



COUNCIL MEETING AGENDA

**Tuesday, September 3, 2019
7:00 P.M.**

COUNCIL CHAMBERS – CIVIC SQUARE

- 1. COMMITTEE-OF-THE-WHOLE (IN-CAMERA) (4:35 p.m.)
(See yellow tab)**
 - Personal matters about an identifiable individual, including municipal or local board employees:
 - *Personnel Matters.*
 - *Non-Union Vacancies.*
 - Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board:
 - *Gadsby property transaction.*
 - A trade secret or scientific, technical, commercial or financial that belongs to the municipality or local board and has monetary value or potential monetary value:
 - *Gateway CIP Agreement.*
 - Proposed or pending acquisition or disposition of land by the municipality or local board:
 - *New tenant - Youngs Sportsplex.*
 - Personal matters about an identifiable individual, including municipal or local board employees:
 - *Personnel update.*

- 2. ARISE FROM COMMITTEE-OF-THE-WHOLE (IN-CAMERA) (6:55 p.m.)**

- 3. OPEN COUNCIL MEETING (7:00 p.m.)**
 - 3.1 NATIONAL ANTHEM**
 - 3.2 OPENING REMARKS**
 - 3.3 ADDITIONS/DELETIONS TO AGENDA**
 - 3.4 ADOPTION OF MINUTES**

Regular Council Meeting of August 6, 2019 (*Previously Distributed*).
 - 3.5 CALL UPON THE CITY CLERK TO REVIEW COMMITTEE-OF-THE-WHOLE ITEMS (IN-CAMERA) TO BE ADDED TO BLOCK**
 - 3.6 DISCLOSURES OF INTEREST**



COUNCIL MEETING AGENDA – Page 2

Tuesday, September 3, 2019

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COUNCIL CHAMBERS – CIVIC SQUARE

3.7 COUNCILLORS TO DETERMINE AGENDA ITEMS AND BY-LAWS TO BE REMOVED FROM BLOCK FOR DISCUSSION IN COMMITTEE-OF-THE-WHOLE (OPEN) (See pink tab)

4. ORAL REPORTS AND DELEGATIONS

4.1 PRESENTATIONS

Plaque presentation by Mayor Champion to retired Royal Canadian Air force Sgt. Marion Kelly for winning 5 gold medals at the 2019 Department of Defense (DOD) Warrior Games.

Certificate presentation by Mayor Champion and Vance Badawey, Member of Parliament, to Lori Hayes re: community recognition.

4.2 DELEGATION(S) (maximum 5/10/5 policy)

99-99 Claire Masswohl re: Relocating of workers' monument to Merritt Park.

4.3 AGENCIES, BOARDS, COMMISSIONS AND COMMITTEES REPORT(S) - Nil

4.4 LEGISLATED PUBLIC HEARINGS/MEETINGS - Nil

**5. COMMITTEE-OF-THE-WHOLE (OPEN)
(to discuss items removed from Agenda Block)**

6. BY-LAWS (SEE AGENDA INDEX)

7. NOTICES OF MOTION

7.1 Councillor matters discussed with staff for reporting purposes

7.2 Notices of Motion (previously submitted for discussion)

(Councillor Spinosa)

19-91 THAT THE COUNCIL OF THE CITY OF WELLAND creates a volunteer recognition wall at a municipal site that highlights the dedicated people and groups that donate their time and resources to this community; and further THAT Council directs staff to create a report on criteria for nomination.



COUNCIL MEETING AGENDA – Page 3

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7:00 P.M.

COUNCIL CHAMBERS – CIVIC SQUARE

(Councillor Green)

03-59 THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to review the Clean Yards By-law and to forward a report to General Committee on any possible changes. Further to focus specifically on additional fines and immediate action for repeat offenders for both long grass and refuge on property.

(Councillor Green)

99-99 WHEREAS Merritt Island park is a destination park in the City of Welland, and a gateway to our trail system containing a parking lot, restrooms, multiuse building and a playground; and
WHEREAS land space is limited, and the parking lot typically at capacity.
THEREFORE IT BE RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to start a public consultation process on the design of a new park area and that a report come to General Committee by the end of 2019; and
THAT the report include replacement of the current park infrastructure and enhancements due to the loss of parkland; and further
THAT Welland City Council requests the Niagara Region to pay all associated costs, which include, public notice, public consultation and reconstruction of the park, enhancements to compensate for the loss of parkland, parking and full replacement of washrooms and new facility to replace former Merritt Island building.

(Councillor McLeod)

19-93 THAT THE COUNCIL OF THE CITY OF WELLAND requests that staff provide a service level review of snow removal and identify areas of improvement, providing costs associated with increase service delivery.

(Councillor McLeod)

19-92 WHEREAS the declaration and sale of surplus land is procedurally defined in policy.
NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND requests the following: an updated declaration and sale of surplus land policy; a purchasing process for surplus lands be clearly defined in policy and be readily available to the public; and further
THAT the policy identify how it will maximize public communication of the declaration, sale and purchase of public lands.

7.3 Call for Notices of Motion (for introduction at the next scheduled Council meeting)



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*Tuesday, September 3, 2019
7:00 P.M.*

COUNCIL CHAMBERS – CIVIC SQUARE

8. CORPORATION REPORTS

8.1 Mayor's Report

8.2 Chief Administrative Officer's Report

9. CONFIRMATORY BY-LAW

A By-law to adopt, ratify and confirm proceedings of the Council of the Corporation of the City of Welland at its meeting held on the 3rd day of September, 2019. Ref. No. 19-1

10. ADJOURNMENT



COUNCIL MEETING AGENDA INDEX

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7:00 P.M.
COUNCIL CHAMBERS – CIVIC SQUARE**

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AGENDA BLOCK

- 1. BUSINESS ARISING FROM MINUTES, PREVIOUS MEETINGS AND OTHER ITEMS REFERRED FROM COUNCIL FOR DISCUSSION - Nil**

- 2. COMMITTEE AND STAFF REPORTS**
 - 1. Business Arising from Committee-of-the-Whole (closed)**
 - 2. General Committee Report to Council - Nil**
 - 3. Budget Review Committee Report to Council - Nil**
 - 4. Staff Reports**

1 - 3 Remove From Block	<u>CAO-2019-13</u>	Chief Administrative Officer, G. Long - Relocation of Workers' Monument to Merritt Park. Ref. No. 99-99
4 - 8	<u>P&B-2019-42</u>	Gen. Mgr., Infrastructure and Development Services, T. Fitzpatrick - Application for Tax Increment Grant Program - Community Improvement Plan for the Downtown and Health and Wellness Cluster, Cheema Residential Plus Ltd. - 139 East Main Street (File No. DHWC 2019-11). Ref. No. 11 - 108 (See By-law 1)
9 - 10	<u>P&B-2019-43</u>	Gen. Mgr., Infrastructure and Development Services, T. Fitzpatrick - Request for motion to allow minor variance - Zelinka Priamo Ltd. for lands on the east side of Primeway Drive, the side of River Road, north of Woodlawn Road, and west of Highway 406, municipally known as 158 and 210 Primeway Drive and 790 River Road. Ref. No. 18-96
11 - 17	<u>TRAF-2019-13</u>	Gen. Mgr., Infrastructure and Development Services, T. Fitzpatrick - Proposed changes to the Clean Yards By-law to address the use of bird feeders. Ref. No. 03-59/19-22 (See By-law 2)



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- 18 - 22 **ENG-2019-33** Gen. Mgr., Infrastructure and Development Services, T. Fitzpatrick - Gaiser Road Storm Water Management Facility - Resident Gates. Ref. No. 19-99
- 23 - 24 **ENG-2019-34** Gen. Mgr., Infrastructure and Development Services, T. Fitzpatrick - East Main Street Account Reconciliation. Ref. No. 19-26
- 25 - 28 **ENG-2019-35** Gen. Mgr., Infrastructure and Development Services, T. Fitzpatrick - Welland Public Library renovation Request. Ref. No. 04-47
- 29 - 31 **R&C-2019-09** Gen. Mgr., Corporate Services, Chief Financial Officer/Treasurer, S. Zorbas - Resolution to authorize FedDEV Ontario Funding Agreement. Ref. No. 99-99
- 32 - 35 **ENG-2019-32** Gen. Mgr., Infrastructure and Development Services, T. Fitzpatrick - 2019 Sidewalk Construction and Replacement - Part 2 - Construction Tender Award. Ref. No. 19-26 (See By-law 3)

3. NEW BUSINESS

- 36 - 60 1. Nora Reid, Secretary/Treasurer, City of Welland Heritage Advisory Committee re: Designation of the Feeder Canal Junction Lock as having Cultural Heritage Value or Interest under the Ontario Heritage Act. Ref. No. 05-50

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information and supports the recommendation by the City of Welland Heritage Welland to designate the Feeder Canal Junction Lock as having Cultural Heritage Value to the City of Welland.

4. BY-LAWS

MAY BE VIEWED IN THE CLERK'S DIVISION PRIOR TO THE MEETING IF DESIRED.

1. A By-law to authorize execution of an agreement for tax increment grant program (Community Improvement Plan) for 139 East Main Street (File No. DHWC 2019-11). Ref. No. 11-108
(See Report P&B-2019-42)
2. A By-law to amend By-law 10727, being a By-law to provide regulations for maintaining land in a clean and clear condition (Clean Yards By-law). Ref. No. 03-59
(See Report TRAF-2019-13)



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3. A By-law to enter into contract with Catalina Excavating Inc. for the 2019 Sidewalk Construction and Replacement – Part 2. Ref. No. 19-26
(See Report ENG-2019-32)

4. A By-law to authorize acceptance of an offer from Centennial Developments (Niagara) Inc. for the sale of vacant land on north of Sauer Avenue. Ref. No. 19-100
(Direction provided to proceed in Committee-of-the-Whole at the Committee-of-the-Whole meeting of May 28, 2019).

COUNCIL
OFFICE OF THE CAO

APPROVALS	
GENERAL MANAGER	
CFO	
CAO	

99-99

REPORT CAO-2019-13
SEPTEMBER 3, 2019

SUBJECT: RELOCATION OF WORKERS' MONUMENT TO MERRITT PARK

AUTHOR: GARY LONG, CAO

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND approves the relocation of the Workers' Monument from the former Lakeside Steel Corporation site on Dain Avenue to Merritt Park.

ORIGIN AND BACKGROUND:

On September 16, 2009, Lakeside Steel Company (formerly Page-Hersey / Stelco) celebrated its 100th anniversary of operations in Welland. To commemorate this event, a historical monument, with statues representing the factory workers, and plaque dedication occurred at the steel mill. In addition, a time capsule, to be opened in 2109, was encapsulated in pipe that was constructed at the factory.

The statues are contained in a plexi glass house and were made from a sculpture medium and process called Paverpol which originated in Holland. They were sculpted by Neil Bilbe who lived in Ridgeville, worked at the plant, and also taught art at Niagara College.

COMMENTS AND ANALYSIS:

In June 2019, City staff were approached by Welland resident, Claire Masswohl, to discuss the relocation of the historical monument display from its present site to a more prominent site in the city. She will be appearing as a delegation at the September 3rd Council meeting.

The preferred location for the monument was determined to be Merritt Park as it complements the Welland Canal Monument and there is sufficient space to accommodate the display. Ms. Masswohl met with City Parks staff at the current location of the monument as well as at Merritt Park to take measurements and review where it will be positioned. Permission from the current owner was obtained and arrangements have been made with Rankin Construction to relocate the monument pending Council's approval.

OTHER DEPARTMENT IMPLICATIONS:

Staff from the City's Public Works and Parks Divisions will assist with the co-ordination of this work.

FINANCIAL CONSIDERATION:

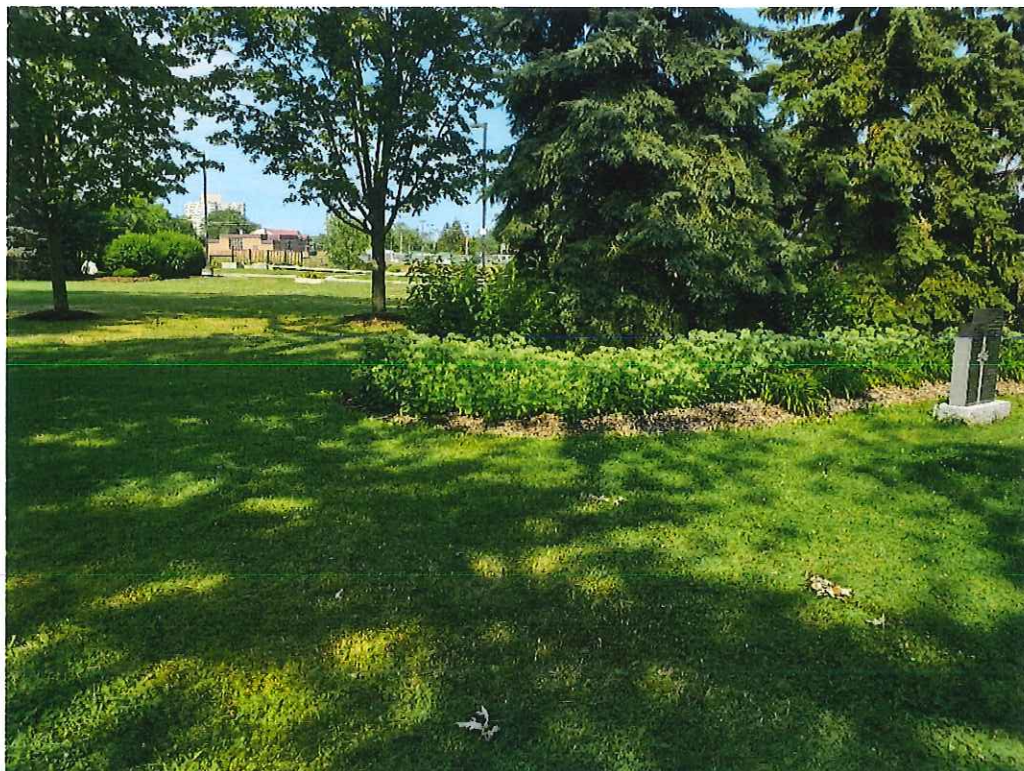
The costs to relocate the monument, as well as to pour a concrete pad, will be borne by Rankin Construction.

SUMMARY AND CONCLUSION:

It is staff's recommendation that Council approves the relocation of the Workers' Monument from its current location on Dain Avenue to Merritt Park.

ATTACHMENT:

Appendix I – Pictures of the Workers' Monument and Proposed Site at Merritt Park



APPROVALS	
GENERAL MANAGER	<i>[Signature]</i>
CFO	<i>[Signature]</i>
CAO	<i>[Signature]</i>

COUNCIL**INFRASTRUCTURE AND DEVELOPMENT SERVICES**

11-108

**REPORT P&B-2019-42
SEPTEMBER 3, 2019**

**SUBJECT: APPLICATION FOR TAX INCREMENT GRANT PROGRAM
COMMUNITY IMPROVEMENT PLAN FOR THE
DOWNTOWN AND HEALTH AND WELLNESS CLUSTER
CHEEMA RESIDENTIAL PLUS LTD.
139 EAST MAIN STREET (FILE NO. DHWC 2019-11)**

**AUTHOR: CHRISTINE ROSSETTO, B.A. (Hons.)
PLANNING ASSISTANT**

**APPROVING SUPERVISOR: ROSE DI FELICE, M.Pl., M.Sc., MCIP, R.P.P.
MANAGER OF POLICY PLANNING**

**APPROVING G.M.: TRAVERS FITZPATRICK
GENERAL MANAGER,
INFRASTRUCTURE AND DEVELOPMENT SERVICES**

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND approves the Downtown and Health and Wellness Cluster Community Improvement Plan Application for property municipally known as 139 East Main Street for the Tax Increment Grant Program in the estimated amount of \$13,500.85; and further

THAT Welland City Council supports the circulation of this Report to Niagara Region to request the Region's participation in the Tax Increment Grant Program; and further

THAT Welland City Council directs Staff to prepare the required By-law and Agreement; and further

THAT Welland City Council authorizes the Mayor and City Clerk to execute any documentation required to satisfy conditions related to participation in the Downtown and Health and Wellness Cluster Incentive Program.

ORIGIN AND BACKGROUND:

A Downtown and Health and Wellness Cluster Community Improvement Plan (CIP) Incentive Application has been received for property municipally known as 139 East Main Street. The Owner proposes to renovate the existing vacant building and is seeking approval under the Tax Increment Grant (TIG) Program wherein Council approval is required. In addition, the Owner has made Application for the Building Improvement Grant

Program, Residential Grant Program and the Planning and Building Fees Program under this CIP for which approval has been delegated to, and received from, Staff.

The purpose of the TIG Program is to encourage rehabilitation, redevelopment, infill and intensification projects by providing a financial incentive that reduces the property tax increase that can result from development/redevelopment. This Grant is based on 80% of the municipal (City and Region) property tax increase for up to 10 years following project completion where the project results in an increase in assessed value and therefore property taxes.

COMMENTS AND ANALYSIS:

The subject property is located on the south side of East Main Street, west of Hellems Avenue and is illustrated on the attached Location Map (Appendix I). The Owner proposes to convert the vacant commercial space located on the second floor into 4 new dwelling units and renovate 2 existing vacant dwelling units and 1 vacant commercial unit. Once completed, the building will contain 6 residential dwelling units and 1 commercial unit.

The TIG Program provides an annual grant equivalent to 80% of the increase in municipal (City and Region) property taxes that result from the project for up to 10 years. From the information provided, Staff has estimated the Grant to be approximately \$13,500.85 over the 10 year Grant period and is shown in Appendix II. The City's contribution to this incentive has been estimated to be \$7,479.93, being approximately 55% percent of the estimated Grant. The Grant ceases when the total along with all other Grants provided equals the cost of redevelopment, or 10 years, whichever comes first.

With respect to eligible costs for this Grant, the Owner has provided 2 cost estimates from bona fide contractors for the completion of all improvement works. The lowest quote is \$165,382 (excluding HST) from KH Flooring & Construction LTD and has been used in the estimated TIG calculation shown in Appendix II.

Niagara Region must confirm their participation in the Tax Increment Grant Program.

If Council approves this Application, the Owner will be required to enter into a Grant Agreement which will specify the terms of the Grant. As per the Program requirements, the construction works may not commence until the Agreement has been executed. Successful completion of this project is a requirement of the TIG Program along with the Owner being responsible for all costs of the project.

The proposal meets the purpose of the CIP by stimulating private sector investment within the Project Area. The new development will increase tax assessment and property tax revenues over the 10 year term of the TIG. The proposal revitalizes an existing vacant building and will provide for varied housing opportunities.

Staff recommends approval of the Application for the Tax Increment Grant Program for 139 East Main Street. This financial incentive will help offset the costs of redevelopment of this property. When completed, it will result in 6 residential dwelling units and 1 commercial unit.

FINANCIAL CONSIDERATION:

The TIG Program will be administered as follows:

- Tax increment based grant program uses future tax increase (tax increment) to pay for eligible costs by way of a property tax rebate;
- Regional participation is subject to Regional Council approval; and
- Grant equals 80% of City and Region portion of property tax increase rebated annually each year for up to 10 years.

The total amount of all Grants provided through available Incentive Programs shall not exceed the total cost of redevelopment.

OTHER DEPARTMENT IMPLICATIONS:

The Legal Division will be involved in the registration of the Agreement and By-law. The Finance Division will be involved with all financial aspects associated with the Incentive Program. The Building Division will be involved with the issuance of the required Building Permits and any applicable Development Charge Reductions.

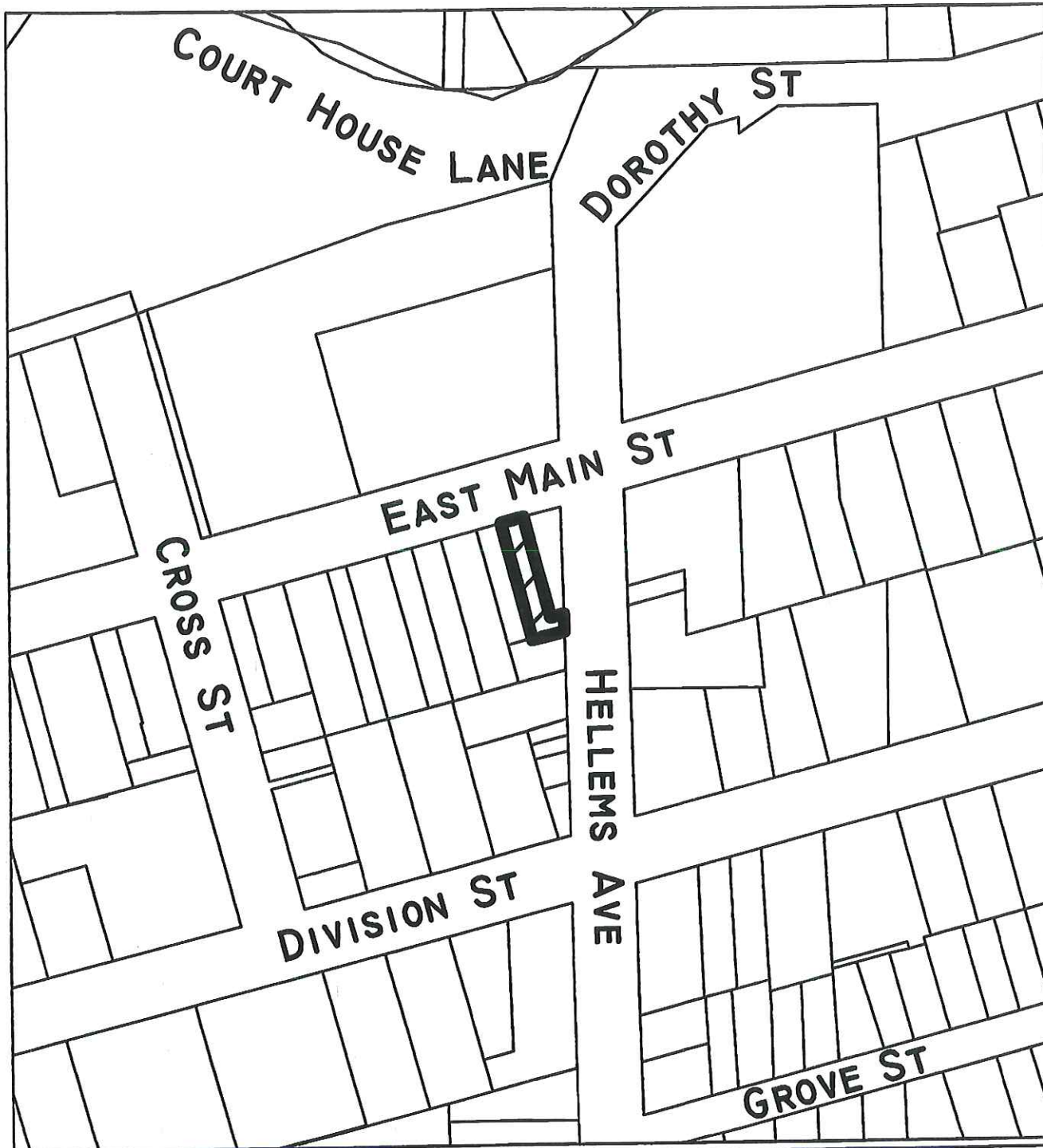
SUMMARY AND CONCLUSION:

The Owner of 139 East Main Street has requested funding under the Downtown and Health and Wellness Cluster Community Improvement Plan Incentive Program for this property. Council's implementation of the Tax Increment Grant Program facilitates redevelopment of properties in the CIP Project Area by assisting property Owners with development costs.

Staff recommends approval of the Application for the Tax Increment Grant for 139 East Main Street as discussed in this Report. The approval of this Application will provide an estimated financial incentive to the Owner of \$13,500.85 in eligible costs. The improvement works will increase the assessed value of the property and will provide 6 residential dwelling units and 1 commercial unit within the Downtown.

ATTACHMENTS:

- Appendix I - Location Map
- Appendix II - Tax Increment Grant – Estimated Calculation



LOCATION MAP

139 East Main Street



SUBJECT LANDS



*Infrastructure and
Development Services*
Planning Division

**CITY OF WELLAND DOWNTOWN AND HEALTH AND WELLNESS CLUSTER CIP
TAX INCREMENT GRANT PROGRAM CALCULATOR
139 East Main Street - Estimated Grant**

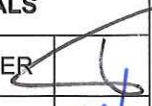


Roll 271903000511800	2019 Before Project (RT - Residential/New Multi-Res)	2019 Before Project (CT - Com. Occupied)	Project Completion (RT - Residential/New Multi-Res)	Project Completion (CT - Com. Occupied)	Tax Increment	Annual Grant Payment	Total Grant Payment
Assessment Value	\$1,695,00	\$146,218.00	\$242,471.25	\$80,823.75			
Municipal Taxes	\$93.20	\$2,021.61	\$1,392.33	\$1,117.47	\$94.99	\$747.99	\$7,479.93
Regional Taxes	\$75.02	\$1,627.28	\$1,555.42	\$899.50	\$752.62	\$602.09	\$6,020.92
Education Taxes	\$18.83	\$1,506.05	\$390.38	\$832.48	N/A		
Total Taxes	\$187.05	\$5,154.94	\$3,878.13	\$2,849.45	80.00%		
% of Tax Increment							
Total Annual Grant Payment						\$1,350.09	
Duration of Grant Payment (Years)						10	
Total Grant Payment¹⁰							\$13,500.85

This TIG calculation estimates the completed project being assessed at 242,471.25 at the RT rate and 80,823.75 at CT rate and is based on the current 2019 assessment of subject land plus the estimated construction costs at \$165,382. The post project RT and CT assessment values have assumed the final building will be 75% residential and 25% commercial. The actual post assessment value will be completed by MPAC following project completion. The existing "Before Project" assessment value is based on actual 2019 MPAC assessment. This TIG calculation is based on 2019 tax rates and will be subject to change as the annual tax base changes throughout the TIG period. This TIG calculation assumes a constant tax rate, which may not be the case, and will be subject to change as the annual tax base changes.

Both before project and project completion Assessment Values are estimates and may be subject to change.

Welland Property Tax Rate (Residential)	0.00796933
Regional Property Tax (Residential)	0.00641486
Education Property Tax Rate (Residential)	0.00161
Welland Property Tax Rate (Commercial Occupied Land)	0.01382600
Regional Property Tax Rate (Commercial Occupied Land)	0.01112914
Education Property Tax Rate (Commercial Occupied Land)	0.01030000

Dated: August 15, 2019

APPROVALS	
GENERAL MANAGER	
CFO	
CAO	

COUNCIL**INFRASTRUCTURE AND DEVELOPMENT SERVICES**

18-96

**REPORT P&B-2019-43
SEPTEMBER 3, 2019**

**SUBJECT: REQUEST FOR MOTION TO ALLOW MINOR VARIANCE
– ZELINKA PRIAMO LTD. FOR LANDS ON THE EAST
SIDE OF PRIMEWAY DRIVE, THE SOUTH SIDE OF
RIVER ROAD, NORTH OF WOODLAWN ROAD, AND
WEST OF HIGHWAY 406, MUNICIPALLY KNOWN AS 158
AND 210 PRIMEWAY DRIVE AND 790 RIVER ROAD**

**AUTHOR: RACHELLE LAROCQUE, BES, M.Sc., MCIP, RPP
PLANNING SUPERVISOR**

**APPROVING SUPERVISOR: GRANT MUNDAY, B.A.A., MCIP, RPP
MANAGER OF DEVELOPMENT APPROVALS**

**APPROVING G.M.: TRAVERS FITZPATRICK
GENERAL MANAGER,
INFRASTRUCTURE AND DEVELOPMENT SERVICES/CITY
ENGINEER**

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND pursuant to Section 42(1.4) of the Planning Act, authorizes applications for Minor Variance for the subject lands prior to the second anniversary of the Site Specific Zoning By-law Amendment.

ORIGIN AND BACKGROUND:

Applications for Official Plan Amendment and Zoning By-law Amendment were submitted in August, 2018 and received approval in February, 2019 to allow for the expansion of the existing Canadian Tire store. The Official Plan Amendment and Zoning By-law Amendment were submitted to permit an expansion to the existing warehouse area, as well as increase the retail area of the store. An application for Site Plan Amendment was also submitted, and the City is currently in the process of reviewing this application.

COMMENTS AND ANALYSIS:

Changes to the Site Plan have been made since the applications for Zoning By-law Amendment and Official Plan Amendment have been submitted, which have resulted in the need for some minor relief from the City's Zoning By-law. The main area of non-compliance is the amount of landscaping that will be provided on-site has been reduced to accommodate the required parking and loading spaces. As a result, an application for

Minor Variance will be required in order to finalize the Site Plan process and to issue Building Permits for the expansion.

Section 42(1.3) of the Planning Act does not allow an application for minor variance to be made for a property, building or structure if an application for Zoning By-law Amendment has been approved within the previous two years. Section 42(1.4) of the Planning Act allows a municipal Council to pass a resolution to allow for an application to be made within this 2 year period. As Council approved the Zoning By-law Amendment in February, 2019 they are still within that two year time frame that puts a freeze on all applications for Minor Variances. As such, Zelinka Priamo, the consultant on behalf of Canadian Tire, has requested that Council pass a resolution to permit their client to submit an application for Minor Variance. This will allow them to finalize the Site Plan Process and proceed to Building Permit.

Planning staff support the request for Council to pass a resolution to allow for the application for Minor Variance. If the non-compliance had been identified at the time of the Zoning By-law Amendment, it could have been addressed at that time. As there were changes to the draft site plan after the Rezoning was approved, a minor variance is required.

FINANCIAL CONSIDERATION:

There are no financial implications associated with this request.



OTHER DEPARTMENT IMPLICATIONS:

If the resolution is passed, other departments will provide comments at the time of Minor Variance application circulation. Other departments and agencies have been included in the circulation as part of the Site Plan Amendment.

SUMMARY AND CONCLUSION:

A request for Council to pass a resolution pursuant to Section 42(1.4) of the Planning Act to allow for an application for Minor Variance to be submitted for 158 and 210 Primeway Drive and 790 River Road prior to the second anniversary of the Zoning By-law Amendment for these addresses is appropriate as it will allow for the future development of the site.

11
COUNCIL
INFRASTRUCTURE AND DEVELOPMENT SERVICES
TRAFFIC DIVISION

APPROVALS	
GENERAL MANAGER	
CFO	
CAO	

03-59/19-22

REPORT TRAF-2019-13
SEPTEMBER 3, 2019

SUBJECT: PROPOSED CHANGES TO THE CLEAN YARDS BY-LAW TO ADDRESS THE USE OF BIRD FEEDERS

**AUTHOR: MUHAMMAD ALI KHAN, M.A.Sc., P. ENG.
SUPERVISOR, TRAFFIC, PARKING & BY-LAWS**

**APPROVING MANAGER: CHRIS ANDERS, P. ENG
MANAGER, ENGINEERING SERVICES**

**APPROVING G.M.: TRAVERS FITZPATRICK
GENERAL MANAGER, INFRASTRUCTURE AND DEVELOPMENT SERVICES**

RECOMMENDATIONS:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information **REPORT TRAF-2019-13** Proposed changes to the Clean Yards By-law to address the use of bird feeders; and further

THAT Welland City Council approves the proposed changes to the Clean Yards By-law contained within this report; and further

THAT Welland City Council directs the City Clerk to add APPENDIX I – Schedule “A” – Set Fine Schedule to the Clean Yards By-law; and further

THAT Welland City Council directs the City Clerk to amend the Clean Yards By-law 10727 as follows:

DELETE Section 3.1 from Section 3 – GENERAL PROVISIONS APPLICABLE TO ALL PROPERTIES

ADD the following to Section 3 – GENERAL PROVISIONS APPLICABLE TO ALL PROPERTIES

- 3.1 Every owner of grounds, yards or vacant lands in the City of Welland shall keep and maintain the same in a clean and clear condition and free from refuse of any kind.
- 3.10 No person shall be permitted to have more than three (3) bird feeders located on any property.
- 3.11 Every owner shall maintain the ground underneath the bird feeder by regularly removing and disposing of the bird food/ birdseeds.

- 3.12 No person shall throw or place, or permit to be thrown or placed, any type of food, in a yard for the purposes of feeding any birds.
- 3.13 Section 3.12 of this By-law shall not apply to bird feeders that are suspended off the ground, dispense commercially available bird food such as seeds and nectars.

DELETE Section 4.7.1 from Section 4 – ADMINISTRATION, ENFORCEMENT AND RIGHT OF ACCESS

ADD the following to Section 4 – ADMINISTRATION, ENFORCEMENT AND RIGHT OF ACCESS

- 4.7.1 The By-law enforcement Officer may give notice requiring the owner to, within a specified time:
- (a) Remove all refuse or refuse material from the identified land or structure.
 - (b) Fill in any yard or opening in any yard.
 - (c) Cut, trim or remove any grass and weeds exceeding six (6) inches in height.
 - (d) Remove all injurious insects, termites, rodents, vermin or other pests from the identified land or structure.
 - (e) Remove all refrigerators, freezers, appliances, and other containers that could trap a child from the identified land or structure.
 - (f) Remove any bird feeder from the identified land or structure.
 - (g) Remove any type of food, in a yard for the purposes of feeding any birds.
- 4.7.3 Everyone owner shall comply with any such notice issued under the authority of this by-law.

ORIGIN AND BACKGROUND:

At the June 4, 2019 Council meeting, the following motion was approved:

“WHEREAS the Residential Rodent Control Program only addresses the problems after the rodents are on the property.

BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to create a By-law limiting the number of bird feeders in a municipal yard”.

COMMENTS AND ANALYSIS:

Although residents who feed the birds have genuine intentions, they often do not understand the impact and nuisance that can be created for other residents living within that neighborhood.

Bird feeders are popular everywhere in the province and provide many hours of enjoyment for people who love to watch birds. Birds are not particularly tidy creatures. They usually litter the ground below the bird feeder with spilled seed and the hulls from cracked seeds, all of which are a food source for rodents. Rodents are good climbers and frequently access bird feeders. Rodents are attracted to bird seed and will return often for this favorite food.

Based on the above mentioned information, staff propose the following:

Amend the current Clean yards Bylaw to limit the number of bird feeders to three (3) on all properties. And include the following provisions:

- No person shall be permitted to have more than three (3) bird feeders located on any property.
- Every owner shall maintain the ground underneath the bird feeder by regularly removing and disposing off the bird food/ birdseeds.
- No person shall throw or place, or permit to be thrown or placed, any type of food, in a yard for the purposes of feeding any birds.

The proposed limitation of bird feeders on properties will help control rodent issues within the City. When the By-law Enforcement Division receives complaints regarding violations of the above noted provisions, Officers will seek compliance with the Cleans Yard Bylaw using standard enforcement tools. Like many of the City's by-laws, these provisions will be typically enforced on a complaint basis only.

The proposed changes in this report will come into full force and effect upon approval of the set fines set out in Schedule "A" by order of the Chief Justice of Ontario.

A survey of neighboring municipalities indicates that Welland will be the most restrictive of the municipalities in the Region when it comes to bird feeders; staff have surveyed all municipalities in Niagara Region and none have any By-law restrictions on bird feeders. To the best of Staffs knowledge, the Town of Ajax is the only municipality that restricts the number of bird feeders to a maximum of three (3).

FINANCIAL CONSIDERATION:

There are no financial implications at this time.

OTHER DEPARTMENT IMPLICATIONS:

Legal Services and the Clerks Department would be required to update the By-laws with the changes noted in this report.

Resources will be required to enforce this By-law. Even if enforcement is carried out on a complaint basis, it will be time consuming and it is not yet known what the demand for enforcement will be. If additional resources are not available for the enforcement of the By-law, existing enforcement resources will be stretched and it is likely that Enforcement Officers will be unable to pursue enforcement of other By-laws. This may result in reduced enforcement of By-laws such as clean yards, business licensing, tall grass and weeds etc.

SUMMARY AND CONCLUSION:

The proposed changes to the clean yards by-law is in response to the request that the City take action to prevent the feeding of birds on all properties as a means to reduce nuisance to other properties owners. Staff believe that the provisions recommended in this report are appropriate and relevant with regard to limiting the amount of bird feeders on all properties.

ATTACHMENTS:

APPENDIX I – Schedule “A” – Set Fine Schedule.

APPENDIX I

SCHEDULE "A"
CITY OF WELLAND

PART I PROVINCIAL OFFENCES ACT

CITY OF WELLAND BY-LAW 10727, AS AMENDED, BEING A BY-LAW TO PROVIDE REGULATIONS FOR MAINTAINING LAND IN A CLEAN AND CLEAR CONDITION WITHIN THE CITY OF WELLAND

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Provision Creating or Defining Offence	COLUMN 3 Set Fine
1.	Fail to keep property in a clean and clear condition	Sec. 3.1	\$100.00
2.	Fail to keep property free from refuse	Sec. 3.1	\$100.00
3.	Throw refuse on private property without written authority	Sec. 3.2	\$100.00
4.	Place refuse on private property without written authority	Sec. 3.2	\$100.00
5.	Deposit refuse on private property by any means without written authority	Sec. 3.2	\$100.00
6.	Throw refuse on public property without written authority	Sec. 3.3	\$100.00
7.	Place refuse on public property without written authority	Sec. 3.3	\$100.00
8.	Deposit refuse on public property by any means without written authority	Sec. 3.3	\$100.00
9.	Owner permit refuse to remain on a property	Sec. 3.4	\$100.00
10.	Fail to dispose of refuse at an approved site	Sec. 3.5	\$100.00
11.	Permit yard to remain in an unsafe condition	Sec. 3.6 (a)	\$250.00
12.	Permit an excavation to remain in an unsafe condition	Sec. 3.6 (b)	\$250.00

NOTE: The penalty provision for the offences listed is Section 5.1 of By-law Number 10727, as amended, a certified copy of which has been filed and s. 61 of the Provincial Offences Act, R.S.O. 1990, c. P. 33

SCHEDULE "A"
CITY OF WELLAND

PART I PROVINCIAL OFFENCES ACT

**CITY OF WELLAND BY-LAW 10727, AS AMENDED, BEING A BY-LAW TO PROVIDE REGULATIONS
FOR MAINTAINING LAND IN A CLEAN AND CLEAR CONDITION WITHIN THE CITY OF WELLAND**

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Provision Creating or Defining Offence	COLUMN 3 Set Fine
13.	Permit an opening in a yard to remain in an unsafe condition	Sec. 3.6 (b)	\$250.00
14.	Permit a septic tank to remain in an unsafe condition	Sec. 3.6 (c)	\$250.00
15.	Permit a cistern to remain in an unsafe condition	Sec. 3.6 (c)	\$250.00
16.	Permit a well to remain in an unsafe condition	Sec. 3.6 (c)	\$250.00
17.	Fail to remove weeds more than six inches in height	Sec. 3.7	\$100.00
18.	Fail to remove grass more than six inches in height	Sec. 3.7	\$100.00
19.	Fail to trim weeds more than six inches in height	Sec. 3.7	\$100.00
20.	Fail to trim grass more than six inches in height	Sec. 3.7	\$100.00
21.	Fail to keep property free from Injurious insects, termites, rodents, vermin or other pests	Sec. 3.9	\$250.00
22.	Fail to keep property free from Refrigerators, freezers, appliances, and other containers that could trap a child	Sec. 3.9	\$250.00
23.	Obstruction	Sec. 4.11	\$250.00
24.	Fail to produce any documents or things required by a By-law Officer	Sec. 4.12	\$250.00
25.	Furnish false information to a By-law Officer	Sec. 4.13	\$250.00

NOTE: The penalty provision for the offences listed is Section 5.1 of By-law Number 10727, as amended, a certified copy of which has been filed and s. 61 of the Provincial Offences Act, R.S.O. 1990, c. P. 33

SCHEDULE "A"
CITY OF WELLAND

PART I PROVINCIAL OFFENCES ACT

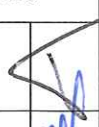


CITY OF WELLAND BY-LAW 10727, AS AMENDED, BEING A BY-LAW TO PROVIDE REGULATIONS FOR MAINTAINING LAND IN A CLEAN AND CLEAR CONDITION WITHIN THE CITY OF WELLAND

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Provision Creating or Defining Offence	COLUMN 3 Set Fine
26.	Have more than 3 bird feeders.	Sec. 3.10	\$200.00
27.	Fail to maintain the ground underneath a bird feeder	Sec. 3.11	\$200.00
28.	Throw any type of food, in a yard for the purposes of feeding any birds.	Sec. 3.12	\$200.00
29.	Place any type of food, in a yard for the purposes of feeding any birds.	Sec. 3.12	\$200.00
30.	Permit any type of food, in a yard for the purposes of feeding any birds.	Sec. 3.12	\$200.00

NOTE: The penalty provision for the offences listed is Section 5.1 of By-law Number 10727, as amended, a certified copy of which has been filed and s. 61 of the Provincial Offences Act, R.S.O. 1990, c. P. 33

18
COUNCIL

INFRASTRUCTURE AND DEVELOPMENT SERVICES
ENGINEERING DIVISION

APPROVALS	
GENERAL MANAGER	
CFO	
CAO	

19-99

REPORT ENG-2019-33
SEPTEMBER 3, 2019

SUBJECT: GAISER ROAD STORM WATER MANAGEMENT FACILITY
RESIDENT GATES

AUTHOR: C. SCOTT RICHARDSON, C.E.T., - DEVELOPMENT
SUPERVISOR

**APPROVING
MANAGER:** CHRIS ANDERS, P. ENG., MANAGER OF ENGINEERING
SERVICES

APPROVING GM: TRAVERS FITZPATRICK
GENERAL MANAGER, INFRASTRUCTURE AND
DEVELOPMENT SERVICES

RECOMMENDATIONS:

THAT THE COUNCIL OF THE CITY OF WELLAND approves Report ENG-2019-33 in regards to the acceptance of the existing gates in the Gaiser Road Storm Water Management Facility fencing;

ORIGIN AND BACKGROUND:

During the assumption stage of the Coyle Creek Estates Subdivision development, residents surrounding the Gaiser Road Storm Water Management Facility (SWMF) requested permission from the City to install gates in the existing fencing. This would provide additional access to their back yards for grass cutting and for egress in case of an emergency. It was discussed by City staff and residents were allowed to proceed.

COMMENTS AND ANALYSIS:

When Blue River Estates Phase 2 and Coyle Creek Estates Phases 1 through 6 were being constructed, a fence was installed around the perimeter of the developments including the SWMF. This was a condition of the subdivision agreement by the Niagara Peninsula Conservation Authority to limit encroachment on to the environmentally sensitive area (located south of the developments) by residents.

Once residents started occupying the homes, gates were being installed in the existing perimeter fencing. Gates were installed in the fence around the SWMF and in the fence on the south limit of the developments, to access the environmentally sensitive area, which is private property. The

developer, Sterling Realty Niagara, is the owner of the environmentally sensitive land and did not object to the gates at the time and City staff acquiesced.

After assumption of the Subdivision, the Developer took issue with the gates and informed residents the gates must be removed or their \$1,000 damage deposit would not be returned. In the private purchase and sale agreements it was stated that if the residents received approval from the City, gates would be allowed. This has resulted in a legal dispute between the Residents and the Developer.

The City of Welland cannot approve the gates along the southern limit of the developments, as these provide access to private property. The City can approve the gates on the SWMF, as this land is owned by the City. As stated above, the reasoning behind the approval was for access to the back yards if required for lawn maintenance and or egress in case of an emergency situation. Development Staff consulted with Parks and Recreation Staff and the consensus was that it was acceptable with the provision that the gates be locked at all times to restrict entrance by anyone other than the Owner.

Further, the Niagara Peninsula Conservation Authority (NPCA) was consulted regarding gates in fences abutting the SWMF (City property only). The NPCA did not have an issue with any gates onto public property as long as approval was given by the City in consultation with the NPCA.

Providing approval of the gates on the SWMF will satisfy the condition in the purchase and sale agreement. This will allow the residents to have their damage deposit returned.

FINANCIAL CONSIDERATION:

There is no financial impact to the City.

OTHER DEPARTMENT IMPLICATIONS:

There are no other Department implications.

SUMMARY AND CONCLUSION

The City of Welland is not able to approve the gates installed on the southern limit of the developments, as these provide access to private property. Staff recommend the acceptance of the installation of gates on the Gaiser Road SWMF only.

In the future, any requests for gates onto City property will be reviewed on a case by case basis.

ATTACHMENTS:

Appendix I - Map of the development

Appendix II - Letter to Sterling Realty (Niagara) Inc.

Appendix III - Letter to Sterling Realty (Niagara) Inc. from the NPCA

Appendix I
Gaiser Road Stormwater Management Facility Resident Gates



Area A – City Owned Lands

Area B – Privately Owned Lands/Environmentally Sensitive



City of Welland
Infrastructure and Development Services
Engineering Division
60 East Main Street, Welland, ON L3B 3X4
Phone: 905-735-1700 | **Fax:** 905-735-7184
Email: eng@welland.ca | www.welland.ca

August 15, 2019

TO: Sterling Realty (Niagara) Inc.
17 Dunbar Crescent
St. Catharines L2W 1A6

Re: Coyle Creek Subdivision

Attention – Mr. John Delisio

Dear Sir:

The City of Welland hereby confirms that it has consented to the installation of gates in the fence surrounding its Gaiser Road storm water management facility located in the Coyle Creek Subdivision and being Block 83 and Block 84 on Plan 59M-374 and that it can not/will not give its consent to the installation of any gates in the fences abutting the lands owned by Sterling Realty (Niagara) Inc. being Part Lots 259 and 200 Thorold and more particularly described in PIN 64400-0429LT.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Anders". The signature is written in a cursive, flowing style.

Chris Anders, P. Eng.
Manager of Engineering Services



250 Thorold Road West, 3rd Floor, Welland, Ontario L3C 3W2
Telephone 905.788.3135 | Facsimile 905.788.1121 | www.npca.ca

August 26, 2019

By Email Only

TO: Sterling Realty (Niagara) Inc.
17 Dunbar Crescent
St. Catharines, ON, L2W 1A6

AND TO: The Corporation of the City of Welland
60 East Main Street, Welland, Ontario L3B 3X4

Attention: City Engineer

Dear Sirs:

The Niagara Peninsula Conservation Authority has no objection to the installation of any gates in the fences surrounding the City of Welland's storm water management facility located in the Coyle Creek Subdivision and being Blocks 83 and 84 on Registered Plan 59M-374.

I trust this information is helpful. If you have any questions, please let me know.

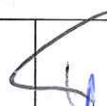


Sincerely,

A handwritten signature in black ink that reads "David Deluce".

David Deluce, MCIP, RPP
Manager, Plan Review & Regulations (ext. 224)

cc: Darren Mackenzie, C.Tech., rcsi, NPCA

COUNCIL
INFRASTRUCTURE AND DEVELOPMENT SERVICES
ENGINEERING DIVISION

APPROVALS	
GENERAL MANAGER	
CFO	
CAO	

19-26

REPORT ENG-2019-34
SEPTEMBER 3, 2019

SUBJECT: EAST MAIN STREET ACCOUNT RECONCILIATION

AUTHOR: CHRIS ANDERS, P.ENG
MANAGER OF ENGINEERING SERVICES

APPROVING GM: TRAVERS FITZPATRICK
GENERAL MANAGER, INFRASTRUCTURE AND DEVELOPMENT SERVICES

RECOMMENDATIONS:

THAT THE COUNCIL OF THE CITY OF WELLAND directs the Chief Financial Officer to transfer the required funds to pay Regional Municipality of Niagara invoice 1000620380 for work completed on East Main Street in 2013/2014.

ORIGIN AND BACKGROUND:

In 2013, the City of Welland collaborated with the Regional Municipality of Niagara (Region) to complete sidewalk repairs on East Main Street between Ross Street and Golden Boulevard. This work was completed under the 2013 Regional Strengthening and Resurfacing Program Part 2.

During construction, unforeseen work needed to be completed that was outside the original scope of work included in the tender. This increased the City's portion of the project costs, over the original budget.

COMMENTS AND ANALYSIS:

The 2013 Regional Strengthening and Resurfacing Program Part 2 was completed in 2014. Staff did not receive an invoice for the work until June 2017. This invoice needed to be revised and a detailed breakdown of the work was not received until September 2018. At this point, all of the City project accounts had been closed and funds were not available to pay the invoice.

FINANCIAL CONSIDERATION:

The original 2013 budget for the sidewalk repair work was \$75,000.00.

Engineering and Finance Staff have found sufficient funding to pay the outstanding invoice. The following is a breakdown of the proposed funding sources:

Account	Amount
New Sidewalks on Woodlawn Road (Not Constructed) 10-316-14039	\$80,000.00
Capital Surplus	\$33,232.78
Total	\$113,232.78

In the 2014 Capital Budget, \$80,000 was allocated for cost sharing with the Region for the construction of new sidewalks on Woodlawn Road between First Avenue and Champlain Avenue. This project was never completed by the Region.

OTHER DEPARTMENT IMPLICATIONS:

Engineering will work with Finance Staff to ensure sufficient funding is allocated and the invoice is paid.

SUMMARY AND CONCLUSION:




The work that the City is being billed for was completed under the Regional contract in 2013/2014. Unfortunately, due to the long period of time between project completion and invoicing for the work, all City accounts had been closed.

Staff have allocated sufficient funding to pay the outstanding invoice and have advised the Region to invoice for work in a more timely manner.

ATTACHMENTS:

None

COUNCIL
INFRASTRUCTURE AND DEVELOPMENT SERVICES
ENGINEERING DIVISION

APPROVALS	
GENERAL MANAGER	
CFO	
CAO	

REPORT ENG-2019-35
September 3, 2019

04-47

SUBJECT: WELLAND PUBLIC LIBRARY RENOVATION REQUEST

AUTHOR(S): GAGE STEPHENS
PROJECT MANAGER, FACILITIES

APPROVING SUPERVISOR: CHRIS ANDERS
MANAGER OF ENGINEERING

APPROVING G.M.: TRAVERS FITZPATRICK
GENERAL MANAGER, INFRASTRUCTURE AND DEVELOPMENT SERVICES

RECOMMENDATIONS:

THAT THE COUNCIL OF THE CITY OF WELLAND approves and the requested renovations at the Welland Public Library as set out in its letter of 20 August, 2019; and further

THAT Welland City Council directs the City Clerk to advise the Welland Public Library accordingly.

ORIGIN AND BACKGROUND:

In accordance with the lease agreement between the Welland Public Library and the City of Welland (By-law 2006 – 178), the Welland Public Library requests approval to proceed with plans to renovate the Main Branch Library (50 the Boardwalk) in accordance with the attached conceptual drawing. This rendering received approval from the Welland Public Library Board on June 17, 2019. It is anticipated that this project will be started and completed in November/December 2019.

COMMENTS AND ANALYSIS:

Plans include the replacement of aging carpet with durable modular carpet tile and the addition of vinyl plank flooring in high traffic areas. The Library also plans to retrofit and reorient the service desk to enhance service to patrons and improve safety for staff. Additionally, the staff workspace will be refreshed to improve work flow and support the organisational structure introduced in 2018.

FINANCIAL CONSIDERATION:

The Welland Library will be funding the project entirely from its reserve fund. The project consultant has estimated this work to be approximately \$275,000. The Board has set aside \$300,000 for project funding.

OTHER DEPARTMENT IMPLICATIONS:

The Engineering Division is assisting with project management and design and will continue to assist through the duration of the project.

Purchasing will be facilitating the tender process.

SUMMARY AND CONCLUSION:

The Welland Public Library requires these changes to continue to meet the evolving needs of our community and staff.

Steff recommends council accept this project for the replacement of carpet and office space improvements.

ATTACHMENTS:

Letter of 20 August, 2019, with attached Library Board concept drawing.



WELLAND PUBLIC LIBRARY/Bibliothèque publique de Welland
50 The Boardwalk, Welland, ON L3B 6J1
tel 905-734-6210 fax 905-734-8955
www.wellandlibrary.ca

August 20, 2019

Mr. Travers Fitzpatrick
General Manager, Infrastructure & Development Services
City of Welland
60 East Main Street
Welland, Ontario

Dear Mr. Fitzpatrick:

Further to the lease agreement between the Welland Public Library and the City of Welland (By-law 2006 – 178), the Welland Public Library requests approval to proceed with plans to renovate the Main Branch Library (50 the Boardwalk) in accordance with the attached conceptual drawing. This rendering received approval from the Welland Public Library Board on June 17, 2019. It is anticipated that this project will be started and completed in November/December 2019.

Plans include the replacement of aging carpet with durable modular carpet tile and the addition of vinyl plank flooring in high traffic areas. The Library also plans to retrofit and reorient the service desk to enhance service to patrons and improve safety for staff. Additionally, the staff workspace will be refreshed to improve workflow and support the organizational structure introduced in 2018.

With your support, the Welland Public Library can continue to meet the evolving needs of our community.

Best Regards,

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

Julianne Brunet
Chief Executive Officer
Welland Public Library
Welland, Ontario, L3B 6J1
905-734-6210, ext. 2500
jbrunet@wellandlibrary.ca

COUNCIL
CORPORATE SERVICES
RECREATION & CULTURE DIVISION

APPROVALS	
GENERAL MANAGER	JH.
CFO	JL
CAO	JL

REPORT R&C-2019-09
 SEPTEMBER 3, 2019

SUBJECT: RESOLUTION TO AUTHORIZE FedDev ONTARIO FUNDING AGREEMENT

APPROVING SUPERVISOR: RICHARD DALTON, B. Comm, OLY
 MANAGER, RECREATION & CULTURE DIVISION

APPROVING G.M.: STEVE ZORBAS, CPA, CMA, B.Comm, DPA,
 GENERAL MANAGER, CORPORATE SERVICES, CHIEF FINANCIAL OFFICER/TREASURER

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND pass the resolution attached as Appendix I of R&C-2019 which authorizes the City Clerk to execute a contribution agreement with FedDev Ontario for \$500,000 in funding for the Lincoln St. Docks Area.

ORIGIN AND BACKGROUND:

In May 2019 staff submitted an application to FedDev Ontario for funding to support the multi-phase development of the Lincoln St. Docks/Rotary Club of Welland Park area. The application was successful and funding in the amount of \$500,000 was awarded to the City.

COMMENTS AND ANALYSIS:

The resolution attached as Appendix I serves as a means to provide documented authorization by Council for the City Clerk to enter into a funding contribution agreement with FedDev Ontario; passing this resolution is a requirement to access the funding award.

FINANCIAL CONSIDERATION:

Funding in the amount of \$500,000 will be provided by FedDev Ontario; no new funding commitments by the City are associated with passing the resolution attached in Appendix I.

OTHER DEPARTMENT IMPLICATIONS:

None

SUMMARY AND CONCLUSION:

Staff recommend Council pass the resolution attached in Appendix I.

ATTACHMENTS:

Appendix I Resolution to Enter Contribution Agreement for FedDev Funding

Resolution to Enter Contribution Agreement for FedDev Funding

RESOLVED that the Corporation of the City of Welland ("Corporation") enter into a contribution agreement with Federal Economic Development Agency for Southern Ontario and specifically under the Southern Ontario Prosperity Initiative for the general purposes of obtaining financing through a non-repayable contribution in a maximum amount of \$500,000 and all upon such terms and conditions as are set forth in an agreement between the parties as annexed hereto.

RESOLVED that Tara Stephens, Clerk, or any officer or director of the Corporation, acting alone, is hereby authorised to execute, sign and deliver on behalf of the Corporation the contribution agreement the whole containing such terms and conditions as he/she in his/her sole discretion deems necessary of desirable and execution thereof by such person will be conclusive evidence thereof.

COUNCILINFRASTRUCTURE AND DEVELOPMENT SERVICESENGINEERING DIVISION

APPROVALS	
GENERAL MANAGER	PH.
CFO	PH.
CAO	PH.

19-26

REPORT ENG-2019-32
SEPTEMBER 3, 2019

**SUBJECT: 2019 SIDEWALK CONSTRUCTION AND REPLACEMENT
PART 2 – CONSTRUCTION TENDER AWARD**

**AUTHOR(S): MATTHEW MAIN A.Sc.T., E.I.T.
ENGINEERING DESIGN SUPERVISOR**

**APPROVING MANAGER: CHRIS ANDERS, P. ENG.
MANAGER OF ENGINEERING SERVICES**

**APPROVING G.M.: TRAVERS FITZPATRICK,
GENERAL MANAGER, INFRASTRUCTURE AND
DEVELOPMENT SERVICES**

RECOMMENDATIONS:

THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the tender of Catalina Excavating Inc. as detailed in Report ENG-2019-32 for the 2019 Sidewalk Construction and Replacement Part 2; and further

THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate by-laws to enter into contract with Catalina Excavating Inc. and execute the construction.

ORIGIN AND BACKGROUND:

The construction works in the 2019 Sidewalk Construction and Replacement Part 2 contract are comprised of two types of sidewalk work.

1. Condition Related Replacements
2. Missing Sidewalk Link Construction

As part of ongoing maintenance in accordance with the City's obligation under Ontario Regulation 239/02 - Minimum Maintenance Standards for Municipal Highways (part of the *Municipal Act 2001*), City staff completed a citywide inspection of sidewalks and trails in 2018. Any defects requiring immediate attention were sent to Public Works staff to repair and make safe. The remaining recorded defects were used to prioritize sections of sidewalk to repair. Approximately 480m of sidewalk is proposed to be removed and replaced as part of this contract.

Missing sidewalk links are sections of road where there is no sidewalk. This could be the result of a sidewalk ending at some point along the road and continuing further along, or as

simple as a road having no sidewalk at all. The long-term outlook from an infrastructure planning perspective is for there to be sidewalk on every roadway within the City's urban boundary. Using the tools available within the City's GIS system, an assessment of the City's network has been completed and missing sidewalk links identified. The proposed missing sidewalk link locations in this contract include Quaker Road from First Avenue to Goodwillie Drive, and St. Augustine Avenue from St. George Street to St. Augustine Catholic Elementary School.

COMMENTS AND ANALYSIS:

The tender for the works was released on Friday July 19, 2019 and was publicly advertised and listed with the Niagara Construction Association, and as well, posted with a major Canadian tendering website for four (4) weeks.

There were three (3) plan takers and three (3) tenders were received on closing day, Friday August 16, 2019. Submissions have been reviewed for accuracy. All have been found to be in compliance with City of Welland tender requirements and the provisions of the current Purchasing Policy.

The summary of all the tenders received, excluding taxes, is as shown in the following table:

CONTRACTOR NAME AND ADDRESS	TENDER PRICE
Catalina Excavating Inc. 913 Mud Street East, Stoney Creek, ON L8J 3C1	\$233,955.00
1526957 Ontario Limited O/A CTC Contracting 272 Vigar Drive, Welland, ON L3B 0E2	\$249,990.00
Signature Contractors Windsor Inc. 5255 Brendan Lane, Oldcastle, ON N0R 1L0	\$388,425.00

Catalina Excavating Inc., the low tenderer, is an established company completing work in Niagara Region, and have completed projects for the City in the past. Staff at this time considers the firm's performance to be satisfactory in accordance to our specifications and standards, and therefore, recommends that the firm be awarded the contract.

FINANCIAL CONSIDERATION:

The tender price from the low bidder plus 1.76% for the City's share of the HST results in an ultimate project value of approximately \$240,000.00.

A breakdown of the funding structure for this project is shown below in the following table:

2019 Capital Budget	Amount
Sidewalk - Condition Related Replacements (10-316-19605) - Amount is remaining budget amount from 2019 Sidewalk Construction and Replacement. Identified in ENG-2019-29	\$160,000.00
Sidewalk - Missing Sidewalk Links (10-316-19615)	\$100,000.00
Total Funding	\$260,000.00

The ultimate tender value of \$240,000.00 is less than the allocated combined budgeted amount of \$260,000.00.

OTHER DEPARTMENT IMPLICATIONS:

Contract administration for tendering, agreement, and contract payments have been and will be kept in compliance with the agreed practices of the Finance, Clerks and Legal departments.

SUMMARY AND CONCLUSION:

Sidewalks are a vital piece of infrastructure that are used everyday by residents throughout the City. The City must continue to improve the network by performing continual maintenance and replacement of deteriorated sidewalk and by constructing missing links in the City's sidewalk network. This will create a safe and complete sidewalk network throughout the City.

Staff recommends the awarding of a contract to Catalina Excavating Inc. for the 2019 Sidewalk Construction and Replacement Part 2 tender.

ATTACHMENTS:

Appendix 1 – 2019 Sidewalk Construction and Replacement Part 2 – Location Plan

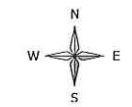
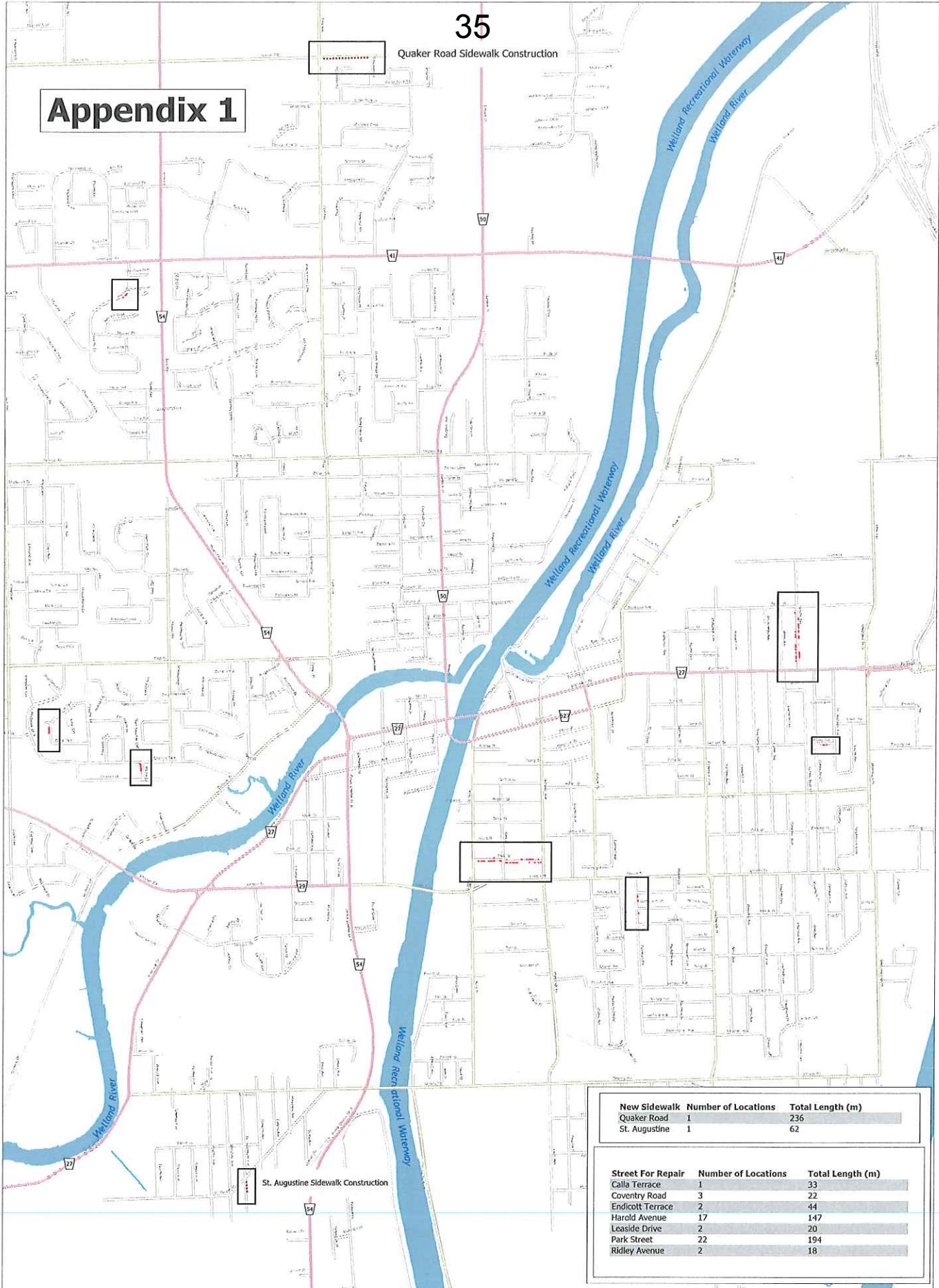
Appendix 1

Quaker Road Sidewalk Construction

St. Augustine Sidewalk Construction

New Sidewalk	Number of Locations	Total Length (m)
Quaker Road	1	236
St. Augustine	1	62

Street For Repair	Number of Locations	Total Length (m)
Calla Terrace	1	33
Coventry Road	3	22
Endicott Terrace	2	44
Harold Avenue	17	147
Leaside Drive	2	20
Park Street	22	194
Ridley Avenue	2	18



Legend

- New Sidewalk
- Sidewalk Repair
- Street Area
- Water Bodies



City of Welland Heritage Advisory Committee
 Le Comité Consultatif du Patrimoine de la Ville de
 Welland
 60 East Main Street
 Welland, Ontario
www.wellandheritage.ca
info@wellandheritage.ca

June 5, 2019

Tara Stephens,
 City Clerk, Legislative Services
 Office of the City Clerk, Corporation of the City of Welland
 60 East Main Street Welland, ON L3B 3X4

Re: Designation of "The Feeder Canal Junction Lock"

Dear Ms. Stephens:

At its meeting of June 5, 2019, the City of Welland Heritage Advisory Committee passed the following motion:

Moved by Connie McCutcheon, seconded by Joanne Lynes, that the City of Welland Heritage Advisory Committee recommends that the City of Welland designate the Feeder Canal Junction Lock as having Cultural Heritage Value or Interest under the Ontario Heritage Act. Carried.

Attached please find copies of the full report and Statement of Cultural Heritage Value for the Feeder Canal Junction Lock.

Would you kindly bring this recommendation for designation under the Ontario Heritage Act before City Council at the earliest date possible?

With thanks,
 Sincerely,

Nora Reid, Secretary/Treasurer
 City of Welland Heritage Advisory Committee

05-50

STATEMENT OF CULTURAL HERITAGE VALUE OR INTEREST**Description of Property – Welland Feeder Canal Junction Lock, Welland, ON**

The Feeder Canal Junction Lock is located between Prince Charles Drive South/ Regional Road 58 and the Welland Recreational Waterway (old Welland Canal) at Broadway Avenue in Welland Ontario.

Statement of Cultural Heritage Value or Interest

The Feeder Canal Junction Lock at Welland is an early part of the Welland Canal system which since the 1820's has shaped both the geography and history of the eastern half of the Niagara Peninsula and of Welland.

The Feeder Canal was created during the construction of the first Welland Canal that extended only as far south as Port Robinson, but after completion of the Second Welland Canal in the 1840's the Feeder Canal emptied into the Welland Canal at a location known as "The Junction" or "Junction Village"; an area later known as "Helmsport" (present day Broadway Avenue and Ontario Road).

The Junction Lock was completed in 1845 during the construction of the Second Welland Canal at "The Junction" where the Feeder Canal emptied into the Second Welland Canal and was used as part of both the Second and Third Welland canals. It allowed boats to lock from the Feeder Canal directly into the Welland Canal (now the Recreational Waterway).

The construction supervisor for the lock was civil and consulting engineer Walter H. Shanly (born Ireland 1817, died Montréal 1899) who along with his brother Francis were among the first engineers to be trained in Canada. Walter Shanly was in charge of work on the Second Canal from Thorold to the Junction and on to Port Colborne. The Shanlys' work on the Second Welland Canal did much to set professional standards for Canadian engineering. They also built many of the early railways and bridges in Canada. Walter was elected to the Legislative Assembly of the Province of Canada and after Confederation to the House of Commons where he served until 1891.

Contractors for the Junction Lock were E.W. Thompson and Company and Wm. Buell Jr. Edward William Thompson (Thomson) was born at Kingston, Upper Canada in 1794. A decorated War of 1812 veteran, he worked constructing the locks on the St. Lawrence and Rideau Canals before being contracted to work on the Welland Canal in the 1830's. Thomson was elected to the Legislature in

STATEMENT OF CULTURAL HERITAGE VALUE OR INTEREST

1836, defeating William Lyon Mackenzie, and was first president of the Provincial Agricultural Association.

Starting in 1828, “clearances” and crop failures culminating in the great potato famine of 1845 brought large numbers of Irish immigrants to Canada. The manual labour building the Junction Lock, as for all of the First and Second Canals, would have been done by Irish labourers known as “canallers”.

The stone Junction Lock and the stone Aqueduct on East Main Street are the only remnants left in Welland of the Feeder Canal and the Second Welland canal. These structures are important because the creation of the Feeder Canal and the Aqueduct over the Welland Canal led directly to settlement in this location and ultimately to the creation of the community that is now the City of Welland.

Description of Key Heritage Attributes

Key attributes of this structure that reflects its value as one of the earliest surviving structures in the City of Welland and one that was central to the establishment of the community:

- Lock dimensions are 150 feet by 26.5 feet and 9 feet deep
- Lock walls are constructed of dressed cut Queenston limestone (dolomitic limestone) running the length of the lock backed by rubble fill
- Number of the lock is carved into a stone near the top layer of masonry at its entrance
- A portion of the lock approximately 45 feet long remains unburied and is filled with water. Curved iron fittings are visible on the top of the lock walls across from each other on either side of the lock in this area.
- The remainder of the lock is buried with only the tops of the stone walls visible in some areas in the grass
- The stone lock “fenders” are exposed and visible on the banks of the old Welland Canal (Recreational Waterway)

WELLAND FEEDER CANAL "JUNCTION LOCK"

Prepared for City of Welland Heritage Advisory Committee

by Nora A. Reid, M.A. (History of Art)

September 2018

Welland Feeder Canal Junction Lock
Broadway and Regional Road 58,
Welland, Ontario

Prepared by Nora A. Reid, M.A.
September, 2018

ARCHITECTURE

Construction (Figs.6, 11-14)

The Welland Feeder Canal Junction Lock is constructed of hundreds of cut stones. Specifications for the new stone locks on the Second Welland Canal (which replaced the wooden ones of the First Canal) were 150 feet by 26.5 feet with 9 feet of water over the sills. Each wall was faced with dressed Queenston limestone and backed by a rubble-filled crib. The number of the lock was carved into a stone near the top layer of masonry at its entrance.

Lock gates were constructed of red or Norway pine, covered with planks of the same. Balance beams were 32 feet long and the sluices in the gates were operated by a lever system like the one used for the First Canal's wooden locks.¹

Age (Figures 1-4)

The Junction Lock where the Feeder Canal emptied into the Second and Third Welland Canals at Welland was built circa 1845 during the construction of the Second Welland Canal.²

Engineers

Hamilton H. Killaly 1800-1874 (Fig. 7)

Hamilton Hartley Killaly was born in Dublin, Ireland in December of 1800 and graduated from Trinity College, Dublin with a B.A. in 1819 and M.A. in 1832. He learned engineering while working with his father, John, on the extension of the Grand Canal in Ireland before he emigrated to Canada in 1835. He was hired by the Welland Canal Company in 1837 as Chief Engineer on the building of the Second Welland Canal. Killaly had a large influence on civil engineering in Canada, both on the Welland Canal and after he was appointed first Chairman of the Board of Works for the Province of Canada in 1840.³

Walter Shanly 1817-1899 (Fig.8)

Walter and Francis Shanly, sons of an Irish lawyer who settled near London, Ontario, were among the first engineers to be educated in Canada. Until that time Canada's engineering requirements had been met by the Royal Engineers who returned to England after the job was completed. Walter and Francis were trained in Montreal, and their work on the second Welland Canal did much to set professional standards for Canadian engineering.

Civil and consulting engineer Walter Shanly was born in Stradbally, Ireland on Oct. 11, 1817 and died at Montréal on Dec. 17, 1899. He was the son of barrister James Shanly and Frances Mulvany. The family emigrated to Canada in 1836 and settled on the Thames River near London (Upper Canada). The friendship between the Killaly and Shanly families, both living near London, facilitated his entry into the career of civil engineering. Walter Shanly was put in charge of the work on the Second Canal from Thorold to the Junction and on to Port Colborne and also on the Feeder from Broad Creek to Dunnville. During this construction period the wooden Aqueduct at Welland was replaced in 1847 by one of stone and the stone Feeder Junction Lock was built.

The Shanlys also built many of the early railways and bridges in Canada. Their bridge over the Humber River in Toronto withstood Hurricane Hazel in 1954. They also worked in the United States and designed the famous Hoosac Tunnel at North Adams, Massachusetts.

In 1863 Walter Shanly was elected to the Legislative Assembly of the Province of Canada and in 1867 to the House of Commons, where he served until 1891. A confidant of Sir John A. Macdonald, the last letter ever written by Macdonald was to Walter Shanly.⁴

Contractors and Builders

The contract for construction of Locks 10-15 on the Second Welland Canal was awarded to E. W. Thomson and Company in 1843. This would have included the Junction Lock, which was no. 14 (Figure 5). In 1844 the contract for excavation and masonry for the Allanburgh and Junction Locks was awarded to Wm. Buell Jr.⁵

Edward William Thompson 1794-1865 (E.W. Thompson & Co.) (Fig.9)

Edward William Thompson (Thomson) was born at Kingston, Upper Canada in January 1794, the son of loyalists Archibald Thomson and Elizabeth McKay. He moved with his family to Newark (Niagara-on-the-Lake) in 1795, then to York (Toronto) and Scarborough Township. He served during the War of 1812 in the 3rd Regiment of York militia, was decorated for valiant services at the battle of Queenston Heights and received a militia land grant.

During the 1820's Thomson was involved in the construction of locks on the St. Lawrence and Rideau canals before becoming a contractor on the Welland Canal in the 1830's. Thomson also was a farmer and entered politics in the 1830's, defeating William Lyon Mackenzie in the 2nd Riding York County on his second try in 1836. Thomson's most significant contributions were in the field of agriculture as founder of the Home District Agricultural Society and first president of the Provincial Agricultural Association.⁶

Foremen and Labourers

Both the First and Second Canals were built almost exclusively by Irish immigrant labourers. Like all the work done on the Second Canal, the ordinary labourers who constructed this lock would have been mainly Irish immigrants.

The Jubilee History of Thorold reported that "The year 1841 brought 4,000 men, a large number having families with them to work on the enlargement of the canal. Most these 'canallers' were Irishmen."⁷

Overpopulation in Ireland and the "clearances" of 1829, when small tenant farmers in the south and west of Ireland were forced from their holdings by landlords to provide more grazing land, contrived to supply a steady stream of Irish immigrants willing to do manual labour. In spite of this, Ireland remained one of the most densely populated countries in Europe. Sixty percent of that population survived by subsistence farming, dependent upon the potato crop.

Between 1828 and 1845 there had been thirteen years of partial crop failures and the complete failure of the potato crop in 1844-45 due to blight brought starvation and death to thousands, forcing a large portion of the population to emigrate or die. By 1851 the Irish-born formed the largest ethnic group in Ontario's cities although for the most part Irish immigrants in 19th century Ontario were farmers, rural craftsmen and merchants and workers in hamlets and small towns.⁸

HISTORY

Event

Construction of Second Welland Canal (Fig.10)

This lock was built during the construction of the Second Welland Canal, which ran 27.5 miles from Port Dalhousie on Lake Ontario to Port Colborne on Lake Erie.

The First Welland Canal had its beginning in 1818 when William Hamilton Merritt, and fellow mill owners George Keefer and John DeCou brought forward a proposal to stabilize the supply of water for their mills on the Twelve Mile Creek

by linking the creek to the Chippawa River, a project which developed into the plan to connect lakes Erie and Ontario by canal. The three men conducted preliminary surveys, petitioned the provincial assembly for incorporation as a canal company, and organized local meetings to win public approval. The Welland Canal Company was chartered in January of 1824 with Keefer as the company's first President. The construction contracts were awarded and sod turned for the First Canal on November 30th, 1824. The first boats to navigate the canal were the Anne and Jane on October 24, 1829. The extension of the canal to Port Colborne on Lake Erie was completed in March of 1833. Locks on the first Welland Canal were constructed in wood.

The Second Welland Canal was begun in 1841 when Upper and Lower Canada were reunited. The Government of Canada embarked on a new series of public works and purchased the entire canal from the Welland Canal Company. It was decided to enlarge it for nine-foot navigation. On the 18th of August, 1841, the Legislature allocated 450,000 Pounds to complete the Welland Canal "In a permanent and fully sufficient manner, with cut stone locks."⁸ The number of locks on the canal were reduced from 36 to 27. The new locks were constructed in stone rather than wood and the leaky wooden aqueduct was replaced by a cut stone aqueduct. The Welland Canal was subsequently enlarged and improved as shipping demanded. The Third Welland Canal was begun in 1871 and completed in 1881, and the Fourth Welland Canal was constructed between 1913 and 1932.

The Feeder Canal was constructed as part of the first Welland Canal, but became indispensable when it was found to be necessary to use it, rather than the Welland River, to maintain the water level in the Canal. It was deepened during the construction of the Second Welland Canal and completed in 1845. Its intersection with the main channel of the Welland Canal was moved south to what became known as "The Junction", later "Junction Village", then "Helmsport" where this lock was located.⁹

Context

The Feeder Canal Junction Lock at Welland is an early part of the Welland Canal system which since the 1820's has shaped both the geography and history of the eastern half of the Niagara Peninsula. It was the Welland Canal that led directly to the birth of the settlement that grew into the City of Welland.

The Feeder Canal was created during the construction of the first Welland Canal. The first Canal (opened 1829) extended only as far south as Port Robinson, where landslides had prevented further excavation. Ships locked into the Welland River at Port Robinson then travelled through the Welland River to the Niagara River and down to Buffalo. A Feeder Canal was dug through Wainfleet

Township to Dunnville, where a dam on the Grand River ensured an adequate water supply to the new Welland Canal.

After the Second Welland Canal was finished, the Feeder Canal emptied into the Welland Canal at what was known as "The Junction" or "Junction Village", an area later known as "Helmsport", then "Welland South". (Figs .1-4) The remains of the stone Junction Lock are located next to the old Welland Canal (Recreational Waterway) at Broadway Avenue and Prince Charles Drive (Figs.15-22). The Junction Lock was created during the construction of the Second Welland Canal (see Age above) and was used as part of the both the Second and Third Welland Canals.¹⁰

The stone Junction Lock and the stone Aqueduct on East Main Street between the Civic Centre and the Recreational Waterway are the only remnants we have in Welland of the Second Welland canal and the Feeder Canal. These structures are important because the creation of the Feeder Canal and Aqueduct led directly to the creation of the community that we now call Welland.

From the book, The Welland Canals and Their Communities by John N. Jackson:

There can be little doubt but that the City of Welland was born, reared and became an industrial town due to the Welland Canal...Specifically, the *raison d'etre* for the first urban settlement, was the feeder canal from the dam at Dunnville on the Grand River. The town grew at the spot where this feeder crossed the Chippawa Creek (Welland River) by means of a wooden aqueduct...The new settlement was given the name "Aqueduct", which was changed to a more dignified "Merrittsville" in 1842, and then to Welland in 1858 when the settlement was incorporated as a Village by Act of Parliament. The importance of the site, presumed initially to be a shanty town for Irish workers on the aqueduct, depended upon the fall in level between the water in the aqueduct and the river, the resultant potential for water power, and the lock which allowed canal boats to enter the Welland River. The settlement became therefore a local centre for river and canal navigation, with access towards the Grand River along the feeder, to Lake Erie and Lake Ontario along the Welland Canal, and to Chippawa and the centre of the peninsula along the Welland River.

The Second Canal begun in the 1840's was located east of the original canal, forming an island between the old and new canal channels. The old channel was spanned by a fixed bridge and the new by a swing bridge at East Main Street. The core of Welland with its businesses and Court House (completed 1856) developed along the road route (East Main Street) east of these two bridges. Grist and carding mills were located near the river along North Main (now Niagara).¹¹

The construction of the Feeder Lock at “The Junction” resulted in a smaller settlement there – “...a few houses, taverns &c”. It was also a transfer point for goods being transported to Dunnville along the Feeder.¹²

ENVIRONMENT

Setting (Figs. 15-22)

The remains of the Feeder Canal Junction Lock are located between Regional Road 58 and the Welland Recreational Waterway (old Welland Canal) at Broadway Avenue. This is an open grassy area adjacent to the City’s Dog Park.

The open portion of the lock is filled with water and surrounded by historical plaques within a couple of feet of the lock which can only be read by standing on the edge of the lock with one’s back to the open water (Figs 16 &17). It is an unsafe situation which could be remedied by turning the plaques around to face outward from the Lock.

Landmark

The Feeder Canal Junction Lock is a unique landmark in the City of Welland.

INTEGRITY

Site

The Feeder Canal Junction Lock occupies its original site and has not been moved.

Alterations

The Lock originally extended for about 150 feet.¹³ Most of this area has been buried under the earth with only a portion of the original lock open (Figs 15-18) and the tops of the stone lock walls visible here and there in the grass (Figs 19 & 20) in the other areas between its entrance at the old Welland Canal (Recreational Waterway) (Figs. 21 & 22) and the highway.

Condition

The open portion of the Lock is filled with water so only the exposed stone portions of the Lock can be examined but they appear to have survived in relatively good structural condition.

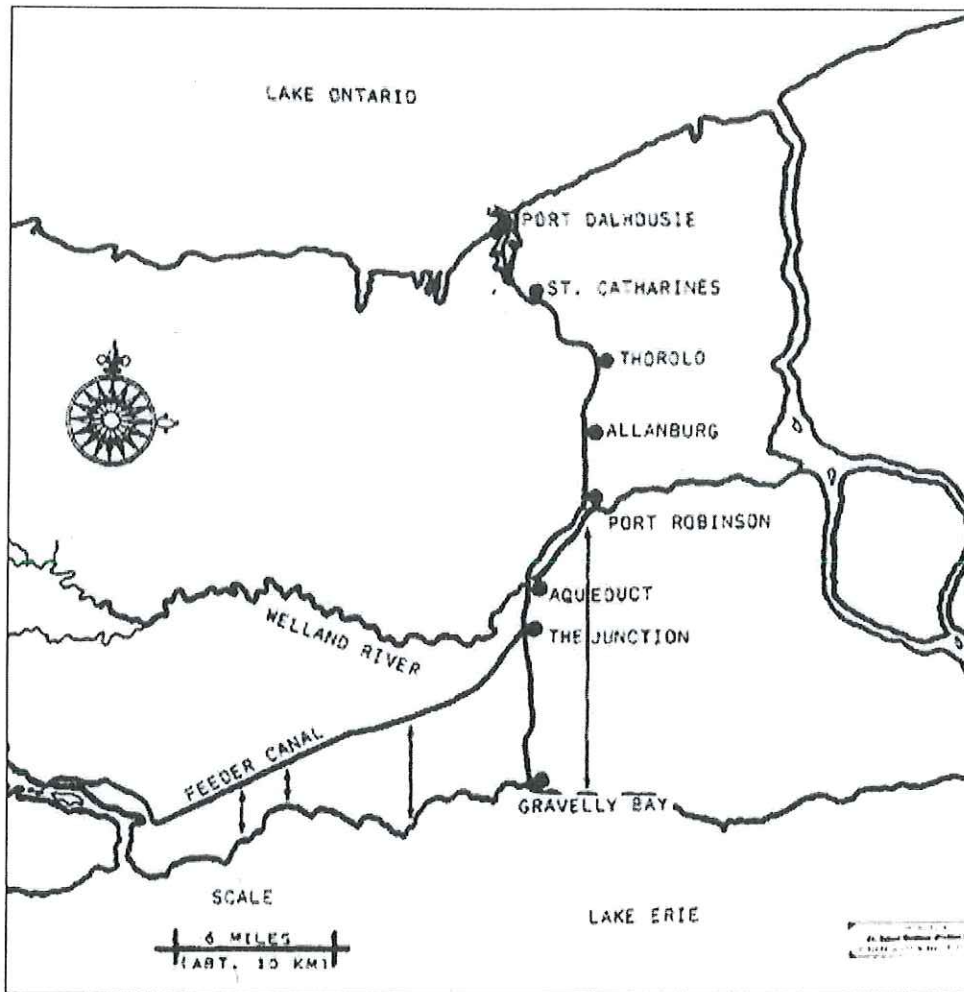


Figure 1

The Line of the First Welland Canal
 showing where the Feeder Canal meets the Welland Canal at "The Junction"
 Source: The Driver's Guide to The Historic Welland Canals by Colin Duquemin

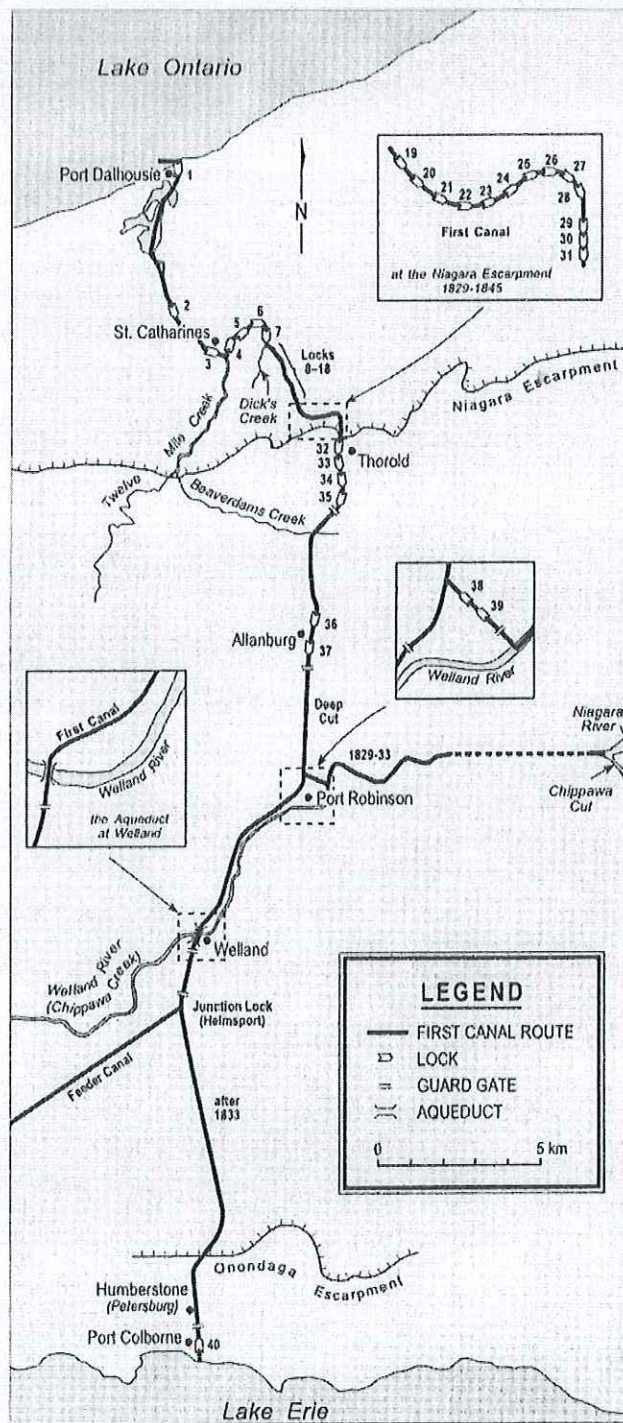
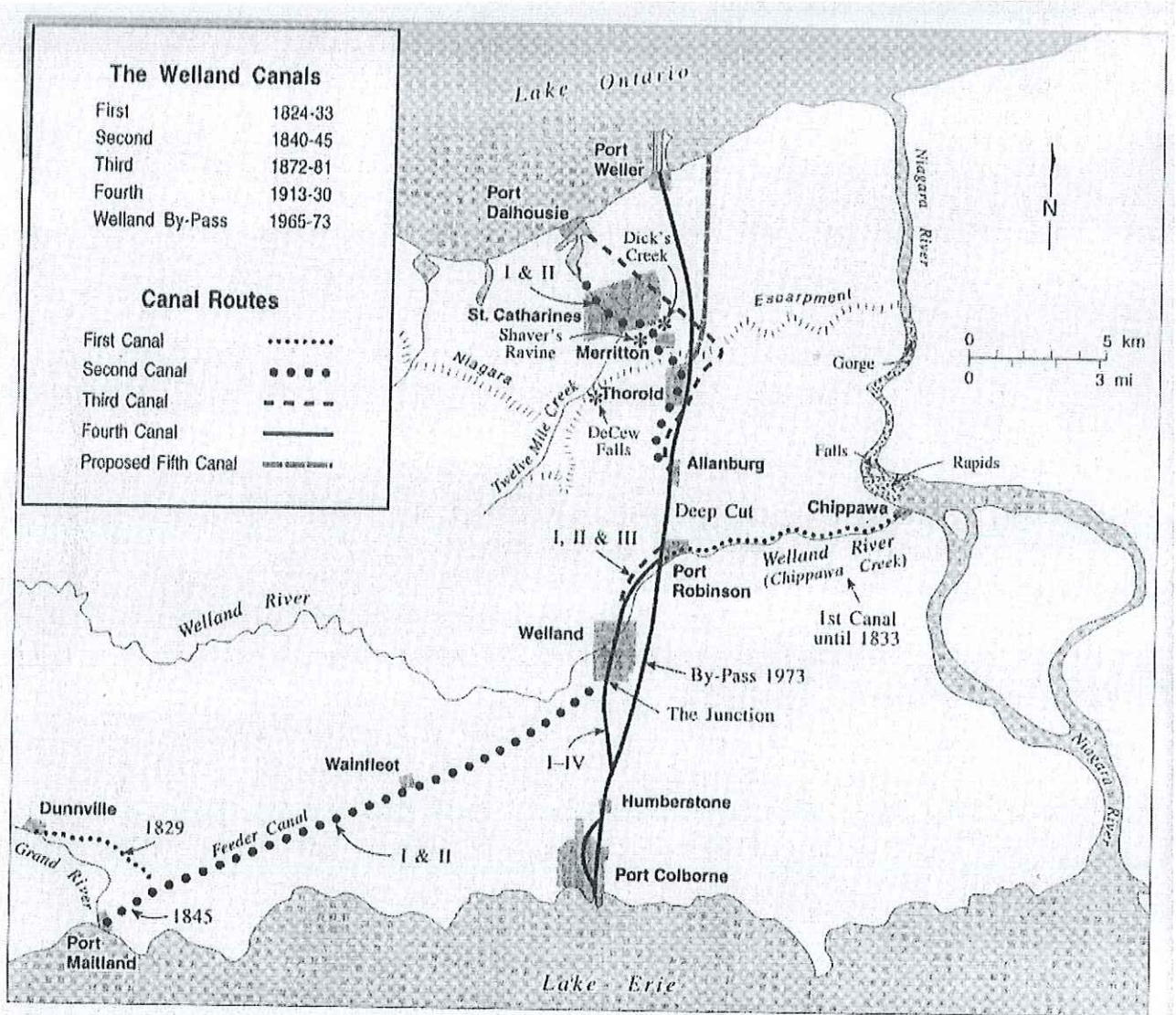


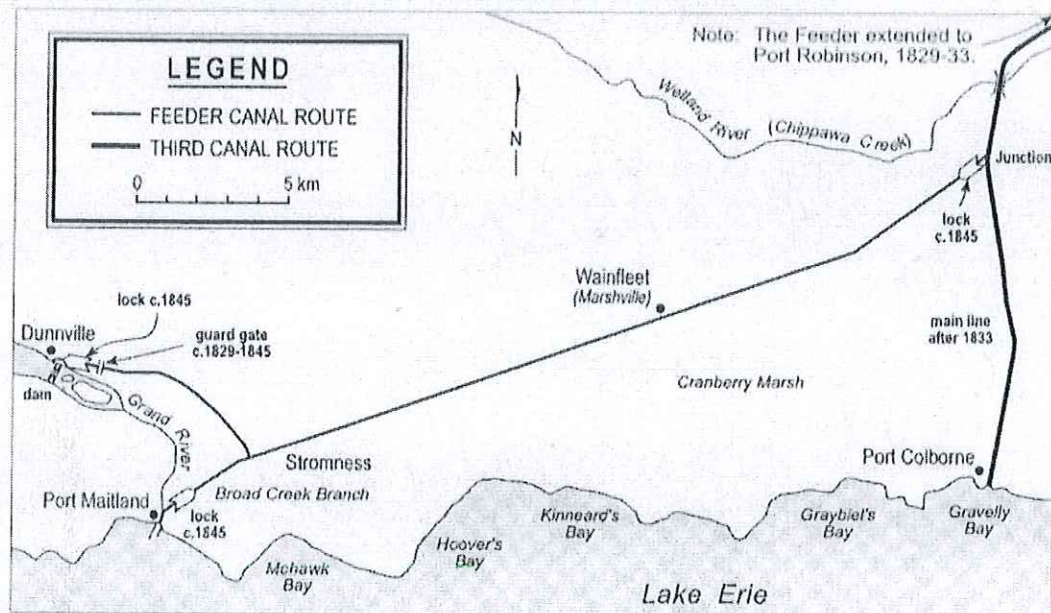
Figure 2
 The First Welland Canal (1829-1845)
 Showing location of "The Junction Lock" (Helmsport)
 Source: Roberta M. Styran and Robert Taylor, This Great National Object
 Credit: Louis Gasparotto, Department of Geography, Brock University



Int.1 (above) The Welland Canals (Loris Gasparotto, Department of Geography, Brock University)

Figure 3

The Welland Canals
 Showing location of "The Junction" and Feeder Lock
 Source: Roberta M. Styran and Robert Taylor, This Great National Object



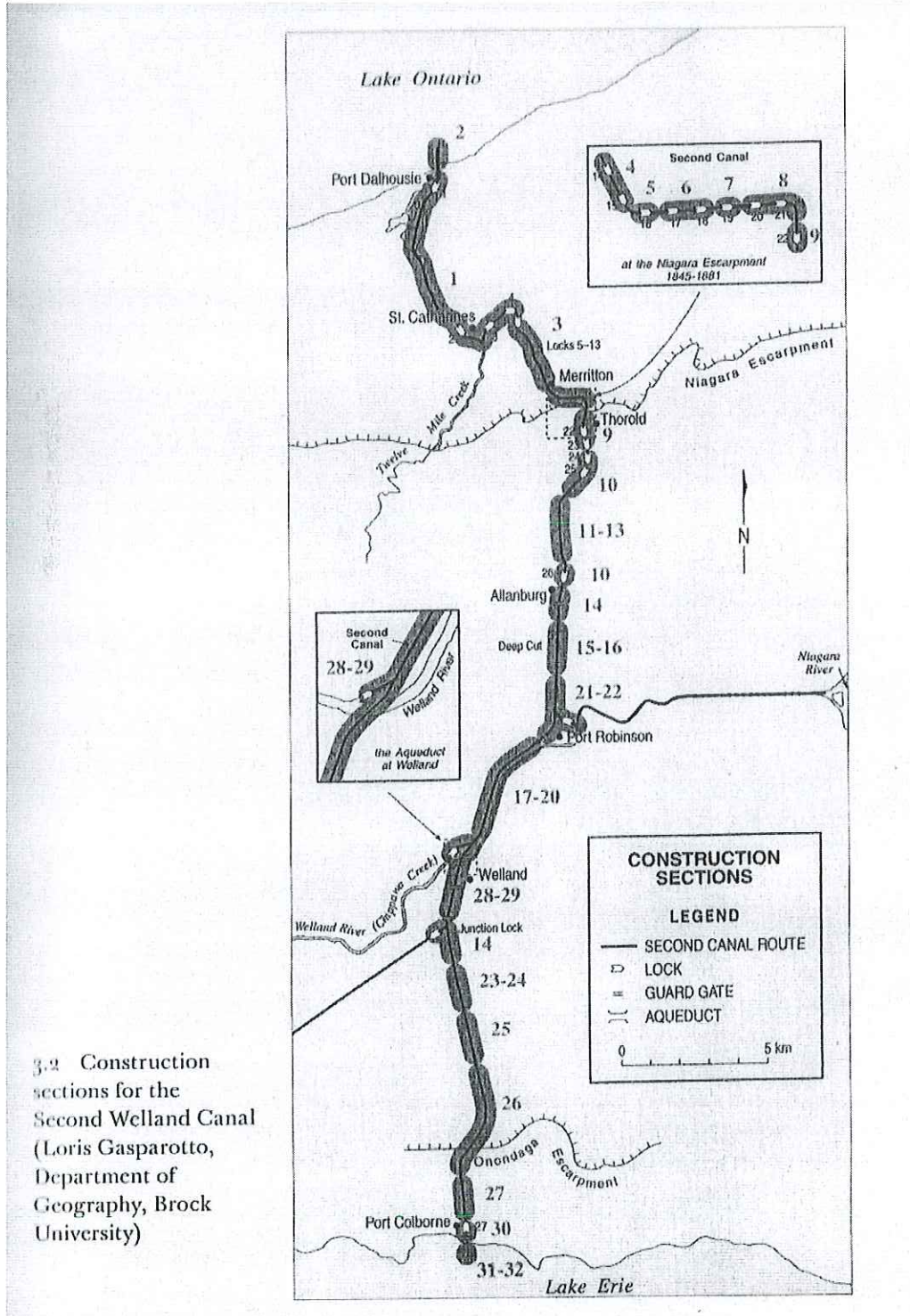
2.4 The Feeder Canal, opened 1829, provided water from the Grand River to the main Canal until 1881. (Loris Gasparatto, Department of Geography, Brock University)

Figure 4

Feeder Canal Route

Showing location of "The Junction" and Feeder Lock

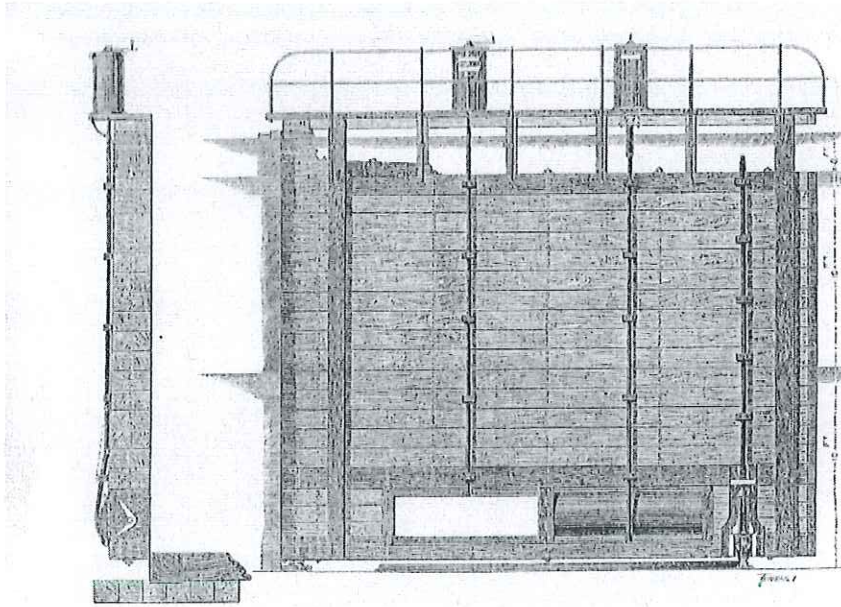
Source: Roberta M. Styran and Robert Taylor, This Great National Object



3.2 Construction sections for the Second Welland Canal (Loris Gasparotto, Department of Geography, Brock University)

Figure 5

Source: Roberta M. Styrán and Robert Taylor, This Great National Object



5.8 A Second Canal lock gate, c. 1870, with paddles or sluices similar to those on the First Canal. (See also fig. 5.3.) (*Engineering*, 25 February 1870, 130)

Figure 6

Source: Roberta M. Styran and Robert Taylor, [This Great National Object](#)



Figure 7

Hamilton Hartley Killaly

Source: [Dictionary of Canadian Biography, Vol X](#)



Figure 8

Walter Shanly



Figure 9

Edward William Thompson

Source Figs. 8 & 9: Dictionary of Canadian Biography, Vols. XII and IX



Figure 10

Second Welland Canal

Source: Welland Public Library Digital Collection



Figure 11

Cut stone construction – Second Welland Canal

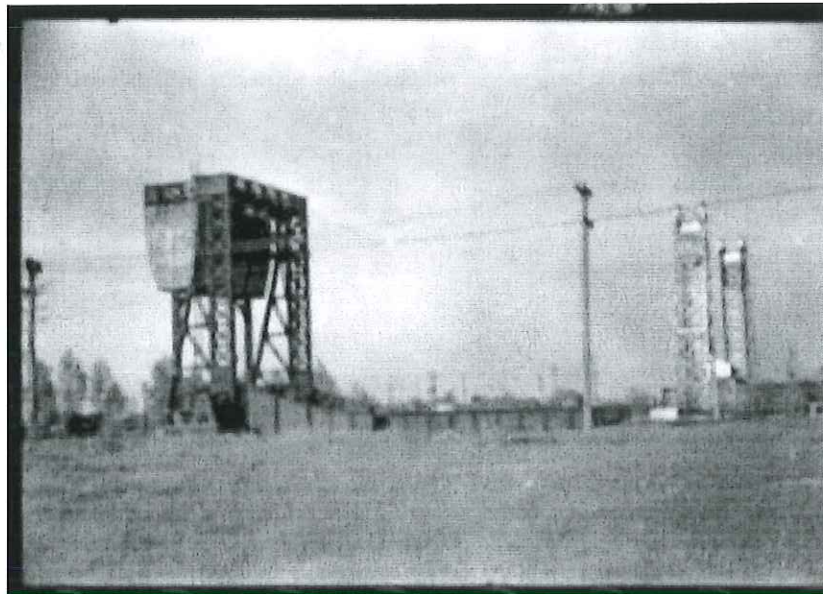


Figure 12

The bridge over nothing at Broadway (left) once spanned Feeder Canal (1957)
Source Figs 11 &12: Second Canal Images, Welland Public Library Digital
Collection

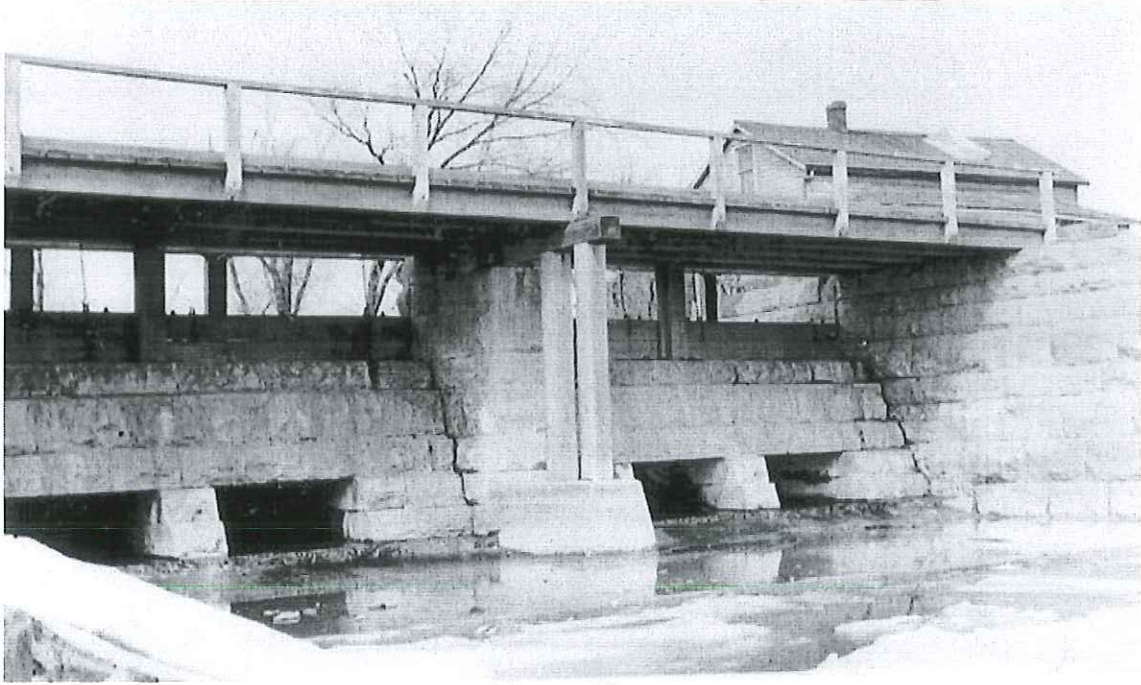


Figure 13
Spillway of the Feeder Canal into the Welland Canal at Welland, ON 1924

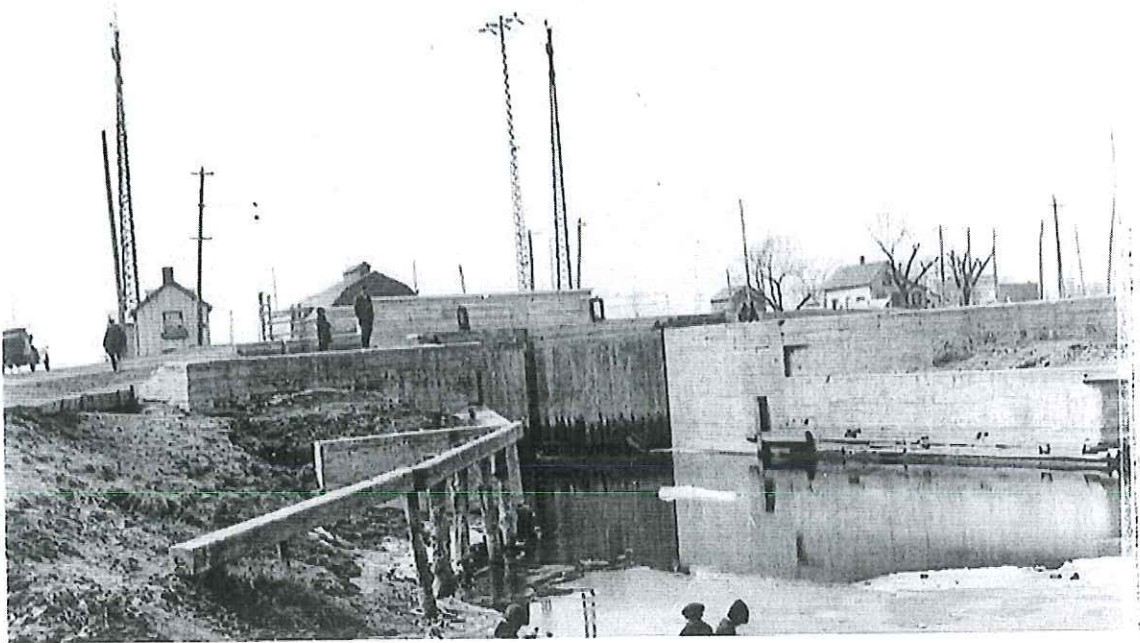
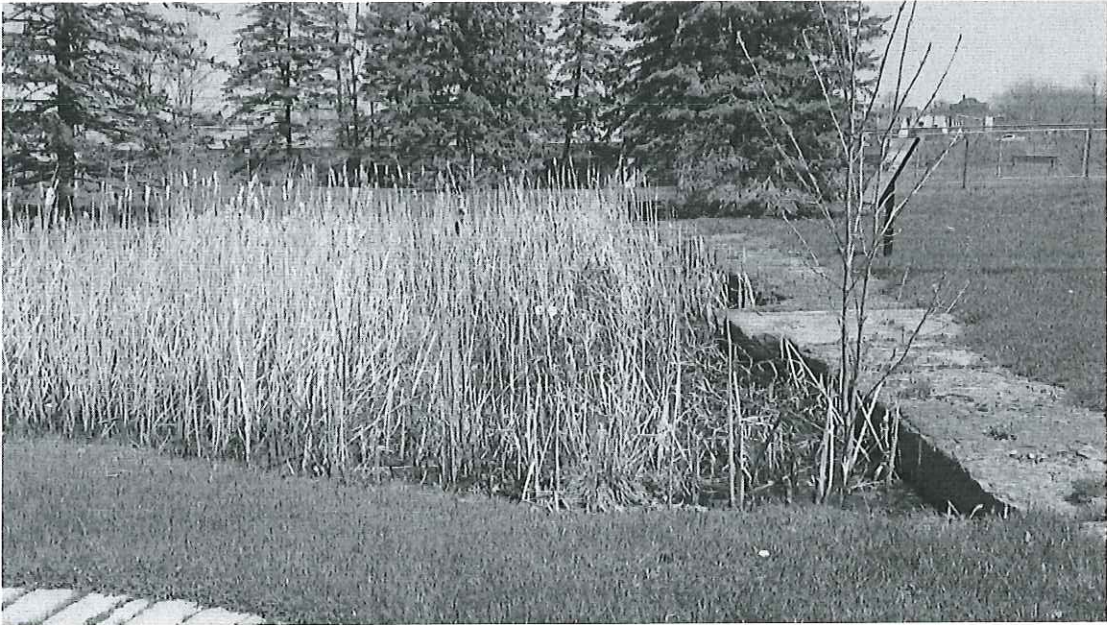


Figure 14
Gates of the Feeder Canal into the Welland Canal at Welland, ON, 1924
Source for Figs. 13 & 14: Welland Public Library Digital Collection



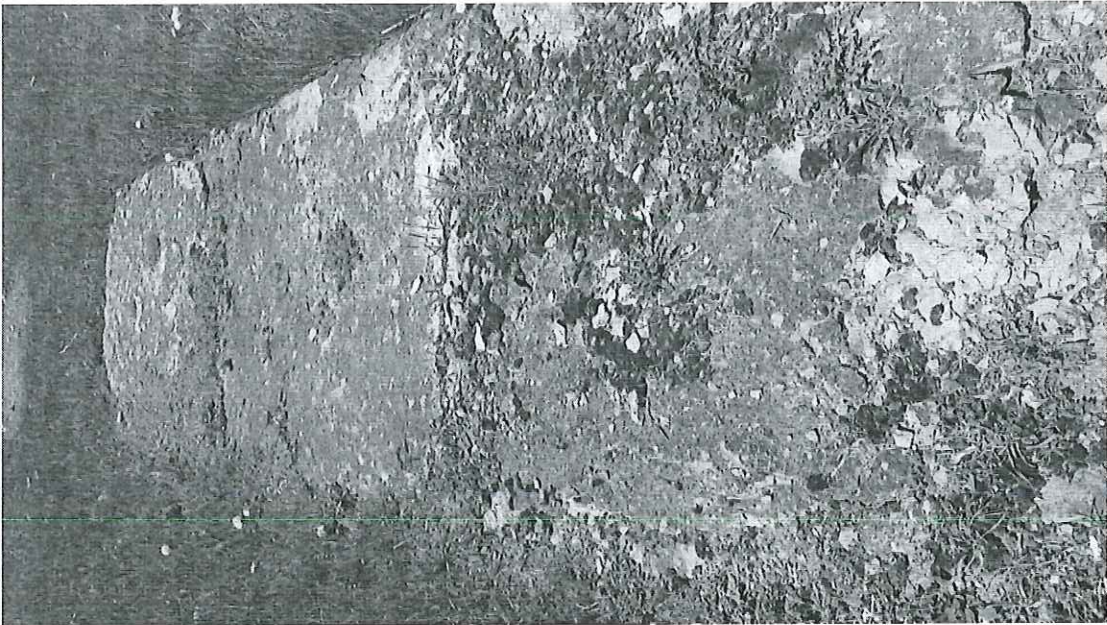
Figures 15 -18
Feeder Canal Junction Lock at Broadway, Welland 2018
A portion of the lock remains exposed and is filled with water
Photos: N. Reid







Figures 19 & 20
Lock walls buried east of exposed portion of Junction Lock
Photos N. Reid, 2018





Figures 21 & 22
Stone fenders at entrance to Feeder Canal lock on banks of old Welland Canal
(now Recreational Waterway) – being exposed by erosion
Photos: N. Reid 2018



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¹ Roberta M. Styran and Robert Taylor, This Great National Object. Building the 19th Century Welland Canals (Montreal & Kingston, McGill and Queens University Press; 2012) p.p. 174-175.

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³ Styran and Taylor, This Great National Object pg. 83;
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⁵ This Great National Object, p.p. 107-108.

⁶ Ann MacKenzie, "Thomson (Thompson) Edward William" in the Dictionary of Canadian Biography, Vol. IX.

⁷ Cited in "The Irish built it with sweat, death for 63 cents a day", Toronto Daily Star, May 31, 1966.

⁸ J. Lawrence Runnalls, The Irish on the Welland Canal (St. Catharines Public Library, 1973) passim.
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⁹ John P. Heisler, The Canals of Canada Canadian Historic Sites: Occasional Papers in Archaeology and History – No. 8 (Ottawa, 1973), p.p. 48-49.
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¹⁰ Colin Duquemin, The Driver’s Guide to the Historic Welland Canals (St. Catharines, 2004), p.p.35, 39
Jackson, The Welland Canals and Their Communities, p. 102

¹¹ John N. Jackson, The Welland Canals and Their Communities, (Toronto, 1997) p.p. 43-44; p.50.

¹² Smith’s Directory, quoted in The Welland Canals and Their Communities, p. 102; The Welland Canals and Their Communities, p. 210.

¹³ Interview, Terry Hughes, local researcher on Welland Canal History in the City of Welland