



## **COUNCIL MEETING AGENDA**

**\*REVISED**

**Tuesday, October 5, 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 October 9, 2021 at 8:00 a.m.**

- 
1. **COMMITTEE-OF-THE-WHOLE (IN-CAMERA) (6:30 p.m.)**  
(See yellow tab)
    - Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and
      - *Elite – Legal Update.*
  
  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**
      - Mayor Campion - Recognition of National Day for Truth & Reconciliation.
    - 3.3 **ADDITIONS/DELETIONS TO AGENDA**
    - 3.4 **ADOPTION OF MINUTES**
      - Regular Council Meeting of September 21, 2021 and Special Council Meeting of September 28, 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**
    - 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)**
      - 21-28** Alain Breton, Welland Food Drive re: Annual Welland Food Drive event.



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

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

**04-47** Julianne Brunet, Chief Executive Officer and Melanie Gross-Kerho, Chair, Welland Public Library Board re: Update on Activities.  
**(Background information included in Council Members packages)**

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

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

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

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

**7. NOTICES OF MOTION**

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

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

**(Councillor 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 proposed 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 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.



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### **(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  
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



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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.

**(Councillor Grimaldi)**

**20-64** WHEREAS, as COVID-19 and variants continue to be a serious threat to the health and well-being of City of Welland employees, the community and health care capacities; and further WHEREAS, the best defence, as identified by public health and other agencies is to get fully vaccinated with an approved COVID-19 vaccine.  
NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND staff be directed to prepare a Vaccine Policy for all City of Welland employees.

**\*\* (Councillor Grimaldi)**

**20-64** WHEREAS COVID-19 and variants continue to be a serious threat to the health and well-being of City of Welland employees, members of council, the community and health care capacities and WHEREAS the best defence, as identified by public health and other agencies is to get fully vaccinated with an approved COVID-19 vaccine.  
NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to prepare a Vaccine Policy for all members of Welland City Council; and further THAT staff review the Niagara Region's policy regarding Niagara Regional Council's COVID-19 requirements for guidance.

**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**



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### **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 5<sup>th</sup> day of October, 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 28, 2021**

Memorandum from the Region of Niagara re: Niagara Transit Governance - Welland City Council - Re: Report TRANS-2021-11. Ref. No. 21-13

**RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information and refers the correspondence from the Region of Niagara dated September 20, 2021 regarding Niagara Transit Governance- Welland City Council – re: Report TRANS-2021-11.

**(Refer to pages 1 to 5 from the September 28, 2021 General Committee Agenda).**

**3. Budget Review Committee Report to Council - Nil**

**4. Staff Reports**

**2 - 4 CLK-2021-23** City Clerk, T. Stephens - Municipal Modernization Program - Intake 3 Program - Implementation Stream. Ref. No. 21-129

**5 - 41 FIN-2021-28** Mgr. of Budgets & Financial Reporting/Deputy Treasurer, E. Pankoff - 2021 Capital Close Out Report & 2021 2<sup>nd</sup> Quarter Capital Progress Report. Ref. No. 21-4



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- |           |                        |  |
|-----------|------------------------|--|
| 42 - 110  | <u>P&amp;B-2021-50</u> | Director of Planning and Development Services, G. Munday - Application for Zoning By-law Amendment (File No. 2021-06) and Draft Plan of Vacant Land Condominium (File No. 26CD-14-21005) submitted by Upper Canada Consultants on behalf of Mountain Homes (Niagara) Ltd. for lands located on the east side of South Pelham Road, north of Webber Road, and west of Claire Avenue, legally described as Block 2 59M-472, Geographic Township of Thorold, now in the City of Welland, Regional Municipality of Niagara, municipally known as 89 West Creek Court.<br>Ref. No. 21-86 (See By-law 1) |
| 111 - 201 | <u>P&amp;B-2021-59</u> | Director of Planning and Development Services, G. Munday - Application for Official Plan Amendment (OPA No. 36) and Zoning By-law Amendment (File No. 2021-07) submitted by Better Neighbourhoods Development Consultants on behalf of Idrakoth Ltd. for lands municipally known as 800 Niagara Street.<br>Ref. No. 21-108 (See By-laws 2 & 3)   |
| 202 - 215 | <u>TRAF-2021-55</u>    | Director of Planning and Development Services, G. Munday - The Feeding of Wildlife. Ref. No. 06-156 (See By-laws 4 to 6)   |
| 216 - 217 | <u>TRAF-2021-56</u>    | Director of Planning and Development Services, G. Munday – 4-Way Stop Review at Gaiser Road/Clare Avenue and Gaiser Road/South Pelham Road. Ref. No. 21-22   |
| 218 - 221 | <u>TRAF-2021-57</u>    | Director of Planning and Development Services, G. Munday - Update to Traffic and Parking By-law 89-2000. Ref. No. 21-22 (See By-law 7)   |
| 222 - 224 | <u>HR-2021-06</u>      | Mgr. of Human Resources, A.. Daisley - Holiday Closure of City Hall Operations 2022-2023. Ref. No. 21-33   |

### 3. NEW BUSINESS

- |           |    |  |
|-----------|----|--|
| 225 - 226 | 1. | Bonnie Nistico-Dunk, City Clerk, City of St. Catharines re: Provincial Nursing Shortage. Ref. No. 21-126 |
|-----------|----|--|

#### RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information and supports the correspondence from the City of St. Catharines dated September 15, 2021 regarding Provincial Nursing Shortage.



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- 227 - 228**      2. Carol Schofield, Manager, Legislative Services/Clerk, Town of Fort Erie re: Request the Provincial Government to Implement a Right-of-Passage along the Lake Erie Shoreline. Ref. No. 21-128

**RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Town of Fort Erie dated September 24, 2021 request the Provincial Government to Implement a Right-of-Passage along the Lake Erie Shoreline.

- 229 - 230**      3. Jennifer McQuestion, Community Engagement Manager, Women's Place of South Niagara Inc. re: Request to declare November 25, 2021 as "International Day for the Elimination of Violence Against Women". Ref. No. 21-6

**RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND declares November 25, 2021 as "International Day for the Elimination of Violence Against Women" in the City of Welland.

- 231**            4. Shanza Khan, the Canadian Council of Muslim Women, Niagara-Halton, re: Request to declare October 9, 2021 as "Islamic History Day". Ref. No. 21-6

**RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND declares October 9, 2021 as "Islamic History Day" in the City of Welland.

- 232 - 233**      5. Ann-Marie Norio, Regional Clerk, Region of Niagara re: Request to Review and Amend Section 128 (Rate of Speed) of the Highway Traffic Act. Ref. No. 21-22

**RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated September 23, 2021 regarding the request to review and amend section 128 (Rate of speed) of the Highway Traffic Act.

- 234 - 239**      6. Ann-Marie Norio, Regional Clerk, Region of Niagara re: Report CAO 15-2021 - Updated Land Acknowledgement Statements. Ref. No. 21-127

**RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated September 23, 2021 regarding Report CAO 15-2021 - Updated Land Acknowledgement Statements.





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- 240**      7. Memorandum from T. Stephens, City Clerk, re: Resolution requirement regarding Canada Community Revitalization Fund (CCRF) – Maple Park Enhancements and Public Washroom Facility. Ref. No. 21-19

**RECOMMENDATION:**

THAT Welland City Council authorizes the Canada Community Revitalization Fund (CCRF), through the Federal Economic Development Agency of Southern Ontario (FedDev Ontario), for the enhancements at Maple Park, including replacement of the public washroom in the amount of \$313,797.00; and further

THAT Welland City Council directs the Chief Administrative Officer (CAO) to execute the CCRF contribution agreement.

8. Council to appoint Councillor Fokkens to the Arts and Culture Advisory Committee. Ref. No. 05-141

**RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND appoints Councillor Fokkens to the Arts and Culture Advisory Committee for the term October 5, 2021 to November 30, 2022.

9. Cathy Bassi, Corporate Secretary, Welland Hydro System Corp re: Resignation of Mr. Wayne Armstrong as Board Director of the Corporation and the election of Mr. Kevin Carver to that vacancy. Ref. No. 99-43

**RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Board of Directors of Welland Hydro-Electric Systems Corporation (WHESC) letter dated September 16, 2021 regarding the appointment of Mr. Kevin Carver as President & CEO of WHESC; and further

THAT Welland City Council approves the appointment of Mr. Kevin Carver.

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

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

1. A By-law to amend City of Welland Zoning By-law 2017-117 (Mountainview Homes (Niagara) Ltd. – File 2021-06) 89 Westcreek Court. Ref. No. 21-86  
(See Report P&B-2021-50)
2. A By-law to adopt Official Plan Amendment No. 36 (Idrakoth Ltd.) 800 Niagara Street. Ref. No. 21-108  
(See Report P&B-2021-59)



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3. A By-law to amend City of Welland Zoning By-law 2017-117 (Idrakoth Ltd. - File 2021-07) - 800 Niagara Street. Ref. No. 21-108  
(See Report P&B-2021-59)
4. A By-law to authorize to prohibit the feeding of wildlife within the boundaries of the City of Welland. Ref. No. 06-156  
(See Report TRAF-2021-55)
5. A By-law to amend By-law 2019-135, being a By-law to provide regulations for maintaining land in a clean and clear condition (Clean Yards By-law). Ref. No. 03-59  
(See Report TRAF-2021-55)
6. A By-law to amend By-law 2019-134, being a By-law to establish and administrative Penalty System for Non-Parking related offences. Ref. No. 21-22  
(See Report TRAF-2021-55)
7. A By-law to authorize amend By-law 89-2000, being a By-law regulating traffic and parking with the City of Welland (Schedule "I" - Municipal/Private Property and Schedule "XV" - Loading Zones). Ref. No. 21-22  
(See Report TRAF-2021-57)
8. A By-law to authorize entering into contract with Paul S. Leskew & Associates Inc. for the provision and installation of one (1) new video scoreboard for the Quaker Road Baseball Facility. Ref. No. 21-19  
(See Report R&C-2021-20 from the September 28, 2021 Special Council Meeting)
9. A By-law to authorize execution of agreements for Brownfield Tax Assistance Program and Brownfield Tax Increment Grant Program for 475, 555 and 635 Canal Bank Street (Dain West subdivision). Ref. No. 20-97  
(See Report P&B-2021-58 from the September 28, 2021 Special Council Meeting)
10. A By-law to exempt certain lands from Part-Lot Control - Parts 1-3 (inclusive) on Plan 59R-17031, Lots 107, 108 and 109 Plan 946 (204-212 Iva Street), City of Welland. Ref. No. 21-130  
(Approved by By-law 2020-143)

**GENERAL COMMITTEE REPORT TO COUNCIL**

On Tuesday, September 28, 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, G. Speck (5:11 p.m.) and L. Van Vliet (8:16 p.m.).

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

**PRESENTATIONS****12-96**


THAT GENERAL COMMITTEE receives for information the presentation by Deborah C. Anschell, Integrity Commissioner regarding Code of Conduct and Formal Complaint Protocol.

Respectfully submitted by



TARA STEPHENS  
City Clerk

**COUNCIL**  
**OFFICE OF THE CAO**  
**CLERKS DIVISION**

APPROVALS	
DIRECTOR	
CFO	
CAO	

21-129

REPORT CLK-2021-23  
OCTOBER 5, 2021

**SUBJECT: MUNICIPAL MODERNIZATION PROGRAM – INTAKE 3  
PROGRAM – IMPLEMENTATION STREAM**

**AUTHORS: TARA STEPHENS, CITY CLERK**

**APPROVING  
DIRECTOR: STEVE ZORBAS, CPA, CMA, B.Comm, DPA,  
CHIEF ADMINISTRATIVE OFFICER**

**RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes staff to apply to the Municipal Modernization Program – Intake 3 Program – Implementation Stream for funding for funding to implement a records management system; and further THAT Welland City Council approves the 35 percent municipal portion being funded through the Capital Surplus Reserve Fund.

**ORIGIN AND BACKGROUND:**

Municipalities can now apply to Intake 3 of the *Municipal Modernization Program* for funding under two streams. The implementation stream will provide provincial cost-sharing for municipalities to undertake projects that increase municipal efficiency and effectiveness. The program provides funding for 65 percent, to a maximum of \$250,000.

As identified in communications regarding the *Municipal Modernization Program*, priority may be given to projects that address digital modernization. The cost for implementing the project would be shared between the province and the municipality.

**COMMENTS AND ANALYSIS:**

The municipality is subject to records management requirements through such provincial legislation as the *Municipal Act*, the *Municipal Freedom of Information and Protection of Privacy Act*, the *Assessment Act*, the *Building Code Act*, and the *Municipal Election Act*. Despite this, for decades records management at the city has been under-resourced.

There are a number of areas of improvement related to records management, such as:

- Establishment of corporate-wide policies, procedures and support for managing records and information.

- Establishment of a centralized, dedicated records management resource.
- Identifying what constitutes a record and the legalities associated with records.
- Staff access to finalized versions of documents to ensure the version they are using is the most up-to-date.
- With frequent changes to staffing compliment, it would ensure the municipality has access to the files even after a staff member has left the corporation.
- It would reduce amount of hard copy files within the municipality.

The Municipal Modernization Program funding would provide staff with the ability to move forward with a digital records management system, which would allow the municipality to improve their records management resources. In addition, a temporary contract position for implementation of the project would be considered as an eligible cost.

If the municipality is successful is receiving funding for a digital records management system, the municipality would be required to provide a high level workplan with project milestones. The implementation is required to be completed by February 28, 2023.

The municipality is required to commit to providing a final report that forecasts annual savings and other efficiency and effectiveness outcomes for at least three years as a result of the project completion and a one-year post project completion with actual savings over the course of the year, and forecast for the following two years of annual savings and other efficiency and effectiveness outcomes.

To ensure the municipality successfully meets all the deadlines a Records Management Task Force will be established, which will consist of the following staff members:

- City Clerk
- Manager of Information Services
- One (1) representative from each division.

### **FINANCIAL CONSIDERATION:**

The project funding would be shared between the province and the municipality. The province's contribution is 65 percent of the project share. The municipality would be required to contribute 35 percent, which staff is recommending to be funded through the Capital Surplus Reserve Fund.

Item	Cost
Laserfiche – Business Suite Option (annual cost)	\$54,881.71
Laserfiche – Municipal Package Deployment (one time cost)	\$25,440.00
Contract person – Project Lead	\$64,917.29
*City tax included in the implementation costs.	
<b>TOTAL COST</b>	<b>\$145,239.00</b>

The funding portion of the project based on the costs provided:

- Provincial contribution (65%) = \$ 94,405.35
- Municipal contribution (35% = \$ 50,833.65

The funding for this project will be included as a priority item during the Budget Review Committee 2022 budget considerations.

If funding is unsuccessful, the project will not be proceeding at this time.

**OTHER DEPARTMENT IMPLICATIONS:**

Implementation of a digital records management system will impact all departments within the corporation. The task force will ensure representatives from all divisions have a good understanding of processes moving forward.

**SUMMARY AND CONCLUSION:**


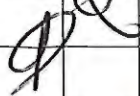
Municipalities can now apply to Intake 3 of the *Municipal Modernization Program* for funding under two streams. The implementation stream will provide provincial cost-sharing for municipalities to undertake projects that increase municipal efficiency and effectiveness.

Staff are requesting council approval to apply for the funding through this program to implement a records management system.

**ATTACHMENT:**

None.

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

APPROVALS	
DIRECTOR	
CFO	
CAO	

21-4

**REPORT FIN-2021-28**  
**OCTOBER 5, 2021**

**SUBJECT: 2021 CAPITAL CLOSE OUT REPORT & 2021 2<sup>nd</sup> QUARTER CAPITAL PROGRESS REPORT**

**AUTHOR: ANKA VUKSAN SCOTT, CAPITAL & PAYABLES MANAGER**

**APPROVING SUPERVISOR: 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**

**RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND receive for information the Capital Project Close Out report summary and detail for the projects listed in Appendix A & B as attached to Report FIN-2021-28; and further

THAT Welland City Council approve the recommended transfer to Capital Surplus Reserve and or applicable reserve funds as outlined in Appendix A and staff recommended reallocations as outlined in Appendix C as attached to Report FIN-2021-28; and further

THAT Welland City Council receive for information the 2021 2<sup>nd</sup> Quarter Capital Progress Report.

**ORIGIN AND BACKGROUND:**

As City staff continues to improve their information reporting to Council, the Corporate Leadership Team has approved a process for the close out of capital projects. As each capital project is closed, the applicable department completes a capital project close out report, which compares actual expenditures to actual project revenues and identifies the surplus or deficit. These reports are submitted to Corporate Services for review, summarizing, and reporting to Council.

**COMMENTS AND ANALYSIS:**

- Appendix A summarizes the current capital close out report summary
- Appendix B summarizes the current capital close out details
- Appendix C summarizes the staff recommended reallocations
- Appendix D summarizes the 2021 2<sup>nd</sup> quarter progress report

The attached close out report identifies 21 close-out reports. Each report identifies the surplus or deficit with any applicable explanation for each project. A project surplus and/or deficit will be transferred to the Capital Surplus account or returned to their applicable Reserve funds (if applicable). Staff may also recommend committing any capital surplus dollars to other ongoing capital projects.

**FINANCIAL CONSIDERATION:**

***TRANSFER TO CAPITAL SURPLUS/APPLICABLE RESERVE FUND:***

The breakdown is composed of the following:

Total Transfer to Capital Surplus Reserve (Appendix A)	\$ 60,111.20
Total Transfer to Fleet Reserve (Appendix A)	\$14,950.18
Total Transfer to Water/Wastewater Reserve (Appendix A)	\$188,569.71
Less: Funding Reallocations (Appendix C)	\$ (20,000.00)
<b>Total Transfer to Reserves</b>	<b>\$243,631.09</b>

***STAFF RECOMMENDATIONS:***

Staff recommended reallocations of capital project dollars are outlined in Appendix C. All surpluses and deficits are accounted through the Capital Surplus Reserve fund and or applicable reserve fund. Any suggested reallocations are then transferred from the Capital Surplus Reserve fund into the recommended project.

**OTHER DEPARTMENT IMPLICATIONS:**

Corporate Services has worked with the appropriate departments to complete and finalize the Capital Project Close out Reports.

**SUMMARY AND CONCLUSION:**

It is recommended by staff that Council receive the Capital close out reports for information as identified in Report FIN-2021-28. In addition, staff recommend that Council approve the transfers to the respective reserves and the staff recommended funding reallocations as identified in report FIN-2021-28.

**ATTACHMENTS:**

- Appendix A – Capital Close out Report Summary
- Appendix B – Capital Close out Details
- Appendix C – Staff Recommended Reallocations
- Appendix D – 2021 2<sup>nd</sup> Quarter Progress Report



	PROJECT NAME	YEAR OF APPROVAL	PROJECT #	CAPITAL APPROVED BUDGET	PROJECT FUNDING	PROJECT EXPENDITURES	NET PROJECT VARIANCE
1	Welland International Flatwater Centre	2012	10-447-12394	\$ 10,663,700.00	\$ 11,075,820.43	\$ 11,140,157.78	\$ (64,337.35)
2	Financial Software	2016	10-131-16002	250,000.00	375,000.00	374,281.20	\$ 718.80
3	Spartan Fire Truck Repairs	2018	10-210-18186	136,000.00	136,000.00	126,076.78	\$ 9,923.22
4	Catch Basin Separation Work	2018	10-330-18061	185,508.00	108,516.84	13,932.74	\$ 94,584.10
5	CityView Module for By-Law Enforcement	2019	10-321-19052	31,000.00	31,000.00	30,999.99	\$ 0.01
6	Signage/pavement markings improvements at R.R. Crossings	2019	10-321-19053	30,000.00	30,000.00	22,066.37	\$ 7,933.63
7	Cycling Infrastructure	2019	10-321-19054	10,000.00	10,000.00	10,022.32	\$ (22.32)
8	Summerlea park Playground & Landscaping	2019	10-410-19132	224,000.00	224,000.00	226,372.01	\$ (2,372.01)
9	Aqueduct West Portal Pedetrian Deck Removal Aqueduct Pedestrain Bridge Removal ( West Side)	2018 2019	10-320-18013 10-320-19840	459,581.00	346,560.00	305,690.90	\$ 40,869.10
10	Condition Related Replacements	2019	10-316-19605	500,000.00	500,000.00	432,138.71	\$ 67,861.29
11	Storm Sewer Model Preparation	2019	10-327-19596	62,000.00	62,000.00	76,515.84	\$ (14,515.84)
12	Catch Basin Separation Work	2019	10-330-19346	177,000.00	95,620.00	-	\$ 95,620.00
13	ESRI Consulting	2019	10-131-19665	20,000.00	20,000.00	-	\$ 20,000.00
14	Fleet Replacements - General	2019	10-323-19026	946,910.00	946,910.00	970,412.27	\$ (23,502.27)
15	Portable Traffic Calming Devices	2020	10-321-20056	25,000.00	20,569.76	20,569.76	\$ -
16	Street lighting - Wiring & Pole Replacements	2020	10-321-20055	40,000.00	40,000.00	40,000.00	\$ -
17	Water Model Updates	2020	10-910-20285	10,000.00	9,763.36	9,763.36	\$ -
18	Fleet Replacements Water Eng	2020	10-910-20265	186,662.00	186,260.00	187,894.39	\$ (1,634.39)
19	Fleet Replacements -General	2020	10-323-20002	927,000.00	927,000.00	888,547.55	\$ 38,452.45

	PROJECT NAME	YEAR OF APPROVAL	PROJECT #	CAPITAL APPROVED BUDGET	PROJECT FUNDING	PROJECT EXPENDITURES	NET PROJECT VARIANCE
20	Community Room AV Upgrade	2020	10-430-20093	20,000.00	20,000.00	22,386.02	\$ (2,386.02)
21	Maple park - Hydro Blasting & Painting	2021	10-410-21413	110,167.00	110,167.00	113,728.31	\$ (3,561.31)
	TOTAL TRANSFERS TO FLEET RESERVE						\$ 14,950.18
	TOTAL TRANSFERS TO WATER WASTER WATER RESERVE						\$ 188,569.71
	TOTAL TRANSFERS TO CAPITAL SURPLUS RESERVE						\$ 60,111.20

## CAPITAL PROJECT CLOSE OUT REPORT

APPENDIX B

**Project Name:** Welland International Flatwater Centre      **Date (mm/dd/yyyy):** 2021-10-05  
**Capital Sub-account #:** 10-447-12394      **Budget Year:** 2012  
**Department:** Facilities      **Total Budget Amount:** \$10,663,700.00  
**Contact:** Steve Zorbas      (Budget amount equals the amount in Capital Budget)

<b>Revenue/Funding</b>		
Debenture Proceeds	\$5,063,700.00	
Cost Sharing	\$5,890,895.99	
Miscellaneous *	\$121,224.44	
<b>Total Revenue/Funding</b>		<b>\$11,075,820.43</b>
<b>Expenditures</b>		
Outside Contracts	\$9,613,288.46	
Outside Consulting	\$1,298,162.93	
Interest Expense	\$141,706.09	
Miscellaneous	\$42,633.85	
Operating Equipment & Supplies	\$44,366.45	
<b>Total Expenditures</b>		<b>\$11,140,157.78</b>
<b>Net Project Variance</b>		<b><u><u>-\$64,337.35</u></u></b>

\* ITC Rebate on Construction

**For Use by Department****Explanation for project variance:**

Variance to be funded through Capital Surplus Reserve.

**For Finance Department Use Only****Recommended Distribution of Funds*****Project Surplus******Project Deficit*****Disclaimer**

As of (date: 10//05/21) all known costs have been charged to this capital project. Any additional charges incurred due to one year final inspections or contractor deficiencies will be charged to the Post Capital Project Fund.

CAPITAL PROJECT CLOSE OUT REPORT

APPENDIX B

Project Name: Financial Software Date (mm/dd/yyyy): 2021-10-05  
 Capital Sub-account #: 10-131-16002 Budget Year: 2016  
 Department: Finance Total Budget Amount: \$250,000.00  
 Contact: Elizabeth Pankoff (Budget amount equals the amount in Capital Budget)

Revenue/Funding	
Debenture	\$250,000.00
Res: Capital Surplus	\$125,000.00

Total Revenue/Funding \$375,000.00

<b>Expenditures</b>	
Outside Contracts	\$33,686.37
Outside Legal Costs	\$1,747.78
Postage	\$1,578.79
Capital Equipment & Vehicles	\$170,543.36
Outside Consulting	\$107,218.51
Contract- Software Support	\$59,506.39

Total Expenditures \$374,281.20

Net Project Variance \$718.80

**For Use by Department**

Explanation for project variance:  
 Project in line with Budget.

**For Finance Department Use Only**

Recommended Distribution of Funds  
*Project Surplus*  
*Project Deficit*

Disclaimer

As of (date: 10/05/21) all known costs have been charged to this capital project. Any additional charges incurred due to one year final inspections or contractor deficiencies will be charged to the Post Capital Project Fund.

CAPITAL PROJECT CLOSE OUT REPORT

APPENDIX B

Project Name: Spartan Fire Truck Repairs Date (mm/dd/yyyy): 2021-10-05  
 Capital Sub-account #: 10-210-18186 Budget Year: 2018  
 Department: Fire Total Budget Amount: \$136,000.00  
 Contact: Adam Eckhart (Budget amount equals the amount in Capital Budget)

Revenue/Funding		
Res: Capital Surplus	\$136,000.00	
<b>Total Revenue/Funding</b>		<b>\$136,000.00</b>
Expenditures		
Capital Equipment & Vehicles	\$126,076.78	
<b>Total Expenditures</b>		<b>\$126,076.78</b>
<b>Net Project Variance</b>		<b>\$9,923.22</b>

**For Use by Department**

Explanation for project variance:

Compartment door and track replacements done in-house by Fleet, saving additional labour costs. Frame repair completed as planned, and some materials/labour after vehicle disassembly, came in under budget.

**For Finance Department Use Only**

Recommended Distribution of Funds

*Project Surplus*

*Project Deficit*

**Disclaimer**

As of (date: 10/05/21) all known costs have been charged to this capital project. Any additional charges incurred due to one year final inspections or contractor deficiencies will be charged to the Post Capital Project Fund.

## CAPITAL PROJECT CLOSE OUT REPORT

APPENDIX B

Project Name: Catch basin Separation Work Date (mm/dd/yyyy): 2021-10-05

Capital Sub-account #: 10-330-18061 Budget Year: 2018

Department: Engineering Total Budget Amount: \$185,508.00

Contact: Erik Metsa (Budget amount equals the amount in Capital Budget)

<b>Revenue/Funding</b>		
Development Charges	\$12,000.00	
Transfer from Operating	\$93,508.00	
Cost Sharing	\$3,008.84	
<b>Total Revenue/Funding</b>		<b>\$108,516.84</b>
<b>Expenditures</b>		
Salaries	\$1,619.82	
Outside Contracts	\$7,522.10	
Payroll Survey	\$4,790.82	
<b>Total Expenditures</b>		<b>\$13,932.74</b>
<b>Net Project Variance</b>		<b>\$94,584.10</b>

**For Use by Department****Explanation for project variance:**

Pre-design completed externally, design work facilitated through in house sources. Construction completed through various capital projects.

**For Finance Department Use Only****Recommended Distribution of Funds****Project Surplus****Project Deficit****Disclaimer**

As of (date: 10/05/21) all known costs have been charged to this capital project. Any additional charges incurred due to one year final inspections or contractor deficiencies will be charged to the Post Capital Project Fund.

CAPITAL PROJECT CLOSE OUT REPORT

APPENDIX B

Project Name: City View Module for By-Law Enforcement Date (mm/dd/yyyy): 2021-10-05  
 Capital Sub-account #: 10-321-19052 Budget Year: 2019  
 Department: Traffic Total Budget Amount: \$31,000.00  
 Contact: Ali Khan (Budget amount equals the amount in Capital Budget)

Revenue/Funding		
Res: Parking	\$31,000.00	
<b>Total Revenue/Funding</b>		<b>\$31,000.00</b>
Expenditures		
Outside Contracts	\$30,999.99	
<b>Total Expenditures</b>		<b>\$30,999.99</b>
<b>Net Project Variance</b>		<b>\$0.01</b>

**For Use by Department**

Explanation for project variance:  
 Project on budget.

**For Finance Department Use Only**

Recommended Distribution of Funds  
*Project Surplus*  
*Project Deficit*

**Disclaimer**

As of (date: 10/05/21) all known costs have been charged to this capital project. Any additional charges incurred due to one year final inspections or contractor deficiencies will be charged to the Post Capital Project Fund.

CAPITAL PROJECT CLOSE OUT REPORT

APPENDIX B

Project Name: Signage/pavement markings improvements at R.R. Crossings Date (mm/dd/yyyy): 2021-10-05  
 Capital Sub-account #: 10-321-19053 Budget Year: 2019  
 Department: Traffic Total Budget Amount: \$30,000.00  
 Contact: Ali Khan (Budget amount equals the amount in Capital Budget)

Revenue/Funding		
Transfer from Operating	\$30,000.00	
<b>Total Revenue/Funding</b>		<b>\$30,000.00</b>
<b>Expenditures</b>		
Outside Contracts	\$18,203.31	
Contract-Pavement Markings	\$2,059.62	
Salaries	\$1,803.44	
<b>Total Expenditures</b>		<b>\$22,066.37</b>
<b>Net Project Variance</b>		<b>\$7,933.63</b>

**For Use by Department**

Explanation for project variance:  
 Project came in under budget , competitive prices.

**For Finance Department Use Only**

Recommended Distribution of Funds  
*Project Surplus*  
*Project Deficit*

Disclaimer

As of (date: 10/05/21) all known costs have been charged to this capital project. Any additional charges incurred due to one year final inspections or contractor deficiencies will be charged to the Post Capital Project Fund.



CAPITAL PROJECT CLOSE OUT REPORT

APPENDIX B

Project Name: Cycling Infrastructure Date (mm/dd/yyyy): 2021-10-05  
 Capital Sub-account #: 10-321-19054 Budget Year: 2019  
 Department: Traffic Total Budget Amount: \$10,000.00  
 Contact: Ali Khan (Budget amount equals the amount in Capital Budget)

<b>Revenue/Funding</b>		
Transfer from Operating	\$10,000.00	
<b>Total Revenue/Funding</b>		<b>\$10,000.00</b>
<b>Expenditures</b>		
Outside Contracts	\$10,022.32	
<b>Total Expenditures</b>		<b>\$10,022.32</b>
<b>Net Project Variance</b>		<b><u><u>-\$22.32</u></u></b>

**For Use by Department**

Explanation for project variance:  
 Project slightly over budget.

**For Finance Department Use Only**

Recommended Distribution of Funds  
*Project Surplus*  
*Project Deficit*

Disclaimer

As of (date: 10/05/21) all known costs have been charged to this capital project. Any additional charges incurred due to one year final inspections or contractor deficiencies will be charged to the Post Capital Project Fund.

## CAPITAL PROJECT CLOSE OUT REPORT

APPENDIX B

Project Name: Summerlea Park Playground Date (mm/dd/yyyy): 2021-10-05  
 Capital Sub-account #: 10-410-19132 Budget Year: 2019  
 Department: Parks Total Budget Amount: \$224,000.00  
 Contact: Peter Boyce (Budget amount equals the amount in Capital Budget)

<b>Revenue/Funding</b>		
Debenture Proceeds	\$183,000.00	
Transfer from Operating	\$4,400.00	
Development Charges	\$12,600.00	
Res: Capital Surplus	\$24,000.00	
<b>Total Revenue/Funding</b>		<b>\$224,000.00</b>
<b>Expenditures</b>		
Outside Contracts	\$219,136.86	
Outside Consulting	\$6,029.58	
Outside Legal Costs	\$1,205.57	
<b>Total Expenditures</b>		<b>\$226,372.01</b>
<b>Net Project Variance</b>		<b><u><u>-\$2,372.01</u></u></b>

**For Use by Department****Explanation for project variance:**

Consulting fees ran over budget.

**For Finance Department Use Only****Recommended Distribution of Funds***Project Surplus**Project Deficit***Disclaimer**

As of (date: 10/05/21) all known costs have been charged to this capital project. Any additional charges incurred due to one year final inspections or contractor deficiencies will be charged to the Post Capital Project Fund.

CAPITAL PROJECT CLOSE OUT REPORT

APPENDIX B

Project Name: Aqueduct Pedestrian Bridge Removal and Aqueduct St West Portal Pedestrian Deck Removal Date (mm/dd/yyyy): 2021-10-05  
 Capital Sub-account #: 10-320-18013 / 10-320-19840 Budget Year: 2018/2019  
 Department: Engineering Total Budget Amount: \$459,581.00  
 Contact: Erik Metsa (Budget amount equals the amount in Capital Budget)

<b>Revenue/Funding</b>		
Transfer from Operating	\$36,560.00	
Debt Proceeds	\$150,000.00	
Res Fund- Capital Surplus	\$160,000.00	
<b>Total Revenue/Funding</b>		<b>\$346,560.00</b>
<b>Expenditures</b>		
Outside Contracts	\$30,652.64	
Outside Consulting	\$274,024.41	
Outside Legal Costs	\$1,013.85	
<b>Total Expenditures</b>		<b>\$305,690.90</b>
<b>Net Project Variance</b>		<b>\$40,869.10</b>

**For Use by Department**

Explanation for project variance:  
 Project completed under budget.

**For Finance Department Use Only**

Recommended Distribution of Funds  
*Project Surplus*  
*Project Deficit*

Disclaimer

As of (date: 10/05/21) all known costs have been charged to this capital project. Any additional charges incurred due to one year final inspections or contractor deficiencies will be charged to the Post Capital Project Fund.

CAPITAL PROJECT CLOSE OUT REPORT

APPENDIX B

Project Name: Condition Related Replacements Date (mm/dd/yyyy): 2021-10-05  
 Capital Sub-account #: 10-316-19605 Budget Year: 2019  
 Department: Engineering Total Budget Amount: \$500,000.00  
 Contact: Erik Metsa (Budget amount equals the amount in Capital Budget)

<b>Revenue/Funding</b>		
Res Fund: Federal Gas Tax	\$300,000.00	
Transfer from Operating	\$200,000.00	
<b>Total Revenue/Funding</b>		\$500,000.00
<b>Expenditures</b>		
Outside Contracts	\$432,138.71	
<b>Total Expenditures</b>		<u>\$432,138.71</u>
<b>Net Project Variance</b>		<u><u>\$67,861.29</u></u>

**For Use by Department**

**Explanation for project variance:**

Proposed project scope completed under budget. Weather did not allow additional work to be carried out.

**For Finance Department Use Only**

**Recommended Distribution of Funds**

*Project Surplus*

*Project Deficit*

**Disclaimer**

As of (date: 10/05/21) all known costs have been charged to this capital project. Any additional charges incurred due to one year final inspections or contractor deficiencies will be charged to the Post Capital Project Fund.

CAPITAL PROJECT CLOSE OUT REPORT

APPENDIX B

Project Name: Storm Sewer Model Preparation Date (mm/dd/yyyy): 2021-10-05  
 Capital Sub-account #: 10-327-19596 Budget Year: 2019  
 Department: Engineering Total Budget Amount: \$62,000.00  
 Contact: Erik Metsa (Budget amount equals the amount in Capital Budget)

<b>Revenue/Funding</b>	
Transfer from Operating	\$62,000.00
<b>Total Revenue/Funding</b>	<b>\$62,000.00</b>
<b>Expenditures</b>	
Part-Time	\$70,011.12
Employee Benefits	\$6,504.72
<b>Total Expenditures</b>	<u>\$76,515.84</u>
<b>Net Project Variance</b>	<u><u>-\$14,515.84</u></u>

**For Use by Department**

**Explanation for project variance:**

Work ran over budget. Variance to be offset in the Water/Wastewater Reserve Fund.

**For Finance Department Use Only**

**Recommended Distribution of Funds**

*Project Surplus*

*Project Deficit*

**Disclaimer**

As of (date: 10/05/21) all known costs have been charged to this capital project. Any additional charges incurred due to one year final inspections or contractor deficiencies will be charged to the Post Capital Project Fund.

## CAPITAL PROJECT CLOSE OUT REPORT

APPENDIX B

Project Name: Catch basin Separation Work Date (mm/dd/yyyy): 2021-10-05  
 Capital Sub-account #: 10-330-19346 Budget Year: 2019  
 Department: Engineering Total Budget Amount: \$177,000.00  
 Contact: Erik Metsa (Budget amount equals the amount in Capital Budget)

<b>Revenue/Funding</b>	
Transfer from Operating	\$95,620.00
<b>Total Revenue/Funding</b>	\$95,620.00
<b>Expenditures</b>	
<b>Total Expenditures</b>	\$0.00
<b>Net Project Variance</b>	\$95,620.00

**For Use by Department****Explanation for project variance:**

Pre-design & design work facilitated through in house sources. Construction completed through various capital projects.

**For Finance Department Use Only****Recommended Distribution of Funds*****Project Surplus******Project Deficit*****Disclaimer**

As of (date: 10/05/21) all known costs have been charged to this capital project. Any additional charges incurred due to one year final inspections or contractor deficiencies will be charged to the Post Capital Project Fund.

CAPITAL PROJECT CLOSE OUT REPORT

APPENDIX B

Project Name: ESRI Consulting Date (mm/dd/yyyy): 2021-10-05  
 Capital Sub-account #: 10-131-19665 Budget Year: 2019  
 Department: Information Services Total Budget Amount: \$20,000.00  
 Contact: Scott Barnes (Budget amount equals the amount in Capital Budget)

<b>Revenue/Funding</b>	
Transfer from Operating	\$20,000.00
<b>Total Revenue/Funding</b>	<b>\$20,000.00</b>
<b>Expenditures</b>	
<b>Total Expenditures</b>	<u>\$0.00</u>
<b>Net Project Variance</b>	<u><u>\$20,000.00</u></u>

**For Use by Department**

**Explanation for project variance:**

Funding not required, project not moving forward at this time. Funding to be reallocated to the Public Works Management software project.

**For Finance Department Use Only**

**Recommended Distribution of Funds**

*Project Surplus*

*Project Deficit*

**Disclaimer**

As of (date: 10/05/21) all known costs have been charged to this capital project. Any additional charges incurred due to one year final inspections or contractor deficiencies will be charged to the Post Capital Project Fund.

## CAPITAL PROJECT CLOSE OUT REPORT

APPENDIX B

Project Name: Fleet Replacements-General Date (mm/dd/yyyy): 2021-10-05  
 Capital Sub-account #: 10-323-19026 Budget Year: 2019  
 Department: Fleet Total Budget Amount: \$946,910.00  
 Contact: Adam Beres (Budget amount equals the amount in Capital Budget)

<b>Revenue/Funding</b>		
Debt Proceeds	\$850,000.00	
Res Fund: Fleet	\$96,910.00	
<b>Total Revenue/Funding</b>		\$946,910.00
<b>Expenditures</b>		
Capital Equipment & Vehicles	\$964,812.68	
Outside Legal Costs	\$5,599.59	
<b>Total Expenditures</b>		<u>\$970,412.27</u>
<b>Net Project Variance</b>		<u><u>-\$23,502.27</u></u>

**For Use by Department****Explanation for project variance:**

Variance offset in Fleet Capital - General under 10-323-20002

**For Finance Department Use Only****Recommended Distribution of Funds***Project Surplus**Project Deficit***Disclaimer**

As of (date: 10/05/21) all known costs have been charged to this capital project. Any additional charges incurred due to one year final inspections or contractor deficiencies will be charged to the Post Capital Project Fund.



CAPITAL PROJECT CLOSE OUT REPORT

APPENDIX B

Project Name: Portable Traffic Calming Devices Date (mm/dd/yyyy): 2021-10-05  
 Capital Sub-account #: 10-321-20056 Budget Year: 2020  
 Department: Traffic Total Budget Amount: \$25,000.00  
 Contact: Ali Khan (Budget amount equals the amount in Capital Budget)

Revenue/Funding		
Res: Parking	\$20,569.76	
<b>Total Revenue/Funding</b>		<b>\$20,569.76</b>
Expenditures		
Outside Contracts	\$20,569.76	
<b>Total Expenditures</b>		<b>\$20,569.76</b>
<b>Net Project Variance</b>		<b>\$0.00</b>

**For Use by Department**

Explanation for project variance:

Project on budget

**For Finance Department Use Only**

Recommended Distribution of Funds

*Project Surplus*

*Project Deficit*

**Disclaimer**

As of (date: 10/05/21) all known costs have been charged to this capital project. Any additional charges incurred due to one year final inspections or contractor deficiencies will be charged to the Post Capital Project Fund.

CAPITAL PROJECT CLOSE OUT REPORT

APPENDIX B

Project Name: Streetlighting - Wiring & Pole Replacements Date (mm/dd/yyyy): 2021-10-05  
 Capital Sub-account #: 10-321-20055 Budget Year: 2020  
 Department: Traffic Total Budget Amount: \$40,000.00  
 Contact: Ali Khan (Budget amount equals the amount in Capital Budget)

<b>Revenue/Funding</b>		
Transfer from Operating	\$40,000.00	
<b>Total Revenue/Funding</b>		\$40,000.00
<b>Expenditures</b>		
Outside Contracts	\$40,000.00	
<b>Total Expenditures</b>		<u>\$40,000.00</u>
<b>Net Project Variance</b>		<u><u>\$0.00</u></u>

**For Use by Department**

Explanation for project variance:  
 Project on budget

**For Finance Department Use Only**

Recommended Distribution of Funds  
*Project Surplus*  
*Project Deficit*

**Disclaimer**

As of (date: 10/05/21) all known costs have been charged to this capital project. Any additional charges incurred due to one year final inspections or contractor deficiencies will be charged to the Post Capital Project Fund.

## CAPITAL PROJECT CLOSE OUT REPORT

APPENDIX B

Project Name: Water Model Updates Date (mm/dd/yyyy): 2021-10-05  
 Capital Sub-account #: 10-910-20285 Budget Year: 2020  
 Department: Engineering Total Budget Amount: \$10,000.00  
 Contact: Erik Metsa (Budget amount equals the amount in Capital Budget)

<b>Revenue/Funding</b>		
Transfer from Operating	\$1,000.00	
Development Charges	\$8,763.36	
<b>Total Revenue/Funding</b>		\$9,763.36
<b>Expenditures</b>		
Outside Consulting	\$9,763.36	
<b>Total Expenditures</b>		<u>\$9,763.36</u>
<b>Net Project Variance</b>		<u><u>\$0.00</u></u>

**For Use by Department****Explanation for project variance:**

Project on budget

**For Finance Department Use Only****Recommended Distribution of Funds***Project Surplus**Project Deficit***Disclaimer**

As of (date: 10/05/21) all known costs have been charged to this capital project. Any additional charges incurred due to one year final inspections or contractor deficiencies will be charged to the Post Capital Project Fund.

## CAPITAL PROJECT CLOSE OUT REPORT

APPENDIX B

Project Name: Fleet Replacements Water ENG Date (mm/dd/yyyy): 2021-10-05  
 Capital Sub-account #: 10-910-20265 Budget Year: 2020  
 Department: Fleet Total Budget Amount: \$186,662.00  
 Contact: Adam Beres (Budget amount equals the amount in Capital Budget)

<b>Revenue/Funding</b>		
Debt Proceeds	\$16,000.00	
Transfer from Operating	\$170,260.00	
<b>Total Revenue/Funding</b>		\$186,260.00
<b>Expenditures</b>		
Capital Equipment & Vehicles	\$187,787.34	
Outside Legal Costs	\$107.05	
<b>Total Expenditures</b>		<u>\$187,894.39</u>
<b>Net Project Variance</b>		<u><u>-\$1,634.39</u></u>

**For Use by Department****Explanation for project variance:**

Project slightly over budget due to pricing.

**For Finance Department Use Only****Recommended Distribution of Funds***Project Surplus**Project Deficit***Disclaimer**

As of (date: 10/05/21) all known costs have been charged to this capital project. Any additional charges incurred due to one year final inspections or contractor deficiencies will be charged to the Post Capital Project Fund.

CAPITAL PROJECT CLOSE OUT REPORT

APPENDIX B

Project Name: Fleet Replacements - General Date (mm/dd/yyyy): 2021-10-05  
 Capital Sub-account #: 10-323-20002 Budget Year: 2020  
 Department: Fleet Total Budget Amount: \$927,000.00  
 Contact: Adam Beres (Budget amount equals the amount in Capital Budget)

<b>Revenue/Funding</b>		
Res: Fleet	\$100,000.00	
Debenture Proceeds	\$827,000.00	
<b>Total Revenue/Funding</b>		<b>\$927,000.00</b>
<b>Expenditures</b>		
Capital Equipment & Vehicles	\$883,014.34	
Outside Legal Costs	\$5,533.21	
<b>Total Expenditures</b>		<b>\$888,547.55</b>
<b>Net Project Variance</b>		<b>\$38,452.45</b>

**For Use by Department**

**Explanation for project variance:**

Variance offset by 10-323-19026 - Balance of Variance to return to Fleet Reserve.

**For Finance Department Use Only**

**Recommended Distribution of Funds**

*Project Surplus*

*Project Deficit*

**Disclaimer**

As of (date: 10/05/21) all known costs have been charged to this capital project. Any additional charges incurred due to one year final inspections or contractor deficiencies will be charged to the Post Capital Project Fund.

CAPITAL PROJECT CLOSE OUT REPORT

APPENDIX B

Project Name: Community Room AV Upgrades Date (mm/dd/yyyy): 2021-10-05  
 Capital Sub-account #: 10-430-20093 Budget Year: 2020  
 Department: Facilities / IS Total Budget Amount: \$20,000.00  
 Contact: Scott Barnes (Budget amount equals the amount in Capital Budget)

<b>Revenue/Funding</b>		
Transfer from Operating	\$20,000.00	
<b>Total Revenue/Funding</b>		\$20,000.00
<b>Expenditures</b>		
Outside Consulting	\$22,386.02	
<b>Total Expenditures</b>		<u>\$22,386.02</u>
<b>Net Project Variance</b>		<u><u>-\$2,386.02</u></u>

**For Use by Department**

Explanation for project variance:  
 Project came in slightly above budget due to costing.

**For Finance Department Use Only**

Recommended Distribution of Funds  
*Project Surplus*  
*Project Deficit*

Disclaimer

As of (date: 10/05/21) all known costs have been charged to this capital project. Any additional charges incurred due to one year final inspections or contractor deficiencies will be charged to the Post Capital Project Fund.

CAPITAL PROJECT CLOSE OUT REPORT

APPENDIX B

Project Name: Maple Park Hydro Blasting Date (mm/dd/yyyy): 2021-10-05  
 Capital Sub-account #: 10-410-21413 Budget Year: 2020  
 Department: Parks Total Budget Amount: \$110,167.00  
 Contact: Peter Boyce (Budget amount equals the amount in Capital Budget)

Revenue/Funding		
Res: Capital Surplus	\$110,167.00	
<b>Total Revenue/Funding</b>		<b>\$110,167.00</b>
Expenditures		
Outside Contracts	\$110,166.71	
Outside Consulting	\$3,561.60	
<b>Total Expenditures</b>		<b>\$113,728.31</b>
<b>Net Project Variance</b>		<b><u><u>-\$3,561.31</u></u></b>

**For Use by Department**

Explanation for project variance:  
 Project Budget did not include consulting fees.

**For Finance Department Use Only**

Recommended Distribution of Funds  
*Project Surplus*  
*Project Deficit*

Disclaimer

As of (date: 10/05/21) all known costs have been charged to this capital project. Any additional charges incurred due to one year final inspections or contractor deficiencies will be charged to the Post Capital Project Fund.

CAPITAL CLOSE OUT STAFF RECOMMENDED REALLOCATIONS FROM CAPITAL SURPLUS

	PROJECTS CLOSED TO CAPITAL SURPLUS	AMOUNT	RECOMMENDED USE FOR REALLOCATION
1	ESRI Consulting -10-131-19665	\$ 20,000.00	Public Works Asset Management - 10-131-21021
	<b>TOTAL RE-ALLOCATED FROM CAPITAL SURPLUS</b>	<b>20,000.00</b>	



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FUNCTION	Account Number	TOTAL CAPITAL COST	ACTUAL EXPENDITURES to the end of June, 2021	VARIANCE FAVOURABLE (UNFAVOURABLE)	PROJECT STATUS- COMPLETE / ON-GOING	ADDITIONAL COMMENTS REGARDING STATUS OF PROJECT( EX: TIMELINE OF COMPLETION, COMPLETED, HOLDBACKS OUTSTANDING, ETC)
<b>2016</b>						
<b>WASTEWATER</b>						
SEWER MODEL & PCP UPDATE	10-330-16055/1033016055	242,558	188,231	54,327	ON-GOING	
TOTAL WASTEWATER		<u>242,558</u>	<u>188,231</u>	<u>54,327</u>		
<b>TOTAL 2016</b>		<u>242,558</u>	<u>188,231</u>	<u>54,327</u>		
<b>2017</b>						
<b>BRIDGES &amp; CULVERTS</b>						
GUIDERAIL IMPROVEMENTS	10-320-17039/1032017039	180,391	186,427	(6,036)	COMPLETE	IN WARRANTY
TOTAL BRIDGES & CULVERTS		<u>180,391</u>	<u>186,427</u>	<u>(6,036)</u>		
<b>CANAL LANDS</b>						
WATERPROOF ELECTRICAL PANELS	10-447-17058/1044717058	15,000	0	15,000	ON-GOING	
TOTAL CANAL LANDS		<u>15,000</u>	<u>0</u>	<u>15,000</u>		
<b>ECONOMIC DEVELOPMENT</b>						
Strategic Initiatives	10-710-17095/1071017095	3,246,000	858,936	2,387,064	ON-GOING	Current Commitments: Shade Structure CAO2021-02 Shaw St Storage Building - FIN-2021-20 COMPLETED : River Rd Clearing - ENG 2019-26
TOTAL ECONOMIC DEVELOPMENT		<u>3,246,000</u>	<u>858,936</u>	<u>2,387,064</u>		
<b>FACILITIES</b>						
Burger Pk Ventilation/Roof/Plumbing	10-430-17047/1043017047	65,000	20,705	44,295	ON-GOING	Complete by Q4
TOTAL FACILITIES		<u>65,000</u>	<u>20,705</u>	<u>44,295</u>		
<b>FIRE</b>						
TRAINING FIELD -ENGINEERING COSTS	10-210-17011/1021017011	75,000	0	75,000	ON-GOING	Scheduled for Q3 and Q4 2021/ Associated with Training Centre #1
TOTAL FIRE		<u>75,000</u>	<u>0</u>	<u>75,000</u>		
<b>PARKS</b>						
Way-finding Signage	10-410-17043/1041017043	10,000	2,015	7,985	ON-GOING	
TOTAL PARKS		<u>10,000</u>	<u>2,015</u>	<u>7,985</u>		
<b>TOTAL 2017</b>		<u>3,591,391</u>	<u>1,068,084</u>	<u>2,523,307</u>		
<b>2018</b>						
<b>CANAL LANDS</b>						
Canal Trail Improvements	10-447-18065/1044718065	75,000	19,503	55,497	ON-GOING	
TOTAL CANAL LANDS		<u>75,000</u>	<u>19,503</u>	<u>55,497</u>		
<b>ECONOMIC DEVELOPMENT</b>						
Fire Hall & Training Ctre - Study (FCM)	10-710-18182/1071018182	144,000	101,121	42,879	ON-GOING	For New Station # 1
TOTAL ECONOMIC DEVELOPMENT		<u>144,000</u>	<u>101,121</u>	<u>42,879</u>		
<b>FACILITIES</b>						
Water Station Road Surface Upgrades	10-454-18036/1045418036	25,000	0	25,000	ON-GOING	
WIFC Timing Tower Waterproofing & Drainage Improvements	10-447-18032/1044718032	321,000	267,211	53,789	ON-GOING	
Civic Square Plaza Revitalization Phase 1	10-439-18044/1043918044	200,000	33,047	166,953	ON-GOING	Niagara Region committing only \$50,000 of funding under PRIP, not entire \$100,000
TOTAL FACILITIES		<u>546,000</u>	<u>300,258</u>	<u>245,742</u>		

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FUNCTION	Account Number	TOTAL CAPITAL COST	ACTUAL EXPENDITURES to the end of June, 2021	VARIANCE FAVOURABLE (UNFAVOURABLE)	PROJECT STATUS- COMPLETE / ON-GOING	ADDITIONAL COMMENTS REGARDING STATUS OF PROJECT( EX: TIMELINE OF COMPLETION, COMPLETED, HOLDBACKS OUTSTANDING, ETC)
<b>GENERAL</b>						
GREEN ENERGY PROJECTS	10-135-18003/1013518003	389,403	52,610	336,793	ON-GOING	Clear Risk Committed under this project
PHASE 1 IMPLEMENTATION OF IMPROVEMENTS - CANAL LANDS	10-825-18002/1082518002	100,000	38,650	61,350	ON-GOING	
<b>TOTAL GENERAL</b>		<b>489,403</b>	<b>91,260</b>	<b>398,142</b>		
<b>PARKS</b>						
Memorial Park Revitalization	10-410-18048/1041018048	390,000	205,076	184,924	ON-GOING	
Chippawa Park Cenotaph Repairs	10-410-18049/1041018049	35,000	11,567	23,433	ON-GOING	
Tree Removal - (EAB) - City Trees	10-410-18051/1041018051	150,000	112,640	37,360	ON-GOING	
Tree Removal (EAB) - Canal Trails Phase III	10-410-18052/1041018052	150,000	14,173	135,827	ON-GOING	
<b>TOTAL PARKS</b>		<b>725,000</b>	<b>343,456</b>	<b>381,544</b>		
<b>ROADWAYS</b>						
Municipal Standards Update	10-320-18033/1032018033/1032718033/1033018033/1091018033	40,000	7,121	32,879	ON-GOING	
<b>TOTAL ROADWAYS</b>		<b>40,000</b>	<b>7,121</b>	<b>32,879</b>		
<b>STORM SEWERS</b>						
South Pelham Pond Retrofit	10-327-18054/1032718054	50,000	8,622	41,378	ON-GOING	In Tender process
<b>TOTAL STORM SEWERS</b>		<b>50,000</b>	<b>8,622</b>	<b>41,378</b>		
<b>TRANSIT</b>						
Maintenance Yard Enhancements	10-810-18076/1081018076	340,000	45,618	294,382	ON-GOING	Second Phase of Paving to commence Q3 2021
<b>TOTAL TRANSIT</b>		<b>340,000</b>	<b>45,618</b>	<b>294,382</b>		
<b>WASTEWATER</b>						
Private Side I/I Abatement	10-330-18082/1033018082	200,000	62,436	137,564	ON-GOING	CSO invoices to be reconciled
Pollution Control Plan	10-330-18062/1033018062	200,000	140,942	59,058	ON-GOING	
<b>TOTAL WASTEWATER</b>		<b>400,000</b>	<b>217,312</b>	<b>368,197</b>		
<b>WATERWORKS</b>						
Lead Service Replacement (City Side)	10-910-18064/1091018064	235,032	0	235,032	ON-GOING	In construction
District Meter Installations	10-910-18079/1091018079	130,000	676	129,324	ON-GOING	
<b>TOTAL WATERWORKS</b>		<b>365,032</b>	<b>676</b>	<b>364,356</b>		
<b>TOTAL 2018</b>		<b>3,174,435</b>	<b>1,134,948</b>	<b>2,224,995</b>		
<b>2019</b>						
<b>CANAL LANDS</b>						
Canal Trail Improvements	10-447-19511/1044719511	75,000	0	75,000	ON-GOING	
WIFC Event Delivery Assets	10-447-19512/1044719512	32,400	19,448	12,952	ON-GOING	
<b>TOTAL CANAL LANDS</b>		<b>107,400</b>	<b>19,448</b>	<b>87,952</b>		
<b>FIRE</b>						
Replace Bunker Gear - Phase II	10-210-19001/1021019001	132,000	109,844	22,156	ON-GOING	Purchasing as required, maximizing life of existing equipment
Replace Fire Prevention Vehicle	10-210-19002/1021019002	58,000	51,182	6,818	ON-GOING	To be completed Q4 2021
SCBA Cylinder Replacement	10-210-19003/1021019003	325,000	307,190	17,810	ON-GOING	Purchasing as required, maximizing life of existing equipment
<b>TOTAL FIRE</b>		<b>515,000</b>	<b>468,216</b>	<b>46,784</b>		
<b>GENERAL</b>						
PingStreet App	10-131-19660/1013119660	26,500	0	26,500	ON-GOING	
Strategic Land Acquisition & Servicing	10-710-19975/1071019975	5,000,000	0	5,000,000	ON-GOING	

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AUDIO/VIDEO EQUIPMENT-COUNCIL CHAMBERS PH 2	10-111-19510/1011119510	75,000	54,681	20,319	ON-GOING	
Municipal Level of Service Plan	10-825-19999/1082519999	88,933	53,887	35,046	ON-GOING	Imitative Underway
<b>TOTAL GENERAL</b>		<b>5,190,433</b>	<b>108,568</b>	<b>5,081,865</b>		
<b>PARKS</b>						
Memorial Park Rejuvenation PH 2	10-410-19048/1041019048	700,000	20,522	679,478	ON-GOING	
Sparrows Meadows Park PH 1	10-410-19131/1041019131	250,000	6,422	243,578	ON-GOING	
<b>TOTAL PARKS</b>		<b>950,000</b>	<b>26,944</b>	<b>923,056</b>		
<b>ROADWAYS</b>						
South Pelham Road (Top Asphalt - Webber to Gaiser)	10-320-19456/1032019456	80,000	43,282	36,718	ON-GOING	Warranty Period/ Clare Estates Ph. 5
South Pelham Road (Top Asphalt - Gaiser to South Limit)	10-320-19466/1032019466	80,000	18,017	61,983	ON-GOING	Warranty Period/ Sparrow Meadows Ph. 2
Memorial Park Drive (Top Asphalt)	10-320-19476/1032019476	100,000	0	100,000	ON-GOING	Canal View Heights
Road Resurfacing Program	10-320-19415/1032019415	1,793,663	1,365,457	428,206	COMPLETE	Warranty Period/ Associated with 10-320-20842
Surface Treatment Program	10-320-19425/1032019425	166,453	166,453	(0)	COMPLETE	Warranty Period
Asphalt Patching	10-320-19445/1032019445	250,000	281,490	(31,490)	COMPLETE	Warranty Period
Schofield Road Replacement - Design	10-320-19241/1032019241	50,000	37,158	12,842	ON-GOING	
<b>TOTAL ROADWAYS</b>		<b>2,520,116</b>	<b>1,911,858</b>	<b>608,258</b>		
<b>SIDEWALKS</b>						
Missing Sidewalk Links	10-316-19615/1031619615	100,000	89,536	10,464	COMPLETE	Warranty Period
Woodlawn Road (Clare - S. Pelham)	10-316-19281/1031619281	100,000	65,995	34,005	ON-GOING	Final P.C. Issued - to close after Q3
<b>TOTAL SIDEWALKS</b>		<b>200,000</b>	<b>155,531</b>	<b>44,469</b>		
<b>STORM SEWERS</b>						
Towpath Drain Engineering	10-327-19576/1032719576	50,000	69,409	(19,409)	ON-GOING	
Dain City Storm Sewer Study	10-327-19506/1032719506	150,000	107,503	42,497	ON-GOING	
Storm Pond Sizing Risk Assessment	10-327-19526/1032719526	220,075	124,699	95,377	ON-GOING	
<b>TOTAL STORM SEWERS</b>		<b>420,075</b>	<b>301,611</b>	<b>118,464</b>		
<b>TRANSIT</b>						
ITS Enhancements	10-810-19164/1081019164	210,000	3,487	206,513	ON-GOING	Procurement of new fleet enhancements for 2021/2022/ Route Monitoring Enhancements Q1 2022
<b>TOTAL TRANSIT</b>		<b>210,000</b>	<b>3,487</b>	<b>206,513</b>		
<b>WASTEWATER</b>						
Inflow / Infiltration Reduction	10-330-19347/1033019347	100,000	99,009	991	ON-GOING	CSO invoices to be reconciled
<b>TOTAL WASTEWATER</b>		<b>100,000</b>	<b>99,009</b>	<b>991</b>		
<b>WATERWORKS</b>						
Water Master Plan & Model Updates	10-910-19205/1091019205	100,000	11,742	88,258	ON-GOING	
Cast Iron Watermain Replacement	10-910-19215/1091019215	2,229,000	1,369,905	859,095	ON-GOING	
LRP Program	10-910-19225/1091019225	76,173	63,750	12,423	ON-GOING	
Asset Management Plan - Waterworks	10-910-19275/1091019275	15,000	5,920	9,080	ON-GOING	
Schofield - East Main to Welland (Design)	10-910-19241/1091019241	25,000	1,481	23,519	ON-GOING	
WOODLAWN WATERMAIN - S. PELHAM TO CLARE	10-910-19281/1091019281	750,000	630,448	119,552	ON-GOING	Final P.C. Issued - to close after Q3
<b>TOTAL WATERWORKS</b>		<b>3,195,173</b>	<b>2,083,246</b>	<b>1,111,927</b>		
<b>TOTAL 2019</b>		<b>13,408,197</b>	<b>5,177,918</b>	<b>8,230,280</b>		

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<b>2020</b>						
<b>BRIDGES &amp; CULVERTS</b>						
Aqueduct Siphon Cleaning & Inspection	10-320-20841/1032020841	150,000	28,035	121,965	ON-GOING	
Bridge Inspection/Report (Biennial)	10-320-20805/1032020805	25,000	6,101	18,899	ON-GOING	
<b>TOTAL BRIDGES &amp; CULVERTS</b>		<b>175,000</b>	<b>34,136</b>	<b>140,864</b>		
<b>CANAL LANDS</b>						
Updated Concept Plan for Recreational Canal and Waterway	10-447-20702/1044720702	200,000	8,688	191,312	ON-GOING	Underway
Welland Boat Rental Equipment	10-447-20004/1044720004	45,000	26,855	18,145	ON-GOING	Underway
Canal Trail Improvements	10-447-20701/1044720701	75,000	0	75,000	ON-GOING	
<b>TOTAL CANAL LANDS</b>		<b>320,000</b>	<b>35,543</b>	<b>284,457</b>		
<b>FACILITIES</b>						
Maple Park Pool Accessibility Improvement	10-438-20083/1043820083	50,000	335	49,665	ON-GOING	
Asbestos Audits	10-430-20098/1043020098	25,000	2,552	22,448	ON-GOING	
Arc Flash Engineering	10-430-20086/1043020086	25,000	0	25,000	ON-GOING	
Emergency Generator City Hall	10-430-20088/1043020088	30,000	0	30,000	ON-GOING	
Pre- Approved Arena Boiler Replacement	10-430-20099/1043020099	400,000	298,412	101,589	COMPLETE	in Warranty until Dec 2021
Council Chambers Phase 3 of 3	10-430-20090/1043020090	25,000	0	25,000	ON-GOING	
Fire System Upgrades	10-430-20092/1043020092	17,500	6,563	10,937	ON-GOING	
Baseball Stadium Improvements	10-430-20095/1043020095	127,300	0	127,300	ON-GOING	
Signage	10-430-20096/1043020096	20,000	0	20,000	ON-GOING	
Amphitheater Condition Assessment and Repairs	10-430-20097/1043020097	100,000	0	100,000	ON-GOING	
<b>TOTAL FACILITIES</b>		<b>819,800</b>	<b>307,861</b>	<b>511,939</b>		
<b>FIRE</b>						
Replace 1/2 T Light Truck #5	10-210-20600/1021020600	74,000	59,640	14,360	ON-GOING	Anticipated to be completed for Q4 2021
<b>TOTAL FIRE</b>		<b>74,000</b>	<b>59,640</b>	<b>14,360</b>		
<b>GENERAL</b>						
New Technology Equipment/Licensing	10-131-20503/1013120503	140,444	113,235	27,209	ON-GOING	
Security Camera Upgrades	10-131-20700/1013017001/1013120700	80,000	0	80,000	ON-GOING	RFP for Q4
Appraisal Survey Cost	10-710-20001/1071020001	35,000	5,771	29,229	ON-GOING	
Community Benefits and By-law Study	10-510-20292/1051020292	50,000	0	50,000	ON-GOING	Q3 start Along with DC Review
<b>TOTAL GENERAL</b>		<b>305,444</b>	<b>119,006</b>	<b>186,438</b>		
<b>MULTI-ASSET</b>						
Southworth Street Improvements	10-320-20291/1031620291/1032020291/1032720291/1091020291	795,000	28,956	766,044	ON-GOING	
<b>TOTAL MULTI-ASSET</b>		<b>795,000</b>	<b>28,956</b>	<b>766,044</b>		
<b>PARKS</b>						
Memorial Park Ball Diamond Lighting	10-410-20048/1041020048	700,000	341,672	358,328	ON-GOING	Warranty Period / Commitment of funding to Memorial Park Pool
Sparrows Meadows Park PH 2	10-410-20131/1041020131	250,000	0	250,000	ON-GOING	
Pre-Approved 2020 Glenwood/Dain City Playground	10-410-20136/1041020136	250,000	4,788	245,212	ON-GOING	
Pre-Approved 2020 Chippawa Park/Lauglin Playground	10-410-20137/1041020137	350,000	8,010	341,990	ON-GOING	

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Pre-Approved 2020 Elmwood Playground	10-410-20138/1041020138	250,000	5,481	244,519	ON-GOING	
Pre-Approved 2020 Cooks Mills Playground	10-410-20139/1041020139	250,000	8,416	241,584	ON-GOING	
Pre-Approved 2020 Memorial Park Splash Pad	10-410-20140/1041020140	450,000	321,787	128,213	ON-GOING	
Pre-Approved 2020 Maple Park Splash Pad	10-410-20141/1041020141	400,000	288,684	111,316	ON-GOING	
Pre-Approved 2020 Outfield Improvements	10-410-20142/1041020142	50,000	19,239	30,761	ON-GOING	
Pre-Approved 2020-Lincoln St Docks/Rotary Park - Phase 2	10-410-20143/1041020143	1,200,000	1,087,476	112,524	ON-GOING	
Plymouth Park Soccer field	10-410-20132/1041020132	200,000	158,552	41,448	ON-GOING	Warranty Period
New Waterfront Park Development	10-410-20995/1041020995	150,000	78,758	71,242	ON-GOING	
<b>TOTAL PARKS</b>		<b>4,500,000</b>	<b>2,322,866</b>	<b>2,177,134</b>		
<b>ROADWAYS</b>						
Gaiser Road Top Asphalt - Sparrow PH3	10-320-20406/1032020406	100,000	0	100,000	ON-GOING	
Crack Sealing	10-320-20405/1032020405	250,000	223,829	26,171	COMPLETE	Warranty Period
Road Resurfacing Program	10-320-20415/1032020415	2,138,898	1,801,754	337,144	COMPLETE	Warranty Period
Surface Treatment Program	10-320-20425/1032020425	145,000	46,280	98,720	COMPLETE	Warranty Period
Asset Management Plan Update	10-320-20271/1032020271	20,000	16,275	3,725	ON-GOING	
Asphalt Patching	10-320-20445/1032020445	130,000	132,760	(2,760)	ON-GOING	
Pre-Approved 2020 Road Resurfacing	10-320-20842/1032020842	3,000,000	2,831,638	168,362	COMPLETE	Warranty Period/ Associated with 10-320-19415
McCabe/Bradley Top Asphalt	10-320-20311/1032020311	310,000	223,642	86,358	ON-GOING	Warranty Period
<b>TOTAL ROADWAYS</b>		<b>6,093,898</b>	<b>5,276,179</b>	<b>817,719</b>		
<b>SIDEWALKS</b>						
Riverside Drive	10-316-20211/1031620211	135,000	135,000	0	ON-GOING	Warranty Period/ Regional Project
Condition Related Replacements	10-316-20605/1031620605	570,000	542,466	27,534	COMPLETE	Warranty Period
Missing Sidewalk Links	10-316-20615/1031620615	250,000	169,022	80,978	COMPLETE	Warranty Period
<b>TOTAL SIDEWALKS</b>		<b>955,000</b>	<b>846,488</b>	<b>108,512</b>		
<b>STORM SEWERS</b>						
SWM Pond Cleaning	10-327-20225/1032720225	400,000	0	400,000	ON-GOING	In Tender process
Colbeck Storm Culvert	10-327-20321/1032720321	150,000	0	150,000	ON-GOING	
Ridge Road Storm Culvert	10-327-20331/1032720331	150,000	0	150,000	ON-GOING	
Climate Change Adaptation Planning	10-327-20341/1032720341	60,000	19,151	40,849	ON-GOING	Deferred due to Pandemic
<b>TOTAL STORM SEWERS</b>		<b>760,000</b>	<b>19,151</b>	<b>740,849</b>		
<b>TRAFFIC</b>						
City View Mobile Module	10-321-20057/1032120057	30,000	25,652	4,348	ON-GOING	To be completed Summer 2021
Traffic Control Hardware	10-321-20051/1032120051	90,000	0	90,000	ON-GOING	To be completed Summer 2022
Gateway Signage	10-321-20050/1032120050	39,398	13,554	25,844	ON-GOING	
<b>TOTAL TRAFFIC</b>		<b>159,398</b>	<b>39,206</b>	<b>120,192</b>		
<b>TRANSIT</b>						
Specialized Bus	10-810-20070/1081020070	175,000	90,681	84,319	ON-GOING	To be utilized 2021
ITS Upgrades	10-810-20073/1081020073	195,000	183,458	11,542	ON-GOING	To be utilized 2021
Bus Stop Upgrades	10-810-20075/1081020075	104,771	57,497	47,274	ON-GOING	Upgrades under review- to commence 2021
Powertrain & Bodywork Refurb.	10-810-20072/1081020072	80,000	74,744	5,256	ON-GOING	
<b>TOTAL TRANSIT</b>		<b>554,771</b>	<b>406,380</b>	<b>148,391</b>		

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<b>WASTEWATER</b>						
Sewer Rehabilitation Program (Replace of Lining)	10-330-20305/1033020305	1,495,800	627,403	868,397	COMPLETE	Warranty Period
CSO & Sewer System Flow Level Monitoring	10-330-20315/1033020315	217,019	129,886	87,133	ON-GOING	
Lincoln & Coventry Overflows	10-330-20325/1033020325	75,000	26,484	48,516	ON-GOING	
Evelyn Ditch Monitoring	10-330-20335/1033020335	150,000	64,031	85,969	ON-GOING	
Asset Management Plan Update	10-330-20275/1033020275	25,983	19,417	6,566	ON-GOING	
Inflow / Infiltration Reduction	10-330-20347/1033020347	300,000	151,895	148,105	ON-GOING	
Private Side Disconnection (SWAP) Program	10-330-20345/1033020345	300,000	0	300,000	ON-GOING	
Pre-Approved 2020 Broadway Area	10-330-20222/1033020222	381,704	85,569	296,135	ON-GOING	In design - Construction to commence Q3
<b>TOTAL WASTEWATER</b>		<b>2,945,506</b>	<b>1,104,684</b>	<b>1,840,822</b>		
<b>WATERWORKS</b>						
Riverside Drive	10-910-20211/1091020211	279,875	281,719	(1,844)	ON-GOING	Warranty Period / Regional Project
Cast Iron Water main Replacement Program	10-910-20215/1091020215	2,570,162	2,123,499	446,663	COMPLETE	Warranty Period
Lead Service Replacement (City Side)	10-910-20295/1091020295	100,000	0	100,000	ON-GOING	In construction
Water Meter Replacements	10-910-20221/1033020221/1091020221	641,613	352,985	288,628	ON-GOING	Apart of 2021 replacements
Asset Management Plan Update	10-910-20275/1091020275	20,000	0	20,000	ON-GOING	
<b>TOTAL WATERWORKS</b>		<b>3,611,650</b>	<b>2,758,203</b>	<b>853,447</b>		
<b>TOTAL 2020</b>		<b>22,069,466</b>	<b>13,358,299</b>	<b>8,711,167</b>		
<b>2021</b>						
<b>BRIDGES &amp; CULVERTS</b>						
2020 Bridge & Culvert Inspection Follow-up	10-320-21200/1032021200	50,000	0	50,000	ON-GOING	
<b>TOTAL BRIDGES &amp; CULVERTS</b>		<b>50,000</b>	<b>0</b>	<b>50,000</b>		
<b>CANAL LANDS</b>						
Canal Trail Improvements	10-447-21500/1044721500	75,000	0	75,000	ON-GOING	
<b>TOTAL CANAL LANDS</b>		<b>75,000</b>	<b>0</b>	<b>75,000</b>		
<b>FACILITIES</b>						
Asset Management/Building Condition Assessments	10-430-21450/1013519081/1043020081/1043021450	90,000	0	90,000	ON-GOING	
Flooring Replacements	10-430-21452/1043020183/1043021452	190,000	0	190,000	ON-GOING	
Capital Painting Contract	10-430-21451/1043020184/1043021451	100,000	9,372	90,628	ON-GOING	
Museum Building - Roof Replacement	10-449-21453/1044921453	265,000	0	265,000	ON-GOING	
Building Thermography for Electrical Safety - PW Building	10-444-21464/1044421464	20,000	0	20,000	ON-GOING	
PW Fuel Tank Removal	10-444-21465/1044421465	50,000	0	50,000	ON-GOING	
PW Salt Dome & Second Entrance – DESIGN & ENG	10-444-21466/1043020091/1044421466	100,000	0	100,000	ON-GOING	
Maple Park Pool Building - Roof Replacement	10-454-21454/1045421454	96,750	0	96,750	ON-GOING	
WIFC - Roof Remediation Works (Tower & Athlete Centre)	10-447-21455/1044721455	60,000	0	60,000	ON-GOING	

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Arena Pump Replacements	10-432-21456/1043221456	120,000	67,795	52,205	ON-GOING	
Fire Hall #5 - East Roof Replacement	10-459-21468/1045921468	25,000	3,038	21,962	ON-GOING	
PW Duet Hot Water Tank Replacement	10-444-21457/1044421457	25,000	0	25,000	ON-GOING	
Courthouse Sliding Gate Replacement	10-442-21458/1044221458	20,000	0	20,000	ON-GOING	
Civic Hall Vestibule Door Replacements	10-439-21459/1043921459	30,000	0	30,000	ON-GOING	
Courthouse Fire Alarm System Upgrade - Panel Replacement	10-442-21460/1044221460	10,000	0	10,000	ON-GOING	
PW Automatic Gate	10-444-21462/1044421462	60,000	0	60,000	ON-GOING	
Courthouse Heating System - Condition Assessment/Energy Audit	10-442-21463/1044221463	15,000	0	15,000	ON-GOING	
Civic Hall LED Lighting Upgrades	10-439-21469/1043921469	10,000	0	10,000	ON-GOING	
<b>TOTAL FACILITIES</b>		<b>1,286,750</b>	<b>80,204</b>	<b>1,206,546</b>		Plan to purchase with additional Aerial if approved in 2022. Greater savings will be recognized for the combined purchase.
<b>FIRE</b>						
Replace Pumper 1990	10-210-21051/1021021051	900,000	0	900,000	ON-GOING	
<b>TOTAL FIRE</b>		<b>900,000</b>	<b>0</b>	<b>900,000</b>		
<b>FLEET</b>						
FLEET CAPITAL REPLACEMENT - GENERAL	10-323-21300/1032321300	956,000	63,745	892,255	ON-GOING	Awaiting Delivery
<b>TOTAL FLEET</b>		<b>956,000</b>	<b>63,745</b>	<b>892,255</b>		
<b>GENERAL</b>						
New Technology Equipment/Licensing	10-131-21000/1013121000/1013119503	165,000	0	165,000	ON-GOING	
Appraisal Survey Cost	10-710-21550/1071021550	35,000	0	35,000	ON-GOING	
OFFICIAL PLAN UPDATE	10-510-21651/1051019085/1051020290/1051021651	150,000	0	150,000	ON-GOING	Q4 Start- along with Community Benefits Study
Public Works Asset Management	10-131-21021/1013119669/1013120699/1013121021	532,000	984	531,016	ON-GOING	Project Underway
Payroll/HR Implementation -Phase 2	10-131-21001/1013121001	50,000	15,362	34,638	ON-GOING	Project Underway
City view Software	10-131-21002	469,689	0	469,689	ON-GOING	Agreement finalized - implementation underway
<b>TOTAL GENERAL</b>		<b>1,401,689</b>	<b>16,345</b>	<b>1,385,344</b>		
<b>MULTI-ASSET</b>						
Water Meter Replacements ( Water/Sewer)	10-910-21751/1033021751/1091021751	400,000	0	400,000	ON-GOING	Resuming Summer
Broadway Area - Construction of Trunk Sanitary Sewer (Roads, Storm, Sewer, Watermain)	10-320-21764/1032021764/1032721764/1033021764/1091021764	3,650,000	0	3,650,000	ON-GOING	Construction anticipated Q3 2021
Clare Avenue Infrastructure Renewals (Multi Asset) (320-316-327-330)	10-320-21714/1031621714/1032021714/1032721714/1033021714	750,000	40,580	709,420	ON-GOING	
Cady Street Road & Water main Replacement (Road & Water main)	10-320-21767/1032021767/1091021767	450,000	0	450,000	ON-GOING	Construction Summer 2021

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Scholfield Avenue Infrastructure Renewals (Multi-Asset)(320-316-327-330-910)	10-320-21762 - Multi/1031621762/1032021762/1032721762/1033021762/1091021762	1,892,499	906,254	986,245	ON-GOING	In construction
Southworth Street Infrastructure Renewals (Roads / Wastewater / Water)	10-320-21763/1032021763/1033021763/1091021763	60,000	0	60,000	ON-GOING	Construction anticipated Q3 2021
Iva Street Construction - Development Agreement (Roads/Sidewalks/Water/Sewer/Storm)	10-320-21766/1031621766/1032021766/1032721766/1033021766/1091021766	330,000	255,799	74,201	ON-GOING	
Clare Ave Extension - East Side Sidewalks & Safety Railing	10-320-21171/1031621171/1032021171	200,000	0	200,000	ON-GOING	Construction anticipated Q3 2021
Northaven Road Water main Replacement (Roads/ Water/Sewer/ Sidewalks/Storm)	10-320-21772/1031621772/1032021772/1032721772/1033021772/1091021772	995,000	0	995,000	ON-GOING	In design - Construction to begin Q3
Elizabeth Street West Infrastructure Renewals (Roads/Water/Sewer/Sidewalks/Storm)	10-320-21775/1031621775/1032021775/1032721775/1033021775/1091021775	819,500	0	819,500	ON-GOING	In design - Construction to begin Q3
Riverbank Street Water main Replacement (Roads/Water/Sewer/Sidewalks/Storm)	10-320-21776/1031621776/1032021776/1032721776/1033021776/1091021776	750,000	0	750,000	ON-GOING	In design - Construction to begin Q3
State Street Water main Replacement (Roads/ Storm/Water/Sewer/Sidewalks)	10-320-21777/1031621777/1032021777/1032721777/1033021777/1091021777	350,000	0	350,000	ON-GOING	Construction Summer 2021
Parkdale Place Infrastructure Renewals (Roads/Sidewalks/Storm/Water/Wastewater)	10-320-21778/1031621778/1032021778/1032721778/1033021778/1091021778	791,680	0	791,680	ON-GOING	In design - Construction to begin Q3
Fourth Street Sanitary Sewer Replacement (Roads/Sidewalks/Wastewater)	10-320-21707/1031621707/1032021707/1033021707	525,000	0	525,000	ON-GOING	In design - Construction to begin Q3
Fifth Street Sewer Replacement (Roads/Sidewalks/Wastewater)	10-320-21708/1031621708/1032021708/1033021708	575,000	0	575,000	ON-GOING	In design - Construction to begin Q3
Sixth Street Sanitary Sewer Replacement (Roads/Sidewalks/Wastewater)	10-320-21709/1031621709/1032021709/1033021709	650,000	0	650,000	ON-GOING	In design - Construction to begin Q3
<b>TOTAL MULTI-ASSET</b>		<b>13,188,679</b>	<b>1,202,632</b>	<b>11,986,047</b>		
<b>PARKS</b>						
Chaffey Park Playground & Landscaping	10-410-21403/1041021403	250,000	0	250,000	ON-GOING	
Memorial Park Rejuvenation PH 4	10-410-21401/1041021401	700,000	13,788	686,212	ON-GOING	
Sparrows Meadows Park PH 3	10-410-21402/1041021402	250,000	0	250,000	ON-GOING	
General Park Maintenance	10-410-21406/1041021406	80,000	68,496	11,504	ON-GOING	
Thorold Road to Woodlawn - Phase 1 of 2	10-410-21409/1041021409	431,536	0	431,536	ON-GOING	



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MEMORIAL PARK POOL CONSULTING	10-410-21411/1041021411	282,893	42,960	239,933	ON-GOING	
Enhancements at Maple Park	10-410-21412/1041021412	400,000	0	400,000	ON-GOING	
<b>TOTAL PARKS</b>		<b>2,394,429</b>	<b>125,244</b>	<b>2,269,185</b>		
<b>ROADWAYS</b>						
Crack Sealing	10-320-21151/1032021151	100,000	65,207	34,793	COMPLETE	Warranty Period
Road Resurfacing Program	10-320-21187/1032021187	2,140,000	0	2,140,000	ON-GOING	Construction Summer 2021
Surface Treatment Program - Rural Roads	10-320-21153/1032021153	145,000	0	145,000	ON-GOING	Construction Summer 2021
Asphalt Patching	10-320-21154/1032021154	100,000	79,185	20,815	ON-GOING	In construction
West Main Area (Niagara to PCD Phase 2-4 Design)(Roads)	10-320-21753/1032021753	30,000	0	30,000	ON-GOING	In Design
<b>INCREASE 2021 ROAD RESURFACING CAPITAL SPENDING</b>	<b>10-320-21150/1032021150</b>	<b>4,650,000</b>	<b>26,737</b>	<b>4,623,263</b>	<b>ON-GOING</b>	<b>Construction Summer 2021</b>
<b>TOTAL ROADWAYS</b>		<b>7,165,000</b>	<b>171,130</b>	<b>6,993,870</b>		
<b>SIDEWALKS</b>						
Sidewalks - Condition Related Replacements	10-316-21102/1031621102	570,000	0	570,000	ON-GOING	Construction on-going
Sidewalks - Missing Links Master Plan & Construction	10-316-21103/1031621103	250,000	0	250,000	ON-GOING	Construction on-going
West Main Area (Niagara to PCD Phase 2-4 Design)(Sidewalks)	10-316-21753/1031621753	30,000	0	30,000	ON-GOING	In Design
<b>INCREASE 2021 SIDEWALK ADDITIONS/REPLACEMENTS CAPITAL SPENDING</b>	<b>10-316-21100/1031621100</b>	<b>950,000</b>	<b>18,357</b>	<b>931,643</b>	<b>ON-GOING</b>	<b>Construction on-going</b>
<b>TOTAL SIDEWALKS</b>		<b>1,800,000</b>	<b>18,357</b>	<b>1,781,643</b>		
<b>STORM SEWERS</b>						
Climate Change Adaptation Planning	10-327-21352/1032721352	20,000	0	20,000	ON-GOING	Deferred due to Pandemic
West Main Area (Niagara to PCD Phase 2-4 Design)(Storm)	10-327-21753/1032721753	30,000	0	30,000	ON-GOING	In Design
David Street Area Storm Sewer MSP & Model (Ditch Outlet Review & Design)	10-327-21364/1032720205/1032721364	350,000	35,995	314,005	ON-GOING	
Dain City Storm Channel Improvements	10-327-21366	750,000	0	750,000	ON-GOING	Clearing/Survey on-going
River Road Storm Sewer/Ditch	10-327-21367/1032721367	300,000	3,244	296,756	ON-GOING	In Design / Construction Q4
<b>TOTAL STORM SEWERS</b>		<b>1,450,000</b>	<b>39,239</b>	<b>1,410,761</b>		
<b>TRAFFIC</b>						
Traffic Control Hardware	10-321-21251/1032121251	60,000	0	60,000	ON-GOING	
Street lighting -Wiring & pole Replacements	10-321-21253/1032121253	50,000	33,854	16,146	ON-GOING	To be completed Q3 2021
Portable Traffic Calming Devices	10-321-21256/1032121256	45,000	14,886	30,114	ON-GOING	To be completed Q3 2021
Lighting Improvements for Chippawa Park	10-321-21257/1032121257	60,000	49,501	10,499	ON-GOING	To be completed August 2021
<b>TOTAL TRAFFIC</b>		<b>215,000</b>	<b>98,241</b>	<b>116,759</b>		
<b>TRANSIT</b>						
Engine/Transmission/Refurbishment	10-810-21600/1081021600	80,000	0	80,000	ON-GOING	New Engine for #1159
Conventional Low Floor Accessible Bus	10-820-21615/1082021615	625,000	0	625,000	ON-GOING	New Fleet for 2022 Delivery
Fare boxes/Revenue Equipment	10-810-21613/1081021613	30,000	0	30,000	ON-GOING	Purchasing Coin Sorter and Mobile Ticketing hardware in Q4
<b>TOTAL TRANSIT</b>		<b>735,000</b>	<b>0</b>	<b>735,000</b>		

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<b>WASTEWATER</b>						
CSO & Sewer System Flow Level Monitoring (Mandatory)	10-330-21702/1033021702	200,000	11,438	188,562	ON-GOING	
Fleet Replacements Sanitary Eng.	10-330-21302/1033021302	91,600	6,405	85,195		
West Main Area (Niagara to PCD Phase 2-4 Design)(Wastewater)	10-330-21753/1033021753	30,000	0	30,000	ON-GOING	In Design
Hagar Street Sewer Bulkhead Removals	10-330-21717/1033021717	100,000	0	100,000	ON-GOING	
Lincoln / Coventry Area Inflow/Infiltration Reduction Investigation	10-330-21718/1033021718	150,000	0	150,000	ON-GOING	
Commercial St MSP & Ontario St Trunk Sewer (Phase 1)	10-330-21720/1033021720	150,000	0	150,000	ON-GOING	
Broadway Area Inflow/Infiltration Reduction Investigation	10-330-21721/1033021721	150,000	0	150,000	ON-GOING	In Design
Sanitary Sewer Model Update	10-330-21722/1033021722	50,000	661	49,339	ON-GOING	
River Inflow Investigation & Install of Check Valves	10-330-21704/1033021704	100,000	0	100,000	ON-GOING	
Dain City Infiltration/Inflow Reduction Program	10-330-21715/1033021715	500,000	0	500,000	ON-GOING	
Sanitary Sewer Separation/Replacements	10-330-21779	1,909,200	0	1,909,200	ON-GOING	Construction Summer 2021
<b>TOTAL WASTEWATER</b>		<b>3,430,800</b>	<b>18,504</b>	<b>3,412,296</b>		
<b>WATERWORKS</b>						
Sumbler Road Water main Replacement	10-910-21771/1091021771	400,000	0	400,000	ON-GOING	
Lead Service Replacement Program (Private Side)	10-910-21752/1091021752	25,000	0	25,000	ON-GOING	
Water Model Updates & Water Master Plan	10-910-21755/1091021755	25,000	3,368	21,632	ON-GOING	
Fleet Replacements Water Eng.	10-910-21301/1091021301	238,300	35,995	202,305	ON-GOING	
West Main Area (Niagara to PCD Phase 2-4 Design)(Water)	10-910-21753/1091021753	30,000	0	30,000	ON-GOING	In Design
Cast Iron Water main Replacements	10-910-21780/1091021780	3,775,000	2,259	3,772,741	ON-GOING	Construction Summer 2021
<b>TOTAL WATERWORKS</b>		<b>4,493,300</b>	<b>41,621</b>	<b>4,451,679</b>		
<b>TOTAL 2021</b>		<b>39,541,647</b>	<b>1,875,263</b>	<b>37,666,384</b>		

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
<b>MULTI-PHASE/ MULTI- BUDGETED YEAR PROJECTS</b>						
<b>EDGAR/ELGIN</b>						
SMALL COMMUNITIES INFRASTRUCTURE IMPROVEMENTS	10-320-17022/1031617012/1032017022/1032717007/1033017073/1091017078	4,170,000	1,827,559	2,342,441		
Edgar/Elgin Area Roadwork	10-320-18010/1031618010/1032018010/1032718010/1033018010/1091018010	3,685,622	8,362,369	(4,676,747)		
Edgar/Elgin Sewer Separation (SCF) (PH 3)	10-320-19201/1031619201/1032019201/1032719201/1991019201	2,970,000	0	2,970,000	ON-GOING	In Construction

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Edgar/Elgin Roads (SCF)	10-320-20201/1031620201/1032020201/1032720201/1033020201/1091020201	1,159,000	0	1,159,000		
<b>TOTAL EDGAR/ ELGIN</b>		<b>11,984,622</b>	<b>10,189,927</b>	<b>1,794,695</b>		
<b>FIRE STATIONS</b>						
New Fire Stn - Stn #1 Design Fees Phase 1 of 2	10-210-18006/1021018006	1,000,000	1,811,650	(811,650)	ON-GOING	Progressing Well - Work underway and is scheduled to open Late Spring 2022
Construction New Fire Station #1	10-210-19005/1021019005	6,380,000	1,797,672	4,582,328		
Construction Fire Station #2	10-210-19006/1021019006	3,500,000	1,438,183	2,061,817		
CONSTRUCTION FIRE STATIONS #1 & #2 (Additional Funds)	10-210-20601/1021020601	4,218,650	0	4,218,650		
Fire Station # 1 - Training Centre	10-210-21050/1021021050	2,850,000	0	2,850,000		
<b>TOTAL FIRE STATIONS</b>		<b>17,948,650</b>	<b>5,047,505</b>	<b>12,901,145</b>		
<b>WEST MAIN STREET AREA</b>						
West Main Street Area - Infrastructure Improvements	10-320-19888/1031619888/1032019888/1032719888/1033018060/1033018085/1033019888/1091018059/1091019231/1091019888	3,662,000	198,552	3,463,448	ON-GOING	In Design
<b>TOTAL WEST MAIN ST AREA</b>		<b>3,662,000</b>	<b>198,552</b>	<b>3,463,448</b>		
<b>TRANSIT FACILITY</b>						
New Operations Facility Phase 1 of 2	10-810-20074/1081020074	13,680,000	147,766	13,532,234	ON-GOING	Construction to Commence 2022
New Transit Garage - Phase 2 of 2	10-810-21612/1081021612	1,320,000	6,902	1,313,098		
<b>TOTAL TRANSIT FACILITY</b>		<b>15,000,000</b>	<b>154,668</b>	<b>14,845,332</b>		
<b>MERRIT ST</b>						
Merritt Street - City Cost Share w/ Region	10-320-21161/1031618018/1031620241/1032018069/1032021161/1032721161/1033020241/1091018098/1091020241	2,632,000	6,502	2,625,499	ON-GOING	Construction TBD / Region is coordinating project
<b>TOTAL MERRIT ST</b>		<b>2,632,000</b>	<b>6,502</b>	<b>2,625,499</b>		
<b>HUNTER'S POINTE BOOSTER STATION</b>						
Hunter's Pointe Booster Station	10-910-19556/1091017083/1091018096/1091019556	1,942,546	1,575,821	366,725	COMPLETE	Warranty Period
<b>TOTAL HUNTER'S POINTE BOOSTER STATION</b>		<b>1,942,546</b>	<b>1,575,821</b>	<b>366,725</b>		
<b>MOU WITH EMPIRE COMMUNITIES (INCL CITY PORTION OF FORKS RD BRIDGE)</b>						
Forks Rd Full (Kingsway- East limit) Infrastructure Renewals	10-320-21199/1032021199	5,000,000	0	5,000,000	ON-GOING	New Multi Sport Outdoor facility underway
Dain East - Playground & Water Feature	10-410-21407/1041021407	1,500,000	0	1,500,000		
Former John Deere - Playground & Water Feature	10-410-21408/1041021408	1,500,000	0	1,500,000		
New Multi-purpose Outdoor Facility	10-443-21499/1044321499	2,750,000	0	2,750,000		
Forks Rd Bridge - Phase 2	10-320-21201/1032021201	7,000,000	0	7,000,000		
Forks Road Bridge Replacement	10-320-20840/1032020840	5,000,000	3,539	4,996,461		
<b>TOTAL MOU AND CITY</b>		<b>22,750,000</b>	<b>3,539</b>	<b>22,746,461</b>		
<b>GRAND TOTAL</b>		<b>157,947,513</b>	<b>39,979,255</b>	<b>118,153,765</b>		

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APPROVALS	
DIRECTOR	
CFO	
CAO	

COUNCILPLANNING AND DEVELOPMENT SERVICES  
PLANNING DIVISION

21-86

REPORT P&B-2021-50  
OCTOBER 5, 2021

**SUBJECT:** APPLICATION FOR ZONING BY-LAW AMENDMENT (FILE NO. 2021-06) AND DRAFT PLAN OF VACANT LAND CONDOMINIUM (FILE NO. 26CD-14-21005) SUBMITTED BY UPPER CANADA CONSULTANTS ON BEHALF OF MOUNTAINVIEW HOMES (NIAGARA) LTD. FOR LANDS LOCATED ON THE EAST SIDE OF SOUTH PELHAM ROAD, NORTH OF WEBBER ROAD, AND WEST OF CLAIRE AVENUE, LEGALLY DESCRIBED AS BLOCK 2 59M-472, GEOGRAPHIC TOWNSHIP OF THOROLD, NOW IN THE CITY OF WELLAND, REGIONAL MUNICIPALITY OF NIAGARA, MUNICIPALLY KNOWN AS 89 WEST CREEK COURT.

**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  
DEVELOPMENT AND BUILDING SERVICES

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND APPROVES AN Amendment to Zoning By-law 2017-117, as amended, for lands on the east side of South Pelham Road, north of Webber Road and west of Claire Avenue, legally described as Block 2 59M-472, Geographic Township of Thorold, Now in the City of Welland, Regional Municipality of Niagara, municipally known as 89 West Creek Court from Residential Medium Density – RM and Institutional Health and Wellness – INSH to Site Specific Residential Medium Density – RM, Site Specific Institutional Health and Wellness – INSH and Environmental Protection Overlay – EP; and further,

THAT Welland City Council approves Draft Plan of Vacant Land Condominium for lands described as Block 2 59M-472, Geographic Township of Thorold, Now in the City of Welland, Regional Municipality of Niagara, municipally known as 89 West

Creek Court, for the creation of 69 units for block townhouse dwellings, one (1) naturalized buffer block, and one (1) daylighting triangle block, subject to the following conditions:

1. That the Owner enter into a Site Plan Agreement with the City of Welland;
2. That no grading or construction work commence until such time as the Site Plan Agreement has been entered into and financial securities are in place;
3. That the Site Plan or Condominium Agreement between the owner and the City contain a provision whereby the owner agrees to implement the approved noise mitigation measures AND ensure the required warning clauses be included in all offers and agreements of purchase and sale or lease to survive closing in accordance with the *Environmental Noise Feasibility Study* (dated June 1, 2021) prepared by Valcoustics Canada Ltd;
4. That the following clauses shall be included in the Site Plan or Condominium Agreement between the owners and the City of Welland:

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

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

5. That a Landscape Plan be prepared to the satisfaction of the Niagara Region. The Landscape Plan should incorporate dense plantings of native trees and shrubs that complement the adjacent vegetation communities, including thorny species to discourage human intrusion into sensitive areas. The removal of invasive species should also be incorporated, as appropriate. The Landscape Plan should be completed by a full member of the Ontario Association of Landscape Architects (OALA);

6. That a Grading Plan be provided to the satisfaction of Niagara Region, that demonstrates that existing overland flow patterns are maintained and that no grading within the natural heritage features and/or their buffers will occur. The Grading Plan shall designate specific locations for stockpiling of soils and other materials which will at a minimum be outside of the natural heritage features and their buffers and a minimum of 10 metres from the dripline of any trees to be retained. The Grading Plan should also illustrate the location and installation details associated with sediment control and limit of work fencing. Limit of work fencing must be maintained in good condition for the duration of construction until all disturbed surfaces have been stabilized. Muddy water shall not be allowed to leave the site;
7. That permanent rear-lot fencing be provided along the boundary of the environmental block, adjacent to the wetland buffer. A no-gate bylaw is recommended to reduce human encroachment and limit the movement of pets into the adjacent natural areas;
8. That a clause be added to the Site Plan or Condominium Agreement indicating that vegetation removals be undertaken between October 1st and March 14th, outside of both the breeding bird nesting period and active bat season. A survey for active bird nests should be conducted prior to any vegetation removal or site alteration planned to occur during this window;
9. That prior to approval of the final plan or any on-site grading, the owner shall submit a detailed stormwater management plan for the subdivision and the following plans designed and sealed by a qualified professional engineer in accordance with the Ministry of the Environment documents entitled Stormwater Management Planning and Design Manual, March 2003 and Stormwater Quality Guidelines for New Development, May 1991, or their successors to the Niagara Region for review and approval:
  - a) Detailed lot grading, servicing and drainage plans, noting both existing and proposed grades and the means whereby overland flows will be accommodated across the site;
  - b) Detailed erosion and sedimentation control plans;
10. That the Site Plan or Condominium Agreement between the owner and the City contain provisions whereby the owner agrees to implement the approved plan(s) required in accordance with the approved Stormwater Management Plan;
11. That the owner provides a written acknowledgement to the Niagara Region stating that draft approval of this condominium does not include a commitment of servicing allocation by the Niagara Region as servicing

allocation will not be assigned until the plan is registered and that any pre-servicing will be at the sole risk and responsibility of the owner;

12. That the owner provides a written undertaking to the Niagara Region stating that all Offers and Agreements of Purchase and Sale or Lease, which may be negotiated prior to registration of this condominium, shall contain a clause indicating that servicing allocation for the condominium will not be assigned until the plan is registered, and a similar clause be inserted in the Condominium Agreement between the owner and the City;
13. That prior to final approval for registration of this plan of subdivision, the owner shall submit the design drawings [with calculations] for any proposed municipal sanitary and storm drainage systems required to service this development and obtain Ministry of the Environment, Conservation and Parks, Environment Compliance Approval under the Transfer of Review Program;
14. That the owner/developer ensure that all streets and development blocks can provide an access in accordance with the Niagara Region's Corporate Policy and By-laws relating to the curbside collection of waste and recycling;
15. That the owner/developer shall comply with the Niagara Region's Corporate Policy for Waste Collection and complete the Application for Commencement of Collection and Indemnity Agreement;
16. If Regional Waste Collection cannot be provided, the Site Plan or Condominium Agreement between the owner and the City contain provisions that the owner shall provide a written undertaking to the Niagara Region Planning and Development Services Department acknowledging that because the site design does not meet Regional Waste Policy, garbage/recycling pick-up for the development will not be provided by the Region. Further, the following warning clause shall be included in the condominium agreement and inserted in all Agreements of Purchase and Sale or Lease for each dwelling unit:  
  
*"Purchasers/Tenants are advised that due to the site layout, garbage/recycling pick-up for the development will be provided by the condominium corporation through a private contractor and not the Region."*;
17. That in order to accommodate Regional Waste Collection service, waste collection pads are required to be provided by the applicant for the units 46-52 (subject to the Regional waste collection trucks reverse limits). The waste collection pads shall be in accordance with the Niagara Region's Corporate Waste Collection Policy;

18. That the following warning be included in the Site Plan or Condominium Agreement and inserted in all offers and agreement of purchase and sale or lease for units 46-52(subject to the Regional waste collection trucks reverse limits):

*"That in order to accommodate Regional Waste Collection service, waste collection pads are required to be provided by the applicant for units 46-52 (subject to the Regional waste collection trucks reverse limits). The waste collection pads shall be in accordance to the details outlined in the Niagara Region's corporate waste collection policy.";*

19. That the owner dedicates additional lands at the north west corner of the intersection of Regional Road 29 and Clare Avenue to the Region of Niagara to achieve an ultimate daylighting triangle size of 10 metres x 10 metres;
20. Prior to any construction taking place within the Regional road allowance the owner shall obtain a Regional Construction Encroachment and Entrance Permit. Applications must be made through the Permits Section of the Niagara Region Public Works Department (Transportation Services Division);
21. That the Site Plan or Condominium Agreement between the owner and the City contain a provision whereby the owner agrees to obtain a certificate from an Ontario Land Surveyor stating that all existing and new survey evidence is in place at the completion of the development;
22. That the Developer provide detailed grading, construction sediment and erosion control drawings to the Niagara Peninsula Conservation Authority for review and approval. The Owner agrees that all Sediment and Control measures shall be maintained and in good condition for the duration of construction until all disturbed surfaces have been stabilized;
23. That the Developer provides appropriate limit-of-work fencing along the rear of Lots 36, 49, 50 and 55-69 and the boundary of the 15 metre wetland buffer for the remainder of the lots to the satisfaction of the Niagara Peninsula Conservation Authority;
24. That the Developer provide a buffer restoration plan to provide enhancements to the wetland buffer, to the satisfaction of the Niagara Peninsula Conservation Authority. Scoping of the restoration plan is to be obtained by the Niagara Peninsula Conservation Authority. Scoping of the restoration plan is to be obtained by the Niagara Peninsula Conservation Authority and is to be done through a Work Permit from the Niagara Peninsula Conservation Authority;



25. That the Developer provide 1.5-metre-high chain link fencing along the boundaries of Lots 36, 49, and 50. Fencing should also be established along the agreed upon wetland buffer in lots and as shown on applicable plans and drawings to the satisfaction of the Niagara Peninsula Conservation Authority;
26. That conditions 22 to 25 be incorporated into the Site Plan or Condominium Agreement between the Developer and the City of Welland, to the satisfaction of the Niagara Peninsula Conservation Authority. The City of Welland shall circulate the draft Site Plan or Condominium Agreement to the Niagara Peninsula Conservation Authority for its review and approval;
27. If existing Welland Hydro-Electric System Corporation infrastructure is required to be relocated or temporary Hydro service is required, all costs are the responsibility of the applicant;
28. If easement(s) are required by Welland Hydro-Electric System Corporation to service this development or any future adjacent developments, the applicant will provide at their expense all necessary registered easements;
29. The proposed development must meet the clearance requirements of the Ontario Building Code section 3.1.19.1 "Clearance to Buildings";
30. The Developer shall submit the full engineering design drawings to the City of Welland's Engineering Division for review and approval. Design drawing submission shall include servicing, grading, photometric, signage, and landscaping plans;
31. The revised sewer drainage area plans shall be submitted to the City of Welland's Engineering Division for review and approval;
32. The Developer shall be responsible for all costs associated with the development, including reinstatements to the existing condition or better;
33. The Developer shall construct all municipal infrastructure in accordance with the City of Welland Municipal Standards, Ontario Provincial Standards and any other applicable standards that may apply;
34. The Developer shall conduct home condition surveys, as or if required, prior to commencement of construction;

35. The owner shall complete to the satisfaction of the Director of Engineering of the City of Welland and Canada Post:
- a. Include on all offers of purchase and sale, a statement that advises the prospective purchaser:
    - i. That the home/business mail delivery will be from a designated Centralized Mail Box.
    - ii. That the developers/owners be responsible for officially notifying the purchasers of the exact Centralized Mail Box locations prior to the closing of any homes sales.
  - b. The owner further agrees to:
    - i. Work with Canada Post to determine and provide temporary suitable Centralized Mail Box locations which may be utilized by Canada Post until the curbs, boulevard and sidewalks are in place in the remainder of the subdivision.
    - ii. Install a concrete pad in accordance with the requirements of and in locations to be approved by Canada Post to facilitate the placement of Community Mail Boxes
    - iii. Identify the pads above on the engineering servicing drawings. Said pads are to be poured at the time of the sidewalk and/or curb installation within each phase of the plan of subdivision.
    - iv. Determine the location of all centralized mail receiving facilities in co-operation with Canada Post and to indicate the location of the centralized mail facilities on appropriate maps, information boards and plans. Maps are also to be prominently displayed in the sales office(s) showing specific Centralized Mail Facility locations.
  - c. Canada Post's multi-unit policy, which requires that the owner/developer provide the centralized mail facility (front loading lockbox assembly or rear-loading mailroom [mandatory for 100 units or more]), at their own expense, will be in effect for buildings and complexes with a common lobby, common indoor or sheltered space;
36. A subsurface Geotechnical report prepared by a qualified geotechnical engineer will be required at the time of building permit application submission;
37. Parkland dedication shall be established in accordance with By-law 2014-101. If a 5% Cash-in-lieu method is utilized, the Developer shall establish

the value of land for each lot, to the satisfaction of the City, prior to execution of the Site Plan or Condominium Agreement. The values shall be determined by an Appraiser in accordance with City Policy as of the day before the day the first building permit is issued for the development. The values shall be referenced in the Special Conditions and Building Restrictions of the Site Plan or Condominium Agreement;

38. That prior to granting Approval for the Final Plan, the City of Welland will require written notice from the following upon their respective conditions having been met satisfactorily;

City of Welland: 1, 2, 30-34, 36, 37  
 Region of Niagara: 3-21  
 NPCA: 22-26  
 Canada Post: 35

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

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

### **ORGIN AND BACKGROUND**

Application for Zoning By-law Amendment and Draft Plan of Vacant Land Condominium were submitted on June 4, 2021 and were deemed completed on June 17, 2021.

The subject lands are located within a registered Plan of Subdivision – West Creek Estates (2019).

### **COMMENTS AND ANALYSIS:**

#### *The Proposal*

The purpose of the application for Zoning By-law Amendment is to facilitate various modifications to the Residential Medium Density - RM and Institutional Health and Wellness – INSH Zone and establish an Environmental Protection Overlay to permit the construction of a sixty-nine (69) unit Plan of Vacant Land Condominium, for which the owner has also made application. The requested Site Specific Residential Medium Density – RM and Institutional Health and Wellness – INSH provisions are:

#### *Implementation*

- That the proposed townhouse shall be considered as a “Block Townhouse” and subject to the provisions contained in City Zoning By-law 2017-117, as amended.
- That all setbacks for the purpose of zoning and building permit compliance for this property shall be taken from the dwelling to internal private roadway (back of curb), existing lot lines, Block boundaries or between dwellings (as prescribed). Setbacks shall not be taken from Condominium Unit lines.
- Lot coverage shall be calculated on a comprehensive basis for the entirety of the residential developable area, and shall include common element areas.

#### *Definitions*

- That the following definition be used for Block Townhouses:
  - o “Means a dwelling unit within a building containing three or more dwelling units with frontage along a private street or parking lot, each of which has an independent entrance and does not include another dwelling type defined herein.”

#### *Regulations for Institutional Zones – Block Townhouses*

- INSH-X Zone
  - o That Block Townhomes be added as a permitted use and subject to the provisions outlined in the RM Zone of Section 7.3 of Zoning By-law 2017-117, as well as the site-specific provisions of By-law 2021-XX

#### *Regulations for Residential Zones – Block Townhouses*

- RM-X Zone
  - o Rear Yard Setback
    - a) 6.0 metres from rear wall of Block Townhouse dwelling to a lot line.
    - b) 4.8 metres from the rear wall of Unit 36 to a lot line.
    - c) 12.0 metres between rear walls of Block Townhouse Dwellings.

#### *General Provisions – Decks*

- Decks, covered or uncovered, may project a maximum of 3.75 metres into the required rear yard, provided said deck is not higher than 1.5m above grade.

#### *Parking and Loading*

- Notwithstanding Section 6.1.6 b), that the 0.3 metre increased width for obstructed parking spaces is not required for private garages.

- That required parking for a Block Townhouse may be permitted between the façade of the building and the private roadway.

The purpose of the application for Draft Plan of Vacant Land Condominium is to create sixty-nine (69) condominium townhouse units accessed via a private road connection from West Creek Court. The Plan proposes a built density of 31.58 units per hectare and greenfield development density of 77.58 people/jobs per hectare.

#### The Site

The property is located between east side South Pelham Road and the west side Clare Avenue with direct access from West Creek Court from the north. The lands are bounded to the south by Webber Road. The property is currently vacant and no development has been noted to ever occur on the site. The property is municipally known as 89 West Creek Court.

#### Surrounding Land Uses

A portion of the lands to the north are to be developed with residential uses, the balance of the lands include an environmental designation. Lands directly to the south feature a mix of residential uses. Property directly west is planned for a neighborhood commercial use and lands to the east include residential and environmental uses.

#### Development and Agency Comments Received

- |  |   |
|--|---|
| Welland Hydro-Electric System Corporation (August 3, 2021) | <ul style="list-style-type: none"> <li>- Welland Hydro-Electric System Corporation (WHESC) does not object to the proposed application(s).</li> <li>- The applicant shall contact WHESC's Engineering Department to determine servicing details and requirements by emailing <a href="mailto:Engineering@wellandhydro.com">Engineering@wellandhydro.com</a>.</li> <li>- Unit type confirmation required, whether freehold or condominium. Hydro Meter locations are to be determined prior to servicing, based on unit type.</li> <li>- If existing WHESC's infrastructure is required to be relocated or temporary Hydro service is required, all costs are the responsibility of the applicant.</li> <li>- If easement(s) are required by WHESC to service this development or any future adjacent developments, the applicant will provide at their expense all necessary registered easements.</li> </ul> |
|--|---|

- The proposed development must meet the clearance requirements of the Ontario Building Code section 3.1.19.1 "Clearance to Buildings".
- City of Welland  
Corporate Services –  
Transit Division (July  
23, 2021)
- No comments.
- City of Welland  
Planning and  
Development  
Services – Traffic,  
Parking and By-laws  
(July 23, 2021)
- No comments.
- City of Welland  
Infrastructure  
Services – Public  
Works Division (July  
29, 2021)
- Development (private) is suggested to be serviced with master water meter(s) located at the property line(s) and that the watermain be looped.
- Niagara Peninsula  
Conservation  
Authority (August 10,  
2021)
- Niagara Peninsula Conservation Authority (NPCA) acknowledge that there has been a previous registered subdivision on the subject lands on August 20, 2019.
  - Per NPCA policy 8.2.3.5 Proposed Development within 30 metres of a Wetland, the applicant has submitted an Environmental Impact Study in support of the proposed development. The Environmental Impact Study that was submitted is outdated; five years is generally the standard window of time used in practice for review at the NPCA. The addendum provided in May 2021 by LCA Consultants helped to provide some further information, along with a field visit conducted by NPCA staff, along with the applicant and environmental consultant on August 5<sup>th</sup>, 2021 to verify that the existing conditions on site remained consistent with what was documented in the 2008 Environmental Impact Study submitted.
  - After attending the site visit, NPCA staff requested that the applicant provide a technical memo demonstrating that the hydrologic function of the wetland will be maintained during and post-

construction of the proposed development. NPCA staff are satisfied that the comments provided in the "Addendum to Westcreek Estates EIS Update," Prepared by LCA Environmental Consultants dated August 6, 2021 have sufficiently addressed that the hydrologic function of the wetland will be maintained during and post construction of the proposed development, as such a water balance will not be required.

- It is noted that the "Preliminary Site Plan, West Creek Condo, City of Welland," Dwg: 2021-SP dated September 30, 2020 printed June 2, 2021 shows the 1 in 100-year floodplain elevation.
- The NPCA is supportive of the zoning of the natural buffer area along the northern lot line as EP and floodplain as EP, Environmental Protection. NPCA staff acknowledge and recognize the City of Welland for receiving the dedication of the wetland buffer area – Block 71, as part of City owned public lands in line with NPCA policy 8.2.5.
- The subject property is impacted by the Region's Core Natural Heritage System (CNHS), consisting of the Drapers Creek Provincially Significant Wetland Complex (PSW), Regional Local Amendment and Type 1 (Critical) Fish Habitat. An Environmental Impact Study (EIS) was previously submitted by L Campbell & Associates (dated January 2008) in support of applications associated with the subject lands. However, as the proposed development was modified and the EIS was now outdated, staff requested the completion of an updated EIS to demonstrate that there will be no negative impact on the Regional CNHS features or their ecological functions.
- Regional Environmental Planning staff have reviewed the 'Update to 2008 EIS for Westcreek Estates Phase 1' Memo, prepared by LCA Environmental Consultants (dated May 27,

Region of Niagara –  
Environmental  
Planning (August 11,  
2021)

2021), and are generally in agreement that the proposed development can be accommodated in this location without significant negative impact to the CNHS. That said, staff are not satisfied with the size of the buffer width proposed adjacent to the PSW and request that the proposed Site Plan be revised to achieve a minimum average buffer width of 20 metres. Alternatively, a fulsome update to the 2008 EIS should be prepared to justify a narrower buffer width. Further, any environmental studies requested by the City of Welland or Niagara Peninsula Conservation Authority (NPCA) will require review and approval by the Region.

Region of Niagara –  
Planning and  
Development  
Services (August 24,  
2021)

- The subject lands are located within the Welland Urban Area, as designated in the Regional Official Plan (ROP). The Welland Urban Area is considered as a Settlement Area by the 2020 Provincial Policy Statement (PPS).
- The subject lands are located within the Provincially designated Greenfield Area of the City of Welland. The ROP states that the Region will require a combined gross density target of 50 people and jobs per hectare across all Designated Greenfield Areas. The *Planning Justification Report* prepared by Upper Canada Consultants (dated June 2021) states that the proposed development provides for 77.59 people and jobs per developable hectare.
- Regional Staff notes that the density of this development exceeds the minimum Greenfield density target of 50 people and jobs per hectare. As such, staff offers no objection to the proposed condominium from a density perspective as it conforms with and is consistent with Regional and Provincial policies.
- Relating to the proposed design:
  - o Interface with Regional Road (Webber Road):



- The frontage along Webber Road includes an intersection with Clare Avenue. This is a highly visible area and it is a best practice to place built form with architectural features and details in these places. The applicant shall consider re-locating the surface parking more internal to the site and placing a block of townhomes at this intersection. If residential units will not fit within this space, then consider the design of a placemaking element that includes hardscaping (low walls, gazebo, seating area, plant material, etc.)
- Several units include side elevations that will face the Regional Road (Units #14, 25, 26, 44, 45, and 55). It is recommended that these elevations are designed with enhanced architectural details (e.g. high-quality building materials, ample glazing, wrap-around porch, etc.) This will improve “eyes on the street” for both the private window road and the Regional Road.
- Since the Private (window) road will be visible from the Regional Road, it is recommended that a landscape treatment (i.e. decorative fence and plant material) is incorporated into the 3m landscape strip along the front property line. Please submit details for any landscape features (fencing, signage, decorative walls), that will be visible from the Regional Road. Additionally, the 5m wide stormwater easement is located along the front property line. Please verify if fencing and plant material are permitted to be placed within this easement. If not, then it may be recommended that the landscape strip is increased in width and is extended beyond this easement.

- Streetscape along Regional Road (Webber Road):
  - The drawings should include the entire municipal boulevard along Webber Road including any improvements to the boulevard.
  - It is recommended that a municipal sidewalk is provided along the frontage of Webber Road and connects with the sidewalk along Clare Avenue and provide pedestrian connections from the future sidewalk along Webber Road into the development at key locations.
  - The Landscape Plan should include the following streetscape information: deciduous street trees in a sodded boulevard. Trees should be 50mm caliper and spaced according to their size. Refer to the Region's Master Tree Planting List for species. The Landscape Plan should include an overlay of survey information and site servicing information, to ensure that proposed street trees will not conflict with services, utilities and drainage structures within the boulevard. Please note that if street trees cannot be accommodated due to existing or proposed utilities, services and drainage features, then an enhanced landscape treatment will be requested on private lands. This includes deciduous trees plus planting beds consisting of shrubs and perennials.
- Based upon the submitted elevations for Units 45-69, it appears that the garages protrude beyond the front elevation. Although the porch is designed to be extended beyond the garage, the front entrances appear to be recessed. It is a best practice to have not only the front porch but the front entrance and front elevation be placed

closest to the street with the garage setback from this elevation.

- It is a best practice to provide a shared amenity space in a centralized location of the site. The size and design of the amenity space should be appropriate for the proposed number of units.
- There appears to be several pinch points where there is insufficient space to provide an on-site landscape treatment between the private roads, parking and buildings and the required naturalized buffer. This may also impact the design of site drainage, and could require more space for these features. For example: rear of Unit 36, Private road that dead-ends between Units 49 and 50, side elevation of Unit 50, hammerhead turnaround near Unit 69, and parking space #35.
- Please verify if it is permitted to include fencing and plant material within the 5m wide storm easement located along the rear yards of Units 1-14. This may have an impact on the landscape and privacy for these units.
- Regional staff will continue to work with the applicant and will review the above details at a later stage in the approval process (Site Plan)
- Given the subject lands are fronting on a Regional Road, the development has potential to be impacted by the noise generated by vehicular traffic. As such, an *Environmental Noise Feasibility Study* (dated June 1, 2021) prepared by Valcoustics Canada Ltd. has been submitted in support of the applications. The purpose of this assessment was to assess the noise impacts from road traffic on Webber Road, South Pelham Road and Clare Avenue. The report concluded that in order for the development to meet the applicable Ministry of the Environment, Conservation and Parks (MECP) NPC-300 sound level guidelines the following mitigation measures are required:

- Unit 14 requires mandatory air conditioning to allow windows to remain closed for noise control purposes;
  - The remaining units in the townhouse blocks along the west and south sides of the site (Units 1 to 13, 20 to 31 and 40 to 69) require the provision for adding air conditioning at a later date;
  - At all dwellings, exterior wall and windows meeting the minimum non-acoustical requirements of the Ontario Building Code (OBC) will be sufficient to meet the indoor noise criteria;
  - Sound barriers 1.8m in height are required at the rear yards of Units 7 to 14, 25, 26, 44, 45, 54 and 69 as shown on Figure 2 of the study; and
  - Applicable warning clauses to be registered on title for certain units.
- During pre-consultation, Regional staff noted that based on the Provincial Criteria for Assessing Archaeological Potential, the subject property exhibited potential for the discovery of archaeological resources due to the lands being within 300m of a watercourse (i.e. Drapers Creek) and within 300m of registered archaeological sites.
  - An *Archaeological Assessment* (Stages 1, 2 & 3 – dated January 2008) prepared by Archaeologix Inc. was submitted in support of the applications. The Stage 2 assessment of the ploughed fields was conducted by the standard pedestrian survey at five metre intervals. The Stage 2 assessment of wooded areas was conducted by the standard shovel test pit method at five meter intervals. The Stage 2 resulted in the identification of one location producing pre-contact Aboriginal cultural material. Due to the potential significance and information potential of these sites, it was recommended that they be subject to additional Stage 3 assessment. The Stage 3 assessments

of Location 1 (AfGt-174) produced only a limited amount of additional cultural material, none of which was diagnostic. The report concluded that due to the extremely sparse nature of the cultural deposits at this site, the information potential of Location 1 was judged to be low and no additional assessment is recommended.

- In a letter dated September 11, 2008 the Ministry of Culture reviewed and accepted the Archaeological Assessment (Stages 1, 2 & 3) and the recommendations. As the Ministry was satisfied that concerns for archaeological sites have been met for the area of this development, the report has been entered into the Ontario Public Register of Archaeological Reports.
- Regional staff notes that Figure 3 in the report identifying the limit of development at the time the report was completed (2008) no longer coincides with the limit of proposed development in the current applications. The report specifically stated that the wet area along Clare Avenue was not assessed. Staff notes that this area remains small and appears to only be proposed emergency access and parking for the development. Recognizing that no archaeological survey, regardless of its intensity, can entirely negate the possibility of deeply buried archaeological materials, Regional staff requires the inclusion of a standard warning clause in the condominium agreement, relating to deeply buried archaeological materials that may be encountered during grading and construction activities. As such, a condition requiring the clause has been included.
- The subject property is impacted by the Region's Core Natural Heritage System (CNHS), consisting of the Drapers Creek Provincially Significant Wetland Complex (PSW), Environmental Protection Area: Regional Local Amendment and Type 1 (Critical) Fish Habitat. An Environmental Impact Study (EIS) was previously

submitted by L. Campbell & Associates (dated January 2008) in support of applications associated with the subject lands. However, as the proposed development was modified and the EIS was now outdated, staff requested the completion of an updated EIS to demonstrate that there will be no negative impact on the Regional CNHS features or their ecological functions.

- Regional Environmental Planning staff have reviewed the 'Update to 2008 EIS for Westcreek Estates Phase 1' Memo, prepared by LCA Environmental Consultants (dated May 27, 2021), and are generally in agreement that the proposed development can be accommodated in this location without significant negative impact to the CNHS. Therefore, in addition to the recommendations of the EIS and supporting memo, the Region recommends that the proposed Site Plan be revised to achieve a minimum average buffer width of 20 metres in order to ensure that the proposed development meets the no negative impact test of the Provincial Policy Statement.
- As it relates to the concurrent zoning by-law amendment, Regional staff request to have the feature and associated buffer to be recognized as Environment Protection or other appropriate zone that restricts future development and/or site alteration.
- Please note that the Niagara Peninsula Conservation Authority (NPCA) continues to be responsible for the review and comment on planning applications related to their regulated features. As such, NPCA should continue to be consulted with respect to their comments and permit requirements pursuant to Ontario Regulation 155/06.
- Regional staff completed a review of the submitted Preliminary Functional Servicing Report (dated May 2021) prepared by Upper

Canada Consultants and offer the following comments:

- It is understood that the NPCA has not required stormwater quantity control be implemented from West Creek Estates due to the location within Draper's Creek Watershed. The Region defers to the NPCA requirement regarding storm discharge to the creek. The stormwater management and grading/servicing plan shall detail how the overland flows (up to the 100-year storm), i.e. storm runoff exceed the 5-year storm sewer flow, from the development will be accommodated across the site to the creek. Erosion protection along the flow route may be needed.
  - Webber Road (Regional Road 29) shall not be negatively impacted as a result of the development.
  - An oil/grit separator and the existing stormwater management facility will service the development to meet Enhanced standard water treatment and erosion control. The Region has no objection to this plan.
  - The Region highly recommends Low Impact Development, such as rain gardens, rooftop leader discharge to stoned infiltration trench/vegetated area, permeable pavement, etc. be incorporated in the site plan.
- Regional staff note that site servicing will be under the jurisdiction of the City of Welland and will require the construction of new water, sanitary and storm services for the proposed development. As a condition of draft plan approval, Ministry of Environment, Conservation and Parks, Environmental Certificates Approvals (ECA) are required for any new/extended municipal sanitary and storm sewer services.

The Region can review and approve the ECA's under the Ministry of Environment, Conservation and Parks Transfer of Review Program. Detailed engineering design drawings with calculations for the services must be submitted to this department for review and approval.

- Niagara Region provides curbside waste and recycling collection for developments that meet the requirements of Niagara Region's Waste Collection Policy. The subject property is eligible to receive Regional curbside waste and recycling collection provided that the owner brings the waste and recycling to the curbside on the designated pick up day, and that the following limits are not exceeded:
  - No limit blue/grey containers;
  - No limit green containers; and,
  - 2 garbage containers per unit
  - Collection will be at the curbside only
- Condominium Townhouse Developments are eligible to receive internal curbside waste collection through the Region. In order for this service to be provided, the developer/ owner shall comply with the Niagara Region's Corporate Policy and By-laws related to curbside collection of waste and recycling and complete the Application for Commencement of Collection and Indemnity Agreement. The required forms and policy can be found at the following link: [www.niagararegion.ca/waste](http://www.niagararegion.ca/waste).
- Regional staff reviewed the submitted Draft Plan and site plan drawings along with the transportation Brief. It is unclear as to if the Regional trucks will be reversing more than a distance of 15 metres for the private road. Therefore, Regional staff ask that revised truck turning templates be submitted with dimensions to ensure the waste collection trucks will not need to reverse more than 15 metres and to confirm that waste collection pads will only be required for Units 46-52. The future site plan drawings shall



show the truck turning templates and increase the number to include any units that do not meet this requirement. If the requirements of the Waste Collection Policy cannot be met then waste collection will be the responsibility of the owner through a private contractor and not the Niagara Region.

- A daylight triangle of 10 metres x 10 metres will be required at the corner of Regional Road 29 (Webber Road) and Clare Avenue. Regional staff are satisfied with the daylight triangle and 3 foot reserve as shown on the plans.
- A condition requiring the daylight triangles is included. The requested daylighting triangles are to be conveyed free and clear of any mortgages, liens or other encumbrances, and are to be described by Reference Plan. The cost of providing this plan will be the full responsibility of the applicant. The applicant will arrange for the land surveyor for the property to submit the preliminary undeposited survey plan along with all related documents to Regional Surveys staff for approval. Regional Surveys staff will advise the land surveyor of any required revisions to the plan. Once the plan is deposited and the transfer registered, the Region will clear the applicable condition.
- Prior to any construction/work taking place within the Regional road allowance, a Regional Construction, Encroachment, and entrance Permit must be obtained from the Transportation Services Division, Public Works Department.
- Note, the placement of any sign, notice or advertising device within 20m of the centreline of Webber Road will require a Regional Sign permit.
- Survey Evidence adjacent to Regional road allowances is not to be damaged or removed during the development of the property. Regional staff request that any agreements entered into for this development include a clause that requires the owner to obtain a certificate from an Ontario

Land Surveyor stating that all existing and new evidence is in place at the completion of said development.

- Based on the discussion above, Regional staff supports, in principle, the development of 89 West Creek Court as the proposed applications are considered to align with the intent and direction of Regional and Provincial policy. As such, Regional Planning and Development Services staff would offer no objections to the Draft Plan of Vacant Land Condominium or the concurrent Zoning By-law Amendment subject to the discussion above and the Conditions outlined. Regional staff will continue to work with the applicant through subsequent planning applications (Site Plan) to address items including (but not limited to) urban design, landscaping and waste collection as outlined above.

Canada Post Corporation (August 3, 2021)

- This development will receive mail service to centralized mail facilities provided through our Community Mailbox program.
- Should the description of the project change, Canada Post Corporation would appreciate an update in order to assess the impact of the change on mail service.

City of Welland Fire and Emergency Services (August 25, 2021)

- No comments.

City of Welland Planning and Development Services – Building Division (August 27, 2021)

- Staff has reviewed the information submitted, the final decision on issuance of building permit will be based on the information submitted with the building permit application to this office.
- Subject lands are located within the regulated area of Niagara Peninsula Conservation Authority therefore approval by the NPCA will be required prior to issuance of building permits.
- A subsurface Geotechnical report prepared by a qualified geotechnical engineer will be required at

the time of building permit application submission.

- Construction and installation of underground site services located in the "Private Road" portion of the development will be subject to a building permit issued in a conformance with Part 7 of the 2012 Ontario Building Code.
- Parkland dedication shall be established in accordance with By-law 2014-101. If a 5% Cash-in-Lieu of Parkland method is utilized, the Developer shall establish the value of land for each lot, to the satisfaction of the City, prior to execution of the Condominium Agreement. The values shall be determined by an Appraiser in accordance with City Policy as of the day before the day the first building permit is issued for the development. The values shall be referenced in the Special Conditions and Building Restrictions of the Condominium Agreement.

A Virtual Public Information Meeting was held on July 14, 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 and owners. The following comments and concerns were raised at the Public Information Meeting:

- Potential encroachment into lands zoned Environmental Protection Overlay – EP.

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

The Statutory Public Meeting under the Planning Act was held virtually on August 10, 2021. No members of the public spoke. Comments and concerns discussed at the Statutory Public Meeting included:

- Inquiries regarding potential plans to include neighbourhood commercial uses within the site;
- Traffic concerns already existing on Webber Road and potential accommodation of pedestrian walkways or signalling;

- Prospect of adding a small parkette to service the adjacent area and explanation of how 'cash-in-lieu' functions within the City's Parks, Recreation and Culture Master Plan; and,
- Confirmation clarification of required parking stall widths and proposed variances being requested related to parking, to facilitate development.

#### Provincial Policy Statement

The Provincial Policy Statement (PPS) provides policy direction for growth and development within the Province. All decisions must be consistent with the policies in the PPS. Settlement areas are to be the focus of growth and development. The lands uses and patterns shall be based on densities and a mix of land uses which efficiently use land and resources and are appropriate for the infrastructure and public services that are planned or available, among other criteria. The PPS also encourages development which supports active transportation and support the use of transit. The lands are within an area with existing municipal services (water, sanitary, and storm) and there is capacity to accommodate the development. Welland TRANS-CAB currently serves the area with transit services slated to be enhanced and modified in the future. Transit lines along Fitch Street are also within walking distance of the property. The lands are within walking distance to two parks to the north and south, providing recreational opportunities for residents. The block of land immediately west of the site is designated and zoned for commercial uses, which will allow people to walk to the future uses on this site.

The PPS also requires municipalities to provide an appropriate range and mix of housing options and densities to meet current and future residential needs, for both market-based and affordable housing needs. The policies encourage all types of residential intensification. New housing development should be directed to areas where appropriate levels of infrastructure and public service facilities are available. The proposal will add to the housing stock and diverse dwelling types in the area (townhomes), which will assist in facilitating smart growth. The subject lands are in an area that is zoned to accommodate mixed-use development with a variety of residential dwellings including commercial and institutional uses.

The subject lands are within an area with existing municipal services, are serviced by Welland TRANS-CAB, are within walking distance to municipal parks and future commercial or institutional uses. The proposal will develop the property with a medium density housing form which is compatible with the neighbourhood, and makes more efficient use of urban, serviced lands. The proposal is consistent with the policies in the PPS.

#### A Place to Grow Growth Plan for the Greater Golden Horseshoe

The A Place to Grow Plan (P2G) encourages that the vast majority of growth will be directed to settlement areas which have: a delineated built boundary; have existing or planned water and waste water systems; and, can support the achievement of complete communities. The P2G further encourages growth to be located within the identified built-up area, strategic growth areas, locations

with existing or planned transit, and areas with existing or planned public service facilities (schools, libraries, parks, etc.). The P2G requires that 40% of all new growth, which is to be increased to 50% at the time of the next municipal comprehensive review, occur within the delineated built-up area.

The subject lands are within the delineated built-up area within the City of Welland. It is within an area that is planned to include a mix of uses and densities, with commercial and residential uses to the west and north. Townhomes and single-detached residential dwellings are established to the south, and a four-storey apartment building which will be breaking ground imminently. Environmental protection areas and a stormwater management pond are located to the east of Clare Avenue. As previously identified, the lands are within an area that is serviced with municipal transit and is within walking distance to municipal parks and future commercial uses. The lands have access to municipal services with capacity to accommodate the proposed development. The project will assist the City in achieving our intensification target. The lands have not been identified as an intensification area, but as the lands are within the delineated built-up area, intensification and redevelopment is encouraged.

Regional Official Plan

The lands are identified as being within the Built-Up area of the City of Welland. The policies in the Region's Official Plan are consistent with the policies found in the PPS and P2G. The Region's policies promote growth and development within urban areas that can access municipal services. The Region's policies promote the creation of livable and walkable communities that are in close proximity to services and community facilities.

The proposed Draft Plan of Vacant Land Condominium and Zoning By-law Amendment will allow for the development of the property with sixty-nine (69) townhome residential units which is within walking distance of transit stops, businesses, and parks. The subject lands are visible and adjacent to a Regional Road; as such, the property will be subject to noise mitigation, urban design, stormwater management, etc. through a Site Plan Agreement process.

The proposal is consistent with the policies in the Regional Official Plan.

City of Welland Official Plan

The Subject lands are designated Medium Density Residential and Institutional in the City of Welland Official Plan.

When reviewing applications for infilling and intensification, the City of Welland's Official Plan identifies that the following criteria should be reviewed:

- Land use and neighbourhood character compatibility;
- The subject lands are within an area of mixed residential designations including high density, medium density and low

density residential areas. The area also includes future neighbourhood commercial uses that are primarily focused at the intersection of Webber Road and South Pelham Road. The proposed development is considered to be consistent with the building typologies established in the surrounding lands.

- The proposed development is considered to be compatible with the surrounding neighbourhood.
- Lot pattern and configuration;
  - The proposed development is located on an existing lot. Site specific amendments have been required to address the zone provisions.
  - Lot pattern and configuration is consistent with existing development to the south and east of the subject lands.
- Accessibility;
  - Buildings are to be designed to meet Ontario Building Code requirements. Any other accessibility features incorporated into the individual dwellings will be at the discretion of the individual property owners.
- Parking requirements;
  - The City's minimum parking standards are one space per unit. The required parking stalls based on the number of units, amounts to 69. The proposed development has provided an excess of parking for each unit and included visitor parking areas throughout the plan.
- Potential for additional traffic and traffic maneuverability;
  - Traffic will access the site from two entrances off West Creek Court, directing vehicles to South Pelham

Road. A Traffic Brief was prepared to address the proposed development. Additional review will take place at the time of a Site Plan Control application.

- The potential for transit ridership;
  - There are currently no transit lines in this neighbourhood; however, it is serviced by TRANS-CAB which connects riders to the closest bust route (Route 501).
  - The lands are within walking distance to route 504 along Fitch Street.
  - The City of Welland plans to add and enhance the area of the subject lands' transit service in the coming years through initiatives like on-demand service.
  
- Natural (including natural hazards) and built heritage conservation/protection;
  - No built heritage features exist on the subject lands. The property is located adjacent to a Provincially Significant Wetland to the east. Appropriate studies and approvals have been granted via the registered Plan of Subdivision, which the lands are within. As a result of the updated EIS addendum which was submitted, an additional area of Environmental Protection lands are being proposed on the property to create a buffer area. Although there are no features on the subject lands, they are on the adjacent lands.
  
- The available capacity of municipal infrastructure;
  - There is capacity in the existing infrastructure to accommodate the proposed development.

- Residential intensification targets identified in this plan. - The proposed development will assist the City in achieving the target of 40% of all new residential development being within the Built-Up Area. That intensification goal will be increased to 50%, or higher depending on the allocation identified by the Region, at the time of the next Municipal Comprehensive Review. The proposed development of this site will contribute to achieving that goal.

The Draft Plan of Vacant Land Condominium and Zoning By-law Amendment is consistent with the policies in the City of Welland Official Plan.

#### City of Welland Zoning By-law

The lands are currently zoned Residential Medium Density – RM and Institutional and Community Wellness – INSH in the City of Welland Zoning By-law. The lands are undeveloped and are currently vacant. The application for Zoning By-law Amendment has been submitted to amend the Zones to Site Specific Residential Medium Density – RM and Site Specific Institutional and Community Wellness – INSH and Environmental Protection Overlay -EP. The application will facilitate the construction of sixty-nine (69) residential townhome units.

Notwithstanding the provisions of Section 5 General Provisions, Section 6 Parking and Loading, and Section 7.3 Regulations for Residential Zones contained in Zoning By-law 2017-117, the following provisions are proposed to apply to the subject lands:

#### *Implementation*

- That the proposed townhouse shall be considered as a “Block Townhouse” and subject to the provisions contained in City Zoning By-law 2017-117, as amended.
- That all setbacks for the purpose of zoning and building permit compliance for this property shall be taken from the dwelling to internal private roadway (back of curb), existing lot lines, Block boundaries or between dwellings (as prescribed). Setbacks shall not be taken from Condominium Unit lines.
- Lot coverage shall be calculated on a comprehensive basis for the entirety of the residential developable area, and shall include common element areas.



*Definitions*

- That the following definition be used for Block Townhouses:
  - o "Means a dwelling unit within a building containing three or more dwelling units with frontage along a private street or parking lot, each of which has an independent entrance and does not include another dwelling type defined herein."

*Regulations for Institutional Zones – Block Townhouses*

- INSH-X Zone
  - o That Block Townhomes be added as a permitted use and subject to the provisions outlined in the RM Zone of Section 7.3 of Zoning By-law 2017-117, as well as the site- specific provisions of the RM-X Zone.

*Regulations for Residential Zones – Block Townhouses*

- RM-X Zone
  - o Rear Yard Setback
    - a) 6.0 metres from rear wall of Block Townhouse dwelling to a lot line.
    - b) 4.8 metres from the rear wall of Unit 36 to a lot line.
    - c) 12.0 metres between rear walls of Block Townhouse Dwellings.

*General Provisions – Decks*

- Decks, covered or uncovered, may project a maximum of 3.75 metres into the required rear yard, provided said deck is not higher than 1.5m above grade.

*Parking and Loading*

- Notwithstanding Section 6.1.6 b), that the 0.3 metre increased width for obstructed parking spaces is not required for private garages.
- That required parking for a Block Townhouse may be permitted between the façade of the building and the private roadway.

All other provisions of the Zoning By-law can be met and exceeded. The proposed Zoning By-law Amendment can be supported.

*Public Comments*

No comments were received from the public regarding the proposed application. Discussion at the Statutory Public Hearing resulted in a inquiry related to parkland dedication.

*Parkland Dedication*

Parkland Dedication for the property has been proposed via 5% cash-in-lieu provision, rather than 5% of the land area. This arrangement is an allowable

option under Section 51.1(1) of the Planning Act. The City is entitled to receive parkland through the land development process as prescribed by the Ontario Planning Act; up to 2% of developed industrial and commercial lands, 5% of all other developable lands. The Act also provides for alternative calculations of 1 hectare per 300 dwelling units, or some lesser rate as may be determined by the municipality; or, cash-in-lieu of the physical parkland can be collected (though at a rate of 1 hectare per 500 dwelling units is applied to the density-based standard), or a lesser rate as determined by the municipality. The City's Official Plan also includes policies with respect to the provision of parkland, or cash in lieu of parkland which are consistent with the regulations in the Planning Act. The funds received through the cash-in-lieu payment are put into a separate account and can only be used to purchasing additional lands, park maintenance and improvements, securing leases or access agreements, and other means to add parkland to the supply. A 5% cash-in-lieu option supports existing parks and prioritizes City resources to provide the best possible service to the City's residents and visitors. The provision of cash-in-lieu of parkland also ensures that the City is not provided with small, fragmented parklands which have limited programming capabilities. The collection of cash-in-lieu is consistent with Section 4.3 of the City's Parks, Recreation and Culture Master Plan.

#### Niagara Region Environmental Comments

It is noted that the City received comments from Niagara Region Environmental staff related to the proposed applications for Draft Plan of Vacant Land Condominium and Zoning By-law Amendment. Regional staff have noted that the subject property is impacted by the Region's Core Natural Heritage System (CNHS), consisting of the Drapers Creek Provincially Significant Wetland Complex (PSW), Regional Local Amendment and Type 1 (Critical) Fish Habitat. Regional staff were not satisfied with the size of the buffer width proposed adjacent to the Provincially Significant Wetland and requested that the Site Plan be revised to achieve a minimum average buffer width of 20 metres. Alternatively, Regional staff requested a fulsome update to a 2008 Environmental Impact Study be prepared to justify a narrower buffer width.

The City has elected not to include the proposed conditions related to the Region's position on this matter. The following will consider the justification and rationale behind this decision:

- The subject lands are located within a Plan of Subdivision (West Creek Estates) that was registered in 2018. It is noted that Niagara Region did not object or request any additional buffer at the time of this subdivision's registration. The opportunity to provide comments related to concerns regarding buffer width was at the time of registration, not at the time of development – three (3) years later.
- If the City of Welland were to include the proposed conditions associated with this issue, a dangerous precedent may be set that could have long-lasting effect. The City has identified via planning applications and studies,

its developable potential for the municipality. Retroactively identifying issues such as this, could result in harm to the development potential of the City in the future.

- As reflected on the proposed plans, no development is anticipated or suggested in the current environmental buffer that was identified at the time of the original Plan of Subdivision's registration. The proposed plan has been created to reflect the outcome of the numerous studies and review that was conducted at the time of the West Creek Estates Subdivision registration.
- Lastly, the Niagara Peninsula Conservation Authority (NPCA) has provided comment on the proposed applications and did not request any increases to the established buffer. It is noted that the NPCA is delegated authority by the Province to act on matters associated with Provincially Significant Wetlands.

#### **Council Comments**

**Discussion regarding the Niagara Region's environmental comments; specifically, the proposed increased buffer width between the Provincial Significant Wetland (PSW) and the future development are addressed via the above text. The buffer width was previously established at the time of the overall Plan of Subdivision's (Westwoods on the Creek) registration in 2019. Niagara Region had the opportunity to comment and request additional environmental reports or an increase to the buffer prior to the clearance of conditions and registration. The submitted application for Draft Plan of Condominium is to address and work within the developable area as identified in the approved Plan of Subdivision for the lands. The proposed development not only meets but exceeds the expected buffer width as determined by the Plan of Subdivision. Appendix III, as attached to this report, further illustrates the proposed buffer width and established environmental block via the Plan of Subdivision. The Niagara Peninsula Conservation Authority (NPCA) has not identified an increased buffer width as a condition of approval, nor has requested further information. Staff have reviewed and given thoughtful consideration to the proposed conditions from Niagara Region, ultimately, determining to omit the proposed conditions based on increasing the buffer width from the PSW as the subdivision was recently registered and the appropriate time to ask for the additional information would have been prior to registration. Staff are concerned that this could create a negative precedent, and significantly reduce the lands identified for development in the City's urban area.**

**A question related to the acceptance of cash-in-lieu of parkland dedication rather than parkland for this development was raised. Staff feel that the acceptance of a cash-in-lieu payment is an appropriate method at this time rather than the physical lands as the amount of parkland that would be received would be limited in size and would have limited ability to provide parks programming. In addition to this, the City will receive Block 71 with the PSW, which may allow for limited passive recreational uses. The extents of lands to be dedicated to the City are reflected on the attached Appendix V. The area is anticipated to also include a linkage via trail systems as part of the City's Community Trails Strategy. The attached Appendix V also highlights the proximity to established parks in the area to the north and south of**

the subject lands. The parks are considered to be within walking distance and provide ample space for the area, with Westbrook Park being within 285 metres of the subject lands, and Gaiser Road Park being within 250 metres of the subject lands, which is considered a walkable distance.

#### **FINANCIAL CONSIDERATION:**

All costs associated with the development of this application will be borne by the applicant.

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

Other City Departments have been circulated the applications for their review and comment. Their comments have been included where appropriate.

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

The application for Zoning By-law Amendment to rezone 89 West Creek Court to Site Specific Residential Medium Density – RM and Site Specific Institutional Health and Wellness – INSH, and the development of the property with a sixty-nine (69) unit Draft Plan of Vacant Land Condominium represents good planning because:

1. It is consistent with Provincial, Regional and City policies that promote infilling and intensification;
2. The property is within the City's Built-Up Area, and will help the City achieve its intensification targets;
3. The infrastructure and public services in the area can accommodate the proposed development;
4. The proposed development meets the minimum density standards in the City's Official Plan, and;
5. The development facilitates the vision and intent of the previously registered Plan of Subdivision, which the lands fall within

#### **ATTACHMENTS:**

- Appendix I - Location Map
- Appendix II - Aerial Photo
- Appendix III - Draft Plan of Vacant Land Condominium
- Appendix IV - Relevant Correspondence
- Appendix V - Environmental and Parkland Map



# Location Map

## 89 West Creek Court



 **SUBJECT LANDS**



*Development &  
Building Services*  
Planning Division

# 26CD-14-21005 & 2021-06



## AERIAL PHOTO OF THE SUBJECT LANDS



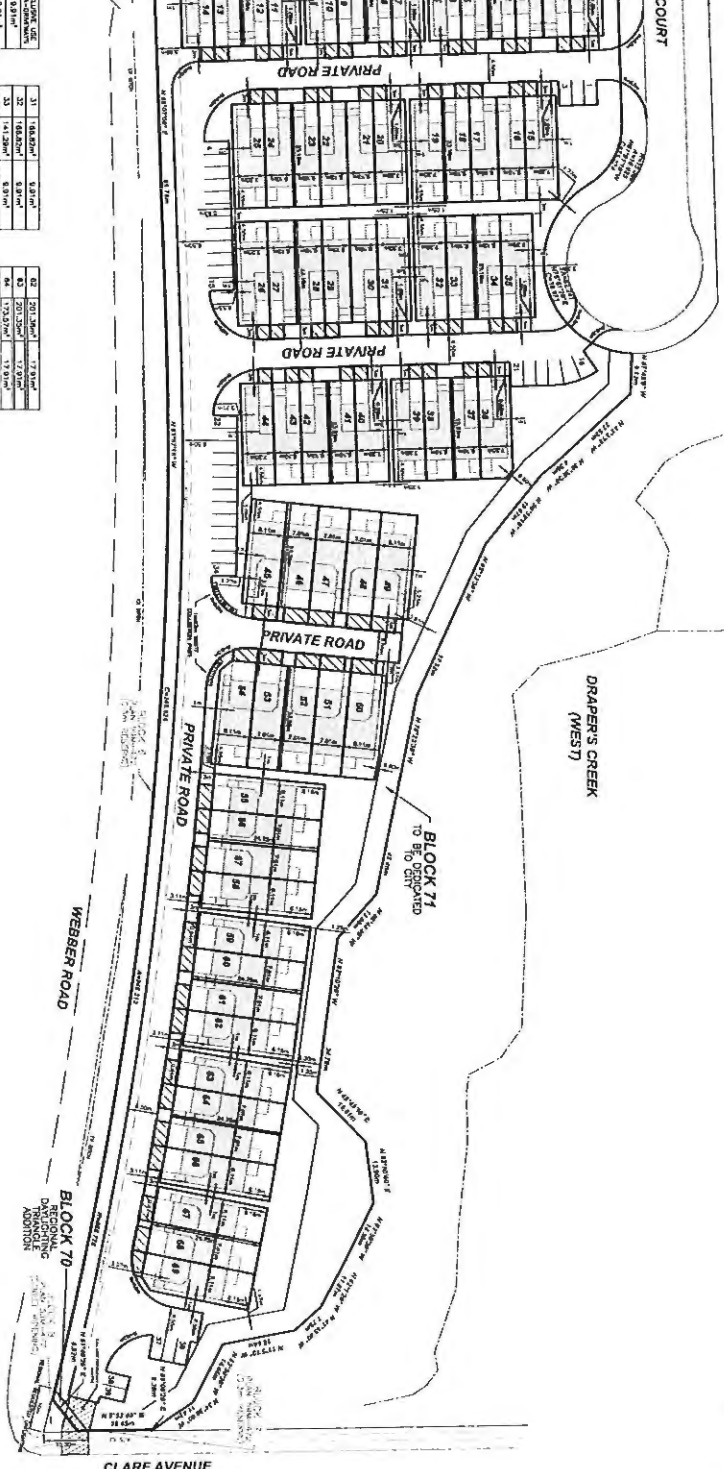
 SUBJECT LANDS



Development &  
Building Services  
Planning Division

# WEST CREEK CONDOMINIUM

## CITY OF WELLAND



31	146.83m <sup>2</sup>	5.81m <sup>2</sup>
32	146.83m <sup>2</sup>	5.81m <sup>2</sup>
33	141.28m <sup>2</sup>	5.81m <sup>2</sup>
34	141.28m <sup>2</sup>	5.81m <sup>2</sup>
35	146.83m <sup>2</sup>	5.81m <sup>2</sup>
36	146.83m <sup>2</sup>	5.81m <sup>2</sup>
37	146.83m <sup>2</sup>	5.81m <sup>2</sup>
38	146.83m <sup>2</sup>	5.81m <sup>2</sup>
39	146.83m <sup>2</sup>	5.81m <sup>2</sup>
40	146.83m <sup>2</sup>	5.81m <sup>2</sup>
41	146.83m <sup>2</sup>	5.81m <sup>2</sup>
42	146.83m <sup>2</sup>	5.81m <sup>2</sup>
43	146.83m <sup>2</sup>	5.81m <sup>2</sup>
44	146.83m <sup>2</sup>	5.81m <sup>2</sup>
45	146.83m <sup>2</sup>	5.81m <sup>2</sup>
46	146.83m <sup>2</sup>	5.81m <sup>2</sup>
47	146.83m <sup>2</sup>	5.81m <sup>2</sup>
48	146.83m <sup>2</sup>	5.81m <sup>2</sup>
49	146.83m <sup>2</sup>	5.81m <sup>2</sup>
50	146.83m <sup>2</sup>	5.81m <sup>2</sup>
51	146.83m <sup>2</sup>	5.81m <sup>2</sup>
52	146.83m <sup>2</sup>	5.81m <sup>2</sup>
53	146.83m <sup>2</sup>	5.81m <sup>2</sup>
54	146.83m <sup>2</sup>	5.81m <sup>2</sup>
55	146.83m <sup>2</sup>	5.81m <sup>2</sup>
56	146.83m <sup>2</sup>	5.81m <sup>2</sup>
57	146.83m <sup>2</sup>	5.81m <sup>2</sup>
58	146.83m <sup>2</sup>	5.81m <sup>2</sup>
59	146.83m <sup>2</sup>	5.81m <sup>2</sup>
60	146.83m <sup>2</sup>	5.81m <sup>2</sup>
61	146.83m <sup>2</sup>	5.81m <sup>2</sup>

62	201.26m <sup>2</sup>	17.91m <sup>2</sup>
63	201.26m <sup>2</sup>	17.91m <sup>2</sup>
64	173.25m <sup>2</sup>	17.91m <sup>2</sup>
65	173.25m <sup>2</sup>	17.91m <sup>2</sup>
66	201.26m <sup>2</sup>	17.91m <sup>2</sup>
67	201.26m <sup>2</sup>	17.91m <sup>2</sup>
68	173.25m <sup>2</sup>	17.91m <sup>2</sup>
69	173.25m <sup>2</sup>	17.91m <sup>2</sup>
70	173.25m <sup>2</sup>	17.91m <sup>2</sup>
TOTAL	11293.87	878.27
TOTAL LOT AREA	11293.87	
% OF DEVELOP. AREA	878.27	
TOTAL CONDOM. ELEMENT AREA	10415.60	
TOTAL AREA	23,234.85m <sup>2</sup>	

**DRAFT CONDOMINIUM**  
 Subject to the conditions (if any, set forth in our later stated approved development agreement) and other planning and zoning requirements of the City of Welland, the City of Welland hereby approves the Draft Plan of Condominium Addition as shown on the attached drawings and text.  
 This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Automated Signature  
 THE CORPORATION OF THE CITY OF WELLAND

DATE	THOSE PLANS REVIEWED BY
(Name) (Sig)	(Title) (Signature) (Department) (Division)
	Planning Division
	Building Division
	Engineering Division

THIS SCHEDULE TO AGREEMENT BETWEEN MONTMANTON HOMES (CANADA) LTD. AND THE CITY OF WELLAND DATED \_\_\_\_\_  
 CITY OF WELLAND APPROVAL STAMP

**CONDOMINIUM TITLE**

**DRAFT PLAN OF VACANT LAND CONDOMINIUM**

LAND USE: \_\_\_\_\_

AREA: \_\_\_\_\_

TOTAL: \_\_\_\_\_

DEVELOPABLE AREA = 2,179

DEVELOPABLE RESERV = 7.5

REQUIREMENTS OF THE P...

OWNERS' SURVEYOR

LEGAL PLAN COND.

KE

SUBJECT ST

Engineering provides the following conditions for the draft plan approval of 89 West Creek Road:

1. The Developer shall submit the full engineering design drawings to the City of Welland's Engineering Division for review and approval. Design drawing submission shall include servicing, grading, photometric, signage, and landscaping plans.
2. The revised sewer drainage area plans shall be submitted to the Engineering Division for review and approval.
3. Private water main shall not loop through the development. Connection shall be from an existing stub at West Creek Court with a master meter pit at the property line, and be looped within the property.
4. Sanitary inspection maintenance hole will be required inside the property line.
5. The proponent is reminded that the proposed paved road is within the storm sewer easement in favor of the municipality, and pavement repair will be the Owner's responsibility.
6. The Developer shall be responsible for all costs associated with the development, including reinstatements to existing condition or better.
7. The Developer shall construct all municipal infrastructure in accordance with the City of Welland Municipal Standards, Ontario Provincial Standards and any other applicable standards that may apply.
8. The Developer shall conduct home condition surveys as required prior to the commencement of construction.
9. Municipal roadways used for construction access, shall be kept clear of construction material, and maintained throughout construction, including dust control measures to the satisfaction of the City.
10. Applicable securities shall be submitted to the City in accordance with the vacant land condo agreement.
11. Final inspection package complete with CCTV inspection reports, mandrel test, and material testing shall be submitted to the Engineering Division.
12. Existing storm sewer and OGS unit within the easement, shall be inspected and cleaned out by the Owner after construction is complete. Ongoing maintenance of the OGS unit shall be the responsibility of the Owner.
13. The developer is required to submit as-built drawings in ACAD and PDF formats to the City's Engineering Division following construction.
14. The Engineering Division reserves the right to include additional requirements following the review of the engineering design submission.



**From:** [Vince Beaudoin](#)  
**To:** [Julie VanLeur](#)  
**Cc:** [Ray Chamberlain](#); [Taylor Meadows](#)  
**Subject:** FW: Notice of Public Meeting - 89 West Creek Court Application for Draft Plan of Condominium (File No. 26CD-14-21005) & Zoning By-law Amendment (File No. 2021-06)  
**Date:** July 29, 2021 10:05:52 AM  
**Attachments:** [ZBLA Notice of Public Meeting - 89 West Creek Court 01July-2021.pdf](#)  
[89WestCreek\\_Location.pdf](#)  
[Draft Plan of Condominium Notice of Public Meeting 89 West Creek Court July01-2021.pdf](#)  
[Draft Plan of Condominium - Plan 20121-DP.pdf](#)

---

Julie: Subsequent to review of this proposed condo development PW would suggests that the development ( private ) be serviced with master water meters located at the property lines and that the watermain be looped.

Please contact me if you have any questions.

Thank you.

Vince.



**Vincent Beaudoin; C.E.T., C.R.S., O.R.O.**  
 Manager of Public Works.  
 Public Works Division  
 Infrastructure Services  
 Corporation of the City of Welland  
 99 Federal Road, Welland, Ontario L3B 6C2  
**Hours:** Mon - Fri 7:00am to 3:00pm  
**Phone:** (905)735-1700 Ext. 3004 **Fax:** (905)735-6446  
[www.welland.ca](http://www.welland.ca)



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**From:** Taylor Meadows <taylor.meadows@welland.ca>

**Sent:** July 23, 2021 8:54 AM

**Subject:** RE: Notice of Public Meeting - 89 West Creek Court Application for Draft Plan of Condominium (File No. 26CD-14-21005) & Zoning By-law Amendment (File No. 2021-06)

Good morning,

We hope to have the 89 West Creek Court Recommendation Report to the September 7<sup>th</sup>, 2021 Council Meeting. Please provide any comments by August 10<sup>th</sup>.

Thank you,



**Taylor Meadows**  
 Development Planner  
 Planning Division  
 Planning & Development Services  
 Corporation of the City of Welland  
 60 East Main Street, Welland, Ontario L3B 3X4  
 Phone: (905)735-1700 Ext. 2246  
[www.welland.ca](http://www.welland.ca)



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**From:** Taylor Meadows

**Sent:** July 2, 2021 11:29 AM

**Cc:** Rachelle Larocque <[rachelle.larocque@welland.ca](mailto:rachelle.larocque@welland.ca)>

**Subject:** Notice of Public Meeting - 89 West Creek Court Application for Draft Plan of Condominium (File No. 26CD-14-21005) & Zoning By-law Amendment (File No. 2021-06)

Morning,

Please find attached, the Notice of Public Meeting regarding application for Draft Plan of Condominium (File No. 26CD-14-21005) and Zoning By-law Amendment (2021-06) for 89 West Creek Court.

Regards,



**Taylor Meadows**  
 Development Planner  
 Planning Division  
 Planning & Development Services  
 Corporation of the City of Welland  
 60 East Main Street, Welland, Ontario L3B 3X4  
 Phone: (905)735-1700 Ext. 2246  
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**From:** [Rachelle Larocque](#)  
**To:** [Taylor Meadows](#); [Craig Rohe \(craig@ucc.com\)](#)  
**Subject:** FW: West Creek Court, Welland-ENVI Comments  
**Date:** August 11, 2021 1:39:22 PM

---

FYI



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



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---

**From:** Boudens, Adam <Adam.Boudens@niagararegion.ca>  
**Sent:** August 11, 2021 1:38 PM  
**To:** Rachelle Larocque <rachelle.larocque@welland.ca>; Earl, Lindsay <lindsay.earl@niagararegion.ca>  
**Cc:** 'Sarah Mastroianni' <smastroianni@npca.ca>; Jessica Abrahamse <jabrahamse@npca.ca>; Lampman, Cara <Cara.Lampman@niagararegion.ca>; Busnello, Pat <pat.busnello@niagararegion.ca>; Adam Aldworth <aaldworth@npca.ca>  
**Subject:** RE: West Creek Court, Welland-ENVI Comments

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

Hi Rachelle,

Lindsay is away on vacation this week. The following are Regional environmental planning comments for this application.

**Core Natural Heritage System**

The subject property is impacted by the Region's Core Natural Heritage System (CNHS), consisting of the Drapers Creek Provincially Significant Wetland Complex (PSW), Regional Local Amendment and Type 1 (Critical) Fish Habitat. An Environmental Impact Study (EIS) was previously submitted by L Campbell & Associates (dated January 2008) in support of applications associated with the subject lands. However, as the proposed development was modified and the EIS was now outdated, staff requested the completion of an updated EIS to demonstrate that there will be no negative impact on the Regional CNHS features or their ecological functions.

Regional Environmental Planning staff have reviewed the 'Update to 2008 EIS for Westcreek Estates Phase 1' Memo, prepared by LCA Environmental Consultants (dated May 27, 2021), and are generally in agreement that the proposed development can be accommodated in this location without significant negative impact to the CNHS. That said, staff are not satisfied with the size of the buffer width proposed adjacent to the PSW and request that the proposed Site Plan be revised to achieve a minimum average buffer width of 20 metres. Alternatively, a fulsome update to the 2008 EIS should be prepared to justify a narrower buffer width. Further, any environmental studies requested by the City of Welland or Niagara Peninsula Conservation Authority (NPCA) will require review and approval by the Region.

Please let me know if you would still like to meet to discuss our comments. Regional staff are available anytime this Friday August 13<sup>th</sup>.

Thanks,  
Adam

**Adam Boudens**  
Senior Environmental Planner/Ecologist

Planning and Development Services, Niagara Region  
1815 Sir Isaac Brock Way, P.O. Box 1042  
Thorold, ON L2V 4T7  
Phone: **905-980-6000 ext. 3770** Toll-free: 1-800-263-7215  
[Adam.Boudens@niagararegion.ca](mailto:Adam.Boudens@niagararegion.ca)

**From:** Rachele Larocque <[rachele.larocque@welland.ca](mailto:rachele.larocque@welland.ca)>  
**Sent:** Friday, August 6, 2021 2:01 PM  
**To:** Earl, Lindsay <[lindsay.earl@niagararegion.ca](mailto:lindsay.earl@niagararegion.ca)>  
**Cc:** 'Sarah Mastroianni' <[smastroianni@npca.ca](mailto:smastroianni@npca.ca)>; Jessica Abrahamse <[jabrahamse@npca.ca](mailto:jabrahamse@npca.ca)>; Boudens, Adam <[Adam.Boudens@niagararegion.ca](mailto:Adam.Boudens@niagararegion.ca)>; Lampman, Cara <[Cara.Lampman@niagararegion.ca](mailto:Cara.Lampman@niagararegion.ca)>; Busnello, Pat <[pat.busnello@niagararegion.ca](mailto:pat.busnello@niagararegion.ca)>  
**Subject:** RE: West Creek Court, Welland-ENVI Comments

**CAUTION:** This email originated from outside of the Niagara Region email system. Use caution when clicking links or opening attachments unless you recognize the sender and know the content is safe.

Hi Lindsay,

Sorry for the delay getting back to you. It looks like Thursday or Friday work best for me.

Thanks,

**Rachelle Larocque, BES, M.Sc., MCIP, RPP**  
 Manager of Planning  
 Planning and Development Services  
 Corporation of the City of Welland  
 60 East Main Street, Welland, Ontario L3B 3X4  
 Hours: 8:30am-4:30PM  
 Phone: (905)735-1700 Ext. 2310 Fax: (905)735-8772  
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**From:** Earl, Lindsay <lindsay.earl@niagararegion.ca>

**Sent:** August 4, 2021 1:23 PM

**To:** Rachelle Larocque <rachelle.larocque@welland.ca>

**Cc:** 'Sarah Mastroianni' <smastroianni@npca.ca>; Jessica Abrahamse <jabrahamse@npca.ca>; Boudens, Adam <Adam.Boudens@niagararegion.ca>; Lampman, Cara <Cara.Lampman@niagararegion.ca>; Busnello, Pat <pat.busnello@niagararegion.ca>

**Subject:** West Creek Court, Welland-ENVI Comments

Further to our phone conversation at the end of last week, Regional Environmental Planning Staff have reviewed the materials submitted in support of the Draft Plan of Condominium and concurrent zoning by-law amendment applications and notes that staff have concerns regarding the size of the buffer width proposed adjacent to the PSW. As discussed, it would be beneficial to have a meeting with the commenting Agencies, yourself as well as the Agent prior to the Region submitting formal correspondence on these applications.

Cara will be back in the office next week (however I will be on vacation). Regional staff would be available to attend a meeting during the following times:

Monday August 9<sup>th</sup> 2-4 pm

Tuesday August 10<sup>th</sup> 9-10am or 11-12pm

Thursday August 12<sup>th</sup> 1-4pm

Friday August 13<sup>th</sup> any time.

Feel free to send out a meeting request so we can get this matter addressed asap, as I understand the Public Meeting is scheduled for Tuesday August 10.

Thanks in advance,

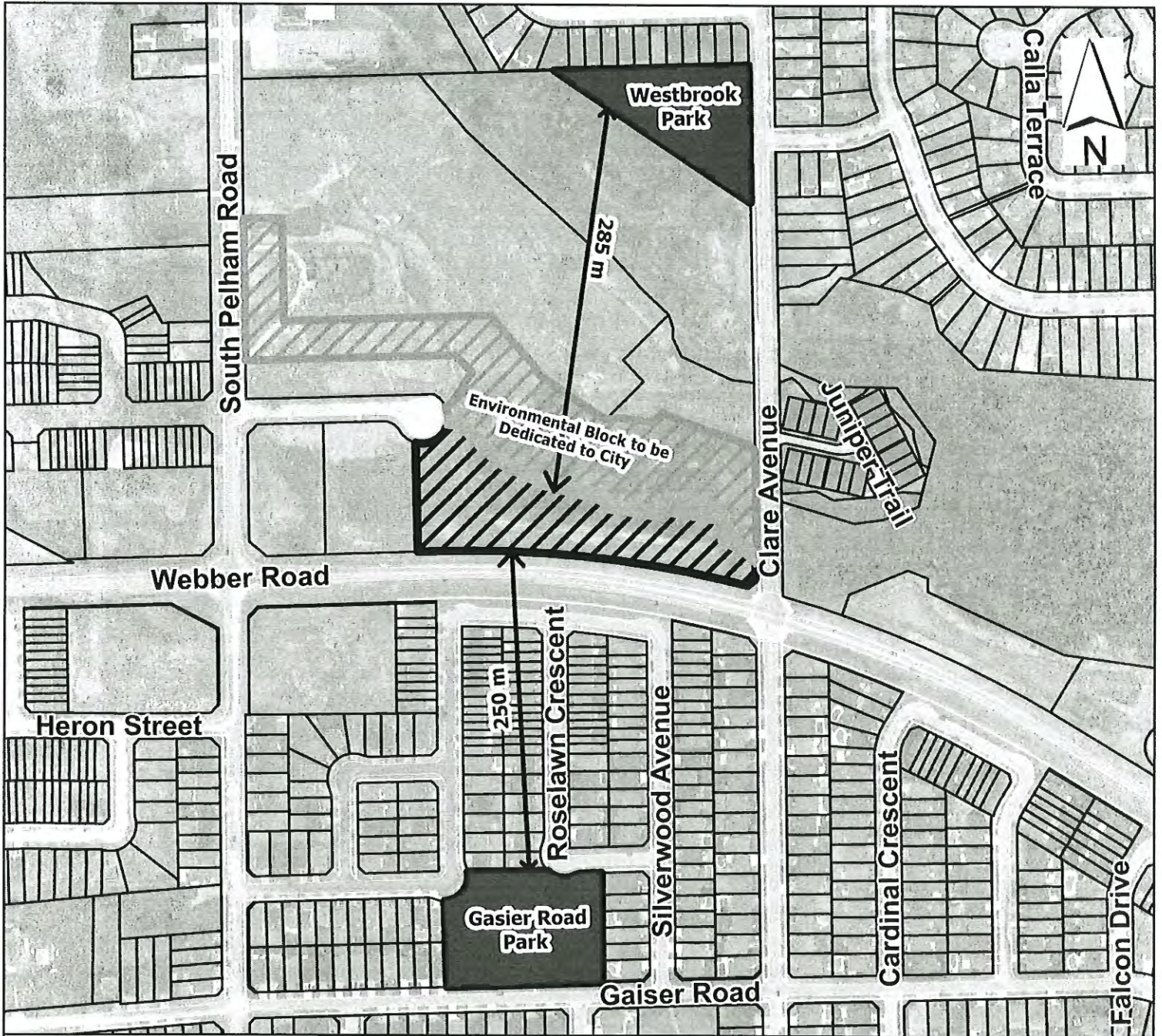
**Lindsay Earl**, MES, MCIP, RPP  
Senior Development Planner  
Planning and Development Services  
Regional Municipality of Niagara  
Phone: 905-685-4225 ext. 3387  
Toll Free: 1-800-263-7215  
Fax: 905-687-8056

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# 26CD-14-21005 & 2021-06



## AERIAL PHOTO OF THE SUBJECT LANDS

-  SUBJECT LANDS
-  Environmental Protection Zone
-  Existing Park Land
-  Environmental Protection Zone Buffer



*Development & Building Services*  
Planning Division



NIAGARA PENINSULA  
**CONSERVATION**  
AUTHORITY

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

August 25, 2021

Our File No.: PLPDV202100990

BY E-MAIL ONLY

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

Attention: Rachelle Larocque, BES, M.Sc., MCIP, RPP - Planning Supervisor

**Subject: Niagara Peninsula Conservation Authority (NPCA) Comments:**  
**Application for Vacant Land Condominium, (ZBA & Draft Plan of Condo)**  
89 West Creek Court, City of Welland  
Applicant: Upper Canada Planning and Engineering Ltd.

---

The NPCA has received an application for a Draft Plan of Vacant Condo and a Zoning By-Law Amendment, "West Creek Estates." The applicant has provided the following documents in support of the application, "Landscape Concept Plan," Prepared by Adesso Design Inc. dated May 17, 2021, "Preliminary FSR" Prepared by Upper Canada Planning & Engineering Ltd., dated May, 2021, "Preliminary Site Plan, West Creek Condo" Prepared by Upper Canada Planning & Engineering, printed June 2, 2021, an Environmental Impact Study Addendum, Prepared by LCA Environmental Consultants dated May 27, 2021, an EIS Update, "Addendum to Westcreek Estates EIS Update," Prepared by LCA Environmental Consultants dated August 6, 2021.

### **NPCA Policies**

The NPCA regulates watercourses, flood plains (up to the 100-year flood level), Great Lakes shorelines, hazardous land, valleylands, and wetlands under *Ontario Regulation 155/06 of the Conservation Authorities Act*. The NPCA's *Policies, Procedures and Guidelines for the Administration of Ontario Regulation 155/06 and Land Use Planning Policy Document* (NPCA policies) provides direction for managing NPCA regulated features. The subject lands contain a Provincially Significant Wetland, a 1 in 100-year floodplain and a regulated watercourse buffer.

NPCA staff have reviewed the above stated studies and offer the following comments for your consideration:

NPCA staff acknowledge that there has been a previous registered subdivision on the subject lands on August 20<sup>th</sup>, 2019.



Per NPCA policy 8.2.3.5. Proposed Development within 30 metres of a Wetland, the applicant has submitted an Environmental Impact Study in support of the proposed development. The Environmental Impact Study that was submitted is outdated; five years is generally the standard window of time used in practice for review at the NPCA. The addendum provided in May 2021 by LCA Consultants helped to provide some further information, along with a field visit conducted by NPCA staff, along with the applicant and environmental consultant on August 5<sup>th</sup>, 2021 to verify that the existing conditions on site remained consistent with what was documented in the 2008 Environmental Impact Study submitted.

After attending the site visit, NPCA staff requested that the applicant provide a technical memo demonstrating that the hydrologic function of the wetland will be maintained during and post-construction of the proposed development. NPCA staff are satisfied that the comments provided in the "Addendum to Westcreek Estates EIS Update," Prepared by LCA Environmental Consultants dated August 6, 2021 have sufficiently addressed that the hydrologic function of the wetland will be maintained during and post construction of the proposed development, as such a water balance will not be required.

It is noted that the "Preliminary Site Plan, West Creek Condo, City of Welland," Dwg: 20121-SP dated September 30, 2020 printed June 2, 2021 shows the 1 in 100 year floodplain elevation. A second plan was submitted after the first comments were sent to the City of Welland on August 10, 2021, "West Creek Condominium, City of Welland, Site Plan, Dwg: 20121-SP, printed August 23, 2021. The NPCA has reviewed the updated plan showing the correct 1 in 100 year flood elevation. NPCA staff are satisfied that all development is located outside of the 1 in 100 year flood elevation.

The NPCA is supportive of the zoning of the natural buffer area along the northern lot line as EP and floodplain as EP, Environmental Protection. NPCA staff acknowledge and recognize the City of Welland for receiving the dedication of the wetland buffer area – Block 71, as part of City owned public lands in line with NPCA policy 8.2.5.

#### **Conditions of Draft Plan Approval**

1. That the Developer provide detailed grading, construction sediment and erosion control drawings to the Niagara Peninsula Conservation Authority for review and approval. The Owner agrees that all Sediment and Control measures shall be maintained and in good condition for the duration of construction until all disturbed surfaces have been stabilized.
2. That the Developer provides appropriate limit-of-work fencing along the rear of Lots 36, 49, 50 and 55-69 and the boundary of the 15 metre wetland buffer for the remainder of the lots to the satisfaction of the Niagara Peninsula Conservation Authority.
3. That the Developer provide a buffer restoration plan to provide enhancements to the wetland buffer, to the satisfaction of the Niagara Peninsula Conservation Authority. Scoping of the restoration plan is to be obtained by the Niagara Peninsula Conservation Authority and is to be done through a Work Permit from the Niagara Peninsula Conservation Authority.
4. That the Developer provide 1.5-metre-high chain link fencing along the boundaries of Lots 36, 49, and 50. Fencing should also be established along the agreed upon wetland buffer in lots and as shown on applicable plans and drawings to the satisfaction of the Niagara Peninsula Conservation Authority.
5. That conditions 1 to 5 above be incorporated into the Subdivision Agreement between the Developer and the City of Welland, to the satisfaction of the Niagara Peninsula Conservation Authority. The City of Welland shall circulate the draft Subdivision Agreement to the Niagara Peninsula Conservation Authority for its review and approval.

Sincerely,

A handwritten signature in black ink, appearing to read "Jessica Abrahamse". The signature is written in a cursive style with a large initial "J".

Jessica Abrahamse, M.E.S.  
Watershed Planner  
(905) 788-3135, ext. 235

Cc: Sarah Mastroianni, Manager of Planning

**From:** [Ali Khan](#)  
**To:** [Taylor Meadows](#)  
**Subject:** RE: Notice of Public Meeting - 89 West Creek Court Application for Draft Plan of Condominium (File No. 26CD-14-21005) & Zoning By-law Amendment (File No. 2021-06)  
**Date:** July 23, 2021 8:57:01 AM

---

Taylor,

I have no comments .



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



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---

**From:** Taylor Meadows <taylor.meadows@welland.ca>  
**Sent:** July 23, 2021 8:54 AM  
**Subject:** RE: Notice of Public Meeting - 89 West Creek Court Application for Draft Plan of Condominium (File No. 26CD-14-21005) & Zoning By-law Amendment (File No. 2021-06)

Good morning,

We hope to have the 89 West Creek Court Recommendation Report to the September 7<sup>th</sup>, 2021 Council Meeting. Please provide any comments by August 10<sup>th</sup>.

Thank you,



**Taylor Meadows**  
 Development Planner  
 Planning Division  
 Planning & Development Services  
 Corporation of the City of Welland  
 60 East Main Street, Welland, Ontario L3B 3X4  
 Phone: (905)735-1700 Ext. 2246  
[www.welland.ca](http://www.welland.ca)



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**From:** Taylor Meadows

**Sent:** July 2, 2021 11:29 AM

**Cc:** Rachelle Larocque <[rachelle.larocque@welland.ca](mailto:rachelle.larocque@welland.ca)>

**Subject:** Notice of Public Meeting - 89 West Creek Court Application for Draft Plan of Condominium (File No. 26CD-14-21005) & Zoning By-law Amendment (File No. 2021-06)

Morning,

Please find attached, the Notice of Public Meeting regarding application for Draft Plan of Condominium (File No. 26CD-14-21005) and Zoning By-law Amendment (2021-06) for 89 West Creek Court.

Regards,



**Taylor Meadows**

Development Planner

Planning Division

Planning & Development Services

Corporation of the City of Welland

60 East Main Street, Welland, Ontario L3B 3X4

Phone: (905)735-1700 Ext. 2246

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**From:** [Adam Eckhart](#)  
**To:** [Taylor Meadows](#)  
**Subject:** Re: Notice of Public Meeting - 89 West Creek Court Application for Draft Plan of Condominium (File No. 26CD-14-21005) & Zoning By-law Amendment (File No. 2021-06)  
**Date:** August 25, 2021 10:15:43 PM

---

Thanks Taylor,

I have no new comments.

**Adam Eckhart MPS, BPSA, ECFO**

Fire Chief and Community Emergency Management Coordinator  
 Welland Fire and Emergency Services  
 636 King St., Welland, ON, L3B 3L1  
 905-735-1700 ext 2400  
 Fax: (905) 732-2818  
[www.welland.ca](http://www.welland.ca)

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---

**From:** Taylor Meadows <[taylor.meadows@welland.ca](mailto:taylor.meadows@welland.ca)>  
**Sent:** Wednesday, August 25, 2021 3:43 PM  
**To:** Adam Eckhart <[adam.eckhart@welland.ca](mailto:adam.eckhart@welland.ca)>  
**Subject:** FW: Notice of Public Meeting - 89 West Creek Court Application for Draft Plan of Condominium (File No. 26CD-14-21005) & Zoning By-law Amendment (File No. 2021-06)

Hi Adam,

Thanks again for the phone call!

Please see the attached documents relating to the proposed Draft Plan of Condominium and Zoning By-law Amendment for 89 West Creek Court. I hope to have the Recommendation Report completed by next Tuesday.

Feel free to reach out with any questions or concerns!

Take care,



**Taylor Meadows**  
 Development Planner  
 Planning Division  
 Planning & Development Services  
 Corporation of the City of Welland  
 60 East Main Street, Welland, Ontario L3B 3X4  
 Phone: (905)735-1700 Ext. 2246  
[www.welland.ca](http://www.welland.ca)



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**From:** Taylor Meadows

**Sent:** July 23, 2021 8:54 AM

**Subject:** RE: Notice of Public Meeting - 89 West Creek Court Application for Draft Plan of Condominium (File No. 26CD-14-21005) & Zoning By-law Amendment (File No. 2021-06)

Good morning,

We hope to have the 89 West Creek Court Recommendation Report to the September 7<sup>th</sup>, 2021 Council Meeting. Please provide any comments by August 10<sup>th</sup>.

Thank you,



**Taylor Meadows**  
 Development Planner  
 Planning Division  
 Planning & Development Services  
 Corporation of the City of Welland  
 60 East Main Street, Welland, Ontario L3B 3X4  
 Phone: (905)735-1700 Ext. 2246  
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**From:** Taylor Meadows

**Sent:** July 2, 2021 11:29 AM

**Cc:** Rachelle Larocque <[rachelle.larocque@welland.ca](mailto:rachelle.larocque@welland.ca)>

**Subject:** Notice of Public Meeting - 89 West Creek Court Application for Draft Plan of Condominium (File No. 26CD-14-21005) & Zoning By-law Amendment (File No. 2021-06)

Morning,

Please find attached, the Notice of Public Meeting regarding application for Draft Plan of Condominium (File No. 26CD-14-21005) and Zoning By-law Amendment (2021-06) for 89 West Creek Court.

Regards,



**Taylor Meadows**  
Development Planner  
Planning Division  
Planning & Development Services  
Corporation of the City of Welland  
60 East Main Street, Welland, Ontario L3B 3X4  
Phone: (905)735-1700 Ext. 2246  
[www.welland.ca](http://www.welland.ca)



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**From:** [Edward Zahra](#)  
**To:** [Taylor Meadows](#)  
**Cc:** [Rachelle Larocque](#)  
**Subject:** RE: Notice of Virtual Public Meeting Subdivision - 420 Murdock Road (File No. 26T-14-21006)  
**Date:** July 23, 2021 9:57:19 AM

---

No comments from Transit, however has there been a discussion regarding whether service has been requested for this area?



**Edward Zahra**  
 Transit Manager  
 Transit Division  
 Corporate Services  
 Corporation of the City of Welland  
 75 Federal Road, Welland, Ontario L3B 3P2  
 Phone: (905)735-1700 Ext. 3030  
[www.welland.ca](http://www.welland.ca)



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**From:** Taylor Meadows <taylor.meadows@welland.ca>  
**Sent:** July 22, 2021 4:16 PM  
**Cc:** Rachelle Larocque <rachelle.larocque@welland.ca>  
**Subject:** Notice of Virtual Public Meeting Subdivision - 420 Murdock Road (File No. 26T-14-21006)

Afternoon,

A complete application has been submitted for Draft Plan of Subdivision approval for the lands located at the municipal address of 420 Murdock Road, Welland. Please see the attached files to review the Notice of Virtual Public Meeting.

Regards,



**Taylor Meadows**  
 Development Planner  
 Planning Division  
 Planning & Development Services  
 Corporation of the City of Welland  
 60 East Main Street, Welland, Ontario L3B 3X4  
 Phone: (905)735-1700 Ext. 2246  
[www.welland.ca](http://www.welland.ca)





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**Planning and Development Services**

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

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**Via Email Only**

August 19, 2021

Files: D.11.11.CD-21-0017  
 D.18.11.ZA-21-0062

Mr. Taylor Meadows, Development Planner  
 Planning and Development Services  
 Corporation of the City of Welland  
 60 East Main Street  
 Welland, ON L3B 3X4

Dear Mr. Meadows:

**Re: Regional and Provincial Review Comments  
 West Creek Court Draft Plan of Vacant Land Condominium (26CD-14-21005)  
 Zoning By-law Amendment  
 Agent: Upper Canada Consultants  
 Owners: Mountainview Homes (Niagara) Ltd.  
 89 West Creek Court  
 City of Welland**

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Regional Planning and Development Services staff has reviewed the applications submitted by Upper Canada Consultants on behalf Mountainview Homes (Niagara) Ltd. The application for Draft Plan of Vacant Land of Condominium has been made for the creation of 69 units for block townhouse dwellings, one (1) naturalized buffer block, and one (1) daylighting triangle on a block within an registered plan of subdivision municipally known as 89 West Creek Court in the City of Welland.

The concurrent Zoning By-law Amendment application has been made to change the zoning of the subject property from Residential Medium Density (RM) and Institutional Health and Wellness (INSH) to Site Specific Residential Medium Density (RM), Site Specific Institutional Health and Wellness (INSH) and Environmental Protection (EP) to permit block townhouse dwellings; establish a definition for block townhouses; and provide site specific provisions for setbacks, decks and parking.

A pre-consultation meeting with the applicant and their planning consultant was held for this proposed development on October 15, 2020, with City and Regional staff in attendance.

Regional staff have reviewed the submitted materials and offer the following comments to assist the City in their consideration of these applications from a Regional and Provincial perspective.

## **Regional and Provincial Policies**

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

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

The subject lands are located within the Provincially designated Greenfield Area of the City of Welland. The ROP states that the Region will require a combined gross density target of 50 people and jobs per hectare across all Designated Greenfield Areas. The *Planning Justification Report* prepared by Upper Canada Consultants (dated June 2021) states that the proposed development provides for 77.59 people and jobs per developable hectare.

Regional Staff notes that the density of this development exceeds the minimum Greenfield density target of 50 people and jobs per hectare. As such, staff offers no objection to the proposed condominium from a density perspective as it conforms with and is consistent with Regional and Provincial policies.

## **Proposed Design**

### Interface with Regional Road (Webber Rd):

The frontage along Webber Road includes an intersection with Clare Avenue. This is a highly visible area and it is a best practice to place built form with architectural features and details in these places. The applicant shall consider re-locating the surface parking more internal to the site and placing a block of townhomes at this intersection. If residential units will not fit within this space, then consider the design of a placemaking element that includes hardscaping (low walls, gazebo, seating area, plant material, etc.)

There are several units that include side elevations that will face the Regional Road (Units #14, 25, 26, 44, 45, and 55). It is recommended that these elevations are designed with enhanced architectural details (e.g. high quality building materials, ample glazing, wrap-around porch, etc.). This will improve "eyes on the street" for both the private window road and the Regional Road.

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Since the Private (window) road will be visible from the Regional Road, it is recommended that a landscape treatment (i.e. decorative fence and plant material) is incorporated into the 3m landscape strip along the front property line. Please submit details for any landscape features (fencing, signage, decorative walls), that will be visible from the Regional Road. Additionally, the 5m wide stormwater easement is located along the front property line. Please verify if fencing and plant material are permitted to be placed within this easement. If not, then it may be recommended that the landscape strip is increased in width and is extended beyond this easement.

Streetscape along Regional Road (Webber Road)

The drawings should include the entire municipal boulevard along Webber Road including any improvements to the boulevard.

It is recommended that a municipal sidewalk is provided along the frontage of Webber Road and connects with the sidewalk along Clare Avenue and provide pedestrian connections from the future sidewalk along Webber Road into the development at key locations.

The Landscape plan should include the following streetscape information: deciduous street trees in a sodded boulevard. Trees should be 50mm caliper and spaced according to their size. Refer to the attached Master Tree Planting List for species. The Landscape plan should include an overlay of survey information and site servicing information, to ensure that proposed street trees will not conflict with services, utilities and drainage structures within the boulevard. Please note that if street trees cannot be accommodated due to existing or proposed utilities, services and drainage features, then an enhanced landscape treatment will be requested on private lands. This includes deciduous trees plus planting beds consisting of shrubs and perennials.

Additional comments/suggestions

- Based upon the submitted elevations for Units #45-69, it appears that the garages protrude beyond the front elevation. Although the porch is designed to be extended beyond the garage, the front entrances appear to be recessed. It is a best practice to have not only the front porch but the front entrance and front elevation be placed closest to the street with the garage setback from this elevation.
- It is a best practice to provide a shared amenity space in a centralized location of the site. The size and design of the amenity space should be appropriate for the proposed number of units.
- There appears to be several pinch points where there is insufficient space to provide an on-site landscape treatment between the private roads, parking and buildings and the required naturalized buffer. This may also impact the design of site drainage, and could require more space for these features. For example: rear of Unit 36, Private road that dead-ends between Units 49 and 50, side elevation of Unit 50, hammerhead turnaround near Unit 69, and parking space #35.

- Please verify if it is permitted to include fencing and plant material within the 5m wide storm easement located along the rear yards of Units 1-14. This may have an impact on the landscape and privacy for these units.

Regional staff will continue to work with the applicant and will review these final details at a later stage in the approval process (Site Plan).

## **Noise Feasibility**

Given the subject lands are fronting on a Regional Road, the development has potential to be impacted by the noise generated by vehicular traffic. As such, an *Environmental Noise Feasibility Study* (dated June 1, 2021) prepared by Valcoustics Canada Ltd. has been submitted in support of the applications. The purpose of this assessment was to assess the noise impacts from road traffic on Webber Road, South Pelham Road and Clare Avenue. The report concluded that in order for the development to meet the applicable Ministry of the Environment, Conservation and Parks (MECP) NPC-300 sound level guidelines the following mitigation measures are required:

- Unit 14 requires mandatory air conditioning to allow windows to remain closed for noise control purposes;
- The remaining units in the townhouse blocks along the west and south sides of the site (Units 1 to 13, 20 to 31 and 40 to 69) require the provision for adding air conditioning at a later date;
- At all dwellings, exterior wall and windows meeting the minimum non-acoustical requirements of the Ontario Building Code (OBC) will be sufficient to meet the indoor noise criteria;
- Sound barriers 1.8 m in height are required at the rear yards of Units 7 to 14, 25, 26, 44, 45, 54 and 69 as shown on Figure 2 of the study; and
- Applicable warning clauses to be registered on title for certain units.

As such, an appropriate condition has been included in the Appendix in this regard.

## **Archaeological Resources**

The Provincial Policy Statement (PPS) and Regional Official Plan (ROP) provide direction for the conservation of significant cultural heritage and archaeological resources. Development (including the construction of buildings and structures requiring approval under the *Planning Act*) and site alteration are not permitted on lands containing archaeological resources or areas of archaeological potential, unless significant archaeological resources have been conserved.

During pre-consultation, Regional staff noted that based on the Provincial Criteria for Assessing Archaeological Potential, the subject property exhibited potential for the discovery of archaeological resources due to the lands being within 300m of a watercourse (i.e. Drapers Creek) and within 300m of registered archaeological sites.

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An *Archaeological Assessment (Stages 1, 2 & 3)* (dated January 2008) prepared by Archaeologix Inc. was submitted in support of the applications. The Stage 2 assessment of the ploughed fields was conducted by the standard pedestrian survey at five metre intervals. The Stage 2 assessment of wooded areas was conducted by the standard shovel test pit method at five meter intervals. The Stage 2 resulted in the identification of one location producing pre-contact Aboriginal cultural material. Due to the potential significance and information potential of these sites, it was recommended that they be subject to additional Stage 3 assessment. The Stage 3 assessments of Location 1 (AfGt-174) produced only a limited amount of additional cultural material, none of which was diagnostic. The report concluded that due to the extremely sparse nature of the cultural deposits at this site, the information potential of Location 1 was judged to be low and no additional assessment is recommended.

In a letter dated September 11, 2008 the Ministry of Culture reviewed and accepted the *Archaeological Assessment (Stages 1, 2 & 3)* and the recommendations. As the Ministry was satisfied that concerns for archaeological sites have been met for the area of this development, the report has been entered into the Ontario Public Register of Archaeological Reports.

Regional staff notes that Figure 3 in the report identifying the limit of development at the time the report was completed (2008) no longer coincides with the limit of proposed development in the current applications. The report specifically stated that the wet area along Clare Avenue was not assessed. Staff notes that this area remains small and appears to only be proposed emergency access and parking for the development. Recognizing that no archaeological survey, regardless of its intensity, can entirely negate the possibility of deeply buried archaeological materials, Regional staff requires the inclusion of a standard warning clause in the condominium agreement, relating to deeply buried archaeological materials that may be encountered during grading and construction activities. As such, a condition requiring the clause has been included in the Appendix.

### **Core Natural Heritage System**

The subject property is impacted by the Region's Core Natural Heritage System (CNHS), consisting of the Drapers Creek Provincially Significant Wetland Complex (PSW), Environmental Protection Area: Regional Local Amendment and Type 1 (Critical) Fish Habitat. An *Environmental Impact Study (EIS)* was previously submitted by L. Campbell & Associates (dated January 2008) in support of applications associated with the subject lands. However, as the proposed development was modified and the EIS was now outdated, staff requested the completion of an updated EIS to demonstrate that there will be no negative impact on the Regional CNHS features or their ecological functions.

Regional Environmental Planning staff have reviewed the '*Update to 2008 EIS for Westcreek Estates Phase 1*' Memo, prepared by LCA Environmental Consultants (dated May 27, 2021), and are generally in agreement that the proposed development

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can be accommodated in this location without significant negative impact to the CNHS. Therefore, in addition to the recommendations of the EIS and supporting memo, the Region recommends that the proposed Site Plan be revised to achieve a minimum average buffer width of 20 metres in order to ensure that the proposed development meets the no negative impact test of the Provincial Policy Statement.

As it relates to the concurrent zoning by-law amendment, Regional staff request to have the feature and associated buffer to be recognized as Environment Protection or other appropriate zone that restricts future development and/or site alteration.

Please note that the Niagara Peninsula Conservation Authority (NPCA) continues to be responsible for the review and comment on planning applications related to their regulated features. As such, NPCA should continue to be consulted with respect to their comments and permit requirements pursuant to Ontario Regulation 155/06.

## **Stormwater Management**

Regional staff completed a review of the submitted *Preliminary Functional Servicing Report* (dated May 2021) prepared by Upper Canada Consultants and offer the following comments:

- It is understood that the NPCA has not required stormwater quantity control be implemented from West Creek Estates due to the location within Draper's Creek Watershed. The Region defers to the NPCA requirement regarding storm discharge to the creek. The stormwater management and grading/servicing plan shall detail how the overland flows (up to the 100-year storm), i.e. storm runoff exceed the 5-year storm sewer flow, from the development will be accommodated across the site to the creek. Erosion protection along the flow route may be needed.
- Webber Road (Regional Road 29) shall not be negatively impacted as a result of the development.
- An oil/grit separator and the existing stormwater management facility will service the development to meet Enhanced standard water treatment and erosion control. The Region has no objection to this plan.
- The Region highly recommends Low Impact Development, such as rain gardens, rooftop leader discharge to stoned infiltration trench/vegetated area, permeable pavement, etc. be incorporated in the site plan.

Appropriate conditions of draft approval have been included in the Appendix in this regard.

## **Site Servicing**

Regional staff note that site servicing will be under the jurisdiction of the City of Welland and will require the construction of new water, sanitary and storm services for the proposed development. As a condition of draft plan approval, Ministry of Environment, Conservation and Parks, Environmental Certificates Approvals (ECA) are required for

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any new/extended municipal sanitary and storm sewer services. The Region can review and approve the ECA's under the Ministry of Environment, Conservation and Parks Transfer of Review Program. Detailed engineering design drawings with calculations for the services must be submitted to this department for review and approval. A condition is included in the Appendix in this regard.

## **Waste Collection**

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

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

Condominium Townhouse Developments are eligible to receive internal curbside waste collection through the Region. In order for this service to be provided, the developer/owner shall comply with the Niagara Region's Corporate Policy and By-laws related to curbside collection of waste and recycling and complete the Application for Commencement of Collection and Indemnity Agreement. The required forms and policy can be found at the following link: [www.niagararegion.ca/waste](http://www.niagararegion.ca/waste).

Regional staff reviewed the submitted Draft Plan and site plan drawings along with the transportation Brief. It is unclear as to if the Regional trucks will be reversing more than a distance of 15 metres for the private road. Therefore, Regional staff ask that revised truck turning templates be submitted with dimensions to ensure the waste collection trucks will not need to reverse more than 15 metres and to confirm that waste collection pads will only be required for Units 46-52. The future site plan drawings shall show the truck turning templates and increase the number to include any units that do not meet this requirement. If the requirements of the Waste Collection Policy cannot be met then waste collection will be the responsibility of the owner through a private contractor and not the Niagara Region.

## **Regional Road Allowance**

### Daylight Triangles

A daylight triangle of 10 metres x 10 metres will be required at the corner of Regional Road 29 (Webber Road) and Clare Avenue. Regional staff are satisfied with the daylight triangle and 3 foot reserve as shown on the plans.

A condition requiring the daylight triangles is included in the attached Appendix. The requested daylighting triangles are to be conveyed free and clear of any mortgages,



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liens or other encumbrances, and are to be described by Reference Plan. The cost of providing this plan will be the full responsibility of the applicant. The applicant will arrange for the land surveyor for the property to submit the preliminary undeposited survey plan along with all related documents to Regional Surveys staff for approval. Regional Surveys staff will advise the land surveyor of any required revisions to the plan. Once the plan is deposited and the transfer registered, the Region will clear the applicable condition.

Should the applicant have any questions, please direct them to contact the individuals listed below:

Norma Price, Law Clerk, 905-980-6000 extension 3339. E-mail: [norma.price@niagararegion.ca](mailto:norma.price@niagararegion.ca) (Inquiries -specific to the transfer of property to the Region)

Normans Taurins, Manager, Surveys & Property Information, 905-980-6000 extension 3325, E-mail: [normans.taurins@niagararegion.ca](mailto:normans.taurins@niagararegion.ca)

## **Regional Permit Requirements**

### Regional Construction Encroachment Permit

Prior to any construction/work taking place within the Regional road allowance, a Regional Construction, Encroachment, and entrance Permit must be obtained from the Transportation Services Division, Public Works Department.

### Regional Sign Permit

Please note that the placement of any sign, notice or advertising device within 20m of the centerline of Webber Road will require a Regional Sign permit.

Permit applications can be made through the following link:

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

## **Protection of Survey Evidence**

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

## **Conclusion**

Based on the discussion above, Regional staff supports, in principle, the development of 89 West Creek Court as the proposed applications are considered to align with the

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intent and direction of Regional and Provincial policy. As such, Regional Planning and Development Services staff would offer no objections to the Draft Plan of Vacant Land Condominium or the concurrent Zoning By-law Amendment subject to the discussion above and the Conditions outlined in the Appendix. Regional staff will continue to work with the applicant through subsequent planning applications (Site Plan) to address items including (but not limited to) urban design, landscaping and waste collection as outlined above.

If you have any questions or wish to discuss these comments, please contact me at [lindsay.earl@niagararegion.ca](mailto:lindsay.earl@niagararegion.ca). If you have any questions regarding the core natural heritage comments, please contact Cara Lampman, Manager, Environmental Planning at [cara.lampman@niagararegion.ca](mailto:cara.lampman@niagararegion.ca).

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

Best regards,



Lindsay Earl, MES, MCIP, RPP  
Senior Development Planner

Attch: Appendix I – Regional Conditions of Draft Plan of Vacant Land Condominium

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

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**APPENDIX I**  
**REGIONAL CONDITIONS OF DRAFT PLAN OF VACANT LAND CONDOMINIUM**  
**89 West Creek Court, Welland**

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1. That the Condominium Agreement between the owner and the City contain a provision whereby the owner agrees to implement the approved noise mitigation measures AND ensure the required warning clauses be included in all offers and agreements of purchase and sale or lease to survive closing in accordance with the *Environmental Noise Feasibility Study* (dated June 1, 2021) prepared by Valcoustics Canada Ltd.
2. That the following clauses shall be included in the Condominium Agreement between the owners and the City of Welland:

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

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

3. That a revised Site Plan be prepared to the satisfaction of the Niagara Region that identifies a larger buffer width adjacent to Regional Core Natural Heritage System features.
4. That a Landscape Plan be prepared to the satisfaction of the Niagara Region. The Landscape Plan should incorporate dense plantings of native trees and shrubs that complement the adjacent vegetation communities, including thorny species to discourage human intrusion into sensitive areas. The removal of invasive species should also be incorporated, as appropriate. The Landscape Plan should be completed by a full member of the Ontario Association of Landscape Architects (OALA).
5. That a Grading Plan be provided to the satisfaction of Niagara Region, that demonstrates that existing overland flow patterns are maintained and that no grading within the natural heritage features and/or their buffers will occur. The Grading Plan shall designate specific locations for stockpiling of soils and other

materials which will at a minimum be outside of the natural heritage features and their buffers and a minimum of 10 metres from the dripline of any trees to be retained. The Grading Plan should also illustrate the location and installation details associated with sediment control and limit of work fencing. Limit of work fencing must be maintained in good condition for the duration of construction until all disturbed surfaces have been stabilized. Muddy water shall not be allowed to leave the site.

6. That permanent rear-lot fencing be provided along the boundary of the environmental block, adjacent to the wetland buffer. A no-gate bylaw is recommended to reduce human encroachment and limit the movement of pets into the adjacent natural areas.
7. That a clause be added to the Condominium Agreement indicating that vegetation removals be undertaken between October 1st and March 14th, outside of both the breeding bird nesting period and active bat season. A survey for active bird nests should be conducted prior to any vegetation removal or site alteration planned to occur during this window.
8. That prior to approval of the final plan or any on-site grading, the owner shall submit a detailed stormwater management plan for the subdivision and the following plans designed and sealed by a qualified professional engineer in accordance with the Ministry of the Environment documents entitled Stormwater Management Planning and Design Manual, March 2003 and Stormwater Quality Guidelines for New Development, May 1991, or their successors to the Niagara Region for review and approval:
  - a) Detailed lot grading, servicing and drainage plans, noting both existing and proposed grades and the means whereby overland flows will be accommodated across the site;
  - b) Detailed erosion and sedimentation control plans;
9. That the Condominium Agreement between the owner and the City contain provisions whereby the owner agrees to implement the approved plan(s) required in accordance with the approved Stormwater Management Plan.
10. That the owner provides a written acknowledgement to the Niagara Region stating that draft approval of this condominium does not include a commitment of servicing allocation by the Niagara Region as servicing allocation will not be assigned until the plan is registered and that any pre-servicing will be at the sole risk and responsibility of the owner.
11. That the owner provides a written undertaking to the Niagara Region stating that all Offers and Agreements of Purchase and Sale or Lease, which may be negotiated prior to registration of this condominium, shall contain a clause indicating that servicing allocation for the condominium will not be assigned until

the plan is registered, and a similar clause be inserted in the Condominium Agreement between the owner and the City.

12. That prior to final approval for registration of this plan of subdivision, the owner shall submit the design drawings [with calculations] for any proposed municipal sanitary and storm drainage systems required to service this development and obtain Ministry of the Environment, Conservation and Parks, Environment Compliance Approval under the Transfer of Review Program.
13. That the owner/developer ensure that all streets and development blocks can provide an access in accordance with the Niagara Region's Corporate Policy and By-laws relating to the curbside collection of waste and recycling.
14. That the owner/developer shall comply with the Niagara Region's Corporate Policy for Waste Collection and complete the Application for Commencement of Collection and Indemnity Agreement.
15. If Regional Waste Collection cannot be provided, the Condominium Agreement between the owner and the City contain provisions that the owner shall provide a written undertaking to the Niagara Region Planning and Development Services Department acknowledging that because the site design does not meet Regional Waste Policy, garbage/recycling pick-up for the development will not be provided by the Region. Further, the following warning clause shall be included in the condominium agreement and inserted in all Agreements of Purchase and Sale or Lease for each dwelling unit:

*"Purchasers/Tenants are advised that due to the site layout, garbage/recycling pick-up for the development will be provided by the condominium corporation through a private contractor and not the Region."*

16. That in order to accommodate Regional Waste Collection service, waste collection pads are required to be provided by the applicant for the units 46-52 (subject to the Regional waste collection trucks reverse limits). The waste collection pads shall be in accordance with the Niagara Region's Corporate Waste Collection Policy.
17. That the following warning be included in the Condominium Agreement and inserted in all offers and agreement of purchase and sale or lease for units 46-52(subject to the Regional waste collection trucks reverse limits):

*"That in order to accommodate Regional Waste Collection service, waste collection pads are required to be provided by the applicant for units 46-52 (subject to the Regional waste collection trucks reverse limits). The waste collection pads shall be in accordance to the details outlined in the Niagara Region's corporate waste collection policy."*

18. That the owner dedicates a 10m x 10m metre daylighting triangle at the corner of Regional Road 29 and Clare Avenue to the Region of Niagara.

19. Prior to any construction taking place within the Regional road allowance the owner shall obtain a Regional Construction Encroachment and Entrance Permit. Applications must be made through the Permits Section of the Niagara Region Public Works Department (Transportation Services Division).
20. That the Condominium Agreement between the owner and the City contain a provision whereby the owner agrees to obtain a certificate from an Ontario Land Surveyor stating that all existing and new survey evidence is in place at the completion of the development.

#### **Clearance of Conditions**

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

#### **Condominium Agreement**

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

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



August 3<sup>rd</sup>, 2021

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

Dear Mr. Munday,

**RE: Application for Draft Plan of Vacant Land Condominium Approval (File No. 26CD-14-21005).  
Application for Zoning By-law Amendment (File No. 2021-06)**

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

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

Please confirm unit type, whether freehold or condominium. Hydro Meter locations are to be determined prior to servicing, based on unit type.

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

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

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

WHESC reserves the right to amend or remove development conditions.

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

Sincerely,

Kevin Carver, P. Eng., ME  
Chief Operating Officer  
WELLAND HYDRO-ELECTRIC SYSTEM CORP.

# 26CD-14-21005 & 2021-06



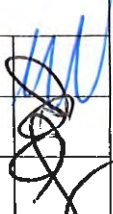
## AERIAL PHOTO OF THE SUBJECT LANDS

-  SUBJECT LANDS
-  Environmental Protection Zone
-  Existing Park Land
-  Environmental Protection Zone Buffer



Development &  
Building Services  
Planning Division



APPROVALS	
DIRECTOR	
CFO	
CAO	

COUNCILPLANNING AND DEVELOPMENT SERVICES

21-108

REPORT P&B-2021-59  
OCTOBER 5, 2021

**SUBJECT: APPLICATION FOR OFFICIAL PLAN AMENDMENT (OPA NO. 36) AND ZONING BY-LAW AMENDMENT (FILE NO. 2021-07) SUBMITTED BY BETTER NEIGHBOURHOODS DEVELOPMENT CONSULTANTS ON BEHALF OF IDRAKOTH LTD. FOR LANDS MUNICIPALLY KNOWN AS 800 NIAGARA STREET**

**AUTHOR: 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 approves application for Official Plan Amendment No. 36 to designate a portion of the lands on the east side of Niagara Street, south side of Lancaster Drive, west of the Welland Recreational Canal, and north side of Woodlawn Road, more specifically described as PT TWP LT 229 & 230, former City of Thorold, Parts 3, 4 on 59R-1742 and Parts 1 & 2 on 59R-2895, S/T RO345094, S/T RO357411, S/T RL734059, S/T RO778444; PCL 229-3 SEC 59 Thorold; Part 3 on 59R-2784; S/T easement in favour of Welland Hydro-Electric System Corp. over Part 1 Plan 59R-11677 & Parts 5, 6, 7, 8 & 9 on Plan 59R-8977 as in SN19072; PCL F-2 SEC M75; Blk F PL M75 except Part 1 on 59R-2986; S/T LT16884; PCL G-1 SEC M75; BLK G PL M75 except Part 1 on 59R-4566, City of Welland, municipally known as 800 Niagara Street from Regional Shopping Node to Special Policy High Density Residential with a special exception to permit a maximum height of 22 storeys and Special Policy Medium Density Residential, with a special policy to allow for a minimum density of 61 units per hectare and a maximum density of 216 units per hectare across both the Special Policy High Density Residential and the Special Policy Medium Density Residential; and further,

THAT Welland City Council approves Zoning By-law Amendment to Zoning By-law 2017-117 for lands on the east side of Niagara Street, south side of Lancaster Drive, west of the Welland Recreational Canal, and north side of Woodlawn Road, more specifically described as PT TWP LT 229 & 230, former City of Thorold, Parts

3, 4 on 59R-1742 and Parts 1 & 2 on 59R-2895, S/T RO345094, S/T RO357411, S/T RL734059, S/T RO778444; PCL 229-3 SEC 59 Thorold; Part 3 on 59R-2784; S/T easement in favour of Welland Hydro-Electric System Corp. over Part 1 Plan 59R-11677 & Parts 5, 6, 7, 8 & 9 on Plan 59R-8977 as in SN19072; PCL F-2 SEC M75; Blk F PL M75 except Part 1 on 59R-2986; S/T LT16884; PCL G-1 SEC M75; BLK G PL M75 except Part 1 on 59R-4566, City of Welland, municipally known as 800 Niagara Street from Site Specific Regional Shopping Node (RS-73) to Site Specific Residential Multiple Holding – RM (H) and Site Specific Residential High Holding – RH (H); and further,

THAT Welland City Council requests that prior to lifting the Holding (H) Symbol, at the request of the Owner, the proponent will be required to enter into an Agreement with the City for the provision of community benefits in return for increased height and density as provided for in the Planning Act, all to the satisfaction of the City. This Agreement is to be entered into no later than December 31, 2021;

THAT Welland City Council consents the request apply a Class 4 designation and sound level criteria for the entire site; and further,

THAT no additional meetings under the Planning Act are required as the amendments to the original application are minor, in accordance with Section 34(17) of the Planning Act.

#### **ORIGIN AND BACKGROUND:**

Application for Official Plan Amendment and Zoning By-law Amendment were submitted on June 16, 2021. The applications were deemed complete on July 13, 2021. Revised zoning provisions were provided on September 6, 2021.

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

##### *The Proposal*

The purpose of the Official Plan Amendment is to redesignate the north-east portion of the property from Regional Shopping Node to Special Policy High Density Residential and Special Policy Medium Density Residential. The Special Policy area would permit an overall density across the site of a minimum of 61 units per hectare and a maximum density of 216 units per hectare. The High Density Residential Special Policy would also permit a maximum building height of 22 storeys.

The purpose of the Zoning By-law Amendment is to:

- Create site specific definitions for building height and townhouses;
- Allow for deck, porch, and stair encroachments into the front and exterior side yards;
- Create specific provisions for privacy screens and garbage and refuse storage;

- Allow for one additional employee that is not a resident to work in a home occupation;
- Eliminate the need for snow storage areas;
- Provide site specific parking provisions which allow:
  - o Required parking to be provided within 200 metres of the property, whereas the Zoning By-law currently restricts this distance to 100 metres;
  - o Allows for modified parking stall width of 2.6 metres and modifies the aisle width;
  - o Creates a parking ratio of 1 space per dwelling, except where an apartment is 60 square metres or less and then no parking spaces are required;
  - o Allows for a parking reduction of 50% where any combination of the following are provided: provision of secure on-site bicycle storage at a rate of 0.5 spaces per residential dwelling unit, or 1 space per 50 square metres of gross floor area of other uses; sites within 500 metres of a bicycle network connection or transit stop; and/or, the reservation of 1 parking stall per 50 dwelling units or less for car-share vehicles;
  - o Requires that the width of the driveway be less than the exterior width of an attached or detached garage;
  - o To allow entrance and exit ramps for parking garages to be 0 metres from the property line.
- To allow for parks and parking lots in all site specific residential zones;
- To allow accessory dwelling units, two-unit dwellings, multiple dwellings, and townhouses in the High Density Residential Zone;
- To create site specific setback provisions for the residential zones, and to eliminate the requirement for a maximum lot coverage.

Revised zoning information was provided to the City on September 6, 2021, which provided the following:

- A request for only one Special Exception Residential High – RH Zone;
- Reduction in the requested height maximum from 30 storeys to 22 storeys;
- To increase the parking ratio of no parking for apartment units 60 square metres or less, to a ratio of 0.3 spaces for apartment units of 60 square metres or less.

The purpose of these applications is to redevelop the north-east portion of the Seaway Mall property, including the location of the former Target store, with approximately 1,300 dwelling units, internal streets, parks, and small-scale commercial uses. The proposal includes a mix of apartment buildings with

maximum heights permitted to be 8 and 22 storeys, as well as townhouses, two unit dwellings, and accessory dwelling units.

### The Site

The lands are currently developed with the Seaway Mall, as well as a number of stand-alone commercial units. There are parking areas which surround the mall completely. The total Seaway Mall property is approximately 18.1 hectares (44.7 acres) in size. The area proposed for redevelopment is approximately 6 hectares (14.8 acres). A part of the existing Seaway Mall building, the former Target Store location, will be demolished.

### Surrounding Lands

The lands on the north side of Lancaster Drive are developed with a mix of low and high density residential uses. To the east are medium density residential dwellings along Willowlanding Court. To the south of the property runs Woodlawn Road and Woodlawn Cemetery. To the west are commercial uses fronting onto Niagara Street, as well as the Holy Cross Cemetery.

### Development and Agency Comments Received

Enbridge Gas  
(August 4, 2021)

- No objections

Welland Hydro  
Electrical System Corp.  
(July 26, 2021)

- In order to provide servicing for the proposed development, existing WHESC infrastructure will need to be relocated from overhead wires to underground services.
- Please provide information regarding the type of condominium development proposed. Hydro metre locations are to be determined prior to servicing, based on unit type.
- If existing WHESC infrastructure is to be relocated or temporary services are required, all costs are the responsibility of the developer.
- If easement(s) are required by WHESC to service this development or any future adjacent developments, the applicant will provide at their expense the necessary registered easements.

- The proposed development must meet the clearance requirements of section 3.1.19.1 of the Building Code.
  
- City of Welland Infrastructure Services – Engineering Division (July 28, 2021)

  - No objections to the proposed Official Plan Amendment and Zoning By-law Amendment.
  
- City of Welland Fire and Emergency Services (September 15, 2021)

  - Adequate access for fire fighting purposes as well as water supply in accordance with the Ontario Building Code will be required.
  - Significant requirements in the Ontario Building Code with respect to high buildings will be addressed at the time of permit.
  - Additional building improvements would be supported and encouraged by the Fire Department including: standpipe hose connections in stairwells, rooftop access from all interior stairwells, and radio repeaters within the building.
  
- Region of Niagara Planning and Development Services (August 25, 2021)

  - The subject lands are located in the Provincially designated Built-Up area within the City of Welland. All residential development occurring on the subject lands will contribute to the City's intensification target of 40%, as outlined in the Regional Official Plan.
  - Regional staff notes that the proposed redevelopment of a portion of underutilized seaway mall lands is considered as infill and residential intensification within the built-up area which will make more efficient use of designated urban and serviced lands.
  - The site is well connected to the surrounding neighbourhood and is also situated close to nearby community uses and institutional facilities. The form of housing proposed will add to the housing types and densities in the area and appears to be

compatible with the surrounding neighbourhood fabric.

- Given the proximity of the development to a Regional road, there is the potential for noise impact from vehicular traffic. A Noise and Vibration analysis was undertaken for the property.
- The study identified that Blocks 1, 4, and 7 will be impacted by traffic noise, and as such, warning clauses and mitigation measures (air conditioning) will need to be put in place.
- The noise study also examined stationary noises from the existing buildings on site. It determined that if a Class 4 designation were put on the site, the sound level predictions would be below the noise level limits. With the Class 4 designation, warning clauses will need to be placed on all units, and prospective purchasers must be made aware of this designation. Regional Staff are of the opinion that alternatives to the Class 4 designation were not adequately addressed, and should the City support this designation, the Region will require that an update/addendum to the study be provided, or a peer review be completed.
- A Phase 1 Environmental Site Assessment (ESA) was completed for the property, which indicated that a Phase 2 ESA would be required. A series of soil samples were taken as part of the Phase 2 ESA, which identified contamination and that associated clean-up would be required. A full Record of Site Condition will be required prior to any residential dwellings being constructed on the site.
- There are no Core Natural Heritage features on the site, nor are there any Regional Road widenings required.

- A Traffic Impact Study was completed on behalf of the applications. No further comments are required in respect to this study.
- The Region has reviewed the preliminary servicing study provided by the applicant. No concerns with the findings in this report have been identified.
- The Region has provided comments with respect to the stormwater management report submitted in support of the applications. These recommendations will be implemented at the time of Site Plan Approval and/or Condominium approval.
- The subject property is eligible to receive curbside waste collection, as well as green bin and recycling collection.
- Based on the comments provided, Regional Staff offer no objection the proposed applications.

A Virtual Public Information Meeting was held on July 29, 2021 to gain public input regarding the proposed applications. Approximately 24 people, including the applicant and their agents, attended the meeting. The following comments and concerns were raised at the Public Information Meeting:

- Concerns with the overall height proposed for the buildings, particularly the proposed 3.5 storey townhomes that would be immediately behind the lots on Willowlanding Court;
- Drainage;
- Concerns that the pedestrian access between Willowlanding Court and the Seaway Mall would be removed;
- Condition of the retaining wall along the boundary of the properties on Willowcourt Landing and the Seaway Mall;
- Parking concerns;
- Traffic on Lancaster Drive;
- Whether the units would be rental or sold individually; and,
- Timing of construction.

At the time of writing this report, three (3) letters from neighbours have been received. In addition to the comments above, the following comments and concerns were raised:

- Property values; and,
- Fencing during construction.

The Statutory Public Meeting under the Planning Act was held virtually on August 10, 2021. A total of three (3) people spoke in opposition to the application. In addition to the comments made at the Public Information Meeting and written letters, the following additional comments were made:

- Back yards being lit from high-rise buildings; and,
- Widening of Lancaster Drive to accommodate the proposed traffic.

The comments received from the public will be commented on later in this report.

#### Ontario Planning Act

Section 37 of the Ontario Planning Act allows for municipalities to create community benefit charges. The charges can be used for capital costs of facilities, services, and matters required because of the development or redevelopment in the area. The Act allows for both cash and/or in-kind contributions.

City staff had previously identified that upgrades to the existing transit hub at the Seaway Mall were required, and Welland Transit is currently in the early stages of planning for the upgrades. As a result of the proposed redevelopment on the Seaway Mall property, it is anticipated that there will be an increase in transit ridership. As the proposed applications are requesting an increase in height and density, and will result in an increase in transit usage, staff have identified that a cash or in-kind contribution towards to construction of the new transit hub. The details of the requirements are discussed further in this report (City Official Plan review).

#### Provincial Policy Statement

The Provincial Policy Statement (PPS) provides policy direction for growth and development within the Province. All decisions must be consistent with the policies in the PPS. Settlement areas are to be the focus of growth and development. The land uses and patterns shall be based on densities and a mix of land uses which efficiently use land and resources and are appropriate for the infrastructure and public services that are planned or available, among other criteria. The PPS also encourages development which supports active transportation and support the use of transit. Through the application of these provisions when evaluating proposed developments it will sustain healthy, livable, and safe communities.

The subject lands are within the urban serviced area of the City. Municipal infrastructure is available in the immediate area and can accommodate the proposed use. The Seaway Mall is a transit hub for the City, and provides links to municipal transit routes, as well as Regional Transit. The development will be within walking distance to amenities (library, grocery, pharmacy, parklands,



commercial, etc.) and will allow for fewer car trips to these services. As such, the development will encourage active transportation and transit use.

The area that is proposed for redevelopment is currently a vacant commercial space and unused parking areas. The proposal will redevelop these lands with a mix of medium and high density residential uses, with some minor commercial uses permitted. The redevelopment of these lands will allow for a more efficient use of the property, as well as municipal resources.

The proposal meets the intent of policies in the PPS. The lands are within the urban serviced area, is close to services, will create a pedestrian friendly community which will support active transportation as well as transit use, and is a more efficient use of the lands as they are currently underutilized.

*A Place to Grow Growth Plan for the Greater Golden Horseshoe*

The A Place to Grow Plan (P2G) encourages that the vast majority of growth be directed to settlement areas which have: a delineated built boundary; have existing or planned municipal water and waste water systems; and, can support the achievement of complete communities. The P2G further encourages growth to be located within the identified built-up area, strategic growth areas, locations with existing or planned transit, and areas with existing or planned public service facilities (schools, libraries, parks, etc.). The PPS also requires that 40% of all new growth, which is to be increased to 50% at the time of the next municipal comprehensive review, occur within the delineated built-up area.

The subject lands are within the delineated built-up area within the City of Welland. It is within an area with a mix of uses and densities, with additional commercial uses to the west along Niagara Street, a mix of high density and low density residential to the north, and medium density residential to the east. The lands are within walking distance to Lancaster Park immediately north and the Welland Recreational Canal to the east. The Seaway Mall has a transit hub, with connections to Regional Transit and the Port Colborne Link. The site is within walking distance to commercial, recreational, and institutional uses which will reduce the car trips needed to access these uses. The presence of the transit hub will also encourage an increase in transit usage from this location. The design of the proposed residential development has also attempted to create pedestrian oriented development.

There are municipal services within the area which can accommodate the proposed development with water, sanitary, and storm connections. The existing road networks can also accommodate the increase in traffic, but there may need to be modifications to the traffic lights at the existing intersections to address wait times. All of these intersections are controlled by the Region, and any improvements will be at their discretion.

Although the area is not identified as a strategic growth area, it is within an area with municipal services and within the built-up area, making it a focus for growth

and redevelopment. The proposed redevelopment of the north-east area of the Seaway Mall will introduce a range of high and medium density residential uses. It will create a pedestrian friendly and transit-oriented development. The lands proposed for redevelopment are currently underutilized, with a minimally used parking lot and a vacant department store. The redevelopment of the site will introduce landscaping, creating green areas and parklands within the area. The proposal meets the intent of the P2G policies as it will create a complete community.

#### Regional Official Plan

The lands are identified as being within the Built-Up area of the City of Welland. The policies in the Region's Official Plan are consistent with the policies found in the PPS and P2G. The Region's policies promote growth and development within urban areas that can access municipal services. The Region's policies promote the creation of livable and walkable communities that are in close proximity to services and community facilities.

The proposed Official Plan and Zoning By-law Amendments will allow for the development of the property with a mix of buildings having a range of three-storeys to 22 storeys. The buildings will be within walking distance to transit stops, commercial uses, institutional uses, and parks. The subject lands front onto a Regional Road and a Traffic Impact Study (TIS) was completed to identify any impacts the development would have on their road network. Regional staff have reviewed the TIS and are satisfied with the findings therein and have not identified any further review required.

The Region is currently undertaking a review of their Official Plan and have indicated that the City of Welland will receive an intensification target of 75%. This would require the City to have a minimum of 75% of all new residential development occur within the built-up area on a yearly basis. The proposed Official Plan Amendment and Zoning By-law Amendment will assist the City in achieving this 75% target.

The proposal is consistent with the policies in the Region's Official Plan.

#### City of Welland Official Plan

The subject lands are designated as Regional Shopping Node in the City of Welland Official Plan. The proposal has been made to redesignate the lands to Special Policy Medium Density Residential and Special Policy High Density Residential. The application was originally made for an increase in the height in the High Density Residential designation to 30 storeys, but that has been decreased to a maximum of 22 storeys. The Special Policy that applies to both the Medium and High Density Residential designation is to permit a minimum density of 61 units per hectare and a maximum density of 216 units per hectare across the entire site. The City's current Official Plan policies allow for a maximum height in the High Density Designation of ten (10) storeys and a maximum density of 125 units per hectare.

When reviewing applications for infilling and intensification, the City of Welland's Official Plan identifies that the following criteria should be reviewed.

- Land use and neighbourhood character compatibility;
- The subject lands are within an area of a mix of commercial and residential uses. The lands to the north are a mix of Low and High Density Residential, as well as parkland (Lancaster Park). To the east are lands that are designated as Medium Density residential and developed with one-storey townhomes. The proposal will create a transition between the lower density residential uses and the proposed high-density development, with the highest buildings proposed immediately adjacent and/or connected to the Seaway Mall, and the medium density residential adjacent to the existing residential.
- The proposed development is compatible with the surrounding neighbourhood.
- Lot pattern and configuration;
- The proposed development will be done through a Plan of Vacant Land Condominium which will create a series of blocks, parks, and road networks. The blocks will be created with a north-south and east-west road networks, with a new connection to Lancaster Drive proposed. The lot configuration is consistent with the lot fabric of the surrounding area.
- Accessibility;
- The proposed development will create pedestrian connections that are accessible throughout the development.
- The residential towers will be required to meet the accessibility requirements in the

Ontario Building Code at the time of construction.

- Any other accessibility features incorporated into the individual dwellings will be at the discretion of the individual property owners.
- Parking requirements;
  - The application has requested modified parking standards to promote transit use, and active transportation for residents.
  - In addition to modified parking regulations (0.3 spaces per unit 60 square metres or less, and no required spaces for accessory dwelling units), the applicant has also requested reduced parking requirements where there is an agreement for a car sharing or bicycle sharing operation on the property.
  - The applicant has also requested that parking can be provided on another site, so long as it is within 200 metres of the property.
  - The reduce parking ratios, as well as the modified parking provisions where there is a car sharing and/or bicycle sharing program on the property is intended to reduce the need for people to own a car as there will be options other than ownership provided, also, the property is in an area that provides transit connections and services are within a walkable distance.
- Potential for additional traffic and traffic manoeuvrability;
  - The traffic on Lancaster Drive will increase as a result of the proposed development, however, the road has the capacity to accommodate the increase in traffic volumes. There have been no concerns raised by the City's Traffic division, nor the

Region's with respect to the increased traffic levels. The development proposes an additional entrance onto Lancaster Drive as part of the development.

- The potential for transit ridership;
- As previously identified, the Seaway Mall is a recognized Transit hub and the development will introduce additional residents to the area who can use transit. The proposal is also encouraging transit usage through reduced parking provisions.
- The Traffic Impact Study completed as part of the proposal has indicated a number of ways in which transit usage could be encouraged. Two ways identified are: for the developer to provide a subsidy to the residents; and, to have the bus schedules and arrivals digitally posted in the lobby of all apartment buildings.
- Natural (including natural hazards) and built heritage conservation/protection;
- There are no natural or built heritage features that have been identified on this property.
- The availability capacity of municipal infrastructure;
- There is capacity in the existing infrastructure to accommodate the proposed development.
- Residential intensification targets identified in this plan.
- The proposed development will assist the City in achieving the target of 40% of all new residential development being within the Built-Up Area. That intensification goal will be increased to 50% at the time of the next Comprehensive Review, and the proposed development of this site will contribute to achieving that goal.

Section 7.4.5 of the City's Official Plan includes policies which allows the City to request that developers provide facilities, services, or other benefits where there has been a request for an increase in height or density. As the current proposal

would allow for an increase in both the height and density, this policy section in the City's Official Plan applies.

Welland Transit has been working on a project to improve the existing transit hub at the Seaway Mall, which will directly benefit this project. Staff have determined that a financial contribution of \$500,000.00 towards the construction of the new terminal would be appropriate given the preliminary cost estimates for the project. Staff have been in consultation with the applicant, and they are satisfied with this proposal. The applicant has also provided the option that they would be willing to construct the terminal using their resources in lieu of the cash contribution. City staff are supportive of this option and will provide wording in the agreement that would allow this, however, would provide a time frame within which the terminal must be constructed, or the financial contribution provided. Staff are satisfied that the intent of the bonus zoning provisions in the City's Official Plan have been maintained through this proposal.

The proposed applications for Official Plan Amendment and Zoning By-law Amendment meet the intent of the City's Official Plan. Although the requested height and densities are higher than permitted in the Official Plan, the design has been created to be sympathetic to the neighbouring residential uses, and the proposal is an efficient re-use of underutilized lands. The development is close to services and transit, and will support the creation of a complete community.

City of Welland Zoning By-law 2017-117

The lands are currently zoned Site Specific Regional Shopping Node – RS-73 which has a number of site specific permitted uses, as well as setbacks, area, and parking provisions. The proposal would not result in any change to the existing site specific to the Seaway Mall area that is not subject to the redevelopment plans.

The proposed application for Zoning By-law Amendment has requested to rezone the north-east portion of the property to two (2) separate Site Specific Residential Medium Zones and one (1) Residential High Zone with the following exceptions:

- Create site specific definitions for building height and townhouses;
- Allow for deck, porch, and stair encroachments into the front and exterior side yards;
- Create specific provisions for privacy screens and garbage and refuse storage;
- Allow for one additional employee that is not a resident to work in a home occupation;
- Eliminate the need for snow storage areas;
- Provide site specific parking provisions which allow:
  - o Required parking to be provided within 200 metres of the property, whereas the Zoning By-law currently restricts this distance to 100 metres;

- Allows for modified parking stall width of 2.6 metres and modifies the aisle width;
- Creates a parking ratio of 1 space per dwelling, except where an apartment is 60 square metres or less and then the ration is 0.3 spaces per unit;
- Allows for a parking reduction of 50% where any combination of the following are provided: provision of secure on-site bicycle storage at a rate of 0.5 spaces per residential dwelling unit, or 1 space per 50 square metres of gross floor area of other uses; sites within 500 metres of a bicycle network connection or transit stop; and/or, the reservation of 1 parking stall per 50 dwelling units or less for car-share vehicles;
- Requires that the width of the driveway be less than the exterior width of an attached or detached garage;
- To allow entrance and exit ramps for parking garages to be 0 metres from the property line.
- To allow for parks and parking lots in all site specific residential zones;
- To allow accessory dwelling units, two-unit dwellings, multiple dwellings, and townhouses in the High Density Residential Zone;
- To create site specific setback provisions for the residential zones, and to eliminate the requirement for a maximum lot coverage; and,
- Allow for a maximum height of 22 storeys in the High Density Residential Zone.

The proposal will create two (2) separate RM zones with differing height permissions to limit the height of buildings adjacent to the residential dwellings on Willowlanding Court. The proposal is to allow for a maximum height of 3.5 storeys adjacent to this area, with a 10 metre setback to the property line. The remainder of the RM zoned lands would have a maximum height of 8 storeys. Staff are supportive of the proposed heights as it creates a gradual increase in the height across the property, to the highest at 22 storeys for the area that will be immediately adjacent the Seaway Mall building.

The proposed reduction to the parking requirements and the proposed further reductions where there are car sharing agreements in place can be supported by staff as they are intended to eliminate the need for car ownership for all residents. The location of the property is within walking distance to services and uses that residents use on a daily basis.

Staff are of the opinion that the proposed amendments to the Zoning By-law are appropriate and can be supported.

### Public Comments

A number of comments and concerns were raised regarding the applications for Official Plan Amendment and Zoning By-law Amendment. The comments mainly identified concerns with: building height, traffic, drainage, and lighting.

The concerns with respect to building height were primarily regarding the 3.5 storey buildings proposed adjacent to Willowlanding Court. The comments from the neighbours is that the proposed 3.5 storey height is incompatible with their neighbourhood, which is developed with bungalow towns. The lands to the east, although developed with bungalow towns, is designated as Medium Density Residential and zoned RM, which permits a maximum height of 6 storeys. Further to this, the current zoning on the Seaway Mall property would permit an 8 storey commercial building on the property with a smaller setback than has been proposed in the site specific amendment. The proposed 3.5 storey height is consistent with what is permitted in the City's RL1 and RL2 zones, which permits a maximum of 3 storeys. The applicant has given consideration to the typology of the housing to the east and proposed dwelling heights that are consistent with low density residential dwelling permissions. The development proposal has located the highest buildings furthest from neighbouring residential dwellings in order to create a gradual increase in height on the property. The applicant has proposed a minimum setback of 10 metres, which is greater than the minimum side yard of 0 metres in the RS Zone and 3 metres in the RM zone. Staff are of the opinion that the proposed height of 3.5 storeys is appropriate and compatible with the surrounding neighbourhood.

Comments regarding the traffic impacts as a result of the proposed development have been addressed earlier in this report. Both the City and the Region are satisfied with the findings in the Traffic Impact Study and any increase in traffic can be mitigated. The TIS also identified a number of strategies that could be implemented to reduce car trips and ownership, as well as to encourage transit use. The City supports these initiatives, which would be at the cost of the developer.

The concerns raised regarding grading and drainage will be addressed during the condominium and/or site plan approval processes. The site is currently entirely hard-paved with buildings. Any new development will be required to ensure that there are no negative impacts from the release of stormwater onto neighbouring properties. The proposal also includes trees and green spaces, which will assist in absorbing stormwater and are currently absent from the site.

As part of the Condominium and Site Plan Approval, the City will work to ensure that any lighting on the site will be pointed downward and will not be permitted to disperse onto neighbouring sites.

#### Class 4 Designation

The applicant has requested that a Class 4 Environmental Noise Designation for the entire site. The purpose of the request for this designation is to allow for modified noise levels for stationary noise sources at the time of new construction.



The Class 4 designation has been requested as a result of the noise levels generated from the heating, ventilation, and air conditioning (HVAC) units on the Seaway Mall building. The residential blocks immediately adjacent or attached to the Mall have the greatest noise impacts, but the request has been made for the entire site to be given a Class 4 designation. The blocks fronting onto Lancaster Drive will be impacted by transportation noise, but will also still fall below the noise requirements.

The Region has provided comments that they do not object in principle to the Class 4 designation, but they have requested that further information be provided regarding alternatives to the Class 4. City staff are satisfied with approving the Class 4 request to facilitate the redevelopment of this site. Warning clauses will be put on the title of the property to advise residents of the stationary noises, and in addition to this, the units will be equipped with air conditioning units.

Staff are supportive of the Class 4 designation for this site as it will facilitate the redevelopment of this site with a range of housing types and will be a more efficient use of these underutilized lands.

#### **FINANCIAL CONSIDERATION:**

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

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

Other departments and agencies were circulated the applications for review and comment. Where their comments were provided, they have been included in this report.

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

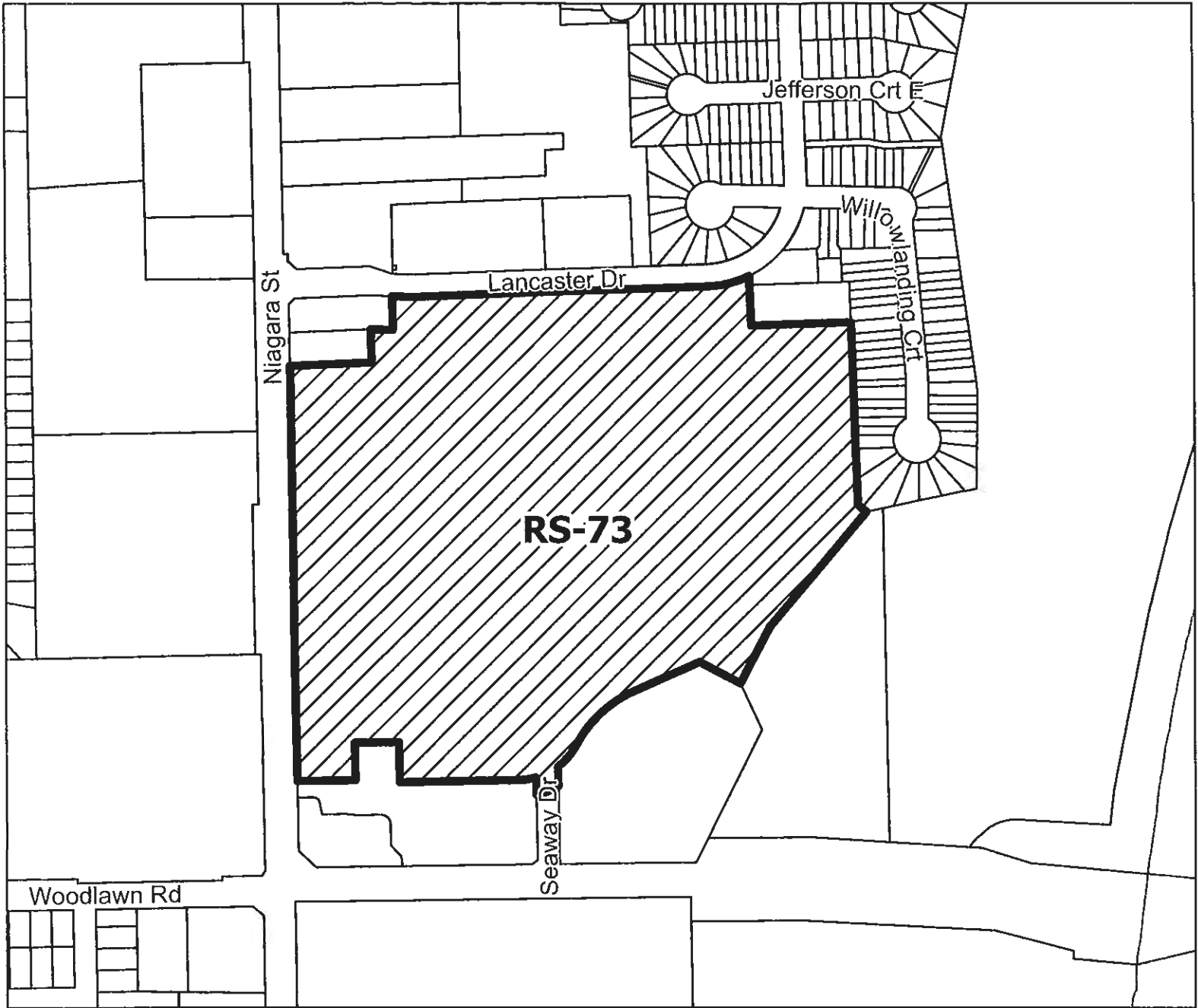
The proposed applications for Official Plan Amendment and Zoning By-law Amendment to redesignate the property to Special Exception Medium Density Residential and Special Exception High Density Residential and rezone the property to Site Specific Residential Multiple – RM and Site Specific Residential High – RH to allow for the redevelopment of property with a mix of townhouses, low rise, and high rise apartment buildings:

1. Is consistent with Provincial, Regional and City policies which encourage infill and intensification within the identified Built-Up Area;
2. Uses existing municipal infrastructure and does not require the expansion of these services;
3. Encourages the creation of a complete community;
4. Is transit supportive; and,
5. Will assist the City in achieving the yearly intensification target.

**ATTACHMENTS:**

- Appendix I - Location Map
- Appendix II - Official Plan Amendment
- Appendix III - Draft Zoning By-law Amendment
- Appendix IV - Correspondence

# 2021-07 & OPA 36



## KEY MAP



 SUBJECT LANDS



*Development & Building Services*  
Planning Division

**AMENDMENT NO. 36**  
**to the**  
**OFFICIAL PLAN**  
**of the**  
**CORPORATION OF THE CITY OF WELLAND**

**OCTOBER 5, 2021**

**THE CORPORATION OF THE CITY OF WELLAND  
BY-LAW NUMBER 2021-**

**A BY-LAW TO AUTHORIZE THE ADOPTION  
OF OFFICIAL PLAN AMENDMENT NO. 36**

**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.

**AND WHEREAS** the Regional Municipality of Niagara has exempted Official Plan Amendment No. 36 to the Official Plan of the Corporation of the City of Welland from approval in accordance with the Memorandum of Understanding between the Regional Municipality of Niagara and 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. 36 for the Corporation of the City of Welland.
2. That Staff is hereby authorized and directed to give Notice of Council's adoption of Amendment No. 36 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  
5<sup>TH</sup> OF OCTOBER, 2021.**

\_\_\_\_\_ MAYOR

\_\_\_\_\_ CLERK

**AMENDMENT NO. 36 TO THE OFFICIAL PLAN OF THE  
CORPORATION OF THE CITY OF WELLAND**

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## **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. 36 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 and text changes.

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. 30 is to redesignate a portion of the lands shown on attached Schedule "A" from Regional Shopping Node to Special Policy Area Medium Density Residential and Special Policy Area High Density Residential. The purpose of the amendment is to redesignate the lands to allow for a mixed-use residential development. The Special Policy Medium Density Residential will permit a minimum density of 61 units per net hectare and a maximum density of 216 units per net hectare which will be calculated across the Special Policy Medium Density Residential and Special Policy High Density Residential designations on the subject lands. The purpose of the Special Policy High Density Residential is to permit a maximum height of 22 storeys.

### **LOCATION**

The lands are located on the east side of Niagara Street, south side of Lancaster Drive, north of Woodlawn Road, and west of the Recreational Canal. The subject area is approximately 6 hectares in size.

### **BASIS**

The subject lands are within the urban area boundary for the City of Welland and currently designated Regional Shopping Node. This amendment for a land use change from commercial lands to mixed-use medium and high density residential within the built boundary of the City of Welland.

## **PART B - THE AMENDMENT**

All of the Amendment entitled PART B - THE AMENDMENT, consisting of the following Policies and the map referred to as Schedule "A" - Land Use Plan and Policies, constitutes Amendment No. 36 to the Official Plan of the Corporation of the City of Welland.

### **MAP CHANGES**

1. Schedule B, Land Use Map is hereby amended by identifying a portion of the lands as Residential.
2. Schedule B1, Residential Hierarchy Land Use Map is hereby amended by identifying a portion of the lands as Medium Density Residential and High Density Residential with the special exemption.
3. Schedule B2, Commercial Hierarchy Land Use Map is hereby amended by removing a portion of the lands as Regional Shopping Node.

### **TEXT CHANGES**

1. The Official Plan of the City of Welland is hereby amended by adding the following:

#### **4.2.3.20 Exemptions**

- 4.2.3.20 H Notwithstanding the density provisions of Section 4.2.2.3, the lands will be permitted to have a minimum density of 61 units per net hectare and a maximum density of 216 units per net hectare.



**SCHEDULE "A" LAND USE PLAN**

**PART C - THE APPENDICES**

The following appendices do not constitute part of Amendment No. 36 to the Official Plan of the Corporation of the City of Welland, but are included only 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)

**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. 36 BY BY-  
LAW 2021-XX PASSED BY COUNCIL OF THE  
CORPORATION OF THE CITY OF WELLAND  
ON OCTOBER 5, 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 Director, Planning 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 Ontario Regulation 543/06, Notice of the Public Meeting was published in the Niagara This Week Newspaper on July 19, 2021. I hereby certify that the required Public Meeting was held virtually on August 10, 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 DAY day of MONTH, YEAR.

---

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

List of individuals who made oral submission at the Statutory Public Meeting conducted August 10, 2021 concerning Amendment No. 36 to the Official Plan of the Corporation of the City of Welland .

Opposed

Linda Illes

Anne Marie Pieterse

Lynn Eager

In Favour

Kahlin Holmes, Better Neighbourhoods

Drew Toth, Idrakoth

**APPENDIX II - NOTICE OF ADOPTION**

**CITY OF WELLAND  
NOTICE OF ADOPTION OF  
AMENDMENT NO. 36 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-, being a By-law to adopt Amendment No. 36 to the Official Plan on September 21, 2021 under Section 17(23) of The Planning Act, as amended.

The Purpose of Amendment No. 36 is to redesignate a portion of the property from Regional Shopping Node to Special Policy Medium Density Residential and Special Policy High Density Residential. The Medium Density and High Density Residential Special Exemption will allow for a minimum density of 61 units per net hectare and a maximum of 216 units per net hectare. The High Density Residential Special Policy will allow for a maximum height of 22 storeys.

The Effect of the redesignation is to allow for the development of the property with a mixed-use subdivision with a mix of two-unit, townhouse, multiple dwellings, apartment and accessory apartment dwellings, some small scale commercial.

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.

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 DATE, 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 Ontario Land 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, Corporations or public bodies may appeal a Decision of the municipality to the Ontario Land 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 party to the hearing of the appeal unless, before the Plan was adopted, the person or public body made oral submissions at a Public Meeting or written submissions to the Council or, in the opinion of the Ontario Land 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 a Zoning By-law Amendment 2021-07.

A copy of the Amendment and Staff Report are available for inspection by the public as of October 5, 2021 at by contacting the Planning Department at [devserv@welland.ca](mailto:devserv@welland.ca).

Dated at the City of Welland this DATE day of MONTH, YEAR.

GRANT MUNDAY, B.A.A., MCIP, RPP  
DIRECTOR  
PLANNING AND DEVELOPMENT SERVICES  
OF THE CORPORATION OF THE CITY OF WELLAND

***APPENDIX III***

***- MINUTES OF PUBLIC MEETING -***

***APPENDIX IV - STAFF REPORT***



***APPENDIX V - COUNCIL RESOLUTION***

THE CORPORATION OF THE CITY OF WELLAND

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

BEING A BY-LAW TO AMEND CITY OF WELLAND ZONING BY-LAW  
2017-117 (FILE NO. 2021-07) 800 NIAGARA STREET

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

1. PT TWP LT 229 & 230, FORMER CITY OF THOROLD, PARTS 3, 4 ON 59R-1742 AND PARTS 1 & 2 ON 59R-2895, S/T RO345094, S/T RO357411, S/T RL734059, S/T RO778444; PCL 229-3 SEC 59 THOROLD; PART 3 ON 59R-2784; S/T EASEMENT IN FAVOUR OF WELLAND HYDRO-ELECTRIC SYSTEM CORP. OVER PART 1 PLAN 59R-11677 & PARTS 5, 6, 7, 8 & 9 ON PLAN 59R-8977 AS IN SN19072; PCL F-2 SEC M75; BLK F PL M75 EXCEPT PART 1 ON 59R-2986; S/T LT16884; PCL G-1 SEC M75; BLK G PL M75 EXCEPT PART 1 ON 59R-4566, City of Welland, shown on Schedule "A" attached hereto as "Change to RM-XX", "Change to RM-XY", "Change to RH-XX", and "Change to RH-XY" is hereby changed to RM-XX, RM-XY, RH-XX, and RH-XY.

2. That the provisions in the RM-XX, RM-XY, RH-XX, and RH-XY Zone shall be those provided for in the RM and RH Zone, save and except as follows:

- All other general provisions of By-law 2017-117, as amended, shall apply save and except for the following:
  - a. Notwithstanding Section 4, "Building Height", where height is established as a number of storeys, height means the number of storeys.
  - b. Notwithstanding Section 5.10.5, Decks, Porches, Steps:
    - i. Open or roofed Decks, Porches, and Steps may project 1.0 metres into a required front or exterior side yard.
    - ii. Stairs that lead to areas below-grade may project 1.0 metres into a required front or exterior side yard.
  - c. Notwithstanding Section 5.12.2, Privacy Screens:
    - i. Privacy screens are permitted for all uses in the RM-\_\_\_ and RH-\_\_\_ zones to a maximum height of 1.5 metres. Up to 1.8 m may be permitted where the upper 0.3 portion of fence is of lattice or other semi-transparent decorative woodwork.
  - d. Notwithstanding Section 5.14, Garbage and Refuse Storage and Enclosures:
    - i. Where an enclosure or private waste management container is provided in accordance with Subsection 5.14 b), the enclosure shall be associated with an area sufficient for the purposes of picking up garbage or refuse from the container.

- e. Notwithstanding Section 5.18.1, Home Occupations:
  - i. Home occupations shall be permitted in any permitted dwelling or building type in the RM-XX, RM-XY, RH-XX and RH-XY zones.
  - ii. Up to one (1) non-resident employee is permitted to be engaged in the home occupation.
  - iii. The home occupation shall not alter the exterior of the dwelling unit by virtue of its operation except it shall be permitted to display one (1) sign no larger than 46 cm x 31 cm at its entrance to indicate the business name.
- f. Notwithstanding Section 5.27, Patios, Outdoor:
  - i. Restaurant patios may be permitted in any yard, balcony or rooftop area within the RH-XY where it abuts any RM-XX, RM-XY or RM-XX Zone.
- g. Notwithstanding Section 5.39, Snow Storage Areas:
  - i. No snow storage shall be required for private streets, parking areas, or driveways within a registered Condominium Plan.
- h. Notwithstanding Section 6.1.3, Location of Required Parking:
  - i. Any required parking stall for any permitted use within the RM (H3.5), RM (H 8), RH (H 20) and RH (H 30) zone may be located:
    - i) On the same lot on which the use is located;
    - ii) On a *private* street or laneway within 100 m of the subject lot; or
    - iii) In a shared or district parking lot within 200 m of the subject lot, which is in a Zone which permits a parking lot.
  - ii. Any barrier-free parking space and loading space required by this By-law shall be located on the same lot on which the use is located.

Any bicycle parking space required by this By-law shall be located on the same lot on which the use is located, or within 50 m of the subject lot.

- i. Notwithstanding Section 6.16, Parking Space Dimensions:

Condition	Min. Width	Min. Depth	Minimum Access Aisle in Parking Lot, Structure or Garage
Ninety-degree (90°) parking stall	2.6	5.5	6.0
Sixty-degree (60°) parking stall	2.6	5.5	5.5
Forty-five-degree (45°) parking stall	2.6	5.5	4.5
Thirty-degree (30°) parking stall	2.6	5.5	4.5
Parallel parking stall	2.6	6.0	3.0

- j. Notwithstanding Section 6.4, Required Parking and Queuing Spaces By Use:

Use	Required Number of Spaces
Apartment dwelling less than 60 square metres in floor area	0 spaces
Accessory Dwelling	
Apartment dwelling greater than 60 square metres in floor area	
Multiple Dwelling	1 space per unit
Two-Unit Dwelling	
Townhouse Dwelling	
Art Gallery	1 stall per 50 square metres of gross

Restaurant floor area  
Retail Establishment  
Library

- k. Notwithstanding Section 6.4, Required Parking and Queuing Spaces By Use:
- i. A reduction of up to 50% of required parking may be permitted where one or any combination of the following features which facilitate access to public transit, ride-sharing, or active transportation alternatives is available:
- The provision of secure on-site bicycle storage at a rate of 0.5 spaces per residential dwelling unit or 1 space per 50 square metres gross floor area of other uses.
  - Sites within 500 m of a bicycle network connection or transit stop
  - The reservation of 1 parking stall per 50 dwelling units or less for a car-share vehicle
- l. Notwithstanding Section 6.9, Residential Parking Requirements:
- i. The width of a driveway must be less than the width of an attached or detached garage.
- m. Notwithstanding Section 6.13, Parking Structures:
- i. Entrance and exit ramps to below-grade and above-grade parking structures or buildings are permitted within 0 metres of the property line.
- n. Notwithstanding Section 7.2, Permitted Uses:

Permitted Uses	RM-XX	RM-XY	RH-XX	RH-XY
Accessory Dwelling Unit	✓	✓	✓	
Accessory Uses, Buildings, and Structures	✓	✓	✓	✓
Apartment Dwelling	✓	✓	✓	✓
Bed and Breakfast	✓	✓	✓	
Boarding and Lodging House	✓	✓	✓	
Group Home	✓	✓	✓	
Home Occupation	✓	✓	✓	
Two-Unit Dwelling	✓	✓	✓	
Multiple Dwelling <sup>(1)</sup>	✓	✓	✓	
Retirement Home	✓	✓	✓	✓
Street Townhouse Dwelling	✓	✓	✓	
Townhouse Dwelling (Block)	✓	✓	✓	
Parking Lot, Structure or Garage	✓	✓	✓	✓
Park	✓	✓	✓	✓
<b>Commercial and Community Uses</b>				
Art Gallery <sup>(2)</sup>			✓	✓
Restaurant <sup>(2)</sup>			✓	✓
Retail Establishment <sup>(2)</sup>			✓	✓
Day Care Centre			✓	✓
Library				✓

(1) Includes Triplex, Fourplex, Back-to-Back Townhouse and Stacked Townhouse Dwellings

(2) Only permitted within the ground floor of a residential building to a maximum

of 120.7 square metres of gross floor area

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

\_\_\_\_\_ MAYOR

\_\_\_\_\_ CLERK

Schedule "B" to By-law 2021-\_\_\_\_\_

Provisions of the RM-109, RM-110, and RH-111 Zones shall be those provided for in the Zoning Provisions Table below:

	Lot Area (min)	Lot Frontage (min)	Front Yard (min)	Side Interior (min)	Side Yard Exterior (min)	Rear Yard (min)	To Existing RM Zone (*)	Building Height (max)	Lot Coverage (max)	Land Area
<b>DENIAL MEDIUM DENSITY ZONE RM-109</b>										
ment		15.0 m								
Unit Dwelling	N/A	6.0 m	1.0 m	0 m	1.0 m	0.5 m	10.0 m	3.5 storeys	N/A	
Unit Dwelling		6.0 m								
Unit Dwelling		4.0 m/unit								
to-Back Townhouse		4.0 m/unit								
<b>DENIAL MEDIUM DENSITY ZONE RM-110</b>										
ment		15.0 m								
Unit Dwelling	N/A	6.0 m	1.0 m	0 m	1.0 m	0.5 m	10.0 m	8 storeys	N/A	
Unit Dwelling		6.0 m								
Unit Dwelling		4.0 m/unit								
to-Back Townhouse		4.0 m/unit								
<b>DENIAL MEDIUM DENSITY ZONE RH-111</b>										
ment		15.0 m								
Unit Dwelling	N/A	6.0 m	1.0 m	0 m	1.0 m	0.5 m	10.0 m	22 storeys	N/A	
Unit Dwelling		6.0 m								
Unit Dwelling		4.0 m/unit								
to-Back Townhouse		4.0 m/unit								

(1) Measured from the nearest building wall to the adjacent property boundary of the RM Zone.

July 26, 2021

Attention: Rachelle Larocque

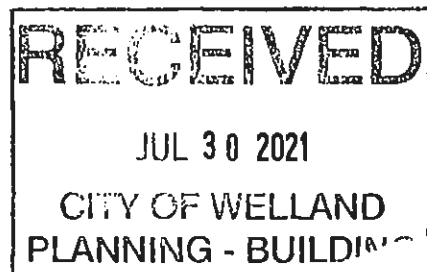
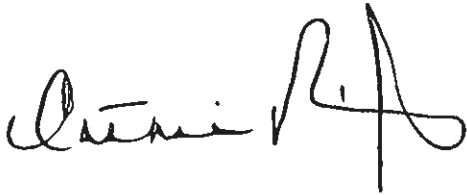
City of Welland Planning & Development Services

As per your memorandum of July 20, I wish to receive a copy of the staff report on the Application to Amend City of Welland Official Plan (OPA No. 36). As well, I request to receive a copy of the staff report on the Application to Amend Zoning By-law 2017-117 (File No. 2021-07).

Thank you.

Cathie Reid

82 Willowlanding Ct. Welland ON L3C7L7



City of Welland

Planning & Development Services

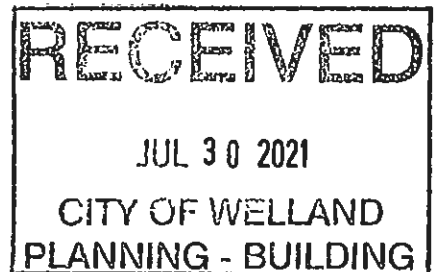
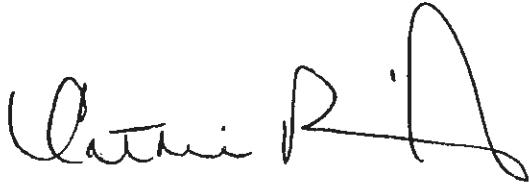
As suggested in the memorandum of July 20 I would like to request to be notified of the Decision of the City of Welland on the proposed Official Plan Amendment (OPA No. 36). I request also to be notified of the Decision of the City of Welland on the proposed Zoning By-law Amendment (File No. 2021-07).

2017-117

Thank you.

Cathie Reid

82 Willowlanding Ct. Welland ON L3C7L7





July 30, 2021

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

**Re: Application to Amend Zoning Bylaw 2017-117 (File No. 2021-07)**

**Attention: Tara Stephens, City Clerk**

Dear City Council,

As land owners adjacent to the subject lands in the above application, we share these comments for your consideration as you deliberate on the approval of this application.

Though the many concerns raised by all our neighbours and ourselves on Willowlanding Court have already been communicated to the applicants and at the recent public City Meeting of July 29, 2021, reiterating some key concerns is vital.

Firstly, given that our properties sit at a significantly lower elevation level than the proposed land to be developed, which proposed plan include structures that potentially could be built to three and one half (3.5); eight (8); twenty (20); and thirty (30) storey high is not only daunting to us, but will significantly change the dynamics of our community from its current quiet retiring characteristic with one and one half (1.5) bungalow style homes.

Secondly, we are also concerned about the increase in traffic volume that this development will introduce onto Lancaster Road and the impact this will have on the whole area for all existing homeowners, not just those of us living on Willowlanding Court. Already there is a bottle neck effect at the intersection of Niagara Street and Lancaster with current businesses and the traffic that it attracts, namely caused by the access entry into the Harvey's/Swiss Chalet establishments off of Lancaster. This will only be exacerbated by the addition of one thousand (1,000) plus dwellings.

Thirdly, the current sight line from our back yards for those living adjacent to the subject land, and front yards for those living across Willowlanding Court facing the subject land, afford us both with natural light and a skyline with a sunset in the evening. As this was one of many features that drew us to this neighbourhood, you can appreciate how saddened we are that this will no longer be our line of sight once the new structures are erected on the proposed development. Furthermore, for all of us, and especially those whose properties are adjacent to the proposed development, rely on natural light that comes in from the west. This is the only source of natural light on that side for those homeowners whose units are not end units (i.e. middle units). The loss of natural light into our homes due to both the proposed building heights and the need for tall privacy landscaping at the property line is very concerning to us. Fourthly, there exists a stone retaining wall at the back of the properties adjacent to the subject land. It is clear that that this structure was not erected properly, perhaps not even to code, as

there is nothing preventing from these stones of being pushed out and come tumbling down the embankment into our yards. The nature of the construction that will take place based on the proposed development will certainly have a negative impact on this structure and put our backyards and the safety of the homeowners at risk. Given that all engineering must be approved by the City Engineering Department within the Planning Division, we ask that the City verify the approved engineering of this structure when it was erected in 2002-04, and take any and all necessary actions to have it brought to code based on today's codes for the safety of all homeowners.

Fifthly, as homeowners we are concern about our property value during the construction of this development. Given that we were told that the magnitude of this development may take up to ten (10) to twenty-five (25) years before the whole project is totally completed, how will the developer and the City of Welland ensure that our property values will not be affected negatively should life circumstances cause any of us to have to sell our property while construction is still in progress?

Inasmuch as we all understand that things do not remain the same forever, and that land development in the city of Welland is seen by most as a positive, please know that it is not our desire to impede potential growth towards a future for this city and its people. However, we are respectfully asking that City Council in collaboration with the applicants would not only hear our concerns, but also make some adjustments as is appropriate to address these concerns for the well being of all.

Lastly, another concern that needs mention is the impact of the process of this development over the many years. In short, assuming that this application is approved by the City, and that work commences some time in 2022, none of us want to be looking at a construction site in our backyards for the next several years and beyond. We are already experiencing this with the current construction of a new apartment building on Lancaster across (north) from the subject land of this application. We therefore respectfully ask that City Council in collaboration with the applicants include as part of phase one (1) of this development (i.e. at the same time as the demolition of the old Target store and the installation of main site services), that a new fence and mature trees be erected along the east limit of the subject land adjacent to our properties so as to provide a visual barrier (block our sight of all the construction), and a physical barrier to help minimize dust and sound. It would also be during this first phase that the retaining wall concerns would have to be addressed.

On behalf of our neighbours on Willowlanding and ourselves, thank you for receiving these comments and for your consideration.

Respectfully,

Benoit and Susan Cousineau  
119 Willowlanding Court  
Welland, ON L3C 7L8

Martin and Lynn Eager  
143 Willowlanding Court  
Welland, ON L3C 7L

July 30, 2021

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

**Re: Application to Amend Zoning Bylaw 2017-117 (File No. 2021-07)**

**Attention: Tara Stephens, City Clerk**

Dear City Council,

As land owners adjacent to the subject lands in the above application, we share these comments for your consideration as you deliberate on the approval of this application.

Though the many concerns raised by all our neighbours and ourselves on Willowlanding Court have already been communicated to the applicants and at the recent public City Meeting of July 29, 2021, reiterating some key concerns is vital.

Firstly, given that our properties sit at a significantly lower elevation level than the proposed land to be developed, which proposed plan include structures that potentially could be built to three and one half (3.5); eight (8); twenty (20); and thirty (30) storey high is not only daunting to us, but will significantly change the dynamics of our community from its current quiet retiring characteristic with one and one half (1.5) bungalow style homes.

Secondly, we are also concerned about the increase in traffic volume that this development will introduce onto Lancaster Road and the impact this will have on the whole area for all existing homeowners, not just those of us living on Willowlanding Court. Already there is a bottle neck effect at the intersection of Niagara Street and Lancaster with current businesses and the traffic that it attracts, namely caused by the access entry into the Harvey's/Swiss Chalet establishments off of Lancaster. This will only be exacerbated by the addition of one thousand (1,000) plus dwellings.

Thirdly, the current sight line from our back yards for those living adjacent to the subject land, and front yards for those living across Willowlanding Court facing the subject land, afford us both with natural light and a skyline with a sunset in the evening. As this was one of many features that drew us to this neighbourhood, you can appreciate how saddened we are that this will no longer be our line of sight once the new structures are erected on the proposed development. Furthermore, for all of us, and especially those whose properties are adjacent to the proposed development, rely on natural light that comes in from the west. This is the only source of natural light on that side for those homeowners whose units are not end units (i.e. middle units). The loss of natural light into our homes due to both the proposed building heights and the need for tall privacy landscaping at the property line is very concerning to us. Fourthly, there exists a stone retaining wall at the back of the properties adjacent to the subject land. It is clear that that this structure was not erected properly, perhaps not even to code, as

there is nothing preventing from these stones of being pushed out and come tumbling down the embankment into our yards. The nature of the construction that will take place based on the proposed development will certainly have a negative impact on this structure and put our backyards and the safety of the homeowners at risk. Given that all engineering must be approved by the City Engineering Department within the Planning Division, we ask that the City verify the approved engineering of this structure when it was erected in 2002-04, and take any and all necessary actions to have it brought to code based on today's codes for the safety of all homeowners.

Fifthly, as homeowners we are concern about our property value during the construction of this development. Given that we were told that the magnitude of this development may take up to ten (10) to twenty-five (25) years before the whole project is totally completed, how will the developer and the City of Welland ensure that our property values will not be affected negatively should life circumstances cause any of us to have to sell our property while construction is still in progress?

Inasmuch as we all understand that things do not remain the same forever, and that land development in the city of Welland is seen by most as a positive, please know that it is not our desire to impede potential growth towards a future for this city and its people. However, we are respectfully asking that City Council in collaboration with the applicants would not only hear our concerns, but also make some adjustments as is appropriate to address these concerns for the well being of all.

Lastly, another concern that needs mention is the impact of the process of this development over the many years. In short, assuming that this application is approved by the City, and that work commences some time in 2022, none of us want to be looking at a construction site in our backyards for the next several years and beyond. We are already experiencing this with the current construction of a new apartment building on Lancaster across (north) from the subject land of this application. We therefore respectfully ask that City Council in collaboration with the applicants include as part of phase one (1) of this development (i.e. at the same time as the demolition of the old Target store and the installation of main site services), that a new fence and mature trees be erected along the east limit of the subject land adjacent to our properties so as to provide a visual barrier (block our sight of all the construction), and a physical barrier to help minimize dust and sound. It would also be during this first phase that the retaining wall concerns would have to be addressed.

On behalf of our neighbours on Willowlanding and ourselves, thank you for receiving these comments and for your consideration.

Respectfully,

Benoit and Susan Cousineau  
119 Willowlanding Court  
Welland, ON L3C 7L8  
[REDACTED]

Martin and Lynn Eager  
143 Willowlanding Court  
Welland, ON L3C 7L  
[REDACTED]

**Rachelle Larocque**

---

**From:**  
**Sent:** July 21, 2021 3:49 PM  
**To:** Rachelle Larocque  
**Subject:** Information regarding changes at Seaway Mall

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

Since the publication of the Welland Civic News announcement in the Tribune yesterday there has been considerable interest by residents adjacent to the Mall property.

Do we all have to register for the link to the meeting even if we only want to hear the Information Meeting proceedings. Can we not see it Live Stream like we see Council Meetings?

Thank you for any clarification you may be able to provide.

Eleanor Protz

57 Jefferson Crt . W

---

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**Rachelle Larocque**

---

**From:** Municipal Planning <MunicipalPlanning@enbridge.com>  
**Sent:** August 4, 2021 7:35 AM  
**To:** Rachelle Larocque  
**Subject:** RE: Notice of Public Meeting - 800 Niagara Street Official Plan Amendment (OPA 36) and Zoning By-Law Amendment (2021-07)

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Thank you for your circulation.

Enbridge Gas Inc. does not object to the proposed application however, we reserve the right to amend our development conditions.

Please continue to forward all municipal circulations and clearance letter requests electronically to [MunicipalPlanning@Enbridge.com](mailto:MunicipalPlanning@Enbridge.com).

Regards,

**Alice Coleman**  
Municipal Planning Analyst  
**Long Range Distribution Planning**

**ENBRIDGE**  
TEL: 416-495-5386 | [MunicipalPlanning@Enbridge.com](mailto:MunicipalPlanning@Enbridge.com)  
500 Consumers Road, North York, Ontario M2J 1P8

enbridge.com  
**Safety. Integrity. Respect.**

---

**From:** Rachelle Larocque <rachelle.larocque@welland.ca>  
**Sent:** Tuesday, July 20, 2021 2:33 PM  
**To:** Rachelle Larocque <rachelle.larocque@welland.ca>  
**Subject:** [External] Notice of Public Meeting - 800 Niagara Street Official Plan Amendment (OPA 36) and Zoning By-Law Amendment (2021-07)

**EXTERNAL: PLEASE PROCEED WITH CAUTION.**

This e-mail has originated from outside of the organization. Do not respond, click on links or open attachments unless you recognize the sender or know the content is safe.

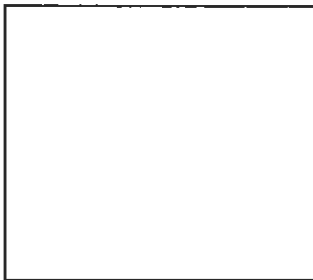
Good afternoon,

Please find attached notices of application for Official Plan Amendment and Zoning By-law Amendment for 800 Niagara Street.

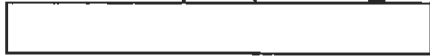
Additional information can be found at the following link: [https://secure-web.cisco.com/17\\_moUfZHykRz\\_IQPJY96LxuhxpXCVVB6-DyXjMExxVLcjMHt\\_Lq1aFiDbQMD8qvAjtRgJLywOpWxlgyUmhJqp7ljs4i\\_amVA9EFtcizNfq0Bi\\_0SdQ1iWo\\_ZnOVG49tsWUaHvvV3\\_S1kqg1XKIX2qgD2mJzjVJCKkflpNzSeHBwSKVFFdY2TBk-WPrX2nZmscAki6hWGAfkof-3y4OUsG3hI.JsqT0oMkUfRpmeAaDmWQcRnKALLv93sKG9KuHRI\\_Ltv8bbezgRdrHZPRqym\\_CvIB20zJdJUhgFmcZC8rZh2AajlDUzS3hNeIR767VMIdE8r4YxWosEw4vDvjj0A/https%3A%2F%2Fwww.welland.ca%2FMedia%2Fnotices.asp](https://secure-web.cisco.com/17_moUfZHykRz_IQPJY96LxuhxpXCVVB6-DyXjMExxVLcjMHt_Lq1aFiDbQMD8qvAjtRgJLywOpWxlgyUmhJqp7ljs4i_amVA9EFtcizNfq0Bi_0SdQ1iWo_ZnOVG49tsWUaHvvV3_S1kqg1XKIX2qgD2mJzjVJCKkflpNzSeHBwSKVFFdY2TBk-WPrX2nZmscAki6hWGAfkof-3y4OUsG3hI.JsqT0oMkUfRpmeAaDmWQcRnKALLv93sKG9KuHRI_Ltv8bbezgRdrHZPRqym_CvIB20zJdJUhgFmcZC8rZh2AajlDUzS3hNeIR767VMIdE8r4YxWosEw4vDvjj0A/https%3A%2F%2Fwww.welland.ca%2FMedia%2Fnotices.asp)

Required reports and studies can be found at the following link: [Seaway NE ZBA/OPA Application](#)

Sincerely,



**Rachelle Larocque, BES, M.Sc., MCIP, RPP**  
Manager of Planning  
Planning and Development Services  
Corporation of the City of Welland  
60 East Main Street, Welland, Ontario L3B 3X4  
Hours: 8:30am-4:30PM  
Phone: (905)735-1700 Ext. 2310 Fax: (905)735-8772  
[http://secure-web.cisco.com/19NzWyl722iDqvGTprtZQ0Qx2X07BW2Jqu6Z4yKKD38HKe10fkchBbnKWq58LqYznZzX\\_Sz-xCHEkhqE6t97QjdlyLNAnJAPNv2UvHG2Aq4N-](http://secure-web.cisco.com/19NzWyl722iDqvGTprtZQ0Qx2X07BW2Jqu6Z4yKKD38HKe10fkchBbnKWq58LqYznZzX_Sz-xCHEkhqE6t97QjdlyLNAnJAPNv2UvHG2Aq4N-)



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**Rachelle Larocque**

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**From:** Julie VanLeur  
**Sent:** July 28, 2021 3:45 PM  
**To:** Rachelle Larocque  
**Cc:** Livia McEachern  
**Subject:** RE: Notice of Public Meeting - 800 Niagara Street Official Plan Amendment (OPA 36) and Zoning By-Law Amendment (2021-07)

Hi Rachelle,

Engineering has no objection to the OPA, and rezoning of the property in question.

Best Regards,



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



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**From:** Rachelle Larocque <rachelle.larocque@welland.ca>  
**Sent:** July-20-21 2:33 PM  
**To:** Rachelle Larocque <rachelle.larocque@welland.ca>  
**Subject:** Notice of Public Meeting - 800 Niagara Street Official Plan Amendment (OPA 36) and Zoning By-Law Amendment (2021-07)

Good afternoon,

Please find attached notices of application for Official Plan Amendment and Zoning By-law Amendment for 800 Niagara Street.

Additional information can be found at the following link: <https://www.welland.ca/Media/notices.asp>

Required reports and studies can be found at the following link: [Seaway NE ZBA/OPA Application](#)

Sincerely,





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

---

**From:** Matt Richardson  
**Sent:** September 15, 2021 1:54 PM  
**To:** Rachelle Larocque  
**Cc:** Paula Albano  
**Subject:** RE: Notice of Public Meeting - 800 Niagara Street Official Plan Amendment (OPA 36) and Zoning By-Law Amendment (2021-07)

Rachelle,

With respect to this proposal, we would need adequate access for firefighting purposes as well as water supply in accordance with the OBC. Significant OBC requirements pertain to “high” buildings which will be dealt with at the permit stage. Additional building improvements would be supported and encouraged by the Fire Department including standpipe hose connections in stairwells, rooftop access from all interior stairwells, and radio repeaters within the building.

Further comments will occur at site plan.

Thanks,



**Matt Richardson, B.A., CFEI, CCFI-C, CMM I**  
 Director of Fire Prevention  
 Welland Fire and Emergency Services  
 Corporation of the City of Welland  
 636 King Street, Welland, Ontario L3B 3L1  
 Phone: (905)735-1700 Ext. 2408 Fax: (905)732-2818  
[www.welland.ca](http://www.welland.ca)



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**From:** Rachelle Larocque <rachelle.larocque@welland.ca>  
**Sent:** September-15-21 12:59 PM  
**To:** Matt Richardson <matt.richardson@welland.ca>  
**Subject:** RE: Notice of Public Meeting - 800 Niagara Street Official Plan Amendment (OPA 36) and Zoning By-Law Amendment (2021-07)

Hi Matt,

Sorry for the delay. Here's the site plan – there will be the formal Site Plan application later when we'll need your detailed comments as well.



**Rachelle Larocque, BES, M.Sc., MCIP, RPP**  
 Manager of Planning  
 Planning and Development Services  
 Corporation of the City of Welland  
 60 East Main Street, Welland, Ontario L3B 3X4  
 Hours: 8:30am-4:30PM  
 Phone: (905)735-1700 Ext. 2310 Fax: (905)735-8772  
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**From:** Matt Richardson <[matt.richardson@welland.ca](mailto:matt.richardson@welland.ca)>  
**Sent:** September 14, 2021 11:00 AM  
**To:** Rachelle Larocque <[rachelle.larocque@welland.ca](mailto:rachelle.larocque@welland.ca)>  
**Subject:** RE: Notice of Public Meeting - 800 Niagara Street Official Plan Amendment (OPA 36) and Zoning By-Law Amendment (2021-07)

Hey Rachelle,

I don't seem to have the comments. Maybe because I spoke with you about it I thought I had sent them over. My mistake. I know what my comments will be, but the link for more information is expired. Is there a site plan for this?

Thanks,



**Matt Richardson, B.A., CFEI, CCFI-C, CMM I**  
 Director of Fire Prevention  
 Welland Fire and Emergency Services  
 Corporation of the City of Welland  
 636 King Street, Welland, Ontario L3B 3L1  
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**From:** Rachelle Larocque <[rachelle.larocque@welland.ca](mailto:rachelle.larocque@welland.ca)>  
**Sent:** July-20-21 2:33 PM  
**To:** Rachelle Larocque <[rachelle.larocque@welland.ca](mailto:rachelle.larocque@welland.ca)>  
**Subject:** Notice of Public Meeting - 800 Niagara Street Official Plan Amendment (OPA 36) and Zoning By-Law Amendment (2021-07)

Good afternoon,

Please find attached notices of application for Official Plan Amendment and Zoning By-law Amendment for 800 Niagara Street.

Additional information can be found at the following link: <https://www.welland.ca/Media/notices.asp>

Required reports and studies can be found at the following link: [Seaway NE ZBA/OPA Application](#)

Sincerely,



**Rachelle Larocque, BES, M.Sc., MCIP, RPP**  
Manager of Planning  
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**From:**  
**To:** [Rachelle Larocque](#)  
**Subject:** Said Seaway Property Building application NE Section  
**Date:** July 29, 2021 11:04:50 AM

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

I am Geoffrey Grenfell , and a resident on Willowlanding court along with my wife Judith ,and we are here by making it plain that, myself and my wife do not want high rise being built on said property and we have no objections to buildings like our own street. We will be at the meeting if I am able to get on Zoom.....Respectfully Geoffrey Grenfell

---

This email has been scanned for spam and viruses by Proofpoint Essentials. Click [here](#) to report this email as spam.

**From:** [REDACTED]  
**To:** [Rachelle Larocque](#)  
**Subject:** Said Seaway Property Building application NE Section  
**Date:** July 29, 2021 11:04:50 AM

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I am Geoffrey Grenfell , and a resident on Willowlanding court along with my wife Judith ,and we are here by making it plain that, myself and my wife do not want high rise being built on said property and we have no objections to buildings like our own street. We will be at the meeting if I am able to get on Zoom.....Respectfully Geoffrey Grenfell

---

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**From:** [Martin & Lynn Eager](#)  
**To:** [Rachelle Larocque](#)  
**Subject:** File # 2021-07 800 Niagara Street  
**Date:** August 12, 2021 10:22:21 AM

---

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Good morning:

Unfortunately we are not familiar with all the policies and steps involved in Council approving an Amended By-law Application. Could you please explain the process as to what happens now that the particular Application was presented to Council on August 10th. What is the timeline, and when would an actual vote take place and is this public?

If possible, we would also like to be notified of the Decision of the City of Welland on the proposed Amendment.

Thank you for your assistance,

Lynn & Martin Eager  
149 Willowlanding Ct.

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[https://us2.proofpointessentials.com/index01.php?mod\\_id=&mod\\_option=gitem&mail\\_id=28778135-7bGs412cZ4dv&r\\_address=chelle.larocque%40welland.ca&report=](https://us2.proofpointessentials.com/index01.php?mod_id=&mod_option=gitem&mail_id=28778135-7bGs412cZ4dv&r_address=chelle.larocque%40welland.ca&report=)

**Rachelle Larocque**

---

**From:** Anne Marie Pieterse  
**Sent:** August 16, 2021 1:34 PM  
**To:** drew@tothgroup.ca; Rachelle Larocque  
**Subject:** Seaway Mall / Lancaster Drive entrance

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Further to my zoom connection at Welland City Council Meeting last Tuesday. I had no intention of speaking but felt Bridgewater Ct issues were not being addressed.

I have since had a talk with some of my neighbours on Bridgewater Ct. As you can imagine we are in shock at the extent of your Proposed Plan right in our back yard!

Especially when we had no communication from you regarding this matter. Thank you for offering to rectify this and we will await updates from you as promised.

Drew as I am sure you are aware Bridgewater Ct residents have just gone through a horribly disturbing year with 9 storey building within metres of our quiet, private, retirement residences.

In fact we are counting the days when we can once again sit out on our deck and have normal conversations without being driven inside by noise and dust! From what I am hearing this will not be the case and the END OF MY DAYS WILL BE SPENT WITH DISTURBANCES EVEN WORSE.

NOICE IN PARTICULAR STARTING AT 7AM AND CONTINUING THROUGHOUT THE DAY, SOMETIMES 7 DAYS A WEEK. NOISE HAS BEEN SO UNBEARABLE AT TIMES THAT WE CANNOT HEAR EACH OTHER TALKING ON OUR DECKS AND HAVE TO KEEP TVS ON ALL THE TIME TO DROWN OUT THE DISTURBANCE. I KNOW YOU CANNOT BUILD YOUR EMPIRE WITHOUT NOICE AND DUST.....BUT SO MANY AND SO HIGH?

Do you HAVE to build 8 storey buildings that will look right into my living and bed room? WOULD YOU SERIOUSLY CONSIDER 3.5 STORIES INSTEAD. THAT WOULD BE BAD ENOUGH, BUT AT LEAST WE WOULD CONTINUE TO SEE SOME SKY!

Our other concerns could not have been stated more profoundly than they were by Lynn and Martin Eager and we second all her concerns, particularly **Lancaster Drive traffic issues** and **you expecting to tap into existing Infrastructure**.

I am looking forward to hearing your comments on this email and thank you for taking the time to do so.

Regards, Anne Marie Pieterse, 61 Bridgewater Ct. tel.



---

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**Rachelle Larocque**

---

**From:** Anne Marie Pieterse [REDACTED]  
**Sent:** August 16, 2021 1:34 PM  
**To:** drew@tothgroup.ca; Rachelle Larocque  
**Subject:** Seaway Mall / Lancaster Drive entrance

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Especially when we had no communication from you regarding this matter. Thank you for offering to rectify this and we will await updates from you as promised.

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Our other concerns could not have been stated more profoundly than they were by Lynn and Martin Eager and we second all her concerns, particularly **Lancaster Drive traffic issues** and **you expecting to tap into existing Infrastructure.**

I am looking forward to hearing your comments on this email and thank you for taking the time to do so.

Regards, Anne Marie Pieterse, 61 Bridgewater Ct. [REDACTED]

---

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---

**Via E-mail Only**

August 25, 2021

Files: D.10.11.OPA-21-0041  
D.18.11.ZA-21-0085

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

Dear Ms. Larocque:

**Re: Regional and Provincial Review Comments  
Official Plan Amendment & Zoning By-Law Amendment  
Applicant: Idrakoth Ltd.  
Agent: Better Neighbourhoods Inc.  
800 Niagara Street  
City of Welland**

---

Regional Planning and Development Services staff has reviewed the above noted applications and supporting materials submitted by Better Neighbourhoods Inc. on behalf of Idrakoth Ltd. for an Official Plan and Zoning By-law Amendment on lands known municipally as 800 Niagara Street in the City of Welland. Staff notes that a virtual pre-consultation meeting regarding the proposed development was held on December 3, 2020 with City and Regional Staff as well as the agent for the subject property.

The concurrent Official Plan and Zoning By-law Amendment applications are required to facilitate the redevelopment of the north-east portion of the property with approximately 1300 units which include a mix of apartment buildings (mid and high-rise), townhouses, and accessory dwelling units with a height range of 2 to 30 storeys on the parcel that currently supports the Seaway Mall.

The Official Plan Amendment (OPA 36) proposes to redesignate the north-east portion of the property from Regional Shopping Node to Special Policy High Density Residential to permit a minimum density of 61 units per hectare and a maximum density of 215 units per hectare. The Zoning By-law Amendment proposes to rezone the north-east portion of the lands from Site Specific Regional Shopping Node (RS-73) to Site Specific Residential Medium Density (RM) and Site Specific Residential High Density (RH) to create two separate Site Specific Residential Medium Density Zones and two Site Specific Residential High Density zones that will increase the maximum permitted

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height (3.5 storeys, 8 storeys, 20 storeys, and 30 storeys), allow for additional permitted uses, and amend the yard setback provisions.

As outlined below, Regional staff is supportive of the proposed development in principle and provides the following detailed comments to execute Regional Council's Strategic Priority to Do Business Differently. By commenting on conformity with Provincial and Regional policy, the Region maintains accountability to the public and improves transparency, and aims to assist the City in their consideration of these applications from a Provincial and Regional perspective.

### **Regional and Provincial Policies**

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

The ROP, PPS and Growth Plan for the Greater Golden Horseshoe (Growth Plan) together direct development to take place in urban areas and delineated built-up areas to support intensified development and to build upon existing servicing and infrastructure. Both Regional and Provincial policy place an emphasis on intensification and infill to foster the development of complete communities that have a mix of diverse land uses and housing choices, improved social equity and quality of life, new and expanded access to multiple forms of transportation, and the provision of spaces that are vibrant and resilient in their design.

The subject land is located within the Provincially designated Built-Up Area within the City of Welland. Accordingly, all residential development occurring on the subject lands will contribute to the City's intensification target of 40%, as outlined in the ROP.

Regional staff notes that the proposed redevelopment of a portion of underutilized seaway mall lands is considered as infill and residential intensification within the built-up area, which will make more efficient use of designated urban land and existing services and contribute toward achieving the above noted residential intensification targets. Staff supports the *Planning Justification Report* (dated June 2021) prepared by Better Neighbourhoods Inc., which indicates that the site is located at a transition point between residential uses of the Lancaster Drive subdivision and the commercial corridor of Niagara Street. The site is well connected to the surrounding neighbourhood and is also situated close to nearby community uses and institutional facilities. The form of housing proposed will add to the housing types and densities in this area and appears to be a compatible use with the surrounding neighbourhood fabric. Therefore, it is Regional staffs opinion that the proposed development conforms with and is consistent with Provincial and Regional growth management policy directions.

### **Noise and Vibration Study**

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Given the subject lands are located on a Regional Road, the development has potential to be impacted by the noise generated by vehicular traffic as well as stationary noise sources located close to this development. As such, a *Road Traffic and Stationary Noise Impact Study* (dated May 27, 2021) prepared by JJ Acoustic Engineering Ltd. has been submitted in support of the applications. The study stated that it was prepared consistent with the Ministry of Environment, Conservation and Parks (MECP) NPC-300 Environmental Noise Guidelines.

The study determined that the potential environmental noise impact from road traffic and stationary noise is significant and requires central air-conditioning, noise warning closes and requests a change to Class 4 area of designation.

#### Transportation Noise

The report concluded that road noise impacts were above the NPC-300 requirements. Noise mitigation measures include requirements for air conditioning and noise warning clauses for blocks 1, 4 and 7.

#### Stationary Noise

The stationary noise impacts from neighboring buildings to the site were evaluated and the sound level predictions were determined to be below noise limits, **if** a Class 4 area designation is accepted. With the Class 4 designation, the report stated that the following must be adhered to by the owner (for all buildings on site):

- Prospective purchasers should be informed that this dwelling is located in a Class 4 area through appropriate means and informed of the agreements for noise mitigation. Inclusion of Warning Clause Type F into the agreement of purchase and sale, and if possible register against title, to notify purchasers that the applicable sound level limits for these dwellings are protective of indoor areas and are based on the assumption of closed windows.
- **Warning Clause Type F:** "Purchasers/tenants are advised that sound levels due to the adjacent industry facility are required to comply with sound level limits that are protective of indoor areas and are based on the assumption that windows and exterior doors are closed. This dwelling unit has been supplied with a ventilation/air conditioning system which will allow windows and exterior doors to remain closed."

#### Class 4 Designation

Regional staff notes that the study did not adequately address alternatives to the Class 4 designation or provide other mitigation measures that the development may benefit from implementing. As such, should Welland Council entertain the idea of applying a Class 4 designation on the subject property, Regional staff would require an addendum/update to the Noise Impact Study in order to determine what reasonable mitigation measures are required to be implemented in order to achieve NPC-300

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Guidelines based on the noise levels identified. Alternatively, a peer review of the Noise Impact Study should be completed at minimum.

A Class 4 designation must be agreed to by the land use approval authority (the City of Welland and/or Niagara Region), which provides increased dBA thresholds for stationary source noise impacts. As such, the City (as the approval authority for the Official Plan) will be required to apply the Class 4 designation in this instance (e.g. through site specific policy provision).

### **Environmental Site Assessment**

The PPS requires that contaminated sites be remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no adverse effects. A *Phase One Environmental Site Assessment* (ESA) by Hallex Environmental Ltd. (dated May 14, 2020) has been submitted to address potential contamination associated with land use activities on the subject property. The study revealed potential designated substances and hazardous materials i.e.: lead-based paints, and asbestos containing materials are possible within the commercial building structure given its original age. Three (3) on-site Potentially Contaminating Activities (PCA's) have the potential to impact the subject property's soil and/or groundwater which included a commercial auto service shop, gasoline and associated product storage and a parking lot. As such, the study recommended a designated substance and hazardous material survey and a Phase Two Environmental Site Assessment be conducted.

A *Phase Two Environmental Site Assessment* (ESA) by Hallex Environmental Ltd. (dated August 17, 2020) was also submitted in support of the applications. The study conducted sixteen (16) boreholes that were advanced with nineteen (19) worst case samples chosen for laboratory analyses. The results found two (2) areas of the site where the soil was impacted by contamination associated with the former autobody shop and the application of salt throughout the parking lot. In addition, five (5) groundwater monitoring wells were installed in which samples were submitted for analyses, which indicated that all samples met the criteria for the target contaminants in the Ministry of Environment, Conservation and Parks (MECP) Table 3: Site Condition Standards.

The study recommended that excavation and removal of the metals impacted material and that the soil material within the parking lot be removed to coincide with site development and re-use plans as required.

Regional Staff notes that the previous commercial uses and associated parking lot on the subject property are defined as a commercial use under the *Environmental Protection Act*. A change in use from commercial to a more sensitive land use (i.e. residential) requires a Record of Site Condition (RSC) in accordance with O. Reg. 153/04 to be filed on the Ministry of Environment's Brownfields Environmental Site Registry for this development. As such, Regional staff concurs with the report's findings

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that site remediation is necessary in order to fulfill the RSC requirements. Regional staff will be able to implement applicable conditions through future Planning Act applications (i.e. Site Plan/Condominium) in this regard.

### **Core Natural Heritage System**

There are currently no mapped natural heritage features on the subject properties. However, based on aerial imagery available to the Region, it appears that there are wooded areas and wetlands located throughout the adjacent lands to the southeast. It is generally the Region's preference that features and buffers be assessed thoroughly through the OPA and ZBA process to ensure that features and appropriate buffers are identified and protected over the long term.

As such, the Region understands that the applicant has proposed to limit future development within 15 metres of the subject boundary to lands to south, deferring environmental review to the Site Plan stage, when greater detail of the proposed development would be available. It is also noted that the site is currently comprised of an existing parking lot. Given the current developed nature of the site, Regional Environmental Planning staff offer no objection to deferring environmental study to the Site Plan stage.

### **Regional Road Allowance**

The subject property has frontage along Regional Road 50 (Niagara Street). The designated road allowance meets what is identified in the Regional Official Plan, therefore, Regional staff will not need to request a road widening.

### **Regional Permit and Transportation Requirements**

#### Traffic Impact Study

Regional transportation staff have reviewed the submitted *Transportation Study* prepared by R.J. Burnside & Associated Limited (dated July 2021) and have no further comments.

#### Regional Construction Encroachment Permit

Prior to any construction/work taking place within the Regional road allowance, a Regional Construction, Encroachment, and entrance Permit must be obtained from the Transportation Services Division, Public Works Department.

#### Regional Sign Permit



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Please note that the placement of any sign, notice or advertising device within 20m of the centerline of Niagara Street will require a Regional Sign permit. Permit applications can be made through the following link:

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

## **Protection of Survey Evidence**

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

## **Servicing**

Regional staff have reviewed the *Preliminary Servicing Plan* (dated June 10, 2021) and the *Functional Servicing Report* (dated June 14, 2021) both prepared by Better Neighbourhoods. The proposed flows from the development consist on 51.5 L/s outletting to Lancaster Drive and 9.4 L/s outletting to the Seaway Mall. Regional staff have no concerns with the capacity within the systems due to the additional flows.

Currently there is a crossing of the Regional forcemain proposed as well as a connection proposed to the manhole where the Regions forcemain connects to. Regional staff would ask that detailed drawings of the crossing of the Regional forcemain and the connection to the manhole be provided for review and approval. A note should also be added to the servicing plans that John MacPherson, Area 2 Wastewater Operations Manager, and Frank Vasko, Area 2 Wastewater System Maintenance Manager, should be contacted 72 hours prior to any works near the Regional forcemain. They can be reached at 905-735-2110.

## **Stormwater Management**

The submitted *Functional Servicing Report* (dated June 14, 2021) prepared by Better Neighbourhoods shows the storm water of development will discharge to two outlets, one is on Lanscaster Drive and the other is a new outlet to the channel. Based on our review, Regional staff offers the following preliminary comments:

- It should be confirmed whether the previous developments of the site had been approved with stormwater management plans. Any outlets in the NPCA's regulated area will require work permits.
- The Region encourages sheet overland flow to the creek. Erosion protection would be required, if there would be any concentrated outflow routes.

- 
- The Region requires the development meet the Enhanced standard treatment prior to discharge from the site. Where feasible, roof water should be discharged to vegetated areas to encourage water retention onsite.
  - At the time of Draft Plan/Site Plan application, the Region will require documents indicate in details how the stormwater management requirements will be met.
  - Prior to construction, the Region will require that detailed grading, storm servicing, stormwater management, and construction sediment control drawings be submitted to this office for review and approval.

### **Waste Collection**

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

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

Regional staff have reviewed the submitted materials and note that there was no detailed road designs submitted. At the time of future planning applications detailed road designs will need to be submitted for review and approval to ensure Regional waste collection will be possible.

### **Conclusion**

Based on the discussion above, Regional Planning and Development Services staff would offer no objections to the Official Plan Amendment and Zoning By-law Amendment applications, in principle, as they are considered to align with the intent and direction of Regional and Provincial growth management policies, provided that the noise mitigation concerns are adequately addressed and are confirmed to be consistent with the Ministry's NPC-300 guidelines.

Given the site specific nature of the application, the Official Plan Amendment is exempt from Regional approval in accordance with the Memorandum of Understanding with Area Municipalities, and Regional Official Plan.

Regional staff remains committed to working with the applicant to move this development forward. This includes providing more detailed comments on matters including (but not limited to) Noise Mitigation, Record of Site Condition, Core Natural

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Heritage System, Regional Road allowance, Servicing and Waste Collection through the future Site Plan and/or Condominium review process at a later date in order to provide the appropriate conditions of approval.

If you have any questions or wish to discuss these comments, please contact me at [lindsay.earl@niagararegion.ca](mailto:lindsay.earl@niagararegion.ca). Please send notice of Council's decision on these applications.

Yours truly,



Lindsay Earl, MES, MCIP, RPP  
Senior Development Planner

cc: Mr. Pat Busnello, Manager, Development Planning, Niagara Region



July 26<sup>th</sup>, 2021

Rachelle Larocque, Manager of Planning  
City of Welland  
60 East Main Street  
Welland, ON L3B 3X4

Dear Manager of Planning

**RE:           Application to Amend Zoning By-law 2017-117 (File No. 2021-07)**  
**Application to Amend City of Welland Official Plan (OPA No.36)**

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

In order to provide servicing to the proposed development, existing WHESC infrastructure located within the noted property will require relocation from overhead to underground distribution. This required infrastructure relocation is to be completed prior to site servicing.

Please confirm unit type, whether freehold or condominium. Hydro Meter locations are to be determined prior to servicing, based on unit type.

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

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

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

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

WHESC reserves the right to amend or remove development conditions.

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

Sincerely,

Kevin Carver, P. Eng., ME  
Chief Operating Officer  
WELLAND HYDRO-ELECTRIC SYSTEM CORP.

**From:** [Councillor Bryan Green](#)  
**To:** [Rachelle Larocque](#)  
**Subject:** Re: Notice of Public Meeting - 800 Niagara Street Official Plan Amendment (OPA 36) and Zoning By-Law Amendment (2021-07)  
**Date:** July 20, 2021 2:11:46 PM

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Thank you. I will attend to hear the matter, and resident feedback. If you can provide the link.  
Thanks, Bryan

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**From:** Rachelle Larocque  
**Sent:** July 20, 2021 1:04 PM  
**To:** Rachelle Larocque  
**Subject:** Notice of Public Meeting - 800 Niagara Street Official Plan Amendment (OPA 36) and Zoning By-Law Amendment (2021-07)

Good afternoon,

Please find attached notices of application for Official Plan Amendment and Zoning By-law Amendment for 800 Niagara Street.

Additional information can be found at the following link:  
<https://www.welland.ca/Media/notices.asp>

Sincerely,



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



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**Rachelle Larocque**

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**From:** R/T Bodman  
**Sent:** July 28, 2021 5:53 PM  
**To:** Rachelle Larocque  
**Subject:** Link to participate

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Hi we would like to join the virtual meeting tomorrow. For the application to amend city official plan.

Thank you  
Tamara Bodman

Sent from my iPhone

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[https://us2.proofpointessentials.com/index01.php?mod\\_id= &mod\\_option=gitem&mail\\_id= 27509208-9dnrCzqWqqop&r\\_address=chelle.larocque%40welland.ca&report=](https://us2.proofpointessentials.com/index01.php?mod_id= &mod_option=gitem&mail_id= 27509208-9dnrCzqWqqop&r_address=chelle.larocque%40welland.ca&report=)

**From:**  
**To:** [Rachelle Larocque](#)  
**Subject:** Virtual Public Information Meeting  
**Date:** July 27, 2021 6:04:45 PM

---

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Good evening Rachelle.

My wife Patti and I would like to participate in this virtual meeting on Thursday July 27 at 6:00 P.M.  
Please provide us with the link for the meeting.  
Regards,  
Norris Brown

Life Is Good  
Chief Optimist

-----  
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[https://us2.proofpointessentials.com/index01.php?mod\\_id=&mod\\_option=gitem&mail\\_id=27423480-g\\_NroB7QSHF4&r\\_address=chelle.larocque%40welland.ca&report=](https://us2.proofpointessentials.com/index01.php?mod_id=&mod_option=gitem&mail_id=27423480-g_NroB7QSHF4&r_address=chelle.larocque%40welland.ca&report=)

**From:** [Cathie Reid](#)  
**To:** [Rachelle Larocque](#)  
**Subject:** July 29 Public Information Meeting  
**Date:** July 26, 2021 8:11:58 AM

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WARNING: This email originated from an external sender. Official email from City of Welland email accounts will not begin with this warning! Please do not click links or open attachments unless you are sure they are safe! With regard to the Application to Amend City of Welland Official Plan (OPA No. 36) & Application to Amend Zoning By-law 2017-117 (File No. 2021-07), please provide me with a link to participate in the Virtual Public Meeting on Jul 29.

Thank you  
Cathie Reid  
82 Willowlanding Ct. Welland L3C 7L7

Sent from my iPad  
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[https://us2.proofpointessentials.com/index01.php?mod\\_id=&mod\\_option=gitem&mail\\_id=27301513-VCTAK-TzZQV1&r\\_address=chelle.larocque%40welland.ca&report=](https://us2.proofpointessentials.com/index01.php?mod_id=&mod_option=gitem&mail_id=27301513-VCTAK-TzZQV1&r_address=chelle.larocque%40welland.ca&report=)



**From:** [Jim Cheshire](#)  
**To:** [Rachelle Larocque](#)  
**Subject:** Public Information meeting  
**Date:** July 29, 2021 9:28:34 AM

---

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Hello,

As we live on Willowlanding Court, we would like to be included in the public information meeting regarding the Seaway Mall plans for residential development.  
Please add us to the list for the Zoom meeting tonight.

Sincerely,  
Jim and Lorraine Cheshire

Sent from my iPhone

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[https://us2.proofpointessentials.com/index01.php?mod\\_id=&mod\\_option=gitem&mail\\_id=27565309-RMNI.W-LyU6ed&r\\_address=chelle.larocque%40welland.ca&report=](https://us2.proofpointessentials.com/index01.php?mod_id=&mod_option=gitem&mail_id=27565309-RMNI.W-LyU6ed&r_address=chelle.larocque%40welland.ca&report=)

**Rachelle Larocque**

---

**From:** Jane Coleman  
**Sent:** July 29, 2021 11:17 AM  
**To:** Rachelle Larocque  
**Subject:** Zoom meeting tonight

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Sent from Mail for Windows 10

My husband & I do not have ZOOM capabilities. Please let us be entitled to an opinion on development on Seaway Mall, density, height, etc. We will get our info from neighbours.

Jane Coleman, 75 Willowlanding Crt.

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**Rachelle Larocque**

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**From:** Ben Cousineau  
**Sent:** July 29, 2021 10:28 AM  
**To:** Rachelle Larocque  
**Subject:** Council Meeting Re:Application to Amend Zoning Bylaw 2017-117 (File No. 2021-07)

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Good morning Ms. Larocque,

My wife and I would greatly appreciate receiving a link to allow us to participate in this evening's Virtual Public Information Meeting.

Thank you,  
Benoit & Susan Cousineau

Benoit Cousineau  
119 Willowlanding Court  
Welland, ON L3C 7L8

---

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**From:** t  
**To:** [Rachelle Larocque](#)  
**Subject:** Re: Notice of Public Meeting - 800 Niagara Street Official Plan Amendment (OPA 36) and Zoning By-Law Amendment (2021-07)  
**Date:** July 29, 2021 9:23:24 AM

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Good Morning Rachelle

Hope all is well

Could you please pass along the link for this evenings meeting

Thanks

Councillor DiMarco

**From:** Rachelle Larocque  
**Sent:** Tuesday, July 20, 2021 1:04 PM  
**To:** Rachelle Larocque  
**Subject:** Notice of Public Meeting - 800 Niagara Street Official Plan Amendment (OPA 36) and Zoning By-Law Amendment (2021-07)

Good afternoon,

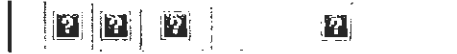
Please find attached notices of application for Official Plan Amendment and Zoning By-law Amendment for 800 Niagara Street.

Additional information can be found at the following link:  
<https://www.welland.ca/Media/notices.asp>

Sincerely,



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



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**From:** [Mark Dzugan](#)  
**To:** [Rachelle Larocque](#)  
**Cc:** public information meeting  
**Subject:** July 21, 2021 2:00:07 PM  
**Date:**

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Hi Rachelle, could you please include Azim and myself in the public information meeting for Thursday, July 29, 2021.

Thank you,

Mark Dzugan

Mark Dzugan:  
Azim Kassam:

---

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**From:**  
**To:** [Rachelle Larocque](#)  
**Subject:** 800 Niagara St. Zoning File # 2021-07  
**Date:** July 28, 2021 1:59:28 PM

---

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Hi Rachelle.

As residents of Willowlanding, could you please send us a link to the Public Information Meeting scheduled for tomorrow.

Thank you

Martin & Lynn Eager  
143 Willowlanding

Sent from my Epad  
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[https://us2.proofpointessentials.com/index01.php?mod\\_id=&mod\\_option=gitem&mail\\_id=27495164-cr59qHG0u092&r\\_address=chelle.larocque%40welland.ca&report=](https://us2.proofpointessentials.com/index01.php?mod_id=&mod_option=gitem&mail_id=27495164-cr59qHG0u092&r_address=chelle.larocque%40welland.ca&report=)

**From:** [Maxine and Doug Gaylor](#)  
**To:** [Rachelle Larocque](#)  
**Subject:** Virtual Public Information Meeting for Thurs., July 29/21  
**Date:** July 28, 2021 10:59:38 PM

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

We wish to virtually attend the Public Information Meeting to be held on Thurs., July 29, 2021 at 6:00pm. The subject of the meeting is "Application to Amend City of Welland Official Plan (OPA No. 36)". We reside at 228 Willowlanding Court. Please forward the link to this email address

Thank you, \_\_\_\_\_

Doug and Maxine Gaylor

Sent from [Mail](#) for Windows 10

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**From:**  
**To:** [Rachelle Larocque](#)  
**Subject:** Application to Amend Zoning By-law 2017-117 (File No. 2021-07)  
**Date:** July 27, 2021 8:39:16 PM

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Please provide me with a link to participate in meeting for above subject on July 29, 2021 at 6:30 P.M.

---

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**Rachelle Larocque**

---

**From:** David Hitchcock  
**Sent:** July 29, 2021 11:44 AM  
**To:** Rachelle Larocque  
**Subject:** Zoning bylaw meeting tonight

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Hi Rachelle

Can you please add me (David Hitchcock) to the virtual meeting scheduled for tonight to discuss zone change for seaway mall property.

I live on Willowlanding Court ( just behind the mall)

kind regards,

David

---

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**From:** [Linda Illes](#)  
**To:** [Rachelle Larocque](#)  
**Subject:** VIRTUAL PUBLIC INFORMATION MEETING for OPA #36  
**Date:** July 27, 2021 4:33:37 PM

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Good Afternoon Rachelle:

Please sent along the link to participate in the above named meeting.

Also please sent along the notification of Decision for this meeting and the staff report.

Regards,

Linda Illes

---

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**From:** [James Kerr](#)  
**To:** [Rachelle Larocque](#)  
**Subject:** Meeting tonight  
**Date:** July 29, 2021 9:23:36 AM

---

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Hi Rachelle  
Please include me for the meeting tonight.

Jim & Linda Kerr  
172 Willowlanding Court

Cheers, Jim

**Rachelle Larocque**

---

**From:** Shannon MacPhee  
**Sent:** July 29, 2021 11:18 AM  
**To:** Rachelle Larocque  
**Cc:** John MacPhee  
**Subject:** Request to Public Information Meeting TODAY (File No. 2021-07)

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Hi Rachelle,

Please send me a link to the Public Information Meeting to be held at 6pm this evening re: Application to Amend Zoning By-Law 2017-117 (Fil No. 2021-07).

Thank you,

-Shannon.

---

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**From:**  
**To:** [Rachelle Larocque](#)  
**Subject:** RE: Information regarding changes at Seaway Mall  
**Date:** July 28, 2021 2:21:44 PM

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Dear Rachelle:

Is this the time to address my concern about the new entrance/exit just above the curve of Lancaster Dr leading to the 4 way stop sign at Bridgewater/Willowlanding?

If it is, please register me for the Public Information Meeting tomorrow.

Thank you,  
Eleanor

**From:** Rachelle Larocque <rachelle.larocque@welland.ca>  
**Sent:** Wednesday, July 21, 2021 3:53 PM  
**To:**  
**Subject:** RE: Information regarding changes at Seaway Mall

Hi Eleanor,

All the residents would register. At this point, we don't live stream the Public Information Meetings as they're more informal and they provide for an opportunity for residents to ask questions of the applicant in addition to making comments. I will also make the recording of the meeting available online after the meeting.

Please let me know if you have any questions.

Take care,

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

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**From:** eleanor.protz@zovkic.com

**Sent:** July 21, 2021 3:49 PM

**To:** Rachelle Larocque <rachelle.larocque@welland.ca>

**Subject:** Information regarding changes at Seaway Mall

Do we all have to register for the link to the meeting even if we only want to hear the Information Meeting proceedings. Can we not see it Live Stream like we see Council Meetings?

Thank you for any clarification you may be able to provide.

Eleanor Protz

57 Jefferson Crt . W

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This email has been scanned for spam and viruses by Proofpoint Essentials. Click [here](#) to report this email as spam.

**From:** [rfordyce rfordyce](#)  
**To:** [Rachelle Larocque](#)  
**Subject:** PUBLIC INFORMATION MEETING July 29th 2021  
**Date:** July 21, 2021 9:35:41 PM

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

Please send me the link to the above noted virtual meeting.

Thanks...Ron Fordyce

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**Rachelle Larocque**

---

**From:** Kathy Smith  
**Sent:** July 29, 2021 11:43 AM  
**To:** Rachelle Larocque  
**Subject:** Link

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Hi Rachelle,

I would like the link for the Council meeting tonight regarding the proposed amendment.

Thanks.

Kathy Smith

Sent from my iPhone

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[https://us2.proofpointessentials.com/index01.php?mod\\_id= &mod\\_option=gitem&mail\\_id= 27573383-xHp47fZdj8-W&r\\_address=chelle.larocque%40welland.ca&report=](https://us2.proofpointessentials.com/index01.php?mod_id= &mod_option=gitem&mail_id= 27573383-xHp47fZdj8-W&r_address=chelle.larocque%40welland.ca&report=)

**From:** [Ann Swayze](#)  
**To:** [Rachelle Larocque](#)  
**Subject:** Zoom meeting  
**Date:** July 29, 2021 10:00:49 AM

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WARNING: This email originated from an external sender. Official email from City of Welland email accounts will not begin with this warning! Please do not click links or open attachments unless you are sure they are safe! I wish to take part in the zoom meeting tonight.

Ann Swayze  
105 Willowlanding Court  
Welland, Ont.

Sent from my iPad

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[https://us2.proofpointessentials.com/index01.php?mod\\_id=11&mod\\_option=logitem&mail\\_id=1627567244-04Si0HbKDSxO&r\\_address=rachelle.larocque%40welland.ca&report=1](https://us2.proofpointessentials.com/index01.php?mod_id=11&mod_option=logitem&mail_id=1627567244-04Si0HbKDSxO&r_address=rachelle.larocque%40welland.ca&report=1)

**From:** [Tom DeCiccio](#)  
**To:** [Rachelle Larocque](#)  
**Subject:** Link to Participate in City Staff Meeting Thursday July 29th 6pm  
**Date:** July 26, 2021 12:18:18 PM

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

Hi Rachelle, can you please give us the link for the meeting this week.

Thank you.

Janis and Tom DeCiccio  
149 Willowlanding Court

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202  
**COUNCIL MEETING**  
**PLANNING AND DEVELOPMENT SERVICE**  
**TRAFFIC/PLANNING DIVISION**

APPROVALS	
GENERAL MANAGER	
CFO	
CAO	

06-156  
REPORT TRAF-2020-55  
OCTOBER 5, 2021

**SUBJECT: THE FEEDING OF WILDLIFE**

**AUTHOR: JAMES CRONSHAW, MLEO (C), C.P.S.O  
SENIOR BY-LAW ENFORCEMENT OFFICER**

**APPROVING MANAGER MUHAMMAD ALI KHAN, M.A.Sc., P. ENG.  
MANAGER, TRAFFIC, PARKING & BY-LAWS**

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

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**RECOMMENDATIONS:**

1. THAT THE COUNCIL OF THE CITY OF WELLAND approves REPORT TRAF-2021-55 The Feeding of Wildlife; and further
2. THAT Welland City Council approves the Feeding of Wildlife By-law as set out in Appendix I; and further
3. THAT Welland City Council directs the City Clerk to amend By-law 2019-135, the Clean Yards By-law, as follows:

DELETE the title "Bird Feeders"

DELETE Section 3.9, 3.10, 3.11 and 3.12

DELETE Schedule "A" from the Clean Yards By-law and REPLACE with Schedule "A" as set out in Appendix II

DELETE the number 7 from Section 3.13 (b) and REPLACE with the number 14

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

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

DESIGNATED BY-LAW	BY-LAW NUMBER
Feeding of Wildlife By-law	2021-xx

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

SET FINE SCHEDULE	PAGE NO.:
Feeding of Wildlife By-law	16

ADD Appendix III to Schedule "C" as page number 16

DELETE pages 10 and 11 of Schedule "C" and REPLACE with pages 10 and 11 of Schedule "C" as set out in Appendix IV

**ORIGIN AND BACKGROUND:**

At the April 20, 2021 Council Meeting, the following motion was approved:

"That the council of the City of Welland direct staff to review the issue of feeding of wildlife and further that a report be brought to council for consideration".

**COMMENTS AND ANALYSIS:**

Staff have received an increase in complaints over the last few years relating to individuals who place feed out for wildlife and attract various animals into residential areas, where they may not normally be found.

Niagara SPCA and Humane Society staff have had limited ability to effectively address these types of complaints, as we currently do not have any regulations relating to the feeding of wildlife. Although people who feed wildlife have genuine intentions, they often do not understand the impact and nuisance that can be created for other residents living within that neighborhood. The feeding of wildlife can also create all sorts of issues that are often not anticipated, for example:

- Raccoons and squirrels typically live close to their food sources which may have them causing damage or denning in neighbouring homes and properties.
- Feeding squirrels, raccoons or coyotes can cause them to become a danger to humans as they will lose their natural fear and approach humans.
- Providing food for birds and squirrels can attract rats and mice.
- An increase in rodent activity can attract larger predators like coyotes and foxes which can also prey on neighbourhood pets.

The amendments to the Clean Yards By-law are required as those provisions are now contained in the proposed Feeding of Wildlife By-law. The amendment to

Section 3.13 (b) is required to align the Clean Yards By-law with the Region of Niagara's every-other-week garbage collection.

**FINANCIAL CONSIDERATION:**

At this time, there are no financial or budgeting implications to the City.

**OTHER DEPARTMENT IMPLICATIONS:**

The proposed by-law regulating the feeding of wildlife has been prepared in close consultation with the SPCA staff. All complaints regarding feeding of wildlife will be handled by the Niagara SPCA and Humane Society.

**SUMMARY AND CONCLUSION:**

The feeding of wildlife is leading to increased interaction between humans, their pets and property and wildlife which can result in undesirable consequences for all. Staff supports taking steps to help ensure interactions between humans, their pets and property are as positive for all concerned as is possible and recommends a by-law regulating the feeding of wildlife as attached in Appendix I.

**ATTACHMENTS:**

APPENDIX I – The Feeding of Wildlife By-law

APPENDIX II – SET FINE SCHEDULE – Schedule “A” (Clean Yards By-law)

APPENDIX III – SET FINE SCHEDULE – Schedule “C” (APS By-law)

APPENDIX IV – SET FINE SCHEDULE – Schedule “C” (APS By-law)

**THE CORPORATION OF THE CITY OF WELLAND**

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

**BEING A BY-LAW TO PROHIBIT THE FEEDING OF WILD LIFE  
WITHIN THE BOUNDARIES OF THE CITY OF WELLAND**

WHEREAS citizens in the City of Welland have expressed concern that feeding of wildlife contributes to the destruction of private property and increases the potential for contact and spread of infectious diseases.

AND WHEREAS Council deems the feeding of wildlife to cause a threat to public health, safety and welfare to the inhabitants of Welland.

AND WHEREAS under section 11(3) subsection 9 of the Municipal Act, 2001 a Municipality may pass by-laws respecting animals;

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

**SECTION 1 – SHORT TITLE**

1.1 This By-law may be referred to as the Feeding of Wildlife By-law.

**SECTION 2 – DEFINITIONS**

The following words, terms and phrases when used within this by-law, shall have the meanings described to them in this section, except where the context clearly indicates a different meaning:

2.1 "Act" means the Municipal Act, 2001 (S.C. 2001, c.25);

2.2 "Feed" means the intentional act of furnishing, or otherwise making available, food which is likely to be consumed by wildlife.

2.3 "Food" means anything that can be consumed by wildlife for sustenance, but does not include:

a) Vegetation or animals that are part of the natural environment such as grasses or insects; or

b) Compost kept in accordance with all applicable by-laws, statutes or regulations;

c) Food being grown for human consumption.

- 2.4 "Officer" means the Niagara SPCA and Humane Society, or any employee or agent of the Niagara SPCA and Humane Society authorized for the purpose of enforcing and carrying out the provisions of this By-law and means a person appointed by the Corporation of the City of Welland for the purposes of enforcement of its By-laws;
- 2.5 "Owner" means the registered owner(s) of the property and includes a corporation or other entity;
- 2.6 "Person" means an owner, individual, corporation or other entity;
- 2.7 "SPCA" means the Niagara SPCA and Humane Society which is the local affiliated society of the OSPCA that provides animal shelters and pounds at 60 Provincial Street, Welland, Ontario, L3B5W7
- 2.8 "Wildlife" means any animal which is wild by nature and not normally domesticated in Ontario, including birds, squirrels and chipmunks.

### **SECTION 3 – PROHIBITIONS OF FEEDING**

- 3.1 No person shall feed or permit or cause the feeding of wildlife.
- 3.2 No person shall throw or place, or permit to be thrown or placed, any type of food, in a yard for the purposes of feeding any birds or wildlife.
- 3.3 No person shall be permitted to have more than three (3) bird feeders located on any property, excluding hummingbird feeders containing nectar.
- 3.4 Each property owner shall have the duty to remove any food placed on the owner's property in violation of this By-law.
- 3.5 Every owner shall maintain the ground underneath the bird feeder by regularly removing and disposing of the bird food/ birdseeds.



## **SECTION 4 – EXEMPTIONS**

4.1 This by-law shall not apply to:

- (i) Persons who are legal owners of wildlife and the wildlife is kept under a valid certificate or permit and are in compliance with all Provincial or Federal legislation regarding the owning of wildlife.
- (ii) Bird feeders that are suspended off the ground, dispense commercially available bird food such as seeds and nectars.

## **SECTION 5 – ADMINISTRATION, ENFORCEMENT AND RIGHT OF ACCESS**

5.1 This By-law shall be administered and enforced by the SPCA and the City of Welland By-law Enforcement Division.

5.2 It is hereby declared that notwithstanding that any part of this By-law, or parts thereof, may be found by any Court of law to be invalid or beyond the power of Council to enact such section or sections or parts thereof shall be deemed to be severable and that all other sections or parts of this By-law are separate and independent there from and enacted as such.

5.3 Pursuant to the provisions of Sections 23.1 to 23.5 of the Municipal Act, 2001 the Clerk of the City of Welland is hereby authorized to effect any minor modifications or corrections of an administrative, numerical, grammatical, semantical or descriptive nature or kind to this By-law as may be necessary after the passage of this By-law.

5.4 An Officer designated to perform inspections pursuant to this by-law may at all reasonable times, enter upon any land for the purpose of carrying out an inspection to determine whether or not this By-law is being contravened and/ or to determine if an order has been complied with.

5.5 Any Officer shall have the inspection powers described in Section 436 of the Act.

5.6 No person shall obstruct or hinder, or attempt to obstruct or hinder, an Officer, in the exercise of a power or the performance of a duty under this by-law.

5.7 No person shall knowingly furnish false information in any form to any Officer with respect to this by-law.

- 5.8 Where a person fails to comply with the requirements of this By-law, the Officer may give the person notice and direction to comply.
- 5.9 Every person who contravenes a notice or direction to comply is guilty of an offence.
- 5.10 Where the owner is in default of an order, the Officer may, without notice and in addition to any other action, cause the work to be done at the owners expense. Without limitation, the City, its employees, agent or contractor may enter upon the land and remove such things or carry out the work required to make the property comply with this Bylaw. The City's rights pursuant to this section are in addition to the penalty provisions contained in section 6 and the City shall have the option to exercise the rights contained herein as well as the rights contained in section 6.
- 5.11 Any thing removed may be immediately disposed of or deposited elsewhere on the property on which it is located, or may be stored by the City, its employees, agent or contractor. Where a thing has been removed and stored, the owner or person may reclaim such thing upon payment to the City any costs incurred by the City, its employees, agent or contractor in the removal of such thing. Where the thing has not been reclaimed within thirty (30) days of its removal, such thing may be forthwith destroyed or otherwise disposed of by the City, its employees, agent or contractor.
- 5.12 Where any of the matters or things are done in accordance with Subsection 5.10, the expense of having the thing done shall be recovered in a like manner as municipal taxes, in accordance with Section 446 of the Act.

## **SECTION 6 – PENALTY**

- 6.1 Any person who contravenes any provision of this By-law is guilty of an offence.
- 6.2 A person convicted of an offence contrary to a provision of this By-law in a proceeding commenced under Part III of the Provincial Offences Act, R.S.O. 1990, c. P. 33, is liable to a fine of no more than Ten Thousand Dollars (\$10,000.00)
- 6.3 Administrative Penalty By-law 2019-134 applies to each administrative penalty issued pursuant to this By-law
- 6.4 Any person who contravenes any provision of this By-law shall, upon issuance of a penalty notice in accordance with Administrative Penalty By-law 2019-134, be

liable to pay to the City an administrative penalty in accordance with the penalties set out in Schedule "A" attached.

**SECTION 7 – FORCE AND EFFECT OF BY-LAW**

7.1 This By-law shall come into full force and effect upon approval of the set fines by order of the Chief Justice of Ontario.

READ A FIRST, SECOND AND THIRD TIME AND PASSED BY COUNCIL THIS  
XX DAY OF XXXX, 2021.

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MAYOR

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CITY CLERK

## SCHEDULE "A"

## THE CORPORATION OF THE CITY OF WELLAND

SET FINE SCHEDULE

## BY-LAW 2021-XX, BEING A BY-LAW TO PROHIBIT THE FEEDING OF WILD LIFE WITHIN THE BOUNDARIES OF THE CITY OF WELLAND

ITEM	COLUMN 1 SHORT FORM WORDING	COLUMN 2 PROVISION CREATING OR DEFINING OFFENCE	COLUMN 3 SET FINE
1	Feed/ permit/ cause the feeding of wildlife	Sec 3.1	\$300.00
2	Throw any type of food, on a property for the purposes of feeding any birds or wildlife	Sec 3.2	\$300.00
3	Fail to remove a bird feeder	Sec 3.3	\$300.00
4	Fail to remove any food placed on the ground	Sec 3.5	\$300.00
5	Fail to maintain the ground underneath a bird feeder	Sec 3.6	\$300.00
6	Obstruction	Sec 5.6	\$300.00
7	Fail to comply with a notice or direction to comply	Sec 5.9	\$300.00
7	Furnish false information to an Officer	Sec 5.11	\$300.00

**Schedule "A"**

**THE CORPORATION OF THE CITY OF WELLAND**

**BY-LAW 2019-135**

**SET FINE SCHEDULE**

**BY-LAW 2019-135, BEING A BY-LAW TO PROVIDE REGULATIONS FOR MAINTAINING LAND IN A CLEAN AND CLEAR CONDITION WITHIN THE CITY OF WELLAND**

<b>ITEM</b>	<b>COLUMN 1 Short Form Wording</b>	<b>COLUMN 2 Provision Creating or Defining Offence</b>	<b>COLUMN 3 First Penalty</b>	<b>COLUMN 4 Second or Subsequent Penalty</b>
1.	Fail to keep property in a clean and clear condition	Sec. 3.1	\$400.00	\$800.00
2.	Fail to keep property free from refuse	Sec. 3.1	\$400.00	\$800.00
3.	Throw refuse on private property without written authority	Sec. 3.2	\$400.00	\$800.00
4.	Place refuse on private property without written authority	Sec. 3.2	\$400.00	\$800.00
5.	Deposit refuse on private property by any means without written authority	Sec. 3.2	\$400.00	\$800.00
6.	Owner permit refuse to remain on a property	Sec. 3.3	\$400.00	\$800.00
7.	Throw refuse on public property without written authority	Sec. 3.4	\$400.00	\$800.00
8.	Place refuse on public property without written authority	Sec. 3.4	\$400.00	\$800.00
9.	Deposit refuse on public property by any means without written authority	Sec. 3.4	\$400.00	\$800.00
10.	Fail to dispose of refuse at an approved site	Sec. 3.5	\$400.00	\$800.00
11.	Permit property to remain in an unsafe condition	Sec. 3.6 (a)	\$400.00	\$800.00

12.	Permit an excavation to remain in an unsafe condition	Sec. 3.6 (b)	\$400.00	\$800.00
13.	Permit an opening on a property to remain in an unsafe condition	Sec. 3.6 (b)	\$400.00	\$800.00
14.	Permit a septic tank to remain in an unsafe condition	Sec. 3.6 (c)	\$400.00	\$800.00
15.	Permit a cistern to remain in an unsafe condition	Sec. 3.6 (c)	\$400.00	\$800.00
16.	Permit a well to remain in an unsafe condition	Sec. 3.6 (c)	\$400.00	\$800.00
17.	Fail to keep property free from Injurious insects, termites, rodents, vermin or other pests	Sec. 3.7 (a)	\$400.00	\$800.00
18.	Fail to keep property free from refrigerators, freezers, appliances, and other containers that could trap a child	Sec. 3.7 (b)	\$400.00	\$800.00
19.	Fail to keep property free from syringes, needles and other sharps	Sec. 3.7 (c)	\$400.00	\$800.00
20.	Fail to cut/trim/remove grass/weeds more than six inches in height	Sec. 3.8	\$400.00	\$800.00
21.	Fail to keep refuse in containers	Sec. 3.13 (a)	\$400.00	\$800.00
22.	Permit refuse to accumulate longer than 14 days	Sec. 3.13 (b)	\$400.00	\$800.00
23.	Fail to keep property free of standing water	Sec. 3.14	\$400.00	\$800.00
24.	Fail to maintain swimming pool/ hot tub/ wading pool/ pond	Sec. 3.15	\$400.00	\$800.00
25.	Obstruct private drain/ swale/ watercourse	Sec. 3.16	\$400.00	\$800.00
26.	Cause/ Permit the obstruction of private drain/ swale/ watercourse	Sec. 3.16	\$400.00	\$800.00
27.	Fail to maintain container/ object free of standing water	Sec. 3.17	\$400.00	\$800.00
28.	Fail to comply with an order	Sec. 4.3	\$400.00	\$800.00
29.	Obstruction	Sec. 5.9	\$400.00	\$800.00
30.	Fail to produce any documents or things required by a By-law Officer	Sec. 5.10	\$400.00	\$800.00
31.	Furnish false information to a By-law Officer	Sec. 5.11	\$400.00	\$800.00

## SCHEDULE "C"

## THE CORPORATION OF THE CITY OF WELLAND

SET FINE SCHEDULES

TO THE FEEDING OF WILDLIFE BY-LAW 2021-XX, BEING A BY-LAW  
TO PROHIBIT THE FEEDING OF WILDLIFE WITHIN THE  
BOUNDARIES OF THE CITY OF WELLAND

ITEM	COLUMN 1 SHORT FORM WORDING	COLUMN 2 PROVISION CREATING OR DEFINING OFFENCE	COLUMN 3 SET FINE
1	Feed/ permit/ cause the feeding of wildlife	Sec 3.1	\$300.00
2	Throw any type of food, on a property for the purposes of feeding any birds or wildlife	Sec 3.2	\$300.00
3	Fail to remove a bird feeder	Sec 3.3	\$300.00
4	Fail to remove any food placed on the ground	Sec 3.5	\$300.00
5	Fail to maintain the ground underneath a bird feeder	Sec 3.6	\$300.00
6	Obstruction	Sec 5.6	\$300.00
7	Fail to comply with a notice or direction to comply	Sec 5.9	\$300.00
7	Furnish false information to an Officer	Sec 5.11	\$300.00

## Schedule "C"

## THE CORPORATION OF THE CITY OF WELLAND

## BY-LAW 2019-134

SET FINE SCHEDULE

## TO CLEAN YARDS BY-LAW 2019-135, BEING A BY-LAW TO PROVIDE REGULATIONS FOR MAINTAINING LAND IN A CLEAN AND CLEAR CONDITION WITHIN THE CITY OF WELLAND

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Provision Creating or Defining Offence	COLUMN 3 First Penalty	COLUMN 4 Second or Subsequent Penalty
1.	Fail to keep property in a clean and clear condition	Sec. 3.1	\$400.00	\$800.00
2.	Fail to keep property free from refuse	Sec. 3.1	\$400.00	\$800.00
3.	Throw refuse on private property without written authority	Sec. 3.2	\$400.00	\$800.00
4.	Place refuse on private property without written authority	Sec. 3.2	\$400.00	\$800.00
5.	Deposit refuse on private property by any means without written authority	Sec. 3.2	\$400.00	\$800.00
6.	Owner permit refuse to remain on a property	Sec. 3.3	\$400.00	\$800.00
7.	Throw refuse on public property without written authority	Sec. 3.4	\$400.00	\$800.00
8.	Place refuse on public property without written authority	Sec. 3.4	\$400.00	\$800.00
9.	Deposit refuse on public property by any means without written authority	Sec. 3.4	\$400.00	\$800.00
10.	Fail to dispose of refuse at an approved site	Sec. 3.5	\$400.00	\$800.00
11.	Permit property to remain in an unsafe condition	Sec. 3.6 (a)	\$400.00	\$800.00



12.	Permit an excavation to remain in an unsafe condition	Sec. 3.6 (b)	\$400.00	\$800.00
13.	Permit an opening on a property to remain in an unsafe condition	Sec. 3.6 (b)	\$400.00	\$800.00
14.	Permit a septic tank to remain in an unsafe condition	Sec. 3.6 (c)	\$400.00	\$800.00
15.	Permit a cistern to remain in an unsafe condition	Sec. 3.6 (c)	\$400.00	\$800.00
16.	Permit a well to remain in an unsafe condition	Sec. 3.6 (c)	\$400.00	\$800.00
17.	Fail to keep property free from Injurious insects, termites, rodents, vermin or other pests	Sec. 3.7 (a)	\$400.00	\$800.00
18.	Fail to keep property free from refrigerators, freezers, appliances, and other containers that could trap a child	Sec. 3.7 (b)	\$400.00	\$800.00
19.	Fail to keep property free from syringes, needles and other sharps	Sec. 3.7 (c)	\$400.00	\$800.00
20.	Fail to cut/trim/remove grass/weeds more than six inches in height	Sec. 3.8	\$400.00	\$800.00
21.	Fail to keep refuse in containers	Sec. 3.13 (a)	\$400.00	\$800.00
22.	Permit refuse to accumulate longer than 14 days	Sec. 3.13 (b)	\$400.00	\$800.00
23.	Fail to keep property free of standing water	Sec. 3.14	\$400.00	\$800.00
24.	Fail to maintain swimming pool/ hot tub/ wading pool/ pond	Sec. 3.15	\$400.00	\$800.00
25.	Obstruct private drain/ swale/ watercourse	Sec. 3.16	\$400.00	\$800.00
26.	Cause/ Permit the obstruction of private drain/ swale/ watercourse	Sec. 3.16	\$400.00	\$800.00
27.	Fail to maintain container/ object free of standing water	Sec. 3.17	\$400.00	\$800.00
28.	Fail to comply with an order	Sec. 4.3	\$400.00	\$800.00
29.	Obstruction	Sec. 5.9	\$400.00	\$800.00
30.	Fail to produce any documents or things required by a By-law Officer	Sec. 5.10	\$400.00	\$800.00
31.	Furnish false information to a By-law Officer	Sec. 5.11	\$400.00	\$800.00

**COUNCIL**  
**PLANNING AND DEVELOPMENT SERVICES**  
**TRAFFIC/PLANNING DIVISION**

APPROVALS	
GENERAL MANAGER	
CFO	
CAO	

21-22  
**REPORT TRAF-2021-56**  
**OCTOBER 05, 2021**

**SUBJECT: 4-WAY STOP REVIEW AT GAISER ROAD/CLARE AVENUE AND GAISER ROAD/SOUTH PELHAM ROAD**

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

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

**RECOMMENDATIONS:**

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information **REPORT TRAF-2021-56** 4-way Stop review at Gaiser Road/Clare Avenue and Gaiser Road/South Pelham Road.

**ORIGIN AND BACKGROUND:**

At the September 07, 2021, following motion was approved.

***THAT THE COUNCIL OF THE CITY OF WELLAND direct staff to provide a technical report as to installing 4 way stop at Gaiser Road and South Pelham Road, and Gaiser Road and Clare Avenue; and further***

***THAT a report is to be presented for council consideration no later then October 15, 2021, Council meeting.***

**COMMENTS AND ANALYSIS:**

Staff have evaluated the 4-way stop control warrants that consist of traffic volume and collision analyses for the intersection of *Gaiser Road/ South Pelham Road, and Gaiser Road/Clare Avenue* The 4-way stop sign control warrant is a fundamental tool used to determine whether an intersection, with one or two approaches controlled by 'stop' signs, is operationally suitable to be converted to an intersection with the right-of-way controlled by 'stop' signs on all approaches.

The Ontario Traffic Manual (OTM) has two warrants to determine if an all-way stop is warranted.:

1. All-way Stop Minimum Volume Warrant

An all-way stop control may be considered where the following condition is met:

- Total vehicle volume on all intersection approaches exceeds 350 for the highest hour recorded

## 2. All-way Stop Collision Warrant

For the purposes of this warrant, a high accident frequency is an average of four collisions per year over a three-year period. Only those accidents susceptible to relief through multi-way stop control must be considered (i.e., right angle and turning type collisions).

### **GAISER ROAD/CLARE AVENUE**

Based on the traffic data collected on September 16, 2021, it was determined that the highest hourly volume was 140 vehicles between the hours of 4:00 p.m. and 5:00 p.m. Additionally, in last three years, there is only one reported collision at this intersection. Furthermore, during field investigations, staff did not observe any sightline/right of way issues for drivers at this intersection.

### **GAISER ROAD/SOUTH PELHAM ROAD**

Based on the traffic data collected on September 16, 2021, it was determined that the highest hourly volume was 248 vehicles between the hours of 4:00 p.m. and 5:00 p.m. Additionally, in last three years, there are no reported collisions at this intersection. Furthermore, during field investigations, staff did not observe any sightline/right of way issues for drivers at this intersection.

#### **FINANCIAL CONSIDERATION:**

N/A

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

N/A


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

Based on O.T.M. warrants, 4-way stop control is not warranted at the intersection of Gaiser Road/Clare Avenue and Gaiser Road/South Pelham Road.

#### **ATTACHMENTS:**

N/A

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

APPROVALS	
GENERAL MANAGER	
CFO	
CAO	

21-22  
**REPORT TRAF-2021-57**  
**OCTOBER 5, 2021**

**SUBJECT: UPDATE TO TRAFFIC AND PARKING BY-LAW 89-2000**

**AUTHOR: JAMES CRONSHAW, MLEO (C) C.P.S.O  
 SENIOR BY-LAW ENFORCEMENT OFFICER**

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

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

**RECOMMENDATIONS:**

THAT THE COUNCIL OF THE CITY OF WELLAND approves **REPORT TRAF-2021-57** Update to Traffic and Parking By-law 89-2000; and further

THAT Welland City Council directs the City Clerk to amend Traffic and Parking By-law 89-2000 as follows:

ADD the following to Schedule "I" – MUNICIPAL/ PRIVATE PROPERTY:

SKETCH No.	LOCATION	COMMON NAME
No Sketch	112 Denistoun Street	Am Pm Convenience

DELETE the following from Schedule "XV" – Loading Zones:

COLUMN 1 HIGHWAY	COLUMN 2 SIDE	COLUMN 3		COLUMN 4 PERIOD (TIMES/DAYS)
		FROM	TO	
King Street	EAST Side	5 meters south of Park Street	25 metres south of Park Street	Mon-Fri 8:00 a.m. to 6:00 p.m.

**ORIGIN AND BACKGROUND:**

On this occasion, **SCHEDULE "I"** and **SCHEDULE "XV "** will be affected.

**SCHEDULE "I" – Municipal/ Private Property**

An amendment is required to include 112 Denistoun Street to the City of Welland Municipal/ Private Property Schedule of By-law 89-2000.

This will allow Parking Enforcement Officers to enter onto private lands at the request of the property owner to issue a penalty notice and/ or remove unauthorized vehicles.

**Schedule "XV" – Loading Zones**

At the September 14, Council meeting, Council received a petition from residents to replace the current loading zone spot located at 330 King Street with a 2 hour parking space. Staff recommends this change be implemented.

**COMMENTS AND ANALYSIS:**

The proposed amendments to the Traffic and Parking By-law 89-2000 are necessary to define the traffic and parking regulations on Municipal and Private Property within the City of Welland.

**FINANCIAL CONSIDERATION:**

As properties are added to the Municipal/ Private Property Schedule a slight increase to parking ticket revenue can be expected.

**OTHER DEPARTMENT IMPLICATIONS:**

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

**SUMMARY AND CONCLUSION:**

To ensure the appropriate regulations and wording of By-law 89-2000, with on-site signage and enforcement operations, the Traffic and Parking Operations Division recommends the modifications as outlined in this report.

**ATTACHMENTS:**

Appendix I – Authorization Letter (112 Denistoun Street)



**Am Pm Convenience**  
112 Denistoun Street,  
Welland, On, L3C 1V2  
Ph. 905-732-1654  
Cell. 905-965-2513  
Email: [ampmconvenience247@gmail.com](mailto:ampmconvenience247@gmail.com)

AUTHORIZATION LETTER  
Parking Enforcement Units as AGENTS

September 22, 2021

The Corporation of the City of Welland  
60 East Main Street-City Hall  
Welland, ON  
L3B 3X4

Attention: James Cronshaw, MLEO(C)  
Senior By-law Enforcement Officer

**Re: Authorization for Private Property Tagging and/or Towing  
Am Pm Convenience , 112 Denistoun Street, Welland , L3C 1V2**

**Am Pm Convenience** are agents for the owners of 112 Denistoun St. and request the City of Welland to control unauthorized parking at the above noted address as per Traffic and Parking By-law 89-2000.

The following person(s) have been designated with signing privileges:

1. Am Pm Convenience -- Pawan Kumar Joshi, Owner
2. Am Pm Convenience – Satish Joshi, Manager
3. Am Pm Convenience –Aarti Joshi, Assistant manager
4. Am Pm Convenience – Geetanshu Joshi, Supervisor

A copy of this letter and identification will be produced each time a Parking Enforcement Officer arrives to enforce the offence of “Park on Private Property without the owners consent” or “Park on Private Property in contravention of Traffic and Parking By-law 89-2000”.

We understand that you require a “FORM 2” to be fully completed for each and every enforcement attendance by one of the above authorized person(s), who will call (905)735-1700 Ext.2218 (or ext. 3000 after hours) for enforcement.

Permanent signage has been posted and is clearly visible. The signs indicate:

Private Property  
Unauthorized vehicles will be  
Tagged and/or towed  
At owner's expense  
City of Welland  
By-law 89-2000


If further information is required, please call Pawan Joshi at **905-965-2513- Home**  
**905-732-1654-Store.**

Sincerely,

A handwritten signature in black ink that reads "Pawan Kumar Joshi". The signature is written in a cursive style with a large initial 'P'.

**Pawan Kumar Joshi** Owner

**COUNCIL**  
**CORPORATE SERVICES**  
**HUMAN RESOURCES**

APPROVALS	
GENERAL MANAGER	
CFO	
CAO	

21-33

**REPORT HR-2021-06**  
**October 5, 2021**

**SUBJECT: HOLIDAY CLOSURE OF CITY HALL OPERATIONS 2022-2023**

**AUTHOR: ANDREA DAISLEY, MANAGER OF HUMAN RESOURCES**

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

**RECOMMENDATION:**

1. THAT THE COUNCIL OF THE CITY OF WELLAND approves the closure of City Hall operations for the 2022-2023 holiday season from the close of business on Friday, December 23, 2022 up to and including Friday, December 30, 2022.

**ORIGIN AND BACKGROUND:**

Since 1993 City Hall operations have been closed between Christmas and the New Year. With careful planning, administration, and early notification the closure has been achieved with little or no inconvenience to the citizens.

It is recommended that this practice continue with the proposed period of closure being from the close of business on Friday, December 23, 2022 up to and including Friday, December 30, 2021 for a total of five (5) business days.

This report is being submitted at this time to ensure employees can plan for the 2022-2023 closure accordingly when scheduling next year's vacation.

**COMMENTS AND ANALYSIS:**

To provide for this closure, staff will utilize Statutory Holiday entitlements for Christmas Day, Boxing Day, and New Year's Day (being, Monday, December 26, 2022, Tuesday, December 27, 2022 and Friday, December 30, 2022).

The "floater" holiday entitlement for affected staff would be utilized on Wednesday, December 28, 2022.

The remaining day, being Thursday, December 29, 2022, will be taken at the individual employee's discretion, from banked time, vacation, prorated days, or as unpaid leave.



**FINANCIAL CONSIDERATION:**

N/A

**OTHER DEPARTMENT IMPLICATIONS:**

N/A

**SUMMARY AND CONCLUSION:**

It is recommended that Council approve the recommendation contained herein for the closure of City Hall operations for the 2022-2023 holiday season.

**ATTACHMENTS**

Appendix 1 – Calendar indicating closure dates

# December

2

Day	Monday	Tuesday	Wednesday	Thursday	Friday	Sat
					1	2
4	5	6	7	8	9	
11	12	13	14	15	16	
18	19	20	21	22	23	Christmas
25	26	27	28	29	30	
	Boxing Day	Christmas Day Observed	Floater	Vacation/Pro-rate	New Year's Day Observed	
1	2					
	Return to regular hours					



September 15, 2021

The Honourable Doug Ford, M.P.P.  
Premier of Ontario  
Legislative Building  
Queen's Park  
Toronto, ON M7A 1A1

Sent via email: [premier@ontario.ca](mailto:premier@ontario.ca)

**Re: Provincial Nursing Shortage  
Our File 35.31.99**

Dear Premier Ford,

At its meeting held on September 13, 2021, St. Catharines City Council approved the following motion:

"WHEREAS a nursing shortage in the Province of Ontario is currently ongoing due to burnout from the COVID-19 pandemic; and

WHEREAS this nursing shortage has led to a situation where many medically fragile children who require one-on-one care from a nurse are unable to find one; and

WHEREAS this situation will lead to these children being unable to attend school this year; and

WHEREAS all available research indicates that in-person learning is superior to online virtual learning in the vast majority of cases;

THEREFORE BE IT RESOLVED that the City of St. Catharines call upon the Government of Ontario to immediately identify and implement solutions to this crisis that will allow the resumption of in-person learning for these children, possibly including but not limited to greater incentives to retain qualified nurses and the allowance of trained caregivers to fill these roles; and

BE IT FURTHER RESOLVED that this resolution be forwarded to the Association of Municipalities of Ontario, Premier Doug Ford, Health Minister Christine Elliott, MPP Jennie Stevens, MPP Sam Oosterhoff, MPP Wayne Gates, MPP Jeff Burch, the local area municipalities and the Niagara Region."



If you have any questions, please contact the Office of the City Clerk at extension 1524.

A handwritten signature in cursive script, appearing to read "Bonnie Nistico-Dunk".

Bonnie Nistico-Dunk, City Clerk  
Legal and Clerks Services, Office of the City Clerk  
:em

cc: Hon. Christine Elliott, Minister of Health, [christine.elliott@ontario.ca](mailto:christine.elliott@ontario.ca)  
Jennifer Stevens, MPP - St. Catharines, [JStevens-CO@ndp.on.ca](mailto:JStevens-CO@ndp.on.ca)  
Jeff Burch, MPP - Niagara Centre, [JBurch-QP@ndp.on.ca](mailto:JBurch-QP@ndp.on.ca)  
Wayne Gates, MPP - Niagara Falls, [wgates-co@ndp.on.ca](mailto:wgates-co@ndp.on.ca)  
Sam Oosterhoff, MPP - Niagara West-Glanbrook, [sam.oosterhoff@pc.ola.org](mailto:sam.oosterhoff@pc.ola.org)  
The Association of Ontario Municipalities (AMO), [amo@amo.on.ca](mailto:amo@amo.on.ca)  
The Niagara Region  
Local area municipalities  
Brian York, Director of Economic Development and Government Relations  
Melissa Wenzler, Government Relations Advisor, City of St. Catharines



## Community Services

### Legislative Services

September 21, 2021

File #120203

Sent via email: [amopresident@amo.on.ca](mailto:amopresident@amo.on.ca) / [policy@amo.on.ca](mailto:policy@amo.on.ca)

Graydon Smith, President and Mayor  
AMO  
200 University Ave., Suite 801  
Toronto, Ontario M5H 3C6

Dear Mr. Smith:

**Re: Request the Provincial Government to Implement a Right of Passage along the Lake Erie Shoreline**

The Municipal Council of the Town of Fort Erie at its meeting of September 20, 2021 passed the following resolution:

**Whereas** access along the Lake Erie Shoreline remains an important issue in the Town of Fort Erie; and

**Whereas** the Council for the Town of Fort Erie has previously requested that the Provincial Government to pass legislation permitting a right of passage along the Lake Erie shoreline, without success;

**Now therefore be it resolved;**

**That:** Council again requests the Premier of Ontario, The Honourable Doug Ford, to implement legislation that will provide individuals the right to pass peaceably along the Lake Erie shoreline and any other of the Great Lakes within 5 feet of the water's edge, respecting the rights of any private property owners across whose property the individuals may pass, and further

**That:** The Mayor is directed to send a letter to the Premier providing background on the matter and the rationale for this request, and further

.../2

Mailing Address:

The Corporation of the Town of Fort Erie  
1 Municipal Centre Drive, Fort Erie ON L2A 2S6

Office Hours 8:30 a.m. to 5:00 p.m. Phone: (905) 871-1600 FAX: (905) 871-4022

Web-site: [www.forterie.ca](http://www.forterie.ca)


21-128

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**That:** This Resolution be circulated to the Association of Municipalities of Ontario, the Region of Niagara, all municipalities in Niagara, the Members of Provincial Parliament in Niagara and the Members of Parliament in Niagara for their support.

Thank you for your attention to this matter.

Yours very truly,



Carol Schofield, Dipl.M.A.  
Manager, Legislative Services/Clerk

[cschofield@forterie.ca](mailto:cschofield@forterie.ca)

CS:dlk

c.c.     Niagara Region  
          Local Area Municipalities  
          All Members of Parliament  
          All Members of Provincial ParliamentP

Good afternoon,

I am reaching out on behalf of Women's Place to request the participation of the City of Welland in the **2021 Wrapped in Courage Campaign**, which focuses on ending gender-based violence in our community and beyond.

Women's Place provides vital services and support for survivors of gender-based violence and their children in South Niagara, including Welland. Our agency is a proud agency partner of the provincial Wrapped in Courage 2021 campaign, which has been raising awareness related to gender-based violence in Ontario for the past eight years.

November 25th marks both the International Day for the Elimination of Violence Against Women and the first day of the 16 Days of Activism Against Gender-Based Violence. **We are asking Welland to consider proclaiming November 25th as the International Day for the Elimination of Violence Against Women and raising a Wrapped in Courage flag on November 25th to raise awareness and promote gender equality.**

A sample proclamation is attached to this email for your consideration. This document also includes an image of the 36 x 72 inch flag, which we can arrange to deliver to City Hall.

Thank you for your consideration of this request. If there is additional information that we need to provide, such as forms formalizing either of these requests, or if this message should be directed elsewhere, please let me know.

Have a wonderful day,

Jennifer McQuestion



**WOMEN'S PLACE**  
NOVA HOUSE • SERENITY PLACE

**Jennifer McQuestion B.A., B.Ed.**

Community Engagement Manager

Women's Place of South Niagara Inc. | [www.womensplacesn.org](http://www.womensplacesn.org)

8903 McLeod Rd, Niagara Falls ON, L2H 3S6

P:905-356-3933 ext. 239 | F:905-356-5522

21-6



**smile cookie**

100% of the proceeds from all Niagara Falls Tim Hortons will support Women's Place and Big Brothers Big Sisters. Learn more or download a bulk pre-order form by clicking anywhere on this image!



WOMEN'S PLACE



Big Brothers Big Sisters

**WILL  
POWER™**

Support a charity in your Will



Its quick and easy to support Women's Place. Make an online donation through Canada Helps – [click here!](#)



Corporation of the City of Welland  
60 East Main Street, Welland, Ontario L3B 3X4

To whom it may concern,

The Canadian Council of Muslim Women would like to request a proclamation day for the city of Welland in October in honour of Islamic History Month.

This day would be in accordance with Islamic History Month, to celebrate, inform, educate and share with fellow Canadians the rich Muslim heritage and contributions to society.

We graciously ask that October 9th is proposed at the council meeting as Islamic History Day.

Thank you kindly for your time and consideration. We look forward to hearing back from you, regarding your decision on this matter.

Best regards,  
Shanza Khan.

The Canadian Council of Muslim Women Niagara Halton (CCMW) is an organization dedicated to the empowerment, equality and equity of all Muslim women in Canada. Our mission is to affirm the identities of Canadian Muslim women and promote their lived experiences through community engagement, public policy, stakeholder engagement and amplified awareness of the social injustices that Muslim women and girls endure in Canada, while advocating for their diverse needs and equipping local CCMW chapters with the necessary resources to maximize national efforts and mobilize local communities to join the movement.

Canadian Council of Muslim Women  
Toronto, ON M6C 4A7

**Administration**

Office of the Regional Clerk

1815 Sir Isaac Brock Way, PO Box 1042, Thorold, ON L2V 4T7

Telephone: 905-980-6000 Toll-free: 1-800-263-7215 Fax: 905-687-4977

[www.niagararegion.ca](http://www.niagararegion.ca)

September 24, 2021

CL 18-2021, September 23, 2021

Hon. Caroline Mulroney  
 Minister of Transportation  
 Ministry of Transportation  
 5th Flr, 777 Bay St,  
 Toronto, ON M7A 1Z8

**SENT ELECTRONICALLY**

**Re: Request to Review and Amend Section 128 (Rate of Speed) of the Highway Traffic Act**

Regional Council, at its meeting held on September 23, 2021, passed the following motion:

WHEREAS street design for safe driving behaviour, which includes features such as narrow lane widths, is the most important factor in creating safe streets, but lowering vehicle speeds is another important tool to improve road safety; and

WHEREAS pedestrian and cyclist fatalities increase as vehicle speed goes up and research studies have found that higher speed leads to more collisions involving children, who are more often injured in pedestrian and cycling injuries and casualties and that children are usually injured mid-block, often on residential streets, and in front of their home or a park; and

WHEREAS municipal, provincial, state, and federal governments across North America have invested in active transportation, complete streets design, and healthy community initiatives which has resulted in an increased number of pedestrians and cyclists that need to coexist with vehicles on roads, placing more pressure on setting appropriate speed limits; and

WHEREAS several municipalities across North America, including Edmonton, Toronto, Seattle, Portland, New York and hundreds of others, have reduced speed limits on local roads.

21-22

NOW THEREFORE BE IT RESOLVED:

1. That the Region of Niagara **SUPPORT** the motion brought forward by the City of St. Catharines and request the province (Ministry of Transportation Ontario) to review and amend Section 128 (Rate of Speed) of the Highway Traffic Act to adopt Vision Zero principles and reduce the statutory speed limit on a highway within a local municipality or within a built-up area from 50 kilometres per hour to 40 kilometres per hour; and

2. That this motion **BE CIRCULATED** to the local area municipalities.

Yours truly,



Ann-Marie Norio  
Regional Clerk

CLK-C 2021-151

cc: Local Area Municipalities  
Association of Municipalities of Ontario

**Administration**

Office of the Regional Clerk

1815 Sir Isaac Brock Way, PO Box 1042, Thorold, ON L2V 4T7

Telephone: 905-980-6000 Toll-free: 1-800-263-7215 Fax: 905-687-4977

[www.niagararegion.ca](http://www.niagararegion.ca)

September 24, 2021

CL 18-2021, September 23, 2021

**LOCAL AREA MUNICIPALITIES  
 NIAGARA PENINSULA CONSERVATION AUTHORITY  
 NIAGARA REGIONAL POLICE SERVICE**

**SENT ELECTRONICALLY****Re: Report CAO 15-2021 – Updated Land Acknowledgement Statements**

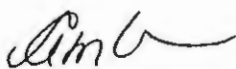
Regional Council, at its meeting held on September 23, 2021, passed the following motion:

That Report CAO 15-2021, dated August 26, 2021, respecting Updated Land Acknowledgement Statements, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the short, long and documents versions of Land Acknowledgement Statements outlined in Report CAO 15-2021 **BE APPROVED** and that the short version be recited at Council and Committee meetings on a go forward basis;
2. That the Region's Land Acknowledgement Statements **BE REVIEWED** and updated as new understandings of treaties and agreements in the Niagara Region evolve; and
3. That this report **BE SHARED** by the Regional Clerk with Local Area Municipalities, the Niagara Peninsula Conservation Authority and Niagara Regional Police Service.

A copy of Report CAO 15-2021 is attached for your reference.

Yours truly,



Ann-Marie Norio  
 Regional Clerk

CLK-C 2021-151

21-127

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**Subject:** Updated Land Acknowledgement Statements

**Report to:** Regional Council

**Report date:** Thursday, August 26, 2021

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### Recommendations

1. That the short, long and documents versions of Land Acknowledgement Statements outlined in Report CAO 15-2021 **BE APPROVED** and that the short version be recited at Council and Committee meetings on a go forward basis;
2. That the Region's Land Acknowledgement Statements **BE REVIEWED** and updated as new understandings of treaties and agreements in the Niagara Region evolve; and
3. That this report **BE SHARED** by the Regional Clerk with Local Area Municipalities.

### Key Facts

- Land Acknowledgement Statements are increasingly being used as a practice of reconciliation aimed at recognizing the traditional or treaty territories of Indigenous peoples. The statements are typically made at the introduction of meetings, gatherings, events, or presentations
- Various versions of a Land Acknowledgement are currently in use by the Local Area Municipalities and the Region
- At the request of community members and the Local Area Municipalities, and as one step in demonstrating the Region's commitment to advancing the recommendations in the Creating our Way Forward Indigenous Engagement report (<https://www.niagararegion.ca/health/equity>) and Niagara's Community Safety and Well-Being Plan (<https://www.niagararegion.ca/projects/community-safety-well-being/>), a consultation was undertaken with multiple Indigenous organizations to develop an updated Land Acknowledgement for the Region
- There are diverse perspectives surrounding the treaties relevant to Niagara. Due to these complexities, there is not consensus among First Nations to the treaties and the historical details relevant to the proposed Land Acknowledgement
- It is proposed that the Region's Land Acknowledgement be reviewed and updated as new understandings of treaties and agreements in relation to the Niagara region evolve

- 
- Staff have created three versions of the Land Acknowledgement for different purposes (long, short, and documents versions)

### **Financial Considerations**

There are no financial considerations associated with this report.

### **Analysis**

Traditional land acknowledgement statements are increasingly being used in Canada by governments, schools, post-secondary institutions, non-governmental organizations, and other civil institutions as a practice of reconciliation aimed at recognizing the traditional or treaty territories of Indigenous peoples. The statements are typically made at the introduction of meetings, gatherings, events, or presentations. Some are featured on organization websites or event description pages. Understanding and recognizing Indigenous history, and an individual's personal and ancestral relationship to this history, is the foundation of respect and reciprocity, which are the building blocks of reconciliation between settlers and First Nations.

Updating the Land Acknowledgement is one step among many that the Region has committed to as a means to improve local understanding and relationships with First Nations communities and those living off-reserve in Niagara. Additional events slated for this Fall will provide opportunities for senior-level staff, Regional Council and Local Area Municipal Councils to engage, learn, and work together with local Indigenous organizations and First Nation governments.

Through consultation with the Mississaugas of the Credit First Nation, Six Nations of the Grand River Elected Council, and leaders from the Niagara Indigenous Community Executives, staff have developed an updated Land Acknowledgement. The history of this land is complex and there are diverse perspectives surrounding the treaties. Due to these complexities, there is not consensus among First Nations to the treaties relevant in Niagara and the historical details relevant to the Land Acknowledgement.

The Land Acknowledgement is a dynamic, living document and should be reviewed on a regular basis as new understandings of treaties and agreements in relation to the Niagara Region evolve.

Feedback from Indigenous community members encourages any person reading or using an acknowledgement to take time to consider its content so that it is not

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something that is said and forgotten, or checked off an agenda, but requires thought and intention. The statement should also be part of an integrated process of moving words to action by establishing meaningful relationships and a path towards reconciliation with First Nations, Métis, and Inuit people and organizations in the area.

Staff strongly recommend that everyone who uses a Land Acknowledgement receive locally relevant Indigenous Cultural Safety Training so that the terms, treaties, history, and Nations included become familiar and staff feel comfortable using it. Supports and reference material are being developed. Staff reading the Acknowledgement should practice the pronunciation of the Nations.<sup>1</sup>

#### Proposed Land Acknowledgement

Staff have created three versions of the Land Acknowledgement for different purposes. The short version of the Acknowledgement was designed to fit on a presentation slide and would be used by Niagara Regional Council and related Committee meetings and events. This can be used for official openings, large public gatherings, and at any event when a prominent Indigenous person (Chief or Band Councillor), or political representative of the Provincial or Federal government is present. The long version has more details and can be read at the beginning of other meetings, presentations, or gatherings where you would like to provide a bit more context. The document option is the most direct and can be used in written documents (such as strategies, engagement reports, etc), job postings, newsletters, training sessions, websites, and in email signatures.

#### Long version

As we take a moment today to reflect on the importance of the land on which we gather, our provider and sustainer, we look to understand the history of the land. Niagara Region is situated on treaty land. These lands are steeped in the rich history of the First Nations such as the Hatiwendaronk, the Haudenosaunee, and the Anishinaabe, including the Mississaugas of the Credit First Nation.

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<sup>1</sup> You can watch a video on how to pronounce Anishinaabe here, <https://www.youtube.com/watch?v=RHFqWyzQ4T0>. You can watch a video on how to pronounce Haudenosaunee here, <https://www.youtube.com/watch?v=jKV9u-pEevk>

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Intended to guide the relationship between the First Nations and Europeans, the Two Row Wampum is an important symbol of everlasting equality, peace, and friendship. It remains the foundation upon which Canada was built, and we recognize that this mutually respectful relationship between nations is essential for reconciliation today.

There are many First Nations, Métis, and Inuit people from across Turtle Island that live and work in Niagara today. The Regional Municipality of Niagara stands with all Indigenous people, past and present, in promoting the wise stewardship of the lands on which we live. We recognize that we must do more to learn about the history and current situation of Indigenous people. This will help us better understand our roles and take responsibility towards reconciliation as treaty people, residents, and caretakers.

#### Short version

Niagara Region is situated on treaty land. This land is steeped in the rich history of the First Nations such as the Hatiwendaronk (Hat-i-wen-DA-ronk), the Haudenosaunee (Hoe-den-no-SHOW-nee), and the Anishinaabe (Ah-nish-ih-NAH-bey), including the Mississaugas of the Credit First Nation. There are many First Nations, Métis, and Inuit people from across Turtle Island that live and work in Niagara today. The Regional Municipality of Niagara stands with all Indigenous people, past and present, in promoting the wise stewardship of the lands on which we live.

#### Documents

Niagara Region is situated on treaty land. This land has a rich history of First Nations such as the Hatiwendaronk, the Haudenosaunee, and the Anishinaabe, including the Mississaugas of the Credit First Nation. There are many First Nations, Métis, and Inuit people from across Turtle Island that live and work in Niagara today.

#### **Alternatives Reviewed**

Land Acknowledgements established by other municipalities that fall within the traditional territory of the respective First Nations were consulted to ensure consistency and accuracy of Indigenous history and language is reflected in the new Niagara Region Land Acknowledgement.



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**Relationship to Council Strategic Priorities**

The Land Acknowledgement relates to the strategic priority of Sustainable and Engaging Government by providing a statement that is supported by the local Indigenous community.

**Other Pertinent Reports**

CAO 12-2021 – Niagara's Community Safety and Well-Being Plan 2021-2025

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**Prepared by:**

Cassandra Ogunniyi  
Diversity, Equity, and Inclusion Program  
Manager  
Corporate Strategy and Innovation

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**Recommended by:**

Natalie Early  
Director  
Corporate Strategy and Innovation

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**Submitted by:**

Ron Tripp, P.Eng.  
Acting Chief Administrative Officer

This report was prepared in consultation with Gina van den Burg, Government and Stakeholder Relations Specialist, and Michelle Johnston, Community Safety and Well-being Program Manager, Mississaugas of the Credit First Nation, Six Nations of the Grand River Elected Council, leaders from the Niagara Indigenous Community Executives, ASI Heritage Consultants, and reviewed by Ann-Marie Norio, Regional Clerk.


**CITY OF WELLAND**

Corporate Services  
 Office of the City Clerk  
 60 East Main Street, Welland, ON L3B 3X4  
 Phone: 905-735-1700 ext. 2159 Fax: 905-732-1919  
 E-mail: clerk@welland.ca  
 www.welland.ca

**MEMORANDUM**

**Date:** October 5, 2021

**To:** Mayor and Members of City Council

**From:** Tara Stephens, City Clerk

**Re:** Resolution requirement regarding Canada Community Revitalization Fund (CCRF) – Maple Park Enhancements and Public Washroom Facility.

On July 6, 2021, Welland City Council approved a motion authorizing staff to apply for the Canada Community Revitalization Fund (CCRF) for enhancements at Maple Park, including a public washroom facility.

Following the direction of council at the July 6, 2021 Council meeting, staff applied for the CCRF and were successful in securing the funding for the enhancements to Maple Park.

At this time the Federal Economic Development Agency for Southern Ontario (FedDev Ontario) requires an additional resolution be considered by council before proceeding. The resolutions are provided below.

**Recommendation:**

***THAT Welland City Council authorizes the Canada Community Revitalization Fund (CCRF), through the Federal Economic Development Agency of Southern Ontario (FedDev Ontario), for the enhancements at Maple Park, including replacement of the public washroom in the amount of \$313,797.00; and further THAT Welland City Council directs the Chief Administrative Officer (CAO) to execute the CCRF contribution agreement.***

Staff are requesting approval of the above motions in order to meet the requirements as requested by FedDev Ontario.

21-19

*Background Material*

*To*

*Council Members'*

*Agenda*

Fostering literacy and learning, sparking creativity, and empowering our community.

# Welland Public Library

*Discover the past.  
Connect with the present.  
Imagine the future!*



Update Presentation to  
Welland City Council

October 5, 2021

# Agenda

- 1 City-wide Geocaching Initiative
- 2 Horticultural Bed
- 3 Summer Activities
- 4 New Logo & Website
- 5 New this Fall
- 6 Our Recovery by the Numbers
- 7 From our Users ...

# City-Wide Geocaching Program





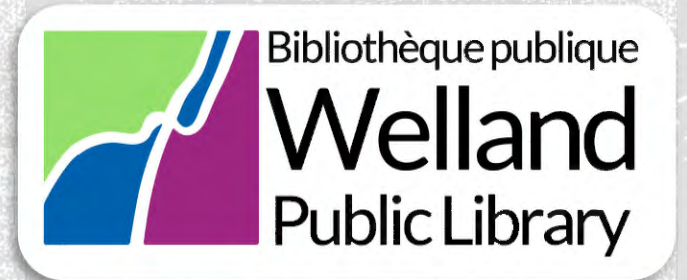
# WPL Horticultural Display

In honour of the Library's 100<sup>th</sup> year of Incorporation, the City of Welland designed, installed, and maintained this beautiful floral display from June – September.

Located at the corner of Prince Charles Drive and Broadway Avenue, this feature was a wonderful way to promote this milestone to the community.

Thank you!

# Library Logo Redesign & Community Consultation







# Summer Activities

- **310** TD Summer Reading Program Participants
- **60** participants in the adult summer reading challenge
- **4,251** children and youth participated in virtual programs this summer
- **1,391** adults participated in virtual programs in June, July and August.



## New this fall!

- New Spaces, Programs, Collections & Services
- Technology Improvements
- Website refresh
- Equity & Inclusion Initiatives



## New Teen Lounge



## New Woodland Themed Exploration Zone for Children



OAM Snack Station



StreetWorks Support



School Supply Giveaway

# Programs, Services, Spaces & Collections

- Main Branch Rejuvenation
- OAM Food Sustainability Initiative
- StreetWorks Support @ Main Branch
- Continuation of GFI Program @ DT
- Social, Economic, & Historical Programming



## Technology Upgrade

- Assistive Hearing Technology for customer service counters and program/meeting spaces
- Public & staff technology upgrade



My Account

Become a Member

News

All News

### WPL Phone Update - May 3rd

Beginning May 3rd, we're updating our phone system to make connecting with us even easier! You will receive...

15 0 0

### April - June Program Guide Now Available

April - June Program Guide Now Available Check out some of the amazing and fun programs we have for you...

0 0 0

### Curbside Pickup Available at All Branches

All branches of the Welland Public Library will remain open for curbside pickup...

1 0 0

### WPL's Mosaic Mural Reveal

Today is the Day! We would like to thank the community for coming together and helping us with completion...

2 0 0

# New Website!

- Mobile-Friendly
- Fully accessible
- Usability-tested
- Launches in November 2021



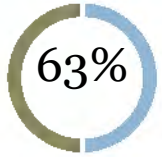
# **Fine Free in 2022!**

## **Fines Collected 2016-2020**

<b>Year</b>	<b>Budgeted</b>	<b>Actual</b>
<b>2016</b>	\$18,500	\$14,982.16
<b>2017</b>	\$18,500	\$13,754.02
<b>2018</b>	\$15,000	\$13,743.19
<b>2019</b>	\$15,000	\$11,447.34
<b>2020</b>	\$14,000	\$3,542.74



73% ↑ in in-person visits



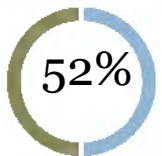
↑ in digital resource use



↑ in physical materials circulation



Maintained program participation #'s



↑ in virtual visits and engagement

## Our Recovery by the Numbers...

Statistics compare  
June, July & August  
2020 and 2021

Our key performance  
indicators signal a  
strong recovery and  
increased demand for  
service



Word Cloud generated by WordItOut.com



**We asked our patrons ...**

to describe the Welland Public Library in one word.

This is what they said...

*Thank you for your amazing service to your patrons. I certainly appreciate everything you do during these difficult times – Line B.*





**Thank you for  
your ongoing  
and generous  
support!**

