



NOTICE

THE MAYOR HAS CALLED
A SPECIAL MEETING OF COUNCIL

AT 5:00 P.M.

TUESDAY, JULY 7, 2020

IN THE COUNCIL CHAMBERS – CIVIC SQUARE
TO DISCUSS THE FOLLOWING:

- A TRADE SECRET OR SCIENTIFIC, TECHNICAL, COMMERCIAL FINANCIAL OR LABOUR RELATIONS INFORMATION, SUPPLIED IN CONFIDENCE TO THE MUNICIPALITY OR LOCAL BOARD, WHICH, IF DISCLOSED, COULD REASONABLY BE EXPECTED TO PREJUDICE SIGNIFICANTLY THE COMPETITIVE POSITION OR INTERFERE SIGNIFICANTLY WITH THE CONTRACTUAL OR OTHER NEGOTIATIONS OF A PERSON, GROUP OF PERSONS, OR ORGANIZATION;
 - *Update regarding developments.*
- PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD;
 - *Expropriate of Part of Lot 16 Concession 7 - Designated as Part 1 to 4, Plan 59R-3342 - City of Welland.*

AND

IN OPEN SESSION FOLLOWING
THE SPECIAL COUNCIL MEETING
IN COUNCIL CHAMBERS, CIVIC SQUARE

TO CONSIDER ANY CORRESPONDENCE, REPORTS, AND BY-LAWS

FOLLOWED BY A
REGULAR COUNCIL MEETING AT 7:00 P.M.
IN COUNCIL CHAMBERS, CIVIC SQUARE

TO CONSIDER ANY CORRESPONDENCE, REPORTS, AND BY-LAWS.

***Due to COVID-19 and the closure of the Civic Square
All Electronic Meetings can be viewed at:***

City of Welland website: <https://www.welland.ca/Council/LiveStream.asp>

YourTV: The meeting will be aired on channel 700 on July 10, 2020 at 9:00 a.m.

Tara Stephens, City Clerk



SPECIAL COUNCIL MEETING AGENDA FOLLOWED BY REGULAR COUNCIL MEETING

Tuesday, July 7, 2020

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1. **COMMITTEE-OF-THE-WHOLE (IN-CAMERA) (5:00 p.m.)
(See yellow tab)**
 - A Trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization:
 - *Update regarding developments.*
 - Proposed or pending acquisition or disposition of land by the municipality or local board;
 - *Expropriate of Part of Lot 16 Concession 7 - Designated as Part 1 to 4, Plan 59R-3342 - City of Welland.*

2. **ARISE FROM COMMITTEE-OF-THE-WHOLE (IN-CAMERA)**

3. **OPEN SPECIAL COUNCIL MEETING FOLLOWED BY THE REGULAR COUNCIL MEETING AT 7:00 P.M.**
 - 3.1 **NATIONAL ANTHEM**

 - 3.2 **OPENING REMARKS**

 - 3.3 **ADDITIONS/DELETIONS TO AGENDA**

 - 3.4 **ADOPTION OF MINUTES**

Special Council Meetings of June 9, and 23, 2020 and Regular Council Meeting of June 16, 2020 (*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**

 - 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)**



SPECIAL COUNCIL MEETING AGENDA – Page 2 FOLLOWED BY REGULAR COUNCIL MEETING

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4. ORAL REPORTS AND DELEGATIONS

4.1 PRESENTATION(S) - Nil

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

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

**4.4 LEGISLATED PUBLIC MEETING PURSUANT TO SECTION 357/358 OF THE
MUNICIPAL ACT, 2001.**

Applicants who object to the recommendation may provide their submissions/comments in writing to clerk@welland.ca, or mail to City Clerk, 60 East Main Street, Welland, ON L3B 3X4. All submissions will be forwarded to Welland City Council.

20-4 Public Meeting pursuant to Section 357/358 of the *Municipal Act, 2001* regarding Tax Write-Offs.
(See Report FIN-2020-16, pages 36 to 38)

**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 Fokkens)

02-160 WHEREAS the Ministry of Municipal Affairs and Housing has advised that Municipalities are able to incorporate into their Code of Conduct Policy and Council and Staff Relations Policy - a Staff to Council Code of Conduct.

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to update the Code of Conduct Policy to include a Code of Conduct for Staff to Council and to update the Council and Staff Relationship Policy to include reference to the revised Code of Conduct in the Roles and



SPECIAL COUNCIL MEETING AGENDA – Page 3 FOLLOWED BY REGULAR COUNCIL MEETING

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Responsibilities of Staff and that it is brought to Council for review on July 21, 2020.

(Councillor Richard)

20-27 WHEREAS our Rose Festival has been an established all volunteer group deemed by the Canadian Association of Festivals & Events to be the longest running all volunteer run festival of 60 years (2021); and further WHEREAS our Welland Rose Festival brings positive recognition and financial impact to our City working with numerous groups in building Community Spirit. NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to establish a line item in our City's budget to fund our City's Welland Rose Festival; and further THAT this budget allocation be established at the amount of \$90,000 per year and will increase annually at the rate of inflation.

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

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 7th day of July, 2020. Ref. No. 20-1

10. ADJOURNMENT



SPECIAL COUNCIL MEETING AGENDA INDEX FOLLOWED BY REGULAR COUNCIL MEETING

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AGENDA BLOCK

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

Referred from the June 9, 2020 Special Council Meeting.

1 - 23 **P&B-2020-25** Gen. Mgr., Infrastructure and Development Services, T. Fitzpatrick -
Delegation to Staff of Various Approvals under the Planning Act.
Ref. No. 11-108 (See By-laws 1 and 2)

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

24 - 33 **CAO-2020-03** Chief Administrative Officer, G. Long - Welland Summer Concert
Series. Ref. No. 99-90/99-99

34 - 35 **FIN-2020-14** Gen. Mgr., Corporate Services, Chief Financial Officer/Treasurer,
S. Zorbas - Municipal Mobile Smartphone Hardware and Services.
Ref. No. 12-142 (See By-law 3)

36 - 38 **FIN-2020-16** Gen. Mgr., Corporate Services, Chief Financial Officer/Treasurer,
Remove From S. Zorbas - Application for Tax Write-Offs - Section 357/358.
Block Ref. No. 20-4



MEETING AGENDA INDEX – Page 2

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- | | | |
|---------|-------------------------------|---|
| 39 - 40 | <u>TRANS-2020-03</u> | Gen. Mgr., Corporate Services, Chief Financial Officer/Treasurer, S. Zorbas - Transit Joint Procurement Agreement. Ref. No. 20-13 |
| 41 - 45 | <u>ENG-2020-22</u> | Gen. Mgr., Infrastructure and Development Services, T. Fitzpatrick - Edgar/Elgin Sewer Separation (Phase 3) - Tender Award. Ref. No. 18-70 (See By-law 4) |
| 46 - 50 | <u>ENG-2020-23</u> | Gen. Mgr., Infrastructure and Development Services, T. Fitzpatrick - 2020 Sewer Rehabilitation/Lining Program - Tender Award. Ref. No. 20-75 (See By-law 5) |
| 51 - 55 | <u>ENG-2020-24</u> | Gen. Mgr., Infrastructure and Development Services, T. Fitzpatrick - Watermain replacement 2020 (Part 2) - Tender Award. Ref. No. 20-48 |
| 56 - 59 | <u>ENG-2020-25</u> | Gen. Mgr., Infrastructure and Development Services, T. Fitzpatrick - Welland Historical Museum - Renovation Request. Ref. No. 04-91 |
| 60 - 63 | <u>ENG-2020-26</u> | Gen. Mgr., Infrastructure and Development Services, T. Fitzpatrick - Guide Rail Replacement. Ref. No. 20-79 (See By-law 6) |
| 64 - 68 | <u>ENG-2020-27</u> | Gen. Mgr., Infrastructure and Development Services, T. Fitzpatrick - Lincoln Street Docks Swim Dock - Tender Award. Ref. No. 99-99 (See By-law 7) |
| 69 - 74 | <u>P&B-2020-28</u> | Gen. Mgr., Infrastructure and Development Services, T. Fitzpatrick - Request for Extension to Draft Plan Approval - Dain City Subdivision - Dain City Developments, north side of Forks Road, East of Canal Bank Street (File: 26T-14-06002). Ref. No. 06-126 |

3. NEW BUSINESS

- | | | |
|---------|----|---|
| 75 - 76 | 1. | Tanya Daniels, City Clerk, City of Brantford re: Essential Workers Day - March 17, 2020. Ref. No. 20-64 |
|---------|----|---|

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information and supports the correspondence from the City of Brantford dated May 28, 2020 regarding Essential Day - March 17, 2020.



MEETING AGENDA INDEX – Page 3

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4. BY-LAWS

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

1. A By-law to amend By-law 2011-3, being a By-law to constitute and appoint a Committee of Adjustment; to delegate the authority of Council to give consent to the Committee; and to set policies, procedures and conditions for its operation and to repeal all former By-laws. Ref. No. 11-108
(See Report P&B-2020-25)
2. A By-law to amend By-law 2016-104, being a By-law to delegate various Planning and Community Improvement Incentive approvals to staff and to adopt certain procedures for the processing of planning applications subject to delegated authority.
Ref. No. 11-108
(See Report P&B-2020-25)
3. A By-law to authorize entering into contract with Bell Mobility Inc. for Mobile Smartphone Hardware and Services. Ref. No. 12-142
(See Report FIN-2020-14)
4. A By-law to authorize entering into contract with Peters Excavating Inc. for the Edgar/Elgin Sewer Separation (Phase 3) and contract extension with GHD Limited.
Ref. No. 18-70
(See Report ENG-2020-22)
5. A By-law to authorize entering into contract with Clean Water Works Inc. for the 2020 Sewer Rehabilitation/Lining Program. Ref. No. 20-75
(See Report ENG-2020-23)
6. A By-law to authorize entering into contract with Peninsula Construction Inc. for the Guide Rail Replacement. Ref. No. 20-79
(See Report ENG-2020-26)
7. A By-law to authorize entering into contract with Stolk Construction Inc. for the Lincoln Street Docks Swim Dock Design and Installation Project. Ref. No. 99-99
(See Report ENG-2020-27)

APPROVALS	
GENERAL MANAGER	
CFO	
CAO	

COUNCIL**INFRASTRUCTURE AND DEVELOPMENT SERVICES**

**REPORT P&B-2020-25
JULY 7, 2020**

**SUBJECT: DELEGATION TO STAFF OF VARIOUS APPROVALS
UNDER THE PLANNING ACT**

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

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

RECOMMENDATIONS:

1. THAT THE COUNCIL OF THE CITY OF WELLAND approves the following amendments to By-law 2016-104, Being a By-law to Delegate Various Planning and Community Improvement Approvals to staff:

A. Plans of Subdivision/Condominium

- i) Delegating approval of Draft Plan Approval for Plans of Subdivision and Condominium or exemption to the General Manager of Infrastructure & Development Services (GM) where there are no Official Plan Amendment and or Zoning By-law Amendments needed;
- ii) Clarifying that various other approvals associated to Application for Plans of Condominium are delegated to the GM, the same of which are already delegated for Plans of Subdivision.

B. Part Lot Control Exemption

- i) That approval of Applications for Part Lot Control Exemption be delegated to the GM and that the necessary By-law be included on a Council Agenda without a Staff Report.

- C. Applications for Tax Increment Grants (TIG) and Tax Assistance Program (TAP) under the City's Community Improvement Plans (CIP)
- i) Delegating approval of TAPs and TIGs for the City's three CIPs to the GM and
 - ii) Replacing the current \$75,000.00 delegated approval authority cap and replacing it with yearly budgeted amount for the current year.
2. THAT Welland City Council approves the amendments to By-law 2011-3 being the by-law dealing with the Committee of Adjustment by delegating approval of Applications for Consent to the GM where there are no related minor variances.
3. THAT Welland City Council authorizes Staff to prepare the necessary By-laws.

ORIGIN AND BACKGROUND:

Planning Staff are constantly reviewing the City's approval processes under the Planning Act in order to ensure that they are delivered efficiently and effectively. This includes but is not limited to consideration of the following:

- That City Policies and By-laws are being appropriately implemented;
- The services are being delivered in a timely manner;
- The services are delivered in a cost effective way;
- The services promote economic development and
- The services offer value added benefits to the City and Stakeholders.

Through this exercise Staff have identified the following development approval areas that could be improved:

1. Applications for Subdivision/Condominium
2. Applications for Part Lot Control Exemption
3. Applications for Tax Increment Grants (TIG) and Tax Assistance Program (TAP) under the City's Community Improvement Plans
4. Applications for Consent

COMMENTS AND ANALYSIS:

Below Staff have provided comments on each of the areas of concern, the reasons and a proposed solution.

1. Applications for Subdivision/Condominium

Council currently has the responsibility of approving Draft Plans of Subdivision and Condominium. As part of its approval process, Council, considering Staff's recommendations, gives approval to a Draft Plan of Subdivision or Condominium subject to various conditions of approval. Final Approval of a Plan of Subdivision including the signing of approved draft plans of subdivision, changes to conditions of draft approval including the draft plan layout and final approval have been delegated to the GM under By-law 2016-104.

Area of concern:

There have been a few recent Subdivision and Condominium Applications that have been refused by Council but meet Provincial Policy, the City's Zoning By-law, Official Plan, Municipal Standards and had a favourable staff report recommending approval of changes to these documents. This has had the following impacts:

- Financial loss (legal fees, staff time) to the City due to having LPAT hearings for Council Decisions that have no planning merit.
- Potential negative impacts on the City's reputation due to mixed messaging regarding to economic development and good planning.
- Lack of clarity for all stakeholders in the Approval process.
- Lengthy Approval processes due to deferral(s) by Council with no real valid reasons.

Recommended Solution:

Staff are recommending that By-law 2016-104 be amended to include further delegation of approval as follows:

- Delegating approval of Draft Plan Approval for Plans of Subdivision and Condominium or exemption to the GM where there are no associated Official Plan Amendment and or Zoning By-law Amendment needed for the proposed draft plan to conform.
- Clarifying that various other approvals associated to Application for Plans of Condominium are delegated to the GM, the same of which are already delegated for Plans of Subdivision.

The proposed amending By-law would provide for Council to retain authority in several instances, namely if Staff refers the matter to Council; if the Owner, in writing, requests that Final approval be referred to Council; or if a Member of Council, through a successful Notice of Motion, has the matter referred to Council. Council would still retain approval authority over Official Plan and Zoning

By-law Amendments. The GM could not issue approval for a Subdivision or Condominium where it does not meet these requirements.

A Statutory Public Meeting would still be held by staff for a Draft Plan of Subdivision or a Draft Plan of Vacant Land Condominium despite the final decision being delegated to the GM. There would be no public meeting required for a Draft Plan of Standard Condominium as per Ontario Regulation 544/06. Regardless, the Planning Act does not permit the general public to appeal to the LPAT a decision for a Draft Plan of Subdivision or Condominium or exemption thereto. Appeals are limited to the applicant, a public body who raised concerns prior to making a decision, the Minister of Municipal Affairs and Housing and the Municipality.

2. Applications for Part Lot Control Exemption

Section 50(5) of the Planning Act states that where land is within a Plan of Subdivision no person shall convey a part of a lot or block. Section 50(7) allows for Council, by By-law, to provide an exemption to Part Lot Control. This is often done where lots or blocks are being developed for semi-detached or street townhouse purposes. Staff currently prepare a Report to Council, together with the requisite By-law, recommending that Part Lot Control Exemption be authorized. Generally these By-laws have a set time period of five (5) years. This allows the Builder to sell individual dwelling units without going through another process such as Consent to Sever.

Area of Concern:

The preparation of a Staff report for the purposes of an Application for Part Lot Control takes up valuable time and resources of Staff and these requests will increase over time. While the Part Lot Control Exemption By-law must be approved by Council, it could be approved without a Staff report.

Recommended Solution:

Staff are recommending that By-law 2016-104 be amended such that approval of Applications for Part Lot Control Exemption be delegated to the GM and that the By-law be included on a Council Agenda without a Staff Report.

3. Applications for Tax Increment Grants (TIG) and Tax Assistance Program (TAP) under the City's Community Improvement Plans (CIP)

Currently a number of approvals under the City's three CIP programs are delegated to Staff for approval with the exception of TIGs and TAPs. There are also limitations on staff delegated approval where the Grant request would exceed a gross value of \$75,000.00; where the Grant request exceeds the amount budgeted for the current year, or where a member of Council makes a successful Notice of Motion through Council that the Application for Incentive Programs be referred to Council.

Area of Concern:

The items that require approval by Council require Staff resources to prepare a recommendation report. Staff does not recommend approval of applications that do not meet the requirements of the applicable CIP. There is a possibility that Council could refuse an application for an application that meets these requirements. This would create the potential to decrease investor confidence in the City's CIP programs and impact future development opportunities. Also bringing a Report to Council extends the approval process whereas investors are seeking expedited approvals so that they may start their project rather than waiting for approvals from City Council.

Recommended Solution:

Staff are recommending that By-law 2016-104 be amended to include further delegation of approval to the GM for CIPs as follows:

- Delegating approval of TAPs and TIGs for the City's three CIPs; and
- Replacing the current \$75,000.00 delegated approval authority cap and replacing it with yearly budgeted amount for the current year.

The further delegation of authority for CIP programs will ensure that all the programs under the City's CIP run efficiently and ensure that investor confidence in these programs is retained. It will also reduce the administrative costs by eliminating the need for detailed staff reports which essentially reiterate the programs requirements

4. Applications for Consent

Currently the authority for considering all Consents (ie. land severances, lot additions, easements and rights-of-way, and validation of title) is delegated by Council to the Committee of Adjustment following the requirements of the Planning Act for processing the applications.

Area of Concern:

There have been a number of consents that have been refused by the Committee of Adjustment (COA) where the application met the applicable Zoning By-law provisions and Official Plan policies and have a favorable Staff report recommending approval. This has had the following impacts:

- Financial loss (legal fees, staff time) to the City due to having LPAT hearings for COA Decisions that have no planning merit.
- Potential negative impacts on the City's reputation due to mixed messaging regarding economic development and good planning.
- Lack of clarity for all stakeholders in the Approval process.

- Lengthy Approval processes due to deferral(s) by COA with no real valid reasons.

Recommended Solution:

Staff are recommending that By-law 2011-3 be amended to delegate of approval to the GM as follows:

- Delegating approval of Applications for Consent to the GM where there are no related minor variances.

The Planning Act does not require the City to hold a public meeting for an Application for Consent. The City is only required to make the necessary information available for viewing. We have a number of ways to make the necessary information available including the City's Website and Your Channel. If people have concern(s) they can submit them in writing. Ultimately these consents meet and fulfill the intent and purpose of the City's Zoning By-law and Official Plan.

The COA would still retain approval over consents where minor variances are required and individual minor variance applications. These would still have associated public meetings. Applicants, the City, Agencies, the Minister of Municipal Affairs and Housing and persons would still have the ability to appeal a decision of the GM or CAO within 20 days of giving notice of decision for consents and within 20 days of the decision for a minor variance or permission.

FINANCIAL CONSIDERATION:

There are no direct financial considerations related to this Report; however; there should be savings in time for Staff and Council at meetings. There will savings achieved by reducing the number LPAT appeals for Plans of Subdivision, Plan of Condominium and consents.

OTHER DEPARTMENT IMPLICATIONS:

There will be no implications for other Departments.

SUMMARY AND CONCLUSION:

Planning Staff are constantly reviewing the City's approval processes under the Planning Act in order to ensure that they are delivered efficiently and effectively. Staff have identified the following development approval areas that need improvement at this time including Applications for Subdivision/Condominium; Applications for Part Lot Control Exemption, Applications for TIGs and TAPs and Applications for Consent. Staff are recommending further delegation of approval to these Application processes. The further delegation of authority will ensure the following:

- That City Policies and By-laws are being appropriately implemented;

- The services are being delivered in a timely manner;
- The services are delivered in a cost effective way;
- The services promote economic development;
- The services offer value added benefits to the City and Stakeholders; and
- Maintains the ability to continue to move compliant development applications through the approval process during pandemics like COVID-19.

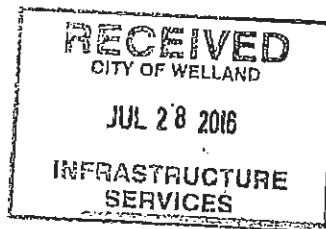
ATTACHMENTS:

- Appendix I - By-law 2016-104
Appendix II - By-law 2011
Appendix III - By-law 2020-XX to amend By-law 2016-04
Appendix IV - By-law 2020-XX to amend By-law 2011-04

②



FROM THE OFFICE OF THE CITY CLERK



REFERENCE NO. 11-108

July 26, 2016

Dear Sir/Madam:

By-law Number 2016-104 being, "A By-law to delegate various planning and community improvement incentive approvals to staff and to adopt certain procedures for the processing of planning applications subject to delegated authority", was passed by Welland City Council on July 19, 2016.

TS:ak

S. Iannello, General Manager, Infrastructure & Development Services
c.c. - L. Eden, Law Clerk

From


City Clerk

THE CORPORATION OF THE CITY OF WELLAND

BY-LAW NUMBER 2016-104

BEING A BY-LAW TO DELEGATE VARIOUS PLANNING AND COMMUNITY IMPROVEMENT INCENTIVE APPROVALS TO STAFF AND TO ADOPT CERTAIN PROCEDURES FOR THE PROCESSING OF PLANNING APPLICATIONS SUBJECT TO DELEGATED AUTHORITY

WHEREAS Section 23.1 and 23.2 of the Municipal Act, 2001, S.O. 2001 Chapter. 25 as amended confirms that a municipality has authority to delegate its powers and duties to a person, subject to certain restrictions;

AND WHEREAS Section 5 of the Planning Act, RSO 1990, Chapter P.13, as amended, permits a municipal council to delegate authority, by By-law, other than the authority to approve Official Plans or the authority to exempt from approval plans as Official Plans or amendments to Official Plans, to an officer identified in the By-law;

AND WHEREAS Section 51.2(4) of the Planning Act, RSO 1990, Chapter P.13, as amended, authorizes the delegation of authority to approve Plans of Subdivision to an appointed officer identified in the By-law;

AND WHEREAS Section 28 (7) of the Planning Act, RSO 1990, Chapter P.13, as amended authorizes a municipality to make grants or loans, in conformity with Community Improvement Plans;

NOW THEREFORE THE COUCIL OF THE CORPORATION OF THE CITY OF WELLAND ENACTS AS FOLLOWS:

1. Definitions:

In this By-law:

- a) "City" means The Corporation of the City of Welland;
- b) "City Clerk" means the City Clerk of The Corporation of the City of Welland and shall also include the Deputy Clerk and any Acting City Clerk as required;
- c) Council "means the Council of The Corporation of the City of Welland;
- d) "General Manager" means the General Manager of Infrastructure and Development Services and shall also include the Manager of Development Approvals or Manager of Policy Planning;
- e) "Mayor" means the Mayor of The Corporation of the City of Welland and shall include the Deputy Mayor as required;
- f) "Owner" means the owner of the subject lands;

✓ 2. APPLICATIONS FOR FINAL SUBDIVISION APPROVAL

- a) Council's power and authority with respect to all matters provided for by Section 51(58) of the Planning Act, RSO 1990, Chapter P.13, as

amended (final approval of plans of subdivision) is hereby delegated to the General Manager;

- b) Notwithstanding the provisions of Clause 2.a) of this By-law, Council shall retain all powers and authority under Section 51(5B) of the Planning Act, RSO 1990, Chapter P.13, as amended, where:
- i. The General Manager at his/her sole discretion, refers the request for final approval of the plan of subdivision to Council;
 - ii. The Owner requests, in writing, that the request for final approval of the plan of subdivision be referred to Council;
 - iii. A member of Council makes a notice of motion through Council that the application for final subdivision approval be referred to Council. Upon Council support for such motion, the matter shall be referred to Council.

2.1

Proceduresa) Staff Approval

Prior to exercising the delegated authority for final approval of a plan of subdivision, the following procedures shall be followed:

- i. The General Manager shall prepare a memorandum to file detailing how each condition of draft plan approval has been or will be fulfilled by the Owner and confirming that the detailed engineering plans have been approved and all required clearance letters from municipal departments and outside agencies have been received;
- ii. Notice of receipt of the request for final approval of a plan of subdivision shall be circulated to appropriate departments and agencies as well as to all members of Council;
- iii. The Owner shall execute the City's subdivider's agreement and return all three (3) copies to the City's Planning Division together with the following:
 - a. The financial securities and certificate(s) of insurance required by the subdivider's agreement;
 - b. Consent from any mortgagee to the registration of the subdivider's agreement against the Title to the property;
 - c. Confirmation that there are no outstanding property taxes or local improvement charges;
 - d. Draft conveyance documents for the public parklands, walkways, road widenings, 0.3 metre reserves and easements as required by the subdivider's agreement;

- e. The required number of originals and paper prints and an electronic copy of the final "M" Plan being submitted for registration.
- iv The Mayor or designate and the City Clerk, or designate, are hereby authorized to sign and seal all subdivider's agreements and any other documentation required which have been approved by Staff in accordance with Council's delegation for final subdivision approval to staff.

b) Referral to City Council

Where a request or motion for final approval of a plan of subdivision is referred to Council in accordance with Clause 2. b) of this By-law, the following procedures shall be followed:

- i. The General Manager shall prepare a report to Council outlining the source of, and the reasons for, the request for the referral to Council. The report shall detail how each condition of draft approval has been, or will be, fulfilled by the Owner and confirm that the detailed engineering plans have been approved, that all required clearance letters from municipal departments and outside agencies have been received, and that the items listed in Clause 2.1 a) iii. above have been received;
- ii. Where a request for final approval of a plan of subdivision is referred to Council, the final decision respecting final approval of the plan of subdivision shall rest with Council.



3. DRAFT PLANS OF SUBDIVISION

3.1 Council hereby delegates to the General Manager the authority to:

- a) Sign proposed draft plans of subdivision for the purposes of indicating draft plan approval by Council;
- b) Change the conditions of draft plan approval imposed by Council pursuant to Subsection 51(44) of the Planning Act, as amended, where such change is consistent with the Council recommendation respecting the draft plan of subdivision;
- c) Decide whether a change to a condition of draft plan of Subdivision is minor for the purpose of giving notice pursuant to the Planning Act.

3.2 Minor change to any condition of draft approval shall mean that the general intent of the condition continues to be met. This could include, but is not limited to, minor alterations to lot lines, technical changes due to legislative amendments, creation of reserves, sight triangles etc. The deletion or alteration of conditions which would alter the original intent of Council would not be considered minor.

4. APPLICATIONS TO REMOVE HOLDING SYMBOL

- a) Council's power and authority with respect to the approval of applications to remove any Holding "H" Symbol is hereby delegated to the General Manager;
- b) Notwithstanding the provisions of Clause 2. a) of this By-law, Council shall retain all powers and authority with respect to the approval to remove a Holding "H" Symbol where the applicant or other party contests the staff position on the application as to whether or not the conditions for removal of the "H" Symbol have been satisfied;
- c) The General Manager is hereby authorized to prepare any required agreement(s) and by-law(s) implementing any such approval;
- d) Following approval of the application by the General Manager, and pursuant to Section 36(1) of the Planning Act, the implementing by-law shall be presented to Council for enactment;
- e) The Mayor and City Clerk are hereby authorized to sign such agreement(s) and by-law(s).

5. Application for Downtown Health and Wellness Cluster Incentive Programs and Brownfield Incentive Programs

5.1

- a) Council's power and authority with respect to all matters provided for by Section 28 (7) of the Planning Act, RSO 1990, Chapter P.13, as amended (Community Improvement – grants or loans re: eligible costs), with the exception of Tax Assistance Program (TAP), and Tax Increment Grant (TIG), is hereby delegated to the General Manager;
- b) Notwithstanding the provisions of Clause 5.1 a) of this By-law, Council shall retain all powers and authority under Section 28(7) of the Planning Act, RSO 1990, Chapter P.13, as amended, where:
 - i. The proposed grant requested would exceed a gross value of \$75,000 per project/property (shared 50/50 with the Region) for incentive programs;
 - ii. The proposed grant requested exceeds the amount budgeted for the current year;
 - iii. A member of Council makes a notice of motion through Council that the application for incentive programs be referred to Council. Upon Council support for such motion, the matter shall be referred to Council.


5.2 Proceduresa) Staff Approval

Prior to exercising the delegated authority for Downtown Health and Wellness Cluster Incentive Programs and Brownfield Incentive Programs, the following procedures shall be followed:

- i. The General Manager shall prepare a memorandum to file detailing how each application has complied with the respective program requirements;
 - ii. Confirmation that all applicable property taxes are up to date, that the proposed works comply with zoning, and if a building permit is required;
 - iii. Determine that funds are available under the CIP Incentives Budget;
 - iv. The Owner shall/has executed the City's grant agreement and returned all three (3) copies to the City's Planning Division;
 - v. The Mayor or designate and the City Clerk, or designate, have signed and sealed all grant agreements and any other documentation required which have been approved by staff in accordance with Council's delegation for Downtown Health and Wellness Cluster Incentive Programs and Brownfield Incentive Programs to staff.
- b) After Approval
- i. After approval, staff shall provide to all Councillors and the Chief Administrative Officer information on the application approved;
 - ii. At least quarterly, staff shall report to Council on the Applications approved during the preceding quarter incorporating location, value of grants and type of improvements made.

READ A FIRST, SECOND AND THIRD TIME AND PASSED BY COUNCIL THIS 19TH DAY OF JULY, 2016

 MAYOR

 ACTING
CLERK

THE CORPORATION OF THE CITY OF WELLAND

BY-LAW NUMBER 2011 - 3

A BY-LAW TO CONSTITUTE AND APPOINT A COMMITTEE OF ADJUSTMENT; TO DELEGATE THE AUTHORITY OF COUNCIL TO GIVE CONSENT TO THE COMMITTEE; AND TO SET POLICIES, PROCEDURES AND CONDITIONS FOR ITS OPERATION AND TO REPEAL ALL FORMER BY-LAWS

WHEREAS Section 44(1) of the Planning Act, R.S.O. 1990, Chapter P.13, as amended provides that Councils may, by By-law, constitute and appoint a Committee of Adjustment;

AND WHEREAS Section 238(2) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, requires that every local board shall adopt a procedure By-law for governing the calling, place and proceedings of meetings;

AND WHEREAS Section 239 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, requires all meetings to be open to the public, including the taking of a vote, unless provided in the exceptions set out in Section 239;

AND WHEREAS under Section 45(1 and 2) of the Planning Act, R.S.O. 1990, Chapter P.13, as amended, the Committee of Adjustment has certain general and special powers;

AND WHEREAS under Section 45(3) of the Planning Act, R.S.O. 1990, Chapter P.13, as amended, Council may, by By-law, empower the Committee of Adjustment to grant Minor Variances from the provisions of any By-law of the municipality that implements an Official Plan;

AND WHEREAS the Regional Municipality of Niagara is the approval authority for the giving of Consent under Section 53(1) of The Planning Act, R.S.O. 1990, Chapter P.13, as amended;

AND WHEREAS the Regional Municipality of Niagara, by By-law 188-1999 passed on the 16th day of December, 1999, has delegated the authority to give Consents to the Council of the Corporation of the City of Welland under Section 54(1) of The Planning Act, Chapter P.13, as amended;

AND WHEREAS pursuant to Section 54(2.1) of the Planning Act, R.S.O. 1990, Chapter P.13, as amended, the delegation to give consents is deemed to include the authority to give approvals under Section 50(18) and to issue certificates for validation under Section 57 of the Act;

AND WHEREAS the Council of the Corporation of the City of Welland deems it advisable to appoint a Committee of Adjustment and delegate the authority to give Consents to such Committee.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF WELLAND ENACTS AS FOLLOWS:

1. That the Corporation of the City of Welland hereby constitutes the City of Welland Committee of Adjustment (herein referred to as the Committee) which shall be comprised of three (3) Members appointed from time to time by City Council;
2. That the Council of the Corporation of the City of Welland may appoint an Alternate Member to the Committee from time to time;
3. That the Council of the Corporation of the City of Welland hereby delegates the

authority for the giving of Consents to the Committee under Section 53(1) of The Planning Act, Chapter P.13, as amended;


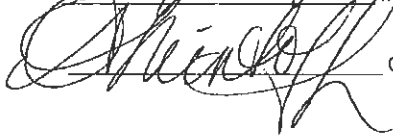
4. That the Corporation of the City of Welland hereby empowers the Committee to grant Minor Variances from the provisions of any local By-law which implement the City's Official Plan;

5. That the operation of the Committee shall be as set out in Schedule "A" attached hereto and forming part of this By-law;

6. That By-laws 1999-215 and 2003-183 affecting the Committee are hereby repealed;

7. That this By-law shall come into force and take effect on the day upon which it is passed.

READ A FIRST, SECOND AND THIRD TIME AND PASSED BY COUNCIL THIS 18TH DAY OF JANUARY, 2011.


MAYOR

CLERK

SCHEDULE "A"

TO BY-LAW NO. 2011 - 3POLICIES, PROCEDURES AND CONDITIONS FOR THE
OPERATION OF THE COMMITTEE OF ADJUSTMENT

1. Definitions

- (a) "Committee of Adjustment", hereinafter referred to as the "Committee", is a group of individuals appointed by the Council of The Corporation of the City of Welland to constitute the Committee of Adjustment pursuant to the provisions of the Planning Act, R.S.O. 1990, as amended;
- (b) "Member" is an individual who is appointed by Council to the Committee;
- (c) "Alternate Member" is an individual who is appointed by Council to the Committee to serve on an "as-needed basis" in the absence of a Member;
- (d) "Chair" is a Member of the Committee elected by the Members at the first regular Meeting of the Committee following their appointment or at any other time as necessary, who shall preside over the Meeting;
- (e) "Acting Chair" is a Member of the Committee elected by the Members at a Meeting on an "as-needed basis" who shall act as Chair in the Chair's absence or where the Chair has disclosed an interest;
- (f) "Secretary-Treasurer" is a City of Welland Staff person whose responsibility includes the authority to receive Applications, Application Fees, Decisions and Change of Conditions as required by the By-law and the Planning Act; to adhere to Regulations passed pursuant to the Planning Act; to record and file minutes and records of all Applications; to accept and process appeals on Committee Decisions to the Ontario Municipal Board; and to give such Certificates as required by the Planning Act and any related Regulations with respect to Consents;
- (g) "Acting Secretary-Treasurer" is a City of Welland Staff person who acts as Secretary-Treasurer in the absence of, and has the same authority as, the Secretary-Treasurer

2. Chair

- (a) The Chair of the Committee shall be elected from amongst the Members of the Committee for a term to be determined by the Committee;
- (b) The Chair shall be counted in determining quorum and shall be entitled to all the rights of a Member on the Committee, including voting.

3. Calling, Location and Notice of Hearings and Meetings

- (a) Hearings by the Committee shall be pre-scheduled for a minimum of six (6) months and Hearings/Meetings may also be held at the call of the Chair or Secretary-Treasurer;
- (b) All Hearings and Meetings of the Committee shall be held at Welland Civic Square in a room accessible to the public.
- (c) Notice of all Hearings and Meetings shall be posted on the City of Welland website and on the public bulletin board located within Civic Square prior to the Hearing/Meeting.

4. Notice of Applications

- (a) The Notice of an Application to be considered at a Hearing shall be given in a local newspaper in accordance with the provisions of the Planning Act, as amended, and any applicable Regulations;
 - (b) Notice shall also be given by prepaid mail to all Owners of land within 60 metres of the subject property;
 - (c) Notice shall also be posted on the City of Welland website;
 - (d) Notice of Application procedures with respect to Applications for Validation of Title and Power of Sale/Foreclosure shall be in accordance with applicable Regulations;
 - (e) Notice shall also be sent to those prescribed.
5. The Committee of Adjustment shall hold a Public Hearing on every Application prior to a decision being made.
6. Applications and Agenda to Members
- (a) Copies of each Application shall be delivered to each Member of the Committee at least fourteen (14) days prior to the Hearing. An agenda, prepared by the Secretary-Treasurer, with copies of all correspondence received, shall be forwarded to each Member prior to the Hearing.
 - (b) The addition of agenda items less than 24 hours prior to the Hearing or Meeting of the Committee shall be by unanimous consent of the Members present.
7. Quorum
- (a) Pursuant to the Planning Act, where a Committee is composed of three members, two members constitute a quorum.
8. Cancellation and Rescheduling of Hearings and Meetings
- (a) In consultation with the Chair, the Secretary-Treasurer may cancel or reschedule a Hearing or Meeting.
9. Hearing (Meeting) Procedures
- (a) The Hearing shall be called to order by the Chair;
 - (b) The Chair shall ask for disclosure of any conflict of interest to any item on the Agenda at the beginning of the Hearing;
 - (c) The Minutes of the previous Meeting shall be adopted;
 - (d) The Chair shall call for any requests for deferral or withdrawal of an Application;
 - (i) a request for deferral to a later Hearing must be for a reasonable cause;
 - (ii) the Committee may set a new Hearing date for consideration of the deferred Application;
 - (iii) the Committee may indicate requirements or conditions for deferral, such as renotification, payment of rescheduling fees, amendment or additional information;
 - (iv) if any particulars concerning the Application are discussed or if the correspondence has been read; the Hearing Panel is seized of the Application;
 - (e) The Chair shall call each Application in an order determined by the Agenda or in an order determined by the Committee;
 - (f) The Applicant or Agent must be present at the Hearing of the Application or the

Application shall be deferred;

- (g) The Chair shall summarize the Application;
- (h) The Chair shall ask the Applicant/Agent to introduce themselves and present the Application;
- (i) The Chair shall ask the Secretary-Treasurer to read aloud, or summarize, correspondence received from Agencies or interested parties;
- (j) The Committee may ask questions of the Applicant/Agent including whether the Applicant/Agent understands the comments or conditions requested and whether there are any questions;
- (k) The Chair shall invite all persons having an interest in the Application to be recognized, state their names and advise the Committee of their positions. All discussion shall be directed to the Chair;
- (l) The Chair shall give the Applicant/Agent the opportunity to respond to any comments received;
- (m) After having considered the issues raised by the Applicant/Agent, interested parties, Agencies, the evidence heard at the Hearing by the Committee and after having regard for Official Plan issues, the Zoning By-law(s) in effect and the Provincial Policy Statement, the Chair shall ask the Members of the Committee for a decision in public with respect to the disposition of the Application. A tie vote shall be deemed a denial of the Application. The Committee may adjourn the Hearing or reserve its decision;
- (n) Members concurring in the discussion shall sign the decision at the Hearing. All Members who have not disclosed an interest must make a decision on the Applications and may not abstain from voting.

10. Conduct of Hearings and Members

- (a) The conduct of Hearings and Members, with respect to matters not specifically addressed in this By-law, shall be generally pursuant to the Statutory Powers Procedure Act, R.S.O. 1990, Chapter S.22, as amended; the Municipal Conflict of Interest Act, R.S.O. 1990, Chapter M50, as amended; the Planning Act, R.S.O. 1990, Chapter P.13, as amended, and other applicable legislation and regulations;
- (b) All Hearings and Meetings shall be conducted in an open forum, open to the public including all deliberations and voting. A Hearing or Meeting may be closed to the public for matters described in Section 239 of the Municipal Act.

11. General

- (a) The Committee shall be empowered to impose necessary conditions as authorized under the Planning Act and other applicable legislation taking into consideration various planning documents and Policies of the City of Welland, the Regional Municipality of Niagara, the Provincial Government and other applicable agencies.
- (b) Pursuant to the Planning Act, the Committee of Adjustment is authorized to reduce or waive the City's requirement for the payment of a fee in respect of an Application provided the Committee is satisfied that it would be unreasonable to require such fee.
- (c) The Committee of Adjustment shall operate under the rules, procedures and policies of the City of Welland as established under Section 270(2) of the Municipal Act, as amended.

THE CORPORATION OF THE CITY OF WELLAND

BY-LAW NUMBER 2020 - _____

BEING A BY-LAW TO AMEND BY-LAW 2016-104, BEING A BY-LAW TO DELEGATE VARIOUS PLANNING AND COMMUNITY IMPROVEMENT INCENTIVE APPROVALS TO STAFF AND TO ADOPT CERTAIN PROCEDURES FOR THE PROCESSING OF PLANNING APPLICATIONS SUBJECT TO DELEGATED AUTHORITY

WHEREAS Council deems it necessary and advisable to amend By-law 2016-104 being a by-law to delegate various planning and community improvement incentive approvals to staff and to adopt certain procedures for the processing of planning applications subject to delegated authority, enacted by Council on July 19, 2016.

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE CITY OF WELLAND ENACTS AS FOLLOWS:

1. That By-law 2016-104 shall be and the same is hereby amended by deleting Paragraph 2 therefrom and substituting with the following:

"2. APPLICATIONS FOR CONDOMINIUM AND SUBDIVISION APPROVAL

- a) Council's power and authority with respect to all matters provided for by Section 51 of the Planning Act, R.S.O. 1990, Chapter P.13, as amended is hereby delegated to the General Manager for approval for those Applications which do not have an associated Zoning By-law Amendment or Official Plan Amendment.
- b) Council hereby delegates to the General Manager the authority to:
 - i. Sign proposed draft plans of subdivision or condominium for the purposes of indicating draft plan approval by the City.
 - ii. Change the conditions of draft plan approval imposed pursuant to Subsection 51(44) of the Planning Act, as amended, where such change is consistent with the recommendation respecting the draft plan of subdivision.
 - iii. Decide whether a change to a condition of draft plan of Subdivision is minor for the purpose of giving notice pursuant to the Planning Act. Minor change to any condition of draft approval shall mean that the general intent of the condition continues to be met. This could include, but is not limited to, minor alterations to lot lines, technical changes due to legislative amendments, creation of reserves, sight triangles, etc. The deletion or alteration of conditions which would alter the original intent of the approval would not be considered minor.
- c) Notwithstanding the provisions of Clause 2.a) and 2.b) of this By-law, Council shall retain all powers and authority under Section 51 (58) of the Planning Act, R.S.O. 1990, Chapter P.13, as amended, where:
 - i. The General Manager at his/her sole discretion, refers the final approval of the plan of subdivision or condominium to Council.
 - ii. The Owner requests, in writing, that the request for final approval of the plan of subdivision be referred to Council.
 - iii. A member of Council makes a notice of motion through Council that the application for final subdivision or condominium approval be referred to Council. Upon Council support for such motion, the matter shall be referred to Council.

2.1 PROCEDURES

a) Staff Approval of a Final Plan of Subdivision or Condominium

Prior to exercising the delegated authority for final approval of a plan of subdivision or condominium, the following procedures shall be followed:

- i. The General Manager shall prepare a memorandum to file detailing how each condition of draft plan approval has been or will be fulfilled by the Owner and confirming that the detailed engineering plans have been approved and all required clearance letters from municipal departments and outside agencies have been received.
- ii. Notice of receipt of the request for final approval shall be circulated to appropriate departments and agencies as well as to all members of Council.
- iii. The Owner shall execute the City's subdivision agreement and return all three (3) copies to the City's Planning Division together with the following:
 - a. The financial securities and certificate(s) of insurance required by the subdivision agreement.
 - b. Consent from any mortgagee to the registration of the subdivision agreement against the Title to the property.
 - c. Confirmation that there are no outstanding property taxes or local improvement charges.
 - d. Draft conveyance documents for the public parklands, walkways, road widenings, 0.3 metre reserves and easements as required by the subdivision agreement.
 - e. The required number of originals and paper prints and an electronic copy of the final "M" Plan being submitted for registration.
- iv. The Mayor or designate and the City Clerk, or designate, are hereby authorized to sign and seal all subdivision agreements and any other documentation required which have been approved by Staff in accordance with Council's delegation for final subdivision approval to staff.

b) Referral to City Council

Where a request or motion for final approval of a plan of subdivision or condominium is referred to Council in accordance with Clause 2.b) of this By-law, the following procedures shall be followed:

- i. The General Manager shall prepare a report to Council outlining the source of, and the reasons for the request for the referral to Council. The report shall detail how each condition of draft approval has been, or will be, fulfilled by the Owner and confirm that the detailed engineering plans have been approved, that all required clearance letters from municipal departments and outside agencies have been received, and that the items listed in Clause 2.1 a) iii above have been received.
- ii. Where a request for final approval of a plan of subdivision is referred to Council, the final decision respecting final approval of the plan of subdivision shall rest with Council."

2. That By-law 2016-104 shall be and the same is hereby amended by deleting Paragraph 3 therefrom and substituting with the following:

"3. APPLICATIONS FOR DRAFT PLAN OF SUBDIVISION OR CONDOMINIUM APPROVAL

- a) Council hereby delegates to the General Manager the authority to:
 - i. Approve proposed draft plans of subdivision and condominium where there are no associated Zoning By-law Amendment or Official Plan Amendment.

- ii. Sign proposed draft plans of subdivision for the purposes of indicating draft plan approval.
 - iii. Change the conditions of draft plan approval imposed pursuant to Subsection 51(44) of the Planning Act, as amended, where such change is consistent with the recommendation respecting the draft plan of subdivision.
 - iv. Decide whether a change to a condition of draft plan of subdivision is minor for the purpose of giving notice pursuant to the Planning Act. Minor change to any condition of draft approval shall mean that the general intent of the condition continues to be met. This could include, but is not limited to, minor alterations to lot lines, technical changes due to legislative amendments, creation of reserves, sight triangles, etc. The deletion or alteration of conditions which would alter the original intent of the approval would not be considered minor.
- b) Notwithstanding the provisions of Clause 2.a) of this By-law, Council shall retain all powers and authority under Section 51 (58) of the Planning Act, R.S.O. 1990, Chapter P.13, as amended, where:
- i. The General Manager at his/her sole discretion, refers the request for draft approval of the plan of subdivision or condominium to Council.
 - ii. The Owner requests, in writing, that the request for draft approval of the plan of subdivision be referred to Council.
 - iii. A member of Council makes a notice of motion through Council that the application for draft subdivision or condominium approval be referred to Council. Upon Council support for such motion, the matter shall be referred to Council.
 - iv. There is a Zoning By-law Amendment and/or Official Plan Amendment required for the proposed plan to comply.

2.1 PROCEDURES

c) Staff Approval of Draft Plan of Subdivision or Condominium

Prior to exercising the delegated authority for draft plan of subdivision or standard condominium approval, the following procedures shall be followed:

- i. The General Manager shall send out a notice in accordance with the the Planning Act, RSO 1990, Chapter P. 13, as amended
- ii. The General Manager shall hold one public meeting in accordance with the Planning Act, RSO 1990, Chapter P. 13, as amended for Applications for Approval of Draft Plans of Subdivision and Vacant Land Condominiums.
- iii. The General Manager shall consider a Planning Staff recommendation report and any comments received."

3. That By-law 2016-104 shall be and the same is hereby amended by deleting Paragraph 5.1.b) therefrom and substituting with the following:

"5.1.b) Notwithstanding the provisions of Clause 5.1a) of this By-law, Council shall retain all powers and authority under Section 28 (7) of the Planning Act, R.S.O. 1990, Chapter P.13, as amended, where:

- i. The proposed grant requested exceeds the amount budgeted for the current year.
- ii. A member of Council makes a notice of motion through Council that the application for incentive programs be referred to Council. Upon Council support for such motion, the matter shall be referred to Council."

4. That By-law 2016-104 shall be and the same is hereby amended by adding Paragraph 6 as follows:

"6. REMOVAL OF PART LOT CONTROL

- a) Council's power and authority with respect to the approval of application to remove Part Lot Control is hereby delegated to the General Manager;
- b) Notwithstanding the provisions of Caluse 2. A) of this By-law, Council shall retain all powers and authority with respect to the approval to remove Part Lot Control where the owner or applicant contests the staff position;
- c) The General Manager and City Soliticitor are herby authorized to prepare any required agreements and by-laws implementing any such approval;
- d) Following approval of the application by the General Manager, and pursuant to Section 50(7) of the Planning Act, the implementing by-law shall be presented to Council for enactment without a staff recommendation report.
- e) The Mayor and City Clerk are hereby authorized to sign such agreement(s) and by-law(s)."

READ A FIRST, SECOND AND THIRD TIME AND PASSED BY COUNCIL THIS
7TH DAY OF JULY, 2020.

MAYOR

CITY CLERK

THE CORPORATION OF THE CITY OF WELLAND

BY-LAW NUMBER 2020 - _____

BEING A BY-LAW TO AMEND BY-LAW 2011-3, BEING A BY-LAW TO CONSTITUTE AND APPOINT A COMMITTEE OF ADJUSTMENT; TO DELEGATE THE AUTHORITY OF COUNCIL TO GIVE CONSENT TO THE COMMITTEE; AND TO SET POLICIES, PROCEDURES AND CONDITIONS FOR ITS OPERATION AND TO REPEAL ALL FORMER BY-LAWS

WHEREAS Council deems it necessary and advisable to amend By-law 2011-3 being a by-law to constitute and appoint a committee of adjustment; to delegate the authority of council to give consent to the committee; and to set policies, procedures and conditions for its operation and to repeal all former by-laws, enacted by Council on January 18, 2011,

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE CITY OF WELLAND ENACTS AS FOLLOWS:

1. That By-law 2011-3 shall be and the same is hereby amended by deleting the title of the By-law therefrom and substituting with the following:

"A BY-LAW TO CONSTITUTE AND APPOINT A COMMITTEE OF ADJUSTMENT; TO DELEGATE THE AUTHORITY OF COUNCIL TO GIVE CONSENT TO THE COMMITTEE AND THE GENERAL MANAGER OF INFRASTRUCTURE AND DEVELOPMENT SERVICES; AND TO SET POLICIES, PROCEDURES AND CONDITIONS FOR THE COMMITTEE'S OPERATION AND TO REPEAL ALL FORMER BY-LAWS"

2. That By-law 2011-3 shall be and the same is hereby amended by deleting Paragraph 3. of the By-law therefrom and substituting with the following:

"3. That the Council of the Corporation of the City of Welland hereby delegates the authority for the giving of Consents to the General Manager and to the Committee under Section 51(1) of The Planning Act, Chapter P. 13, as amended and as follows:

- a) The General Manager will have the authority for the giving of consents for those applications which do not require an associated minor variance and accordance with the Planning Act and the applicable regulations; and
- b) The Committee will have the authority for the giving of consents for those applications which require an associated minor variance to comply with the Zoning By-law."

3. That By-law 2011-3 shall be and the same is hereby amended by deleting Paragraph Paragraph 3 (b) of Schedule "A" of the By-law therefrom and substituting with the following:

"3. All Hearings and Meetings of the Committee can be held electronically or within a building accessible to the public or a combination of both."

READ A FIRST, SECOND AND THIRD TIME AND PASSED BY COUNCIL THIS 7TH DAY OF JULY, 2020.

MAYOR

CITY CLERK

COUNCIL
OFFICE OF THE CAO

APPROVALS	
GENERAL MANAGER	[Signature]
CFO	[Signature]
CAO	[Signature]

REPORT CAO-2020-03
July 7, 2020

99-99
99-90

SUBJECT: WELLAND SUMMER CONCERT SERIES

**AUTHOR: ADAM BERES
MANAGER OF FLEET, EQUIPMENT & PURCHASING
FINANCE DIVISION, CORPORATE SERVICES**

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

APPROVING CAO: GARY LONG, CAO

RECOMMENDATIONS:

THAT THE COUNCIL OF THE CITY OF WELLAND receive staff report regarding revenue sources for the Downtown Welland 2020 Summer Concert Series event.

ORIGIN AND BACKGROUND:

In the fall of 2019, the City's Purchasing department issued RFP19-06 requesting the provision of the Downtown Welland 2020 Summer Concert Series (2020 Concert Series Proposal). This RFP did not indicate funding sources were available, the intent was to find out what the concert series costs. Two bid responses were received, both were outside of realistic affordability to continue under this method.

At the November 25th Budget Review Committee, the direction was to reissue thus RFP19-19 was created and released to Bidding November 26, 2019 and closed December 10, 2019. In this document, the deliverables stated a \$40k City funding (Municipal Grant) is available with up to \$25k In Kind services if required.

Upon bid closing, during the evaluation process, an anonymous donor came forth with an offering of \$30k to help with the expenses for the awarded bidder.

On January 21st 2020, Council voted in favour of awarding the Downtown Welland 2020 Summer Concert Series to the Downtown Welland BIA for a two (2) year contract (2020 and 2021). Funding was also approved up to \$65,000 inclusive for each of these terms. A copy of the Council Resolution is attached to this report.

The awarded Proponent agreed to produce the Concert Series with a small change to help offset some of the costing: The Saturday matinee show was removed citing poor previous attendance which added capacity to work with the City funding, (Municipal Grant) In Kind services and external funding offered.

Upon award, City purchasing staff created Purchase Order 2020-00039 providing areas of responsibility between the City's in kind services, and expectations of the BIA to host the events for the season. The expectations of the Proponent were outlined in published RFP19-19, an excerpt is attached to this report. Proposed concert dates for the 2020 season were agreed upon and indicated within the Purchase Order also attached to this report.

Due to the COVID19 pandemic, the 2020 Summer Concert Series has been cancelled.

Council recently requested additional information about the revenue sources for the 2020 concert series. The City's financial contribution towards the summer concert series is \$65,000 – comprised of a \$40,000 grant and \$25,000 of in-kind services. The community organizations and other groups who have produced the concerts in the past have generated other revenue from advertising, sponsorships, and "pass the hat" to help with additional production expenses. Earlier this year, an anonymous donor offered \$30K to the awarded Proponent to help produce the 2020 concert series. This would be accounted for in the year-end financial report to the City.

OTHER DEPARTMENT IMPLICATIONS:

This report is for information purposes only.

SUMMARY AND CONCLUSION:

The Council of the City of Welland approved funding in the amount of \$65,000 for the summer concert series but no funds will be transferred as the event was cancelled for 2020. The production of these concerts usually requires additional revenue to cover other production expenses. Community organizations and groups who have produced the concerts in the past have typically raised additional revenue from advertising, sponsorships, and donations from "pass the hat" at each of the concerts. This year, an individual, who requested anonymity, donated \$30,000 to the Downtown BIA (awarded Proponent) to assist with concert production expenses. This is another source of revenue that will be included in their year-end financial report to the City.

ATTACHMENTS:

Resolution No. 2020-08

Purchase Order 2020-00039

RFP19-19 2020 Concert Series Proposal



RESOLUTION

RESOLUTION NO. 2020 -08

MOVED BY: Speck

SECONDED BY: Chlocchio J.

THAT THE COUNCIL OF THE CITY OF WELLAND awards the 2020 Welland Summer Concert Series to the WELLAND DOWNTOWN BIA for a two (2) year contract (2020 and 2021); and further

THAT Welland City Council approves that up to \$65,000 inclusive be provided for 2020 Welland Summer Concert Series; and up to \$65,000 inclusive be provided for 2021 Welland Summer Concert Series.

COUNCILLORS	YEAS	NAYS
LAROUCHE		
GREEN		
SPECK		
CHIOCCHIO		
MCLEOD		
DIMARCO		
RICHARD		
GRIMALDI		
SPINOSA		
FOKKENS		
MOOTE		
VAN VLIET		
MAYOR CAMPION		

(Councillor Spinosa disclosed an interest in this matter, and did not take part in the consideration and discussion of same and refrained from voting thereon, as his business may be a sponsor of the event).

PRESENTED TO
COUNCIL

JAN 2 1 2020

CITY OF WELLAND

CARRIED

LOST

NOT PUT

17 | **REQUEST FOR PROPOSAL #RFP19-19**

2020 CONCERT SERIES PROPOSAL

SECTION 4 SPECIFICATIONS AND REQUIREMENTS**4.1 OBJECTIVES****4.1.1 Purpose/Introduction**

The City of Welland is seeking to retain the services of a qualified and experienced proponent to produce and manage a Summer Concert Series at the Merritt Park Amphitheatre on behalf of the City for the 2020 season; with option to extend to the 2021 season. The Summer Concert Series consists of a minimum of nine FREE events held throughout the summer months.

4.1.2 Background

The City of Welland has a history of providing and supporting quality family entertainment for its residents and surrounding community. Concerts held on the Floating Platform and Amphitheatre at Merritt Park have been a unique and attractive outdoor performance/special event experience for performers and audience alike. With seating for up to 750 people in amphitheatre and estimated additional 1200 people through grass and bleachers, it is the location of choice for many summer festivals in Welland.

During public consultation experiences, residents have expressed a strong desire to see more festivals and special events taking place in the community, while also strengthening and supporting existing ones. Welland's concert series, festivals and events provide an opportunity for residents to gather while serving as important platforms to celebrate local culture, heritage, talent, and achievements. The Welland Concert Series are an important part of the City's identity. The City of Welland has demonstrated its commitment to supporting the summer concert series, while also offering support through funding and logistical resources.

4.1.3 Scope of Services

Council has provided direction to allocate \$40,000 to Recreation & Culture 2020 operating budget to fund a summer concert series.

The City of Welland also agreed to provide \$25,000 in-kind services in addition to the approved funding.

The intent of the Request for Proposal (RFP) process is to award a contract to plan, coordinate, promote and execute all aspects of the Series for the year 2020 with an option to extend for one additional year, 2021.

The awarded proponent/producer will provide a turn-key operation including but not limited to the following:

1. Contracting quality talent appropriate for a family friendly concert series that will have a high degree of appeal to a wide segment of the community. The Producer shall be solely responsible for any and all compensation that may be due to artists/performers and other performance related expenditures.
2. Marketing and advertising each event through all available media channels in order to maximize potential attendance. All Marketing media will require approval by City Staff and will include the City of Welland logo where applicable.
3. Providing all necessary and required on-site management and staff to set up, deliver and clean up/tear down for each concert; a staff roster for each event must be provided to the City's Recreation and Culture staff.
4. Providing all show related equipment, such as backline, sound equipment, lighting, other stage decorations and showpieces, and related logistics as required.

18 | REQUEST FOR PROPOSAL #RFP19-19**2020 CONCERT SERIES PROPOSAL**

5. The Producer may sell food and beverage and other merchandise or contract with a third party (ies) to do so upon written approval by City Staff. The Producer will act as liaison between the event vendors (food and products); and the City of Welland which must approve all event vendors. Food trucks must abide by City regulations and be authorized by City Staff. The Producer will ensure that all vendors comply with all applicable local, region and provincial laws and event policies; and that all required licenses and permits are obtained in a timely manner. All food, beverages and other merchandise sold or kept for sale will be of high quality and conform to all applicable laws, ordinances and regulations. The Producer may sell alcoholic beverages at its events with the written permission of the City; and upon submitting the required applicable provincial licenses for the selling of alcoholic beverages. The sale or consumption of beverages from glass containers is prohibited.

Note: A Special Occasion Permit (SOP) is required if alcohol is to be served. Permit detail can be obtained <https://www.agco.ca/alcohol/special-occasion-permit-sop-faqs>

6. Dispose of all refuse and garbage generated by the events, which may include hiring City or third party vendor or contractor to clean facility during and after the event. Trash receptacles are available for a rental fee through the City.

7. For your information, Government (provincial and federal) Grant Applications may be pursued as potential assistance to funding efforts. The following are links to both Ontario and Canada sites:

<https://www.grants.gov.on.ca/GrantsPortal/en/OntarioGrants/GrantOpportunities/OSAPQA005140>

<https://www.canada.ca/en/canadian-heritage/services/funding.html>

4.1.4 Location**Amphitheatre and Floating Stage: THE VENUE**

- Where:
 - Located in Merritt Park
 - 115 King Street, Welland Ontario Canada, L3B 4C4
- Opened:
 - in 2009
- Intended use:
 - To serve as permanent seating and floating platform for a multitude of local event performances including musical, theatrical and educational experiences to name a few
- Capacity:
 - 750 permanent seats
 - 600 – 750 temporary seats on bleachers (available for rental fee from City)
- Accessibility:
 - Wheelchair accessible
- Limitations:
 - Unknown
- Park access:
 - Yes
- Stage lighting & sound, curtains
 - Not provided
- Hydro
 - CamLock System at Merritt Park - The City will have staff on site to unlock the box. The event organizer will have access to the electrical plugs; however, if the unit needs to be hard-wired, the electrician must be provided by the event organizer.

19 | REQUEST FOR PROPOSAL #RFP19-19**2020 CONCERT SERIES PROPOSAL**

- Hydro outlets are located onsite for concession etc.



It shall be noted that the proposed concert series shall be done at no cost to it patrons.

4.2 SCOPE/CONSTRAINTS**General Requirements**

Proponent would be responsible for delivering the following core activities for each concert in the series:

- a) Artistic Directorship
 - Artistic vision of the music series within the following parameters: family-focused programming to include a diversity of genres and will include showcasing of local performers.
 - Provision of a Master of Ceremonies, which includes without limitation, making all necessary announcements, ensuring that the Events start on time, answering any questions, and keeping the performances timely and organized.
- b) Community engagement – attracting and building participation of local musicians
- c) Administration and Personnel Management - development and management of performer, technician, stage management and other contractors, as applicable
- d) Financial Management - budgeting, managing cash flow, financial reporting
- e) Business Management - venue booking, staging of concerts (including supplying lighting and sound equipment)
- f) Fundraising and Sponsorship - solicitation of sponsorships and/or donations to potentially grow and/or enhance the concert series
- g) Promotions - marketing and publicity
- h) Audience Services - guest experience management

20 | REQUEST FOR PROPOSAL #RFP19-19**2020 CONCERT SERIES PROPOSAL**

- i) Emergency Preparedness – create a comprehensive plan and strategy in compliance with expectations and policies of Welland Fire & Emergency Services as well as City of Welland policies.
- j) SEART Process – Participation and active engagement with the City's Special Events Application Review Team (SEART). The team is designed to bring all key stakeholders into a discussion with the event organizer to share information, requirements and regulations, emergency planning, site maps and other key details among the group. The SEART process greatly enhances the planning process for all Special Events in Welland and will be the key channel through which the Event Organizer will interact with the City on an operational level.

4.3 SCOPE OF WORK AND SUBMISSION REQUIREMENTS

Proponent submission requirements are as follows.

1. Provide excellent communication with the City staff via e-mail, telephone, and in-person meetings on an as-needed basis;
2. Provide proper event outlines/plans for City staff approval;
3. Abide by the City's municipal code, safety standards and park rules, including working with City staff, emergency personal and safety personnel on the emergency operation plan, and procedures;
4. Designate the primary contact and describe the current responsibilities of the individual designated;

At a minimum, the Contractor is expected to provide an Event Manager to be present for the entirety of each Event ("Event Manager"). The Event Manager shall be responsible for coordinating all activities throughout each Event.

At each Event, the Event Manager will be responsible for the following:

- Managing the Event, including without limitation, managing the set up and teardown of equipment;
 - Arrangement and/or management of all stage equipment including without limitation, sound and lights;
 - Cleaning the Amphitheatre area free from garbage and debris that may be left following each event;
5. Proponent shall provide a detailed outline of the number of concert Events planned for the Summer Concert Series;
 - The City is seeking a minimum of nine (9) concert events for the 2020 season.
 6. Proponents shall demonstrate a variety of concert genres that appeal to the broader community;
 7. Proponents shall acknowledge that their proposed concert series will be provided to patrons at no charge;
 8. Staffing for events; it is well demonstrated that staffing for events will be required. Proponents shall detail their ability to produce and maintain suitable staff/volunteer resources for each event;
 9. Proponents shall demonstrate and detail their funding model; For example; Profit vs Cost Neutral. Note: If the Proposal is seeking a Municipal Grant, the City may approve a grant up to \$40,000.
 10. Proponent funding the Summer Concert Series through **sponsorship**, shall demonstrate and detail their funding model. Any grant shall be subject to the City's Annual Budget approval process, and also include a "Sponsorship Strategy"; For example; Profit vs Cost Neutral. Note: If the Proposal is seeking a Municipal Grant, the City may approve a grant up to \$40,000.

21 | REQUEST FOR PROPOSAL #RFP19-19**2020 CONCERT SERIES PROPOSAL**

11. The venue is capable of hosting vendors, such as food services and licensed events. Indicate in your proposal your plans to (or not to) incorporate additional vendors, such as food services; licensed events; or/and other;
12. Proponent who intend to solicit additional vendors shall detail, how they intend to solicit, support and maintain the vendors; See schedule "E".
13. The venue does not have permanent washroom facilities. In Kind City Services to include provision of washroom facilities for each event.

4.4 PROPOSAL FORMAT

Evaluation of proposals is made easier when Proponents respond in a similar manner. The following format should be followed to provide consistency in Proponent response.

- **TITLE PAGE**

Show RFP number and title, the Proponent's name and address, closing date and time, Proponent's telephone number, contact person and email address.

- **TABLE OF CONTENTS**

Include page numbers.

- **LETTER OF INTRODUCTION**

The Proponent must provide a brief company profile. Additional information may be required during the evaluation process.

- **EXECUTIVE SUMMARY**

Include a short one or two page summary of the key features of the proposal.

- **PROPONENT'S RESPONSE**

Response to Specifications and Requirements as per Schedule "A" is to be completed.

- **PRICING**

Pricing sheet to be completed and submitted along with any other pricing information

- **SCHEDULES**

Complete and provide signature where required to all applicable Schedules and documents.

4.5 AODA STANDARDS OF ACCESSIBILITY COMPLIANCE

Information and communications (without limitation, documents, materials and presentations) provided to the City as part of the Deliverables, which shall be posted to the City's website shall be provided in an AODA compliant format, specifically without limitation, meaning that the said documents must conform to World Wide Web Consortium Web Content Accessibility Guidelines (WCAG) 2.0 Level AA.



City of Welland
60 East Main Street
Welland ON L3B3X4

Purchase Order	
Purchase Order No.	PO2020-00039
Date	06/03/2020
	PAGE 1 OF 2

Vendor:

WELLAND DOWNTOWN BUSINESS IMPROVE
MENT AREA

Ship To:

60 East Main Street
Welland Ontario L3B3X4

Contract Number:

^ Changed Since the Previous Revision

Shipping Method		Payment Terms		Confirm With			Page	
		Net 30					1	
L/N	Item Number	Description	Req. Date	U/M	Ordered	Unit Price	Ext. Price	
Shipping Method		Reference Number		FOB				
1		PRODUCE AND MANAGE CONCERTS ON CANAL 2020	06/03/2020	Each	1.00	\$40,000.00	\$40,000.00	
2		IN-KIND SERVICES PROVIDED BY CITY OF WELLAND VALUE \$25,000						
<p>PROPOSED 2020 CONCERT DATES:</p> <ul style="list-style-type: none"> FRIDAY, JUNE 26TH, 2020 FRIDAY, JULY 10TH, 2020 FRIDAY, JULY 17TH, 2020 FRIDAY, JULY 24TH, 2020 FRIDAY, AUGUST 7TH, 2020 FRIDAY, AUGUST 14TH, 2020 FRIDAY, AUGUST 21ST, 2020 FRIDAY, AUGUST 28TH, 2020 DATE TBD - SATURDAY CHILDREN'S MATINEE <p>1. The Services will also include any and all other tasks which have been agreed upon, inclusive of any additional services upon which the Parties may agree. The WELLAND DOWNTOWN BIA hereby agrees to provide the following Services to the City:</p> <ul style="list-style-type: none"> a) In partnership with Production Service Industries (PSI Niagara); b) Hire and manage all talent for the duration of the 2020 Summer Concert Series and look after requested hospitality; c) Market the 2020 Summer Concert Series; d) Solicit and contract food vendors – oversee this operation for the duration of the 2019 Summer Concert Series' e) Hire security for the 2020 summer concert series; f) Make reasonable efforts to solicit sponsorships for the 2020 Summer Concert Series; g) Work with and Engage the Downtown Businesses; h) Coordinate Volunteers; i) Organize community donation bucket pass; j) Ensure 3rd party payments are covered; k) Apply for grants that may become available; l) Work with City to attend to all refuse cleanup detail. m) Ensure sufficient type and amount of insurance is obtained for Sound Company, Entertainers, Vendors and all other subcontractors associated with and for the duration of the 2020 Summer Concert Series that meets City requirements. 								

Subtotal	\$40,000.00
Trade Discount	\$0.00
Freight	\$0.00
Miscellaneous	\$0.00
Tax	\$0.00
Order Total	\$40,000.00

All chemicals and materials used in the alteration or operation of the drinking water system that come into contact with water within the system shall meet all applicable standards set by both the American Water Works Association ("AWWA") and the American National Standards Institute ("ANSI") safety criteria standards NSF/60, NSF/61 and NSF 372.

Authorized Signature



City of Welland
60 East Main Street
Welland ON L3B3X4

Purchase Order	
Purchase Order No.	PO2020-00039
Date	06/03/2020
	PAGE 2 OF 2

Vendor:

WELLAND DOWNTOWN BUSINESS IMPROVE
MENT AREA

Ship To:

60 East Main Street
Welland Ontario L3B3X4

Contract Number:

^ Changed Since the Previous Revision

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		Net 30					2																																																																									
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Shipping Method		Reference Number		FOB																																																																												
<p>IN KIND SERVICES</p> <p>The City will provide the following:</p> <p>a) In collaboration with the BIA and pending availability, City staff (Recreation and Culture Department), will assist with 2020 Summer Concert Series cross promotion, organization of volunteers, and set-up;</p> <p>b) Completion of any repairs that may be required regarding the floating platform amphitheater, seating area, surrounding area and Merritt Park;</p> <p>c) A walk audit by City staff together with the WELLAND DOWNTOWN BIA to ensure that the floating platform amphitheater, seating area, surrounding area and Merritt Park are in agreeable and reasonable conditions before the 2020 Concert Series starts;</p> <p>d) Washroom facilities that would accommodate the number of attendees including an accessible washroom and hand washing station;</p> <p>e) Twenty-five thousand dollars (\$25,000.00) of in-kind services to the WELLAND DOWNTOWN BIA to include:</p> <p>i) portable washroom facilities for each 2020 Concert Series date as listed previously in this memo.</p> <p>ii) provide operational, safety and maintenance support during the 2020 Summer Concert Series.</p> <p>iii) the following items:</p> <table border="0"> <tr> <td>Amphitheatre w/ hydro</td> <td>Qty:</td> <td>1</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Barricades</td> <td>Qty:</td> <td>8 - 12</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Portable Restroom, unisex</td> <td>Qty:</td> <td>8</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Portable restroom, accessible</td> <td>Qty:</td> <td>1</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Hand wash station</td> <td>Qty:</td> <td>1</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Garbage drums</td> <td>Qty:</td> <td>7 - 12</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Tables, Folding</td> <td>Qty:</td> <td>6 - 8</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Bleachers w/ delivery</td> <td>Qty:</td> <td>If available/if required</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table>									Amphitheatre w/ hydro	Qty:	1							Barricades	Qty:	8 - 12							Portable Restroom, unisex	Qty:	8							Portable restroom, accessible	Qty:	1							Hand wash station	Qty:	1							Garbage drums	Qty:	7 - 12							Tables, Folding	Qty:	6 - 8							Bleachers w/ delivery	Qty:	If available/if required						
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Subtotal	
Trade Discount	\$0.00
Freight	\$0.00
Miscellaneous	\$0.00
Tax	\$0.00
Order Total	

All chemicals and materials used in the alteration or operation of the drinking water system that come into contact with water within the system shall meet all applicable standards set by both the American Water Works Association ("AWWA") and the American National Standards Institute ("ANSI") safety criteria standards NSF/60, NSF/61 and NSF 372.

Authorized Signature

COUNCIL
CORPORATE SERVICES
FINANCE DIVISION

APPROVALS	
GENERAL MANAGER	
TREASURER	
CAO	

REPORT FIN-2020-14
JULY 7, 2020

12-142

SUBJECT: MUNICIPAL MOBILE SMARTPHONE HARDWARE AND SERVICES

AUTHOR: ADAM BERES
MANAGER OF FLEET, EQUIPMENT & PURCHASING

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

RECOMMENDATIONS:

THAT THE COUNCIL OF THE CITY OF WELLAND accepts the renewal proposal of Bell Mobility Inc. for Municipal Mobile and Smartphone Hardware and Services for a period of 48 months from contract execution; and further

THAT Welland City Council directs the Clerk to prepare all necessary By-laws to enter into a contract with Bell Mobility Inc. for the provision of Mobile and Smartphone Hardware and Services from 2020 to 2024 inclusive, featuring a minimum pre-tax estimated savings of \$25,085 per year compared to our current negotiated offering.

ORIGIN AND BACKGROUND:

The City of Welland has utilized the services from Bell Mobility Inc. since 2009. The current agreement starting in 2016 expires August 2020. Though Rogers is currently the Vendor of Record for the province of Ontario through a competitive bid process, Bell has matched these rates to remain competitive.

COMMENTS AND ANALYSIS:

In 2020, the Ministry of Government Services (MGS) awarded the provision of cellular phone network and data services to Rogers as the Vendor of Record (VOR) for a term of 2020 to 2022.

The City requested a renewal proposal for Mobile and Smartphone Hardware Services from Bell as a comparison which revealed the rate schedule matches the Ontario VOR offering from Rogers. With Bell, a four-year term is available vs the Rogers offering of two years.

During the comparison, staff reviewed both carriers' future implementation of 5G network service within the City of Welland. Through internal discussions and considering the ongoing implementation of our asset management mobile needs, 5G connectivity will not be a requirement within this 48-month term and therefore was not a strong consideration for this recommendation.

Although Rogers is the chosen supplier for many government bodies, Bell answered the call by matching the Ministry of Government Services price schedule to provide an attractive alternative.

The rates and savings projection below is based on cost of data and network access, and is not inclusive of replacing mobile devices when required. To maximize the savings potential, the City of Welland must replace devices ONLY when required, not for the sake of an upgrade.

Staffing within Information Services will be required to review device procurement on a per-case basis. The hardware discount from list pricing will remain at 65%, the same as the Rogers offering.

There is a need for compatibility of goods as Civic Square is equipped with Bell cellular device amplifiers to ensure adequate signal is within the facility. The Ministry of Government Services has completed the competitive bid process and Bell has matched the rates to compete with the outcome.

Bell Mobility Inc. utilizes the services of Cellular Solutions and Wireless Personal Communications Inc. (WPCI) as their dealers for corporate contracts for hardware supply. Over the past term, both vendors have been responsible, responsive, and experienced at facilitating the City's needs.

FINANCIAL CONSIDERATION:

Through this procurement process, the City was successful at securing reduced pricing over the next four (4) year term. This reduced plan from Rogers is only available for a two (2) year term.

Estimated Savings Projection – Pricing shown excludes taxes

Year	Bell Network Access Data and Phone		Year	Rogers Network Access Data and Phone – Ministry of Government Services
	Current Costs	Proposed Costs		Proposed MGS Rate
1	\$ 79,523	\$ 54,439	1	\$ 54,439
2	\$ 79,523	\$ 54,439	2	\$ 54,439
3	\$ 79,523	\$ 54,439	3	-
4	\$ 79,523	\$ 54,439	4	-

Total \$ 318,092 \$ 217,756
Forecasted four years cost containment savings: (\$100,336)

Cost for replacement accessories, accidental damage, and any product upgrades are in addition to these indicated amounts.

The current Agreement expires August 2020. The proposed term will commence October 2020.

OTHER DEPARTMENT IMPLICATIONS:

Authorization of hardware purchases will remain with Information Services.


SUMMARY AND CONCLUSION:

THAT THE COUNCIL OF THE CITY OF WELLAND directs the Clerk to prepare all necessary By-laws to enter into a contract with Bell Mobility Inc. for the provision of Mobile and Smartphone Hardware and Services from 2020 to 2024 inclusive.

ATTACHMENTS:

None.

COUNCIL
CORPORATE SERVICES
FINANCE DIVISION

APPROVALS	
GENERAL MANAGER	
CFO	
CAO	

REPORT FIN-2020-16
JULY 7, 2020

SUBJECT: APPLICATION FOR TAX WRITE-OFFS - SECTIONS 357/358

**AUTHOR: JANET FERLAND,
TAX SPECIALIST**

**APPROVING
SUPERVISOR: MICHAEL LOSTRACCO, CPA, CMA
REVENUE SERVICES MANAGER**

**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 approves the write-off of taxes in the amount of \$31,985.33 as contained in Report FIN-2020-16 for the reduction or cancellation of taxes, pursuant to Sections 357 and 358 of *The Municipal Act, 2001*.

ORIGIN AND BACKGROUND:

Sections 357 and 358 provide for the cancellation, reduction or refund of taxes for conditions such as demolition, fires, class changes, errors, etc.

COMMENTS AND ANALYSIS:

Throughout the year, properties experience situations which may lead to assessment reductions. Property owners then file appeals to the Municipal Property Assessment Corporation (MPAC).

Some of the common reasons a property may experience a reduction under Sections 357 and 358 are as follows:

- ***Became Exempt*** – This situation occurs when a property is purchased by an organization that is exempt from property taxes. (City, Region, School Board)
- ***Gross or Manifest Error*** – Error or change to assessment roll by MPAC which may result from a clerical or factual error, such as transposition of figures, typographical error or creation of roll in error.

- **Demolition** – Property or part of property demolished.
- **Fire** – Property or part of property destroyed by fire.
- **Ceased to be liable to be taxed at rate it was taxed** – As a result of a change of event during the taxation year such as change in the use of land; an act or omission resulting in land ceasing to be in a class of property; a property is eligible to be reclassified in a different class of real property eg. Commercial to Residential.

Recommendations contained in the report are those approved by MPAC.

Appellants requesting adjustments other than those recommended in the report:

**have the right to appeal directly to the A.R.B. (Assessment Review Board)
within 35 days after Council makes its decision.**

Subsequent to Council approval, notices of decision are mailed to applicants advising them of reduction or cancellation granted and status of the tax account.

FINANCIAL CONSIDERATION:

In the normal course of operations, the City processes two or three groups of 357/358 applications throughout the year. The funds allocated in the tax write-off account accommodate these adjustments.

OTHER DEPARTMENT IMPLICATIONS:

Not applicable.

SUMMARY AND CONCLUSION:

Approving the write-off of taxes in the amount of \$31,985.33 as contained in Report FIN-2020-16, is pursuant to Sections 357 and 358 of *The Municipal Act, 2001*.

ATTACHMENTS:



Appendix I – Application to the Council for Adjustment of Taxes for the City of Welland Under Sections 357/358 of *The Municipal Act, 2001*

2020 Tax Write Offs

Available Balance as of July 7, 2020

Total Tax Write-Off Budget 2020	52043	(717,220.00)
Total Tax Write-Off Budget 2020	52044	(880,000.00)
Less: Recoveries (Region & School Board)	52046	<u>1,033,000.00</u>
Total City Portion Write-Off		(564,220.00)
Total Report FIN 2020-16 (\$31,985.33)		
Total Report FIN 2020-16 City Portion		(12,136.73)
Previous Write-offs to date		(248,091.24)
Net Available Tax Write-Off Budget - City Portion		<u>(303,992.03)</u>

COUNCIL
CORPORATE SERVICES
TRANSIT DIVISION

APPROVALS	
GENERAL MANAGER	
CFO	
CAO	

20-13

REPORT TRANS-2020-03
JULY 7, 2020

SUBJECT: TRANSIT JOINT PROCUREMENT AGREEMENT

AUTHOR: DAVE STUART, TRANSIT MANAGER

**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 receives report TRANS-2020-03 – Transit Joint Procurement Agreement; and further

THAT Welland City Council approves the Agreement as outlined within this report.

ORIGIN AND BACKGROUND:

Metrolinx, which is the managing and planning organization for GO Transit has created a program to assist municipalities with the procurement of buses. This Metrolinx program is referred to as the Joint Procurement Initiative. Municipalities interested in participating in this voluntary program would enter into an Agreement with Metrolinx, who then assist with the Requests for Proposals process based on input from participating transit agencies. The intent of the initiative is to pool orders for buying power, share technical expertise, and ensure enhanced build quality control through in-plant inspections. Although Welland Transit is not procuring any conventional buses in 2020, the Agreement with Metrolinx will be for the next four years and thus, will be of value when purchasing buses until the end of 2024.

COMMENTS AND ANALYSIS:

The Metrolinx Transit Procurement Initiative was created to leverage knowledge and economies of scale for the benefit of municipalities when procuring rolling stock for their public transportation systems. To partake in this initiative, the City would be required to enter into a Governance Agreement with Metrolinx. This Agreement outlines the roles and obligations of the partners and facilitates participation on a Steering Committee. This Steering Committee enables the participants to have input throughout the procurement process, from reviewing the technical specifications through to selecting the most qualified supplier.

The primary advantages of the Joint Procurement Initiative are:

Economies of Scale – Municipalities are benefitting from the buying power of the collective order.

Administration Savings – One single request for proposals is developed and managed for the benefit of all participants.

Project Governance – The establishment of a participant Steering Committee allows all agencies to share the collective expertise of the group.

In Plant Inspections – Participants benefit from in-plant inspections to ensure the build quality of every bus meets specifications and production timelines.

Technical Specifications & Warranties – The collective knowledge of the group ensures the best and latest designs are employed in the build. Further, the most comprehensive warranty practices are offered which enhance coverage and expedite claims.

Of note, although these are great reasons to partake in the initiative, should Welland decide the selected supplier is not the vendor of their choice, Welland Transit can opt out of the program and manage an independent request for proposal.

FINANCIAL CONSIDERATION:

There is a participation fee associated with this Joint Procurement Initiative. This fee is different for each buyer and is established based on the number of buses purchased. Although the overall fee paid by a larger municipality buying more buses would exceed the fee paid by Welland, the percentage paid by Welland per bus would be greater. For example, a purchase of one or two buses has a participation fee rate of 0.9%, while a purchase volume of three to ten buses involves a 0.65% participation fee rate. For Welland Transit, the participation fee would likely be 0.9% and thus, if one bus were purchased for \$600,000, the total fee would be approximately \$5,400. Metrolinx staff have assured the participants this participation fee would not exceed the savings realized through the buying power of the Joint Procurement Initiative.

OTHER DEPARTMENT IMPLICATIONS:

This Joint Procurement Initiative Agreement with Metrolinx would involve staff commitments by Welland Transit, in addition to guidance from our Legal, and Finance personnel.

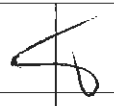
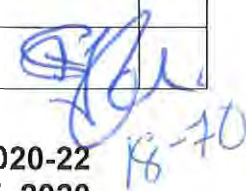
SUMMARY AND CONCLUSION:

This Joint Procurement Initiative Agreement with Metrolinx has been in existence since 2006 and Welland Transit has secured Council support for this Agreement and participated in the program since 2009. As a smaller municipality, the benefits associated with participation in this initiative exceed the participation fee levied by Metrolinx to administer the program amongst many municipalities and the bus manufacturers. Thus, Welland Transit staff recommend Council support this Joint Procurement Initiative Agreement with Metrolinx with the knowledge the City of Welland can opt out of the program at our discretion.

ATTACHMENTS:

N/A

COUNCIL
INFRASTRUCTURE AND DEVELOPMENT SERVICES
ENGINEERING DIVISION

APPROVALS	
GENERAL MANAGER	
CFO	
CAO	

REPORT ENG-2020-22
JULY 7, 2020

SUBJECT: EDGAR/ELGIN SEWER SEPARATION (PHASE 3) – TENDER AWARD

AUTHOR: MATTHEW MAIN, A.Sc.T., E.I.T.
ENGINEERING DESIGN SUPERVISOR

APPROVING MANAGER: SHERRI-MARIE MILLAR, P.ENG.
MANAGER OF ENGINEERING

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

RECOMMENDATIONS:

1. THAT COUNCIL accepts the tender of **Peters Excavating Inc.** in the amount of **\$3,665,186.67** (plus HST) being the lowest of five (5) tenders received for the Edgar/Elgin Sewer Separation (Phase 3); and further
2. THAT Welland City Council approves the extension of **GHD Limited** contract as per RFP17-04 and proposal letter to provide contract administration and construction inspection for the Edgar/Elgin Sewer Separation (Phase 3) in the amount of **\$187,000.00** plus applicable taxes; and further
3. THAT Council directs staff to prepare the necessary by-law and documents to execute the project; and further
4. THAT Council authorizes the Mayor and Clerk to execute all necessary documents to execute the project.

ORIGIN AND BACKGROUND:

The Edgar/Elgin area is one of the older areas of the City and the infrastructure is in need of replacement. Both reports ENG-2014-32 and ENG-2015-28 provided staff with the direction to apply for Small Communities Funding (SCF). The City was successful in obtaining the SCF, specifically twelve million dollars over five years. The SCF funding will cover a maximum of sixty-six percent of the project costs. The City is responsible for the remaining funding.

COMMENTS AND ANALYSIS:

The Edgar/Elgin area is a large drainage catchment (approximately 40 hectares) bounded generally by the Welland River to the south, Chippawa Park to the west, Thorold Road to the north, and Aqueduct Street to the east. Within this area, there are pockets of existing combined sewers requiring separation (by way of new construction of storm and/or sanitary sewers). Additionally, this area is primarily serviced by cast-iron watermains which have reached the end of their life. Replacement will ensure high standards of water quality are met and reduce the frequency of service interruptions due to watermain breaks.

Sewer separation in the Edgar/Elgin area will help move the City closer to city-wide sewer separation. Continuing with sewer separation will result in significant improvements to water quality of the Welland River, reduce the risk of basement flooding, and reduce storm water flows from entering the wastewater treatment plant for unnecessary treatment.

Phase one of this project was substantially complete in January 2020. Phase two of this project is currently under construction and is expected to be completed in the summer of 2020. The balance of the project will be completed in Phase 3.

Phase 3 of the project will consist of the reconstruction of the following streets:

Street	Limits
Edgar Street	Church Street - Northcote Avenue
Weller Avenue	Chippawa Park - Edgar Street
Northcote Avenue	Edgar Street - Niagara Street
Charlotte Court	Northcote Avenue - southern limit
Elmview Street	Edgar Street - Niagara Street

The tender for the works was released on Monday, June 1, 2020 and was publicly advertised and listed with the Niagara and Toronto Construction Associations, and as well, posted with a major Canadian tendering website for two (2) weeks.

Five (5) tenders were received on closing day, Monday June 15, 2020. Submissions have been reviewed for accuracy, and 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	Verified Tender Price (excluding taxes)
Peters Excavating Inc. 3 Cross Street Welland, ON L3B 5X6	\$3,665,186.67
Provincial Construction Ltd. 4382 Montrose Road Niagara Falls, ON L2H 2K2	\$3,785,126.51
Centennial Infrastructure Inc. 353 Townline Road, Niagara on the Lake, ON L0S 1J0	\$3,799,011.00
Alfred Beam Excavating Ltd. 1219 Sunset Drive Fort Erie, ON L2A 5M4	\$3,873,207.95
Catalina Excavating Inc. 913 Mud Street East, Stoney Creek, ON L8J 3C1	\$4,013,113.50

Peters Excavating Inc. of Welland, Ontario, the low tenderer, is an established company in southern Ontario, and has completed similar work for the City and throughout the Niagara Region in the past. Staff has discussed the expectations of the contract with Peters Excavating Inc. and is confident they will perform in accordance to our specifications and standards, and therefore, recommends that the firm be awarded the contract.

Construction is scheduled to start in August 2020 and be completed by spring 2021.

FINANCIAL CONSIDERATION:

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

Phase 1 & 2 Cost Breakdown	Amount
Design including Geotechnical (Committed Cost)	\$362,520.90
Phase 1 Construction (Final Cost)	\$2,115,711.68
Phase 2 Construction (Committed Cost)	\$5,572,507.11
Total Phase 1 & 2 Project Cost:	\$8,050,739.69

Phase 3 Cost Breakdown	Amount
Peters Excavating Inc. Tender Price	\$3,665,186.67
GHD Limited CA and Inspection Price	\$187,000.00
City's Portion of HST (1.76%)	\$67,798.49
Total Phase 3 Project Cost:	\$3,919,985.16

Total Project Cost:	\$11,970,724.85
Approved Capital Budget (2017 – 2020):	\$12,014,499.00

There are sufficient funds in the approved capital budget to fund phase 3 of the Edgar/Elgin Sewer Separation Project.

LINK TO ASSET MANAGEMENT PLAN:

The 2016 Addendum to the City of Welland Comprehensive Asset Management Plan identifies that "infrastructure expenditure needs are in excess of the available revenue. The analysis indicates that the funding gap is approximately \$20 million per year" (page 22).

To mitigate this funding shortfall, the report suggests a number of mitigation strategies including:

1. Actively seeking out and applying for grants;

Road reconstruction, watermain replacement and sewer separation in the Edgar/Elgin area are identified as high priorities in the City's Asset Management Plan. Execution of this project aligns with these priorities.

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:

The Edgar/Elgin project will replace aging infrastructure in a large area of the City. This will improve water quality and pressure, improve stormwater runoff to the river and upgrade the roads to an urban cross-section. This project has received significant funding through the SCF program.


Staff recommends the awarding of a contract to Peters Excavating Inc. for construction and GHD Limited for the contract administration and construction inspection for The Edgar/Elgin Sewer Separation (Phase 3) – Edgar Street, Weller Avenue, Northcote Avenue, Charlotte Court, and Elmview Street tender.

ATTACHMENTS:

Appendix I – Location Plan

APPENDIX I – LOCATION PLAN



 Streets included in Edgar/Elgin Sewer Separation Phase 3

COUNCIL**INFRASTRUCTURE AND DEVELOPMENT SERVICES****ENGINEERING DIVISION**

APPROVALS	
GENERAL MANAGER	
CFO	
CAO	

REPORT ENG-2020-23
JULY 7, 2020

20-75

SUBJECT: 2020 SEWER REHABILITATION / LINING PROGRAM – TENDER AWARD

AUTHOR: MARVIN INGEBRIGTSEN, P.ENG.
INFRASTRUCTURE PLANNING & ASSET
MANAGEMENT SUPERVISOR

APPROVING MANAGER: SHERRI-MARIE MILLAR, P.ENG.
MANAGER OF ENGINEERING

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

RECOMMENDATIONS:

1. THAT COUNCIL accepts the tender of **Clean Water Works Inc.** in the amount of **\$753,330.00** (plus HST) being the lowest of four (4) tenders received for the 2020 Sewer Rehabilitation/Lining Program tender, and further
2. THAT Council directs staff to prepare the necessary by-law and documents to execute the project; and further
3. THAT Council authorizes the Mayor and Clerk to execute all necessary documents to execute the project.

ORIGIN AND BACKGROUND:

Through ongoing annual CCTV (video) inspections and condition rating of sewers it was determined that three (3) sections of sewer on Wright Street and forty-three (43) sections on Niagara Street (between the Welland River & Thorold Road) were ideal candidates for sewer lining. The total length of sewer to be lined is approximately 2,200m (2.2km). Some sections of sewer on side streets directly adjacent to Niagara Street will be lined as well to ensure the integrity of the sewers within the intersections.

Lining these sections of sewers will structurally rehabilitate them, provide a reduction in infiltration/inflow of ground water and extend their service life by approximately 50 to 80 years. As a trenchless technology, lining will also eliminate the need to cut into the new asphalt surfaces of these recently reconstructed/resurfaced roadways. Moreover, lining sewers is a cost-effective rehabilitation alternative, at approximately one third the cost of open cut replacements.

COMMENTS AND ANALYSIS:

A tender with the following scope of work was prepared:

- Lining of 2,200m of sanitary sewers;
- Reinstatement of approximately 180 sanitary sewer lateral connections.

The tender for the works was released on Friday May 15, 2020, publicly advertised, forwarded to the Niagara and Toronto Construction Associations and posted with a major Canadian tendering website for three (3) weeks.

There were four (4) tenders received on closing day, Monday June 8, 2020. Submissions have been reviewed for accuracy, and found to be in compliance with both the City of Welland tender requirements and the provisions of the current Purchasing Policy.

The summary of all the tenders received, excluding tax, is as follows:

Contractor Name and Address	Tender Price (excluding HST)
Clean Water Works Inc. 1800 Brantree Street, Ottawa, ON K1V 5L6	\$753,330.00
Insituform Technologies Limited 3 Buford Road, Hamilton, ON L8E 3C6	\$786,573.00
PipeFlo Contracting Corp. 111 Frid Street, Hamilton, ON L8P 4M3	\$794,245.00
Capital Sewer Services Inc. 401 Vaughan Valley Blvd., Vaughan, ON L4H 3B5	\$1,044,808.00

Clean Water Works Inc. of Ottawa Ontario, the lowest compliant tenderer, is an established company and has been successful with similar work within the Niagara Region, City of Ottawa, and City of Toronto. 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.

Robinson Consulting Inc., a consulting firm from Hamilton that specializes in trenchless sewer work including sewer lining, was retained by the City in the fall of 2019 to update the City's sewer lining specifications. Staff is recommending that Robinson Consulting Inc. be retained to assist with quality assurance and contract administration of the project.

Work on this contract is expected to begin late summer or early fall and be completed by December 1, 2020.

FINANCIAL CONSIDERATION:

A breakdown of the anticipated costs for this project along with the approved project funding is shown in the following table.

Cost Item	Amount
Clean Water Works Inc. Tender Price	\$753,330.00
Contract Administration (Robinson Consulting Inc.)	\$30,000.00
Subtotal (before HST)	\$783,330.00
City's Portion of HST (1.76%)	\$13,786.61
Total Anticipated Project Cost:	\$797,116.61
Approved Project Funding – 10-330-20305 – 2020 Sewer Rehabilitation Program	\$966,152.00

The total anticipated project cost is within the approved project funding amount.

LINK TO ASSET MANAGEMENT PLAN:

Lining sewer sections on Wright Street and Niagara Street align with strategies outlined in the 2015 City of Welland Comprehensive Asset Management Plan (AMP) and 2016 Addendum, specifically but not limited to:

- The replacement or rehabilitation of assets;
- The optimal level of maintenance investment required to optimize the long term costs of the assets;
- Replacement of sewers that have high infiltration rates;
- Optimized life cycle cost (i.e. total operating, maintenance and capital resources) of providing services to residents; and
- Reduced risk exposure to the City and its customers by ensuring that assets are managed in a manner that matches the risk that their failure represents to the delivery of services.

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 Services departments.

SUMMARY AND CONCLUSION:

Staff recommends the award of the 2020 Sewer Rehabilitation / Lining Program contract to Clean Water Works Inc.. The project will include sewer lining of sanitary mains located on Wright Street and Niagara Street (between the Welland River & Thorold Road). Further staff recommends retaining Robinson Consulting Inc. to assist with quality assurance and contract administration for the duration of the project.

ATTACHMENTS:

Appendix A – Wright Street Location Plan
Appendix B – Niagara Street Location Plan

Ontario Rd

Ontario Rd

Ontario Rd

Ontario Rd



note
 All other pipe sections
 on Wright Street
 lined in 2016

NORTH

↑

Pipes to be lined
 Approximate

not to scale



The Corporation of
 The City of Welland




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**2020 Sewer Rehabilitation
 Lining Program**

**Appendix 'A'
 Wright Street**

*Infrastructure and
 Development Services*
 Engineering Division

COUNCILINFRASTRUCTURE AND DEVELOPMENT SERVICESENGINEERING DIVISION

APPROVALS	
GENERAL MANAGER	
CFO	
CAO	

REPORT ENG-2020-24
July 7, 2020

20-48

SUBJECT: WATERMAIN REPLACEMENT 2020 (Part 2) – TENDER AWARD

AUTHOR: MATTHEW MAIN, A.Sc.T., E.I.T.
ENGINEERING DESIGN SUPERVISOR

APPROVING MANAGER: SHERRI-MARIE MILLAR, P.ENG.
MANAGER OF ENGINEERING

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

RECOMMENDATIONS:

1. THAT COUNCIL accepts the tender of **Alfred Beam Excavating Ltd.** in the amount of **\$880,576.00** (plus HST) being the lowest of seven (7) bid submissions received for the Watermain Replacement 2020 (Part 2) project;
2. THAT Council directs staff to prepare the necessary by-law and documents to execute the project; and
3. THAT Council authorizes the Mayor and Clerk to execute all necessary documents to execute the project.

ORIGIN AND BACKGROUND:

The existing watermains on Achilles Avenue, Dover Court, and Ajax Avenue have experienced a very high rate of breakage and leakage. The result is on-going maintenance and repair, disruption of service to ratepayers, increased risk of an adverse water quality result and increased water costs.

Generally, aging cast iron watermains were constructed with thinner walls, variable material quality and antiquated construction standards. As such, these mains are less capable of withstanding the deteriorating effects of both corrosion and frost-heave while approaching and/or exceeding their expected design life.

The opportunity to package these watermain replacements with other priority infrastructure renewals along the same length will maximize construction efficiencies and savings through economies of scale.

COMMENTS AND ANALYSIS:

All linear infrastructure was reviewed on each street and a tender with the following scope of work was prepared:

Street:	From/To:	Infrastructure Replacements:
Achilles Avenue	Dover Rd - Dunkirk Rd	<ul style="list-style-type: none"> • Watermain • Asphalt Surface
Dover Court	Dover Rd - Dover Rd	<ul style="list-style-type: none"> • Watermain • Asphalt Surface • Sidewalk • Concrete Curb & Gutter
Ajax Avenue	Dover Rd - Dunkirk Rd	<ul style="list-style-type: none"> • Watermain • Asphalt Surface • Sanitary Sewer • Sanitary Service Lateral

The tender for the works was released on Monday June 15, 2020 and was publicly advertised and forwarded to the Niagara and Toronto Construction Associations, and as well, posted with a major Canadian tendering website for two (2) weeks.

There were seven (7) tenders received on closing day, Monday June 29, 2020. Submissions have been reviewed for accuracy, 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 follows:

Contractor Name and Address	Tender Price (excluding taxes)
Alfred Beam Excavating Ltd. 1225 Sunset Drive; Fort Erie, ON L2A 5M4	\$880,576.00
Catalina Excavating Inc. 913 Mud Street East; Stoney Creek, ON L8J 3C1	\$897,574.00
Provincial Construction Ltd. 4382 Montrose Road; Niagara Falls, ON L2H 1K2	\$1,019,623.80
Peters Excavating Inc. 3 Cross Street; Welland, ON L3B 5X6	\$1,024,164.40
Alfidome Construction Ltd. 1701 Thorold Townline Tunnel Rd; Niagara Falls, ON L2E 6S5	\$1,063,061.00
Vic Vatr Contracting Ltd. 15 St. George Street; Welland, ON L3C 5N1	\$1,086,787.45
Nexterra Substructures Inc. 7226 Rexinger Road; Niagara Falls, ON L2G 0R9	\$1,088,437.50

Alfred Beam Excavating Ltd. of Fort Erie Ontario, the lowest compliant tenderer, is an established company and has been successful with similar work for the City and other Regional municipalities in recent years. 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.

Work on this contract is expected to begin late summer and continue into the fall.

FINANCIAL CONSIDERATION:

A breakdown of both the cost and funding structures for this project is summarized in the following tables.

Watermain Replacement 2020 – Part 2 – Project Costs	Amount
Watermain Replacement 2020 – Part 2	\$880,576.00
Material Testing and Quality Control (2%)	\$17,611.52
Subtotal:	\$898,187.52
City's Portion of HST (1.76%)	\$15,808.10
Total Anticipated Costs:	\$913,995.62

Project Funding Breakdown	Amount
2020 Cast Iron Watermain Replacement (10-910-20215)	\$628,000
2018 Lead Services Replacements (10-910-18064)	\$82,000
2017 Sewer Rehabilitation (10-330-17075)	\$205,000
Total Approved Funding:	\$915,000

The tender price from the low bidder plus 2% for material testing and 1.76% for the City's portion of the HST is approximately **\$913,995**. There is sufficient funding approved for this project.

LINK TO ASSET MANAGEMENT PLAN:

The 2016 Addendum to the City of Welland Comprehensive Asset Management Plan (AMP) identifies the replacement of subsurface infrastructure in areas with high leakage water mains.

The east wartime area where the Watermain Replacement program is focusing is specifically identified in the Asset Management Plan as a priority.

As per the asset management plan benefits of replacing high leakage water mains include:

- Reduces the amount of unmetered water loss thus freeing up funds to replace additional assets; and
- Restores the hydraulic capacity of the distribution system and increases available fire flow.

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 Services departments.

SUMMARY AND CONCLUSION:

The cast iron watermain servicing the residents of Achilles Avenue, Dover Court, and Ajax Avenue are significantly deteriorated and breaks and leaks are occurring with increased frequency. To address this concern, a tender was released for the replacement of the cast iron watermain including services and appurtenances. that included additional priority infrastructure renewals.

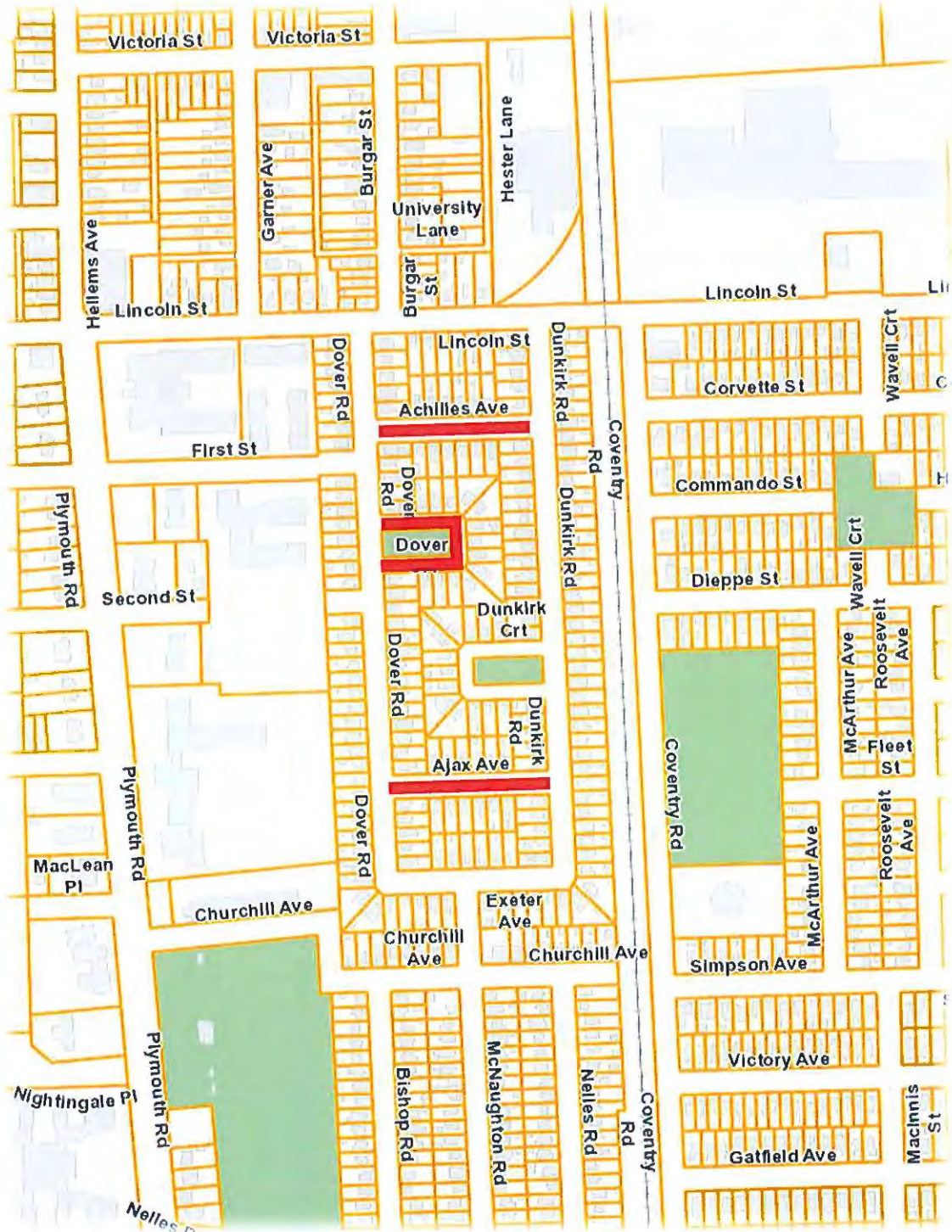
The respective watermain replacements will reduce maintenance, repair and water loss expenditures, the risk of adverse water quality results due to breaks and reduce disruption of service to ratepayers.

Staff recommends the awarding of a contract to **Alfred Beam Excavating Ltd.** to undertake the construction of the Watermain Replacement 2020 (Part 2) project.

ATTACHMENTS:

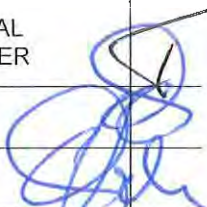
Appendix I - Location Plan

APPENDIX I – WATERMAIN REPLACEMENT 2020 (PART 2) LOCATION PLAN



 Watermain Replacements

COUNCIL
INFRASTRUCTURE AND DEVELOPMENT SERVICES
ENGINEERING DIVISION

APPROVALS	
GENERAL MANAGER	
CFO	
CAO	

049

REPORT ENG-2020-25
JULY 7, 2020

SUBJECT: WELLAND HISTORICAL MUSEUM - RENOVATION REQUEST

**AUTHOR: GAGE STEPHENS
FACILITIES MAINTENANCE MANAGER**

**APPROVING MANAGER: SHERRI-MARIE MILLAR, P.ENG.
MANAGER OF ENGINEERING**

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

RECOMMENDATIONS:

1. THAT THE COUNCIL OF THE CITY OF WELLAND approves the requested renovations at the Welland Historical Museum as set out in its letter of June 3, 2020; and further
2. THAT Welland City Council directs the City Clerk to advise the Welland Historical Museum accordingly.

ORIGIN AND BACKGROUND:

In accordance with the lease agreement between the Welland Historical Museum and the City of Welland (By-law 2006-48), the Welland Historical Museum requests approval to proceed with renovations to the main floor including changes to staff offices and the addition of an accessible washroom and kitchenette. The renovations are noted on the attached architectural drawings that were approved by the museum board on September 25, 2019. This project is anticipated to start in early September, 2020 and be completed by the end of the year.

COMMENTS AND ANALYSIS:

The accessible washroom is crucial for the museum, as they are not currently able to provide this level of accessibility to their patrons. This addition also has the potential to assist staff in securing grants given that accessibility is often a funding requirement. The redesign of the staff offices will provide professional work spaces and separate areas in which to engage with the public. The kitchenette will be a welcome addition for staff.

The following is a general summary of the proposed works:

Office Renovation:

- Removal of existing dividing wall.
- Addition of a door from the adult book section to new, larger staff office.
- Existing walls in the support staff offices to be relocated to provide more functional office space.
- Reinstate paint and aesthetic components.

Accessible Washroom:

- Currently a storage area.
- Addition of a wall will provide a divide between kitchenette and new washroom.
- Two piece fully accessible AODA (Accessibility for Ontarians with Disability Act) washroom to be installed including appropriate plumbing connections.
- Accessible door complete with all required electrical components.
- Reinstate paint and aesthetic components.

Kitchenette:

- New counter top with sink and required plumbing connections.
- New fridge and associated electrical changes.
- Reinstate paint and aesthetic components.

FINANCIAL CONSIDERATION:

The project will be funded by the Welland Historical Museum Board. A breakdown of the funding structure is illustrated in the following table, including HST:

2020 Welland Historical Museum Renovation	AMOUNT (incl. HST)
Office Renovations	\$18,871.00
Accessible Washroom & Kitchenette	\$11,074.00
TOTAL:	\$29,945.00

OTHER DEPARTMENT IMPLICATIONS:

The City's Building Division will oversee the building permit process for the project and carry out inspections in accordance with the Ontario Building Code.

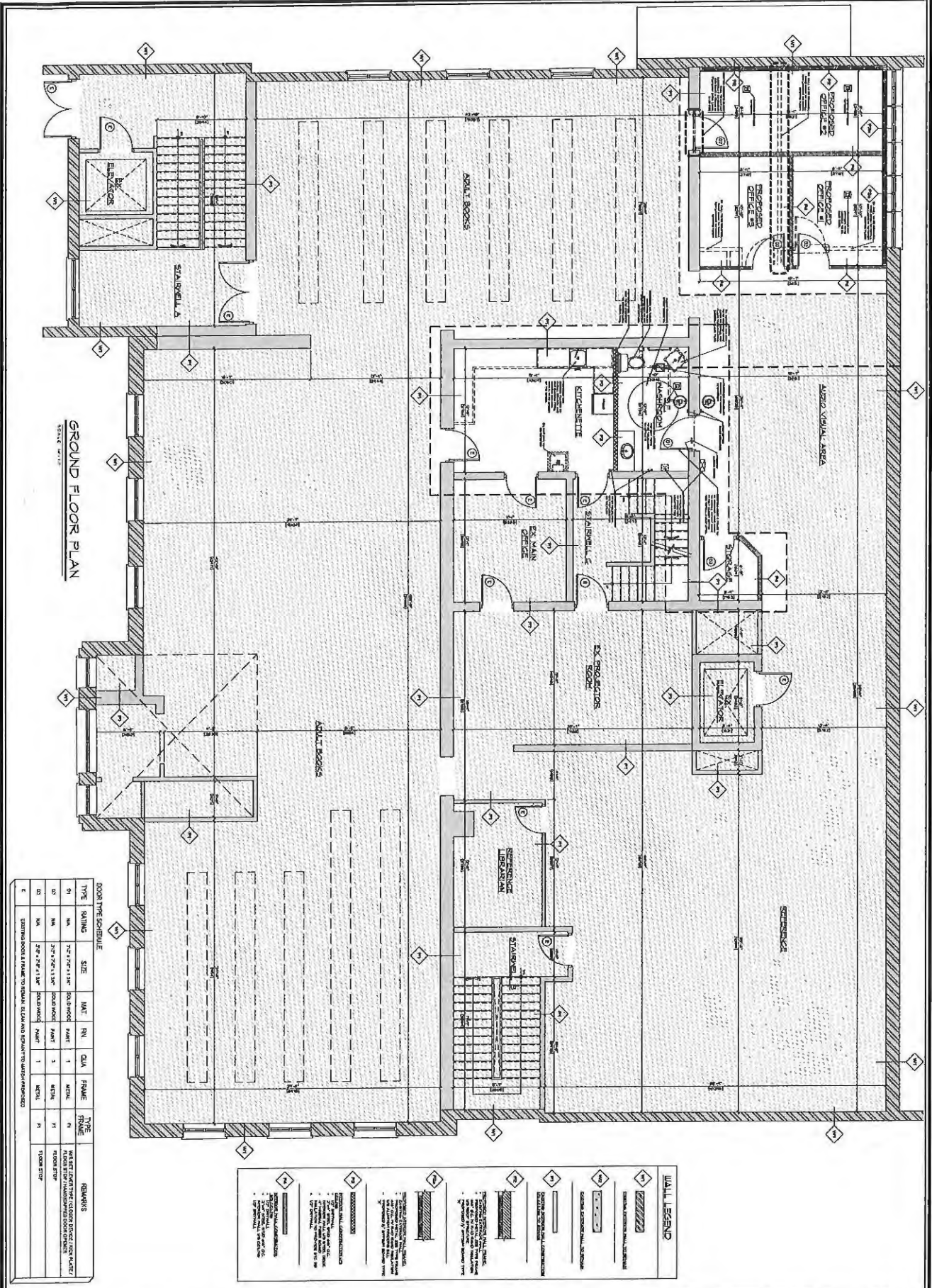
SUMMARY AND CONCLUSION:

The Welland Historical Museum requires renovations to the main floor in order to meet the evolving needs of the community and museum staff.

Staff recommends Council approval of the proposed renovation of office space and the addition of an accessible washroom and staff kitchenette.

ATTACHMENTS:

Appendix 1 - Welland Museum Renovation 2020 – Letter to COW
Appendix 2 - Ground Floor Plan



GROUND FLOOR PLAN

BOOK TYPE SCHEDULE

TYPE	RATING	SIZE	MAT.	NO.	QTY	FRAME	TYPE	REMARKS
01	NA	7 1/2" x 9 1/2" x 1 1/8"	300.00	1	1	METAL	FI	WALL BE LEFT THE EXISTING DOOR LICK PLANT
02	NA	20" x 24" x 1 1/8"	DOOR	1	1	METAL	FI	FLOOR STOP
03	NA	20" x 24" x 1 1/8"	DOOR	1	1	METAL	FI	FLOOR STOP
04	NA	20" x 24" x 1 1/8"	DOOR	1	1	METAL	FI	FLOOR STOP

C EXISTING BOOKS TO BE REMOVED. EXISTING SLIDING DOOR TO MATCH PERMITS.

WALL LEGEND

- 1. EXISTING WALL
- 2. NEW WALL
- 3. NEW WALL WITH GLASS
- 4. NEW WALL WITH GLASS AND METAL
- 5. NEW WALL WITH GLASS AND METAL AND WOOD
- 6. NEW WALL WITH GLASS AND METAL AND WOOD AND GLASS
- 7. NEW WALL WITH GLASS AND METAL AND WOOD AND GLASS AND METAL
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<p>A-03</p>		<p>DATE: _____ DESIGN: _____ DRAWING: _____ SCALE: _____</p>	<p>PROJECT: WELLAND MUSEUM - INTERIOR ALTERATION 140 KING ST., WELLAND, ON</p>	<p>NO. _____ DATE _____ 1 1 MAY 2003</p>	<p>DESCRIPTIONS REVISED FOR PERMITS PLUMBER</p>	<p>ALL DRAWINGS ARE PROPERTY OF DESIGNER AND MUST BE RETURNED UPON REQUEST. DRAWINGS © ARCHITECT OSAMA ABO NASSAR WELLAND, ONTARIO CANADA. REPRODUCTION IN WHOLE OR IN PART IS FORBIDDEN WITHOUT PERMISSION OF DESIGNER. THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION PURPOSES UNTIL APPROVED.</p>	<p>architect OSAMA ABO NASSAR 22 HELLER AVENUE WELLAND, ONTARIO L3B 3A7 TEL: 784-477-8721 FAX: 905-221-7244 E-MAIL: osama@abonassar.com</p>



MUSÉE DE
WELLAND
MUSEUM

June 3, 2020

Good morning Gage

Hope this finds you well.

Thanks for keeping us in the loop regarding construction plans at the Welland Museum.

Just some background on the upcoming renovations. Redesign of the administration offices will provide much needed functionality for staff and a professional working environment in order to engage with the public. Currently these spaces are multi -purpose and do not function as professional office space.

The accessible washroom is crucial for the museum, as we currently are not able to provide this level of required accessibility to our patrons. Lack of accessibility is also a requirement of many of the grants that the museum applies for and is one of the main questions that is covered under 'physical plant' requirements.

We look forward to working with the City of Welland to provide these upgrades and are thankful for your continued support and guidance.

Best regards



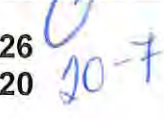
A handwritten signature in black ink, appearing to be 'Greg D'Amico', with a horizontal line extending to the right.

Greg D'Amico, Chair, Welland Museum Board of Directors

Cc: Penny Morningstar

Travers Fitzpatrick

COUNCIL
INFRASTRUCTURE AND DEVELOPMENT SERVICES
ENGINEERING DIVISION

APPROVALS	
GENERAL MANAGER	
CFO	
CAO	

REPORT ENG-2020-26
 JULY 7, 2020

20-79

SUBJECT: GUIDE RAIL REPLACEMENT – TENDER AWARD

AUTHOR: SHERRI-MARIE MILLAR, P.ENG.
 MANAGER OF ENGINEERING

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

RECOMMENDATIONS:

1. THAT COUNCIL accepts the tender of **Peninsula Construction Inc.** in the amount of **\$177,235.00** (plus HST) being the lowest of two (2) tenders received for the Guide Rail Replacement project; and further
2. THAT Council approve the transfer of **\$90,000.00** from the 2016 Road Resurfacing Account (10-320-16021); and further
3. THAT Council directs staff to prepare the necessary by-law and documents to execute the project; and further
4. THAT Council authorizes the Mayor and Clerk to execute all necessary documents to execute the project.

ORIGIN AND BACKGROUND:

Guide rail deficiencies were identified during the 2016 Bridge Appraisals, at both the South Pelham Road and Colbeck Drive bridge structures. In August 2017, Ellis Engineering Inc. was retained to perform professional consulting services for the design and tender preparation of these roadside safety improvements.

New guide rails at these two locations are essential for the safety of vehicles traveling over the respective structures.

COMMENTS AND ANALYSIS:

The tender for the works was released on Monday, June 1, 2020, publicly advertised, forwarded to the Niagara and Toronto Construction Associations and posted with a major Canadian tendering website for two (2) weeks.

There were two (2) tenders received on closing day, Monday June 15, 2020. Submissions have been reviewed for accuracy, and found to be in compliance with both the City of Welland tender requirements and the provisions of the current Purchasing Policy.

The summary of all the tenders received, excluding tax, is as follows:

Contractor Name and Address	Tender Price (excluding HST)
Peninsula Construction Inc. 2055 Kottmeier Road, Fonthill, ON L0S 1E4	\$177,235.00
Royal Fence Limited 2309 Westchester Bourne, Dorchester, ON N0L 1G0	\$231,775.00

Peninsula Construction Inc. of Fonthill Ontario, the lowest tenderer, is an established company and one of only a few companies experienced in the installation of guide rails in the province. They have successfully completed similar work across Ontario and within the Niagara Region. 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.

Work on this contract is expected to begin this summer and be completed by September 25, 2020.

FINANCIAL CONSIDERATION:

A breakdown of the anticipated costs for this project along with the approved project funding is shown in the following table.

Budget Breakdown	Amount
Peninsula Construction Inc. Tender Price	\$177,235.00
City's Portion of HST (1.76%)	\$3119.34
Total Anticipated Project Cost:	\$180,354.34
Available 2017 Capital Budget (10-320-17039):	\$90,391.00
<i>Funding Shortfall (Proposed Transfer from 10-320-16021):</i>	<i>\$89,970.00</i>

The original 2017 budget request was made on the basis of 2016 cost estimates prior to detailed design. As such the current total anticipated project cost exceeds the original 2017 project funding. Therefore, a transfer of \$90,000.00 of surplus monies from the 2016 Road Resurfacing project is recommended to cover the funding shortfall.

LINK TO ASSET MANAGEMENT PLAN:

This guide rail replacement project aligns with strategies outlined in the 2015 City of Welland Comprehensive Asset Management Plan (AMP) and 2016 Addendum, by reducing risk exposure to the City and its customers by ensuring that assets are managed in a manner that matches the risk that their failure represents to the delivery of services.

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 Services departments.

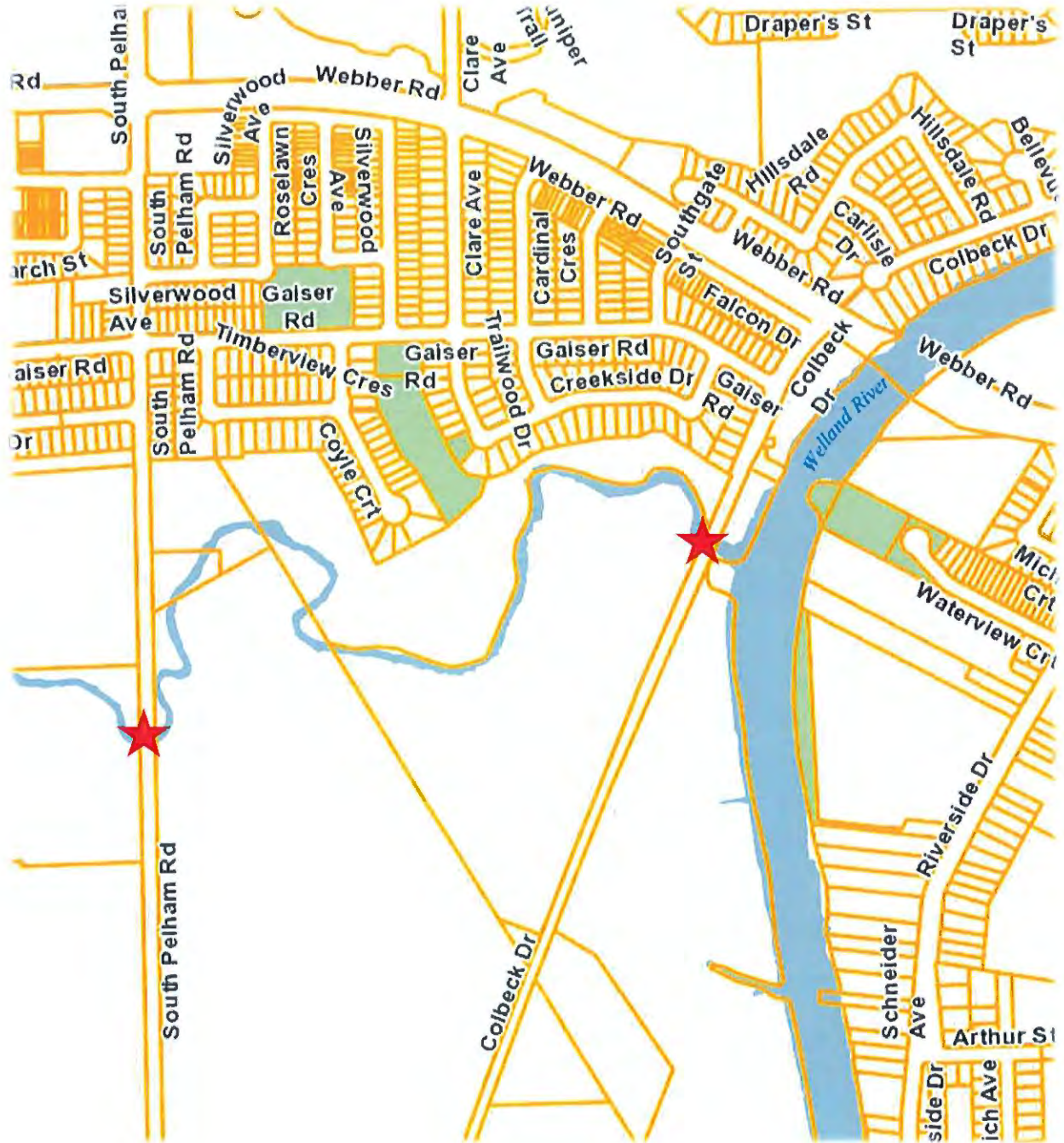
SUMMARY AND CONCLUSION:

Staff recommends the award of the Guide Rail Replacement contract to Peninsula Construction Inc.. The project will include the replacement of new guide rails along both the South Pelham Road and Colbeck Drive bridge structures.

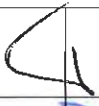


These guide rails are essential roadside safety improvements; therefore, it is further recommended that monies be transferred from the 2016 Road Resurfacing account (10-320-16021) to cover the project budget shortfall.

ATTACHMENTS:

Appendix I - Location Plan



COUNCIL
INFRASTRUCTURE AND DEVELOPMENT SERVICES
ENGINEERING DIVISION

APPROVALS	
GENERAL MANAGER	
CFO	
CAO	

REPORT ENG-2020-27
JULY 7, 2020

99-99

SUBJECT: LINCOLN STREET DOCKS SWIM DOCK – TENDER AWARD

AUTHOR: SHERRI-MARIE MILLAR, P.ENG.
MANAGER OF ENGINEERING

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

RECOMMENDATIONS:

1. THAT COUNCIL accepts the tender of **Stolk Construction Inc.** in the amount of **\$73,540.00** (plus HST) being the only tender received for the Lincoln Street Docks Swim Dock Design and Installation project; and further
2. THAT Council directs staff to prepare the necessary by-law and documents to execute the project; and further
3. THAT Council authorizes the Mayor and Clerk to execute all necessary documents to execute the project.

ORIGIN AND BACKGROUND:

The area commonly known as the Lincoln St. Docks has been a popular unsupervised public swimming location for many years. A dock has been installed in this area on an annual basis by City staff which has seen heavy use between mid-June and the start of September. The size, shape and condition of the existing dock is not well suited for its location or purpose. The dock is near the end of its life and ready for decommissioning and replacement by a new dock system, with a more conducive design and better quality construction to support consistent use each summer.

Adjacent to the area where the new unsupervised swimming docks are proposed for installation is the location of the new Welland Boat Rental Program facility and in the coming months, the general area will officially be renamed Rotary Club of Welland Park.

The initiative to purchase and install new unsupervised public swimming docks in the Lincoln St. Docks location is supported by recommendations #13 and #15 from the Council approved Parks, Recreation & Culture Master Plan, which speak to continued development a leisure zone along the Recreational Waterway and investment in outdoor aquatics and fitness infrastructure.

COMMENTS AND ANALYSIS:

A Request for Proposal (RFP) was released on March 18, 2020 for the design, engineering, and installation of a swim dock system inclusive of shoreline anchoring and water entry ladders at the Lincoln Street Docks location. The RFP was publicly advertised, forwarded

to the Niagara Construction Association and posted with a major Canadian tendering website for three (3) weeks.

Nine (9) firms picked up full RFP documents and a single proposal was received on closing day, Wednesday, April 8, 2020. To ensure that the bidding process was fair and inclusive, non-bid forms were circulated to document takers that failed to submit a proposal. Of the five responses received, non-bidders confirmed that they were either too busy to take on the work and/or the project was not a good fit for their company.

The Proposal submitted was from Stolk Construction Ltd.; it was reviewed for accuracy and found to be in compliance with both the City of Welland tender requirements and the provisions of the current Purchasing Policy.

Stolk Construction Ltd. proposed three (3) decking alternatives for the new dock, specifically pressure treated wood, cedar wood and PVC. The following table compares the decking materials.

CRITERIA	DECKING MATERIAL		
	Pressure Treated (PT) Wood	Cedar Wood	PVC
Cost:	Included in Base Price	Additional \$2,700.00	Additional \$11,340.00
Warranty:	None	None	25-Year Limited Manufacturer
Maintenance:	On-going Stripping/Sealing	On-going Stripping/Sealing	Minimal Staining/Painting Not Required
Life Expectancy:	9-10 Years	9-10 Years	25+ Years
Miscellaneous Pros:	<ul style="list-style-type: none"> Inexpensive. Pressure treated to resist decay & insect damage. 	<ul style="list-style-type: none"> Inexpensive. Naturally resistant to decay & insect damage. Lighter than PT wood. 	<ul style="list-style-type: none"> Rough surface is Anti-Slip. Not too hot in the direct sunlight. Light weight. Doesn't fade. Mold/Mildew Resistant
Miscellaneous Cons:	<ul style="list-style-type: none"> Splits/Cracks & Fades in hot sun Can be Slippery & Hot Heavy 	<ul style="list-style-type: none"> Splits/Cracks & Fades in hot sun Can be Slippery & Hot 	<ul style="list-style-type: none"> Upfront Cost

In consideration of the above criteria, the preferred decking alternative is PVC. Based on the same, Stolk Construction Ltd.'s fee proposal, excluding tax, is as follows:

Contractor Name and Address	Proposal Price (excluding HST)
Stolk Construction Ltd. 11 Petersburg Circle, Port Colborne, ON L3K 5V5	
Base Dock Design and Installation:	\$62,200.00
Upgrade to PVC Decking:	\$11,340.00
TOTAL:	\$73,540.00

Stolk Construction Ltd. is an established company having successfully completed projects across the Niagara Region and within the City. 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.

Work on this contract is expected to be completed this summer.

FINANCIAL CONSIDERATION:

A breakdown of the anticipated costs for this project along with the approved project funding is shown in the following table.

Budget Breakdown	Amount
Dock Design and Installation w/ PVC Decking	\$73,540.00
City's Portion of HST (1.76%):	\$1,294.30
Total Anticipated Project Cost:	\$74,834.30
Available Capital Budget (10-410-20143):	\$100,000.00

There is sufficient approved funding to complete this project.

LINK TO ASSET MANAGEMENT PLAN:

In addition to supporting recommendations within the Parks, Recreation & Culture Master Plan which speak to continued development a leisure zone along the Recreational Waterway and investment in outdoor aquatics and fitness infrastructure, this project aligns with strategies outlined in the 2015 City of Welland Comprehensive Asset Management Plan (AMP) and 2016 Addendum, by reducing risk exposure to the City and its customers by ensuring that assets are managed in a manner that matches the risk that their failure represents to the delivery of services.

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 Services departments.

SUMMARY AND CONCLUSION:

Staff recommends awarding the design and installation of the Lincoln Street Docks Swim Dock to Stolk Construction Ltd, including the proposed decking upgrade to PVC. The new dock is an investment in outdoor aquatics and fitness infrastructure and will replace the existing dock that has reached the end of its service life.

ATTACHMENTS:

Appendix I – Location & Dock Plan

APPENDIX I – LINCOLN STREET DOCKS SWIM DOCK LOCATION & DOCK PLAN



APPROVALS	
GENERAL MANAGER	
CFO	
CAO	

COUNCIL**INFRASTRUCTURE AND DEVELOPMENT SERVICES**

**REPORT P&B-2020-28
JULY 7, 2020**

SUBJECT: REQUEST FOR EXTENSION TO DRAFT PLAN APPROVAL – DAIN CITY SUBDIVISION – DAIN CITY DEVELOPMENTS, NORTH SIDE OF FORKS ROAD, EAST OF CANAL BANK STREET (FILE: 26T-14-06002)

**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**

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND approves an extension to Draft Plan Approval for the Dain City Subdivision (File: 26T-14-06002) for an additional three (3) years to September 6, 2023.

That Welland City Council approves a policy amendment to allow for the Dain City Subdivision to be provided with an Extension to Draft Plan of Subdivision Approval for three (3) years which exceeds the one (1) year extension provided through Policy SER-012-0014.

ORIGIN AND BACKGROUND:

The Dain City Subdivision (File 26T-14-06002), consisting of 65 Blocks for the construction of between 731 and 982 dwelling units, 12 Blocks for parks and open space purposes and 1 Block for a storm water management facility, received Draft Plan Approval on September 6, 2007.

Request for a three year extension was received by the City on June 23, 2020. The request for extension for three years rather than one year was based on the following:

- A comprehensive package has been submitted in support of applications for Official Plan Amendment, Zoning By-law Amendment, and Redline Revision of the Draft Plan of Subdivision to bring lands that are currently identified as a buffer area into developable area of the plan of subdivision. The public process for these applications has not been commenced, and will add time to approval process.
- A number of the studies required as part of the plan of subdivision have been updated as part of the applications for Official Plan Amendment, Zoning By-law Amendment, and Redline Revision. This will also require additional time for the City and agencies to review.
- There is a significant amount of earthworks removal that is required to be completed prior to the submission of a Record of Site Condition to the Ministry of Environment Parks and Conservation for Approval, as well as prior to the development of the subdivision. The soil removal and remediation will take more time than a "typical" earthworks program and so would benefit from the extended extension.

COMMENTS AND ANALYSIS:

City staff received applications for Official Plan Amendment, Zoning By-law Amendment, and application for Redline Revision of the Draft Plan of Subdivision in early March, 2020. The applications submitted propose to include lands that are identified as a 300 metre buffer to the former John Deere lands. These lands were removed in 2007 upon concerns from John Deere that the residential uses would negatively impact their ability to operate on the site. As John Deere is no longer in operation, the request has been made to eliminate the 300 metre buffer area and allow for the residential development of this area. Due to the COVID-19 outbreak, all public processes were put on hold. City staff is only now in the process of beginning to hold public consultations virtually. This unfortunately means that the review of the applications to increase the developable size of the development and the request for extension will not be dealt with at the same time. As such, the redevelopment plan will be presented to Council sometime in the fall of 2020.

Since the request for Draft Plan extension in 2019, there has been considerable movement on the file, including updating the reports and studies that were included as conditions of the original Draft Plan Approval. The applicant continues to work with the City to meet the conditions that were imposed on the development of the property.

The applicants have also applied for incentives under the City's Brownfield Community Improvement Program to start the environmental clean-up of the site. Due to the amount of fill on the property and the area that requires clean-up in order to receive the Record of Site Condition for the property, it will take a

considerable amount of time to get the property 'development ready' as well as to meet conditions of Draft Plan Approval.

The Region of Niagara has been circulated the request for extension of the Draft Plan Approval. No comments have been received at the time of writing this report.

Niagara Peninsula Conservation Authority was circulated the request for extension. No comments have been received at the time of writing this report.

Due to the applications for Official Plan Amendment, Zoning By-law Amendment and Redline Revision of Draft Plan of Subdivision, and the scope of earthen works that need to be completed prior to conditions being approved, City staff are supportive of the request for a three (3) year extension to Draft Plan Approval. A full review of the conditions will be reviewed at the time of Redline Revision.

FINANCIAL CONSIDERATION:

All costs associated with the development of this property will be borne by the Developer.

OTHER DEPARTMENT IMPLICATIONS:

There are no implications to other Departments related to this request for Extension of Draft Plan Approval.

SUMMARY AND CONCLUSION:

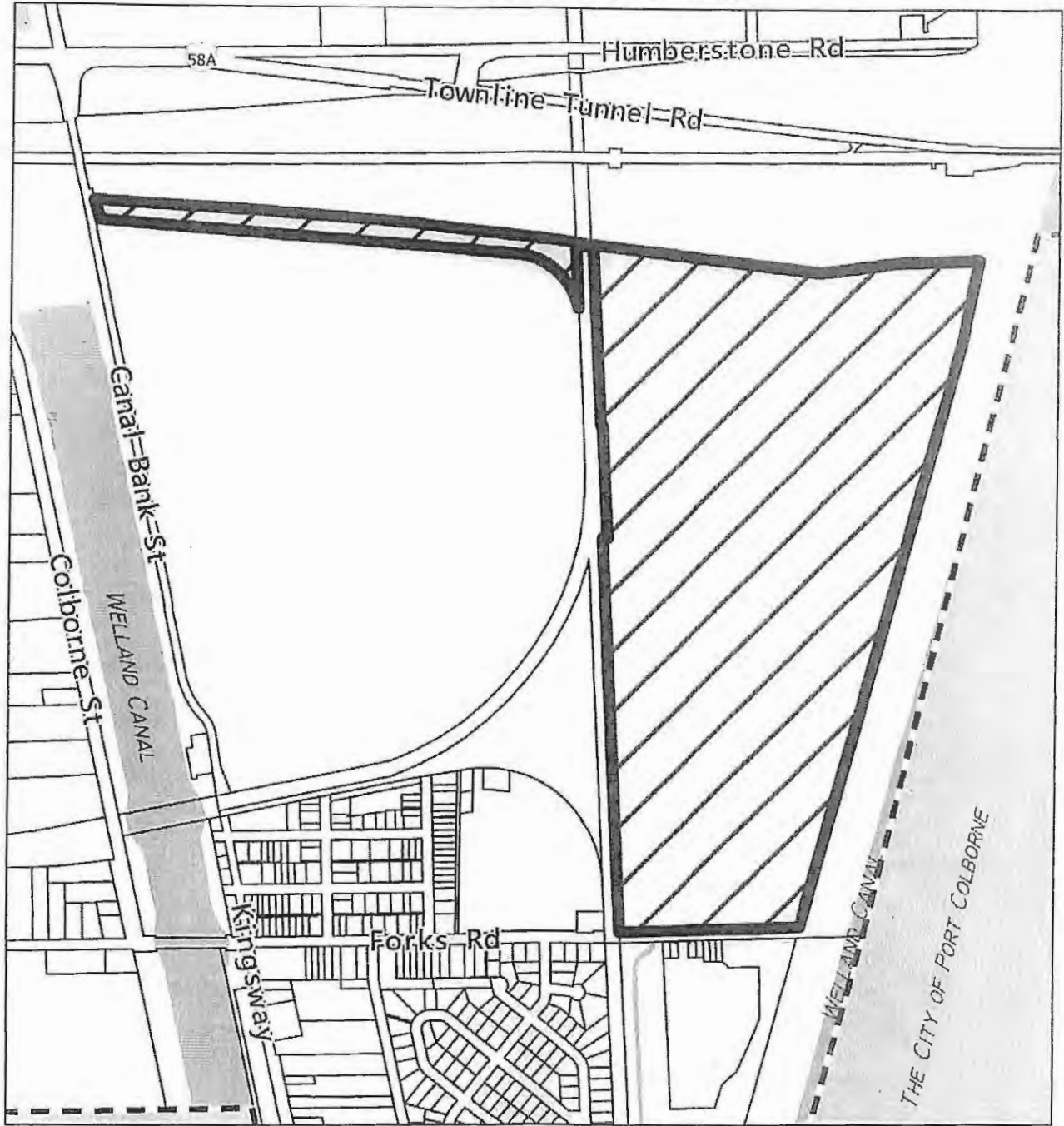
The Dain City Subdivision (File 26T-14-06002), consisting of 65 Blocks for the construction of between 731 and 982 dwelling units, 12 Blocks for parks and open space purposes and 1 Block for a stormwater management facility, received Draft Plan Approval on September 6, 2007.

Staff recommend a three (3) year extension to the Dain City Subdivision Draft Plan Approval to September 6, 2023.

ATTACHMENTS:

- Appendix I - Key Map
- Appendix II - Request for Extension

26T-14-06002



KEY MAP



SUBJECT LANDS



CITY OF WELLAND
INTEGRATED SERVICES
PLANNING DIVISION



June 23, 2020

Rachelle Larocque
Development and Infrastructure Services
City of Welland
60 East Main Street
Welland, ON
L3B 3X4

Attention: Rachelle Larocque, Planning Supervisor

RE: Dain City East Subdivision Plan
City File No.: 26T-14-20002

On behalf of 555 Canal Bank Developments GP Inc., we are requesting a three-year extension of the Draft Plan Approval for the Dain City East Subdivision Plan 26T-14-20002.

On August 6, 2019, the City granted an extension of the Draft Plan approval for the above noted file to September 6, 2020. At this time, we are requesting a 3-year extension of draft plan approval. Since last year a significant amount of work has been completed in support of the approved subdivision. 555 Canal Bank Developments GP Inc. will continue to work towards development of the lands and request a 3-year extension to ensure the approval does not lapse while works continue. We believe that the works completed since last year and the ongoing works including outstanding planning approvals and site preparation warrant a 3-year extension. A more detailed update is provided below:

- A comprehensive (re)submission was made including official plan amendment and zoning by-law amendment applications and a redline revision to the subdivision. The two primary reasons for the new and/or revised submission was (1) a 300m buffer from the former John Deere Manufacturing plant to the west are no longer needed and so a redline subdivision plan was submitted to expand the subdivision lands of those included in the original application (the buffer lands removed after the original submission following discussions with the former John Deere Manufacturing Plant); and (2) to update engineering and other reports to reflect current information including proposed housing form, city engineering standards, data (for example traffic counts), and policy.

- As indicated above, a number of supporting documents were updated (including but not limited to: functional servicing report, stormwater management report, air quality study, noise and vibration study, traffic analysis and planning justification report) ensuring the City has access to the most current and relevant information in support of the proposal.
- A significant amount of earthworks must be completed to (1) remediate certain soils on site and (2) to make grades more suitable to home and road construction. Currently, the site is a large stockpile created during the construction of the new Shipping Canal (to the east of the site). The majority of the stockpile needs to be removed and/or reworked prior to construction. Soil removal and remediation will take more time than a "typical" earthworks program and so would benefit from the requested extension.
- A 3-year extension will allow 555 Canal Bank Developments GP Inc. sufficient time to begin remediation of the site and other earthworks and servicing required prior to registering phase 1 of the approved subdivision. The owner anticipates that earthworks and remediation will begin this summer (2020) following execution of certain agreements between the owner, the City of Welland and Region of Niagara.

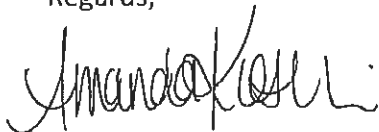
We believe this is an appropriate request knowing how much work has been completed to date and how much work still needs to be done.

We have enclosed the following three cheques representing the required processing fees to accompany our extension request:

- \$14,102.00 made payable to the City of Welland;
- \$ 570.00 made payable to the Niagara Peninsula Conservation Authority; and
- \$ 1,300.00 made to the Region of Niagara.

If you have any questions or require additional information, please don't hesitate to contact the undersigned.

Regards,



Amanda Kosloski, RPP
Manager, Land Development
O: 416-444-3300 x3008



May 28, 2020

Will Bouma, MPP
96 Nelson Street
Suite 101
Brantford, ON N3T 2X1

Sent via email will.bouma@pc.ola.org

Phil McColeman, MP
108 St. George Street
Suite 3
Brantford, ON N3R 1V6

Sent via email phil.mccoleman@parl.gc.ca

Re: Essential Workers Day – March 17

Please be advised that Brantford City Council at its meeting held May 26, 2020 adopted the following:

10.1 Essential Workers Day – Councillor Wall

WHEREAS the Province of Ontario enacted a Declaration of Emergency on March 17th, 2020 in response to the COVID-19 Worldwide Pandemic; and

WHEREAS during the state of emergency certain services have been deemed essential services by the Government of Ontario; and

WHEREAS citizens are asked to isolate at home to reduce the spread of COVID-19 as essential workers continue to work and provide an essential service to their community; and

WHEREAS essential workers across the country are risking their lives; and

WHEREAS some essential workers have been stricken with illness, suffered trauma or injury, or lost their lives as a result of providing an essential service; and

WHEREAS without this dedicated workforce, essential services, including but not limited to, healthcare, police, fire, paramedics, military, social services, community services, food distribution, agriculture, postal and delivery services, education, security, transit, financial services, hospitality, commerce, manufacturing, construction, maintenance and repair, waste management, sanitation services, government, and administrative services would fail to function; and

20-64

WHEREAS our community owes a profound debt of gratitude to every single essential worker who ensured our community could continue to operate;

NOW THEREFORE, the Municipal Council of The Corporation of the City of Brantford HEREBY RESOLVES as follows:

- A. THAT March 17 BE PROCLAIMED by the Council for The Corporation of the City of Brantford to be Essential Workers Day in the City of Brantford; and
- B. THAT the Clerk BE DIRECTED to provide a copy of this resolution, with a covering letter, to MPP Will Bouma and MP Phil McColeman to respectfully request that the Government of Ontario and the Government of Canada formally declare March 17 to be Essential Workers Day to honour all of the essential workers who sacrificed so much during the COVID-19 pandemic; and
- C. THAT all municipalities across Ontario and Canada BE INVITED to proclaim March 17 to be Essential Workers Day in their respective municipalities, and that a copy of this resolution be provided to AMO, LUMCO, FCM, and ROMA for that purpose.



Tanya Daniels
City Clerk
tdaniels@brantford.ca

cc All Ontario municipalities
Association of Municipalities of Ontario (AMO)
Large Urban Mayor's Caucus of Ontario (LUMCO)
Federation of Canadian Municipalities
Rural Ontario Municipal Association (ROMA)