



COUNCIL MEETING

Tuesday, July 30, 2024, 6:00 p.m.

	Pages
1. CALL TO ORDER	
2. FOCUS STATEMENT Councillor Balasiuk	
3. O'CANADA	
4. ADOPTION OF THE AGENDA	
5. COUNCIL & COMMITTEE OF THE WHOLE MINUTES	
5.1 Committee of the Whole Planning Minutes - July 16, 2024	5
5.2 Committee of the Whole General Minutes - July 23, 2024	13
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6. CONFLICT OF INTEREST	
7. PROCLAMATIONS	
8. NEXT COMMITTEE OF THE WHOLE & COUNCIL MEETING DATES: (1) Committee of the Whole - Planning Meeting - September 10, 2024 (2) Committee of the Whole - General Meeting - September 17, 2024 (3) Council Meeting - September 24, 2024	
<p>Meeting times can be subject to change. For more detailed information, please visit the Town's website at www.notl.com or contact the office at 905-468-3266.</p>	
9. LORD MAYOR'S REPORT	38
10. MEMBERS' ANNOUNCEMENT	
11. DELEGATIONS	
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13.2	Daniel Glasbergen and Carlos Salvarez, KPMG - 2023 Audit Report Presentation	
	Presentation to be added	
14.	CONSENT AGENDA	
14.1	Heritage Permit Application – 12 Princess Street – St. Saviour’s the Brock Memorial Church, CDS-24-132	67
14.2	Water and Wastewater Financial Plan, CS-24-013	90
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15.	INFORMATION PACKAGES	
15.1	Special Event Permits Process Review - CAO-24-032	230
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	Lifted from the July 25, 2024 info package by Lord Mayor Zalepa	
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	Lifted from the July 25, 2024 info package by Lord Mayor Zalepa	
16.	COMMITTEES OF COUNCIL MINUTES	
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16.7	NOTL Public Library Board Meeting Minutes - April 17, 2024	283
17.	MOTIONS	
18.	NOTICE OF MOTION	
	Notices of Motion may be introduced by any Member at a regular Meeting of Council or Committee of the Whole for consideration at the next subsequent regular meeting of Council.	
19.	NEW BUSINESS	
	New Business may be introduced under adoption of the Agenda. Items of direction to staff must in be in the form of a motion.	
20.	BY-LAWS	
20.1	By-law 4308AS-24 - Amend Schedule W - EW Line Speed	287
	A By-law to amend By-law 4308-09, As Amended, being a By-law regulating traffic and parking on Town Roads; to amend the following Schedules: “W” Speed Limits on Highways.	

20.2	By-law 4308AT-24 - Amend Schedules N & P All Way Stop Tanbark Hickory A By-law to amend By-law 4308-09, As Amended, being a By-law regulating traffic and parking on Town Roads; to amend the following Schedules: “N” Through Highways and “P” Stop Signs at Intersections.	294
20.3	By-law 4316FL-24 - Konik Estates Phase 2 (ZBA-02-2024) A By-law to rezone the subject lands to permit a proposed subdivision and condominium with public and private roads, and lots for 52 single-detached dwellings fronting onto public roads, 6 street townhouse dwellings fronting Line 2 Road, and 102 block townhouse dwelling units to be accessed via private roads.	304
20.4	By-law 4316FQ-24 - 308 Four Mile Creek Road (ZBA-18-2023) A By-law to rezone a portion of the subject lands to permit the development of nine (9) townhouse dwelling units and one (1) block for future development, with common elements for a private road, environmental protection area and landscaping, and to rezone a portion of the subject lands to protect the existing Four Mile Creek watercourse and associated buffer lands by prohibiting any type of development, save and except a private road and private infrastructure, subject to approval from the Niagara Peninsula Conservation Authority.	311
20.5	By-law 2024-052 - 308 Four Mile Creek Road (OPA-08-2023) - Official Plan Amendment No. 96 A By-law pursuant to Section 17 of The Ontario Planning Act to amend The Town Of Niagara-on-the-Lake Official Plan.	317
20.6	By-law 4316FR-24 - 187 Queen Street (ZBA-05-2024) A By-law to rezone the subject lands to permit the creation of one (1) new residential lot for the construction of a single-detached dwelling and retain one (1) residential lot with an existing single-detached dwelling for continued residential use.	323
20.7	By-law 500YJ-24 - 976 York Road (ZBA-12-2023) A By-law to rezone the subject property to permit a proposed Estate Winery with secondary uses, and rezone a portion of the lands with an existing watercourse for continued environmental uses.	328
20.8	By-law 2024-050 - Designation By-law 14 Wesley Avenue A By-law to designate the property known municipally as, Lansdowne Villa, 14 Wesley Avenue (Plan 73a Lot 162), in The Town of Niagara-on-the-Lake, in the province of Ontario, as being of cultural heritage value or interest.	333

20.9	By-law 2024-051 - Designation By-law 15618 Niagara River Parkway A By-law to designate the property known municipally as, Grand Victorian, 15618 Niagara River Parkway (Part Lot 19), in The Town of Niagara-on-the-Lake, in the province of Ontario, as being of cultural heritage value or interest.	337
20.10	By-law 2024-053 - Agreement between AMO and Town A By-law to authorize an agreement between the Corporation of the Town Of Niagara-on-the-Lake and the Association of Municipalities of Ontario (AMO)	341
20.11	By-law 2024-054 - Council Proceedings July 30, 2024 A By-law to confirm the proceedings at the Council Meeting of The Corporation of The Town of Niagara-on-the-Lake held on July 30, 2024.	366
21.	ADJOURNMENT	



COMMITTEE OF THE WHOLE - PLANNING MEETING MINUTES

July 16, 2024, 6:00 p.m.

Council Members Present: Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Adriana Vizzari, Councillor Erwin Wiens, Lord Mayor Gary Zalepa

Council Members Absent: Councillor Nick Ruller

Staff Present: Shaunna Arenburg - Deputy Clerk, Kirsten McCauley - Director of Community and Development Services, Jay Plato - Fire Chief, Kyle Freeborn - Director of Corporate Services/ Treasurer, Grant Bivol - Town Clerk/Manager of Legislative Services, Bruce Zvaniga, CAO (Interim)

1. CALL TO ORDER

Councillor Vizzari called the meeting to order at 6 p.m.

2. ADOPTION OF AGENDA

The following members requested to speak under New Business:

- Councillor Burroughs

Moved by: Councillor Gary Burroughs

That the agenda be adopted as amended.

APPROVED

3. CONFLICT OF INTEREST

Councillor Sandra O'Connor - CONFLICT OF INTEREST

Declared a conflict with item 4.1 - File ZBA-08-2024 - 242 Ricardo Street - Report CDS-24-105 as she lives within the notification area.

4. PUBLIC MEETING

4.1 File ZBA-08-2024 - 242 Ricardo Street - Report CDS-24-105

Councillor O'Connor left the meeting at 6:03 p.m. due to a declared conflict.

Victoria Nikoltcheva, Planner II gave a presentation on File ZBA-08-2024 - 242 Ricardo Street.

Council asked questions of clarification.

Jennifer Vida, the agent for the application, gave a presentation on 242 Ricardo Street.

Council asked questions of clarification.

No public speakers came forward for this item.

9.1 Information Report - Public Meeting - 242 Ricardo Street (ZBA-08-2024) - CDS-24-105

Councillor Mavridis lifted the report for discussion

Moved by: Councillor Tim Balasiuk

That item 9.1 - Information Report - Public Meeting - 242 Ricardo Street (ZBA-08-2024) - CDS-24-105 be received.

APPROVED

4.2 File ZBA-07-2024 - 15608 and 15618 Niagara River Parkway - Report CDS-24-110

Councillor O'Connor returned to the meeting at 6:17 p.m.

John Federici, Senior Planner gave a presentation on File ZBA-07-2024 - 15608 and 15618 Niagara River Parkway.

Council asked questions of clarification.

Aaron Butler, the agent for the application, did not have a presentation but came forward to answer questions.

Council asked questions of clarification.

No public speakers came forward for this item.

9.2 Information Report - Public Meeting -15608 and 15618 Niagara River Parkway (ZBA-07-2024) - CDS-24-110

Councillor Wiens lifted the report for discussion.

Moved by: Councillor Erwin Wiens

That item 9.2 - Information Report - Public Meeting -15608 and 15618 Niagara River Parkway (ZBA-07-2024) - CDS-24-110 be received.

APPROVED

5. DELEGATIONS

5.1 Non-Agenda Delegations

5.2 Agenda Delegations

5.2.1 John Gibson - Item 8.2 - 187 Queen Street Zoning By-law Amendment ZBA-05-2024, CDS-24-104

John Gibson discussed his reasons for opposing the zoning by-law amendment proposed at 187 Queen St.

Council had no questions.

5.2.2 Gracia Janes - Item 8.2 - 187 Queen Street Zoning By-law Amendment ZBA-05-2024, CDS-24-104

Gracia Janes discussed her reasons for opposing the zoning by-law amendment proposed at 187 Queen St.

Council had no questions.

5.2.3 Ken Burr - Item 8.3 - Konik Estates Phase 2 Subdivision and Condominium ZBA-02-2024, 26T-18-24-02, and 26CD-18-24-01, CDS-24-123

Ken Burr discussed his reasons for opposing phase 2 of the subdivision proposed at Konik Estates.

Council had no questions.

5.2.4 Catherine Lowrey - Item 8.3 - Konik Estates Phase 2 Subdivision and Condominium ZBA-02-2024, 26T-18-24-02, and 26CD-18-24-01, CDS-24-123

Catherine Lowrey discussed her reasons for opposing phase 2 of the subdivision proposed at Konik Estates.

Council had no questions.

- 5.2.5 Ellen Qualls - Item 8.3 - Konik Estates Phase 2 Subdivision and Condominium ZBA-02-2024, 26T-18-24-02, and 26CD-18-24-01, CDS-24-123

Ellen Qualls discussed her reasons for opposing phase 2 of the subdivision proposed at Konik Estates.

Council had no questions.

- 5.2.6 William Heikoop - Item 8.3 - Konik Estates Phase 2 Subdivision and Condominium ZBA-02-2024, 26T-18-24-02, and 26CD-18-24-01, CDS-24-123

William Heikoop, the agent for the application, spoke in support of Staff's recommendations and requested Council's approval.

Council asked questions of clarification.

6. RESPONSE TO DELEGATIONS

Moved by: Councillor Wendy Cheropita

That item 8.2 - 187 Queen Street Zoning By-law Amendment ZBA-05-2024, CDS-24-104 and item 8.3 - Konik Estates Phase 2 Subdivision and Condominium ZBA-02-2024, 26T-18-24-02, and 26CD-18-24-01, CDS-24-123 be lifted for discussion.

APPROVED

8.2 187 Queen Street Zoning By-law Amendment ZBA-05-2024, CDS-24-104

Council discussed and asked questions about the report.

Moved by: Lord Mayor Gary Zalepa

That:

1. The Application for Zoning By-law Amendment (File No. ZBA-05-2024) for lands known municipally as 187 Queen Street **BE APPROVED**, for reasons outlined in this report; and

2. The draft Zoning By-law Amendment, attached as **Appendix IV** to this report, be forwarded to Council for adoption.

APPROVED

8.3 Konik Estates Phase 2 Subdivision and Condominium ZBA-02-2024, 26T-18-24-02, and 26CD-18-24-01, CDS-24-123

Council discussed the report and asked questions of clarification.

Moved by: Councillor Sandra O'Connor

That Council remove the cash in lieu of parkland and direct that an area is calculated for the size of the development and refer the report back to the planning department to determine the appropriate location and the respective size.

DEFEATED

Moved by: Councillor Erwin Wiens

That:

1. The Application for Zoning By-law Amendment (File No. ZBA-02-2024) for lands located north of Line 2 Road, east of Concession 6 Road, south of Homestead Drive, and west of Frontier Drive (Konik Estates Phase 2) **BE APPROVED**, and the draft Zoning By-law Amendment, attached as **Appendix V** to this Report, be forwarded to Council for adoption;
2. The Application for Draft Plan of Subdivision (File No. 26T-18-24-02) for lands located north of Line 2 Road, east of Concession 6 Road, south of Homestead Drive, and west of Frontier Drive (Konik Estates Phase 2), attached as **Appendix I** to this Report, subject to the conditions of final approval contained in **Appendix VI** to this Report, **BE APPROVED**;
3. The Application for Draft Plan of Condominium (File No. 26CD-18-24-01) for lands located north of Line 2 Road, east of Concession 6 Road, south of Homestead Drive, and west of Frontier Drive (Konik Estates Phase 2), attached as **Appendix II** to this Report, subject to the conditions of final approval contained in **Appendix VII** to this Report, **BE APPROVED**;

4. The Lord Mayor be authorized to **ENDORSE** the Draft Plan of Subdivision for lands located north of Line 2 Road, east of Concession 6 Road, south of Homestead Drive, and west of Frontier Drive (Konik Estates Phase 2), as approved, 20 days after notice of Council's decision has been given, provided that no appeals have been received; and,
5. The Lord Mayor be authorized to **ENDORSE** the Draft Plan of Vacant Land Condominium for lands located north of Line 2 Road, east of Concession 6 Road, south of Homestead Drive, and west of Frontier Drive (Konik Estates Phase 2), as approved, 20 days after notice of Council's decision has been given, provided that no appeals have been received.

APPROVED

7. PRESENTATIONS

There were none.

8. CONSENT AGENDA

8.1 308 Four Mile Creek Road - OPA-08-2023, ZBA-18-2023, 26CD-18-23-01, CDS-24-085

Council discussed the report and asked questions of clarification.

Moved by: Councillor Erwin Wiens

That:

1. The Application for Official Plan Amendment (File No. OPA-08-2023) for lands municipally known as 308 Four Mile Creek Road, **BE APPROVED**, and that the draft Official Plan Amendment, attached as **Appendix IV** to this report, be forwarded to Council for adoption;
2. The Application for Zoning By-law Amendment (File No. ZBA-18-2023) for lands municipally known as 308 Four Mile Creek Road, **BE APPROVED**, and that the draft Zoning By-law Amendment, attached as **Appendix V** to this report, be forwarded to Council for adoption;
3. The Application for Draft Plan of Vacant Land Condominium (26CD-18-23-01) for lands municipally known as 308 Four Mile Creek

Road, attached as **Appendix I** to this report, **BE APPROVED** subject to the conditions contained in **Appendix VI** to this report; and

4. The Lord Mayor be authorized to **ENDORSE** the Draft Plan of Vacant Land Condominium for 308 Four Mile Creek Road, as approved, 20 days after notice of Council's decision has been given, provided that no appeals have been received.

APPROVED

8.2 187 Queen Street Zoning By-law Amendment ZBA-05-2024, CDS-24-104

This item was lifted and voted on under item 6 - Response to Delegations.

8.3 Konik Estates Phase 2 Subdivision and Condominium ZBA-02-2024, 26T-18-24-02, and 26CD-18-24-01, CDS-24-123

This item was lifted and voted on under item 6 - Response to Delegations.

9. INFORMATION PACKAGES

9.1 Information Report - Public Meeting - 242 Ricardo Street (ZBA-08-2024) - CDS-24-105

This item was lifted and received under item 4.1.

9.2 Information Report - Public Meeting -15608 and 15618 Niagara River Parkway (ZBA-07-2024) - CDS-24-110

This item was lifted and received under item 4.2.

9.3 Draft Glendale Secondary Plan and Urban Design Guidelines - CDS-24-125

Council discussed the report and asked questions of clarification.

Moved by: Councillor Erwin Wiens

That item 9.3 - Draft Glendale Secondary Plan and Urban Design Guidelines - CDS-24-125 be received.

APPROVED

9.4 Delegated Authority By-law, Heritage Planning for Heritage Permits - CDS-24-097

Council discussed the report and asked questions of clarification.

Moved by: Councillor Erwin Wiens

That item 9.4 - Delegated Authority By-law, Heritage Planning for Heritage Permits - CDS-24-097 be received.

APPROVED

10. NEW BUSINESS

The following items were discussed under New Business:

- Meeting with Transport Canada
- Infrastructure
- Tanbark Road stormwater runoff
- Transportation Master Plan

Council requested that Staff look into arranging a workshop on the Transportation Master Plan with the consultant.

11. ADJOURNMENT

Moved by: Councillor Wendy Cheropita

That this Committee adjourn at 8:36 p.m. to the next regular Committee of the Whole - General meeting of July 23, 2024 and if a special meeting is required, it will be held at the call of the Lord Mayor.

APPROVED



COMMITTEE OF THE WHOLE MEETING MINUTES

July 23, 2024, 5:00 p.m.

Council Members Present: Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Sandra O'Connor, Councillor Adriana Vizzari, Councillor Erwin Wiens, Lord Mayor Gary Zalepa

Council Members Absent: Councillor Tim Balasiuk, Councillor Maria Mavridis, Councillor Nick Ruller

Staff Present: Shaunna Arenburg - Deputy Clerk, Kirsten McCauley - Director of Community and Development Services, Jay Plato - Fire Chief, Kyle Freeborn - Director of Corporate Services/ Treasurer, Grant Bivol - Town Clerk/Manager of Legislative Services, Bruce Zvaniga, CAO (Interim)

1. CALL TO ORDER

Councillor Vizzari called the meeting to order at 5:00 p.m.

2. ADOPTION OF AGENDA

The following members requested to speak under New Business:

- Councillor Wiens
- Councillor Burroughs
- Councillor O'Connor
- Councillor Vizzari

Moved by: Councillor Gary Burroughs

That the agenda be adopted as amended.

APPROVED

3. CONFLICT OF INTEREST

None were declared.

4. CLOSED SESSION

Moved by: Councillor Gary Burroughs

That the Committee proceed into a closed meeting at 5:05 p.m. under Section 239(2)(k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board specifically regarding the Court House Lease.

APPROVED

Moved by: Councillor Wendy Cheropita

That the Committee rise from a closed meeting at 5:17 p.m. under Section 239(2)(k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board specifically regarding the Court House Lease; and

That Report OPS-24-033 be deemed a public document; and

That the Lord Mayor and Town Clerk be authorized to execute the Lease Agreement (Appendix I) between the Corporation of the Town of Niagara-on-the-Lake and the Shaw Festival Theatre, Canada, for performance and workshop space at the Courthouse, located at 26 Queen Street.

APPROVED

9. INFORMATION PACKAGES

The Information Package was moved ahead to follow item 4 due to the timing of the delegations.

9.1 Notice of Completion - Corporate Communications Plan - CAO-24-031

Council discussed and asked questions about the Communications Plan.

Moved by: Councillor Erwin Wiens

That item 9.1. Notice of Completion - Corporate Communications Plan - CAO-24-031 be received.

APPROVED

9.2 Fire Alarm Assistance Program- Midpoint Update - FES-24-009

Council asked questions about the Fire Alarm Assistance Program.

Moved by: Councillor Erwin Wiens

That item 9.2. Fire Alarm Assistance Program- Midpoint Update - FES-24-009 be received.

APPROVED

9.3 St. Davids School Safety Walkabout Summary

Council discussed and asked questions about the Walkabout Summary.

Councillor Cheropita assumed the chair at 5:28 p.m.

Councillor Vizzari commented on the report and spoke in support of Staff reviewing the recommendations.

Councillor Vizzari resumed the chair at 5:29 p.m.

Moved by: Councillor Gary Burroughs

That item 9.3. St. Davids School Safety Walkabout Summary be received and referred to Staff for a report regarding the recommendations.

APPROVED

5. DELEGATIONS

5.1 Non-Agenda Delegations

5.1.1 Richard Mell - Bylaw 4308-09 Section 301.03/301.04. - Ability for tour buses to conduct pickups at locations with no off street parking

Richard Mell, one of the owner of Grape Escape Wine Tours, spoke to Council regarding by-law 4308-09 concerning loading and unloading passengers. Mr. Mell requested Council consider a change to the existing by-law to allow for the loading and unloading of passengers from small tour buses.

Council asked questions of clarification.

5.2 Agenda Delegations

There were none.

6. RESPONSE TO DELEGATIONS

Council discussed and asked questions about what options could be available to allow for the loading and unloading of passengers from vehicles with 10 or more passengers.

Moved by: Councillor Erwin Wiens

That the matter be referred to Staff for more information with a return date of September for an investigation into solutions and options, accessibility, pros and cons for drop-off, and specialized transit services.

APPROVED

7. PRESENTATIONS

Council recessed at 5:52 p.m.

Council resumed at 6:10 p.m.

8. CONSENT AGENDA

8.1 The Settlement Subdivision, CDS-24-103

Council discussed and asked questions about the report.

Moved by: Councillor Gary Burroughs

That:

1. The Town assumes the Primary, Secondary and Tertiary services installed within the Settlement Subdivision (File No. 26T-18-04-03) as defined in the Subdivision Agreement registered on title; and,
2. The draft Assumption By-law, attached as **Appendix I** to this report, be forwarded to Council for approval.

APPROVED

8.2 976 York Road (Amo Winery) Zoning By-law Amendment ZBA-12-2023, CDS-24-106

Council discussed and asked questions about the report.

Moved by: Councillor Wendy Cheropita

That:

1. The Application for Zoning By-law Amendment (File No. ZBA-12-2023) for lands known municipally as 976 York Road **be approved** as detailed in this report and the draft Zoning By-law Amendment, attached as **Appendix IV** to this report, be forwarded to Council for adoption.

APPROVED

8.3 2023 & 2024 Discretionary Grant Committee Allocations, CS-24-008

Council discussed and asked questions about the report.

Moved by: Councillor Gary Burroughs

That:

The following allocations be approved, as recommended by the Discretionary Grant Committee for the 2023 and 2024 Program Years.

Applicant	2023		2024	
	Request	Allocation	Request	Allocation
Caribbean Workers Outreach Project	\$ 1,000	\$ 866	\$ 1,000	\$ 404
Drum Circle Niagara			\$ 505	\$ 202
Friends of Fort George	\$ 20,000	\$ 11,000	\$ 20,000	\$ 10,000
General Nelles Branch #124 Legion			\$ 20,000	\$ 20,000
Jane's Walk Niagara			\$ 1,000	\$ 404
Music Niagara	\$ 7,500	\$ 6,496	\$ 7,500	\$ 3,031
Newark Neighbours			\$ 16,000	\$ 16,000
Niagara Jazz Festival	\$ 10,000	\$ 8,661	\$ 10,000	\$ 4,041
Niagara North Family Health Team	\$ 4,896	\$ 4,240		
Niagara Pumphouse Arts Centre	\$ 5,600	\$ 4,852	\$ 8,000	\$ 8,000
Niagara Symphony Association			\$ 25,000	\$ 10,103
NOTL Minor Lacrosse			\$ 6,500	\$ 2,627
NOTL Museum			\$ 52,933	\$ 21,394
NOTL Pickleball Club	\$ 6,000	\$ 5,197		
NOTL Youth Collective			\$ 15,000	\$ 6,062
Restorative Circle Niagara	\$ 500	\$ 433		
Riverbrink	\$ 5,850	\$ 5,850	\$ 7,816	\$ 3,159
Rotary Club	\$ 5,000	\$ 1,500	\$ 2,500	\$ 1,500
Shaw Festival	\$ 50,000	\$ 42,521	\$ 50,000	\$ (6,011)
St Davids/Queenston United Church	\$ 3,000	\$ 2,598		
Station 1 Firefighter Association	\$ 2,014	\$ 1,744	\$ 2,014	\$ 814
Station 2 Firefighter Association	\$ 1,319	\$ 1,142	\$ 1,319	\$ 533
Station 3 Firefighter Association	\$ 1,475	\$ 1,277	\$ 1,475	\$ 596
Station 4 Firefighter Association	\$ 629	\$ 544	\$ 629	\$ 254
Station 5 Firefighter Association	\$ 629	\$ 544	\$ 629	\$ 254
Yellow Door Theatre Project	\$ 3,158	\$ 2,735	\$ 8,000	\$ 3,233
Total	\$ 128,569	\$ 102,200	\$ 257,820	\$ 106,600

APPROVED

8.4 2023 Capital Project Closure Report, CS-24-009

Council discussed and asked questions about the report.

Moved by: Councillor Wendy Cheropita

That:

1. Council receive the Capital Project Closure Report effective December 31, 2023, attached as **Appendix I** to this report;
2. Council receive the Capital Project Status Report effective December 31, 2023, attached as **Appendix II** to this report;
3. Council approve the transfer of the favourable variance for capital projects of \$1,552,653.58, as identified in **Appendix I** in the column identified "Under/(Over) Budget," net of internal financing and debenture projects; and
4. Council approve the transfer of surplus capital funds to projects C00749 and C01991 as outlined in section 5.1 of this report.

APPROVED

8.5 2023 Development Charges Reserve Fund Statement, CS-24-010

Council discussed and asked questions about the report.

Moved by: Councillor Erwin Wiens

That:

1. Council approve the annual Development Charges Reserve Fund Statement for the period from January 1, 2023, to December 31, 2023.

APPROVED

8.6 2023 Building Permit Fees Annual Financial Report, CS-24-011

Council discussed and asked questions about the report.

Moved by: Councillor Wendy Cheropita

That:

1. The Building Permit Fees Annual Financial Report for 2032 be approved by COTW-General and forwarded to Council.

APPROVED

8.7 2023 Year End Surplus, CS-24-012

Council discussed and asked questions about the report.

Moved by: Councillor Erwin Wiens

That:

1. Council receives this report quantifying the 2023 Operating Budget Surplus of \$234,613 or 0.8%;
2. Council approves that the 2023 surplus be allocated to the following reserves:
3. \$184,613 to the Planning Appeals Reserve.

APPROVED

8.8 Airport Drainage System Proposed Scope Amendment, OPS-24-027

Council discussed and asked questions about the report.

Moved by: Councillor Wendy Cheropita

That:

1. That Council appoint GEI Consultants Canada Ltd., (“GEI”, formerly GM BluePlan Engineering Limited) under section 8(1) of the *Drainage Act* R.S.O. 1990 (the Act) to prepare an updated Engineer’s Report under sections 76 and 78 of the *Drainage Act* R.S.O. 1990 for the Airport Municipal Drainage System to vary and update the assessment schedules for future maintenance and address erosion concerns throughout the system; and
2. That Council direct the Town Clerk to amend By-law 5201-20 as required to retain the Drainage Engineer in accordance with the *Drainage Act* R.S.O. 1990.

APPROVED

8.9 Servicing Agreement – 61 Princess Street Watermain Extension, OPS-24-029

Council discussed and asked questions about the report.

Moved by: Councillor Gary Burroughs

That:

1. Council approve the draft Agreement for the extension of the watermain on Princess Street, attached as **Appendix I** to this report, and forward to the Owner(s) for signatures; and;
2. The Lord Mayor and Town Clerk be authorized to execute an Agreement with the Owners of 61 Princess Street for the construction of the Princess Street watermain extension to Town standards at their expense, including deposits and fees for engineering, construction, inspection, and agreement preparation costs.

APPROVED

8.10 Additional Road Rehabilitation – Line 8 Road from Concession 1 Road to Niagara River Parkway, OPS-24-036

Councillor Cheropita left the meeting at 7:19 p.m.

Council discussed and asked questions about the report.

Moved by: Councillor Gary Burroughs

That:

1. Council approves the reallocation of surplus funds expected from the Town's 2024 Roads Capital Hot Mix Asphalt Resurfacing Program toward the road rehabilitation of Line 8 Road from Concession 1 Road to Niagara River Parkway; and
2. Council approves the reallocation of any additional surplus funds that may be realized to other locations as necessary at the Director of Operations discretion in consultation with the CAO and Treasurer while staying within the overall approved original funding allocation.

APPROVED

9. INFORMATION PACKAGES

The items in the Information Package were discussed and received under item 4.

10. NOTICE OF MOTION

11. NEW BUSINESS

The following items were discussed under New Business:

- Delivery Trucks blocking parking spaces
- Enforcement of the Anti-idling By-law
- Advancing the Official Plan
- Swim Team Bake Sale at St. Davids Pool Wednesday and Memorial Pool Thursday

12. ADJOURNMENT

Moved by: Councillor Gary Burroughs

That this Committee adjourn at 7:24 p.m. to the next regular Council meeting of July 30, 2024 and if a special meeting is required, it will be held at the call of the Lord Mayor.

APPROVED



June 25, 2024, 5:30 p.m.

Council Members Present: Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Nick Ruller, Councillor Adriana Vizzari, Councillor Erwin Wiens, Lord Mayor Gary Zalepa

Staff Present: Shaunna Arenburg - Deputy Clerk, Kirsten McCauley - Director of Community and Development Services, Jay Plato - Fire Chief, Kyle Freeborn - Director of Corporate Services/ Treasurer, Grant Bivol - Town Clerk/Manager of Legislative Services, Bruce Zvaniga, CAO (Interim)

1. CALL TO ORDER

The Lord Mayor called the meeting to order at 5:31 p.m.

2. FOCUS STATEMENT

Councillor O'Connor read the Focus Statement.

3. O'CANADA

4. ADOPTION OF THE AGENDA

The following members requested to speak under New Business:

- Councillor Burroughs

Moved by: Councillor Gary Burroughs

Seconded by: Councillor Wendy Cheropita

That the agenda be adopted as amended.

APPROVED

5. CONFLICT OF INTEREST

None were declared.

6. CLOSED SESSION

Councillor Cheropita arrived at 5:36 p.m.

Moved by: Councillor Maria Mavridis

Seconded by: Councillor Gary Burroughs

That Council proceed to go into a Closed meeting at 5:37 p.m. to consider matters that qualify under the Municipal Act 2001 under Section 239(2)(i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization; specifically regarding the Shaw Festival.

APPROVED

Councillor Ruller arrived during closed session 6:01 p.m.

Moved by: Councillor Gary Burroughs

Seconded by: Councillor Tim Balasiuk

That Council rise from a Closed meeting at 6:30 p.m. to consider matters that qualify under the Municipal Act 2001 under Section 239(2)(i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization; specifically regarding the Shaw Festival with no report.

APPROVED

7. PROCLAMATIONS

There were none.

8. NEXT COMMITTEE OF THE WHOLE & COUNCIL MEETING DATES:

The Clerk read out the following upcoming meetings:

- Committee of the Whole - Planning Meeting - July 16, 2024
- Committee of the Whole - General Meeting - July 23, 2024
- Council Meeting - July 30, 2024

9. LORD MAYOR'S REPORT

The Lord Mayor presented his report.

10. MEMBERS' ANNOUNCEMENT

The following members made announcements:

- Councillor O'Connor - June 3, attended the Niagara Health Open House with the Lord Mayor - discussed with Niagara Health President Lynn Guerrero the three site hospital system for the Region and the need to plan for an Urgent Care Center in the Niagara-on-the-Lake community.
- Councillor Cheropita - May 27, met with the Provincial Minister of Agriculture Lisa Thompson at Chateau des Charmes - discussed the importance of the agricultural community. May 31, attended the Federal Economic Development Agency for Ontario - announcement with the Honourable Soraya Martinez Ferrada, Minister of Tourism, on behalf of the Honourable Filomena Tassi, Minister responsible for the Federal Economic Development Agency for Southern Ontario, at Byland Winery beneficiary of \$90,000 investment to upgrade their tourism experience.
- Councillor Burroughs - attended two indigenous events one at Brock Monument and one at the Friendship Center.
- Councillor Wiens - June 20, discussed the future of the airport with the Honourable Prabmeet Singh Sarkaria, Minister of Transportation along with Mayor Siscoe and Mayor Diodati.

11. DELEGATIONS

11.1 Non- Agenda Delegation

11.1.1 Alana Hurov, Niagara 5000 - Support for the Paddock Party Event

Alana Hurov, Niagara 5000 - requested support from Council to host the Paddock Party at the Scotsman.

Ms. Hurov answered questions from Council.

Councillor Vizzari joined the meeting virtually at 6:54 p.m.

11.1.2 Tim Collins, LANDx Developments - Request for Council to overturn Planning Committee decision on OPA and ZBA for 253 Taylor Road (OPA-07-2023 & ZBA-16-2023)

Timothy Collins, President of LANDx Developments presented his request for Council to overturn Planning Committee decision on OPA and ZBA for 253 Taylor Road (White Oaks).

Mr. Collins answered questions from Council.

11.2 Agenda Delegation

11.2.1 Richard Woodruff - item 15.1 - Heritage Designation for 1 Paxton Lane, CDS-24-109

Richard Woodruff discussed his reasons for opposing the heritage designation of his family home Locust Hall.

Council had no questions.

11.2.2 Connie Tintinalli - item 21.1 - By-law 2024-043 - 325 King Street (OPA-01-2023) - Official Plan Amendment No. 85

Connie Tintinalli spoke in opposition of the hotel proposed at 325 King St.

Council had no questions.

11.2.3 Marilyn Bartlett - item 21.1 - By-law 2024-043 - 325 King Street (OPA-01-2023) - Official Plan Amendment No. 85

Marilyn Bartlett spoke in opposition of the hotel proposed at 325 King St.

Council had no questions.

11.2.4 John Foreman - item 21.1 - By-law 2024-043 - 325 King Street (OPA-01-2023) - Official Plan Amendment No. 85

John Foreman spoke in opposition of the hotel proposed at 325 King St.

Council had no questions.

11.2.5 Gracia Janes - item 21.1 - By-law 2024-043 - 325 King Street (OPA-01-2023) - Official Plan Amendment No. 85

Gracia Janes spoke in opposition of the hotel proposed at 325 King Street.

Council had no questions.

11.2.6 Sara Premi, Sullivan Mahoney - item 21.1 - By-law 2024-043 - 325 King Street (OPA-01-2023) - Official Plan Amendment No. 85

Sara Premi, Sullivan Mahoney spoke to the use of the property and the proposed project.

Ms. Premi answered questions from Council.

12. RESPONSE TO DELEGATIONS FROM COUNCIL

Councillor Burroughs put forward a motion to endorse the Paddock Party.

Council discussed and asked questions about the motion.

Moved by: Councillor Gary Burroughs

Seconded by: Councillor Wendy Cheropita

That Council support Alana Hurvov's request and endorse the Paddock Party event.

APPROVED

Moved by: Councillor Erwin Wiens

Seconded by: Councillor Gary Burroughs

That item 15.1 - Heritage Designation for 1 Paxton Lane, CDS-24-109 be lifted for discussion.

APPROVED

Council discussed and asked questions about the report.

Candice Bogdanski, Senior Heritage Planner explained the selection process for designation.

Moved by: Councillor Gary Burroughs

Seconded by: Councillor Sandra O'Connor

That Council defer the report back to Staff for two months and direct Staff to meet with Woodruff to discuss the designation.

APPROVED

13. COUNCIL & COMMITTEE OF THE WHOLE MINUTES

13.1 Committee of the Whole Planning Minutes - June 11, 2024

13.2 Committee of the Whole General Minutes - June 18, 2024

13.3 Council Minutes - May 28, 2024

Councillor Mavridis requested to lift item 8.2 from the June 11, 2024 Committee of the Whole - Planning Minutes.

Moved by: Councillor Maria Mavridis
Seconded by: Councillor Gary Burroughs

That item 8.2 from the June 11, 2024 Committee of the Whole - Planning Minutes be withdrawn and voted on separately.

APPROVED

Moved by: Councillor Gary Burroughs
Seconded by: Councillor Maria Mavridis

That item 8.2 235-253 Taylor Road – Official Plan Amendment and Zoning By-law Amendment Applications (OPA-07-2023 & ZBA-16-2023), CDS-24-096 be adopted as presented in the minutes.

Yea (1): Councillor Sandra O'Connor

Nay (8): Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Nick Ruller, Councillor Adriana Vizzari, Councillor Erwin Wiens, and Lord Mayor Gary Zalepa

DEFEATED (1 to 8)

Councillor O'Connor put forward a motion to defer the report until the Glendale Secondary Plan is reviewed by Council but received no seconder.

Council discussed the amendment applications.

Moved by: Councillor Nick Ruller
Seconded by: Councillor Gary Burroughs

That Council direct Staff to work with the applicant to consider changes to the layout of the buildings, specifically regarding the distribution of the buildings, in respect to keeping the tallest buildings the furthest distance from the single-family dwellings that are adjacent to the property.

APPROVED

Councillor Burroughs requested a recorded vote.

Moved by: Councillor Gary Burroughs
Seconded by: Councillor Sandra O'Connor

That:

The application for Official Plan Amendment (File OPA-07-2023) for lands located at 235-253 Taylor Road, and the draft Official Plan Amendment, attached as Appendix IV to this report, be adopted by Council; and

The application for Zoning By-law Amendment (File ZBA-17-2023) for lands located at 235-253 Taylor Road, and the draft Zoning by-law Amendment, attached as Appendix V to this report, be adopted by Council; and

That staff consult with the developer and report back to Council on negotiating a number of affordable housing units; and That the requisite by-laws be presented for adoption in tonight's agenda.

Yea (8): Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Nick Ruller, Councillor Adriana Vizzari, Councillor Erwin Wiens, and Lord Mayor Gary Zalepa

Nay (1): Councillor Sandra O'Connor

APPROVED (8 to 1)

Councillor Burroughs requested to lift item 8.3 from the June 11, 2024 Committee of the Whole - Planning Minutes.

Moved by: Councillor Gary Burroughs

Seconded by: Councillor Sandra O'Connor

That item 8.3 from the June 11, 2024 Committee of the Whole - Planning Minutes be withdrawn and voted on separately by recorded vote.

APPROVED

Moved by: Councillor Gary Burroughs

Seconded by: Councillor Sandra O'Connor

That item 8.3 325 King Street - Official Plan Amendment and Zoning By-law Amendment (OPA-01-2023 & ZBA-01-2023), CDS-23-192 be adopted as presented in the minutes.

Yea (5): Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Adriana Vizzari, Councillor Erwin Wiens, and Lord Mayor Gary Zalepa

Nay (4): Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Sandra O'Connor, and Councillor Nick Ruller

APPROVED (5 to 4)

Council recessed at 9:14 p.m. and resumed at 9:27 p.m.

Moved by: Councillor Wendy Cheropita
Seconded by: Councillor Tim Balasiuk

That the balance of the minutes from the following dates be approved:

- Committee of the Whole Planning Minutes – June 11, 2024
- Committee of the Whole General Minutes – June 18, 2024
- Council Minutes – May 28, 2024

APPROVED

14. PRESENTATIONS

15. CONSENT AGENDA

15.1 Heritage Designation for 1 Paxton Lane, CDS-24-109

This item was lifted and discussed under response to delegations.

16. INFORMATION PACKAGES

16.1 Bill 185 and Bill 200 - Royal Assent - CDS-24-107

Lifted for discussion by Councillor Burroughs.

Director McCauley answered Council's questions about the report.

Moved by: Councillor Gary Burroughs
Seconded by: Councillor Maria Mavridis

That item 16.1 - Bill 185 and Bill 200 - Royal Assent - CDS-24-107 be received.

APPROVED

16.2 Strategic Plan Dashboard - CAO-24-029

Moved by: Councillor Gary Burroughs
Seconded by: Councillor Maria Mavridis

That item 16.2 - Strategic Plan Dashboard - CAO-24-029 be received.

APPROVED

16.3 Niagara District Airport Commission Asset Management Plan - CS-24-007

Lifted for discussion by Councillor Burroughs.

Council discussed the report.

Moved by: Councillor Gary Burroughs

Seconded by: Councillor Maria Mavridis

That item 16.3 - Niagara District Airport Commission Asset Management Plan - CS-24-007 be received.

APPROVED

16.4 The Municipality of Mattawan Email re: Letter of Support Urging the Government to Promptly Resume Assessment Cycle

Lifted for discussion by Councillor Burroughs.

Councillor Burroughs spoke about the assessment cycle.

Moved by: Councillor Gary Burroughs

Seconded by: Councillor Maria Mavridis

That item 16.4 - The Municipality of Mattawan Email re: Letter of Support Urging the Government to Promptly Resume Assessment Cycle be received.

APPROVED

16.5 The Community School Alliance Email re: Nomination Form 2024

Lifted for discussion by Councillor Burroughs.

Councillor Burroughs spoke about the Community School Alliance.

Moved by: Councillor Gary Burroughs

Seconded by: Councillor Wendy Cheropita

That item 16.5 - The Community School Alliance Email re: Nomination Form 2024 be received.

APPROVED

16.6 Shaw Festival Board of Governors Debrief

Lifted for discussion by Councillor Burroughs.

Councillor Burroughs spoke about the importance of the Shaw Festival.

Moved by: Councillor Gary Burroughs

Seconded by: Councillor Maria Mavridis

That item 16.6 - Shaw Festival Board of Governors Debrief be received.

APPROVED

17. COMMITTEES OF COUNCIL MINUTES

17.1 Committee of Adjustment Minutes - May 16, 2024

17.2 Municipal Heritage Committee Minutes - June 5, 2024

17.3 Selection Committee for Committees of Council Minutes - June 4, 2024

Lifted for discussion by Councillor Burroughs.

Councillor Burroughs requested clarification on the purpose of the continuation of the selection committee.

CAO Zvaniga clarified the committee was convened to select a resident for the Library Board vacancy.

Moved by: Councillor Gary Burroughs

Seconded by: Councillor Erwin Wiens

That the Selection Committee for Committees of Council Minutes - June 4, 2024 be approved.

APPROVED

17.4 Discretionary Grant Committee - June 6, 2024

17.5 Municipal Accommodation Tax Committee - June 10, 2024

Lifted for discussion by Councillor Cheropita

Director Freeborn clarified the MAT Committee Process.

Moved by: Councillor Wendy Cheropita

Seconded by: Councillor Maria Mavridis

APPROVED

17.6 CAO Recruitment Committee Minutes - June 17, 2024

Moved by: Councillor Tim Balasiuk

Seconded by: Councillor Erwin Wiens

That the minutes from the following dates be approved:

- Committee of Adjustment Minutes - May 16, 2024
- Municipal Heritage Committee Minutes - June 5, 2024
- Discretionary Grant Committee - June 6, 2024
- CAO Recruitment Committee Minutes - June 17, 2024

APPROVED

18. MOTIONS

Moved by: Councillor Erwin Wiens

Seconded by: Councillor Tim Balasiuk

To extend the meeting past 10 p.m. to allow for the completion of the agenda.

APPROVED

18.1 Councillor Burroughs - Meeting with Transport Canada

Councillor Burroughs introduced his motion.

Council discussed and asked questions about the motion.

Moved by: Councillor Gary Burroughs

Seconded by: Councillor Sandra O'Connor

WHEREAS the Glendale area has been identified as a strategic growth area for Niagara-on-the-Lake to 2051; and

WHEREAS the airspace for the Niagara District Airport is controlled by Transport Canada, who are the approval body regarding building height in their flightpath and the airport zoning regulations (AZR); and

WHEREAS Transport Canada authority supersedes provincial and municipal governments; and

WHEREAS several large developments are proceeding through our planning process which require approvals by Transport Canada for

building heights that exceed the AZR; and
WHEREAS developers and the Town are proceeding with planning application proposals which require a letter of no objection from the Town prior to the developer making an application to Transport Canada for an exemption to the AZR;
WHEREAS residents in the Glendale area deserve to have more clarity on the changes coming their community; and
WHEREAS it is incumbent on the Town to initiate discussions to obtain guidance from Transport Canada on their requirements and opportunities for process efficiencies;
THEREFORE BE IT RESOLVED that a small group consisting of the Lord Mayor, the Town Representative on the Airport Commission, one Town Councillor, and the appropriate Town Staff meet with Transport Canada to discuss the following:

- Areas in Glendale affected by Transport Canada regulations
- Height restrictions will/may be imposed on Glendale properties now and in the future
- Effect of the new twinned bridge on Glendale properties
- Timing of potential changes and improvements

APPROVED

18.2 Councillor Cheropita - Dock Area Parking & Dock Area Master Plan

Councillor Cheropita introduced her motion.

Council discussed and asked questions about the motion.

Moved by: Councillor Wendy Cheropita

Seconded by: Councillor Maria Mavridis

WHEREAS the Dock Area Master Plan was approved by Council in 2015;
and

WHEREAS there have been substantial changes in this area since 2015;
and

WHEREAS Council has passed a number of motions related to the Dock Area that have not been captured in the Dock Area Master Plan;

THEREFORE BE IT RESOLVED that Council direct staff to open two parking spaces for drop off only, in the safest location determined by staff, at the end of Riverbeach Drive to allow access for small watercraft

launching at Balls Beach; and
BE IT FURTHER RESOLVED that Council direct staff to bring back a capital budget to update the Dock Area Master Plan as part of the 2025 Budget process.

APPROVED

18.3 Councillor Vizzari - All Way Stop Tanbark Road

Councillor Vizzari introduced her motion.

Council discussed and asked questions about the motion.

Moved by: Councillor Adriana Vizzari

Seconded by: Councillor Maria Mavridis

WHEREAS there is a park on the east side of Tanbark Road; and
WHEREAS there are no controlled stop locations to allow for pedestrians to cross from the west side of Tanbark Road to the east side of Tanbark Road; and

WHEREAS the new residential developments will increase the number of pedestrians that may wish to utilize the park area;

THEREFORE BE IT RESOLVED that Council direct staff to install an all way stop at Tanbark Road and Hickory Road to allow for a controlled crossing for pedestrians to cross safely; and

BE IT FURTHER RESOLVED that staff also study the intersection of Warner Road and Tanbark Road to determine if a second all way stop is required for pedestrian crossing at this location.

APPROVED

19. NOTICE OF MOTION

20. NEW BUSINESS

The following items were discussed under New Business:

- Special Event Permits
- OLT Update on King Street Apartment
- Committee of Adjustment - public attendance
- Director of Capital Projects from the Region returning to Council
- MZO's

- Additional residential units in rural areas
- Airport asset management

21. BY-LAWS

Councillor O'Connor requested a recorded vote on items 21.1, 21.2 and 21.8.

21.1 By-law 2024-043 - 325 King Street (OPA-01-2023) - Official Plan Amendment No. 85

21.2 By-law 4316EY-24 - 325 King Street (ZBA-01-2023)

21.3 By-law 4316FO-24 - 489 Regent Street (ZBA-06-2024)

21.4 By-law 2024-044 - Designation By-law 1 Paxton Lane

Deferred under item 15.1.

21.5 By-law 2024-045 - Designation By-law 23 Vincent Avenue

21.6 By-law 2024-046 - Designation By-law 287 Warner Road

21.7 By-law 2024-047 - Designation By-law 463 King Street

21.8 2024-048 - 235-253 Taylor Road (OPA-07-2023) - Official Plan Amendment No. 95

21.9 By-law 4316FP-24 - 235-253 Taylor Road (ZBA-16-2023)

Referred back to Staff under item 13.

21.10 By-law 2024-049 - Council Proceedings June 25, 2024

Moved by: Councillor Maria Mavridis

Seconded by: Councillor Gary Burroughs

That leave be given to introduce items:

21.1 - By-law 2024-043 - 325 King Street (OPA-01-2023) - Official Plan Amendment No. 85 A By-law pursuant to Section 17 of The Ontario Planning Act to amend The Town Of Niagara-on-the-Lake Official Plan.

21.2 - By-law 4316EY-24 - 325 King Street (ZBA-01-2023) A By-law to rezone the subject lands to permit a hotel, up to a maximum of 19.0 metres in height, with associated uses, including a restaurant, outdoor restaurant patio, conference centre, banquet facilities, spa, retail uses, and personal service establishment as secondary uses to a hotel.

And that the same be considered read a first, second and third time and passed this 25th day of June, 2024.

Yea (5): Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Adriana Vizzari, Councillor Erwin Wiens, and Lord Mayor Gary Zalepa

Nay (4): Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Sandra O'Connor, and Councillor Nick Ruller

APPROVED (5 to 4)

Moved by: Councillor Maria Mavridis

Seconded by: Councillor Gary Burroughs

That leave be given to introduce item 21.8 - By-law 2024 - 48 - 235 - 253 Taylor Road (OPA-07-2023) - Official Plan Amendment No. 95 - A By-Law Pursuant to Section 17 of The Ontario Planning Act to Amend The Town Of Niagara-On-The-Lake Official Plan and that the same be considered read a first, second and third time and passed this 25th day of June, 2024.

Yea (8): Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Nick Ruller, Councillor Adriana Vizzari, Councillor Erwin Wiens, and Lord Mayor Gary Zalepa

Nay (1): Councillor Sandra O'Connor

APPROVED (8 to 1)

Moved by: Councillor Maria Mavridis

Seconded by: Councillor Gary Burroughs

That leave be given to introduce items:

21.3 - By-law 4316FO-24 - 489 Regent Street (ZBA-06-2024) 275 A By-law to rezone the subject lands to permit the creation of one (1) new residential lot for the construction of a single-detached dwelling and retain one (1) residential lot with an existing single-detached dwelling for continued residential use.

21.5 - By-law 2024-045 - Designation By-law 23 Vincent Avenue - A By-law to designate the property known municipally as, Peake Inn, 23 Vincent Avenue (Plan 73A Lot 195), in The Town of Niagara-on-the-Lake, in the province of Ontario, as being of cultural heritage value or interest.

21.6 - By-law 2024-046 - Designation By-law 287 Warner Road - A By-law to designate the property known municipally as, Warner House, 287 Warner Road (Part Lot 139), in The Town of Niagara-on-the-Lake, in the province of Ontario, as being of cultural heritage value or interest.

21.7 - By-law 2024-047 - Designation By-law – 463 King Street - A By-law to designate the property known municipally as, Best House, 463 King Street (Plan 86 Part Lot 281 RP 30R8012 Part 2), in The Town of Niagara-on-the-Lake, in the province of Ontario, as being of cultural heritage value or interest.

21.10 By-law 2024-049 - Council Proceedings June 25, 2024 - A By-law to confirm the proceedings at the Council Meeting of The Corporation of The Town of Niagara-on-the-Lake held on June 25, 2024.

And that the same be considered read a first, second and third time and passed this 25th day of June 2024.

APPROVED

22. ADJOURNMENT

Moved by: Councillor Gary Burroughs

Seconded by: Councillor Maria Mavridis

That this Council adjourn at 10:15 p.m. to the next regular Committee of the Whole - Planning meeting of July 16, 2024 and if a special meeting is required, it will be held at the call of the Lord Mayor.

APPROVED



Lord Mayors Report – July 30, 2024

Lord Mayor Zalepa

June 26, 2024

- Fusion Jazz in the Vineyard at Hare Wine Co. – I Attended and delivered greetings at the 11th annual event, featuring Montreal-based bassist Carl Mayotte and his trio, who presented a blend of jazz fusion.

June 27, 2024

- Queen & Mississagua Entranceway Ribbon Cutting Ceremony to celebrate the new entranceway feature. Thank you to Gerald Kowalchuk Family Fund and Niagara Community Foundation, everyone involved in the project.

June 29, 2024

- Jamaican Workers' Social Event at Virgil Sports Park Pavilion. Deputy Lord Mayor Wiens attended and delivered a greeting. The event featured Jamaican cuisine, prizes, games, and music.

July 1, 2024

- Canada Day celebrations kicked off Rotary BBQ in Simcoe Park, with the Cake Parade; Willow Cakes donated the cake. The Fife and Drums Corps from Fort George led the parade down Queen Street to Simcoe Park, joined by Council members, Regional Councillor Kaiser, MP Baldinelli and MPP Gates where thousands of slices of cake were served to residents and visitors. In the evening, I was invited to bring a greeting to the event at Fort George, which ended with a fireworks display.

July 2, 2024

- Physician Recruitment Committee Dinner at Ravine Vineyard. The committee hosted 13 new family medicine residents from McMaster to Niagara. I had the opportunity to address the resident physicians.

July 4, 2024

- I hosted a Town staff BBQ... thanking the team for all their work.

July 6, 2024

- St Marks Cherry Festival; BBQ, joined by Councillor Balasiuk, Burroughs running the cask operations and other, Cheropita serving pie and ice cream.

July 8, 2024

- NOTL Museum Press Conference – NOTL Museum held a press conference to announce the property purchase at 25 Castlereagh.



Lord Mayors Report – July 30, 2024

Lord Mayor Zalepa

July 9, 2024

- CKTB Round Table Event, live on-air round table event. The theme for this year was “Adventure Awaits in Niagara-on-the-Lake.” I was joined on air by Bruce Zvaniga, CAO.

July 11, 2024

- Niagara-on-the-Lake Waste Water Treatment Plant Tour. Councillor Burroughs and Staff joined us as we toured the wastewater plant.

July 13, 2024

- Niagara-on-the-Lake Electrifying Eels swim meet at the Niagara Pool. The Eels competed against teams from the Town of Pelham, the City of Welland, and the City of Port Colborne. Kudos to Town staff at the pools; and the over 150 children in competition.
- Commemoration of the Foam 150 – On July 11, 1874, seven young men sailed from Toronto's Royal Canadian Yacht Club on a boat called The Foam and headed to NOTL's Queens Royal Hotel. As they crossed Lake Ontario, they met a squall, and within sight of their destination, they foundered on the western bank of the Niagara River. The event featured a beautiful walk and service in Queen's Royal Park, followed by a walk to St. Mark's Anglican Church, where the seven souls were lost in the Foam tragedy. The evening concluded with a reception at the NOTLSC. Thank you Ross Robinson for your organizing, St Marks Rector Layton Lee for the service and Bernadette Secco on the bells, Babs Worthy for her informative history talk and the NOLSC for hosting in their club house.

July 15, 2024

- Niagara Regional Native Centre Drum Night – Niagara Geopark hosted two representatives from UNESCO. The two UNESCO Evaluators from the Global Geoparks Network were in the Niagara Region for a five-day field assessment. Over the past ten years, the Geopark has partnered with governmental agencies, Indigenous treaty holders, conservation organizations, educational institutions, local businesses, and non-profits to deliver educational geoheritage programs and interpretations showcasing Niagara's unique geoheritage. The goal is to achieve a UNESCO Global Geopark designation.

July 26, 2024

- Met with Ontario Greenbelt Foundation. CAO McDonnell, and board members.



Lord Mayors Report – July 30, 2024

Lord Mayor Zalepa

July 29, 2024

- Niagara College Institute for Global Education and Training Launch celebration at the Benchmark Restaurant.

July 30, 2024

- Our Ashley Meyers participated in a roundtable with the Federal Minister of Economic Development Mary NG. I joined for a luncheon with the Minister. Thank you to the Niagara College and the GNCC for the invitation.

From: no-reply@web-response.com on behalf of [Town of Niagara-on-the-Lake](#)
To: [Clerks](#)
Subject: Webform submission from: Delegation Request Form
Date: July 4, 2024 7:52:53 AM

CAUTION: This email originated from outside the Town of Niagara-on-the-Lake. Use caution when clicking on a link or opening an attachment unless you know that the content is safe. If unsure, forward the email to IT to validate.

Submitted on Thu, 07/04/2024 - 07:52

Information

Name

Richard Meloen

Organization Name

Heritage Trail Committee

Address

[REDACTED]

Email Address

[REDACTED]

Telephone Number

[REDACTED]

Presentation

Agenda Delegation

Non Agenda Delegation

Topic

I have spoken on this issue before, and would like to provide specific new information I wish Council to review

The specific new information I wish Council to review is as follows:

Update on the construction of the Upper Canada Heritage Trail. Also some future plans and an appeal for council to continue supporting the trail.

Terms

I have read and understand the Delegation Protocol and acknowledge the information contained on this form, including any attachments, will become public documents and listed on Town Meeting Agendas. I also understand presentation materials including speaking notes and electronic presentations must be submitted by email to clerks@notl.com no later than 12:00 p.m. on the Monday prior the scheduled meeting.

Yes

Meeting Time

I wish to appear before:

Council

Date

Tue, 07/30/2024 - 00:00

Presentation Requirements

Do you have a visual presentation (slideshow or photos) to accompany your delegation?

Yes

I agree

Yes

Delegation

I will be appearing:

In person

I also understand presentation materials including speaking notes and electronic presentations must be submitted by email to clerks@notl.com no later than 12:00 p.m. on the Monday prior to the scheduled meeting.

Yes

I acknowledge I have 10 minutes to delegate

Yes

I give permission to be audio and video recorded on the Town of Niagara on the Lake's livestream

Yes

Do you require accessible accommodation to participate:

No

Privacy Disclaimer

I have read and understand the above Privacy Disclaimer.

Yes



Town of Niagara-on-the-lake

Water & Wastewater Rate Study and O.Reg. 453/07 Financial Plans

Presentation to Council

July 30, 2024

Agenda

- Background
- Water System Customers, Costs & Rates
- Wastewater System Customers, Costs & Rates
- O.Reg. 453/07 Water Financial Plan
- O.Reg. 453/07 Equivalent Wastewater Financial Plan
- Recommendations

Drinking Water Licence

SDW Act - O.Reg 188/07

Requirements for Town:

- Water Financial Plan No.069-301A to be submitted to MMAH for License Renewal (Expires March 13th 2025)
- Water Financial Plan must meet O.Reg. 453/07 requirement to cover a minimum 6-year Period: 2025 – 2030 (As this plan includes 2024, the plan as presented will be for 7-years)
- Wastewater Financial Plan not mandatory but considered best practice

Asset Management Regulation

O.Reg 588/17

Requirements for Town:

- Financial plans must give consideration to and be aligned with the Town's Asset Management Plan

Purpose of Rate Study

Full Cost Recovery = Financial Sustainability

1. Identify the Full Costs of the Water & Wastewater Systems (10-Year Outlook = 2025 to 2034)
2. Implement Water & Wastewater Rates for Full Cost Recovery

Water System

Customers, Consumption, Costs & Rates

2024 Water Customers and Consumption

Water Customers by Meter Size	2024
up to 3/4"	7,360
1"	230
1.5"	80
2"	84
3"	26
4"	18
6"	6
8"	1
12"	-
Total Water Customers	7,805
Projected Water Consumption (Cubic Metres)	2,300,726

Water Customers and Consumption (2025-2034)

Water Customers by Meter Size	2025	2026	2027	2028	2029
up to 3/4"	7,541	7,721	7,859	7,997	8,136
1"	230	230	230	230	230
1.5"	80	80	80	80	80
2"	86	88	90	91	92
3"	26	26	26	26	26
4"	18	18	18	18	18
6"	6	6	6	6	6
8"	1	1	1	1	1
12"	-	-	-	-	-
Total Water Customers	7,988	8,170	8,310	8,449	8,589
Projected Water Consumption (Cubic Metres)	2,352,185	2,403,452	2,438,789	2,474,125	2,505,833

Water Customers by Meter Size	2030	2031	2032	2033	2034
up to 3/4"	8,274	8,412	8,555	8,697	8,839
1"	230	231	231	231	231
1.5"	80	80	80	80	80
2"	93	94	95	97	99
3"	26	26	26	26	26
4"	18	18	18	18	18
6"	6	6	6	6	6
8"	1	1	1	1	1
12"	-	-	-	-	-
Total Water Customers	8,728	8,868	9,012	9,156	9,300
Projected Water Consumption (Cubic Metres)	2,537,349	2,569,405	2,602,755	2,635,913	2,672,891

Full Cost of Water System

Cost Component	2024 Costs		Average Annual (2025-2034) Cost		%
O&M	\$	2,011,150	\$	2,330,724	25.5%
Regional Charge	\$	2,865,844	\$	3,800,398	41.6%
Capital	\$	2,172,449	\$	2,997,449	32.8%
Debt Servicing	\$	-	\$	-	0.0%
Total Gross Costs	\$	7,049,444	\$	9,128,572	100.0%
Non-Rate Revenue	\$	176,210	\$	196,804	
Net Water Costs to be Recovered From Users	\$	6,873,234	\$	8,931,768	

2024 Water Rates

Rate Component	Meter Size	Rates Water
Uniform Rate (\$/M ³ of Metered Water Consumed)		\$ 1.7086
Fixed Annual charge Based on Meter Size (\$/Year)	up to 3/4"	\$ 335.72
	1"	\$ 470.41
	1.5"	\$ 604.70
	2"	\$ 974.20
	3"	\$ 3,695.36
	4"	\$ 4,703.06
	6"	\$ 7,054.46
	8" 12"	\$ 9,741.98 \$ 13,437.20

Projected Water Rates (2025 – 2034)

Meter Size	2025	2026	2027	2028	2029
Annual Increase % Increases	3.00%	3.00%	3.00%	3.00%	3.00%
up to 3/4"	\$ 345.79	\$ 356.17	\$ 366.85	\$ 377.86	\$ 389.19
1"	\$ 484.52	\$ 499.06	\$ 514.03	\$ 529.45	\$ 545.33
1.5"	\$ 622.84	\$ 641.53	\$ 660.77	\$ 680.60	\$ 701.01
2"	\$ 1,003.43	\$ 1,033.53	\$ 1,064.53	\$ 1,096.47	\$ 1,129.36
3"	\$ 3,806.22	\$ 3,920.41	\$ 4,038.02	\$ 4,159.16	\$ 4,283.94
4"	\$ 4,844.15	\$ 4,989.48	\$ 5,139.16	\$ 5,293.34	\$ 5,452.14
6"	\$ 7,266.09	\$ 7,484.08	\$ 7,708.60	\$ 7,939.86	\$ 8,178.05
8"	\$10,034.24	\$10,335.27	\$10,645.32	\$10,964.68	\$11,293.62
12"	\$13,840.32	\$14,255.53	\$14,683.19	\$15,123.69	\$15,577.40
Uniform Rate per Cubic Metre	\$ 1.7599	\$ 1.8127	\$ 1.8671	\$ 1.9231	\$ 1.9808

Meter Size	2030	2031	2032	2033	2034
Annual Increase % Increases	3.00%	3.00%	3.00%	3.00%	3.00%
up to 3/4"	\$ 400.87	\$ 412.89	\$ 425.28	\$ 438.04	\$ 451.18
1"	\$ 561.69	\$ 578.54	\$ 595.90	\$ 613.78	\$ 632.19
1.5"	\$ 722.04	\$ 743.70	\$ 766.02	\$ 789.00	\$ 812.67
2"	\$ 1,163.25	\$ 1,198.14	\$ 1,234.09	\$ 1,271.11	\$ 1,309.24
3"	\$ 4,412.45	\$ 4,544.83	\$ 4,681.17	\$ 4,821.61	\$ 4,966.25
4"	\$ 5,615.70	\$ 5,784.17	\$ 5,957.70	\$ 6,136.43	\$ 6,320.52
6"	\$ 8,423.39	\$ 8,676.10	\$ 8,936.38	\$ 9,204.47	\$ 9,480.60
8"	\$11,632.43	\$11,981.41	\$12,340.85	\$12,711.07	\$13,092.41
12"	\$16,044.72	\$16,526.06	\$17,021.84	\$17,532.50	\$18,058.47
Uniform Rate per Cubic Metre	\$ 2.0402	\$ 2.1014	\$ 2.1645	\$ 2.2294	\$ 2.2963

Wastewater System

Customers, Volumes, Costs & Rates

2024 Wastewater Customers and Volumes

Wastewater Customers by Meter Size	2024
up to 3/4"	5,977
1"	164
1.5"	63
2"	68
3"	21
4"	16
6"	4
8"	1
12"	-
Total Wastewater Customers	6,314
Projected Wastewater Volume (Cubic Metres)	1,540,591

Wastewater Customers and Volumes (2025 - 2034)

Wastewater Customers by Meter Size	2025	2026	2027	2028	2029
up to 3/4"	6,158	6,338	6,476	6,614	6,753
1"	164	164	164	164	164
1.5"	63	63	63	63	63
2"	70	72	74	75	76
3"	21	21	21	21	21
4"	16	16	16	16	16
6"	4	4	4	4	4
8"	1	1	1	1	1
12"	-	-	-	-	-
Total Wastewater Customers	6,497	6,679	6,819	6,958	7,098
Projected Wastewater Volume (Cubic Metres)	1,592,050	1,643,317	1,678,654	1,710,169	1,741,877

Wastewater Customers by Meter Size	2030	2031	2032	2033	2034
up to 3/4"	6,891	7,029	7,172	7,314	7,456
1"	164	165	165	165	165
1.5"	63	63	63	63	63
2"	77	78	79	81	83
3"	21	21	21	21	21
4"	16	16	16	16	16
6"	4	4	4	4	4
8"	1	1	1	1	1
12"	-	-	-	-	-
Total Wastewater Customers	7,237	7,377	7,521	7,665	7,809
Projected Wastewater Volume (Cubic Metres)	1,773,393	1,804,909	1,838,800	1,875,778	1,912,756

Full Cost of Wastewater System

Cost Component	2024 Costs		Average Annual (2025-2034) Cost		%
O&M	\$	954,468	\$	1,165,797	11.2%
Regional Charge	\$	4,221,000	\$	7,381,799	70.7%
Capital	\$	374,372	\$	1,886,872	18.1%
Debt Servicing	\$	71,964	\$	6,877	0.1%
Total Gross Costs	\$	5,621,804	\$	10,441,345	100.0%
Non-Rate Revenue	\$	365,252	\$	336,840	
Net Wastewater Costs to be Recovered From Users	\$	5,256,552	\$	10,104,505	

2024 Wastewater Rates

Rate Component	Meter Size	Rates Wastewater
Uniform Rate (\$/M ³ of Metered Water Consumed)		\$ 1.5646
Fixed Annual charge Based on Meter Size (\$/Year)	up to 3/4"	\$ 401.88
	1"	\$ 562.56
	1.5"	\$ 723.36
	2"	\$ 1,148.76
	3"	\$ 4,419.96
	4"	\$ 5,625.72
	6"	\$ 8,438.40
	8"	\$ 11,653.20
	12"	\$ 16,073.28

Projected Wastewater Rates (2025 – 2034)

Meter Size	2025	2026	2027	2028	2029
Annual Increase % Increases	10.00%	10.00%	10.00%	9.00%	9.00%
up to 3/4"	\$ 442.04	\$ 486.25	\$ 534.87	\$ 583.01	\$ 635.48
1"	\$ 618.86	\$ 680.74	\$ 748.82	\$ 816.21	\$ 889.67
1.5"	\$ 795.67	\$ 875.24	\$ 962.77	\$ 1,049.42	\$ 1,143.86
2"	\$ 1,263.59	\$ 1,389.95	\$ 1,528.94	\$ 1,666.55	\$ 1,816.54
3"	\$ 4,862.01	\$ 5,348.22	\$ 5,883.04	\$ 6,412.51	\$ 6,989.64
4"	\$ 6,188.29	\$ 6,807.12	\$ 7,487.83	\$ 8,161.73	\$ 8,896.29
6"	\$ 9,282.28	\$10,210.51	\$11,231.56	\$12,242.40	\$13,344.22
8"	\$12,818.47	\$14,100.31	\$15,510.35	\$16,906.28	\$18,427.84
12"	\$17,680.63	\$19,448.69	\$21,393.56	\$23,318.98	\$25,417.69
Uniform Rate per Cubic Metre	\$ 1.7211	\$ 1.8932	\$ 2.0825	\$ 2.2700	\$ 2.4743

Meter Size	2030	2031	2032	2033	2034
Annual Increase % Increases	9.00%	8.00%	8.00%	8.00%	8.00%
up to 3/4"	\$ 692.67	\$ 748.09	\$ 807.93	\$ 872.57	\$ 942.37
1"	\$ 969.74	\$ 1,047.32	\$ 1,131.11	\$ 1,221.60	\$ 1,319.32
1.5"	\$ 1,246.81	\$ 1,346.56	\$ 1,454.28	\$ 1,570.62	\$ 1,696.27
2"	\$ 1,980.02	\$ 2,138.43	\$ 2,309.50	\$ 2,494.26	\$ 2,693.80
3"	\$ 7,618.70	\$ 8,228.20	\$ 8,886.46	\$ 9,597.37	\$10,365.16
4"	\$ 9,696.95	\$10,472.71	\$11,310.53	\$12,215.37	\$13,192.60
6"	\$14,545.20	\$15,708.81	\$16,965.52	\$18,322.76	\$19,788.58
8"	\$20,086.35	\$21,693.25	\$23,428.72	\$25,303.01	\$27,327.25
12"	\$27,705.28	\$29,921.70	\$32,315.44	\$34,900.68	\$37,692.73
Uniform Rate per Cubic Metre	\$ 2.6969	\$ 2.9127	\$ 3.1457	\$ 3.3974	\$ 3.6692

Water Financial Plan No. 069-301A & Wastewater Financial Plan

O. Reg. 453/07 Financial Plans

- **Financial Plan must include the following:**
 - **Statement of Financial Position**
 - **Statement of Cash Flow**
 - **Statement of Operations**

Water Financial Statements

Item	2024-2030
Net Financial Assets	\$6.0 - \$4.4 Million
Non-Financial Assets	\$55.8 - \$66.8 Million
Accumulated Surplus	\$61.8 - \$71.2 Million
Average Asset Remaining Life	73%
Average Annual Surplus	\$1.5 million
<u>GOOD-EXCELLENT FINANCIAL CONDITION</u>	

Wastewater Financial Statements

Item	2024-2030
Net Financial Assets	\$4.5 -\$1.0 Million
Non-Financial Assets	\$28.6 -\$36.5 Million
Accumulated Surplus	\$33.1 -\$37.5 Million
Average Asset Remaining Life	68%
Average Annual Surplus	\$0.4 - \$0.6 million

GOOD-EXCELLENT FINANCIAL CONDITION

RECOMMENDATIONS

- 1. Increase water rates by 3% in 2025**
- 2. Increase wastewater rates by 10% in 2025**
- 3. Approve the Water System Financial Plan # 069-301A**
- 4. Approve Wastewater System Financial Plan**
- 5. Other specific recommendations as identified in the Rate Study**

Questions?



Town of Niagara-on-the-Lake

1593 Four Mile Creek Road
P.O. Box 100, Virgil, ON L0S 1T0
905-468-3266 www.notl.com

REPORT #: CDS-24-132 **COMMITTEE DATE:** 2024-07-30
DUE IN COUNCIL: 2024-07-30
REPORT TO: Council
SUBJECT: Heritage Permit Application – 12 Princess Street – St. Saviour’s the Brock Memorial Church

1. RECOMMENDATION

It is respectfully recommended that:

- 1.1 Council approves the Heritage Permit Application HER-22-2024, for the restoration of the exterior wooden elements on the elevations of 12 Princess Street, St. Saviour’s the Brock Memorial Church;
- 1.2 Council directs Staff to issue a heritage permit.

2. EXECUTIVE SUMMARY

- A Heritage Permit Application has been submitted for the church building at 12 Princess Street to restore the deteriorating wood work on the steeple and the round window on the façade.
- The church building was designated under Part IV of the *Ontario Heritage Act* in March 2024 as part of Council’s Planning for Progress work to move designations.
- Under new changes to the *Ontario Heritage Act*, the Council of a Municipality is required to consent to alterations requests for buildings used for religious practices without levying any terms or conditions.
- Town Staff supports approval of the heritage permit application as the information submitted by the applicant is substantial and complete and no negative impacts are anticipated to the heritage building.

3. PURPOSE

The purpose of the report is to provide a recommendation to Council regarding the Heritage Permit Application for restoration work at 12 Princess Street. The Heritage Permit application with details of the restoration work, quotes for the proposed work and steeple images is attached as **Appendix I**.

4. BACKGROUND

Town Staff, under the direction of Council, initiated a process of priority designations of heritage properties. This work is being undertaken as part of Council’s Planning for Progress work to move designations prior to properties being removed from the Town’s Municipal Heritage Register of Properties of Cultural Heritage Value or Interest (the “Heritage Register”). The process of designation and the timelines followed are based on section 29 of the *Ontario Heritage Act*, Designation by Municipal By-law.

Further to the direction to move designations, the Municipal Heritage Committee (the “MHC”) and Council endorsed a list of priority properties for individual designation through Staff recommendation reports. The priority properties were identified as those whose loss due to demolition, neglect, or inappropriate alteration would result in the substantial loss of a piece of Niagara-on-the-Lake history or identity.

As a result of this work, 12 Princess Street, St. Saviour’s, the Brock Memorial Church, was identified as a priority property and was among the first properties to be designated under Part IV of the *Ontario Heritage Act* (the “OHA”) in the Town.

12 Princess Street was designated by Council through By-law 2024-023 (**Appendix II**) in March 2024. The designation by-law sets out the reasons for designation and lists the heritage attributes of the building and property.

Recently, the applicant has reached out to the Town Staff about repair work required in the church building, as outlined in the heritage permit application, HER-22-2024 (**Appendix I**) and images from the site (**Appendix III**). As part of a complete application, the applicant has submitted a heritage permit application, a letter outlining the restoration work being proposed, a quote for the restoration work and images of the current condition of the steeple. The Town Staff has reviewed the information submitted and believe it to be complete for the proposed restoration work.

For the heritage permit application, HER-22-2024, the proposed restoration work is to the church’s steeple. The steeple is identified as a heritage attribute in the designation by law. The proposed repair work includes the following:

- Fabricate new wooden parts from clear pine to replace 16 rotted columns, 64 rotted louvers, and wooden trim pieces below the bell tower.
- Replace wood fascia board on the gable wall above the round window.
- Wooden frame of the round window to be scraped, sanded and repaired.
- All other exposed wood to be scraped and repainted.

The typical process for the Town is that the heritage permit application for restoration work on designated heritage properties is reviewed by the MHC and the final approval is provided by the Council with issuance of the permit contingent on fulfilling the conditions of the permit. However, through the recent amendments to the OHA Section 33(18) in June 2024, the Council of a Municipality is required to consent to alterations requests for buildings used for religious practices without levying any terms or conditions or the requirement of consulting with the MHC. These changes were introduced to the OHA to provide autonomy specifically to the stakeholders of religious heritage buildings to make their own decisions around alterations and restorations.

Section 33(18) reads:

(18) The council shall consent to an application to alter or permit the alteration of a building, or part thereof, on property under subsection (1), without terms or conditions, where the following conditions are met:

1. The building, or part thereof, to be altered is primarily used for religious practices.
2. The heritage attributes are connected to religious practices.
3. The alteration of the heritage attributes is required for religious practices.
4. Any prescribed conditions.
5. The applicant provides the council with an affidavit or sworn declaration that the application meets the conditions set out in paragraphs 1 to 4.
6. The applicant provides the council with any information and material prescribed under subsection (2).

The permit request process for religious buildings differs from the normal process that Town Staff follows for heritage permit applications, as outlined in **Table 1**.

Table 1: Difference in Heritage Permit Applications

Normal Heritage Permit Application	Heritage Permit Application for Religious Buildings
Policy basis <i>Ontario Heritage Act</i> Section 33 (1) to (8)	Policy basis <i>Ontario Heritage Act</i> Section 33 (18) to (26)
Staff prepare recommendation report, reviewed by Municipal Heritage Committee and approved by Council	Staff prepare memo report to be approved directly by Council
Approval of the application with conditions	Approval of application with no terms or conditions

5. DISCUSSION / ANALYSIS

The heritage permit application for the repairing and repainting of the woodwork on the church steeple meets the conditions as outlined in section 33(18) of the OHA. All information has been reviewed by Heritage Staff in relation to heritage designation by-law. There are no negative impacts anticipated from the repair work, as the treatment of the wood and the repainting is being carried out with in-kind materials and therefore no significant change to the elevation is expected.

6. STRATEGIC PLAN

The content of this report supports the following Strategic Plan initiatives:

Pillar

1. Vibrant & Complete Community

Priority

- 1.2 Economic Development & Community Partnerships

Action

- 1.2 b) Community Partnership

7. OPTIONS

1. Approve the heritage permit. (recommended)
2. Request additional information: Council may request any additional information it deems necessary for review. This is not recommended, as the information required for the review has been submitted and reviewed by Heritage Staff. Staff are supportive of the proposal as outlined in the heritage permit documentation. (not recommended)

8. FINANCIAL IMPLICATIONS

Not applicable

9. ENVIRONMENTAL IMPLICATIONS

Not applicable

10. COMMUNICATIONS

Once Council provides a decision on the Heritage Permit application, notice of the decision will be relayed to the applicant by the Town Staff.

11. CONCLUSION

Town Staff supports approval of the heritage permit application as the information submitted by the applicant is substantial and complete.

With Council’s approval, the heritage permit for 12 Princess Street, St. Saviour’s the Brock Memorial Church, will be issued to the applicant to permit the repair work.

12. PREVIOUS REPORTS

Not applicable

13. APPENDICES

- Appendix I – Heritage Permit Application
- Appendix II – Designation by-law
- Appendix III – Site Images

Respectfully submitted:

Prepared by:



**Sumra Zia, B. Arch., Dipl.
Architectural Conservation
Heritage Planner II**

Recommended by:



**Kirsten McCauley, MCIP, RPP
Director, Community and Development Services**

Submitted by:



**Bruce Zvaniga
Chief Administrative Officer (Interim)**

St Saviours Anglican Church
PO Box 1
12 Princess Street
Queenston, ON
L0S 1L0

July 18 2024

The Town of Niagara on the Lake
1593 Four Mile Creek Road
Virgil, ON
L0S 1T0

Attention: Sumra Zia, Heritage Planner II

Reference: Application for Heritage Permit for St Saviours Church

Accompanying please find duly completed application for a Heritage Permit to allow us to perform the repairs to the church steeple that we are looking to complete.

The owner of the property is The Synod of the Diocese of Niagara who have signed the application on page 5 of 5.

Also accompanying to the application is a copy of the quotation from Andrew De Cal Contracting of Niagara on the Lake as well as photos of the steeple and a surveyors report of the property.

As we are hoping to commence work on this project at the earliest opportunity to take advantage of the summer weather we do hope that our application is afforded the opportunity to receive approval and receipt of the permit.

Thank you for your assistance and attention to our application.

Should you require any further information please do not hesitate to contact me directly.

Respectfully



Derek Bottomley, Treasurer

St Saviours Anglican Church Queenston

p.s. It is our intention to apply for a Heritage Grant in due course. Please let us know if this must be done now or can it wait till later. Thanks

Niagara-on-the-Lake Heritage Permit Application

Process for Submission of Heritage Permit Applications for Part IV and Part V Designated Heritage Properties

It is the policy of the Town of Niagara-on-the-Lake Community and Development Services Department that all applicants must consult with Heritage Staff prior to submitting a Heritage Permit Application.

Process for submission of a complete Heritage Permit Application:

1. Hold a Pre-consultation Meeting with Heritage Staff and applicant prior to submission of an application. The purpose of the Pre-consultation Meeting is for the applicant to provide an overview of the application and for Staff to identify any required plans and information for a complete application.
2. Submit a complete Heritage Permit Application, signed by the *property owner(s)* in both digital and hard copy format, including all required supporting information as identified in the Pre-consultation meeting with Heritage Staff, to the satisfaction of Heritage Staff and the Director of Community and Development Services.

Heritage Permit applications are to be filed with the Town of Niagara-on-the-Lake Community and Development Services Department, to the attention of Heritage Staff. Applications will not be processed until they are complete. A detailed list of plans and information that may be required by Staff with any Heritage Permit Application is attached as Appendix B.

For further information and to arrange for a Pre-consultation Meeting with Heritage Staff, please contact the Community and Development Services Department and ask to speak with Heritage Staff.

Town of Niagara-on-the-Lake
Community and Development Services Department
1593 Four Mile Creek Road, PO Box 100, Virgil, ON L0S 1T0
905-468-3266

3. SUBJECT PROPERTY(IES) INFORMATION

MUNICIPAL ADDRESS

12 Princess Street, Queenston, Niagara-on-the-Lake, ON

LEGAL DESCRIPTION

Cp 1 Lot 247 to Lot 249, PIN 463750206

ROLL NUMBER

262702002203600

ONTARIO HERITAGE ACT DESIGNATION:

PART IV PART V

IS THE PROPERTY IN THE TOWN'S IDENTIFIED AREA OF ARCHAEOLOGICAL POTENTIAL?

YES NO

4. PROPOSED ALTERATIONS

(a) Specify, in detail, all proposed alterations to the property and structures on the property. Attach additional pages as necessary:

Repair and repaint deteriorating woodwork on church steeple.

(b) Explain the reasons for the proposed alteration:

Remediate wood facade of steeple to protect it from further damage and to improve the appearance of the steeple.

(c) Explain how the proposal enhances the cultural heritage attributes of the property and/or meets the policies of the Heritage Conservation District Plan:

Cosmetic repair to the exterior woodwork of the steeple will enhance the look as well as providing protection of the wood surface for years.

(d) Are any alterations proposed to trees or landscaping? If so, please explain.

No.

HERITAGE ATTRIBUTE(S) TO BE IMPACTED	EXISTING MATERIAL	PROPOSED MATERIALS & COLOURS
Exterior treatment	Wood	Wood - existing colour
Roof		
Trim		
Doors		
Windows	Wood Trim	Paint - existing colours
Porch/Verandah		
Fencing		
Landscaping		
Interior features		
Other		

5. OTHER APPLICATIONS / PERMITS THAT MAY BE REQUIRED:

- BUILDING PERMIT
- TREE REMOVAL PERMIT
- OTHER: _____
- PLANNING APPLICATION(S)
- SIGN PERMIT

6. INFORMATION & PLANS REQUIRED FOR A COMPLETE HERITAGE PERMIT APPLICATION

Information/Plans typically required with a Heritage Permit Application are identified by Staff through the Pre-Consultation process. Please check off all required information as identified by Staff through Pre-consultation:

- Heritage Pre-Consultation Form
- Site Plan (including buildings and structures on site and setbacks to property lines)
- Building Elevations (including height of all existing and proposed structures)
- Recent photos of all building elevations (taken within 2 months of application submission)
- Proposed materials / paint colours / specifications for materials
- Floor Plans
- Cultural Heritage Evaluation Report / Heritage Impact Assessment
- Conservation Plan / Temporary Protection Plan
- Arborist Report / Tree Inventory
- Landscape Plans
- Other: _____
- Other: _____

7. OWNER DECLARATION AND AUTHORIZATION

I hereby certify that I am the property owner or their authorized agent and that the above information is true to the best of my knowledge.

I have reviewed the submission requirements and understand that incomplete applications may not be accepted.

I acknowledge that any change to the approved drawings, however small, may require an amendment to the permit and may require resubmission for approval. Failure to reveal these changes to Heritage Planning Staff may result in work stoppage and charges and/or fines under the *Ontario Heritage Act*.

I/We the Owner(s) of the subject property, and the applicant(s) of this subject application, by signing this application agree to allow either Town Staff and/or a Committee Member of the Niagara-on-the-Lake Municipal Heritage Committee the right to enter onto my property, as necessary, to view & photograph the property for the proposal. Failure to allow access onto the property may result in the application being considered incomplete.

The applicant acknowledges that the Municipality considers the application forms and all supporting materials including studies, drawings and photos, filed with any application to be public information and to form part of the public record. With the filing of an application, the applicant consents and hereby confirms that the consent of the authors of all supporting reports have been obtained, to permit the Municipality and Region to release the application and any supporting materials either for its own use in processing the application, or at the request of a third party, without further notification to, or permission from, the applicant.

OWNER NAME (PRINT): The Synod of the Diocese of Niagara

OWNER SIGNATURE:  Executive Officer & Secretary of Synod

DATE: July 18, 2024

EMAIL ADDRESS***:
bill.mous@niagaraanglican.ca

*** By providing an e-mail address you agree to receive communications and notices from the Town and the Municipal Heritage Committee by email

OFFICE USE

DATE OF NOTICE OF RECEIPT AS REQUIRED UNDER THE OHA:

Appendix B - Required Plans and Information for Heritage Permit Applications

The following is a list of any plans and information that may be required by Staff for any Heritage Permit Application. The level of detail required with these plans should be confirmed by Town Heritage Staff. Staff have used typical names for various studies and reports; however, the list should not be considered to be limited by a report/study name.

Required plans and information that may be required with a Heritage Permit Application:

- Historical documentation in the form of photos, written records, maps, fire insurance plans, aerial photos, sketches, paintings or drawings, etc.
- Information related to existing conditions including recent photos of existing conditions (taken with the last 2 months of application submission) for all elevations likely to be impacted by a project
- Property information including Registered Surveys prepared by an Ontario Land Surveyor, survey sketch, site plan drawings, aerial photographs, contour mapping, Property Index Map and Parcel Registers (including all PIN printouts and Legal Instruments), etc.
- Architectural drawings, including scaled building elevation drawings, perspective drawings and 3-D drawings and coloured renderings, floor plans, streetscape renderings including adjacent buildings, design details for individual heritage attributes (ie – door and window trim), etc.
- Specifications for building materials and colours, paint colours
- Assessment of Cultural Heritage Value and Impacts including Cultural Heritage Evaluation Reports, Heritage Impact Assessments, Streetscape Studies, Cultural Heritage Landscape Study, etc.
- Plans for on-going conservation of heritage resources including Conservation Plan, Temporary Protection Plan, Salvage/Documentation Reports, Commemoration Briefs, Heritage Interpretation Plans, etc.
- Plans related to landscapes and vegetation including Landscape Plans, Planting Plans, Arborist Report and Tree Inventories, etc.
- Plans assessing impacts to archaeological resources including Archaeological Assessment Reports to be prepared by a Archaeologist licensed by the province of Ontario, and all associated Ministry Compliance Letters
- Plans assessing seemingly indirect impacts including Vibration Emission Studies, Shadow Analysis, Photometric/Lighting Plan, etc.
- Peer-review of any plans or studies to be prepared at applicant's cost.

QUOTATION – 486 St. Savior's Church Repairs

No. 2024-11

ANDREW DE CAL CONTRACTING

1141 Concession 7
Niagara on the Lake
L0S 1J0
June 29th 2024

Quote prepared for:

St. Savior's Anglican Church
Steve and Elaine Bartolini
Colewood construction Limited

Description of work:

Fabricate new wood parts from clear pine to replace 16 rotted columns and 64 rotted louvers as well as trim pieces below bell tower. Replace wood fascia board on gable wall above round window. Rotted peices to removed and disposed of, new parts to be pre-painted before install. decorative gussets (x32) to be sanded, repainted and reinstalled. Wood frame round window to be scraped, sanded and damage repaired with bondo and repainted. Metal bird screen to be reinstalled and sealed. Metal roofing cap to be repaired to deflect water away from wood trim and preserve wood. All other exposed wood (window sills and fascia) to be scraped and repainted.

Project Costs:

pine wood material and fabrication	\$4,850
column, louver, fascia and trim install	\$7,525
Gusset reinstall, bird screen and roof flashing repair	\$1,600
lift rental	\$3,200

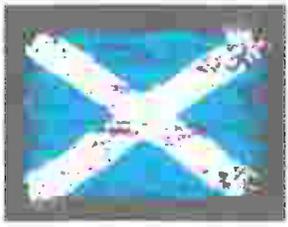
Total \$17,175

HST# 759546120RT0001

HST \$2,232.75

Total balance:

\$19,407.75



Scottish Painter

Po Box 1268 3771 Fairfield Avenue
Crystal Beach ON L0S 1B0
+19053536815
scottishpainter07@gmail.com

Estimate

SOURCE:
Andrew De cal Contracting
1141 concession 7 rd.
Virgil

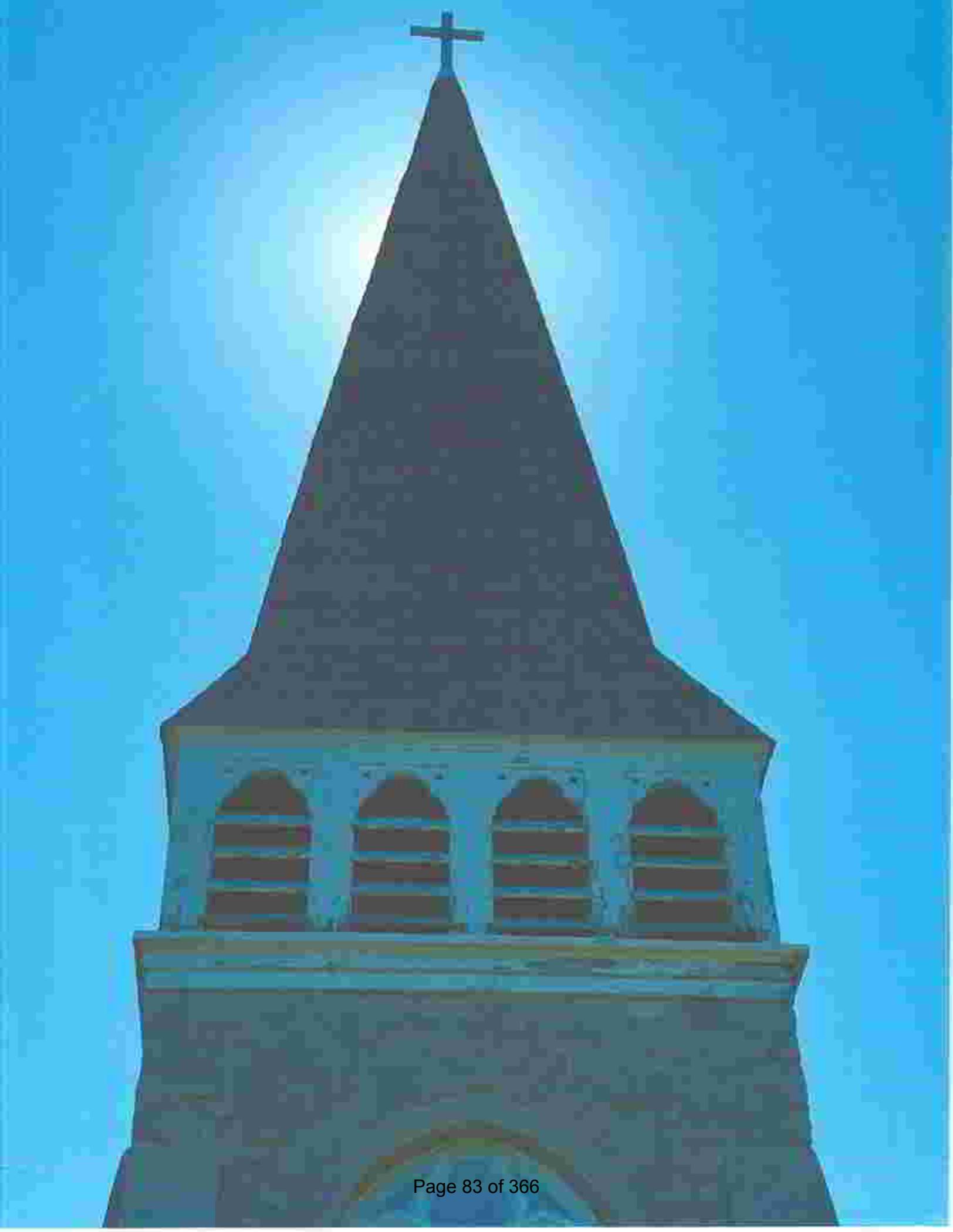
ESTIMATE 1152
DATE 25/06/2024
COMPLETION DATE 25/09/2024

	QTY	RATE	AMOUNT
Labour Rate Anglican Church Queenston. Exterior:- woodwork around steeple, round window, fascia board beside front door. Bottom of various windows. Scrape loose flaking paint. Spot prime with stix primer. Prime new wood with stix. Fill up where required. Apply 2 coats of aura exterior finish.	1	6,200.00	6,200.00
Materials	1	450.00	450.00
			6,650.00
			864.50
			\$7,514.50

Accepted by

Accepted Date





**THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE
BY-LAW NO. 2024-023**

(12 Princess Street, Roll No. 262702002203600)

A BY-LAW TO DESIGNATE THE PROPERTY KNOWN MUNICIPALY AS, **ST. SAVIOUR'S, THE BROCK MEMORIAL CHURCH, 12 PRINCESS STREET (CP 1 LOT 247 TO LOT 249)**, IN THE TOWN OF NIAGARA-ON-THE-LAKE, IN THE PROVINCE OF ONTARIO, AS BEING OF CULTURAL HERITAGE VALUE OR INTEREST.

WHEREAS Section 29 of the Ontario Heritage Act, R.S.O. 1990, Chapter 0.18, authorizes the Council of a municipality to enact by-laws to designate real property, including all buildings and structures thereon, to be of cultural heritage value or interest; and

WHEREAS the Council of the Corporation of the Town of Niagara-on-the-Lake has caused to be served on the owner of the lands and premises known as the **ST. SAVIOUR'S, THE BROCK MEMORIAL CHURCH, 12 PRINCESS STREET**, in the Town of Niagara-on-the-Lake in the Province of Ontario and upon the Ontario Heritage Trust, notice of intention to so designate the aforesaid real property and has caused such notice of intention to be published in a newspaper having general circulation in the municipality; and

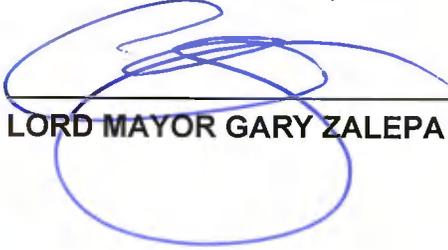
WHEREAS the reasons for designation are set out in Schedule 'B' hereto; and

WHEREAS no notice of objection to the proposed designation has been served on the clerk of the municipality;

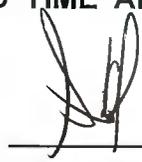
NOW THEREFORE the Council of the Corporation of the Town of Niagara-on-the-Lake enacts as follows:

1. There is designated as being of cultural heritage value or interest the real property known as **ST. SAVIOUR'S, THE BROCK MEMORIAL CHURCH, 12 PRINCESS STREET** in the Town of Niagara-on-the-Lake in the Province of Ontario, more particularly described in Schedule 'A' hereto.
2. The municipal solicitor is hereby authorized to cause a copy of this By-law to be registered against the property described in Schedule 'A' hereto.
3. The Clerk is hereby authorized to cause copy of this By-law to be served on the owners of the aforesaid property and on the Ontario Heritage Trust and to cause notice of the passing of this By-law to be published in a newspaper having general circulation.

READ A FIRST, SECOND AND THIRD TIME AND PASSED ON THIS 26TH DAY OF MARCH, 2024.



LORD MAYOR GARY ZALEPA



TOWN CLERK GRANT BIVOL

SCHEDULE 'A'

Legal Address: Cp 1 Lot 247 To Lot 249

PIN: 463750206

Civic Address: 12 Princess Street

SCHEDULE 'B'

ST. SAVIOUR'S, THE BROCK MEMORIAL CHURCH, 12 PRINCESS STREET

Description of Property

The subject property is set in a small site which overlooks the Niagara River and the Queenston docks to the east. On the subject property, the church building is located at the intersection of Princess Street and Highlander Street, towards the east of Princess Street. 12 Princess Street also contains a parish hall, located towards the south of the church building. The building was relocated in the 1950s from the St. Martin's Anglican church in Niagara Falls. The open space surrounding the church building and the parish hall is landscaped with a few mature trees located towards the north and south of the subject property. The structures have a moderate setback from Princess Street and Highlander Street. The access to the church and parish hall is through a paved pedestrian pathway through the Highlander Street, towards the northwest corner of the church building.

Statement of Cultural Heritage Value or Interest

The property known as the St. Saviour's, The Brock Memorial Church has cultural heritage value or interest for its design and physical values, its historical and associative values and its contextual values.

The building which became to be known as the 'St. Saviour's Anglican Church' was constructed in 1879. The property has design and physical value because it is a representative example of the Gothic Revival style. The one-and-a-half storey rectangular plan church has a large steeply pitched front and rear gable roof, lancet and pointed arched window openings, diagonally projecting vestry door, tracery on windows, angled buttresses, dressed and undressed voussoirs, stone chimney, and stained glass rose window which is typical of Gothic Revival structures. The asymmetrical façade and symmetrical side elevations and detailing are also typical of the Gothic Revival style.

St. Saviour's Anglican Church has associative value as the Brock Memorial Church. It has direct association with Sir Isaac Brock who is considered the 'Saviour of Upper Canada'. He led the charge against the enemy in the Battle of Queenston in 1812. The church is dedicated to his memory and is believed to be the only church in Canada to be named after a layman. There are plaques located on the subject property dedicated to Sir Isaac Brock.

St. Saviour's Anglican Church also has direct association with the parish of St. Saviour's, which was formed in 1817. They met in various locations until 1879, by then the construction of the St. Saviour's church was completed. The church also has the potential to yield information that contributes to the understanding of its parish community. St. Saviours Anglican Church also has the potential to offer new knowledge or a greater understanding of the commemoration aspects of the community's history as a former rector of the church is also buried on the grounds of the subject property near the west elevation.

St. Saviour's Anglican Church has contextual value because it is important in maintaining the character of the area. St. Saviour's Anglican Church is part of the historic fabric of the Queenston urban area. It lies in close proximity to the Brock Memorial in Queenston Heights and both the structures are visible from the Niagara River. The church has served functionally to its community as a church to its congregation since 1879. Visually, the church sits on a rise of land which slopes down to the surrounding properties and the landscape and could be viewed from various vantage points in the neighborhood. The church is also designed with its main elevation facing the Niagara River which would have made the church more recognizable and visible for the people coming up and down the Niagara River.

Description of Heritage Attributes

Key exterior and structural attributes include:

- One and a half storey Gothic Revival church
- Steeply pitched gable roofs
- Projecting chancel on the west side
- Tower with steeple on the northeast corner
- Stone chimney
- Diagonally projecting vestry door
- Broken course rubble construction
- Lancet and pointed arched openings
- Stained glass windows
- Dressed and undressed stone voussoirs and sills
- Trefoil and tracery details on window openings
- Angled buttresses
- Main door on east elevation with its hardware
- Plaques dedicated by Archbishop E. Scott and Queenston residents
- Brock memorial window above the altar
- Location of St. Saviour's within Queenston facing the Niagara River on a rise of land

Site Images – July 23, 2024

12 Princess Street – St. Saviour's the Brock Memorial Church

- Images showing deteriorating condition of wood in the church steeple



Figure 1: View of Steeple on Façade

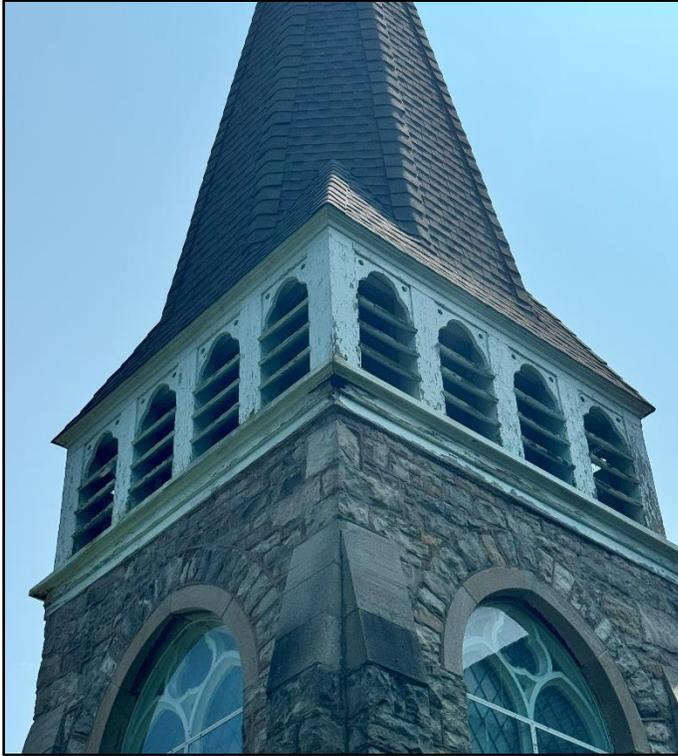


Figure 2: View of Steeple on the Northwest Corner

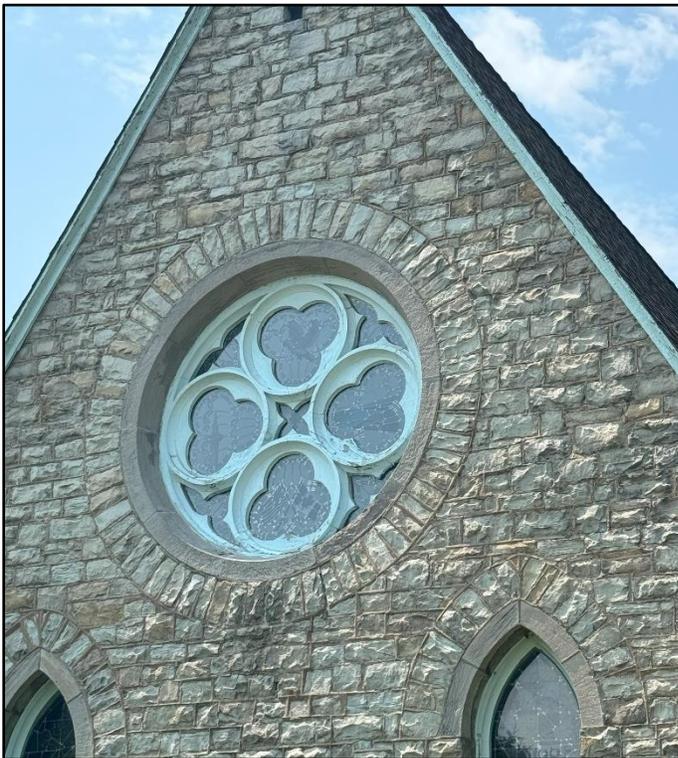


Figure 3: View of Round Window on Façade



Town of Niagara-on-the-Lake

1593 Four Mile Creek Road
P.O. Box 100, Virgil, ON L0S 1T0
905-468-3266 www.notl.com

REPORT #: CS-24-013 **COMMITTEE DATE:** 2024-07-30
REPORT TO: Council **DUE IN COUNCIL:** 2024-07-30
SUBJECT: Water and Wastewater Financial Plan

1. RECOMMENDATION

It is respectfully recommended that:

- 1.1 Council approve the attached financial plan prepared by DFA Infrastructure International Inc. for the Niagara-on-the-Lake Water Distribution System (Licence No. 069-102) and Bevan Heights Water Distribution System (Licence No. 069-101);
- 1.2 The 2024 Water System Financial Plan be submitted to the Ministry of Municipal Affairs and Housing.
- 1.3 The recommendations as contained in the 2024 Water and Wastewater Rate studies be considered for the 2025 and future Operating Budgets.

2. EXECUTIVE SUMMARY

The Town holds two permits to take water, and part of it’s obligations under the Safe Drinking Water Act requires that permits be renewed every five years, and that detailed financial plans and operational plans be prepared and submitted to the Ministry of Municipal Affairs and Housing.

The Town has engaged DFA infrastructure to review historical costs and prepare a financial plan in compliance with the regulation. The plan, in summary, outlines the following:

- Approximately \$32.1 million for water capital expenditures and \$20.9 million for wastewater capital expenditures are identified between 2025 and 2034 of which will all be financed from capital reserves.
- Net water expenditures are expected to increase by \$3.6 million, from \$7.2 million in 2025 to \$10.8 million by 2034.
- Net wastewater expenditures are expected to increase by approximately \$9.2 million, from \$5.9 million in 2025 to \$15.1 million by 2034.
- The cash position for water is expected to decrease slightly in the 10-year period from \$4.9 million in 2024 to \$3.6 million in 2030 based on assumptions in the report.
- The cash position for wastewater is projected to decrease from \$5 million in 2024 to \$1.8 million in 2030.

The report concludes that the financial outlooks for both systems are good over the projected period of the study.

The Water and Wastewater rate study will be reviewed annually against the actual financial performance of these programs to help inform rate setting for each year. Town Staff have observed that study projections typically come quite close in comparison in the first several years after adoption. Still, as more time passes, Staff need to make more adjustments in cost assumptions due to changes in the cost structure that weren't anticipated. For example, market conditions and inflation following a global pandemic led to much higher increases in the 2024 water and wastewater budgets and could not have been foreseen when the last study was prepared in early 2020.

3. PURPOSE

The purpose of this report is to obtain the Council's approval for the 2024 Water and Wastewater rate study, as required by legislation so that the Town can renew its drinking water permits.

4. BACKGROUND

The Town holds two permits to take water, and part of its obligations under the Safe Drinking Water requires that these permits are renewed every 5 years. As part of the renewal requirements, the Town must submit several documents to demonstrate compliance, which include:

- An application for a Drinking Water Works Permit
- An application for licenses for the water distribution systems;
- Operational Plan
- Accreditation of the operating authorities
- A Council-approved financial plan

The last set of permits were renewed on March 15, 2020, with report CS-20-004.

Staff are seeking Council's approval for the attached Water and Wastewater Financial Plan, which will guide rate setting over the next several years.

5. DISCUSSION / ANALYSIS

The attached financial plan, prepared by DFA Infrastructure, reviewed the Town's cost of managing the water distribution and wastewater collection systems and projected revenues and expenses for the next ten years. These plans ensure that a full cost recovery model is adhered to, which covers day-to-day operational costs and ensures that timely reinvestment in water and wastewater infrastructure is made when appropriate. Day-to-day operational costs include salaries, repairs and maintenance, software costs, hydro, inspections, and the cost of purchasing water/treating water with Niagara Region. Capital costs deal with the major repairs or replacement of physical linear assets that deliver or collect water and wastewater to rate payer's homes.

A cash flow analysis was undertaken to assess the level of rate increases required over the study period to meet specific targets. These targets include covering operating costs and how much funds are needed to dedicate to water and wastewater capital programs and rate stabilization reserves. Projections show that Water requires increases of 3% per year to meet operational and capital needs. Wastewater is trending towards higher increases of up to 10% per year to sustain current costs.

6. STRATEGIC PLAN

The content of this report supports the following Strategic Plan initiatives:

Pillar

2. Good Governance

Priority

2.1 Financially Sustainable Future

Action

Other

Pillar

3. Enrich Community Assets, Environment, & Infrastructure

Priority

3.1 Assets

Action

3.3 a) Infrastructure Investment (Physical & Green)

7. OPTIONS

- 7.1 Option 1: Council approves the attached Water and Wastewater Financial Plans **(Recommended)**
- 7.2 Option 2: Council amends the Water and Wastewater Financial Plans *(Not Recommended)*

8. FINANCIAL IMPLICATIONS

The Water and Wastewater Financial Plans will help inform future rate setting for water and wastewater and will be reviewed annually during the budget process.

9. ENVIRONMENTAL IMPLICATIONS

There are no environmental implication associated with this report.

10. COMMUNICATIONS

A copy of this report and the Water and Wastewater Financial Plan will be posted on the Town's website and made available to the public at no charge.

11. CONCLUSION

Town Staff are seeking approval of the attached Water and Wastewater Financial Plan, and will seek renewal of the Town's permits to take water in the coming months.

12. PREVIOUS REPORTS

- CS-20-004

13. APPENDICES

- Appendix I – 2024 Water and Wastewater Rate Study & O. Reg 453/07 Financial Plan

Respectfully submitted:

Prepared and Recommended by:

A handwritten signature in blue ink, appearing to read "Freeborn".

**Kyle Freeborn, CPA, CMA
Director of Corporate Services/Treasurer**

Submitted by:

A handwritten signature in blue ink, appearing to read "Zvaniga".

**Bruce Zvaniga
Chief Administrative Officer (Interim)**

Town of Niagara-on-the-Lake

2024 Water and Wastewater Rate Study & O. Reg 453/07 Financial Plan



DFA Infrastructure International Inc.

July 17, 2024



DFA Infrastructure International Inc.

33 Raymond Street St. Catharines Ontario Canada L2R 2T3

Telephone: (905) 938 -0965 Fax: (905) 937-6568

July 17, 2024

Kyle Freeborn, BCom(Hons), CPA, CMA
Director of Corporate Services/Treasurer
Town of Niagara-on-the-Lake
1593 Four Mile Creek Road
Virgil, Ontario
L0S 1T0

Re: 2024 Water and Wastewater Rate Study and O. Reg 453/07 Financial Plan

Dear Kyle:

We are pleased to submit to you the the above noted report entitled: "2024 Water and Wastewater Rate Study and O. Reg 453/07 Financial Plan". Should you have any question please do not hesitate to contact me.

Yours truly,

A handwritten signature in black ink, appearing to read 'Derek Ali', is written over a horizontal line.

DFA Infrastructure International Inc.

Derek Ali, MBA, P.Eng.
President

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Transmittal Letter

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- Appendix B: 2024 – 2034 Water and Wastewater Customer Growth Projections
- Appendix C: 2025 – 2034 Capital Forecast- Water and Wastewater
- Appendix D: 2025 – 2034 Reserve and Reserve Fund Projections
- Appendix E: 2025 – 2034 Operating Budget Forecast - Water
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1 Introduction

1.1 Background

The Town of Niagara-on-the-Lake (the Town) owns and operates two (2) water distribution systems that service the approximately 7800 customers in Niagara-on-the-Lake and is therefore responsible for the costs and financing associated with managing these systems. Niagara Region (the Region) is responsible for the water treatment and transmission. The Area Municipalities purchase treated water from the Region and are responsible for the water distribution services to their respective customers.

The Town obtains its water from the Decew Water Treatment Plant (WTP) and the Niagara Falls WTP which are owned and operated by the Region. The Town distributes the drinking water through the two (2) distribution systems that are supplied by these two (2) Regional water treatment plants. The Niagara-on-the-Lake Distribution System is supplied from the Decew WTP and the Bevan Heights Distribution System is supplied from the Niagara Falls WTP. For the purposes of this report, the Niagara-on-the-Lake and Bevan Heights Water Distribution Systems are considered as one. The Region's charges to the Town for water supply include a fixed charge established by the Region plus an amount based on actual consumption multiplied by a unit rate per cubic metre. In simple terms, the Region is the "wholesaler" and the Town is the "retailer" of water services in Niagara-on-the-Lake.

The total cost of the Town's water services, including payments to the Region, are recovered from operating (non-rate) revenues (e.g. administrative fees, etc.) and through direct billing to customers (rate revenues)

The Town owns and operates the wastewater collection systems that service the approximately 6300 customers in Niagara-on-the-Lake and is therefore responsible for the costs and financing associated with managing these systems. In Niagara, the Area Municipalities provide the wastewater collection services and the Region is responsible for the wastewater treatment.

The Town transmits its wastewater for treatment by the Region at the treatment facilities located on Lakeshore Road in Niagara-on-the-Lake and the Stanley Avenue Wastewater Treatment Plant in Niagara Falls. The Region's charge to the Town for wastewater treatment services is an Annual Fixed Charge that is paid in equal monthly amounts. This is a major component of the Town's annual service delivery costs

The total cost of the Town's wastewater services, including payments to the Region, are recovered from non-rate revenues (e.g. administrative fees, etc.) and through the revenues from rates and charges to customers. In simple terms, the Region is the "wholesaler" and the Town is the "retailer" of wastewater services in Niagara-on-the-Lake.

The last Water and Wastewater Rate review was conducted by the Town was in 2020, as such Town staff and Council recognized the need to update the rate study. Accordingly, DFA Infrastructure International Inc. (DFA) was retained by the Town to conduct a comprehensive Water and Wastewater Rate Review. The study includes determination of the full cost of service for water and wastewater over ten (10) years from 2025 to 2034 inclusive, and the calculation of rates that adequately fund the cost of service, while treating ratepayers in a fair and equitable manner.

The Town is also required to prepare and submit an updated Water System Financial Plan to meet the requirements of the Drinking Water Quality Management System as defined under O.Reg. 453/07 for renewal of its water distribution system licence.

1.2 Purpose

The primary purpose of this Water and Wastewater Rate Study is to:

- Identify the full costs of managing the Town's water and wastewater systems based on the most recent available information;
- Update the Town's current rates and charges to its customers, using the existing structure of a base charge and uniform consumption rate per cubic metre that will recover the full costs of supplying and distributing drinking water, and collection and treatment of wastewater;
- Prepare an updated Water System Financial Plan in accordance with the requirements of O.Reg. 453/07 for the renewal of the licence for the Town's water distribution system; and
- Prepare a Sanitary Sewer System Financial Plan similar to that required for water under O.Reg 453/07.

2 Regulatory Requirements

2.1 Provincial Regulations

Provincial requirements governing water and wastewater services primarily include the following:

- The Environmental Assessment Act (EAA);
- The Safe Drinking Water Act (SDWA);
- The Municipal Act (MA);
- The Development Charges Act (DCA);
- The Sustainable Water and Sewage Systems Act, 2002 (SWSA); and
- The Water Opportunities and Conservation Act, 2010 (WOA).

The first two (2) set out the technical requirements related to service delivery. The EA Act applies to expansion of existing facilities and establishment of new capacity such as the installation of new pipes to service growth in customers.

The Safe Drinking Water Act, 2002 (SDWA) has significant implications to the daily operations as it sets out the water sampling and other operational requirements (in O. Reg. 170/03) for ensuring that the water delivered to consumers is of high quality and safe for consumption. The SDWA has been a major influence over the past decade in terms of adjustments to operational practices and water quality assurance. In addition, there is also a requirement under this Act (O.Reg. 188/07) for drinking water providers to establish a Drinking Water Quality Management System (DWQMS) and obtain licences for their respective water systems. As part of the DWQMS, and as required under O. Reg. 453/07 (Financial Plans Regulation), operating authorities must submit a financial plan for their respective water systems as a condition of licensing. There are also many regulations and

guidelines that deal with design and operation standards that mandate certain activities be undertaken as part of service delivery.

The Municipal Act, Part VII, Section 293 requires municipalities to establish reserves for dealing with long-term liabilities. This applies directly to the water systems and the future liabilities associated with their age and condition. The Municipal Act also permits the municipalities to establish fees for cost recovery and requires public input prior to any fee adjustments. The Development Charges Act and regulations establishes the requirements for the recovery of portions of future growth-related capital expenditures to be incurred by municipalities. The Sustainable Water and Sewage Systems Act, 2002 requires that water systems be financially sustainable. The Water Opportunities and Conservation Act, 2010 is the most recent legislation to be enacted influencing water system management. It requires sustainability plans to be prepared for water systems and overlaps somewhat with the SWSA.

The Sustainable Water and Sewage Systems Act, 2002

One of the main recommendations contained in Justice O'Connor's report on the Walkerton incident is the need for municipalities to identify the full cost of water services and to develop a sustainable plan to finance these costs. This resulted in the establishment of the Sustainable Water and Sewage Systems Act, 2002 in December 2002 which requires operators of Water systems to report full costs and the method of cost recovery to the Province of Ontario. However, the Sustainable Water and Sewage Systems Act, 2002 was never proclaimed into force, nor were the regulations necessary for the act to operate ever developed. Under the Sustainable Water and Sewage Systems Act, 2002, the municipalities are required to submit to the Province of Ontario:

- A report prepared by a Professional Engineer, identifying the full cost of water services;
- A report identifying a sustainable method by which municipalities would recover these costs;
- The comments made by the Town's Auditor following a review of both reports; and
- Copies of Council resolutions accepting the recommendation of reports.

The Water Opportunities and Conservation Act, 2010

The WOA was enacted in November 2010 and the regulations are pending. This legislation promotes water conservation and requires municipalities to develop:

- Water conservation plans;
- Sustainability plans for water, wastewater & stormwater management; and
- Asset management plans.

Financial plans are required as a component of the water sustainability and asset management plans.

The DWQMS Requirements

Regulation 188/07 under the Safe Drinking Water Act requires Ontario municipalities to apply for and obtain Drinking Water System Licences as part of their overall DWQMS. One of the requirements to obtain a drinking water licence is to prepare and submit a financial plan in accordance with O.Reg. 453/07.

2.2 Town of Niagara-on-the-Lake By-Law

Town By-law No. 2024-17 establishes the water and wastewater rates and charges that apply to the various customer classes in 2024. By-law 2024-17 is attached as Appendix A.

3 Methodology

The Rate Study gives consideration to the full costs (or the required investment) associated with managing the Town’s water and wastewater systems over a ten (10) year period from 2025 to 2034 inclusive, and the recovery of those costs (or revenue plan) through proposed rates and charges to customers. Life cycle costs of assets from the Town’s Asset Management Plan were also considered to determine the full replacement and/or rehabilitation needs given that some water and wastewater system assets (e.g. water mains and sewer mains) can have life expectancies in the 50 to 100 year range. Rates are then developed that recover the full costs of water and wastewater services.

3.1 Full Cost Considerations

Calculation of the Town’s full cost of managing the water and wastewater systems is based on the 2024 budgets related to the primary activities required to deliver water and wastewater services to Town customers. Higher costs are generally expected in the future as the water and wastewater business environment changes. The impact can be mitigated however by fully understanding, assessing and planning for future water and wastewater system costs.

Determination of the full cost of managing the Town’s water and wastewater systems takes into account the factors that have a bearing on the cost of providing reliable water and wastewater services to the customers over the long-term. These included both current and future considerations that would influence the cost of managing the systems (and the revenues required to sustain them). Table 3-2 notes the main drivers of cost. The assumptions made are noted in the respective sections of this report.

Table 3-1: Cost Components and Drivers

Cost Component	Cost Drivers	Future Cost Implications
Water and Wastewater systems operations and maintenance (O&M)	<p>This is the annual cost of operating and maintaining the current system including direct (e.g. operations staff) and indirect costs (e.g overhead, charge backs etc).</p> <p>Changes in regulations can result in additional (O&M) activities and added costs. This was evident when the</p>	<p>This is a direct annual cost that is reasonably consistent (fixed) from year to year but requires adjustment to account for non-recurring items, operational changes, variable cost (e.g. chemical use) changes and inflation.</p> <p>Non-rate revenues from</p>

Cost Component	Cost Drivers	Future Cost Implications
	<p>regulations under the Safe Drinking Water Act took effect. Municipalities were required to undertake specific activities in the interest of water quality management (e.g sampling, analysis and reporting of water quality). More recently, the DWQMS meant additional costs for water system operational plans and licensing albeit not annually. It is expected that pending regulations under the Water Opportunities Act and greater enforcement of compliance requirements by the Ministry of the Environment and Climate Change (MOECC) would require more actions to be undertaken (and increased costs) by municipalities.</p>	<p>administrative fees and grants offset these costs.</p> <p>The long term impact of new regulations on costs are difficult to predict. However, the costs are expected to rise as more stringent requirements are established and compliance enforcement by the MOECC increases.</p> <p>Operating costs are assumed to increase by 2% annually.</p>
<p>Regional Charges</p>	<p><i>Regional Charges for the Supply of Treated Water to the Town.</i> The cost of water treatment and supply as billed by the Region includes a fixed charge and variable charges based on a uniform volumetric rate. The fixed charge represents the Town's proportionate share (based on the 3-year average volume consumed compared to other municipalities) of 25% of the Region's annual cost. The uniform rate is based on 75% of the Region's cost divided by the total volume of water produced by the Region. This cost is variable depending on consumption and is calculated as the product of the actual (metered) water purchased by the Town multiplied by the Regional uniform water rate.</p> <p><i>Regional Charges to the Town for Wastewater Treatment.</i> The Region recovers 100% of its annual wastewater costs as a fixed charge to the Area Municipalities. The Region's charge to the Town for treatment of wastewater is based on the Town's proportionate share of total Region-wide costs. A rolling historical three (3) year average volume (from October to September) is used by the Region to calculate the Town's proportionate share. The annual costs are paid by the Town in equal monthly instalments in year calendar year. At the end of each year the actual volumes treated are determined by the Region based on actual flows and an adjustment to the Town's cost share is made included in the charge two (2) years later.</p>	<p>Changes in Regional water costs and the level of the Town's future consumption will impact on the cost of water supplied to the Town.</p> <p>It is assumed that the Region's water costs increase by 3.8% annually</p> <p>The Region's total water flows are assumed to remain constant over the forecast period.</p> <p>Changes in Regional wastewater costs and the level of the Town's future wastewater flows will impact on the cost of wastewater treated by the Town</p> <p>It is assumed that the Region's wastewater costs increase by 9.9% annually.</p> <p>The Region's total wastewater flows are assumed to remain constant over the forecast period.</p>
<p>Effective Date of Annual Regional & Town Rates</p>	<p>Timing of the Regional rate increases will have an impact of the annual charge to the Town. Timing of the Town rate increase will have an impact on the level of revenue generated from users.</p>	<p>For the purposes of the study the annual Region rate increase and Town increase is assumed to occur on January 1.</p>
<p>Customer Growth</p>	<p>As the existing urban areas are developed, the addition of new customers would increase the total demand for</p>	<p>The increase in demand, if significant, would increase volumes of water</p>

Cost Component	Cost Drivers	Future Cost Implications
	<p>water . A corresponding rise in wastewater volume requiring treatment would also be expected</p>	<p>consumed and wastewater treated, and variable costs in the year the new customers are added.</p> <p>Customer Growth is based on the Region’s growth projections for Niagara-on-the-Lake as contained within the Niagara Region’s Official Plan.</p>
<p>Consumption Volume (m3)</p>	<p>Consumption is a function of the number of customers (existing and new growth), weather conditions and the economic environment. The weather conditions have a significant influence on how much water is consumed in a given year. For example, lower temperatures and wet weather tend to result in less water consumption. Dry weather and higher temperatures increase water consumption. Wet weather would also mean more stormwater entering the wastewater system (known as inflow and infiltration) The loss of large (commercial or industrial) customers perhaps due to economic climate would reduce demand.</p>	<p>The annual consumption volume is unpredictable. Fluctuations can result in higher than anticipated costs or lower revenues and lead to budget deficits. An operating reserve would minimize the risk of deficits and stabilize rates (i.e. minimize rate spikes) It is assumed that consumption will continue to increase as a result of new customer growth.</p>
<p>New growth related services</p>	<p>This refers to installation of new assets to increase the system capacity to facilitate new development and build out of the approved service areas within the Town</p>	<p>Would result in capital investments in the year the new infrastructure is needed. Note that financing of these costs can be through debt or cash from reserves after third party contributions are considered (e.g. grants, developer contributions etc.)</p> <p>Growth related capital investments are as provided from the Town’s 2025 - 2033 Capital Plan Forecast, with 2034 projected to be the same as 2033.</p>
<p>Asset preservation and renewal</p>	<p>This is mainly the replacement of aging Tangible Capital Assets (TCA) e.g. old water mains, plant components, well components etc. that have exceeded their service life.</p>	<p>Would result in future capital expenditures in the year in which the assets require replacement or rehabilitation to extend their useful lives. Allowances must be made as part of the annual costs to account for the future replacement of these assets Financing can be through a combination of debt and reserve funds.</p> <p>Asset renewal needs are as provided from the Town’s 2025-2033 Capital Plan Forecast, with 2034 projected to be the same as 2033, and supplemented with additional lifecycle</p>

Cost Component	Cost Drivers	Future Cost Implications
		needs as determined by the Town's 2014 Asset Management Plan.
Other capital expenditures	These are capital expenditures other than those needed for growth and asset renewal. These would include cost of studies and implementation of operational improvements of the water and wastewater systems such as water loss reduction measures and wastewater I & I reduction programs.	Would increase costs in the year the expenditure is required. Financing can be through a combination of debt and reserves. Other capital investments are as provided from the Town's 2025 - 2033 Capital Plan Forecast.
Capital Financing	Capital financing for projects can be from four (4) main sources: Debt financing, reserves, annual rates and third party contributions (grants etc.). Grant funding is available only when approved and is therefore not a predictable source of financing for financial planning purposes. The greater the debt financing, the higher the annual amount (costs) needed to repay the principal and interest on any current or future debt. Financing from reserves can only be used if sufficient funds are available. Therefore annual contributions to reserves are required to build balances for use in future years. Financing from rates do not increase annual costs but tend to drive up rates in the year the capital expenditure is required.	Annual costs would increase to provide for reserve contributions and debt repayment. It should be noted that using debt financing would minimize spikes in funding required for capital projects and allocates cost to future users It is assumed that debt financing will be used when funds from other sources (reserves, grants, etc) are insufficient to finance the current year's capital program
Inflation	This is the annual rate of inflation as reported by Statistics Canada.	Annual inflation is assumed to be 2% for operating expenditures, with 3% being used for capital expenditures.
Market competition and pricing	The level of competition within the market place depends on the number of service providers available. Additionally, the capacity of industry service providers to meet the increasing demand for their services may tend to increase prices. Tender prices for future capital projects would be influenced by the market conditions at the time of tendering.	Potential higher prices depending on the future behaviour of the industry.

3.2 Full Cost Assessment

The full cost assessment identifies the current and future costs (i.e. the full costs) associated with the management of the water and wastewater systems over the next ten (10) years (2025 to 2034). The key cost areas include:

- Operations & Maintenance (O&M) cost projections;
- Cost of water supplied and wastewater treated by the Region;
- Capital Budget based on the approved capital forecast;
- Tangible Capital Asset (TCA) projections including asset replacement needs;
- Debt servicing requirements; and
- Reserve fund requirements.

The non-rate revenues associated with the systems are also identified. These are defined as revenues that are routinely generated each year by the daily operations and include administrative revenues such as service fees, penalties, operating grants and other direct user fees and service charges such as revenue from bulk water sales. It is important to note that the non-rate revenues do not include the revenues generated by the water and wastewater user rates. The full cost developed through the various analyses in this study identify the revenue requirements for the water and wastewater systems and form the basis for the future rates and charges.

3.3 Data Sources

The primary sources of data used in this review are listed in Table 3-3. In addition, information was also developed from discussions with input from Town staff, as required.

Table 3-2: Data Sources

Item	Data Source
Asset Life Expectancy	<ul style="list-style-type: none"> • Town’s TCA Policy and Asset Management Plan • Information Provided by the Town
Asset Replacement Costs	<ul style="list-style-type: none"> • Town’s TCA Policy and Asset Management Plan • Historical Costs Provided by the Town indexed to 2024
Asset Values	<ul style="list-style-type: none"> • Town’s TCA Policy and Asset Management Plan • Information Provided by the Town
O & M Costs and Revenue Projections	<ul style="list-style-type: none"> • Town’s 2024 Water Operating Budget
Capital Cost Projections	<ul style="list-style-type: none"> • Town’s 2024 Water Capital Budget and 2025-2033 Capital Forecasts
Debt	<ul style="list-style-type: none"> • Town’s 2024 Water and Wastewater Operating Budgets and 2025-2033 Capital Budget Forecasts
Investments, Reserve balances etc.	<ul style="list-style-type: none"> • Information provided by the Town
Existing Customers	<ul style="list-style-type: none"> • Town’s Customer count Provided by the Town
Growth	<ul style="list-style-type: none"> • Information Provided by the Town including information contained in the Niagara Region’s Official Plan

Water and Wastewater Volumes	<ul style="list-style-type: none"> Town’s actual historical Consumption Volumes provided by the Town
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4 Customer Growth

The cost of service depends on the number and type of customers and corresponding demand. Although most costs are fixed, variable costs such as annual chemical use and hydro costs can increase depending on the level of customer growth and water consumption and wastewater treated. Capital costs related to increasing system capacity to accommodate customer growth can also be influenced by growth and demand. In addition, the current rate structure is comprised of a fixed (base charge) per customer plus a consumption charge based on the metered volume of water consumed (billed wastewater flows). Therefore forecasting customer growth and annual water consumption volumes is essential to projecting future costs, revenue requirements and rates.

4.1 Current Customers

There are currently approximately 7,800 metered water customers and 6,300 metered wastewater customers based on information provided by the Town. This number is expected to increase over the 2025 – 2034 forecast period. Table 4-1 shows the current total number of residential and commercial customers.

Table 4-1: 2024 Customer Count

2024 Water and Wastewater Customers		
Customer by Meter Size	Water	Wastewater
up to 3/4"	7,360	5,977
1"	230	164
1.5"	80	63
2"	84	68
3"	26	21
4"	18	16
6"	6	4
8"	1	1
12"	-	-
Total	7,805	6,314

4.2 Customer Growth Projections

Table 4-2 shows the increase in total customers over the 2024-2034 forecast period. Customer growth projections reflect the residential and commercial customer growth for the Town as contained in the Niagara Region’s Official Plan.

Customer growth over the 2024-2034 forecast period is projected to be 1,495, consisting of 1,386 new residential customers and 109 new commercial customers. Detailed customer growth projections by year are presented in Appendix B.

Table 4-2: Customer Growth Projection

Service	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034
Water	7,805	7,988	8,170	8,310	8,449	8,589	8,728	8,868	9,012	9,156	9,300
Wastewater	6,314	6,497	6,679	6,819	6,958	7,098	7,237	7,377	7,521	7,665	7,809

5 Volume Projections

5.1 2024 Water Consumption and Billed Wastewater Volume

There are estimated to be approximately 7,800 metered water customers projected to consume approximately 2.3 million m³ in 2024. When compared to the projected 3.0 million m³ of water to be supplied by the Region in 2024, it is estimated that there is approximately 0.7 million, or 24% of water supplied by the Region that is considered to be “non-revenue” or “unaccounted for”.

For wastewater, there are approximately 6,300 metered customers that are projected to generate in 2024 approximately 3.1 million m³ of wastewater volumes that will be treated by the Region. These volumes include 1.5 million m³ in wastewater flow contributions from water customers as well as inflow and infiltration (I&I) into the sanitary sewer system.

5.2 Projected Water Consumption and Billed Wastewater Volume

Projected water consumption and billed wastewater flow increases are based on projected customer growth. The 2024-2034 volume projections are shown below in Table 5-1.

Table 3:1 2024-2034 Projected Water and Wastewater Volumes

Service	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034
Projected Water Consumption	2,300,726	2,352,185	2,403,452	2,438,789	2,474,125	2,505,833	2,537,349	2,569,405	2,602,755	2,635,913	2,672,891
Projected Billed Wastewater Flows	1,540,591	1,592,050	1,643,317	1,678,654	1,710,169	1,741,877	1,773,393	1,804,909	1,838,800	1,875,778	1,912,756

6 Capital Budget Requirements

The future water and wastewater capital budget requirements are presented in Appendix C. This appendix reflect the projects identified by the Town’s 2025 to 2033 capital forecast. The 2033 capital projections were carried forward to 2034. Additional asset management lifecycle provisions as determined by the Town’s Asset Management plan were also included for both water and wastewater, thereby ensuring that sufficient annual capital funding was being provided from rates by 2034 to address the average annual capital lifecycle needs.

There is approximately \$32.1 million in projected water related capital expenditures and approximately \$20.9 million in projected wastewater related capital related expenditures required between 2025 and 2034.

Appendix C also show the projected sources of financing for the annual water and wastewater capital requirements. The level of water and wastewater rates have a direct impact on the mix of capital financing. The

Town will continue to finance its' capital requirements through cash from capital reserves. The Town will not be required to incur debt to cashflow projects as sufficient capital reserve funds are available over the forecast period. Debt financing and the reserve fund requirements are discussed in Sections 7.1 and 7.2.

6.1 Debt Financing

Issuance of debt allows for funds to be available in the year the project is required to proceed, with repayment of the debt occurring in future years. This approach supports the principle of user pay such that the beneficiaries of the new assets pay for their use through the debt repayment. Financing from capital reserve requires that sufficient funds be available in the reserve in the year the project is undertaken, through annual contributions from the operating budget to the reserve in prior years. Therefore, without debt or reserve financing, major rate increases, or "spikes" would be required in the project year to raise sufficient funds to cover the project expenditures.

The Town has used debt in the past as a source of capital financing. As previously noted, the Town will not be required to incur new debt to cashflow capital projects as sufficient capital reserve funds are available over the forecast period. There is however approximately \$68 thousand in remaining growth-related wastewater debt, which will be retired in 2025.

6.2 Reserve Fund Requirements

There are two (2) separate capital related reserve funds for water and wastewater for which projections are made over the study period:

- The Capital Reserve Fund; and
- Development Charges Reserve Fund.

There are also Rate Stabilization Reserves for both water and wastewater services. Rate stabilization reserves will provide a source of funding for water and wastewater to offset any year-end operating deficits that may occur during the year, thereby avoiding unplanned rate spikes in the subsequent year.

Appendix D shows the continuity schedule for each capital reserve fund and operating reserve projection. These schedules show the transfers to and from the respective reserve fund and the opening and closing balances.

Water Capital Reserve Fund

The Water Capital Reserve Fund is the primary source of financing for water projects and has a projected opening balance in 2024 of approximately \$5.8 million. Annual contributions to the water capital reserve fund are increasing over the forecast period to ensure sufficient funds are available to finance the water capital program, which includes provisions for additional asset management needs as contained in the Town's Asset Management Plan. The average annual water capital reserve fund contribution over the forecast period is estimated at \$2.9 million per year. While the annual closing balance of the water capital reserve fund is projected to decrease to approximately \$3.7 million by 2034, the 2034 closing balance represents about 115%

of the 10-year average annual water capital program. This ensures that the Town is in a strong position to begin funding water capital works beyond the study period.

Wastewater Capital Reserve Fund

The Wastewater Capital Reserve Fund is the primary source of financing for wastewater projects and has an opening balance in 2024 of approximately \$4.8 million. The annual contributions to the wastewater capital reserve are increasing so that sufficient funds are available to finance the wastewater capital program, which includes provisions for additional asset management needs as contained in the Town's Asset Management Plan. The average annual wastewater capital reserve fund contribution over the forecast period is estimated at \$1.7 million per year. While the annual closing balance of the wastewater capital reserve is projected to decrease to approximately \$2.3 million by 2034, The 2034 closing balance represents about 113% of the 10-year average annual wastewater capital program. This ensures that the Town is in a strong position to begin funding wastewater capital works beyond the study period.

Water Development Charges Reserve Fund

The Water Development Charges Reserve Fund has a negative opening balance in 2024 of (\$1.1) million, with a small increase to (\$0.5) million by 2034. As there are no growth-related water capital projects identified over the forecast period, there are no draws from this reserve fund.

Annual contributions to the water development charge reserve fund are based on the customer growth projections detailed in Section 4, and current water development charge rates indexed annually by 3%.

Wastewater Development Charges Reserve Fund

The Wastewater Development Charges Reserve Fund has an opening balance in 2024 of approximately \$462 thousand, increasing to approximately \$1.1 million by 2034. The only draw from this reserve fund over the forecast period is to service past growth-related wastewater debt, which as noted previously, will be retired in 2025.

Annual contributions to the wastewater development charge reserve fund are based on the customer growth projections detailed in Section 4, and current wastewater development charge rates indexed annually by 3%.

Water and Wastewater Rate Stabilization Reserves

As previously noted, this study recommends the use of a rate stabilization reserve for both water and wastewater services that will provide a source of funding to offset any year-end operating deficits that may occur during the period.

The water rate stabilization reserve is projected to achieve a balance of \$1.0 million by 2034. The wastewater rate stabilization reserve is projected to achieve a balance of \$1.2 million by 2034. These balances represent approximately 9.7% and 7.8% of their respective net water and wastewater operating expenditures. Best

practice in regard to a rate stabilization reserves, where volumetric rates are a major source of overall revenue, is to strive to maintain a reserve balance of between 5% - 10% of gross operating revenues.

7 Operations & Maintenance (O&M) Cost Projections

The annual operating budgets are based on the operations and maintenance needs of the Town's water and wastewater systems. These include operations and maintenance costs related to the water system (i.e. water purchases and water distribution), and the wastewater system (i.e. treated wastewater and wastewater collection). These costs generally include the staffing, materials, utilities and other costs related to the following:

- Administration;
- Contracted Services;
- Minor Capital; and
- Maintenance.

Transfers to reserves and debt servicing are typically included in the annual O&M budgets. These costs have however been addressed separately for the purposes of this report and are noted in Section 7.

A portion of the O&M costs is offset by non-rate revenues. These include:

- Penalties and late payment charges;
- Administrative service fees and charges;
- Bulk water and water used on construction revenues;
- Recoveries ,and
- Government grants (when available).

The projection of the gross costs and non-rate revenues over the study period is based on the Town's 2024 Water and Wastewater Operating Budgets. The assumptions used in arriving at these projections are as follows:

- 2025 and beyond, O&M costs (not including non-recurring costs, reserve transfers and debt servicing) will increase annually by 2%; and
- Regional water charges for the supply of treated water to the Town includes a fixed charge and variable charges based on the Region's uniform volumetric rate. The fixed charge represents the Town's proportionate share (based on the 3-year average volume consumed compared to other municipalities) of 25% of the Region's annual cost. It is assumed that the Town's proportionate share of those costs remain constant over the forecast period at 5.49%. The uniform rate is based on 75% of the Region's cost divided by the total volume of water produced by the Region. It is assumed that the Region's water costs increase by 3.8% annually. The Region's total water flows are assumed to remain constant over the forecast period.
- Regional wastewater treatment charges to the Town are based on the Town's proportionate share of total Region-wide costs. A rolling historical three (3) year average volume (from October

to September) is used by the Region to calculate the Town's proportionate share. At the end of each year the actual volumes of wastewater treated are determined by the Region based on actual flows and an adjustment to the Town's cost share is made included in the charge two (2) years later. It is assumed that the Region's wastewater costs increase by 9.90% annually and that the Town's proportionate share of those costs remain constant over the forecast period at 4.18%

Table 7.1 and Table 7.2 shows the Town's 2024 operating budgets for water and wastewater services including the net amount to be recovered from customers.

Appendix E summarizes the projected 2025 – 2034 water systems gross operating & maintenance costs, non-rate revenues and net costs to be recovered from customers through the Town's base and consumption charges. The net annual costs of the water system are expected to increase from \$6.9 million in 2024 to approximately \$10.8 million by 2034. The \$3.9 million increase in water operating cost over the forecast period is mainly due to a projected increase in the Regional Water cost of \$1.8 million, and a projected increase in the annual operating transfer to the water capital reserve of \$1.5 million.

Appendix F summarizes the projected 2025 – 2034 wastewater systems gross operating & maintenance costs, non-rate revenues and net costs to be recovered from customers through the Town's base and consumption charges. The net annual costs of the wastewater system are expected to increase from approximately \$5.3 million in 2024 to \$15.1 million by 2034. The \$9.9 million increase in wastewater operating cost over the forecast period is mainly due to a projected increase in the Regional Wastewater Treatment cost of \$6.7 million, and a projected increase in the annual operating transfer to the wastewater capital reserve of \$2.8 million.

Table 7-1: 2024 Water Operating Budget

Water Service 2024 Operating Budget	
<u>Operating Expenditures</u>	
Environmental Program Support	\$ 1,175,456
Program Administration	\$ 399,721
Training Division	\$ 11,500
Inventory Maintenance	\$ 100
Compliance	\$ 9,450
Bulk Water Station	\$ 18,600
Hydrants - Repair and Replace	\$ 17,500
Irrigation from Hydrants	\$ 12,100
Meter Installations	\$ 10,625
Meter Repairs	\$ 13,300
Main Line Repair	\$ 16,430
Repair & Replace Services	\$ 57,660
Service Installations (New)	\$ 17,800
Utility Locates	\$ 209,015
Valves	\$ 7,650
Water Sampling & Testing	\$ 31,450
Watermain Cleaning	\$ 2,760
Regional Water Charges - Fixed	\$ 732,000
Regional Water Charges - Variable	\$ 2,133,844
<u>Rate Stabilization Contributions</u>	
Transfer to Operating Reserve	\$ 34
Sub Total Operating Expenditures	\$ 4,876,994
<u>Capital-Related</u>	
Transfer to Capital Reserves and Reserve Funds	\$ 2,172,449
Sub Total Capital Related Expenditures	\$ 2,172,449
Total Expenditures	\$ 7,049,444
<u>Non-Rate Revenues</u>	
On & Off Fees	\$ 1,200
Water on Construction	\$ 20,000
Water Sales	\$ 68,030
Hydrants - Repair & Replace - Services Rendered	\$ 13,000
Irrigation & Hydrants - Services Rendered	\$ 8,000
Meter Installation - Services Rendered	\$ 50,000
Meter Repairs - Services Rendered	\$ 370
Repair & Replace Services - Services Rendered	\$ 3,610
Service Installations (New) - Services Rendered	\$ 12,000
Total-Non Rate Revenues	\$ 176,210
Net Water Costs To Be Recovered From Users	\$ 6,873,234

Table 7-2: 2024 Wastewater Operating Budget

Wastewater Service 2024 Operating Budget	
<u>Operating Expenditures</u>	
Environmental Program Support	293,541
Program Administration	276,287
Training Division	3,140
Compliance	3,000
Lateral Cleaning & Maintenance	27,000
Manhole Maintenance	5,000
Sewer CCTV Inspections	80,000
Sewer Lateral Install & Repair	39,400
Sewer Main Cleaning	85,000
Sewer Main Repairs	14,600
Trenchless Repair Program	110,500
Grinder Pumps	17,000
Regional Wastewater Charges - Fixed	4,221,000
Sub Total Operating Expenditures	5,175,468
<u>Capital-Related</u>	
Existing Debt (Principal) - Growth Related	67,581
Existing Debt (Interest) - Growth Related	4,383
Transfer to Capital Reserves and Reserve Funds	374,372
Sub Total Capital Related Expenditures	446,335
Total Expenditures	5,621,804
<u>Non-Rate Revenues</u>	
Administration Revenue	1,480
Miscellaneous Revenue	10,000
Program Administration - Services Rendered	250,000
Lateral Cleaning & Maintenance Services Rendered	80
Sewer Lateral Install & Repair - Services Rendered	21,570
Sewer Main Repair - Services Rendered	110
Grinder pump - Services Rendered	10,000
Total-Non Rate Revenues	293,240
<u>Operating Subsidies</u>	
Contributions from Development Charges Reserve Fund	71,964
Contributions from Operating Reserve	48
Total Operating Revenue	365,252
Net Wastewater Costs To Be Recovered From Users	5,256,552

8 Sustainable User Rates and Revenues

Appendix G presents the projected 2025 – 2034 sustainable water rates and revenues. Appendix H presents the projected 2025-2034 sustainable wastewater rates and revenues. These rates and revenues are based on the Town’s current water and wastewater rate structure. The costs and revenues contained in Section 6 (Capital Budget Requirements) and Section 7 (Operating & Maintenance Cost Projections), and the projected growth contained in Section 4 (Customer Growth) and Section 5 (Volume Projections) were considered in calculating the sustainable user rates and revenues as presented in this section.

8.1 Current Rates and Charges

The Town's current rate structure and rates are shown in Table 8-1. The rate structure includes a fixed charge to the customer based on the size of the water meter plus a uniform consumption rate. This rate structure is consistent with industry best practice.

Table 8-1: Current 2024 Water and Wastewater Rates and Charges

Rate Component	Meter Size	Rates	
		Water	Wastewater
Uniform Rate (\$/M ³ of Metered Water Consumed)		\$ 1.7086	\$ 1.5646
Fixed Annual charge Based on Meter Size (\$/Year)	up to 3/4"	\$ 335.72	\$ 401.88
	1"	\$ 470.41	\$ 562.56
	1.5"	\$ 604.70	\$ 723.36
	2"	\$ 974.20	\$ 1,148.76
	3"	\$ 3,695.36	\$ 4,419.96
	4"	\$ 4,703.06	\$ 5,625.72
	6"	\$ 7,054.46	\$ 8,438.40
	8"	\$ 9,741.98	\$ 11,653.20
	12"	\$ 13,437.20	\$ 16,073.28

8.2 Water Rates and Revenue Projection

Table 8-2 presents the projected sustainable water rates and revenues for the five (5) year period 2025 – 2029. The 10-year projection of water rates and revenue is detailed in Appendix H. Based on the full cost assessment of the Town’s water system the current water rates are required to be increased annually by 3% over the forecast period. As noted at the bottom of Table 8-2, the split between the revenue generated from the base charge and revenue generated from the volumetric rate stays constant with 43% fixed and 57% variable. This is consistent with industry best practice as the majority of the Town’s cost related to the delivery of water is fixed in nature, including the 25% fixed portion of the cost of water purchased by the Town from the Region.

Table 8-2: Projected Water Rates and Revenues

Projected Annual Water Base Charges and Revenues					
Customer Type	2025	2026	2027	2028	2029
Annual Increase % Increases	3.00%	3.00%	3.00%	3.00%	3.00%
up to 3/4"	\$ 345.79	\$ 356.17	\$ 366.85	\$ 377.86	\$ 389.19
1"	\$ 484.52	\$ 499.06	\$ 514.03	\$ 529.45	\$ 545.33
1.5"	\$ 622.84	\$ 641.53	\$ 660.77	\$ 680.60	\$ 701.01
2"	\$ 1,003.43	\$ 1,033.53	\$ 1,064.53	\$ 1,096.47	\$ 1,129.36
3"	\$ 3,806.22	\$ 3,920.41	\$ 4,038.02	\$ 4,159.16	\$ 4,283.94
4"	\$ 4,844.15	\$ 4,989.48	\$ 5,139.16	\$ 5,293.34	\$ 5,452.14
6"	\$ 7,266.09	\$ 7,484.08	\$ 7,708.60	\$ 7,939.86	\$ 8,178.05
8"	\$ 10,034.24	\$ 10,335.27	\$ 10,645.32	\$ 10,964.68	\$ 11,293.62
12"	\$ 13,840.32	\$ 14,255.53	\$ 14,683.19	\$ 15,123.69	\$ 15,577.40
Projected Annual Revenue Generated from Base Charges	\$ 3,094,964	\$ 3,253,990	\$ 3,404,364	\$ 3,559,735	\$ 3,721,754
Projected Annual Uniform Water Rates & Revenues					
Customer Type	2025	2026	2027	2028	2029
Annual Increase % Increases	3.00%	3.00%	3.00%	3.00%	3.00%
Uniform Rate per Metre 3	\$ 1.7599	\$ 1.8127	\$ 1.8671	\$ 1.9231	\$ 1.9808
Projected Annual Uniform Rate Revenues	\$ 4,139,626	\$ 4,356,746	\$ 4,553,425	\$ 4,757,982	\$ 4,963,529
Projected Base (Fixed) Revenues vs. Uniform (Variable) Revenues					
Revenue Type	2025	2026	2027	2028	2029
Base Rate Revenue Percentage	43%	43%	43%	43%	43%
Uniform Rate Revenue Percentage	57%	57%	57%	57%	57%

8.3 Wastewater Rates and Revenue Projection

Table 8-3 presents the projected sustainable wastewater rates and revenues for the five (5) year period 2025 – 2029. The 10-year projection of wastewater rates and revenue is detailed in Appendix I. Based on the full cost assessment of the Town’s wastewater system the current rates are required to be increased annually by 10% to year 2027, then by 9% annually to year 2030, then by 8% annually to the end of the forecast period. As noted at the bottom of Table 8-3, the split between the revenue generated from the base charge and revenue generated from the volumetric rate stays constant with 54% fixed and 46% variable. This is consistent with industry best practice as the majority of the Town’s cost related to the wastewater services delivered by the Town is fixed in nature, including 100% of the cost for the treatment of wastewater by the Region.

Table 8-3: Projected Wastewater Rates and Revenues

Projected Annual Wastewater Base Charges and Revenues					
Customer Type	2025	2026	2027	2028	2029
Annual Increase % Increases	10.00%	10.00%	10.00%	9.00%	9.00%
up to 3/4"	\$ 442.04	\$ 486.25	\$ 534.87	\$ 583.01	\$ 635.48
1"	\$ 618.86	\$ 680.74	\$ 748.82	\$ 816.21	\$ 889.67
1.5"	\$ 795.67	\$ 875.24	\$ 962.77	\$ 1,049.42	\$ 1,143.86
2"	\$ 1,263.59	\$ 1,389.95	\$ 1,528.94	\$ 1,666.55	\$ 1,816.54
3"	\$ 4,862.01	\$ 5,348.22	\$ 5,883.04	\$ 6,412.51	\$ 6,989.64
4"	\$ 6,188.29	\$ 6,807.12	\$ 7,487.83	\$ 8,161.73	\$ 8,896.29
6"	\$ 9,282.28	\$ 10,210.51	\$ 11,231.56	\$ 12,242.40	\$ 13,344.22
8"	\$ 12,818.47	\$ 14,100.31	\$ 15,510.35	\$ 16,906.28	\$ 18,427.84
12"	\$ 17,680.63	\$ 19,448.69	\$ 21,393.56	\$ 23,318.98	\$ 25,417.69
Projected Annual Revenue Generated from Base Charges	\$ 3,213,226	\$ 3,624,853	\$ 4,064,208	\$ 4,512,109	\$ 5,008,347
Projected Annual Uniform Wastewater Rates & Revenues					
Customer Type	2025	2026	2027	2028	2029
Annual Increase % Increases	10.00%	10.00%	10.00%	9.00%	9.00%
Uniform Rate per Metre 3	\$ 1.7211	\$ 1.8932	\$ 2.0825	\$ 2.2700	\$ 2.4743
Projected Wastewater Flows	1,592,050	1,643,317	1,678,654	1,710,169	1,741,877
Projected Annual Uniform Rate Revenues	\$ 2,740,084	\$ 3,111,152	\$ 3,495,856	\$ 3,882,023	\$ 4,309,859
Projected Base (Fixed) Revenues vs. Uniform (Variable) Revenues					
Revenue Type	2025	2026	2027	2028	2029
Base Rate Revenue Percentage	54%	54%	54%	54%	54%
Uniform Rate Revenue Percentage	46%	46%	46%	46%	46%

9 O.Reg 453/07 Water System Financial Plan No. 069-301A

Regulation 188/07 under the Safe Drinking Water Act requires Ontario municipalities to apply for and obtain Drinking Water System Licences as part of their overall DWQMS. One of the requirements of holding a valid drinking water licence is preparing and submitting to the Province an updated financial plan in accordance with O.Reg. 453/07. The financial plan must include financial statements on the following:

- The proposed or projected financial position of the drinking water systems;
- The proposed or projected gross cash receipts and gross cash payments;
- The proposed or projected financial operations of the drinking water system; and
- Details on the extent to which the above information applies to the replacement of lead service pipes, if applicable.

Appendix I lists each requirement of the regulation and references the respective financial statements and other relevant information required under each regulatory requirement. The financial plan must apply to a period of at least six (6) years with the first year being the year the existing license expires. As the Town's license will expire in 2025, this analysis was undertaken in 2024. Therefore, the updated Water System Financial Plan will be for the period of seven (7), or from 2024 to 2030. This plan is based on the results of the rate study. Upon Council's approval the financial plan would be made available to the public at no charge and posted on the Town's website. It will also be submitted to the Province as part of the Town's drinking water license renewal application.

This section presents an updated water system financial plan as defined in O.Reg. 453/07, thereby allowing the Town to fulfil its obligations under the drinking water licensing regulations for the renewal of its drinking water systems license. The number for the updated financial plan is 069-301A.

9.1 Water Tangible Capital Assets (TCA) Analysis

The results of the rate study contained in this report are used as the basis for preparing the water system financial plan. The Town's Tangible Capital Asset inventories were also used in the preparation of the water system financial plan. The amortization of the tangible capital assets is shown as a "non-cash" annual cost that reflects the annual "use" of assets until the end of their respective useful lives. Allowances are made to finance the replacement and/ or rehabilitation of the existing assets once they "expire" and can no longer play a role in providing the required drinking water service to customers. It should be noted however that since amortization is based on the original (historical) cost at the time the asset was placed in service it does not account for inflation since the year of installation. Therefore, basing asset replacement costs on amortization alone is not sufficient to cover the future replacement needs.

The TCA projections contained in the Town's water financial plan are based on the following assumptions:

- Amortization of existing assets is based on the Town's Tangible Capital Assets Policies and Procedures. Amortization of new infrastructure investments is based on straight line depreciation with half year depreciation charged in the year of acquisition;
- Historical costs, life expectancy and remaining useful life are as identified in the TCA data provided by the Town;
- Fully depreciated assets continue to be used in service i.e. no asset removals; and
- New assets to be acquired are based on the capital forecast presented. The forecast includes projects in the Town's Capital Budget Forecast and asset replacement projections based on the Town's Asset Management Plan.

Water Asset Value

The water system is comprised of the following asset classes:

- Water Mains;
- Hydrant Leads
- Curb Stops
- Water Connections
- Water Valves; and
- Water Meters.

Table 10-2 shows the projected capital asset value based on historical cost and accumulated amortization to 2024. This is reflected as the net book value (NBV) i.e. the "accounting" value and indicates that the water system as a whole is approximately 27% depreciated or has approximately 73% remaining life based on the TCA data. This suggests that the water system assets are relatively new.

Table 9-1: Water – Asset Amortization and Book Value (NBV)

2024 Water Asset Details		
Historical Cost	\$76,390,432	100%
Accumulated Amortization	\$20,582,345	27%
Net Book Value	\$55,808,087	73%

9.2 Water Financial Statements

This financial plan involves the review, analysis and assessment of financial information contained in the rate study including costs, revenues, debt, cash transactions and Tangible Capital Assets (TCA) to prepare the following three (3) financial statements covering the period 2024 - 2030 as required under O.Reg 453/07:

- Statement of Financial Position;
- Statement of Operations; and
- Statement of Cash Flow

9.2.1 Water - Statement of Financial Position

The Statement of Financial Position is presented in Table 9-2. This statement summarizes the Town’s water-related financial and non-financial assets i.e. Tangible Capital Assets (TCA) and liabilities and provides the net financial asset (or net debt) position and accumulated surplus related to managing the water system. The financial assets are primarily cash balances in the water reserves and reserve funds. Liabilities consist of the development charge reserve fund balances (i.e. deferred revenues) and water long-term debt. The non-financial assets (TCA) include the Town’s water infrastructure. The historical costs are amortized over the asset life to arrive at the net book value each year from 2024 to 2030. New assets are added in the years acquired, developed or built. Contributed assets are primarily new infrastructure and facilities that would be transferred to the Town’s ownership and control by developers as they are completed. However this is assumed to be zero. It is also assumed that other non-financial assets such as inventory and prepaid expenses are zero.

Contained within the Statement of Financial Position are important indicators, the first being net financial assets (or net debt) which is defined as the difference between financial assets and liabilities. This indicator provides a measure of the water system's "future revenue requirement". Table 9-2 indicates that in 2024, the Town's water system will be in a net financial asset position of \$6.0 million. This will decrease to a net financial asset position of \$4.4 million by 2030. The net financial asset position indicates that financial resources will be available to fund future operations. The decrease in net financial assets is due to a reduction in financial assets, along with a reduction in negative deferred revenues, which in the Town’s case reflects the reduction in the negative water development charge reserve balance.

The next important indicator contained in the Statement of Financial Position is the net book value of TCA. Table 9-2 shows that net TCA are expected to increase over the forecast period by about \$11.0 million. This indicates that the Town has plans to invest in tangible capital assets greater than the consumption of existing assets. Further, a consumption ratio consisting of the accumulated amortization of the Town's TCA as a percent of

historical cost ratio highlights the aged condition of the assets and their potential replacement needs. The Town's Water Asset Consumption Ratio increases over the forecast period from 27% to 26%, suggesting that the water system would be approximately a quarter through its life expectancy by 2030 and that adequate funds to are being allocated to finance the replacement or rehabilitation of aging assets as they expire.

Another important indicator in the Statement of Financial Position is the accumulated surplus. This indicator provides a measure of the resources available to the Town for managing its water system. The accumulated surplus is projected to increase slightly from approximately \$61.8 million in 2024 to approximately \$71.2 million by 2030. The accumulated surplus consists of non-financial assets that are made up of the net TCA balance representing past investments in water infrastructure and net-financial asset balances that are available to fund future operations.

Table 9-2: Water – Statement of Financial Position

	2024	2025	2026	2027	2028	2029	2030
Financial Assets							
Cash,Receivables and Investment	\$4,973,795	\$4,586,427	\$4,290,774	\$4,023,985	\$3,822,213	\$3,689,974	\$3,629,193
Total Financial Assets	\$4,973,795	\$4,586,427	\$4,290,774	\$4,023,985	\$3,822,213	\$3,689,974	\$3,629,193
Financial Liabilities							
Accounts Payable & Deferred Revenue	(\$1,051,634)	(\$978,084)	(\$901,395)	(\$860,320)	(\$820,830)	(\$778,922)	(\$735,355)
Long-term Liabilities	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Financial Liabilities	(\$1,051,634)	(\$978,084)	(\$901,395)	(\$860,320)	(\$820,830)	(\$778,922)	(\$735,355)
Net Financial Assets (Net Debt)	\$6,025,429	\$5,564,512	\$5,192,170	\$4,884,305	\$4,643,043	\$4,468,896	\$4,364,549
Non-Financial Assets							
Tangible Capital Assets	\$76,390,432	\$78,603,291	\$80,874,025	\$83,198,189	\$85,571,612	\$88,009,219	\$90,511,555
Accumulated Amortization	(\$20,582,345)	(\$21,092,688)	(\$21,610,876)	(\$22,130,922)	(\$22,647,306)	(\$23,174,678)	(\$23,711,943)
Total Non-Financial Assets	\$55,808,087	\$57,510,602	\$59,263,149	\$61,067,268	\$62,924,306	\$64,834,542	\$66,799,612
Accumulated Surplus	\$61,833,516	\$63,075,114	\$64,455,319	\$65,951,572	\$67,567,348	\$69,303,438	\$71,164,161
Financial Indicators							
Increase (Decrease) in Net Financial Assets	\$38,449	(\$460,917)	(\$372,342)	(\$307,865)	(\$241,262)	(\$174,146)	(\$104,348)
Increase (Decrease) in Tangible Capital Assets	\$1,060,379	\$1,702,516	\$1,752,547	\$1,804,118	\$1,857,038	\$1,910,236	\$1,965,071
Increase (Decrease) in Accumulated Surplus	\$1,098,828	\$1,241,598	\$1,380,205	\$1,496,253	\$1,615,776	\$1,736,090	\$1,860,723
Water Asset Consumption Ratio	27%	27%	27%	27%	26%	26%	26%

9.2.2 Water - Statement of Operations

The Statement of Operations is presented in Table 9-3 It summarizes the annual revenues and expenses associated with managing the Town's water system. It provides a report on the transactions and events that have an influence on the accumulated surplus. The main revenue items included are:

- Revenues from Water Rates and Charges;
- Earned Revenues (capital and operating contributions from development charges); and
- Other Revenues (bulk water revenues, miscellaneous fees and charges).

The main expense items are:

- The annual cost of operating and maintaining the water systems and non-TCA capital;
- Interest on long-term debt; and
- Amortization expenses on existing and added TCA.

The operating surplus (or deficit) is an important indicator contained in the Statement of Operations. An operating surplus (deficit) measures whether operating revenues generated in a year were sufficient to cover operating expenses incurred in that year. It is important to note that an annual surplus is necessary to ensure funds will be available to address non-expense items such as TCA acquisitions over and above amortization expenses, reserve/reserve fund contributions for asset replacement and rate stabilization, and repayment of outstanding debt principal. A ratio of operating surplus to total revenue is shown in Table 9-3 and reflects the percent of total revenue that can be allocated to funding the non-expense items noted above.

Table 9-3: Water – Statement of Operation

	2024	2025	2026	2027	2028	2029	2030
Water Revenue							
Rate Revenue	\$6,873,234	\$7,234,589	\$7,610,736	\$7,957,788	\$8,317,717	\$8,685,283	\$9,066,623
Earned Revenue	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Other Revenue	\$176,210	\$179,734	\$183,329	\$186,995	\$190,735	\$194,550	\$198,441
Total Revenues	\$7,049,444	\$7,414,324	\$7,794,065	\$8,144,784	\$8,508,453	\$8,879,833	\$9,265,064
Water Expenses							
Operating Expenses	\$4,876,961	\$5,075,241	\$5,282,407	\$5,482,129	\$5,690,079	\$5,902,555	\$6,123,445
Interest on Debt	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Amortization	\$1,074,621	\$1,097,484	\$1,131,453	\$1,166,402	\$1,202,598	\$1,241,189	\$1,280,897
Other	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Expenses	\$5,951,581	\$6,172,725	\$6,413,860	\$6,648,530	\$6,892,677	\$7,143,744	\$7,404,341
Annual Surplus/(Deficit)	\$1,097,862	\$1,241,598	\$1,380,205	\$1,496,253	\$1,615,776	\$1,736,089	\$1,860,723
Accumulated Surplus/(Deficit), Beginning of Year	\$60,734,688	\$61,833,516	\$63,075,114	\$64,455,319	\$65,951,573	\$67,567,348	\$69,303,438
Accumulated Surplus/ (Deficit), End of Year	\$61,833,516	\$63,075,114	\$64,455,319	\$65,951,573	\$67,567,348	\$69,303,438	\$71,164,160
Financial Indicators	2024	2025	2026	2027	2028	2029	2030
Increase (Decrease) in Total Revenues	N/A	N/A	\$379,741	\$350,719	\$363,669	\$371,380	\$385,231
Increase (Decrease) in Total Expenses	N/A	N/A	\$241,135	\$234,671	\$244,147	\$251,067	\$260,598
Increase (Decrease) in Annual Surplus	N/A	N/A	\$138,607	\$116,048	\$119,522	\$120,313	\$124,634
Operating Surplus Ratio	15.6%	N/A	17.7%	18.4%	19.0%	19.6%	20.1%

9.2.3 Water - Statement of Cash Flows

The Statement of Cash Flow is presented in Table 9-4. This statement summarizes the main cash inflows and outflows related to the water system in four (4) main areas - operating, capital, investing and financing, and shows the annual changes in cash.

The operating cash transactions begin with the surplus or deficit identified in the Statement of Operations. This figure is adjusted to add or subtract non-cash items that were included as revenues or expenses (e.g. amortization expenses and earned revenues). It is assumed that there are no “investing activities” over the period. The capital section indicates the amounts to be spent to acquire capital assets (TCA) or to be received from the sale of assets. In the Town’s case, it is assumed that there are no assets to be sold to generate cash. The financing section identifies funds received from development charge receipts and interest earned on the

reserve fund balance and proceeds from the issuance of debenture as cash inflows, and the portion of debt repaid as cash outflows. There were no debt issuances or repayments over the forecast period.

Table 9-4 indicates that cash is being generated from operations, which is used in funding the acquisition of TCA and towards building internal reserves. The Town's cash position is projected to decrease over the forecast period from \$5.0 million in 2024 to a \$3.6 million in 2030.

Table 9-4: Water – Statement of Cash Flow

	2024	2025	2026	2027	2028	2029	2030
Cash Provided by:							
Operating Activities							
Annual Surplus/(Deficit)	\$1,097,862	\$1,241,598	\$1,380,205	\$1,496,253	\$1,615,776	\$1,736,089	\$1,860,723
Non-Cash Items							
Amortization	\$1,074,621	\$1,097,484	\$1,131,453	\$1,166,402	\$1,202,598	\$1,241,189	\$1,280,897
Earned Revenue	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Net Change in Cash Provided by Operating Activities	\$2,172,483	\$2,339,083	\$2,511,658	\$2,662,655	\$2,818,373	\$2,977,278	\$3,141,620
Capital Activities							
Purchase of TCA	(\$2,135,000)	(\$2,800,000)	(\$2,884,000)	(\$2,970,520)	(\$3,059,636)	(\$3,151,425)	(\$3,245,967)
Net Change in Cash Used in Capital Activities	(\$2,135,000)	(\$2,800,000)	(\$2,884,000)	(\$2,970,520)	(\$3,059,636)	(\$3,151,425)	(\$3,245,967)
Financing Activities							
DC Collections	\$69,793	\$73,550	\$76,689	\$41,076	\$39,490	\$41,908	\$43,567
External Financing	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Proceeds From Long-Term Debt	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Repayment of Long-Term Debt	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Net Change in Cash Used in Financing Activities	\$69,793	\$73,550	\$76,689	\$41,076	\$39,490	\$41,908	\$43,568
Net Change in Cash and Cash Equivalents	\$107,276	(\$387,367)	(\$295,653)	(\$266,789)	(\$201,772)	(\$132,239)	(\$60,780)
Cash and Cash Equivalents, Beginning of the Year	\$4,865,553	\$4,973,795	\$4,586,427	\$4,290,774	\$4,023,985	\$3,822,213	\$3,689,974
Cash and Cash Equivalents, End of the Year	\$4,973,795	\$4,586,427	\$4,290,774	\$4,023,985	\$3,822,213	\$3,689,974	\$3,629,193

9.3 Lead Service Pipe Removal

The financial plan is also required to detail the extent to which the information described above relates directly to the replacement of lead service pipes.

The Town conducts sampling of water delivered to customers including via lead service pipes, in accordance with the standard sampling protocol outlined in Schedule 15.1 of O.Reg. 170/03. The Town's current approach for lead service pipe removal involves replacement upon discovery of service material. The financial statements do not include removal costs.

10 Wastewater System Financial Plan

Preparing a Wastewater System Financial Plan is not mandatory but has become a municipal best practice over the past few years. It is typically prepared in accordance with the requirements of O.Reg 453/07 which applies to water systems.

This financial plan involves the review, analysis and assessment of financial information contained in the rate study including costs, revenues, debt, cash transactions and Tangible Capital Assets (TCA) to prepare the following three (3) financial statements covering the period 2024 to 2030 as required under O.Reg. 453/07:

- Statement of Financial Position;
- Statement of Operations; and
- Statement of Cash Flow.

The wastewater system financial plan applies to a period of (7) seven years from 2024 to 2030 to be consistent with the period covered by the water system financial plan. It is anticipated that the financial plan would be made available to the public at no charge on the Town's website following final approval of the rate study and financial plan by Council.

10.1 Wastewater Tangible Capital Assets (TCA) Analysis

The results of the rate study contained in this report are used as the basis for preparing the wastewater system financial plan. The Town's Asset Inventories were also used in the preparation of the wastewater system financial plan. The amortization of the tangible capital assets is shown as a "non-cash" annual cost that reflects the annual "use" of assets until the end of their respective useful lives. Allowances are made to finance the replacement and/ or rehabilitation of the existing assets once they "expire" and can no longer play a role in providing the required wastewater service to customers. However, it should be noted that since amortization is based on the original (historical) cost at the time the asset was placed in service it does not account for inflation since the year of installation. Therefore, basing asset replacement costs on amortization alone is not sufficient to cover the future replacement needs.

The TCA projections contained in the Town's wastewater financial plan are based on the following assumptions:

- Amortization of existing assets is based on the Town's Tangible Capital Assets policies and procedures. Amortization of new infrastructure investments is based on straight line depreciation with half year depreciation charged in the year of acquisition;
- Historical costs, life expectancy and remaining useful life as per the TCA data provided by the Town;
- Fully depreciated assets continue to be used in service i.e. no asset removals; and
- New assets to be acquired are based on the capital forecast. The forecast includes projects in the Town's Capital Budget Forecast and asset replacement projections based on the Town's Asset Management Plan.

Wastewater Asset Value

The wastewater system is comprised of the following asset classes:

- Sewer Mains;
- Laterals; and
- Manholes.

Table 10-1 shows the current capital asset value based on historical cost and accumulated amortization to 2020. This is reflected as the net book value (NBV) i.e. the “accounting” value, and indicates that the wastewater system as a whole is approximately 30% depreciated or has approximately 70% remaining life based on the TCA data. This suggests that the water system assets are relatively new

Table 10-1: Wastewater – Asset Amortization and 2024 Net Book Value (NBV)

2024 Wastewater Asset Details		
Historical Cost	\$43,332,884	100%
Accumulated Amortization	\$14,778,629	34%
Net Book Value	\$28,554,254	66%

10.2 Wastewater Financial Statements

This financial plan involves the review, analysis and assessment of financial information contained in the rate study including costs, revenues, debt, cash transactions and Tangible Capital Assets (TCA) to prepare the following three (3) financial statements covering the period 2024 - 2030 as required under O.Reg 453/07:

- Statement of Financial Position;
- Statement of Operations; and
- Statement of Cash Flow.

10.2.1 Wastewater - Statement of Financial Position

The Statement of Financial Position is presented in Table 10-2. This statement summarizes the Town’s wastewater related financial and non-financial assets (Tangible Capital Assets – TCA) and liabilities, and provides the net financial asset/ (net debt) position and accumulated surplus related to managing the wastewater system. The financial assets are primarily cash balances in the wastewater reserves and reserve funds. Liabilities consist of the development charge reserve fund balances (i.e. deferred revenues) and wastewater long-term debt. The non-financial assets (TCA) include the Town’s wastewater infrastructure. The historical costs are amortized over the asset life to arrive at the net book value each year from 2024 to 2030. New assets are added in the years acquired, developed or built. Contributed assets are primarily new infrastructure that would be transferred to the Town’s ownership and control by developers as they are completed. However this is assumed to be zero. It is also assumed that other non-financial assets such as inventory and prepaid expenses are zero.

Contained within the Statement of Financial Position are important indicators, the first being net financial assets (or net debt) which is defined as the difference between financial assets and liabilities. This indicator provides a measure of the wastewater system’s "future revenue requirement". Table 10.2 indicates that in 2024, the Town's wastewater system will be in a net financial asset position in the amount of \$4.5 million. There will be a decrease in the net financial asset position to \$1.0 million by 2030. The net financial asset position indicates that financial resources will be available to fund future operations. The decrease in net financial assets position is due to a combination of an decrease in the cash position, and an increase in liabilities, mainly through an increase in deferred revenue. The next important indicator contained in the Statement of Financial Position is the net book value of TCA. Table 10-2 shows that net TCA are expected to grow by \$9.2 over the forecast period,

or from \$43.3 million in 2024 to \$52.5 million 2030. This indicates that the Town has plans to invest in tangible capital assets in excess of the consumption of existing assets. Further, a consumption ratio consisting of the accumulated amortization of the Town's TCA as a percent of historical cost ratio highlights the aged condition of the assets and their potential replacement needs. The Town's Wastewater Asset Consumption Ratio decreases over the forecast period from 34% in 2024 to 31% in 2030, suggesting that the wastewater system would be approximately a third through its life expectancy by 2030 and that adequate funds to are being allocated to finance the replacement or rehabilitation of aging assets as they expire.

Another important indicator in the Statement of Financial Position is the accumulated surplus. This indicator provides measure of the resources available to the Town for managing its wastewater system. The accumulated surplus is projected to increase from approximately \$33.0 million in 2024 to approximately \$37.5 million by 2030 The accumulated surplus consists of non-financial assets that are made up of the net TCA balance representing past investments in wastewater infrastructure and is increased net-financial asset balances that are available to fund future operations.

Table 10-2: Wastewater - Statement of Financial Position

	2024	2025	2026	2027	2028	2029	2030
Financial Assets							
Cash,Receivables and Investment	\$5,042,093	\$3,860,162	\$3,003,842	\$2,363,064	\$1,926,586	\$1,730,964	\$1,810,001
Total Financial Assets	\$5,042,093	\$3,860,162	\$3,003,842	\$2,363,064	\$1,926,586	\$1,730,964	\$1,810,001
Financial Liabilities							
Accounts Payable & Deferred Revenue	\$469,669	\$482,877	\$567,836	\$620,635	\$672,114	\$725,934	\$781,392
Long-term Liabilities	\$67,581	\$0	\$0	\$0	\$0	\$0	\$0
Total Financial Liabilities	\$537,249	\$482,877	\$567,836	\$620,635	\$672,114	\$725,934	\$781,392
Net Financial Assets (Net Debt)	\$4,504,844	\$3,377,285	\$2,436,006	\$1,742,429	\$1,254,472	\$1,005,029	\$1,028,609
Non-Financial Assets							
Tangible Capital Assets	\$43,332,884	\$44,771,242	\$46,247,219	\$47,757,926	\$49,300,651	\$50,885,095	\$52,511,614
Accumulated Amortization	(\$14,778,629)	(\$14,978,477)	(\$15,184,404)	(\$15,392,502)	(\$15,599,064)	(\$15,812,824)	(\$16,032,793)
Total Non-Financial Assets	\$28,554,254	\$29,792,765	\$31,062,816	\$32,365,424	\$33,701,587	\$35,072,271	\$36,478,821
Accumulated Surplus	\$33,059,098	\$33,170,050	\$33,498,821	\$34,107,853	\$34,956,059	\$36,077,301	\$37,507,430
Financial Indicators							
Increase (Decrease) in Net Financial Assets	(\$383,145)	(\$1,127,559)	(\$941,279)	(\$693,576)	(\$487,957)	(\$249,443)	\$23,579
Increase (Decrease) in Tangible Capital Assets	\$255,586	\$1,238,511	\$1,270,050	\$1,302,608	\$1,336,163	\$1,370,684	\$1,406,550
Increase (Decrease) in Accumulated Surplus	(\$127,558)	\$110,952	\$328,772	\$609,032	\$848,206	\$1,121,241	\$1,430,129
Water Asset Consumption Ratio	34%	33%	33%	32%	32%	31%	31%

10.2.2 Wastewater - Statement of Operations

The Statement of Operations is presented in Table 10-3 It summarizes the annual revenues and expenses associated with managing the Town's wastewater system. It provides a report on the transactions and events that have an influence on the accumulated surplus. The main revenue items included are:

- Revenues from Wastewater Rates and Charges;

- Earned Revenues (capital contributions from development charges and capital grants); and
- Other Revenues (miscellaneous fees and charges).

The main expense items are:

- The annual cost of operating and maintaining the wastewater system and non-TCA capital;
- Interest on long-term debt; and
- Amortization expenses on existing and new TCA.

The operating surplus/ (deficit) is an important indicator contained in the Statement of Operations. An operating surplus/ (deficit) measures whether operating revenues generated in a year were sufficient to cover operating expenses incurred in that year. It is important to note that an annual surplus is necessary to ensure funds will be available to address non-expense items such as TCA acquisitions over and above amortization expenses, reserve/reserve fund contributions for asset replacement and rate stabilization, and repayment of outstanding debt principal. A ratio of operating surplus to total revenue is shown in Table 10-3 and reflects the percent of total revenue that can be allocated to funding the non-expense items noted above.

Table 10-3: Wastewater - Statement of Operations

	2024	2025	2026	2027	2028	2029	2030
Water Revenue							
Rate Revenue	\$5,256,552	\$5,953,310	\$6,736,005	\$7,560,065	\$8,394,132	\$9,318,206	\$10,339,409
Earned Revenue	\$71,964	\$68,771	\$0	\$0	\$0	\$0	\$0
Other Revenue	\$293,240	\$299,105	\$305,087	\$311,189	\$317,412	\$323,761	\$330,236
Total Revenues	\$5,621,755	\$6,321,187	\$7,041,092	\$7,871,253	\$8,711,544	\$9,641,966	\$10,669,645
Water Expenses							
Operating Expenses	\$5,175,468	\$5,627,555	\$6,107,771	\$6,633,991	\$7,210,738	\$7,842,983	\$8,536,187
Interest on Debt	\$4,383	\$1,191	\$0	\$0	\$0	\$0	\$0
Amortization	\$566,688	\$581,489	\$604,550	\$628,230	\$652,600	\$677,742	\$703,329
Other	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Expenses	\$5,746,539	\$6,210,234	\$6,712,321	\$7,262,221	\$7,863,338	\$8,520,725	\$9,239,516
Annual Surplus/(Deficit)	(\$124,784)	\$110,952	\$328,771	\$609,032	\$848,206	\$1,121,242	\$1,430,129
Accumulated Surplus/(Deficit), Beginning of Year	\$33,186,656	\$33,059,098	\$33,170,050	\$33,498,821	\$34,107,853	\$34,956,059	\$36,077,300
Accumulated Surplus/ (Deficit), End of Year	\$33,059,098	\$33,170,050	\$33,498,821	\$34,107,853	\$34,956,059	\$36,077,300	\$37,507,429
Financial Indicators							
Increase (Decrease) in Total Revenues	N/A	N/A	\$719,905	\$830,161	\$840,291	\$930,422	\$1,027,679
Increase (Decrease) in Total Expenses	N/A	N/A	\$502,086	\$549,900	\$601,117	\$657,386	\$718,791
Increase (Decrease) in Annual Surplus	N/A	N/A	\$217,819	\$280,261	\$239,174	\$273,036	\$308,887
Operating Surplus Ratio	-2.2%	N/A	4.7%	7.7%	9.7%	11.6%	13.4%

10.2.3 Wastewater - Statement of Cash Flows

The Statement of Cash Flow is presented in Table 10-4. This statement summarizes the main cash inflows and outflows related to the wastewater system in four (4) main areas - operating, capital, investing and financing, and shows the annual changes in cash.

The operating cash transactions begin with the surplus or deficit identified in the Statement of Operations. This figure is adjusted to add or subtract non-cash items that were included as revenues or expenses (e.g. amortization expenses). It is assumed that there were no “investing activities” over the period. The capital section indicates the amounts spent to acquire capital assets (TCA) or received from the sale of assets. In the Town’s case, it is assumed that there are no assets to be sold to generate cash. The financing section identifies funds received from development charge receipts and interest earned on the reserve fund balance, external financing such as provincial and federal grants, and proceeds from the issuance of debenture as cash inflows, and the portion of debt repaid as cash outflows.

Table 10-4 indicates that cash is generated from operations, which is used in funding the acquisition of TCA and towards building internal reserves. The Town's cash position is projected to decrease over the forecast period from \$5.0 million in 2024 to approximately \$1.8 million in 2030.

Table 10-4: Wastewater - Statement of Cash Flows

	2024	2025	2026	2027	2028	2029	2030
Cash Provided by:							
Operating Activities							
Annual Surplus/(Deficit)	(\$124,784)	\$110,952	\$328,771	\$609,032	\$848,206	\$1,121,242	\$1,430,129
Non-Cash Items							
Amortization	\$566,688	\$581,489	\$604,550	\$628,230	\$652,600	\$677,742	\$703,329
Earned Revenue	(\$71,964)	(\$68,771)	\$0	\$0	\$0	\$0	\$0
Net Change in Cash Provided by Operating Activities	\$369,941	\$623,670	\$933,321	\$1,237,262	\$1,500,806	\$1,798,983	\$2,133,458
Capital Activities							
Purchase of TCA	(\$825,000)	(\$1,820,000)	(\$1,874,600)	(\$1,930,838)	(\$1,988,763)	(\$2,048,426)	(\$2,109,879)
Net Change in Cash Used in Capital Activities	(\$825,000)	(\$1,820,000)	(\$1,874,600)	(\$1,930,838)	(\$1,988,763)	(\$2,048,426)	(\$2,109,879)
Financing Activities							
DC Collections	\$79,273	\$81,980	\$84,960	\$52,798	\$51,479	\$53,820	\$55,458
External Financing	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Proceeds From Long-Term Debt	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Repayment of Long-Term Debt	(\$67,581)	(\$67,581)	\$0	\$0	\$0	\$0	\$0
Net Change in Cash Used in Financing Activities	\$11,693	\$14,399	\$84,960	\$52,798	\$51,479	\$53,820	\$55,458
Net Change in Cash and Cash Equivalents	(\$443,367)	(\$1,181,931)	(\$856,319)	(\$640,778)	(\$436,478)	(\$195,622)	\$79,037
Cash and Cash Equivalents, Beginning of the Year	\$5,485,508	\$5,042,093	\$3,860,162	\$3,003,842	\$2,363,064	\$1,926,586	\$1,730,964
Cash and Cash Equivalents, End of the Year	\$5,042,093	\$3,860,162	\$3,003,842	\$2,363,064	\$1,926,586	\$1,730,964	\$1,810,001

11 Conclusions & Recommendations

The following are the main conclusions regarding the water system:

1. Approximately \$32.1 million in water capital expenditures is identified between 2025 and 2034, of which all will be financed from the capital reserves.
2. The net annual water expenditures are expected to increase approximately \$3.6 million, from \$7.2 million in 2025 to \$10.8 million by 2034.
3. The financial statements for the water system are prepared based on the results of the rate study analyses and projections, indicate the following:

- The accumulated surplus is projected to increase from approximately \$61.8 million in 2024 to approximately \$71.2 million by 2030.
- The operating surplus ratio is projected to remain constant at approximately 16-20%.
- The cash position is projected to decrease from \$4.9 million in 2024 to a \$3.6 million in 2030.

These indicate that the financial outlook for the water system over the 7-year period 2024 to 2030 is good.

The following are the main conclusions regarding the wastewater system:

4. Approximately \$20.9 million in wastewater capital expenditures is identified between 2025 and 2034 of which all will be financed from the capital reserves.
5. The net annual wastewater expenditures are expected to increase approximately \$9.2 million, from \$5.9 million in 2025 to \$15.1 million by 2034.
6. The financial statements for the wastewater system are prepared based on the results of the rate study analyses and projections, indicate the following:
 - The accumulated surplus is projected to increase from approximately \$33.1 million in 2024 to approximately \$37.5 million by 2034.
 - The operating surplus ratio is projected to increase from -2.2% in 2024 to 13.4% in 2030 .
 - The cash position is projected to decrease from \$5.0 million in 2024 to \$1.8 million in 2030.

These indicate that the financial outlook for the water system over the 7-year period 2024 to 2034 is good.

The following are the main recommendations resulting from the water and wastewater rate study:

7. That implementation of Water Rates and Charges as contained in Appendix H be approved to achieve full cost recovery and long-term sustainable financing of the Town's water system.
8. That implementation of Wastewater Rates and Charges as contained in Appendix I be approved to achieve full cost recovery and long-term sustainable financing of the Town's wastewater system.
9. That transfers to the water and wastewater capital reserves be increased to levels as presented in Appendix E to adequately fund the capital requirements, subject to annual reviews, of the water and wastewater system's capital needs.
10. That the O.Reg. 453/07 Water System Financial Plan No. 069-301A including the Financial Statements contained herein be approved by Council and submitted to the Province of Ontario in accordance with the Drinking Water System License renewal requirements and O. Reg. 453/07.
11. That the Wastewater System Financial Plan including the Financial Statements contained herein be received by Council.
12. That a copy of the Water Financial Plan No. 069-301A and the Wastewater Financial Plan be posted on the Town's website and made available to the public at no charge.

APPENDICIES

Appendix A

2024 Water and Wastewater Rate By-Law No. 2024-017

**THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE**

BY-LAW NO. 2024-017

A BY-LAW TO AMEND BY-LAW NO. 814-77 BEING A BY-LAW TO ESTABLISH AND REGULATE WATER AND WASTEWATER RATES AND CHARGES WITHIN THE TOWN OF NIAGARA-ON-THE-LAKE AND TO REPEAL BY-LAW NO. 5504-23

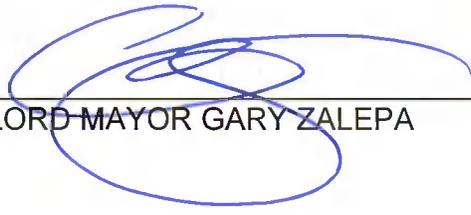
WHEREAS By-law No. 814-77 establishes and regulates the Town of Niagara-on-the-Lake water system and sets out water and wastewater rates in Schedule "A" attached thereto;

AND WHEREAS it is necessary to set the service charges for the Niagara-on-the-Lake water and wastewater systems as approved in Corporate Services Report CS-24-002.

NOW THEREFORE BE IT ENACTED AS A BY-LAW OF THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE as follows:

1. That Schedule "A" attached hereto and forming part of this by-law is hereby adopted and replaces Schedule "A" to By-law No. 814-77.
2. That any by-law which conflicts in part or in whole with any part of Schedule "A" is hereby amended to conform with Schedule "A" attached hereto.
3. That By-law No. 5504-23 is hereby repealed.
4. That this by-law takes effect April 1, 2024.

READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS 26TH DAY OF MARCH 2024.



LORD MAYOR GARY ZALEPA



TOWN CLERK GRANT BIVOL

**SCHEDULE A
TO BY-LAW NO. 2024-017**

WATER & WASTEWATER RATES

a) REGULAR CUSTOMERS

The monthly billing amount shall be calculated based on **Fixed Monthly Charge** per the following schedule:

Fixed Charge Per Month				
Meter Size	Water (10.8% Increase)		Wastewater (12% Increase)	
	2023	2024	2023	2024
Up to 3/4"	25.25	27.98	29.90	33.49
1"	35.38	39.20	41.86	46.88
1.5"	45.48	50.39	53.82	60.28
2"	73.27	81.18	85.47	95.73
3"	277.93	307.95	328.87	368.33
4"	353.72	391.92	418.58	468.81
6"	530.57	587.87	627.86	703.20
8"	732.70	811.83	867.05	971.10
12"	1,010.62	1,119.77	1,195.93	1,339.44

Plus **Variable Water Rate \$1.7086 per cubic metre** and **Variable Wastewater Rate \$1.5646 per cubic metre** multiplied by the water consumption, in cubic metres, from water meter readings.

A late payment charge shall apply to all unpaid balances owing past the payment due date at the interest rate of 1½% per month.

b) MULTIPLE OCCUPANCY CUSTOMERS

The fixed charge shall be applicable to each water meter separately regardless of the number of self-contained dwelling units or commercial or industrial units supplied through a common water meter.

c) OTHER WATER RATES

Bulk Water Stations

A monthly billing amount shall be calculated for each Bulk Water Account as for Regular Customers in accordance with 1 a) above except that the fixed charge shall be based on a ¾ inch meter size.

Hydrant Irrigation Rates

The monthly billing amount shall be calculated as for Regular Customers in accordance with a) above.

Water on Construction

On development lands where a water service is connected from the municipal main to a building(s) under construction, and the water meter is not yet installed, a flat fee shall be billed in accordance with the Town's current Water on Construction Fee Schedule.

Appendix B

Customer Growth Projections

APPENDIX B: CUSTOMER GROWTH PROJECTIONS

Water Customer Growth Projections											
Meter Size	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034
up to 3/4"	7,360	7,541	7,721	7,859	7,997	8,136	8,274	8,412	8,555	8,697	8,839
1"	230	230	230	230	230	230	230	231	231	231	231
1.5"	80	80	80	80	80	80	80	80	80	80	80
2"	84	86	88	90	91	92	93	94	95	97	99
3"	26	26	26	26	26	26	26	26	26	26	26
4"	18	18	18	18	18	18	18	18	18	18	18
6"	6	6	6	6	6	6	6	6	6	6	6
8"	1	1	1	1	1	1	1	1	1	1	1
12"	-	-	-	-	-	-	-	-	-	-	-
Total	7,805	7,988	8,170	8,310	8,449	8,589	8,728	8,868	9,012	9,156	9,300

Wastewater Customer Growth Projection											
Meter Size	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034
up to 3/4"	5,977	6,158	6,338	6,476	6,614	6,753	6,891	7,029	7,172	7,314	7,456
1"	164	164	164	164	164	164	164	165	165	165	165
1.5"	63	63	63	63	63	63	63	63	63	63	63
2"	68	70	72	74	75	76	77	78	79	81	83
3"	21	21	21	21	21	21	21	21	21	21	21
4"	16	16	16	16	16	16	16	16	16	16	16
6"	4	4	4	4	4	4	4	4	4	4	4
8"	1	1	1	1	1	1	1	1	1	1	1
12"	-	-	-	-	-	-	-	-	-	-	-
Total	6,314	6,497	6,679	6,819	6,958	7,098	7,237	7,377	7,521	7,665	7,809

Appendix C

Capital Forecasts WATER and WASTEWATER

APPENDIX C: CAPITAL FORECASTS

Water Service										
2025 - 2034 Capital Forecast										
Description	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034
Water System Improvement, Programs and Design	\$ 2,575,000	\$ 2,652,250	\$ 2,731,818	\$ 2,813,772	\$ 2,898,185	\$ 2,985,131	\$ 3,074,685	\$ 3,166,925	\$ 3,261,933	\$ 3,359,791
Additional Asset Management Needs	\$ 225,000	\$ 231,750	\$ 238,703	\$ 245,864	\$ 253,239	\$ 260,837	\$ 268,662	\$ 276,722	\$ 285,023	\$ 293,574
Total Capital Expenditures	\$ 2,800,000	\$ 2,884,000	\$ 2,970,520	\$ 3,059,636	\$ 3,151,425	\$ 3,245,967	\$ 3,343,346	\$ 3,443,647	\$ 3,546,956	\$ 3,653,365
Capital Financing										
Development Charges	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Non-Growth Related Debenture Requirements	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Growth Related Debenture Requirements	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Water Capital Reserve	\$ 2,800,000	\$ 2,884,000	\$ 2,970,520	\$ 3,059,636	\$ 3,151,425	\$ 3,245,967	\$ 3,343,346	\$ 3,443,647	\$ 3,546,956	\$ 3,653,365
Total Capital Financing	\$ 2,800,000	\$ 2,884,000	\$ 2,970,520	\$ 3,059,636	\$ 3,151,425	\$ 3,245,967	\$ 3,343,346	\$ 3,443,647	\$ 3,546,956	\$ 3,653,365

Wastewater Service										
2025 - 2034 Capital Forecast										
Description	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034
Wastewater System Improvements, Programs and Design	\$ 1,545,000	\$ 1,591,350	\$ 1,639,091	\$ 1,688,263	\$ 1,738,911	\$ 1,791,078	\$ 1,844,811	\$ 1,900,155	\$ 1,957,160	\$ 2,015,875
Additional Asset Management Needs	\$ 275,000	\$ 283,250	\$ 291,748	\$ 300,500	\$ 309,515	\$ 318,800	\$ 328,364	\$ 338,215	\$ 348,362	\$ 358,813
Total Capital Expenditures	\$ 1,820,000	\$ 1,874,600	\$ 1,930,838	\$ 1,988,763	\$ 2,048,426	\$ 2,109,879	\$ 2,173,175	\$ 2,238,370	\$ 2,305,522	\$ 2,374,687
Capital Financing										
Development Charges	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Non-Growth Related Debenture Requirements	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Growth Related Debenture Requirements	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Wastewater Capital Reserve	\$ 1,820,000	\$ 1,874,600	\$ 1,930,838	\$ 1,988,763	\$ 2,048,426	\$ 2,109,879	\$ 2,173,175	\$ 2,238,370	\$ 2,305,522	\$ 2,374,687
Total Capital Financing	\$ 1,820,000	\$ 1,874,600	\$ 1,930,838	\$ 1,988,763	\$ 2,048,426	\$ 2,109,879	\$ 2,173,175	\$ 2,238,370	\$ 2,305,522	\$ 2,374,687

Appendix D

Reserve and Reserve Fund Projections

APPENDIX D: RESERVE AND RESERVE FUND PROJECTIONS

Table E-1

Description	Water Service									
	Water Capital Reserve									
	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034
Opening Balance	\$ 5,829,943	\$ 5,352,392	\$ 4,940,841	\$ 4,592,770	\$ 4,305,584	\$ 4,076,609	\$ 3,903,091	\$ 3,782,194	\$ 3,710,997	\$ 3,686,490
Transfer from Operating	\$ 2,322,449	\$ 2,472,449	\$ 2,622,449	\$ 2,772,449	\$ 2,922,449	\$ 3,072,449	\$ 3,222,449	\$ 3,372,449	\$ 3,522,449	\$ 3,672,449
Transfer to Capital	\$ 2,800,000	\$ 2,884,000	\$ 2,970,520	\$ 3,059,636	\$ 3,151,425	\$ 3,245,967	\$ 3,343,346	\$ 3,443,647	\$ 3,546,956	\$ 3,653,365
Closing Balance	\$ 5,352,392	\$ 4,940,841	\$ 4,592,770	\$ 4,305,584	\$ 4,076,609	\$ 3,903,091	\$ 3,782,194	\$ 3,710,997	\$ 3,686,490	\$ 3,705,574
Reserve Balance as a Percent of 10 Year Average Capital Program	167%	154%	143%	134%	127%	122%	118%	116%	115%	115%

Table E-2

Description	Wastewater Service									
	Wastewater Capital Reserve									
	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034
Opening Balance	\$ 4,344,093	\$ 3,173,465	\$ 2,223,237	\$ 1,491,771	\$ 977,380	\$ 678,326	\$ 592,819	\$ 719,015	\$ 1,055,016	\$ 1,598,866
Transfer from Operating	\$ 649,372	\$ 924,372	\$ 1,199,372	\$ 1,474,372	\$ 1,749,372	\$ 2,024,372	\$ 2,299,372	\$ 2,574,372	\$ 2,849,372	\$ 3,124,372
Transfer to Capital	\$ 1,820,000	\$ 1,874,600	\$ 1,930,838	\$ 1,988,763	\$ 2,048,426	\$ 2,109,879	\$ 2,173,175	\$ 2,238,370	\$ 2,305,522	\$ 2,374,687
Closing Balance	\$ 3,173,465	\$ 2,223,237	\$ 1,491,771	\$ 977,380	\$ 678,326	\$ 592,819	\$ 719,015	\$ 1,055,016	\$ 1,598,866	\$ 2,348,550
Reserve Balance as a Percent of 10 Year Average Capital Program	152%	107%	71%	47%	33%	28%	34%	51%	77%	113%

Table E-3

Description	Water Service									
	Water Development Charges Reserve Fund									
	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034
Opening Balance	\$ (1,051,634)	\$ (978,084)	\$ (901,395)	\$ (860,320)	\$ (820,830)	\$ (778,922)	\$ (735,355)	\$ (654,273)	\$ (600,695)	\$ (540,677)
Development Charge Proceeds	\$ 85,625	\$ 87,817	\$ 51,697	\$ 49,624	\$ 51,524	\$ 52,646	\$ 89,160	\$ 60,994	\$ 66,693	\$ 68,694
Transfer to Capital										
Transfer to Operating	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Closing Balance	\$ (966,009)	\$ (890,267)	\$ (849,698)	\$ (810,696)	\$ (769,306)	\$ (726,277)	\$ (646,195)	\$ (593,279)	\$ (534,002)	\$ (471,982)
Interest	\$ (12,075)	\$ (11,128)	\$ (10,621)	\$ (10,134)	\$ (9,616)	\$ (9,078)	\$ (8,077)	\$ (7,416)	\$ (6,675)	\$ (5,900)

Table E-4

Description	Wastewater Service									
	Wastewater Development Charges Reserve Fund									
	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034
Opening Balance	\$ 469,669	\$ 482,877	\$ 567,836	\$ 620,635	\$ 672,114	\$ 725,934	\$ 781,392	\$ 871,230	\$ 936,054	\$ 1,006,919
Development Charge Proceeds	76,018	77,950	45,136	43,181	44,858	45,811	79,082	53,268	58,434	60,187
Transfer to Capital										
Transfer to Operating	\$ 68,771	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Closing Balance	\$ 476,915	\$ 560,826	\$ 612,973	\$ 663,816	\$ 716,972	\$ 771,745	\$ 860,474	\$ 924,498	\$ 994,488	\$ 1,067,107
Interest	\$ 5,961	\$ 7,010	\$ 7,662	\$ 8,298	\$ 8,962	\$ 9,647	\$ 10,756	\$ 11,556	\$ 12,431	\$ 13,339

Table E-5

	Water Service									
	2025 - 2034 Operating Reserve									
	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034
Stabilization Reserve Opening Balance	195,486	212,119	251,328	291,534	337,458	392,286	461,456	552,190	673,595	833,048
Contributions from Operating Budget	16,633	39,209	40,206	45,924	54,828	69,170	90,733	121,405	159,453	208,092
Contributions to Operating Budget										
Rate Stabilization Reserve Closing Balance	212,119	251,328	291,534	337,458	392,286	461,456	552,190	673,595	833,048	1,041,139
Percent of Net Operating Expenditures	2.9%	3.3%	3.7%	4.1%	4.5%	5.1%	5.8%	6.8%	8.1%	9.7%

Table E-6

	Wastewater Service									
	2025 - 2034 Operating Reserve									
	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034
Stabilization Reserve Opening Balance	228,331	203,820	212,769	250,659	277,093	326,705	435,791	541,686	679,230	888,509
Contributions from Operating Budget	-	8,949	37,890	26,434	49,612	109,086	105,895	137,544	209,279	313,094
Contributions to Operating Budget	24,511	-	-	-	-	-	-	-	-	-
Rate Stabilization Reserve Closing Balance	203,820	212,769	250,659	277,093	326,705	435,791	541,686	679,230	888,509	1,201,603
Percent of Net Operating Expenditures	3.4%	3.2%	3.3%	3.3%	3.5%	4.2%	4.8%	5.4%	6.5%	7.9%

Appendix E

Operating Budget Forecast WATER

APPENDIX E: WATER OPERATING BUDGET FORECAST

Water Service Operating Budget Forecast										
Description	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034
Operating Expenditures										
Environmental Program Support	\$ 1,198,965	\$ 1,222,944	\$ 1,247,403	\$ 1,272,351	\$ 1,297,798	\$ 1,323,754	\$ 1,350,229	\$ 1,377,234	\$ 1,404,778	\$ 1,432,874
Program Administration	\$ 407,715	\$ 415,870	\$ 424,187	\$ 432,671	\$ 441,324	\$ 450,151	\$ 459,154	\$ 468,337	\$ 477,703	\$ 487,257
Training Division	\$ 11,730	\$ 11,965	\$ 12,204	\$ 12,448	\$ 12,697	\$ 12,951	\$ 13,210	\$ 13,474	\$ 13,744	\$ 14,018
Inventory Maintenance	\$ 102	\$ 104	\$ 106	\$ 108	\$ 110	\$ 113	\$ 115	\$ 117	\$ 120	\$ 122
Compliance	\$ 9,639	\$ 9,832	\$ 10,028	\$ 10,229	\$ 10,434	\$ 10,642	\$ 10,855	\$ 11,072	\$ 11,294	\$ 11,519
Bulk Water Station	\$ 18,972	\$ 19,351	\$ 19,738	\$ 20,133	\$ 20,536	\$ 20,947	\$ 21,366	\$ 21,793	\$ 22,229	\$ 22,673
Hydrants - Repair and Replace	\$ 17,850	\$ 18,207	\$ 18,571	\$ 18,943	\$ 19,321	\$ 19,708	\$ 20,102	\$ 20,504	\$ 20,914	\$ 21,332
Irrigation from Hydrants	\$ 12,342	\$ 12,589	\$ 12,841	\$ 13,097	\$ 13,359	\$ 13,627	\$ 13,899	\$ 14,177	\$ 14,461	\$ 14,750
Meter Installations	\$ 10,838	\$ 11,054	\$ 11,275	\$ 11,501	\$ 11,731	\$ 11,965	\$ 12,205	\$ 12,449	\$ 12,698	\$ 12,952
Meter Readings	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Meter Repairs	\$ 13,566	\$ 13,837	\$ 14,114	\$ 14,396	\$ 14,684	\$ 14,978	\$ 15,278	\$ 15,583	\$ 15,895	\$ 16,213
Main Line Repair	\$ 16,759	\$ 17,094	\$ 17,436	\$ 17,784	\$ 18,140	\$ 18,503	\$ 18,873	\$ 19,250	\$ 19,635	\$ 20,028
Repair & Replace Services	\$ 58,813	\$ 59,989	\$ 61,189	\$ 62,413	\$ 63,661	\$ 64,935	\$ 66,233	\$ 67,558	\$ 68,909	\$ 70,287
Service Installations (New)	\$ 18,156	\$ 18,519	\$ 18,890	\$ 19,267	\$ 19,653	\$ 20,046	\$ 20,447	\$ 20,856	\$ 21,273	\$ 21,698
Utility Locates	\$ 213,195	\$ 217,459	\$ 221,808	\$ 226,245	\$ 230,769	\$ 235,385	\$ 240,093	\$ 244,894	\$ 249,792	\$ 254,788
Utility Locates Hydro Recovery	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Valves	\$ 7,803	\$ 7,959	\$ 8,118	\$ 8,281	\$ 8,446	\$ 8,615	\$ 8,787	\$ 8,963	\$ 9,142	\$ 9,325
Water Sampling & Testing	\$ 32,079	\$ 32,721	\$ 33,375	\$ 34,042	\$ 34,723	\$ 35,418	\$ 36,126	\$ 36,849	\$ 37,586	\$ 38,337
Watermain Cleaning	\$ 2,815	\$ 2,872	\$ 2,929	\$ 2,988	\$ 3,047	\$ 3,108	\$ 3,170	\$ 3,234	\$ 3,298	\$ 3,364
Regional Water Charges - Fixed	\$ 759,431	\$ 788,290	\$ 818,245	\$ 849,338	\$ 881,613	\$ 915,114	\$ 949,889	\$ 985,984	\$ 1,023,452	\$ 1,062,343
Regional Water Charges - Variable	\$ 2,264,470	\$ 2,401,751	\$ 2,529,671	\$ 2,663,844	\$ 2,800,507	\$ 2,943,486	\$ 3,093,940	\$ 3,253,194	\$ 3,419,834	\$ 3,599,586
Rate Stabilization Contributions										
Transfer to Operating Reserve	\$ 16,633	\$ 39,209	\$ 40,206	\$ 45,924	\$ 54,828	\$ 69,170	\$ 90,733	\$ 121,405	\$ 159,453	\$ 208,092
Sub Total Operating Expenditures	\$ 5,091,874	\$ 5,321,615	\$ 5,522,334	\$ 5,736,003	\$ 5,957,383	\$ 6,192,615	\$ 6,444,702	\$ 6,716,927	\$ 7,006,209	\$ 7,321,561
Capital-Related										
Transfer to Capital Reserves and Reserve Funds	\$ 2,322,449	\$ 2,472,449	\$ 2,622,449	\$ 2,772,449	\$ 2,922,449	\$ 3,072,449	\$ 3,222,449	\$ 3,372,449	\$ 3,522,449	\$ 3,672,449
Sub Total Capital Related Expenditures	\$ 2,322,449	\$ 2,472,449	\$ 2,622,449	\$ 2,772,449	\$ 2,922,449	\$ 3,072,449	\$ 3,222,449	\$ 3,372,449	\$ 3,522,449	\$ 3,672,449
Total Expenditures	\$ 7,414,324	\$ 7,794,065	\$ 8,144,784	\$ 8,508,453	\$ 8,879,833	\$ 9,265,064	\$ 9,667,152	\$10,089,376	\$10,528,658	\$10,994,010
Non-Rate Revenues										
On & Off Fees	\$ 1,224	\$ 1,248	\$ 1,273	\$ 1,299	\$ 1,325	\$ 1,351	\$ 1,378	\$ 1,406	\$ 1,434	\$ 1,463
Water on Construction	\$ 20,400	\$ 20,808	\$ 21,224	\$ 21,649	\$ 22,082	\$ 22,523	\$ 22,974	\$ 23,433	\$ 23,902	\$ 24,380
Water Sales	\$ 69,391	\$ 70,778	\$ 72,194	\$ 73,638	\$ 75,111	\$ 76,613	\$ 78,145	\$ 79,708	\$ 81,302	\$ 82,928
Hydrants - Repair & Replace - Services Rendered	\$ 13,260	\$ 13,525	\$ 13,796	\$ 14,072	\$ 14,353	\$ 14,640	\$ 14,933	\$ 15,232	\$ 15,536	\$ 15,847
Irrigation & Hydrants - Services Rendered	\$ 8,160	\$ 8,323	\$ 8,490	\$ 8,659	\$ 8,833	\$ 9,009	\$ 9,189	\$ 9,373	\$ 9,561	\$ 9,752
Meter Installation - Services Rendered	\$ 51,000	\$ 52,020	\$ 53,060	\$ 54,122	\$ 55,204	\$ 56,308	\$ 57,434	\$ 58,583	\$ 59,755	\$ 60,950
Meter Repairs - Services Rendered	\$ 377	\$ 385	\$ 393	\$ 400	\$ 409	\$ 417	\$ 425	\$ 434	\$ 442	\$ 451
Repair & Replace Services - Services Rendered	\$ 3,682	\$ 3,756	\$ 3,831	\$ 3,908	\$ 3,986	\$ 4,065	\$ 4,147	\$ 4,230	\$ 4,314	\$ 4,401
Service Installations (New) - Services Rendered	\$ 12,240	\$ 12,485	\$ 12,734	\$ 12,989	\$ 13,249	\$ 13,514	\$ 13,784	\$ 14,060	\$ 14,341	\$ 14,628
Total-Non Rate Revenues	\$ 179,734	\$ 183,329	\$ 186,995	\$ 190,735	\$ 194,550	\$ 198,441	\$ 202,410	\$ 206,458	\$ 210,587	\$ 214,799
Total Operating Revenue	\$ 179,734	\$ 183,329	\$ 186,995	\$ 190,735	\$ 194,550	\$ 198,441	\$ 202,410	\$ 206,458	\$ 210,587	\$ 214,799
Net Water Costs To Be Recovered From Users	\$ 7,234,589	\$ 7,610,736	\$ 7,957,788	\$ 8,317,717	\$ 8,685,283	\$ 9,066,623	\$ 9,464,742	\$ 9,882,918	\$10,318,071	\$10,779,211

Appendix F

Operating Budget Forecast WASTEWATER

APPENDIX F: WASTEWATER OPERATING BUDGET FORECAST

Wastewater Service Operating Budget Forecast										
Description	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034
Operating Expenditures										
Environmental Program Support	\$ 299,412	\$ 305,400	\$ 311,508	\$ 317,739	\$ 324,093	\$ 330,575	\$ 337,187	\$ 343,930	\$ 350,809	\$ 357,825
Program Administration	\$ 281,813	\$ 287,449	\$ 293,198	\$ 299,062	\$ 305,043	\$ 311,144	\$ 317,367	\$ 323,714	\$ 330,189	\$ 336,792
Training Division	\$ 3,203	\$ 3,267	\$ 3,332	\$ 3,399	\$ 3,467	\$ 3,536	\$ 3,607	\$ 3,679	\$ 3,753	\$ 3,828
Compliance	\$ 3,060	\$ 3,121	\$ 3,184	\$ 3,247	\$ 3,312	\$ 3,378	\$ 3,446	\$ 3,515	\$ 3,585	\$ 3,657
Lateral Cleaning & Maintenance	\$ 27,540	\$ 28,091	\$ 28,653	\$ 29,226	\$ 29,810	\$ 30,406	\$ 31,015	\$ 31,635	\$ 32,267	\$ 32,913
Manhole Maintenance	\$ 5,100	\$ 5,202	\$ 5,306	\$ 5,412	\$ 5,520	\$ 5,631	\$ 5,743	\$ 5,858	\$ 5,975	\$ 6,095
Sewer CCTV Inspections	\$ 81,600	\$ 83,232	\$ 84,897	\$ 86,595	\$ 88,326	\$ 90,093	\$ 91,895	\$ 93,733	\$ 95,607	\$ 97,520
Sewer Lateral Install & Repair	\$ 40,188	\$ 40,992	\$ 41,812	\$ 42,648	\$ 43,501	\$ 44,371	\$ 45,258	\$ 46,163	\$ 47,087	\$ 48,028
Sewer Main Cleaning	\$ 86,700	\$ 88,434	\$ 90,203	\$ 92,007	\$ 93,847	\$ 95,724	\$ 97,638	\$ 99,591	\$ 101,583	\$ 103,615
Sewer Main Repairs	\$ 14,892	\$ 15,190	\$ 15,494	\$ 15,804	\$ 16,120	\$ 16,442	\$ 16,771	\$ 17,106	\$ 17,448	\$ 17,797
Trenchless Repair Program	\$ 112,710	\$ 114,964	\$ 117,263	\$ 119,609	\$ 122,001	\$ 124,441	\$ 126,930	\$ 129,468	\$ 132,058	\$ 134,699
Grinder Pumps	\$ 17,340	\$ 17,687	\$ 18,041	\$ 18,401	\$ 18,769	\$ 19,145	\$ 19,528	\$ 19,918	\$ 20,317	\$ 20,723
Regional Wastewater Charges - Fixed	\$ 4,653,997	\$ 5,114,743	\$ 5,621,102	\$ 6,177,591	\$ 6,789,173	\$ 7,461,301	\$ 8,199,970	\$ 9,011,767	\$ 9,903,931	\$10,884,421
Rate Stabilization Contributions										
Transfer to Operating Reserve	\$ -	\$ 8,949	\$ 37,890	\$ 26,434	\$ 49,612	\$ 109,086	\$ 105,895	\$ 137,544	\$ 209,279	\$ 313,094
Sub Total Operating Expenditures	\$ 5,627,555	\$ 6,116,720	\$ 6,671,882	\$ 7,237,173	\$ 7,892,595	\$ 8,645,273	\$ 9,402,248	\$10,267,622	\$11,253,889	\$12,361,006
Capital-Related										
Existing Debt (Principal) - Growth Related	\$ 67,581	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Existing Debt (Interest) - Growth Related	\$ 1,191	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Transfer to Capital Reserves and Reserve Funds	\$ 649,372	\$ 924,372	\$ 1,199,372	\$ 1,474,372	\$ 1,749,372	\$ 2,024,372	\$ 2,299,372	\$ 2,574,372	\$ 2,849,372	\$ 3,124,372
Sub Total Capital Related Expenditures	\$ 718,143	\$ 924,372	\$ 1,199,372	\$ 1,474,372	\$ 1,749,372	\$ 2,024,372	\$ 2,299,372	\$ 2,574,372	\$ 2,849,372	\$ 3,124,372
Total Expenditures	\$ 6,345,698	\$ 7,041,092	\$ 7,871,253	\$ 8,711,544	\$ 9,641,966	\$10,669,645	\$11,701,620	\$12,841,994	\$14,103,260	\$15,485,378
Non-Rate Revenues										
Administration Revenue	\$ 1,510	\$ 1,540	\$ 1,571	\$ 1,602	\$ 1,634	\$ 1,667	\$ 1,700	\$ 1,734	\$ 1,769	\$ 1,804
Miscellaneous Revenue	\$ 10,200	\$ 10,404	\$ 10,612	\$ 10,824	\$ 11,041	\$ 11,262	\$ 11,487	\$ 11,717	\$ 11,951	\$ 12,190
Program Administration - Services Rendered	\$ 255,000	\$ 260,100	\$ 265,302	\$ 270,608	\$ 276,020	\$ 281,541	\$ 287,171	\$ 292,915	\$ 298,773	\$ 304,749
Lateral Cleaning & Maintenance Services Rendered	\$ 82	\$ 83	\$ 85	\$ 87	\$ 88	\$ 90	\$ 92	\$ 94	\$ 96	\$ 98
Sewer Lateral Install & Repair - Services Rendered	\$ 22,001	\$ 22,441	\$ 22,890	\$ 23,348	\$ 23,815	\$ 24,291	\$ 24,777	\$ 25,273	\$ 25,778	\$ 26,294
Sewer Main Repair - Services Rendered	\$ 112	\$ 114	\$ 117	\$ 119	\$ 121	\$ 124	\$ 126	\$ 129	\$ 131	\$ 134
Grinder pump - Services Rendered	\$ 10,200	\$ 10,404	\$ 10,612	\$ 10,824	\$ 11,041	\$ 11,262	\$ 11,487	\$ 11,717	\$ 11,951	\$ 12,190
Total-Non Rate Revenues	\$ 299,105	\$ 305,087	\$ 311,189	\$ 317,412	\$ 323,761	\$ 330,236	\$ 336,841	\$ 343,577	\$ 350,449	\$ 357,458
Operating Subsidies										
Contributions from Development Charges Reserve Fund	\$ 68,771	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Contributions from Operating Reserve	\$ 24,511	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Operating Revenue	\$ 392,387	\$ 305,087	\$ 311,189	\$ 317,412	\$ 323,761	\$ 330,236	\$ 336,841	\$ 343,577	\$ 350,449	\$ 357,458
Net Wastewater Costs To Be Recovered From Users	\$ 5,953,310	\$ 6,736,005	\$ 7,560,065	\$ 8,394,132	\$ 9,318,206	\$10,339,409	\$11,364,780	\$12,498,416	\$13,752,811	\$15,127,920

Appendix G

Sustainable Water Rates and Charges

APPENDIX G: SUSTAINABLE WATER RATES AND REVENUES

BASE RATE CALCULATION

Projected Annual Base Charges

Meter Size	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034
Annual Increase %Increases	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%
up to 3/4"	\$ 345.79	\$ 356.17	\$ 366.85	\$ 377.86	\$ 389.19	\$ 400.87	\$ 412.89	\$ 425.28	\$ 438.04	\$ 451.18
1"	\$ 484.52	\$ 499.06	\$ 514.03	\$ 529.45	\$ 545.33	\$ 561.69	\$ 578.54	\$ 595.90	\$ 613.78	\$ 632.19
1.5"	\$ 622.84	\$ 641.53	\$ 660.77	\$ 680.60	\$ 701.01	\$ 722.04	\$ 743.70	\$ 766.02	\$ 789.00	\$ 812.67
2"	\$ 1,003.43	\$ 1,033.53	\$ 1,064.53	\$ 1,096.47	\$ 1,129.36	\$ 1,163.25	\$ 1,198.14	\$ 1,234.09	\$ 1,271.11	\$ 1,309.24
3"	\$ 3,806.22	\$ 3,920.41	\$ 4,038.02	\$ 4,159.16	\$ 4,283.94	\$ 4,412.45	\$ 4,544.83	\$ 4,681.17	\$ 4,821.61	\$ 4,966.25
4"	\$ 4,844.15	\$ 4,989.48	\$ 5,139.16	\$ 5,293.34	\$ 5,452.14	\$ 5,615.70	\$ 5,784.17	\$ 5,957.70	\$ 6,136.43	\$ 6,320.52
6"	\$ 7,266.09	\$ 7,484.08	\$ 7,708.60	\$ 7,939.86	\$ 8,178.05	\$ 8,423.39	\$ 8,676.10	\$ 8,936.38	\$ 9,204.47	\$ 9,480.60
8"	\$ 10,034.24	\$ 10,335.27	\$ 10,645.32	\$ 10,964.68	\$ 11,293.62	\$ 11,632.43	\$ 11,981.41	\$ 12,340.85	\$ 12,711.07	\$ 13,092.41
12"	\$ 13,840.32	\$ 14,255.53	\$ 14,683.19	\$ 15,123.69	\$ 15,577.40	\$ 16,044.72	\$ 16,526.06	\$ 17,021.84	\$ 17,532.50	\$ 18,058.47

Projected Annual Revenue Generated from Base Charges

Meter Size	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034
up to 3/4"	\$ 2,607,614	\$ 2,749,953	\$ 2,883,077	\$ 3,021,713	\$ 3,166,462	\$ 3,316,776	\$ 3,473,258	\$ 3,638,271	\$ 3,809,620	\$ 3,987,977
1"	\$ 111,440	\$ 114,783	\$ 118,227	\$ 121,774	\$ 125,427	\$ 129,190	\$ 133,644	\$ 137,653	\$ 141,783	\$ 146,036
1.5"	\$ 49,827	\$ 51,322	\$ 52,862	\$ 54,448	\$ 56,081	\$ 57,763	\$ 59,496	\$ 61,281	\$ 63,120	\$ 65,013
2"	\$ 86,295	\$ 90,951	\$ 95,808	\$ 99,779	\$ 103,902	\$ 108,182	\$ 112,625	\$ 117,238	\$ 123,298	\$ 129,615
3"	\$ 98,962	\$ 101,931	\$ 104,989	\$ 108,138	\$ 111,382	\$ 114,724	\$ 118,165	\$ 121,710	\$ 125,362	\$ 129,123
4"	\$ 87,195	\$ 89,811	\$ 92,505	\$ 95,280	\$ 98,138	\$ 101,083	\$ 104,115	\$ 107,239	\$ 110,456	\$ 113,769
6"	\$ 43,597	\$ 44,904	\$ 46,252	\$ 47,639	\$ 49,068	\$ 50,540	\$ 52,057	\$ 53,618	\$ 55,227	\$ 56,884
8"	\$ 10,034	\$ 10,335	\$ 10,645	\$ 10,965	\$ 11,294	\$ 11,632	\$ 11,981	\$ 12,341	\$ 12,711	\$ 13,092
12"	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total	\$ 3,094,964	\$ 3,253,990	\$ 3,404,364	\$ 3,559,735	\$ 3,721,754	\$ 3,889,890	\$ 4,065,342	\$ 4,249,352	\$ 4,441,576	\$ 4,641,509

UNIFORM RATE CALCULATION

Projected Annual Uniform Rates & Revenues

Customer Type	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034
Annual Increase %Increases	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%
Uniform Rate per Metre 3	\$ 1.7599	\$ 1.8127	\$ 1.8671	\$ 1.9231	\$ 1.9808	\$ 2.0402	\$ 2.1014	\$ 2.1645	\$ 2.2294	\$ 2.2963
Projected Water Consumption	2,352,185	2,403,452	2,438,789	2,474,125	2,505,833	2,537,349	2,569,405	2,602,755	2,635,913	2,672,891
Projected Annual Uniform Water Rate Revenues	\$ 4,139,626	\$ 4,356,746	\$ 4,553,425	\$ 4,757,982	\$ 4,963,529	\$ 5,176,733	\$ 5,399,400	\$ 5,633,566	\$ 5,876,495	\$ 6,137,702

Projected Annual Revenue Generated from Base Charges	\$ 3,094,964	\$ 3,253,990	\$ 3,404,364	\$ 3,559,735	\$ 3,721,754	\$ 3,889,890	\$ 4,065,342	\$ 4,249,352	\$ 4,441,576	\$ 4,641,509
Projected Annual Uniform Water Rate Revenues	\$ 4,139,626	\$ 4,356,746	\$ 4,553,425	\$ 4,757,982	\$ 4,963,529	\$ 5,176,733	\$ 5,399,400	\$ 5,633,566	\$ 5,876,495	\$ 6,137,702
Total Water User Revenues	\$ 7,234,589	\$ 7,610,736	\$ 7,957,788	\$ 8,317,717	\$ 8,685,283	\$ 9,066,623	\$ 9,464,742	\$ 9,882,918	\$10,318,071	\$10,779,211

Projected Base (Fixed) Revenues vs. Uniform (Variable) Revenues

	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034
Base Rate Revenue Percentage	43%	43%	43%	43%	43%	43%	43%	43%	43%	43%
Uniform Rate Revenue Percentage	57%	57%	57%	57%	57%	57%	57%	57%	57%	57%

Appendix H

Sustainable Wastewater Rates and Charges

APPENDIX H: SUSTAINABLE WASTEWATER RATES AND REVENUES

BASE RATE CALCULATION

Projected Annual Wastewater Base Charges and Revenues

Customer Type	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034
Annual Increase %Increases	10.00%	10.00%	10.00%	9.00%	9.00%	9.00%	8.00%	8.00%	8.00%	8.00%
up to 3/4"	\$ 442.04	\$ 486.25	\$ 534.87	\$ 583.01	\$ 635.48	\$ 692.67	\$ 748.09	\$ 807.93	\$ 872.57	\$ 942.37
1"	\$ 618.86	\$ 680.74	\$ 748.82	\$ 816.21	\$ 889.67	\$ 969.74	\$ 1,047.32	\$ 1,131.11	\$ 1,221.60	\$ 1,319.32
1.5"	\$ 795.67	\$ 875.24	\$ 962.77	\$ 1,049.42	\$ 1,143.86	\$ 1,246.81	\$ 1,346.56	\$ 1,454.28	\$ 1,570.62	\$ 1,696.27
2"	\$ 1,263.59	\$ 1,389.95	\$ 1,528.94	\$ 1,666.55	\$ 1,816.54	\$ 1,980.02	\$ 2,138.43	\$ 2,309.50	\$ 2,494.26	\$ 2,693.80
3"	\$ 4,862.01	\$ 5,348.22	\$ 5,883.04	\$ 6,412.51	\$ 6,989.64	\$ 7,618.70	\$ 8,228.20	\$ 8,886.46	\$ 9,597.37	\$ 10,365.16
4"	\$ 6,188.29	\$ 6,807.12	\$ 7,487.83	\$ 8,161.73	\$ 8,896.29	\$ 9,696.95	\$ 10,472.71	\$ 11,310.53	\$ 12,215.37	\$ 13,192.60
6"	\$ 9,282.28	\$ 10,210.51	\$ 11,231.56	\$ 12,242.40	\$ 13,344.22	\$ 14,545.20	\$ 15,708.81	\$ 16,965.52	\$ 18,322.76	\$ 19,788.58
8"	\$ 12,818.47	\$ 14,100.31	\$ 15,510.35	\$ 16,906.28	\$ 18,427.84	\$ 20,086.35	\$ 21,693.25	\$ 23,428.72	\$ 25,303.01	\$ 27,327.25
12"	\$ 17,680.63	\$ 19,448.69	\$ 21,393.56	\$ 23,318.98	\$ 25,417.69	\$ 27,705.28	\$ 29,921.70	\$ 32,315.44	\$ 34,900.68	\$ 37,692.73

Projected Annual Revenue Generated from Base Charges

Customer Type	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034
up to 3/4"	\$ 2,722,092	\$ 3,081,826	\$ 3,463,820	\$ 3,856,019	\$ 4,291,393	\$ 4,773,207	\$ 5,258,299	\$ 5,794,498	\$ 6,381,962	\$ 7,026,336
1"	\$ 101,493	\$ 111,642	\$ 122,806	\$ 133,859	\$ 145,906	\$ 159,038	\$ 172,808	\$ 186,633	\$ 201,563	\$ 217,688
1.5"	\$ 50,128	\$ 55,140	\$ 60,654	\$ 66,113	\$ 72,063	\$ 78,549	\$ 84,833	\$ 91,620	\$ 98,949	\$ 106,865
2"	\$ 88,451	\$ 100,076	\$ 113,142	\$ 124,991	\$ 138,057	\$ 152,462	\$ 166,797	\$ 182,451	\$ 202,035	\$ 223,586
3"	\$ 102,102	\$ 112,313	\$ 123,544	\$ 134,663	\$ 146,782	\$ 159,993	\$ 172,792	\$ 186,616	\$ 201,545	\$ 217,668
4"	\$ 99,013	\$ 108,914	\$ 119,805	\$ 130,588	\$ 142,341	\$ 155,151	\$ 167,563	\$ 180,968	\$ 195,446	\$ 211,082
6"	\$ 37,129	\$ 40,842	\$ 44,926	\$ 48,970	\$ 53,377	\$ 58,181	\$ 62,835	\$ 67,862	\$ 73,291	\$ 79,154
8"	\$ 12,818	\$ 14,100	\$ 15,510	\$ 16,906	\$ 18,428	\$ 20,086	\$ 21,693	\$ 23,429	\$ 25,303	\$ 27,327
12"	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Projected Annual Revenue Generated from Base Charges	\$ 3,213,226	\$ 3,624,853	\$ 4,064,208	\$ 4,512,109	\$ 5,008,347	\$ 5,556,667	\$ 6,107,622	\$ 6,714,075	\$ 7,380,094	\$ 8,109,707

UNIFORM RATE CALCULATION

Projected Annual Uniform Wastewater Rates & Revenues

Customer Type	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034
Annual Increase %Increases	10.00%	10.00%	10.00%	9.00%	9.00%	9.00%	8.00%	8.00%	8.00%	8.00%
Uniform Rate per Metre 3	\$ 1,721.11	\$ 1,893.2	\$ 2,082.5	\$ 2,270.0	\$ 2,474.3	\$ 2,696.9	\$ 2,912.7	\$ 3,145.7	\$ 3,397.4	\$ 3,669.2
Projected Wastewater Flows	1,592,050	1,643,317	1,678,654	1,710,169	1,741,877	1,773,393	1,804,909	1,838,800	1,875,778	1,912,756
Projected Annual Uniform Rate Revenues	\$ 2,740,084	\$ 3,111,152	\$ 3,495,856	\$ 3,882,023	\$ 4,309,859	\$ 4,782,743	\$ 5,257,158	\$ 5,784,341	\$ 6,372,717	\$ 7,018,213

Projected Annual Revenue Generated from Base Charges	3,213,226	3,624,853	4,064,208	4,512,109	5,008,347	5,556,667	6,107,622	6,714,075	7,380,094	8,109,707
Projected Annual Uniform Rate Revenues	\$ 2,740,084	\$ 3,111,152	\$ 3,495,856	\$ 3,882,023	\$ 4,309,859	\$ 4,782,743	\$ 5,257,158	\$ 5,784,341	\$ 6,372,717	\$ 7,018,213
Total Wastewater User Revenues	5,953,310	6,736,005	7,560,065	8,394,132	9,318,206	10,339,409	11,364,780	12,498,416	13,752,811	15,127,920

Projected Base (Fixed) Revenues vs. Uniform (Variable) Revenues

	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034
Base Rate Revenue Percentage	54%	54%	54%	54%	54%	54%	54%	54%	54%	54%
Uniform Rate Revenue Percentage	46%	46%	46%	46%	46%	46%	46%	46%	46%	46%

Appendix I

Requirement of O. Reg. 453/07

Requirements		How Requirements are Met
1.	The financial plans must be approved by a resolution that is passed by,	
	i. The council of the municipality, if the owner of the drinking water system is a municipality.	<ul style="list-style-type: none"> It is expected the Council will approve the Updated Financial Plan prior to August 13th 2024. (six months prior to license renewal)
	ii. The governing body of the owner, if the owner of the drinking water system has a governing body and is not a municipality.	<ul style="list-style-type: none"> N/A
2.	The financial plans must apply to a period of at least six years.	<ul style="list-style-type: none"> Will apply for 7 years from 2024 to 2030 inclusive.
3.	The first year to which the financial plans must apply must be the year determined in accordance with the following rules:	
	i. If the financial plans are required by subsection 2, the first year to which the financial plans must apply must be the year in which the drinking water system's existing municipal drinking water licence would otherwise expire.	<ul style="list-style-type: none"> The licence expires March 13, 2025 for the water systems (No. 077-301). Therefore, the first year of the Updated Financial Plan is 2025
	ii. If the financial plans are required by a condition that was included in a municipal drinking water licence under subsection 1 (3), the first year to which the financial plans must apply must be the later of 2010 and the year in which the first licence for the system was issued.	<ul style="list-style-type: none"> N/A
4.	Subject to subsection (2), for each year to which the financial plans apply, the financial plans must include the following:	
	i. Details of the proposed or projected financial position of the drinking water system itemized by:	<ul style="list-style-type: none"> See Statement of Financial Position for all water systems combined in Financial Plan.
	a. Total financial assets	<ul style="list-style-type: none"> See Statement of Financial Position for all water systems combined in Financial Plan.
	b. Total liabilities	<ul style="list-style-type: none"> See Statement of Financial Position for all water systems combined in Financial Plan.
	c. Net financial assets (debt)	<ul style="list-style-type: none"> See Statement of Financial Position for all water systems combined in Financial Plan.
	d. Non-financial assets that are tangible capital assets, tangible capital assets under construction, inventories of supplies and prepaid expenses.	<ul style="list-style-type: none"> See Statement of Financial Position for all water systems combined in Financial Plan. TCA Projections in Financial Plan.
	e. Changes in tangible capital assets that are additions, donations, write downs and disposals.	<ul style="list-style-type: none"> See Statement of Financial Position for all water systems combined in Financial Plan. TCA Projections in Financial Plan.

	ii.	Details of the proposed or projected financial operations of the drinking water system itemized by,	<ul style="list-style-type: none"> See Statement of Operations for all water systems combined in Financial Plan.
		a. Total revenues, further itemized by water rates, user charges and other revenues.	<ul style="list-style-type: none"> See Statement of Operations for all water systems combined in Financial Plan.
		b. Total expenses, further itemized by amortization expenses, interest expenses and other expenses	<ul style="list-style-type: none"> See Statement of Operations for all water systems combined in Financial Plan.
		c. Annual surplus or deficit, and	<ul style="list-style-type: none"> See Statement of Operations for all water systems combined in Financial Plan.
		d. Accumulated surplus or deficit	<ul style="list-style-type: none"> See Statement of Operations for all water systems combined in Financial Plan.
	iii.	Details of the drinking water system's proposed or projected gross cash receipts and gross cash payments itemized by,	<ul style="list-style-type: none"> See Statement of Cash Flow for all water systems combined in Financial Plan.
		a. Operating transactions that are cash received from revenues, cash paid for operating expenses and finance charges, - done in full cost report	<ul style="list-style-type: none"> See Statement of Cash Flow for all water systems combined in Financial Plan.
		b. Capital transactions that are proceeds on the sale of tangible capital assets and cash used to acquire capital assets,	<ul style="list-style-type: none"> See Statement of Cash Flow for all water systems combined in Financial Plan.
		c. Investing transactions that are acquisitions and disposal of investments,	<ul style="list-style-type: none"> See Statement of Cash Flow for all water systems combined in Financial Plan.
		d. Financing transactions that are proceeds from the issuance of debt and debt repayment.	<ul style="list-style-type: none"> See Statement of Cash Flow for all water systems combined in Financial Plan.
		e. Changes in cash and cash equivalents during the year,	<ul style="list-style-type: none"> See Statement of Cash Flow for all water systems combined in Financial Plan.
		f. Cash and cash equivalents at the beginning and end of the year.	<ul style="list-style-type: none"> See Statement of Cash Flow for all water systems combined in Financial Plan.
	iv.	Details of the extent to which the information described in subparagraphs i, ii and iii relates directly to the replacement of lead service pipes as defined in section 15.1- 3 of Schedule 15.1 to Ontario Regulation 170/03 (Drinking Water Systems), made under the Act.	<ul style="list-style-type: none"> There is no dedicated lead service pipe removal program in place. If lead pipe is discovered during normal operations, it is replaced accordingly. Therefore, there are no significant material financial costs associated with lead pipe removal.
5.		The owner of the drinking water system must.	
	i.	Make the financial plans available, on request, to members of the public who are served by the drinking water system without charge,	<ul style="list-style-type: none"> This will be done by the municipality following Council approval.
	ii.	Make the financial plans available to members of the public without charge through publication on the Internet, if the owner maintains a website on the Internet,	<ul style="list-style-type: none"> The Financial Plan will be posted on the municipality's website and made available for public review at no charge.

	iii.	Provide notice advising the public of the availability of the financial plans under subparagraphs i and ii, if applicable, in a manner that, in the opinion of the owner, will bring the notice to the attention of members of the public who are served by the drinking water system.	<ul style="list-style-type: none"> • A notice will be issued following Council approval.
6.		The owner of the drinking water system must give a copy of the financial plans to the Ministry of Municipal Affairs and Housing. O. Reg. 453/07, s. 3 (1).	<ul style="list-style-type: none"> • Will be submitted following Council approval.
		Each of the following sub-subparagraphs applies only if the information referred to in the sub-subparagraph is known to the owner at the time the financial plans are prepared.	<ul style="list-style-type: none"> • The Financial Plan was prepared using available information at the time of preparation and may not contain all desired items. Reasonable assumptions were made and these are noted in the Financial Plan.
	1.	Sub-subparagraphs 4 i A, B and C of subsection (1).	<ul style="list-style-type: none"> • The Financial Plan was prepared using available information at the time of preparation and may not contain all desired items. Reasonable assumptions were made and these are noted in the Financial Plan.
	2.	Sub-subparagraphs 4 iii A, C, E and F of subsection (1). O. Reg. 453/07, s. 3 (2).	<ul style="list-style-type: none"> • The Financial Plan was prepared using available information at the time of preparation and may not contain all desired items. Reasonable assumptions were made and these are noted in the Financial Plan.



Town of Niagara-on-the-Lake

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905-468-3266 www.notl.com

REPORT #: CS-24-014 **COMMITTEE DATE:** 2024-07-31
REPORT TO: Council **DUE IN COUNCIL:** 2024-07-31
SUBJECT: 2023 Financial Statements and Audit Findings Report

1. RECOMMENDATION

It is respectfully recommended that:

- 1.1 Council approves the proposed consolidated financial statements for the year ended December 31, 2023, for The Corporation of the Town of Niagara-on-the-Lake (the "Town"), attached as **Appendix I**; and
- 1.2 Council approves the attached Audit Findings Report for the year ended December 31, 2023, for The Corporation of the Town of Niagara-on-the-Lake, attached as **Appendix II**.

2. EXECUTIVE SUMMARY

- The *Municipal Act, 2001* states that a municipality shall prepare financial statements for each fiscal period.
- The Town's auditor, KPMG, has completed an audit and compilation of the Town's 2023 financial statements and has expressed an unqualified audit opinion.
- The consolidated financial statement for the year ended December 31, 2023, is attached as **Appendix I**.
- The Audit Findings Report for the year ended December 31, 2023, is attached as **Appendix II**.

3. PURPOSE

The purpose of this report is to seek the Council's approval of the consolidated financial statements for the year ended December 31, 2023, for the Town.

4. BACKGROUND

The Municipal Act, 2001 states that a municipality shall prepare financial statements for each fiscal year. The consolidated financial statements for the Town are prepared by management in accordance with Canadian Public Sector Accounting Standards ("PSAS") as recommended by the Public Sector Accounting Board ("PSAB"). PSAB serves the public interest by establishing standards and other guidance for financial reporting by all Canadian entities in the public sector and by contributing to developing internationally accepted public sector financial reporting standards. Management is responsible for the preparation and fair presentation of

the consolidated financial statements in accordance with PSAB and for such internal control as management determines necessary to enable the preparation of the consolidated financial statements that are free from material misstatement, whether due to fraud or error.

The Town's auditor, KPMG, has completed an audit and compilation of the Town's financial statements. The auditor's responsibility is to express an opinion on the consolidated financial statements based on their audit fieldwork. Following the completion of the audit fieldwork, KPMG stated that, in their opinion, the accompanying financial statements present fairly in all material respects.

5. DISCUSSION / ANALYSIS

5.1 Draft Consolidated Financial Statements and Financial Information Return

A draft copy of the consolidated financial statements for the year ended December 31, 2023, is attached to this report (Appendix I). The Financial Information Return ("FIR") is also complete. The FIR is the primary data collection tool used by the Ministry of Municipal Affairs and Housing (MMAH) to collect financial and statistical information on municipalities. The FIR is a standard document comprising numerous schedules updated yearly to comply with current legislation and reporting requirements. Corporate Services Staff will submit the FIR upon approval of the 2023 Financial Statements.

5.2 Reconciliation of the Financial Statement's Annual Surplus to the Operating Budget Surplus

Financial statements are intended to report on the financial condition of an organization, ensure accountability and transparency, and assist with long-term strategic planning. Financial statements are a vital tool to report to taxpayers the municipal services provided and the resources available. The requirements for municipal financial reporting are standardized across Canada and based on the Public Sector Accounting Handbook. As of 2009, municipal financial statements are to be prepared using the net financial assets model and must now include tangible capital assets, amortization, and post-employment benefit costs. This approach provides a more complete picture of a municipality's financial condition. The Town's operating budget is not prepared on the same basis as its financial statements. The operating budget looks at the total cash requirements for different programs and how they will be funded. This leads to different treatment of revenue and expense items between the Town's operating budget and financial statements.

The chart below reconciles the difference between the 2023 operating surplus of \$234,613 and its annual surplus of \$6,589,015 contained in the Consolidated Statement of Operations.

\$6,589,015	Financial Statement Annual Surplus - See Financial Statements
(773,795)	Hydro Surplus: The investment in Niagara-on-the-Lake Energy Inc. is consolidated for financial statement purposes but is not part of the Town's Operating Budget.
(3,561,592)	Deferred Revenue Recognized - Deferred revenue, such as development charges used to fund capital projects, are not included in the operating budget process but must be included as revenue for financial statement purposes when the funds are used/spent.
(541,502)	Debt Principal Payments - The Town budgets for debt charges to ensure there is enough cash to cover principal payments. For statement purposes, principal debt payments decrease liabilities and cash; no expense is recognized.
2,284,069	Reserves Utilized for Operations - The Town utilizes reserves to support operations. These amounts must be added back to calculate the operating surplus/(deficit) amount.
(11,588,826)	Revenues Allocated to Reserves - The Town Operating Budget includes transfer to reserves to support future capital projects.
(28,443)	Investment Income Earned on Discretionary Reserves and Reserve Funds - Investment income earned on these reserves are added to the reserve but must be included as revenue for financial statement purposes
914,941	Hydro Receipts - For statement purposes, these amounts reduce NOTL Hydro's receivables to the Town and increase cash but are treated as revenue when preparing the operating budget.
6,619,134	Amortization - Amortization related to Tangible Capital Assets (TCA) is a non-cash expense and is not considered during the operating budget process.
284,464	Net Book Value of Disposal of Tangible Capital Assets – This is an Accounting Entry to remove a non-cash item.
(1,196)	Employee Benefits and Other Liabilities - Accounting standards require the Town to estimate future benefit costs and expense them.
38,343	Niagara District Airport Commission (NDAC) - The NDAC is consolidated on a 6% basis into the Town's financial statements but is not part of the operating budget.
234,613	Operating Budget Deficit - As stated in report CS-24-012

5.3 PS3280 – Asset Retirement Obligations

PS3280 is a new accounting standard dealing with Asset Retirement Obligations (ARO) and was implemented for the 2023 fiscal year end in consultation with KPMG. The new standard requires municipalities to estimate and record liabilities related to legal obligations associated with the retirement of Tangible Capital Assets. Following a review of Town assets, solely the buildings category remained in scope for the purposes of the ARO calculation and reported a liability of \$1,390,086. The Town is currently in compliance with the adoption of this new standard.

6. STRATEGIC PLAN

N/A

7. OPTIONS

7.1 **Option 1:** Council approves the 2023 Financial Statements (**As Recommended**).

7.2 **Option 2:** Council rejects the 2023 Financial Statements (*Not Recommended*)

8. FINANCIAL IMPLICATIONS

The attached financial statements report the previous year's financial activity. Audit fees for preparing the Town's financial statements have been included in the 2023 operating budget and are consistent with industry standards. There are no other financial implications associated with the approval of the financial statements.

9. ENVIRONMENTAL IMPLICATIONS

N/A; there are no direct environmental impacts as a result of this report.

10. COMMUNICATIONS

Upon Council's approval, the 2023 consolidated financial statements will be made available on the Town's website. A notice will be placed in the local newspapers advising that the 2023 consolidated financial statements are ready and available upon request at no cost to any local taxpayer or resident of the Town. A copy will also be forwarded to the Ministry of Municipal Affairs and Housing per reporting requirements.

11. CONCLUSION

Corporate Services Staff prepared diligently for the 2023 audit and are pleased to present the Town's 2023 consolidated financial statements to Council.

12. APPENDICES

- Appendix I – Town of NOTL Draft Consolidated Financial Statements 2023
- Appendix II – Town of NOTL Audit Findings Report 2023

Respectfully submitted:

Prepared by:



Nick Alaimo, CPA, CMA
Manager of Finance/Deputy Treasurer

Recommended by:



Kyle Freeborn, CPA, CMA
Director of Corporate Services/Treasurer

Submitted by:



Bruce Zvaniga
Chief Administrative Officer (Interim)

Consolidated Financial Statements of

**THE CORPORATION OF THE
TOWN OF NIAGARA-ON-THE-LAKE**

And Independent Auditors' Report Thereon

Year ended December 31, 2023

INDEPENDENT AUDITORS' REPORT

To The Members of Council, Inhabitants and Ratepayers of
The Corporation of the Town of Niagara-on-the-Lake

Opinion

We have audited the financial statements of The Corporation of Niagara-on-the-Lake (the "Entity"), which comprise:

- the consolidated statement of financial position as at December 31, 2023;
- the consolidated statement of operations for the year then ended;
- the consolidated statement of changes in net financial assets for the year then ended;
- the consolidated statement of cash flows for the year then ended;
- and notes and schedule to the consolidated financial statements, including a summary of significant accounting policies

(Hereinafter referred to as the "financial statements").

In our opinion, the accompanying financial statements present fairly, in all material respects, the consolidated financial position of the Entity as at December 31, 2023 and its consolidated results of operations, and its consolidated cash flows for the year then ended in accordance with Canadian public sector accounting standards.

Basis for Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the "***Auditors' Responsibilities for the Audit of the Financial Statements***" section of our auditors' report.

We are independent of the Entity in accordance with the ethical requirements that relevant to our audit of the financial statements in Canada and we have fulfilled our other responsibilities in accordance with these requirements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Emphasis of Matter - comparative information

We draw attention to Note 2 to the financial statements ("Note 2"), which explains that certain comparative information presented for the year ended December 31, 2022 has been restated.

Note 2 explains the reason for the restatement and also explains the adjustments that were applied to restate certain comparative information.

Our opinion is not modified in respect of this matter.

As part of our audit of the financial statements for the year ended December 31, 2023, we also audited the adjustments that were applied to restate certain comparative information presented for the year ended December 31, 2022 and as at January 1, 2022.

In our opinion, such adjustments are appropriate and have been properly applied.

Other Matter – Supplementary Information

The supplementary information included in Schedule of Library Fund Activities does not form part of the financial statements. We have not audited or reviewed this supplementary information and, accordingly, we do not express an opinion, a review conclusion or any other form of assurance on this supplementary information.

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

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

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

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

Auditors' Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditors' report that includes our opinion.

Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists.

Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

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

We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion.

The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.

- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Entity's internal control.

- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Entity's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditors' report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditors' report. However, future events or conditions may cause the Entity to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represents the underlying transactions and events in a manner that achieves fair presentation.
- Communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.
- Obtain sufficient appropriate audit evidence regarding the financial information of the entities or business activities within the Group Entity to express an opinion on the financial statements. We are responsible for the direction, supervision and performance of the group audit. We remain solely responsible for our audit opinion.

Chartered Professional Accountants, Licensed Public Accountants

St. Catharines, Canada

July 30, 2024

THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE

Consolidated Statement of Financial Position

December 31, 2023, with comparative information for 2022

	2023	2022 (Restated - note 1)
Financial assets		
Cash	\$ 30,594,065	\$ 22,333,108
Taxes receivable		
Current year	2,025,902	1,606,879
Previous years	1,131,061	1,119,889
Accounts receivable	9,656,315	9,203,458
Debt recoverable from others (note 6)	47,862	15,399
Note receivable (note 3)	3,877,726	4,591,648
Long-term investment (note 2)	23,649,994	23,626,199
	<u>70,982,925</u>	<u>62,496,580</u>
Liabilities		
Accounts payable and accrued liabilities	16,042,696	14,611,564
Deferred revenue (note 4)	13,975,138	12,650,043
Post-employment benefits (note 5)	1,248,301	1,249,498
Net long term liabilities (note 6)	6,753,193	5,476,721
Asset retirement obligation (note 14)	1,390,086	1,390,086
	<u>39,409,414</u>	<u>35,377,912</u>
Net financial assets	<u>31,573,511</u>	<u>27,118,668</u>
Non-financial assets		
Tangible capital assets (note 13)	203,963,150	201,981,196
Inventories and prepaid expenses	499,958	347,740
	<u>204,463,108</u>	<u>202,328,936</u>
Commitments (note 8)		
Contingent liabilities (note 9)		
Accumulated surplus (note 7)	<u>\$ 236,036,619</u>	<u>\$ 229,447,604</u>

The accompanying notes are an integral part of these consolidated financial statements.

Signed on behalf of the Municipality:

Lord Mayor

Chief Administrative Officer

THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE

Consolidated Statement of Operations

Year ended December 31, 2023, with comparative information for 2022

	Budget (note 12)	2023	2022 (Restated- note 1)
Revenues			
Taxation	\$ 16,835,692	\$ 16,929,863	\$ 15,548,259
User fees and charges	16,479,425	18,033,613	16,497,073
Government of Canada grants (note 15)	587,510	1,831,181	309,908
Province of Ontario grants (note 15)	1,853,154	2,278,164	3,394,482
Other municipality funding (note 15)	96,900	438,144	169,119
Other deferred revenues earned	264,833	500,270	2,212,760
Interest and penalties	456,000	536,604	466,458
Investment income	738,195	1,256,602	613,649
Donations	4,500	278,295	199,204
Contributed assets	671,693	671,693	26,500
Other	2,157,477	3,539,169	2,581,653
Equity income of Niagara-on-the-Lake Energy Inc. (note 2)	-	773,795	1,786,672
Total revenues	40,145,379	47,067,393	43,806,097
Expenses			
General government	4,338,811	5,599,608	4,017,202
Protection services	5,382,387	4,832,137	4,403,541
Transportation services	8,909,118	8,915,204	9,329,530
Environmental services	15,023,768	13,257,633	13,188,091
Health services	328,989	528,289	484,219
Recreation	4,065,892	5,524,269	5,765,278
Planning and development	2,847,174	1,821,238	1,689,114
Total expenses	40,896,139	40,478,378	38,876,975
Annual surplus (deficit)	(750,760)	6,589,015	4,929,122
Other comprehensive income of Niagara-on-the-Lake Energy Inc.	-	-	-
Accumulated surplus, beginning of year, As previously reported	224,075,981	230,363,344	225,418,313
Adoption of new accounting policy (note 1)	-	(915,740)	(899,831)
Accumulated surplus, beginning of year, as restated	-	229,447,604	224,518,482
Accumulated surplus, end of year	\$ 223,325,221	\$ 236,036,619	\$ 229,447,604

The accompanying notes are an integral part of these consolidated financial statements.

THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE

Consolidated Statement of Changes in Net Financial Assets

Year ended December 31, 2023, with comparative information for 2022

	2023	2022
		(Restated – Note 1)
Annual surplus	\$ 6,589,015	\$ 4,929,122
Acquisition of tangible capital assets	(8,250,534)	(8,245,382)
Contributed tangible capital assets	(671,693)	(26,500)
Amortization of tangible capital assets	6,655,221	6,423,676
Proceeds on disposal of tangible capital assets	40,235	20,952
Loss on disposal of tangible capital assets	244,817	62,017
Change in inventories and prepaid expenses	(152,218)	(25,690)
	4,454,843	3,138,195
Net financial assets, beginning of year	27,118,668	25,370,559
Adoption of new accounting policy (note 1)	-	(1,390,086)
Net financial assets, end of year	\$ 31,573,511	\$ 27,118,668

The accompanying notes are an integral part of these consolidated financial statements.

THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE

Consolidated Statement of Cash Flows

Year ended December 31, 2023, with comparative information for 2022

	2023	2022
		(Restated- note 1)
Operations		
Annual surplus	\$ 6,589,015	\$ 4,929,122
Items not involving cash:		
Amortization of tangible capital assets	6,655,221	6,423,676
Niagara-on-the-Lake Energy net income	(773,795)	(1,786,672)
Contributed/Donated tangible capital assets	(671,693)	(26,500)
Loss on disposal of tangible capital assets	244,817	62,017
	12,043,565	9,601,643
Change in non-cash assets and liabilities:		
Taxes receivable	(430,195)	(510,421)
Accounts receivable	(452,857)	(489,884)
Inventories and prepaid expenses	(152,218)	(25,690)
Accounts payable and accrued liabilities	1,431,130	904,087
Deferred revenue	1,325,095	(751,049)
Post-employment benefits	(1,197)	(75,545)
Cash from operations	13,763,323	8,653,141
Capital		
Proceeds on disposal of tangible capital assets	40,237	20,952
Acquisition of tangible capital assets	(8,250,534)	(8,245,382)
Cash used in capital activities	(8,210,297)	(8,224,430)
Investing		
Dividend received	750,000	750,000
Change in debt recoverable from others	(32,463)	4,563
Collection of note receivable	713,922	683,566
Cash from investing	1,431,459	1,438,129
Financing		
Long-term debt issued	1,822,811	-
Debt principal repayments	(546,339)	(565,846)
Cash from (used) financing	1,276,472	(565,846)
Increase in cash	8,260,957	1,300,994
Cash, beginning of year	22,333,108	21,032,114
Cash, end of year	\$ 30,594,065	\$22,333,108

The accompanying notes are an integral part of these consolidated financial statements.

THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE

Notes to Consolidated Financial Statements

Year ended December 31, 2023

The Corporation of the Town of Niagara-on-the-Lake (the "Town") is a municipality in the Province of Ontario that provides municipal services such as fire, public works, planning, parks and recreation, library and other general government operations.

1. Significant accounting policies:

The consolidated financial statements of the Town are prepared by management in accordance with Canadian public sector accounting standards ("PSAS") as recommended by the Public Sector Accounting Board ("PSAB") of CPA Canada. Significant accounting policies adopted by the Town are as follows:

(a) Basis of consolidation:

(i) Consolidated entities:

These consolidated financial statements reflect the assets, liabilities, revenues and expenses of the reporting entity. The reporting entity is comprised of all organizations, committees and local boards accountable for the administration of the Town's financial affairs and resources to the Town which are owned or controlled by the Town except for the Town's wholly owned government business enterprise, Niagara-on-the-Lake Energy Inc., which is accounted for on the modified equity basis of accounting as described below. These reporting entities and organizations include the Public Library Board. Interdepartmental and inter-organizational transactions and balances between these entities and organizations have been eliminated.

The investment in Niagara-on-the-Lake Energy Inc. ("NOTLEI") is accounted for on a modified equity basis, consistent with the accounting treatment for government business enterprises. Under the modified equity basis, NOTLEI's accounting principles are not adjusted to conform with those of the Town, and inter-organizational transactions and balances are not eliminated. The Town recognizes its equity interest in the annual income or loss of NOTLEI in its Consolidated Statement of Operations with a corresponding increase or decrease in its investment asset account. Any dividends that the Town may receive from NOTLEI are reflected as reductions in the investment account.

(ii) Partial-consolidated entities:

The Niagara District Airport Commission is operated with a joint local board and is proportionately consolidated. The Town's share is 6%.

(iii) Accounting for Region and School Board transactions:

The taxation, other revenues, expenses, assets and liabilities with respect to the operations of the school boards and the Regional Municipality of Niagara are not reflected in these consolidated financial statements.

(iv) Trust funds:

Trust funds and their related operations are not included in these consolidated financial statements.

THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE

Notes to Consolidated Financial Statements

Year ended December 31, 2023

1. Significant accounting policies (continued):

(b) Basis of accounting:

The Town follows the accrual method of accounting for revenues and expenses. Revenues are recognized in the year in which they are earned and measurable. Expenses are recognized as they are incurred and measurable as a result of receipt of goods or services and the creation of a legal obligation to pay.

(c) Non-financial assets:

Non-financial assets are not available to discharge existing liabilities and are held for use in the provision of services. They have useful lives extending beyond the current year, and are not intended for sale in the ordinary course of operations. The change in non-financial assets during the year, together with the excess of revenues over expenses, provides the change in net financial assets for the year.

(i) Tangible capital assets:

Tangible capital assets are recorded at cost. Cost includes all directly attributable expenditures in the acquisition, construction, development and/or betterment of the asset required to prepare the asset for its intended use.

Amortization is recorded to reflect the cost, net of anticipated residual value, associated with the use of the asset in providing government services on a straight-line basis over the estimated useful life of the asset. Work in progress assets are not amortized until the asset is available for productive use, at which time amortization commences. Gains and/or losses on the disposal of an asset are recorded on the Consolidated Statement of Operations in the year of disposal.

Tangible capital assets received as contributions are recorded at their fair market value at the date of receipt and are recognized as revenue. Similarly, transfer of assets to third parties are removed from tangible capital assets and recorded as an expense equal to the net book value of the asset as at the date of the transfer.

The historical cost of works of art or historical treasures have not been assigned to these assets nor disclosed on the consolidated financial statements.

THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE

Notes to Consolidated Financial Statements

Year ended December 31, 2023

1. Significant accounting policies (continued):

(c) Non-financial assets (continued):

(i) Tangible capital assets (continued):

Asset Class	Useful Life (Years)
General Assets:	
Land improvements	5 to 60
Buildings and fixtures	5 to 50
Machinery and equipment	5 to 40
Vehicles	5 to 20
Information technology	2 to 15
Other	5 to 50
Infrastructure:	
Linear assets	10 to 80
Street lighting	7 to 60
Other	7 to 50

Interest on debt incurred during construction of related tangible capital assets is expensed in the Consolidated Statement of Operations in the year incurred.

(ii) Asset retirement obligation:

An asset retirement obligation is recognized when, as at the financial reporting date, all of the following criteria are met:

- There is a legal obligation to incur retirement costs in relation to a tangible capital asset;
- The past transaction or event giving rise to the liability has occurred;
- It is expected that future economic benefits will be given up; and
- A reasonable estimate of the amount can be made.

The liability for the removal of asbestos in several of the buildings owned by the Town has been recognized based on estimated future expenses on closure of the site and post-closure care. These estimates are based on a financial model. Inputs including structure type, square footage, and year built, in conjunction with specific rates to be applied to each facility based on this criteria.

(iii) Inventories:

Inventories of supplies held for consumption are recorded at the lower of cost and replacement cost.

THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE

Notes to Consolidated Financial Statements

Year ended December 31, 2023

1. Significant accounting policies (continued):

(d) Deferred revenue:

Deferred revenue represents licenses, permits, grants and other fees which have been collected, but for which the related services or inspections have yet to be performed. These amounts will be recognized as revenue in the fiscal year the services are performed.

(e) Government transfers:

Government transfers received are from federal and provincial governments. Transfers are recognized in the period in which the events giving rise to the transfers occur, providing the transfers are authorized, eligibility criteria are met, and reasonable estimates of the amounts can be made except when, and to the extent that, stipulations by the transferor give rise to an obligation that meet the definition of a liability. Government transfers that meet the definition of a liability are recognized as revenue as the liability is extinguished. Government transfers are paid to community organizations. Government transfers paid are recognized as a liability and expense when the transfer is authorized and all eligibility criteria have been met by the recipient.

(f) Tax revenue:

Taxes receivable and tax revenue are recognized when they meet the definition of an asset, the tax is authorized and the taxable event has occurred.

(g) Deferred revenue - obligatory reserve funds:

Deferred revenue - obligatory reserve funds represents development charge contributions, payments in lieu of parking and parkland and gas tax, levied or received under the authority of federal and provincial legislation. These amounts have been collected but the related services have yet to be performed. These amounts will be recognized as revenue in the fiscal year the services are performed.

(h) Investment income:

Investments such as GIC's and portfolio investments are recorded at amortized cost or fair value depending on the nature of the investment. Investment income is reported as revenue in the period earned. When required by the funding government or provincial legislation, investment income earned on deferred revenue is added to the fund balance and forms part of the deferred revenue balance. The town held no investments at December 31, 2023 (2022 – nil)

(i) Other income:

Other income is recognized as revenue when the service is performed.

THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE

Notes to Consolidated Financial Statements

Year ended December 31, 2023

1. Significant accounting policies (continued):

(j) Investments:

Investments are recorded at amortized cost. Discounts and premiums arising on the purchase of these investments are amortized over the term of the investments. When there has been a loss in value that is other than a temporary decline in value, the respective investment is written down to recognize the loss.

(k) Post-employment benefits:

- (i) The Town provides certain employee benefits which will require funding in future periods. These benefits include long-term disability, benefits under the Workplace Safety and Insurance Board ("WSIB") Act, and extended health and dental benefits for early retirees.

The costs of life insurance, benefits under WSIB, life insurance, and extended health and dental benefits are actuarially determined using management's best estimate of salary escalation, earned days accumulated for certain employees payable at retirement, health care cost trends, long term inflation rates and discount rates.

For self-insured retirement and other employee future benefits that vest or accumulate over the periods of service provided by employees, such as service payments and health and dental benefits for retirees, the cost is actuarially determined using the projected benefits method prorated on service. Under this method, the benefit costs are recognized over the expected average service life of the employee group. Any actuarial gains and losses related to the past service of employees are amortized over the expected average remaining service life of the employee group.

For those self-insured benefit obligations that arise from specific events that occur from time to time, such as obligations for workers' compensation and disability benefits for those on disability leave, the cost is recognized immediately in the period the events occur. Any actuarial gains and losses that are related to these benefits are recognized immediately in the period they arise.

- (ii) The costs of multi-employer defined benefit pension plan benefits, such as the Ontario Municipal Employees Retirement System ("OMERS") pensions, are the employer's contributions due to the plan in the period. OMERS has been accounted for as a defined contribution plan since it is a multi-employer plan.

(l) Note receivable

The note receivable is valued at cost. Recoverability is assessed annually and a valuation allowance is recorded when recoverability is impaired. The note receivable is written off when it is no longer recoverable. Recoveries of note receivable previously written off are recognized as revenue in the year received. Interest revenue is recognized as it is earned. Notes receivable with significant concessionary terms, (such as non-interest bearing notes) are accounted for as a grant and presented as an expense on the Consolidated Statement of Operations.

THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE

Notes to Consolidated Financial Statements

Year ended December 31, 2023

1. Significant accounting policies (continued):

(m) Use of estimates:

The preparation of the financial statements in conformity with PSAS requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the dates of the financial statements and the reported amounts of revenues and expenses during the period. Significant estimates include assumptions used in estimation provisions for accrued liabilities and in performing actuarial valuations of post-employment benefits liability and the valuation of contributed assets. Actual results could differ from those estimates.

(n) Change in accounting policies:

(i) PS 3280 – Asset Retirement Obligations

On January 1, 2023, the Town adopted Public Accounting Standard PS 3280 – Asset Retirement Obligations and selected the modified retrospective method of adoption. This resulted in a restatement of 2022 year end results for Financial Statement purposes. The new accounting standard addresses the reporting of legal obligations associated with the retirement of certain tangible capital assets, such as asbestos removal in retired buildings by public sector entities. The standard was adopted on the modified retrospective basis at the date of adoption. Under the modified retrospective method, the assumptions used on initial recognition are those as of the date of adoption of the standard. The Town has opted not to discount estimated future retirement obligation liabilities as the Town does not have adequate information regarding the anticipated timing of cash flows to settle the ARO's, which could pose an elevated risk of misstatement upon further estimation.

On January 1, 2022, the Town recognized an asset retirement obligation relating to several buildings owned by the Town that (may) contain asbestos. The financial model includes inputs such as structure type, square footage, and year builds, in conjunction with specific rates to be applied in the calculation of related ARO's for each facility based on this criteria. The buildings were originally purchased between 1842 to 2021, with an expected useful life of 50 years.

In accordance with the provisions of this new standard, the Town reflected the following adjustments for the year ended December 31, 2022:

- An increase of \$1,390,086 to the Buildings capital asset account, representing the current estimate of the obligation, and an accompanying increase of \$915,740 to Accumulated Amortization, representing various years of increased amortization had the liability originally been recognized.

THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE

Notes to Consolidated Financial Statements

Year ended December 31, 2023

1. Significant accounting policies (continued):

- An asset retirement obligation in the amount of \$1,390,086.
- A decrease to Opening Accumulated Surplus of \$899,831 as at January 1, 2022 as a result of the recognition of the liability and accompanying increase in depreciation expense over the year end December 31, 2022 by \$15,909 which is the net decrease in the 2022 annual surplus compared to amounts previously stated in 2022.

(ii) PS 3450 – Financial Instruments

On January 1, 2023, the Town adopted Public Accounting Standard PS 3450 – Financial Instruments. The new accounting standard addresses the reporting requirements relating to the recognition, measurement, presentation, and disclosure of financial instruments. There was no impact to the Town upon adoption of the standard.

THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE

Notes to Consolidated Financial Statements

Year ended December 31, 2023

2. Long-term investments

The Town holds an investment in Niagara-on-the-Lake Energy Inc. ("NOTLEI") which is represented by 1,001 common shares of the company. NOTLEI is wholly owned by the Town. Summary financial information is as follows:

Financial Position:

	2023	2022
Assets:		
Current	\$ 7,254,035	\$ 6,850,926
Capital	40,538,979	38,504,426
Other non-current	5,279,982	5,493,093
Regulatory balances	2,684,702	2,965,078
Total assets and regulatory balances	\$ 55,757,698	\$ 53,813,523
Liabilities:		
Current	\$ 7,975,901	\$ 5,261,995
Notes payable to Town of Niagara-on-the-Lake	3,877,725	4,591,647
Long-term debt	10,349,575	11,404,702
Other	9,649,173	8,612,819
Regulatory balances	255,330	316,161
Equity	23,649,994	23,626,199
Total liabilities, regulatory balances and equity	\$ 55,757,698	\$ 53,813,523

Operations:

	2023	2022
Revenue	\$ 34,061,231	\$ 31,529,368
Expenses (including income tax provision)	(33,063,518)	(31,501,376)
Net movement in regulatory balances (net of tax)	(223,918)	1,635,847
Net income and net movement in regulatory balances	773,795	1,663,839
Other comprehensive loss	-	122,833
Dividend income paid to Town of Niagara-on-the-Lake	(750,000)	(750,000)
Change in investment in Niagara-on-the-Lake Energy Inc.	\$ 23,795	\$ 1,036,672

Town of Niagara-on-the-Lake investment represented by:

	2023	2022
Investment in shares of the Corporation	\$ 7,054,844	\$ 7,054,844
Accumulated net income, net of dividends received	16,595,150	16,571,355
Total investment in Niagara-on-the-Lake Energy Inc.	\$ 23,649,994	\$ 23,626,199

THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE

Notes to Consolidated Financial Statements

Year ended December 31, 2023

2. Long-term investments (continued):

NOTLEI delivered electricity to the Town and related organizations in the amount of \$830,957 (2022 - \$773,610) and provided locate services to the Town in the amount of \$171,077 (2022 - \$197,793).

3. Note receivable:

The notes receivable are comprised of the following:

	2023	2022
Note 1	\$ 1,087,665	\$ 1,252,606
Note 2	386,163	718,381
Note 3	433,898	650,661
Note 4	1,970,000	1,970,000
	<u>\$ 3,877,726</u>	<u>\$ 4,591,648</u>

Note 1 bears interest at 7.25%, is unsecured and is repayable annually in the aggregate principal and interest of \$250,000 (2022 - \$250,000). Note 2 bears interest at 3.50%, is due on February 1, 2025 and is repayable in blended monthly payments of \$29,968. Note 3 bears interest at 3.5%, is due on October 1, 2025 and is repayable in blended monthly payments of \$19,312. Note 4 bears interest at 3.0% and is due on demand. The Town has waived its right to demand payment on notes 2 to 4 until January 1, 2025. These notes have been postponed in favour of the demand instalment loan owing by NOTLEI. The notes are unsecured.

4. Deferred revenue:

A requirement of PSAS is that obligatory reserve funds be reported as deferred revenue. These reserve funds are considered obligatory as Provincial legislation restricts how these funds may be used and, under certain circumstances, when these funds will be refunded.

In the case of development charges, revenue recognition occurs after the funds have been collected and when the Town has approved the eligible expenditures and used the funds for the capital project for which the development charges were raised. These funds have been set aside, as required by the Development Charges Act, to support the cost of growth related capital projects associated with new development.

THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE

Notes to Consolidated Financial Statements

Year ended December 31, 2023

4. Deferred revenue (continued):

The deferred revenues are made up of the following:

	2022	Externally restricted inflows	Revenue earned	2023
Building permit surplus	\$ 77,819	\$ 363,568	\$ 237,300	\$ 204,087
Canada Community Building Fund	1,507,366	622,376	1,740,584	389,157
Cash-in-lieu of parking	353,331	-	-	353,331
Development charges	8,277,782	2,565,184	240,828	10,602,138
Ontario Community Infrastructure Fund	1,226,394	1,510,615	1,726,691	1,010,318
Recreational land	695,694	447,819	(1,863)	1,145,376
Provincial Modernization Fund	106,146	-	24,005	82,142
Other deferred	405,511	171,814	388,736	188,589
	<u>\$12,650,043</u>	<u>\$ 5,681,376</u>	<u>\$ 4,356,281</u>	<u>\$ 13,975,138</u>

5. Post-employment benefits and other liabilities:

The Town provides certain employees benefits which will require funding in future periods. These benefits include sick leave, benefits under the Workplace Safety and Insurance ("WSIB") Act, and life insurance, extended health, and dental benefits to early retirees.

	2023	2022
Retiree benefits	\$ 558,691	\$ 565,997
Accrued vacation pay	441,244	439,269
Accumulated sick leave	51,261	47,127
Future payments required to WSIB	197,105	197,105
	<u>\$ 1,248,301</u>	<u>\$ 1,249,498</u>

THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE

Notes to Consolidated Financial Statements

Year ended December 31, 2023

5. Post-employment benefits and other liabilities (continued):

Information about the Town's benefit plans is as follows:

	2023	2022
Accrued benefit obligation:		
Balance, beginning of year	\$ 1,268,340	\$ 1,344,490
Current benefit cost	41,069	(32,711)
Interest	20,150	20,312
Benefits paid	(63,019)	(63,750)
Balance, end of year	1,266,540	1,268,341
Unamortized actuarial loss	(18,239)	(18,843)
Liability for benefits	\$ 1,248,301	\$ 1,249,498

Amortization of the actuarial loss of \$604 (2022 - \$604) has been included in expenses on the Consolidated Statement of Operations.

(i) Accumulated Sick Leave

Under the Town's sick leave benefit plan, employees can choose either to carry forward up to 5 unused days to the next year, have all unused credits paid out at the end of the year, or any combination of the two choices. Credits are paid out at 50%. The accrued benefit obligation and the expense for the year ended December 31, 2023 were determined by an actuarial review. The last actuarial valuation was performed in 2021 for the December 31, 2020 year-end.

(ii) Retiree Benefits

The Town pays health care, dental, travel and life insurance benefits for early retirees to age 65. The Town recognizes these post-retirement costs in the period in which the employees rendered the services. The accrued benefit liability and the expense for the year ended December 31, 2023 were determined by an actuarial review and analysis of changes made to plans since the last valuation. The last actuarial valuation was performed in 2021 for the December 31, 2020 year-end.

(iii) Accrued WSIB

The Town has elected to be treated as a Schedule 1 employer for the purposes of WSIB where a premium is paid to cover the Town's responsibilities under the Workplace Safety and Insurance Board Act ("WSIB").

THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE

Notes to Consolidated Financial Statements

Year ended December 31, 2023

5. Post-employment benefits and other liabilities (continued):

(iv) Actuarial Assumptions

The main actuarial assumptions used for the valuations are as follows:

Interest (discount rate):

The accrued benefit obligation was determined using a discount rate of 3.25% (2022 – 3.25%).

Inflation:

Inflation was assumed to be 1.75% (2022 - 1.75%).

Medical, dental and travel costs:

Medical, dental and travel costs are assumed to increase at a rate of 5.75% in 2021 per year reducing by 0.3333% per year to 3.75% in 2027 and to 3.75% per year thereafter.

Salary escalations:

Future salary has been assumed to escalate at a rate of 2.75% per year (2022 - 2.75%).

(v) Pension Agreements

The Town makes contributions to the Ontario Municipal Employees Retirement Fund ("OMERS"), which is a multi-employer plan, on behalf of its staff. The plan is a defined benefit plan which specifies the amount of the retirement benefit to be received by the employees based on the length of service and rates of pay.

The amount contributed to OMERS for 2023 was \$987,571 (2022 - \$898,721) for current service and is included as an expenditure in the consolidated statement of operations. Employees' contribution to OMERS in 2023 was \$987,571 (2022 - \$898,721).

Contributions for employees with a normal retirement age of 65 were being made at a rate of 9% for earnings up to the yearly maximum pensionable earnings of \$66,600 and at a rate of 14.6% for earnings greater than the yearly maximum pensionable earnings.

The OMERS pension plan has a deficit at December 31, 2023 of \$4.2 billion (2022 - \$6.7 billion) based on an actuarial valuation of plan assets. Increases in future contributions may be required to fund deficits in the plan.

THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE

Notes to Consolidated Financial Statements

Year ended December 31, 2023

6. Net long-term liabilities:

- (a) The balance of net long-term liabilities reported on the consolidated statement of financial position is made up of the following:

	2023	2022
The Town has assumed responsibility for the payment of principal and interest charges on certain long-term liabilities issued by other municipalities.	\$ 6,753,193	\$ 5,476,721
Of the long-term liabilities shown above, the responsibility for payment of principal and interest charges for tile drainage, have been assumed by individuals.	(47,862)	(15,399)
Net long-term liabilities, end of year	\$ 6,705,331	\$ 5,461,322

- (b) The long-term liabilities in (a) issued in the name of the municipality have been approved by by-law. The annual principal and interest payments required to service these liabilities are within the annual debt repayment limit prescribed by the Ministry of Municipal Affairs and Housing.
- (c) Of the net long-term liabilities reported in (a) of this note, principal payments are as follows:

2024	\$ 608,220
2025	604,898
2026	526,884
2027	540,692
2028	556,982
Thereafter	3,867,655
	\$ 6,705,331

- (d) Interest charges on long-term debt in the amount of \$162,379 (2022 - \$161,532) are included on the Consolidated Statement of Operations, classified under the appropriate functional expense heading. The long-term debt bears interest at rates ranging from 1.35% to 10.45% payable semiannually. The long-term liabilities mature at various times up to 2043.

THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE

Notes to Consolidated Financial Statements

Year ended December 31, 2023

7. Accumulated surplus:

	2023	2022 (Restated)
Invested in tangible capital assets	\$ 203,963,150	\$ 201,981,196
Operating fund	(4,230,105)	(4,377,729)
Reserves and reserve funds	21,454,779	16,318,844
Investment in Niagara-on-the-Lake Energy Inc.	23,649,994	23,626,199
	244,837,818	237,548,510
Amounts to be recovered		
Asset retirement obligation costs	(1,390,086)	(1,390,086)
Post-employment benefits	(1,248,301)	(1,249,498)
Net long-term liabilities	(6,162,812)	(5,461,322)
	(8,801,199)	(8,100,906)
	\$ 236,036,619	\$ 229,447,604

THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE

Notes to Consolidated Financial Statements

Year ended December 31, 2023

7. Accumulated surplus (continued):

Reserve and reserve balances:

	2023	2022
Reserves set aside by Council for specific purposes:		
Base mapping	\$ 700	\$ 700
Bridges and culverts	25,958	25,958
Building vehicle and equipment	78,643	69,643
By-law vehicle and equipment	56,882	42,757
Capital levy	2,748,253	1,979,565
Cenotaph Maintenance	149,519	-
Community centre	7,340	13,591
Contingencies	30,684	30,684
Corporate studies	34,090	17,590
COVID 19	-	-
Debt reduction	164,173	245,136
Developer Contributions	20,000	-
Dock area improvement	204,461	167,846
Donations	139,588	367,471
Election expenses	40,000	20,000
Fire Vehicle & Equipment	(19,574)	(26,074)
Fleet replacement	287,374	(32,640)
Grant and other	294,523	182,542
Irrigation	402,158	339,946
Municipal Accommodation Tax	969,063	226,574
Ontario disabilities	182,213	185,138
Planning appeals	240,344	55,731
Parking revenue	2,631,906	1,994,323
Sidewalk improvements	31,694	31,694
Storm water management	1,457,775	738,778
Street lighting	14,150	9,617
Tax rate stabilization	50,121	121
Training and development	11,857	11,857
Tree Cash-in-Lieu	12,100	6,950
Wastewater capital improvements	4,794,722	4,397,088
Wastewater rate stabilization	228,428	228,428
Water capital improvements	5,792,494	4,621,314
Water rate stabilization	194,486	194,486
Winter maintenance	8,692	8,692
Working funds	50,000	50,000
Total reserves	\$ 21,335,817	\$ 16,205,506
Reserve funds set aside by Council for specific purposes:		
Bequest/Garden	7,403	6,986
Library development and computer	16,224	11,017
Library donations	38,725	38,725
Recreation enhancement	56,610	56,610
	118,962	113,338
Total reserves and reserve funds	\$ 21,454,779	\$ 16,318,844

THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE

Notes to Consolidated Financial Statements

Year ended December 31, 2023

8. Commitments:

(a) Capital expenditures

The estimated future capital expenditures based on projects in progress at December 31, 2023 is approximately \$6,046,151 (2022 - \$6,523,527) after deducting the expenditures incurred as at December 31, 2023. These projects will be financed by grants, subsidies and long-term liabilities in future years.

(b) Niagara Health System

The Town is currently committed to funding \$3,500,000 of the local share of the construction costs of the Niagara Health System (“NHS”) hospital located in St. Catharines. The Town has approved a plan to fund this commitment through annual tax levies in the years 2011 to 2031. The plan is dependent upon future councils approving this levy on an annual basis. A balance of \$824,114 is owing on this commitment at December 31, 2023 (2022 - \$927,128)

9. Contingent liabilities:

From time to time, the Town is subject to claims and other lawsuits that arise in the ordinary course of business, some of which may seek damages in substantial amounts, including punitive or extraordinary damages. In respect of most outstanding claims, the Town believes that insurance coverage is adequate, and that no material exposure exists on the eventual outcome of such litigation, therefore no provision has been made in the accompanying financial statements.

10. Contributions to Joint Board:

The following contributions were made by the Town to:

	2023	2022
Niagara District Airport Commission	\$ 64,726	\$ 58,820

The Town’s share of the net assets of the Niagara District Airport Commission is approximately 6%.

THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE

Notes to Consolidated Financial Statements

Year ended December 31, 2023

11. Segmented reporting:

The Town is a lower tier municipal government that provides a wide range of services to its citizens. Segmented information has been identified based on functional classification as categorized by the Financial Information Return. These classifications are as follows:

(i) General Government:

The mandate of this functional area is to provide political governance, administrative executive management and those expenses and revenues which are corporate in nature and cannot be easily apportioned to other departments. Reported in this functional area are departments such as Council, Clerks, CAO, Finance, Human Resources, Legal, Information Systems and Capital Assets.

(ii) Protection services:

Reported in this functional area are Fire and Building Services. The mandate of Fire Services is to provide emergency services through a range of services to protect the lives and property of the inhabitants of the Town. The mandate of Building Services is to inform and assist customers to ensure safe and orderly development and provide efficient delivery of building approvals, inspections, and management systems.

(iii) Transportation services:

Reported in this functional area are Roads and Works. The mandate for Roads and Works is to provide quality road and traffic maintenance and operations to the residents and businesses of the Town. This area is also responsible for winter control.

(iv) Environment services:

Reported in this functional area are Sanitary, Storm and Water Systems. The mandate is to provide a safe and reliable water resource system and is responsible for the maintenance and operation of the systems and monitoring and administering environmental programs.

(v) Health services:

Reported in this functional area is Cemetery Services. The mandate is to ensure the benefit and protection of each citizen who has purchased or has an interest in interment rights within each cemetery. Also included here is the Town's commitment to the Niagara Health System hospital.

(vi) Recreation:

Reported in the functional area are Parks, Recreation and Culture. The Parks department is responsible for the maintenance, improvement and beautification of various parks as well as the planning and construction of new parkland and open space. The Recreation and Culture departments are responsible for the delivery of various related programs and the provision of facilities as well as the support of groups and organizations throughout the Town.

THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE

Notes to Consolidated Financial Statements

Year ended December 31, 2023

11. Segmented reporting (continued):

(vii) Planning and Development:

Reported in this functional area are Planning and Development. Planning creates the policy framework and implementation tools required to shape the future of the Town. Development is responsible for ensuring that the Town's land development standards are achieved on all development applications.

For each reported segment, revenues and expenses represent both amounts that are directly attributable to the segment and amounts that are allocated on a reasonable basis. Tax revenue is allocated to the segments based on budgeted expenditures. For grants received, the allocation is based on the purpose of the grant. For user fees and charges, the allocation is based on the nature of the user fee generated. The accounting policies used in these segments are consistent with those followed in the preparation of the consolidated financial statements.

Tax Revenue Breakdown -The Town levies four forms of taxation to fund various aspects of Operations as follows:

1. The **General Levy** is the Town's main revenue source in addition to user fees and represents the overall net budget (Total Expenses less Total Revenues) related to levy supported activities. This includes both operating and capital funding for Fire and Emergency Services, Roads Operations, Parks and Recreation Operations, Planning and Development Services, Library Services, and other General Administrative functions.
2. The Town's **Storm levy** is a special tax only directed towards Urban landowners who are the beneficiaries of the existing services.
3. The **Niagara Health System levy** is described in Note 9 summarized as the Town's local share of the construction costs associated with the Niagara Health System hospital in St. Catharines.
4. The **Municipal Accommodation Tax ("MAT")** is a new tax the Town introduced in 2022 through by-law 5435-22 and has since been amended via by-law 5540-23 in 2023. The MAT is applicable to accommodation establishments purchased for a period of 28 consecutive days or less. Funds generated from the program will be placed into a special reserve to be used for tourism promotion, Town capital infrastructure and tourism initiatives. Criteria for use of funds will be developed through a MAT committee in 2024.

The Town recognized \$16,929,862 (2022 - \$15,548,259) in Property Tax revenue and \$1,505,503 (2022 -\$453,149) in Municipal Accommodation Tax revenue in 2023 as follows:

Tax Levy	2023 Revenue	2022 Revenue
General	\$ 15,853,271	\$ 14,547,961
Storm	973,579	897,289
NHS	103,012	103,009
Sub-total Property Tax Revenue	16,929,862	15,548,259
Municipal Accommodation Tax	1,505,503	453,149
Total Tax Revenues	\$ 18,435,365	16,001,408

THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE

Notes to Consolidated Financial Statements

Year ended December 31, 2023

11. Segmented reporting (continued):

2023										
	General							Planning and		
	Government	Protection	Transportation	Environment	Health	Recreation	Development			Total
Revenues:										
Taxation	\$ 5,171,464	\$ 2,399,898	\$ 4,214,460	\$ -	\$ 2,850	\$ 4,256,333	\$ 884,858			\$ 16,929,863
User fees and charges	487,034	982,923	3,078,245	12,114,014	421,753	436,051	513,593			18,033,613
Government grants	543,807	59,892	3,852,516	35,311	-	48,650	7,313			4,547,489
Other	3,710,288	326,604	817,984	102,877	-	1,108,481	44,707			6,110,941
Contributed assets	671,693	-	-	-	-	-	-			671,693
Equity income in NOTLEI Inc.	773,795	-	-	-	-	-	-			773,795
Total revenues	11,358,080	3,769,317	11,963,206	12,252,202	424,603	5,849,514	1,450,471			47,067,393
Expenses:										
Salaries and wages	4,785,113	2,610,108	2,710,116	1,259,935	148,222	2,151,934	1,238,722			14,904,150
Operating materials and supplies	1,309,065	700,128	1,482,211	301,402	194,938	1,478,608	144,706			5,611,058
Contracted services	2,192,646	103,899	1,641,350	7,789,050	513	130,061	139,218			11,996,737
Rents and financial expenses	127,091	11,705	15,934	3,202	-	17,731	-			175,663
Interfunctional transfers	(3,940,694)	564,722	991,129	1,530,685	46,961	606,190	201,007			-
Amortization	338,089	807,485	2,039,272	2,368,976	34,641	1,056,809	9,949			6,655,221
Loss on sale of tangible capital assets	244,817	-	-	-	-	-	-			244,817
External transfers	521,662	-	-	-	103,014	900	41,616			667,192
Debt service	21,819	34,090	35,192	4,383	-	82,036	46,020			223,540
Total expenses	5,599,608	4,832,137	8,915,204	13,257,633	528,289	5,524,269	1,821,238			40,478,378
Annual surplus (deficit)	\$ 5,758,473	\$ (1,062,820)	\$ 3,048,002	\$ (1,005,431)	\$ (103,686)	\$ 325,245	\$ (370,767)			\$ 6,589,015

THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE

Notes to Consolidated Financial Statements

Year ended December 31, 2022

11. Segmented reporting (continued):

2022									
	General Government	Protection	Transportation	Environment	Health	Recreation	Planning and Development	Total	
Revenues:									
Taxation	\$ 4,979,694	\$ 2,200,033	\$ 3,938,526	\$ -	\$ 147,511	\$ 3,703,932	\$ 578,563	\$ 15,548,259	
User fees and charges	302,592	775,411	2,705,557	11,636,122	269,548	299,963	507,880	16,497,073	
Government grants	1,159,493	(12,869)	2,279,503	-	-	435,603	12,139	3,873,869	
Other	2,173,796	395,715	781,017	1,104,673	-	1,618,523	-	6,073,724	
Contributed assets	26,500	-	-	-	-	-	-	26,500	
Equity income in NOTLEI Inc.	1,786,672	-	-	-	-	-	-	1,786,672	
Total revenues	10,428,747	3,358,290	9,704,603	12,740,795	417,059	6,058,021	1,098,582	43,806,097	
Expenses:									
Salaries and wages	4,117,738	2,317,669	2,597,575	1,468,908	155,798	2,394,235	999,781	14,051,704	
Operating materials and supplies	1,278,395	555,930	1,301,253	756,368	150,705	1,522,831	127,697	5,693,179	
Contracted services	1,599,959	240,207	2,273,857	7,100,337	953	126,474	273,426	11,615,213	
Rents and financial expenses	144,887	166	82,254	6,817	-	10,704	-	244,828	
Interfunctional transfers	(3,963,653)	519,500	1,049,510	1,530,354	42,291	634,663	187,335	-	
Amortization	330,704	730,771	1,984,563	2,317,319	31,299	1,001,891	11,220	6,407,767	
Loss on sale of tangible capital assets	61,826	-	-	-	-	-	-	61,826	
External transfers	423,664	-	-	-	103,014	900	36,278	563,856	
Debt service	23,682	36,163	40,472	7,838	-	61,161	53,377	222,693	
Total expenses	4,017,202	4,400,406	9,329,484	13,187,941	484,060	5,752,859	1,689,114	38,861,066	

Annual surplus (deficit)	\$	6,411,546	\$	(1,042,116)	\$	375,119	\$	(447,146)	\$	(67,001)	\$	305,161	\$	(590,532)	\$	4,945,031
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THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE

Notes to Consolidated Financial Statements

Year ended December 31, 2023

12. Budget data:

The audited budget data presented in these consolidated financial statements are based upon the 2023 operating and capital budgets approved by Council. The chart below reconciles the approved budget to the budget figures reported in these consolidated financial statements. Budgets established for tangible capital asset acquisitions are on a project-oriented basis, the costs of which may be carried out over one or more years. Where amounts were budgeted for on a project-oriented basis, the actual amounts for 2023 were used in order to adjust the budget numbers to reflect the same basis of accounting that was used to report the actual results. In addition, to ensure comparability of expenses, the allocation of program support costs completed for actual reporting was also applied to the budget amounts.

The chart below reconciles the approved budget figures reported on the Consolidated Statement of Operations.

	Budget Amount
Revenue:	
Operating budget as approved	\$ 43,954,962
Add:	
Development charges	240,828
Building Code Act	237,300
Recreational Land (the Planning Act)	(1,863)
Modernization Fund	24,005
Contributed tangible capital assets	671,693
Less:	
Transfers from other funds	(4,146,141)
Principal and dividends from NOTLEI	(835,405)
Total revenue	40,145,379
Expenses:	
Operating budget as approved	43,954,962
Add:	
Amortization	6,655,221
Employee future benefits	(1,197)
Capital projects resulting in operating expenses	117,981
Loss on disposal of tangible capital assets	244,817
Less:	
Transfer to reserves, including capital	(9,507,117)
Debt principal payments	(568,528)
Total expenses	40,896,139
Annual Deficit	\$ (750,760)

THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE

Notes to Consolidated Financial Statements

Year ended December 31, 2023

13. Tangible capital assets:

(a) Work in progress:

Work in progress having a value of \$5,977,619 (2022 - \$6,206,197) is not depreciated. Depreciation of these assets commence when the assets are placed in service. No interest was capitalized during the period.

(b) Contributed capital assets:

Contributed capital assets are recognized at fair market value at the date of contribution. The value of contributed assets during the year is \$671,693 (2022 - \$26,500).

(c) Tangible capital assets disclosed at nominal values:

Where an estimate of fair market value could not be made for a tangible capital asset, the asset was recognized at a nominal value. Nominal values totaling \$nil (2022 - \$nil) have been assigned to Buildings, Land, Machinery and Equipment, Land Improvements, and Linear Asset categories.

(d) Works of art and historical treasures:

No works of art or historical treasures are held by the Town.

THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE

Notes to Consolidated Financial Statements

Year ended December 31, 2023

13. Tangible capital assets (continued):

2023 General	Opening NBV (restated)	Opening Cost (restated)	Additions	Disposals	Closing Balance	Opening Accumulated Amortization (restated)	Amortization	Deletions	Closing Accumulated Amortization	Total
Land	\$ 7,220,133	\$ 7,220,133	\$ 12,800	\$ -	\$ 7,232,933	\$ -	\$ -	\$ -	\$ -	\$ 7,232,933
Land improvements	5,486,748	8,571,508	778,345	19,226	9,330,626	3,084,760	301,371	11,535	3,374,595	5,956,030
Buildings and fixtures	18,433,418	32,936,513	102,492	2,891	33,036,115	14,503,097	858,504	678	15,360,923	17,675,192
Machinery and equipment	5,506,598	10,124,485	709,667	70,200	10,763,952	4,617,887	521,381	34,722	5,103,610	5,660,342
Vehicles	7,254,444	12,933,368	901,490	76,654	13,758,204	5,678,923	750,195	75,670	6,352,464	7,405,739
Information technology	515,419	2,016,173	223,973	150,518	2,089,629	1,500,754	164,066	150,104	1,513,302	575,327
Exterior lighting	2,623,644	4,471,082	285,081	35,058	4,721,105	1,847,438	212,092	35,058	2,024,472	2,696,633
Subtotal: General assets	47,040,404	78,273,263	3,013,848	354,546	80,932,563	31,232,859	2,807,609	307,767	33,730,365	47,202,197
Infrastructure										
Linear assets	143,728,631	211,547,310	6,136,957	334,949	217,349,318	67,818,679	3,655,797	98,760	71,375,716	145,973,602
Street lighting	2,435,694	3,720,371	-	4,533	3,715,838	1,284,677	104,527	113	1,389,091	2,326,747
Other	2,570,270	4,265,282	-	-	4,265,282	1,695,010	87,287	-	1,782,297	2,482,985
Subtotal: Infrastructure assets	148,734,595	219,532,963	6,136,957	339,482	225,330,438	70,798,366	3,847,612	98,874	74,547,104	150,783,334
Work in progress										
Opening balance	6,206,197	6,206,197	8,922,227	-	15,128,424	-	-	-	-	15,128,424
Internally transferred	-	-	(9,150,805)	-	(9,150,805)	-	-	-	-	(9,150,805)
Subtotal: Work in progress	6,206,197	6,206,197	(228,578)	-	5,977,619	-	-	-	-	5,977,619
Grand total as at December 31, 2023	\$ 201,981,196	\$ 304,012,422	\$ 8,922,226	\$ 694,028	\$312,240,620	\$ 102,031,226	\$ 6,655,221	\$ 406,641	\$108,277,469	\$203,963,150

THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE

Notes to Consolidated Financial Statements

Year ended December 31, 2023

13. Tangible capital assets (continued):

2022 General	Opening NBV	Opening Cost	Additions	Disposals	Closing Balance	Opening Accumulated Amortization	Amortization	Deletions	Closing Accumulated Amortization	Net Adjustment for ARO recognition	Total
Land	\$ 6,845,841	\$ 6,845,841	\$ 374,292	\$ -	\$ 7,220,133	\$ -	\$ -	\$ -	\$ -	-	\$ 7,220,133
Land improvements	5,004,324	7,851,209	767,534	47,235	8,571,508	2,846,885	274,530	36,655	3,084,760	-	5,486,748
Buildings and fixtures	18,542,249	31,286,107	260,320	-	31,546,427	12,743,858	843,498	-	13,587,356	474,346	18,433,418
Machinery and equipment	5,468,929	9,595,890	529,395	799	10,124,486	4,126,961	491,534	608	4,617,887	-	5,506,598
Vehicles	6,814,486	11,834,226	1,171,185	72,043	12,933,368	5,019,740	731,227	72,043	5,678,924	-	7,254,444
Information technology	373,171	1,847,107	300,320	131,254	2,016,173	1,473,936	152,950	126,133	1,500,754	-	515,419
Exterior lighting	1,969,947	3,666,716	836,553	32,186	4,471,083	1,696,769	182,856	32,186	1,847,439	-	2,623,644
Subtotal: General assets	45,018,947	72,927,096	4,239,599	283,517	76,883,178	27,908,149	2,676,595	267,625	30,317,120	474,346	47,040,404
Infrastructure											
Linear assets	140,818,101	205,289,307	6,518,944	260,941	211,547,310	64,471,206	3,541,337	193,864	67,818,679	-	143,728,631
Street lighting	2,407,673	3,589,169	131,202	-	3,720,371	1,181,496	103,181	-	1,284,677	-	2,435,694
Other	2,612,576	4,220,932	44,348	-	4,265,280	1,608,356	86,654	-	1,695,010	-	2,570,270
Subtotal: Infrastructure assets	145,838,350	213,099,408	6,694,494	260,941	219,532,961	67,261,058	3,731,172	193,864	70,798,366	-	148,734,595
Work in progress											
Opening balance	8,868,407	8,868,407	8,271,883	-	17,140,290	-	-	-	-	-	17,140,290
Internally transferred	-	-	(10,934,093)	-	(10,934,093)	-	-	-	-	-	(10,934,093)
Subtotal: Work in progress	8,868,407	8,868,407	(2,662,210)	-	6,206,197	-	-	-	-	-	6,206,197
Grand total as at December 31, 2022	\$199,725,704	\$294,894,911	\$ 8,271,883	\$ 544,458	\$302,622,336	\$ 95,169,207	\$ 6,407,767	\$ 461,489	\$101,115,486	474,346	\$201,981,196

THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE

Notes to Consolidated Financial Statements

Year ended December 31, 2023

14. Asset Retirement Obligation (ARO):

The Town's Asset retirement obligation consists of asbestos obligations as follows:

The Entity owns and operates several buildings that are either known to have or possibly have asbestos, which represents a health hazard upon demolition of the building and encompasses a legal obligation to remove it. Following the adoption of PS3280 – Asset retirement obligations, the Entity recognized an obligation relating to the removal and post-removal care of the asbestos in these building as estimated at January 1, 2022. The Town used a financial model that includes inputs such as structure type, square footage, and year builds, in conjunction with specific rates to be applied in the calculation of related ARO's for each facility based on this criteria. The buildings had an estimated useful life of 50 years when they were purchased, with various number of years remaining depending on this date. The total sum of ARO's for each building have resulted in an increase in Buildings capital assets and the restatement of prior year numbers. The ARO schedule is as follows:

Asset Retirement Obligation (Asbestos Removal)	Balance at December 31, 2023	Balance at December 31, 2022
Opening Balance	1,390,086	-
Adjustment on adoption of the ARO standard (Note 1)	-	1,390,086
Adjustments to ARO - increase/(decrease)	-	-
Closing Balance	1,390,086	1,390,086

THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE

Notes to Consolidated Financial Statements

Year ended December 31, 2023

15. Government transfers:

Government transfers do not include payments in lieu of taxes received from Federal and Provincial governments. These amounts are included with taxation revenue on the Consolidated Statement of Operations:

	Budget	2023	2022
Operating transfers:			
Federal	\$ 8,000	\$ 90,597	\$ 288,651
Provincial	436,193	551,473	1,912,991
Upper-Tier/Other Municipalities	96,900	438,144	169,119
	<u>541,093</u>	<u>1,080,214</u>	<u>2,370,761</u>
Capital transfers:			
Federal	579,510	1,740,584	21,257
Provincial	1,416,961	1,726,691	1,481,851
	<u>1,996,471</u>	<u>3,467,275</u>	<u>1,503,108</u>
Total transfers	<u>\$ 2,537,564</u>	<u>\$ 4,547,489</u>	<u>\$ 3,873,869</u>

Government transfers paid are included in the Consolidated Statement of Operations and are summarized in Note 11 - Segmented Information under External Transfers.

16. Trust funds:

Trust funds administered by the Town amounting to \$1,308,985 (2022 - \$1,246,213) have not been included in these Consolidated financial statements.

THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE

Schedule of Library Fund Activities (Unaudited)

Year ended December 31, 2023, with comparative information for 2022

	Budget	2023	2022
Revenues:			
Development charges	\$ 16,380	\$ 16,851	\$ 15,329
Municipal grant	822,746	822,746	786,279
Donations	7,000	13,119	5,705
Federal Grants	-	-	68,680
Provincial grants	35,276	35,476	35,476
Miscellaneous	15,100	19,478	14,963
Other grants	8,000	9,362	27,147
	<u>904,502</u>	<u>917,032</u>	<u>953,579</u>
Expenditures:			
Amortization	135,509	135,509	124,487
Building maintenance	7,000	9,753	7,029
Contracted Services	5,210	5,208	4,677
Insurance	7,672	7,672	6,846
Licensing and computer support	24,981	22,666	25,012
Memberships	1,940	2,488	1,644
General library expenses	27,450	30,298	28,775
Office supplies	30,535	42,545	48,956
Professional development	6,000	4,812	512
Professional fees	1,500	169	486
Program expenditures	5,150	6,162	3,802
Public relations	1,750	2,120	1,899
Rent	60,000	60,000	60,000
Telephone	5,000	5,936	3,232
Wage and benefits	687,926	706,328	654,368
Workshops	3,000	2,643	2,436
	<u>1,070,623</u>	<u>1,104,310</u>	<u>974,161</u>
Annual deficit	(166,121)	(187,278)	(20,582)
Add: Amortization of tangible capital assets	-	135,509	124,487
Less: Acquisition of tangible capital assets	-	(38,453)	(182,510)
Transfers to/(from) reserve fund	29,388	8,231	103,905
Adjusted annual (deficit) surplus	\$ (136,733)	\$ (81,991)	\$ 25,300



The Corporation of the Town of Niagara- on-the-Lake

Audit Findings Report
for the year ended
December 31, 2023



Prepared as of July 24, 2024 presentation to council on July 30, 2024

kpmg.ca/audit



KPMG contacts

Key contacts in connection with this engagement



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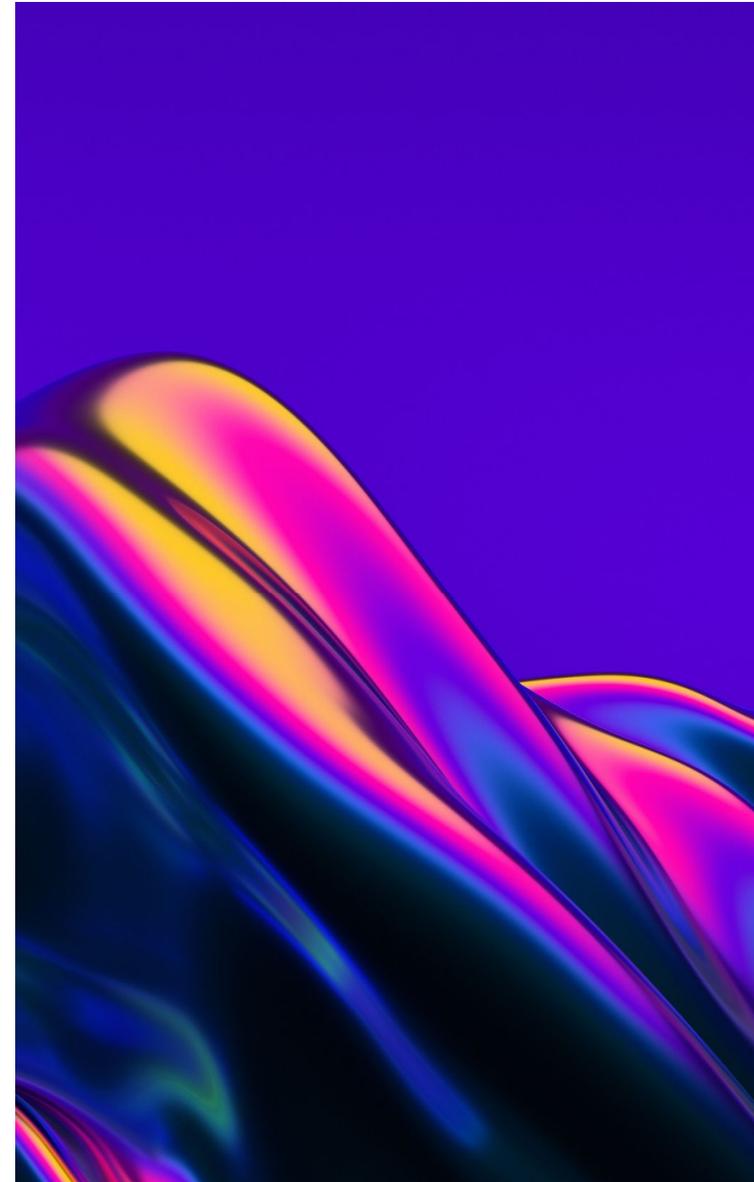


Table of contents

Digital use information

This Audit Findings Report is also available as a “hyper-linked” PDF document.

If you are reading in electronic form (e.g. In “Adobe Reader” or “Board Books”), clicking on the home symbol on the top right corner will bring you back to this slide.



Click on any item in the table of contents to navigate to that section.

4	Highlights	6	Status	7	Risks and results	17	Misstatements
19	Control deficiencies	20	Policies and practices	22	Specific topics	23	Independence
24	Appendices						

The purpose of this report is to assist you, as a member of Council, in your review of the results of our audit of the financial statements. This report is intended solely for the information and use of Management and Council and should not be used for any other purpose or any other party. KPMG shall have no responsibility or liability for loss or damages or claims, if any, to or by any third party as this report has not been prepared for, and is not intended for, and should not be used by, any third party or for any other purpose.





Audit highlights

No matters to report

Matters to report – see link for details

Status

We have completed the audit of the consolidated financial statements (“financial statements”), with the exception of certain remaining outstanding procedures, which are highlighted on the ‘Status’ slide of this report.

Significant changes

Significant changes since our audit plan

Risks and results

Significant risks

- Management Override of Controls
- Fraud risk from revenue recognition

Other risks of material misstatement

Uncorrected misstatements

Uncorrected misstatements

Corrected misstatements

Corrected misstatements

Control deficiencies

Significant deficiencies

Policies and practices & Specific topics

Significant unusual transactions

Accounting policies and practices

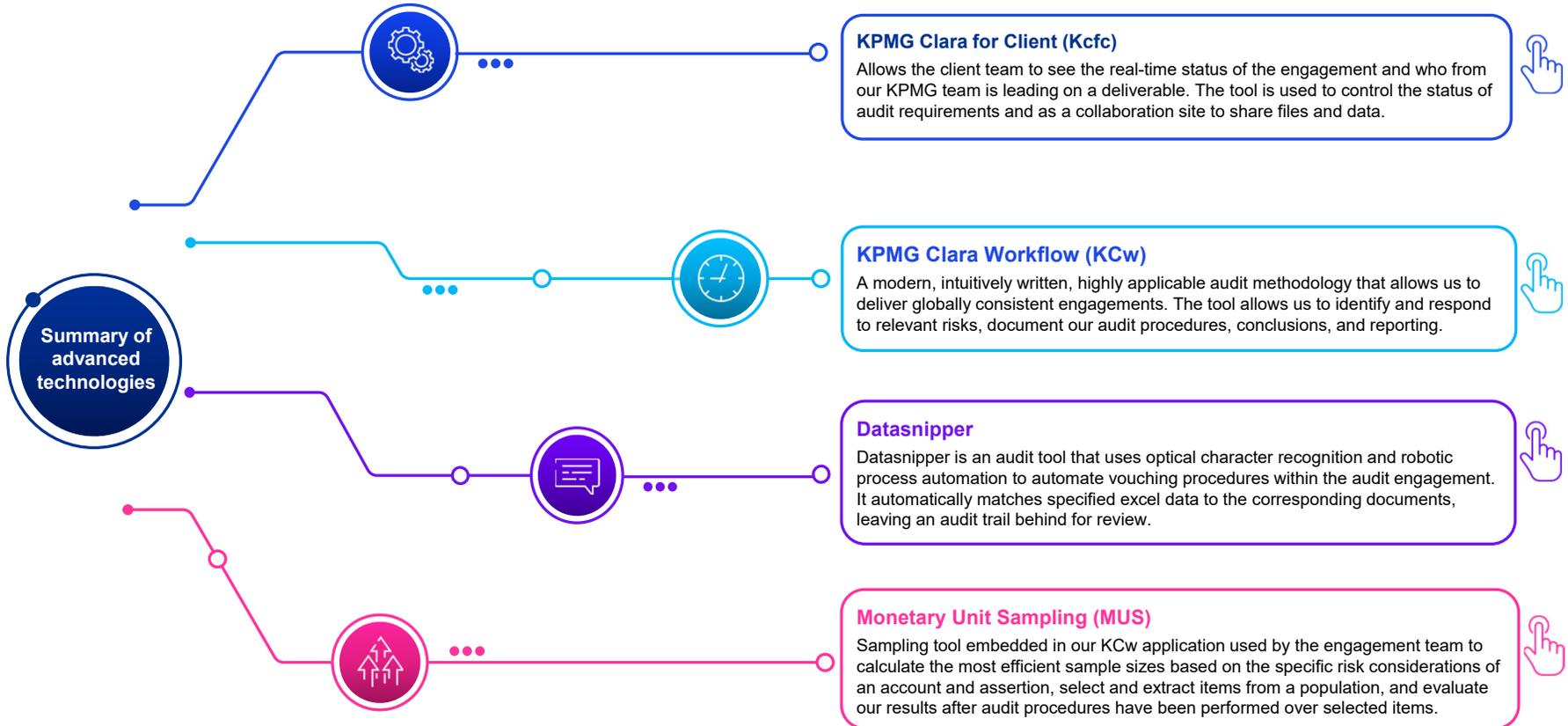
Other financial reporting matters

Specific topics



Technology highlights

As previously communicated in our audit planning report, we have utilized technology to enhance the quality and effectiveness of the audit.



KPMG's software audit tools are intended to be used as internal enablement tools in conjunction with the performance of audit services. Information resulting from use of software audit tools may not be used as a basis for management's conclusions as to the fairness of presentation of its financial statements or form a part of the internal control.



Status

As of the date of this presentation we have completed the audit of the consolidated financial statements, with the exception of certain remaining procedures, which include amongst others:

- Completion of final audit procedures, legal updates and final signoffs of the audit team
- Completing our discussions with you and obtaining evidence of Council's approval of the financial statements
- Obtaining the signed management representation letter from management following those discussions.

We will update Council on significant matters, if any, arising from the completion of the audit, including the completion of the above procedures.

Our auditor's report, a draft of which is provided in Appendix: Draft Auditor's Report, will be dated upon the completion of any remaining procedures.



Significant risks and results

We highlight our significant findings in respect of **significant risk**.



Fraud risk arising from management override of control

RISK OF



FRAUD

Significant risk

Estimate?

Consistent with the audit plan presented to you, and all audits performed under Canadian Auditing Standards, the risk of fraud arising from management's ability to override controls is a presumption which cannot be rebutted. This risk is present by default in all audits due to management's access to the financial reporting process and ability to override controls that other financial reporting staff may not be able to due to this high level of access and their role in the control process.

No

Our response

- As disclosed in our audit plan, this is a presumed fraud risk present in all audits performed under Canadian Auditing Standards. This risk is non-rebuttable and must be addressed in each audit we perform.
- Our audit approach incorporates a degree of randomness, an aspect that we integrate into our audits to further address the assumed risk of fraud. We have conducted detailed examination of selected accounts on a random basis, option for accounts that have not been previously examined. By introducing this randomness, we disregard the monetary value of the accounts, thereby limiting management's capacity to anticipate which accounts will be evaluated during the audit.
- To address this risk and satisfy our professional requirements and standards, we have incorporated the following into our audit:
 - Retrospective review of material estimates which involve management's judgement or estimation
 - Testing of the entire population of journal entries, and specific item testing over those which are deemed to fit certain higher-risk criteria based on the Town's profile

Significant findings

We noted no issues with regards to management override of controls during the performed of all of the procedures noted above and based on the results o other audit procedures. Consequently, we have no issues to report on this subject



Significant risks



Management override of controls (non-rebuttable significant risk of material misstatement)
(continued)

RISK OF



FRAUD

Inquiries required by professional standards

Presumption
of the risk of fraud
resulting from
management
override of controls

Professional standards require that we obtain your view on the risk of fraud. We make similar inquiries to management as part of our planning process:

- How do you oversee fraud risk assessments and the establishment of controls to address fraud risks?
- What are your views about fraud risks at the Town?
- Are you aware of, or have you identified any instances of actual, suspected, possible, or alleged non-compliance of laws and regulations or fraud, including misconduct or unethical behavior related to financial reporting or misappropriation of assets? If so, have the instances been appropriately addressed and how have they been addressed?
- Are you aware of or have you received tips or complaints regarding the Town's financial reporting (including those received through the internal whistleblower program, if such program exists) and, if so, what was your response to such tips and complaints?
- What is Council's understanding of the Town's relationships and transactions with related parties that are significant to the Town?
- Does any member of Council have concerns regarding relationships or transactions with related parties and, if so, what are the substance of those concerns?
- Has the Town entered into any significant unusual transactions?

Please provide your response to the above questions to Carlos Alvarez, Engagement Partner either by phone at 905-523-2238 or e-mail at carlosalvarez@kpmg.ca.



Significant risks and results

We highlight our significant findings in respect of **significant risk**.



Presumption of risk of fraud involving improper revenue recognition

RISK OF



FRAUD

Significant risk

Estimate?

The assumed risk of fraud, specifically concerning improper revenue recognition, is a rebuttable risk that must be evaluated in every audit. In lien with our predetermined strategy, we have rebutted the assumption of a substantial fraud risk associated with revenue recognition. This conclusion is drawn from the characteristics of the Entity and its main sources of revenue, most of which are derived from third parties. These can be verified with funders and matches to underlying agreements.

No

Relevant inherent risk factors affecting our risk assessment

- Fraud risk arising from improper revenue recognition is a presumed risk that must be considered in the planning and risk assessment phase of all audits performed under our professional standards in Canada. Due to the nature of the Town and the fact that a significant portion of its revenue relates to the annual tax levy, we have not identified any specific risks beyond those which are presumed.
- As disclosed in our audit plan, we have rebutted this presumption as we have not identified any specific risk factors and note that the majority of the Town's revenues are supported by third party or independent supporting evidence and do not involve significant complexity.
- Despite the rebuttal of this risk, we have conducted tests on all significant revenue accounts as part of our audit procedures. This is to ensure that we have gathered sufficient audit evidence concerning the assertions pertinent to revenue and associated accounts.

Significant findings

- During the execution of all the aforementioned procedures, we did not identify any concerns pertaining to revenue recognition. Consequently, there are no reportable findings.



Other risks of material misstatement and results

We highlight our significant findings in respect of **other risks of material misstatement**.

Government grants and development charges, including related deferrals	
Other risk of material misstatement	Estimate?
Risk of material misstatement related to the completeness, existence and accuracy of grant and development charge revenue.	No
Our response	
<ul style="list-style-type: none"> We performed substantive testing over the recognition of all significant government transfers and other similar inflows received from third parties. We obtained the grant revenue listing and the deferred revenue continuity schedule and selected samples for testing to determine if the selected amounts had been recognized in the current year in accordance with the appropriate legislation or agreements that the revenues pertain to. Additionally, we also performed procedures over grant related expenses to validate whether expenses applicable to the selected grants were incurred in the period and that funding related to grants was received in the period. We noted no misstatements based on our work performed. 	



Other risks of material misstatement and results

We highlight our significant findings in respect of **other risks of material misstatement**.



Operating Expenditures, including Payroll

Other risk of material misstatement

Estimate?

Risk of material misstatement related to the completeness, existence and accuracy of expenditures.

Yes

Our response

- We performed substantive sampling of operating expenditures, vouching to third party supporting documentation.
- A search for unrecorded liabilities was performed to ensure all 2023 expenses and accruals have been properly recorded.
- Additionally, we performed substantive procedures over payroll expenses and payroll accruals.
- We noted no misstatements based on our work performed.



Other risks of material misstatement and results

We highlight our significant findings in respect of **other risks of material misstatement**.

Tangible capital assets	
Other risk of material misstatement	Estimate?
Risk of material misstatement related to the completeness, existence and accuracy of tangible capital assets and related amortization expense. Potential risk with respect to valuation of certain assets should indicators of impairment be present.	Yes
Our response	
<ul style="list-style-type: none"> Consistent with our audit plan, and as expected for any municipality or equivalent government entity, tangible capital assets are a material balance within the statement of financial position and requires audit focus. Our audit approach involved the following substantive procedures: <ul style="list-style-type: none"> Trend analysis of annual amortization expenses. Roll forward of the tangible capital asset continuity schedule, including tie-out to the general ledger and financial statements Substantive sampling of material additions to tangible capital assets, vouching to third party supporting documentation to ensure items are capital in nature Substantive sampling of changes to work-in-progress assets, including contributed capital, vouching to evidence of costs incurred to date, Assessment of management's evaluation of indicators of impairment We noted no misstatements based on our work performed. 	



Other risks of material misstatement and results

We highlight our significant findings in respect of **other risks of material misstatement**.



Post Employment Benefit Obligation

Other risk of material misstatement

Estimate?

Post employment liabilities involves the use of an actuary, assumptions and calculations which is an area that we perform procedures on.

Yes

Our response

- We obtained most recent actuarial valuation and reviewed valuation to gain an understanding of assumptions and data used by management's expert
- We tested assumptions to ensure that assumptions used were appropriate
- We reviewed financial statement disclosures to ensure disclosures are adequate.
- We noted no misstatements based on our work performed.



Other risks of material misstatement and results

We highlight our significant findings in respect of **other risks of material misstatement**.



Implementation of new PS 3280 – Asset Retirement Obligations

Other risk of material misstatement

Estimate?

As this is a new standard, there is risk of error on its implementation in the initial year. Based on the method of adoption chosen by the Town, there may be additional risk with respect to required financial statement presentation and disclosure. Yes

Our response

- We performed substantive testing to ensure that a list of fixed assets used for the estimate is complete.
- We inquired of management to gain an understanding of process to ensure alignment with objectives and requirements of new standard.
- Obtained relevant support to test data used by management in calculation.
- We performed benchmarking and analysis of key inputs and audited the mathematical integrity of any material calculations
- We reviewed financial statements presentation and disclosure of the adjustments required to implement the standard
- We noted no misstatements based on our work performed.



Other risks of material misstatement and results

We highlight our significant findings in respect of **other risks of material misstatement**.



Implementation of new PS 3450 – Financial Instruments

Other risk of material misstatement

Estimate?

As this is a new standard, there is risk of error on its implementation in the initial year.

No

Our response

- We reviewed managements policy and investments to determine if any investments met criteria for standard
- We reviewed disclosure within the financial statements
- We noted no misstatements based on our work performed.



Other risks of material misstatement and results

We highlight our significant findings in respect of **other risks of material misstatement**.



Long term investments

Other risk of material misstatement

Estimate?

Investment in NOTL Energy Inc. is significant given the size of and nature of the investment held.

No

Our response

- We obtained related party balances and reconciled the amounts recorded to the NOTL Energy audited financial statements for the year ended December 31, 2023.
 - We tested management's calculation of the equity income
 - Audited the disclosures for accuracy
-
- We noted no misstatements based on our work performed.



Uncorrected misstatements

Uncorrected misstatements include financial presentation and disclosure omissions.



Impact of uncorrected misstatements – Not material to the financial statements

- No uncorrected misstatements identified as part of testing.



Corrected misstatements

Corrected misstatements include financial presentation and disclosure misstatements.



Impact of corrected misstatements

- No corrected misstatements noted as part of audit process



Control deficiencies

Consideration of internal control over financial reporting (ICFR)

In planning and performing our audit, we considered ICFR relevant to the Entity's preparation of the financial statements in order to design audit procedures that are appropriate in the circumstances for the purpose of expressing an opinion on the financial statements, but not for the purpose of expressing an opinion on ICFR.

Our understanding of internal control over financial reporting was for the limited purpose described above and was not designed to identify all control deficiencies that might be significant deficiencies. The matters being reported are limited to those deficiencies that we have identified during the audit that we have concluded are of sufficient importance to merit being reported to those charged with governance.

Our awareness of control deficiencies varies with each audit and is influenced by the nature, timing, and extent of audit procedures performed, as well as other factors. Had we performed more extensive procedures on internal control over financial reporting, we might have identified more significant deficiencies to be reported or concluded that some of the reported significant deficiencies need not, in fact, have been reported.

A deficiency in internal control over financial reporting

A deficiency exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect misstatements on a timely basis. A deficiency in design exists when (a) a control necessary to meet the control objective is missing or (b) an existing control is not properly designed so that, even if the control operates as designed, the control objective would not be met. A deficiency in operation exists when a properly designed control does not operate as designed, or when the person performing the control does not possess the necessary authority or competence to perform the control effectively.

Significant deficiencies in internal control over financial reporting

A deficiency, or a combination of deficiencies, in internal control over financial reporting that, in our judgment, is important enough to merit the attention of those charged with governance.



Accounting policies and practices



Initial selection

The following new significant accounting policies and practices were selected and applied during the period.

- Asset Retirement obligations – PS 3280
- Financial Instruments – PS 3450



Revised

Other than initial selection items note above, no revised accounting policies noted.



Significant qualitative aspects

Other than initial selection items note above, no revised accounting policies noted.



Other financial reporting matters

We also highlight the following:



Financial statement presentation - form, arrangement, and content



No matters to report.



Concerns regarding application of new accounting pronouncements



As mentioned on slide 15, the change to PSAS 3280 – Asset Retirement Obligations and PSAS 3450 – Financial Instruments are effective for the Town's fiscal year-ending December 31, 2023.



Significant qualitative aspects of financial statement presentation and disclosure



No matters to report.



Specific topics

We have highlighted the following that we would like to bring to your attention:

Matter	Finding
Illegal acts, including noncompliance with laws and regulations, or fraud	No matters to report
Related parties	No matters to report



Independence

As a firm, we are committed to being and being seen to be independent. We have strict rules and protocols to maintain our independence that meet or exceed those of the IESBA Code¹ and CPA Code. The following are the actions or safeguards applied to reduce or eliminate threats to an acceptable level:



Dedicated ethics & independence partners



Process for reporting breaches of professional standards and policy, and documented disciplinary policy



Ethics, independence and integrity training for all staff



International proprietary system used to evaluate and document threats to independence and those arising from conflicts of interest



Operating policies, procedures and guidance contained in our quality & risk management manual



Mandated procedures for evaluating independence of prospective audit clients



Restricted investments and relationships



Annual ethics and independence confirmation for staff

Statement of compliance

We confirm that, as of the date of this communication, **we are independent** of the Entity in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada.

¹International Ethics Standards Board for Accountants' International Code of Ethics for Professional Accountants (including International Independence Standards)

Appendices



Required communications



Audit quality



New auditing standards



Insights



Environmental, social and governance (ESG)



Technology





Appendix: Required inquiries with those charged with governance

Required Inquiries:

As we complete the audit, we are required to make the following inquiries of Council:

- 1) Are you aware of any instances of fraud or misappropriation which have occurred from January 1, 2023 to the current date?
- 2) Are you aware of any significant legal or regulatory matters which we should be aware of that legal counsel may not have communicated to us?
- 3) Are you aware of any material subsequent events that you expect to be included in the draft financial statements?
- 4) Are you aware of any material related party transactions that are not currently disclosed in the draft financial statements?

Independence:

The International Ethics Standards Board for Accountants (IESBA) is an independent standard-setting board that develops, in the public interest, independence and ethics standards for professional accountants. IESBA has issued revisions to the non-assurance services (NAS) provisions of the IESBA Code of Ethics for Professional Accountants.

We confirm that we remain independent of the entity and have not provided any services which would infringe on our independence as third-party auditors.



Appendix: Draft auditor's report

Audit report has been provided as part of draft financial statements.



Appendix: Other required communications



Engagement terms

A copy of the engagement letter is available to council.



CPAB communication protocol

The reports available through the following links were published by the Canadian Public Accountability Board to inform Audit Committees and other stakeholders about the results of quality inspections conducted over the past year:

- [CPAB Audit Quality Insights Report: 2021 Annual Inspections Results](#)
- [CPAB Audit Quality Insights Report: 2022 Interim Inspections Results](#)
- [CPAB Audit Quality Insights Report: 2022 Annual Inspections Results](#)
- [CPAB Audit Quality Insights Report: 2023 Interim Inspections Results](#)



Appendix: Management representation letter(s)

Management representation letter has been provided directly to management



Appendix: Audit quality - How do we deliver audit quality?

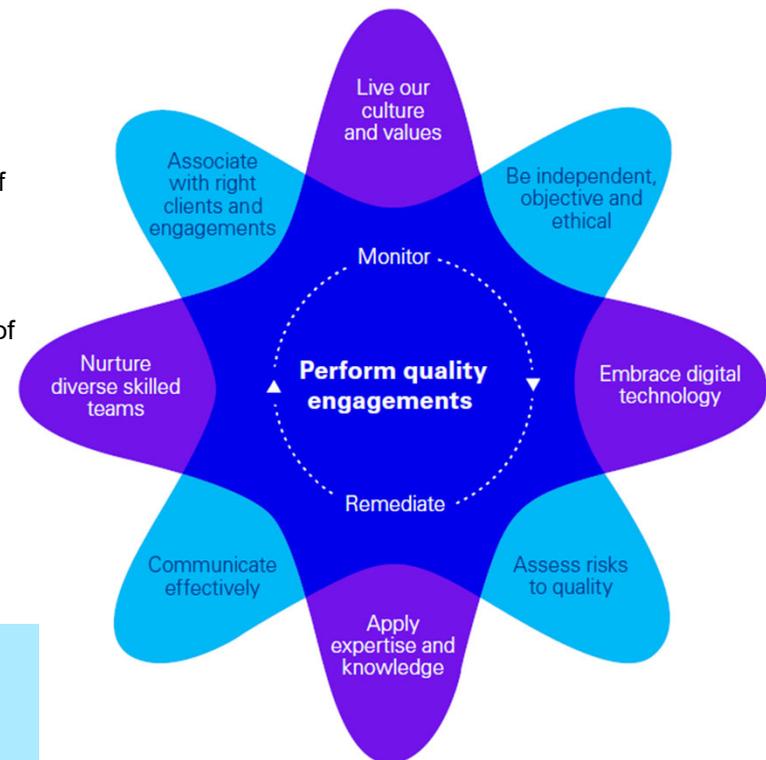
Quality essentially means doing the right thing and remains our highest priority. Our Global Quality Framework outlines how we deliver quality and how every partner and staff member contributes to its delivery.

The drivers outlined in the framework are the ten components of the KPMG System of Quality Management (SoQM). Aligned with ISQM 1/CSQM 1, our SoQM components also meet the requirements of the International Code of Ethics for Professional Accountants (including International Independence Standards) issued by the International Ethics Standards Board for Accountants (IESBA) and the relevant rules of professional conduct / code of ethics applicable to the practice of public accounting in Canada, which apply to professional services firms that perform audits of financial statements. Our Transparency Report includes our firm's Statement on the Effectiveness of our SoQM.

 [KPMG 2023 Audit Quality and Transparency Report](#)

We define 'audit quality' as being the outcome when:

- audits are **executed consistently**, in line with the requirements and intent of **applicable professional standards** within a strong **system of quality management**; and
- all of our related activities are undertaken in an environment of the utmost level of **objectivity, independence, ethics and integrity**.



Doing the right thing. Always.



Appendix: Newly effective and upcoming changes to auditing standards

For more information on newly effective and upcoming changes to auditing standards – see Current Developments 

Effective for periods beginning on or after December 15, 2022

ISA/CAS 220

 (Revised) Quality management for an audit of financial statements

ISQM1/CSQM1

 Quality management for firms that perform audits or reviews of financial statements or other assurance or related services engagements

ISQM2/CSQM2

 Engagement quality reviews

Effective for periods beginning on or after December 15, 2023

ISA 600/CAS 600

 Revised special considerations – Audits of group financial statements



Appendix: Audit and assurance insights

Our latest thinking on the issues that matter most to Council and management.

[KPMG Audit & Assurance Insights](#)

Curated research and insights for audit committees and boards.

[Board Leadership Centre](#)

Leading insights to help board members maximize boardroom opportunities

[Current Developments](#)

Series of quarterly publications for Canadian businesses including Spotlight on IFRS, Canadian Securities & Auditing Matters and US Outlook reports.

[Audit Committee Guide – Canadian Edition](#)

A practical guide providing insight into current challenges and leading practices shaping audit committee effectiveness in Canada.

[Accelerate 2023](#)

The key issues driving the audit committee agenda in 2023.

[Momentum](#)

A quarterly newsletter with the latest thought-leadership from KPMG's subject matter leaders across Canada and valuable audit resources for clients.

[KPMG Climate Change Financial Reporting Resource Centre](#)

Our climate change resource center provides insights to help you identify the potential financial statement impacts to your business.

[IFRS Breaking News](#)

A monthly Canadian newsletter that provides the latest insights on international financial reporting standards and IASB activities.



Appendix: ESG - Global regulatory reporting standards

	ISSB ¹ and CSSB	Canadian regulators (CSA)	US (SEC ^{2,3} and California ⁴)	EU ^{5,6}
Recent Activity	<ul style="list-style-type: none"> On March 13, 2024 the Canadian Sustainability Standards Board (CSSB) released proposals on its first two Canadian Sustainability Disclosure Standards (CSDS): Exposure Draft CSDS 1 (proposed general requirements standard) and Exposure Draft CSDS 2 (proposed climate standard). The proposed standards are aligned with the global baseline disclosure standards IFRS S1 and IFRS S2 with the exception of a Canadian-specific effective date for annual reporting periods beginning on or after January 1, 2025 and incremental transition relief. In June 2023, the International Sustainability Standards Board (ISSB) issued its first two IFRS Sustainability Disclosure Standards – IFRS S1 (general requirements standard) and IFRS S2 (climate standard). The ISSB standards are effective for annual periods beginning on or after January 1, 2024 – subject to local jurisdiction adoption. 	<ul style="list-style-type: none"> In parallel with the CSSB's release of its proposals on March 13, 2024, the Canadian Securities Administrators (CSA) issued a statement noting that they will seek consultation on a revised climate-related disclosure rule following the finalization of CSDS 1 and 2. In October 2021, the CSA issued their original proposed rule, proposed National Instrument 51-107 <i>Disclosure of Climate-related Matters</i>. Bill S-211, Canada's new Act on fighting against forced labor and child labour will take effect on January 1, 2024. Canadian and foreign businesses impacted by the Act will be required to file a report on their efforts to prevent and reduce the risk of forced labour and child labour in their supply chain, by May 31st of each year. 	<ul style="list-style-type: none"> The SEC's final climate rule was issued on March 6, 2024. The final rule will generally apply to all SEC registrants; <i>including</i> foreign private issuers (Form 20-F filers); <i>excluding</i> Canadian issuers reporting under the Multijurisdictional Disclosure System (Form 40-F filers) and asset-backed issuers. The earliest compliance date is the fiscal year beginning in Calendar year 2025 for large accelerated filers. The SEC also issued its final rules on cybersecurity in July 2023 and expects to release proposed disclosure rules on human capital management in spring 2024 and corporate board diversity in fall 2024. On October 7, 2023, the California Governor signed two climate disclosure laws that will shape climate disclosure practices beyond the state's borders. The laws will apply to US businesses (including US subsidiaries of non-US companies) that meet specified revenue thresholds and do business in California. The Governor also signed the California voluntary carbon market disclosures bill. 	<ul style="list-style-type: none"> The European Financial Reporting Advisory Group (EFRAG) was mandated to develop European Sustainability Reporting Standards (ESRSs) setting out the detailed disclosure requirements under the Corporate Sustainability Reporting Directive (CSRD). On July 31, 2023, the European Commission published the final text of its first set of twelve ESRSs as delegated acts The ESRSs will become effective as early as 2024 reporting periods for some companies. There are potentially considerable ESG reporting implications for Canadian entities – as most EU-listed companies and large subsidiaries of Canadian companies with significant operations in the EU are in scope. Non-EU parent entities with substantial activity in the EU may also be in scope, with separate standards to be developed for these entities, with an effective date of 2028 reporting periods <ol style="list-style-type: none"> 1. Refer to our ISSB Resource Centre for resources on implementing the IFRS Sustainability Disclosure Standards 2. Refer to our Defining Issues publication for more information on the SEC's final climate rule 3. Refer to our Defining Issues publication for more information on the SEC's cybersecurity rules 4. Refer to our publication on California's introduction of climate disclosures and assurance requirements 5. Refer to our ESRS Resource Centre for resources on implementing the ESRSs 6. Refer to our publication on the impact of EU ESG reporting on non-EU companies



Appendix: Continuous evolution

Our investment: \$5B

We are in the midst of a five-year investment to develop our people, digital capabilities, and advanced technology.

Responsive delivery model

Tailored to you to drive impactful outcomes around the quality and effectiveness of our audits.

Result: A better experience

Enhanced quality, reduced disruption, increased focus on areas of higher risk, and deeper insights into your business.





Cyber Risk

Strategy and Governance

Developing a future-ready cyber strategy tailored to business risk and enabling organizations to leverage data securely.



Assessment & Certification

- Cyber Maturity Assessment
- Business Continuity
- Framework Gap Assessment
- ISO 27001 Certification

Understanding and Managing Risk

- ✓ Demonstrating security strengths to clients
- ✓ Quantifying cyber risk across an organization
- ✓ Helping clients prepare and achieve certification
- ✓ Reducing organizations privacy risk

Transformation

Creating frictionless security experiences, with intelligent decision making about who can access which information assets, when, and in what context.



Implementation & Assistance

- Cloud Security
- Logging, Monitoring and Analytics
- Identity and Access Management
- Security Program Delivery

Delivering Expertise for Transformation

- ✓ End-to-end approach including pre-implementation to post-implementation
- ✓ Bringing right sized solutions to match client needs
- ✓ Streamlining data protection responsibilities

Cyber Defense

Enabling organizations to predict, prevent, detect and respond to security incidents while increasing efficiency of security tool orchestration



Strengthening Security Posture

- Penetration Testing
- Application Security
- Security Analytics
- Technical Assessments

Specialist Testing and Analytics

- ✓ Helping clients reflect on their internal threats
- ✓ Identifying the technical weaknesses
- ✓ Holistic and independent assessment
- ✓ Bringing the mindset of potential attackers

Cyber Response

Developing and simulating cyber incidents and assisting organizations detect and respond to cyber breaches, by providing immediate response services



Security Response Testing & Support

- Table Top Exercises
- Incident Response
- Post-Breach Services

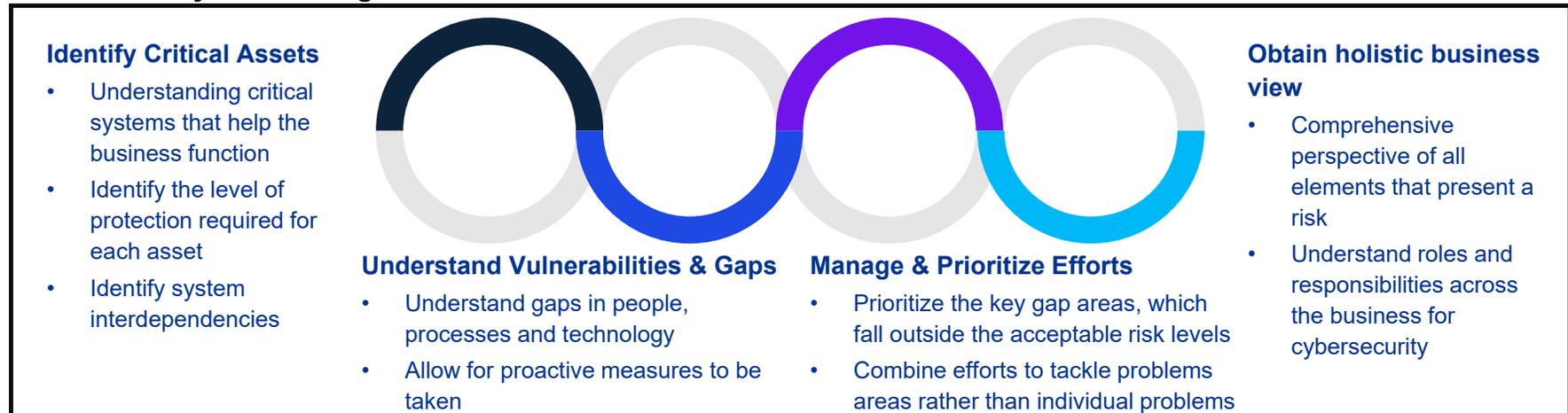
Planning, Testing, Responding

- ✓ Helping clients with management of incidents
- ✓ Designing custom cyber incident simulations
- ✓ Business-focused response services



Understand Current State

What should you be doing:



How a KPMG Cyber Maturity Diagnostic (CMD) can help:

KPMG's cyber maturity diagnostic includes a critical digital asset assessment which will identify critical digital assets of the organization, which includes systems and data repositories. Additionally it will develop a high-level threat profile that focuses on threat actors, their capability, level of interest and result to the threat profile of the organization.

The CMD will leverage the framework of your choice to assess the current state of cyber security capabilities, involving a review of existing documentation and interviews with key stakeholders to identify gaps and areas for improvement.

Once the assessment is complete, KPMG will produce a CMD report that includes the critical digital asset assessment and threat profile, explicit descriptions of the identified gaps and their risk level, and detailed recommendations on how to mitigate each gap. Additionally, the report will include prioritized recommendations forming a roadmap with estimated timeframes for any suggested remediation work.



Test your technology

What should you be doing:



How a KPMG Penetration Testing can help:

KPMG offers a wide array of penetration testing options such as Network Penetration, Web Application, Wireless Security, Mobile Application, and Configuration Review. As organization and their technologies mature, the testing requirements tend to change and reflect the areas which require the most attention.

To build a strong foundation for understanding vulnerabilities, KPMG proposes a two phases approach to starting penetration testing which includes an external network footprint discovery exercise and a network penetration test. The network penetration test will simulated attacks both externally and internally on an organization's network infrastructure to identify vulnerabilities, assess security controls and provide recommendations for strengthen network defences.

KPMG's penetration testing goes beyond traditional reporting by providing a detailed analysis of each identified vulnerability, providing the necessary evidence and proof of the vulnerability and explaining recommendations in a business context to ensure that both technical and managerial audience can understand the impact and required remediation efforts.

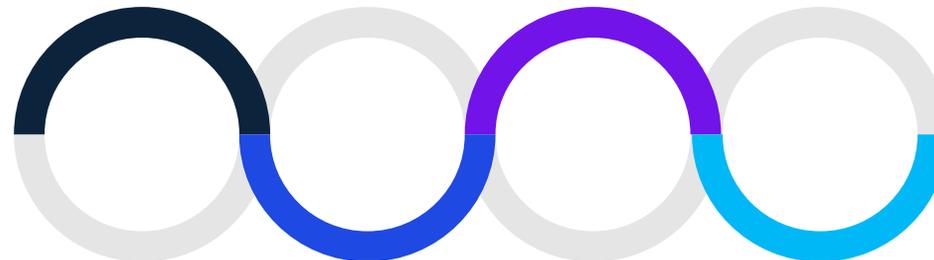


Validate Response

What should you be doing:

Establish Response Plan

- Establish a series of response plans that will aid the organization in responding to a variety of different threats
- Train your people on how to operate the plans and what their responsibilities are



Test & Validate Response

- Test and validate that the plan works as intended and information is accurate
- Identify gaps within your plans

Make Improvements

- Make the necessary improvements to your plan, strengthening their effectiveness
- Adapt the plans to any major changes

Adjust scenarios & retest

- Test your plans against the possible scenarios your organization may face
- Identify areas where your plans may not be able to support your team
- Test your plans again to further develop and tailor them to your organization

How a KPMG Tabletop Exercise (TTX) can help:

KPMG's tabletop exercise services take a collaborative approach to incident response testing and improvement. We will work with you to understand the specific areas your organization is looking to test and tailor an exercise to match those needs. This scenario will combine the expert knowledge of KPMG and the business expertise from your organization to create a realistic scenario.

KPMG will facilitate the exercise and gather information on how your organization responds to the cyber incident beyond just the technical aspects. KPMG will also use the exercise as an opportunity to train and educate staff on incident response processes and procedures.

KPMG will deliver a detailed after-action report containing a summary of all findings and key recommendations, organizational strengths identified, detailed findings/gaps noted in the organizations incident response approach, detailed recommendations to address the findings/gaps, and a future tabletop exercise planning guide based on KPMG's observations to help the organization strengthen priority areas.



Increase Resilience

What should you be doing:



How a KPMG Resilience Assessment can help:

KPMG's resilience assessment helps to determine what measures are currently in place at the organization and how effective they are. It will provide you with a detailed understanding of your current capabilities and what potential gaps in business information exist.

Additionally, the resilience assessment will provide the organization with a dashboard displaying the readiness of each department and how prepared they are to respond to a variety of different disruptions. The helps illustrate the types of events that departments are capable of withstand and which type of events require additional attention to achieve an acceptable level of disruption.

KPMG's resilience assessment will also produce a detailed understand and recommendations on what the businesses identified gaps are and how to remediate or mitigate them.



<https://kpmg.com/ca/en/home.html>

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The Corporation of the Town of Niagara-on-the-Lake Information Report to Council

SUBJECT: Special Event Permit Policy and Process Review
DATE: 2024-07-30
REPORT #: CAO-24-032
PREPARED BY: CAO and Senior Leadership Team
DEPARTMENT: CAO/Administration

BACKGROUND INFORMATION

The Town of Niagara-on-the-Lake values the vibrancy and completeness of our community, as highlighted in our Strategic Plan. Special events play a crucial role in celebrating our heritage, fostering community spirit, and enhancing the quality of life for our residents and visitors. These events contribute significantly to our local economy, cultural richness, and the overall sense of belonging within our Town.

The purpose of this report is to provide Council with background information on how Staff administer the special event permit process, and to provide information about Staff's intended review to improve and modernize the process going forward.

While this review will consider how the Town deals with all special events across the municipality, including events on public, private and agricultural properties, there has been a growing need to review the process for special events occurring at the estate wineries throughout our agricultural area.

Special Event Policy CS-CL-014

The Special Event Policy was endorsed by Council in September 2013. The policy clarified the obligations and procedures for obtaining a Special Event Permit within the Town. In 2013, the Town also passed a Zoning By-law Amendment to include the definitions for Outdoor Event and Special Event.

The Special Event Policy defines a special event as an event that may occupy all or part of Town-owned property or result in the disruption of the local flow of traffic. A special event may be defined as, but not limited to, a parade, festival, filming, bicycle race/tour, running event, procession, walk-a-thon, or any other activity that may have any of the following components:

1. Street closures
2. Fireworks or pyrotechnics
3. Live entertainment
4. Temporary structures/tents
5. Service of food or alcohol
6. Large volumes of vehicular or pedestrian traffic

The above policy is applied to all types of events, including:

- One-time events (Ex. 13 for 13 Canada Summer Games)
- Annual festivals (Ex. Peach Festival)
- Weekly events or frequently occurring events during the Spring/Summer season (Ex. Supper Markets)
- Re-occurring events (Ex. Concert Series)

Current Process for Obtaining a Permit

To clarify the internal review process, Staff has summarized the steps as follows.

Step 1: The Special Event Application is received by the Clerks Division and is reviewed for completion.

Step 2: The application is distributed for review by the following divisions: Bylaw, Building, Zoning, Fire, Parking, Roads, Parks and Recreation, Clerks and Transit.

Step 3: Any clarification or concerns that were noted during the review process are communicated to the applicant by the Clerks Division.

Step 4: After the Special Event Application has received approvals from all divisions, the Clerks Division issues a Special Event Permit and provides it to the applicant via email along with any event-specific criteria.

The Service of Alcohol

As part of the AGCO permitting process, applicants wishing to serve alcohol at special one-time public events send notification letters to the local municipal authority. This may include departments or divisions such as the Clerks Division, Fire Department, Building Division, and health or police services. Detailed sketches often need to be submitted and reviewed by staff, which can include plans for operating under tents in roped-off areas. Town staff review the plans to ensure scene safety. After these reviews, letters of support may be provided, which can include details on occupancy limits and confirmation of the appropriate number of washrooms and exits. For certain events, a municipal resolution may be required to obtain a municipal significance letter to satisfy the requirements of the AGCO.

Fireworks

Individuals looking to have fireworks at their events must comply with Federal Regulations. Municipal Fire Departments have primarily been given the authority to have jurisdiction responsibilities. Applicants must submit site plans, product lists, event descriptions, emergency procedures, fall-out zone information, and any other relevant information to that specific event to the local authority. The local authority reviews the application against the federal requirements and approves the event if compliant. These approvals are needed prior to any fireworks vendor being able to purchase the product.

Town of Niagara-on-the-Lake Official Plan, 2017 Consolidation, as amended

The Town's Official Plan includes Policy 6.31 regarding the direction of special events:

6.31 SPECIAL EVENTS

Nothing within any designation's policies shall be interpreted as permitting any special event that is not directly related to the dominant use of the site unless approved through an amendment to the zoning by-law or a temporary by-law. This policy applies to a variety of events including motor vehicle racing, rock concerts, music or other festivals. Special events shall expressly not be permitted where in the opinion of the Council the event will create a nuisance, be offensive or incompatible with surrounding uses. The requirement for an amendment does not apply to a special event in association with a main use or secondary use permitted in any designation provided that the proponent has received the permission of the Town in advance of the event. The Town reserves the right to refuse permission or limit the event where the Town is of the opinion that the event will create a nuisance, be offensive or incompatible with surrounding uses.

Based on the above policy, the Town considers special events through the special event policy. In particular, the wording “*the requirement for an amendment does not apply to a special event in association with a main use or secondary use permitted in any designation provided that the proponent has received the permission of the Town in advance of the event*” provides the direction to utilize the special event permit process.

Town of Niagara-on-the-Lake Zoning By-laws

The Town currently has two Zoning By-laws in effect – 4316-09, as amended, for the urban area, and 500A-74, as amended, for the rural area. A copy of the zoning provisions for wineries is attached to this report as **Appendix I**.

The Zoning By-law includes definitions regarding events:

EVENT, OUTDOOR means an event held in the open air for profit or non-profit; but does not include a special event as defined herein and shall not include garage sales, yard sales, flea markets or other occasional uses. *(as amended by 4316AR-13)*

EVENT, SPECIAL means an event that may occupy all or part of a privately owned property or Town-owned property and may result in the disruption of the local flow of traffic. A special event may include a parade, festival, filming, running event, procession or any other activity that includes one or more of the following: *(as amended by 4316AR-13)*

- (a) Street closures*
- (b) Fireworks or pyrotechnics*
- (c) Live entertainment*
- (d) Temporary structures or tents*
- (e) Service of food or alcohol*
- (f) Large volumes of vehicular or pedestrian traffic*
- (g) Parking demand in excess of on-site capacity*
- (h) Service of food, including mobile food trucks*

A special event shall not include garage sales, yard sales, flea markets or other occasional uses. A special event shall be counted as an outdoor event for the purposes of this by-law.

The Zoning By-law does not include any additional general provisions or specific directions for special events.

The Zoning By-law allows for two types of wineries: Farm and Estate.

Farm wineries are small-scale operations with secondary uses limited to the retail sale of wine. No hospitality uses would be permitted through the zoning for this use.

Estate Winery is defined in 500A-74 to mean a lot on which buildings and structures are used for the making of wines produced from locally grown fruits and subject to the following criteria:

- (1) all wines produced shall be made from locally grown fruit;
- (2) all wines produced are to be from locally grown fruit crushed and fermented on site;
- (3) all Estate Wineries shall have the capability to bottle all the wine produced on site.

Estate wineries are only permitted through a Zoning By-law Amendment process and may have secondary uses, such as hospitality space. The Zoning By-law limits the maximum floor area for all secondary uses (total and per individual use); however, many estate wineries establish their site-specific areas through the amendment process. Supporting information for the amendment must include a review of the Ministry of Agriculture, Food and Rural Affairs guidelines on permitted uses in Ontario's prime agricultural areas.

Zoning By-law 4316-09 defines Estate Winery as a use on an agricultural operation in which buildings and structures are used for the making of wine produced from locally grown fruits.

The provisions for estate wineries are different in 4316-09 and 500A-74. Since Zoning By-law 4316-09 is a newer by-law, it includes general provisions for the newer requests for indoor and outdoor hospitality space; including, for example, limitations to the number of events and the size of events. Zoning By-law 500A-74 deals with site specific zoning for on-farm diversified uses on properties. Properties that have had a site-specific zoning prior to 2013 utilize the special event permit process for events outside of their hospitality area.

By-law Enforcement

Municipal By-law Enforcement staff receive inquiries related to special events. These inquiries are primarily regarding permission to host the event. Through the current process, Staff will typically be aware of the event and can confirm awareness based on the special event permit. If no permit has been issued, an educational approach is provided to the host, informing them they should be requesting a special event permit.

Complaints received related to By-law infractions during special events are minimal. Occasionally, a complaint about noise will be received, but most events are not spontaneous, and the surrounding community is aware the noise will be heightened at the event several days, if not weeks, ahead of time.

Road Map for Modernization Review

Subject to Council's direction and feedback, a work plan will be provided to Council in a report to the September Committee-of-the Whole General meeting, including undertaking a phased approach to the review of the special event permit process to consider the matter in a broad holistic manner:

- **Phase 1: Preparation** – Immediately/September 2024
 - Provide notice to all groups who received a special event permit over the last 24 months to advise of the review
 - Establish a project charter, set scope, timeline and any budget considerations
 - Return to Council with a work plan
- **Phase 2: Outreach and Engagement** – Q4 2024/Q1 2025
 - Prepare a Communications Plan
 - Connect with community partners – NOTL Chamber of Commerce, Niagara Grape Growers, etc.
 - Consider outreach opportunities, i.e. survey, focus groups, etc.
- **Phase 3: Data Collection and Analysis** – Q4 2024/Q1 2025
 - Prepare an inventory of special event locations with detail of site-specific permissions
 - Review trends with the special event permit process over the last five years
 - Trends, including the number of events on private property versus public property
 - Review of By-law complaints/service requests
 - Municipal best practices scan
- **Phase 4: Finalization and Implementation** – Q2 2025
 - Identify quick wins and, potentially, longer term actions
 - Consider improvement opportunities for implementation
 - Update the special event policy and consider a special event by-law for implementation as directed by Council
 - Zoning By-law Amendment
- **Phase 5: Evaluation and Continuous Improvement** - Ongoing
 - Establish a monitoring and reporting mechanism

Considerations for the review

- **Clarity to the process:** The revised policy should focus on ensuring clarity and transparency for the special event procedures and the expectations of the applicant when applying. This transparency and clarity will also assist with community inquiries.
- **Streamline process:** Outlining expectations of submission upfront so that the applicant is providing all the required information through application materials. Ensuring a consistent and reasonable amount of review time prior to the event.
- **Cost recovery:** Without proper administration fees, municipal taxes cover the cost of the permit review. The cost should be allocated to that individual. Exemption may be granted on a case-by-case basis at the will of Council.
- **Enforcement:** Review of the data, regular monitoring and capacity requirements will all be important to inform a future enforcement strategy.

Connection to Council's Strategic Plan

Planning for Progress Initiatives

- **Winery Policy Review:** The Community Development and Services (CDS) Planning Division will lead a comprehensive review to balance winery viability, on-farm diversified uses, and the protection of sensitive areas. This extensive evaluation may require a consultant.

Economic Development and Community Partnerships

- **Special Events:** Special events play a critical role in attracting and retaining businesses by fostering a diverse economic climate and drawing various demographics and experience seekers. These events contribute to a vibrant community and help promote Niagara-on-the-Lake as a desirable destination.
- **Ongoing Communication and Collaboration:** Regular stakeholder meetings will be established to maintain open lines of communication and collaboration. This ongoing dialogue will help identify and address any challenges related to the permitting process in real time, ensuring continuous improvement and responsiveness.

Strategies and Masterplans

- **Tourism Strategy:** Events support the tourism economy by providing diverse experiences that attract different demographics and experience seekers to the community, encouraging longer stays. This aligns with the Town's goal to optimize experience corridors and product clusters, such as cultural events supporting arts, heritage, and historical experiences.
- **Resident and Stakeholder Outreach:** Engaging and educating the community on the economic benefits and impact of special events and tourism is essential. This outreach helps build support and understanding among residents and stakeholders.
- **Streamlined Permitting Process:** Simplifying the permitting process for businesses and event organizers is crucial for optimizing organizational excellence. Clear guidelines and checklists for special event permits will ensure that organizers understand the requirements and process, reducing bureaucratic hurdles and improving customer service. Lean methodologies will be used to set clear expectations between event applicants and the Town, such as timely responses to permit requests, promoting efficiency and minimizing waste.
- **Data and Insight Gathering:** Festivals and events provide valuable opportunities to gather data and insights that can inform future product development, investment attraction, infrastructure development, and marketing efforts. This data-driven approach supports informed decision-making and strategic planning.

By aligning with Council's Strategic Plan, these initiatives will contribute to optimizing organizational excellence and enhancing customer service, ensuring that the Town continues to thrive as a vibrant and complete community.

NEXT STEP / CONCLUSION

Staff will return to Council in September with a detailed work plan for review of the special event policy and associated implementing documents. In addition, a robust engagement strategy, with the recommended methods of engagement, will be provided.

Given the nature of special events and the number of inquiries received regarding this topic, Staff consider it important to provide this summary to add clarity to the current process. It is also important to ensure there is a significant amount of notice for the review for those who currently request and receive special event permits. This approach will help stakeholders understand the upcoming changes and prepare adequately, ensuring a smooth transition and continued compliance.

ATTACHMENTS

- Appendix I – Current Special Events Policy, September 2013
- Appendix II – Summary of winery policies

Policies and Procedures

POLICY: CS-CL-014
 SUBJECT: **Special Events**
 EFFECTIVE: SEPTEMBER 16, 2013
 SUPERCEDES: CS-CL-003A

1 Purpose

To establish the conditions under which the Town will permit an individual, group, or organization to conduct special event activities within the Town of Niagara-on-the-Lake.

2 Goals and Objectives

- 2.1 To ensure the applicant has taken the proper precautionary measures and met the necessary requirements for a special event on either public or private property within the Town of Niagara-on-the-Lake.
- 2.2 Ensure that all Federal and Provincial laws and regulations as well as Municipal by-laws are observed and adhered to throughout the event.
- 2.3 Any applicant requesting permission to hold a special event within the Town of Niagara-on-the-Lake shall provide all necessary documentation and adhere to all conditions as set out by the Municipal permit and authorization letter.
- 2.4 To ensure all costs incurred as a result of the special event or directly related to services provided by the Town of Niagara-on-the-Lake, be recovered at the expense of the applicant.

3 Definitions

For the purpose of this policy, the following definitions should apply:

AGCO Special Occasion Permit – [Special Occasion Permits](#) are for the sale and service of alcohol at special occasions such as weddings, charity fundraisers, receptions etc. Special Occasion Permits are issued through the Liquor Control Board of Ontario (LCBO) service stores throughout the province on behalf of the Alcohol and Gaming Commission of Ontario (AGCO).

Applicant – An individual, group, or organization proposing to hold a special event within the Town of Niagara-on the-Lake.

Application for Road Use for Special Events – An [application](#) which is provided to the Niagara Region for temporary closure or special use of any Regional roads.

Application for Special/Community Event Resources – An [application](#) which provides information to the Niagara Regional Police Services which allows them to assess the necessity of providing resources for the event.

Community Sponsored Event - A special event that is operated for the benefit of a registered “not for profit”, “charitable” group or religiously affiliated organization that does not benefit an individual, a group of individuals or a for-profit company. These events will receive such designation at the discretion of the Town Clerk and may receive exemptions from applicable fees.

Event Supervisor – An individual within the organization who is an immediate contact throughout the event in case of any emergency or concerns.

Fireworks Operator Certificate – Documentation issued by the Ministry of Natural Resources that proves the operators completion of the Display Fireworks Safety and Legal Awareness Course.

Non-consumer Fireworks – A high hazard firework that presents a special hazard to persons and is generally used for recreation and includes rockets, serpents, shells, bombshells, tourbillions, maroons, large wheels, bouquets, barrages, bombardos, waterfalls, fountains, mines, and firecrackers.

Pyrotechnics – High-hazard displays of explosives or open flame designed for use by professionals. This class also includes special purpose pyrotechnics manufactured for live stage and the film and television industry.

Signage – Any publically posted advertisement for the special event, or signage for the use of directing traffic. This includes, but is not limited to, signage which is consistent with the content under Section 3.04 Subsection 1 of the Town’s [Sign By-Law](#). Signage which does not meet the requirements of this definition will be subject to interpretation under the discretion of the Town.

Site Plan – A detailed layout of the event must be included in the application form for all special events. The site plan must include location of any designated parking areas, accesses and routes, tents, food operating areas, road closures, designated firework display areas, additional washrooms or other amenities that will be on site during the event. All site plans were subject to approval by the Town of Niagara-on-the-Lake.

Special Event - An event which may occupy all or part of Town owned property or results in the disruption of the local flow of traffic. A special event may be defined as, but not limited to, a parade, festival, filming, bicycle race/tour, running event, procession, walk-a-thon, or any other activity that may have any of the following components:

- a) Street Closures
- b) Fireworks or pyrotechnics
- c) Live entertainment
- d) Temporary Structures/ Tents
- e) Service of food or alcohol
- f) Large volumes of vehicular or pedestrian traffic

Tent – A structure that is portable, temporary, and consistent with the content of the Ontario Building Code outlined in [Subsection 3.14.1](#).

Town – The Corporation of the Town of Niagara-on-the-Lake

4 General Conditions

In order to obtain approval from the Town of Niagara-on-the-Lake, the applicant must adhere to the following guidelines. Some special exemptions may be given to events with extenuating circumstances.

- Complete and submit an [Application for Special Events Permit Form](#) to the Town Clerk a minimum of 6 weeks before the scheduled event;
- The applicant and organization shall adhere to all existing Town policies, legislation, by-laws and regulations;
- The applicant shall not promote or advertise a new event without a permit;
- Supply all additional information as to the reason for the event and information additional to that requested on the form, to accompany the submission;
- Pay any applicable processing fee(s) at time of application and any subsequent rental fees;
- Supply all deposits and an insurance certificate for events taking place on Town-owned property of an amount provided at the discretion of the Clerk naming the Corporation of the Town of Niagara-on-the-Lake as insured;
- Accept responsibility for all arrangements and costs relating to any resources that may be required;
- Accept responsibility for any costs associated with improvement, restoration, or maintenance of Town owned property as a direct result of the event.

5 Application and Permit Procedure

In order to obtain a Special Event Permit from the Town of Niagara-on-the-Lake, the applicant must provide the required information to the Clerks Department. To ensure all necessary information is gathered from the applicant, the following steps should be taken:

- Complete and submit the Town of Niagara-on-the-Lake's [Application for Special Events Permit Form](#) to the Clerk's Department by one of the following:

Mail: 1593 Four Mile Creek Road, P.O. Box 100, Virgil, Ontario L0S 1T0

Fax: 905-468-2959

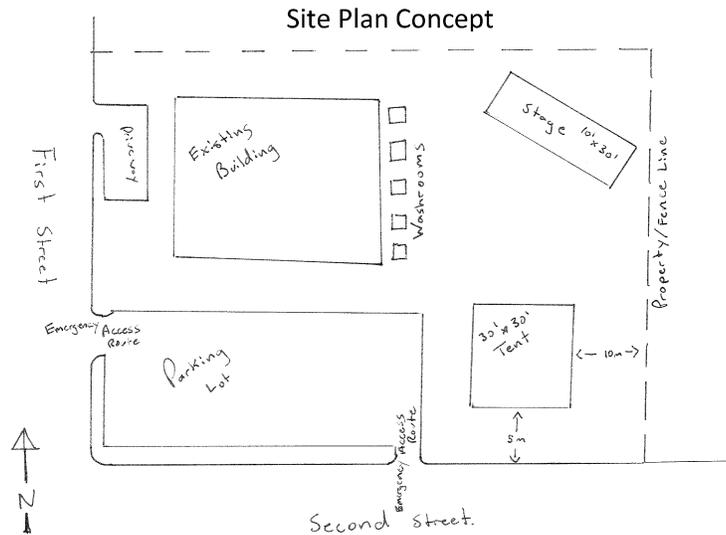
E-Mail: SpecialEvents@notl.com

In Person: 1593 Four Mile Creek Road, Virgil, Ontario

- Throughout the application, the applicant must observe the additional documentation that may be required of them in order to successfully complete this process.
- Supply additional information as to the reason for the event and information additional to that requested on the form, to accompany the submission.

- A site plan is required by all applicants and should include (where applicable):

- Location of emergency exits
- Access routes for emergency vehicles
- Road Closures
- Barricade Location
- Depiction of the route, or path of any parade, walk, marathon, etc.
- Tent locations and dimensions
- Major roads
- Designated parking areas
- Public washrooms
- North arrow
- Firework display plans



- Pay any applicable fee(s) at the time of application and any subsequent rental fees
- Depending on the nature and location of event, the applicant may have to supply an insurance certificate naming the Corporation of the Town of Niagara-on-the-Lake as insured.

6 Additional Considerations

6.1 Road Closure and Traffic Disruption

- If the event requires the blockage, closure, or impediment of any roads within the Town of Niagara-on-the-Lake, even temporarily, there will need to be a request from the applicant to the Niagara Regional Police for additional resources. Resources may also be required from the Niagara Regional Police if the event is expected to draw large crowds and excessive amounts of vehicular and pedestrian traffic to help safely direct the flow of traffic.
- The applicant should also be aware that for non-community sponsored events, the cost involved in services requested of the Town for the design, manufacture, installation and removal of signs and barricades, as directed by Town staff, will be the responsibility of the applicant.
- All road closures, blockages, or impediments should be clearly indicated on the site plan and all roads affected should be identified and listed with the times they will be experiencing the obstruction on the application in the space provided under section 3.1.
- Advertisement for public notice of the road closure or impediment will be included in the costs to the applicant.
- It should also be considered that if any of these obstructions mentioned earlier affect any regional or provincial roads that the proper authority having jurisdiction (AHJ) be notified and the necessary procedure be followed. Events affecting Regional or

Provincial roads must complete the region's [Application for Road Use for Special Events](#) or the [Niagara Park's Application for Special Events](#).

6.2 Fireworks

- If an event proposes a display of fireworks, the Town's [By-Law No. 3637-02](#) and [Policy No. FS-MIS-001](#) procedures for public or non-consumer fireworks display must be observed and adopted.
- Also review the Town of Niagara-on-the-Lake Fire Department's [Firework Safety Tip Sheet](#) for an overview on how to ensure the safe display of fireworks.
- When fireworks are taking place at an event, the Fire Department requires proof of the following:
 1. Authority / Jurisdiction Approval notification (AHJ – Authority Having Jurisdiction).
 2. Covering letter from the firework company or certified firework operator, which gives a description of the firework display at the event (date, time, location, crew, safety measures, etc.).
 3. Authorization letter from the property owner.
 4. Site plan.
 5. For events including the use of fireworks, the amount of liability insurance will be increased from \$2,000,000 to \$5,000,000 and will include the Corporation of the Town of Niagara-on-the-Lake as insured.
 6. Photocopy of the Ministry of Natural Resources Firework Operator Certificate
 7. Firework Display Product List.
- An administration fee of \$25.00 payable by cheque to the Town of Niagara-on-the-Lake for processing the approval of displaying the fireworks may be required.

6.3 Noise Control

- All events occurring within the Town are subject to the provisions set forth in the [Noise By-Law 4588-12](#) which states that no person shall make, cause, or permit sound or vibration at any time, which is likely to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the inhabitants of the Town.
- Notwithstanding any other provision of this By-Law, exemption may be given to any person, activity or special event from the Town of Niagara-on-the-Lake as it sees fit.

6.4 Tents

- If the event proposes the use of a tent or temporary, portable structure consistent with the content of the Ontario Building Code outlined in [Subsection 3.14.1](#), the applicant will require a building permit if the tent meets any of the following requirements:
 - The tent exceeds an area of 60m² (645 sq. ft.).

- A group of tents in aggregate area and are closer than 3m apart with a combined area of 60m².
 - The tent is within 3m of an existing structure and exceeds an area of 60m².
 - The structure is attached to a building.
- Any tent must meet the flame resistant rating requirements in CAN/ULC S-109-M and NFPA701-1977 -“Standard for Flame Tests of Flame-Resistant Fabrics and Films” and certification of this must be supplied to the Fire Department prior to the event.
 - Please be advised that the occupancy load for a tent will be determined by the Town’s Fire Department and is subject to change dependent on the service of alcohol.
 - The grass in any tent and for 10 feet or 3 meters outside the tent must be mowed to one inch or less and the area must be raked of all loose clippings.
 - The supporting framing structure and anchorage system for tents exceeding 225m² shall be designed and reviewed by a Professional Engineer.
 - Hay, straw, shavings and other similar combustible materials shall not be permitted in the tent.
 - Smoking and open flame devices including candles shall not be permitted in the tent.
 - All garbage receptacles inside any tent must be non-combustible in nature and be equipped with non-combustible lids.

6.5 Alcohol

- All public events proposing the service of alcohol must be in contact with the Town of the Niagara-on-the-Lake Fire Department in order to receive a permit.
- Events proposing the service or sale of alcohol must submit an application to the Alcohol and Gaming Commission of Ontario for [Special Occasion Permits](#).
- If the event includes the service of alcohol, the event organizer shall contact Niagara Regional Police Services in order to determine whether an [Application for Special/Community Event Resources](#) is required.
- For events including the service of alcohol, the amount of liability insurance will be increased from \$2,000,000 to \$5,000,000 and will include the Corporation of the Town of Niagara-on-the-Lake as insured.

6.6 Food

- For events proposing the service of food, the organizer must contact the Niagara Region Public Health, Environmental Health Division. This process is mandatory before any event intends to sell or serve food that is meant to be consumed within the event.
- The event organizer must review the Niagara Region’s [Requirements for Special Events](#) and follow all guidelines throughout the event.
- Please be advised that a copy of the Town’s Special Events Permit and authorization letter may be sent to the Niagara Region on your behalf.

6.7 Signage

- Special Events that plan on publically advertising the event may receive exemption from permit requirements dependent on their consistency with the description for Special Events in the [Town's Sign By-Law](#).
- All signs which may be used as a result of the Special Event must be in conformance with all requirements of the Town's Sign By-Law.

7 Costs

7.1 Services and Equipment Fees

- Responsibility for costs associated with the allocation of resources, and extenuating service requests that may be required by the town for the event will be provided at the cost of the applicant.
- Upon completion of the special event, the Town will provide the applicant with a summary of the costs incurred by the Town as a result of the event.

7.2 Damage and Cost Recovery

- The applicant will assume the cost of repair for any damages of town owned property incurred as a direct result of the Special Event.
- The applicant may be required to assume the cost of lost revenue of the Town as a result of the interference of the special event to standard operations of the Town.
- Advertisement for public notice of the road closure or public transit rerouting may be included in the costs to the applicant.

7.3 Additional Permits

- Special events which plan on having tents on site must contact the Town of Niagara-on-the-Lake Building department to file a Building Permit Application. Fees for a Building Permit can be observed in the [Classes of Permits and Fees/ Building By-Law 4115-07](#).
- An administration fee of \$25.00 payable by cheque to the Town of Niagara-on-the-Lake for processing the approval of displaying the fireworks will be required.
- Special events which include the service of alcohol may be required to apply for an ACGO Special Occasion Permit. Fees for the Special Occasion Permit vary depending on the nature of the event. Further information can be found in their [Information Package](#).
- If the special event decides to promote the event through the use of signs or banners the applicant must be in contact with the Town of Niagara-on-the-Lake By-Law enforcement to receive a Sign Permit. Fees pertaining to the application for a Sign Permit can be found in the [Sign Permit Fee and Property Standard Fees Information Package](#).

By-law 500A-74

Definition --

2.32-1 Farm Winery: means a farm on which buildings and structures are used for the making of wines from fruit grown exclusively on site and subject to the following criteria:

- (1) all wines produced shall be made from fruit grown exclusively on site;
- (2) all wines produced are to be from fruit grown, crushed, and fermented on site;
- (3) all wines produced shall be bottled on site

(By-law 500IO-94)

Provision –

3.34 Farm Winery *(By-law 500IO-94)*

Within any Rural (A) Zone or Rural Residential (RR) Zone, a Farm Winery shall be permitted subject to the following provisions:

- (a) All wines produced shall be from fruit grown exclusively on the same lot as the farm winery.
- (b) The retail sale of wine shall be permitted subject to normal licensing requirements. The maximum floor area devoted to the sale of wine shall be 18.5 square metres (199 square feet) provided it does not conflict with any minimum requirement for licensing.

Definition --

2.29A-1 Estate Winery: means a lot on which buildings and structures are used for the making of wines produced from locally grown fruits and subject to the following criteria:

- (1) all wines produced shall be made from locally grown fruit;
- (2) all wines produced are to be from locally grown fruit crushed and fermented on site;
- (3) all Estate Wineries shall have the capability to bottle all the wine produced on site.

(By-law 500IO-94)

Provision –

3.33 Estate Winery *(By-law 500IO-94)*

In addition to the uses permitted in a Rural (A) Zone or Rural Residential (RR) Zone, Estate Wineries may be permitted subject to a site specific zoning by-law amendment and the following guidelines:

- (a) The minimum acreage for an Estate Winery shall be established in the site specific amendment to the Zoning By-law and shall generally be a contiguous lot of at least 8 hectares (20 acres) the majority of land being in full vineyard production. This acreage is required to provide a rural setting for the winery, land for the ponding of waste water and associated vineyards. Proposals for lesser acreage will be considered where it is demonstrated that the proponent can comply with the other guidelines and that the reduced area will not jeopardize the rural image of an Estate Winery.

- (b) Off-street parking for an Estate Winery shall be provided at the rate of one (1) parking space per employee.
- (c) Minimum lot frontage shall be 45 metres (147.6 feet).
- (d) Minimum building setback from all property lines shall be 15 metres (49.2 feet).
- (e) Maximum lot coverage for all buildings is 15%.
- (f) Maximum building height 11 metres (36 feet).

Secondary Uses

The following secondary uses may be permitted in a site specific zoning by-law for an Estate Winery:

- (a) The retail sale of wine.
 - (b) A hospitality room as defined in the Zoning By-law.
 - (c) An agricultural market as defined in the Zoning By-law.
 - (d) The maximum total floor area for all secondary uses shall generally be limited to 400 square metres (4,305 square feet) with each individual secondary uses not exceeding 139.3 square metres (1,500 square feet).
 - (e) The off-street parking requirement for all secondary uses shall be one (1) parking space for every 18.5 square metres (199 square feet) of floor area devoted to the secondary use.
-

Definition --

2.2 Accessory Use: means a use of lands or buildings which is incidental and subordinate to the principal use of lands and buildings.

There are no definitions or provisions for secondary uses or occasional uses in 500A-74.

By-law 4316-09

Definition --

FARM WINERY or COTTAGE WINERY means a farm on which buildings and structures are used for the making of wines from fruit grown exclusively on site.

Provision –

6.16 FARM WINERIES OR COTTAGE WINERIES

Farm wineries associated with and part of an agricultural operation shall be permitted provided that:

- (a) All wines produced shall be made from fruit grown exclusively on the site that are also crushed and fermented on site;
- (b) All wines shall be bottled on site;
- (c) Off street parking shall be provided in accordance with the requirements of Section 6.39, Parking Space Requirements;
- (d) Secondary uses shall be limited to the retail sale of wine which shall not exceed 18.5 m² of floor area, and shall comply with the licensing requirements of the Provincial government;
- (e) Shall comply with the following lot requirements and building setbacks:

(1)	Minimum lot area on existing lot of record	4.0 ha (10 ac)
(2)	Minimum lot area for a new lot	16.18 ha (40 ac)
(3)	Minimum lot frontage	60.0 m (200 ft)
(4)	Minimum front yard	15.0 m (49.2 ft)
(5)	Minimum interior side yard	15.0 m (49.2 ft)
(6)	Minimum exterior side yard	15.0 m (49.2 ft)
(7)	Minimum rear yard	15.0 m (49.2 ft)
(8)	Maximum building height	10.5 m (34.45 ft)

- (f) Outside winery operations and the storage of goods and materials, including refuse containers, shall be fully screened from view of adjacent properties by means of fencing and /or landscaping features.
- (g) See Section 6.31 for Niagara River Commission's requirements for access onto and signs along the Niagara River Parkway.
- (h) Any additional value added uses such as a hospitality patio shall be subject to a zoning by-law amendment pursuant to Section 34 of the Ontario Planning Act and a site plan control agreement pursuant to Section 41 of the Ontario Planning Act. *(as amended by 4316AR-13)*

Definition --

ESTATE WINERY means a use on an agricultural operation on which buildings and structures are used for the making of wine produced from locally grown fruits.

Provision –

6.13 ESTATE WINERIES

Estate wineries shall be subject to a site specific amendment to the Zoning By-law, and in accordance with the following:

- (a) Seventy-five per cent (75%) of the lands shall be planted and kept in vineyard production;
- (b) All wines produced shall be made from locally grown fruit that is crushed and fermented on site;
- (c) All estate wineries shall have the capability to bottle all the wine produced on site;
- (d) Off street parking shall be provided in accordance with the requirements of Section 6.39, Parking Space Requirements;
- (e) Secondary uses shall be permitted in accordance with the following:
 - (1) Permitted secondary uses shall be restricted to the retail sale of wine, hospitality room, an outdoor special event tent and an agricultural market;
 - (2) The maximum total floor area for all secondary uses shall be limited to 400 m² (4,306 ft²) with each individual secondary use not exceeding 140 m² (1,507 ft²);
 - (3) That exclusive of any special event or outdoor event, a maximum of one mobile food truck may be permitted to operate in any outdoor event area if:
(as amended by 4316AR-13)
 - (i) It is located in an approved outdoor event area
 - (ii) It is limited to one (1) twenty-four (24) hour period per week;
- (f) Shall comply with the following lot requirements and building setbacks:

(1)	Minimum lot area on existing lot of record	8.09 ha (20 ac)
(2)	Minimum lot area for a new lot	16.18 ha (40 ac)
(3)	Minimum lot frontage	60.0 m (200 ft)
(4)	Minimum front yard	15.0 m (49.2 ft)
(5)	Minimum interior side yard	15.0 m (49.2 ft)
(6)	Minimum exterior side yard	15.0 m (49.2 ft)
(7)	Minimum rear yard	15.0 m (49.2 ft)
(8)	Maximum building height	11 m (36 ft)
(9)	Minimum setback from the Niagara River Parkway	60.96 m (200 ft)
(10)	On lots fronting on the Niagara River Parkway, the building face shall not exceed 75% of the lot frontage. (as amended by 4316J-11)	

(11)	Maximum lot coverage for all buildings (as amended by 4316J-11)	15%
------	---	-----

- (g) Outdoor events shall comply with the following provisions: *(as amended by 4316J-11)*
- (1) All outdoor activity shall cease at 10:00 p.m.
 - (2) No amplified music shall be permitted.
 - (3) Event tents will be removed within twenty-four (24) hours of the event.
 - (4) An outdoor event tent shall be permitted between May 1st and October 31st of each year.
 - (5) A maximum number of twenty-four (24) events will be permitted each year.
 - (6) A maximum number of seventy-five (75) guests are permitted for each event.
 - (7) A maximum of one (1) event is permitted at any one time.
 - (8) Off street parking for the outdoor special event is to be provided on-site in accordance with the requirements of Section 6.39, Parking Space Requirements;
- (h) Outside winery operations and storage of goods and materials including refuse containers shall be fully screened from view of adjacent properties by means of fencing and / or landscaping features;
- (i) The location for bus parking shall be provided at the rear of the building;
- (j) See Section 6.31 for Niagara Parks Commission's requirements for access onto and signs along the Niagara River Parkway; and,
- (k) Shall be subject to a Site Plan Control Agreement pursuant to Section 41 of the *Ontario Planning Act*.

Definition --

EVENT, OUTDOOR means an event held in the open air for profit or non-profit; but does not include a special event as defined herein and shall not include garage sales, yard sales, flea markets or other occasional uses. *(as amended by 4316AR-13)*

EVENT, SPECIAL means an event that may occupy all or part of a privately owned property or Town owned property and may result in the disruption of the local flow of traffic. A special event may include a parade, festival, filming, running event, procession or any other activity that includes one or more of the following: *(as amended by 4316AR-13)*

- (a) Street closures
- (b) Fireworks or pyrotechnics
- (c) Live entertainment
- (d) Temporary structures or tents
- (e) Service of food or alcohol
- (f) Large volumes of vehicular or pedestrian traffic
- (g) Parking demand in excess of on-site capacity
- (h) Service of food, including mobile food trucks

A special event shall not include garage sales, yard sales, flea markets or other occasional uses. A special event shall be counted as an outdoor event for the purposes of this by-law.

No provisions for the above.

Definition –

OCCASIONAL USE means a use which only occurs for a maximum duration of four (4) consecutive weeks or a total of twenty-eight (28) days per year.

Provision –

6.34 OCCASIONAL USES

The following zones and uses shall be permitted to have occasional uses as indicated:

- (a) Where an auditorium, public hall, church or school exists in any zone, auction sales, bake sales, craft sales, bingo, benefit dances, blood donor clinics, car washes, festivals, Christmas tree sales, plant and produce sales, shows, concerts and banquets shall be permitted as an occasional use; *(as amended by 4316J-11)*
- (b) Garage sales shall be permitted on any residential property, with a maximum number of three (3) garage sales being conducted on any one property in any calendar year. A single garage sale shall consist of a maximum of two (2) consecutive days;

- (c) Notwithstanding the definition of occasional use, construction trailers on building sites shall be permitted provided they are removed upon building completion or final inspection, whichever comes first;
 - (d) Notwithstanding the definition of occasional use, a real estate sales office shall be permitted on a construction site until building completion or final building inspection, whichever comes first;
 - (e) Any occasional use shall be located and designed to avoid interference with the normal use of the abutting streets or with internal on-site vehicle circulation and loading activities;
 - (f) Any occasional use shall not be offensive to area residents by way of the emission of light, heat, fumes, noise, vibration, gas, dust, odour or pollution of any kind; and
 - (g) Despite Section 6.37, Outdoor Storage, all of the above mentioned occasional uses shall be permitted out of doors.
-

Definition --

SECONDARY USE means uses secondary to the principal use of the property, including but not limited to, home occupations, home industries, and uses that produce value-added agricultural products from the farm operation on the property.

Provision –

6.49 SECONDARY USES

Secondary uses shall be permitted for a use that conforms to the zone in which it is located in accordance with the following:

- (a) The secondary use shall not exceed twenty-five (25%) of the gross floor area of the main building of the principal use, with the exception of a bed & breakfast or country inn establishment.
- (b) The secondary use is subordinate to the principal permitted use.
- (c) Shall be compatible with and not hinder or interfere with surrounding agricultural operations.
- (d) On-site parking shall be provided in accordance with the requirements of Section 6.39, Parking Space Requirements in addition to the parking requirements for the principal use.

The Corporation of the Town of Niagara-on-the-Lake Information Report to Council

SUBJECT: Economic Development Update
DATE: 2024-07-25
REPORT #: CAO-24-036
PREPARED BY: Ashleigh Myers, Economic Development Officer
DEPARTMENT: CAO/Administration

BACKGROUND INFORMATION

The position of Economic Development Officer was approved during the 2023 budget process to enhance the Town's efforts in fostering economic growth and supporting local businesses. This newly approved position commenced in May 2024. This update provides an overview of recent activities and initiatives aligned with the Town's Strategic Plan.

Role and Responsibilities:

The Economic Development Officer serves as the critical link between the Town and the business community. Local businesses are pivotal to the community's vitality, contributing to job creation and innovation. The prosperity of local businesses is directly correlated with the Town's overall economic health.

Focus Areas:

Primary objectives include both business attraction and the growth and success of existing businesses. The role aims to integrate a business perspective into the town's operations, support staff, and foster community and stakeholder relationships.

Initial Priorities:

- **Internal Collaboration:** Engagement with various departments has been prioritized to understand their functions and identify opportunities for synergy. This internal collaboration is essential for streamlining operations and ensuring a cohesive approach to economic development.
- **Council and Regional Engagement:** Meetings have been held with the majority of Councillors and all municipal Economic Development Offices across the Region to gather information, learn about their priorities, and gain a deeper understanding of the economic landscape. This collaborative approach will inform the development of a comprehensive economic strategy for the Town.
- **Community Representation:** The Economic Development Officer represents the Town on the Chamber of Commerce Board and other advocacy groups such as Government

Relations and Physician Recruitment, actively participating in local and regional economic discussions.

Engagement Activities:

- **Meetings and Events:** Over 80 external meetings have been attended in the first two months, including local events and tours. Notably, participation in welcoming the Minister of Transportation to the airport was a key event.
- **Business Community Outreach:** Regular meetings with the Chamber of Commerce, local partners and businesses have been helpful in understanding the challenges, opportunities, and potential threats within the business landscape.

NEXT STEPS

This extensive engagement has provided great insights into the community's business environment. By collaborating with various departments, these insights can be leveraged to streamline processes and enhance Niagara-on-the-Lake's attractiveness as a business-friendly community.

Continuous information gathering will inform the development of a work plan and report focusing on ensuring Niagara-on-the-Lake remains a thriving place for businesses and residents alike. Outcomes and recommendations will be presented to Council in the future, ensuring alignment with strategic goals and community needs.

From: [Patti Bauer](#)
To: [Christie New](#)
Cc: [Clerks](#)
Subject: Childhood Cancer Awareness Month Proclamation
Date: July 12, 2024 8:58:42 AM

[Some people who received this message don't often get email from [REDACTED] Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

CAUTION: This email originated from outside the Town of Niagara-on-the-Lake. Use caution when clicking on a link or opening an attachment unless you know that the content is safe. If unsure, forward the email to IT to validate.

Good morning!

I am wondering if we are able to put forward an official Proclamation by the Town with regards to September and Childhood Cancer Awareness Month.

The Proclamation wording would be:

WHEREAS, over 800 children under the age of 15 are diagnosed with cancer each year in Canada; and
WHEREAS, 1 in 330 children will be diagnosed with cancer before their 18th birthday; and
WHEREAS, childhood cancer is the #1 cause of death by disease of Canadian Children; and
WHEREAS, there are over 200 types of childhood cancers not including subtypes and mutations; and
WHEREAS, childhood cancer places a tremendous financial burden on families; and
WHEREAS, over 75% of childhood cancer survivors live with at least one chronic health condition and a third of these are severe or life-threatening; and
WHEREAS, little is known about what causes childhood cancer with limits the opportunities for prevention; and
WHEREAS, additional awareness and funding for childhood cancer is needed as only 4-6 cents from every research dollar goes toward childhood cancer research; and
WHEREAS, annually, September is officially recognized as Childhood Cancer Awareness Month by the Province of Ontario.

Let me know if you need any further information.

Thank you all for your help and have a wonderful day!

Patti Bauer



July 25, 2024

Town of Niagara-on-the-Lake
1593 Four Mile Creek Road
Niagara-on-the-Lake, ON L0S 1J0

Dear Lord Mayor Zalepa:

I am writing to respectfully request that our Town Council for the Town of Niagara-on-the-Lake consider proclaiming September 17th, 2024 as 'Parliament Day'. Our very early history while we were the capital of Upper Canada is a significant part of our local history but also our provincial history.

Following the American Revolution, the newly established Upper Canada (today known as Ontario) was a response to the spread of loyalist settlements along the Upper Great Lakes. Lieutenant Governor John Graves Simcoe came to Newark (currently Niagara-on-the-Lake) to establish the first Parliament of Upper Canada on September 17, 1792. This first Parliament was responsible for establishing British law and order and later, the nationally significant Act to Limit Slavery for the first time in the British Empire. They created the foundations of our current provincial parliament and our common law practices.

It is unfortunate that the pandemic overshadowed the 230th anniversary and restricted our opportunity to celebrate this historic milestone. It is my hope that we can begin to mark this provincial heritage in Niagara-on-the-Lake with the proposed proclamation attached. I would also like to request that the Town of Niagara-on-the-Lake consider how we could celebrate the next milestone anniversary for this event in 2027. I think a joint community committee led by the Town, similar to what was created for the 200th anniversary of the War of 1812 or the 150th anniversary of Canada, should be considered. The Niagara-on-the-Lake Museum would happily be a part of this committee as we have been for the previous ones.

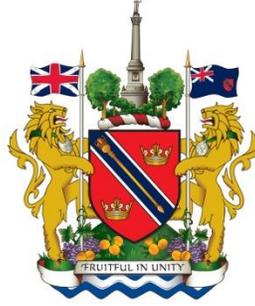
Thank you very much for your consideration.

Sincerely,

A handwritten signature in black ink that reads "S. Kaufman".

Sarah Kaufman
Managing Director/Curator

Niagara-on-the-Lake Museum
Owned & Operated by the
Niagara Historical Society
43 Castlereagh Street, PO Box 208
Niagara-on-the-Lake, ON L0S 1J0
(905) 468-3912 (905) 468-1728 fax
www.notlmuseum.ca



PROCLAMATION

**The Corporation of the Town of Niagara-on-the-Lake
Proclaims September 17, 2024**

“ PARLIAMENT DAY ”

WHEREAS Niagara-on-the-Lake was the capital of Upper Canada, known today as Ontario, from 1792-1796;

WHEREAS Lieutenant Governor John Graves Simcoe and the elected Parliament of Upper Canada met for the first time on September 17, 1792;

WHEREAS this Parliament of Upper Canada established British law and order, introduced the first act to limit slavery in the British Empire, and established the foundation of our provincial governance today;

THEREFORE be it, resolved that I, Lord Mayor Gary Zalepa of The Corporation of the Town of Niagara-on-the-Lake, do hereby declare the day Tuesday, September 17th, 2024 “Parliament Day” in the Town of Niagara-on-the-Lake.

Lord Mayor Gary Zalepa



SELECTION COMMITTEE FOR COMMITTEES OF COUNCIL

July 18, 2024, 10:00 a.m.

Members Present: Gary Zalepa, Wendy Cheropita, Sandra O Connor, Adriana Vizzari

Staff Present: Bruce Zvaniga, - Chief Administrative Officer (Interim), Grant Bivol – Town Clerk

1. CALL TO ORDER

The meeting was called to order by the Lord Mayor at 10:00 a.m..

2. ADOPTION OF AGENDA

Moved by Councillor Cheropita

That the agenda be adopted as presented.

APPROVED

3. CONFLICTS OF INTEREST

None were declared.

4. PREVIOUS MINUTES

4.1 June 4, 2024

Moved by Councillor Cheropita

That the minutes of the Selection Committee meeting dated June 4, 2024 be adopted as presented.

APPROVED

5. CLOSED SESSION

Closed meeting under Section 239(2)(b) of the Municipal Act for personal matters about an identifiable individual, including municipal or local board employees; regarding Library Board Application review and evaluation.

Moved by: Councillor Vizzari

That the Committee proceed into a closed meeting at 10:04 a.m. under Section 239(2)(b) of the Municipal Act for discussion of personal matters about an

identifiable individual, including municipal or local board employees specifically relating to the review and evaluation of Library Board Applications.

APPROVED

Moved by: Councillor Cheropita

That the Committee rise from a closed meeting at 10:20 a.m. under Section 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees and staff proceed as directed in closed session.

APPROVED

6. BUSINESS

Councillor Cheropita suggested interviewing prospective committee members in person for future appointments.

7. NEXT MEETING DATE

It was noted that the next meeting date had not yet been determined.

8. ADJOURNMENT

Moved by: Councillor Cheropita

That the Committee adjourn at 10:21 a.m..

APPROVED



ENVIRONMENTAL ADVISORY COMMITTEE MEETING MINUTES

July 17, 2024, 3:00 p.m.

Members Present: Norm Arsenault - Chair, Councillor Gary Burroughs, Councillor Sandra O'Connor, Christine Earl, Paul Jurbala, Kyra Simone

Members Absent: Marco Brunato, William Rapley

Staff Present: Darren MacKenzie - Director of Operations, Aimee Alderman-Manager of Planning, Shannon Mista - Legislative and Committees Coordinator

Others Present: Adam Christie – Niagara Peninsula Conservation Authority

1. CALL TO ORDER

The meeting was called to order by Norm Arsenault, Chair at 3:00 p.m.

2. ADOPTION OF AGENDA

Moved by Councillor Burroughs that the agenda be adopted as presented.

APPROVED

3. CONFLICT OF INTEREST

None were declared.

4. BUSINESS

4.1 NPCA Memorandum of Understanding - Agreement for Services - OPS-23-066

Darren MacKenzie, Director of Operations gave an overview of the report.

The Committee asked clarifying questions and gave feedback on the MOU.

Moved by Councillor O'Connor that the following recommendations be considered by Council;

1.1 That Council endorses the NPCA Memorandum of Understanding – Agreement for Services and operational parameters for the Virgil Reservoirs attached as Appendix 1;

1.2 That the fee schedule be attached to the MOU;

1.3 That the Chief Administrative Officer names be updated on the agreement and;

1.4 That the wording of Appendix 1 *"its members appointed by participating municipalities in accordance with the Act"* be revised to reflect the current situation that Niagara-on-the-Lake has no voice in appointing a member to Niagara Peninsula Conservation Authority.

APPROVED

5. NEXT MEETING DATE

It was discussed that a meeting will be held in September.

6. ADJOURNMENT

Adjournment unanimously took place at 3:44 p.m.



MUNICIPAL HERITAGE COMMITTEE MEETING MINUTES

July 10, 2024, 6:00 p.m.

Members Present: Drew Chapman - Chair, Amanda Demers - Vice Chair, Councillor Tim Balasiuk, Councillor Gary Burroughs, Brian Marshall, John Morley, Rita Trudeau, David Snelgrove, Alexander Topps

Staff Present: Aimee Alderman - Manager of Planning, Candice Bogdanski-Senior Heritage Planner, Sumra Zia - Heritage Planner, Shannon Mista - Legislative and Committees Coordinator

1. CALL TO ORDER

The meeting was called to order by Drew Chapman, Chair at 6:00 p.m.

2. ADOPTION OF AGENDA

The following members requested to speak under New Business:

- Councillor Burroughs
- Alexander Topps
- Drew Chapman

Moved by David Snelgrove that the agenda be adopted as amended.

APPROVED

3. CONFLICT OF INTEREST

None were declared.

4. PREVIOUS MINUTES

4.1 June 5, 2024

The June 5, 2024, minutes were received.

APPROVED

5. PRESENTATIONS

There were none.

6. ANNOUNCEMENTS

There were none.

7. CORRESPONDENCE

There were none.

8. BUSINESS

8.1 [Heritage Permit Application – 169 King Street – Rear Alterations \(File No. HER-18-2024\), CDS-24-119](#)

Sumra Zia, Heritage Planner gave an overview of the Heritage Impact Assessment.

The Committee reviewed the attached material submitted as part of the Heritage Permit Application - CDS-24-119

Steve Shroeder of Stevebuilt Inc. was present to answer clarifying questions of the Committee.

Moved by Amanda Demers that the following recommendations be considered by Council;

1.1 Heritage Permit Application (HER-24-009) for the removal of the exterior elevations of the one-storey extension to facilitate the expansion and improved functionality between the one-and-a-half storey home and one-storey rear extension at the historic dwelling located at 169King Street be recommended to Council for approval subject to the following conditions;

1.1.1 The alterations be carried out substantially in accordance with the Heritage Permit Application in Appendix I, following the proposed design according to the site plan and elevations, as shown in the architectural drawing set included in Appendix II.

1.1.2 The colour of the new construction is compatible with the existing colour and architectural style of the historic home.

1.1.3 The new kitchen area on the south and proposed addition on the north is clad in wooden siding material.

1.1.4 The applicant submits details about the joinery and construction technique of both the north and south additions, to the satisfaction of the Director of Community and Development Services.

1.1.5 The applicant submits details about the considerations given for the height difference between the bay window and the addition on the north elevation, to the satisfaction of the Director of Community and Development Services.

1.1.6 The applicant submits specifications about the windows and doors that are being considered for replacement to the satisfaction of the Director of Community and Development Services.

1.1.7 The applicant submits a revised site plan with the dimensions of the additions to the satisfaction of the Director of Community and Development Services.

DEFEATED

The Committee requested that the application be brought back to the Municipal Heritage Committee, especially requesting more accurate drawings/renderings, and requested a site visit before the new application.

Moved by Councillor Balasiuk that the following recommendations be considered by Council;

The application be brought back to the Municipal Heritage Committee for review at the next session and then for approval to be delegated to the Director of Community & Development Services under the delegated authority bylaw.

APPROVED

8.2 [Priority Designation Work - Heritage Designation Draft By-laws - CDS-24-102](#)

Sumra Zia, Heritage Planner gave an overview of the Heritage Permit Application.

The Committee reviewed the attached material submitted as part of the Priority Designation Work - Heritage Designation Draft By-laws - CDS-24-102.

The Committee asked clarifying questions.

Moved by Councillor Balasiuk that the following recommendations be considered by Council;

1.1 The designation by-law of the property at 1823 Niagara Stone Road be endorsed in principle based on the Staff evaluation within the designation report.

1.2 The Staff contacts the resident verbally along with sending a midway letter to the owner of 1823 Niagara Stone Road to inform them of the designation process timeline; and

1.3 Council issue Notice of Intent to Designate (NOID) for the property.

APPROVED

9. NEW BUSINESS

Alexander Topps put forth a motion about the Harriet Tubman art piece that is located on 325 King Street property.

The Municipal Heritage Committee recommends that Council and Staff examine alternative potential sites on public lands for relocation of the Harriet Tubman art piece, including but not limited to Simcoe Park and/or Voices of Freedom Park, and

Those discussions be held with the site developer to facilitate the transfer of ownership of the sculpture to the Town for purposes of relocation.

APPROVED

Councillor Burroughs asked about 187 Queen Street and the status of this property. Sumra Zia, informed the Councillor that the application would come back to the committee for input at the consent stage and the committee would be able to provide comment on the severance at that time.

Drew Chapman, Chair asked about the progress on 46 Paxton Lane and was informed by Candice Bogdanski, Senior Heritage Planner that Staff are working on this, and talks have been happening about this property.

10. NEXT MEETING DATE

Wednesday, August 7, 2024, at 6:00 p.m.

11. ADJOURNMENT

Adjournment unanimously took place at 7:18 p.m.

That Council receive the MHC Minutes from July 10, 2014, save and except items 8.1 and 8.2 which will be voted on separately.

That Council approve the recommendations contained within item 8.2:

- 1.1 *The designation by-law of the property at 1823 Niagara Stone Road be endorsed in principle based on the Staff evaluation within the designation report.*
- 1.2 *The Staff contacts the resident verbally along with sending a midway letter to the owner of 1823 Niagara Stone Road to inform them of the designation process timeline; and*
- 1.3 *Council issue Notice of Intent to Designate (NOID) for the property.*

Staff are seeking direction from Council on item 8.1:

MHC Recommendation: The application be brought back to the Municipal Heritage Committee for review at the next session and then for approval to be delegated to the Director of Community & Development Services under the delegated authority bylaw.

and have provided the following options:

- 1 Council approves the MHC's recommendation. The approval would be to refer the Heritage Permit Application back to Staff to obtain the requested information. The Application would be reviewed at the MHC meeting, and the authority to approve, pending satisfaction of any conditions outlined by Staff, is granted by Council to the Director of CDS for the application on 169 King St.
- 2 Council refuse MHC's recommendation. Staff will work with the applicant to resubmit an alteration permit for review by the MHC at a forthcoming meeting, and approval will be made by Council when the minutes are received by Council in September.
- 3 Council accepts staff's original recommendation and approves the heritage permit based on the information contained in the MHC minutes.



COMMITTEE OF ADJUSTMENT MEETING MINUTES

June 20, 2024, 6:00 p.m.

Members Present: Steve Bartolini, Angelo Miniaci, Eric Lehtinen, Paul Johnston

Members Absent: Margaret Louter

Staff Present: Natalie Thomson, Aimee Alderman

1. CALL TO ORDER

Chair Eric Lehtinen called the meeting to order and confirmed quorum at 6:00 p.m.

2. ADOPTION OF AGENDA

Moved by: Steve Bartolini

that the agenda be adopted, as presented

APPROVED

3. CONFLICT OF INTEREST

There were no conflicts declared.

4. REQUEST FOR WITHDRAWAL OR ADJOURNMENT

4.1 Deferral Request - 240 Nassau Street, Minor Variance A-08/24

Natalie Thomson explained that the deferral request was due to public notice requirements under the *Planning Act* not being met.

5. APPLICATIONS

5.1 Consent Application B-27/23 – 298 Niven Road Addendum Report, CDS-24-062

Natalie Thomson summarized the notice.

Aimee Alderman summarized the staff report.

Dave Froese and Al Nickle were present on behalf of the application.

General discussion ensued regarding the following topics:

- History of the property
- Designating dwellings on the property as a "help house"
- Definition of a surplus farm
- Undertaking signed by the owner at building permit stage

The Chair called on those registered to speak in support or against the proposal. There was no one in the audience who wished to speak for or against the application.

Moved by: Angelo Miniaci

to accept the recommendation of the staff report that Consent Application B-27/23 for 298 Niven Road be refused.

Decision: RECOMMENDATION REFUSED / APPLICATION APPROVED.

Reasons: The Committee of Adjustment agrees that this application meets Planning Act requirements, is consistent with Provincial Policy, the Niagara Region Official Plan and the Town Official Plan regarding the severance applications.

The Chair summarized the decision.

Moved by: Steve Bartolini

to implement conditions for 298 Niven Road, B-27/23 as follows:

1. That the owner/applicant provides a legal description of Part 2, acceptable to the Registrar, together with 1 digital copy to-scale of the deposited reference plan, if applicable, or a copy of all instruments and plans referred to in the legal description, to the satisfaction of the Director of Community and Development Services, for use in the issuance of the Certificate of Consent;
2. That the owner/applicant provides a lawyer's undertaking, to the satisfaction of the Town, to forward a copy of documentation confirming the transaction, i.e. transfer of Part 2, has been carried out, the documentation to be provided within two years of issuance

of the consent certificate, or prior to the issuance of a building permit, whichever occurs first;

3. That the owner/applicant obtains final approval of Consent Application B-26/23 for the creation of a right-of-way (Part 3) off of Niven Road for continued access to the agricultural lot (Part 4);
4. That the owner/applicant obtains final approval of a Zoning By-law Amendment to rezone Part 4 to "Agricultural Purposes Only (APO) Site-Specific Zone" to preclude a residential dwelling in perpetuity and permit the use of three farm help houses to the satisfaction of the Director of Community and Development Services;
5. That the owner/applicant contact the Town's Environmental Services Department to establish that there is no interconnection or easement of services between Part 1, Part 2 and combined Parts 3 and 4 of the proposed severance, to the satisfaction of the Town. Where an interconnection exists, such interconnections are to be disconnected and capped at the boundary between the Parts; and
6. That the owner/applicant apply to the Town's Environmental Services Department for the installation of a water service lateral connecting to the Niven Road watermain and wholly fronting Part 2 of the proposed severance.

Decision: RECOMMENDATION ACCEPTED / CONDITIONS APPROVED.

Reasons: The Committee of Adjustment agrees that this application meets Planning Act requirements, is consistent with Provincial Policy, the Niagara Region Official Plan and the Town Official Plan regarding the severance applications.

The Chair summarized the decision.

5.2 Consent Applications B-09/23 & B-10/23 – 501 East and West Line, CDS-24-048

Natalie Thomson summarized the notice.

Aimee Alderman summarized the staff report and noted staff's proposed removal of two conditions for B-10/23.

Max Fedchyshak (NPG) and Jonathon Dick (property owner) were present on behalf of the application.

General discussion ensued regarding the following topics:

- Existing water services
- Purpose of the easement
- Agricultural versus residential uses

The Chair called on those registered to speak in support or against the proposal. Hendrick Heikoop spoke in objection to the proposal expressing concerns with potential future development along Four Mile Creek Road.

Moved by: Angelo Miniaci

to accept the recommendation of the staff report that Consent Application B-09/23 for 501 East and West Line (Part 2) be approved, subject to the following conditions:

1. That the owner/applicant provides a legal description of Part 2, acceptable to the Registrar, together with 1 digital copy to-scale of the deposited reference plan, if applicable, or a copy of all instruments and plans referred to in the legal description, to the satisfaction of the Director of Community and Development Services, for use in the issuance of the Certificate of Consent;
2. That the owner/applicant provides a lawyer's undertaking, to the satisfaction of the Director of Community and Development Services, to forward a copy of documentation confirming the transaction, i.e. transfer of Part 1, has been carried out, the documentation to be provided within two years of issuance of the consent certificate, or prior to the issuance of a building permit, whichever occurs first;
3. That the owner/applicant enters into a Development Agreement with the Town, and that such Development Agreement will be registered on the title of Part 2, to the satisfaction of the Director of Community and Development Services, in which the owner/applicant shall agree:

1. That prior to the issuance of a Building Permit for any future accessory structure(s) and/or dwelling, an archaeological assessment will be required for the particular location of development on the property;
2. That all archaeological assessments be completed at the owner/applicants' expense, and that no demolition, grading or other soil disturbances shall take place on the subject property, that are not attributed to the agricultural land use of the lands, prior to the Ministry of Citizenship and Multiculturalism confirming to the Town that all archaeological resources concerns have met licensing and resource conservation requirements, to the satisfaction of the Town;
3. That a copy of all archaeological assessment reports and associated Ministry Compliance Letters are submitted to the Town; and
4. Any agreements of Purchase and Sale of Part 2, which may be negotiated, shall contain a clause notifying the purchaser of the Development Agreement and the requirement to comply with the Development Agreement.
4. That the Town Operations Department be provided with a copy of the deposited reference plan;
5. That the owner/applicant dedicate a 3.0 metre road widening on East and West Line (approximate, to be confirmed by survey) fronting Parts 1 and 2 of the proposed severance, to the benefit of the Town;
6. That the owner/applicant dedicate a 3.0 metre road widening on Line 1 Road (approximate, to be confirmed by survey) fronting Part 2 of the proposed severance, to the benefit of the Town;
7. That the owner/applicant dedicate a 3.0 metre road widening on Concession 6 Road (approximate, to be confirmed by survey) fronting Part 2 of the proposed severance, to the benefit of the Town; and
8. That a new sewage system is installed on Part 1, to replace the existing compromised septic system servicing the southerly dwelling on this parcel, which meets all Ontario Building Code

requirements. A permit for the new system shall be applied for and obtained from Niagara Region prior to installation.

2. Consent Application B-10/23 for 501 East and West Line (Part 3 & 4) be approved, subject to the following modified conditions:

1. That the owner/applicant provides a legal description of Part 3, acceptable to the Registrar, together with 1 digital copy to-scale of the deposited reference plan, if applicable, or a copy of all instruments and plans referred to in the legal description, to the satisfaction of the Director of Community and Development Services, for use in the issuance of the Certificate of Consent;
2. That the owner/applicant provides a lawyer's undertaking, to the satisfaction of the Director of Community and Development Services, to forward a copy of documentation confirming the transaction, i.e. transfer of Part 3, has been carried out, the documentation to be provided within two years of issuance of the consent certificate, or prior to the issuance of a building permit, whichever occurs first;
3. That the owner/applicant, at their own expense, obtains and submits an appraisal for the purposes of payment of cash-in-lieu of parkland dedication, by a qualified appraiser, which is to be based on the fair market value of Part 3 using the direct comparison approach, to the satisfaction of the Manager of Finance; and that the owner/applicant pays to the Town a cash-in-lieu of parkland dedication, which shall be 5% of the appraised value of Part 3;
4. That the owner/applicant provides a legal description of Part 4, acceptable to the Registrar, together with 1 digital copy to-scale of the deposited reference plan, if applicable, or a copy of all instruments and plans referred to in the legal description, to the satisfaction of the Director of Community and Development Services, for use in the issuance of the Certificate of Consent;
5. That the owner/applicant provides a lawyer's undertaking, to the satisfaction of the Director of Community and Development Services, to forward a copy of documentation confirming the

transaction, i.e. registration of the easement on Part 4, has been carried out, the documentation to be provided within two years of issuance of the consent certificate, or prior to the issuance of a building permit, whichever occurs first;

6. That the owner/applicant enters into a Development Agreement with the Town, and that such Development Agreement will be registered on the title of Part 3, to the satisfaction of the Director of Community and Development Services, in which the owner/applicant shall agree:
 1. That prior to the issuance of a Building Permit on the lands, an archaeological assessment will be required for the entire property;
 2. That all archaeological assessments be completed at the owner/applicants' expense, and that no development, grading or other soil disturbances shall take place on the subject property prior to the Ministry of Citizenship and Multiculturalism confirming to the Town that all archaeological resources concerns have met licensing and resource conservation requirements, to the satisfaction of the Town;
 3. That a copy of all archaeological assessment reports and associated Ministry Compliance Letters are submitted to the Town; and
 4. Any agreements of Purchase and Sale of Part 3, which may be negotiated, shall contain a clause notifying the purchaser of the Development Agreement and the requirement to comply with the Development Agreement.
7. That the Town's Operations Department be provided with a copy of the deposited reference plan;
8. That the owner verify to the Town's Environmental Services Department that there is no existing internal wastewater connection between Parts 1 and 3 of the proposed severance. If such connection does exist it must be terminated and capped at the western boundary at Part 3 of the proposed severance;

9. That the Town's Operations Department be provided with a copy of the registered easement (Part 4) in favour of Part 1 of the proposed severance;
10. That the owner/applicant dedicate a 3.0 metre road widening on Four Mile Creek Road (approximate, to be confirmed by survey) fronting Parts 3 and 4 of the proposed severance, to the benefit of the Town;
11. That the owner/applicant obtain approval in the form of a municipal entrance permit from the Town's Operations Department for a new driveway on Part 3 of the proposed severance, including payment of the associated fees. Proposed entrance and existing municipal trees must be shown on submitted plans; and
12. That the owner/applicant verify to the Town's Environmental Services Department that the alignment of the proposed 3.0 metre wide easement (Part 4) is located such that it encompasses the entirety of existing water service connection between the Four Mile Creek Road watermain and the dwelling at 501 East and West Line.

Decision: RECOMMENDATION ACCEPTED / APPLICATION APPROVED.

Reasons: The Committee of Adjustment agrees that this application meets Planning Act requirements, is consistent with Provincial Policy, the Niagara Region Official Plan and the Town Official Plan regarding the severance applications.

The Chair summarized the decision.

5.3 Minor Variance Application A-08/24 - 240 Nassau Street, CDS-24-098

Application deferred to July 18, 2024

5.4 Minor Variance Application A-09/24 – 149 Read Road, CDS-24-093

Natalie Thomson summarized the notice.

Aimee Alderman summarized the staff report.

David Eqbal (agent) was present on behalf of the application. David explained the purpose of the proposed variance was to add existing storage space to the agricultural market.

The Committee had no questions relating to the application.

The Chair called on those registered to speak in support or against the proposal. There was no one in the audience who wished to speak for or against the application.

Moved by: Steve Bartolini

to accept the recommendation of the staff report that Minor Variance Application A-09/24 for 149 Read Road be approved, subject to the following condition:

1. That, prior to the issuance of a building permit, the applicant/owner installs a new septic system on the property to service the proposed development, which meets all Ontario Building Code requirements. A permit for the new system shall be applied for and obtained from Niagara Region prior to installation.

Decision: RECOMMENDATION ACCEPTED / APPLICATION APPROVED.

Reasons: The Committee of Adjustment agrees with the minor variance report analysis and recommendation that this application meets the four Planning Act tests for minor variance:

2. The variance is minor in nature.
3. The variance is appropriate for the development of the land.
4. The general intent and purpose of the Zoning By-law is maintained.
5. The general intent and purpose of the Official Plan is maintained.

The Chair summarized the decision.

5.5 Minor Variance Application A-10/24 - 93 River Beach Drive, CDS-24-099

Natalie Thomson summarized the notice and mentioned one public comment was received.

Aimee Alderman summarized the staff report and noted discrepancies with the site plan drawing and on-site conditions. Aimee noted that the

approval of the application would relate to the measurements provided in the site plan.

Jackie Kevill (owner) and Mike Jeffs (Heartscape Niagara) were present on behalf of the application.

General discussion ensued regarding the following topics:

- Existing deck boards not aligning with site plan drawing
- NPCA work permit and safeguards along shoreline
- Deck boards sitting on the armour stone wall to be removed

The Chair called on those registered to speak in support or against the proposal. There was no one in the audience who wished to speak for or against the application.

Moved by: Steve Bartolini

to accept the recommendation of the staff report that Minor Variance Application A-10/24 for 93 River Beach Drive be approved.

Decision: RECOMMENDATION ACCEPTED / APPLICATION APPROVED.

Reasons: The Committee of Adjustment agrees with the minor variance report analysis and recommendation that this application meets the four Planning Act tests for minor variance:

1. The variance is minor in nature.
2. The variance is appropriate for the development of the land.
3. The general intent and purpose of the Zoning By-law is maintained.
4. The general intent and purpose of the Official Plan is maintained.

The Chair summarized the decision.

5.6 Minor Variance Application A-11/24 – 134 Victoria Street, CDS-24-094

Natalie Thomson summarized the notice.

Aimee Alderman summarized the staff report.

Eric Beauregard (Upper Canada Consultants) was present on behalf of the application. Eric delivered a brief presentation.

General discussion ensued regarding the following topics:

- Municipal Heritage Committee demo permit
- Recommendation of MHC endorsed by Council
- Rebuilding the existing dwelling using some materials saved from demolition
- Two storey dwelling versus bungalow in regards to lot coverage

The Chair called on those registered to speak in support or against the proposal. There was no one in the audience who wished to speak for or against the application.

Moved by: Angelo Miniaci

to accept the recommendation of the staff report that Minor Variance Application A-11/24 for 134 Victoria Street be approved, subject to the following conditions:

1. That the owner/applicant enter into an encroachment agreement with the Town for the stairs fronting Victoria Street. If an encroachment agreement already exists for the subject lands, the owner/applicant is required to forward a copy to Town Staff, to the satisfaction of the Town;
2. That the buildings/structures are demolished to the satisfaction of the Town and that the owner/applicant obtains any required building permit for demolition and that final inspection and closure of the permit is completed to the satisfaction of the Chief Building Official;
3. That no demolition, grading or other soil disturbances shall take place on the subject property prior to the Ministry of Citizenship and Multiculturalism confirming to the Town that all archaeological resources concerns have met licensing and resource conservation requirements, and that a copy of the Ministry letter is submitted to the Town, to the satisfaction of the Town;
4. That the owner/applicant signs and submits the Tree Declaration Form, to the satisfaction of the Town;
5. That the owner/applicant provides a written undertaking confirming that all tree protection measures as outlined in the Tree Preservation Plan, prepared by Colville Consulting Inc,

dated March 28, 2024, will be implemented, to the satisfaction of the Town; and

6. That the owner/applicant submits and obtains approval of permit applications for the proposed tree removals from the Town. If any boundary trees are proposed for removal, the owner/applicant is required to obtain written permission from adjacent landowners for the removal of any boundary trees, to the satisfaction of the Town.

Decision: RECOMMENDATION ACCEPTED / APPLICATION APPROVED.

Reasons: The Committee of Adjustment agrees with the minor variance report analysis and recommendation that this application meets the four Planning Act tests for minor variance:

2. The variance is minor in nature.
3. The variance is appropriate for the development of the land.
4. The general intent and purpose of the Zoning By-law is maintained.
5. The general intent and purpose of the Official Plan is maintained.

The Chair summarized the decision.

5.7 Minor Variance Application A-12/24 - 8 Henegan Road, CDS-24-095

Natalie Thomson summarized the notice.

Aimee Alderman summarized the staff report.

Chelsea Liotta (Upper Canada Consultants) was present on behalf of the application.

General discussion ensued regarding the following topics:

- Existing landscape conditions on site
- Height measurement
- Surrounding property heights

The Chair called on those registered to speak in support or against the proposal. There was no one in the audience who wished to speak for or against the application.

Moved by: Paul Johnston

to accept the recommendation of the staff report that Minor Variance Application A-12/24 for 8 Henegan Road be approved.

Decision: RECOMMENDATION ACCEPTED / APPLICATION APPROVED.

Reasons: The Committee of Adjustment agrees with the minor variance report analysis and recommendation that this application meets the four Planning Act tests for minor variance:

1. The variance is minor in nature.
2. The variance is appropriate for the development of the land.
3. The general intent and purpose of the Zoning By-law is maintained.
4. The general intent and purpose of the Official Plan is maintained.

The Chair summarized the decision.

6. MINUTES FOR APPROVAL

The May 16, 2024 minutes were approved by unanimous consent.

7. NEW BUSINESS

There was no new business.

8. NEXT MEETING DATE

Thursday, July 18, 2024 at 6:00pm.

9. ADJOURNMENT

The meeting was adjourned at 7:51 pm.



HERITAGE TRAIL COMMITTEE MEETING MINUTES

June 19, 2024, 3:00 p.m.

Members Present: Rick Meloen - Chair, Tony Chisholm - Vice Chair, Fred Sentineal, Dick Coyne, Wendy Cheropita - Councillor, Albrecht Seeger

Members Absent: Cheryl Morris

Staff Present: Kevin Turcotte - Manager Parks & Recreation, Cheryl Lootsma - Administrative Assistant - Operations

1. CALL TO ORDER

The meeting was called to order by Rick Meloen, Chair at 3:10 p.m.

2. ADOPTION OF AGENDA

Chair Rick Meloen requested to add the fundraising event in September to New Business.

Moved by Dick Coyne that the agenda be adopted as amended.

APPROVED

3. CONFLICT OF INTEREST

There were none.

4. PREVIOUS MINUTES

Moved by Chair Rick Meloen that the May 15, 2024, minutes be received.

5. PRESENTATIONS

There were none.

6. ANNOUNCEMENTS

There were none.

7. CORRESPONDENCE

There were none.

8. BUSINESS

8.1 Trail Update

Staff provided a trail update.

It was agreed that the shale offered from the Queenston quarry is not a suitable base material for the trail.

Staff to include the cost sheet for the next meeting.

A media event will be scheduled for July 9, 2024, at 10:00 a.m. to highlight the new section of trail.

Albrecht Seeger joined the meeting at 3:13 pm.

9. NEW BUSINESS

9.1 Paws on the Trail - Fundraiser

The 3rd Annual Paws on the Trail Event is scheduled for Saturday, September 7, 2024.

Registration is live.

The Committee will provide updates at the next meeting.

10. NEXT MEETING DATE

Wednesday, July 17, 2024, @ 1:00 p.m.

11. ADJOURNMENT

The meeting was unanimously adjourned at 3:26 p.m.



IRRIGATION COMMITTEE MEETING MINUTES

June 12, 2024, 2:00 p.m.

Members Present: Kevin Buis - Chair, Erwin Wiens - Vice Chair, Michael Kauzlaric, Kurt Neumann, Rob Enns, George Lepp, Aaron Oppenlander

Staff Present: Brandon Enns - Irrigation & Drainage Superintendent, Cheryl Lootsma, Administrative Assistant – Operations.

1. CALL TO ORDER

The meeting was called to order by Kevin Buis, Chair at 2:04 p.m.

2. ADOPTION OF AGENDA

Chair Kevin Buis requested to add CIB update from Vice Chair Erwin Wiens.

Moved by Mike Kauzlaric that the agenda be adopted as amended.

3. CONFLICT OF INTEREST

None were declared.

4. PREVIOUS MINUTES

Moved by Aaron Oppenlander that the May 15, 2024, minutes be received.

5. PRESENTATIONS

Vice Chair Erwin Wiens provided a summary of the last Regional Irrigation Meeting which included an update on the CIB application. Funding is in place for the Engineering Report and assessment. Under the Truth and Reconciliation Act, a 45-day consultation by the Ministry of Agriculture is currently underway. Once input is received from the Indigenous community, an RFP will be sent out.

6. ANNOUNCEMENTS

There were none.

7. CORRESPONDENCE

There were none.

8. BUSINESS

8.1 Pump Status Update

Staff provided an update on the pumps:

- Carlton working - only source of water
- Eastchester and Dee Road powered down
- Four Mile Creek to North of Line 5, there is a large blockage in the creek. Staff are currently seeking quotations from four companies to unblock.
- The Committee requests to know who is responsible for funding this work.

8.2 Letter to Permit Holders

The Committee discussed the letter and provided comments.

The Committee approves the letter to be delivered to permit holders.

The letter will be delivered via mail with the intention to update email addresses so that future notices can be delivered electronically.

8.3 Permit to Take Water - Update

Staff provided an update:

Staff met with the MECP and they are firm on one of the conditions of renewal in that a comprehensive hydrological study is required to proceed.

Staff contacted GEI Consultants to inquire whether they are equipped to complete such a report.

Their quote was \$32,000 to complete the report and estimated time for completion is three to five months.

The Committee requests that this item be brought forward to the next meeting for further discussion and if possible, have Darren MacKenzie attend.

9. NEW BUSINESS

10. NEXT MEETING DATE

Wednesday, July, 10, 2024, @ 2:00 p.m.

11. ADJOURNMENT

The meeting was unanimously adjourned at 2:29 p.m.



NOTL PUBLIC LIBRARY BOARD MEETING MINUTES

Wednesday, April 17th, 2024, 7:00 p.m.

Last motion 24-09

1. Call to Order

A regular meeting of the Niagara-on-the-Lake Public Library Board was called to order at 7:01p.m.

Present: Ilze Andzans, Benoit Beausoleil, Katie Desharnais, Susan Elliot, Robin Foster, Daryl Novak (Board Co-Chair, Remote), Wayne Scott (Meeting Chair, Board Co-Chair), Adriana Vizzari (Town Council Representative)

Staff: Sarah Bowers (Technical Services), Laura Tait (Manager)

Observers: Brenda Dyck-Goossen, Andrew Porteus, Christine Stephenson, Kevin Werner, Richard Hutton

2. Approval of Agenda

MOTION 24-10: Moved by I. Andzans that the agenda be approved. **CARRIED.**

3. Declaration of Conflict of Interest

No conflicts of interest were declared.

4. Closed Session

MOTION 24-11: Moved by R. Foster that the Library Board proceed to closed session to consider matters that qualify under the Public Libraries Act 1990: Section 16.1.4.b personal matters about an individual, specifically a personnel issue. **CARRIED**

MOTION 24-12: Moved by B. Beausoleil, that the Library Board rise from closed session with no report. **CARRIED**

5. Approval of Consent Agenda

5.1. January 31st, 2024, Board Meeting Draft Minutes

MOTION 24- 13: Moved by B. Beausoleil that 31st January 2024, board meeting minutes be approved. **CARRIED.**

5.2. March 13th, 2024, Board Meeting Draft Minutes

MOTION 24-14: Moved by R. Foster that March 13th, 2024, board meeting minutes be approved. **CARRIED.**

5.3. Staff Report

5.4. Media Coverage Report

5.5. Statistics Dashboard

5.6. Correspondence

L. Tait provided an overview of staff report updates, analyzed the statistics dashboard, and condensed the media coverage report. The following items were highlighted:

- Weekly St. David's children's programming will commence on May 14th at the Firehall.
- Approval has been granted for Canada Summer Jobs funding.
- Sales for Wine & Words are performing strongly.
- L. Tait and S. Bowers are currently evaluating digital resources and circulation methods to establish optimal practices.
- W. Scott noted the increased engagement in the St. Davids and Virgil in the stats report.
- A. Vizzari emphasized the forthcoming annual Chess Tournament at the Community Centre, scheduled for April 29th, 2024.
- B. Beausoleil discussed the favourable social media follower numbers and expressed an interest in leveraging the current numbers to keep visibility high.
- No correspondence directly referencing library operations were received.

ACTION: W. Scott will send out a consolidated report reviewing the Kolbe Index.

ACTION: L. Tait will send out specific dates for elementary school visits

ACTION: L. Tait to procure additional copies of "Rain at Times Heavy" for the library collection in preparation for the Wine & Words event.

MOTION 24-15: Moved by B. Beausoleil that the consent agenda be approved. **CARRIED.**

6. Business Arising

6.1. Appointment of officers

MOTION 24-16: Moved by R. Foster to appoint L. Tait as Acting CEO and Secretary/Treasurer. **CARRIED**

MOTION 24-17: Moved by R. Foster to appoint D. Novak and W. Scott as library board co-chairs for the remainder of this board's term. **CARRIED**

6.2. Board Membership & Structure

D. Novak outlined the requirements of the Public Libraries Act regarding the structure and membership of library boards. Currently, the Act stipulates that council must appoint a minimum of five members, with the option to appoint additional members.

The current board consists of eight members, with seven residents and one Town Council representative, due to the resignation of one resident member and a reduction in council representation for the current term.

MOTION 24-18: Moved by D. Novak to request Town Council to maintain the number of library board members at eight (8) for the remaining term of the present library board. **CARRIED**

6.3. Land Acknowledgement

K. Desharnais updated on potential locations for the physical placement of the land acknowledgment. Staff are collaborating with K. Desharnais to ensure completion.

6.4. Disaster Recovery Report Update

S. Bowers gave an update on the report, noting that the finalized document will be available in the fall. LiNC CEOs have decided to maintain Equinox's management of ILS backups. Additionally, hardware and software upgrades for WiFi hotspots in the library to the Unify system are scheduled.

6.5. 2024 Workplan 1st Quarter Update

L. Tait presented first quarter progress of the 2024 workplan. First quarter statistics all show signs of increased engagement and the workplan is on track.

ACTION: L. Tait to provide revised recommendations for goals 2.1. and 2.2.

6.6. Budget Update

- Town Council approved their budget in late March, honoring all the board's requests, including the increase in staff hours for the Children's LSA position.
- The municipal allocation was decreased from our initial request, specifically in response to the lower-than-expected estimate for salary increases.
- First quarter expenses and revenue are on track.
- Funding for the service expansion study has been redirected to the more urgent shelving repair project.
- Board will work to assess need for service expansion study.
- L. Tait will persist in strengthening relationships with senior managers in the municipality.

MOTION 24-19: Moved by D. Novak that the revised 2024 Budget be approved. **CARRIED.**

6.7. Employee Bargaining Agreement

L. Tait provided an overview of the adjustments to the Employee Bargaining Group agreement for 2024. Negotiations were completed and approved by town council.

MOTION 24-20: Moved by A. Vizzari that the 2024 Employee Bargaining Group Agreement recommendations be approved. **CARRIED.**

6.8. Policy Updates

D. Novak addressed governance policy and suggested a pause in the review schedule. Organizational priorities need to be reviewed to determine if the current number of policies aligns appropriately with the size of our library.

ACTION: D. Novak will return in a few months with a governance policy report.

ACTION: The board will discuss the formation of a Governance Committee following the review of the governance policy report.

7. Operations Update

7.1. Library Hours

L. Tait confirmed the trial implementation of earlier Saturday opening hours, starting at 10am, beginning May 4th, aligning with the introduction of Saturday programs at the Community Centre.

Additionally, the primary focus is on finding ways to partner with the town, especially concerning children and youth. Talks are underway with Community Centre staff to collaborate on Pop-Up Library events in the summer.

7.2. Makerspace Update

L. Tait outlined the plans for the review and relaunch of the Makerspace this year and also reported on a recent uptake on makerspace appointments.

8. Advocacy, Engagement & Inquiries

I. Andzans reported that library advocacy articles will continue, and the committee will reconvene.

A three-hour workshop is scheduled for May 15th at 4pm to discuss the Strategic Plan and the Kolbe Index profiles. This structured and facilitated process aims to facilitate forward planning.

ACTION: W. Scott will reach out to each board member individually to discuss priorities and key questions to determine workshop priorities.

9. Meeting Termination

MOTION 24-21: Moved by I. Andzans that the meeting be terminated at 8:42 p.m. **CARRIED**

Workshop May 15th, 2024
Next meeting June 19th, 2024

**THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE**

BY-LAW NO. 4308AS-24

**A BY-LAW TO AMEND BY-LAW 4308-09, AS
AMENDED, BEING A BY-LAW REGULATING
TRAFFIC AND PARKING ON TOWN ROADS; TO
AMEND THE FOLLOWING SCHEDULES:**

“W” SPEED LIMITS ON HIGHWAYS;

WHEREAS the Council of the Corporation of the Town of Niagara-on-the-Lake approved By-Law 4308-09 on the 8th day of June 2009;

AND WHEREAS Section 11 of the Municipal Act, R.S.O. 2001, Chapter 25, authorizes the Council of a Municipality to pass By-Laws respecting highways, including parking and traffic on highways;

AND WHEREAS Municipalities may pass By-Laws under the provisions of the Highway Traffic Act, R.S.O. 1990, c H8;

AND WHEREAS on June 25, 2024 Council approved a motion to institute a 70 km/hr speed limit on East and West Line from Lakeshore Road to 495 metres west of Four Mile Creek Road and from Four Mile Creek Road to Niagara River Parkway.

AND WHEREAS Council wishes to make certain technical corrections to Parking and Traffic By-Law 4308-09;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE enacts as follows:

1. That Schedule “W” (Speed Limits on Highways) attached to By-law 4308-09 be amended by deleting;

COLUMN 1 HIGHWAY	COLUMN 2 FROM		COLUMN 3 TO	COLUMN 3 RATE OF SPEED KM/H
EAST AND WEST LINE	LAKESHORE ROAD (REG. RD. 87)	225 M WEST OF FOUR MILE CREEK ROAD	80	
EAST AND WEST LINE	225 M WEST OF FOUR MILE CREEK ROAD	FOUR MILE CREEK ROAD	50	
EAST AND WEST LINE	FOUR MILE CREEK ROAD	NIAGARA STONE ROAD (REG. RD. 55)	60	
EAST AND WEST LINE	NIAGARA STONE ROAD (REG. RD. 55)	NIAGARA RIVER PARKWAY	80	

2. That Schedule “W” (Speed Limits on Highways) attached to By-law 4308-09 be further amended by adding;

COLUMN 1 HIGHWAY	COLUMN 2		COLUMN 3
	FROM	TO	RATE OF SPEED KM/H
EAST AND WEST LINE	LAKESHORE ROAD (REG. RD. 87)	495 M WEST OF FOUR MILE CREEK ROAD	70
EAST AND WEST LINE	495 M WEST OF FOUR MILE CREEK ROAD	120 METRES EAST OF FOUR MILE CREEK ROAD	50
EAST AND WEST LINE	120 METRES EAST OF FOUR MILE CREEK ROAD	NIAGARA RIVER PARKWAY	70

3. That Schedule “W” (Speed Limits on Highways) attached to By-law 4308-09, is hereby deleted and replaced with Schedule “W” (Speed Limits on Highways) as amended attached hereto;
4. This by-law shall come into force and take effect immediately upon the passing thereof except where signs must be erected, in which case the signs must be erected and the by-law finally passed before those clauses shall come into effect.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 30TH DAY OF JULY 2024.

LORD MAYOR GARY ZALEPA

TOWN CLERK GRANT BIVOL

SCHEDULE "W" TO BY-LAW 4308AS-24 (page 1 of 5)

SPEED LIMITS ON HIGHWAYS

COLUMN 1	COLUMN 2		COLUMN 3
HIGHWAY	FROM	TO	RATE OF SPEED KM/H
ADDISON AVENUE	SHAKESPEARE AVENUE	CIRCLE STREET	30
ANDRES STREET	CHERRY STREET	LINE 2 ROAD	50
ANNE STREET	KING STREET	MISSISSAUGA STREET	50
ARNOLD ROAD	CONCESSION 1 ROAD	CONCESSION 2 ROAD	50
AUTUMN PLACE	GRANGE CRESCENT	SOUTH LIMIT OF AUTUMN PLACE	50
BALL STREET	DELATER STREET	RIVER BEACH DRIVE	50
BROWN'S POINT CIRCLE	NIAGARA RIVER PARKWAY	WEST LIMIT OF BROWN'S POINT CIRCLE	50
BUTLER STREET	QUEEN STREET	SOUTH LIMIT OF BUTLER STREET	50
BYRON STREET	KING STREET	NIAGARA RIVER PARKWAY	50
CASTLEREAGH STREET	KING STREET	WELLINGTON STREET	50
CENTRE STREET	KING STREET	DORCHESTER STREET	50
CHARLOTTE STREET	JOHN STREET	NIAGARA STREET	50
CIRCLE STREET	WILLIAM STREET	WILLIAM STREET	30
CHERRY STREET	HENRY STREET	FRONTIER DRIVE	50
CHRISTOPHER COURT	CHARLOTTE STREET	EAST LIMIT OF CHRISTOPHER COURT	50
CHURCH ROAD	TOWNLINE ROAD	READ ROAD	60
CLARENCE STREET	KENT STREET	FRONT ST	50
COACH DRIVE	NORTH LEG OF THE PROMENADE	SOUTH LEG OF THE PROMENADE	50
COLLINGWOOD STREET	RICARDO STREET	NORTH LIMIT OF COLLINGWOOD ST	50
COLONEL BULTER CRESCENT	GARRISON VILLAGE DRIVE	SOUTH LIMIT OF COLONEL BULTER CRESCENT	50
CONCESSION 1 ROAD	EAST WEST LINE	LINE 9 ROAD	80
CONCESSION 2 ROAD	EAST WEST LINE	YORK ROAD (REG. RD. 81)	70
CONCESSION 3 ROAD	LINE 1 ROAD	YORK ROAD	50
CONCESSION 4 ROAD	HUNTER ROAD	NIAGARA STONE ROAD (REG. RD. 55)	80
CONCESSION 4 ROAD	NIAGARA STONE ROAD (REG. RD. 55)	LINE 1 ROAD	80
CONCESSION 4 ROAD	LINE 1 ROAD	LINE 3 ROAD	50
CONCESSION 5 ROAD	LINE 5 ROAD	QUEENSTON ROAD	80
CONCESSION 5 ROAD	YORK ROAD (REG. RD. 81)	WARNER ROAD	80
CONCESSION 6 ROAD	QUEENSTON ROAD	SOUTH LIMIT OF CONCESSION 6 ROAD	60
CONCESSION 6 ROAD	LINE 3 ROAD	QUEENSTON ROAD	80
CONCESSION 6 ROAD	NIAGARA STONE ROAD (REG. RD. 55)	LINE 3 ROAD	60
CONCESSION 6 ROAD	LINE 2 ROAD	NIAGARA STONE ROAD (REG. RD. 55)	80
CONCESSION 6 ROAD	LINE 1 ROAD	LINE 2 ROAD	50
CONCESSION 6 ROAD	EAST WEST LINE	LINE 1 ROAD	80
CONCESSION 7 ROAD	LINE 1 ROAD	YORK ROAD (REG. RD. 81)	80
CONFEDERATION DRIVE	UPPER CANADA DRIVE	WEST LEG OF LOWER CANADA DRIVE	50
COON ROAD	QUEENSTON ROAD	YORK ROAD	50
COTTAGE STREET	KIN STREET	RYE STREET	50

SCHEDULE "W" TO BY-LAW 4308AS-24 (page 2 of 5)

SPEED LIMITS ON HIGHWAYS

CROSS STREET	STEWART ROAD	EAST LIMIT OF CROSS STREET	80
DAVY STREET	PICTON STREET	NELLES STREET	50
DEE ROAD	CONCESSION 1 ROAD	QUEENSTON STREET	50
DELATER STREET	KING STREET	MELVILLE STREET	50
DIXIE AVENUE	LAKESHORE ROAD	CIRCLE STREET	30
DORCHESTER STREET	QUEEN STREET	SOUTH LIMIT OF DORCHESTER STREET	50
DUMFRIES STREET	NIAGARA RIVER PARKWAY	PRINCESS STREET	50
EAST AND WEST LINE	LAKESHORE ROAD (REG. RD. 87)	495 M WEST OF FOUR MILE CREEK ROAD	70
EAST AND WEST LINE	495 M WEST OF FOUR MILE CREEK ROAD	120 M EAST OF FOUR MILE CREEK ROAD	50
EAST AND WEST LINE	120 M EAST OF FOUR MILE CREEK ROAD	NIAGARA RIVER PARKWAY	70
EASTCHESTER AVEENUE	IRVINE ROAD	STEWART ROAD	80
ELDEN STREET	NORTH LIMIT OF ELDEN STREET	FIELD ROAD	50
FIELD ROAD	FOUR MILE CREEK ROAD	NIAGARA STONE ROAD (REG. RD. 55)	50
FLYNN STREET	RYE STREET	CHARLOTTE STREET	50
FOUR MILE CREEK ROAD	LAKESHORE ROAD (REG. RD. 87)	EAST AND WEST LINE	60
FOUR MILE CREEK ROAD	EAST AND WEST LINE	NIAGARA STONE ROAD (REG. RD. 55)	50
FROEBEL AVENUE	CIRCLE STREET	NORTH LIMIT OF FROEBEL AVE.	30
FRONT STREET (NIAGARA)	SIMCOE STREET	KING STREET	50
FRONT STREET SOUTH (QUEENSTON)	YORK STREET	MAPLE STREET	50
FRONTIER DRIVE	HOMESTEAD DRIVE	SOUTH LIMIT OF FRONTIER DR.	50
GAGE STREET	KING STREET	DORCHESTER STREET	50
GARRISON VILLAGE DRIVE	LAKESHORE ROAD	NIAGARA STONE ROAD (REG. RD. 55)	50
GATE STREET	ANNE STREET	FRONT STREET	50
GLENDALE AVENUE	TAYLOR ROAD	EAST LIMIT OF GLENDALE AVE	50
GLENWOOD CRESCENT	MELROSE DRIVE	NORTH LIMIT OF GLENWOOD CRESCENT	50
GRANGE CRESCENT (NORTH LET)	HOMESTEAD DRIVE	EAST LIMIT OF GRANGE CRESCENT (NORTH LEG)	50
GRANGE CRESCENT (SOUTH LEG)	HOMESTEAD DRIVE	AUTUMN PLACE	50
GREEN STREET	FLYNN STREET	NIAGARA STREET	50
HAMPTON COURT	NASSAU STREET	WEST LIMIT OF HAMPTON CRT.	50
HARVEST DRIVE	HOMESTEAD DRIVE	WEST LIMIT OF HARVEST DR.	50
HEARTH COURT	FRONTIER DRIVE	SOUTH LIMIT OF HEARTH CRT.	50
HENEGAN ROAD	NIAGARA STONE ROAD (REG. RD. 55)	WALKER ROAD	50
HENRY STREET	LINE 1 ROAD	ANDRES STREET	50
HIGHLANDER STREET	NIAGARA RIVER PARKWAY	FRONT STREET SOUTH	50
HOMESTEAD DRIVE	LINE 1 ROAD	SOUTH LIMIT OF HOMESTEAD DR.	50
HUNTER ROAD	FOUR MILE CREEK ROAD	NIAGARA STONE ROAD (REG. RD. 55)	50
IRVINE ROAD	QUEENSTON ROAD	NIAGARA STONE ROAD (REG. RD. 55)	80
IRVINE ROAD	SCOTT STREET	NORTH LIMIT OF IRVINE RD	80
JOHANNA DRIVE	FOUR MILE CREEK ROAD	WEST LIMIT OF JOHANNA DR	50

SCHEDULE "W" TO BY-LAW 4308AS-24 (page 3 of 5)

SPEED LIMITS ON HIGHWAYS

JOHN STREET	BUTLER STREET	NIAGARA RIVER PARKWAY	50
JOHNSON STREET	KING STREET	PALATINE PLACE	50
KENT STREET	NIAGARA RIVER PARKWAY	FRONT STREET SOUTH	50
KING STREET	SOUTH LIMIT OF KING STREET	DELATER STREET	50
LAKEVIEW DRIVE	NIAGARA BLVD.	ORCHARD DRIVE	50
LANSDOWNE AVENUE	NIAGARA BLVD	PALATINE PLACE	50
LARKIN ROAD	CONCESSION 1 ROAD	CONCESSION 2 ROAD	70
LAURA SECORD PLACE	COLONEL BUTLER CRESCENT	EAST LIMIT OF LAURA SECORD PLACE	50
LINCOLN AVENUE	IRVINE ROAD	EAST LIMIT OF LINCOLN AVENUE	80
LINE 1 ROAD	NIAGARA RIVER PARKWAY	CONCESSION 4 ROAD	80
LINE 1 ROAD	CONCESSION 4 ROAD	NIAGARA STONE ROAD (REG. RD. 55)	50
LINE 1 ROAD	CONCESSION 6 ROAD	TOWNLINE ROAD	60
LINE 1 ROAD	FOUR MILE CREEK ROAD	CONCESSION 6 ROAD	50
LINE 2 ROAD	NIAGARA RIVER PARKWAY	CONCESSION 4 ROAD	80
LINE 2 ROAD	CONCESSION 4 ROAD	FOUR MILE CREEK ROAD	80
LINE 2 ROAD	CONCESSION 6 ROAD	TOWNLINE ROAD	80
LINE 2 ROAD	NIAGARA STONE ROAD (REG. RD. 55)	CONCESSION 6 ROAD	50
LINE 3 ROAD	NIAGARA STONE ROAD (REG. RD. 55)	TOWNLINE ROAD	80
LINE 3 ROAD	NIAGARA RIVER PARKWAY	CONCESSION 4 ROAD	80
LINE 3 ROAD	CONCESSION 4 ROAD	CONCESSION 6 ROAD	70
LINE 4 ROAD	CONCESSION 7 ROAD	CONCESSION 2 ROAD	80
LINE 4 ROAD	NIAGARA RIVER PARKWAY	CONCESSION 1 ROAD	50
LINE 5 ROAD	CONCESSION 1 ROAD	CONCESSION 6 ROAD	70
LINE 6 ROAD	CONCESSION 1 ROAD	CONCESSION 7 ROAD	80
LINE 6 ROAD	CONCESSION 7 ROAD	CONCESSION 1 ROAD	80
LINE 7 ROAD	CONCESSION 7 ROAD	CONCESSION 1 ROAD	80
LINE 8 ROAD	TOWNLINE ROAD	FOUR MILE CREEK ROAD	50
LINE 8 ROAD	FOUR MILE CREEK ROAD	NIAGARA RIVER PARKWAY	60
LINE 9 ROAD	FOUR MILE CREEK ROAD	CONCESSION 3 ROAD	50
LINE 9 ROAD	CONCESSION 3 ROAD	CONCESSION 1 ROAD	60
LOCKHART STREET	BALL STREET	RICARDO STREET	50
LORRAINE STREET	FOUR MILE CREEK ROAD	EAST LIMIT OF LORRAINE ST.	50
LOWER CANADA DRIVE	GARRISON VILLAGE DRIVE	CONFEDERATION DRIVE	50
LOYALIST COURT	COLONEL BUTLER CRESCENT	WEST LIMIT OF LOYALIST COURTS	50
LUTHER AVENUE	SHAKESPEARE AVENUE	CIRCLE STREET	30
MALLETTE CRESCENT	MELROSE DRIVE	NORTH LIMIT OF MALLETTE CRESCENT	50
MAPLE STREET	PRINCESS STREET	EAST LIMIT OF MAPLE STREET	50
MARTIN ROAD	QUEENSTON ROAD	TOWNLINE ROAD	80
MARY STREET	LAKESHORE ROAD	KING STREET	50
MCFALAND GATE	COLONEL BUTLER CRESCENT	EAST LIMIT OF MCFARLAND GATE	50
MCNAB ROAD	LAKESHORE ROAD	NORTH LIMIT OF MCNAB ROAD	50
MCNAB ROAD	LAKESHORE ROAD (REG. RD. 87)	CARLTON STREET (REG. RD. 83)	70
MELROSE DRIVE	TOWNLINE ROAD	NORTH LIMIT OF MELROSE DR	50
MELVILLE STREET	BYRON STREET	RIVER BEACH DRIVE	50
MERRITT CIRCLE	COLONEL BUTLER DRIVE	EAST LIMIT OF MERRITT CIRCLE	50
MISSISSAUGA ST.	QUEEN STREET	MARY STREET	50
NASSAU STREET	LAKESHORE ROAD	QUEEN STREET	50
NAVY HALL CIRCLE	CONFEDERATION DRIVE	EAST LIMIT OF NAVY HALL CIRCLE	50

SCHEDULE "W" TO BY-LAW 4308AS-24 (page 4 of 5)

SPEED LIMITS ON HIGHWAYS

NELLES STREET	DAVY STREET	KING STREET	50
NELSON STREET	RICARDO STREET	NORTH LIMIT OF NELSON STREET	50
NEWARK STREET	QUEEN STREET	JOHNSON STREET	50
NIAGARA BOULEVARD	VINCENT AVENUE	PALATINE PLACE	30
NIAGARA STREET	RYE STREET	EAST WEST LINE	50
NIVEN ROAD	LAKESHORE ROAD	NIAGARA STONE ROAD (REG. RD. 55)	50
NORTH GATE CIRCLE	COLONEL BUTLER CRESCENT	SOUTH LIMIT OF NORTH GATE CIRCLE	50
OAK DRIVE	CIRCLE STREET	LAKESHORE ROAD	30
ORCHARD DRIVE	QUEEN'S PARADE AVENUE	PALATINE PLACE	50
PAFFARD STREET	KING STREET	CHARLOTTE STREET	50
PALATINE PLACE	QUEEN STREET	LANSDOWNE AVENUE	50
PALATINE PLACE	CIRCLE STREET	DEAD END	30
PARTITION STREET	NIAGARA RIVER PARKWAY	FRONT STREET SOUTH	50
PAXTON LANE	YORK ROAD	SOUTH LIMIT OF PAXTON LANE	50
PENNER STREET	FOUR MILE CREEK ROAD	NIAGARA STONE ROAD (REG. RD. 55)	50
PICTON STREET	KING STREET	350 M EAST OF WELLINGTON STREET	50
QUEEN'S PARADE			
PINE STREET	HENRY STREET	EAST LIMIT OF PINE STREET	50
PLANTATION DRIVE	HOMESTEAD DRIVE	WEST LIMIT OF PLANTATION DRIVE	50
PLATOFF STREET	WELLINGTON STREET	KING STREET	50
PRIDEAUX STREET	SIMCOE STREET	KING STREET	50
PRINCESS STREET	FRONT STREET SOUTH	NORTH LIMIT OF PRINCESS STREET	50
QUEEN STREET	KING STREET	PALATINE PLACE	50
QUEEN'S PARADE	350 M EAST OF WELLINGTON STREET	JOHN STREET	60
QUEENSTON ROAD	YORK ROAD	600 M W YORK ROAD	50
QUEENSTON ROAD	600 M WEST OF YORK ROAD (REG. RD. 81)	CONCESSION 7 ROAD	60
QUEENSTON ROAD	CONCESSION 7 ROAD	500 M EAST OF TOWNLINE ROAD	50
QUEENSTON ROAD	500 M EAST OF TOWNLINE ROAD	200 M EAST OF AIRPORT ROAD (REG. RD. 90)	60
QUEENSTON ROAD	200 M EAST OF AIRPORT ROAD	200 M WEST OF AIRPORT ROAD	60
QUEENSTON ROAD	200 M WEST OF AIRPORT ROAD (REG. RD. 90)	450 M EAST OF NIAGARA STONE ROAD (REG. RD. 55)	70
QUEENSTON ROAD	450 M EAST OF NIAGARA STONE ROAD (REG. RD. 55)	NIAGARA STONE ROAD (REG. RD. 55)	70
QUEENSTON STREET	NIAGARA RIVER PARKWAY	CLARENCE STREET	50
READ ROAD	NORTH LIMIT OF READ ROAD (AT LAKE ONTARIO)	LAKESHORE ROAD (REG. RD. 87)	50
READ ROAD	LAKESHORE ROAD (REG. RD. 87)	CARLTON STREET (REG. RD. 83)	60
REGENT STREET	ANNE STREET	FRONT STREET	50
RICARDO STREET	KING STREET	EAST LIMIT OF RICARDO ST	50
RIVER BEACH DRIVE	MELVILLE STREET	BALL STREET	50
RYE STREET	PAFFARD STREET	NIAGARA STREET	50
SCOTT STREET	TOWNLINE ROAD GRANTHAM/NIAGARA	READ ROAD	80
SENTRY CIRCLE	GRISONS VILLAGE DRIVE	WEST LIMIT OF SENTRY CIRCLE	50
SETTLERS COURT	COACH DRIVE	EAST LIMIT OF SETTLERS COURT	50
SHAKESPEARE AVENUE	LAKESHORE ROAD	NORTH LIMIT OF SHAKESPEARE AVE	30
SHEPPARD CRESCENT	YORK ROAD	SOUTH LIMIT OF SHEPPARD CRESCENT	50

SCHEDULE "W" TO BY-LAW 4308AS-24 (page 5 of 5)

SPEED LIMITS ON HIGHWAYS

SIMCOE STREET	FRONT STREET	ANNE STREET	50
SOUTHGATE CIRCLE	UPPER CANADA DRIVE	NORTH LIMIT OF SOUTH GATE CIRCLE	50
TANBARK ROAD	SOUTH LIMIT OF TANBARK ROAD	LINE 9 ROAD	50
TAYLOR ROAD	QUEENSTON ROAD	YORK ROAD	80
THE PROMENADE	CHARLOTTE STREET	CHARLOTTE STREET	50
TOTTENHAM COURT	GARRISON VILLAGE DRIVE	EAST LIMIT OF TOTTENHAM COURT	50
TOWNLINE ROAD GRANTHAM/NIAGARA	CARLTON ROAD	NORTH LIMIT OF TOWNLINE ROAD	80
TOWNLINE ROAD GRANTHAM/NIAGARA	YORK ROAD	LINE 8 ROAD	50
UPPER CANADA DRIVE	GARRISON VILLAGE DRIVE	COLONEL BUTLER CRESCENT	50
VICTORIA STREET	FRONT STREET	SOUTH LIMIT OF VICTORIA ST	50
VILLAGE ROAD	NIVEN ROAD	GRISONS VILLAGE DRIVE	50
VINCENT AVENUE	CIRCLE STREET	NORTH LIMIT OF VINCENT AVENUE	30
WAGG ROAD	EAST WEST LINE	NORTH LIMIT OF WAGG ROAD	80
WALKER ROAD	EAST LIMIT OF WALKER ROAD	WEST LIMIT OF WALKER ROAD	50
WALL ROAD	FOUR MILE CREEK ROAD	EAST LIMIT OF WALL ROAD	70
WALNUT STREET	QUEENSTON STREET	PRINCESS STREET	50
WARNER ROAD	FOUR MILE CREEK ROAD (REG. RD. 100)	GENERAL BROCK PARKWAY	50
WARNER ROAD	GENERAL BROCK PARKWAY	NORTH LIMIT OF WARNER ROAD AT QEW	70
WELLINGTON STREET	RICARDO STREET	CASTLEREAGH STREET	50
WESLEY AVENUE	CIRCLE STREET	NORTH LIMIT OF WESLEY AVE	30
WILBERFORCE AVENUE	CIRCLE STREET	NIAGARA BOULEVARD	30
WYCKLIFFE AVENUE	CIRCLE STREET	SHAKESPEARE AVE	30
YORK STREET	NIAGARA RIVER PARKWAY	FRONT STREET SOUTH (QUEENSTON)	50

**THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE
BY-LAW NO. 4308AT-24**

**A BY-LAW TO AMEND BY-LAW 4308-09, AS
AMENDED, BEING A BY-LAW REGULATING
TRAFFIC AND PARKING ON TOWN ROADS; AND TO
AMEND THE FOLLOWING SCHEDULES:
“N” THROUGH HIGHWAYS
“P” STOP SIGNS AT INTERSECTIONS**

WHEREAS the Council of the Corporation of the Town of Niagara-on-the-Lake approved By-Law 4308-09 on the 8th day of June 2009;

AND WHEREAS Section 11 of the Municipal Act, R.S.O. 2001, Chapter 25, authorizes the Council of a Municipality to pass By-Laws respecting highways, including parking and traffic on highways;

AND WHEREAS Municipalities may pass By-Laws under the provisions of the Highway Traffic Act, R.S.O. 1990, c H8;

AND WHEREAS on June 26, 2023 Council passed a motion to institute an “All Way Stop” at the intersection of Tanbark Road and Hickory Avenue;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE enacts as follows:

1. That Schedule “N” (Through Highways) attached to By-law 4308-09 be amended by deleting:

HIGHWAY	FROM	TO
TANBARK ROAD	SOUTH LIMIT OF YORK ROAD	NORTH LIMIT OF HIGHWAY 405

2. That Schedule “N” (Through Highways) attached to By-law 4308-09 be amended by adding:

HIGHWAY	FROM	TO
TANBARK ROAD	SOUTH LIMIT OF YORK ROAD	HICKORY AVENUE
TANBARK ROAD	HICKORY AVENUE	NORTH LIMIT OF HIGHWAY 405

3. That Schedule “P” (Stop Signs at Intersections) attached to By-law 4308-09 be amended by adding:

INTERSECTION	AT	FACING TRAFFIC
HICKORY AVENUE	TANBARK ROAD	EAST BOUND ON HICKORY AVENUE
TANBARK ROAD	HICKORY AVENUE	NORTHBOUND ON TANBARK ROAD
TANBARK ROAD	HICKORY AVENUE	SOUTH BOUND ON HICKORY AVENUE

4. That Schedule “N” (Through Highways) attached to By-Law 4308-09 is hereby deleted and replaced with Schedule “N” (Through Highways) attached hereto.
5. That Schedule “P” (Stop Signs at Intersections) attached to By-law 4308-09, is hereby deleted and replaced with Schedule “P” (Stop Signs at Intersections) attached hereto.
6. This by-law shall come into force and take effect immediately upon the passing thereof except where signs must be erected, in which case the signs must be erected and the by-law finally passed before those clauses shall come into effect.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 30TH DAY OF JULY 2024.

LORD MAYOR GARY ZALEPA

TOWN CLERK GRANT BIVOL

SCHEDULE "N" TO BY-LAW 4308AT-24 (page 1 of 5)

THROUGH HIGHWAYS

COLUMN 1	COLUMN 2	
HIGHWAY	FROM	TO
ANDRES STREET	NORTH LIMIT OF LINE 2 ROAD	SOUTH LIMIT OF CHERRY STREET
ANNE STREET	WEST LIMIT OF KING STREET	SOUTH LIMIT OF REG. RD. 55
BALL STREET	NORTH LIMIT OF DELATER STREET	NIAGARA RIVER
BIANCA DRIVE	SOUTH LIMIT OF LORETTA DRIVE (NORTH INTERSECTION)	NORTH LIMIT OF DIANA DRIVE
BUNNY GLEN DRIVE	APRICOT GLEN DRIVE	CREEKSIDO DRIVE
BUTLER STREET	SOUTH LIMIT OF MARY STREET	SOUTH LIMIT OF BUTLER STREET
BYRON STREET	EAST LIMIT OF KING STREET	EAST LIMIT OF BYRON STREET
CASTLHEREAGH STREET	EAST LIMIT OF WELLINGTON STREET	EAST LIMIT OF KING STREET
CENTRE STREET	EAST LIMIT OF DORCHESTER STREET	WEST LIMIT OF MISSISSAGUA STREET
CHARLOTTE STREET	EAST LIMIT OF NIAGARA STREET	SOUTH LIMIT OF JOHN STREET
CHERRY STREET	WEST LIMIT OF HENRY STREET	EAST LIMIT OF FRONTIER DRIVE
CHURCH ROAD	EAST LIMIT OF STEWART ROAD	WEST LIMIT OF MCNAB ROAD
CHURCH ROAD	EAST LIMIT OF MCNAB ROAD	WEST LIMIT OF GRANTHAM/NIAGARA TOWNLINE
COLE CRESCENT	EAST LIMIT OF NIAGARA-ON-THE-BOULEVARD	NORTH LIMIT OF STEVENS DRIVE
COLONEL BUTLER CRESCENT	EAST LIMIT OF GARRSION VILLAGE DRIVE	SOUTH LIMIT OF COLONEL BUTLER CRESCENT
CONCESSION 2 ROAD	SOUTH LIMIT OF EAST & WEST LINE	NORTH LIMIT OF LINE 3 ROAD
CONCESSION 2 ROAD	SOUTH LIMIT OF LINE 3 ROAD	NORTH LIMIT OF YORK ROAD
CONCESSION 5 ROAD	SOUTH LIMIT OF LINE 7 ROAD	NORTH LIMIT OF QUEENSTON ROAD
CONCESSION 6 ROAD	SOUTH LIMIT OF REG. RD. 55	NORTH LIMIT OF QUEENSTON ROAD
CONCESSION 6 ROAD	SOUTH LIMIT OF YORK ROAD	NORTH LIMIT OF STAMFORD/NIAGARA
CONCESSION 7 ROAD	SOUTH LIMIT OF LINE 2 ROAD	NORTH LIMIT OF REG. RD. 55
CONFEDERATION DRIVE	SOUTH LIMIT OF UPPER CANADA DRIVE	SOUTH LIMIT OF LOWER CANADA DRIVE
DELATER STREET	WEST LIMIT OF MELVILLE STREET	EAST LIMIT OF KING STREET
DIANA DRIVE	WEST LIMIT OF CONCESSION 4 ROAD	WEST END OF DIANA DRIVE
DORCHESTER STREET	SOUTH LIMIT OF JOHNSON STREET	NORTH LIMIT OF WILLIAM STREET
FIELD ROAD	EAST LIMIT OF FOUR MILE CREEK ROAD	WEST LIMIT OF REG. RD. 55

SCHEDULE "N" TO BY-LAW 4308AT-24 (page 2 of 5)

THROUGH HIGHWAYS

FLYNN STREET	EAST LIMIT OF RYE STREET	WEST LIMIT OF CHARLOTTE STREET
FRONT STREET SOUTH (QUEENSTON)	NORTH LIMIT OF PARTITION STREET	NORTH LIMIT OF YORK ROAD (REG. RD. 81)
FRONT STREET (NIAGARA)	EAST LIMIT OF SIMCOE STREET	WEST LIMIT OF KING STREET
FRONTIER DRIVE	EAST LIMIT OF HOMESTEAD DRIVE	SOUTH LIMIT OF FRONTIER DRIVE
GAGE STREET	EAST LIMIT OF DORCHESTER STREET	WEST LIMIT OF MISSISSAGUA STREET
GAGE STREET	EAST LIMIT OF SIMCOE STREET	WEST LIMIT OF REGENT STREET
GATE STREET	SOUTH LIMIT OF GAGE STREET	NORTH LIMIT OF WILLIAM STREET
GARRISON VILLAGE DRIVE	SOUTH LIMIT OF LAKESHORE ROAD	80 METRES SOUTHWEST OF REG. RD. 55
GRANTHAM\NIAGARA TOWN LINE ROAD	SOUTH LIMIT OF EAST & WEST LINE	NORTH LIMIT OF CARLETON ROAD
GRANTHAM\NIAGARA TOWN LINE ROAD	NORTH L IMIT OF LINE 8 ROAD	NORTH LIMIT OF QUEENSTON ROAD
HARMONY DRIVE	EAST LIMIT OF CHARLOTTE STREET	EAST END OF HARMONY DRIVE
HENRY STREET	SOUTH LIMIT OF LINE 1 ROAD	EAST LIMIT OF ANDRES STREET
HOMESTEAD DRIVE	SOUTH LIMIT OF LINE 1 ROAD	SOUTH LIMIT HOMESTEAD ROAD
HUNTER ROAD	EAST LIMIT OF FOUR MILE CREEK ROAD	NORTH LIMIT OF REG. RD. 55
IRVINE ROAD	SOUTH LIMIT OF REG. RD. 55	NORTH LIMIT OF QUEENSTON ROAD
JOHN ST. EAST	EAST LIMIT OF KING STREET	WEST LIMIT OF NIAGARA RIVER PARKWAY
JOHN ST. WEST	SOUTH LIMIT OF REG. RD. 55	WEST OF VICTORIA STREET
JOHN ST. WEST	EAST LIMIT OF VICTORIA STREET	WEST LIMIT OF KING STREET
JOHNSON STREET	SOUTH LIMIT OF NIAGARA BOULEVARD	WEST LIMIT OF MISSISSAGUA STREET
JOHNSON STREET	EAST LIMIT OF MISSISSAGUA STREET	WEST LIMIT OF GATE STREET
JOHNSON STREET	EAST LIMIT OF VICTORIA STREET	WEST LIMIT OF KING STREET
KING STREET	SOUTH LIMIT OF JOHN STREET	SOUTH LIMIT OF QUEEN/PICTON STREET
KING STREET	SOUTH LIMIT OF KING STREET	SOUTH LIMIT OF COTTAGE STREET
KING STREET	NORTH LIMIT OF COTTAGE STREET	SOUTH LIMIT OF JOHN STREET
LINE 1 ROAD	EAST LIMIT OF CONCESSION 4 ROAD	WEST LIMIT OF CONCESSION 2 ROAD
LINE 1 ROAD	WEST LIMIT OF CONCESSION 6 ROAD	EAST LIMIT OF GRANTHAM/NIAGARA TOWNLINE ROAD
LINE 1 ROAD	EAST LIMIT OF CONCESSION 6 ROAD	WEST LIMIT OF FOUR MILE CREEK ROAD
LINE 2 ROAD	EAST LIMIT OF FOUR MILE CREEK ROAD	WEST LIMIT OF CONCESSION 4 ROAD

SCHEDULE "N" TO BY-LAW 4308AT-24 (page 3 of 5)

THROUGH HIGHWAYS

LINE 2 ROAD	EAST LIMIT OF CONCESSION 4 ROAD	WEST LIMIT OF CONCESSION 2 ROAD
LINE 2 ROAD	EAST LIMIT OF GRANTHAM/NIAGARA TOWNLINE ROAD	WEST LIMIT OF CONCESSION 6 ROAD
LINE 2 ROAD	EAST LIMIT OF CONCESSION 6 ROAD	NORTH LIMIT OF REG. RD. 55
LINE 3 ROAD	EAST LIMIT OF FOUR MILE CREEK ROAD	WEST LIMIT OF CONCESSION 2 ROAD
LINE 4 ROAD	EAST LIMIT OF FOUR MILE CREEK ROAD	WEST LIMIT OF CONCESSION 2 ROAD
LINE 4 ROAD	EAST LIMIT OF CONCESSION 6 ROAD	WEST LIMIT OF FOUR MILE CREEK ROAD
LINE 5 ROAD	EAST LIMIT OF CONCESSION 6 ROAD	WEST LIMIT OF FOUR MILE CREEK ROAD
LINE 5 ROAD	EAST LIMIT OF FOUR MILE CREEK ROAD	WEST LIMIT OF CONCESSION 2 ROAD
LINE 6 ROAD	EAST LIMIT OF FOUR MILE CREEK ROAD	WEST LIMIT OF CONCESSION 2 ROAD
LINE 6 ROAD	EST LIMIT OF CONCESSION 6 ROAD	WEST LIMIT OF FOUR MILE CREEK ROAD
LINE 7 ROAD	EAST LIMIT OF CONCESSION 6 ROAD	WEST LIMIT OF FOUR MILE CREEK ROAD
LINE 7 ROAD	EAST LIMIT OF FOUR MILE CREEK ROAD	WEST LIMIT OF CONCESSION 2 ROAD
LINE 8 ROAD	EAST LIMIT OF CONCESSION 5 ROAD	WEST LIMIT OF FOUR MILE CREEK ROAD
LINE 8 ROAD	EAST LIMIT OF FOUR MILE CREEK ROAD	WEST LIMIT OF CONCESSION 2 ROAD
LINE 9 ROAD	EAST LIMIT OF FOUR MILE CREEK ROAD	WEST LIMIT OF CONCESSION 2 ROAD
LORETTA DRIVE	WEST LIMIT OF CONCESSION 4 ROAD	EAST LIMIT OF BIANCA DRIVE (SOUTH INTERSECTION)
LOWER CANADA DRIVE	EAST LIMIT OF GARRRISON VILLAGE DRIVE	WEST LIMIT OF EAST CONFEDERATION DRIVE
MARY STREET	LAKESHORE ROAD	WEST LIMIT OF MISSISSAGUA STREET
MARY STREET	EAST LIMIT OF MISSISSAGUA STREET	WEST LIMIT OF KING STREET
MELROSE DRIVE	NORTH LIMIT OF STAMFORD/NIAGARA TOWNLINE ROAD	NORTH LIMIT OF MELROSE DRIVE
MELVILLE STREET	SOUTH LIMIT OF RIVER EACH DRIVE	NORTH LIMIT OF BYRON STREET
MISSISSAUGA STREET	SOUTH LIMIT OF QUEEN STREET	NORTH LIMIT OF MARY STREET
NASSAU STREET	SOUTH LIMIT OF JOHNSON STREET	NORTH LIMIT OF WILLIAM STREET
NASSAU STREET	SOUTH LIMIT OF WILLIAM STREET	NORTH LIMIT OF LAKESHORE ROAD
NIAGARA BOULEVARD	EAST LIMIT OF VINCENT AVENUE	EAST LIMIT OF PALATIME PLACE
NIAGARA-ON-THE-GREEN BOULEVARD	SOUTH LIMIT OF GLENDALE AVENUE (REG. RD. 89)	SOUTHERN TERMINUS OF NIAGARA-ON-THE-GREEN BOULEVARD
NIAGARA STREET	NORTH LIMIT OF CHARLOTTE STREET	NORTH LIMIT OF RYE STREET

SCHEDULE "N" TO BY-LAW 4308AT-24 (page 4 of 5)

THROUGH HIGHWAYS

NIVEN ROAD	WOUTH LIMIT OF LAKESHORE ROAD	NORTH LIMIT OF REG. RD. 55
PAFFARD STREET	EAST LIMIT OF KING STREET	WEST LIMIT OF CHARLOTTE STREET
PALATINE PLACE	SOUTH LIMIT OF JOHNSON STREET	SOUTH LIMIT OF LANSDOWNE STREET
PICTON STREET	EAST LIMIT OF KING STREET	WEST LIMIT OF WELLINGTON STREET
PRIDEAUX STREET	EAST LIMIT OF GATE STREET	WEST LIMIT OF KING STREET
PRINCESS STREET	NORTH LIMIT OF PRINCESS STREET	NORTH LIMIT OF PARTITION STREET
PLATOFF STREET	WEST LIMIT OF WILLINGTON STREET	EAST LIMIT OF KING STREET
QUEEN STREET	EAST LIMIT OF PALATINE PLACE	WEST LIMIT OF KING STREET
QUEENS PARADE	EAST LIMIT OF WELLINGTON STREET	JOHN STREET
QUEENSTON ROAD	SOUTH LIMIT OF REG. RD. 55	NORTH LIMIT OF YORK ROAD
QUEENSTON ROAD	EAST LIMIT OF AIRPORT ROAD	WEST LIMIT OF CONCESSION 7 ROAD
QUEENSTON ROAD	EAST LIMIT OF CONCESSION 7 ROAD	WEST LIMIT OF CONCESSION 6 ROAD
QUEENSTON ROAD	EAST LIMIT OF CONCESSION 6 ROAD	WEST LIMIT OF YORK ROAD
QUEENSTON ROAD	SOUTH LIMIT OF NIAGARA RIVER PARKWAY	NORTH LIMIT OF DUMFRIES STREET
QUEENSTON STREET	SOUTH LIMIT OF DUMFRIES STREET	SOUTH LIMIT OF CLARENCE STREET
READ ROAD	SOUTH LIMIT OF LAKESHORE ROAD	SOUTH LIMIT OF READ ROAD
REGENT STREET	SOUTH LMIT OF GAGE STREET	NORTH LIMIT OF MARY STREET
RICARDO STREET	EAST LIMIT OF MELVILLE STREET	EAST LIMIT OF RICARDO STREET
RICARDO STREET	WEST LIMIT OF MELVILLE STREET	EAST LIMIT OF KING STREET
RIVER BEACH DRIVE	WEST LIMIT OF MELVILLE STREET	EAST LIMIT OF BALL STREET
RYE STREET	EAST LIMIT OF NIAGARA STREET	SOUTH LIMIT OF PAFFARD STREET
SCOTT STREET	EAST LIMIT OF STEWART ROAD	WEST LIMIT OF GRANTHAM/NIAGARA TOWNLINE ROAD
SHAKESPEARE AVENUE	NORTH LIMIT OF LAKESHORE ROAD	NORTH LIMIT OF SHAKESPEARE AVENUE
SIMCOE STREET	SOUTH LIMIT OF ANNE STREET	WOUTH END OF SIMCOE STREET
SIMCOE STREET	NORTH LIMIT OF FRONT STREET	NORTH LIMIT OF QUEEN STREET
SIMCOE STREET	SOUTH LIMIT OF JOHNSON STREET	NORTH LIMIT OF WILLIAM STREET
TANBARK ROAD	SOUTH LIMIT OF LINE 8 ROAD	NORTH LIMIT OF YORK ROAD
TANBARK ROAD	SOUTH LIMIT OF YORK ROAD	HICKORY AVENUE
TANBARK ROAD	HICKORY AVENUE	NORTH LIMIT OF HIGHWAY 405
THE PROMENADE (CRES)	EAST LIMIT OF CHARLOTTE STREET	EAST LIMIT OF CHARLOTTE STREET

SCHEDULE "N" TO BY-LAW 4308AT-24 (page 5 of 5)

THROUGH HIGHWAYS

UPPER CANADA DRIVE	EAST LIMIT OF GARRISON VILLAGE DRIVE	WEST LIMIT OF COLONEL BUTLER CRESCENT
VICTORIA STREET	SOUTH LIMIT OF GAGE STREET	NORTH LIMIT OF MARY STREET
WARNER ROAD	NORTH LIMIT OF REG. RD. 55	WEST LIMIT OF TANBARK ROAD
WELLINGTON STREET	SOUTH LIMIT OF PICTON STREET	NORTH LIMIT OF CASTLEREAGH STREET
WILLIAM STREET	EAST LIMIT OF CIRCLE STREET	WEST LIMIT OF MISSISSAGUA STREET
WILLIAM STREET	EAST LIMIT OF MISSISSAGUA STREET	WEST LIMIT OF VICTORIA STREET
YORK ROAD	EAST LIMIT OF NIAGARA RIVER PARKWAY	EAST LIMIT OF YORK ROAD

SCHEDULE "P" TO BY-LAW 4308AT-24 (page 1 of 3)

STOP SIGNS AT INTERSECTIONS

COLUMN 1	COLUMN 2	COLUMN 3
INTERSECTION	AT	FACING TRAFFIC
ADDISON AVENUE	CIRCLE STREET	EAST BOUND ON ADDISON AVENUE
ANDERSON LANE	REG. RD. 55 (NIAGARA STONE ROAD)	NORTH-WEST BOUND ON ANDERSON LANE
ANDERSON LANE	160 METRES SOUTH-EAST OF REG. RD. 55 (NIAGARA STONE ROAD)	SOUTH-EAST BOUND ON ANDERSON LANE
ANDERSON LANE	95 METRES SOUTH-WEST OF SIMCOE STREET	SOUTH-WEST BOUND ON ANDERSON LANE
BLACKBIRD STREET	BROCK STREET	NORTHBOUND ON BLACKBIRD STREET
BLACKBIRD STREET	JORDAN STREET	SOUTHBOUND ON BLACKBIRD STREET
BROCK STREET	GARRISON VILLAGE DRIVE	SOUTHWESTBOUND ON BROCK STREET
BORDEAUX DRIVE	FRONTIER DRIVE	NORTHBOUND BORDEAUX DRIVE
BUNNY GLEN DRIVE	CREEKSIDE DRIVE	SOUTHBOUND ON BUNNY GLEN DRIVE
BUNNY GLEN DRIVE	CREEKSIDE DRIVE	NORTHBOUND ON BUNNY GLEN DRIVE
CASTLEREAGH STREET	KING STREET	WEST BOUND ON CASTLEREAGH STREET
CENTRE STREET	KING STREET	EAST BOUND ON CENTRE STREET
CHURCH ROAD	MCNAB ROAD	EASTBOUND ON CHURCH ROAD
CHURCH ROAD	MCNAB ROAD	WESTBOUND ON MCNAB ROAD
CLARENCE STREET	KENT STREET	NORTH BOUND ON CLARENCE STREET
CONCESSION 2 ROAD	LINE 3 ROAD	NORTHBOUND ON CONCESSION 2 ROAD
CONCESSION 2 ROAD	LINE 3 ROAD	SOUTHBOUND ON CONCESSION 2 ROAD
CONCESSION 4 ROAD	LINE 1 ROAD	NORTH BOUND ON CONCESSION 4 ROAD
CONCESSION 4 ROAD	LINE 1 ROAD	SOUTH BOUND ON CONCESSION 4 ROAD
CONCESSION 4 ROAD	LINE 2 ROAD	NORTH BOUND ON CONCESSION 4 ROAD
CONCESSION 4 ROAD	LINE 2 ROAD	SOUTH BOUND ON CONCESSION 4 ROAD
CONCESSION 6 ROAD	LINE 1 ROAD	NORTH BOUND ON CONCESSION 6 ROAD
CONCESSION 6 ROAD	LINE 1 ROAD	SOUTH BOUND ON CONCESSION 6 ROAD
CONCESSION 6 ROAD	LINE 2 ROAD	NORTH BOUND ON CONCESSION 6 ROAD
CONCESSION 6 ROAD	LINE 2 ROAD	SOUTHBOUND ON CONCESSION 6 ROAD
COTTAGE STREET	KING STREET	EAST BOUND ON COTTAGE STREET
COTTAGE STREET	KING STREET	WEST BOUND ON COTTAGE STREET
CREEKSIDE DRIVE	BUNNY GLEN DRIVE	WESTBOUND ON CREEKSIDE DRIVE
DIXIE AVENUE	CIRCLE STREET	NORTHBOUND ON DIXIE AVENUE
DORCHESTER STREET	JOHNSON STREET	NORTH BOUND ON DORCHESTER STREET
DORCHESTER STREET	JOHNSON STREET	SOUTHBOUND ON DORCHESTER STREET
DUMFRIES STREET	QUEENSTON STREET	EAST BOUND ON DUMFRIES STREET
DUMFRIES STREET	QUEENSTON STREET	WEST BOUND ON DUMFRIES STREET
DURHAM WAY (NORTH LEG)	WRIGHT CRESCENT (WEST LEG)	EASTBOUND ON DURHAM WAY (NORTH LEG)
DURHAM WAY (SOUTH LEG)	WRIGHT CRESCENT (WEST LEG)	EASTBOUND ON DURHAM WAY (SOUTH LEG)
FROEBEL AVENUE	CIRCLE STREET	SOUTHBOUND ON FROEBEL AVENUE
FRONT STREET	KING STREET	EAST BOUND ON FRONT STREET
FRONTIER DRIVE	HOMESTEAD DRIVE	NORTHBOUND ON FRONTIER DRIVE
GAGE STREET	REGENT STREET	EAST BOUND ON GAGE STREET
GAGE STREET	REGENT STREET	WEST BOUND ON GAGE STREET
GAGE STREET	KING STREET	EAST BOUND ON GAGE STREET
GAGE STREET	NASSAU STREET	EAST BOUND ON GAGE STREET
GAGE STREET	PALATINE PLACE	WESTBOUND ON GAGE STREET

SCHEDULE "P" TO BY-LAW 4308AT-24 (page 2 of 3)

STOP SIGNS AT INTERSECTIONS

GARRISON VILLAGE DRIVE	GARRISON VILLAGE DRIVE 80 METRES SOUTHWEST OF REG. RD. 55	SOUTHEAST BOUND ON GARRISON VILLAGE DRIVE
GARRISON VILLAGE DRIVE	JORDAN STREET	NORTH-WEST BOUND ON GARRISON VILLAGE DRIVE
GARRISON VILLAGE DRIVE	PEREZ STREET	SOUTH-EAST BOUND ON GARRISON VILLAGE DRIVE
GATE STREET	JOHNSON STREET	NORTH BOUND ON GATE STREET
GATE STREET	JOHNSON STREET	SOUTH BOUND ON GATE STREET
GRANGE CRESCENT	HOMESTEAD DRIVE (SOUTH INTERSECTION)	WESTBOUND ON GRANGE CRESCENT
GRIFFITHS GATE	GLENDALE AVENE	NORTHBOUND ON GRIFFITHS GATE
GRIFFITHS GATE	WRIGHT CRESCENT (NORTH LEG)	SOUTHBOUND ON GRIFFITHS GATE
HAYNES COURT	WRIGHT CRESCENT (WEST LEG)	WESTBOUND ON HAYNES COURT
HICKORY AVENUE	TANBARK ROAD	EASTBOUND ON HICKORY AVENUE
JOHN STREET	KING STREET	WESTBOUND ON JOHN STREET
JOHN STREET	KING STREET	EASTBOUND ON JOHN STREET
JOHNSON STREET	GATE STREET	EAST BOUND ON JOHNSON STREET
JOHNSON STREET	GATE STREET	WEST BOUND ON JOHNSON STREET
JOHNSON STREET	VICTORIA STREET	EAST BOUND ON JOHNSON STREET
JOHNSON STREET	VICTORIA STREET	WEST BOUND ON JOHNSON STREET
JOHNSON STREET	KING STREET	EASTBOUND ON JOHNSON STREET
JOHNSON STREET	DORCHESTER STREET	EAST BOUND ON JOHNSON STREET
JOHNSON STREET	DORCHESTER STREET	WESTBOUND ON JOHNSON STREET
JORDAN STREET	NORTON STREET	EASTBOUND ON JORDAN STREET
JORDAN STREET	GARRISON VILLAGE DRIVE	SOUTH-WEST BOUND ON JORDAN STREET
KEITH CRESCENT (NORTH LEG)	WRIGHT CRESECENT (WEST LEG)	EASTBOUND ON KEITH CRESCENT (NORTH LEG)
KEITH CRESCENT (SOUTH LEG)	WRIGHT CRESCENT (WEST LEG)	EASTBOUND ON KEITH CRESCENT (SOUTH LEG)
KING STREET	JOHN STREET	NORTHBOUND ON KING STREET
KING STREET	JOHN STREET	SOUTHBOUND ON KING STREET
KING STREET	RICARDO STREET	NORTHBOUND ON KING STREET
KING STREET	COTTAGE STREET	NORTH BOUND ON KING STREET
KING STREET	COTTAGE STREET	SOUTH BOUND ON KING STREET
KING STREET	QUEEN/PICTON STREET	NORTHBOUND ON KING STREET
KING STREET	QUEEN/PICTON STREET	SOUTHBOUND ON KING STREET
KIRBY STREET	BROCK STREET	NORTHBOUND ON KIRBY STREET
KIRBY STREET	MACDONELL ROAD	SOUTHBOUND ON KIRBY STREET
LAKEVIEW DRIVE	ORCHARD DRIVE	SOUTHBOUND ON LAKEVIEW DRIVE
LINE 1 ROAD	CONCESSION 4 ROAD	EAST BOUND ON LINE 1 ROAD
LINE 1 ROAD	CONCESSION 4 ROAD	WEST BOUND ON LINE 1 ROAD
LINE 1 ROAD	CONCESSION 6 ROAD	EAST BOUND ON LINE 1 ROAD
LINE 1 ROAD	CONCESSION 6 ROAD	WEST BOUND ON LINE 1 ROAD
LINE 2 ROAD	CONCESSION 4 ROAD	EAST BOUND ON LINE 2 ROAD
LINE 2 ROAD	CONCESSION 4 ROAD	WEST BOUND ON LINE 2 ROAD
LINE 2 ROAD	CONCESSION 6 ROAD	EAST BOUND ON LINE 2 ROAD
LINE 2 ROAD	CONCESSION 6 ROAD	WEST BOUND ON LINE 2 ROAD
LINE 3 ROAD	CONCESSION 2 ROAD	EASTBOUND ON LINE 3 ROAD
LINE 3 ROAD	CONCESSION 2 ROAD	WESTBOUND ON LINE 3 ROAD
LUTHER AVENUE	CIRCLE STREET	EASTBOUND ON LUTHER AVENUE
MCNAB ROAD	CHURCH ROAD	NORTHBOUND ON MCNAB ROAD
MCNAB ROAD	CHURCH ROAD	SOUTHBOUND ON MCNAB ROAD
MURRAY STREET	BROCK STREET	NORTHWEST BOUND ON MURRAY STREET
MURRAY STREET	MACDONELL ROAD	SOUTHEAST BOUND ON MURRAY STREET
MARY STREET	KING STREET	EAST BOUND ON MARY STREET
NELLES STREET	DAVY STREET	EAST BOUND ON NELLES STREET
NELLES STREET	KING STREET	WEST BOUND ON NELLES STREET
NIAGARA STREET	CHAROLETTE STREET	NORTHBOUND ON NIAGARA STREET
NIAGARA STREET	CHAROLETTE STREET	SOUTHBOUND ON NIAGARA STREET
NIAGARA-ON-THE- GREEN BOULEVARD	COLLECTION BOULEVARD	NORTHBOUND ON NIAGARA-ON-THE- GREEN BOULEVARD

SCHEDULE "P" TO BY-LAW 4308AT-24 (page 3 of 3)

STOP SIGNS AT INTERSECTIONS

NORTON STREET	BROCK STREET	NORTHBOUND ON NORTON STREET
OAK DRIVE	CIRCLE STREET	NORTH BOUND ON OAK DRIVE
ORCHARD DRIVE	LANSDOWNE AVENUE	WEST BOUND ON ORCHARD DRIVE
ORCHARD DRIVE	PALATINE PLACE	EAST BOUND ON ORCHARD DRIVE
PENNER STREET	ELDEN STREET	EAST BOUND ON PENNER STREET
PENNER STREET	ELDEN STREET	WEST BOUND ON PENNER STREET
PEREZ STREET	GARRISON VILLAGE DRIVE	NORTH-EAST BOUND ON PEREZ
PICTON STREET	KING STREET	WEST BOUND ON PICTON STREET
PICTON STREET/ QUEEN'S PARADE	WELLINGTON STREET	WEST BOUND ON QUEEN'S PARADE
PICTON STREET/QUEEN'S PARADE	WELLINGTON STREET	EAST BOUND ON PICTON STREET
PLATOFF STREET	KING STREET	WEST BOUND ON PLATOFF STREET
PRIDEAUX STREET	GATE STREET	EASTBOUND ON PRIDEAUX STREET
PRIDEAUX STREET	GATE STREET	WESTBOUND ON PRIDEAUX STREET
QUEEN STREET	KING STREET	EAST BOUND ON QUEEN STREET
QUEEN STREET	MISSISSAGUA STREET	NORTH-WEST BOUND ON QUEEN STREET
QUEEN STREET	MISSISSAGUA STREET	SOUTH-EAST BOUND ON QUEEN STREET
QUEENSTON ROAD	CONCESSION 7 ROAD	EAST BOUND ON QUEENSTON ROAD
QUEENSTON ROAD	CONCESSION 7 ROAD	WEST BOUND ON QUEENSTON ROAD
QUEENSTON STREET	DUMFRIES STREET	SOUTHBOUND ON QUEENSTON STREET
QUEENSTON STREET	DUMFRIES STREET	NORTHBOUND ON QUEENSTON STREET
READ LANE	HAINES LANE	WEST BOUND ON READ LANE
READ LANE	DAVY STREET	EAST BOUND ON READ LANE
REGENT STREET	GAGE STREET	NORTHBOUND ON REGENT STREET
REGENT STREET	GAGE STREET	SOUTHBOUND ON REGENT STREET
RICARDO STREET	KING STREET	WEST BOUND ON RICARDO STREET
RYE STREET	COTTAGE STREET	SOUTH BOUND ON RYE STREET
TANBARK ROAD	HICKORY AVENUE	NORTHBOUND ON TANBARK ROAD
TANBARK ROAD	HICKORY AVENUE	SOUTHBOUND ON TANBARK ROAD
VICTORIA STREET	JOHNSON STREET	NORTHBOUND ON VICTORIA STREET
VICTORIA STREET	JOHNSON STREET	SOUTHBOUND ON VICTORIA STREET
VICTORIA STREET	JOHN STREET	SOUTHBOUND ON VICTORIA STREET
VICTORIA STREET	JOHN STREET	NORTHBOUND ON VICTORIA STREET
VINCENT AVENUE	CIRCLE STREET	SOUTH BOUND ON VINCENT AVENUE
WELLINGTON STREET	PICTON STREET/QUEENS PARADE	NORTH BOUND ON WELLINGTON STREET
WELLINGTON STREET	PICTON ST. \ QUEENS' PARADE	SOUTH BOUND ON WELLINGTON STREET
WESLEY AVENUE	CIRCLE STREET	SOUTHBOUND ON WESLEY AVENUE
WILBERFORCE AVENUE	CIRCLE STREET	SOUTH BOUND ON WILBERFORCE AVENUE
WILLIAM STREET	CIRCLE STREET	WEST BOUND ON WILLIAM STREET
WRIGHT CRESCENT (WEST LEG)	WRIGHT CRESCENT (NORTH LEG)	NORTHBOUND ON WRIGHT CRESCENT (WEST LEG)
WRIGHT CRESCENT (WEST LEG)	WRIGHT CRESCENT (SOUTH LEG)	SOUTHBOUND ON WRIGHT CRESCENT (WEST LEG)
WYCLIFFE AVENUE	CIRCLE STREET	EAST BOUND ON WICKLIFFE AVENUE

Explanation of the Purpose and Effect of
By-law 4316FL-24

The subject lands are located on the north side of Line 2 Road, east of Concession 6 Road, south of Homestead Drive, and west of Frontier Drive, and legally described as Part Township Lot 119 Niagara Part 1, 30R15177; Part Township Lot 119 as in RO334969; and, Part Township Lot 119 Niagara Parts 1 and 2, 30R15178 Except Plan 30M468, Niagara-on-the-Lake.

Purpose

The purpose of this By-law is to rezone the subject lands to permit a proposed subdivision and condominium with public and private roads, and lots for 52 single-detached dwellings fronting onto public roads, 6 street townhouse dwellings fronting Line 2 Road, and 102 block townhouse dwelling units to be accessed via private roads.

Effect

The effect of this By-law is to rezone the subject lands from “Virgil Community Zoning District – Residential Development (RD) Zone” to “Virgil Community Zoning District – Residential Multiple [RM1-45(a)] Site Specific Zone,” “Virgil Community Zoning District – Residential Multiple [RM1-45(b)] Site Specific Zone,” “Virgil Community Zoning District – Residential [R2-45(a)] Site Specific Zone,” and “Virgil Community Zoning District – Residential [R2-45(b)] Site Specific Zone” with site-specific provisions for lot frontage, lot area, lot coverage, setbacks, width of garage doors and permitted yard projections and encroachments.

<i>Applicant:</i>	Ron Berard (Grey Forest Homes Ltd.)
<i>File Number:</i>	ZBA-02-2024
<i>Report Number:</i>	CDS-24-123
<i>Assessment Roll Number:</i>	262702001419900, 262702001419990, 262702001420200

**THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE
BY-LAW NO. 4316FL-24**

Konik Estates Phase 2
Roll 262702001419900, 262702001419990, 262702001420200

A BY-LAW PURSUANT TO SECTION 34 OF THE ONTARIO *PLANNING ACT* TO AMEND BY-LAW 4316-09, AS AMENDED, ENTITLED A BY-LAW TO REGULATE THE USE OF LANDS AND THE ERECTION, USE, BULK, HEIGHT, LOCATION, AND SPACING OF BUILDINGS AND STRUCTURES WITHIN THE TOWN OF NIAGARA-ON-THE-LAKE.

WHEREAS the Town of Niagara-on-the-Lake Council is empowered to enact this By-law by virtue of the provisions of Section 34 of the Planning Act, R.S.O. 1990, c.P.13, as amended.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE enacts as follows:

1. Schedule "A-14" of By-law 4316-09, as amended, is further amended by changing the zoning of the subject lands identified on Map "A" (attached to and forming part of this By-law) from "Virgil Community Zoning District – Residential Development (RD) Zone" to "Virgil Community Zoning District – Residential Multiple [RM1-45(a)] Site Specific Zone," "Virgil Community Zoning District – Residential Multiple [RM1-45(b)] Site Specific Zone," "Virgil Community Zoning District – Residential [R2-45(a)] Site Specific Zone," and "Virgil Community Zoning District – Residential [R2-45(b)] Site Specific Zone."
2. That Subsection 10.12 Site Specific Exceptions of By-law 4316-09, as amended, is hereby further amended by adding the following section:

**10.12.45 Konik Estates Phase2 Subdivision – See Schedule 'A-14'
[RM1-45(a)], [RM1-45(b)], [R2-45(a)], [R2-45(b)]**

10.12.45.1 RM1-45(a) Zone Requirements

In lieu of the corresponding provisions of Subsection 10.4.2.2, and in addition to such provisions, the following provisions shall apply to the subject lands identified as RM1-45(a) on Schedule 'A-14':

(a)	Minimum lot frontage	8.5 metres for an exterior lot
(b)	Minimum lot area	288 square metres for an exterior lot (Riesling Drive and Line 2 Road)
(c)	Maximum lot coverage	45% An additional 5% lot coverage is permitted for attached covered and unenclosed porches, decks and patios
(e)	Minimum front yard setback	4.5 metres 6.0 metres to the front face of a garage An attached garage shall be setback a minimum of 1.0 metres behind the main façade of the dwelling on the ground floor
(f)	Maximum interior side yard setback	1.5 metres No interior side yard is required between the common vertical wall dividing one unit from another.
(g)	Minimum exterior side yard setback	1.5 metres
(h)	Minimum rear yard setback	6.0 metres
(n)	Maximum total width of garage doors	50% of the dwelling unit

10.12.45.2 RM1-45(b) Zone Requirements

In lieu of the corresponding provisions of Subsection 10.4.2.3, and in addition to such provisions, the following provisions shall apply to the subject lands identified as RM1-45(b) on Schedule 'A-14':

(a)	Minimum lot frontage	15.0 metres
(c)	Maximum lot coverage	45% (entire development)
(e)	Minimum front yard setback	4.5 metres

		6.0 metres to the front face of a garage An attached garage shall be setback a minimum of 1.0 metres behind the main façade of the dwelling on the ground floor
(f)	Minimum interior side yard setback	0.0 metres to a common wall 2.0 metres from the end wall of a dwelling unit to a property line
(g)	Minimum exterior side yard setback	3.0 metres from the end wall of a dwelling unit to a property line abutting a public or private street
(h)	Minimum rear yard setback	6.0 metres
(j)	Minimum distance between any townhouse dwelling and a private roadway and parking area	1.4 metres
(m)	Minimum accessory building yards setback	Not applicable
(o)	Minimum accessory building exterior side yard setback	Not applicable
(p)	Maximum total width of garage doors	50% of the dwelling unit frontage on a private lane

10.12.45.3 R2-45(a) Zone Requirements

In lieu of the corresponding provisions of Subsection 10.2.2, and in addition to such provisions, the following provisions shall apply the subject lands identified as R2-45(a) on Schedule 'A-14':

(a)	Minimum lot frontage	13.0 metres for an interior lot
(b)	Minimum lot area	400 square metres
(c)	Maximum lot coverage	50% An additional 5% lot coverage is permitted for attached covered and unenclosed porches, decks, and patios
(e)	Minimum front yard setback	4.5 metres to the main façade of the dwelling 6.0 metres to the front face of a

		garage An attached garage shall be setback a minimum of 1.0 metres behind the main facade of the dwelling on the ground floor
(g)	Minimum exterior side yard setback	3.0 metres 6.0 metres for a garage with the entrance facing the exterior side yard
(k)	Minimum accessory building yards setback	1.0 metres for rear yard and interior side yard
(l)	Minimum accessory building exterior side yard setback	3.0 metres
(m)	Maximum total width of garage doors	6.0 metres

10.12.45.4 R2-45(b) Zone Requirements

In lieu of the corresponding provisions of Subsection 10.2.2, and in addition to such provisions, the following provisions shall apply the subject lands identified as R2-45(b) on Schedule 'A-14':

(c)	Maximum lot coverage	40% An additional 5% lot coverage is permitted for attached covered and unenclosed porches, decks, and patios
(f)	Minimum interior side yard setback	1.4 metres to an existing in-ground swimming pool

10.12.45.5 RM1-45(a) & RM1-45(b) Parking Space Requirements, Additional Provisions

In lieu of the provisions of Subsection 6.40(i) and (j), the minimum interior side yard setback for a driveway shall be 0.25 metres from a dwelling unit line where driveways are abutting and 0.0 metres from a dwelling unit line where driveways are not abutting.

10.12.45.6 RM1-45(a), RM1-45(b) & R2-45(a) Permitted Yard Projections and Encroachments

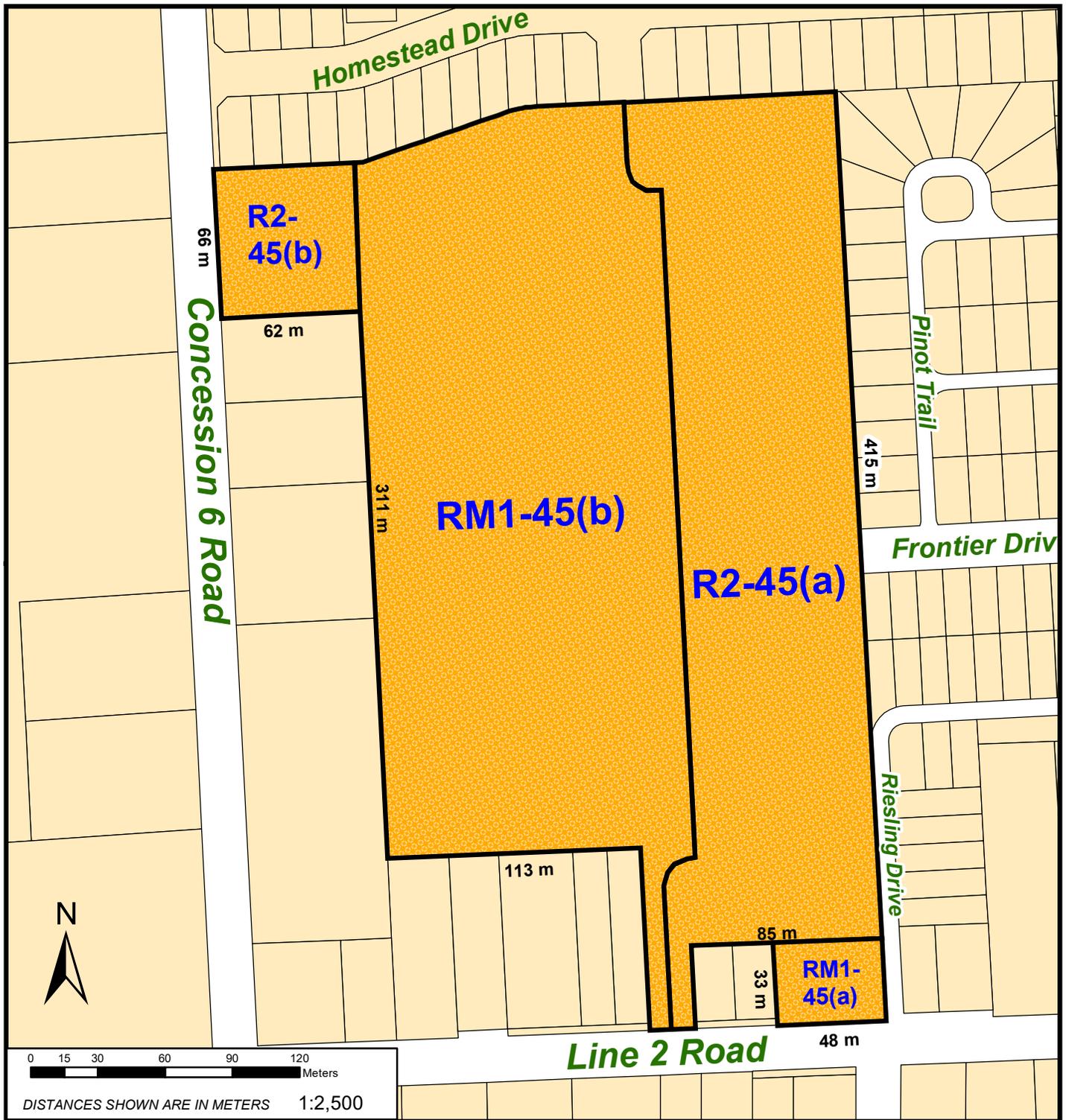
Notwithstanding the provisions of Subsection 6.44 Table 6-10 of Zoning By-law 4316-09, as amended, Permitted Yard Projections and Encroachments, on lands identified as RM1-45(a), RM1-45(b) and R2-45(a) on Schedule 'A-14,' the following provisions shall apply:

- 1) an unenclosed and uncovered or covered porch, patio or steps may project 2.5 metres into a required front yard and may project 1.5 metres into a required exterior side yard.
- 2) an unenclosed and uncovered or covered porch, deck or patio (such porch, deck or patio shall have a platform no greater than 1.2 metres above finished grade) or steps may project 3.8 metres into a required rear yard, provided that any covered area is no greater than 14.5 square metres (excluding eaves and gutters) and has a maximum height of 5.0 metres above finished grade.
3. All other provisions of Zoning By-law 4316-09, as amended, shall continue to apply to the subject lands.

READ A FIRST, SECOND AND THIRD TIME THIS 30th DAY OF JULY, 2024.

LORD MAYOR GARY ZALEPA

TOWN CLERK GRANT BIVOL



MAP 'A' ATTACHED TO BY-LAW 4316FL-24, BEING AN AMENDMENT TO SCHEDULE "A-14" OF ZONING BY-LAW 4316-09, AS AMENDED, OF THE TOWN OF NIAGARA-ON-THE-LAKE AS PASSED ON THIS 30TH DAY OF JULY, 2024.

LORD MAYOR
GARY ZALEPA

TOWN CLERK
GRANT BIVOL

Explanation of the Purpose and Effect of
By-law 4316FQ-24

The subject lands are described as 308 Four Mile Creek Road and are legally described as “FIRSTLY: PART TOWNSHIP LOT 89 NIAGARA, PART 1 PLAN 30R13725; SECONDLY: PART TOWNSHIP LOT 89 NIAGARA, PART 1 PLAN 30R14992; TOGETHER WITH AN EASEMENT OVER PART LOT 89 NIAGARA TOWNSHIP, PARTS 2, 3 & 4 PLAN 30R14992 AS IN NR362619; TOWN OF NIAGARA-ON-THE-LAKE”, now in the Town of Niagara-on-the-Lake, Regional Municipality of Niagara.

Purpose

The purpose of this By-law is to rezone a portion of the subject lands to permit the development of nine (9) townhouse dwelling units and one (1) block for future development, with common elements for a private road, environmental protection area and landscaping, and to rezone a portion of the subject lands to protect the existing Four Mile Creek watercourse and associated buffer lands by prohibiting any type of development, save and except a private road and private infrastructure, subject to approval from the Niagara Peninsula Conservation Authority.

Effect

The effect of this By-law is to rezone the subject lands from “St. Davids Community Zoning District – Enterprise (E-17) Site Specific Zone” and “St. Davids Community Zoning District - Enterprise (E) Zone” to “Open Space (OS-41(a)) Site Specific Zone”, “Open Space (OS-41(b)) Site Specific Zone” and “Residential Multiple (RM1-41-H) – Site Specific Holding Zone” with site-specific provisions for minimum front yard setback from a private road, minimum rear yard setbacks, maximum garage door width and garage setback from face of dwelling, minimum interior side yard setback, minimum distance between buildings on the same lot, and encroachment into front yard and rear yard for a porch, with the inclusion of a Holding (H) symbol to require the filing of a Record of Site Condition.

<i>Applicant:</i>	Sleek Developments Inc.
<i>File Number:</i>	ZBA-18-2023
<i>Report Number:</i>	CDS-24-085
<i>Assessment Roll Number:</i>	262702002506000 and 262702002505800

**THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE
BY-LAW NO. 4316FQ-24**

308 Four Mile Creek Road

Roll 262702002506000 and 262702002505800

A BY-LAW PURSUANT TO SECTION 34 OF THE ONTARIO *PLANNING ACT* TO AMEND BY-LAW NO. 4316-09, AS AMENDED, ENTITLED A BY-LAW TO REGULATE THE USE OF LANDS AND THE ERECTION, USE, BULK, HEIGHT, LOCATION, AND SPACING OF BUILDINGS AND STRUCTURES WITHIN THE TOWN OF NIAGARA-ON-THE-LAKE.

WHEREAS the Town of Niagara-on-the-Lake Council is empowered to enact this By-law by virtue of the provisions of Section 34 of the Planning Act, R.S.O. 1990, c.P.13, as amended.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE enacts as follows:

1. Schedule "A-23" of By-law 4316-09, as amended, is further amended by changing the zoning of the subject lands identified on Map 'A' attached to and forming part of this By-law from "St. Davids Community Zoning District – Enterprise (E-17) Site Specific Zone" and "St. Davids Community Zoning District - Enterprise (E) Zone" to "St. Davids Community Zoning District - Residential Multiple (RM1-41-H) – Site Specific Holding Zone", "Open Space (OS-41(a)) Site Specific Zone" and "St. Davids Community Zoning District – Open Space (OS-41(b)) Site-Specific Zone".

- 2 That Subsection 9.13 Site Specific Exceptions of By-law 4316-09, as amended, is hereby further amended by adding the following sections:

9.13.41 – 308 Four Mile Creek Road – See Schedule ‘A-23’

9.13.41.1 RM1-41-H Zone Requirements

In lieu of the corresponding provisions of Subsection 9.4.2.3, and in addition to such provisions, the following provisions shall apply on the lands identified as RM1-41-H on Schedule “A-23”:

(f)	Minimum front yard setback	6.0 m from a private lane to the main façade of a dwelling unit 16.0 m from the property line abutting Four Mile Creek Road to the main façade of a dwelling unit An attached garage shall be setback a minimum of 1 metre behind the main façade of the dwelling unit on the ground floor
(g)	Minimum interior side yard setback	1.2 m from a dwelling unit or covered porch to a property line 0 m from a common wall
(i)	Minimum rear yard setback	41.0 m from the rear face of a dwelling unit to a property line 8.0 m from the rear of a condominium unit line to the rear face of a dwelling unit
(j)	Minimum distance between buildings located on the same lot from end wall to end wall	2.4 m
(k)	Minimum distance between any townhouse dwelling and an internal driveway	Not applicable

	and parking area to the front of the dwelling, and to the front face of garage	
(q)	Maximum total width of garage doors	50% of the front face of a dwelling unit

9.13.41.2 In lieu of the corresponding provisions of Section 6.44 Table 6-10 of Zoning By-law 4316-09, as amended, Permitted Yard Projections and Encroachments, on lands identified as RM1-41-H on Schedule “A-23’, the following provisions shall apply:

- a) an unenclosed and uncovered or covered porch, patio or steps may project 2.0 metres into a required front yard.
- b) an unenclosed and uncovered or covered porch, deck or patio or steps may project 3.5 metres into a required rear yard, provided that any covered area is no greater than 15 square meters (excluding eaves and gutters).

9.13.41.3 OS-41(a) Permitted Uses

In lieu of the permitted uses contained in Subsection 9.11.1 of Zoning By-law 4316-09, as amended, and the zone requirements contained in Subsection 9.11.2 of the By-law, only the following use shall be permitted within the “Open Space (OS-41(a)) Site Specific Zone”:

- a) *conservation management activities* and uses.

9.13.41.4 OS-41(b) Permitted Uses

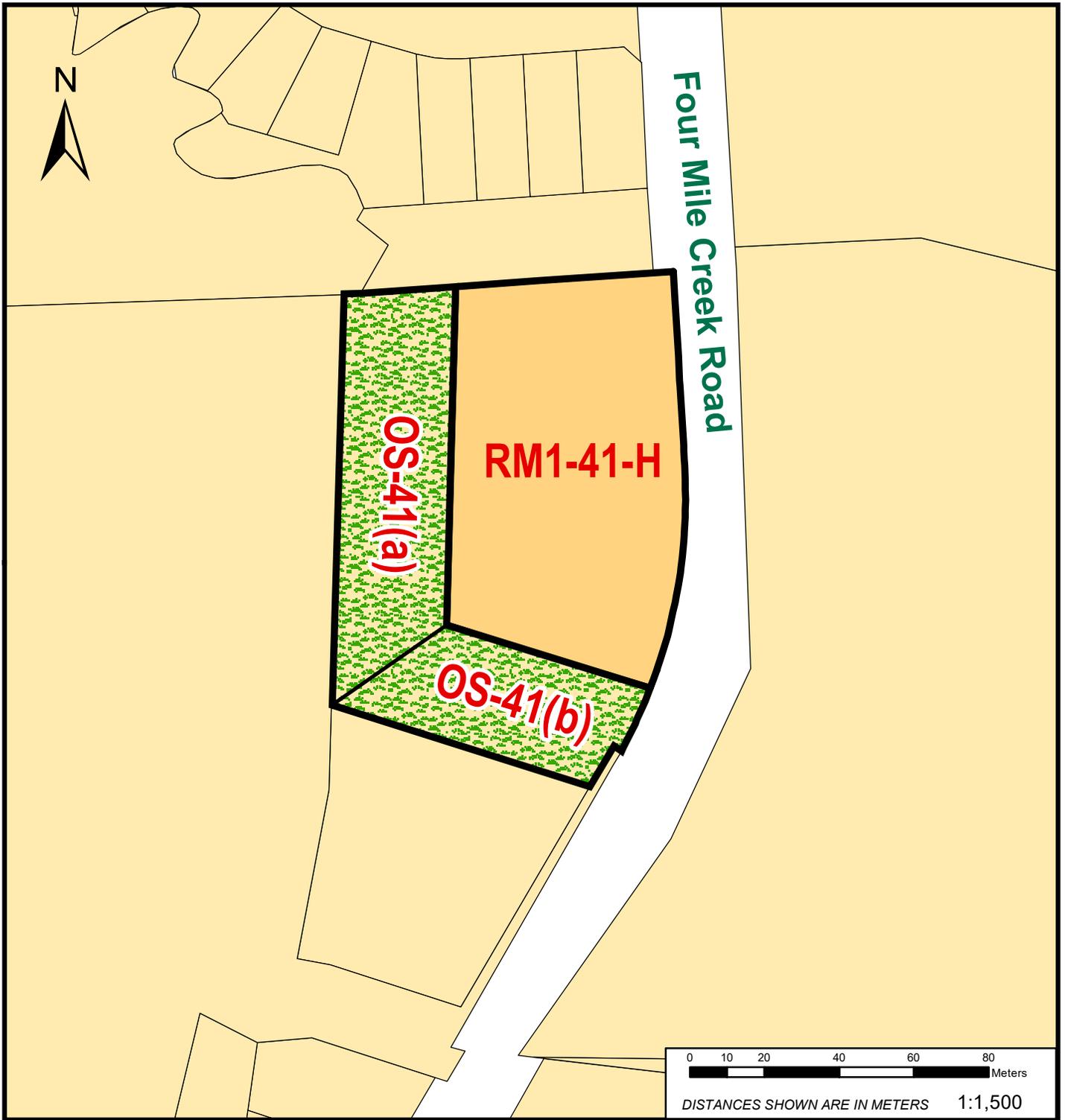
In lieu of the permitted uses contained in Subsection 9.11.1 of Zoning By-law 4316-09, as amended, and the zone requirements contained in Subsection 9.11.2 of the By-law, only the following use shall be permitted within the “Open Space (OS-41(b)) Site Specific Zone”:

- a) *conservation management activities* and uses.
 - b) a *private road* and *private infrastructure*, subject to approval from the Niagara Peninsula Conservation Authority.
3. The development of the subject lands identified as RM1-41-H on Schedule “A-23” shall only be permitted upon removal of the Holding (H) symbol. The Holding (H) symbol shall not be removed until such time as the submission of confirmation of the filing of a Record of Site Condition with the Ministry, to the satisfaction of the Corporation of the Town of Niagara-on-the-Lake and Niagara Region.
4. That this By-law shall become effective upon final approval of the related Amendment No. 96 to the Town of Niagara-on-the-Lake Official Plan.

READ A FIRST, SECOND AND THIRD TIME THIS 30th DAY OF JULY 2024.

LORD MAYOR GARY ZALEPA

TOWN CLERK GRANT BIVOL



MAP 'A' ATTACHED TO BY-LAW 4316FQ-24, BEING AN AMENDMENT TO SCHEDULE "A-23" OF ZONING BY-LAW 4316-09, AS AMENDED, OF THE TOWN OF NIAGARA-ON-THE-LAKE AS PASSED ON THIS 30th DAY OF JULY, 2024.

LORD MAYOR
GARY ZALEPA

TOWN CLERK
GRANT BIVOL

**THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE
BY-LAW NO. 2024-052**

Official Plan Amendment No. 96
308 Four Mile Creek Road
Roll 262702002506000 and 262702002505800

FIRSTLY: PART TOWNSHIP LOT 89 NIAGARA, PART 1 PLAN 30R13725; SECONDLY: PART TOWNSHIP LOT 89 NIAGARA, PART 1 PLAN 30R14992; TOGETHER WITH AN EASEMENT OVER PART LOT 89 NIAGARA TOWNSHIP, PARTS 2, 3 & 4 PLAN 30R14992 AS IN NR362619; TOWN OF NIAGARA-ON-THE-LAKE

A BY-LAW PURSUANT TO SECTION 17 OF THE ONTARIO PLANNING ACT
TO AMEND THE TOWN OF NIAGARA-ON-THE-LAKE OFFICIAL PLAN

WHEREAS the Town of Niagara-on-the-Lake Council is empowered to enact this By-law by virtue of the provisions of Section 17 of the *Planning Act, R.S.O. 1990, c.P.13, as amended*;

The Council of The Corporation of the Town of Niagara-on-the-Lake, in accordance with the provisions of Section 17 of the *Planning Act* hereby enacts as follows:

1. Amendment No. 96 to the Official Plan for the Town of Niagara-on-the-Lake consisting of the attached explanatory text and schedule is hereby adopted.
2. Amendment No. 96 to the Official Plan for the Town of Niagara-on-the-Lake is exempt from the approval of the Regional Municipality of Niagara and will come into force and take effect on the day of the final passing thereof.

Enacted and passed this 30th day of July, 2024.

LORD MAYOR GARY ZALEPA

TOWN CLERK GRANT BIVOL

**Amendment No. 96 to the Official Plan
for the Town of Niagara-on-the-Lake**

PART A – THE PREAMBLE

Part A does not constitute part of this amendment. Part A describes the purpose and basis for this amendment.

PART B – THE AMENDMENT

Part B constitutes Amendment No. 96 to the Official Plan for the Town of Niagara-on-the-Lake.

**PART C – ADDITIONAL
INFORMATION**

Part C does not constitute part of this amendment but outlines additional information available upon request.

PART A - THE PREAMBLE

The preamble does not constitute part of this amendment.

PURPOSE

The purpose of this amendment is to redesignate a portion of the subject lands from “Prestige Industrial (Cannery Park)” and “Conservation” to “Low Density Residential”, “Conservation” and a site-specific “Conservation” designation to facilitate residential uses.

BASIS

The basis of the amendment is as follows:

1. The subject lands are located in the Urban Area of St. Davids, located on the west side of Four Mile Creek Road, north of York Road and south of Millpond Road, on lands municipally known as 308 Four Mile Creek Road.
2. The Amendment is required to redesignate a portion of the subject lands to facilitate residential uses (9 townhouse dwelling units). A portion of the subject lands are located within an environmentally protected area. No development is proposed on the environmental lands, save and except for a private road and private infrastructure, subject to approval from the Niagara Peninsula Conservation Authority.
3. A portion of the subject lands are currently recognized as locally designated employment lands located outside of a regionally identified Employment Area. The change in land use to accommodate residential uses conforms with the intent of applicable Provincial, Regional and Town planning policies. The change in land use has been examined and evaluated in the context of applicable planning policies and the studies and information submitted in support of the application which demonstrate the need and suitability for the change in land use.
4. Studies submitted as part of the application to support the development, demonstrate protection of the environmental area, and address land use compatibility with surrounding existing industrial land uses.
5. The proposal would provide more housing and a more diverse housing stock, to address current housing needs.
6. The Amendment is consistent with the Provincial Policy Statement (2020) and conforms with the intent of the Growth Plan (2020), the Regional Official Plan (2022) and the Town’s Official Plan (2017 Consolidation, as amended).
7. A future application for Site Plan Approval would be required to facilitate the development of the proposed 9-unit private road townhouse development.

PART B - THE AMENDMENT

Part B – The Amendment, consisting of the following text and Schedule, constitutes Amendment No. 96 to the Official Plan for the Town of Niagara-on-the-Lake.

DETAILS OF THE AMENDMENT

1. That Schedule “D” to the Official Plan, as amended, is further amended by redesignating a portion of the subject lands from “Prestige Industrial (Cannery Park)” and “Conservation” to “Low Density Residential”, “Conservation” and site-specific “Conservation – EX-CON-1” as shown on Schedule 1 attached hereto.
2. That the following is added to Part 3 – Land Use Policies, Section 16: Conservation/Wetlands:

“16.5 EXCEPTIONS

Within the Conservation designation, certain lands are shown as exceptions. An exception designation may recognize an existing land use which is not normally permitted in the Conservation designation or it may place some other restriction on the property. The following is a Conservation exception.

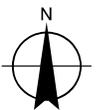
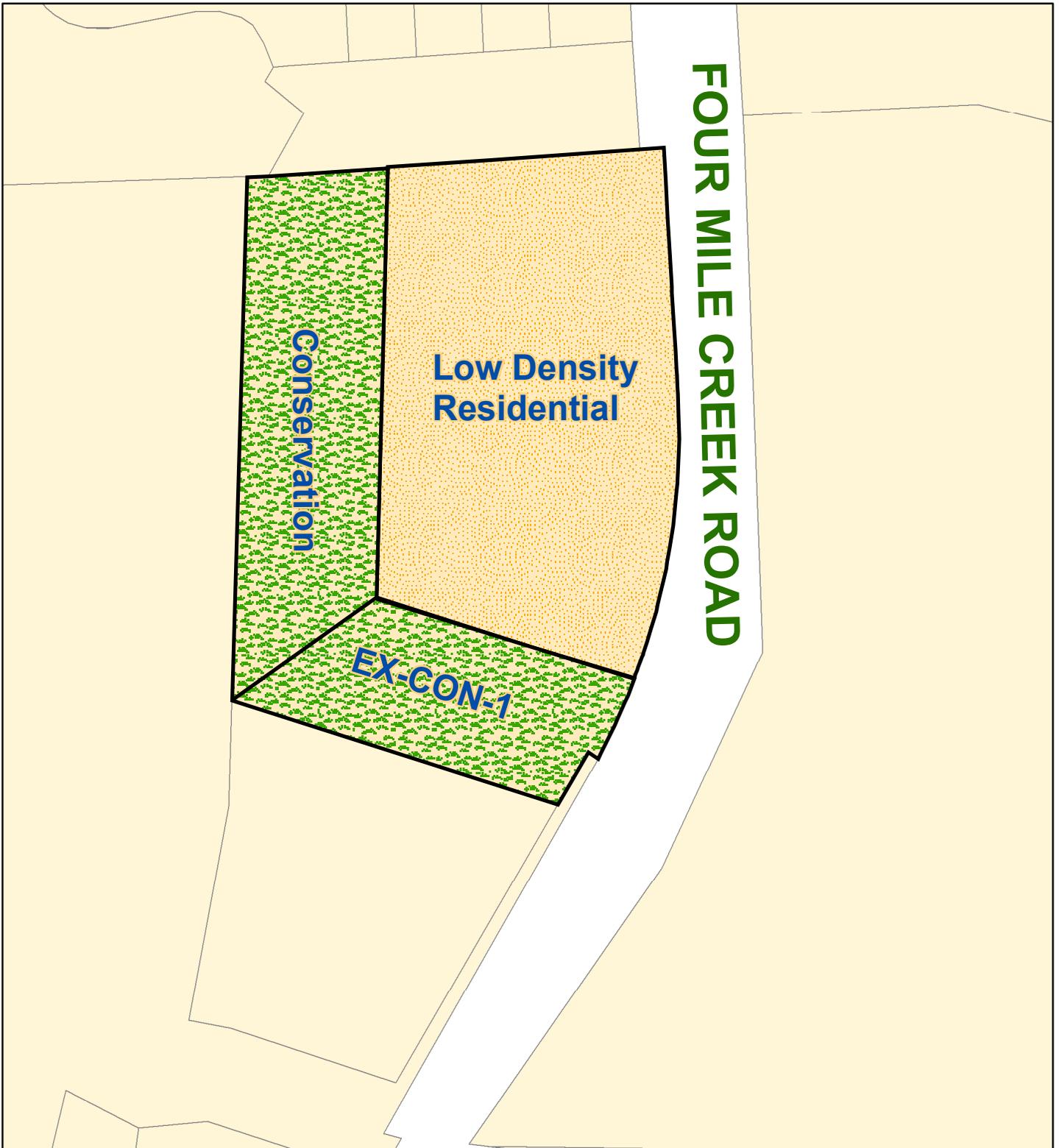
EX-CON-1 The portion of the lands identified as Conservation – EX-CON-1 on Schedule D, municipally known as 308 Four Mile Creek Road, shall be subject to all requirements of the “Conservation” designation and any other general requirements of this Plan, except the following shall apply:

In addition to the uses identified under Subsection 16.3.1 of the Official Plan, a private road is permitted as well as private infrastructure, subject to Niagara Peninsula Conservation Authority approval.”

PART C – ADDITIONAL INFORMATION

The following additional information is available upon request:

1. Information Report to Council – Public Meeting, 308 Four Mile Creek (CDS-23-210)
2. Committee of the Whole – Planning Meeting Minutes dated October 3, 2023
3. Community and Development Services Report CDS-24-085
4. Council Meeting Minutes dated June 25, 2024



**SCHEDULE 1 ATTACHED TO OFFICIAL PLAN AMENDMENT 96
BEING AN AMENDMENT TO SCHEDULE "D" OF THE OFFICIAL
PLAN OF THE TOWN OF NIAGARA-ON-THE-LAKE**

LORD MAYOR
GARY ZALEPA

TOWN CLERK
GRANT BIVOL

Explanation of the Purpose and Effect of
By-law 4316FR-24

The subject lands are described as 187 Queen Street, Niagara-on-the-Lake, more particularly described as LT 49 TP PL 86 NIAGARA; PT LT 50 TP PL 86 NIAGARA AS IN RO659780; Town of Niagara-on-the-Lake, Regional Municipality of Niagara.

Purpose

The purpose of this By-law is to rezone the subject lands to permit the creation of one (1) new residential lot for the construction of a single-detached dwelling and retain one (1) residential lot with an existing single-detached dwelling for continued residential use.

Effect

The effect of this By-law is to rezone the subject lands from “Old Town Community Zoning District – Established Residential (ER) Zone” to “Old Town Community Zoning District – Established Residential [ER-114(a)] Site-Specific Zone” and “Old Town Community Zoning District – Established Residential [ER-114(b)] Site-Specific Zone” with site-specific provisions pertaining to:

- Lot frontage and depth
- Front yard setback
- Rear yard setback
- Exterior side yard setback
- Permitted encroachment for uncovered/covered porches, patios and decks
- Garage setback and garage door width

<i>Owner:</i>	Rainer Hummel
<i>File Number:</i>	ZBA-05-2024
<i>Report Numbers:</i>	CDS-24-104
<i>Assessment Roll Number:</i>	262701000404100

**THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE
BY-LAW NO. 4316FR-24**

187 Queen Street, Roll #: 262701000404100

A BY-LAW TO AMEND BY-LAW NO. 4316-09, AS AMENDED, ENTITLED
A BY-LAW TO REGULATE THE USE OF LANDS AND THE ERECTION,
USE, BULK, HEIGHT, LOCATION, AND SPACING OF BUILDINGS AND
STRUCTURES WITHIN THE TOWN OF NIAGARA-ON-THE-LAKE.

WHEREAS the Town of Niagara-on-the-Lake Council is empowered to enact this By-law by virtue of the provisions of Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended;

AND WHEREAS this By-law conforms to the Town of Niagara-on-the-Lake Official Plan.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE enacts as follows:

1. Schedule "A-1" of By-law 4316-09, as amended, is further amended by changing the zoning of the subject lands identified on Map 'A' attached to and forming part of this By-law from "Old Town Community Zoning District – Established Residential (ER) Zone" to "Old Town Community Zoning District – Established Residential [ER-114(a)] Site-Specific Zone" and "Old Town Community Zoning District – Established Residential [ER-114(b)] Site-Specific Zone".
2. That Subsection 7.14 Site Specific Exceptions of By-law 4316-09, as amended, is hereby further amended by adding the following section:

7.14.114 – 187 Queen Street – See Schedule ‘A-1’ [ER-114(a) and ER-114(b)]

7.14.114.1 ER-114 (a) Zone Requirements

In lieu of and in addition to the corresponding provisions of Subsection 7.1.2, the following provisions shall apply to the subject lands identified as ER-114 (a) on Schedule ‘A-1’:

(a)	Minimum lot frontage Minimum lot depth	33 m (108.2 ft) 42 m (137.7 ft)
(b)	Minimum front yard setback	8.5 m (27.8 ft)
(k)	Maximum encroachment into a required rear yard for an unenclosed and uncovered/covered porch, deck, balcony, patio or steps	3.5 m (11.4 ft)
(l)	A detached or attached garage shall be setback a minimum of 1 metre behind the main façade of the dwelling on the ground floor	
(m)	The door(s) of an attached garage shall not occupy more than 50% of the width of the dwelling façade	

7.14.114.2 ER-114 (b) Zone Requirements

In lieu of and in addition to the corresponding provisions of Subsection 7.1.2, the following provisions shall apply to the subject lands identified as ER-114 (b) on Schedule ‘A-1’:

(a)	Minimum lot frontage Minimum lot depth	29 m (95.1 ft) 42 m (137.7 ft)
(b)	Minimum front yard setback	As existing on the date of passage of this by-law
(c)	Minimum rear yard setback	5 m (16.4 ft)
(i)	Minimum exterior side yard setback to the front face of the dwelling	As existing on the date of passage of this by-law
	Minimum exterior side yard setback to the front face of an attached garage	12 m (39.3 ft)

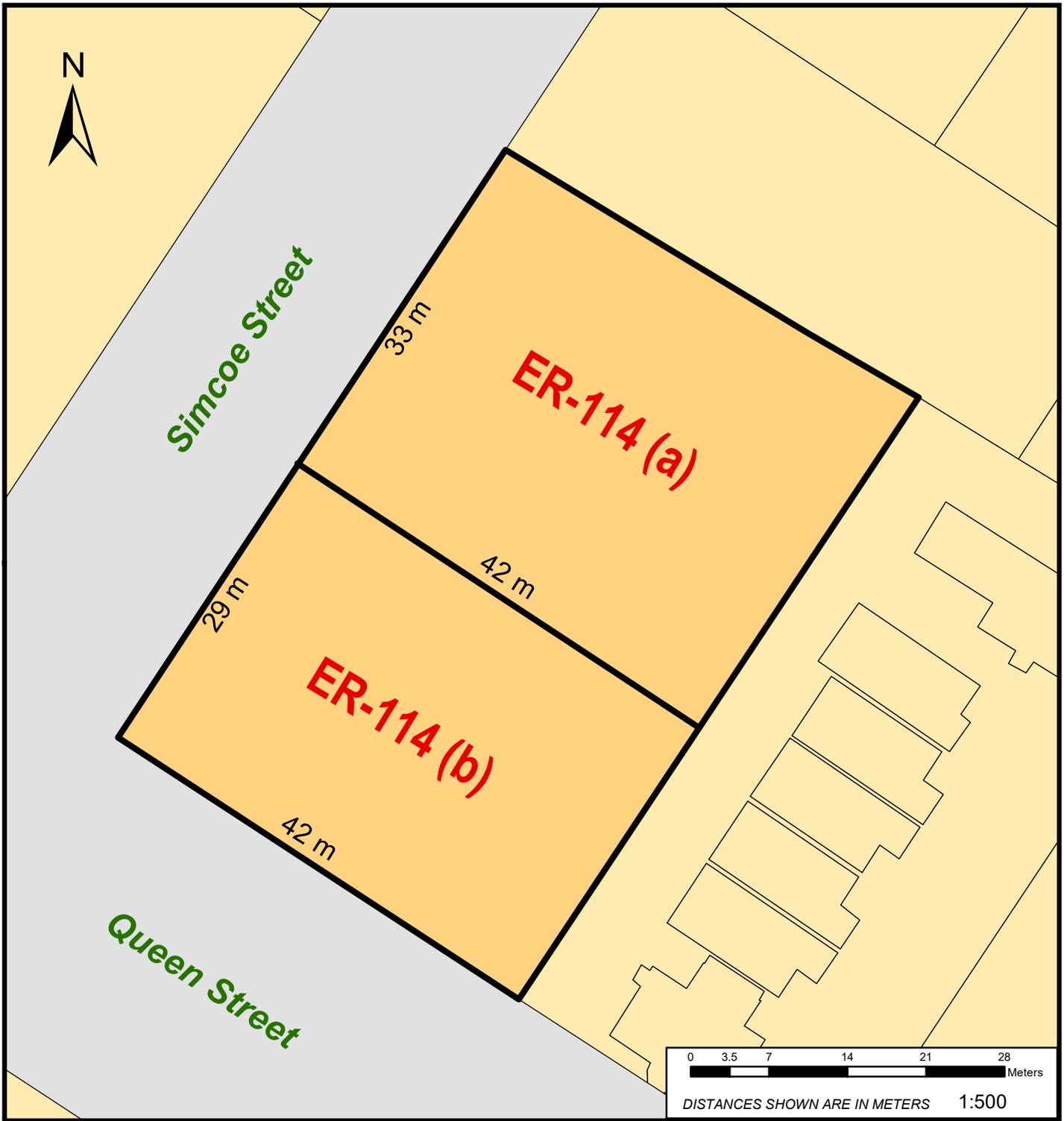
3. All other provisions of Zoning By-law 4316-09, as amended, shall continue to apply to the subject lands.

4. That the effective date of this By-law shall be the date of final passage thereof.

READ A FIRST, SECOND AND THIRD TIME THIS 30TH DAY OF JULY, 2024.

LORD MAYOR GARY ZALEPA

TOWN CLERK GRANT BIVOL



MAP 'A' ATTACHED TO BY-LAW 4316FR-24, BEING AN AMENDMENT TO SCHEDULE "A-1" OF ZONING BY-LAW 4316-09, AS AMENDED, OF THE TOWN OF NIAGARA-ON-THE-LAKE AS PASSED ON THIS 30th DAY OF JULY, 2024.

LORD MAYOR
GARY ZALEPA

TOWN CLERK
GRANT BIVOL

Explanation of the Purpose and Effect of
By-law 500YJ-24

The subject property is a parcel of land described as 976 York Road, Niagara-on-the-Lake, more particularly described as Part of Township Lot 135 Niagara Part 2 30R512; Niagara-on-the-Lake.

Purpose

The purpose of this By-law is to rezone the subject property to permit a proposed Estate Winery with secondary uses, and rezone a portion of the lands with an existing watercourse for continued environmental uses.

Effect

The effect of this By-law is to rezone the subject property to “Rural (A) Site-Specific Zone” permitting an Estate Winery with secondary uses and including site-specific provisions pertaining to lot area, parking requirements, floor areas of secondary uses and outdoor event permissions. The “Open Space (OS) Site-Specific Zone” would allow for continued environmental uses within the existing watercourse buffer.

<i>Applicant:</i>	Michael Colaneri
<i>File Number:</i>	ZBA-12-2023
<i>Report Number:</i>	CDS-24-106
<i>Assessment Roll Number:</i>	262702001903710

**THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE
BY-LAW NO. 500YJ - 24**

976 York Road
Roll # 262702001903710

A BY-LAW PURSUANT TO SECTION 34 OF THE ONTARIO PLANNING ACT TO AMEND BY-LAW 500A-74, AS AMENDED, ENTITLED A BY-LAW TO REGULATE THE USE OF LAND AND THE CHARACTER, LOCATION AND USE OF BUILDINGS AND STRUCTURES THEREON.

WHEREAS the Town of Niagara-on-the-Lake Council is empowered to enact this By-law by virtue of the provisions of Section 34 of the Planning Act, R.S.O. 1990, c.P.13, as amended;

AND WHEREAS this By-law conforms to the Town of Niagara-on-the-Lake Official Plan.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE enacts as follows:

1. Schedule "A" of By-law 500A-74, as amended, is further amended by changing the zoning of the subject lands identified on Map 'A' (attached to and forming part of this By-law) from "Rural (A) Zone" to "Rural (A) Site-Specific Zone" and "Open Space (OS) Site-Specific Zone."
2. That Subsection 21.A, Special Exceptions of By-law 500A-74, as amended, is hereby further amended by adding the following:

976 York Road – Rural (A) Site-Specific Zone

1. In lieu of the permitted uses in Subsection 4.1 and Section 3.33, the following uses shall be permitted on the lands zoned "Rural (A) Site-Specific Zone" shown on Map 'A' attached hereto:
 - a) Rural Uses identified in Subsection 4.1(a) of the Rural (A) Zone excluding a home industry, animal hospital or kennel, and farm winery
 - b) One Estate Winery
 - c) Secondary uses to an Estate Winery as follows:
 - i. Retail Sale of Wine
 - ii. Interior Hospitality Areas (Ground Floor Hospitality and Mezzanine Hospitality Areas)
 - iii. Outdoor Hospitality Patio
 - iv. Commercial Kitchen and Food Preparation Area
 - v. Outdoor Event Area
 - vi. Office related to an Estate Winery

2. In lieu of the corresponding provisions of Section 3.33, and in addition to those provisions, the following provisions shall apply to the lands zoned “Rural (A) Site-Specific Zone” shown on Map ‘A’ attached hereto:
 - a) Minimum Lot Area – 10.1 hectares (25.2 acres)
 - b) Minimum Parking Requirements
 - i. 54 parking spaces for secondary uses, including 3 barrier-free parking spaces
 - ii. 2 bus parking spaces for secondary uses
 - iii. 6 parking spaces for employees

3. In lieu of the provisions of Section 3.33 – Secondary Uses – Subsection (d), the maximum total floor area of all Secondary Uses for the Estate Winery on the lands zoned “Rural (A) Site-Specific Zone” shown on Map ‘A’ attached hereto shall not exceed 1,156 m² with the maximum floor area of each individual Secondary Use as follows:
 - a) Retail Sale of Wine – 27 m²
 - b) Interior Hospitality Areas – 178 m² total
 - i. Ground Floor Hospitality Area – 128 m²
 - ii. Mezzanine Hospitality Area – 50 m²
 - c) Outdoor Hospitality Patio – 465 m²
 - d) Commercial Kitchen and Food Preparation Area – 36 m²
 - e) Outdoor Event Areas – 400 m²
 - f) Office (Winery-Related) – 50 m²

4. For the purpose of this site-specific by-law, the following provisions apply to the Outdoor Event Areas on the lands zoned “Rural (A) Site-Specific Zone” shown on Map ‘A’ attached hereto:
 - a) All outdoor activity, including amplified music, shall cease at 11:00 p.m.
 - b) A maximum number of twenty-four (24) outdoor events will be permitted each year, with only one (1) outdoor event being permitted per day.
 - d) An outdoor event tent shall be permitted between January 1st and December 31st (year-round).
 - f) A maximum of one (1) event and occupation of one event area is permitted at any one time.
 - g) Off-street parking for the outdoor event area is provided in accordance with Section 2(b) of this by-law.

5. For the purpose of this site-specific by-law, the following definitions shall apply to the lands zoned “Rural (A) Site-Specific Zone” shown on Map ‘A’ attached hereto:

Commercial Kitchen and Food Preparation Area – means a part of the building where food may be prepared and staged for the purpose of accommodating winery-related hospitality functions.

Interior Hospitality Areas – means a part of the building where wine and food may be served and includes the use of commercial cooking equipment on-site in the Commercial Kitchen and Food Preparation Area.

Outdoor Hospitality Patio – means a part or all of a patio with or without gazebos where wine and food may be served from the Commercial Kitchen and Food Preparation Area, but does not include any outdoor kitchen equipment, except for portable, non-fixed outdoor pizza oven and/or barbecue within the designated hospitality patio or outdoor event space, which may be permitted for the preparation of food to be consumed on site.

976 York Road – Open Space (OS) Site-Specific Zone

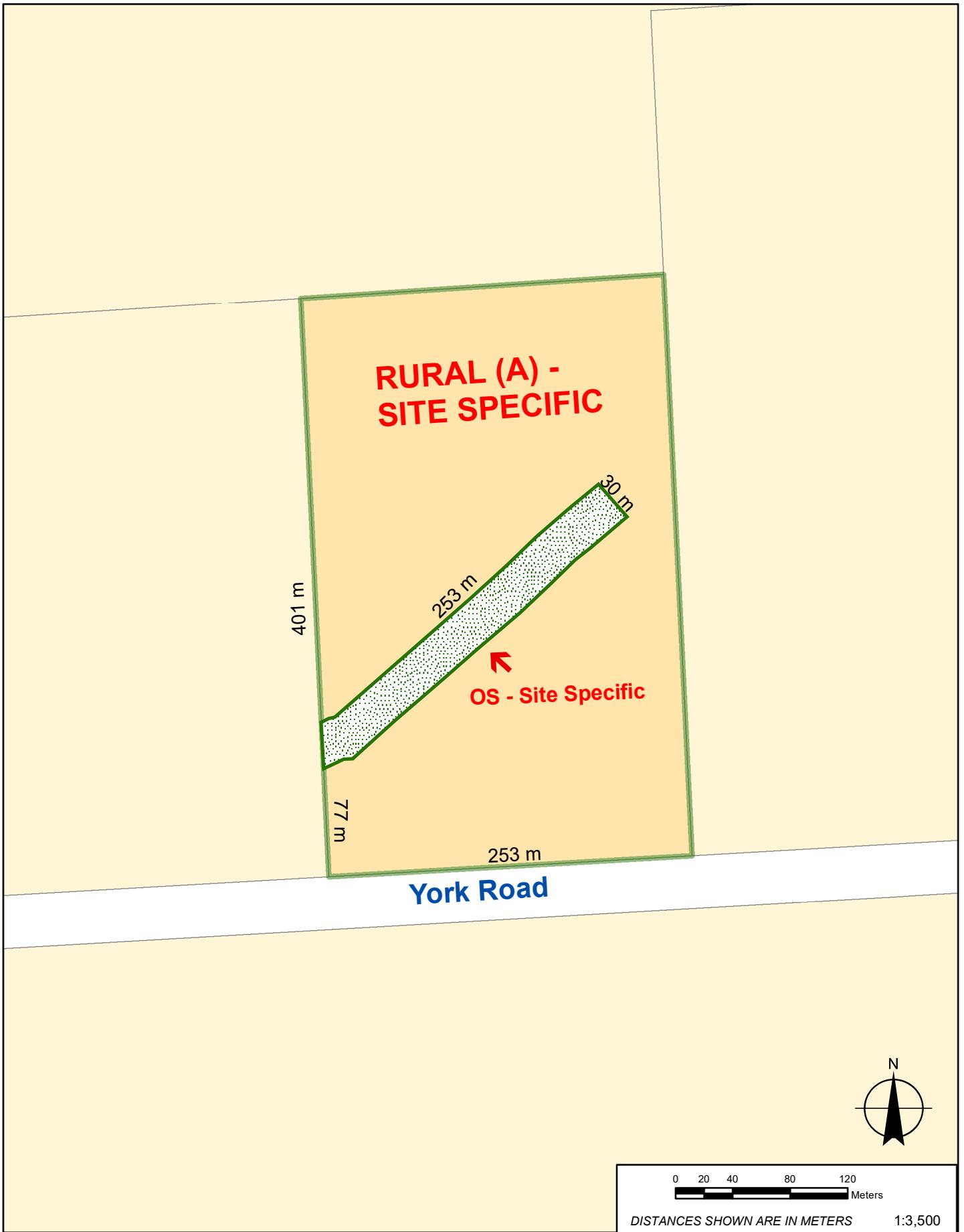
1. In lieu of the permitted uses and zone requirements under Section 18 – Open Space (OS) Zone, only environmental conservation uses, existing driveways and existing landscaped areas as of the date of passing of this by-law shall be permitted on the lands zoned “Open Space (OS) Site-Specific Zone” shown on Map ‘A’ attached hereto and the zone requirements do not apply.

3. That the effective date of this By-law shall be the date of final passage thereof.

READ A FIRST, SECOND AND THIRD TIME THIS 30TH DAY OF JULY, 2024.

LORD MAYOR GARY ZALEPA

TOWN CLERK GRANT BIVOL



MAP 'A' ATTACHED TO BY-LAW 500YJ-24 BEING AN AMENDMENT TO SCHEDULE "A" OF ZONING BY-LAW 500A-74, AS AMENDED, OF THE TOWN OF NIAGARA-ON-THE-LAKE AS PASSED ON THIS 30th DAY OF JULY, 2024.

**LORD MAYOR
GARY ZALEPA**

**TOWN CLERK
GRANT BIVOL**

**THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE
BY-LAW NO. 2024-050**

(14 Wesley Avenue, Roll No. 262702000723200)

A BY-LAW TO DESIGNATE THE PROPERTY KNOWN MUNICIPALY AS, **LANSDOWNE VILLA, 14 WESLEY AVENUE (PLAN 73A LOT 162)**, IN THE TOWN OF NIAGARA-ON-THE-LAKE, IN THE PROVINCE OF ONTARIO, AS BEING OF CULTURAL HERITAGE VALUE OR INTEREST.

WHEREAS Section 29 of the Ontario Heritage Act, R.S.O. 1990, Chapter 0.18, authorizes the Council of a municipality to enact by-laws to designate real property, including the historic structure thereon, to be of cultural heritage value or interest; and

WHEREAS the Council of the Corporation of the Town of Niagara-on-the-Lake has caused to be served on the owner of the lands and premises known as the **LANSDOWNE VILLA, 14 WESLEY AVENUE**, in the Town of Niagara-on-the-Lake in the Province of Ontario and upon the Ontario Heritage Trust, notice of intention to so designate the aforesaid real property and has caused such notice of intention to be published in a newspaper having general circulation in the municipality; and

WHEREAS the reasons for designation are set out in Schedule 'B' hereto; and

WHEREAS no notice of objection to the proposed designation has been served on the clerk of the municipality;

NOW THEREFORE the Council of the Corporation of the Town of Niagara-on-the-Lake enacts as follows:

1. There is designated as being of cultural heritage value or interest the real property known as **LANSDOWNE VILLA, 14 WESLEY AVENUE** in the Town of Niagara-on-the-Lake in the Province of Ontario, more particularly described in Schedule 'A' hereto.
2. The municipal solicitor is hereby authorized to cause a copy of this By-law to be registered against the property described in Schedule 'A' hereto.
3. The Clerk is hereby authorized to cause copy of this By-law to be served on the owners of the aforesaid property and on the Ontario Heritage Trust and to cause notice of the passing of this By-law to be published in a newspaper having general circulation.

READ A FIRST, SECOND AND THIRD TIME AND PASSED ON THIS 30th DAY OF JULY, 2024.

LORD MAYOR GARY ZALEPA

TOWN CLERK GRANT BIVOL

SCHEDULE 'A'

Legal Address: PLAN 73A LOT 162

PIN: 463940115

Civic Address: 14 Wesley Avenue

SCHEDULE 'B'

LANSDOWNE VILLA, 14 WESLEY AVENUE

Description of Property

The subject property is located on 14 Wesley Avenue and is called the Lansdowne Villa. It is located in the urban area of Old Town in Niagara-on-the-Lake. The subject property is located at the end of Wesley Avenue at the cul-de-sac with One Mile Creek and the pond located towards the north. The East elevation of the subject property faces the creek and the heavily wooded area around the creek. The subject property is located within the area that was designed and developed as the Canadian Chautauqua.

Statement of Cultural Heritage Value or Interest

The property known as the Lansdowne Villa has cultural heritage value or interest for its design and physical values, its historical and associative values and its contextual values.

Lansdowne Villa is a representative example of the Queen Anne Revival style. The two-storey rectangular plan residence has a complex gable roof with overhanging eaves, asymmetrical south elevation, verandah on facade, a square turret, and decorative shingles. The complex structure also features a protruding gable dormer window on east elevation featuring a flat arched opening with rounded corners. The Queen Anne Revival house also contains woodwork in the form of spindle-work on the verandah, wooden posts, and wooden mullions on windows. The residence displays a high degree of artistic value through the use of unique materials. The various types of decorative shingles used throughout the residence blend seamlessly with the design of the residence. The usage of multiple types of shingles is unique to the residence and the region.

Lansdowne Villa has historical importance as being a part of the Crookston that belonged to William and James Crooks. The brothers worked as merchants, farmers and also built ships. The subject property is also associated with the formation of the Canadian Chautauqua in Niagara. 14 Wesley Avenue has historical value as being the residence of the Peake family. The Lansdowne Villa was constructed by Lewis Peake in 1888 and was among the first houses to be built for the Canadian Chautauqua. Lewis Peake was the managing director of the Chautauqua and the secretary of the Niagara Assembly.

14 Wesley Avenue has the potential to yield information that contributes to the understanding of the Chautauqua movement. It also has the potential to yield information about the design principles that went into designing the Chautauqua neighborhood and the lifestyle and leisure activities of the people during that time period.

Lansdowne Villa is important in maintaining the character of the area. The playful Queen Anne Revival style of the subject property reflects the impact of the Chautauqua movement on the design of the cottages in the region. This is also reflected through the other dramatic residence styles found on Wesley Avenue. The subject property acts as a character supporting resource for the diminishing structures reflective of the Chautauqua. 14 Wesley Avenue is physically linked to its surroundings. The Lansdowne Villa is located on Lot 162 in the Chautauqua neighborhood. It maintains the original demarcation of the Lot and is a part of the radial design of the neighborhood.

Description of Heritage Attributes

Key exterior and structural attributes include:

- Two storey Queen Anne Revival style residence
- Complex gable roof with overhanging eaves

- Decorative shingles on elevations
- Verandah on façade
- Square turret
- Protruding dormer on east elevation
- Pairs of rectangular window openings
- Wooden posts, spindle-work, and wooden mullions
- Location of Lansdowne Villa within Chautauqua neighborhood
- Location beside One Mile Creek
- Mature trees

**THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE
BY-LAW NO. 2024-051**

(15618 Niagara River Parkway, Roll No. 262702001104700)

A BY-LAW TO DESIGNATE THE PROPERTY KNOWN MUNICIPALY AS, **GRAND VICTORIAN, 15618 NIAGARA RIVER PARKWAY (PART LOT 19)**, IN THE TOWN OF NIAGARA-ON-THE-LAKE, IN THE PROVINCE OF ONTARIO, AS BEING OF CULTURAL HERITAGE VALUE OR INTEREST.

WHEREAS Section 29 of the Ontario Heritage Act, R.S.O. 1990, Chapter 0.18, authorizes the Council of a municipality to enact by-laws to designate real property, including all buildings and structures thereon, to be of cultural heritage value or interest; and

WHEREAS the Council of the Corporation of the Town of Niagara-on-the-Lake has caused to be served on the owner of the lands and premises known as the **GRAND VICTORIAN, 15618 NIAGARA RIVER PARKWAY**, in the Town of Niagara-on-the-Lake in the Province of Ontario and upon the Ontario Heritage Trust, notice of intention to so designate the aforesaid real property and has caused such notice of intention to be published in a newspaper having general circulation in the municipality; and

WHEREAS the reasons for designation are set out in Schedule 'B' hereto; and

WHEREAS no notice of objection to the proposed designation has been served on the clerk of the municipality;

NOW THEREFORE the Council of the Corporation of the Town of Niagara-on-the-Lake enacts as follows:

1. There is designated as being of cultural heritage value or interest the real property known as **GRAND VICTORIAN, 15618 NIAGARA RIVER PARKWAY** in the Town of Niagara-on-the-Lake in the Province of Ontario, more particularly described in Schedule 'A' hereto.
2. The municipal solicitor is hereby authorized to cause a copy of this By-law to be registered against the property described in Schedule 'A' hereto.
3. The Clerk is hereby authorized to cause copy of this By-law to be served on the owners of the aforesaid property and on the Ontario Heritage Trust and to cause notice of the passing of this By-law to be published in a newspaper having general circulation.

READ A FIRST, SECOND AND THIRD TIME AND PASSED ON THIS 30th DAY OF JULY, 2024.

LORD MAYOR GARY ZALEPA

TOWN CLERK GRANT BIVOL

SCHEDULE 'A'

Legal Address: PART LOT 19

PIN: 464080049

Civic Address: 15618 Niagara River Parkway

SCHEDULE 'B'

GRAND VICTORIAN, 15618 NIAGARA RIVER PARKWAY

Description of Property

15618 Niagara River Parkway is located near the Queenston urban area on the Niagara River Parkway. The Grand Victorian is located on a large estate lot and integrates picturesque effects to complement its architecture. The estate faces the Niagara River on the east. The residence has a moderate setback from Niagara River Parkway and is partially visible from the road due to the mature trees lining the side of the road. The access to the residence is through Niagara River Parkway. The estate is enclosed in a boundary wall comprised of hedges and mature trees.

Statement of Cultural Heritage Value or Interest

The property known as the Grand Victorian has cultural heritage value or interest for its design and physical values, its historical and associative values and its contextual values.

The Grand Victorian has architectural value because it is a representative example of the Queen Anne Revival style architecture. The white stucco house features an irregular plan with protruding portions on elevations. The two and a half storey residence has a complex hipped and gable roof with overhanging eaves and cornice details, an asymmetrical façade, wrap-around verandah, double chimneys, fish scale shingles and wooden sidings. The complex structure also features pediments and shed dormer windows and varying sizes of rectangular window openings. The Queen Anne Revival house also features intricate woodwork in the form of spindle-work on the verandah, wooden columns, raised wooden railings, and wooden brackets.

The Grand Victorian displays a high degree of craftsmanship and artistic value as seen in the pediments, cornice, wooden columns in verandah and the double brick chimneys. The pediment on the northeast corner of the building features fish scale shingles as well as wooden siding. The pediment also contains three windows with wooden surrounds. The scale of the double brick chimneys is very imposing on the structure. The chimneys feature corbelled cornice detail and plain panels on its sides.

15618 Niagara River Parkway has historical value as being the residence John Geale Dickson and being associated with the Dickson family. John Geale Dickson was the grandson of Honourable William Dickson and the son of Walter Hamilton Dickson. William Dickson was the cousin of Robert Hamilton and was in the trading business with him. He is also credited for the settlements of lands around Galt. John Geale Dickson himself was the founding father of the Niagara-on-the-Lake golf club. He encouraged the establishment of the Club. In 1881 he appointed his brother to be the captain. The Golf Club is one of the oldest in North America. The Grand Victorian is also associated as being the summer residence of Willis Kingsley Jackson. Jackson was a respected businessman from Buffalo and purchased the property as a summer home for his family. At this time the property was known as Riverscourt. Jackson was an officer and a member of the Niagara Golf Club along with the Dickson brothers.

The Grand Victorian is important in maintaining the character of the area. 15618 Niagara River Parkway is part of the 'Scenic Route' of Niagara River Parkway. The area majorly comprises of large estate lots and farmhouses with substantial setbacks from the road, with winding driveways and landscaped lawns with mature trees.

Description of Heritage Attributes

Key exterior and structural attributes include:

- Two and a half storey Queen Anne Revival style residence
- Asymmetrical façade
- White exterior finish
- Protruding northeast and southeast corners
- Complex hipped and gable roof with gable ends and pediments
- Overhanging eaves with cornice and wooden brackets
- Wrap-around verandah
- Two pairs of double chimneys
- Fish scale shingles and wooden siding
- Shed dormer on south elevation
- Varying sizes of rectangular window openings
- Intricate woodwork in the form of spindle-work on verandah, wooden columns, and raised wooden railings
- Historical association with John Geale Dickson and Willis Kingsley Jackson
- Location along the Niagara River Parkway
- Moderate setback from the road

**THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE
BY-LAW NO. 2024-053**

A BY-LAW TO AUTHORIZE AN AGREEMENT BETWEEN THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE AND THE ASSOCIATION OF MUNICIPALITIES OF ONTARIO (AMO)

BE IT ENACTED AS A BY-LAW OF THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE as follows:

1. THAT the agreement 'Schedule A' dated the 1st day of April, 2024 between The Corporation of the Town of Niagara-on-the-Lake and The Association Of Municipalities Of Ontario (AMO) is hereby approved; and
2. THAT the agreement attached hereto as 'Schedule A' be deemed a part of this by-law; and
3. THAT the Lord Mayor and Clerk be authorized to affix their hands and the Corporate Seal; and
4. THAT the Lord Mayor and Clerk be authorized to execute any amendments brought forward during the term (April 1, 2024 – March 31, 2034) of the agreement.
5. THAT this by-law shall come into force and take effect immediately upon the passing thereof.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 30TH DAY OF JULY, 2024.

LORD MAYOR GARY ZALEPA

TOWN CLERK GRANT BIVOL

Schedule A
By-law 2024-053

MUNICIPAL FUNDING AGREEMENT
ON THE CANADA COMMUNITY-BUILDING FUND

BETWEEN:

THE ASSOCIATION OF MUNICIPALITIES OF ONTARIO

(referred to herein as “**AMO**”)

AND:

THE TOWN OF NIAGARA-ON-THE-LAKE

(a municipal corporation pursuant to the *Municipal Act, 2001*, referred to herein as the
“**Recipient**”)

WHEREAS the Government of Canada, the Government of Ontario, AMO, and the City of Toronto are signatories to the Administrative Agreement on the Canada Community-Building Fund effective April 1, 2024 (the “**Administrative Agreement**”), which governs the transfer and use of the Canada Community-Building Fund (“**CCBF**”) in Ontario;

AND WHEREAS AMO is responsible for the administration of CCBF funding made available to all Municipalities in Ontario – except the City of Toronto – under the Administrative Agreement, and will therefore undertake (and require the Recipient to undertake) certain activities as set out in this Agreement;

AND WHEREAS the Recipient wishes to enter into this Agreement to access CCBF funding;

NOW THEREFORE the Parties agree as follows:

1. DEFINITIONS AND INTERPRETATIONS

1.1 **Definitions.** For the purposes of this Agreement, the following terms shall have the meanings ascribed to them below:

“Annual Report” means the duly completed report to be prepared and delivered to AMO as described in Section 6.1.

“Asset Management” is a principle/practice that includes planning processes, approaches, plans, or related documents that support an integrated lifecycle approach to the effective stewardship of infrastructure assets to maximize benefits and effectively manage risk.

“Canada” means the Government of Canada, as represented by the Minister of Housing, Infrastructure and Communities.

“Canada Community-Building Fund” or “CCBF” means the program established under section 161 of the *Keeping Canada’s Economy and Jobs Growing Act*, S.C. 2011, c. 24 as amended by section 233 of the *Economic Action Plan 2013 Act, No. 1*, S.C. 2013, c. 33, as the Gas Tax Fund and renamed the Canada Community-Building Fund in section 199 of *Budget Implementation Act, 2021, No. 1*.

“Contract” means an agreement between the Recipient and a Third Party whereby the latter agrees to supply a product or service to an Eligible Project in return for financial consideration.

“Eligible Expenditure” means an expenditure described as eligible in Schedule B or deemed eligible by Canada in accordance with Section 4.2.

“Eligible Investment Category” means an investment category listed in Schedule A or deemed eligible by Canada in accordance with Section 3.2.

“Eligible Project” means a project that fits within an Eligible Investment Category.

“Event of Default” has the meaning given to it in Section 13.1 of this Agreement.

“Funds” mean the funds made available to the Recipient through the CCBF or any other source of funding as determined by Canada. Funds are made available pursuant to this Agreement and includes any interest earned on the said Funds. Funds transferred to another Municipality in accordance with Section 5.3 of this Agreement are to be treated as Funds by the Municipality to which the Funds are transferred; and Funds transferred to a non-municipal entity in accordance with Section 5.4 of this Agreement shall remain as Funds under this Agreement for all purposes and the Recipient shall continue to be bound by all provisions of this Agreement with respect to such transferred Funds.

“Housing Needs Assessment” or **“HNA”** means a report informed by data and research describing the current and future housing needs of a Municipality or community according to guidance provided by Canada.

“Ineligible Expenditures” means those expenditures described as ineligible in Schedule C or deemed ineligible by Canada in accordance with Section 4.2.

“Infrastructure” means tangible capital assets that are primarily for public use or benefit in Ontario – whether municipal or regional, and whether publicly or privately owned.

“Lower-Tier Municipality” means a Municipality that forms part of an Upper-Tier Municipality for municipal purposes, as defined under the *Municipal Act, 2001*, S.O. 2001, c. 25.

“Municipal Fiscal Year” means the period beginning January 1st of a year and ending December 31st of the same year.

“Municipality” and **“Municipalities”** means every municipality as defined under the *Municipal Act, 2001*, S.O. 2001, c. 25.

“Non-Municipal Transfer By-law” means a by-law passed by Council of the Recipient pursuant to Section 5.4 of this Agreement.

“Parties” means AMO and the Recipient.

“Prior Agreement” means the municipal funding agreement for the transfer of federal gas tax funds entered into by AMO and the Recipient, effective April 2014 and with an expiry date of March 31, 2024.

“Single-Tier Municipality” means a Municipality, other than an Upper-Tier Municipality, that does not form part of an Upper-Tier Municipality for municipal purposes, as defined under the *Municipal Act, 2001*, S.O. 2001 c. 25.

“Third Party” means any person or legal entity, other than the Parties to this Agreement, who participates in the implementation of an Eligible Project by means of a Contract.

“Transfer By-law” means a by-law passed by Council of the Recipient pursuant to Section 5.3 of this Agreement.

“Unspent Funds” means the amount reported as unspent by the Recipient as of December 31, 2023 in the Recipient’s 2023 Annual Report (as defined under the Prior Agreement).

“Upper-Tier Municipality” means a Municipality of which two or more Lower-Tier Municipalities form part for municipal purposes, as defined under the *Municipal Act, 2001*, S.O. 2001 c. 25.

1.2 Interpretations

- a) **“Agreement”** refers to this agreement as a whole, including the cover and execution pages and all of the schedules hereto, and all amendments made hereto in accordance with the provisions hereof.
- b) The words **“herein”**, **“hereof”** and **“hereunder”** and other words of similar import refer to this Agreement as a whole and not any particular schedule, article, section, paragraph or other subdivision of this Agreement.
- c) The term **“including”** or **“includes”** means including or includes (as applicable) without limitation or restriction.
- d) Any reference to a federal or provincial statute is to such statute and to the regulations made pursuant to such statute as such statute and regulations may at any time be amended or modified and in effect and to any statute or regulations that may be passed that have the effect of supplementing or superseding such statute or regulations.

2. TERM OF THE AGREEMENT

- 2.1 **Term.** Subject to any extension or termination of this Agreement or the survival of any of the provisions of this Agreement pursuant to the provisions contained herein, this Agreement shall come into effect as of April 1, 2024 up to and including March 31, 2034.
- 2.2 **Review.** This Agreement will be reviewed by AMO by June 30, 2027.
- 2.3 **Amendment.** This Agreement may be amended at any time in writing as agreed to by AMO and the Recipient.
- 2.4 **Notice.** Any of the Parties may terminate this Agreement on two (2) years written notice.
- 2.5 **Prior Agreement.** The Parties agree that the Prior Agreement, including Section 15.5 thereof, is hereby terminated. Notwithstanding the termination of the Prior Agreement, including Section 15.5, the reporting and indemnity obligations of the Recipient thereunder with respect to expended Funds governed by the Prior Agreement as set forth in Sections 5, 7, 10.3, 10.4 and 10.5 of the Prior Agreement shall survive the said termination.

3. ELIGIBLE PROJECTS

- 3.1 **Eligible Projects.** Eligible Projects are those that fit within an Eligible Investment Category. Eligible Investment Categories are listed in Schedule A.
- 3.2 **Discretion of Canada.** The eligibility of any investment category not listed in Schedule A is solely at the discretion of Canada.
- 3.3 **Recipient Fully Responsible.** The Recipient is fully responsible for the completion of each Eligible Project in accordance with Schedule A and Schedule B.

4. ELIGIBLE EXPENDITURES

- 4.1 **Eligible Expenditures and Ineligible Expenditures.** Eligible Expenditures are described in Schedule B. Ineligible Expenditures are described in Schedule C.
- 4.2 **Discretion of Canada.** The eligibility of any item not listed in Schedule B or Schedule C to this Agreement is solely at the discretion of Canada.
- 4.3 **Reasonable Access.** The Recipient shall allow AMO and Canada reasonable and timely access to all documentation, records and accounts and those of their respective agents or Third Parties related to the receipt, deposit and use of Funds and Unspent Funds, and any interest earned thereon, and all other relevant information and documentation requested by AMO or Canada or their respective designated representatives for the purposes of audit, evaluation, and ensuring compliance with this Agreement.
- 4.4 **Retention of Receipts.** The Recipient will keep proper and accurate accounts and records of all Eligible Projects including invoices and receipts for Eligible Expenditures for at least six (6) years after the completion of the project.
- 4.5 **Contracts.** The Recipient will award and manage all Contracts in accordance with its relevant policies and procedures and, if applicable, in accordance with any domestic or international trade agreements, and all other applicable laws. The Recipient will ensure any of its Contracts for the supply of services or materials to implement its responsibilities under this Agreement will be awarded in a way that is transparent, competitive, consistent with value for money principles and pursuant to its adopted procurement policy.

5. FUNDS

- 5.1 **Use of Funds.** The Recipient acknowledges and agrees the Funds are intended for and shall be used only for Eligible Expenditures in respect of Eligible Projects.

- 5.2 **Unspent Funds.** Any Unspent Funds, and any interest earned thereon, will be subject to the terms and conditions of this Agreement, and will no longer be governed by the terms and conditions of the Prior Agreement.
- 5.3 **Transfer of Funds to a Municipality.** Where a Recipient decides to allocate and transfer Funds to another Municipality (the “Transferee Municipality”):
- a) The allocation and transfer shall be authorized by a Transfer By-law. The Transfer By-law shall be passed by the Recipient’s council and submitted to AMO as soon thereafter as practicable. The Transfer By-law shall identify the Transferee Municipality and the amount of Funds the Transferee Municipality is to receive for the Municipal Fiscal Year(s) specified in the Transfer By-law.
 - b) The Recipient is still required to submit an Annual Report in accordance with Section 6.1 hereof with respect to the Funds transferred.
 - c) No transfer of Funds pursuant to this Section 5.3 shall be effected unless and until the Transferee Municipality has either (i) entered into an agreement with AMO on substantially the same terms as this Agreement, or (ii) has executed and delivered to AMO a written undertaking to assume all of the Recipient’s obligations under this Agreement with respect to the Funds transferred, such as undertaking in a form satisfactory to AMO.
- 5.4 **Transfer of Funds to a Non-Municipal Entity.** Where a Recipient decides to support an Eligible Project undertaken by a non-municipal entity (whether a for profit, non-governmental, or not-for profit organization):
- a) The provision of such support shall be authorized by a Transfer By-law (a “Non-Municipal Transfer By-law”). The Non-Municipal Transfer By-law shall be passed by the Recipient’s council and submitted to AMO as soon as practicable thereafter. The Non-Municipal Transfer By-law shall identify the non-municipal entity, and the amount of Funds the non-municipal entity is to receive for that Eligible Project.
 - b) The Recipient shall continue to be bound by all the provisions of this Agreement notwithstanding any such transfer.
 - c) No transfer of Funds pursuant to this Section 5.4 shall be effected unless and until the non-municipal entity receiving the Funds has executed and delivered to AMO a written undertaking to assume all of the Recipient’s obligations under this Agreement with respect to the Funds transferred, in a form exclusively satisfactory to AMO.
- 5.5 **Payout of Funds.** Subject to Sections 5.14 and 5.15, AMO will transfer Funds twice yearly, on or before the dates agreed upon by Canada and AMO.

- 5.6 **Deposit of Funds.** The Recipient will deposit the Funds in:
- a) An interest-bearing bank account; or
 - b) An investment permitted under:
 - i. The Recipient's investment policy; and
 - ii. Provincial legislation and regulation.
- 5.7 **Interest Earnings and Investment Gains.** Interest earnings and investment gains will be:
- Proportionately allocated to the CCBF when applicable; and
 - Applied to Eligible Expenditures for Eligible Projects.
- 5.8 **Funds Advanced.** Funds shall be spent (in accordance with Sections 3 and 4) or transferred (in accordance with Sections 5.3 or 5.4) within five (5) years after the end of the year in which Funds were received. Unexpended Funds shall not be retained beyond such five (5) year period without the documented consent of AMO. AMO reserves the right to declare that unexpended Funds after five (5) years become a debt to Canada which the Recipient will reimburse forthwith on demand to AMO for transmission to Canada.
- 5.9 **Expenditure of Funds.** The Recipient shall expend all Funds by December 31, 2038.
- 5.10 **HST.** The use of Funds is based on the net amount of harmonized sales tax to be paid by the Recipient net of any applicable tax rebates.
- 5.11 **Limit on Canada's Financial Commitments.** The Recipient may use Funds to pay up to one hundred percent (100%) of Eligible Expenditures of an Eligible Project.
- 5.12 **Federal Funds.** The Recipient agrees that any Funds received will be treated as "federal funds" for the purpose of other federal infrastructure programs.
- 5.13 **Stacking.** If the Recipient is receiving federal funds under other federal infrastructure programs in respect of an Eligible Project to which the Recipient wishes to apply Funds, the maximum federal contribution limitation set out in any other federal infrastructure program agreement made in respect of that Eligible Project shall continue to apply.
- 5.14 **Withholding Payment.** AMO may, in its exclusive discretion, withhold Funds where the Recipient is in default of compliance with any provisions of this Agreement.
- 5.15 **Insufficient Funds Provided by Canada.** Notwithstanding the provisions of Section 2, if Canada does not provide sufficient funds to continue the Funds for any Municipal

Fiscal Year during which this Agreement is in effect, AMO may immediately terminate this Agreement on written notice to the Recipient.

6. REPORTING REQUIREMENTS

- 6.1 **Annual Report.** The Recipient shall submit a report to AMO by April 30th each year, or as otherwise notified by AMO. The report shall be submitted in an electronic format deemed acceptable by AMO and shall contain the information described in Schedule D.
- 6.2 **Project List.** The Recipient shall ensure that projects are reported in advance of construction. Information required is as noted in Section 2.3 of Schedule E.

7. ASSET MANAGEMENT

- 7.1 **Implementation of Asset Management.** The Recipient will develop and implement an Asset Management plan, culture, and methodology in accordance with legislation and regulation established by the Government of Ontario (e.g., O. Reg. 588/17).
- 7.2 **Asset Data.** The Recipient will continue to improve data describing the condition of, long-term cost of, levels of service provided by, and risks associated with infrastructure assets.

8. HOUSING NEEDS ASSESSMENT

- 8.1 **Requirement.** While an HNA is encouraged for all Municipalities, the Recipient must complete a HNA if it had a population of 30,000 or more on the 2021 Census of Canada and is a Single-Tier Municipality or a Lower-Tier Municipality.
- 8.2 **Content of the HNA.** The Recipient will prepare the HNA in accordance with the guidance provided from time to time by Canada.
- 8.3 **Use of HNA.** The Recipient is expected to prioritize projects that support the growth of the housing supply. The HNA is to be used by Municipalities to prioritize, where possible, Infrastructure or capacity building projects that support increased housing supply where it makes sense to do so.
- 8.4 **Publication of the HNA.** The Recipient will publish the HNA on its website.
- 8.5 **HNA reporting requirements.** The Recipient will send to AMO by March 31, 2025, unless otherwise agreed upon:
- a) A copy of any HNA it is required to complete in accordance with Section 8.1; and

- b) The URL to the published HNA on the Recipient's website.

9. COMMUNICATIONS REQUIREMENTS

- 9.1 The Recipient will comply with all communication requirements outlined in Schedule E.

10. RECORDS AND AUDIT

- 10.1 **Accounting Principles.** All accounting terms not otherwise defined herein have the meanings assigned to them; all calculations will be made and all financial data to be submitted will be prepared in accordance with generally accepted accounting principles ("GAAP") in effect in Ontario. GAAP will include, without limitation, those principles approved or recommended for local governments from time to time by the Public Sector Accounting Board or the Chartered Professional Accountants of Canada or any successor institute, applied on a consistent basis.
- 10.2 **Separate Records.** The Recipient shall maintain separate records and documentation for the Funds and keep all records including invoices, statements, receipts, and vouchers in respect of Funds expended on Eligible Projects in accordance with the Recipient's municipal records retention by-law. Upon reasonable notice by AMO or Canada, the Recipient shall submit all records and documentation relating to the Funds for inspection or audit.
- 10.3 **External Auditor.** AMO or Canada may request, upon written notice to Recipient, an audit of Eligible Project(s) or Annual Report(s). AMO shall retain an external auditor to carry out an audit and ensure that any auditor who conducts an audit pursuant to this Agreement or otherwise, provides a copy of the audit report to the Recipient.

11. INSURANCE AND INDEMNITY

- 11.1 **Insurance.** The Recipient shall put in effect and maintain in full force and effect or cause to be put into effect and maintained for the term of this Agreement all the necessary insurance with respect to each Eligible Project, including any Eligible Projects with respect to which the Recipient has transferred Funds pursuant to Section 5 of this Agreement, that would be considered appropriate for a prudent Municipality undertaking similar Eligible Projects, including, where appropriate and without limitation, property, construction, and liability insurance, which insurance coverage shall identify Canada and AMO as additional insureds for the purposes of the Eligible Projects.
- 11.2 **Certificates of Insurance.** Throughout the term of this Agreement, the Recipient shall have a valid certificate of insurance that confirms compliance with the requirements

of Section 11.1. The Recipient shall produce such certificate of insurance on request, including as part of any AMO or Canada audit.

11.3 **AMO Not Liable.** In no event shall Canada or AMO be liable for:

- Any bodily injury, death or property damages to the Recipient, its employees, agents, or consultants or for any claim, demand or action by any Third Party against the Recipient, its employees, agents, or consultants, arising out of or in any way related to this Agreement; or
- Any incidental, indirect, special, or consequential damages, or any loss of use, revenue or profit to the Recipient, its employees, agents, or consultants arising out of any or in any way related to this Agreement.

11.4 **Recipient to Compensate Canada.** The Recipient will ensure that it will not, at any time, hold the Government of Canada, its officers, servants, employees or agents responsible for any claims or losses of any kind that the Recipient, Third Parties or any other person or entity may suffer in relation to any matter related to the Funds or an Eligible Project and that the Recipient will, at all times, compensate Canada, its officers, servants, employees and agents for any claims or losses of any kind that any of them may suffer in relation to any matter related to CCBF funding or an Eligible Project.

11.5 **Recipient to Indemnify AMO.** The Recipient hereby agrees to indemnify and hold harmless AMO, its officers, servants, employees or agents (each of which is called an “**Indemnitee**”), from and against all claims, losses, damages, liabilities and related expenses including the fees, charges and disbursements of any counsel for any Indemnitee incurred by any Indemnitee or asserted against any Indemnitee by whomsoever brought or prosecuted in any manner based upon, or occasioned by, any injury to persons, damage to or loss or destruction of property, economic loss or infringement of rights caused by or arising directly or indirectly from:

- The Funds;
- The Recipient’s Eligible Projects, including the design, construction, operation, maintenance, and repair of any part or all of the Eligible Projects;
- The performance of this Agreement or the breach of any term or condition of this Agreement by the Recipient, its officers, servants, employees, and agents, or by a Third Party, its officers, servants, employees, or agents; and
- Any omission or other wilful or negligent act of the Recipient or Third Party and their respective officers, servants, employees, or agents.

12. TRANSFER AND OPERATION OF MUNICIPAL INFRASTRUCTURE

- 12.1 **Reinvestment.** The Recipient will invest into Eligible Projects, any revenue that is generated from the sale, lease, encumbrance, or other disposal of an asset resulting from an Eligible Project where such disposal takes place within five (5) years of the date of completion of the Eligible Project.
- 12.2 **Notice.** The Recipient shall notify AMO in writing 120 days in advance and at any time during the five (5) years following the date of completion of an Eligible Project if it is sold, leased, encumbered, or otherwise disposed of.
- 12.3 **Public Use.** The Recipient will ensure that Infrastructure resulting from any Eligible Project that is not sold, leased, encumbered, or otherwise disposed of, remains primarily for public use or benefit.

13. DEFAULT AND TERMINATION

- 13.1 **Event of Default.** AMO may declare in writing that an Event of Default has occurred when the Recipient has not complied with any condition, undertaking or term in this Agreement. AMO will not declare in writing that an Event of Default has occurred unless it has first consulted with the Recipient. For the purposes of this Agreement, each of the following events shall constitute an “Event of Default”:
- Failure by the Recipient to deliver in a timely manner an Annual Report or respond to questionnaires or reports as required;
 - Delivery of an Annual Report that discloses non-compliance with any condition, undertaking or material term in this Agreement;
 - Failure by the Recipient to co-operate in an external audit undertaken by Canada, AMO or their agents;
 - Delivery of an external audit report that discloses non-compliance with any condition, undertaking or term in this Agreement; and
 - Failure by the Recipient to expend Funds in accordance with the terms of this Agreement, including Section 5.8.
- 13.2 **Waiver.** AMO may withdraw its notice of an Event of Default if the Recipient, within thirty (30) calendar days of receipt of the notice, either corrects the default or demonstrates, to the satisfaction of AMO in its sole discretion that it has taken such steps as are necessary to correct the default.
- 13.3 **Remedies on Default.** If AMO declares that an Event of Default has occurred under Section 13.1, after thirty (30) calendar days from the Recipient’s receipt of the notice

of an Event of Default, it may immediately terminate this Agreement or suspend its obligation to pay the Funds. If AMO suspends payment, it may pay suspended Funds if AMO is satisfied that the default has been cured.

- 13.4 **Repayment of Funds.** If AMO declares that an Event of Default has not been cured to its exclusive satisfaction, AMO reserves the right to declare that prior payments of Funds become a debt to Canada which the Recipient will reimburse forthwith on demand to AMO for transmission to Canada.

14. CONFLICT OF INTEREST

- 14.1 **No Conflict of Interest.** The Recipient will ensure that no current member of the AMO Board of Directors and no current or former public servant or office holder to whom any post-employment, ethics and conflict of interest legislation, guidelines, codes or policies of Canada applies will derive direct benefit from the Funds, the Unspent Funds, and any interest earned thereon, unless the provision of receipt of such benefits is in compliance with such legislation, guidelines, policies or codes.

15. NOTICE

- 15.1 **Notice.** Any notice, information or document provided for under this Agreement will be effectively given if in writing and if delivered by hand, or overnight courier, mailed, postage or other charges prepaid, or sent by email to the addresses in Section 15.3. Any notice that is sent by hand or overnight courier service shall be deemed to have been given when received; any notice mailed shall be deemed to have been received on the eighth (8) calendar day following the day on which it was mailed; any notice sent by email shall be deemed to have been received on the sender's receipt of an acknowledgment from the intended recipient (such as by the "return receipt requested" function, as available, return email or other written acknowledgment), provided that in the case of a notice sent by email, if it is not given on a business day before 4:30 p.m. Eastern Standard Time, it shall be deemed to have been given at 8:30 a.m. on the next business day for the recipient.
- 15.2 **Representatives.** The individuals identified in Section 15.3 of this Agreement, in the first instance, act as AMO's or the Recipient's, as the case may be, representative for the purpose of implementing this Agreement.
- 15.3 **Addresses for Notice.** Further to Section 15.1 of this Agreement, notice can be given at the following addresses:

- If to AMO:

Executive Director
Canada Community-Building Fund Agreement
Association of Municipalities of Ontario
155 University Avenue, Suite 800
Toronto, ON M5H 3B7

Telephone: 416-971-9856
Email: ccbf@amo.on.ca

- If to the Recipient:

Treasurer
The Town of Niagara-on-the-Lake
1593 Four Mile Creek Rd., PO Box 100
Virgil, ON L0S 1T0

16. MISCELLANEOUS

- 16.1 **Counterpart Signature.** This Agreement may be signed (including by electronic signature) and delivered (including by facsimile transmission, by email in PDF or similar format or using an online contracting service designated by AMO) in counterparts, and each signed and delivered counterpart will be deemed an original and both counterparts will together constitute one and the same document.
- 16.2 **Severability.** If for any reason a provision of this Agreement that is not a fundamental term is found to be or becomes invalid or unenforceable, in whole or in part, it will be deemed to be severable and will be deleted from this Agreement, but all the other terms and conditions of this Agreement will continue to be valid and enforceable.
- 16.3 **Waiver.** AMO may waive any right in this Agreement only in writing, and any tolerance or indulgence demonstrated by AMO will not constitute waiver of rights in this Agreement. Unless a waiver is executed in writing, AMO will be entitled to seek any remedy that it may have under this Agreement or under the law.
- 16.4 **Governing Law.** This Agreement shall be governed by and construed in accordance with the laws of the Province of Ontario and the laws of Canada applicable in Ontario.
- 16.5 **Survival.** The Recipient agrees that the following sections and provisions of this Agreement shall extend for seven (7) years beyond the expiration or termination of this Agreement: Sections 4, 5.8, 5.9, 6.1, 11.4, 11.5, 12, 13.4 and 16.8.
- 16.6 **AMO, Canada and Recipient Independent.** The Recipient will ensure its actions do not establish or will not be deemed to establish a partnership, joint venture, principal-

agent relationship, or employer-employee relationship in any way or for any purpose whatsoever between Canada and the Recipient, between AMO and the Recipient, between Canada and a Third Party or between AMO and a Third Party.

- 16.7 **No Authority to Represent.** The Recipient will ensure that it does not represent itself, including in any agreement with a Third Party, as a partner, employee, or agent of Canada or AMO.
- 16.8 **Debts Due to AMO.** Any amount owed under this Agreement will constitute a debt due to AMO, which the Recipient will reimburse forthwith, on demand, to AMO.
- 16.9 **Priority.** In the event of a conflict, the part of this Agreement that precedes the signature of the Parties will take precedence over the Schedules.
- 16.10 **Complementarity.** The Recipient is to use the CCBF to complement, without replacing or displacing, other sources of funding for municipal infrastructure.
- 16.11 **Equity.** The Recipient is to consider Gender Based Analysis Plus (“**GBA+**”) lenses when undertaking a project.

17. SCHEDULES

- 17.1 This Agreement, including:

Schedule A	Eligible Investment Categories
Schedule B	Eligible Expenditures
Schedule C	Ineligible Expenditures
Schedule D	The Annual Report
Schedule E	Communications Requirements

constitute the entire agreement between the Parties with respect to the subject matter contained in this Agreement and supersedes all prior oral or written representations and agreements.

18. SIGNATURES

IN WITNESS WHEREOF, AMO and the Recipient have respectively executed, and delivered this Agreement, effective April 1, 2024.

THE TOWN OF NIAGARA-ON-THE-LAKE

By: _____

Name:	_____	Date	_____
Title:	_____		

Name:	_____	Date	_____
Title:	_____		

THE ASSOCIATION OF MUNICIPALITIES OF ONTARIO

By: _____

Name:	_____	Date	_____
Title: Executive Director			

Witness:	_____	Date	_____
Title:	_____		

SCHEDULE A: ELIGIBLE INVESTMENT CATEGORIES

1. **Broadband connectivity** – investments in the construction, material enhancement, or renewal of infrastructure that provides internet access to residents, businesses, and/or institutions in Canadian communities.
2. **Brownfield redevelopment** – investments in the remediation or decontamination of a brownfield site within municipal boundaries – provided that the site is being redeveloped to construct a public park for municipal use, publicly owned social housing, or Infrastructure eligible under another investment category listed in this schedule.
3. **Capacity-building** – investments that strengthen the Recipient’s ability to develop long-term planning practices as described in Schedule B, item 2.
4. **Community energy systems** – investments in the construction, material enhancement, or renewal of infrastructure that generates energy or increases energy efficiency.
5. **Cultural infrastructure** – investments in the construction, material enhancement, or renewal of infrastructure that supports the arts, humanities, or heritage.
6. **Drinking water** – investments in the construction, material enhancement, or renewal of infrastructure that supports drinking water conservation, collection, treatment, and distribution systems.
7. **Fire halls** – investments in the construction, material enhancement, or renewal of fire halls and fire station infrastructure.
8. **Local roads and bridges** – investments in the construction, material enhancement, or renewal of roads, bridges, tunnels, highways, and active transportation infrastructure.
9. **Public transit** – investments in the construction, material enhancement, or renewal of infrastructure that supports a shared passenger transport system that is available for public use.
10. **Recreational infrastructure** – investments in the construction, material enhancement, or renewal of recreational facilities or networks.
11. **Regional and local airports** – investments in the construction, material enhancement, or renewal of airport-related infrastructure (excluding infrastructure in the National Airports System).
12. **Resilience** – investments in the construction, material enhancement, or renewal of built and natural infrastructure assets and systems that protect and strengthen the resilience

of communities and withstand and sustain service in the face of climate change, natural disasters, and extreme weather events.

13. **Short-line rail** – investments in the construction, material enhancement, or renewal of railway-related infrastructure for carriage of passengers or freight.
14. **Short-sea shipping** – investments in the construction, material enhancement, or renewal of infrastructure related to the movement of cargo and passengers around the coast and on inland waterways, without directly crossing an ocean.
15. **Solid waste** – investments in the construction, material enhancement, or renewal of infrastructure that supports solid waste management systems (including the collection, diversion, and disposal of recyclables, compostable materials, and garbage).
16. **Sport infrastructure** – investments in the construction, material enhancement, or renewal of amateur sport infrastructure (facilities housing professional or semi-professional sports teams are ineligible).
17. **Tourism infrastructure** – investments in the construction, material enhancement, or renewal of infrastructure that attracts travelers for recreation, leisure, business, or other purposes.
18. **Wastewater** – investments in the construction, material enhancement, or renewal of infrastructure that supports wastewater and storm water collection, treatment, and management systems.

Note: Investments in health infrastructure (e.g., hospitals, long-term care facilities, convalescent centres, and senior centres) are not eligible.

SCHEDULE B: ELIGIBLE EXPENDITURES

Eligible Expenditures will be limited to the following:

1. **Infrastructure investments** – expenditures associated with acquiring, planning, designing, constructing, or renovating a tangible capital asset and any related debt financing charges specifically identified with that asset.
2. **Capacity-building costs** – for projects eligible under the capacity-building category only, expenditures associated with the development and implementation of:
 - Capital investment plans, integrated community sustainability plans, integrated regional plans, housing needs assessments, or asset management plans;
 - Studies, strategies, systems, software, third-party assessments, plans, or training related to asset management;
 - Studies, strategies, systems, or plans related to housing or land use;
 - Studies, strategies, or plans related to the long-term management of infrastructure; and
 - Other initiatives that strengthen the Recipient's ability to improve local and regional planning.
3. **Joint communications and signage costs** – expenditures directly associated with joint federal communication activities and with federal project signage.
4. **Employee costs** – the costs of the Recipient's employees for projects eligible under the capacity-building category only – provided that the costs, on an annual basis, do not exceed the lesser of:
 - 40% of the Recipient's annual allocation (i.e., the amount of CCBF funding made available to the Recipient by AMO under Section 5.5 of this Agreement); or
 - \$80,000.

SCHEDULE C: INELIGIBLE EXPENDITURES

The following are deemed Ineligible Expenditures:

1. **Costs incurred before the Fund was established** – project expenditures incurred before April 1, 2005.
2. **Costs incurred before categories were eligible** – project expenditures incurred:
 - Before April 1, 2014 – under the broadband connectivity, brownfield redevelopment, cultural infrastructure, disaster mitigation (now resilience), recreational infrastructure, regional and local airports, short-line rail, short-sea shipping, sport infrastructure, and tourism infrastructure categories; and.
 - Before April 1, 2021 – under the fire halls category.
3. **Internal costs** – the Recipient's overhead costs (including salaries and other employment benefits), operating or administrative costs (related to planning, engineering, architecture, supervision, management, and other activities normally carried out by the Recipient's staff), and equipment leasing costs – except in accordance with Eligible Expenditures described in Schedule B.
4. **Rebated costs** – taxes for which the Recipient is eligible for a tax rebate and all other costs eligible for rebates.
5. **Land costs** – the purchase of land or any interest therein and related costs.
6. **Legal fees.**
7. **Routine repair or maintenance costs** – costs that do not result in the construction, material enhancement, or renewal of a tangible capital asset.
8. **Investments in health infrastructure** – costs associated with health infrastructure or assets (e.g., hospitals, long-term care facilities, convalescent centres, and senior centres).
9. **Investments in professional or semi-professional sports facilities** – costs associated with facilities used by professional or semi-professional sports teams.

SCHEDULE D: ANNUAL REPORT

The Annual Report may include – but is not necessarily limited to – the following information pertaining to the previous fiscal year:

1. **Financial information** – and particularly:
 - Interest earnings and investment gains – in accordance with Section 5.7;
 - Proceeds from the disposal of assets – in accordance with Section 12.1;
 - Outgoing transfers – in accordance with Sections 5.3 and 5.4;
 - Incoming transfers – in accordance with Section 5.3; and
 - Amounts paid – in aggregate for Eligible Expenditures on each Eligible Project.
2. **Project information** – describing each Eligible Project that started, ended, or was ongoing in the reporting year.
3. **Results** – and particularly:
 - Expected outputs and outcomes for each ongoing Eligible Project;
 - Outputs generated and outcomes achieved for each Eligible Project that ended construction in the reporting year; and
 - Housing outcomes resulting from each Eligible Project that ended construction in the reporting year, and specifically:
 - i. The number of housing units enabled, supported, or preserved; and
 - ii. The number of affordable housing units enabled, supported, or preserved.
4. **Other information** – such as:
 - Progress made in the development and implementation of asset management plans and systems; and
 - The impact of the CCBF on housing pressures tied to infrastructure gaps, the housing supply, and housing affordability.

SCHEDULE E: COMMUNICATIONS REQUIREMENTS

1. COMMUNICATIONS ACTIVITIES

- 1.1 **Scope.** The provisions of this Schedule apply to all communications activities related to any Funds and Eligible Projects.
- 1.2 **Definition.** Communications activities may include (but are not limited to) public or media events, news releases, reports, web articles, blogs, project signs, digital signs, publications, success stories and vignettes, photo compilations, videos, advertising campaigns, awareness campaigns, editorials, award programs, and multi-media products.

2. INFORMATION SHARING REQUIREMENTS

- 2.1 **Notification requirements.** The Recipient must report all active Eligible Projects to AMO in advance of construction each year. Reports must be submitted in an electronic format deemed acceptable by AMO.
- 2.2 **Active Eligible Projects.** Active Eligible Projects are those Eligible Projects that either begin in the current calendar year or are ongoing in the current calendar year.
- 2.3 **Information required.** The report must include, at a minimum, the name, category, description, expected outcomes, anticipated CCBF contribution, anticipated start date, and anticipated end date of each active Eligible Project.

3. PROJECT SIGNAGE REQUIREMENTS

- 3.1 **Installation requirements.** Unless otherwise approved by Canada, the Recipient must install a federal sign to recognize federal funding for each Eligible Project in accordance with design, content, and installation guidelines provided by Canada.
- 3.2 **Permanent signs, plaques, and markers.** Permanent signage, plaques, and markers recognizing municipal or provincial contributions to an Eligible Project must also recognize the federal contribution and must be approved by Canada.
- 3.3 **Responsibilities.** The Recipient is responsible for the production and installation of Eligible Project signage in accordance with Section 3 of this Schedule E, except as otherwise agreed upon.
- 3.4 **Reporting requirements.** The Recipient must inform AMO of signage installations in a manner determined by AMO.

4. DIGITAL COMMUNICATIONS REQUIREMENTS

- 4.1 **Social media.** AMO maintains accounts dedicated to the CCBF on several social media networks. The Recipient must @mention the relevant account when producing content that promotes or communicates progress on one or more Eligible Projects. AMO's CCBF-dedicated social media accounts are identified on www.buildingcommunities.ca.
- 4.2 **Websites and webpages.** Websites and webpages created to promote or communicate progress on one or more Eligible Projects must recognize federal funding using either:
- a) A digital sign; or
 - b) The Canada wordmark and the following wording (as applicable):
 - i. "This project is funded in part by the Government of Canada"; or
 - ii. "This project is funded by the Government of Canada".

The Canada wordmark or digital sign must link to www.infrastructure.gc.ca. Guidelines describing how this recognition is to appear and language requirements are posted at <http://www.infrastructure.gc.ca/pub/signage-panneaux/intro-eng.html>.

5. REQUIREMENTS FOR MEDIA EVENTS AND ANNOUNCEMENTS

- 5.1 **Definitions.** Media events and announcements include, but are not limited to, news conferences, public announcements, and the issuing of news releases to communicate the funding of Eligible Projects or achievement of key milestones (such as groundbreaking ceremonies, grand openings, and completions).
- 5.2 **Authority.** Canada, AMO, or the Recipient may request a media event or announcement.
- 5.3 **Notification requirements.** Media events and announcements must not proceed without the prior knowledge and agreement of AMO, Canada, and the Recipient.
- 5.4 **Notice.** The requester of a media event or announcement must provide at least fifteen (15) business days' notice to other parties of their intention to undertake such an event or announcement. If communications are proposed through a news release with no supporting event, Canada additionally requires five (5) business days with the draft news release to secure approvals and confirm the federal representative's quote.
- 5.5 **Date and location.** Media events and announcements must take place at a date and location that is mutually agreed to by the Recipient, AMO and Canada.

- 5.6 **Representatives.** The Recipient, AMO, and Canada will have the opportunity to participate in media events and announcements through a designated representative. Each Party will choose its own designated representative.
- 5.7 **Responsibilities.** AMO and the Recipient are responsible for coordinating all onsite logistics for media events and announcements unless otherwise agreed on.
- 5.8 **No unreasonable delay.** The Recipient must not unreasonably delay media events and announcements.
- 5.9 **Precedence.** The conduct of all joint media events, announcements, and supporting communications materials (e.g., news releases, media advisories) will follow the [Table of Precedence for Canada](#).
- 5.10 **Federal approval.** All joint communications material related to media events and announcements must be approved by Canada and recognize the funding of all contributors.
- 5.11 **Federal policies.** All joint communications material must reflect Canada's Policy on Official Languages and the Policy on Communications and Federal Identity.
- 5.12 **Equal visibility.** The Recipient, Canada, and AMO will have equal visibility in all communications activities.

6. PROGRAM COMMUNICATIONS

- 6.1 **Own communications activities.** The Recipient may include messaging in its own communications products and activities with regards to the use of Funds.
- 6.2 **Funding acknowledgements.** The Recipient must recognize the funding of all contributors when undertaking such activities.

7. OPERATIONAL COMMUNICATIONS

- 7.1 **Responsibilities.** The Recipient is solely responsible for operational communications with respect to the Eligible Projects, including but not limited to, calls for tender, construction, and public safety notices. Operational communications as described above are not subject to the federal official languages policy.
- 7.2 **Federal funding acknowledgement.** Operational communications should include, where appropriate, the following statement (as appropriate):
- a) "This project is funded in part by the Government of Canada"; or
 - b) "This project is funded by the Government of Canada".

- 7.3 **Notification requirements.** The Recipient must share information promptly with AMO should significant emerging media or stakeholder issues relating to an Eligible Project arise. AMO will advise the Recipient, when appropriate, about media inquiries received concerning an Eligible Project.

8. COMMUNICATING SUCCESS STORIES

- 8.1 **Participation requirements.** The Recipient must work with Canada and AMO when asked to collaborate on communications activities – including, but not limited to, Eligible Project success stories (including positive impacts on housing), Eligible Project vignettes, and Eligible Project start-to-finish features.

9. ADVERTISING CAMPAIGNS

- 9.1 **Responsibilities.** The Recipient may, at its own cost, organize an advertising or public information campaign related to the use of the Funds or Eligible Projects, provided that the campaign respects the provisions of this Agreement.
- 9.2 **Notice.** The Recipient must inform Canada and AMO of its intention to organize a campaign no less than twenty-one (21) working days prior to the launch of the campaign.

**THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE**

BY-LAW NO. 2024-054

A BY-LAW TO CONFIRM THE PROCEEDINGS AT THE COUNCIL MEETING OF THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE HELD ON JULY 30, 2024

WHEREAS the Council of The Corporation of the Town of Niagara-On-The-Lake (the “**Municipality**”) passed various motions at its meeting held on July 30, 2024;

WHEREAS pursuant to the provisions of Section 5 of the *Municipal Act, 2001*, as amended, the powers of a municipality shall be exercised by its council by by-law unless the municipality is specifically authorized to do otherwise;

AND WHEREAS it is deemed expedient that the actions of the Council of the Municipality at its meeting held on July 30, 2024, be confirmed, and adopted by by-law.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE ENACTS AS FOLLOWS:

1. That the actions of the Council of the Municipality in respect of each motion, resolution, declaration and other action passed, taken or adopted at the meeting held on July 30, 2024, are hereby adopted and confirmed as if the same were expressly included in this By-law, including, but not limited to, the motions of the Council of the Municipality adopted at that meeting which are outlined in the July 30, 2024, Council Minutes.
2. That the Lord Mayor and the proper officials of the Municipality are hereby authorized and directed to do all things necessary, including the execution of the necessary documents, to give effect to the actions of the Council of the Municipality referred to in section 1 of this By-law.
3. That the provisions of this By-law with respect to the Council meetings referred to in section 1 of this By-law shall be deemed to have been effective immediately following the July 30, 2024 meeting of the Council of the Municipality in respect of the motions of the Council of the Municipality as outlined in the July 30, 2024, Council Minutes.
4. That this By-law shall come into force and take effect upon the final passing hereof.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 30TH DAY OF JULY, 2024

LORD MAYOR GARY ZALEPA

TOWN CLERK GRANT BIVOL