



**THE COROPORATION OF THE TOWNSHIP OF WAINFLEET  
REGULAR MEETING OF COUNCIL AGENDA  
JULY 13, 2021 – 6:00 P.M.**

Regular business will commence at 7:00 p.m.  
(Time adjusted for this meeting only)

**COUNCIL CHAMBERS**

*Please be advised that the Council Chambers will be closed to the public to limit the spread of COVID-19. The proceedings of the meeting will be streamed live.*

C14/21

**1. Call to Order**

**2. Closed Meeting**

- a) Item under Section 239(2)(b)(e)(f) of the *Municipal Act, 2001*, personal matters about an identifiable individual, including municipal or local board employees; litigation or potential litigation; advice that is subject to solicitor-client privilege, including communications necessary for that purpose – 1 item (A tax sale matter)

**3. Rise & Report**

**4. National Anthem**

**5. Land Acknowledgement Statement**

**6. Disclosures of Interest and the General Nature Thereof**

**7. Mayor's Announcements & Remarks**

**8. Councillor's Announcements & Remarks**

**9. Adoption of Previous Council Minutes**

- a) Minutes of the regular meeting of Council held June 22, 2021

**10. Public Meeting**

**Purpose of the Meeting**

This is a public meeting of Council being held under section 12 of the Development Charges Act, 1997, as amended. The purpose of the meeting is to give the public an opportunity to ask questions, provide comments, and make representations on the development charges background study and proposed by-law. Council will not be taking any action this evening on the report or by-law.

**Presentation:**

Watson & Associates Economists Ltd.

**Comments from Public:**

Members of the public ask question and provide comments

**Adjournment**

*\*\*Any member of the public wishing to speak as part of this public meeting needs to register with Deputy Clerk at [mcuiuffetelli@wainfleet.ca](mailto:mcuiuffetelli@wainfleet.ca) by Tuesday, July 13, 2021, at 4:00 p.m.*

**11. Delegations**

None.

**12. Staff Reports & Recommendations**

a) Administrative Staff Reports

- i. ASR-019/2021 Re: COVID-19 Impact Report
- ii. ASR-020/2021 Re: Budget Variance Report (Operating/Capital)

b) Building Staff Reports

- i. BSR-002/2021 Re: Conditional Permit Agreement - Kwik Mix

c) Drainage Staff Reports

- i. DSR-012/2021 Re: Shafley Road Drain and Collver Drain Engineer's Appointment Update

d) Planning Staff Reports

- i. PSR-008/2021 Re: Draft Plan of Condominium – File No. P01/2021W  
Zoning By-law Amendment – File No. Z04/2021W  
Daniel & Kandace Bunz (LandPRO Planning Solutions)

e) Public Works Staff Reports

- i. PWSR-017/2021 Re: Gents Road Bridge Annual Inspection
- ii. Verbal Update: Highway 58 Road Closure/Phillips Road Traffic

**13. Review of Correspondence**

a) C-224-2021

Feedback request on Niagara Transit Governance – Revised Strategies  
Reflecting Phase 1 Municipal Consultation

**14. By-laws**

- a) By-law No. 024-2021 being a by-law pursuant to the provisions of Section 34 of the Planning Act, R.S.O. 1990 to amend Zoning By-law No. 581-78 with respect to those lands forming CON 4 PT LOT 30 RP 59R4992 PART 1 EXCEPT RP 59R8241 PART 1 in the Township of Wainfleet

**15. Notices of Motion**

**16. Closed Meeting**

- a) Item under Section 239(2)(b) of the *Municipal Act, 2001*, personal matters about an identifiable individual, including municipal or local board employees – 1 item (Building Department Matter)
- b) Minutes of the closed meeting of Council held June 22, 2021

**17. Rise & Report**

**18. By-law to Confirm the Proceedings of Council**

- a) By-law No. 025-2021 being a by-law to adopt, ratify and confirm the actions of the Council at its meeting held on the 13<sup>th</sup> day of July, 2021

**19. Adjournment**



# THE COROPORATION OF THE TOWNSHIP OF WAINFLEET REGULAR MEETING OF COUNCIL MINUTES

JUNE 22, 2021 – 7:00 P.M.

## COUNCIL CHAMBERS

PRESENT:	K. Gibson	Mayor
	D. Cridland	Councillor (Electronic Participation)
	T. Gilmore	Councillor
	J. MacLellan	Councillor
	S. Van Vliet	Councillor

STAFF PRESENT:	W. Kolasa	Chief Administrative Officer
	M. Alcock	Fire Chief
	M. Ciuffetelli	Deputy Clerk
	A. Dashwood	Administrative Assistant
	M. Jemison	Drainage Superintendent
	R. Nan	Manager of Operations

C13/21

### 1. Call to Order

Mayor Gibson called the meeting to order at 7:00 p.m.

### 2. National Anthem

### 3. Land Acknowledgement Statement

Mayor Gibson acknowledged that the land on which we gather is the traditional territory of Anishinaabeg and Haudenosaunee Peoples, acknowledging the One Bowl and Spoon Treaty.

### 4. Disclosures of Interest and the General Nature Thereof

### 5. Mayor's Announcements & Remarks

Mayor Gibson provided the following remarks:

- I was pleased to attend a ceremony in our Parkette honouring Indigenous children. Thank you to those members of our community who organized this
- Our next regular meeting of Council will be held Tuesday, July 13, 2021 at 7:00 p.m
- The Police Services Board will meet electronically on Thursday June 24, 2021 at 8:30 a.m.
- Regional Council will meet electronically on Thursday June 24, 2021 at 6:30 p.m.
- Our offices will be closed on Thursday, July 1, 2021 for Canada Day. Due to COVID-19 and the Stage 1 restrictions that will be in place at that time, we will not be hosting any events. We hope to be able to celebrate in 2022.



**6. Councillor's Announcements & Remarks**

**7. Adoption of Previous Council Minutes**

a) Minutes of the regular meeting of Council held June 1, 2021

**Resolution No. C-2021-143**

Moved by Councillor Van Vliet

Seconded by Councillor Gilmore

**"THAT** the minutes of the regular meeting of Council held June 1, 2021 be adopted as circulated."

**CARRIED**

**8. Delegations**

None.

**9. Staff Reports & Recommendations**

a) Administrative Staff Reports

i. ASR-017/2021 Re:COVID-19 Impact Report

**Resolution No. C-2021-144**

Moved by Councillor MacLellan

Seconded by Councillor Gilmore

**"THAT** Administrative Staff Report ASR-017/2021 respecting COVID-19 Impact Report be received as information."

**CARRIED**

ii. ASR-018/2021 Re: Requirements under the Accessibility for Ontarians with Disabilities Act, 2005

**Resolution No. C-2021-145**

Moved by Councillor Cridland

Seconded by Councillor Van Vliet

**"THAT** Administrative Staff Report ASR-018/2021 regarding Requirements under the Accessibility for Ontarians with Disabilities Act, 2005 be received;

**AND THAT** the revisions to the Township's Accessibility Policy be approved and adopted."

**CARRIED**

iii. MEMORANDUM Re: Corporate Flag Policy

**Resolution No. C-2021-146**

Moved by Councillor Cridland

Seconded by Councillor Van Vliet

**“THAT** the Memorandum from the Deputy Clerk respecting a Corporate Flag Policy for the Township be received; and

**THAT** the Corporate Flag Policy be adopted with the location of a community flag pole removed for further investigation from staff; and

**THAT** staff continue with current community flag raising practices.”

**CARRIED**

**Resolution No. C-2021-147**

Moved by Councillor Gilmore

Seconded by Councillor MacLellan

**“THAT** the location of a community flag pole for the Township be removed from the Corporate Flag Policy and referred back to staff for further investigation and report back to Council at the next available meeting with a recommendation.”

**CARRIED**

b) Fire Staff Reports

i. FSR-008/2021 Re: 2020 Annual Report

**Resolution No. C-2021-148**

Moved by Councillor Van Vliet

Seconded by Councillor MacLellan

**“THAT** Fire Staff Report FSR-008/2020 regarding the 2020 Annual Report be received for information.”

**CARRIED**

c) Public Works Staff Reports

i. PWSR-014/2021 Re: Award of Guiderail Replacement

**Resolution No. C-2021-149**

Moved by Councillor Gilmore

Seconded by Councillor MacLellan

**“THAT** Report PWSR-014/2021 respecting replacement of guiderail on Phillips Road be received; and

**THAT** Council direct the Manager of Operations to engage the services of Peninsula Construction to complete the 2021 Guiderail replacement.”

**CARRIED**

- ii. PWSR-015/2021 Re: Award of Engineering Service for Marshville Drive

**Resolution No. C-2021-150**

Moved by Councillor MacLellan

Seconded by Councillor Van Vliet

**“THAT** Report PWSR-015/2021 respecting Award for Engineering Services for Marshville Drive be received; and

**THAT** Council direct the Manager of Operations to engage the services of Associated Engineering Ltd. to perform engineering services for the design for Marshville Drive Reconstruction.”

**CARRIED**

- iii. PWSR-0016/2021 Re: 2021 Surface Treatment

**Resolution No. C-2021-151**

Moved by Councillor Gilmore

Seconded by Councillor MacLellan

**“THAT** Report PWSR-016/2021 respecting Award of Surface Treatment Tender for Young Road North and Moore Road North be received; and

**THAT** Council direct the Manager of Operations to engage the services of Circle P Paving Inc. to complete the 2021 Surface Treatment.”

**CARRIED**

**10. Review of Correspondence**

- a) C-152-2021

Direction to return to Council with a completed motion specific to Wainfleet respecting Action on Invasive Phragmites

**Resolution No. C-2021-152**

Moved by Councillor Gilmore

Seconded by Councillor MacLellan

**“THAT** the revised motion specific to Wainfleet respecting Action on Invasive Phragmites be approved and circulated to those listed within the motion.”

**CARRIED**

b) C-181-2021

Port Colborne Resolution – Niagara Central Dorothy Rungeling Airport (NCDRA) Commission

**Resolution No. C-2021-153**

Moved by Councillor Gilmore

Seconded by Councillor MacLellan

**THAT** correspondence from the City of Port Colborne dated May 31, 2021 and from the City of Welland dated April 26, 2021 regarding the uptake and governance and the transfer of operating authority of the Niagara Central Dorothy Rungeling Airport be received and supported; and

**THAT** the Council of the Township of Wainfleet rescinds the previously approved motion of council regarding the uptake and uptake and governance and the transfer of operating authority of the Niagara Central Dorothy Rungeling Airport to Niagara Region; and

**THAT** the Council of the Township of Wainfleet approves retaining the governance and ownership of NCDRA; and

**THAT** a copy of this motion be forwarded to the Town of Pelham, the City of Port Colborne and the City of Welland for consideration; and

**THAT** a copy of this motion be forwarded to Niagara Region and Niagara Region Municipalities.

**CARRIED**

c) C-186-2021

Township of Huron Kinloss – Request for additional level of lottery licencing to enable small organizations to obtain a lottery licence

**Resolution No. C-2021-154**

Moved by Councillor MacLellan

Seconded by Councillor Gilmore

**“THAT** Correspondence item No. C-186-2021 from the Township of Huron Kinloss respecting a motion to support the Town of South Bruce Peninsulas motion regarding lottery licensing to assist small organizations be received and supported.”

**CARRIED**

d) C-193-2021

Request to proclaim July 28, 2021 World Hepatitis Day

**Resolution No. C-2021-155**

Moved by Councillor Cridland

Seconded by Councillor Gilmore

“**THAT** Correspondence item No. C-193-2021 received from Karen Usick, Niagara Health System requesting the Township to proclaim July 28, 2021 World Hepatitis Day be received and supported.”

**CARRIED**

e) C-194-2021

Request to proclaim September 20-26, 2021 Rail Safety Week

**Resolution No. C-2021-156**

Moved by Councillor Gilmore

Seconded by Councillor MacLellan

“**THAT** Correspondence item No. C-194-2021 from Stephen Covey, Chief of Police and Chief Security Officer requesting the Township to proclaim September 20-26, 2021 as Rail Safety Week be received and supported.”

**CARRIED**

f) C-195-2021

Canadian Federation of University Women, Welland and District, respecting implementation of the 94 calls to Action in the Truth and Reconciliation Report, specifically # 71-76, Missing Children and Buried Information

**Resolution No. C-2021-157**

Moved by Councillor Cridland

Seconded by Councillor Van Vliet

“**THAT** Correspondence item No. C-195-2021 Canadian Federation of University Women, Welland and District, respecting implementation of the 94 calls to Action in the Truth and Reconciliation Report, specifically # 71-76, Missing Children and Buried Information be supported and a copy circulated to CFUW, Dean Allison, MP, Sam Oosterhoff, MPP, Regional Chair and all Ontario Municipalities.”

**CARRIED**

**11. By-laws**

None.

**12. Notices of Motion**

None.

**13. Closed Meeting**

**Resolution No. C-2021-158**

Moved by Councillor MacLellan

Seconded by Councillor Van Vliet

- a) Item under section 239(2)(b)(e) of the Municipal Act, 2001, personal matters about an identifiable individual, including municipal or local board employees, litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board – 1 item (a drainage tribunal matter)
- b) Item under section 239(2)(b) of the Municipal Act, 2001, personal matters about an identifiable individual, including municipal or local board employees – 1 item (a law enforcement matter)
- c) Item under Section 239(2)(b)(c) of the *Municipal Act, 2001*, personal matters about an identifiable individual, including municipal or local board employees; a proposed or pending acquisition or disposition of land – 1 item (a tax sale matter)
- d) Item under section 239(2)(e) of the Municipal Act, 2001, litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board – 2 items (a potential litigation matter and a purchasing matter)
- e) Minutes of the closed meetings of Council held May 11, 2021 and June 1, 2021

**CARRIED**

**14. Rise & Report**

Council received information on the following matters:

- 1. A drainage tribunal matter
- 2. A law enforcement matter
- 3. A tax sale matter
- 4. A potential litigation matter
- 5. A purchasing matter (pending motion to be considered in open session)

**Resolution No. C-2021-159**

Moved by Councillor MacLellan  
Seconded by Councillor Van Vliet

**“THAT** the original award for the Town Hall and Council Chambers Roof replacement project awarded to Stolk Construction be rescinded; and

**THAT** the project be awarded to the second lowest bidder being Gerry's Roofing and Siding Inc.”

**CARRIED**

**15. By-law to Confirm the Proceedings of Council**

**Resolution No. C-2021-160**

Moved by Councillor MacLellan  
Seconded by Councillor Gilmore

**“THAT** By-law No. 023-2021 being a by-law to adopt, ratify and confirm the actions of the Council at its meeting held on the 22<sup>nd</sup> day of June, 2021 be read and passed this 22<sup>nd</sup> day of June, 2021.

**CARRIED**

**16. Adjournment**

There being no further business, the meeting was adjourned at 9:07 p.m.

\_\_\_\_\_  
K. Gibson, MAYOR

\_\_\_\_\_  
M. Ciuffetelli, DEPUTY CLERK

Township of Wainfleet  
Development Charges By-law Update  
Public Meeting

On Tuesday, July 13, 2021, the Council of the Township of Wainfleet will hold a public meeting, pursuant to section 12 of the *Development Charges Act, 1997*, as amended, to present and obtain public input on the municipality's proposed development charges (D.C.) by-law and underlying background study.

All interested parties are invited to attend the Public Meeting of Council and any person who attends the meeting may make representations relating to the proposed D.C. by-law and background study. The meeting is to be held:

Tuesday, July 13, 2021  
7:00 pm  
Council Chambers  
31940 Highway No. 3  
Wainfleet, Ontario

COVID-19 protocols will be in place: in-person attendance may be limited; in which case alternative options will be in place - including electronic participation.

In order that sufficient information is made available to the public, **a background study** has been made available online at the municipality's website effective May 28, 2021. Copies of the background study (and draft D.C. By-law) are also available as of May 28, 2021 by contacting the Deputy Clerk at 905-899-3463, extension 275.

Interested persons may express their comments at the public meeting or in writing, addressed to the Deputy Clerk, prior to July 9, 2021, at the above address or via email at **[MCiuffetelli@wainfleet.ca](mailto:MCiuffetelli@wainfleet.ca)**.

Notice Dated: May 31, 2021





# Township of Wainfleet

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## Development Charges Public Meeting Presentation

July 13, 2021



# Format for Public Meeting

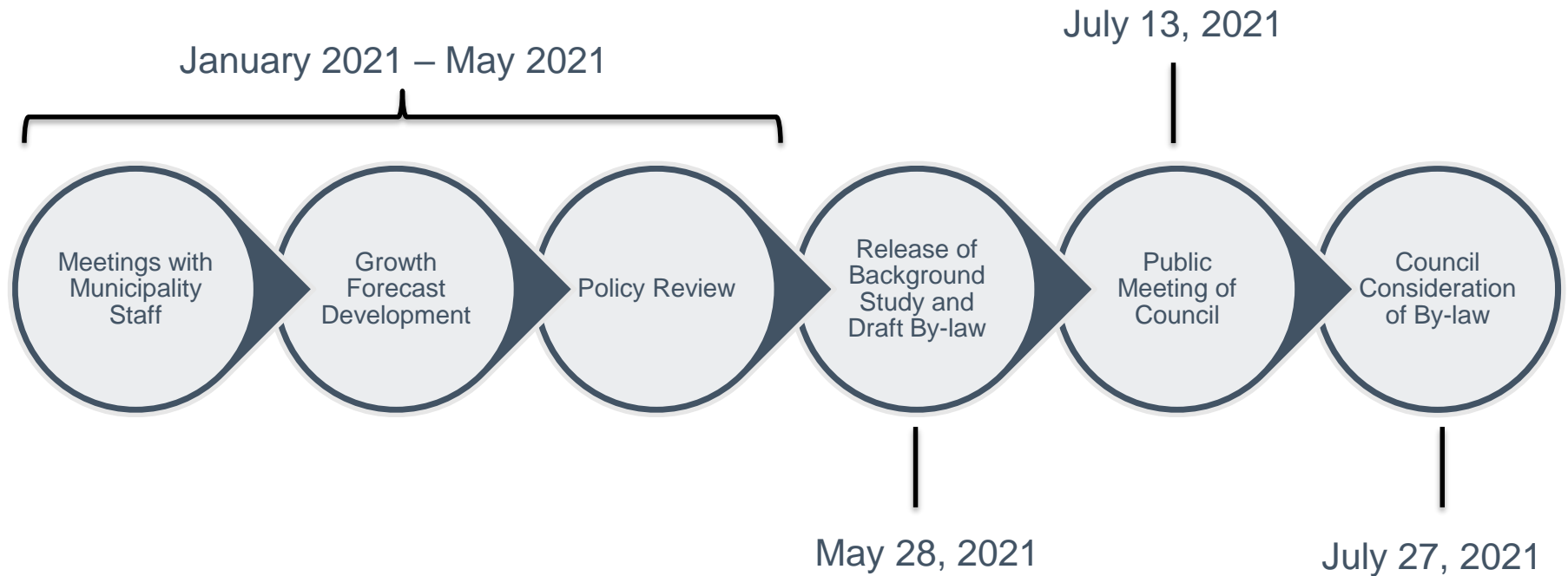
- D.C.A Public Meeting
  - Opening Remarks
  - D.C. Overview
  - Presentation of the Proposed Policies and Charges
  - Presentations by the Public
  - Questions from Council
  - Conclude Public Meeting

# Public Meeting Purpose



- The public meeting is to provide for a review of the D.C. proposal and to receive public input on the proposed policies and charges.
- The meeting is a mandatory requirement under the Development Charges Act (D.C.A.).
- Prior to Council's consideration of a by-law, a background study must be prepared and available to the public a minimum 60 days prior to the D.C. by-law passage.

# Study Process & Timelines



# Development Charges (D.C.)



## **Purpose:**

- To recover the capital costs associated with residential and non-residential growth within a municipality
- The capital costs are in addition to what costs would normally be constructed as part of a subdivision (i.e., internal roads, sewers, watermains, roads, sidewalks, streetlights, etc.)
- Municipalities are empowered to impose these charges via the Development Charges Act (D.C.A.)

# Changes to D.C. Legislation since 2016



There has been a number of changes to the D.C.A. since the previous background study in 2016:

- Bill 108: More Homes, More Choice Act, 2019
- Bill 138: Plan to Build Ontario Together Act, 2019
- Bill 197: COVID-19 Economic Recovery Act, 2020
- Bill 213: Better for People Smarter for Business Act, 2020

# Bill 108 (More Homes, More Choice Act, 2019)



- On May 2, 2019, the Province introduced Bill 108, which proposed changes to the D.C.A.
  - Some sections were proclaimed in December of 2019, the balance was proclaimed September 18, 2020.
- The following provisions became effective as of January 1, 2020 and will be included in the Township's D.C. by-law as a result of Bill 108/Bill 138:
  - Rental housing and institutional developments will pay D.C.s in 6 equal annual payments
  - Non-profit housing developments will pay D.C.s in 21 equal annual payments
  - The D.C. rate is frozen for Site Plan or Zoning By-law amendments until 2 years after approval
  - Interest may be charged on the installments and D.C. freeze

# Bill 197 (COVID-19 Economic Recovery Act, 2020)



The Province tabled legislation on July 8, 2020 in response to the COVID-19 global pandemic. Many of the changes proposed in Bill 108 that were not yet in effect have now been revised. All sections of Bill 197 were proclaimed on September 18, 2020. The following changes are provided in Bill 197:

- There is now a list of 21 D.C. eligible services.
- There is no mandatory 10% deduction for soft services.
- There is no limit to the growth time horizon (except for transit services which is limited to 10 years).





# Bill 213: Better for People, Smarter for Business Act, 2020

- Bill 213 received Royal Assent on December 8, 2020.
- This Bill amended the D.C.A. by providing for a mandatory exemption for development of land intended for use by a university that receives operating funds from the Government.
- This statutory exemption has been incorporated into the Township's draft by-law.

# D.C. Eligible Services

## Revised as per Bill 197



1. Water
2. Wastewater
3. Storm water drainage
4. Services related to a highway.
5. Electrical power services.
6. Toronto-York subway extension.
7. Transit
8. Waste diversion
9. Policing
10. Fire protection
11. Ambulance
12. Library
13. Long-term Care
14. Parks and Recreation
15. Public Health services
16. Childcare and early years services.
17. Housing services.
18. Provincial Offences Act
19. Emergency Preparedness
20. Airports (Waterloo Region only).

# Overview of D.C.A. (simplified steps)

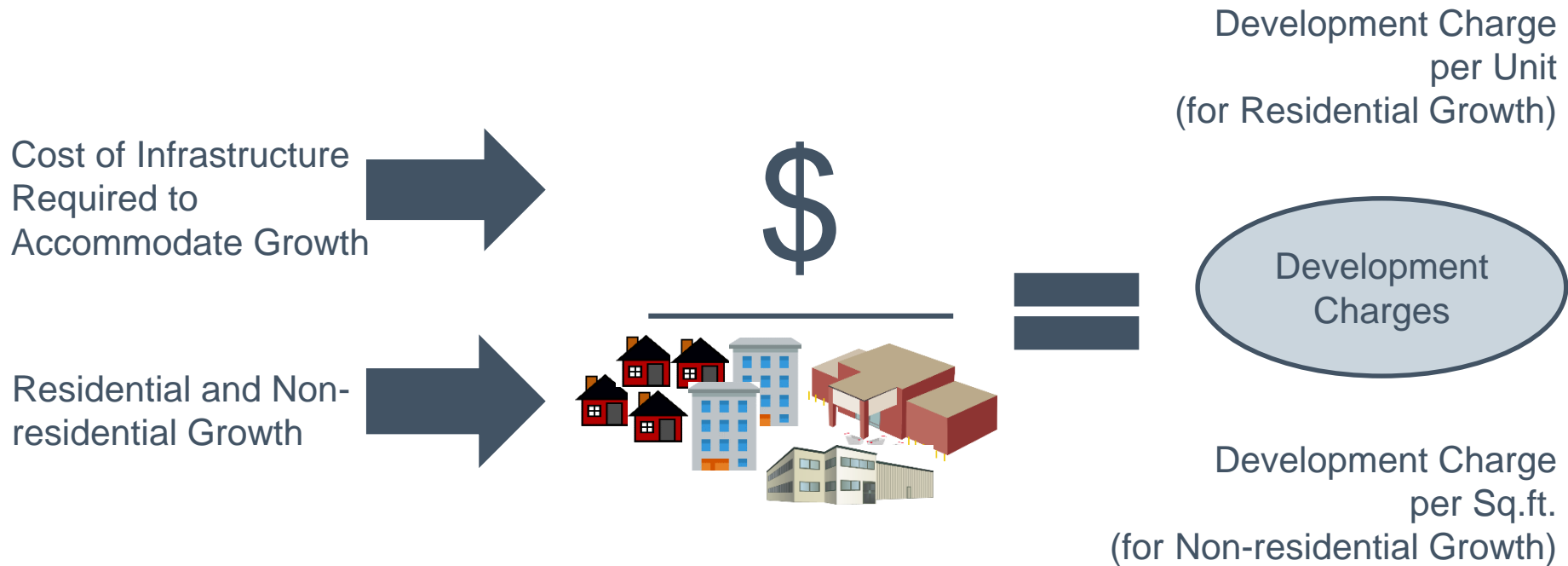


The following provides the overall methodology to calculating the charge:

1. Identify amount, type and location of growth.
2. Identify servicing needs to accommodate growth.
3. Identify capital costs to provide services to meet the needs.
4. Deduct:
  - i. Grants, subsidies and other contributions
  - ii. Benefit to existing development
  - iii. Amounts in excess of 10-year historical service calculation.
  - iv. ~~Statutory 10% deduction (soft services)~~ **Removed as per Bill 197**
  - v. D.C. Reserve funds (where applicable).
5. Net costs then allocated between residential and non-residential benefit.
6. Net costs divided by growth to calculate the D.C.



# How Development Charges Are Calculated



# Local Service Policies



- Section 59.1(1) and (2) of the Act “No Additional Levies” - prohibits municipalities from imposing additional payments or requiring construction of a service not authorized under the D.C.A.
  - a Local Service Policy is required to be developed and approved by Council, through the D.C. study process, to clearly define what developers would be required to do as part of their development agreements versus what would be included in the D.C.
- Subdivision Agreement Conditions - the Act provides coverage of such agreements to include “local services related to a plan of subdivision or within the area to which the plan relates”.
- Items to consider may include; collector & arterial roads, intersection improvements & traffic signals, streetlights & sidewalks, Bike Routes/Bike Lanes/Bike Paths/Multi-Use Trails/Naturalized Walkways, Noise Abatement Measures, Land dedications/easements, Water, Wastewater, Stormwater, and Park requirements.

# Exemptions



## Mandatory Exemptions

- For industrial building expansions (may expand by 50% with no D.C.)
- Upper/Lower Tier Governments and School Boards
- Developments of land intended for use by a university that received operating funds from the Government (as per Bill 213)
- Additional dwelling units in **existing** dwellings:
  - May add up to 2 apartments for a single as long as size of home doesn't double
  - Add one additional unit in medium & high-density buildings
- Additional dwelling units in **new** dwellings:
  - May add one additional unit or ancillary dwelling in new dwelling units (as per Bill 197)

# Exemptions (continued)



## Discretionary Exemptions

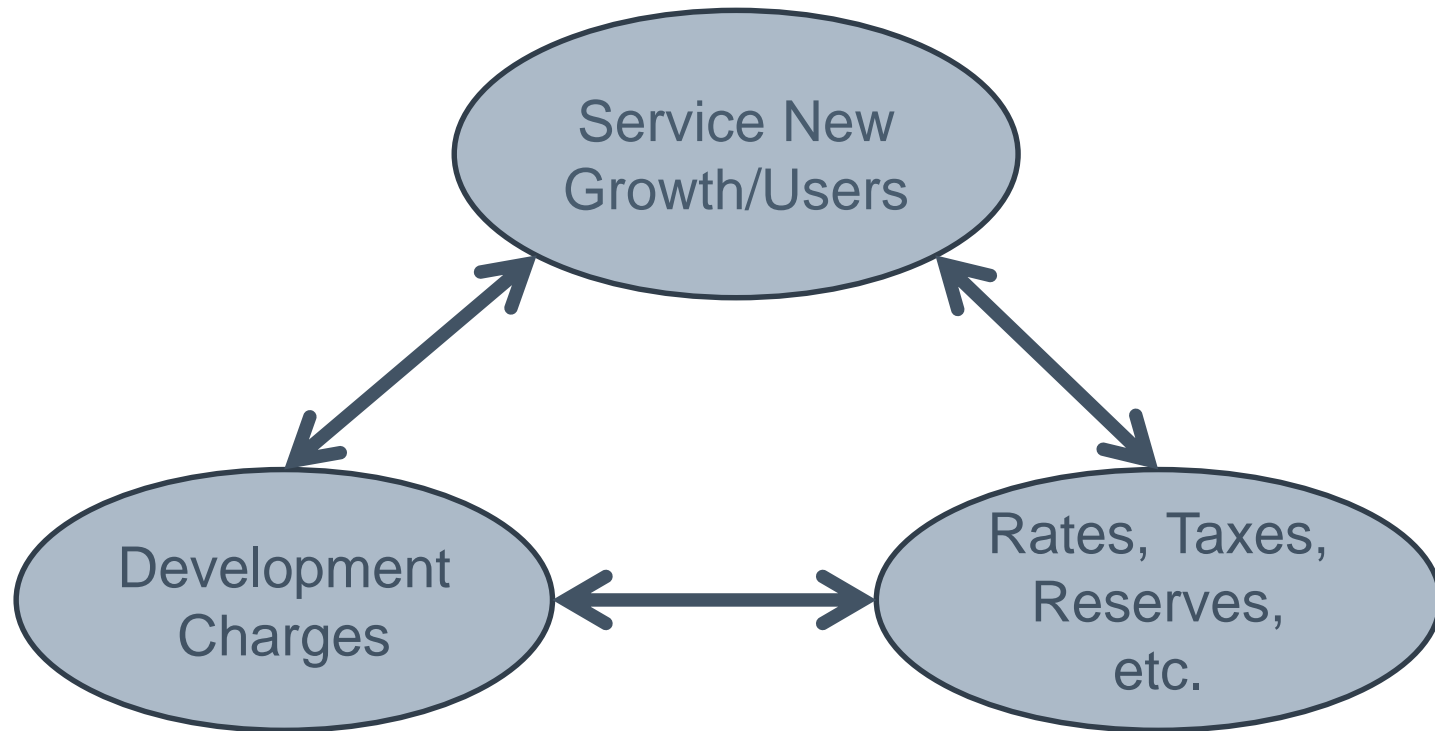
- Reduce in part or whole DC for types of development or classes of development (e.g. industrial or churches)
- May phase-in over time
- Redevelopment credits to recognize what is being replaced on site (not specific in the Act but provided by case law)

## Proposed Discretionary Exemptions

- Places of worship;
- Bona fide farm (non-residential) buildings; and
- A development by a university or other post-secondary school where development is for academic or teaching purposes.

*Note: The D.C. by-law proposes eliminating the current 50% D.C. reduction to properties on existing lots of record.*

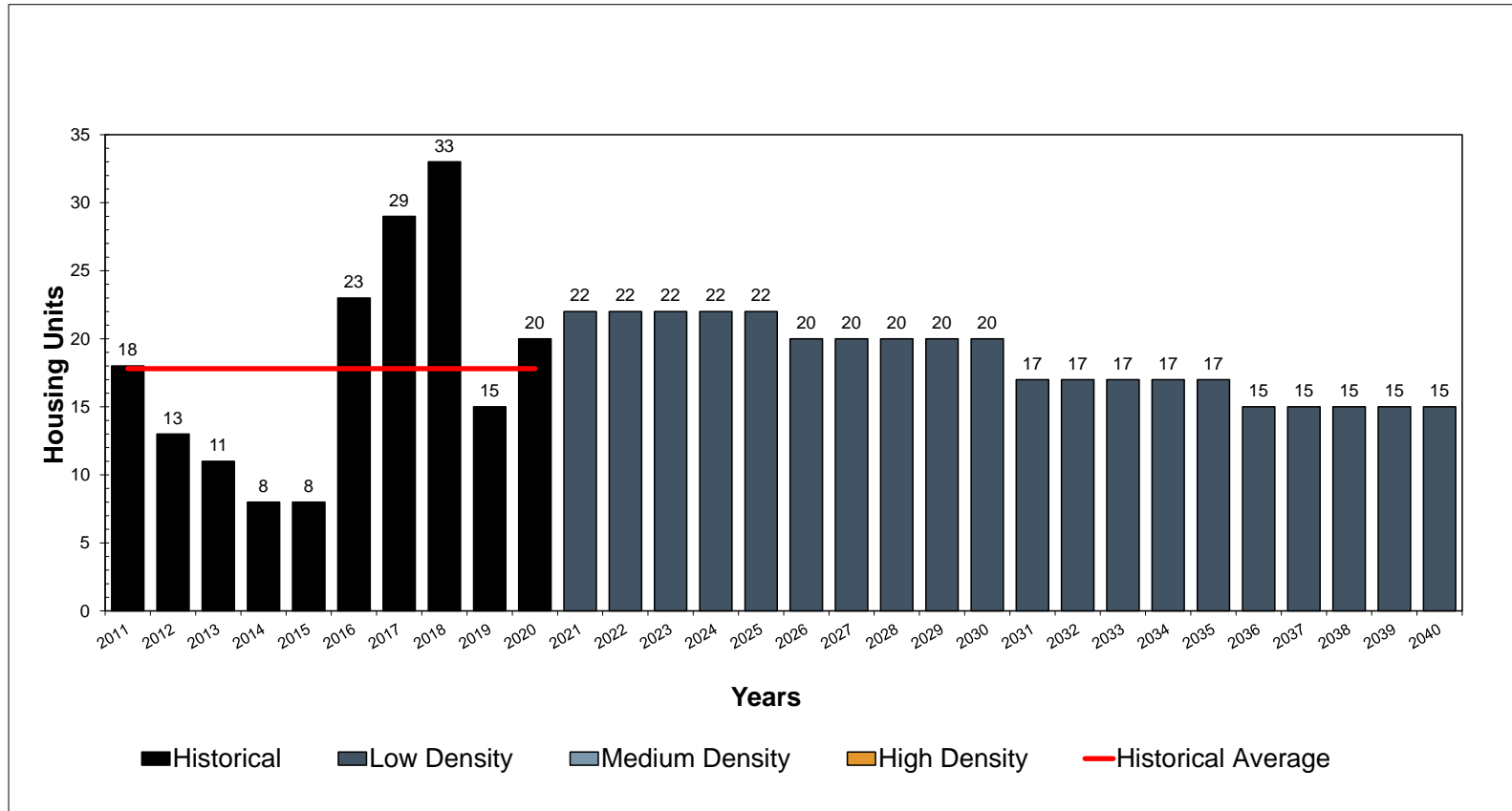
# Relationship Between Needs to Service Growth vs. Funding





# Growth Forecast

## Annual Housing Forecast



Source: Historical housing activity derived from data provided by the Township of Wainfleet , 2011-2020.

<sup>1</sup> Growth forecast represents calendar year.

# Growth Forecast Summary



Measure	10 Year	20 Year
	2021-2031	2021-2041
(Net) Population Increase	371	588
Residential Unit Increase	210	370
Non-Residential Gross Floor Area Increase (ft <sup>2</sup> )	60,900	121,700

Source: Watson & Associates Economists Ltd. Forecast 2021

# Current D.C. Rates



Service	Residential					Non-Residential	
	Single & Semi Detached	Multiples	Apartments with >= 2 Bedrooms	Apartments with < 2 Bedrooms	Special Care/Special Dwelling Units	per sq.ft.	Wind Turbine Per Unit
Roads and Related	3,982	2,382	2,296	1,613	1,344	2.29	3,982
Fire Protection Services	1,000	597	576	406	337	0.56	1,000
Outdoor Recreation Services	224	136	129	92	75	0.05	-
Indoor Recreation Services	1,088	650	629	441	368	0.26	-
Library Services	377	224	217	153	126	0.10	-
Administration Studies	226	136	131	92	76	0.14	226
<b>Total</b>	<b>6,897</b>	<b>4,125</b>	<b>3,978</b>	<b>2,797</b>	<b>2,326</b>	<b>3.40</b>	<b>5,208</b>

# Summary of Services Considered



- Services Related to a Highway
- Fire Protection Services
- Parks and Recreation Services
- Library Services
- Administration Studies

# Calculated D.C. Rates



Service/Class of Service	RESIDENTIAL					NON-RESIDENTIAL	
	Single and Semi-Detached Dwelling	Other Multiples	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Special Care/Special Dwelling Units	(per sq.ft. of Gross Floor Area)	Wind Turbine (Per Unit)
<b>Township-Wide Services/Class of Service:</b>							
Services Related to a Highway	4,448	3,104	2,928	1,790	1,631	2.03	4,448
Fire Protection Services	1,285	897	846	517	471	0.58	1,285
Parks and Recreation Services	1,081	754	712	435	396	0.20	-
Library Services	656	458	432	264	241	0.12	-
Administration Studies	672	469	442	270	246	0.25	672
<b>Total Township-Wide Services/Class of Services</b>	<b>8,142</b>	<b>5,682</b>	<b>5,360</b>	<b>3,276</b>	<b>2,985</b>	<b>3.18</b>	<b>6,405</b>

# Residential Rate Comparison



## Residential (Single Detached) Comparison

Service/Class of Service	Current	Calculated
<b>Municipal Wide Services/Classes:</b>		
Services Related to a Highway	3,982	4,448
Fire Protection Services	1,000	1,285
Parks and Recreation Services	1,312	1,081
Library Services	377	656
Administration Studies	226	672
<b>Total Municipal Wide Services/Classes</b>	<b>6,897</b>	<b>8,142</b>

Note: Outdoor and Indoor Recreation have been combined into a single Parks and Recreation Service

# Non-residential Rate Comparison



## Non-Residential (per sq.ft.) Comparison

Service/Class of Service	Current	Calculated
<b>Municipal Wide Services/Classes:</b>		
Services Related to a Highway	2.29	2.03
Fire Protection Services	0.56	0.58
Parks and Recreation Services	0.31	0.20
Library Services	0.10	0.12
Administration Studies	0.14	0.25
<b>Total Municipal Wide Services/Classes</b>	<b>3.40</b>	<b>3.18</b>

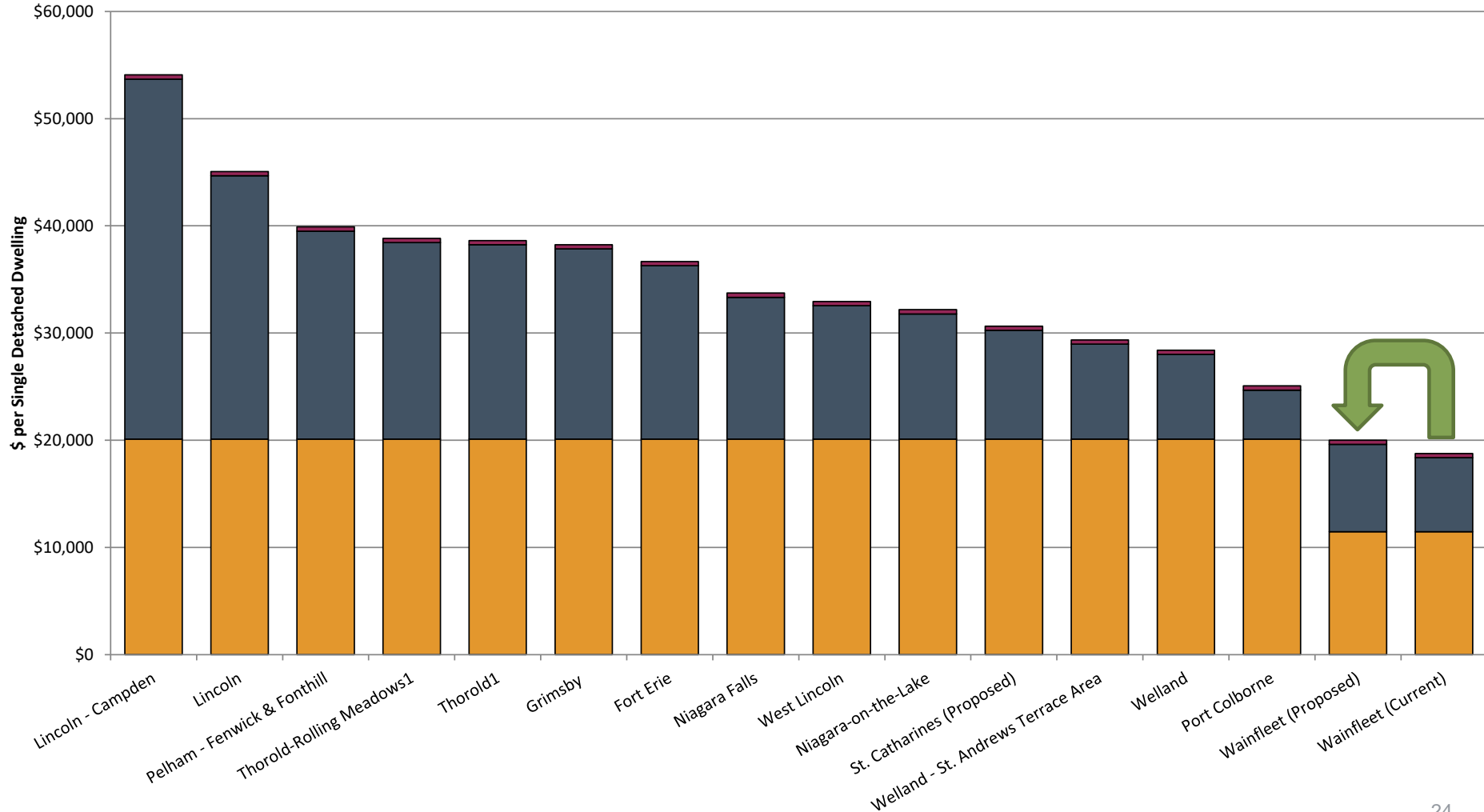
Note: Outdoor and Indoor Recreation have been combined into a single Parks and Recreation Service

# Survey of D.C. Rates - Residential



## Development Charge Rates for Wainfleet and Niagara Region Municipalities Single Detached and Semi-Detached Dwellings

Upper Tier Charges Lower Tier Charges Education DC's





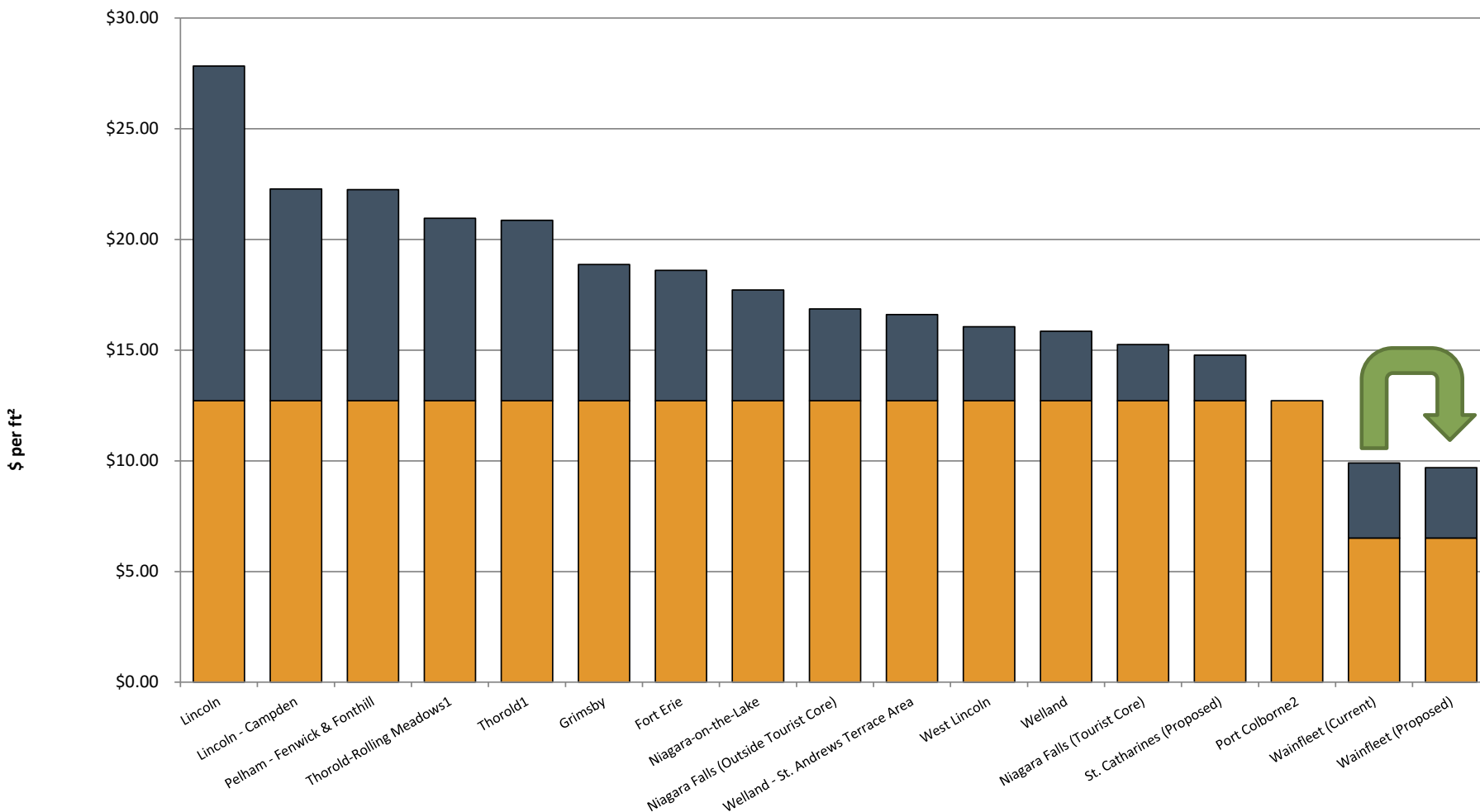
# Survey of D.C. Rates - Commercial



## Development Charge Rates for Wainfleet and Niagara Region Municipalities

Commercial Development - per sq.ft.

Upper Tier Charges Lower Tier Charges



(1) Indexed to 2021

(2) Rates are being phased-in over life of by-law

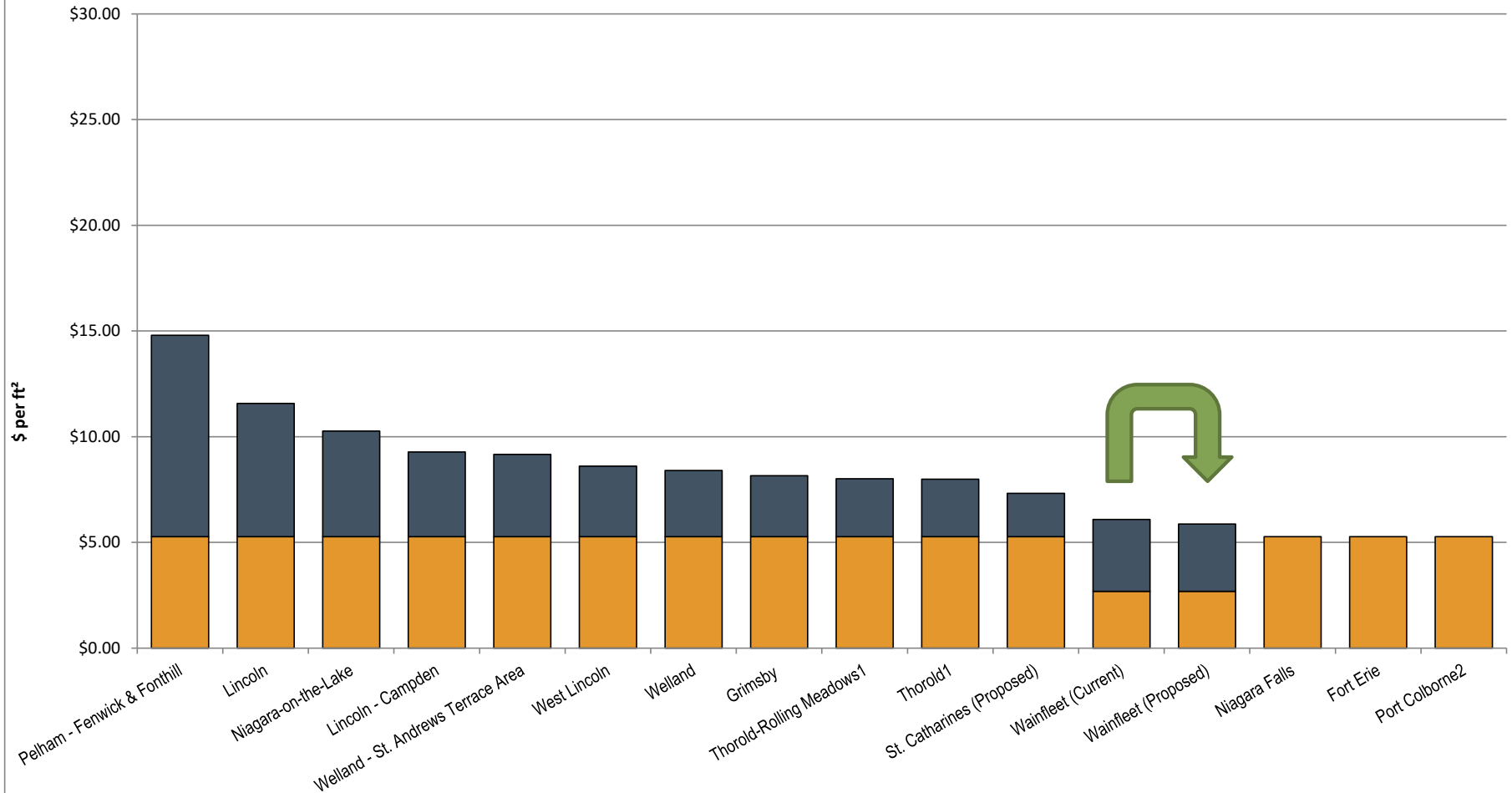
# Survey of D.C. Rates – Industrial



## Development Charge Rates for Wainfleet and Niagara Region Municipalities

Industrial Development - per sq.ft.

Upper Tier Charges Lower Tier Charges



(1) Indexed to 2021

(2) Rates are being phased-in over life of by-law

# Next Steps



Council  
Consideration of  
By-law  
(July 27, 2021)



# Development Charges Background Study

Township of Wainfleet

May 28, 2021

Watson & Associates Economists Ltd.  
905-272-3600  
[info@watsonecon.ca](mailto:info@watsonecon.ca)



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## List of Acronyms and Abbreviations

Acronym	Full Description of Acronym
A.M.P.	Asset management plan
CANSIM	Canadian Socio-Economic Information Management System (Statistics Canada)
D.C.	Development charge
D.C.A.	Development Charges Act, 1997, as amended
F.I.R.	Financial Information Return
G.F.A.	Gross floor area
L.P.A.T.	Local Planning Appeal Tribunal
N.F.P.O.W.	No Fixed Place of Work
O.M.B.	Ontario Municipal Board
O.P.A.	Official Plan Amendment
O. Reg.	Ontario Regulation
P.O.A.	Provincial Offences Act
P.P.U.	Persons per unit
S.D.E.	Single detached equivalent
S.D.U.	Single detached unit
sq.ft.	square foot
sq.m	square metre





# Executive Summary





# Executive Summary

1. The report provided herein represents the Development Charges (D.C.) Background Study for the Township of Wainfleet required by the Development Charges Act, 1997 (D.C.A.). This report has been prepared in accordance with the methodology required under the D.C.A. The contents include the following:

- Chapter 1 – Overview of the legislative requirements of the Act;
- Chapter 2 – Review of present D.C. policies of the Township;
- Chapter 3 – Summary of the residential and non-residential growth forecasts for the Township;
- Chapter 4 – Approach to calculating the D.C.;
- Chapter 5 – Review of historical service standards and identification of future capital requirements to service growth and related deductions and allocations;
- Chapter 6 – Calculation of the D.C.s;
- Chapter 7 – D.C. policy recommendations and rules; and
- Chapter 8 – By-law implementation.

2. D.C.s provide for the recovery of growth-related capital expenditures from new development. The D.C.A. is the statutory basis to recover these charges. The methodology is detailed in Chapter 4; a simplified summary is provided below:

- 1) Identify amount, type and location of growth;
- 2) Identify servicing needs to accommodate growth;
- 3) Identify capital costs to provide services to meet the needs;
- 4) Deduct:
  - Grants, subsidies and other contributions;
  - Benefit to existing development;
  - Amounts in excess of 10-year historical service calculation;
  - D.C. reserve funds (where applicable);
- 5) Net costs are then allocated between residential and non-residential benefit; and



- 6) Net costs divided by growth to provide the D.C.
3. A number of changes to the D.C. process need to be addressed as a result of the Smart Growth for our Communities Act, 2015 (Bill 73). These changes have been incorporated throughout the report and in the updated draft by-law, as necessary. These items include:
  - a. Area-rating: Council must consider the use of area-specific charges.
  - b. Asset Management Plan for New Infrastructure: The D.C. background study must include an asset management plan that deals with all assets proposed to be funded, in whole or in part, by D.C.s. The asset management plan must show that the assets are financially sustainable over their full lifecycle.
  - c. 60-day Circulation Period: The D.C. background study must be released to the public at least 60-days prior to passage of the D.C. by-law.
  - d. Timing of Collection of Development Charges: The D.C.A. now requires D.C.s to be collected at the time of the first building permit.
4. Further changes to the D.C.A. were introduced through four bills passed in the Ontario legislature: Bill 108, Bill 138, Bill 197, and Bill 213. The following provides a brief summary of the proposed changes.

Bill 108: More Homes, More Choice: Ontario's Housing Supply Action Plan

In May 2019, the Province introduced Bill 108 More Homes, More Choice Act, 2019 which would make changes to the current D.C. legislation. The Bill was passed and given Royal Assent on June 6, 2019. While the legislation has been passed, only the following items became effective through Bill 108:

- a. Effective January 1, 2020, rental housing and institutional developments shall pay D.C.s in six (6) equal annual payments commencing at first occupancy. Non-profit housing developments shall pay D.C.s in 21 equal annual payments. Interest may be charged on the installments, and any unpaid amounts inclusive of interest payable shall be added to the property tax roll and collected in the same manner as taxes.



- b. Effective January 1, 2020, the D.C. amount for all developments occurring within two years of a Site Plan or Zoning By-law Amendment planning approval (for applications made after January 1, 2020), shall be determined based on the D.C. by-law in effect on the day of Site Plan or Zoning By-law Amendment application.

Other key elements of the changes that were not proclaimed and were dealt with subsequently through Bill 197 are provided below:

- The D.C. would be refined to only allow for the following services to remain within the D.C.: water, wastewater, storm water, roads, fire, policing, ambulance, waste diversion, parks development, recreation, public libraries, long-term care, public health;
- The mandatory 10% deduction would be removed for all services that remain eligible in the D.C.;
- A new community benefits charge (C.B.C.) would be introduced to include formerly eligible D.C. services that are not included in the above listing, parkland dedication and bonus zoning contributions;

#### Bill 138: Plan to Build Ontario Together Act, 2019

On November 6, 2019, the Province released Bill 138 which provided further amendments to the D.C.A. and Planning Act. This Bill received Royal Assent on December 10, 2019 and was proclaimed which resulted in sections related to the D.C.A. (schedule 10) becoming effective on January 1, 2020. With respect to the D.C.A., this Act removed installment payments for commercial and industrial developments that were originally identified in Bill 108.

#### Bill 197: COVID-19 Economic Recovery Act, 2020

In March 2020, Canada was impacted by the COVID-19 global pandemic. As a result, the economy was put into a state of emergency in an effort to slow the spread of the virus. In response, the Province tabled legislation on July 8, 2020 which amended a number of Acts, including the D.C.A. and the Planning Act. With this Bill, many changes proposed in Bill 108 have now been revised. With respect to the above noted changes from Bill 108, the following changes are provided in Bill 197:





- **Eligible Services:** The list of eligible services for the D.C. has now been expanded to include most services eligible under the D.C.A. prior to Bill 108. For the Township of Wainfleet this means that all services currently provided in the D.C. study remain eligible.
- **Mandatory 10% Deduction:** The mandatory 10% deduction is still removed (consistent with Bill 108). This applies to all D.C.-eligible services.
- **Community Benefits Charges:** a municipality may, by-law impose a C.B.C. to pay for the capital costs for formerly-eligible D.C. services in addition to parkland dedication and bonus zoning contributions.

The above changes to the D.C.A. were proclaimed on September 18, 2020.

#### Bill 213: Better for People, Smarter for Business Act, 2020

On December 8, 2020, Bill 213 received Royal Assent which provided for an amendment to the Ministry of Training, Colleges and Universities Act. The amendment introduced a new section that would exempt the payment of D.C.s for developments of land intended for use by a university that receives operating funds from the Government.

Further discussion on the above legislative changes is provided in Section 1.4 of this report.

5. The growth forecast (Chapter 3) on which the Township-wide D.C. is based, projects the following population, housing and non-residential floor area for the 10-year (2021 to 2031), and 20-year (2021-2041) periods.

Measure	10 Year 2021-2031	20 Year 2021-2041
(Net) Population Increase	371	588
Residential Unit Increase	210	370
Non-Residential Gross Floor Area Increase (ft <sup>2</sup> )	60,900	121,700

Source: Watson & Associates Economists Ltd. Forecast 2021

6. On August 2, 2016, the Township of Wainfleet passed By-law 050-2016 under the D.C.A. The by-law imposes D.C.s on residential and non-residential uses.



This by-law will expire on August 3, 2021. The Township is undertaking a D.C. public process and anticipates passing a new by-law in advance of the expiry date. The mandatory public meeting has been set for July 13, 2021 with adoption of the by-law on July 27, 2021.

7. The Township's D.C.s currently in effect are \$6,897 per single detached unit for Township-wide services. The non-residential charge is \$3.40 per square foot. The Township also imposes D.C.s on wind turbines at a current rate of \$5,208 per unit. This report has undertaken an updated calculation of the charge (presented in Schedule ES-1 for residential and non-residential) based on future identified needs. The proposed calculated Township-wide single detached charge is \$8,142. The calculated non-residential charge is \$3.18 per square foot and \$6,405 per unit for wind turbines. These rates are submitted to Council for its consideration.
8. The D.C.A. requires a summary be provided of the gross capital costs and the net costs to be recovered over the life of the by-law. This calculation is provided by service and is presented in Table 6-4. A summary of these costs is provided below:

Total gross expenditures planned over the next five years	\$ 7,146,000
Less:	
Benefit to existing development	\$ 1,544,200
Post planning period benefit	\$ 3,748,100
Ineligible re: Level of Service	\$ 5,000
Grants, subsidies and other contributions	\$ 307,500
<b>Net Costs to be recovered from development charges</b>	<b>\$ 1,541,200</b>

This suggests that for the non-D.C. costs over the five-year D.C. by-law (benefit to existing development, and the grants, subsidies and other contributions), \$1.86 million (or an annual amount of \$0.37 million) will need to be contributed from taxes and rates, or other sources.

Based on the above table, the Township plans to spend \$7.15 million over the next five years, of which \$1.54 million (22%) is recoverable from D.C.s. Of this net amount, \$1.36 million is recoverable from residential development and \$0.18 million from non-residential development. It is noted also that any exemptions or reductions in the charges would reduce this recovery further.



9. Considerations by Council – The background study represents the service needs arising from residential and non-residential growth over the forecast periods.

The following services are calculated based on the 20-year (2021-2041) forecast:

- Services Related to a Highway; and
- Fire Protection Services.

The following services are calculated based on a 10-year forecast. These include:

- Parks and Recreation Services; and
- Library Services.

In addition, a class of service has been established for the following:

- Administration Studies.

Council will consider the findings and recommendations provided in the report and, in conjunction with public input, approve such policies and rates it deems appropriate. These directions will refine the draft D.C. by-law which is appended in Appendix G. These decisions may include:

- adopting the charges and policies recommended herein;
- considering additional exemptions to the by-law; and
- considering reductions in the charge by class of development (obtained by removing certain services on which the charge is based and/or by a general reduction in the charge).



Table ES-1  
Township of Wainfleet  
Schedule of Proposed Development Charges

Service/Class of Service	RESIDENTIAL					NON-RESIDENTIAL	
	Single and Semi-Detached Dwelling	Other Multiples	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Special Care/Special Dwelling Units	(per sq.ft. of Gross Floor Area)	Wind Turbine (Per Unit)
<b>Township-Wide Services/Class of Service:</b>							
Services Related to a Highway	4,448	3,104	2,928	1,790	1,631	2.03	4,448
Fire Protection Services	1,285	897	846	517	471	0.58	1,285
Parks and Recreation Services	1,081	754	712	435	396	0.20	-
Library Services	656	458	432	264	241	0.12	-
Administration Studies	672	469	442	270	246	0.25	672
<b>Total Township-Wide Services/Class of Services</b>	<b>8,142</b>	<b>5,682</b>	<b>5,360</b>	<b>3,276</b>	<b>2,985</b>	<b>3.18</b>	<b>6,405</b>





# Report





# Chapter 1

## Introduction







# 1. Introduction

## 1.1 Purpose of this Document

---

This background study has been prepared pursuant to the requirements of the D.C.A. (section 10) and, accordingly, recommends new development charges (D.C.s) and policies for the Township of Wainfleet.

The Township retained Watson & Associates Economists Ltd. (Watson), to undertake the D.C. study process between January to May 2021. Watson worked with Township staff preparing the D.C. analysis and policy recommendations.

This D.C. background study, containing the proposed D.C. by-law, will be distributed to members of the public in order to provide interested parties with sufficient background information on the legislation, the study's recommendations and an outline of the basis for these recommendations.

This report has been prepared, in the first instance, to meet the statutory requirements applicable to the Township's D.C. background study, as summarized in Chapter 4. It also addresses the requirement for "rules" (contained in Chapter 7) and the proposed by-law to be made available as part of the approval process (included as Appendix G).

In addition, the report is designed to set out sufficient background on the legislation (Chapter 4), Wainfleet's current D.C. policies (Chapter 2) and the policies underlying the proposed by-law, to make the exercise understandable to those who are involved.

Finally, it addresses post-adoption implementation requirements (Chapter 8) which are critical to the successful application of the new policy.

The Chapters in the report are supported by Appendices containing the data required to explain and substantiate the calculation of the charge. A full discussion of the statutory requirements for the preparation of a background study and calculation of a D.C. is provided herein.



## 1.2 Summary of the Process

---

The public meeting required under section 12 of the D.C.A., has been scheduled for July 13, 2021. Its purpose is to present the study to the public and to solicit public input. The meeting is also being held to answer any questions regarding the study's purpose, methodology and the proposed modifications to the Township's D.C.s.

In accordance with the legislation, the background study and proposed D.C. by-law will be available for public review on May 28, 2021.

The process to be followed in finalizing the report and recommendations includes:

- consideration of responses received prior to, at, or immediately following the Public Meeting; and
- finalization of the report and Council consideration of the by-law subsequent to the public meeting.

Figure 1-1 outlines the proposed schedule to be followed with respect to the D.C. by-law adoption process.

Figure 1-1  
Schedule of Key D.C. Process Dates for the Township of Wainfleet

1. Data collection, staff review, engineering work, D.C. calculations and policy work	January to May 2021
2. Background study and proposed by-law available to public	May 28, 2021
3. Public meeting advertisement placed in newspaper(s)	At least 20 clear days before the public meeting
4. Public meeting of Council	July 13, 2021
5. Council considers adoption of background study and passage of by-law	July 27, 2021
6. Newspaper notice given of by-law passage	By 20 days after passage
7. Last day for by-law appeal	40 days after passage
8. Township makes pamphlet available (where by-law not appealed)	By 60 days after in force date



## **1.3 Changes to the D.C.A.: Bill 73 – Smart Growth for our Communities Act, 2015**

---

With the amendment of the D.C.A. (as a result of Bill 73 and O. Reg. 428/15), there are a number of areas that must be addressed to ensure that the Township is in compliance with the D.C.A., as amended. The following provides an explanation of the changes to the Act that affect the Township's background study and how they have been dealt with to ensure compliance with the amended legislation.

### **1.3.1 Area Rating**

Bill 73 has introduced two new sections where Council must consider the use of area-specific charges:

- 1) Section 2 (9) of the Act now requires a municipality to implement area-specific D.C.s for either specific services which are prescribed and/or for specific municipalities which are to be regulated. (Note that at this time, no municipalities or services are prescribed by the Regulations.)
- 2) Section 10 (2) c.1 of the D.C.A. requires that, "the development charges background study shall include consideration of the use of more than one development charge by-law to reflect different needs for services in different areas."

In regard to the first item, there are no services or specific municipalities identified in the regulations which must be area-rated. The second item requires Council to consider the use of area rating. This is discussed further in section 7.4.4.

### **1.3.2 Asset Management Plan for New Infrastructure**

The new legislation now requires that a D.C. background study must include an Asset Management Plan (subsection 10 (2) (c.2)). The asset management plan must deal with all assets that are proposed to be funded, in whole or in part, by D.C.s. The current regulations provide very extensive and specific requirements for the asset management plan related to transit services; however, they are silent with respect to how the asset management plan is to be provided for all other services. As part of any asset management plan, the examination should be consistent with the municipality's existing assumptions, approaches and policies on asset management planning. This



examination may include both qualitative and quantitative measures such as examining the annual future lifecycle contributions needs (discussed further in Appendix F of this report).

### ***1.3.3 60-Day Circulation of D.C. Background Study***

Previously the legislation required that a D.C. background study be made available to the public at least two weeks prior to the public meeting. The amended legislation now provides that the D.C. background study must be made available to the public (including posting on the municipal website) at least 60 days prior to passage of the D.C. by-law. No other changes were made to timing requirements for such things as notice of the public meeting and notice of by-law passage.

This D.C. study is being provided to the public on May 28, 2021 to ensure the new requirements for release of the study is met.

### ***1.3.4 Timing of Collection of D.C.s***

The D.C.A. has been refined by Bill 73 to require that D.C.s are collected at the time of the first building permit. For the majority of development, this will not impact the Township's present process. There may be instances, however, where several building permits are to be issued and either the size of the development or the uses will not be definable at the time of the first building permit. In these instances, the Township may enter into a delayed payment agreement in order to capture the full development.

### ***1.3.5 Other Changes***

It is also noted that a number of other changes were made through Bill 73 and O. Reg. 428/15, including changes to the way in which transit D.C. service standards are calculated, the inclusion of waste diversion and the ability for collection of additional levies. At this time, the Township is not providing a D.C. with respect to transit services and waste diversion services. With respect to the ability for collection of additional levies, a detailed local service policy is provided in Appendix E.



## 1.4 Further Changes to the D.C.A.: Bill 108, 138 and 197

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### 1.4.1 ***Bill 108: More Homes, More Choice Act – An Act to Amend Various Statutes with Respect to Housing, Other Development, and Various Matters***

On May 2, 2019, the Province introduced Bill 108, which proposed changes to the D.C.A. The Bill has been introduced as part of the Province's "*More Homes, More Choice: Ontario's Housing Supply Action Plan*". The Bill received Royal Assent on June 6, 2019.

While having received royal assent, many of the amendments to the D.C.A. would not come into effect until they are proclaimed by the Lieutenant Governor (many of these changes were revised through Bill 197). At the time of writing, the following provisions have been proclaimed:

- Effective January 1, 2020, rental housing and institutional developments will pay D.C.s in six equal annual payments commencing at occupancy. Non-profit housing developments will pay D.C.s in 21 equal annual payments. Interest may be charged on the instalments, and any unpaid amounts may be added to the property and collected as taxes.
- Effective January 1, 2020 the D.C. amount for all developments occurring within 2 years of a Site Plan or Zoning By-law Amendment planning approval (for application submitted after this section is proclaimed), shall be determined based on the D.C. in effect on the day of Site Plan or Zoning By-law Amendment application. If the development is not proceeding via these planning approvals, then the amount is determined the earlier of the date of issuance of a building permit or occupancy.

On February 28, 2020, the Province released updated draft regulations related to the D.C.A. and the Planning Act. A summary of these changes to take effect upon proclamation by the Lieutenant Governor is provided below:

**Changes to Eligible Services** – Prior to Bill 108, the D.C.A. provided a list of ineligible services whereby municipalities could include growth related costs for any service that was not listed. With Bill 108, the changes to the D.C.A. would now specifically list the services that are eligible for inclusion in the by-law. Further, the initial list of eligible



services under Bill 108 was limited to “hard services”, with the “soft services” being removed from the D.C.A. These services would be considered as part of a new community benefits charge (discussed below) imposed under the Planning Act. As noted in the next section this list of services has been amended through Bill 197.

**Mandatory 10% deduction** – The amending legislation would remove the mandatory 10% deduction for all services that remain eligible under the D.C.A.

**Remaining Services to be Included in a New Community Benefits Charge (C.B.C.) Under the Planning Act** – It is proposed that a municipality may, by by-law, impose a C.B.C. against land to pay for the capital costs of facilities, services and matters required because of development or redevelopment in the area to which the by-law applies. The C.B.C. is proposed to include formerly eligible D.C. services that are not included in the above listing, in addition to parkland dedication and bonus zoning contributions.

#### ***1.4.2 Bill 138: Plan to Build Ontario Together Act, 2019***

On November 6, 2019, the Province released Bill 138 which provided further amendments to the D.C.A. and Planning Act. This Bill received Royal Assent on December 10, 2019 and was proclaimed which resulted in sections related to the D.C.A. (schedule 10) becoming effective on January 1, 2020. The amendments to the D.C.A. included removal of instalment payments for commercial and industrial developments that were originally included in Bill 108.

#### ***1.4.3 Bill 197: COVID-19 Economic Recovery Act, 2020***

In response to the global pandemic that began affecting Ontario in early 2020, the Province released Bill 197 which provided amendments to a number of Acts, including the D.C.A. and Planning Act. This Bill also revised some of the proposed changes identified in Bill 108. Bill 197 was tabled on July 8, 2020, received Royal Assent on July 21, 2020, and was proclaimed on September 18, 2020. The following provides a summary of the changes:

##### ***1.4.3.1 D.C. Related Changes***

###### List of D.C. Eligible Services



- As noted above, under Bill 108 some services were to be included under the D.C.A. and some would be included under the C.B.C. authority. However, Bill 197 revised this proposed change and has included all services (with some exceptions) under the D.C.A. These services are as follows:
  - Water supply services, including distribution and treatment services.
  - Wastewater services, including sewers and treatment services.
  - Storm water drainage and control services.
  - Services related to a highway.
  - Electrical power services.
  - Toronto-York subway extension.
  - Transit services.
  - Waste diversion services.
  - Policing services.
  - Fire protection services.
  - Ambulance services.
  - Library services
  - Long-term Care services
  - Parks and Recreation services, but not the acquisition of land for parks.
  - Public Health services
  - Childcare and early years services.
  - Housing services.
  - Provincial Offences Act services.
  - Services related to emergency preparedness.
  - Services related to airports, but only in the Regional Municipality of Waterloo.
  - Additional services as prescribed.

### Classes of Services – D.C.

Pre-Bill 108/197 legislation (i.e. D.C.A., 1997) allows for categories of services to be grouped together into a minimum of two categories (90% and 100% services).

The Act (as proclaimed) proposes to repeal that and replace the above with the four following subsections:

- A D.C. by-law may provide for any eligible service or capital cost related to any eligible service to be included in a class, set out in the by-law.





- A class may be composed of any number or combination of services and may include parts or portions of the eligible services or parts or portions of the capital costs in respect of those services.
- A D.C. by-law may provide for a class consisting of studies in respect of any eligible service whose capital costs are described in paragraphs 5 and 6 of s. 5 of the D.C.A.
- A class of service set out in the D.C. by-law is deemed to be a single service with respect to reserve funds, use of monies, and credits.

As well, the removal of 10% deduction for soft services under Bill 108 has been maintained.

#### 10-Year Planning Horizon

- The “maximum” 10-year planning horizon has been removed for all services except transit.

### *1.4.3.2 Community Benefits Charges Related Changes*

#### C.B.C. Eligibility

- The C.B.C. is limited to lower-tier and single tier municipalities, whereas upper-tier municipalities will not be allowed to impose this charge.
- O.Reg. 509/20 was filed on September 18, 2020. This regulation provides for the following:
  - A maximum rate will be set as a percentage of the market value of the land the day before building permit issuance. The maximum rate is set at 4%. The C.B.C may only be imposed on developing or redeveloping buildings which have a minimum height of five stories and contain no less than 10 residential units.
  - Bill 197 states that before passing a C.B.C. by-law, the municipality shall prepare a C.B.C. strategy that (a) identifies the facilities, services and matters that will be funded with C.B.C.s; and (b) complies with any prescribed requirements.
  - Only one C.B.C. by-law may be in effect in a local municipality at a time.



### 1.4.3.3 Combined D.C. and C.B.C. Impacts

#### D.C. vs. C.B.C. Capital Cost

- A C.B.C. may be imposed with respect to the services listed in s. 2 (4) of the D.C.A. (eligible services), "provided that the capital costs that are intended to be funded by the community benefits charge are not capital costs that are intended to be funded under a development charge by-law."

#### Transition – D.C. and C.B.C.

- The specified date for municipalities to transition to the D.C. and C.B.C. is two years after Schedules 3 and 17 of the COVID-19 Economic Recovery Act comes into force (i.e. September 18, 2022).
- Generally, for existing reserve funds (related to D.C. services that will be ineligible):
  - If a C.B.C. is passed, the funds are transferred to the C.B.C. special account;
  - If no C.B.C. is passed, the funds are moved to a general reserve fund for the same purpose
  - If a C.B.C. is passed subsequent to moving funds to a general reserve fund, those monies are then moved again to the C.B.C. special account.
- For reserve funds established under s. 37 of the Planning Act (e.g. bonus zoning)
  - If a C.B.C. is passed, the funds are transferred to the C.B.C. special account;
  - If no C.B.C. is passed, the funds are moved to a general reserve fund for the same purpose;
  - If a C.B.C. is passed subsequent to moving funds to a general reserve fund, those monies are then moved again to the C.B.C. special account.

If a municipality passes a C.B.C. by-law, any existing D.C. credits a landowner may retain may be used towards payment of that landowner's C.B.C.

It is noted that a C.B.C. is not being considered at this time and has not been included within this study.



#### **1.4.4 Bill 213: *Better for People, Smarter for Business Act, 2020***

On December 8, 2020, Bill 213 received Royal Assent. One of the changes of the Bill that took effect upon Royal Assent included amending the Ministry of Training, Colleges and Universities Act by introducing a new section that would exempt the payment of D.C.s for developments of land intended for use by a university that receives operating funds from the Government.



# Chapter 2

## Current Township of Wainfleet Policy





## 2. Current Township of Wainfleet Policy

### 2.1 Schedule of Charges

On August 2, 2016, the Township of Wainfleet passed By-law 050-2016 under the D.C.A.

This by-law imposes D.C.s for residential and non-residential uses. The table below provides the rates currently in effect:

Table 2-1  
Township of Wainfleet  
Current D.C. Rates

Service	Residential					Non-Residential	
	Single & Semi Detached	Multiples	Apartments with >= 2 Bedrooms	Apartments with < 2 Bedrooms	Special Care/Special Dwelling Units	per sq.ft.	Wind Turbine Per Unit
Roads and Related	3,982	2,382	2,296	1,613	1,344	2.29	3,982
Fire Protection Services	1,000	597	576	406	337	0.56	1,000
Outdoor Recreation Services	224	136	129	92	75	0.05	-
Indoor Recreation Services	1,088	650	629	441	368	0.26	-
Library Services	377	224	217	153	126	0.10	-
Administration Studies	226	136	131	92	76	0.14	226
<b>Total</b>	<b>6,897</b>	<b>4,125</b>	<b>3,978</b>	<b>2,797</b>	<b>2,326</b>	<b>3.40</b>	<b>5,208</b>

### 2.2 Services Covered

The following services are covered under By-laws 050-2016:

- Roads and Related;
- Fire Protection Services;
- Outdoor Recreation Services;
- Indoor Recreation Services;
- Library Services; and
- Administration Studies.

### 2.3 Timing of D.C. Calculation and Payment

D.C.s applicable to residential and non-residential development are calculated, payable, and collected as of the date a building permit is issued.



## 2.4 Indexing

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Rates shall be indexed annually on the anniversary date of the by-law, commencing from by-law passage by the percentage change recorded in the average annual Non-Residential Building Construction Price Index produced by Statistics Canada.

## 2.5 Redevelopment Allowance

---

As a result of the redevelopment of land, a building or structure existing on the same land within 60 months prior to the date of payment of D.C.s in regard to such redevelopment was or is to be demolished, in whole or in part, or converted from one principal use to another principal use on the same land in order to facilitate the redevelopment, the D.C.s otherwise payable with respect to such redevelopment shall be reduced by the following amounts:

- (a) in the case of a residential building or structure, or in the case of a mixed-use building or structure, the residential uses in the mixed-use building or structure, an amount calculated by multiplying the applicable D.C. by the number, according to type, of dwelling units that have been or will be demolished or converted to another principal use; and
- (b) in the case of a non-residential building or structure or, in the case of mixed-use building or structure, the non-residential uses in the mixed-use building or structure, an amount calculated by multiplying the applicable D.C.s under subsections by the gross floor area (G.F.A.) that has been or will be demolished or converted to another principal use;

provided that such amounts shall not exceed, in total, the amount of the D.C.s otherwise payable with respect to the redevelopment.

## 2.6 Exemptions

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The following non-statutory exemptions are provided under By-law 2015-100:

- A place of worship exempt from taxation under the *Assessment Act*;
- Bona fide farm (non-residential) buildings; and



- A development by a university, other post-secondary school offering a degree or diploma recognized by the Province of Ontario or a not-for-profit private elementary or secondary school operated in compliance with section 16 of the Education Act, as amended, where such development is used for the academic or teaching purposes of the university or school.

## **2.7 Reductions**

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For an application for a residential or non-residential building permit (excluding wind turbines) for a building or structure on an existing lot of record will have the applicable D.C. reduced by 50%.







# Chapter 3

## Anticipated Development in the Township of Wainfleet





## 3. Anticipated Development in the Township of Wainfleet

### 3.1 Requirement of the Act

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The growth forecast contained in this chapter (with supplemental tables in Appendix A) provides for the anticipated development for which the Township of Wainfleet will be required to provide services, over a 10-year (mid-2021 to mid-2031) and longer-term (mid-2021 to mid-2041) time horizon.

Chapter 4 provides the methodology for calculating a D.C. as per the D.C.A. Figure 4-1 presents this methodology graphically. It is noted in the first box of the schematic that in order to determine the D.C. that may be imposed, it is a requirement of Section 5 (1) of the D.C.A. that “the anticipated amount, type and location of development, for which development charges can be imposed, must be estimated.”

### 3.2 Basis of Population, Household and Non-Residential Gross Floor Area Forecast

---

The D.C. growth forecast has been derived by by Watson. In preparing the growth forecast, the following information sources were consulted to assess the residential and non-residential development potential for the Township over the forecast period, including:

- Niagara Region Municipal Comprehensive Review – Growth Allocation Update to 2051 Memorandum, Hemson Consulting Limited, April 5, 2021;
- Township of Wainfleet Development Charge Background Study, Watson & Associates Economists Ltd., May 31, 2016;
- 2006, 2011 and 2016 population, household, and employment Census data;
- Historical residential building permit data over the 2011 to 2020 period;
- Residential and non-residential supply opportunities as provided by the Township of Wainfleet; and
- Discussions with Township staff regarding anticipated residential and non-residential development in the Township of Wainfleet.



### 3.3 Summary of Growth Forecast

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A detailed analysis of the residential and non-residential growth forecasts is provided in Appendix A and the methodology employed is illustrated in Figure 3-1. The discussion provided herein summarizes the anticipated growth for the Township and describes the basis for the forecast. The results of the residential growth forecast analysis are summarized in Table 3-1 below, and *Schedule 1* in Appendix A.

As identified in Table 3-1 and Appendix A, *Schedule 1*, permanent population in Wainfleet is anticipated to reach approximately 6,970 by mid-2031 and 7,190 by mid-2041, resulting in an increase of approximately 370 and 590 persons, respectively.<sup>1</sup>

The Township's seasonal population is not expected to grow over the forecast period. Including seasonal population, the Township's permanent and seasonal population is forecast to reach 9,000 by 2041.<sup>2</sup>

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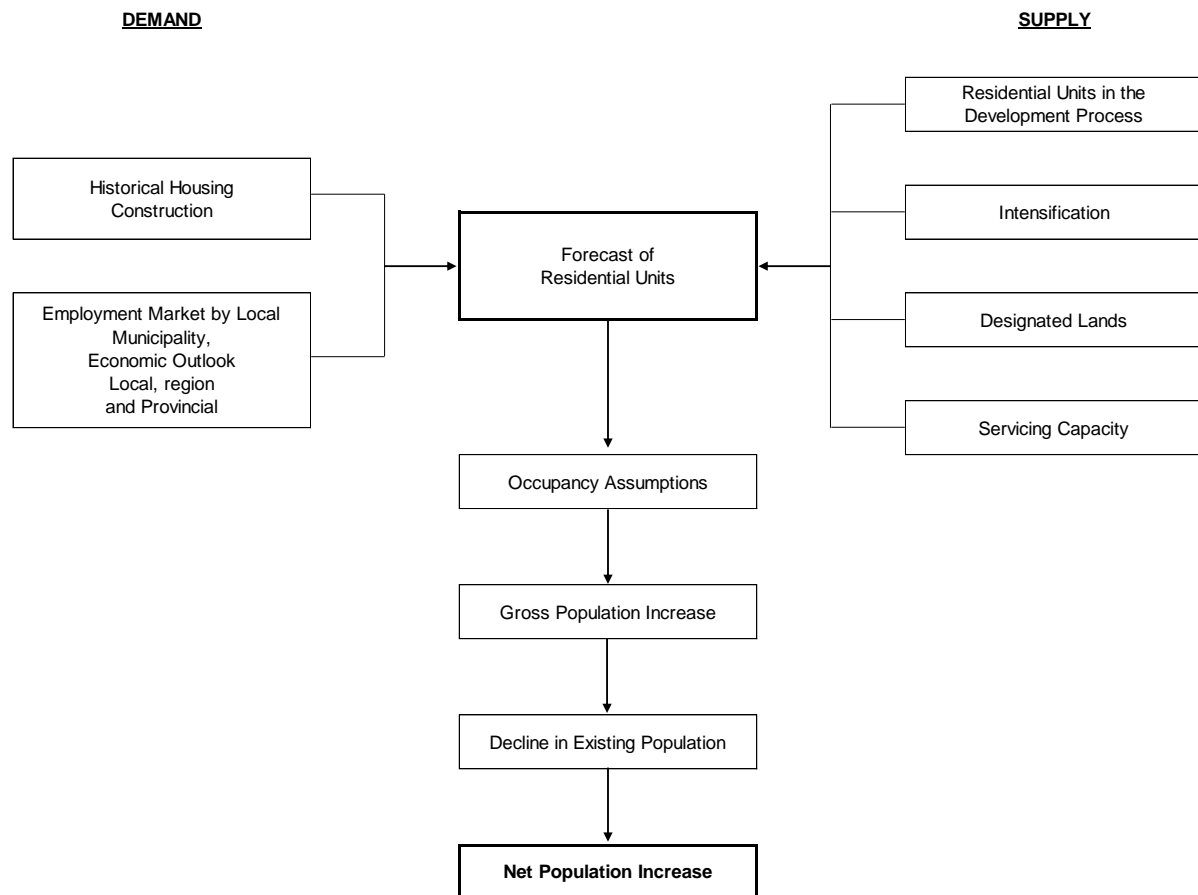
<sup>1</sup> The population figures used in the calculation of the 2021 D.C. exclude the net Census undercount, which is estimated at approximately 2.5%.

<sup>2</sup> Seasonal population defined as population in units which are not permanently occupied on a year round basis (i.e. cottages).

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Figure 3-1  
Population and Household Forecast Model





**Table 3-1**  
**Township of Wainfleet**  
**Residential Growth Forecast Summary**

Year		Permanent Population (Including Census Undercount)	Excluding Census Undercount		Housing Units							Permanent Person Per Unit (P.P.U.)
			Permanent Population <sup>1</sup>	Total Permanent and Seasonal Population	Singles & Semi-Detached	Multiples <sup>2</sup>	Apartments <sup>3</sup>	Other	Total Permanent Households	Seasonal Households	Total Households Including Seasonal	
Historical	Mid 2006	6,770	6,601	8,416	2,290	35	25	45	2,395	507	2,902	2.756
	Mid 2011	6,520	6,356	8,171	2,260	28	29	20	2,337	507	2,844	2.720
	Mid 2016	6,530	6,372	8,187	2,320	15	25	50	2,410	507	2,917	2.644
Forecast	Mid 2021	6,760	6,598	8,413	2,440	15	25	50	2,530	507	3,037	2.608
	Mid 2031	7,150	6,969	8,784	2,650	15	25	50	2,740	507	3,247	2.543
	Mid 2041	7,370	7,186	9,001	2,810	15	25	50	2,900	507	3,407	2.478
Incremental	Mid 2006 - Mid 2011	-250	-245	-245	-30	-7	4	-25	-58	0	-58	
	Mid 2011 - Mid 2016	10	16	16	60	-13	-4	30	73	0	73	
	Mid 2016 - Mid 2021	230	226	226	120	0	0	0	120	0	120	
	Mid 2021 - Mid 2031	390	371	371	210	0	0	0	210	0	210	
	Mid 2021 - Mid 2041	610	588	588	370	0	0	0	370	0	370	

Source: Derived from the Niagara Region Municipal Comprehensive Review – Growth Allocation Update to 2051 (April 5, 2021, Hemson Consulting Memo) forecast for the Township of Wainfleet, by Watson & Associates Economists Ltd., 2021.

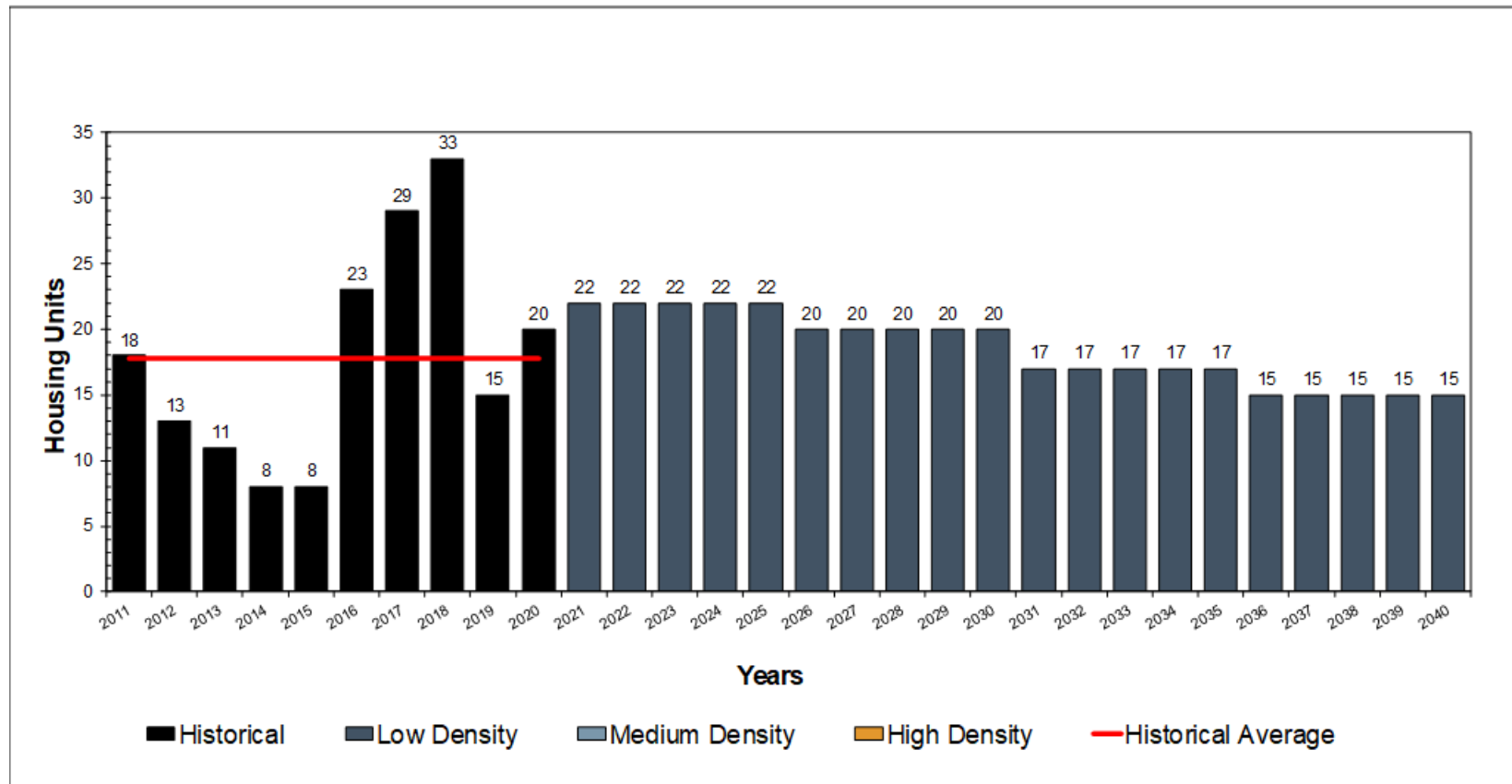
<sup>1</sup> Population excludes net Census Undercount of approximately 2.5%.

<sup>2</sup> Includes townhouses and apartments in duplexes.

<sup>3</sup> Includes bachelor, 1-bedroom and 2-bedroom+ apartments.



Figure 3-2  
Township of Wainfleet  
Annual Housing Forecast



Source: Historical housing activity derived from data provided by the Township of Wainfleet, 2011-2020.

<sup>1</sup> Growth forecast represents calendar year.





Provided below is a summary of the key assumptions and findings regarding the Township of Wainfleet D.C. growth forecast:

### 1. Housing Unit Mix (Appendix A – Schedules 1, 6 and 7)

- The housing unit mix for the Township was derived from a detailed review of historical development activity (as per Schedule 7), as well as active residential development applications (as per Schedule 6), and discussions with Township staff regarding anticipated development trends for Wainfleet.
- Based on the above indicators, the 2021 to 2041 household growth forecast for the Township is comprised of 100% low-density units (single detached and semi-detached).

### 2. Planning Period

- Short- and longer-term time horizons are required for the D.C. process. The D.C.A. limits the planning horizon for transit services to a 10-year planning horizon. All other services can utilize a longer planning period if the municipality has identified the growth-related capital infrastructure needs associated with the longer-term growth planning period.

### 3. Population in New Housing Units (Appendix A - Schedules 3, 4 and 5)

- The number of housing units to be constructed by 2041 in the Township of Wainfleet over the forecast period is presented in Figure 3-2. Over the 2021 to 2041 forecast period, the Township is anticipated to average 19 new housing units per year.
- Population in new units is derived from Schedules 3, 4, and 5, which incorporate historical development activity, anticipated units (see unit mix discussion) and average persons per unit (P.P.U.) by dwelling type for new units.
- Schedule 8a and 8b summarize the average P.P.U. assumed for new housing units by age and type of dwelling based on Statistics Canada 2016 custom Census data for the Township of Wainfleet. Due to data limitations, P.P.U.s for medium and high-density dwellings were derived from Niagara Region as outlined in Schedule 8b. The total calculated 25-year adjusted average P.P.U.s by dwelling type are as follows:



- Low density: 2.999
- Medium density: 2.093
- High density<sup>1</sup>: 1.690

#### 4. Existing Units and Population Change (Appendix A - Schedules 3, 4 and 5)

- Existing households for mid-2021 are based on the 2016 Census households, plus estimated residential units constructed between mid-2016 and mid-2021, assuming a 6-month lag between construction and occupancy (see Schedule 3).
- The decline in average occupancy levels for existing housing units is calculated in Schedules 3 through 5, by aging the existing population over the forecast period. The forecast population decline in existing households over the 2021 to 2041 forecast period is approximately 520.

#### 5. Employment (Appendix A, Schedules 10a and 10b)

- The employment projections provided herein are largely based on the activity rate method, which is defined as the number of jobs in the Township divided by the number of residents. Key employment sectors include primary, industrial, commercial/ population-related, institutional, and work at home, which are considered individually below.
- 2016 employment data<sup>2</sup> (place of work) for the Township of Wainfleet is outlined in Schedule 10a. The 2016 employment base is comprised of the following sectors:
  - 135 primary (11%);
  - 410 work at home employment (34%);
  - 278 industrial (23%);
  - 263 commercial/population related (21%); and
  - 130 institutional (11%).

---

<sup>1</sup> Includes bachelor, 1-bedroom and 2- or more bedroom apartments.

<sup>2</sup> 2016 employment is based on Statistics Canada 2016 Place of Work Employment dataset by Watson & Associates Economists Ltd.



- The 2016 employment by usual place of work, including work at home, is 1,215. An additional 270 employees have been identified for the Township in 2016 that have no fixed place of work (N.F.P.O.W.).<sup>1</sup>
- Total employment, including work at home and N.F.P.O.W. for the Township is anticipated to reach approximately 1,590 by Mid-2031 and 1,680 by Mid-2041. This represents an employment increase of approximately 80 for the 10-year forecast period and 170 for the longer-term forecast period.
- Schedule 10b, Appendix A, summarizes the employment forecast, excluding work at home employment and N.F.P.O.W. employment, which is the basis for the D.C. employment forecast. The impact on municipal services from work at home employees has already been included in the population forecast. The need for municipal services related to N.F.P.O.W. employees has largely been included in the employment forecast by usual place of work (i.e. employment and gross floor area generated from N.F.P.O.W. construction employment). Furthermore, since these employees have no fixed work address, they cannot be captured in the non-residential gross floor area (G.F.A.) calculation.

#### 6. Non-Residential Sq.ft. Estimates (G.F.A., Appendix A, Schedule 10b)

- Square footage estimates were calculated in Schedule 9b based on the following employee density assumptions:
  - 3,000 sq.ft. per employee for primary;
  - 1,400 sq.ft. per employee for industrial;
  - 550 sq.ft. per employee for commercial/population-related; and
  - 700 sq.ft. per employee for institutional employment.
- The Township-wide incremental Gross Floor Area (G.F.A.) is anticipated to increase by 60,900 sq.ft. over the 10-year forecast period and 121,700 sq.ft. over the longer-term forecast period.
- In terms of percentage growth, the 2021 to 2041 incremental G.F.A. forecast by sector is broken down as follows:
  - primary – 39%;

---

<sup>1</sup> No fixed place of work is defined by Statistics Canada as "persons who do not go from home to the same work place location at the beginning of each shift". Such persons include building and landscape contractors, travelling salespersons, independent truck drivers, etc.



- industrial – 44%;
- commercial/population-related – 8%; and
- institutional – 9%.





# Chapter 4

## The Approach to the Calculation of the Charge





## 4. The Approach to the Calculation of the Charge

### 4.1 Introduction

---

This chapter addresses the requirements of subsection 5 (1) of the D.C.A. with respect to the establishment of the need for service which underpins the D.C. calculation. These requirements are illustrated schematically in Figure 4-1.

### 4.2 Potentially Involved

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Table 4-1 lists the full range of municipal service categories which are provided within the Township.

A number of these services are not defined in subsection 2 (4) of the D.C.A. as being eligible for inclusion in D.C.s. These are shown as “ineligible” on Table 4-1. Two ineligible costs defined in subsection 5 (3) of the D.C.A. are “computer equipment” and “rolling stock with an estimated useful life of (less than) seven years...” In addition, local roads are covered separately under subdivision agreements and related means (as are other local services). Services which are potentially eligible for inclusion in the Township’s D.C. are indicated with a “Yes.”

### 4.3 Increase in the Need for Service

---

The D.C. calculation commences with an estimate of “the increase in the need for service attributable to the anticipated development,” for each service to be covered by the by-law. There must be some form of link or attribution between the anticipated development and the estimated increase in the need for service. While the need could conceivably be expressed generally in terms of units of capacity, subsection 5 (1) 3, which requires that Township Council indicate that it intends to ensure that such an increase in need will be met, suggests that a project-specific expression of need would be most appropriate.





Figure 4-1  
The Process of Calculating a Development Charge under the Act  
that must be followed

The Process of Calculating a Development Charge under the Act that must be followed

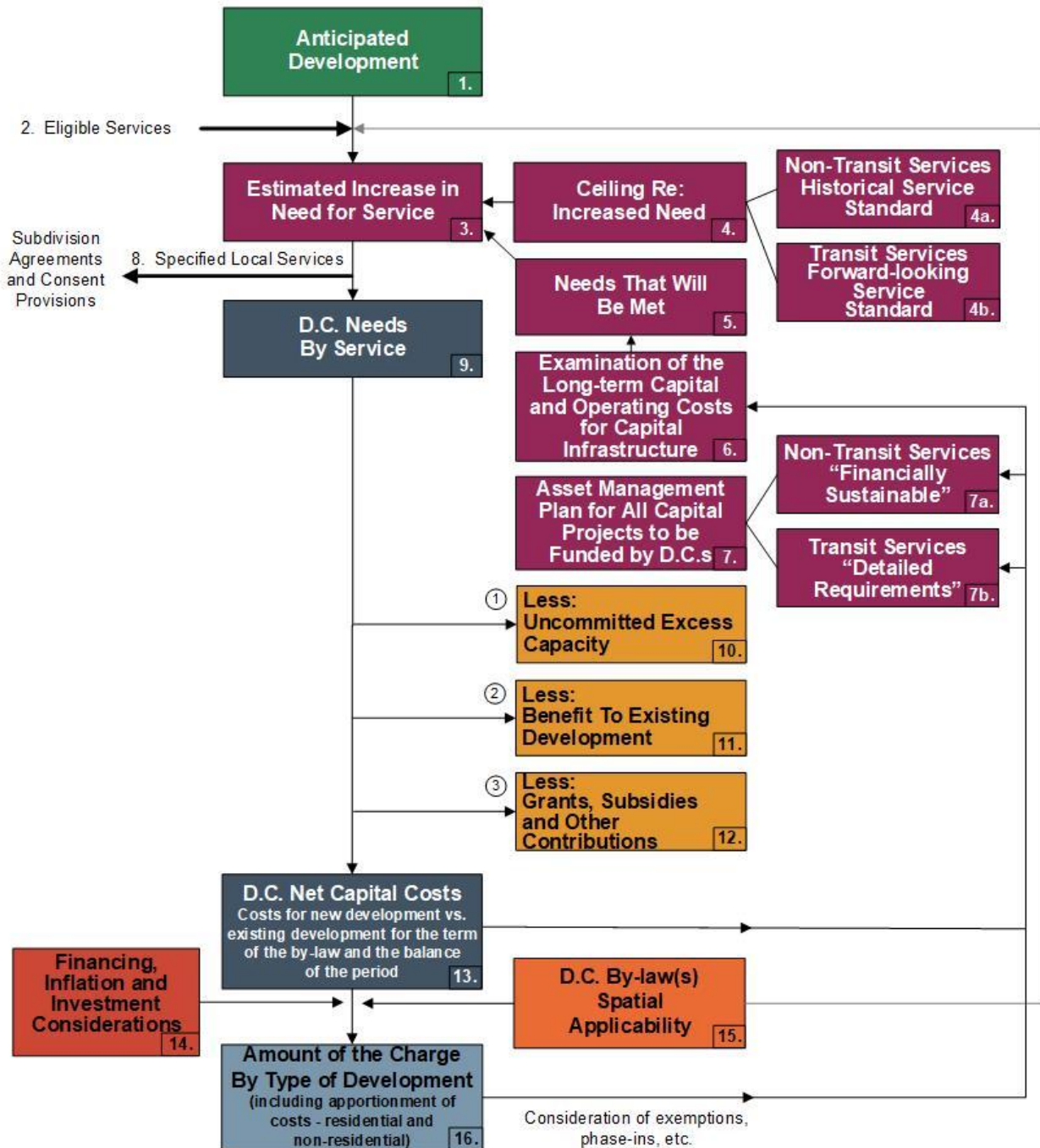




Table 4-1  
Categories of Municipal Services to be Addressed as Part of the Calculation

Eligibility for Inclusion in the D.C. Calculation	Description
Yes	Municipality provides the service – service has been included in the D.C. calculation.
No	Municipality provides the service – service has not been included in the D.C. calculation.
n/a	Municipality does not provide the service.
Ineligible	Service is ineligible for inclusion in the D.C. calculation.

Categories of Municipal Services	Eligibility for Inclusion in the D.C. Calculation	Service Components	Maximum Potential D.C. Recovery %
1. Services Related to a Highway	Yes	1.1 Arterial roads	100
	Yes	1.2 Collector roads	100
	Yes	1.3 Bridges, Culverts and Roundabouts	100
	No	1.4 Local municipal roads	0
	Yes	1.5 Traffic signals	100
	Yes	1.6 Sidewalks and streetlights	100
	Yes	1.7 Active Transportation	100
2. Other Transportation Services	n/a	2.1 Transit vehicles <sup>2</sup> & facilities	100
	n/a	2.2 Other transit infrastructure	100
	Ineligible	2.3 Municipal parking spaces - indoor	0
	Ineligible	2.4 Municipal parking spaces - outdoor	0
	Yes	2.5 Works Yards	100
	Yes	2.6 Rolling stock <sup>1</sup>	100
	n/a	2.7 Ferries	100
	n/a	2.8 Airport	100**

<sup>1</sup>with 7+ year life time

\*same percentage as service component to which it pertains  
computer equipment excluded throughout

\*\*Airports only eligible for the Region of Waterloo



Categories of Municipal Services	Eligibility for Inclusion in the D.C. Calculation	Service Components	Maximum Potential D.C. Recovery %
3. Stormwater Drainage and Control Services	n/a	3.1 Main channels and drainage trunks	100
	n/a	3.2 Channel connections	100
	n/a	3.3 Retention/detention ponds	100
4. Fire Protection Services	Yes	4.1 Fire stations	100
	Yes	4.2 Fire pumpers, aerials and rescue vehicles <sup>1</sup>	100
	Yes	4.3 Small equipment and gear	100
5. Parks Services (i.e. Parks and Open Space)	Ineligible	5.1 Acquisition of land for parks, woodlots and E.S.A.s	0
	Yes	5.2 Development of area municipal parks	100
	Yes	5.3 Development of district parks	100
	Yes	5.4 Development of municipal-wide parks	100
	Yes	5.5 Development of special purpose parks	100
	Yes	5.6 Parks rolling stock <sup>1</sup> and yards	100
6. Recreation Services	Yes	6.1 Arenas, indoor pools, fitness facilities, community centres, etc. (including land)	100
	Yes	6.2 Recreation vehicles and equipment <sup>1</sup>	100
7. Library Services	Yes	7.1 Public library space (incl. furniture and equipment)	100
	n/a	7.2 Library vehicles <sup>1</sup>	100
	Yes	7.3 Library materials	100
8. Electrical Power Services	Ineligible	8.1 Electrical substations	0
	Ineligible	8.2 Electrical distribution system	0
	Ineligible	8.3 Electrical system rolling stock	0

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<sup>1</sup>with 7+ year lifetime



Categories of Municipal Services	Eligibility for Inclusion in the D.C. Calculation	Service Components	Maximum Potential D.C. Recovery %
9. Provision of Cultural, Entertainment and Tourism Facilities and Convention Centres	Ineligible	9.1 Cultural space (e.g. art galleries, museums and theatres)	0
	Ineligible	9.2 Tourism facilities and convention centres	0
10. Wastewater Services	n/a	10.1 Treatment plants	100
	n/a	10.2 Sewage trunks	100
	Ineligible	10.3 Local systems	0
	n/a	10.4 Vehicles and equipment <sup>1</sup>	100
11. Water Supply Services	n/a	11.1 Treatment plants	100
	n/a	11.2 Distribution systems	100
	Ineligible	11.3 Local systems	0
	n/a	11.4 Vehicles and equipment <sup>1</sup>	100
12. Waste Management Services	Ineligible	12.1 Landfill collection, transfer vehicles and equipment	0
	Ineligible	12.2 Landfills and other disposal facilities	0
	n/a	12.3 Waste diversion facilities	100
	n/a	12.4 Waste diversion vehicles and equipment <sup>1</sup>	100
13. Policing Services	n/a	13.1 Police detachments	100
	n/a	13.2 Police rolling stock <sup>1</sup>	100
	n/a	13.3 Small equipment and gear	100
14. Long-term Care	n/a	14.1 Long-term Care space	100
	n/a	14.2 Vehicles <sup>1</sup>	100
15. Child Care and Early Years	n/a	15.1 Child care space	100
	n/a	15.2 Vehicles <sup>1</sup>	100
16. Public Health	n/a	16.1 Health department space	100
	n/a	16.2 Health department vehicles <sup>2</sup>	100
17. Housing	n/a	17.1 Social Housing space	100
18. Provincial Offences Act (P.O.A.)	n/a	18.1 P.O.A. space	100
	n/a	18.2 Vehicles and equipment <sup>1</sup>	100

<sup>1</sup>with a 7+ year lifetime



Categories of Municipal Services	Eligibility for Inclusion in the D.C. Calculation	Service Components	Maximum Potential D.C. Recovery %
19. Social Services	n/a	19.1 Social service space	0
20. Ambulance	n/a n/a	20.1 Ambulance station space 20.2 Vehicles <sup>1</sup>	100 100
21. Hospital Provision	Ineligible	21.1 Hospital capital contributions	0
22. Emergency Preparedness Services	No No	22.1 Emergency Preparedness space 22.2 Vehicles and equipment <sup>1</sup>	100 100
23. Provision of Headquarters for the General Administration of Municipalities and Area Municipal Boards	Ineligible Ineligible Ineligible	23.1 Office space 23.2 Office furniture 23.3 Computer equipment	0 0 0
24. Other Services	Yes  Yes	24.1 Studies in connection with acquiring buildings, rolling stock, materials and equipment, and improving land <sup>2</sup> and facilities, including the D.C. background study cost 24.2 Interest on money borrowed to pay for growth-related capital	0-100 0-100

<sup>1</sup>with a 7+ year lifetime

<sup>2</sup>same percentage as service component to which it pertains

## 4.4 Local Service Policy

Some of the need for services generated by additional development consists of local services related to a plan of subdivision. As such, they will be required as a condition of subdivision agreements or consent conditions. The Township's detailed Local Service Policy is provided in Appendix E.



## 4.5 Capital Forecast

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Paragraph 7 of subsection 5 (1) of the D.C.A. requires that “the capital costs necessary to provide the increased services must be estimated.” The Act goes on to require two potential cost reductions and the Regulation sets out the way in which such costs are to be presented. These requirements are outlined below.

These estimates involve capital costing of the increased services discussed above. This entails costing actual projects or the provision of service units, depending on how each service has been addressed.

The capital costs include:

- a) costs to acquire land or an interest therein (including a leasehold interest);
- b) costs to improve land;
- c) costs to acquire, lease, construct or improve buildings and structures;
- d) costs to acquire, lease or improve facilities, including rolling stock (with a useful life of 7 or more years), furniture and equipment (other than computer equipment), materials acquired for library circulation, reference or information purposes;
- e) interest on money borrowed to pay for the above-referenced costs;
- f) costs to undertake studies in connection with the above-referenced matters; and
- g) costs of the D.C. background study.

In order for an increase in need for service to be included in the D.C. calculation, Township Council must indicate “...that it intends to ensure that such an increase in need will be met” (subsection 5 (1) 3). This can be done if the increase in service forms part of a Council-approved Official Plan, capital forecast or similar expression of the intention of Council (O. Reg. 82/98 section 3). The capital program contained herein reflects the Township’s approved and proposed capital budgets and master servicing/needs studies.

## 4.6 Treatment of Credits

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Section 8, paragraph 5, of O. Reg. 82/98 indicates that a D.C. background study must set out “the estimated value of credits that are being carried forward relating to the service.” Subsection 17, paragraph 4, of the same Regulation indicates that “...the



value of the credit cannot be recovered from future D.C.s,” if the credit pertains to an ineligible service. This implies that a credit for eligible services can be recovered from future D.C.s. As a result, this provision should be made in the calculation, in order to avoid a funding shortfall with respect to future service needs. The Township does not currently have any outstanding credits.

## 4.7 Classes of Services

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Section 7 of the D.C.A. states that a D.C. by-law may provide for any D.C. eligible service or the capital costs with respect to those services. Further, a class may be composed of any number or combination of services and may include parts or portions of each D.C. eligible services. With respect to growth-related studies, Section 7(3) of the D.C.A. states that:

*“For greater certainty, a development charge by-law may provide for a class consisting of studies in respect of any service listed in subsection 2 (4) whose capital costs are described in paragraphs 5 and 6 of subsection 5 (3).”*

These provisions allow for services to be grouped together to create a class for the purposes of the D.C. by-law and D.C. reserve funds. The D.C. calculations and by-law provided herein includes growth studies as a class of service made up of the following services:

- Administration Studies
  - Services Related to a Highway;
  - Fire Protection Services;
  - Parks and Recreation Services; and
  - Library Services.

## 4.8 Existing Reserve Funds

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Section 35 of the D.C.A. states that:

*“The money in a reserve fund established for a service may be spent only for capital costs determined under paragraphs 2 to 7 of subsection 5 (1).”*

There is no explicit requirement under the D.C.A. calculation method set out in subsection 5 (1) to net the outstanding reserve fund balance as part of making the D.C.

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calculation; however, section 35 does restrict the way in which the funds are used in future.

For services which are subject to a per capita based, service level “cap,” the reserve fund balance should be applied against the development-related costs for which the charge was imposed once the project is constructed (i.e. the needs of recent growth). This cost component is distinct from the development-related costs for the next 10-year period, which underlie the D.C. calculation herein.

The alternative would involve the Township spending all reserve fund monies prior to renewing each by-law, which would not be a sound basis for capital budgeting. Thus, the Township will use these reserve funds for the Township’s cost share of applicable development-related projects, which are required but have not yet been undertaken, as a way of directing the funds to the benefit of the development which contributed them (rather than to future development, which will generate the need for additional facilities directly proportionate to future growth).

The Township’s D.C. reserve fund balances by service as of December 31, 2020 are shown below:

Service	Totals
Services Related to a Highway	\$139,671
Fire Protection Services	\$65,453
Parks and Recreation Services	\$95,847
Library Services	\$29,674
Administration Studies	\$32,960
<b>Total</b>	<b>\$363,605</b>

## 4.9 Deductions

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The D.C.A. potentially requires that five deductions be made to the increase in the need for service. These relate to:

- the level of service ceiling;
- uncommitted excess capacity;
- benefit to existing development; and
- anticipated grants, subsidies and other contributions.

The requirements behind each of these reductions are addressed as follows:

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#### **4.9.1 Reduction Required by Level of Service Ceiling**

This is designed to ensure that the increase in need included in section 4.3 does “...not include an increase that would result in the level of service (for the additional development increment) exceeding the average level of the service provided in the municipality over the 10-year period immediately preceding the preparation of the background study...” O. Reg. 82.98 (section 4) goes further to indicate that “...both the quantity and quality of a service shall be taken into account in determining the level of service and the average level of service.”

In many cases, this can be done by establishing a quantity measure in terms of units as floor area, land area or road length per capita and a quality measure, in terms of the average cost of providing such units based on replacement costs, engineering standards or recognized performance measurement systems, depending on circumstances. When the quantity and quality factor are multiplied together, they produce a measure of the level of service, which meets the requirements of the Act, i.e. cost per unit.

With respect to transit services, the changes to the Act as a result of Bill 73 have provided for an alternative method for calculating the services standard ceiling. Transit services must now utilize a forward-looking service standard analysis, described later in this section.

The average service level calculation sheets for each service component in the D.C. calculation are set out in Appendix B.

#### **4.9.2 Reduction for Uncommitted Excess Capacity**

Paragraph 5 of subsection 5 (1) requires a deduction from the increase in the need for service attributable to the anticipated development that can be met using the Township’s “excess capacity,” other than excess capacity which is “committed.”

“Excess capacity” is undefined, but in this case must be able to meet some or all of the increase in need for service, in order to potentially represent a deduction. The deduction of uncommitted excess capacity from the future increase in the need for service would normally occur as part of the conceptual planning and feasibility work associated with justifying and sizing new facilities, e.g. if a road widening to accommodate increased traffic is not required because sufficient excess capacity is



already available, then widening would not be included as an increase in need, in the first instance.

### **4.9.3 Reduction for Benefit to Existing Development**

Section 5 (1) 6 of the D.C.A. provides that, “The increase in the need for service must be reduced by the extent to which an increase in service to meet the increased need would benefit existing development.” The general guidelines used to consider benefit to existing development include:

- the repair or unexpanded replacement of existing assets that are in need of repair;
- an increase in average service level of quantity or quality (compare water as an example);
- the elimination of a chronic servicing problem not created by growth; and
- providing services where none previously existed (generally considered for water or wastewater services).

This step involves a further reduction in the need, by the extent to which such an increase in service would benefit existing development. The level of services cap discussed in section 4.4 of this report is related but is not the identical requirement. Sanitary, storm and water trunks are highly localized to growth areas and can be more readily allocated in this regard than other services such as services related to a highway, which do not have a fixed service area.

Where existing development has an adequate service level which will not be tangibly increased by an increase in service, no benefit would appear to be involved. For example, where expanding existing library facilities simply replicates what existing residents are receiving, they receive very limited (or no) benefit as a result. On the other hand, where a clear existing service problem is to be remedied, a deduction should be made accordingly.

In the case of services such as recreation facilities, community parks, libraries, etc., the service is typically provided on a Township-wide system basis. For example, facilities of the same type may provide different services (i.e. leisure pool vs. competitive pool), different programs (i.e. hockey vs. figure skating) and different time availability for the same service (i.e. leisure skating available on Wednesday in one arena and Thursday in another). As a result, residents will travel to different facilities to access the services



they want at the times they wish to use them, and facility location generally does not correlate directly with residence location. Even where it does, displacing users from an existing facility to a new facility frees up capacity for use by others and generally results in only a very limited benefit to existing development. Further, where an increase in demand is not met for a number of years, a negative service impact to existing development is involved for a portion of the planning period.

#### **4.9.4 *Reduction for Anticipated Grants, Subsidies and Other Contributions***

This step involves reducing the capital costs necessary to provide the increased services by capital grants, subsidies and other contributions (including direct developer contributions required due to the local service policy) made or anticipated by Council and in accordance with various rules such as the attribution between the share related to new vs. existing development. That is, some grants and contributions may not specifically be applicable to growth or where Council targets fundraising as a measure to offset impacts on taxes (O. Reg. 82/98 section 6).

### **4.10 Municipal-wide vs. Area Rating**

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This step involves determining whether all of the subject costs are to be recovered on a uniform municipal-wide basis or whether some or all are to be recovered on an area-specific basis. Under the amended D.C.A., it is now mandatory to “consider” area-rating of services (providing charges for specific areas and services), however, it is not mandatory to implement area-rating. Further discussion is provided in section 7.4.4.

### **4.11 Allocation of Development**

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This step involves relating the costs involved to anticipated development for each period under consideration and using allocations between residential and non-residential development and between one type of development and another, to arrive at a schedule of charges.



## 4.12 Asset Management

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The new legislation now requires that a D.C. background study must include an asset management plan (subsection 10 (2) c. 2). The asset management plan (A.M.P.) must deal with all assets that are proposed to be funded, in whole or in part, by D.C.s. The current regulations provide very extensive and specific requirements for the A.M.P. related to transit services (as noted in the subsequent subsection); however, they are silent with respect to how the A.M.P. is to be provided for all other services. As part of any A.M.P., the examination should be consistent with the municipality's existing assumptions, approaches and policies on the asset management planning. This examination has been included in Appendix F.

## 4.13 Transit

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The most significant changes to the Act relate to the transit service. These changes relate to four areas of the calculations, as follows:

- A. Transit no longer requires the statutory 10% mandatory deduction from the net capital cost (subsection 5.2 (i) of the D.C.A.).
- B. The background study requires the following in regard to transit costs (as per subsection 8 (2) of the Regulations):
  - 1. The calculations that were used to prepare the estimate for the planned level of service for the transit services, as mentioned in subsection 5.2 (3) of the Act.
  - 2. An identification of the portion of the total estimated capital cost relating to the transit services that would benefit,
    - i. the anticipated development over the 10-year period immediately following the preparation of the background study, or
    - ii. the anticipated development after the 10-year period immediately following the preparation of the background study.



3. An identification of the anticipated excess capacity that would exist at the end of the 10-year period immediately following the preparation of the background study.
  4. An assessment of ridership forecasts for all modes of transit services proposed to be funded by the development charge over the 10-year period immediately following the preparation of the background study, categorized by development types, and whether the forecasted ridership will be from existing or planned development.
  5. An assessment of the ridership capacity for all modes of transit services proposed to be funded by the development charge over the 10-year period immediately following the preparation of the background study.
- C. A new forward-looking service standard (as per subsection 6.1 (2) of the Regulations):
1. The service is a discrete service.
  2. No portion of the service that is intended to benefit anticipated development after the 10-year period immediately following the preparation of the background study may be included in the estimate.
  3. No portion of the service that is anticipated to exist as excess capacity at the end of the 10-year period immediately following the preparation of the background study may be included in the estimate.
- D. A very detailed asset management strategy and reporting requirements (subsection 6.1 (3) of the Regulation) that includes lifecycle costs, action plans that will enable the assets to be sustainable, summary of how to achieve the proposed level of service, discussion on procurement measures and risk.

The Township does not currently provide transit services. Therefore, the above calculations and reporting requirements are not required.



# Chapter 5

## D.C.-Eligible Cost Analysis by Service





## 5. D.C.-Eligible Cost Analysis by Service

### 5.1 Introduction

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This chapter outlines the basis for calculating eligible costs for the D.C.s to be applied on a uniform basis. In each case, the required calculation process set out in subsection 5 (1) paragraphs 2 to 8 in the D.C.A. and described in Chapter 4, was followed in determining D.C.-eligible costs.

The nature of the capital projects and timing identified in this Chapter reflects Council's current intention. Over time, however, Township projects and Council priorities change and accordingly, Council's intentions may alter and different capital projects (and timing) may be required to meet the need for services required by new growth.

### 5.2 Service Levels and 10-Year Capital Costs for D.C. Calculation

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This section evaluates the development-related capital requirements for all of the "softer" services over a 10-year planning period. Each service component is evaluated on two format sheets: the average historical 10-year level of service calculation (see Appendix B), which "caps" the D.C. amounts; and, the infrastructure cost calculation, which determines the potential D.C. recoverable cost.





### **5.2.1 Administration Studies**

The D.C.A. permits the inclusion of studies undertaken to facilitate the completion of the Township's capital works program. As discussed in Section 4.7, these studies have been allocated as a class of services based on each service to which the study relates.

For planning related studies, a deduction of 10% has been applied to recognize the extent to which the studies relate to non-D.C.-eligible services. All planning studies have been allocated to each service within the class in the following manner:

- Services Related to a Highway – 40%
- Fire Protection Services – 40%
- Parks and Recreation – 5%
- Library Services – 5%

In addition, the capital cost of D.C. background studies has been allocated across the different services based on the proportion of the total net growth-related capital costs. The following provides a breakdown of the allocation of D.C. background studies to each service:

- Services Related to a Highway – 68%
- Fire Protection Services – 19%
- Parks and Recreation – 8%
- Library Services – 5%

The remainder of the growth-related studies identified are as follows:

- Services Related to a Highway:
  - Transportation Master Plan
- Library Services:
  - Strategic Plan
- Fire Protection Services:
  - Fire Master Plan

The gross capital cost of these studies is \$345,000 of which \$145,000 is attributable to existing benefit. A deduction of \$10,000 has been made to recognize the portion of planning studies related to D.C.-ineligible services, as mentioned above. The existing



reserve fund balance of \$32,960 has been deducted as well, resulting in a net D.C.-eligible cost of \$157,040 to be included in the calculations.

These costs have been allocated 90% residential and 10% non-residential based on the incremental growth in population to employment for the 10-year forecast period.



### Infrastructure Costs Included in the Development Charges Calculation

Township of Wainfleet

Class of Service: Administration Studies

Prj.No	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Service to Which Project Relates	Gross Capital Cost Estimate (2021\$)	Post Period Benefit	Other Deductions (to recognize benefit to non-D.C. services)	Net Capital Cost	Less:		Potential D.C. Recoverable Cost		
								Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share	Non-Residential Share
2021-2031										90%	10%	
1	Development Charges Study:											
1a	Development Charges Study	2021	Services Related to a Highway	25,500	-		25,500	-		25,500	22,950	2,550
1b	Development Charges Study	2021	Fire Protection Services	7,125	-		7,125	-		7,125	6,413	713
1c	Development Charges Study	2021	Library Services	1,875	-		1,875	-		1,875	1,688	188
1d	Development Charges Study	2021	Parks and Recreation Services	3,000	-		3,000	-		3,000	2,700	300
	Sub-total Development Charges Study			37,500	-	-	37,500	-	-	37,500	33,750	3,750
2	Development Charges Study:											
2a	Development Charges Study	2026	Services Related to a Highway	25,500	-		25,500	-		25,500	22,950	2,550
2b	Development Charges Study	2026	Fire Protection Services	7,125	-		7,125	-		7,125	6,413	713
2c	Development Charges Study	2026	Library Services	1,875	-		1,875	-		1,875	1,688	188
2d	Development Charges Study	2026	Parks and Recreation Services	3,000	-		3,000	-		3,000	2,700	300
	Sub-total Development Charges Study			37,500	-	-	37,500	-	-	37,500	33,750	3,750
3	Official Plan Update:											
3a	Official Plan Update	2023	Services Related to a Highway	20,000	-	2,000	18,000	10,000		8,000	7,200	800
3b	Official Plan Update	2023	Fire Protection Services	20,000	-	2,000	18,000	10,000		8,000	7,200	800
3c	Official Plan Update	2023	Library Services	5,000	-	500	4,500	2,500		2,000	1,800	200
3d	Official Plan Update	2023	Parks and Recreation Services	5,000	-	500	4,500	2,500		2,000	1,800	200
	Sub-total Official Plan Update			50,000	-	5,000	45,000	25,000	-	20,000	18,000	2,000



### Infrastructure Costs Included in the Development Charges Calculation

Township of Wainfleet

Class of Service: Administration Studies

Prj.No	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Service to Which Project Relates	Gross Capital Cost Estimate (2021\$)	Post Period Benefit	Other Deductions (to recognize benefit to non-D.C. services)	Net Capital Cost	Less:		Potential D.C. Recoverable Cost		
								Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share 90%	Non-Residential Share 10%
	2021-2031											
4	<b>Official Plan Update:</b>											
4a	Official Plan Update	2028	Services Related to a Highway	20,000	-	2,000	18,000	2,000		16,000	14,400	1,600
4b	Official Plan Update	2028	Fire Protection Services	20,000	-	2,000	18,000	2,000		16,000	14,400	1,600
4c	Official Plan Update	2028	Library Services	5,000	-	500	4,500	500		4,000	3,600	400
4d	Official Plan Update	2028	Parks and Recreation Services	5,000	-	500	4,500	500		4,000	3,600	400
	<b>Sub-total Official Plan Update</b>			<b>50,000</b>	<b>-</b>	<b>5,000</b>	<b>45,000</b>	<b>5,000</b>	<b>-</b>	<b>40,000</b>	<b>36,000</b>	<b>4,000</b>
5	Library Strategic Plan	2021-2022	Library Services	20,000	-		20,000	15,000		5,000	4,500	500
6	Fire Master Plan	2025	Fire Protection Services	50,000	-		50,000	25,000		25,000	22,500	2,500
7	Transportation Master Plan	2026	Services Related to a Highway	100,000	-		100,000	75,000		25,000	22,500	2,500
8	Reserve Fund Adjustment	Reserve			-		-	32,960		(32,960)	(29,664)	(3,296)
	<b>Total</b>			<b>345,000</b>	<b>-</b>	<b>10,000</b>	<b>335,000</b>	<b>177,960</b>	<b>-</b>	<b>157,040</b>	<b>141,336</b>	<b>15,704</b>



### **5.2.2 Library Services**

The Township currently operates its library services out of 4,280 sq.ft. of facility space. Based on the space provided over the past 10 years, the historical average level of service provided by the Township equates to an investment of \$237 per capita. This level of service provides the Township with a maximum D.C.-eligible amount for recovery over the forecast period of \$88,042 for facilities.

With respect to library materials, the Township maintains an inventory of 29,228 library collection items, which comprises of items such as books, periodicals, audio tapes, DVDs, E-resources, etc. Over the past ten years, the average level of service is \$191 per capita. Based on this growth forecast, the Township would be eligible to collect \$70,698 from D.C.s for library collection items over the next ten-year forecast period.

Therefore, the total D.C.-eligible amount for Library services is \$158,740.

Based on discussions with the Library staff, provisions in the amount of \$145,000 have been identified to provide for additional library space and collection materials based on the estimated growth forecast. This amount has been included in the D.C. calculations.

While library services are predominantly residential based, there is some use of the facilities by non-residential users, for the purpose of research. To acknowledge this use, the capital costs would be allocated 95% residential and 5% non-residential.



## Infrastructure Costs Included in the Development Charges Calculation

Township of Wainfleet  
Service Library Services

Prj.No	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Gross Capital Cost Estimate (2021\$)	Post Period Benefit	Other Deductions	Net Capital Cost	Less:		Potential D.C. Recoverable Cost		
							Benefit to Existing Development	Grants, Subsidies and Other Contribution s Attributable to New Development	Total	Residential Share  95%	Non- Residential Share  5%
	2021-2031										
1	Provision for Library Space	2021-2031	80,000	-		80,000	-		80,000	76,000	4,000
3	Provision for Library Materials	2021-2031	65,000	-		65,000	-		65,000	61,750	3,250
	<b>Total</b>		<b>145,000</b>	<b>-</b>	<b>-</b>	<b>145,000</b>	<b>-</b>	<b>-</b>	<b>145,000</b>	<b>137,750</b>	<b>7,250</b>



### **5.2.3 Parks and Recreation Services**

The Township Parks and Recreation department currently maintains the following inventory:

- 47.86 acres of developed parkland;
- 19 parkland amenities (playgrounds, picnic shelters, washrooms, soccer fields, etc.);
- 5 Parks and Recreation vehicles and equipment (totalling \$219,500 in value); and
- 35,012 sq.ft. of Indoor Recreation space.

Based on the assets provided above, the Township has provided a parks and recreation historical 10-year level of service of \$1,595 per capita. This level of service, when applied to the 10-year growth forecast population of 371, results in a total D.C.-eligible amount of \$591,823.

Due to the projected growth over the forecast period, the Township has identified \$710,000 in future growth capital costs for Parks and Recreation Services. These projects include:

- Upgrading the soccer fields to include drainage;
- A provision for additional parks and recreation development; and
- A provision for additional vehicles and equipment.

Deductions in the amount of \$67,700 has been made to account for the benefit to existing development and \$95,847 to recognize the existing reserve fund balance. Additionally, the Township has identified \$307,500 of contributions from other sources to be used towards the soccer field upgrades. Therefore, the net growth capital cost of \$238,953 has been included in the D.C. calculations.

As the predominant users of parks and recreation tend to be residents of the Township, the forecast growth-related costs have been allocated 95% to residential and 5% to non-residential.



Prj.No	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Gross Capital Cost Estimate (2021\$)	Post Period Benefit	Other Deductions	Net Capital Cost	Less:		Potential D.C. Recoverable Cost		
							Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share	Non-Residential Share
	2021-2031								95%	5%	
1	Provision for Additional Parks and Recreation Facilities	2021-2031	200,000	-		200,000	-		200,000	190,000	10,000
2	Provision for Additional Vehicles and Equipment	2021-2031	100,000	-		100,000	-		100,000	95,000	5,000
3	Soccer Field Upgrade (Include Drainage)	2021-2022	410,000	-		410,000	67,700	307,500	34,800	33,060	1,740
4	Reserve Fund Adjustment	Reserve	-	-		-	95,847		(95,847)	(91,055)	(4,792)
	Total		710,000	-	-	710,000	163,547	307,500	238,953	227,005	11,948





## 5.3 Service Levels and 20-Year Capital Costs for Wainfleet's D.C. Calculation

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This section evaluates the development-related capital requirements for those services with 20-Year capital costs.

### 5.3.1 *Services Related to a Highway*

#### 5.3.1.1 *Roads and Related*

Wainfleet's roads and related infrastructure currently consists of the following:

- 522 lane kilometres of roads (consisting of asphalt, tar and chip, and gravel roads);
- 18 bridges;
- 0.6 kilometres of sidewalks; and
- 223 streetlights.

Over the historical 10-year period, the above infrastructure has provided an average level of investment of \$36,801 per capita. Based on this service standard, the Township would be eligible to collect \$21,368,870 from D.C.s over the forecast period.

With respect to future growth-related needs, the Township has identified upgrades to the Wainfleet/Dunnville Townline roads, as well as a provision for future upgrades to the road network. These works provide a gross capital cost of \$1,920,000.

To recognize the benefit of these works to the existing community, a deduction of \$288,000 was applied. In addition, a deduction of \$139,671 has been made to account for the existing reserve fund balance. Therefore, the net D.C.-eligible amount of \$1,492,329 has been included for recovery in the calculations.

#### 5.3.1.2 *Facilities, Vehicles, and Equipment*

The Township operates their Public Works service out of a number of facilities, totalling 15,837 sq.ft. of facility space. Over the previous 10-year period, the average level of service provided by the Township is 1.95 sq.ft. per capita or \$350 per capita. This level



of service provides the Township with a maximum D.C.-eligible amount for recovery over the 2041 forecast period of \$205,923 related to Public Works Facilities.

In addition to the facilities, the public works department has a variety of vehicles and major equipment totalling approximately \$3.7 million. The inventory provides for a per capita standard of \$446. Over the forecast period, the D.C.-eligible amount for vehicles and equipment is \$262,166.

Therefore, the total D.C. eligible amount for facilities, vehicles, and equipment is \$468,089.

Based on the growth identified, the Township has included provisions for additional facility space and new vehicles and equipment in the amount of \$400,000, which has been included in the D.C. calculation.

The residential/non-residential capital cost allocation for services related to a highway is 87% residential and 13% non-residential based on the incremental growth in population to employment for the 2041 forecast period.





Prj.No	Increased Service Needs Attributable to Anticipated Development	Timing (year)	Gross Capital Cost Estimate (2021\$)	Post Period Benefit	Other Deductions	Net Capital Cost	Less:		Potential D.C. Recoverable Cost		
							Benefit to Existing Development	Grants, Subsidies and Other Contributions Attributable to New Development	Total	Residential Share	Non-Residential Share
	2021-2041									87%	13%
1	Provision for Additional Space	2021-2041	200,000	-		200,000	-		200,000	174,000	26,000
2	Provision for New Vehicles and Equipment	2021-2041	200,000	-		200,000	-		200,000	174,000	26,000
	Total		400,000	-	-	400,000	-	-	400,000	348,000	52,000



### **5.3.2 Fire Protection Services**

The Township currently operates its fire services from four stations and offsite office spaces with a combined square footage of 6,527 sq.ft.. Over the historical 10-year period, the per capita average level of service was 0.74 sq.ft. or \$311 per capita. This level of service provides the Township with a maximum D.C.-eligible amount for recovery over the forecast period of \$182,844.

The Fire Department has a current inventory of 9 vehicles. The historical 10-year level of service equates to a level of investment of \$465 per capita which translates into a D.C.-eligible amount of \$273,444.

In addition to the vehicles, the Township also provides 669 items of equipment and gear for use in the fire services. This results in a calculated average level of service for the historical 10-year period of \$154 per capita, providing for a D.C.-eligible amount over the forecast period of \$90,458 for small equipment and gear.

Based on the above, the maximum D.C.-eligible amount for recovery over the buildout forecast period for fire services is \$546,746.

In order to service the forecast population, the Township has identified several projects for inclusion into the D.C. These include new fire stations, new vehicles, and additional equipment for new fire fighters. The gross capital cost for these projects is \$11,986,000. A benefit to existing deduction of \$2,409,800 has been made to recognize the replacement of existing fire stations. A \$8,964,300 deduction to recognize the benefit of these works for future growth has also been applied. Finally, the existing reserve fund balance of \$65,453 has been considered as well. Therefore, the net growth-related capital cost of \$546,447 has been included in the calculations.

These costs are shared between residential and non-residential based on the population to employment ratio over the 2041 forecast period, resulting in 87% being allocated to residential development and 13% being allocated to non-residential development.

### Infrastructure Costs Included in the Development Charges Calculation

Township of Wainfleet

Service: Fire Protection Services

[illegible]





# Chapter 6

## D.C. Calculation







## 6. D.C. Calculation

Table 6-1 calculates the proposed uniform D.C.s to be imposed on anticipated development in the Township for services based upon a 20-year horizon. Table 6-2 calculates the proposed D.C.s to be imposed for services and classes of services based on a 10-year horizon.

The calculation for residential development is generated on a per capita basis and is based upon five forms of housing types (singles and semi-detached, multiples, apartments 2+ bedrooms, apartments bachelor and 1 bedroom, and special care/special dwelling units). The non-residential D.C. has been calculated on a per sq.ft. of gross floor area basis for all types of non-residential development (industrial, commercial, and institutional). Wind turbines are calculated on a per unit basis (discussed in more detail below).

The D.C.-eligible costs for each service component were developed in Chapter 5 for all Township services, based on their proposed capital programs.

For the residential calculations, the total cost is divided by the “gross” (new resident) population to determine the per capita amount. The eligible D.C. cost calculations set out in Chapter 5 are based on the net anticipated population increase (the forecast new unit population less the anticipated decline in existing units). The cost per capita is then multiplied by the average occupancy of the new units (Appendix A, Schedule 5) to calculate the charge in Tables 6-1, and 6-2.

With respect to non-residential development, the total costs in the uniform charge allocated to non-residential development (based on need for service) have been divided by the anticipated development over the planning period to calculate a cost per sq.ft. of gross floor area.

Table 6-3 summarizes the total D.C. that is applicable for the Township and Table 6-4 summarizes the gross capital expenditures and sources of revenue for works to be undertaken during the 5-year life of the by-law.

### **Development Charges for Wind Turbines**

Commensurate with the Province’s initiatives towards “greener” sources of power generation, commercial wind turbines are being built in many communities across



Ontario. As these forms of structures are somewhat unique, the establishment of a development charge for this form of development has not been addressed specifically. The Township is currently charging D.C.s for Wind Turbines based on Municipal Services as a single-family home. In continuing the Township's current practice, the rate imposed on a single-family home for services related to a highway, fire protection services, and administration studies will be applied to Wind Turbines. These charges are presented in Table 6-5.



Table 6-1  
Township of Wainfleet  
D.C. Calculation  
Township-wide Services  
20-Year Forecast

SERVICE/CLASS	2021\$ D.C.-Eligible Cost		2021\$ D.C.-Eligible Cost	
	Residential	Non-Residential	S.D.U.	per sq.ft.
	\$	\$	\$	\$
1. <u>Services Related to a Highway</u>				
1.1 Roads and Related	1,298,326	194,003	3,508	1.60
1.2 Facilities, Fleet, and Equipment	348,000	52,000	940	0.43
	1,646,326	246,003	4,448	2.03
2. <u>Fire Protection Services</u>				
2.1 Fire facilities, vehicles & equipment	475,409	71,038	1,285	0.58
	475,409	71,038	1,285	0.58
<b>TOTAL</b>	<b>\$2,121,735</b>	<b>\$317,041</b>	<b>\$5,733</b>	<b>\$2.61</b>
D.C.-Eligible Capital Cost	\$2,121,735	\$317,041		
20-Year Gross Population/GFA Growth (sq.ft.)	1,110	121,700		
<b>Cost Per Capita/Non-Residential GFA (sq.ft.)</b>	<b>\$1,911.47</b>	<b>\$2.61</b>		
<b><u>By Residential Unit Type</u></b>	<b><u>P.P.U.</u></b>			
Single and Semi-Detached Dwelling	2.999	\$5,733		
Other Multiples	2.093	\$4,001		
Apartments - 2 Bedrooms +	1.974	\$3,773		
Apartments - Bachelor and 1 Bedroom	1.207	\$2,307		
Special Care/Special Dwelling Units	1.100	\$2,103		



Table 6-2  
Township of Wainfleet  
D.C. Calculation  
Township-wide Services  
10-Year Forecast

SERVICE/CLASS	2021\$ D.C.-Eligible Cost		2021\$ D.C.-Eligible Cost	
	Residential	Non-Residential	S.D.U.	per sq.ft.
	\$	\$	\$	\$
3. <u>Parks and Recreation Services</u>				
3.1 Park development, amenities, trails and recreation facilities	227,005	11,948	1,081	0.20
	227,005	11,948	1,081	0.20
4. <u>Library Services</u>				
4.1 Library facilities, materials and vehicles	137,750	7,250	656	0.12
	137,750	7,250	656	0.12
5. <u>Administration Studies</u>				
5.1 Services Related to a Highway	74,387	8,265	354	0.12
5.2 Fire Protection Services	47,050	5,228	224	0.09
5.3 Library Services	10,972	1,219	52	0.02
5.4 Parks and Recreation Services	8,926	992	42	0.02
	141,336	15,704	672	0.25
<b>TOTAL</b>	<b>\$506,091</b>	<b>\$34,902</b>	<b>\$2,409</b>	<b>\$0.57</b>
D.C.-Eligible Capital Cost	\$506,091	\$34,902		
10-Year Gross Population/GFA Growth (sq.ft.)	630	60,900		
<b>Cost Per Capita/Non-Residential GFA (sq.ft.)</b>	<b>\$803.32</b>	<b>\$0.57</b>		
<b><u>By Residential Unit Type</u></b>	<b><u>P.P.U.</u></b>			
Single and Semi-Detached Dwelling	2.999	\$2,409		
Apartments - 2 Bedrooms +	1.974	\$1,586		
Apartments - Bachelor and 1 Bedroom	1.207	\$970		
Other Multiples	2.093	\$1,681		
Special Care/Special Dwelling Units	1.100	\$884		



Table 6-3  
Township of Wainfleet  
D.C. Calculation  
Total All Services

	2021\$ D.C.-Eligible Cost		2021\$ D.C.-Eligible Cost	
	Residential	Non-Residential	S.D.U.	per sq.ft.
	\$	\$	\$	\$
Township-wide Services/Classes 20 Year	2,121,735	317,041	5,733	2.61
Township-wide Services/Classes 10 Year	506,091	34,902	2,409	0.57
<b>TOTAL</b>	<b>2,627,826</b>	<b>351,942</b>	<b>8,142</b>	<b>3.18</b>



**Table 6-4**  
**Township of Wainfleet**  
**Gross Expenditure and Sources of Revenue Summary for Costs to be Incurred over the Life of the By-law**

Service/Class	Total Gross Cost	Sources of Financing					
		Tax Base or Other Non-D.C. Source			Post D.C. Period Benefit	D.C. Reserve Fund	
		Other Deductions	Benefit to Existing	Other Funding		Residential	Non-Residential
1. Services Related to a Highway							
1.1 Roads and Related	570,000	0	85,500	0	0	421,515	62,985
1.2 Facilities, Fleet, and Equipment	100,000	0	0	0	0	87,000	13,000
2. Fire Protection Services							
2.1 Fire facilities, vehicles & equipment	5,686,000	0	1,326,000	0	3,748,100	532,353	79,547
3. Parks and Recreation Services							
3.1 Park development, amenities, trails and recreation facilities	560,000	0	67,700	307,500	0	175,560	9,240
4. Library Services							
4.1 Library facilities, materials and vehicles	72,500	0	0	0	0	68,875	3,625
5. Administration Studies							
5.1 Services Related to a Highway	45,500	2,000	10,000	0	0	30,150	3,350
5.2 Fire Protection Services	77,125	2,000	35,000	0	0	36,113	4,013
5.3 Library Services	26,875	500	17,500	0	0	7,988	888
5.4 Parks and Recreation Services	8,000	500	2,500	0	0	4,500	500
<b>Total Expenditures &amp; Revenues</b>	<b>\$7,146,000</b>	<b>\$5,000</b>	<b>\$1,544,200</b>	<b>\$307,500</b>	<b>\$3,748,100</b>	<b>\$1,364,053</b>	<b>\$177,147</b>



Table 6-5  
Township of Wainfleet  
D.C. Allocation for Wind Turbines

Services	Charge per Wind Turbine
Services Related to a Highway	\$ 4,448
Fire Protection Services	\$ 1,285
Administration Studies	\$ 672
<b>Total</b>	<b>\$ 6,405</b>







# Chapter 7

## D.C. Policy Recommendations and D.C. By-law Rules





## 7. D.C. Policy Recommendations and D.C. By-law Rules

### 7.1 Introduction

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Subsection 5 (1) 9 states that rules must be developed:

“...to determine if a development charge is payable in any particular case and to determine the amount of the charge, subject to the limitations set out in subsection 6.”

Paragraph 10 of the section goes on to state that the rules may provide for exemptions, phasing in and/or indexing of D.C.s.

Subsection 5 (6) establishes the following restrictions on the rules:

- the total of all D.C.s that would be imposed on anticipated development must not exceed the capital costs determined under 5(1) 2-8 for all services involved;
- if the rules expressly identify a type of development, they must not provide for it to pay D.C.s that exceed the capital costs that arise from the increase in the need for service for that type of development; however, this requirement does not relate to any particular development; and
- if the rules provide for a type of development to have a lower D.C. than is allowed, the rules for determining D.C.s may not provide for any resulting shortfall to be made up via other development.

With respect to “the rules,” section 6 states that a D.C. by-law must expressly address the matters referred to above re subsection 5 (1) paragraphs 9 and 10, as well as how the rules apply to the redevelopment of land.

The rules provided are based on the Township’s existing policies; with consideration for the updates from Bill 108, Bill 197 and Bill 213.

### 7.2 D.C. By-law Structure

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**It is recommended that:**

- a class of service be established for administration studies;



- the Township uses a uniform Township-wide D.C. calculation for all services; and
- one Township D.C. by-law be used for all services.

## 7.3 D.C. By-law Rules

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The following subsections set out the recommended rules governing the calculation, payment and collection of D.C.s in accordance with section 6 of the D.C.A.

**It is recommended that the following sections provide the basis for the D.C.s:**

### ***7.3.1 Payment in any Particular Case***

In accordance with the D.C.A., subsection 2 (2), a D.C. be calculated, payable and collected where the development requires one or more of the following:

- “(a) the passing of a zoning by-law or of an amendment to a zoning by-law under section 34 of the Planning Act;
- (b) the approval of a minor variance under section 45 of the Planning Act;
- (c) a conveyance of land to which a by-law passed under subsection 50 (7) of the Planning Act applies;
- (d) the approval of a plan of subdivision under section 51 of the Planning Act;
- (e) a consent under section 53 of the Planning Act;
- (f) the approval of a description under section 9 of the Condominium Act, 1998; or
- (g) the issuing of a permit under the Building Code Act, 1992 in relation to a building or structure.”

### ***7.3.2 Determination of the Amount of the Charge***

The following conventions be adopted:

- 1) Costs allocated to residential uses will be assigned to different types of residential units based on the average occupancy for each housing type constructed during the previous decade. Costs allocated to non-residential uses



will be assigned based on the amount of square feet of gross floor area constructed for eligible uses (i.e. industrial, commercial and institutional).

- 2) Costs allocated to residential and non-residential uses are based upon a number of conventions, as may be suited to each municipal circumstance, e.g.
  - for parks and recreation services, and library services, a 5% non-residential attribution has been made to recognize use by the non-residential sector;
  - for growth studies, an 90% residential/10% non-residential allocation has been made based on the anticipated population and employment growth over the 10-year forecast period; and
  - for services related to a highway and fire protection services, an 87% residential/13% non-residential attribution has been made based on a population vs. employment growth ratio over the 2041 forecast period;

### ***7.3.3 Application to Redevelopment of Land (Demolition and Conversion)***

If a development involves the demolition of and replacement of a building or structure on the same site, or the conversion from one principal use to another, the developer shall be allowed a credit equivalent to:

- 1) the number of dwelling units demolished/converted multiplied by the applicable residential D.C. in place at the time the D.C. is payable; and/or
- 2) the gross floor area of the building demolished/converted multiplied by the current non-residential D.C. in place at the time the D.C. is payable.

The demolition credit is allowed only if the land was improved by occupied structures and if the demolition permit related to the site was issued less than 60 months prior to the issuance of a building permit. The credit can, in no case, exceed the amount of D.C.s that would otherwise be payable.

### ***7.3.4 Exemptions (full or partial)***

- a) Statutory exemptions:
  - industrial building additions of up to and including 50% of the existing gross floor area (defined in O. Reg. 82/98, section 1) of the building; for



industrial building additions which exceed 50% of the existing gross floor area, only the portion of the addition in excess of 50% is subject to D.C.s (subsection 4 (3) of the D.C.A.);

- buildings or structures owned by and used for the purposes of any municipality, local board or Board of Education (section 3);
- residential development that results only in the enlargement of an existing dwelling unit, or that results only in the creation of up to two additional dwelling units (based on prescribed limits set out in section 2 of O. Reg. 82/98);
- residential development in new dwellings: development that includes the creation of an additional unit within the dwelling unit (detached, semi-detached, or row dwelling and based on prescribed limits set out in section 2 of O. Reg. 82/98); and
- residential development of a new dwelling unit (detached, semi-detached, or row dwelling) would allow for an additional ancillary dwelling unit (based on prescribed limits set out in section 2 of O. Reg. 82/98)
- a university that receives direct, regular, and ongoing operating funding from the Government of Ontario.

b) Non-statutory exemptions to be considered by Council:

- Places of worship;
- Bona fide farm (non-residential) buildings; and
- A development by a university, other post-secondary school offering a degree or diploma recognized by the Province of Ontario or a not-for-profit private elementary or secondary school operated in compliance with section 16 of the Education Act, as amended, where such development is used for the academic or teaching purposes of the university or school, is exempt from development charges under this By-law.

Note: through discussions with Township staff, the D.C. by-law proposes eliminating the current 50% D.C. reduction to properties on existing lots of record.

### **7.3.5 Phasing in**

No provisions for phasing in the D.C. are provided in the D.C. by-law.



### **7.3.6 Timing of Collection**

The D.C.s for all services are payable upon issuance of the first building permit for each dwelling unit, building, or structure, subject to early or late payment agreements entered into by the Township and an owner under s.27 of the D.C.A., 1997.

Commencing January 1, 2020, rental housing and institutional developments will pay D.C.s in six equal annual payments commencing at occupancy. Non-profit housing developments will pay D.C.s in 21 equal annual payments. Moreover, the D.C. amount for all developments occurring within 2 years of a Site Plan or Zoning By-law Amendment planning approval (for applications submitted after January 1, 2020), shall be determined based on the D.C. in effect on the day of the Site Plan or Zoning By-law Amendment application.

Installment payments and payments determined at the time of Site Plan or Zoning Bylaw Amendment application may be subject to annual interest charges. The applicable interest rate is provided in the D.C. by-law at a rate of 5% per year. Subsequent to the passing of the D.C. by-law, staff will conduct a review of appropriate interest rates and will present a staff report to Council for their consideration.

For the purposes of administering the By-law, the following definitions are provided as per O. Reg. 454-19:

“Rental Housing” means a Building with four or more Dwelling Units all of which are intended for use as rented Residential premises;

“Institutional” means lands or Buildings used or designed or intended for use by an organized body, society or religious group for promoting a public or non-profit purpose and shall include, but without limiting the generality of the foregoing, places of worship, and Special Care Facilities;

“Non-profit Housing” means a Building intended for uses as Residential premises by,

- a. corporation without share capital to which the Business Corporations Act or the Canada Not-for-profit Corporations Act applies, that is in good standing under that Act and whose primary object is to provide housing; or
- b. a non-profit housing co-operative that is in good standing under the Co-operative Corporations Act





A D.C. that is applicable under section 5 of the D.C.A. shall be calculated and payable:

- where a permit is required under the Building Code Act in relation to a building or structure, the owner shall pay the D.C. prior to the issuance of a permit of prior to the commencement of development or redevelopment as the case may be; and
- despite the above, Council, from time to time and at any time, may enter into agreements providing for all or any part of a D.C. to be paid before or after it would otherwise be payable.

### **7.3.7 Indexing**

Indexing of the D.C.s shall be implemented on a mandatory basis and adjusted annually, without amendment to this By-law, on the first anniversary date of this by-law and each anniversary date thereafter, in accordance with the index prescribed in the Act, in accordance with the Statistics Canada Quarterly, Non-Residential Building Construction Price Index (Table 18-10-0135-01)<sup>1</sup> for the most recent year-over-year period.

### **7.3.8 The Applicable Areas**

The charges developed herein provide for varying charges within the Township, as follows:

- Township-wide services – the full residential and non-residential charge will be imposed on all lands within the Township.

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<sup>1</sup> O. Reg. 82/98 referenced “The Statistics Canada Quarterly, Construction Price Statistics, catalogue number 62-007” as the index source. Since implementation, Statistics Canada has modified this index twice and the above-noted index is the most current. The draft by-law provided herein refers to O. Reg. 82/98 to ensure traceability should this index continue to be modified over time.



## 7.4 Other D.C. By-law Provisions

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It is recommended that:

### ***7.4.1 Categories of Services for Reserve Fund and Credit Purposes***

The Township's D.C. collections are currently reserved in six (6) separate reserve funds: Roads and Related, Fire Protection Services, Outdoor Recreation Services, Indoor Recreation Services, Library Services, and Administration. It is recommended that the Township combine the reserve funds for parks and recreation, as well as rename the Roads and Related reserve fund to Services Related to a Highway.

Appendix D outlines the reserve fund policies that the Township is required to follow as per the D.C.A.

### ***7.4.2 By-law In-force Date***

A by-law under the D.C.A. comes into force on the day after which the by-law is passed by Council.

### ***7.4.3 Minimum Interest Rate Paid on Refunds and Charged for Inter-Reserve Fund Borrowing***

The minimum interest rate is the Bank of Canada rate on the day on which the by-law comes into force (as per section 11 of O. Reg. 82/98).

### ***7.4.4 Area Rating***

As noted earlier, Bill 73 has introduced two new sections where Council must consider the use of area specific charges:

1. Section 2 (9) of the Act now requires a municipality to implement area-specific D.C.s for either specific services which are prescribed and/or for specific municipalities which are to be regulated (note that at this time, no municipalities or services are prescribed by the Regulations).
2. Section 10 (2) c.1 of the D.C.A. requires that "the development charges background study shall include consideration of the use of more than one



development charge by-law to reflect different needs for services in different areas.”

In regard to the first item, there are no services or specific municipalities identified in the regulations which must be area-rated. The second item requires Council to consider the use of area-rating.

At present, all Township services are recovered based on a uniform, Township-wide basis. There have been several reasons why area-rating has not been imposed on these services including:

1. All Township services require that the average 10-year service standard be calculated. This average service standard multiplied by growth in the Township, establishes an upper ceiling on the amount of funds which can be collected from all developing landowners. Section 4 (4) of O. Reg. 82/98 provides that “...if a development charge by-law applies to a part of the municipality, the level of service and average level of service cannot exceed that which would be determined if the by-law applied to the whole municipality.” Put in layman terms, the average service standard multiplied by the growth within the specific area, would establish an area specific ceiling which would significantly reduce the total revenue recoverable for the Township hence potentially resulting in D.C. revenue shortfalls and impacts on property taxes.
2. Extending on item 1, attempting to impose an area charge potentially causes equity issues in transitioning from a Township-wide approach to an area specific approach. For example, if all services were now built (and funded) within Area A (which is 75% built out) and this was funded with some revenues from Areas B and C, moving to an area rating approach would see Area A contribute no funds to the costs of services in Areas B and C. The development charges would be lower in Area A (as all services are now funded) and higher in Areas B and C. As well, funding shortfalls may then potentially encourage the municipality to provide less services to Areas B and C due to reduced revenue.
3. Many services which are provided (roads, parks, recreation facilities, library) are not restricted to one specific area and are often used by all residents. For example, arenas located in different parts of the Township will be used by residents from all areas depending on the programming of the facility (i.e. a public



skate is available each night, but at a different arena; hence usage of any one facility at any given time is based on programing availability).

For the reasons noted above, it is recommended that Council continue the D.C. approach to calculate the charges on a uniform Township-wide basis for all services.

## 7.5 Other Recommendations

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### **It is recommended that Council:**

“Whenever appropriate, request that grants, subsidies and other contributions be clearly designated by the donor as being to the benefit of existing development or new development, as applicable;”

“Adopt the assumptions contained herein as an ‘anticipation’ with respect to capital grants, subsidies and other contributions;”

“Growth Studies be established as a class of service;”

“Continue the D.C. approach to calculate the charges on a uniform Township-wide basis for all services;”

“Approve the capital project listing set out in Chapter 5 of the D.C.s Background Study dated May 28, 2021, subject to further annual review during the capital budget process;”

“Approve the D.C.s Background Study dated May 28, 2021, as amended (if applicable);”

“Determine that no further public meeting is required;” and

“Approve the D.C. By-law as set out in Appendix G.”





# Chapter 8

## By-law Implementation





## 8. By-law Implementation

### 8.1 Public Consultation Process

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#### **8.1.1 Introduction**

This chapter addresses the mandatory, formal public consultation process (section 8.1.2), as well as the optional, informal consultation process (section 8.1.3). The latter is designed to seek the co-operation and participation of those involved, in order to produce the most suitable policy. Section 8.1.4 addresses the anticipated impact of the D.C. on development from a generic viewpoint.

#### **8.1.2 Public Meeting of Council**

Section 12 of the D.C.A. indicates that before passing a D.C. by-law, Council must hold at least one public meeting, giving at least 20 clear days' notice thereof, in accordance with the Regulation. Council must also ensure that the proposed by-law and background report are made available to the public at least two weeks prior to the (first) meeting.

Any person who attends such a meeting may make representations related to the proposed by-law.

If a proposed by-law is changed following such a meeting, Council must determine whether a further meeting (under this section) is necessary (i.e. if the proposed by-law which is proposed for adoption has been changed in any respect, Council should formally consider whether an additional public meeting is required, incorporating this determination as part of the final by-law or associated resolution. It is noted that Council's decision, once made, is final and not subject to review by a Court or the Local Planning Appeal Tribunal (L.P.A.T.) (formerly the Ontario Municipal Board (O.M.B.)).

#### **8.1.3 Other Consultation Activity**

There are three broad groupings of the public who are generally the most concerned with Township D.C. policy:

1. The first grouping is the residential development community, consisting of land developers and builders, who are typically responsible for generating the majority





of the D.C. revenues. Others, such as realtors, are directly impacted by D.C. policy. They are, therefore, potentially interested in all aspects of the charge, particularly the quantum by unit type, projects to be funded by the D.C. and the timing thereof, and Township policy with respect to development agreements, D.C. credits and front-ending requirements.

2. The second public grouping embraces the public at large and includes taxpayer coalition groups and others interested in public policy.
3. The third grouping is the industrial/commercial/institutional development sector, consisting of land developers and major owners or organizations with significant construction plans, such as hotels, entertainment complexes, shopping centres, offices, industrial buildings and institutions. Also involved are organizations such as Industry Associations, the Chamber of Commerce, the Board of Trade and the Economic Development Agencies, who are all potentially interested in Township D.C. policy. Their primary concern is frequently with the quantum of the charge, gross floor area exclusions such as basements, mechanical or indoor parking areas, or exemptions and phase-in or capping provisions in order to moderate the impact.

## **8.2 Anticipated Impact of the Charge on Development**

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The establishment of sound D.C. policy often requires the achievement of an acceptable balance between two competing realities. The first is that high non-residential D.C.s can, to some degree, represent a barrier to increased economic activity and sustained industrial/commercial growth, particularly for capital intensive uses. Also, in many cases, increased residential D.C.s can ultimately be expected to be recovered via higher housing prices and can impact project feasibility in some cases (e.g. rental apartments).

On the other hand, D.C.s or other Township capital funding sources need to be obtained in order to help ensure that the necessary infrastructure and amenities are installed. The timely installation of such works is a key initiative in providing adequate service levels and in facilitating strong economic growth, investment and wealth generation.



## 8.3 Implementation Requirements

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### 8.3.1 Introduction

Once the Township has calculated the charge, prepared the complete background study, carried out the public process and passed a new by-law, the emphasis shifts to implementation matters.

These include notices, potential appeals and complaints, credits, front-ending agreements, subdivision agreement conditions and finally the collection of revenues and funding of projects.

The sections which follow overview the requirements in each case.

### 8.3.2 Notice of Passage

In accordance with section 13 of the D.C.A., when a D.C. by-law is passed, the Township clerk shall give written notice of the passing and of the last day for appealing the by-law (the day that is 40 days after the day it was passed). Such notice must be given no later than 20 days after the day the by-law is passed (i.e. as of the day of newspaper publication or the mailing of the notice).

Section 10 of O. Reg. 82/98 further defines the notice requirements which are summarized as follows:

- notice may be given by publication in a newspaper which is (in the Clerk's opinion) of sufficient circulation to give the public reasonable notice, or by personal service, fax or mail to every owner of land in the area to which the by-law relates;
- subsection 10 (4) lists the persons/organizations who must be given notice; and
- subsection 10 (5) lists the eight items which the notice must cover.

### 8.3.3 By-law Pamphlet

In addition to the "notice" information, the Township must prepare a "pamphlet" explaining each D.C. by-law in force, setting out:

- a description of the general purpose of the D.C.s;



- the “rules” for determining if a charge is payable in a particular case and for determining the amount of the charge;
- the services to which the D.C.s relate; and
- a description of the general purpose of the Treasurer’s statement and where it may be received by the public.

Where a by-law is not appealed to the L.P.A.T., the pamphlet must be readied within 60 days after the by-law comes into force. Later dates apply to appealed by-laws.

The Township must give one copy of the most recent pamphlet without charge, to any person who requests one.

### **8.3.4 Appeals**

Sections 13 to 19 of the D.C.A. set out the requirements relative to making and processing a D.C. by-law appeal and L.P.A.T. Hearing in response to an appeal. Any person or organization may appeal a D.C. by-law to the L.P.A.T. by filing a notice of appeal with the Township clerk, setting out the objection to the by-law and the reasons supporting the objection. This must be done by the last day for appealing the by-law, which is 40 days after the by-law is passed.

The Township is carrying out a public consultation process, in order to address the issues that come forward as part of that process, thereby avoiding or reducing the need for an appeal to be made.

### **8.3.5 Complaints**

A person required to pay a D.C., or his agent, may complain to the Township Council imposing the charge that:

- the amount of the charge was incorrectly determined;
- the reduction to be used against the D.C. was incorrectly determined; or
- there was an error in the application of the D.C.

Sections 20 to 25 of the D.C.A. set out the requirements that exist, including the fact that a complaint may not be made later than 90 days after a D.C. (or any part of it) is payable. A complainant may appeal the decision of Township Council to the L.P.A.T.



### **8.3.6 Credits**

Sections 38 to 41 of the D.C.A. set out a number of credit requirements, which apply where a Township agrees to allow a person to perform work in the future that relates to a service in the D.C. by-law.

These credits would be used to reduce the amount of D.C.s to be paid. The value of the credit is limited to the reasonable cost of the work which does not exceed the average level of service. The credit applies only to the service to which the work relates, unless the Township agrees to expand the credit to other services for which a D.C. is payable.

### **8.3.7 Front-Ending Agreements**

The Township and one or more landowners may enter into a front-ending agreement which provides for the costs of a project which will benefit an area in the Township to which the D.C. by-law applies. Such an agreement can provide for the costs to be borne by one or more parties to the agreement who are, in turn, reimbursed in future by persons who develop land defined in the agreement.

Part III of the D.C.A. (sections 44 to 58) addresses front-ending agreements and removes some of the obstacles to their use which were contained in the D.C.A., 1989. Accordingly, the Township assesses whether this mechanism is appropriate for its use, as part of funding projects prior to Township funds being available.

### **8.3.8 Severance and Subdivision Agreement Conditions**

Section 59 of the D.C.A. prevents a municipality from imposing directly or indirectly, a charge related to development or a requirement to construct a service related to development, by way of a condition or agreement under section 51 or section 53 of the Planning Act, except for:

- “local services, related to a plan of subdivision or within the area to which the plan relates, to be installed or paid for by the owner as a condition of approval under section 51 of the Planning Act;” and
- “local services to be installed or paid for by the owner as a condition of approval under section 53 of the Planning Act.”



It is also noted that subsection 59 (4) of the D.C.A. requires that the municipal approval authority for a draft plan of subdivision under subsection 51 (31) of the Planning Act, use its power to impose conditions to ensure that the first purchaser of newly subdivided land is informed of all the D.C.s related to the development, at the time the land is transferred.

In this regard, if the Township in question is a commenting agency, in order to comply with subsection 59 (4) of the D.C.A. it would need to provide to the approval authority, information regarding the applicable Township D.C.s related to the site.

If the Township is an approval authority for the purposes of section 51 of the Planning Act, it would be responsible to ensure that it collects information from all entities which can impose a D.C.

The most effective way to ensure that purchasers are aware of this condition would be to require it as a provision in a registered subdivision agreement, so that any purchaser of the property would be aware of the charges at the time the title was searched prior to closing a transaction conveying the lands.



# Appendices





# Appendix A

## Background Information on Residential and Non- Residential Growth Forecast







# Schedule 1 Township of Wainfleet Residential Growth Forecast Summary

Year		Permanent Population (Including Census Undercount)	Excluding Census Undercount		Housing Units							Permanent Person Per Unit (P.P.U.)
			Permanent Population <sup>1</sup>	Total Permanent and Seasonal Population	Singles & Semi-Detached	Multiples <sup>2</sup>	Apartments <sup>3</sup>	Other	Total Permanent Households	Seasonal Households	Total Households Including Seasonal	
Historical	Mid 2006	6,770	6,601	8,416	2,290	35	25	45	2,395	507	2,902	2.756
	Mid 2011	6,520	6,356	8,171	2,260	28	29	20	2,337	507	2,844	2.720
	Mid 2016	6,530	6,372	8,187	2,320	15	25	50	2,410	507	2,917	2.644
Forecast	Mid 2021	6,760	6,598	8,413	2,440	15	25	50	2,530	507	3,037	2.608
	Mid 2031	7,150	6,969	8,784	2,650	15	25	50	2,740	507	3,247	2.543
	Mid 2041	7,370	7,186	9,001	2,810	15	25	50	2,900	507	3,407	2.478
Incremental	Mid 2006 - Mid 2011	-250	-245	-245	-30	-7	4	-25	-58	0	-58	
	Mid 2011 - Mid 2016	10	16	16	60	-13	-4	30	73	0	73	
	Mid 2016 - Mid 2021	230	226	226	120	0	0	0	120	0	120	
	Mid 2021 - Mid 2031	390	371	371	210	0	0	0	210	0	210	
	Mid 2021 - Mid 2041	610	588	588	370	0	0	0	370	0	370	

Source: Derived from the Niagara Region Municipal Comprehensive Review – Growth Allocation Update to 2051 (April 5, 2021, Hemson Consulting Memo) forecast for the Township of Wainfleet, by Watson & Associates Economists Ltd., 2021.

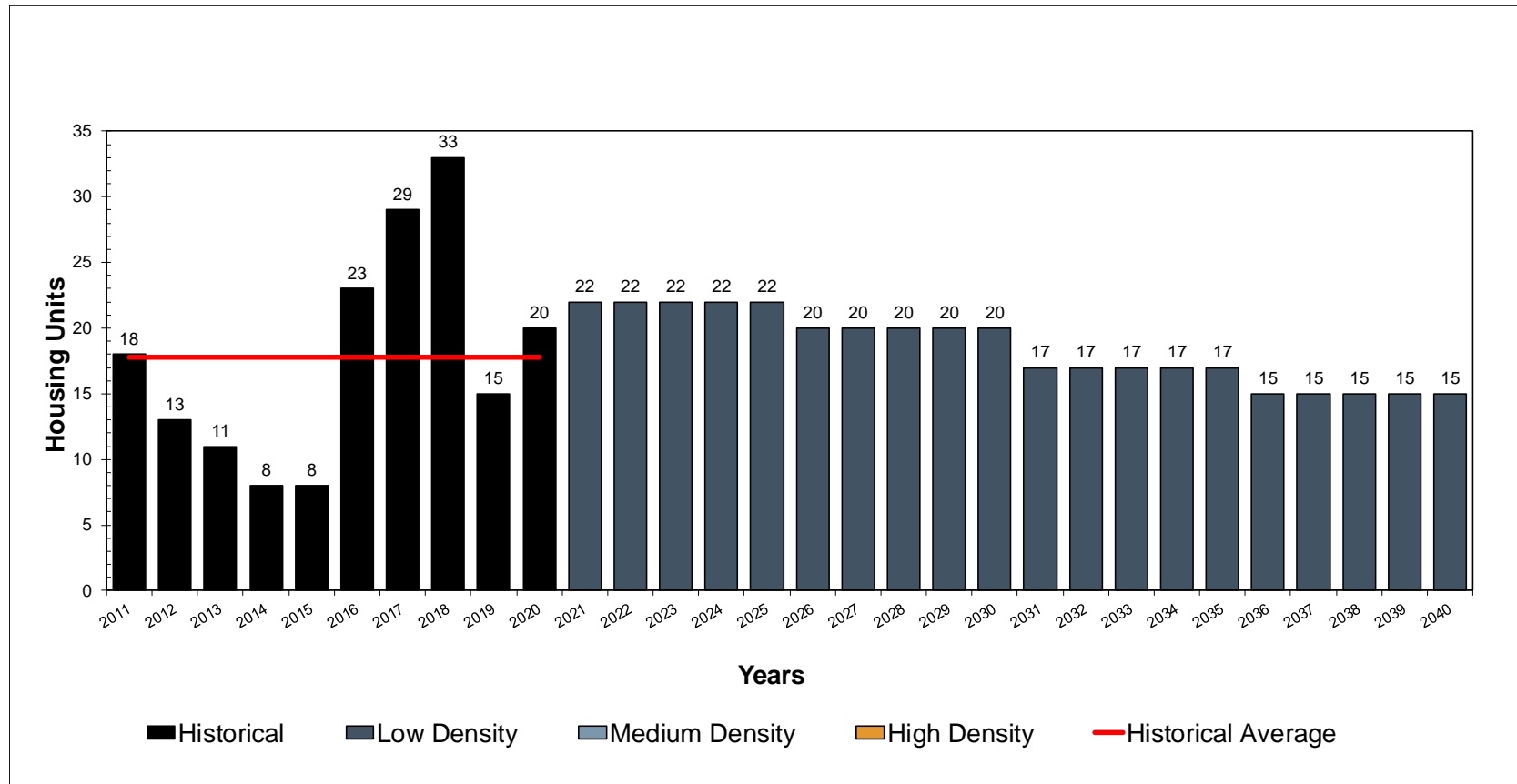
<sup>1</sup> Population excludes net Census Undercount of approximately 2.5%.

<sup>2</sup> Includes townhouses and apartments in duplexes.

<sup>3</sup> Includes bachelor, 1-bedroom and 2-bedroom+ apartments.



Figure A-1  
Township of Wainfleet  
Annual Housing Forecast



Source: Historical housing activity derived from data provided by the Township of Wainfleet, 2011-2020.

<sup>1</sup> Growth forecast represents calendar year.



**Schedule 2**  
**Township of Wainfleet**  
**Estimate of the Anticipated Amount, Type and Location of**  
**Residential Development for Which Development Charges can be Imposed**

Development Location	Timing	Single & Semi-Detached	Multiples <sup>1</sup>	Apartments <sup>2</sup>	Total Residential Units	Gross Population In New Units	Existing Unit Population Change	Net Population Increase
Township of Wainfleet	2021 - 2031	210	0	0	210	630	(259)	371
	2021 - 2041	370	0	0	370	1,110	(522)	588

Source: Watson & Associates Economists Ltd., 2021.

<sup>1</sup> Includes townhouses and apartments in duplexes.

<sup>2</sup> Includes accessory apartments, bachelor, 1-bedroom and 2-bedroom+ apartments.

Note: Numbers may not add to totals due to rounding.



Schedule 3  
Township of Wainfleet  
Current Year Growth Forecast  
Mid 2016 to Mid 2021

		Population
Mid 2016 Population		6,372
Occupants of New Housing Units, Mid 2016 to Mid 2021	Units (2)	120
	multiplied by P.P.U. (3)	2,769
	gross population increase	332
Decline in Housing Unit Occupancy, Mid 2016 to Mid 2021	Units (4)	2,410
	multiplied by P.P.U. decline rate (5)	-0.044
	total decline in population	-106
Population Estimate to Mid 2021		6,598
Net Population Increase, Mid 2016 to Mid 2021		226

- (1) 2016 population based on Statistics Canada Census unadjusted for Census undercount.
- (2) Estimated residential units constructed, Mid-2016 to the beginning of the growth period assuming a six-month lag between construction and occupancy.
- (3) Average number of persons per unit (P.P.U.) is assumed to be:

Structural Type	Persons Per Unit <sup>1</sup> (P.P.U.)	% Distribution of Estimated Units <sup>2</sup>	Weighted Persons Per Unit Average
<i>Singles &amp; Semi Detached</i>	2.769	100%	2.769
<i>Multiples (6)</i>	2.189	0%	0.000
<i>Apartments (7)</i>	1.669	0%	0.000
Total		100%	2.769

<sup>1</sup> Based on 2016 Census custom database

<sup>2</sup> Based on Building permit/completion activity

- (4) 2016 households taken from Statistics Canada Census.
- (5) Decline occurs due to aging of the population and family life cycle changes, lower fertility rates and changing economic conditions.
- (6) Includes townhouses and apartments in duplexes.
- (7) Includes bachelor, 1-bedroom and 2-bedroom+ apartments.
- Note: Numbers may not add to totals due to rounding.



# Schedule 4 Township of Wainfleet Ten Year Growth Forecast Mid 2021 to Mid 2031

		Population
Mid 2021 Population		6,598
Occupants of New Housing Units, Mid 2021 to Mid 2041	Units (2)	370
	multiplied by P.P.U. (3)	2,999
	gross population increase	1,110
Decline in Housing Unit Occupancy, Mid 2021 to Mid 2041	Units (4)	2,530
	multiplied by P.P.U. decline rate (5)	-0.206
	total decline in population	-522
Population Estimate to Mid 2041		7,186
Net Population Increase, Mid 2021 to Mid 2041		588

(1) Mid 2021 Population based on:

2016 Population (6,372) + Mid 2016 to Mid 2021 estimated housing units to beginning of forecast period (120 x 2.769 = 332) + (2,410 x -0.044 = -106) = 6,598

(2) Based upon forecast building permits/completions assuming a lag between construction and occupancy.

(3) Average number of persons per unit (P.P.U.) is assumed to be:

Structural Type	Persons Per Unit <sup>1</sup> (P.P.U.)	% Distribution of Estimated Units <sup>2</sup>	Weighted Persons Per Unit Average
<i>Singles &amp; Semi Detached</i>	2.999	100%	2.999
<i>Multiples (6)</i>	2.093	0%	0.000
<i>Apartments (7)</i>	1.690	0%	0.000
<i>one bedroom or less</i>	1.207		
<i>two bedrooms or more</i>	1.974		
Total		100%	2.999

<sup>1</sup> Persons per unit based on Statistics Canada Custom 2016 Census database.

<sup>2</sup> Forecast unit mix based upon historical trends and housing units in the development process.

(4) Mid 2021 households based upon 2016 Census (2,410 units) + Mid 2016 to Mid 2021 unit estimate (120 units) = 2,530 units.

(5) Decline occurs due to aging of the population and family life cycle changes, lower fertility rates and changing economic conditions.

(6) Includes townhouses and apartments in duplexes.

(7) Includes bachelor, 1-bedroom and 2-bedroom+ apartments.

Note: Numbers may not add to totals due to rounding.



## Schedule 5 Township of Wainfleet 2041 Growth Forecast Mid 2021 to Mid 2041

		Population
Mid 2021 Population		6,598
Occupants of New Housing Units, Mid 2021 to Mid 2041	<i>Units (2)</i>	370
	<i>multiplied by P.P.U. (3)</i>	2,999
	<i>gross population increase</i>	1,110
Decline in Housing Unit Occupancy, Mid 2021 to Mid 2041	<i>Units (4)</i>	2,530
	<i>multiplied by P.P.U. decline rate (5)</i>	-0.206
	<i>total decline in population</i>	-522
Population Estimate to Mid 2041		7,186
<i>Net Population Increase, Mid 2021 to Mid 2041</i>		588

(1) Mid 2021 Population based on:

2016 Population (6,372) + Mid 2016 to Mid 2021 estimated housing units to beginning of forecast period (120 x 2.769 = 332) + (2,410 x -0.044 = -106) = 6,598

(2) Based upon forecast building permits/completions assuming a lag between construction and occupancy.

(3) Average number of persons per unit (P.P.U.) is assumed to be:

Structural Type	Persons Per Unit <sup>1</sup> (P.P.U.)	% Distribution of Estimated Units <sup>2</sup>	Weighted Persons Per Unit Average
<i>Singles &amp; Semi Detached</i>	2.999	100%	2.999
<i>Multiples (6)</i>	2.093	0%	0.000
<i>Apartments (7)</i>	1.690	0%	0.000
<i>one bedroom or less</i>	1.207		
<i>two bedrooms or more</i>	1.974		
Total		100%	2.999

<sup>1</sup> Persons per unit based on Statistics Canada Custom 2016 Census database.

<sup>2</sup> Forecast unit mix based upon historical trends and housing units in the development process.

(4) Mid 2021 households based upon 2016 Census (2,410 units) + Mid 2016 to Mid 2021 unit estimate (120 units) = 2,530 units.

(5) Decline occurs due to aging of the population and family life cycle changes, lower fertility rates and changing economic conditions.

(6) Includes townhouses and apartments in duplexes.

(7) Includes bachelor, 1-bedroom and 2-bedroom+ apartments.

Note: Numbers may not add to totals due to rounding.



Schedule 6  
Township of Wainfleet  
Summary of Housing Units in the Development Approvals Process, Vacant Greenfield  
Lands and Intensification Potential as of 2021

Stage of Development	Density Type			
	Singles & Semi-Detached	Multiples <sup>1</sup>	Apartments <sup>2</sup>	Total
Registered Not Built	13	0	0	<b>13</b>
<i>% Breakdown</i>	100%	0%	0%	100%
Draft Plans Approved	99	0	0	<b>99</b>
<i>% Breakdown</i>	100%	0%	0%	100%
Provisionally Approved	5	0	0	<b>5</b>
<i>% Breakdown</i>	100%	0%	0%	100%
Application Under Review	6	0	0	<b>6</b>
<i>% Breakdown</i>	100%	0%	0%	100%
Unit Potential on Greenfield Lands	860	0	0	<b>860</b>
<i>% Breakdown</i>	100%	0%	0%	100%
Additional Intensification	37	0	0	<b>37</b>
<i>% Breakdown</i>	100%	0%	0%	100%
<b>Total Units</b>	<b>1,020</b>	<b>0</b>	<b>0</b>	<b>1020</b>
<i>% Breakdown</i>	100%	0%	0%	100%

Source: Derived from Township of Wainfleet data by Watson & Associates Economists Ltd.

<sup>1</sup> Includes townhomes and apartments in duplexes.

<sup>2</sup> Includes bachelor, 1 bedroom and 2 bedroom+ apartments.





Schedule 7  
Township of Wainfleet  
Historical Residential Building Permits  
Years 2011 to 2020

Year	Residential Building Permits			
	Singles & Semi Detached	Multiples <sup>1</sup>	Apartments <sup>2</sup>	Total
2011	18	0	0	18
2012	13	0	0	13
2013	11	0	0	11
2014	8	0	0	8
2015	8	0	0	8
Sub-total	58	0	0	58
<b>Average (2011 - 2015)</b>	<b>12</b>	<b>0</b>	<b>0</b>	<b>12</b>
% Breakdown	100.0%	0.0%	0.0%	100.0%
2016	23	0	0	23
2017	29	0	0	29
2018	33	0	0	33
2019	15	0	0	15
2020	20	0	0	20
Sub-total	120	0	0	120
<b>Average (2016 - 2020)</b>	<b>24</b>	<b>0</b>	<b>0</b>	<b>24</b>
% Breakdown	100.0%	0.0%	0.0%	100.0%
2011 - 2020				
Total	178	0	0	178
<b>Average</b>	<b>18</b>	<b>0</b>	<b>0</b>	<b>18</b>
% Breakdown	100.0%	0.0%	0.0%	100.0%

Source: Building Permit data provided by Township of Wainfleet.

<sup>1</sup> Includes townhouses and apartments in duplexes.

<sup>2</sup> Includes bachelor, 1 bedroom and 2 bedroom+ apartments.



Schedule 8a  
Township of Wainfleet  
Person Per Unit by Age and Type of Dwelling  
(2016 Census)

Age of Dwelling	Singles and Semi-Detached						25 Year Average	25 Year Average Adjusted <sup>1</sup>
	< 1 BR	1 BR	2 BR	3/4 BR	5+ BR	Total		
1-5	-	-	-	-	-	2.769		
6-10	-	-	-	3.733	-	3.455		
11-15	-	-	-	3.083	-	3.000		
16-20	-	-	-	3.462	-	2.917		
20-25	-	-	-	2.769	-	2.467	2.921	2.999
25-35	-	-	-	2.800	-	3.049		
35+	-	-	1.760	2.599	4.250	2.517		
<b>Total</b>	-	1.545	1.796	2.746	4.205	2.654		

<sup>1</sup> Adjusted based on 2001-2016 historical trends.

*Note: Does not include Statistics Canada data classified as 'Other'*

*P.P.U. Not calculated for samples less than or equal to 50 dwelling units, and does not include institutional population.*



Schedule 8b  
Niagara Region  
Person Per Unit by Age and Type of Dwelling  
(2016 Census)

Age of Dwelling	Multiples <sup>1</sup>						25 Year Average	25 Year Average Adjusted <sup>3</sup>
	< 1 BR	1 BR	2 BR	3/4 BR	5+ BR	Total		
1-5	-	1.647	1.726	2.424	-	<b>2.189</b>		
6-10	-	1.231	1.807	2.275	-	<b>1.997</b>		
11-15	-	1.529	1.675	2.432	-	<b>2.111</b>		
16-20	-	1.500	1.914	2.494	-	<b>2.208</b>		
20-25	-	1.360	1.748	2.726	3.143	<b>2.296</b>	2.160	2.093
25-35	-	1.292	2.000	2.640	2.750	<b>2.404</b>		
35+	-	1.216	1.823	2.630	3.407	<b>2.176</b>		
<b>Total</b>	-	<b>1.275</b>	<b>1.814</b>	<b>2.562</b>	<b>3.243</b>	<b>2.197</b>		

Age of Dwelling	Apartments <sup>2</sup>						25 Year Average	25 Year Average Adjusted <sup>3</sup>
	< 1 BR	1 BR	2 BR	3/4 BR	5+ BR	Total		
1-5	-	1.317	1.652	2.783	-	<b>1.669</b>		
6-10	-	1.178	1.721	3.067	-	<b>1.685</b>		
11-15	-	1.381	1.865	2.632	-	<b>1.817</b>		
16-20	-	1.241	1.847	2.652	-	<b>1.686</b>		
20-25	-	1.224	1.780	2.974	-	<b>1.668</b>	1.705	1.690
25-35	0.800	1.199	1.729	3.082	-	<b>1.589</b>		
35+	1.085	1.167	1.740	2.616	2.550	<b>1.562</b>		
<b>Total</b>	<b>0.892</b>	<b>1.185</b>	<b>1.746</b>	<b>2.716</b>	<b>2.875</b>	<b>1.589</b>		

Age of Dwelling	All Density Types					
	< 1 BR	1 BR	2 BR	3/4 BR	5+ BR	Total
1-5	-	1.411	1.792	2.879	4.380	<b>2.604</b>
6-10	-	1.337	1.821	2.966	4.291	<b>2.688</b>
11-15	-	1.447	1.836	2.931	4.284	<b>2.745</b>
16-20	-	1.430	1.868	2.895	3.934	<b>2.656</b>
20-25	-	1.253	1.799	2.895	3.934	<b>2.515</b>
25-35	-	1.231	1.818	2.787	3.648	<b>2.497</b>
35+	1.250	1.219	1.790	2.539	3.725	<b>2.272</b>
<b>Total</b>	<b>1.250</b>	<b>1.242</b>	<b>1.800</b>	<b>2.658</b>	<b>3.841</b>	<b>2.383</b>

<sup>1</sup> Includes townhouses and apartments in duplexes.

<sup>2</sup> Includes bachelor, 1 bedroom and 2 bedroom+ apartments.

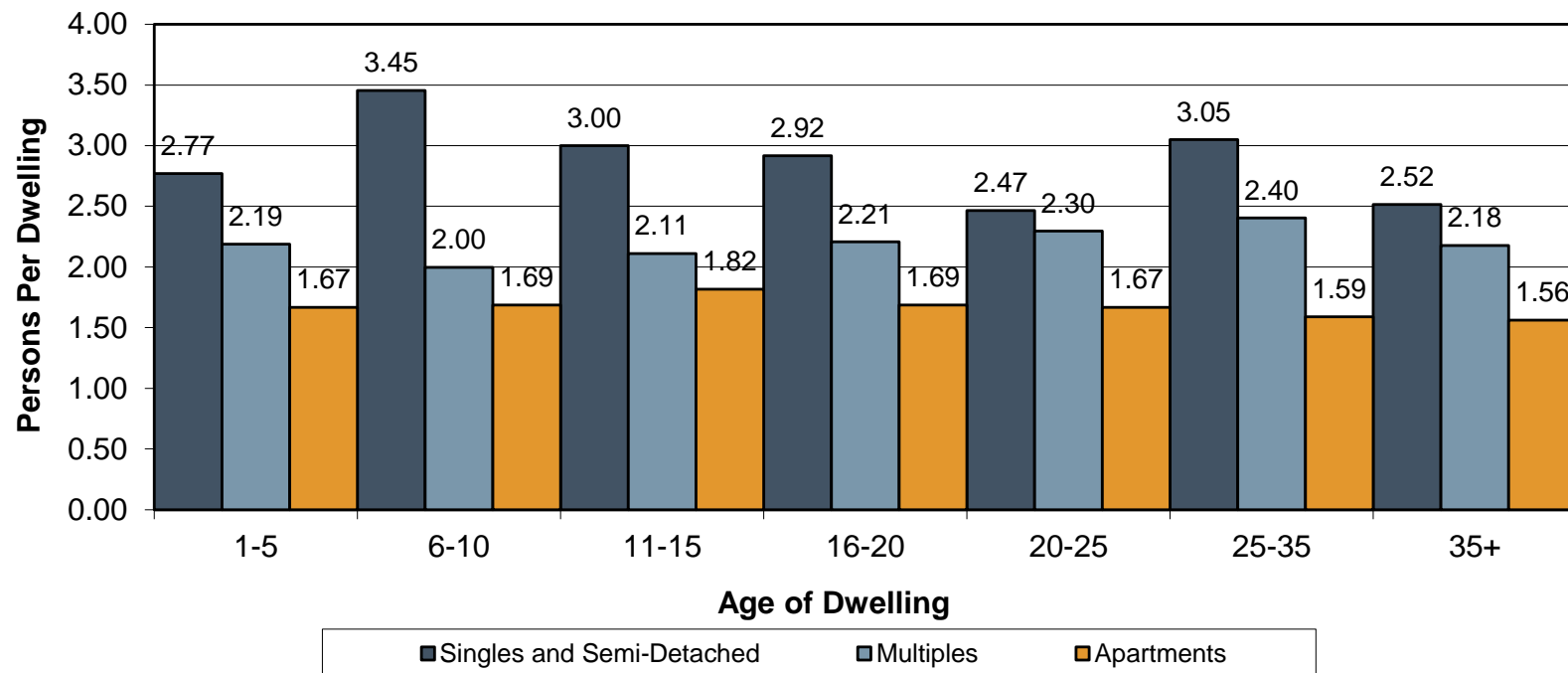
<sup>3</sup> Adjusted based on 2001-2016 historical trends.

Note: Does not include Statistics Canada data classified as 'Other'

P.P.U. Not calculated for samples less than or equal to 50 dwelling units, and does not include institutional population.



Schedule 9  
Township of Wainfleet  
Person Per Unit Structural Type and Age of Dwelling  
(2016 Census)



Multiple and Apartment P.P.U.s are based on Niagara Region.



# Schedule 10a Township of Wainfleet Employment Forecast, 2021 to 2041

Period	Population	Activity Rate								Employment							
		Primary	Work at Home	Industrial	Commercial/Population Related	Institutional	Total	N.F.P.O.W. <sup>1</sup>	Total Including NFPOW	Primary	Work at Home	Industrial	Commercial/Population Related	Institutional	Total	N.F.P.O.W. <sup>1</sup>	Total Employment (Including N.F.P.O.W.)
Mid 2006	6,601	0.017	0.076	0.048	0.038	0.018	0.197	0.035	0.232	115	500	315	250	120	1,300	231	1,531
Mid 2016	6,372	0.021	0.064	0.044	0.041	0.020	0.191	0.043	0.233	135	410	278	263	130	1,215	272	1,487
Mid 2021	6,598	0.021	0.064	0.043	0.040	0.020	0.187	0.042	0.229	138	419	281	263	131	1,232	275	1,507
Mid 2031	6,969	0.021	0.064	0.043	0.039	0.020	0.186	0.042	0.228	147	443	297	270	142	1,299	290	1,589
Mid 2041	7,186	0.021	0.065	0.044	0.039	0.020	0.191	0.043	0.234	154	470	319	280	147	1,370	310	1,680
Incremental Change																	
Mid 2006 - Mid 2016	-229	0.004	-0.011	-0.004	0.003	0.002	-0.006	0.008	0.001	20	-90	-38	13	10	-85	41	-44
Mid 2016 - Mid 2021	226	0.0000	-0.0008	-0.0010	-0.0014	-0.0005	-0.0036	-0.0010	-0.0046	3	9	4	1	1	17	3	20
Mid 2021 - Mid 2031	371	-0.0001	0.0000	0.0001	-0.0011	0.0005	-0.0006	-0.0001	-0.0008	9	24	16	7	11	67	15	82
Mid 2021 - Mid 2041	588	0.0002	0.0019	0.0019	-0.0008	0.0005	0.0037	0.0014	0.0051	16	51	38	17	16	138	35	173
Annual Average																	
Mid 2006 - Mid 2016	-23	0.000	-0.001	0.000	0.000	0.000	-0.001	0.001	0.000	2	-9	-4	1	1	-9	4	-4
Mid 2016 - Mid 2021	45	0.0000	-0.0002	-0.0002	-0.0003	-0.0001	-0.0007	-0.0002	-0.0009	1	2	1	0	0	3	1	4
Mid 2021 - Mid 2031	37	-0.00001	0.00000	0.00001	-0.00011	0.00005	-0.00006	-0.00001	-0.00008	1	2	2	1	1	7	2	8
Mid 2021 - Mid 2041	29	0.00001	0.00010	0.00009	-0.00004	0.00002	0.00018	0.00007	0.00025	1	3	2	1	1	7	2	9

Employment
Total (Excluding Work at Home and N.F.P.O.W.)
800
805
813
856
900
5
8
43
87
1
2
4
4

Derived from Niagara Region Municipal Comprehensive Review – Growth Allocation Update to 2051 (April 5, 2021, Hemson Consulting Memo) forecast for the Township of Wainfleet by Watson & Associates Economists Ltd., 2021

<sup>1</sup> Statistics Canada defines no fixed place of work (N.F.P.O.W.) employees as "persons who do not go from home to the same work place location at the beginning of each shift". Such persons include building and landscape contractors, travelling salespersons, independent truck drivers, etc.



Schedule 10b  
Township of Wainfleet  
Employment and Gross Floor Area (G.F.A.) Forecast, 2021 to 2041

Period	Population	Employment					Gross Floor Area in Square Feet (Estimated) <sup>2</sup>				
		Primary <sup>1</sup>	Industrial	Commercial/ Population Related	Institutional	Total	Primary	Industrial	Commercial/ Population Related	Institutional	Total
Mid 2006	6,601	115	315	250	120	800					
Mid 2016	6,372	135	278	263	130	805					
Mid 2021	6,598	138	281	263	131	813					
Mid 2031	6,969	147	297	270	142	856					
Mid 2041	7,186	154	319	280	147	900					
Incremental Change											
Mid 2006 - Mid 2016	16	75	18	78	-105	65					
Mid 2016 - Mid 2021	226	3	4	1	1	8					
Mid 2021 - Mid 2031	371	9	16	7	11	43	27,000	22,400	3,800	7,700	60,900
Mid 2021 - Mid 2041	588	16	38	17	16	87	48,000	53,200	9,300	11,200	121,700
Annual Average											
Mid 2006 - Mid 2016	3	15	4	16	-21	13					
Mid 2016 - Mid 2021	45	1	1	0	0	2					
Mid 2021 - Mid 2031	37	1	2	1	1	4	2,700	2,240	380	770	6,090
Mid 2021 - Mid 2041	29	1	2	1	1	4	2,400	2,660	465	560	6,085

Source: Watson & Associates Economists Ltd., 2021.

<sup>1</sup>Primary industry includes bona-fide and non bona-fide farming which can include cannabis growing operation related employment.

<sup>2</sup> Square Foot Per Employee Assumptions

Primary<sup>1</sup> 3,000

Industrial 1,400

Commercial/ Population Related 550

Institutional 700

\* Reflects Mid 2021 to Mid 2041 forecast period

Note: Numbers may not add to totals due to rounding.



Schedule 11  
Township of Wainfleet  
Non-Residential Construction Value  
Years 2007 to 2016  
(000's 2018 \$)

YEAR	Industrial				Commercial				Institutional				Total			
	New	Improve	Additions	Total	New	Improve	Additions	Total	New	Improve	Additions	Total	New	Improve	Additions	Total
2007	141	1	989	1,131	271	100	0	371	146	54	0	199	558	155	989	1,702
2008	0	114	0	114	334	105	0	439	0	78	0	78	334	296	0	630
2009	608	0	0	608	683	50	0	732	0	199	0	199	1,290	249	0	1,539
2010	558	265	0	823	613	144	0	757	0	6	0	6	1,171	415	0	1,586
2012	3,901	244	643	4,789	1,414	527	0	1,941	20	140	0	161	5,335	912	643	6,891
2013	5,186	53	789	6,028	460	68	263	791	0	126	0	126	5,646	247	1,052	6,945
2014	1,022	31	511	1,563	200	84	0	284	588	0	2,993	3,581	1,810	115	3,504	5,428
2015	4,430	3	0	4,432	194	41	0	235	55	84	0	139	4,679	128	0	4,807
2016	1,547	316	0	1,862	615	0	0	615	0	349	0	349	2,162	665	0	2,826
Subtotal	18,181	1,103	2,932	22,216	5,363	1,204	263	6,829	847	1,038	2,993	4,878	24,390	3,344	6,188	33,923
Percent of Total	82%	5%	13%	100%	79%	18%	4%	100%	17%	21%	61%	100%	72%	10%	18%	100%
Average	2,020	123	733	2,222	536	134	263	683	169	115	2,993	488	2,439	334	1,547	3,392
2007 - 2011 Period Total				3,541				2,963				521				7,026
2007 - 2011 Average				708				593				104				1,405
% Breakdown				50.4%				42.2%				7.4%				100.0%
2012 - 2016 Period Total				18,675				3,866				4,357				26,897
2012 - 2016 Average				3,735				773				871				5,379
% Breakdown				69.4%				14.4%				16.2%				100.0%
2007 - 2016 Period Total				22,216				6,829				4,878				33,923
2007 - 2016 Average				2,222				683				488				3,392
% Breakdown				65.5%				20.1%				14.4%				100.0%

Source: Statistics Canada Publication, 64-001-XIB

Note: Inflated to year-end 2017 (January, 2018) dollars using Reed Construction Cost Index



Schedule 12  
Township of Wainfleet  
Employment to Population Ratio by Major Employment Sector, 2006 to 2016

NAICS		Year		Change	Comments
		2006	2016	06-16	
Employment by industry					Categories which relate to local land-based resources
	Primary Industry Employment				
11	Agriculture, forestry, fishing and hunting	330	370	40	
21	Mining and oil and gas extraction	10	0	-10	
Sub-total		340	370	30	
	Industrial and Other Employment			0	Categories which relate primarily to industrial land supply and demand
22	Utilities	0	15	15	
23	Construction	135	130	-5	
31-33	Manufacturing	75	75	0	
41	Wholesale trade	75	65	-10	
48-49	Transportation and warehousing	135	70	-65	
56	Administrative and support	13	8	-5	
Sub-total		433	363	-70	
	Population Related Employment			0	Categories which relate primarily to population growth within the municipality
44-45	Retail trade	85	70	-15	
51	Information and cultural industries	10	10	0	
52	Finance and insurance	25	25	0	
53	Real estate and rental and leasing	10	10	0	
54	Professional, scientific and technical services	30	50	20	
55	Management of companies and enterprises	0	0	0	
56	Administrative and support	13	8	-5	
71	Arts, entertainment and recreation	40	35	-5	
72	Accommodation and food services	70	50	-20	
81	Other services (except public administration)	90	95	5	
Sub-total		373	353	-20	
	Institutional			0	
61	Educational services	85	75	-10	
62	Health care and social assistance	50	25	-25	
91	Public administration	20	30	10	
Sub-total		155	130	-25	
Total Employment		1,300	1,215	-85	
Population		6,601	6,372	-229	
Employment to Population Ratio				0	
Industrial and Other Employment		0.07	0.06	-0.01	
Population Related Employment		0.06	0.06	0.00	
Institutional Employment		0.02	0.02	0.00	
Primary Industry Employment		0.05	0.06	0.01	
Total		0.20	0.19	-0.01	

Source: Statistics Canada Employment by Place of Work

Note: 2006-2016 employment figures are classified by North American Industry Classification System (NAICS) Code







# Appendix B

## Level of Service





## Appendix B: Level of Service

SUMMARY OF SERVICE STANDARDS AS PER DEVELOPMENT CHARGES ACT, 1997, AS AMENDED							
Service Category	Sub-Component	10 Year Average Service Standard					Maximum Ceiling LOS
		Cost (per capita)	Quantity (per capita)		Quality (per capita)		
Service Related to a Highway	Services Related to a Highway - Roads	\$34,783.40	0.0633	lane km of roadways	549,501	per km	20,452,639
	Services Related to a Highway - Bridges, Culverts & Structures	\$1,953.10	0.0022	Number of Bridges, Culverts & Structures	887,773	per item	1,148,423
	Services Related to a Highway - Sidewalks and Active Transportation	\$7.00	0.0001	km of sidewalks and active transportation	70,000	per km	4,116
	Services Related to a Highway - Streetlights	\$57.30	0.0259	No. of Traffic Signals	2,212	per signal	33,692
	Public Works - Facilities	\$350.21	1.9543	sq.ft. of building area	179	per sq.ft.	205,923
	Public Works - Vehicles & Equipment	\$445.86	0.0037	No. of vehicles and equipment	120,503	per vehicle	262,166
Fire Protection	Fire Protection Services - Facilities	\$310.96	0.7448	sq.ft. of building area	418	per sq.ft.	182,844
	Fire Protection Services - Vehicles	\$465.04	0.0010	No. of vehicles	465,040	per vehicle	273,444
	Fire Protection Services - Small Equipment and Gear	\$153.84	0.0600	No. of equipment and gear	2,564	per item	90,458
Parks & Recreation	Parkland Development	\$323.76	0.0058	Acres of Parkland	55,821	per acre	120,115
	Parkland Amenities	\$206.90	0.0022	No. of parkland amenities	94,045	per amenity	76,760
	Recreation Facilities	\$1,037.92	4.1109	sq.ft. of building area	252	per sq.ft.	385,068
	Parks & Recreation Vehicles and Equipment	\$26.63	0.0006	No. of vehicles and equipment	44,383	per vehicle	9,880
Library	Library Services - Facilities	\$237.31	0.5193	sq.ft. of building area	457	per sq.ft.	88,042
	Library Services - Collection Materials	\$190.56	4.0341	No. of library collection items	47	per collection item	70,698



**Township of Wainfleet  
Service Standard Calculation Sheet**

Service: Services Related to a Highway - Roads  
Unit Measure: lane km of roadways

Description	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021 Value (\$/lane km)
Gravel	217	217	217	215	211	208	208	208	208	208	\$440,000
Tar & Chip	295	295	295	297	301	304	304	304	304	304	\$620,000
Asphalt all ditch	10	10	10	10	10	10	10	10	10	10	\$735,000
<b>Total</b>	<b>522</b>	<b>522</b>	<b>522</b>	<b>522</b>	<b>522</b>	<b>522</b>	<b>522</b>	<b>522</b>	<b>522</b>	<b>522</b>	

Population (Permanent + Seasonal)	8,171	8,199	8,208	8,209	8,198	8,187	8,229	8,288	8,359	8,379
Per Capita Standard	0.06	0.06	0.06	0.06	0.06	0.06	0.06	0.06	0.06	0.06

10 Year Average	2011-2020
Quantity Standard	0.0633
Quality Standard	\$549,501
Service Standard	\$34,783

D.C. Amount (before deductions)	2041
Forecast Population	588
\$ per Capita	\$34,783
Eligible Amount	\$20,452,639



**Township of Wainfleet  
Service Standard Calculation Sheet**

Service: Services Related to a Highway - Bridges, Culverts & Structures

Unit Measure: Number of Bridges, Culverts & Structures

Description	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021 Value (\$/item)
Gents Road Bridge	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	\$1,430,000
Hoag Road Bridge	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	\$1,047,000
Malowany Road Bridge	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	\$1,047,000
Mill Race Road Bridge	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	\$1,047,000
Perry Road Bridge	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	\$1,245,000
Quarry Road Bridge	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	\$965,000
Quarry Road Bridge Surface	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	\$15,200
Buliung Road Bridge	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	\$540,000
Misener Road Bridge	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	\$833,200
Zion Road Bridge	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	\$714,000
Dixie Road Bridge S of Feeder	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	\$1,430,000
Dixie Road Bridge N of Garringer	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	\$318,000
Malowany Bridge N of Garringer	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	\$937,000
Zion Road CSP 1 k N of Hwy 3	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	\$327,000
Zion Road Bridge 1.1 k N of Hwy 3	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	\$486,000
Pearson Lincoln Welland Bridge 50%	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	\$2,540,000
Dawson Lincoln Bridge 50%	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	\$1,788,000
Shields Road Bridge	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	\$1,118,000
Church Street Bridge	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	\$436,000
<b>Total</b>	<b>18</b>	<b>18</b>	<b>18</b>	<b>18</b>	<b>18</b>	<b>18</b>	<b>18</b>	<b>18</b>	<b>18</b>	<b>18</b>	

Population (Permanent + Seasonal)	8,171	8,199	8,208	8,209	8,198	8,187	8,229	8,288	8,359	8,379
Per Capita Standard	0.0022	0.0022	0.0022	0.0022	0.0022	0.0022	0.0022	0.0022	0.0022	0.0021

10 Year Average	2011-2020
Quantity Standard	0.0022
Quality Standard	\$887,773
Service Standard	\$1,953

D.C. Amount (before deductions)	2041
Forecast Population	588
\$ per Capita	\$1,953
Eligible Amount	\$1,148,423



**Township of Wainfleet  
Service Standard Calculation Sheet**

Service: Services Related to a Highway - Sidewalks and Active Transportation  
Unit Measure: km of sidewalks and active transportation

Description	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021 Value (\$/km)
Sidewalks (km)	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	\$100,000
<b>Total</b>	<b>0.6</b>	<b>0.6</b>	<b>0.6</b>	<b>0.6</b>	<b>0.6</b>	<b>0.6</b>	<b>0.6</b>	<b>0.6</b>	<b>0.6</b>	<b>0.6</b>	

Population (Permanent + Seasonal)	8,171	8,199	8,208	8,209	8,198	8,187	8,229	8,288	8,359	8,379
Per Capita Standard	0.0001	0.0001	0.0001	0.0001	0.0001	0.0001	0.0001	0.0001	0.0001	0.0001

10 Year Average	2011-2020
Quantity Standard	0.0001
Quality Standard	\$70,000
Service Standard	\$7

D.C. Amount (before deductions)	2041
Forecast Population	588
\$ per Capita	\$7
Eligible Amount	\$4,116



**Township of Wainfleet  
Service Standard Calculation Sheet**

Service: Services Related to a Highway - Streetlights  
Unit Measure: No. of Traffic Signals

Description	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021 Value (\$/item)
Streetlights (#)	200	200	200	200	223	223	223	223	223	223	\$2,200
<b>Total</b>	<b>200</b>	<b>200</b>	<b>200</b>	<b>200</b>	<b>223</b>	<b>223</b>	<b>223</b>	<b>223</b>	<b>223</b>	<b>223</b>	

Population (Permanent + Seasonal)	8,171	8,199	8,208	8,209	8,198	8,187	8,229	8,288	8,359	8,379
Per Capita Standard	0.02	0.02	0.02	0.02	0.03	0.03	0.03	0.03	0.03	0.03

10 Year Average	2011-2020
Quantity Standard	0.0259
Quality Standard	\$2,212
Service Standard	\$57

D.C. Amount (before deductions)	2041
Forecast Population	588
\$ per Capita	\$57
Eligible Amount	\$33,692





**Township of Wainfleet  
Service Standard Calculation Sheet**

Service: Public Works - Facilities  
Unit Measure: sq.ft. of building area

Description	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021 Bld'g Value (\$/sq.ft.)	Value/sq.ft. with land, site works, etc.
Public Works Garage Operations Centre	5,520	5,520	5,520	5,520	5,520	5,520	5,520	5,136	5,136	5,136	\$200	\$225
West Bay Addition	2,760	2,760	2,760	2,760	2,760	2,760	2,760	2,760	2,760	2,760	\$200	\$225
Sand/Salt Dome	5,204	5,204	5,204	5,204	5,204	5,204	5,204	5,204	5,204	5,204	\$100	\$115
Cemetery Storage Building	1,073	1,073	1,073	1,073	1,073	1,073	1,073	1,073	1,073	1,073	\$60	\$71
Workshop / East Bay	1,664	1,664	1,664	1,664	1,664	1,664	1,664	1,664	1,664	1,664	\$200	\$225
<b>Total</b>	<b>16,221</b>	<b>16,221</b>	<b>16,221</b>	<b>16,221</b>	<b>16,221</b>	<b>16,221</b>	<b>16,221</b>	<b>15,837</b>	<b>15,837</b>	<b>15,837</b>		

Population (Permanent + Seasonal)	8,171	8,199	8,208	8,209	8,198	8,187	8,229	8,288	8,359	8,379
Per Capita Standard	1.9852	1.9784	1.9762	1.9760	1.9787	1.9813	1.9712	1.9108	1.8946	1.8901

10 Year Average	2011-2020
Quantity Standard	1.9543
Quality Standard	\$179
Service Standard	\$350

D.C. Amount (before deductions)	2041
Forecast Population	588
\$ per Capita	\$350
Eligible Amount	\$205,923



**Township of Wainfleet  
Service Standard Calculation Sheet**

Service: Public Works - Vehicles & Equipment  
Unit Measure: No. of vehicles and equipment

Description	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021 Value (\$/Vehicle)
2006 International Dump Truck(Trk 1)	1	1	1	1	1	1	1	1	1	1	\$277,000
2008 International 7600 Workstar(Trk 10)	1	1	1	1	1	1	1	1	-	-	\$277,000
2019 Int'l Tandem Dump NEW ( 10)									1	1	\$277,000
2010 GMC Sierra W/T 15 (Trk 11)	1	1	1	1	1	1	1	1	1	1	\$63,000
2005 GMC 2500HD Ext Cab (Trk 3)	1	1	1	-	-	-	-	-	-	-	\$55,400
2002 Ford F150 XL Supercab (Trk 6)	1	-	-	-	-	-	-	-	-	-	\$37,500
2006 Int'l 7600 Dump Truck (Trk 7)	1	1	1	1	1	1	1	-	-	-	\$277,000
2018 Int'l Tandem (NEW)Trk 7								1	1	1	\$277,000
2005 Chevrolet 1500 Extend (Trk 8)	1	1	1	1	1	-	-	-	-	-	\$37,500
2016 Dodge Ram 1500 (NEW) Trk 8	-	-	-	-	-	1	1	1	1	1	\$37,500
NIC DT588 Trailer	1	1	1	1	1	1	1	1	1	1	\$4,100
Nichol Trailer	1	1	1	1	1	1	1	1	1	1	\$5,600
2 Graders	2	2	2	2	2	2	2	2	2	2	\$375,000
Excavator	1	1	1	1	1	1	1	1	1	1	\$505,000
2 Loaders	2	2	2	2	2	2	2	2	2	2	\$141,000
2 Tractors	2	2	2	2	2	2	2	2	2	2	\$130,000
Spray Patcher	1	1	1	1	1	1	1	1	1	1	\$64,500
Skidsteer	1	1	1	1	1	1	1	1	1	1	\$71,000
Wood Chipper	1	1	1	1	1	1	1	1	1	1	\$50,000
Snowblower	1	1	1	1	1	1	1	1	1	1	\$10,300
Mowers	3	3	3	3	3	3	3	3	3	3	\$51,000
Laser Level with tripod	1	1	1	1	1	1	1	1	1	1	\$12,500
2015 GMC 2500HD Extend Cab (Trk 3) (2014\$)				1	1	1	1	1	1	1	\$55,400



**Township of Wainfleet  
Service Standard Calculation Sheet**

Service: Public Works - Vehicles & Equipment  
Unit Measure: No. of vehicles and equipment

Description	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021 Value (\$/Vehicle)
2013 Chev Silverado (Trk 6) (2012\$)		1	1	1	1	1	1	1	1	1	\$37,500
2012 International Workstar (Trk 2) (2011\$)	1	1	1	1	1	1	1	1	1	1	\$218,500
Truck 28 (Int'l Tandem 2016)					1	1	1	1	1	1	\$277,000
2019 Miska Landscape Trailer (#T5)									1	1	\$9,600
2019 Shop Hoist									1	1	\$18,800
2001 GMC Sierra 1500 (#23)	1	1	1	1	1	1	1	1	1	1	\$32,500
2012 GMC Sierra 1500 (#25)		1	1	1	1	1	1	1	1	1	\$32,500
2012 GMC Sierra 1500 (#26)		1	1	1	1	1	1	1	1	1	\$32,500
2016 GMC Sierra 2500 Crew (Drainage)						1	1	1	1	1	\$55,400
2014 GMC Sierra 3500 (CEM)				1	1	1	1	1	1	1	\$73,600
2016 Miska Tilt Trailer (#T3)						1	1	1	1	1	\$10,000
<b>Total</b>	<b>26</b>	<b>28</b>	<b>28</b>	<b>29</b>	<b>30</b>	<b>32</b>	<b>32</b>	<b>32</b>	<b>34</b>	<b>34</b>	

Population (Permanent + Seasonal)	8,171	8,199	8,208	8,209	8,198	8,187	8,229	8,288	8,359	8,379
Per Capita Standard	0.0032	0.0034	0.0034	0.0035	0.0037	0.0039	0.0039	0.0039	0.0041	0.0041

10 Year Average	2011-2020
Quantity Standard	0.0037
Quality Standard	\$120,503
Service Standard	\$446

D.C. Amount (before deductions)	2041
Forecast Population	588
\$ per Capita	\$446
Eligible Amount	\$262,166



**Township of Wainfleet  
Service Standard Calculation Sheet**

Service: Fire Protection Services - Facilities  
Unit Measure: sq.ft. of building area

Description	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021 Bid'g Value (\$/sq.ft.)	Value/sq.ft. with land, site works, etc.
Station #1 - Winger	880	880	880	880	880	880	880	880	880	880	\$375	\$438
Station #2 - Wainfleet Village	2,240	2,240	2,240	2,240	2,240	2,240	2,240	2,240	2,240	2,240	\$375	\$438
Station #3 - Burnaby	1,350	1,350	1,350	1,350	1,350	1,350	1,350	1,350	1,350	1,350	\$375	\$438
Station #4 - Schwoob / Wellandport	1,200	1,200	1,200	1,200	1,200	1,200	1,200	1,200	1,200	1,200	\$350	\$409
Office Space within Township Hall	305	305	305	305	305	305	305	473	473	473	\$250	\$250
Equipment Storage in Public Works Facility	-	-	-	-	-	-	-	384	384	384	\$200	\$225
<b>Total</b>	<b>5,975</b>	<b>5,975</b>	<b>5,975</b>	<b>5,975</b>	<b>5,975</b>	<b>5,975</b>	<b>5,975</b>	<b>6,527</b>	<b>6,527</b>	<b>6,527</b>		

Population (Permanent + Seasonal)	8,171	8,199	8,208	8,209	8,198	8,187	8,229	8,288	8,359	8,379
Per Capita Standard	0.7312	0.7287	0.7279	0.7279	0.7288	0.7298	0.7261	0.7875	0.7808	0.7790

10 Year Average	2011-2020
Quantity Standard	0.7448
Quality Standard	\$418
Service Standard	\$311

D.C. Amount (before deductions)	2041
Forecast Population	588
\$ per Capita	\$311
Eligible Amount	\$182,844



**Township of Wainfleet  
Service Standard Calculation Sheet**

Service: Fire Protection Services - Vehicles  
Unit Measure: No. of vehicles

Description	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021 Value (\$/Vehicle)
1990 Ford 1800A Tanker	1	1	1	1	1	1	1	-	-	-	\$400,000
1997 Ford Triple Comb Pumper	1	1	1	1	1	1	1	-	-	-	\$600,000
1998 Freightliner Rescue	1	1	1	1	1	1	1	-	-	-	\$400,000
1999 Inter Triple Comb Pumper	1	1	1	1	1	1	1	1	1	1	\$600,000
2004 GMC Sierra Pickup	1	1	1	-	-	-	-	-	-	-	\$63,000
2005 GMC CAFS Pumper	1	1	1	1	1	1	1	1	1	1	\$813,000
2014 GMC Sierra 1500 (2014\$)	-	-	-	1	1	1	1	1	1	1	\$63,000
2003 Kenworth Pumper (2011\$)	1	1	1	1	1	1	1	1	1	1	\$600,000
2006 Freightliner with tank (2012\$)	-	1	1	1	1	1	1	1	1	1	\$400,000
2017 Inter. Pumper	-	-	-	-	-	-	-	1	1	1	\$813,000
2018 Dodge 5500 Rescue	-	-	-	-	-	-	-	1	1	1	\$162,500
2019 Inter. Tanker	-	-	-	-	-	-	-	1	1	1	\$400,000
2020 Kubota UTV	-	-	-	-	-	-	-	-	1	1	\$23,000
<b>Total</b>	<b>7</b>	<b>8</b>	<b>8</b>	<b>8</b>	<b>8</b>	<b>8</b>	<b>8</b>	<b>8</b>	<b>9</b>	<b>9</b>	

Population (Permanent + Seasonal)	8,171	8,199	8,208	8,209	8,198	8,187	8,229	8,288	8,359	8,379
Per Capita Standard	0.0009	0.0010	0.0010	0.0010	0.0010	0.0010	0.0010	0.0010	0.0011	0.0011

10 Year Average	2011-2020
Quantity Standard	0.0010
Quality Standard	\$465,040
Service Standard	\$465

D.C. Amount (before deductions)	2041
Forecast Population	588
\$ per Capita	\$465
Eligible Amount	\$273,444



**Township of Wainfleet  
Service Standard Calculation Sheet**

Service: Fire Protection Services - Small Equipment and Gear  
Unit Measure: No. of equipment and gear

Description	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021 Value (\$/item)
number of equipped firefighters (volunteers)	45	47	48	49	50	50	50	50	50	50	\$6,000
Station Air Compressors	1	1	1	1	1	1	1	1	1	1	\$60,000
Dryer	2	2	2	2	2	2	2	2	2	2	\$2,300
Washer	2	2	2	2	2	2	2	2	2	2	\$1,500
Defibrillators	1	1	1	1	1	1	1	5	5	5	\$6,000
Medical Bags	-	-	-	-	-	6	6	6	6	6	\$2,000
Auto Extrication - Heavy Hydraulics	1	1	1	1	1	2	2	2	2	2	\$60,000
Auto Extrication - Equipment	-	-	-	-	-	2	2	2	2	2	\$20,000
Cordless Combi Tool	-	-	-	-	-	-	-	-	2	2	\$18,000
Generators	-	-	-	-	-	-	-	5	5	5	\$2,600
Portable Pumps	-	-	-	-	-	-	-	3	3	3	\$20,000
Thermal Imagers	-	-	-	-	-	-	1	3	5	6	\$15,000
Gas Detection	-	-	-	-	-	-	-	2	5	5	\$10,000
Portable Pumps	2	2	2	2	2	3	3	3	3	3	\$10,000
Master Stream	-	-	-	-	-	-	-	1	1	2	\$6,000
Rescue Saw	-	-	-	-	-	-	-	1	3	3	\$2,000
Chain Saws	-	-	-	-	-	-	-	-	2	2	\$1,500
Ventilation Fans	-	-	-	-	-	4	4	4	4	4	\$4,000
Extension Ladders	5	5	5	5	5	5	5	5	5	5	\$2,000
Attic Ladders	4	4	4	4	4	4	4	4	4	4	\$1,000
Roof Ladders	4	4	4	4	4	4	4	4	4	4	\$1,500
1.75" Hose	48	48	48	48	48	48	48	48	48	48	\$500
2 1/2" x 100' Hose	30	30	30	30	30	30	30	30	30	30	\$800
4" x 100' Hose	12	12	12	12	12	24	24	36	36	48	\$1,250
Wildfire Hose	-	-	-	-	-	-	-	-	24	48	\$200
Rescue Equipment	-	-	-	-	-	10	15	15	20	20	\$500
Hand Tools	15	15	15	15	15	15	15	15	15	15	\$500
Nozzles	16	16	16	16	16	16	16	16	16	16	\$1,200



**Township of Wainfleet  
Service Standard Calculation Sheet**

Service: Fire Protection Services - Small Equipment and Gear  
Unit Measure: No. of equipment and gear

Description	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021 Value (\$/item)
Suppression Appliances	15	15	15	15	15	15	15	15	15	15	\$1,200
LDH Appliances	-	-	-	-	-	-	-	4	4	6	\$5,000
Pagers	40	40	40	40	40	40	40	40	45	50	\$600
Portable Radios	20	20	20	20	20	24	36	36	40	40	\$1,500
Mobile Radios	8	8	8	8	8	8	8	9	12	12	\$2,500
Base Radios	1	1	1	1	1	1	1	1	5	5	\$3,000
Vehicle repeaters	-	-	-	-	-	4	4	5	5	5	\$10,000
Tower Repeater	2	2	2	2	2	2	2	2	2	2	\$30,000
Command & Accountability system	2	2	2	2	2	2	2	8	8	8	\$1,250
SCBA	20	20	20	20	20	28	28	28	28	36	\$7,500
Cylinders	60	60	60	60	60	90	90	90	90	80	\$1,500
Masks	45	47	48	49	50	50	50	50	50	50	\$500
RIT Kits	1	1	1	1	1	2	2	2	3	3	\$7,500
SCBA tracking system	-	-	-	-	-	-	-	-	-	2	\$5,000
Power tools & items	1	1	1	1	1	4	4	6	6	6	\$1,250
Health & Safety Items	4	4	4	4	4	4	6	6	6	6	\$1,000
<b>Total</b>	<b>407</b>	<b>411</b>	<b>413</b>	<b>415</b>	<b>417</b>	<b>503</b>	<b>523</b>	<b>567</b>	<b>624</b>	<b>669</b>	

Population (Permanent + Seasonal)	8,171	8,199	8,208	8,209	8,198	8,187	8,229	8,288	8,359	8,379
Per Capita Standard	0.05	0.05	0.05	0.05	0.05	0.06	0.06	0.07	0.07	0.08

10 Year Average	2011-2020
Quantity Standard	0.0600
Quality Standard	\$2,564
Service Standard	\$154

D.C. Amount (before deductions)	2041
Forecast Population	588
\$ per Capita	\$154
Eligible Amount	\$90,458







**Township of Wainfleet  
Service Standard Calculation Sheet**

Service: Parkland Amenities  
Unit Measure: No. of parkland amenities

Description	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021 Value (\$/item)
Ball Diamonds - Lit	2	2	2	2	2	2	2	2	2	2	\$440,000
Play Structures/Equipment	1	1	1	1	1	1	1	1	1	1	\$63,000
Picnic Shelter	1	1	1	1	1	1	1	1	1	1	\$299,000
Tennis Court (Double) - Lit	1	1	1	1	1	1	1	1	1	1	\$175,000
Canteen/Washrooms	1	1	1	1	1	1	1	1	1	1	\$112,000
Soccer Fields	11	11	11	11	11	11	11	11	11	11	\$12,000
Soccer Field (Full Drainage)	1	1	1	1	1	1	1	1	1	1	\$36,000
Parkette (Gazebo, Benches, etc.)									1	1	\$42,000
<b>Total</b>	<b>18</b>	<b>18</b>	<b>18</b>	<b>18</b>	<b>18</b>	<b>18</b>	<b>18</b>	<b>18</b>	<b>19</b>	<b>19</b>	

Population (Permanent + Seasonal)	8,171	8,199	8,208	8,209	8,198	8,187	8,229	8,288	8,359	8,379
Per Capita Standard	0.0022	0.0022	0.0022	0.0022	0.0022	0.0022	0.0022	0.0022	0.0023	0.0023

10 Year Average	2011-2020
Quantity Standard	0.0022
Quality Standard	\$94,045
Service Standard	\$207

D.C. Amount (before deductions)	10 Year
Forecast Population	371
\$ per Capita	\$207
Eligible Amount	\$76,760



**Township of Wainfleet  
Service Standard Calculation Sheet**

Service: Recreation Facilities  
Unit Measure: sq.ft. of building area

Description	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021 Bld'g Value (\$/sq.ft.)	Value/sq.ft. with land, site works, etc.
Arena/Senior Centre	29,708	29,708	29,708	29,708	29,708	29,708	31,580	31,580	31,580	31,580	\$226	\$254
Community Hall	3,432	3,432	3,432	3,432	3,432	3,432	3,432	3,432	3,432	3,432	\$213	\$239
<b>Total</b>	<b>33,140</b>	<b>33,140</b>	<b>33,140</b>	<b>33,140</b>	<b>33,140</b>	<b>33,140</b>	<b>35,012</b>	<b>35,012</b>	<b>35,012</b>	<b>35,012</b>		

Population (Permanent + Seasonal)	8,171	8,199	8,208	8,209	8,198	8,187	8,229	8,288	8,359	8,379
Per Capita Standard	4.0558	4.0420	4.0375	4.0370	4.0424	4.0479	4.2547	4.2244	4.1885	4.1785

10 Year Average	2011-2020
Quantity Standard	4.1109
Quality Standard	\$252
Service Standard	\$1,038

D.C. Amount (before deductions)	10 Year
Forecast Population	371
\$ per Capita	\$1,038
Eligible Amount	\$385,068



**Township of Wainfleet  
Service Standard Calculation Sheet**

Service: Parks & Recreation Vehicles and Equipment  
Unit Measure: No. of vehicles and equipment

Description	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021 Value (\$/Vehicle)
Tractor (Parks)	1	1	1	1	1	1	1	1	1	1	\$35,000
2010 GMC Sierra 1500 ( Trk18)	1	1	1	1	1	1	1	1	1	1	\$32,500
Kubota Zero Turn Mower (REC# 31)	1	1	1	1	1	1	1	1	1	1	\$17,000
1960 JD 920 Tractor (#32) (Parks)	1	1	1	1	1	1	1	1	1	1	\$35,000
Zamboni	1	1	1	1	1	1	1	1	1	1	\$100,000
<b>Total</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>	

Population (Permanent + Seasonal)	8,171	8,199	8,208	8,209	8,198	8,187	8,229	8,288	8,359	8,379
Per Capita Standard	0.001	0.001	0.001	0.001	0.001	0.001	0.001	0.001	0.001	0.001

10 Year Average	2011-2020
Quantity Standard	0.0006
Quality Standard	\$44,383
Service Standard	\$27

D.C. Amount (before deductions)	10 Year
Forecast Population	371
\$ per Capita	\$27
Eligible Amount	\$9,880



**Township of Wainfleet  
Service Standard Calculation Sheet**

Service: Library Services - Facilities  
Unit Measure: sq.ft. of building area

Description	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021 Bld'g Value (\$/sq.ft.)	Value/sq.ft. with land, site works, etc.
Wainfleet Township Public Library	4,280	4,280	4,280	4,280	4,280	4,280	4,280	4,280	4,280	4,280	\$375	\$457
<b>Total</b>	<b>4,280</b>	<b>4,280</b>	<b>4,280</b>	<b>4,280</b>	<b>4,280</b>	<b>4,280</b>	<b>4,280</b>	<b>4,280</b>	<b>4,280</b>	<b>4,280</b>		

Population (Permanent + Seasonal)	8,171	8,199	8,208	8,209	8,198	8,187	8,229	8,288	8,359	8,379
Per Capita Standard	0.5238	0.5220	0.5214	0.5214	0.5221	0.5228	0.5201	0.5164	0.5120	0.5108

10 Year Average	2011-2020
Quantity Standard	0.5193
Quality Standard	\$457
Service Standard	\$237

D.C. Amount (before deductions)	10 Year
Forecast Population	371
\$ per Capita	\$237
Eligible Amount	\$88,042



**Township of Wainfleet  
Service Standard Calculation Sheet**

Service: Library Services - Collection Materials  
Unit Measure: No. of library collection items

Description	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021 Value (\$/item)
Books	29,374	30,954	32,534	34,115	35,695	29,930	25,620	24,048	24,370	25,119	\$46
Periodicals	75	75	75	75	75	65	52	54	57	50	\$10
Audio Tapes	800	800	800	800	800	800	800	800	800	430	\$50
Video Tapes/DVDs/Other	3,091	3,217	3,344	3,470	3,597	2,180	3,180	3,296	3,144	3,613	\$50
E-resources (online databases)	-	-	-	-	-	16	16	16	16	16	\$3,515
<b>Total</b>	<b>33,340</b>	<b>35,047</b>	<b>36,753</b>	<b>38,460</b>	<b>40,167</b>	<b>32,991</b>	<b>29,668</b>	<b>28,214</b>	<b>28,387</b>	<b>29,228</b>	

Population (Permanent + Seasonal)	8,171	8,199	8,208	8,209	8,198	8,187	8,229	8,288	8,359	8,379
Per Capita Standard	4.08	4.27	4.48	4.69	4.90	4.03	3.61	3.40	3.40	3.49

10 Year Average	2011-2020
Quantity Standard	4.0341
Quality Standard	\$47
Service Standard	\$191

D.C. Amount (before deductions)	10 Year
Forecast Population	371
\$ per Capita	\$191
Eligible Amount	\$70,698



# Appendix C

## Long-Term Capital and Operating Cost Examination





# Appendix C: Long-Term Capital and Operating Cost Examination

## Township of Wainfleet Annual Capital and Operating Cost Impact

As a requirement of the D.C.A. under subsection 10 (2) (c), an analysis must be undertaken to assess the long-term capital and operating cost impacts for the capital infrastructure projects identified within the D.C. As part of this analysis, it was deemed necessary to isolate the incremental operating expenditures directly associated with these capital projects, factor in cost saving attributable to economies of scale or cost sharing where applicable and prorate the cost on a per unit basis (i.e. sq.ft. of building space, per vehicle, etc.). This was undertaken through a review of the Township's approved 2018 Financial Information Return (F.I.R.).

In addition to the operational impacts, over time the initial capital projects will require replacement. This replacement of capital is often referred to as life cycle cost. By definition, life cycle costs are all the costs which are incurred during the life of a physical asset, from the time its acquisition is first considered, to the time it is taken out of service for disposal or redeployment. The method selected for life cycle costing is the sinking fund method which provides that money will be contributed annually and invested, so that those funds will grow over time to equal the amount required for future replacement. The following factors were utilized to calculate the annual replacement cost of the capital projects (annual contribution = factor X capital asset cost) and are based on an annual growth rate of 2% (net of inflation) over the average useful life of the asset:

Asset	Lifecycle Cost Factors	
	Average Useful Life	Factor
Facilities	40	0.016555748
Services Related to a Highway	35	0.020002209
Parkland Development	40	0.016555748
Vehicles	15	0.057825472
Small Equipment & Gear	10	0.091326528
Library Materials	10	0.091326528

Table C-1 depicts the annual operating impact resulting from the proposed gross capital projects at the time they are all in place. It is important to note that, while Township





program expenditures will increase with growth in population, the costs associated with the new infrastructure (i.e. facilities) would be delayed until the time these works are in place.

**Table C-1**  
**Township of Wainfleet**  
**Operating and Capital Expenditure Impacts for Future Capital Expenditures**

SERVICE/CLASS OF SERVICE	GROSS COST LESS BENEFIT TO EXISTING	ANNUAL LIFECYCLE EXPENDITURES	ANNUAL OPERATING EXPENDITURES	TOTAL ANNUAL EXPENDITURES
<b>1. Services Related to a Highway</b>				
1.1 Roads and Related	1,492,329	59,446	56,421	115,867
1.2 Facilities, Fleet, and Equipment	400,000	20,691	30,474	51,165
<b>2. Fire Protection Services</b>				
2.1 Fire facilities, vehicles & equipment	9,510,747	391,412	75,142	466,554
<b>3. Parks and Recreation Services</b>				
3.1 Park development, amenities, trails and recreation facilities	546,453	27,617	38,307	65,924
<b>4. Library Services</b>				
4.1 Library facilities, materials and vehicles	145,000	10,164	22,496	32,660
<b>5. Administration Studies</b>				
5.1 Services Related to a Highway	90,816	-	-	-
5.2 Fire Protection Services	54,066	-	-	-
5.3 Library Services	12,454	-	-	-
5.4 Parks and Recreation Services	9,704	-	-	-
<b>Total</b>	<b>12,261,568</b>	<b>509,330</b>	<b>222,840</b>	<b>732,170</b>



# Appendix D

## D.C. Reserve Fund Policy





# Appendix D: D.C. Reserve Fund Policy

## D.1 Legislative Requirements

The Development Charges Act, 1997 (D.C.A.) requires development charge collections (and associated interest) to be placed in separate reserve funds. Sections 33 through 36 of the Act provide the following regarding reserve fund establishment and use:

- A municipality shall establish a reserve fund for each service to which the D.C. by-law relates; section 7, however, allows services to be grouped into categories of services for reserve fund (and credit) purposes and for classes of services to be established.
- The municipality shall pay each development charge it collects into a reserve fund or funds to which the charge relates.
- The money in a reserve fund shall be spent only for the “capital costs” determined through the legislated calculation process (as per subsection 5 (1) 2-8).
- Money may be borrowed from the fund but must be paid back with interest (O. Reg. 82/98, subsection 11 (1) defines this as Bank of Canada rate either on the day the by-law comes into force or, if specified in the by-law, the first business day of each quarter).
- D.C. reserve funds may not be consolidated with other municipal reserve funds for investment purposes and may only be as an interim financing source for capital undertakings for which development charges may be spent (section 37).

Annually, the Treasurer of the municipality is required to provide Council with a financial statement related to the D.C. by-law(s) and reserve funds. This statement must be made available to the public and may be requested to be forwarded to the Minister of Municipal Affairs and Housing. The D.C.A. does not prescribe how the statement is to be made available to the public. We would recommend that a resolution of Council make the statement available on the municipality’s website or upon request.

Subsection 43 (2) and O. Reg. 82/98 prescribes the information that must be included in the Treasurer’s statement, as follows:

- opening balance;



- closing balance;
- description of each service and/or service category for which the reserve fund was established (including a list of services within a service category);
- transactions for the year (e.g. collections, draws) including each assets capital costs to be funded from the D.C. reserve fund and the manner for funding the capital costs not funded under the D.C. by-law (i.e. non-D.C. recoverable cost share and post-period D.C. recoverable cost share);
- for projects financed by development charges, the amount spent on the project from the D.C. reserve fund and the amount and source of any other monies spent on the project.
- amounts borrowed, purpose of the borrowing and interest accrued during previous year;
- amount and source of money used by the municipality to repay municipal obligations to the D.C. reserve fund;
- list of credits by service or service category (outstanding at beginning of the year, given in the year and outstanding at the end of the year by holder);
- for credits granted under section 14 of the previous D.C.A., a schedule identifying the value of credits recognized by the municipality, the service to which it applies and the source of funding used to finance the credit; and
- a statement as to compliance with subsection 59 (1) of the D.C.A., whereby the municipality shall not impose, directly or indirectly, a charge related to a development or a requirement to construct a service related to development, except as permitted by the D.C.A. or another Act.

Based upon the above, Figure 1, and Attachments 1 and 2, set out the format for which annual reporting to Council should be provided.

## **D.2 D.C. Reserve Fund Application**

Section 35 of the D.C.A. states that:

“The money in a reserve fund established for a service may be spent only for capital costs determined under paragraphs 2 to 8 of subsection 5(1).”

This provision clearly establishes that reserve funds collected for a specific service are only to be used for that service, or to be used as a source of interim financing of capital undertakings for which a development charge may be spent.



Figure D-1  
Township of Wainfleet  
Annual Treasurer's Statement of D.C. Reserve Funds

Description	Services to which the Development Charge Relates					Total
	Services Related to a Highway	Fire Protection Services	Parks and Recreation Services	Library Services	Administration Studies	
<b>Opening Balance, January 1, _____</b>						<b>0</b>
<u>Plus:</u>						
Development Charge Collections						0
Accrued Interest						0
Repayment of Monies Borrowed from Fund and Associated Interest <sup>1</sup>						0
<b>Sub-Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<u>Less:</u>						
Amount Transferred to Capital (or Other) Funds <sup>2</sup>						0
Amounts Refunded						0
Amounts Loaned to Other D.C. Service Category for Interim Financing						0
Credits <sup>3</sup>						0
<b>Sub-Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Closing Balance, December 31, _____</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

<sup>1</sup> Source of funds used to repay the D.C. reserve fund

<sup>2</sup> See Attachment 1 for details

<sup>3</sup> See Attachment 2 for details

The Municipality is compliant with s.s. 59.1 (1) of the *Development Charges Act*, whereby charges are not directly or indirectly imposed on development nor has a requirement to construct a service related to development been imposed, except as permitted by the *Development Charges Act*



Attachment D-1  
Township of Wainfleet  
Amount Transferred to Capital (or Other) Funds – Capital Fund Transaction

Capital Fund Transactions	Gross Capital Cost	D.C. Recoverable Cost Share					Non-D.C. Recoverable Cost Share				
		D.C. Forecast Period			Post D.C. Forecast Period		Other Reserve/Reserve Fund Draws	Tax Supported Operating Fund Contributions	Rate Supported Operating Fund Contributions	Debt Financing	Grants, Subsidies Other Contributions
		D.C. Reserve Fund Draw	D.C. Debt Financing	Grants, Subsidies Other Contributions	Post-Period Benefit/Capacity Interim Financing	Grants, Subsidies Other Contributions					
<b><u>Services Related to a Highway</u></b>											
Capital Cost A											
Capital Cost B											
Capital Cost C											
<b>Sub-Total - Services Related to Highways</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b><u>Parks and Recreation</u></b>											
Capital Cost D											
Capital Cost E											
Capital Cost F											
<b>Sub-Total - Parks and Recreation</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b><u>Library Services</u></b>											
Capital Cost G											
Capital Cost H											
Capital Cost I											
<b>Sub-Total - Library Services</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>



Attachment D-2  
Township of Wainfleet  
Statement of Credit Holder Transactions

Credit Holder	Applicable D.C. Reserve Fund	Credit Balance Outstanding Beginning of Year _____	Additional Credits Granted During Year	Credits Used by Holder During Year	Credit Balance Outstanding End of Year _____
Credit Holder A					
Credit Holder B					
Credit Holder C					
Credit Holder D					
Credit Holder E					
Credit Holder F					







# Appendix E

## Local Service Policy





## Appendix E: Local Service Policy

This Appendix sets out the Township of Wainfleet's General Policy Guidelines on Development Charges (D.C.) and local service funding for Services Related to a Highway, Stormwater Management, and Parkland Development. The guidelines outline, in general terms, the nature of engineered infrastructure that is included in the study as a development charge project, versus infrastructure that is considered as a local service, to be emplaced separately by landowners, pursuant to a development agreement.

The following policy guidelines are general principles by which staff will be guided in considering development applications. However, each application will be considered, in the context of these policy guidelines and subsection 59(2) of the Development Charges Act, 1997, on its own merits having regard to, among other factors, the nature, type and location of the development and any existing and proposed development in the surrounding area, as well as the location and type of services required and their relationship to the proposed development and to existing and proposed development in the area.

### E.1 Services Related to a Highway

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A highway and services related to a highway are intended for the transportation of people and goods via many different modes including, but not limited to passenger automobiles, commercial vehicles, transit vehicles, bicycles, and pedestrians. The highway shall consist of all land and associated infrastructure built to support (or service) this movement of people and goods regardless of the mode of transportation employed, thereby achieving a complete street. A complete street is the concept whereby a highway is planned, designed, operated and maintained to enable pedestrians, cyclists, public transit users and motorists to safely and comfortably be moved, thereby allowing for the efficient movement of persons and goods.

The associated infrastructure to achieve this concept shall include, but is not limited to: road pavement structure and curbs; grade separation/bridge structures (for any vehicles, railways and/or pedestrians); traffic calming and control, grading, drainage and retaining wall features; culvert structures; storm water drainage systems; utilities; traffic control systems; signage; gateway features; street furniture; active transportation facilities (e.g. sidewalks, bike lanes, multi-use trails which interconnect the



transportation network, etc.); roadway illumination systems; boulevard and median surfaces (e.g. sod & topsoil, paving, etc.); street trees and landscaping; parking lanes & lay-bys; and driveway entrances; noise attenuation systems; railings and safety barriers.

### ***E.1.1 Collector Roads***

- a. Collector Roads Internal to Development, inclusive of all land and associated infrastructure – direct developer responsibility under s.59 of the D.C.A. as a local service.
- b. Collector Roads External to Development, inclusive of all land and associated infrastructure – if needed to support a specific development or required to link with the area to which the plan relates, direct developer responsibility under s.59 of the D.C.A.; otherwise, included in D.C. calculation to the extent permitted under s.5(1) of the D.C.A. (dependent on local circumstances).
- c. Stream crossing and rail crossing road works, excluding underground utilities but including all other works within lands to be dedicated to the Township or rail corridors – localized works to be borne by developers – works associated with 1.2 to be included in D.C.A.

### ***E.1.2 Traffic Signals***

- a. Traffic signalization within or external to development – Include in D.C. calculation to the extent permitted under s.5(1) of the D.C.A. Where a specific development warrants the need for traffic signals, the individual developer will pay for the cost of the signal.

### ***E.1.3 Intersection Improvements***

- a. New roads (collector and arterial) and road (collector and arterial) improvements – Include as part of road costing noted in item 1, to limits of R.O.W.
- b. Intersection improvements within specific developments and all works necessary to connect to entrances (private and specific subdivision) to the roadway - Direct developer responsibility under s.59 of D.C.A. (as a local service).
- c. Intersections with Regional roads and provincial highways – Include in D.C. calculation to the extent that they are Township responsibility.



- d. Intersection improvements on other roads due to development growth increasing traffic – Include in D.C. calculation.

### ***E.1.4 Streetlights***

- a. Streetlights on external roads – Include in area municipal D.C. (linked to collector road funding source in item 1).
- b. Streetlights within specific developments or direct abutting roads – Direct developer responsibility under s.59 of D.C.A. (as a local service).

### ***E.1.5 Sidewalks***

- a. Sidewalks on M.T.O. and Regional roads – Include in area municipal D.C. or, in exceptional circumstances, may be local improvement or direct developer responsibility through local service provisions (s.59 of D.C.A.).
- b. Sidewalks on area municipal roads - Linked to collector road funding source in item 1.
- c. Other sidewalks external to development (which are a local service within the area to which the plan relates) - Direct developer responsibility as a local service provision (under s.59 of D.C.A.).

### ***E.1.6 Bike Routes/Bike Lanes/Bike Paths/Multi-Use Trails/Naturalized Walkways***

- a. Bike routes and bike lanes, within road allowance, external to development – Include in D.C. road costs (Region and area municipal), consistent with the service standard provisions of the D.C.A., s.5(1).
- b. Bike paths/multi-use trails/naturalized walkways external to development – Include in area municipal D.C.s consistent with the service standard provisions of the D.C.A., s.5(1).
- c. Bike lanes, within road allowance, internal to development – Direct developer responsibility under s.59 of the D.C.A. (as a local service).
- d. Bike paths/multi-use trails/naturalized walkways internal to development – Direct developer responsibility under s.59 of the D.C.A. (as a local service).



- e. Trail Bridges/Underpasses and associated works – Include in area municipal D.C.s consistent with the service standard provisions of the D.C.A., s.5(1).

### ***E.1.7 Noise Abatement Measures***

- a. Noise abatement measures external and internal to development where it is related to, or a requirement of a specific development: direct developer responsibility under s.59 of D.C.A. (as a local service).

### ***E.1.8 Land Acquisition for Road Allowance and Easements***

- a. Land Acquisition for arterial roads – Dedication under the Planning Act subdivision provisions (s.51) through development lands; in areas with limited or no development, include in Region or area municipal D.C. (to the extent eligible).
- b. Land Acquisition for collector roads – Dedication under the Planning Act subdivision provision (s.51) through development lands (up to 27 metre right-of-way); in areas with limited or no development, include in area municipal D.C. (to the extent eligible).
- c. Land Acquisition for grade separations (beyond normal dedication requirements) – Include in the D.C. to the extent eligible.
- d. Easement costs external to or not directly associated with a specific subdivision shall be included in D.C. calculation.

## **E.2 Stormwater Management**

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- a. Stormwater Quality and Quantity Works: direct developer responsibility under s.59 of D.C.A. (as a local service).
- b. Over-sizing of stormwater management that is external to development will be subject to best efforts clauses by area municipality.



# Appendix F

## Asset Management Plan







## Appendix F: Asset Management Plan

The recent changes to the D.C.A. (new subsection 10 (2) (c.2)) require that the background study must include an asset management plan (A.M.P.) related to new infrastructure. Section 10 (3) of the D.C.A. provides:

“The asset management plan shall,

- (a) deal with all assets whose capital costs are proposed to be funded under the development charge by-law;
- (b) demonstrate that all the assets mentioned in clause (a) are financially sustainable over their full life cycle;
- (c) contain any other information that is prescribed; and
- (d) be prepared in the prescribed manner.”

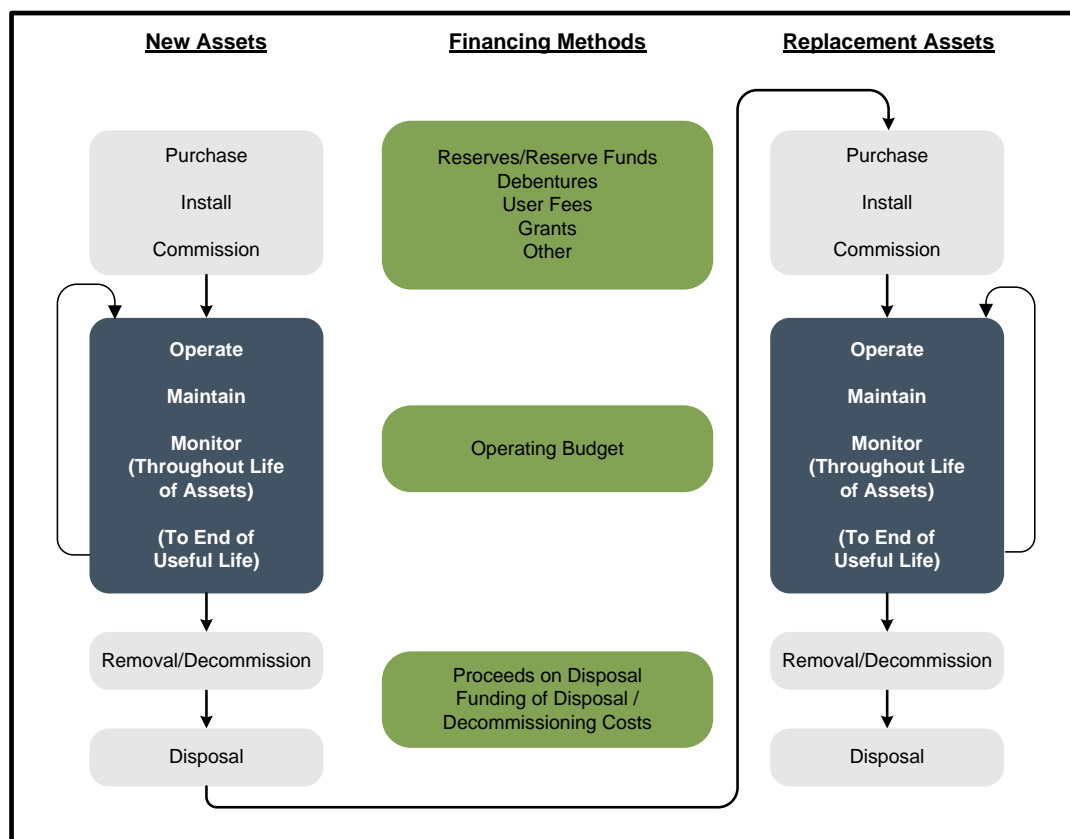
In regard to the above, section 8 of the Regulations was amended to include subsections (2), (3) and (4) which set out for specific detailed requirements for transit (only). For all services except transit, there are no prescribed requirements at this time thus requiring the municipality to define the approach to include within the background study.

At a broad level, the A.M.P. provides for the long-term investment in an asset over its entire useful life along with the funding. The schematic below identifies the costs for an asset through its entire lifecycle. For growth-related works, the majority of capital costs will be funded by the D.C. Non-growth-related expenditures will then be funded from non-D.C. revenues as noted below. During the useful life of the asset, there will be minor maintenance costs to extend the life of the asset along with additional program related expenditures to provide the full services to the residents. At the end of the life of the asset, it will be replaced by non-D.C. financing sources.

It should be noted that with the recent passing of the Infrastructure for Jobs and Prosperity Act (I.J.P.A.) municipalities are now required to complete A.M.P.s, based on certain criteria, which are to be completed by 2022 for core municipal services and 2024 for all other services (this timeline was updated as per O.Reg. 193/21). The amendments to the D.C.A. do not require municipalities to complete these A.M.P.s (required under I.J.P.A.) for the D.C. background study, rather the D.C.A. requires that



the D.C. background study include information to show the assets to be funded by the D.C. are sustainable over their full lifecycle.



In 2012, the Province developed Building Together: Guide for municipal asset management plans which outlines the key elements for an A.M.P., as follows:

**State of local infrastructure:** asset types, quantities, age, condition, financial accounting valuation and replacement cost valuation.

**Desired levels of service:** defines levels of service through performance measures and discusses any external trends or issues that may affect expected levels of service or the municipality's ability to meet them (for example, new accessibility standards, climate change impacts).

**Asset management strategy:** the asset management strategy is the set of planned actions that will seek to generate the desired levels of service in a sustainable way, while managing risk, at the lowest lifecycle cost.



**Financing strategy:** having a financial plan is critical for putting an A.M.P. into action. By having a strong financial plan, municipalities can also demonstrate that they have made a concerted effort to integrate the A.M.P. with financial planning and municipal budgeting and are making full use of all available infrastructure financing tools.

Commensurate with the above, the Township prepared an A.M.P. in 2021 for its existing assets however, did not take into account future growth-related assets. As a result, the asset management requirement for the D.C. must be undertaken in the absence of this information.

In recognition to the schematic above, the following table (presented in 2021 \$) has been developed to provide the annualized expenditures and revenues associated with new growth. Note that the D.C.A. does not require an analysis of the non-D.C. capital needs or their associated operating costs so these are omitted from the table below. As well, as all capital costs included in the D.C.-eligible capital costs are not included in the Township's A.M.P., the present infrastructure gap and associated funding plan have not been considered at this time. Hence the following does not represent a fiscal impact assessment (including future tax/rate increases) but provides insight into the potential affordability of the new assets:

1. The non-D.C. recoverable portion of the projects which will require financing from municipal financial resources (i.e. taxation, rates, fees, etc.). This amount has been presented on an annual debt charge amount based on 20-year financing.
2. Lifecycle costs for the 2021 D.C. capital works have been presented based on a sinking fund basis. The assets have been considered over their estimated useful lives.
3. Incremental operating costs for the D.C. services (only) have been included.
4. The resultant total annualized expenditures are \$1.59 million.
5. Consideration was given to the potential new taxation and user fee revenues which will be generated as a result of new growth. These revenues will be available to finance the expenditures above. The new operating revenues are \$367,388. This amount, totalled with the existing operating revenues of \$7.41 million, provide annual revenues of \$7.78 million by the end of the period.



6. In consideration of the above, the capital plan is deemed to be financially sustainable.

Township of Wainfleet  
Asset Management – Future Expenditures and Associated Revenues  
2021\$

	2041 (Total)
<b>Expenditures (Annualized)</b>	
Annual Debt Payment on Non-Growth Related Capital <sup>1</sup>	203,490
Annual Debt Payment on Post Period Capital <sup>2</sup>	659,609
<b>Annual Lifecycle</b>	<b>\$509,330</b>
<b>Incremental Operating Costs (for D.C. Services)</b>	<b>\$222,840</b>
<b>Total Expenditures</b>	<b>\$1,595,269</b>
<b>Revenue (Annualized)</b>	
Total Existing Revenue <sup>3</sup>	\$7,408,286
Incremental Tax and Non-Tax Revenue (User Fees, Fines, Licences, etc.)	\$367,388
<b>Total Revenues</b>	<b>\$7,775,674</b>

<sup>1</sup> Non-Growth Related component of Projects

<sup>2</sup> Interim Debt Financing for Post Period Benefit

<sup>3</sup> As per Sch. 10 of FIR



# Appendix G

## Proposed D.C. By-law





## The Corporation of the TOWNSHIP OF WAINFLEET

By-Law Number \_\_\_\_ -2021

### A BY-LAW TO ESTABLISH DEVELOPMENT CHARGES FOR THE TOWNSHIP OF WAINFLEET

**WHEREAS** the Development Charges Act, 1997, as amended (the “Act”) provides that the Council of a municipality may by by-law impose development charges against land to pay for increased capital costs required because of increased needs for services;

**AND WHEREAS** a development charge background study has been completed in accordance with the Act;

**AND WHEREAS** the Council of the Township of Wainfleet has given notice and held a public meeting on the day of July 13, 2021 in accordance with the Act and the regulations thereto;

**NOW THEREFORE, THE COUNCIL OF THE TOWNSHIP OF WAINFLEET HEREBY ENACTS AS FOLLOWS:**

#### 1.0 DEFINITIONS

1.1 In this by-law, “Act” means the Development Charges Act, 1997, as amended, or any successor thereto;

“**accessory use**” means where used to describe a use, building or structure, that the use, building or structure is naturally and normally incidental, subordinate in purpose of floor area or both, and exclusively devoted to a principal use, building or structure;

“**apartment unit**” means any residential dwelling unit within a building containing three or more dwelling units where access to each residential unit is obtained through a common entrance or entrances from the street level and the residential units are connected by an interior corridor;

“**bedroom**” means a habitable room larger than seven square metres, including a den, study or other similar area, but does not include a living room, dining room or kitchen;

“**benefiting area**” means an area defined by a map, plan or legal description in a front-ending agreement as an area that will receive a benefit from the construction of a service;

“**board of education**” has the same meaning as that specified in the Education Act or any successor thereto;

“**Building Code Act**” means the Building Code Act, 1992, as amended; or any successor thereto;





**“capital cost”** means costs incurred or proposed to be incurred by the municipality or a local board thereof directly or by others on behalf of and as authorized by the municipality or local board,

- to acquire land or an interest in land, including a leasehold interest;
- to improve land;
- to acquire, lease, construct or improve buildings and structures;
- to acquire, construct or improve facilities including:
  - furniture and equipment other than computer equipment; and
  - materials acquired for circulation, reference or information purposes by a library board as defined in the Public Libraries Act; and
  - rolling stock with an estimated useful life of seven years or more, and
- to undertake studies in connection with any matter under the Act and any of the matters in clauses (a) to (d), including the development charge background study required for the provision of services designated in this by-law within or outside the municipality, including interest on borrowing for those expenditures under clauses (a), (b), (c) and (d) that are growth-related;

**“Class”** means a grouping of services combined to create a single service for the purposes of this by-law and as provided in section 7 of the Development Charges Act;

**“commercial”** means any non-residential development not defined under “institutional” or “industrial”;

**“council”** means the Council of the municipality;

**“development”** means the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of increasing the size or usability thereof, and includes redevelopment;

**“development charge”** means a charge imposed with respect to this by-law;

**“dwelling unit”** means any part of a building or structure used, designed or intended to be used as a domestic establishment in which one or more persons may sleep and are provided with culinary and sanitary facilities for their exclusive use;

**“existing industrial building”** means a building or buildings existing on site in the Township of Wainfleet on the day this by-law comes into effect or the first building constructed and occupied on a vacant site pursuant to site plan approval under Section 41 of the Planning Act, R.S.O. c.P.13 of the Planning Act subsequent to this by-law coming to effect for which full development charges were paid, and is being used for or in conjunction with,

- (i) the production, compounding, processing, packaging, crating, bottling, packing or assembling of raw or semi-processed goods or materials in not



less than seventy-five percent of the total gross floor area of the building or buildings on a site (“manufacturing”) or warehousing related to the manufacturing use carried on in the building or buildings;

(ii) research or development in connection with manufacturing in not less than seventy-five percent of the total gross floor area of the building or buildings on a site;

(iii) retail sales by a manufacturer, if the retail sales are at the site where the manufacturing is carried out, such retail sales are restricted to goods manufactured at the site, and the building or part of a building where such retail sales are carried out does not constitute greater than twenty-five percent of the total gross floor area of the building or buildings on the site; or

(iv) office or administrative purposes, if they are,

(1) carried out with respect to manufacturing or warehousing; and

(2) in or attached to the building or structure used for such manufacturing or warehousing;

**“farm building”** means that part of a bona fide farming operation encompassing barns, silos and other ancillary development to an agricultural use. This excludes a residential use, marijuana production facilities, wholesale greenhouse facilities, value added production uses, and value added marketing uses;

**“grade”** means the average level of finished ground adjoining a building or structure at all exterior walls;

**“gross floor area”** means the total area of all floors above grade of a dwelling unit measured between the outside surfaces of exterior walls or between the outside surfaces of exterior walls and the centre line of party walls dividing the dwelling unit from other dwelling units or other portion of a building;

In the case of a non-residential building or structure, or in the case of a mixed-use building or structure in respect of the non-residential portion thereof, the total area of all building floors above or below grade measured between the outside surfaces of the exterior walls, or between the outside surfaces of exterior walls and the centre line of party walls dividing a non-residential use and a residential use, except for:

- a room or enclosed area within the building or structure above or below grade that is used exclusively for the accommodation of heating, cooling, ventilating, electrical, mechanical or telecommunications equipment that service the building;
- loading facilities above or below grade; and
- a part of the building or structure below grade that is used for the parking of motor vehicles or for storage or other accessory use;



**“industrial”** means lands, buildings or structures used or designed or intended for use for manufacturing, processing, fabricating or assembly of raw goods, warehousing or bulk storage of goods, and includes office uses and the sale of commodities to the general public where such uses are accessory to an industrial use, but does not include the sale of commodities to the general public through a warehouse club;

**“institutional development”** means development of a building or structure intended for use;

- a) as a long-term care home within the meaning of subsection 2(1) of the Long-Term Care Homes Act, 2007;
- b) as a retirement home within the meaning of subsection 2(1) of the Retirement Homes Act, 2010;
- c) by any of the following post-secondary institutions for the objects of the institution:
  - i. a university in Ontario that receives direct, regular, and ongoing operating funding from the Government of Ontario,
  - ii. a college or university federated or affiliated with a university described in subclause (i), or
  - iii. an Indigenous Institute prescribed for the purposes of section 6 of the Indigenous Institutes Act, 2017;
- d) as a memorial home, clubhouse or athletic grounds by an Ontario branch of the Royal Canadian Legion; or
- e) as a hospice to provide end of life care.

**"interest rate"** means the annual rate of interest calculated at the Township's D.C. Interest Policy;

**“local board”** has the same definition as defined in the Development Charges Act;

**“local services”** means those services, facilities or things which are under the jurisdiction of the municipality and are related to a plan of subdivision or within the area to which the plan relates in respect of the lands under Sections 41, 51 or 53 of the Planning Act as amended or any successor thereto;

**“marijuana production facilities”** means a building used, designed or intended for growth, producing, testing, destroying, storing or distribution, excluding retail sales, of medical marijuana or cannabis authorized by a license issued by the federal Minister of Health pursuant to section 25 of the Marihuana for Medical Purposes Regulations, SOR/2013-119, under the Controlled Drugs and Substances Act, S.C. 1996, c.19;



**“mobile home”** means any dwelling that is designed to be made mobile, and constructed or manufactured to provide a permanent residence for one or more persons, but does not include a travel trailer or tent trailer;

**“multiple dwellings”** means all dwellings other than single-detached, semi-detached, apartment house dwellings, or special care/special dwellings;

**“municipality”** means The Corporation of the Township of Wainfleet;

**“non-profit housing development”** means development of a building or structure intended for use as residential premises by,

- a) a corporation without share capital to which the Corporations Act applies, that is in good standing under that Act and whose primary object is to provide housing;
- b) a corporation without share capital to which the Canada Not-for-profit Corporations Act applies, that is in good standing under that Act and whose primary object is to provide housing; or
- c) a non-profit housing co-operative that is in good standing under the Co-operative Corporations Act

**“non-residential use”** means a building or structure of any kind whatsoever used, designed or intended to be used for other than a residential use and includes all commercial, industrial and institutional uses;

**“owner”** means the owner of land or a person who has made application for an approval for the development of land upon which a development charge is imposed;

**“place of worship”** means that part of a building or structure that is exempt from taxation as a place of worship under the Assessment Act, as amended or any successor thereto;

**“regulation”** means any regulation made pursuant to the Act;

**“rental housing”** means development of a building or structure with four or more dwelling units all of which are intended for use as rented residential premises;

**“residential use”** means land or buildings or structures of any kind whatsoever used, designed or intended to be used as living accommodations for one or more individuals;

**“semi-detached dwelling”** means a dwelling unit in a residential building consisting of two dwelling units having one vertical wall or one horizontal walls, but no other parts, attached or another dwelling unit where the residential units are not connected by an interior corridor;

**“services” (or “service”)** means those services designated in Schedule “A” to this by-law;



**“servicing agreement”** means an agreement between a landowner and the municipality relative to the provision of municipal services to specified lands within the municipality;

**“single detached dwelling unit”** means a residential building consisting of one dwelling unit and not attached to another structure and includes mobile homes;

**“special care facilities”** means lands, buildings or structures used or designed or intended for uses for the purpose of providing supervision, nursing care or medical treatment, which do not comprise dwelling units, that are licensed, approved or supervised under any special or general statute, and excludes the special care/special dwelling portions of the building;

**“special care/special dwelling”** means a residential portion of special care facilities containing rooms or suites of rooms designed or intended to be used for sleeping and living accommodation that have a common entrance from street level:

- i. Where the occupants have the right to use in common, halls, stairs, yards, common rooms and accessory buildings;
- ii. Which may or may not have exclusive sanitary and/or culinary facilities;
- iii. That is designed to accommodate persons with specific needs, including, but not limited to, independent permanent living arrangements; and
- iv. Where support services such as meal preparation, grocery shopping, laundry, housekeeping, nursing, respite care and attendant services may be provided at various levels

**“value added production uses”** means value added farm related uses that include processing of agricultural products, including wineries, canneries, bakeries, cheese factories and similar uses, and distribution and warehousing of agricultural products;

**“value added marketing uses”** means value added farm related uses accessory to an agricultural use that include a variety of methods of increasing the sales of raw or finished farm products. Such uses may include farm produce outlet and other retail facilities for the sale of products, pick your own facilities, and experiential uses such as working farm vacations or culinary schools;

**“wind turbine”** means a part of a system that converts energy into electricity, and consists of a wind turbine, a tower and associated control or conversion electronics. A wind turbine and energy system may be connected to the electricity grid in circuits at a substation to provide electricity off-site for sale to an electrical utility or other intermediary.

## 2.0 DESIGNATION OF SERVICES/CLASSES

- 2.1 The categories of services/class for which development charges are imposed under this by-law are as follows:



- (a) Services Related to a Highway;
- (b) Fire protection Services;
- (c) Parks and Recreation Services;
- (d) Library services; and
- (e) Administration Studies.

2.2 The components of the services/class designated in subsection 2.1 are described in Schedule A.

### **3.0 APPLICATION OF BY-LAW RULES**

3.1 Development charges shall be payable in the amounts set out in this by-law where:

- (a) the lands are located in the area described in subsection 3.2; and
- (b) the development of the lands requires any of the approvals set out in subsection 3.4(a).

#### Area to Which By-law Applies

3.2 Subject to subsection 3.3, this by-law applies to all lands in the geographic area of the Township of Wainfleet.

3.3 This by-law shall not apply to lands that are owned by and used for the purposes of:

- (a) the Township of Wainfleet or a local board thereof;
- (b) a board as defined in section 1(1) of the Education Act;
- (c) the Region of Niagara or a local board thereof.

#### Approvals for Development

- 3.4 (a) Development charges shall be imposed on all lands, buildings or structures that are developed for residential or non-residential uses if the development requires,
- (i) the passing of a zoning by-law or of an amendment to a zoning by-law under section 34 of the Planning Act;
  - (ii) the approval of a minor variance under section 45 of the Planning Act;
  - (iii) a conveyance of land to which a by-law passed under subsection 50(7) of the Planning Act applies;
  - (iv) the approval of a plan of subdivision under section 51 of the Planning Act;



- (v) a consent under section 53 of the Planning Act;
  - (vi) the approval of a description under section 50 of the Condominium Act; or
  - (vii) the issuing of a permit under the Building Code Act, 1992 in relation to a building or structure.
- (b) No more than one development charge for each service designated in subsection 2.1 shall be imposed upon any lands, buildings or structures to which this by-law applies even though two or more of the actions described in subsection 3.4(a) are required before the lands, buildings or structures can be developed.
- (c) Despite subsection 3.4(b), if two or more of the actions described in subsection 3.4(a) occur at different times, additional development charges shall be imposed if the subsequent action has the effect of increasing the need for services.

### Exemptions

3.5 Notwithstanding the provisions of this by-law, development charges shall not be imposed with respect to:

- (a) a place of worship exempt from taxation under the Assessment Act;
- (b) bona fide farm (non-residential) buildings; and
- (c) a development by a university, other post-secondary school offering a degree or diploma recognized by the Province of Ontario or a not-for-profit private elementary or secondary school operated in compliance with section 16 of the Education Act, as amended, where such development is used for the academic or teaching purposes of the university or school, is exempt from development charges under this By-law.

### 3.6 Rules with Respect to Exemptions for New Development

Notwithstanding the provisions of this By-law, no development charge shall be payable where the development:

- (a) is limited to the creation of an additional dwelling unit as prescribed, in prescribed classes of new residential buildings as set out in the Regulations to the Development Charges Act, 1997; and
- (b) is limited to the creation of an additional dwelling unit ancillary to a new dwelling unit for prescribed classes of new residential buildings as set out in the Regulations to the Development Charges Act, 1997.

### 3.7 Rules with Respect to an Industrial Expansion Exemption





If a development includes the enlargement of the gross floor area of an existing industrial building, the amount of the development charge that is payable in respect of the enlargement is determined in accordance with the following:

- (i) Subject to subsection 3.7(iii), if the gross floor area is enlarged by 50 per cent or less of the lesser of:
  - (A) the gross floor area of the existing industrial building, or
  - (B) the gross floor area of the existing industrial building before the first enlargement for which:
    - (i) an exemption from the payment of development charges was granted, or
    - (ii) a lesser development charge than would otherwise be payable under this by-law, or predecessor thereof, was paid,

pursuant to Section 4 of the Act and this subsection, the amount of the development charge in respect of the enlargement is zero;

- (ii) Subject to subsection 3.7(iii), if the gross floor area is enlarged by more than 50 per cent or less of the lesser of:
  - (A) the gross floor area of the existing industrial building, or
  - (B) the gross floor area of the existing industrial building before the first enlargement for which:
    - (i) an exemption from the payment of development charges was granted, or
    - (ii) a lesser development charge than would otherwise be payable under this by-law, or predecessor thereof, was paid,

pursuant to Section 4 of the Act and this subsection, the amount of the development charge in respect of the enlargement is the amount of the development charge that would otherwise be payable multiplied by the fraction determined as follows:

- (A) determine the amount by which the enlargement exceeds 50 per cent of the gross floor area before the first enlargement, and
- (B) divide the amount determined under subsection (A) by the amount of the enlargement





- (iii) For the purposes of calculating the extent to which the gross floor area of an existing industrial building is enlarged in subsection 3.7(ii), the cumulative gross floor area of any previous enlargements for which:
  - (A) an exemption from the payment of development charges was granted, or
  - (B) a lesser development charge than would otherwise be payable under this by-law, or predecessor thereof, was paid,pursuant to Section 4 of the Act and this subsection, shall be added to the calculation of the gross floor area of the proposed enlargement.

For the purposes of this subsection, the enlargement must not be attached to the existing industrial building by means only of a tunnel, bridge, passageway, canopy, shared below grade connection, such as a service tunnel, foundation, footing or parking facility.

#### Amount of Charges

##### Residential

- 3.8 The development charges described in Schedule B to this by-law shall be imposed on residential uses of lands, buildings or structures, including a dwelling unit accessory to a non-residential use and, in the case of a mixed use building or structure, on the residential uses in the mixed use building or structure, according to the type of unit, and calculated with respect to each of the services according to the type of residential use.

##### Non-Residential Uses

- 3.9 The development charges described in Schedule B to this by-law shall be imposed on non-residential uses of lands, buildings or structures, and, in the case of a mixed use building or structure, on the non-residential uses in the mixed use building or structure, and calculated with respect to each of the services according to the gross floor area of the non-residential use.

#### Reduction of Development Charges Where Redevelopment

- 3.10 Despite any other provision of this by-law, where, as a result of the redevelopment of land, a building or structure existing on the same land within 60 months prior to the date of payment of development charges in regard to such redevelopment was, or is to be demolished, in whole or in part, or converted from one principal use to another principal use on the same land, in order to facilitate the redevelopment, the development charges otherwise payable with respect to such redevelopment shall be reduced by the following amounts:
- (a) in the case of a residential building or structure, or in the case of a mixed-use building or structure, the residential uses in the mixed-use building or



structure, an amount calculated by multiplying the applicable development charge under subsections 3.8 and 3.9 and of this by-law by the number, according to type, of dwelling units that have been or will be demolished or converted to another principal use; and provided that such amounts shall not exceed, in total, the amount of the development charges otherwise payable with respect to the redevelopment.

- (b) the gross floor area of the building demolished/converted multiplied by the current non-residential development charge in place at the time the development charge is payable.

### Time of Payment of Development Charges

- 3.11 Development charges imposed under this section are payable upon issuance of a building permit with respect to each dwelling unit, building or structure.
- 3.12 Notwithstanding subsections 3.11, development charges for rental housing and institutional developments are due and payable in 6 installments commencing with the first installment payable on the date of first occupancy certificate issued, and each subsequent installment, including interest, payable on the anniversary date each year thereafter.
- 3.13 Notwithstanding subsections 3.11 development charges for non-profit housing developments are due and payable in 21 installments commencing with the first installment payable on the date of first occupancy certificate issued, and each subsequent installment, including interest, payable on the anniversary date each year thereafter.
- 3.14 Where the development of land results from the approval of a site plan or zoning by-law amendment received on or after January 1, 2020, and the approval of the application occurred within 2 years of building permit issuance, the development charges under subsections 3.8 and 3.9 shall be calculated on the rates set out in Schedule "B" on the date of the planning application, including interest. Where both planning applications apply development charges under subsections 3.8 and 3.9 shall be calculated on the rates, including interest, set out in Schedule "B" on the date of the later planning application, including interest.

## **4.0 PAYMENT BY SERVICES**

- 4.1 Despite the payments required under subsection 3.11, 3.12, 3.13, and 3.14, Council may enter into agreements providing for all or any part of a development charge to be paid before or after it would otherwise be payable.

## **5.0 INDEXING**

- 5.1 Development charges imposed pursuant to this by-law shall be adjusted annually, without amendment to this by-law, commencing on the first anniversary date of this by-law and each anniversary date thereafter, in accordance with the Statistics Canada Quarterly Construction Price Statistics.

## **6.0 SCHEDULES**



6.1 The following schedules to this by-law form an integral part thereof:

Schedule A - Components of Services/Classes Designated in subsection 2.1

Schedule B - Residential and Non-Residential Development Charges

**7.0 DATE BY-LAW IN FORCE**

7.1 This by-law shall come into force on the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

**8.0 DATE BY-LAW EXPIRES**

8.1 This by-law will expire five (5) years from the date of this by-law coming into force, unless it is repealed at an earlier date.

Read a first and second time this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_

MAYOR

\_\_\_\_\_

CLERK



**SCHEDULE “A”  
TO BY-LAW NO. \_\_\_\_-2021**

**DESIGNATED TOWNSHIP SERVICES/CLASSES OF SERVICES UNDER THIS BY-LAW**

**Services**

Services Related to a Highway

- Roads and Related
- Public Works Facilities
- Public Works Vehicles and Equipment

Fire Protection Services

- Facilities
- Vehicles
- Firefighter Equipment and Gear

Parks and Recreation Services

- Parkland Development
- Amenities
- Facilities
- Vehicles and Equipment

Library Services

- Facilities
- Materials

**Classes of Services**

Administration Studies

- Services Related to a Highway
- Fire Protection Services
- Parks and Recreation Services
- Library Services



**SCHEDULE “B”  
TO BY-LAW NO. \_\_\_\_-2021  
SCHEDULE OF DEVELOPMENT CHARGES**

Service/Class of Service	RESIDENTIAL					NON-RESIDENTIAL	
	Single and Semi-Detached Dwelling	Other Multiples	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Special Care/Special Dwelling Units	(per sq.ft. of Gross Floor Area)	Wind Turbine (Per Unit)
<b>Township-Wide Services/Class of Service:</b>							
Services Related to a Highway	4,448	3,104	2,928	1,790	1,631	2.03	4,448
Fire Protection Services	1,285	897	846	517	471	0.58	1,285
Parks and Recreation Services	1,081	754	712	435	396	0.20	-
Library Services	656	458	432	264	241	0.12	-
Administration Studies	672	469	442	270	246	0.25	672
<b>Total Township-Wide Services/Class of Services</b>	<b>8,142</b>	<b>5,682</b>	<b>5,360</b>	<b>3,276</b>	<b>2,985</b>	<b>3.18</b>	<b>6,405</b>

## ADMINISTRATIVE STAFF REPORT

ASR-019/2021

**TO:** Mayor Gibson & Members of Council

**FROM:** William Kolasa, Chief Administrative Officer

**DATE OF MEETING:** July 13, 2021

**SUBJECT:** COVID-19 Impact Report

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### **RECOMMENDATION(S):**

**THAT** Administrative Staff Report ASR-019/2021 respecting COVID-19 Impact Report be received as information.

### **EXECUTIVE SUMMARY:**

The Township of Wainfleet continues to operate under a formally declared state of emergency (declared on April 3, 2020, in collaboration with Niagara Region and its constituent lower tier municipalities) due to the worldwide COVID-19 Pandemic.

The Township continues to monitor the COVID-19 situation and guide appropriate responses to ensure the safety of the community and staff while providing for continuity of municipal services.

### **DISCUSSION:**

#### **Current COVID-19 Status**

Ontario entered Step 2 of the Province's "Roadmap to Reopen" on June 30, 2021. Building on Step 1 (which included an initial focus on resuming outdoor activities with smaller crowds where the risk of transmission is lower, and permitting limited indoor settings with restrictions), Step 2 provides for further expanding outdoor activities and resuming limited indoor services with small numbers of people and with face coverings being worn.

The province has indicated that it will remain at each step of its reopening roadmap for at least 21 days to evaluate any impacts on key public health and health system indicators and that it relies on specific health system indicators to provide guidance on whether the province will authorize movement to the next step of the province's roadmap to reopen.

Based on the published criteria, the earliest that Ontario could enter Step 3 would be July 21, 2021. And while there are general statements that speak to a variety of Step 3 restrictions, staff continue to await the release of the applicable regulation(s) to guide form of the Township's response.

Vaccination rate  
plus key health indicators <sup>[1]</sup>

### **Step 1**

# 60%

Adults with one dose

Vaccination rate  
plus key health indicators <sup>[1]</sup>

### **Step 2**

# 70%

Adults with one dose  
20% Fully vaccinated

Vaccination rate  
plus key health indicators <sup>[1]</sup>

### **Step 3**

# 70-80%

Adults with one dose  
25% Fully vaccinated

### **Permit with restrictions**

Outdoors first with limited,  
well-managed crowding and  
permitting restricted retail

- Larger outdoor gatherings for up to 10 people
- Outdoor dining for up to 4 people per table
- Essential retail capacity at 25%
- Non-essential retail at 15%
- Outdoor religious services, rites and ceremonies with capacity limited to permit physical distancing of 2 metres
- Outdoor sports, fitness and personal training up to 10 people
- Day camps
- Campsites and campgrounds
- Overnight camping at Ontario Parks
- Outdoor horse racing and motor speedways
- Outdoor pools and wading pools

+21 days before next stage ➔

### **Permit with restrictions**

Open indoors with small  
numbers and face coverings  
and expand outdoors

- Larger outdoor gatherings for up to 25 people
- Small indoor gatherings for up to 5 people
- Outdoor dining for up to 6 people per table
- Essential retail at 50% capacity
- Non-essential retail capacity at 25%
- Personal care services where face coverings can be worn at all times
- Outdoor meeting and event spaces
- Outdoor amusement and water parks
- Outdoor boat tour operators
- Outdoor county fairs and rural exhibitions
- Outdoor sports leagues and events
- Outdoor cinemas, performing arts, live music events and attractions

+21 days before next stage ➔

### **Permit with restrictions**

Expand indoors where face  
coverings can't always be  
worn

- Larger indoor and outdoor gatherings
- Indoor dining
- Essential and non-essential retail open with limited capacity
- Larger indoor religious services, rites, and ceremony gatherings
- Indoor meeting and event spaces
- Indoor sports and recreational facilities
- Indoor seated events
- Indoor attractions and cultural amenities
- Casino and bingo halls
- Other outdoor activities from Step 2 permitted to operate indoors

Although the physical doors to Town hall remain closed to the public during Step 2; staff will continue to offer residents, businesses and visitors services remotely by phone, email, website and social media channels. This is in keeping with broad intent of Schedule 6 of [Ontario Regulation 263/20: Rules for Areas in Step 2](#) provides, in Section 2.1(1):

2.1 (1) Each person responsible for a business or organization that is open shall ensure that any person who performs work for the business or organization conducts their work remotely, unless the nature of their work requires them to be on-site at the workplace.

With Step 2, the Township is further expanding opportunities for in-person appointments for all items of municipal business, while ensuring the health and safety of both residents and staff.

The Township's Water Quality Testing Program continues to operate and residents can pick up water sampling kits and drop off completed water samples during normal business hours (Monday-Thursday from 8:30 am – 4:30 pm, and Fridays from 8:30 am to 9:00 am) using our non-contact pickup/drop off procedures.

Using available regulations ([O.Reg. 263/20](#)), the Emergency Control Group began finalizing the first steps of harmonizing the Township's reopening plan with the province's Roadmap to Reopen. Unfortunately, the release of provincial regulations for upcoming steps has been slow to come – meaning that staff are unable to complete Township plans until the final regulations are released. For example, the province entered Step 2 on June 30, 2021 – while O.Reg. 263/20 providing full details of the regulations governing Step 2 was issued/updated on June 29, 2021.

Staff are also liaising with other Niagara municipalities (as all jointly declared emergencies during the early stages of the pandemic) and seeking assistance and direction from Regional health officials to assist in our planning efforts. Staff anticipate forward movement in conjunction with our Niagara neighbours.

#### Township of Wainfleet Reopening Strategy

##### Step 0 (Lockdown/Stay At Home – Pre-June 11, 2021)

- Offices remain closed to the public – limited essential office appointments may be accepted subject to strict COVID-19 protocols;
- Masks and other PPE required in all indoor areas (public and administration);
- Offices operating with split shifts / office staffing restrictions in effect;
- Remote attendance Council Meetings, no attendance at Town Hall (all access via remote means only)



## Step 1

<p>Vaccination rate plus key public health and health care indicators</p> <p><b>Step 1</b></p> <p><b>60%</b></p> <p>Adults with one dose</p> <p><b>Permit with restrictions</b></p> <p>Outdoor spaces begin reopening, limited indoor settings with restrictions</p>	<ul style="list-style-type: none"> <li>• Appointments for essential office services accepted subject to strict COVID-19 protocols – offices remain closed to the general public;</li> <li>• Masks and other PPE required in all indoor areas (public and administration);</li> <li>• Township offices continue to operate with split shifts / office staffing restrictions in effect;</li> <li>• In Person Council Meetings by Members with essential staff only in attendance, no public attendance (public access via remote means only)</li> </ul>
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## Step 2

<p>Vaccination rate plus key public health and health care indicators</p> <p><b>Step 2</b></p> <p><b>70%</b></p> <p>Adults with one dose 20% Fully vaccinated</p> <p><b>Permit with restrictions</b></p> <p>Open indoors with small numbers and face coverings and expand outdoors</p>	<ul style="list-style-type: none"> <li>• Appointments for all office services accepted subject to prevailing COVID-19 protocols – offices remain closed to the general public;</li> <li>• Masks and other PPE required in all indoor areas (public and administration);</li> <li>• Township offices operating with split shifts / office staffing restrictions in effect (relaxed);</li> <li>• In Person Council Meetings by Members with limited staff in attendance, no public attendance (public access via remote means only)</li> </ul>
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Step 3 (and beyond) of the Township's Reopening Plan will be finalized upon issuance of updated regulations by the province (as Ontario Regulation 82/20 provides only for Shutdown and Step 1 phases of the Reopening Plan and Ontario Regulation 263/20 provides only for Step 2 of the Reopening Plan). Based on the province's roadmap (see page 2 of this report), staff anticipate that in Step 3, the Township will be able to begin reopening up the Township's indoor facilities to limited public use (for example, permitting limited public attendance at meetings of Council, expanding in-person access to administrative functions, etc.).

One indoor facility explicitly permitted to re-open to the public on a limited basis in Step 2 is the Wainfleet Public Library, which opened its doors for up to 16 patrons at a time effective June 30, 2021. Additional information is available on the library's website: <https://wainfleetlibrary.ca/>.

However, as the focus of the province's current Step 2 is the expansion of access to outdoor facilities, I am pleased to advise that all of the Townships outdoor amenities have been prepared and are available for use. Of particular note, sports facilities (including soccer fields and ball diamonds) are available for use and youth sports leagues have commenced operations, using the facilities in accordance with provincial Step 2 regulations.

### COVID-19 Vaccinations

Niagara continues to follow the Province of Ontario's vaccine distribution plan. Currently scheduled vaccination clinics for the month of June/July include:

Date	City / Town	Location
June 28 - July 10	Pelham (Fonthill)	<a href="#">Meridian Community Centre</a>
July 4 - 7	West Lincoln (Smithville)	<a href="#">West Lincoln Community Centre</a>
July 8 - 13	Niagara Falls	<a href="#">MacBain Community Centre</a>
July 14 - 17	Pelham (Fonthill)	<a href="#">Meridian Community Centre</a>

The most current Niagara Region COVID-19 statistical information is updated daily on Niagara Region's website: <https://www.niagararegion.ca/health/covid-19/statistics/statistics.aspx>

### **Conclusion**

The COVID-19 pandemic continues to pose a real threat to the community as well as the Township's ability to provide services in the same manner as historically delivered. Although the levels of cases of COVID-19 have continued to decrease regionally (with occasional spikes), the threat remains serious and the Township must remain vigilant throughout the recovery phases so that we are able to continue to provide essential services that our residents expect.

The Emergency Control Group continues to monitor and respond to the pandemic with prepared business continuity plans and has been diligently planning for potential future developments. The ECG continues to be dedicated to the safety of staff and the community, while ensuring essential services continue to be delivered without interruption and focusing on business continuity and re-opening the Township in the safest manner possible.

### **FINANCIAL CONSIDERATIONS:**

None.

### **OTHERS CONSULTED:**

- 1) Emergency Control Group

### **ATTACHMENTS:**

- 1) Appendix "A" – News Release – Ontario Moving to Step Three of Roadmap to Reopen on July 16

Respectfully submitted and approved by,

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William J. Kolasa  
Chief Administrative Officer

### NEWS RELEASE

#### **Ontario Moving to Step Three of Roadmap to Reopen on July 16**

Continuing Improvements in Key Indicators Allowing Province to Safely Expand Indoor Settings and Capacity Limits

**July 09, 2021**

[Premier's Office](#)

TORONTO — With key public health and health care indicators continuing to improve and the provincewide vaccination rate surpassing the targets outlined in the province's [Roadmap to Reopen](#), in consultation with the Chief Medical Officer of Health the Ontario government is moving the province into Step Three of the Roadmap to Reopen at 12:01 a.m. on Friday, July 16, 2021.

“Thanks to the tireless efforts of our frontline heroes, and the ongoing commitment of Ontarians to get vaccinated, we have surpassed the targets we set in order to enter Step Three of our Roadmap,” said Premier Doug Ford. “While this is welcome news for everyone who wants a return to normal, we will not slow down our efforts to fully vaccinate everyone who wants to be and put this pandemic behind us once and for all.”

In order to enter Step Three of the Roadmap, Ontario needed to have vaccinated 70 to 80 per cent of individuals 18 years of age or older with one dose and 25 per cent with two doses for at least two weeks, ensuring a stronger level of protection against COVID-19. Thanks to the dedicated efforts of Ontario's health care partners, as of July 8, 2021, over 77 per cent of the population in Ontario ages 12 and over have received one dose of a COVID-19 vaccine and over 50 per cent have received their second dose. More than 16.6 million doses of the COVID-19 vaccine have been administered provincewide.

The province also needed to see continued improvement in other key public health and health care indicators, including hospitalizations, ICU occupancy and the weekly cases incidence rates. After entering Step Two, during the period of June 29 to July 5, 2021, the provincial case rate decreased by 23.3 per cent. As of July 8, the number of patients with COVID-19 in ICUs is 202, including three patients from Manitoba, as compared to 286 two weeks ago. The province expects these positive trends to continue over the coming days before entering Step Three.

“Ontario has continued to see improvements in key health indicators, allowing the province to move to Step Three of the Roadmap and safely resume more of the activities we've missed,” said Christine Elliott, Deputy Premier and Minister of Health. “While this is exciting news, we must still remain vigilant and continue to follow the public health measure we know work and keep us safe. Vaccines remain

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our ticket out of the pandemic so if you haven't booked your appointment yet, please do so today.”

Step Three of the Roadmap focuses on the resumption of additional indoor services with larger numbers of people and restrictions in place. This includes, but is not limited to:

- Outdoor social gatherings and organized public events with up to 100 people with limited exceptions;
- Indoor social gatherings and organized public events with up to 25 people;
- Indoor religious services, rites or ceremonies, including wedding services and funeral services permitted with physical distancing;
- Indoor dining permitted with no limits on the number of patrons per table with physical distancing and other restrictions still in effect;
- Indoor sports and recreational fitness facilities to open subject to a maximum 50 per cent capacity of the indoor space. Capacity for indoor spectators is 50 per cent of the usual seating capacity or 1,000 people, whichever is less. Capacity for outdoor spectators is 75 per cent of the usual seating capacity or 15,000 people, whichever is less;
- Indoor meeting and event spaces permitted to operate with physical distancing and other restrictions still in effect and capacity limited to not exceed 50 per cent capacity or 1,000 people, (whichever is less);
- Essential and non-essential retail with capacity limited to the number of people that can maintain a physical distance of two metres;
- Personal care services, including services requiring the removal of a face covering, with capacity limited to the number of people that can maintain a physical distance of two metres;
- Museums, galleries, historic sites, aquariums, zoos, landmarks, botanical gardens, science centres, casinos/bingo halls, amusement parks, fairs and rural exhibitions, festivals, with capacity limited to not exceed 50 per cent capacity indoors and 75 per cent capacity outdoors;
- Concert venues, cinemas, and theatres permitted to operate at:
  - up to 50 per cent capacity indoors or a maximum limit of 1,000 people for seated events (whichever is less)
  - up to 75 per cent capacity outdoors or a maximum limit of 5,000 people for unseated events (whichever is less); and up to 75 per cent capacity outdoors or a maximum of 15,000 people for events with fixed seating (whichever is less).
- Real estate open houses with capacity limited to the number of people that can maintain a physical distance of two metres; and
- Indoor food or drink establishments where dance facilities are provided, including nightclubs and restobars, permitted up to 25 per cent capacity or up to a maximum limit of 250 people (whichever is less).

Face coverings in indoor public settings and physical distancing requirements remain in place throughout Step Three. This is in alignment with the [advice](#) on

## APPENDIX “A”

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personal public health measures issued by the Public Health Agency of Canada, while also accounting for Ontario specific information and requirements. Face coverings will also be required in some outdoor public settings as well.

Please view the [regulation for the full list of public health and workplace safety measures](#) that need to be followed.

“Thanks to the continued efforts of Ontarians adhering to public health measures and advice, as well as going out to get vaccinated, we have seen most key health indicators continue to improve,” said Dr. Kieran Moore, Chief Medical Officer of Health. “However, the pandemic is not over and we must all remain vigilant and continue following the measures and advice in place, as the Delta variant continues to pose a threat to public health.”

The province will remain in Step Three of the Roadmap for at least 21 days and until 80 per cent of the eligible population aged 12 and over has received one dose of a COVID-19 vaccine and 75 per cent have received their second, with no public health unit having less than 70 per cent of their population fully vaccinated. Other key public health and health care indicators must also continue to remain stable. Upon meeting these thresholds, the vast majority of public health and workplace safety measures, including capacity limits for indoor and outdoor settings and limits for social gatherings, will be lifted. Only a small number of measures will remain in place, including the requirement for passive screening, such as posting a sign, and businesses requiring a safety plan.

Ontario’s epidemiological situation is distinct from other jurisdictions and the Delta variant is the dominant strain in Ontario, which is not the case with some other provinces. As a result, on the advice of the Chief Medical Officer of Health, face coverings will also continue to be required for indoor public settings. The Chief Medical Officer of Health will continue to evaluate this need on an ongoing basis.

### Quick Facts

#### QUICK FACTS

- On [June 30, 2021](#), the province [moved into Step Two](#) of the Roadmap to Reopen, based on the provincewide vaccination rate and continued improvements in key public health and health system indicators.
- The Ontario government has released the [Roadmap to Reopen](#), a three-step plan to reopen the province and ease public health measures based on the provincewide vaccination rate and improvements in key public health and health care indicators.
- With a majority of Ontario adults having received their first dose of the vaccine, providing a strong level of protection from COVID-19, the province is [accelerating eligibility](#) to book a second dose appointment, including [for children and youth aged 12 to 17](#).

## APPENDIX “A”

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### Additional Resources

- Visit Ontario’s [COVID-19 communications resources web page](#) for resources in multiple languages to help local communication efforts.
- Visit Ontario’s [website](#) to find out if you are eligible to receive a COVID-19 vaccine at this time.
- For up-to-date information on the province’s vaccine rollout and instructions on how to book an appointment, visit Ontario’s [vaccine webpage](#).
- Visit Ontario’s COVID-19 information [website](#) to learn more about how the province continues to protect the people of Ontario from the virus.
- For public inquiries call ServiceOntario, INFOline at 1-866-532-3161 (Toll-free in Ontario only).

## ADMINISTRATIVE STAFF REPORT

ASR-020/2021

**TO:** Mayor Gibson & Members of Council  
**FROM:** Mallory Luey, Manager of Corporate Services/Treasurer  
**DATE OF MEETING:** July 13, 2021  
**SUBJECT:** 2021 Capital Project Update

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### **RECOMMENDATION(S):**

**THAT** Administrative Staff Report 020/2021 regarding Capital expenditures to date be received for information.

### **BACKGROUND:**

During 2021 budget deliberations Council approved a Capital Budget which consisted of twenty three projects. The total value of the projects approved for 2021 was \$5,570,989 and at the end of the second quarter expenses of \$1,094,610 had incurred. Five of the twenty three projects are considered complete to date.

Most projects have already been tendered and contracts have been awarded and work is about to commence, with the exception of a couple requiring additional permits, and pre-consultation meetings prior to tendering.

Staff are expecting most projects to be completed by the end of the third quarter and are projecting at this time the capital projects will be completed within the budget of \$5,570,989.

#### **Funding and Grants**

Three of the approved projects have not commenced as Staff are waiting for the funding agreements or approvals on external grants applied for or received.

### **OPTIONS/DISCUSSION:**

None.

### **FINANCIAL CONSIDERATIONS:**

None.



**OTHERS CONSULTED:**

Senior Management Team.

**ATTACHMENTS:**

- 1) Appendix "A" - 2021 Capital Project Update

Respectfully submitted by,

Approved by,

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Mallory Luey  
Manager of Corporate Services/Treasurer

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William J. Kolasa  
Chief Administrative Officer

## Appendix "A" 2021 Capital Project Update

Description	Account Name	Budget Amount	Q2	Under Budget (Over Budget)	Complete
IT Update	Admin Cap	55,100	28,599	26,501.00	
Integrated Library System Upgrade	Library - Integrated System Upgrade	20,453	-	20,453.00	
Various Road Asphalt Patching	Asphalt Patch CAP	50,000	-	50,000.00	
Road Resurfacing - Moore Rd	Moore Rd	50,000	-	50,000.00	
Road Resurfacing - Youngs Rd N	Youngs Rd	94,700	-	94,700.00	
Road Resurfacing - Maplewood	Maplewood Dr	213,000	83,909	129,091.00	
Road Resurfacing - Woodland	Woodland Dr	153,500	8,528	144,972.00	
Bridge Work	Bridges/Guardrails	915,500	133,949	781,551.00	
Lakeshore Retaining Wall Phase 2	Shoreline Protection	717,740	15,292	702,448.00	
Lake Erie Storm Restoration	Halloween Storm Project	81,532	-	81,532.00	
Large Culverts	Large Culverts	223,889	-	223,889.00	
Guiderail Replacement	Bridges/Guardrails	85,000	-	85,000.00	
Sign Reflectivity Study	Sign Reflectivity Study	18,000	15,835	2,165.00	Yes
Fleet Replacement-Backhoe	Equipment Purchases Rds Cap	164,500	-	164,500.00	
Fleet Replacement-Pickup Truck	Equipment Purchases Rds Cap	33,000	33,333	-333.00	Yes
Fleet Replacement-Fire Pumper	Fire Truck Replacement	600,000	610,560	-10,560.00	Yes
Operations Building Repairs	Bldg Operations Centre	19,000	29,743	-10,743.00	Yes
Townhall Repairs	Bldg Municipal Office	179,650	10,774	168,876.00	
Firehall 3 Repairs	Buildings Firehall #3	50,000	5,199	44,801.00	
Firehall 4 Repairs	Buildings Firehall #4	70,000	14,255	55,745.00	
Alarm System Upgrade Firehalls	Contract Equipment Bldg Stn 5	12,000	11,003	997.00	Yes
Library Facility Repairs	Bldg. Library	22,000	2,508	19,492.00	
Storm Sewers-Arena, Library, Firehall	Storm Sewer Repairs	46,300	52,298	-5,998.00	
Rural Water Supply Program	Rural Water Supply	10,000	-	10,000.00	
PPE (bunker gear)	Fire Personal Protective Equipment	42,000	13,179	28,821.00	
Annual Capital Fire Equip Program	Fire Cap Equipment Purchase	40,000	25,646	14,354.00	
Baseball Diamond Backstop	Recreation	16,000	-	16,000.00	
Recreation Complex	Recreation Complex	1,588,125	-	1,588,125.00	
<b>TOTAL</b>		<b>5,570,989</b>	<b>1,094,610</b>	<b>4,476,379</b>	

**TO:** Mayor Gibson & Members of Council

**FROM:** David Methot, Chief Building Official

**DATE OF MEETING:** July 13, 2021

**SUBJECT:** 3 Conditional Building Permits – Kwik Mix Materials Limited

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**RECOMMENDATION(S):**

**THAT** Building Staff Report BSR-002/2021 respecting 3 Conditional Building Permits – Kwik Mix Materials Limited be received; and

**THAT** the Township of Wainfleet enter into a Conditional Building Permit Agreement with 1806193 ONTARIO INC. o/a KWIK MIX MATERIALS LIMITED to allow them to start construction of foundation and structural shell of three buildings on their property prior to receiving a permit from the Ministry of Transportation(MTO) and the Niagara Peninsula Conservation Authority(NPCA)

**EXECUTIVE SUMMARY:**

In accordance with the provisions set out in the Building Code Act, as amended; a Conditional Permit will allow the Kwik Mix to commence construction while they await the Permits from the MTO and NPCA.

**BACKGROUND:**

On December 16, 2020, Kwik Mix, through their agent David Lain, applied for 4 permits to renovate and expand their existing production facility and construct 3 new buildings at their current location on Kwik Mix Road. They needed to complete some conditions of the Site Plan agreement prior to being able to obtain these permits. They have since satisfied the requirements of the Site Plan Agreement with the exception of obtaining work permits from the MTO and NPCA. Both of these approvals are considered applicable law under the Building Code and are required prior to the issuance of a Building Permit.

In order for the Chief Building Official to issue the permits for the proposed works, approval must be obtained from the MTO and NPCA. There have been some disagreements between the MTO and NPCA which is delaying the issuance of permits from these agencies.

**OPTIONS/DISCUSSION:**

The basis for the disagreement between MTO and NPCA centers around an existing culvert in the ditch along Hwy 3 and the effects of its removal on the downstream watercourses. This issue will not be affected by the proposed construction and it is the opinion of staff that Kwik Mix should be able to obtain the required approvals within the time allotted in the conditional permit agreements. The Building Code Act does allow the CBO to issue a permit that does not comply with applicable law if it can be

demonstrated that a delay in construction will create a hardship and that compliance with the applicable law will follow. This proposal definitely meets that criteria.

Further, in order for the CBO to proceed with the issuance of a conditional permit, the applicant (in this case, the Kwik Mix) must enter into an agreement with the Township pursuant to the Building Code Act. Such an agreement requires requires the approval of Council.

By proceeding with a conditional permit, Kwik Mix will be required to assume all risk for commencing construction in advance of final approvals being received from the MTO and NPCA. Also, in the event those final approvals are not issued from the MTO and NPCA: Kwik Mix, at their own cost, will be required to take steps to remove the buildings and restore the site to the pre-construction condition and/or otherwise bring their development into compliance with the law.

### **FINANCIAL CONSIDERATIONS:**

The fees will be as follows in accordance with our Schedule of Fees:

Building permit fee for foundation only	75% of applicable building permit fee for the each building
Conditional Permit Fee	$\$851.04 \times 3 = \$2553.12$
Security Deposit for Conditional Permit	$\$3500 + \$3500 + \$3000 = \$10,000.00$

### **OTHERS CONSULTED:**

- 1) Strategic Leadership Team

### **ATTACHMENTS:**

- 1) Building Code Act excerpt – Conditional Permits
- 2) Site Plan
- 3) Conditional Permit Agreement

Respectfully submitted by,

Reviewed by,

---

David Methot  
Chief Building Official

---

Lee Gudgeon  
Manager of Protective Services

Approved by,

---

William J. Kolasa  
Chief Administrative Officer

## APPENDIX “A”

### Conditional Permit Requirements - BCA

#### Conditional permit

(3) Even though all requirements have not been met to obtain a permit under subsection (2), the chief building official may issue a conditional permit for any stage of construction if,

- (a) compliance with by-laws passed under sections 34 and 38 of the *Planning Act* and with such other applicable law as may be set out in the building code has been achieved in respect of the proposed building or construction;
- (b) the chief building official is of the opinion that unreasonable delays in the construction would occur if a conditional permit is not granted; and
- (c) the applicant and such other person as the chief building official determines agree in writing with the municipality, upper-tier municipality, board of health, planning board, conservation authority or the Crown in right of Ontario to,
  - (i) assume all risk in commencing the construction,
  - (ii) obtain all necessary approvals in the time set out in the agreement or, if none, as soon as practicable,
  - (iii) file plans and specifications of the complete building in the time set out in the agreement,
  - (iv) at the applicant's own expense, remove the building and restore the site in the manner specified in the agreement if approvals are not obtained or plans filed in the time set out in the agreement, and
  - (v) comply with such other conditions as the chief building official considers necessary, including the provision of security for compliance with subclause (iv). 1992, c. 23, s. 8 (3); 1997, c. 30, Sched. B, s. 7 (2); 1999, c. 12, Sched. M, s. 5 (1); 2002, c. 17, Sched. F, Table.

#### Delegation re conditional permits

(3.1) A principal authority may, in writing, delegate to the chief building official the power to enter into agreements described in clause (3) (c) and may impose conditions or restrictions with respect to the delegation. 2002, c. 9, s. 14 (3).

#### Criteria

(4) In considering whether a conditional permit should be granted, the chief building official shall, among other matters, have regard to the potential difficulty in restoring the site to its original state and use if required approvals are not obtained. 1992, c. 23, s. 8 (4).

#### Registration

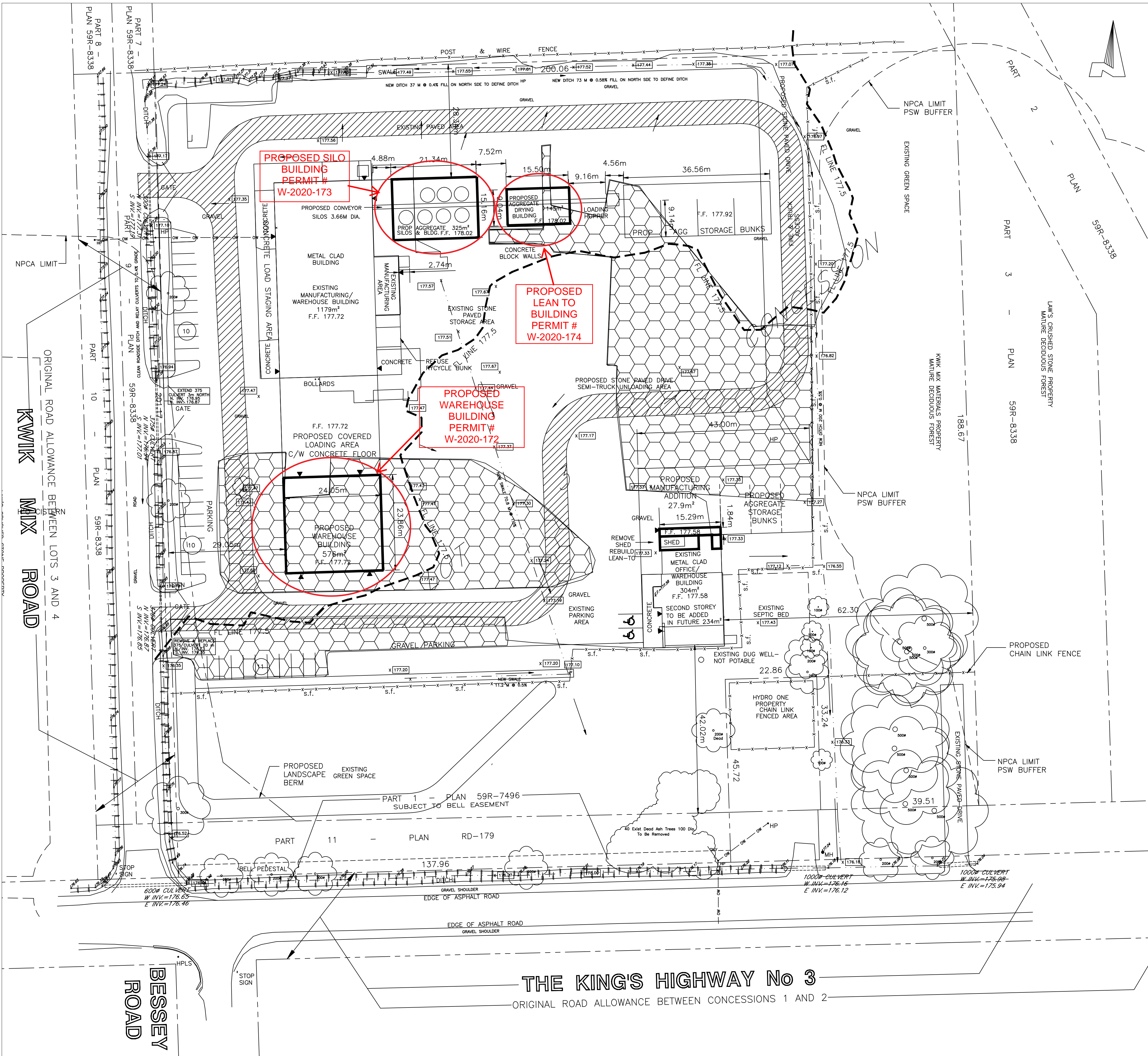
(5) Any agreement entered into under clause (3) (c) may be registered against the land to which it applies and the municipality, upper-tier municipality, board of health, planning board, conservation authority or the Province of Ontario, as the case may be, is entitled to enforce its provisions against the registered owner and, subject to the *Registry Act* and the *Land Titles Act*, any person acquiring any interest in the land subsequent to the registration of the agreement. 1999, c. 12, Sched. M, s. 5 (2); 2002, c. 17, Sched. F, Table; 2017, c. 34, Sched. 2, s. 5.

#### Enforcement of agreement

(6) If the chief building official determines that a building has not been removed or a site restored as required by an agreement under clause (3) (c), the chief building official may cause the building to be removed and the site restored and for this purpose the chief building official, an inspector and their agents may enter upon the land and into the building governed by the agreement at any reasonable time without a warrant. 1992, c. 23, s. 8 (6).



APPENDIX "B"



TITLE	KWIK MIX MATERIALS SITE PLAN	
ADDRESS	20403 KWIK MIX RD. WAINFLEET ON.	
LOT	3	
CONCESSION	2	
REGISTERED PLAN NUMBER	R0736203 & R0717048; STR0623694	
PROPOSED USE	MANUFACTURE	
ASSESSMENT ROLL NUMBER	271400000125800.0000	
OFFICIAL PLAN DESIGNATION	EXTRACTIVE INDUSTRIAL & RURAL	
ZONING	M1	

SITE STATISTICS			
	REQUIRED / LIMIT	EXISTING	PROPOSED
LOT AREA	4000 sm	38501 sm	38501 sm
LOT FRONTAGE	46m	137.96m	137.96m
LOT COVERAGE (2412/38501)	30%	3.9%	6.3%
GRAVEL AREA	—	13563 sm	20167 sm
GRAVEL AREA (%)	—	35.3%	52.4%
LANDSCAPED AREA	—	23455 sm	15922 sm
LANDSCAPED AREA (%)	—	60.9%	41.4%
NEW IMPERVIOUS AREA	—	—	6603 sm
GROSS FLOOR AREA	—	—	—
EXISTING OFFICE/WAREHOUSE	—	—	304 sqm
EXISTING MANUFACTURING/WAREHOUSE	—	—	1179 sqm
PROPOSED MANUFACTURING ADDITION	—	—	28 sqm
PROPOSED WAREHOUSE	—	—	576 sqm
PROPOSED SILOS BLDG	—	—	325 sqm
PROPOSED OFFICE— Fut. 2nd st. over exist not incl in cover	—	—	234 sqm
TOTAL	—	—	2646 sqm
PARKING SPACES (3m x 6m)	—	—	—
EXISTING OFFICE/WAREHOUSE	4	—	—
EXISTING MANUFACTURING/WAREHOUSE	14	—	—
PROPOSED MANUFACTURING ADDITION	1	—	—
PROPOSED WAREHOUSE	7	—	—
PROPOSED SILOS BLDG	4	—	—
PROPOSED OFFICE	3	—	—
TOTAL	33	—	33
FRONT YARD SETBACK	15m	—	42.0m
INTERIOR SIDE YARD SETBACK	7.5m	—	62.3m
EXTERIOR SIDE YARD SETBACK	10m	—	29.1m
REAR YARD SETBACK	7.5m	—	28.3m
LOADING SPACES (3.5m x 9m)	2	—	2
BUILDING HEIGHT	—	—	9.14m
LANDSCAPED AREA ADJACENT TO ROADS	3m	—	3.05m
WALKWAY WIDTH	—	—	2m

PART OF LOT 3 CONCESSION 2  
TOWNSHIP OF WAINFLEET  
REGION OF NIAGARA

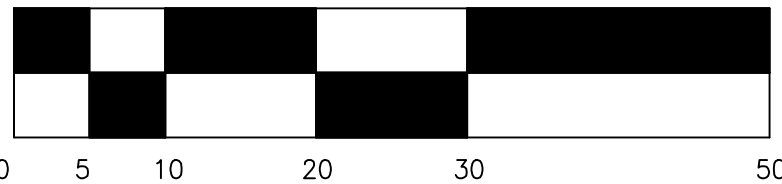
LEGEND	
	177.32 DENOTES EXISTING GROUND ELEVATION
	HP DENOTES HYDRO POLE
	OW DENOTES OVERHEAD UTILITY LINE
	X 177.42 DENOTES PROPOSED GRADE
	DENOTES EXIST DECIDUOUS TREE
	DENOTES NEW GRAVEL & CONC. AREAS
	DENOTES FIRE ROUTE
	DENOTES SILT FENCE

BENCHMARK	
ELEVATIONS HEREON ARE GEODETIC AND WERE DERIVED FROM THE TOPNET RKT NETWORK, NAD83 CSRS, VERSION 3, EPOC 1997	

CONLIN ENGINEERING LTD.

CHAMBERS AND ASSOCIATES SURVEYING LTD. <small>12 THOROLD ROAD EAST WELLAND, Ontario, Canada L3C 5T2 Phone: 800-834-0141 Fax: 800-834-0141 johnconlin@cael.net</small>	PROJECT	KWIK MIX	SCALE: 1:500
	DRAWING	SITE PLAN	DATE: SEPTEMBER 2 2016 DESIGN BY: J. CONLIN DRAWN BY: RGTS SHEET: SP1

SCALE 1 : 500



METRES

09	ADD DITCH EAST SIDE, REVISE STA TABLE	FEB. 24 2017	04	OFFICE & WAREHOUSE MOVED	NOV 11 2016
08	REMOVE OLD FLOODLINE & MOVE PARKING	JAN 28 2017	03	PARKING ADDED	SEP 15 2016
07	ADD WELL & SILT FENCE	JAN 13 2017	02	REVIEWED & REVISED	SEP 13 2016
06	REVISE SILOS & DRYING BLDG.	DEC 13 2016	01	FOR COMMENT	SEP 2 2016
05	REVISE STAT TABLE & AGG. BUNKERS	NOV 22 2016	00	INTERNAL REVIEW	AUG18 2016
NO.	DESCRIPTION	DATE	NO.	DESCRIPTION	DATE



# APPENDIX “C”

## CONDITIONAL PERMIT AGREEMENTS

THE CORPORATION OF THE TOWNSHIP OF WAINFLEET  
CONDITIONAL PERMIT AGREEMENT

THIS AGREEMENT made this 22 day of June, 2021

BETWEEN:

THE CORPORATION OF THE TOWNSHIP OF WAINFLEET  
hereinafter called “the Township”

OF THE FIRST PART

and                      DAVID LAIN AGENT FOR  
                             1806193 ONTARIO INC. o/a  
                             KWIK MIX MATERIALS LIMITED

hereinafter called “the Owner(s)”

OF THE SECOND PART

WHEREAS the Owner acknowledges ownership of the subject lands known municipally as 20403 KWIK MIX ROAD and has requested a Conditional Permit from the Township for the CONSTRUCTION OF THE “FOUNDATION AND SHELL ONLY” OF A NEW BUILDING REFERED TO AS THE LEAN TO BUILDING prior to meeting all requirements to obtain a Building Permit according to the Building Code Act 1992, s.8(2);

AND WHEREAS the Chief Building Official is satisfied that meeting such requirements would unreasonably delay the subject construction;

AND WHEREAS the Chief Building Official considers the restoration of the site to be feasible in the event that all the necessary approvals are not obtained;

NOW THEREFORE THIS AGREEMENT WITNESSETH THAT in consideration of the mutual covenants hereinafter expressed and other good and valuable consideration, the Parties hereto agree one with the other as follows:

1.                      The lands affected by this Agreement (hereinafter referred to as the “subject lands”) are as described in Schedule “A” attached hereto.
2.                      The construction affected by this Agreement (hereinafter referred to as the “subject construction”) is that construction proposed in a Permit Application filed with the Township and identified as Application Number W-2020-174
3.                      The Township agrees to issue a Conditional Permit for the subject



construction to be erected on the subject lands provided that the Owner agrees to assume all risks involved in commencing construction before every requirement for a Building Permit has been met, and to this end hereby will indemnify and save harmless the Township from and against all claims arising from the issuance of the Conditional Permit.

4. The Owner hereby agrees:

- a) to assume all risk in commencing construction;
- b) to obtain all approvals from the Ministry of Transportation(MTO) and the Niagara Peninsula Conservation Authority(NPCA) by August 31<sup>st</sup>, 2021;
- c) to stop the subject construction and secure the site to the satisfaction of the Chief Building Official if, in the opinion of the Chief Building Official, any impediment arises to prevent the lawful continuation of the subject construction or if upon application to the Ministry of Transportation (MTO) and/or the Niagara Peninsula Conservation Authority (NPCA), the MTO and/or the NPCA, does not issue a Work Permit;
- d) to remove the building or part thereof and restore the site if all necessary approvals have not been obtained;
- e) to comply with all development standards that are applicable to the subject lands including but not limited to site servicing, grading, tree protection, fire protection, and storm water management;
- f) without limiting the generality of the foregoing, to meet any specific conditions that are set out in Schedule "B" to this Agreement; and
- g) that the Building Code Act permits the Chief Building Official to revoke a Conditional Permit if a term of this Agreement is not complied with.

5. The site restoration referred to in this Agreement shall be to the pre-development conditions present at the time of Permit Application and shall include the removal of all construction, the replacement of all vegetative matter, the stabilization of slopes and the restoration of drainage patterns. Restoration must seriously commence within thirty (30) days of the date cited in 4.(b) or at such later time as may be directed by the Chief Building Official.

6. If the Chief Building Official determines that a building has not been removed or a site restored as required by this Agreement, the Chief Building Official may cause the building to be removed and the site restored and for this purpose, the Chief Building Official, an Inspector and their Agents may enter upon the land and into any building or part thereof governed by this Agreement at any reasonable time without a

warrant.

7. The OWNER agrees that only the foundation and structural shell of the building may be constructed under this permit and that the building shall not be used or occupied until a permit for the completion of the building has been issued.

8. The OWNER further agrees that no additional permits will be granted for this building until the conditions of this permit have been met.

9. Security

- a) As security for the cost of demolition of the subject construction as a result of non-compliance with this Agreement, the Owner shall file a Letter-of-Credit, certified cheque or cash deposit with the Township, in the amount of \$3,000.00 in a form acceptable to the Township Treasurer.
- b) If the Chief Building Official determines that a building has not been removed or a site restored as required by this Agreement, the Letter-of-Credit, certified cheque or cash deposit may be drawn upon in full and the monies used to restore the site as provided for in paragraph 5.
- c) Should there be full compliance with this Agreement, any separate Letter-of-Credit, certified cheque or cash deposit will be returned to the Owner at the address provided on the application for Building Permit.
- d) Should costs associated with the restoration of the site be incurred by the Township in excess of the amount of the Letter-of-Credit, certified cheque or cash deposit, the Township shall have a lien on the land for such amount and the amount shall be deemed to be municipal taxes, and may be collected in the same manner and with the same priorities as municipal taxes.

10. This Agreement may be registered against the subject lands and the Township is entitled to enforce its provisions against the Owner and, subject to the Registry Act and the Land Titles Act, any and all subsequent Owners of the subject lands. Upon compliance with this Agreement, the Township shall provide the Owner with a (registrable) release of this Agreement.

IN WITNESS WHEREOF the Parties hereto have hereunto affixed their signatures

SIGNED AND DELIVERED

In the Presence of

THE CORPORATION OF THE  
TOWNSHIP OF WAINFLEET

---

Kevin Gibson  
Mayor

I HAVE THE AUTHORITY TO BIND THE  
CORPORATION

---

William Kolasa  
CAO/Clerk

I HAVE THE AUTHORITY TO BIND THE  
CORPORATION

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OWNER  
DAVID LAIN AGENT FOR  
1806193 ONTARIO INC. o/a  
KWIK MIX MATERIALS LIMITED

---

David Lain  
I HAVE THE AUTHORITY TO BIND THE  
CORPORATION

SCHEDULE "A" - DESCRIPTION OF LAND

All and singular that certain parcel or tract of land and premises situate lying and being on the Township of Wainfleet in the Regional Municipality of Niagara designated as 20405 and 20403 Kwik Mix Road, Roll No 2714 000 001 25800 0000.

CON 2 PT LOT 3, TOWNSHIP OF WAINFLEET

## SCHEDULE "B" - SPECIAL CONDITIONS

The Owner hereby agrees to:

1. Apply for and obtain A WORK PERMIT from the Ministry of Transportation, by August 31<sup>st</sup>, 2021
2. Apply for and obtain A WORK PERMIT from the Niagara Peninsula Conservation Authority, by August 31<sup>st</sup>, 2021

THE CORPORATION OF THE TOWNSHIP OF WAINFLEET  
CONDITIONAL PERMIT AGREEMENT

THIS AGREEMENT made this 22 day of June, 2021

BETWEEN:

THE CORPORATION OF THE TOWNSHIP OF WAINFLEET  
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OF THE FIRST PART

and                      DAVID LAIN AGENT FOR  
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                             KWIK MIX MATERIALS LIMITED

hereinafter called “the Owner(s)”

OF THE SECOND PART

WHEREAS the Owner acknowledges ownership of the subject lands known municipally as 20403 KWIK MIX ROAD and has requested a Conditional Permit from the Township for the CONSTRUCTION OF THE “FOUNDATION AND SHELL ONLY” OF A NEW BUILDING REFERED TO AS THE “SILO BUILDING” prior to meeting all requirements to obtain a Building Permit according to the Building Code Act 1992, s.8(2);

AND WHEREAS the Chief Building Official is satisfied that meeting such requirements would unreasonably delay the subject construction;

AND WHEREAS the Chief Building Official considers the restoration of the site to be feasible in the event that all the necessary approvals are not obtained;

NOW THEREFORE THIS AGREEMENT WITNESSETH THAT in consideration of the mutual covenants hereinafter expressed and other good and valuable consideration, the Parties hereto agree one with the other as follows:

1.                      The lands affected by this Agreement (hereinafter referred to as the “subject lands”) are as described in Schedule “A” attached hereto.
2.                      The construction affected by this Agreement (hereinafter referred to as the “subject construction”) is that construction proposed in a Permit Application filed with the Township and identified as Application Number W-2020-173
3.                      The Township agrees to issue a Conditional Permit for the subject

construction to be erected on the subject lands provided that the Owner agrees to assume all risks involved in commencing construction before every requirement for a Building Permit has been met, and to this end hereby will indemnify and save harmless the Township from and against all claims arising from the issuance of the Conditional Permit.

4. The Owner hereby agrees:

- a) to assume all risk in commencing construction;
- b) to obtain all approvals from the Ministry of Transportation(MTO) and the Niagara Peninsula Conservation Authority(NPCA) by August 31<sup>st</sup>, 2021;
- c) to stop the subject construction and secure the site to the satisfaction of the Chief Building Official if, in the opinion of the Chief Building Official, any impediment arises to prevent the lawful continuation of the subject construction or if upon application to the Ministry of Transportation (MTO) and/or the Niagara Peninsula Conservation Authority (NPCA), the MTO and/or the NPCA, does not issue a Work Permit;
- d) to remove the building or part thereof and restore the site if all necessary approvals have not been obtained;
- e) to comply with all development standards that are applicable to the subject lands including but not limited to site servicing, grading, tree protection, fire protection, and storm water management;
- f) without limiting the generality of the foregoing, to meet any specific conditions that are set out in Schedule "B" to this Agreement; and
- g) that the Building Code Act permits the Chief Building Official to revoke a Conditional Permit if a term of this Agreement is not complied with.

5. The site restoration referred to in this Agreement shall be to the pre-development conditions present at the time of Permit Application and shall include the removal of all construction, the replacement of all vegetative matter, the stabilization of slopes and the restoration of drainage patterns. Restoration must seriously commence within thirty (30) days of the date cited in 4.(b) or at such later time as may be directed by the Chief Building Official.

6. If the Chief Building Official determines that a building has not been removed or a site restored as required by this Agreement, the Chief Building Official may cause the building to be removed and the site restored and for this purpose, the Chief Building Official, an Inspector and their Agents may enter upon the land and into any building or part thereof governed by this Agreement at any reasonable time without a

warrant.

7. The OWNER agrees that only the foundation and structural shell of the building may be constructed under this permit and that the building shall not be used or occupied until a permit for the completion of the building has been issued.

8. The OWNER further agrees that no additional permits will be granted for this building until the conditions of this permit have been met.

9. Security

- a) As security for the cost of demolition of the subject construction as a result of non-compliance with this Agreement, the Owner shall file a Letter-of-Credit, certified cheque or cash deposit with the Township, in the amount of \$3500.00 in a form acceptable to the Township Treasurer.
- b) If the Chief Building Official determines that a building has not been removed or a site restored as required by this Agreement, the Letter-of-Credit, certified cheque or cash deposit may be drawn upon in full and the monies used to restore the site as provided for in paragraph 5.
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SCHEDULE "A" - DESCRIPTION OF LAND

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CON 2 PT LOT 3, TOWNSHIP OF WAINFLEET

## SCHEDULE "B" - SPECIAL CONDITIONS

The Owner hereby agrees to:

1. Apply for and obtain A WORK PERMIT from the Ministry of Transportation, by August 31<sup>st</sup>, 2021
2. Apply for and obtain A WORK PERMIT from the Niagara Peninsula Conservation Authority, by August 31<sup>st</sup>, 2021

THE CORPORATION OF THE TOWNSHIP OF WAINFLEET  
CONDITIONAL PERMIT AGREEMENT

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BETWEEN:

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OF THE FIRST PART

and                      DAVID LAIN AGENT FOR  
                             1806193 ONTARIO INC. o/a  
                             KWIK MIX MATERIALS LIMITED

hereinafter called “the Owner(s)”

OF THE SECOND PART

WHEREAS the Owner acknowledges ownership of the subject lands known municipally as 20403 KWIK MIX ROAD and has requested a Conditional Permit from the Township for the CONSTRUCTION OF THE “FOUNDATION AND SHELL ONLY” OF A NEW WAREHOUSE BUILDING prior to meeting all requirements to obtain a Building Permit according to the Building Code Act 1992, s.8(2);

AND WHEREAS the Chief Building Official is satisfied that meeting such requirements would unreasonably delay the subject construction;

AND WHEREAS the Chief Building Official considers the restoration of the site to be feasible in the event that all the necessary approvals are not obtained;

NOW THEREFORE THIS AGREEMENT WITNESSETH THAT in consideration of the mutual covenants hereinafter expressed and other good and valuable consideration, the Parties hereto agree one with the other as follows:

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3.                      The Township agrees to issue a Conditional Permit for the subject

construction to be erected on the subject lands provided that the Owner agrees to assume all risks involved in commencing construction before every requirement for a Building Permit has been met, and to this end hereby will indemnify and save harmless the Township from and against all claims arising from the issuance of the Conditional Permit.

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- b) to obtain all approvals from the Ministry of Transportation(MTO) and the Niagara Peninsula Conservation Authority(NPCA) by August 31<sup>st</sup>, 2021;
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warrant.

7. The OWNER agrees that only the foundation and structural shell of the building may be constructed under this permit and that the building shall not be used or occupied until a permit for the completion of the building has been issued.

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9. Security

- a) As security for the cost of demolition of the subject construction as a result of non-compliance with this Agreement, the Owner shall file a Letter-of-Credit, certified cheque or cash deposit with the Township, in the amount of \$3,500.00 in a form acceptable to the Township Treasurer.
- b) If the Chief Building Official determines that a building has not been removed or a site restored as required by this Agreement, the Letter-of-Credit, certified cheque or cash deposit may be drawn upon in full and the monies used to restore the site as provided for in paragraph 5.
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David Lain

I HAVE THE AUTHORITY TO BIND THE  
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SCHEDULE "A" - DESCRIPTION OF LAND

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CON 2 PT LOT 3, TOWNSHIP OF WAINFLEET



## SCHEDULE "B" - SPECIAL CONDITIONS

The Owner hereby agrees to:

1. Apply for and obtain A WORK PERMIT from the Ministry of Transportation, by August 31<sup>st</sup>, 2021
2. Apply for and obtain A WORK PERMIT from the Niagara Peninsula Conservation Authority, by August 31<sup>st</sup>, 2021

## APPENDIX “A”

### Conditional Permit Requirements - BCA

#### Conditional permit

(3) Even though all requirements have not been met to obtain a permit under subsection (2), the chief building official may issue a conditional permit for any stage of construction if,

- (a) compliance with by-laws passed under sections 34 and 38 of the *Planning Act* and with such other applicable law as may be set out in the building code has been achieved in respect of the proposed building or construction;
- (b) the chief building official is of the opinion that unreasonable delays in the construction would occur if a conditional permit is not granted; and
- (c) the applicant and such other person as the chief building official determines agree in writing with the municipality, upper-tier municipality, board of health, planning board, conservation authority or the Crown in right of Ontario to,
  - (i) assume all risk in commencing the construction,
  - (ii) obtain all necessary approvals in the time set out in the agreement or, if none, as soon as practicable,
  - (iii) file plans and specifications of the complete building in the time set out in the agreement,
  - (iv) at the applicant's own expense, remove the building and restore the site in the manner specified in the agreement if approvals are not obtained or plans filed in the time set out in the agreement, and
  - (v) comply with such other conditions as the chief building official considers necessary, including the provision of security for compliance with subclause (iv). 1992, c. 23, s. 8 (3); 1997, c. 30, Sched. B, s. 7 (2); 1999, c. 12, Sched. M, s. 5 (1); 2002, c. 17, Sched. F, Table.

#### Delegation re conditional permits

(3.1) A principal authority may, in writing, delegate to the chief building official the power to enter into agreements described in clause (3) (c) and may impose conditions or restrictions with respect to the delegation. 2002, c. 9, s. 14 (3).

#### Criteria

(4) In considering whether a conditional permit should be granted, the chief building official shall, among other matters, have regard to the potential difficulty in restoring the site to its original state and use if required approvals are not obtained. 1992, c. 23, s. 8 (4).

#### Registration

(5) Any agreement entered into under clause (3) (c) may be registered against the land to which it applies and the municipality, upper-tier municipality, board of health, planning board, conservation authority or the Province of Ontario, as the case may be, is entitled to enforce its provisions against the registered owner and, subject to the *Registry Act* and the *Land Titles Act*, any person acquiring any interest in the land subsequent to the registration of the agreement. 1999, c. 12, Sched. M, s. 5 (2); 2002, c. 17, Sched. F, Table; 2017, c. 34, Sched. 2, s. 5.

#### Enforcement of agreement

(6) If the chief building official determines that a building has not been removed or a site restored as required by an agreement under clause (3) (c), the chief building official may cause the building to be removed and the site restored and for this purpose the chief building official, an inspector and their agents may enter upon the land and into the building governed by the agreement at any reasonable time without a warrant. 1992, c. 23, s. 8 (6).

## **DRAINAGE STAFF REPORT**

**DSR-012/2021**

**TO:** Mayor Gibson & Members of Council

**FROM:** Mark Jemison, Drainage Superintendent

**DATE OF MEETING:** July 13, 2021

**SUBJECT:** Shafley Road Drain and Collver Drain Engineer's Appointment Update

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### **RECOMMENDATION(S):**

**THAT** Drainage Staff Report DSR-012/2021 respecting the Shafley Road Drain and Collver Drain Engineer's Appointment Update be received; and

**WHEREAS** on September 10, 2019 Council passed Resolution No. C-204-2019 appointing Dietrich Engineering for the preparation of a Section 78 Engineer's Report under the Drainage Act for the Shafley Road Drain and the Collver Drain; and;

**WHEREAS** Council considered report DSR-012/2021 respecting the Shafley Road Drain and Collver Drain Appointment Update outlining the transfer of the drainage project to a new Engineer;

**NOW THEREFORE BE IT RESOLVED** that Council appoint Headway Engineering under Section 8(2) of the Drainage Act to prepare the Shafley Road Drain and Collver Drain Improvement projects.

### **EXECUTIVE SUMMARY:**

Council appointed Dietrich Engineering Limited (Dietrich) in September 2019 to prepare a Section 78 Engineer's Report update for the Shafley Road Drain and the Collver Drain. Due to staffing changes at Dietrich Township staff recommend updating the appointment for both drains to Headway Engineering.

### **BACKGROUND:**

In June 2019 a property owner filed requests for drain improvement under Section 78(1) of the Drainage Act to update and improve the Shafley Road Drain and Collver Drain. Through the recommendation in DSR-010/2019 and Resolution No. C-204-2019 Dietrich was appointed to complete the project; Steve Brickman P. Eng. was to have charge of the projects until reports were filed.

The on-site meeting for both drains was held November 20, 2019 followed by surveying and preliminary drafting. In the Spring of 2021 Steve Brickman P. Eng., left the employ

of Dietrich. For continuity of design, staff recommend transferring the appointment of the engineer under Section 8(2) of the Drainage Act to Headway Engineering.

In discussions with both engineering firms, all data, information and engineering work to date on the Shafley Road Drain and the Collver Drain projects shall be transferred to Headway Engineering.

**OPTIONS/DISCUSSION:**

- 1) Appoint Headway Engineering to continue the preparation of Section 78 Engineer's reports under the Drainage Act for the Shafley Road Drain and the Collver Drain (recommended).
- 2) Dietrich Engineering Limited to continue to prepare Section 78 Engineer's reports under the Drainage Act for the Shafley Road Drain and the Collver Drain (Not recommended).

**FINANCIAL CONSIDERATIONS:**

To date the Township has paid for survey and preliminary design work for both municipal drains. All files and engineering work to date associated with the Shafley Road Drain and Collver Drain will be transferred from Dietrich to Headway Engineering.

As normal, the Township will be required to carry the costs of the project until the construction is completed and the costs are allocated to the appropriate property owners in accordance with the Drainage Act. This type of engineering report and associated construction project is billable and eligible for grant from Ministry of Agriculture, Food and Rural Affairs.

Final costs to the Township would only be those assessed to the roads and lands of the Township which are identified in the reports, as per the Drainage Act R.S.O. 1990. Will be included in capital budget when the time comes.

**OTHERS CONSULTED:**

- 1) Strategic Leadership Team

**ATTACHMENTS:**

- 1) Transition letter – Dietrich Engineering

Respectfully submitted by,

Approved by,

---

Mark Jemison  
Drainage Superintendent

---

William J. Kolasa  
Chief Administrative Officer



**DIETRICH ENGINEERING LIMITED**  
CONSULTING ENGINEERS

10 Alpine Court, Kitchener, ON, N2E 2M7 | T: (519) 880-2708 | F: (519) 880-2709 | E: mail@dietricheng.com

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June 25, 2021

Ms. Meredith Ciuffetelli  
Deputy Clerk  
Township of Wainfleet  
31940 Highway #3  
P.O. Box 40  
Wainfleet, Ontario  
L0S 1V0

Dear Meredith,

Re: Collver & Shafely Municipal Drains  
Township of Wainfleet  
Our Reference Nos. 1946 & 1947

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Dietrich Engineering Limited provided notification to the Township of Wainfleet on June 24, 2021 that Stephen Brickman, P.Eng. of Headway Engineering will have charge of these projects.

Per Section 8(2) of the Drainage Act, R.S.O. 1990 the files for the Collver & Shafley Municipal Drains will be transferred to Stephen Brickman of Headway Engineering.

Yours truly,

DIETRICH ENGINEERING LIMITED

A handwritten signature in blue ink, appearing to read 'W. Dietrich'.

William J. Dietrich, P.Eng.

WJD:sm

**TO:** Mayor Gibson & Members of Council

**FROM:** Sarah Ivins, Planner

**DATE OF MEETING:** July 13, 2021

**SUBJECT:** Draft Plan of Condominium – File No. P01/2021W  
Zoning By-law Amendment – File No. Z04/2021W  
Daniel & Kandace Bunz (LandPRO Planning Solutions Inc.)

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**RECOMMENDATION(S):**

**THAT** Planning Staff Report PSR-008/2021 be received; and

**THAT** draft plan of condominium application P01/2021W for lands described as CON 4 PT LOT 30 RP 59R4992 PART 1 EXCEPT RP 59R8241 PART 1, Township of Wainfleet, be approved for reasons outlines in PSR-008/2021 and subject to the conditions of draft approval in Appendix “C”; and

**THAT** zoning by-law amendment application Z04/2021W for lands described as CON 4 PT LOT 30 RP 59R4992 PART 1 EXCEPT RP 59R8241 PART 1, Township of Wainfleet, be approved for the reasons outlined in PSR-008/2021; and

**THAT** the zoning by-law amendment attached as Appendix “D” be adopted; and

**THAT** the applications are deemed to be consistent with the Provincial Policy Statement 2020 and other matters of Provincial interest.

**EXECUTIVE SUMMARY:**

The purpose of this report is to provide Council with a recommendation regarding the draft plan of condominium application and zoning by-law amendment application filed by LandPRO Planning Solutions Inc. on behalf of Daniel & Kandace Bunz for lands known municipally as CON 4 PT LOT 30 RP 59R4992 PART 1 EXCEPT RP 59R8241 PART 1, Township of Wainfleet.

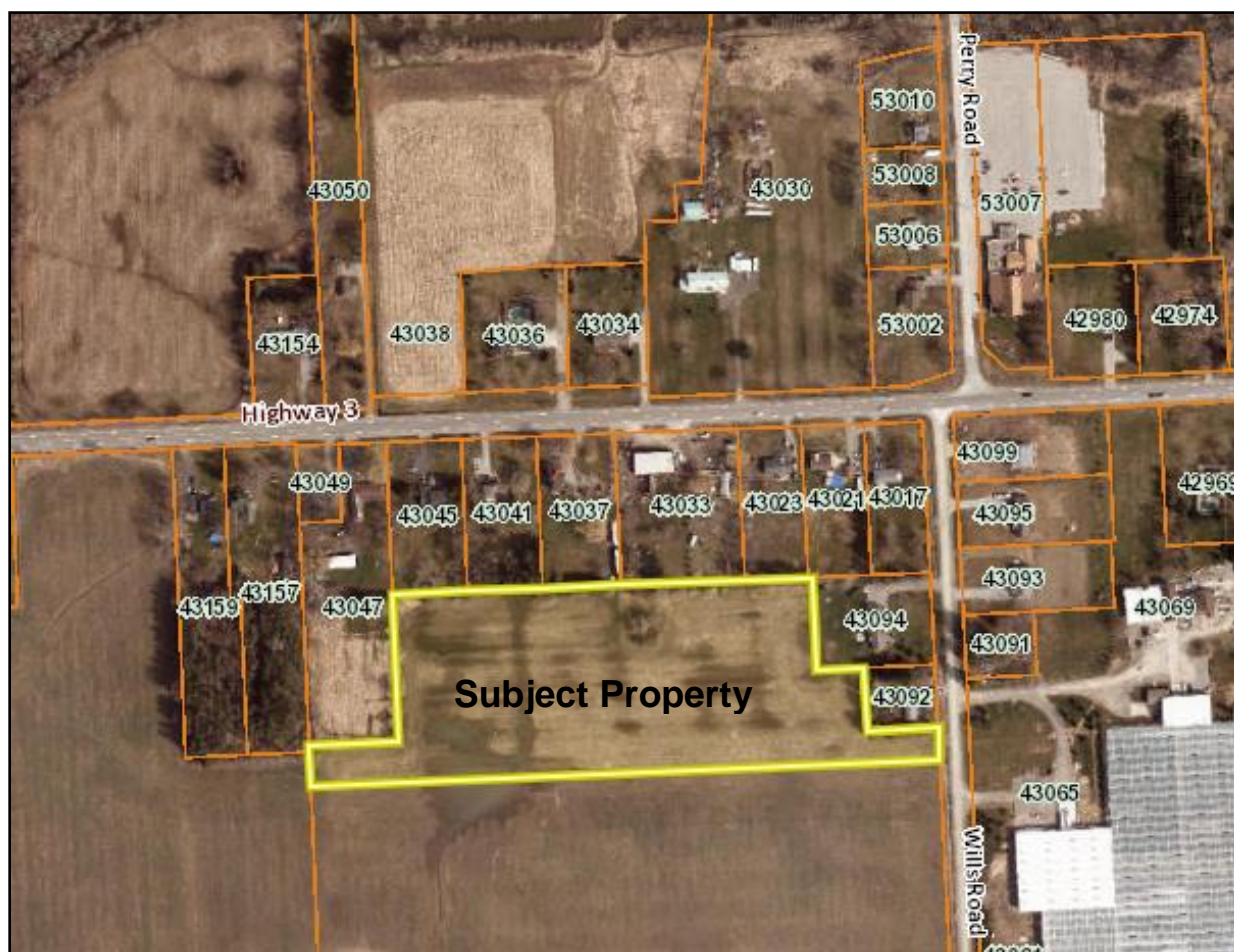
The purpose of the draft plan of condominium application is to create 6 units for single detached dwellings with private servicing and one block for a private road accessing Wills Road.

The purpose of the zoning by-law amendment is to rezone the subject property from a Development – D zone to a Residential – R1 zone to permit single detached dwellings.

**BACKGROUND:**

The subject property, shown in Figure 1, is located on the west side of Wills Road just south of Highway #3 and is within the Hamlet of Winger. The subject property is 3.7495 hectares in size and the surrounding land uses include residential, commercial and agricultural.

Figure 1 – Subject Property, Wills Road



In December of 2018, a pre-consultation meeting was held with the previous landowners, Township staff and Niagara Region Development Services staff.

On March 23, 2021, the draft plan of condominium and zoning by-law amendment applications were deemed complete. The following documents were filed in support of the applications:

- Draft Plan of Condominium prepared by LandPro Planning Solutions Inc. (February 2021);
- Planning Justification Report prepared by LandPro Planning Solutions Inc. (February 2021);
- Hydrogeological Assessment prepared by Terra-Dynamics Consulting Inc. (October 2020);
- Functional Servicing & Preliminary Stormwater Management Report prepared by C.F.



Crozier & Associates Inc. (February 2021);

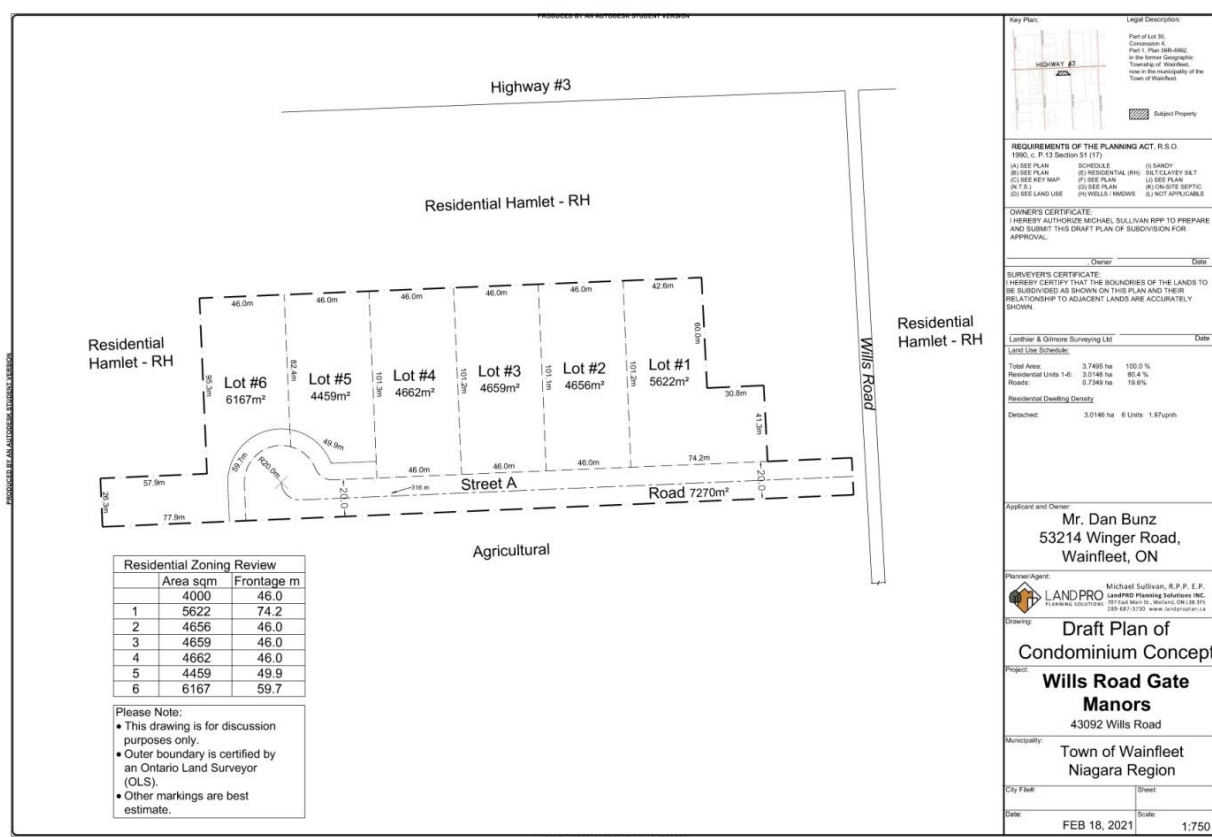
- Septic Evaluation & Design prepared by Attema Consulting Services Inc. (February 2021);
- Phase 1 Environmental Site Assessment and Scoped Phase 2 Soil Sampling Program prepared by Terra-Dynamics Consulting Inc. (November 2020).

Notice of the Public Meeting and circulation of the application was given on April 7, 2021.

On May 11, 2021, a public meeting respecting the draft plan of condominium and zoning by-law amendment was held and an information report was presented to Council. The minutes of the public meeting are attached as Appendix "A".

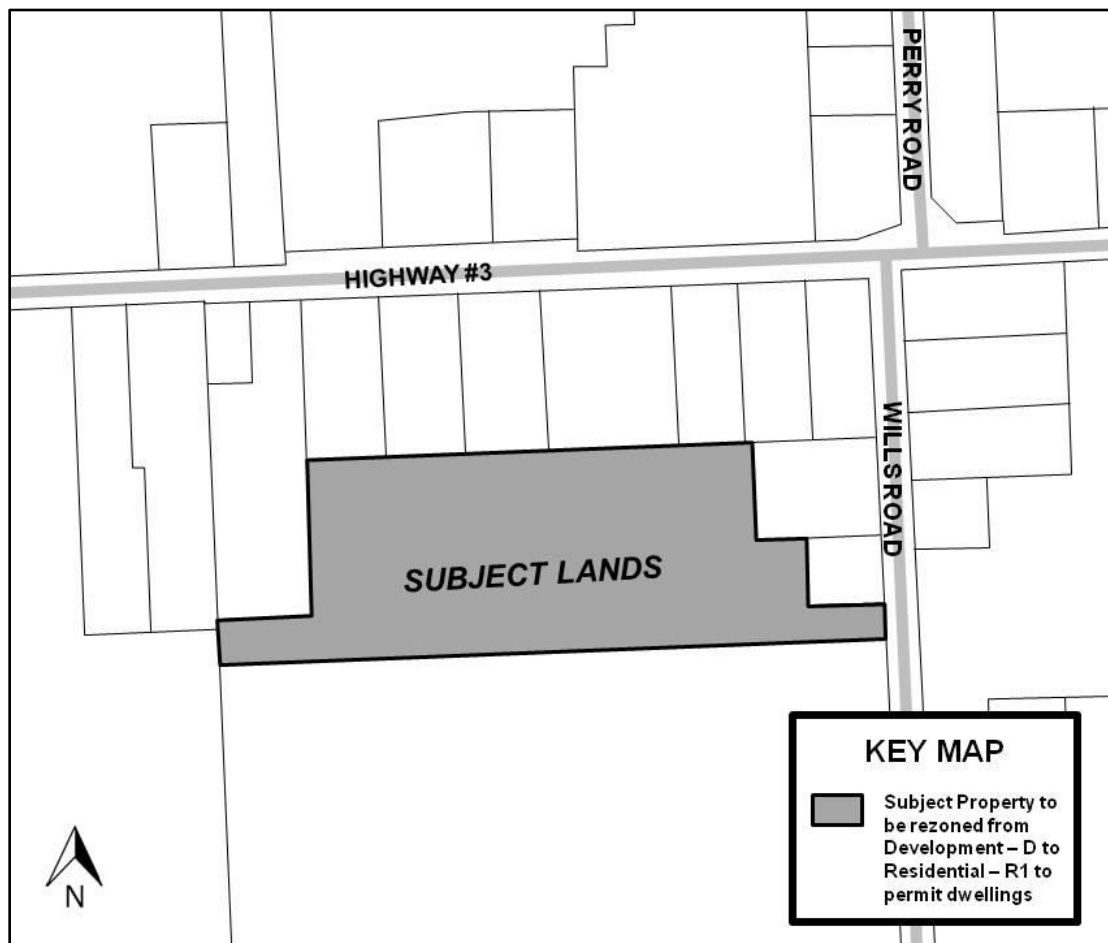
With reference to the draft plan of condominium provided below in Figure 2, the application proposes to create 6 units for single detached dwellings with private servicing and one block for a private road accessing Wills Road.

Figure 2 – Proposed Draft Plan of Condominium



With reference to the key map provided below in Figure 3, the zoning by-law amendment application proposes that the subject property be rezoned from Development – D to Residential –R1.

Figure 3 – Proposed Zoning



Since the original submission of the applications and the public meeting, the applicant has requested that the zoning by-law amendment rezone the subject lands to a site specific Residential – R1 zone that permits a maximum lot coverage of 12% and one secondary suite per lot. Further discussion regarding these requests can be found below.

### **OPTIONS/DISCUSSION:**

#### **Provincial Policy Statement, 2020**

The Provincial Policy Statement 2020 (PPS) provides overall policy direction on matters of provincial interest relating to land use planning and development. The PPS provides for appropriate development while protecting resources of provincial interest, public health and safety and the quality of the natural and built environment. Any decision on planning matters shall be consistent with the policies of the PPS.

The policy statements of particular applicability, reviewed below, largely relate to “Building Strong Healthy Communities” (Section 1.0 of the PPS).

- 1.1.1 *Healthy, liveable and safe communities are sustained by:*
- a) *promoting efficient development and land use patterns which sustain the*

*financial well-being of the Province and municipalities over the long term;*

- b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;*
- d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;*
- e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;*
- f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;*
- g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;*
- h) promoting development and land use patterns that conserve biodiversity; and*
- i) preparing for the regional and local impacts of a changing climate.*

#### Consistency

The proposed development is located with the Hamlet of Winger, which is designated to accommodate such a development. The proposed development has been designed in such a way that it is efficient by utilizing smaller lot sizes while not impacting serviceability and will not impact the efficient expansion of lands that are adjacent to the settlement area.

The zoning by-law amendment request to permit a secondary suite for each lot further contributes to providing a mix of residential types. Official plan policies for residential areas and Zoning By-law 034-2014, which governs lands outside of the Hamlets, permit one secondary suite as an accessory use to a single detached dwelling. The secondary suite can be contained within the single detached dwelling or within an accessory building. This type of development has become popular over the past several years as a way of providing accommodations for elderly relatives looking to be close to family or adult children who are not yet able to enter the housing market.

Section 1.1.3 of the PPS contains policies related to settlement areas, which includes rural settlement areas such as the Township's Hamlets, specifically:

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

Consistency

The proposed development is located within the Hamlet of Winger and is designated for residential development subject to specific criteria in the Township's Official Plan. Further discussion on official plan policies for residential development can be found below.

Section 1.1.4 of the PPS contains policies related to rural areas in municipalities, which may include rural settlement areas, specifically:

1.1.4.1 *Healthy, integrated and viable rural areas should be supported by:*

- a) building upon rural character, and leveraging rural amenities and assets;*
- b) promoting regeneration, including the redevelopment of brownfield sites;*
- c) accommodating an appropriate range and mix of housing in rural settlement areas;*
- d) encouraging the conservation and redevelopment of existing rural housing stock on rural lands;*
- e) using rural infrastructure and public service facilities efficiently;*
- f) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;*
- g) providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets;*
- h) conserving biodiversity and considering the ecological benefits provided by nature; and,*
- i) providing opportunities for economic activities in prime agricultural areas, in accordance with policy 2.3.*

Consistency

The proposed development will build upon the character of the Hamlet of Winger and increase its housing stock which will help to promote diversification of the Township's economic base. The proposed condominium provides a different type of ownership than what has been traditionally available within the Township.

In recognition of the rural character of the Township and due to the fact that the subject property is adjacent to agricultural uses, staff recommend that as a condition of approval that the following warning clause be required in all offers of purchase and sale or lease of each dwelling unit:

*"The lands in the plan of condominium may be exposed to noise, odour and dust from nearby agricultural operations and agricultural-related traffic that may occasionally interfere with some activities of the owners who may occupy the lands."*

This warning clause will let future owners know that being part of a rural community may result occasional nuisances associated with nearby

agricultural uses.

- 1.1.4.2 *In rural areas, rural settlement areas shall be the focus of growth and development and their vitality and regeneration shall be promoted.*

Consistency

The proposed development is located within the Hamlet of Winger and is designated for residential development subject to specific criteria in the Township's Official Plan. Further discussion on official plan policies for residential development can be found below.

- 1.1.4.3 *When directing development in rural settlement areas in accordance with policy 1.1.3, planning authorities shall give consideration to rural characteristics, the scale of development and the provision of appropriate service levels.*

Consistency

The scale of the proposed development fits within the rural character of the surrounding Hamlet as the proposed lots range from 1.1 acres to 1.5 acres.

Regional and Township policies typically require a minimum lot size of 1 hectare (2.47 acres) to accommodate private on-site servicing but do allow lots to be as small as 0.4 hectares (1 acre) provided it can be demonstrated through a hydrogeological study that a smaller lot size will adequately accommodate private water and sewage treatment facilities for the long term operation. A Hydrogeological Assessment prepared by Terra Dynamics Consulting Inc. concludes that the subject property can support lots as small as 0.4 hectares, provided that the private water is supplied via a cistern rather than a well and that both the cistern and private sewage system meet Ontario Building Code (OBC) and Niagara Peninsula Conservation Authority (NPCA) setbacks, including a recommended 15m setback from the entirety of the external subdivision boundary. As such, the recommendations from the Hydrogeological Assessment have been included in the list of conditions of draft approval.

The Township's Official plan has established specific policies and design guidelines for development within residential areas that consider the character of the Hamlets and appropriate scale for the provision private servicing, which are discussed below.

Section 3.2 of the PPS contains policies related to human made hazards, specifically:

- 3.2.2 *Sites with contaminants in land or water shall be assessed and remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no adverse effects.*

Consistency

Based on historical aerial imagery, the subject property appears to have been

a planted orchard and while that use is no longer on the subject property, it is quite possible that older generation pesticides containing lead and arsenic were in use. As part of the application, a Phase One Environmental Site Assessment (ESA) and a Scoped Phase Two Soil Sampling Program, both prepared by Terra Dynamics Consulting Inc. were submitted. The Phase One ESA concluded that the northerly portion of the site which contained the orchard use is an area of potential environmental concern. The Phase Two Soil Sampling Program analyzed soils in the northern portion of the site for arsenic and lead contamination and found that the levels of both were below the acceptable levels found in Table 1: Full Depth Background Site Condition Standards for use under Part XV.1 of the Environmental Protection Act.

However, Regional comments noted that other potential contaminants were not assessed through the soil sampling program and a thorough understanding of the presence of all contaminants on the subject property is necessary to ensure that there will be adverse impacts to human health. As such, an additional Phase Two Soil Sampling Report/ESA has been required as a condition of draft approval.

It is staff's opinion that the applications are consistent with the PPS, subject to the conditions of draft approval attached as Appendix "C".

#### Growth Plan for the Greater Golden Horseshoe, 2019

The Growth Plan for the Greater Golden Horseshoe (GPGGH) provides policy direction for municipalities on where and how to grow within the Greater Golden Horseshoe which includes focussing development to Urban and Settlement Areas which have municipal services while balancing protection of natural heritage features.

Rural settlement areas are to be the focus of growth and development and shall provide an appropriate range and mix of housing as well as a variety of cultural and economic opportunities. The proposed development is located within the Hamlet of Winger which is considered a rural settlement area as defined in the GPGGH. The proposed development represents efficient development of the subject property given the restrictions on lot size and provides additional housing stock to achieve the Township's growth targets.

It is staff's opinion that the applications conform to the GPGGH.

#### Regional Official Plan

The subject property is designated as Hamlet in the Regional Official Plan (ROP). Hamlets are areas designated for further development of a low-density nature without the provisions of municipal water and sewers. Section 5.D Policies for Villages and Hamlets apply, specifically:

- 5.D.6 *Development in Villages and Hamlets will be permitted by plan of subdivision or by consent. Development will be encouraged in depth rather than in strips along roads. Provision shall be made to permit access at appropriate locations from the main road to second or third tiers of lots behind the existing*

*development, where proposed. Wherever possible, the local municipality shall obtain such access in the course of considering plans of subdivision and consents for land severances.*

Conformity

The proposed development will have access to the existing road network (Wills Road) through a private road running along the southern limits of the subject property. The private road is required to meet Provincial standards for emergency access as well as Regional standards for the provision of waste collection should the development wish to receive service from the Region. Detailed design and engineering drawings for the private road have been included as a condition of draft approval.

- 5.D.7 Proposals for development will be carefully reviewed by both the local municipality and the Region to ensure that the development is orderly and well planned, that adequate services such as school bussing and fire protection can be provided, that the added development will not interfere with the operation of the arterial road system and that existing problems such as pollution, inadequate water supply or conflicting land uses will not be aggravated.*

Conformity

The proposed development is considered orderly and well planned as it represents the efficient infilling of lands designated for residential development. The proposed development will be accessed via a private road from Wills Road which is required to meet Provincial standards for emergency access and Regional standards for waste collection services. There are no concerns with respect to additional traffic associated with the proposed units and impacts to the local road network.

- 5.D.8 Development must be on lots having an adequate water supply and suitable for private waste disposal systems in accordance with the requirements of the Ministry of the Environment and the Medical Officer of Health. The minimum lot size for new lots in Villages and Hamlets should be 1 hectare unless it is determined through a hydrogeological study that a smaller lot size will adequately accommodate private water and sewage treatment facilities for long term operation.*

Conformity

As discussed above, the proposed lots are less than the 1 hectare required. However, the Hydrogeological Assessment submitted in support of the application supports the smaller lot sizes as they will be able to accommodate private water and sewage. The assessment recommended that the water supply be provided via a cistern and that both the cistern and private sewage system meet Ontario Building Code (OBC) and Niagara Peninsula Conservation Authority (NPCA) setbacks, including a recommended 15m setback from the entirety of the external subdivision boundary. As such, the recommendations from the Hydrogeological Assessment have been included

in the list of conditions of draft approval.

It is staff's opinion that the applications conform to the ROP, subject to the conditions of draft approval attached as Appendix "C".

#### Township Official Plan

The subject property is designated as Village Residential in the Township Official Plan (OP). Permitted uses within the Village Residential Area designation include single detached dwellings and secondary suites, converted dwellings, home occupations, public and private utilities, parks and open spaces, bed and breakfast establishments, day care facilities, communal housing, group homes and small scale institutional uses.

The proposed plan of condominium is subject to the following policies:

### 3.3. 2 General Policies

#### 3.3.2.2 *Residential building forms shall not exceed a height of 2 storeys.*

##### Conformity

The proposed single detached dwellings shall comply with Township Zoning Bylaw 581-78 which sets the maximum height at 9 metres. A height of 9 metres is sufficient for a two storey dwelling with a pitched roof.

#### 3.3.2.3 *All new residential development shall respect the character and image of the surrounding residential area in accordance with the design policies of Section 3.3.5.*

##### Conformity

The existing development patterns on the adjacent lands to the subject property includes a mixture of one and two storey single detached dwellings with a variety of styles and a variety of lot sizes. Further analysis of the design policies of Section 3.3.5 is below.

#### 3.3.2.4 *New development shall front directly on a public road.*

##### Conformity

The proposed development will front onto a private road that provides access to a public road, being Wills Road. The subject property has minimal frontage on Wills Road with the southern property line being the extent of the Hamlet boundaries. In order for the efficient development of the subject property, a road from Wills Road is required.

#### 3.3.2.5 *Multiple new lots are encouraged in depth on new roads rather than in strips along main roads.*

##### Conformity

The proposed lots will be located on a new private road and as such does not contribute towards strip development along Wills Road, which is considered a



secondary road.

- 3.3.2.6 *The minimum lot size for new lots shall be 1.0 hectares, unless it can be demonstrated through a hydrogeological study that the necessary on-site sustainable private servicing can be accommodated on the smaller lot with no negative impacts on surface and/or ground water features. Where it is feasible to have smaller lots, such lots shall be promoted and encouraged. However, lot sizes shall be no less than 0.4 hectares.*
- 3.3.2.7 *The hydrogeological study referred to in Section 3.3.2.6 shall demonstrate that:*
- a) Soil and land area capabilities are sufficient to meet the Ministry of the Environment's Procedure D-5-4 Technical Guideline;*
  - b) Ground water quantity and quality for drinking water are capable of providing potable water supply; and*
  - c) The septic system and well are situated a safe distance from each other.*

#### Conformity

As discussed above, the proposed lots are less than the 1 hectare required. However, the Hydrogeological Assessment submitted in support of the application supports the smaller lot sizes as they will be able to accommodate private water and sewage. The assessment recommended that the water supply be provided via a cistern and that both the cistern and private sewage system meet Ontario Building Code (OBC) and Niagara Peninsula Conservation Authority (NPCA) setbacks, including a recommended 15m setback from the entirety of the external subdivision boundary. As such, the recommendations from the Hydrogeological Assessment have been included in the list of conditions of draft approval.

- 3.3.2.8 *Where a smaller lot size is justified through a hydrogeological study, the minimum lot size shall be reflective of the results of the hydrogeological study including the consideration of new septic disposal technologies along with the character and lots size pattern within each Hamlet, while also contributing where possible to a compact hamlet area.*

#### Conformity

The proposed development contains lots that range from 1.1 acres to 1.5 acres, which is consistent with existing development patterns in the Hamlet of Winger. The smaller lot sizes allow for more compact hamlet area while still being able to accommodate private water and septic services.

- 3.3.2.9 *Where new local roads are required, the Township shall encourage a lotting pattern that minimizes the length of roads through reduced lot frontage, while being reflective of the pattern of lot frontages in the Hamlet.*

#### Conformity

The proposed development will be serviced by a private road and the

frontages on the private road comply with or exceed the minimum frontage requirement of 46m under Zoning By-law 581-78.

*3.3.2.10 The Township may require applicants for new lots to submit:*

- a) A stormwater management plan and a sediment and erosion control plan which addresses the requirements set out in Section 5.2; and*
- b) A landscape analysis illustrating how natural features of the site, including healthy trees will be retained and protected.*

Conformity

A Functional Servicing and Preliminary Stormwater Management Report prepared by C.F. Crozier & Associates Inc. was submitted in support of the applications. Through the review of the report, it was determined that additional information is required and as such as a condition of approval the stormwater management plan, sediment and erosion control plans are required prior to final approval.

Staff will also require a landscape plan and streetscape plan for the proposed development to address items such as location of any on-street parking, street trees, community mailbox locations, regulatory signage and streetlighting. The landscape plan and streetscape plan have been added as conditions of draft approval.

**3.3.5 Design Policies for Residential Areas**

*3.3.5.1 It is an objective of this Plan to:*

- a) Enhance the livability and physical appeal of the Township through the quality, layout and attractiveness of both public streetscapes and private spaces and buildings.*
- b) Ensure that development within residential areas reflects and fits in with the established character.*
- c) Create a built environment which provides:*
  - i. Sensitive integration of new development with existing development;*
  - ii. Visual diversity, interest and beauty; and*
  - iii. A well-defined public realm, including an interconnected open space network.*

Conformity

The proposed development proposes residential uses that will fit in with the existing residential development in the surrounding area, which consists of a mixture of older homes and newer homes. The development has been efficiently designed given the configuration of the subject property and has been designed in such a way as to minimize impacts on adjacent properties.

The required landscape plan and streetscape plan is an opportunity to incorporate some urban design elements to create an appealing public realm.

3.3.5.3 *New lots and/or the location of new dwellings on a lot shall:*

- a) Maintain the established rhythm of lot frontages on adjacent housing lots;*
- b) Provide a building height that reflects the pattern of heights of adjacent housing;*
- c) Provide for a similar lot coverage to adjacent housing to ensure that the massing or volume of the new dwelling reflects the scale and appearance of adjacent housing. This coverage may be less than that permitted by the zoning by-law under Section 3.3.4.9;*
- d) Maintain the predominant or average front yard setback for adjacent housing to preserve the streetscape edge and character;*
- e) Provide for similar side yard setbacks to preserve the spaciousness on the street.*

Conformity

The existing development within the surrounding Hamlet area has a mixture of housing styles, lot frontages, lot areas, building heights, lot coverages and front yard setbacks. The proposed development will comply with the provisions in Zoning Bylaw 581-78 and be in line with the existing development. Specifically, the proposed lots are in line with the lot pattern established with the existing lots along Highway #3, which back onto the subject property.

The requested lot coverage of 12% is considered reasonable and appropriate given the context of the area. The lot coverages for residential properties within the surrounding Hamlet area range from 4% to 17% and as such the requested 12% lot coverage will be complimentary to the existing the pattern of development in the area.

It is staff's opinion that the applications conform to the OP, subject to the conditions of draft approval attached as Appendix "C".

Township Zoning By-law 581-78

The subject property is zoned Development – D in the Township Zoning By-law 581-78.

Permitted uses within the Development – D zone include:

- agricultural uses, including one single detached dwelling on one lot, but excluding all livestock and poultry operations, mushroom farms, fur farms, greenhouses and commercial dog kennels; and
- single detached dwellings existing at the date of the passing of the by-law and uses, buildings and structures accessory thereto; and
- the conversion of a building existing at the date of passing of the by-law to a duplex or semi-detached dwelling.

The applicant is requesting that the subject property be rezoned from Development – D to a site specific Residential – R1 zone to permit dwellings, secondary suites and a lot coverage of 12%.

In accordance with Section 12.2 Residential – R1 zone, Regulations for Dwellings – Conforming Lots, the following provisions apply to the proposed use:

<b>Zoning Provision</b>	<b>Requirement</b>
Minimum Lot Area	4000m <sup>2</sup>
Maximum Lot Coverage	7%
Minimum Lot Frontage	46m
Minimum Front Yard Setback	15m
Minimum Exterior Side Yard Setback	15m
Minimum Interior Side Yard Setback	6m except:  An attached garage or attached carport with no rooms above may be erected at a distance of not less than 3m from a side lot line which does not abut a public road.  On an interior lot where no attached carport is provided, the minimum side yard on one side shall be 7.5m.
Minimum Rear Yard Setback	15m
Maximum Height	9m
Minimum Floor Area for a Dwelling	90m <sup>2</sup>

The proposed lots conform to the required minimum lot area and lot frontages. Staff are of the opinion that there is a sufficient building envelope where the above setbacks can be met on the proposed lots.

As discussed above, the applicant has requested an increase in lot coverage for the lots within the proposed development. The requested lot coverage of 12% is to accommodate larger dwellings with the possibility of accessory buildings such as detached garages, sheds and/or pool houses. Staff are of the opinion that the proposed lots can accommodate a 12% lot coverage and still have sufficient room for private servicing.

Under the accessory building provisions for the Residential – R1 zone, accessory buildings have a maximum lot coverage of 2.5% or 100m<sup>2</sup>, whichever is the lesser, and must also comply with the overall lot coverage (12% in this instance). Given that the intent for the requested 12% lot coverage is to accommodate accessory structures, staff feel as though the zoning by-law amendment shall set the maximum lot coverage for accessory buildings to 2.5%, excluding the 100m<sup>2</sup> provision.

The applicant has also requested that secondary suites be permitted as accessory uses to a single detached dwelling. Official plan policies encourage and promote second dwelling units and Zoning By-law 034-2014, which governs lands outside of the Hamlets, permits secondary suites as an accessory use to a single detached dwelling. It is the intent of the Planning Department to update the Hamlet zoning to be governed by Zoning By-law 034-2014 and by doing so permitting secondary suites. Given that the

proposed development is proceeding before the Township has updated the Hamlet zoning, staff feel as though the request is appropriate.

Staff are of the opinion that the proposed zoning by-law amendment is appropriate and conforms to the residential policies of the official plan.

#### Site Plan Control

Under the current site plan control by-law and guidelines for the Township, residential uses within all zones are not subject to site plan control.

#### **FINANCIAL CONSIDERATIONS:**

None.

#### **OTHERS CONSULTED:**

##### **Public Meeting**

A statutory public meeting was held via Zoom on May 11, 2021. Notice of the public meeting was mailed to landowners within 120m of the subject property on April 7, 2021 with details regarding how to register to participate in the virtual public meeting or provide written comments regarding the proposed applications.

No member of the public registered to participate in the virtual public meeting. The Planning Department and Clerks Department did not receive any written public comments prior to the public meeting and have not received any written comments as of the writing of this report.

##### **Township Department and Agency Comments**

On April 7, 2021 a request for comments was circulated to Township departments and external agencies directly affected by the proposed application. The following is a summary of the comments received.

Rogers Communications noted no conflict as they currently do not possess existing plant in the area of the proposed development.

##### Planning Staff Response

No action required.

Hydro One Networks noted no concern with the proposed development.

##### Planning Staff Response

No action required. As part of the conditions of draft approval, the applicant will be required to coordinate with appropriate utilities and submit a comprehensive utility plan indicating how the development will be serviced. Clearances from such utilities will also be required.

Bell Canada requested that the conditions of draft approval include a paragraph regarding any easements deemed necessary by Bell Canada and that such easements

be provided at no cost to Bell Canada. Bell Canada also requested a paragraph indicating that the applicant be responsible for the relocation of any Bell Canada facilities or easements should any conflict with existing facilities within a current or valid easement within the subject area arise. Bell Canada also advised that the applicant shall contact Bell Canada during the detailed utility design stage to confirm the provision of communication/telecommunication infrastructure needed to service the development. Bell Canada also noted that it is the responsibility of the applicant to provide entrance/service duct(s) from Bell Canada's existing network infrastructure to service this development and that in the event that no such network infrastructure exists, in accordance with the Bell Canada Act, the Owner may be required to pay for the extension of such network infrastructure.

Planning Staff Response

The requested paragraphs have been included in the conditions of draft approval. Additionally, the applicant will be required to coordinate with appropriate utilities and submit a comprehensive utility plan indicating how the development will be serviced. Clearances from such utilities will also be required.

In the formal correspondence provided from Enbridge Gas Inc., it was noted that they do not currently have gas piping within the immediate area and that they should be contacted to arrange for natural gas servicing to the development. The applicant has forwarded separate communications from Enbridge Gas Inc. indicating that there is gas servicing capacity available to service the development.

Planning Staff Response

As part of the conditions of draft approval, the applicant will be required to coordinate with appropriate utilities and submit a comprehensive utility plan indicating how the development will be serviced. Clearances from such utilities will also be required.

Township Operations Department noted concern with the preliminary stormwater management report due to the utilization of a private outlet and the lack of details within the report. As such, a peer review was requested. The Township Operations Department also requested that several conditions of draft approval be included regarding the naming of the private street, streetscape plan and streetlighting details, requirements for permits for any works within the Wills Road allowance, utilities, road design and construction plans.

Planning Staff Response

The requested conditions of draft approval have been included in the list of conditions of draft approval in Appendix "C". The peer review of the stormwater management report is being completed by R.J. Burnside & Associates and approval of the final design has been included as a condition of draft approval.

Township Drainage Department noted that the property is assessed to the Big Forks Municipal Drain and that any land use or parcel boundary changes will need to be captured under the Drainage Act. This would most simply be done through a Section 65(1) apportionment agreement which shall be completed by an engineer appointed by

the Clerk, at the landowner's expense. With respect to the preliminary stormwater report, it was noted that the proposed drainage outlet for the development is a privately owned culvert and so an easement, petition for municipal drain or a mutual agreement drain would be required.

Planning Staff Response

The requirement for the completion of a Section 65(1) apportionment agreement has been included as a condition of draft approval. The preliminary stormwater report is also currently undergoing peer review and as a condition of draft approval, a final detailed stormwater management plan and associated drawings are required prior to final approval. This allows the peer review to continue and any necessary refinements to the design to be completed prior to final approval. If the private culvert continues to be utilized as an outlet for stormwater, prior to approving the design, the Township will require an easement or mutual agreement drain between the applicant and the private owner of the outlet.

Township Fire & Emergency Services Department noted that the Township does not operate a municipal water system for access for firefighting purposes and as such the department relies on mobile water apparatus (tankers) to shuttle water to fire scenes. As such, where new developments are proposed, on-site (impounded) water via a pond or underground tank is recommended to ensure that there is a secure and adequate source of water for firefighting operations. Township Fire & Emergency Services Department requested that on-site water for firefighting purposes be provided in an area that is easily accessible year round and does not require fire apparatus to drive past a lot to access it. Township Fire & Emergency Services Department also noted that the private road should be designed to accommodate two-way traffic but that the department carries 360m (1200') of hose and provided that no lot is further than this distance, the tankers should not have to travel the laneway.

Planning Staff Response

Conditions regarding the provision of on-site water for firefighting purposes and access to the private road have been included in the list of conditions of draft approval in Appendix "C".

Township Building Department noted no concerns with the proposed applications from a Building Code perspective.

Planning Staff Response

No action required.

Niagara Region Planning & Development Services noted no object to the proposed applications from a Provincial and Regional perspective, subject to several requested conditions of draft approval and the satisfaction of any local requirements. Subject to the requested draft plan conditions, Niagara Region Planning & Development Services staff indicated that the proposed applications are consistent with the Provincial Policy Statement and conforms to Provincial Plans and the Regional Official Plan.

Planning Staff Response

The requested conditions of draft approval respecting servicing, additional Phase 2 Environmental Assessment (ESA) with soil sampling, and waste collection have been included in the list of conditions of draft approval in Appendix "C".

Canada Post noted that the development will receive mail service to centralized mail facilities provided through the community mailbox program and requested several conditions of draft approval regarding the location of and engineering requirements for the community mail box as well as clauses for all offers of purchase and sale advising future owners of the community mail box delivery.

Planning Staff Response

The requested conditions of draft approval respecting the community mail box have been included in the list of conditions of draft approval in Appendix "C".

The Ministry of Transportation (MTO) has noted no objection, in principle, with the proposed applications subject to several conditions of draft approval regarding approval of the stormwater management report and detailed grading, servicing and internal road construction plans. MTO also noted that all above and below ground structures (including but not limited to, frontage roads, fire routes, stormwater management facilities [ponds/drainage channels], retaining walls and servicing/utilities) must be setback a minimum of 14.0m from all Ministry property limits. MTO also noted that noise attenuation features (e.g. berms) must be contained within the subject lands and setback a minimum of 0.3m from all Ministry property limits, that encroachments and lighting trespass onto the highway right-of-way will not be permitted and that direct access to Ministry lands will not be permitted. All access to the subject site will be via the municipal road system and internal site access will not be permitted to connect to the adjacent lands.

Planning Staff Response

The requested conditions of draft approval respecting the stormwater management report and detailed grading, servicing and internal road construction plans have been included in the list of conditions of draft approval in Appendix "C".

**CONCLUSION:**

Township staff have reviewed the applications for a draft plan of condominium and zoning by-law amendment for the subject property. It is the opinion of staff that the application is consistent with/conforms to Provincial, Regional and Township planning policy and recommends that the draft plan of condominium application be approved subject to the conditions of draft approval in Appendix "C" and that the zoning by-law amendment attached as Appendix "D" be adopted by Council.

**ATTACHMENTS:**

- 1) Appendix "A" – Minutes of the Public Meeting held on May 11, 2021
- 2) Appendix "B" – Draft Plan of Condominium
- 3) Appendix "C" – Conditions of Draft Approval



4) Appendix "D" – Zoning By-law Amendment

Respectfully submitted by,

Reviewed by,

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Sarah Ivins  
Planner

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Mallory Luey  
Manager of Corporate Services/Treasurer

Approved by,

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William J. Kolasa  
Chief Administrative Officer

## **APPENDIX “A”**

### **Minutes of the Public Meeting held on May 11, 2021**

#### **1. Public Meeting**

##### **a) P01/2021W & Z04/2021W – Vacant Lot Wills Road**

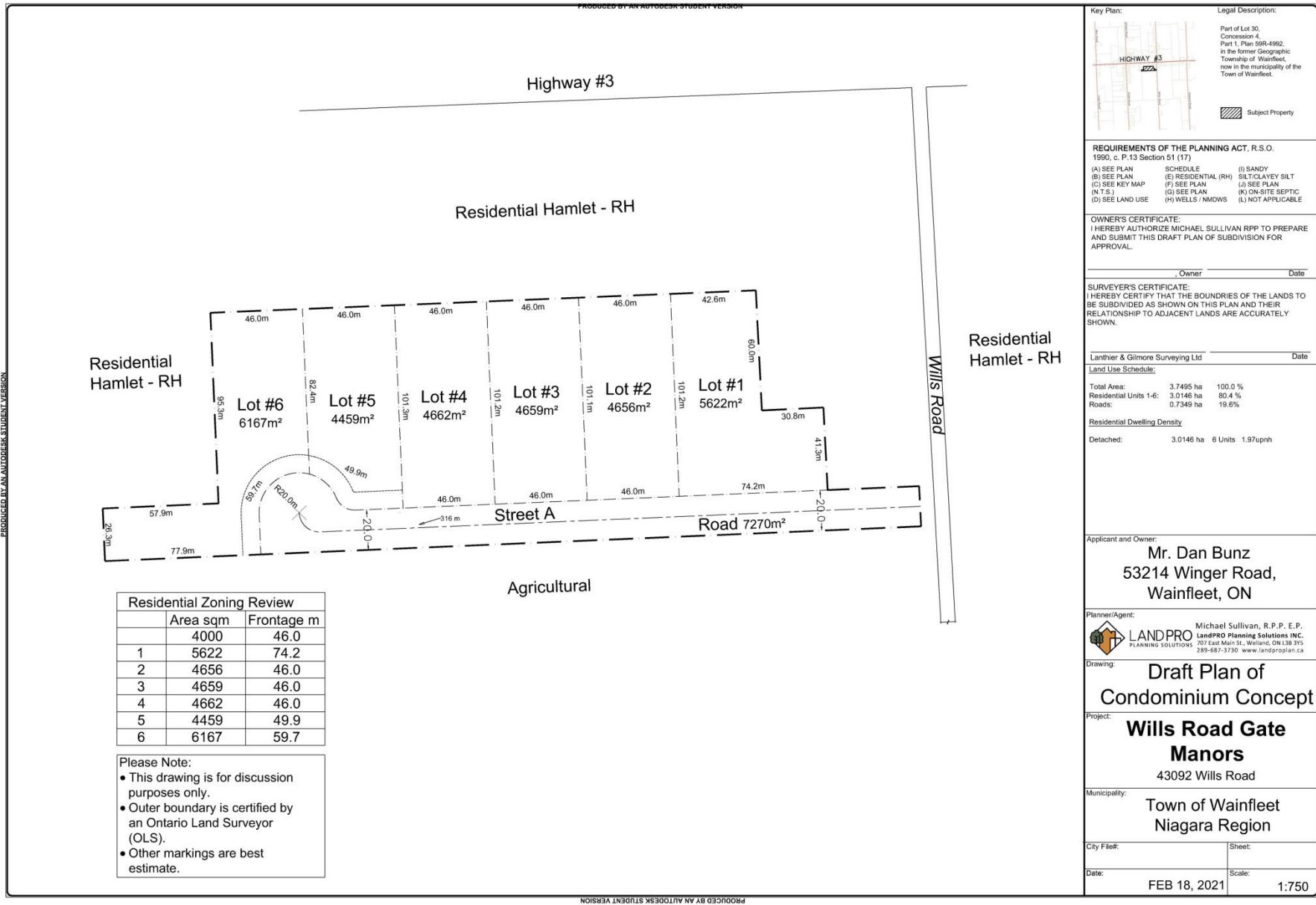
Proposed Draft Plan of Condominium (Vacant Land) & Zoning By-law Amendment

The Planner provided an overview of the applications, which was then followed by a presentation from LandPro Planning Solutions Inc. respecting the applications.

Council discussed the information presented and inquired about the need for entrance lighting and ensuring road access for emergency vehicles.

The Planner noted that there is still a lot of details that need to get sorted out and if the applications are approved, conditions of approval that will guide site-alteration and construction activities. Further information will be forthcoming at a subsequent meeting.

APPENDIX "B"



## APPENDIX “C”

### Conditions of Draft Approval – Wills Road Gate Manors Draft Plan of Condominium (Vacant Land) – File P01/2021W

The conditions of final approval and registration of the Wills Road Gates Manor plan of condominium, File No. P01/2021W, in the Township of Wainfleet, are as follows:

#### DRAFT PLAN

1. That this draft approval applies to the Wills Gates Manor Draft Plan of Condominium, CON 4 PT LOT 30 RP 59R4992 PART 1 EXCEPT RP 59R8241 PART 1, Township of Wainfleet prepared by LandPRO Planning Solutions Inc. dated February 18, 2021.
2. That the headings inserted in these conditions of draft approval are inserted for convenience only and shall not be used as a means of interpreting these draft plan conditions.
3. That this draft approval is for a period of three (3) years. Draft approval may be extended pursuant to Section 51 (33) of the *Planning Act R.S.O. 1990, c. P.13* but no extension can be granted once the draft approval has lapsed. If the Owner wishes to request an extension to the draft approval, a written request with an explanation of why the extension is required must be submitted for Township Council's consideration, prior to the lapsing date.
4. That if final approval is not given to this draft plan within three (3) years of the approval date, and no extensions have been granted, approval will lapse under Section 51 (32) of the *Planning Act R.S.O. 1990, c. P.13*.
5. That prior to final approval, the Owner shall provide three (3) paper copies and an electronic copy of the pre-registered plan, prepared by an Ontario Land Surveyor, and a letter to the Township of Wainfleet stating how all the conditions imposed have been or are to be fulfilled.
6. That it is the Owner's responsibility to fulfill the conditions of draft plan approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to the Township, quoting file number **P01/2021W** and referencing the conditions that are cleared.

#### AGREEMENTS AND FINANCIAL REQUIREMENTS

7. That prior to final approval, the Owner shall enter into a suitable Condominium Agreement with the Township. The Condominium Agreement shall contain all matters set out as conditions of approval as deemed necessary in this decision and any other matters deemed appropriate by the Township to satisfy all requirements, financial or otherwise. The Condominium Agreement shall be registered against the lands to which it applies prior to registration of the plan of condominium and shall be completed at the Owner's expense.
8. That prior to final approval, the Owner shall submit a Solicitor's Certificate of Ownership for the Plan of Condominium land to the Township of Wainfleet prior to the preparation of the Condominium Agreement.

9. That prior to any site alteration, the Condominium Agreement between the Owner and the Township of Wainfleet shall be registered against the lands to which it applies in accordance with the Planning Act R.S.O. 1990, c. P.13.

#### **LAND TRANSFERS AND EASEMENTS**

10. That prior to final approval, the Owner agrees to deed any and all easements that may be required for utility and drainage purposes be granted to the appropriate authorities, free and clear of all encumbrances.

#### **TOWNSHIP – PLANNING**

11. That prior to final approval, the zoning by-law amendment application (File No. Z04/2021W), which reflects the layout of the draft plan of condominium, has come into effect in accordance with the provisions of Section 34 of the Planning Act R.S.O. 1990, c. P.13.
12. That prior to final approval, the Owner shall submit to the Township of Wainfleet three (3) paper copies and an electronic copy of the proposed draft plan and a letter prepared by an Ontario Land Surveyor to confirm zoning compliance.
13. That the Owner pay 5% cash-in-lieu of parkland dedication in accordance with Section 51 of the Planning Act.
14. That prior to final approval, the Owner shall submit a landscape plan and streetscape plan of the private road illustrating the location of on-street parking, street trees, community mailbox locations, regulatory signage and street lighting to the satisfaction of the Planner and Manager of Operations.
15. That the private road within the development be named to the satisfaction of the Planner and Manager of Operations, in accordance with the road naming policies in the Township's Municipal Addressing Policy.
16. That the Condominium Agreement between the Owner and the Township contain provisions whereby the Owner agrees to include the following warning clause in all offers of purchase and sale or lease of each dwelling unit:

*"The lands in the plan of condominium may be exposed to noise, odour and dust from nearby agricultural operations and agricultural-related traffic that may occasionally interfere with some activities of the owners who may occupy the lands."*

#### **TOWNSHIP – OPERATIONS**

17. That prior to final approval, or any on-site grading, the Owner shall submit a detailed stormwater management plan for the condominium and the following plans designed and sealed by a qualified professional engineer in accordance with the Ministry of Environment documents entitled Stormwater Management Planning and Design Manual, March 2003 and Stormwater Quality Guidelines for

New Development, May 1991, or their successors to the Manager of Operations for review and approval:

- a. Detailed lot grading, servicing and drainage plans, noting both existing and proposed grades and the means whereby overland flows will be accommodated across the site;
- b. Detailed erosion and sedimentation control plans;
- c. Detailed phasing of construction of the stormwater management facility to coincide with phasing of development of residential lands (internal and external to the condominium) planned to be serviced by the stormwater management facility;
- d. Detailed costs to construct the stormwater management facility with benefitting area costs breakdown.

Note: The Township may require that such plans be peer reviewed by a qualified engineer at the Owner's expense.

18. That the Condominium Agreement between the Owner and the Township contain provisions whereby the Owner agrees to implement the approved plan(s) required in accordance with the approved Stormwater Management Plan.
19. That the Condominium Agreement between the Owner and the Township contain a clause indicating that all infrastructure within the development is private and owned by the condominium corporation.
20. That the Condominium Agreement between the Owner and the Township contain a clause that the Township's Operations Department will not provide any snow plowing and/or sanding within the condominium.
21. That the Owner provide sufficient space to accommodate snow storage within the development and the Condominium Agreement between the Owner and the Township shall contain a clause that the condominium corporation will not plow snow into the municipal road allowance.
22. That the Condominium Agreement between the Owner and the Township contain provisions whereby the Owner agrees that during the construction of the development site that the site will be kept in a reasonably tidy condition so that the raising of dirt and dust is kept to a minimum and that all municipal roads adjacent to and in the vicinity of the development are kept clean of mud and debris.
23. That prior to final approval, the Owner shall submit detailed construction plans showing the entrance and private road design, to the satisfaction of the Manager of Operations.
24. That the Condominium Agreement between the Owner and the Township contain a clause requiring that the Owner grade the private road as close to the final elevation as possible, provide necessary field survey information and all

approved cross sections, identifying all existing and proposed utility locations prior to the installation of utilities.

25. That prior to final approval, the Owner shall submit detailed design drawings for decorative street lighting facilities required to service the development to the satisfaction of the Manager of Operations. Street lighting shall be provided in such a way that minimizes light pollution on neighbouring properties.
26. That prior to any construction activities taking place within the Township road allowance (Wills Road), the Owner shall obtain a Temporary Works Permit from the Operations Department.
27. That the Condominium Agreement between the Owner and the Township contain a clause requiring the completion of apportionment agreements for the Big Forks Municipal Drain, to be completed by an engineer at the expense of the Owner.

## **TOWNSHIP – FIRE AND EMERGENCY SERVICES**

28. That Condominium Agreement between the Owner and the Township contain provisions whereby the Owner agrees to grant emergency access easements within the private road, which meet Ontario Building Code requirements and are accessible at all times, to the satisfaction of the Fire Chief.
29. That prior to final approval, the Owner shall provide details regarding the provision of water for firefighting purposes, completed by a qualified engineer, to the satisfaction of the Fire Chief and Chief Building Official.

## **UTILITIES**

30. That prior to final approval, the Owner shall submit a composite utility plan that allows for the safe installation of all utilities, including required separation between utilities, to the satisfaction of all affected agencies. The Owner shall enter into any agreements required by affected agencies.
31. That the Condominium Agreement between the Owner and the Township contain provisions whereby the Owner agrees to install and construct hydro electric, telephone, gas, television cables services and any other form of telecommunication services as underground facilities, as approved on the composite utility plan, to the satisfaction of the Township and all affected agencies.

## **NIAGARA REGION PLANNING AND DEVELOPMENT SERVICES DEPARTMENT**

32. That the Condominium Agreement contain provisions whereby the owner agrees to implement the recommendations of the Hydrogeological Assessment, prepared by Terra Dynamics Consulting Inc. (dated October 29, 2020), including that water be supplied by cistern for each unit, and that both the cistern and the private sewage system meet Ontario Building Code (OBC) and Niagara Peninsula Conservation Authority (NPCA) setbacks, including a recommended setback from the entirety of the external condominium boundary.

33. That a full soil sampling analysis, as required by a Phase Two Environmental Assessment (ESA), in accordance with the Environmental Protection Act and associated regulations, as amended, outlining the levels of all contaminants in the applicable Site Conditions Standards, be submitted to the satisfaction of Niagara Region. A reliance letter from a Qualified Professional (QP) shall be submitted to Niagara Region, to indicate that, despite any limitations or qualifications included in the submitted reports/documents, the Region is authorized to rely on all information and opinions provided in the reports submitted, in order to clear this condition.
34. If levels of contamination exceeding the applicable Site Condition Standards are found, any necessary remediation and/or risk assessment work, or Record of Site Condition (RSC) if required by the Environmental Protection Act and associated regulations as amended, shall be completed, filed on the Ministry of the Environment, Conservation and Parks' Environmental Site Registry, and submitted to Niagara Region with a certification from a Qualified Professional that the development lands meet the applicable standard(s) of the intended land uses. If required, a copy of the Ministry of Environment, Conservation and Parks' written acknowledgement of the filing of the RSC shall also be submitted in order to clear this conditions.
35. The owner/developer shall comply with the requirements of Niagara Region's Corporate Waste Collection Policy, and prior to waste collection services commencing, the owner must complete the Application for Commencement of Collection and Indemnity Agreement with Niagara Region.
36. That prior to final approval, the Township of Wainfleet must be in receipt of written confirmation that the requirements of each condition have been met satisfactorily and that all fees have been paid to the satisfaction of Niagara Region.
37. That prior to final approval for registration, a copy of the executed Condominium Agreement for the proposed development should be submitted to Niagara Region for verification that the appropriate clauses have been included. Niagara Region recommends that a copy of the draft agreement be provided in order to allow for the incorporation of any necessary revisions prior to execution.

Note: Clearance requests shall be submitted to Niagara Region in accordance with the Memorandum of Understanding, which stipulates that requests for formal clearance of conditions are to be received and circulated to Niagara Region by the local municipality. The local municipality is also responsible for circulating a copy of the draft agreement, and Niagara Region is unable to provide a final clearance letter until the draft agreement is received. Niagara Region is committed to reviewing submission related to individual conditions prior to receiving the formal request for clearance; however only one formal clearance letter will be issued. In this regard, studies and reports (one hard copy and a PDF



digital copy that is AODA compliant) can be sent directly to Niagara Region with a copy provided to the local municipality.

## **CANADA POST**

38. That the owner shall complete, to the satisfaction of the Township of Wainfleet and Canada Post,:
- a. Include on all offers of purchase and sale, a statement that advises the prospective purchaser that:
    - i. The home/business mail delivery will be from a designated Centralized Mail Box.
    - ii. The developers/owners are responsible for officially notifying the purchasers of the exact Centralized Mail Box locations prior to the closing of any home sales.
  - b. The owner further agrees to:
    - i. Work with Canada Post to determine and provide temporary suitable Centralized Mail Box locations which may be utilized by Canada Post until the curbs, boulevards and sidewalks are in place in the remainder of the condominium.
    - ii. Install a concrete pad in accordance with the requirements of and in locations to be approved by Canada Post to facilitate the placement of Community Mail Boxes.
    - iii. Identify the pads above on the engineering servicing drawings. Said pads are to be poured at the time of the sidewalk and/or curb installation within each phase of the plan of condominium.
    - iv. Determine the location of all centralized mail receiving facilities in co-operation with Canada Post and to indicate the location of the centralized mail facilities on appropriate maps, information boards and plans. Maps are also to be prominently displayed in the sales office(s) showing specific Centralized Mail Facility locations.
  - c. Canada Post's multi-unit policy, which requires that the owner/developer provide the centralized mail facility (front loading lockbox assembly or rear-loading mailroom [mandatory for 100 units or more]), at their own expense, will be in effect for buildings and complexes with a common lobby, common indoor or sheltered space.

## **BELL CANADA**

39. That the Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.
40. That the Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.

## MINISTRY OF TRANSPORTATION

41. That prior to final approval, the Owner shall submit to the Ministry of Transportation for their review and approval, a stormwater management report indicating the intended treatment of the calculated runoff.
42. That prior to final approval, the Owner shall submit to the Ministry of Transportation for their review and approval, detailed grading, servicing and internal road construction plans.
43. That the Condominium Agreement between the Owner and the Township contain a clause requiring Ministry Building and Land Use Permits for individual building lots within 180m from the centre point of Highway #3 and Wills Road, and 45m from all Ministry property limits. Ministry permits are required prior to any site grading being undertaken.

### Clearance of Conditions

Prior to granting final approval for the subdivision plan, the Planning Department will require written notification from the following agencies that their respective conditions have been met satisfactorily.

Department or Agency	Conditions
Township Planning Department	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 31
Township Operations Department	14, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 31
Township Fire & Emergency Services	28, 29
Niagara Region	32, 33, 34, 35, 36, 37
Canada Post	38
Bell Canada	39, 40
Ministry of Transportation	41, 42, 43

Clearance of the conditions of final approval should be coordinated with the following contacts:

Department or Agency	Contact Name	Phone	Email
Township Planning Department	Sarah Ivins, Planner	905-899-3463 ext. 225	planning@wainfleet.ca
Township Operations Department	Richard Nan, Manager of Operations	905-899-3463 ext. 234	rnan@wainfleet.ca
Township Fire and Emergency Services	Morgan Alcock, Fire Chief	905-899-3463 ext. 274	firechief@wainfleet.ca
Niagara Region	Amy Shanks, Development Planner	905-980-6000 ext. 3264	amy.shanks@niagararegion.ca
Canada Post	Andrew Carrigan, Delivery Services Officer	226-268-5914	andrew.carrigan@canadapost.ca
Bell Canada	Ryan Courville, Manager Planning & Development	-	planninganddevelopment@bell.ca
Ministry of Transportation	Ted Lagakos, Senior Project Manager	416-268-3932	ted.lagakos@ontario.ca

## **APPENDIX “D”**

### **CORPORATION OF THE TOWNSHIP OF WAINFLEET BY-LAW NO. 024-2021**

Being a by-law pursuant to the provisions of Section 34 of the Planning Act, R.S.O. 1990 to amend Zoning By-law No. 581-78 of the Corporation of the Township of Wainfleet with respect to those lands forming CON 4 PT LOT 30 RP 59R4992 PART 1 EXCEPT RP 59R8241 PART 1 in the Township of Wainfleet.

**WHEREAS** the Corporation of the Township of Wainfleet has reviewed Zoning By-law No. 581-78 and deems it advisable to amend same:

**NOW THEREFORE** the Council of the Corporation of the Township of Wainfleet **HEREBY ENACTS AS FOLLOWS:**

**THAT** Map 4 of Zoning By-law No. 581-78, as amended, is hereby further amended by changing the zoning of the subject property from Development – D to Residential – R1 - 356 as shown on Schedule “A” attached hereto.

**THAT** Section 31 entitled “Exceptions” is hereby further amended by adding the following text:

<b>Legal Description, Bylaw No.</b>	<b>Exception</b>	<b>Provisions</b>
CON 4 PT LOT 30 RP 59R4992 PART 1 EXCEPT RP 59R8241 PART 1, Township of Wainfleet  Bylaw 024-2021	356	(a) The maximum lot coverage shall be 12%. (b) The maximum accessory building lot coverage shall be 2.5%. (c) One secondary suite shall be permitted within a single detached dwelling or within an accessory building on a lot containing a single detached dwelling provided that the unit is clearly subordinate to the primary residential unit in the dwelling and all relevant requirements of the Ontario Building Code and Fire Code are complied with.

**THAT** for the purposes of this by-law, a secondary suite shall mean a second dwelling unit wholly within a single detached dwelling or within an accessory building.

**THAT** pursuant to Section 34(17) of the Planning Act, as amended, no further public meeting is required.

**THAT** this By-law shall come into force, take effect and be passed on the final reading hereof subject to the provisions of Section 34 of the Planning Act.

BY-LAW READ AND PASSED THIS 13<sup>TH</sup> DAY OF JULY, 2021.

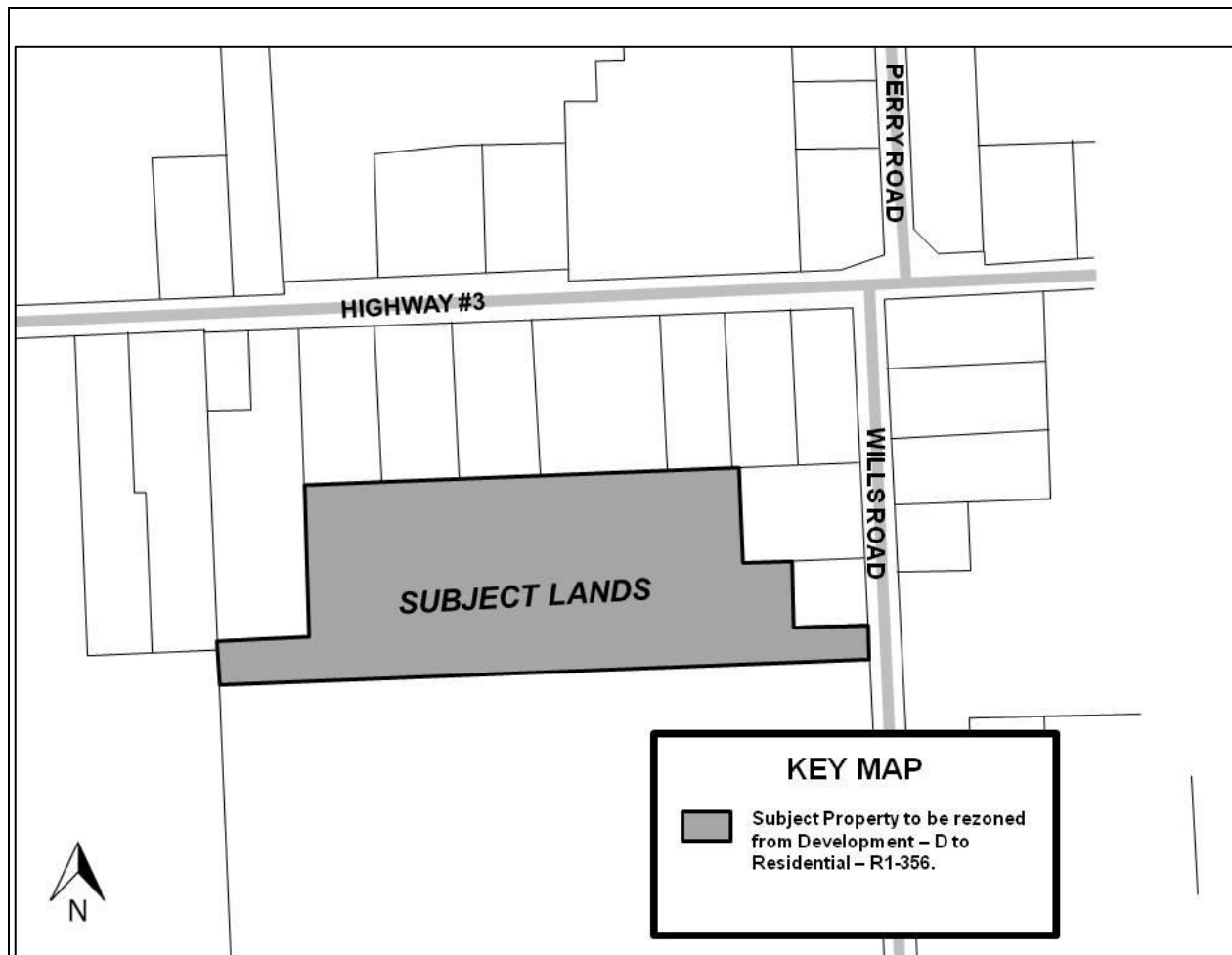
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K. Gibson, MAYOR

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M. Ciuffetelli, DEPUTY CLERK

**SCHEDULE "A" TO BY-LAW 024-2021**



**TOWNSHIP OF WAINFLEET**

**Purpose & Effect of By-law No. 024-2021:**

This by-law affects lands described as CON 4 PT LOT 30 RP 59R4992 PART 1 EXCEPT RP 59R8241 PART 1 in the Township of Wainfleet. This by-law has been enacted to rezone the subject property from Development - D to Residential - R1 - 356 to permit a plan of condominium, File No. P01/2021W.

THIS IS SCHEDULE "A" TO BY-LAW NO. 024-2021.  
PASSED THIS 13<sup>TH</sup> DAY OF JULY, 2021.



File No. Z04/2021W  
(Daniel & Kandace Bunz)

MAYOR

DEPUTY CLERK

**TO:** Mayor Gibson & Members of Council

**FROM:** Richard Nan, Manager of Operations

**DATE OF MEETING:** July 13, 2021

**SUBJECT:** Gents Road Bridge Annual Inspection

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**RECOMMENDATION(S):**

**THAT** Public Works Staff Report PWSR-017/2021 respecting Gents Road Bridge Annual Inspection be received; and

**THAT** Staff be directed to implement the Engineer's recommended inspection of the Gent's Road Bridge structure at 6 month intervals prior the full replacement of the structure.

**EXECUTIVE SUMMARY:**

The annual bridge inspection has taken place of Gent's Road Bridge. Staff have reviewed the findings and due to the increased deterioration, the Engineer has now recommended that the inspection cycle be reduced to 6 month intervals, prior the full replacement of the structure.

The design and final preparations for submission of approvals are currently underway for the replacement of the concrete structure to be replaced with culverts. Pre-consultation has taken place with the NPCA staff and they preliminarily have approved the change in construction from a single span deck to triple culverts. Once final approvals are received staff will be preparing a tender package for the project with an anticipation for construction later this year.

Staff are hopeful that the approval process and timeframes for the bridge replacement will be completed in 2021 barring unforeseen circumstances with the approval process and material availability to complete the project.

Attached to this report is the 2021 Gent's Road Bridge Inspection for Council information.

**OPTIONS/DISCUSSION:**

1. Staff be directed to implement the Engineer's recommended inspection of the Gent's Road Bridge structure at 6 month intervals prior the full replacement of the structure. (Recommended)

2. Staff be directed to complete the replacement of the Gent's Road Bridge and do not perform the recommended inspection if the project start date is greater than the 6 month interval.

**FINANCIAL CONSIDERATIONS:**

Staff are confident that they will be able to accommodate the additional engineering inspection(s) within the allocated operating budget funds approved by Council during the 2021 budget deliberations.

**OTHERS CONSULTED:**

- 1) Strategic Leadership Team

**ATTACHMENTS:**

- 1) 2021 Gent's Road Bridge Inspection

Respectfully submitted by,

Approved by,

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Richard Nan  
Manager of Operations

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William J. Kolasa  
Chief Administrative Officer

# Township of Wainfleet

## 2021 Gents Road Bridge Inspection - Rehabilitation/Replacement Needs

<b>Structure Name</b>	Gents Road (Side Road 18)	<b>ID Number</b>	0003
<b>Classification</b>	<input checked="" type="checkbox"/> Bridge <input checked="" type="checkbox"/> Structure <input type="checkbox"/> Culvert <input type="checkbox"/> Municipal	<b>Previous ID Number</b>	N/A
<b>Location</b>	500m north of Hwy. 3, Lots 17 & 18, Concession 5	<b>Number of Spans</b>	1
<b>Structure Type</b>	SOSG	<b>Span Lengths (m)</b>	9.1
<b>Yr Constructed</b>	1949	<b>Deck Area (m2)</b>	60
<b>Yr Rehabilitated</b>	Unknown	<b>Load Posting</b>	10
<b>Inspection Date</b>	06-May-21	<b>Current AADT</b>	
<b>Previous Insection</b>	13-Jul-20	<b>Date AADT</b>	
<b>Next Inspection</b>	2021 (Fall / Winter)	<b>Board Order/ Agreement</b>	<input type="checkbox"/>

### Effects of Deterioration

The roadway is asphalt paved on the approaches and surface treated over the bridge deck. The asphalt approaches are in fair condition with longitudinal cracks and rutting on the east side of the north approach. The surface treated roadway over the structure is in fair to poor condition with surface deterioration and settlement at the north and south extents of the structure. There is steel beam guiderail in good condition on both sides of the roadway with extruders at the southeast and northwest corners that is in good condition. The concrete curbs/headwalls are in poor condition, with areas of severe concrete disintegration. A 3m long section of the west curb/headwall has collapsed. The concrete wingwalls are in poor condition with areas of segregated concrete, efflorescent staining, and cracking throughout. The tops of the wingwalls appear to have translated and/or rotated outward at all four corners.

The bridge deck soffit is in fair to poor condition with areas of medium to wide cracking and efflorescent staining, most notably on the south side. The structural steel girders are in fair to poor condition. The coating system has failed and there is light to medium corrosion throughout the girders. There are areas of medium to severe corrosion and loss of cross-sectional area at the south ends of the girders. There are perforations in the south end of the first interior girder and the exterior girder on the east side. The top flange of the west exterior girder appears to have rotated slightly to the west. There is water staining, indicating leakage between the bridge deck and ballast wall along both the north and south abutments. The concrete abutments are in fair to poor condition. There are areas of concrete segregation and light to medium efflorescent staining and vertical cracking at the corners of the abutments and below the external bearing seats.

The structural steel girders are seated directly onto the concrete bearing seats. There is severe concrete disintegration at the abutments below the bearings at the northwest and southwest corners of the structure. There is light to medium erosion at all four corners of the structure, most notably at the southeast corner. There is a Bell utility attached to the east side of the structure.

### Recommendation

Due to the rate of deterioration and corrosion, we recommend inspecting the structure at intervals of no greater than 6 months until the structure can be replaced. We recommend scheduling the structure for replacement NOW. We also recommend monitoring the roadway at the southeast corner where erosion was noted. We understand that the structure is scheduled for replacement in 2021.

<b>General Overall Condition</b>	Poor	<b>Priority Rating</b>	NOW	<b>Current BCI</b>	42
<b>Estimated Total Cost</b>	\$977,500.00	<b>Implementation Ranking</b>	High	<b>Previous BCI</b>	45

Monday, June 21, 2021



# Township of Wainfleet

## 2021 Gents Road Bridge Inspection - Rehabilitation/Replacement Needs

**Structure Name** Gents Road (Side Road 18)

**ID Number**

0003

### Recommended Rehabilitation

RSL - Replace Same Location

### Engineering Cost

Engineering - RSL	\$127,500.00
	\$0.00
<b>Sub Total</b>	<b>\$127,500.00</b>

### Construction Cost

RSL - Replace Structure	\$850,000.00
	\$0.00
	\$0.00
	\$0.00
	\$0.00
<b>Sub Total</b>	<b>\$850,000.00</b>
<b>Total</b>	<b>\$977,500.00</b>

**Inspected By** Robert Ellis and Josh Coffey

**Photos** 5307-5431

**Measurements** Span = 9.1m, Length = 10.4m, Width = 5.8m

**Additional Notes**

Monday, June 21, 2021

# Township of Wainfleet

## 2021 Gents Road Bridge Inspection - Rehabilitation/Replacement Needs

Gents Road (Side Road 18)  
0003



Photograph No. 1: 5313: Roadway over the structure, looking north.



Photograph No. 2: 5342: East elevation.

Monday, June 21, 2021

Bridge Management Database: Developed jointly by The Town of Fort Erie and ELLIS Engineering Inc.

Version 2.1

# Township of Wainfleet

## 2021 Gents Road Bridge Inspection - Rehabilitation/Replacement Needs

Gents Road (Side Road 18)  
0003



Photograph No. 3: 5414: Soffit looking south.



Photograph No. 4: 5387: Perforations at the south end of the second girder from the east.

Monday, June 21, 2021

Bridge Management Database: Developed jointly by The Town of Fort Erie and ELLIS Engineering Inc.

Version 2.1



**Administration**

Office of the Regional Clerk

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

Telephone: 905-685-4225 Toll-free: 1-800-263-7215 Fax: 905-687-4977

[www.niagararegion.ca](http://www.niagararegion.ca)

July 5, 2021

**LNTC 4-2021, June 30, 2021**

**LOCAL AREA MUNICIPALITIES**

**SENT ELECTRONICALLY**

Niagara Transit Governance - Revised Strategies Reflecting Phase 1 Municipal Consultation

LNTC-C 3-2021

The Linking Niagara Transit Committee, at its meeting held on June 30, 2021, approved the following recommendation:

That Report LNTC-C 3-2021, dated June 30, 2021, respecting Niagara Transit Governance - Revised Strategies Reflecting Phase 1 Municipal Consultation, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That Report LNTC-C 3-2021 **BE FORWARDED** to the Clerks of Niagara's twelve (12) local area municipalities and that they **BE REQUESTED** to have the Council's of the twelve (12) local area municipalities advise the Regional Clerk of any additional municipal feedback on the revised Financial Strategy, Board Composition model, and Service Standards Strategy, no later than August 25, 2021.

A copy of LNTC-C 3-2021 is enclosed for your reference.

Yours truly,

A handwritten signature in dark ink, appearing to read "Ann-Marie Norio".

Ann-Marie Norio  
Regional Clerk



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**Subject:** Niagara Transit Governance - Revised Strategies Reflecting Phase 1  
Municipal Consultation

**Report to:** Linking Niagara Transit Committee

**Report date:** Wednesday, June 30, 2021

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## Recommendations

1. That Report LNTC-C 3-2021 **BE FORWARDED** to the Clerks of Niagara's twelve (12) local area municipalities and that they **BE REQUESTED** to have the Council's of the twelve (12) local area municipalities advise the Regional Clerk of any additional municipal feedback on the revised Financial Strategy, Board Composition model, and Service Standards Strategy, no later than August 25, 2021.

## Key Facts

- The purpose of this report is to present an updated financial strategy, service standards strategy, and revised board composition model supporting the creation of one consolidated transit Commission in Niagara.
- These recommendations have been developed by the Governance Steering Committee (GSC), comprised of all thirteen (13) municipal Chief Administrative Officers (CAOs) across Niagara. The GSC was created to review and address feedback provided by local area municipalities (LAMs) during the 'Phase 1' consultation roadshow.
- Based exclusively on Phase 1 feedback, the GSC has recommended significant updates to three primary elements to directly address this input:
  - **Financial Strategy:** the recommended financial strategy proposes that all the local municipal transit service budgets be uploaded to the Commission in 2023 and to be consolidated with the Region's transit budget and to be assessed to the local area municipalities by way of special levies to be approved annually by the Region.
    - Services levels are different in each municipality; therefore, the Region proposes that twelve (12) Special Levies be adopted in 2023. Each special levy will allocate 65% of 2023 net transit costs based on service hours, with

existing Niagara Regional Transit services continuing to be allocated to the special levy based on local share of Region wide assessment.

- The 2023 estimated Commission baseline service budget will require a 7.3% increase to the Regional Budget with equal and concurrent reductions to Municipal budgets therefore minimizing the net residential impact.
- **Board Composition** – a transitional board comprised of fifteen (15) elected officials with each municipality having representation. A governance review to be undertaken in year three of operation.
- **Service Standards Strategy** – Niagara-wide service standards that detail short-term enhancements (1-3 years) in each community to achieve consistent, equitable access to transit for all Niagara residents, in advance of a longer term network review planned in year five of the Commission's operation.
- Subject to approval of the recommendation of this report, the next step will be a second round of consultation with LAM councils. This will provide LAMs an opportunity to review the recommended updates and provide additional input by late August.
- This report does not initiate the triple-majority approval process. It is anticipated that the triple-majority vote will occur after the consultation on this report has been completed and any feedback incorporated. The triple-majority approval process is anticipated to occur in Fall 2021.

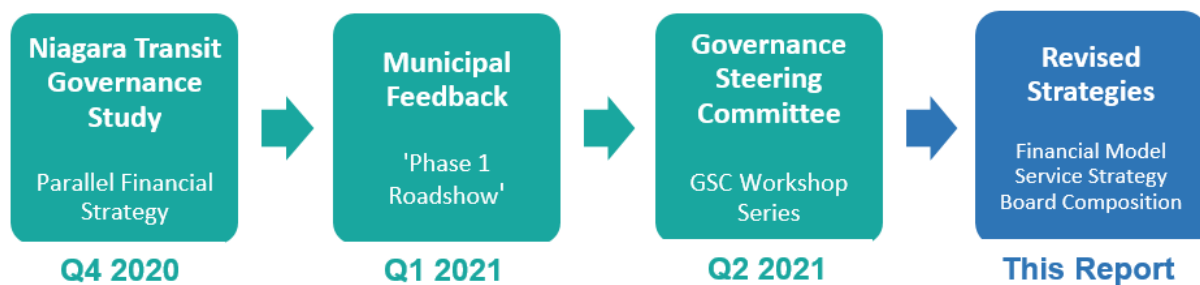
## Background

In the fall of 2020, *LNTC-C 4-2020* presented the results of the Niagara Transit Governance Study (NTGS) with the recommendation of a Commission governance model, a proposed board structure, and a transition plan. This report also recommended a financial strategy developed in parallel to and in support of the NTGS.

At the direction of LNTC, consultation with each of Niagara's twelve (12) LAMs followed as opportunity for review and feedback. This Phase 1 consultation roadshow occurred through Q1 2020, with feedback centering on three primary or common themes: the financial strategy, composition of the board, and the need for a more defined (but high level) service strategy. Beyond the major themes, additional feedback and concerns specific to each municipality was also received.

The GSC was created, comprised of all thirteen (13) municipal CAOs, with a mandate to reflect LAM feedback in revised strategies and models. A series of six workshops were convened through Q2 2021 to address the identified issues and arrive at a consensus recommendation addressing the three common themes, as shown in Figure 1.

*Figure 1 - Transit Governance Process*



The purpose of this report is to present the results of this process and the revised financial strategy, board composition model, and service strategy that have been recommended by the Governance Steering Committee.

These revised strategies are intended to directly address the feedback received from LAMs during Phase 1 consultation.

## Financial Considerations

To realize the consolidation of transit services across Niagara, the funding strategy must establish:

- the baseline or start-up budgets for the Commission and the basis for levy and tax rates to the residents;
- how one-time start-up and transition costs associated with the establishment of the Commission will be funded; and
- how transit-related assets currently owned by LAMs will be transferred and funded on a long-term basis.

The recommended financial strategy proposes the Region to upload the estimated baseline local transit service net expenditure using 2020 budget at \$27.8 M and estimated to be \$29.4M in 2023. The upload to the new Regional Commission will occur in a single year and be levied back on each of the LAMs using twelve Special Levies, one for each municipality, established by the Region with each year's budget process. The proposed model ensures that future service growth plans are paid for by the municipalities which receive the services, using the corresponding 12 Regional Special Levies.

The 2023 estimated Commission baseline service budget requiring a 7.3% increase to the Regional budget would be offset by equal and concurrent reductions to Municipal budgets to minimize the residential taxpayer impact from transit consolidation.

The financial strategy allocates the local net operating costs plus incremental capital, which represent approximately 65% of 2023 Commission net transit costs to be allocated to each Special Levy based on service hours. Existing NRT services will continue to be allocated to the Special Levy based on municipal share of Regional assessment. The short term service strategy and future transit growth will be subject to future budget approvals, and will directly impact the costs apportioned to each municipality.

The financial strategy was evaluated based on the feedback received during the LAM presentations and described in Table 1 below.



*Table 1 - Model Option Evaluation*

<b>Evaluation Criteria:</b>	<b>Municipal Specific Tax Rates (12) Special Levies</b>
<b>Demonstrated value to Municipalities for added investment</b>	Collectively leverages practices to reduce total regional cost by \$9.0M in debt financing and \$14.0M in capital over 10 years
<b>Funding tied to services residents receive</b>	Substantial share (65%) of service cost tied to municipal specific service hours
<b>Alignment and adjustments tied to service expansion costs</b>	
<b>A desire for ability to “top up” or add extra or enhanced services</b>	Will change service hours for LAM and be allocated to LAM specifically
<b>Consistent with Guiding Principles: Economically Responsible</b>	No more than current Regional costs and related inflation apportioned to LAMs using region wide assessment. Mimic current General Levy financial distribution.
<b>Consistent with Guiding Principles: Fair</b>	Percentage distribution of costs between Conventional service and Alternative service LAMs in line with Status Quo (74/26)

The estimated incremental requirements for the Commission’s transit budget during years 2023-2033 have been modeled to include estimates for the following components using the following strategies subject to future Regional budget approval (see Appendix 1 for financial estimates). Note that all modelling is estimated based on 2020 budgets and would be adjusted prior to 2023 to reflect most recent financials.

#### *Base Budget*

The total base service costs for 2020 (\$44.2M) are adjusted annually for inflation by 1.5%. The estimated base service net operating budget for 2023 of \$46.4M includes \$28.7M for local service, \$0.7M in local debt payments, \$15.8M for regional service and \$1.3M in regional debt payments.

### *Provincial Gas Tax (PGT)*

Currently \$1.5M of Provincial Gas Tax (PGT) is used annually to offset operating expenditures in local transit budgets. PGT can be maximized by preserving it to be used to support capital replacements. The financial strategy proposes the reduction of \$0.3M annually in the operating budget for 5 years to provide funding for fleet replacement. The annual incremental Regional budget required is 0.1% beginning in 2023 and ending in 2027.

### *On-Demand/ Specialized Services*

Currently there are a number of contracted services for on-demand and specialized transit services across Niagara. Phase 2 of the service planning strategy proposes \$5.0M in capital in 2024 (1.2% Regional budget increase) plus an additional \$1.0M in net operating costs beginning in 2025 (0.2% Regional budget increase) to reduce the number of contracted services and allow the Commission to provide the services in-house.

### *Service Standardization and Growth*

The current Niagara transit system will require an additional 55,000 hours of enhancements to local and regional service levels to standardize daily schedules across all municipalities (Phase 1 of the Service Planning Strategy). The service enhancements would begin in September 2024 with a partial year net operating increase of \$1.2M (0.3% Regional budget increase). The fully annualized net operating impact is \$5.0M therefore an additional Regional budget increase of 1.0% would be required in 2025.

The Commission Phase 3 service planning strategy will include a comprehensive network review in 2025 and may deviate from the conservative growth projections provided by the NTGS. However, based on preliminary forecasts a conservative growth strategy would require an additional net operating budget increase of \$4.0M phased in between 2026-2030 with a total Regional budget increase of 1.0% (see Appendix 2).

## *Capital*

### *A. Capital Asset Transfer to the Commission & the Cummings Principle*

Based on the recommendation from the NTGS as part of the peer jurisdictional review, the CAO Working Group (established by the Linking Niagara Transit Committee (LNTC) to oversee and direct the Project Team to deliver the NTGS) has endorsed the use of applying the Cummings Principle to the future transfer of assets from the LAMs to the new Commission. The premise of the Cummings Principle is to transfer assets (and related outstanding liabilities), from one municipality to another with no additional compensation, since transferring assets for additional compensation results in the taxpayer paying twice for the same public asset.

This principle, established through judicial precedent, has been applied for over four decades in the municipal setting throughout Ontario, as well as in the vast majority of transit consolidations reviewed as leading practices. The use of the Cummings Principle is also well aligned to Niagara's established guiding principle of fairness, which respects the existing investments made by communities.

### *B. Capital Replacement Strategy*

#### *i. Capital Growth*

Niagara Region is currently conducting a Development Charge (DC) review and will propose that a Transit DC be established to fund future capital growth. The Transit DC will be used to mitigate capital requirements resulting from the service expansions outlined in the NTGS. The conservative growth strategy estimates an additional \$15M in new capital to achieve the associated service growth outlined in the previous section. The financial strategy applies a 5 year growth plan beginning in 2026, however Phase 3 of the Service Planning Strategy incorporates a fulsome service review in 2025 and therefore forecasted growth between 2026 and 2033 may vary from the NTGS.

#### *ii. Capital Reserve Strategy*

Currently Niagara transit operators collectively receive \$6.8M annual in PGT, with \$1.5M being used to mitigate net operating costs (see section above). The financial strategy, beginning in 2023, establishes a 5 year phasing out of PGT for operating and directs these funds towards fleet replacements. The existing PGT funding contributes to

65% of annual fleet requirements therefore leaving a funding gap of \$6.5M (\$3.5M for fleet replacements plus an additional \$3M for all other capital requirements).

The proposed capital reserve strategy recommends that this \$6.5M gap be addressed over a three year period by way of an incremental increase in the Commission budget to provide for a transfer to capital reserve. The total budget impact from the proposed reserve strategy is an annual incremental Regional budget increase of 0.53% each year for 3 years. The proposed strategy ensures appropriate funding for annual fleet replacements by 2025, with all capital requirements being met by 2030 (See Appendix 3).

The reserve strategy also proposes that as growth occurs, that future annual transfers to reserve are adjusted accordingly. The increased fleet to meet future service growth is phased in over 5 years beginning in 2026 and is estimated at \$15M. The total proposed capital investment including the \$5M in 2024 to reduce contracted services will require an additional \$1.8M in annual transfers to reserve to ensure adequate funding for future vehicle replacements.

### *Transition Costs*

The NTGS provides a range of estimated transition costs which include those costs that are related to the transition team plus other one time and incremental costs necessary for transit consolidation. Key activities include the legal establishment of the Commission, development of initial strategic and branding plans, development of transfer agreements, and performance monitoring. These one-time costs have been estimated at a total of \$3.85M to \$4.96M over the course of 4 years from 2021 through 2024.

Currently the transition costs are anticipated to be funded through a combination of existing budgets previously established for NRT as well as Provincial/ Federal transit funding programs. The Ministry of Transportation supports Niagara to regionalize transit with improvements to service integration and harmonizing concessions. Phase 3 of the Federal and Provincial Safe Restart Agreement (SRA) funding supports the transformation of transit structures/governance between neighboring municipal governments and allows for funding to mitigate up to 50% of one time transition costs. The Region will continue to advocate to the Province to provide additional funding mechanisms in the case that SRA Phase 3 will not provide sufficient funds after local transit budget expenditures are used for current operating.

### *Commission Common Fare Strategy*

Currently local transit fares are \$3.00 while Regional trips require \$6.00 to gain access to local connections. The total impact of moving to a single \$3.00 fare to ride across Niagara is estimated at \$2.6M or 0.6% increase to the Regional budget. The existing revenue sharing-agreements between NRT and Local operators, flow 45% of all NRT fare revenue to local operators therefore resulting in a proportionately larger impact in the service hour based Special Levy allocation.

*Table 2 - Revenue Impact - Common Fare Strategy*

<b>Common Fare Strategy Revenue Impact</b>	<b>Transit Operator Impact</b>	<b>\$ impact</b>
Cash/Pass Revenue Share Agreement (55% Regional/ 45% Local)	Regional Impact	(\$0.08)
	Local Impact	(\$0.63)
U-Pass Agreement Local Tap Rate Agreement	Local Impact	(\$1.88)
<b>Total Estimated Revenue Loss from Single Fare</b>		<b>(\$2.59)</b>
<b>Regional Budget Impact</b>		<b>0.6%</b>

Prior to COVID-19, the Niagara College U-Pass agreement contained a per student ridership 'tap' rate of \$0.75 to ride on local transit. The common fare strategy and transit consolidation may eliminate this incremental revenue, however future Niagara College U-Pass agreements would be structured similarly to existing agreements between St. Catharines and Brock University Students' Union, ensuring that incremental transit service driven by student demand does not impact the taxpayer.

### *Special Levy - Municipal Act Section 326 Special Services*

The establishment of a Special Levy, as defined in the Municipal Act for Special Services (section 326 (2) (b)) states "service or activity being provided or undertaken at different levels or in a different manner in different part of the municipality".

*Table 3 - Criteria for Special Levy Establishment*

12 special levies requires 12 service levels		
	2023	2033
<b>Service Hours per Household</b>	All different	Few different –Service Strategy outcomes influence long term “ <b>service level</b> ” and may not maintain a different service level across all municipalities as currently exists.
<b>Service Hours per Capita</b>	Most different	
<b>Frequency of Service</b>	Few different	
<b>Type of Service: Conventional, On-Demand, Specialized, Blend</b>	Few different	

The ability to maintain 12 special levies should be monitored annually as part of service strategy and consideration given to fewer levies as service levels become aligned.

#### *Transit Consolidation 2023 Financial Impact*

The estimated municipal apportionment for each of the 12 Special Levies is represented in Appendix 4 for both the operating budget of \$46.4 M and the first year of the capital replacement strategy of \$2.2M. Current and projected cost portions have been aggregated by type of service, with conventional service municipalities representing St. Catharines, Niagara Falls and Welland, while all remaining municipalities are considered alternative services. Currently conventional transit municipalities represent 77% of all transit costs, under the recommended financial strategy these municipalities will be apportioned 74% of the total consolidated transit operating budget and 85% of capital.

### **Board Composition**

The GSC has recommended a revised governance structure that would establish a transitional Commission Board for a minimum three-year period comprised of fifteen (15) elected officials.

A transitional Commission Board reflects two core principles and areas of LAM feedback on the NTGS model:

- the need for more frequent and direct representation for all municipalities;
- [while] maintaining representation for larger municipalities proportional to their ridership and financial contributions.

This transitional Commission Board will be reviewed after three (3) years by a third-party to ensure that the composition, size, and share of representation has resulted in an effective governing body that is achieving the strategic objectives of the Commission.

This review will consider options including maintaining the transitional fifteen (15) member structure, other fully elected boards with a smaller number of total representatives, and hybrid board structures that include public skills-based members in line with the recommendation of the NTGS. The GSC maintains the position that the establishment of a hybrid governing model remains a preferred outcome for the future permanent Board structure and should be strongly considered during the Year 3 review.

The key features of the recommended transitional model are as follows:

- A fifteen (15) member transitional Commission Board comprised exclusively of elected representatives, with the City of St. Catharines receiving three (3), the City of Niagara Falls receiving two (2), and each of the other ten (10) municipalities receiving one (1) full-time representative.
  - The additional representatives for St. Catharines and Niagara Falls reflect their significantly greater share of transit ridership in Niagara.
- Municipal representatives for the Commission Board will be recommended to Regional Council by each local Council, and can be either Regional or Municipal Councillors. While local Councils will be asked to forward recommendations for nomination to the Board, final responsibility and authority for appointing members to the Board will rest with Regional Council, as the Commission will be an agency of the Region. This appointment responsibility resting with Regional Council ensures the Region, solely responsible for the funding of the Commission, retains necessary control in line with Public Sector Accounting Board (PSAB) principles.
- The role and membership of the supporting Advisory Board will be expanded to balance the fully elected official transitional Commission board. Meeting frequency will be increased to quarterly from semi-annually, and stakeholders representing the perspectives of disability, youth, and seniors representatives will

be added. The Advisory Board provides non-binding advice and recommendations to the Commission Board.

- The transitional Commission Board will have responsibility for appointing representatives to the Advisory Board.
- Similar to representatives for the transitional Commission Board, local Councils will be asked to forward recommendations for the twelve (12) resident member positions.
- The transitional Commission Board will report directly to Regional Council, which will have responsibility for approving the annual budget for the Commission.

*Figure 2 - GSC Recommended Board Structure*

Transitional Transit Commission Board	Advisory Board
<p><b>(15) Total Elected Official Representatives</b></p> <ul style="list-style-type: none"> <li>• (3) St. Catharines</li> <li>• (2) Niagara Falls</li> <li>• (1) Fort Erie</li> <li>• (1) Grimsby</li> <li>• (1) Lincoln</li> <li>• (1) Niagara-on-the-Lake</li> <li>• (1) Pelham</li> <li>• (1) Port Colborne</li> <li>• (1) Thorold</li> <li>• (1) Wainfleet</li> <li>• (1) Welland</li> <li>• (1) West Lincoln</li> </ul>	<p><b>(20) Total Public Stakeholder Representatives</b></p> <ul style="list-style-type: none"> <li>• (12) Niagara Residents (one per Municipality)</li> <li>• (2) Members representing Accessibility Advisory Committees or other Accessibility Stakeholders</li> <li>• (2) Post-Secondary Representatives (1 student union representative from Brock University and Niagara College)</li> <li>• (1) Member representing Niagara Chambers of Commerce</li> <li>• (1) Senior Issues Stakeholder</li> <li>• (1) Youth Issues Stakeholder</li> <li>• (1) Transit Commission General Manager (ex-Officio)</li> </ul>



Transitional Transit Commission Board	Advisory Board
<i>Members recommended by local Councils, appointed by Regional Council.</i>	<i>Resident members recommended by local Councils, all members appointed by the Transit Commission Board.</i>

The move from the NTGS recommended nine (9) member hybrid board to a 15-member board directly responds to LAM feedback from ‘Phase 1’ consultation to achieve greater representation for smaller LAM municipalities. All Niagara LAMs will full-time representation on the transitional Commission Board and an opportunity to influence the establishment of the Commission and its initial operation directly. This influence is further supplemented at Regional Council, where Regional Councillors will provide direction to the Commission through the annual budget process.

### Niagara Service Standards Strategy

The third area of common LAM feedback related the future levels of service to be delivered by the Commission – both in terms of ensuring the existing levels of service in their communities was maintained as a minimum, and how future enhancements would be planned and funded.

The **Niagara Service Standards Strategy**, provided as Appendix 5, outlines a three-phased approach to the standardization and enhancement of transit service:

- **Phase 1** – Years 1 & 2 – Standard Operating Hours Across Niagara
- **Phase 2** – Year 3 – Combine Specialized and Demand Responsive Services
- **Phase 3** – Years 4 & 5 – Network Review and Growth

The strategy takes the approach of establishing a series of common operational standards such as hours of operation, service frequency, and service coverage that the Commission will seek to meet through incremental service improvements in the first few years of operation. A comprehensive Network Service Review and plan is considered for Phase 3, the timing of which will allow for the Commission to properly assess its needs after the assumption of operation and at which time the impacts on transit ridership from COVID-19 will be better understood.

This strategy is intended to act as an initial guideline for the Commission, demonstrating the types of services and improvements that could be implemented in the future. Within

the strategy, changes to service levels are examined through the perspective of each community to indicate the types of enhancements that they can expect to see as the service standards are achieved.

The Commission and its Board, through its own planning studies (i.e. Network Service Review discussed in Phase 3), approvals, and budgets will make the final decisions about what service improvements will be provided.

## Strategy Comparison

The financial strategy, revised board composition model, and service standards strategy recommended by the GSC significant updates to directly address the input received from LAMs. Below provides a summary comparison of the original NTGS and financial model and the revised strategies recommend by the GSC.

*Table 4 – Original NTGS and Updated GSC Recommendation Comparison*

Strategy	NTGS and Original Financial Recommendation	GSC Recommendation
Financial	<ul style="list-style-type: none"><li>• Single Regional Levy.</li><li>• Costs distributed to the LAMs based on Regional property assessment.</li></ul>	<ul style="list-style-type: none"><li>• Twelve (12) Special Levies.</li><li>• Regional transit costs will be allocated to Special Levy based on local share of Regional assessment.</li><li>• Local transit costs will be allocated to Special Levy based on local service hours.</li></ul>
Board Composition	<ul style="list-style-type: none"><li>• Nine (9) member hybrid board.</li><li>• Two (2) rotating representatives for smaller LAMs.</li></ul>	<ul style="list-style-type: none"><li>• Fifteen (15) member board comprised of elected official representatives.</li><li>• Full-time representation for smaller LAMs.</li></ul>

Strategy	NTGS and Original Financial Recommendation	GSC Recommendation
Service Standards	<ul style="list-style-type: none"> <li>NTGS growth projections from Future State assessment.</li> <li>Network Service Review prior to service launch</li> </ul>	<ul style="list-style-type: none"> <li>Niagara wide service standards</li> <li>Short-term Phase 1 and Phase 2 enhancements precede a Phase 3 Network Service Review</li> </ul>

Appendix 6 connects these revised strategies back to the feedback received from each LAM, as well as additional areas of feedback that were identified outside the major themes.

## Next Steps and 2021 Workplan

The GSC has recommended that a second round of LAM consultation be undertaken to present the revised strategies contained in this report, confirm issues have been addressed, and gather any additional feedback before proceeding to triple majority.

Adoption of the recommendation of this report will initiate this consultation process, which is anticipated to occur over the summer of 2021. The Regional project team will work with the CAO, Mayor, and Clerk in each municipality to provide the level of support required as each Council develops their feedback and input.

*Figure 3 - 2021 Governance Workplan*



For clarity, adoption of this report and its consideration by the LAMs during the second round of consultation will not represent the triple-majority approval process.

Rather, input received through the second consultation period will be reflected in the final proposal advanced as part of triple-majority approval, anticipated to commence in early Fall 2021.

Based on reflection of any second round feedback by the LAMs, the triple-majority approval process will begin with the consideration of a final report by LNTC, anticipated for September 29, 2021. This would then be followed by a Regional Committee of the Whole or Special Council meeting in mid-October. At that meeting, Regional Council will be asked to formally adopt the by-law initiating triple-majority, which will then be forwarded to each LAM for consideration through the remainder of Q4 2021. Triple majority support consists of:

- a majority of all votes on upper-tier council [Regional Council];
- a majority of all the lower-tier [LAM] councils passing resolutions consenting to the by-law;
- the total number of electors in the lower-tier [LAM] municipalities that have passed resolutions consenting to the by-law form a majority of the electors in the upper-tier municipality

Should triple-majority be achieved, a one-year period would be required to establish the Commission and prepare for the assumption of day-to-day operations on approximately January 1, 2023. This transition is outlined in the NTGS.

## **Communications and Engagement**

A communications strategy has been developed to support this workplan, and will be undertaken to further education, awareness and engagement on the move towards a region-wide single transit system. The primary objectives of this communication strategy are:

- Provide councils with confidence that residents had the opportunity to understand the recommendations and provide their comments;
- Provide transit stakeholders and supporters with the information and resources they need to engage in the conversation about consolidated transit for Niagara; and
- Support the consideration of the triple majority vote to establish a new transit model for Niagara.

The strategy incorporates outreach to a wide variety of stakeholders across Niagara, including both groups who have been part of previous governance consultation programs, as well as additional stakeholders who have been identified by the GSC. These will include:

- **Niagara Residents** - Transit users in municipalities that have both existing traditional transit service and that do not have regular, frequent traditional service; residents in areas with no service; and residents who currently do not use public transit; and
- **Transit stakeholders and supporters** - Regional and local councillors; Chambers of Commerce and other Niagara business/employment groups; post-secondary institutions and student unions; and social services and other community non-profit organizations.

The strategy will support both the municipal review and feedback period over the summer as well as the eventual triple-majority approval process and as such, is anticipated to commence in mid-July and run through Fall 2021. The strategy will feature the development of a dedicated project website, public feedback surveys, a communications toolkit, social and print media, and a comprehensive series of stakeholder consultation sessions.

## **Alternatives Reviewed**

### **Financial Strategy**

The GSC reviewed and considered a total of eleven (11) different alternative Special Levy financial models in addition to the single General Levy originally proposed; nine (9) options developed twelve (12) unique regional Special Levy tax rates and two (2) options developed two (2) regional Special Levy tax rates. Models were based on a variety of combinations of allocations using per-capita, per-household, service hours and assessment.

The GSC was guided in its evaluation by the series of principles and objects previously described in Table 1. These criteria were developed to directly reflect and address the feedback received from the LAMs during the first round of consultation.

The financial strategy outlined in this report represents the consensus recommendation of the GSC.

## **Board Composition**

Development of the GSC recommended board composition began with a review of the Phase 1 feedback relative to the original recommendations of the NTGS. A series of alternative compositions were developed, including those that maintained a smaller total board size; that included public members to retain a hybrid model; that grouped smaller LAMs into rotating seats on the basis of geography, financial contribution, or ridership; and that maintained a single seat for larger LAMs.

These models were ultimately rejected as they did not sufficiently address the feedback received from the LAMs or the principles established by the GSC of enhanced representation for smaller LAMs, while maintaining a proportional level of representation for larger LAMs. In particular, the GSC supported moving to a fully elected official model with a larger total size and away from the smaller hybrid model recommended by the NTGS to achieve the principle of representation for all LAMs.

## **Niagara Service Standards Strategy**

The Niagara Service Standards Strategy places the undertaking of a comprehensive network review in Phase 3, approximately 4-5 years after the launch of the Commission. Alternative consideration was given to an earlier undertaking of this review, either prior to the launch of the Commission as recommended by the NTGS transition plan, or in Phase 1 or 2.

This approach was not recommended as:

- the enhancements recommended in Phase 1 and 2 are known or required improvements that should precede and be reflected in the network review;
- a one (1) to three (3) year 'steady-state' period prior to major expansions or growth enhancements will allow the Commission to establish a new baseline for consolidated operations, one that will further reflect a post-pandemic transit ridership environment;
- decisions regarding major strategic priorities and initiatives, including the required financial and resources investments, should be reserved for and made by the Commission itself, rather than determined during the approval-to-consolidate stage; and

- Initiating pre-launch review would require committing financial and staff resources in advance of achieving triple-majority authority to consolidate.

### **Relationship to Council Strategic Priorities**

The proposed consolidation of transit services across Niagara into a consolidated transit entity directly aligns with the Council Strategic Priority: Responsible Growth and Infrastructure Planning (Objective 3.1) through advancing regional transit and facilitating the movement of people and goods.

### **Other Pertinent Reports**

LNTC-C 2-2021	Niagara Transit Governance – Governance Stetting Committee Update
LNTC-C 1-2021	Niagara Transit Governance – Detailed Phase 1 Consultation Summary
LNTC-C 6-2020	Councillor Information Request – Niagara Transit Governance – Local Area Municipality Engagement
LNTC-C 4-2020	Niagara Region Transit Governance Study
CAO 8-2017	Niagara Region's Transit Service Delivery and Governance Strategy
LNTC-C 21-2018	Inter-Municipal Transit (IMT) Service Implementation Strategy

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**Prepared by:**

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**Recommended by:**

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Commissioner of Public Works (Interim)  
Public Works Department

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**Submitted by:**

Ron Tripp, P.Eng.  
Acting Chief Administrative Officer

*This report was prepared in significant consultation with Heather Talbot, Financial & Special Projects Consultant – Financial Management and Planning; the Governance Steering Committee comprised of the CAOs from all thirteen (13) municipalities across Niagara; and reviewed by; Matt Robinson, Director, GO Implementation Office; Helen Chamberlain, Director, Financial Management & Planning/Deputy Treasurer; Todd Harrison, Commissioner of Corporate Services/Treasurer.*

**Appendices**

Appendix 1	Annual Special Levy Strategy
Appendix 2	Service Standards and Growth Strategy
Appendix 3	Capital Replacement and Reserve Strategy
Appendix 4	Year 1 2023 Transit Consolidation 12 Special Levy
Appendix 5	Niagara Service Strategy
Appendix 6	Local Area Municipality Feedback Response Tracker

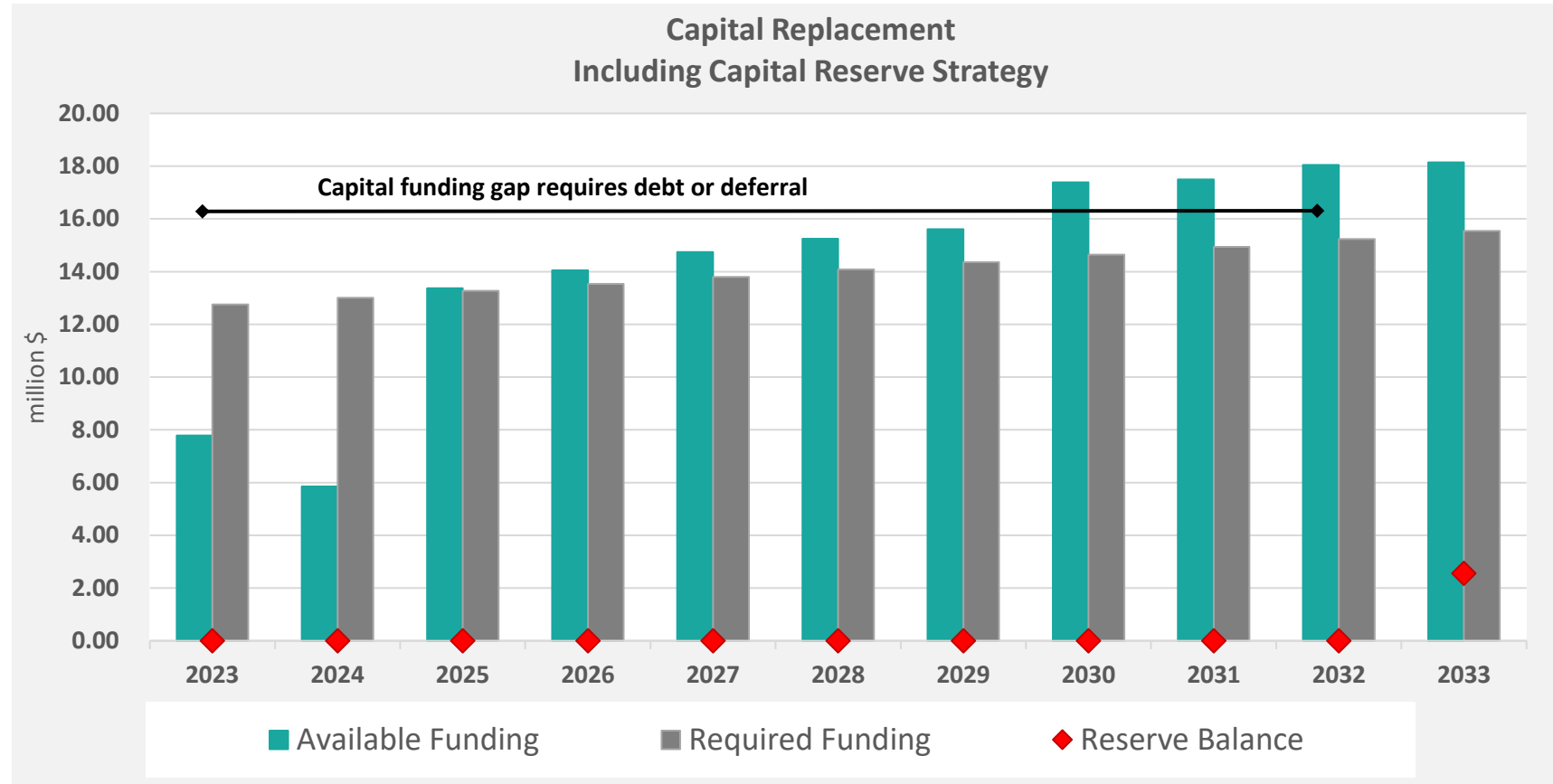


<b>Regional Budget Increase<sup>1</sup></b>	<b>2023</b>	<b>2024</b>	<b>2025</b>	<b>Total</b>
<b><u>Net Operating Expenditures</u></b>				
Base Budget (Inflation)		0.2%	0.2%	0.4%
LOCAL TRANSIT SERVICE UPLOAD (incl. inflation between 2020 & 2023, debt servicing)	7.2%			7.2%
Provincial Gas Tax (PGT)	0.1%	0.1%	0.1%	0.3%
On-Demand/Specialized Services	0.0%	0.0%	0.2%	0.2%
Service Standardization	0.0%	0.3%	1.0%	1.3%
Growth Operating @ Conservative	0.0%	0.0%	0.0%	1.0%
<b><u>Capital Expenditures</u></b>				
Capital Growth	0.0%	0.0%	0.0%	0.0%
Transit DC Growth	0.0%	0.0%	0.0%	0.0%
Capital Reserve Strategy	0.5%	0.5%	0.5%	1.6%
On-Demand/Specialized In-house Fleet	0.0%	1.2%	-1.2%	0.0%
New/Growth Reserve Funds	0.0%	0.1%	0.0%	0.1%
<b>Sub Total</b>	<b>7.8%</b>	<b>2.5%</b>	<b>0.8%</b>	<b>11.1%</b>
<b><u>Other Financial Impacts</u></b>				
Transition Costs	0.0%	0.0%	0.0%	0.0%
Commission Common Fare Strategy	0.0%	0.0%	0.6%	0.6%
<b>Total Consolidated Transit Impact</b>	<b>7.8%</b>	<b>2.5%</b>	<b>1.4%</b>	<b>11.7%</b>
<b>Net Residential Impact</b>	<b>0.6%</b>	<b>2.5%</b>	<b>1.4%</b>	<b>4.5%</b>

### Net Operating Projections <sup>1</sup>

	2020	2023	2025	2025
	% of Service Hours	Year 1 Upload (M\$)	% of Service Hours	Phase 1 Service Standards (M\$)
St. Catharines	44%	17.3	41%	19.4
Niagara Falls	30%	12.3	28%	14.1
Welland	11%	4.7	12%	6.0
NOTL	2%	2.0	3%	2.7
Port Colborne	2%	1.0	2%	1.4
Pelham	1%	1.1	2%	1.4
Thorold	3%	1.7	3%	1.9
Fort Erie	5%	2.5	5%	3.0
Grimsby	1%	1.7	2%	2.1
Lincoln	1%	1.4	2%	1.8
West Lincoln	0%	0.5	0%	0.6
Wainfleet	0%	0.3	0%	0.3
<b>Total</b>	<b>100%</b>	<b>46.4</b>	<b>100%</b>	<b>54.7</b>
<b>Regional Budget increase</b>		<b>7.3%</b>		<b>2.1%</b>
Conventional	85%	74%	82%	72%
Alternative	15%	26%	18%	28%

1. Estimates based on 2020 budgets adjustments may be necessary prior to 2023 to reflect most recent financials



Original Strategy		Baseline 2020 Net Transit Budget				12 Special Levy 2023 Operating Budget Projection			
General Levy		Local Portion	Regional Portion	Total	% of Service Hours	Local Portion	Regional Portion	Total	2023 Capital Strategy (Yr1)
12.0	St. Catharines <sup>4</sup>	13.1	4.2	17.3	44%	12.9	4.4	17.3	0.9
9.8	Niagara Falls <sup>4</sup>	8.6	3.5	12.1	30%	8.7	3.6	12.3	0.6
3.8	Welland <sup>2,4</sup>	3.1	1.4	4.4	11%	3.3	1.4	4.7	0.2
4.0	NOTL <sup>3</sup>	0.4	1.4	1.8	2%	0.5	1.5	2.0	0.0
1.5	Port Colborne <sup>3</sup>	0.3	0.5	0.8	2%	0.5	0.5	1.0	0.0
2.0	Pelham <sup>3</sup>	0.2	0.7	0.9	1%	0.4	0.7	1.1	0.0
1.9	Thorold	0.6	0.7	1.3	3%	1.0	0.7	1.7	0.1
2.9	Fort Erie <sup>3</sup>	1.1	1.0	2.1	5%	1.4	1.1	2.5	0.1
3.5	Grimsby <sup>3</sup>	0.3	1.2	1.5	1%	0.4	1.3	1.7	0.0
2.8	Lincoln <sup>3</sup>	0.2	1.0	1.2	1%	0.4	1.0	1.4	0.0
1.5	West Lincoln	0.0	0.5	0.5	0%	0.0	0.5	0.5	0.0
0.7	Wainfleet	0.0	0.2	0.2	0%	0.0	0.3	0.3	0.0
46.4	<b>Total</b>	<b>27.8</b>	<b>16.4</b>	<b>44.2</b>	<b>100%</b>	<b>29.4</b>	<b>17.1</b>	<b>46.4</b>	<b>2.2</b>
<b>Incremental Regional Levy to be offset at Municipal level</b>						<b>7.3%</b>		<b>0.5%</b>	
55%	Conventional	89%	55%	77%	85%	85%	55%	74%	85%
45%	Alternative	11%	45%	23%	15%	15%	45%	26%	15%

1. 2023 Net Operating costs are based on inflationary adjustment for all other LAMS + removal of \$0.3M in PGT used for Operating expenditures

2. Welland Local Transit Cost above is different than transit costs reported in Welland tax levy as the City recovers 15% corporate overhead in its charge to Region for NRT services included in the Regional tax levy; these costs would not be uploaded at time of consolidation.

3. On-Demand/Local Transit investment increasing between 2020 and 2023

4. Transit expenditures include debt payments



**MOVING  
TRANSIT  
FORWARD**

# NIAGARA SERVICE STANDARDS STRATEGY

LNTC-C 3-2021  
APPENDIX 5  
JUNE 30, 2021

# TRANSIT IN NIAGARA TODAY

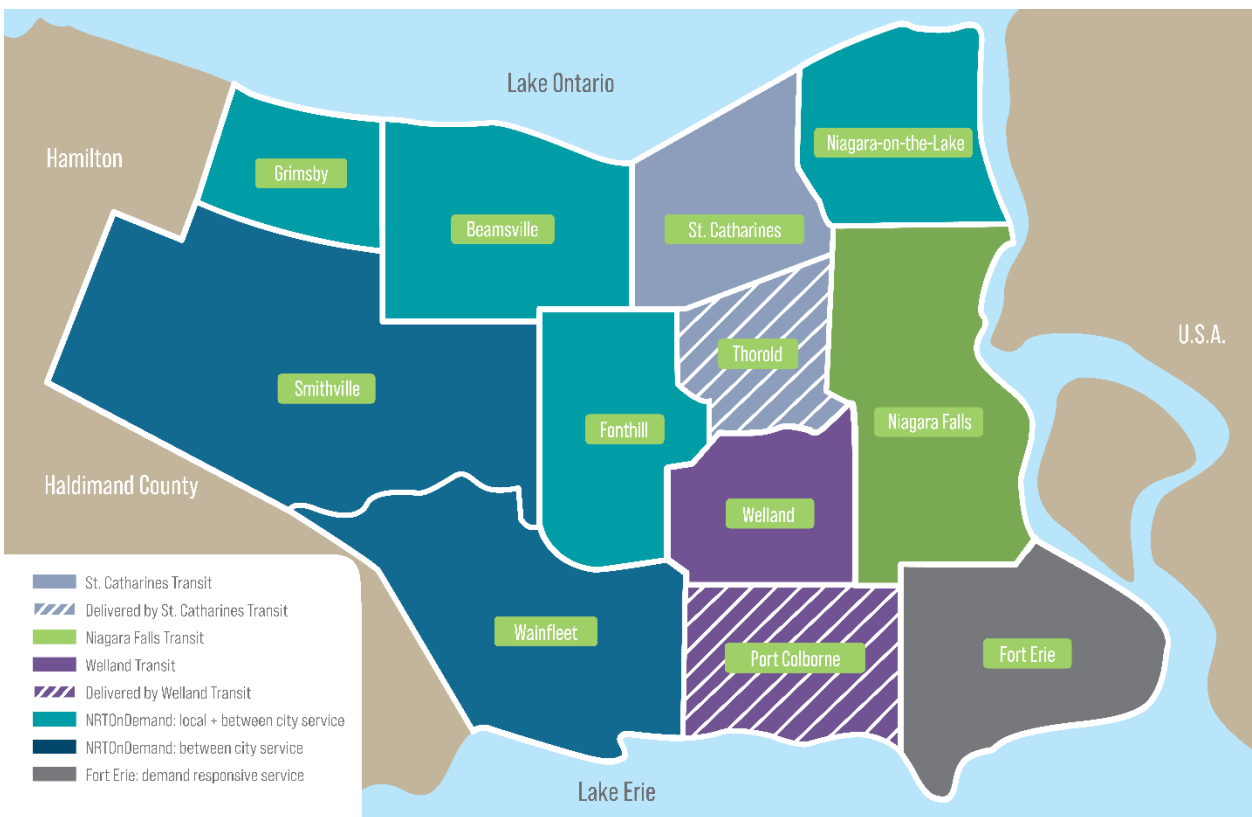
## SECTION 1

### THE STARTING POINT

Effective public transit is about providing the connections and mobility required for residents to access and enjoy the employment, recreational, and institutional benefits that Niagara has to offer. It's about connecting a student from their home to school, supporting an employee taking a new job in a different town, or ensuring a senior can access the medical services they require.

Today, transit in Niagara is delivered through a mix of services and by different levels of government and transit agencies. Niagara Region is responsible for delivering trips between cities (referred to as inter-municipal service) through Niagara Region Transit (NRT) and has recently launched the Niagara Region Transit On-Demand (NRT OnDemand) pilot program to provide a new approach to transit in smaller communities. Larger cities like St. Catharines, Niagara Falls and Welland have their own local transit services that primarily use large buses on regular (or fixed) routes, where some smaller towns and cities have only recently introduced transit service.

Figure 1 - Transit in Niagara Today (2021)



Significant work has been done in recent years make these systems integrate better together for the benefit of the riders. For example, the Intermunicipal Transit Working Group (IMTWG) was responsible for coordinating how Niagara's transit systems responded collectively and collaboratively to the COVID-19 pandemic and has worked to ensure that common technologies are used across Niagara.

Integrating into one transit system serving all of Niagara represents an opportunity to take these efforts even further – combining resources to deliver more and better service, providing easier connections between towns and cities, and effectively integrating with expanded GO Train service. For this reason, work has been completed to outline how this integration could take place – arriving at a recommendation that a single transit Commission be established that serves all of Niagara's public transit needs.

## THE PLAN

***The purpose of this service strategy is to outline how transit in Niagara could be enhanced, should the combination of the existing transit services take place.***

This strategy considers three phases of improvements – in the short-term (Phase 1), a move to one set of consistent operating hours to ensure all residents in Niagara have the same level of availability of transit in their community and the ability to make consistent connections across Niagara. Phase 2 would follow, combining specialized transit (otherwise known as accessible or Para-transit) with other existing demand-responsive services. Lastly, in Phase 3, undertaking a detailed network review study that would look for future opportunities to expand and enhance Niagara's transit footprint and significantly grow ridership in the long-term.



The roadmap and standards in this strategy will be a guideline for the future Commission, demonstrating the types of services and improvements that could be implemented in the future.

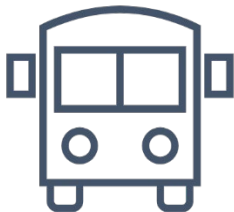
The Commission and its Board, through its own planning studies (such as the network review discussed in Phase 3), approvals and budgets, will make the final decisions about what service improvements will be provided.

The new transit Commission will also evaluate the performance of its services on a continual basis – starting right from its creation and in parallel with this strategy. At a minimum, there will be an annual performance review of required changes and service enhancements, which may include evaluation of route performance, ridership, new housing/commercial development, customer feedback, and opportunities to implement existing expansion priorities such as those identified in municipal transit and transportation master plans.

## TYPES OF TRANSIT

Effective transit comes in many different forms, from large buses meant to move many people at once, through to smaller vehicles that connect residents in previously underserved communities. The right type of transit for a particular community is tailored to its needs: the demand or ridership anticipated and the density or character of the neighbourhood.

This strategy and the standards discussed are organized into two primary types of transit:



### Conventional Transit

This is the image that comes to mind when most people think about transit - a large bus (35' or bigger) that stops at the corner, that comes by on a regular schedule, and that connects residential, employment and institutional areas with each other. It is most common in larger cities such as St. Catharines, Niagara Falls, and Welland.



### Alternative Transit

Where conventional services aren't the right fit – because of lower demand or ridership, the need to service larger geographic areas, or to meet the demands of residents with enhanced mobility needs – alternative forms of transit are better suited to address these influences for particular communities. Alternative transit is sub-divided into three types:

- **Community Bus** – which operates smaller vehicles on a fixed route within a single community or town to provide local access to places such as seniors' apartments, medical facilities, community centres and shopping centres.



- **Demand Responsive Transit** – otherwise known as on-demand transit or micro-transit where vehicles alter their routes each trip based on passenger demand without using a fixed route or timetabled schedule.
- **Specialized Transit** – or Paratransit service, focused on assisting persons with mobility challenges, providing transportation from accessible door to accessible door, and using vehicles with features such as lifts and accessible seating. Vehicles alter their trips based on demand, rather than operating on a standard route or schedule.

# SERVICE STANDARDS

## SECTION 2

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### What is a Service Standard?

Service standards provide a consistent and fair way to evaluate both existing and proposed transit services. Standards work by establishing common thresholds for factors such as what the distance to the closest bus stop should be, what hours transit will operate, how frequently buses will serve each stop, and what type of service makes sense in a given community.

Service standards are intended to provide a planning, design, and decision-making framework for transit services that operate efficiently and equitably across Niagara. They provide a framework for how to best serve transit riders' diverse travel needs, while balancing budgetary and resource limits.

The standards proposed in this plan are intended to be implemented in three phases. Phase 1 and Phase 2 are focused on standardizing the current service across Niagara so that all residents have consistent access to transit. Phase 3 then looks for opportunities to enhance and grow service – once a common and integrated level of service across Niagara has been established. Notwithstanding the above sequencing, during Phase 1 and 2 shorter term expansion and enhance opportunities, especially those already identified in documents such as municipal Transportation Master Plans, will be considered as part of the annual service review that the Commission will undertake.

### Service Coverage

Service coverage defines the maximum walking distance to a bus stop for urban and rural areas. The goal of locating bus stops is to balance the number of bus stops to ensure fast and reliable service, with ensuring that stops are conveniently located and within walking distance of homes and key community destinations. In Niagara, this has been defined as:

***The maximum walking distance for greater than 90% of all residents within the Niagara Region is 400 metres to a bus stop.***

Service coverage is most applicable to conventional services that operate on a fixed route with dedicated stops, but also applies to alternative services such as community bus and demand-responsive transit. Specialized transit operates on an enhanced principle of ensuring trips take place from “accessible door to accessible door”. This standard is comparable with those applied in other peer jurisdictions.

## Phase 1 – Years 1 & 2

### Standard Operating Hours Across Niagara

Each agency responsible for delivering transit in Niagara today currently sets its own hours of operation, independently balancing ridership and demand against budgetary and resource limitations in their communities.

The result is an inconsistent mix of operating hours from a region-wide perspective – transit in one community may start earlier in the morning than it does in an adjoining community, or one may offer Sunday and holiday service where another does not.

***The first priority under a consolidated system will be to standardize the hours that transit operates across Niagara.***

The proposed hours of operation for a consolidated system, for all types of service, are:

<b>Monday to Saturday</b>	<b>6:00 AM to 12:00 AM (Midnight)</b>
<b>Sundays &amp; Holidays</b>	<b>7:00 AM to 9:00 PM</b>

Taking this first step will better serve residents by eliminating confusion between different hours of operation in adjacent communities and on different operating services (i.e. conventional and demand responsive), and by enhancing service hours in a number of communities. A transit rider travelling from one community to another can be confident that their connection will be operating still – and not need to check multiple schedules from different agencies.

Standardizing operating hours will also assist in delivering efficient service. For example, when planning service the Commission will not need to account for different start and end times in different communities which are presently independently determined and misaligned.

To the degree possible, standardization will occur in parallel with the assumption of operation by the Commission, but will be fully achieved over a two-year period as the Commission incrementally enhances service.

Providing an increased number of service hours will require additional investment. The operating costs to deliver this enhanced service has been accounted for in the financial strategy that parallels this Service Strategy, and is detailed in Table 3 in the Community Perspectives section of this report. Based on a review of existing service hours and fleet complement, it is expected that this enhanced service can be delivered using existing fleet resources and that no additional capital investment would be required.

## Requests for Enhanced Services

There will be two opportunities for enhanced services to be provided in a municipality. Requests could be made from local Councils to the Commission for service improvements that would be included in future service planning; or through a direct 'purchase' of additional services based on a municipal contribution or rate.

One potential application would be in extended service hours beyond the standard outlined here. For example, Niagara Falls may request additional hours of service on weekends during peak tourist season or St. Catharines may request additional evening service to serve its downtown core. These requests will be evaluated by the Commission as they are received, and would be delivered subject to available resources and funding.

## Phase 2 – Year 3

### Combine Specialized and Demand Responsive Services

As standard operating hours are achieved, opportunities to enhance services through more efficient delivery will be explored.

***The combination of specialized and demand-responsive transit into one combined service delivery model offers an opportunity to both improve the service residents receive, while more efficiently deploying the resources available to the Commission.***

While these two services currently operate separately (and independently by multiple municipalities) in Niagara today, specialized and demand responsive services share many similar characteristics. They both pick-up and drop-off passengers as close to their destinations as possible rather than at dedicated stops; and both operate on flexible routing – changing their journey based on demand or new pick-up and drop-off locations along the way.

As a result, there is an opportunity to combine these services into one, removing the distinction between specialized trips and those currently provided by demand responsive transit. This combination will provide an equitable level of service for all residents in Niagara and permit a more efficient service delivery through a larger shared pool of resources and through scheduling efficiency. Ultimately, achieving a combination of these services will require further review and work to address operational requirements such as facilitating pre-booking of rides and supporting additional destinations for specialized users.

Delivering a combined specialized and demand-responsive system will require the integration of the existing services and contracts that currently deliver these trips across Niagara – encompassing both the local services that deliver trips within communities today, and the regional services that provide trips across municipal boundaries. These services are currently

delivered through a mix of direct ‘in-house’ delivery by the local transit agencies and by contracted services to third-parties.

The preferred approach for this integration is the assumption of existing specialized and demand responsive services and contracts by the Commission, working towards direct ‘in-house’ delivery of a combined service where it is deemed feasible and advantageous to do so. This approach is preferred as it gives the new Commission direct control over all resources to maximize efficiencies. Bringing this service in-house also gives the Commission control over the type of vehicles used to deliver a service that meets all passengers needs. Delivering a combined service ‘in-house’ will require the purchase of new vehicles to increase the available fleet and meet demand. The financial strategy that parallels this report incorporates this requirement by initiating a capital reserve strategy to fund new fleet acquisition.

## Phase 3 – Years 4 & 5

### Network Service Review

The new transit Commission will also conduct a comprehensive network review every 5-10 years. This review includes a review of the entire network structure and route performance. The first review is planned to occur after standard hours of operation are implemented, and all demand responsive and specialized improvements are made.

These two changes need to be made before any other major service enhancements are considered. Notwithstanding, as part of the Commission’s annual review, minor modifications to service will certainly be considered where necessary.

The Commission will also evaluate routes that may be required to service new developments, such as a GO Train station. All other enhancements, including those identified in LAM Transportation Master Plans, will be part of a comprehensive network review that will examine service across the region as a whole. Improving service frequency based on route performance guidelines will be the focal point of this review. Tables 1 and 2 illustrate service frequency and route performance guidelines that would be considered as part of this review.

**Table 1 – Service Frequency**

Operating Period	Conventional (minimum frequency in minutes)	Demand Responsive** (maximum wait time in minutes)
Weekday Peak	30	60
Weekday Base	30	60
Weekday Evening	60	60
Saturdays	30	60
Sundays	60	60
Holidays	60	60

\*\* Maximum wait time is defined as the time from booking to pick-up

Route/service performance should be assessed on the basis of total boardings per revenue vehicle hour, which is an industry standard key performance indicator that measures the volume

of riders compared to the supply of transit service. Different classes of routes have different performance expectations and ridership potential, and the performance target values should be established separately for each route type.

**Table 2 - Route Performance Guidelines (boardings per revenue vehicle hour):**

<b>Route Type</b>	<b>Weekday Daytime</b>	<b>Evening and Weekends</b>
Conventional	15	10
Community Bus	8	6
Demand Responsive	3	2

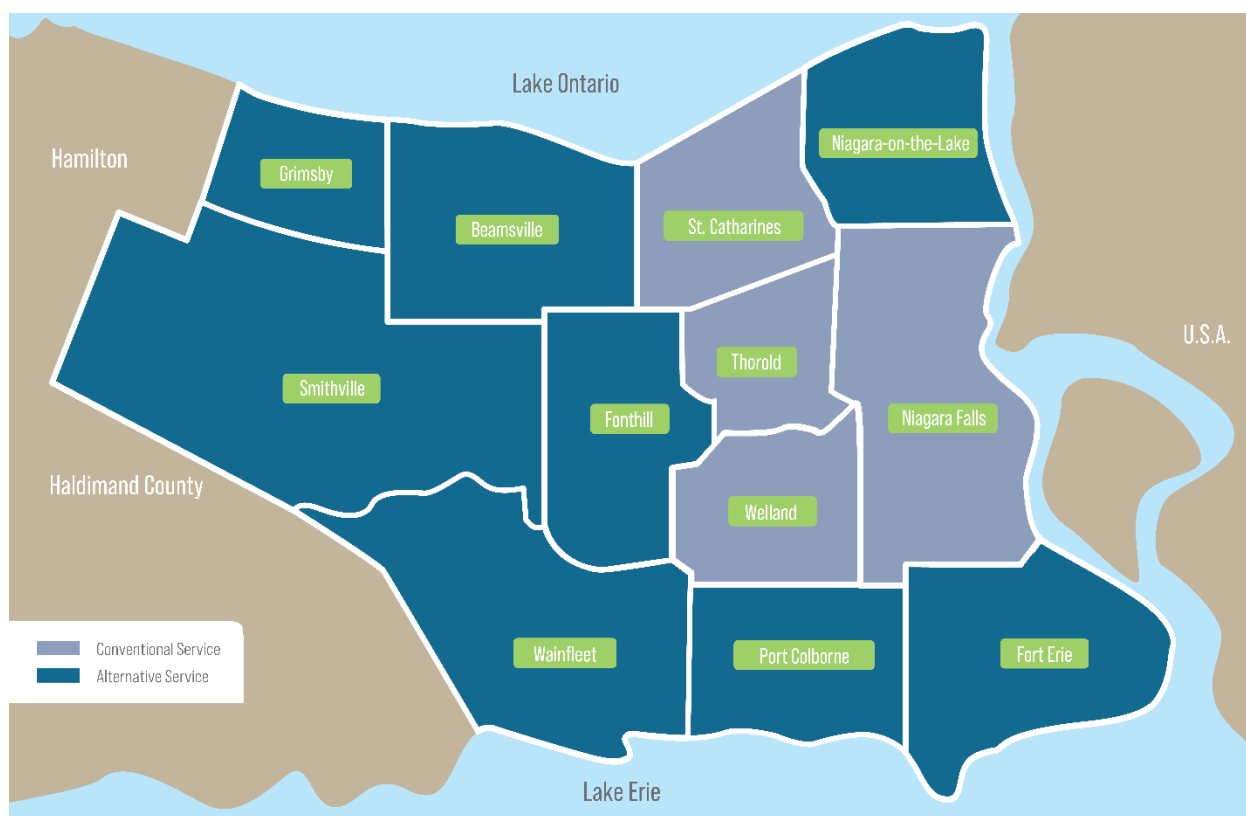
It should be noted that if boardings for demand responsive service fall below 3 and 2 respectively as shown in Table 2, it does not mean that service levels will be reduced. It means that the transit Commission's supply of vehicles on the road at that time may be too high and should be reduced.

# TRANSIT IN NIAGARA TOMORROW

## SECTION 3

As the recommendations of the first network review and the standards outlined in this strategy are implemented, transit in Niagara will move towards a more harmonized and integrated system under the new Commission. Conventional services will operate with common operating hours and frequency, and alternative transit services - reflecting the level of demand in smaller communities - will ensure that appropriate investments are made for transit equity in all communities.

**Figure 2 - Niagara Transit (Post-Phase 3)**



In this scenario, conventional services are likely to continue to be concentrated in the municipalities where they most commonly appear today: St. Catharines, Niagara Falls, Thorold, and Welland. In parallel, alternative services will be most prominent in the other eight Niagara municipalities of Fort Erie, Grimsby, Lincoln, Niagara-on-the-Lake, Pelham, Port Colborne, Wainfleet, and West Lincoln.

It should be noted that this is a generalization. For example, there are underserved neighbourhoods in Niagara Falls, St. Catharines and Thorold today that would best be connected through more consistent demand responsive transit. There will also be a continued need to

connect communities primarily with alternative services to their neighbours through conventional services as is done today through the fixed inter-municipal transit routes. Specialized transit, identified under the alternative service model, will service the whole of Niagara.

### **Community Perspectives**

While this strategy sets forth a vision for how standards and enhancements could be applied across Niagara, many of these improvements will be most directly felt at the local community level.

This is especially true during Phase 1, where the move to common operating hours for both conventional and alternative services will directly expand the time transit is available in a number of communities as shown in Table 3 below.

The costs associated with the additional hours of service indicated in Table 3 have been considered and incorporated as part of the overall financial strategy that parallels this document. In addition to the specific operating hour enhancements detailed above, the following sections provide an overview of the changes each community could experience as the three phases of the strategy are enacted and transit growth occurs.



**Table 3 - Phase 1 Operating Hour Enhancements**

<b>Municipality</b>	<b>Service Increase</b>	<b>Additional Annual Operating Hours</b>
<b>Fort Erie</b>	<b>Alternative Transit - Demand Responsive</b> + Three hours of additional service weekdays and Saturday + Sunday and Holiday service	2,600
<b>Grimsby</b>	<b>Alternative Transit - Demand Responsive</b> + Three hours of additional service weekdays and Saturday + Sunday service and Holiday service	2,671
<b>Lincoln</b>	<b>Alternative Transit - Demand Responsive</b> + Three hours of additional service weekdays and Saturday + Sunday service and Holiday service	2,671
<b>Niagara Falls</b>	<b>Conventional Transit</b> + Two hours of additional service weekday evenings on selected routes	5,382
<b>Niagara-on-the-Lake</b>	<b>Alternative Transit - Demand Responsive</b> + Three hours of additional service weekdays and Saturday + Sunday service and Holiday service	5,536
<b>Pelham</b>	<b>Alternative Transit - Demand Responsive</b> + Three hours of additional service weekdays and Saturday + Sunday service and Holiday service	2,671
<b>Port Colborne</b>	<b>Alternative Transit - Demand Responsive</b> + Eight hours of additional service + Introduce Saturday, Sunday and Holiday service	3,744
<b>St. Catharines</b>	<b>Conventional Transit</b> + Two hours of additional service on Sunday + Six hours of additional service on each Holiday	1,709
<b>Welland</b>	<b>Conventional Transit</b> + One hour of additional service weekday evening + Two hours of additional service on Saturday + Three hours of additional service Sunday evening + Introduce Holiday service	10,006
<b>Niagara Region</b>	<b>Conventional Transit – Inter-municipal Routes</b> + Three hours of additional service weekdays and Saturday + Sunday and Holiday Service	8,112

# TOWN OF FORT ERIE

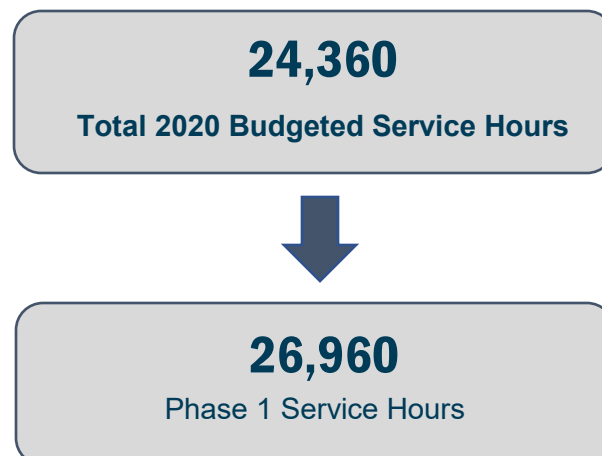
population 31,520 (2016)

alternative service delivery model

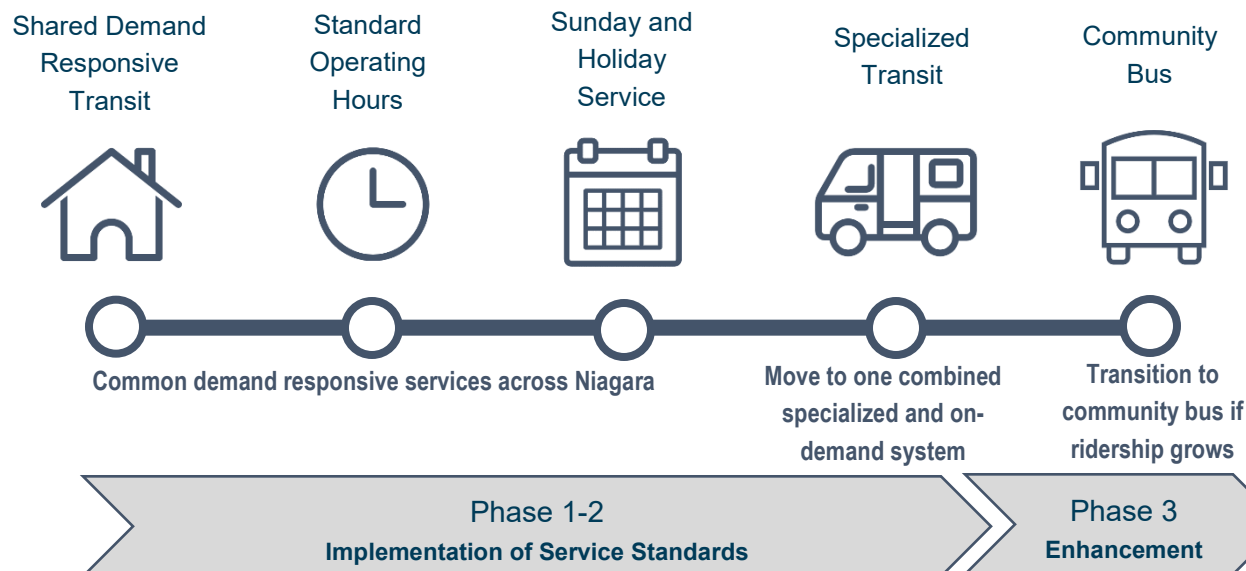
## TRANSIT TODAY

Transit in Fort Erie is currently delivered through a third-party contract with Tokmakjian Inc. providing four fixed routes within the Town boundaries. In October 2021, the system will switch to a demand responsive system contracted out to a local company, Regional Limousine. Connections to the NRT Inter-Municipal service are also available.

Specialized transit services are contracted out to The BTS Network Inc., facilitating access for approved specialized users across Fort Erie.



## ENHANCEMENTS



## TRANSIT TOMORROW

Under a Commission, demand responsive transit will be shared across many municipalities in Niagara. For Fort Erie, this means forthcoming demand responsive service in Fort Erie would be incorporated and the hours the service operates would be extended – adding 9pm to midnight – and include Sundays and Holidays. A move to a community bus system would be considered as transit ridership grows in Fort Erie, providing conventional service links to neighbouring communities that will continue to be a priority.

# TOWN OF GRIMSBY

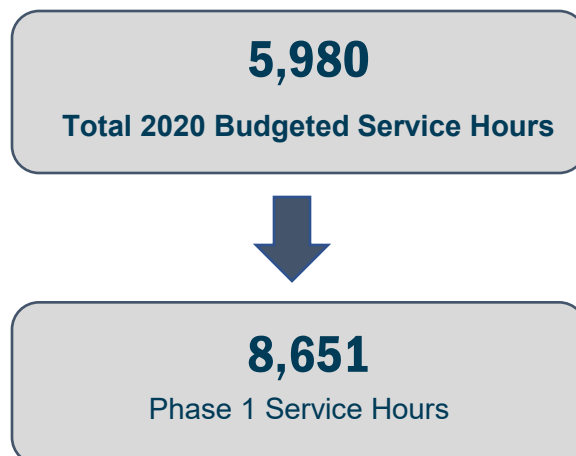
population 28,030 (2016)

alternative service delivery model

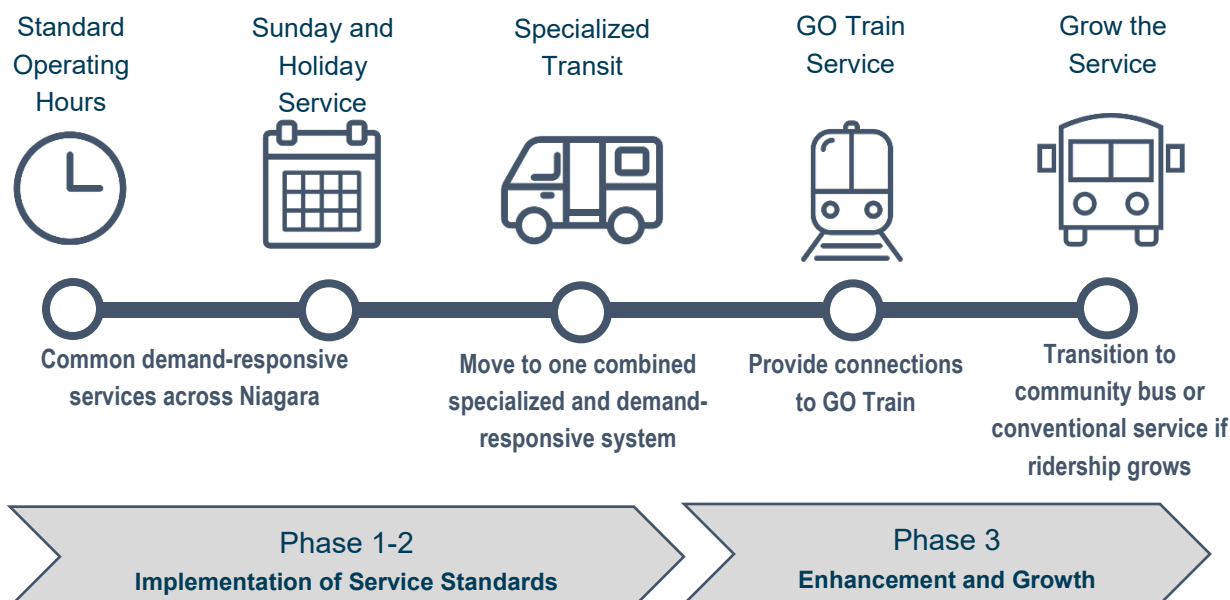
## TRANSIT TODAY

The NRT On-Demand Pilot has been embraced by residents in Grimsby, with over 12,000 rides between inception in August 2020 and the end of May 2021—indicating a strong demand for transit in the community. Specialized transit services through Niagara Region’s NST are provided by Niagara Region for approved clients.

Beyond municipal services – GO Transit provides connections to the GTA and other Niagara municipalities through bus service at Casablanca Blvd and future GO Train expansion.



## ENHANCEMENTS



## TRANSIT TOMORROW

In Phase 1 the NRT OnDemand pilot (demand-responsive transit) hours of operation will be extended to 6:00 am to 12:00 am (midnight) and include Sundays and Holidays (7:00 am – 9:00 pm). The introduction of future GO Train service will be a significant opportunity for Grimsby – which will be met with enhanced local service to ensure effective connections to and from trains. In the short-term, this may mean growing the NRT OnDemand service to keep pace with demand. In the long-term, this may mean transitioning to community bus or conventional transit services should ridership grow, and as determined by the Phase 3 network review.

# TOWN OF LINCOLN

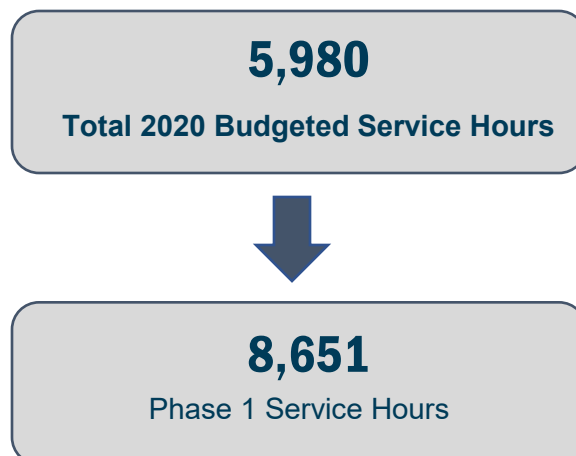
population 24,410 (2016)

alternative service delivery model

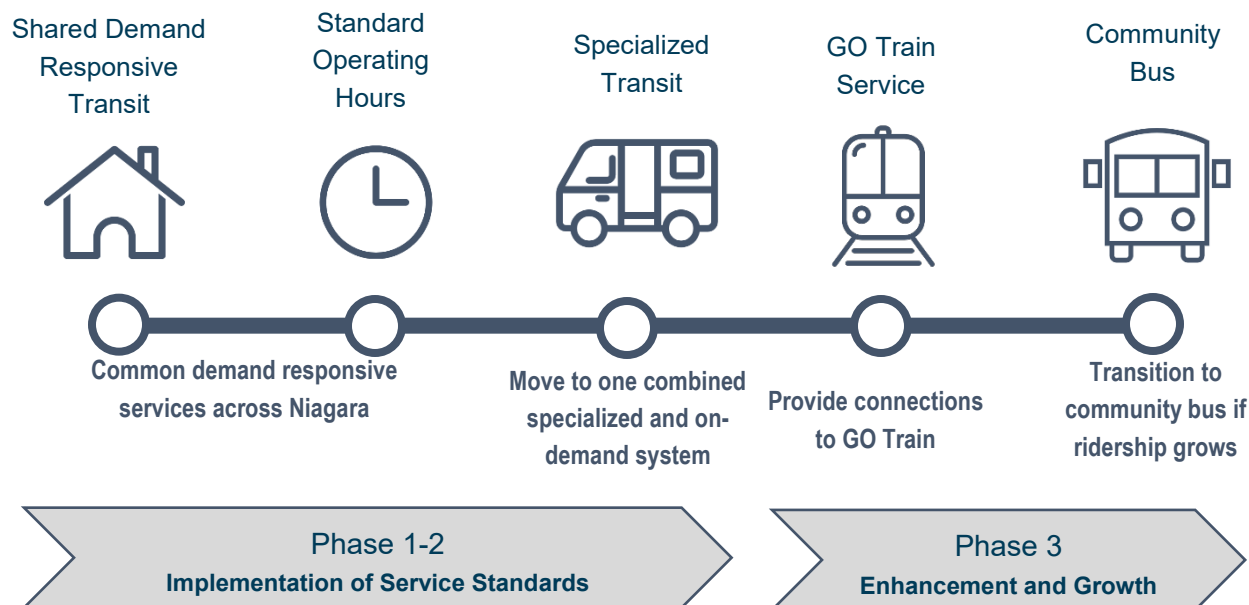
## TRANSIT TODAY

Transit in Lincoln is currently delivered through NRT OnDemand, providing connections both within Lincoln as well as to key destinations across Niagara.

Specialized transit services are provided by Niagara Region through NST. Beyond municipal services, GO Transit provides connections to the GTA and other Niagara municipalities through bus service at Ontario St. and potential exists for a future GO Train station.



## ENHANCEMENTS



## TRANSIT TOMORROW

Under a Commission, demand responsive transit will be shared across many municipalities in Niagara. For Lincoln, this means the hours the service operates would be extended adding 6 a.m.-7 a.m. and 10 p.m.-midnight, and include Sundays and Holidays. The introduction of future GO train service in Beamsville will be met with enhanced local service to ensure effective connections to and from trains. In the short-term, this may mean growing demand-responsive transit to keep pace with ridership. In the long-term, this may mean transitioning to community bus or conventional transit services should ridership grow, and as determined by the Phase 3 review.

# CITY OF NIAGARA FALLS

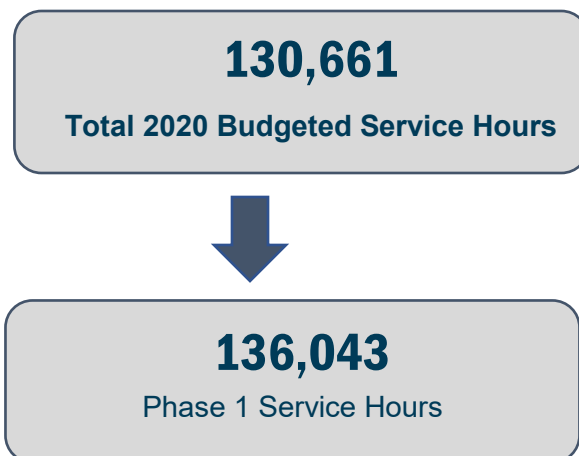
population 90,390 (2016)

conventional & alternative mix service delivery model

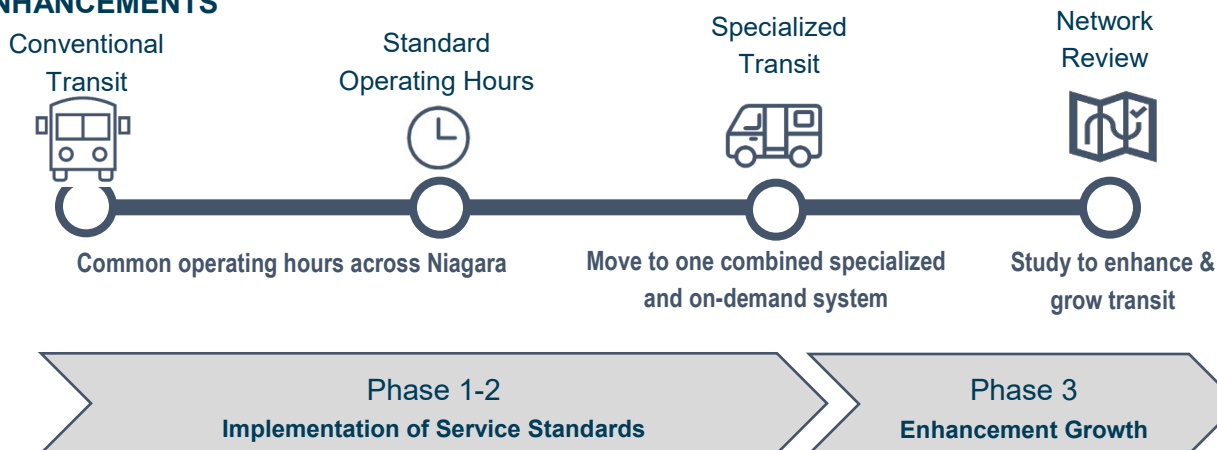
## TRANSIT TODAY

Niagara Falls Transit Services plans, manages and operates fixed route transit service for locals and visitors on 25 routes. NFTS also operates four routes on behalf of Niagara Region connecting to Welland, St. Catharines, Niagara-on-the-Lake and Fort Erie.

The City of Niagara Falls' specialized transit service is provided by St. Johns Ambulance, while the Niagara Region NST service provides intermunicipal specialized service. Trans-Cab, contracted to a local taxi operator, is a demand-responsive service to under-developed areas or city neighbourhoods not able to support fixed route transit. While outside the current scope of the proposed consolidation of services, WEGO provides a tourism-focused service in partnership with the Niagara Parks Commission. GO Bus and Trains provide connections to Hamilton and the GTA.



## ENHANCEMENTS



## TRANSIT TOMORROW

Under a Commission, transit service within the City of Niagara Falls would be enhanced with expanded hours of evening service and enhanced alignment with regional connections across Niagara. Within Niagara Falls, this means the hours the service operates would be extended by adding up to two hours on all evening routes Monday to Saturday. A move to combine demand-responsive and specialized services is anticipated as part of consolidation in the near future. WEGO will continue to operate separate from the Commission, with future direction to be provided as existing contracts are renegotiated. Future increased frequency in GO Train service to Niagara Falls will require increased local service to provide connections to and from trains.

# TOWN OF NIAGARA-ON-THE-LAKE

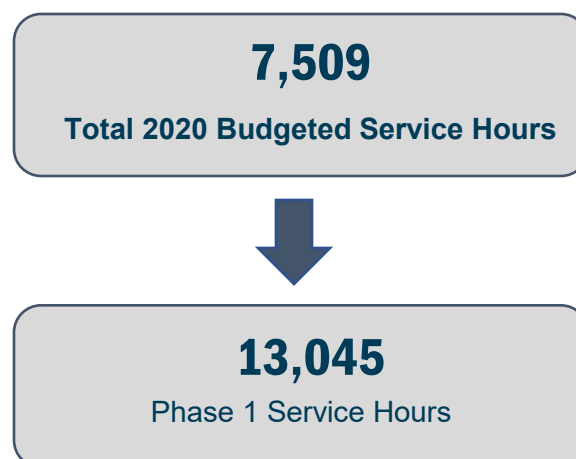
population 17,970 (2016)

alternative service delivery model

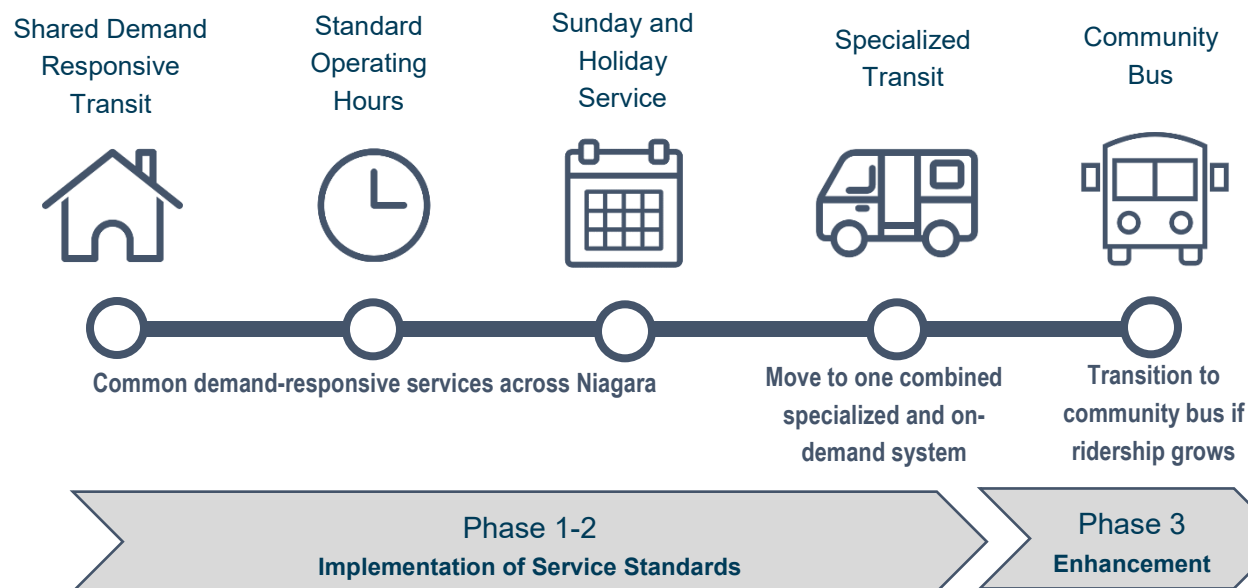
## TRANSIT TODAY

Transit in the Town of Niagara-on-the-Lake is currently being delivered through the NRT OnDemand, providing connections to key destinations across Niagara. Specialized transit services are provided by Niagara Region through NST for approved clients.

While outside the current scope of the proposed consolidation of services, WEGO provides a tourism-focused service within Niagara-on-the-Lake as a partnership between the City of Niagara Falls and the Niagara Parks Commission.



## ENHANCEMENTS



## TRANSIT TOMORROW

Under a Commission, demand responsive transit will be shared across many municipalities in Niagara. For Niagara-on-the-Lake, this means the hours the service operated would be extended – adding 6 a.m. - 7 a.m. and 7 p.m. - midnight – and include Sundays and Holidays. A move to a community bus or conventional system would be considered as transit ridership grows, and there is the potential to combine demand responsive and specialized services in the future. WEGO will continue to operate separate from the Commission, with future direction to be provided as existing contracts are renegotiated.

# TOWN OF PELHAM

population 17,560 (2016)

alternative service delivery model

## TRANSIT TODAY

Transit in Pelham is currently delivered through NRT OnDemand, providing connections both within Pelham as well as to key destinations across Niagara.

Specialized transit services are provided by Niagara Region via NST for approved clients.

## ENHANCEMENTS

Shared Demand  
Responsive  
Transit



Standard  
Operating  
Hours



Sunday and  
Holiday  
Service



Specialized  
Transit



Community  
Bus



Common demand responsive services across Niagara

Move to one combined  
specialized and on-  
demand system

Transition to  
community bus if  
ridership grows

Phase 1-2  
Implementation of Service Standards

Phase 3  
Enhancement

## TRANSIT TOMORROW

Under a Commission, demand responsive transit will be shared across many municipalities in Niagara. For Pelham, this means the hours the service operates would be extended – adding 6 a.m. - 7 a.m. and 10 p.m. - midnight and include Sundays and Holidays. A move to a community bus system would be considered as transit ridership grows in Pelham, and there is the potential to combine demand responsive and specialized services in the future.

# CITY OF PORT COLBORNE

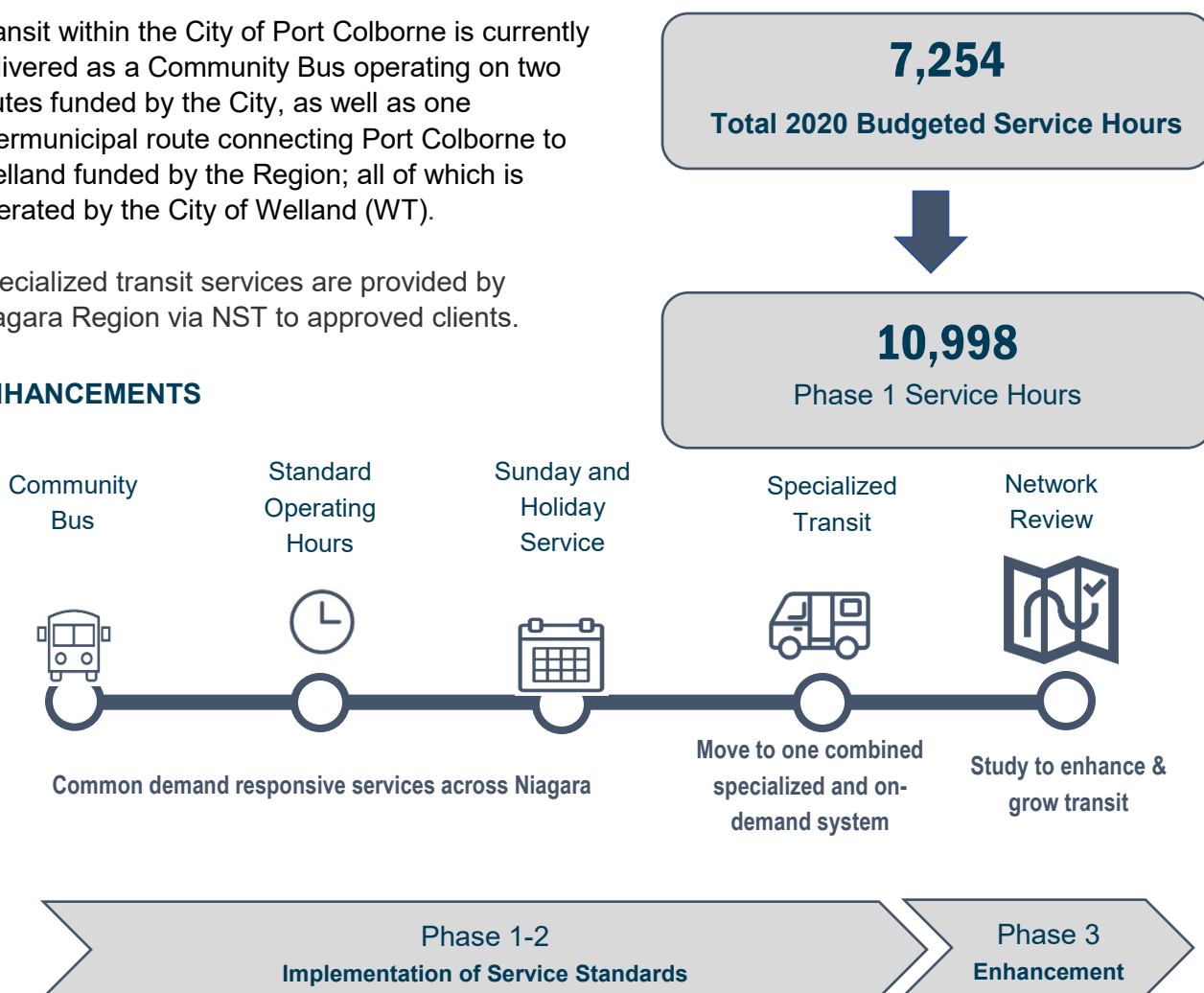
population 18,790 (2016)  
alternative service delivery model

## TRANSIT TODAY

Transit within the City of Port Colborne is currently delivered as a Community Bus operating on two routes funded by the City, as well as one intermunicipal route connecting Port Colborne to Welland funded by the Region; all of which is operated by the City of Welland (WT).

Specialized transit services are provided by Niagara Region via NST to approved clients.

## ENHANCEMENTS



## TRANSIT TOMORROW

Under a Commission, transit service within the City of Port Colborne would be enhanced with expanded hours of evening service, added weekend and holiday service and enhanced alignment with regional connections across Niagara. Specifically, this means the hours the service operated would be extended by 8-hours to all routes Monday to Friday, 18-hours to all routes on Saturday, and 14-hours on Sunday and Holidays in order to align operating hours across the system. A move to combine demand-responsive and specialized services is anticipated as part of amalgamation in the near future.



## CITY OF ST. CATHARINES

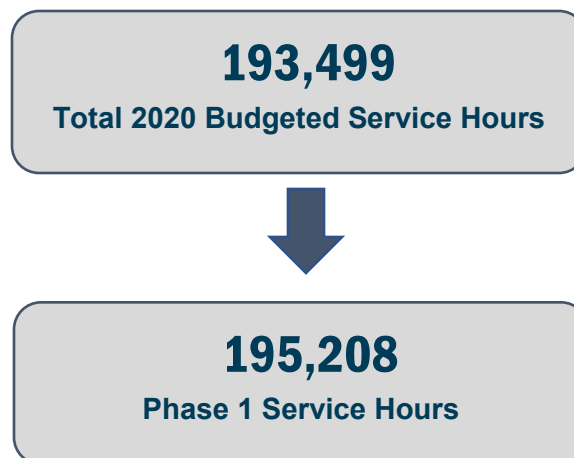
population 136,620 (2016)

conventional & alternative mix service delivery model

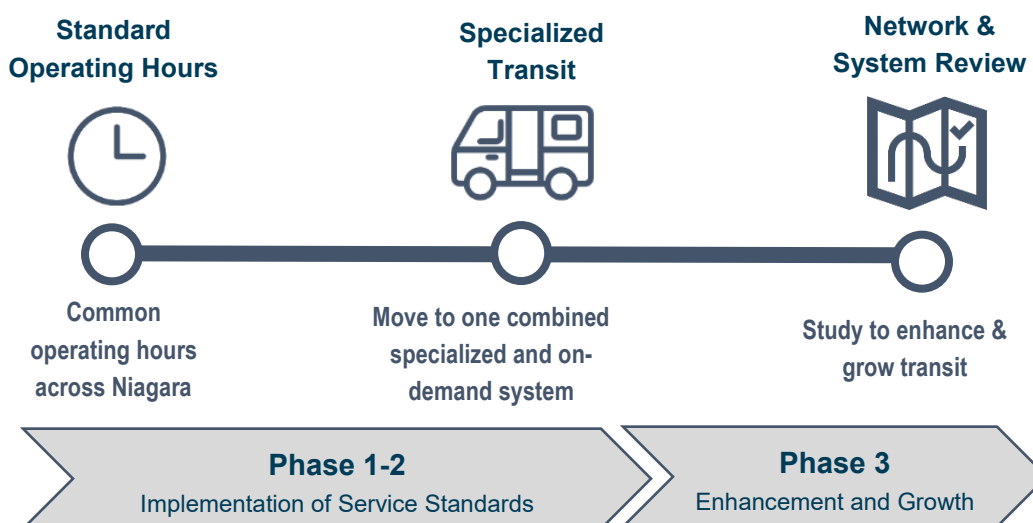
### TRANSIT TODAY

Transit in St. Catharines is currently delivered by the St. Catharines Transit Commission (SCTC) with fixed route transit service. SCTC also operates three routes on behalf of Niagara Region connecting to Welland, Niagara Falls, Niagara-on-the-Lake and Thorold transit systems.

Specialized transit service in St. Catharines is also delivered by SCTC. Outside the city's municipal boundaries, the Niagara Region NST service provides intermunicipal specialized service. GO Bus and Trains provide connections to Hamilton and the GTA.



### ENHANCEMENTS



### TRANSIT TOMORROW

Under a new Commission, transit service within the City of St. Catharines would be enhanced with expanded hours of Sunday and Holiday service. A move to combine demand-responsive and specialized services is anticipated as part of consolidation. Phase 1 and 2 annual service reviews and Phase 3 Network Review will examine opportunities for expansion, such as route extensions identified in the St. Catharines Transportation Master Plan and enhanced local service to provide connections to and from GO Trains as their frequency increases.

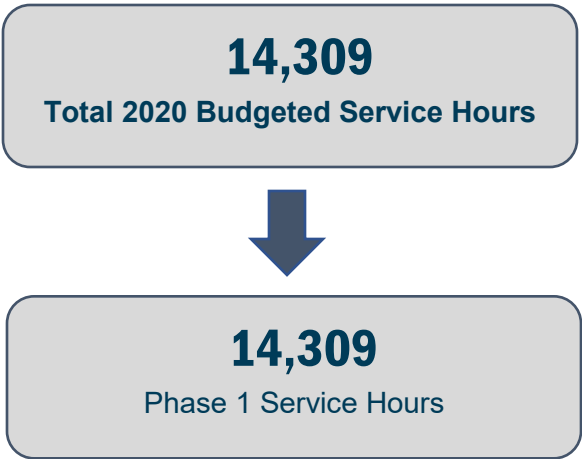
# CITY OF THOROLD

population 19,300 (2016)  
alternative service delivery model

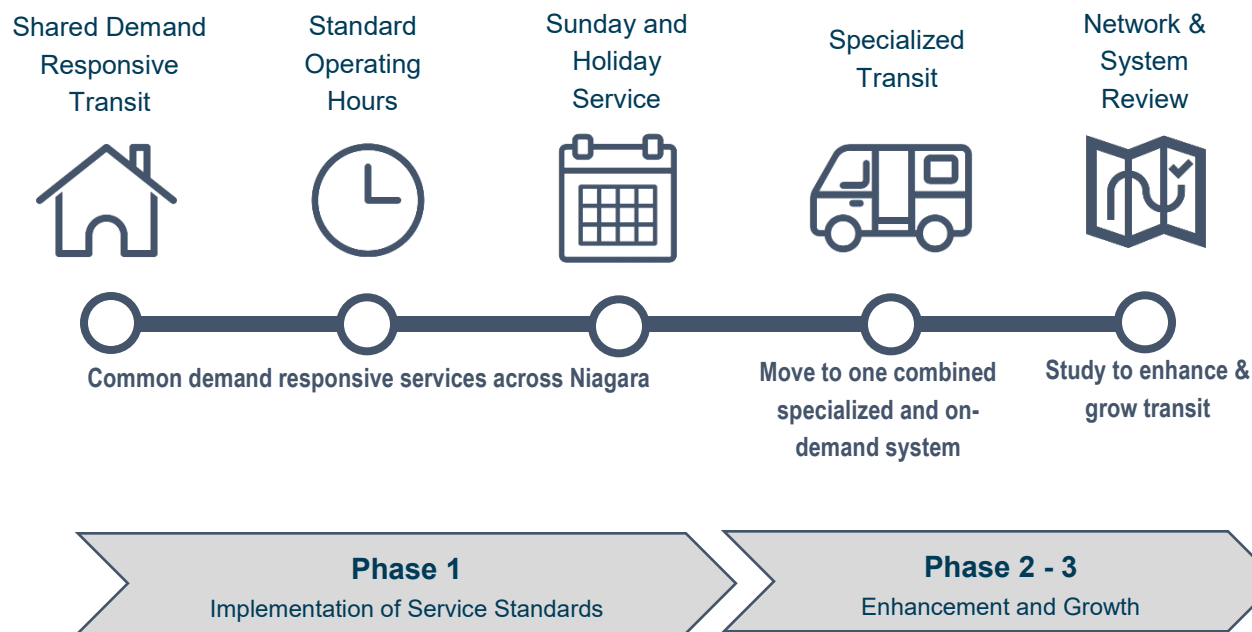
## TRANSIT TODAY

Transit in Thorold is currently delivered through the St. Catharines Transit Commission (funded by the City of Thorold), providing connections both within Thorold as well as to key destinations across Niagara such as Niagara Falls and St. Catharines.

Specialized transit services are provided by both Niagara Region via NST and St. Catharines Transit.



## ENHANCEMENTS



## TRANSIT TOMORROW

Under a Commission, demand responsive transit will be shared across many municipalities in Niagara. For Thorold, this means that in Phase 1 more areas of the City will have access to transit service through a shared demand responsive service.

# TOWNSHIP OF WAINFLEET

population 6,540 (2016)

alternative service delivery model

## TRANSIT TODAY

Transit in Wainfleet is currently delivered through NRT OnDemand, providing connections to key destinations outside of Wainfleet, but within Niagara.

Specialized transit services are provided by Niagara Region via NST to approved clients.

## Inter-municipal Services Provided

No Local Service Hours

## ENHANCEMENTS

Shared Demand  
Responsive  
Transit



Standard  
Operating  
Hours



Sunday and  
Holiday  
Service



Specialized  
Transit



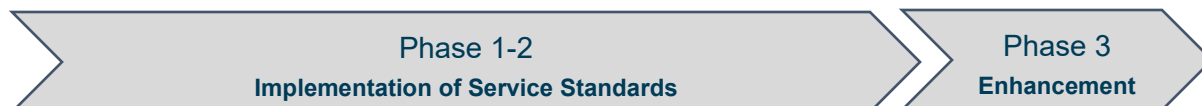
Community  
Bus



Common demand responsive services across Niagara

Move to one combined  
specialized and on-  
demand system

Transition to  
community bus if  
ridership grows



Phase 1-2  
Implementation of Service Standards

Phase 3  
Enhancement

## TRANSIT TOMORROW

Under a Commission, demand responsive transit will be shared across many municipalities in Niagara. For Wainfleet, this means the hours of operation would be 6 a.m. to midnight and include Sundays and Holidays (7 a.m. – 9 p.m.). Another major enhancement under a Commission is that the demand responsive service will be able to deliver local trips within the boundaries of Wainfleet in addition to the inter-municipal trips currently only available.

## CITY OF WELLAND

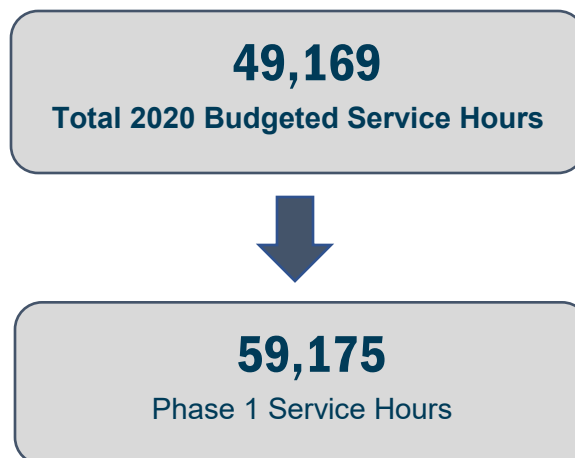
population 53,670 (2016)

### conventional & alternative transit delivery models

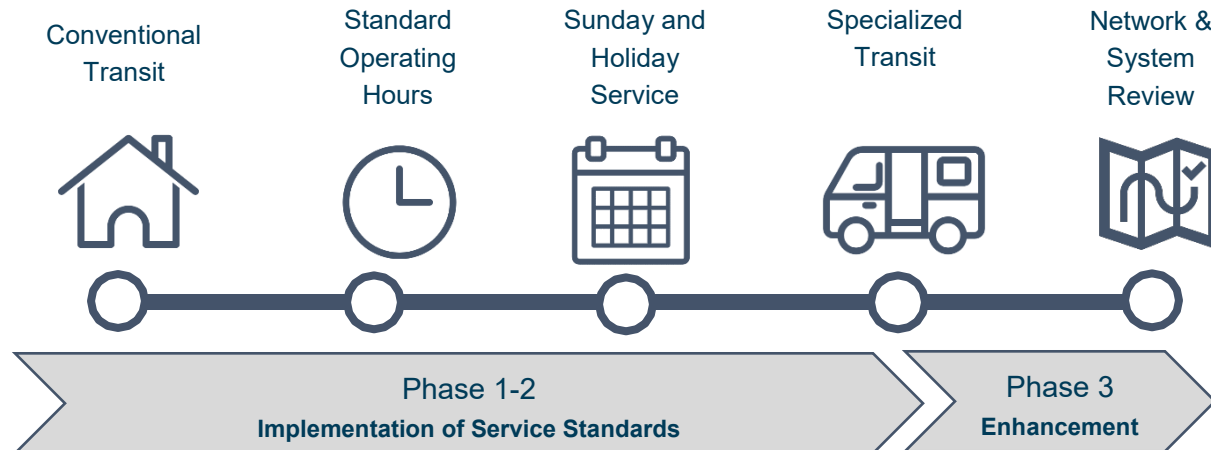
#### TRANSIT TODAY

The City of Welland's Transit Division (WT) plans, manages, and operates fixed route, conventional transit service on 8 local routes. In addition, WT operates 3 routes on behalf of Niagara Region connecting to Niagara Falls, St. Catharines, and Port Colborne transit systems.

Local specialized transit service is scheduled and provided by WT. Inter-municipal specialized trips are provided by Niagara Region's NST service for approved clients. Outside contracts provided by local taxi syndicates are utilized for local specialized service required outside the available operating hours.



#### ENHANCEMENTS



#### TRANSIT TOMORROW

Under a Commission, transit service within the City of Welland would be enhanced with expanded hours of evening service and enhanced alignment with regional connections across Niagara. For the City of Welland, this means the hours the service operated would be extended by 1-hour to all routes Monday to Saturday and 3-hours to all routes on Sunday in order to align operating hours across the system. A move to combine demand-responsive and specialized services is anticipated as part of amalgamation in the near future.

# TOWN OF WEST LINCOLN

population 14,880 (2016)

alternative service delivery model

## TRANSIT TODAY

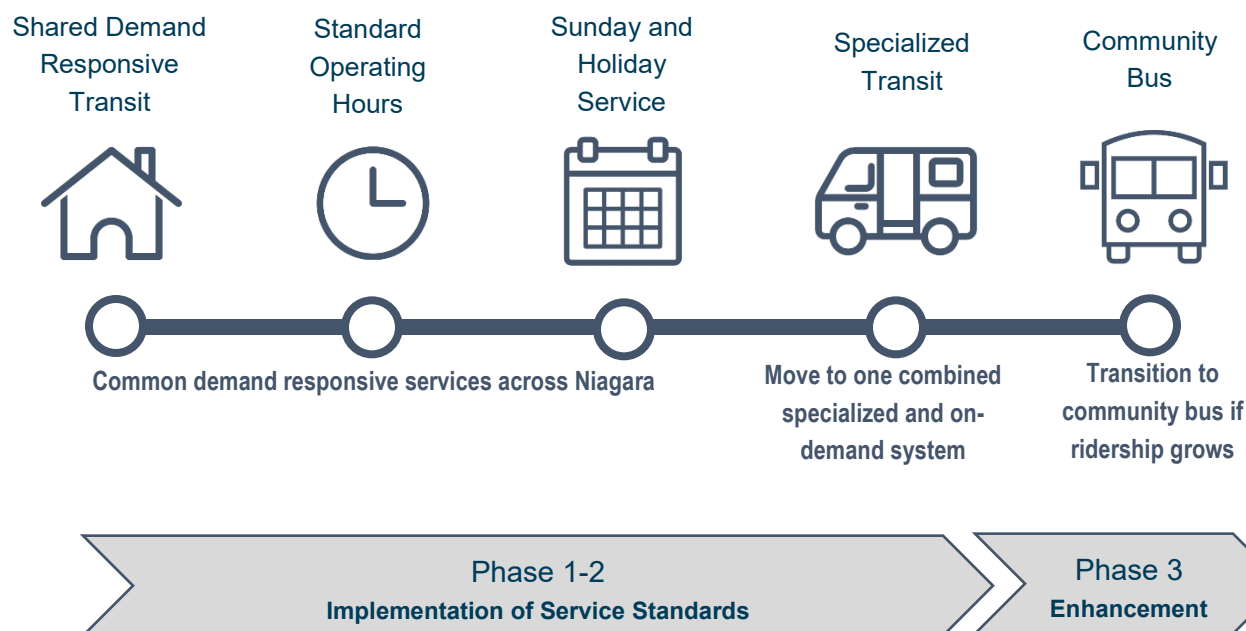
Transit in West Lincoln is currently being delivered through the NRT OnDemand, providing inter-municipal connections to key destinations across Niagara.

Inter-municipal specialized transit services are provided by Niagara Region via NST for approved clients.

## Inter-municipal Services Provided

No Local Service Hours

## ENHANCEMENTS



## TRANSIT TOMORROW

Under a Commission, demand responsive transit will be shared across many municipalities in Niagara. For West Lincoln, this means the hours the service operates would be extended – adding 6 a.m. – 7 a.m. and 10 p.m.-midnight, and include Sundays and Holidays (7 a.m. – 9 p.m.). The decision to and timing of introducing local demand-responsive services in West Lincoln will be made in consultation with Council. A move to a community bus system would only be considered as transit ridership grows in West Lincoln, and there is the potential to combine demand responsive and specialized services in the future.

## Overview






The first round of LAM consultation represented an opportunity for input and feedback on the results of the NTGS and associated financial strategy. The most common areas of feedback related to the financial strategy, composition of the board, and need for a more defined (high level) service plan, which have led to the revised strategies discussed in the main body of this report.

The purpose of this comment tracker is to connect these revised strategies back to the feedback received from each LAM, as well as additional areas of feedback that were identified outside the major themes. The LAM issues identified were first summarized as part of LNTC-C 1-2021 and LNTC-C 2-2021, and represent a combination of formal feedback received through recommendations adopted by Councils, commentary provided in local staff reports, and topics raised by Councils during question and answer periods.

## Fort Erie

### Phase 1 Consultation Summary

Council adopted staff recommendations from [IS-04-2021](#), providing support-in-principle for the Commission, requesting Niagara Region further refine the governance and financial models in accordance with the recommendations contained in the report and in advance of the initiation of the triple-majority process.

Item	Status	Comment
Propose an alternative funding model to a levy based on property value assessment.		Revised financial model transitions from single-levy to twelve (12) special levies. Revised model reduces the redistribution of costs from larger to smaller municipalities and links future growth costs to where the service is being added.
Additional financial information - update financial baseline reporting to 2021, sources of transition cost funding, impact of COVID-19, and treatment of reserves.	 	The revised financial model includes additional discussion regarding the transfer and establishment of capital reserves. The timing of the Phase 3 Network Service Review discussed in the Service Strategy has been set in part-to allow for a better understanding of COVID-19 impacts on revenue and ridership.  The GSC has confirmed as recommended the use of the Cummings Principle to guide asset transfer. The work of the GSC will continue towards the development of Municipal Transfer Agreements which will codify considerations specific to Fort Erie. The key terms and principles of the MTA will be presented in parallel with the future triple-majority report.
Permanent representative from Fort Erie on the Commission board.		Revised board model provides political representation for all Niagara municipalities.
Existing service levels be maintained indefinitely.		Service Strategy outlines short-term enhancements in advance of a future Network Review. Indefinite minimum service hours to be finalized as part of Municipal Transfer Agreement.

## Grimsby

### Phase 1 Consultation Summary

Council adopted staff recommendations from [CAO 21-03](#), providing support-in-principle for the Commission, taking into account that Niagara Region will commit to and address the issues identified in the recommendations of that report.

Item	Status	Comment
Grimsby's current service levels are maintained and improved upon.	✓	Service Strategy outlines short-term enhancements in advance of a future Network Review. Maintenance of existing or minimum service levels will be confirmed as part of final triple-majority approval.
That the proposed financial model be amended to address concerns presented by the Town of Grimsby.	✓	Revised financial model transitions from single-levy to twelve (12) special levies. Revised model reduces the redistribution of costs from larger to smaller municipalities and links future growth costs to where the service is being added.
That Region Council consider geographical areas, such as Niagara West, when selecting two (2) additional Councillors for the Full Commission.	✓	Objective of enhanced representation for Grimsby achieved - revised board model provides political representation for all Niagara municipalities.
The ongoing NRT On-Demand pilot program and future opportunities for transit services in Grimsby.	✓	The Service Strategy anticipates the continuation and expansion of demand responsive service such as the NRT OnDemand pilot. Phase 1 improvements anticipate expanded operating hours. The Network Service Review will consider future community bus or conventional services as ridership grows, and as necessary to meet increased demand related to the introduction of GO Train service at Grimsby.




## Lincoln

### Phase 1 Consultation Summary

Council adopted staff recommendations from [AD-02-21](#), providing support-in-principle for the Commission, taking into account that Niagara Region will commit to and address the issues identified in the recommendations of that report.



Item	Status	Comment
Town of Lincoln current service levels are maintained and improved upon.	✓	Service Strategy outlines short-term enhancements in advance of a future Network Review. Maintenance of existing or minimum service levels will be confirmed as part of final triple-majority approval.
That the proposed financial model be amended to address concerns presented by the Town of Lincoln.	✓	Revised financial model transitions from single-levy to twelve (12) special levies. Revised model reduces the redistribution of costs from larger to smaller municipalities and links future growth costs to where the service is being added.
That Region Council consider geographical areas, such as Niagara West, when selecting two (2) additional Councillors for the Full Commission.	✓	Objective of enhanced representation for Lincoln achieved - revised board model provides political representation for all Niagara municipalities.

Item	Status	Comment
Discussion at Council also included how transit would support future growth in Lincoln, the ongoing NRT On-Demand Pilot, and the anticipated timing of return to pre-COVID-19 transit ridership levels.		The Service Strategy anticipates the continuation and expansion of demand responsive service such as the NRT OnDemand pilot. Phase 1 improvements anticipate expanded operating hours. The Network Service Review will consider future community bus or conventional services as ridership grows, and as necessary to meet increased demand related to the introduction of GO Train service. The timing of the Network Service Review has been recommended in part to allow transit ridership impacts from COVID-19 to be better understood.

## Niagara Falls

### Phase 1 Consultation Summary





Council jointly considered the presentation from Region staff and the Niagara Falls staff report [CAO-2021-01](#), supporting a motion to endorse, in principle, the Full Commission as the recommended governance model for the consolidation of Niagara's public transit system.

Item	Status	Comment
Reconsider 2021 as the baseline year for operational service levels, given ridership impacts from COVID-19		Achieved. The revised financial strategy updates the baseline service year to 2020 budgeted service hours – which represents a pre-COVID estimate. All figures would be adjusted prior to consolidation in 2023 to reflect most recent financials.
Consider the option of offering free or reduced fares for seniors as part of [the] transition process		The revised financial strategy anticipates a move to a single regional fare, but does not include the provision of free or reduced fares for Seniors. Decisions regarding fare discounts has been reserved as a future decision that should be made by the Commission.

## Niagara-on-the-Lake

### Phase 1 Consultation Summary

Council adopted staff recommendations from [CAO-21-002](#), providing support-in-principle for the Commission, taking into account that Niagara Region will commit to and address the issues identified in the recommendations of that report.

Item	Status	Comment
Maintaining and improving upon the current service levels provided to the Town of Niagara-on-the-Lake.		Service Strategy outlines short-term enhancements in advance of a future Network Review. Maintenance of existing or minimum service levels will be confirmed as part of final triple-majority approval.
Amending the proposed financial model to address concerns identified by the Town of Niagara-on-the-Lake.		Revised financial model transitions from single-levy to twelve (12) special levies. Revised model reduces the redistribution of costs from larger to smaller municipalities and links future growth costs to where the service is being added.
Considering geographical areas when selecting two (2) additional Councillors for the Full Commission.		Objective of enhanced representation for Niagara-on-the-Lake achieved - revised board model provides political representation for all Niagara municipalities.
Further feedback centred on the critical role transit plays in supporting economic development and tourism in Niagara-on-the-Lake, the appropriate point in time for potential integration of WEGO with the Commission, and the role of the Cummings Principle in asset transfer.		The importance of tourism to the Town and the role that transit can play in connecting tourists and employees to destinations will be a focus for the Commission. WEGO will remain an important service in achieving this objective, but remains outside the scope of the initial consolidation. Decisions regarding potential future integration will be made collectively by the City of Niagara Falls, Niagara Parks Commission, future transit Commission and Town of Niagara-on-the-Lake. The GSC has confirmed as recommended the use of the Cummings Principle to guide asset transfer.

## Pelham

### Phase 1 Consultation Summary

Council considered staff report [202-0044-Recreation](#), and adopted a series of resolutions indicating the Town of Pelham does not support the Full Transit Commission Model as presented by Niagara Region due to the issues noted below.

Item	Status	Comment
The Town of Pelham will not be sufficiently represented on the Commission Board as it pertains to governance of the Commission.	✓	Revised board model provides political representation for all Niagara municipalities.
The Regional levy as proposed (based on MPAC assessment) does not take into consideration population size or ridership, and that an approximately 500% increase to the Town of Pelham is not acceptable, and is not supported by the Council for the Town of Pelham.	✓	Revised financial model transitions from single-levy to twelve (12) special levies. Revised model reduces the redistribution of costs from larger to smaller municipalities and links future growth costs to where the service is being added.
Additional discussion referenced the anticipated timing of return to pre-COVID-19 transit ridership levels and alternative micro-transit service delivery models such as those used in Calgary and Innisfil.	✓	The Service Standards Strategy considers a future harmonization of demand-responsive and specialized services in Niagara. This future harmonization will examine a wide range of operational models for demand responsive transit. The timing of the Phase 3 Network Service Review has been set in part-to allow for a better understanding of COVID-19 impacts on revenue and ridership.

As part of the consideration of this item, Pelham Council gave further direction to staff related to the ongoing NRT OnDemand pilot program.

## Port Colborne

### Phase 1 Consultation Summary


Council adopted staff recommendations from [2021-39](#), providing support-in-principle for the Commission, taking into account that Niagara Region will commit to and address the issues identified in the recommendations of that report.



Item	Status	Comment
That the City of Port Colborne service levels set out in the report Transit Enhancement Opportunity (Report 2021-15) dated January 11, 2021 are maintained and improved upon;	✓	The Service Strategy outlines short-term enhancements in service in advance of a future Network Review. Maintenance of existing or minimum service levels will be confirmed as part of final triple-majority approval.
That the proposed financial model be amended to address concerns presented by the City of Port Colborne.	✓	Revised financial model transitions from single-levy to twelve (12) special levies. Revised model reduces the redistribution of costs from larger to smaller municipalities and links future growth costs to where the service is being added.
That Regional Council consider geographical areas, such as Niagara South, when selecting two additional Councillors for the Full Commission.	✓	Objective of enhanced representation for Port Colborne achieved - revised board model provides political representation for all Niagara municipalities.
A request was made to further examine the option for municipalities to purchase enhanced transit services as part of the revised financial model.	✓	There will be two opportunities for enhanced services to be provided in a municipality – through requests made from local Councils to the Board for that would be included in future service planning and through a direct ‘purchase’ of additional services based on a municipal contribution or rate.

## St. Catharines

### Phase 1 Consultation Summary




Council considered staff report [CAO-007-2021](#) and adopted amended recommendations, providing support-in-principle for the Commission. The recommendations of that report included:





Item	Status	Comment
That...staff [forward the] report, including comments detailed by the St. Catharines Transit Commission in Appendix 3, to the Region and requests the additional information identified in [the] report be received prior to the approval of a new Intermunicipal Transit System and operating model;		<p>The purpose of this report is to present revised financial, governance, and service strategies that reflect and address feedback received from all local Councils.</p> <p>The GSC has recommended that a second round of consultation take place to provide LAMs an opportunity to review these strategies and provide additional input prior to seeking triple-majority approval.</p>

Item	Status	Comment
<p>[Requesting] the formation of a Municipal Transit Transition Group that includes the CAOs of St. Catharines, Niagara Falls, Niagara Region and Welland, the St. Catharines Transit General Manager and any other transit staff or senior staff members required in order to develop draft Municipal Transfer Agreements that include (but are not limited to) the following:</p> <ul style="list-style-type: none"> <li>• Rider fare structure;</li> <li>• Service plan detail including improvement guarantees;</li> <li>• Asset transfer agreements;</li> <li>• Growth forecasting model, including expansion costs and revenue opportunities;</li> </ul>	<p>✓</p> <p></p>	<p>The previous CAO Working Group was expanded and reconstituted as the Governance Steering Committee (GSC) to provide a wider range of perspectives from across Niagara. Project teams working under the direction of the GSC included both Regional and local staff, including those from St. Catharines and the St. Catharines Transit Commission.</p> <p>The revised financial model presents information and detail related to the move to a single regional fare, a capital reserve strategy, and funding for growth consistent with the conservative growth strategy first outlined in the NTGS. The service standards developed identify three phases of future improvements, including service hour enhancements in St. Catharines in advance of a future Network Service Review.</p> <p>The work of the GSC will continue towards the development of Municipal Transfer Agreements which will codify these considerations, including any additional feedback received from St. Catharines. The key terms and principles of the MTA will be presented in parallel with the future triple-majority report.</p>
<p>That prior to...triple majority and receiving a complete package of information of the impact of the proposal, that Engage STC be utilized to receive public feedback.</p>	<p></p>	<p>The communications and engagement strategy referenced in this report was developed by an integrated team of Regional and local staff, including those from St. Catharines. The strategy plans for a series of public feedback initiatives including surveys and stakeholder consultation sessions take place over the summer of 2021 in advance of triple-majority. The results of this consultation will be included in future reporting both to the City and the final triple-majority report.</p>



Areas of additional feedback identified through the staff report and commentary provided by the St. Catharines Transit Commission via Appendix 3, and discussion at Council included:

Item	Status	Comment
A service plan detailing existing future service expansion, including integration with the forthcoming St. Catharines Transportation Master Plan update		The Service Standards Strategy was developed to provide additional information and detail regarding how short, medium, and long-term enhancements could be implemented by the Commission. The St. Catharines TMP and the identified expansion priorities were reviewed in the development of these standards. There will be two opportunities for the Commission to review and implement these priorities: during Phase 1 and 2 through the annual service review the new Commission will undertake; and ultimately through the Network Service Review to be completed in Phase 3.
Proposed composition of the Board and concern that St. Catharines would be underrepresented		The revised board composition model proposes three St. Catharines members, reflecting its greater share of ridership and investment, and represents an increase in the proportional share of representation being provided to St. Catharines relative to that provided from the NTGS model.
Transfer of 2012 First Street Louth facility (current SCTC garage) and a request that it revert to the City should it not be used for transit purposes in the future		The principle of facilities returning to municipalities should they not be used specifically for transit purposes in the future is acknowledged, and anticipated to be formalized as part of Municipal Transfer Agreements.

Item	Status	Comment
Anticipated timing of return to pre-COVID-19 transit ridership levels, applicability of provincial Safe Restart funding, and detail pertaining to external funding sources.		Since the original report and as referenced in the Financial strategy, the Province has introduced Phase 3 of the provincial Safe Restart Funding program which specifically incorporates new governance structures as an eligible category. This inclusion is the result of advocacy from across Niagara.
Required consolidation of Union labour agreements;		Niagara's three ATU Locals responsible for delivering current conventional service in Niagara remain a primary stakeholder, as they have throughout. Additional outreach and engagement with the ATU Locals and their leadership will take place over the summer and in advance of the triple-majority discussion in partnership with the respective leadership at the Transit Agencies.
The need to consider an alternative to 2021 as the baseline year for operational service levels, given ridership impacts from COVID-19.		Achieved - the revised financial strategy updates the baseline service year to 2020 budgeted service hours, which represents a pre-COVID estimate. All figures would be adjusted prior to consolidation in 2023 to reflect most recent financials.
Consider 'unconventional' or alternative governance structures to the presented Commission model, including: benefit area rating, appointment of representatives by municipalities, options for municipalities to directly determine or fund service directly, and alternative legal structures.		The Financial strategy has been revised as (12) special levies that ties services received to costs. The revised governance strategy provides an opportunity for municipalities to recommend local representatives to Regional Council for appointment to Board. The Service Strategy discusses methods by which local municipalities can request or purchase services beyond the service standards identified or set by the Commission.

## Thorold

### Phase 1 Consultation Summary

Council adopted staff recommendations from report [PWCS2021-13](#), providing support-in-principle for the Commission, with final approval subject to the satisfactory resolution of the issues identified in that report.

Item	Status	Comment
Clarification of the City's required contribution during transition and beyond;	✓	The financial strategy outlines revised approach to funding a consolidated system based on a twelve (12) special levy approach. This strategy outlines anticipated transition costs totaling \$3.85 - \$4.96M that would be funded through a combination of existing budgets and Provincial/ Federal transit funding programs.
Confirmation that the Service Plan will maintain existing service and include service expansion to the high growth areas of the community as identified in the Thorold Transportation Master Plan (June 2020)	✓	The service strategy outlines two opportunities for service expansion into new areas such as Allanburg, Port Robinson East, or the Rolling Meadows development. Through the annual Service Review that the Commission will undertake during Phase 1 and 2 of the plan and then through the Phase 3 comprehensive Network Service Review. Maintenance of existing or minimum service levels will be confirmed as part of final Municipal Transfer Agreements.
Council further discussed the process for engagement with Brock University and associated financial contributions.	✓	Brock University will continue to be valued stakeholder as part of the communications and engagement strategy, and will be consulted directly.

## Wainfleet

### Phase 1 Consultation Summary


Council considered, but did not support, [Resolution No. C-2021-014](#), derived from the motion contained in Appendix 1 to LNTC-C 4-2020.

Item	Status	Comment
Discussion at Council centred on the proposed assessment-based financial model and its significant impact on the residents of Wainfleet.	✓	The revised financial model transitions from a single-levy to twelve (12) special levies for local service, with the existing Regional NRT levy remaining in place. The revised model reduces the redistribution of costs from larger to smaller municipalities and links future growth costs to where the service is being added.
The future role of (and need for) transit in rural municipalities such as Wainfleet through enhancement of on-demand services such as the NRT OnDemand pilot.	For Consideration	The service strategy and financial strategy collectively assume a relative 'status quo' level of service in Wainfleet immediately post-consolidation (expanded inter-municipal demand responsive hours of operation only). Future enhancements, including the potential introduction of local demand responsive trips, would be made in consultation with the Town of Wainfleet and through annual service reviews or the Phase 3 Network Service Review. Under the revised financial model, service costs are linked to the where service is being added.

## Welland


### Phase 1 Consultation Summary

Council considered report [TRANS-2021-01](#), adopting local staff recommendations relating to the issues detailed below and deferring approval for the proposed Niagara Transit Governance Strategy until 2023. Welland City Council requested new financial impact options, land would not be transferred to new entity, an updated governance model and deferring the decision to consolidate to September 2023. This report identifies a series of eleven (11) issues and concerns:

Item	Status	Comment
COVID-19 impacts on revenue and ridership (1) and Government Funding (11)		<p>The timing of the Phase 3 Network Service Review discussed in the Service Strategy has been set in part-to allow for a better understanding of COVID-19 impacts on revenue and ridership.</p> <p>Since the original report and as referenced in the Financial strategy, the Province has introduced Phase 3 of the provincial Safe Restart Funding program which specifically incorporates new governance structures as an eligible category. This inclusion is the result of advocacy from across Niagara.</p> <p>While the City of Welland has indicated that municipal SRA funding will be used to address operational funding requirements, any remaining or unspent funds from across Niagara may be used to support consolidation</p>

Item	Status	Comment
Service Plan (2) and Ridership Growth (3)	✓	The Service Standards Strategy was developed to provide additional information and detail regarding how short, medium, and long-term enhancements could be implemented by the Commission. The Service and financial strategies collectively outline the resources required to implement these standards, incorporating the conservative growth projections from the NTGS.
Single Fare (4)	✓	The revised financial strategy incorporates a move to a single-regional fare.
Consolidation of Union Agreements (5)	🕒	Niagara's three ATU Locals responsible for delivering current conventional service in Niagara remain a primary stakeholder, as they have throughout. Additional outreach and engagement with the ATU Locals and their leadership will take place over the summer and in advance of the triple-majority discussion in partnership with the respective leadership at the Transit Agencies.
Representation on the Commission (6)	For Consideration	The revised board composition model recommends a fifteen (15) member board, with political representation for all Niagara Municipalities.

Item	Status	Comment
Asset Transfer (7)	For Consideration	<p>The GSC has confirmed as recommended the use of the Cummings Principle to guide asset transfer. The work of the GSC will continue towards the development of Municipal Transfer Agreements which will codify considerations specific to Welland, including existing operating facilities, land ownership/transfer, and the proposed future transit facility. The principle of facilities returning to municipalities should they not be used specifically for transit purposes in the future is acknowledged, and anticipated to be formalized as part of the MTAs.</p> <p>The key terms and principles of the MTA will be presented in parallel with the future triple-majority report.</p>
Funding Model (8) and Regional Tax Levy (9)	✓	<p>The revised financial model transitions from a single-levy to twelve (12) special levy approach. The revised model reduces the redistribution of costs from larger to smaller municipalities and links future growth costs to where the service is being added.</p>
Five-Year Service Guarantee (10)	✓	<p>The revised financial strategy updates the baseline service year to 2020 budgeted service hours, which represents a pre-COVID estimate. Indefinite minimum service hours to be confirmed as part of Municipal Transfer Agreement.</p>


Item	Status	Comment
Government Funding (11)		Since the original report and as referenced in the Financial strategy, the Province has introduced Phase 3 of the provincial Safe Restart Funding program which specifically incorporates new governance structures as an eligible category. This inclusion is the result of advocacy from across Niagara.



## West Lincoln

### Phase 1 Consultation Summary

Council considered, but did not support, the motion contained in Appendix 1 to LNTC-C 4-2020. A series of concerns and a record of questions raised by Council were included in the [official minutes](#) from the January, 25, 2021 meeting.

Item	Status	Comment
Discussion related to impacts to West Lincoln residents arising from the proposed assessment-based financial model.		The revised financial model transitions from a single-levy to twelve (12) special levies for local service, with the existing Regional NRT levy remaining in place. The revised model reduces the redistribution of costs from larger to smaller municipalities and links future growth costs to where the service is being added.
The limited time transit has been provided in West Lincoln (via the NRT On-Demand pilot) and making decisions with impacts beyond the current term of Council.	For Consideration	The service strategy and financial strategy collectively assume a relative 'status quo' level of service in West Lincoln immediately post-consolidation (expanded inter-municipal demand responsive hours of operation only). Future enhancements, including the potential introduction of local demand responsive trips, would be made in consultation with the Town of West Lincoln and through annual service reviews or the Phase 3 Network Service Review. Under the revised financial model, service costs are linked to the where service is being added.

**CORPORATION OF THE TOWNSHIP OF WAINFLEET**  
**BY-LAW NO. 024-2021**

Being a by-law pursuant to the provisions of Section 34 of the Planning Act, R.S.O. 1990 to amend Zoning By-law No. 581-78 of the Corporation of the Township of Wainfleet with respect to those lands forming CON 4 PT LOT 30 RP 59R4992 PART 1 EXCEPT RP 59R8241 PART 1 in the Township of Wainfleet.

**WHEREAS** the Corporation of the Township of Wainfleet has reviewed Zoning By-law No. 581-78 and deems it advisable to amend same:

**NOW THEREFORE** the Council of the Corporation of the Township of Wainfleet **HEREBY ENACTS AS FOLLOWS:**

**THAT** Map 4 of Zoning By-law No. 581-78, as amended, is hereby further amended by changing the zoning of the subject property from Development – D to Residential – R1 - 356 as shown on Schedule “A” attached hereto.

**THAT** Section 31 entitled “Exceptions” is hereby further amended by adding the following text:

Legal Description, Bylaw No.	Exception	Provisions
CON 4 PT LOT 30 RP 59R4992 PART 1 EXCEPT RP 59R8241 PART 1, Township of Wainfleet  Bylaw 024-2021	356	(a) The maximum lot coverage shall be 12%. (b) The maximum accessory building lot coverage shall be 2.5%. (c) One secondary suite shall be permitted within a single detached dwelling or within an accessory building on a lot containing a single detached dwelling provided that the unit is clearly subordinate to the primary residential unit in the dwelling and all relevant requirements of the Ontario Building Code and Fire Code are complied with.

**THAT** for the purposes of this by-law, a secondary suite shall mean a second dwelling unit wholly within a single detached dwelling or within an accessory building.

**THAT** pursuant to Section 34(17) of the Planning Act, as amended, no further public meeting is required.

**THAT** this By-law shall come into force, take effect and be passed on the final reading hereof subject to the provisions of Section 34 of the Planning Act.

BY-LAW READ AND PASSED THIS 13<sup>TH</sup> DAY OF JULY, 2021.

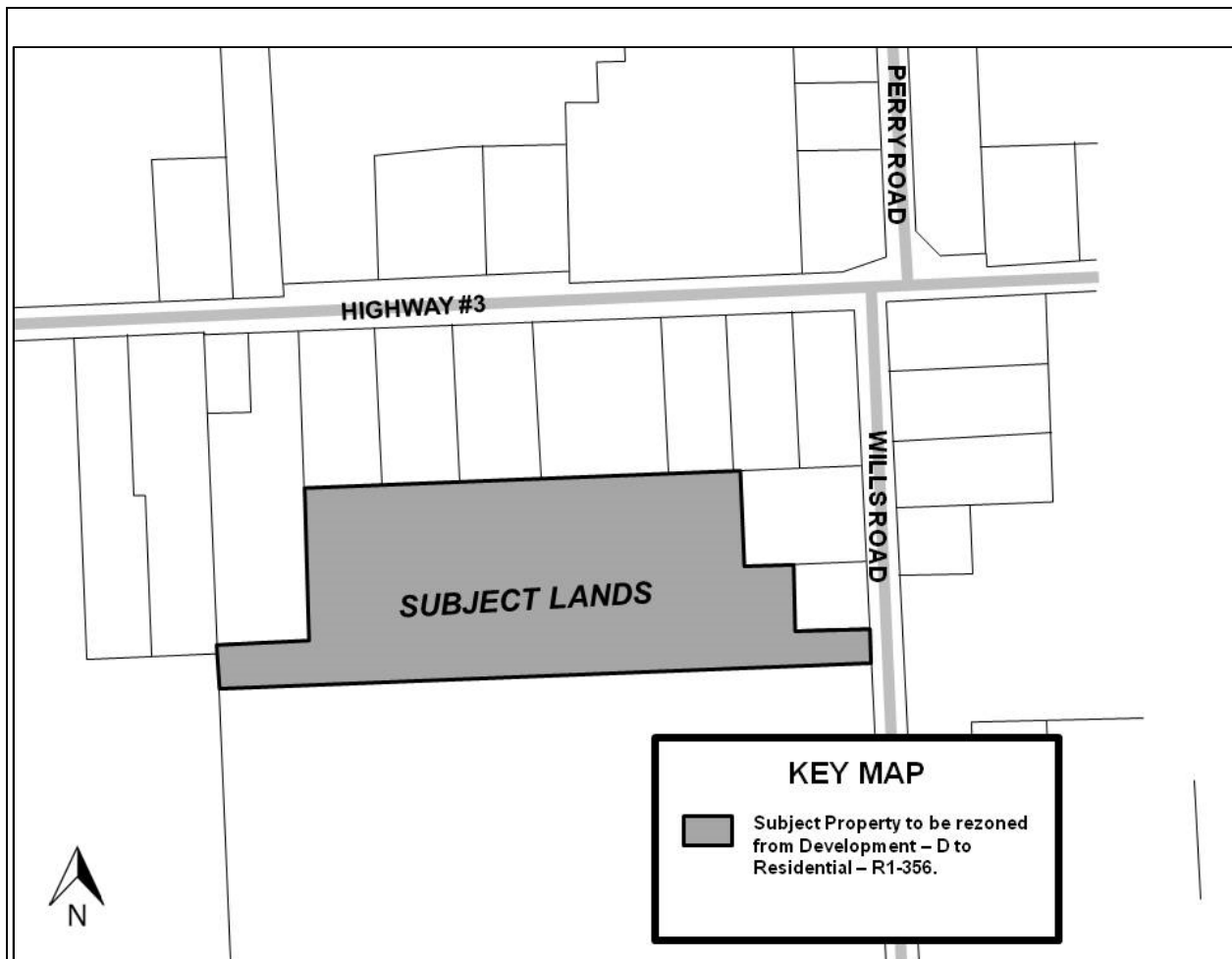
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K. Gibson, MAYOR

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M. Ciuffetelli, DEPUTY CLERK

## SCHEDULE "A" TO BY-LAW 024-2021



## TOWNSHIP OF WAINFLEET

## Purpose &amp; Effect of By-law No. 024-2021:

This by-law affects lands described as CON 4 PT LOT 30 RP 59R4992 PART 1 EXCEPT RP 59R8241 PART 1 in the Township of Wainfleet. This by-law has been enacted to rezone the subject property from Development - D to Residential - R1 - 356 to permit a plan of condominium, File No. P01/2021W.

THIS IS SCHEDULE "A" TO BY-LAW NO. 024-2021.  
PASSED THIS 13<sup>TH</sup> DAY OF JULY, 2021.



File No. Z04/2021W  
(Daniel & Kandace Bunz)

MAYOR

DEPUTY CLERK

# THE CORPORATION OF THE TOWNSHIP OF WAINFLEET

## BY-LAW NO. 025-2021

Being a by-law to adopt, ratify and confirm the proceedings of the Council of the Corporation of the Township of Wainfleet at its meeting held July 13, 2021.

**WHEREAS** Subsection 5 (1) of the *Municipal Act, 2001*, S.O. 2001, Chapter M.25, as amended, provides that the powers of a municipal corporation are to be exercised by its Council;

**AND WHEREAS** section 5 (3) of the *Municipal Act 2001*, S.O. 2001, Chapter M.25, as amended, provides that, except if otherwise authorized, the powers of Council shall be exercised by by-law;

**AND WHEREAS** it is deemed desirable and expedient that the actions of the Council as herein set forth be adopted, ratified and confirmed by by-law;

**NOW THEREFORE** the Council of the Corporation of the Township of Wainfleet **HEREBY ENACTS AS FOLLOWS:**

1. (a) The actions of the Council at its meeting held July 13, 2021, including all resolutions or motions approved, are hereby adopted, ratified and confirmed as if they were expressly embodied in this by-law.  
  
(b) The above-mentioned actions shall not include:
  - (i) any actions required by law to be taken by resolution, or
  - (ii) any actions for which prior Ontario Municipal Board approval is required, until such approval is obtained.
2. The Mayor and proper officials of the Corporation of the Township of Wainfleet are hereby authorized and directed to do all things necessary to give effect to the above-mentioned actions and to obtain approvals where required.
3. Unless otherwise provided, the Mayor and Clerk are hereby authorized and directed to execute and the Clerk to affix the seal of the corporation of the Township of Wainfleet to all documents necessary to give effect to the above-mentioned actions.
4. This by-law shall come into force on the day upon which it is passed.

BY-LAW READ AND PASSED THIS 13<sup>th</sup> DAY OF JULY, 2021

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K. Gibson, MAYOR

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M. Ciuffetelli, DEPUTY CLERK