



NOTICE

THE MAYOR HAS CALLED

A SPECIAL MEETING OF COUNCIL

AT 5:00 P.M.

TUESDAY, MARCH 2, 2021

TO RECONVENE THE FEBRUARY 23, 2021 COUNCIL MEETING

TO DISCUSS THE FOLLOWING:

- **PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES;**
 - *CUPE Negotiations Update.*
- **PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD;**
 - *Sale of City Owned Land.*

OPEN SESSION

TO CONSIDER ANY CORRESPONDENCE, REPORTS, AND BY-LAWS

Due to COVID-19 and the closure of the Civic Square

All Electronic Meetings can be viewed at:

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

**Tara Stephens,
City Clerk**



SPECIAL COUNCIL MEETING

Tuesday, March 2, 2021

**to consider matters from February 23, 2021 agenda
Due to COVID-19 and the closure of the Civic Square**

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1. **COMMITTEE-OF-THE-WHOLE (IN-CAMERA) (5:00 p.m.)
(See yellow tab)**
 - Personal matters about an identifiable individual, including municipal or local board employees; and
 - *CUPE Negotiations update.*
 - Proposed or pending acquisition or disposition of land by the municipality or local board;
 - *Sale of City Owned Land.*

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

3. **OPEN SPECIAL COUNCIL MEETING FOLLOWING COMMITTEE-OF-THE-WHOLE (IN-CAMERA) TO CONSIDER MATTERS FROM FEBRUARY 23, 2021 AGENDA**
 - 3.1 **ADDITIONS/DELETIONS TO AGENDA**

 - 3.2 **DISCLOSURES OF INTEREST**

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

4. **BY-LAW (SEE AGENDA INDEX)**

3. **NOTICES OF MOTION – FROM FEBRUARY 23, 2021 AGENDA**
 - 3.1 **Notices of Motion (previously submitted for discussion)**

(Councillor Fokkens)

20-82 THAT THE COUNCIL OF THE OF WELLAND directs to prepare a report for council consideration regarding moving forward with a municipal comprehensive review, under section 4.3.3.1 of the Official Plan, for the property as outlined in Report P&B-2021-08 for an Employment Land conversion from Gateway Economic Centre to Agriculture; and further THAT the staff report be presented at the March 9, 2021 Special Council Meeting.

SPECIAL COUNCIL MEETING

Tuesday, March 2, 2021

**to consider matters from February 23, 2021 agenda
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4 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 2nd day of March, 2021.

Ref. No. 20-1

5. ADJOURNMENT



SPECIAL COUNCIL MEETING
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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)
 2. Staff Reports
 - CLK-2021-04 Interim CAO/Gen. Mgr., Corporate Services, Chief Financial Officer/Treasurer, S. Zorbas - Results - Welland Ward and Council Review - Public Engagement Survey. Ref. No. 20-78
(Please refer to the February 23, 2021 Council Agenda pages 68 - 166).
 - P&B-2021-10 Interim Director, Development and Building Services, G. Munday - Application for Zoning By-law Amendment made by Upper Canada Consultants made on behalf of Mountainview Homes Inc. for lands located on the north and south sides of Webber Road and east and west sides of South Pelham Road, west of Clare Avenue, and east of Murdock Road, being Block 5 on Plan 59M-466, Blocks 3-26 on Plan 59M-477, former Township of Thorold, Part 1 on Plan 59R-16195, Part 1 on Plan 59R-7834 and Part 1 on Plan 59R-7994, except 59M-472, City of Welland with multiple addresses. Ref. No. 20-115 (See By-law 1)
(Please refer to the February 23, 2021 Council Agenda pages 167 - 172).
 - TRAF-2021-11 Interim Director, Development and Building Services, G. Munday - City of Welland Business Licenses – Waiving of 2021 Fees. Ref. No. 21-2
(Please refer to the February 23, 2021 Council Agenda pages 173 - 174).



SPECIAL COUNCIL MEETING

Tuesday, March 2, 2021

to consider matters from February 23, 2021 agenda

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- ENG-2021-02** Gen. Mgr., Infrastructure and Development Services, T. Fitzpatrick - Amendment to the Insurance Provisions in the Atlas Landfill Post-Closure Agreement between the Corporation of the City of Welland and Walker Environmental Group Inc. Ref. No. 04-48 (See By-law 2)
(Please refer to the February 23, 2021 Council Agenda pages 175 - 180).

3. NEW BUSINESS:

1. Geoff Bowlby, Director General, Census Management Office, Statistics Canada/Government of Canada re: 2021 Census of Population. Ref. No. 21-52
(Please refer to the February 23, 2021 Council Agenda page 184).

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND supports the 2021 Census, and encourages all residents to complete their census questionnaire online at www.census.gc.ca. Accurate and complete census data support programs and services that benefit our community.

2. William C. Steele, Acting Board Chair, Regional Municipality of Niagara Police Services Board re: Medical Cannabis Grow Operations - Public Safety Concerns. Ref. No. 18-87
(Please refer to the February 23, 2021 Council Agenda pages 185 and 187).

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Regional Municipality of Niagara Police Services Board dated November 4, 2020 regarding Medical Cannabis Grow Operations - Public Safety Concerns.

4. BY-LAWS

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

1. A By-law to amend City of Welland Zoning By-law 2017-117 (Mountainview Homes Inc. - File 2021-01) Block 55 Plan 59M-446; Blocks 3-26 Plan 59M-477; and, Part Lot 258, former Township of Thorold, Part 1 on Plan 59R-16195, Part 1 on Plan 59R-7834 and Part 1 on Plan 59R-7994, except 59M-472, City of Welland.
Ref. No. 20-115
(See Report P&B-2021-10)



SPECIAL COUNCIL MEETING

Tuesday, March 2, 2021

to consider matters from February 23, 2021 agenda

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2. A By-law to authorize entering into amending Post-Closure Agreement with Walker Environmental Group Inc. for the Atlas Landfill Site at 685 River Road.
Ref. No. 04-48
(See Report ENG-2021-02)
3. A By-law to appoint Hearings Officers pursuant to By-law 2014-81 and to repeal By-law 2015-95. Ref. No.21-22
(Housekeeping By-law for appointment of Officers)
4. A By-law to exempt certain lands from Part-Lot Control - Parts 1, 2, 3, 4, 5, and 6 on Plan 59R-16853, Lot 76 Plan NS-19 (70-72 Northgate Drive), City of Welland.
Ref. No. 21-53
(Approved by By-law 2020-143)



COUNCIL MEETING AGENDA

Tuesday, March 2, 2021

7:00 P.M.

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YourTV: The meeting will be aired on channel 700 on March 4, 2021 at 9:00 p.m.

1. OPEN COUNCIL MEETING (7:00 P.M.)
 - 1.1 NATIONAL ANTHEM
 - 1.2 OPENING REMARKS
 - 1.3 ADDITIONS/DELETIONS TO AGENDA
 - 1.4 ADOPTION OF MINUTES

Rescheduled Council Meeting of February 23, 2021 (Previously Distributed).
 - 1.5 CALL UPON THE CITY CLERK TO REVIEW COMMITTEE-OF-THE-WHOLE ITEMS (IN-CAMERA) TO BE ADDED TO BLOCK
 - 1.6 DISCLOSURES OF INTEREST
 - 1.7 COUNCILLORS TO DETERMINE AGENDA ITEMS AND BY-LAWS TO BE REMOVED FROM BLOCK FOR DISCUSSION IN COMMITTEE-OF-THE-WHOLE (OPEN) (See pink tab)
2. ORAL REPORTS AND DELEGATIONS
 - 2.1 PRESENTATION

12-96 Robert Swayze, Interim Integrity Commissioner re: Report to Council.
(Background information included in Council Member's packages).



COUNCIL MEETING AGENDA – Page 2

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2.2 LEGISLATED PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT

20-97 Complete Applications have been made by ARMSTRONG PLANNING & PROJECT MANAGEMENT on behalf of 555 CANAL BANK DEVELOPMENTS GP INC. for Draft Plan of Subdivision Approval, to redesignate and to rezone lands legally described as Part of Lots 21, 22, 23, Concession 5, former Township of Humberstone, part of the Road Allowance between Lots 22 and 23, Concession 5 (closed), Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 on 59R-15225, City of Welland, municipally known as 475, 555, and 635 Canal Bank Street from the existing TEMPORARY SITE SPECIFIC RESIDENTIAL LOW DENSITY 2 (T-RL2-100) with the underlying zone of GENERAL INDUSTRIAL (G1) and ENVIRONMENTAL CONSERVATION OVERLAY (EC) to SITE SPECIFIC RESIDENTIAL LOW DENSITY 2 (RL2), SITE SPECIFIC COMMUNITY COMMERCIAL CORRIDOR (CC2), NEIGHBOURHOOD OPEN SPACE (O1), ENVIRONMENTAL CONSERVATION OVERLAY, and HOLDING SITE SPECIFIC INSTITUTIONAL (INS1) in Zoning By-law 2017-117. The purpose of the Amendment is to Site Specific Residential Low Density 2 is to: provide site specific provisions for frontage, lot area, front yard setbacks, side yard setbacks (interior and exterior), building height, and lot coverage for single detached, semi-detached, and townhouse dwellings; amends the definition of 'Landscaping' to include walkways; allows opened and roofed porches to encroach 2.5 metres into the front yard and into the rear yard 3.75 metres, with a maximum height from grade of 3 metres; to allow parking spaces in garages to be a minimum size of 3 metres by 6 metres; to allow stairs with no more than three risers to encroach into the parking space; and, that the maximum number of units per block will be identified on the Draft Plan of Subdivision, but the number of new lots created shall not exceed 870 lots, not including parkland, open space, and stormwater management blocks. The purpose of the Site Specific Zoning By-law Amendment is to allow supermarket, retail centre, retirement home, hotel, assembly hall, research and development establishment, art gallery, commercial parking lot, parking structure or garage, and street townhouses in addition to the uses already permitted in the CC2 Zone, as well as to eliminate the maximum lot coverage and create specific front yard provisions. The purpose of the Holding Special Exception Institutional Zone is to allow for an Elementary School on the property, however, if the option for the construction of a school is not realized within five years of registration of the subdivision, the lands can be developed with residential uses, subject to the site specific Residential Low Density 2 provisions. The Official Plan designation is General Industrial. Application for Regional Official Plan Amendment, City of Welland Official Plan Amendment (OPA No. 31), and Draft Plan of Subdivision (26T-14-20007).
(See Report P&B-2021-12 pages 16 to 25)



COUNCIL MEETING AGENDA – Page 3

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2.3 PRESENTATION

99-99 Mordechai Kannern and Robert Melohn, Plazacom re: 439 King Street - Deck at the Canal.

(See Report P&B-2021-13 pages 26 to 34)

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

3. COMMITTEE-OF-THE-WHOLE (OPEN) **(to discuss items removed from Agenda Block)**

4. BY-LAWS (SEE AGENDA INDEX)

5. NOTICES OF MOTION

5.1 Councillor matters discussed with staff for reporting purposes

5.2 Notices of Motion (previously submitted for discussion)

(Mayor Campion)

21-59 WHEREAS the city is in need of acquiring land for future employment opportunities.

NOW THEREFORE BE IT RESOLVED THAT WELLAND CITY COUNCIL direct staff to create a report on a strategy to aggressively pursue the acquisition of seaway lands from the Federal government, to discuss with them an accelerated process to declare such lands surplus and enter into discussions for the acquisition of identified properties and review options for "lease to own" such lands until such time as they become available. That staff identify Seaway lands of interest and develop servicing plans and other strategies as may be required. And further that staff identify other lands within and/or adjacent to employment lands identified in Welland's official plan that would be strategic acquisitions for the purpose of industrial/employment use and see if owners are interested in selling those lands to the municipality. If they are not interested the city would not pursue expropriation. In relation to all of the above staff would prepare strategies and associated costs to service lands so that they would be "shovel ready".



COUNCIL MEETING AGENDA – Page 4

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(Councillor McLeod)

21-58 THAT THE COUNCIL OF THE CITY OF WELLAND requests a report regarding brownfield employment lands that are non-employment producing within the city limits; and further THAT Welland City Council directs staff to identify potential strategies related to their rejuvenation and/or clean-up be presented to Council.

(Councillor Speck)

02-160 WHEREAS Article 5 of procedural bylaw 2017-6, Article 5 only pertains to notice of meetings of 24 hours and special meetings; and further WHEREAS the public are requesting increased transparency and advance notice of the contents of our agenda.

THEREFORE IT BE RESOLVED THAT THE COUNCIL OF THE CITY OF Welland directs staff to prepare a report comparing the Procedural By-laws of the 11 other municipalities in the Niagara Region, including the Niagara Region related to timeframe of when their agendas are posted publicly to residents; and

THAT Welland City Council requests information not only what is written in their Procedural By-law but what their common practice is; and further THAT this report is to be completed within the next 3 months.

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

6. CORPORATION REPORTS

6.1 Mayor's Report

6.2 Chief Administrative Officer's Report

7. 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 2nd day of March, 2021. Ref. No. 20-1

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)

2. General Committee Report to Council - Nil

3. Budget Review Committee Report to Council - Nil

4. Staff Reports

- | | | |
|--------------|---------------------------|---|
| 1 – 3 | <u>CLK-2021-07</u> | City Clerk, T. Stephens - Alternative Option to Stop Expropriation of 349 Ridge Road. Ref. No. 20-82 |
| 4 – 5 | <u>CLK-2021-05</u> | Interim CAO, Gen. Mgr., Corporate Services, Chief Financial Officer/Treasurer, S. Zorbas - Audit Review Committee. Ref. No. 09-104 |
| 6 – 7 | <u>CLK-2021-06</u> | Interim CAO, Gen. Mgr., Corporate Services, Chief Financial Officer/Treasurer, S. Zorbas - Ward 3 Vacancy on Welland City Council. Ref. No. 02-160 |
| 8 – 9 | <u>FIN-2021-10</u> | Interim CAO, Gen. Mgr., Corporate Services, Chief Financial Officer/Treasurer, S. Zorbas - Purchase of One (1) Truck Cab and Chassis. Ref. No. 21-46 (See By-law 1) |



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|--|-------------------------------|---|
| 10 – 12 | <u>EDO-2021-01</u> | Economic Development Officer, L. DeChellis - Agreement of Purchase and Sale for 5.64 Acres of Vacant city Owned Lands South of Shaw Street, North of Highway 58A, East of Prince Charles Drive South and West of the Welland Recreational Canal. Ref. No. 20-105 (See By-law 2) |
| 13 – 15 | <u>EDO-2021-02</u> | Economic Development Officer, L. DeChellis - Agreement of Purchase and Sale for a Portion of Vacant City Owned Lands on the North-East Corner of Fourth Street and Canal Bank Street. Ref. No. 20-108 (See By-law 3) |
| 16 – 25
Remove From
Block | <u>P&B-2021-12</u> | Interim Director, Development and Building Services, G. Munday - Application for Official Plan Amendment (OPA No. 30), Zoning By-law Amendment (2020-09), and Draft Plan of Subdivision (26T-14-20007) made by Armstrong Planning and Project Management on behalf of 555 Canal Bank Developments GP Inc. for lands located on the east side of Canal Bank Street, north of Forks Road, south of the Townline Tunnel, legally described as Part of Lots 21, 22, 23, Concession 5, Former Township of Humberstone, Part of The Road Allowance between Lots 22 and 23, Concession 5 (Closed), Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 on 59R-15225, City Of Welland, Municipally known as 475, 555, and 635 Canal Bank Street. Ref. No. 20-97 |
| 26 – 34
Remove From
Block | <u>P&B-2021-13</u> | Interim Director, Development and Building Services, G. Munday - Proposed new 20' x 80' Public Wood Deck along the east side of the Welland Recreational Canal and south of Lincoln Street. Ref. No. 99-99 |
| 35 – 40 | <u>ENG-2021-02</u> | General Manager, Infrastructure and Development Services, Travers Fitzpatrick - Amendment to the insurance provisions in the Atlas Landfill Post-Closure Agreement between the Corporation of the City of Welland and Walker Environmental Group Inc. Ref. No. 04-48 |
| 41 – 43 | <u>ENG-2021-03</u> | Interim Director of Engineering and Public Works, Infrastructure and Development Services, Sherri-Marie Millar - Utility Cuts Final Reinstatement 2021 – Tender Award. Ref. No. 21- 40 (See By-law 4) |
| 44 – 46 | <u>ENG-2021-04</u> | Interim Director of Engineering and Public Works, Infrastructure and Development Services, Sherri-Marie Millar - 2021 Asphalt Patching Program – Tender Award. Ref. No. 21- 41 (See By-law 5) |



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ENG-2021-05 Interim Director of Engineering and Public Works, Infrastructure and Development Services, Sherri-Marie Millar - Scholfield Avenue - Road Reconstruction and Sanitary Sewer Replacement – Award of Tender. Ref. No. 21- 60 (See By-law 6)

3. NEW BUSINESS

52

1. Robert Tremblay, President, AMCTO re: An open letter to Ontario Municipal Councils. Ref. No. 21-55

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Association of Managers, Clerks and Treasurers of Ontario (AMCTO) dated February 18, 2021 regarding an Open Letter to Ontario Municipal Councils.

53 - 54

2. Julie Kirkelo, Town Clerk, Town of Lincoln re: Town of Lincoln Council Resolution Options for Securing Recycling Bin Contents. Ref. No. 21-56

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Town of Lincoln dated February 8, 2021 regarding Town of Lincoln Council Resolution - Explore Options for Securing Recycling Bin Contents.

55 – 72

3. Donna Woiceshyn, Chief Executive Officer, Niagara Regional Housing re: NRH 2021 1st Quarterly Report to Council. Ref. No. 10-130

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from Niagara Regional Housing (NRH) dated February 19, 2021 regarding the NRH 2021 1st Quarterly Report.

4. BY-LAWS

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

1. A By-law to authorize purchase of one truck cab and chassis from PTG Mississauga Enterprises Limited partnership operating as Premier Truck Group. Ref. No. 21-46 (See Report FIN-2021-10)



COUNCIL MEETING AGENDA INDEX – Page 4

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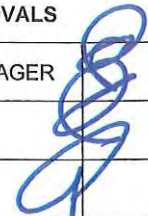
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2. A By-law to authorize acceptance of an offer from Neeraj Bakshi for the sale of vacant land south of Shaw Street, north of Highway 58A, east of Prince Charles Drive south and west of the Welland Recreational Canal. Ref. No. 20-105
(See Report EDO-2021-01)
3. A By-law to authorize acceptance of an offer from Property Force (Canada) Inc. for the sale of vacant land on the north-east corner of Fourth Street and Canal Bank Street. Ref. No. 20-108
(See Report EDO-2021-02)
4. A By-law to authorize entering into contract with Circle P. Paving Inc. for Utility Cuts Final Reinstatement 2021. Ref. No. 21-40
(See Report ENG-2021-03)
5. A By-law to authorize entering into contract with Springside Paving Limited for the 2021 Asphalt Patching Program. Ref. No. 21-41
(See Report ENG-2021-04)
6. A By-law to authorize entering into contract with Demar Construction Inc. for the construction of roadway and sanitary sewer replacement on Scholfield Avenue between East Main Street and Welland Street. Ref. No. 21-60
(See Report ENG-2021-04)
7. A By-law to amend By-law 1998-11325, being a By-law to provide for paying remuneration to the Members of the Council and extended medical benefits to the Mayor. Ref. No. 21-14
(Amendment to Council Remuneration By-law 1998-11325 – Remuneration Approved by Council on September 1, 2020)

COUNCIL
CORPORATE SERVICES
CLERKS DIVISION

APPROVALS	
GENERAL MANAGER	
CFO	
CAO	

20-82

REPORT CLK-2021-07
MARCH 2, 2021

SUBJECT: ALTERNATIVE OPTION TO STOP EXPROPRIATION OF 349 RIDGE ROAD

AUTHORS: TARA STEPHENS, CITY CLERK

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

RECOMMENDATION:

1. THAT THE COUNCIL OF THE CITY OF WELLAND as the approval authority under the *Expropriations Act*, do not approve the expropriation of 349 Ridge Road, Welland, Ontario; and
2. THAT Welland City Council directs staff to contact the owner's counsel to advise that the municipal council has exercised its authority as the approval authority to not approve the expropriation of 349 Ridge Road, therefore a Hearing of Necessity is not required and therefore request the owner's consent to collectively withdraw the request for a Hearing of Necessity, considering the expropriation will not be proceeding; and
3. THAT if the owner does not consent to collectively withdrawing the request for a Hearing of Necessity, staff are directed to contact the inquiry officer and advise that a Hearing of Necessity is not required to proceed, as the municipal council as the approval authority has directed the expropriation not proceed on 349 Ridge Road; and
4. THAT Welland City Council directs staff to review the owner's submitted reasonable expenses incurred as a natural and reasonable consequence of expropriation and professional fees for the determination of compensation in accordance with section 32 of the *Expropriations Act*. If such expenses are reasonable, staff is directed to reimburse such expenses.

ORIGIN AND BACKGROUND:

On February 23, 2021, Welland City Council approved a motion requesting the City Clerk research alternative options to stop the expropriation of 349 Ridge Road, and that a staff report be prepared for consideration at the March 2, 2021 Council meeting.

COMMENTS AND ANALYSIS:

On July 7, 2020 Welland City Council approved the following motion:

1. *THAT THE COUNCIL OF THE CITY OF WELLAND approves the Application for Approval to Expropriate Land for lands described as Part of Lot 16 Concession 7 former Township of Crowland now City of Welland, designated as Parts 1 to 4 inclusive Plan 59R-3342 and Part of Road Allowance between Lots 17 and 17 Crowland designated as Part 1 Plan 59R-6954; and further.*
2. *THAT Welland City Council authorizes staff to give all necessary notices and take all necessary measures to proceed with the expropriation of the said lands.*

On December 1, 2021 Welland City Council approved the following corresponding by-law related to the Expropriation of Lands:

A By-law to authorize expropriation of land by the Corporation of the City of Welland.

Under the law of expropriation in Ontario, a municipality's council has a dual role, the municipality is the expropriating authority and the municipal council is also the approval authority. These two roles are independent, while exercised by the same body being the municipal council.

The process of an expropriation in Ontario for the subject expropriation is that the municipality must serve a notice of intention to expropriate on a registered owner of lands. Here, the notice of intention to expropriate was served on the owner and notice was published in the Welland Civic News in August 2020.

An owner, subject to a proposed expropriation, has a right to request a Hearing of Necessity. The owner of the subject property requested a hearing of necessity on August 6, 2020. To date, this hearing of necessity request has not been withdrawn and remains outstanding awaiting scheduling.

Once a hearing of necessity takes place, and the inquiry officer issues his or her report, the municipal council in its role as the approving authority, is required to consider the report of the inquiry officer and shall approve or not approve the proposed expropriation or approve the proposed expropriation with such modifications as the approving authority considers proper.

Due to the municipal council being the approval authority, council can decide to not proceed with the expropriation in advance of the Hearing of Necessity. The recommendation included recommends the municipal council as the approval authority not proceed with the expropriation and directs staff to inform the necessary parties of the decision of council.

FINANCIAL CONSIDERATION:

2021 Corporate Contingency Account

OTHER DEPARTMENT IMPLICATIONS:

N/A

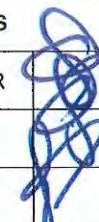
SUMMARY AND CONCLUSION:

This report has been prepared as requested by Welland City Council on February 23, 2021.

ATTACHMENTS:

N/A

COUNCIL
CORPORATE SERVICES
CLERKS DIVISION

APPROVALS	
GENERAL MANAGER	
CFO	
CAO	

09-104

REPORT CLK-2021-05
MARCH 2, 2021

SUBJECT: AUDIT REVIEW COMMITTEE

AUTHORS: TARA STEPHENS, CITY CLERK

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

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information staff report CLK-2021-05: Audit Review Committee; and further THAT Welland City Council approve the dissolving the Audit Review Committee.

ORIGIN AND BACKGROUND:

The Audit Review Committee (ARC) was formed in 2006 as a sub-committee of the Budget Review Committee. In 2009 the ARC became a standing committee of council and a terms of reference was established.

The mandate of the committee is to promote an appropriate environment for the management of public funds by overseeing the administrative systems relating to accounting, reporting, internal controls, protecting corporate assets and ensuring compliance with laws, regulations and municipal policies.

COMMENTS AND ANALYSIS:

Management is directly responsible for the financial reporting, internal controls and compliance with laws and regulations for the municipality. The responsibility of the ARC is to oversee and examine how management fulfills these duties. The ARC is responsible to Council for all audit issues including those identified by the external auditor in the management letter. The Audit Review Committee will report and make recommendations to Council when necessary.

Matters discussed through the committee are brought to council as a whole for discussion and consideration. Staff is recommending dissolving the Audit Review Committee and that all matters reviewed by the ARC be presented to council as a whole during a council meeting.

FINANCIAL CONSIDERATION:

N/A

OTHER DEPARTMENT IMPLICATIONS:

CLT has reviewed and support the recommendation.


SUMMARY AND CONCLUSION:

This staff report has been prepared to recommend dissolving the Audit Review Committee.

ATTACHMENT:

N/A

COUNCIL
CORPORATE SERVICES
CLERKS DIVISION

APPROVALS	
GENERAL MANAGER	
CFO	
CAO	

02-160

REPORT CLK-2021-06
MARCH 2, 2021

SUBJECT: WARD 3 VACANCY ON WELLAND CITY COUNCIL

AUTHORS: TARA STEPHENS, CITY CLERK

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

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND declare one seat on Council in Ward 3 vacant in accordance with section 262(1) of the *Municipal Act, 2001*, as a result of a resignation of Councillor Lucas Spinosa; and further
 THAT Welland City Council directs staff to prepare a report for Council consideration for filling the vacancy for Ward 3 Council; and further
 THAT a report be presented to Council on March 9, 2021.

ORIGIN AND BACKGROUND:

On February 16, 2021, the City Clerk received a letter of resignation from Ward 3 Councillor Lucas Spinosa.

The *Municipal Act, 2001* (the "Act") sets out the ways in which vacancies on Council may occur and the process for filling such vacancies. Section 263(5)1 of the Act states:

"Within 60 days after the day a declaration of vacancy is made with respect to the vacancy under section 262, the municipality shall:

- i. Appoint a person to fill the vacancy, or*
- ii. Pass a by-law requiring a by-election be held to fill the vacancy."*

COMMENTS AND ANALYSIS:

In accordance with section 263(5)1 of the Act, the municipality may fill the vacancy by appointment of a resident from the community or fill the vacancy through by-election. To be an eligible elector and fill a seat on Welland City Council, an individual must be 18 years old, a Canadian citizen, and be a resident or owner or tenant of land or spouse thereof, within the City of Welland.

At the March 9, 2021, Special Council Meeting, staff will be presenting a report for Council consideration for filling the vacancy in Ward 3. The report will include additional information, costs, and a recommendation for filling the vacancy.

FINANCIAL CONSIDERATION:

N/A

OTHER DEPARTMENT IMPLICATIONS:

N/A

SUMMARY AND CONCLUSION:


This report has been submitted to declare one seat on Council in Ward 3 vacant in accordance with section 262(1) of the *Municipal Act, 2001*, as a result of the resignation of Councillor Lucas Spinosa.

Staff is directed to prepare a report for Council consideration for filling the vacancy for Ward 3 on Welland City Council.

ATTACHMENTS:

N/A

COUNCIL
CORPORATE SERVICES
FINANCE DIVISION

APPROVALS	
GENERAL MANAGER	
CFO	
CAO	

REPORT FIN-2021-10
MARCH 2, 2021

21-46

SUBJECT: PURCHASE OF ONE (1) TRUCK CAB AND CHASSIS

AUTHOR: ADAM BERES, MANAGER OF FLEET, EQUIPMENT & PURCHASING

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

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND approves the purchase of one (1) cab and chassis assembly from PTG Mississauga Enterprises Limited Partnership operating as Premier Truck Group, being the offering that met specifications and provided best overall value; and further,

THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate by-laws to enter into a purchase contract with PTG Mississauga Enterprises Limited Partnership.

ORIGIN AND BACKGROUND:

The purchase of one (1) new chipper type truck to replace the existing aged unit received Council approval within the 2021 Fleet Capital Budget. This well-used truck utilized by the Forestry division consists of a cab and chassis which will be fitted with an aluminum storage box under separate competitive bid process.

Bid documents for the cab and chassis were prepared as soon as specifications were available so that qualified vendors could supply a bid response.

COMMENTS AND ANALYSIS:

Purchasing the cab and chassis is the first major piece of the puzzle of a completed unit. A separate bid document will be prepared for the second and final piece, the aluminum storage box that attaches to the rear frame. This box is hydraulically operated to tilt and unload the wood chips collected during the scheduled work shift.

FINANCIAL CONSIDERATION:

A Request for Quotation document was advertised on the City's Bidding site and closed January 29, 2021. In total, there were seven document takers however only two submissions received.

The following pricing was received for the Cab & Chassis portion only. The aluminum box will be bid separately and is shown below as an estimated budget to actual.

<i>Supplier</i>	<i>Budgeted Amount</i>	<i>Bid Amounts, tax inclusive</i>
Premier Truck Group	\$140,000	\$84,120
Rush Truck		\$87,818
<i>Alum Box Estimate</i>		\$42,000
Estimated Actual		\$126,120

OTHER DEPARTMENT IMPLICATIONS:

The specifications have been reviewed and approved by Forestry and Fleet foreman staff.


SUMMARY AND CONCLUSION:

THAT Welland City Council approves the purchase of the proposed cab and chassis from PTG Mississauga Enterprises Limited Partnership (Premier Truck Group) offering competitive pricing for the as specified cab and chassis.

ATTACHMENTS:

None.

COUNCIL
ECONOMIC DEVELOPMENT OFFICE

APPROVALS	
GENERAL MANAGER	
CFO	
CAO	

20-105

REPORT EDO-2021-01
March 2, 2021

SUBJECT: AGREEMENT OF PURCHASE AND SALE FOR 5.64 ACRES OF VACANT CITY OWNED LANDS SOUTH OF SHAW STREET, NORTH OF HIGHWAY 58A, EAST OF PRINCE CHARLES DRIVE SOUTH AND WEST OF THE WELLAND RECREATIONAL CANAL.

AUTHOR: LINA DECHELLIS, ECONOMIC DEVELOPMENT OFFICER

APPROVING G.M.: DAN DEGAZIO, GENERAL MANAGER, ECONOMIC DEVELOPMENT, RECREATION AND CULTURE

RECOMMENDATIONS:

THAT THE COUNCIL OF THE CITY OF WELLAND accepts the offer to purchase 5.64 acres of land south of Shaw Street, north of Highway 58A, east of Prince Charles Drive South and west of the Welland Recreational Canal.

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 deposit the revenues from the sale of these lands into the Economic Development Reserve Fund.

COMMENTS AND ANALYSIS:

At its meeting of July 25, 2017 Council declared surplus to the City's needs lands located south of Shaw Street, north of Highway 58A, east of Prince Charles Drive South and west of the Welland Recreational Canal. On September 22, 2020 in order to increase the marketability of these lands Council declared surplus to the City's needs a portion of land (20.29 m by 298.85 m) immediately west.

The City has received an offer from Neeraj Bakshi to purchase 5.64 acres of lands located south of Shaw Street, north of Highway 58A, east of Prince Charles Drive South and west of the Welland Recreational Canal.

OTHER DEPARTMENT IMPLICATIONS:

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

FINANCIAL CONSIDERATION:

Neeraj Bakshi. has made an offer to purchase 5.64 acres south of Shaw Street, north of Highway 58A, east of Prince Charles Drive South and west of the Welland Recreational Canal, which is scheduled to close on March 24, 2021.

SUMMARY AND CONCLUSION:

At their September 15, 2020 Committee of the Whole meeting Council directed staff to proceed with the Offer to Purchase from Neeraj Bakshi for city-owned lands south of Shaw Street, north of Highway 58A, east of Prince Charles Drive South and west of the Welland Recreational Canal.

ATTACHMENT:

Appendix I – Key Map



Shaw St

76.3m (250')

2.28 ha
5.64 ac

229m (911')

229m (911')


76.3m (250')

Townline Tunnel Rd / Hwy 58A

OPTION 2



Infrastructure and
Development Services
Planning Division

 Subject Property



COUNCIL
ECONOMIC DEVELOPMENT OFFICE

APPROVALS	
GENERAL MANAGER	
CFO	
CAO	

20-108

REPORT EDO-2021-02
March 2, 2021

SUBJECT: AGREEMENT OF PURCHASE AND SALE FOR A PORTION OF VACANT CITY OWNED LANDS ON THE NORTH-EAST CORNER OF FOURTH STREET AND CANAL BANK STREET

AUTHOR: LINA DECHELLIS, ECONOMIC DEVELOPMENT OFFICER

APPROVING G.M.: DAN DEGAZIO, GENERAL MANAGER, ECONOMIC DEVELOPMENT, RECREATION AND CULTURE

RECOMMENDATIONS:

THAT THE COUNCIL OF THE CITY OF WELLAND accepts the offer to purchase a portion of vacant city owned lands on the north-east corner of Fourth Street and Canal Bank Street

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 deposit the revenues from the sale of these lands into the Economic Development Reserve Fund.

COMMENTS AND ANALYSIS:

At its meeting of October 13, 2020 Council declared surplus to the City's needs lands a portion of land on the north-east corner of Fourth Street and Canal Bank Street.

The City has received an offer from Property Force (Canada) Inc. to purchase these lands.

OTHER DEPARTMENT IMPLICATIONS:

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

FINANCIAL CONSIDERATION:

Property Force (Canada) Inc. has made an offer to purchase these lands, which is scheduled to close on March 31, 2021.

The offer meets or exceeds the appraisal.

SUMMARY AND CONCLUSION:

At their February 2, 2021 Committee of the Whole meeting Council directed staff to proceed with the Offer to Purchase from Property Force (Canada) Inc. to purchase a portion of vacant city owned lands on the north-east corner of Fourth Street and Canal Bank Street.

ATTACHMENT:

Appendix I – Key Map



LOCATION MAP


Fourth Street



SUBJECT LANDS



Infrastructure and
Development Services
Planning Division

APPROVALS	
GENERAL MANAGER	
CFO	
CAO	

20-97

COUNCIL
DEVELOPMENT AND BUILDING SERVICES

REPORT P&B-2021-12
MARCH 2, 2021

SUBJECT: APPLICATION FOR OFFICIAL PLAN AMENDMENT (OPA NO. 30), ZONING BY-LAW AMENDMENT (2020-09), AND DRAFT PLAN OF SUBDIVISION (26T-14-20007) MADE BY ARMSTRONG PLANNING AND PROJECT MANAGEMENT ON BEHALF OF 555 CANAL BANK DEVELOPMENTS GP INC. FOR LANDS LOCATED ON THE EAST SIDE OF CANAL BANK STREET, NORTH OF FORKS ROAD, SOUTH OF THE TOWNLINE TUNNEL, LEGALLY DESCRIBED AS PART OF LOTS 21, 22, 23, CONCESSION 5, FORMER TOWNSHIP OF HUMBERSTONE, PART OF THE ROAD ALLOWANCE BETWEEN LOTS 22 AND 23, CONCESSION 5 (CLOSED), PARTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 ON 59R-15225, CITY OF WELLAND, MUNICIPALLY KNOWN AS 475, 555, AND 635 CANAL BANK STREET

**AUTHOR: RACHELLE LAROCQUE, BES, M.Sc., MCIP, RPP
 INTERIM MANAGER OF PLANNING**

**APPROVING GM: GRANT MUNDAY, B.A.A., MCIP, RPP
 INTERIM DIRECTOR
 DEVELOPMENT AND BUILDING SERVICES**

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives Report P&B-2021-12 regarding Applications for Official Plan Amendment (OPA No. 30), Zoning By-law Amendment (2020-09), and Draft Plan of Subdivision (26T-14-20007) for lands on the east side of Canal Bank Street, north of Forks Road, south of the Townline Tunnel, described as Part of Lots 21, 22, 23, Concession 5, former Township of Humberstone, part of the Road Allowance between Lots 22 and 23, Concession 5 (closed), Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 on 59R-15225, City of Welland, municipally known as 475, 555, and 635 Canal Bank Street.

ORIGIN AND BACKGROUND:

Applications for Regional Official Plan Amendment, Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Vacant Land Condominium was submitted by Armstrong Planning and Project Management on behalf of 555 Canal

Bank Developments GP Inc. on September 15, 2020 and was deemed complete on December 15, 2020.

The purpose of the application for Official Plan Amendment is to redesignate the property from the existing General Industrial, Special Policy Area, and Core Natural Heritage to Special Policy Area Low Density Residential, Commercial, Core Natural Heritage, and Parks, Open Space and Recreation. The purpose of the Special Policy Low Density Residential Designation is to allow for a minimum density of 15 units per hectare and a maximum of 54 units per hectare. The Commercial Designation will allow for mixed use development on the site. The purpose of the Core Natural Heritage Designation is to maintain the existing designation on the property, as well as expand the area that is identified as Core Natural Heritage based on the Environmental Impact Study that was completed for the property. The Parks, Open Space, and Recreation designation will be placed on the lands intended to be used for Public Parks. As the application for a City Official Plan Amendment has been made in conjunction with a Regional Official Plan Amendment, the Region will be the approval authority for the City and Regional amendments.

The lands are currently zoned Temporary Site Specific Residential Low Density 2 and Environmental Conservation Overlay – EC, with the underlying zone being General Industrial – G1 and Environmental Conservation Overlay. The purpose of the application for Zoning By-law Amendment is to rezone the lands to Site Specific Residential Low Density 2 – RL2; Site Specific Community Commercial Corridor – CC2; Site Specific Holding Institutional – INSH; Neighbourhood Open Space – O2; and Environmental Conservation – EC and Environmental Protection – EP. Amendments to the General Provisions of the zoning By-law have also been requested. The site specific amendments to the RL2 Zone requested are as follows:

SINGLE DETACHED DWELLING (8 METRE MINIMUM THROUGH-LOTS)		
	Required	Requested
Lot Area	270 square metres	180 square metres
Frontage	9 metres	8 metres
Front Yard Setback	4.5 metres	2 metres
Side Yard Setback	1 metre	0.6 metre (minimum on one side) and 1.2 metres (minimum on opposite side)
Rear Yard	6 metres	4.5 metres and 6 metres (to garage)
Building Height	11 metres (3 storeys)	13.5 metres (3 storeys)
Lot Coverage	50%	N/A
Minimum Landscaped Area	20%	N/A

SINGLE DETACHED DWELLING (8 METER MINIMUM LOTS)		
	Required	Requested
Lot Area	220 square metres	270 square metres
Frontage	9 metres	8 metres
Side Yard Setback	1 metre	0.6 metre (minimum on one side) and 1.2 metres (minimum on opposite side)
Building Height	11 metres (3 storeys)	13 metres (3 storeys)

SINGLE DETACHED DWELLING (10 METER MINIMUM LOTS)		
	Required	Requested
Side Yard Setback	1 metre	0.6 metre (minimum on one side) and 1.2 metres (minimum on opposite side)
Building Height	11 metres (3 storeys)	13 metres (3 storeys)

SEMI-DETACHED DWELLING		
	Required	Requested
Lot Area	400 square metres for each dwelling, 200 square metres for each unit	300 square metres for each dwelling, 150 square metres for each unit
Frontage	12 metres for each dwelling, 6 metres for each unit	11 metres for each dwelling, 5.5 metres for each unit
Rear Yard	6 metres	4.5 metres and 6 metres (to garage)
Building Height	11 metres (3 storeys)	13.5 metres (3 storeys)

STREET TOWNHOUSE DWELLING		
	Required	Requested
Frontage	6 metres/unit	5.5 metres/unit
Front Yard Setback	4.5 metres (house) and 6 metres (garage)	3.5 metres (house) 6 metres (garage)
Building Height	11 metres (3 storeys)	13.5 metres (3 storeys)
Maximum Lot Coverage	55%	60%

The purpose of the Site Specific Community Commercial Corridor Zoning is to allow for the following in addition to the existing uses in the CC2 Zone:

- Supermarket;
- Retail Centre;

- Retirement home;
- Hotel;
- Assembly hall;
- Research and development establishment;
- Art gallery;
- Commercial parking lot/garage/structure;
- Street townhouses; and,
- To eliminate the required maximum lot coverage

The purposes of the Holding Site Specific Institutional zoning is to allow for a school to be placed on the lands with this zoning. The Niagara District Catholic School Board will be provided with five (5) years after registration to purchase the property and construct a school. If the NDCSB does not purchase the property within the five (5) years provided, the lands can be used for residential dwellings and will be subject to the site specific provisions of the RL2 Zone.

The proposed amended General Provisions for the entire property are:

- Add walkways as part of the definition of "Landscaping";
- Allow opened and roofed porches to encroach 2.5 metres into the front yard and into the rear yard 3.75 metres, so long as they are no higher than 3.5 metres above grade;
- To allow parking spaces in garages to be a minimum size of 3 metres in width by 6 metres in length, and to allow stairs with no more than 3 risers to encroach into the parking space; and,
- That the maximum number of units per block will be identified on the Draft Plan of Subdivision, but will not exceed 870 lots, not including parkland, open space, and stormwater blocks.

The purpose of the plan of subdivision is to develop the site with:

- 62 Blocks for residential purposes, with a total of 832-870 residential units;
- One block of multi-use purposes;
- One school block
- Eight blocks for open space, recreation, parks, and trail purposes; and,
- One stormwater management block

COMMENTS AND ANALYSIS:

A virtual Public Open House was held on February 11, 2021 to gain public input regarding the proposed applications. Four (4) members of the public participated in the Information Meeting, in addition to agent for the applicant and the applicant. The following comments and concerns were raised at the Public Information Meeting:

- Whether the site would be considered Class 4 under the Ministry of Environment Noise guidelines;
- Parking concerns during rowing regattas;

- Concern with loss of parking along Canal Bank Street after redesign of the road; and,
- Noise from regattas.

At the time of writing this report, NUMBER letters have been submitted from members of the public regarding the applications. The comments in the letter were the same as those that were raised at the Public Information Meeting, in addition, the following comments were also provided:

The Statutory Public Meeting under the Planning Act is being held virtually on March 2, 2021. The Public Meeting provides an opportunity for the Applicant to make a presentation regarding the Applications and proposal, for interested parties to make comment and/or raise concerns, and for Council Members to inquire about the Applications.

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

FINANCIAL CONSIDERATION:

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

OTHER DEPARTMENT IMPLICATIONS:

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

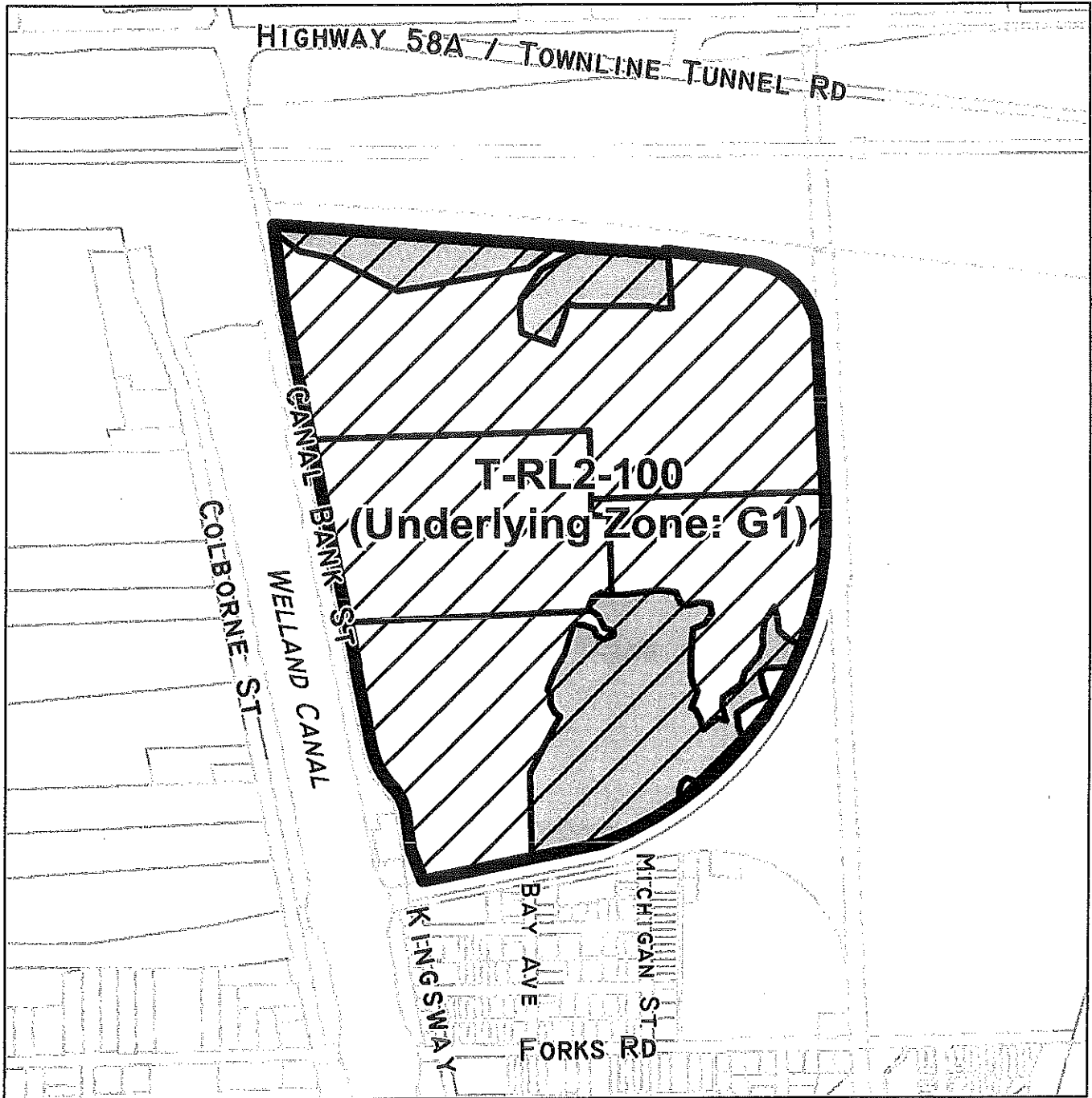
SUMMARY AND CONCLUSION:

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

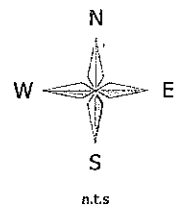
ATTACHMENTS:




- Appendix I - Key Map
- Appendix II - Aerial Photo of Subject Lands
- Appendix III - Draft Official Plan Amendment (Amendment text only)
- Appendix IV - Proposed Draft Plan of Subdivision

2020-09, OPA 30 & 26T-14-20007



KEY MAP



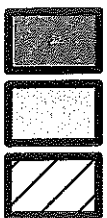
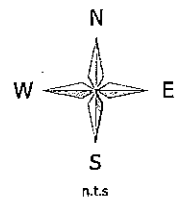
-  EP
-  EC
-  SUBJECT LANDS



Infrastructure and
Development Services
Planning Division



AERIAL PHOTO OF THE SUBJECT LANDS



- EP 2020-09, OPA 30 & 26T-14-20007
- EC
- SUBJECT LANDS



Infrastructure and Development Services
Planning Division

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

TITLE AND COMPONENTS

This document, when approved in accordance with the Planning Act, shall be known as Amendment No. 30 to the Official Plan of the Corporation of the City of Welland.

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

Part "B", the Amendment, consists of the map and text changes.

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

PURPOSE OF THE AMENDMENT

The purpose of Official Plan Amendment No. 30 is to redesignate the lands shown on attached Schedule "A" from Special Policy Area, General Industrial and Core Natural Heritage System to Special Policy Area Residential, Commercial, Core Natural Heritage System and Parks, Open Space, and Recreation. The purpose of the amendment is to redesignate the lands to allow for a mixed-use subdivision. The Special Policy Low Density Residential will permit a minimum density of 15 units per net hectare and a maximum density of 54 units per net hectare. The uses permitted in the Low Density Residential and Commercial designation shall be those permitted in the Special Policy Area.

LOCATION

The lands are located on the north side of St. Clair Drive, west of the CN Canal Sub Rail Line, south of Highway 58A, and east of the Welland Recreational Canal. The lands are approximately 74 hectares in size.

BASIS

The subject lands are within the urban area boundary for the City of Welland and currently designated General Industrial and Core Natural Heritage System. This amendment will permit the redesignation of the lands to support the development of a mixed-use residential subdivision within the built boundary in the City of Welland.

PART B - THE AMENDMENT

All of the Amendment entitled PART B - THE AMENDMENT, consisting of the following Policies and the map referred to as Schedule "A" - Land Use Plan and Policies, constitutes Amendment No. 30 to the Official Plan of the Corporation of the City of Welland.

MAP CHANGES


1. Schedule A, City Structure Map is hereby amended by identifying additional Environmental Conservation Areas on the property.
2. Schedule B, Land Use Map is hereby amended by identifying the special exception on the property.
3. Schedule B1, Residential Hierarchy Land Use Map is hereby amended by identifying the special exemption on the property.
4. Schedule B2, Commercial Hierarchy Land Use Map is hereby amended by identifying the special exemption on the property.
5. Schedule C, Core Natural Heritage System Map is hereby amended by identifying additional Environmental Conservation Areas on the property.
6. Schedule C1, Components of the Natural Heritage System Map is hereby amended by identifying the additional Environmental Conservation Areas on the property.

TEXT CHANGES

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

4.2.3.20 Exceptions

4.2.3.20 F Notwithstanding the density provisions of Section 4.2.2.2, the lands will be permitted to have a minimum density of 15 units per net hectare and a maximum density of 54 units per net hectare.

APPROVALS	
GENERAL MANAGER	
CFO	
CAO	

99-99

COUNCIL
DEVELOPMENT AND BUILDING SERVICES

REPORT P&B-2021-13
MARCH 2, 2021

SUBJECT: PROPOSED NEW 20' x 80' PUBLIC WOOD DECK ALONG THE EAST SIDE OF THE WELLAND RECREATIONAL CANAL AND SOUTH OF LINCOLN STREET

**AUTHOR: GRANT MUNDAY, B.A.A., MCIP, RPP
INTERIM DIRECTOR OF DEVELOPMENT AND BUILDING SERVICES**

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND approves the construction of a 20' x 80' wood deck for public ownership and use along the east side of the Welland Recreational Canal, south of Lincoln Street as shown in Appendix II, attached to this report, and further

That Welland City Council authorizes the Mayor and City Clerk to sign any documents necessary to implement Council's decision.

ORIGIN AND BACKGROUND:

With reference to Appendix I, the owners (439 King Welland Inc.) of the proposed seniors residence currently under construction immediately south of Welland Community Wellness Complex are requesting permission to construct a 20' x 80' wood deck (proposed deck) along the east side of the Welland Recreation Waterway (WRC) across from the building under construction. The location and design of the proposed deck is shown in Appendix II.

The purpose of this report is to give Council an overview of the proposal, the relevant policies and a recommendation to accept the construction of the proposed new park facility.

COMMENTS AND ANALYSIS:

The proposed deck is located on lands that are currently owned by the City of Welland and are part of the Welland Recreational Waterway lands. These lands are designated Welland Recreational Waterway in the City's Official Plan. The Official Plan contains a number of policies related to the WRW. Of relevance to this proposal are the following provisions:

<p>6.3.2.4.E Maintain Public Access Development of lands within the Welland Recreational Waterway shall be undertaken in a manner which maintains continuous public access to the waterfront along its length.</p>	<p>The proposed deck is intended for public use and will not impact continuous public access to the waterfront.</p>
<p>6.3.2.4.H Safe and Accessible Development of the lands within the Welland Recreational Waterway should ensure safe and accessible access for all persons.</p>	<p>The proposed deck will enhance public access by provide opportunities for those with accessibility issues to safely access the waterfront. The deck will be required to be built in conformance with the Ontario Building Code</p>
<p>6.3.2.4.I Attractive Design Planning and development of lands within the Welland Recreational Waterway should: i. Provide distinctive and memorable places; ii. Protect and enhance views and vistas; iii. Optimize the relationship between facilities, open space and water; iv. Be consistent and compatible with the design of the overall Waterway; v. Where possible, reflect Welland's diverse culture and history through attractive design.</p>	<p>The proposed deck will add to the improvements that have been made in this section of the WRW including the new Rotary Park on the west side the canal. It will optimize the relationship between the WCWC, the trail and the waterway. The deck will not impact view or vistas and will actually provide an opportunity for people to have enhanced views of the WRW.</p>

The lands are zoned WRW – Welland Recreational Waterway in the City's Zoning By-law. The WRW Zone permits a range of uses including recreational and parks type uses, buildings and structures. The proposed deck is in line with the current Zoning.

The Welland Recreational Waterway Master Plan has very similar policy to the Official Plan and this type of private investment in the WRW is supported by that document.

The proposal will require Niagara Peninsula Conservation Authority clearance. It is not anticipated that this will be an issue as we have similar facilities along the canal at other locations.

If council approves this request, 439 King Welland Inc. will be required to provide the City with confirmation of liability insurance and will be required to provide confirmation of WSIB insurance. A Building Permit will also be required.

FINANCIAL CONSIDERATION:

There no immediate financial cost associated with adopting the recommendation in this report as the proposed will be provided at no cost to this City. However, the City will be responsible for maintaining the facility once it is complete.

OTHER DEPARTMENT IMPLICATIONS:

The Building Division will be responsible for processing, reviewing and approving the Building Permit and associated inspections. The Parks Division will ensure the proposed deck meets the City requirements and will be responsible for maintaining this facility once complete.

SUMMARY AND CONCLUSION:

Based on the above analysis it appears the proposal by 439 King Welland Inc. fits within the relevant City policies applicable to the proposal location show in Appendix II. Staff recommends that City Council accept the construction of the proposed deck. It will help improve and enhance the Welland Recreational Waterway and provide greater public access and use opportunities for all.

ATTACHMENTS:

- Appendix I - Letter Dated January 11, 2021 from 439 King Welland Inc.
- Appendix II - Welland Canal Deck Presentation

Appendix II

439 KING ST.,
WELLAND

Welland
Canal Deck
Presentation

March 2,
2021

Image shown is for illustrative purposes only and does not represent actual design and specifications.



DESIGN DETAILS

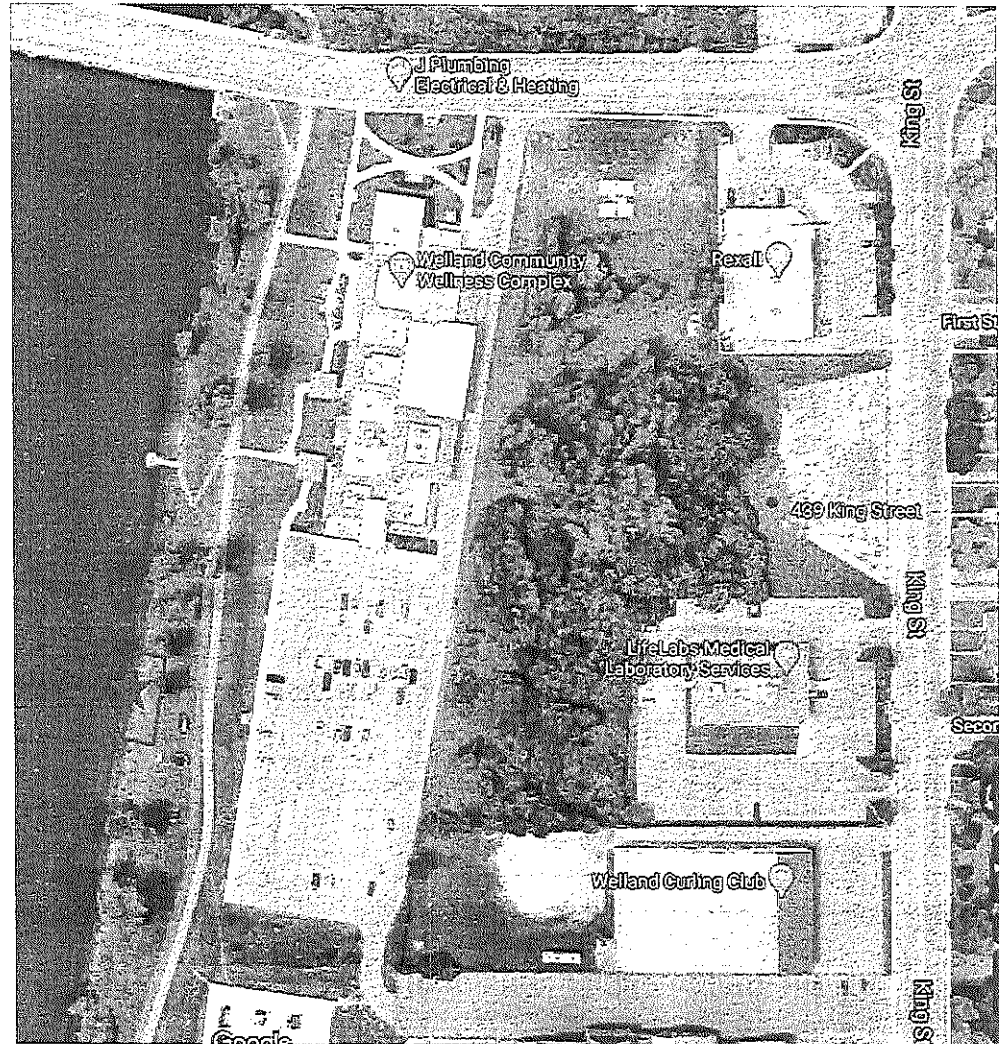
- Engineered 20' x 80' deck
- Composite decking material
- Railings on 3 Sides
- Concrete foundations cantilevered over the water
- Top of the Deck to be 58" above water level, and 36" from water to underside of deck support beams

ADDITIONAL DETAILS

- Level grading from existing asphalt to deck
- Bollards at Deck entrance to block ATVs, vehicles
- Lighting to be provided by wall-pack at the Retirement Home

Location

Approximate location at the edge of the Welland Canal



439 KING WELLAND INC.

10 Wanless Avenue, Suite 201, Toronto, Ontario M4N 1V6
Phone: 416-481-2222 Fax: 416-481-8000

439 King Welland Inc.
10 Wanless Ave., Suite 201
Toronto, ON, M4N 1V6

January 11, 2021

Grant Munday,
Director of Development and Building Services
City of Welland
60 East Main Street
Welland, ON, L3B 3X4

cc. Peter Boyce, Richard Dalton

Re: Proposed Deck on the Welland Recreational Canal

Hi Grant,

Our team has enjoyed working with the City on developing our retirement home site at King St. and Lincoln St., Welland, and we've brought forth an idea for a recreational deck project that will further enhance the area surrounding the site and benefit the general public.

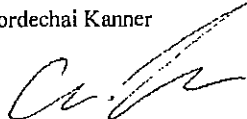
On our December 4th, 2020 phone call with Peter Boyce, Manager of Parks and Maintenance, and Richard Dalton, Recreation Manager, we discussed the proposal in detail, and they have provided us with additional feedback and recommendations for what should be included in the project. These are outlined below:

1. Construction to include composite materials for deck, for ease of maintenance
2. Level, hard surface to connect existing trail to deck
3. Wall-pack to be installed at the retirement home to supply lighting to the deck area
4. Planters or similar element to be installed at approach to deck to prevent passage of vehicles

Additionally, one of the potential contractors, Jim Barton at Stolk Construction, has reviewed the preliminary engineering design to ensure that the existing soil conditions can support the proposed project.

Based on the above, we are ready to start the formal approval process for this deck project, please let us know next steps.

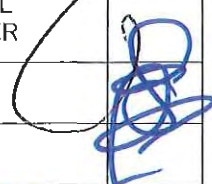
Mordechai Kanner



439 King Welland Inc.

T. 416.481.2222 x 207 | E. mkanner@plazacorp.com

COUNCIL
INFRASTRUCTURE AND DEVELOPMENT SERVICES
ENGINEERING DIVISION

APPROVALS	
GENERAL MANAGER	
CFO	
CAO	

04-48

REPORT ENG-2021-02
MARCH 2, 2021

**SUBJECT: AMENDMENT TO THE INSURANCE PROVISIONS IN THE
ATLAS LANDFILL POST-CLOSURE AGREEMENT
BETWEEN THE CORPORATION OF THE CITY OF
WELLAND AND WALKER ENVIRONMENTAL GROUP INC.**

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

RECOMMENDATIONS:

- 1) THAT the insurance provisions in the Atlas Landfill Post-Closure Agreement between the Corporation of the City of Welland and Walker Environmental Group Inc be modified in accordance with REPORT ENG 2021-02;
- 2) That staff prepare the necessary amending agreement for execution by the Mayor and Clerk; and
- 3) That the Mayor and Clerk be authorized to execute the said amending agreement.

ORIGIN AND BACKGROUND:

On 17 December 2019, The City of Welland entered into the Atlas Landfill Post-Closure Agreement with Walker Environmental Group Inc respecting the former Atlas Landfill located on River Road. The agreement deals with a variety of matters including the maintenance, care, monitoring of the former landfill site.

COMMENTS & ANALYSIS:

The insurance provisions of the agreement provide for coverage for general liability insurance that includes a limit of liability, cross liability clause, non-owned automobile coverage and professional liability insurance coverage of \$2 million per claim and in the aggregate.

Walkers has approached the City requesting to eliminate the Professional Liability Insurance Coverage clause given that professional consulting services are no longer required as the site is essentially in maintenance mode. If professional services are required in the future, the professional liability insurance coverage would be the responsibility of the consultant directly.

A new provision has also been added, requiring that the professional liability insurance provided by the consultant shall be maintained continuously until two years after substantial performance of the work.

City staff further recommend an amendment to the Environmental Liability Insurance coverage clause within the current agreement. Specifically, that coverage per claim be reduced from \$5 million to \$3 million per claim with an annual aggregate of \$5 million. This is consistent with the City's current coverage and is standard for municipalities of this size.

The proposed changes to the insurance provisions of the Post-Closure Agreement have been reviewed by both the City's insurer and Aird Berlis who are satisfied that the changes are in order.

FINANCIAL CONSIDERATIONS:

The proposed changes to the insurance coverage provisions of the Post-Closure Agreement will result in an annual reduction in costs to the City of \$6,000.

SUMMARY AND CONCLUSION:

The proposed changes to the insurance provisions of the Post-Closure Agreement have been reviewed by both the City's insurer and solicitor and the resulting changes will lead to a reduction in costs to the City of Welland.

ATTACHMENTS:

Appendix I - Atlas Landfill Post-Closure Amending Agreement

Appendix I

ATLAS LANDFILL POST-CLOSURE AMENDING AGREEMENT

THE CORPORATION OF THE CITY OF WELLAND

(HEREINAFTER "OWNER & OPERATOR")

and

WALKER ENVIRONMENTAL GROUP INC.

This Atlas Landfill Post-Closure Amending Agreement (the "**Agreement**") made as of 16 February, 2021 between Walker Environmental Group Inc. (hereinafter the "**Post-Closure Care Party**" or "**PCCP**") and The Corporation of the City of Welland (hereinafter the "**Owner & Operator**" or "**Owner**"). The Owner and PCCP may be referred to individually as a "**Party**" and collectively as the "**Parties**".

WHEREAS the parties entered into a Post-Closure Agreement on 17 December, 2019;

AND WHEREAS the parties now wish to amend the said Post-Closure Agreement;

NOW THEREFORE in consideration of the mutual covenants and agreements set forth between the Landlord and Tenant, and the sum of ten (\$10) dollars paid by each Party for good and other valuable consideration (the receipts and sufficiency of which are hereby acknowledged), the Parties hereto covenant and agree as follows:

That Article 10.1 Parties Insurance to the Agreement of 17 December, 2019 is hereby replaced with the following:

Appendix I

10.1 Parties Insurance

(a) The Parties shall, at their sole expense, obtain and keep in force insurance coverage respecting the Site Area under its blanket policy or policies which in any event include:

- (i) Commercial General Liability Insurance, and shall include the following:
 - (A) A limit of liability of not less than \$5,000,000 per occurrence;
 - (B) Cross liability clause;
 - (C) Non-owned automobile coverage with a limit of at least \$5,000,000 including contractual non-owned coverage; and
 - (D) This policy shall be endorsed to provide the Owner and PCCP as additional insured;

(b) The “Owner & Operator” shall, at their sole expense, obtain and keep in force insurance coverage respecting the Site area under its blanket policy or policies which in any event include:

- (i) Environmental Liability Insurance in a combined amount of not less than \$3,000,000 per occurrence, and \$5,000,000 aggregate, subject to any requirements of MECP, against claims for bodily injury, including sickness, disease, shock, mental anguish, or injury to or physical damage to tangible property including loss of use of tangible property, or the prevention, control, repair, cleanup, or restoration of environmental impairment of lands, the atmosphere or any water course or body of water on a sudden and accidental basis.

The form of environmental liability insurance may be an occurrence or claims-made form. Should the policy be on a claims-made form, the parties shall undertake to maintain the policy, or provide extended reporting period, for a two year period after substantial performance.

(c) The “Post-Closure Care Party” (PCCP) shall, at their sole expense, obtain and keep in force insurance coverage respecting the Site area under its blanket policy or policies which in any event include:

- (i) Professional Liability Insurance coverage wrongful acts, errors and omissions arising out of activities and operations of a professional nature in connection with

Appendix I

this Agreement with limits of not less than two million dollars (\$2,000,000) per claim and in the aggregate. The policy shall be maintained continuously from the commencement of the contract until two years after substantial performance of the work.

Should the PCCP outsource the professional services to a consultant at the site, the PCCP may assign this insurance requirement to the professional consultant, and an undertaking by the professional consultant to provide the limits noted herein will be acceptable. The PCCP shall insure that the consultant provides both the PCCP and Owner reliance from the professional consultant with respect to the reports being issued.

- (ii) Environmental Liability Insurance (contractors pollution liability or CPL) in a combined amount of not less than \$3,000,000 per occurrence, and \$5,000,000 aggregate, subject to any requirements of MECP, against claims for bodily injury, including sickness, disease, shock, mental anguish, or injury to or physical damage to tangible property including loss of use of tangible property, or the prevention, control, repair, cleanup, or restoration of environmental impairment of lands, the atmosphere or any water course or body of water on a sudden and accidental basis.

The form of environmental liability insurance may be an occurrence or claims-made form. Should the policy be on a claims-made form, the parties shall undertake to maintain the policy, or provide extended reporting period, for a two year period after substantial performance.

(d) All Policies:

- (i) will show Owner and PCCP as an additional insured;
- (ii) will be taken out with reputable insurers licensed to do business in the Province of Ontario;
- (iii) will be non-contributing with, and will apply only as primary and not as excess to any other insurance available to either Owner or PCCP; and

Appendix I

- (iv) will contain an undertaking by the insurers to endeavour to notify either PCCP or Owner in writing by registered mail at least thirty (30) days before any material change, alteration, cancellation, or termination of them.

IN WITNESS THEREOF the Owner & Operator and Post-Closure Care Party have executed this Agreement under seal.

**WALKER ENVIRONMENTAL
GROUP INC.**

By:

Name: Michael Watt, P. Eng.

Title: Executive Vice President

I have authority to bind the Corporation

**THE CORPORATION OF THE
CITY OF WELLAND**

Mayor: _____

Clerk: _____

COUNCILINFRASTRUCTURE AND DEVELOPMENT SERVICESENGINEERING DIVISION

APPROVALS	
Interim Director	
CFO	
CAO	

21-60
 REPORT ENG-2021-03
 MARCH 2, 2021

SUBJECT: UTILITY CUTS FINAL REINSTATEMENT 2021 – TENDER AWARD

AUTHOR: ERIK METSA, C.E.T.
PROJECT MANAGER

APPROVING G.M.: SHERRI-MARIE MILLAR, P.ENG.
INTERIM DIRECTOR OF ENGINEERING AND PUBLIC WORKS, INFRASTRUCTURE AND DEVELOPMENT SERVICES

RECOMMENDATIONS:

1. THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the tender from Circle P Paving Inc. of Stevensville, Ontario as detailed in Report ENG-2020-03 for Utility Cuts Final Reinstatement 2021 at the tendered price of \$548,162.00 (excluding taxes);
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:

City forces regularly perform maintenance and/or repairs on underground infrastructure, specifically sanitary and water mainlines and services. The related excavations may disturb existing concrete sidewalks, curb and gutters, landscaped boulevards and/or asphalt pavements depending on the scope and location of the works.

The utility cut reinstatement project is tendered each year as a cost-effective means of restoring these damaged surface treatments.

COMMENTS AND ANALYSIS:

Approximately 238 locations have been identified for final reinstatement in 2021. These locations include concrete, asphalt and sod works. The contractor will be required to complete all assigned work within the contract by October 1st, 2021.

The tender for the works was released on February 1, 2021 and was publicly advertised and listed with the Niagara Construction Association, and as well, posted with a major Canadian tendering website for two (2) weeks.

There was two (2) bidders and two (2) tenders received on closing day, Tuesday, February 16, 2021. The tender has been reviewed for accuracy and found to be in compliance with City of Welland tender requirements and the provisions of the purchasing policy.

The summary of the tender received is as follows:

Contractor Name and Address	Tender Price (excluding taxes)
Circle P Paving Inc. 1994 Stevensville Road, P.O. Box 297 Stevensville, ON L0S 1S0	\$548,162.00
CTC Contracting Ltd. 655 Doans Ridge Road, Welland, Ontario L3B 5N7	\$555,365.00

Circle P Paving Inc. of Stevensville, Ontario, the low tenderer, is an established contracting company in the Niagara region. They successfully completed the Utility Cut Final Reinstatement program for the City in 2020. Staff at this time considers the firm's performance to be satisfactory in accordance to our specifications and standards, and therefore, recommends the firm be awarded the contract.

FINANCIAL CONSIDERATION:

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

Contractor Utility Cuts – Project Cost Breakdown	Amount
2021 Sanitary Reinstatements	\$274,081.00
2021 Waterworks Reinstatements	\$274,081.00
Subtotal:	\$548,162.00
City's Portion of HST (1.76%):	\$9,647.65
Total Anticipated Project Cost:	\$557,809.65

Project Funding Breakdown	Amount
2021 Sanitary Sewer Operating, Contractor Utility Cuts (30-330-00000-540120)	\$275,000.00
2021 Waterworks Operating, Contractor Utility Cuts (25-910-00000-540120)	\$275,000.00
Approved Capital Funding:	\$550,000.00

The total approved 2021 Water/Wastewater Operating Budget allocations for Utility Cut Final Reinstatement is \$550,000.00 comprised of \$275,000.00 and \$275,000.00 from the waterworks and sanitary sewers operating budgets, respectively. The tender value plus HST bring the project value to \$557,809.65.

During construction, the actual value of work will be closely monitored. Staff will review the possibility to delete or to add individual reinstatement work as is practical and within approved funding.

OTHER DEPARTMENT IMPLICATIONS:

Contract tendering complies with the current Purchasing Policy and contract legal practices of the Financial and Corporate Services, and the Communications, Council and Legislative Services departments.

SUMMARY AND CONCLUSION:

Utility Cut Final Reinstatement is an annual project to restore maintenance related works as described above for both the sanitary sewer and water networks within the city.

Staff recommends the awarding of the Utility Cuts Final Reinstatement 2021 project to the low bidder, Circle P Paving Inc.

ATTACHMENTS:

None.

COUNCIL
INFRASTRUCTURE AND DEVELOPMENT SERVICES
ENGINEERING DIVISION

APPROVALS	
Interim Director	
CFO	
CAO	

21-61

REPORT ENG-2021-04
MARCH 2, 2021

SUBJECT: 2021 ASPHALT PATCHING PROGRAM – TENDER AWARD

**AUTHOR: ERIK METSA, C.E.T.
PROJECT MANAGER**

**APPROVING GM: SHERRI-MARIE MILLAR, P.ENG.
INTERIM DIRECTOR OF ENGINEERING AND PUBLIC WORKS, INFRASTRUCTURE AND DEVELOPMENT SERVICES**

RECOMMENDATIONS:

1. THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the tender of Springside Paving Limited as detailed in Report ENG-2021-04 for the 2021 Asphalt Patching Program at the tendered price of \$92,800.00 (excluding taxes);
2. THAT Council directs staff to prepare the necessary by-law and documents, to execute the project; and
3. THAT Council authorizes the Mayor and Clerk to execute all necessary documents to execute the project.

ORIGIN AND BACKGROUND:

The asphalt patching tender is released annually to help maintain the City's road network. The purpose of this tender is to repair localized asphalt pavement deficiencies to improve the overall rating of the roadway.

The asphalt patching project is part of the City's larger pavement maintenance program that includes crack sealing, asphalt overlay, surface treatment and regular maintenance work completed by City crews. Regular maintenance of roadways will reduce capital expenditures by extending asset life.

COMMENTS AND ANALYSIS:

The work list for this tender will be generated by Engineering and Public Works staff. Locations are selected based on field observations during routine inspections and calls received from residents. Work will be completed up to the budgeted amount.

The tender for the works was released on February 1, 2021 and was publicly advertised and listed with the Niagara Construction Association, and as well, posted with a major Canadian tendering (Biddingo) website for two (2) weeks.

There were three (3) plan takers and three (3) tenders were received on closing day, Tuesday, February 16, 2021. Submissions have been reviewed for accuracy and found to be compliant with City of Welland tender requirements and the provisions of the current Purchasing Policy.

The summary of all the tenders received, excluding taxes, is as shown in the following table:

CONTRACTOR NAME AND ADDRESS	TENDER PRICE
Springside Paving Ltd. 54 Guided Court, Etobicoke, ON M9V 4K6	\$92,800.00
Circle P Paving Inc. 1994 Stevensville Road, Stevensville, ON L0S 1S0	\$94,950.00
Rankin Construction Inc. 222 Martindale Road St. Catharines, ON L2R 7A3	\$139,750.00

Springside Paving Limited of Etobicoke, Ontario, the low tenderer, is an established company serving the Southern Ontario, and has been successful with similar work for neighboring municipalities in recent years. Staff received positive feedback from references that were called and recommend that the firm be awarded the contract

Work is expected to begin shortly after the asphalt plants open for the 2021 construction season, which is typically in April or May, weather permitting.

FINANCIAL CONSIDERATION:

Projects costs and funding is summarized as follows:

Project Costs	Amount
Asphalt Patching Low Bid	\$92,800.00
Subtotal:	\$92,800.00
City's Portion of HST (1.76%):	\$1,633.28
Total Anticipated Project Cost:	\$94,433.28
Approved Capital Funding (10-320-21154):	\$100,000.00

The total project tender costs including HST is \$94,433.28. During construction, the actual value of work will be closely monitored. Staff will review the possibility to add asphalt patch repairs as is practical to maximize the approved funding.

LINK TO ASSET MANAGEMENT PLAN:

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

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

1. Apply rehabilitation techniques to extend the lifespan of assets

Patching localized asphalt deficiencies will improve the overall rating of the roadway and reduce capital investment by extending asset life.

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 Department.

SUMMARY AND CONCLUSION:

Regular maintenance of City roads through the repair of localized asphalt pavement deficiencies improves the overall rating of the roadway and extends the asset life.

Staff recommend awarding a contract to Springside Paving Limited for the 2021 Asphalt Patching Program.

ATTACHMENTS:

None.

COUNCIL
INFRASTRUCTURE AND DEVELOPMENT SERVICES
ENGINEERING DIVISION

APPROVALS	
Interim Director	
CFO	
CAO	

21-62

REPORT ENG-2021-05
March 2, 2021

**SUBJECT: SCHOLFIELD AVENUE - ROAD RECONSTRUCTION AND
SANITARY SEWER REPLACEMENT – AWARD OF
TENDER**

**AUTHOR: MATTHEW MAIN, P.ENG.
PROJECT MANAGER**

**APPROVING G.M.: SHERRI-MARIE MILLAR, P.ENG.
INTERIM DIRECTOR OF ENGINEERING AND PUBLIC
WORKS - INFRASTRUCTURE AND DEVELOPMENT
SERVICES**

RECOMMENDATIONS:

1. THAT COUNCIL accepts the tender of **Demar Construction Inc** in the amount of **\$1,823,878.27** (plus HST) being the lowest of seven (7) bid submissions received for the Scholfield Avenue – Road Reconstruction and Sanitary Sewer Replacement project;
2. THAT Council directs staff to prepare the necessary by-law and documents to execute the project; and
3. THAT Council authorizes the Mayor and Clerk to execute all necessary documents to execute the project.

ORIGIN AND BACKGROUND:

The infrastructure within Scholfield Avenue South between East Main Street and Welland Street in the City of Welland has reached the end of its useful life. To that end, this project will involve a full road reconstruction including concrete sidewalk and curb and gutter in addition to the replacement of 375m of sanitary sewer, 100m of storm sewer and 175m of watermain.

COMMENTS AND ANALYSIS:

The tender for the works was released on Monday February 1, 2021 and was publicly advertised and forwarded to the Niagara and Toronto Construction Associations, and as well, posted with a major Canadian tendering website for two (2) weeks.

There were seven (7) tenders received on closing day, Tuesday February 16, 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:

Contractor Name and Address	Tender Price (excluding taxes)
Demar Construction Inc. 2140 Allanport Road, Allanburg, ON L0S 1A0	\$1,823,878.27
Peters Excavating Inc. 3 Cross Street; Welland, ON L3B 5X6	\$1,876,424.81
Alfidome Construction Ltd. 1701 Thorold Townline Tunnel Rd; Niagara Falls, ON L2E 6S5	\$2,011,911.80
Provincial Construction Ltd. 4382 Montrose Road; Niagara Falls, ON L2H 1K2	\$2,039,897.29
O'Hara Trucking & Excavating 71 Berryman Avenue, St. Catharines, ON L2R 0A2	\$2,141,488.00
Alfred Beam Excavating Ltd. 1225 Sunset Drive; Fort Erie, ON L2A 5M4	\$2,199,174.40
Rankin Construction Inc. 20 Corporate Park Drive, St. Catharines, ON L2S 3W2	\$2,273,578.00

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

Work on this contract is expected to begin April 2021.

FINANCIAL CONSIDERATION:

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

Scholfield Avenue – Road Reconstruction and Sanitary Sewer Replacement – Project Costs	Amount
Scholfield Avenue – Road Reconstruction and Sanitary Sewer Replacement Contract	\$1,823,878.27
Material Testing and Quality Control (2%)	\$36,477.57
Subtotal:	\$1,860,355.84
City's Portion of HST (1.76%):	\$32,742.26
Total Anticipated Costs:	\$1,893,098.10

Project Funding Breakdown	Amount
Waterworks - Scholfield Avenue Infrastructure Renewals (Water) - 10-910-21762	\$169,200.00
Wastewater - Scholfield Avenue Infrastructure Renewals (Wastewater) - 10-330-21762	\$573,600.00
Sidewalks - Scholfield Avenue Infrastructure Renewals (Sidewalks) - 10-316-21762	\$116,400.00
Roadways – Scholfield Avenue Infrastructure Renewals (Roads) - 10-320-21762	\$585,000.00
Scholfield Avenue Infrastructure Renewals (Storm Sewer) - 10-327-21762	\$111,000.00
Total Approved Funding:	\$1,555,200.00
Shortfall to be funded by the Capital Surplus Reserve Fund:	\$337,898.10

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 **\$1,893,098.10**. A total \$1,555,200.00 was approved in the 2021 Capital Budget, leaving a \$337,898.10 shortfall that can be funded by the Capital Surplus Reserve.

Changes to the length, diameter and material types of the underground infrastructure made during detailed design have resulted in increased project costs from those originally assumed during budget deliberations, hence the funding shortfall.

LINK TO ASSET MANAGEMENT PLAN:

The 2016 Addendum to the City of Welland Comprehensive Asset Management Plan identifies that "infrastructure expenditure needs are in excess of the available revenue. The analysis indicates that the funding gap is approximately \$20 million per year". It also identifies current asset management strategies that are practiced in Welland. The Scholfield Avenue construction aligns with the following strategies:

- *Cast Iron Watermain Replacement*
The replacement of old cast iron watermains is also among the highest priority projects in Welland. The iron watermains account for a significant portion of the City's expenditure needs in the water distribution system.
- *Integrated right-of-way asset replacement*
The City strives to optimize when and how assets in the same right of way are replaced. This approach provides better value for infrastructure renewal dollars because it is typically more cost effective to replace all of the infrastructure in the same right-of-way.

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.

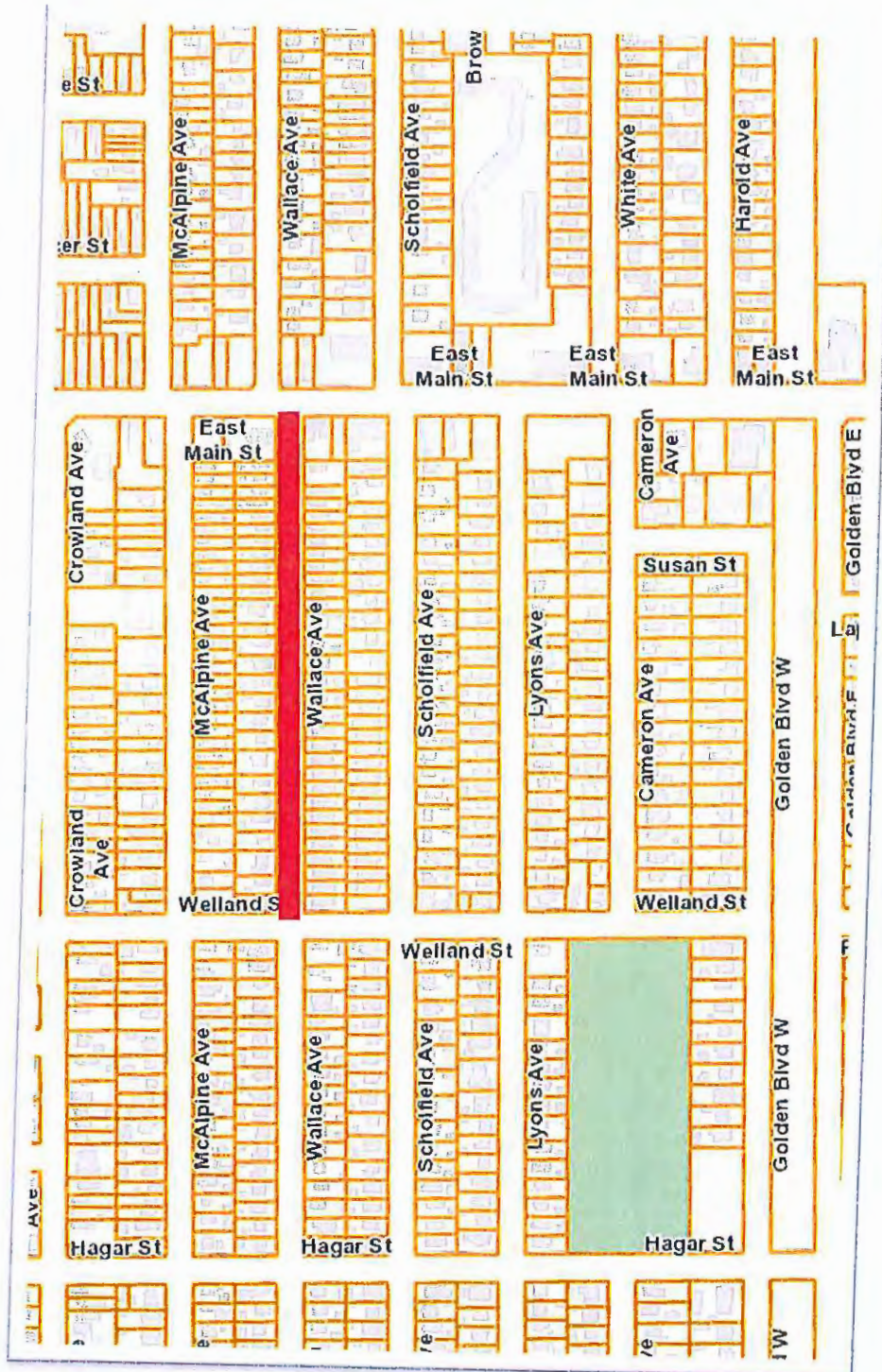
SUMMARY AND CONCLUSION:

Staff recommends the awarding of a contract to **Demar Constructing Inc** to undertake the construction of the Scholfield Avenue – Road Reconstruction and Sanitary Sewer Replacement project.

ATTACHMENTS:

Appendix I - Location Plan

APPENDIX I – SCHOLFIELD AVENUE – ROAD RECONSTRUCTION & SANITARY SEWER REPLACEMENT REPORT ENG-2021-05





AN OPEN LETTER TO ONTARIO MUNICIPAL COUNCILS

Dear Council,

As a vital municipal association with membership roots that reach deep into each and every part of Ontario, we know the challenges you have faced in continuing to provide essential municipal services within your community during the COVID-19 pandemic.

As elected officials, we know that you recognize the contribution made by your municipal staff, many of whom are members of AMCTO. Municipal professionals across this entire province have been at the forefront of service delivery, applying their knowledge and skills to innovate processes and procedures to meet the evolving needs of residents and businesses.

One key point that is often overlooked in this pandemic is that many municipal staff were prepared to act and innovate BECAUSE of the professional municipal training and development they receive from organizations like AMCTO. The leadership skills, education and technical training prepare your staff in getting ahead of immediate community needs, reacting and responding to new challenges brought on by COVID-19. This unique and sought-after skillset has allowed your staff to provide council with options and solutions for keeping your municipality running.

In these challenging financial times, there will be temptation to divert operational funding away from staff training budgets. Now more than ever, it is crucial that municipalities continue to invest in your most valuable resource – your staff.

In addition to increased levels of employee retention, engagement and empowerment, investments in staff professional development strengthens your council's ability to provide reliable, effective and efficient services to your community, both today and in the future. The question is no longer "if" you innovate but "when". Innovation comes with knowledge, training, and exposing municipal staff to new opportunities to grow and develop professionally.

On behalf of AMCTO and its over 2,200 members, please accept my heartfelt thank you for your service during these difficult times. As "Municipal Experts", AMCTO will continue to be at your service to help you and your staff meet the needs of your community.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Tremblay", written over a faint, larger version of the same signature.

Robert Tremblay, MPA, CMO, AOMC
President
AMCTO



CC: Graydon Smith, President, AMO

2680 Skymark Ave. # 610
Mississauga, ON L4W 5L6
president@amcto.com
www.amcto.com



21-55



4800 SOUTH SERVICE RD
BEAMSVILLE, ON L0R 1B1
905-563-8205

February 8, 2021

SENT VIA EMAIL

Region of Niagara
1815 Sir Isaac Brock Way
P.O. Box 1042
Thorold, ON L2V 4T7

Attention: Ann-Marie Norio, Regional Clerk

RE: Town of Lincoln Council Resolution - Explore Options for Securing Recycling Bin Contents.

Please be advised that Council for the Corporation of the Town of Lincoln at its Special Council Meeting held on February 8, 2021 passed the following motion:

Moved by: Councillor Dianne Rintjema; Seconded by: Councillor J.D. Pachereva

WHEREAS The Council of the Town of Lincoln has as one of the four pillars of its overarching Community Vision, a priority of ensuring that the Town of Lincoln remain a resilient community through initiatives such as championing environmental stewardship and smart growth by continuing to build public awareness and understanding of its shared responsibility to conserve and protect the environment;

AND WHEREAS There have been numerous consistent concerns in recent years from residents regarding items escaping recycling bins particularly on windy days, ultimately littering local private and public property including fields, woodlands, and lakes and streams and as a result having long term, far reaching negative environmental/health and related financial impacts;

AND WHEREAS The Regional Municipality of Niagara recently successfully implemented changes to its waste collection program with goals of diverting away from landfills those items that can be recycled or composted, saving natural resources, and reducing impact on climate change;

21-56

AND WHEREAS The Council of the Town of Lincoln, through its established strategic priority of championing environmental stewardship and commitment to conserving and protecting the environment, aims to and build on the success of the initiatives undertaken by the Regional Municipality of Niagara by looking into measures that will not only protect the natural environment by securing recycling bin contents, but that will also have the effect of assisting with the diversion of recyclable items from our landfills.

THEREFORE, BE IT RESOLVED THAT Council of the Town of Lincoln request that the Niagara Region continue to conduct research regarding the feasibility of a pilot project to assist with the securing of recycling bin contents and share results from the 2019 study, including an analysis of the related operational considerations, and also considering funding options such as identifying a local corporate community sponsor.

CARRIED

Regards,

Julie Kirkelos
Town Clerk
jkirkelos@lincoln.ca

cc: Local Area Municipalities



Q4 (October 1 to December 31, 2020) to Board of Directors

Recommendation:

That Niagara Regional Housing Quarterly Report October 1 to December 31, 2020 be APPROVED and FORWARDED to the Public Health and Social Services Committee and subsequently to Regional and Municipal Councils for information.

Submitted by:

Donna Woiceshyn
Chief Executive Officer

Approved by:

Walter Sendzik
Chair

Directors:

Walter Sendzik, Chair
Regional Councillor
St. Catharines

Gary Zalepa, Treasurer
Regional Councillor
Niagara-on-the-Lake

Tom Insinna
Regional Councillor
Fort Erie

James Hyatt, Vice-Chair
Community Director
St. Catharines

Betty Ann Baker
Community Director
St. Catharines

Betty Lou Souter
Community Director
St. Catharines

Karen Blackley, Secretary
Community Director
Thorold

Barbara Butters
Regional Councillor
Port Colborne

Leanne Villella
Regional Councillor
Welland

Q4 (October 1 to December 31, 2020)

HIGHLIGHTS:

Application Activity

652 received & processed



Work Orders

2,500 issued



Capital Program

46 purchase orders issued

11 public tender closed

18 projects ongoing



Rent Appeals

= \$115,555.92

or

8.80% of the monthly rent charges



Community Resources & Partnerships

offered supports to

378
new referrals



10
partners

Non-Profit Housing Programs

61% deemed HEALTHY



Rent Supplement / Housing Allowance

1,668
units

4
new landlords



Niagara Renovates

- Inspections are ongoing
- 18 homeowners are approved for funding



Welcome Home Niagara

7
homeowners
received assistance



Housing First Project

13
individuals / families
housed



Appeals

= **15** 10 upheld
5 overturned



New Development

Hawkins/Dell

- approximately 40% complete





Q4 (October 1 to December 31, 2020)

VISION

That the Niagara community will provide affordable, accessible and quality housing for all residents

MISSION

To expand opportunities that make affordable housing an integral part of building healthy and sustainable communities in Niagara

As the administrator of social housing for Niagara Region, Niagara Regional Housing (NRH) works to fulfill our vision and mission through six main areas of responsibility:

1. Public Housing (NRH Owned Units)
2. Non-Profit Housing Programs
3. Rent Supplement Program
4. Affordable Housing Program
5. Service Manager Responsibilities
6. Housing Access Centre and Centralized Waiting List



Definitions can be found in the attached Reference Sheet.



Q4 (October 1 to December 31, 2020)

1. Public Housing (NRH Owned Units)

DAY-TO-DAY MAINTENANCE:

In Q4, **2,500 work orders** were issued, representing \$1,217,889.51. \$25,144.92 of this amount was charged back to tenants who were held responsible for damages.

	2019-Q4	2020-Q1	2020-Q2	2020-Q3	2020-Q4
# of work orders issued	3,675	2,575	2,302	2,656	2,500

During Q4, work orders continued to be lower due to COVID-19; regular maintenance had resumed within COVID guidelines.

CAPITAL PROGRAM:

The Capital Program is responsible for maintaining the Public Housing (NRH Owned Units) asset and planning for future sustainability.

In Q4, 46 purchase orders were issued and 11 public tenders closed.

The Capital Program was responsible for 18 capital projects and 46 purchase orders valued at \$2,851,445:

- 18 projects
 - Carlton Street – replacement of balconies and railings
 - 4900 Buckley Avenue – exterior insulation and finish system – canopies
 - 52 Ormond Street North– building renovations
 - 10 Old Pine Trail – bathroom replacements
 - Powerview Avenue/Galbraith Street/Wallace Street – bathrooms
 - 12 St. David's Road East – building renovations
 - Various locations - upgrading heating systems
 - 300 Davy Street – parking lot replacement
 - 3874 Portage Road – parking lot replacement
 - 124 Elmview Street and 211 King Street – elevator modifications
- 40 RFPs and RFQs – various consulting services, elevator investigations, health and safety repairs, structural repairs (roofing) and pavement retrofits

As of December 31, 2020, \$4,722,189 of the \$8,454,858 budget (excluding emergency) has been committed and or actually spent (56%).



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TENANT MOVE OUTS:

Move Outs By Reason

Health	2
Long Term Care Facility	5
Deceased	23
Private Rental	10
Voluntarily Left Under Notice	1
Eviction – Tribunal	2

NRH Transfer	5
Moved to Coop or Non-Profit	1
Bought a House	0
Left Without Notice	3
Other/None Given	16
Cease to Qualify	0
TOTAL	68

In Q4, there were **68 move outs**. Two involved eviction orders granted under the Ontario Landlord Tenant Board (LTB) for Arrears and were enforced by the Sherriff.

	2019-Q4	2020-Q1	2020-Q2	2020-Q3	2020-Q4
# of move outs	71	62	57	90	68

ARREARS:

NRH Housing Operations actively works to reduce rent arrears but saw a continued increase in 2020-Q4 due to COVID-19 and tenants not paying rent due to the provincial no eviction order.

	Dec 31, 2019	Mar 31, 2020	Jun 30, 2020	Sept 30, 2020	Dec 31, 2020
Rent charges for the month	\$1,286,793.00	\$1,302,721.00	\$1,289,907.00	\$1,295,815.00	\$1,309,353.00
Accumulated rent arrears	\$36,134.21	\$71,135.25	\$110,958.69	\$113,204.57	\$115,555.92
Arrears %	2.81%	5.46%	8.60%	8.74%	8.80%

INSURANCE:

Nothing to report for Q4.

COMMUNITY RESOURCES AND PARTNERSHIPS:

Due to COVID-19, in Q4, we had partnerships with only **10 community agencies** across Niagara. As a result of these partnerships, **194 units¹ of support and enrichment activities** were offered to tenants at NRH sites. Each partnership contributes to tenant lives and, in turn, the success of the Public Housing community as a whole:

- 136 refurbished computers were delivered to tenants along with information about the CyberSeniors partnership that offers workshops and programs on-line

¹ Tracking for support and enrichment activities has changed – we are now tracking it by units. Each time a partner is in a community providing a support and enrichment program or activity, it is counted as one unit.



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- RAFT began to provide "Drive Through After School Programs", which involved children walking through the Community to chat with RAFT staff while they pick up snack and craft bags
- Instead of the traditional Christmas parties, NRH and partners (RAFT, Faith Welland, Community Support Services Niagara, Niagara College) delivered Christmas bags, gifts and lunches directly to households
- Faith Welland engaged NRH seniors in their "Letters to Santa" project in family communities, with the seniors volunteering to assist with answering the childrens' letters
- As a result of a considerable mask donation to Niagara Region, NRH began delivering packages of 50 disposable masks to every NRH household. NRH's Niagara College Security Student has been delivering them while he walks the communities, reminding tenants of the COVID guidelines and answering questions.

Also during Q4, NRH Community Programs Coordinators (CPCs) offered supports to **378 new referrals of tenants in need of assistance**. Of those new referrals, **55% were considered medium-high need**, (e.g. child safety concerns, eviction, social issues, cognitive concerns). In particular, there was an increase in the number of tenants needing help with arrears and a continued increase in the number of tenants needing referrals to other agencies, however most of these agencies were either virtual or unavailable due to COVID-19.

Eviction Prevention and supports have been extended to Housing Providers and the Rent Supplement program on a pilot basis through Ontario Priorities Housing Initiative (OPHI) funding. There is one full-time Community Program Coordinator (CPC) for Non-Profits/Co-operatives and one dedicated half to Rent Supplement and half to assisting with NRH-Owned units.

2. Non-Profit Housing Programs

As administrator of social housing for Niagara Region, NRH provides legislative oversight for **59 Non-Profit Housing Programs (non-profit and co-operative)**. Operational Reviews are conducted to determine the overall health of each.

	2019-Q4	2020-Q1	2020-Q2	2020-Q3	2020-Q4
Healthy	39	37	37	38	36
Routine Monitoring	18	21	21	18	18
Intensive Monitoring	1	0	0	2	3
Pre-PID (Project in Difficulty)	1	1	1	1	1
PID (Project in Difficulty)	1	1	1	1	1
TOTAL	60	60	60	60	59

NRH Housing Programs staff continue to work with Housing Providers as they move toward End of Operating Agreements (EOA) / End of Mortgage (EOM). ON December 31st, 2020 Joi de Vivre reached End of Agreement of their federal subsidy, this provider supplied 40 units of



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affordable housing. By way of a new agreement, NRH will maintain its support for Joi de Vivre by subsidizing 15 Rent Supplement Units in order to help preserve these affordable housing in Niagara.



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3. Rent Supplement Program

Rent Supplement/Housing Allowance

In the Rent Supplement program, tenants pay 30% of their gross monthly income directly to the private landlord and NRH subsidizes the difference up to the market rent for the unit. The Housing Allowance program is a short-term program that provides a set allowance to help applicants on the wait list. In Q4, there were **1,668 Rent Supplement/Housing Allowance units** across Niagara.

Canada-Ontario Housing Benefit (COHB)

The COHB is a portable rent benefit that helps applicants on the Centralized Waiting List pay their rent to their current landlord in the private market. NRH sends applications to the Ministry of Municipal Affairs and Housing on behalf of Niagara residents in need of housing. At the end of 2020, **245 of these applications had been accepted.**

In-Situ Rent Supplement

An In-Situ Rent Supplement program has been developed to engage new landlords and offer applicants on the Centralized Waiting List an opportunity to receive Rent-Geared-to-Income assistance where they currently live. This removes the need for moving related expenses and broadens the network of landlords in business with NRH. In Q4, NRH initiated new agreements with **4 new landlords.**

	2019-Q4	2020-Q1	2020-Q2	2020-Q3	2020-Q4
Fort Erie	30	32	31	31	30
Grimsby	22	18	22	21	21
Lincoln (Beamsville)	13	14	14	12	12
Niagara Falls	239	237	226	220	213
Niagara-on-the-Lake	5	5	4	4	8
Pelham	19	17	17	17	17
Port Colborne	64	67	64	61	60
St. Catharines	778	798	751	712	701
Thorold	57	61	61	61	61
Welland	198	192	259	302	284
West Lincoln	16	16	16	16	16
COHB Region-wide				206	245
TOTAL	1,441	1,457	1,465	1,663	1,668

Variance in the Rent Supplement program are a reflection of fluctuation between agreements ending and new agreements taken up with landlords.



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4. Affordable Housing Program

NIAGARA RENOVATES PROGRAM:

The Niagara Renovates program provides assistance to low-to-moderate income homeowners for home repairs, accessibility modifications and the creation of secondary suites in single family homes.

Niagara Renovates inspections for new applicants for the 2020-2021 funding cycle have commenced. Inspections of completed work are being verified by homeowner photographs and formal inspections will take place as soon as possible and will include all areas inside and outside of the home to ensure compliance with program guidelines. Issues will be identified and a detailed Inspection Report provided to the homeowner.

NRH received \$545,920 through the Ontario Priorities Housing Initiative (OPHI) for all 3 streams of the program.

18 homeowners are currently approved for funding and NRH is working toward streamlining the program as we become more proficient at working under COVID-19 rules.

HOMEOWNERSHIP PROGRAM – “WELCOME HOME NIAGARA”:

The Homeownership program assists low-to-moderate income rental households to purchase their first home by providing a down payment loan.

In April 2020, NRH received \$100,000 through the Ontario Priorities Housing Initiative (OPHI) program.

In Q4, **seven homeowners** received assistance through Welcome Home Niagara.

	2019-Q4	2020-Q1	2020-Q2	2020-Q3	2020-Q4
# of homeowners assisted	7	4	5	7	7

HOUSING FIRST PROGRAM:

The Housing First program helps people move quickly from homelessness to their own home by providing supports to help difficult to house individuals find and keep housing.

In Q4, **13 individuals/families** were housed through the Housing First program. Since 2012, Housing First has helped 480 individuals/families.

	2019-Q4	2020-Q1	2020-Q2	2020-Q3	2020-Q4
# of individuals/families housed	16	13	9	7	13
# of Housing First units (at quarter end)	202	199	201	195	187



Q4 (October 1 to December 31, 2020)

17 of these Housing First units were created with NRH's new development at 527 Carlton Street in St. Catharines.

RENTAL HOUSING (NEW DEVELOPMENT):

NRH New Development

Hawkins Street/Dell Avenue, Niagara Falls

Ontario Priorities Housing Initiative (OPHI)	\$3,600,000	
NRH Reserves	\$3,061,500	
Regional Development Charges	\$14,132,500	
Canada Mortgage & Housing Corporation Seed Funding	\$106,000	
TOTAL	\$20,900,000	73

Building A – 55 units

- Masonry block completed on 3rd floor – parapets 90% complete
- Roof Corelsab installed
- Electrical in-suite wiring started on 1st floor
- Steel stud framing started on 3rd floor
- Hydro ductbank installed

Building B – 18 units

- Masonry block completed on 3rd floor – parapets 90% complete
- Roof Corelsab installed
- 3rd floor concrete topping installed
- Wall framing completed on 2nd floor
- Hydro ductbank installed

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AFFORDABLE HOUSING UNIT #'S BY MUNICIPALITY:

Fort Erie		Grimsby		Lincoln (Beamsville)		Niagara Falls	
NRH Owned	116	NRH Owned	55	NRH Owned	61	NRH Owned	884
Housing Providers	389	Housing Providers	0	Housing Providers	41	Housing Providers	828
Rent Supplement	31	Rent Supplement	22	Rent Supplement	12	Rent Supplement	239
New Development	0	New Development	0	New Development	0	New Development	140
NOTL		Pelham		Port Colborne		St. Catharines	
NRH Owned	40	NRH Owned	0	NRH Owned	88	NRH Owned	1,017
Housing Providers	0	Housing Providers	0	Housing Providers	139	Housing Providers	1,666
Rent Supplement	5	Rent Supplement	19	Rent Supplement	64	Rent Supplement	775
New Development	0	New Development	0	New Development	35	New Development	346
Thorold		Welland		West Lincoln (Smithville)		Region-wide	
NRH Owned	29	NRH Owned	394	NRH Owned	0	NRH Owned	2,684
Housing Providers	85	Housing Providers	425	Housing Providers	86	Housing Providers	3,659
Rent Supplement	57	Rent Supplement	194	Rent Supplement	15	Rent Supplement	1,433
New Development	46	New Development	167	New Development	0	New Development	734*

Note: there are no affordable housing units in Wainfleet
*166 New Development units are NRH Owned

as at December 31, 2019



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5. Service Manager Responsibilities

APPEALS:

In Q4, NRH continued to hear appeals virtually. This process has been going well and **15 appeals** were heard (10 upheld, 5 overturned).

	2019-Q4	2020-Q1	2020-Q2	2020-Q3	2020-Q4
# of appeals	11	11	0	15	15

INVESTMENTS:

N/A

6. Housing Access Centre & Centralized Waiting List

APPLICATION ACTIVITY:

# of Applications Received & Processed	652	# of Eligible Applications	630
# of Special Provincial Priority Status Applications	66	# of Ineligible Applications	22
# of Urgent Status Applications	94	# of Cancelled Applications	225
# of Homeless Status Applications	98	# of Applicants Housed	111

In Q4, **225 households were removed** from the Centralized Waiting List because they were no longer eligible, they found alternate housing or we were unable to make contact.



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CENTRALIZED WAITING LIST:

		2019- Q4	2020- Q1	2020- Q2	2020- Q3	2020- Q4
		# of households				
A	Rent-Geared-to-Income (RGI) waiting lists					
	Niagara resident RGI waiting list	5,154	5,322	5,264	5,296	5,425
	Applicants from outside of Niagara	977	1,045	1,078	1,129	1,173
	TOTAL RGI waiting list:	6,131	6,367	6,342	6,425	6,598
	Housing Allowance: a set allowance to help applicants on the waiting list with affordability in the private market until housed in an RGI unit	742	739	723	702	669
A1	RGI waiting lists demographics:					
	Seniors	2,455	2,514	2,487	2,506	2,557
	Adults no dependents	1,979	2,041	2,026	2,049	2,137
	Adults with dependents	1,697	1,812	1,829	1,870	1,904
A2	RGI list further segmented (7% included in A/B A1):					
	SPP – Special Provincial Priority (Ministry Priority): helps victims of violence separate permanently from their abuser	148	146	142	128	132
	URG – Urgent (Local Priority): for applicants with mobility barriers and/or extreme hardship where their current accommodation puts them at extreme risk and/or causes hardship	142	152	144	135	153
	HML – Homeless (Local Priority): provides increased opportunity for placement to homeless households	1,075	1,145	1,119	1,134	1,146
	SUP – Supportive/Transitional: provides targeted, provisional services to assist individuals to transition beyond basic needs to more permanent housing	16	23	10	11	11
B	In addition, NRH manages:					
	Overhoused: households who are living in subsidized accommodation with more bedrooms than they are eligible for	174	176	173	157	145
	Transfer: households who are currently living in subsidized accommodation and have requested a transfer to another provider	613	635	637	660	656
	TOTAL RGI households on waiting list managed by NRH:	6,918	7,178	7,152	7,242	7,399
C	NRH maintains a waiting list for market rent units (62 Non-Profit Housing Programs):					
	Market: applicants who have applied for a market rent unit in the Non-Profit Housing Programs portfolio	784	810	805	808	829
	TOTAL households on waiting list managed by NRH:	7,702	7,988	7,157	8,050	8,228
	TOTAL individuals on waiting list managed by NRH:	13,587	14,197	14,180	14,429	14,737

Note: the above chart includes only those who apply to the Centralized Waiting List and does not capture the full number of those in need of affordable housing in Niagara.

Q4 (October 1 to December 31, 2020)

ESTIMATED WAIT TIMES:

CITY	SENIORS Age 55 and older		SINGLES Age 16-54		HOUSEHOLDS WITH DEPENDENTS			
	Bachelor	1 Bed	Bachelor	1 Bed	2 Bed	3 Bed	4 Bed	5 Bed
	YEARS							
Fort Erie	-	11	3	7	2	2	6	-
Grimsby	-	5	-	-	-	-	-	-
Lincoln	-	6	-	10	6	10	-	-
Niagara Falls	5	7	-	18	5	5	12	16
Niagara-on-the-Lake	-	6	-	-	-	-	-	-
Port Colborne	-	8	-	12	5	3	4	-
St. Catharines	-	5	9	16	3	3	3	11
Thorold	-	7	-	13	3	11	-	-
Welland	-	6	7	16	7	3	8	7
West Lincoln	-	5	-	-	10	6	-	-

- no units of this size available in this community

January 2020

Please note:

- wait time information can fluctuate and is an approximation only
- wait times may not reflect the actual time one may wait for affordable housing



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NRH 1-2021
21-196-3.5. REF
February 19, 2021
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A	<p>AFFORDABLE HOUSING RENTS: Rents are established at 80% market of Canada Mortgage and Housing Corporation (CMHC) Average Market Rent, with no ongoing rental subsidy.</p>
	<p>APPEALS: Social Housing tenants/members can request reviews of decisions related to applicant eligibility, priority status, transfer requests, overhoused status, ongoing Rent-Geared-to-Income (RGI) eligibility and rent calculation issues. The NRH Appeal Committee makes decisions on appeals from applicants and tenants in Public Housing, Social Housing (where they have not established an Appeal Committee) and Rent Supplement units. All appeal decisions are final, per legislation.</p>
	<p>ARREARS: To assist with arrears collection, tenants/members are provided the option of entering into a repayment agreement but are still expected to pay full rent on time.</p>
B	
C	<p>CANADA-ONTARIO COMMUNITY HOUSING INITIATIVE (COCHI): A program that provides funding to protect affordability for households in social housing, support the repair and renewal of existing social housing supply and expand the supply of community housing over time.</p>
	<p>CANADA-ONTARIO HOUSING BENEFIT (COHB): A program that provides a monthly benefit payment to households that are on, or are eligible to be on, the Centralized Waiting List (CWL) to help them pay their rent. The COHB payments are portable (i.e. the benefit follows the household if they move to another address) and based on the household income and local market rent. In order to receive the COHB, applicants must agree to have their application removed from the CWL.</p>
	<p>CAPITAL PROGRAM: Responsible for maintaining the Public Housing (NRH-owned) asset and planning for future sustainability, as well as issuing tenders for service contracts.</p>
	<p>CENTRALIZED WAITING LIST (CWL): Is comprised of almost 200 subsidiary lists of Public Housing, Social Housing and private units through the Rent Supplement program. It is maintained on a modified chronological basis (i.e. in order to ensure that applicants are treated fairly, units are offered based on the date of application). The needs of particularly at-risk populations are addressed through Priority Status groups that are offered units before other applicants on the Centralized Waiting List:</p> <ul style="list-style-type: none"> • Special Provincial Priority (SPP) Status • Urgent Status • Homeless Status <p>The <i>Housing Services Act, 2011</i> (HSA) requires that the Centralized Waiting List is reviewed on a regular basis. Applicants are asked to confirm their continued interest and to update information annually (# of household members, total household income) so that NRH can verify ongoing eligibility for housing subsidy. If a household is no longer interested or is deemed ineligible the application is cancelled and removed from the list.</p> <p>The Centralized Waiting List includes various types of households (i.e. families, seniors and singles/adults without dependents) from both within and outside Niagara, the</p>

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	<p>priority groups mentioned above, RGI and Market applicants and existing tenants who are overhoused (have more bedrooms than they need).</p> <p>COMMUNITY HOUSING: Housing owned and operated by non-profit, co-operatives and municipal governments or district social services administration boards including subsidized or low-end-of market rents.</p> <p>COMMUNITY PROGRAMS: NRH's community partners offer events, presentations, activities and programs to help mitigate the effects of poverty by building community pride, offering life skills training and enhancing the lives of the tenants. While NRH does not deliver these services directly to tenants, NRH's Community Resource Unit facilitates partnerships by identifying evolving community and tenant needs, connecting with appropriate programs and supporting their ongoing success.</p>
D	
E	<p>END OF OPERATING AGREEMENTS (EOA): EOA refers to the expiry of federally signed operating agreements. NRH is working with these providers to find innovative solutions to maintain the existing number of social housing units in Niagara and protect existing tenants/members from losing subsidy.</p> <p>END OF MORTGAGE (EOM): Federal/provincial and provincial housing providers (non-profits and co-ops) legislated under the Housing Services Act (HSA) do not have operating agreements that expire when the mortgage matures. The relationship between service manager and housing provider continues with the housing provider still obliged to follow the HSA. The obligation of service manager to pay a mortgage subsidy ends.</p> <p>EVICTION PREVENTION/SUPPORT: Supports to help NRH tenants stay in their homes through identification of tenant needs and connection with supports and services (e.g. Mental health issues, cognitive decline, addiction, family breakdown etc.)</p>
F	
G	<p>HOMEOWNERSHIP PROGRAM – "WELCOME HOME NIAGARA": The Homeownership program assists low-to-moderate income rental households to purchase their first home by providing a down payment loan. The loan is forgivable after 20 years if the household remains in the home.</p> <p>HOUSING AND HOMELESSNESS ACTION PLAN (HHAP): Niagara's 10-year Community Action Plan to help everyone in Niagara have a home.</p> <p>HOUSING ACCESS CENTRE: Housing Access is the gateway to affordable housing in Niagara. All applications for housing are processed through the Housing Access Centre including initial and ongoing eligibility assessment as well as management of the Centralized Waiting List. Options include accommodation with Non-profit and Co-operative housing providers (Social Housing), NRH owned units (Public Housing and two mixed income communities), or for-profit/private landlord owned buildings (Rent Supplement/Housing Allowance).</p> <p>HOUSING ALLOWANCE PROGRAM: A variation of the Rent Supplement program that provides a set allowance of up to \$300 per month to private landlords to assist applicants who are on the Centralized Waiting List.</p>

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	<p>HOUSING FIRST: Helps people move quickly from homelessness to their own home by providing supports to help difficult to house individuals find and keep housing. NRH partners with Niagara Region Community Services and community agencies to provide rent supplement to landlords while agency staff provide a range of personalized supports to encourage successful tenancies and, if the tenant chooses, address personal challenges.</p>
I	<p>IN-SITU RENT SUPPLEMENT PROGRAM: A program developed to engage new landlords and offer applicants on the Centralized Waiting List an opportunity to receive Rent-Geared-to-Income assistance where they currently live. This removes the need for moving related expenses and broadens the network of landlords in business with NRH.</p> <p>INVESTMENT IN AFFORDABLE HOUSING PROGRAM – EXTENSION (IAH-E): Provincial and federally funded program designed to improve access to affordable housing that is safe and suitable, while assisting local economies through job creation generated by new development and home repairs/modifications, including:</p> <ul style="list-style-type: none"> • Niagara Renovates • Homeownership (Welcome Home Niagara) • Rent Supplement/Housing Allowance • Rental Housing (New Development)
J	
K	
L	<p>LOCAL HOUSING CORPORATION (LHC): Also called “Public Housing”, LHC refers to the communities that Niagara Regional Housing owns and manages.</p>
M	
N	<p>NIAGARA RENOVATES PROGRAM: Provides assistance to low-to-moderate income homeowners for home repairs, accessibility modifications and the creation of secondary suites in single family homes. Assistance is provided in the form of a forgivable loan, written off over a 10-year period, as long as the homeowner continues to live in the home.</p> <p>NON PROFIT HOUSING PROGRAMS (FORMERLY “SOCIAL HOUSING”): Includes Non-Profit and Cooperative Housing Providers, who own and manage their own housing communities and have their own independent Boards. NRH provides legislative oversight to ensure they are in compliance with the <i>Housing Services Act (HSA)</i>. Generally, 25% of these units are designated as market rent units. The remaining 75% of units are offered to households on the Centralized Waiting List that pay RGI.</p>
O	<p>ONTARIO PRIORITIES HOUSING INITIATIVE (OPHI): A program to address local housing priorities, including affordability, repair and new construction.</p> <p>OPERATIONAL REVIEWS: In order to ensure that Non-Profit Housing Programs comply with legislation and local policies, NRH investigates their overall health by analyzing many factors including finances, vacancy losses, governance issues, condition of buildings etc. NRH then works with them to bring them into compliance and provide recommendations on best business practices.</p>
P	<p>PORTABLE HOUSING ALLOWANCE: Direct financial assistance given to the household (tenant) on the Centralized Waiting List; not tied to a housing unit.</p>

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	<p>PRIORITY STATUS GROUPS: Priority Status groups are offered units before other applicants on the Centralized Waiting List:</p> <ul style="list-style-type: none"> • Special Provincial Priority (SPP) Status is the only legislated priority and is intended to help victims of violence separate permanently from their abuser • Urgent Status is intended for applicants with (1) Mobility Barriers (i.e. physical limitations that require barrier-free units) and/or (2) Extreme Hardship (i.e. where the applicants' current accommodations puts them at extreme risk and/or causes hardship and relocation would reduce the risks and/or alleviate the hardship) • Homeless Status provides an increased opportunity for placement to households that are homeless (1 in every 10 households offered housing) <p>PUBLIC HOUSING (ALSO CALLED "LOCAL HOUSING CORPORATION"): NRH owns and manages 2,660 units of Public Housing stock in 9 of the 12 Niagara municipalities. Tenants pay 30% of their income for rent. <i>*Note: NRH owns and manages an additional 91 units that have affordable (80% market) and market rents.</i></p>
Q	
R	<p>RENT SUPPLEMENT PROGRAM: Tenants pay 30% of their gross monthly income directly to the private landlord and NRH subsidizes the difference up to the agreed market rent for the unit. <i>*See also Housing Allowance Program and Housing First Project.</i></p>
S	<p>SERVICE LEVEL STANDARDS (SLS): Establishes minimum number of RGI and special needs units to be maintained by each service manager</p> <p>SERVICE MANAGER: As administrator for affordable housing on behalf of Niagara Region, NRH's main responsibilities include: administering Rent Supplement Programs, oversight of Non-Profit and Cooperative Housing Providers, determining RGI eligibility, maintaining Centralized Waiting List, establishing Local Policies etc.</p> <p>SOCIAL HOUSING (FORMERLY "AFFORDABLE HOUSING"): All NRH programs and services, including Public Housing (NRH-owned), Non-Profit Housing Programs, the Rent Supplement Program and the Affordable Housing Program</p>
T	
U	
V	
W	<p>WELCOME HOME NIAGARA: Assists low-to-moderate income rental households to purchase their first home by providing a down payment loan. The loan is forgivable after 20 years if the household remains in the home.</p>
X	
Y	
Z	

COUNCIL
INTEGRITY COMMISSIONER

REPORT
FEBRUARY 23, 2021

**SUBJECT: SECOND COMPLAINT FROM STAFF AGAINST COUNCILLOR
GRAHAM SPECK**

AUTHOR: ROBERT SWAYZE, INTEGRITY COMMISSIONER *PRO TEM*

RECOMMENDATION:

That the report from the Integrity Commissioner dated February 23, 2021 be received by Council for information.

ORIGIN AND BACKGROUND:

I was appointed Interim Integrity Commissioner by Council effective from November 10, 2020 to January 21, 2021 when I was informed that the permanent Integrity Commissioner was appointed. The terms of my contract provided that if my contract terminates while conducting an investigation, I will be permitted to complete that file.

I received a complaint against Councillor Speck on January 18, 2021 from member(s) of staff who requested that they remain anonymous. This was the second such complaint I received from staff, which also was received prior to the termination of my contract.

I reported to Council on the first complaint and found that posts by him on social media, critical of staff were contrary to the Code of Conduct for Members of Council (the "Code"). I recommended that Councillor Speck's compensation, paid to him as a member of Council, be suspended for a period of 30 days which was approved by Council.

The second complaint arises from an E-mail sent by the Councillor to all members of Council and a member of the public. It was again alleged to be critical of staff. It attaches an e-mail from the member of the public who sits on the Heritage Committee alleging that the Chairman of the Committee unilaterally cancelled a direction passed by the Committee to research a property on Ridge Road. The cancellation by the Chairman was based on his receipt from the Heritage Committee staff member of minutes of an in-camera meeting of Council recommending expropriation of the property.

Criticism of Staff

In his E-mail Councillor Speck criticized the staff member for releasing closed session Council minutes which are required to be kept confidential. He also asked rhetorical

questions such as “does staff have the ability to direct the Committee” and “Can staff override a motion that is passed by this Committee”.

The Code in Section VII provides as follows:

“Members are expected at all times to treat staff with respect, professionalism and courtesy.

Members shall be respectful of the fact that staff are charged with making recommendations that reflect their professional expertise and corporate perspective without undue influence from any individual Member or group of Members.”

Closed Meeting Rules

A second allegation contained in the subject complaint is that the E-mail sent to all members of Council “could have constituted a meeting within the meaning of Section 238(1) of the Municipal Act, 2001 insofar as a quorum of members of council was included on the E-mail chain.”

COMMENTS AND ANALYSIS:

My investigation included speaking with the Clerk who confirmed that the staff report dealing with the expropriation approved in closed session was announced as an open session item by Council. The staff member did not therefore breach the requirement that such minutes cannot be disclosed. In his response, Councillor Speck indicated that when he wrote the E-mail, he was unaware that the approval to the expropriation was now in the public realm.

SUMMARY AND CONCLUSION:

I find that the E-mail sent to all of Council and a member of the public contravened the above Code sections for the same reasons expressed in my first report. The rhetorical questions contained in the E-mail were accusatory in nature. Members of staff have a reputation to preserve and it is inappropriate for any member of Council to publicly call into question their professionalism. There are private ways for Councillors to complain about staff members.

This constitutes a second offence. However, I will not recommend that further sanctions be imposed because the offending E-mail was sent before Councillor Speck had notice of my first report and that I was proposing 30 days suspension of his salary. Hopefully, he will refrain from any future public criticism of staff. I recommend to the permanent Integrity Commissioner that any further breaches of the Code be dealt with as a second offence.

As to finding a breach of the closed meeting rules, I have always recommended that E-mails to all members of Council be sent cautiously but I have never ruled them out. There was a case last year where such an E-mail was deemed a virtual meeting because of the many *reply all's* which had the effect of conducting a general discussion of an issue by a quorum of Council. When such an E-mail is sent there is a risk of

breaking the rules, but I cannot find it as a contravention of the Code. Accordingly, this second ground for the complaint is hereby dismissed.

ATTACHMENT:

None.

A handwritten signature in blue ink, appearing to be 'RS', written over a horizontal line.

Robert Swayze
Integrity Commissioner *Pro Tem*