



## **COUNCIL MEETING AGENDA**

**Tuesday, September 21, 2021**

**Due to COVID-19 all Meetings will be held electronically**

**All 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 September 25, 2021 at 8:00 a.m.**

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1. **COMMITTEE-OF-THE-WHOLE (IN-CAMERA) (6:15 p.m.)**  
**(See yellow tab)**
  - Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
    - *TO2015 Update.*
    - *Aqueduct - Legal Update.*
  - Proposed or pending acquisition or disposition of land by the municipality or local board;
    - *Proposal to declare surplus city owned property at 33 Hellems Avenue and 35 Hellems Avenue.*
  - Personal matters about an identifiable individual, including municipal or local board employees; and
    - *Citizens appointment to the following Committee:*
      - *Arts and Culture Advisory Committee.*
      - *Welland Hydro System Corp. Update.*
      - *Director of Finance/CFO.*
  
2. **ARISE FROM COMMITTEE-OF-THE-WHOLE (IN-CAMERA) (7:00 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 September 7, 2021 and Special Council Meeting of September 14, 2021 (*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**



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

**4. ORAL REPORTS AND DELEGATIONS**

**4.1 PRESENTATION(S) - Nil**

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

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

**4.4 LEGISLATED PUBLIC HEARINGS PURSUANT TO THE *PLANNING ACT***

**21-122** A complete application has been made by UPPER CANADA CONSULTANTS on behalf of SILVERSTAR DEVELOPMENTS INC. for Draft Plan of Subdivision Approval for lands PART OF LOT 237, GEOGRAPHIC TOWNSHIP OF THOROLD, IN THE CITY OF WELLAND, REGIONAL MUNICIPALITY OF NIAGARA, without a municipal address at the eastern end of Stoneybrook Court, on the north side of the street. The subject lands are designated URBAN AREA in the Regional Official Plan, as LOW DENSITY RESIDENTIAL in the City of Welland Official Plan, and zoned RESIDENTIAL LOW DENSITY 1 – RL1 by By-law 2017-117.

**(See Report P&B-2021-52 Pages 13 to 17)**

**21-123** Complete applications have been made by IBI GROUP on behalf of HAMOUNT INVESTMENTS LTD. to redesignate and to rezone Lots 148, 149, 150, 152, 153, 154, 207 & 208 Part of Lots 151 & 209. Registered Plan No. 655, City of Welland, Regional Municipality of Niagara, for lands at 3, 11 & 17 Rice Road, 306 & 308 Thorold Road and 12 Rose Avenue from the existing Residential Low Density 1 - RL1 and Community Commercial Node – CC1 to Site Specific Community Commercial Node - CC1 in Zoning By-law 2017-117. The purpose of the amendment is to permit the construction of three stand-alone commercial buildings, including one drive-through restaurant establishment. The Official Plan designation is Low Density Residential and Community Commercial Node. An application for Official Plan Amendment (File No. OPA 35) was also submitted for this property.

**(See Report P&B-2021-53 Pages 18 to 39)**



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**18-87** The City of Welland is proposing to amend Zoning By-law 2017-117 to further address Cannabis Production Facilities. The amendment would include updating the definition for Medical Marihuana Production Facilities to Cannabis Production Facilities and updating it to apply to all licensed facilities under the Cannabis Act and any type of use permitted to grow more than four cannabis plants. Indoor Cannabis Production Facilities would be permitted in both Agricultural and Industrial/Employment Zones. More specifically the Agricultural (A1), Rural Employment (RE), Light Industrial (L1), General Industrial (G1), and Gateway Economic (G commending a 150 metre separation distance from sensitive land uses.

**(See Report P&B-2021-54 Pages 40 to 48)**

**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 DiMarco)**

**21-19** THAT THE COUNCIL OF THE CITY OF WELLAND rescinds Bylaw 2021-126 being A By-law to authorize entering into a Lease Agreement with Welland Minor Hockey Association.

**(Councillor DiMarco)**

**13-117** WHEREAS if the below is not amended/approved the maximum height of such builds in these types of zoning (R1) if allowed be 2 stories in height and only when the prosed build is within the current setbacks that cannot be amended; and

WHEREAS, when an interested party does in fact inquire about a vacant or soon to be vacant area of land that we have the authority to state what type of build is allowed prior to the interested parties proposal is submitted and in doing such we offer incentives to the developer if agreed upon.

NOW THEREFORE IT BE RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to revisit our Comprehensive Zoning By-laws (amended 2017) and prepare a report for Council that would amend its



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current classifications that would not allow a high density proposed development to be constructed in a low density area and in doing such would keep in line with the current surrounding neighborhood.

**(Councillor Fokkens)**

**21-121** WHEREAS, the Council of the City of Welland, supports and provides funding for the Sewage Water Alleviation Program, (SWAP) in order to provide basement flooding protection;

WHEREAS, it is realized that proper maintenance is required for the backflow valve, and that a release to The Corporation of the City of Welland is required from all claims, damages, actions and losses from any future sewer backups resulting from the failure of any of the works carried out under the SWAP Program;

WHEREAS, it is known that homes that have the BackFlow Valve installed under this program, have experienced multiple floodings.

NOW THEREFORE IT BE RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to investigate alternative back flows valves that can provide a higher level of protection to the homeowner by December 2021 that can be used under the SWAP program.

**(Councillor Fokkens)**

**21-125** WHEREAS, the Humberstone Landfill expansion agreement was presented and approved by Council in 2016; and

WHEREAS, the report and recommendations by the Region advised that the funds from the agreement should remain in the Ward 6 area that has the most impact from the expanded Landfill; and further

WHEREAS, in order to assure that these funds remain in the affected area.

NOW THEREFORE IT BE RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND directs the funds from the Compensation Agreement for the Humberstone Landfill to be used in Ward 6 in the area that the landfill most affects the neighboring community, for improvements and enhancements.

**(Councillor Fokkens)**

**02-160** WHEREAS, the Council of the City of Welland, provides direction to staff in Committee-of-the-whole meetings under section 11 of the Procedural by-law; and

WHEREAS, often items that come to the Committee-of-the-Whole, are only verbal presentations; and

WHEREAS, for transparency purposes, and in order to have all information and details disclosed and for future reference when it is proposed to Council in open session; and further



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WHEREAS, under section 11.10 of the procedural by-law, and Section 5 of the Policy HUM-001-0031 of the Code of Conduct for Members of Council, members are bound by confidentiality.

NOW THEREFORE IT BE RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to include reports, copies of proposed agreements and other backup material to the Committee-of-the-Whole Agendas.

**(Councillor McLeod)**

**06-156** WHEREAS, there is an interest by some residents to raise chickens and ducks within the city limits of Welland; and further

WHEREAS, it is proposed that this can be done in a manner which it is reasonable to neighbouring properties.

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND requests staff prepare a report, indicating how and if this can be accommodated.

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

**8. CORPORATION REPORTS**

**8.1 Mayor's Report**

**8.2 Chief Administrative Officer's Report**

**9. CONFIRMATORY BY-LAW**

A By-law to adopt, ratify and confirm proceedings of the Council of the Corporation of the City of Welland at its meeting held on the 21<sup>st</sup> day of September, 2021. Ref. No. 21-1

**10. ADJOURNMENT**



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### **AGENDA BLOCK**

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

2. COMMITTEE AND STAFF REPORTS

1. Business Arising from Committee-of-the-Whole (closed)

1. 2. General Committee Report to Council - September 14, 2021

**CLK-2021-20** City Clerk, T. Stephens, Electronic Participation - After COVID 19.  
Ref. No. 02-160

(Refer to pages 1 to 2 from the September 14, 2021 General Committee Agenda).

**RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report CLK-2021-20: Electric Participation - After COVID 19.

**R&C-2021-17** Civic Square Phase A - Design Update. Ref. No. 98-82

(Refer to pages 3 to 10 from the September 14, 2021 General Committee Agenda).

**RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND refers Report R&C-2021-17 back to staff to present an updated business plan to an upcoming General Committee Meeting, base4d on the comments from members of Council.

3. Budget Review Committee Report to Council - (Nil)



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**4. Staff Reports**

<b>2 - 7</b>	<b><u>FIN-2021-26</u></b>	Mgr. of Budgets & Financial Reporting/Deputy Treasurer, E. Pankoff - 2021 Q2 Year-To-Date Budget Variance by Cost Centre Report. Ref. No. 21-4
<b>8 - 10</b>	<b><u>R&amp;C-2021-18</u></b>	Director of Community Services, R. Axiak – Memorial Park Pool - Project Update. Ref. No. 21-19
<b>11 - 12</b>	<b><u>R&amp;C-2021-19</u></b>	Director of Community Services, R. Axiak - RFP21-12 Design and Construction for Maple Park Enhancement Project - Rebid. Ref. No. 21-19
<b>13 - 17</b> Remove From Block	<b><u>P&amp;B-2021-52</u></b>	Director of Planning and Development Services, G. Munday - Application for Draft Plan of Subdivision (26T-14-21004) made by Upper Canada Consultants on behalf of Silverstar Developments Inc. for lands located on the west side of Clare Avenue, north of Woodlawn Road, east of South Pelham Road, south of Heritage Lane, legally described as Part of Lot 237, Geographic Township of Thorold, in the City of Welland, Regional Municipality of Niagara, without any municipal address. Ref. No. 21-122
<b>18 - 39</b> Remove From Block	<b><u>P&amp;B-2021-53</u></b>	Director of Planning and Development Services, G. Munday – Application for Official Plan Amendment (OPA No. 35) Zoning By-law Amendment (2021-05) submitted by IBI Group on behalf of Hamount Investments Ltd. for lands on the east side of Rose Avenue, north of Thorold Road, west of Rice Road, municipally known as 3, 11, 17 Rice Road 306, 308 Thorold Road and 12 Rose Avenue. Ref. No. 21-123
<b>40 - 48</b> Remove From Block	<b><u>P&amp;B-2021-54</u></b>	Director of Planning and Development Services, G. Munday - Application for City Wide Zoning By-law Amendment (File No. 2021-09) submitted by the City of Welland - Cannabis Production Facilities. Ref. No. 18-87
<b>49 - 50</b>	<b><u>TRANS-2021-13</u></b>	Transit Manager, E. Zahra - Operator Protection Barriers. Ref. No. 21-13 (See By-law 1)
<b>51 - 60</b>	<b><u>TRANS-2021-14</u></b>	Transit Manager, E. Zahra - Automated Passenger Counters. Ref. No. 21-13 (See By-law 2)
<b>61 - 64</b>	<b><u>CLK-2021-21</u></b>	City Clerk, T. Stephens - Follow Up - In-Person Attendance and Hybrid Council Meetings. Ref. No. 02-160



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**65 - 66**                      **CLK-2021-22**                      City Clerk, T. Stephens - Economic Adjustment - Council Remuneration. Ref. No. 21-14 (See By-law 3)

### **3. NEW BUSINESS**

**67**                      1. Carmela DiPardo, Legislative Assistant, Clerk's Department, City of Thorold re: Stiffer Penalties for Infractions relating to the Importation, Production or Distribution of Fentanyl. Ref. No. 21-124

#### **RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information and supports the correspondence from the City of Thorold dated September 14, 2021 regarding Stiffer Penalties for Infractions relating to the Importation, Production or Distribution of Fentanyl.

### **4. BY-LAWS**

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

1. A By-law authorize procurement and installation of plastruct polyzone barriers for transit buses. Ref. No. 21-13  
(See Report TRANS-2021-13)
2. A By-law to authorize procurement and installation of software and hardware for automatic passenger counters for transit buses. Ref. No. 21-13  
(See Report TRANS-21-14)
3. A By-law to amend By-law 1998-11325, being a By-law to provide for paying remuneration to the Members of Council and extended medical benefits to the Mayor. Ref. No. 21-14  
(Report CLK-2021-22)



**GENERAL COMMITTEE REPORT TO COUNCIL**

On Tuesday, September 14, 2021, the General Committee met with the following members in attendance: Chair, M.A. Grimaldi, F. Campion, J. Chiochio, T. DiMarco, B. Fokkens, B. Green, J. Larouche, J. Mastroianni, D. McLeod, A. Moote, C. Richard, G. Speck and L. Van Vliet.

**The General Committee recommends Council approval on the following matters:**

**PRESENTATIONS****98-82**

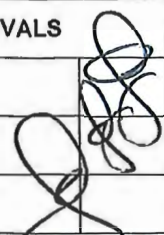
THAT GENERAL COMMITTEE receives for information the presentation by Mario Patitucci, Founder and Principal Landscape Architect, Adesso Design Inc. regarding Civic Square Redevelopment.

Respectfully submitted by



TARA STEPHENS  
City Clerk

**COUNCIL**  
**CORPORATE SERVICES**  
**FINANCE DIVISION**

APPROVALS	
DIRECTOR	
CFO	
CAO	

21-4

**REPORT FIN-2021-26**  
**SEPTEMBER 21, 2021**

**SUBJECT: 2021 Q2 YEAR-TO-DATE BUDGET VARIANCE BY COST CENTRE REPORT**

**AUTHOR: ELIZABETH PANKOFF, MBA, CPA, CGA  
MANAGER OF BUDGETS & FINANCIAL REPORTING/DEPUTY TREASURER**

**APPROVING DIRECTOR: STEVE ZORBAS, CPA, CMA, B.Comm, DPA,  
CAO / DIRECTOR, CORPORATE SERVICES / CHIEF FINANCIAL OFFICER / TREASURER**

**RECOMMENDATIONS:**

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the 2021 Q2 Year-to-Budget Variance Report (FIN-2021-26) from the Manager of Budgets and Financial Reporting/Deputy Treasurer dated September 21, 2021.

**ORIGIN AND BACKGROUND:**

The quarterly Budget Variance by Cost Centre Reports are intended to provide Council with a high-level summary pertaining to the Operating Budget performance.

**COMMENTS AND ANALYSIS:**

Scheduled delivery of year-to-date financial information, often referred to as a variance report, is aligned with the Corporation's fiscal year (January 1 to December 31) and is delivered on a quarterly basis. The Year-To-Date Budget Variance by Cost Centre Report includes figures up to and including June 30, 2021.

As of June 30, 2021, staff is forecasting a surplus for the City's Operating Budget of approximately \$1,377,000.

**Safe Restart Funding Municipal Operations – Phase 2 Funding**

The City of Welland will receive Phase 2 funding for Safe Restart Funding in the amount of \$1,430,788 to support our COVID-19 operating costs and pressures which has been taken into consideration in the operating surplus stated above. 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 the 2021 COVID-19 operating costs and pressures, the province expects the City to place the excess funding into a reserve to be available to support COVID-19 operating costs, as such pressures that may continue into 2022.

### **Municipal Transit Funding Phase 3 Funding**

The City of Welland has received \$714,303 to support COVID-19 municipal transit pressures for Phase 3. 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 the City reports back to the province with the details on the use of funding by the end of Fall 2021. If the transit pressures do not amount to the funding received, any unused funds must be returned to the province.

Specific to Phase 3 of the Safe Restart Funding, staff will be proposing a series of initiatives, some are pending Council approval, to best allocate the funds as shown below:

- Installation of operator protection barriers
- Mobile-ticketing software and hardware (approved by Council)
- Customer communication and wayfinding at the Transit Terminal
- On-demand scheduling software (approved by Council)
- On-board fleet surveillance
- Lost revenue recovery

Staff are predicting to see an increase in ridership from the assertive service upturn which came into effect September 5, 2021. It is estimated that based upon the level of provided service, the return of post-secondary (in-person) enrollment, and with the Province's phased reopening of businesses, ridership should increase to at least 50% of pre-COVID19 levels. Transit has seen an increase in ridership from 15% in April 2021 to a current ridership of 31%. The biggest upsurge in ridership was compared from August 29 – September 4 to September 5 – September 11, where an overall increase of 3% was shown. If this trend continues, the anticipated projection of 50% total ridership/revenue will be achieved by year-end.

Operating budgets for 2022 have been calculated to reflect a 70% revenue when compared to pre-COVID19 levels. Introducing transit back to the City of Welland is an initiative staff are holding with high priority, ensuring the safety of not only our employees, but of the public. Continued efforts are still transpiring including enhanced cleaning and safety measures implemented by Niagara Region Public Health to ensure new and existing passengers are comfortable and accepting of public transit.

### **Water/ Wastewater Operating Budget**

As of June 30, 2021, staff has forecasted a balanced budget for the Water and Wastewater Budgets. The forecasted balanced budget will be achieved by utilizing the Phase 2 Safe Restart Funding.

### **FINANCIAL CONSIDERATION:**

There are no financial considerations associated with the preparation of the Year-To-Date Budget Variance by Cost Centre Report other than those highlighted. Financial implications and budget impacts are discussed with the relevant sections.

**OTHER DEPARTMENT IMPLICATIONS:**

All departments are involved in the reporting of the Year-To-Date Budget Variance by Cost Centre. The quarterly variance reports are reviewed and monitored collectively through the Corporate Leadership Team on a regular basis.

**SUMMARY AND CONCLUSION:**

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 – Q2-2021 Budget Variance by Costing Centre

Appendix II – June 30, 2021 Unaudited and Uncommitted Reserve Balance

Appendix III – Current Investment Holdings as of June 30, 2021

## Q2-2021 Budget Variance by Costing Center

Costing Center Name	Projection Year End Variance
20-110-MAYOR'S OFFICE	\$5,000.00
20-111-COUNCILLORS	\$11,000.00
20-112-CITY MANAGER / CAO	\$2,000.00
20-120-CLERKS	(\$4,900.00)
20-125-COMMUNICATIONS	\$21,000.00
20-130-FINANCE	\$21,000.00
20-131-INFORMATION SERVICES	\$5,500.00
20-134-TAXATION / GENERAL REVENUE	\$2,468,738.00
20-135-GENERAL EXPENDITURES	(\$1,561,321.00)
20-139-GRANTS	\$0.00
20-140-LEGAL	(\$31,023.00)
20-150-HUMAN RESOURCES	\$115,500.00
20-210-FIRE	\$84,050.00
20-310-ENGINEERING - ADMINISTRATION	\$9,483.00
20-315-STREETLIGHTING	\$2,750.00
20-316-SIDEWALKS	\$18,000.00
20-320-ROADWAYS	\$33,300.00
20-321-TRAFFIC CONTROL	\$500.00
20-322-WINTER CONTROL	\$0.00
20-323-FLEET	(\$4,709.00)
20-325-PUBLIC WORKS	\$35,073.00
20-327-STORM SEWERS	\$2,000.00
20-350-CROSSING GUARDS	\$115,500.00
20-380-PARKING	(\$115,395.00)
20-405-RECREATION - PROGRAMS/SERVICES	\$158,421.00
20-410-PARKS / OPEN SPACES	(\$11,680.00)
20-412-PLAYING FIELDS	(\$16,000.00)
20-415-URBAN FORESTRY	\$0.00
20-420-CEMETERIES	\$0.00
20-430-FAC-MTCE/LABOUR	\$0.00
20-432-FAC-ARENA	(\$82,000.00)
20-434-FAC-WELLNESS CENTRE	\$8,800.00
20-436-FAC-MARKET	\$16,897.00
20-438-FAC-SWIMMING POOL	\$0.00
20-439-FAC-CIVIC SQUARE	(\$10,500.00)
20-442-FAC-COURTHOUSE	\$0.00
20-444-FAC-SERVICE CENTRE	\$0.00
20-445-FAC-YSP RIVER ROAD	\$0.00
20-446-FAC-QUAKER RD BALL DIAMONDS	\$400.00
20-447-FAC-RECREATIONAL CANAL LANDS	(\$213,830.00)
20-448-FAC-COOKS MILLS HALL	\$2,500.00
20-449-FAC-140 KING ST MUSEUM	\$0.00
20-450-FAC-HOOKER STREET	\$2,500.00
20-452-FAC-C.L. PINARD CTR	\$400.00
20-454-FAC-ANCILLARY BLDGS	\$100.00
20-457-FAC-TRANSIT TERMINAL	\$1,000.00
20-458-FAC-WELLAND TRANSIT	\$1,000.00
20-459-FAC-FIRE HALLS	(\$17,000.00)
20-461-FAC-CHIPPAWA PK COMMUNITY CTR	\$1,500.00
20-510-PLANNING & DEVELOPMENT SERVICE	\$8,458.00
20-520-BUILDING & LICENSING	\$0.00
20-525-BY-LAW ENFORCEMENT	\$0.00
20-710-ECONOMIC DEVELOPMENT	\$44,157.00
20-810-TRANSIT - ADMINISTRATION	\$226,703.00
20-812-TRANSIT - BUS DRIVERS	\$10,000.00
20-814-TRANSIT - MAINTENANCE	\$253,500.00
20-816-TRANSIT - INTER MUNICIPAL SERV	(\$339,000.00)
20-820-HANDI TRANS - ADMIN	\$27,000.00
20-824-HANDI TRANS - BUS DRIVERS	\$59,000.00
20-826-HANDI TRANS - MAINTENANCE	\$12,500.00
<b>Projected Tax Supported Year-end Variance</b>	<b>\$1,377,872.00</b>

25-910-WATER WORKS	\$0.00
30-330-WASTEWATER	\$0.00
<b>Projected Rate Supported Year-end Variance</b>	<b>\$0.00</b>

**CORPORATION OF THE CITY OF WELLAND  
SUMMARY OF RESERVE FUNDS AND DEFERRED REVENUE  
as at June 30, 2021**

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

		<u>Uncommitted Balance</u>
402 ECONOMIC DEVELOPMENT	\$	3,842,186.80
403 FIRE DEPARTMENT		708,336.76
405 ICE RESURFACER		82,115.90
406 SICK LEAVE		40,304.11
410 MUNICIPAL INCENTIVE GRANT		952,440.22
412 POOL MAINTENANCE		62,288.14
413 WORKERS SAFETY INSURANCE BOARD		668,043.75
425 PARKING		8,226.57
426 COURTHOUSE MAINTENANCE		150,264.55
427 FLEET		396,764.39
430 WATER/SEWER FUND SURPLUS		3,401,973.42
432 EMPLOYEE BENEFITS		0.00
433 OPERATING SURPLUS		4,114,051.16
442 SPORTS & CULTURE INFRASTRUCTURE		905,292.00
445 RECREATIONAL CANAL LANDS		13,864,313.80
444 INSURANCE RESERVE		1,315,410.77
1401 DOWNTOWN BROWNFIELD		1,067,927.77
1402 CAPITAL SURPLUS		2,385,269.39
1400 YSP SUSTAINABILITY		976,290.00
1403 TAX REDUCTION		822,928.99
1404 ELECTIONS		383,149.38
1405 COVID-19 SAFE RE-START		1,159,905.00
1407 BUILDING PROVISION		778,645.00
2017 INFRASTRUCTURE RENEWAL		12,761,016.32
2018 ATLAS LANDFILL		3,384,219.23
414 <u>UNDISTRIBUTED REVENUE</u> <sup>1</sup>		<u>197,763.76</u>
<b>TOTAL RESERVE FUNDS (UNAUDITED)</b>	<b>\$</b>	<b><u>54,429,127.18</u></b>

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

PLANNING ACT	\$	2,243,204.18
SUBDIVIDERS - FUTURE SERVICES		3,804,784.36
437 PROVINCIAL GAS TAX REBATE		292,008.91
438 FEDERAL GAS TAX REBATE		1,733,628.98
ONTARIO BUS REPLACEMENT PRGM		0.00
ONTARIO STATE OF GOOD ROADS PRGM		4,676.39
<u>DEVELOPMENT CHARGES</u>		<u>9,975,349.67</u>
<b>TOTAL DEFERRED REVENUE FUNDS (UNAUDITED)</b>	<b>\$</b>	<b><u>18,053,652.49</u></b>

**TOTAL RESERVE FUNDS** **\$** **72,482,779.67**

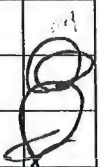
<sup>1</sup> - This figure represents interest earned but not yet distributed to individual reserve funds. The interest will be distributed as of December 31, 2021 based on the average yearly balance of individual reserve funds.

Current Investment Holdings of the Corporation of the City of Welland  
As of June 30, 2021

<u>Investment Name</u>	<u>Category</u>		<u>% Total Investment Portfolio</u>	<u>Individual Organization %</u>
<b>Reserves</b>				
NBC S&P/TSX Index Deposit	Corporation	1,200,065.75	0.98%	0.98%
National Bank Fixed Income Securities/Funds	Corporation	1,620,120.00	1.32%	3.93%
TD Mortgage Corp GIC	Corporation	3,815,920.80	3.10%	3.10%
Meridian Cr. Union GICs	Corporation	6,731,139.15	5.47%	15.22%
First Ontario GICs	Corporation	16,700,000.00	13.57%	13.57%
BMO Wealth Management	Corporation	996,000.00	0.81%	4.23%
<b>Canal Lands</b>				
National Bank of Canada Ext Step	Corporation	1,205,973.67	0.98%	0.98%
NBC Extendible Step Up Deposit	Corporation	630,618.59	0.51%	0.51%
Royal Bank of Canada Preferred Shares	Corporation	839,000.00	0.68%	0.68%
<b>Operating</b>				
National Bank Equities & Equity Funds	Corporation	1,979,340.99	1.61%	3.93%
National Bank Fixed Income Securities/Funds	Corporation	1,231,000.00	1.00%	3.93%
BMO Wealth Management	Corporation	4,213,500.00	3.42%	4.23%
Meridian Cr. Union GICs	Corporation	5,000,000.00	4.06%	15.22%
Meridian Cr. Union GICs	Corporation	7,000,000.00	5.69%	15.22%
Dejardins Bonds	Corporation	3,846,090.00	3.13%	3.13%
Bank of Montreal Bonds	Corporation	6,934,880.00	5.64%	5.64%
RBC Bonds	Corporation	997,050.00	0.81%	0.81%
Scotiabank Bonds	Corporation	4,908,010.00	3.99%	3.99%
Cash & Cash Equivalents		51,033,921.67	41.48%	
Airport Loan	Corporation	160,063.79	0.13%	
Hydro Promissory Note/Financing	Corporation	2,000,000.00	1.63%	
<b>2021 Draft Unaudited Total of all Investments</b>		<b>123,042,694.41</b>	<b>100.00%</b>	

<b>Category Summary Legend</b>		
<b>Corporations</b>		
NBC S&P/TSX Index Deposit	1,200,065.75	0.98%
National Bank of Canada Ext Step	1,205,973.67	0.98%
NBC Extendible Step Up Deposit	630,618.59	0.51%
TD Mortgage Corp GIC	3,815,920.80	3.10%
Royal Bank of Canada Preferred Shares	839,000.00	0.68%
Bruton Investment Group-National Bank	4,830,460.99	3.93%
First Ontario GICs	16,700,000.00	13.57%
Meridian Cr Union GICs	18,731,139.15	15.22%
BMO Wealth Management	5,209,500.00	4.23%
Desjardins Bonds	3,846,090.00	3.13%
Scotiabank Bonds	4,908,010.00	3.99%
Bank of Montreal Bonds	6,934,880.00	5.64%
RBC Bonds	997,050.00	0.81%
Airport Loan	160,063.79	0.13%
Hydro Promissory Note/Financing	2,000,000.00	1.63%

**GENERAL COMMITTEE**  
**COMMUNITY SERVICES**  
**RECREATION & CULTURE**

APPROVALS	
DIRECTOR	
CFO	
CAO	

**REPORT R&C-2021-18**  
**SEPTEMBER 21, 2021**

*21-19*

**SUBJECT:** MEMORIAL PARK POOL – PROJECT UPDATE

**AUTHORS:** ROB AXIAK, DIRECTOR OF COMMUNITY SERVICES, and  
 FRANK PEARSON, FACILITIES SUPERVISOR

**APPROVING DIRECTOR:** ROB AXIAK, DIRECTOR OF COMMUNITY SERVICES

**RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report R&C 2021-18 regarding the timeline adjustment for Memorial Park Pool.

**ORIGIN AND BACKGROUND:**

Memorial Park Pool is currently in the final detailed design phase, prepared to go forward for tender as noted in the diagram below. Significant work has gone into this project including a funding application, detailed design work, engagement, and a pre-qualification process. This pool is an important and well-used recreational asset for the residents of the City of Welland as it provides a variety of recreational opportunities including public swimming, lap swimming and swimming lessons.



In July of this year, staff brought forward a report to council highlighting the financing strategy for this project (CAO-2021-09). This strategy included funding from various sources shown in the table below:

Green & Inclusive Community Buildings Grant	\$3,840,000	TBA
Federal Gas Tax (2021 on-time funding)	\$1,594,345	✓



Memorial Park Ball Diamond uncommitted balance	\$300,000	✓
Capital Surplus Reserve Fund	\$665,655	✓
<b>TOTAL</b>	<b>\$6,400,000</b>	

As shown above, the Green & Inclusive Community Buildings Grant has not been announced at this time. The original timeline for this project was scheduled to be out for tender in early September (pending all funding sources have been secured), with demolition and construction to commence over the Fall, Winter and Spring seasons, and a re-open to the community by next summer 2022.

Based on the timing of the grant application expected, it is now understood that any announcement is expected to occur in late October or early November. As a result, the timeline for this project will now need to be adjusted.

The time needed to demolish and construct a project of this size and complexity, with a significant portion of the project to be done outdoors over the winter months, is 10 months. This means that construction should have commenced as soon as the summer season ended. As the city cannot go out for tender without having all funds secured, the construction window would be too short to complete this project in time for a reopening in the summer of 2022. This would then result in the pool being closed for the 2022 season.

To ensure that all three city outdoor pools are in service, the timeline for this project has now been updated. Staff are recommending that the existing pool remain in operation for the 2022 season. Staff will proceed with the tender early in 2022, with construction to commence in September 2022. A new pool to be constructed and in operation for the Summer of 2023, pending grant approval. Essentially, the timeline for this project has now been extended by 1 year.

#### **FINANCIAL CONSIDERATIONS:**

This project is valued at approximately \$6.4 million. To date, the design costs as awarded on March 9, 2021- CAO2021-01 is presented in the below table.

<b>Project</b>	<b>Budget</b>	<b>Spent to date</b>
Memorial Park Pool Consulting – 10-410-21411	\$282,893.00	\$70,766.00

As shown in the first chart within this report, the city has approximately one-third of the funding secured and available for this project. The city continues to anticipate the remaining two-thirds of the funding to be announced later in October or early in November through the potential award of a federal grant.


### **CONCLUSION**

As this project is contingent on a successful grant application from the Federal Government and must abide by the timelines provided thereafter, the timeline for this project must be adjusted to ensure the city has all three outdoor pools in operation. Staff are confident that the pool will be able to make it through one more season with some minor operational remedies. The delay in timeline is necessary so the city is not short a pool during the short summer season. To ensure the community and our residents are aware of this adjustment, information will be published on the city's website and social media channels.

### **ATTACHMENTS:**

None

**COUNCIL**  
**COMMUNITY SERVICES**  
**RECREATION & CULTURE**

APPROVALS	
DIRECTOR	
CFO	
CAO	

21-19

**REPORT R&C-2021-19**  
**SEPTEMBER 21, 2021**

**SUBJECT: RFP21-12 DESIGN AND CONSTRUCTION FOR MAPLE PARK  
ENHANCEMENT PROJECT - REBID**

**AUTHOR: FRANK PEARSON, FACILITIES MAINTENANCE SUPERVISOR**

**APPROVING  
DIRECTOR: ROB AXIAK, DIRECTOR OF COMMUNITY SERVICES**

**RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND approves the award to Duomax Developments Limited in the amount of \$ \$340,000.00 plus applicable taxes for the provision of Design and Construction for the Maple Park Enhancement Project; and further

THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate by-laws to enter into a contract with Duomax Developments Limited.

**ORIGIN AND BACKGROUND:**

The Maple Park Enhancement Project was submitted to the Healthy Communities Grant (HCG) application fund for replacement of public washrooms at Maple Park along with other enhancements of the area. The Federal government announced a \$313,797.00 funding was approved.

The Maple Park Enhancement Project included three key upgrades to a popular and well used public park in Welland (located at 563 Clare Ave):

- (1) Installation of New Accessible Pre-Cast Washrooms and Pre-Cast Storage Shed to replace an ageing 60+ year old Facility.
- (2) Installation of hard surface pathway to washroom from adjacent Splash Pad and nearby municipal street.
- (3) Beautification of area for safe outdoor public enjoyment by installing garbage cans and benches to support Age Friendly interaction in the Park.

Welland has observed that the use of public parks, and Splash Pads in particular, has been at an all-time high during the pandemic as residents seek was to be active in a space that is conducive to social distancing. With this in mind, the City of Welland designed the project to improve the appeal and functionality of visiting Maple Park for the local community by removing barriers for persons with disabilities and will maximize the appeal of a large and popular park for residents to enjoy for activity & recreation.

The project will also support young children, youth, and families who visit the park to access the new Splash Pad, and will be provided a vastly improved, cleaner, and more appealing washroom, complete with change table for infants.

Finally, local sport groups have access to the Storage Area and are in full support of the new and accessible storage space.

**COMMENTS AND ANALYSIS:**

The City of Welland issued RFP21-12 Design and Construction for the Maple Park Enhancement Project competitively on bidding on August 18, 2021. The City hosted a mandatory site visit to review the maple park grounds. On September 9, 2021, the proposal closed and the City of Welland received three (3) bids, however, only Duomax submitted a compliant proposal;

1. Duomax Developments Limited
2. Spand Construction Ltd.
3. Stolk Construction

Staff from Recreation and Culture and Parks and Facilities evaluated the compliant proposal and recommend Duomax Developments Limited for award with their cost effect approach and methodology.

**FINANCIAL CONSIDERATION:**

This project will be funded by Capital project: Enhancements at Maple Park – 10-410-21412. Funding is comprised by the successful application of the Canada Community Revitalization Fund in the amount of \$313,797, along with the City's portion of \$100,000 as outlined in R&C 2021-17.

Total Capital Budget = \$413,797

Vendor Name	Total Cost (pre-tax)	Inclusive of City Tax
Duomax Developments Limited	\$340,000.00	\$345,984.00

**OTHER DEPARTMENT IMPLICATIONS:**




Not applicable.

**SUMMARY AND CONCLUSION:**

Staff is seeking Council approval to award Duomax Developments Limited to provide the design and construction for the Maple Park Enhancement Project. In addition to the City's portion of \$100,000 as outlined in R&C 2021-17, funding received from the Federal Government in the amount of \$313,797 through the Healthy Communities Grant (HCG) will be utilized for this project.

**ATTACHMENTS:**

None.

APPROVALS	
DIRECTOR	
CFO	
CAO	

**COUNCIL**  
**PLANNING AND DEVELOPMENT SERVICES**  
**PLANNING DIVISION**

21-122

**REPORT P&B-2021-52**  
**SEPTEMBER 21, 2021**

**SUBJECT: APPLICATION FOR DRAFT PLAN OF SUBDIVISION (26T-14-21004) MADE BY UPPER CANADA CONSULTANTS ON BEHALF OF SILVERSTAR DEVELOPMENTS INC. FOR LANDS LOCATED ON THE WEST SIDE OF CLARE AVENUE, NORTH OF WOODLAWN ROAD, EAST OF SOUTH PELHAM ROAD, SOUTH OF HERITAGE LANE, LEGALLY DESCRIBED AS PART OF LOT 237, GEOGRAPHIC TOWNSHIP OF THOROLD, IN THE CITY OF WELLAND, REGIONAL MUNICIPALITY OF NIAGARA, WITHOUT ANY MUNICIPAL ADDRESS**

**AUTHOR: TAYLOR MEADOWS, BURPI  
DEVELOPMENT PLANNER**

**APPROVING SUPERVISOR: RACHELLE LAROCQUE, BES, M.Sc., MCIP, RPP  
MANAGER OF PLANNING**

**APPROVING DIRECTOR: GRANT MUNDAY, B.A.A, MCIP, RPP  
DIRECTOR  
PLANNING AND DEVELOPMENT SERVICES**

**RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report P&B 2021-52 regarding an application for Draft Plan of Subdivision (File No. 26T-14-21004) for lands on the west side of Clare Avenue, north of Woodlawn Road, east of South Pelham Road, south of Heritage Lane legally described as Part of Lot 237, Geographic Township of Thorold, Now in the City of Welland, Regional Municipality of Niagara, without any municipal address.

**ORGIN AND BACKGROUND**

Application for Draft Plan of Subdivision was submitted on June 22, 2021. The application was deemed complete on July 28, 2021.

The subject lands are on the west side of Clare Avenue, north of Woodlawn Road, east of South Pelham Road, south of Heritage Lane. The subject lands are 0.58

hectares in size. The purpose of the application for Draft Plan of Subdivision is to create seven (7) lots of residential development and two (2) blocks. One (1) block will be reserved for future residential development and the remaining block will be for a 0.3 metre reserve for access and control purposes which will be given to the City.

The application will facilitate the development of seven (7) single detached dwellings fronting onto a proposed extension of Stoneybrook Crescent and one (1) block to be saved for future residential use at a later date when a viable connection becomes available. The proposed development is expected to meet minimum density requirements once the entirety of the property is developed.

### **COMMENTS AND ANALYSIS:**

A Virtual Public Information Meeting was held on September 1, 2021 to gain public input regarding the proposed application. One (1) member of the public participated in the Public Information Meeting, in addition to the Agent. The following comments and concerns were raised at the Public Information Meeting:

- Lotting arrangement and proposed layout of parcel fabric.

At the time of writing this report no written correspondence has been received in reference to the submitted applications.

The Statutory Public Meeting under the Planning Act is being held virtually on September 21, 2021. The Public Meeting provides an opportunity for the Applicant to make a presentation regarding the Application and proposal, for interested parties to make comment and/or raise concerns, and for Council Members to inquire about the Application.

The report is intended to provide Council with background information on the Application. Staff will bring a Recommendation Report for Council's consideration at a future meeting.

### **FINANCIAL CONSIDERATION:**

All costs with the development of the property will be the responsibility of the developer.

### **OTHER DEPARTMENT IMPLICATIONS:**

Other City Departments have been circulated the application for review and comment. Any comments, requirements, and/or recommendations received will be incorporated into the final Recommendation Report.

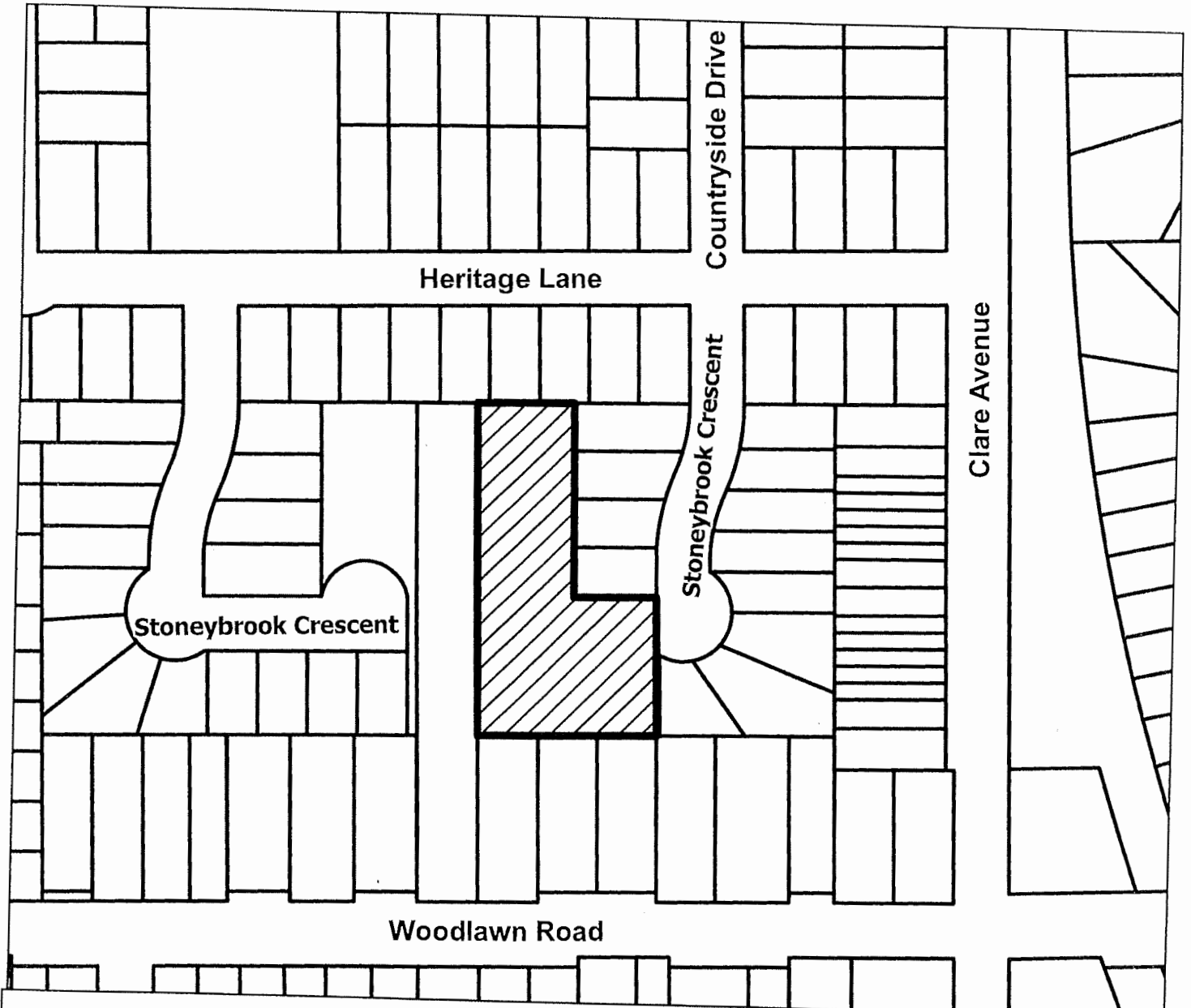
**SUMMARY AND CONCLUSION:**

The Planning Act requires a Statutory Public Meeting to be held to provide an opportunity for public input and discussion regarding the Applications. This report is intended to provide background information for the Public Meeting.

**ATTACHMENTS:**

- Appendix I - Key Map
- Appendix II - Draft Plan of Subdivision

# 26T-14-21004



## Key Map



 **SUBJECT LANDS**

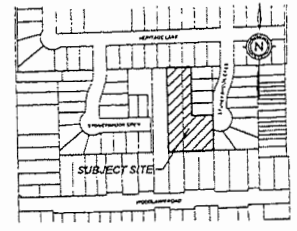


Development &  
Building Services  
Planning Division



# STONEYBROOK SUBDIVISION

## CITY OF WELLAND



KEY PLAN  
N.T.S.

**DRAFT PLAN OF SUBDIVISION**

**LEGAL DESCRIPTION**

PART OF LOT 237  
GEOGRAPHIC TOWNSHIP OF THOROLD  
IN THE CITY OF WELLAND  
REGIONAL MUNICIPALITY OF NAGARA

**OWNER'S CERTIFICATE**

BEING THE REGISTERED OWNER, I HEREBY  
AUTHORIZE UPPER DANAKA CONSULTANTS TO  
PREPARE AND SUBMIT THIS DRAFT PLAN OF  
SUBDIVISION TO THE CITY OF WELLAND  
FOR APPROVAL.

*[Signature]* DATE: 04/13/2021  
SILVER STAR DEVELOPMENT INC.

**SURVEYOR'S CERTIFICATE**

I HEREBY CERTIFY THAT THE BOUNDARIES OF  
THE LANDS TO BE SUBDIVIDED ARE  
CORRECTLY SHOWN.

*[Signature]* MARCH 31, 2021 DATE  
CHAMBERS AND ASSOCIATES SURVEYING LTD.

**REQUIREMENTS OF SECTION 51(17)  
OF THE PLANNING ACT**

- a) SEE PLAN
- b) SEE PLAN
- c) SEE PLAN
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**LAND USE SCHEDULE**

LAND USE	LOT/BLOCK	# OF UNITS	AREA(m <sup>2</sup> )	AREA(%)
SINGLE LOT RESIDENTIAL	LOT 1-7	7	0.3913	48.00
ADDITIONAL LANDS OF OWNER	BLOCK 8		0.1791	22.40
BLM RESERVE	BLOCK 9		0.0000	0.00
TOTAL		7	0.5654	100.00

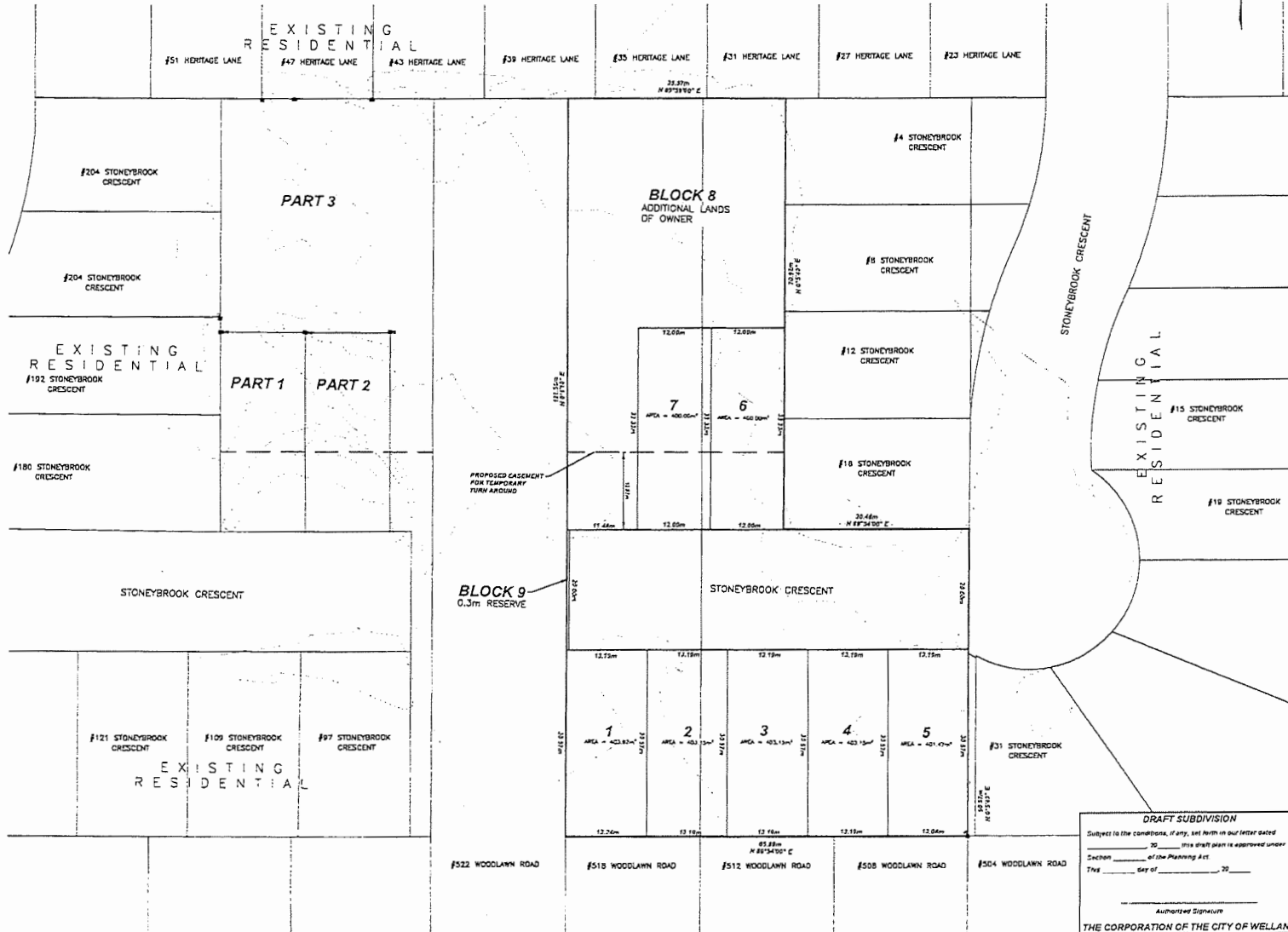
DEVELOPABLE AREA = 0.4133 ha  
DEVELOPABLE DENSITY = 16.94 units/ha

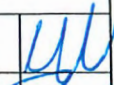


NO.	ISSUED FOR SUBMISSION APPROXIMATION	DATE	BY
1			
2			
3			
4			
5			
6	ISSUED FOR SUBMISSION APPROXIMATION	2021-06-17	KA
7			



UPPER DANAKA  
CONSULTANTS  
ENGINEERS / PLANNERS

DRAWING TITLE	DRAFTING	DATE	SCALE	DWG No.	REV
DRAFT PLAN OF SUBDIVISION	KA	JUNE 17, 2021	1:300	1880-DP	0



APPROVALS	
DIRECTOR	
CFO	
CAO	

**COUNCIL**  
**PLANNING AND DEVELOPMENT SERVICES**  
**PLANNING DIVISION**

21-23

**REPORT P&B-2021-53**  
**SEPTEMBER 21, 2021**

**SUBJECT: APPLICATION FOR OFFICIAL PLAN AMENDMENT (OPA NO. 35), ZONING BYLAW AMENDMENT (2021-05) SUBMITTED BY IBI GROUP ON BEHALF OF HAMOUNT INVESTMENTS LTD. FOR LANDS ON THE EAST SIDE OF ROSE AVENUE, NORTH OF THOROLD ROAD, WEST OF RICE ROAD, MUNICIPALLY KNOWN AS 3, 11, 17 RICE ROAD 306, 308 THOROLD ROAD AND 12 ROSE AVENUE**

**AUTHOR: TAYLOR MEADOWS, BURPI DEVELOPMENT PLANNER**

**APPROVING SUPERVISOR: RACHELLE LAROCQUE, BES, M.Sc., MCIP, RPP MANAGER OF PLANNING**

**APPROVING DIRECTOR: GRANT MUNDAY, B.A.A, MCIP, RPP DIRECTOR PLANNING AND DEVELOPMENT SERVICES**

**RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report P&B 2021-53 regarding applications for Official Plan Amendment (OPA No. 35) and Zoning By-law Amendment (2021-05) for lands on the east side of Rose Avenue, north of Thorold Road, west of Rice Road, municipally known as 3, 11, 17 Rice Road; 306 and 308 Thorold Road; and, 12 Rose Avenue.

**ORGIN AND BACKGROUND:**

Applications for Official Plan Amendment and Zoning By-law Amendment were submitted by IBI Group on behalf of Hamount Investments Ltd. on July 27, 2021. The application was deemed complete on August 12, 2021.

With reference Appendix III, the purpose of the application for Official Plan Amendment is to redesignate 3, 11, 17 Rice Road and 12 Rose Avenue from Low Density Residential to Community Commercial Node. The designation on 306 and

308 Thorold Road will not need to be amended as they are already designated as Community Commercial Node.

The application for Zoning By-law Amendment has been submitted to rezone 3, 11, 17 Rice Road and 12 Rose Avenue from Residential Low Density 1 – RL1, and 306 and 308 Thorold Road from Community Commercial Corridor, to Site Specific Community Commercial Node 1 – CC1. The requested site specific amendments are:

- To permit a minimum interior side yard setback of 1.0 metres adjacent to an institutional zone whereas 4.5 metres is required; and,
- To permit a maximum exterior side yard setback of 22.5 metres whereas a maximum of 17.5 metres is permitted; and,
- To permit a minimum interior side yard setback of 1.5 metres adjacent to a residential zone whereas 4.5 metres is required; and,
- To permit a minimum number of loading spaces to be 1 space whereas 3 spaces are required; and,
- To permit a minimum setback of a loading space from a public street to be 2.8 metres whereas 3 metres is required.

The purpose of the applications for Official Plan Amendment and Zoning By-law Amendment have been made to permit the construction of three (3) stand-alone commercial buildings, including a drive-thru fast food restaurant, on the property.

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

A Virtual Public Information Meeting was held on September 8, 2021 to gain public input regarding the proposed application. Approximately six (6) members of the public participated in the Public Information Meeting, in addition to the Agent and owner representative. The following comments and concerns were raised at the Public Information Meeting:

- Potential compensation to accommodate a perceived drop in property value due to the proposed development;
- Concerns related to crime and drunk driving due to the presence of proposed restaurant establishments;
- Stormwater management issues as a result of the demolition of existing structures on the properties;
- Potential increase in drug use in the area due to the presence of the proposed development;
- Concerns related to the proposed access from Rose Avenue into the development. Potential to create traffic issues and speeding/aggressive driving in the area;

- Potential for an increase in traffic accidents at the intersection of Rice Road and Thorold Road, increased vehicle activity may exacerbate current issues. Drivers may seek to bypass intersection at Thorold Road and Rice Road by driving through proposed development; and,
- Concerns that rodent or pest control problems may arise due to the restaurants being located near residential areas. Possible increases to littering in the area.

At the time of writing this report four (4) letters from residents have been received. In addition to the comments made at the Public Information Meeting, the following comments and concerns were raised:

- Potential for injury or harm to existing residents due to an increase in traffic;
- Noise pollution increased in the evening hours; and,
- Loitering in the area that could potentially lead to drug activity

The Statutory Public Meeting under the Planning Act is being held virtually on September 21, 2021. The Public Meeting provides an opportunity for the Applicant to make a presentation regarding the Application and proposal, for interested parties to make comment and/or raise concerns, and for Council Members to inquire about the Application.

The report is intended to provide Council with background information on the Application. Staff will bring a Recommendation Report for Council's consideration at a future meeting.

#### **FINANCIAL CONSIDERATION:**

All costs with the development of the property will be the responsibility of the developer.

#### **OTHER DEPARTMENT IMPLICATIONS:**

Other City departments have been circulated the application for review and comment. Any comments, requirements, and/or recommendations received will be incorporated into the final Recommendation Report.

#### **SUMMARY AND CONCLUSION:**

The Planning Act requires a Statutory Public Meeting to be held to provide an opportunity for public input and discussion regarding the Applications. This report is intended to provide background information for the Public Meeting.

#### **ATTACHMENTS:**

Appendix I - Key Map

- Appendix II - Aerial Photo of Subject Lands
- Appendix III - Draft Official Plan Amendment (Amendment text only)
- Appendix IV - Preliminary Site Plan



# KEY MAP

OPA No. 35 & ZBLA No 2021-05

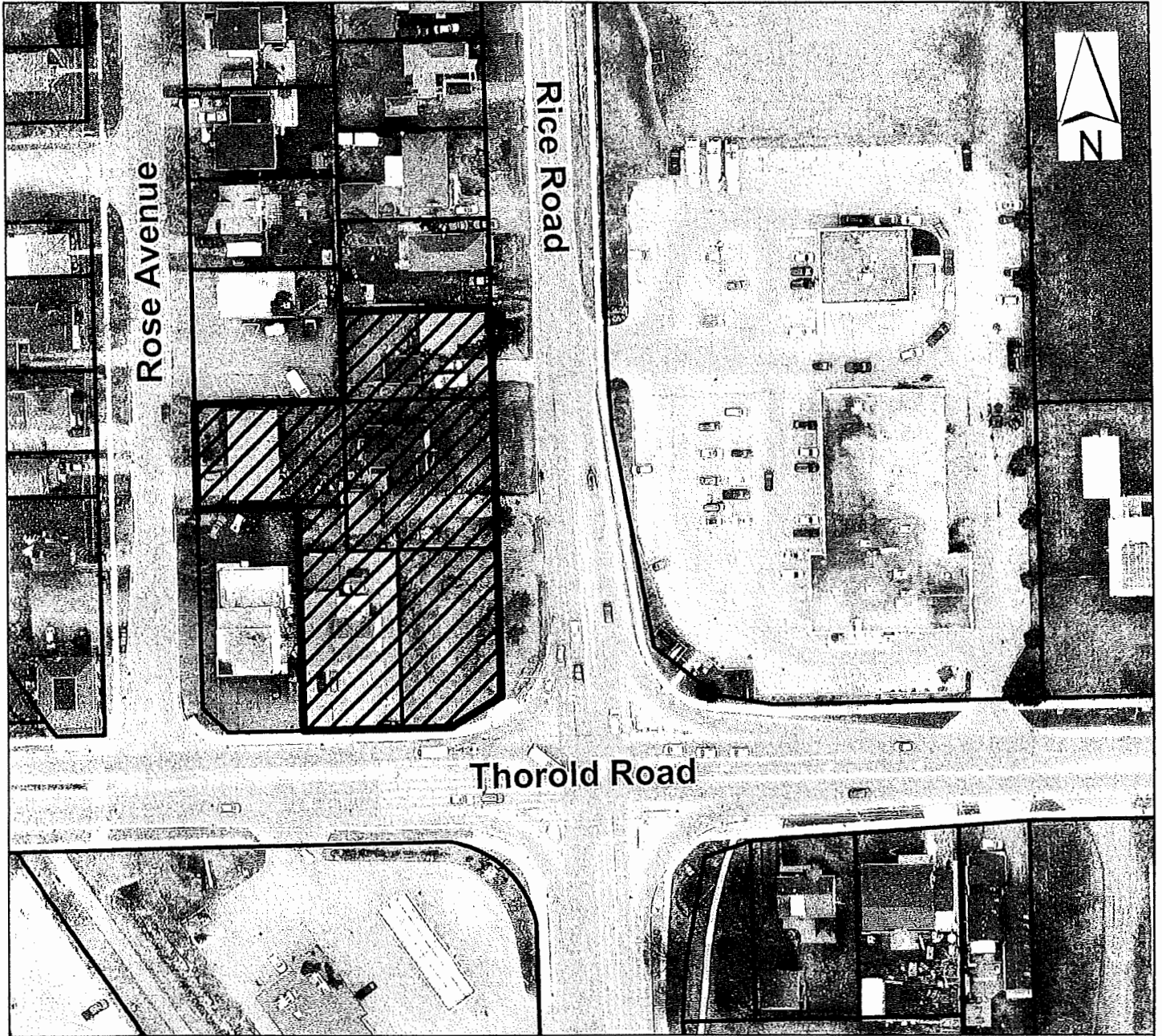


 **SUBJECT LANDS**



*Development & Building Services*  
Planning Division

# OPA No.35 & 2021-05



## ***AERIAL PHOTO OF THE SUBJECT LANDS***

 **SUBJECT LANDS**



*Development &  
Building Services*  
Planning Division

**AMENDMENT NO. XX**  
**to the**  
**OFFICIAL PLAN**  
**of the**  
**CORPORATION OF THE CITY OF WELLAND**

**XXXXX XX, 2021**



**THE CORPORATION OF THE CITY OF WELLAND  
BY-LAW NUMBER**

**A BY-LAW TO AUTHORIZE THE ADOPTION  
OF OFFICIAL PLAN AMENDMENT NO. XX**

**WHEREAS** the Official Plan of the Corporation of the City of Welland was adopted by the City of Welland on May 4, 2010.

**AND WHEREAS** the Regional Municipality of Niagara gave partial approval to the Official Plan on October 21, 2011.

**AND WHEREAS** the Ontario Municipal Board gave partial approval to the Official Plan on June 24, 2014.

**AND WHEREAS** the Council of the Corporation of the City of Welland deems it expedient to amend the Official Plan.

**AND WHEREAS** the Regional Municipality of Niagara is the approval authority for Amendments to the Official Plan of the Corporation of the City of Welland.

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

1. That the Corporation of the City of Welland hereby adopts and approves Official Plan Amendment No. XX for the Corporation of the City of Welland.
2. That Staff hereby authorized and directed to give Notice of Council's adoption of Amendment No. XX to the Official Plan of the Corporation of the City of Welland in accordance with Section 17(23) of the Planning Act.

**READ A FIRST, SECOND AND THIRD TIME AND PASSED BY COUNCIL THIS  
XXTH DAY OF XXXXX, 2021.**

\_\_\_\_\_ MAYOR

\_\_\_\_\_ CLERK

**Amendment No. XX**  
**to the**  
**Official Plan**  
**of the**  
**Corporation of the City of Welland**

This amendment to the Official Plan for the City of Welland, which was adopted by Council of the Corporation of the City of Welland on XXXXX XX, 2021 and to which no appeal was filed, came into effect on pursuant to Section 17 and 21 of the Planning Act, R.S.O. 1990, Chapter P.13, as amended.

Date: .....

\_\_\_\_\_

GRANT MUNDAY, B.A.A.  
MANAGER OF DEVELOPMENT APPROVALS  
INFRASTRUCTURE AND DEVELOPMENT SERVICES  
THE CORPORATION OF THE CITY OF WELLAND

**AMENDMENT NO. XX TO THE OFFICIAL PLAN OF THE  
CORPORATION OF THE CITY OF WELLAND**

**PART A – THE PREAMBLE (This does not constitute part of the Amendment) ..... 1**  
TITLES AND COMPONENTS..... 1

**PART B – THE AMENDMENT ..... 2**  
SCHEDULE “A” LAND USE PLAN ..... 3

**PART C – THE APPENDICES ..... 4**  
APPENDIX I - AFFIDAVIT..... 5  
SCHEDULE “A” TO APPENDIX 1 - AFFIDAVIT ..... 6  
APPENDIX II - NOTICE OF ADOPTION..... 7  
APPENDIX III - MINUTES OF PUBLIC MEETING..... 8  
APPENDIX IV - STAFF REPORT..... 9  
APPENDIX V - COUNCIL RESOLUTION ..... 10

**PART A – THE PREAMBLE (This does not constitute part of the Amendment)**

**TITLE AND COMPONENTS**

This document, when approved in accordance with the Planning Act, shall be known as Amendment No. XX to the Official Plan of the Corporation of the City of Welland.

Part "A", the Preamble, does not constitute part of this Amendment.

Part "B" the Amendment, consists of the map.

Part "C", the Appendices, which does not constitute part of this Amendment, contains the background data, planning considerations and public involvement associated with this Amendment.

**PURPOSE OF THE AMENDMENT**

The purpose of Official Plan Amendment No. XX is to re-designate the lands municipally known as 3, 11 & 17 Rice Road, and 12 Rose Avenue from Residential to Commercial on Schedule B of the Official Plan for the City of Welland and remove 3, 11 & 17 Rice Road, and 12 Rose Avenue from the Low Density Residential designation on Schedule B1 and add them to the Community Commercial Node designation on Schedule B2 of the Official Plan for the City of Welland to permit retail and restaurant commercial uses.

**LOCATION**

The subject lands are located on a block within the northwest quadrant of the City of Welland that is bound by Rose Avenue to the west, Thorold Road to the south, Rice Road to the east, and Lacy Avenue to the north.

**BASIS**

The subject lands are within the Urban Area Boundary and Built-up Area for the City of Welland and currently designated Residential and Low Density Residential in the Official Plan for the City of Welland. This amendment will permit the re-designation of the subject lands to support commercial development within the built boundary in the City of Welland. The subject lands are an ideal location for community commercial uses, as they are located at a high profile site adjacent to existing retail, restaurant, and personal service commercial uses, and where two Arterial roads intersect.

**PART B – THE AMENDMENT**

All of the Amendment entitled PART B – THE AMENDMENT, consisting of the following map referred to as Schedule "A", constitutes Amendment No. XX to the Official Plan of the Corporation of the City of Welland.

**MAP CHANGES**

1. Schedule B
2. Schedule B1
3. Schedule B2

DRAFT

**PART C – THE APPENDICES**

The following appendices do not constitute part of Amendment No. XX to the Official Plan of the Corporation of the City of Welland, but are included as information supporting the amendment.

- APPENDIX I - Affidavit
- APPENDIX II - Notice of Adoption
- APPENDIX III - Minutes of Public Meeting
- APPENDIX IV - Staff Report
- APPENDIX V - Council Resolution (Certified)

DRAFT

*Appendix I* - **AFFIDAVIT**

IN THE MATTER OF SECTION 7, ONTARIO  
REGULATION 543/06

AND

IN THE MATTER OF THE ADOPTION OF  
OFFICIAL PLAN AMENDMENT NO. XX BY BY-  
LAW 2021-XX PASSED BY COUNCIL OF THE  
CORPORATION OF THE CITY OF WELLAND  
ON XXXXX XX, 2021

I, Grant Munday of the City of Welland in the Regional Municipality of Niagara,  
make oath and say as follows:

1. I am the Manager of Development Approvals, Infrastructure and Development Services of the Corporation of the City of Welland.
2. That in accordance with Section 17(15) of the Planning Act, as amended and Section 3 of the Ontario Regulation 543/06, Notice of the Public Meeting was published in the Niagara This Week Newspaper on XXXXX, 2021. I hereby certify that the required Public Meeting was held virtually on XXXXX, 2021 by the Council of the Corporation of the City of Welland.
3. A list of all persons or public bodies which made oral submissions at the Public Meeting is attached as Schedule "A" to this Affidavit.
4. That in accordance with Section 17(23) of the Planning Act, as amended, and Ontario Regulation 543/06, the requirements for the giving of Notice of Adoption of the Amendment have been complied with.
5. That in accordance with Section 7(7) of Ontario Regulation 543/06, the decision of Council is consistent with the Policy Statements issued under Sub-section 3(1) of the Act and conforms to any applicable Provincial Plan or Plans.

Sworn before me at the City of Welland  
in the Regional Municipality of Niagara,  
this XX day of XXXXX, 2021.

\_\_\_\_\_

**SCHEDULE "A" TO APPENDIX 1 – AFFIDAVIT**

List of individuals who made oral submission at the Statutory Public Meeting conducted XXXXXX, 2021 concerning Amendment No. XX to the Official Plan of the Corporation of the City of Welland.

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*Appendix II* - **NOTICE OF ADOPTION**



CITY OF WELLAND  
 NOTICE OF ADOPTION OF  
 AMENDMENT NO. XX TO THE  
 OFFICIAL PLAN OF THE CORPORATION OF THE CITY OF WELLAND

Take notice that the Council of the Corporation of the City of Welland passed By-law 2021-XX, being a By-law to adopt Amendment No. XX to the Official Plan on XXXXX, 2021 under Section 17(23) of the Planning Act, as amended.

The Purpose of Amendment No. XX is to redesignate the property from residential to commercial.

The Effect of the redesignation is to allow for the development of the property with two commercial buildings.

Pursuant to Section 17(23.1)(a) of the Planning Act, as amended, City Council took into consideration all written and oral presentations made to it before rendering a decision.

Any person or agency may appeal, to the Local Planning Appeal Tribunal, in respect to the Amendment to the Official Plan by filing with the Clerk of the City of Welland, no later than XX XXXXX, 2021, a notice of appeal setting out the specific part of the proposed Amendment to the Official Plan to which the appeal applies, set out the reasons for the appeal and be accompanied by the fee prescribed under the Local Planning Appeal Tribunal Act in the amount of \$1,100.00 payable by certified cheque to the Minister of Finance, Province of Ontario.

The proposed Amendment to the Official Plan is exempt from approval by the Regional Municipality of Niagara and the Decision of Council is final if a notice of appeal is not received on or before the last day for filing a notice of appeal.

Only individuals, Corporation or public bodies may appeal a Decision of the municipality to the Local Planning Appeal Tribunal. A notice of appeal may not be filed by an unincorporated Association or Group. However, a notice of appeal may be filed in the name of an individual who is a member of the Association or the Group on its behalf.

No person or public body shall be added as a part to the hearing of the appeal unless, before the Plan was adopted, the person or public body made oral submission at a Public Meeting or written submissions to the Council or, in the opinion of the Local Planning Appeal Tribunal, there are reasonable grounds to add the person or public body as a party.

The land to which this proposed Amendment to the Official Plan applies is also the subject of Zoning By-law Amendment (File No. 2021-XX).

A copy of the Amendment and Staff Report are available for inspection by the public as of XXXXX XX, 2021 on the City of Welland website [www.welland.ca/council/AgendasMinutes.asp](http://www.welland.ca/council/AgendasMinutes.asp).

Dated at the City of Welland this XX day of XXXXX, 2021.

GRANT MUNDAY, B.A.A., MCIP, RPP  
MANAGER OF DEVELOPMENT APPROVALS  
INFRASTRUCTURE AND DEVELOPMENT SERVICES  
OF THE CORPORATION OF THE CITY OF WELLAND

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*Appendix III* - **MINUTES OF PUBLIC MEETING**

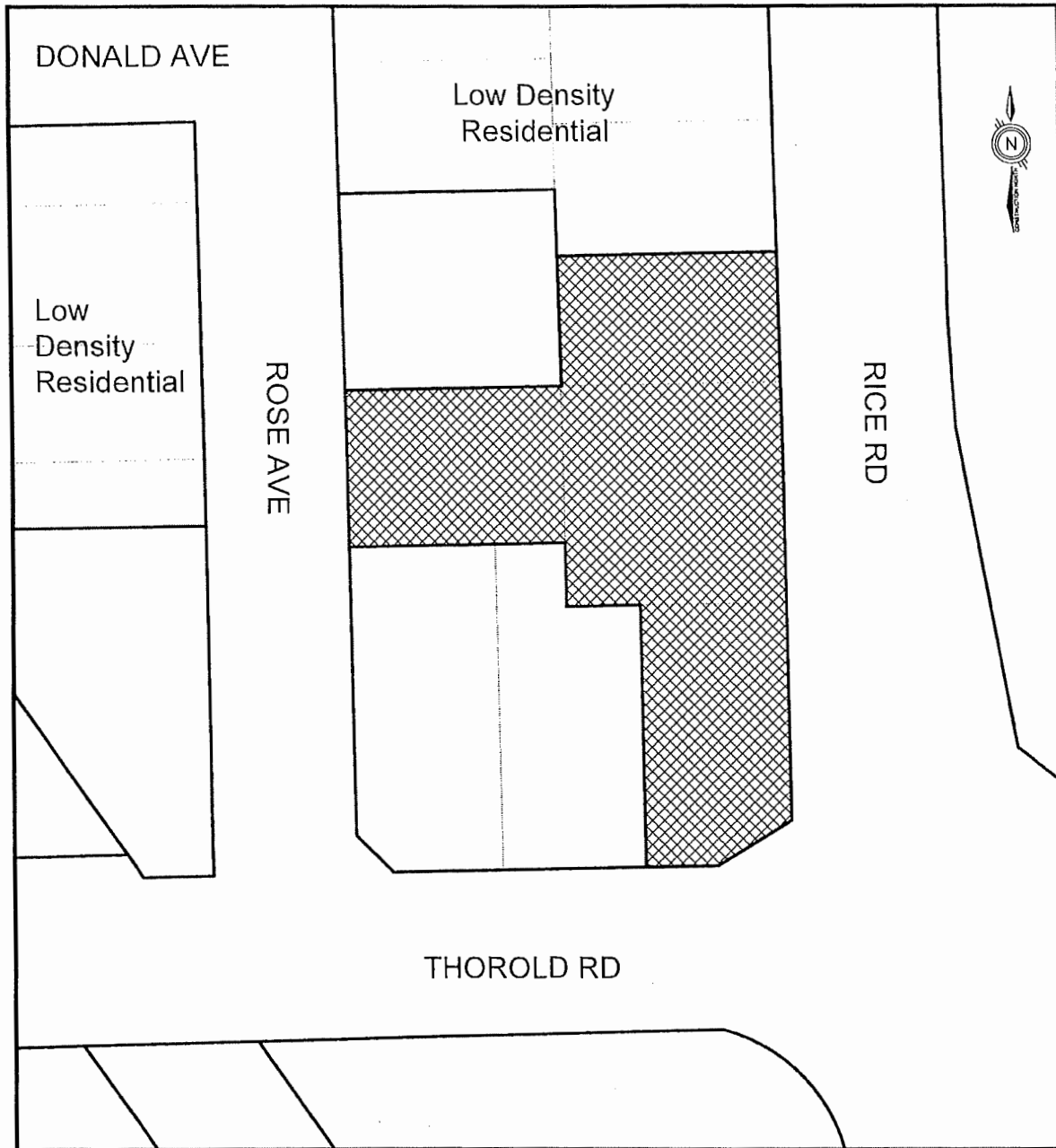
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*Appendix IV* - *STAFF REPORT*

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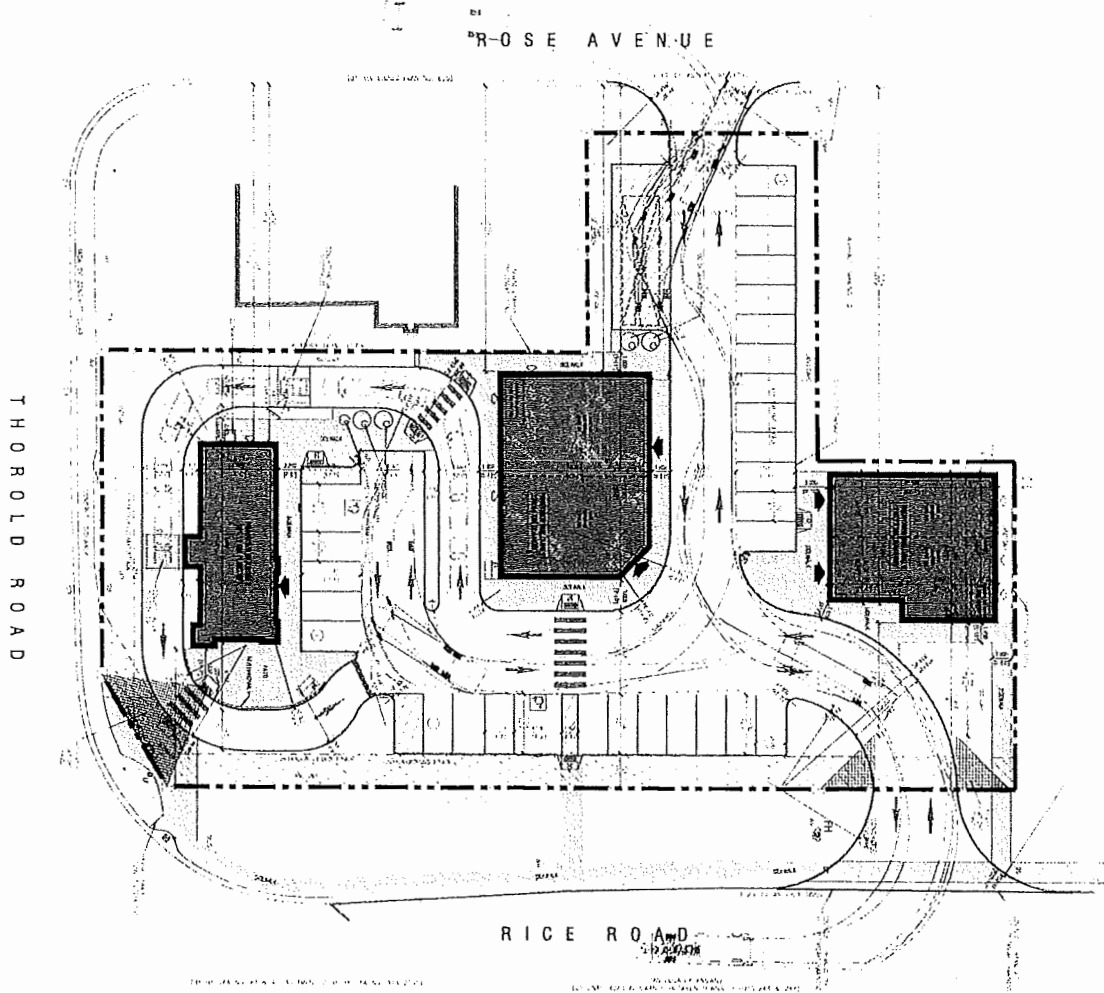
*Appendix V* - **COUNCIL RESOLUTION**

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


- 1. To be removed from Residential designation and added to Commercial designation on Schedule B
- 2. To be removed from Low Density Residential designation on Schedule B1
- 3. To be added to Community Commercial Node designation on Schedule B2

**City of Welland**  
Schedule "A" to amend the  
Official Plan  
12 Rose Ave, 3, 11 & 17 Rice Rd



<p><b>TRUCK PROFILES</b></p> <p>Diagram showing truck profiles and dimensions for various vehicle types, including a semi-truck and a truck with a trailer.</p>	<p><b>LEGEND</b></p> <p>Diagram showing various symbols and line styles used in the site plan, such as solid lines for walls, dashed lines for property boundaries, and arrows for traffic flow.</p>	<p><b>SITE DATA</b></p> <p>Diagram showing site data including lot numbers, dimensions, and other site-specific information.</p>	<p><b>KEY PLAN</b></p> <p>Diagram showing the location of the site within a larger context, including surrounding roads and landmarks.</p>
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<p><b>SITE PLAN</b></p> <p>3 RICE ROAD WELLAND, ON</p> <p>NON-BUILD</p> <p><b>HAMOUNT INVESTMENTS LTD.</b></p> <p>DATE: 02/28/2014 BY: [Signature]</p> <p>SCALE: 1/8" = 1'-0"</p> <p>PROJECT: A10 SK-4</p>	<p><b>Greystone</b></p> <p>Logo and name of the engineering or architectural firm.</p>	<p>North arrow pointing upwards.</p>
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APPROVALS	
DIRECTOR	
CFO	
CAO	

**COUNCIL****PLANNING AND DEVELOPMENT SERVICES**  
**PLANNING DIVISION**

18-87

**REPORT P&B-2021-54**  
**SEPTEMBER 21, 2021****SUBJECT: APPLICATION FOR CITY WIDE ZONING BY-LAW AMENDMENT (FILE NO. 2021-09) SUBMITTED BY THE CITY OF WELLAND – CANNABIS PRODUCTION FACILITIES****AUTHOR: NICOLAS AIELLO**  
**POLICY PLANNER****APPROVING MANAGER: RACHELLE LAROCQUE, BES, M.Sc., MCIP, RPP**  
**MANAGER OF PLANNING****APPROVING DIRECTOR: GRANT MUNDAY, B.A.A., MCIP, RPP**  
**DIRECTOR PLANNING AND DEVELOPMENT SERVICES****RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report P&B 2021-54 regarding an application for Zoning By-law Amendment (File No. 2021-09) to further amend the provisions for Medical Marihuana Facilities now referred to as Cannabis Production Facilities

**ORIGIN AND BACKGROUND:**

On December 17, 2019, Welland City Council passed a notice of motion to enact an Interim Control By-law (ICB 2019-162) which would prohibit the use of land, buildings or structures for cannabis cultivation, production, and processing operations for a period of one (1) year. The motion also directed City staff to conduct a full review of the current Zoning By-law requirements as they related to cannabis operation purposes and to ensure that the City's policies are in-line with current Provincial and Federal legislation and municipal best practices.

As per Section 38(1) of the Planning Act, as amended, municipalities are permitted to put a temporary freeze on new land uses while the municipality is studying or reviewing its policies. The freeze can be imposed for only a year, with a maximum extension of another year. On December 15, 2020, Council passed a By-law to extend ICB 2019-162 to December 17, 2021, to allow for a more comprehensive review to be undertaken.



On August 10, 2021, Council approved the following recommendations in Report P&B-2021-43:

- 1) THAT THE COUNCIL OF THE CITY OF WELLAND receives Report P&B-2021-43 for information; and further,
- 2) THAT Welland City Council direct staff to commence the process of amending the City's Zoning By-law 2017-117 to further amend the provisions for Medical Marihuana Facilities now referred to as Cannabis Production Facilities; and further,
- 3) THAT Welland City Council direct staff to address Cannabis Production Facilities in the City's Official Plan Update, including but not limited, to policies regarding site plan control; and further,
- 4) THAT Welland City Council direct staff to commence the process of amending the City's Site Plan Control By-law 9973 to address Cannabis Production Facilities.

The purpose of the Amendment to the Zoning By-law is to further address the use by updating the definition for Medical Marihuana Production Facilities to Cannabis Production Facilities and updating it to apply to all licensed and designated growth facilities under the Cannabis Act and any type of use permitted to grow more than four cannabis plants. A definition for Air Treatment Control Systems is also proposed. Facilities would be permitted in both Agricultural and Industrial/Employment Zones. More specifically the Agricultural (A1), Rural Employment (RE), Light Industrial (L1), General Industrial (G1), and Gateway Economic (GEC) Zones.

The amendment further proposes that Cannabis Production Facilities in Industrial Zones:

- a) Must be in a wholly enclosed building.
- b) Outdoor storage is not permitted.
- c) Loading spaces must be in a wholly enclosed building
- d) Must be equipped with an air treatment control system.
- e) Must maintain a minimum setback of 15 metres from all lot lines.
- f) A building or structure used for security purposes may be located in the front yard and does not have to comply with the required minimum front yard setback.
- g) A Cannabis Production Facility will be prohibited on any lot containing a dwelling.
- h) A Cannabis Production Facility will be subject to site plan control pursuant to Section 41 of the Planning Act; and

- i) Any building or structure used for cannabis production facility purposes with the exception of a building or structure used for security purposes shall be setback a minimum of 150 metres from the property line of:
  - i. A Residential Zone;
  - ii. An Institutional Zone

And in Agricultural Zones:

- a) Must be in a wholly enclosed building.
- b) Outdoor storage is not permitted.
- c) Loading spaces must be in a wholly enclosed building.
- d) Must be equipped with an air treatment control system.
- e) A building or structure used for security purposes may be located in the front yard and does not have to comply with the required minimum front yard setback.
- f) A Cannabis Production Facility will be prohibited on any lot containing a dwelling.
- g) A Cannabis Production Facility will be subject to site plan control pursuant to Section 41 of the Planning Act; and
- h) Any building or structure used for cannabis production facility purposes with the exception of a building or structure used for security purposes shall be setback a minimum of 150 metres from the property line of:
  - i. A Residential Use or Zone;
  - ii. An Institutional Use

Further, Site Plan Control By-law 9973 is proposed to be amended to specify that the cannabis production land use including licensed facilities and designated medical growth, are not exempt from site plan control and that the process may require submission of studies relating to matters such as, but not limited to, air quality control/odour, environmental impacts, traffic, and lighting. As detailed in Report PB 2021-43, Staff are also recommending to directly address the cannabis production land use as part of the City's Official Plan Review and Update.

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

In addition to the Virtual Public Information Meeting held on June 3, 2021, another was held on September 9, 2021 to gain public input regarding the proposed application. Eight (8) people participated in the Public Information Meeting. The following comments and concerns were raised at the Public Information Meeting:

- Whether the proposed 150 metre separation distance can be increased;
- Whether there be any requirements for odour control and policing odour control;
- The need for a nuisance and odour control by-law;
- Agreeance with the proposed zoning policy, however should be paired with a nuisance by-law;

At the time of writing this report, eight (8) letters from individuals have been received. In addition to the comments above, the following comments and concerns were raised:

- Concerns regarding perceived air contamination;
- Provision of a zone solely for Cannabis Production Facilities;
- Concerns regarding Cannabis Production Facilities not being a typical agricultural use;
- Concerns regarding light pollution;
- The need for proper zoning;
- Difficulty mitigating perceived nuisances for outdoor uses however not for indoor;
- Licenced facilities having greater nuisance measures in place than designated growers;
- Enhanced measures used by licenced facilities to mitigate perceived nuisances;
- Requiring facilities to install air monitoring equipment;
- Concerns regarding odour and odour from other municipalities;
- Concerns regarding the public engagement process;
- Concerns regarding the current federal regulations;
- Allowing the public to comment through the Site Plan Control Process;
- Agreeance with 150 metre separation distance, however making it apply to all zones but industrial;
- Requiring meaningful enforcement of perceived nuisances;
- Requiring a minimum height provision for required planting strips;
- Concerns regarding lots of record and legal-non conforming lots

Further, Staff created a Your Channel page which included a Comment/Idea Board. This information was presented to Council in an August 10 Staff Report.

The Statutory Public Meeting under the Planning Act is being held virtually on September 21, 2021. The Public Meeting provides an opportunity for Staff to make a presentation regarding the proposal, for interested parties to make comment and/or raise concerns, and for Council Members to inquire about the Application.

The report is intended to provide Council with background information on the Application. Staff will bring a Recommendation Report for Council's consideration at a future meeting.

#### **FINANCIAL CONSIDERATION:**

There are no financial impacts associated with this report.

**OTHER DEPARTMENT IMPLICATIONS:**

Other City Departments have been circulated the application for review and comment. Any comments, requirements, and/or recommendations received will be incorporated into the final Recommendation Report.

**SUMMARY AND CONCLUSION:**

The Planning Act requires a Statutory Public Meeting to be held to provide an opportunity for public input and discussion regarding the Applications. This report is intended to provide background information for the Public Meeting.

**ATTACHMENTS:**

Appendix I – Draft Zoning By-law Text

THE CORPORATION OF THE CITY OF WELLAND

BY-LAW NUMBER \_\_\_\_\_

BEING A BY-LAW TO AMEND CITY OF WELLAND ZONING BY-LAW  
2017-117 (City of Welland – FILE 2021-09)

WHEREAS the Council of the Corporation of the City of Welland adopted By-law 2017-117 on the 17th day of October, 2017;

AND WHEREAS Subsection 1 of Section 34 of The Planning Act R.S.O. 1990, Chapter P.13 provides that local Councils may pass Zoning By-laws;

AND WHEREAS the Council of the Corporation of the City of Welland deems it expedient to amend said Zoning By-law 2017-117.

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

That Schedule "A" and "B" to By-law 2017-117 be and the same is hereby amended as follows:

1. That By-law 2017-117 in its entirety is hereby amended by replacing the text "Medical Marihuana Production Facility" to "Cannabis Production Facility".

2. Section 4 Definitions is amended by deleting the definition for "Medical Marihuana Production Facility" and adding and alphabetically inserting new definitions as follows:

"Cannabis Production Facility" shall mean any premises used for the cultivation, processing, destruction, sale, shipping, analytical testing, and research of cannabis which is authorized by a valid registration certificate and document for designated person issued by the Federal Minister of Health or a valid license issued by the Federal Minister of Health, pursuant to the Cannabis Regulations, SOR/2018-144, as amended, and the Industrial Hemp Regulations, SOR/2018-145 under the Cannabis Act, S.C. 2018, c. 16, as amended, or its successor. A Cannabis Production Facility shall also mean any premises permitted to cultivate more than four cannabis plants.

"Air Treatment Control System" shall mean a system designed and sized accordingly in comparison to the facility by a qualified person that filters air to prevent the escape of emissions including but not limited

to odours, pollen, and dust associated with use to the outdoors or any other property.

3. Section 12.2 Permitted Uses is amended by replacing the words "Medical Marihuana Production Facility" and alphabetically inserting to the existing Table 12.2.1: Permitted Uses in Industrial Zones the following:

Table 7.2.1: Permitted Uses in Industrial Zones

Column 1	Column 2	Column 3	Column 4	Column 5
<b>Permitted Uses</b>	<b>L1</b>	<b>G1</b>	<b>GEC</b>	<b>X</b>
Cannabis Production Facility	✓	✓	✓	

4. Section 12.4 Additional Regulations is amended by replacing Section 12.4.5 as follows:

12.4.5 Cannabis Production Facility

- a) Must be in a wholly enclosed building.
- b) Outdoor storage is not permitted.
- c) Loading spaces must be in a wholly enclosed building
- d) Must be equipped with an air treatment control system.
- e) Must maintain a minimum setback of 15 metres from all lot lines.
- f) A building or structure used for security purposes may be located in the front yard and does not have to comply with the required minimum front yard setback.
- g) A Cannabis Production Facility will be prohibited on any lot containing a dwelling.
- h) A Cannabis Production Facility will be subject to site plan control pursuant to Section 41 of the Planning Act; and
- i) Any building or structure used for cannabis production facility purposes with the exception of a building or structure used for security purposes shall be setback a minimum of 150 metres from the property line of:
  - i. A Residential Zone;
  - ii. An Institutional Zone

5. Section 13.2 Permitted Uses is amended by replacing the words "Medical Marihuana Production Facility" and alphabetically inserting to the existing Table 13.2.1: Permitted Uses in Agricultural Zones the following:

Table 13.2.1: Permitted Uses in Agricultural Zones

Column 1	Column 2	Column 3	Column 4
<b>Permitted Uses</b>	<b>A1</b>	<b>RR</b>	<b>RE</b>
Cannabis Production Facility	✓		✓

6. Section 13.3 Regulations for Agricultural Rural Zones is amended by replacing the words "Medical Marihuana Production Facility" and alphabetically inserting to the existing Table 13.3.1: Regulations for Agricultural Rural Zones:

Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7	Col. 8	Col. 9	Col. 10
<b>Zones/Uses</b>	<b>Lot Area (min)</b>	<b>Lot Frontage (min)</b>	<b>Front Yard (min)</b>	<b>Side Yard Interior (min)</b>	<b>Side Yard Exterior (min)</b>	<b>Rear Yard (min)</b>	<b>Building Height (max)</b>	<b>Lot Coverage (max)</b>	<b>Landscaping (min)</b>
<b>A1, RR, RE</b>									
Cannabis Production Facility	40.0 ha	30.0 m	15.0 m	15.0 m	15.0 m	15.0 m	11.0 m (1)	25%	3.0 m (2)(4)

7. Section 13.4 Additional Regulations is amended by the addition of Section 13.4.5 as follows and renumbering the remaining Sections accordingly:

#### 13.4.5 Cannabis Production Facility

- a) Must be in a wholly enclosed building.
- b) Outdoor storage is not permitted.
- c) Loading spaces must be in a wholly enclosed building.
- d) Must be equipped with an air treatment control system.
- e) A building or structure used for security purposes may be located in the front yard and does not have to comply with the required minimum front yard setback.
- f) A Cannabis Production Facility will be prohibited on any lot containing a dwelling.
- g) A Cannabis Production Facility will be subject to site plan control pursuant to Section 41 of the Planning Act; and
- h) Any building or structure used for cannabis production facility purposes with the exception of a building or structure used for security purposes shall be setback a minimum of 150 metres from the property line of:
  - i. A Residential Use or Zone;
  - ii. An Institutional Use




READ A FIRST, SECOND AND THIRD TIME AND PASSED BY COUNCIL THIS DAY  
DAY OF MONTH, YEAR.

\_\_\_\_\_MAYOR

\_\_\_\_\_CLERK



**COUNCIL**  
**OFFICE OF CAO**  
**TRANSIT DIVISION**

APPROVALS	
DIRECTOR	
CFO	
CAO	

21-13

**REPORT TRANS-2021-13**  
**SEPTEMBER 21, 2021**

**SUBJECT: OPERATOR PROTECTION BARRIERS**

**AUTHOR: EDWARD ZAHRA, TRANSIT MANAGER**

**APPROVING DIRECTOR: STEVE ZORBAS, CAO**

**RECOMMENDATIONS:**

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information report TRANS-2021-13 – Operator Protection Barriers; and further

THAT Welland City Council authorizes the Mayor and Clerk to execute all necessary by-laws and agreements.

**ORIGIN AND BACKGROUND:**

Commencing April 2020, in light of the recently acknowledged COVID19 Global Pandemic, Transit constructed a temporary plexiglass barrier to protect our Operators from exposure to COVID-19 and allow for fare collection to resume. During this process, a vendor relationship was developed with a local (Vineland) distributor of plastic materials and products (Plastruct Polyzone). Plastruct Polyzone was able to enhance our barrier design and manufacture enough barriers to equip our fleet of transit buses.

**COMMENTS AND ANALYSIS:**

The current barriers have been effective in protecting the Bus Operators from the airborne pathogen (COVID-19) but are not robust enough to be a long-term solution. Therefore, we have consulted with neighbouring municipalities, including St. Catharines who have conducted a pilot study of two (2) designs of sturdier, permanent driver safety barriers. The barriers will also protect the bus Operators from physical assault.

Using the study and feedback from both the employees and Joint Health and Safety Committees, the design from Plastruct Polyzone was preferred.

**FINANCIAL CONSIDERATION:**

The Plastruct Polyzone Barrier is not only the preferred design, but is the most cost-effective option, in addition to being a locally owned and operated establishment.

The cost per barrier is \$7,349 plus the City's portion of HST (1.76%) = \$7,478.34

Total estimated cost to retrofit the Municipal fleet (17 vehicles) is \$127,131.78 and funding will be provided from the Safe Restart Agreement.

Total cost for the Regional fleet (8 vehicles) is \$59,826.72 and will be at full cost recovery from Niagara Region.

**OTHER DEPARTMENT IMPLICATIONS:**

No other departments will be affected.

**SUMMARY AND CONCLUSION:**

In conclusion, it is Staff's recommendation that Welland City Council approves the procurement and installation of the Plastruct Polyzone barriers to further enhance the safety of our Operators.

**ATTACHMENTS:**

N/A

**COUNCIL**  
**OFFICE OF CAO**  
**TRANSIT DIVISION**

APPROVALS	
DIRECTOR	8
CFO	8
CAO	8

21-13  
**REPORT TRANS-2021-14**  
**SEPTEMBER 21, 2021**

**SUBJECT:           AUTOMATIC PASSENGER COUNTERS**

**AUTHOR:           EDWARD ZAHRA, TRANSIT MANAGER**

**APPROVING  
DIRECTOR:         STEVE ZORBAS, CAO**

**RECOMMENDATIONS:**

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information report TRANS-2021-14 – Automatic Passenger Counters; and further

THAT Welland City Council authorizes the Mayor and Clerk to execute all necessary by-laws and agreements.

**ORIGIN AND BACKGROUND:**

Welland Transit is looking to add beneficial data acquisition by way of automatic passenger counters in order to better assess overall route performance and service requirements. To date, this ability has been limited to anecdotal information and intangible data whenever service modifications are/have been required.

**COMMENTS AND ANALYSIS:**

The City of Welland has been and will continue to grow exponentially through increased housing developments and businesses. As the City grows, public transit needs to grow in tandem. Implementing the proposed technological advancement will allow staff to accurately respond to inquiries specific to route performance and ridership.

Our current transit routes have essentially remained unchanged since the inception of public transit in the City of Welland. Automated passenger counters (APC) will provide staff the granular details to make informed and educated recommendations and responses to City Council when discussing service levels, and coverage.

To date, staff are limited in available data when tracking overall ridership as we are only able to determine the total amount of riders per hour, day, month, per route. APC's will provide the minute detail of where these passengers are boarding and their frequencies. This is an integral piece of future planning and developing for transit as tax dollars allocated to transit operating can be better utilized.

The suggested APC to be installed is provided through an existing business partner CleverDevices and from Hella APC Systems. As the system is already in-place with St. Catharine's Transit, there are no compatibility concerns with our current "in-bus" software. The

system works on an overhead 3D imaging technology that detects movement in both alighting and disembarking directions for each of the doors on our fleet.

**FINANCIAL CONSIDERATION:**

The automatic passenger counters would be funded by Phase 3 of the MTO's Safe Restart Agreement (SRA). All costs are inclusive of the City's share of HST (1.76%) and installation from CleverDevices. The Regional owned fleet will be at full cost recovery from Niagara Region.

Cost per unit:	\$5,626.31 (Welland) / \$5,830.85* (Niagara Region)
Cost for Municipal fleet (17 buses):	\$95,647.28
Cost for Regional fleet (8 buses):	\$46,646.78*
2-Year Warranty and Maintenance:	\$4,708.44
Project Implementation:	\$23,104.57 (Welland) / \$11,379.86 (Niagara Region)

Total Cost to Welland Transit: \$123,460.29

\*- costing difference due to vehicle types

**OTHER DEPARTMENT IMPLICATIONS:**

No other departments are affected.

**SUMMARY AND CONCLUSION:**

In conclusion, acquiring the software is one of the preliminary actions required to bring transit in Welland to meet industry standards. Data acquisition is essential for appropriate transit planning and general improvements. Being able to analyze trends and monitor KPIs will provide a foundation to find areas in need of improvement, such as service levels and/or type of service provided.

**ATTACHMENTS:**

Appendix A – Hella APC System Overview  
Appendix B – CleverDevices Agreement

## HELLA APC Software Overview

## OVERHEAD STEREOSCOPIC, VIDEO-BASED APC SENSORS

For applications requiring instantaneous accuracy of over 95%, or where “crush load” conditions are common on vehicles, Clever Devices offers the Hella APC overhead mount sensor. The Hella sensor utilizes a unique image processing and 3D camera technology. Hella APC accomplishes 3D sensing using stereo-image capture from two embedded HD cameras. This solution eliminates a range of limitations that apply to conventional technologies including IR (infrared) based sensors.

Hella APC units are reliable and are designed with quality in mind to ensure that there is no ongoing calibration and that the solution has a long life with little or no maintenance required.

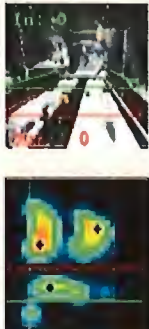
With a low profile, the sensor easily mounts in the roof slope or directly on the ceiling, which prevents obstruction and is out of reach of passengers.

## KEY FEATURES

The Hella APC is one of the most accurate sensor technologies available for the transit marketplace and includes the following advantages and features:

- Over-head design, which eliminates sensor obstruction scenarios such as crush load conditions where passengers are congregated in the door area.
- High instantaneous accuracy (no back-office post-processing) permits the dissemination of real-time vehicle passenger loading to CAD/AVL and real-time passenger information systems.
- Superior performance in identifying, confirming, and counting passengers
- One sensor can cover a door up to 75” wide
- No performance degradation due to:
  - o Sunlight and/or impacts of illumination in the vehicle
  - o No impact due to temperature changes
  - o Confirmed track of objects and passengers as tracking occurs in larger area (AOI)
  - o No degradation of system configuration over time
- No periodic maintenance
- Ability to track reversal counts and thus avoid resulting over count caused by actions such as:
  - o Driver stepping through door and reversal
  - o Passengers entering and reversing
  - o Standing and forward/backward moving passengers in doorway during crowding
- Feature that deals with complex stairs arrangements – Stairs management
- Reliable capture of object height / elimination of near-to-ground objects (e.g. suitcases)
- Polygon counting lines for more advanced count arrangements
- A web browser interface for setup and test
- Minimizes the required number of hardware components

## HELLA TECHNICAL DATA

ITEM	DESCRIPTION
Single Unit per Door	Single unit solution, compact design and self-test capability
Very Wide Doors	75" wide (1.9 m) at a height > 83" (2.1 m)
Accuracy	> 98%
Stereo-Image Capture	Two high-definition video cameras track passengers in the monitoring area or Area of Interest (AOI) that covers the defined door area both inside and outside the bus
3D-Image Generation within AOI	Innovative image-processing methods calculate a 3D position for every pixel, does a real-time comparison to the 3D baseline and generates a stereoscopic representation of the observed environment and objects
Stereo-Image Matching	Objects with a third dimension are detected and continuously tracked within the AOI
Tracking of 3D Structures 	Highly granular object data is collected and assessed: Object List (Current) <ul style="list-style-type: none"> <li>• Object ID</li> <li>• Entry Position (in AOI)</li> <li>• Dwell time (within AOI)</li> <li>• Motion vector</li> <li>• Object height (current)</li> </ul> Object List (Historical) <ul style="list-style-type: none"> <li>• Object ID</li> <li>• Entry Position (in AOI)</li> <li>• Total Dwell time (within AOI)</li> <li>• Average object height</li> <li>• Exit position (from AOI)</li> </ul> Counts are registered when the user defined counting line is crossed AND the passenger exits from the AOI
Simultaneous Boarding and Departure Counts	Confirms entry and exit from AOI to generate boarding and departure counts with the following enhanced algorithms: <ul style="list-style-type: none"> <li>• Capture and zero balance reversal movements</li> <li>• Identify non-moving objects</li> <li>• Identify and report/action on objects in defined area within AOI (Clear Zone Monitoring)</li> </ul>
Management of Complex Motion Pattern	Ensures no double/multiple counts on immediate reversal of entries or exists by driver or passengers) <ul style="list-style-type: none"> <li>• Walk-in and reversal</li> <li>• Walk-out and reversal</li> </ul>
Digital Input / Output	One each DI/DO
Clear Zone Management	Detection of objects in definable area can prohibit door close when passengers are in door area
Maintenance	Over Ethernet (TCP/IP)
Interfaces	Ethernet, RS485, J1708/J1587
Size	(5.6" x 2.6" x 1.2") 141.7mm x 71.5mm x 30.9mm
Weight	.88 lbs. (400 g)



## 1 PRICING

### 1.1 CONFIDENTIAL QUOTATION

ATTN:	Edward Zahra	DATE:	September 16, 2021
COMPANY:	Corporation of Welland	FAX:	
EMAIL:	edward.zahra@welland.ca	OPP ID #	0063s00000Ghjft
		QR # in CRM	6046
ADDRESS:	1-905-735-1700 Ext.3030	RE:	Hella APC System on 25 Buses - 2021
PHONE:			

Clever Devices is pleased to submit the following quotation, subject to the terms and conditions listed below.

Item	Qty	Description	Unit Price (\$CAD)	Extended Price (\$CAD)
1	17	WT Fleet - Hella APS-R System (17 Buses) <i>Includes:</i> - Hella APS-R Sensor (2 per bus for 15 Buses) - Hella APS-R Sensor (1 per bus for 2 Buses) - Mounting Bracket - Cable Assembly - Panel Mount Coupler - CAT5e Cable - Year 1 of Hardware Warranty & Software Maintenance (Year 1 included at no charge)	\$4,097.00	\$69,649.00
2	8	Regional Fleet - Hella APS-R System (1 Buses) <i>Includes:</i> - Hella APS-R Sensor (2 per bus for 15 Buses) - Mounting Bracket - Cable Assembly - Panel Mount Coupler - CAT5e Cable - Year 1 of Hardware Warranty & Software Maintenance (Year 1 included at no charge)	\$4,298.00	\$34,384.00
3	1	Implementation Labor <i>Includes:</i> - Design, Configuration & Testing - Project Management	\$33,888.00	\$33,888.00



4	25	Installation Labor <i><u>Includes:</u></i> - APC System Installation on 25 Buses - Install Supervision  Note: Installation to be done as a Single Install Activity	\$1,432.00	\$35,800.00
			<b>Total</b>	<b>\$173,721.00</b>
<b>Extended Hardware Warranty &amp; Software Maintenance (Year 2-5)</b>				
5	1	Hardware Warranty & Software Maintenance - Year 2	\$4,627.00	\$4,627.00
6	1	Hardware Warranty & Software Maintenance - Year 3	\$4,766.00	\$4,766.00
7	1	Hardware Warranty & Software Maintenance - Year 4	\$4,909.00	\$4,909.00
8	1	Hardware Warranty & Software Maintenance - Year 5	\$5,056.00	\$5,056.00

**Notes:**

- In light of the current COVID-19 pandemic, Clever Devices and our suppliers are subject to Federal mandates which may slow production. Emergency Federal and State mandates, such as "shelter in place" or self-isolation requirements, may affect our ability to provide support and service at an optimal level. If circumstances outside our control force us to revise the schedule or impact support and service levels, we will communicate this to Corporation of Welland immediately and work with you to mitigate any disruption to the project and operations.
- Clever Devices is experiencing disruptions due to the global supply chain crisis, resulting in price increases and extended lead times. While we are working closely with our suppliers to optimize our inventory and negotiate pricing, changes are happening so rapidly that we are unable to control these issues to the extent that we have in the past. In the event of changes in the market conditions which impact costs and lead times, Clever Devices reserves the right to revise quoted prices and lead times prior to acceptance of a purchase order. Customers will be notified and afforded an opportunity to confirm purchase orders within five (5) business days from receipt of notice. We appreciate your patience and collaboration as we work through these challenges together.
- Pricing is in Canadian dollars.
- Pricing does not include any taxes. Any applicable taxes will be applied at the time of the invoice.
- Pricing does not include IT Hardware and COTs software and is responsibility of Corporation of Welland.
- Pricing does not include APC Reporting System.
- Pricing assumes all 24 buses installation to be done as a single install activity.
- Pricing assumes buses already equipped with Clever Devices' IVN System on these buses.

**Payment Milestones:**

- Project milestones will be defined and agreed upon prior to acceptance of purchase order.

**1.2 CLEVER DEVICES' STANDARD TERMS AND CONDITIONS OF SALE**

Notwithstanding any prior written agreement between Clever Devices and Buyer ("Procuring Entity") to the contrary, the following standard terms and conditions shall apply:

**1.2.1 GENERAL**

- All Purchase Orders must be sent to the following email address: customerPO@cleverdevices.com
- Prices are quoted in CAD\$ unless otherwise specified
- Prices do not include shipping, sales tax or duties, which will be added if applicable





- Unit Prices are good only for the total number of units quoted. Lesser quantities may command a higher per unit cost because of certain fixed costs contained in the quote
- Prices quoted herein are valid for thirty (30) days from the date of quotation or proposal, and are applicable to the quantities covered by this quotation; any change in quantity, delivery or elimination of one or more items may require a revision to the prices quoted
- Orders for one bus set (i.e. pilot bus) must be part of a complete quantity order or must be accompanied by a Letter of Intent to order the entire quoted quantity
- Three percent (3%) Annual Escalation will apply for shipments and services beyond 2021
- Clever Devices shall be paid for the items quoted above as follows:
  - Payment terms are Net 30 days, subject to prior approval of our Credit Department
  - Unless otherwise specified, Clever Devices shall be paid for all deliverable items, terms Net 30 days from the date of shipment from Clever Devices, or when services rendered by Clever Devices are completed
  - No customer account shall be credited for parts returned without prior written authorization from Clever Devices and receipt of such goods
  - Clever Devices' General Terms and Limits of Liability apply
- Unless specifically advised in the quote, lead time for Hardware and Services will be as advised by Clever Devices upon receipt of order. Standard lead time for hardware is sixteen (16) weeks from receipt of order, but Clever Devices stocks standard parts and if available will be shipped earlier. Delivery is F.O.B. Clever Devices Ltd., 300 Crossways Park Drive, Woodbury, NY 11797
- Clever Devices reserves the right, without advance notice, to make engineering or production changes, to include substitution of part numbers and/or vendor sources for components that may affect the design or specifications of its products, provided said modifications will not materially affect the performance of the product
- Unless negotiated and agreed to otherwise in writing, in no event is Clever Devices liable for consequential damage from late or non-delivery, malfunction or failure of its products, nor is Clever Devices liable for damage resulting from faulty installation. If Clever Devices performs repairs resulting from damage caused by installation, it will invoice the original installer for the cost of such repair
- Unless negotiated and otherwise agreed to in a signed writing by an authorized representative, the pricing is exclusive of any liquidated damages and is not an acceptance of any prime contract flow downs that are not regulatory in nature and applicable to Clever Devices' scope of work

### 1.2.2 SOFTWARE

The following terms in Section 2 apply to purchases of Software ("Licensed Product(s)"):

#### **Requirement for End-User License Agreement**

Any entity procuring Clever Devices Ltd ("Clever Devices") licensed products which is not the end-user of the licensed product ("Non End-User"), such as but not limited to an Original Equipment Manufacturer to which Clever Devices is a supplier, is obligated to provide Clever Devices with the End-User License Agreement (covering the software licenses associated with the contents of this quotation/proposal) signed by an authorized official of the End-User. Failure by a Non End-User to provide such a properly executed Clever Devices End-User License Agreement to Clever Devices shall make the Non End-User liable for any misappropriation or misuse of Clever Devices' products.

[http://www.cleverdevices.com/wp-content/uploads/2021/04/Clever-Devices\\_EULA\\_CAD\\_RV20210428.pdf](http://www.cleverdevices.com/wp-content/uploads/2021/04/Clever-Devices_EULA_CAD_RV20210428.pdf)

#### **Obligations of Non End-User Procuring Entities**

Non End-Users are granted the right to install the licensed products and to test their functionality in the End-User designated space or equipment. Non End-Users do not have licenses to otherwise use or operate Clever Devices' products and no other licenses or rights to use are provided or implied by this Agreement.



### 1.2.3 HARDWARE WARRANTY POLICY

The following terms in Section 3 apply to purchases of Hardware ("Product(s)");

- 1) New Manufactured Products Limited Warranty
  - a) Clever Devices guarantees for a period of one (1) year from original factory shipment that each product is free from defects in material and workmanship.
  - b) If the product fails to operate as specified and has not been tampered with or abused during this warranty period, Clever Devices or its authorized service agents shall either repair or replace any defective part or the product free of charge.
  - c) Bench fees will apply to any product received by Clever Devices with no-trouble-found. Products returned with failures caused by improper use or installation will be repaired and the appropriate charges will apply. Such services by Clever Devices shall be the original purchaser's sole and exclusive remedy. Clever Devices shall not be responsible for the cost of removal or installation of warranted products unless a prior written agreement has been reached at the time of the original purchase contract. Clever Devices labor rate table will apply for all product replacement time.
  - d) Clever Devices will repair or replace, at Clever Devices' option, any defective product under warranty. Clever Devices will not honor credit requests on any defective used product. Product repair or replacement will be the only option available to the original Purchaser.
  - e) This warranty does not apply: (a) to damage caused by accident, abuse, misuse, misapplication or improper installation (b) to damage caused by conditions outside Clever Devices specifications including but not limited to vandalism, fire, water, temperature, humidity, dust or other perils (c) to damage caused by service (including upgrades) performed by anyone who is not a Clever Devices Authorized Technician (d) to a product or a part that has been modified without the written permission of Clever Devices or (e) if any of Clever Devices' serial number has been removed or defaced, or (f) expendable or consumable parts, such as batteries and flashcards.
  - f) Clever Devices shall not be liable for any special, incidental or consequential damages for loss, damage directly or indirectly arising from customer's use or inability to use the equipment either separately or in combination with other equipment, or for personal injury or loss or destruction of other property, or from any other cause.
  
- 2) Warranty Repair Policy
  - a) A replacement or repaired product assumes the remaining warranty of the original product or 90 days, whichever provides longer coverage for the original purchaser. When a product is exchanged, any replacement product becomes the original purchaser's property and the replaced product becomes Clever Devices' property.
  
- 3) Obtaining Warranty Service
  - a) The original purchaser is responsible for returning any defective products to Clever Devices after obtaining a Returned Merchandise Authorization (RMA) number from Clever Devices' Customer Service Department at 888-478-3359. No products will be accepted without an RMA number. When requesting an RMA number, be sure to have the serial number of the equipment available.
  - b) The original purchaser must package the product properly for return shipment. Clever Devices is not responsible for any damage to the product caused during transit or for any package lost by the shipping company.
  - c) The original purchaser assumes all cost in shipping the defective product to Clever Devices and Clever Devices will assume the cost in shipping back to the customer. All replacement/repaired products are shipped UPS Ground unless a rush is requested. The cost of shipping using any mode other than UPS Ground is to be paid by the original purchaser.



**Ship to:**

Clever Devices Ltd.  
 Attn: Service Department RMA # \_\_\_\_\_  
 300 Crossways Park Drive  
 Woodbury, NY 11797

**1.2.4 CLEVER DEVICES' RETURN AND EXCHANGE POLICY**

Clever Devices does not accept returns without a Returned Material Authorization. Custom-built equipment or merchandise specifically ordered for you is not returnable. Where return of unused merchandise is at the request or convenience of the customer, a 25% restocking fee will be charged. No unused merchandise will be accepted for return later than thirty (30) days after shipment. All returned merchandise shall be sent freight prepaid and properly insured by the customer. Clever Devices reserves the right to select the method of shipment. Should you receive merchandise damaged in shipment, it is your responsibility to file a damage claim immediately with the delivery carrier.

**1.2.5 CLEVER DEVICES' NON-WARRANTY SERVICE POLICY**

1) Non-Warranty Repair Policy

Non-warranty repairs made by Clever Devices carry a limited repair warranty of 90 days on services and replacement parts only. Defects in our repair work or any parts replaced will be corrected at no charge if the defect occurs within 90 days from shipment from our facility.

2) Field Service

Field service calls will be made to customer's facility upon request. Time, expenses, and materials will be charged, as outlined below, unless other arrangements are made in advance. Field Service is treated as any repair. All travel must be pre-approved and is based upon actual prevailing airfare, hotel/motel rooms and Per Diem rates. Contact Clever Devices for current Per Diem rates.

<b>GENERAL FIELD SERVICE RATES:</b>	
Transportation	Actual cost* using commercial coach or business class air, first class rail, bus, rental car, and cab facilities as applicable, including transportation to and from the airport.
Mileage Allowance	CRA allowable rates
Personal Expenses	Per Diem rates
Basic Rates	150.00** per hour for actual time in customer's plant, plus a flat rate for round-trip travel time.
Miscellaneous	Actual charges for other necessary items such as tolls, parking and freight charges*.
* Charges may be subject to a 12% administrative fee.	
** Rates may vary because of weekend/holiday rates, the type of service required, a previously negotiated rate and/or personnel involved.	

3) Non-Clever Devices Product Received for Repair

Product received for repair that were not manufactured or supplied by Clever Devices will be logged in and Clever Devices will require that the customer supply us with their shipper number in order to return the product. Such product will be held for a period of up to 90 days and will then be subject to discard, unless alternative arrangements have been agreed to in advance.






XXXXXXXXXX

Amy Miller  
Vice President, Business Development  
204-292-2554

jn

**COUNCIL**  
**CORPORATE SERVICES**  
**CLERKS DIVISION**

APPROVALS	
DIRECTOR	
CFO	
CAO	

02-160

**REPORT CLK-2021-21**  
**SEPTEMBER 21, 2021**

**SUBJECT: FOLLOW UP - IN-PERSON ATTENDANCE AND HYBRID COUNCIL MEETINGS**

**AUTHORS: TARA STEPHENS, CITY CLERK**

**APPROVING DIRECTOR: STEVE ZORBAS, CPA, CMA, B.Comm, DPA, CAO / DIRECTOR OF CORPORATE SERVICES, CHIEF FINANCIAL OFFICER / TREASURER**

**RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information report CLK-2021-21: Follow up - In-person Attendance and Hybrid Council Meetings; and further

THAT Welland City Council approves members of council returning to the Council Chamber on a rotating basis, as required, as outlined in this report.

**ORIGIN AND BACKGROUND:**

At the August 10, 2021 Special Council Meeting, council received for information staff report *CLK-2021-19: In-person and Hybrid Council Meetings*. During the discussions regarding the report, council provided comments and concerns regarding the in-person and hybrid council meetings, which are identified below:

- Requirement for attendees to be double vaccinated.
- Rotating schedule for members to attend in-person, as required.
- Barriers throughout the council chamber.

Information regarding the comments and concerns from council are outlined in the staff report below.

**COMMENTS AND ANALYSIS:**

**Requirement for attendees to be double vaccinated**

At this time the City of Welland does not require staff and/or councillors to provide proof of being double vaccinated.

**Rotating Schedule for Members of Council, as required**

Due to the close proximity of seating in the Council Chamber, it is Public Health's recommendation that members of council and staff attending in-person maintain the required two (2) metre distance between each other.

Following the discussion at the August 10<sup>th</sup> meeting, it was suggested that a rotating schedule be prepared for council consideration.

Due to the set up in our Council Chamber the layout provided in staff report CLK-2021-19, outlined only four (4) members of council, the Mayor/Chair, and four (4) staff members, would be able to attend in-person.

Staff are recommending the two (2) seats at the staff desks (behind the councillor seats) be assigned to two (2) members of council. This change to the seating plan would allow for six (6) members of council to attend, which allows for one (1) representative from each ward to attend in-person. Appendix I provides an updated Council Chamber Layout.

All staff with the exception of the Chief Administrative Officer and City Clerk would be required to participate electronically.

**Barriers throughout the Council Chamber**

At the August 10<sup>th</sup> Council meeting, council provided comments regarding barriers in the council chamber.

At this time, staff will be investigating alternative options to potentially eliminate the need for barriers in the council chamber. There are a number of factors to consider, such as technology in the room and ability for public attendance at future meetings. Staff will be reviewing alternative options for the Council Chamber and will provide an update to council in the future.

**FINANCIAL CONSIDERATION:**

None.

**OTHER DEPARTMENT IMPLICATIONS:**

None.

**SUMMARY AND CONCLUSION:**

The purpose of this report is to provide information to council following the discussion at the August 10<sup>th</sup> Special Council meeting.

Staff are requesting council direction to proceed with allowing members of council to return to the Council Chamber on a rotating basis.

If the recommendation is not approved by Welland City Council, councillors will be required to continue to attend council meetings electronically.

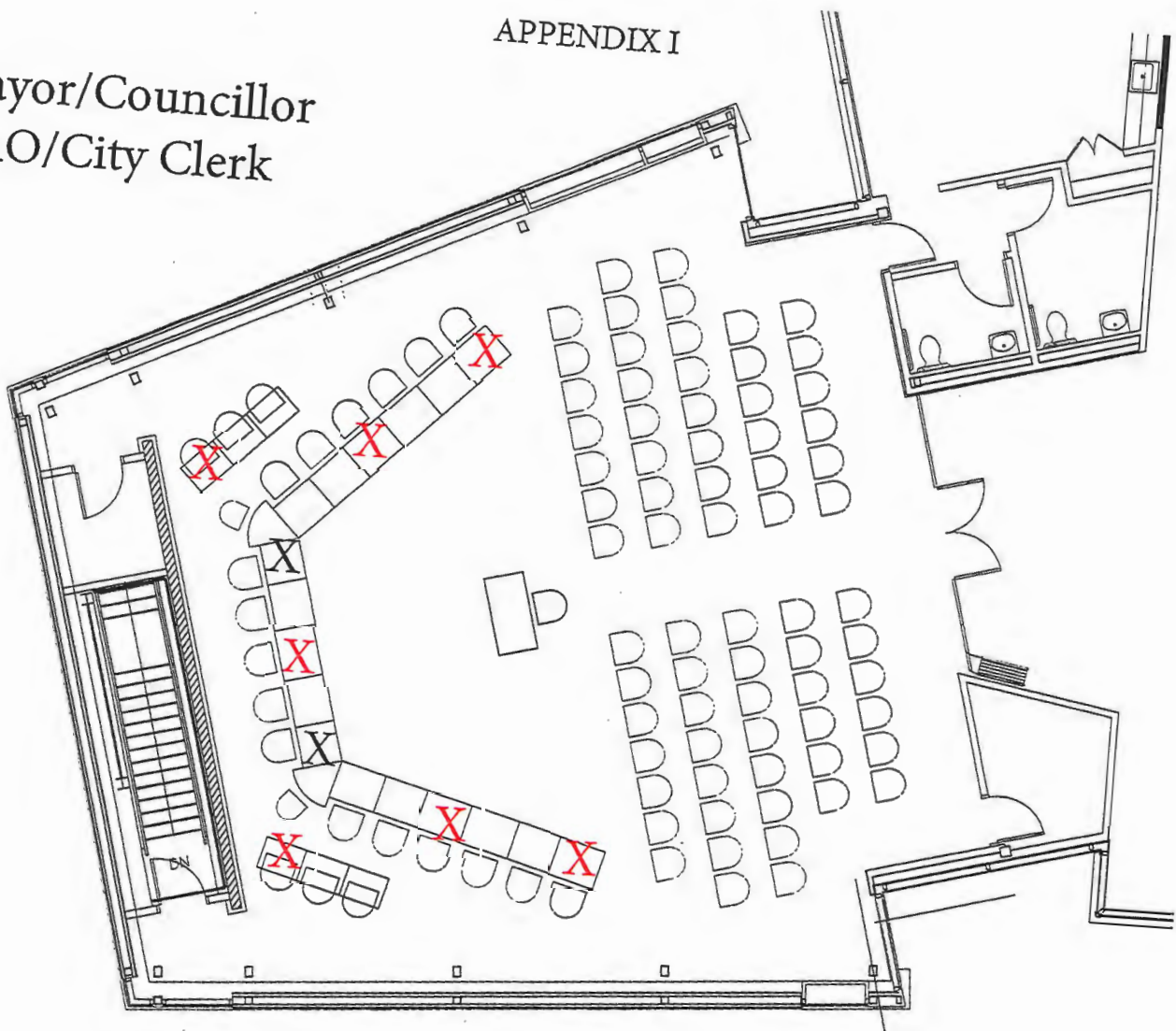
Staff are continuing to monitor best practices to reduce the spread of COVID 19, therefore additional information regarding councillors returning to the Council Chamber will be provided when staff are able.

**ATTACHMENT:**

Appendix I – Council Chamber Layout – Hybrid Model




APPENDIX I

- X - Mayor/Councillor
- X - CAO/City Clerk





**COUNCIL**  
**CORPORATE SERVICES**  
**CLERKS DIVISION**

APPROVALS	
DIRECTOR	
CFO	
CAO	

21-14

**REPORT CLK-2021-22**  
**SEPTEMBER 21, 2021**

**SUBJECT: ECONOMIC ADJUSTMENT – COUNCIL REMUNERATION**

**AUTHORS: TARA STEPHENS, CITY CLERK**

**APPROVING  
DIRECTOR: STEVE ZORBAS, CPA, CMA, B.Comm, DPA,  
CAO / DIRECTOR OF CORPORATE SERVICES**

**RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information report CLK-2021-22: Economic Adjustment – Council Remuneration; and

THAT Welland City Council approves the increase of 2.5% to the council remuneration retroactive to January 1, 2021; and

THAT the adjustment in council remuneration adjustment be funded through the Corporate Contingency account; and further

THAT Welland City Council approves the amendment to By-law 1998-11325: Being a By-law to provide for paying remuneration to the members of council and extended medical benefits to the Mayor.

**ORIGIN AND BACKGROUND:**

On August 4, 2020, Welland City Council received a presentation from ML Consulting regarding a compensation review of the remuneration of council. The study was conducted focusing on the base pay for the Mayor and Councillor positions. The results of the review identified the Mayor and Councillor positions were compensated below the median.

Following the presentation by ML Consulting, on September 1, 2020 Welland City Council approved the amendment to the council remuneration retroactive to July 1, 2020.

**COMMENTS AND ANALYSIS:**

It is common practice to increase the annual base pay for elected official positions annually by the amount used to adjust the employee salary grid. The purpose of this

report is to ensure that the Mayor and Councillor positions are compensated annually, to ensure the salaries align with comparative municipalities.

**FINANCIAL CONSIDERATION:**

The remuneration adjustment of \$14,190 for the Mayor and Council will be funded through the Corporate Contingency account.

**OTHER DEPARTMENT IMPLICATIONS:**

Salary for Mayor and Councillors will be affected by the proposed recommendation.

**SUMMARY AND CONCLUSION:**

It is common practice to increase the annual base pay for elected official positions annually by the amount used to adjust the employee salary grid.

**ATTACHMENT:**

None.

Dear Prime Minister,

Please be advised Thorold City Council, at its September 7, 2021 meeting, adopted the following resolution:

Moved By: Councillor DeRose  
Seconded By: Councillor Sentence

THAT Council request that the province and federal government consider imposing stiffer penalties for infractions relating to the importation, production or distribution of Fentanyl; and

THAT this motion be forwarded to the provincial and federal governments, AMO, and FCM; and

THAT staff forward this motion to Niagara Area municipalities for their consideration and support.

Result: CARRIED

Carmela DiPardo  
Legislative Assistant  
Clerk's Department  
City of Thorold  
P.O. Box 1044, 3540 Schmon Parkway  
Thorold, ON L2V 4A7  
Tel: (905) 227-6613 ext. 224  
Fax: (905) 227-5590  
[www.thorold.ca](http://www.thorold.ca)



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21-124