



COUNCIL MEETING AGENDA

Tuesday, April 4, 2023

7:00 P.M.

COUNCIL CHAMBERS – CIVIC SQUARE

All Meetings can be viewed at:

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

YourTV: The meeting will be aired live on Channel 700

- 1. COMMITTEE-OF-THE-WHOLE (IN-CAMERA) - (6:30 P.M.)**
 - 1.1 PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD;**
 1. Cambridge Road south of Woodlawn Road, west of Brown Road.
- 2. ARISE FROM COMMITTEE-OF-THE-WHOLE (IN-CAMERA)**
- 3. OPEN COUNCIL MEETING - 7:00 P.M.**
 - 3.1 NATIONAL ANTHEM**
 - 3.2 OPENING REMARKS**
 - 3.3 ADDITION/DELETIONS TO AGENDA**
 - 3.4 ADOPTION OF MINUTES**
 1. Regular Council Meeting of March 21, 2023 and Special Council Meetings of December 13, 2022 (as amended) and March 27 and 28, 2023.
 - 3.5 CALL UPON THE CITY CLERK TO REVIEW COMMITTEE-OF-THE-WHOLE (IN-CAMERA) ITEMS TO BE ADDED TO THE AGENDA BLOCK**
 - 3.6 DISCLOSURES OF INTEREST**
 - 3.7 COUNCILLORS TO DETERMINE AGENDA ITEMS AND BY-LAWS TO BE REMOVED FROM THE BLOCK FOR DISCUSSION IN COMMITTEE-OF-THE-WHOLE (OPEN)**
- 4. ORAL REPORTS AND DELEGATIONS**
 - 4.1 LEGISLATED PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT**

1. A complete application has been made by QUARTERK GROUP INC. on behalf of IDRAKOTH LTD. to rezone PT TWP Lots 229 and 230 Thorold being Part 5, 59R-1742, except Part 6, 59R-4976; S/T R0357511, R0743059, Welland for lands at 16 Seaway Drive from the existing RESIDENTIAL HIGH DENSITY ZONE - RH to SITE SPECIFIC RESIDENTIAL MEDIUM DENSITY – RM AND HAZARD OVERLAY - HA in Zoning By-law 2017-117. The purpose of the Amendment is to permit semi-detached dwellings, multiple dwellings and block townhouse units with site specific provisions related to the lot frontage, setbacks, building height, lot coverage and landscape area. The Official Plan designation is HIGH DENSITY RESIDENTIAL. Application for Zoning By-law Amendment has been submitted in conjunction with an application for Official Plan Amendment (OPA. No. 42). Ref. No. 23-70

(Staff report to be considered following the conclusion of the Public Hearing).

1. P&B-2023-11 - Application for Official Plan Amendment (OPA No. 42) and Zoning by-law amendment (2023-01) submitted by Quaterk Group Inc. on behalf of Doral Holdings Limited/Idrakoth Ltd. for lands on the north side of Woodlawn Road, east of Niagara Street, south of Lancaster Drive and west of the Welland Recreational Waterway, municipally known as 16 Seaway Drive. Ref. No. 23-70 (Remove From Block)

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report P&B 2023-11 regarding applications for Official Plan Amendment (OPA No. 42) and Zoning By-law Amendment (2023-01) for lands on the north side of Woodlawn Road, east of Niagara Street, south of Lancaster Drive and west of the Welland Recreational Waterway, municipally known as 16 Seaway Drive.

4.2 PRESENTATIONS

1. Christian Wulf, Niagara Centre (Welland) YMCA re: Operating Contribution Partnership Proposal. Ref. No. 23-65
(Background information included in Council members packages)

(Staff report to be considered following the conclusion on the presentation).

1. CS-2023-18 - YMCA Operating Contribution Partnership. Ref. No. 23-65 (Remove From Block)

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND rescinds Resolution No: 2023-199 to enter into a Tri-Party Contribution Agreement between the City of Welland, Town of Pelham, and the Niagara Centre YMCA as previously outlined in report CS-2023-10, and as attached in Appendix A; and further
THAT Welland City Council approves entering into a Contribution Agreement between the City of Welland and the Niagara Centre YMCA (Welland location) as outlined in report CS-2023-18; and further
THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate by-laws to enter into a Contribution Agreement to be signed by the Mayor and City Clerk.

4.3 DELEGATIONS - NIL

4.4 AGENCIES, BOARDS, COMMISSIONS AND COMMITTEE REPORTS - NIL

5. COMMITTEE-OF-THE-WHOLE (OPEN)/AGENDA BLOCK

- 5.1 ENG-2023-11 - 2023 Crack Sealing Program - Tender Award. Ref. No. 23-44 (See By-law 7.1)
- 5.2 ENG-2023-13 - 2023 CCTV Program - Wastewater & Stormwater Gravity Sewers - Tender Award. Ref. No. 23-52 (See By-law 7.2)
- 5.3 ENG-2023-14 - Biederman Drain - Court of Revision Appointment. Ref. No. 23-72 (See By-law 7.3)
- 5.4 ENG-2023-15 - Assumption of Clare Estates 3 (Phases 1 & 2) Subdivision. Ref. No. 07-126 (See By-law 4)
- 5.5 ENG-2023-16 - Assumption of Valley Way Estates Subdivision. Ref. No. 05-65 (See By-law 7.5)
- 5.6 F&ES-2023-2 - Extrication Tools. Ref. No. 23-15
- 5.7 CS-2023-13 - Sand/Salt Storage Dome Design/Build Award. Ref. No. 23-66 (See By-law 7.6)
- 5.8 P&B-2023-09 - Application for Draft Plan of Subdivision (26T-14-22002 made by Upper Canada Consultants on behalf of Mountainview Developments Gen II Ltd. for lands located on the west side of Clare Avenue, north of Woodlawn Road and east of South Pelham Road, legally described as Part of Lot 237, geographic Township of Thorold, in the City of Welland, municipally known as 905 Clare Avenue. Ref. No. 22-60
- 5.9 P&B-2023-10 - Community Improvement Plan Incentive Applications - Quarterly Summary Report for Fourth Quarter of 2022. Ref. No. 11-108
- 5.10 CLK-2023-11 - Continuation of Procedural By-law Review. Ref. No. 02-160 (Remove From Block)

6. NEW BUSINESS

- 6.1 Councillor appointment to the Accessibility Advisory Committee. Ref. No. 02-85

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND appoints Councillor Fokkens to the Accessibility Advisory Committee for the term of April 4, 2023 to November 14, 2026.

- 6.2 Del Rollo, Vice President, Corporate Affairs, Arterra Wines Canada re: Selling wine and beer to convenience stores. Ref. No. 23-67

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from Arterra Wines Canada dated March 27, 2023 regarding selling wine and beer to convenience stores.

- 6.3 Marvin Rotrand, National Director - League of Human Rights, B'nai Brith Canada re: Request to declare the month of May as "Jewish Heritage Month". Ref. No. 23-6

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND proclaims May as Jewish Heritage Month in the City of Welland.

- 6.4 Lauren Keating, Consultant, Corporate Communications, Enterprise Canada re: Request to declare May 1, 2023 as "Doctor's Day". Ref. No. 23-6

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF Welland proclaims May 1, 2023 as Doctor's Day in the City of Welland.

7. BY-LAWS

- 7.1 A By-law to authorize entering into contract with 788893 Ontario Limited O/A Niagara Crack Sealing for the 2023 Crack Sealing Program. Ref. No. 23-52

(See Report ENG-2023-11)

- 7.2 A By-law to authorize entering into contract with 284612 Ontario Limited O/A Bob Robinson & Son Construction Ltd. for the 2023 CCTV Program - Wastewater & Stormwater Gravity Sewers Project. Ref. No. 23-52

(See Report ENG-2023-13)

- 7.3 A By-law to authorize appointment of Robert Leroux to sit on the Court of Revision on under the Drainage Act on behalf of the City of Welland. Ref. No. 23-72

(See Report ENG-2023-14)

- 7.4 A By-law to authorize the signing of an Assumption Agreement with Centennial (Niagara) Inc. with respect to Clare Estates 3 (Phases 1 & 2) Subdivision. Ref. No. 07-126

(See Report ENG-2023-15)

- 7.5 A By-law to authorize the signing of an Assumption Agreement with Vinmar Developments Ltd. with respect to Valley Way Estates Subdivision. Ref. No. 05-65

(See Report ENG-2023-16)

- 7.6 A By-law to authorize entering contract with Van Pelt Construction Inc. for the design/build services for the sand/salt storage dome. Ref. No. 23-66

(See Report CS-2023-13)

- 7.7 A By-law to exempt certain lands from Part-Lot Control - Parts 1 and 2 on Plan 59R-17633, Part of Lot 224, all of Lot 225, Plan 936 (665 Deere Street) City of Welland. Ref. No. 23-68

(Approved by By-law 2020-143)

- 7.8 A By-law to exempt certain lands from Part-Lot Control - Parts 1 and 2 on Plan 59R-17644, Lot 2, Plan 50M-152 (668 & 670 Quaker Road) City of Welland. Ref. No. 23-69

(Approved by By-law 2020-143)

8. NOTICES OF MOTION

- 8.1 COUNCILLOR MATTERS DISCUSSED WITH STAFF FOR REPORTING PURPOSES

8.2 NOTICES OF MOTION (PREVIOUSLY SUBMITTED FOR DISCUSSION)

1. (Councillor DiMarco)
THAT THE COUNCIL OF THE CITY OF WELLAND amends the previous decision from Report CS-2023-01 regarding the Infrastructure Canada Grant Award (NFC) – Community Trails Strategy Implementation approved at the January 25, 2023 special council meeting by deleting the proposed pathway outlined in Section 3: Niagara Street to First Avenue of the report. Ref. No. 99-99
2. (Councillor Green)
THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to prepare a procedure on council seating arrangements for Council review and approval. Ref. No. 02-160

8.3 CALL FOR NOTICES OF MOTION (TO BE INTRODUCED AT THE NEXT SCHEDULED COUNCIL MEETING)

9. CORPORATION REPORTS

9.1 MAYOR'S REPORT

9.2 CHIEF ADMINISTRATIVE OFFICER'S REPORT

10. CONFIRMATORY BY-LAW

- 10.1 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 4th day of April , 2023. Ref. No. 23-1

11. ADJOURNMENT

APPROVALS	
DIRECTOR	<i>W</i>
CFO	<i>E</i>
CAO	<i>W</i>

COUNCIL
PLANNING AND DEVELOPMENT SERVICES
PLANNING DIVISION

23-70

REPORT P&B-2023-11
APRIL 4, 2023

SUBJECT: APPLICATION FOR OFFICIAL PLAN AMENDMENT (OPA NO. 42) AND ZONING BY-LAW AMENDMENT (2023-01) SUBMITTED BY QUARTEK GROUP INC. ON BEHALF OF DORAL HOLDINGS LIMITED/IDRAKOTH LTD. FOR LANDS ON THE NORTH SIDE OF WOODLAWN ROAD, EAST OF NIAGARA STREET, SOUTH OF LANCASTER DRIVE AND WEST OF THE WELLAND RECREATIONAL WATERWAY, MUNICIPALLY KNOWN AS 16 SEAWAY DRIVE

AUTHOR: TAYLOR MEADOWS, BURPI
PLANNING SUPERVISOR - DEVELOPMENT

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

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report P&B 2023-11 regarding applications for Official Plan Amendment (OPA No. 42) and Zoning By-law Amendment (2023-01) for lands on the north side of Woodlawn Road, east of Niagara Street, south of Lancaster Drive and west of the Welland Recreational Waterway, municipally known as 16 Seaway Drive.

ORIGIN AND BACKGROUND

Applications for Official Plan Amendment and Zoning By-law Amendment were submitted by Quartek Group Inc. on behalf of Doral Holdings Limited/Idrakoth Ltd. on January 10, 2023. The application was deemed complete on January 13, 2023.

The purpose of the application for Official Plan Amendment (see Appendix II) is to redesignate 16 Seaway Drive from High Density Residential to Medium Density Residential.

The application for Zoning By-law Amendment has been submitted to rezone 16 Seaway Drive from Residential High Density – RH to Site-Specific Residential

Medium Density – RM and Hazard Overlay - HA. The requested site-specific amendments are intended to facilitate the development of semi-detached, townhouse and multiple dwellings on the subject lands with applicable provisions. Additionally, a portion of the lands has been proposed to be rezoned as Hazard Overlay – HA in reference to a watercourse.

The purpose of the applications for Official Plan Amendment and Zoning By-law Amendment are to permit the construction of ninety-two (92) residential dwelling units. Access is to be utilized via public and private streets which will be established via future applications for Draft Plan of Subdivision/Condominium.

COMMENTS AND ANALYSIS:

A Virtual/In-Person Public Information Meeting was held on March 15, 2023 to gain public input regarding the proposed applications. No members of the public participated at the Public Information Meeting.

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

The Statutory Public Meeting under the Planning Act is being held on April 4, 2023. 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 Application.

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

FINANCIAL CONSIDERATION:

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

OTHER DEPARTMENT IMPLICATIONS:

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

SUMMARY AND CONCLUSION:

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

ATTACHMENTS:

- Appendix I - Key Map
- Appendix II - Draft Official Plan Amendment (Amendment text only)
- Appendix III - Preliminary Site Plan

OPA No. 42 & ZBLA No. 2023-01

Seaway Dr

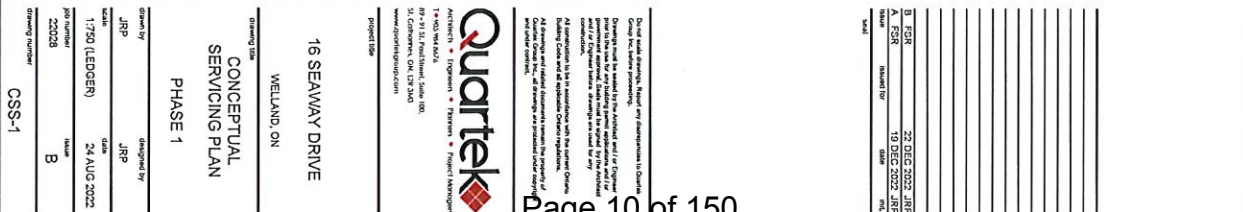
Woodlawn Rd

Key Map

N



 SUBJECT LANDS



AMENDMENT NO. XX

**TO THE OFFICIAL PLAN OF
THE CORPORATION OF THE CITY OF WELLAND**

DRAFT

_____, 2022

**THE CORPORATION OF THE CITY OF WELLAND
BY-LAW NUMBER 2019-163
A BY-LAW TO AUTHORIZE THE ADOPTION
OF OFFICIAL PLAN AMENDMENT NO. XX**

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

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

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

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

AND WHEREAS the Regional Municipality of Niagara is the approval authority for Amendments to the Official Plan of the Corporation of the City of Welland and as such this By-law will come into force and effect on the day of the approval of this Amendment by the Regional Municipality of Niagara.

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

1. That the Corporation of the City of Welland hereby adopts and approves Official Plan Amendment No. XX for the Corporation of the City of Welland.
2. That Staff is hereby authorized and directed to give Notice of Council's adoption of Amendment No. XX to the Official Plan of the Corporation of the City of Welland in accordance with Sections 17 and 26 of the Planning Act.

READ A FIRST, SECOND AND THIRD TIME AND PASSED BY COUNCIL THIS __th
DAY OF _____, 2022.

_____ MAYOR

_____ CLERK

AMENDMENT NO. XX

**TO THE OFFICIAL PLAN OF
THE CORPORATION OF THE CITY OF WELLAND**

This Amendment to the Official Plan for the City of Welland, which was adopted by the Council of the Corporation of the City of Welland on _____, 2022 and to which no appeal was filed, came into effect on pursuant to Section 17 and 21 of the Planning Act, R.S.O. 1990, Chapter P.13, as amended.

Date: _____

MANAGER OF DEVELOPMENT APPROVALS INFRASTRUCTURE AND
DEVELOPMENT SERVICES
THE CORPORATION OF THE CITY OF WELLAND

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

PART A - THE PREAMBLE (This does not constitute part of the Amendment)	
TITLE AND COMPONENTS	
PART B - THE AMENDMENT.....	
SCHEDULE "A" LAND USE PLAN	
PART C - THE APPENDICES.....	
APPENDIX I – AFFIDAVIT.....	
APPENDIX II - NOTICE OF ADOPTION.....	
APPENDIX III - MINUTES OF PUBLIC MEETING	
APPENDIX IV - STAFF REPORT	
APPENDIX V - COUNCIL RESOLUTION.....	

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

TITLE AND COMPONENTS

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

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

Part "B", the Amendment, consists of the map 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. XX is to re-designate the lands shown on the attached Schedule "A". The purpose of the Amendment is to allow the subject site to be used for medium density residential uses.

LOCATION

The subject site is legally described as Part Township Lots 229 & 230 Thorold being Part 5, 59R-1742 Except Part 6, 59R-4976; S/T RO357511, RO743059 WELLAND; municipally known as 16 Seaway Drive, City of Welland, Region of Niagara. The subject site is located on the east side of Seaway Drive north of Woodlawn Road (Regional Road 41).

The site is approximately 23,702.30 square metres (2.37 hectares/5.85 acres) in size with 83.73 metres of lot frontage on Seaway Drive and 123.55 metres of lot frontage on Woodlawn Road.

BASIS

The subject lands are within the urban area boundary for the City of Welland and currently designated as 'High Density Residential'.

A proposal has been put forth to allow for medium density residential uses including stacked, block and street townhouse dwelling units and semi-detached dwelling units.

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PART B – THE AMENDMENT

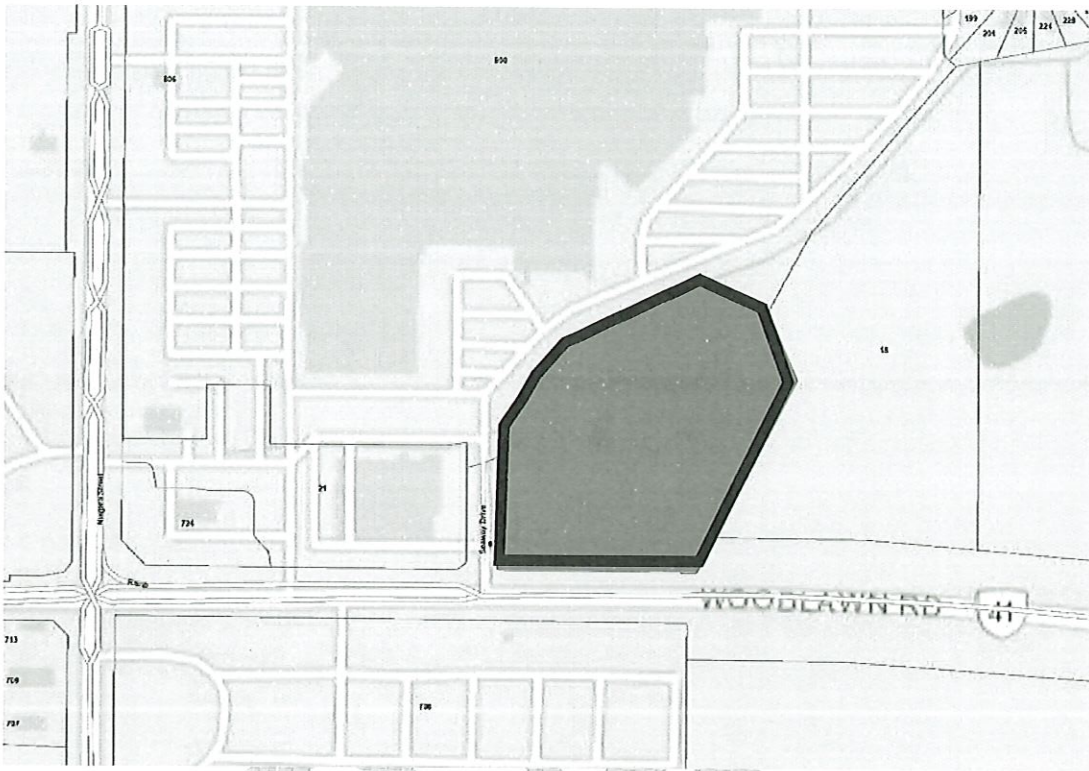
All of the Amendment entitled PART B - THE AMENDMENT, consisting of the following policies and the map referred to as Schedule "A" - Land Use Plan and Policies, constitutes Amendment No. XX to the Official Plan of the Corporation of the City of Welland.

The effect of this Official Plan Amendment No. XX is to change the designation to Medium Density Residential.

Refinements are required to the Residential Hierarchy Land Use Map – Schedule B1 of the Official Plan of the Corporation of the City of Welland as shown on Schedule "A" – Land Use Plan.

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SCHEDULE "A" – LAND USE PLAN



LEGEND



Subject Site



Medium Density Residential

SCHEDULE "A" TO OFFICIAL PLAN AMENDMENT No. XX

MAYOR: _____

CLERK: _____



PART C – THE APPENDICES

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

APPENDIX I – Affidavit

APPENDIX II – Notice of Adoption

APPENDIX III – Minutes of Public Meeting

APPENDIX IV – Staff Report

APPENDIX V – Council Resolution

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APPENDIX I – AFFIDAVIT

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

AND

**IN THE MATTER OF THE ADOPTION OF OFFICIAL PLAN
AMENDMENT NO. XX BY BYLAW 2022-XX PASSED BY COUNCIL
OF THE CORPORATION OF THE CITY OF WELLAND ON __, 2022**

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

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

Sworn before me at the City of Welland in the Regional Municipality of Niagara, this day of _____, 2022.

MANAGER OF DEVELOPMENT APPROVALS INFRASTRUCTURE AND
DEVELOPMENT SERVICES
THE CORPORATION OF THE CITY OF WELLAND

SCHEDULE "A" TO APPENDIX 1 – AFFIDAVIT

List of individuals who made oral submission in support of the application at the Statutory Public Meeting conducted _____, 2022 concerning Amendment No. XX to the Official Plan of the Corporation of the City of Welland.

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APPENDIX II – NOTICE OF ADOPTION

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

Take notice that the Council of the Corporation of the City of Welland passed By-law 2020-XX, being a By-law to adopt Amendment No. XX to the Official Plan on _____, 2022 under Section 17(23) of The Planning Act, as amended.

The Purpose of Amendment No. XX is to change the designation to Medium Density Residential.

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

Any person or agency may appeal, to the Ontario Land Tribunal, in respect to the Amendment to the Official Plan by filing with the Clerk of the City of Welland, no later than _____, 2022, a notice of appeal setting out the specific part of the proposed Amendment to the Official Plan to which the appeal applies, set out the reasons for the appeal and be accompanied by the fee prescribed under the Act in the amount of \$300.00 payable by certified cheque to the Minister of Finance, Province of Ontario.

The proposed Amendment to the Official Plan is exempt from approval by the Regional Municipality of Niagara and the Decision of Council is final if a notice of appeal is not received on or before the last day for filing a notice of appeal. Only individuals, corporations or public bodies may appeal a Decision of the municipality to the Ontario Land Tribunal. A notice of appeal may not be filed by an unincorporated Association or Group.

However, a notice of appeal may be filed in the name of an individual who is a member of the Association or the Group on its behalf. No person or public body shall be added as a party to the hearing of the appeal unless, before the Plan was adopted, the person or public body made oral submissions at a Public Meeting or written submissions to the Council or, in the opinion of the Ontario Land Tribunal, there are reasonable grounds to add the person or public body as a party.

The land to which this proposed Amendment to the Official Plan applies is also the subject of an Application for Zoning By-law Amendment - File 2022-XX. A copy of the Amendment and Staff Report are available for inspection by the public as of _____, 2022 at Infrastructure and Development Services - Planning Division, 60 East Main Street, Welland during regular office hours.

Dated at the City of Welland this _____ day of _____, 2022.

MANAGER OF DEVELOPMENT APPROVALS INFRASTRUCTURE AND
DEVELOPMENT SERVICES
THE CORPORATION OF THE CITY OF WELLAND

APPENDIX III – MINUTES OF PUBLIC MEETING

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APPENDIX IV – STAFF REPORT

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APPENDIX V – COUNCIL RESOLUTION

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Agenda

- Impact story
- Meeting community need
- Community at the forefront
- Collaboration and integration

Ava Menary.

- Ava is a Welland resident who grew up attending YMCA with her family. She participated in swim lessons and children's programs.
- Ava obtained her lifeguarding certifications with the support of our Making Waves scholarship program
- She is now a certified guard - who also works in our Child/Youth & Day Camp programs.



- **Financial Assistance**

- The YMCA is a charitable organization that provides financial assistance to any individual/family unable to participate due to their financial situation.
- Currently, **15%** of our members receive financial assistance to attend our YMCA. This number is growing - as pressures with inflation and higher interest rates continue to mount.

- **Focus on Serving those most vulnerable in our community.**

- Our YMCA has partnered with a number of local and regional organizations to remove barriers and ensure that the most vulnerable individuals in our community have access to our programs/services. This includes:
 - Niagara Region Mental Health
 - Community Living Welland/Pelham
 - Pathstone Mental Health
 - Niagara Children's Centre
 - District School Board of Niagara
 - Gateway Residential and Community Support Services

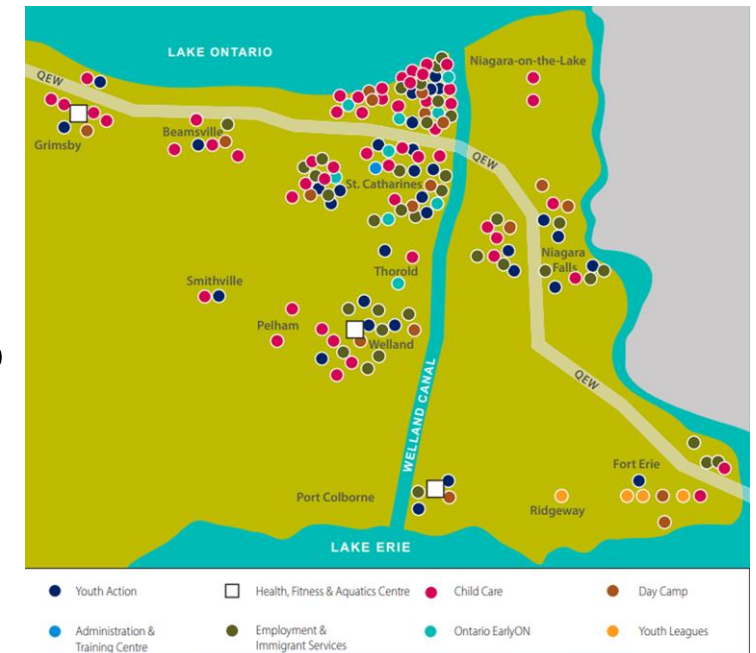
- **Safe Place for Youth to Attend**

- Our YMCA is currently experiencing a significant increase in the amount of youth traffic in our Centre. (Typically, between 4-8pm on weeknights and all day Saturday, Sunday)
- Average number of youth visits per week is over 400
- We provide them with a safe place to play, participate in physical activity, access to positive role models and the opportunity to meet new friends.

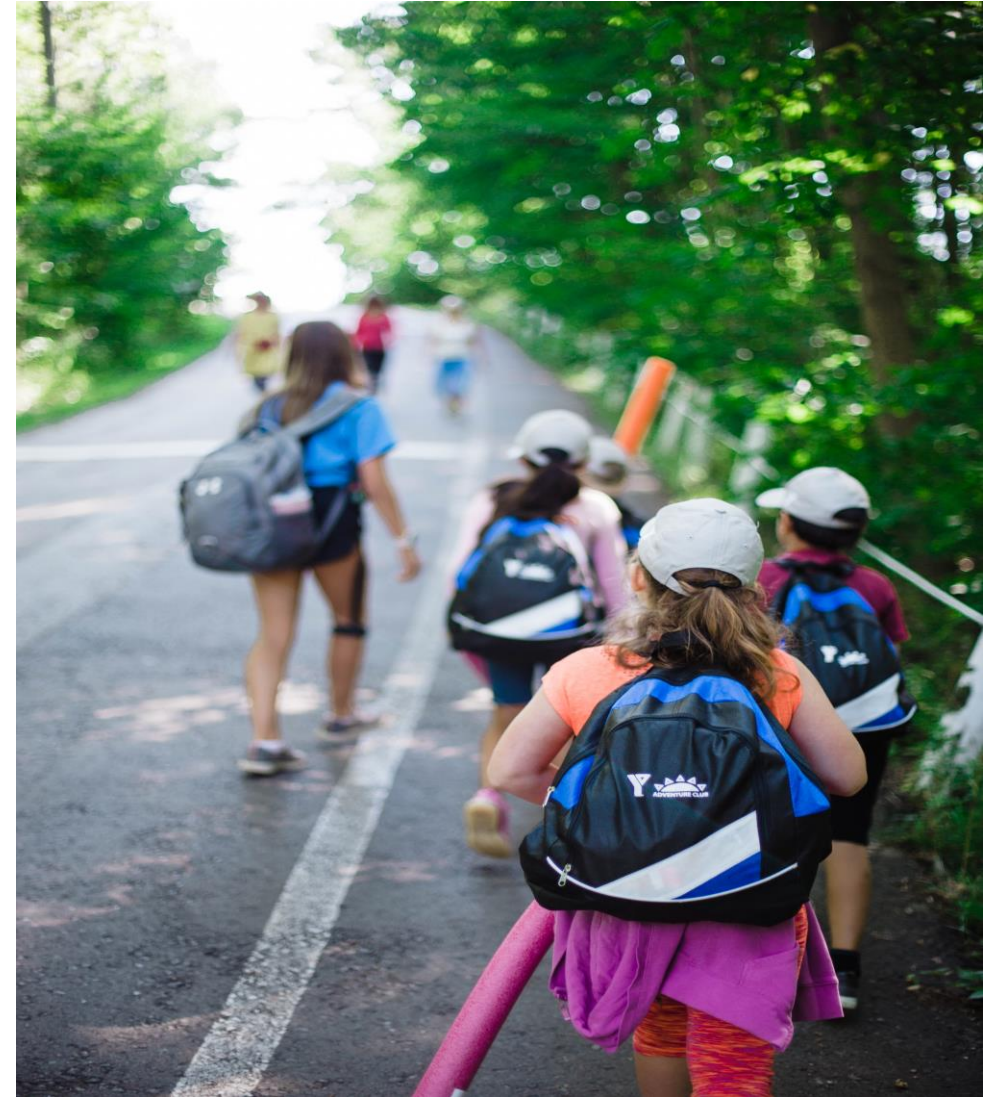
- **The Only Indoor Aquatics Facility in the City**

- The only provider of child/youth swim lessons - currently serving over 300 in the spring session.
- Large Aqua Fitness program - 12 classes per week with an average participation of 40 older adults per class
- 1500 monthly visits to YMCA open/family swims.
- Our Making Waves and Jump In With Us program - which provide full support with the cost of lifeguard/instructor certifications

- Provide meaningful programs and services for Welland Residents
 - Priority registration for programming for community members including LTS
 - Open Community and Carnival Days
 - Free Lifeguarding leadership programming
 - Youth Friday nights
 - Daycamp Leadership training
- Market and promote leadership and development opportunities to Youth
- Increase social media to support penetration in local market
- Increase engagement for all demographics
- Engage in partnerships with external agencies to further impact



- Collaboration with the City of Welland
- Integrated service model
- Lease renewal Update
- Capital investment
- Alignment of priorities
- Cross functional support



COUNCIL
COMMUNITY SERVICES
RECREATION, SPORT & CULTURE DIVISION

APPROVALS	
DIRECTOR	
CFO	
CAO	

23-65

REPORT CS-2023-18
APRIL 4, 2023

SUBJECT: YMCA OPERATING CONTRIBUTION PARTNERSHIP

AUTHOR: ROB AXIAK, DIRECTOR OF COMMUNITY SERVICES

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

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND rescind Resolution No: 2023-199 to enter into a Tri-Party Contribution Agreement between the City of Welland, Town of Pelham, and the Niagara Centre YMCA as previously outlined in report CS-2023-10, and as attached in Appendix A; and further

THAT Welland City Council approves entering into a Contribution Agreement between the City of Welland and the Niagara Centre YMCA (Welland location) as outlined in report CS-2023-18; and further

THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate by-laws to enter into a Contribution Agreement to be signed by the Mayor and City Clerk.

ORIGIN AND BACKGROUND:

On March 21, 2023, report CS-2023-10 was brought forward recommending a tri-party agreement between the City of Welland, the Town of Pelham, and the Niagara Centre YMCA (Welland location), with notable conditions. Some conditions of the proposed agreement noted in report CS-2023-10 included approvals by both municipal councils in Welland and Pelham and a secured land lease with Niagara College.

Moreover, the recommendation in CS-2023-10 and the subsequent resolution was further amended (Appendix A) by Welland City Council to ensure a provision was included in the contribution agreement that stated within the five-year term proposed, should the YMCA

become insolvent, the funds provided by the City of Welland, to date, would be fully refunded.

Welland City Council approved this amended recommendation on March 21, 2023, whereas the Town of Pelham declined the request to proceed into a tri-party agreement on March 22, 2023. As both municipalities were not cooperatively agreeable, the first recommendation in this report recommends rescinding the original recommendations, as amended, in report CS-2023-10.

It was also mentioned in report CS-2023-10, should any of the conditions not be met, staff would return with updated recommendations. Subsequent to the outcomes of both council meetings in Welland and Pelham, Welland staff continued with discussions directly with the YMCA on continued sustainability and service delivery. This report provides an updated approach and recommendation between the City of Welland and the Niagara Centre YMCA (Welland location).

COMMENTS AND ANALYSIS:

Consistent rationale and principles as outlined in CS-2023-10 continue to be at the forefront of the staff recommendation in this report (CS-2023-18) and potential contribution agreement between the city of Welland and the YMCA. The YMCA Niagara Centre (Welland location) requires support from the local municipality to regain their footing and re-establish their programs and services in the community to reach self-sustainability. Without the YMCA in the City of Welland, a tremendous gap in programs and services would occur which would directly impact Welland residents. A YMCA in any community supports a municipality's identity and brand recognition.

There are many reasons why staff is recommending this continued partnership and operating contribution arrangement with the YMCA. The top five reasons are:

- Continuation, and access-for-all, to a multitude of highly valued programs and services provided by the YMCA for all Welland residents, as a gap in the services provided would be felt especially by those individuals who are marginalized and require the services provided, and
- Continued access for Welland residents to the only indoor and year-round aquatics facility within the city, and
- Continuity support of the City's initial capital investment previously made in 2002/03, and

- To maintain and leverage the brand recognition of the YMCA within Welland as a provider of programs and services which reinforce health, wellness, and livability in Welland.
- Economically, the best option for Welland taxpayers to maintain program and service levels in the community.

The Updated Contribution Framework

The updated contribution framework proposed is underpinned by the expectation that the YMCA will return to a self-sustainable operation over a five-year period. The five-year annual contribution amounts are intended to help the YMCA in Niagara recover to a more optimal position.

To support the Niagara Centre YMCA (Welland location) reach a self-sustainable level, and ensure the investment from the City of Welland is protected, the proposed contribution agreement will be structured to include the following:

- A five-year term (April 1, 2023 – April 1, 2028) with declining annual contributions as shown in the financial section of this report, as the YMCA refines their overall operation.
- A provision clause refunding all funds provided by the City of Welland within the agreement term should the YMCA Niagara Centre at any time become insolvent or no longer operate the Welland location.
- An annual built-in performance management system that requires the YMCA to meet certain requirements to receive the next year of funding. This will include:
 - To complete a building condition assessment and utility review (i.e., water, gas, hydro) to be completed in 2023 and include capital funding requirements, and a subsequent funding strategy, with recommendations to decrease the financial operating burden on the YMCA Niagara Centre.
 - Commencement of corrections and adaptations made to the facility in coordination with the engineer's recommendations to be completed in 2024 with the expectation to improve operating expenses.
 - A minimum of total operating revenues of 8%, accumulative average year-over-year, for each of the respective five years.
- A secured land lease with Niagara College that spans past the completion date of this proposed partnership with Welland.
- Support from Welland proportionate to the 2022 membership data which shows Welland residents account for 66% of the total use of the facility. This amount remains unchanged from the original proposal and is highlighted in the financial section of this report.

- Financial contribution to only support operating deficits and associated overheads that are allotted only to the Welland location.
- Identify a series of membership and program enhancements demonstrating a continued shift in programming and service delivery that will need to evolve on an annual basis. These include, and are not limited to:
 - Open Y days – Welland Days
 - Demo Days / Try-it Programs
 - Open Swim
 - Free Lifeguard Training
 - Youth Friday Nights
 - Day Camp Leadership Training
- Early-bird registration for Welland residents for session-based programs including learn-to-swim and camps.
- No-membership-required and other value-added programming options to be assessed and added annually based on need, to be coordinated annually in partnership with City staff.
- New and innovative marketing approaches to reach new audiences and have past members reconsider the YMCA with an ongoing commitment to adjust program and service delivery based on market needs.
- Annual reporting to Welland City Council including financial reporting, program/participation levels, and performance management expectations.

At the time of writing this report, it is also understood that the land lease between the YMCA and Niagara College has now been executed with an expiration date of 2043. It is important to note that the enhanced provision within the land lease notes that Niagara College would own the facility should the YMCA become insolvent or not meet its lease obligations.

Should any of the criteria noted above not be fully satisfied and agreed upon at the onset of a contribution agreement and throughout the term proposed (5 years), staff will report back to Council with an update and potential new recommendations. The YMCA of Niagara Centre has shown commitment to working with the City of Welland and a willingness to evolve its service levels to meet the changing needs and demographics of the community.

Other Options Considered

1. Decline a Partnership Opportunity with the YMCA

Staff has been in direct dialogue with the Niagara YMCA for over a year discussing the future and program/service restart efforts after the pandemic. Another option

explored by City staff over the past year was to forgo a contribution model and allow the natural evolution and fate to occur at the Niagara Centre YMCA (Welland location) that has occurred throughout the Niagara region. This could then result in the closure of the YMCA in Welland and the displacement of many of its users who rely on their programs and services leaving a considerable gap in the community.

Staff does not recommend this option at this time for all the reasons noted in this report.

2. Partner with Niagara College

Should the YMCA no longer exist in Welland, and as per the provisions in the land lease with the post-secondary school, Niagara College would be the owner of the facility. It would be at the discretion of the College how the facility would operate, what types of programs and services would be provided, and who would be included as part of their service delivery. This option could have several different outcomes ranging from the college using this location solely as an extension of their campus, to some level of program/service delivery inviting others to help operate portions of the facility. While lines of communication remain open and positive between the City of Welland and Niagara College, considerable work would be required to create a new operating model, without any guarantees on program and service levels. It would be estimated that costs to the City in this type of model should the City operate entities within the facility such as the pool, would far exceed the costs proposed in the contribution agreement. This option also requires that the YMCA and Niagara College part ways as per the provisions in their lease, which is not anticipated to occur as a new lease was just signed.

Staff does not recommend this option at this time but plans to continue to work with the College on an alternate plan should issues arise with the YMCA.

FINANCIAL CONSIDERATIONS:

As previously mentioned, the contribution agreement proposed in this report is designed to help the YMCA reach a self-sustainable level, over a five-year term (April 2023- April 2028) with enhanced provisions.

Audited financial statements were shared with the City to confirm historical data, the current financial position, and the holdings of the YMCA of Niagara, including how the YMCA is forecasting. The utilization of reserve fund holdings of the YMCA of Niagara will be approved through the YMCA Board of Directors. This will include but is not limited to, capital upkeep of the Niagara locations (Welland and Grimsby), any foreseen

emergencies that may arise, and support the balance of the operating deficit. Given the aging infrastructure and work required at these locations, the YMCA capital holding, coupled with potential grant opportunities, will be necessary for the YMCA to maintain.

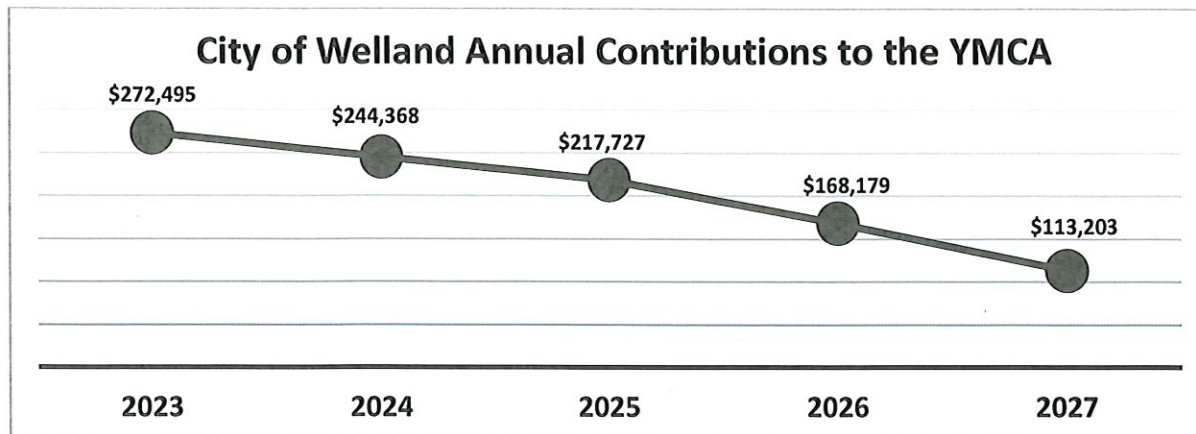
As the recommended contribution agreement is for the years 2023-2028 (April to April), the corresponding section of the table attached in Appendix B is framed in red. More specifically, the YMCA's net loss for each of the five respective years is framed in yellow. This loss is shown to decrease over the five-year period as new revenues are realized, the growth of membership base continues, and further operational efficiencies are had.

As shown in Appendix B, the net loss is shown in year one (2022-23) at \$412,871 and decreases to \$171,519 in year 5 (2026-27). Proportionally and based on the 2022 membership data, Welland accounts for 66% of the total use of the Niagara Centre YMCA (Welland location).

The identical financial contribution remains in this refreshed report to support only the portion of need as related to Welland resident participation (e.g. 66%). Below identifies the City of Welland's annual contribution amount, trending downwards over the five-year term.

		2023	2024	2025	2026	2027	TOTAL
Forecasted YMCA Net Operating Loss		\$412,871	\$370,254	\$329,889	\$254,816	\$171,519	
Welland	66%	\$272,495	\$244,368	\$217,727	\$168,179	\$113,203	\$1,015,970

As previously mentioned, annual financial reporting will be required as part of the contribution agreement. It is expected that improvements to the contribution amount are made as further advancements are realized (e.g., increased revenues, improved utility costs, etc.). Below highlights the annual contribution amounts over the five-year term.



Funding Source

Should Council approve this contribution agreement between the City of Welland and the Niagara Centre YMCA (Welland location), staff propose the first year (2023) of funding be sourced from the Operating Surplus Reserve Account. The subsequent years of the five-year term (2024, 2025, 2026, 2027) would be placed into the base operating budget at the time of budget preparation.

SUMMARY AND CONCLUSION

The YMCA Niagara Centre has been a valued service provider for an abundance of recreational, health, and social service in the City of Welland for close to 20 years. The recovery from the pandemic has had a tremendous impact on many of the YMCA locations across the country, with the Welland location being no different. Staff understands the positive impacts that the YMCA has made on our community and are interested in creating a proactive approach to ensure the YMCA remains in Welland. We believe moving into an operating contribution agreement working towards self-sustainability is the best approach for the City of Welland and our residents. With the decline of Pelham to support a tri-party relationship, staff have renegotiated terms and conditions with the YMCA which include an annual performance management provision, a refund provision, and early-bird registration for Welland residents. These additional conditions will ensure that should the unexpected occur, protections are in place for the City of Welland, with an opportunity for future discussions with Niagara College.

ATTACHMENTS:

Appendix A – Resolution No: 2023-199 – Reference No: 26-65 (March 24, 2023)
Appendix B – YMCA Niagara Centre Financial & Operating Overview



FROM THE OFFICE OF THE CITY CLERK

RESOLUTION NO: 2023-199

REFERENCE NO. 23-65

March 24, 2023

Dear Sir or Madam:

Welland City Council passed the following motion

on

March 21, 2023

"THAT THE COUNCIL OF THE CITY OF WELLAND approves entering into a Tri-Party Contribution Agreement (Appendix C - Draft) between the City of Welland, Town of Pelham, and the Niagara Centre YMCA (Welland location) as outlined in report CS-2023- 10, and further THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into a Tri-Party Contribution Agreement to be signed by the Mayor and City Clerk; and further

THAT should the facility close that the funds provided by the City of Welland be refunded."

TS:cap

R. Axiak, Director of Community Services
c.c. - S. Lansdell, Law Clerk

From

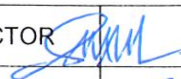



City Clerk

Niagara Centre Summary

	Actual 2017-2018	Actual 2018-2019	Actual 2019-2020	Actual 2020-2021	Actual 2021-22	Year 1 Budget 2022-23	Year 2 Project Budget 2023-24	Year 3 Project Budget 2024-25	Year 4 Project Budget 2025-26	Year 5 Project Budget 2026-27
Revenue										
Membership and Program Revenue	2,458,526	2,255,023	1,185,984	43,787	689,439	1,506,739	1,632,607	1,738,461	1,862,587	1,995,576
Rental Income, Facility Fees and others	4,146	6,061	2,245	20,116	78,042	74,700	78,327	81,971	85,783	89,772
Stronger Together Donations	42,243	45,028	31,877	15,670	19,299	28,306	33,260	39,080	45,919	53,955
Financial Assistance	(248,225)	(228,434)	(123,202)	(889)	(25,928)	(84,789)	(91,309)	(97,829)	(104,814)	(112,298)
Total Revenue	2,256,690	2,077,678	1,096,904	78,684	760,852	1,524,956	1,642,885	1,761,683	1,889,475	2,027,004
Expenses										
Wages and Benefits	1,331,438	1,415,998	949,737	306,762	690,312	858,908	901,853	946,946	961,150	975,567
Utilities	503,712	570,460	421,787	263,513	356,517	538,500	554,655	571,295	591,290	611,985
Property Taxes	9,977	9,298	6,666	11,113	8,984	9,000	9,270	9,548	9,882	10,228
Cleaning, Repairs and Maintenance	311,095	326,456	281,875	138,637	138,090	183,276	188,774	194,438	201,243	208,287
Program and Office Expenses	60,584	61,558	43,591	33,488	88,818	56,367	58,058	59,800	61,893	64,059
Total Expenses	2,216,806	2,383,770	1,703,656	753,513	1,282,721	1,646,051	1,712,610	1,782,027	1,825,459	1,870,127
Operating Contribution (Loss)	39,884	(306,092)	(606,752)	(674,829)	(521,869)	(121,095)	(69,725)	(20,344)	64,016	156,877
Administrative Overhead	333,744	360,159	368,444	239,461	235,572	291,776	300,529	309,545	318,831	328,396
Net Contribution (Loss)	(293,860)	(666,251)	(975,196)	(914,290)	(757,441)	(412,871)	(370,254)	(329,889)	(254,816)	(171,519)
YMCA Capital Investment	138,518	196,291	105,599	93,862	210,230	217,000	255,000	269,000	211,000	207,000
Net Contribution (Loss)	(432,378)	(862,542)	(1,080,795)	(1,008,152)	(967,671)	(629,871)	(625,254)	(598,889)	(465,816)	(378,519)

APPENDIX B

COUNCIL
INFRASTRUCTURE SERVICES
ENGINEERING DIVISION

APPROVALS	
DIRECTOR	
CFO	
CAO	

23-44

REPORT ENG-2023-11
April 4, 2023

SUBJECT: 2023 CRACK SEALING PROGRAM - TENDER AWARD

AUTHOR: STEFANIE DE CICCIO, C. TECH.
CONSTRUCTION SUPERVISOR

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

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

RECOMMENDATIONS:

1. THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the tender of **Niagara Crack Sealing** in the amount of **\$24,000.00** (plus HST) being the lowest received bid for the 2023 Crack Sealing Program tender; and
2. THAT Council directs staff to prepare the necessary by-law and documents to execute the contract; and further
3. THAT Council authorizes the Mayor and Clerk to execute all necessary documents to execute the contract.

ORIGIN AND BACKGROUND:

The City of Welland has several tenders that together comprise the annual road maintenance program including asphalt patching, road resurfacing, surface treatment and crack sealing. The purpose of crack sealing is to seal early stage longitudinal and transverse cracking on a road that is otherwise in good condition. The seal prevents water and non-compressible debris such as rocks from causing further road deterioration, thus providing an economical alternative for extending the lifespan of the road.

COMMENTS AND ANALYSIS:

The streets included in the crack sealing tender have been summarized on the attached Location Schedule (Appendix I). Twenty-seven sections of road are proposed for crack sealing with an estimated total of 12,000m of crack sealing.

The project tender was released on Monday, March 6, 2023, and was publicly advertised and listed with the Niagara Construction Association, as well as posted with a major Canadian tendering website for a two (2) week period.

Two (2) tenders were received on closing day, Monday, March 20, 2023. Submissions have been reviewed for accuracy and have been found to be in compliance with City of Welland tender requirements and provisions of the current Purchasing Policy.

A summary of all tenders received, excluding HST, is provided in the following table:

CONTRACTOR NAME & ADDRESS	TENDER PRICE (excl. HST)
Niagara Crack Sealing 40 Stonebridge Drive Port Colborne, ON L3K 5V5	\$24,000.00
Roadmaster Road Construction & Sealing Limited 1-989 Creditstone Road Concord, ON L4K 4V7	\$36,375.00

FINANCIAL CONSIDERATION:

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

PROJECT COST BREAKDOWN	AMOUNT
Crack Sealing Program 2023 Low Bid	\$24,000.00
City's Portion of HST (1.76%)	\$422.40
Total Anticipated Costs	\$24,422.40

PROJECT FUNDING BREAKDOWN	AMOUNT
Crack Sealing Program 2023 (10-320-23151)	\$56,000.00
Total Approved Funding	\$56,000.00

The tender price from the low bidder plus 1.76% for the City's portion of the HST is approximately **\$24,422.40**. Additional lengths of roadway crack sealing will be added to utilise additional approved funding.

OTHER DEPARTMENT IMPLICATIONS:

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

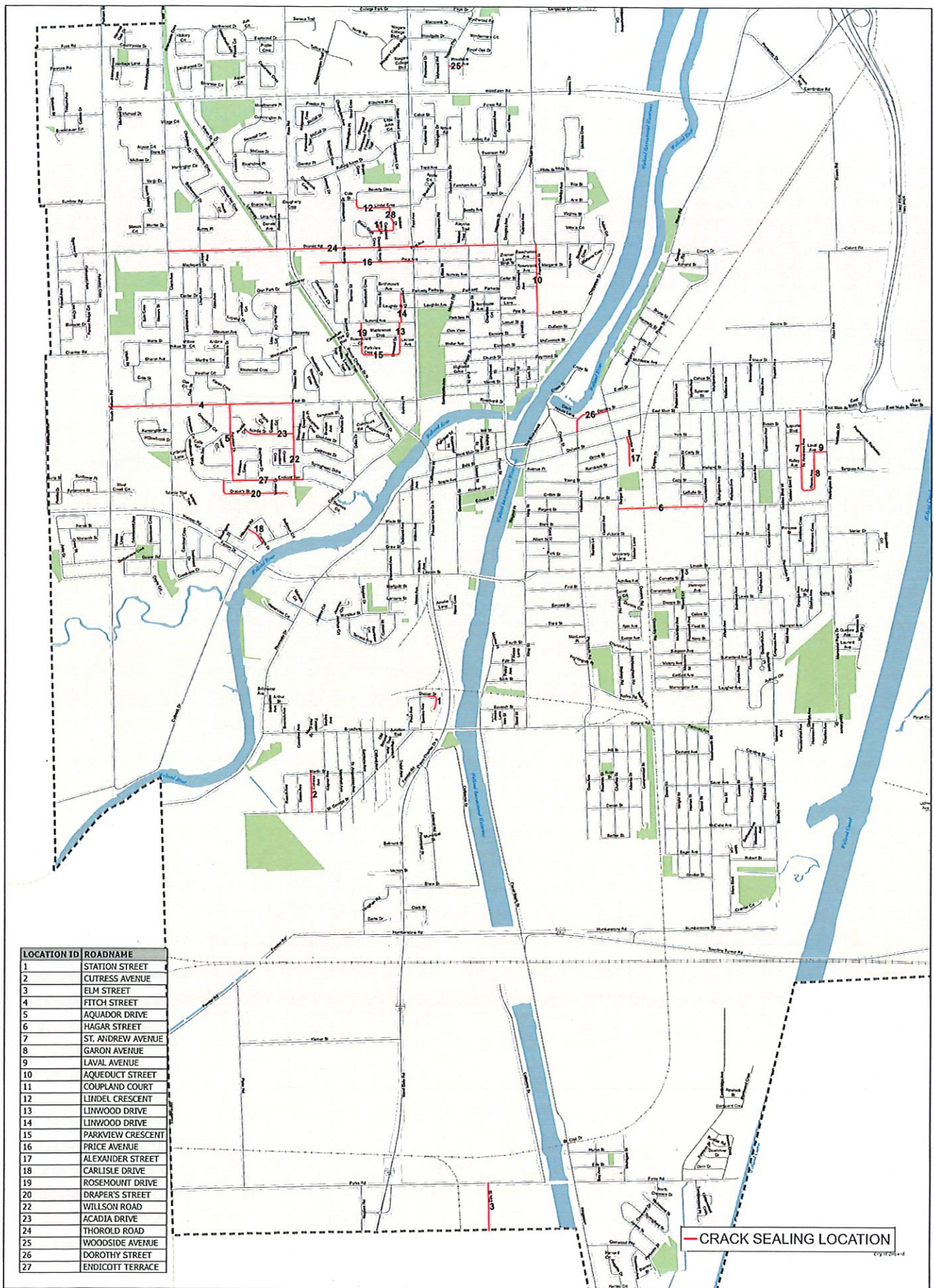
SUMMARY AND CONCLUSION:

Crack Sealing is an important component of the City of Welland's annual roadway maintenance programs. Applying rehabilitation techniques such as crack sealing at the appropriate stage of pavement deterioration is an economical way to extend the life of the road.

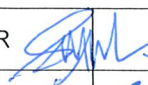


Staff recommend awarding Niagara Crack Sealing the 2023 Crack Sealing Program for the tendered price of **\$24,000.00** (plus HST).

ATTACHMENTS:

Appendix I – 2023 Crack Sealing Locations



COUNCIL
INFRASTRUCTURE SERVICES
ENGINEERING DIVISION

APPROVALS	
DIRECTOR	
CFO	
CAO	

23-52

REPORT ENG-2023-13
April 4, 2023

**SUBJECT: 2023 CCTV PROGRAM – WASTEWATER & STORMWATER
GRAVITY SEWERS – TENDER AWARD**

**AUTHOR: ROB VACHON, C.E.T.
INFRASTRUCTURE AND ASSET SUPERVISOR**

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

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

RECOMMENDATIONS:

1. THAT THE COUNCIL OF THE CITY OF WELLAND accepts the tender of **Bob Robinson & Son Construction Ltd.** in the amount of **\$226,276.00** (plus HST) being the lowest of three (3) bid submissions received for the **2023 CCTV Program – Wastewater & Stormwater Gravity Sewers** project; and
2. THAT Council directs staff to prepare the necessary by-law and documents to execute the project; and further
3. THAT Council authorizes the Mayor and Clerk to execute all necessary documents to execute the project.

ORIGIN AND BACKGROUND:

The Closed-Circuit Television (CCTV) inspection program is undertaken on an annual basis to monitor the internal condition of sanitary and stormwater gravity sewers within the City.

The inspection of the City's sewer infrastructure provides information for assessing the condition of each pipe and the degree of deterioration that has taken place since the last inspection. This information is used to estimate the remaining service life of the sewer sections and identify opportunities to reduce the risk of inflow and infiltration entering the network. The CCTV inspection program also identifies spot defects, material settlements and obstructions, which can cause sewer backups. Through this risk-based program, staff can compile information to plan and prioritize sewer repairs, and maintenance to ensure the continued function and reliability of both the sanitary and stormwater networks.

COMMENTS AND ANALYSIS:

The tender for the works was released on Monday, March 6, 2023, publicly advertised and forwarded to the Niagara Construction Associations and posted with a major Canadian tendering website for two (2) weeks.

There were three (3) tenders received on closing day, Monday, March 20, 2023. Submissions have been reviewed for accuracy, all but one has been found to be in compliance with City of Welland tender requirements.

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

Contractor Name and Address	Tender Price (excluding taxes)
Bob Robinson & Son Construction Ltd. 9687 Biggar Rd, Port Robinson, ON L0S 1K0	\$226,276.00
Pipetek Infrastructure Services Inc. 2250 Industrial St, Burlington, ON L7P 1A1	\$328,096.50
Infrastructure Intelligence Services Inc. 615 Main St E, Milton, ON L9T 3J2	Non-Compliant

Bob Robinson & Son Construction Ltd. from Port Robinson Ontario was the lowest compliant tenderer. They have successfully completed similar work in the past within the City. Staff considers their performance to be satisfactory and in accordance with City specifications and standards, therefore recommends that the firm be awarded the contract.

FINANCIAL CONSIDERATION:

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

2023 CCTV Program – Wastewater & Stormwater Gravity Sewers	Amount
2023 CCTV PROGRAM – WASTEWATER & STORMWATER GRAVITY SEWERS Contract	\$226,276.00
Subtotal:	\$226,276.00
City's Portion of HST (1.76%)	\$3,982.46
Total Anticipated Costs:	\$230,258.46

Project Funding Breakdown	Amount
CNTRCT – STORM CCTV (10-327-23354)	\$130,000.00
CNTRCT – CCTV SWR (10-330-23730)	\$220,000.00
Total Approved Funding:	\$350,000.00

The tender price from the low bidder, plus 1.76% for the City's portion of the HST, is **\$230,258.46**. There is sufficient funding approved for this project. Work will be completed in this contract to the limit of the approved funding.

A one-year extension option in the contract will be exercised at the end of 2023 if agreed upon by both parties. The contract extension is contingent upon 2024 budget approval by City Council.

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 **Bob Robinson & Son Construction Ltd.** to undertake the 2023 CCTV Program – Wastewater & Stormwater Gravity Sewers project.

The program provides valuable infrastructure condition information required to plan and prioritize sewer repairs, replacements, and maintenance which in turn ensures the continued function and reliability of the City's sewer networks.

ATTACHMENTS:

None

COUNCIL
INFRASTRUCTURE SERVICES
ENGINEERING DIVISION

APPROVALS	
DIRECTOR	
CFO	
CAO	

23-72

REPORT ENG-2023-14
April 4, 2023

SUBJECT: BIEDERMAN DRAIN – COURT OF REVISION APPOINTMENT

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

APPROVING DIRECTOR: SHERRI-MARIE MILLAR, P.ENG.
DIRECTOR OF INFRASTRUCTURE SERVICES / CITY ENGINEER

RECOMMENDATIONS:

1. THAT THE COUNCIL OF THE CITY OF WELLAND appoint Robert LeRoux to sit on the Court of Revision on behalf of the City of Welland.

ORIGIN AND BACKGROUND:

Municipal drains are shared systems for land drainage which are established under the Drainage Act. The Act dictates that benefitting property owners, including road authorities, are responsible for the costs associated with the creation and maintenance of municipal drains.

Roughly 4.1 km of the Biederman Municipal Drain flows through the City of Port Colborne and another 2.9 km flows through the Township of Wainfleet. A single parcel and a portion of Townline Road are the only City of Welland lands within the Biederman Drain watershed.

The Engineers Report for the drain was initiated by the City of Port Colborne and approved by their council on March 7, 2023. The report describes the construction of a new branch, future maintenance work and updates to the assessment schedules.

In accordance with the Drainage Act the City of Welland must appoint a representative to sit on the Court of Revision scheduled for April 17, 2023.

COMMENTS AND ANALYSIS:

The approval process for the Engineer's Report is dictated by the Drainage Act and has been summarized below:

- City of Port Colborne Council provides provisional approval of the Engineer's Report with two readings of the By-law.
- Councils of the City Port Colborne, City of Welland and Township of Wainfleet appoint members to a Court of Revision.
 - *The Court of Revision is an appeal body established under Section 97 of the Drainage Act that allows landowners to challenge their drainage assessments quickly and informally.*
- The Court of Revision shall hear appeals on assessments within 20-30 days of provisional approval. Notice of the Court of Revision is provided to all property owners within the watershed.

- If a party does not agree with the decision of the Court of Revision, they may appeal the decision within 21 days to the Ontario Drainage Tribunal. All appeals will be heard by the Tribunal.
- If there are no appeals, or after all appeals are resolved, City of Port Colborne Council provides final approval of the Engineer's Report after a third reading of the By-law.

The Court of Revision is to be comprised of two (2) representatives from the City of Port Colborne, and one (1) from both the City of Welland and the Township of Wainfleet. The City of Welland representative must be a member of the community that is eligible to be elected to City of Welland Council.

Staff recommend Robert LeRoux as the City of Welland's Court of Revision representative. Mr. LeRoux is a retired engineer who is a Welland resident and served the Town of Grimsby as Director of Public Work for 35 years (1985-2020). He is experienced with Municipal Drains, the Drainage Act and has represented the City at a previous Court of Revision.

FINANCIAL CONSIDERATION:

None.

OTHER DEPARTMENT IMPLICATIONS:

None.

SUMMARY AND CONCLUSION:

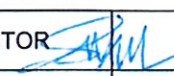


An Engineer's Report for the Biederman Drain was initiated and approved by the City of Port Colborne on March 7, 2023. The approval process for the Engineer's Report is dictated by the Drainage Act. In accordance with the Act the City is required to appoint a representative to the Court of Revision.

Staff recommend that Council appoint Robert LeRoux as the Biederman Drain Court of Revision representative for the City of Welland.

ATTACHMENTS:

None.

COUNCIL
INFRASTRUCTURE SERVICES
ENGINEERING DIVISION

APPROVALS	
DIRECTOR	
CFO	
CAO	

REPORT ENG-2023-15
APRIL 4, 2023

SUBJECT: ASSUMPTION OF CLARE ESTATES 3 (PHASES 1 & 2) SUBDIVISION

AUTHOR: LIVIA MCEACHERN, P.ENG.
MANAGER OF ENGINEERING

APPROVING SHERRI-MARIE MILLAR, P.ENG.
DIRECTOR: DIRECTOR OF INFRASTRUCTURE SERVICES/CITY ENGINEER

RECOMMENDATIONS:

1. THAT THE COUNCIL OF THE CITY OF WELLAND assume Clare Estates 3 (Phases 1 & 2) Subdivision.

ORIGIN AND BACKGROUND:

Clare Estates 3 (Phases 1 & 2) Subdivision (Plan 59M-392) is located on the north side of Gaiser Road, east of South Pelham Road, west of Clare Avenue and south of Webber Road (refer to attached location map in Appendix 2). This residential development is comprised of thirty-six (36) lots for single-detached dwellings and four (4) townhouse blocks for a total of ninety-one (91) dwelling units. Servicing was completed in accordance with the General Servicing Plan (Appendix 3) in November 2014. The maintenance period concluded in June 2021.

COMMENTS AND ANALYSIS:

The Developer of the subdivision, Lea Silvestri Investments Ltd., has fulfilled their obligations as outlined in the Subdivision Agreement and has submitted all necessary documentation required to support assumption. Furthermore, the Developer's Engineer, Upper Canada Consultants, has certified that the subdivision was constructed to City of Welland standards.

Through the assumption of the subdivision, the City will assume direct responsibility for the operation and maintenance of the municipal infrastructure summarized below.

Asset	Approximate Length (Linear m)
Roadways	668
Sidewalk	631
Sanitary Sewers	616
Storm Sewers	745
Watermain	903

FINANCIAL CONSIDERATION:

There are no financial impacts to the Corporation except for future routine maintenance. All security deposits will be released post assumption of the subdivision. There will be no costs incurred by the municipality at this time.

OTHER DEPARTMENT IMPLICATIONS:

The Infrastructure Services Department is responsible for providing Finance with the approval to release the securities once finalized.

The Public Works Division of the Infrastructure Services Department will now maintain the City owned portions of the development. Staff will be advised of the subdivision assumption and circulated infrastructure details for maintenance purposes.

SUMMARY AND CONCLUSION:

Lea Silvestri Investments Ltd. has fulfilled their obligations as outlined in the Subdivision Agreement; therefore, staff recommend that the City assume Clare Estates 3 (Phases 1 & 2) Subdivision.

ATTACHMENTS:

Appendix 1 – Plan 59M-392

Appendix 2 – Clare Estates 3 (Phases 1 & 2) Subdivision Location Plan

Appendix 3 – Clare Estates 3 (Phases 1 & 2) Subdivision General Servicing Plan

ENG-2023-15 - Appendix 1 - Clare Estates 3 (Phases 1 & 2) Subdivision Plan 59M-392

Approved under Section 51 of
THE PLANNING ACT
This day of, 2012
Authorized Signature
..... CITY OF WELLAND

PLAN OF SUBDIVISION OF
PART OF LOT 258
TOWNSHIP OF THOROLD
IN THE
CITY OF WELLAND
REGIONAL MUNICIPALITY OF NIAGARA
SCALE 1" = 800'

DONALD C. CHAMBERS
ONONDAG LAND SURVEYOR

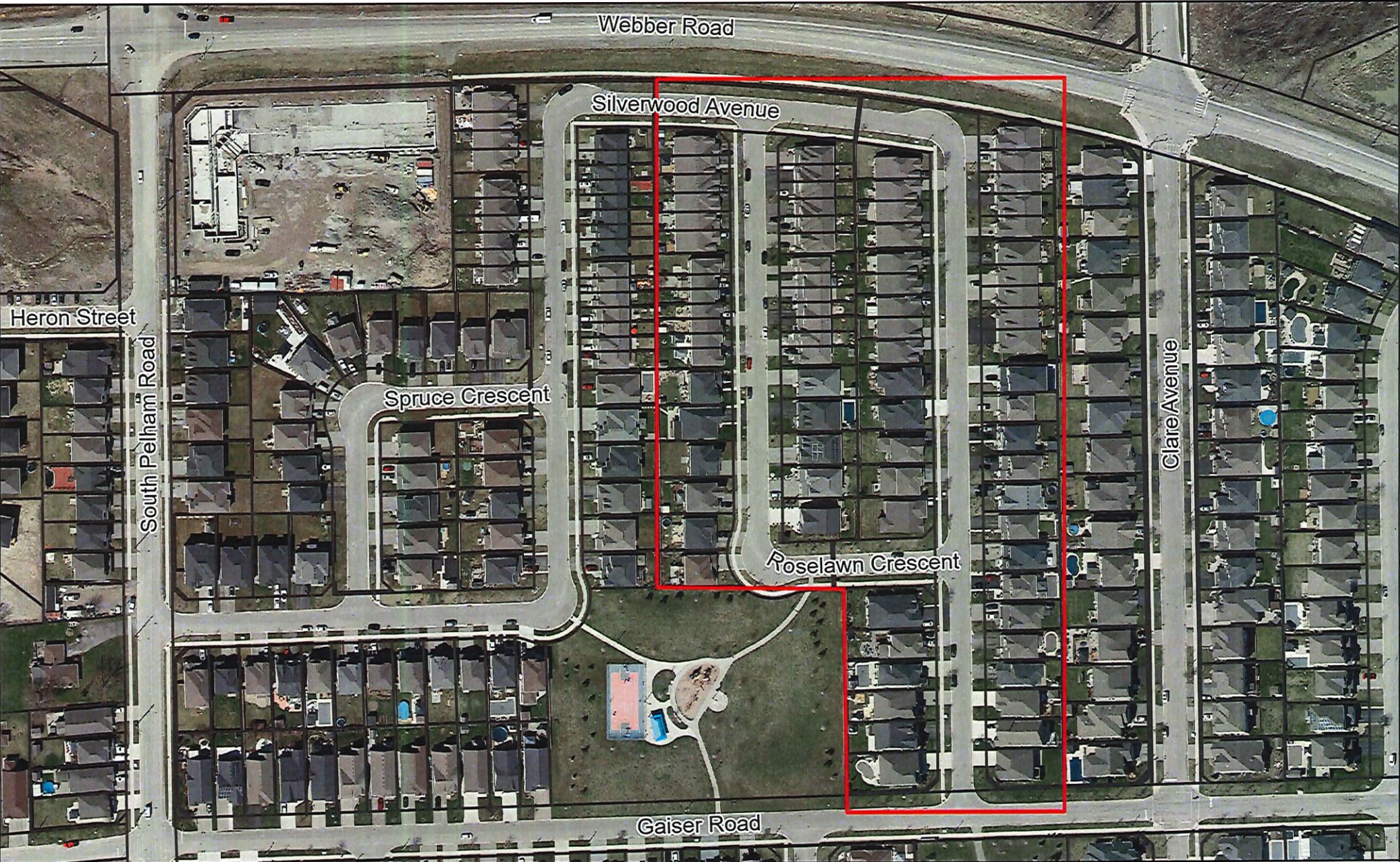
METRIC NOTE
MEASUREMENTS SHOWN ON THIS PLAN ARE IN METRES
AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

PLAN 59M-392

I CERTIFY THAT THIS PLAN IS REGISTERED IN THE LAND
REGISTRY OFFICE FOR THE LAND TITLES DIVISION OF NIAGARA
SOUTH (50) AT 10:50 AM, 07-06-2012 ON THE 4TH DAY OF
JUNE, 2012 AND ENTERED IN THE REGISTER
FOR PINS 64400-0403(LT), 64400-0404(LT) AND
64400-0405(LT) AND REGISTRATION CHARGES ARE REGISTERED
AS PLAN DOCUMENT NO 59M-392(LT).

SCHEDULE

LOT / BLOCK	PIN
LOT 1	64400-0403(LT)
LOT 2	64400-0404(LT)
LOT 3	64400-0405(LT)
LOT 4	64400-0406(LT)
LOT 5	64400-0407(LT)
LOT 6	64400-0408(LT)
LOT 7	64400-0409(LT)
LOT 8	64400-0410(LT)
LOT 9	64400-0411(LT)
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LOT 331	64400-073



Legend
[Red Outline] Subdivision Location

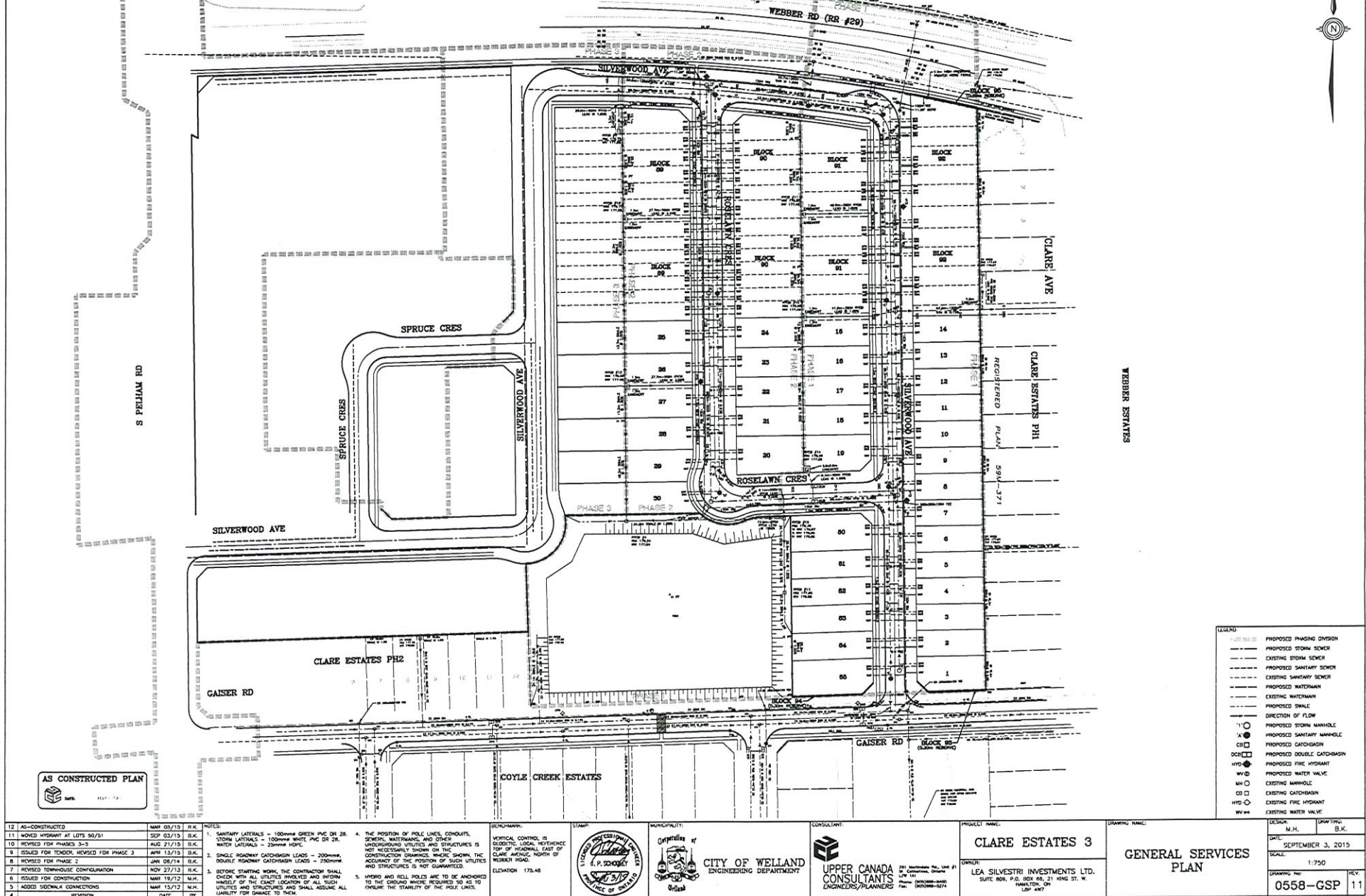
Clare Estates 3 (Phase 1 & 2) Subdivision
Location Plan



Appendix 2

Scale: NTS ENG-2023-15

ENG-2023-15 - Appendix 3 - Clare Estates 3 (Phases 1 & 2) Subdivision General Servicing Plan



COUNCIL
INFRASTRUCTURE SERVICES
ENGINEERING DIVISION

APPROVALS	
DIRECTOR	
CFO	
CAO	

05-65
REPORT ENG-2023-16
APRIL 4, 2023

SUBJECT: ASSUMPTION OF VALLEY WAY ESTATES SUBDIVISION

AUTHOR: LIVIA MCEACHERN, P.ENG.
MANAGER OF ENGINEERING

APPROVING SHERRI-MARIE MILLAR, P.ENG.
DIRECTOR: DIRECTOR OF INFRASTRUCTURE SERVICES/CITY ENGINEER

RECOMMENDATIONS:

1. THAT THE COUNCIL OF THE CITY OF WELLAND assume Valley Way Estates Subdivision.

ORIGIN AND BACKGROUND:

Valley Way Estates Subdivision (Plan 59M-444) is located on the west side of Clare Avenue, north of Hunter Drive and south of Vanjo Drive as illustrated on the location map in Appendix 2. This residential development is comprised of thirty-three (33) lots complete with single-detached dwellings. Servicing was completed in accordance with the General Servicing Plan (Appendix 3) in September 2017. The maintenance period concluded in November 2021.

COMMENTS AND ANALYSIS:

The Developer of the subdivision, Vinmar Developments Ltd., has fulfilled their obligations as outlined in the Subdivision Agreement and has submitted all necessary documentation required to support assumption. Furthermore, the Developer's Engineer, Upper Canada Consultants, has certified that the subdivision was constructed to City of Welland standards.

Through the assumption of the subdivision, the City will assume direct responsibility for the operation and maintenance of the municipal infrastructure summarized below.

Asset	Approximate Length (Linear m)
Roadways	293
Sidewalk	219
Sanitary Sewers	311
Storm Sewers	321
Watermain	299

FINANCIAL CONSIDERATION:

There are no financial impacts to the Corporation except for future routine maintenance. All security deposits will be released post assumption of the subdivision. There will be no costs incurred by the municipality at this time.

OTHER DEPARTMENT IMPLICATIONS:

The Infrastructure Services Department is responsible for providing Finance with the approval to release the securities once finalized.

The Public Works Division of the Infrastructure Services Department will now maintain the City owned portions of the development. Staff will be advised of the subdivision assumption and circulated infrastructure details for maintenance purposes.

SUMMARY AND CONCLUSION:

Vinmar Developments Ltd. has fulfilled their obligations as outlined in the Subdivision Agreement; therefore, staff recommend that the City assume Valley Way Estates Subdivision.

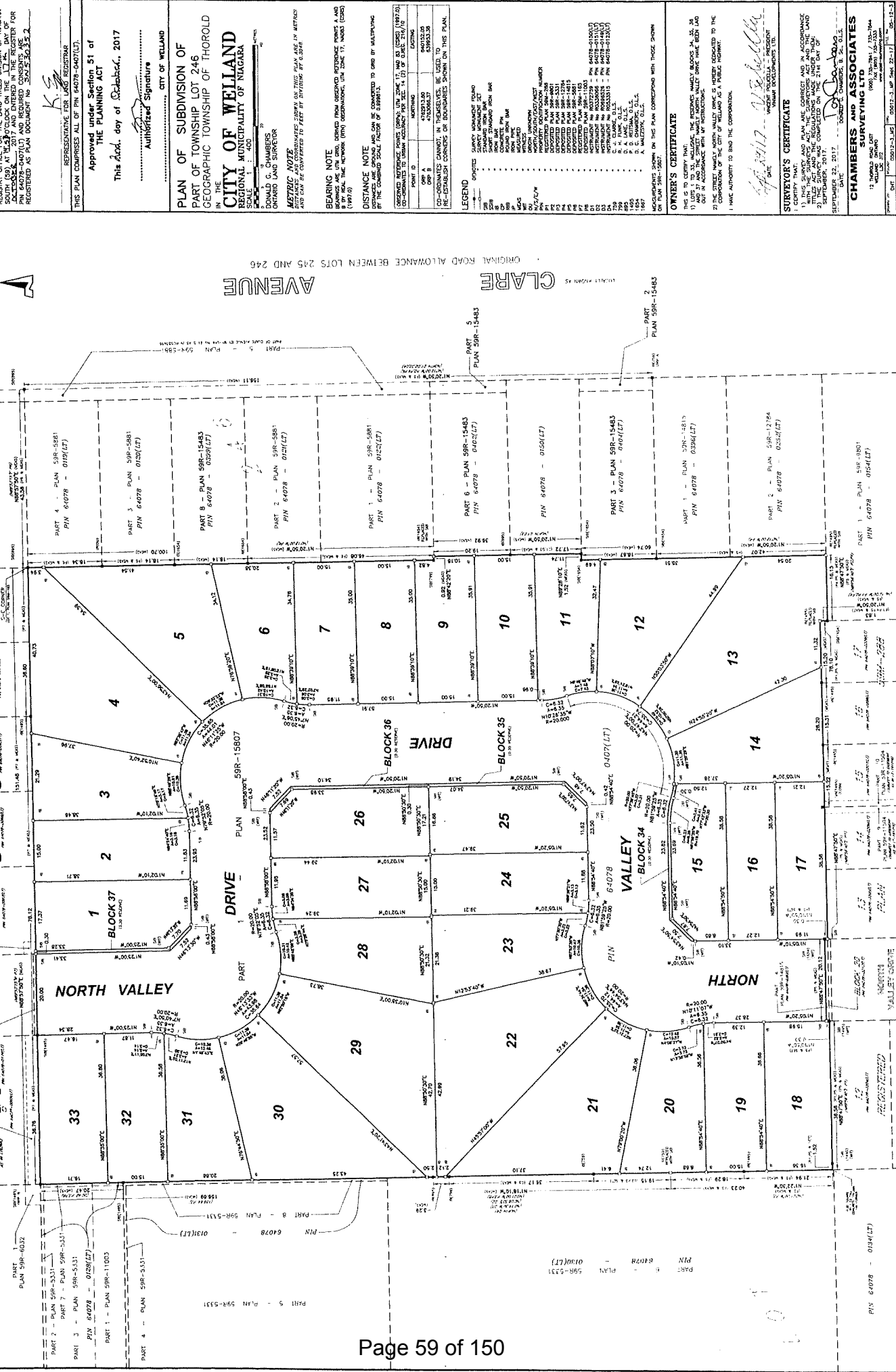
ATTACHMENTS:

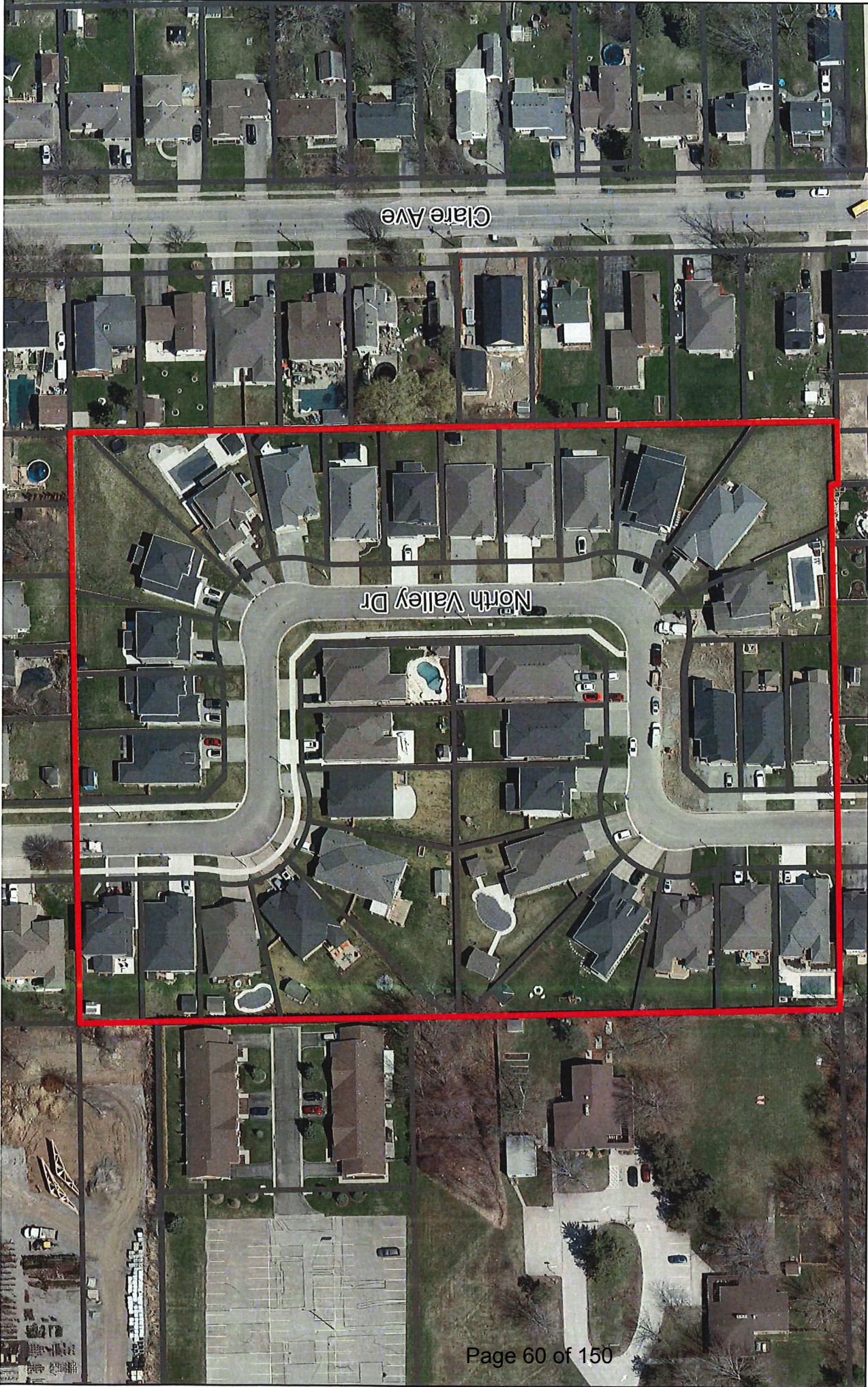
Appendix 1 – Plan 59M-444

Appendix 2 – Valley Way Estates Subdivision Location Plan

Appendix 3 – Valley Way Estates Subdivision General Servicing Plan

ENG-2023-16 - Appendix 1 - Valley Way Estates Subdivision Plan 59M-444





Valley Way Estates Subdivision Location Plan

Legend

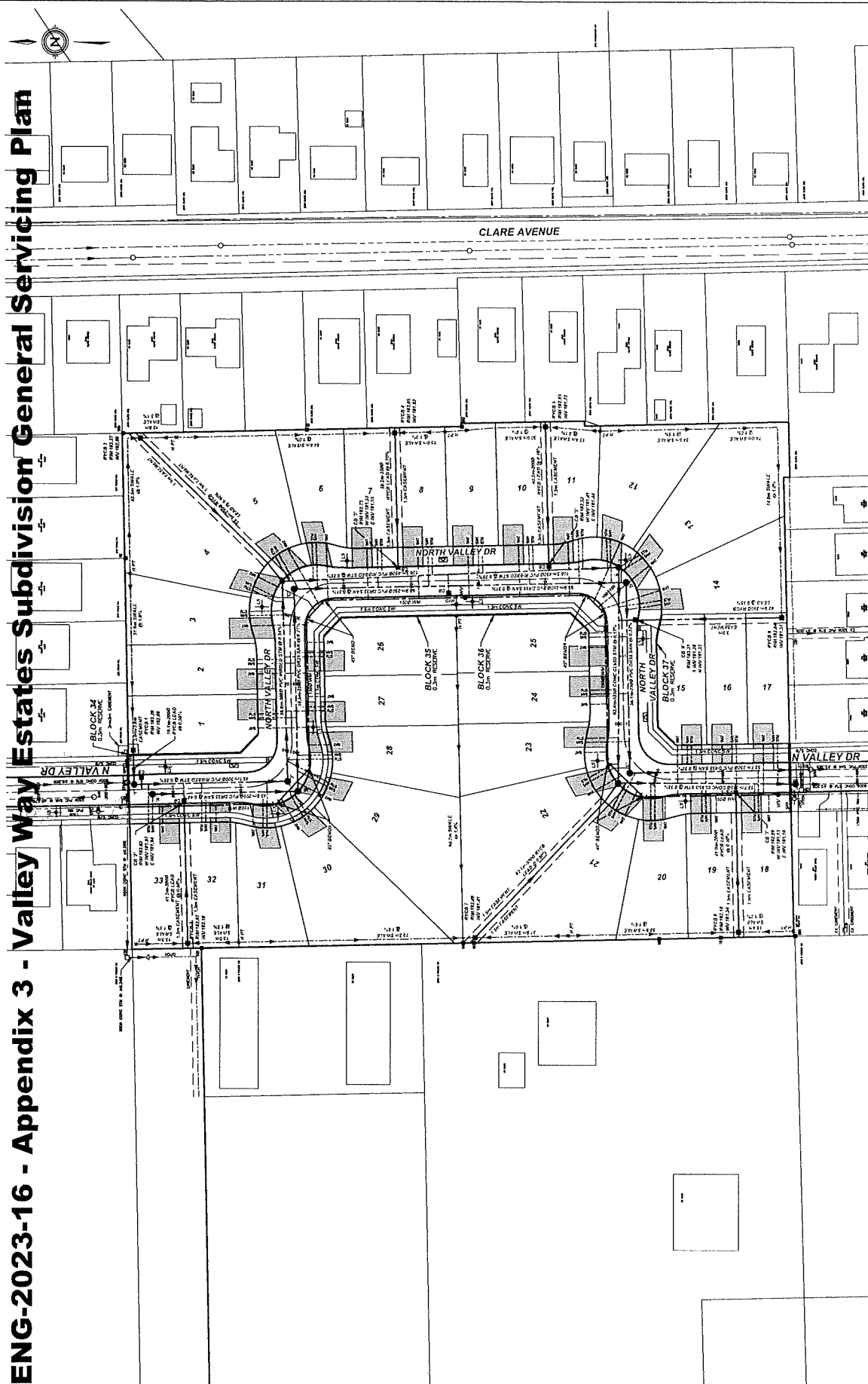
 Subdivision Location

Appendix 2

Scale: NTS




ENG-2023-16

ENG-2023-16 - Appendix 3 - Valley Way Estates Subdivision General Servicing Plan



DATE: 2018-02-27 PRINTED: 2023-03-10 SCALE: 1:500 m REF. No.: Dwg. No.: 1544-GSP		CONSULTANT: TEL. No. 1544	
VALLEYWAY ESTATES GENERAL SERVING PLAN		CLIENT: VINMAR DEVELOPMENT LTD. 783 SOUTH PELHAM ROAD WELAND, ON L9C 3G9	
CITY OF WELAND ENGINEERING DEPARTMENT UPPER CANADA CONSULTANTS ENGINEERS/PLANNERS		OWNER: CITY OF WELAND ENGINEERING DEPARTMENT 783 SOUTH PELHAM ROAD WELAND, ON L9C 3G9	
DRAWING DATE: MAY 2023 DRAWN BY: J.S. CHECKED BY: J.S. APPROVED BY: J.S.		DATE: MAY 2023 DRAWN BY: J.S. CHECKED BY: J.S. APPROVED BY: J.S.	
NOTES		NOTES	
1. THE AUTHOR OF THIS PLAN, ENGINEER, ARCHITECT, PLANNING, AND/OR LANDSCAPE ARCHITECT, HAS REVIEWED THE PLAN AND IS SATISFIED THAT THE PLAN IS CORRECT AND COMPLETE.		1. THE AUTHOR OF THIS PLAN, ENGINEER, ARCHITECT, PLANNING, AND/OR LANDSCAPE ARCHITECT, HAS REVIEWED THE PLAN AND IS SATISFIED THAT THE PLAN IS CORRECT AND COMPLETE.	
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COUNCIL
FIRE AND EMERGENCY SERVICES

APPROVALS	
DIRECTOR	
CFO	
CAO	

REPORT F&ES-2023-2

April 4, 2023

23-15

SUBJECT: EXTRICATION TOOLS

AUTHOR: MATT RICHARDSON, B.A., CFEI, CCFI-C, CMM I
DEPUTY FIRE CHIEF, AND ALTERNATE CEMC

**APPROVING
DIRECTOR:** ADAM ECKHART, MPS, BPSA, ECFO
FIRE CHIEF AND COMMUNITY EMERGENCY MANAGEMENT
COORDINATOR

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND authorize the Fire Chief to sole-source purchase Hurst™ auto extrication equipment of various models to the total of \$168,158.40 from Code 4 Fire and Rescue; and further

THAT Council directs staff to prepare the necessary by-law and documents to execute the project; and further

THAT Council authorizes the Mayor and Clerk to execute all necessary documents to execute the project.

ORIGIN AND BACKGROUND:

Welland Fire & Emergency Services currently utilizes Hurst eDRAULIC™ battery-powered auto-extrication equipment. An industry recognized term of Jaws-of-life™ is associated with these tools. They are powerful tools, primarily used to cut and pry vehicles away from people who require assistance getting out

In the 2023 Capital Budget, Council allocated \$175,000 for the purchase of extrication tools and stabilization equipment for the Fire Services. This new equipment will enhance extrication tools available in each fire district. The new tools will be placed on all front-line apparatus, and the older existing tools will be placed on call-back or reserve apparatus. The new and old tools will be used for training purposes and ensure that these critical tools are available when needed. The Hurst™ brand and models align with existing equipment, which allows batteries and chargers to be used interchangeably between all units and will not require any significant changes to the charging systems on the vehicles or the specialized tool holders that secures these valuables tools during transportation

Code 4 Fire and Rescue, located in Brantford, ON is the only vendor in Southern Ontario for Hurst™ tools, Niagara is their district, and others will not bid in this area. . They are familiar with existing equipment and are also the service/maintenance vendor for these tools. Presently, seven

(7) other Niagara Fire Departments have engaged Code 4 for similar tools with a view of obtaining significant cost savings due to group pricing. Welland Fire and Emergency Services will receive significant cost savings by participating in this group purchase to obtain this equipment, and the City's procurement process supports this process.

Tool/Item	Unit Price	Quantity
S 788 E2	\$17, 295.00	3
S 799 E2 Cutters	\$17,895.00	1
SP 555 E2 Spreaders	\$18,495.00	3
SC 358 E2 Combi Tool/Tips	\$18,495.00/\$2,495.00	1
SP 777 E2 Spreader	\$18,995.00	1

COMMENTS AND ANALYSIS:

By participating in this group purchase with other Niagara Fire Departments, Welland Fire and Emergency Services is set to receive considerable cost savings for this equipment. Welland Firefighters are trained and proficient on this equipment, and favour this equipment over other brands. Implementation and training will be streamlined by purchasing compatible equipment.

FINANCIAL CONSIDERATION:

The purchase is to be funded through the capital project: Extrication Tools and Stabilization Equipment 10-210-23052. The final total including tax incurred by the Corporation for this project will be \$168,158.40 which is within the budgeted capital GL allocation of \$175,000.

OTHER DEPARTMENT IMPLICATIONS:

Nil

SUMMARY AND CONCLUSION:

In summary, the group purchasing offers significant savings to the City. The purchase of this equipment will better equip fire department to ensure that they can respond to motor vehicle collisions and other emergencies in the City with good quality tools that meet the need.

It is recommended to approve the purchase of this equipment from Code 4 Fire and Rescue.

ATTACHMENTS:

Nil

COUNCIL
COMMUNITY SERVICES
FACILITIES DIVISION

APPROVALS	
DIRECTOR	
CFO	
CAO	

23-66
REPORT CS 2023-13
APRIL 4, 2022

SUBJECT: SAND/SALT STORAGE DOME DESIGN/BUILD AWARD

AUTHORS: FRANK PEARSON - MANAGER OF FACILITIES OPERATIONS AND DEVELOPMENT

APPROVING DIRECTOR: ROB AXIAK, DIRECTOR OF COMMUNITY SERVICES

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND approves the award to Van Pelt Construction Inc. for the provision of the design/build services for the sand/salt storage dome, as detailed in RFP23-01; and

THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate by-laws to enter into a contract with Van Pelt Construction Inc.

ORIGIN AND BACKGROUND:

A mandatory requirement from the Ministry of Environment (MOE) dictates that salt storage is contained inside of a structure to prevent erosion of the product and leaching into and contaminating the soil. Currently the City of Welland stores all the winter control salt and sand/salt mixtures outdoors and the Municipal Service Centre and does not meet the MOE requirements.

Council has previously approved funding for the design and construction of the storage facility, with the most recent additional funding being provided in the 2023 budget, Sand/Salt Storage – Phase 3 of 3: 10-444-23455. City staff has been working with professionals investigating the site's environmental conditions, initial designs, tender documentation, project coordination, and administration to create RFP23-01. The next step in the process is to award the recommended design-build contractor so that the facility can be constructed and operational for the 2023/2024 winter control season.

COMMENTS AND ANALYSIS:

The City of Welland issued RFP23-01 Design-Build Services – Welland Salt/Sand Storage Facility competitively on Bidding February 13, 2023. The city hosted a

mandatory site visit on February 22 and toured the proposed site at the Municipal Service Centre. The proposal closed March 16, 2023, and the City of Welland received three (3) compliant proposal submissions:

<u>Provider</u>	<u>Scoring</u>
1. ONIT Construction Inc.	2nd
2. Stolk Construction Ltd.	3rd
3. Van Pelt Construction Inc.	1st

Staff from Community Services and Public Works evaluated the compliant proposals on deliverables, project understandings, methodology, work plan, experience, and price. Based on these criteria, staff is recommending Van Pelt Construction Inc.

FINANCIAL CONSIDERATIONS:

As shown above, Van Pelt Construction Inc. is the highest scoring proponent and is recommended for an award by Council. Included in the bid price is a 10% contingency to cover unforeseen circumstances that may arise during the construction of the facility.

Vendor Name	Total Cost (pre-tax)	Inclusive of City Tax
Van Pelt Construction Inc.	\$ 2,699,400.00	\$ 2,746,909.44

Funding breakdown is outlined below:

Capital Projects	Budget Funding Balance
PW Salt Dome & Second Entrance - DESIGN & ENG: 10-444-21466	\$ 67,915.07
PW Automatic Gate: 10-444-21462	\$55,111.00
PW Salt Dome & Second Entrance – CONSTRUCTION: 10-444-22465	\$1,193,658.56
Sand/Salt Storage – Phase 3 of 3: 10-444-23455	\$1,500,000.00
Total	\$2,816,684.63

OTHER DEPARTMENT IMPLICATIONS:

The construction of this new facility will be managed by the Facilities Division within Community Services, working closely with staff from Public Works, who will be the primary users and operators of the facility.



SUMMARY AND CONCLUSION

It is important to act on the MOE requirements and construct a storage facility for the winter control material that is stockpiled at the Municipal Service Centre. Staff is seeking

Council approval to award the design-build contract to Van Pelt Construction Inc. for the construction of this facility. Timing of this approval is critical so that this facility can be constructed and operational for the 2023/2024 winter control season.

ATTACHMENTS:

None.

APPROVALS	
DIRECTOR	
CFO	
CAO	

COUNCIL
PLANNING AND DEVELOPMENT SERVICES
PLANNING DIVISION

22-60

REPORT P&B-2023-09
APRIL 4, 2023

SUBJECT: APPLICATION FOR DRAFT PLAN OF SUBDIVISION (26T-14-22002 MADE UPPER CANADA CONSUTLANTS ON BEHALF OF MOUNTAINVIEW DEVELOPMENTS GEN II LTD. FOR LANDS LOCATED ON THE WEST SIDE OF CLARE AVENUE, NORTH OF WOODLAWN ROAD AND EAST OF SOUTH PELHAM ROAD, LEGALLY DESCRIBED AS PART OF LOT 237, GEOGRAPHIC TOWNSHIP OF THOROLD, IN THE CITY OF WELLAND, MUNICIPALLY KNOWN AS 905 CLARE AVENUE

**AUTHOR: TAYLOR MEADOWS, BURPI
PLANNING SUPERVISOR - DEVELOPMENT**

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

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND approves Report P&B 2023-09 regarding application for approval of a Draft Plan of Subdivision for lands located on the west side of Clare Avenue, north of Woodlawn Road and east of South Pelham Road, more specifically described as Part of Lot 237, Geographic Township of Thorold, in the City of Welland, municipally known as 905 Clare Avenue, subject to the following conditions:

1. That the Owner enter into a Subdivision Agreement with the City of Welland.
2. That no grading or construction work shall commence until such time as the Subdivision Agreement has been entered into and the financial securities are in place, or a pre-servicing agreement has been entered into.
3. That Parkland Dedication shall be established in accordance with the By-law 2022-149, or successor thereto.

4. That Construction fencing is required in accordance with the City of Welland Building By-law 2020-140.
5. That a subsurface Geotechnical Report is to be prepared and submitted at the time of building permit application submission.
6. That the Developer shall submit full engineering design drawings to the City of Welland Engineering Division for review and approval, including but not limited to, Site Servicing, Site Grading, General Notes and Details, Plan and Profile, Sediment Erosion and Control Plan, Storm Drainage Area, Sanitary Drainage Area and Landscaping Plans.
7. That a Servicing Study Report indicating that the receiving storm sewers and sanitary sewers can accommodate the additional flows, and that adequate fire flows can be provided to the development be submitted to the City of Welland for review to the satisfaction of the Director of Infrastructure Services/City Engineer.
8. That the Developer submit to the City of Welland for review and approval by the Director of Infrastructure Services/City Engineer, a detailed stormwater management plan for the subdivision.
9. That prior to any site alteration, approval from the Director of Infrastructure Services/City Engineer is required. The Developer shall submit all supporting materials and engineering design, prepared by a qualified professional, as required by the City or any applicable authority, and shall agree to implement the recommendations of the reports, studies and plans.
10. That prior to registration of this plan, the Developer must obtain Environmental Compliance Approval from the Ministry of Environment, Conservation and Parks (MECP) for sewer and stormwater management works needed to service the proposed development. Prior to installing the watermain to service the proposed development, the Developer must submit Ministry of Environment 'Form 1' Record of Watermain.
11. That the Owner shall construct municipal infrastructure in accordance with the City of Welland Municipal Standards, Ontario Provincial Standards, the Issued for Construction Engineering drawing set, and any other standards that may apply.

12. That the Developer shall be responsible for the construction of all primary and secondary services, including sidewalks, boulevard plantings and sodding/hydroseeding in accordance with the approved engineering design drawings.
13. That the Developer agrees to install sidewalk, and grade/sod boulevards in accordance with the requirements of the Subdivision Agreement and Schedule 'B1'.
14. That at the end of the project, the design engineer shall certify that all grading, storm sewers and stormwater management controls have been constructed in conformity with the approved plans. Copies of the certification shall be circulated to the City of Welland and the Regional Municipality of Niagara.
15. Foundation drains will not be connected to sanitary sewer systems.
16. That roof water drainage from any structure or building shall be directed via downspouts discharging via splash pads (concrete or other suitable material) to grass surfaces. These splash pads shall extend a distance of 1.2 metres away from the structure and must direct the flow away from the building, not onto sidewalks or driveways, and not toward adjacent properties.
17. That all necessary easements required for utility and services purposes be granted to the appropriate Authority free and clear of encumbrances.
18. That the Owner agrees to dedicate to the City of Welland Block 16, free and clear of all encumbrances, for the purposes of a future road widening.
19. That the Owner provides a written acknowledgement to the Niagara Region Planning and Development Services Department stating that draft approval of this subdivision does not include a commitment of servicing allocation by the Niagara Region as servicing allocation will not be assigned until the plan is registered and that any pre-servicing will be at the sole risk and responsibility of the Owner.
20. That the Owner provides a written undertaking to the Niagara Region Planning and Development Services Department stating that all Offers and Agreements of Purchase and Sale or Lease, which may be negotiated prior to registration of this subdivision, shall contain a clause indicating that

servicing allocation for the subdivision will not be assigned until the plan is registered, and a similar clause be inserted in the subdivision agreement between the owner and the City.

21. That prior to final approval for registration of this plan of subdivision, the Owner shall submit the design drawings [with calculations] for the sanitary and storm drainage systems required to service this development and obtain Ministry of the Environment Compliance Approval under the Transfer of Review Program, or confirmation from the Region regarding the capacity/impacts to Regional infrastructure through the pending Consolidated Linear Environmental Compliance Approval process.
22. That prior to final approval for registration of this plan of subdivision, the Owner shall submit the design drawings and notes required in relation to the crossing of the Regional Trunk watermain.
23. That prior to approval of the final plan or any on-site grading, the Owner shall submit a detailed stormwater management plan for the subdivision and the following plans designed and sealed by a qualified professional engineer in accordance with the Ministry of Environment, Conservation and Parks' documents entitled Stormwater Management Planning and Design Manual March 2023 and Stormwater Quality Guidelines for New Development, May 1991, or their successors to Niagara Region Planning and Development Services for review and approval:
 - a. Detailed lot grading, servicing and drainage plans, noting both existing and proposed grades and the means whereby overland flows will be accommodated across the site;
 - b. Detailed erosion and sedimentation control plans.
24. That the subdivision agreement between the Owner and the City contain provisions whereby the Owner agrees to implement the approved Plan(s) required in accordance with the condition above.
25. That the Owner ensures that all streets and development blocks can provide an access in accordance with the Regional Municipality of Niagara policy and by-laws relating to curb side collection of waste and recycling throughout all phases of development. If developed in phases, where a through street is not maintained, the Owner shall provide a revised draft plan to reflect a proposed temporary turnaround/cul-de-sac with a minimum curb radius of 12.8 metres.

26. That the Owner shall complete to the satisfaction of the Director of Engineering of the City of Welland and Canada Post:

- a. Include on all offers of purchase and sale, a statement that advises the prospective purchaser:
 - i. That the home/business mail delivery will be from a designated Centralized Mailbox.
 - ii. That the developers/owners be responsible for officially notifying the purchasers of the exact Centralized Mail Box locations prior to the closing of any homes sales.
- b. The Owner further agrees to:
 - i. Work with Canada Post to determine and provide temporary suitable Centralized Mail Box locations which may be utilized by Canada Post until the curbs, boulevards and sidewalks are in place in the remainder of the subdivision.
 - ii. Install a concrete pad in accordance with the requirements of and in locations to be approved by Canada Post to facilitate the placement of Community Mailboxes.
 - iii. Identify the pads above the engineering servicing drawings. Said pads are to be poured at the time of sidewalk and/or curb installation within each phase of the plan of subdivision.
 - iv. Determine the location of all centralized mail receiving facilities in co-operation with Canada Post and to indicate the location of the centralized mail facilities on appropriate maps, information board and plans. Map are also to be prominently displayed in the sales office(s) showing specific Centralized Mail Facility locations.
- c. Canada Post's multi-unit policy, which requires that the Owner/Developer provide the centralized mail facility (front loading lockbox assembly or rear-loading mailroom [mandatory for 100 units or more]), at their own expense, will be in effect for buildings and complexes with a common lobby, common indoor or sheltered space.

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

Region of Niagara: 19-25
Canada Post: 26

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

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

ORIGIN AND BACKGROUND

Application for Draft Plan of Subdivision was submitted on October 4, 2022. The Application was deemed complete on October 26, 2022.

The purpose of the application for Draft Plan of Subdivision is to create fifteen (15) blocks for residential purposes and one (1) block for a Road Widening along Clare Avenue. The blocks used for residential purposes are anticipated to include fifty-seven (57) total dwellings and feature a mix of semi-detached and townhouse building typologies. A municipal road is proposed to provide an extension of Harvest Oak Drive to the east and connect to Clare Avenue.

COMMENTS AND ANALYSIS:

The Proposal

The request for Draft Plan of Subdivision is to create fifteen (15) blocks for semi-detached and townhouse dwellings. The property is currently designated as Low Density Residential in the City's Official Plan and Zoned Residential Low Density 2 – RL2 in Zoning By-law 2017-117.

The Site

The property is located on the west side of Clare Avenue, adjacent to the Urban Boundary between the City of Welland and Town of Pelham. To the west and south of the property is an existing residential subdivision (Winfield Estates). The property is currently vacant with frontage on both Clare Avenue and Harvest Oak Drive. The subject lands are municipally known as 905 Clare Avenue.

Surrounding Land Uses

To the north of the property are agricultural uses with single detached dwellings being located nearby. It is also an approved urban expansion area in Pelham. To the west and south and east of the property is predominantly residential uses with single detached dwellings.

Development and Agency Comments Received

Enbridge Gas Inc.
(December 2, 2022)

- Enbridge Gas Inc. does not object to the proposed application.
- This response does not constitute a pipe locate, clearance for construction or availability of gas.
- The applicant shall contact Enbridge Gas Inc.'s Customer Connections department by emailing CustomerConnectionsContactCentre@Enbridge.com to determine gas availability, service and meter installation details and to ensure all gas piping is installed prior to the commencement of site landscaping (including, but not limited to: tree planting, silva cells, and/or soil trenches) and/or asphalt paving.
- If the gas main needs to be relocated as a result of changes in the alignment or grade of the future road allowances or for temporary gas pipe installations pertaining to phased construction, all costs are the responsibility of the applicant.
- In the event that easement(s) are required to service this development, and any future adjacent developments, the applicant will provide the easement(s) to Enbridge Gas Inc. at no cost.

Niagara Region –
Planning and
Development
Services (December
2, 2022)

- The subject lands are located within the 'Settlement Area' under the *Provincial Policy Statement, 2020* ("PPS") and has split designation of 'Delineated Built-Up Area' and 'Designated Greenfield Area' in *A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020 Consolidation* ("Growth Plan"), and split designation of 'Urban (Built Up) Area' in the *Niagara Region Official Plan ('ROP')*. Staff note the majority of the property is mapped as Greenfield Area.
- Staff note there are no environmental concerns.
- The proposal for street towns and semi-detached dwellings will be an introduction of a new housing form in a predominantly single-detached neighbourhood, providing gentle density to the area, which Provincial and Regional policy supports.

- The Growth Plan and ROP direct that Greenfield Areas be planned to achieve a minimum density target of 50 residents and jobs per hectare across all Greenfield Areas in Niagara. A Greenfield Density calculation has been provided on the Draft Plan of Subdivision, which will yield a density of approximately 59.71 residents and jobs per hectare (based on 57 units, a total developable area of 2.31 hectares, 2.37 persons per household as provided for in Table 4-1 of the ROP, and assuming 5% of the residential units would generate "at home" employment). This exceeds the minimum density target of 50 residents and jobs per hectare, and will contribute to meeting the overall density target for Greenfield Areas across the City.
- Information related to site servicing, stormwater management, waste collection and the balance of Niagara Region comments can be reviewed via the attached Appendix.
- Regional Planning and Development Services staff offer no objection to the proposed Draft Plan of Subdivision as the proposal is consistent with the *Provincial Policy Statement*, and conforms to Provincial and Regional plans, subject to the Draft Plan Conditions.

Canada Post
Corporation
(February 28, 2023)

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

Infrastructure
Services –
Engineering Division
(November 28, 2022)

- Fire flow calculations are required as part of the Functional Servicing Report, please provide a calculation showing the required fire flow for the site as per the Fire Underwriters Survey Water Supply for Public Fire Protection (1999) or other appropriate standard. Please include this information in the Functional Servicing Report submitted as part of the detailed design submission.

- Stormwater quality controls are to be provided to MECP Enhanced Protection (80% TSS removal) levels prior to discharge, the report indicates Normal Protection (70% TSS removal). Please revise the report to reflect this prior to submission.
 - None of the storm drainage areas for this development will be permitted to outlet to the existing rear yard catch basin located at the north-west corner of #42 Countryside Drive.
 - The sidewalk on Clare Avenue that terminates at the southern limit of the property will need to be extended across the frontage.
- Planning and Development Services – Traffic Division (October 19, 2022)
- Installation of a stop sign will be required located on the approach of 'Street A' and Clare Avenue.
- Town of Pelham (March 24, 2023)
- The Town of Pelham has no concerns regarding the application.
 - Note, Clare Avenue is planned for urbanization.
 - The Town requests that future sidewalks on the west side of Clare Avenue will be designed to connect to sidewalks in the City of Welland (including along the frontage of this development).

Public Comments Received

The Application was circulated to the public in accordance with the requirements of the Planning Act at the time of application. A hybrid (virtual/in-person) Public Information Meeting was held on November 30, 2022 to gain public input regarding the proposed application. Six (6) members of the public participated in the Public Information Meeting, in addition to the Agent and Owner(s). The following comments and concerns were raised at the Public Information Meeting:

- Potential lack of parkland and degradation of existing facilities due to an increased population in the area;
- Disruption of electrical servicing to the area and prevention of existing homes to upgrade their service due to additional strain on the system;
- Confirmation of existing Zoning and permitted uses on the Subject Lands;
- Confirmation that the proposed Road Widening is limited to a portion of Clare Avenue;

- Traffic issues related to the presence of construction and additional vehicles of the new residents, specifically, at the intersection of Countryside Drive and South Pelham Road;
- Confirmation of proposed servicing design and that it will not adversely affect the adjacent area.

The Statutory Public Meeting under the Planning Act at the time of application submission was held on December 20, 2022.

At the time of writing this report three (3) letters from residents was received. In addition to the comments made at the Public Information Meeting, the following comments and concerns were raised:

- Lack of compatibility with the existing neighbourhood; and,
- Traffic concerns.

Planning Analysis:

Provincial Policy

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

The effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;

- No significant ecological systems exist on the property.
- The lands are not currently zoned or designated for agricultural uses.
- There are no natural resources on this property.
- No Archeological Assessment was required for this property.
- The proposal does not include any information regarding energy and water conservation methods that will be implemented at the time of construction. The construction of the homes will be required to meet the Ontario Building Code (OBC) which contains energy efficiency requirements.
- The property is within the City's Urban Area and is supplied by

servicing. There are no capacity issues that are created as a result of this development

- The property is being serviced by Regional Waste Collection.
- The property is within the Urban Boundary and will not require an expansion to the Urban Area.
- It is the responsibility of the individual property owners to incorporate any accessibility measures into the house designs
- District School Board of Niagara (DSBN) planning staff offer have offered no objections to the application.
- The development does not include any affordable housing units; however, each dwelling could contain an accessory dwelling unit, which would provide additional affordable housing units in the City.
- As the development is entirely residential, there are no employment opportunities that will be created. The City's Zoning By-law does permit home occupations, and therefore, there may be home based businesses that will be established in the neighbourhood. Additionally, work-from-home opportunities may be utilized.
- Development of the lands will lead to an increase in tax revenues to the City, which will contribute to the overall financial benefit of the City.

- All relevant agencies have been circulated the application and their comments have been included, where appropriate.
- No known public or private conflicts exist with the subject lands
- No known risks to public health and safety have been identified.
- The property is within the City's urban boundary and built boundary. The development of these lands will utilize undeveloped lands within the City's urban boundary and represent an infilling opportunity and takes advantage of existing greenfield lands.
- The subject lands are located within walking distance from two transit lines (502 and 504) along Clare Avenue. Sidewalks are available or are anticipated to be constructed in the area.
- The proposal has been made for the creation of fifteen (15) residential blocks to facilitate the construction fifty-seven (57) total dwelling units. The existing neighbourhood is predominantly low density residential. The proposed residential development will be consistent with the character and is considered to be compatible with the adjacent neighbourhood and future vision.

Whether the proposed subdivision is premature or in the public interest;

- The development is not anticipated to create adverse impacts on a changing climate.
- The subject lands are accessible by the municipal road network and can connect to municipal infrastructure. The lands are within the Urban Boundary of the City of Welland and are designated as Low Density Residential. The development of these lands is appropriate, and the required studies have been completed to ensure all required mitigation measures are taken and no negative impacts on natural or cultural heritage features occur.

Whether the plan conforms to the official plan and adjacent plans of subdivision, if any;

- The proposed plan of subdivision is consistent with the surrounding development. The development meets the intent and purpose of the Official Plan.

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

- The lands are within the Urban Boundary and have access to services. The proposed lots are outside of any environmental or culturally constrained areas.

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

- The lands are accessed from Harvest Oak Drive to the west and Clare Avenue to the east. The proposed development anticipates the extension of Harvest Oak Drive to create a connection to Clare Avenue. All roads will be maintained by the City of Welland upon assumption. All roads are

considered to be able to accommodate the traffic that will be created by a fifty-seven (57) unit residential development.

The dimensions and shapes of the proposed lots;

- The proposed lots are consistent with similar uses in the area. The lots meet the minimum size and frontage requirements of the City's Zoning By-law 2017-117.

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

- No restrictions are proposed for the land to be subdivided or the buildings proposed to be erected on it.

Conservation of natural resources and flood control;

- No known natural resources exist on the property. A Functional Servicing Report and Stormwater Management Plan have been prepared and will be further reviewed by the Engineering Division for approval prior to registration of a Subdivision Agreement.

The adequacy of utilities and municipal services;

- There is capacity in the existing municipal infrastructure to accommodate this development.

The adequacy of school sites;

- The school sites within the City can accommodate the additional students.

The area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;

- The development will not provide any land within the proposed subdivision that is to be conveyed or dedicated for public purposes. The development is subject to a

cash-in-lieu of parkland in accordance with the Planning Act and City policies.

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

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

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

- As the property is being developed through a Plan of Subdivision and the Plan is to facilitate semi-detached and street townhouse dwellings, Site Plan Control would not apply to this development as proposed.

The Provincial Policy Statement (PPS) provides policy direction for all land use within the Province. All land use decisions in the Province must be consistent with the policies in this document. The PPS encourages development to occur in an orderly and efficient manner which takes advantage of existing municipal infrastructure. It encourages developments to include a range of housing types to provide options for all residents. It also encourages developments to promote active transportation, as well as ensuring developments have access to recreational and employment opportunities. The proposed development is within an area that has municipal infrastructure (water, sanitary, storm, electrical, etc.) and is within a reasonable distance to commercial, recreational and institutional uses. The residential use will provide continuity of the existing residential development in the adjacent area to the south, west and east. The proposed Draft Plan of Subdivision is consistent with the policies of the PPS.

The Places to Grow Growth Plan for the Greater Golden Horseshoe (Growth Plan) identifies that this property is within the delineated Built-Up area and Designated Greenfield Area. The purpose of the Growth Plan is to direct growth and development to serviced areas of the municipalities. The Region has allocated to the City of Welland an intensification rate of 75% in the Regional Official Plan (ROP). A portion of the subject lands are within the Built-Up area, and will therefore contribute towards meeting the City's intensification target. Existing municipal infrastructure is available to be connected to in the adjacent area. The development will accommodate active transportation through the

inclusion of pedestrian walkways. The property is located adjacent to the Stop 19 Pathway and is accessible for cycling, walking, etc. The property's proposed development is considered to assist in providing gentle density to the neighbourhood with a compatible land use.

Section 2.2.7 Designated Greenfield Areas of the Growth Plan considers how growth is to be managed and organized. The applicable policies related to this Section are considered below:

Section 2.2.7 (1) New *development* taking place in *designated greenfield areas* will be planned, designated, zoned and designed in a manner that:

- It is noted that Niagara Region has completed and implemented a new Official Plan as of November 4, 2022. The lands are identified as 'Urban (Built-Up) Area' and 'Urban (Greenfield) Area.'

a) supports the achievement of *complete communities*;

- The proposed development will support the achievement of complete communities as defined in the Growth Plan as:
- A community that supports people of all ages and abilities to conveniently access most of the necessities for daily living, including an appropriate mix of ... housing. *Complete communities* are age-friendly and may take different shapes and forms appropriate to their context.

b) supports *active transportation*;

- The proposal anticipates the sidewalks throughout the development.
- The location is within walking distance of public transportation.
- Various trails are within the adjacent areas; including, the Stop 19 Trail system.

c) encourages the integration and sustained viability of transit services.

- The subject lands are located within an area that may make use of available transit services (Line 502 and 504) and assist in the sustained viability of those services.

The Growth Plan identifies the minimum residents and jobs to be targeted for Designated Greenfield Areas as 50 residents and jobs combined per hectare. The proposed development is considered to exceed this minimum target with a combined residents and jobs per hectare of approximately 59.7.

Section 2.2.2 Delineated Built-Up Area of the Growth Plan considers how growth is to be managed and organized. The applicable policies related to this Section are considered below:

Section 2.2.2. (1) By the time the next municipal comprehensive review is approved and in effect, and for each year thereafter, the applicable minimum intensification target is as follows:

(1) (a) A minimum of 50 percent of all residential development occurring annually within each of the cities of Barrie, Brantford, Guelph, Hamilton, Orillia and Peterborough and the Regions of Durham, Halton, Niagara, Peel, Waterloo and York will be within the *delineated built-up area*.

Section 2.2.2. (3) All municipalities will develop a strategy to achieve the minimum intensification target and *intensification* throughout *delineated built-up areas*, which will:

- It is noted that Niagara Region has completed its municipal comprehensive review (MCR). The lands are to continued to be designated as Urban (Built-Up) Area and Urban (Greenfield Area).
- The proposed development will support and satisfy the meeting of minimum targets for intensification within the City's delineated Built-Up Area. It is noted that the Region has identified the minimum target for intensification to be 75% in their recently completed MCR.
- A portion of the subject lands are within the City's Built-Up Area. Development within the *delineated built-up area* will

Section 2.2.2 (3) (a) Identify *strategic growth areas* to support achievement of the intensification target and recognize them as a key focus of development;

(b) identify the appropriate type and scale of development in *strategic growth areas* and transition of built form to adjacent areas;

(c) encourage *intensification* generally throughout the *delineated built-up area*;

(d) ensure lands are zoned and development is designed in a manner that supports the achievement of *complete communities*;

(e) prioritize planning and investment in *infrastructure* and *public service facilities* that will support *intensification*; and

(f) be implemented through official plan policies and designations, updated zoning and other supporting documents.

contribute the City's intensification target.

- Public services are available in the nearby area. The proposed subdivision is an efficient use of available infrastructure and services already in place.
- The subject lands are consistent with the type, scale and organization of development as identified in the City's Official Plan. The general purpose and intent of policy documents is satisfied through the proposed development.
- A portion of the lands are identified as being within the Built-Up Area as per local and regional Official Plans.
- The proposed development satisfies the current zoning. The proposed building typologies are consistent with adjacent areas. The overall development will support the creation of a complete community.
- Public service facilities and infrastructure currently exist in the area. The proposed subdivision is an efficient use of these items.
- The proposed development is consistent with Official Plan policies and meets intent of the Zoning By-law.

The subject lands are within the Urban Area and a portion of the lands are considered to be within the Built-Up area of the City of Welland. The proposed

development will have access to existing municipal services. These Draft Plan of Subdivision meets the intent and purpose of the Growth Plan.

Region of Niagara Official Plan

The subject lands are designated 'Urban (Built Up) Area' and 'Urban (Greenfield) Area' in the Regional Official Plan (ROP). A full range of residential, commercial and industrial uses are generally permitted within the urban area designation, subject to the availability of adequate municipal services and infrastructure. The ROP promotes development within the Urban Area that contributes to the overall goal of providing a sufficient supply of housing that is affordable, accessible and suited to the needs of a variety of households and income groups in Niagara.

The proposed Draft Plan of Subdivision is considered to align with the intent and direction of regional and provincial policy.

City of Welland Official Plan

The property is designated as Low Density Residential in the City's Official Plan. Permitted uses within the Low-Density Residential designation include; single detached, semi-detached, triplexes, townhouses and duplex housing units with a minimum density of 15 dwellings units per net hectare of land and maximum density of 24 dwelling units per net hectare of land. The subject lands will contain fifty-seven (57) lots for semi-detached and townhouse dwellings. The density is anticipated to be approximately 24 units per hectare, which is consistent with the minimum low density development established in the Official Plan.

The Official Plan states that new development in existing neighbourhoods shall improve upon the existing build form and character. The Plan also states that greenfield development is intended to be developed denser, more compact ... transit supportive neighbourhoods on its Greenfield Areas that allow for the efficient use of land, infrastructure and public service facilities. Development should also meet Welland's Greenfield Area density target of 50 residents and jobs per gross hectare. The proposed development is considered to meet this criteria with a total density of approximately 59.7 residents and jobs per hectare.

The City's Official Plan also includes a list (Section 4.2.3.6) of items that should be examined when reviewing applications for development in existing neighbourhoods. The criteria that should be examined when reviewing infilling applications are listed below with an assessment of their achievements:

Land use and neighbourhood character compatibility;

- The surrounding neighbourhood includes existing residential uses and lands for future residential development. The adjacent lands to the northeast are within the City's Northwest Secondary Area and will be subject to further development in the near future. The proposal is considered to be in keeping with

the character of the neighbourhood and compatible with adjacent development.

Lot pattern and configuration;

- The proposed lots are generally consistent in size with similar land uses in the area.

Accessibility;

- The lots will be accessed via public Right-of-Ways. Any additional accessibility measures will be at the discretion of the individual home owners.

Parking requirements;

- The Zoning By-law requires that one parking space be provided for every dwelling unit. The proposed development is able to meet the required parking requirements.

The potential for additional traffic and traffic manoeuvrability;

- The proposed creation of 57 new residential lots fronting onto a public Right of Way is not expected to adversely impact traffic movement in the area.

The potential for transit ridership;

- There are currently two transit lines in the nearby area – Line 502 and 504.

Natural (including natural hazards) and built heritage conservations/protection; The available capacity of municipal infrastructure; and,

- No known natural features exist on the lands. The lands do not include any built heritage.
- It is assumed that there is capacity in the existing system to service the proposed lots. As a condition of approval, the City's Engineering Division has requested that relevant drawings and information be prepared to confirm capacity.

Residential intensification targets identified in this Plan.

- The City has targeted that 75% of all new residential development within the City will be created via intensification. This proposed development contributes to the target.

City of Welland Zoning By-law 2017-117

The subject lands are zoned Residential Low Density 2 – RL2. The RL2 Zone permits single detached, semi-detached, two-unit dwellings, townhouses and multiple units. The proposed lots meet the minimum area and frontage

requirements for lots in this Zone. Any new dwellings will be required to meet the minimum setback and coverage requirements. All parking must be in compliance with Section 6 of the Zoning By-law.

The proposed development is considered to meet the general intent and purpose of the City's Zoning By-law 2017-117.

Public Comments

Several comments and concerns were raised regarding the potential traffic issues that may be generated as a result of the proposed development. The comments are addressed further, below:

- Upon receipt of the aforementioned comments the applicant was requested to provide additional information related to the intersection at South Pelham Road and Countryside Drive.
- The applicant submitted the requested information on December 19, 2022 in the form of a Memo prepared by Paradigm Transportation Solutions Limited.
- The submitted Memo confirmed that the development is anticipated to create a total of three (3) additional trips during peak hours on the operations of South Pelham Road which is not considered to have an adverse impact.
- Upon review by the City's Traffic Division, no additional comments were generated.
- A copy of this Memo has been included as an appendix to this report.

FINANCIAL CONSIDERATION:

Any costs associated with the development of the subject lands will be the responsibility of the Owner.

OTHER DEPARTMENT IMPLICATIONS:

Other agencies and divisions have been circulated the file for review and comment. Where appropriate, their comments and conditions have been included as part of this report.

SUMMARY AND CONCLUSION:

The proposed application for Draft Plan of Subdivision to develop the lands with fifteen (15) residential blocks for development of semi-detached and townhouse dwellings, represents good planning because:

1. It is consistent with provincial, regional and City policies regarding intensification and efficient use of land and resources within the Urban Area;

2. Provides a varied building typology that contributes to the City's diverse housing stock and supply; and,
3. Represents an organized and logical development while being compatible to neighbouring areas.

Staff recommend the application for Draft Plan of Subdivision be approved, subject to the conditions contained in the Recommendations section of this report.

ATTACHMENTS:

- | | | |
|--------------|---|---|
| Appendix I | - | Key Map |
| Appendix II | - | Draft Plan of Subdivision |
| Appendix III | - | Paradigm Transportation Solutions Transportation Impact
Brief Memo |
| Appendix IV | - | Correspondence |

Town of Pelham



Location Map

905 Clare Avenue



Subject Lands

[illegible]

GREENFIELD DENSITY CALCULATION				
People		Jobs		
	Units	Units	Ratio	Total
	57 Overalls	12.57	5% of total employment	2.85 jobs
	57 Overalls	57	Drawings	57 jobs
	13.00 people			2.85 jobs
	137.94 people and jobs			
	2.31 inclusions			
	59.71 people and jobs per hectare			

DRAFT PLAN OF SUBDIVISION

LEGAL DESCRIPTION

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

OWNER'S CERTIFICATE

BLING THE REGISTERED OWNER, I HEREBY
AUTHORIZE UPPER CANADA CONSULTANTS TO
PREPARE AND SUBMIT THIS DRAFT PLAN OF
SUBDIVISION TO THE CITY OF WILLOW
FOR APPROVAL.

SURVEYOR'S CERTIFICATE

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

REQUIREMENTS OF SECTION OF THE PLANNING ACT

LAND USE SCHEDULE		LAND USE	
1) SET PLAN	2) SET PLAN	1) LAND USE	2) LAND USE
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**DRAFT PLAN OF
SUBDIVISION**

PRINTED SEPTEMBER 29, 20	
SCALE 1:400	
DWG No.	REV
22110-DP	0



5A-150 Pinebush Road
Cambridge ON N1R 8J8
p: 519.896.3163
905.381.2229
416.479.9684

www.ptsl.com

19 December 2022
Project: 220333

Ken Gonyou
Land Development Director
Mountainview Building Group
3350 Merrittville Highway, Unit #9
Thorold ON L2V 4Y6

**RE: 905 CLARE AVENUE, CITY OF WELLAND
TRANSPORTATION IMPACT BRIEF – RESIDENTIAL DEVELOPMENT
SOUTH PELHAM ROAD TRAFFIC IMPACTS**

The residential development located at 905 Clare Avenue (57 residential units) in the City of Welland is forecast to generate approximately 45 new AM peak hour vehicle trips and approximately 59 new PM peak hour trips¹.

The amount of traffic generated by the site is forecast using Institute of Transportation Engineers (ITE) Trip Generation data. The ITE Trip Generation² is a nationally recognised resource for estimating vehicle trip generation for a wide range of land uses. Land Use Code 210 (Single-Family Detached Housing) is used to provide a conservative estimate of site generated traffic. The use of land use code data for townhouse dwellings would result in a lower trip generation estimate.

The study area intersections assessed in the September 2022 Transportation Impact Brief (TIB), included the Harvest Oak Drive intersection with Countryside Drive and the proposed intersection with Clare Avenue. The scope of the TIB including the subject intersections were reviewed and approved by the City of Welland. These intersections are expected to see the highest increases in traffic related to the new homes given their proximity to the site and the expected trip distribution.

We understand that a local resident has provided comments about the traffic volumes generated by the subject site traveling to/from South Pelham Road and the potential impact of site generated traffic on the South Pelham Road intersection with Countryside Drive.

The proposed new homes are expected to increase traffic volumes on the adjacent road network, including but not limited to Clare Avenue, Heritage Lane, Countryside Drive, and

¹ Paradigm Transportation Solutions Limited. Transportation Impact Brief – Residential Development 905 Clare Avenue, City of Welland, (Cambridge: September 2022).

² Institute of Transportation Engineers, Trip Generation Manual, 11th ed., (Washington, DC: ITE, 2021).

South Pelham Road. As traffic volumes disperse throughout the road network, the impacts of the traffic become less and less.

The TIB estimated that approximately two new AM peak hour trips (one inbound and one outbound) would be attracted towards South Pelham Road via Countryside Drive. During the PM peak hour three new trips (two inbound and one outbound) are forecast to be attracted towards South Pelham Road via Countryside Drive. The trip estimate considers the layout of the site and the general layout of municipal road network. Clare Avenue runs parallel to South Pelham Road and provides a direct north/south travel within the municipal road network. Should traffic volumes on South Pelham Road be an actual or perceived capacity constraint, residents of the site, and nearby residents can shift their travel patterns towards Clare Avenue in an attempt to save time. It should also be noted that 12 of the proposed units (21%) are proposed to have direct driveway access to Clare Avenue.

The expected increase in site traffic traveling to/from South Pelham Road is less than the two-way variation in traffic volumes using Countryside Drive during the four peak hour 15-minute intervals during in AM and PM peak hours. This means that the two-way traffic volumes on Countryside Drive vary by more than three trips every 15 minutes.

The impact of approximately three additional trips on the operations of South Pelham Road is not expected to have a significant impact on the intersection operations. The impact of the additional trips on South Pelham Road would be expected to be negligible and would likely not result in the need for any remedial measures to address intersection capacity.

Should local residents experience actual or perceived capacity constraints at the South Pelham Road intersection, alternative points of access are provided to the area and new municipal road connection to Clare Avenue is proposed. The three municipal connections (Countryside Drive, Heritage Lane, and proposed extension of Harvest Oak Drive) will provide an appropriate amount of capacity to the local residents.

We trust that this letter adequately addresses the transportation concerns related the site traffic impacts on South Pelham Road at this time. Please do not hesitate to contact us if we can be of any further assistance.

Thank you very much.

PARADIGM TRANSPORTATION SOLUTIONS LIMITED



Scott Catton, C.E.T.
Senior Project Manager, Associate



Stew Elkins, B.E.S.
Vice President and CRO, Principal



Appendix IV



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

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

February 28, 2023

TAYLOR MEADOWS
CITY OF WELLAND
60 EAST MAIN STREET
WELLAND, ON L3B 3X4

Re: Harvest Oak Extension – 905 Clare Ave

Dear Taylor,

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

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

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

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

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

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

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

I appreciate the opportunity to comment on this project.

Regards,

A. Carrigan

Andrew Carrigan
Delivery Services Officer
Andrew.Carrigan@canadapost.ca

MEMORANDUM

Infrastructure Services Engineering Division

TO: Taylor Meadows, BURPI
Development Planner

FROM: Tolga Aydin, C.E.T.
Development Technologist

CC: Samantha McCauley, P.Eng.
Senior Project Manager – Development

DATE: November 28, 2022

SUBJECT: Harvest Oak Extension
Draft Plan of Subdivision

The submitted drawings and documents for Draft Plan of Subdivision application for this subdivision were reviewed for conformity with the City of Welland Municipal Standards. Corrections and/or comments made as part of this review do not relieve the Design Engineer of responsibility for conformance with local municipal standards, MECP compliance, NPCA compliance, and applicable codes and laws.

The following documents were reviewed:

- Functional Servicing Report, Revision 0, dated September 2022, by Upper Canada Consultants
- Draft Plan of Subdivision, Revision 0, dated July 18, 2022, by Upper Canada Consultants
- 905 Clare Avenue Pre-Consultation Form, dated June 16, 2022

After review, Engineering has the following comments:

1. Fire flow calculations are required as part of the Functional Servicing Report, please provide a calculation showing the required fire flow for the site as per the Fire Underwriters Survey Water Supply for Public Fire Protection (1999) or other appropriate standard. Please include this information in the Functional Servicing Report submitted as part of the detailed design submission.
2. Stormwater quality controls are to be provided to MECP Enhanced Protection (80% TSS removal) levels prior to discharge, the report indicates Normal Protection (70% TSS removal). Please revise the report to reflect.

3. None of the storm drainage areas for this development will be permitted to outlet to the existing rear yard catch basin located at the north-west corner of #42 Countryside Drive.
4. The sidewalk on Clare Avenue that terminates at the south limit of the property will need to be extended across the frontage.



Enbridge Gas Inc.
500 Consumers Road
North York, Ontario M2J 1P8
Canada

December 2, 2022

Taylor Meadows
Development Planner
Planning Division, Planning & Development Services
City of Welland
60 East Main Street
Welland, ON L3B 3X4

Dear Taylor,

Re: Draft Plan of Subdivision
Mountainview Developments Gen II Ltd.
905 Clare Avenue
City of Welland
File No.: 26T-14-22002

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

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

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

If the gas main needs to be relocated as a result of changes in the alignment or grade of the future road allowances or for temporary gas pipe installations pertaining to phased construction, all costs are the responsibility of the applicant.

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

Sincerely,

Casey O'Neil
Sr Analyst Municipal Planning
Engineering

ENBRIDGE
TEL: 416-495-5180
500 Consumers Rd. North York, ON M2J1P8
enbridge.com
Safety. Integrity. Respect. Inclusion.

Planning and Development Services

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

Via Email Only

December 2, 2022

Region File: D.11.11.SD-22-0041

Taylor Meadows
Development Planner
City of Welland
60 East Main Street
Welland, ON, L3B 3X4

Dear Mr. Meadows:

**Re: Regional and Provincial Comments
Proposed Draft Plan of Subdivision
City File: 26T-14-22002
Applicant: Mountainview Developments Gen II Ltd.
Agent: Upper Canada Consultants
905 Clare Avenue (Harvest Oak Extension)
City of Welland**

Regional Planning and Development Services staff has reviewed the above-mentioned Harvest Oak Extension Draft Plan of Subdivision application on lands known municipally as 905 Clare Avenue in the City of Welland. The application proposes 15 blocks with a total of 57 residential dwellings (47 street towns and 10 semi-detached dwellings), as well as a block for a required road widening.

A pre-consultation meeting was held on June 16, 2022 with the Agent and staff from the City and Region in attendance. Regional staff note that the new *Niagara Official Plan* ("NOP") was approved with modifications by the Minister of Municipal Affairs and Housing, coming into effect on November 4, 2022 and replacing the *Regional Official Plan* ("ROP"). Based on correspondence between the City and the Agent, the application as deemed complete by the City of Welland on October 26, 2022, therefore the policies of the ROP apply. The following comment are provided from a Provincial and Regional perspective to assist the City in their consideration of the application.

Provincial and Regional Policies

The subject land is located within the 'Settlement Area' under the *Provincial Policy Statement, 2020* ("PPS") and has split designation of 'Delineated Built-Up Area' and

'Designated Greenfield Area' in *A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020 Consolidation* ("Growth Plan"), and split designation of 'Urban (Built-Up) Area' and 'Urban (Greenfield) Area' in the ROP. Staff note the majority of the property is mapped as Greenfield Area.

Provincial and Regional policies direct growth to take place within the Urban Area to support intensified development where there is existing or planned servicing and infrastructure. These same policy frameworks place and emphasis on intensification and infill to foster the development of complete communities that have a mix of diverse land uses and housing choices, improve social equity and quality of life, expand access to multiple forms of transportation, and provide spaces that are vibrant and resilient in their design. A full range of residential uses are permitted generally within the Urban Area designation, subject to the availability of adequate municipal services and infrastructure and other policies relative to land use compatibility and environmental conservation. Staff note there are no environmental concerns.

The proposal for street towns and semi-detached dwellings will be an introduction of a new housing form in a predominately single-detached neighbourhood, providing gentle density to the area, which Provincial and Regional policy supports.

The Growth Plan and ROP direct that Greenfield Areas be planned to achieve a minimum density target of 50 residents and jobs per hectare across all Greenfield Areas in Niagara. A Greenfield Density calculation has been provided on the Draft Plan of Subdivision, which will yield a density of approximately 59.71 residents and jobs per hectare (based on 57 units, a total developable area of 2.31 hectares, 2.37 persons per household as provided for in Table 4-1 of the ROP, and assuming 5% of the residential units would generate "at home" employment). This exceeds the minimum density target of 50 residents and jobs per hectare, and will contribute to meeting the overall density target for Greenfield Areas across the City.

Site Servicing

Servicing will be under the jurisdiction of the City of Welland and will require the construction of a new water main, storm sewer and sanitary sewer. The Region must review and approve any new/extended sanitary and storm sewers under the Ministry of Environment, Conservation, and Parks ("MECP") Transfer of Review Program or pending Consolidated Linear Environmental Compliance Approval process. Drawings with calculations for the services must be submitted to this department for approval.

Staff note that there is a 750mm diameter Regional watermain located on Clare Avenue. If any proposed servicing for the development is to cross the Regional watermain, detailed plan and profile drawings of the crossing must be submitted to the Region for review and approval by Water and Wastewater Engineering staff prior to the approval for registration of this plan of subdivision.

Stormwater Management

The submitted *Functional Servicing Report*, prepared by Upper Canada Consultants (dated September 2022), includes a conceptual quality and quantity control plan to manage the development stormwater. The details of the stormwater quality control plan will be required at the time of engineering design to ensure the following requirements will be met:

- Stormwater runoff from the development is to be collected and treated to a Normal protection (i.e. 70% long-term suspended solids removal) prior to discharge from the site; and
- Prior to construction, Niagara Region will require that detailed grading, servicing and construction erosion/sediment control plans be submitted to this office for review and approval.

Waste Collection

Niagara Region provides curbside waste and recycling collection for developments that meet the requirements of Niagara Region's Waste Collection Policy. The subject property is eligible to receive Regional curbside waste and recycling collection provided that the owner bring the waste and recycling to the curbside on the designated pick up day, and that the following limits are met:

- Garbage: 2 bags/cans (collected bi-weekly);
- Recycling: Unlimited blue/grey boxes or carts (collected weekly);
- Organics: Unlimited green bins or carts (collected weekly).
- Curbside Collection Only.

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

Conclusion

Regional Planning and Development Services staff offer no objection to the proposed Draft Plan of Subdivision as the proposal is consistent with the *Provincial Policy Statement*, and conforms to Provincial and Regional plans, subject to the attached conditions.

If you have any questions related to the above comments, please contact the undersigned at Katie.Young@niagararegion.ca, or Pat Busnello, Manager of Development Planning at Pat.Busnello@niagararegion.ca. Please send a copy of the staff report and notice of Council's decision on the application.

Kind regards,

A handwritten signature in cursive script that reads "Katie Young".

Katie Young, RPP
Development Planner

cc: Pat Busnello, MCIP, RPP, Manager of Development Planning
Chris Pirkas, Development Approvals Technician

Appendix
Regional Conditions of Draft Plan of Subdivision Approval
905 Clare Avenue, City of Welland

1. That the owner provides a written acknowledgement to the Niagara Region Planning and Development Services Department stating that draft approval of this subdivision does not include a commitment of servicing allocation by the Niagara Region as servicing allocation will not be assigned until the plan is registered and that any pre-servicing will be at the sole risk and responsibility of the owner.
2. That the owner provides a written undertaking to the Niagara Region Planning and Development Services Department stating that all Offers and Agreements of Purchase and Sale or Lease, which may be negotiated prior to registration of this subdivision, shall contain a clause indicating that servicing allocation for the subdivision will not be assigned until the plan is registered, and a similar clause be inserted in the subdivision agreement between the owner and the City.
3. That prior to final approval for registration of this plan of subdivision, the owner shall submit the design drawings [with calculations] for the sanitary and storm drainage systems required to service this development and obtain Ministry of the Environment Compliance Approval under the Transfer of Review Program, or confirmation from the Region regarding the capacity/impacts to Regional infrastructure through the pending Consolidated Linear Environmental Compliance Approval process.
4. That prior to final approval for registration of this plan of subdivision, the owner shall submit the design drawings and notes required in relation to the crossing of the Regional Trunk watermain.
5. That prior to approval of the final plan or any on-site grading, the owner shall submit a detailed stormwater management plan for the subdivision and the following plans designed and sealed by a qualified professional engineer in accordance with the Ministry of the Environment, Conservation and Parks' documents entitled Stormwater Management Planning and Design Manual March 2003 and Stormwater Quality Guidelines for New Development, May 1991, or their successors to Niagara Region Planning and Development Services for review and approval:
 - a) Detailed lot grading, servicing and drainage plans, noting both existing and proposed grades and the means whereby overland flows will be accommodated across the site;
 - b) Detailed erosion and sedimentation control plans.
6. That the subdivision agreement between the owner and the City contain provisions whereby the owner agrees to implement the approved plan(s) required in accordance with the Condition above.

7. That the owner ensure that all streets and development blocks can provide an access in accordance with the Regional Municipality of Niagara policy and by-laws relating to the curb side collection of waste and recycling throughout all phases of development. If developed in phases, where a through street is not maintained, the owner shall provide a revised draft plan to reflect a proposed temporary turnaround/cul-de-sac with a minimum curb radius of 12.8 metres.

Clearance of Conditions

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

Subdivision Agreement

Prior to final approval for registration, a copy of the executed Subdivision Agreement for the proposed development should be submitted to Niagara Region for verification that the appropriate clauses have been included. Niagara Region recommends that a copy of the draft agreement be provided in order to allow for the incorporation of any necessary revisions prior to execution.

Note: Clearance requests shall be submitted to the Region in accordance with the Memorandum of Understanding, which stipulates that requests for formal clearance of conditions are to be received and circulated to the Region by the local municipality. The local municipality is also responsible for circulating a copy of the draft agreement, and the Region is unable to provide a final clearance letter until the draft agreement is received. The Region is committed to reviewing submissions related to individual conditions prior to receiving the formal request for clearance. In this regard, studies and reports (one hard copy and a PDF digital copy) can be sent directly to the Region with a copy provided to the local municipality.

MEMORANDUM

Infrastructure Services Engineering Division

TO: Taylor Meadows, BURPI
Planning Supervisor – Development

FROM: Tolga Aydin, C.E.T.
Development Technologist

CC: Livia McEachern, P.Eng.
Manager of Engineering

DATE: February 28, 2023

SUBJECT: Draft Plan of Subdivision Conditions – Engineering
Harvest Oak Extension

1. That the Developer shall submit full engineering design drawings to the City of Welland's Engineering Division for review and approval, including Site Servicing, Site Grading, General Notes and Details, Plan and Profile, Sediment Erosion and Control Plan, Storm Drainage Area, Sanitary Drainage Area, and Landscaping Plans.
2. That a Servicing Study Report indicating that the receiving storm sewers and sanitary sewers can accommodate the additional flows, and that adequate fire flows can be provided to the development be submitted to the City of Welland for review to the satisfaction of the Director of Infrastructure Services/City Engineer.
3. That the Developer submit to the City of Welland for review and approval by the Director of Infrastructure Services/City Engineer, a detailed stormwater management plan for the subdivision
4. That prior to any site alteration, approval from the Director of Infrastructure Services/City Engineer is required. The Developer shall submit all supporting materials and engineering design, prepared by a qualified professional, as required by the City or any applicable authority, and shall agree to implement the recommendations of the reports, studies, and plans.
5. That prior to registration of this plan, the Developer must obtain Environmental Compliance Approval from the Ministry of Environment,

Conservation and Parks for sewer and storm water management works needed to service the proposed development. Prior to installing the watermain to service the proposed development, the Developer must submit Ministry of Environment 'Form 1' Record of Watermain.

6. The Owner shall construct all municipal infrastructure in accordance with the City of Welland Municipal Standards, Ontario Provincial Standards, the Issued for Construction Engineering drawing set, and any other standards that may apply.
7. That the Developer shall be responsible for the construction of all primary and secondary services, including sidewalks, boulevard plantings and sodding/hydroseeding in accordance with the approved engineering design drawings.
8. That the Developer agrees to install sidewalk, and grade and sod boulevards in accordance with the requirements of the Subdivision Agreement and Schedule 'B1'.
9. That at the end of the project, the design engineer shall certify that all grading, storm sewers, and stormwater management controls have been constructed in conformity with the approved plans. Copies of the certification shall be circulated to the City of Welland and the Regional Municipality of Niagara.
10. Foundation drains will not be connected to sanitary sewer systems.
11. That roof water drainage from any structure or building shall be directed via downspouts discharging via splash pads (concrete or other suitable material) to grass surfaces. These splash pads shall extend a distance of 1.2 metres away from the structure and must direct the flow away from the building, not onto sidewalks or driveways, and not toward adjacent properties.
12. That all necessary easements required for utility and services purposes be granted to the appropriate Authority free and clear of encumbrances.
13. That the Owner agrees to dedicate to the City of Welland, BLOCK 16, free and clear of all encumbrances, for the purposes of future road widening.

Irene McDonald

From: Taylor Meadows
Sent: March 28, 2023 12:38 PM
To: Irene McDonald
Subject: FW: 905 Clare Avenue - Harvest Oak Extension Subdivision (File No. 26T-14-22002) - TIA Brief



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

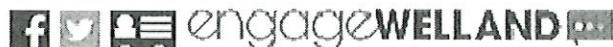


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From: Taylor Meadows
Sent: Thursday, March 16, 2023 10:55 AM
To: Irene McDonald <irene.mcdonald@welland.ca>
Subject: FW: 905 Clare Avenue - Harvest Oak Extension Subdivision (File No. 26T-14-22002) - TIA Brief



Taylor Meadows
Planning Supervisor - Development
Planning Division
Planning & Development Services
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From: Ali Khan <ali.khan@welland.ca>

Sent: Tuesday, December 20, 2022 9:06 AM

To: Taylor Meadows <taylor.meadows@welland.ca>

Subject: RE: 905 Clare Avenue - Harvest Oak Extension Subdivision (File No. 26T-14-22002) - TIA Brief

Hi Taylor,

I have no further comments.

Regards,



Muhammad Ali Khan, M.A.Sc; P.Eng.

Manager, Traffic/Parking/ Bylaws

Planning and Development Services

Corporation of the City of Welland

60 East Main Street, Welland, Ontario L3B 3X4

Phone: (905)735-1700 Ext. 2202 Fax: (905)735-7184

www.welland.ca



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

Sent: December 19, 2022 4:51 PM

To: Ali Khan <ali.khan@welland.ca>

Subject: FW: 905 Clare Avenue - Harvest Oak Extension Subdivision (File No. 26T-14-22002) - TIA Brief

Hi Ali,

Let me know if you need anything further on this, or, have any additional comments.

Regards,



Taylor Meadows

Acting Development Planning Supervisor

Planning Division

Planning & Development Services

Corporation of the City of Welland

60 East Main Street, Welland, Ontario L3B 3X4

Phone: (905)735-1700 Ext. 2246

www.welland.ca



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From: Craig Rohe <craig@ucc.com>

Sent: December 19, 2022 3:02 PM

To: Taylor Meadows <taylor.meadows@welland.ca>; Grant Munday <grant.munday@welland.ca>

Cc: Ali Khan <ali.khan@welland.ca>; Ken Gonyou <KenG@mountainview.com>; Matt Vartanian <MattV@mountainview.com>

Subject: RE: 905 Clare Avenue - Harvest Oak Extension Subdivision (File No. 26T-14-22002) - TIA Brief

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Taylor,

Attached, please find a letter from our Transportation Consultant pertaining to the South Pelham Road / Countryside Drive question.

I assume Grant will be at Council for this one, so we would like to kindly ask if staff could acknowledge that we did submit additional materials in response to the traffic question as there are a few items in the agenda package citing this concern.

We want Council to be aware that we are being responsive to these neighbourhood comments.

Thank you, C.

Craig A. Rohe, M.Pl., MCIP, RPP

Senior Planner

Upper Canada Consultants

3-30 Hannover Drive

St. Catharines, ON. L2W 1A3

Tel: (905) 688-9400 ext. 506

Mobile: (289) 969-3556

Fax: (905) 688-5274

Email: craig@ucc.com

Web: www.ucc.com

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

Sent: December 8, 2022 3:37 PM

To: Craig Rohe <craig@ucc.com>

Cc: Ali Khan <ali.khan@welland.ca>; Ethan Laman <ethan@ucc.com>

Subject: 905 Clare Avenue - Harvest Oak Extension Subdivision (File No. 26T-14-22002) - TIA Brief

Hi Craig,

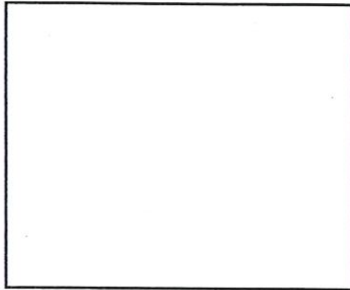
In reference to the recent Public Information Meeting that occurred on November 30, 2022 and the comments received in reference to the TIA Brief, please have the consultant provide an Addendum addressing:

- Countryside Drive/South Pelham Road intersection – carry out level of service and signal warrant analysis.

Upon submission, Traffic Division will review and provide any applicable comments.

Copying Ethan, as a I know you're in Florida.

Regards,



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

From: Michelle Demers
Sent: December 13, 2022 2:43 PM
To: Taylor Meadows
Subject: : Application for Draft Plan of Subdivision Approval (File No. 26T-14-22002), Part of Lot 237, Geographic Township of Thorold, in the City of Welland, Municipality known as 905 Clare Avenue

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Hello Mr. Meadows,

Not sure if this is necessary, as I understand that this has already been sent on behalf of Winfield Estates, but I am resending to add our names to the document.

Thanks,
Michelle

.....

December 6th, 2022

Subject: Application for Draft Plan of Subdivision Approval (File No. 26T-14-22002), Part of Lot 237, Geographic Township of Thorold, in the City of Welland, Municipality known as 905 Clare Avenue

To whom it may concern,

We are writing to you in regard to the development at 905 Clare Avenue.

The following is submitted on behalf of the land owners/tenants of the development known as Winfield Estates which encompasses the following streets; Countryside Drive, Harvest Oak Drive, Heritage Lane, Stoneybrook Crescent.

We have reviewed the plans and documents provided and attended the Public Information Meeting and have put together the following summary of our concerns:

- We strongly feel that the proposed development does not fit within the established character that is Winfield Estates, (RL1 Zoning – Residential Low Density 1, By-law 2017-117).
- The proposed development would result in increased traffic at the corner of Countryside Drive and South Pelham Road, an already a high traffic intersection which has seen multiple accidents. Vehicles from the new development wanting to travel West would take the shortest travel route, which is to travel through Harvest Oak Drive to Countryside Drive onto South Pelham. The traffic at this intersection is only increasing with all of the new development in Pelham/Fonthill and Welland.

It was confirmed at the Public Information Meeting that this intersection was not included the traffic assessment.

Therefore, we are submitting the following recommendations and changes to the draft plan of Subdivision Approval (File No. 26T-14-22022, development at 905 Clare Avenue, Welland, ON)

1. That a new traffic assessment be undertaken to include the intersection of Countryside Drive/South Pelham Road.
2. That the new development at 905 Clare Avenue have an entry/exit point from Clare Avenue, which sees far lesser traffic as confirmed in the traffic assessment.
3. That the new development not be an extension of Harvest Oak Drive for the aforementioned reasons listed above; which are that the proposed development does not fit within the established character of Winfield Estates and to prevent further traffic to the intersection of Countryside Drive and South Pelham Road.
4. That Harvest Oak Drive remain as is, with a walkway between Harvest Oak and the new development to allow pedestrian traffic from the new development to access the park. We feel this alternative would have the least impact on the existing subdivision know as Winfield Estates and would have minor impact to the Draft Plan of Subdivision Approval (File No. 26T-14-22002) known as Clare 905 Avenue.

Sincerely,

Roger and Michelle Demers

16 Countryside Drive. Welland

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

December 6th, 2022

Subject: Application for Draft Plan of Subdivision Approval (File No. 26T-14-22002), Part of Lot 237, Geographic Township of Thorold, in the City of Welland, Municipality known as 905 Clare Avenue

To whom it may concern,

We are writing to you in regard to the development at **905 Clare Avenue**.

The following is submitted on behalf of the attached listed land owners/tenants of the development known as Winfield Estates which encompasses the following streets; Countryside Drive, Harvest Oak Drive, Heritage Lane, Stoneybrook Crescent.

We have reviewed the plans and documents provided and attended the Public Information Meeting and have put together the following summary of our concerns:

- We strongly feel that the proposed development does not fit within the established character that is Winfield Estates, (RL1 Zoning – Residential Low Density 1, By-law 2017-117).
- The proposed development would result in increased traffic at the corner of Countryside Drive and South Pelham Road, an already high traffic intersection which has seen multiple accidents. Vehicles from the new development wanting to travel West would take the shortest travel route, which is to travel through Harvest Oak Drive to Countryside Drive onto South Pelham. The traffic at this intersection is only increasing with all of the new development in Pelham/Fonthill and Welland.

It was confirmed at the Public Information Meeting that this intersection was not included the traffic assessment.

Therefore, we are submitting the following recommendations and changes to the draft plan of Subdivision Approval (File No. 26T-14-22022, development at 905 Clare Avenue, Welland, ON)

1. That a new traffic assessment be undertaken to include the intersection of Countryside Drive/South Pelham Road.
2. That the new development at 905 Clare Avenue have an entry/exit point from Clare Avenue, which sees far lesser traffic as confirmed in the traffic assessment.
3. That the new development not be an extension of Harvest Oak Drive for the aforementioned reasons listed above; which are that the proposed development does not fit within the established character of Winfield Estates and to prevent further traffic to the intersection of Countryside Drive and South Pelham Road.
4. That Harvest Oak Drive remain as is, with a walkway between Harvest Oak and the new development to allow pedestrian traffic from the new development to access the park. We feel this alternative would have the least impact on the existing subdivision known as Winfield Estates and would have minor impact to the Draft Plan of Subdivision Approval (File No. 26T-14-22002) known as 905 Clare Avenue.

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From: Amanda Schilstra
Sent: December 6, 2022 1:47 PM
To: clerk <clerk@welland.ca>
Cc: Rob B
Subject: City Staff Report-905 Clare Ave

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Hi Tara,

Would you be able to forward the below email to city council for their staff meeting in regards to 905 Clare Ave?
Would I also be able to get a copy of the staff report on this matter?

Thank you
Amanda Schilstra

Attention, City of Welland Staff

My boyfriend and I would like to express our concerns for the new subdivision/extension of Harvest Oak Drive. We recently bought our home at 28 Countryside Drive in April. We Loved the quiet neighborhood, the low traffic area with the park to start our lives together in, which is why we set a record purchase price to be in this neighbourhood.

As we heard that the property 905 Clare Ave was sold, and was going to be a subdivision; We were quite surprised with how many houses were in the plans. With having 57 new residential homes coming to this property, our major concern is traffic flowing from the Harvest Oak Dr extension through to South Pelham Road. This would be the most direct way for anyone in the new portion of the subdivision to access the west direction.

The corner of Countryside Drive and South Pelham Road is already high traffic and congested, making this a difficult corner to manage. With having 57 new homes come into this area, I would assume it would create a minimum 57-114 cars to the area. This is more then we can see manageable on the intersections at Harvest Oak Dr/Countryside Dr and Countryside Dr/South Pelham Rd.

Our request is to do a traffic report study at the above-mentioned intersections. We ask that Harvest Oak drive does not become a through street, instead have a walk way between the area so there is easy access to the park for the new residents. With only having a walkway to connect, this may open the developer to add an extra lot to build.

Thank you for your consideration on this matter.

(We are also in FULL support of the email Sylvie McAvoy has sent on behalf of the Windfield Estates.)

Amanda Schilstra & Robert Busija
28 Countryside drive

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Taylor Meadows

From: Shannon Larocque <SLarocque@pelham.ca>
Sent: March 24, 2023 4:01 PM
To: Taylor Meadows
Subject: RE: Town of Pelham - 905 Clare Avenue (File No. 26T-14-22002) Subdivision Circulation

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Hi Taylor,

The Town of Pelham has no concerns regarding the application. Please note that Clare Avenue is planned for urbanization and the Town requests that future sidewalks on the west side of Clare Avenue will connect to sidewalks in the City of Welland (including along the frontage of this development).

Best Regards,
Shannon



Shannon Larocque, MCIP, RPP.

Senior Planner

Town of Pelham

D: 905-980-6661 | E: slarocque@pelham.ca

T: 905-892-2607 x319

20 Pelham Town Square | PO Box 400 | Fonthill, ON | L0S 1E0

TOWN OF PELHAM CONFIDENTIALITY NOTICE

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From: Taylor Meadows <taylor.meadows@welland.ca>
Sent: Wednesday, March 15, 2023 9:06 PM
To: Shannon Larocque <SLarocque@pelham.ca>
Subject: Town of Pelham - 905 Clare Avenue (File No. 26T-14-22002) Subdivision Circulation

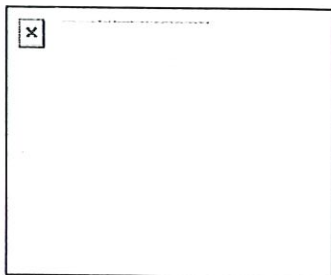
Hi Shannon,

I hope you've been well. If possible, could we please connect first thing tomorrow morning? I believe ToP may have been missed for circulation on the above subdivision application.

Hoping we can chat and potentially address the application comments ASAP. We have discussed March 21, 2023 to submit the Recommendation Report to Council with the applicant.

I really apologise for the last minute nature of this.

Regards,



Taylor Meadows

Planning Supervisor - Development

Planning Division

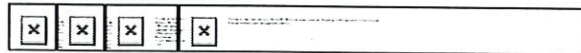
Planning & Development Services

Corporation of the City of Welland

60 East Main Street, Welland, Ontario L3B 3X4




Phone: (905)735-1700 Ext. 2246

www.welland.ca



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APPROVALS	
DIRECTOR	
CFO	
CAO	

COUNCIL
PLANNING AND DEVELOPMENT SERVICES

11-108

REPORT P&B-2023-10
APRIL 4, 2023

SUBJECT: COMMUNITY IMPROVEMENT PLAN INCENTIVE APPLICATIONS – QUARTERLY SUMMARY REPORT FOR FOURTH QUARTER OF 2022

AUTHOR: CAITLIN KOVACS, BURPI POLICY PLANNER

APPROVING SUPERVISOR: NICOLAS AIELLO, HBA POLICY PLANNING SUPERVISOR

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

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report P&B-2023-10 being a quarterly summary Report of approved Community Improvement Plan Incentive Applications between October 1, 2022 and December 31, 2022.

ORIGIN AND BACKGROUND:

Council delegated, by By-law, Community Improvement Plan (CIP) Incentive Grant Approvals to Staff and adopted procedures for the processing of the Applications subject to this Delegated Authority. This Report deals with the Incentive Applications that were approved in the fourth quarter of 2022.

COMMENTS AND ANALYSIS:

Seven Community Improvement Plan Incentive Applications were received and five of those applications approved in the fourth quarter of 2022. This includes two applications within the Niagara Gateway Economic Zone and Centre CIP, three applications within the Downtown and Health and Wellness Cluster Project Area and two applications under the Brownfield CIP.

The following Table outlines the Grant details for the applications that received local approval under the Niagara Gateway Economic Zone and Centre CIP. Appendices I and II identify the locations of the properties. Regional approval has

not yet been given for these projects; Regional approval is anticipated as the applications approach the three month mark since Regional approval was sought.

	392 Enterprise Drive
INCENTIVE PROGRAM AND TYPE OF WORK	<ul style="list-style-type: none"> • Tax Increment Grant Program • 10,000 sqft. warehouse addition for existing greens hydroponic plant
ESTIMATED PRIVATE SECTOR INVESTMENT	\$1,730,500.00
ESTIMATED PROJECT COST OR FEES	\$1,200,000.00
ECONOMIC AND ENVIRONMENTAL PERFORMANCE	Number of FTE's = 5 new, 19 retained 6/6 Smart Growth Design Criteria Program Score: 13/20 = 65% TIGB Level
MAXIMUM ELIGIBLE GRANT	\$517,357.85
CITY PORTION OF GRANT	\$282,301.99
REGION PORTION OF GRANT	\$235,055.86
	158 Power Drive
INCENTIVE PROGRAM AND TYPE OF WORK	<ul style="list-style-type: none"> • Tax Increment Grant Program • 36 Warehouse units for local small and medium businesses
ESTIMATED PRIVATE SECTOR INVESTMENT	\$15,929,321.00
ESTIMATED PROJECT COST OR FEES	\$7,700,000.00
ECONOMIC AND ENVIRONMENTAL PERFORMANCE	Number of FTE's = 108 new 5/6 Smart Growth Design Criteria Program Score: 17/20 = 85% TIGB Level
MAXIMUM ELIGIBLE GRANT	\$2,707,150.42
CITY PORTION OF GRANT	\$1,477,186.50
REGION PORTION OF GRANT	\$1,229,963.92

The following Table outlines the Grant details for the applications approved under the Downtown and Health and Wellness Cluster CIP. Appendices III, IV, and V identify the locations of the properties.

LOCATION, INCENTIVE PROGRAM AND TYPE OF WORK	ESTIMATED PROJECT COST OR FEES	MAXIMUM ELIGIBLE GRANT	CITY PORTION OF GRANT	REGIONAL PORTION OF GRANT
54-60 Niagara Street - Building Improvement Grant HVAC Upgrades	\$75,000.00	\$12,500.00	\$6,250.00	\$6,250.00
- Façade Improvement Grant New stylized garage doors for brewery, new signage, new siding	\$59,970.74	\$12,500.00	\$6,250.00	\$6,250.00
- Urban Design Grant Refined façade elevations	\$6,000.00	\$2,500.00	\$2,500.00	N/A
222 King Street - Façade Improvement Grant New Lighting, new canopy, new signage, brick repair and painting, new shutters, new entrance tiling, new hardware.	\$24,500.00	\$12,250.00	\$6,125.00	\$6,125.00
57 West Main Street - Building Improvement Grant Flat roof repair	\$27,619.00	\$12,500.00	\$6,250.00	\$6,250.00
Total:	\$193,089.74	\$52,250.00	\$27,375.00	\$24,875.00

The following Table outlines the Grant details for applications approved under the Brownfield CIP. Appendices VI and VII identify the locations of the properties.

LOCATION, INCENTIVE PROGRAM AND TYPE OF WORK	ESTIMATED PROJECT COST OR FEES	MAXIMUM ELIGIBLE GRANT	CITY PORTION OF GRANT	REGIONAL PORTION OF GRANT
35 Southworth Street Environmental Study Grant	\$30,469.83	\$15,234.91	\$10,234.91	\$5,000.00
675 King Street Environmental Study Grant	\$24,795.60	\$12,397.80	\$7,397.80	\$5000.00
Total	\$55,265.43	\$27,632.71	\$17,632.71	\$10,000.00

During the fourth quarter of 2022, a combined program total of 12 general and specific inquiries were received; 5 pre-Application meetings were held by Staff; and 7 Incentive applications were received and 7 were approved.

FINANCIAL CONSIDERATION:

The City's portion of the Grants for the Approvals, upon completion, will be covered with funds from the Incentives Program Fund.

OTHER DEPARTMENT IMPLICATIONS:

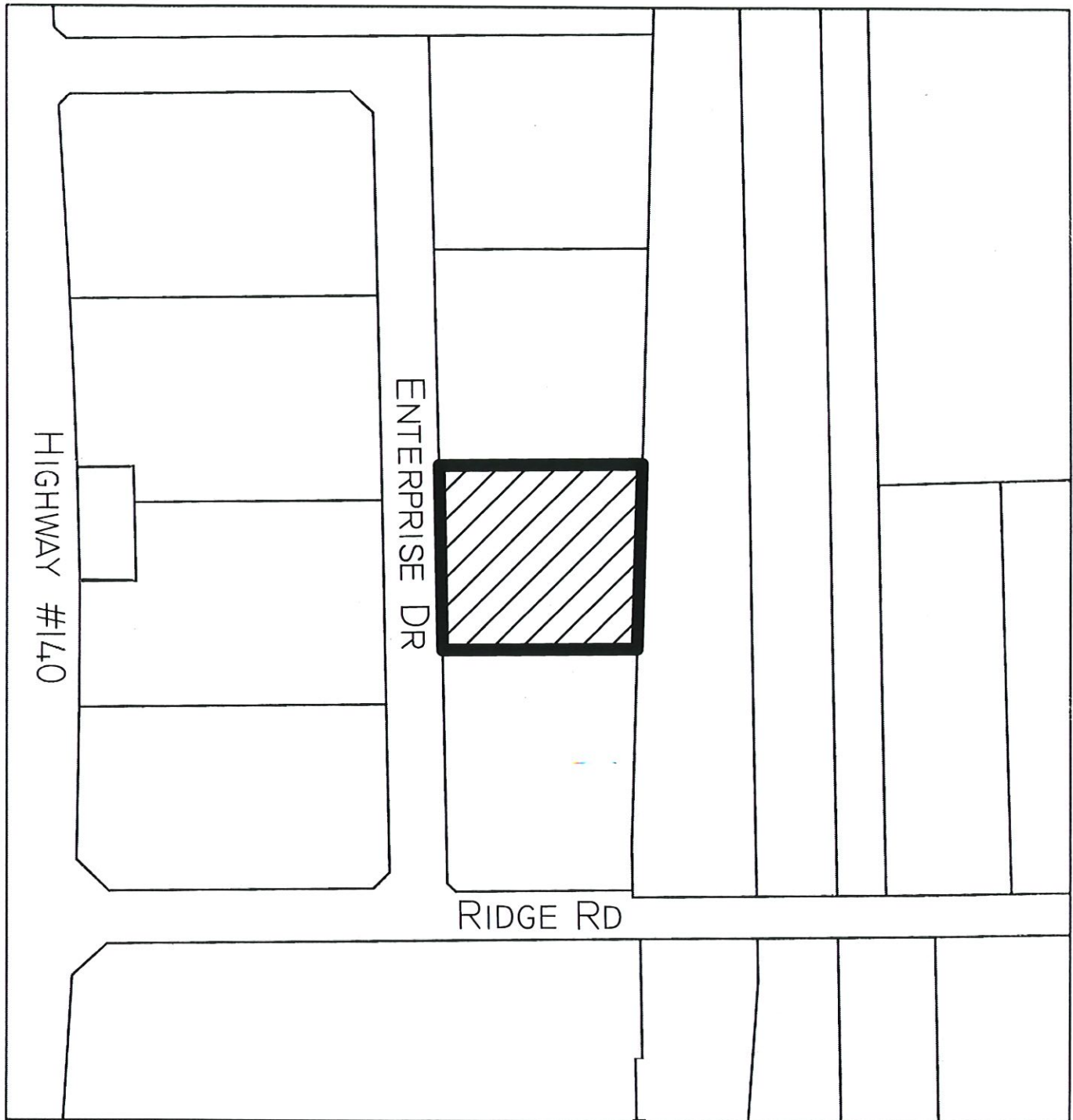
The Finance Division, upon completion of these projects, will be involved with all financial aspects associated with the issuance of the Grants.

SUMMARY AND CONCLUSION:

Council has delegated CIP Incentive Grant Approvals to Staff. As part of the approval procedures contained within the Delegation By-law, a report outlining the incentive applications that have been approved is to be prepared for Council's information on a quarterly basis. As noted in this report, a total of seven CIP incentive applications were received and five of those applications approved, with the remaining two expected to have approval in early 2023.

ATTACHMENTS:

- Appendix I - Location Map showing 392 Enterprise Drive
- Appendix II - Location Map showing 158 Power Drive
- Appendix III - Location Map showing 54-60 Niagara Street
- Appendix IV - Location Map showing 222 King Street
- Appendix V - Location Map showing 57 West Main Street
- Appendix VI - Location Map showing 35 Southworth Street
- Appendix VII - Location Map showing 675 King Street



LOCATION MAP

392 Enterprise Drive



SUBJECT LANDS



*Infrastructure and
Development Services*
Planning Division



Location Map

158 Power Drive



Subject Lands

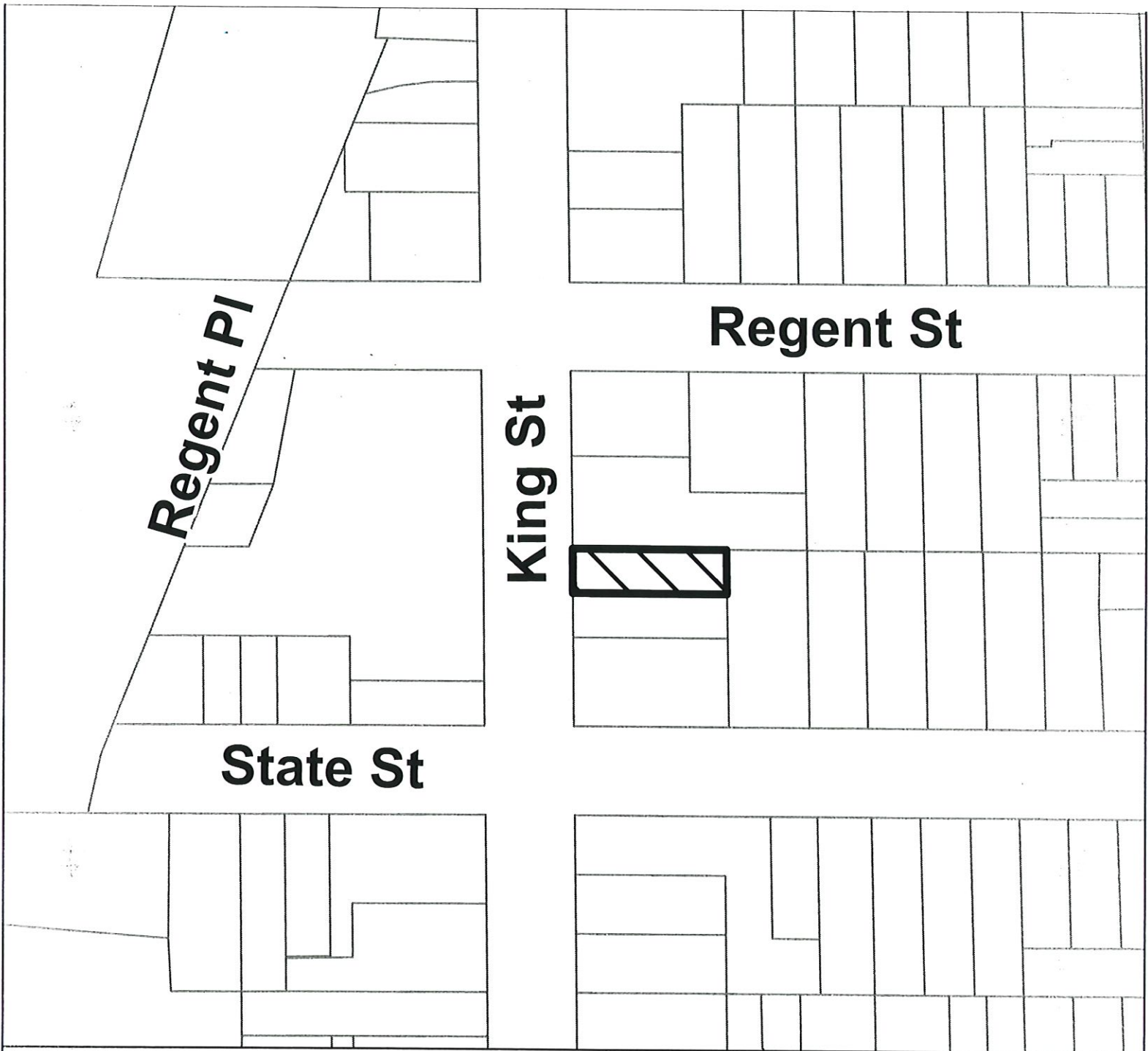


Location Map

54-60 Niagara Street



Subject Lands



Location Map

222 King Street



Subject Lands



Location Map

57 West Main Street



Subject Lands

Lincoln St

Corvette St

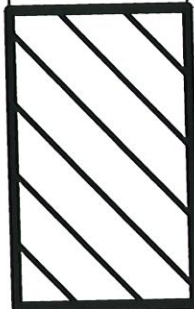
Hennepin Ave

Dieppe St

Southworth St

Afton Ave

Lewis St



Location Map

35 Southworth Street

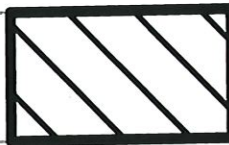


Subject Lands

Steel St

King St

Ontario Rd






Location Map

675 King Street



Subject Lands

COUNCIL
OFFICE OF THE CAO
CLERKS DIVISION

APPROVALS	
DIRECTOR	
CFO	
CAO	

02-160

REPORT CLK-2023-11
APRIL 4, 2023

SUBJECT: CONTINUATION OF PROCEDURAL BY-LAW REVIEW

AUTHOR: TARA STEPHENS, CITY CLERK

**APPROVING
DIRECTOR: GRANT MUNDAY, ACTING CHIEF ADMINISTRATIVE OFFICER**

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report CLK-2023-11: Continuation of Procedural By-law Review; and

THAT Welland City Council approves item(s) _____ to be incorporated in the updates to the Procedural By-law; and further

THAT the updated Procedural By-law be presented at the April 18, 2023 Council meeting.

ORIGIN AND BACKGROUND:

The recommendations provided within this staff report are meant to establish meeting efficiency, measures to ensure meetings are conducted within their allotted time and completed before curfew, provide equal speaking time, and ensure members focus on the topics being considered.

Members have commented that agenda management is a priority as well. Staff are considering options to improve agenda management, outside the recommendations provided below in the comments and analysis section of this report.

Some options being considered are the following:

- Creating council information packages weekly with items that are to receive for information only.
- Deeper discussions with staff regarding reports coming forward. Consideration as to whether they can be provided in the information package.
- Ensuring all items on the agenda align with the new Corporate Strategic Plan, once approved.

- Providing more time for members to ask Department/Division heads, questions prior to the meeting.

Additional information regarding the options being considered will be provided at a future council meeting.

Previously Welland City Council approved the following updates to the Procedural By-law:

- To reflect a 10-minute time limit per speaker at Public Hearing/Meetings.
- Notice of motions to be included in Special Council Meeting agendas.
- Schedule B of the Procedural By-law to be updated to include "Land Acknowledgement".
- Delegations to appear at Council and/or General Committee meetings.
- The July and August Council meetings dates be scheduled on the third Tuesday of the month.
- Allow five (5) minutes per delegations during Council and General Committee meetings.
- Updated to include a curfew for Special Council and General Committee meetings.
- Updated to reflect that up to two (2) members of Council may bring forward a notice of motion.
- Include the Delegations to Council/General Committee Request Form.
- The deadline to submit a Notice of Motions be 4:00 p.m. on the Tuesday of the week prior to a Council meeting.
- The updated Procedural By-law be presented at a Council Meeting for Council consideration no later than April 18, 2023.

COMMENTS AND ANALYSIS:

Below is a deferred motion from the previous council meeting and additional recommendations that have been submitted by staff for the Procedural By-law review.

Following the discussion regarding the recommendations below, members of council will have the opportunity to recommend additional updates to the procedural by-law.

The submitted recommendations are as follows:

Item No.	Recommendation
1	<p>Amend section 13.8 be increased to 10 minute speaking limit.</p> <p><u>Councillor Recommendation to be considered by Council:</u></p> <p>THAT article 13.8 be updated to 10 minute limit for members of council to speak to an item.</p> <p><u>Deferred from the February 21, 2023 Meeting</u></p>

2	<p>Update to article 13.8 – Motions, Speaking On</p> <p>No member shall speak more than once on the same motion.</p> <p>Each member will have an opportunity to ask two (2) questions per motion.</p> <p>Members are required to reach out to department heads prior to the meeting to identify the questions they will be asking in relation to the report.</p> <p>The Chair may permit questions to be asked if they have not been communicated to staff prior to the meeting.</p> <p>Following the conclusion of the questions, each member will be permitted to have two (2) minutes to provide commentary regarding the item being considered.</p>
3	<p>Update to article 13.8 – Motions, Speaking On</p> <p>No member may ask a question that has already been asked by a member and answered by staff.</p>
4	<p>Update to article 10.6 – Council Meeting Schedule</p> <p>Subsequent to the inaugural meeting, the Council shall meet on the first and third Tuesday of each month in the year at 6:00 p.m.</p>
5	<p>Update to article 10.12 – Council Meeting, Curfew, Adjournment and Extension</p> <p>The Council meeting shall adjourn at 10 p.m. and one extension of curfew of one-half hour duration may be granted if council agrees by 2/3 majority vote.</p> <p>If there are items remaining on the agenda for council consideration, a Special Council meeting will be held the next day at 12 p.m. to resume the meeting in order to complete the agenda.</p>
6	<p>Update to Article 12 – Notice of Motion</p> <p>Staff to prepare a fillable Notice of Motion form for members to complete and submit to the Clerk.</p> <p>When submitting a notice of motion, the member must identify how the notice of motion aligns with the city's strategic plan.</p> <p>Following the approval of a notice of motion, staff will prepare a staff report for inclusion at the next subsequent council meeting which identifies the amount of staff time required, budgetary considerations, and projected end date for the request.</p> <p>The staff report will be presented to Council for consideration and if approved, the matter will proceed as indicated within the staff report.</p>

7	<p>Speaking limit for members to ask questions following oral reports and delegations.</p> <p>5 minute speaking time limit for members to ask questions and provide comments related to oral reports and delegations (legislative public hearings, delegations, agencies, boards and committee reports and presentations).</p>
8	<p>Time limit for Agencies, Boards and Committee presentations.</p> <p>10 minute time limit for agencies, boards and committees to make presentations to Council/General Committee.</p>
9	<p>Updates/Changes to Article 1 – Interpretations to include the following definitions:</p> <p>Agenda means the order in which business is to be conducted at a Meeting as published.</p> <p>Amending Motion means a formal Motion put forth during a Meeting that amends another Motion on the floor, which is under debate.</p> <p>By-law means a By-law passed by Council.</p> <p>Council Code of Conduct means the Code of Conduct for Members of Council and Local Boards (Policy HUM-001-0031) adopted by Council on February 15, 2022, which establishes the general standards of conduct for Members of Council in order to provide good governance and a high level of public confidence.</p> <p>Conflict of Interest means a direct or indirect pecuniary interest in a matter to be debated that raises a question of whether a Member's actions, judgment or decision-making can be unbiased within the meaning of the <i>Municipal Conflict of Interest Act</i>, R. S. O. 1990, c.M.50, as amended.</p> <p>Correspondence means a communication addressed to the Mayor, Council or to the Clerk that includes but is not limited to the following: letter, memorandum, report, notice, electronic mail (email), facsimile (fax), petition, or other similar document as determined by the Clerk.</p> <p>Electronic Device means recording equipment and any other device of a mechanical, electronic or similar nature used for transcribing or recording proceedings by auditory or visual means or both.</p> <p>Electronic Meeting means a Meeting called and held in full or in part via electronic means (including, but not limited to, audio teleconference, video teleconference, or via means of the internet), and with or without in person attendance.</p> <p>Electronic Meeting Participation means the participation of a Council Member remotely, via electronic means, who shall have the same rights and responsibilities and restrictions as if the Member was in physical attendance.</p> <p>Emergency means a situation or pending situation within the meaning of the</p>

	<p>City of Welland Emergency Response Plan, or any other similar unforeseen circumstance that presents an urgent or extraordinary matter which is required to be dealt with in the most expedient manner as determined by the Mayor or a majority of Council or the Chief Administrative Officer (CAO) or their designate.</p> <p>Meeting Pursuant to s.238(1) of the <i>Municipal Act</i>, 2001, Meeting means any regular, special or other Meeting of Council, a Local Board or of a Committee or either of them where a Quorum of Members is present, and Members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the Council, Local Board or Committee.</p> <p>Member means a Member of Council, a Committee or Local Board of the City of Welland</p> <p>Minutes means a record of the proceedings of Council or Committee or Local Board that records the actions taken and decisions made by Members at the Meeting without note or comment in accordance with section 239(7) of the <i>Municipal Act</i>, 2001.</p> <p>Motion means a question to be considered by Council which is moved, seconded and presented, read and is subject to debate. When a Motion is carried, it becomes a Resolution.</p> <p>Notice of Motion means an advance notice, including the name of the mover, advising Council that the Motion described therein will be brought to the next regular Meeting, unless otherwise stated by the mover.</p> <p>Point of Order means a challenge to the proceedings of the Meeting by a Member during a Meeting drawing the attention of the Chair to a breach or perceived breach of the Procedure By-law.</p> <p>Point of Privilege/Personal Privilege means a matter where a Member expresses a concern in which they considers that a question of their integrity has been impugned.</p> <p>Recess means a short intermission in the meeting's proceedings which does not close the meeting, and after which business will immediately be resumed at exactly the point where it was recessed.</p> <p>Reconsider means to reopen debate on a prior decision of Council, as if the decision had never been made, in strict accordance with the requirements of this By-law.</p> <p>Website means the domain name www.welland.ca</p> <p>Virtual Meeting means a Council or Committee Meeting held using electronic platforms which meet all statutory and accessibility requirements.</p>
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10	<p>Add “PARLIAMENTARY PRINCIPLES” to the by-law.</p> <p>The procedures set out in this By-law are based on the following parliamentary principles:</p> <ol style="list-style-type: none"> 1) All Members have equal rights, privileges and obligations. 2) Meetings shall be conducted with order, fairness, respect for all attendees, and in good faith. 3) Only one item of business is to be considered at one time. 4) The majority vote of Members rules. 5) The rights of Members in minority must be protected. 6) Members have a right to relevant information to help make informed decisions.
11	<p>Add additional general provisions:</p> <p>Meeting - Cancel</p> <p>The Mayor may cancel any Meeting if, in their opinion, weather conditions and/or an Emergency warrants such cancellation for public safety or similar reasons. The Clerk will take appropriate steps to communicate a cancellation to Members in a timely fashion and to advise the public via the City's website.</p> <p>The Mayor may, with appropriate notice, cancel a Meeting if, in the opinion of the Mayor, there are insufficient agenda items or it is determined prior to the Meeting that there will not be a Quorum.</p> <p>Member Unable to Attend</p> <p>If a Member is aware they will be unable to attend a scheduled Meeting, they shall provide notice of same to the Clerk prior to noon on the scheduled Meeting date in order to ensure that a Quorum will be present for the Meeting.</p> <p>Mayor Ex-Officio</p> <p>The Mayor shall be an ex-officio Member of all Committees appointed by Council. The Mayor shall not be included in the number for Quorum and voting purposes unless formally appointed to a Committee or board by way of a Motion.</p> <p>Use of Recording Equipment</p> <p>All Council/Committee of the Whole Meetings and Special Meetings shall be audio and/or video recorded, broadcast and/or streamed publicly by the City, or any entity officially retained by the City, provided the process does not disrupt the proceedings of the Meeting.</p>
12	<p>Add defined details regarding the Duties of Council and Clerk</p> <p>Duties of the Mayor or their designate acting as Chair</p> <p>It shall be the duty of the Mayor to carry out the responsibilities set forth in the <i>Municipal Act, 2001</i>, Sections 225 and 226.1 and:</p> <ul style="list-style-type: none"> • to open the Meeting of Council by taking the Chair and calling the

Members to order

- to announce the business before Council and the order in which it is to be acted upon
- to receive and submit, in the proper manner, all Motions presented by the Members of Council
- to put to a vote all Motions, which are moved and seconded, or necessarily arise in the course of the proceedings, and to announce the result
- to vote on all matters, which are moved and seconded, or necessarily arise in the course of the proceedings;
- to decline to put to a vote, Motions which infringe on this Procedure By-law;
- to determine how long consideration of a Motion should continue before a vote is called
- to require a recorded vote to be taken on any question upon the request of a Member if such request is made prior to commencement of voting or immediately thereafter
- to designate the Member who has the floor when two or more Members wish to speak
- to enforce this Procedure By-law
- to modulate the Members, when engaged in debate, in accordance with the Procedure By-law
- to enforce on all occasions, the observance of order and decorum among the Members
- to call by name any Member persisting in a breach of this Procedure By-law and order the Member to vacate the Meeting
- to permit questions to be asked through the Mayor or any Officer of the City in order to provide information to assist any debate when the Mayor deems it proper
- to provide information to Members of Council on any matter touching on the business of the City
- to rule on any Points of Order raised by Members of Council
- to represent and support the Council, declaring its will and implicitly obeying its decisions in all matters
- to order any individual or group in attendance at the Meeting to cease and desist any behaviour which disrupts the order and decorum of the Meeting and to order the individual or group to vacate the Meeting where such behaviour persists
- where it is not possible to maintain order, the Chair may, without any Motion being put, adjourn the Meeting to a time to be named by the Chair; and
- to adjourn the Meeting when the business is concluded.

Duties of the Vice Mayor

It shall be the duty of the Vice Mayor to act as the Mayor when the Mayor is absent, refuses to act or declares a Conflict of Interest, and shall exercise all the rights, powers and authority of the Mayor during those specific

circumstances.

Duties of the Committee and Board Chairs

Duties of Committee and Board Chairs shall be consistent with those listed under Article # - Duties of the Mayor or their designate acting as Chair.

Duties of Members

It shall be the duty of all Members:

- to prepare for Meetings including reviewing the Agenda and background information prior to the meeting
- to speak only to subject matter under debate
- to vote on Motions
- to attend meetings
- to attend all meetings of a Committee, other Committees and Boards to which the Member has been appointed by Council
- to disclose an interest under Section 5 of the *Municipal Conflict of Interest Act* (MCIA) at a meeting or as soon as possible afterwards and submit to the Clerk a written statement not later than 72 hours after declaring the pecuniary interest on the prescribed Declaration on Interest Form. The written statements shall be posted on the Municipal website and form the MCIA Registry. This shall be applicable to Members of Council and Local Boards and apply only to matters pertaining to the MCIA'
- to state questions to be asked through the Chair
- to follow the Procedure Bylaw and maintain the decorum of the Meeting;
- to comply with City By-laws, and the laws of the Province of Ontario and the laws of Canada applicable therein
- to comply with the Council Code of Conduct at all times
- to maintain the confidentiality of all Closed Meeting matters
- to refrain from criticizing decisions of Council.

Duties of the Clerk

It shall be the duty of the Clerk to:

- be the official Secretary for Council and Committee meetings, responsible for the taking and preserving of minutes and documentation relevant to all meetings
- be responsible for maintaining a confidential copy of all original documentation distributed, relating to Closed Meetings, and for keeping confidential minutes of all Closed Meetings
- appoint another staff Member as official Secretary in their absence at Council and Committee Meetings
- assemble and produce Meeting Agendas and manage Agenda deadlines
- provide to the Chair and to Members advice and clarification on

	<p>Procedure matters on Agenda business and on preparing Motions</p> <ul style="list-style-type: none"> • authenticate by signature when necessary Resolutions, By-laws and Minutes of meetings and certify copies of such documents when required • remind the Chair that the discussion is not germane to the matter under debate, or otherwise where a breach of the Procedure By-law has occurred, when the Chair fails to recognize same. <p>Absence of Mayor</p> <p>In the absence of the Mayor, or if the Mayor refuses to act as Chair, or if the office is vacant, the Vice Mayor shall act in the place and stead of the Mayor and shall have all the rights, powers and authority of the Mayor. In the absence of the Vice Mayor, a long standing member of council will act in the place of the Vice Mayor in the absence of the Mayor, and so on.</p> <p>In the absence of the Mayor for the purposes of the City of Welland Emergency Plan, the Vice Mayor shall act in the place and stead of the Mayor and shall have all the rights, powers and authority of the Mayor as prescribed in the Plan. In the absence of the Vice Mayor, the Member who received the highest votes will act in the place of the Vice Mayor in the absence of the Mayor, and so on.</p> <p>The actions provided for above shall apply to any other protocol or procedure that includes the role of the Mayor in the event that they is absent.</p> <p>Duties of the CAO</p> <ul style="list-style-type: none"> • to attend all Council Meetings, including Closed Meetings, or send a delegate; • to remind the Chair that certain subject matter under discussion is inappropriate or in breach of the Procedure By-law, or should be discussed in a Closed Meeting, when the Chair fails to recognize same; • to review all Staff recommendations and Reports prior to their submission to Council or a Committee and, when deemed necessary, to submit their comments on the said Reports; • to ensure that all Resolutions and By-laws submitted to Council or a Committee accurately reflect the goals and objectives of the City; • to exercise general control and management of the affairs of the City for the purpose of ensuring the efficient and effective operation of the City; and • without limiting the generality of the foregoing, to perform such other duties as may be necessary to fulfill the intent of the CAO Appointment By-law and to exercise the powers which, from time to time, may lawfully be assigned by the Council.
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13	<p>Add details regarding Declarations of Conflict of Interest</p> <ul style="list-style-type: none"> a) It is the sole responsibility of the Member to understand and comply with their legal obligations under the <i>Municipal Conflict of Interest Act</i>. b) Prior to a particular matter being addressed, Members shall declare aloud any Conflict of Interest they may have, and the general nature thereof, in connection with that matter. Such Members shall then be precluded from participating in any way regarding the matter in question. If the matter is discussed in a Closed Meeting, the Member shall leave the Meeting room during that discussion. c) Disclosures of Conflict of Interest made during a Closed Meeting shall include the declaration and its general nature. At the same Meeting open to the public after the Closed Meeting, or at the next regular open Meeting, every declaration of interest made during the Closed Meeting, but not the general nature of the interest, shall be made and recorded in the minutes of the open Meeting. d) Where the Conflict of Interest of a Member is not disclosed at a Meeting due to the absence of the Member, the disclosure shall be made at the next open Meeting at which the Member is present. e) Upon declaring a Conflict of Interest at a Meeting of Council or at a Local Board or Committee, a Member shall provide a written statement of the interest and its general nature to the Clerk. The Clerk will include the statement in a registry maintained in accordance with the <i>Municipal Conflict of Interest Act</i>. f) A Member who has declared a Conflict of Interest in a matter shall not participate in any way in a Motion to adopt multiple items if the matter that is the subject of the Conflict of Interest is contained therein. The Member may request to divide such a Motion in order to vote on those items in which there is no Conflict of Interest. g) The Clerk shall record the particulars of any disclosure of Conflict of Interest in the minutes. h) Notwithstanding section 9.6 f) a Member who has declared a Conflict of Interest in a matter may move, second and vote on: <ul style="list-style-type: none"> a) the confirmatory By-law for the Meeting in which the interest was declared; b) the Motion adopting the minutes of the Meeting in which the interest was declared.
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14	<p>Consent Agenda/Agenda Block</p> <p>All items of business shall be listed as consent items, with recommendations included, and shall be approved collectively by way of a single Motion. Consent Agenda items may include, but not be limited to the following:</p> <ul style="list-style-type: none"> • Correspondence for receipt • Committee and agency minutes for receipt • Council minutes for adoption • Council Information Packages for receipt • All reports <p>A Member may make brief comments on a consent item, without formally removing that item from the Consent Agenda, prior to the consideration of the adoption of the matters listed (approving the balance of the block). Any questions regarding an item on the Consent Agenda shall be submitted to the Clerk in writing no later than 12 noon one (1) day in advance of the Council Meeting to give the author of the report an opportunity to prepare a fulsome response at the meeting.</p> <p>If a Member wishes to debate or amend the recommendation of an item listed on the Consent Agenda, the Member shall request that the item be removed from the Consent Agenda and dealt with as a separate item.</p>
15	<p>Electronic Participation at Meetings</p> <ul style="list-style-type: none"> • Members are permitted to participate in a Meeting remotely via electronic means, and such Members shall have all the same rights, responsibilities and restrictions as if they were in physical attendance. • A Member who is participating electronically in a Meeting shall be counted in determining whether or not a Quorum of Members is present at any point in time and may participate electronically in any portion of a Meeting that is closed to the public. • Members must keep their video on and must be visible at all times. • Members must not carry on private discussions with members of the public or other Council members during the proceedings of Council by any means (including, without limitation, verbal, texting, email, etc.). • Members must ensure that they do not have other individuals, including family members, visible during a Meeting. • Only appointed Members, Staff and invited individuals or groups shall be permitted to participate electronically in Council or its Committee meetings. • Public Meetings and Oral Reports and Delegations - Public participation in an Electronic Meeting may be permitted.

	<ul style="list-style-type: none"> Application and Conflict - Notwithstanding the foregoing, the Procedure By-law shall continue to apply to an Electronic Meeting held pursuant to this Section, except that this Section and any Emergency Electronic Meeting Protocol approved by Council and any Provincial legislation or order shall prevail to the extent of any conflict.
16	<p>Define/provide more details regarding Conduct of Council at Meetings</p> <p>Conduct of Council at Meetings</p> <p>No individual shall:</p> <ul style="list-style-type: none"> use offensive words or unparliamentary language in or against the Council or against any Members, staff or the public; speak without being recognized by the Chair or cause a disturbance while another Member is speaking; resist the rules of Council or disobey the decisions of the Mayor or Chair or of Council on questions of order or practice or upon the interpretation of the rules of Council; criticize any decision of the Members, except for the purpose of moving that the question be Reconsidered; leave his or her seat or make noise or disturbance while a vote is being taken or until the result is declared; or carry on private discussions with members of the public or other Council members during the proceedings of Council by any means (including, without limitation, verbal, texting, email, etc.).
17	<p>Electronic Devices</p> <p>Electronic Devices - Silent Mode</p> <p>Members present at a Meeting shall ensure that all Electronic Devices are set to silent mode so as not to be a distraction.</p>
18	<p>Conduct of Public</p> <ul style="list-style-type: none"> Public attendees at a Council Meeting shall maintain order and quiet and shall not address Council, except with the permission of Chair. No person shall display signs or placards, applaud participants in debate or engage in conversation or other behaviour which may disrupt the proceedings of Council. Any cellular telephones, pagers or other Electronic Devices which emit a sound shall be turned off or otherwise set to non-audible. No person shall use indecent, offensive or insulting language or speak disrespectfully of any Member of Federal, Provincial government, any Member of Council or any employee of the City, Local Board or Committee. Any person addressing Council as a presenter(delegation) shall focus their

	<p>comments to the subject matter before Council</p> <ul style="list-style-type: none"> • Any person who is not conducting themselves in a proper and appropriate manner, will be asked to do so by the Chair. • Any person who continues to conduct themselves in an improper manner will be directed to leave the Meeting and may be removed from the Meeting if necessary. • Any person who is conducting themselves in a manner which poses a threat to the safety of themselves, or others shall be ordered from or removed from the Meeting without warning. • In the event of gross or repetitive misconduct, Council may by resolution suspend the privileges of a Member of the public to attend Council meetings for the duration of the term of Council. • No person, other than Members of Council or City Staff, shall enter the Council floor area during a Meeting without the permission of the Chair. • No person, other than a Member of Council or the Clerk shall, before or during a Meeting, place on the desks of Members or otherwise distribute any material without the permission of the Chair.
19	<p>Additional details regarding voting</p> <p>Majority Vote Unless otherwise specified in this By-law, all votes shall be decided by way of a majority vote of the Members present and eligible to vote at the Meeting.</p> <p>Time of Vote A Motion shall be put to a vote by the Chair immediately after all Members desiring to speak on the Motion have spoken, in accordance with this By-law.</p> <p>Speaking During Vote No Member shall speak to a Motion once the Motion is put to a vote and the results are announced except for clarification on procedural matters.</p> <p>Show of Hands Unless a recorded vote is called for, all voting shall be done by a show of hands. No vote shall be taken in a Meeting by ballot or by any other method of secret voting. The Chair shall first ask for those in favour of the Motion and then ask for those opposed.</p> <p>Mandatory Vote Every Member present shall vote on every Motion unless the Member declares a Conflict of Interest, in which case the Member shall refrain from participating in the vote.</p> <p>Tie Vote - Lost Any question on which there is a tie vote shall be considered to be lost.</p>

	<p>Deemed Negative Vote Every Member who is present for a vote and has not declared a Conflict of Interest shall be deemed to be voting against a Motion if he or she abstains from voting on that Motion.</p> <p>Chair to Declare Result Upon the completion of the vote, the Chair shall declare whether the Motion was carried or defeated.</p> <p>Result Marked on Motion The result of the vote on each Motion shall be marked in the Minutes by the Clerk.</p> <p>Division of Question When the Motion under consideration contains distinct recommendations, a Member may request a separate vote upon each recommendation. The mover and seconder of the original Motion shall be considered the mover and seconder of each distinct recommendation. The Chair shall have the discretion to determine if the Motion can be appropriately split for the purpose of separate votes.</p> <p>Recount The Mayor may, and shall, when requested to do so by a Member, order and conduct a recount of votes before announcing the decision of the Council on any Motion. Where a recount of votes is ordered and conducted by the Mayor, the results of the recount shall be announced by the Mayor and shall be deemed to be the decision of the Council.</p> <p>Recorded Vote A request by a Member for a recorded vote shall be made immediately prior to the taking of the vote or immediately thereafter prior to proceeding to the next item of business.</p> <p>Upon such request the Clerk shall ask each Member to announce their vote openly and shall record such vote and declare the results.</p> <p>Following the conclusion of the vote, the Clerk will announce how each member votes and declare the result of the vote.</p> <p>Recorded votes are permitted in Standing Committees.</p>
20	<p>Update to Reconsideration (removal of rescinding motion)</p> <p>Motion – Reconsideration Passed and Defeated Resolution or By-law A Motion to reconsider a Motion of By-law that was previously decided by the Council shall only be introduced by way of a Notice of Motion put forward by a Member who originally voted with the prevailing side. Such Motion shall pass by two-thirds (2/3) vote and no Motion shall be reconsidered more than once during the term of Council.</p> <p>Notwithstanding these provisions, the above Reconsideration rule shall not apply to</p>

	<p>the following:</p> <ul style="list-style-type: none"> • A Motion passed by previous Councils; • A Motion presented in respect of a previously decided matter for the purpose of clarifying the original decision; or • A Motion presented in respect of a previously decided matter for the purpose of moving a matter through a series of necessary steps or phases. <p>A Motion to Reconsider:</p> <ul style="list-style-type: none"> • is not debatable or amendable; however, the mover and seconder of a Motion to Reconsider may provide a brief and concise statement outlining the reasons for proposing such reconsideration; • shall only be made at the same Meeting or a Meeting subsequent to the Meeting at which the original Motion was decided; • shall not be in order if the action approved in the Motion to Reconsider cannot be reversed or if the original Motion has been implemented, resulting in a legally binding commitment that is in place on the date that a Motion to Reconsider is being debated; • suspends action on the Motion to which it applies until the Motion to Reconsider has been decided.
21	<p>Update to section 10.3 – Rules of Order</p> <p>Remove “as well as the Rules of Order and Parliamentary Procedure Speed Wheel, copyrighted by William Doherty”.</p> <p>The Speed Wheels are no longer available.</p>

FINANCIAL CONSIDERATION:

There are no financial considerations.

OTHER DEPARTMENT IMPLICATIONS:

None.

SUMMARY AND CONCLUSION:

Staff recommends that Council review the recommendations above and additional suggestions for inclusion in an updated Procedural By-law, which is scheduled to be presented to council for final approval in April 2023.

ATTACHMENT:

None.

Mayor Champion,

I hope this email finds you well. I am writing today to ask for your help. In the upcoming budget from the province we are anticipating that the Minister of Finance will announce that wine and beer will make its way to convenience store shelves at some point in the future in Ontario. This would be a death nail for our industry as it would allow for cheap import wines to fill the shelves with little to no opportunity for the VQA industry to increase sales. In fact, it would decrease sales significantly for the domestic industry as the Wine Rack and Wine Shop stores that sell only domestic wine would no longer be competitive.

Attached you will find a draft letter that you can personalize. If you are willing to send a letter, please ensure I get a copy of it for my files. If you want to discuss this issue with me, please feel free to call.

Thanks in advance for your help.

Cheers,

Del Rollo
Vice President, Corporate Affairs
Arterra Wines Canada

Welland Mayor

March XX, 2023

Hon. Doug Ford
Premier of Ontario
Room 281
Legislative Building, Queen's Park
Toronto, ON M7A 1A1

Dear Premier Ford,

Niagara Region is a major contributor to Ontario's alcohol beverage processing industry with over 500 grape growing families and 97 wineries (update- from 2019) calling the region home. We are proudly the largest grape growing region in Canada.

We understand through discussions with local wineries that you are considering changes to the alcohol retail system that will be a disaster for our region. We ask that the Province of Ontario pause any further expansion to alcohol retail in Ontario until you are able to demonstrate that your changes will:

- 1) **Minimize Negative Impacts on the Economy and Jobs.** The proposed changes to the alcohol retail system need to support the local Ontario industry and their continued economic contribution to our communities and province. Our wine industry contributes \$5.5 billion annually to Ontario's economy. At pre-pandemic levels in 2019, the industry supported 22,000 full time equivalent jobs in the agriculture, food and beverage, hospitality, tourism, education, and research sectors. As the largest wine region, much of this is directed to the Niagara economy. People are flocking to our region for the direct and indirect economic impact from our wine industry - it is critical that we protect its future.
- 2) **Ensure Safety for our Communities.** Alongside our regional police services, we insist that any action to expand retail minimizes harm to our communities. Safety on our roads and in our streets, retail stores, and restaurants is of the highest priority. Any expansion of alcohol retail must continue to restrict consumption to those over the age of 19 and ensure deterrence to those driving while impaired with any amount of alcohol. Expansion must do so in a way that also minimizes the impact on the already strained resources of our health and police services.
- 3) **Safeguard our Tourism and Hospitality Sectors.** Ontario winemakers and grape growers are proud to host over 2.6 million tourists to Ontario's wine regions every year. Following over two years of shut downs, our industry is looking forward to a return to normal in the coming years. From honeymoons to bachelorette parties to major family milestones, our region plays host to millions looking to celebrate with locally grown products that make their occasions memorable. Wineries and vineyards are central to the aesthetic and experience. Their ongoing success is critical to continuing to drive this tourist traffic to our region.
- 4) **Stand Up for Made in Ontario Products Over Imports.** It is critical that any changes to retail channel consider the need to support 100% Ontario, VQA, International Canadian Blends, and other locally produced beverages. It is critical that the province stop treating wine made or blended in Ontario the same or even worse than imported wines. Good things do grow in Ontario and we want to make sure they continue to be enjoyed responsibly for years to come.

Premier, we understand your passion for this region. We hope that the decisions you make will strengthen and promote continued economic development within the City of Welland and Province of Ontario.

Sincerely,

Mayor Champion

Address

Contact Information

cc. Hon. Peter Bethlenfalvy, Minister of Finance
Hon. Lisa Thompson, Minister of Agriculture, Food and Rural Affairs
Hon. Neil Lumsden, Ministry of Tourism, Culture and Sport
Sam Oosterhoff, MPP Niagara West [REPLACE IF NOT IN NIAGARA]
Patrick Sackville, Chief of Staff, Premier of Ontario
Richard Clark, Chief of Staff, Minister of Finance
Tara Barry, Chief of Staff, Minister of Agriculture, Food and Rural Affairs
Susan Truppe, Chief of Staff, Minister of Tourism Culture and Sport
Shir Barzilay, Executive Director of Policy and Budget, Minister of Finance

BY E-MAIL

March 29, 2023

Tara Stephens
City Clerk,
Office of the Chief Administrative Officer
Corporation of the City of Welland
60 East Main Street
Welland, Ontario L3B 3X4

Re: Request for Welland to Proclaim May as Jewish Heritage Month in the Municipality

Dear Ms. Stephens,

B'nai Brith is Canada's oldest Jewish advocacy organization, nationally active since 1875.

Jews have been present in Canada since the first English and French settlement and have played a major role in fostering our country's wellbeing and success.

There has been a historic Jewish population in Welland. The following link provides some information as to Welland's Jewish history:

<https://tales.wellandhistory.ca/2015/03/25/a-brief-history-of-the-welland-jewish-community/>

Last year B'nai Brith launched a campaign to highlight that May is Jewish Heritage Month in Canada.

Our efforts were remarkably successful as 42 partners representing municipalities and school boards adopted proclamations, hosted events, and used their social media to mark the heritage month.

While Parliament enacted Jewish Heritage Month in March 2018, last year was the first organized campaign to promote it. We're hoping to build on that success.

In that regard, we wrote earlier this week to Mayor Campion. We're informed that as an organization with which the Council has not formally worked with in the past, that we should provide more information and request a Proclamation.

We are happy via this letter to do exactly that.

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2.

Highlighting the Jewish contribution to Canada and Ontario in particular is a concrete way to combat antisemitism. While Jews represent only 1.25% of the Canadian population, Statistics Canada noted in its 2021 report that 56% of all police reported hate crimes targeting members of a religious minority were aimed at Jews.

Recognizing Jewish Heritage Month is thus wholly consistent with the work already accomplished by the Governments of both Canada and Ontario.

The following link to our Jewish Heritage Month page on our web site at [bnaibrith.ca](https://www.bnaibrith.ca) provides some examples of Proclamations adopted by partners in 2022 and can aid in your composition of a text should you agree to proceed.

<https://www.bnaibrith.ca/league-for-human-rights/jewish-heritage-month/>



[Jewish Heritage Month - B'nai Brith Canada](#)

May is / Mai est le B'nai Brith salutes Canadian Jewish Heritage Month in May and is particularly proud to announce that 42 jurisdictions, representing provinces, municipalities, and school boards, have responded to its invitation to formally recognize the month. In 2018 Parliament enacted Bill S-232, "An Act respecting Canadian Jewish Heritage Month" designating the ... Jewish Heritage Month Read More »

www.bnaibrith.ca

You will note that among the Ontario municipalities that recognize Jewish Heritage Month are Toronto, Burlington, Vaughan, Markham, Ottawa, Richmond Hill, Newmarket, Aurora, Barrie, Waterloo, Ajax North Bay, Thunder Bay, Kitchener, Guelph and Niagara Falls. This year, we have already confirmed several new communities marking Jewish Heritage Month, These will include Mississauga and Hamilton. We believe the list will grow substantially over the next weeks.

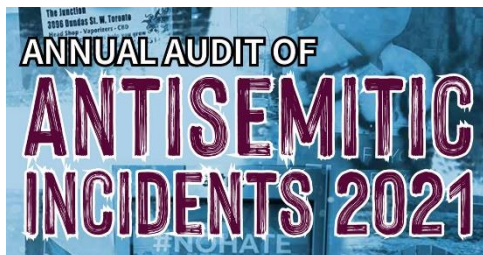
B'nai Brith is non-profit and we provide food security and housing services as well as operate sports leagues. Our main function is an annual audit of antisemitic incidents. This document is transmitted to police departments and elected officials at all levels. You can consult our most recent audit via the following link:

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3.

<https://drive.google.com/file/d/1X2wPDzEol3edqk1DtBuVeCvaZSM7IzM5/view>



[Audit 2021 Apr18 - online version.pdf](#)

drive.google.com

Please be so kind as to share this letter with the members of Council. Let us know if any additional information is required.

Yours truly,



Marvin Rotrand
National Director - League for Human Rights
B'nai Brith Canada



ENTERPRISE

March 30, 2023

Mr. Frank Campion
Mayor of Welland
The Corporation of The City of Welland
Civic Square, 60 East Main Street
Welland, ON L3B 3X4

Dear Mayor Campion and Council members,

Please consider this letter a formal request for a proclamation to be issued on May 1, 2023 in recognition of Doctors' Day. This request is submitted on behalf of the Ontario Medical Association (OMA) by Enterprise Canada.

May 1, 2023 will mark the fourth annual Doctors' Day in Ontario. Doctors' Day is a day for Ontarians to celebrate and show support for the hard work and bravery of doctors on the front lines during the COVID-19 pandemic and beyond.

The Ontario Medical Association is a registered non-profit that represents Ontario's 43,000 plus physicians, medical students and retired physicians, advocating for and supporting doctors while strengthening the leadership role of doctors in caring for patients. The OMA's vision is to be the trusted voice in transforming Ontario's health-care system.

The OMA's physical headquarters is located in Toronto, however they have active members and doctors located across the province, including Welland.

For the last three years, various landmarks, city halls and other municipal centres have lit up blue to celebrate our physicians and we hope this year will be the biggest yet, from the CN Tower to Niagara Falls. We are also working with municipalities across the province to raise a flag at their City Hall on May 1, and to share a proclamation to help make this celebration bigger and better.

We are requesting your participation by sharing a proclamation and conducting a flag raising ceremony in recognition of Doctors' Day. If you have any questions, feel free to reach out.

Regards,

Lauren Keating

Consultant, Corporate Communications
226.929.0084
enterprisecanada.com

**Enterprise¹
Canada**
595 Bay St. #1202
Toronto, Ontario
M5G 2C2