



## **COUNCIL MEETING AGENDA**

**Tuesday, October 20, 2020  
7:00 P.M.**

**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 October 22, 2020 at 8:00 p.m.**

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**1. COMMITTEE-OF-THE-WHOLE (IN-CAMERA) (6:10 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 on Empire.*
- Personal matters about an identifiable individual, including municipal or local board employees; and
  - *Citizen appointment to the City of Welland Heritage Advisory Committee.*
  - *Human Resources Matters update.*

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

**3. OPEN COUNCIL MEETING (7:00 p.m.)**

**3.1 NATIONAL ANTHEM**

**3.2 OPENING REMARKS**

**3.3 ADDITIONS/DELETIONS TO AGENDA**

**3.4 ADOPTION OF MINUTES**

Regular Council Meeting of October 6, 2020 and Special Council Meeting of October 13, 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)**



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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 REPORTS**

**09-104** Councillor McLeod, Chair, Audit Review Committee - meeting of October 6, 2020.

**20-4** Councillor McLeod, Chair, Budget Review Committee - meetings of October 6 and 13, 2020.

#### **4.4 LEGISLATED PUBLIC HEARINGS/MEETINGS - Nil**

#### **5. COMMITTEE-OF-THE-WHOLE (OPEN)**

**(to discuss items removed from Agenda Block)**

#### **6. BY-LAWS (SEE AGENDA INDEX)**

#### **7. NOTICES OF MOTION**

**7.1 Councillor matters discussed with staff for reporting purposes**

**7.2 Notices of Motion (previously submitted for discussion)**

**(Councillor Speck)**

**20-14** THAT THE COUNCIL OF THE CITY OF WELLAND reconsiders the approved motion of council regarding Council Remuneration as outlined in staff Report CLK-2020-16: Remuneration of Council.

**(Councillor Fokkens)**

**02-160** THAT THE COUNCIL OF THE CITY OF WELLAND approves that effective in 2022 with the newly elected Council, elected Council Members will serve an equal share as Council representatives on City Sub Committees and Committees of Council.



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### **(Councillor Moote)**

**20-19** WHEREAS in 1994 the original developer had intended the property municipally known as 113 Michael Drive in the Michael Estate to be dedicated to the City of Welland to fulfill their provincially legislated parkland dedication requirements; and

WHEREAS the land is still designated as Residential in the City's Official Plan and zoned Residential Low Density 1 in the City of Welland's Zoning By-law; and

WHEREAS this land has never been redesignated and rezoned as parkland as originally intended; and further

WHEREAS this neighbourhood is underserved in parkland as identified in 2019 Parks and Recreation Master Plan commissioned by the City of Welland.

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND redesignates this area as Open Space, and proceed with an RFP to have a park with playground equipment be installed at this location.

### **(Councillor McLeod)**

**20-14** WHEREAS Council's primary function is to best serve the people it represents; and

WHEREAS from time to time Council may be faced with difficult decisions, which may appear to be contrary to its primary function; and

WHEREAS sometimes there can be a better option to achieve a desired result that is more in tune with those that Council represents.

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND annual salary of a Councillor be reduced by \$6675 in 2020; and further

THAT the salary of a Councillor increase by \$2225 in 2021, \$2225 in 2022 and \$2225 in 2023.

### **(Councillor Speck)**

**20-24** WHEREAS the composition of Welland's senior management is changing rapidly.

THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to start the Request for Quote (RFQ) to retain an executive search firm to find a suitable replacement for the Chief Administrative Officer; and further

THAT the process is to begin immediately.



## **COUNCIL MEETING AGENDA – Page 4**

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**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 Interim 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 20<sup>th</sup> day of October, 2020. Ref. No. 20-1

### **10. ADJOURNMENT**



## **COUNCIL MEETING AGENDA BLOCK**

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Page No.

### **AGENDA BLOCK**

#### **1. COMMITTEE AND STAFF REPORTS**

- 1. Business Arising from Committee-of-the-Whole (closed)**
- 2. General Committee Report to Council - Nil**
- 3. Audit Review Committee Report to Council - October 6, 2020**

**1 - 35**

**FIN-2020-18** Interim CAO/Gen. Mgr., Corporate Services/Chief Financial Officer/Treasurer, S. Zorbas - COVID 19 Financial Impact Report #4 and Q2-2020 Year-To-Date budget Variable by cost Center Report. Ref. No. 20-64

**RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report FIN-2020-18, COVID-19 Financial Impact Report #4, Q2-2020 Year-to-Date Budget Variance by Cost Centre report, from the Interim CAO / General Manager, Corporate Services / Chief Financial Officer / Treasurer dated October 6, 2020; and further THAT Welland City Council directs the Interim CAO / General Manager, Corporate Services / Chief Financial Officer / Treasurer to apply for Phase 2 funding regarding the negative impact of COVID-19 on the City as recommended by the Audit Review Committee at its meeting of October 6, 2020.

**36 - 37**

- 4. Budget Review Committee Reports to Council - October 6 and 13, 2020.**

**OCTOBER 6, 2020**

**RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to present options to increase the City's self-imposed debt limits to include incremental Capital spending on

- a) Road Resurfacing
- b) Sidewalk Replacement



## **COUNCIL MEETING AGENDA INDEX – Page 2**

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### **Page No.**

- c) Road Reconstruction
- d) Watermain Replacement
- e) Sewer Main Replacement

to support Council's strategic initiatives to accelerate Infrastructure Renewal; and further

THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to target an overall 2021 tax increase (City, Region, and Education taxes combined) while minimizing the impact to the taxpayer as a key priority; and further

THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to present Decision Units as part of the 2021 Tax Supported Budget to support corporate strategic initiatives that could not be accommodated within the Tax Supported Budget as recommended by the Budget Review Committee at its meeting of October 6, 2020.

### **OCTOBER 13, 2020**

#### **RECOMMENDATION:**

THE COUNCIL OF THE CITY OF WELLAND receives for information the memorandum dated October 6, 2020, regarding the 2021 Tax Supported Budget, 2021-2030 Capital Budget, and 2021 Rate Supported Budget; and further

THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to prepare a Tax Supported Budget for 2021; and further

THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to prepare a Capital Budget and forecast for 2021-2030; and further

THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to present the Capital Budget by Asset Category and aligned with the Asset Management Plan; and further

THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to fully fund all ten years of the Capital forecast; and further

THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to prepare a 2021 Rate Supported Budget; and further

THE COUNCIL OF THE CITY OF WELLAND approves the 2021 Budget Timetable, attached as Appendix I to the 2021 Budget Call Information Report memorandum dated October 6, 2020, as recommended by the Budget Review Committee at its meeting of October 13, 2020.



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### Page No.

#### 5. Staff Reports

- 38 - 42**                    **TRAF-2020-07** Gen. Mgr., Infrastructure and Development Services, T. Fitzpatrick - Use of Administrative Penalties for the Enforcement of the Noise By-law. Ref. No. 06-150/20-22 (See By-laws 1 & 2)
- 43 - 51**                    **P&B-2020-57** Gen. Mgr., Infrastructure and Development Services, T. Fitzpatrick - Brownfield Tax Assistance Program and Brownfield Tax Increment Grant Program - 555 Canal Bank Developments GP Inc. and 401 Canal Bank Street (Dain East Subdivision). Ref. No. 20-94 (See By-law 3)
- 52 - 142**                   **P&B-2020-58** Gen. Mgr., Infrastructure and Development Services, T. Fitzpatrick - Application for Draft Plan of Subdivision (File No. 26T-14-20004) submitted by Upper Canada Consultants for lands on the east side of the Kingsway, south of Talbot Avenue, west of the Welland Shipping Canal, specifically described as lots 30-38 (inclusive), plan 54, former Township of Humberstone, now plan 813, City of Welland, municipally known as 180 Kingsway. Ref. No. 20-96
- 143 - 185**                   **P&B-2020-59** Gen. Mgr., Infrastructure and Development Services, T. Fitzpatrick - Application for draft plan of vacant land condominium (file no. 26CD-14-20006) submitted by Quartek Group on behalf of 1969578 Ontario Inc. for lands on the west side of Denistoun Street, north of West Main Street, east of Prince Charles Drive, and south of the Welland River, municipally known as 69 Denistoun Street. Ref. No. 20-92
- 186 - 190**                   **P&B-2020-60** Gen. Mgr., Infrastructure and Development Services, T. Fitzpatrick - Lay out, establish and name the 0.3 metre reserve – block 18, plan 59M-321, Stoneybrook Plan of Subdivision (File No. 26T-14-89028). Ref. No. 20-111 (See By-law 4)
- 191 - 193**                   **P&B-2020-61** Gen. Mgr., Infrastructure and Development Services, T. Fitzpatrick - Request for part lot control exemption – part of lots 1, 2, and 3, plan 936, shown as Parts 1, 2, 3, 4, on reference plan to be registered, Silvergate Developments Inc. and Mancini Developments Inc. Ref. No. 20-110 (See By-law 5)



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### Page No.

## 2. NEW BUSINESS

- 194            1. Petition signed by residents of Weller Avenue re: Sidewalks be placed only on the north side of Weller Avenue. Ref. No. 20-26

**RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information and forward to staff for review the signed petition from the residents of Weller Avenue regarding sidewalks be placed only on the north side of Weller Avenue.

- 195 - 196       2. Carol Schofield, Manager, Legislative Services/Clerk, Town of Fort Erie re: Request Province of Ontario to Investigate the Level of On-Site Licensed Nursing Care - Private Sector Retirement Homes. Ref. No. 06-84

**RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Town of Fort Erie dated October 6, 2020 regarding the request for the Province of Ontario to Investigate the Level of On-Site Licensed Nursing Care - Private Sector Retirement Homes.

- 197 - 198       3. Bonnie Nistico-Dunk, City Clerk, City of St. Catharines re: Development Approval Requirements for Landfills - (Bill 197). Ref. No. 16-109

**RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the City of St. Catharines dated October 7, 2020 regarding Development Approval Requirements for Landfills - (Bill 197).

- 199 - 202       4. Donna Delvecchio, City Clerk, City of Thorold re: Amendments to Bill 197. Ref. No. 16-109

**RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the City of Thorold dated October 8, 2020 regarding Bill 197.

- 203 - 206       5. Kelly Jones, Chair, Welland Downtown Improvement Area (WDBIA) re: Slate of Officers and Directors - 2020 - 2024 Term - Revised. Ref. No. 99-90

**RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND approves the slate of Officers and Directors for term of 2020-2024 being: Amanda Christoff and Jesse D'Hulster.





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### Page No.

- 207 - 210      6. Nancy Bozzato, City Clerk, Town of Pelham re: Motions and Notice of Motions re: Cannabis Related Legal Fees. Ref. No. 18-87

**RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Town of Pelham dated October 9, 2020 regarding Motions and Notice of Motions re: Cannabis Related Legal Fees.

- Remove From Block      7. Council to appoint one Councillor Member to the Welland Public Library Board. Ref. No. 04-47

**RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND appoints Councillor \_\_\_\_\_ to the Welland Public Library Board for the term October 20, 2020 to November 14, 2022 or until another successor has been appointed.

- Remove From Block      8. Council to appoint one Councillor Member to the Welland Senior Citizens Advisory Committee. Ref. No. 06-84

**RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND appoints Councillor \_\_\_\_\_ to the Welland Senior Citizens Advisory Committee for the term October 20, 2020 to November 14, 2022 or until another successor has been appointed.

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

Referred from the July 7, 2020 Council Meeting.

- 211 - 220      **CAO-2020-03** Interim CAO/Gen. Mgr., Corporate Services, Chief Financial Officer/  
Treasurer, S. Zorbas - Welland Summer Concert Series.  
Ref. No. 99-90/99-99



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---

### **Page No.**

#### **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 2015-23, being a By-law to regulate and control noise in the City of Welland. Ref. No. 06-150  
(See Report TRAF-2020-07)
2. A By-law to amend By-law 2019-34 being a By-law to establish an administrative penalty system for non-parking related offences. Ref. No. 20-22  
(See Report TRAF-2020-07)
3. A By-law to authorize execution of agreements for Brownfields Tax Assistance Program and Brownfields Tax Increment Grant Program (Community Improvement Plan) for 401 Canal Bank Street (File No. Brown 2019-04) Ref. No. 20-94  
(See Report P&B-2020-57)
4. A By-law to exempt certain lands from Part-Lot Control – Parts 1-4 (inclusive) on Plan 59R-\_\_\_ (718 Ontario Road), City of Welland. Ref. No. 20-110  
(See Report P&B-2020-61)
5. A By-law to Lay Out, Establish and name Bock 18 on Plan 59M-321, being a 0.3 metre reserve for the City of Welland as part of Stoneybrook Crescent.  
Ref. No. 20-111  
(See Report P&B-2020-60)



## AUDIT REVIEW COMMITTEE MEETING MOTIONS REQUIRING COUNCIL APPROVAL

Tuesday, October 6, 2020

5:01 p.m.

Council Chambers / Virtual Meeting

**Councillor McLeod in the Chair**

**Members in Attendance:** Mayor F. Champion, Councillors T. DiMarco, and L. Van Vliet

The following is a Summary of Motions and Recommendations from the Audit Review Committee requiring Council approval:

**1) FIN-2020-18 – COVID-19 Financial Impact Report #4 and Q2 2020 Year-To-Date Budget Variance By Cost Center Report**

THAT THE AUDIT REVIEW COMMITTEE receive and forward to Council for information Report FIN-2020-18, COVID-19 Financial Impact Report #4, Q2-2020 Year-to-Date Budget Variance by Cost Centre report, from the Interim CAO / General Manager, Corporate Services / Chief Financial Officer / Treasurer dated October 6, 2020; and further

THAT the Audit Review Committee request that Welland City Council direct the Interim CAO / General Manager, Corporate Services / Chief Financial Officer / Treasurer to apply for Phase 2 funding regarding the negative impact of COVID-19 on the City.

As recommended by the Audit Review Committee at its meeting of October 6, 2020.

Date Submitted: October 20, 2020

Submitted by Steve Zorbas, Interim CAO / General Manager, Corporate Services, Chief Financial Officer / Treasurer, on behalf of the Audit Review Committee.

  
\_\_\_\_\_  
(Signature)

**AUDIT REVIEW COMMITTEE**  
**CORPORATE SERVICES**  
**FINANCE DIVISION**

APPROVALS	
GENERAL MANAGER	
CFO	
CAO	

**REPORT FIN-2020-18**  
**OCTOBER 6, 2020**

20-64

**SUBJECT: COVID-19 FINANCIAL IMPACT REPORT #4 AND  
Q2-2020 YEAR-TO-DATE BUDGET VARIANCE BY COST  
CENTER REPORT**

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

**RECOMMENDATION:**

THAT THE AUDIT REVIEW COMMITTEE receive and forward to Council for information Report FIN-2020-18, COVID-19 Financial Impact Report #4, Q2-2020 Year-to-Date Budget Variance by Cost Centre report, from the Interim CAO / General Manager, Corporate Services / Chief Financial Officer / Treasurer dated October 6, 2020; and further

THAT the Audit Review Committee request that Welland City Council direct the Interim CAO / General Manager, Corporate Services / Chief Financial Officer / Treasurer to apply for Phase 2 funding regarding the negative impact of COVID-19 on the City.

**ORIGIN AND BACKGROUND:**

Municipalities play a key role in delivering services that people across Ontario rely on and we are the frontlines of a safe reopening of the economy.

The impact of the COVID-19 pandemic demonstrates the essential role played by the City in leadership, communication and community awareness, containment, and remediation efforts to flatten the curve on the COVID-19 virus. The COVID-19 event is the largest financial challenge that residents, families, businesses, communities, and municipalities have seen in history.

This report provides an updated estimated financial impact to Council and a summary of various cost containment and management initiatives implemented by CLT to mitigate the negative financial impact to the City.

The most significant impact to the City of Welland is loss of revenues which can be offset by cost containment and management strategies implemented by the CLT that include, but are not limited to, temporary layoffs of part-time, full-time staff, summer students, interns, co-op students, and the elimination of contract positions.

**Safe Restart Funding-Municipal Operating Funding Phase 1: Immediate Funding for Municipal Pressures**

The Province of Ontario has recognized that municipalities have sustained significant financial pressures as a result of the COVID-19 outbreak and need financial support to ensure that they can continue to deliver important services while minimizing the spread of COVID-19.

On July 27, 2020, as part of the Federal/Provincial Safe Restart Agreement, the Ontario government announced that it had secured up to \$4 billion in emergency assistance to provide Ontario's 444 municipalities with the support they need to respond to COVID-19. Under the municipal operating stream, \$1.39 billion will be available to Ontario's municipalities to address operating pressures and local needs. This funding will be allocated in two phases: 50% allocated in Phase 1 for all municipalities, and 50% allocated in Phase 2 for municipalities that require additional funding.

Phase 1 of this funding has been allocated on a per household basis and the City of Welland will receive a payment of \$1,413,800 to support our COVID-19 operating costs and pressures.

The City of Welland will be accountable for using this funding for the purpose of addressing COVID-19 operating costs and pressures. If the amount of the funding exceeds our 2020 COVID-19 operating costs and pressures, the province expects the City to place the excess funding into reserves to be accessed to support COVID-19 operating costs as such pressures may continue into 2021. The City of Welland will be expected to report back to the province in March 2021 with details on our 2020 COVID-19 operating costs and pressures, including our overall 2020 financial position and the use of such provincial funds in a template to be provided by the Ministry. Details on such reporting is pending.

The City of Welland will be eligible for consideration of Phase 2 funding, but the City will be required to address the following questions:

1. Information about the measures the municipality has undertaken to reduce financial pressures (eg. cost saving measures)
2. Explanation of how the municipality applied or plans to spend Phase 1 funding towards COVID-19 operating costs and pressures
3. A year-end forecast of COVID-19 operating costs and measures
4. Actual COVID-related impacts as of the end of Q3 of the municipal fiscal year (September 30, 2020)
5. Resolution of Council seeking additional funding
6. Municipalities who are eligible and approved to receive funding under Phase 2 will be informed before the end of the calendar year and can expect to receive a payment in early 2021

### **Municipal Transit Funding Phase 1: Immediate Funding**

The City of Welland will receive \$743,580 to support COVID-19 municipal transit pressures for Phase 1, incurred from April 1, 2020 to September 30, 2020. The City of Welland will be accountable for using this funding for the purpose of addressing the COVID-19 municipal transit pressures. In addition, a condition of receiving such funds will be that we report back to the province by October 30, 2020, using a template provided by the Ministry, with details on the use of the Phase 1 funds and a forecast of eligible expenditures to March 31, 2021.

If the amount of funding allocated in Phase 1 exceeds the City's COVID-19 municipal transit pressures, the Province's expectation is that Welland will place the excess funding into a reserve account to be accessed to support Phase 2 COVID-19 municipal transit pressures that Welland may continue to incur up to March 31, 2021. If the amount of funding allocated in Phase 1 is less than Welland's COVID-19 municipal transit pressures, our report substantiating such excess costs will support the need for additional funding in advance of Phase 2 reporting. If successful, the additional funding is expected to be provided by December 31, 2020. We are awaiting the Ministry to provide additional details on the reporting in the near future. In addition, Welland will

be required to return any unused funds to the province where the funding from Phase 1 is in excess of eligible expenditures incurred under both Phase 1 and Phase 2. City staff will be completing an application for Phase 2 shortfalls realized in Transit for time periods identified in Phase 1 and expected deficits due to COVID 19 for the time period identified in Phase 2.

Through Phase 2, the City of Welland will be required to:

- Engage in consolidated procurement opportunities leveraging Metrolinx and other provincial procurement tools (all municipalities)
- Review the lowest performing bus routes and consider whether they may be better serviced by microtransit (all municipalities)
- Work with the Province and Metrolinx, where appropriate, to determine the feasibility of implementing micotransit options on viable routes (all municipalities)
- Participate in discussions with the Province on advancing fare and service integration (GTHA and select municipalities)
- Participate in discussions with the Province to optimize transit through new possible governance structures (GTHA & select municipalities)

The Year-to-Date Reports Budget Variance by Cost Centre (YTD) received by Council quarterly are intended to provide committee and council with information and details pertaining to the Operating and Capital Budget performance. The information contained within the 2nd Quarter Report is general and summarized.

### **Support for Residents and Businesses**

In response to the COVID-19 pandemic, the City has provided the following financial relief programs for residents and businesses:

#### **Tax & Water Relief Program**

For the period March 19 to May 31, 2020 there was no penalty and interest charged on all outstanding taxes and water arrears.

For the period June 1 to August 31, 2020 there was no penalty and interest charged on 2020 current tax billings.

For the period June 1 to September 30, 2020 there was no penalty and interest charged on 2020 water billings.

For the period March 19 to August 31, 2020:

- Charges for NSF payments (tax, water, A/R, misc.) were waived
- The Pre-Authorized Payments (PAP) program for tax and water billing continued but participants who chose to withdraw from the program could do so without penalty
- No interest charged on outstanding Accounts Receivable

Lastly, the retail Water/Wastewater rate increase, normally commencing with the April billing, was deferred to the billing cycle commencing July 1.

#### **Free Transit**

In an effort to promote social distancing and protect the safety of transit drivers, Welland Transit rider fares were suspended on March 23 so that users could board and exit the bus from the rear

doors. This practice remained in effect until June 28, when the lexan barriers were installed and the customers boarded at the front door and a fare was required.

### **Free Parking**

To help support the efforts to slow the COVID-19 virus in the community, free parking was offered in the three municipal lots (City Hall, Courthouse & Plymouth Rd.) beginning in March 2020. Parking enforcement was reduced to complaint enforcement only. Payments for parking at City Hall and Courthouse lots resumed on June 22 and on August 4 for the Plymouth Rd. lot.

## **COMMENTS AND ANALYSIS:**

### **Funding Assistance Introduced by other Levels of Government**

A number of new federal/provincial financial relief programs have been announced to assist taxpayers, businesses, and landlords across Canada. A summary of such programs has been included as Appendix V.

### **Water and Wastewater Budgets for City of Welland**

Welland owns, operates, and maintains in good working order, the water and wastewater system. The water supply and wastewater treatment are purchased from Niagara Region. Water/wastewater billing charged to the consumer is based on a rate per cubic meter (m<sup>3</sup>) of water consumed, plus a fixed rate. Residents are billed quarterly, while industrial, commercial and institutional (ICI), and larger residential apartment buildings, are billed monthly. The Water/Wastewater operating and capital programs are funded by the revenue received from the water/wastewater rate charged to consumers. Approximately 55% of the revenues are used to pay Niagara Region for the water supply. The remaining 45% is used to fund the City's day-to-day operations and capital program.

The potential deficit in the 2020 Water/Wastewater budget is now estimated to be approximately \$61,000.

To mitigate the negative financial impact on the 2020 Water/Wastewater Budget, staff will reduce the 2020 staff inter-departmental chargebacks to the water/wastewater fund.

As stated previously in this report, the current COVID-19 pandemic is causing financial hardship for many residents and business owners. As recommended by CLT in previous reports, Council approved various policy adjustments to provide financial assistance for residents and businesses in Welland.

### **Welland Transit Update**

#### **Ridership**

Since increasing the service levels on August 4, 2020 to Saturday Level of Service, the daily ridership has slowly been climbing from 20% (approximately 500 passenger trips/day) of pre-COVID ridership through to current 30% (approximately 700 passenger trips per day) of pre-COVID ridership.

Welland Transit has historically experienced a large ridership base from the post secondary student demographic. This group has been responsible for 40% (approximately 1,000 passenger trips per day) of ridership and at the present time this group generates approximately 100 trips

per day. All discussions with the post secondary institutions indicate the traffic onto their campuses will not return during this school year, which continues through to April 2021.

### **'U Pass' Update**

- The U Pass program allows post secondary students from Niagara College and Brock University to ride Welland Transit as often as they wish and the City is compensated for these rides. For 2019, Welland Transit was compensated 75 cents per ride, which equated to over \$168,000 in revenue.
- Niagara College has indicated they will not be participating in the U Pass program for the September to December 2020 semester and will inform us of their intentions to participate in the January to April 2021 semester by end of October 2020.
- Although early in the school year, Welland Transit is only realizing approximately 10% (100 passenger trips per day) of pre-COVID Niagara College ridership.
- Brock University will be participating in the U Pass initiative, but this ridership is approximately 3% of the Niagara College ridership Welland Transit transports.

### **Service Levels**

A brief recap of service levels since March 2020:

- March 28, 2020 – Prior to and including this date, Welland Transit operated at full service level
- March 29 – April 4, 2020 – Sunday level of service was provided
- April 5 – 11, 2020 – Community Bus service was provided
- April 12 – June 27, 2020 – The Reserve-A-Ride service was provided
- June 28 – July 4, 2020 – Community Bus service was provided
- July 5 – August 1, 2020 – Sunday level of service was provided
- August 2 to Present – Saturday level of service is being provided

The Saturday Level of Service represents 75.4% of 'full service' hours. It equates to 30,260 hours of service annually versus 40,126 hours for full service. For clarification, the Saturday Level of Service features service on all eight routes throughout the day and evening. All routes commence at the same time (6:30 a.m.) as full service, but end at 10 p.m. vs 11p.m. for full service. All the routes operate hourly from start of service until 9:30 a.m. and then the four busiest routes (505, 506, 508, and 509) operate every 30 minutes until 6 p.m. Beyond 6 p.m. all eight routes operate every hour until 10 p.m. This Saturday Level of Service operates Monday through Saturday inclusive. On Sundays, all eight of the routes operate hourly from 10 a.m. to 6 p.m.

This level of service is comparable to the levels provided by the larger neighbouring municipalities of Niagara Falls and St. Catharines who have indicated they are providing 'between 70% and 80%' of their full service. In addition, the Niagara Region Transit inter-municipal service is currently operating at 75% of the full service level.

### **Cleaning & Sanitizing**

Ensuring the fleet and facilities are routinely cleaned and sanitized remains a priority for Welland Transit. To accomplish this objective, Bus Operators not currently scheduled to drive have been redeployed to further assist with cleaning duties. These tasks include; wiping down all high touch surfaces on/in the buses when they arrive at the Bus Terminal with alcohol wipes, sanitizing the fleet during the evening and weekends with the electrostatic mister, and ensuring Terminal staff thoroughly wipe all surfaces in/around this facility throughout the day.

The lexan barriers have worked well and have inspired a level of confidence between staff and customers. At the present time, Bus Operators are allowing a full seated load on the buses which equates to approximately 35 customers per bus. Naturally, these loads have not materialized



often and the mandatory mask requirement has lead to a lowering of anxiety levels and calmness on the buses.

### **Second Wave**

Should a severe second wave arrive, Transit staff within the region have been communicating and have plans in place to introduce measures to mitigate the risks of virus spread. As Public Health officials release information, the Transit providers will react accordingly.

The City's Corporate Leadership Team is meeting weekly to monitor this ever evolving situation and make decisions accordingly. As updates are provided by Premier Ford in consultation with the various ministries, the City of Welland will react in the best interest of public and staff safety. We all hope we're moving beyond the worst days of this virus, but vigilance is still required to avoid any setbacks.

Scheduled delivery of year-to-date financial information, often referred to a variance report, is aligned with the Corporation's fiscal year (January 1 to December 31) and is delivered on a quarterly basis.

As of June 30, 2020, staff is forecasting a deficit for the City's Operating Budget of approximately \$29,337. This forecasted deficit includes the \$2,157,380 from the Municipal Funding under the Safe Restart Agreement.

Also for the Water/Wastewater Budgets, as of June 30, 2020, staff is forecasting a deficit of approximately \$61,196. This forecast does include the estimated year-end adjustments for water/wastewater reconciliations and adjustments for prior years' consumptions.

### **FINANCIAL CONSIDERATION:**

#### **Cost Containment Initiatives Implemented by CLT:**

- |   |           |
|---|-----------|
| • Reduce Ditching program                                     | \$40,000  |
| • Reduce Catch Basin Cleaning (defer to 2021)                 | \$40,000  |
| • Defer Hard Surface Install @ Shaw St. Haulage station       | \$25,000  |
| • Cancel Sweeping Contract and complete in house              | \$45,000  |
| • Reduce Welland Museum 2020 Operating Grant                  | \$28,000  |
| • Reduce Library 2020 Operating Grant                         | \$250,790 |
| • Increase 2020 Welland Hydro Dividend (incl. Utility Saving) | \$150,000 |

#### **Reduced revenues due to COVID-19**

- |  |             |
|--|-------------|
| • Reduced revenues – Recreation/Arenas/Wellness              | \$610,000   |
| • YSP reduced revenues – Back to regular schedule Sept. 2020 | \$450,000   |
| • Reduced charge backs to Water/Wastewater budgets           | \$988,000   |
| • Increased NSF charges                                      | \$7,500     |
| • Penalty/Interest Charges reduced                           | \$400,000   |
| • Expenses due to COVID-19                                   | \$850,000   |
| • Lost Revenue – Transit                                     | \$1,807,022 |

#### **Additional Government Funding**

- |   |             |
|---|-------------|
| • Phase 1 Transit COVID-19 funding assistance | \$743,580   |
| • Phase 1 Municipal Operations funding        | \$1,413,800 |
| • TAIO Grant Funding                          | \$109,137   |

**COVID-19 Related Assumptions**

1. The closure of recreation facilities will result in significant lost revenues. The lost revenues are a result of immediate closures, cancellation of spring/ summer classes, and anticipated reduced revenues for the rest of the year as client behavior gradually returns.
2. Staff have assumed all conferences for all departments, including Mayor and Council, cancelled from March 19 to December 31, 2020.
3. Staff have reduced all Corporate Promotions budgets by 20%.
4. Transit reacted in a sustainable manner to the ever changing COVID-19 pandemic with measured responses to mitigate the physical and financial harm to the municipality. While ridership levels dropped to 10% of pre-COVID values, commensurate service reductions were implemented to manage operational expenses against dramatically reduced revenues.
5. Interest rate earnings will be lower as the Bank of Canada has lowered interest rates. This will negatively impact interest earned in the Operating budget and interest allocated to reserve funds. On the other hand, the City will be issuing debt and we expect interest rate savings due to record low interest rates.
6. Parking enforcement is reduced with fewer cars on the road.
7. Staff are projecting that fewer Provincial Offences Act (POA) tickets will be issued and with the closure of courts, some revenues will be deferred.
8. The relief on reduction in penalties/interest charges to tax and water accounts will negatively impact the City.
9. Other increased operating costs due to COVID-19 such as premiums for protective equipment, increased cleaning supplies and frequency of cleaning, material, supplies, and increased advertising.
10. Salary savings due to temporary layoffs for part-time and full-time staff, summer students, and not hiring interns are assumed.
11. The CLT will delay the hiring of new staffing due to vacancy, resulting in gapping savings.
12. The CLT has implemented various cost containment initiatives in regards to discretionary spending in the 2020 Operating budget.
13. Reduced utility expenses due to facility closures.

The combined effect of COVID-19 and currently projected variances as a result of regular business is a forecasted deficit of approximately \$29,337. Staff will continue to refine these estimates as more information becomes available. Pressures may also be increased or mitigated by future Council, provincial and federal decisions.

**City's 2020 Capital Program and All Approved & Outstanding Projects**

The CLT is not proposing any changes to the Council-approved 2020 Capital Budget.

**Cash Flow Pressures for the City**

Staff are monitoring the City's cash flow daily. Our current line of credit allows the City to access up to a maximum of \$9 million. Staff will also be monitoring taxes receivable and all other receivables.

**Library and Museum Boards**

The CLT has been working closely with both the Library and Museum boards and each entity has also engaged various cost containment initiatives which have included temporary layoff for part-time and full-time staff. City Council has approved the reduction of the Library's 2020 Operating grant in the amount of \$250,790, and the Museum 2020 Operating grant in the amount of \$28,000.

**New Fire Station (FS) #1 and #2 – Update**

Staff have attached Appendix VI which provides Council with a status update with regards to the new FS #1 and #2.

**New Transit Garage – Update**

The City of Welland was successful in securing ICIP funding, which we will be using to design and construct a new \$15 million Transit Operations Facility. This facility will be constructed on the current Transit site and City staff are currently compiling a list of all the amenities / infrastructure required to manage our municipal, specialized, and regional services from this building. All survey and soil testing has been completed.

The City will be issuing an RFP for a Design and Build for the construction of the new facility in 2021.

**OTHER DEPARTMENT IMPLICATIONS:**

All departments are involved in the development of the YTD reports. The quarterly variance reports are reviewed and monitored collectively through the CLT on a regular basis.

**SUMMARY AND CONCLUSION:**

It is unknown the length of this crisis, but the CLT has implemented cost containment initiatives to deliver essential services to end the year in a stronger financial position in the absence of continuing business as usual. It is inevitable, as revenues decrease while many costs continue, that CLT will be challenged to end the year with a balanced budget. All four levels of government have provided assistance for Welland residents and businesses. Municipalities in Ontario cannot sustain such fiscal pressures and the recently announced financial assistance from both provincial and federal levels of government is appreciated. The Finance department is monitoring the City's daily cash position and developing strategies to mitigate ending the 2020 calendar year in a deficit.

The CLT meets weekly to ensure essential services are delivered, discuss issues, and ensure the health and safety of all residents and staff. They will continue to implement various cost containment initiatives to ensure the City's year-end financial position avoids a deficit. The City can run a deficit in a given year but it cannot budget for a deficit. Any deficit can be offset through the use of reserves or by increasing taxes in the subsequent year, or by increasing non-tax revenues.

During such challenging economic times, all governments are thinking about the financial recovery that follows. As such, it is incumbent upon both federal and provincial governments to establish infrastructure-building programs to provide jobs and get the economy moving. Municipalities have always supported such incremental programs. It is important for Welland City Council, through the Mayor's office, to work with FCM and AMO to support such new incremental programs. Increased funding opportunities include dramatically increasing federal and provincial

gas tax allocations, and accelerating approvals for the existing Investing in Canada Infrastructure Program (ICIP).

The year-to-date report/quarterly report is an important management tool. It also provides useful information to Council to assist in decision-making, accountability, and tracking of budget performance.

**ATTACHMENTS:**

Appendix I – Operating Budget Projected Year-End Variance Analysis as of June 30, 2020

Appendix II – Progress Report for Outstanding Capital Projects 2013 to 2020

Appendix III – Current Investment Holdings as of June 30, 2020

Appendix IV – June 30, 2020 Unaudited and estimated uncommitted Reserve balance

Appendix V – Senior Government Assistant Programs

Appendix VI – Progress Report for Fire Stations #1 and #2

## Q2-2020 Budget Variance by Costing Center

Appendix I

Costing Center Name	Projection Year End Variance
20-110-MAYOR'S OFFICE	\$15,272.00
20-111-COUNCILLORS	\$24,560.00
20-112-CITY MANAGER / CAO	(\$23,476.00)
20-120-CLERKS	\$3,404.00
20-125-COMMUNICATIONS	(\$3,000.00)
20-130-FINANCE	(\$163,282.00)
20-131-INFORMATION SERVICES	(\$17,395.00)
20-134-TAXATION / GENERAL REVENUE	(\$290,000.00)
20-135-GENERAL EXPENDITURES	(\$888,500.00)
20-139-GRANTS	\$278,790.00
20-140-LEGAL	(\$150,000.00)
20-150-HUMAN RESOURCES	\$158,479.00
20-210-FIRE	(\$2,698.00)
20-310-ENGINEERING - ADMINISTRATION	(\$130,325.00)
20-315-STREETLIGHTING	\$2,750.00
20-316-SIDEWALKS	\$0.00
20-320-ROADWAYS	\$198,685.00
20-321-TRAFFIC CONTROL	\$17,550.00
20-322-WINTER CONTROL	\$45,000.00
20-323-FLEET	-\$165,018.00
20-325-PUBLIC WORKS	(\$434,748.00)
20-327-STORM SEWERS	\$40,000.00
20-350-CROSSING GUARDS	\$130,604.00
20-380-PARKING	(\$176,512.00)
20-405-RECREATION - PROGRAMS/SERVICES	\$395,379.00
20-410-PARKS / OPEN SPACES	\$244,133.00
20-412-PLAYING FIELDS	(\$70,011.00)
20-415-URBAN FORESTRY	\$12,605.00
20-420-CEMETERIES	\$2,000.00
20-430-FAC-MTCE/LABOUR	\$9,611.00
20-432-FAC-ARENA	(\$137,206.00)
20-434-FAC-WELLNESS CENTRE	\$34,397.00
20-436-FAC-MARKET	(\$11,356.00)
20-438-FAC-SWIMMING POOL	\$8,417.00
20-439-FAC-CIVIC SQUARE	\$25,696.00
20-442-FAC-COURTHOUSE	\$0.00
20-444-FAC-SERVICE CENTRE	(\$12,115.00)
20-445-FAC-YSP RIVER ROAD	(\$450,000.00)
20-446-FAC-QUAKER RD BALL DIAMONDS	(\$13,913.00)
20-447-FAC-RECREATIONAL CANAL LANDS	(\$274,140.00)
20-448-FAC-COOKS MILLS HALL	\$1,162.00
20-449-FAC-140 KING ST MUSEUM	\$1,843.00
20-450-FAC-HOOKER STREET	\$1,000.00
20-452-FAC-C.L. PINARD CTR	\$264.00
20-454-FAC-ANCILLARY BLDGS	(\$1,860.00)
20-457-FAC-TRANSIT TERMINAL	\$1,230.00
20-458-FAC-WELLAND TRANSIT	\$3,114.00
20-459-FAC-FIRE HALLS	\$2,884.00
20-461-FAC-CHIPPAWA PK COMMUNITY CTR	(\$20,910.00)
20-510-PLANNING & DEVELOPMENT SERVICE	(\$96,975.00)
20-520-BUILDING & LICENSING	\$0.00
20-525-BY-LAW ENFORCEMENT	\$14,492.00
20-710-ECONOMIC DEVELOPMENT	\$104,730.00
20-810-TRANSIT - ADMINISTRATION	(\$1,097,407.00)
20-812-TRANSIT - BUS DRIVERS	\$292,628.00
20-814-TRANSIT - MAINTENANCE	\$378,174.00
20-816-TRANSIT - INTER MUNICIPAL SERV	(\$205,093.00)
20-820-HANDI TRANS - ADMIN	\$4,640.00
20-824-HANDI TRANS - BUS DRIVERS	\$59,411.00
20-826-HANDI TRANS - MAINTENANCE	\$27,182.00
	(\$2,295,854.00)
MUNICIPAL FUNDING UNDER THE SAFE RE-START AGREEMENT - MUNICIPAL OPERATIONS	\$1,413,800.00
MUNICIPAL FUNDING UNDER THE SAFE RE-START AGREEMENT - TRANSIT	\$743,580.00
TOURISM RECOVERY	\$109,137.00
<b>Projected Tax Supported Year-end Variance</b>	<b>(\$29,337.00)</b>
25-910-WATER WORKS	\$597,284.00
30-330-WASTEWATER	(\$658,480.00)
<b>Projected Rate Supported Year-end Variance</b>	<b>(\$61,196.00)</b>

**PROGRESS REPORT for OUTSTANDING CAPITAL PROJECTS 2013 to 2020**  
As of the end of June, 2020

FUNCTION	Account Number	TOTAL CAPITAL COST	ACTUAL EXPENDITURES to the end of June 2020	VARIANCE FAVOURABLE (UNFAVOURABLE)	PROJECT STATUS
<b>2013</b>					
<b>FACILITIES</b>					
Welland International Flatwater Centre	10-447-12394/1044712394	11,041,540	11,185,085	(143,545)	ON-GOING DISCUSSIONS W/TO 2015
<b>TOTAL FACILITIES</b>		<u>11,041,540</u>	<u>11,185,085</u>	<u>(143,545)</u>	
<b>TOTAL 2013</b>		<u>11,041,540</u>	<u>11,185,085</u>	<u>(143,545)</u>	
<b>2015</b>					
<b>WASTEWATER</b>					
SEWER REHABILITATION/RELINGING	10-330-15096/1033015096	1,000,000	869,390	130,610	COST SHARING O/S
<b>TOTAL WASTEWATER</b>		<u>1,000,000</u>	<u>869,390</u>	<u>130,610</u>	
<b>WATERWORKS</b>					
Niagara Street Watermain	10-910-15012/1091015012	5,036,348	5,667,943	(631,596)	COST SHARING O/S
<b>TOTAL WATERWORKS</b>		<u>5,036,348</u>	<u>5,667,943</u>	<u>(631,596)</u>	
<b>TOTAL 2015</b>		<u>6,036,348</u>	<u>6,537,333</u>	<u>(500,986)</u>	
<b>2016</b>					
<b>FACILITIES</b>					
WELLAND MUSEUM HVAC ROOFTOP UNITS	10-449-16046/1044916046	218,000	12,181	205,819	ON-GOING
<b>TOTAL FACILITIES</b>		<u>218,000</u>	<u>12,181</u>	<u>205,819</u>	
<b>GENERAL</b>					
Financial Software	10-131-16002/1013116002	375,000	325,152	49,848	ON-GOING
IT & GIS Related Projects	10-131-16001/1013116001	170,000	161,414	8,586	PENDING CLOSE OUT
<b>TOTAL GENERAL</b>		<u>545,000</u>	<u>486,566</u>	<u>58,434</u>	
<b>ROADWAYS</b>					
CLARE AVENUE EXTENSION	10-320-16018/1032016018/1091016018	300,000	27,442	272,558	HOLDBACK PENDING
PUBLIC REALM INVESTING PROGRAM 2016	10-320-16080/1032016080	27,190	28,101	(911)	PENDING CLOSE OUT -COST SHARING O/S
<b>TOTAL ROADWAYS</b>		<u>327,190</u>	<u>55,542</u>	<u>271,648</u>	
<b>WASTEWATER</b>					
SEWER MODEL & PCP UPDATE	10-330-16055/1033016055	242,558	158,821	83,737	ON-GOING

**PROGRESS REPORT for OUTSTANDING CAPITAL PROJECTS 2013 to 2020**  
As of the end of June, 2020

FUNCTION	Account Number	TOTAL CAPITAL COST	ACTUAL EXPENDITURES to the end of June 2020	VARIANCE FAVOURABLE (UNFAVOURABLE)	PROJECT STATUS
WATER METER VERIFICATION	10-330-16057/1033016057	200,000	98,821	101,179	ON-GOING
<b>TOTAL WASTEWATER</b>		<b>442,558</b>	<b>257,643</b>	<b>184,916</b>	
<b>WATERWORKS</b>					
DEAD END WATERMAIN FEASIBILITY STUDY	10-910-16066/1091016066	50,000	31,244	18,756	SUMMER 2020 COMPLETION
<b>TOTAL WATERWORKS</b>		<b>50,000</b>	<b>31,244</b>	<b>18,756</b>	
<b>TOTAL 2016</b>		<b>1,582,748</b>	<b>843,176</b>	<b>739,572</b>	
<b>2017</b>					
<b>BRIDGES &amp; CULVERTS</b>					
GUIDERAIL IMPROVEMENTS	10-320-17039/1032017039	180,391	0	180,391	ON-GOING
<b>TOTAL BRIDGES &amp; CULVERTS</b>		<b>180,391</b>	<b>0</b>	<b>180,391</b>	
<b>CANAL LANDS</b>					
WATERPROOF ELECTRICAL PANELS	10-447-17058	15,000	0	15,000	ON-GOING WILL BE COMPLETED 2020
<b>TOTAL CANAL LANDS</b>		<b>15,000</b>	<b>0</b>	<b>15,000</b>	
<b>ECONOMIC DEVELOPMENT</b>					
Strategic Initiatives	10-710-17095/1071017095	3,246,000	947,914	2,298,086	ON-GOING
<b>TOTAL ECONOMIC DEVELOPMENT</b>		<b>3,246,000</b>	<b>947,914</b>	<b>2,298,086</b>	
<b>FACILITIES</b>					
Municipal Service Centre Fuel Pumps	10-444-17049/1044417049	460,000	383,001	76,999	HOLDABCKS O/S
Burger Pk Ventilation/Roof/Plumbing	10-430-17047/1043017047	65,000	20,705	44,295	ON-GOING
<b>TOTAL FACILITIES</b>		<b>525,000</b>	<b>403,707</b>	<b>121,293</b>	
<b>FIRE</b>					
TRAINING FIELD -ENGINEERING COSTS	10-210-17011/1021017011	75,000	0	75,000	ON-GOING - EXPECTED TO BE COMPLETE 2021
PURCHASE TRAINING PICK-UP	10-210-17010/1021017010	90,000	64,899	25,101	ON-GOING
<b>TOTAL FIRE</b>		<b>165,000</b>	<b>64,899</b>	<b>100,101</b>	
<b>GENERAL</b>					
CIVIC SQUARE VIDEO SECURITY INFRASTRUCTURE	10-130-17001/1013017001	50,000	0	50,000	ON-GOING
DISASTER RECOVERY PLAN	10-130-17002/1013017002	60,000	39,400	20,600	ON-GOING

**PROGRESS REPORT for OUTSTANDING CAPITAL PROJECTS 2013 to 2020**  
**As of the end of June, 2020**

FUNCTION	Account Number	TOTAL CAPITAL COST	ACTUAL EXPENDITURES to the end of June 2020	VARIANCE FAVOURABLE (UNFAVOURABLE)	PROJECT STATUS
GREEN ENERGY PROJECTS	10-310-17004/1031017004	250,000	197,386	52,614	ON-GOING
CITY GAZEBO	10-120-17090/1012017090	20,000	17	19,983	SUMMER COMPLETION - COMBINED WITH 20085
<b>TOTAL GENERAL</b>		<b>380,000</b>	<b>236,803</b>	<b>143,197</b>	
<b><u>PARKS</u></b>					
WOODLAWN CEMETERY EXPANSION - PHASE 2	10-410-17035/1041017035	724,022	815,992	(91,970)	ON-GOING- COMBINED WITH 18050
Way-finding Signage	10-410-17043/1041017043	10,000	2,015	7,985	ON-GOING
<b>TOTAL PARKS</b>		<b>734,022</b>	<b>818,007</b>	<b>(83,985)</b>	
<b><u>ROADWAYS</u></b>					
INVESTING IN WELLAND ROAD RESURFACING	10-320-17024/1032017024	351,980	245,959	106,021	ON-GOING
CLARE AVE EXTENSION PH 2 ROADWAY	10-320-17031/1032017031	250,000	389,250	(139,250)	ON-GOING
CLARE AVE EXT - PH 2 -TRAFFIC LIGHTS	10-320-17032/1032017032	250,000	193,123	56,877	HOLDBACKS O/S
MEMORIAL PARK DR URBANIZATION	10-320-17033/1032017033	850,000	483,950	366,050	ON-GOING
SMALL COMMUNITIES INFRASTRUCTURE IMPROVEMENTS	10-320-17022/1032017022	750,000	299,345	450,655	ON-GOING (EDGAR/ELGIN )
ROAD RESURFACING PROGRAM	10-320-17023/1032017023	595,573	692,706	(97,133)	HOLDBACKS O/S
<b>TOTAL ROADWAYS</b>		<b>3,047,553</b>	<b>2,304,333</b>	<b>743,220</b>	
<b><u>SIDEWALKS</u></b>					
SMALL COMMUNITIES FUNDING INFRASTRUCTURE IMPROVEMENTS	10-316-17012/1031617012	270,000	99,137	170,863	ON-GOING (EDGAR/ELGIN )
Road Resurfacing Sidewalk Replacements	10-316-17013/1031617013	205,876	191,279	14,597	HOLDBACKS O/S
CONDITION RELATED SIDEWALK REPLACEMENTS	10-316-17014/1031617014	195,171	89,023	106,148	HOLDBACKS O/S
COVENTRY ROAD SIDEWALK CONSTRUCTION	10-316-17015/1031617015	50,000	88,312	(38,312)	HOLDBACKS O/S
<b>TOTAL SIDEWALKS</b>		<b>721,047</b>	<b>467,751</b>	<b>253,296</b>	
<b><u>STORM SEWERS</u></b>					
SMALL COMMUNITIES INFRASTRUCTURE IMPROVEMENTS	10-327-17007/1032717007	750,000	297,701	452,299	ON-GOING (EDGAR/ELGIN )
<b>TOTAL STORM SEWERS</b>		<b>750,000</b>	<b>297,701</b>	<b>452,299</b>	



**PROGRESS REPORT for OUTSTANDING CAPITAL PROJECTS 2013 to 2020**  
As of the end of June, 2020

FUNCTION	Account Number	TOTAL CAPITAL COST	ACTUAL EXPENDITURES to the end of June 2020	VARIANCE FAVOURABLE (UNFAVOURABLE)	PROJECT STATUS
<b>TRANSIT</b>					
Hoist System/Vault Room/Maintenance Office Renovations	10-810-17092/1081017092	272,144	220,112	52,032	PTIF HOLDBACKS O/S
2 ACCESSIBLE 30 FT BUSES (Replace 1157 & 1160)	10-810-17060/1081017060	930,000	936,420	(6,420)	PTIF HOLDBACKS O/S
2 Well-Trans Buses	10-820-17062/1082017062	220,000	238,320	(18,320)	PTIF HOLDBACKS O/S
2 Large Accessible 40 ft. Buses	10-810-17064/1081017064	1,040,000	1,074,294	(34,294)	PTIF HOLDBACKS O/S
<b>TOTAL TRANSIT</b>		<b>2,462,144</b>	<b>2,469,146</b>	<b>(7,002)</b>	
<b>WASTEWATER</b>					
PRIVATE SIDE INFLOW & INFILTRATION ABATEMENT	10-330-17072/1033017072	200,000	188,331	11,669	COST SHARING O/S
SMALL COMMUNITIES INFRASTRUCTURE IMPROVEMENTS	10-330-17073/1033017003/1033017073	1,200,000	480,799	719,201	ON-GOING (EDGAR/ELGIN)
<b>TOTAL WASTEWATER</b>		<b>1,400,000</b>	<b>669,131</b>	<b>730,869</b>	
<b>WATERWORKS</b>					
SMALL COMMUNITIES FUND INFRASTRUCTURE REPLACEMENTS	10-910-17078/1091017078	1,200,000	643,645	556,355	ON-GOING (EDGAR/ELGIN )
BOOSTER STATION	10-910-17083/1091017083	275,000	210,829	64,171	SUMMER 2020 COMPLETION
MEMORIAL PARK WATERMAIN	10-910-17085/1091017085	400,000	128,331	271,669	HOLDBACKS O/S
<b>TOTAL WATERWORKS</b>		<b>1,875,000</b>	<b>982,804</b>	<b>892,196</b>	
<b>TOTAL 2017</b>		<b>15,501,157</b>	<b>9,662,196</b>	<b>5,838,962</b>	
<b>2018</b>					
<b>BRIDGES &amp; CULVERTS</b>					
Aqueduct West Portal Pedestrian Deck Removal	10-320-18013/1032018013	150,000	18,486	131,514	ON-GOING WITH PROJECT 19840
<b>TOTAL BRIDGES &amp; CULVERTS</b>		<b>150,000</b>	<b>18,486</b>	<b>131,514</b>	
<b>CANAL LANDS</b>					
Canal Trail Improvements	10-447-18065/1044718065	75,000	19,503	55,497	ON-GOING
<b>TOTAL CANAL LANDS</b>		<b>75,000</b>	<b>19,503</b>	<b>55,497</b>	
<b>ECONOMIC DEVELOPMENT</b>					
Fire Hall & Training Ctre - Study (FCM)	10-710-18182/1071018182	144,000	101,121	42,879	ON-GOING
<b>TOTAL ECONOMIC DEVELOPMENT</b>		<b>144,000</b>	<b>101,121</b>	<b>42,879</b>	

**PROGRESS REPORT for OUTSTANDING CAPITAL PROJECTS 2013 to 2020  
As of the end of June, 2020**

FUNCTION	Account Number	TOTAL CAPITAL COST	ACTUAL EXPENDITURES to the end of June 2020	VARIANCE FAVOURABLE (UNFAVOURABLE)	PROJECT STATUS
<b><u>FACILITIES</u></b>					
Water Station Road Surface Upgrades	10-454-18036/1045418036	25,000	0	25,000	PROJ DEFERRED - REFER TO COVID REPORT FIN-2020-13
Service Centre Roof Replacement Phase 1	10-444-18041/1044418041	250,000	3,191	246,809	HOLDABCKS O/S- COMBINED WITH 19083
Pool Rationalization Study	10-438-18031/1043818031	10,000	2,035	7,965	ON-GOING
Courthouse Third Floor Roof Replacement & Duct Work Improvements	10-442-18030/1044218030	250,000	113,925	136,075	ON-GOING
WIFC Timing Tower Waterproofing & Drainage Improvements	10-447-18032/1044718032	321,000	93,194	227,806	ON-GOING, SUBJECT TO FORENSIC AUDIT
Civic Square Plaza Revitalization Phase 1	10-439-18044/1043918044	200,000	39,749	160,251	ON-GOING
2018 Youngs Sportsplex Capital	10-445-18100/1044518100	1,485,000	1,480,629	4,372	ON-GOING
<b>TOTAL FACILITIES</b>		<b><u>2,541,000</u></b>	<b><u>1,732,722</u></b>	<b><u>808,278</u></b>	
<b><u>FIRE</u></b>					
New Fire Stn - Stn #1 Design Fees Phase 1 of 2	10-210-18006/1021018006	1,000,000	858,132	141,868	ON-GOING
SPARTAN FIRE TRUCK REPAIRS	10-210-18186/1021018186	136,000	103,834	32,166	ON-GOING
<b>TOTAL FIRE</b>		<b><u>1,136,000</u></b>	<b><u>961,967</u></b>	<b><u>174,033</u></b>	
<b><u>GENERAL</u></b>					
COMPUTER EQUIPMENT	10-131-18001/1013118001	154,000	128,149	25,851	ON-GOING
GREEN ENERGY PROJECTS	10-135-18003/1013518003	150,000	9,158	140,842	ON-GOING
INVENTORY REPLACEMENT SYSTEM (BAR CODING)	10-135-18005/1013518005	100,000	0	100,000	ON-GOING
PHASE 1 IMPLEMENTATION OF IMPROVEMENTS - CANAL LANDS	10-825-18002/1082518002	100,000	38,650	61,350	ON-GOING
Main Street Revitalization '18	10-135-18183/1013518183	75,000	69,147	5,853	ON-GOING
<b>TOTAL GENERAL</b>		<b><u>579,000</u></b>	<b><u>245,105</u></b>	<b><u>333,895</u></b>	
<b><u>PARKS</u></b>					
Memorial Park Revitalization	10-410-18048/1041018048	390,000	167,026	222,974	ON-GOING
Chippawa Park Cenotaph Repairs	10-410-18049/1041018049	35,000	5,813	29,187	ON-GOING
Woodlawn Cemetery Expansion Phase 3	10-410-18050/1041018050	200,000	1,599	198,401	ON-GOING - COMBINED WITH 17035
Tree Removal - (EAB) - City Trees	10-410-18051/1041018051	150,000	112,640	37,360	ON-GOING

**PROGRESS REPORT for OUTSTANDING CAPITAL PROJECTS 2013 to 2020**  
**As of the end of June, 2020**

FUNCTION	Account Number	TOTAL CAPITAL COST	ACTUAL EXPENDITURES to the end of June 2020	VARIANCE FAVOURABLE (UNFAVOURABLE)	PROJECT STATUS
Tree Removal (EAB) - Canal Trails Phase III	10-410-18052/1041018052	150,000	14,173	135,827	ON-GOING
<b>TOTAL PARKS</b>		<b>925,000</b>	<b>301,251</b>	<b>623,749</b>	
<b>ROADWAYS</b>					
Crack Sealing Program	10-320-18089/1032018089	100,000	83,167	16,833	HOLDBACKS O/S
Edgar/Elgin Area Roadwork	10-320-18010/1032018010	400,622	731,240	(330,618)	ON-GOING ( EDGAR ELGIN -PH 2)
Road Resurfacing Program	10-320-18087/1032018087	324,525	224,535	99,990	ON-GOING
Merritt St Road Reconstruction	10-320-18069/1032018069	300,000	2,028	297,972	ON-GOING
Aqueduct Street North Roadwork	10-320-18020/1032018020	1,245,734	824,184	421,550	ON-GOING
Gaiser Road - Sparrow PH3	10-320-18029/1032018029	85,700	27,416	58,284	ON-GOING
Surface Asphalt Following Capital Projects	10-320-18035/1032018035	213,685	142,722	70,963	HOLDBACKS O/S
Roads Needs Study	10-320-18039/1032018039	63,750	27,051	36,699	ON-GOING
Asset Management Planning Roads	10-320-18042/1032018042	15,000	12,805	2,195	ON-GOING
Municipal Standards Update	10-320-18033/1032018033	10,000	7,121	2,879	ON-GOING
Stop 19 Trail	10-320-18181/1032018181	256,700	213,245	43,455	ON-GOING
<b>TOTAL ROADWAYS</b>		<b>3,015,716</b>	<b>2,295,515</b>	<b>720,202</b>	
<b>SIDEWALKS</b>					
Edgar/Elgin Area Sidewalk Replacement	10-316-18010/1031618010	150,000	153,207	(3,207)	ON-GOING ( EDGAR ELGIN -PH 2)
Merritt Street Sidewalk Replacement	10-316-18018/1031618018	80,000	0	80,000	ON-GOING
Aqueduct St North Sidewalk	10-316-18020/1031618020	150,000	102,114	47,886	ON-GOING
<b>TOTAL SIDEWALKS</b>		<b>380,000</b>	<b>255,321</b>	<b>124,679</b>	
<b>STORM SEWERS</b>					
Edgar/Elgin Area Storm Sewer	10-327-18010/1032718010	750,000	613,335	136,665	ON-GOING ( EDGAR ELGIN -PH 2)
Browns Tap Drain	10-327-18053/1032718053	800,000	155,509	644,491	ON-GOING
South Pelham Pond Retrofit	10-327-18054/1032718054	50,000	8,622	41,378	ON-GOING
Municipal Standards Update	10-327-18033/1032718033	10,000	0	10,000	ON-GOING
<b>TOTAL STORM SEWERS</b>		<b>1,610,000</b>	<b>777,466</b>	<b>832,534</b>	

**PROGRESS REPORT for OUTSTANDING CAPITAL PROJECTS 2013 to 2020**  
**As of the end of June, 2020**

FUNCTION	Account Number	TOTAL CAPITAL COST	ACTUAL EXPENDITURES to the end of June 2020	VARIANCE FAVOURABLE (UNFAVOURABLE)	PROJECT STATUS
<b>TRANSIT</b>					
Maintenance Yard Enhancements	10-810-18076/1081018076	340,000	45,618	294,382	ON-GOING
<b>TOTAL TRANSIT</b>		<b>340,000</b>	<b>45,618</b>	<b>294,382</b>	
<b>WASTEWATER</b>					
Private Side I/I Abatement	10-330-18082/1033018082	200,000	62,436	137,564	ON-GOING
Edgar/Elgin Area Sanitary Sewer Separation	10-330-18010/1033018010	1,200,000	1,879,289	(679,289)	ON-GOING ( EDGAR ELGIN -PH 2)
Evelyn Ditch Monitoring	10-330-18088/1033018088	150,000	79,240	70,760	ON-GOING
Prince Charles Dr Sewer Separation	10-330-18085/1033018085	1,000,000	79,712	920,288	ON-GOING
Niagara Street Sanitary Sewer Design	10-330-18060/1033018060	37,500	805	36,695	ON-GOING
Catchbasin Separation Work	10-330-18061/1033018061	185,508	13,933	171,575	ON-GOING
Pollution Control Plan	10-330-18062/1033018062	200,000	127,231	72,769	ON-GOING
Municipal Standards Update	10-330-18033/1033018033	10,000	0	10,000	ON-GOING
Margery Street Sewer Replacement	10-330-18055/1033018055	375,000	320,332	54,668	ON-GOING
<b>TOTAL WASTEWATER</b>		<b>3,358,008</b>	<b>2,562,979</b>	<b>795,029</b>	
<b>WATERWORKS</b>					
Edgar/Elgin Area Waterworks	10-910-18010/1091018010	1,214,877	1,075,514	139,363	ON-GOING ( EDGAR ELGIN -PH 2)
Aqueduct Street North Watermain Replacement	10-910-18020/1091018020	657,065	449,055	208,010	HOLDBACKS O/S
Cast Iron Watermain Replacement Program	10-910-18093/1091018093	1,968,822	1,498,565	470,257	HOLDBACKS O/S
Hunter's Point Booster Station	10-910-18096/1091018096	450,000	1,268,352	(818,352)	SUMMER 2020 COMPLETION
Merritt St Watermain Abandon & Service Replc	10-910-18098/1091018098	325,000	4,474	320,526	ON-GOING
Niagara St Watermain Replacement Design	10-910-18059/1091018059	37,500	815	36,685	ON-GOING
Lead Service Replacement (City Side)	10-910-18064/1091018064	317,032	0	317,032	ON-GOING
Dead-End Re-chlorination Station	10-910-18056/1091018056	150,000	0	150,000	ON-GOING
District Meter Installations	10-910-18079/1091018079	130,000	676	129,324	ON-GOING
Municipal Standards Update	10-910-18033/1091018033	10,000	0	10,000	ON-GOING
<b>TOTAL WATERWORKS</b>		<b>5,260,296</b>	<b>4,297,451</b>	<b>962,846</b>	
<b>TOTAL 2018</b>		<b>19,514,020</b>	<b>13,614,504</b>	<b>5,899,516</b>	

**PROGRESS REPORT for OUTSTANDING CAPITAL PROJECTS 2013 to 2020**  
As of the end of June, 2020

FUNCTION	Account Number	TOTAL CAPITAL COST	ACTUAL EXPENDITURES to the end of June 2020	VARIANCE FAVOURABLE (UNFAVOURABLE)	PROJECT STATUS
<b>2019</b>					
<b>BRIDGES &amp; CULVERTS</b>					
Forks Road Bridge Replacement (S007B)	10-320-19995/1032019995	1,241,200	1,134,390	106,810	ON-GOING
<b>TOTAL BRIDGES &amp; CULVERTS</b>		<b>1,241,200</b>	<b>1,134,390</b>	<b>106,810</b>	
<b>CANAL LANDS</b>					
Canal Trail Improvements	10-447-19511/1044719511	75,000	0	75,000	ON-GOING
WIFC Event Delivery Assets	10-447-19512/1044719512	32,400	19,448	12,952	ON-GOING
<b>TOTAL CANAL LANDS</b>		<b>107,400</b>	<b>19,448</b>	<b>87,952</b>	
<b>FACILITIES</b>					
Conservation & Demand Management Plan Update	10-135-19080/1013519080	50,000	0	50,000	ON-GOING
Asset Management Plan/Building Condition Assessment Update	10-135-19081/1013519081	40,000	0	40,000	ON-GOING, SUBJECT TO FORENSIC AUDIT
Municipal Service Centre Roof Replacement Ph. 2 of 3	10-444-19083/1044419083	550,000	542,153	7,847	HOLDABCKS O/S- COMBINED WITH 19083
<b>TOTAL FACILITIES</b>		<b>640,000</b>	<b>542,153</b>	<b>97,847</b>	
<b>FIRE</b>					
Replace Bunker Gear - Phase II	10-210-19001/1021019001	132,000	100,174	31,826	ON-GOING
Replace Fire Prevention Vehicle	10-210-19002/1021019002	58,000	36,539	21,461	ON-GOING
SCBA Cylinder Replacement	10-210-19003/1021019003	325,000	196,401	128,599	ON-GOING
Construction New Fire Station #1	10-210-19005/1021019005	6,380,000	0	6,380,000	ON-GOING
Construction Fire Station #2	10-210-19006/1021019006	3,500,000	281,934	3,218,066	ON-GOING
<b>TOTAL FIRE</b>		<b>10,395,000</b>	<b>615,048</b>	<b>9,779,952</b>	
<b>FLEET</b>					
FLEET REPLACEMENTS - GENERAL	10-323-19026/1032319026	946,910	247,722	699,188	ON-GOING
<b>TOTAL FLEET</b>		<b>946,910</b>	<b>247,722</b>	<b>699,188</b>	
<b>GENERAL</b>					
PingStreet App	10-131-19660/1013119660	26,500	0	26,500	ON-GOING
ESRI Consulting	10-131-19665/1013119665	20,000	0	20,000	ON-GOING
Official Plan Update	10-510-19085/1051019085	75,000	0	75,000	ON-GOING

**PROGRESS REPORT for OUTSTANDING CAPITAL PROJECTS 2013 to 2020**  
As of the end of June, 2020

FUNCTION	Account Number	TOTAL CAPITAL COST	ACTUAL EXPENDITURES to the end of June 2020	VARIANCE FAVOURABLE (UNFAVOURABLE)	PROJECT STATUS
APPRAISAL/SURVEY COSTS	10-710-19509/1071019509	35,000	31,977	3,023	CLOSE OUT PENDING
Public Works Asset Management	10-131-19669/1013119669	185,000	0	185,000	ON-GOING
Strategic Land Acquisition & Servicing	10-710-19975/1071019975	5,000,000	0	5,000,000	ON-GOING
AUDIO/VIDEO EQUIPMENT-COUNCIL CHAMBERS PH 2	10-111-19510/1011119510	75,000	54,681	20,319	ON-GOING
New Technology Equipment/Licensing	10-131-19503/1013119503	90,000	0	90,000	ON-GOING
Municipal Level of Service Plan	10-825-19999/1082519999	88,933	11,392	77,541	ON-GOING, WILL BE COMPLETED IN 2020
<b>TOTAL GENERAL</b>		<b>5,595,433</b>	<b>98,050</b>	<b>5,497,383</b>	
<b>PARKS</b>					
Memorial Park Rejuvenation PH 2	10-410-19048/1041019048	700,000	20,522	679,478	ON-GOING
Sparrows Meadows Park PH 1	10-410-19131/1041019131	250,000	0	250,000	ON-GOING
Summerlea Park Playground & Landscaping	10-410-19132/1041019132	224,000	161,269	62,731	ON-GOING, IN CONSTRUCTION
<b>TOTAL PARKS</b>		<b>1,174,000</b>	<b>181,791</b>	<b>992,209</b>	
<b>ROADWAYS</b>					
Traffic Analysis	10-320-19496/1032019496	25,000	6,833	18,167	ON-GOING
Edgar/Elgin Sewer Separation (SCF) (PH 3)	10-320-19201/1032019201	750,000	0	750,000	ON-GOING
South Pelham Road (Top Asphalt - Webber to Gaiser)	10-320-19456/1032019456	80,000	0	80,000	ON-GOING
South Pelham Road (Top Asphalt - Gaiser to South Limit)	10-320-19466/1032019466	80,000	0	80,000	ON-GOING
Memorial Park Drive (Top Asphalt)	10-320-19476/1032019476	100,000	0	100,000	ON-GOING
McCabe Road (Base Asphalt)	10-320-19286/1032019286	220,000	110,000	110,000	ON-GOING
Bradley Avenue (Base Asphalt)	10-320-19886/1032019886	195,625	98,290	97,335	ON-GOING
Road Resurfacing Program	10-320-19415/1032019415	1,793,663	1,226,051	567,612	ON-GOING
Surface Treatment Program	10-320-19425/1032019425	150,000	60,033	89,967	ON-GOING
Asphalt Patching	10-320-19445/1032019445	250,000	281,490	(31,490)	STAT & MAINTENACE HOLDBACKS REMAIN
Asset Management Planning	10-320-19271/1032019271	15,000	11,120	3,880	ON-GOING
Schofield Road Replacement - Design	10-320-19241/1032019241	50,000	6,882	43,118	ON-GOING

**PROGRESS REPORT for OUTSTANDING CAPITAL PROJECTS 2013 to 2020**  
As of the end of June, 2020

FUNCTION	Account Number	TOTAL CAPITAL COST	ACTUAL EXPENDITURES to the end of June 2020	VARIANCE FAVOURABLE (UNFAVOURABLE)	PROJECT STATUS
Aqueduct Pedestrian Bridge Removal (West Side)	10-320-19840/1032019840	309,581	252,356	57,225	ON-GOING WITH PROJECT 19840
West Main Street Area - Infrastructure Improvements	10-320-19888/1032019888	275,000	17,762	257,238	ON-GOING
<b>TOTAL ROADWAYS</b>		<b>4,293,869</b>	<b>2,070,817</b>	<b>2,223,052</b>	
<b><u>SIDEWALKS</u></b>					
Edgar/Elgin Area Sidewalk Replacement	10-316-19201/1031619201	270,000	0	270,000	ON-GOING
Condition Related Replacements	10-316-19605/1031619605	500,000	378,759	121,241	HOLDBACKS O/S
Missing Sidewalk Links	10-316-19615/1031619615	100,000	47,448	52,552	HOLDBACKS O/S
Woodlawn Road (Clare - S. Pelham)	10-316-19281/1031619281	100,000	59,096	40,904	ON-GOING
West Main Street Area - Infrastructure Improvements	10-316-19888/1031619888	300,000	0	300,000	ON-GOING
<b>TOTAL SIDEWALKS</b>		<b>1,270,000</b>	<b>485,304</b>	<b>784,696</b>	
<b><u>STORM SEWERS</u></b>					
Edgar/Elgin Area Stormwater (SCF) (PH3)	10-327-19201/1032719201	750,000	0	750,000	ON-GOING
South Pelham Pond Relief Overflow	10-327-19536/1032719536	250,000	187,679	62,321	ON-GOING
Towpath Drain Engineering	10-327-19576/1032719576	50,000	69,409	(19,409)	ON-GOING
Dain City Storm Sewer Study	10-327-19506/1032719506	150,000	78,711	71,289	ON-GOING
Storm Pond Sizing Risk Assessment	10-327-19526/1032719526	220,075	83,133	136,943	ON-GOING
Storm Sewer Model Preparation	10-327-19596/1032719596	62,000	57,643	4,357	ON-GOING
West Main Street Area - Infrastructure Improvements	10-327-19888/1032719888	300,000	0	300,000	ON-GOING
<b>TOTAL STORM SEWERS</b>		<b>1,782,075</b>	<b>476,575</b>	<b>1,305,500</b>	
<b><u>TRAFFIC</u></b>					
Traffic Control Hardware	10-321-19051/1032119051	60,000	53,048	6,952	FALL 2020 COMPLETION
CityView Module for By-Law Enforcement	10-321-19052/1032119052	31,000	28,017	2,983	FALL 2020 COMPLETION
Signage/pavement markings improvements at R.R. crossings	10-321-19053/1032119053	30,000	19,412	10,588	FALL 2020 COMPLETION
Cycling Infrastructure	10-321-19054/1032119054	10,000	5,226	4,774	FALL 2020 COMPLETION

**PROGRESS REPORT for OUTSTANDING CAPITAL PROJECTS 2013 to 2020**  
**As of the end of June, 2020**

FUNCTION	Account Number	TOTAL CAPITAL COST	ACTUAL EXPENDITURES to the end of June 2020	VARIANCE FAVOURABLE (UNFAVOURABLE)	PROJECT STATUS
Streetlighting - Wiring & pole Replacements	10-321-19055/1032119055	34,000	33,571	429	SUMMER 2020 COMPLETION
<b>TOTAL TRAFFIC</b>		<b>165,000</b>	<b>139,274</b>	<b>25,726</b>	
<b>TRANSIT</b>					
ITS Enhancements	10-810-19164/1081019164	210,000	3,487	206,513	ON-GOING
<b>TOTAL TRANSIT</b>		<b>210,000</b>	<b>3,487</b>	<b>206,513</b>	
<b>WASTEWATER</b>					
Westside Firehall Sanitary Lateral Replacement	10-330-19084/1033019084/1045919084	100,000	0	100,000	ON-GOING
CSO & Sewer System Flow Level Monitoring	10-330-19315/1033019315	200,000	140,875	59,125	ON-GOING
Lincoln & Coventry Overflows	10-330-19325/1033019325	75,000	63,393	11,607	ON-GOING
Evelyn Ditch Monitoring	10-330-19335/1033019335	150,000	140,581	9,419	COST SHARING O/S
Water Meter Replacements	10-330-19221/1033019221	178,900	165,684	13,216	ON-GOING
Catchbasin Separation Work	10-330-19346/1033019346	177,000	0	177,000	ON-GOING
Inflow / Infiltration Reduction	10-330-19347/1033019347	100,000	0	100,000	ON-GOING
West Main Street Area - Infrastructure Improvements	10-330-19888/1033019888	1,087,000	81,738	1,005,262	ON-GOING
<b>TOTAL WASTEWATER</b>		<b>2,067,900</b>	<b>592,272</b>	<b>1,475,628</b>	
<b>WATERWORKS</b>					
Edgar/Elgin Waterworks (SCF)	10-910-19201/1091019201	1,200,000	0	1,200,000	ON-GOING
Water Master Plan & Model Updates	10-910-19205/1091019205	100,000	3,587	96,413	ON-GOING
Cast Iron Watermain Replacement	10-910-19215/1091019215	2,229,000	1,337,193	891,807	HOLDBACKS O/S
LRP Program	10-910-19225/1091019225	76,173	42,000	34,173	ON-GOING
Water Meter Replacements	10-910-19221/1091019221	543,624	416,405	127,219	ON-GOING
Asset Management Plan - Waterworks	10-910-19275/1091019275	15,000	0	15,000	ON-GOING
Denistoun #200 West Main Development	10-910-19231/1091019231	150,000	0	150,000	ON-GOING
Hunter's Pointe Booster Station	10-910-19556/1091019556	1,217,546	0	1,217,546	SUMMER 2020 COMPLETION
Schofield - East Main to Welland (Design)	10-910-19241/1091019241	25,000	0	25,000	ON-GOING
WOODLAWN WATERMAIN - S. PELHAM TO CLARE	10-910-19281/1091019281	750,000	564,424	185,576	ON-GOING

22



**PROGRESS REPORT for OUTSTANDING CAPITAL PROJECTS 2013 to 2020**  
As of the end of June, 2020

FUNCTION	Account Number	TOTAL CAPITAL COST	ACTUAL EXPENDITURES to the end of June 2020	VARIANCE FAVOURABLE (UNFAVOURABLE)	PROJECT STATUS
West Main Street Area - Infrastructure Improvements	10-910-19888/1091019888	450,000	1,318	448,682	ON-GOING
<b>TOTAL WATERWORKS</b>		<b>6,756,343</b>	<b>2,364,927</b>	<b>4,391,416</b>	
<b>TOTAL 2019</b>		<b>36,645,130</b>	<b>8,971,259</b>	<b>27,673,872</b>	
<b>2020</b>					
<b>BRIDGES &amp; CULVERTS</b>					
Aqueduct Siphon Cleaning & Inspection	10-320-20841/1032020841	150,000	0	150,000	ON-GOING
Bridge Inspection/Report (Biennial)	10-320-20805/1032020805	25,000	0	25,000	ON-GOING
Forks Road Bridge Replacement	10-320-20840/1032020840	5,000,000	0	5,000,000	ON-GOING
<b>TOTAL BRIDGES &amp; CULVERTS</b>		<b>5,175,000</b>	<b>0</b>	<b>5,175,000</b>	
<b>CANAL LANDS</b>					
Updated Concept Plan for Recreational Canal and Waterway	10-447-20702/1044720702	200,000	0	200,000	ON-GOING
Welland Boat Rental Equipment	10-447-20004/1044720004	45,000	0	45,000	ON-GOING
Canal Trail Improvements	10-447-20701/1044720701	75,000	0	75,000	ON-GOING
<b>TOTAL CANAL LANDS</b>		<b>320,000</b>	<b>0</b>	<b>320,000</b>	
<b>FACILITIES</b>					
MSC Roof Replacement Phase 3 of 3	10-444-20081/1044420081	690,000	679,446	10,554	HOLDBACKS O/S
Maple Park Pool Accessibility Improvement	10-438-20083/1043820083	50,000	0	50,000	ON-GOING
Asset Management/Building Condition Assessments	10-430-20081/1043020081	25,000	0	25,000	ON-GOING
Flooring Replacements	10-430-20183/1043020183	115,000	0	115,000	ON-GOING
Capital Painting Contract	10-430-20184/1043020184	50,000	0	50,000	ON-GOING
Clerks Gazebo Phase 2 of 2	10-430-20085/1043020085	20,000	0	20,000	SUMMER COMPLETION - COMBINED WITH 17090
Asbestos Audits	10-430-20098/1043020098	25,000	0	25,000	ON-GOING
Arc Flash Engineering	10-430-20086/1043020086	25,000	0	25,000	ON-GOING
Emergency Generator City Hall	10-430-20088/1043020088	30,000	0	30,000	ON-GOING
Pre- Approved Arena Boiler Replacement	10-430-20099/1043020099	400,000	236,097	163,903	ON-GOING
WCWC UPS Replacement	10-430-20089/1043020089	35,000	0	35,000	ON-GOING

**PROGRESS REPORT for OUTSTANDING CAPITAL PROJECTS 2013 to 2020**  
**As of the end of June, 2020**

FUNCTION	Account Number	TOTAL CAPITAL COST	ACTUAL EXPENDITURES to the end of June 2020	VARIANCE FAVOURABLE (UNFAVOURABLE)	PROJECT STATUS
Council Chambers Phase 3 of 3	10-430-20090/1043020090	25,000	0	25,000	ON-GOING
PW Salt Dome Engineering	10-430-20091/1043020091	30,000	0	30,000	ON-GOING
Fire System Upgrades	10-430-20092/1043020092	17,500	5,952	11,548	ON-GOING
Community Room AV Upgrade	10-430-20093/1043020093	20,000	0	20,000	ON-GOING
Baseball Stadium Improvements	10-430-20095/1043020095	127,300	0	127,300	ON-GOING
Signage	10-430-20096/1043020096	20,000	0	20,000	ON-GOING
Amphitheater Condition Assessment and Repairs	10-430-20097/1043020097	100,000	0	100,000	ON-GOING
<b>TOTAL FACILITIES</b>		<b><u>1,804,800</u></b>	<b><u>921,496</u></b>	<b><u>883,304</u></b>	
<b><u>FIRE</u></b>					
Replace 1/2 T Light Truck #5	10-210-20600/1021020600	74,000	0	74,000	ON-GOING
CONSTRUCTION FIRE STATIONS #1 & #2 (Additional Funds)	10-210-20601/1021020601	4,218,650	0	4,218,650	ON-GOING
<b>TOTAL FIRE</b>		<b><u>4,292,650</u></b>	<b><u>0</u></b>	<b><u>4,292,650</u></b>	
<b><u>FLEET</u></b>					
FLEET CAPITAL REPLACEMENT - GENERAL	10-323-20002/1032320002	927,649	655,306	272,343	ON-GOING
<b>TOTAL FLEET</b>		<b><u>927,649</u></b>	<b><u>655,306</u></b>	<b><u>272,343</u></b>	
<b><u>GENERAL</u></b>					
New Technology Equipment/Licensing	10-131-20503/1013120503	125,000	112,566	12,434	ON-GOING
Public Works Asset Management Phase 2 of 4	10-131-20699/1013120699	147,000	0	147,000	ON-GOING
Security Camera Upgrades	10-131-20700/1013120700	30,000	0	30,000	ON-GOING
Appraisal Survey Cost	10-710-20001	35,000	0	35,000	ON-GOING
OFFICIAL PLAN UPDATE Phase 2 of 3	10-510-20290/1051020290	50,000	0	50,000	ON-GOING
Community Benefits and By-law Study	10-510-20292/1051020292	50,000	0	50,000	ON-GOING
Modernization Program	10-825-20276/1082520276	75,000	0	75,000	ON-GOING
<b>TOTAL GENERAL</b>		<b><u>512,000</u></b>	<b><u>112,566</u></b>	<b><u>399,434</u></b>	
<b><u>PARKS</u></b>					
Memorial Park Ball Diamond Lighting	10-410-20048/1041020048	700,000	11,041	688,959	ON-GOING
Sparrows Meadows Park PH 2	10-410-20131/1041020131	250,000	0	250,000	ON-GOING

**PROGRESS REPORT for OUTSTANDING CAPITAL PROJECTS 2013 to 2020**  
**As of the end of June, 2020**

FUNCTION	Account Number	TOTAL CAPITAL COST	ACTUAL EXPENDITURES to the end of June 2020	VARIANCE FAVOURABLE (UNFAVOURABLE)	PROJECT STATUS
Pre-Approved 2020 Glenwood/Dain City Playground	10-410-20136/1041020136	250,000	160	249,840	ON-GOING
Pre-Approved 2020 Chippawa Park/Lauglin Playground	10-410-20137/1041020137	350,000	0	350,000	ON-GOING
Pre-Approved 2020 Elmwood Playground	10-410-20138/1041020138	250,000	823	249,177	ON-GOING
Pre-Approved 2020 Cooks Mills Playground	10-410-20139/1041020139	250,000	0	250,000	ON-GOING
Pre-Approved 2020 Memorial Park SplashPad	10-410-20140/1041020140	450,000	34,578	415,422	ON-GOING
Pre-Approved 2020 Maple Park Splash Pad	10-410-20141/1041020141	450,000	0	450,000	ON-GOING
Pre-Approved 2020 Outfield Improvements	10-410-20142/1041020142	50,000	8,354	41,646	ON-GOING
Pre-Approved 2020-Lincoln St Docks/Rotary Park - Phase 2	10-410-20143/1041020143	1,100,000	235,643	864,357	ON-GOING
Plymouth Park Soccer field	10-410-20132/1041020132	200,000	7,581	192,419	ON-GOING
New Waterfront Park Development	10-410-20995/1041020995	150,000	0	150,000	ON-GOING
<b>TOTAL PARKS</b>		<b>4,450,000</b>	<b>298,180</b>	<b>4,151,820</b>	
<b>ROADWAYS</b>					
Gaiser Road Top Asphalt - Sparrow PH3	10-320-20406/1032020406	100,000	0	100,000	ON-GOING
Crack Sealing	10-320-20405/1032020405	100,000	0	100,000	
Road Resurfacing Program	10-320-20415/1032020415	2,138,898	304,836	1,834,062	ON-GOING
Surface Treatment Program	10-320-20425/1032020425	145,000	0	145,000	ON-GOING ( FUNDING REDUCED TO \$70K, AS PER COVID REPORT)
Asset Management Plan Update	10-320-20271/1032020271	20,000	0	20,000	ON-GOING
Asphalt Patching	10-320-20445/1032020445	130,000	119,213	10,787	ON-GOING
Pre-Approved 2020 Road Resurfacing	10-320-20842/1032020842	3,000,000	2,527,553	472,447	HOLDBACK'S OS
McCabe/Bradley Top Asphalt	10-320-20311/1032020311	310,000	158,871	151,129	ON-GOING
Edgar/Elgin Roads (SCF)	10-320-20201/1032020201	200,000	0	200,000	ON-GOING
Southworth Street Improvements	10-320-20291/1032020291	250,000	0	250,000	ON-GOING
<b>TOTAL ROADWAYS</b>		<b>6,393,898</b>	<b>3,110,474</b>	<b>3,283,424</b>	

**PROGRESS REPORT for OUTSTANDING CAPITAL PROJECTS 2013 to 2020**  
As of the end of June, 2020

FUNCTION	Account Number	TOTAL CAPITAL COST	ACTUAL EXPENDITURES to the end of June 2020	VARIANCE FAVOURABLE (UNFAVOURABLE)	PROJECT STATUS
<b><u>SIDEWALKS</u></b>					
Riverside Drive	10-316-20211/1031620211	135,000	0	135,000	ON-GOING
Merritt Street	10-316-20241/1031620241	95,000	0	95,000	ON-GOING
Condition Related Replacements	10-316-20605/1031620605	570,000	14,423	555,577	ON-GOING
Missing Sidewalk Links	10-316-20615/1031620615	250,000	0	250,000	ON-GOING
Edgar/Elgin Sidewalks (SCF)	10-316-20201/1031620201	59,000	0	59,000	ON-GOING
Southworth Street Improvements	10-316-20291/1031620291	25,000	0	25,000	ON-GOING
<b>TOTAL SIDEWALKS</b>		<b>1,134,000</b>	<b>14,423</b>	<b>1,119,577</b>	
<b><u>STORM SEWERS</u></b>					
Storm Sewer Model	10-327-20205/1032720205	200,000	0	200,000	ON-GOING
SWM Pond Cleaning	10-327-20225/1032720225	300,000	0	300,000	ON-GOING
Edgar/Elgin Storm (SCF)	10-327-20201/1032720201	300,000	0	300,000	ON-GOING
Southworth Street Improvements	10-327-20291/1032720291	60,000	0	60,000	ON-GOING
Colbeck Storm Culvert	10-327-20321/1032720321	150,000	0	150,000	ON-GOING
Ridge Road Storm Culvert	10-327-20331/1032720331	150,000	0	150,000	ON-GOING
Climate Change Adaptation Planning	10-327-20341/1032720341	60,000	2,833	57,167	ON-GOING
<b>TOTAL STORM SEWERS</b>		<b>1,220,000</b>	<b>2,833</b>	<b>1,217,167</b>	
<b><u>TRAFFIC</u></b>					
Portable Traffic Calming Devices	10-321-20056/1032120056	25,000	20,570	4,430	FALL 2020 COMPLETION
City View Mobile Module	10-321-20057/1032120057	30,000	0	30,000	FALL 2020 COMPLETION
Traffic Control Hardware	10-321-20051/1032120051	90,000	0	90,000	WINTER 2020 COMPLETION
Street lighting - Wiring & Pole replacements	10-321-20055/1032120055	40,000	12,684	27,316	WINTER 2020 COMPLETION
Gateway Signage	10-321-20050/1032120050	25,000	0	25,000	ON-GOING
<b>TOTAL TRAFFIC</b>		<b>210,000</b>	<b>33,254</b>	<b>176,746</b>	
<b><u>TRANSIT</u></b>					
New Operations Facility Phase 1 of 2	10-810-20074/1081020074	13,680,000	0	13,680,000	ON-GOING
Specialized Bus	10-810-20070/1081020070	175,000	0	175,000	ON-GOING
SHUTTLE CARS	10-810-20003/1081020003	60,000	55,090	4,910	ON-GOING
ITS Upgrades	10-810-20073/1081020073	195,000	155,895	39,105	ON-GOING

**PROGRESS REPORT for OUTSTANDING CAPITAL PROJECTS 2013 to 2020**  
As of the end of June, 2020

FUNCTION	Account Number	TOTAL CAPITAL COST	ACTUAL EXPENDITURES to the end of June 2020	VARIANCE FAVOURABLE (UNFAVOURABLE)	PROJECT STATUS
Bus Stop Upgrades	10-810-20075/1081020075	104,771	4,905	99,866	ON-GOING
Powertrain & Bodywork Refurb.	10-810-20072/1081020072	80,000	6,822	73,178	ON-GOING
Maintenance Equipment	10-810-20071/1081020071	65,000	54,798	10,202	ON-GOING
<b>TOTAL TRANSIT</b>		<b>14,359,771</b>	<b>277,509</b>	<b>14,082,262</b>	
<b>WASTEWATER</b>					
Edgar/Elgin Sewer Separation SCF	10-330-20201/1033020201	300,000	0	300,000	ON-GOING
Merritt St Sanitary Sewer	10-330-20241/1033020241	545,000	0	545,000	ON-GOING
Sewer Rehabilitation Program (Replace of Lining)	10-330-20305/1033020305	966,152	8,000	958,152	ON-GOING
CSO & Sewer System Flow Level Monitoring	10-330-20315/1033020315	200,000	701	199,299	ON-GOING
Lincoln & Coventry Overflows	10-330-20325/1033020325	75,000	1,869	73,131	ON-GOING
Evelyn Ditch Monitoring	10-330-20335/1033020335	150,000	1,401	148,599	ON-GOING
Asset Management Plan Update	10-330-20275/1033020275	25,983	0	25,983	ON-GOING
Water Meter Replacements	10-330-20221/1033020221	200,000	0	200,000	ON-GOING
Inflow / Infiltration Reduction	10-330-20347/1033020347	300,000	3,504	296,496	ON-GOING
Private Side Disconnection (SWAP) Program	10-330-20345/1033020345	300,000	0	300,000	ON-GOING
<b>TOTAL WASTEWATER</b>		<b>3,062,135</b>	<b>15,474</b>	<b>3,046,661</b>	
<b>WATERWORKS</b>					
Riverside Drive	10-910-20211/1091020211	185,000	0	185,000	ON-GOING
Merritt Street	10-910-20241/1091020241	440,000	0	440,000	ON-GOING
Cast Iron Watermain Replacement Program	10-910-20215/1091020215	2,570,162	360,889	2,209,273	ON-GOING
Lead Service Replacement (City Side)	10-910-20295/1091020295	100,000	0	100,000	ON-GOING
Water Model Updates	10-910-20285/1091020285	10,000	4,669	5,331	ON-GOING
Water Meter Replacements	10-910-20221/1091020221	200,000	0	200,000	ON-GOING
Asset Management Plan Update	10-910-20275/1091020275	20,000	0	20,000	ON-GOING
Fleet Replacements Water Eng.	10-910-20265/1091020265	186,662	0	186,662	ON-GOING
Edgar/Elgin Waterworks (SCF)	10-910-20201/1091020201	300,000	0	300,000	ON-GOING

**PROGRESS REPORT for OUTSTANDING CAPITAL PROJECTS 2013 to 2020**  
**As of the end of June, 2020**

FUNCTION	Account Number	TOTAL CAPITAL COST	ACTUAL EXPENDITURES to the end of June 2020	VARIANCE FAVOURABLE (UNFAVOURABLE)	PROJECT STATUS
Southworth Street Improvements	10-910-20291/1091020291	460,000	0	460,000	ON-GOING
<b>TOTAL WATERWORKS</b>		<b>4,471,824</b>	<b>365,558</b>	<b>4,106,266</b>	
<b>TOTAL 2020</b>		<b>48,333,727</b>	<b>5,807,073</b>	<b>42,526,654</b>	
<b>GRAND TOTAL</b>		<b>138,654,671</b>	<b>56,620,626</b>	<b>82,034,045</b>	

**Current Investment Holdings of the Corporation of the City of Welland  
As of June 30, 2020**

<u>Investment Name</u>	<u>Category</u>		<u>% Total Investment Portfolio</u>	<u>Individual Organization %</u>
<b>Reserves</b>				
Bank of Nova Scotia GIC	Corporation	1,543,237.00	2.02%	2.76%
Bank of Nova Scotia GIC	Corporation	559,495.00	0.73%	2.76%
National Bank of Canada GIC	Corporation	1,612,086.00	2.11%	2.11%
NBC S&P/TSX Index Deposit	Corporation	1,200,065.75	1.57%	1.57%
Royal Bank of Canada GIC	Corporation	1,101,746.00	1.44%	1.44%
National Bank Fixed Income Securities/Funds	Corporation	726,870.00	0.95%	1.44%
National Bank Equities & Equity Funds	Corporation	759,690.00	1.00%	1.44%
TD Mortgage Corp GIC	Corporation	3,815,920.80	5.00%	5.00%
Royal Bank Extendible Step Up	Corporation	2,027,000.00	2.66%	5.24%
Meridian Cr. Union GICs	Corporation	6,731,139.15	8.82%	2.47%
Meridian Cr. Union GICs	Corporation	1,500,000.00	1.97%	38.48%
First Ontario GICs	Corporation	1,000,000.00	1.31%	2.60%
First Ontario GICs	Corporation	16,700,000.00	21.89%	0.24%
BMO Wealth Management	Corporation	966,700.00	1.27%	2.60%
<b>Canal Lands</b>				
National Bank of Canada Ext Step	Corporation	1,205,973.67	1.58%	2.76%
NBC Extendible Step Up Deposit	Corporation	630,618.59	0.83%	2.11%
Royal Bank of Canada Ext Step Up	Corporation	1,868,000.00	2.45%	5.24%
Royal Bank of Canada Preferred Shares	Corporation	839,000.00	1.10%	1.10%
<b>Operating</b>				
National Bank Notes	Corporation	1,881,980.00	2.47%	2.47%
Meridian Cr. Union GICs	Corporation	4,124,400.00	5.41%	0.00%
First Ontario GICs	Corporation	5,000,000.00	6.55%	29.76%
BMO Wealth Management	Corporation	1,018,520.00	1.34%	2.60%
Meridian Cr. Union GICs	Corporation	5,000,000.00	6.55%	38.48%
Meridian Cr. Union GICs	Corporation	7,000,000.00	9.18%	38.48%
Meridian Cr. Union GICs	Corporation	5,000,000.00	6.55%	38.48%
<b>Woodlawn Cemetery Trust Fund</b>				
Royal Bank Extendible Step Up	Corporation	8,000.00	0.01%	2.76%
Region of Waterloo Debenture	Municipal	68,806.65	0.09%	0.09%
Royal Bank of Canada Step Up Deposit	Corporation	66,000.00	0.09%	1.44%
Scotiabank Cash & Savings Accelerator	Corporation	53,619.60	0.07%	0.07%
<b>Doans Ridge Trust Fund</b>				
Royal Bank Extendible Step Up	Corporation	28,000.00	0.04%	2.76%
Cash & Cash Equivalents		65,222.52	0.09%	
Airport Loan	Corporation	181,715.44	0.24%	
Hydro Promissory Note/Financing	Corporation	2,000,000.00	2.62%	
<b>2020 Draft Unaudited Total of all Investments</b>		76,283,806.17	100.00%	

<b>Category Summary Legend</b>		
<b><u>Municipal - Category Max 25%</u></b>		
Region of Waterloo Debenture	68,806.65	0.09%
<b><u>Corporations</u></b>		
Bank of Nova Scotia GIC	2,102,732.00	2.76%
National Bank of Canada GIC	1,612,086.00	2.11%
NBC S&P/TSX Index Deposit	1,200,065.75	1.57%
National Bank of Canada Ext Step	1,205,973.67	1.58%
NBC Extendible Step Up Deposit	630,618.59	0.83%
Royal Bank Extendible Step Up	3,997,000.00	5.24%
Royal Bank of Canada GIC	1,101,746.00	1.44%
TD Mortgage Corp GIC	3,815,920.80	5.00%
Scotiabank Cash & Savings Accelerator	53,619.60	0.07%
Royal Bank of Canada Preferred Shares	839,000.00	1.10%
Bruton Investment Group-National Bank	1,486,560.00	1.95%
First Ontario GICs	22,700,000.00	29.76%
National Bank Notes	1,881,980.00	2.47%
Meridian Cr Union GICs	29,355,539.15	38.48%
BMO Wealth Management	1,985,220.00	2.60%
Airport Loan	181,715.44	0.24%
Hydro Promissory Note/Financing	2,000,000.00	2.62%

**CORPORATION OF THE CITY OF WELLAND  
SUMMARY OF RESERVE FUNDS AND DEFERRED REVENUE  
as at June 30, 2020**

**RESERVE FUNDS SET ASIDE FOR SPECIFIC PURPOSES BY COUNCIL:**

		<b>Total Balance</b>
402 ECONOMIC DEVELOPMENT	\$	11,573,359.73
403 FIRE DEPARTMENT		1,982,336.76
405 ICE RESURFACER		77,078.69
406 SICK LEAVE		40,304.11
410 MUNICIPAL INCENTIVE GRANT		945,162.90
412 POOL MAINTENANCE		62,288.14
413 WORKERS SAFETY INSURANCE BOARD		598,694.24
425 PARKING		12,102.07
426 COURTHOUSE MAINTENANCE		138,353.73
427 FLEET		337,446.34
430 WATER/SEWER FUND SURPLUS		3,370,995.42
433 OPERATING SURPLUS		4,506,211.16
442 SPORTS & CULTURE INFRASTRUCTURE		1,421,826.00
447 RECREATIONAL CANAL LANDS		13,680,376.86
444 INSURANCE RESERVE		1,115,410.77
1401 DOWNTOWN BROWNFIELD		788,559.51
1402 CAPITAL SURPLUS		4,844,011.69
1400 YSP SUSTAINABILITY		951,400.00
1403 TAX REDUCTION		822,928.99
1404 ELECTIONS		345,820.58
1407 BUILDING PROVISION		298,875.00
2017 INFRASTRUCTURE RENEWAL		13,545,862.65
2018 ATLAS LANDFILL		3,210,880.00
414 <u>UNDISTRIBUTED REVENUE <sup>1</sup></u>		<u>335,593.42</u>
<b>TOTAL RESERVE FUNDS (UNAUDITED)</b>	<b>\$</b>	<b><u>65,005,878.76</u></b>

**DEFERRED REVENUE (RESERVE FUNDS) SET ASIDE FOR SPECIFIC  
PURPOSES BY LEGISLATION, REGULATION OR AGREEMENT:**

PLANNING ACT	\$	1,635,939.18
SUBDIVIDERS - FUTURE SERVICES		3,892,578.22
437 PROVINCIAL GAS TAX REBATE		616,873.22
438 FEDERAL GAS TAX REBATE		2,504,092.08
ONTARIO STATE OF GOOD ROADS PRGM		4,546.39
<u>DEVELOPMENT CHARGES</u>		<u>10,391,036.25</u>
<b>TOTAL DEFERRED REVENUE FUNDS (UNAUDITED)</b>	<b>\$</b>	<b><u>19,045,065.34</u></b>

<b>TOTAL RESERVE FUNDS (UNAUDITED)</b>	<b>\$</b>	<b><u>84,050,944.10</u></b>
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1 - This figure represents interest earned but not yet distributed to individual reserve funds. The interest will be distributed as of December 31, 2020 based on the average yearly balance of individual reserve funds.



## Senior Government Assistance Programs

To provide relief for those experiencing financial hardship as a result of the pandemic, the Government has offered or continues to provide several financial programs for the residents and the business industry. A list of a few of these programs, some of which may have changed or been revised, are noted below.

Relief Measure	Description
Canada Emergency Response Benefit (CERB)	CERB payments of up to \$2,000 per month for up to 28 weeks to help employees and self-employed individuals who lose their income because of COVID-19 (work shortage, illness or taking care of their children) to be extended for an additional 8 weeks (ending on October 3rd, 2020).
One-time tax-free payment for Old Age Security and Guaranteed Income Supplement	One-time tax-free payment of \$300 for seniors eligible for the Old Age Security (OAS) pension, with an additional \$200 for seniors eligible for the Guaranteed Income Supplement (GIS). This would give a total of \$500 to individuals who are eligible to receive both the OAS and the GIS.
Canada Emergency Wage Subsidy (CEWS)	Businesses will be eligible for up to a 75% wage subsidy (CEWS) if they experience at least a 15% revenue reduction in March resulting from the COVID-19 pandemic, retroactive to March 15, 2020; for April and May, the revenue reduction threshold is 30%. Extended to August 29.
Increase Canada Child Benefit	An extra \$300 per child was delivered through the Canada Child Benefit (CCB) for 2019-20. This benefit was delivered as part of the scheduled CCB payment on May 20.
Regional Recovery and Relief Fund (RRRF)	Provides financial contributions (interest-free loans) to help support fixed operating costs of SMEs, that are unable to access other COVID-19 business supports, through Canada's Regional Development Agencies.

Relief Measure	Description
Extra time to file income tax returns	Due date for filling individual 2019 income tax returns was deferred until June 1, 2020. Any new income tax balances due, or instalments, are also being deferred until after August 31, 2020 without incurring interest or penalties.
Canada Emergency Commercial Rent Assistance (CECRA)	Offers forgivable loans to eligible commercial property owners to: reduce the rent owed by their impacted small business tenants.
Temporary wage top-up for low-income essential workers	Provinces/territories have or will confirm plans to provide wage top-ups for essential workers.
Special on-time tax-free payment for certified holders of Disability Tax Credit	To individuals who are certificate holders of the Disability Tax Credit (DTC) as of June 1, 2020.
Canada Emergency Student Benefit (CESB)	A taxable benefit of \$1,250 every 4 weeks to eligible students or \$2,000 to eligible students with dependents or with disability who are not eligible for the Canada Emergency Response Benefit or Employment Insurance or unable to work due to COVID-19. Available from May to August 2020.
Changes to the Canada Student Loans Program (CSLP)	Changes to allow more students to qualify for support and be eligible for greater amounts. Doubling the grant for eligible full-time students to up to \$6,000 and up to \$3,600 for part-time students in 2020-21.
Lending Program for Small and Medium-Sized Enterprise	Co-Lending Program will bring the Business Development Bank of Canada (BDC) together with financial institutions to co-lend term loans to SMEs for their operational cash flow requirements.
Loan Guarantee for SMEs	Small and Medium Enterprise Loan and Guarantee program established to enable lending, supported through Export Development Canada (EDC).

Relief Measure	Description
Canada Emergency Business Account (CEBA)	Will provide interest-free loans of up to \$40 000 to small businesses and not-for-profits, covering operating costs for a period where revenues have been reduced, due to economic impacts of COVID-19.
Business Credit Availability Program (BCAP)	Established to allow BDC and Export Development Canada (EDC) to provide more than \$10 billion of additional support to businesses.
Employee Health Tax	Retroactive reduction of the Employer Health Tax (EHT) and temporary increase of the exemption from \$490,000 to \$1 million
Workplace Safety and Insurance Board Payment Deferral	Deferral of \$1.9 billion of Workplace Safety and Insurance Board (WSIB) premiums for employers for 6 months
Income Tax Deferral	Canada Revenue Agency (CRA) will allow all businesses to defer, until after August 31, 2020, the payment of any income tax amounts owing on or after March 18 and before September 2020
Deferral of Custom Duties and Sales Tax for Importers	Businesses, including self-employed individuals, will be allowed to defer all Goods and Services Tax/Harmonized Sales Tax (GST/HST) payments until June, as well as customs duties owed for import

### Digital Main Street: Programs for Ontario Business

As part of a partnership between the Government of Canada and the Province of Ontario, Digital Main Street has announced three new programs to support businesses across Ontario.

#### shopHERE

A program that provides independent small businesses and artists with a quick, easy and no-cost way to get selling online right away.

#### Ontario Grants

Providing main street businesses with \$2,500 Digital Transformation Grants, and municipalities / local communities with grants to implement a Digital Service Squad.

#### Future Proof

A program delivered in partnership with Communitech and Invest Ottawa helps businesses identify new markets, pivot their business model, and develop and implement a deep digital transformation plan.

**PROGRESS REPORT FOR NEW FIRE STATION PROJECTS**  
September 23, 2020



**New Fire and Emergency Services Headquarters and Training Facility**  
400 East Main Street, Welland, ON

**PROJECT PHASE**

- The Project is currently in the Pre-Construction Phase although some site activity has started (below grade demolition)
- The redesigned Schematic Design package was approved in August 2020.
- Permit & Construction design documents are underway.

**SCHEDULE**

- Project Milestone target dates;
  - Below Grade Concrete Removals & Site Clearing – Started Sept 2020
  - Construction Start November 2020
  - Handover February 2022
  - Landscaping May 2022
- The project is currently on schedule.

**BUDGET**

- The Total Project Budget, which includes the new Headquarters & Training Facility and new Fire Station No. 2 has been approved at \$18,038,600, inclusive of HST @ 1.76%.
- The projects are currently forecasted to be on Budget.

**Fire Station No. 2**  
636 King Street, Welland, ON

**PROJECT PHASE**

- The Project is in the Pre-Construction Phase
- The redesigned Schematic Design package was approved in August 2020.
- Permit & Construction design documents are underway.

**SCHEDULE**

- Project Milestone target dates;
  - Construction Start November 2020
  - Handover December 2021
  - Demolish & Landscaping May 2022
- The projects are currently on schedule.

**BUDGET**

- The Total Project Budget, which includes the new Headquarters & Training Facility and new Fire Station No. 2, has been approved at \$18,038,600, inclusive of HST @ 1.76%.
- The project is currently forecasted to be on Budget.



**BUDGET REVIEW COMMITTEE MEETING  
MOTIONS REQUIRING COUNCIL APPROVAL**

Tuesday, October 6, 2019

6:00 p.m.

**Council Chambers / Virtual ZOOM Meeting**

**Councillor D. McLeod in the Chair**

**Members in Attendance:** Mayor Champion, Councillors J. Chiochio, T. DiMarco, B. Fokkens, B. Green, M. Grimaldi, J. Larouche, A. Moote, C. Richard, G. Speck, and L. Spinosa, and L. Van Vliet

The following is a Summary of Motions and Recommendations from the Budget Review Committee requiring Council approval:

**1. 2021 BUDGET CALL**

THAT the Budget Review Committee direct staff to present options to increase the City's self-imposed debt limits to include incremental Capital spending on

- a) Road Resurfacing
- b) Sidewalk Replacement
- c) Road Reconstruction
- d) Watermain Replacement
- e) Sewer Main Replacement

to support Council's strategic initiatives to accelerate Infrastructure Renewal; and further

THAT the Budget Review Committee direct staff to target an overall 2021 tax increase (City, Region, and Education taxes combined) while minimizing the impact to the taxpayer as a key priority; and further

THAT the Budget Review Committee direct staff to present Decision Units as part of the 2021 Tax Supported Budget to support corporate strategic initiatives that could not be accommodated within the Tax Supported Budget.

As recommended by the Budget Review Committee at its meeting of October 6, 2020.

Date Submitted: October 20, 2020

Submitted by Steve Zorbas, Interim CAO / General Manager, Corporate Services, Chief Financial Officer / Treasurer, on behalf of the Budget Review Committee.

  
\_\_\_\_\_  
(Signature)



## BUDGET REVIEW COMMITTEE MEETING MOTIONS REQUIRING COUNCIL APPROVAL

Tuesday, October 13, 2019

5:04 p.m.

Council Chambers / Virtual ZOOM Meeting

**Councillor D. McLeod in the Chair**

**Members in Attendance:** Mayor Campion, Councillors J. Chiochio, T. DiMarco, B. Fokkens, B. Green, M. Grimaldi, J. Larouche, A. Moote, C. Richard, G. Speck, and L. Spinosa, and L. Van Vliet

The following is a Summary of Motions and Recommendations from the Budget Review Committee requiring Council approval:

### **1. 2021 BUDGET CALL**

THAT THE BUDGET REVIEW COMMITTEE receives for information the memorandum dated October 6, 2020, regarding the 2021 Tax Supported Budget, 2021-2030 Capital Budget, and 2021 Rate Supported Budget; and further

THAT the Budget Review Committee direct staff to prepare a Tax Supported Budget for 2021; and further

THAT the Budget Review Committee direct staff to prepare a Capital Budget and forecast for 2021-2030; and further

THAT the Budget Review Committee direct staff to present the Capital Budget by Asset Category and aligned with the Asset Management Plan; and further

THAT the Budget Review Committee direct staff to fully fund all ten years of the Capital forecast; and further

THAT the Budget Review Committee direct staff to prepare a 2021 Rate Supported Budget; and further

THAT the Budget Review Committee approve the 2021 Budget Timetable, attached as Appendix I to the 2021 Budget Call Information Report memorandum dated October 6, 2020.

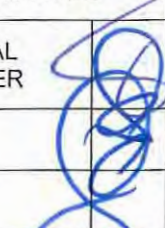
As recommended by the Budget Review Committee at its meeting of October 13, 2020.

Date Submitted: October 20, 2020

Submitted by Steve Zorbas, Interim CAO / General Manager, Corporate Services, Chief Financial Officer / Treasurer, on behalf of the Budget Review Committee.

(Signature)

**COUNCIL**  
**INFRASTRUCTURE AND DEVELOPMENT SERVICES**  
**TRAFFIC DIVISION**

APPROVALS	
GENERAL MANAGER	
CFO	
CAO	

REPORT TRAF-2020-07  
OCTOBER 20, 2020

*00-150*

**SUBJECT: USE OF ADMINISTRATIVE PENALTIES FOR THE ENFORCEMENT OF THE NOISE BY-LAW**

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

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

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

**RECOMMENDATIONS:**

1. THAT THE COUNCIL OF THE CITY OF WELLAND approves **REPORT TRAF-2020-07** Use of Administrative Penalties for the Enforcement of the Noise By-law ; and further
2. THAT Welland City Council directs the City Clerk to amend By-law 2015-23, a By-law to Regulate and Control Noise in the City of Welland, as follows:

ADD the following to Section 4.0 - ENFORCEMENT

- 4.3 Administrative Penalty By-law 2019-134 applies to each administrative penalty issued pursuant to this By-law.
- 4.4 Any person who contravenes any provision of this By-law shall, upon issuance of a penalty notice in accordance with Administrative Penalty by-law 2019-134, be liable to pay to the City an administrative penalty in accordance with the penalties as set out in Schedule "3" attached.

ADD Appendix II to By-law 2015-23, SET FINE SCHEDULE (APS) - Schedule "3"

3. THAT Welland City Council directs the City Clerk to amend By-law 2019-134, the Administrative Penalty By-law for Non-parking Related Offences, as follows:



ADD the following to Schedule "A" – DESIGNATED BY-LAWS

DESIGNATED BY-LAW	BY-LAW NUMBER
Noise By-law	2015-23, as amended

ADD the following to Schedule "C" – SET FINE SCHEDULES

SET FINE SCHEDULE	PAGE NO.:
Noise By-law 2015-23	13

ADD Appendix I to Schedule "C" as page number 13.

**ORIGIN AND BACKGROUND:**

In 2019, the Council of the City of Welland approved the Administrative Penalty By-law for Non-parking Related Offences (APS); By-law 2019-134. APS is a municipally administered program that replaces the current Court system with a faster, more flexible and customer-focused adjudication process for by-law offences. One of the main objectives of an APS program is to create a simple, accessible, fair and cost-effective system of dealing with by-law violations. APS is an alternative to the traditional method of issuing Provincial Offences Act (POA) tickets. City is currently using APS for clean yards and property standards issues.

**COMMENTS AND ANALYSIS:**

The proposed amendments to the City of Welland Noise By-law are necessary to permit the use of Administrative Penalty System.

**FINANCIAL CONSIDERATION:**

As by-laws are added to the Administrative Penalty System an increase to fine revenue can be expected.

**OTHER DEPARTMENT IMPLICATIONS:**

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

**SUMMARY AND CONCLUSION:**

Staff are recommending that Council designate the Noise By-law for which Administrative Penalties can be issued. While enforcement officers would still have discretion to commence proceedings under the Provincial Offences Act for a contravention of the Noise By-law, APS will give City of Welland By-law Enforcement an additional tool to respond to these types of behaviours efficiently and effectively, and without involving the Provincial Offences Court system.

**ATTACHMENTS:**

Appendix I – SET FINE SCHEDULE – Schedule “C”

Appendix II – SET FINE SCHEDULE (APS) – Schedule “3”

## Appendix I

## SCHEDULE "C"

THE CORPORATION OF THE CITY OF WELLAND

ADMINISTRATIVE PENALTY BY-LAW 2019-134

SET FINE SCHEDULE

TO NOISE BY-LAW 2015-23, AS AMENDED BEING A BY-LAW  
TO REGULATE AND CONTROL NOISE IN THE CITY OF  
WELLAND AND TO REPEAL BY-LAW 10204

ITEM	COLUMN 1 SHORT FORM WORDING	COLUMN 2 OFFENCE CREATING PROVISION OR DEFINING OFFENCE	COLUMN 3 SET FINE
1	Make noise or noises likely to disturb inhabitants of the City	Section 2	\$300.00
2	Cause noise or noises likely to disturb inhabitants of the City	Section 2	\$300.00
3	Permit noise or noises likely to disturb inhabitants of the City	Section 2	\$300.00

## Appendix II

**SCHEDULE "3"****THE CORPORATION OF THE CITY OF WELLAND****SET FINE SCHEDULE (APS)****BY-LAW 2015-23, AS AMENDED BEING A BY-LAW TO  
REGULATE AND CONTROL NOISE IN THE CITY OF WELLAND  
AND TO REPEAL BY-LAW 10204**

ITEM	COLUMN 1 SHORT FORM WORDING	COLUMN 2 OFFENCE CREATING PROVISION OR DEFINING OFFENCE	COLUMN 3 SET FINE
1	Make noise or noises likely to disturb inhabitants of the City	Section 2	\$300.00
2	Cause noise or noises likely to disturb inhabitants of the City	Section 2	\$300.00
3	Permit noise or noises likely to disturb inhabitants of the City	Section 2	\$300.00

APPROVALS	
GENERAL MANAGER	
CFO	
CAO	

COUNCILINFRASTRUCTURE AND DEVELOPMENT SERVICES

REPORT P&B-2020-57  
OCTOBER 20, 2020

20-94

**SUBJECT: BROWNFIELD TAX ASSISTANCE PROGRAM AND  
BROWNFIELD TAX INCREMENT GRANT PROGRAM  
555 CANAL BANK DEVELOPMENTS GP INC.  
401 CANAL BANK STREET (DAIN EAST SUBDIVISION)**

**AUTHOR: TRAVERS FITZPATRICK,  
GENERAL MANAGER,  
INFRASTRUCTURE & DEVELOPMENT SERVICES**

RECOMMENDATIONS:

1. THAT THE COUNCIL OF THE CITY OF WELLAND approves the Application for Brownfield Incentive Programs for the property known municipally as 401 Canal Bank Street for the Brownfield Tax Assistance Program (BTAP) in the estimated amount of \$262,860 (City and Region) and the Brownfield Tax Increment Grant Program (BTAP) in the amount of \$18,000,000 (\$10,000,000 City and \$8,000,000 Region);
2. THAT Welland City Council supports in principle a By-law to cancel City property taxes for a maximum of 3 years and directs staff to provide for this funding in the 2021, 2022 and 2023 Tax supported budgets;
3. That the said By-law and this Report be circulated to the Niagara Region to request the Region's participation in the Tax Assistance Program for cancellation of the increase in the Regional portion of property taxes and in the Tax Increment Grant Program;
4. THAT Welland City Council directs Staff to prepare the required By-law(s) and Agreement(s); and
5. THAT Welland City Council authorizes the Mayor and City Clerk to execute any documentation required to satisfy conditions related to participation in the Brownfield Incentive Programs for this property.

ORIGIN AND BACKGROUND:

A Brownfield Incentive Application has been received from 555 CANAL BANK DEVELOPMENTS GP INC. for property known municipally as 401 Canal Bank Street for two Programs available to Applicants within the Community Improvement Plan (CIP) Project Area. The Owner proposes to remediate the property for future residential

purposes and is seeking approval under the Brownfield Tax Assistance Program (BTAP) and the Brownfield Tax Increment Grant (BTIG) Program. In addition, the Owner has made Application for the Brownfields Fees Grant Program. Council's approval of this Brownfield Fees Grant Program can only occur upon final inspection of the completed project.

The purpose of the BTAP is to encourage the remediation and rehabilitation of brownfield sites by providing a cancellation of the City's property tax for up to 3 years on a property that is undergoing or has undergone remediation and redevelopment to assist with payment of the cost of environmental remediation. The estimated remediation costs eligible under this Program is \$11,150,975.00.

The purpose of the BTIG Program is to provide an annual grant for up to 10 years after project completion to assist with the cost of remediating and redeveloping brownfield properties where the project results in an increase in property assessment and property taxes. The total estimated eligible remediation and redevelopment costs under this Program is \$201,836,000.00 (\$185,157,000.00 building construction and \$16,679,000.00 on-site infrastructure) plus any remaining eligible costs not covered under the BTA Program.

**However, Staff have negotiated reduced City participation in these programs as set out in the RECOMMENDATIONS.**

#### **COMMENTS AND ANALYSIS:**

The subject property is located on the north side of Forks Road, east of the rail line with a narrow strip of frontage along Canal Bank Street and is illustrated on the attached Location Map (Appendix I). The property is vacant. The Owner proposes to remediate the property for future residential use by way of a Plan of Subdivision. (Dain East Subdivision which was approved by Council on 6 October 2020.) Appendix II identifies the draft approved subdivision layout, proposed to contain between 1368 and 1404 residential dwelling units consisting of single-detached dwellings, semi-detached dwellings and townhouses.

This site qualifies as an eligible property in accordance with the CIP. The environmental consultants have noted that remediation is required in order to permit the filing of a Record of Site Condition (RSC). As the environmental standards for residential land use are not met, an RSC must be obtained to permit the redevelopment of the property for residential purposes.

#### **Brownfield Tax Assistance Program**

The BTA Program provides a financial incentive in the form of cancellation of City property taxes for up to 3 years during the rehabilitation period and redevelopment period. The Niagara Region tax assistance is a cancellation of the increase in Region property taxes during the rehabilitation period.

As shown on Appendix III, it is estimated that City total property taxes of \$256,671 could be cancelled under the BTA Program starting in 2021 for 3 years. The Region's contribution has been estimated to be \$6,189 starting in 2021 for 3 years. The cancelled

property taxes (City and Region) are deducted from the amount of eligible remediation costs that can be rebated through the BTIG Program. This financial incentive will cease when the total tax assistance provided equals the total eligible costs, or after 3 years, whichever comes first.

**The Owner has not requested approval under the Provincial Brownfield Financial Tax Incentive Program for the education component of taxes.**

Pursuant to the Municipal Act, a By-law must be passed by Council authorizing the municipal (City and Region) tax assistance.

Niagara Region must confirm their participation in the Brownfield Tax Assistance Program.

### **Brownfield Tax Increment Grant Program**

The BTIG Program provides an annual grant equivalent to a percentage of the increase in municipal (City and Region) property taxes that result from the project for up to 10 years, after the BTA ends. However, given the scale of costs falling to the City under the Program, Staff have been able to negotiate a maximum Brownfield Tax Increment Grant of \$10,000,000 City share with the Owner.

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

### **Summary**

The total estimated eligible costs for both Tax Incentive Programs is \$212,986,975. Based on the estimated Grant calculations, that the Owner could potentially recover approximately \$52,104,982 in eligible costs through both Programs. However, as noted Staff have negotiated City payments in the order of \$10,260,000.

If Council approves the Application, the Owner will be required to enter into a Grant Agreement(s) for the respective Brownfield Programs which will specify the terms for each Grant. The environmental remediation works may not commence until the Agreement(s) has been executed and the By-law(s) have been passed.

The proposal meets the goals of the Brownfield CIP by improving the physical and visual quality of the site and improving environmental health and public safety by remediating the property for human habitation. Site redevelopment will increase tax assessment and property tax revenues. One of the goals of the CIP is to increase the long-term assessment base and property tax revenues for the City.

Staff recommends approval of the Application for the BTA and BTIG Programs for 401 Canal Bank Street. These financial incentives will help offset the costs of environmental remediation and redevelopment of this Brownfield property. Redeveloping this Brownfield site for residential use will increase the municipal tax base, revitalize the vacant property, improve the environmental quality of the site and City as a whole and provide housing opportunities for people.

**FINANCIAL CONSIDERATIONS:**

The BTA Program will be administered as follows:

- Cancellation of City property taxes for the rehabilitation period and redevelopment period for up to 3 years;
- Regional participation is subject to Regional Council approval;
- The period during which City property taxes are cancelled commences when the By-law is passed or on the date specified in By-law; and
- The tax assistance will end if the eligible property is severed, subdivided, sold or conveyed prior to the end of the 3 year period specified in the By-law.

The BTIG Program will be administered as follows:

- (a) there will be no BTIG payments during the first three (3) years of the program;
- (b) the maximum amount of BTIG payments relating to the City's portion of the Taxes (as that term will be defined in the BTIG Program Agreement) will not exceed One Million (\$1,000,000.00) in calendar years four and five following the first occupancy;
- (c) the maximum amount of BTIG payments relating to the City's portion of the Taxes will not exceed One Million Five Hundred Thousand (\$1,500,000.00) in calendar years six through nine following the first occupancy;
- (d) the balance of BTIG payments relating to the City's portion of the Taxes will be the balance owing in calendar year ten following the first occupancy; and
- (e) the maximum amount of BTIG payments relating to the Regional Taxes (as that term will be defined in the BTIGP Agreement) will not exceed 80% of the maximum amount of TIG payments related to the City's portion of the taxes in a calendar year.

The total amount of all Grants provided through all available City Incentive Programs shall not exceed \$10,260,000



**OTHER DEPARTMENT IMPLICATIONS:**

The Legal Division will be involved in the registration of the Agreement(s) and By-laws. The Finance Division will be involved with all financial aspects associated with each specific Incentive Program.

The Building Division will be responsible for processing the future Building Permit Applications and implementing the Development Charge Reductions and Building Permit Fees reductions.

**The proposed redevelopment will be eligible for a negotiated 25% reduction in both Building Permit Fees and Development Charges Fees. Under the Incentive Programs and Development Charges By-law the development is eligible for a 100% reduction for both fees.**

The Planning Division will be involved with the registration of the Draft Approved Plan of Subdivision and any subsequent planning approvals required.

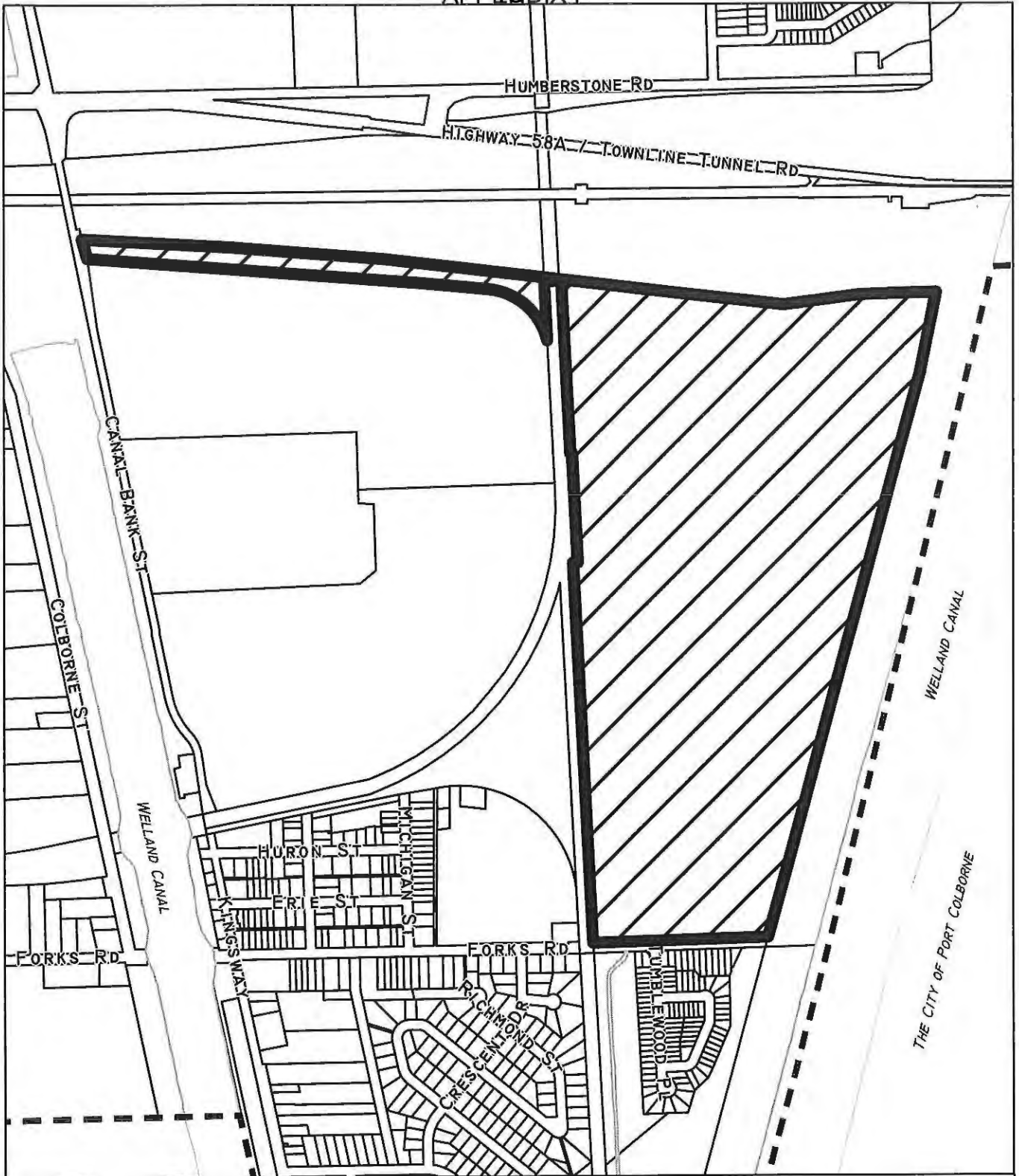
**SUMMARY AND CONCLUSION:**

The Owner of 401 Canal Bank Street has requested funding under 2 Brownfield Incentive Programs for the proposed remediation and redevelopment of this property. Council's implementation of these Programs facilitates redevelopment of Brownfield properties by assisting property Owners with costs associated with environmental remediation and development. The proposed residential use of the property will provide between 1368 and 1404 residential dwelling units.

Staff recommends approval of the Application for the Brownfield Tax Assistance Program and the Brownfield Tax Increment Grant Program for 401 Canal Bank Street as discussed in this Report. The approval of the Application will provide an estimated financial incentive to the Owner of \$52,104,982.00 in eligible costs. The construction of new residential units will generate approximately \$487,147,115.00 in assessed value, revitalize the vacant property, improve the environmental quality of the site and the City as a whole and provide new housing opportunities for people.

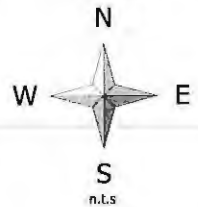
**ATTACHMENTS:**

- Appendix I - Location Map
- Appendix II - Draft Approved Plan of Subdivision
- Appendix III - Tax Assistance Program Estimated Calculation



# LOCATION MAP

401 Canal Bank Street

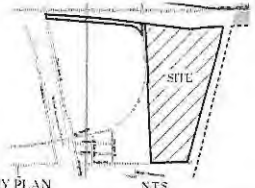
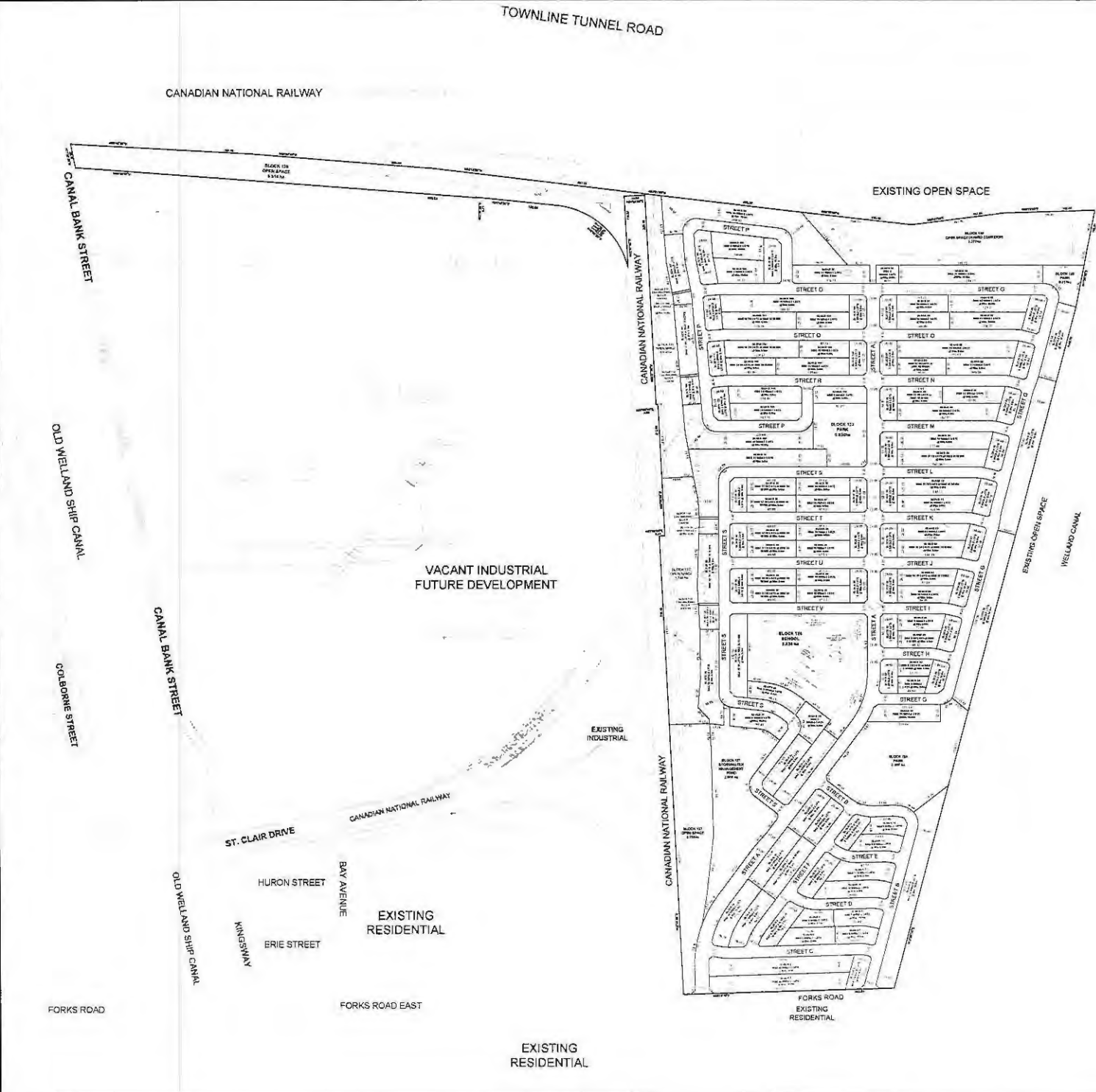


**SUBJECT LANDS**



*Infrastructure and  
Development Services*  
Planning Division





**ADDITIONAL INFORMATION**  
 Prepared under Section 20(2) of the Planning Act, R.S.O. 1990, c. M.56.  
 1. SCALE ON THIS PLAN: 1:1000  
 2. TOTAL SITE AREA: 72.132 H.A.  
 3. AREA OF THIS PLAN: 11.267 H.A.  
 4. AREA OF THIS PLAN: 11.267 H.A.  
 5. AREA OF THIS PLAN: 11.267 H.A.  
 6. AREA OF THIS PLAN: 11.267 H.A.  
 7. AREA OF THIS PLAN: 11.267 H.A.  
 8. AREA OF THIS PLAN: 11.267 H.A.  
 9. AREA OF THIS PLAN: 11.267 H.A.  
 10. AREA OF THIS PLAN: 11.267 H.A.

**SCHEDULE OF LAND USE**

TOTAL SITE AREA - 72.132 H.A.

Proposed Land Use	Units	Reference	Area (H.A.)
Residential Singles 10/10m	345	Block 10, 10A, 10B, 10C, 10D, 10E, 10F, 10G, 10H, 10I, 10J, 10K, 10L, 10M, 10N, 10O, 10P, 10Q, 10R, 10S, 10T, 10U, 10V	11.267
Residential Singles 8/10m	664	Block 10, 10A, 10B, 10C, 10D, 10E, 10F, 10G, 10H, 10I, 10J, 10K, 10L, 10M, 10N, 10O, 10P, 10Q, 10R, 10S, 10T, 10U, 10V	17.254
Residential Townhouses 5.5/5m	321	Block 10, 10A, 10B, 10C, 10D, 10E, 10F, 10G, 10H, 10I, 10J, 10K, 10L, 10M, 10N, 10O, 10P, 10Q, 10R, 10S, 10T, 10U, 10V	6.311
Park	1	Block 10, 10A, 10B, 10C, 10D, 10E, 10F, 10G, 10H, 10I, 10J, 10K, 10L, 10M, 10N, 10O, 10P, 10Q, 10R, 10S, 10T, 10U, 10V	0.029
School	1	Block 10, 10A, 10B, 10C, 10D, 10E, 10F, 10G, 10H, 10I, 10J, 10K, 10L, 10M, 10N, 10O, 10P, 10Q, 10R, 10S, 10T, 10U, 10V	2.825
Stormwater Management Pond	1	Block 10, 10A, 10B, 10C, 10D, 10E, 10F, 10G, 10H, 10I, 10J, 10K, 10L, 10M, 10N, 10O, 10P, 10Q, 10R, 10S, 10T, 10U, 10V	2.078
Railway Right-of-Way	1	Block 10, 10A, 10B, 10C, 10D, 10E, 10F, 10G, 10H, 10I, 10J, 10K, 10L, 10M, 10N, 10O, 10P, 10Q, 10R, 10S, 10T, 10U, 10V	0.078
Open Space	1	Block 10, 10A, 10B, 10C, 10D, 10E, 10F, 10G, 10H, 10I, 10J, 10K, 10L, 10M, 10N, 10O, 10P, 10Q, 10R, 10S, 10T, 10U, 10V	15.339
ROADS			
21m R.O.W. Street A-I			2.625
15m R.O.W. Streets B-N			12.610

**Proposed Summary Yield**

Proposed Unit Mix	Unit Count with Alternate 5.5/5m Townhouse	Unit Count with Alternate 5.5/5m Semi-Detached
Residential Singles 10/10m	345	345
Residential Singles 8/10m	664	664
Residential Townhouses 5.5/5m	321	285
Residential Semi Detached 5.5/5m		285
<b>TOTAL</b>	<b>1325</b>	<b>1292</b>

**REVISIONS**

No.	REVISION	DATE
1		
2		
3		
4		
5		

**OWNERS CERTIFICATE**  
 I HEREBY CERTIFY THAT THE SEVERAL AND SEVERALLY JOINT AND SEVERAL PARTS OF THE ABOVE DESCRIBED PROPERTY ARE SHOWN ON THIS DRAFT PLAN OF SUBDIVISION FOR APPROVAL.

DATE: \_\_\_\_\_

**SURVEYORS CERTIFICATE**  
 I HEREBY CERTIFY THAT THE SEVERAL AND SEVERALLY JOINT AND SEVERAL PARTS OF THE ABOVE DESCRIBED PROPERTY ARE SHOWN ON THIS DRAFT PLAN OF SUBDIVISION FOR APPROVAL.

DATE: \_\_\_\_\_

**DAIN CITY EAST  
 DRAFT PLAN OF SUBDIVISION**

PART LOTS 21, 22 AND 23 CONGRESSION 5, PART OF THE ROAD ALLOWANCE BETWEEN LOTS 20 AND 21 CONGRESSION 5, AND PART OF THE ROAD ALLOWANCE BETWEEN LOT 22 AND 23 CONGRESSION 5, CLOSED BY L.W. 55, INST. NO. 18,252, GEOGRAPHIC TOWNSHIP OF HUNTERSTONE, THE CITY OF WELLS AND REGIONAL MUNICIPALITY OF NIAGARA.

**armstrong**  
 planning and management

50

**CITY OF WELLAND BROWNFIELD CIPs**  
**TAX ASSISTANCE PROGRAM CALCULATOR - FOR CITY and REGION PORTION**  
**401 Canal Bank Street**

Dated: October 1, 2020

Roll 271906000203500	Pre-Project (RT)	Estimated Year 1 Taxes (3% Increase)	Estimated Year 1 Tax Assistance	Estimated Year 2 Taxes (3% Increase)	Estimated Year 2 Tax Assistance	Estimated Year 3 Taxes (3% Increase)	Estimated Year 3 Tax Assistance	Estimated Total Tax Assistance
Assessment Value	\$10,183,000.00							
Municipal Taxes	\$80,622.38	\$83,041.05	\$83,041.05	\$85,532.28	\$85,532.28	\$88,098.25	\$88,098.25	\$256,671.57
Regional Taxes	\$66,745.19	\$68,747.54	\$2,002.36	\$70,809.97	\$2,062.43	\$72,934.27	\$2,124.30	\$6,189.08
<b>Total</b>	<b>\$147,367.56</b>	<b>\$151,788.59</b>	<b>\$85,043.40</b>	<b>\$156,342.25</b>	<b>\$87,594.70</b>	<b>\$161,032.51</b>	<b>\$90,222.55</b>	<b>\$262,860.65</b>

The City portion of the Brownfield Tax Assistance has been calculated using the June 2018 CIP which provides for a cancellation of taxes. The Region portion of the Brownfield Tax Assistance has been calculated using the 2007 CIP which provides for tax assistance based on the increase in taxes. The pre-project assessment value is based on actual 2020 MPAC assessment. The results are estimates only, assume a 3% tax increase and are subject to change as the annual tax base and rates change. The results shall not be relied upon as a guarantee or assurance of tax assistance.

Welland Property Tax Rate (Residential - RT)			0.00791735
Regional Property Tax (Residential - RT)			0.00655457
Education Property Tax Rate (Residential - RT)			0.00153000

APPROVALS	
GENERAL MANAGER	
CFO	
CAO	

COUNCILINFRASTRUCTURE AND DEVELOPMENT SERVICES

REPORT P&B-2020-58  
OCTOBER 20, 2020

20-96

**SUBJECT:** APPLICATION FOR DRAFT PLAN OF SUBDIVISION (FILE NO. 26T-14-20004) SUBMITTED BY UPPER CANADA CONSULTANTS FOR LANDS ON THE EAST SIDE OF THE KINGSWAY, SOUTH OF TALBOT AVENUE, WEST OF THE WELLAND SHIPPING CANAL, SPECIFICALLY DESCRIBED AS LOTS 30-38 (INCLUSIVE), PLAN 54, FORMER TOWNSHIP OF HUMBERSTONE, NOW PLAN 813, CITY OF WELLAND, MUNICIPALLY KNOWN AS 180 KINGSWAY

**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:

1. THAT THE COUNCIL OF THE CITY OF WELLAND approves application for Draft Plan of Subdivision for lands legally described as Lots 30-38 (inclusive) Plan 54, former Township of Humberstone, now Plan 813, City of Welland, municipally known as 180 Kingsway, for the development of 21 single detached dwellings, one block for multiple residential dwellings, and one environmental block, subject to the following conditions:
  1. That the Owner enter into a Subdivision Agreement with the City of Welland.
  2. That no grading or onsite works be commenced prior to the registration of a subdivision agreement on the property.
  3. All construction must be in accordance with the City of Welland Municipal Standards.

4. That the owner agrees to gratuitously provide any permanent easement(s) required by other agencies or utilities, free and clear of all encumbrances.
5. That the owner dedicates Block 23 to the City of Welland for environmental conservation purposes, free and clear of all encumbrances.
6. A comprehensive stormwater management plan shall be submitted to the Engineering Department for review and approval.
7. The outlet for this storm run-off shall be reviewed and determined to be adequate for the amount of run-off designed. If any upgrades to the outlet storm channel from the development to the recreational waterway, these costs shall be borne by the developer.
8. A comprehensive civil engineering design shall be submitted to the City for review and approval.
9. All re-instatements to existing roadways shall be to as good or better condition.
10. A pre-construction survey of all existing housing units shall be undertaken to protect the City, the contractor, and the residents for insurance purposes.
11. That the owner implements any and all construction measures identified in the Geotechnical Report prepared by Landtek Limited at the time of Building Permit.
12. That the applicant will pay Cash-in-Lieu of Parkland Dedication at the time of Building Permit, in accordance with the City of Welland policies.
13. A grading plan prepared by a qualified professional to the satisfaction of the City and NPCA showing the total limit of development and site alteration.
14. An Erosion and Sediment Control Plan be prepared by a qualified professional to the satisfaction of the NPCA.
15. That the Developer obtain a Work Permit from the Niagara Peninsula Conservation Authority prior to beginning any work within the 30-metre wetland buffer. In support of the Work Permit application, the following information will be required:
  - a. A buffer planting plan.

- b. A grading plan prepared by a qualified professional to the satisfaction of the NPCA showing the total limit of development and site alteration.
  - c. Confirmation from a qualified professional that there will be no negative impact of the stormwater being discharged into the Provincially Significant Wetland.
  - d. A tree preservation and savings plan.
  - e. An erosion and sediment control plan prepared by a qualified professional to the satisfaction of the NPCA.
16. That the Developer provide 1.5 metre high chain link fencing along the rear lot line of Lots 1 to 10 inclusive, to the satisfaction of the Niagara Peninsula Conservation Authority.
17. That the Developer provide limit of work fencing along the rear lot line of Lots 1 to 10 inclusive and to the satisfaction of the Niagara Peninsula Conservation Authority.
18. That prior to approval of the final plan, the owner shall submit a copy of a Phase 2 Environmental Site Assessment (ESA) prepared by a qualified person in accordance with Ontario Regulation 153/04, as amended, to the Niagara Region Planning and Development Services Department to address the change in use of the previously commercial lands at 180 Kingsway.
19. That the subdivision agreement between the owner and the City of Welland contain provisions whereby the owner agrees to implement the recommendations, if any, of the Phase 2 Environmental Site Assessment (ESA).
20. That the owner shall file a Record of Site Condition (RSC) on the Ministry of Environment, Conservation and Parks' [Brownfields] Environmental Site Registry in accordance with Ontario Regulation 153/04, as amended, and that the owner provide the Niagara Region Planning and Development Services Department and the City with copies of the Environmental Site Assessment(s) and site remediation reports as well as a copy of the Ministry of Environment, Conservation and Parks' written acknowledgement of the filing of the RSC.



21. That the owner submit an air quality (odour) and noise assessment to determine potential impacts from the nearby Dain City Sewage Pumping Station (135 Talbot Avenue) to the satisfaction of Regional Planning and Development Services. Note: the air quality assessment for odour and/or noise assessment may be subject to peer review, at the expense of the owner/developer.
22. That the subdivision agreement between the owner and the City of Welland contain provisions whereby the owner agrees to implement the recommendations, if any, of the air quality and noise assessments required.
23. That the subdivision agreement between the owner and the City of Welland, and any Agreements of Purchase and Sale or Lease for each dwelling unit, include any warning clauses required, and the following clause:

*“Due to the proximity of the subdivision lands to the Dain City Sewage Pumping Station, Purchasers/Tenants are advised that, despite the inclusion of noise/odour control features in the development and within the building units, periodic emissions of unpleasant odours and noise from the normal or emergency operations of this facility, for an unspecified duration, may occur and may adversely affect the residents of this development.”*
24. That vegetation removals be undertaken between October 1st and March 14<sup>th</sup>, outside of both the breeding bird nesting period and active bat season.
25. That standard best management construction practices shall be used to mitigate construction dust, noise and/or exhaust fumes and prevent spills.
26. That a Buffer Planting Plan be prepared for Regional staff approval, preferably by a full member of the Ontario Association of Landscape Architects (OALA), to identify and illustrate the location of additional native trees, shrubs and groundcover to be planted.
27. A Grading Plan is to be developed and provided to Regional staff for approval in order to ensure the surface water flows associated with rear of Lots 1 through 7, and Lots 10 through 15 are directed to the wetland area.
28. That permanent rear-lot fencing be provided for all lots bordering on the retained Environmental Protection Areas. A no-gate bylaw is recommended to reduce human encroachment and limit the movement of pets into the adjacent natural areas.

29. That the Erosion and Sediment Control (ESC) Plan be provided for Regional staff approval. The ESC Plan shall include details for, but not be limited to, ESC fencing and other ESC measures, dust suppression and topsoil storage. ESC measures must be monitored regularly to ensure they are functioning properly and promptly fixed if issues are identified.
30. That the Tree Saving Plan prepared in accordance with the Region of Niagara Tree and Forest Conservation By-law (By-law 30-2008) Section 1.36 be provided for Regional staff approval.
31. That the subdivision agreement between the owner and the City of Welland contain wording wherein the owner agrees to implement the recommendations of the approved Grading Plan, ESC Plan, Buffer Planting Plan, and Tree Saving Plan.
32. That prior to approval of the final plan or any on-site grading, the owner shall submit a detailed stormwater management plan for the subdivision and the following plans designed and sealed by a qualified professional engineer in accordance with the Ministry of the Environment documents entitled Stormwater Management Planning and Design Manual, March 2003 and Stormwater Quality Guidelines for New Development, May 1991, or their successors to the Niagara Region for review and approval:
  - a. Detailed lot grading, servicing and drainage plans, noting both existing and proposed grades and the means whereby overland flows will be accommodated across the site;
  - b. Detailed erosion and sedimentation control plans;
  - c. Detailed phasing of construction of the stormwater management facility to coincide with phasing of development of residential lands (internal and external to the subdivision) planned to be serviced by the stormwater management facility.
33. That the subdivision agreement between the owner and the City contain provisions whereby the owner agrees to implement the approved plan(s) required in accordance with the approved Stormwater Management Plan.
34. That the owner provides a written acknowledgement to Niagara Region Planning and Development Services Department stating that draft approval of this subdivision does not include a commitment of servicing allocation by Niagara Region as servicing allocation will not be assigned until the plan is

- registered and that any pre-servicing will be at the sole risk and responsibility of the owner.
35. That the owner provides a written undertaking to Niagara Region Planning and Development Services Department stating that all Offers and Agreements of Purchase and Sale or Lease, which may be negotiated prior to registration of this subdivision shall contain a clause indicating that servicing allocation for the subdivision will not be assigned until the plan is registered, and a similar clause be inserted in the subdivision agreement between the owner and the City.
  36. That prior to final approval for registration of this plan of subdivision, the owner shall submit the design drawings [with calculations] for the new sanitary and storm sewers required to service this development and obtain the necessary Ministry of the Environment, Conservation and Parks Compliance Approval under the Transfer of Review Program.
  37. That the owner/developer ensure, throughout all phases of development, that all streets and development blocks can provide an access in accordance with the Niagara Region's Corporate Policy and By-laws relating to the curbside collection of waste and recycling. Where a through street is not maintained, the owner/developer shall provide a revised draft plan to show an appropriate temporary turnaround to permit Regional waste collection services.
  38. That the owner/developer shall comply with Niagara Region's Corporate Policy for Waste Collection.
  39. Include on all offers of purchase and sale, a statement that advises the prospective purchaser:
    - a. that the home/business mail delivery will be from a designated Centralized Mail Box.
    - b. that the developers/owners be responsible for officially notifying the purchasers of the exact Centralized Mail Box locations prior to the closing of any home sales.
  40. The owner further agrees to:
    - a. work with Canada Post to determine and provide temporary suitable Centralized Mail Box locations which may be utilized by Canada Post

until the curbs, boulevards and sidewalks are in place in the remainder of the subdivision.

- b. install a concrete pad in accordance with the requirements of and in locations to be approved by Canada Post to facilitate the placement of Community Mail Boxes.
- c. identify the pads above on the engineering servicing drawings. Said pads are to be poured at the time of the sidewalk and/or curb installation within each phase of the plan of subdivision.
- d. determine the location of all centralized mail receiving facilities in co-operation with Canada Post and to indicate the location of the centralized mail facilities on appropriate maps, information boards and plans. Maps are also to be prominently displayed in the sales office(s) showing specific Centralized Mail Facility locations.

41. That prior to granting approval for the Final Plan of Subdivision, City of Welland Planning Division will require written notice from the following upon their respective Conditions of Draft Plan Approval have been met satisfactorily:

Niagara Peninsula Conservation Authority: 13, 14, 15, 16, 17

Region of Niagara Conditions: 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38

Canada Post Conditions: 39, 40

42. That if Final Approval is not given to this Plan within three (3) years of the approval date, and no extensions have been granted, Draft Approval shall lapse. If the Owner wishes to request extension of Draft Plan Approval, a written request with reasons why the extension is required and the applicable application fee, must be received by the City prior to the lapsing date; and

THAT Welland City Council authorizes the Mayor and Clerk to sign the Draft Approval and Final Approval Plans and agreements once all conditions have been satisfied.

**ORIGIN AND BACKGROUND:**

A complete application for Draft Plan of Subdivision was submitted on April 3, 2020 and was deemed complete on April 21, 2020.

**COMMENTS AND ANALYSIS:**

The Proposal

The proposal that was originally submitted proposed the creation of 31 single detached dwellings and one block for environmental conservation purposes. Based on preliminary comments from the Niagara Peninsula Conservation Authority, the draft plan was amended to increase the size of the environmental block, and to propose 21 lots for single detached dwellings and one block for up to 10 townhouse dwellings. A further revision was made to the plan in September, 2020 to again increase the size of the environmental block. No changes to the number of units has been proposed in the revised drawings.

### The Site

The lands are located on the east side of the Kingsway, south of Talbot Avenue. The lands are primarily vacant, with a former building located along Kingsway that was used as the location of the Walk-on Dust operation.

### Surrounding Land Uses

The lands to the north are used for low density residential. To the east is environmentally sensitive lands that were dedicated to the City and contain a locally significant wetland. The lands to the south are low density residential uses and natural heritage lands. To the west is the Kingsway and the Welland Recreational Canal.

### Agency Comments

Enbridge Gas Inc.  
(May 5, 2020)

- No objections.
- The applicant shall contact Enbridge Gas Inc's Customer Connections department to determine gas availability, service, and meter installation details and to ensure all gas piping is installed prior to the commencement of site landscaping (including, but not limited to: tree planting, silva cells, and/or soil trenches) and/or asphalt paving.
- In the event that easement(s) are required to service this development, and any future adjacent developments, the applicant will provide the easement(s) to Enbridge Gas Inc. at no cost.

City of Welland  
Infrastructure and  
Development Services –  
Building Division  
(April 23, 2020)

- Staff has reviewed the information submitted and while a final decision on issuance of building permit will be based on the information submitted with the building permit application to this office, we wish to offer the following comments:

- Subject lands are located within the regulated area of Niagara Peninsula Conservation Authority therefore approval by the NPCA will be required prior to issuance of building permits.
- A subsurface Geotechnical report prepared by Landtek Limited, and dated March 29, 2019; indicates that the shallower, organic-rich silty clay deposits are not considered suitably competent as founding soils. Therefore, it is recommended that a Geotechnical Engineer should be engaged during construction to examine the exposed sub-soil quality and condition, and confirm the subsurface conditions are consistent with design assumptions. It is also recommended that water proofing measures are included in the foundation design in compliance with the Ontario Building Code.
- Phase 1 Environmental Site Assessment Report prepared by Wood Environmental and Infrastructure Solutions and dated April 3, 2020 recommends that Phase 2 be carried out to address the contaminants discovered during the Phase 1 assessment.
- The Functional Servicing Report prepared by Upper Canada Consultants indicates sufficient water and sanitary sewer capacity for the proposed development.
- Parkland dedication shall be established in accordance with By-law 2014-101. If a 5% Cash-in-Lieu of Parkland method is utilized, the Developer shall establish the value of land for each lot, to the satisfaction of the City, prior to execution of the Subdivision Agreement. The values shall be determined by an Appraiser in accordance with City Policy as of the day before the day the first building permit is issued for the development. The values shall be referenced in

the Special Conditions and Building Restrictions of the Subdivision Agreement.

- The Noise Feasibility Study prepared by HGC Engineering Ltd. Recommends that dwelling units affected by excessive noise levels as determined by the MEPC guidelines, should be designed for future installation of air conditioning units and that future occupants be advised to that effect through warning clauses as part of the subdivision approval process.
  
- Canada Post Corporation (April 30, 2020) • No objections to the proposed application. Has requested a number of conditions of Draft Plan Approval which have been included.
  
- City of Welland Infrastructure and Development Services – Engineering Division (August 14, 2020) • No objections to the application. A number of conditions of Draft Plan Approval have been requested and included.
  
- City of Welland Infrastructure and Development Services – Traffic, Parking & Bylaws Division (August 13, 2020) • The applicant will be responsible for installation of streetlights on Regatta Drive, as well as at the future intersection of Kingsway/Regatta.
  
- Welland Hydro and Electric System Corp. (April 14, 2020) • No objections to the application.

  - The applicant shall contact WHESC's Engineering Department to determine servicing details and requirements.
  - If existing WHESC's infrastructure is required to be relocated or temporary Hydro service is required, all costs are the responsibility of the applicant.
  - If easement(s) are required by WHESC to service this development or any future adjacent developments, the applicant will provide at their expense the necessary registered easements.

Niagara Peninsula  
Conservation Authority  
(July 13, 2020)

- The proposed development must meet the clearance requirements of Section 3.1.19.1 “Clearance to Buildings” of the Ontario Building Code.
- The NPCA has reviewed the application for Draft Plan of Subdivision and associated studies.
- The subject lands contain a watercourse and the Seaway Wetland Complex, which is a locally significant wetland. Both of these features are regulated by the NPCA.
- The applicant has proposed to remove some of the wetland and offset/compensate for the loss elsewhere on the property, with approximately 946 square metres removed and 1613 square metres being replaced. This is not permitted in NPCA policy.
- The NPCA’s policies is to firstly to promote the conservation of land through the protection of wetlands. It is not the intent of the NPCA’s policies to be used to facilitate a higher density where a development can otherwise be achieved on the site. The intent of the is a “last resort” where there is no feasible alternative.
- In reviewing the proposed Draft Plan, maintain a 15 metre buffer (where it can be demonstrated that a 15 metre buffer will sufficiently protect the ecological and hydrological function of the wetland) would result in the loss of approximately 6 lots. There is still sufficient room to accommodate the municipal road. There may be opportunities to reconfigure the existing lots to increase the density. Given this, the NPCA cannot support the proposed Draft Plan as presently shown as it does not maintain the intent of NPCA policies.

Niagara Peninsula  
Conservation Authority

- The applicant has amended their application subsequent to the NPCA’s comment letter dated



(September 30, 2020)

July 13<sup>th</sup> 2020. The NPCA has reviewed the Canal Estates Revised Plan, DWG No. 17117-DP Rev.1 dated February 25<sup>th</sup>, 2020 printed September 17<sup>th</sup>, 2020 prepared by Upper Canada Consultants, and an Environmental Impact Study Addendum prepared by Beacon Environmental, dated September 3<sup>rd</sup>, 2020.

- Based on the review of the two above mentioned studies, NPCA staff have no objections to the application as it relates to NPCA policies, subject to the recommended Conditions of Draft Plan Approval.
- Conditions of Draft Plan Approval have been requested and included.

Region of Niagara  
Planning & Development  
Services  
(September 3, 2020)

- The Region of Niagara has reviewed the application based on the information provided, as well as in conjunction with applicable Provincial and Regional Policies.
- Based on the EIS submitted with the application, there are additional items which must be provided prior to the Region providing support to this application. The required information has been provided to the applicant for their review and information.

Region of Niagara  
Planning & Development  
Services  
(September 23, 2020)

- The subject lands are located within the Provincially designated Built-up Area of the City of Welland. Accordingly, the residential growth will contribute towards the City's annual residential intensification target of 40%. Regional staff note that the proposed subdivision will include both single detached dwellings and townhouse dwelling units to provide a range of housing types.
- Due to the change in use from a previous commercial use on the subject lands (180 Kingsway) to a proposed residential subdivision development, a Record of Site Condition (RSC)

under Provincial environmental legislation with the Ministry of the Environment, Conservation and Parks (MECP) is required. A Phase 1 ESA was completed for the property which identified that a Phase 2 ESA would be required prior to the submission for a RSC.

- The development proposes residential use, which is considered a 'sensitive land use' as outlined in the guidelines, in proximity to the industrial use (sewage pumping station). The D1 and D6 guidelines indicate that industrial land uses and sensitive land uses are normally incompatible due to possible adverse effects on sensitive land uses created by industrial operations in close proximity.
- According to the Planning Justification Report (dated April 2020, prepared by Upper Canada Consultants), correspondence between the Region and agent indicated that this requirement could be addressed as a condition of draft plan approval. As such, conditions have been included requiring the completion of a Noise Impact Study and Odour Study and implementation of associated warning clauses in the subdivision agreement. The air quality and noise study will need to be peer reviewed in order to verify that the findings, mitigation and recommendations are sufficient to satisfy Provincial and Regional policy and the aforementioned Ministry guidelines. Any recommendations or mitigation measures may result in required changes to the site layout.
- Regional Environmental Planning staff have reviewed the originally submitted EIS, the EIS Addendum, and the revised Draft Plan to verify that the findings, proposed mitigation measures and recommendations are sufficient to satisfy Regional and Provincial environmental policies. Staff do not object to the development proposal

in principle, provided all required authorizations are received from applicable regulatory agencies and the mitigation measures identified in the EIS are incorporated into all future plans.

- Regional staff have reviewed the preliminary stormwater management and the site servicing plans and have no concerns. Conditions regarding their implementation have been included.
- Conditions of Draft Plan Approval have been requested and included as part of the recommendation for this development.

A virtual Public Open House was held on August 27, 2020 to gain public input regarding the proposed applications. Six (6) members of the public participated in the Information Meeting, in addition to agent for the applicant. The following comments and concerns were raised at the Public Information Meeting:

- Lot frontages smaller than those lots on Regatta Drive and Talbot Avenue;
- Geotechnical issues in the area;
- Has an environmental review of the former cleaning business been completed;
- Environmental concerns regarding the animals and plants on the property and the impact of the development on the natural area;
- Is there a tree savings plan; and,
- Stormwater and drainage issues in Dain City and capacity concerns with new development.

The Statutory Public Meeting under the Planning Act was held on September 15, 2020. Two people spoke at that meeting and raised questions and concerns regarding the natural environment impacts associated with the development of the property, drainage, and infrastructure limitations with only one access into Dain City.

At the time of writing this report, six (6) letters have been submitted from a members of the public regarding the application. The comments in the letters were the same as those that were raised at the Public Information Meeting and the Public Meeting.

#### Provincial Policy

Section 51(24) of the *Planning Act* requires that all in the review of all proposals for Plans of Subdivision, regard must be had for to the health, safety, convenience,

accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to:

- (a) The protection of ecological systems, including natural areas, features, and functions;
  - The property is impacted by a locally significant wetland and a stream that runs through the southern portion of the property. The lands have also been identified as having a significant woodland on the property.
  - An EIS has been completed for the property which has identified that the removal of the woodland will not negatively impact the surrounding natural area, but that the Locally Significant Wetland and the watercourse, which has been identified as a fish habitat, should be protected for the long term.
- (b) the protection of agricultural resources of the Province;
  - The subject lands are not part of the City's Agricultural lands.
- (c) the conservation and management of natural resources and the mineral resource base;
  - There are no known natural resources on this property.
- (d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;
  - The property is not impacted by any features of architectural, cultural, historical, or archaeological interest. No ANSI's have been identified on the property, but the area identified as Locally Significant Wetland, watercourse, and fish habitat will be protected.
- (e) the supply, efficient use and conservation of energy and water;
  - The proposal does not include any information regarding energy and water conservation methods that will be implemented at the time of construction. The Ontario Building Code includes requirements for

- energy efficiency must be incorporated into all new home construction.
- (f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- The property is within the City's Urban Area and can be supplied with municipal infrastructure. There are no capacity issues that will be created as a result of this development.
  - The developer will be responsible for extending the water, sanitary, and storm sewers to service the new development, in addition to constructing the municipal road network. There is available capacity within the municipal system to accommodate the proposed development.
  - The development will extend Regatta Drive to connect to Kingsway.
- (g) the minimization of waste;
- The property will be serviced by Regional waste collection.
- (h) the orderly development of safe and healthy communities;
- The property is within the urban boundary and will not require an expansion to the urban area, has connections to roads, and will be provided with sidewalks on at least one side of the new street.
- (h.1) the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;
- The development is not designed to accessibility standards, but it will be the responsibility of the individual property owners to incorporate any accessibility measures into the house designs.
- (i) the adequate provision and distribution of educational,
- The local school boards have not provided comments regarding the

- health, social, cultural and recreational facilities;
- (j) the adequate provision of a full range of housing, including affordable housing;
- (k) the adequate provision of employment opportunities;
- (l) the protection of the financial and economic well-being of the Province and its municipalities;
- (m) the co-ordination of planning activities of public bodies;
- proposal. As part of the Dain East Plan of Subdivision, a school site has been incorporated into the design. There is capacity in the schools to accommodate future students from this development.
- The proposed development does not include any affordable housing units, however, each dwelling could contain an accessory dwelling unit, which would provide additional affordable housing units in the City.
  - The development is comprised of a mix of single detached and townhouse dwellings, which will provide a range of housing types.
  - As the development is entirely residential, there are no employment opportunities that will be created. The City's Zoning By-law does permit home occupations, and therefore, there may be home based businesses that will be established in the neighbourhood.
  - The development of these lands will lead to an increase in tax revenues to the City, which will contribute to the overall financial benefit of the City.
  - Any upgrades to infrastructure, such as the construction of the water, sanitary, and storm sewers, as well as the roads, will be at the cost of the developer and not the City.
  - All relevant agencies have been circulated the application and their

comments have been included, where appropriate.

- (n) the resolution of planning conflicts involving public and private interests;
- Concerns were raised regarding the loss of the natural area. The applicant has completed an EIS for the property which has indicated that there will be no negative impacts on the natural area as a result of the development and due to the removal of the woodland. The Locally Significant Wetland and watercourse will be protected within an environmental block. A further revision was made to the proposed plan in September, which increased the area that will be maintained for the protection of the natural heritage features.
  - Concerns were also raised regarding drainage and the potential for impact on neighbouring properties. The applicant has completed a stormwater management plan for the development, which will require that post development flows of water are consistent with pre-development flows. The stormwater will not be permitted to flow onto neighbouring properties.
  - Concerns were also raised regarding the soil stability to support future dwellings. The applicant has completed a geotechnical investigation. Any measures that must be implemented at the time of building permit.

- (o) the protection of public health and safety;
- There will be two access points for the subdivision to ensure that if one road connection is blocked, another way into the development remains available.
  - The development will be constructed to Municipal Standards which will ensure that there is an adequate supply of water for fire fighting purposes.
  - The applicant has submitted a Geotechnical Investigation for the development to ensure that the soils in the area are able to support the proposed dwellings. Any of the construction methods required to ensure stability of the houses will be implemented at the time of Building Permit.
- (p) the appropriate location of growth and development;
- The property is within the City's serviced urban boundary. The development of these lands will utilize undeveloped lands within the City's urban boundary and built boundary, and represent an infilling opportunity.
- (q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;
- The development will connect to an existing unopened roadway stub for Regatta Drive. It will create a connection from Regatta Drive to Kingsway. Sidewalks will be provided on a minimum of one side of the extension of Regatta Drive which will encourage active transportation through the site, and provide connection to the Recreational Canal and trail system.



- (r) the promotion of built form that,
- (i) is well-designed,
  - (ii) encourages a sense of place, and
  - (iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;
- The City has incorporated elements from the Urban Design Guidelines into the Zoning By-law to ensure that developments are oriented to the street and pedestrian friendly.

Section 51(24) of the *Planning Act* sets out the following criteria to be considered when reviewing a draft plan of subdivision, as follows:

- Whether the proposed subdivision is premature or in the public interest;
- The lands are within the City's identified Built-Up area, which is to be the focus of infill and intensification. The proposed development of these lands will help the City achieve the yearly intensification goals, as set by the Province.
  - There is infrastructure in the area which the subject development can be serviced from. As previously identified, the developer will be responsible for the construction of the new road.
  - The proposed development will not result in the uneconomical expansion of municipal services as they are already available in the area.
- Whether the plan conforms to the official plan and adjacent plans of subdivision, if any;
- The lands to the north that are part of a former Plan of Subdivision are single detached dwellings. The proposal has placed the single detached dwellings adjacent to the existing lots that were part of the residential development to the north.

- The lands fronting along Kingsway are existing lots that are not part of a Plan of Subdivision. There will be a mix of singles and townhouse dwellings adjacent to these lots.
- The lands are designated as Low Density Residential which permits single detached, semi-detached, and townhouse dwellings. The proposed subdivision complies with the Official Plan.

The suitability of the land for the purposes for which it is to be subdivided;

- The subject lands are accessible by the municipal road network and can connect to municipal infrastructure. The lands are within the urban boundary of the City of Welland, and are designated as Low Density Residential. The development of these lands is appropriate.
- The applicant has completed a Geotechnical Investigation which has identified construction methods which should be implemented to ensure the stability of the houses.

If any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;

- There are no affordable housing units proposed as part of this subdivision. The City of Welland's Official Plan and Zoning By-law do permit accessory dwelling units to be created, which will provide alternative housing options which may be deemed more affordable.

The number, width, location and proposed grades and elevations of the highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and adequacy of them;

- The site is accessed from Kingsway and from Talbot Avenue. Both of these roads are municipally maintained and meet minimum standards. The proposed extension of Regatta Drive will meet

- the City's municipal standards and will become a City owned and maintained street.
- The dimensions and shapes of the proposed lots; - The majority of the single detached lots will have frontages between 9 metres and 11 metres and are rectangular in shape. The proposed townhouse dwelling lots will be required to meet the minimum frontages. All of the proposed lots meet the minimum requirements for lots.
- The restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land; - Any dwellings on the proposed lots will need to comply with any construction requirements identified in the geotechnical investigation that was completed for the property.
- Conservation of natural resources and flood control; - The Locally Significant Wetland and watercourse will be contained in a block for the long term preservation of the natural features. All lots are outside of the 15 metre setback to the Locally Significant Wetland.
- The adequacy of utilities and municipal services; - The property has access to municipal water, sanitary and storm sewers. As previously identified, the developer will be responsible for the cost of extending municipal water, sanitary, and storm sewers to these lands.
- The adequacy of school sites; - The District School Board of Niagara has provided comment that there is capacity within their school sites within the neighbourhood.
- The area of land, if any, within the proposed subdivision that, exclusive of - There is one block to be dedicated to the City that contains the natural

highways, is to be conveyed or dedicated for public purposes;

environment features and an exiting drainage easement. The developer will be providing 5% of the value of the lands through a cash-in-lieu of parkland dedication.

The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and,

- Energy conservation measures have not been outlined in the plan that has been submitted. The Ontario Building Code includes requirements for energy conservation, which will be incorporated at the time of Building Permit.

The interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41(2) of this Act.

- The development as currently proposed will not be subject to Site Plan control.

Section 3 of the Planning Act requires that all decisions affecting planning matters shall be consistent with policy statements issued under the Act and conforms with provincial plans. The relevant policy statement is the Provincial Policy Statement (PPS). The relevant provincial plan is A Place to Grow: Growth Plan for the Greater Golden Horseshoe (P2G).

#### Provincial Policy Statement (PPS) 2020

The PPS provides the guiding principles for the entire province. The PPS promotes the creation of healthy, livable and safe communities. In planning staff's opinion, the applications are consistent with the PPS.

- the promotion of efficient development patterns;
- The lands are within the urban, serviced area of the City of Welland and are within the existing built-up area.
- The lands are within an area that has available municipal servicing and is connected by two opened and maintained roads.

- Due to previous activities on the site, there is the potential for contamination and as such a Record of Site Condition is required.
  - The proposal includes a mix of single detached and townhouse dwellings.
  - The zoning on the property allows for semi-detached and duplex dwellings in addition to singles and towns. The City also permits one accessory dwelling unit per property.
  - Staff are of the opinion that the proposed development will provide a range of housing options. Although no affordable housing has been identified, accessory dwelling units provide a more affordable housing type.
  - As previously identified, the lands are impacted by natural heritage features.
  - These features will all be contained in a block that will be dedicated to the City for long-term conservation.
  - The lands are within the urban area of the City of Welland, and the proposed Plan of Subdivision is within an existing built-up area.
  - The development of these lands will not prevent any adjacent lands from developing in the future.
  - The subject Plan of Subdivision is considered an infilling and
- accommodating an appropriate range of housing, including affordable housing;
  - avoiding development patterns which may cause environmental and public health and safety concerns;
  - avoiding land use patterns which would prevent the efficient expansion of settlement areas;
  - promoting land use patterns which support transit and intensification

- to create cost-effective intensification project within the developments; City as it's an undeveloped parcel in a predominantly developed area.
- The lands are also within the urban area of the City, and can access municipal water, sanitary, and storm sewers, as well as is accessed by existing municipal roads.
  - There are currently no transit lines that service Dain City directly, but the area is serviced by the TransCab service which connects residents to the transit lines within the City.
- improving accessibility for persons with disabilities;
- The development will require that a minimum of one side of each street will include sidewalks, which will improve accessibility for persons with disabilities throughout the neighbourhood.
  - Any additional measures to include accessibility measures will be included through the building of the individual homes.
- ensuring that infrastructure and public service facilities are available to support the development;
- The public infrastructure is available in the immediate area with capacity to accommodate the proposed development. Municipal services will be extended along the proposed new roads.
  - The social services (schools, libraries, parks, etc.) can accommodate the increase in population created by the development of these lands.

- promoting development and land use patterns which support biodiversity; and,
- As previously mentioned, Locally Significant Wetland, watercourse, and associated fish habitat will be placed in a block which will protect them for the long-term. An EIS was completed for the property which identified that the removal of the wooded area on the property will not negatively impact the larger natural features in the area.
- prepare for the regional and local impacts of climate change.
- Measures to address the impacts of climate change will be reviewed through the detailed design of the stormwater management plan for the proposed development.
- As part of the development, a dry pond has been incorporated to provide water storage to ensure that peak storm events do not all rush into the system at the same time, and the release of water is controlled over time.

The subject lands are located within the identified Build Up area as identified in the A Place to Grow: Growth Plan for the Greater Golden Horseshoe (P2G). The P2G encourages that the vast majority of new growth occur within the serviced built-up area of settlement areas, and within the identified built-up area. The P2G also requires that a minimum of 40% of all new residential development be within the built-up area through infilling and intensification, which will be increased to 50% at the time of the next municipal comprehensive review. The subject proposal is within the delineated Built Up area of the City, and will help achieve intensification goals and targets for the City. As previously identified, servicing is available in the immediate area, and has capacity to accommodate the proposed development. The Plan of Subdivision is considered an infilling opportunity and meets the intent of these policies in the P2G.

*Region of Niagara Official Plan*

The lands are identified as being in the Urban Area of Welland in the Region's Official Plan. The policies in the Region's Official Plan (ROP) are similar to those found in both the PPS and the P2G. The policies encourage infilling and intensification, taking advantage of existing infrastructure and creating communities that provide for the needs of residents. The policies in the Regional

Plan support developments that take advantage of existing infrastructure, are transit supportive, and provide a range of uses.

The proposed subdivision will develop currently vacant lands within the urban boundary that have access to municipal services and roads. The development has been designed to integrate with the existing neighbourhoods to the north. It will encourage active transportation through the development by creating linkages through road connections and sidewalks.

The development proposes a mix of single detached and townhouse dwellings, which represents a range of housing options as encouraged by the ROP. As the surrounding lands are developed with primarily single detached dwellings, the proposal will provide an alternative housing type within the area.

The development has been designed to be pedestrian friendly. Sidewalks will be provided on a minimum of one side of the street to encourage active transportation. The roads have been designed to meet minimum municipal standards.

The block that is proposed for the Locally Significant Wetland and the watercourse will ensure protection for the long-term preservation of these features. The policies in the ROP promote the protection and preservation of these features.

The proposed development meets the intent of the Regional Official Plan.

#### City of Welland Official Plan

The lands are designated as Low Density Residential by the City of Welland Official Plan. This designation allows for single detached, semi-detached, duplex, triplex, and townhouse dwellings with a minimum density of 15 units per hectare and a maximum of 24 units per hectare. The proposed density of the development is 20 units per hectare, which falls within the minimum density requirements of the City's Official Plan.

The lands are within the Urban Area of the City of Welland, and within the identified Built Up Area. The City's policies identify that residential and employment intensification will be encouraged throughout the City as it provides an opportunity for economic growth, reduces the amount of greenfield land needed, takes advantage of serviced but underutilized lands, and helps improve the vibrancy of the City. Intensification is encouraged throughout the Built Up Area, with a number of focal areas identified, being the Downtown, brownfield sites, and along transit corridors. Although the subject lands have not been identified as an 'Intensification Area' it is within the Built Up Area, and intensification is still supported. The City has targeted 40% of all new residential growth to be within the Built Up Area, which will increase to 50% at the time of the next Municipal Comprehensive Review to be consistent with the P2G. The proposed development will assist the City in achieving this intensification target.



The City's OP also includes a list of criteria that should be examined when infilling and intensification applications are made to the City. The criteria are examined in the chart below:

- Land use and neighbourhood character compatibility;
- The subject lands are within a predominantly low density residential area. The lands to the north are developed with a low-density plan of subdivision. To the east is a natural environment block that was deeded to the City as part of Phase 1 of the Fusion Homes Plan of Subdivision. To the south are used for low density residential uses on large lots. To the west of the subject lands are residential uses on one side of Kingsway and open space and the Recreational Canal.
- The proposed development is compatible with the surrounding neighbourhood.
- Lot pattern and configuration;
- The majority of the proposed lots are rectangular in shape and have a frontage of between 9 metres and 11 metres (singles). As the final layout of the townhouses has not been determined, the frontages have not been provided. All lots will be required to meet the Zone minimums. There are a number of lots that are an irregular shape due to the natural environment areas that run behind the lots and the road pattern. All of the proposed lots will meet the minimum frontage and area requirements in the City's Zoning By-law.
- The lots will all front onto opened, maintained roads that will be dedicated to the City.

- Accessibility;
  - The proposed road will have sidewalks on a minimum of one side of the street, which will encourage walking.
  - Any other accessibility features incorporated into the individual dwellings will be at the discretion of the individual property owners.
- Parking requirements;
  - The City's minimum parking standards are one space per unit. All proposed dwelling units will be required to meet this minimum, through the provision of parking within a garage or on a driveway.
- Potential for additional traffic and traffic manoeuvrability;
  - Traffic will access the dwellings via the extension of Regatta Drive from Talbot Avenue, connecting to Kingsway.
  - The development of these lands will result in the increase of traffic through the area, however, it can be accommodated in the existing road networks without improvements.
- The potential for transit ridership;
  - There are currently no transit lines that run to Dain City, however, it is serviced by the TransCab service which connects residents to transit lines.
- Natural (including natural hazards) and built heritage conservation/protection;
  - As previously identified, the lands are impacted by: a Locally Significant Wetland and a watercourse. These areas will not be developed, but the blocks will be dedicated to the City for the long-term preservation of the natural environment.
  - A portion of the property has also been identified as having a significant woodland. Through the EIS, it was determined that the removal of this feature was appropriate for the development.

- The availability capacity of municipal infrastructure;
- Residential intensification targets identified in this plan.
- There is capacity in the existing infrastructure to accommodate the proposed development.
- The proposed development will assist the City in achieving the target of 40% of all new residential development being within the Built-Up Area. That intensification goal will be increased to 50% at the time of the next Comprehensive Review, and the proposed development of this site will contribute to achieving that goal.

Section 7.6.6, the Implementation Section of the OP outlines the minimum criteria that should be used when reviewing new applications for plans of subdivision. They are:

- Consistency with the Official Plan, Secondary Plan and any other applicable plans and policies;
- Availability of services without undue financial commitment by the City;
- Suitable provision of municipal services, including, but not limited to: public streets, water, storm and sanitary sewers, waste collection and disposal, public and/or private utilities, fire and police protection, parks, schools, and other community facilities;
- The lands are designated as Low Density Residential by the city's Official Plan. The proposed development meets the minimum density requirements.
- The required municipal services (water, sanitary, and storm) are available in the area. It will be the responsibility of the developer to extend the services to the property line to service this development.
- The proposed subdivision has access to Kingsway and Talbot Avenue via the extension of Regatta Drive.
- The site will be developed in accordance with municipal standards, which will require that street widths and road patterns that will accommodate emergency service vehicles and waste collection vehicles.
- The lands can be provided with municipal services.
- Parkland dedication will be provided through cash-in-lieu, but the lands are

within walking distance to Glenwood Park, as well as to the Recreational Canal. There are no schools currently within Dain City, but there is the possibility that a school will be constructed in the Draft Approved Dain East Plan of Subdivision which would accommodate the students in Dain City.

- Exposure to noise, air pollution and other negative impacts, along with suitable mitigation measures;

  - There are no adjacent uses that would create negative impacts from noise or air pollution.
- Integration with surrounding land uses;

  - The proposed subdivision is proposed for entirely residential uses, with home occupations being permitted through the Zoning By-law. The development is consistent with the surrounding neighbourhood.
- Integration with the transportation network;

  - The proposed road will be the extension of Regatta Drive which will connect to Kingsway. The new road will be constructed to municipal standards and will become a City owned street.
- Impacts to, and mitigation of, negative impacts on the natural environment;

  - As previously identified, a Locally Significant Wetland and watercourse run along the eastern edge of the property. The development proposes that these features will be located within a block and preserved for natural environment purposes.
- Optimization of the supply, means of supplying, efficient use, and conservation of energy;

  - There are no energy efficient measures that have been identified or proposed as part of the redevelopment of this property. All buildings will need to comply with the Building Code requirements for energy efficiency.

- The provision of appropriate urban design and landscaping for the proposed development; • The houses will be required to comply with the City of Welland Zoning By-law, which includes components of the City's Urban Design Guidelines.
- Compliance with applicable City guidelines; • The proposed development will also be required to comply with the City's Municipal Standards to ensure that the infrastructure and development of the site complies with the engineering requirements of the City.
- Exposure to nearby air pollution and mitigation of impacts. • There are no pollution causing industries within the area of influence, as outlined by the Ministry of Environment.

The proposed development meets the intent of the City's Official Plan.

City of Welland Zoning By-law 2017-117

The lands are zoned Residential Low Density 2 – RL2 in the Zoning By-law 2017-117. The proposed lots meet all the minimum requirements. All future dwellings will be required to meet the minimum requirements. No amendments to the current zoning have been requested.

Public Comments

Comments were received from neighbouring residents which identified the following concerns:

- Impact on the natural environment (animals and plants);
- Drainage;
- Infrastructure, both capacity in existing pipes and access to Dain City; and,
- Soil stability to accommodate houses.

The applicant completed an EIS for the property which identified the natural features and identified the impact of the potential development on the natural environment. A number of modifications were made to the proposed plan to increase the amount of land included in the natural environment block. This ensured that more of the woodland area was protected, as well as ensuring that all development and lot lines would be a minimum of 15 metres from the extent of the Locally Significant Wetland. The applicant will also be required to undertake a buffer planting plan to provide a transition between the rear lots and the wetland, as well as to improve the natural environment. The applicant will also be required to ensure that an appropriate level of water continues to flow into the wetland and the watercourse to ensure that it remains a viable natural area. Both of these requirements will be included as a condition of Draft Plan Approval. Any significant features that were identified in the EIS will be protected.

As part of the application for Draft Plan of Subdivision, the applicant will be required to complete a Stormwater Management Study. This study will be required to identify how stormwater will be accommodated across the site during peak rain events. The applicant has proposed the installation of storm interceptors that will treat the water, but will not control the flow during rain events. The development will be required to show that the water that runs off of the property, post development, is equal to the pre-development flows. The City is required to review and approve this information to ensure that neighbouring properties are not impacted by stormwater. All of the increase in flows must be accommodated on their own site.

The City and the Federal government have announced that funding has been made available for the replacement of the Dain City bridge. There is no date on when construction will begin on the bridge, however, a solution has been identified for the access issues to Dain City. With respect to the infrastructure capacity issues, a review of the Inflow and Infiltration in Dain City is currently being undertaken to identify why there are significant increases in the flow into the City's sanitary system during peak rain events. The City and the Region will both review the development to ensure that there is capacity within the system to support the proposed development.

As previously mentioned, the applicant has completed a Geotechnical Investigation. It identified that the soil is capable of supporting the proposed house and has identified additional construction considerations that need to be made in order to allow for the development. The recommendations within the Geotechnical Investigation will be implemented at the time of Building Permit.

**FINANCIAL CONSIDERATION:**

The costs associated with the development of this property will be the sole responsibility of the developer.

**OTHER DEPARTMENT IMPLICATIONS:**

Where other departments have provided comments, they have been included in this report for review. Any conditions requested by other departments have also been included.

**SUMMARY AND CONCLUSION:**

The proposed application for Draft Plan of Subdivision for the creation of 21 single detached dwelling lots, one (1) block for townhouse dwellings, and one (1) block for environmental conservation purposes, represents good planning because:

1. Is consistent with Provincial, Regional and City policies which encourage infill and intensification within the identified Built-Up Area;
2. Uses existing municipal infrastructure and does not require the expansion of these services;

3. Is consistent in character and form with neighbouring developments;
4. Will provide long term protection and enhancement of natural heritage features; and,
5. Will assist the City in achieving the yearly intensification target.

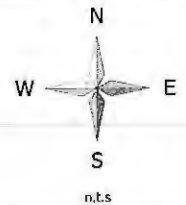
**ATTACHMENTS:**

- Appendix I - Key Map
- Appendix II - Aerial Photo
- Appendix III - Draft Plan of Subdivision
- Appendix IV - Correspondence

# 26T-14-20004



## KEY MAP

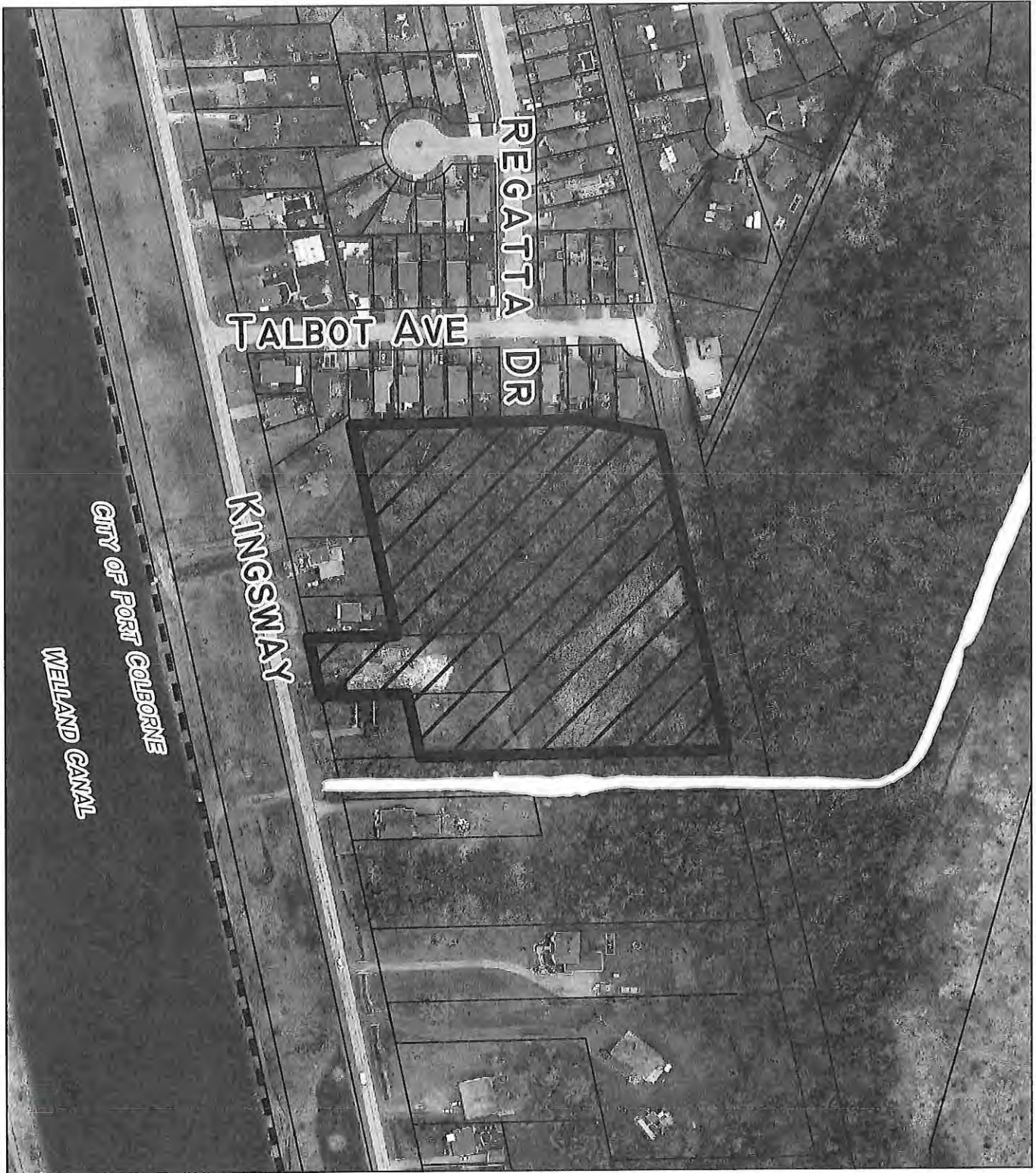


**SUBJECT LANDS**

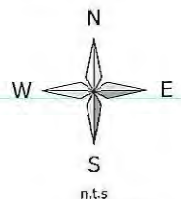


*Infrastructure and  
Development Services*  
Planning Division





**AERIAL PHOTO OF  
THE SUBJECT LANDS  
26T-14-20004**



**SUBJECT LANDS**



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Planning Division*

# CANAL TRAIL ESTATES

## CITY OF WELLAND



KEY

DRAFT PLAN OF SUBDIVISION

LEGAL DESCRIPTION

PART OF LOTS 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

OWNER'S CERTIFICATE

BEING THE REGISTRY OF DEEDS AND MORTGAGES OF THE PROVINCE OF ONTARIO, I HEREBY CERTIFY THAT THE LANDS TO WHICH THIS SUBDIVISION IS REFERRED ARE THE LANDS TO WHICH THE REGISTRY OF DEEDS AND MORTGAGES OF THE PROVINCE OF ONTARIO HAS RECORD.

3070000 ONTARIO INC.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE LANDS TO WHICH THIS SUBDIVISION IS REFERRED ARE THE LANDS TO WHICH THE REGISTRY OF DEEDS AND MORTGAGES OF THE PROVINCE OF ONTARIO HAS RECORD.

10. BUSINESS LIMITED

REQUIREMENTS OF THE PL

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500 Consumers Road  
North York, Ontario M2J 1P8  
Canada

May 5, 2020

Rachelle Larocque, BES, M.Sc., MCIP, RPP  
Planning Supervisor  
Infrastructure and Development Services  
City of Welland  
Planning Division  
60 East Main Street  
Welland, ON L3B 3X4

Dear Rachelle,

Re: Draft Plan of Subdivision  
2674693 Ontario Inc.  
180 Kingsway (Canal Trail)  
City of Welland  
File No.: 26T-14-20004

Enbridge Gas Inc. does not object to the proposed application(s) however, we reserve the right to amend or remove development conditions.

This response does not constitute a pipe locate, clearance for construction or availability of gas.

The applicant shall contact Enbridge Gas Inc.'s Customer Connections department by emailing [CustomerConnectionsContactCentre@Enbridge.com](mailto:CustomerConnectionsContactCentre@Enbridge.com) to determine gas availability, service and meter installation details and to ensure all gas piping is installed prior to the commencement of site landscaping (including, but not limited to: tree planting, silva cells, and/or soil trenches) and/or asphalt paving.

In the event that easement(s) are required to service this development, and any future adjacent developments, the applicant will provide the easement(s) to Enbridge Gas Inc. at no cost.

Sincerely,

Alice Coleman  
Municipal Planning Analyst  
Long Range Distribution Planning

—  
**ENBRIDGE GAS INC.**  
TEL: 416-495-5386  
[MunicipalPlanning@enbridge.com](mailto:MunicipalPlanning@enbridge.com)  
500 Consumers Rd, North York, ON, M2J 1P8  
[enbridgegas.com](http://enbridgegas.com)  
**Safety. Integrity. Respect.**



**City of Welland**  
**Infrastructure and Development Services**  
 Planning and Building Division  
 60 East Main Street, Welland, ON L3B 3X4  
**Phone:** 905-735-1700 Ext. 2251 | **Fax:** 905-735-8772  
**Email:** devserv@welland.ca | www.welland.ca

**TO:** Grant Munday, B.A.A  
 Manager of Development Approvals

**FROM:** J. Tosta, CBCO, CPSO  
 Chief Building Official

**DATE:** April 23, 2020

**SUBJECT:** Request for Rezoning, OP Amendment and Draft Plan of Subdivision  
 - 180 Kingsway

Staff has reviewed the information submitted and while a final decision on issuance of building permit will be based on the information submitted with the building permit application to this office, we wish to offer the following comments:

- Subject lands are located within the regulated area of Niagara Peninsula Conservation Authority therefore approval by the NPCA will be required prior to issuance of building permits.
- A subsurface Geotechnical report prepared by Landtek Limited, and dated March 29, 2019; indicates that the shallower, organic-rich silty clay deposits are not considered suitably competent as founding soils. Therefore it is recommended that a Geotechnical Engineer should be engaged during construction to examine the exposed sub-soil quality and condition, and confirm the subsurface conditions are consistent with design assumptions. It is also recommended that water proofing measures are included in the foundation design in compliance with the Ontario Building Code.
- Phase 1 Environmental Site Assessment Report prepared by Wood Environmental and Infrastructure Solutions and dated April 3, 2020 recommends that Phase 2 be carried out to address the contaminants discovered during the Phase 1 assessment.
- The Functional Servicing Report prepared by Upper Canada Consultants indicates sufficient water and sanitary sewer capacity for the proposed development.
- Parkland dedication shall be established in accordance with By-law 2014-101. If a 5% Cash-in-Lieu of Parkland method is utilized, the Developer shall establish the value of land for each lot, to the satisfaction of the City, prior to execution of the

RE:

October 14, 2020

Subdivision Agreement. The values shall be determined by an Appraiser in accordance with City Policy as of the day before the day the first building permit is issued for the development. The values shall be referenced in the Special Conditions and Building Restrictions of the Subdivision Agreement.

- The Noise Feasibility Study prepared by HGC Engineering Ltd. Recommends that dwelling units affected by excessive noise levels as determined by the MEPC guidelines, should be designed for future installation of air conditioning units and that future occupants be advised to that effect through warning clauses as part of the subdivision approval process.

If you have any questions regarding the above comments, please do not hesitate to contact me.



CANADA POST  
955 Highbury Ave N  
London ON N5Y 1A3  
CANADAPOST.CA

POSTES CANADA  
955 Highbury Ave N  
London ON N5Y 1A3  
POSTESCANADA.CA

April 30, 2020

RACHELLE LAROCQUE  
CITY OF WELLAND  
60 EAST MAIN STREET  
WELLAND, ON L3B 3X4

Re: Canal Trail Estates

Dear Rachelle,

This development will receive mail service to centralized mail facilities provided through our Community Mailbox program.

I will specify the conditions which I request to be added for Canada Post Corporation's purposes.

The owner shall complete to the satisfaction of the Director of Engineering of the City of Welland and Canada Post:

- a) Include on all offers of purchase and sale, a statement that advises the prospective purchaser:
  - i) that the home/business mail delivery will be from a designated Centralized Mail Box.
  - ii) that the developers/owners be responsible for officially notifying the purchasers of the exact Centralized Mail Box locations prior to the closing of any home sales.
- b) The owner further agrees to:
  - i) work with Canada Post to determine and provide temporary suitable Centralized Mail Box locations which may be utilized by Canada Post until the curbs, boulevards and sidewalks are in place in the remainder of the subdivision.



- ii) install a concrete pad in accordance with the requirements of and in locations to be approved by Canada Post to facilitate the placement of Community Mail Boxes
- iii) identify the pads above on the engineering servicing drawings. Said pads are to be poured at the time of the sidewalk and/or curb installation within each phase of the plan of subdivision.
- iv) determine the location of all centralized mail receiving facilities in co-operation with Canada Post and to indicate the location of the centralized mail facilities on appropriate maps, information boards and plans. Maps are also to be prominently displayed in the sales office(s) showing specific Centralized Mail Facility locations.
  - a) Canada Post's multi-unit policy, which requires that the owner/developer provide the centralized mail facility (front loading lockbox assembly or rear-loading mailroom [mandatory for 100 units or more]), at their own expense, will be in effect for buildings and complexes with a common lobby, common indoor or sheltered space.

Should the description of the project change, I would appreciate an update in order to assess the impact of the change on mail service.

If you have any questions or concerns regarding these conditions, please contact me.

I appreciate the opportunity to comment on this project.

Regards,

*A. Carrigan*

Andrew Carrigan  
 Delivery Services Officer  
[Andrew.Carrigan@canadapost.ca](mailto:Andrew.Carrigan@canadapost.ca)

**Rachelle Larocque**

---

**From:** Scott Richardson  
**Sent:** August 14, 2020 2:54 PM  
**To:** Rachelle Larocque  
**Cc:** Julie VanLeur  
**Subject:** RE: Notice of Public Meeting - Canal Trail Draft Plan of Subdivision (26T-14-20004)

Rachelle,

I provide the following comments;

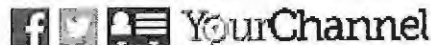
1. All construction shall be in accordance with the City of Welland municipal Standards.
2. All costs associated with the development of this property shall be borne by the developer.
3. A comprehensive storm water management plan shall be submitted to the Engineering Department for review and approval.
4. The outlet for this storm run-off shall be reviewed and determined to be adequate for the amount of run-off designed. If any upgrades to the outlet storm channel from the development to the recreational waterway, these costs shall be borne by the developer.
5. A comprehensive engineering civil design shall be submitted to the City for review and approval.
6. All reinstatements to existing roadways etc shall be to as good or better condition.
7. A preconstruction survey of all existing housing units shall be undertaken to protect both the City, the contractor and the residents for insurance purposes.

Regards,



**C. Scott Richardson, C.E.T.**

Development Supervisor  
 Engineering Division  
 Infrastructures and Development Services  
 Corporation of the City of Welland  
 60 East Main Street, Welland, Ontario L3B 3X4  
 Phone: (905)735-1700 Ext. 2222 Fax: (905)735-7184  
[www.welland.ca](http://www.welland.ca)



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**From:** Rachelle Larocque <rachelle.larocque@welland.ca>  
**Sent:** August 13, 2020 3:50 PM  
**To:** CARRIGAN, Andrew <andrew.carrigan@canadapost.postescanada.ca>; randy.leppert@cogeco.com; planification@cscmonavenir.ca; bertrandm@csmviamonde.ca; Dave Stuart <dave.stuart@welland.ca>; scott.whitwell@ncdsb.com; Municipal Planning <MunicipalPlanning@enbridge.com>; Paula Albano <paula.albano@welland.ca>; Matt Richardson <matt.richardson@welland.ca>; Tanya Lamb <tanya.lamb@welland.ca>; Brian Kennedy <brian.kennedy@welland.ca>; Scott Richardson <scott.richardson@welland.ca>; Peter Boyce <peter.boyce@welland.ca>; Sherri-Marie Millar <sherri-marie.millar@welland.ca>; Vince Beaudoin



<vince.beaudoin@welland.ca>; Ali Khan <ali.khan@welland.ca>; mmm@mmm.ca; David Deluce <ddeluce@npca.ca>; Lindsay Earl <lindsay.earl@niagararegion.ca>; Jack Tosta <jack.tosta@welland.ca>; Ashley Grigg <cityclerk@portcolborne.ca>; randy.leppert@cogeco.com; Richard Dalton <richard.dalton@welland.ca>; Municipal Planning <MunicipalPlanning@enbridge.com>; Lynda Busch (info@niagarahomebuilders.ca) <info@niagarahomebuilders.ca>; plan@niagararegion.ca; Alderman, Aimee <Aimee.Alderman@niagararegion.ca>; dpresley@mhbcpplan.com; Dan Degazio <dan.degazio@welland.ca>; Kevin Carver <kcarver@wellandhydro.com>  
**Cc:** Matt Kernahan <matt@ucc.com>; Grant Munday <grant.munday@welland.ca>; Travers Fitzpatrick <travers.fitzpatrick@welland.ca>; clerk <clerk@welland.ca>  
**Subject:** Notice of Public Meeting - Canal Trail Draft Plan of Subdivision (26T-14-20004)

Good afternoon,

Attached please find the Notice of Public Meeting for Draft Plan of Subdivision. This application was previously circulated in April, 2020 for comments. If you have already provided comments, you do not need to resend them.

Sincerely,



**Rachelle Larocque, BES, M.Sc., MCIP, RPP**

Planning Supervisor

Planning Division

Infrastructure and Development Services

Corporation of the City of Welland

60 East Main Street, Welland, Ontario L3B 3X4

**Hours:** 8:30am-4:30PM

**Phone:** (905)735-1700 Ext. 2310 **Fax:** (905)735-8772

**www.welland.ca**



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**NIAGARA PENINSULA  
CONSERVATION  
AUTHORITY**

250 Thorold Road West, 3rd Floor, Welland, Ontario L3C 3W2  
Telephone 905.788.3135 | Facsimile 905.788.1121 | WWW.NPCA.CA

July 13, 2020

Via Email Only

Ms. Rachelle Larocque, BES, M.Sc., MCIP, RPP  
Planning Supervisor  
City of Welland  
60 East Main Street  
Welland, ON, L3B 3X4

Our File: PLSUB202000385

Dear Ms. Larocque

**Re: Niagara Peninsula Conservation Authority (NPCA) Comments  
Application for Draft Plan of Subdivision  
Canal Trail  
City of Welland  
Applicant: Upper Canada Consulting**

---

The NPCA has received an application for a Draft Plan of Subdivision for the above project. In support of the applications, the NPCA also received an environmental impact study (EIS), prepared by Beacon Environmental, dated January 2020 and a functional servicing report (FSR), prepared by Upper Canada Consultants, dated March 2020. A wetland reconfiguration plan, prepared by Upper Canada Consultants, dated December 9, 2019 was also provided. The purpose of the application is to establish a subdivision consisting of 31 lots for single detached homes. We have reviewed the applications and offer the following comments.

### **NPCA Policies**

The NPCA regulates watercourses, flood plains (up to the 100 year flood level), Great Lakes shorelines, hazardous land, valleylands, and wetlands under *Ontario Regulation 155/06 of the Conservation Authorities Act*. The NPCA's *Policies, Procedures and Guidelines for the Administration of Ontario Regulation 155/06 and Land Use Planning Policy Document* (NPCA policies) provides direction for managing NPCA regulated features. The subject lands contain a watercourse and the Seaway Wetland Complex, which is a locally significant wetland (LSW). There is also a watercourse on the abutting lands to the south in which the watercourse buffer impacts the subject lands.

The proposed Draft Plan contains 31 lots. In order to achieve that number of lots, the applicant has proposed to remove some of the wetland and offset/compensate for the loss elsewhere on the subject lands. The NPCA's Policies do allow for offsetting of wetlands where the wetland in question

in not a Provincially Significant Wetland (PSW) and subject to the criteria in Section 8.2.2.8. The total area of wetland to be removed is approximately 946.4 square metres. This would be replaced by 1613.3 square metres of newly created wetland.

The objectives of the NPCA's Policies is firstly to promote the conservation of land through the protection of wetlands [Objective 8.2.1 (a)]. It is not the intent of Section 8.2.2.8 of the NPCA's Policies to be used to facilitate a higher density where a development can otherwise be achieved on the site. The intent of this policy is a "last resort" where there is no feasible alternative. In reviewing the proposed Draft Plan, maintaining a 15 metre buffer (where it can be demonstrated that a 15 metre buffer will sufficiently protect the ecological and hydrological function of the wetland) would result in the loss of approximately 6 lots. There is still sufficient room to accommodate the municipal road. There may be opportunities to reconfigure the existing lots to increase the density. Given this, NPCA staff cannot support the proposed Draft Plan as presently shown as it does maintain the intent of the NPCA's Policies. NPCA staff advised the Applicant of this and recommend that they explore an alternative design. NPCA staff have additional technical comments on the EIS as noted below.

Additional EIS Comments:

1. The EIS scoping included in Appendix A of the EIS report only includes a letter from the consultant to the Region and email correspondence from NPCA indicating they NPCA could not accept wetland compensation on this file as there was space to develop without altering the wetland polygon (EIS Appendix A). There is no communication from Ministry of Natural Resources and Forestry (MNRF) on this file.
2. The Ecological Land Classification (ELC) mapping in the EIS report appears very consistent with the mapped wetland edge, confirming the relative accuracy of the MNRF mapped LSW. However, Figure 3 alignment is off slightly and does not overlay the ELC mapping with the defined wetland limits so it's difficult to determine the accuracy of the two mapped polygons.
3. The recommendation within the EIS suggest removal of approximately 0.095 ha of wetland, a large portion of which will be maintained in its current form and referred to as "wetland buffer" to accommodate Lot 22-28. The rationale for the alteration to the wetland is planning and density requirements. Currently these lots, as drawn, would be within the wetland and wetland buffer.
4. The EIS further proposes to offset the wetland alterations on the western limits through the creation additional wetland in the southeast corner of the subject lands, an area already naturally vegetated and in large part of the protected buffer east of the wetland so it is not really new or expanded protected area and would require works within the wetland buffer to create additional wetland features such as vernal pools.
5. Ecologically, this wetland does provide wetland habitat, amphibian breeding areas and connectivity and corridor functions for local wildlife. The proposed changes will result in a net loss of wetland area as the actual new wetland area created (outside of the already protected eastern buffer area) is only a fraction of the size.

Based on the above points, there is some concern regarding the proposed removal/alteration of the western wetland limit based on the rationale provided and the premise that the wetland itself will be simply remapped as buffer when it is not supported by the ELC mapping or any actual change in the wetland edge.

### **Conclusion**

At this time, NPCA staff are unable to support the applications as proposed. I hope this information is helpful. Please send a copy of any staff reports to Committee/Council once they are available. If you have any questions, please let me know.

Regards,

A handwritten signature in black ink that reads "David Deluce". The signature is written in a cursive style with a large initial 'D'.

David Deluce, MCIP, RPP  
Senior Manager, Planning & Regulations (ext. 224)

cc: Mr. Matt Kernahan, MCIP, RPP, Upper Canada Consultants (email only)  
Mr. Lindsay Early, MCIP, RPP, Region of Niagara (email only)  
Mr. Adam Aldworth, NPCA (email only)



NIAGARA PENINSULA  
**CONSERVATION**  
AUTHORITY

250 Thorold Road West, 3rd Floor, Welland, Ontario L3C 3W2  
Telephone 905.788.3135 | Facsimile 905.788.1121 | [www.npca.ca](http://www.npca.ca)

September 30, 2020

Our File No.: PLSUB202000385

BY E-MAIL ONLY

Ms. Rachelle Larocque, BES, M.Sc., MCIP, RPP  
Planning Supervisor  
City of Welland  
60 East Main Street  
Welland, ON, L3B 3X4

Attention: Rachelle Larocque, Planning Supervisor

Subject: **Niagara Peninsula Conservation Authority (NPCA) Comments**  
**Application for Draft Plan of Subdivision**  
**Canal Trail**  
**City of Welland**  
**Applicant: Upper Canada Consulting**

---

The NPCA has received an application for a Draft Plan of Subdivision, "Canal Trail." The NPCA provided earlier comments dated July 13<sup>th</sup>, 2020 addressing some concerns. The applicant has provided the following documents in support of the application, Canal Estates Revised Plan, DWG No. 17117-DP Rev.1 dated February 25<sup>th</sup>, 2020 printed September 17<sup>th</sup>, 2020 prepared by Upper Canada Consultants, and an Environmental Impact Study Addendum prepared by Beacon Environmental, dated September 3<sup>rd</sup>, 2020.

#### **NPCA Policies**

The NPCA regulates watercourses, flood plains (up to the 100 year flood level), Great Lakes shorelines, hazardous land, valleylands, and wetlands under *Ontario Regulation 155/06 of the Conservation Authorities Act*. The NPCA's *Policies, Procedures and Guidelines for the Administration of Ontario Regulation 155/06 and Land Use Planning Policy Document* (NPCA policies) provides direction for managing NPCA regulated features. The subject lands contain the Seaway Wetland Complex, which is a Locally Significant Wetland.

The applicant has amended their application subsequent to the NPCA's comment letter dated July 13<sup>th</sup> 2020. The NPCA has reviewed the Canal Estates Revised Plan, DWG No. 17117-DP Rev.1 dated February 25<sup>th</sup>, 2020 printed September 17<sup>th</sup>, 2020 prepared by Upper Canada Consultants, and an Environmental Impact Study Addendum prepared by Beacon Environmental, dated September 3<sup>rd</sup>, 2020.

Based on the review of the two above mentioned studies, NPCA staff have no objections to the application as it relates to NPCA policies, subject to the recommended Conditions of Draft Plan Approval.

#### Conditions of Draft Plan Approval

1. A grading plan prepared by a qualified professional to the satisfaction of the NPCA showing the total limit of development and site alteration.
2. An Erosion and Sediment Control Plan be prepared by a qualified professional to the satisfaction of the NPCA.
3. That the Developer obtain a Work Permit from the Niagara Peninsula Conservation Authority prior to beginning any work within the 30-metre wetland buffer. In support of the Work Permit application, the following information will be required:
  - a. A buffer planting plan.
  - b. A grading plan prepared by a qualified professional to the satisfaction of the NPCA showing the total limit of development and site alteration.
  - c. Confirmation from a qualified professional that there will be no negative impact of the stormwater being discharged into the Provincially Significant Wetland.
  - d. A tree preservation and savings plan.
  - e. An erosion and sediment control plan prepared by a qualified professional to the satisfaction of the NPCA.
4. That the Developer provide 1.5 metre high chain link fencing along the rear lot line of Lots 1 to 10 inclusive, to the satisfaction of the Niagara Peninsula Conservation Authority.
5. That the Developer provide limit of work fencing along the rear lot line of Lots 1 to 10 inclusive and to the satisfaction of the Niagara Peninsula Conservation Authority.
6. That conditions 1 to 5 above be incorporated into the Subdivision Agreement between the Developer and the City of Welland, to the satisfaction of the Niagara Peninsula Conservation Authority. The City of Welland shall circulate the draft Subdivision Agreement to the Niagara Peninsula Conservation Authority for its review and approval.

I hope this information is helpful. Please provide a copy of any staff reports for Committee/Council consideration. If you have any questions, please let me know.

Sincerely,



Jessica Abrahamse, M.E.S.

Watershed Planner

cc:  
 Mr. Matt Kernahan MCIP, RPP, Upper Canada Consultants (email only)  
 Ms. Lindsay Earl, MCIP, RPP, Region of Niagara (email only)  
 Mr. David Deluce, NPCA (email only)  
 Mr. Adam Aldworth, NPCA (email only)

**Planning and Development Services**

1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7

 905-980-6000 Toll-free: 1-800-263-7215
 

---

**Via Email Only**

September 3, 2020

File No.: D.11.11.SD-20-0013

 Ms. Rachelle Larocque, MCIP, RPP  
 Planning Supervisor  
 Infrastructure and Development Services  
 Corporation of the City of Welland  
 60 East Main Street  
 Welland, ON L3B 3X4

Dear Ms. Larocque:

**Re: Regional and Provincial Comments**  
**Canal Trail Estates Draft Plan of Subdivision**  
**City File No.: 26T-14-20004**  
**Applicant: Upper Canada Consultants (Matt Kernahan)**  
**Owner: 2674963 Ontario Inc. (Vaughn Gibbons)**  
**Address: 180 Kingsway Road**  
**City of Welland**

---

Regional Planning and Development Services staff has reviewed the Draft Plan of Subdivision application and supporting studies submitted by Upper Canada Consultants on behalf of 2674963 Ontario Inc. The subject lands are located at 180 Kingsway and lands immediately abutting to the east. The Draft Plan of Subdivision proposed development of 2.6 hectares of land, with 21 lots for single detached dwellings fronting on existing and proposed public roads, a block for 10 townhouse dwelling units, and a block to be transferred to the City of Welland for Environmental Protection purposes. A pre-consultation meeting for this proposal was held at the City on December 20, 2018, with staff from the City and Region, and the applicant. The following comments are provided to assist the City in their consideration of this application from a Provincial and Regional perspective.

**Provincial and Regional Policies**

The subject lands are located within the Welland Urban (Built-up) Area, as designated in the Regional Official Plan (ROP). The Welland Urban Area is considered as a Settlement Area by the 2020 Provincial Policy Statement (PPS) and a Delineated Built-up Area by A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth

Plan). The ROP, 2020 PPS and Growth Plan together direct development to take place in urban areas and support intensified development where appropriate servicing and infrastructure exists. Both Regional and Provincial policy place an emphasis on intensification and infill as the preferred form of development to help foster the development of complete communities that have a mix of land uses, employment opportunities, and are active-transportation and transit supportive.

The subject lands are located within the Provincially designated Built-up Area of the City of Welland. Accordingly, the residential growth will contribute towards the City's annual residential intensification target of 40%. Regional staff note that the proposed subdivision will include both single detached dwellings and townhouse dwelling units to provide a range of housing types.

### **Environmental Site Assessment**

Due to the change in use from a previous commercial use on the subject lands (180 Kingsway) to a proposed residential subdivision development, a Record of Site Condition (RSC) under Provincial environmental legislation with the Ministry of the Environment, Conservation and Parks (MECP) is required to be filed. In accordance with O.Reg. 153/04, as amended, a RSC must be filed on the MECP Brownfield Environmental Site Registry prior to any change in land use to a more sensitive use (i.e. commercial to residential). Further, the PPS requires that contaminated sites be remediated as necessary to ensure there will be no adverse effects to the proposed use(s).

A Phase One Environmental Site Assessment (ESA; dated April 3, 2020, prepared by Wood Environment & Infrastructure Solutions) was submitted with the draft plan, which provided an evaluation of known and possible environmental issues at the property to support an RSC. The Phase One ESA identified potential contamination on the site with respect to two former aboveground storage tanks, the former in-ground hydraulic hoist, the former in-ground settling tank, and the general use of the building for automotive maintenance and repair services. The Phase One ESA indicates that a Phase Two ESA is required to address the areas of potential environmental concern identified before an RSC could be submitted. The Phase Two ESA and filing of a Record of Site Condition will be required as future conditions of draft plan approval.

### **Noise & Odour Impacts**

The PPS calls for a coordinated, integrated and comprehensive approach to land use planning matters. Specifically, sensitive land uses are to be planned to "ensure they are appropriately designed, buffered and/or separated from each other to prevent or mitigate adverse effects from odour, noise and other contaminants, minimize risk to public health and safety..." (Policy 1.2.6.1). To implement this policy, the Ministry of the Environment, Conservation and Parks (MECP) Land Use Planning Policy guidelines (the Guidelines) are to be applied in the land use planning process to prevent or minimize future land use problems due to the encroachment of sensitive land uses on



industrial uses. Guideline D-1 "Land Use Compatibility Guidelines", Guideline D-6 "Compatibility between Industrial Facilities and Sensitive Land Uses" as well as the MECP's Publication NPC-300 "Environmental Noise Guidelines" were used to review the applications from a land use compatibility perspective.

The development proposes residential use, which is considered a 'sensitive land use' as outlined in the guidelines, in proximity to the industrial use (sewage pumping station). The D1 and D6 guidelines indicate that industrial land uses and sensitive land uses are normally incompatible due to possible adverse effects on sensitive land uses created by industrial operations in close proximity. The guidelines indicate that a sensitive land use should not be permitted closer than the specified minimum separation distance, unless impacts from industrial activities can be mitigated to the level of "trivial impact" (i.e. not adverse effects).

At the pre-consultation meeting on December 20, 2018, Regional staff identified that an assessment of noise and odour would be required to address potential impacts on the proposed residential development from the Regional Dain City Sewage Pumping Station and Detention Facility located at 135 Talbot Avenue. According to the Planning Justification Report (dated April 2020, prepared by Upper Canada Consultants), correspondence between the Region and agent indicated that this requirement could be addressed as a condition of draft plan approval. A Noise Impact Study and Odour study will be required as future conditions of draft plan approval. These studies will need to be peer reviewed in order to verify that the findings, mitigation measures and recommendations are sufficient to satisfy Provincial and Regional policy and the aforementioned Ministry guidelines.

## **Natural Heritage**

The lands contain and are adjacent to portions of the Region's Core Natural Heritage System (CNHS). Specifically, the CNHS on and adjacent to the property includes Environmental Conservation Areas (ECAs) associated with Significant Woodland and non-provincially or Locally Significant Wetland (LSW). Important (Type 2) Fish Habitat is located immediately adjacent to the subject lands. The Environmental Impact Study (EIS) submitted in support of the development application confirms this assessment, and also identifies an ephemeral/intermittent watercourse and Significant Wildlife Habitat on and adjacent to the property.

Regional Environmental Planning staff have reviewed the Environmental Impact Study (EIS) prepared by Beacon Environmental, dated January 2020, to verify that the findings, proposed mitigation measures and recommendations are sufficient to satisfy Regional and Provincial environmental policies. In summary, additional information is required to verify that potential impacts to the Region's CNHS can be adequately mitigated. Given the concerns described below, an EIS Addendum is requested to satisfy staff that the conclusions of the EIS are valid.

### EIS Addendum Requirements

1. Section 6.1.2 states that no mitigation measures are identified for the direct loss of Significant Woodland. The EIS asserts that removal of 1.2 ha (3 acres) of woodland will not result in significant impact because there are no significant features or functions associated with the portion of woodland to be removed, and further, that only 4% of the ECA (30 ha in total) will be removed. Staff disagree with this rationale. Compensation should be provided for the removal of a significant feature to more appropriately demonstrate no negative impact. The EIS Addendum should propose additional mitigation and general restoration measures to mitigate the loss of Significant Woodland, including but not limited to, elaboration on what the recommended Buffer/Edge Planting Plan should entail. For example, this may include a compensation planting ratio, species and location, perhaps even on adjacent lands pending landowner permission.
2. Section 7.3.2 states that "no alteration to the water flow through the wetland will occur, and this EIS has determined that no negative impacts will occur to the wetland's *ecological* functions..." (pg. 48). However, Section 6.2.1 states there is potential for post-development alteration of surface water flows to the wetland. The only mitigation proposed to prevent surface flow alteration is "to the extent possible, ensure that surface water sheet flow is directed to the wetland along the rear of the lots" via final grading (pg.42). The EIS Addendum should further expand on the wetland's *hydrological* function and how no negative impacts will occur.
3. The ephemeral/intermittent watercourse and Significant Wildlife Habitat are not addressed in terms of impacts and mitigation. If these features are protected by the wetland and its buffer, the EIS Addendum should discuss this in the context of impacts and mitigation.
4. All constraints and their recommended buffers (if applicable) should be mapped on a figure in the report (LSW, Significant Woodland, Type 2 Fish Habitat, ephemeral/intermittent watercourse and Significant Wildlife Habitat), as well as the location of all bat snag/cavity trees noted in Appendix 4.
5. Datasheets supporting the level of effort for field inventories should have been included as an appendix in the EIS. Please include all relevant correspondence and field data sheets, including ELC data cards, in the EIS Addendum. In addition, the MNRFC correspondence referred to throughout the EIS is missing from Appendix 1, and Appendix 2 does not appear to provide relevant information regarding the Seaway Wetland Complex.

### Next Steps

At this time, Regional Environmental Planning staff cannot recommend conditions of approval until additional information is provided to more appropriately demonstrate that the proposal will not have negative impacts on the Region's CNHS. An EIS Addendum is requested to address the above noted requirements. It is noted that the above comments and requirements were sent to the agent on June 4, 2020, and an additional meeting was held on August 19, 2020 with the agent, environmental consultant, and

*D.11.11.SD-20-0013*  
*September 3, 2020*

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staff from the Region, NPCA and City to further discuss these comments. At the time of the meeting in August 2020, the agent and environmental consultant advised additional information would be forthcoming to address Regional Environmental Planning comments.

An Environmental Impact Study Addendum (dated September 3, 2020, prepared by Beacon Environmental) was provided to Regional staff on September 3, 2020 (date of this letter), and City staff were unable to provide an extension to allow a fulsome review of the Addendum. Once Regional Environmental staff has had an opportunity to review the Addendum, an additional response letter will be sent to the City to confirm whether the above Regional concerns have been addressed. If all concerns are adequately satisfied, staff anticipate being able to provide revised comments and conditions in support of the application.

Please note that the NPCA continues to be responsible for the review and comment on planning applications related to their regulated features. As such, NPCA should be consulted with respect to their comments and potential Work Permit requirements pursuant to Ontario Regulation 155/06.

### **Stormwater Management**

Regional staff has reviewed the 'Functional Servicing Report Canal Trail (dated March 2020)' by Upper Canada Consultants. Based on our review on this report, the following comments are offered:

1. The Region will require that stormwater runoff from the development be captured and treated to a Normal standard as the minimum acceptable standard prior to discharge from the site.
  - a) The Region has no objection to the installation of an oil-grit separator (OGS) to meet an Enhanced standard treatment.
  - b) The Region requires justification that the imperviousness of 28.6% for OGS sizing is sufficient to reflect the development land uses that consists of roads and house lots.
2. The proposed development will not directly affect the Regional infrastructure, and the Old Welland Canal has sufficient capacity for the proposed development, therefore the Region has no management interests related to stormwater flow control. However, to ensure the City's and private lands adjacent to the site will not be negatively impacted as a result of the development, the Region would suggest the Report include justification/details on how the post-development flows from all storm events (up to and including the 100-year storm) will be safely accommodated and conveyed to the Old Welland Canal.
3. Prior to the construction, the Region will require that detailed grading, storm servicing, stormwater management, and construction sediment control drawings be submitted to this office for review and approval.

## Site Servicing

Regional staff note that site servicing will be under the jurisdiction of the City of Welland and will require the construction of new water, sanitary and storm services for the proposed development. As a future condition of draft plan approval, the Region must review and approve any new/extended sanitary and storm sewer services under the Ministry of Environment, Conservation and Parks Transfer of Review Program. Detailed engineering design drawings with calculations for the services must be submitted to this department for review and approval.

- Niagara Region's Master Servicing Plan (MSP) acknowledged that there is significant growth projected in Welland relative to the existing infrastructure capacity. The Region has reviewed the recently completed Master Servicing Plan (MSP) and note that this property falls within the Dain City Sewage Pumping Station (SPS) sewer shed, which has been allocated growth out to 2041 in consultation and collaboration with the City of Welland. This study was completed at a high level and did not allocate capacities to individual properties.
- Currently, the MSP has not identified any upgrades to the Dain City Sewage Pumping Station. The existing operating capacity of the station is 94 L/sec and the ECA is for 115 L/s. The MSP identified that there are significant wet weather flows in this system. The City and Region are working together to reduce the wet weather flows in the system and the City has recently completed an Infiltration & Inflow (I&I) Study identifying Dain City as a priority area. It will be important to ensure that this new development doesn't add any additional wet weather flows.
- The Region has an on-going project for the replacement of the forcemain for operational issues for the Dain City SPS which has projects scheduled for 2020 and 2021.
- Further I&I reduction programs will be required in the Dain City and Ontario Street SPS sewersheds to allow for the ultimate flows anticipated from all the anticipated development areas.
- The Region has added the projected flows to the existing flows, and request that if the development is going to be phased, the flows be provided with the estimated timing for the phasing to better understand how the timing of the SPS and FM projects work with the potential additional flow.

A copy of the Region's Master Servicing Plan can be accessed through the following link: <http://www.niagararegion.ca/2041/master-servicing-plan/default.aspx>.

## Waste Collection

Niagara Region provides curbside waste and recycling collection for developments that meet the requirements of Niagara Region's Waste Collection Policy. The subject property is eligible to receive Regional curbside waste and recycling collection provided that the owner bring the waste and recycling to the curbside on the designated pick up day, and that the following limits are not exceeded:

D.11.11.SD-20-0013  
September 3, 2020

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- No limit blue/grey containers;
- No limit green containers; and,
- 1 garbage containers per property
- **Collection will be at the curbside only**

Region staff note that in order for Regional waste collection services to be provided, the developer/owner shall comply with Niagara Region's Corporate Waste Collection Policy. The policy can be found at the following link: [www.niagararegion.ca/waste](http://www.niagararegion.ca/waste)

The Draft Plan of Subdivision was reviewed based on the current policy and will require that, prior to final approval, detailed plans showing the dimensions and radii of the proposed road network and curbs be provided as well indication if there is any phasing of the development. If phasing is planned and proposed road networks based on the phasing does not provide for thru streets, Regional staff will require a revised draft plan which indicates appropriate temporary turnarounds provided wherever a thru street is not maintained. The proposed development and required turning facilities need to meet the requirements of Niagara Region's Corporate Waste Collection Policy.

## Conclusion

Regional Planning and Development Services staff are unable to support the proposed Draft Plan of Subdivision for Canal Trail Estates in the City of Welland at this time, due to outstanding Environmental Planning requirements. Accordingly, Regional Conditions of Draft Plan Approval will be provided once the above requirements are addressed. Regional staff recommend that the Draft Plan of Subdivision not be approved until at least such time as the Environmental Planning staff have had the opportunity to review and comment on the EIS Addendum provided today.

If you have any questions or wish to discuss these comments, please contact the undersigned at extension 3352, or Lola Emberson, MCIP, RPP, Senior Development Planner, at extension 3518. For questions regarding the Natural Heritage/Environmental comments, please contact Cara Lampman (Manager, Environmental Planning) at 905-980-6000 ext. 3430 or [cara.lampman@niagararegion.ca](mailto:cara.lampman@niagararegion.ca).

Please send notice of Council's decision regarding this application.

Best regards,



Aimee Alderman, MCIP, RPP  
Development Planner

*D.11.11.SD-20-0013*

*September 3, 2020*

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cc: Ms. D. Morreale, MCIP, RPP, Director, Development Approvals, Niagara Region  
Ms. L. Karlewicz, Planning Ecologist, Niagara Region  
Ms. C. Lampman, Manager, Environmental Planning, Niagara Region  
Ms. M. Ding, P.Eng., Stormwater Management Engineer, Niagara Region  
Mr. M. Ramundo, Development Approvals Technician, Niagara Region

**Rachelle Larocque**

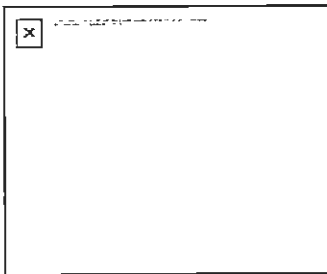
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**From:** Ali Khan <ali.khan@welland.ca>  
**Sent:** August 13, 2020 3:55 PM  
**To:** Rachelle Larocque  
**Subject:** RE: Notice of Public Meeting - Canal Trail Draft Plan of Subdivision (26T-14-20004)

Hi Rachelle,

Applicant will be responsible for installation of streetlights on Regatta Drive as well as at the future intersection of Kingsway/Regatta.

Regards,



**Muhammad Ali Khan, M.A.Sc; P.Eng.**  
 Supervisor Traffic, Parking & Bylaws  
 Infrastructure and Development Services  
 Corporation of the City of Welland  
 60 East Main Street, Welland, Ontario L3B 3X4  
**Phone:** (905)735-1700 Ext. 2202 **Fax:** (905)735-7184  
[www.welland.ca](http://www.welland.ca)



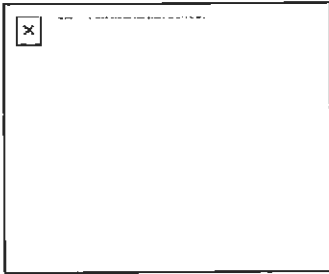
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**From:** Rachelle Larocque  
**Sent:** August 13, 2020 3:50 PM  
**To:** CARRIGAN, Andrew <andrew.carrigan@canadapost.postescanada.ca>; randy.leppert@cogeco.com; planification@cscmonavenir.ca; bertrandm@csmiamonde.ca; Dave Stuart <dave.stuart@welland.ca>; scott.whitwell@ncdsb.com; Municipal Planning <MunicipalPlanning@enbridge.com>; Paula Albano <paula.albano@welland.ca>; Matt Richardson <matt.richardson@welland.ca>; Tanya Lamb <tanya.lamb@welland.ca>; Brian Kennedy <brian.kennedy@welland.ca>; Scott Richardson <scott.richardson@welland.ca>; Peter Boyce <peter.boyce@welland.ca>; Sherri-Marie Millar <sherri-marie.millar@welland.ca>; Vince Beaudoin <vince.beaudoin@welland.ca>; Ali Khan <ali.khan@welland.ca>; mmm@mmm.ca; David Deluce <ddeluce@npca.ca>; Lindsay Earl <lindsay.earl@niagararegion.ca>; Jack Tosta <jack.tosta@welland.ca>; Ashley Grigg <cityclerk@portcolborne.ca>; randy.leppert@cogeco.com; Richard Dalton <richard.dalton@welland.ca>; Municipal Planning <MunicipalPlanning@enbridge.com>; Lynda Busch (info@niagarahomebuilders.ca) <info@niagarahomebuilders.ca>; plan@niagararegion.ca; Alderman, Aimee <Aimee.Alderman@niagararegion.ca>; dpresley@mhbcpplan.com; Dan Degazio <dan.degazio@welland.ca>; Kevin Carver <kcarver@wellandhydro.com>  
**Cc:** Matt Kernahan <matt@ucc.com>; Grant Munday <grant.munday@welland.ca>; Travers Fitzpatrick <travers.fitzpatrick@welland.ca>; clerk <clerk@welland.ca>  
**Subject:** Notice of Public Meeting - Canal Trail Draft Plan of Subdivision (26T-14-20004)

Good afternoon,

Attached please find the Notice of Public Meeting for Draft Plan of Subdivision. This application was previously circulated in April, 2020 for comments. If you have already provided comments, you do not need to resend them.

Sincerely,



**Rachelle Larocque, BES, M.Sc., MCIP, RPP**  
Planning Supervisor  
Planning Division  
Infrastructure and Development Services  
Corporation of the City of Welland  
60 East Main Street, Welland, Ontario L3B 3X4  
**Hours:** 8:30am-4:30PM  
**Phone:** (905)735-1700 Ext. 2310 **Fax:** (905)735-8772  
**[www.welland.ca](http://www.welland.ca)**



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**Planning and Development Services**

1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7  
905-980-6000 Toll-free: 1-800-263-7215

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**Via Email Only**

September 23, 2020

File No.: D.11.11.SD-20-0013

Ms. Rachelle Larocque, MCIP, RPP  
Planning Supervisor  
Infrastructure and Development Services  
Corporation of the City of Welland  
60 East Main Street  
Welland, ON L3B 3X4

Dear Ms. Larocque:

**Re: Regional and Provincial Comments  
Canal Trail Estates Draft Plan of Subdivision  
City File No.: 26T-14-20004  
Applicant: Upper Canada Consultants (Matt Kernahan)  
Owner: 2674963 Ontario Inc. (Vaughn Gibbons)  
Address: 180 Kingsway Road  
City of Welland**

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Regional Planning and Development Services staff has reviewed the Draft Plan of Subdivision application and supporting studies submitted by Upper Canada Consultants on behalf of 2674963 Ontario Inc. The subject lands are located at 180 Kingsway and lands immediately abutting to the east. The Draft Plan of Subdivision proposed development of 2.6 hectares of land, with 21 lots for single detached dwellings fronting on existing and proposed public roads, a block for 10 townhouse dwelling units, and a block to be transferred to the City of Welland for Environmental Protection purposes. A pre-consultation meeting for this proposal was held at the City on December 20, 2018, with staff from the City and Region, and the applicant. Regional staff provided comments on the previous iteration of the draft plan on September 3, 2020; the comments contained in this letter address the updated draft plan received September 17, 2020. It is noted that the updated draft plan has not altered the number of units proposed, or the road configuration; this update has increased the size of the Environmental Protection Area block (Block 23). The following comments are provided to assist the City in their consideration of this application from a Provincial and Regional perspective.

## **Provincial and Regional Policies**

The subject lands are located within the Welland Urban (Built-up) Area, as designated in the Regional Official Plan (ROP). The Welland Urban Area is considered as a Settlement Area by the 2020 Provincial Policy Statement (PPS) and a Delineated Built-up Area by A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan). The ROP, 2020 PPS and Growth Plan together direct development to take place in urban areas and support intensified development where appropriate servicing and infrastructure exists. Both Regional and Provincial policy place an emphasis on intensification and infill as the preferred form of development to help foster the development of complete communities that have a mix of land uses, employment opportunities, and are active-transportation and transit supportive.

The subject lands are located with the Provincially designated Built-up Area of the City of Welland. Accordingly, the residential growth will contribute towards the City's annual residential intensification target of 40%. Regional staff note that the proposed subdivision will include both single detached dwellings and townhouse dwelling units to provide a range of housing types.

## **Environmental Site Assessment**

Due to the change in use from a previous commercial use on the subject lands (180 Kingsway) to a proposed residential subdivision development, a Record of Site Condition (RSC) under Provincial environmental legislation with the Ministry of the Environment, Conservation and Parks (MECP) is required to be filed. In accordance with O.Reg. 153/04, as amended, a RSC must be filed on the MECP Brownfield Environmental Site Registry prior to any change in land use to a more sensitive use (i.e. commercial to residential). Further, the PPS requires that contaminated sites be remediated as necessary to ensure there will be no adverse effects to the proposed use(s).

A Phase One Environmental Site Assessment (ESA; dated April 3, 2020, prepared by Wood Environment & Infrastructure Solutions) was submitted with the draft plan, which provided an evaluation of known and possible environmental issues at the property to support an RSC. The Phase One ESA identified potential contamination on the site with respect to two former aboveground storage tanks, the former in-ground hydraulic hoist, the former in-ground settling tank, and the general use of the building for automotive maintenance and repair services. The Phase One ESA indicates that a Phase Two ESA is required to address the areas of potential environmental concern identified before an RSC could be submitted. Accordingly, conditions have been included in Appendix 1 requiring the completion and submission of a Phase Two Environmental Site Assessment and Record of Site Condition.

## **Noise & Odour Impacts**

The PPS calls for a coordinated, integrated and comprehensive approach to land use planning matters. Specifically, sensitive land uses are to be planned to “ensure they are appropriately designed, buffered and/or separated from each other to prevent or mitigate adverse effects from odour, noise and other contaminants, minimize risk to public health and safety...” (Policy 1.2.6.1). To implement this policy, the Ministry of the Environment, Conservation and Parks (MECP) Land Use Planning Policy guidelines (the Guidelines) are to be applied in the land use planning process to prevent or minimize future land use problems due to the encroachment of sensitive land uses on industrial uses. Guideline D-1 “Land Use Compatibility Guidelines”, Guideline D-6 “Compatibility between Industrial Facilities and Sensitive Land Uses” as well as the MECP’s Publication NPC-300 “Environmental Noise Guidelines” were used to review the applications from a land use compatibility perspective.

The development proposes residential use, which is considered a ‘sensitive land use’ as outlined in the guidelines, in proximity to the industrial use (sewage pumping station). The D1 and D6 guidelines indicate that industrial land uses and sensitive land uses are normally incompatible due to possible adverse effects on sensitive land uses created by industrial operations in close proximity. The guidelines indicate that a sensitive land use should not be permitted closer than the specified minimum separation distance, unless impacts from industrial activities can be mitigated to the level of “trivial impact” (i.e. not adverse effects).

At the pre-consultation meeting on December 20, 2018, Regional staff identified that an assessment of noise and odour would be required to address potential impacts on the proposed residential development from the Regional Dain City Sewage Pumping Station and Detention Facility located at 135 Talbot Avenue. According to the Planning Justification Report (dated April 2020, prepared by Upper Canada Consultants), correspondence between the Region and agent indicated that this requirement could be addressed as a condition of draft plan approval. As such, conditions have been included in Appendix 1 requiring the completion of a Noise Impact Study and Odour Study and implementation of associated warning clauses in the subdivision agreement. The air quality and noise study will need to be peer reviewed in order to verify that the findings, mitigation and recommendations are sufficient to satisfy Provincial and Regional policy and the aforementioned Ministry guidelines. Any recommendations or mitigation measures may result in required changes to the site layout.

## **Natural Heritage**

The lands located at 180 Kingsway Road, City of Welland, contain and are adjacent to portions of the Region’s Core Natural Heritage System (CNHS). Specifically, the CNHS on and adjacent to the property includes Environmental Conservation Areas (ECAs) associated with Significant Woodland and non-provincially or Locally Significant Wetland (LSW). Important (Type 2) Fish Habitat is located immediately adjacent to the subject lands. The Environmental Impact Study (EIS) submitted in support of the

*D.11.11.SD-20-0013*  
*September 23, 2020*

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development application confirms this assessment, and also identifies an ephemeral/intermittent watercourse and Significant Wildlife Habitat on and adjacent to the property.

Regional Environmental Planning staff most recently provided comments on this application in May of 2020 in response to the submission of an EIS prepared by Beacon Environmental, dated January 2020. Since that time an EIS Addendum has been prepared (Beacon Environmental, September 3, 2020) and the Draft Plan has been revised in order to keep all development and site alteration outside the wetland feature and associated 15 metre buffer and to revise the boundaries of lots 1-5 to allow for additional retention of the significant woodland feature impacting the subject lands.

Regional Environmental Planning staff have reviewed the originally submitted EIS (Beacon Environmental, January 2020), the EIS Addendum (Beacon Environmental, September 2020) and the revised Draft Plan (Upper Canada Consultants, September 17, 2020) to verify that the findings, proposed mitigation measures and recommendations are sufficient to satisfy Regional and Provincial environmental policies. Staff do not object to the development proposal in principle, provided all required authorizations are received from applicable regulatory agencies and the mitigation measures identified in the EIS and further elaborated on below are incorporated into all future plans.

Regional staff note that the updated Draft Plan avoids all development and site alteration within the wetland feature and associated buffer area and reduces the amount of woodland removal by roughly 0.105 hectares. In addition, the Environmental Impact Study Addendum (Beacon Environmental, September 2020) recommends that the following additional mitigation measures are to be incorporated into the plan:

- A Buffer Planting Plan which ensures the incorporation of additional plantings on to the site which will result in an increase in the quality of the natural heritage features to be retained.
- A Grading Plan which ensures current surface water flows are maintained to the wetland feature.

It should be noted that the Buffer Planting Plan should include a basic monitoring strategy that ensures the long term survival of the vegetation. Additionally, Regional staff recommend that as many trees, within the residentially zoned lands, be retained as possible. The required Tree Savings Plan should ensure that only trees required to be removed in order to facilitate the development are lost. Conditions to implement the above mitigation measures, and associated works, are included in Appendix 1.

## **Stormwater Management**

Regional staff has reviewed the 'Functional Servicing Report Canal Trail (dated March 2020)' by Upper Canada Consultants. Based on our review on this report, the following comments are offered:

1. The Region will require that stormwater runoff from the development be captured and treated to a Normal standard as the minimum acceptable standard prior to discharge from the site.
  - a) The Region has no objection to the installation of an oil-grit separator (OGS) to meet an Enhanced standard treatment.
  - b) The Region requires justification that the imperviousness of 28.6% for OGS sizing is sufficient to reflect the development land uses that consists of roads and house lots.
2. The proposed development will not directly affect the Regional infrastructure, and the Old Welland Canal has sufficient capacity for the proposed development, therefore the Region has no management interests related to stormwater flow control. However, to ensure the City's and private lands adjacent to the site will not be negatively impacted as a result of the development, the Region would suggest the Report include justification/details on how the post-development flows from all storm events (up to and including the 100-year storm) will be safely accommodated and conveyed to the Old Welland Canal.
3. Prior to the construction, the Region will require that detailed grading, storm servicing, stormwater management, and construction sediment control drawings be submitted to this office for review and approval.

## Site Servicing

Regional staff note that site servicing will be under the jurisdiction of the City of Welland and will require the construction of new water, sanitary and storm services for the proposed development. As a future condition of draft plan approval, the Region must review and approve any new/extended sanitary and storm sewer services under the Ministry of Environment, Conservation and Parks Transfer of Review Program. Detailed engineering design drawings with calculations for the services must be submitted to this department for review and approval.

- Niagara Region's Master Servicing Plan (MSP) acknowledged that there is significant growth projected in Welland relative to the existing infrastructure capacity. The Region has reviewed the recently completed Master Servicing Plan (MSP) and note that this property falls within the Dain City Sewage Pumping Station (SPS) sewer shed, which has been allocated growth out to 2041 in consultation and collaboration with the City of Welland. This study was completed at a high level and did not allocate capacities to individual properties.
- Currently, the MSP has not identified any upgrades to the Dain City Sewage Pumping Station. The existing operating capacity of the station is 94 L/sec and the ECA is for 115 L/s. The MSP identified that there are significant wet weather flows in this system. The City and Region are working together to reduce the wet weather flows in the system and the City has recently completed an Infiltration & Inflow (I&I) Study identifying Dain City as a priority area. It will be important to ensure that this new development doesn't add any additional wet weather flows.

- The Region has an on-going project for the replacement of the forcemain for operational issues for the Dain City SPS which has projects scheduled for 2020 and 2021.
- Further I&I reduction programs will be required in the Dain City and Ontario Street SPS sewersheds to allow for the ultimate flows anticipated from all the anticipated development areas.
- The Region has added the projected flows to the existing flows, and request that if the development is going to be phased, the flows be provided with the estimated timing for the phasing to better understand how the timing of the SPS and FM projects work with the potential additional flow.

A copy of the Region's Master Servicing Plan can be accessed through the following link: <http://www.niagararegion.ca/2041/master-servicing-plan/default.aspx>.

## **Waste Collection**

Niagara Region provides curbside waste and recycling collection for developments that meet the requirements of Niagara Region's Waste Collection Policy. The subject property is eligible to receive Regional curbside waste and recycling collection provided that the owner bring the waste and recycling to the curbside on the designated pick up day, and that the following limits are not exceeded:

- No limit blue/grey containers;
- No limit green containers; and,
- 1 garbage containers per property
- **Collection will be at the curbside only**

Region staff note that in order for Regional waste collection services to be provided, the developer/owner shall comply with Niagara Region's Corporate Waste Collection Policy. The policy can be found at the following link: [www.niagararegion.ca/waste](http://www.niagararegion.ca/waste)

The Draft Plan of Subdivision was reviewed based on the current policy and will require that, prior to final approval, detailed plans showing the dimensions and radii of the proposed road network and curbs be provided as well indication if there is any phasing of the development. If phasing is planned and proposed road networks based on the phasing does not provide for thru streets, Regional staff will require a revised draft plan which indicates appropriate temporary turnarounds provided wherever a thru street is not maintained. The proposed development and required turning facilities need to meet the requirements of Niagara Region's Corporate Waste Collection Policy.

## **Conclusion**

Regional Planning and Development Services staff has no objection to the Draft Plan of Subdivision for Canal Trail Estates in the City of Welland, subject to the satisfaction of any local requirements and the Conditions listed in Appendix 1.

D.11.11.SD-20-0013  
September 23, 2020

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If you have any questions or wish to discuss these comments, please contact the undersigned at extension 3352, or Lola Emberson, MCIP, RPP, Senior Development Planner, at extension 3518. For questions regarding the Natural Heritage/Environmental comments, please contact Cara Lampman (Manager, Environmental Planning) at 905-980-6000 ext. 3430 or [cara.lampman@niagararegion.ca](mailto:cara.lampman@niagararegion.ca).

Please send notice of Council's decision regarding this application.

Best regards,



Aimee Alderman, MCIP, RPP  
Development Planner

cc: Ms. D. Morreale, MCIP, RPP, Director, Development Approvals, Niagara Region  
Ms. C. Lampman, Manager, Environmental Planning, Niagara Region  
Ms. M. Ding, P.Eng., Stormwater Management Engineer, Niagara Region  
Mr. M. Ramundo, Development Approvals Technician, Niagara Region

## Appendix 1

### Conditions of Draft Plan Approval

1. That prior to approval of the final plan, the owner shall submit a copy of a Phase 2 Environmental Site Assessment (ESA) prepared by a qualified person in accordance with Ontario Regulation 153/04, as amended, to the Niagara Region Planning and Development Services Department to address the change in use of the previously commercial lands at 180 Kingsway.
2. That the subdivision agreement between the owner and the City of Welland contain provisions whereby the owner agrees to implement the recommendations, if any, of the Phase 2 Environmental Site Assessment (ESA) required in accordance with Condition 1.
3. That the owner shall file a Record of Site Condition (RSC) on the Ministry of Environment, Conservation and Parks' [Brownfields] Environmental Site Registry in accordance with Ontario Regulation 153/04, as amended, and that the owner provide the Niagara Region Planning and Development Services Department and the City with copies of the Environmental Site Assessment(s) and site remediation reports as well as a copy of the Ministry of Environment, Conservation and Parks' written acknowledgement of the filing of the RSC.
4. That the owner submit an air quality (odour) and noise assessment to determine potential impacts from the nearby Dain City Sewage Pumping Station (135 Talbot Avenue) to the satisfaction of Regional Planning and Development Services. Note: the air quality assessment for odour and/or noise assessment may be subject to peer review, at the expense of the owner/developer.
5. That the subdivision agreement between the owner and the City of Welland contain provisions whereby the owner agrees to implement the recommendations, if any, of the air quality and noise assessments required in accordance with Condition 4.
6. That the subdivision agreement between the owner and the City of Welland, and any Agreements of Purchase and Sale or Lease for each dwelling unit, include any warning clauses required in accordance with Condition 4, and the following clause:  
  

*"Due to the proximity of the subdivision lands to the Dain City Sewage Pumping Station, Purchasers/Tenants are advised that, despite the inclusion of noise/odour control features in the development and within the building units, periodic emissions of unpleasant odours and noise from the normal or emergency operations of this facility, for an unspecified duration, may occur and may adversely affect the residents of this development."*
7. That vegetation removals be undertaken between October 1st and March 14<sup>th</sup>, outside of both the breeding bird nesting period and active bat season.



D.11.11.SD-20-0013  
September 23, 2020

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8. That standard best management construction practices shall be used to mitigate construction dust, noise and/or exhaust fumes and prevent spills.
9. That a Buffer Planting Plan be prepared for Regional staff approval, preferably by a full member of the Ontario Association of Landscape Architects (OALA), to identify and illustrate the location of additional native trees, shrubs and groundcover to be planted.
10. A Grading Plan is to be developed and provided to Regional staff for approval in order to ensure the surface water flows associated with rear of lots 1 through 7, and lots 10 through 15 are directed to the wetland area.
11. That permanent rear-lot fencing be provided for all lots bordering on the retained Environmental Protection Areas. A no-gate bylaw is recommended to reduce human encroachment and limit the movement of pets into the adjacent natural areas.
12. That the Erosion and Sediment Control (ESC) Plan be provided for Regional staff approval. The ESC Plan shall include details for, but not be limited to, ESC fencing and other ESC measures, dust suppression and topsoil storage. ESC measures must be monitored regularly to ensure they are functioning properly and promptly fixed if issues are identified.
13. That the Tree Saving Plan prepared in accordance with the Region of Niagara Tree and Forest Conservation By-law (By-law 30-2008) Section 1.36 be provided for Regional staff approval.
14. That the subdivision agreement between the owner and the City of Welland contain wording wherein the owner agrees to implement the recommendations of the approved Grading Plan, ESC Plan, Buffer Planting Plan, and Tree Saving Plan.
15. That prior to approval of the final plan or any on-site grading, the owner shall submit a detailed stormwater management plan for the subdivision and the following plans designed and sealed by a qualified professional engineer in accordance with the Ministry of the Environment documents entitled Stormwater Management Planning and Design Manual, March 2003 and Stormwater Quality Guidelines for New Development, May 1991, or their successors to the Niagara Region for review and approval:
  - a. Detailed lot grading, servicing and drainage plans, noting both existing and proposed grades and the means whereby overland flows will be accommodated across the site;
  - b. Detailed erosion and sedimentation control plans;
  - c. Detailed phasing of construction of the stormwater management facility to coincide with phasing of development of residential lands (internal and external to the subdivision) planned to be serviced by the stormwater management facility.

16. That the subdivision agreement between the owner and the City contain provisions whereby the owner agrees to implement the approved plan(s) required in accordance with the approved Stormwater Management Plan.
17. That the owner provides a written acknowledgement to Niagara Region Planning and Development Services Department stating that draft approval of this subdivision does not include a commitment of servicing allocation by Niagara Region as servicing allocation will not be assigned until the plan is registered and that any pre-servicing will be at the sole risk and responsibility of the owner.
18. That the owner provides a written undertaking to Niagara Region Planning and Development Services Department stating that all Offers and Agreements of Purchase and Sale or Lease, which may be negotiated prior to registration of this subdivision shall contain a clause indicating that servicing allocation for the subdivision will not be assigned until the plan is registered, and a similar clause be inserted in the subdivision agreement between the owner and the City.
19. That prior to final approval for registration of this plan of subdivision, the owner shall submit the design drawings [with calculations] for the new sanitary and storm sewers required to service this development and obtain the necessary Ministry of the Environment, Conservation and Parks Compliance Approval under the Transfer of Review Program.
20. That the owner/developer ensure, throughout all phases of development, that all streets and development blocks can provide an access in accordance with the Niagara Region's Corporate Policy and By-laws relating to the curbside collection of waste and recycling. Where a through street is not maintained, the owner/developer shall provide a revised draft plan to show an appropriate temporary turnaround to permit Regional waste collection services.
21. That the owner/developer shall comply with Niagara Region's Corporate Policy for Waste Collection.

### **Clearance of Conditions**

Prior to granting final approval, the City of Welland must be in receipt of written confirmation that the requirements of each condition have been met satisfactorily and that all fees have been paid to the satisfaction of the Niagara Region.

### **Subdivision Agreement**

Prior to final approval for registration, a copy of the executed Subdivision Agreement for the proposed development should be submitted to the Regional Planning and Development Services Department for verification that the appropriate clauses have been included.

*D.11.11.SD-20-0013*  
*September 23, 2020*

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**Note:** The Development Services Division recommends that a copy of the draft agreement be provided in order to allow for the incorporation of any necessary revisions prior to execution.



April 14, 2020

Grant Munday, B.A.A, MCIP, RPP  
Manager of Development Approvals  
City of Welland  
60 East Main Street  
Welland, ON L3B 3X4

Dear Mr. Munday,

**RE: Application for Draft Plan of Subdivision (26T-14-20004) 180 Kingsway (Canal Trail)**

Welland Hydro Electric System Corp. (WHESC) does not object to the proposed applications(s).

The applicant shall contact WHESC's Engineering Department to determine servicing details and requirements by emailing [Engineering@wellandhydro.com](mailto:Engineering@wellandhydro.com).

If existing WHESC's infrastructure is required to be relocated or temporary Hydro service is required, all costs are the responsibility of the applicant.

If easement(s) are required by WHESC to service this development or any future adjacent developments, the applicant will provide at their expense all necessary registered easements.

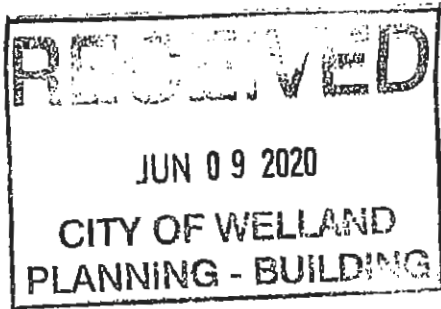
The proposed development must meet the clearance requirements of section 3.1.19.1 "Clearance to Buildings" of the Ontario Building Code.

WHESC reserves the right to amend or remove development conditions.

If you require further information, please contact our Engineering Department.

Sincerely,

Kevin Carver, P. Eng., ME  
Director of Engineering & Operations  
**WELLAND HYDRO-ELECTRIC SYSTEM CORP.**



Burke MacGillivray  
103 Talbot Avenue  
Welland, ON L3B 6E9  
905-732-7571

June 1, 2020

Planning Division  
City of Welland  
60 East Main Street  
Welland, ON L3B 3X4

**Subject: Proposed Subdivision Canal Trail Estates- Objection**

I am objecting to this development on the following grounds:

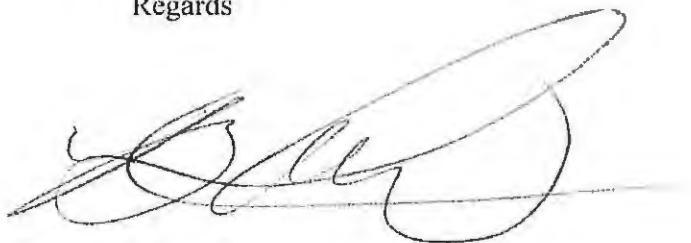
1. **Safety-** There is only one entry to and exit from Dain City since the demolition of the Forks Road Bridge. The single road into the area includes a level crossing and a train in the crossing could delay an emergency vehicle from reaching its destination. The alternate locked route along the canal is ludicrous. By the time an emergency vehicle has decided to use and then unlock the gates the emergency may have unfortunately passed.
2. **Soil and settlement/subsidence-** Last Fall a geotechnical team did soil sampling to the north and south of the proposed development. The team tested the soil on both sides of the marshy area. One setup was approximately 100 feet south of Talbot Avenue on the Regatta Avenue proposed extension. The technicians drilled to a depth of twenty (20) feet and encountered nothing but wet muck, possibly silt or a silt/clay mixture. This mixture is not a particularly stable material for either roads or housing construction as

demonstrated by subsidence and settling issues in the neighborhood where foundations have cracked and in one case the house had to be raised and a new foundation installed.

3. **Drainage-** Currently, the runoff water from my roof and that of my neighbors is directed to a swale that ultimately empties into a local waterway and then into the canal. What provisions will be made to ensure safe drainage from my property and that of my neighbors without the runoff adding additional stress to the storm sewer system and the Talbot Avenue pump station?
4. **Wastewater management-** Will the pump station at the end of Talbot Avenue have sufficient capacity to handle the increased waste water and storm sewer volumes during times of heavy rain or will the city have to have pump trucks and bulk liquid carriers on stand-by to manage the excess volume?
5. **Designated conservation and wetlands-** the Schedule A Zone map for the City of Welland designates much of the land to the south of Talbot Avenue as environmentally protected. Based on the zone maps the protected area begins at the south end of my property and that of my neighbors and includes the area of the proposed development.
6. **Species habitat-** Several years ago environmental professors and students from Brock University studied the area proposed for development and identified the area as the habitat of endangered species or species of interest to the Government of Ontario. This would include snapping turtles which live and breed in the area and would lose habitat with the construction of additional housing in this area would destroy their habitat as well as that of other species. Has the situation changed since the study or is the City of Welland planning on participating in the destruction of the habitat of at-risk species?

7. **Housing Density** – The plot plans as presented on the developers billboard indicate lot widths significantly narrower than those on Talbot avenue and surrounding streets. Is this developer's intention to build dramatically higher density housing than the rest of Dain City?

Regards

A handwritten signature in black ink, appearing to read 'Burke MacGillivray', written over a horizontal line.

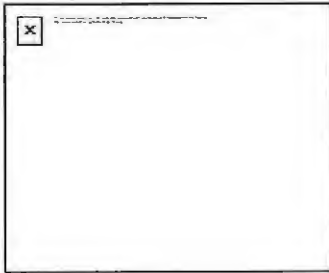
Burke MacGillivray

**Rachelle Larocque**

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**From:** Theresa Ettore <theresa.ettore@welland.ca>  
**Sent:** June 2, 2020 3:42 PM  
**To:** Grant Munday; Rachelle Larocque; Travers Fitzpatrick  
**Subject:** FW: OBJECTION: CANAL TRAILS SUBDIVISION

FYI....



**Theresa Ettore**  
 Administrative Assistant to the Mayor  
 Office of the Mayor  
 Corporation of the City of Welland  
 60 East Main Street, Welland, Ontario L3B 3X4  
**Phone:** (905)735-1700 Ext. 2101 **Fax:** (905)735-1543  
[www.welland.ca](http://www.welland.ca)



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**From:** Burke MacGillivray [mailto:burkemacg@gmail.com]  
**Sent:** June 1, 2020 3:42 PM  
**To:** Councillor Bonnie Fokkens <bonnie.fokkens@welland.ca>; mayor <mayor@welland.ca>; Jburch-CO@ndp.on.ca  
**Subject:** OBJECTION: CANAL TRAILS SUBDIVISION

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Ms. Fokkens, Mr. Burch, Mr. Campion,

Here is a copy of my letter of objection I have submitted to Welland's Planning Department.

Regards  
 Burke MacGillivray  
 103 Talbot Avenue  
 Welland, ON  
 905-732-7571

Planning Division

City of Welland

60East Main Street



Welland, ON L3B 3X4

Subject: **Proposed Subdivision Canal Trail Estates- Objection**

I am objecting to this development on the following grounds:

1. **Safety**- There is only one entry to and exit from Dain City since the demolition of the Forks Road Bridge. The single road into the area includes a level crossing and a train in the crossing could delay an emergency vehicle from reaching its destination. The alternate locked route along the canal is ludicrous. By the time an emergency vehicle has decided to use and then unlock the gates the emergency may have unfortunately passed.
2. **Soil and settlement/subsidence**- Last Fall a geotechnical team did soil sampling to the north and south of the proposed development. The team tested the soil on both sides of the marshy area. One setup was approximately 100 feet south of Talbot Avenue on the Regatta Avenue proposed extension. The technicians drilled to a depth of twenty (20) feet and encountered nothing but wet muck, possibly silt or a silt/clay mixture. This mixture is not a particularly stable material for either roads or housing construction as demonstrated by subsidence and settling issues in the neighborhood where foundations have cracked and in one case the house had to be raised and a new foundation installed.
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5. **Designated conservation and wetlands**- the Schedule A Zone map for the City of Welland designates much of the land to the south of Talbot Avenue as environmentally protected. Based on the zone maps the protected area begins at the south end of my property and that of my neighbors and includes the area of the proposed development.
6. **Species habitat**- Several years ago environmental professors and students from Brock University studied the area proposed for development and identified the area as the habitat of endangered species or species of interest to the Government of Ontario. This would include snapping turtles which live and breed in the area and would lose habitat with the construction of additional housing in this area would destroy their habitat as well as that of other species. Has the situation changed since the study or is the City of Welland planning on participating in the destruction of the habitat of at-risk species?
7. **Housing Density** – The plot plans as presented on the developers billboard indicate lot widths significantly narrower than those on Talbot avenue and surrounding streets. Is this developer's intention to build dramatically higher density housing than the rest of Dain City?

Regards

Burke MacGillivray

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**Rachelle Larocque**

**From:** Burke MacGillivray <burkemacg@gmail.com>  
**Sent:** September 3, 2020 3:35 PM  
**To:** Rachelle Larocque  
**Subject:** Beacon Enviromental Response

**WARNING:** This email originated from an external sender. eMail from City of Welland email accounts will not begin with this warning! Please do not click links or open attachments unless you are sure they are safe!

Dear Ms. Larocque,

Here is my response to the environmental report issued by Beacon Environmental in support of the proposed development. After reading the report, it is not as thorough as initial appearances indicate. It is a generic template where the authors' drop in an occasional paragraph of findings or opinions. Only occasionally is there a close link between regulations quoted and survey findings. It appears to have been written to both impress and discourage a casual reader. It is packed full of "stuff" that the reader must plough through to find a conclusion. The author/developer wants to hide the inadequacy of the report through pages of gobbledygook. A reader must plow through pages of "stuff" to ferret out any quality information. This report appears to be written in a manner that gives the developer the answer he desires and needs to proceed.

Based on the number of days investigators were at the proposed site, it appears the bulk of their time was tromping through the lot identifying vegetation, which would make it difficult to identify animal life. The report seems to suggest that attempts to identify other species that live in the area were very casual. Finding all the animals that have been found in the past requires care and patience which would have added to the cost of the survey.

In section 6.31 and 6.3.2 the authors use the terms such as only "only" to suggest "merely" and express marsh destruction using numbers that appear very small, for example 0.011 ha or 0.08 ha. Specifically:

"The woodland that will be remove (sic) represent **only 4%** of a much larger woodland block that lies to the north and south of the subject lands" (emphasis mine, quote from 6.3.1)

"For the proposed development **0.011 ha** of marsh wetland will be infilled. This **small** area along the edge of the wetland does not support significant wetland habitat or functions." (emphasis mine, quote from 6.3.2)

The developer proudly states there will be a 15 meter buffer between the development and the wetland boundary, except where this is not convenient. Specifically, in section 6.2.2.1 "The rear lots lines of Lots 22 through 28 will encroach into 0.080 ha of the 15 m buffer lands to the existing wetland boundary." The developer wants to comply with regulations except where it is inconvenient. By using small numbers attempts to hide the true impact of destruction and encroachment. The .091 ha (0.011+0.080) is equivalent to two (2) building lots.

If approved the developer will destroy part of a marsh and encroach on a portion of a required buffer. This leaves the door wide open for the next phase or next developer to destroy more marsh and wetland. The camel's nose is in the tent. This establishes a precedent for this and other developers to destroy wetland and marsh. How can the city deny one developer after giving permission to another to destroy wetland and marsh? Is there an acceptable level of destruction?

This report is an attempt to contradict and overturn Welland's designation of this area as Core Natural Heritage which was based on a past exhaustive study by trained biologists and their associates who found endangered and at-risk species.

Regards,

Burke MacGillivray B.Eng., BA

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**Rachelle Larocque**

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**From:** Burke MacGillivray <burkemacg@gmail.com>  
**Sent:** September 7, 2020 2:40 PM  
**To:** Rachelle Larocque  
**Subject:** Beacon Environmental Survey- addendum

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Ms. Larocque,

There was a comment in the assessment that the observers did not see a nuthatch. I have seen them from my deck at the edge of the lot under consideration.

FYI  
Burke MacGillivray

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**Rachelle Larocque**

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**From:** Nancy Lockhart <nancylockhart3@gmail.com>  
**Sent:** September 3, 2020 5:30 PM  
**To:** Rachelle Larocque  
**Subject:** Proposed Dain City Development off Talbot Avenue  
**Attachments:** IMG\_1251.JPG; image[1].png; 20200903\_170738.jpg; 20200903\_170758.jpg; 20200903\_171003.jpg; 20200903\_171043.jpg; 20200903\_171102.jpg

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Dear Rachelle,

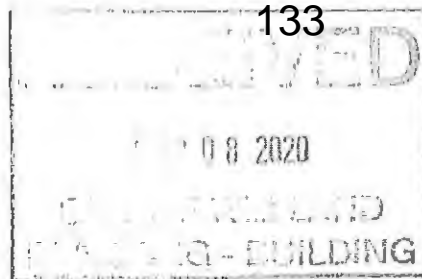
My husband and I have lived at 125 Talbot Avenue for over a decade, at the southeast end of the street bordering the sewage pumping station. A favourite aspect of our property is the wildlife sanctuary in the marshy woods behind us.

In addition to the plethora of bird species which habitate the mature trees, I personally have watched emerge from the wooded plot a wide variety of creatures, who clearly thrive in the habitat. Among the wildlife which come into view, are wild turkeys, snapping turtles, deer, raccoons, possums, rabbits, fox, snakes and bats; many of which I have photographed over the years.

A recently proposed development south of Talbot Avenue will undoubtedly have a detrimental impact on the creatures we proudly harbour in this community. I am hoping this sample of pictures will encourage you to help protect the most vulnerable residents of our beautiful haven.

I respectfully ask that my letter and photographic evidence be circulated at the meeting of Welland City Council September 15, 2020.

Sincerely,  
Nancy Lockhart  
125 Talbot Avenue



September 03/2020

I am submitting this letter to express my concerns over the proposed subdivision (File # 26T-14-20004) behind Talbot Ave. in Dain City and to the east of Kingsway. I reside at 125 Talbot beside the pumping station. We have observed on that land, deer, snapping turtles, rabbits, fox, frogs, raccoons and many varieties of birds. With development on this narrow section of land which is bordered by the canals, the result will be to further reduce the already limited habitat for the wildlife and the removal of many trees and plants.

The land by the southern tip of the pumping station where the drainage ditch enters the wooded area is often saturated. It is sort of a "wetlands" type area. Especially in late winter or spring with rain and melting, this area remains water logged for extended periods of time. How will drainage be affected by this? Where will the water go?

Another concern is the land the homes will be built on. This kind of swampy, unstable land may cause problems with foundations. I know the city puts the responsibility on the builder to meet required code or standards. However that is no guarantee it will be problem free. That precedent has already been set as there have been problems with shifting foundations in the surrounding neighbourhood. I am aware of one former resident on Henley Court who was involved in litigation over issues with her house foundation.

Furthermore, there have been increased concerns among residents over the problems of flooded basements. Just a few months ago homes on Talbot and other parts of Dain City were flooded once again. My neighbour's home has had extensive damage twice in two years from water and sewage backup. (We) have had major sewer problems  
(DAIN CITY)

with a blocked force-main in addition to the storm water issues. I would urge the city to exercise some caution and restraint not on just the proposed subdivision with regard to this letter but to all future development in the area until they can rectify the water and sewage problems.

I understand that the city needs/wants more revenue from new home construction. However I would ask that council carefully consider this proposed plan because of the concerns noted. At the very least I am hoping there might be some compromise or revision to it.

Thank you,

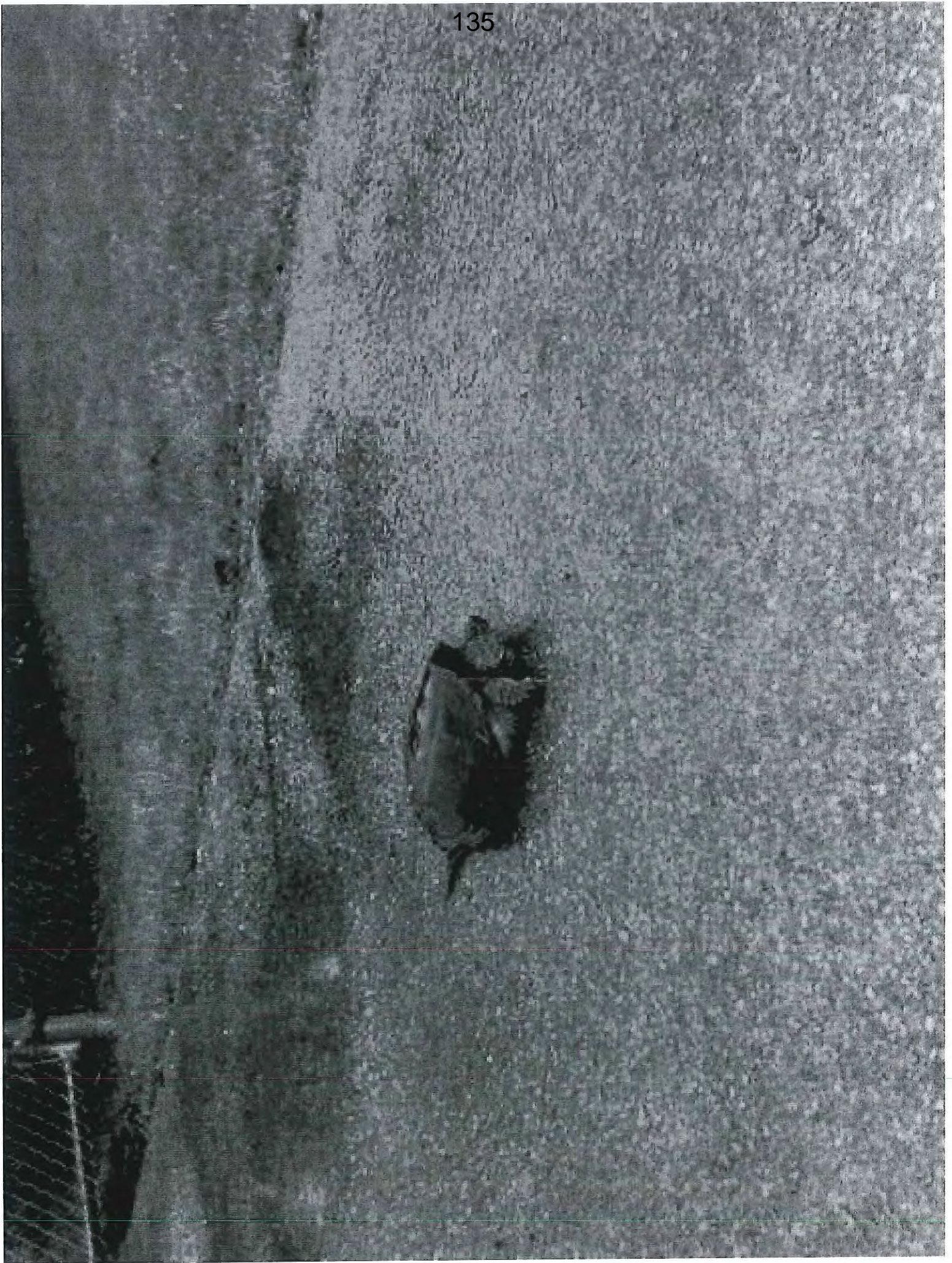
*Wayne Lockhart*

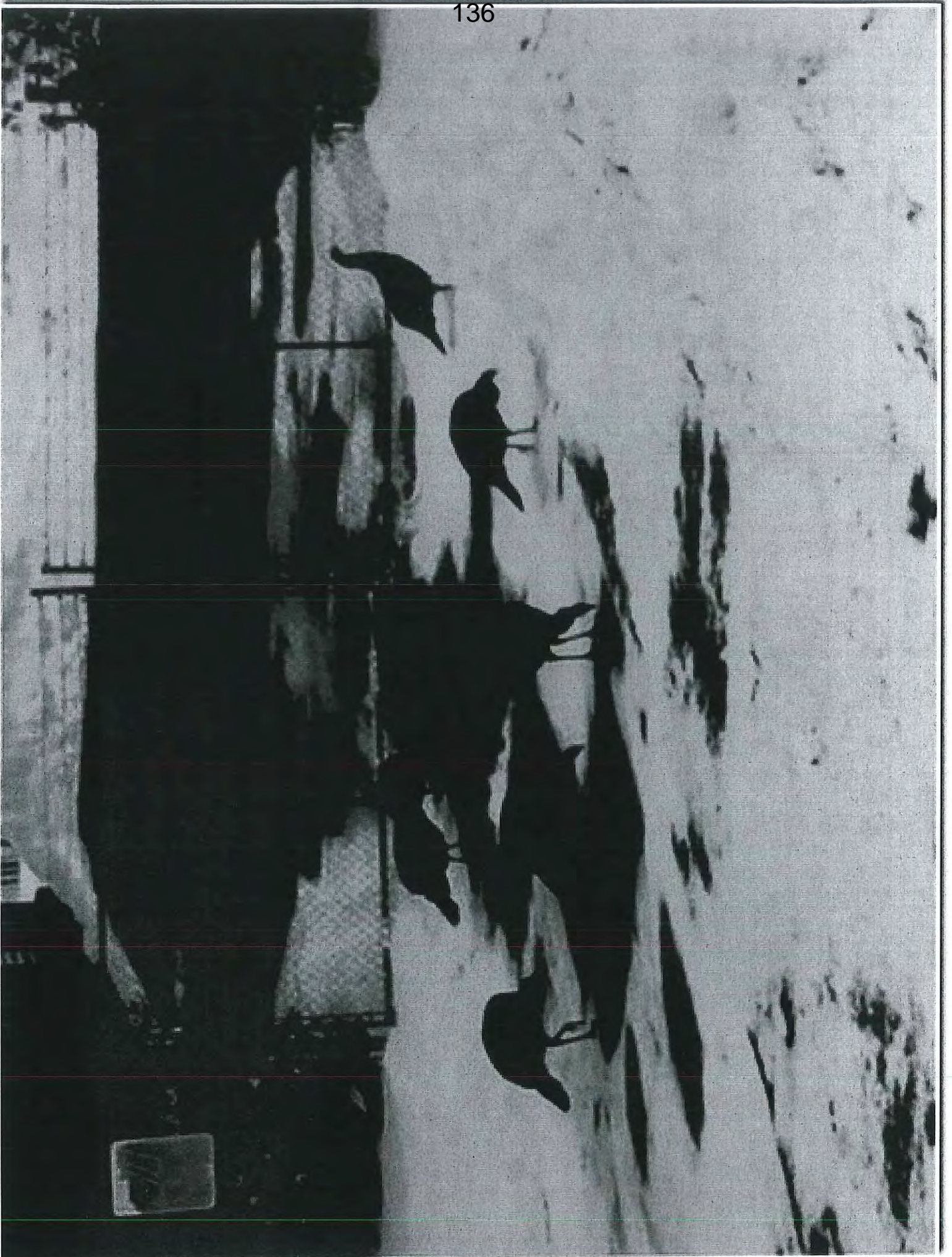
Wayne Lockhart

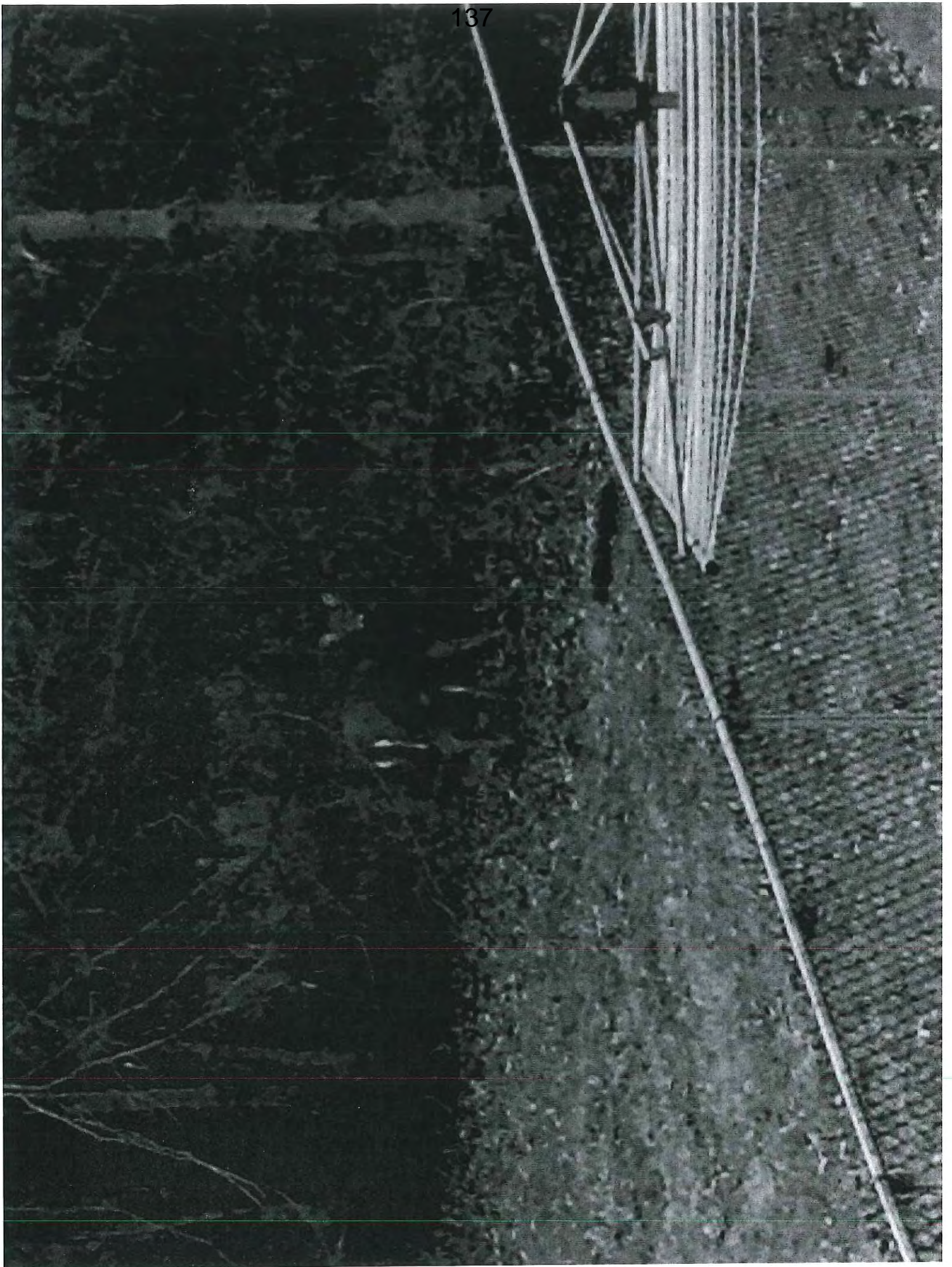
125 Talbot Ave.

905-714-4485

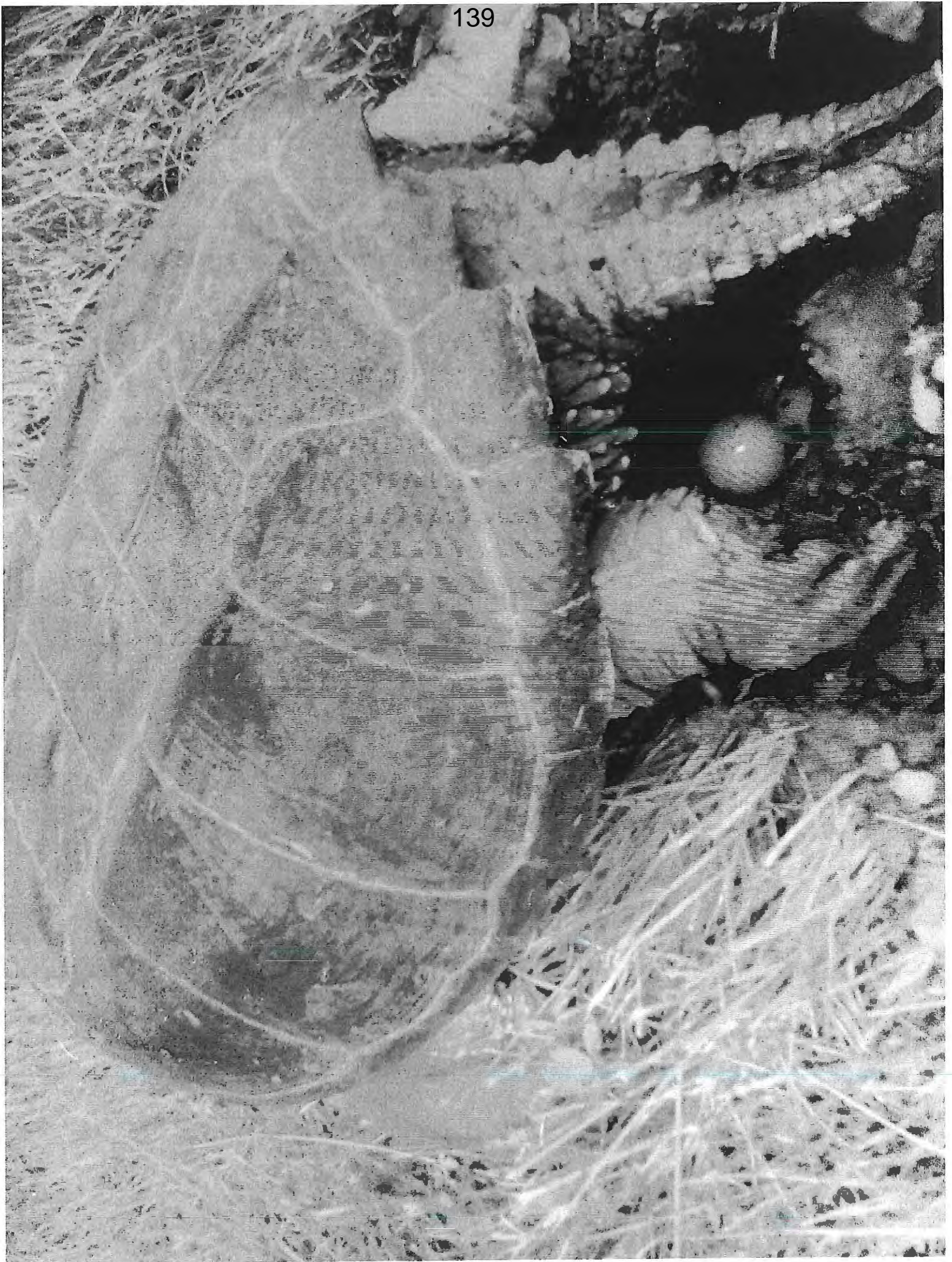


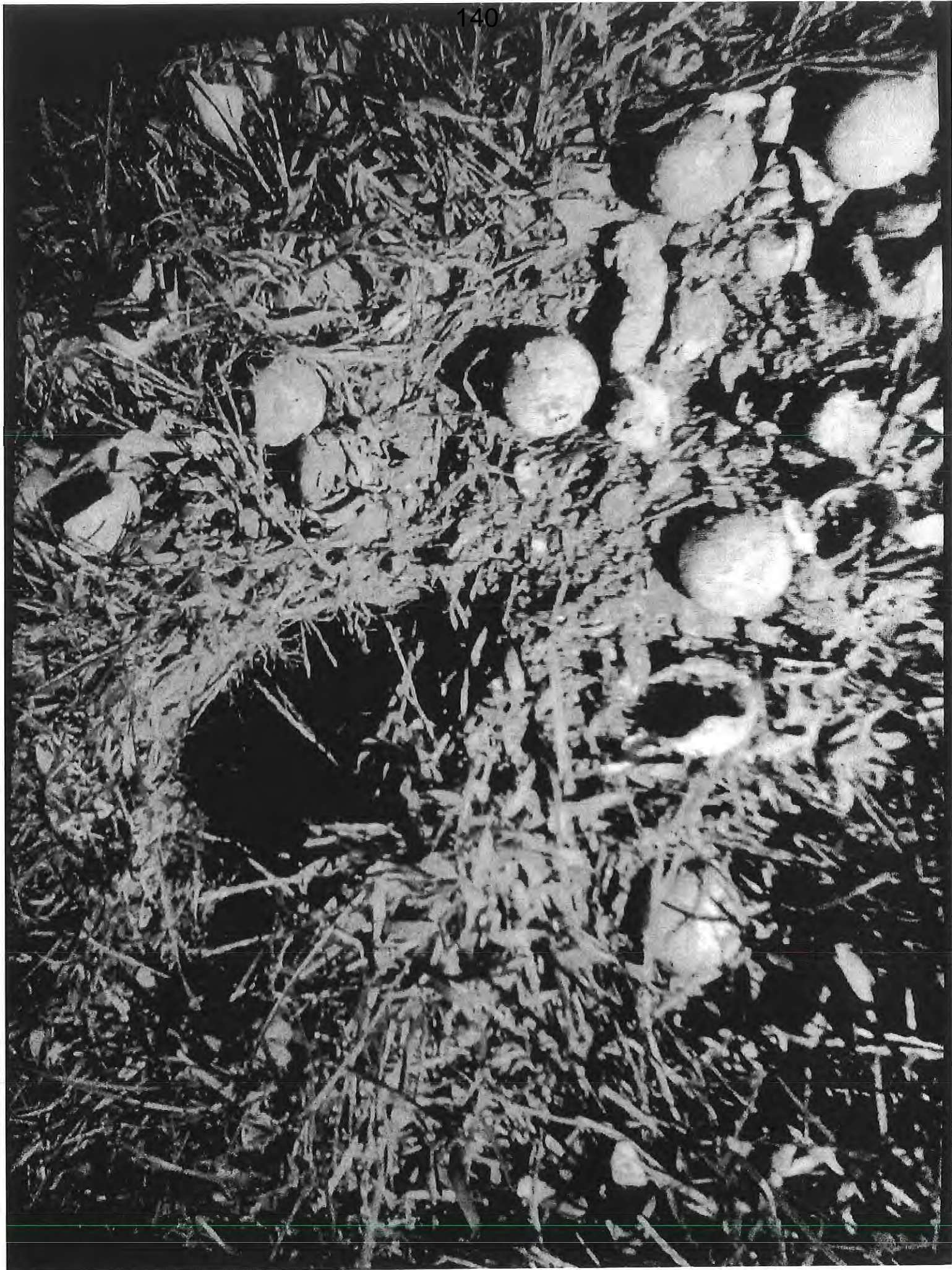


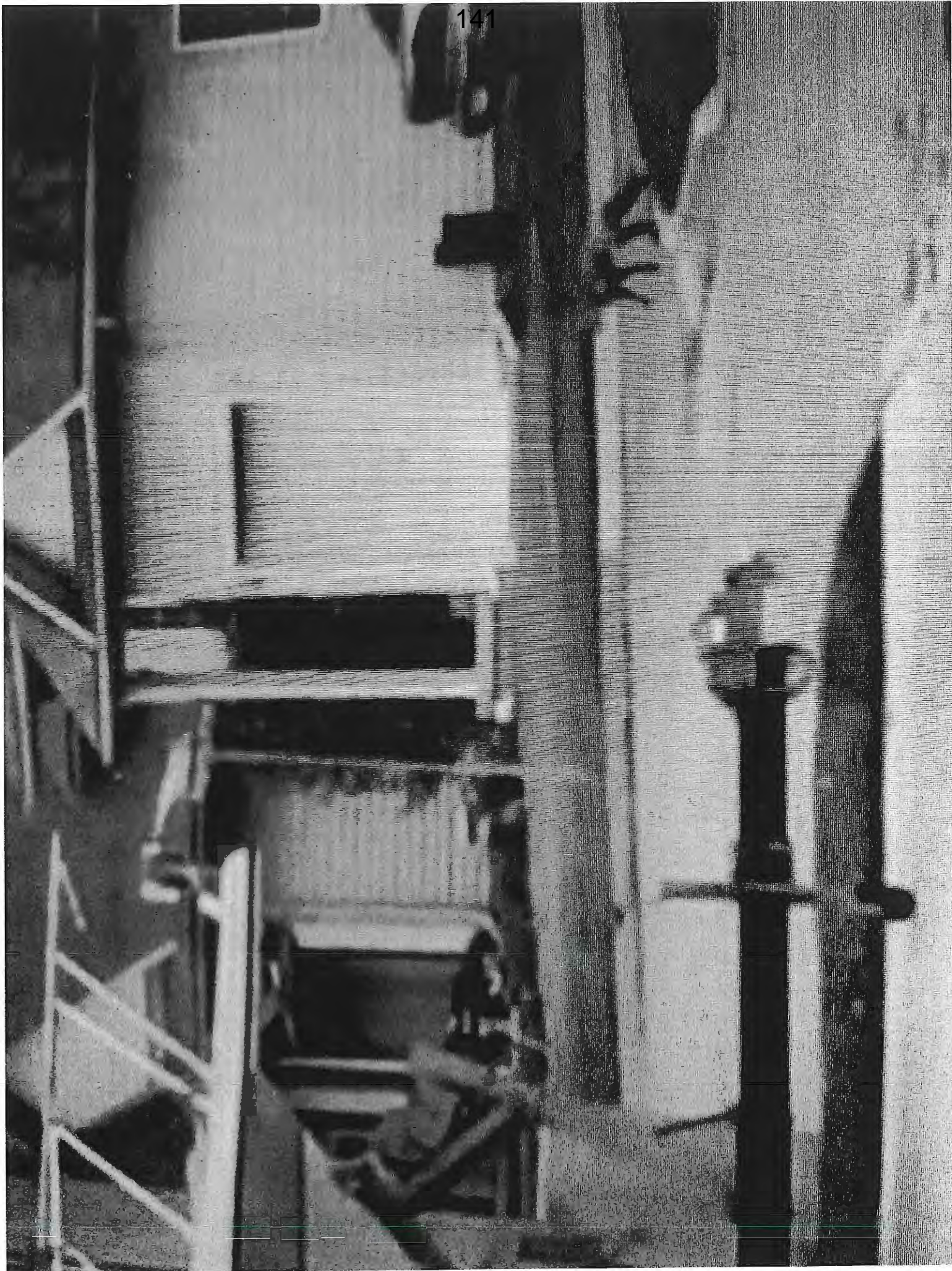

















APPROVALS	
GENERAL MANAGER	
CFO	
CAO	

**COUNCIL****INFRASTRUCTURE AND DEVELOPMENT SERVICES**

REPORT P&B-2020-59  
OCTOBER 20, 2020

20-92

**SUBJECT: APPLICATION FOR DRAFT PLAN OF VACANT LAND CONDOMINIUM (FILE NO. 26CD-14-20006) SUBMITTED BY QUARTEK GROUP ON BEHALF OF 1969578 ONTARIO INC. FOR LANDS ON THE WEST SIDE OF DENISTOUN STREET, NORTH OF WEST MAIN STREET, EAST OF PRINCE CHARLES DRIVE, AND SOUTH OF THE WELLAND RIVER, MUNICIPALLY KNOWN AS 69 DENISTOUN STREET**

**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:**

1. THAT THE COUNCIL OF THE CITY OF WELLAND approves application for Draft Plan of Vacant Land Condominium for lands described as Part of Block 4, Plan 59M-473, City of Welland, municipally known as 69 Denistoun Street, for the creation of 43 vacant land condominium units and a private condominium road, subject to the following conditions:
  1. That the Owner enter into a Site Plan Agreement and Condominium Assumption Agreement with the City of Welland.
  2. That no grading or on-site works commence prior to the registration of the Site Plan Agreement.
  3. That all necessary easements required for utility purposes be granted to the appropriate Authority free and clear of all encumbrances.
  4. That the Site Plan Agreement between the owners and the City of Welland contain provisions whereby the owner agrees to implement the approved noise mitigation measures as outlined in the *Noise Feasibility Study* prepared by HGC Engineering (dated January 30, 2020).

5. That the following clauses shall be included in the Site Plan Agreement between the owners and the City of Welland:

*"Should deeply buried archaeological remains/resources be found on the property during construction activities, all activities impacting archaeological resources must cease immediately, notify the Archaeology Programs Unit of the Ministry of Heritage, Sport, Tourism and Culture Industries (416-212-8886) and a licensed archaeologist is required to carry out an archaeological assessment in accordance with the Ontario Heritage Act and the Standards and Guidelines for Consultant Archaeologists.*

*In the event that human remains are encountered during construction, all activities must cease immediately and the local police as well as the Cemeteries Regulation Unit of the Ministry of Government and Consumer Services (416-326-8800) must be contacted. In situations where human remains are associated with archaeological resources, MHSTCI should also be notified to ensure that the site is not subject to unlicensed alterations which would be a contravention of the Ontario Heritage Act."*

6. That the following clauses shall be included in the Site Plan Agreement between the owners and the City of Welland

- a. That the Owner agrees to implement the Restoration Plan, prepared by Natural Resource Solutions Inc. (Project No. 2355A, dated February 21, 2020);
- b. That the Owner agree to implement the Erosion & Sediment Control Plan (prepared by Masongson Associates, dated April 2020, Drawing No. ES-1);
- c. That asphalt be removed from within the buffer area, as identified on the Restoration Plan, under the supervision of a Certified Arborist prior to the creation of the proposed trail system or planting or seeding work within the buffer;
- d. That invasive species be removed from within the Significant Woodland and adjacent meadow using Garlon RTU herbicide, applied by a Licensed Pesticide sprayer under the direct direction of a biologist or ecologist;
- e. That course woody debris generated from selective tree removals be left within the buffer or Significant Woodland as wildlife habitat. Fine woody debris should be chipped and also left on-site;
- f. That construction of the proposed trail, as shown on the Restoration Plan, be constructed prior to any planting or seeding work;
- g. That plants identified on the Planting Plan be installed in spring or fall to promote root system establishment;
- h. That the Restoration Area be monitored 2 years following the installation of the Restoration Plan. The monitoring should follow the recommendations included in the letter prepared by Natural Resource Solutions Inc. that accompanied the Restoration Plan. A

summary report shall be prepared to the satisfaction of the Region and document the findings, outline any issues and make recommendations for remediation, as necessary;

- i. That any required tree removals be completed between September 1<sup>st</sup> and March 15<sup>th</sup>, outside of the breeding bird nesting season and in accordance with the federal *Migratory Bird Convention Act*. If removals are proposed outside of this timing window, a survey for active bird nests shall be conducted by a qualified biologist no more than 48 hours prior to removal activities;
  - j. That permanent rear-lot fencing be installed as shown on the Site Plan Phase 2 prepared by Quartek, dated April 17, 2020).
7. That prior to approval of the final plan or any on-site grading, the owner shall submit a detailed stormwater management plan for the condominium and the following plans designed and sealed by a qualified professional engineer in accordance with the Ministry of Environment and Climate Change documents entitled Stormwater Management Planning and Design Manual, March 2003 and Stormwater Quality Guidelines for New Development, May 1991, or their successors to the Niagara Region Planning and Development Services Department for review and approval:
- a. Detailed lot grading, servicing, and drainage plans, noting both existing and proposed grades and the means whereby overland flows will be accommodated across the site;
  - b. Detailed erosion and sedimentation control plans.
8. That the Site Plan Agreement between the owner and the City contain provisions whereby the owner agrees to implement the approved plan(s) required in accordance with Condition above.
9. That the following clauses shall be included in the Site Plan Agreement between the owners and the City of Welland:
- a. The Owner is advised that if the development does not comply with Niagara Region's Corporate Policy for Waste Collection that garbage collection will be the responsibility of the owner through a private contractor and not the Niagara Region.
  - b. That the owner agrees to obtain a certificate from an Ontario Land Surveyor stating that all existing and new survey evidence is in place at the completion of the development.
  - c. That prior to any construction taking place within the Regional road allowances, the owner shall obtain a Regional Construction Encroachment, Entrance and Sign Permit from the Permits section of the Niagara Region Transportation Services Division.
  - d. That there shall be no connection nor shall the line be disturbed during construction to the Regional 350mm Diameter Concrete Sewer and associate maintenance holes traversing the north end of the subject property.

- e. That any future construction work within the Regional Easement may generate noise and odour which may occasionally interfere with some activities of the dwelling occupants.
10. That the owner include on all offers of purchase and sale, a statement that advises the prospective purchaser:
- a. that the home/business mail delivery will be from a designated Centralized Mailbox.
  - b. that the developers/owners be responsible for officially notifying the purchasers of the exact Centralized Mailbox locations prior to the closing of any home sales.
11. The owner further agrees to:
- a. work with Canada Post to determine and provide temporary suitable Centralized Mailbox locations which may be utilized by Canada Post until the curbs, boulevards and sidewalks are in place in the remainder of the subdivision.
  - b. install a concrete pad in accordance with the requirements of and in locations to be approved by Canada Post to facilitate the placement of Community Mailboxes
  - c. identify the pads above on the engineering servicing drawings. Said pads are to be poured at the time of the sidewalk and/or curb installation within each phase of the plan of subdivision.
  - d. determine the location of all centralized mail receiving facilities in co-operation with Canada Post and to indicate the location of the centralized mail facilities on appropriate maps, information boards and plans. Maps are also to be prominently displayed in the sales office(s) showing specific Centralized Mail Facility locations.
12. That prior to granting approval for the Final Plan of Subdivision, City of Welland Planning Division will require written notice from the following upon their respective Conditions of Draft Plan Approval have been met satisfactorily:
- Region of Niagara Conditions: 4, 5, 6, 7, 8, 9
- Canada Post Conditions: 10, 11
13. That if Final Approval is not given to this Plan within three (3) years of the approval date, and no extensions have been granted, Draft Approval shall lapse. If the Owner wishes to request extension of Draft Plan Approval, a written request with reasons why the extension is required and the applicable application fee, must be received by the City prior to the lapsing date; and

THAT Welland City Council authorizes the Mayor and Clerk to sign the Draft Approval and Final Approval Plans and agreements once all conditions have been satisfied.

**ORIGIN AND BACKGROUND:**

A Complete Application for Draft Plan of Vacant Land Condominium was submitted on April 30, 2020 and was deemed complete on May 13, 2020.

**COMMENTS AND ANALYSIS:**

*The Proposal*

The proposal has been made to develop the site with 43 townhouse condominium units on a private road, with one block for a parkette and visitor parking. The proposed development is the second phase of the Welland High Gardens development. The first phase allowed for the construction of 17 townhouse dwellings fronting onto Denistoun Street.

*The Site*

The lands are currently vacant and are the site of the former Welland High and Vocational School. The lands were separated from Phase 1 through the registration of the subdivision blocks in 2019.

*Surrounding Land Uses*

To the north of the lands runs the Welland River and an environmental block that was dedicated to the City through Phase 1. The Owner will be required to construct a trail through this block, as well as to create and implement a naturalization plan. The lands to the east have been developed with townhouse dwellings as part of Phase One, and further east are existing residential dwellings. To the south is a mix of residential and commercial uses fronting onto West Main Street. To the west is a multiple residential building and Prince Charles Drive.

*Agency and Public Comments*

Region of Niagara Planning and Development Services (June 30, 2020)

- The lands are located within the Welland Urban area, and is to be the focus of growth and development. The development will contribute to the City's intensification target of 40%.

- Regional staff have noted that the subject lands may be impacted by road noise generated from West Main Street and Prince Charles Drive. A noise study was previously prepared for this development, but it reflected a different iteration of the site plan that does not match the development proposed. Regional staff agreed to review the updated noise study at the site plan stage.

- The updated noise study has concluded that sound levels will exceed the Ministry of Environment Conservation and Parks (MECP) guidelines at some of the proposed dwellings. Mitigation measures include forced air ventilation systems with ductwork sized for the future installation of air condition for dwellings with exposure to West Main Street and Prince Charles Drive.
- The Region has reviewed the Archaeological and Environmental investigations submitted as part of the application and are satisfied that they meet Provincial and Regional requirements.
- The Region has reviewed the Stormwater Management Plan and associated drawings. Conditions with respect to the stormwater management have been requested.
- Required road widening, daylighting requirements, and reserves were completed during the initial subdivision process and were dedicated to the Region. Based on the plans, no work is proposed on the Regional right of way, however, if works are required, a Regional Construction and Entrance Permit must be obtained.
- The development is eligible for Regional waste collection at the curbside.
- The Region has a concrete sewer traversing the north end of the property through the block that has been dedicated to the City for environmental purposes. The sewer is maintained through an easement crossing the property. The developer should be aware that no development will be allowed on the easement, with the exception of minor parking, or order to maintain access to the easement in perpetuity. No connection to the Regional sewer no should the line be disturbed during construction.

- District School Board of Niagara  
(August 19, 2020)
- DSBN Planning staff has completed its review and has no objections to the application.
  - Board staff request that, as a condition of approval, sidewalks be constructed within the development to facilitate student travel to the school/bus stop locations. At this time, students from this area would attend Ross PS and Welland Centennial Secondary School.
- City of Welland Infrastructure and Development Services - Traffic, Parking & By-laws  
(October 13, 2020)
- No comments.
- City of Welland Infrastructure and Development Services – Engineering Division  
(October 13, 2020)
- No objections.
- City of Welland Infrastructure and Development Services – Building Division  
(October 13, 2020)
- No objections

Technical comments have been provided to the applicant as part of the Site Plan process from other City Departments regarding the proposed development.

A virtual Public Open House was held on August 20, 2020 to gain public input regarding the proposed applications. Three (3) member of the public participated in the Information Meeting, in addition to agent for the applicant and the applicant. The following comments and concerns were raised at the Public Information Meeting:

- Fencing between adjacent uses;
- Garbage collection;
- Parking along Denistoun Street;
- Timing of new housing construction;
- State of disrepair of the current construction site and the former sales centre needs to be addressed; and
- What will the new units look like.

At the time of writing this report, one (1) letter has been submitted from a member of the public regarding the application. The comments in the letter were the same as those that were raised at the Public Information Meeting.

The Statutory Meeting under the Planning Act was held on September 1, 2020. Two (2) members of the public participated in the meeting. The comments and questions raised were the same as those presented in the Public Information Meeting, with the additional comment that there was concern that the proposed parking within the development would not be adequate.

Provincial Policy

Section 51(24) of the *Planning Act* requires that all proposals for Plans of Subdivision regard must be had for to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to:

- |  |   |
|--|---|
| <p>(a) The protection of ecological systems, including natural areas, features, and functions;</p>                                 | <ul style="list-style-type: none"> <li>• The subject lands are not impacted by any core natural heritage features.</li> <li>• The block of land that was impacted by natural heritage features was dedicated to the City as part of the Phase 1 development, with the requirement that the naturalization and planting plan would need to be completed by the Owner.</li> </ul> |
| <p>(b) the protection of agricultural resources of the Province;</p>   | <ul style="list-style-type: none"> <li>• The subject lands are not part of the City's Agricultural lands.</li> </ul>  |
| <p>(c) the conservation and management of natural resources and the mineral resource base;</p>                                     | <ul style="list-style-type: none"> <li>• There are no negative impacts to any natural resources on this property.</li> </ul>  |
| <p>(d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;</p> | <ul style="list-style-type: none"> <li>• The property is not impacted by any features of architectural, cultural, historical, archaeological, or scientific interest.</li> <li>• An archaeological assessment was completed for the property and</li> </ul>   |



identified that no restrictions on development would be required.

- (e) the supply, efficient use and conservation of energy and water;
  - The proposal does not include any information regarding energy and water conservation methods that will be implemented at the time of construction. The Ontario Building Code includes requirements for energy efficiency that must be incorporated into all new home construction.
- (f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
  - The property is within the City's Urban Area and can be supplied with municipal infrastructure. There are no capacity issues that will be created as a result of this development.
  - The developer will be responsible for extending the water, sanitary, and storm sewers to service the new development, in addition to constructing the municipal road network. There is available capacity within the municipal system to accommodate the proposed development.
- (g) the minimization of waste;
  - The property will be serviced by regional waste collection.
- (h) the orderly development of safe and healthy communities;
  - The property is within the urban boundary and will not require an expansion to the urban area, has connections to existing roads, and will be provided with sidewalks.
- (h.1) the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;
  - The development is not designed to accessibility standards, but it will be the responsibility of the individual property owners to incorporate any

- accessibility measures into the house designs.
- (i) the adequate provision and distribution of educational, health, social, cultural and recreational facilities;
    - The District School Board of Niagara has provided comment that there is capacity within existing schools for the future students.
  - (j) the adequate provision of a full range of housing, including affordable housing;
    - The proposed development includes only townhome dwellings. The units are proposed to be two storeys in height. The first phase of the development was for three-storey townhouse dwellings. The final phase of the development will see the construction of a condominium tower.
    - The proposed development will create a range of dwelling types.
  - (k) the adequate provision of employment opportunities;
    - As the development is entirely residential, there are no employment opportunities that will be created. The City's Zoning By-law does permit home occupations, and therefore, there may be home based businesses that will be established in the neighbourhood. The final phase of the development will include at-grade commercial uses with residential uses above.
  - (l) the protection of the financial and economic well-being of the Province and its municipalities;
    - The development of these lands will lead to an increase in tax revenues to the City, which will contribute to the overall financial benefit of the City.
    - The roads and underground services within the development will be the responsibility of the developer, not the City, as this is

proposed as a condominium development.

- (m) the co-ordination of planning activities of public bodies;
  - All relevant agencies have been circulated the application and their comments have been included, where provided.
- (n) the resolution of planning conflicts involving public and private interests;
  - There were a number of comments provided regarding the state of the site, as well as the adequacy of parking provided. The Owner has contacted the City and identified that they will be addressing the construction materials on the property. With respect to the parking, each unit will be provided with an attached garage with a parking space inside, and one space located in the driveway. This will exceed the minimum requirements of one space per unit. Four visitor parking spots, which are not required, have also been provided.
- (o) the protection of public health and safety;
  - The Region has identified that no entrances onto West Main Street will be permitted as any potential driveway access would be too close to the intersection.
- (p) the appropriate location of growth and development;
  - The property is within the City's serviced urban boundary. The development of these lands will utilize undeveloped lands within the City's urban boundary and built boundary, and represent an infilling opportunity.

- (q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;
- The 504 and 502 Bus Routes run along West Main Street in front of the property, with the closest stop east of the property along West Main Street. The 501 Bus route runs along Maple Avenue, and is within walking distance of the property. The lands are also within walking distance to the Welland Bus Terminal.
  - Sidewalks are available along Denistoun Street and West Main Street to support walking throughout the area.
  - The developer will also be responsible for the construction of a walking path that will run from Prince Charles Drive to Denistoun to create a pedestrian linkage, and to allow residents to safely access the area along the Welland River.
- (r) the promotion of built form that,
- (i) is well-designed,
  - (ii) encourages a sense of place, and
  - (iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;
- The City has incorporated elements from the Urban Design Guidelines into the Zoning By-law to ensure that developments are oriented to the street and pedestrian friendly. The applicant has applied for, and received funding from the City through the Downtown Health and Wellness incentive program. One of the requirements is that the applicant must implement criteria from the City's Urban Design Guidelines into the development of the site.

Section 51(24) of the *Planning Act* sets out the following criteria to be considered when reviewing a draft plan of subdivision, as follows:

- Whether the proposed subdivision is premature or in the public interest;
- The lands are within the City's identified Built-Up area, which is to be the focus of infill and intensification. They are also identified in the City's Official Plan as an Intensification Area. The proposed development of these lands will help the City achieve the yearly intensification goals, as set by the Province.
  - There is infrastructure in the area which the subject development can be serviced from. As previously identified, the developer will be responsible for constructing the services and roads
  - The proposed development will not result in the uneconomical expansion of municipal services as they are already constructed in the area.
- Whether the plan conforms to the official plan and adjacent plans of subdivision, if any;
- The lands are the second phase of the Welland High Gardens Plan of Subdivision. Connections along Denistoun Street were maintained as part of the subdivision to ensure that this phase, as well as the final phase of the development, will have access to a municipally maintained road.

- The lands are designated as High Density Residential and as an Intensification Area. The High Density Residential Designation permits medium and high rise developments. The property has a special zoning exemption on the property which allows for townhouse dwellings. The overall site will be required to meet the minimum density of 61-125 units per hectare. The proposal complies with the intent of the Official Plan.

The suitability of the land for the purposes for which it is to be subdivided;

- The subject lands are accessible by the municipal road network and can connect to municipal infrastructure. The lands are within the urban boundary of the City of Welland and can be provided with municipal services.

If any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;

- There are no affordable housing units proposed as part of this subdivision. The City of Welland's Official Plan and Zoning By-law do permit accessory dwelling units to be created, which will provide alternative housing options which may be deemed more affordable.

The number, width, location and proposed grades and elevations of the highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and adequacy of them;

- The lands are accessed via Denistoun Street, which is a municipally maintained road, but the internal streets will be privately owned and maintained.

The dimensions and shapes of the proposed lots;

- The lots are predominantly rectangular in shape with frontages of 7.5 metres to 10 metres. The

lots will all meet minimum lot areas for townhouse dwellings.

- The restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;

  - The block of land to the north is impacted by natural heritage features and development on them, other than for passive recreation purposes, is prohibited. The subject lands are not impacted by any natural heritage features.
- Conservation of natural resources and flood control;

  - As previously mentioned, the block of lands to the north are impacted by natural heritage features, including the floodplain associated with the Welland River. These lands will remain in a natural state, and no development on them is proposed.
- The adequacy of utilities and municipal services;

  - The property has access to municipal water, sanitary and storm sewers. As previously identified, the developer will be responsible for the cost of extending municipal water, sanitary, and storm sewers to these lands.
- The adequacy of school sites;

  - The local school boards have not provided comment with respect to this development. It is staff's understanding that there is capacity within existing school sites to accommodate future students from this development.
- The area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;

  - There are three blocks to be dedicated to the City for the long-term environmental conservation and protection. The developer will be providing 5% of the value of the

lands through a cash-in-lieu of parkland dedication.

- The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and,
- Energy conservation measures have not been outlined in the plan that has been submitted. The Ontario Building Code includes requirements for energy conservation, which will be incorporated at the time of Building Permit.
- The interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41(2) of this Act.
- The individual townhouse blocks will be subject to Site Plan Exemption at the time of development.

*A Place to Grow: Growth Plan for the Greater Golden Horseshoe (P2G)*

The subject lands are located within the identified Build Up area as identified in the P2G. The P2G encourages that the vast majority of new growth occur within the serviced built-up area of settlement areas, and within the identified built-up area. The P2G also requires that a minimum of 40% of all new residential development be within the built-up area through infilling and intensification, which will be increased to 50% at the time of the next municipal comprehensive review. The subject proposal is within the delineated Built Up area of the City and has been identified as an Intensification Area in the City's Official Plan. The redevelopment of this property will help achieve intensification goals and targets for the City. As previously identified, servicing is available in the immediate area, and has capacity to accommodate the proposed development. The Plan of Subdivision is considered an infilling opportunity and meets the intent of these policies in the P2G.

The P2G also encourages the creation of complete communities, where the day-to-day needs of residents can be met within walking or cycling distance for residents, reducing the need for car trips. The lands are within walking distance to parks and commercial businesses. The lands are also within walking distance to a Welland Transit Route. The development of these lands is consistent with the policies of the P2G as it will contribute to a complete community being created.

*Region of Niagara Official Plan*

The lands are identified as being in the Urban Area of Welland in the Region's Official Plan. The policies in the Region's Official Plan (ROP) are similar to those



found in both the PPS and the P2G. The policies encourage infilling and intensification, taking advantage of existing infrastructure and creating communities that provide for the needs of residents. The policies in the Regional Plan support developments that take advantage of existing infrastructure, are transit supportive, and provide a range of uses.

The proposed vacant land condominium will develop underutilized lands within the urban boundary that have access to municipal services and roads. The development has been designed to maximize the use of the property for residential purposes, and to integrate with the existing townhouses to the east. It will encourage active transportation through the development by creating linkages through road connections and sidewalks.

The development proposes a townhouse dwellings in this phase, and the final phase of the development will result in the construction of a condominium tower. The lands are along a major road corridor, which has access to transit routes and is an area that is promoted for growth and redevelopment. The proposed development is appropriate for the property.

The proposed development meets the intent of the Regional Official Plan.

#### City of Welland Official Plan

The lands are designated as High Density Residential by the City of Welland Official Plan. This designation allows for medium and high rise apartment buildings at a density of 61 to 125 dwelling units per hectare. The development across the three phases of the development will be required to meet the minimum density target of 61 units per hectare. The lands have also been identified as an Intensification Area in the City's Official Plan which will allow it to be developed at a higher density than surrounding properties. Based on preliminary information regarding the final phase of the development, the development across the three phases will meet and exceed the minimum density targets. Although townhouses are not listed as a permitted use in the High Density Residential designation, there is a site specific zone amendment on the property that permits these uses.

The lands are within the Urban Area of the City of Welland, and within the identified Built Up Area. The City's policies identify that residential and employment intensification will be encouraged throughout the City as it provides an opportunity for economic growth, reduces the amount of greenfield land needed, takes advantage of serviced but underutilized lands, and helps improve the vibrancy of the City. Intensification is encouraged throughout the Built Up Area, with a number of focal areas identified, being the Downtown, brownfield sites, and along transit corridors. The subject lands have been identified as an 'Intensification Area' in the City's Official Plan. The proposed redevelopment of this site is considered to be intensification of the proposed site. Over the three phases of development, the property will meet the minimum density requirements in the City's Official Plan and will contribute to the City's intensification targets. The City has targeted 40% of all new residential growth to be within the Built Up Area, which will increase to 50%

at the time of the next Municipal Comprehensive Review to be consistent with the P2G. The proposed development will assist the City in achieving this intensification target.

The City's OP also includes a list of criteria that should be examined when infilling and intensification applications are made to the City. The criteria are examined in the chart below:

- Land use and neighbourhood character compatibility;
- The subject lands are within an area of a mix of uses and are on the western edge of the City's downtown corridor along West Main Street. The surrounding lands are a mix of residential and commercial uses. The proposed townhouse dwellings will be compatible with the surrounding mixed use area. The proposed use is also appropriate for the downtown area, promoting development at a higher density to take advantage of transit and services that are within walking distance.
- Lot pattern and configuration;
- The majority of the proposed lots are rectangular in shape and have a frontage of 7 to 10 metres. All of the proposed lots will meet the minimum frontage and area requirements in the City's Zoning By-law.
- Accessibility;
- As the proposed roads are private, no sidewalks are being proposed at this time. A pedestrian link will be created from the condominium development to the proposed recreational trail along the Welland River. Sidewalks are on the public streets along Denistoun Street and West Main Street to encourage active transportation through this area.
- Any other accessibility features incorporated into the individual dwellings will be at the discretion of the individual property owners.

- Parking requirements;
  - The City's minimum parking standards are one space per unit. All proposed dwelling units will be required to meet this minimum. One parking space will be provided in each of the attached garages, and one space in the driveway. The development also proposes the inclusion of four (4) visitor parking spaces and two lay-by spaces at the central mail facility. The proposal exceeds the minimum parking requirements in the Zoning By-law.
  
- Potential for additional traffic and traffic manoeuvrability;
  - Traffic will access site from one of the two entrances that will connect to Denistoun Street. A Traffic Impact Study was not required as part of the application as it was deemed that the existing roads can accommodate the increase in traffic.
  - A driveway connection to West Main Street will not be permitted by the Region as any access would be too close to the intersection of West Main Street and Prince Charles Drive and would create an unsafe traffic environment.
  
- The potential for transit ridership;
  - A Welland City Transit lines run along West Main Street (routes 502 and 504) and Maple Avenue to the south (Route 501). The lands are also within walking distance to main bus terminal on East Main Street, which provides connections to Port Colborne, Niagara Falls, St. Catharines, and areas outside of the Region. The proposed plan of condominium has the potential to increase transit ridership.
  
- Natural (including natural hazards) and built heritage conservation/protection;
  - As previously identified, the block lands at the north of the property are impacted by natural features associated with the Welland River. No development is

proposed in this block, and it will be improved with native plantings and a passive recreational trail.

- The availability capacity of municipal infrastructure;
- Residential intensification targets identified in this plan.
- There is capacity in the existing infrastructure to accommodate the proposed development.
- The proposed development will assist the City in achieving the target of 40% of all new residential development being within the Built-Up Area. That intensification goal will be increased to 50% at the time of the next Comprehensive Review, and the proposed development of this site will contribute to achieving that goal.

City of Welland Zoning By-law 2017-117

The lands are currently zoned Site Specific Residential High Density (RH-41). The Site Specific provisions state:

*That the uses permitted in the RH-41 Zone shall be those in the RH Zone and an accessory dwelling unit, two-unit dwelling, street townhouse, and block townhouse.*

The proposal is for townhouses on a private, internal street which meets the special provisions of the RH-41. The proposed units will meet the minimum requirements for townhouses. No site specific amendments to the Zoning By-law have been requested to allow for the proposed development. Each unit will be provided with two parking spaces (driveway and garage) and amenity area. The proposal meets the intent of the City's Zoning By-law.

Public Comments

A number of comments were received from neighbouring property owners regarding parking and the state of the construction site. With respect to the parking provided, each lot will have one space in an attached garage and one space in a driveway, for a total of two spaces. Four visitor spaces in addition to two mailbox lay-by spaces are also provided. The number of spaces provided exceeds the Zoning By-law minimum of one space per unit. Staff are aware of the parking concerns along Denistoun Street, however, on-street parking is a privilege in the City and is not a right. The on-street parking is provided on a first come, first served basis.

**FINANCIAL CONSIDERATION:**

All costs associated with the development of the property will be borne by the applicant. All future costs associated with roadway maintenance and underground infrastructure within the block will be the responsibility of the condominium corporation.

**OTHER DEPARTMENT IMPLICATIONS:**

Where received, comments from other departments have been incorporated into this report. City Departments, as well as the Region have also been circulated for comment on the Site Plan Application process that is running concurrently with the Draft Plan for Vacant Land Condominium. Detailed, technical comments have been provided through that process separately.

**SUMMARY AND CONCLUSION:**

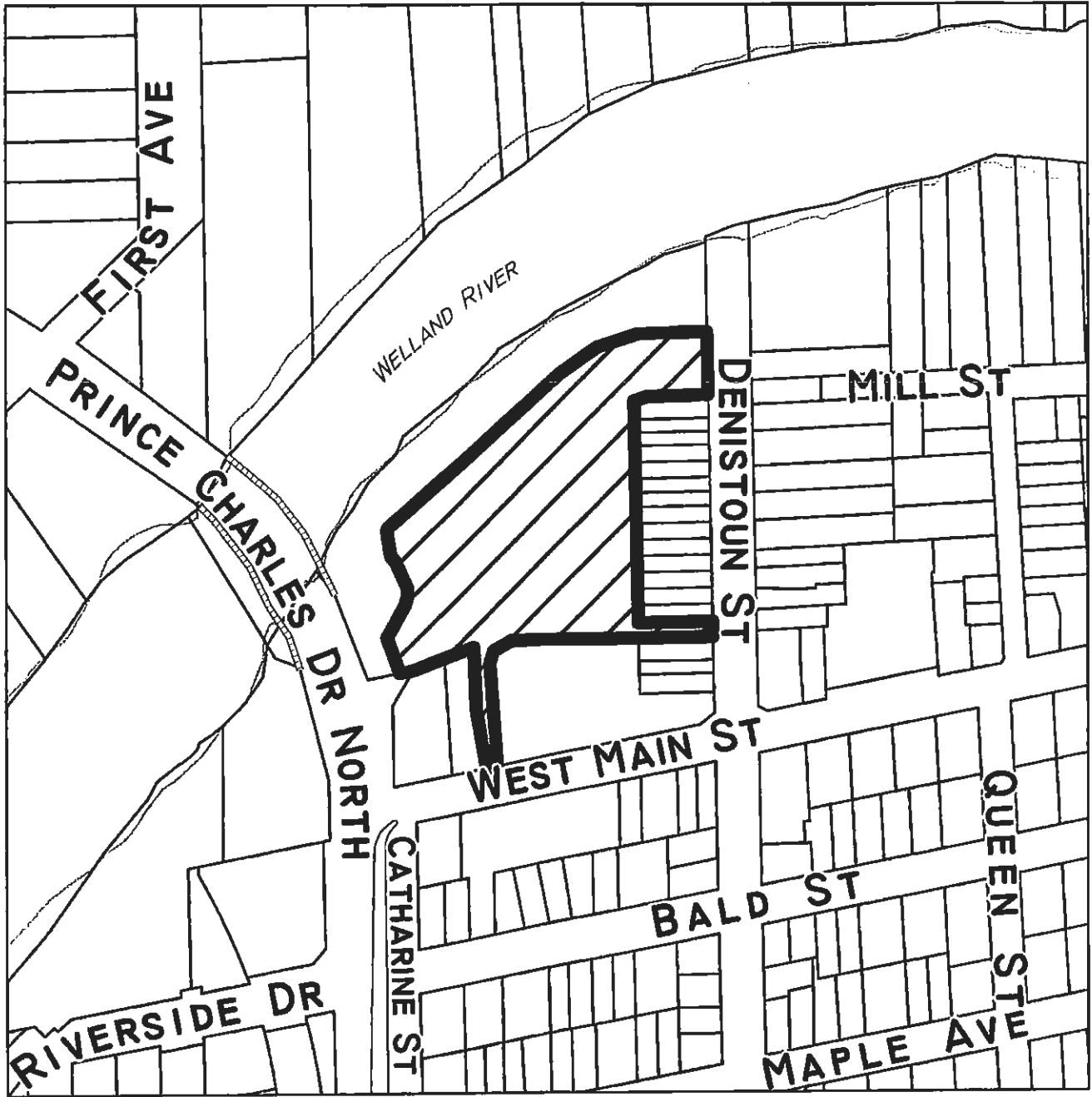
The proposal for a Plan of Vacant Land Condominium to develop the lands with 43 condominium townhouse units and one common element block, represents good planning because:

1. Is consistent with Provincial, Regional, and City policies which promote infilling and the efficient use of land within the City's Urban Area;
2. Efficiently uses public services and facilities;
3. Is consistent with City's policies guiding intensification and infilling projects within built-up residential neighbourhoods
4. Meet the current Zoning and Official Plan designation of the Subject Lands.

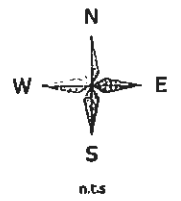
**ATTACHMENTS:**

- Appendix I - Location Map
- Appendix II - Draft Plan of Condominium
- Appendix III - Correspondence

# 26CD-14-20006



## KEY MAP



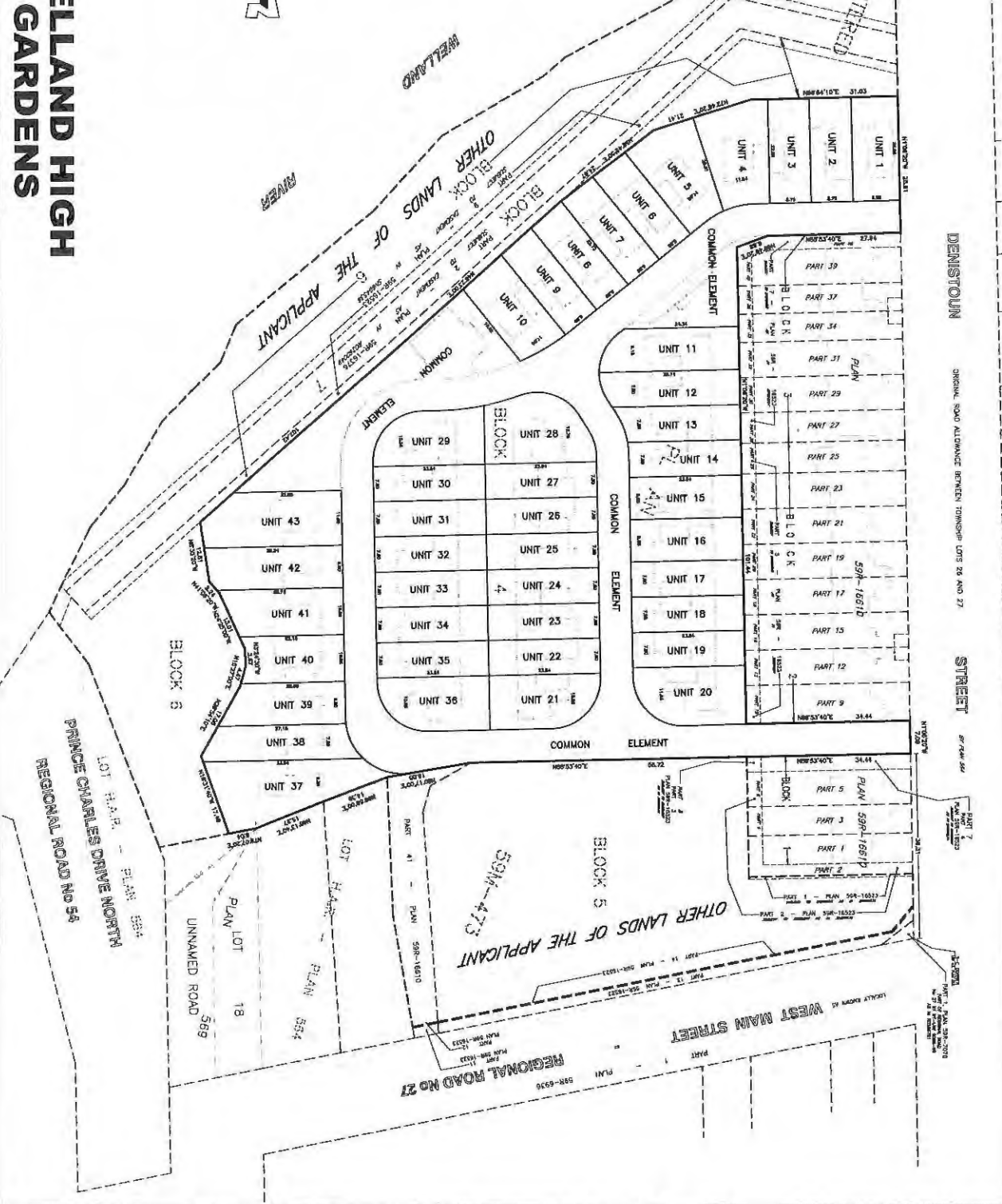
 SUBJECT LANDS



Infrastructure and  
Development Services  
Planning Division

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July 29, 2020



**ELLAND HIGH GARDENS**

**DEVELOPER:** DONALD D. CHAMBERLAIN  
**REGISTERED PLANNING ENGINEER:** DONALD D. CHAMBERLAIN  
**DATE:** 08/20/02

**CITY OF KEENE**  
**PLANNING DEPARTMENT**  
**SCALE:** AS SHOWN

**SECTION 86.0001**  
**SECTION 86.0002**

**APPLICANT:** DONALD D. CHAMBERLAIN  
**ADDRESS:** 1000 W. MAIN STREET, KEENE, NH 03425  
**PHONE:** 603-351-1111  
**FAX:** 603-351-1111

**PROJECT:** ELLAND HIGH GARDENS  
**ADDRESS:** 1000 W. MAIN STREET, KEENE, NH 03425  
**PHONE:** 603-351-1111  
**FAX:** 603-351-1111

**DATE:** 08/20/02

**REVISIONS:**

**APPROVED:** [Signature]

**DATE:** 08/20/02

**PROJECT:** ELLAND HIGH GARDENS  
**ADDRESS:** 1000 W. MAIN STREET, KEENE, NH 03425  
**PHONE:** 603-351-1111  
**FAX:** 603-351-1111

**REVISIONS:**

**APPROVED:** [Signature]

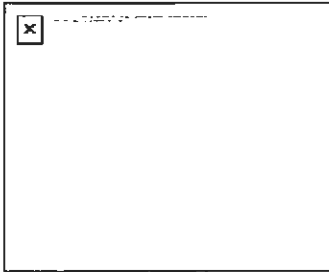
**DATE:** 08/20/02

**Rachelle Larocque**

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**From:** Ali Khan <ali.khan@welland.ca>  
**Sent:** October 13, 2020 12:08 PM  
**To:** Rachelle Larocque  
**Subject:** RE: Comments - 69 Denistoun Condominium

No comments.



**Muhammad Ali Khan, M.A.Sc; P.Eng.**  
Supervisor Traffic, Parking & Bylaws  
Infrastructure and Development Services  
Corporation of the City of Welland  
60 East Main Street, Welland, Ontario L3B 3X4  
**Phone:** (905)735-1700 Ext. 2202 **Fax:** (905)735-7184  
**www.welland.ca**



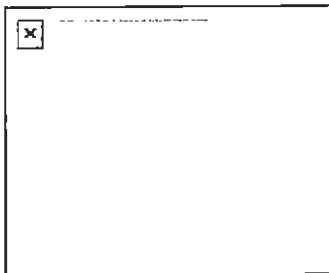
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**From:** Rachelle Larocque  
**Sent:** October 13, 2020 12:05 PM  
**To:** Jack Tosta <jack.tosta@welland.ca>; Ali Khan <ali.khan@welland.ca>; Julie VanLeur <julie.vanleur@welland.ca>; Matt Richardson <matt.richardson@welland.ca>  
**Subject:** Comments - 69 Denistoun Condominium

Good afternoon,

Just wondering if there are any comments regarding the proposed Denistoun Condominium. It's completely appropriate to say – no comments – detailed comments will be provided through the Site Plan process.

Thanks!



**Rachelle Larocque, BES, M.Sc., MCIP, RPP**  
Planning Supervisor  
Planning Division  
Infrastructure and Development Services  
Corporation of the City of Welland  
60 East Main Street, Welland, Ontario L3B 3X4  
**Hours:** 8:30am-4:30PM  
**Phone:** (905)735-1700 Ext. 2310 **Fax:** (905)735-8772  
**www.welland.ca**





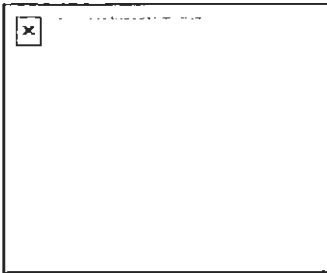
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**Rachelle Larocque**

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**From:** Jack Tosta <jack.tosta@welland.ca>  
**Sent:** October 13, 2020 2:04 PM  
**To:** Rachelle Larocque  
**Subject:** RE: Comments - 69 Denistoun Condominium

Sure, that works for me.



**Jack Tosta**  
 Chief Building Official  
 Infrastructure & Development Services  
 Corporation of the City of Welland  
 60 East Main Street, Welland, Ontario L3B 3X4  
**Phone:** (905)735-1700 Ext. 2242  
**www.welland.ca**



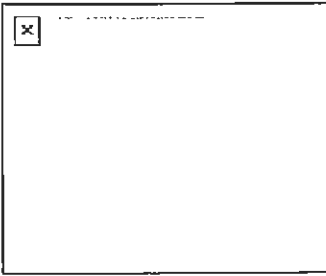
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**From:** Rachelle Larocque <rachelle.larocque@welland.ca>  
**Sent:** October 13, 2020 12:05 PM  
**To:** Jack Tosta <jack.tosta@welland.ca>; Ali Khan <ali.khan@welland.ca>; Julie VanLeur <julie.vanleur@welland.ca>;  
 Matt Richardson <matt.richardson@welland.ca>  
**Subject:** Comments - 69 Denistoun Condominium

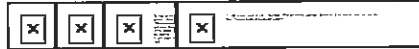
Good afternoon,

Just wondering if there are any comments regarding the proposed Denistoun Condominium. It's completely appropriate to say – no comments – detailed comments will be provided through the Site Plan process.

Thanks!



**Rachelle Larocque, BES, M.Sc., MCIP, RPP**  
Planning Supervisor  
Planning Division  
Infrastructure and Development Services  
Corporation of the City of Welland  
60 East Main Street, Welland, Ontario L3B 3X4  
**Hours:** 8:30am-4:30PM  
**Phone:** (905)735-1700 Ext. 2310 **Fax:** (905)735-8772  
**[www.welland.ca](http://www.welland.ca)**



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**Rachelle Larocque**

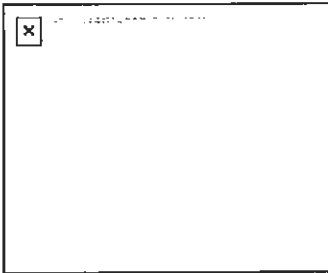
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**From:** Julie VanLeur <julie.vanleur@welland.ca>  
**Sent:** October 13, 2020 1:29 PM  
**To:** Rachelle Larocque  
**Subject:** RE: Comments - 69 Denistoun Condominium

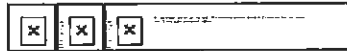
Hi Rachelle,

Engineering has no comments for the 69 Denistoun Condos at this time.

Best Regards,



**Julie VanLeur**  
Engineering Technician - Development  
Infrastructure and Development Services  
Engineering Division  
Corporation of the City of Welland  
60 East Main Street, Welland, Ontario L3B 3X4  
**Phone:** (905)735-1700 Ext. 2320 **Fax:** (905)735-7184  
[www.welland.ca](http://www.welland.ca)



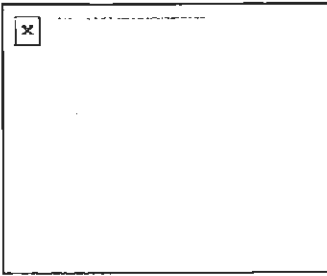
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**From:** Rachelle Larocque <rachelle.larocque@welland.ca>  
**Sent:** October-13-20 12:05 PM  
**To:** Jack Tosta <jack.tosta@welland.ca>; Ali Khan <ali.khan@welland.ca>; Julie VanLeur <julie.vanleur@welland.ca>; Matt Richardson <matt.richardson@welland.ca>  
**Subject:** Comments - 69 Denistoun Condominium

Good afternoon,

Just wondering if there are any comments regarding the proposed Denistoun Condominium. It's completely appropriate to say – no comments – detailed comments will be provided through the Site Plan process.

Thanks!



**Rachelle Larocque, BES, M.Sc., MCIP, RPP**  
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Planning Division  
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**Planning and Development Services**

1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7  
 905-980-6000 Toll-free:1-800-263-7215

---

**Via Email Only**

June 30, 2020

Files: D.11.11.CD-20-0011  
 D.19.11.SP-20-0040

Ms. Rachelle Larocque, MCIP, RPP  
 Planning Supervisor  
 Infrastructure and Development Services  
 Corporation of the City of Welland  
 60 East Main Street  
 Welland, ON L3B 3X4

Dear Ms. Larocque:

**Re: Regional and Provincial Review Comments  
 Draft Plan of Vacant Land Condominium and  
 Site Plan Agreement  
 Applicant: 1969578 Ontario Ltd. (Jue Zhu)  
 69 Denistoun Street (Phase 2)  
 City of Welland**

---

Regional Planning and Development Services staff has reviewed the applications submitted by 1969578 Ontario Ltd. (Jue Zhu). The application for Draft Plan of Condominium has been made for the creation of a 43 unit block townhouse development with private roads and amenity space area for Phase 2 of this development on the subject property municipally renamed to 69 Denistoun Street in the City of Welland.

A pre-consultation meeting with the applicant and their planning consultant was held for this proposed development on August 15, 2019, with City, Regional and Niagara Peninsula Conservation Authority (NPCA) staff in attendance.

Regional staff notes that Phase 2 of this development forms part of a comprehensive redevelopment of the old Welland High School site (recently registered subdivision). Staff have reviewed the submitted materials and offer the following comments to assist the City in their consideration of these applications from a Regional and Provincial perspective.

**Regional and Provincial Policies**

The subject lands are located within the Welland Urban Area, as designated in the Regional Official Plan (ROP). The Welland Urban Area is considered as a Settlement Area by the 2020 Provincial Policy Statement (PPS).

The ROP, PPS and a Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan) together direct development to take place in urban areas and support intensified development where appropriate servicing and infrastructure exists. Both Regional and Provincial policy place an emphasis on intensification and infill as the preferred form of development to help foster the development of complete communities that have a mix of land uses, employment opportunities, and are active-transportation and transit supportive.

The subject lands are located within the Provincially designated Built-up Area of the City of Welland. Accordingly the proposed residential growth for Phase 2 of this development will count towards the City's annual residential intensification target of 40% and therefore, generally conforms with and is consistent with Provincial and Regional growth management policy directions.

### **Noise Study**

During pre-consultation for the initial subdivision, Regional staff noted that the subject lands may be impacted by road noise generated from West Main Street and Prince Charles Drive. Staff notes that a noise study was previously prepared for this development, however it reflected a different iteration of the site plan that does not match the development being proposed, therefore, Regional staff had agreed to review the updated noise study at the site plan stage.

A *Noise Feasibility Study* by HGC Engineering (dated January 30, 2020) was submitted in support of the applications. The report concluded that sound level predictions indicated that future road traffic sound levels will exceed the Ministry of Environment, Conservation and Parks (MECP) guidelines at some of the proposed dwellings in the development. Mitigation measures include forced air ventilation systems with ductwork sized for the future installation of air conditioning for the dwellings with exposure to Main Street West and Prince Charles Drive. As well, building constructions meeting the minimum requirements of the Ontario Building Code will provide sufficient acoustical insulation for the dwellings. Warning clauses are also recommended to inform future occupants of the traffic noise impacts and to address sound level excesses.

As such, and appropriate clause has been included in the attached Appendix in order to implement these mitigations measures.

### **Archaeological Resources**

Regional staff notes that the Archaeological Assessment of the subject property was addressed through the previous subdivision process. Regional staff are in receipt of the Ministry of Heritage, Sport, Tourism, and Culture Industries acknowledgement letter

(final Stage 4) dated October 4, 2018 in which the Ministry is satisfied that the fieldwork and reporting for the archaeological assessment are consistent with the Ministry's standards and guidelines. The report has been entered into the Ontario Public Register of Archaeological Reports. As such, staff notes that the archaeological resources on the subject property have been adequately addressed.

Recognizing that no archaeological survey, regardless of its intensity, can entirely negate the possibility of deeply buried archaeological materials, Regional staff recommends the inclusion of a standard warning clause in the Development Agreement, relating to deeply buried archaeological materials that may be encountered during grading and construction activities. A condition requiring the clause has been included in the Appendix.

### **Core Natural Heritage System**

Regional Environmental Planning staff have completed a review of the following materials submitted in support of the applications:

- Site Plan Phase 2 (prepared by Quartek, dated April 17, 2020)
- Restoration Plan (prepared by Natural Resource Solutions Inc., dated February 21, 2020, Project No. 2355A)
- Grading Plan (prepared by Masongsong Associates, dated April 2020 Drawing No. GR-1)
- Scoped Environmental Impact Study (prepared by Natural Resource Solutions Inc. dated November 2017, Project No. 1908)
- Erosion & Sediment Control Plan (prepared by Masongsong Associates, dated April 2020, Drawing No. ES-1)

Environmental Planning staff have no objections to the lot fabric proposed and are satisfied that any negative impacts associated with the proposed development will be sufficiently mitigated provided the conditions outlined in the Appendix are implemented.

### **Stormwater Management**

The Niagara Region staff has reviewed the 'Stormwater Management Report Blocks 4 and 5 – Welland High Gardens (dated January 24, 2020) and the associated engineering drawings (dated April 22, 2020) all by Masongsong Associates Engineering Limited. The stormwater management (SWM) plan included in the Report covers Block 4 and the future Block 5 development. Regional staff reviewed the report for the current Phase 2 development application (Block 4) only, and offer the following comments:

- 1) The Niagara Region will require stormwater runoff from the development be captured and treated to an Enhanced standard prior to discharge from the site.
  - a. The Region has no objection, in principle, to the proposal of installation an oil-grit separator (OGS) for Phase 2 development to meet water treatment criterion. According to the MECP SWM Design Manual section 4.6.8, 'Oil/grit



separators will be required to be sized to capture and treat at least 90% of the runoff volume that occurs for a site on a long-term average basis for water quality objectives of enhanced protection.' Therefore, please justify that the proposed OGS is sized to treat 90% of runoff volume. In addition, the rainfall station selected for OGS sizing should be one that is located in Niagara Region.

- b. The Region is satisfied that the Report indicates the owner/condominium corporation should regular maintain the OGS structure.
- 2) The Niagara Region will require post-development peak flows be controlled to pre-development flow levels for all storm events (2-year up to and including 100-year storm) prior to discharge onto West Main Street (Regional Road 27).
  - a. This Report indicates that stormwater runoff from Phase 2 will be collected into oversized storm pipes for flow attenuation prior to discharge to the City's storm sewer on Denistoun Street. This plan will not negatively affect the Regional road drainage condition, therefore Regional staff offers no objection to this plan.
- 3) Prior to construction the Niagara Region will require that detailed grading, storm servicing, stormwater management, and construction sediment control drawings be submitted to the Region for review and approval.
  - a. The Region requires further details (e.g. T-bar post distance, trench size, etc.), refer to OPSD 219.130 Heavy-Duty Silt Fence Barrier, be indicated on the sediment control plan.

As such, appropriate conditions with respect to stormwater management have been included in the attached Appendix.

## **Regional Road Allowance**

Regional staff notes that the required road widening, daylighting requirements and reserves were completed during the initial subdivision process and were dedicated to the Region during the registration of the subdivision plan.

### Regional Construction Encroachment and Entrance Permit

Based on the plans submitted there is no work proposed on the Regional right of way however if any work is to be done on the Regional right of way than prior to any construction or entrance construction taking place within the Regional road allowance, a Regional Construction and Entrance Permit must be obtained from the Transportation Services Division, Public Works Department.

Permit applications can be made through the following link:

<http://niagararegion.ca/living/roads/permits/default.aspx>

### Regional Sign Permit

All private signs are to be located on the owner's lands. Please note that the placement of any sign, notice or advertising device within 20m of the centerline of West Main Street will require a Regional Sign permit.

Permit applications can be made through the Region's website using the following link:

<http://niagararegion.ca/living/roads/permits/default.aspx>

## **Waste Collection**

Niagara Region provides curbside waste and recycling collection for developments that meet the requirements of Niagara Region's Waste Collection Policy. The subject property is eligible to receive Regional curbside waste and recycling collection provided that the owner bring the waste and recycling to the curbside on the designated pick up day, and that the following limits are not exceeded:

- No limit blue/grey containers;
- No limit green containers; and,
- 1 garbage container per unit
- **Collection will be at the curbside only**

If the above mentioned collection limit cannot be met, waste collection will be the responsibility of the owner through a private contractor and not Niagara Region.

The plan shows adequate radii throughout the plan but does not indicate the radii on the two entrances from Denistoun Street, to ensure that trucks can enter the site the plans must indicate the radii. Appropriate conditions related to waste collection are included in the attached Appendix.

## **Servicing**

The Region has a 350mm diameter concrete sewer traversing the north end of the north end of the subject property from Prince Charles Drive North (Regional Road 54) to Denistoun Street).

The sewer is maintained through an easement crossing the subject property. The easement is required to protect and ensure access to the Regional sewer line. In accordance with easement documents, the developer should be aware that no development will be allowed on the easement, with the exception of minor parking, in order to maintain access to the easement in perpetuity. There shall be no connection to the Regional sewer nor should the line be disturbed during construction.

Niagara Region's surveys department has advised that Part 2 on Plan 59R-12505 (and Parts 1 & 2 of Plan 59R-859), which denotes that the Regional sewer easement width is currently 20' (6.1 metres) as described in Instrument No. RO260049. The Region is

requesting that this width be increased to 10.0 metres, thus adding approximately 2.0 metres to both sides of the easement. The applicant is requested to revise drawings accordingly and resubmit to the Region for review and approval.

Furthermore, the applicant is advised that any future construction work within the Regional easement may generate noise and odour which may occasionally interfere with some activities of the dwelling occupants, and therefore, a condition has been included in the Appendix to address this.

In addition to the above, the servicing drawings shall indicate that prior to any work being undertaken on or in proximity of the Regional sewer, staff at the Region are to be contacted a minimum of 72 hours before, in order for staff to be available to inspect the works. Please contact John MacPherson, Manager, Wastewater Operations or Frank Vasko, Manger, Wastewater Maintenance at the Welland Wastewater Treatment Plant (905-735-2110).

### **Protection of Survey Evidence**

Survey evidence adjacent to Regional road allowances is not to be damaged or removed during the development of the property. Any agreements entered into for this development should include a clause that requires the applicant to obtain a certificate from an Ontario Land Surveyor stating that all existing and new evidence is in place at the completion of said development.

### **Regional Bicycle Network**

The subject property has frontage on a roadway which is designated as part of the Regional Niagara Bicycling Network. If the bicycle route is currently not established and identified with signage, it is the intent of the Region to make provisions for doing so when an appropriate opportunity arises.

### **Conclusion**

Based on the discussion above, Regional staff supports, in principle, the development of 69 Denistoun Street (Phase 2) as the proposed applications are considered to align with the intent and direction of Regional and Provincial policy. As such, Regional Planning and Development Services staff would offer no objections to the Draft Plan of Vacant Land Condominium or the concurrent Site Plan Agreement application subject to the Conditions outlined in the Appendix and that the following drawings and information is forwarded for Regional review and approval prior to the approval of the Site Plan and execution of the Site Plan Agreement.

- Revised plans showing the additional easement requirements, and

CD-20-0011 & SP-20-0040  
June 30, 2020

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- Revised plans showing the radii at the entrances to address Waste Collection comments as outlined.

If you have any questions or wish to discuss these comments, please contact me at [lindsay.earl@niagararegion.ca](mailto:lindsay.earl@niagararegion.ca).

Please send notice of Council's decision on these applications.

Best regards,



Lindsay Earl, MES, MCIP, RPP  
Senior Development Planner

Attch: Appendix I – Regional Conditions for Development Agreement

Cc: Pat Busnello, MCIP, RPP, Manager, Development Planning, Niagara Region  
Cara Lampman, Manager, Environmental Planning, Niagara Region  
Susan Dunsmore, P.Eng., Manager, Development Engineering, Niagara Region  
David Deluce, MCIP, RPP, Manager, Plan Review & Regulation, Niagara Peninsula Conservation Authority

**APPENDIX I**  
**REGIONAL CONDITIONS FOR DEVELOPMENT AGREEMENT**  
**69 Denistoun Street, Welland**

---

1. That the Development Agreement between the owners and the City of Welland contain provisions whereby the owner agrees to implement the approved noise mitigation measures as outlined in the *Noise Feasibility Study* prepared by HGC Engineering (dated January 30, 2020).
2. That the following clauses shall be included in the Development Agreement between the owners and the City of Welland:

*“Should deeply buried archaeological remains/resources be found on the property during construction activities, all activities impacting archaeological resources must cease immediately, notify the Archaeology Programs Unit of the Ministry of Heritage, Sport, Tourism and Culture Industries (416-212-8886) and a licensed archaeologist is required to carry out an archaeological assessment in accordance with the Ontario Heritage Act and the Standards and Guidelines for Consultant Archaeologists.*

*In the event that human remains are encountered during construction, all activities must cease immediately and the local police as well as the Cemeteries Regulation Unit of the Ministry of Government and Consumer Services (416-326-8800) must be contacted. In situations where human remains are associated with archaeological resources, MHSTCI should also be notified to ensure that the site is not subject to unlicensed alterations which would be a contravention of the Ontario Heritage Act.”*

3. That the following clauses shall be included in the Development Agreement between the owners and the City of Welland:
  - a. That the Owner agree to implement the Restoration Plan, prepared by Natural Resource Solutions Inc. (Project No. 2355A, dated February 21, 2020);
  - b. That the Owner agree to implement the Erosion & Sediment Control Plan (prepared by Masongson Associates, dated April 2020, Drawing No. ES-1);
  - c. That asphalt be removed from within the buffer area, as identified on the Restoration Plan, under the supervision of a Certified Arborist prior to the creation of the proposed trail system or planting or seeding work within the buffer;
  - d. That invasive species be removed from within the Significant Woodland and adjacent meadow using Garlon RTU herbicide, applied by a Licensed Pesticide sprayer under the direct direction of a biologist or ecologist;

- e. That course woody debris generated from selective tree removals be left within the buffer or Significant Woodland as wildlife habitat. Fine woody debris should be chipped and also left on-site;
  - f. That construction of the proposed trail, as shown on the Restoration Plan, be constructed prior to any planting or seeding work.
  - g. That plants identified on the Planting Plan be installed in spring or fall to promote root system establishment;
  - h. That the Restoration Area be monitored 2 years following the installation of the Restoration Plan. The monitoring should follow the recommendations included in the letter prepared by Natural Resource Solutions Inc. that accompanied the Restoration Plan. A summary report shall be prepared to the satisfaction of the Region and document the findings, outline any issues and make recommendations for remediation, as necessary;
  - i. That any required tree removals be completed between September 1<sup>st</sup> and March 15<sup>th</sup>, outside of the breeding bird nesting season and in accordance with the federal *Migratory Bird Convention Act*. If removals are proposed outside of this timing window, a survey for active bird nests shall be conducted by a qualified biologist no more than 48 hours prior to removal activities;
  - j. That permanent rear-lot fencing be installed as shown on the Site Plan Phase 2 (prepared by Quartek, dated April 17, 2020).
4. That prior to approval of the final plan or any on-site grading, the owner shall submit a detailed stormwater management plan for the condominium and the following plans designed and sealed by a qualified professional engineer in accordance with the Ministry of the Environment and Climate Change documents entitled Stormwater Management Planning and Design Manual, March 2003 and Stormwater Quality Guidelines for New Development, May 1991, or their successors to the Niagara Region Planning and Development Services Department for review and approval:
- i. Detailed lot grading, servicing and drainage plans, noting both existing and proposed grades and the means whereby overland flows will be accommodated across the site;
  - ii. Detailed erosion and sedimentation control plans
5. That the Development Agreement between the owner and the City contain provisions whereby the owner agrees to implement the approved plan(s) required in accordance with Condition above.
6. That the following clauses shall be included in the Development Agreement between the owners and the City of Welland:
- a. The Owner is advised that if the development does not comply with Niagara Region's Corporate Policy for Waste Collection that garbage collection will be the responsibility of the owner through a private contractor and not the Niagara Region.

- b. That the owner agrees to obtain a certificate from an Ontario Land Surveyor stating that all existing and new survey evidence is in place at the completion of the development.
- c. That prior to any construction taking place within the Regional road allowances, the owner shall obtain a Regional Construction Encroachment, Entrance, and Sign Permit from the Permits section of the Niagara Region Transportation Services Division.
- d. That there shall be no connection nor shall the line be disturbed during construction to the Regional 350mm Diameter Concrete Sewer and associate maintenance holes traversing the north end of the subject property.
- e. That the Regional easement at the north end of the property be increased to 10.0 meters, by adding approximately 2.0 meters to both sides of the easement. The applicant is required to revise the drawings accordingly to illustrate this information and resubmit to the Region for review and approval.
- f. That any future construction work within the Regional easement may generate noise and odour which may occasionally interfere with some activities of the dwelling occupants.

#### **Clearance of Conditions**

Prior to granting final plan approval, the City of Welland must be in receipt of written confirmation that the requirements of each condition have been met satisfactorily and that all fees have been paid to the satisfaction of the Niagara Region.

#### **Development Agreement**

Prior to final approval for registration, a copy of the executed Development Agreement for the proposed development should be submitted to the Regional Planning and Development Services Department for verification that the appropriate clauses have been included.

**Note:** The Development Services Division recommends that a copy of the draft agreement also be provided in order to allow for the incorporation of any necessary revisions prior to execution.



DISTRICT SCHOOL BOARD OF NIAGARA

191 Carlton St. ▪ St. Catharines, ON ▪ L2R 7P4 ▪ 905-641 1550 ▪ dsbn.org

August 19, 2020

Grant Munday, B.A.A., MCIP, RPP  
 Manager of Development Approvals  
 Infrastructure and Development Services  
 City of Welland  
 60 East Main Street,  
 Welland ON, L3B 3X4

Dear Mr. Munday:

**Re: Application for Draft Plan of Vacant Land Condominium Approval (File No. 26CD14-20006)**

Thank you for circulating the District School Board of Niagara (DSBN) the above noted application for Draft Plan of Vacant Condominium. The application proposes the development of 1.33 hectares of land for 43 condominium townhouses and one common element block

DSBN Planning staff has completed its review and has no objections to the application. Board staff request that, as a condition of approval, sidewalks be constructed within the development to facilitate student travel to the school/bus stop locations. At this time, future students from this area would attend Ross PS (JK-Gr.8 ), and Welland Centennial Secondary School (Gr. 9-12).

If you have any questions feel free to contact me at ext. 54225.

Yours truly,

Sue Mabee, MCIP, RPP  
 Supervisor of Planning Services



**Rachelle Larocque**

---

**From:** Margaret Corbett  
**Sent:** August 24, 2020 11:23 AM  
**To:** Rachelle Larocque  
**Cc:** Tara Stephens  
**Subject:** FW: Submission File 26CD-14-20006 - Welland High Garden  
**Attachments:** Mess at Welland High Garden.jpg

**Importance:** High

FYI

---

**From:** Mairi Alvarez <isendu@cogeco.ca>  
**Sent:** August 21, 2020 11:26 AM  
**To:** clerk <clerk@welland.ca>  
**Subject:** Submission File 26CD-14-20006 - Welland High Garden  
**Importance:** High

**WARNING:** This email originated from an external sender. eMail from City of Welland email accounts will not begin with this warning! Please do not click links or open attachments unless you are sure they are safe!

Hello Ms Stephens

Re: File 26CD-14-20006 - Welland High Garden

I would like to make a written submission with regards to the above Application for Draft approval

My main concern is the Parking.

According to the information session, each unit has two parking spots, one spot that is in the garage and the other on the driveway. Given the size of the properties, it is likely that having a "shed" to store items, the garages will become storage and not be used as an actual "parking spot". Also the width of the driveways/garages, although standard size garage doors, are so narrow, that unless you drive a compact car, the likelihood of parking inside the garage is unlikely.

Most of the street parking was removed on the West side of Denistoun, parking spots that were occupied daily, for the most part, all the way from West Main Street, to almost down to the River.

Parking has been reduced at least 50%, perhaps more, with the new development there

We have always had "issues" with Parking being that there are only four parking meters with the block from Denistoun to Queen Street with two main businesses who appear to not have enough parking spots for not only their clients, but their staff. Often the four parking spots are occupied with staff, from either of those businesses, that park there well beyond the 2 hour maximum, leaving nowhere for clients to park, but at neighboring properties, mine included

I would think when developments are being looked at, that rather than approach the development with the "the development meets the requirement for parking", that the City would also look at the "whole picture", that is, look at what the potential problems may be or have been in the past by permitting the development as presented. That goes with all developments, not just this particular development. Given that the site is bordered by a Regional road, a private property and a river, there would be no additional parking nearby. Bald Street is often heavily occupied by residents.

I know I addressed this before the current development was approved, but I am addressing it again before the next phase so that appropriate measures can be considered.

Four parking spots designated as "Visitor Parking" for a development of this size does not seem reasonable. I would recommend that at least one of the lots, perhaps Unit 20 and also Unit 11 or Unit 28, on the diagram provided to us be designated as "Visitor Parking" Areas. This would also address the tight / narrow streets that will become a concern with garbage pick-up and snow removal vehicles.

I had also commented on the actual "look" of the development. The current build does not look the way it was presented at an information session a few years ago.

It was indicated that the development met the "urban design". That may be the case, but I would ask that when the development is reviewed, that the City would consider looking for a more "up to date" design, vs making it look like an additional phase to the Denistoun complex down the road like 195 Denistoun. Although it "blends in" with that neighborhood, one would expect a "new development" to look more like it was built in the year 2020. New developments with appealing design add value to the neighborhood. The design, materials, colours, or should I say, mismatch of colours/products, makes the development look sub-standard. Just by changing the colour of materials used and adding features would make a drastic difference in their appearance & the appeal to people who would be drawn to purchasing a nice looking product.

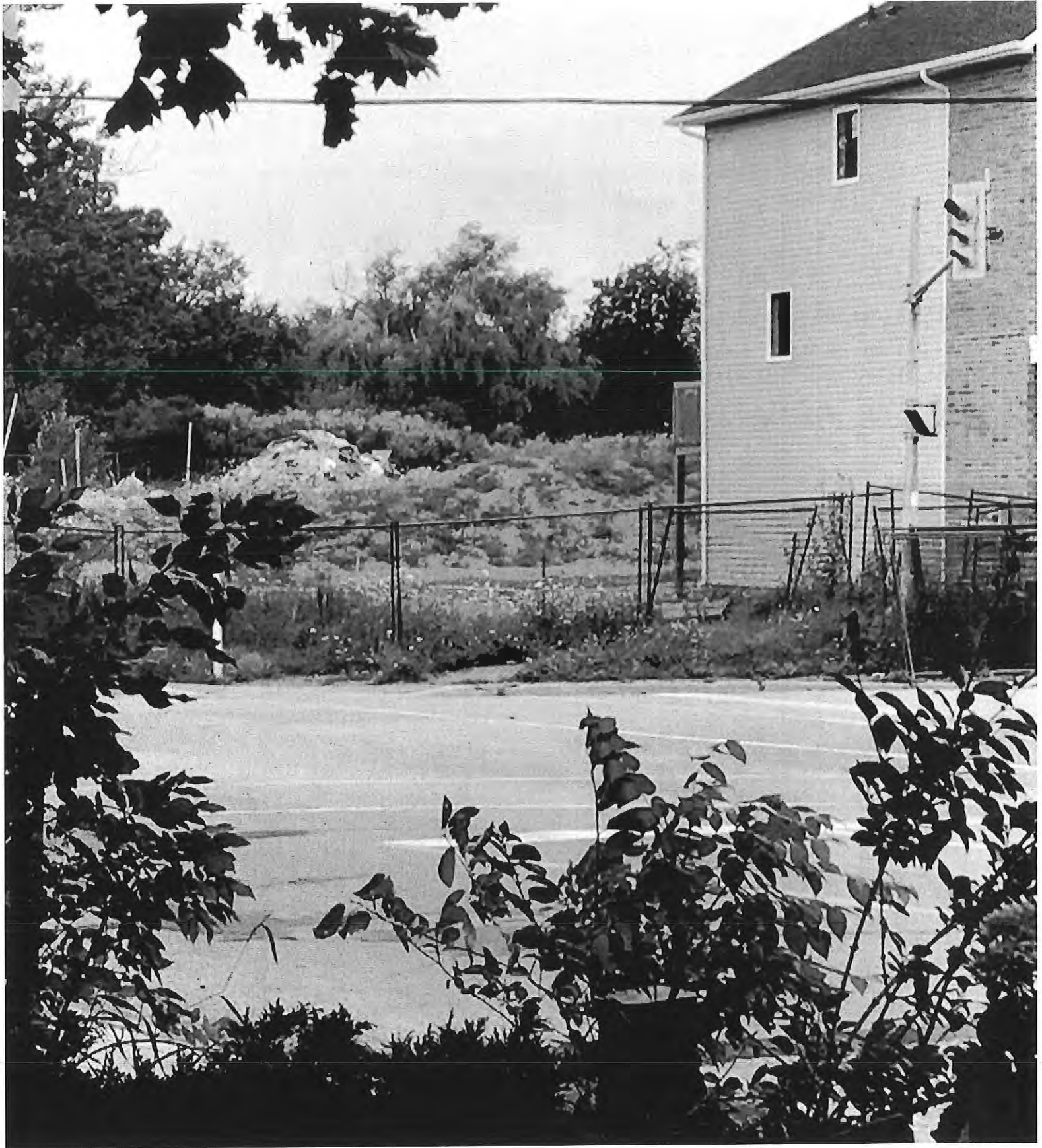
Lastly, I would like they City to consider making part of the conditions for the development to proceed that they job site be maintained and cleaned on a regular basis. The current site is a MESS !! Attached see a photo taken from my front step. I have never seen a job site look like this. They have never removed the excess soil, leaving piles of soil but even worse, the pile of rubble of materials in a pile that is at least 10 feet tall. We have picked up paper backing of materials and plastics that were thrown on the pile after a windstorm. Again this lack of attention will not appeal to potential buyers looking to purchase a property in this development.

I would like to be kept in the loop on this application & any development / changes to the development in the future, including receiving a copy of the staff report as well as the decision of they of Welland

I would like to participate in the Statutory Public Hearing on September 1<sup>st</sup>, so please provide me with the link to do so

Thanking you in advance for your consideration to the above concerns

Mairi Alvarez  
169 West Main Street  
Welland, Ontario L3C 5A3



APPROVALS	
GENERAL MANAGER	
CFO	
CAO	

**COUNCIL****INFRASTRUCTURE AND DEVELOPMENT SERVICES**

REPORT P&B-2020-60  
OCTOBER 20, 2020

20-111

**SUBJECT: LAY OUT, ESTABLISH AND NAME THE 0.3 METRE RESERVE – BLOCK 18, PLAN 59M-321, STONEYBROOK PLAN OF SUBDIVISION (FILE NO. 26T-14-89028)**

**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 authorizes Staff to prepare the necessary By-law(s) to lay out, establish and name the 0.3 metre Reserve described as Block 18, Plan 59M-321 (Stoneybrook Subdivision) as Stoneybrook Crescent.

**ORIGIN AND BACKGROUND:**

In order for the City to control the access to the lands at the end of Stoneybrook Crescent, the City put in place a 0.3 metre reserve along the northern and eastern property boundaries of a vacant parcel of land which currently does not have a municipal address. This ensured that any future development would proceed in an orderly fashion and no additional entrances could be created along Stoneybrook Crescent prior to the lifting of the 0.3 metre reserve.

**COMMENTS AND ANALYSIS:**

The owner of the vacant property on the north side of Stoneybrook Crescent applied for two consents and minor variances to construct two new dwellings at the end of Stoneybrook Crescent. The Committee of Adjustment refused the applications, but were subsequently approved by the Local Planning Appeal Tribunal (LPAT) on September 4, 2020. One of the conditions imposed by LPAT was that a By-law be passed to lift the 0.3 metre reserve along the north portion of

Stoneybrook Crescent to allow for the property to be developed and have legal access to a City road. As a result of this proposed development, it is appropriate to lay out, establish, and name the 0.3 metre reserves as part of Stoneybrook Crescent. Block 18 on Plan 59M-321 will now become part of Stoneybrook Crescent.

#### **FINANCIAL CONSIDERATION:**

All costs associated with the redevelopment of this property, including servicing and entrance permits, will be borne by the owner.

#### **OTHER DEPARTMENT IMPLICATIONS:**

There are no implications to other Divisions as a result of the Recommendations of this Report.

#### **SUMMARY AND CONCLUSION:**

The existing 0.3 metre Reserve was put in place to control access to Stoneybrook Crescent from the vacant property on the north side of Stoneybrook Crescent. As the applications have been approved with draft conditions by LPAT, it is appropriate to establish the 0.3 metre reserve as part of the roadway. The lifting of the reserve is required as a condition of the approval of the consent application as the lot cannot be created without access onto a City roadway. All costs associated with the redevelopment of this site will be borne by the applicant.

#### **ATTACHMENTS:**

- Appendix I - Key Map
- Appendix II - Severance Sketch
- Appendix III - Registered Plan of Subdivision



# LOCATION MAP

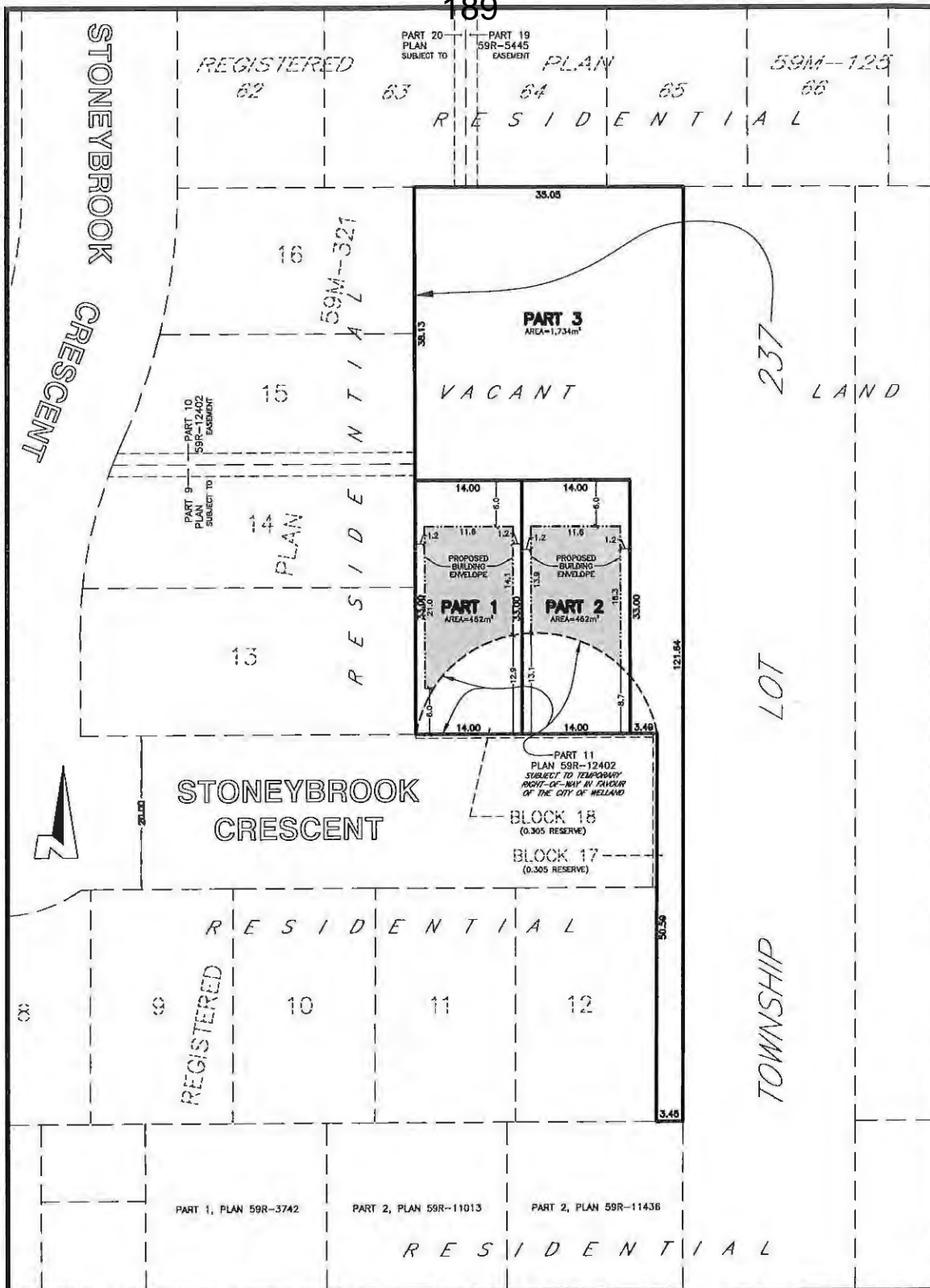
Stoneybrook Crescent



**SUBJECT LANDS**



Infrastructure and  
Development Services  
Planning Division



**SKETCH**  
PREPARED FOR SEVERANCE APPLICATION

**PART OF LOT 237**  
GEOGRAPHIC TOWNSHIP OF THOROLD  
IN THE  
**CITY OF WELAND**  
REGIONAL MUNICIPALITY OF NIAGARA  
SCALE 1 : 600 (METRIC)

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*Donald G. Chambers*

DONALD G. CHAMBERS, B. Sc., O.L.S.


**CHAMBERS AND ASSOCIATES  
SURVEYING LTD**

12 THOROLD ROAD EAST (905) 735-7841 / 735-7844  
WELLAND ONTARIO FAX (905) 735-7333  
L3C 3T2 www.cast-surveying.com

DATE SEPTEMBER 4, 2019 FILE No 02-48-4 (02048-4\_SEV)





APPROVALS	
GENERAL MANAGER	
CFO	
CAO	

**COUNCIL****INFRASTRUCTURE AND DEVELOPMENT SERVICES**

REPORT P&B-2020-61  
OCTOBER 20, 2020

20-110

**SUBJECT: REQUEST FOR PART LOT CONTROL EXEMPTION – PART OF LOTS 1, 2, AND 3, PLAN 936, SHOWN AS PARTS 1, 2, 3, 4 ON A REFERENCE PLAN TO BE REGISTERED, SILVERGATE DEVELOPMENTS INC. AND MANCINI DEVELOPMENTS INC.**

**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:**

1. THAT THE COUNCIL OF THE CITY OF WELLAND approves the Exemption of Part Lot Control for Lots 1, 2, 3, Plan 936, shown as Part 1, 2, 3, 4 on a Reference Plan to be registered to realize the sale of these lands for future residential development purposes; and further
2. THAT Welland City Council authorizes Staff to prepare the necessary By-laws.

**ORIGIN AND BACKGROUND:**

The subject lands (Parts 1, 2, 3, 4 on a plan to be registered) have been proposed for future residential development. A number of variances were previously approved by the Committee of Adjustment to permit the development of the property within 15 metres of the railway line.

The site was is currently developed with a single detached dwelling and accessory structures. The proposal is to demolish the existing house and redevelop the individual lots with new residential units fronting onto Deere Street. The existing lots currently front onto Ontario Road and City staff have advised that no new entrances would be permitted onto Ontario Road would be permitted in this area, therefore the lot fabric would need to be re-oriented to front onto Deere Street.

This is required prior to any new construction commencing on the lands. Any new dwellings would be required to meet all Zone provisions, other than those that have been amended through a Minor Variance.

Once Parts 1, 2, 3, 4 on a Reference Plan to be registered, the By-law should be discharged from Title. A timeline of five (5) years has been incorporated into said By-law to ensure its discharge. Staff is of the opinion that the five (5) year timeline is sufficient with respect to the sale of the parcels.

The granting of an Exemption to Part Lot Control, under Section 50(5) of the Planning Act will permit the Owner to establish each townhouse unit on an individual lot. Staff is of the opinion that such By-law is appropriate.

**FINANCIAL CONSIDERATION:**

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

**OTHER DEPARTMENT IMPLICATIONS:**

The Legal Division will assist with the Registration of this By-law.

**SUMMARY AND CONCLUSION:**

Staff recommends that Council approve the request for Exemption to Part Lot Control for Lots 1, 2, and 3, Plan 936, shown as Part 1, 2, 3, 4 on a Reference Plan to be registered to allow for the redevelopment of the property, and the future sale of the dwellings on the lands. Staff will prepare the necessary By-law in this regard.

**ATTACHMENTS:**

Appendix I - Draft Reference Plan



PRESCRIBED FORM OF PETITION

To: The Council of the City of Welland  
 c/o City Clerk  
 60 East Main Street  
 Welland, ON L3B 3X4

I/We the undersigned, petition the Council of the City of Welland as follows:

We the homeowners of Weller Ave  
Respectfully request that there only  
be sidewalks placed on the North Side  
of Weller Ave. The sidewalk on the South  
Side of Weller Avenue be removed from the Plan.

Sutt  
 Forrester

PRINTED NAME	PRINTED ADDRESS	SIGNATURE
DR & MRS S. M. RAU	6 WELLER AVE	<i>[Signature]</i>
JOHN BOON	22 WELLER AVE	<i>[Signature]</i>
Tim Michalak	26 WELLER AVE	<i>[Signature]</i>
Martha Barnes	32 WELLER AVE.	<i>[Signature]</i>
Tom Kares	31 WELLER AVE	<i>[Signature]</i>
JASON MICHELIN	27 WELLER AVE	<i>[Signature]</i>
Dave Strayer	21 WELLER AVE	<i>[Signature]</i>
RICHARD KAY	39 WELLER AVE	<i>[Signature]</i>
David Tucker	40 WELLER AVE	<i>[Signature]</i>
John Sebad	44 WELLER AVE	<i>[Signature]</i>
KATHRYN DIXON	45 WELLER AVE	<i>[Signature]</i>
WILL CAMPBELL	49 WELLER AVE.	<i>[Signature]</i>
JOHN DUGOID	50 WELLER AVE	<i>[Signature]</i>
JOE SILVA	15 WELLER AVE	<i>[Signature]</i>
RYAN MCCOMBER	56 WELLER AVE	<i>[Signature]</i>

By signing this petition, I hereby acknowledge that this petition will become a record belonging to the City of Welland and that all information contained in this petition will be available for viewing by the public and may be reproduced in a future Council Agenda.

20-26



## Community Services

### Legislative Services

October 6, 2020

File #120203

Sent via email: [premier@ontario.ca](mailto:premier@ontario.ca)

The Honourable Doug Ford, Premier of Ontario  
Room 281, Legislative Building, Queen's Park  
Toronto, ON M7A 1A1

Honourable and Dear Sir:

**Re: Request Province of Ontario to Investigate the Level of On-Site Licensed Nursing Care - Private Sector Retirement Homes**

Please be advised the Municipal Council of the Town of Fort Erie at its meeting of October 5, 2020 passed the following resolution:

**Whereas** the Town of Fort Erie has received multiple concerns from families that their loved ones are being discharged from hospital to Retirement Homes and not to Long-Term Care Homes, and

**Whereas** the Town of Fort Erie recognizes Long-Term Care Homes, considered part of the health care system, are funded by the Province (along with resident co-pay requirements) and have very specific legislation under the *Long-Term Care Homes Act, 2007*; to ensure the care needs of residents are met, and

**Whereas** the Town of Fort Erie recognizes that Retirement Homes are entirely funded through the payments of residents and can vary quite widely in cost, care and housing offerings and quality, and that while they do have some oversight through the Retirement Homes Regulatory Authority, that is not part of the legislation under the *Long-Term Care Homes Act, 2007*, and

**Whereas** the Long-Term Care Homes have a formal complaint process with the Ministry of Long-Term Care to deal with complainants not satisfied, by an internal complaint process, and

**Whereas** the private sector Retirement Homes do not have the same level of consistent family and patient satisfaction processes, complaint mechanism, clear health and safety protocols or adequate methods for communicating with residents and families, and

**Whereas** the Town of Fort Erie has concerns that the COVID-19 pandemic has revealed the inability of the Long-Term Care Homes to accept the high numbers of patients waiting for placement from Complex and Continuing Care at hospitals, and

.../2

Mailing Address:

The Corporation of the Town of Fort Erie  
1 Municipal Centre Drive, Fort Erie ON L2A 2S6

Office Hours 8:30 a.m. to 5:00 p.m. Phone: (905) 871-1600 FAX: (905) 871-4022

Web-site: [www.forterie.ca](http://www.forterie.ca)

06-54

**Whereas** many of these patients are being discharged to the Independent Living Retirement Homes where the level of on-site Licensed Registered Nursing care is not adequate to meet the needs of these individuals, and

**Whereas** the Town of Fort Erie feels that there is an opportunity and a need for Ontario Health to address this gap in care with provincially funded health care professionals on-site in the Retirement Homes to ensure that residents receive the care that they require and deserve;

**Now therefore be it resolved,**

**That:** The Council of the Town of Fort Erie hereby requests that the Province of Ontario investigate the level of on-site licensed Nursing care being provided at the private sector Retirement Homes, and further

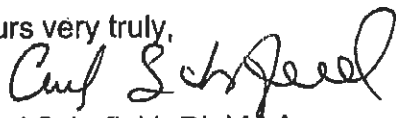
**That:** The Province of Ontario ensure patients are being discharged from hospitals to facilities that provide the level of care they require and deserve, and further

**That:** The Province of Ontario direct Ontario Health to ensure the appropriate level of care required by patients discharged from hospitals to Retirement Homes when Long-Term Care accommodations are not available and provide the necessary level of funding for Ontario Health to do so, and that the Province of Ontario establish clear, consistent and effective rules to regulate Retirement Homes as a vital component of the continuum of care as our residents age and require various care needs, and further

**That:** A copy of this resolution be circulated to The Honourable Doug Ford, Premier of Ontario, The Honourable Merrilee Fullerton, Minister of Long-Term Care, The Honourable Christine Elliott, Minister of Health, and Niagara MPP's, The Regional Municipality of Niagara, and all Niagara Area Local Municipalities, for their support.

Thank you for your attention to this very important and compassionate matter.

Yours very truly,



Carol Schofield, Dipl.M.A.  
Manager, Legislative Services/Clerk  
[cschofield@forterie.ca](mailto:cschofield@forterie.ca)

CS:dlk

Sent via email

The Honourable Merrilee Fullerton, Minister of Long-Term Care [merrilee.fullerton@pc.ola.org](mailto:merrilee.fullerton@pc.ola.org)

The Honourable Christine Elliott, Minister of Health [Christine.elliott@pc.ola.org](mailto:Christine.elliott@pc.ola.org)

Wayne Gates, MPP-Niagara Falls, Legislative Assembly of Ontario [wgates-co@ndp.on.ca](mailto:wgates-co@ndp.on.ca)

Sam Oosterhoff, MPP-Niagara West-Glanbrook, Legislative Assembly of Ontario [sam.oosterhoff@pc.ola.org](mailto:sam.oosterhoff@pc.ola.org)

Jennifer Stevens, MPP-St. Catharines [JStevens-CO@ndp.on.ca](mailto:JStevens-CO@ndp.on.ca)

Jeff Burch, MPP-Niagara Centre [JBurch-QP@ndp.on.ca](mailto:JBurch-QP@ndp.on.ca)

The Regional Municipality of Niagara  
Niagara Area Local Municipalities



October 7, 2020

Honourable Jeff Yurek  
 Minister of Environment, Conservation and Parks  
 College Park 5th Flr,  
 777 Bay St, Toronto, ON M7A 2J3

Sent via email: [minister.mecp@ontario.ca](mailto:minister.mecp@ontario.ca)

**Re: Development Approval Requirements for Landfills - (Bill 197)  
 Our File 35.2.2**

Honourable and Dear Sir,

At its meeting held on October 5, 2020, St. Catharines City Council approved the following motion:

WHEREAS Schedule 6 of Bill 197, COVID-19 Economic Recovery Act, 2020 considers amendments to the Environmental Assessment Act relating to municipal autonomy and the principle that municipalities can veto a development outside their municipal boundary in an adjacent municipality; and

WHEREAS Bill 197 empowers multiple municipalities to 'veto' development of a landfilling site within a 3.5 km zone inside the boundary of an adjacent municipality; and

WHEREAS Bill 197 establishes a dangerous precedent that could be expanded to other types of development; and

WHEREAS Bill 197 compromises municipal autonomy and the authority of municipal councils to make informed decisions in the best interest of their communities and municipal taxpayers; and

WHEREAS amendments in Schedule 6 could cause conflict in the effective management of landfill sites, put significant pressure on existing landfill capacity, and threaten the economic activity associated with these sites;

THEREFORE BE IT RESOLVED That the City of St. Catharines calls upon the Government of Ontario (Ministry of the Environment, Conservation and Parks (MOECP) to amend Bill 197, COVID-19 Economic Recovery Act, 2020, to eliminate the development approval requirement provisions from adjacent municipalities and that the 'host' municipality be empowered to render final approval for landfills within their jurisdiction; and



BE IT FURTHER RESOLVED that a copy of this motion be forwarded to Premier Doug Ford, Jeff Yurek the Minister of Environment, Conservation and Parks, Steve Clark the Minister of Municipal Affairs and Housing, local MPP's., the Association of Ontario Municipalities (AMO) and Ontario's Big City Mayors (formerly Large Urban Mayors Caucus of Ontario-LUMCO)

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to all Ontario municipalities with a request for supporting motions to be passed by respective Councils and copies of the supporting motion be forwarded to Premier Doug Ford, Jeff Yurek the Minister of Environment, Conservation and Parks, Steve Clark the Minister of Municipal Affairs and Housing, the local MPP's, the Association of Ontario Municipalities (AMO).

If you have any questions, please contact the Office of the City Clerk at extension 1506.

Bonnie Nistico-Dunk, City Clerk  
Legal and Clerks Services, Office of the City Clerk  
:ra

Cc. Hon. Premier Doug Ford [premier@ontario.ca](mailto:premier@ontario.ca)  
Hon. Steve Clark, Minister of Municipal Affairs, Housing [minister.mah@ontario.ca](mailto:minister.mah@ontario.ca)  
Jennifer Stevens, MPP - St. Catharines, [JStevens-CO@ndp.on.ca](mailto:JStevens-CO@ndp.on.ca)  
Jeff Burch, MPP - Niagara Centre, [JBurch-QP@ndp.on.ca](mailto:JBurch-QP@ndp.on.ca)  
Wayne Gates, MPP - Niagara Falls, [wgates-co@ndp.on.ca](mailto:wgates-co@ndp.on.ca)  
Sam Oosterhoff, MPP - Niagara West-Glanbrook, [sam.oosterhoff@pc.ola.org](mailto:sam.oosterhoff@pc.ola.org)  
Association of Municipalities of Ontario [amo@amo.on.ca](mailto:amo@amo.on.ca)  
Chair of Ontario's Big City Mayors, Cam Guthrie [mayor@guelph.ca](mailto:mayor@guelph.ca)  
All Ontario Municipalities (via email)





Where Ships Climb The Mountain...

October 8, 2020

Town of Fort Erie  
 Town of Grimsby  
 Town of Lincoln  
 City of Niagara Falls  
 Town of Niagara-on-the-Lake  
 Town of Pelham  
 City of Port Colborne  
 City of St. Catharines  
 Township of Wainfleet  
 City of Welland  
 Township of West Lincoln

**Re: Amendments to Bill 197**

Please be advised Thorold City Council, at its October 6, 2020 meeting, adopted the following resolution:

Whereas Thorold City Council adopted a motion at its July 21, 2020 meeting pertaining to Bill 197 being amendments to the Environmental Assessment Act, relating to landfill sites; and

Whereas the motion was forwarded to Premier Ford, Minister of Environment and Minister of Municipal Affairs and Housing and the local MPP; and

Whereas a request has been made to circulate this motion to local area municipalities for their support; and

Whereas there were three items in the approved motion, however items two and three were direction to staff and item one contained feedback on the legislation for which support from local area municipalities is desired.

Now Therefore Be it Resolved:

1. That the City Clerk be directed to circulate the motion passed by Thorold City Council on July 21, 2020 regarding its feedback on Bill 197 being amendments to the Environmental Assessment Act, relating to landfill sites to local area municipalities for support of item one.

...2

City of Thorold

P.O. Box 1044, 3540 Schmen Parkway, Thorold, Ontario L2V 4A7

[www.thorold.ca](http://www.thorold.ca)

Tel: 905-227-8613

16-109

Page 2  
Amendments to Bill 197

---

Yours truly,

A handwritten signature in cursive script that reads "D Delvecchio". The signature is written in dark ink on a white background.

Donna Delvecchio  
City Clerk

DD:cd

ec: M. Dilwaria, Chief Administrative Officer

**Resolution Number** 11a  
**Title:** City of Thorold  
**Date:** Tuesday, July 21, 2020



---

**MOVED BY:** Councillor Neale  
**SECONDED BY:** Mayor Terry Ugolini

Whereas Bill 197, specifically Schedule 6, considers amendments to the Environmental Assessment Act relating to landfill sites; and

Whereas language proposed in the amendment suggests broader engagement on the establishment of landfill sites with the host municipality and any municipality within 3.5 km of the property boundary; and

Whereas this amendment that allows for additional input and oversight from multiple municipalities, could cause conflict in the effective management of landfill sites and also may lead to a devolution of community fees payable to municipalities which host landfill sites.

Now Therefore Be it Resolved:

1. That while the City of Thorold supports reviewing the Environmental Assessment Act to streamline processes for the effective management of landfill sites, it opposes the following:
  - The expansion of broader engagement and oversight to municipalities not hosting the landfill site as it may negatively impact the effective operation of the landfill site within the host municipality; and,
  - A reduction of community fees to payable to municipalities that host land fill sites.
2. That staff be directed to provide comments to this effect during the 45 day review period of the legislation which ends on August 22, 2020.

3. That a copy of this motion be forwarded to Premier Ford, Minister of Environment, Conservation and Parks Jeff Yurek, as well as, the Minister of Municipal Affairs and Housing Steve Clark and the local MPP.

CARRIED

LOST

  
\_\_\_\_\_  
MAYOR



October 13, 2020

City of Welland Council  
 Tara Stephens  
 Department of City Clerk  
 Welland City Hall  
 60 East Main Street  
 Welland ON L3B 3X4

**Re: Slate of Officers and Directors - Welland Downtown Board of Management  
 2020– 2024 Term – REVISED**

Dear Mrs. Stephens:

On behalf of the Board of Management of the Welland Downtown Business Improvement Area, the following members of the WDBIA catchment presented their or their representative's name endorsed by 2 members of the WDBIA in good standing.

The nominee has met the requirements as per By-Law 1999-51 as amended by 2015-5.

This *revised list* of the Slate of Directors is to fill remaining vacancies of the Board. The candidates were approved by the following motions of the Board at the General Meeting of October 5<sup>th</sup>, 2020.

***"Nomination and recommendation of members of the catchment:***

***Amanda Christoff – CPA on behalf of Durwood Jones Barkwell & Company L.L.P Chartered Professional Accountants***

***Jesse D'Hulster – Owner SS Brand IT (formerly Silverstri Sports)***

***Moved by Brenda Herchmer***

***Seconded by: Glen Bowes***

***CARRIED UNANIMOUSLY***

99.90

Board of Management Welland Downtown Business Improvement Area  
Slate of Directors 2020-2024 term  
Page 2

Respectfully submitted

*Kelly Jones*

Kelly Jones, CHAIR  
[chair@downtownwelland.ca](mailto:chair@downtownwelland.ca)  
[www.downtownwelland.ca](http://www.downtownwelland.ca)  
289 820 7467

Enclosure – Revised Slate of Directors

**WELLAND DOWNTOWN BUSINESS IMPROVEMENT AREA****SLATE OF DIRECTORS****KELLY JONES**

Manager-Employment Solutions (Welland Heritage Council)  
815 Ontario Road, Welland ON  
905.788.3751  
[chair@downtownwelland.ca](mailto:chair@downtownwelland.ca)

**BRENDA HERCHMER**

Business Owner  
The Leisure Loft Cafe  
30 King Street, Welland ON  
289 820 5373  
[bherchmer@campusforcommunities.ca](mailto:bherchmer@campusforcommunities.ca)

**ALYSSA ADAMS**

Barrister & Solicitor -Flett Baccario  
190 Division Street Welland, ON  
905.732.4481  
[aadmas@flettbaccario.com](mailto:aadmas@flettbaccario.com)

**LESLIE ROBICHAUD**

Business Owner- Elite Hair Salon & Spa  
73 Hellems Ave, Welland ON  
905.733.0077  
[elitehairsalon@hotmail.com](mailto:elitehairsalon@hotmail.com)

**GLEN BOWES**

Business Owner-Bowes IT Solutions  
38 Dorothy Street, Welland ON  
289.479.5606  
[info@bowesit.com](mailto:info@bowesit.com)

**CORY CRUISE**

Owner-Cory Cruise Music  
16 Hellems Ave, Welland, ON  
905.941.0966  
[cruisedates@gmail.com](mailto:cruisedates@gmail.com)

**HOLLY TREDDENICK**

Business Owner – Femmes du Feu Creations / Circus Session  
22 King Street  
Welland ON  
647-234-2583  
[hollytredenick@gmail.com](mailto:hollytredenick@gmail.com)

**LEDA SEE**

Business Owner-Taris on the Water  
25 West Main Street, Welland ON  
905.788.0123  
[taris@taris.ca](mailto:taris@taris.ca)

**DAVID ALEXANDER**

Sage Femmes Renaissance Midwifery (appointed by)  
196 East Main Street, Welland ON  
905.714.7258  
[Econiaraga@gmail.com](mailto:Econiaraga@gmail.com)

**AMANDA CHRISTOFF CPA, CA**

Durwood Jones Barkwell & Company L.L.P  
Chartered Professional Accountants  
171 Division Street, Welland ON  
905.735.2140  
[achristoff@djb.com](mailto:achristoff@djb.com)

**JESSE D'HULSTER**

Business Owner- SS Brand It  
68 West Mani Street, Welland ON  
905.788.3762  
[jesse@ssbrandit.ca](mailto:jesse@ssbrandit.ca)





**Office of the Clerk**  
Nancy J. Bozzato, Dipl.M.M  
njbozzato@pelham.ca  
905-892-2607 x315

October 9, 2020

Ministry of Municipal Affairs and Housing  
777 Bay Street, 17<sup>th</sup> Floor  
Toronto ON M7A 2J3

Attention: Steve Clark, Minister

AND

Dean Allison, MP  
4994 King Street, PO Box 880  
Beamsville, ON L0R 1B0  
[Dean.allison@parl.gc.ca](mailto:Dean.allison@parl.gc.ca)

Attention: Dean Allison, MP

AND

Sam Oosterhoff, MPP  
4961 King Street  
Beamsville ON L0R 1B0  
[Sam.oosterhoff@pc.ola.org](mailto:Sam.oosterhoff@pc.ola.org)

Attention: Sam Oosterhoff, MPP

AND

Niagara Region  
1815 Sir Isaac Brock Way  
Thorold, Ontario L2V 4T7  
[ann-marie.norio@niagararegion.ca](mailto:ann-marie.norio@niagararegion.ca)

Attention: Ann-Marie Norio, Regional Clerk

AND

City of Welland  
60 East Main Street  
Welland, Ontario L3B 3X4



**Office of the Clerk**  
 Nancy J. Bozzato, Dipl.M.M  
 njbozzato@pelham.ca  
 905-892-2607 x315

[clerk@welland.ca](mailto:clerk@welland.ca)

Attention: Tara Stephens, City Clerk

AND

City of Thorold  
 2540 Schmon Parkway, PO Box 1044  
 Thorold, Ontario L2V 4A7  
[clerk@thorold.com](mailto:clerk@thorold.com)

Attention: Donna Delvecchio, City Clerk

**Motions and Notices of Motion re: Cannabis Related Legal Fees**

At their regular meeting of October 5, 2020, Council of the Town of Pelham received a Notice of Motion put forth by Councillor Haun and Councillor Hildebrandt regarding Cannabis related legal fees incurred by the Town of Pelham and endorsed the following:

**BE IT RESOLVED that Pelham Town Council endorse the following resolutions as matters of highest priority:**

**WHEREAS the Town of Pelham is a municipality of fewer than 18,000 persons;**

**AND WHEREAS the Town has already spent in excess of \$100,000 in legal and professional fees in developing a municipal, cannabis (which includes industrial hemp) regulatory framework and is bearing the entire cost of seven separate proceedings against that framework before the Superior Court of Justice, the Normal Farm Practices Protection Board, and/or the Local Planning Appeal Tribunal ("LPAT"), which are currently estimated to cost the taxpayer over \$300,000 to litigate;**

**AND WHEREAS hundreds of residents have suffered ongoing adverse effects (particularly light and odour pollution) from cannabis facilities in the Town, and the Town will have to incur ongoing enforcement costs in order to have any hope of mitigating these adverse effects;**

**AND WHEREAS the Town of Pelham is not the only municipality in Niagara, or in Ontario, that has suffered these adverse effects from these cannabis facilities which operate on an industrial scale;**

**Office of the Clerk**

Nancy J. Bozzato, Dipl.M.M  
njbozzato@pelham.ca  
905-892-2607 x315

**AND WHEREAS** at present residents of the Town of Pelham are on track to pay 100% of the costs of civil cases that are precedential in nature and will impact neighbouring communities, all of Niagara, and ultimately have a provincial impact;

**NOW THEREFORE** Pelham Town Council formally requests that the Region of Niagara seek "Party" status in the various LPAT proceedings that have been initiated by Woodstock Biomed Inc., CannTrust Holdings and Redecan Pharm as against Town of Pelham. As a Party, the Region can offer direct evidence, planning expertise and testimony in support of the Town of Pelham's recently amended Official Plan and Zoning Bylaw, which were adjusted with the approval of Regional Staff;

**AND FURTHER** Pelham Town Council requests that Member of Provincial Parliament Sam Oosterhoff be requested to champion the Town's plight with the Provincial Government so as to result in the Ministry of Municipal Affairs and Housing seeking "Party" status in the various LPAT proceedings that have been initiated by Woodstock Biomed Inc., CannTrust Holdings and Redecan Pharm as against Town of Pelham and a financial contribution from the Provincial Government towards the Town's litigation costs in recognition of the broader provincial public interest being represented;

**AND FURTHER** that Niagara West MP Dean Allison be requested to champion the Town of Pelham's plight in the legislature (after it recommences sitting) and further pressure Health Canada to satisfy its own obligations with respect to enforcement of standards and regulations as they pertain to odour emissions from cannabis facilities, including providing a financial contribution towards the Town's litigation and enforcement costs in recognition of the broader public interest being represented.

**AND FURTHER** that Niagara West MP Dean Allison be requested to obtain a clear and satisfactory answer from Health Canada as to why, after a year since CannTrust Holdings has acknowledged growing cannabis in a manner that contravened its license, no penalty or fine has been formally levied nor have charges been laid.

**AND FURTHER** Pelham Town Council formally requests that the City of Welland and the City of Thorold each be asked to voluntarily contribute \$15,000 (which represents 5% of the estimated litigation costs) towards defense of the aforementioned legal actions as Pelham has received complaints from residents of both those municipalities pertaining to light and/or smell associated with the industrial production of Cannabis.



**Office of the Clerk**  
Nancy J. Bozzato, Dipl.M.M  
njbozzato@pelham.ca  
905-892-2607 x315

Yours very truly,

A handwritten signature in black ink, appearing to read "Nancy J. Bozzato", written in a cursive style.

(Mrs.) Nancy J. Bozzato, Dipl.M.M., AMCT  
Town Clerk

/sl



**COUNCIL**  
**OFFICE OF THE CAO**

APPROVALS	
GENERAL MANAGER	
CFO	
CAO	

**REPORT CAO-2020-03**  
**July 7, 2020**

**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**

99-99  
99-40

**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 25<sup>th</sup> 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 21<sup>st</sup> 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:** Chiocchio 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 21 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>

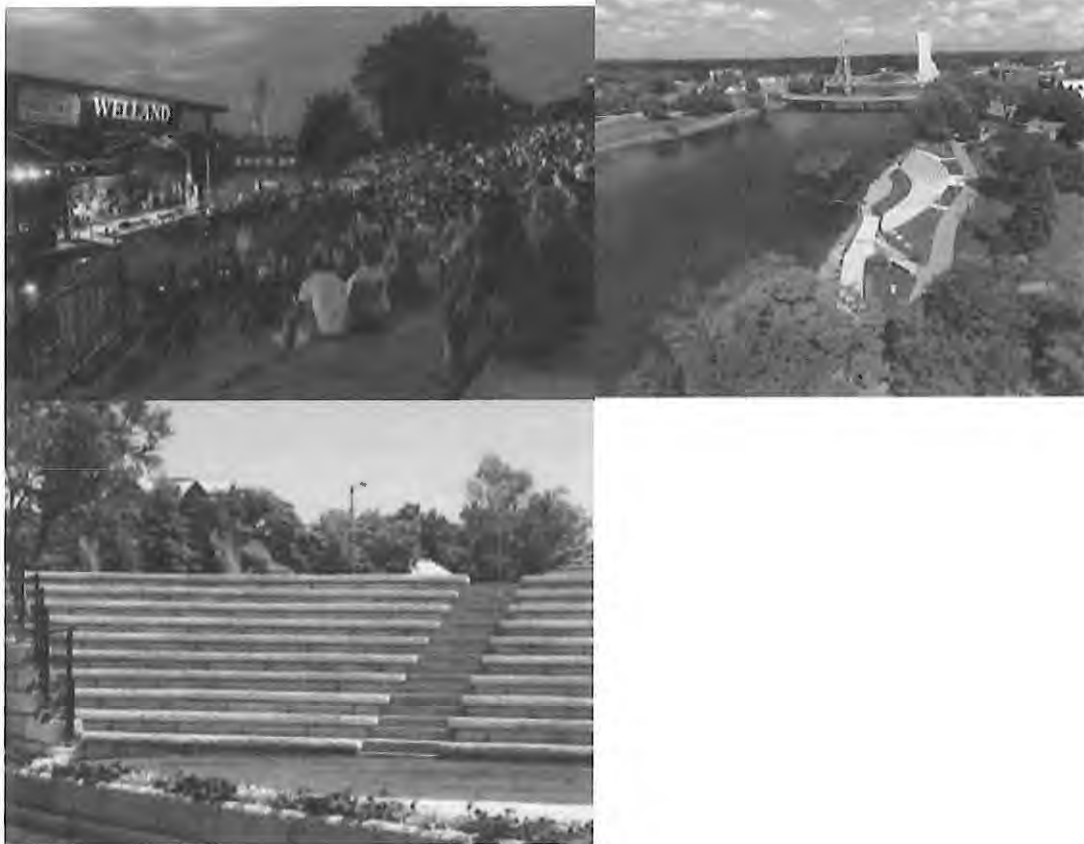
<https://www.canada.ca/en/canadian-heritage/services/funding.html>

**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**

- o Hydro outlets are located onsite for concession etc.



**It shall be noted that the proposed concert series shall be done at no cost to its 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
  - o 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.
  - o 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

<b>Purchase Order</b>	
<b>Purchase Order No.</b>	PO2020-00039
<b>Date</b>	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"> <li>FRIDAY, JUNE 26TH, 2020</li> <li>FRIDAY, JULY 10TH, 2020</li> <li>FRIDAY, JULY 17TH, 2020</li> <li>FRIDAY, JULY 24TH, 2020</li> <li>FRIDAY, AUGUST 7TH, 2020</li> <li>FRIDAY, AUGUST 14TH, 2020</li> <li>FRIDAY, AUGUST 21ST, 2020</li> <li>FRIDAY, AUGUST 28TH, 2020</li> <li>DATE TBD - SATURDAY CHILDREN'S MATINEE</li> </ul> <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"> <li>a) In partnership with Production Service Industries (PSI Niagara);</li> <li>b) Hire and manage all talent for the duration of the 2020 Summer Concert Series and look after requested hospitality;</li> <li>c) Market the 2020 Summer Concert Series;</li> <li>d) Solicit and contract food vendors – oversee this operation for the duration of the 2019 Summer Concert Series;</li> <li>e) Hire security for the 2020 summer concert series;</li> <li>f) Make reasonable efforts to solicit sponsorships for the 2020 Summer Concert Series;</li> <li>g) Work with and Engage the Downtown Businesses;</li> <li>h) Coordinate Volunteers;</li> <li>i) Organize community donation bucket pass;</li> <li>j) Ensure 3rd party payments are covered;</li> <li>k) Apply for grants that may become available;</li> <li>l) Work with City to attend to all refuse cleanup detail.</li> <li>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.</li> </ul>								

<b>Subtotal</b>	\$40,000.00
<b>Trade Discount</b>	\$0.00
<b>Freight</b>	\$0.00
<b>Miscellaneous</b>	\$0.00
<b>Tax</b>	\$0.00
<b>Order Total</b>	\$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

Shipping Method		Payment Terms		Confirm With			Page																																
		Net 30					2																																
L/N	Item Number	Description	Req. Date	U/M	Ordered	Unit Price	Ext. Price																																
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 style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Amphitheatre w/ hydro</td> <td style="width: 10%;">Qty:</td> <td style="width: 10%;">1</td> <td style="width: 20%;"></td> </tr> <tr> <td>Barricades</td> <td>Qty:</td> <td>8 - 12</td> <td></td> </tr> <tr> <td>Portable Restroom, unisex</td> <td>Qty:</td> <td>8</td> <td></td> </tr> <tr> <td>Portable restroom, accessible</td> <td>Qty:</td> <td>1</td> <td></td> </tr> <tr> <td>Hand wash station</td> <td>Qty:</td> <td>1</td> <td></td> </tr> <tr> <td>Garbage drums</td> <td>Qty:</td> <td>7 - 12</td> <td></td> </tr> <tr> <td>Tables, Folding</td> <td>Qty:</td> <td>6 - 8</td> <td></td> </tr> <tr> <td>Bleachers w/ delivery</td> <td>Qty:</td> <td>if available/if required</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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Tables, Folding	Qty:	6 - 8																																					
Bleachers w/ delivery	Qty:	if available/if required																																					

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