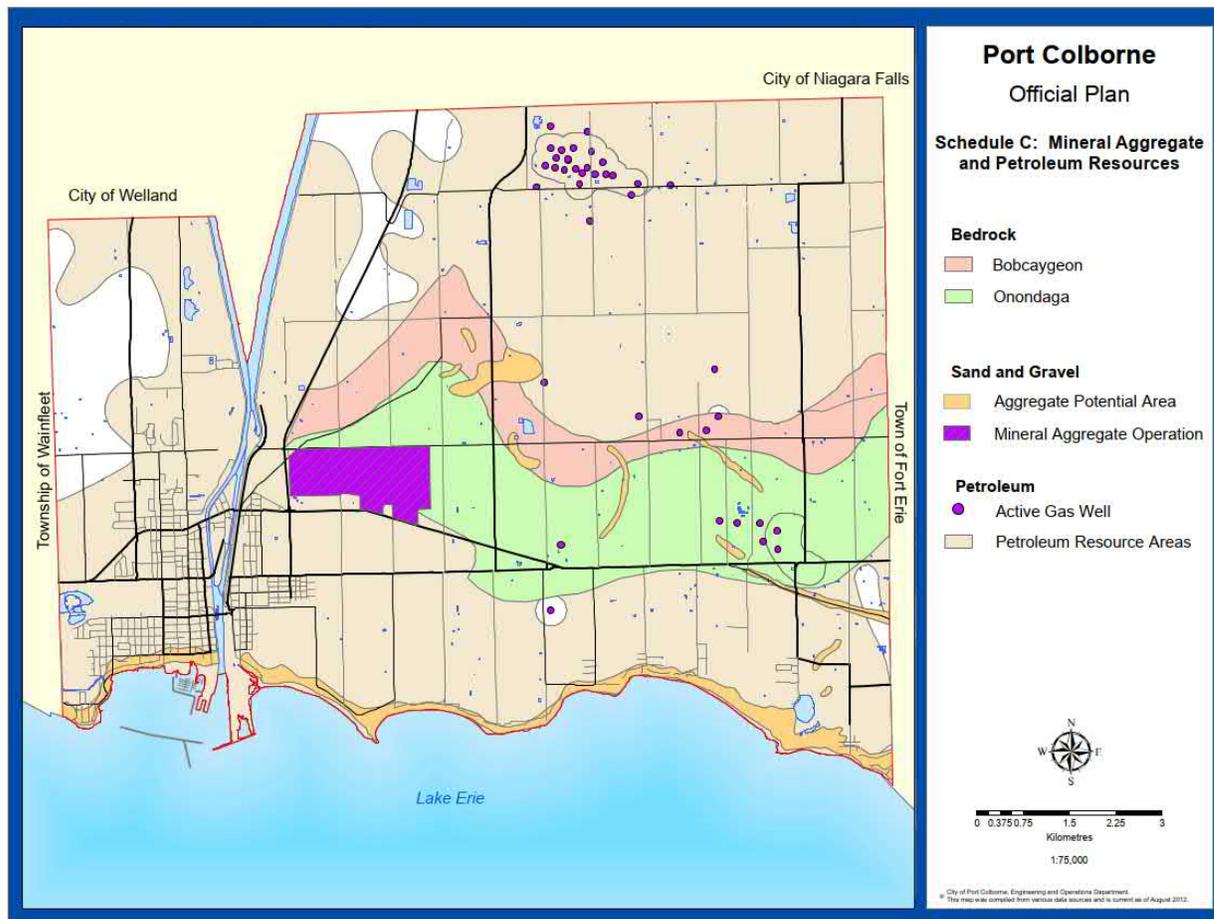
8.4 Policy Gaps, Emerging Issues and Opportunities

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.

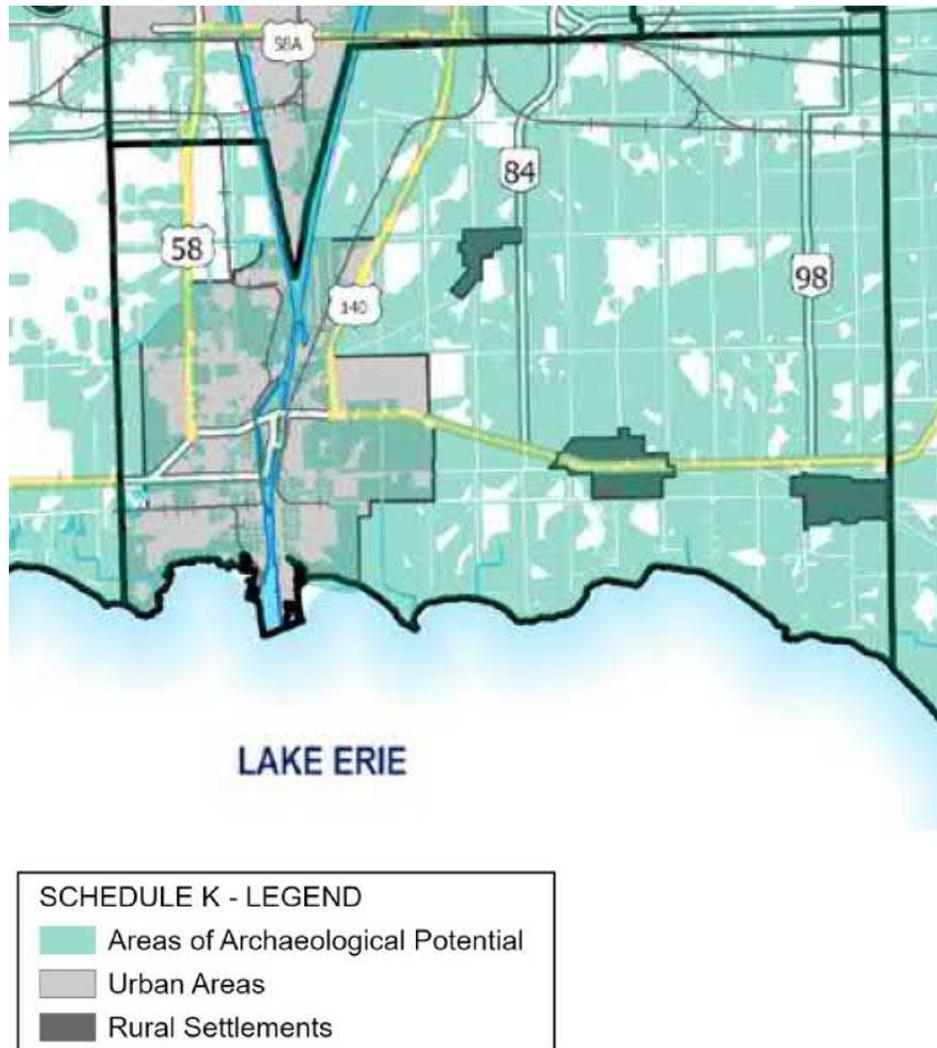
9.2.2 Archaeology

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.



March 6, 2026

Kelly Martel
Manager of Planning
City of Port Colborne
66 Charlotte Street
Port Colborne, ON L3K 3C8

Re: Tourism Considerations in the Development of the City of Port Colborne Official Plan

Dear Ms. Martel,

On behalf of **Tourism Partnership of Niagara (TPN)**, I would like to thank the City of Port Colborne for the opportunity to provide input into the development of the City's new Official Plan.

TPN is the provincially recognized Regional Tourism Organization (RTO2), representing Niagara's globally regarded tourism economy. Our mandate is to facilitate growth in visitation and tourism-related economic activity across the Niagara Region through strategic destination management - marketing, product development, and workforce support while attracting infrastructure and initiatives that increase accessibility to our communities and experiences.

Tourism is one of Niagara's most significant economic drivers, supporting more than four thousand businesses, 36,000 jobs and contributing more than \$3.8 billion in visitor spending annually across the region. While international attractions are often the most visible component of the industry, the strength of Niagara's tourism economy is built upon a diverse network of communities that together create a compelling and complete destination. Communities such as Port Colborne play an essential role in delivering the authentic experiences, outdoor recreation, cultural assets, and rural character that increasingly motivate travel decisions.

Visitor research conducted by Tourism Partnership of Niagara and our partners consistently shows growing interest in experiences beyond the core urban centres of the region. Travellers are seeking access to waterfronts, trails, heritage main streets, agricultural landscapes, cycling routes, and small-town experiences that offer a strong sense of place. Port Colborne's waterfront location on Lake Erie, connection to the Welland Canal, vibrant downtown, and proximity to rural and natural assets position the city well to benefit from these trends.

TPN's regional visitor data also demonstrates that dispersal of visitors across Niagara contributes to longer stays and greater overall economic impact. When travellers explore multiple communities within a destination, they are more likely to extend their visit, participate in additional activities, and support a wider range of local businesses. Planning policies that enable tourism development and enhance visitor

5741 RIVER RD
NIAGARA FALLS, ON
L2G 3K9

experiences in communities such as Port Colborne therefore contribute directly to the overall strength and competitiveness of Niagara's tourism economy.

In addition, the recently released Destination Niagara Strategy provides a shared regional vision to position Niagara as *Ontario's Playground*, with a long-term objective of increasing visitation, extending length of stay, and growing the overall economic impact of tourism across the region. Achieving this vision will rely on strong participation from municipalities throughout Niagara, including communities such as Port Colborne that offer distinctive waterfront, cultural, and rural experiences. Alignment between local planning frameworks and the broader regional tourism strategy will help ensure that communities are well positioned to benefit from future tourism investment, product development, and visitor growth.

As the City advances its new Official Plan, we encourage consideration of policies that:

- Recognize tourism as a strategic economic sector and support compatible tourism-related land uses.
- Protect and enhance waterfront access, cultural assets, heritage districts, and natural landscapes that contribute to the visitor experience.
- Support active transportation networks and trail connectivity, including cycling infrastructure that links Port Colborne with the broader Niagara region.
- Enable appropriate tourism accommodations, attractions, and experiences that align with the community's character and quality of life.
- Encourage place-making and downtown vitality initiatives that strengthen Port Colborne's role as a destination within Niagara.

Tourism Partnership of Niagara supports the City's efforts to position tourism as a component of sustainable economic development and community vitality. We would welcome the opportunity to continue collaborating with City staff as the Official Plan evolves and as more detailed policy directions are developed.

Thank you again for the opportunity to contribute to this important planning process.

Sincerely,



Darryl MacMillan
Executive Director
Tourism Partnership of Niagara

5741 RIVER RD
NIAGARA FALLS, ON
L2G 3K9



Subject: Port Colborne Bocce Club Loan Agreement

To: Council

From: Recreation and Tourism Department

Report Number: 2026-46

Meeting Date: March 24, 2026

Recommendation:

That Recreation and Tourism Department Report 2026-46 be received; and

That Council approve the Bocce Club Loan Agreement, attached hereto as Appendix A, between the City of Port Colborne and Port Colborne Bocce Club INC. for the purposes of installing new turf courts in place of existing gravel courts at the club; and

That the agreement by-law be brought forward for Council's consideration.

Purpose:

This report seeks Council approval for the City of Port Colborne (the City) to enter into a loan agreement with the Port Colborne Bocce Club Inc. (the Bocce Club) to install new turf courts at the Vale Health and Wellness Centre to replace the existing gravel courts.

Background:

The Bocce Club has a longstanding history of nearly 40 years in Port Colborne and has been operating out of the Vale Health and Wellness Centre since 2013 at which time the club signed a 20-year lease agreement. The leased space has 6 gravel base bocce courts, a multi purpose room and kitchen. The Bocce Club offers men's, women's and mixed leagues and has over 384 members. The Bocce Club is also a large supporter of local Special Olympics athletes and Community Connect Port Colborne.

The City has supported several groups and sports clubs with financial support to improve and expand their amenities over the years, in line with the terms proposed in this report for the Bocce Club.

Discussion:

The Bocce Club executive board has researched the idea of replacing the current gravel courts to turf courts for a number of reasons. First, turf courts will expand the operating season as factors such as water, pooling and wash outs are less likely to impede programming. Once installed the courts will require less weekly maintenance and help reduce maintenance costs. The turf courts will also allow for a more consistent playing surface across all courts. With these factors in mind, the club is looking to replace all gravel courts with turf courts before the 2026 league season.

The Bocce Club can fund part of the project through reserves, donations and new sponsorships and grants. However, there is a funding gap and the Bocce Club is requesting the City a \$60,000 loan from the City to cover the remaining costs of the project. Through consultation with the Bocce Club, it was determined they would be able to repay the City the loan over a 5-year period.

The investment into the turf court shows the long-term commitment of the Bocce Club remaining as an active tenant at the Vale Health and Wellness Centre and continuing its active partnership with the City. The Bocce Club has also indicated that with increased court availability, it will offer free court time to local schools and seniors' groups.

The proposed loan from the City is in line with support provided to other sports clubs and community groups to expand and improve sports and recreation amenities and supports the City's strategic goals for a healthy, vibrant community. Strong partnerships with volunteer groups such as the Bocce Club help to strengthen and expand the variety of recreational activities available to the residents of Port Colborne.

Internal Consultations:

The City's Finance Department was consulted on loan rates and options and provided a loan payment amortization schedule.

Financial Implications:

Under the current proposal, the Bocce Club would borrow \$60,000 from the City and would be charged an annual interest rate of 6.45%. The Bocce Club would be responsible for making annual payments of \$14,419 which covers both the principal and interest on the loan.

Consistent with the City's own practice of internal borrowing, the proposed interest rate is equal to bank prime plus 2% (with bank prime being 4.45% at the time of this report). This interest rate ensures that the City would earn a comparable rate of return on this loan as it would if these funds were invested.

Strategic Plan Alignment:

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

- Sustainable and Resilient Infrastructure
 - Welcoming, Livable, Healthy Community
-

Conclusion:

That council approve the loan agreement with the Bocce Club, as attached in Appendix A. The loan will enhance the Bocce Club's space and build on the strong partnership that the City has maintained with the Bocce Club for many years, supporting its continued growth and success.

Appendices:

- a. Bocce Loan Agreement and By-law

Respectfully submitted,

Greg Zwiep
Manager of Recreation and Tourism
(905) 228-8044
Greg.Zwiep@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 Authorize Entering into a Loan Agreement with the Port Colborne Bocce Club to assist in financing a turf court upgrade.

Whereas at its meeting of March 24, 2026, the Council of The Corporation of the City of Port Colborne (Council) approved the recommendations of the Recreation and Tourism Department, Report No.2026-46, Subject: Port Colborne Bocce Club Loan Agreement; and

Whereas Council is desirous of entering into a Loan Agreement with the Port Colborne Bocce Club for the purpose of installing new turf courts in place of existing gravel courts at the club;

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 Loan Agreement with the Port Colborne Bocce Club in which the club will borrow \$60,000 from the City in which the club will pay back over a 5-year period at an annual interest rate of 6.45%
2. That the Mayor and 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, and the City Clerk is hereby authorized to affix the Corporate Seal thereto.

Enacted and passed this 24th day of March, 2026.

William C. Steele
Mayor

Charlotte Madden
City Clerk

AGREEMENT

This Agreement (this "**Agreement**") dated the __ day of March, 2026.

PORT COLBORNE BOCCE CLUB INC.

(hereinafter called the "**BOCCE**")

OF THE FIRST PART

- and -

THE CORPORATION OF THE CITY OF PORT COLBORNE

(hereinafter called the "**City**")

OF THE SECOND PART

WHEREAS:

- A. The City owns the property municipally described as 550 Elizabeth Street, Port Colborne (the "**Property**");
- B. BOCCE and the City are desirous of having BOCCE upgrade its gravel courts on the Property to turf courts.
- C. In order to enable BOCCE to partially fund the turf courts, the City will provide a \$60,000 municipal loan to BOCCE (the "**Loan**").
- D. BOCCE has agreed to repay the Loan to the City by making five (5) installment payments of Twelve Thousand Dollars (\$12,000), plus accrued interest on the outstanding debt at a rate of 6.45% per annum, as more particularly described in Schedule "A" hereto.

**ARTICLE 1
TERMS**

- 1.1 The parties confirm the accuracy of the above recitals.
- 1.2 BOCCE covenants to take such steps as are necessary to be able to make the payments set out in Schedule "A" hereto which could include, but are not limited to, club member fees, food and drink sales or club rental fee increases.
- 1.3 The parties agree to funding timeline and repayment schedule outlined in "**Schedule A**"
- 1.4 Bocce covenants to take all such steps and perform all such acts as are necessary

to ensure that the turf court installation on the Property (the “**Turf Court Installation**”) strictly complies with all applicable laws. Bocce agrees to conduct reasonable due diligence in procuring an installer of good standing and expertise to complete the Turf Court Installation. Bocce also agrees that any funds that it receives from the City as part of the Loan will only be used to pay for the costs of the Turf Court Installation and for no other purpose.

- 1.5 In the event that the total costs of the Turf Court Installation are less than the total amount of the Loan, then BOCCE shall promptly repay to the City the amount of the difference.
- 1.6 In the event that BOCCE is in breach, violation or non-performance of any covenant, obligation or agreement contained in this Agreement (a “**Default**”), then upon written notice by the City to BOCCE of the particulars of the Default, BOCCE will repay to the City the full loan amount, together with all accrued interest, effective immediately.
- 1.7 BOCCE shall promptly provide to the City any information, records and documentation in relation to the Turf Court Installation, the construction and/or this Agreement that is requested by the City from time to time.
- 1.8 BOCCE hereby agrees to indemnify and save the City harmless from and against, any and all claims, suits, proceedings, actions, demands, losses, damages, costs, expenses, fines and disbursements (including but not limited to legal fees on a full indemnity basis and all other professional fees and disbursements) of any nature or any kind whatsoever which may be made against the City, or which the City may suffer or incur, resulting from, relating to or arising out of:
 - (a) any breach, violation or non-performance by BOCCE of any covenant, obligation or agreement contained in this Agreement; and
 - (b) any contract or arrangement that BOCCE enters into in connection with the Turf Court Installation and any work performed in connection therewith.

In connection with such indemnity, if the City shall, without fault on its part, be made a party to any litigation, BOCCE shall protect, indemnify and hold the City harmless and BOCCE shall defend such action in the name of the City and shall pay all costs, expenses, and legal fees so that the City shall suffer no loss or harm in connection with such litigation.

The aforementioned indemnity and release provisions shall survive any termination of this Agreement.

ARTICLE 2 GENERAL

- 2.1 Any notice, demand, approval, consent, information, agreement, offer, request or other communication (hereinafter referred to as a “**Notice**”) to be given under or in connection with this Agreement shall be in writing and shall be given by

personal delivery, facsimile transmission or registered mail to the address set out below or to such other address or facsimile number as may from time to time be the subject of a Notice:

To the City:

66 Charlotte Street,
Port Colborne, L3K 3C8

Attention: City Clerk

To Port Colborne Bocce Club Inc.:

550 Elizabeth Street
Unit # 6
Port Colborne, ON. L3K 5W3

Attention: President

Any Notice, if personally delivered, shall be deemed to have been validly and effectively given and received on the date of such delivery, and if sent by registered mail, shall be deemed to have been validly and effectively given and received five (5) business days after the date it was sent, and if sent by facsimile transmission with confirmation of transmission prior to 5 p.m., shall be deemed to have been validly and effectively given and received on the day it was sent, unless the confirmation of transmission was after 5 p.m. or on a non-business day, in which case it shall be deemed to have been given and received on the next following business day.

- 2.2 For purposes of this Agreement, a “business day” means a day other than Saturday, Sunday or a statutory holiday for the Province of Ontario.
- 2.3 It is agreed that there is no representation, warranty, collateral agreement or condition affecting this Agreement or supported thereby other than as expressed herein in writing.
- 2.4 All of the covenants and agreements in this Agreement shall be binding upon the parties hereto and their respective successors and assigns and shall ensure to the benefit of and be enforceable by the parties hereto and their respective successors and their permitted assigns pursuant to the terms and conditions of this Agreement.
- 2.5 This Agreement may be executed in counterparts, each of which shall be deemed to be an original and all of which taken together shall be deemed to constitute one and the same instrument. Counterparts may be executed either in original or telecopied or other electronic form and the parties to this Agreement adopt any

signatures received by receiving telecopier machine or electronically with electronic mail as original signatures of the parties.

[next page is signature page]

IN WITNESS WHEREOF the parties hereto have caused this Agreement to be duly executed as of the day and year first above written.

THE CORPORATION OF THE CITY OF PORT COLBORNE

Per: _____
Name:
Title:

Per: _____
Name:
Title:
We have authority to bind the City.

PORT COLBORNE BOCCE CLUB INC.

Per: _____
Name:
Title:

Per: _____
Name:
Title:
We have authority to bind the corporation.



AORS
PROMOTING KNOWLEDGE. PURSUING EXCELLENCE.

March 10, 2026

City of Port Colborne
Attn: Mayor William Steele
66 Charlotte Street
Port Colborne, ON L3K 3C8

Attention: Mayor William Steele and Council

Re: Brendan Flynn Assoc. R.S.

Dear Mayor and Council Members:

On behalf of the Association of Ontario Road Supervisors (AORS), I would like to congratulate your employee, **Brendan Flynn** for their recent **Associate Road Supervisor** certification. As well, thank you for supporting your employee and we encourage you to publicly acknowledge this achievement.

AORS has been serving public works professionals since 1961. In 1996 AORS was granted – by Provincial Legislation – the exclusive right to use the designation ‘Certified Road Supervisor’ (CRS). The four levels of Certification – Associate, CRS, Intermediate and Senior – have mandatory experience and education criteria established by the AORS Education Committee and Certification Board. Certified individuals may publicize their credential by using initials after their names and we would certainly encourage your employee to do so.

Certification is important for your Municipality because it increases corporate ‘professionalism’, accountability and morale. Certified Road Supervisors use their broad base of knowledge to make confident decisions and therefore serve Council and public more effectively.

AORS is committed to the training and development of experienced, reliable and efficient personnel for the construction and maintenance of public roads in rural and urban municipalities across Ontario.

Thank you again for supporting AORS and for helping us meet our objectives.

Yours truly,

Kelly Elliott
Interim Executive Director, Marketing & Communications Specialist

cc. Brendan Flynn Assoc. R.S. 268 Maiden Lane, Suite 206, P.O. Box 2669, St. Marys, ON N4X 1A4
Tel: 226.661.2002 • Fax: 226.661.2003 • admin@aors.on.ca • www.aors.on.ca



AORS
PROMOTING KNOWLEDGE. PURSUING EXCELLENCE.

March 10, 2026

City of Port Colborne
Attn: Mayor William Steele
66 Charlotte Street
Port Colborne, ON L3K 3C8

Attention: Mayor William Steele and Council

Re: Matthew Lannan Assoc. R.S.

Dear Mayor and Council Members:

On behalf of the Association of Ontario Road Supervisors (AORS), I would like to congratulate your employee, **Matthew Lannan** for their recent **Associate Road Supervisor** certification. As well, thank you for supporting your employee and we encourage you to publicly acknowledge this achievement.

AORS has been serving public works professionals since 1961. In 1996 AORS was granted – by Provincial Legislation – the exclusive right to use the designation ‘Certified Road Supervisor’ (CRS). The four levels of Certification – Associate, CRS, Intermediate and Senior – have mandatory experience and education criteria established by the AORS Education Committee and Certification Board. Certified individuals may publicize their credential by using initials after their names and we would certainly encourage your employee to do so.

Certification is important for your Municipality because it increases corporate ‘professionalism’, accountability and morale. Certified Road Supervisors use their broad base of knowledge to make confident decisions and therefore serve Council and public more effectively.

AORS is committed to the training and development of experienced, reliable and efficient personnel for the construction and maintenance of public roads in rural and urban municipalities across Ontario.

Thank you again for supporting AORS and for helping us meet our objectives.

Yours truly,

Kelly Elliott
Interim Executive Director, Marketing & Communications Specialist

cc. Matthew Lannan Assoc. R.S. 268 Maiden Lane, Suite 206, P.O. Box 2669, St. Marys, ON N4X 1A4
Tel: 226.661.2002 • Fax: 226.661.2003 • admin@aors.on.ca • www.aors.on.ca

March 6, 2026

SENT VIA EMAIL

The Right Honourable Mark Carney
Office of the Prime Minister
80 Wellington Street
Ottawa, ON
K1A 0A2

Dear Prime Minister,

Re: February 10, 2026 – WELLAND CITY COUNCIL

At its meeting on February 10, 2026, Welland City Council passed the following motion:

“WHEREAS, local businesses, particularly in the downtown core and those operating late-night hours (24/7), are facing increasing safety and public health challenges related to homelessness, mental health crises, and substance use, creating barriers to business retention, new openings, and downtown revitalization; and

WHEREAS, business owners and frontline staff are not trained, equipped, or resourced to respond to complex social and crisis-related situations, the clean-up of discarded needles or other biohazards, and are often left to manage these impacts independently; and

WHEREAS, there are limited late-night outreach, crisis response, and biohazards cleanup supports available to assist businesses and connect vulnerable individuals to appropriate services; and further

WHEREAS, without additional supports, these challenges may result in reduced operating hours, constrained use of commercial spaces, or business closures, leading to economic impacts including loss of revenue, reduced service availability, and job instability.

NOW THEREFORE BE IT RESOLVED:

THAT the City of Welland write to the provincial and federal governments requesting consideration of a pilot program or dedicated funding stream to supports Welland, local area municipalities and Community Partners in providing late-night outreach, de-escalation supports, staff safety training, and needle and debris cleanup services impacting local businesses; and further

THAT a copy of this resolution be forwarded to Niagara municipalities, the

Ontario Business Improvement Association, the local MPP and MP for Welland, and the Association of Municipalities of Ontario for information.”

Yours sincerely,



Tara Stephens

Director of Legislative Services/City Clerk

- c.c.
- D. Ford, Premier of Ontario
 - Niagara Municipalities
 - Ontario Business Improvement Association
 - Jeff Burch, MPP
 - Fred Davies, MP
 - Association of Municipalities of Ontario



4800 SOUTH SERVICE RD.,
BEAMSVILLE, ON L3J 1L3

905-563-2799

March 12, 2026

SENT VIA EMAIL

Attention: Local Area Municipalities

RE: Town of Lincoln Council Resolution – Support for Regional Motion regarding Governance Review

Please be advised that Council of the Corporation of the Town of Lincoln at its Council Meeting held on March 9, 2026, passed the following resolution:

Resolution Number: RC-2026-25

Moved by: Councillor Adam Russell; Seconded by: Councillor Tony Brunet

WHEREAS the Town of Lincoln Council supports a thorough and transparent review of governance in the Niagara Region and its twelve (12) local area municipalities and the Town of Lincoln Council is willing to participate in the review, should it proceed;

AND WHEREAS participation in a governance review does not imply support for any specific restructuring model, but reflects Council's commitment to informed dialogue and due diligence;

AND WHEREAS the Town of Lincoln Council wants to ensure that any proposed changes to governance are supported by clear objectives, evidence-based analysis, and a transparent assessment of potential financial and service impacts to residents;

AND WHEREAS the Town of Lincoln respectfully requests that consideration be given to having any costs, incurred by the Region and the twelve (12) local area municipalities, associated with the review and implementation of potential governance changes be supported by the Province; including but not limited to costs related to the review process, employee transition costs, asset and debt management, and any infrastructure project shortfalls resulting from future changes.

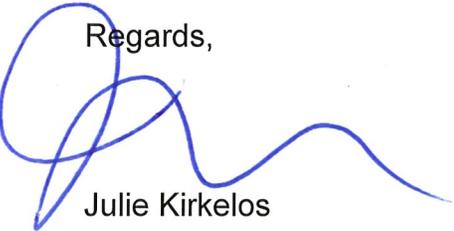
NOW THEREFORE BE IT RESOLVED THAT:

1. The Town of Lincoln Council is willing to participate in the review, should it proceed.
2. That staff communicate Council's position in a manner that accurately reflects the Town's support for a review process and its commitment to fiscal responsibility.
3. That the Town of Lincoln requests the Province set aside funding to cover the costs outlined above, in order to reduce the financial impact of any governance changes on our communities.
4. Requests that a copy of this motion be circulated to all twelve (12) local area municipalities in Niagara, the Regional Municipality of Niagara, Niagara Regional Chair, all Niagara-area Members of Provincial Parliament (MPPs), Minister of Municipal Affairs and Housing, and Premier of Ontario.

CARRIED AS AMENDED

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

Regards,



Julie Kirkelos
Town Clerk
jkirkelos@lincoln.ca

JK/lc

c.c. Local Area Municipalities
Region of Niagara
Niagara Regional Chair
Niagara Area MPPs
Minister of Municipal Affairs and Housing
Premier of Ontario

March 16, 2026

CL 5-2026, February 26, 2026

CSC 1-2026, February 11, 2026

CSD 2-2026, February 12, 2026

Local Area Municipalities

SENT ELECTRONICALLY

Approval of 2026 Interim Levy Dates and Amounts

CSD 2-2026

Regional Council, at its meeting held on February 26, 2026, passed the following recommendation of its Corporate Services Committee:

That Report CSD 2-2026, dated February 2, 2026, respecting Approval of 2026 Interim Levy Dates and Amounts, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the interim Regional levy amounts and dates **BE APPROVED** in accordance with Appendix 1 to Report CSD 2-2026;
2. That the appropriate by-law **BE PREPARED** for presentation to Regional Council for consideration and approval; and
3. That Report CSD 2-2026 **BE CIRCULATED** to the Local Area Municipalities for information.

A copy of CSD 2-2026 is enclosed for your reference.

Yours truly,



Ann-Marie Norio

Regional Clerk

:kl

CLK-C 2026-20

cc:

L. Chen, Manager, Revenue Planning & Strategy
T. Ellis, Commissioner/Treasurer, Corporate Services

Subject: Approval of 2026 Interim Levy Dates and Amounts

Report to: Corporate Services Committee

Report date: Wednesday, February 11, 2026

Recommendations

1. That the interim Regional levy amounts and dates **BE APPROVED** in accordance with Appendix 1 to Report CSD 2-2026;
2. That the appropriate by-law **BE PREPARED** for presentation to Regional Council for consideration and approval; and
3. That Report CSD 2-2026 **BE CIRCULATED** to the Local Area Municipalities for information.

Key Facts

- The purpose of this report is to approve the interim levy amounts and due dates.
- Section 216 of the *Municipal Act, 2021*, provides that the council of an upper-tier municipality may requisition an amount equivalent to 50% of the prior year's approved levy from each area municipality in order to continue core services prior to the adoption of budget estimates for the year.
- The Region's Budget Control By-law (2017-63, section 6.3 paragraph a.) provides that prior to Council's approval of the Operating Budget by-law, a current year's expenditures may be incurred if a budget for a similar item existed in the previous year's operating budget and the expenditures is at the same service level as the prior year and does not exceed 50% if the amount is appropriated in the previous year's operating budget. The interim levy ensures sufficient funds are available to sustain operations.
- The 2026 budget process has been extended following the Budget Review Committee of the Whole meeting on January 8, 2026. Council will meet again in February to finalize the budget and approve the 2026 general tax levy amount.
- Interim levy dates are consistent with the prior years, with the first instalment due on March 4, 2026. The local area municipalities were consulted and no alternative dates were considered.

Financial Considerations

The interim levy amounts to be requisitioned from local area municipalities total \$268,347,430 for the General Levy, \$22,792,356 for the Waste Management special levy and \$31,327,798 for the Transit special levy for a total of \$322,467,584.

Analysis

The authority to incur expenditures by Regional departments, boards and agencies is granted by Regional Council through the annual approved operating budget as prescribed by the *Municipal Act, 2001*. Additionally, O.Reg 75/01 prescribes the information to be contained on property tax bills. Prior to the annual budget being adopted by Regional Council, bylaw 2017-63 as approved by Regional Council provides that Regional departments, boards and agencies may incur expenses up to 50% of their prior year's operating budget in order to maintain business as usual for Regional services.

Further to this, Section 316 of the *Municipal Act, 2001*, authorizes Council through a by-law to provide an interim levy equivalent to 50% of the prior year's approved estimates (subject to certain adjustments) before the adoption of budget estimates for the year. It has been the Region's past practice to levy an interim amount in order to fund Regional services prior to the approval of the annual budget and the adoption of the tax rates by-law.

As such, Appendix 1 to Report CSD 2-2026 includes the proposed interim levy dates and amounts by Local Area Municipality. The proposed interim levy dates have been communicated to the Treasurers of all 12 Local Area Municipalities who have supported these dates.

Alternatives Reviewed

Alternative thresholds were not considered as the interim levy of 50% permitted by the *Municipal Act, 2001* will generally ensure cash inflows in the shorter term are able to accommodate the level of expenditures. The *Municipal Act, 2001* does not have a requirement to approve a spending limit in advance of the budget approval however the practice has been adopted by the Region through bylaw 2017-63.

Relationship to Council Strategic Priorities

Not applicable.

Other Pertinent Reports

None.

Prepared by:

Lucia Chen, CPA, CMA, MAcc
Manager, Revenue Planning & Strategy
Corporate Services

Recommended by:

Tim Ellis, CPA, CMA
Commissioner/ Treasurer
Corporate Services

Submitted by:

Ron Tripp, P.Eng.
Chief Administrative Officer

This report was prepared in consultation with and reviewed by Beth Brens, Acting Director of Financial Management & Planning/ Deputy Treasurer.

Appendices

Appendix 1 2026 Interim Levy Payments and Dates

Appendix 1 - 2026 Interim Levy Payments and Dates

Table 1 - Interim General Levy (\$)

Municipality	March 4, 2026	May 6, 2026	Total Interim Levy
Fort Erie	8,625,503	8,625,503	17,251,006
Grimsby	10,078,033	10,078,033	20,156,066
Lincoln	8,242,706	8,242,706	16,485,412
Niagara Falls	28,048,759	28,048,759	56,097,518
Niagara-on-the-Lake	11,430,150	11,430,150	22,860,300
Pelham	5,829,414	5,829,414	11,658,828
Port Colborne	4,285,617	4,285,617	8,571,234
St. Catharines	33,380,927	33,380,927	66,761,854
Thorold	6,511,849	6,511,849	13,023,698
Wainfleet	2,014,832	2,014,832	4,029,664
Welland	11,520,694	11,520,694	23,041,388
West Lincoln	4,205,231	4,205,231	8,410,462
Total	134,173,715	134,173,715	268,347,430

Table 2 - Waste Management Interim Special Levy (\$)

Municipality	March 4, 2026	May 6, 2026	Total Interim Levy
Fort Erie	858,792	858,792	1,717,584
Grimsby	635,381	635,381	1,270,762
Lincoln	559,387	559,387	1,118,774
Niagara Falls	2,256,061	2,256,061	4,512,122
Niagara-on-the-Lake	489,761	489,761	979,522
Pelham	401,938	401,938	803,876
Port Colborne	546,780	546,780	1,093,560
St. Catharines	3,357,638	3,357,638	6,715,276
Thorold	557,246	557,246	1,114,492
Wainfleet	166,958	166,958	333,916
Welland	1,280,240	1,280,240	2,560,480
West Lincoln	285,996	285,996	571,992
Total	11,396,178	11,396,178	22,792,356

Appendix 1 - 2026 Interim Levy Payments and Dates

Table 3 - Transit Interim Special Levy (\$)

Municipality	March 4, 2026	May 6, 2026	Total Interim Levy
Fort Erie	1,043,577	1,043,577	2,087,154
Grimsby	538,407	538,407	1,076,814
Lincoln	466,228	466,228	932,456
Niagara Falls	4,125,531	4,125,531	8,251,062
Niagara-on-the-Lake	671,518	671,518	1,343,036
Pelham	248,590	248,590	497,180
Port Colborne	290,377	290,377	580,754
St. Catharines	5,830,642	5,830,642	11,661,284
Thorold	551,884	551,884	1,103,768
Wainfleet	65,754	65,754	131,508
Welland	1,693,489	1,693,489	3,386,978
West Lincoln	137,902	137,902	275,804
Total	15,663,899	15,663,899	31,327,798

Table 4 - Total General, Waste Management & Transit Interim Levy (\$)

Municipality	March 4, 2026	May 6, 2026	Total Interim Levy
Fort Erie	10,527,872	10,527,872	21,055,744
Grimsby	11,251,821	11,251,821	22,503,642
Lincoln	9,268,321	9,268,321	18,536,642
Niagara Falls	34,430,351	34,430,351	68,860,702
Niagara-on-the-Lake	12,591,429	12,591,429	25,182,858
Pelham	6,479,942	6,479,942	12,959,884
Port Colborne	5,122,774	5,122,774	10,245,548
St. Catharines	42,569,207	42,569,207	85,138,414
Thorold	7,620,979	7,620,979	15,241,958
Wainfleet	2,247,544	2,247,544	4,495,088
Welland	14,494,423	14,494,423	28,988,846
West Lincoln	4,629,129	4,629,129	9,258,258
Total	161,233,792	161,233,792	322,467,584

From: Regional.Clerk <regional.clerk@york.ca>
Sent: Friday, March 6, 2026 8:12 AM
Subject: Regional Council Decision - Circular Materials Ontario

On February 26, 2026 Regional Council passed the following resolution:

Whereas the Province of Ontario has implemented the Blue Box Extended Producer Responsibility (EPR) framework, transferring responsibility for municipal recycling to producer responsibility organizations and their contractors, including Circular Materials Ontario;

And Whereas Circular Materials Ontario has engaged multiple private collection contractors to deliver recycling services to municipalities across Ontario, including those within the Regional Municipality of York;

And Whereas municipalities throughout Ontario are experiencing inconsistent recycling collection service levels under the new EPR model, including differences in collection frequency, missed collections, accepted materials, cart provision, contamination management, customer service response times, and contractor accountability;

And Whereas residents in some municipalities are receiving reduced or inferior recycling collection services compared to others, despite participating in the same provincial Blue Box program;

And Whereas these service level inequities have resulted in increased resident complaints, confusion, reduced participation in recycling programs, and declining public confidence in Ontario's recycling system;

And Whereas upper- and lower-tier municipalities, including York Region, no longer have direct operational control over Blue Box recycling collection, yet continue to experience the impacts of service disruptions and resident dissatisfaction;

And Whereas the intent of Extended Producer Responsibility was to improve environmental outcomes, efficiency, and accountability, not to create unequal treatment of Ontario residents based on municipal boundaries;

And Whereas access to reliable and effective recycling collection is an essential public service and should be fair, consistent, and equitable for all residents of Ontario, regardless of where they live;

Therefore Be It Resolved That the Council of The Regional Municipality of York calls upon the Province of Ontario to intervene to ensure that Circular Materials Ontario and its contractors provide fair, consistent, and equitable recycling collection service levels across all municipalities in Ontario;

And That the Province be requested to establish, enforce, and publicly report on consistent province-wide service standards for Blue Box recycling, including collection

frequency, missed-collection recovery, accepted materials, cart provision, customer service response times, and contractor performance;

And That the Province require Circular Materials Ontario to promptly address collection service level inequities and performance gaps between municipalities, including those impacting York Region;

And That this resolution be circulated to the Premier of Ontario, the Minister of the Environment, Conservation and Parks, all Ontario Members of Provincial Parliament, the Association of Municipalities of Ontario (AMO), and Circular Materials Ontario and all Mayors of Ontario.

Regards,

Christopher Raynor (he/him) | Regional Clerk, Regional Clerk's Office, Corporate Services Department

The Regional Municipality of York | 17250 Yonge Street | Newmarket, ON L3Y 6Z1
O: 1-877-464-9675 ext. 71300 | christopher.raynor@york.ca | york.ca

Our Mission: **Working together to serve our thriving communities – today and tomorrow**



Regular Council Meeting Resolution Form

Date: February 17, 2026 No: RESOLUTION - 56-2026
 Moved by Councillor Kevin Rosien Disposition: CARRIED
 Seconded by Deputy Mayor Scott Brum Item No: 14.2

Description: Ontario Heritage Organization Development Grant Advocacy

RESOLUTION:

WHEREAS Ontario municipalities are legislated to preserve records of enduring and historical value, and community archives play a critical role in fulfilling this responsibility, particularly in rural and smaller municipalities; and

WHEREAS The Heritage Organization Development Grant (HODG) is the only provincial operating grant available to grassroots, non-profit heritage organizations, including community archives and historical societies across Ontario; and

WHEREAS The maximum annual HODG grant of \$1,545 per organization has remained effectively unchanged for more than 15 years, resulting in a significant erosion of its real value due to inflation, such that its current purchasing power is approximately two-thirds of what it was in 2010; and

WHEREAS Rising operating costs related to insurance, utilities, records preservation, digitization, accessibility, and volunteer coordination have increased financial pressure on heritage organizations, often requiring municipalities to absorb additional costs to ensure continuity of service; and

WHEREAS Strengthening HODG would represent a modest but high-impact provincial investment that would help stabilize community archives, reduce pressure on municipal budgets, and safeguard Ontario's public records and local heritage for future generations;

NOW THEREFORE BE IT RESOLVED THAT Council formally support a review and modernization of the Heritage Organization Development Grant, including restoring its real purchasing power through inflationary adjustment and exploring options for increased or multi-year operating stability; and

BE IT FURTHER RESOLVED THAT This resolution be forwarded to the Minister of Tourism, Culture and Gaming, local Members of Provincial Parliament, AMO, and Ontario municipalities for consideration and support.

MAYOR

Recorded Vote Requested by: _____	Yea	Nay
Mayor Lori Hoddinott	_____	_____
Deputy Mayor Scott Brum	_____	_____
Councillor Kevin Rosien	_____	_____
Councillor Robert Campbell	_____	_____
Councillor Jill Campbell	_____	_____

Declaration of Pecuniary Interest: _____
 Disclosed his/her/their interest(s), vacated he/her/their seat(s),
 abstained from discussion and did not vote

Motion: Support for Modernizing the Heritage Organization Development Grant (HODG)

WHEREAS Ontario municipalities are legislated to preserve records of enduring and historical value, and community archives play a critical role in fulfilling this responsibility, particularly in rural and smaller municipalities; and

WHEREAS The Heritage Organization Development Grant (HODG) is the only provincial operating grant available to grassroots, non-profit heritage organizations, including community archives and historical societies across Ontario; and

WHEREAS The maximum annual HODG grant of \$1,545 per organization has remained effectively unchanged for more than 15 years, resulting in a significant erosion of its real value due to inflation, such that its current purchasing power is approximately two-thirds of what it was in 2010; and

WHEREAS Rising operating costs related to insurance, utilities, records preservation, digitization, accessibility, and volunteer coordination have increased financial pressure on heritage organizations, often requiring municipalities to absorb additional costs to ensure continuity of service; and

WHEREAS Strengthening HODG would represent a modest but high-impact provincial investment that would help stabilize community archives, reduce pressure on municipal budgets, and safeguard Ontario's public records and local heritage for future generations;

NOW THEREFORE BE IT RESOLVED THAT Council formally support a review and modernization of the Heritage Organization Development Grant, including restoring its real purchasing power through inflationary adjustment and exploring options for increased or multi-year operating stability; and

BE IT FURTHER RESOLVED THAT This resolution be forwarded to the Minister of Tourism, Culture and Gaming, local Members of Provincial Parliament, AMO, and Ontario municipalities for consideration and support.



Mark Sutcliffe
Mayor | Maire

**Office of the Mayor
City of Ottawa**
110 Laurier Avenue West
Ottawa, Ontario K1P 1J1
Tel.: 613-580-2496
Fax: 613-580-2509
Email: Mark.Sutcliffe@ottawa.ca

**Bureau du maire
Ville d'Ottawa**
110, avenue Laurier Ouest
Ottawa (Ontario) K1P 1J1
Tél. : 613-580-2496
Télé. : 613-580-2509
Courriel : Mark.Sutcliffe@ottawa.ca

February 26th, 2026

The Honourable Michael Kerzner
Solicitor General
Ministry of the Solicitor General
George Drew Building
25 Grosvenor St. Toronto, ON M7A 1Y6
SOLGEN.Correspondence@ontario.ca

By electronic submission

Re: Proposed New Regulation under the Restricting Public Consumption of Illegal Substances Act

Dear Solicitor General,

Please be advised that Ottawa City Council, at its meeting of February 25, 2026, considered and approved the following motion:

MOTION

Moved by / Motion de: Councillor S. Plante
Seconded by / Appuyée par: Mayor M. Sutcliffe

WHEREAS the *Restricting Public Consumption of Illegal Substances Act, 2025* (RPCISA) was brought into force on June 5, 2025; and

WHEREAS the Ministry of the Solicitor General (SOLGEN) is considering regulatory amendments to the RPCISA to prescribe special constables employed by authorized public transit agencies, including OTranspo special constables for the purpose of the Act, thereby granting them the same enforcement powers as police officers, and is seeking public input on this proposal until March 1st; and

WHEREAS the City of Ottawa has invested significant resources to improve public safety in the downtown core and the ByWard Market; and

WHEREAS OC Transpo deploys on average approximately 4 special constables in the downtown daily, and 13 deployed across the city-wide transit network, who are already present in high-traffic transit environments, including stations, platforms, and bus stops throughout the downtown core and across the city; and



Mark Sutcliffe
Mayor | Maire

**Office of the Mayor
City of Ottawa**

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Ottawa, Ontario K1P 1J1
Tel.: 613-580-2496
Fax: 613-580-2509
Email: Mark.Sutcliffe@ottawa.ca

**Bureau du maire
Ville d'Ottawa**

110, avenue Laurier Ouest
Ottawa (Ontario) K1P 1J1
Tél. : 613-580-2496
Télééc. : 613-580-2509
Courriel : Mark.Sutcliffe@ottawa.ca

WHEREAS public transit riders include workers, students, seniors, people with disabilities, youth, and low-income residents who rely on transit as their primary or only mode of transportation and require a safe environment at all times; and

WHEREAS restoring ridership is essential to the financial sustainability of Ottawa's public transit system, to achieving the City's climate and transportation goals, and to ensuring equitable access to employment, education, healthcare, and community services; and

WHEREAS enabling OCTranspo special constables to enforce the RPCISA would allow for timely, proportionate, and location-specific interventions focused on transit spaces, while reducing reliance on police response for matters that occur primarily within the transit system; and

WHEREAS any extension of authority under the RPCISA would be accompanied by appropriate training and would operate alongside existing public health, outreach, and harm reduction services, recognizing that enforcement alone does not address substance use but that clear rules and safe public spaces remain necessary;

THEREFORE BE IT RESOLVED that the City of Ottawa endorse the proposed regulatory amendments under the *Restricting Public Consumption of Illegal Substances Act, 2025*; and

BE IT FURTHER RESOLVED that the Mayor write to the Solicitor General of Ontario in support of the proposal before March 1st, 2026; and

BE IT FURTHER RESOLVED that the Clerk share this motion with other Municipalities in Ontario, prior to March 1st, 2026; and,

BE IT FURTHER RESOLVED that the Mayor write the Solicitor General of Ontario to renew or extend the funding associated with the Ontario-Ottawa agreement.

Should you have any questions in this regard, please do not hesitate to contact the undersigned.

Yours truly,

Mark Sutcliffe
Mayor
City of Ottawa

cc. All Ontario Municipalities
Association of Municipalities of Ontario (AMO)

March 13, 2026

Via Email

The Honourable Doug Ford
Premier of Ontario
premier@ontario.ca

Re: Request for a Comprehensive Review of the Provincial-Municipal Fiscal Framework

Please be advised that at its meeting held on March 9, 2026, the Council of the Town of Whitby adopted the following as Resolution # 41-26:

Whereas current provincial–municipal fiscal arrangements are undermining the Town of Whitby’s economic prosperity and the quality of life of its residents;
Whereas nearly one third of all municipal spending in Ontario is directed toward services in areas of provincial responsibility, with expenditures outpacing provincial contributions by approximately \$4 billion annually;

Whereas the Association of Municipalities of Ontario (AMO) has emphasized that the ongoing requirement for municipalities to fund provincial responsibilities—such as social housing, health related capital obligations, and social services—results in at least \$1.5 billion annually in net municipal expenditures for social housing alone, a problem unique to Ontario;

Whereas municipalities are further required to contribute 10% of capital funding for new provincial hospitals, diverting local revenue away from essential municipal infrastructure;

Whereas municipal revenue sources, primarily property taxes, do not grow at the same rate as the economy or inflation, yet municipalities—including the Town of Whitby—are responsible for managing major growth related infrastructure such as roads, transit, water, sewer, fire, and parks;

Whereas only 34 cents of every residential property tax dollar collected in Whitby remains with the Town, while 55 cents flows to the Region of Durham and 11 cents to school boards;

Whereas AMO has highlighted that provincial housing related revenues—including \$5.8 billion in Land Transfer Tax revenues in 2021/22, which exceeded the provincial budget plan by \$2 billion, as well as billions in HST revenue from new home construction—are not currently shared with municipalities, despite being generated by housing activity that requires significant local infrastructure investment;

Whereas AMO has stated that allocating a portion of these housing related provincial revenues to municipalities would provide a predictable, growth linked revenue stream necessary to support housing targets and the expansion of critical public infrastructure;

Whereas AMO has cautioned that proposals to reduce or limit development charges shift costs away from growth and onto existing property taxpayers, threatening the ability of municipalities to finance essential infrastructure, given that most municipal reserves are already allocated to specific projects or required for responsible asset management practices; and,

Whereas municipal staff have already identified \$2.5 million in expenditure reductions for 2026 and continue to identify efficiencies through the ongoing 2026 Core Services Review.

Therefore, be it resolved that:

1. The Council of the Town of Whitby once again calls upon the Province of Ontario to work collaboratively with the Association of Municipalities of Ontario (AMO) and Ontario Big City Mayors (OBCM) to undertake a comprehensive Social and Economic Prosperity Review to modernize and realign the provincial–municipal fiscal framework, ensuring that municipal revenues are aligned with the actual costs of today’s service delivery and growth;
2. The Town of Whitby requests that this review specifically address the \$4 billion annual gap where municipal property taxes are currently used to fund provincial responsibilities, including social housing, health, and transit, and further evaluate:
 - the \$1.5 billion annual municipal burden created by the provincial download of social housing costs;
 - the requirement for municipalities to fund 10% of provincial hospital capital projects; and,
 - the opportunity to allocate a portion of provincial Land Transfer Tax and HST revenues generated by housing activity to municipal infrastructure supporting growth.

3. The Province be urged to establish a predictable, housing linked revenue stream for municipalities that reflects the economic, social, and infrastructure demands associated with growth, including addressing the financial impacts of changes to development charges; and,
4. A copy of this resolution be forwarded to:
 - The Honourable Doug Ford, Premier of Ontario
 - The Honourable Sylvia Jones, Deputy Premier and Minister of Health;
 - The Honourable Peter Bethlenfalvy, Minister of Finance;
 - The Honourable Rob Flack, Minister of Municipal Affairs and Housing
 - The Honourable Kinga Surma, Minister of Infrastructure;
 - The Honourable Michael Parsa, Minister of Children, Community and Social Services;
 - Lorne Coe, MPP (Whitby);
 - The Region of Durham;
 - The Association of Municipalities of Ontario (AMO);
 - The Federation of Canadian Municipalities (FCM); and,
 - All Ontario Municipalities.

Should you require further information, please do not hesitate to contact the Office of the Town Clerk at 905.430.4300.



Kevin Narraway
Sr. Manager of Legislative Services/Deputy Clerk
clerk@whitby.ca

Copy: C. Harris, Director of Legislative Services/Town Clerk - clerk@whitby.ca
F. Wong, Commissioner of Financial Services/Treasurer - wongf@whitby.ca

The Honourable Sylvia Jones, Deputy Premier and Minister of Health - Sylvia.Jones@ontario.ca
The Honourable Peter Bethlenfalvy, Minister of Finance - minister.fin@ontario.ca
The Honourable Rob Flack, Minister of Municipal Affairs and Housing - minister.mah@ontario.ca
The Honourable Kinga Surma, Minister of Infrastructure - Minister.MOI@ontario.ca
The Honourable Michael Parsa, Minister of Children, Community and Social Services - MinisterMCCSS@ontario.ca
Lorne Coe, MPP (Whitby) - lorne.coe@pc.ola.org
Alexander Harras, Regional Clerk, The Regional Municipality of Durham - clerks@durham.ca
Lindsay Jones, Executive Director, Association of Municipalities of Ontario (AMO) - ljones@amo.on.ca
The Federation of Canadian Municipalities (FCM) – info@fcm.ca
All Ontario Municipalities

March 13, 2026

Hon. David Piccini
Ministry of Labour, Immigration, Training and Skills Development
14th Floor, 400 University Ave
Toronto ON M7A 1T7

Re: Request for Provincial Legislation Amendments, Health and Safety Concerns

Dear Minister Piccini,

At its meeting of Council on March 11, 2026, the Council of the Township of Oro-Medonte received correspondence from Association of Ontario Road Supervisors (AORS) regarding the above-mentioned request for support.

The Township of Oro-Medonte fully supports AORS in their request, as our staff have, on numerous occasions, been subjected to abusive and aggressive behaviour from members of the public. We respectfully request your support in advancing measures that will strengthen protections for municipal workers and contractors. With provincial partnership, municipalities can better safeguard the individuals who work tirelessly to maintain critical services and keep our communities functioning safely.

Sincerely,



Mayor Randy Greenlaw

Cc: Premier Doug Ford
Hon. Michael Kerzner, Solicitor General of Ontario
Hon. Jill Dunlop, Minister of Emergency Preparedness and Response
Hon. Rob Flack, Minister of Municipal Affairs and Housing

Hon. Prabmeet Sakaria, Minister of Transportation
Hon. Todd McCarthy, Acting Minister of Infrastructure
Doug Downey, MPP Barrie – Springwater - Oro-Medonte
Association of Municipalities of Ontario (AMO)
Association of Ontario Roads Supervisors (AORS)
Ontario Municipalities
Members of Oro-Medonte Council



Minister of Labour, Immigration, Training and Skills Development David Piccini
14th Floor, 400 University Avenue
Toronto, ON M7A 1T7

February 5, 2026

Dear Minister Piccini,

On behalf of Ontario's municipal public works professionals, we are writing to raise an urgent health and safety concern that is increasingly placing municipal workers and subcontractors at risk while they maintain the critical infrastructure our communities rely on every day.

While the Occupational Health and Safety Act establishes important protections against workplace hazards, it does not adequately address a growing and very real threat: unsafe working conditions created by interference, harassment, and dangerous actions from members of the public.

Through consultations with AORS members across the province, we are hearing consistent and deeply troubling examples of escalating behaviour directed at municipal workers - particularly winter maintenance operators. These are not isolated incidents, but a pattern that is becoming increasingly normalized during significant weather events. Examples reported to AORS include:

- An individual throwing a large chunk of ice at an active piece of municipal equipment while it was operating.
- A resident threatening to kill a sidewalk plow operator.
- A man climbing onto a snow plow and refusing to get off until the operator agreed to plow his road next.
- Two municipal staff members being confronted, accosted, and aggressively yelled at in public - one at a gas station and another while simply standing in line for coffee - by individuals angry about road conditions that were not even under that municipality's jurisdiction, as well as a mailbox that had been struck.
- A voicemail left by a resident threatening to shoot a municipal plow driver with a shotgun the next time the street was plowed.
- A resident angry about snow at the end of their driveway jumping in front of an active plow and refusing to move. The plow was delayed for over an hour during a major snow event, placing service levels and the municipality's overall emergency response at risk. The situation was only resolved once supervisors and by-law officers arrived on scene.

These incidents represent only a small sample of what municipal plow drivers and winter maintenance crews are experiencing across Ontario. What was once limited to disgruntled complaints has escalated into direct threats, physical interference, and dangerous confrontations that place workers, subcontractors, and the public at risk. This issue is becoming a systematic threat to municipal service delivery and is only amplified during significant weather events.

Municipal workers and their contracted partners are responsible for maintaining roads, bridges, sidewalks, and other essential services - often in extreme weather and high-risk environments. When these workers are threatened or obstructed, it becomes not only a workplace safety issue, but a broader public safety concern. In some cases, conditions have become so unsafe that

municipal staff and subcontractors have walked off job sites, jeopardizing timely service delivery during critical events.

We respectfully ask the Province to consider the following changes:

- Under the Emergency Management and Civil Protection Act, when a municipality declares a Significant Weather Event, municipal winter maintenance vehicles and operators - including subcontractors working on behalf of municipalities - should be afforded enhanced protection, with interference or obstruction treated with the same severity as interference with police, fire, or paramedic services.
- Establish clear public-safety interference provisions, similar in intent to Ontario's Slow Down, Move Over legislation, that recognize the essential role of municipal roadside workers.
- Consider adopting provisions similar to Manitoba's recently passed Bill 38, an amendment to their Highway Traffic Act effective January 1, 2026, which requires motorists to maintain a minimum distance of 30 metres behind snowplows where speed limits are 80 km/h or lower, and 100 metres where speed limits exceed 80 km/h.

These changes would provide clarity, deterrence, and enforceability—sending a strong message that interference with municipal workers performing essential services will not be tolerated. Just as Ontario protects first responders from obstruction during emergencies, we must extend similar protections to the public works professionals who keep our communities safe, connected, and functioning.

AORS would welcome the opportunity to meet with you and your staff to discuss these concerns further and to collaborate on legislative solutions that better protect municipal workers and subcontractors while strengthening public safety across the province.

Thank you for your consideration of this critical issue.

Sincerely,



Karla Musso-Garcia, CRS-I
President, Association of Ontario Road Supervisors
Operations Manager, Township of Oro-Medonte



Kelly Elliott
Interim Executive Director
Association of Ontario Road Supervisors

Cc (via e-mail)

Premier Doug Ford

Minister of Emergency Preparedness and Response Jill Dunlop

Minister of Municipal Affairs and Housing Rob Flack

Minister of Transportation Prabmeet Sarkaria

Acting Minister of Infrastructure Todd McCarthy

Scott Butler, Good Roads Executive Director

Walid Abou-Hamde, Ontario Road Builders' Association Chief Executive Officer



Solicitor General of Ontario Michael Kerzner
George Drew Building, 25 Grosvenor Street
Toronto, ON M7A 1Y6

February 5, 2026

Dear Solicitor General Kerzner,

On behalf of Ontario's municipal public works professionals, we are writing to raise serious concerns regarding the safety of municipal workers and subcontractors who are increasingly facing harassment, threats, and dangerous interference from members of the public while delivering essential municipal services - particularly during winter maintenance and emergency operations.

Across Ontario, municipal public works teams are responsible for maintaining critical infrastructure that residents depend on every day, including roads, sidewalks, bridges, and drainage systems. During significant weather events, these workers are frontline responders, ensuring emergency vehicles can travel safely and that communities remain connected and accessible. However, the behaviour directed at them has escalated well beyond routine complaints and has become a direct threat to both worker safety and public safety.

Through consultations with AORS members province-wide, we continue to receive troubling reports that illustrate the seriousness of this issue. These include:

- An individual throwing a large chunk of ice at an active piece of municipal equipment while it was operating.
- A resident threatening to kill a sidewalk plow operator.
- A man climbing onto a snowplow and refusing to get off until the driver agreed to plow his road next.
- Two staff members confronted and aggressively accosted in public - one at a gas station and another while simply waiting in line for coffee - by individuals angry about road conditions and a mailbox strike that were not even related to that municipality.
- A voicemail threatening to shoot a plow driver with a shotgun the next time the street was plowed.
- A resident jumping in front of an active plow during a major snow event and refusing to move, delaying operations for over an hour and jeopardizing service levels and overall emergency response.

These examples represent only a small sample of the experiences municipal plow drivers and winter maintenance crews are facing across the province. What was once occasional frustration has escalated into intimidation, threats of violence, and direct interference with equipment and operations.

Equally concerning is that municipalities do not always receive consistent enforcement support when these incidents occur. We have heard directly from members who contacted the Ontario Provincial Police for assistance and were advised that, unless a physical assault had already taken place, the situation was "not a police matter." Waiting until a worker has been physically harmed before intervention is neither preventative nor acceptable.

This gap leaves municipalities and workers vulnerable and sends an unintended message that threatening or obstructive behaviour toward municipal staff carries little consequence. It also places supervisors and by-law officers in situations that may exceed their authority or capacity to manage safely.

We believe a proactive and coordinated response is needed. Municipal workers and their subcontractors should not have to choose between their personal safety and providing critical services during storms and emergencies.

We respectfully ask that the Province of Ontario and the Ontario Provincial Police take a clear and strong stance that interference, threats, and harassment directed at municipal public works staff will not be tolerated. Specifically, we would welcome:

- Clear direction and guidance to police services, including the OPP, that threats, intimidation, and obstruction of municipal workers performing essential duties warrant timely enforcement and support.
- Recognition that interference with winter maintenance and emergency public works operations presents a broader public safety risk, not merely a municipal operational issue.
- Enhanced coordination between municipalities and local police services during significant weather events and emergency responses to ensure worker safety and continuity of service.
- Consideration of legislative or policy tools that provide stronger deterrence and consequences for those who threaten or obstruct municipal staff and contractors.

Municipal public works professionals are essential workers. They keep roads open for ambulances, fire trucks, school buses, and the travelling public. Their safety should be treated with the same seriousness as that of other frontline responders.

AORS would welcome the opportunity to meet with you and your staff to discuss these concerns and explore practical steps to ensure consistent enforcement support and stronger protections for municipal workers across Ontario.

Thank you for your attention to this important matter and for your continued leadership in public safety.

Sincerely,



Karla Musso-Garcia, CRS-I
President, Association of Ontario Road Supervisors
Operations Manager, Township of Oro-Medonte



Kelly Elliott
Interim Executive Director
Association of Ontario Road Supervisors

Cc (via e-mail)
Premier Doug Ford

March 13, 2026

Please be advised that during the regular Council meeting of March 10, 2026 the following resolution regarding OPP - Sustainable Police Services Funding was carried.

RESOLUTION NO. 2026-111

DATE: January 29, 2026

MOVED BY: Councillor Roberts

SECONDED BY: Councillor Hirsch

WHEREAS Ontario municipalities are required to maintain a police service or detachment board; and

WHEREAS policing is a provincially legislated responsibility, yet municipalities are bearing the brunt of rising costs to implement provincial mandates;

WHEREAS the Association of Municipalities of Ontario (AMO) has asserted that the fiscal framework enabling municipalities provided critical policing and public safety services is broken, and AMO requests an urgent update of the provincial-municipal fiscal relationship;

WHEREAS double digit increases in municipal annual Ontario Provincial Police (OPP) budgets are unsustainable, especially as Ontario municipal police services tackle provincial responsibilities such as mental health, addictions, and homelessness challenges that place police resources under enormous financial strain;

WHEREAS municipalities across Ontario are experiencing increased police operating and capital costs directly related to new compliance and operational standards required under the Community Safety and Policing Act, 2019 (the Act);

WHEREAS the costs of other measures such as providing provincial court security are increasing and are not part of providing core, adequate and effective municipal policing; and

WHEREAS rural municipalities are especially negatively impacted by these developments;

NOW THEREFORE BE IT RESOLVED THAT the Council of the County of Prince Edward (Council) requests that the Province provide financial assistance to municipalities to offset all additional costs directly and demonstrably incurred as a result of compliance with the Act and not general increases to police budgets; and

THAT Council urges the Province of Ontario to expeditiously review and reform its current police grant programs to ensure a more equitable distribution of funding to municipalities, so that communities with changing populations and expanding service demands receive fair and sustainable provincial support; and

THAT this resolution of Council be forwarded to the Premier of Ontario, the Solicitor General of Ontario, the Minister of Municipal Affairs and Housing, the Association of Municipalities of Ontario (AMO), the Rural Ontario Municipal Association (ROMA), Eastern Ontario Wardens' Caucus (EOWC), the Ontario Association of Police Services Boards (OAPSB), and all Ontario municipalities for endorsement.

CARRIED

Yours truly,



Catalina Blumenberg, **CLERK**

cc: Mayor Steve Ferguson, Councillor Roberts, Councillor Hirsch



The Corporation of the City of Port Colborne

By-law No. _____

Being a By-law to Authorize Entering into an Agreement with Elevate Living (Sandor Drew Toth) Regarding the Comprehensive CIP Brownfield Tax Increment Grant with Development Charge Grant – 547 King Street

Whereas at its meeting of March 24th, 2026, the Council of The Corporation of the City of Port Colborne (Council) approved the recommendations of Planning and Development Report 2026-54, Subject: 547 King Street Brownfield CIP.

Whereas Council is desirous of entering into an agreement with Elevate Living, for the purposes of a Tax Increment Grant within the Brownfield CIP area under the Comprehensive CIP;

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 Elevate Living, for the purposes of 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 547 King Street;
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 24th 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

Elevate Living (Sandor Drew Toth). (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 WHEREAS 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 \$ \$63,135 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

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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.

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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 \$5,885,417.00_____

Pre-project AV: \$ 177,000_____ Date: Jan 2026_____

Estimated Post-project AV \$ 5,885,417.00_____

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

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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: \$ 6,082 Date: Jan 2026 – Based on 2025 rates as 2026 not yet available

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: \$ 118,423

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

TAX INCREMENT GRANT AGREEMENT

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 \$261,3181.
- 3.6 Where the actual eligible costs are, in the opinion of the City, less than the estimated eligible costs (\$261,318), 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

TAX INCREMENT GRANT AGREEMENT

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 repayable 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;

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- 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 owing 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;

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- 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.

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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

TAX INCREMENT GRANT AGREEMENT

- 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:

TAX INCREMENT GRANT AGREEMENT

- 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.

TAX INCREMENT GRANT AGREEMENT

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.

TAX INCREMENT GRANT AGREEMENT

- 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;

TAX INCREMENT GRANT AGREEMENT

- 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 within 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;

TAX INCREMENT GRANT AGREEMENT

- 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 13 Carleton Street South, Thorold, ON L2V 125
Telephone No: (905) 246-8097
Fax No:
E-mail: Drew@ElevateLiving.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

TAX INCREMENT GRANT AGREEMENT

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

TAX INCREMENT GRANT AGREEMENT

SCHEDULE "A"

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

Legal Description of Applicant's land

Part of Lots 9 - 10, Plan 769 Humberstone as in RO359513

TAX INCREMENT GRANT AGREEMENT

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	\$ 5,000
b. Environmental Remediation including the cost of preparing an RSC and CPU	\$ 52,590.86 + 4,150 (RSC)
c. Placing, compacting and grading of clean fill to replace contaminated soils/fill disposed of off-site	\$
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	\$
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	\$ 3,986.53
f. Environmental Insurance Premiums	\$ 5,000.00
Total Brownfield Tax Assistance/Tax Increment Grant Eligible Costs (a. to f. above)	\$ 70,727

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)	\$ 25,000
h. Building rehabilitation and retrofit works (excluding permit fees)	\$ 40,000
i. Upgrading on-site infrastructure including water services, sanitary sewers and stormwater management facilities	\$ 125,591
Total Brownfield Tax Increment Grant Eligible Costs (a. to i. above)	\$ 261,318.31

Do you wish to receive payment of the total actual Brownfield TIG eligible costs in a. to f. above that are approved by the City in the form of a Brownfield Development Charge Grant after project completion?

Yes No

Please be advised that if you answered "yes", the amount of the Brownfield Development Charge Grant paid to you will be deducted from the maximum Brownfield Tax Increment Grant amount approved under the Brownfield TIG Program.

Port Colborne Comprehensive CIP Programs Application Form
Last Revised January 25 2024

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Document ID: 6bf5d468-1b56-40da-ba89-ba5fef46c22d

TAX INCREMENT GRANT AGREEMENT

- 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 Loan Agreement with the Port Colborne Bocce Club to assist in financing a turf court upgrade.

Whereas at its meeting of March 24, 2026, the Council of The Corporation of the City of Port Colborne (Council) approved the recommendations of the Recreation and Tourism Department, Report No.2026-46, Subject: Port Colborne Bocce Club Loan Agreement; and

Whereas Council is desirous of entering into a Loan Agreement with the Port Colborne Bocce Club for the purpose of installing new turf courts in place of existing gravel courts at the club;

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 Loan Agreement with the Port Colborne Bocce Club in which the club will borrow \$60,000 from the City in which the club will pay back over a 5-year period at an annual interest rate of 6.45%
2. That the Mayor and 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, and the City Clerk is hereby authorized to affix the Corporate Seal thereto.

Enacted and passed this 24th day of March, 2026.

William C. Steele
Mayor

Charlotte Madden
City Clerk

AGREEMENT

This Agreement (this “**Agreement**”) dated the __ day of March, 2026.

PORT COLBORNE BOCCE CLUB INC.

(hereinafter called the "**BOCCE**")

OF THE FIRST PART

- and -

THE CORPORATION OF THE CITY OF PORT COLBORNE

(hereinafter called the "**City**")

OF THE SECOND PART

WHEREAS:

- A. The City owns the property municipally described as 550 Elizabeth Street, Port Colborne (the “**Property**”);
- B. BOCCE and the City are desirous of having BOCCE upgrade its gravel courts on the Property to turf courts.
- C. In order to enable BOCCE to partially fund the turf courts, the City will provide a \$60,000 municipal loan to BOCCE (the “**Loan**”).
- D. BOCCE has agreed to repay the Loan to the City by making five (5) installment payments of Twelve Thousand Dollars (\$12,000), plus accrued interest on the outstanding debt at a rate of 6.45% per annum, as more particularly described in Schedule “A” hereto.

**ARTICLE 1
TERMS**

- 1.1 The parties confirm the accuracy of the above recitals.
- 1.2 BOCCE covenants to take such steps as are necessary to be able to make the payments set out in Schedule “A” hereto which could include, but are not limited to, club member fees, food and drink sales or club rental fee increases.
- 1.3 The parties agree to funding timeline and repayment schedule outlined in “**Schedule A**”
- 1.4 Bocce covenants to take all such steps and perform all such acts as are necessary

to ensure that the turf court installation on the Property (the “**Turf Court Installation**”) strictly complies with all applicable laws. Bocce agrees to conduct reasonable due diligence in procuring an installer of good standing and expertise to complete the Turf Court Installation. Bocce also agrees that any funds that it receives from the City as part of the Loan will only be used to pay for the costs of the Turf Court Installation and for no other purpose.

- 1.5 In the event that the total costs of the Turf Court Installation are less than the total amount of the Loan, then BOCCE shall promptly repay to the City the amount of the difference.
- 1.6 In the event that BOCCE is in breach, violation or non-performance of any covenant, obligation or agreement contained in this Agreement (a “**Default**”), then upon written notice by the City to BOCCE of the particulars of the Default, BOCCE will repay to the City the full loan amount, together with all accrued interest, effective immediately.
- 1.7 BOCCE shall promptly provide to the City any information, records and documentation in relation to the Turf Court Installation, the construction and/or this Agreement that is requested by the City from time to time.
- 1.8 BOCCE hereby agrees to indemnify and save the City harmless from and against, any and all claims, suits, proceedings, actions, demands, losses, damages, costs, expenses, fines and disbursements (including but not limited to legal fees on a full indemnity basis and all other professional fees and disbursements) of any nature or any kind whatsoever which may be made against the City, or which the City may suffer or incur, resulting from, relating to or arising out of:
 - (a) any breach, violation or non-performance by BOCCE of any covenant, obligation or agreement contained in this Agreement; and
 - (b) any contract or arrangement that BOCCE enters into in connection with the Turf Court Installation and any work performed in connection therewith.

In connection with such indemnity, if the City shall, without fault on its part, be made a party to any litigation, BOCCE shall protect, indemnify and hold the City harmless and BOCCE shall defend such action in the name of the City and shall pay all costs, expenses, and legal fees so that the City shall suffer no loss or harm in connection with such litigation.

The aforementioned indemnity and release provisions shall survive any termination of this Agreement.

ARTICLE 2 GENERAL

- 2.1 Any notice, demand, approval, consent, information, agreement, offer, request or other communication (hereinafter referred to as a “**Notice**”) to be given under or in connection with this Agreement shall be in writing and shall be given by

personal delivery, facsimile transmission or registered mail to the address set out below or to such other address or facsimile number as may from time to time be the subject of a Notice:

To the City:

66 Charlotte Street,
Port Colborne, L3K 3C8

Attention: City Clerk

To Port Colborne Bocce Club Inc.:

550 Elizabeth Street
Unit # 6
Port Colborne, ON. L3K 5W3

Attention: President

Any Notice, if personally delivered, shall be deemed to have been validly and effectively given and received on the date of such delivery, and if sent by registered mail, shall be deemed to have been validly and effectively given and received five (5) business days after the date it was sent, and if sent by facsimile transmission with confirmation of transmission prior to 5 p.m., shall be deemed to have been validly and effectively given and received on the day it was sent, unless the confirmation of transmission was after 5 p.m. or on a non-business day, in which case it shall be deemed to have been given and received on the next following business day.

- 2.2 For purposes of this Agreement, a “business day” means a day other than Saturday, Sunday or a statutory holiday for the Province of Ontario.
- 2.3 It is agreed that there is no representation, warranty, collateral agreement or condition affecting this Agreement or supported thereby other than as expressed herein in writing.
- 2.4 All of the covenants and agreements in this Agreement shall be binding upon the parties hereto and their respective successors and assigns and shall ensure to the benefit of and be enforceable by the parties hereto and their respective successors and their permitted assigns pursuant to the terms and conditions of this Agreement.
- 2.5 This Agreement may be executed in counterparts, each of which shall be deemed to be an original and all of which taken together shall be deemed to constitute one and the same instrument. Counterparts may be executed either in original or telecopied or other electronic form and the parties to this Agreement adopt any

signatures received by receiving telecopier machine or electronically with electronic mail as original signatures of the parties.

[next page is signature page]

IN WITNESS WHEREOF the parties hereto have caused this Agreement to be duly executed as of the day and year first above written.

THE CORPORATION OF THE CITY OF PORT COLBORNE

Per: _____
Name:
Title:

Per: _____
Name:
Title:
We have authority to bind the City.

PORT COLBORNE BOCCE CLUB INC.

Per: _____
Name:
Title:

Per: _____
Name:
Title:
We have authority to bind the corporation.

The Corporation of the City of Port Colborne

By-law No. _____

Being a By-law to Authorize Entering into an Agreement with Cornerstone Homes (Niagara) Ltd. Regarding the Comprehensive Brownfield Community Improvement Plan Tax Increment Grant with Development Charge Grant Agreement for 714 and 706 King Street and to Repeal By-law No. 7434/18/26

Whereas at its meeting of February 24th, 2026 the Council of The Corporation of the City of Port Colborne (Council) approved the recommendations of Development and Government Relations Report 2026-05, Subject: Brownfield Community Improvement Plan Tax Increment Grant with Development Charge Grant Agreement – 714 and 706 King Street

Whereas Council is desirous of entering into an agreement with Cornerstone Homes (Niagara) Ltd., for the purposes of a Comprehensive Brownfield Tax Increment Grant with Development Charge 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 Cornerstone Homes (Niagara) Ltd., for the purposes of a Comprehensive Brownfield Tax Increment Grant with Development Charge Grant Agreement.
2. That By-law No. 7434/18/26, Being a By-law to Authorize Entering into an Agreement with Cornerstone Homes (Niagara) Ltd. Regarding the Brownfield CIP TIG with Development Charge Grant Agreement for 714 and 706 King Street, and all amendments thereto, are hereby repealed.
3. That the Mayor and 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 and intent of this By-law of the said agreement and the City Clerk is dully authorized to affix the Corporate Seal thereto.

Enacted and passed this 24th 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

Cornerstone Homes (Niagara) Ltd. (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 WHEREAS 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 \$ XXX 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

TAX INCREMENT GRANT AGREEMENT

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.

TAX INCREMENT GRANT AGREEMENT

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 \$3,500,000_____

Pre-project AV: \$ 133,000_____ Date: Jan 2026_____

Estimated Post-project AV \$ 3,500,000__

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

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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: \$ 10,527

Date: Jan 2026 – Based on 2025 rates as 2026 not yet available

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: \$ 70,426

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

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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 \$ 375,000.
- 3.6 Where the actual eligible costs are, in the opinion of the City, less than the estimated eligible costs (\$ 375,000), 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 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

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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 repayable 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;

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- 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 owing 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;

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- 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.

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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

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- 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:

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- 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.

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- 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.

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- 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;

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- 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 within 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;

TAX INCREMENT GRANT AGREEMENT

- 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 510 Doan's Ridge Road, Welland, ON L3B 5N7

Telephone No: (905) 351-2624

Fax No:

E-mail: bkanger@hotmail.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

TAX INCREMENT GRANT AGREEMENT

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

TAX INCREMENT GRANT AGREEMENT

SCHEDULE "A"

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

Legal Description of Applicant's land

714 King Street - PLAN 200 LOT 23 PT NP765
706 King Street - PLAN 1027 PT LOT 24 NP767

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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	\$ 35,145
b. Environmental Remediation including the cost of preparing an RSC and CPU	\$ 129,000
c. Placing, compacting and grading of clean fill to replace contaminated soils/fill disposed of off-site	\$ 19,500
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	\$ 7,500
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	\$ 6,900
f. Environmental Insurance Premiums	\$ 6,750
Total Brownfield Tax Assistance/Tax Increment Grant Eligible Costs (a. to f. above)	\$ 204,795

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)	\$ 87,079
h. Building rehabilitation and retrofit works (excluding permit fees)	\$
i. Upgrading on-site infrastructure including water services, sanitary sewers and stormwater management facilities	\$ 83,126
Total Brownfield Tax Increment Grant Eligible Costs (a. to i. above)	\$ 375,000

Do you wish to receive payment of the total actual Brownfield TIG eligible costs in a. to f. above that are approved by the City in the form of a Brownfield Development Charge Grant after project completion?

Yes No

Please be advised that if you answered "yes", the amount of the Brownfield Development Charge Grant paid to you will be deducted from the maximum Brownfield Tax Increment Grant amount approved under the Brownfield TIG Program.

Port Colborne Comprehensive CIP Programs Application Form
Last Revised January 25 2024

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- 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 Adopt, Ratify and Confirm the proceedings of
the Council of The Corporation of the City of Port Colborne at its Meeting of
March 24, 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 24, 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 24th day of March, 2026.

William C. Steele
Mayor

Charlotte Madden
City Clerk