

## The Niagara Parks Commission

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Minutes of the public meeting of The Niagara Parks Commission held on Thursday, January 16, 2025 at the School of Horticulture, 2565 Niagara Parkway, Niagara Falls, Ontario, L2E 6T2.

### Attendance

Members: Chair Bob Gale  
Vice Chair Graham Coveney  
Commissioner April Cotton  
Commissioner Spencer DeWolfe  
Commissioner Natasha DiCienzo  
Commissioner Jim Diodati (virtually)  
Commissioner Dan La Caprara  
Commissioner Ted Salci  
Commissioner Erwin Wiens

Regrets: Commissioner Tom Insinna  
Commissioner Wayne Redekop

Staff: David Adames, Chief Executive Officer/Secretary to the Commission  
Marcelo Gruosso, Chief Operating Officer  
Steve Barnhart, Senior Director, Planning Environment and Culture  
Chris Giles, Director, Communications and Marketing  
Laura Pingue, Director of Finance/Controller  
Janice Spino, Chief Human Resources Officer  
Katy Wassenaar, Manager, Public Affairs  
Darla Jones, Executive Assistant to the Chair and CEO/Recording Secretary

#### 1. **Call to Order**

Chair Gale called the meeting to order at 9:00 a.m.

#### 2. **Declarations of Interest**

There were no declarations of interest.

#### 3. **Approval of Agenda**

The following motion was moved by Commissioner Salci and seconded by Commissioner La Caprara:

That the agenda be approved.

Carried.

#### **4. Land Acknowledgement**

Chair Gale provided the following land acknowledgement:

The Niagara Parks Commission wishes to acknowledge and honour the lands along the Niagara River corridor as the traditional territory of Indigenous peoples. In both spirit and partnership, we recognize and thank the Six Nations of the Haudenosaunee, the Mississaugas of the Credit First Nation of the Anishinaabek, the Neutral Nation, and all who provided stewardship of these lands over millennia. Recognition of the contributions of Indigenous peoples is consistent with our commitment to making the promise of Truth and Reconciliation real in our communities. We are grateful for the opportunity to live, work, and play here and thank all those who have served and continue to serve as caretakers of this special place.

#### **5. Chair's Opening Remarks**

Chair Gale requested that the recording secretary read aloud the names of Commissioners and staff around the table.

The Chair welcomed those in attendance and provided the following remarks:

"Happy New Year, everyone and welcome to our January public Commission Meeting. I hope everyone enjoyed a restful holiday season. Since our last meeting on December 12, we wrapped up another successful Winter Festival of Lights. On December 18, we hosted a visit from the Niagara IceDogs – 30 players and staff members. The group visited Journey Behind the Falls and the Niagara Parks Power Station and viewed the Winter Festival of Lights. On December 23, I was pleased to attend and speak at a fundraising event organized by Fort Erie's "Surfing Santa" (local resident John Fulton). Commissioner Redekop and Member of Provincial Parliament Wayne Gates also attended the event. This has been a cross-border community tradition in Fort Erie for the past 40 years. Guests were asked to bring hats, scarfs, socks and other cold-weather items that would be donated to help the homeless population in Niagara. The holiday season is always a popular time for guests to visit Niagara Parks, particularly with the domestic drive-time market. This year was the first time we opened some of our front-facing operations and amenities on Christmas Day. Both Queen Victoria Place and Table Rock Centre retail and quick serve, as well as public washrooms were open and exceptionally popular with guests that day. In fact, the feedback from our team was that we could have extended our hours further and added more staff, based on the high visitation. The team will keep this in mind when planning for next holiday season. On Sunday, December 29, I attended the 21st Annual Menorah Lighting ceremony to celebrate Hanukkah, organized by Chabad Niagara. Commissioner Diodati attended the event along with Member of Parliament Tony Baldinelli and MPP Wayne Gates. New Year's Eve also brought high levels of visitation, both during the day and evening. Niagara Parks Police implemented road closures in partnership with the City of Niagara Falls to assist pedestrians."

“Niagara Parks’ Table Rock House Restaurant hosted a sold-out New Year’s Eve dinner and Queenston Heights Restaurant hosted a sold-out New Year’s Day brunch. This past week was the final filming periods for the upcoming Flying Theatre attraction. Thank you to all Commissioners who volunteered to participate as extras in the shoot at the Niagara Parks Power Station. We will have much more exciting news to share on this attraction in the coming weeks and months as we look toward its launch this summer.”

**6. Approval of Draft Minutes**

The following motion was moved by Vice Chair Coveney and seconded by Commissioner DeWolfe:

That The Niagara Parks Commission:

1. Approve the minutes dated December 12, 2024 (COMM-2024-18).

Carried.

**7. Presentation**

Business Highlights

Chair Gale invited David Adames to provide a presentation respecting Niagara Parks’ Business Highlights.

The following motion was moved by Commissioner Wiens and seconded by Vice Chair Coveney:

That The Niagara Parks Commission:

1. Receive the Business Highlights presentation for information.

Carried.

**8. Item from Property and Infrastructure Committee**

The following motion was moved by Commissioner Salci and seconded by Commissioner DeWolfe:

That The Niagara Parks Commission:

1. Approve the recommendations as contained in Report 2025-04 Summary of Recommendations from the Property and Infrastructure Committee respecting the following matters:

- a) Chippawa Battlefield Viewing Platform Project
- b) Capital Projects Presentation
- c) Urban Forestry Management Strategy – 2024 Year-In-Review
- d) Niagara Parks Soil Health Analysis with Vineland Research and Innovation Centre
- e) Dufferin Islands Visitor Experience and Ecological Enhancement Initiative – Year 2 Update

Carried.

**9. Other Business**

There were no items of other business.

**10. Date of Next Meeting**

The date of the next meeting will be Thursday February 13, 2025 at 9:00 a.m. at the School of Horticulture, 2565 Niagara Parkway, Niagara Falls, Ontario, L2E 6T2.

**11. Closed Session**

The following motion was moved by Commissioner La Caprara and seconded by Commissioner DiCienzo:

That The Niagara Parks Commission move into Closed Session.

Carried.

The Commission moved into the Closed Session with the following persons in attendance:

Members:	Chair Bob Gale
	Vice Chair Graham Coveney
	Commissioner April Cotton
	Commissioner Spencer DeWolfe
	Commissioner Natasha DiCienzo
	Commissioner Jim Diodati (virtually)
	Commissioner Dan La Caprara
	Commissioner Ted Salci
	Commissioner Erwin Wiens
Staff:	David Adames, Chief Executive Officer/Secretary to the Commission
	Marcelo Gruosso, Chief Operating Officer
	Steve Barnhart, Senior Director, Planning Environment and Culture
	Chris Giles, Director, Communications and Marketing
	Laura Pingue, Director of Finance/Controller
	Janice Spino, Chief Human Resources Officer



Katy Wassenaar, Manager, Public Affairs  
Darla Jones, Executive Assistant to the Chair and CEO/Recording  
Secretary

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Bob Gale  
Chair

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David Adames  
Chief Executive Officer/  
Secretary to the Commission

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Darla Jones  
Executive Assistant to the Chair and  
CEO/Recording Secretary

January 16, 2025



## **Report to The Niagara Parks Commission**

### **RE: Summary of Recommendations from the Golf Committee**

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The following are recommendations of the Golf Committee at its meeting held on January 29, 2025.

#### **Battlefield Golf Course Path Replacement – Progress Update (Report 2025-06)**

1. Receive this report as an update on the progress of the Battlefield cart path replacement.
2. Approve the recommended public reopening schedule of the Battlefield golf course outlined in Report 2025-06. The Golf Committee will reassess at their March 5 meeting.

Prepared by: \_\_\_\_\_

Name: Darla Jones

Title: Executive Assistant to the Chair  
and Chief Executive Officer

Submitted and

Authorized by: \_\_\_\_\_

Name: David Adames

Title: Chief Executive Officer

Date: January 29, 2025

## **Report to The Golf Committee**

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### **RE: Battlefield Golf Course Cart Path Replacement – Progress Update**

#### **Recommendation(s)**

That the Golf Committee recommends that The Niagara Parks Commission:

1. Receive this report as an update on the progress of the Battlefield cart path replacement.
2. Approve the recommended public reopening schedule of the Battlefield golf course.

The purpose of this report is to provide an update on the progress of the Battlefield cart path replacement. Rankin Construction was awarded the tender to replace all 18 of the cart paths on Battlefield over the winter months. Drainage will be included as part of the project to direct water away from the cart paths and protect them for the future. To accommodate the project, up to 37 trees may need to be removed that are currently located within four feet of the cart paths. Modifying the current cart path footprint will be considered in order to minimize the number of trees that are proposed to be taken out.

Rankin conducted site visits in December and consulted with NPC staff to consider options to access the property and plan for construction. The excavation is the most time-consuming portion of the process with over 11 Kilometers to cover. Rankin's Engineering team proposed a new construction method to expedite this by raising the height of the cart paths to minimize the excavation and disposing of materials. To do this the existing asphalt and granular base will be pulverized and repurposed as the foundation. A product called swamp grid which is a composite material provides the same benefits of 6-8 inches of granular stone in a single layer thus not having to excavate into the heavy Willoughby clay, see Appendix A. The material is strong / durable and will not compromise the quality or the longevity of the cart paths. The proposed method was approved by the NPC Engineering team and meets the requirements for the project. The finished grade of the grass adjacent to the cart paths will be feathered and tie into the new cart path system.

Construction commenced on January 6<sup>th</sup> starting at the Battlefield 11<sup>th</sup> hole, construction in progress, see Appendix B. Rankin has mobilized their equipment and trailer on site at the Legends maintenance building, a second construction crew commenced on January 13<sup>th</sup>. The ground conditions are currently frozen and is ideal for construction which is going faster than anticipated to date. The NPC Engineering and Golf Department teams will be working closely with Rankin to ensure minimal damage is done to the irrigation infrastructure so that the system will be functioning properly in the spring. Rankin has their own asphalt plant which is anticipated to open mid-April but could be earlier based on seasonal temperatures. Scheduled completion date of the cart paths

preparations along with the asphalt is on or before May 1. Sod work will be completed to all areas along the cart path where drainage and truck traffic created damage commencing mid-May and will take approximately 2 weeks to finalize. Once the cart paths are completed the golf course can be open for public play while the remediation work is in progress.

Staff are recommending that the golf course be closed for public play until the asphalt work is completed rather than have public play taking place as noted within the tender package. This will allow for a better golf experience and eliminate any health and safety risks. Staff are proposing a further contingency and recommending opening Battlefield for the public on Friday May 16<sup>th</sup> (Victoria Day Weekend) which is approximately 3 weeks later than normal. Should operations finish ahead of schedule Battlefield can be reopened earlier and utilized for public play minimizing revenue impacts.

## **Implications**

The later opening will impact revenues at Legends in the amount of \$50,000 - \$175,000 which was not budgeted for in the 2025/26 fiscal budget.

## **Consultation**

1. NPC Engineering / Golf Department
2. Rankin Construction

## **Alternatives for Consideration**

Open Battlefield on the regular scheduled day of April 25 and allow public play while the cart path construction continues. It will be challenging to inform guests of the hole(s) that will not be in play and require additional staff on course to direct golfers around construction areas. Staff do not recommend this approach as it poses significant health and safety risks to the public which could be harmful to the reputation of The NPC.

## **Rationale for Recommendation**

The Battlefield golf cart replacement plan is a major undertaking, no other renovation work has occurred on this scale since the original construction of Legends. Other unforeseen components could arise including changes in weather, construction setbacks which will alter scheduled timelines. A contingency plan is recommended to ensure the scope of work is completed for a proper guest experience. A communication plan will be developed by the NPC Communications department to inform the public early in the Spring.





## Relevance to Strategic Plan

This initiative supports all the Strategic planning themes and aligns with The Niagara Parks Commission's continual improvements approach to make the game more enjoyable.

## Other Pertinent Reports

N/A

Prepared by: \_\_\_\_\_

Name: Curtis Labelle

Title: Director, Golf Operations

Submitted by: \_\_\_\_\_

Name: Curtis Labelle

Title: Director, Golf Operations

Authorized by: \_\_\_\_\_

Name: David Adames

Title: Chief Executive Officer

Date: January 29, 2025

## Appendices

A – Diagram

B – Photos



## Report to The Niagara Parks Commission

### RE: Summary of Recommendations from the Governance, Ethics and Human Resources Committee

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The following are recommendations of the Governance, Ethics and Human Resources Committee at its meeting held on February 4, 2025.

#### Public Art Policy (Report 2025-09)

1. Receive Report 2025-09 – NPC Public Art Policy
2. Approve the ~~proposed~~ NPC Public Art Policy as amended by adding that the installation of permanent art installations will be at the discretion and approval of The Niagara Parks Commission.

#### Working for Workers Five and Six Act, 2024 – Update (Report 2025-11)

1. Receive Report 2025-11 respecting updates for the Working for Workers Act 5 and Proposed Bill 229 – Working for Workers Six Act, 2024 for information.

Prepared by: \_\_\_\_\_

Name: Darla Jones

Title: Executive Assistant to the Chair  
and Chief Executive Officer

Submitted and

Authorized by: \_\_\_\_\_

Name: David Adames

Title: Chief Executive Officer

Date: February 4, 2025

## **Report to the Governance, Ethics and Human Resources Committee**

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### **RE: NPC Public Art Policy**

#### **Recommendation(s)**

That the Governance, Ethics and Human Resources Committee recommends that The Niagara Parks Commission:

1. Receive Report 2025-09 – NPC Public Art Policy
2. Approve the proposed NPC Public Art Policy

#### **Overview**

The purpose of this report is to seek approval for the proposed Public Art policy for The Niagara Parks Commission (NPC).

Niagara Parks often receives requests for the installation of Public Art throughout its property holdings. Over the past several years these requests have increased both in frequency and complexity. At present, staff do not have an established standard approach to evaluate unsolicited requests for the installation of landscape art, or commonly referred to as Public Art, on Niagara Parks' property. Staff refer all such requests to the Commission for comment in order to provide appropriate feedback to proponents.

A formalized Public Art Policy provides a standard evaluation method to screen the artistic submissions and assist with recommendations to the Commission. The attached policy helps to determine program requirements re: Public Art at Niagara Parks and clearly defines the program's scope and selection process.

Without an official policy regarding Public Art, individual requests are dealt with on an individual basis and evaluated in the context of the proposed location. This past practice has facilitated approvals for the installations of the King George VI statue, Tesla statue and landscape, bronze sculptures at the Floral Showhouse ("Freedom" sculpture at the main lily pond fountain along with the "Spirit of Park Hall" sculpture and side fountain), bronze busts at the Niagara Parks' Police Administration Building (busts of Sir Casimir Gzowski and John Langmuir, the first two chairs of NPC), and the two statues at the Landscape of Nations Memorial (bronze statues of notable Indigenous leaders and warriors John Norton and John Brant). A recent Public Art competition led to the installation of the Niagara Strait art piece installed in the main entry plaza of the Botanical Gardens. The success of the Niagara Strait competition provides a precedence for evaluation criteria

used to select Public Art through a formal and transparent competitive process. Utilizing the proposed Public Art Policy would give both staff and the Commission access to a standardized and transparent process for dealing with pending and future applications. The proposed policy will be beneficial for proponents as all parties would have a fuller understanding of and greater access to the decision-making process regarding requests for Public Art installations.

## **Implications**

This policy provides greater clarity in evaluating requests for the installation of Public Art as it lays out a variety of conditions which should be met before approval can be given by NPC for a proposed piece of artwork. Proponents must provide sufficient background information to support the consideration of their proposal and must meet several sub-conditions for approval. If a requested Public Art installation does not meet these criteria, it should not be approved for placement on Niagara Parks' property. This essential understanding should help to clarify and streamline decision-making processes regarding future Public Art installation requests.

**Financial:** There are no financial implications as a result of adopting this policy.

**Staffing:** As part of this policy a Public Art Assessment Group (PAAG) will be established, consisting of an interdepartmental team of representatives from throughout Niagara Parks.

**Policy:** In conjunction with this policy, a Standard Operating Procedure (SOP) will be created regarding the specifics of Public Art selection and installation in collaboration with the PAAG.

## **Consultation**

Niagara Parks' management and senior management were consulted in order to draw up these recommendations. Further, these policy recommendations are based on a research sampling of municipalities across Ontario, along with prominent cultural institutions such as the Smithsonian Institute, the ROM, the McMichael Canadian Art Collection, and the FirstOntario Performing Arts Centre. A variety of municipalities were researched in support of this exercise including: the Town of Niagara-on-the-Lake, the City of St. Catharines, the City of Thorold, the City of Waterloo, the City of Kingston, the City of Ottawa, and the Town of Collingwood.

## **Alternatives for Consideration**

As an alternative, The Commission could choose not to approve the proposed Public Art Policy and thus maintain the de facto operational practices currently in use. This alternative is not recommended as these current practices do not provide staff with clear guidelines for the selection of Public Art initiatives occurring throughout Niagara Parks' properties. An approved policy and set of

established procedures will allow staff to effectively and consistently make decisions surrounding Public Art installations.

## **Rationale for Recommendation**

Approving a Public Art Policy for Niagara Parks will address the need to have greater clarity and clear guidelines regarding which art installation requests are moved forward for approval. Best practice would be for NPC to have a Public Art Policy with a more substantive strategy, transparent rationale and set of administrative processes, and a set of well-defined, robust criteria for approvals. The attached proposed policy is based on a research sampling from municipalities across Ontario, along with other prominent cultural institutions such as the Smithsonian Institute, the ROM, the McMichael Canadian Art Collection, and the FirstOntario Performing Arts Centre, and provides these noted solutions.

## **Relevance to Strategic Plan**

This report's recommendations connect to three themes within the Strategic Plan:

- Preserving and showcasing our rich heritage, culture, and lifestyle.
  - Adopting a Public Art Policy for NPC would help to better showcase Niagara's rich history and the lands that Niagara Parks has the honour of preserving, protecting, and featuring for our global audience.
- Leveraging and activating our natural wonders and iconic experiences.
  - Adopting a Public Art Policy for NPC would help to leverage and activate the natural wonder and iconic experiences around Niagara Falls themselves.
- Taking experiences, service, and hospitality to the next level.
  - Adopting a Public Art Policy for NPC would help to take experiences to the next level by potentially highlighting a wider range of topics and themes across our property holdings.

## **Other Pertinent Reports**

N/A



Prepared by: \_\_\_\_\_

Name: Rebecca Pascoe

Title: Manager, Cultural Development

Submitted by: \_\_\_\_\_

Name: Steve Barnhart

Title: Senior Director, Planning  
Environment & Culture

Authorized by: \_\_\_\_\_

Name: David Adames

Title: Chief Executive Officer

Date: February 4, 2025

## **Appendices**

Appendix A: Proposed NPC Public Art Policy

## Corporate Policy Manual

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<b>Policy Name</b>	<b>Policy Number</b>	<b>Responsible Department</b>
Public Art	CPM-02-xxx	Planning, Environment and Culture
<b>Approval Body</b>	<b>Approval Date</b>	<b>Review Date</b>
Chief Executive Officer	February 4, 2025	February 4, 2029

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### **Purpose**

It is the policy of The Niagara Parks Commission to consider formal requests for Public Art installations where such artworks align with Niagara Parks values, mission, and operational goals, and/or the proposed artwork would also serve as an enhancement to the appreciation of the overall park experience while visiting Niagara Parks property.

Art can define a destination. A destination's character, history, aspirations, and challenges are expressed and reflected by its artists, through their work and with strong public engagement. Niagara Parks is home to myriad stories, identities, and experiences, as well as the awe and enjoyment of both local residents and international visitors. Niagara Parks recognizes culture's role as a pillar of defining regional expression and shaping the experience and enjoyment of visitors and patrons, including the important contributions arts and artists make to the natural and built environments of its destinations.

Niagara Parks is committed to enhancing the cultural, aesthetic, and educational value of its natural and built environments. As part of its mandate to preserve and promote the natural beauty and cultural heritage of the Niagara region, Niagara Parks seeks to support the integration of Public Art that is in alignment with its mission, engages the public, and enriches visitor experiences. The purpose of this policy is to establish a clear framework for the evaluation, approval, and installation of Public Art within Niagara Parks properties.

## Scope

This policy applies to Public Art proposed for installation and display on Niagara Parks property, including but not limited to parks, gardens, trails, heritage sites, visitor centres, and public spaces. This includes both temporary and permanent artworks, as well as commissions, donations, and loaned artworks.

## Definitions

“Acquired or Acquisition” means the process of accepting an artistic work into Niagara Parks collection of Public Art.

“Artist” means the designer or creator of an artistic work and can include a professional artist, graphic designer, collaborative team, architect, or landscape designer.

“CEO” means the Chief Executive Officer for Niagara Parks.

“Deaccession” means the process of removing an artistic work from Niagara Parks’ collection of Public Art.

“Niagara Parks” means the corporation of The Niagara Parks Commission.

“PAAG” means Niagara Parks’ Public Art Assessment Group.

“Public Art” refers to artistic works, created by an artist and acquired by Niagara Parks, that has been designed with the express purpose of being staged or installed in a public space. Such art can be sculptural, mural, or mixed media in nature.

## Policy

It is the policy of Niagara Parks to:

- Ensure that the erection of permanent art installations will be at the discretion and approval of The Niagara Parks Commission. Note that secured funding does not guarantee the approval of a proposed piece of Public Art.
- Ensure that Public Art aligns with the Niagara Parks values, mission, and operational goals.
- Maintain the integrity of the natural and cultural landscape of Niagara Parks.
- Increase public awareness, understanding, and interpretation of Niagara Parks’ rich experiential history, and develop new audiences for artistic practice and experience.
- Generate significant quality-of-life and economic benefits for Niagara Parks and residents of the Niagara region, elevating the regional landscape by improving its built and natural environments.



- Encourage the integration of art that enriches visitors' experiences, promotes dialogue, and fosters community engagement.
- Promote diversity and inclusion in Public Art installations.
- Establish a fair and transparent process for proposing and reviewing Public Art.

### **Eligibility:**

Public Art must meet the following general criteria:

- The proposed installation site for artwork must be located within a Niagara Parks-managed area, including any and all proposed sites within parks, gardens, waterfronts, trails, and public spaces.
- Artists may include local, national, and international individuals, groups, or collectives. Priority will be given to artists who have a demonstrated connection to the Niagara region or who contribute to local cultural dialogue.

### **Policy Guidelines for Public Art:**

#### **1. Alignment with Niagara Parks Mission and Values:**

- **Natural and Cultural Heritage:** Public Art must respect and enhance the region's natural landscapes, historical landmarks, and cultural heritage. They should not compromise the ecological integrity, environmental sustainability, or aesthetics of the area.
- **Community Engagement and Education:** Public Art should foster community participation and be educational in nature, offering insight into the history, culture, or natural environment of Niagara Parks and the Niagara region.
- **Accessibility and Inclusion:** Public Art should be designed to be inclusive and accessible to all visitors, including people with disabilities, and should reflect diverse cultural expressions, perspectives, and experiences.

#### **2. Artistic Excellence:**

- **Quality and Innovation:** Public Art should demonstrate a high standard of artistic excellence, creativity, and originality. It must be capable of longevity, both in terms of artistic merit/cultural relevance and durability of materials.
- **Context and Relevance:** Public Art should have a clear conceptual or thematic connection to its proposed installation site, the surrounding environment, or the broader historical and cultural context of Niagara Parks' place-based learning destinations and objectives. It should contribute meaningfully to the visitor experience and resonate with local and international audiences.

### 3. Design and Safety Standards:

- **Environmental Integration:** The design of the Public Art should complement and harmonize with the surrounding environment, landscape, and architecture. Special consideration should be given to the visibility and integration of the artwork within the context of Niagara Parks' mission and values.
- **Public Safety:** All Public Art must meet safety standards as defined by relevant Niagara Parks, municipal, provincial, and federal regulations. This includes structural stability, safe access for viewing, and the prevention of potential hazards to visitors.
- **Maintenance and Durability:** The proposed Public Art must be durable and resistant to environmental conditions typical of the Niagara region, including seasonal weather variations. The Artist or proponent must provide a maintenance plan for the artwork, including cost estimates for periodic maintenance and repairs along with the expected lifespan of the piece.

### 4. Environmental Considerations:

- **Sustainability:** Public Art should be designed using sustainable materials and processes where possible. Artists should consider the environmental impact of their materials, installation methods, and the conditions involved with future maintenance/upkeep of their piece once installed on Niagara Parks property.
- **Ecological Sensitivity:** Public Art must respect the ecological integrity of the environment in which they are placed. Special care should be taken to avoid any negative impact on wildlife, plant life, or sensitive habitats.

### 5. Potential Removal from Public Display:

- **Deaccessioning:** Unless otherwise indicated, all Public Art will become the property of The Niagara Parks Commission and is subject to removal or relocation at the discretion of the Commission. Niagara Parks retains the sole and exclusive right to deaccession and remove an art piece from display on NPC property. Reasons for deaccession may include but are not limited to: endangerment of public safety; excessive repair or maintenance; irreparable damage; accidental loss; inaccessibility; and NPC's core prerogative for site redevelopment. In the case that a piece of Public Art is removed from display on NPC property, Niagara Parks is not obligated to issue reimbursement or payment of any kind to the original artist in lieu of public exposure for their artwork.

## **Roles and Responsibilities**

### **CEO/Executive Team**

- Ensure that adequate resources are provided to support the implementation of this policy.
- Support the implementation of this policy.
- Review this policy, as needed, but not less than every four years and identify appropriate amendments.
- Provide direction to staff on expectations and objectives to be fulfilled.
- Ensure program responsibility is delegated to appropriate staff.

### **Senior Director, Planning, Environment & Culture**

- Ensure the communication of this policy and any subsequent revisions.
- Annually review this policy and make recommendations for amendments to Executive Team to ensure it remains current, as needed, but not less than every four years to ensure compliance.

### **Administrative Assistant, Planning, Environment & Culture**

- Assist with the administration needs of Public Art proposals.
- Annually report to the Senior Director the total Public Art proposals.

### **PAAG**

- Ensure the development of procedures relating to Niagara Parks' Public Art Program.
- Provide review, analysis, assessment, and recommendations regarding public art proposals.
- Represent departmental perspectives in developing criteria for site selection.
- Participate in location planning for commissioned Public Art.
- Ensure early integration of commissioning in the planning process and open communication about commissioned work.

## **Education and Training**

Staff who are responsible for administration of this policy shall be provided with training to support this policy.

## **Related Policies**

CPM-02-05 Plaques Policy

CPM-01-05 Donations Policy



## Related Procedures

Public Art Procedure

## References and Consultation

Niagara Parks Act, R.S.O. 1990

## Record of Changes

<u>Version No.</u>	<u>Date</u>	<u>Section/Content Changed</u>	<u>Change Made / Reason for Change</u>	<u>Change By</u>
1	February 4, 2025	New Policy	New Policy	T. Johnson

## Authorization

Name: \_\_\_\_\_  
Bob Gale  
Title: Chair  
Date: February 4, 2025

Name: \_\_\_\_\_  
David Adames  
Title: Chief Executive Officer  
Date: February 4, 2025

## Appendices

Appendices

## **Report to the Governance, Ethics and Human Resources Committee**

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### **RE: Working for Workers Five and Six Act, 2024**

#### **Recommendation(s)**

That the Governance, Ethics and Human Resources Committee recommends that The Niagara Parks Commission:

1. Receive Report 2025-11 respecting updates for the Working for Workers Act 5 and Proposed Bill 229 – Working for Workers Six Act, 2024 for information.

#### **Overview**

The purpose of this report is to provide an update on the Working for Workers 5 Act and information on Bill 229 Working for Workers Six Act, 2024.

Working for Workers Act Five received Royal Assent on October 28, 2024. While some of the provisions came into force as of the date of Royal Assent, some provisions were on a date to be proclaimed. This has now occurred and accompanying regulations have been enacted to provide additional obligations and, in some cases, clarify the new provisions found below relative to Niagara Parks:

#### **Amendments to the Employment Standards Act (“ESA”)**

1. Job Posting Information in force effective **January 1, 2026**
  - a. For publicly advertised job postings an employer must include information about the expected compensation or range in the job posting. This will not apply to positions where the expected compensation, or upper limit of the range of compensation, is more than \$200,000 in wages annually.
  - b. An employer cannot include any requirement related to Canadian experience in a publicly available job posting or job application form.
  - c. An employer must disclose in any publicly available job posting if it uses artificial intelligence to screen, assess or select applicants.
  - d. Every publicly advertised job posting must include a statement on whether the posting is for an existing vacancy.
  - e. An employer who interviews an applicant for a publicly advertised job posting must, within 45 days of an applicant's interview or last interview if there are multiple

interviews, advise the applicant of whether a hiring decision has been made in respect of the position.

- f. An employer must retain copies of every publicly advertised job posting and associated application form for three years after public access to the posting is removed and must retain a record of the information provided to applicants who have been interviewed for three years after it was provided to the applicant.
- g. Effective **July 1, 2025** an employer must provide an employee with the following information before the first day of work or, where that is not practical, as soon thereafter as is reasonably possible:
  - i. The legal name of the employer, as well as any operating or business name of the employer, if different..
  - ii. contact information for the employer, including address, telephone number and one or more contact names
  - iii. a general description of where it is anticipated the employee will initially perform work
  - iv. the employee's starting hourly wage or other wage rate or commission, as applicable
  - v. the applicable pay period and pay day
  - vi. a general description of the employee's initial anticipated hours of work

#### Occupational Health and Safety Act

- 2. The following amendments are in force as of **July 1, 2025**:
  - a. A constructor or employer is required to ensure that any washroom facilities provided for worker use are maintained in a clean and sanitary condition.
  - b. The constructor or employer is also required to keep, maintain and make available records of the cleaning of washroom facilities. Pursuant to regulation, effective **January 1, 2026**, cleaning records must be maintained that document the date and time of the two most recent cleanings for each washroom facility. These records may either be (1) physically posted in a conspicuous location near the washroom facilities, or (2) made available electronically, provided workers receive clear instructions on how and where to access this information.
  - c. a constructor must maintain a record of the servicing, cleaning and sanitizing services of any toilet, urinal and clean-up facilities. By regulation, effective **January 1, 2026** this record must also include the date of all services for the past six months or the duration of the project, whichever is shorter.

## **Working for Workers Act Six (Bill 229)**

The Ontario Bill 229, Working for Workers Six Act, 2024 (“Bill 229”) received Royal Assent on December 19, 2024. Bill 229 includes a new series of amendments to various employment-related statutes, including the Employment Standards Act, 2000 (“ESA”), and the Occupational Health and Safety Act (“OHSA”). Bill 229 is the sixth iteration of Ontario’s *Working for Workers* Acts expanding workplace obligations that began with the “Working for Workers Act” changes of 2021, 2022, 2023 and 2024.

Many of the changes by Bill 229 are now in force, having come into effect on the date of Royal Assent (December 19, 2025), but some will be brought into force by proclamation in the future.

### **Summary of key legislative changes:**

#### **Amendments to the Employment Standards Act (“ESA”):**

##### **Placement of a Child Leave:**

- Employees with at least 13 weeks of employment can take up to 16 weeks of unpaid, job-protected leave to support in adjusting to the arrival of a new child for parents welcoming a child through adoption or surrogacy.

##### **Long-Term Illness Leave**

- Employees with a serious medical condition with at least thirteen (13) weeks of service can take up to twenty-seven (27) weeks of unpaid, job-protected leave within a 52-week period. This leave is provided to extended support to employees dealing with significant health challenges, such as chronic illnesses or recovery from severe conditions.

#### **Amendments to OHSA:**

##### **Properly Fitting Personal Protective Equipment (PPE)**

- Employers will now be required to ensure that PPE and clothing that is provided, worn, or used is a proper fit and is appropriate in the circumstances. The government will also have the authority to impose additional regulatory requirements related to the assessment of personal protective clothing and equipment.

##### **Provide Chief Prevention Officer:**

- establish policies related to general training requirements under the OHSA.
- seek advice from an advisory committee established by the Ministry of Labour, Immigration, Training and Skills Development

- collect and use personal information for the purpose of developing, monitoring or reporting on a provincial health and safety strategy or for the purpose of providing advice on the prevention of workplace injury and occupational disease
- collect and use personal information for the purpose of developing, monitoring or reporting on a provincial health and safety strategy or for the purpose of providing advice on the prevention of workplace injury and occupational disease

## **Implications**

Niagara Parks will be required to revisit policies and procedures and processes to make adjustments in order to be compliant with the new requirements introduced by the Working for Workers five and Working for Workers Six Act, 2024.

## **Consultation**

The Niagara Parks will continue to review any future consultations related to Bill 229 and any further release of the Working for Workers Act legislation.

## **Alternatives for Consideration**

NA

## **Rationale for Recommendation**

NA

## **Relevance to Strategic Plan**

NA

## **Other Pertinent Reports**

<a href="#">2024-123</a>	Update Bill 190 Working for Workers Five Act, 2024 – December 3, 2024
<a href="#">2024-46</a>	Proposed Bill 190 – Working for Workers Five Act, 2024 – June 4, 2024
<a href="#">2024-33</a>	Update: Bill 149 Working for Workers Four Act, 2024 – April 2, 2024
<a href="#">2023-85</a>	Bill 149 Working for Workers Four Act, 2023 – December 5, 2023
<a href="#">2022-63</a>	Bill 127 The Working for Workers Act – May 31, 2022
<a href="#">2022-40</a>	Bill 88 The Working for Workers Act – Proposed Legislative Changes – April 5, 2022





[2022-15](#)

The Working for Workers Act – February 1, 2022

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Date: February 4, 2025

## **Appendices**

NA