



## **COUNCIL MEETING AGENDA**

**Tuesday, December 21, 2021**

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

**All meetings can be viewed at:**

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

**YourTV: The meeting will be aired on channel 700 on December 25, 2021 at 8:00 a.m.**

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1. **COMMITTEE-OF-THE-WHOLE (IN-CAMERA) (6:40 p.m.)**  
(See yellow tab)
  - A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
    - *Renewal of Management Agreement and Operating Agreement Youngs Sportsplex*
  - Proposed or pending acquisition or disposition of land by the municipality or local board:
    - *Additional Offer to purchase additional land for Fire Station #3*
  
2. **ARISE FROM COMMITTEE-OF-THE-WHOLE (IN-CAMERA) (6:55 p.m.)**
  
3. **OPEN COUNCIL MEETING (7:00 p.m.)**
  - 3.1 **NATIONAL ANTHEM**
  - 3.2 **OPENING REMARKS**
  - 3.3 **ADDITIONS/DELETIONS TO AGENDA**
  - 3.4 **ADOPTION OF MINUTES**

Regular Council Meeting of November 16, 2021 and Special Council Meetings of November 23, 2021 and December 9, 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)**



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### **4. ORAL REPORTS AND DELEGATIONS**

#### **4.1 PRESENTATION(S)**

Certificate presentation by Mayor Champion to Geoff Eden.

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

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

#### **4.4 LEGISLATED PUBLIC HEARINGS/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)**

**(Mayor Champion)**

**21-161** WHEREAS the Region is in the process of reviewing and updating their Official Plan (ROP) and  
WHEREAS the City of Welland is in the process of reviewing and updating their Official Plan and  
WHEREAS the City of Welland is experiencing significant residential growth and intensification and  
WHEREAS increased density may negatively impact existing stable residential neighbourhoods and  
WHEREAS it is desirable for the City to be able to protect those neighbourhoods and  
WHEREAS in order to do so the city will need the ability to successfully defend decisions opposing certain developments in these areas  
NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND request that the Region put policies in their Official Plan to support stable (lower density) residential neighbourhoods by providing for gentle density and/or limiting intensification to appropriate locations and  
Further that Welland staff work with the Region on these policies and



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Further that Welland Planning staff, in the development of Welland's Official Plan consider utilizing these policies to guide/minimize the impacts of intensification and potentially limit intensification to specific areas.

**(Councillor DiMarco)**

**21-22** THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to install stop signs on St Lawrence Ave at Gretel Place; and further THAT Traffic and Parking By-laws staff amend the bylaw pertaining to such.

**(Councillor DiMarco)**

**21-22** THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to place speed bumps on Page Drive between Trelawn Parkway and the culvert north of Trelawn Park; and further THAT the speed be reduced to that of the Community Safety Zone of 40 km from the current 50 km.

**(Councillor DiMarco)**

**13-117** WHEREAS currently in the City of Welland certain developments/new builds are occurring in areas that are specifically not zoned for such and do not conform to the current established neighborhood layout. THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to review our comprehensive zoning by-laws and prepare a report in regards to amendment(s) that would not allow builds whether commercial or multi-residential that do not conform to a current existing neighborhood.

**(Councillor DiMarco)**

**21-29** THAT THE COUNCIL OF THE CITY OF WELLAND adopts a meeting schedule similar to that of a neighboring municipality and in doing such, eliminate the need for the Budget Review Committee, Audit Review Committee, General Committee and Special Council meetings.

**(Councillor McLeod)**

**07-50** WHEREAS the parkland dedication by-law was approved in 2014; and further WHEREAS increased housing density has heightened the importance of neighborhood parks; and further WHEREAS parks provide communal areas for a community to 'Play', which is vital for our citizens physical and mental health. NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND requests staff present a report and updated parkland



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dedication by-law that supports increased parkland creation, maximizes funding and usage of parkland space for Council consideration.

**(Councillor Green)**

**21-4** THAT THE COUNCIL OF THE CITY OF WELLAND direct staff to include in the 2023 base budget for council consideration approval of \$20,000 for Pathstone Foundation and \$25,000 for Faith Welland Outreach into legacy grants, and further that the permissive grant budget be reduced accordingly by \$45,000.

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

**8. CORPORATION REPORTS**

**8.1 Mayor's Report**

**8.2 Chief Administrative Officer's Report**

**9. CONFIRMATORY BY-LAW**

A By-law to adopt, ratify and confirm proceedings of the Council of the Corporation of the City of Welland at its meeting held on the 21<sup>st</sup> day of December, 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 - November 23, 2021**

**R&C-2021-24** Director of Community Services, R. Axiak - 2022 Festivals & Events Approach. Ref. No. 21-147

**(Refer to pages 1 to 6 from the November 23, 2021 General Committee Agenda).**

**RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND receives and files the information in the Report R&C-2021-24 as related to the Festivals & Events approach for 2022 and beyond.

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

**4. Staff Reports**

**2 – 6 FIN-2021-37** Director of Finance/Chief Financial Officer/Treasurer, S. Fairweather - 2021 Q3 Year-To-Date Budget Variance by Cost Centre Report. Ref. No. 21-4

**7 – 34 FIN-2021-38** Director of Finance/Chief Financial Officer/Treasurer, S. Fairweather - 2021 Capital Close-Out Report & 2021 3<sup>rd</sup> Quarter Capital Progress Report. Ref. No. 21-4



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**P&B-2021-73** Director of Planning and Development Services, G Munday - Proposed Increases Swimming Pool Enclosure Bylaw Fees. Ref. No. 21-19 (By-law 2 and 3)

**60 – 63**

**TRANS-2021-20** Chief Administrative Officer, S. Zorbas - Hourly Operating Rate Inter-Regional Transit. Ref. No. 21-13

**64 – 65**

**EDO-2021-09** Chief Administrative Officer, S. Zorbas – Agreement of Purchase and Sale for city owned buildings located at 33 and 35 Hellems Avenue. Ref. No. 21-114 (By-law 4)

**66 – 68**

**EDO-2021-10** Chief Administrative Officer, S. Zorbas – Agreement of Purchase and Sale for city owned lands located at 81 Doans Ridge Road. Ref. No. 21-159 (By-law 5)

**69 – 77**

**R&C-2021-29** Director of Community Services, R. Axiak – Standard Operating Procedure – Temporary Closure of City Facilities due to Extreme Weather Conditions. Ref. No. 21-158

**78 – 81**

**ENG-2021-30** Director of Infrastructure Services, SM. Millar – Direct Appointment of Professional Services for Commercial Street Area Wastewater Master Servicing Plan for the Ontario Road Catchment. Ref. No. 21-160 (By-law 6)

**82 – 85**

**ENG-2021-35** Director of Infrastructure Services, SM. Millar – Clare Ave Infrastructure Improvements Project – Award of Tender. Ref. No. 21-141 (By-law 7)

### **3. NEW BUSINESS**

**86 - 88**

1. Signed petition from Welland residents re: Installation of speed bumps and a speed reduction in front of the Park entrance area on Page Drive. Ref. No. 21-22

**RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the petition regarding Installation of speed bumps and a speed reduction in front of the Park entrance area on Page Drive and refers the matter to staff.



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2. Signed petition from residents of Park Street re: No parking on the north side of Park Street between Kent Street and King Street. Ref. No. 21-22

#### **RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the signed petition from the residents of Park Street regarding no parking on the north side of Park Street between Kent Street and King Street and refers the matter to staff.

**90 - 91**

3. Bonnie Nistico-Dunk, City Clerk, City of St. Catharines re: National Childcare Program. Ref. No. 21-155

#### **RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information and supports the correspondence from the City of St. Catharines dated December 1, 2021 regarding National Childcare Program.

**92 - 93**

4. Mishka Balsom, President & CEO, Greater Niagara Chamber of Commerce re: Transit Amalgamation. Ref. No. 21-13.

#### **RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Greater Niagara Chamber of Commerce dated December 2, 2021 regarding Transit Amalgamation.

**94 - 96**

5. Emily Prosser, Early Resolutions Officer, Office of the Ontario Ombudsman re: letter outlining review of File No. 152913. Ref. No. 02-160

#### **RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Office of the Ontario Ombudsman dated December 9, 2021.

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

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

1. A By-law to provide an Interim Tax Levy for year 2022. Ref. No. 21-4
2. A By-law to amend By-law 2010-119, being a By-law to regulate pool enclosures within the City of Welland. Ref. No. 21-19  
(See Report P&B-2021-73)



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3. A By-law to amend By-law 2019-134 being a By-law to establish an Administration Penalty System for non-parking related offences. Ref. No. 19-22  
(See Report P&B-2021-73)
4. A By-law to authorize acceptance of an offer from Farage Holding Corporation for sale of city-owned lands located at 33 And 35 Hellems Avenue. Ref. No 21-114  
(See Report EDO-2021-09)
5. A By-law to authorize acceptance of an offer from Robert Mark Muir, Patricia Gail Muir and Brooker Terry Muir for sale of city-owned lands located at 81 Doans Ridge Road. Ref. No 21-159  
(See Report EDO-2021-10)
6. A By-law to authorize entering into contract with Kerry T. Howe Engineering Limited for Professional Services for the Commercial Street Area Wastewater Master Servicing Plan for the Ontario Road Catchment. Ref. No 21-160  
(See Report ENG-2021-30)
7. A By-law to authorize entering into contract with Nexterra Substructures Inc. for the Clare Avenue Infrastructure Improvement Project. Ref. No 21-141  
(See Report ENG-2021-35)
8. A By-law to amend appointment By-laws 2018-48 and 2018-49. Ref. No. 21-22/21-23



**GENERAL COMMITTEE REPORT TO COUNCIL**

On Tuesday, November 23, 2021, the General Committee met with the following members in attendance: Chair, M.A. Grimaldi, F. Campion, J. Chiochio, T. DiMarco, B. Fokkens, J. Larouche, J. Mastroianni, D. McLeod, A. Moote, C. Richard, G. Speck and L. Van Vliet.

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

**PRESENTATIONS****21-147**




THAT GENERAL COMMITTEE receives for information the presentation by Rob Axiak, Director of Community Services and Erin Carl, Supervisor of Festivals and Events, regarding 2022 Festivals & Events Approach.

Respectfully submitted by



TARA STEPHENS  
City Clerk

**2**  
**COUNCIL**  
**FINANCE DIVISION**

APPROVALS	
DIRECTOR	
CFO	
CAO	

**REPORT FIN-2021-37**  
**DECEMBER 21, 2021**

*21-4*

**SUBJECT: 2021 Q3 YEAR-TO-DATE BUDGET VARIANCE BY COST CENTRE REPORT**

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

**APPROVING DIRECTOR: STEVEN FAIRWEATHER, CPA-CA, MPA, DPA,  
DIRECTOR OF FINANCE / CHIEF FINANCIAL OFFICER / TREASURER**

**RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the 2021 Q3 Year-to-Date Budget Variance Report (FIN-2021-37) from the Manager of Budgets and Financial Reporting/Deputy Treasurer dated December 21, 2021; and further

THAT Welland City Council approves that the 2021 Tax Supported Budget forecasted surplus of \$1,594,186 (unaudited and estimated) to be allocated to the Capital Surplus Reserve Fund; and further

THAT Welland City Council approves the 2021 unallocated Incentive Program forecasted surplus of \$300,000 (unaudited and estimated) to be accrued to the Brownfield Downtown Reserve fund; and further

THAT Welland City Council approves the 2021 Building Sustainability forecasted surplus of \$600,000 (unaudited and estimated) to be allocated to the Building Sustainability Reserve Fund and committed for future use; and further

THAT Welland City Council approve the reallocation within the statement of financial position of \$1,375,481 to the Capital Surplus Reserve Fund: and further

THAT Welland City Council approves the 2021 projected Youngs Sportsplex (YSP) debt and principal payments to be funded by the COVID-19 Safe Restart Reserve Fund, Safe Restart Funding/ / 2021 Provincial COVID-19 Recovery Funding for Municipalities or YSP Sustainability Reserve fund, or a combination of the 2021 YSP gross operating profit, the COVID-19 Safe Restart funding received, and the YSP Sustainability Reserve fund.

**ORIGIN AND BACKGROUND:**

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

**FINANCIAL CONSIDERATION:**

There are no financial considerations associated with the preparation of the Year-To-Date Budget Variance by Cost Centre Report other than those highlighted. Financial implications are outlined within the summary.

**OTHER DEPARTMENT IMPLICATIONS:**

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

**SUMMARY AND CONCLUSION:**

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

**ATTACHMENTS:**

Appendix I – 2021-Q3 Budget Variance by Costing Centre

Appendix II – Current Investment Holdings as of September 30, 2021

Appendix III – September 30, 2021 Unaudited and Estimated Uncommitted Reserve balance

### Q3-2021 Budget Variance by Costing Center

Costing Center Name	Projection Year End Variance
20-110-MAYOR'S OFFICE	\$17,000.00
20-111-COUNCILLORS	\$22,000.00
20-112-CITY MANAGER / CAO	\$21,000.00
20-120-CLERKS	(\$36,500.00)
20-125-COMMUNICATIONS	(\$1,152.00)
20-130-FINANCE	\$32,980.00
20-131-INFORMATION SERVICES	\$22,000.00
20-134-TAXATION / GENERAL REVENUE	\$5,165,548.00
20-135-GENERAL EXPENDITURES	(\$3,022,450.00)
20-139-GRANTS	(\$7,168.00)
20-140-LEGAL	(\$351,023.00)
20-150-HUMAN RESOURCES	\$128,300.00
20-210-FIRE	(\$21,990.00)
20-310-ENGINEERING - ADMINISTRATION	(\$19,209.00)
20-315-STREETLIGHTING	\$2,750.00
20-316-SIDEWALKS	\$13,000.00
20-320-ROADWAYS	\$33,750.00
20-321-TRAFFIC CONTROL	\$18,500.00
20-322-WINTER CONTROL	\$20,000.00
20-323-FLEET	(\$12,100.00)
20-325-PUBLIC WORKS	\$15,000.00
20-327-STORM SEWERS	\$0.00
20-350-CROSSING GUARDS	\$167,877.00
20-380-PARKING	(\$78,944.00)
20-402-ROWING CANADA NATIONALS CHAMPIONSHIPS	\$0.00
20-403-CANADIAN UNIVERSITY ROWING CHAMPIONSHIPS	(\$4,250.00)
20-405-RECREATION - PROGRAMS/SERVICES	\$99,181.00
20-410-PARKS / OPEN SPACES	\$1,320.00
20-412-PLAYING FIELDS	(\$14,087.00)
20-415-URBAN FORESTRY	(\$10,000.00)
20-420-CEMETERIES	\$0.00
20-430-FAC-MTCE/LABOUR	(\$2,000.00)
20-432-FAC-ARENA	\$18,000.00
20-434-FAC-WELLNESS CENTRE	\$7,659.00
20-436-FAC-MARKET	\$11,897.00
20-438-FAC-SWIMMING POOL	\$0.00
20-439-FAC-CIVIC SQUARE	(\$23,700.00)
20-442-FAC-COURTHOUSE	\$0.00
20-444-FAC-SERVICE CENTRE	\$0.00
20-445-FAC-YSP RIVER ROAD	\$0.00
20-446-FAC-QUAKER RD BALL DIAMONDS	\$30,212.00
20-447-FAC-RECREATIONAL CANAL LANDS	(\$181,813.00)
20-448-FAC-COOKS MILLS HALL	\$2,500.00
20-449-FAC-140 KING ST MUSEUM	\$0.00
20-450-FAC-HOOKER STREET	\$2,500.00
20-452-FAC-C.L. PINARD CTR	\$400.00
20-454-FAC-ANCILLARY BLDGS	\$2,100.00
20-457-FAC-TRANSIT TERMINAL	\$2,000.00
20-458-FAC-WELLAND TRANSIT	\$1,000.00
20-459-FAC-FIRE HALLS	(\$13,000.00)
20-461-FAC-CHIPPAWA PK COMMUNITY CTR	\$2,500.00
20-510-PLANNING & DEVELOPMENT SERVICE	\$50,500.00
20-520-BUILDING & LICENSING	\$0.00
20-525-BY-LAW ENFORCEMENT	\$3,800.00
20-710-ECONOMIC DEVELOPMENT	\$32,415.00
20-810-TRANSIT - ADMINISTRATION	(\$41,307.00)
20-812-TRANSIT - BUS DRIVERS	\$0.00
20-814-TRANSIT - MAINTENANCE	\$177,739.00
20-816-TRANSIT - INTER MUNICIPAL SERV	(\$718,870.00)
20-820-HANDI TRANS - ADMIN	\$14,621.00
20-824-HANDI TRANS - BUS DRIVERS	\$0.00
20-826-HANDI TRANS - MAINTENANCE	\$11,500.00
<b>Projected Tax Supported Year-end Variance</b>	<b>\$1,594,186.00</b>
25-910-WATER WORKS	\$0.00
30-330-WASTEWATER	\$0.00
<b>Projected Rate Supported Year-end Variance</b>	<b>\$0.00</b>

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

<u>Investment Name</u>	<u>Category</u>		<u>% Total Investment Portfolio</u>	<u>Individual Organization %</u>
<b>Reserves</b>				
NBC S&P/TSX Index Deposit	Corporation	1,200,065.75	0.93%	0.93%
National Bank Fixed Income Securities/Funds	Corporation	1,500,000.00	1.17%	3.48%
TD Mortgage Corp GIC	Corporation	3,815,920.80	2.97%	2.97%
Meridian Cr. Union GICs	Corporation	6,731,139.15	5.24%	14.57%
First Ontario GICs	Corporation	16,700,000.00	12.99%	12.99%
BMO Wealth Management	Corporation	1,000,000.00	0.78%	3.89%
Scotiabank Capital Markets	Corporation	1,000,000.00	0.78%	6.22%
Bank of Montreal Capital Markets	Corporation	2,000,000.00	1.56%	8.56%
<b>Canal Lands</b>				
National Bank of Canada Ext Step	Corporation	1,205,973.67	0.94%	0.94%
NBC Extendible Step Up Deposit	Corporation	630,618.59	0.49%	0.49%
Royal Bank of Canada Preferred Shares	Corporation	839,000.00	0.65%	0.65%
Scotiabank Capital Markets	Corporation	1,000,000.00	0.78%	6.22%
Bank of Montreal Capital Markets	Corporation	2,000,000.00	1.56%	8.56%
<b>Operating</b>				
National Bank Equities & Equity Funds	Corporation	967,916.41	0.75%	3.48%
National Bank Fixed Income Securities/Funds	Corporation	2,000,000.00	1.56%	3.48%
BMO Wealth Management	Corporation	4,000,000.00	3.11%	3.89%
Meridian Cr. Union GICs	Corporation	5,000,000.00	3.89%	14.57%
Meridian Cr. Union GICs	Corporation	7,000,000.00	5.45%	14.57%
Desjardins Capital Markets	Corporation	10,000,000.00	7.78%	7.78%
Bank of Montreal Capital Markets	Corporation	11,000,000.00	8.56%	8.56%
RBC Capital Markets	Corporation	5,000,000.00	3.89%	3.89%
Scotiabank Capital Markets	Corporation	8,000,000.00	6.22%	6.22%
Cash & Cash Equivalents		33,771,431.18	26.28%	
Airport Loan	Corporation	160,063.79	0.12%	
Hydro Promissory Note/Financing	Corporation	2,000,000.00	1.56%	
<b>2021 Draft Unaudited Total of all Investments</b>		<b>128,522,129.34</b>	<b>100.00%</b>	

<b>Category Summary Legend</b>		
<b>Corporations</b>		
NBC S&P/TSX Index Deposit	1,200,065.75	0.93%
National Bank of Canada Ext Step	1,205,973.67	0.94%
NBC Extendible Step Up Deposit	630,618.59	0.49%
TD Mortgage Corp GIC	3,815,920.80	2.97%
Royal Bank of Canada Preferred Shares	839,000.00	0.65%
Bruton Investment Group-National Bank	4,467,916.41	3.48%
First Ontario GICs	16,700,000.00	12.99%
Meridian Cr Union GICs	18,731,139.15	14.57%
BMO Wealth Management	5,000,000.00	3.89%
Desjardins Capital Markets	10,000,000.00	7.78%
Scotiabank Capital Markets	10,000,000.00	6.22%
Bank of Montreal Capital Markets	15,000,000.00	8.56%
RBC Capital Markets	5,000,000.00	3.89%
Airport Loan	160,063.79	0.12%
Hydro Promissory Note/Financing	2,000,000.00	1.56%

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

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

		<u>UnCommitted Balance</u>
402	ECONOMIC DEVELOPMENT	\$ 3,842,186.80
403	FIRE DEPARTMENT	708,336.76
405	ICE RESURFACER	82,115.90
406	SICK LEAVE	40,304.11
410	MUNICIPAL INCENTIVE GRANT	952,440.22
412	POOL MAINTENANCE	62,288.14
413	WORKERS SAFETY INSURANCE BOARD	668,043.75
425	PARKING	8,226.57
426	COURTHOUSE MAINTENANCE	150,264.55
427	FLEET	299,854.39
430	WATER/SEWER FUND SURPLUS	4,509,198.22
432	EMPLOYEE BENEFITS	0.00
433	OPERATING SURPLUS	4,114,051.16
442	SPORTS & CULTURE INFRASTRUCTURE	905,292.00
445	RECREATIONAL CANAL LANDS	13,864,313.80
444	INSURANCE RESERVE	1,315,410.77
1401	DOWNTOWN BROWNFIELD	1,067,927.77
1402	CAPITAL SURPLUS	4,601,495.21
1400	YSP SUSTAINABILITY	976,290.00
1403	TAX REDUCTION	822,928.99
1404	ELECTIONS	383,149.38
1405	COVID-19 SAFE RE-START	1,159,905.00
1407	BUILDING PROVISION	778,645.00
2017	INFRASTRUCTURE RENEWAL	13,039,331.95
2018	ATLAS LANDFILL	3,427,064.16
414	UNDISTRIBUTED REVENUE <sup>1</sup>	197,763.76
<b>TOTAL RESERVE FUNDS (UNAUDITED) \$</b>		<b><u>57,976,828.36</u></b>




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

	PLANNING ACT	\$ 2,354,217.68
	SUBDIVIDERS - FUTURE SERVICES	3,754,784.36
437	PROVINCIAL GAS TAX REBATE	292,008.91
438	FEDERAL GAS TAX REBATE	1,733,628.37
	ONTARIO BUS REPLACEMENT PRGM	0.00
	ONTARIO STATE OF GOOD ROADS PRGM	4,676.39
	DEVELOPMENT CHARGES	11,119,142.72
<b>TOTAL DEFERRED REVENUE FUNDS (UI) \$</b>		<b><u>19,258,458.43</u></b>

**TOTAL RESERVE FUNDS** **\$ 77,235,286.79**

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

**COUNCIL**  
**FINANCE DIVISION**

APPROVALS	
DIRECTOR	
CFO	
CAO	

21-4

**REPORT FIN-2021-38**  
**DECEMBER 21, 2021**

**SUBJECT: 2021 CAPITAL CLOSE-OUT REPORT & 2021 3<sup>rd</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: STEVEN FAIRWEATHER, CPA, CA, DPA, MPA DIRECTOR OF FINANCE / 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 Appendices A & B as attached to Report FIN-2021-38; and further

THAT Welland City Council approve the recommended transfers to/from Capital Surplus Reserve and/or applicable reserve funds as outlined in Appendix A attached to Report FIN-2021-38; and further

THAT Welland City Council receive for information the 2021 3<sup>rd</sup> Quarter Capital Progress Report as outlined in Appendix C.

**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 the Finance Division 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 2021 3<sup>RD</sup> quarter progress report

The attached close-out report identifies 13 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:**

***TRANSFERS TO CAPITAL SURPLUS/APPLICABLE RESERVE FUND & FUNDING REALLOCATIONS:***

The breakdown is composed of the following:

Total Transfer to Capital Surplus Reserve (Appendix A)	\$145,603.79
Total Transfer to Water/Wastewater Reserve (Appendix A)	\$20,352.44
Total Transfer of Ontario State of Good Roads Reserve (Appendix A)	(\$4,676,39)
<b>Total Net Transfer to Reserves</b>	<b>\$161,279.84</b>

**OTHER DEPARTMENT IMPLICATIONS:**

The Finance Division 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-2021-38. In addition, staff recommend that Council approve the transfers to the respective reserves as identified in report FIN-2021-38.

**ATTACHMENTS:**

- Appendix A – Capital Close-out Report Summary
- Appendix B – Capital Close-out Details
- Appendix C – 2021 3<sup>rd</sup> Quarter Progress Report



**CAPITAL CLOSE OUT REPORT SUMMARY**

	PROJECT NAME	YEAR OF APPROVAL	PROJECT #	CAPITAL APPROVED BUDGET	PROJECT FUNDING	PROJECT EXPENDITURES	NET PROJECT VARIANCE	
1	Surface Treatment Program	2019	10-320-19425	\$ 150,000.00	\$ 166,452.89	\$ 166,453.31	\$ (0.42)	
2	Woodlawn Road ( Clare - S. Pelham)	2019	10-316-19281	100,000.00	100,000.00	67,464.31	\$ 32,535.69	
3	Woodlawn Road Watermain (S.Pelham - Clare)	2019	10-910-19281	750,000.00	651,244.84	651,244.84	\$ -	
4	Asphalt patching	2019	10-320-19445	250,000.00	250,000.00	286,250.63	\$ (36,250.63)	
5	Replace Fire Prevention Vehicle	2019	10-210-19002	58,000.00	58,000.00	58,152.39	\$ (152.39)	
6	Asphalt patching	2020	10-320-20445	130,000.00	130,000.00	135,469.74	\$ (5,469.74)	
7	ITS Upgrades	2020	10-810-20073	195,000.00	193,843.52	198,519.91	\$ (4,676.39)	
8	Condition Related Replacements	2020	10-316-20605	570,000.00	570,000.00	560,791.78	\$ 9,208.22	
9	Pre-Approved Arena Boiler Replacement	2020	10-430-20099	400,000.00	400,000.00	298,411.50	\$ 101,588.50	
10	Water Meter Replacements 2020	2020	10-330-20221 10-910-20221	400,000.00	641,613.29	621,260.85	\$ 20,352.44	
11	Bridge Inspection/Report (Biennial)	2020	10-320-20805	25,000.00	25,000.00	6,101.45	\$ 18,898.55	
12	Lighting Improvements for Chippawa Park	2021	10-321-21257	60,000.00	60,000.00	51,231.06	\$ 8,768.94	
13	Building Thermography for Electrical Safety- PW Building	2021	10-444-21464	20,000.00	20,000.00	3,522.93	\$ 16,477.07	
	<b>TOTAL TRANSFER TO PROJECT FROM ONTARIO STATE OF GOOD ROADS RESERVE (10-810-20073 - ITS UPGRADES)</b>						\$	<b>(4,676.39)</b>
	<b>TOTAL TRANSFERS TO WATER/WASTEWATER SURPLUS RESERVE</b>						\$	<b>20,352.44</b>
	<b>TOTAL TRANSFERS TO CAPITAL SURPLUS RESERVE</b>						\$	<b>145,603.79</b>
	<b>TOTAL NET TRANSFER TO RESERVES</b>						\$	<b>161,279.84</b>

CAPITAL PROJECT CLOSE OUT REPORT

APPENDIX B

Project Name: Surface Treatment Program Date (mm/dd/yyyy): 12/21/21  
 Capital Sub-account #: 10-320-19425 Budget Year: 2019  
 Department: Engineering Total Budget Amount: \$150,000.00  
 Contact: Ray Chamberlain (Budget amount equals the amount in Capital Budget)

<b>Revenue/Funding</b>		
Transfer from Operating	\$150,000.00	
Interproject Transfer FIN 2020-15	\$16,452.89	
<b>Total Revenue/Funding</b>		\$166,452.89
<b>Expenditures</b>		
Outside Contracts	\$166,453.31	
<b>Total Expenditures</b>		<u>\$166,453.31</u>
<b>Net Project Variance</b>		<u><u>-\$0.42</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: 12/21/21) 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: Woodlawn Rd ( Clare -S.Pelham) - Sidewalks Date (mm/dd/yyyy): 12/21/21  
 Capital Sub-account #: 10-316-19281 Budget Year: 2019  
 Department: Engineering Total Budget Amount: \$100,000.00  
 Contact: Erik Metsa (Budget amount equals the amount in Capital Budget)

<b>Revenue/Funding</b>	
Transfer from Operating	\$100,000.00
<b>Total Revenue/Funding</b>	\$100,000.00
<b>Expenditures</b>	
Outside Contracts	\$67,464.31
<b>Total Expenditures</b>	<u>\$67,464.31</u>
<b>Net Project Variance</b>	<u><u>\$32,535.69</u></u>

**For Use by Department**

Explanation for project variance:  
 Project in conjunction with 10-910-19281. Completed successfully under budget.

**For Finance Department Use Only**

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

Disclaimer

As of (date: 12/21/21) 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: Woodlawn Watermain - S.Pelham- Clare Ave Date (mm/dd/yyyy): 12/21/21  
 Capital Sub-account #: 10-910-19281 Budget Year: 2019  
 Department: Engineering Total Budget Amount: \$750,000.00  
 Contact: Erik Metsa (Budget amount equals the amount in Capital Budget)

<b>Revenue/Funding</b>		
Development Charges	\$276,244.84	
Transfer from Operating	\$75,000.00	
Res Fund: CCBF	\$300,000.00	
<b>Total Revenue/Funding</b>		<b>\$651,244.84</b>
<b>Expenditures</b>		
Outside Contracts	\$651,244.84	
<b>Total Expenditures</b>		<b>\$651,244.84</b>
<b>Net Project Variance</b>		<b>\$0.00</b>

**For Use by Department**

Explanation for project variance:  
 Project in conjunction with 10-316-19281. Completed successfully under budget.

**For Finance Department Use Only**

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

**Disclaimer**

As of (date: 12/21/21) 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: Asphalt Patching Date (mm/dd/yyyy): 12/21/21  
 Capital Sub-account #: 10-320-19445 Budget Year: 2019  
 Department: Public Works Total Budget Amount: \$250,000.00  
 Contact: Erik Metsa (Budget amount equals the amount in Capital Budget)

<b>Revenue/Funding</b>		
Debenture Proceeds	\$160,000.00	
Transfer from Operating	\$90,000.00	
<b>Total Revenue/Funding</b>		\$250,000.00
<b>Expenditures</b>		
Outside Contracts	\$286,250.63	
<b>Total Expenditures</b>		<u>\$286,250.63</u>
<b>Net Project Variance</b>		<u><u>-\$36,250.63</u></u>

**For Use by Department**

Explanation for project variance:  
 Contract work came in over budget

**For Finance Department Use Only**

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

Disclaimer

As of (date: 12/21/21) 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: Replace Fire Prevention Vehicle Date (mm/dd/yyyy): 12/21/21  
 Capital Sub-account #: 10-210-19002 Budget Year: 2019  
 Department: Fire Total Budget Amount: \$58,000.00  
 Contact: Adam Eckardt (Budget amount equals the amount in Capital Budget)

<b>Revenue/Funding</b>	
Res Fund: Fire	\$58,000.00
<b>Total Revenue/Funding</b>	<b>\$58,000.00</b>
<b>Expenditures</b>	
Capital Equipment & Vehicles	\$58,152.39
<b>Total Expenditures</b>	<u>\$58,152.39</u>
<b>Net Project Variance</b>	<u><u>-\$152.39</u></u>

**For Use by Department**

Explanation for project variance:  
 Slightly over budget due to the freight costs.

**For Finance Department Use Only**

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

**Disclaimer**

As of (date: 12/21/21) 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: Asphalt Patching Date (mm/dd/yyyy): 12/21/21  
 Capital Sub-account #: 10-320-20445 Budget Year: 2020  
 Department: Public Works Total Budget Amount: \$130,000.00  
 Contact: Stefanie De Cicco (Budget amount equals the amount in Capital Budget)

<b>Revenue/Funding</b>		
Ontario Community Infrastructure Funding	\$100,000.00	
Res Fund: Capital Surplus	\$30,000.00	
<b>Total Revenue/Funding</b>		<b>\$130,000.00</b>
<b>Expenditures</b>		
Outside Contracts	\$135,469.74	
<b>Total Expenditures</b>		<b>\$135,469.74</b>
<b>Net Project Variance</b>		<b><u><u>-\$5,469.74</u></u></b>

**For Use by Department**

**Explanation for project variance:**

Additional patches required to optimize road rideability bringing final value slightly over budget amount.

**For Finance Department Use Only**

**Recommended Distribution of Funds**

*Project Surplus*

*Project Deficit*

**Disclaimer**

As of (date: 12/21/21) 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: ITS Upgrades Date (mm/dd/yyyy): 12/21/21  
 Capital Sub-account #: 10-810-20073 Budget Year: 2020  
 Department: Transit Total Budget Amount: \$195,000.00  
 Contact: Edward Zahra (Budget amount equals the amount in Capital Budget)

<b>Revenue/Funding</b>	
Res Fund: Provincial Gas Tax	\$193,843.52
<b>Total Revenue/Funding</b>	<b>\$193,843.52</b>
<b>Expenditures</b>	
Capital Equipment & Vehicles	\$198,519.91
<b>Total Expenditures</b>	<u>\$198,519.91</u>
<b>Net Project Variance</b>	<u><u>-\$4,676.39</u></u>

**For Use by Department**

Explanation for project variance:  
 Balance of Ontario State of Goods roads Reserve to be utilized for funding. Project slightly over budget due to price increases.

**For Finance Department Use Only**

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

**Disclaimer**

As of (date: 12/21/21) 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): 12/21/21  
 Capital Sub-account #: 10-316-20605 Budget Year: 2020  
 Department: Engineering Total Budget Amount: \$570,000.00  
 Contact: Stefanie De Cicco (Budget amount equals the amount in Capital Budget)

<b>Revenue/Funding</b>		
Transfer from Operating	\$420,000.00	
Res Fund: CCBF	\$150,000.00	
<b>Total Revenue/Funding</b>		\$570,000.00
<b>Expenditures</b>		
Outside Contracts	\$560,791.78	
<b>Total Expenditures</b>		<u>\$560,791.78</u>
<b>Net Project Variance</b>		<u><u>\$9,208.22</u></u>

**For Use by Department**

Explanation for project variance:  
 Project completed successfully under budget.

**For Finance Department Use Only**

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

**Disclaimer**

As of (date: 12/21/21) 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: Pre-Approved Arena Boiler Replacement Date (mm/dd/yyyy): 12/21/21  
 Capital Sub-account #: 10-430-20099 Budget Year: 2020  
 Department: Facilities Total Budget Amount: \$400,000.00  
 Contact: Frank Pearson (Budget amount equals the amount in Capital Budget)

<b>Revenue/Funding</b>		
Debenture Proceeds	\$400,000.00	
<b>Total Revenue/Funding</b>		\$400,000.00
<b>Expenditures</b>		
Outside Contracts	\$295,735.22	
Outside Legal Costs	\$2,676.28	
<b>Total Expenditures</b>		<u>\$298,411.50</u>
<b>Net Project Variance</b>		<u><u>\$101,588.50</u></u>

**For Use by Department**

Explanation for project variance:  
 Equipment and Installation came in under budget.

**For Finance Department Use Only**

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

Disclaimer

As of (date: 12/21/21) 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 Meter Replacements 2020 Date (mm/dd/yyyy): 12/21/21  
 Capital Sub-account #: 10-910-20221 / 10-330/20221 Budget Year: 2020  
 Department: Public Works Total Budget Amount: \$400,000.00  
 Contact: Ray Chamberlain (Budget amount equals the amount in Capital Budget)

**Revenue/Funding**

Transfer from Operating	\$400,000.00
Interproject Transfer FIN 2020-23	\$241,613.29

**Total Revenue/Funding** \$641,613.29

**Expenditures**

Outside Contracts	\$619,922.71
Outside Legal Costs	\$1,338.14

**Total Expenditures** \$621,260.85

**Net Project Variance** \$20,352.44

**For Use by Department**

Explanation for project variance:  
 Project completed under budget with the project scope completed.

**For Finance Department Use Only**

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

**Disclaimer**

As of (date: 12/21/21) 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: Bridge Inspection Report (Biennial) Date (mm/dd/yyyy): 12/21/21  
 Capital Sub-account #: 10-320-20805 Budget Year: 2020  
 Department: Engineering Total Budget Amount: \$25,000.00  
 Contact: Livia McEachern (Budget amount equals the amount in Capital Budget)

<b>Revenue/Funding</b>	
Transfer from Operating	\$25,000.00
<b>Total Revenue/Funding</b>	<b>\$25,000.00</b>
<b>Expenditures</b>	
Outside Consulting	\$6,101.45
<b>Total Expenditures</b>	<u>\$6,101.45</u>
<b>Net Project Variance</b>	<u><u>\$18,898.55</u></u>

**For Use by Department**

Explanation for project variance:

All costs were accounted for, efficiencies were recognized due to the experience of the consultant retained.

**For Finance Department Use Only**

**Recommended Distribution of Funds**

*Project Surplus*

*Project Deficit*

**Disclaimer**

As of (date: 12/21/21) 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: Lighting Improvements at Chippawa Park Date (mm/dd/yyyy): 12/21/21  
 Capital Sub-account #: 10-321-21257 Budget Year: 2021  
 Department: Traffic Total Budget Amount: \$60,000.00  
 Contact: Ali Khan (Budget amount equals the amount in Capital Budget)

<b>Revenue/Funding</b>	
Transfer from Operating	\$60,000.00
<b>Total Revenue/Funding</b>	<b>\$60,000.00</b>
<b>Expenditures</b>	
Outside Contracts	\$51,231.06
<b>Total Expenditures</b>	<u>\$51,231.06</u>
<b>Net Project Variance</b>	<u>\$8,768.94</u>

**For Use by Department**

Explanation for project variance:  
 Cost was less than expected for the installation of new lighting at Chippawa Park.

**For Finance Department Use Only**

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

**Disclaimer**

As of (date: 12/21/21) 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: Building Thermography for Electrical Safety- PW Building Date (mm/dd/yyyy): 12/21/21  
 Capital Sub-account #: 10-444-21464 Budget Year: 2021  
 Department: Facilities Total Budget Amount: \$20,000.00  
 Contact: Frank Pearson (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 Contracts	\$3,522.93	
<b>Total Expenditures</b>		<u>\$3,522.93</u>
<b>Net Project Variance</b>		<u>\$16,477.07</u>

**For Use by Department**

Explanation for project variance:  
 Scope of work completed under budget.

**For Finance Department Use Only**

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

**Disclaimer**

As of (date: 12/21/21) 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.

PROGRESS REPORT for OUTSTANDING CAPITAL PROJECTS 2016 TO 2021  
As of the end of September, 2021

APPENDIX C

FUNCTION	Account Number	TOTAL CAPITAL COST	ACTUAL EXPENDITURES to the end of September, 2021	VARIANCE FAVOURABLE (UNFAVOURABLE)	PROJECT STATUS- COMPLETE / ON-GOING	ADDITIONAL COMMENTS REGARDING STATUS OF PROJECT( EX: TIMELINE OF COMPLETION, IN TENDER PROCESS, UNDER REVIEW, 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>		
TOTAL 2016		<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	Holdback outstanding
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	Project has been tendered and awarded. Construction to start week of Nov 25 and to be completed by Dec 5.
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	Site work is underway, progressing on schedule
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	Will be used to upgrade Parks signage
TOTAL PARKS		<u>10,000</u>	<u>2,015</u>	<u>7,985</u>		
TOTAL 2017		<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 Fire Station #1
TOTAL ECONOMIC DEVELOPMENT		<u>144,000</u>	<u>101,121</u>	<u>42,879</u>		
<b>FACILITIES</b>						
WIFC Timing Tower Waterproofing & Drainage Improvements	10-447-18032/1044718032	321,000	267,211	53,789	ON-HOLD	Pending resolution
Civic Square Plaza Revitalization Phase 1	10-439-18044/1043918044	200,000	42,587	157,413	ON-GOING	Final design to be presented to Council
TOTAL FACILITIES		<u>521,000</u>	<u>309,798</u>	<u>211,202</u>		
<b>GENERAL</b>						
GREEN ENERGY PROJECTS	10-135-18003/1013518003	389,403	69,858	319,544	ON-GOING	Clear Risk Program underway
PHASE 1 IMPLEMENTATION OF IMPROVEMENTS - CANAL LANDS	10-825-18002/1082518002	100,000	38,650	61,350	ON-GOING	

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<b>TOTAL GENERAL</b>		<b>489,403</b>	<b>108,508</b>	<b>380,894</b>		
<b>PARKS</b>						
Memorial Park Revitalization	10-410-18048/1041018048	390,000	208,146	181,854	ON-GOING	Design & tender work to be completed over the winter and construction completed summer/fall 2022
Chippawa Park Cenotaph Repairs	10-410-18049/1041018049	35,000	13,117	21,883	ON-GOING	Work to be completed before the end of 2021
Tree Removal - (EAB) - City Trees	10-410-18051/1041018051	150,000	112,640	37,360	ON-GOING	Further work will be completed winter 2021/2022
Tree Removal (EAB) - Canal Trails Phase III	10-410-18052/1041018052	150,000	14,173	135,827	ON-GOING	Further work will be completed winter 2021/2022
<b>TOTAL PARKS</b>		<b>725,000</b>	<b>348,076</b>	<b>376,924</b>		
<b>ROADWAYS</b>						
Water Station Road Surface Upgrades	10-454-18036/1045418036	25,000	0	25,000	ON-GOING	
Municipal Standards Update	10-320-18033/1032018033/1032718033/1033018033/1091018033	40,000	13,034	26,966	ON-GOING	Underway
<b>TOTAL ROADWAYS</b>		<b>65,000</b>	<b>13,034</b>	<b>51,966</b>		
<b>STORM SEWERS</b>						
South Pelham Pond Retrofit	10-327-18054/1032718054	50,000	8,622	41,378	ON-GOING	In Construction - along 10-327-20225
<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	Paving to commence Q4.
<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	Building - 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>203,379</b>	<b>196,621</b>		
<b>WATERWORKS</b>						
Lead Service Replacement (City Side)	10-910-18064/1091018064	235,032	68,064	166,968	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>68,740</b>	<b>296,292</b>		
<b>TOTAL 2018</b>		<b>3,174,435</b>	<b>1,226,400</b>	<b>1,948,035</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	Out for Tender
SCBA Cylinder Replacement	10-210-19003/1021019003	325,000	307,190	17,810	ON-GOING	Items are on back order
<b>TOTAL FIRE</b>		<b>457,000</b>	<b>417,034</b>	<b>39,966</b>		



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<b>GENERAL</b>						
PingStreet App	10-131-19660/1013119660	26,500	0	26,500	ON-GOING	On hold till 2022
Strategic Land Acquisition & Servicing	10-710-19975/1071019975	5,000,000	0	5,000,000	ON-GOING	
AUDIO/VIDEO EQUIPMENT-COUNCIL CHAMBERS PH 2	10-111-19510/1011119510	75,000	54,681	20,319	ON-GOING	
Municipal Level of Service Plan	10-825-19999/1082519999	88,933	53,887	35,046	ON-GOING	Anticipated to be complete by year end
<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	Design & tender work to be completed over the winter and construction completed summer/fall 2022
Sparrows Meadows Park PH 1	10-410-19131/1041019131	250,000	10,731	239,269	ON-GOING	Design & tender work to be completed over the winter and construction completed spring 2022
<b>TOTAL PARKS</b>		<b>950,000</b>	<b>31,253</b>	<b>918,747</b>		
<b>ROADWAYS</b>						
South Pelham Road (Top Asphalt - Webber to Gaiser)	10-320-19456/1032019456	80,000	43,282	36,718	ON-GOING	In warranty ( Clare Estates Ph5)
South Pelham Road (Top Asphalt - Gaiser to South Limit)	10-320-19466/1032019466	80,000	18,017	61,983	ON-GOING	In warranty (Sparrow Meadows Ph2)
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	in Warranty - associated with 10-320-20842
Scholfield Road Replacement - Design	10-320-19241/1032019241	50,000	37,158	12,842	COMPLETE	In Warranty
<b>TOTAL ROADWAYS</b>		<b>2,103,663</b>	<b>1,463,914</b>	<b>639,749</b>		
<b>SIDEWALKS</b>						
Missing Sidewalk Links	10-316-19615/1031619615	100,000	89,536	10,464	COMPLETE	In Warranty
<b>TOTAL SIDEWALKS</b>		<b>100,000</b>	<b>89,536</b>	<b>10,464</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	COMPLETE	FUNDING NOT YET RC'D
Storm Pond Sizing Risk Assessment	10-327-19526/1032719526	220,075	124,699	95,377	COMPLETE	FUNDING NOT YET RC'D
<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	143,513	ON-GOING	Procurement of route monitoring assets
<b>TOTAL TRANSIT</b>		<b>210,000</b>	<b>3,487</b>	<b>143,513</b>		
<b>WASTEWATER</b>						
Inflow / Infiltration Reduction	10-330-19347/1033019347	100,000	100,879	(879)	COMPLETE	CSO outstanding
<b>TOTAL WASTEWATER</b>		<b>100,000</b>	<b>100,879</b>	<b>(879)</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	Program to remain open until funding is expended
Asset Management Plan - Waterworks	10-910-19275/1091019275	15,000	5,920	9,080	ON-GOING	

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Schofield - East Main to Welland (Design)	10-910-19241/1091019241	25,000	1,481	23,519	COMPLETE	In Warranty
TOTAL WATERWORKS		<u>2,445,173</u>	<u>1,452,797</u>	<u>992,376</u>		
TOTAL 2019		<u>12,083,744</u>	<u>3,988,527</u>	<u>8,032,217</u>		
<b>2020</b>						
<b>BRIDGES &amp; CULVERTS</b>						
Aqueduct Siphon Cleaning & Inspection	10-320-20841/1032020841	150,000	28,035	121,965	ON-GOING	
TOTAL BRIDGES & CULVERTS		<u>150,000</u>	<u>28,035</u>	<u>121,965</u>		
<b>CANAL LANDS</b>						
Updated Concept Plan for Recreational Canal and Waterway	10-447-20702/1044720702	200,000	40,092	159,908	ON-GOING	Underway
Welland Boat Rental Equipment	10-447-20004/1044720004	45,000	17,817	27,183	ON-GOING	Purchasing underway
Canal Trail Improvements	10-447-20701/1044720701	75,000	0	75,000	ON-GOING	
TOTAL CANAL LANDS		<u>320,000</u>	<u>57,909</u>	<u>262,091</u>		
<b>FACILITIES</b>						
Maple Park Pool Accessibility Improvement	10-438-20083/1043820083	50,000	335	49,665	ON-GOING	Scope and requirements under review
Asbestos Audits	10-430-20098/1043020098	25,000	2,552	22,448	ON-GOING	Tender documents being prepared, to be completed by end of October
Arc Flash Engineering	10-430-20086/1043020086	25,000	0	25,000	ON-GOING	Individual quotes received for each facility, work to be completed on 3-5 facilities by end of 2021
Emergency Generator City Hall	10-430-20088/1043020088	30,000	0	30,000	ON-GOING	Design underway, to be completed by the end of November
Council Chambers Phase 3 of 3	10-430-20090/1043020090	25,000	0	25,000	ON-GOING	Project was on-hold to due to COVID, award of contractor pending
Fire System Upgrades	10-430-20092/1043020092	17,500	6,563	10,937	ON-GOING	Reviewed requirements and 6 facilities are complete, remaining facilities to be completed by 2021.
Baseball Stadium Improvements	10-430-20095/1043020095	127,300	0	127,300	ON-GOING	Approved through R&C 2021-20 and to be completed by Spring 2022.
Signage	10-430-20096/1043020096	20,000	0	20,000	ON-GOING	Review of locations and quantity of signage underway
Amphitheater Condition Assessment and Repairs	10-430-20097/1043020097	100,000	7,021	92,979	ON-GOING	Under review, recommendations and work to be completed by Spring 2022.
TOTAL FACILITIES		<u>419,800</u>	<u>15,471</u>	<u>403,329</u>		
<b>FIRE</b>						
Replace 1/2 T Light Truck #5	10-210-20600/1021020600	74,000	59,640	14,360	ON-GOING	Plow and Emergency lighting outstanding
TOTAL FIRE		<u>74,000</u>	<u>59,640</u>	<u>14,360</u>		
<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	Underway. Plan to RFP in 2021
Appraisal Survey Cost	10-710-20001/1071020001	35,000	7,806	27,194	ON-GOING	
Community Benefits and By-law Study	10-510-20292/1051020292	50,000	0	50,000	ON-GOING	Awarded Contract - work underway
TOTAL GENERAL		<u>305,444</u>	<u>121,041</u>	<u>184,403</u>		
<b>MULTI-ASSET</b>						

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Southworth Street Improvements	10-320-20291/1031620291/1032020291/1032720291/1091020291	1,156,250	28,956	1,127,294	ON-GOING	In construction
<b>TOTAL MULTI-ASSET PARKS</b>		<b>1,156,250</b>	<b>28,956</b>	<b>1,127,294</b>		
Memorial Park Ball Diamond Lighting	10-410-20048/1041020048	700,000	377,716	322,284	ON-GOING	Warranty Period to be released in June 2022/ Commitment of funding to Memorial Park Pool
Sparrows Meadows Park PH 2	10-410-20131/1041020131	250,000	0	250,000	ON-GOING	Design & tender work to be completed over the winter and construction completed spring 2022
Pre-Approved 2020 Glenwood/Dain City Playground	10-410-20136/1041020136	250,000	47,990	202,010	ON-GOING	Removals and landscaping to be completed fall of 2021 and playground to be installed spring 2022 and total completion by May 2022
Pre-Approved 2020 Chippawa Park/Laughlin Playground	10-410-20137/1041020137	350,000	9,812	340,188	ON-GOING	Removals and landscaping to be completed fall of 2021 and playground to be installed spring 2022 and total completion by May 2022
Pre-Approved 2020 Elmwood Playground	10-410-20138/1041020138	250,000	7,759	242,241	ON-GOING	Removals and landscaping to be completed fall of 2021 and playground to be installed spring 2022 and total completion by May 2022
Pre-Approved 2020 Cooks Mills Playground	10-410-20139/1041020139	250,000	10,021	239,979	ON-GOING	Removals and landscaping to be completed fall of 2021 and playground to be installed spring 2022 and total completion by May 2022
Pre-Approved 2020 Memorial Park Splashpad	10-410-20140/1041020140	450,000	321,787	128,213	ON-GOING	Warranty Period
Pre-Approved 2020 Maple Park Splash Pad	10-410-20141/1041020141	400,000	288,684	111,316	ON-GOING	Warranty Period
Pre-Approved 2020 Outfield Improvements	10-410-20142/1041020142	50,000	23,039	26,961	ON-GOING	To be completed by end of 2021
Pre-Approved 2020-Lincoln St Docks/Rotary Park - Phase 2	10-410-20143/1041020143	1,200,000	1,093,684	106,316	ON-GOING	Warranty Period
Plymouth Park Soccer field	10-410-20132/1041020132	200,000	175,037	24,963	ON-GOING	Under Warranty Period - to be released in June 2022
New Waterfront Park Development	10-410-20995/1041020995	150,000	78,758	71,242	ON-GOING	Warranty Period
<b>TOTAL PARKS ROADWAYS</b>		<b>4,500,000</b>	<b>2,434,287</b>	<b>2,065,713</b>		
Gaiser Road Top Asphalt - Sparrow PH3	10-320-20406/1032020406	100,000	0	100,000	ON-GOING	Sparrow Phase 3
Crack Sealing	10-320-20405/1032020405	250,000	223,829	26,171	COMPLETE	In warranty
Road Resurfacing Program	10-320-20415/1032020415	2,138,898	1,807,754	337,144	COMPLETE	In warranty
Surface Treatment Program	10-320-20425/1032020425	145,000	46,280	98,720	ON-GOING	
Asset Management Plan Update	10-320-20271/1032020271	20,000	16,275	3,725	ON-GOING	

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Pre-Approved 2020 Road Resurfacing	10-320-20842/1032020842	3,000,000	2,831,638	168,362	COMPLETE	In warranty
McCabe/Bradley Top Asphalt	10-320-20311/1032020311	310,000	223,642	86,358	ON-GOING	
<b>TOTAL ROADWAYS</b>		<b>5,963,698</b>	<b>5,143,419</b>	<b>820,479</b>		
<b>SIDEWALKS</b>						
Riverside Drive	10-316-20211/1031620211	135,000	135,000	0	COMPLETE	In Warranty
Missing Sidewalk Links	10-316-20615/1031620615	250,000	169,022	80,978	COMPLETE	In Warranty
<b>TOTAL SIDEWALKS</b>		<b>385,000</b>	<b>304,022</b>	<b>80,978</b>		
<b>STORM SEWERS</b>						
SWM Pond Cleaning	10-327-20225/1032720225	400,000	16,218	383,782	ON-GOING	In construction - see 10-327-18054
<b>TOTAL STORM SEWERS</b>		<b>400,000</b>	<b>16,218</b>	<b>383,782</b>		
<b>IRAF/FC</b>						
Colbeck Storm Culvert	10-327-20321/1032720321	150,000	0	150,000	ON-GOING	Tender released
Ridge Road Storm Culvert	10-327-20331/1032720331	150,000	0	150,000	ON-GOING	Tender released
Climate Change Adaptation Planning	10-327-20341/1032720341	60,000	19,151	40,849	ON-GOING	
<b>TOTAL STORM SEWERS</b>		<b>760,000</b>	<b>35,389</b>	<b>724,611</b>		
<b>TRAFFIC</b>						
City View Mobile Module	10-321-20057/1032120057	30,000	25,652	4,348	ON-GOING	Will Complete in Q4 2021
Traffic Control Hardware	10-321-20051/1032120051	90,000	0	90,000	ON-GOING	Will Complete in Q3 2022
Gateway Signage	10-321-20050/1032120050	39,398	13,554	25,844	ON-GOING	To be utilized with Parks
<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	93,020	81,980	ON-GOING	Additional Purchase in 2022
Bus Stop Upgrades	10-810-20075/1081020075	104,771	58,616	46,155	ON-GOING	Project underway, to be completed Q4
Powertrain & Bodywork Refurb.	10-810-20072/1081020072	80,000	66,339	13,661	ON-GOING	Repairs to be completed by Q4 2021, and Q1 2022.
<b>TOTAL TRANSIT</b>		<b>359,771</b>	<b>217,976</b>	<b>141,795</b>		
<b>WASTEWATER</b>						
Sewer Rehabilitation Program (Replace of Lining)	10-330-20305/1033020305	1,495,800	636,108	859,692	ON-GOING	In Warranty
CSO & Sewer System Flow Level Monitoring	10-330-20315/1033020315	217,019	166,350	50,669	ON-GOING	
Lincoln & Coventry Overflows	10-330-20325/1033020325	75,000	32,705	42,295	ON-GOING	
Evelyn Ditch Monitoring	10-330-20335/1033020335	150,000	81,256	68,744	ON-GOING	
Asset Management Plan Update	10-330-20275/1033020275	25,983	23,691	2,292	ON-GOING	
Inflow / Infiltration Reduction	10-330-20347/1033020347	300,000	209,816	90,184	ON-GOING	
Private Side Disconnection (SWAP) Program	10-330-20345/1033020345	300,000	49,492	250,508	ON-GOING	Support program will be open until all dollars have been expended
Pre-Approved 2020 Broadway Area	10-330-20222/1033020222	381,704	109,195	272,510	ON-GOING	In Design - Construction to commence 2022
<b>TOTAL WASTEWATER</b>		<b>2,945,506</b>	<b>1,259,120</b>	<b>1,686,385</b>		
<b>WATERWORKS</b>						
Riverside Drive	10-910-20211/1091020211	279,875	281,719	(1,844)	COMPLETE	In warranty
Cast Iron Watermain Replacement Program	10-910-20215/1091020215	2,570,162	2,271,635	298,527	ON-GOING	In construction
Lead Service Replacement (City Side)	10-910-20295/1091020295	100,000	0	100,000	ON-GOING	To be utilized alongside the 2021 Cast from phase 2
Asset Management Plan Update	10-910-20275/1091020275	20,000	4,762	15,238	ON-GOING	
<b>TOTAL WATERWORKS</b>		<b>2,970,037</b>	<b>2,558,116</b>	<b>411,921</b>		
<b>TOTAL 2020</b>		<b>20,469,103</b>	<b>12,303,587</b>	<b>8,165,535</b>		

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<b>BRIDGES &amp; CULVERTS</b>						
2020 Bridge & Culvert Inspection Follow-up	10-320-21200/1032021200	50,000	0	50,000	ON-GOING	In Design
<b>CANAL LANDS</b>						
Canal Trail Improvements	10-447-21500/1044721500	75,000	0	75,000	ON-GOING	
<b>TOTAL CANAL LANDS FACILITIES</b>						
Asset Management/Building Condition Assessments	10-430-21450/101351908/1043020081/1043021450	90,000	7,876	82,124	ON-GOING	In process of creating tender documents for BCA's of city facilities. To be completed every 5 years. To be issued by the end of the year.
<b>Flooring Replacements</b>						
Flooring Replacements	10-430-21452/1043020183/1043021452	190,000	0	190,000	ON-GOING	Flooring replacements at WCWC proposed to be completed end of 2021, beginning of 2022. City Hall flooring (ceramic tile) at City Hall under review.
<b>Capital Painting Contract</b>						
Capital Painting Contract	10-430-21451/1043020184/1043021451	100,000	15,101	84,899	ON-GOING	Painting exterior steel at arena, exterior steel at market to be addressed in 2022.
<b>Museum Building - Roof Replacement</b>						
Museum Building - Roof Replacement	10-449-21453/1044921453	265,000	174,269	90,731	ON-GOING	Close to completion - November 2021
<b>PW Fuel Tank Removal</b>						
PW Fuel Tank Removal	10-444-21455/1044421455	50,000	0	50,000	ON-GOING	RFP Completed, contractor awarded work and to be completed by the end of 2021.
<b>PW Salt Dome &amp; Second Entrance - DESIGN &amp; ENG</b>						
PW Salt Dome & Second Entrance - DESIGN & ENG	10-444-21466/1043020091/1044421466	100,000	0	100,000	ON-GOING	Proposal submitted for feasibility study, additional proposal required for competitive bidding. Contract to be issued Q4.
<b>Maple Park Pool Building - Roof Replacement</b>						
Maple Park Pool Building - Roof Replacement	10-454-21454/1045421454	96,750	239	96,511	ON-GOING	Work on-going. Contractor is waiting for materials, work to be completed by the end of 2021.
<b>WIFC - Roof Remediation Works (Tower &amp; Athlete Centre)</b>						
WIFC - Roof Remediation Works (Tower & Athlete Centre)	10-447-21455/1044721455	60,000	0	60,000	ON-GOING	On hold pending resolution
<b>Arena Pump Replacements</b>						
Arena Pump Replacements	10-432-21456/1043221456	120,000	67,795	52,205	ON-GOING	Equipment has been delivered to the site. Installation will take place when the weather is cooler to put less strain on the system.
<b>Fire Hall #5 - East Roof Replacement</b>						
Fire Hall #5 - East Roof Replacement	10-459-21458/1045921458	25,000	3,038	21,962	ON-GOING	Project Cancelled
<b>PW Duel Hot Water Tank Replacement</b>						
PW Duel Hot Water Tank Replacement	10-444-21457/1044421457	25,000	0	25,000	ON-GOING	Work Completed, but defective tank requirements replacements. Work to take place week of December 5.
<b>Courthouse Sliding Gate Replacement</b>						
Courthouse Sliding Gate Replacement	10-442-21458/1044221458	20,000	0	20,000	ON-GOING	Reviewing existing conditions, resolution to be determined.
<b>Civic Hall Vestibule Door Replacements</b>						
Civic Hall Vestibule Door Replacements	10-439-21459/1043921459	30,000	0	30,000	ON-GOING	Existing conditions reviewed. The issue determined is environmental. To be further assessed with an aluminum entrance supplier to determine best way to proceed.
<b>Courthouse Fire Alarm System Upgrade - Panel Replacement</b>						
Courthouse Fire Alarm System Upgrade - Panel Replacement	10-442-21460/1044221460	10,000	0	10,000	ON-GOING	Existing panel review underway. To confer with

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PW Automatic Gate	10-444-21462/1044421462	60,000	0	60,000	ON-GOING	Under review to determine requirements with PW before releasing a RFP
Courthouse Heating System - Condition Assessment/Energy Audit	10-442-21463/1044221463	15,000	0	15,000	ON-GOING	Under review. One quote has been obtained. Waiting for additional quotations.
Civic Hall LED Lighting Upgrades	10-439-21469/1043921469	10,000	0	10,000	ON-GOING	Quotes received for work, under review and to be awarded.
<b>TOTAL FACILITIES</b>		<b>1,266,750</b>	<b>268,318</b>	<b>998,433</b>		
<b>FIRE</b>						
Replace Pumper 1990	10-210-21051/1021021051	900,000	0	900,000	ON-GOING	To be purchased jointly with new Aerial proposed under FES 2021-05 for the 2022 Budget Process
<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	201,354	754,646	ON-GOING	Fleet ordered, awaiting delivery
<b>TOTAL FLEET</b>		<b>956,000</b>	<b>201,354</b>	<b>754,646</b>		
<b>GENERAL</b>						
New Technology Equipment/Licensing	10-131-21000/1013119503/1013121000	165,000	34,911	130,089	ON-GOING	A number of current projects ongoing.
Appraisal Survey Cost	10-710-21550/1071021550	35,000	0	35,000	ON-GOING	
<b>OFFICIAL PLAN UPDATE</b>		<b>150,000</b>	<b>3,319</b>	<b>146,681</b>	<b>ON-GOING</b>	<b>Underway</b>
Public Works Asset Management	21651/1051019085/1051020290/1051021651	552,000	984	551,016	ON-GOING	Project underway
Payroll/HR Implementation -Phase 2	21021/1013119669/1013120699/1013121021	50,000	36,888	13,312	ON-GOING	Project underway
City view Software	10-131-21001/1013121001	469,689	180,058	289,631	ON-GOING	Project underway
<b>TOTAL GENERAL</b>		<b>1,421,689</b>	<b>255,959</b>	<b>1,165,730</b>		
<b>MULTI-ASSET</b>						
Water Meter Replacements ( Water/Sewer)	10-910-21751/1033021751/1091021751	400,000	0	400,000	ON-GOING	In design , Construction 2022
Broadway Area - Construction of Trunk Sanitary Sewer (Roads, Storm, Sewer, Watermain)	10-320-21764/1032021764/1032721764/1033021764/1091021764	3,650,000	9,661	3,640,339	ON-GOING	In design , Construction 2022
Clare Avenue Infrastructure Renewals (Multi Asset) (320-316-327-330)	10-320-21714/1031621714/1032021714/1032721714/1033021714	750,000	65,947	684,053	ON-GOING	In design , Construction 2022
Cady Street Road & Watermain Replacement (Road & Water main)	21767/1032021767/1091021767	450,000	70,734	379,266	ON-GOING	In construction
Schofield Avenue Infrastructure Renewals (Multi-Asset)(320-316-327-330-910)	10-320-21762 - Multi/1031621762/1032021762/1032721762/1091021762	1,892,499	1,327,492	565,007	COMPLETE	In warranty
Southworth Street Infrastructure Renewals (Roads / Wastewater / Water)	10-320-21763/1032021763/1033021763/1091021763	60,000	3,884	56,116	ON-GOING	In construction
Iva Street Construction - Development Agreement (Roads/Sidewalks/Water/Sewer/Storm)	10-320-21766/1031621766/1032021766/1032721766/1091021766	330,000	255,799	74,201	ON-GOING	Cost Share with Developer

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Clare Ave Extension - East Side Sidewalks & Safety Railing	10-320-2117/103162117/1032021171	200,000	0	200,000	ON-GOING	In construction
	10-320-21772/10316211772/10320211772/10320211772	995,000	14,674	980,326	ON-GOING	In design, Construction 2022
Elizabeth Street West Infrastructure Renewals (Roads/Water/Sewer/Sidewalks/Storm)	10-320-21775/10316211775/10320211775/10320211775	819,500	6,434	813,066	ON-GOING	In design, Construction 2022
	10-320-21776/10316211776/10320211776/10320211776	750,000	1,328	748,672	ON-GOING	In design, Construction 2022
State Street Watermain Replacement (Roads/Water/Sewer/Sidewalks)	10-320-21777/10316211777/10320211777/10320211777	350,000	62,069	287,931	ON-GOING	In design, Construction 2022
	10-320-21778/10316211778/10320211778/10320211778	791,680	1,328	790,352	ON-GOING	In design, Construction 2022
Fourth Street Sanitary Sewer Replacement (Roads/Sidewalks/Wastewater)	10-320-21707/1031621707/1032021707/1032021707	525,000	1,826	523,174	ON-GOING	In design, Construction 2022
	10-320-21708/1031621708/1032021708/1032021708	575,000	2,158	572,842	ON-GOING	In design, Construction 2022
Sixth Street Sanitary Sewer Replacement (Roads/Sidewalks/Wastewater)	10-320-21709/1031621709/1032021709/1032021709	650,000	0	650,000	ON-GOING	In design, Construction 2022
	TOTAL MULTI-ASSET PARKS	13,188,679	1,823,335	11,365,344		
Chaffey Park Playground & Landscaping	10-410-21403/1041021403	250,000	1,660	248,340	ON-GOING	Design & tender winter 2021/2022 & installation summer/fall 2022
	10-410-21401/1041021401	700,000	18,350	681,650	ON-GOING	Design & tender work to be completed over the winter and construction completed summer/fall 2022
Sparrows Meadows Park PH 3	10-410-21402/1041021402	250,000	1,660	248,340	ON-GOING	Design & tender work to be completed over the winter and construction completed spring 2022
	10-410-21406/1041021406	80,000	69,027	10,973	ON-GOING	Completed by the end of 2021
MEMORIAL PARK POOL CONSULTING	10-410-21409/1041021409	506,297	6,614	499,682	ON-GOING	Completed by the end of 2021
	10-410-21411/1041021411	282,893	152,098	130,795	ON-GOING	Design work underway and to be tendered summer of 2022
Enhancements at Maple Park	10-410-21412/1041021412	400,000	0	400,000	ON-GOING	Construction to start 2021 and completion spring of 2022
	TOTAL PARKS ROADWAYS	2,469,190	249,409	2,219,780		
Road Resurfacing Program	10-320-21151/1032021151	100,000	73,281	26,719	ON-GOING	In Warranty
	10-320-21187/1032021187	2,140,000	327,412	1,812,588	ON-GOING	In construction

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Surface Treatment Program - Rural Roads	10-320-21153/1032021153	145,000	127,774	17,226	ON-GOING	In warranty
Asphalt Patching	10-320-21154/1032021154	100,000	85,218	14,782	ON-GOING	In warranty
West Main Area (Niagara to PCD Phase 2-4 Design)(Roads)	10-320-21753/1032021753	30,000	0	30,000	ON-GOING	In Design, construction to commence 2022
INCREASE 2021 ROAD RESURFACING CAPITAL SPENDING	10-320-21150/1032021150	4,650,000	97,628	4,552,372	ON-GOING	In construction
TOTAL ROADWAYS SIDEWALKS		7,165,000	711,313	6,453,687		
Sidewalks - Condition Related Replacements	10-316-21102/1031621102	570,000	6,029	563,971	ON-GOING	In construction
Sidewalks - Missing Links Master Plan & Construction	10-316-21103/1031621103	250,000	0	250,000	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, construction to commence 2022
INCREASE 2021 SIDEWALK ADDITIONS/REPLACEMENTS	10-316-21100/1031621100	950,000	343,612	606,388	ON-GOING	In construction
CAPITAL SPENDING		1,800,000	349,641	1,450,359		
STORM SEWERS		20,000	0	20,000	ON-GOING	
Climate Change Adaptation Planning	10-327-21352/1032721352	30,000	0	30,000	ON-GOING	In design, construction 2022
West Main Area (Niagara to PCD Phase 2-4 Design)(Storm)	10-327-21753/1032721753	350,000	54,897	295,103	ON-GOING	
David Street Area Storm Sewer MSP & Model (Ditch Outlet Review & Design)	10-327-21364/1032721364	750,000	75,935	674,065	ON-GOING	In design, construction 2022
Dain City Storm Channel Improvements	10-327-21366/1032721366	300,000	11,940	288,060	ON-GOING	Tender released
River Road Storm Sewer/Ditch	10-327-21367/1032721367	1,450,000	142,772	1,307,228	ON-GOING	
TOTAL STORM SEWERS		60,000	0	60,000	ON-GOING	Will Complete in Q3 2022
TRAFFIC		50,000	33,544	16,456	ON-GOING	Will Complete in Q1 2022
Traffic Control Hardware	10-321-21251/1032121251	45,000	21,550	23,450	ON-GOING	Will Complete in Q1 2022
Streetlighting - Wiring & pole Replacements	10-321-21253/1032121253	155,000	55,094	99,906	ON-GOING	
Portable Traffic Calming Devices	10-321-21256/1032121256	80,000	9,204	70,796	ON-GOING	Repairs to be completed by Q4 2021, and Q1 2022.
TOTAL TRAFFIC		668,000	0	668,000	COMPLETE	Purchased April 2021- expected delivery Q1 2022 and payment to follow.
ENGINE/TRANSMISSION/REFURBISHMENT	10-810-21600/1081021600	30,000	0	30,000	ON-GOING	Purchase of Coin sorter Q4 2021, 6 to 8 week Delivery time.
Conventional Low Floor Accessible Bus	10-820-21615/1082021615	778,000	9,204	768,796	ON-GOING	
Fareboxes/Revenue Equipment	10-810-21613/1081021613	200,000	11,198	188,802	ON-GOING	
TOTAL TRANSIT		91,600	7,009	84,591	ON-GOING	Fleet ordered, awaiting delivery
WASTEWATER		30,000	0	30,000	ON-GOING	In design, construction 2022
CSO & Sewer System Flow Level Monitoring (Mandatory)	10-330-21702/1033021702	100,000	0	100,000	ON-GOING	
Fleet Replacements Sanitary Erg.	10-330-21302/1033021302	150,000	0	150,000	ON-GOING	
West Main Area (Niagara to PCD Phase 2-4 Design)(Wastewater)	10-330-21753/1033021753	150,000	0	150,000	ON-GOING	
Hagar Street Sewer Bulkhead Removals	10-330-21717/1033021717	150,000	0	150,000	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	
Sanitary Sewer Model Update	10-330-21722/1033021722	50,000	661	49,339	ON-GOING	



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River Inflow Investigation & Install of Check Valves	10-330-21704/1033021704	100,000	0	100,000	ON-GOING	
Drain City Infiltration/Inflow Reduction Program	10-330-21715/1033021715	500,000	0	500,000	ON-GOING	
Sanitary Sewer Separation/Replacements	10-330-21779/1033021779	1,909,200	41,667	1,867,533	ON-GOING	In design, construction 2022
<b>TOTAL WASTEWATER WATERWORKS</b>		<b>3,430,800</b>	<b>60,535</b>	<b>3,370,265</b>		
Sumbler Road Watermain Replacement	10-910-21771/1091021771	400,000	261,409	138,591	ON-GOING	In Construction
Lead Service Replacement Program (Private Side)	10-910-21752/1091021752	25,000	0	25,000	ON-GOING	Support program will be open until all dollars have been expended
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	37,575	200,725	ON-GOING	Fleet ordered, awaiting delivery
West Main Area (Niagara to PCD Phase 2-4 Design)(Water)	10-910-21753/1091021753	30,000	0	30,000	ON-GOING	In design, construction 2022
Cast Iron Watermain Replacements	10-910-21780/1091021780	3,775,000	80,001	3,694,999	ON-GOING	In construction
<b>TOTAL WATERWORKS</b>		<b>4,493,300</b>	<b>382,352</b>	<b>4,110,947</b>		
<b>TOTAL 2021</b>		<b>39,599,408</b>	<b>4,509,286</b>	<b>35,090,122</b>		
<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	ON-GOING	Phase 1 and Phase 2 in warranty - Phase 3 under construction
Edgar/Elgin Area Roadwork	10-320-18010/1031618010/1032018010/1032718010/1033018010/1091018010	3,685,622	8,788,097	(5,082,475)		
Edgar/Elgin Sewer Separation (SCF)	10-320-19201/1031619201/1032019201/1032719201/1991019201	2,970,000	0	2,970,000		
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>10,595,656</b>	<b>1,388,966</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	Site work and building underway on Station #1 and #2. RFP is out for Fire Station training centre
Construction New Fire Station #1	10-210-19005/1021019005	6,380,000	3,069,452	3,310,548		
Construction Fire Station #2	10-210-19006/1021019006	3,500,000	1,814,846	1,685,154		
<b>CONSTRUCTION FIRE STATIONS #1 &amp; #2 (Additional Funds)</b>		<b>4,218,650</b>	<b>0</b>	<b>4,218,650</b>		
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>5,695,948</b>	<b>11,252,702</b>		
<b>WEST MAIN ST AREA</b>						
West Main Street Area - Infrastructure Improvements	10-320-19888/1033019888/1032019888/1032719888/1033018060/1033018085/1033019888/1091018059/1091019231/1091019888	3,662,000	211,763	3,450,237	ON-GOING	In design, Construction 2022
<b>TOTAL WEST MAIN ST AREA</b>		<b>3,662,000</b>	<b>211,763</b>	<b>3,450,237</b>		




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<b>TRANSIT FACILITY</b>						
New Operations Facility Phase 1 of 2	10-810-20074/1081020074	13,680,000	161,807	13,518,193	ON-GOING	Pre-Design is completed, awaiting final draft from IBI to commence design-build. Construction to commence early 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>168,709</b>	<b>14,831,291</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	2,625,498	ON-GOING	In design
<b>TOTAL MERRIT ST</b>		<b>2,632,000</b>	<b>6,502</b>	<b>2,625,498</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	In warranty
<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	In construction
Dain East - Playground & Water Feature	10-410-21407/1041021407	1,500,000	0	1,500,000	MOU with Empire	
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	ON-GOING	In construction
Forks Road Bridge Replacement	10-320-20840/1032020840	5,000,000	3,539	4,996,461		
Forks Rd Bridge - Phase 2	10-320-21201/1032021201	7,000,000	0	7,000,000	ON-GOING	in design
<b>TOTAL MOU AND CITY</b>		<b>22,750,000</b>	<b>3,539</b>	<b>22,746,461</b>		
<b>TOTAL</b>		<b>155,080,457</b>	<b>42,542,033</b>	<b>112,475,425</b>		
		<b>(17,750,000)</b>	<b>0</b>	<b>(17,750,000)</b>		
	<b>Less: MOU with EMPIRE</b>					
<b>GRAND TOTAL</b>		<b>137,330,457</b>	<b>42,542,033</b>	<b>94,725,425</b>		

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

APPROVALS	
GENERAL MANAGER	
CFO	
CAO	

21-19

REPORT P&B-2021-73  
 DECEMBER 21, 2021

**SUBJECT:** PROPOSED INCREASES SWIMMING POOL ENCLOSURE BYLAW FEES

**AUTHOR:** JACK TOSTA, CBCO, CPSO  
 CHIEF BUILDING OFFICIAL

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

**RECOMMENDATIONS:**

THAT THE COUNCIL OF THE CITY OF WELLAND receive report P&B-2021-73 and

THAT Welland City Council approves the recommended amendments to the Swimming Pool Enclosure Bylaw 2010-119 and fees contained in the attached Appendix I; and further

THAT Welland City Council directs the City Clerk to amend By-law 2010-119 with the updated Schedule "A".

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
Swimming Pool Enclosure By-law	2010-119, as amended

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

SET FINE SCHEDULE	PAGE NO.:
Swimming Pool Enclosure By-law	17

\*\*Page number above reflects the Office Consolidation of By-law 2019-134\*\*

ADD Appendix II of this report to Schedule "C".

**ORIGIN AND BACKGROUND:**

Since January 1, 2021, the administration and enforcement of the Pool Enclosure Bylaw 2010-119 was transitioned from Bylaw Enforcement Divisions to Building Division. This transition was aimed at streamlining the permitting process, by grouping building, sign, and swimming pool permits under a single division thus providing a one stop shopping for the users.

As part of the transition process, it became necessary to update the administrative provisions of the bylaw to accurately define the roles and responsibilities of staff involved in the enforcement of the bylaw.

Additionally, the fees which formed part of Schedule "A" of the bylaw, were previously contained in the City's Fees and Charges Bylaw 2020-148.

These fees were recently separated from the rest of the user fees and will now form part of Schedule "A" of the Pool Enclosure Bylaw, allowing for annual cost recovery adjustments without impacting other user fees in the Fees and Charges Bylaw.

To update the provisions of the bylaw, staff are proposing to include new definitions into the bylaw, an enhanced the Penalty Section by including the Administrative Penalty provisions available through the Municipal Act and recommending a 3% increase to all Swimming Pool Enclosure fees in line with all recently approved user fees to account for inflationary increases.

**COMMENTS AND ANALYSIS:**

The current Pool Enclosure bylaw references the Director of Engineering and Bylaw Enforcement Officers as staff who are authorized to enforce provisions of the bylaw. These definitions have been replaced with Chief Building Official and Building Inspectors, to accurately reflect their new responsibilities.

The table below provides a summary of amended or added into the bylaw :

Old Definition	New Definition	Rationale
Director	Chief Building Official	Administrative change
Officer	Inspector	Enforcement change
Pool	Swimming Pool	Differentiate from Public Pools regulated in the Building Code
Pool Enclosure	Swimming Pool Enclosure	Reflect the change in the pool definition
	Replacement	Clarification for replacement of previous swimming pool enclosures

	Zoning Bylaw	References the official City of Welland Zoning Bylaw.
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### **Administrative Penalties**

Since 2019, Council have approved the use of Administrative Penalty system as an effective deterrent to non-compliance with the provisions of municipal bylaws.

Staff are proposing to use Administrative Penalty Bylaw 2019-134 to allow staff to issue penalty notices for the enforcement of the Swimming Pool Enclosure bylaw.

Schedule "D" of the bylaw contains a list of contraventions for which penalty notices may be issued if a non-compliance is discovered.

### **FINANCIAL CONSIDERATION:**

The proposed 3% fee increases are intended to offset the previously approved cost of living expenses and inflationary increases.

While the proposed increases will impact the users of the services associated with these fees, there are no financial impacts on the general tax levy.

### **OTHER DEPARTMENT IMPLICATIONS:**

There are no other department implications being anticipated since the Building division is fully funded by fees collected through the permit issuance process.

### **SUMMARY AND CONCLUSION:**

Staff are recommending a 3% increase to all Swimming Pool Enclosure Bylaw fees in line with recently approved increases to all ser fees contained if the Fees and Charges Bylaw.

The proposed amendments are intended to update the administrative provisions of the bylaw and provide staff with an effective mechanism to address non complaint properties posing a health and safety risk to Welland residents. .

### **ATTACHMENTS:**

- Appendix I - Draft Amended Swimming Pool Enclosure Bylaw 2010-119
- Appendix II - APS Set Fine Schedule, Schedule "C"

THE CORPORATION OF THE CITY OF WELLAND

BY-LAW NUMBER 2010 - 119

BEING A BY-LAW TO REGULATE SWIMMING POOL ENCLOSURES WITHIN THE CITY OF WELLAND; AND TO REPEAL BY-LAW 10557

WHEREAS Section 11 of the **Municipal Act, 2001. S.O. 2001, c.25**, as amended, (the "**Municipal Act**") authorizes a municipality to pass By-laws respecting fences;

AND WHEREAS Section 11 of the **Municipal Act** authorizes a municipality to regulate matters related to health, safety and well-being of the inhabitants of the municipality;

AND WHEREAS Section 446 of the **Municipal Act** provides that where a municipality has the authority under the **Municipal Act** or a by-law pursuant to the **Municipal Act** to direct or require a person to do a matter or thing, the municipality may also provide that, in default of it being done by the person directed or required to do it, the matter or thing can be done at the person's expense and the municipality can recover the costs of doing the matter or thing from the person directed or required to do so by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes.

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

SECTION 1 ADMINISTRATION

1.1. **ADMINISTRATION, INTERPRETATION AND ENFORCEMENT**

1.2. This By-law shall be administered by the Chief Building Official in accordance with the terms and provisions as set out.

1.3. **SHORT TITLE**

1.3.1. This By-law may be cited as the "Swimming Pool Enclosure By-law".

1.4. **SCOPE**

1.4.1. This By-law applies to all property in the City of Welland unless otherwise indicated herein.

1.5. **ENFORCEMENT**

1.5.1. Where any person fails to comply with any provision set out in this By-law, an Order may be issued to that person and the Owner requiring compliance within the timeframe specified in the Order.

1.5.2. An Inspector who finds that a property does not conform with any of the standards prescribed in this By-law may make an Order,

- (a) stating the municipal address or the legal description of the property.
  - (b) giving reasonable particulars of the repairs to be made or stating that a Swimming Pool Enclosure Permit shall be obtained or that a Pool Enclosure shall be erected; and
  - (c) indicating the time for complying with the terms and conditions of the Order and giving notice that, if the Order is not complied with within that time, the municipality may carry out the Order at the owner's expense.
- 1.5.3. An Order may be personally delivered or served by registered mail. Where an Order is mailed, the Order shall be deemed delivered on the earlier of receipt of the Order by the addressee or the fifth (5th) day following the date of mailing, whether received or not.
- 1.5.4. Where an Order has been issued by an Inspector and compliance has not been achieved within the required time period as set out in the Order the City may, through its employees and agents or persons acting on its behalf, enter upon the land to carry out the necessary measures to comply with the Order or to drain, fill in or fence the Pool at the expense of the person and any and all expenses incurred may be added to the tax roll of the subject property and collected from the owner of the subject property in the same manner as municipal taxes, or in any other manner available to the City, including by action.
- 1.5.5. Every Owner shall comply with an Order issued pursuant to Section 1.5 of this By-law and within the timeframe specified therein for compliance.
- 1.5.6. Where anything required to be done in accordance with this bylaw is not done, the Chief Building Official or persons designated by the Chief Building Official for the City, appointed pursuant to the Building Code Act, may upon such notice as deemed suitable, do such a thing at the expense of the person required to do it and in doing so, may charge an administration fee of 15% of such expense, within the minimum fee of \$169.00 and both the expense and the fee may be recovered from the security deposit held by the City, by action or in like manner as municipal taxes.
- 1.6. **PENALTY**
- 1.6.1. Every person who contravenes any of the provisions of this By-law is guilty of an offence and, upon conviction, is liable to the penalties as prescribed by the *Provincial Offences Act*, R.S.O. 1990 c. P.33.
- 1.6.2. Administrative Penalty By-law 2019-134 as amended applies to each administrative penalty issued pursuant to this By-law.
- 1.6.3. Any person who contravenes any provision of this By-law shall, upon the issuance of a penalty notice in accordance with Administrative Penalty By-law 2019-134 as amended, be liable to pay to the City an administrative penalty in

accordance with the penalties set out in Schedule "D" attached.

1.7. **SEVERABILITY**

1.7.1. If any provision or part of a provision of this By-law is declared by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, or inoperative circumstances, the balance of the By-law, or its application in other circumstances, shall not be affected and shall continue to be in full force and effect.

1.8. **COMPLIANCE WITH OTHER BY-LAWS AND REGULATIONS**

1.8.1. This By-law shall not be construed to reduce or mitigate any restrictions or regulations lawfully imposed by the City or by any governmental authority having jurisdiction to make such restrictions or regulations.

1.8.2. If there is a conflict between a provision in this By-law and a provision of any other City By-law, the provision that establishes the highest standard to protect the health and safety of the public shall apply.

1.9. **GENDER AND NUMBER**

1.9.1. In this By-law, unless the contrary intention is indicated, words used in singular shall include the plural and words used in the male gender shall include the female gender and vice versa.

1.10. **MEASUREMENTS**

1.10.1. Where this By-law provides metric and imperial units of measure, the metric unit of measure shall prevail. For convenience only, approximate imperial measurements have been provided in parentheses but are of no force or effect. The abbreviation "mm" stands for millimeters, "m" stands for metres, "in." stands for inches and "ft." stands for feet.

1.11. **AND/OR**

1.11.1. The word "and" is an inclusive conjunction, the use of which indicates that all items or phrases in the subsection, article, or list in which it appears are permitted or required. The word "or" is an alternate conjunction, the use of which indicates that alternate or optional items or phrases in the subsection, article or list in which it appears are permitted or required, as the case may be; however, notwithstanding the foregoing, where the context permits, the word "or" may also be an inclusive conjunction having the same meaning as the word "and".

1.12. **APPLICATION OF THIS BY-LAW AND REPEAL OF EXISTING BY-LAWS**

1.12.1. By-law 10557 is hereby repealed. The Standards contained in this By-law supersede prior By-laws herein noted and their regulations.

1.13. **EFFECTIVE DATE**



1.13.1. This By-law shall come into force on the date of passage by the City's Council.

**SECTION 2 DEFINITIONS AND INTERPRETATIONS**

In this By-law the following words shall have the following meanings:

- 2.1. "Chief Building Official" shall mean the person appointed by the City Council to such position pursuant to the Building Code Act.
- 2.2. Council" shall mean the Council of the Corporation of the City of Welland.
- 2.3. "City" shall mean The Corporation of the City of Welland.
- 2.4. "covering plate device" shall mean metal or plexiglass device which attaches to or forms part of a metal or wrought iron gate latching device, and which restricts access to the interior self latching device from the exterior of the gate.
- 2.4.1. "Easement" shall mean an unregistered or registered right in favour of another over the subject property for a specified purpose. (By-law 2017-101)
- 2.5. "grade" shall mean the surface of the ground below a Pool Enclosure at each location where a structural support is embedded in the ground.
- 2.6. "hot tub" shall mean a hot tub, jacuzzi, whirlpool, or spa.
- 2.7. "inflatable Pool" shall mean a Pool, as defined in this By-law, consisting of an air supported structure which contains or can contain water with a depth in excess of 0.61 metres (2 feet) at any point.
- 2.8. "Inspector" shall mean a Building Inspector appointed by the Council of the City.
- 2.9. "Landscape Pond" shall mean any body of water (including fishponds, water gardens and water fountains) contained in whole or in part by artificial shall mean in which the depth of the water can exceed 0.6 metres (2 feet) at any point.
- 2.10. "Maintain" shall mean to carry out repairs of any part or parts of a swimming pool enclosure so that it can properly perform the intended function.
- 2.11. "Order" shall mean an order issued by an Inspector pursuant to Section 1.5.
- 2.12. "Owner" shall mean lawful owner of the property upon which a Pool or Pool Enclosure is located and any lessee, tenant, mortgagee in possession, or person occupying or in charge of said property.
- 2.13. "person" shall mean any natural person, firm, corporation, partnership, or association, and includes the Owner.

- 2.14. "Permit" or "Swimming Pool Enclosure Permit" shall mean a permit issued under this By-law.
- 2.15. "Replacement" shall mean the construction of a swimming pool fence that takes place of a swimming pool fence previously constructed.
- 2.16. "self-closing device" shall mean a mechanical device or spring which returns a Pool Enclosure gate to its closed position within 30 seconds after it has been opened.
- 2.17. "self-latching device" shall mean a mechanical device or latch which is engaged each time the gate is secured to its closed position, which will not allow the gate to be re-opened by pushing or pulling, and which will ensure the Pool Enclosure gate remains closed until unlatched by either lifting or turning the device itself directly or by a key.
- 2.18. "Standards" shall mean the standards for the construction and maintenance of Swimming Enclosures around Pools prescribed by Section 7 of this By-law.
- 2.19. "Swimming Pool" shall mean a structure, basin, chamber, or tank containing or capable of containing water, and is designed to be used for swimming or wading and has a depth of more than 0.61 meters (24 inches) at any point; and
- (a) located outdoors on private property.
  - (b) wholly or partially contained by artificial shall mean.
  - (c) an open exposed water surface of at least 1 square metre (10.7 square feet); and includes a hot tub or landscape pond meeting the above criteria, but for purposes of this By-law does not include any Pool which is:
    - (i) under jurisdiction of the Building Code.
    - (ii) a pond or reservoir to be utilized for farming purposes or as part of a golf course.
    - (iii) a Pool owned by any public or government body, agency or authority.
    - (iv) an existing natural body of water or stream;
    - (v) a private owned stormwater management facility.
- 2.20. "Swimming Pool Enclosure" shall mean a fence other than a hedge or other landscaping features, a wall or other structure, or combination thereof, including any door or gate, surrounding a Pool, and restricting access thereto.
- 2.21. "Temporary Pool" shall mean an inflatable pool or other Pool which is designed to be removed periodically on a seasonal or more frequent temporary basis.

- 2.22. "Zoning bylaw" means any bylaw administered by the City enacted pursuant to section 34 of the Planning Act, R.S.O. 1990, c.P.13, or a predecessor or successor thereof, as may be amended from time to time.

**SECTION 3 GENERAL PROVISIONS**

- 3.1. Subject to Section 4.1, this By-law shall apply to all Pools and Pool Enclosures constructed, existing or replaced, within the City of Welland.
- 3.2. Except as noted in Section 3.3, in the event of any conflict between the provisions of this By-law and any provision of the By-law 10545 (the Fence By-law), as may be amended or replaced from time to time, the provisions of this By-law shall prevail.
- 3.3. Notwithstanding Section 3.2,
- a) No conflict exists between the provisions of this By-law and the provisions of any other By-law or approval if it is possible to comply with both By-laws by choosing an alternate type, design or location for a Pool Enclosure or Pool.
  - b) Nothing in this By-law permits the location of a Pool, deck, platform, or other structure in a location which is not permitted under the City of Welland Zoning By-law.
- 3.4. All repairs and maintenance of a Pool Enclosure required by the provisions of this By-law are the responsibility of the Owner and shall be carried out in a manner accepted as good workmanship in the trades concerned, utilizing materials suitable and sufficient for the purpose, and carried out in accordance with the industry specifications and requirements.
- 3.5. Any gate or any continuous line of fencing between two intersecting angles of any degree that is 50% or more in disrepair shall be replaced in its entirety to satisfy the standards contained in this By-law.

**SECTION 4 EXISTING POOL ENCLOSURES**

- 4.1. The provisions of this By-law shall not prevent the use of an existing Pool Enclosure if that Pool Enclosure was constructed prior to the effective date of this By-law in accordance with the regulations of By-law 10557, or any predecessor to that By-law and has been maintained continuously in accordance with those regulations.
- 4.2. When an existing Pool Enclosure is replaced or substantially altered, the replacement or altered Pool Enclosure shall be constructed in accordance with this By-law.
- 4.3. Where an existing Pool Enclosure has enclosed a Pool in accordance with the regulations that existed prior to the effective date of this By-law, and has been maintained continuously in accordance with those regulations, and that Pool Enclosure also marks the boundary between abutting properties, the shared

portion of the Pool Enclosure between the abutting properties may form part of new Pool Enclosure for a Pool on the abutting property which shall be deemed to be in conformity with this By-law. All other portions of the new Pool Enclosure that enclose the newly constructed Pool shall meet the Standards set out in this By-law.

**SECTION 5**     **PROHIBITIONS**

- 5.1. No person shall construct or install a Pool, cause a Pool to be constructed or installed, commence the construction or installation of a Pool without first obtaining a Pool Enclosure Permit from the Chief Building Official.
- 5.2. No person shall undergo substantial repair to an existing Pool Enclosure without obtaining a Pool Enclosure Permit.
- 5.3. No person shall construct or install a Pool or cause a Pool to be constructed or installed which is not completely enclosed by a Pool Enclosure in accordance with this By-law.
- 5.4. No person shall construct or cause to be constructed any Pool Enclosure which does not conform to the requirements of this By-law or permit such non-conforming Pool Enclosure to continue to enclose a Pool.
- 5.5. No person shall fill a Pool with water or cause a Pool to be filled with water or allow water to remain in a Pool unless:
  - (a) the Pool is enclosed by a Pool Enclosure, other than an approved temporary Pool Enclosure, meeting the requirements of Section 7.1 of this By-law; and
  - (b) if the Pool is a newly constructed Pool, the Chief Building Official has been notified and the Pool Enclosure has been inspected and approved by the City.
- 5.6. No person shall remove any part of a Pool Enclosure if the Pool is filled with water.
- 5.7. No person shall alter or replace a Pool Enclosure without having first obtained a Permit from the Chief Building Official.
- 5.8. Every Owner shall ensure that:
  - (a) all gates forming part of the Pool Enclosure meet the standards of this By-law.
  - (b) doors providing direct access to a Pool area from an attached or detached garage, but excluding doors from a dwelling unit, are maintained with a self-closing device and with a self-latching device located not less than 1.5 m (5 ft.) above the bottom of the door.

- (c) all gates forming part of a Pool Enclosure are locked when the area is not in active use.
  - (d) the lockable lid of any hot tub is closed and locked when the Pool area is not in active use unless the hot tub is within a locked Pool Enclosure meeting the requirements of this By-law.
- 5.9. No person shall place, pile, attach or lean any object or material against or near a Pool Enclosure so as to facilitate climbing of the Pool Enclosure, diminish the structural integrity of a Pool Enclosure or render the Pool Enclosure in non-conformity with the provisions of this By-law;
- 5.10. No person shall erect a fence adjacent to an existing Pool Enclosure that does not comply with the requirements of this By-law.
- 5.11. No person shall construct or install a Pool, Pool Appurtenances or cause a Pool or Pool Appurtenances to be constructed or installed within an easement. (By-law 2017-101)

**SECTION 6 PERMIT APPLICATION**

- 6.1. Every Application for a Pool Enclosure Permit shall be by the owner or his or her agent, in writing to the Chief Building Official on such forms as may be prescribed in Schedule "C".
- 6.2. All such applications shall be accompanied by the following:
- a) Two (2) sets of plans showing the location of the Swimming Pool, all proposed Swimming Pool equipment (such as filters, slides and heaters) and proposed landscape features in relation to property lines, buildings (including decks and sheds), and any easements.
  - b) Complete details of the proposed Pool Enclosure, including the location and type of proposed fence and gate.
  - c) The Permit fee(s) specified in Schedule "A".
  - d) An undertaking to repair damage to City property as prescribed in Schedule "B".
  - e) A security deposit in a form acceptable to the City as prescribed in Schedule "A" to guarantee compliance with the undertaking,
  - f) access route for construction of the Pool from any public right-of-way to the proposed Pool location; and
- 6.3. The Chief Building Official shall issue a Permit for a Pool Enclosure where the plans submitted appear to comply with the requirements of this By-law and all applicable regulations and by-laws or approvals. Without limiting the generality of the foregoing, the Chief Building Official shall not issue the Permit for the

Swimming Pool Enclosure unless a site alteration permit, if required, has been obtained and the proposed location of the Pool and Pool Enclosure complies with the zoning by-law and any other applicable regulations, by-laws, or approval.

- 6.4. No permit, with respect to a property in a subdivision not yet assumed by the City, shall be issued until the Owner obtains a clearance letter from the developer of the subdivision stating that the developer agrees with the proposed swimming pool or swimming pool enclosure including any alteration of the grade.
- 6.5. If the proposed Pool is within an unassumed plan of subdivision, the developer or owner of the subdivision shall be notified by electronic mail or by regular mail. All third-party agreements shall be the responsibility of the prospective owners. (By-law 2017-101)
- 6.6. The Chief Building Official may revoke a permit where it was issued on a mistaken or false information and shall provide written notice to the permit holder of the revocation.
- 6.7. A permit issued under this By-law shall be valid for a period of six(6) months from the date of issue and shall remain valid so long as the work covered by the permit is substantially completed as determined by the Inspector before the expiry of the six(6) month period. Notwithstanding the expiry date of the permit, a permit may be renewed once for further six (6) month period upon a written request for renewal to the Chief Building Official before the expiry date. The swimming pool enclosure which is the subject of the permit shall be substantially completed within the six(6) month renewal period or the permit shall thereafter lapse, and no further renewal shall be permitted. If a permit lapses, and the owner wishes to proceed with the construction or use the swimming pool, the owner or their agent shall make a new application for a permit under this By-law.

## **SECTION 7 STANDARDS**

### **7.1. TEMPORARY POOL ENCLOSURES**

- 7.1.1. The Owner of a property where a Pool is being installed shall ensure that during Pool installation a temporary Pool Enclosure encircles the Pool once water is placed and is always maintained to prevent access to the Pool. The temporary Pool Enclosure shall remain in place until the Inspector has inspected and approved a permanent Pool Enclosure. The maximum length of time a temporary Pool Enclosure may be used and maintained is seven (7) days.
- 7.1.2. A temporary Pool Enclosure shall consist of a 1.5m (5 ft.) high plastic or chain link fence with mesh openings no larger than 38mm (1.5 in.), containing steel embedded T-bar posts a maximum of every 3.0m (10 ft.) apart and utilizing a 9 gauge galvanized steel wire located at the top and bottom of the temporary Pool Enclosure.

7.1.3. Notwithstanding the requirements of 7.1.2, an Inspector may permit alternative temporary fencing which provides equivalent standards or exceeds the Standards required.

7.1.4. Notwithstanding Section 5.4 (a) of this By-law if a Pool Enclosure is damaged and requires replacement or repair, water may remain in a Pool enclosed by a temporary Pool Enclosure with the permission in writing of the Inspector pending the replacement or repair of the Pool Enclosure, subject to any time limits which may be imposed by the Inspector.

## 7.2. **PERMANENT POOL ENCLOSURES**

7.2.1. Pool Enclosures on any property shall extend from the ground to a height, measured from grade on the outside of the Pool Enclosure, of not less than 1.5 metres (5 feet).

7.2.2. The Owner shall ensure that any access points forming part of a Pool Enclosure shall be kept always latched unless a responsible person is present and supervising the enclosed area.

7.2.3. Doors providing access from a building directly to an enclosed swimming Pool area including doors leading from an attached or detached garage but excluding doors located in a dwelling unit, shall have a self-closing device as well as a self-latching device located not less than 1.5 m (5 ft.) above the bottom of the door.

7.2.4. No part of a Pool Enclosure shall consist of barbed wire or similar dangerous devices, including but not limited to, the transmission of an electrical current through the Pool Enclosure.

## 7.3. **CONSTRUCTION OF FENCING**

7.3.1. All Pool Enclosures shall be constructed of wood, metal or chain link fencing.

7.3.2. All Pool Enclosures, or such portions thereof, constructed of wood shall comply with Tables 7.4.0.A and 7.4.1.A.

7.3.3. All Pool Enclosures, or such portions thereof, constructed of metal shall comply with Tables 7.4.0.A and 7.4.2.A.

7.3.4. All Pool Enclosures, or such portions thereof, constructed of chain link shall comply with Tables 7.4.0.A and 7.4.3.A.

7.3.5. Notwithstanding the provisions of Section 7, a Pool Enclosure may be built other than as provided in this By-law to standards which are equivalent or exceed the standards and which are acceptable to an Inspector in writing

## 7.4. **CONSTRUCTION OF GATES**

7.4.1. Every gate in a Pool Enclosure shall be supported on hinges substantial enough to hold the weight of the gate and constructed in accordance with the

requirements of subsections 7.3.2, 7.3.3, 7.3.4 or 7.3.5 and have a self-closing device and be equipped with a lockable self-latching device located on the interior face near the top of the gate.

- 7.4.2. Metal gates used in a Pool Enclosure shall be equipped with a covering plate device, a minimum of 0.3 m (12 in.) x 0.3 m (12 in.) size, covering the self-latching device from the outside of the gate. The covering plate device shall be a minimum thickness of 6.3 mm (1/4 in.)
- 7.4.3. Double gates used in a Pool Enclosure shall have one of the two gates equipped with a self-closing device and self-latching device to provide access. The other gate shall have a securing device permanently affixed to the ground or other non-moveable object, which prevents access through this gate without lifting or removing this device and then releasing the latch. This gate must be securely closed unless open for access and supervised to prevent unauthorized access to the Pool area.

**TABLE 7.4.0.A**  
**GENERAL PROVISIONS FOR POOL ENCLOSURES**

PROVISIONS	ALL PROPERTIES
i. <u>Minimum</u> Height of Fences and Gates	1.5 m (5 ft.) or 1.8 m (6 ft.)
ii. <u>Maximum</u> Clearance Between Bottom of Fence and Grade	100 mm (4 in.)

**TABLE 7.4.1.A**  
**WOOD FENCE CONSTRUCTION FOR POOL ENCLOSURES**

PROVISIONS	ALL PROPERTIES
i. Horizontal Rail <u>Minimum</u> Size	38 mm (1-1/2 in.) x 89 mm (3-1/2 in.)
ii. If <u>Minimum</u> Vertical Spacing Between Horizontal Railings	0.75 m (29.5 in.) (By-law 2017-101)
iii. Then <u>Maximum</u> Spacing Between Vertical Boards	100 mm (4 in.)
iv. If <u>Minimum</u> Vertical Spacing Between Horizontal Railings	Less than 0.75 m (29.5 in.) (By-law 2017-101)
v. Then <u>Maximum</u> Spacing Between Vertical Boards	38 mm (1-1/2 in.)
vi. Vertical Board <u>Minimum</u> Size	19 mm (3.4 in.) x 89 mm (3-1/2 in.)
vii. Fence Post <u>Maximum</u> Spacing	2.4 m (8 ft.)
viii. <u>Minimum</u> Size of Fence Posts	89 mm (3-1/2 in.) x 89 mm (3-1/2 in.)
ix. <u>Minimum</u> Depth Below Grade Of Imbedded Fence Posts	1.2 m (4 ft.)

**TABLE 7.4.2.A**  
**METAL AND WROUGHT IRON FENCE CONSTRUCTION FOR POOL ENCLOSURES**

PROVISIONS	ALL PROPERTIES
i. <u>Minimum</u> Vertical Spacing Between Horizontal Railing	0.9 m (35.4 in.)
ii. Vertical Railing <u>Maximum</u> Spacing	100 mm (4 in.)
iii. <u>Minimum</u> Depth Below Grade Of Imbedded Fence Posts	1.2 m (4 ft.)



**TABLE 7.4.3.A  
CHAIN LINK FENCE CONSTRUCTION FOR POOL ENCLOSURES**

<b>PROVISIONS</b>	<b>ALL PROPERTIES FOR POSTS SPACED MAXIMUM 2.4 M (8 FT.)</b>	<b>ALL PROPERTIES FOR POSTS SPACES MAXIMUM 3 M (10 FT.)</b>
<u>Minimum</u> Vertical Spacing Between Horizontal Railings	0.9 m (35.4 in.)	0.9 m (35.4 in.)
<u>Maximum</u> Chain Link Mesh Size For 1.5 m (5 ft.) Fencing	38 mm (1-1/2 in.)	38 mm (1-1/2 in.)
<u>Maximum</u> Chain Link Mesh Size For 1.8 m (6 ft.) Fencing	38 mm (1-1/2 in.) or 50 mm (2 in.)	38 mm (1-1/2 in.) or 50 mm (2 in.)
<u>Minimum</u> Diameter/Gauge Of Mesh Including Vinyl Covering	2.6 mm diameter (No. 11 gauge) or 2 mm diameter (No. 14 gauge) with vinyl covering forming a total combined thickness of 2.6 mm (No. 11 gauge)	2.6 mm diameter (No. 11 gauge) or 2 mm diameter (No. 14 gauge) with vinyl covering forming a total combined thickness of 2.6 mm (No. 11 gauge)
<u>Minimum</u> Diameter Gate And Terminal Posts	47.5 mm (1-2/7 in.)	47.5 mm (1-7/8 in.)
<u>Minimum</u> Depth Below Grade Of Imbedded Fence Posts	The steel fence post will be a minimum of 0.76 cm (2 ft. 6 in.) imbedded in a concrete footing which has a diameter of 20.32 cm (8 in.) and a depth of 1.2 m (4 ft.). NOTE: The top of concrete footing may be below grade level 10.175 cm to 20.35 cm (4 in. to 8 in.)	The steel fence post will be a minimum of 0.76 cm (2 ft. 6 in.) imbedded in a concrete footing which has a diameter of 20.32 cm (8 in.) and a depth of 1.2 m (4 ft.). NOTE: The top of concrete footing may be below grade level 10.175 cm to 20.35 cm (4 in. to 8 in.)
<u>Minimum</u> Diameter For Intermediate Posts	38 mm (1-1/2 in.)	47.5 mm (1-7/8 in.)
<u>Minimum</u> Diameter Top Rail	32 mm (1-1/4 in.)	41.275 mm (1-5/8 in.)
<u>Minimum</u> Diameter Bottom Wire	3.7 mm (No. 9 gauge)	3.7 mm (No. 9 gauge)
<u>Minimum</u> Diameter Gate Frame – Pipe	32 mm (1-1/4 in.)	32 mm (1-1/4 in.)

## 7.5 SPECIAL PROVISIONS AND PARTIAL EXEMPTIONS

### 7.5.1 Temporary Pools

7.5.2 Notwithstanding Section 5 of this By-law if a Pool Enclosure Permit has been obtained with respect to the Pool Enclosure for a Temporary Pool, the Temporary Pool may be reinstalled and refilled with water without additional Permits or inspections provided there have been no alterations to the Pool Enclosure.

### 7.5.3 HOT TUBS

7.5.4 Notwithstanding Section 5 of this By-law, no permit or Pool Enclosure is required for a hot tub which is:

- (a) above grade and;
- (b) equipped with a substantial cover, capable of holding 90.72 kg (200 lbs) which is permanently fixed to the structure and which is locked to prevent access when the structure is not in use; or

- (c) equipped with a guard meeting the requirements of Section 7.5.6(d) of this By-law.

#### 7.5.5 ABOVE GROUND POOLS AND HOT TUBS WITH GUARDS

7.5.6 The Pool Enclosure for an above ground Pool or hot tub need not comply with Section 7 of this By-law provided that:

- (a) the combined height of the exterior sides of the Pool structure and any guard attached thereto is a minimum of 1.82 m (6.0 feet) and a maximum of 2.47 m (8.1 feet) in height above the grade;
- (b) the exterior sides of the Pool structure and any outside face of any guard are constructed in a manner that will not facilitate climbing;
- (c) the outside face of the Pool structure, including any attached deck or platform is at least 1.22 m (4.0 feet) from any lot line, or such larger distance as may be required by the City's zoning by-law;
- (d) if the Pool is surrounded by a platform or deck. The platform or deck must be at least 0.61 m (2 feet) in width, a guard of not less than 1 m (3 feet) in height, measured from the surface of the platform or deck must be provided around the platform or deck and access to the platform or deck must be restricted by an entrance or gate constructed in accordance with Section 7 of this By-law.

READ A FIRST, SECOND AND THIRD TIME AND PASSED BY COUNCIL THIS DAY 21st OF December, 2021.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

By-law Amendments:

By-law 2017-101 – September 19, 2017

**SCHEDULE "A" PERMIT FEES AND DEPOSITS**

Every person who erects or constructs a privately-owned outdoor swimming pool or fence around said swimming pool shall pay the following permit application fee:

Swimming Pool Type	Permit Fee	Security Deposit
Above Ground	\$124.00	\$250.00*
Inground	\$124.00	\$500.00*

\*Security Deposits released upon completion of pool final

**SCHEDULE "B" Undertaking Damage to City Property**

To: The Corporation of the City of Welland

Re: \_\_\_\_\_  
Municipal Address

\_\_\_\_\_  
Permit Application Number

In consideration of the issuance of a Permit to \_\_\_\_\_  
(proposed work)

For the above noted property, \_\_\_\_\_  
hereby

(Please print clearly)

Undertakes to repair and replace, to the satisfaction of the City Engineer, all damage to City property, including without limitation to curbs, sidewalks, and boulevards sustained directly or indirectly because of works undertaken by the Owner under the Permit. The Owner agrees that the security deposit of \$\_\_\_\_\_ will be held and may be used by the City, if the Owner fails to do such work as required by the Undertaking, to recover the cost to complete such work plus administrative fee as permitted by Article 1.5.6. of the Bylaw.

**SCHEDULE "C" FORMS**

Application for Swimming Pool Enclosure

Order to Comply Pursuant to Subsection 1.5 of the Pool Enclosure By-law 2010-119



## Application for a Swimming Pool Enclosure

For use by Principal Authority			
Application Number:		Permit Number (if different):	
Date Received:		Roll Number:	
Application submitted to: _____ (Name of municipality, upper-tier municipality, board of health or conservation authority)			
A. Project Information			
Building Number, Street Name		Unit Number	Lot/Con.
Municipality	Postal Code	Plan Number/Other Description	
Project Value Est. \$		Area of Work (m <sup>2</sup> )	
B. Purpose of application			
Proposed Use of Building/Tenant		Current Use of Building/Tenant	
C. Applicant			
Applicant is: <input type="checkbox"/> Owner <input type="checkbox"/> Authorized Agent of Owner			
Last Name	First Name	Corporation or Partnership	
Street Address		Unit Number	Lot/Con.
Municipality	Postal Code	Province	E-mail
Telephone Number (    )	Fax Number (    )	Cell Number (    )	
D. Owner (if different from applicant)			
Last Name	First Name	Corporation or Partnership	
Street Address		Unit Number	Lot/Con.
Municipality	Postal Code	Province	E-mail
Telephone Number (    )	Fax Number (    )	Cell Number (    )	



## Application for a Swimming Pool Enclosure

For use by Principal Authority			
Application Number:		Permit Number (if different):	
Date Received:		Roll Number:	
Application submitted to: _____ (Name of municipality, upper-tier municipality, board of health or conservation authority)			
A. Project Information			
Building Number, Street Name		Unit Number	Lot/Con.
Municipality	Postal Code	Plan Number/Other Description	
Project Value Est. \$		Area of Work (m <sup>2</sup> )	
B. Purpose of application			
Proposed Use of Building/Tenant		Current Use of Building/Tenant	
C. Applicant			
Applicant is: <input type="checkbox"/> Owner <input type="checkbox"/> Authorized Agent of Owner			
Last Name	First Name	Corporation or Partnership	
Street Address		Unit Number	Lot/Con.
Municipality	Postal Code	Province	E-mail
Telephone Number (    )	Fax Number (    )	Cell Number (    )	
D. Owner (if different from applicant)			
Last Name	First Name	Corporation or Partnership	
Street Address		Unit Number	Lot/Con.
Municipality	Postal Code	Province	E-mail
Telephone Number (    )	Fax Number (    )	Cell Number (    )	

**E. Pool Type**

- |                                      |   |                                    |
|--------------------------------------|---|------------------------------------|
| <input type="checkbox"/> Inground    | <input type="checkbox"/> Above ground   | <input type="checkbox"/> Temporary |
| <input type="checkbox"/> Hot Tub/Spa | <input type="checkbox"/> Landscape pond | <input type="checkbox"/> Other     |

**F. Type of Enclosure**

- |   |   |
|---|---|
| <input type="checkbox"/> Fenced in yard                               | <input type="checkbox"/> Above ground pool with guard and foldable, lockable ladder |
| <input type="checkbox"/> Other  | <input type="checkbox"/> Restricted deck access                                     |
| <input type="checkbox"/> Replace or repair of existing pool enclosure |   |

**G. Fencing Construction**

- |  |                                       |   |
|--|---------------------------------------|---|
| <input type="checkbox"/> Vertical wood board | <input type="checkbox"/> Wrought iron | <input type="checkbox"/> Chain link   |
|  |                                       | Mesh size <input type="checkbox"/> 38mm (1.5") <input type="checkbox"/> 50mm (2") |
| <input type="checkbox"/> Height 1.5m (5 ft)  | <input type="checkbox"/> 1.8m (6 ft)  |   |

**H. Declaration of Applicant**

I \_\_\_\_\_ declare that:  
(print name)

1. The information contained in this application, attached schedules, attached plans and specifications, and other attached documentation is true to the best of my knowledge.
2. If the owner is a corporation or partnership, I have authority to bind the corporation or partnership.

\_\_\_\_\_ Date \_\_\_\_\_ Signature of Applicant





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

**ORDER TO COMPLY**

Pursuant to Subsection 1.5 of the Pool Enclosure By-law 2010-119

ISSUED TO:	ORDER NO.:
PROJECT:	PERMIT NO.:
LOCATION:	
OWNER:	
DATE OF INSPECTION:	TIME:

TAKE NOTICE THAT THIS PROPERTY IS IN CONTRAVENTION OF THE POOL ENCLOSURE BY-LAW, 2010-119 IN PARTICULAR THE FOLLOWING PROVISIONS THEREOF:

ITEM	DESCRIPTION		REFERENCE BY-LAW SECTION
	CONTRAVENTION	REMEDIAL ACTION REQUIRED	
1.			
2.			

YOU ARE HEREBY ORDERED TO COMPLY WITH THE POOL ENCLOSURE BY-LAW 2010-119 THEREUNDER BY CORRECTING THE ABOVE NOTED CONTRAVENTION(S), NOTIFYING THE INSPECTOR AND PROVIDING ACCESS TO THE PREMISES FOR RE-INSPECTION, ALL BY

Failure to comply with this Order may result in the City, through its employees and agents or persons acting on its behalf, enter upon the land to carry out the necessary measures to comply with the Order to drain, fill in or fence the Pool at the expense of the person and any and all expenses incurred may be added to the tax roll of the subject property and collected from the owner of the subject property in the same manner as municipal taxes, or in any other manner available to the City, including by action.

ORDER ISSUED BY: Officer: \_\_\_\_\_

Date:

Section 1.5.5 of the Pool Enclosure By-law states that EVERY OWNER SHALL COMPLY WITH AN ORDER ISSUED PURSUANT TO SECTION 1.5 OF THIS BY-LAW AND WITHIN THE TIMEFRAME SPECIFIED FOR COMPLIANCE.

Copy: Order File      Tenant  
          Owner            Permit File  
          Officer            Street File

**SCHEDULE "D"****THE CORPORATION OF THE CITY OF WELLAND****SET FINE SCHEDULE****BY-LAW 2010-119, BEING A BY-LAW TO REGULATE POOL ENCLOSURES  
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 Penalty</b>
1	Construct or install a Pool without a permit	5.1	\$400.00
2	Cause a Pool to be constructed or installed without a permit	5.1	\$400.00
3	Substantial repair to an existing Pool Enclosure without a permit	5.2	\$400.00
4	Filling the Pool with Water without Enclosure or Notification	5.5	\$400.00
5	Maintain Swimming Pool Enclosure	5.8	\$400.00
6	Fail to Comply with an Order	1.5.5	\$400.00

## Appendix II

**SCHEDULE "C"****THE CORPORATION OF THE CITY OF WELLAND****SET FINE SCHEDULES****TO THE SWIMMING POOL ENCLOSURE BY-LAW 2010-119,  
BEING A BY-LAW TO REGULATE POOL ENCLOSURES  
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 Penalty</b>
1	Construct or install a Pool without a permit	5.1	\$400.00
2	Cause a Pool to be constructed or installed without a permit	5.1	\$400.00
3	Substantial repair to an existing Pool Enclosure without a permit	5.2	\$400.00
4	Filling the Pool with Water without Enclosure or Notification	5.5	\$400.00
5	Maintain Swimming Pool Enclosure	5.8	\$400.00
6	Fail to Comply with an Order	1.5.5	\$400.00

COUNCIL  
OFFICE OF CAO  
TRANSIT DIVISION

APPROVALS	
DIRECTOR	
CFO	
CAO	

21-13

**REPORT TRANS-2021-20**  
**DECEMBER 21<sup>ST</sup>, 2021**

**SUBJECT:                                   HOURLY OPERATING RATE – INTER-REGIONAL TRANSIT**

**AUTHOR:                                    EDWARD ZAHRA, TRANSIT MANAGER**

**APPROVING DIRECTOR:   STEVE ZORBAS, CAO**

**RECOMMENDATIONS:**

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information report TRANS-2021-20;

THAT THE COUNCIL OF THE CITY OF WELLAND approves the 2022 hourly rate applicable to inter regional transit provided by Welland Transit; and further

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

**ORIGIN AND BACKGROUND:**

Welland Transit has worked collaboratively with Niagara Region since inception of inter-regional transit in January 2018, after a successful pilot project which commenced in 2011. An agreement was established and approved by way of Council report TRANS-2018-06. The purpose of this report is to propose the hourly operating rate for inter-regional service for 2022.

**COMMENTS AND ANALYSIS:**

A comprehensive analysis was completed in June of this year, in collaboration with the Niagara Region, articling all associated costs incorporated to run an efficient transit service. Through the years of operation, the hourly rates have increased incrementally for reasons such as inflation and increased service levels. The latter places additional requirements from Welland Transit staff, as well as other municipal departments including but not limited to Human Resources, Finance and Communication.

Welland Transit is not an exception when it comes to seeing increased pressures due to COVID-19. As such, the proposed operating rate to be approved was frozen for the 2022 operating year with anticipation of continued funding through the Safe Restart Agreement, to offset potential revenue loss and operating costs for both municipal and regional transit.

**FINANCIAL CONSIDERATION:**

For 2022, the hourly operating rate for inter-regional transit provided by Welland Transit has been set to \$108.15. The rate has been developed based on a transit direct cost per operating hour of \$105.11 and indirect support costs of \$3.04 per operating hour for a total cost of \$108.15 per

operating hour. The City's rate is in line with that of Niagara Falls Transit and St. Catharines Transit.

**OTHER DEPARTMENT IMPLICATIONS:**

The ongoing collaboration with the municipal service providers, Niagara Region, and transit stakeholders continues the required support of other municipal departments including Finance, Legal, Planning, Human Resources, and Communications personnel. The demands placed on these departments would be dependent on the service delivery requirement that continues to evolve.

**SUMMARY AND CONCLUSION:**

In conclusion, it is the recommendation of staff for Council to approve the hourly operating rate of \$108.15 for inter-regional transit service provided by Welland Transit on behalf of Niagara Region for 2022.

**ATTACHMENTS:**

**Appendix I: Transit Operating Cost Breakdown**

Appendix i:

City of Welland  
Transit Reporting  
Budget Details - Summary for Region

Department	Description	Service Hours	Budget	2022 Actual	Basis of Allocation Comments
			2022	Expenses	
<b>Direct Costs</b>					
<b>Departmental</b>					
457	Facilities - Transit Terminal		49,225		Based On Department Budget
458	Facilities - Welland Transit		97,200		Based On Department Budget
810	Transit - Administration		1,265,310		Based On Department Budget
	Interdepartmental Recoveries		-678,600		Based On Department Budget
	Safe Restart Funding				Based On Department Budget
812	Transit - Bus Drivers		2,009,162		Based On Department Budget
814	Transit - Maintenance		1,631,573		Based On Department Budget
816	Transit - Inter Municipal Services		1,791,589		Based On Department Budget
	Interdepartmental Recoveries		678,600		Based On Department Budget
	Insurance Amount of \$47, 096 included in 816 cost center		47,096		Based On Department Budget
820	Well Trans - Administration		126,879		Based On Department Budget
824	Well Trans - Bus Drivers		299,596		Based On Department Budget
826	Well Trans - Maintenance		95,125		Based On Department Budget
	<b>Total Transit before Other Costs</b>		<b>7,412,755</b>	<b>0</b>	
<b>Other Costs</b>					
135	Building Insurance - Transit Terminal Value \$752,000		603		Allocate based on insured value of facility over total insured value. Total insured value is \$176,393,200
135	Building Insurance - Welland Transit Value \$3,329,900		2,590		Allocate based on insured value of facility over total insured value. Total insured value is \$176,393,200
135-520730	General Liability Insurance		26,741		Transit Expenses as % of Total Budget Expenses
135-520740	Insurance - Deductible		21,472		Transit Expenses as % of Total Budget Expenses
816-520720	Reverse Insurance Costs Above Included in 810 and 816 above				Based on Budget
135	interest on Transit Debt - included in 810 above in 2022				Based on Actual Debt
135	Principal on Debt - included in 810 above in 2022				Based on Actual Debt
	<b>Total Other Costs</b>		<b>51,406</b>	<b>0</b>	
	<b>Total Transit Direct Costs</b>		<b>7,464,161</b>	<b>0</b>	
	<b>Total Vehicle Hours</b>		<b>71,014</b>		Provided By Transit Staff
<b>TOTAL DIRECT COST PER HOUR</b>			<b>105.11</b>		

			Diff	
<b>Total Budgeted Hours</b>	<b>63</b> 71,014	<b>\$ 7,464,161</b>	<b>-\$</b>	<b>0.00</b>
Local conventional	45,126	\$ 4,743,117	direct cost includes Transit Admin but excludes Corporate OH	\$
Local specialized	6,557	\$ 689,195	direct cost includes Transit Admin but excludes Corporate OH	\$
Regional (to be confirmed by Welland)	19,331	\$ 2,031,849	direct cost includes Transit Admin but excludes Corporate OH	\$
PC	0	\$ -	direct cost includes Transit Admin but excludes Corporate OH	\$
<hr/>				
Welland Conventional & Specialized Transit Expenditures (less direct cost line 50 & 51)		5,432,313		
2022 Budget Revenues \$3.74 less IMT (\$2.15M Welland Dept ID 816 & PC Recovery \$0k line 53)		-1,767,326	-33%	
Base Local Transit Budget		3,664,987		
Add in Debt (principle)				
<b>Total Net Local Transit Cost</b>		<b>3,664,987</b>		
<hr/>				
Welland Net Transit Levy 2022		3,530,973		Line M57 +M58+G52
Variance (Region budget Rev of \$2.1 less Actual Line G50)		-134,013		Region identifies this as costs that would stay with the City for corporate overhead allocation outside of Direct Transit costs
Overhead Rate		15.00%	15.00%	Covers support from other City departments
TOTAL DIRECT COST INCLUDING OVERHEAD COSTS PER HOUR		<u>120.87</u>	15.76	<u>0.00</u>
Capital Cost - Depreciation Per Hour WT Bus		<u>14.81</u>		<u>14.81</u> Provided By Transit Staff
TOTAL COST PER HOUR - USING WT BUS		<u>135.68</u>		<u>14.81</u>

**COUNCIL**  
**OFFICE OF THE CAO**  
**ECONOMIC DEVELOPMENT OFFICE**

APPROVALS
DIRECTOR
CFO
CAO

21-114

**REPORT EDO-2021-09**  
**DECEMBER 21, 2021**

**SUBJECT: AGREEMENT OF PURCHASE AND SALE FOR CITY OWNED BUILDINGS  
LOCATED AT 33 AND 35 HELLEMS AVENUE**

**AUTHOR: LINA DECHELLIS, MANAGER OF ECONOMIC DEVELOPMENT**

**APPROVING DIRECTOR: STEVE ZORBAS, CAO**

**RECOMMENDATIONS:**

THAT THE COUNCIL OF THE CITY OF WELLAND accepts the offers to purchase city owned buildings located at 33 and 35 Hellems Avenue; and further

THAT Welland City Council directs staff to prepare all the necessary documentation and by-laws relative to the transfer; and further

THAT the Mayor and City Clerk be authorized to execute all the necessary documents relative to the transfer; and further

THAT Welland City Council directs staff to transfer the proceeds of the sale into the Economic Development Reserve Fund.

**ORIGIN AND BACKGROUND:**

At its meeting of September 21, 2021, Council declared surplus to the City's needs 33 and 35 Hellems Avenue.

These buildings were advertised in the Civic Corner on November 11 and 18, posted on surplus lands section of the city website and a for sale sign placed in the building windows on November 5.

Offers were being accepted until 4:30 p.m. on November 30, 2021. Offers were submitted to staff by 4:30 p.m. on November 30, 2021.

**COMMENTS AND ANALYSIS:**

At the December 9 Committee of the Whole Council meeting staff recommended proceeding with the Agreement of Purchase and Sale with the highest purchase price with a closing date of January 10, 2022.



**OTHER DEPARTMENT IMPLICATIONS:**

Clerks and Legal Divisions are involved to complete the sale of the property.

**FINANCIAL CONSIDERATION:**

The proceeds of the sale will be transferred into the Economic Development Reserve Fund.

**SUMMARY AND CONCLUSION:**

At their December 9, Committee of the Whole meeting Council directed staff to proceed with the Agreement of Purchase and Sale with the highest purchase price for city-owned buildings located at 33 and 35 Hellems Avenue.

**ATTACHMENT:**

None.

**COUNCIL**  
**OFFICE OF THE CAO**  
**ECONOMIC DEVELOPMENT OFFICE**

APPROVALS	
DIRECTOR	
CFO	
CAO	

21-159.

**REPORT EDO-2021-10**  
**DECEMBER 21, 2021**

**SUBJECT: AGREEMENT OF PURCHASE AND SALE FOR CITY OWNED LANDS  
LOCATED AT 81 DOANS RIDGE ROAD**

**AUTHOR: LINA DECHELLIS, MANAGER OF ECONOMIC DEVELOPMENT**

**APPROVING DIRECTOR: STEVE ZORBAS, CAO**

**RECOMMENDATIONS:**

THAT THE COUNCIL OF THE CITY OF WELLAND accepts the offer to purchase city owned lands located at 81 Doans Ridge Road; and further

THAT Welland City Council directs staff to prepare all the necessary documentation and by-laws relative to the transfer; and further

THAT the Mayor and City Clerk be authorized to execute all the necessary documents relative to the transfer; and further

THAT Welland City Council directs staff to transfer the proceeds of the sale into the Economic Development Reserve Fund.

**ORIGIN AND BACKGROUND:**

At its meeting of August 10, 2021, Council declared surplus to the City's needs lands located at 81 Doans Ridge Road.

This parcel was advertised in the Civic Corner on November 11 and 18, posted on surplus lands section of the city website and a for sale sign was erected on the site on November 16.

Offers were being accepted until 4:30 p.m. on November 30, 2021. Offers were submitted to staff by 4:30 p.m. on November 30, 2021.

**COMMENTS AND ANALYSIS:**

At the December 9 Committee of the Whole Council meeting staff recommended proceeding with the Agreement of Purchase and Sale with the highest purchase price with a closing date of January 15, 2022.

**OTHER DEPARTMENT IMPLICATIONS:**

Clerks and Legal Divisions are involved to complete the sale of the property.

**FINANCIAL CONSIDERATION:**

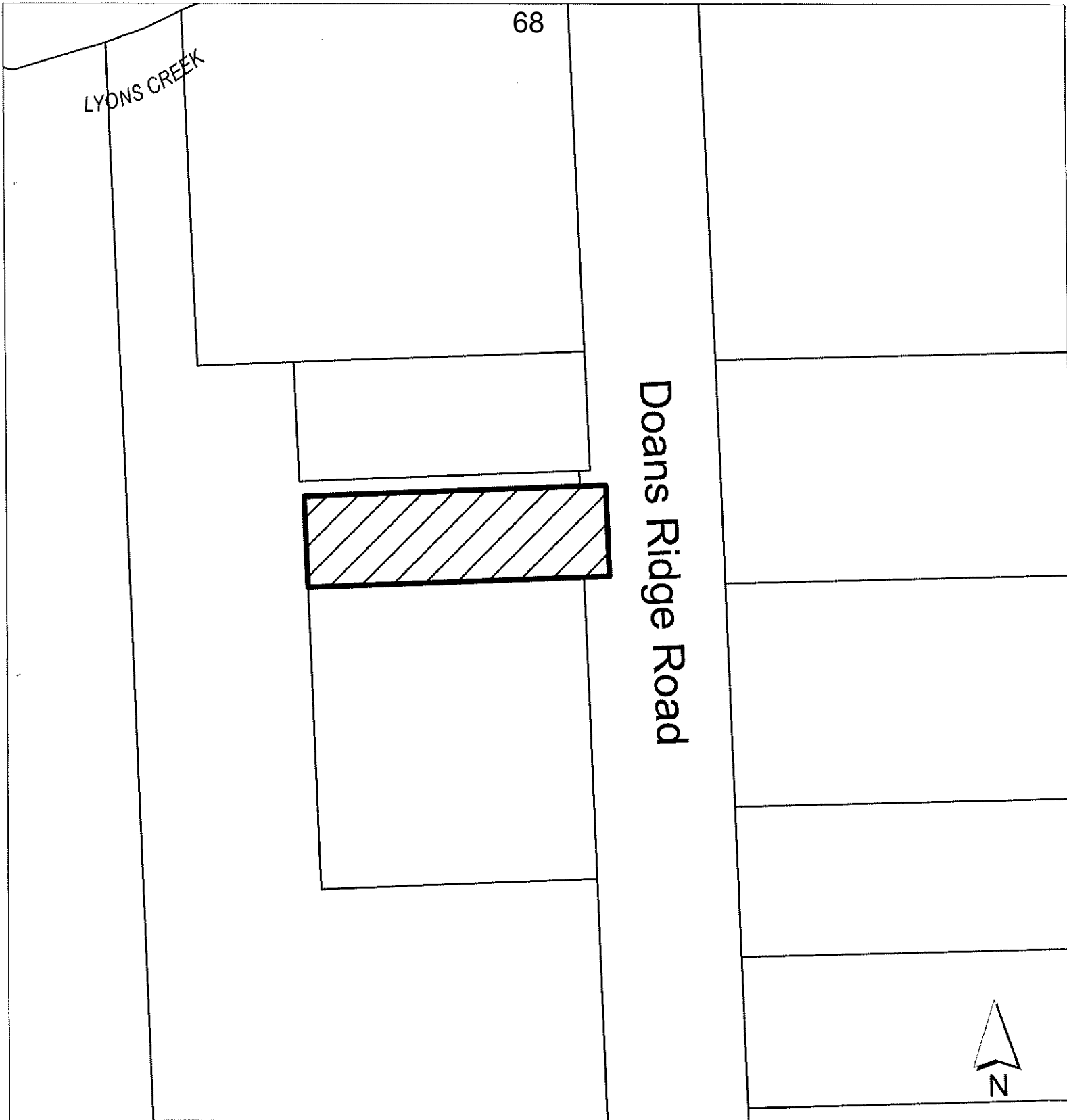
The proceeds of the sale will be transferred into the Economic Development Reserve Fund.

**SUMMARY AND CONCLUSION:**

At their December 9, Committee of the Whole meeting Council directed staff to proceed with the Agreement of Purchase and Sale with the highest purchase price for city-owned lands located at 81 Doans Ridge Road.

**ATTACHMENT:**

Appendix 1 – Key Map



***Location Map***  
81 Doan's Ridge Road

 SUBJECT LANDS



Planning & Development  
Services  
Planning Division

**COUNCIL**  
**COMMUNITY SERVICES**

APPROVALS	
DIRECTOR	<i>Ma.</i>
CFO	<i>[Signature]</i>
CAO	<i>[Signature]</i>

**REPORT R&C-2021-29**  
**DECEMBER 21, 2021**

21-158

**SUBJECT:                 STANDARD OPERATING PROCEDURE – TEMPORARY  
CLOSURE OF CITY FACILITIES DUE TO EXTREME WEATHER  
CONDITIONS**

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

**APPROVING  
CAO:                     STEVE ZORBAS, CAO**

**RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND receive and file Report R&C 2021-29 – Standard Operating Procedure (SOP) - Temporary Closure of City Facilities Due to Extreme Weather Conditions.

**ORIGIN AND BACKGROUND:**

From time to time, it may be necessary to temporarily close city facilities when extreme weather conditions exist and may endanger the health and safety of residents and staff.

Facility closure due to inclement weather will be at the discretion of the CAO in consultation with the Corporate Leadership Team (CLT).

Inclement Weather can be described as severe or harsh environmental conditions that can include: snowstorms, ice storms, hurricanes, tornados, flooding or any unforeseen act of nature.

The purpose of this Standard Operating Procedure is to:

- assign responsibility for determining closures and cancellations of City workplaces
- to clearly outline the communication protocol around a City closure decision resulting from inclement weather
- To clarify the responsibilities and expectations of employees in the event that there is an inclement weather event

**COMMENTS AND ANALYSIS:**

The City of Welland (“the City”) recognizes that Inclement Weather may temporarily prevent the availability and operations of non-essential City services. As these situations can, at times, create difficult and dangerous travel and work conditions, this may interfere

with the normal business operation of the City. The City places importance on maintaining employee safety, while continuing to deliver essential services to the public.

These procedures apply to all City employees, including but not limited to regular, temporary and contract employees (collectively called "Employees"), in addition to volunteers, students and interns. The City of Welland's Emergency Plan will take precedence over these procedures. It should be noted that temporary closures can occur at various time intervals throughout the day and Council will be notified of such closure via e-mail.

**FINANCIAL CONSIDERATION:**

There are no immediate and direct financial implications arising from this report. The Chief Administrative Officer (CAO) and Chief Financial Officer (CFO) has reviewed this report and agrees with the financial impact information.

**OTHER DEPARTMENT IMPLICATIONS:**

All City of Welland departments and divisions will have roles and responsibilities as they relate to inclement weather procedures.

**SUMMARY AND CONCLUSION:**

The purpose of these procedures is to co-ordinate information gathering, decision-making and action when the procedures are enacted and to effectively communicate in a timely manner to residents, staff and the broader community when circumstances threaten to interrupt normal City operations.

**ATTACHMENTS:**

Appendix I – Draft Temporary Closure of City Facilities due to Extreme Weather Conditions



## APPENDIX I

**Corporation of the City of Welland**  
**Standard Operating Procedure**

**Title:** Temporary Closure of City Facilities due to Extreme Weather Conditions

**Accountable:** CAO

**Last Review:** December 2021                      **Last Revision:**

**Next Review:** November 2022

**INTRODUCTION**

**Purpose:** This procedure outlines the process to cancel City of Welland services and/or temporarily close Civic Square and other municipally owned and/or operated facilities where city staff are responsible for day-to-day operations, due to extreme weather conditions including:

- heavy snowfall,
- ice storms,
- windstorms, and
- extreme heat and cold events.

**Scope:** This procedure applies to municipally owned and/or operated facilities.

This procedure does not apply:

- To Public Works Division (Roads & Water/Wastewater), Parks and Forestry Operations Centre, Transit Operations Centre and Fire Department facilities which are all critical infrastructure, and staff within these departments.
- During regular operations, including winter operations that do not require the closure of facilities.
- During an emergency situation when the Emergency Operations Centre has been activated and the Emergency Control Group has been called out.
- During a declared Municipal Emergency.

**Objectives:**

The objectives of this procedure are to:

1. Minimize risk of the general public, city staff and Council.
2. Clarify responsibilities of city staff related to extreme weather conditions and decision-making and communication about facility closures.
3. Maximize the city's ability to respond effectively and in a timely way to extreme weather events.
4. Establish an efficient and consistent communication system before, during and after extreme weather conditions.

**Guiding Principles:**

The City of Welland may close municipally owned and operated facilities, suspend operations temporarily and/or cancel programs and services in response to extreme weather when one or more of the following is a concern:

- Conditions may prevent safe travel to and from facilities by the public or city staff.
- Conditions may have a substantial adverse effect on normal facility operations.
- Conditions may pose a risk to the facility itself, such as snow loading.

The City of Welland will ensure the community is aware of the conditions and any impact on services and/or facility hours of operation.

The City of Welland will work closely with its partners to coordinate its response plan and communications.

In the event inclement weather conditions are present and it is necessary to close certain offices or services, the employees shall be advised, and the City will continue the effected full time employee's wages based on a regular working day for the period involved. Notice of closures will be broadcast on the local radio stations, the City's web site, via email and /or by telephone call. It will be the responsibility of each member of staff to check for such notice.

If weather conditions worsen as a day progress, the City may, in its discretion, close operations and send employees home. If that happens, those full-time employees sent home will not suffer any loss in pay. Employees not working on that day (e.g., on vacation, sick leave, or a scheduled day off) will record their time as originally planned.



In the event there is no authorized office/services closure, only those full-time employees who report for work will be paid unless the employee makes alternate arrangements with their manager/supervisor. The employee may take this time as vacation, lieu time or time without pay. In appropriate circumstances, you may be allowed to make up the time by working extra hours as approved by your manager/supervisor.

## **PROCEDURE**

### **Step 1 - Responsibility for Determining Closure**

1. The CAO will make the decision regarding the closure of any city facilities and/or the cancellation of services/programs, based on current and predicted information. In the absence of the CAO, the authority to close facilities or cancel programs and the responsibility for executing associated actions is assigned to the Acting CAO.
2. The city's decision about closure of city-owned and/or operated facilities that are shared with schools or libraries will consider the intentions of the 'partner' service provider(s) and implications for service delivery across the city. The CAO will establish that conditions will be monitored until a decision is made to return to normal operating hours.

### **Step 2 – What may be Closed**

1. Closures are assessed on an individual facility basis and may affect all or specific city facilities only.
2. Civic Square is considered the administrative facility for the purposes of a closure.
3. There may be times when specific services are maintained due to the nature of the work and/or the time sensitivity of a task and/or geographical location. There may also be times when facilities are kept open but certain programs are cancelled due to circumstances regarding specific programs such as staff not able to get to work. When a facility is closed, all services, programs and rentals are cancelled. Normal operating hours will resume on the next day unless otherwise advised. An exception to this practice would be considered on a case-by-case basis for functions such as weddings, special events and tournaments, when all parties involved are agreeable and able to manage the function in a safe manner.

### **Step 3 –Decision-Making Process**

1. Seven days a week, the city will use the following schedule as a guide for

decision-making via conference call, virtual meeting or in person meeting regarding facility closures:

Next Day Planning:	8:00 p.m.	(will commence when Environment Canada issues a special alert for a weather Watch or Warning*) (via email to set-up morning call or confirm that call is not required)
Morning Closure:	5:00 a.m.	(conference call/ virtual meeting)
Afternoon Closure or Re-Open:	10:00 a.m.	(meeting or conference call, if needed)
Evening Closure:	2:00 p.m.	(meeting or conference call)
Next Day Planning:	8:00 p.m.	(conference call or via email to set-up morning call)

\*Environment Canada – Types of Alerts

<b>Alert:</b>	<b>Issued When:</b>
Special Weather Statements	Are the least urgent type of alert and are issued to let people know that conditions are unusual and could cause concern.
<b>Alert:</b>	<b>Issued When:</b>
Advisories	Are issued for specific weather events (like blowing snow, fog, freezing drizzle and frost) that are less severe, but could still significantly impact residents.
*Watches	Alert residents about weather conditions that are favourable for a storm or severe weather, which could cause safety concerns.
*Warning	As certainty increases about the path and strength of a storm system, a watch may be upgraded to a Warning, which is an urgent message that severe weather is either occurring or will occur. Warnings are usually 6-24 hours in advance, although some severe weather (such as thunderstorms and tornadoes) can occur rapidly, with less than a half hours' notice.

These conference calls or meetings will include the CAO as well as all the Directors of the Corporate Leadership Team, Communications Manager and the Library CEO and will determine whether the City's Community Emergency Management Co-ordinator (CEMC) needs to be involved in each closure meeting or conference call.

- The standing agenda will be as follows:
  - Weather and road, snow clearing update (Director of Infrastructure Services)
  - Facility and parking lot snow clearing update (Director of Infrastructure Services and Director of Community Services)

- Transit update (Transit Manager)
- Communications update (Manager of Communications)
- Based on conference call or meeting time:
  - Closure decision for same day (this timeframe, upcoming timeframe) or reopening decision
  - Key messages for external customers
  - Key messages for staff (who, what, where, when, why and how)
- Other information that needs to be shared and/or dealt with (all)
- Next conference call / meeting or confirm timing for back to business
- Adjournment

## **ROLES AND RESPONSIBILITIES**

### **CAO**

- Decides when to close and then open facilities and/or to cancel services.
- Chairs decision meetings, including related conference calls / virtual meeting.
- Coordinates updates from CLT and communicates to Mayor and Council as needed.
- Decides what portion(s) of the communications plan will be put into effect when weather circumstances are questionable and support the decision which has been made to either stay open or closed.
- The Executive Assistant to the CAO will be responsible for coordinating meetings between the CAO and Corporate Leadership Team (CLT), either virtual, in person or via conference call as it pertains to discussions surrounding facility closures.

### **Welland Fire & Emergency Services**

- Provide input and advice on weather and environmental factors through the Emergency Management network
- Ensures emergency services' timely response capacity and provides information and supports to CAO, CLT, and Communications as required
- Cancellation of non-essential appointments and inspections as approved by the Deputy Fire Chief, and communication to all stakeholders

### **Manager of Communications**

- Reviews closures / potential closures of the Region of Niagara, Niagara College, Brock University, nearby municipalities, and local school boards.
- When facilities are kept open, inquire if any programs are cancelled due to program specific circumstances such as staff not being able to get to work

and provide messaging to participants via social media.

- Advise, through social media and shared with participants that directly-delivered recreation programs that are cancelled are not required to be made up.
- Communicates information (as approved by the CAO and the Mayor) to the public regarding the closure and opening of facilities and/or cancellation of programs and services (including partial closures)
- Provides appropriate messaging in collaboration with the CAO and the Mayor and to be posted on the city's website and other social media sites as well as at other City owned facilities.
- Ensures appropriate messaging is posted at recreation facilities to advise of city decisions regarding facility closures (through Director of Community Services).
- Ensures updated messaging on main department phone line (through the Clerks Department).
- Communicates information to all staff regarding the closure of city facilities.
- Makes use of media releases, social media, the city's external website, 610 Radio, 91.7 Giant FM, Cogeco, staff website, message on city phone line and other methods to proactively share information prior, during and post-extreme weather event.
- Assists the Mayor and/or the CAO when responding to extreme weather-related media inquiries.
- Keeper of emails, media releases, etc.

### **Infrastructure Services**

- Undertakes winter operations in accordance with city standards and the Minimum Maintenance Standards of the *Municipal Act*.
- Provides the CAO and Communications Manager operational updates for the city website three times a day (9 a.m., 4p.m., 11 p.m.) during winter snow accumulation events as part of regular operations.
- Provides CLT information regarding weather predictions, winter control operations, and current road conditions.
- Keeps CLT updated about extreme weather actions being conducted by Public Works staff.
- Works with staff and contracted services to ensure safe and clear paths of travel into all open facilities and snow clearing in parking lots at city facilities.

### **Traffic & By-laws**

- If schools are closed, Supervisor of School Crossing Guards to notify school crossing guards of the closure.

- If city facilities are closed but schools remain open, school crossing guards continue business as usual.

### **Community Services**

- Ensure required facility needs are met, such as checking pumps and emergency callout.

### **Transit Department**

- Generally, operates business as usual.
- Contact Handi-Trans clients to advise of city decisions regarding cancellations, where possible.

### **Library**

- Library's CEO handle all messaging for the library and will often link to the City.

### **Employees**

- Annually review facility closure procedures.
- Telephone City Hall at 905-735-1700 and press 'X' to hear if a facility and/or service closure is in effect.
- Review Welland Staff Website for staff update information.

### **Human Resources Department**

- Responds regarding Human Resources matters, based on city policies and situation-specific plans.
- Communicates criteria and process for determining payment of staff.

### **Renters and Program Participants**

- Use one of the planned communication methods (via city's Facebook, Instagram, city website, local radio and Cogeco as well as the department phone line available to the general public to determine the status of facility closures/program cancellations).
- Renters only: Advise Recreation, Community and Culture Department staff as soon as possible if you plan to cancel your facility booking due to concerns about extreme weather conditions.
- Encouraged to subscribe to the latest news at [www.welland.ca](http://www.welland.ca).

COUNCIL  
INFRASTRUCTURE SERVICES  
ENGINEERING DIVISION

APPROVALS	
DIRECTOR	
CFO	
CAO	

REPORT ENG-2021-30  
DECEMBER 21, 2021

21-160

**SUBJECT:** DIRECT APPOINTMENT OF PROFESSIONAL SERVICES FOR COMMERCIAL STREET AREA WASTEWATER MASTER SERVICING PLAN FOR THE ONTARIO ROAD CATCHMENT

**AUTHOR:** MATTHEW MAIN, P.ENG.  
INFRASTRUCTURE AND ASSET MANAGER

**APPROVING MANAGER:** LIVIA MCEACHERN, P.ENG.  
MANAGER OF ENGINEERING

**APPROVING DIRECTOR:** SHERRI-MARIE MILLAR, P.ENG.  
DIRECTOR OF INFRASTRUCTURE SERVICES

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**RECOMMENDATIONS:**

1. THAT THE COUNCIL OF THE CITY OF WELLAND authorize the direct appointment of Kerry T. Howe Engineering Limited to provide professional services for the **Commercial Street Area Wastewater Master Servicing Plan for the Ontario Road Catchment** as per their proposal dated November 5, 2021, for the amount of **\$43,950.00** excluding HST; and further
2. THAT Council directs the City Clerk to prepare all necessary and appropriate by-laws to enter into a contract with Kerry T. Howe Engineering Limited to complete the described work.

**ORIGIN AND BACKGROUND:**

The 2020 Pollution Prevention Control Plan Update & Wastewater Master Servicing Plan (PPCP) draft identified the Ontario Road Sewer Pumping Station (SPS) sanitary catchment as a high priority area due to its high extraneous flows and risk of basement flooding. Multiple projects are recommended to alleviate current capacity issues and prepare the sanitary network for future growth pressures. The recommendations include the construction of a new sanitary trunk on Ontario Road from the existing pumping station to King Street, an upgrade to the Empress and Sutherland Avenue sewers, and the initiation of an inflow and infiltration reduction program.

The purpose of the Commercial Street Area Wastewater Master Servicing Plan (MSP) is to examine the sanitary network in detail and evaluate multiple

scenarios with the goal of reducing the area's hydraulic grade line to alleviate current and future capacity issues. The recommendations from the MSP will be used in conjunction with the David Street Stormwater MSP (currently underway) to plan future infrastructure upgrades in the catchment area. Any opportunities to redirect sanitary flows to the north will be incorporated into the Ontario Road trunk sewer design.

### **COMMENTS AND ANALYSIS:**

As part of a multi-project solution to address flooding and sanitary capacity issues in the Ontario Road SPS catchment area the Commercial Street Area Wastewater MSP was proposed and approved during the 2021 budget deliberations.

Upon request, Kerry T. Howe Engineering Limited (KTH) submitted a proposal to provide professional services to complete the project. KTH has extensive knowledge of the area through their past sewer separation works on Canal Bank Street, Plymouth Street, Morwood Avenue, and Evelynn Ditch as well as past flow monitoring studies within the Ontario Road SPS Catchment.

Recognizing the value added by having local sanitary catchment knowledge in the area, and having completed multiple successful City of Welland projects of similar scope, staff are recommending KTH to complete the Commercial Street Area Wastewater Master Servicing Plan as outlined in their proposal.

### **FINANCIAL CONSIDERATION:**

Projects costs and funding is summarized as follows:

<b>Project Costs</b>	<b>Amount</b>
KTH Proposal for Professional Services	\$43,950.00
Subtotal:	\$43,950.00
City's Portion of HST (1.76%):	\$773.52
<b>Total Anticipated Project Cost:</b>	<b>\$44,723.52</b>
<b>Approved Capital Funding (10-330-21720):</b>	<b>\$150,000.00</b>

The total cost for professional services including HST is \$44,723.52. The remaining funds will be used to design the first phase of the Ontario Road trunk sewer once future capacity requirements are verified within the Commercial Street Area Wastewater MSP.

**OTHER DEPARTMENT IMPLICATIONS:**

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

**SUMMARY AND CONCLUSION:**

The Ontario Road SPS sanitary catchment area is a high priority area for the City with known capacity issues. The Commercial Street Area Wastewater MSP is part of a multi-project solution to help alleviate these issues and will be used in conjunction with the David Street Stormwater MSP to plan future infrastructure upgrades in the area.

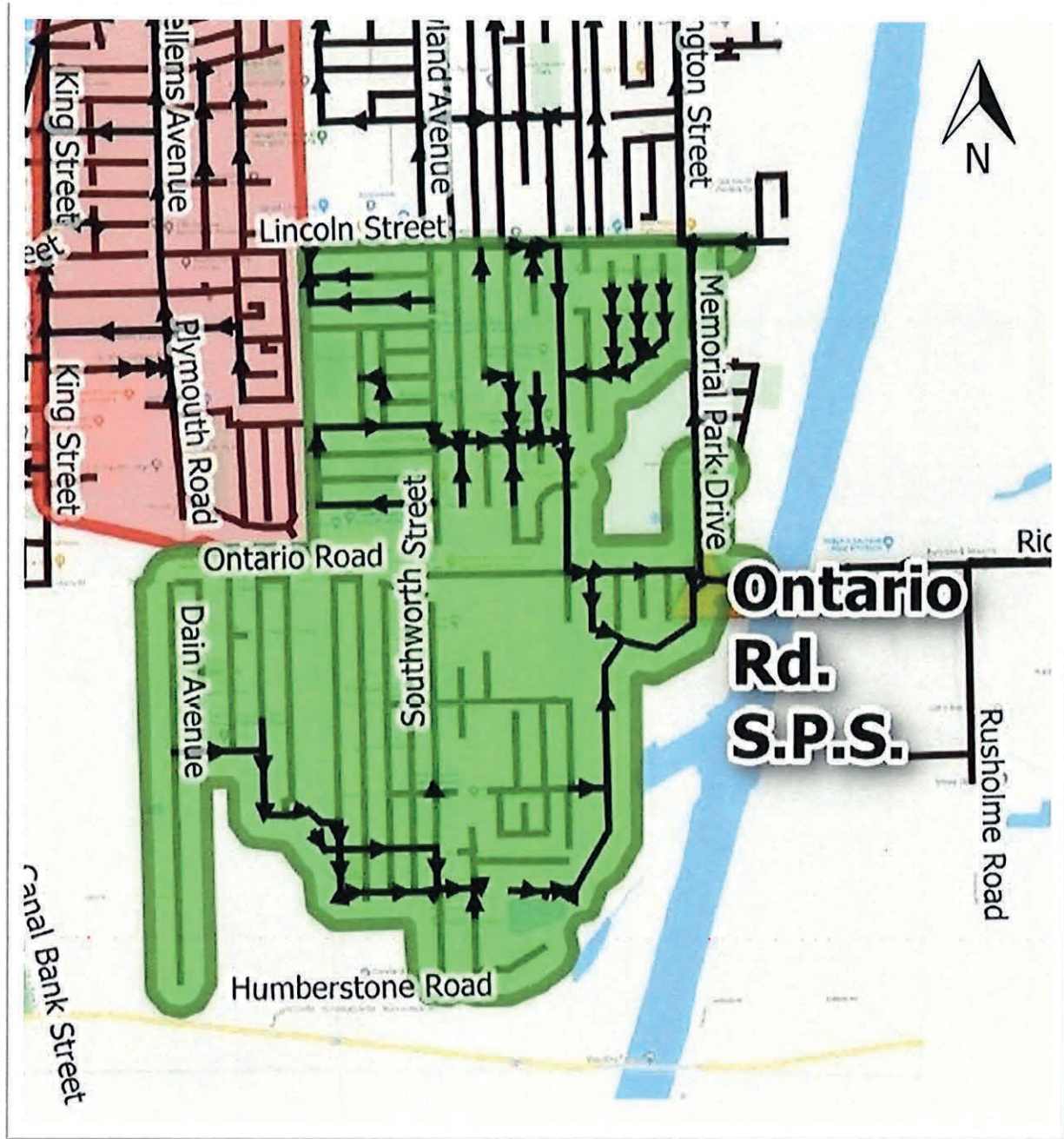
On the basis of KTH's extensive knowledge of the area and performance completing similar projects within the City, staff recommend the direct appointment of KTH to provide professional services for the Commercial Street Area Wastewater Master Servicing Plan for the Ontario Road Catchment for the amount of \$43,950.00 plus HST.

**ATTACHMENTS:**

Appendix 1 – Location Plan



Ontario Road Sewage Pumping Station Sanitary Catchment



**COUNCIL**  
**INFRASTRUCTURE SERVICES**  
**ENGINEERING DIVISION**

APPROVALS	
DIRECTOR	
CFO	
CAO	

REPORT ENG-2021-35

December 21, 2021 21-141

**SUBJECT:** CLARE AVE INFRASTRUCTURE IMPROVEMENTS  
PROJECT – AWARD OF TENDER

**AUTHOR:** JOSH TRIM, P.ENG.  
SENIOR PROJECT MANAGER

**APPROVING  
MANAGER:** LIVIA MCEACHERN, P.ENG.  
MANAGER OF ENGINEERING

**APPROVING  
DIRECTOR:** SHERRI-MARIE MILLAR, P.ENG.  
DIRECTOR OF INFRASTRUCTURE SERVICES

**RECOMMENDATIONS:**

1. THAT THE COUNCIL OF THE CITY OF WELLAND accepts the tender of **Nexterra Substructures Inc** in the amount of **\$1,237,968.82** (plus HST) being the lowest of five (5) bid submissions received for the Clare Avenue Infrastructure Improvement project;
2. THAT Council directs staff to prepare the necessary by-law and documents to execute the project; and
3. THAT Council authorizes the Mayor and Clerk to execute all necessary documents to execute the project.

**ORIGIN AND BACKGROUND:**

As per reports ENG-2014-28, ENG-2014-41 and ENG-2017-36, previous planning and servicing studies identified Clare Avenue between Fitch Street and Webber Road to be a crucial transportation link for the City of Welland.

Due to developments along Clare Avenue, a phased approach to the construction of this corridor was implemented, starting with the extension of Clare Avenue between Lynbrook Lane and Webber Road. Final surface works were deferred from the initial stage and are recommended for completion with this current project.

Clare Avenue, between Lynbrook Lane and Fitch Street will be urbanized with new curb and gutter, sidewalks along both sides of the street and the extension of the storm sewer.

The sanitary sewer between Kensington Street and Fitch Street has also reached the end of its useful life and will be replaced with a new PVC sanitary main.

**COMMENTS AND ANALYSIS:**

The tender for the works was released on Wednesday, November 10, 2021, and was publicly advertised, forwarded to the Niagara and Toronto Construction Associations, and posted with a major Canadian tendering website for two (2) weeks.

There were five (5) tenders received on closing day, Wednesday November 24, 2021. Submissions have been reviewed for accuracy and found to be in compliance with City of Welland tender requirements and the provisions of the current Purchasing Policy.

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

<b>Contractor Name and Address</b>	<b>Tender Price (excluding taxes)</b>
<b>Nexterra Substructures Inc</b> 7226 Reixinger Road; Niagara Falls, ON L2G 0R9	<b>\$1,237,968.82</b>
<b>Demar Construction Inc.</b> 2140 Allanport Road, Allanburg, ON L0S 1A0	<b>\$1,356,214.36</b>
<b>Peters Excavating Inc.</b> 3 Cross Street; Welland, ON L3B 5X6	<b>\$1,376,642.64</b>
<b>Rankin Construction Inc.</b> 20 Corporate Park Drive, St. Catharines, ON L2S 3W2	<b>\$1,437,425.00</b>
<b>Catalina Excavating Inc.</b> 913 Mud Street East, Stoney Creek, ON L8J 3C1	<b>\$1,495,983.00</b>

Nexterra Substructures Inc. of Niagara Falls, Ontario, the lowest compliant tenderer, is an established contractor and has been successful with similar work in the Region in recent years. Staff at this time considers the firm's performance to be satisfactory in accordance with our specifications and standards, and therefore, recommends that the firm be awarded the contract.

Work on this contract is expected to begin in the Winter of 2022.

**FINANCIAL CONSIDERATION:**

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

<b>Clare Avenue – Infrastructure Improvements Between Webber Road and Fitch Street – Project Costs</b>	<b>Amount</b>
Clare Avenue – Infrastructure Improvements Between Webber Road and Fitch Street	\$1,237,968.82
Material Testing and Quality Control (2%)	\$24,759.38
Subtotal:	\$1,262,728.20

<b>Clare Avenue – Infrastructure Improvements Between Webber Road and Fitch Street – Project Costs</b>	<b>Amount</b>
City's Portion of HST (1.76%):	\$22,224.02
<b>Total Anticipated Costs:</b>	<b>\$1,284,952.22</b>

<b>Project Funding Breakdown</b>	<b>Amount</b>
Clare Avenue Infrastructure Renewals (Multi Asset) - 10-(320-316-327-330)-21714	\$750,000.00
Clare Avenue Fitch to Webber - Top Asphalt - 10-320-22162	\$500,000.00
<b>Total Approved Funding:</b>	<b>\$1,250,000.00</b>

The tender price from the low bidder, plus 2% for material testing and 1.76% for the City's portion of the HST, is approximately **\$1,284,952.22**. A total of \$1,250,000.00 was approved in the 2021/2022 Capital Budgets.

As this project has a contingency amount of \$100,000.00 and provisional items totaling \$37,595.00, it is anticipated, short of a major unforeseen condition, the approved budget will be sufficient to finance the project and no additional financing will be required.

**OTHER DEPARTMENT IMPLICATIONS:**

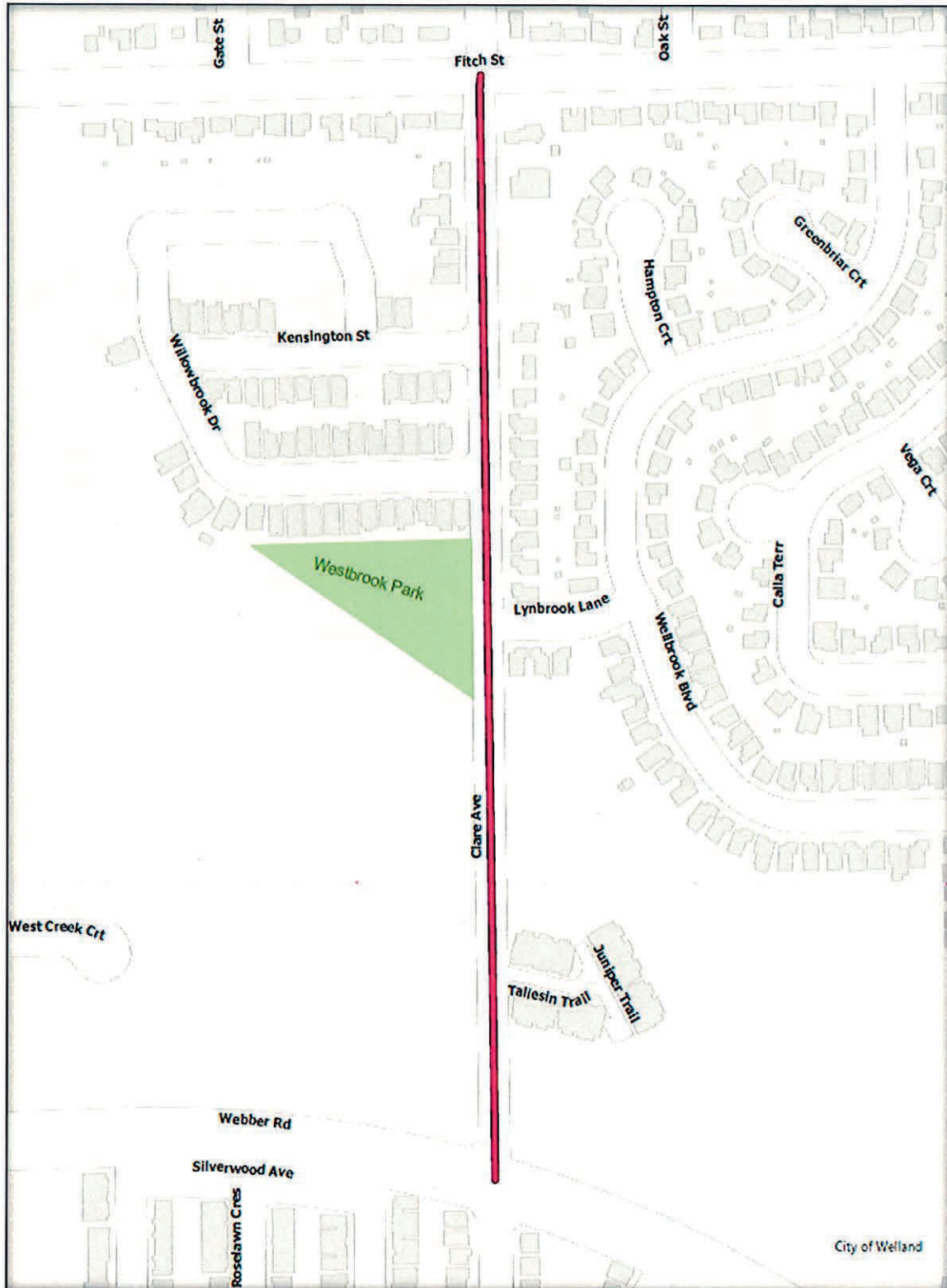
Contract administration for tendering, agreement, and contract payments have been and will be kept in compliance with the agreed practices of the Finance, Clerks and Legal Services departments.

**SUMMARY AND CONCLUSION:**

Staff recommends the awarding of the Clare Avenue Infrastructure Improvement contract to **Nexterra Substructures Inc** at the tendered price of \$1,237,968.82 (plus HST).

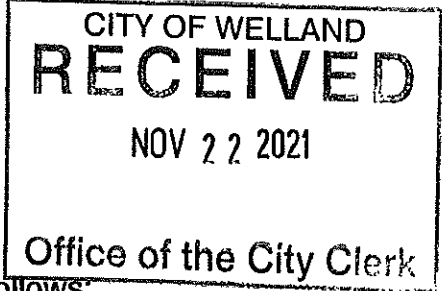
**ATTACHMENTS:**

Appendix 1 - Location Plan



PRESCRIBED FORM OF PETITION

To: The Council of the City of Welland  
 c/o City Clerk  
 60 East Main Street  
 Welland, ON L3B 3X4



I/We the undersigned, petition the Council of the City of Welland as follows:

Due to constant speeding on Page Dr / Trelawn Pkwy, we request the installation of speed humps and a speed reduction in front of the park entrance area on page Dr. To make street safer for children as they walk to school.

PRINTED NAME	PRINTED ADDRESS	SIGNATURE
Nadia Potter Andrew Potter	129 Page Dr. Welland " " " "	
Sharon Eggleton Terri Scott	125 Page Dr. Welland 62 Emshurst Dr.	Sharon Eggleton Terri Scott
Ashley + Murray Jones	117 Wellandvale Dr.	
K. Post	151 Page Dr.	
Jenn Backshall KEVIN MAION	132 Royal oak Dr. 102 PAGE DRIVE	Jenn Backshall Kevin Maion
NICK BOTLAKE	143 PAGE DR	
Dave Siles Ray Fontaine	147 PAGE DR. 148 Page Dr	Dave Siles Ray Fontaine
Orlynn Failli Jan Green	144 Page Drive 78 Page Dr.	Orlynn Failli Jan Green
J. Malnal Kyle Bergeron	38 PAGE DR 54 Page Dr	J. Malnal Kyle Bergeron
Shelley Law	102 Cedar Park Dr.	Shelley Law

21-22

PRESCRIBED FORM OF PETITION

To: The Council of the City of Welland  
 c/o City Clerk  
 60 East Main Street  
 Welland, ON L3B 3X4

I/We the undersigned, petition the Council of the City of Welland as follows:

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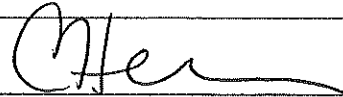
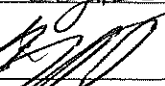

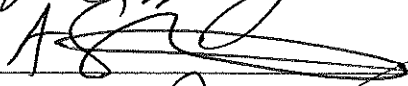


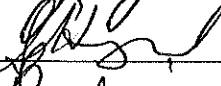
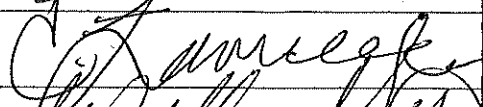
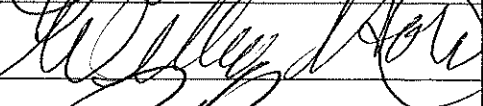

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PRINTED NAME	PRINTED ADDRESS	SIGNATURE
Christine Haynes	54 Page Drive	
Cathy Melaragni	163 Page Drive	C Melaragni
Roy Bridgeland	31 Chelsea Cres	R. W. 
Dave Schellenberg	80 Whiteoak Cres	
ANDREW STIRLING	60 WHITEOAK CRES	
Josip Ribaric	18 Whiteoak Cr.	
Carey Hayward	51 Whiteoak Cr.	
Stacy Hayward	51 Whiteoak Cr	
ANURSETH	24 Whiteoak Cr	Boelin
Ciara Lawrence	12 Whiteoak Cr	
W BOOD	55 PAGE CR	
P. KRAMER	59 PAGE DR	
Crystal Coote	109 Page Drive	C Coote
Crystal Welfen	168 Page Drive	C Welfen



## **COUNCIL MEETING AGENDA**

**Tuesday, December 21, 2021**

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

**All meetings can be viewed at:**

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

**YourTV: The meeting will be aired on channel 700 on December 25, 2021 at 8:00 a.m.**

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- 1. COMMITTEE-OF-THE-WHOLE (IN-CAMERA) (6:40 p.m.)  
(See yellow tab)**
  - A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;  
- *Renewal of Management Agreement and Operating Agreement Youngs Sportsplex*
  - Proposed or pending acquisition or disposition of land by the municipality or local board:  
- *Additional Offer to purchase additional land for Fire Station #3*
  
- 2. ARISE FROM COMMITTEE-OF-THE-WHOLE (IN-CAMERA) (6:55 p.m.)**
  
- 3. OPEN COUNCIL MEETING (7:00 p.m.)**
  - 3.1 NATIONAL ANTHEM**
  - 3.2 OPENING REMARKS**
  - 3.3 ADDITIONS/DELETIONS TO AGENDA**
  - 3.4 ADOPTION OF MINUTES**

Regular Council Meeting of November 16, 2021 and Special Council Meetings of November 23, 2021 and December 9, 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)**





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

**Tuesday, December 21, 2021**

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

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**YourTV: The meeting will be aired on channel 700 on December 25, 2021 at 8:00 a.m.**

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### **4. ORAL REPORTS AND DELEGATIONS**

#### **4.1 PRESENTATION(S)**

Certificate presentation by Mayor Campion to Geoff Eden.

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

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

#### **4.4 LEGISLATED PUBLIC HEARINGS/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)**

**(Mayor Campion)**

**21-161** WHEREAS the Region is in the process of reviewing and updating their Official Plan (ROP) and  
WHEREAS the City of Welland is in the process of reviewing and updating their Official Plan and  
WHEREAS the City of Welland is experiencing significant residential growth and intensification and  
WHEREAS increased density may negatively impact existing stable residential neighbourhoods and  
WHEREAS it is desirable for the City to be able to protect those neighbourhoods and  
WHEREAS in order to do so the city will need the ability to successfully defend decisions opposing certain developments in these areas  
NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND request that the Region put policies in their Official Plan to support stable (lower density) residential neighbourhoods by providing for gentle density and/or limiting intensification to appropriate locations and  
Further that Welland staff work with the Region on these policies and



## **COUNCIL MEETING AGENDA – Page 3**

**Tuesday, December 21, 2021**

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

**All meetings can be viewed at:**

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

**YourTV: The meeting will be aired on channel 700 on December 25, 2021 at 8:00 a.m.**

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Further that Welland Planning staff, in the development of Welland's Official Plan consider utilizing these policies to guide/minimize the impacts of intensification and potentially limit intensification to specific areas.

**(Councillor DiMarco)**

**21-22** THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to install stop signs on St Lawrence Ave at Gretel Place; and further THAT Traffic and Parking By-laws staff amend the bylaw pertaining to such.

**(Councillor DiMarco)**

**21-22** THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to place speed bumps on Page Drive between Trelawn Parkway and the culvert north of Trelawn Park; and further THAT the speed be reduced to that of the Community Safety Zone of 40 km from the current 50 km.

**(Councillor DiMarco)**

**13-117** WHEREAS currently in the City of Welland certain developments/new builds are occurring in areas that are specifically not zoned for such and do not conform to the current established neighborhood layout. THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to review our comprehensive zoning by-laws and prepare a report in regards to amendment(s) that would not allow builds whether commercial or multi-residential that do not conform to a current existing neighborhood.

**(Councillor DiMarco)**

**21-29** THAT THE COUNCIL OF THE CITY OF WELLAND adopts a meeting schedule similar to that of a neighboring municipality and in doing such, eliminate the need for the Budget Review Committee, Audit Review Committee, General Committee and Special Council meetings.

**(Councillor McLeod)**

**07-50** WHEREAS the parkland dedication by-law was approved in 2014; and further WHEREAS increased housing density has heightened the importance of neighborhood parks; and further WHEREAS parks provide communal areas for a community to 'Play', which is vital for our citizens physical and mental health. NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND requests staff present a report and updated parkland



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

**Tuesday, December 21, 2021**

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**YourTV: The meeting will be aired on channel 700 on December 25, 2021 at 8:00 a.m.**

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dedication by-law that supports increased parkland creation, maximizes funding and usage of parkland space for Council consideration.

**(Councillor Green)**

**21-4** THAT THE COUNCIL OF THE CITY OF WELLAND direct staff to include in the 2023 base budget for council consideration approval of \$20,000 for Pathstone Foundation and \$25,000 for Faith Welland Outreach into legacy grants, and further that the permissive grant budget be reduced accordingly by \$45,000.

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

**8. CORPORATION REPORTS**

**8.1 Mayor's Report**

**8.2 Chief Administrative Officer's Report**

**9. CONFIRMATORY BY-LAW**

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

**10. ADJOURNMENT**



## **COUNCIL MEETING AGENDA**

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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 - November 23, 2021**

**R&C-2021-24** Director of Community Services, R. Axiak - 2022 Festivals & Events Approach. Ref. No. 21-147

**(Refer to pages 1 to 6 from the November 23, 2021 General Committee Agenda).**

**RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND receives and files the information in the Report R&C-2021-24 as related to the Festivals & Events approach for 2022 and beyond.

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

**4. Staff Reports**

**2 – 6 FIN-2021-37** Director of Finance/Chief Financial Officer/Treasurer, S. Fairweather - 2021 Q3 Year-To-Date Budget Variance by Cost Centre Report. Ref. No. 21-4

**7 – 34 FIN-2021-38** Director of Finance/Chief Financial Officer/Treasurer, S. Fairweather - 2021 Capital Close-Out Report & 2021 3<sup>rd</sup> Quarter Capital Progress Report. Ref. No. 21-4



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

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- 35 – 59**                    **P&B-2021-73**    Director of Planning and Development Services, G Munday - Proposed Increases Swimming Pool Enclosure Bylaw Fees. Ref. No. 21-19 (By-law 2 and 3)
- 60 – 63**                    **TRANS-2021-20** Chief Administrative Officer, S. Zorbas - Hourly Operating Rate Inter-Regional Transit. Ref. No. 21-13
- 64 – 65**                    **EDO-2021-09**    Chief Administrative Officer, S. Zorbas – Agreement of Purchase and Sale for city owned buildings located at 33 and 35 Hellems Avenue. Ref. No. 21-114 (By-law 4)
- 66 – 68**                    **EDO-2021-10**    Chief Administrative Officer, S. Zorbas – Agreement of Purchase and Sale for city owned lands located at 81 Doans Ridge Road. Ref. No. 21-159 (By-law 5)
- 69 – 77**                    **R&C-2021-29**    Director of Community Services, R. Axiak – Standard Operating Procedure – Temporary Closure of City Facilities due to Extreme Weather Conditions. Ref. No. 21-158
- 78 – 81**                    **ENG-2021-30**    Director of Infrastructure Services, SM. Millar – Direct Appointment of Professional Services for Commercial Street Area Wastewater Master Servicing Plan for the Ontario Road Catchment. Ref. No. 21-160 (By-law 6)
- 82 – 85**                    **ENG-2021-35**    Director of Infrastructure Services, SM. Millar – Clare Ave Infrastructure Improvements Project – Award of Tender. Ref. No. 21-141(By-law 7)

### **3. NEW BUSINESS**

- 86 - 88**                    1. Signed petition from Welland residents re: Installation of speed bumps and a speed reduction in front of the Park entrance area on Page Drive. Ref. No. 21-22

**RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the petition regarding Installation of speed bumps and a speed reduction in front of the Park entrance area on Page Drive and refers the matter to staff.



## **COUNCIL MEETING AGENDA INDEX – Page 3**

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**89**

2. Signed petition from residents of Park Street re: No parking on the north side of Park Street between Kent Street and King Street. Ref. No. 21-22

**RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the signed petition from the residents of Park Street regarding no parking on the north side of Park Street between Kent Street and King Street and refers the matter to staff.

**90 - 91**

3. Bonnie Nistico-Dunk, City Clerk, City of St. Catharines re: National Childcare Program. Ref. No. 21-155

**RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information and supports the correspondence from the City of St. Catharines dated December 1, 2021 regarding National Childcare Program.

**92 - 93**

4. Mishka Balsom, President & CEO, Greater Niagara Chamber of Commerce re: Transit Amalgamation. Ref. No. 21-13.

**RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Greater Niagara Chamber of Commerce dated December 2, 2021 regarding Transit Amalgamation.

**94 - 96**

5. Emily Prosser, Early Resolutions Officer, Office of the Ontario Ombudsman re: letter outlining review of File No. 152913. Ref. No. 02-160

**RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Office of the Ontario Ombudsman dated December 9, 2021.

**4. BY-LAWS**

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

1. A By-law to provide an Interim Tax Levy for year 2022. Ref. No. 21-4
2. A By-law to amend By-law 2010-119, being a By-law to regulate pool enclosures within the City of Welland. Ref. No. 21-19  
(See Report P&B-2021-73)



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

*Tuesday, December 21, 2021*

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3. A By-law to amend By-law 2019-134 being a By-law to establish an Administration Penalty System for non-parking related offences. Ref. No. 19-22  
(See Report P&B-2021-73)
4. A By-law to authorize acceptance of an offer from Farage Holding Corporation for sale of city-owned lands located at 33 And 35 Hellems Avenue. Ref. No 21-114  
(See Report EDO-2021-09)
5. A By-law to authorize acceptance of an offer from Robert Mark Muir, Patricia Gail Muir and Brooker Terry Muir for sale of city-owned lands located at 81 Doans Ridge Road. Ref. No 21-159  
(See Report EDO-2021-10)
6. A By-law to authorize entering into contract with Kerry T. Howe Engineering Limited for Professional Services for the Commercial Street Area Wastewater Master Servicing Plan for the Ontario Road Catchment. Ref. No 21-160  
(See Report ENG-2021-30)
7. A By-law to authorize entering into contract with Nexterra Substructures Inc. for the Clare Avenue Infrastructure Improvement Project. Ref. No 21-141  
(See Report ENG-2021-35)
8. A By-law to amend appointment By-laws 2018-48 and 2018-49. Ref. No. 21-22/21-23

Due to the constant speeding in the Page Dr/ Trelawn Pkwy intersection heading north and with a park entrance on Page Dr and also for the young children in the area we the residents request that the city installs speed humps where appropriate to deter this type of speeding along Page Dr

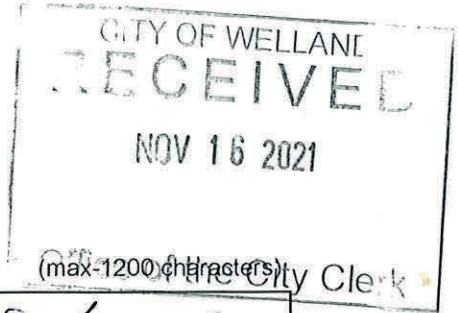
To this point speed indicators have been installed by staff on different occasions and in various locations along this route for both south and north bound traffic that somewhat reduces the speeding but it only returns when the devices are removed.

We are in a park zone, bordering a school zone and have a lot of young children that walk to school along Page and Cedar Park drive. We truly feel that some speed humps along Page drive can make our neighborhood safer for our children.



PRESCRIBED FORM OF PETITION

To: The Council of the City of Welland  
 c/o City Clerk  
 60 East Main Street  
 Welland, ON L3B 3X4



I/We the undersigned, petition the Council of the City of Welland as follows: (max-1200 characters) City Clerk

No parking on North Side of  
 Park St between Kent St and  
 King St

PRINTED NAME	PRINTED ADDRESS	SIGNATURE
PASCAL ROYER	41 PARK ST	[Signature]
JEFF MADDEN	30 PARK ST	[Signature]
COUSINS RUTH	20 PARK ST	[Signature]
R MACIADOU	33 PARK	[Signature]
Patricia Southcott	28 Park St. Unit #2	[Signature]
Aaron Uguccioni	28 Park St unit 1	[Signature]
JAMES DYKSTRA	3-39 PARK ST	[Signature]
KEVIN DYKSTRA	2-39 PARK ST	[Signature]
Cheryl Steads	2-39 Park St	[Signature]
MARIA GENOVESI	16 PARK ST	[Signature]
DAVID GENOVESI	14 PARK ST	[Signature]
DAVID BOLIF	40 PARK ST	[Signature]
Paulette Paparoni	34 Park St Upper	[Signature]
RUD MACIADOU	35 PARK ST UNIT 1	[Signature]
Lisa Ciampagna	35 PARK UNIT 2	[Signature]
Rachel Pieken	27 Park unit 2	[Signature]
Dylan Gilchrist	27 Park unit 3	[Signature]
Jacques Boucher	27 Park unit 1	COCO
Sim Boucher	27 Park unit 4	[Signature]

By signing this petition, I hereby acknowledge that this petition will become a record belonging to the City of Welland and that all information contained in this petition will be available for viewing by the public and may be reproduced in a future Council Agenda.



December 1, 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: National Childcare Program  
 Our Files:**

Dear Premier Ford,

At its meeting held on November 15, 2021, St. Catharines City Council approved the following motion:

"WHEREAS the province of Ontario has the most expensive childcare in the country, presenting a financial hardship for many families and a barrier for women's full economic participation; and

WHEREAS the \$34 billion early learning and childcare spending commitment announced this year by the federal government will bring transformative change to childcare by lowering parent fees and expanding the supply of regulated not-for-profit and public childcare in this country; and

WHEREAS the federal government has already reached childcare agreements with BC, Nova Scotia, Manitoba, Saskatchewan, Yukon Territory, PEI, Newfoundland and Labrador and Quebec; and

WHEREAS the provisions of each agreement vary to some degree, but the majority of the jurisdictions have agreed to use the federal funds to:

- (a) lower parent fees by 50 per cent by the end of 2022 and to \$10 a day by 2025-26 or sooner;
- (b) improve the wages and working conditions of early childhood educators, and
- (c) publicly fund the expansion of not-profit and public childcare;

THEREFORE BE IT RESOLVED that the City of St. Catharines request that the provincial government take the necessary steps to work with the federal government on

PO Box 3012, 50 Church St., St. Catharines, ON L2R 7C2

Tel: 905.688.5600 | TTY: 905.688.4889 | [www.stcatharines.ca](http://www.stcatharines.ca)

21-155



a bilateral agreement to ensure the new national child care program be made available to Ontarians, and that it focuses on increased access, affordability, quality and responsiveness, all of which are essential to the COVID-19 pandemic response; and

BE IT FURTHER RESOLVED that staff actively monitor federal developments and engage in provincial and regional discussions; and

BE IT FURTHER RESOLVED that City Council request the City Clerk circulate Council's decision to other municipalities in Ontario, the Ontario Municipal Social Services Association and the Association of Municipalities of Ontario.”

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  
:mb

cc: Niagara Area MPPs  
Ontario Municipal Social Services Association  
Ontario Municipalities  
Association of Municipalities of Ontario, [amo@amo.on.ca](mailto:amo@amo.on.ca)

Mayor Campion and Members of Council  
City of Welland  
Civic Square, 60 East Main Street  
Welland, Ontario L3B 3X4

December 2, 2021

To the Mayor and Members of Council,

We, the undersigned, represent four councils of community leaders: the Women in Niagara Council, representing women in business; NEXTNiagara, representing the emerging generation; the Non-Profit Council, representing non-profits in Niagara; and the Government Affairs Council, a policy advisory council to the Greater Niagara Chamber of Commerce (GNCC).

On behalf of our councils, we ask that you vote in favour of the transit amalgamation plan that was advanced at Regional Council and will shortly come before you for your assent.

Better public transit in Niagara is a need that we have consistently identified for years. The transit system we currently have is simply inadequate to the needs of our community. Some places in Niagara take hours to get to without a car; others are off-limits entirely.

The Niagara Community Observatory calculated that poverty costs our region \$1.3 billion every year. A lack of viable public transit contributes to this. Since it is impractical to live and work in Niagara without a vehicle, every household must add the cost of a car, maintenance, insurance, and repairs to their cost of living. Statistics Canada finds that the average household spends 20% of its income on transportation – more than anything else, with the sole exception of shelter. When including depreciation, the average Canadian household will spend between \$8,600 and \$13,000 each year to own a vehicle. Families are already being squeezed by rising prices for rent and homes (increasing by over 25% per year locally), gasoline (up by 33% in one year), and food (up almost 6% year-over-year).

While pre-pandemic trends saw the percentage of Canadian households in poverty slowly decreasing, the combined effects of the COVID economic slowdown and prices rising far faster than wages risk reversing this trend. While the limited resources of municipal governments make action more difficult than for their provincial and federal counterparts, there are still options for poverty reduction, and the provision of good public transit is one of them.

21-13





Investment in public transit should be seen as precisely that: investment. A U.S. study of public transportation systems in Silicon Beach, CA; Austin, TX; and Durham, NC found that investments in public transit paid off in economic activity at a 2:1 ratio. A 2013 study found that the agglomerating effects alone of public transit yielded returns of \$1.5 million to \$1.8 billion per year, depending on the size of the community. Municipal governments already make investments that do not deliver nearly as great a return as public transit will. Niagara should not turn down the opportunity to fund this significant driver of economic growth.

We have heard nothing but enthusiasm for this plan, which is the result of lengthy community consultations and reflects the needs of the community as best they can be met. Most feel it is long-overdue. We urge you to heed the wishes of Niagara's residents and give this plan your support.

Michael Ras  
Chair, Government Affairs Council

Clayton Letourneau  
Chair, NEXTNiagara Council

Adam Durrant  
Chair, Non-Profit Council

Grace Eldajani  
Chair, Women in Niagara Council

Mishka Balsom  
President & CEO, GNCC





December 9, 2021

**BY EMAIL:** Clerk@welland.ca

Tara Stephens, City Clerk  
City of Welland  
60 East Main Street  
Welland, Ontario  
L3B 3X4

Dear Ms. Stephens:

**RE: Our File No. 152913**

Further to our telephone conversation on December 9, 2021, I am writing to provide the outcome of the Ombudsman's review of a complaint regarding the City's former Integrity Commissioner, and to summarize our discussion regarding best practices for code of conduct complaint protocols.

**The Ombudsman's Authority**

The Ombudsman is appointed under the *Ombudsman Act* as an independent Officer of the Ontario Legislature with authority to conduct impartial reviews and investigations of complaints about the administrative conduct of Ontario's public sector bodies, including municipalities, school boards, and universities. The Ombudsman can also review and investigate complaints about the provision of French language services and child protection services.

We are an Office of last resort, which means that individuals are normally expected to first address concerns through existing complaint processes and appeal mechanisms before our Office will intervene.

The Ombudsman has the authority to review complaints about locally-appointed Integrity Commissioners.

In accordance with the *Ombudsman Act*, the Ombudsman can only generally consider complaints within the jurisdiction of a municipally-appointed Integrity Commissioner if the

Integrity Commissioner has refused to investigate, the time for bringing a complaint has expired, or the Integrity Commissioner has conducted and concluded an investigation.

The Ombudsman's Office is not an appeal body and the Ombudsman does not substitute his decision for that of a local Integrity Commissioner. When our Office reviews an Integrity Commissioner's decision, we look at such matters as whether the Commissioner:

- Acted in accordance with the relevant legislation, terms of reference, policies, and procedure;
- Considered the issues before them;
- Followed a fair practice;
- Obtained and considered relevant information; and
- Provided sufficient reasons to support their decision based on the available evidence.

### **Our Review**

Our Office received a complaint about the investigative process and findings of the City's former Integrity Commissioner. During our review of this complaint, we learned that the City did not have a protocol setting out the procedure to be followed regarding code of conduct complaints.

The City has since approved an Informal Complaint Protocol and adopted a "Complaint Protocol Flow Chart" detailing the formal code of conduct complaint process. We would like to commend the City for taking these important steps to improving the transparency and accountability of its code of conduct complaint process.

Based on our review of the complaint to our Office and the City's new code of conduct complaint protocols, our Office shared the following best practices with the City:

- That the code of conduct complaints protocol indicate any relevant time lines with respect to a complaint made to the Integrity Commissioner;
- That the code of conduct complaints protocol indicate whether there is a process for council members to respond to a formal complaint made against them, including any relevant timelines;
- That the code of conduct complaints protocol clearly indicate whether the Integrity Commissioner will provide council and/or the council member subject to an investigation with a preliminary report for their comment prior to providing a final report to council.

We also made the following best practice suggestions with respect to future Integrity Commissioner reports:

- That reports clearly state the basis for the Integrity Commissioner's findings and distinguish this from any factors that were used to determine an appropriate penalty or sanction;
- That reports outline the investigative process followed by the Integrity Commissioner.

You told our Office that this letter will be included as correspondence to council on an upcoming meeting agenda.

### Conclusion

Thank you for your cooperation in our review. Under the circumstances, we will not be taking any additional steps regarding this complaint. Should you have any questions or concerns about this letter, please contact me at 416-586-3425, or by email at

[eprosser@ombudsman.on.ca](mailto:eprosser@ombudsman.on.ca).

Sincerely,



Emily Prosser  
Early Resolutions Officer  
Office of the Ontario Ombudsman