



COUNCIL MEETING AGENDA

Tuesday, February 18, 2025
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

Council Information Packages are available on the City of Welland website at
<https://www.welland.ca/Council/CouncilInformationPackages.asp>

Pages

1. COMMITTEE-OF-THE-WHOLE (IN-CAMERA) - (5:00 P.M.)
 - 1.1 PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES:
 1. HR Matter.
 - 1.2 SECURITY OF THE PROPERTY OF THE MUNICIPALITY OR LOCAL BOARD:
 1. I.T. Strategic Master Plan - Risks Overview.
 - 1.3 RECEIVING OF ADVICE THAT IS SUBJECT TO SOLICITOR-CLIENT PRIVILEGE, INCLUDING COMMUNICATIONS NECESSARY FOR THAT PURPOSE:
 1. Draft Condition of Approval - Legal Review.
2. ARISE FROM COMMITTEE-OF-THE-WHOLE (IN-CAMERA)
3. OPEN COUNCIL MEETING - 7:00 P.M.
 - 3.1 LAND ACKNOWLEDGEMENT
 - 3.2 NATIONAL ANTHEM
 - 3.3 OPENING REMARKS
 - 3.4 ADDITIONS/DELETIONS TO AGENDA
 - 3.5 ADOPTION OF MINUTES
 1. Regular Council Meeting of February 4, 2025.
 - 3.6 CALL UPON THE CITY CLERK TO REVIEW COMMITTEE-OF-THE-WHOLE (IN-CAMERA) ITEMS TO BE ADDED TO THE AGENDA BLOCK
 - 3.7 DISCLOSURES OF INTEREST

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3.8 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 DELEGATIONS - (10 minutes maximum per delegation)

1. Mike Marcello, Welland resident re: Excess water bill. Ref. No. 25-28

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Mike Marcello, Welland resident regarding excess water bill.

4.2 PRESENTATIONS

1. John Mascarin, Aird & Berlis, LLP re: To provide overview of legal opinion provided in the reports listed below.

1. Response to Notice of Motion 2024-297. Ref. No. 02-160 Remove From Block

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RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the response to notice of motion 2024-297.

2. Request for Legal Opinion: Referral of Notice of Motion on Public Disclosure of In-Camera Information. Ref. No. 02-160 Remove From Block

32 - 35

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the Request for Legal Opinion: Referral of Notice of Motion on Public Disclosure of In-camera Information and report attachment; and further THAT Welland City Council directs staff to publish a report on this matter in open session to provide transparency and accurate information, as per the direction of the Notice of Motion, and supported by the legal opinion attached to this report.

4.3 AGENCIES, BOARDS, COMMISSIONS AND COMMITTEE REPORTS

1. Jesse D'Hulster, Chair/Executive and Kaitlyn Joaquin, Treasurer, Welland Downtown Business Improvement Area re: 2024 Annual Report and update on its activities. Ref. No. 99-90

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(Background information included in Council members packages)

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Jesse D'Hulster, Chair/Executive and Kaitlyn Joaquin, Treasurer, Welland Downtown Business Improvement Area regarding its 2024 annual report and update on its activities.

4.4 LEGISLATED PUBLIC HEARINGS/MEETINGS - NIL

5. COMMITTEE-OF-THE-WHOLE (OPEN)/AGENDA BLOCK
- 5.1 I.T. Strategic Master Plan Report Progress and Updates. Ref. No. 24-60 66 - 68
- 5.2 184 Denistoun Street – Proposed Niagara Regional Housing Project. Ref. No. 21-30 69 - 76
- 5.3 Rear Yard Disconnection of Sewer (RYDS) - Grant Allocations. Ref. No. 21-121 77 - 80
- 5.4 Amendment To The Fees And Charges By-Law 2024-116. Ref. No. 24-38 81 - 133
- 5.5 Updates to the Parking By-laws: Administrative Penalties, Parking Permits, Private Property Enforcement – Referred Part I. Ref. No. 24-22 (See By-law 7.1 to 7.3) 134 - 144
- 5.6 Layout, Establish and Name the Lands on Part of Aqueduct Street, Clare Avenue and Thorold Road. Ref. No. 25-54 (See By-laws 7.4 to 7.9) 145 - 152
- 5.7 Response to Notice of Motion – Council Information Package. Ref. No. 23-29 153 - 154
- 5.8 Official Plan Update - Budget. Ref. No. 07-88 155 - 157
6. NEW BUSINESS - NIL
7. BY-LAWS
- 7.1 A By-law to amend By-law 89-2000, being a By-law regulating Traffic and Parking with the City of Welland. Ref. No. 25-22 (See item 5.5)
- 7.2 A By-law to amend By-law 2019-134, being a By-law to establish an Administrative Penalty System for Non-Parking Related Offices (Schedule "A"). Ref. No. 25-22 (See item 5.5)
- 7.3 A By-law to amend a By-law 11027, being a By-law to control the parking of motor vehicles on the property of Niagara College of Applied Arts and Technology. Ref. No. 25-22 (See item 5.5)
- 7.4 A By-law to Lay Out, Establish, Assume and Name as a Public Highway for road widening purposes Part 3 Plan 59R-17614 as part of Aqueduct Street. Ref. No.25-54 (See item 5.6)
- 7.5 A By-law to Lay Out, Establish, Assume and Name as Public Highway for road widening purposes Part 1 Plan 59R-18095 as Part of Thorold Road. Ref. No. 25-54 (See item 5.6)
- 7.6 A By-law to Lay Out, Establish, Assume and Name as a Public Highway for road widening purposes Part 3 Plan 59R-18198 as Part of Clare Avenue. Ref. No. 25-54 (See item 5.6)
- 7.7 A By-law to Lay Out, Establish, Assume and Name as a Public Highway for road widening purposes Part 3, Plan 59R-17081 as Part of Clare Avenue. Ref. No. 25-54 (See item 5.6)

7.8 A By-law to Lay Out, Establish, Assume and Name as a Public Highway for road widening purposes Part 4, Plan 59R-17676 as Part of Clare Avenue. Ref. No. 25-54
(See item 5.6)

7.9 A By-law to Lay Out, Establish, Assume and Name as a Public Highway for road widening purposes Part 1, Plan 59R-17329 as Part of Clare Avenue. Ref. No. 25-54
(See item 5.6)

8. NOTICES OF MOTION

8.1 COUNCILLOR MATTERS DISCUSSED WITH STAFF FOR REPORTING PURPOSES - (For the purpose of informing the public on a matter that has been discussed with staff since the previous Council Meeting)

8.2 NOTICES OF MOTION (PREVIOUSLY SUBMITTED FOR DISCUSSION) - NIL

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 COUNCILLORS WARD REPORT/ACTIVITIES - (2 minutes per Councillor)

9.3 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 18th day of February, 2024.

11. ADJOURNMENT



**CITY OF
Welland**

MINUTES OF THE

FEBRUARY 4, 2025 COUNCIL MEETING

**CIVIC SQUARE, COUNCIL CHAMBERS
60 EAST MAIN STREET**

Council met in Committee-of-the-Whole closed to the public at 6:34 p.m. and in open session at 7:00 p.m. on the above date.

His Worship Mayor Frank Campion in the Chair.

Members Present:

Councillors J. Chiocchio (6:36 p.m.), T. DiMarco (virtual), B. Fokkens (virtual), B. Green, M.A. Grimaldi (virtual at 7:18 p.m.), J. Lee, D. McLeod (8:47 p.m.), A. Moote, C. Richard, S. Setaram, G. Speck (7:00 p.m.), and L. Van Vliet (until 9:45 p.m.).

Members of Staff and Others Present:

Chief Administrative Officer, R. Axiak

Director of Legislative Services/City Clerk, T. Stephens

General Manager of Corporate & Enterprise Services/CFO, S. Nagel

Director of Community Services, J. Ruddell

Director of Infrastructure Services, SM. Millar

Director of Planning and Development Services, G. Munday

Manager of Transportation, A. Khan (7:00 p.m. – 10:00 p.m.)

Manager of Fleet, Equipment & Purchasing, A. Beres (7:00 p.m. – 7:20 p.m.)

Manager of Development Planning, T. Meadows (7:00 p.m. – 9:03 p.m.)

2025 - 10**25-25** Moved by Richard and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 6:34 p.m. to consider:

- personal matters about an identifiable individual, including municipal or local board employees;
 - Citizens appointments to the LGBTQ2+ and Welland Heritage Advisory Committees.

CARRIED**2025 - 11****25-25** Moved by Van Vliet and Setaram

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 6:45 p.m. with report.

CARRIED**THE FOLLOWING ITEM WAS ADDED:**

Report CS-2025-02: Potential Transfer of Land - originally listed on in-camera is now a public matter and, was added to the agenda block as item 5.7.

PRESENTATIONS

25-28 Vic Kerschl, Past President, Rotary Club of Welland addressed Council regarding an update on the Rotary Club of Welland Park and final payment for Legacy Project.

21-30 Wayne Brandt, Strat Homes and Margaret Beaupre, Executive Director, Gateway Residential and Community Support Services and Mainstream Services addressed Council regarding Kilgour Avenue Affordable Housing project.

DELEGATIONS

25-13 Dawn Cant Elliott, Stacey Baker and Doug Thomas, Members, Active Transportation Advisory Committee addressed Council regarding an update on its activities.

2025 - 12**25-1** Moved by Richard and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meeting of February 4, 2025, as circulated.

CARRIED

2025 - 13**99-90** Moved by Moote and Green (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives and approves the slate of Officers and Directors for term of 2025-2026.

CARRIED**2025 - 14****99-99** Moved by Moote and Green (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND approves the updated costing as shown in this report (Appendix 4) for Merritt Island Park Renewal Project as an outcome of the Niagara Region Water Treatment Plant expansion project; and further THAT Welland City Council authorizes staff to enter into an agreement of purchase and sale with the Niagara Region (Appendix 2), to move forward with the Merritt Island Park Renewal project.

CARRIED**2025 - 15****05-51** Moved by Moote and Green (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information competitive purchase results.

CARRIED**2025 - 16****21-30** Moved by Moote and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Wayne Brandt, Strat Homes and Margaret Beaupre, Executive Director, Gateway Residential and Community Support Services and Mainstream Services regarding Kilgour Avenue Affordable Housing project.

CARRIED**2025 - 17****21-30** Moved by Chiocchio and Richard

THAT COUNCIL OF THE CITY OF WELLAND endorses Gateway Residential and Community Support Services and Mainstream's proposal for providing twenty-four (24) Affordable Rental Housing Units on a portion of the municipally owned property located on south-west Corner Kilgour Avenue and Broadway; and further THAT Welland City Council approves entering into a long-term land lease agreement, at a nominal cost of \$2 per year, with Gateway Residential and Community Support Services and Mainstream for a portion of the municipally owned property located on Kilgour Avenue shown on Appendix I; and further THAT Welland City Council approves providing funding to Gateway Residential and Community Support Services and Mainstream in the amount of \$144,000.00 from the Affordable Housing Reserve Fund to support the proposed project; and further THAT Welland City Council directs staff to provide municipal services to the subject properties lot line.

CARRIED

2025 - 20**24-13** Moved by DiMarco and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND endorses the 2024 Transportation Master Plan.

CARRIED**2025 - 19****24-22** Moved by Setaram and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report ENG-2025-02: Pedestrian Crossover at First Avenue and Cedar Park Drive.

CARRIED**2025 - 21****24-55** Moved by Van Vliet and Moote

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report P&B 2025-05 regarding applications for Official Plan Amendment (OPA No. 49) and Zoning By-law Amendment (2024-01) for lands municipally known as 418, 424, 430 Aqueduct Street and 650, 656, 664, 670, 678 Niagara Street.

CARRIED**2025 - 22****25-13** Moved by Green and Lee

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Dawn Cant Elliott, Stacey Baker and Doug Thomas, Members, Active Transportation Advisory Committee regarding an update on its activities.

CARRIED**2025 - 23****25-28** Moved by Setaram and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Vic Kerschl, Past President, Rotary Club of Welland regarding an update on Rotary Club of Welland Park and final payment for Legacy Project.

CARRIED**2025 - 24****25-40** Moved by Setaram and Moote

THAT THE COUNCIL OF THE CITY OF WELLAND supports the involvement of Councillor Sharmila Setaram, as a Member of the Ontario Small Urban Municipalities of Ontario, Executive Committee, for the term ending in May of 2026.

CARRIED**2025 - 25****25-41** Moved by Moote and Green (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND authorize a contract extension to the 2023 & 2024 CCTV Program – Wastewater & Stormwater Gravity Sewers contract with Bob Robinson & Son Contractors Ltd. to include the 2025 sewer inspections.

CARRIED

2025 - 26**25-43**

Moved by McLeod and Lee

THAT THE COUNCIL OF THE CITY OF WELLAND requests staff provide a detail report on how to proceed with dual serving Councillors for the 2026 election.

YEAS: Mayor Campion, Fokkens, McLeod, Moote, Setaram.

NAYS: Chiocchio, Green, Grimaldi, Lee and Speck.

(Councillor DiMarco did not vote on this item).

LOST**2025 - 27****25-47**

Moved by Green and Lee

THAT THE COUNCIL OF THE CITY OF WELLAND enters into a Host Municipality Compensation Agreement with the Regional Municipality of Niagara for the expansion of the Humberstone Landfill.

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25-47

Moved by Moote and McLeod

THAT Welland City Council refers Report ENG-2025-06: Humberstone Landfill Host Municipality Compensation Agreement back to staff.

CARRIED**Action Items/Direction to Staff:**

- Cubic Meters vs. Tonnes.
- Compensate rate to be 10% of the tipping fee.
- Where does waste come from?
- Does the region continue to own the facility even after it is full and monitor to take necessary actions related to the environment?
- Is it the Regions' responsibility?
- Look into paid-in-advance – Similar to processes in 1990s.

BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE (IN-CAMERA)**2025 - 28****05-50**

Moved by Moote and Green (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND appoints Rose Dzugan to the Welland Heritage Advisory Committee for the term February 4, 2025 to November 14, 2026.

CARRIED**2025 - 29****25-28**

Moved by Moote and Green (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND appoints Cortney Peters to the LGBTQ2+ Advisory Committee for the term February 4, 2025 to November 14, 2026.

CARRIED

BY-LAWS

Moved by Moote and Green (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND having given due consideration to the following By-laws, as reproduced in this evening's Council Agenda, now read a first, second and third time and pass same, and authorize the Mayor and Clerk to sign and seal same.

25-48

BYL 2025 - 10

A By-law to exempt certain lands from Part-Lot Control - Block 1, Plan 59M529, Parts 1-39 (inclusive), Plan 59R-1815, City of Welland.

24-52

BYL 2025 - 11

A By-law to exempt certain lands from Part-Lot Control - Block 29, Plan 59M486, Parts 1-15 (inclusive), 59R-18282, (290, 296, 304, 312, 320, 326, 334, 342, and 350 Perth Trail), City of Welland.

CARRIED

Moved by McLeod and Moote

THAT THE COUNCIL OF THE CITY OF WELLAND having given due consideration to the following By-law, as reproduced in this evening's Council Agenda, now read a first, second and third time and pass same, and authorize the Mayor and Clerk to sign and seal same.

25-1

BYL 2025 - 12

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 February 2025.

CARRIED

Council adjourned at 10:15 p.m.

These Minutes to be approved and adopted by Motion of Council this 18th day of February 2025.

COUNCIL MEETING
HUMAN RESOURCES

REPORT HR-2025-01
February 18, 2025

SUBJECT: Response to Notice of Motion 2024-297

AUTHOR: Andrea Daisley, Chief Human Resources Officer

APPROVING: Rob Axiak, CAO

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the response to notice of motion 2024-297.

RELATIONSHIP TO STRATEGIC PLAN –

This recommendation is aligned to Council’s strategic priority of ensuring “**Economic Growth**” for creating a diverse economy through partnerships and emerging markets to ensure sustainable growth and quality employment.

EXECUTIVE SUMMARY:

The Mayor’s delegation of authority, as outlined in Mayoral Decision 2023-04, grants the Chief Administrative Officer (CAO) the authority to make decisions regarding hiring, dismissal, and organizational structure. However, statutory officers such as the Clerk, Treasurer, and Chief Building Official remain under Council’s jurisdiction as per the Municipal Act.

The City’s Hiring Policy remains in effect where it does not conflict with the Municipal Act. Previously, Council approved the appointment of Directors. Under the strong mayor powers, this authority now rests with the CAO.

The legal review confirms that the delegation of authority aligns with legislative requirements and clarifies the distinction between hiring and appointment. While the CAO has the authority to hire for most positions, Council retains jurisdiction over statutory appointments as required by the Municipal Act.

BACKGROUND:

In accordance with the Municipal Act and provincial legislation granting strong mayor powers, Mayoral Decision 2023-04 delegated authority over organizational and employment matters to the CAO. This delegation allows the CAO to oversee hiring, dismissal, and organizational structuring, including division heads. However, statutory positions such as the Clerk, Treasurer, and Chief Building Official remain under Council's authority.

Historically, the City's Hiring Policy required Council approval for appointing Directors. With the implementation of strong mayor powers, this authority has been reassigned to the CAO. As a result, the Hiring Policy must be interpreted within this legislative context to ensure compliance with municipal governance principles.

A legal opinion was sought to clarify the distinction between hiring and appointment and to confirm the validity of the Mayor's delegation of authority. The opinion reaffirms that while the CAO has hiring authority for most positions, formal appointments for statutory roles still require Council approval.

DISCUSSION:

The Mayor's delegation of organizational and employment matters to the CAO, as per Mayoral Decision 2023-04, allows the CAO to make decisions regarding hiring, dismissal, and organizational structuring. However, this authority does not extend to statutory officers or positions listed under subsection 284.6(3) of the Municipal Act (e.g., Clerk, Treasurer, Chief Building Official).

The Hiring Policy continues to apply where it does not conflict with the Municipal Act. Under the previous policy, Council approval was required for appointing Directors, but under strong mayor powers, this authority is now assigned to the CAO. As a result, the Hiring Policy must be interpreted in alignment with this updated statutory framework.

The legal review highlights the distinction between:

- Hiring – selecting and employing an individual.
- Appointment – a formal designation requiring Council approval for statutory positions.

While the CAO has authority over most hiring decisions, formal appointments for certain statutory roles remain under Council's jurisdiction.

The legal opinion confirms that the Mayor's delegation of authority to the CAO lawfully transfers responsibility for employment and organizational matters, in alignment with the Municipal Act. The Hiring Policy must be interpreted within this framework to ensure compliance with municipal governance principles.

All staff-related matters covered in this report have been managed in accordance with the Municipal Act and the City's Hiring Policy. Council members are reminded that specific positions will not be discussed in public meetings. Any related inquiries should be directed to staff through established protocols.

FINANCIAL:

N/A

ATTACHMENT:

Legal Opinion from Aird & Berlis LLP re: Organizational Structure and Employment Matters

Policy HR005 - Hiring

	Title:	Hiring		
	Number:	HR – 005		
	Revision Date:	January, 2021	Approved by:	Council
	Revision Number:	1	Area:	Corporate
	Document Type:	Policy	Department:	Human Resources

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	Title:	Hiring		
	Number:	HR – 005		
	Revision Date:	January, 2021	Approved by:	Council
	Revision Number:	1	Area:	Corporate
	Document Type:	Policy	Department:	Human Resources

1.0 Purpose and Scope

- 1.1 The City of Welland (“the City”) is committed to transparent and merit-based selection in all of its hiring decisions. All applicants are given an equal opportunity for employment in compliance with the provisions in the Ontario Human Rights Code, the Accessibility for Ontarians with Disabilities Act (AODA) and any other applicable legislation.
- 1.2 The purpose of this policy is to set a consistent and equitable standard for the recruitment and selection of employees at the City. This will help to create a diverse and qualified talent pool to support the City’s current and future business needs. Effective recruitment, selection and promotion practices optimize the efficiency of human resources and maximize the number of promotion and career development opportunities for existing employees.
- 1.3 The recruitment and selection of all positions within the City shall be coordinated through the Human Resources department, which shall provide professional counsel and assistance to the hiring department which, unless otherwise specified and subject to the approval of the CAO, is solely responsible for the final hiring decision.
- 1.4 Candidates are selected and employment decisions are made in accordance with the City's policies, procedures, collective agreements, and any other applicable City policies.
- 1.5 No elected officials, appointed officers or employees shall attempt to misuse their authority to influence or make a decision on the hiring, transfer, promotion, demotion or any other employment related decision of an applicant or current employee.
- 1.6 The City shall ensure internal equity and comply with all requirements of the Ontario Pay Equity Act.

2.0 Responsibilities

- 2.1 Human Resources
 - Develop employment policies, procedures and guidelines which promote a fair and equitable process and support the hiring manager, or designate, in making the best hiring decision possible.

	Title:	Hiring		
	Number:	HR – 005		
	Revision Date:	January, 2021	Approved by:	Council
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- Ensure the principles in this Policy are abided by during the hiring process and that the hiring manager, or designate, is aware of and follows any associate procedures.
- Provide support to hiring manager, or designate, in determining workforce planning requirements and specific recruitment strategies to attract quality candidates.
- Ensure that all recruitment activities and staffing decisions comply with statutory requirements, collective agreements and corporate policies and procedures.
- Participate in the recruitment process for all positions.
- Perform candidate screening based on pre-determined objective criteria.
- Work with the hiring manager, or designate, to ensure there is an up-to-date job description that outlines duties and qualifications.
- Post the position in accordance with procedures.
- Advise and support the hiring manager, or designate, so they are able to conduct a fair and equitable selection process, as per the principles of this policy, and in accordance with the relevant collective agreements, policies, procedures and legislation.
- Ensure the selection process is consistent with the Anti-Nepotism principles, as outlined in this policy.
- Extend an offer of employment to the successful candidate.
- Maintain documentation associated with all phases of selection process.
- Safeguard the privacy and confidentiality of candidate information.

2.2 Hiring Managers

- Review the job description, in consultation with Human Resources, to ensure it is accurate in terms of duties and requisite qualifications.
- Review applications that meet the identified qualifications, as identified by Human Resources.
- Be aware of the employment related statutory requirements, collective agreements and corporate policies and procedures. Seek clarification from Human Resources, as required.
- Participate in the interview process, with Human Resources.
- Make the hiring decision, in consultation with Human Resources.
- Safeguard the privacy and confidentiality of candidate information.

	Title:	Hiring		
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2.3 Candidate:

- Carefully read the posted job description for the available position.
- Complete an application as per the specified application process, meeting the closing date, and accurately and fully disclose all related information to allow for an objective determination of knowledge, skill and experience.
- Disclose any potential conflict of interest at the beginning of the selection process, in accordance with the Anti-Nepotism principles outlined in this policy.
- Satisfy all employment conditions and provide proof of the qualifications, as identified on the posting.
- Consult with Human Resources to disclose and request accommodation, if required.
- Safeguard and keep confidential any City related information disclosed during the recruitment process.

3.0 Principles

3.1 Merit

All selections, appointments and promotions shall be based on considerations of merit, and ability to perform effectively in a position. Hiring decisions will be free of nepotism in accordance with the terms of this Policy.

3.2 Objectivity

Selection criteria shall be developed in an objective and non-discriminatory manner and must be based on bonafide job-related requirements.

3.3 Consistency

Selection systems and procedures will ensure that candidates are treated in a fair and consistent manner.

3.4 Equal Opportunity

All City recruitment practices and procedures must comply with the Ontario Human Rights Code. All internal candidates and external candidates receive equal treatment with respect to employment without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, record of offences, marital status, family status or disability.

	Title:	Hiring		
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3.5 Accessibility

All City recruitment practices and procedures must comply with the AODA requirements for developing, implementing and enforcing accessibility standards for internal candidates and external candidates who may have a disability. This includes identifying and removing any barriers that may exist for persons with disabilities to apply for City of Welland positions; and if qualified, to participate in the interview process.

4.0 Procedures

4.1 Employment Hiring Authority

- The CAO shall have the authority to advise Council on performance and to recommend to Council the appointment, promotion, demotion, suspension, or dismissal of Directors.
- The CAO, in consultation with the appropriate Director and Human Resources, shall have the final authority to employ, promote, demote, suspend or dismiss an employee of the City below the rank of Director not covered by a collective agreement and in accordance with all applicable employment legislation.
- The CAO shall have the authority to, in consultation with the appropriate Director and Human Resources, appoint, employ, demote, suspend and dismiss all other employees of the Corporation within approved staff complement levels, in accordance with the requirements of any/all affected collective agreements and all applicable employment legislation

4.2 New Full Time Positions and Vacancies

- All new full-time positions must be approved by Council via the Budget Review Committee.
- All full-time, non-union vacancies shall be posted internally and externally concurrently.

4.3 Selection of Employee

- The Director is responsible for all employees in their Department relative to appointments, evaluations, suspensions, promotions or dismissals.

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4.4 Former City Employees

- Former employees of the City of Welland who have left voluntarily, or through no fault of their own, and who make an application for re-employment are to be given fair and equal consideration in any/all hiring processes.

4.5 Hiring of Directors

- Short listed applicants will be subject to employment investigations into their educational and work background and professional references. Only fully qualified applicants will be considered for employment.
- The appointment of a Director, reporting directly to the CAO, is subject to the approval of Council and the selection procedure is as follows:
 - The Human Resources Department verbally advises the selected candidate of the Selection Committee's recommendation to Council.
 - Council, in closed session, decides on the Selection Committee's recommendation.
 - A formal written offer of employment is extended to the successful candidate, and a written acceptance of the offer is received.
 - A By-law is passed to either establish the position or appoint the successful candidate to the position, or both.

4.6 Hiring of All Other Staff

- The appointment process for all other senior staff and all other employees is subject to the approval of the Director and the CAO, through an Employment Requisition Form. The Selection Committee shall include Human Resources staff and others as deemed appropriate, by Human Resources, for the vacancy being filled.
- Items to be reviewed during the screening and short-listing process include:
 - Written application and resume.
 - Preliminary interview using the most recent job description, job posting and discussion of all facets of the position.
 - Verification of professional references.
 - Testing procedures where necessary.
 - Pre-employment health examination to determine physical fitness for employment, where necessary.

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	Document Type:	Policy	Department:	Human Resources

4.7 Anti-Nepotism

The purpose of this section is to ensure that employment related decisions concerning existing or potential City employees are free from any real or perceived improper influence based on family member or significant social relationships. At the same time, it is recognized that existing family members and significant social relationships with City employees should not unduly or unfairly restrict or enhance an individual’s opportunity to pursue employment or changes in employment at the City.

The hiring process is intended to promote equitable opportunity. Candidates are selected and employment decisions are made in accordance with this policy, collective agreements, as well as any other applicable City policies or legislation.

In accordance with S. 24 (1) (d) of the Ontario Human Rights Code the right under section 5 to equal treatment with respect to employment is not infringed where an employer grants or withholds employment or advancement in employment to a person who is the spouse, child or parent of the employer or an employee.

No employee shall attempt to use a family or significant social relationship for his or her personal benefit or gain. This includes an employee misusing their authority to influence or make an employment related decision. Employment related decisions where a benefit may be gained, or authority may be misused include but are not limited to the following;

- the approval/denial of compensation increases;
- hire, transfer, promotion, demotion decisions;
- performance rating, discipline or termination;
- the assignment and approval of overtime;
- the assignment or direction of work assignments;
- approval of leaves of absences;
- the negotiation of salary level.

No employee shall attempt to improperly influence a recruitment or selection decision to benefit a family member or someone with whom they have a significant social relationship.

All job applicants will be requested to disclose the names of any spouse, child or parent who is a current employee or elected official of the City. Job applicants will be asked whether they are aware of any family or significant social relationships currently working as a City employee or elected official by disclosing a “yes” or “no” response. With the exception of a spouse, child, or parent relationship, applicants will not be requested to provide the names of any other family member or

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significant social relationships, in accordance with the Ontario Human Rights Code.

A spouse, child or parent of a current City employee or City elected official shall not be considered for employment, or changes in employment, if placement would create a direct reporting relationship with the above-mentioned family members.

No employee shall be in a direct reporting relationship; or be placed in a position of influence over an employed family member or significant social relationship.

Employees who become involved in a spousal relationship, significant social relationship, or who become related over the course of their employment may continue as employees if no direct reporting relationship exists between such employees. If there is a direct reporting relationship the City will attempt to find a suitable job to transfer one of the affected employees. If the City is unable to transfer the employee or the employee is unable to find alternative employment, then a decision will be made, in consultation with Human Resources, as to appropriate next steps.

Family members of City employees and City elected officials will be considered for employment or advancement provided they;

- have made application in accordance with established procedure;
- have been considered in accordance with established procedure;
- possess the necessary qualifications; and
- are considered to be the most suitable candidate.

5.0 Compliance

5.1 Any attempt to improperly influence a recruitment or selection decision will be reviewed by management and, if verified, result in appropriate disciplinary action.

5.2 Failure to comply with this policy and its associated procedures may result in disciplinary measures, up to and including termination of employment.

5.3 Candidates who do not comply with responsibilities listed above may be disqualified from the selection process.

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	Document Type:	Policy	Department:	Human Resources

Revision History

Date	Description of Change	Initials
January 26, 2021	<ul style="list-style-type: none"> Revision to Hiring Policy 	AD



John Mascarin
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PRIVILEGED & CONFIDENTIAL

February 10, 2025

File: 156417

Andrea Daisley
Chief Human Resources Officer
Corporate and Enterprise Services
The Corporation of the City of Welland
60 East Main Street
Welland, ON
L3B 3X4

Dear Ms. Daisley:

Re: Strong Mayor Powers Re Organizational Structure and Employment Matters

We have been asked to provide an opinion with respect to the delegated powers and authorities provided to the Chief Administrative Officer (“CAO”) of The Corporation of the City of Welland (the “City”) in relation to the City’s organizational structure and related employment powers under Part VI.1 of the *Municipal Act, 2001*.¹

Background

The City was designated as a “strong mayor” municipality pursuant to section 284.2 of the *Municipal Act, 2001* by section 1 of O. Reg. 331/23: *Part VI.1 of the Act* on October 31, 2023.²

As is well known, Part VI.1 was added to the *Municipal Act, 2001* to provide new executive powers to the heads of council in larger urban cities in order to advance the provincial government’s initiative to build 1.5 million new homes (and related infrastructure) in Ontario by December 31, 2031.

One of the powers assigned to strong mayors pertains to the determination of their municipality’s organizational structure.³

Related to the authorities respecting a municipality’s organizational structure are employment powers, which include the powers to hire, dismiss and such other prescribed employment powers with respect to the head of any division or the head of any other part of the organizational structure.⁴

¹ *Municipal Act, 2001*, S.O. 2001, c. 25.

² O. Reg. 331/23 revoked O. Reg. 530/22 and added the third tranche of strong mayor municipalities, which included the City of Welland in para. 41 of s. 1.

³ *Municipal Act, 2001*, s. 234.6(1).

⁴ *Municipal Act, 2001*, s. 234.6(2).

At its meeting on October 29, 2024, Council considered the following Notice of Motion, which was carried:

Notice of Motion:

WHEREAS the Mayoral decision 2023-04 delegated organizational structure and employment matters to the CAO (Municipal Act Part VI.1 284.6 (1,2); and further

WHEREAS there are limitations as outlined in 284.6(3) of the Municipal Act;

NOW THEREFORE BE IT RESOLVED that the Council of the City of Welland directs staff to seek legal advice and report to Council for employment matters within Policy HR 005 to align with the authority that Council maintains outside of the strong mayor powers under the Municipal Act 284.6, by December 10, 2024.

Mayor Campion delegated his powers with respect to the City's organizational structure and related employment matters powers to the CAO by way of Mayoral Decision No 2023-04 made on November 17, 2023.⁵ Mayoral Decision 2023-04 provided as follows:

I, Frank Campion, Mayor of the City of Welland, hereby delegate the overall structure of the organization, including the appointment of department heads and all employment matters, to the sole discretion of the Chief Administrative Officer.

We have been asked to provide a legal opinion as to what authority Council retains with respect to employment law matters that have not been assigned to the CAO outside of the delegated powers under section 284.6 of the *Municipal Act, 2001*.

In order to provide our opinion, we have reviewed the City's Hiring Policy⁶ and the statutory and regulatory strong mayor powers as they relate to employment matters.

Analysis

(a) Hiring Policy

Council adopted the Hiring Policy pursuant to its mandatory requirement to adopt and maintain a policy with respect to "its hiring of employees" in accordance with paragraph 270(1) 2 of the *Municipal Act, 2001*.

The purpose of the Hiring Policy is set out in Section 1.2 "to set a consistent and equitable standard for the recruitment and selection of employees at the City." The Hiring Policy outlines the responsibilities of various key persons, specific principles that apply to hiring practices, the procedures that are to be followed, and provisions relating to compliance. Typically, decisions on the hiring and firing of staff resides with the administrative arm of a municipality and not with Council, except for the senior most positions in local government (e.g., deputy chief administrative officers, commissioners, and mandatory statutory officers).

⁵ A strong mayor is empowered to delegate their powers under s. 284.6 (organizational structure) pursuant to s. 283.13(1) 2 of the *Municipal Act, 2001*. Such a delegation may only be made to council or the chief administrative officer pursuant to s. 6 of O. Reg. 530/22.

⁶ City of Welland Hiring Policy. No. HR-005, revised January, 2021.

For the purposes of this opinion, we have been directed to particularly focus and consider the application of Sections 4.1 and 4.5 of the Hiring Policy:

4.0 Procedures

4.1 Employment Hiring Authority

- The CAO shall have the authority to advise Council on performance and to recommend to Council the appointment, promotion, demotion, suspension, or dismissal of Directors.
- The CAO, in consultation with the appropriate Director and Human Resources, shall have the final authority to employ, promote, demote, suspend or dismiss an employee of the City below the rank of Director not covered by a collective agreement and in accordance with all applicable employment legislation.
- The CAO shall have the authority to, in consultation with the appropriate Director and Human Resources, appoint, employ, demote, suspend and dismiss all other employees of the Corporation within approved staff complement levels, in accordance with the requirements of any/all affected collective agreements and all applicable employment legislation.

4.5 Hiring of Directors

- The appointment of a Director, reporting directly to the CAO, is subject to the approval of Council and the selection procedure is as follows:
 - o The Human Resources Department verbally advises the selected candidate of the Selection Committee's recommendation to Council.
 - o Council, in closed session, decides on the Selection Committee's recommendation.
 - o A formal written offer of employment is extended to the successful candidate, and a written acceptance of the offer is received.
 - o A By-law is passed to either establish the position or appoint the successful candidate to the position, or both.

The aforementioned provisions from the Hiring Policy are comparable to those in other similar municipalities of the size and stature of the City. The general authority over day-to-day operations and management of a municipality does not reside with Council, which is the policy-setting and governance arm of the municipality. That responsibility belongs to the chief administrative officer of a municipality, which is made clear in section 229 of the *Municipal Act, 2001*:

Chief administrative officer

229 A municipality may appoint a chief administrative officer who shall be responsible for,

- (a) exercising general control and management of the affairs of the municipality for the purpose of ensuring the efficient and effective operation of the municipality; and
- (b) performing such other duties as are assigned by the municipality.

It stands to reason that if the CAO is the senior official who is statutorily in charge of the control and management of the affairs of the municipality in order to ensure it operates efficiently and effectively, the CAO would be the official primarily responsible for the hiring and termination of most senior staff. Council has sought to maintain some degree of control over Directors in the Hiring Policy with the input and recommendation of the CAO. This is not unusual, although many municipal councils have but a single employee: the chief administrative officer, who has full responsibility over *all* staff hiring and termination decisions.

(b) *Municipal Act, 2001* – Strong Mayor Employment Powers

The applicable provisions of the *Municipal Act, 2001* as they relate to a municipality's organizational structure and employment matters are set out in subsections 284.6(1)-(3):

Powers re organizational structure

284.6 (1) Subject to subsection (3), the powers of the municipality with respect to determining the organizational structure of the municipality are assigned to the head of council.

Employment matters

(2) Subject to subsection (3) and the regulations, subsection (1) includes the power to hire, dismiss or exercise any other prescribed employment powers with respect to the head of any division or the head of any other part of the organizational structure.

Limitation

(3) The powers assigned under subsection (1) do not include the power to hire, dismiss or exercise any other prescribed employment powers with respect to any of the following persons:

1. The clerk or deputy clerk.
2. A treasurer or deputy treasurer.
3. An Integrity Commissioner.
4. An Ombudsman.
5. An Auditor General.
6. A registrar, as described in section 223.11.
7. A chief building official, as defined in the *Building Code Act, 1992*.
8. A chief of police, as defined in the *Police Services Act*.
9. A fire chief, as defined in the *Fire Protection and Prevention Act, 1997*.
10. A medical officer of health, as defined in the *Health Protection and Promotion Act*.
11. Other officers or heads of divisions required to be appointed under this or any other Act.
12. Any other prescribed persons.

As noted above, the Mayor delegated his statutory powers respecting the City's organizational structure and employment matters to the CAO by Mayoral Decision pursuant to paragraph 284.13(1) 2 of the *Municipal Act, 2001*:

Delegation

284.13 (1) Subject to the prescribed limitations, if any, the head of council may delegate their powers and duties under the following sections:

...

2. Section 284.6 (organizational structure).

and in conjunction with subsection 6(2) of O. Reg. 530/22

Limitations on delegation, s. 284.13 of Act

6. (2) The head of council may not delegate their powers and duties under the section referred to in paragraph 2 of subsection 284.13 (1) of the Act except to council or to the chief administrative officer, if one is appointed.

Subsections 284.6(2) and (3) of the *Municipal Act, 2001* include reference to "other prescribed employment powers." In this context, "prescribed" means "by regulation." There is no regulation or regulatory provisions that have set out or listed any "employment powers" for the purposes of section 284.6.

Finally, we note that section 284.6 contains several transition provisions:

Transition

284.6 (4) Any organizational structure in place in a municipality immediately before being designated under this Part shall continue unless the organizational structure is changed by the head of council under subsection (1).

Same

(5) The head of any division or of any other part of the organizational structure who held that position immediately before the municipality was designated under this Part shall continue in that position unless they are dismissed by the head of council under subsection (2).

Same

(6) A head of council may exercise a power under subsection (2) with respect to a person regardless of when that person started their employment.

In our view, subsection 284.6(4) is clear that if there has been no changes to the organizational structure of the City (including the Hiring Policy), it continues to exist as applicable unless it is changed by the head of council or unless it conflicts⁷ with the strong mayor powers.

⁷ See the conflict resolution provision in s. 14 *Municipal Act, 2001*, discussed below.

Issue

The central question is to what extent have the strong mayor power in section 284.6 of the *Municipal Act, 2001* altered the authority of Council as set out in the Hiring Policy in relation to the appointment, promotion, demotion, suspension, or dismissal of Directors, which actions require the approval of Council.

Analysis

It is our opinion that section 284.6 has modified the provisions of the Hiring Policy as they relate to the hiring and dismissal of the head of any division or the head of any other part of the City's organizational structure. This would, in our view, include Directors at the City who are effectively the division heads or other heads within the City's organizational structure.

Accordingly, wherein the Hiring Policy provided that the appointment, promotion, demotion, suspension and dismissal of Directors would be determined by Council, section 284.6 has revised that procedure and has provided that the power to hire and dismiss Directors (to the extent that a Director is a head of a City division or other head of a City department, branch or section) is assigned to the Mayor (who has delegated such authority to the CAO).

However, a head of council's power to hire and dismiss division heads or other heads within the City's organizational structure is subject to the limitation in subsection 284.6(3). This provision restricts a strong mayor (or their delegate) from hiring or dismissing a statutory officer or other person that is required to be appointed under the *Municipal Act, 2001* or any other statute.⁸

In our view, with respect to the persons listed in paragraphs 1-12 of subsection 284.6(3), their hiring and dismissal could only be effected by either:

- (i) Council (if such person is a Director); or
- (ii) in accordance with the Hiring Policy (if the person was not a Director).

To the extent that the Hiring Policy does not align with the Mayor's authority over the City's organizational structure and related employment matters, the Hiring Policy will be read down and not be applicable.

Section 284.6 of the *Municipal Act, 2001* takes precedence over subordinate legislation and this principle is also codified in the statute:

Conflict between by-law and statutes, etc.

- 14** (1) A by-law is without effect to the extent of any conflict with,
- (a) a provincial or federal Act or a regulation made under such an Act; or
 - (b) an instrument of a legislative nature, including an order, licence or approval, made or issued under a provincial or federal Act or regulation.

⁸ Such other officers may include, for example, building inspectors who are required to be appointed under s. 3(2) of the *Building Code Act, 1992*, S.O. 1992, c. 23 or by-law enforcement officers appointed under the *Municipal Act, 2001*.

Same

(2) Without restricting the generality of subsection (1), there is a conflict between a by-law of a municipality and an Act, regulation or instrument described in that subsection if the by-law frustrates the purpose of the Act, regulation or instrument.

However, to the extent that the Hiring Policy does not conflict with section 284.6, the Hiring Policy continues to apply.

As noted above, subsection 284.6(3) sets out a number of persons that a *head of council* cannot hire or dismiss via the strong mayor's powers. To be clear, a head of council (or the delegate of the head of council) cannot hire or dismiss the persons set out in subsection 284.6(3) *pursuant to the powers set out in section 284.6*.

However, a strong mayor or their delegate can continue to exercise powers of hiring and dismissal if they have been assigned to them other than through the strong mayor powers in section 284.6. Stated another way, if the CAO has been assigned certain powers by Council to hire or dismiss any of the persons who are listed in subsection 284.6(3) (which he has been via the Hiring Policy), those powers do not disappear simply because the Mayor (and the CAO as delegate) cannot take such action pursuant to the powers in section 284.6.

As set out above, Council had assigned various powers to the CAO in the Hiring Policy to hire and dismiss any "employee of the City below the rank of Director not covered by a collective agreement." The CAO's authority to hire and dismiss such employees arises by way of a direct assignment from Council under the Hiring Policy (not from the delegation of authority by the Mayor pursuant to subsection 284.13).

There are a number of persons set out in subsection 284.6(3) – including deputy clerk, deputy treasurer and chief building official – who are employees below the rank of Director. While the Mayor cannot hire or dismiss such persons (and neither can the CAO *as delegate of the Mayor*), the CAO retains the authority to do so under the Hiring Policy because he is acting pursuant to the specific assignment of that authority from Council.

We also wish to note that unlike the Hiring Policy which refers to a list of employment law matters such as "appointment, promotion, demotion, suspension, or dismissal", section 286.4 only refers to "hiring, dismissal."

We submit that this creates no material difference at law as the powers to hire and dismiss are at the two ends of the spectrum of employment and it is to be implied that all related powers in between have also been conferred.⁹

Therefore, it is our view that "all necessary incidental powers" between the extremes of hiring and dismissal would include "promotion, demotion, suspension" as set out in the Hiring Policy.

⁹ This principle is codified in s. 78 of the *Legislation Act, 2006*, S.O. 2006, c. 21, Sched. F:

Incidental powers

78 If power to do or to enforce the doing of a thing is conferred on a person, all necessary incidental powers are included.

Finally, we also would like to address the issue of “hiring” versus “appointment”. The term “appointment” is often considered to be synonymous with “hiring”. But they are not the same thing.

Pursuant to the *Municipal Act, 2001*, an appointment connotes a formal assignment of a person or body to a particular office or role.¹⁰

The terms “appoint” and “appointment” are not defined in the *Municipal Act, 2001*. Accordingly, they are to be accorded their plain and ordinary meanings. Below are some dictionary definitions:

Concise Oxford Dictionary

appoint – to choose someone officially for a job or responsibility

Merriam-Webster Dictionary

appoint – to fix or set officially; to name officially

Collins Dictionary

appoint – to assign officially; to prescribe or ordain

There is one commonality amongst the dictionary definitions: “official”. In our view, the appointment of certain officers under the *Municipal Act, 2001* was intended to be an “official” assignment by council, that endorses or validates the importance or status of the position. However, the appointment should not be confused with the hiring or retention of such officers, which is an entirely different matter.

The *Municipal Act, 2001* provides a municipality with a general authority to delegate its powers and duties under the statute to a person or body.¹¹

The statute requires the appointment of certain statutory officers and provides municipalities with discretion to appoint other named statutory officers. For example with respect to a clerk and treasurer, subsections 228(1) and 286(1) of the *Municipal Act, 2001* provide that a municipality *shall* appoint these officers. There are other officials, such as deputy clerk and deputy treasurer, that *may* be appointed by a municipality.¹²

The power to appoint or remove an officer of the municipality whose appointment is required by the *Municipal Act, 2001*, such as the clerk or the treasurer, may not be delegated. This is made explicit by paragraph 23.3(1) 1 of the statute:

¹⁰ For example, in s. 296(1) of the *Municipal Act, 2001*, a municipality “shall *appoint* an auditor”. Subsection 296(4) then provides that “the auditor of a municipality shall *not be an employee* of the municipality.”

¹¹ *Municipal Act, 2001*, s. 23.1(1).

¹² *Municipal Act, 2001*, s. 228(4) [deputy clerk] and s. 286(2) [deputy treasurer]. We also note that the wording of these provisions refers to “a municipality” – not “council”. In our opinion, this is a deliberate choice on the part of the legislative drafters whereby the authority may be carried out by council or may be delegated to another person or body. There is nothing in the statute that derogates from this interpretation and application.

Powers that cannot be delegated

23.3 (1) Sections 9, 10 and 11 do not authorize a municipality to delegate any of the following powers and duties:

1. The power to appoint or remove from office an officer of the municipality whose appointment is required by this Act.

The power to delegate such a responsibility extends to any officer whose appointment is not required by the *Municipal Act, 2001*.

Conclusions

For all of the reasons set out above, it is our opinion that section 284.6 of the *Municipal Act, 2001* has altered the Hiring Policy and Council's direct authority with respect to certain employment law matters. The statute has primacy over the Hiring Policy to the extent of any conflict or frustration of legislative purposes. However, the Hiring Policy continues to apply to the extent that it does not conflict with or frustrate the purposes of section 284.6 of the *Municipal Act, 2001*.

Yours truly,

AIRD & BERLIS LLP



John Mascarin

JM/km

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COUNCIL MEETING
OFFICE OF THE CITY CLERK

REPORT CLK-2025-04
February 18, 2025

SUBJECT: Request for Legal Opinion: Referral of Notice of Motion on Public Disclosure of In-Camera Information

AUTHOR: Tara Stephens, Director of Legislative Services/City Clerk

APPROVING: Rob Axiak, Chief Administrative Officer

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the Request for Legal Opinion: Referral of Notice of Motion on Public Disclosure of In-camera Information and report attachment; and further

THAT Welland City Council directs staff to publish a report on this matter in open session to provide transparency and accurate information, as per the direction of the Notice of Motion, and supported by the legal opinion attached to this report.

RELATIONSHIP TO STRATEGIC PLAN

Integrity: As a guide for our actions, we will emphasize honesty, accountability, and ethical behaviours, to ensure we consistently uphold the highest standards of trustworthiness, transparency, and fairness in all our endeavours.

EXECUTIVE SUMMARY:

This report has been prepared in response to council's referral of a notice of motion (NOM) requesting clarification on in-camera discussions regarding Councillor DiMarco's absence from in-person council meetings. As directed, a legal opinion has been obtained to address the matter. The attached legal opinion provides guidance on the disclosure of in-camera information, balancing the principles of transparency and the legal obligations related to confidentiality. This report aims to provide council with the necessary information to proceed appropriately and in compliance with applicable legislation.

BACKGROUND:

On January 14, 2025, a notice of motion (NOM) was presented to council to address public and media inquiries regarding Councillor DiMarco's absence from

in-person council meetings. The NOM highlighted concerns about the circulation of inaccurate and speculative information in the community and called for a transparent response.

The NOM directs staff to prepare a report in open session to clarify the matter and provide accurate information. Subsequently, council referred the matter back to staff for a legal opinion to determine the appropriateness and extent of disclosing information discussed in camera.

DISCUSSION:

The attached legal opinion addresses the balance between transparency and the legal obligations of confidentiality under the Municipal Act, 2001. While public interest demands clarity, in-camera discussions are protected to safeguard sensitive information. The legal opinion outlines the extent to which information can be disclosed without breaching confidentiality. Based on this guidance, Council may consider providing a public response that respects legal limitations. Staff are available to assist with drafting such a response if directed by Council.

FINANCIAL:

None.

ATTACHMENT:

Appendix I - Legal Opinion from Aird & Berlis LLP re: Authority to Report Out from Closed Session.



John Mascarin
Direct: 416.865.7721
E-mail: jmascarin@airdberlis.com

Appendix I

February 12, 2025

Our File No.: 156417

Tara Stephens
City Clerk
The Corporation of the City of Welland
60 East Main Street
Welland, ON
L3B 3X4

Dear Ms. Stephens:

Re: Authority to Report Out from Closed Session

We have been asked to provide an opinion with respect to the authority of The Corporation of the City of Welland (the “City”) to report publicly on matters related to closed session discussions and deliberations as they relate to Councillor Tony DiMarco (the “Councillor”).

The following Notice of Motion was introduced by Mayor Campion at the meeting of Council on January 14, 2025:

WHEREAS, the public and press are asking for information as to why Councillor DiMarco has not been attending council meetings in person in council chambers; and

WHEREAS, there is inaccurate and speculative information circulating in the community; and

WHEREAS, the discussions on this matter have been held in camera.

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND authorizes and directs staff to bring a report on this matter in open session to provide transparency and accurate information. Ref. No. 02-160.

Council determined to convene into a closed session to receive information and legal advice concerning the Councillor. Council was entitled to elect to do so pursuant to the exceptions to the open meeting rule in clauses 239(2)(b) and (f) of the *Municipal Act, 2001*.

The information and records considered, discussed and deliberated upon by Council at the closed meeting constitute “confidential information” pursuant to Section 5 of the Code of Conduct. As such, the confidential information belongs to Council as the decision-maker for the City.

Council has the authority to publicly disclose or release confidential closed meeting information, which it routinely does when it proceeds to arise and report in open session on matters from closed session.

This is expressly authorized pursuant to Section 11.6 of the City's Procedural By-law 2024-95:

Committee-of-the-Whole, In-Camera, Reporting Out

11.6 Upon concluding the portion of the meeting that is closed to the public, Committee-of-the-Whole In-camera may arise with or without a resolution to report out on the general nature of the matter considered in the portion of the meeting closed to the public. For greater clarity, the determination whether and to what extent to report out in accordance with this Article 11.6 shall be in the sole discretion of the Committee-of-the-Whole In-camera.

Given the public scrutiny and speculation related to the Councillor and his absence from in-person meetings of Council, the disclosure of the reasons why the Councillor has not been permitted to attend at City Hall and in-person at meetings, would serve the public interest by dispelling misinformation circulating in the community and further ensure accountability and transparency on the matter. The Councillor has already publicly disclosed that he was barred from attending at City Hall and has stated that he "would like it out in the open."

To the extent that the information may be alleged to be protected as personal information under the *Municipal Freedom of Information and Protection of Privacy Act*, Council retains the authority to disclose such information as it considers appropriate. We have considered the privacy protections under the statute and have determined that the disclosure of information would not constitute an unjustified invasion of personal privacy under clause 14(1)(f) or, alternatively, would be permitted by the public interest override in section 16.

Members of Council who vote to report out information on the matter are protected from personal liability pursuant to subsection 448(1) of the *Municipal Act, 2001* as they would be acting in furtherance of the public interest and, therefore, in good faith. Moreover, the City's insurance coverage and Indemnification By-law may provide further protections to members of Council for decisions they make in good faith in the performance of their duties under the statute if any lawsuits are commenced personally against them.

Yours truly,

AIRD & BERLIS LLP



John Mascarin

JM/JMB/eh

Welland Downtown BIA 2024



EXPERIENCE OUR HEART

**DOWNTOWN
WELLAND**

VIVEZ L'EXPÉRIENCE



What is a BIA ?

A Business Improvement Area (BIA) is a designated region within a municipality, supported by a Board of Management. This board is tasked with promoting businesses and driving improvements within the area to foster economic growth and community engagement.

EXPERIENCE OUR HEART

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VIVEZ L'EXPÉRIENCE

OUR MISSION STATEMENT

To promote economic and community well-being in Downtown Welland by supporting and celebrating the heart and spirit of local businesses and entrepreneurs. (Strategic plan 2024 document)

OUR VISION

The Welland Downtown BIA is recognized as a resourceful, innovative partner who works as a catalyst to bring together businesses, citizens, elected officials and community organizations. The resulting impact is an increase in pride, a greater sense of belonging, and improved economic, cultural, and social well-being. (Strategic plan 2024 document)

OUR GOALS



To beautify, enhance and preserve the downtown core of the City of Welland, including our cultural assets and historical buildings.



To develop opportunities that showcase and strengthen the WDBIA member community, thus creating economic development and jobs.

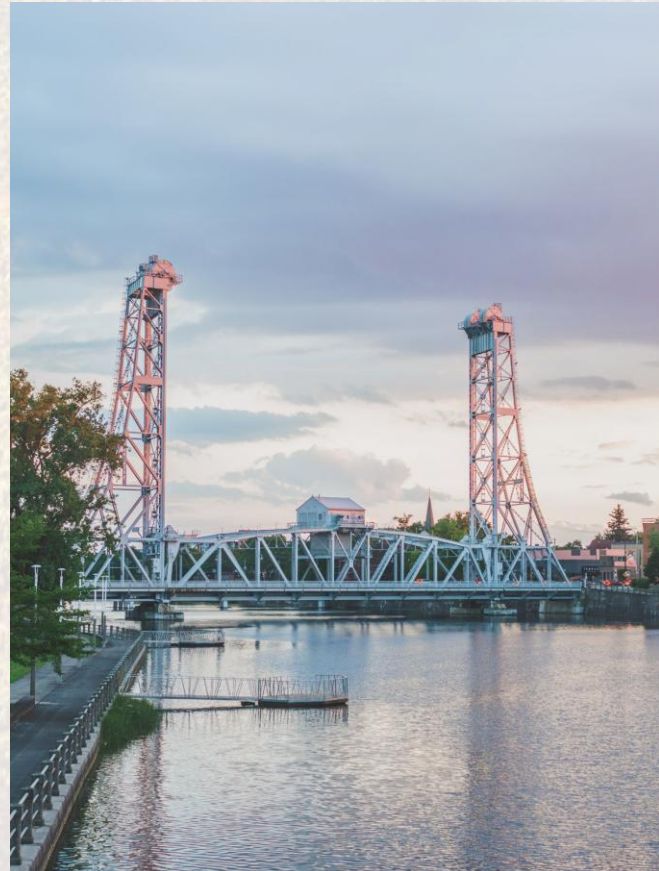


To promote and market the Welland Downtown area as a destination to shop, dine, work and visit.



To enhance pride in the community with safe, well-maintained and friendly streets.

Strategic Plan 2024- 2027



**WELLAND
DOWNTOWN BIA**

Strategic Plan

2024-2027

*Experience Our Heart
Vivez L'expérience*



EXPERIENCE OUR HEART

**DOWNTOWN
WELLAND**

VIVEZ L'EXPERIENCE

NEW Executive Director & Chair

Lee Carr Joined the WDBIA as Executive Director.
Jesse D'Hulster became Chair.





EXPERIENCE OUR HEART

**DOWNTOWN
WELLAND**

VIVEZ L'EXPERIENCE

NEW Board Members

We have also welcomed new Board Members

Darren DiMarco
Melody Majzoubi
Jane Buick
(not pictured)





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**DOWNTOWN
WELLAND**

VIVEZ L'EXPÉRIENCE

Committee Members

New Committee Members include

Brenda Herchmer (Partnerships, Opportunities & Proposals)

Katia Gauthier (Partnerships, Opportunities & Proposals)



EXPERIENCE OUR HEART

**DOWNTOWN
WELLAND**

VIVEZ L'EXPÉRIENCE

Continuing the Strengthening of City Relationships

Under the leadership of the board, the Chair and Lee Carr, the WDBIA has been actively working to renew and strengthen its relationship with the City of Welland. A strong partnership with the city is crucial for fostering collaboration, securing resources, and aligning on initiatives that benefit local businesses and the community.

This renewed connection ensures that the WDBIA and the city are united in their vision for a thriving and dynamic downtown.

Beautification

- 75 Planters and 72 Hanging Baskets have been placed around our catchment area
- Christmas planters were added around the downtown area in early November to start celebrating the festive time of year.





**Canada
Summer Jobs**

Grant Funding

Secured Canada Summer Jobs Funding that allowed the WDBIA to hire 1 student to assist with tasks such as pertaining to social media marketing & monthly newsletters/e-blasts. We thank Emmanuel Guarino for his help as our CSJ student.

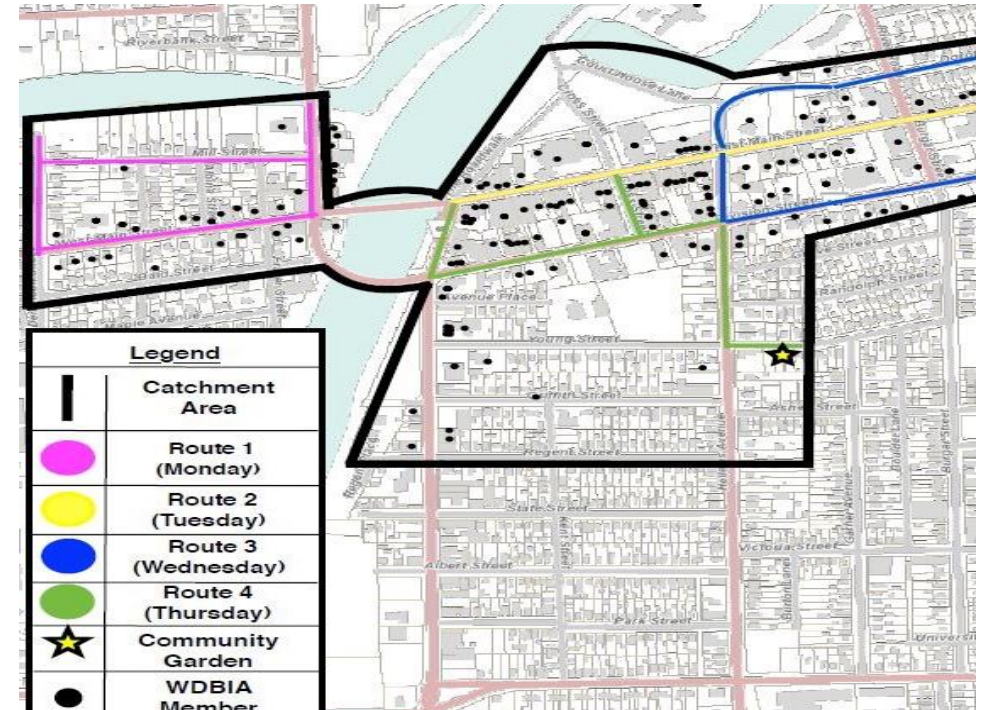


OBIAA CONFERENCE

Our executive director attended the Annual OBIAA Conference in Mississauga. During this conference, he participated in 12 seminars/sessions.

Street Crew

- 2024 Year Dates: May to October
- Clean a designated street within catchment



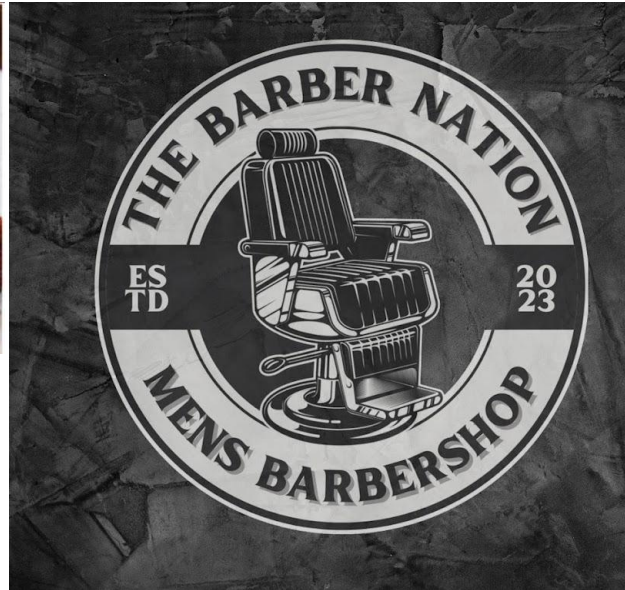


Bridge 13 Monthly Illumination Schedule



TEMPUS

RESTAURANT



New Businesses

New businesses to join the downtown area include:

- TEMPUS Restaurant
- The Barber Nation Welland
- The Fox & Hummingbird
- Lunie's Cuisine
- Sage Counselling
- Mehfil Bar & Grill
- Pickleball Academy
- Welland TMJ
- Louriel Beauty Supply
- Bridge District Concert Hall
- Trillium Wellness
- Breeze Nutrition Bar





Sponsored Events

- Rose Festival
- Welland Afro-Caribbean Festival
- Salsa & Cumbia Festival
- Welland Food Fest
- Santa Claus Parade / Tree Lighting



Welland Downtown BIA

These are just a few examples of the many things together we've worked on to advance the economic and social wellbeing of the downtown community.



FROM THE E.D.

My sincerest thanks to the Board of Directors for your warm welcome, support, mentoring and your patience throughout 2024, as I transitioned into the role of Executive Director. I'm excited and enthused by the extraordinary measure of opportunity for the WDBIA to take a leading role in helping steer and steward an exciting new vision for a reimagined and revitalized vibrant downtown community. This year has been full of many new learnings and experiences for me, while forging many, many new relationships with stakeholders, Board members, Councillors, city staff and partners. It is a pleasure to working alongside a group of such truly dedicated volunteer Board members in serving the interests of our downtown stakeholders. I'm proud to report the WDBIA remains committed to supporting and celebrating its members and growing the economic and social well-being of downtown Welland. I look forward to working hard on behalf of all, to help realize the many exciting opportunities that lie ahead in 2025 and in the years beyond.

Lee Carr ~ Executive Director

BUDGET 2025

The 2025 Budget was carefully assembled to ensure it aligns with the strategic plan and needs of the membership. We will continue to keep our downtown vibrant and clean through our beautification efforts and focus on attracting new businesses to fill the gaps. This year marks my first full year as Treasurer, and I look forward to contributing to the WDBIA's goals and helping our downtown thrive and prosper.

Respectfully Submitted,
Kaitlyn Joaquin, WDBIA Treasurer 2024

Total Revenue		155,495.39
Administration	33,840.00	
Beautification	55,950.00	
Community Events	46,800.00	
Promotional	18,800.00	
Total Expenses		155,390.00
Total Surplus		105.39



Independent auditor's report

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To the Board members, Members of Council Inhabitants and Taxpayers of the
Welland Downtown Business Improvement Area

Opinion

We have audited the financial statements of the **Welland Downtown Business Improvement Area** ("the BIA"), which comprise the statement of financial position as at December 31, 2023, and the statements of operations and accumulated surplus, change in net financial assets (debt) and cash flow for the year then ended, and notes to the financial statements, including a summary of significant accounting policies.

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the **Welland Downtown Business Improvement Area** as at December 31 2023, and its results of operations, its changes in its net debt, and its cash flows for the year then ended in accordance with Canadian public sector accounting standards.

Basis for Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Statements* section of our report. We are independent of the BIA in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Responsibilities of Management and Those Charged with Governance for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the BIA's ability to continue as a going concern, disclosing, as applicable, matters related to a going concern and using the going concern basis of accounting unless management either intends to liquidate the BIA or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the BIA's financial reporting process.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the BIA's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the BIA's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the BIA to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

The logo for Grant Thornton LLP, featuring the company name in a stylized, cursive script.

Mississauga, Canada
April 8, 2024

Chartered Professional Accountants
Licensed Public Accountants

City of Welland
Welland Downtown Business Improvement Area
Statement of Operations and Accumulated Surplus
Year ended December 31, 2023

	Budget	Actual	Actual
	<u>2023</u>	<u>2022</u>	<u>2022</u>
	<u>3</u>	<u>3</u>	
Revenue			
Events and grants	\$ 42,500	\$ 182,462	\$ 126,041
Tax levy (Note 6)	119,413	119,413	114,820
Government assistance (Note 5)	-	13,401	17,084
Other	-	80	124
Forgiveness of Due to City of Welland (Note 6)			<u>97,500</u>
		<u>315,356</u>	<u>355,569</u>
Expenses			
Community events and promotion activities	26,500	126,360	103,796
Wages	100,000	102,341	93,435
Beautification	44,100	46,383	44,424
Professional fees	9,000	8,826	8,780
Insurance	2,500	6,535	2,198
Office supplies and miscellaneous	<u>5,750</u>	<u>5,278</u>	<u>3,720</u>
Interest and bank charges	-	68	19
Rent	<u>1,000</u>		<u>1,403</u>
	<u>188,850</u>	<u>295,791</u>	<u>257,775</u>
Annual surplus (deficit)	(26,937)	19,565	97,794
Accumulated surplus (deficit), beginning of year	<u>80,642</u>	<u>80,642</u>	<u>(17,152)</u>
Accumulated surplus, end of year	\$ 53,705	\$ 100,207	\$ 80,642

The accompanying notes are an integral part of the financial statements.

City of Welland
Welland Downtown Business Improvement Area
Statement of Change in Net Financial Assets

Year ended December 31, 2023

	Budget	Actual	Actual
	<u>2023</u>	<u>202</u>	<u>202</u>
		<u>3</u>	<u>2</u>
Annual surplus (deficit)	\$ (26,937)	\$ 19,565	\$ 97,794
Use of prepaid expenses	-	253	-
Acquisition of prepaid expenses	-	<u>(258)</u>	<u>(253)</u>
	-)	
Increase (decrease) in net assets	<u>(26,937)</u>	<u>19,560</u>	<u>108,139</u>
Net financial assets (debt), beginning of year	<u>80,389</u>	<u>80,389</u>	<u>(17,152)</u>
Net financial assets, end of year	\$ 53,705	\$ 99,949	\$ 80,389

The accompanying notes are an integral part of the financial statements.

City of Welland
Welland Downtown Business Improvement Area
Statement of Financial Position

December
31

2022

2023**Financial assets**

Cash		\$
		84,798
\$		8

108,534

Accounts receivable (Note 3)		9,743
------------------------------	--	-------

Approved on behalf of the Board:

7,195115,729 94,541**Liabilities** _____ Director

Accounts payable and accrued liabilities _____ Director		3,554
---	--	-------

5,901

Deferred revenue (Note 7)		10,598
---------------------------	--	--------

9,87915,780 14,152**Net financial assets**80,38999,949**Non-financial assets**

Prepaid expenses		253
------------------	--	-----

The accompanying notes are an integral part of the financial statements.

258

Accumulated surplus (Note 4)

\$
80,64

City of Welland
Welland Downtown Business Improvement Area
Statement of Cash Flows

Year ended December 31	2023	2022
Increase (decrease) in cash		
Operating		
Annual surplus	\$ 19,565	\$ 97,794
Changes in non-cash operating items:	2,548	(5,563)
Accounts receivable		
Accounts payable and accrued liabilities	2,347	(3,406)
Prepaid expenses	(5)	(253)
	<u>23,455</u>	<u>88,572</u>
Financing		
Deferred revenue	(719)	(27,077)
Forgiveness of Due to the City of Welland	-	(97,500)
	<u>(719)</u>	<u>(124,577)</u>
Net increase (decrease) in cash	23,736	(36,005)
Cash, beginning of year	<u>84,798</u>	<u>120,803</u>
Cash, end of year	\$ 108,534	\$ 84,798

The accompanying notes are an integral part of the financial statements.

City of Welland
Welland Downtown Business Improvement Area
Notes to the Financial Statements

December 31, 2023

1. Nature of operations

The Welland Downtown Business Improvement Area (the "BIA") was established by the Council of the City of Welland (the "City") and has been entrusted with the improvement, beautification and maintenance of City owned lands, buildings and structures in the improvement area, beyond such expenditure by the Municipality. The BIA is also responsible for the promotion of this improvement area for business and shopping.

The BIA is financed by a special levy charged upon businesses in the improvement area.

2. Summary of significant accounting policies

The financial statements of the BIA have been prepared by management, in accordance with Canadian Public Sector Accounting Standards ("PSAS").

Basis of accounting

The financial statements reflect the financial assets, financial liabilities, non-financial assets, revenues, expenses and changes in accumulated surplus of the BIA.

Budgeted figures

The budget approved by the BIA for 2023 is reflected in the statements of operations and accumulated surplus and change in net financial assets.

Revenue recognition

Revenue and expenses are recorded on the accrual basis. The accrual basis of accounting recognizes revenues as they become available and measurable; expenses are recognized as they are incurred and measurable as a result of receipt of goods or services and the creation of a legal obligation to pay.

Tax levy is recognized in the year in which the tax billings are issued by the City of Welland.

Other revenue is recorded when it is earned, measurable and collection is reasonably assured.

Government assistance

Claims for assistance towards current expenses under various government grant programs are accounted for as other income included with revenue in the statement of operations..

City of Welland
Welland Downtown Business Improvement Area
Notes to the Financial Statements

December 31, 2023

2. Summary of significant accounting policies (continued)

Use of estimates

The preparation of the financial statements in conformity with Canadian public sector accounting standards requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities, and disclosure of contingent assets and liabilities at the date of the financial statements, and the reported amounts of revenues and expenses during the year. Actual results could differ from this estimate.

3. Accounts receivable

The balance is made up of the following amounts

	<u>2023</u>	<u>2022</u>
HST receivable	\$ <u>7,195</u>	\$ <u>9,743</u>

4. Accumulated surplus (deficit)

	<u>2023</u>	<u>2022</u>
Operating surplus	\$ <u>100,098</u>	\$ <u>80,642</u>

5. Government assistance

The BIA received \$13,401 (2022 – \$17,084) in funding from the federal government as a part of the Canada Summer Jobs initiative to employ co-op students during the year.

6. Related party transactions

The BIA received \$119,413 (2022 – \$114,820) in tax levies, \$120,000 (2022 – \$40,000) in events and grants and \$nil (2022 – \$97,500) in debt forgiveness from the City of Welland during the year.

7. Deferred revenue

The deferred revenue consists mainly of funds received for the Digital Service Squad Grant that are unspent and have been deferred of \$9,879 (2022 – \$10,598). These funds have been deferred and will be recognized into revenue in the period that the related expenses will be incurred.

BOARD OF DIRECTORS



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Leslie Robichaud
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Board / Chair of beautification
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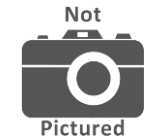
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Welland Downtown BIA 2024



EXPERIENCE OUR HEART

**DOWNTOWN
WELLAND**

VIVEZ L'EXPERIENCE

COUNCIL MEETING
INFORMATION SERVICES DEPARTMENT

REPORT IS-2025-01
February 18, 2025

SUBJECT: I.T. Strategic Master Plan Report Progress and Updates

AUTHOR: Scott Barnes, Manager of Information Services

APPROVING: Stephanie Nagel, General Manager of Corporate and Enterprise Services / CFO

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report IS-2025-01 I.T. Strategic Master Plan Report Progress and Updates.

RELATIONSHIP TO STRATEGIC PLAN

This recommendation is aligned to Council’s strategic priority of ensuring “**Economic Growth**” for creating a diverse economy through partnerships and emerging markets to ensure sustainable growth and quality employment.

EXECUTIVE SUMMARY:

Blackline Consulting was awarded the Information Technology Strategic Master Plan project in 2024. The final presentation and report are anticipated to come to Council in March 2025 including a plan for resourcing and implementation. The plan is based on four strategic priorities of:

1. Enhancing citizen engagement,
2. Optimizing internal operations,
3. Modernizing IT Infrastructure and assets, and
4. Strengthening cybersecurity.

BACKGROUND:

There has been steady growth and rapid change within the City’s population and culture resulting in an increased reliance on technology to help deliver efficient quality programs and services to residents, businesses, and other stakeholders. The ongoing nature of these conditions and the recent completion of the Welland Strategic Plan are the motivation to develop an Information Technology Master Plan.

This Master Planning process started with a review of the current state of IT, determines where IT needs to be for the City, and will culminate in the build a

comprehensive plan to get there over a five-year period. This business transformation process will determine goals and objectives that align with our corporate strategy and ensure that we have a roadmap and the capabilities and resources to achieve it.

DISCUSSION:

Completing an IT Master Plan is critical to ensuring strategic alignment between technology investments and organizational goals. It enhances operational efficiency, reduces costs, strengthens cybersecurity, and modernizes outdated systems. The plan provides a roadmap for informed decision-making, scalability, and improved service delivery while mitigating risks and ensuring regulatory compliance. For Welland, it supports smart governance, digital transformation, and efficient public service delivery.

Blackline Consulting reviewed documents, policies, and financial data, visited City computer infrastructure locations, interviewed management, departments, and Councillors, analyzed staff surveys, interviewed peer municipalities, and compared key I.T. benchmarks with 45 municipalities.

A draft Interim Report identifying the “current state” was provided to CLT in December 2024. Some high priority report suggestions not in the report are underway.

A draft of the Final Report was provided to CLT for discussion in February 2025. Four strategic priorities were identified and are included in the companion document. The report is expected to be completed and presented to Council in March 2025.

FINANCIAL:

Funding was approved by Council in the 2024 budget. Funding for this project was provided within:

Funding Source	Budget Funding
5 Year Master Plan – IS 10-131-23002	\$75,000

There are no further financial considerations at this time. There will be recommendations with estimated costs within the final report.

ATTACHMENT:

Appendix I - Welland IT Strategy - Council Update

We are developing an IT strategic plan to align the City’s digital capabilities with its overall strategy

The strategic plan will include the following sections

- ▶ **Vision and mission:** statements that define the long-term aspirations for IT and alignment with the City’s corporate strategic plan.
- ▶ **Strategic priorities:** objectives for the City to achieve its vision and mission for IT. This includes a series of initiatives as outlined in the figure to the right.
- ▶ **Governance and organizational structure:** changes to staffing, capability, and responsibilities to enable the IT strategy.
- ▶ **Implementation plan:** steps and timelines to execute the IT strategy.



Strategic priority 1: Enhance citizen engagement

- ▶ Improve how citizens interact with City services. This includes exploring a portal for priority services and continuing to digitize citizen-facing services.



Strategic priority 2: Optimize internal operations

- ▶ Improve how City staff conduct their day-to-day operations. This includes adopting a vision for replacing core systems and acquiring systems to fill gaps in technology.



Strategic priority 3: Modernize IT infrastructure and assets

- ▶ Organize and upgrade IT assets to address risks with the current state. This includes replacing unsupported servers, building redundancies in the City’s network infrastructure and reorganizing computer rooms.



Strategic priority 4: Strengthen cybersecurity

COUNCIL MEETING
PLANNING AND DEVELOPMENT SERVICES

REPORT PB-2024-30
February 18, 2025

SUBJECT: 184 Denistoun Street – Proposed Niagara Regional Housing Project

AUTHOR: Nicolas Aiello, HBA, MCIP, RPP
Policy Planning Manager

APPROVING MANAGER: Michael Greenlee, MCIP, RPP
Manager Of Planning

APPROVING DIRECTOR: Grant Munday, B.A.A., MCIP, RPP
Director Development And Building Services

RECOMMENDATION:

THAT COUNCIL OF THE CITY OF WELLAND approves a portion of lands municipally known as, 184 Denistoun Street identified as Part 2 in Reference Plan 59R-17992 to be conveyed, at no cost, to Niagara Regional Housing. The purpose is to facilitate the construction of a 78 unit Affordable Housing Development; and further

THAT Welland City Council allow for Niagara Regional Housing to apply for incentives under the Brownfield CIP to support the proposed project; and further,

THAT Welland City Council authorizes an easement over a portion of the Edward Street unopened road allowance.

RELATIONSHIP TO STRATEGIC PLAN

This recommendation is aligned to Council's strategic priority of ensuring "Liveability" by creating a sense of belonging while enhancing mobility by improving access to recreation and community events, ensuring adequate housing options, encouraging job growth, and improving ways to efficiently move people throughout the city.

The City's Housing Needs Assessment & Environmental Scan and Affordable Rental Housing Community Improvement Plan (CIP) have identified that there is high demand for purpose built rental housing that is provided at an affordable rate.

Should Council approve the recommendations of this report, the City will be supporting the need for this housing type by providing serviced land and funding its development and support programs. Subject to the findings of environmental studies, this project may also be considered a brownfield redevelopment.

EXECUTIVE SUMMARY:

In January 2024, Council declared a portion of 184 Denistoun Street as surplus. The Affordable Housing Advisory Committee passed a motion recommending Council convey 184 Denistoun Street at no cost to Niagara Regional Housing for the construction of a seventy-eight (78) unit affordable housing development. Given the site's industrial past, Staff are also recommending that an application be made for the City's Brownfield CIP Incentives.

This report is presented in response to the Affordable Housing Advisory Committee's motion that took place on November 7, 2024 and Niagara Regional Housing's presentation that took place on December 10, 2024.

City Staff recommend conveying the subject portion of 184 Denistoun Street at no cost to Niagara Regional Housing for the construction of the planned affordable housing development.

BACKGROUND:

On January 9, 2024, Welland Council approved the recommendations of Report P&B-2023-60:

THAT THE COUNCIL OF THE CITY OF WELLAND declares surplus to the City's needs, lands on the east side of Denistoun Street, south of Hooker Street, shown in Report P&B-2023-60;

THAT Welland City Council reserves the sale or lease of these lands for an affordable housing project subject to Council approval.

On November 7, 2024, the Affordable Housing Advisory Committee received a presentation from Niagara Regional Housing with regards to the proposed development of a (seventy-eight) 78 unit affordable housing development on a municipally owned surplus property known as 184 Denistoun Street. The Committee passed the following motion recommending for Council to convey the subject lands to Niagara Regional Housing.

THAT COUNCIL OF THE CITY OF WELLAND approve the provision of the property municipally known as 184 Denistoun Street to Niagara Regional Housing at no cost for the construction of at least 78 affordable housing units.

On December 10, 2024, Welland Council referred Staff Report PB-2024-30 with direction for staff to consider for the following matters:

- Reconfigure the proposed access to the Site from Edward Street to Denistoun Street;
- Provide the property to Niagara Regional Housing through a long-term nominal land lease rather than conveyance;
- Provide information regarding the cost to reconfigure the Hooker Street Park soccer field;

DISCUSSION:

Site

The subject parcel, identified as Part 2 in Reference Plan 59R-17992 (Appendix I) is approximately 0.39 hectares. The lands are located south of an Edward Street unopened road allowance, adjacent Hooker Steet Park; and, north of four (4) multi-storey residential apartment buildings.

The lands were identified in the Affordable Housing Site Evaluations and Environmental Scan which listed lands in the City that have the potential for the development of affordable housing.

The subject parcel is currently vacant. It was previously used as a parking lot for Newman Steel, a former large industrial facility. As such, environmental site assessments are needed to determine whether soil or groundwater contamination is present and remediation is required to achieve a Record of Site Condition (RSC).

Zoning

The site is zoned Community Open Space. However, Section 5.30 a) of Zoning By-law 2017-117, as amended provides that Niagara Region, among other government bodies and public agencies is not be prevented from the use of any land including the erection of buildings or structures as a public use.

Proposal: Design and Model

Niagara Regional Housing is proposing to construct, hold and operate a seventy-eight (78) unit affordable housing development at 184 Denistoun Street.

The residential building is planned to be six (6) storeys in height, consisting of five (5) bachelor units, forty-one (41) one-bedroom units, twenty-six (26) two-bedroom units, and six (6) three-bedroom units. The building will also contain: a common room, offices, laundry facility, serving area, and scooter storage on the ground floor. A total of sixty-two (62) parking spaces are proposed on-site.

A three (3) metre wide portion of land located along the eastern boundary of the site (Part 1 of Plan 59R-17992 in Appendix I) is to be retained by the City to accommodate a recreational pathway providing access from the Recreational Waterway to Edward Street and adjacent Hooker Street Park.

A modified primary access is now proposed from Denistoun Street that immediately abuts the southerly lot line of the unopened Edward Street road allowance. Regional Staff advise that the primary driveway access is required to

be located on the unopened road allowance lands to provide sufficient turning radii for waste collection and emergency vehicle movements.

A fence/screen along the length of the proposed building footprint (southerly lot line of 184 Denistoun Street) has been included to improve the privacy for ground floor units abutting that elevation.

Proposed rents for the units are as follows:

- bachelor units (estimated rent rate of \$456/month)
- one-bedroom units (estimated rent rate of \$456/month)
- two-bedroom units (estimated rent rate of \$731/month)
- three-bedroom units (estimated rent rate of \$731/month)

A concept plan for the proposed development is shown in Appendix II.

Hooker Street Park Impacts

The proposed new primary access will encroach further into Hooker Street Park, primarily affecting the southern portion of the park's soccer field (southern goal posts). Community Services staff has confirmed that reducing or removing the soccer field can be considered as it is only passively used and not rentable.

The current soccer field dimensions are smaller than regulation size. As such, moving the southern goal post northward or re-adjusting the field with an east-west orientation would not have a significant impact to the field's use. The cost associated with moving both the existing north and south goal posts is approximately \$10,000.00 (subject to condition).

Based on feedback received during the *Love My Park* engagement session hosted in August of 2023, Community Services staff have identified that Hooker Street Park needs more shade in the form of a pavilion, additional trees and outdoor games.

The proposed new access may result in the removal of trees along the perimeter of the park. Replacement of the existing trees will be at the expense of the Region. New trees are proposed to be planted in the park as well as on the subject lands. More detailed plans for tree replacement will be determined at the site plan stage.

Long-Term Land Lease

Regional Staff do not support constructing this development with a long-term land lease.

Staff note that since the subject property will be provided to another level of government (Niagara Region), there is sufficient assurance that the lands will be maintained for affordable housing. A land lease may be more appropriate in circumstances where the City provides land to a private developer or non-government not-for-profit.

Accordingly, City Staff are recommending the transfer of 184 Denistoun Street through land conveyance.

Community Improvement Plan Incentives

Upon conveyance of the subject lands, Niagara Regional Housing will be eligible to apply for the incentives provided by the recently adopted Affordable Housing Community Improvement Plan (CIP).

Staff are recommending that Niagara Regional Housing be permitted to apply for the Brownfield CIP incentive programs given the site's former industrial use. The Brownfield CIP currently restricts other government organizations from applying for any of the incentives. As such, Council approval of this report is required in order to permit a CIP Application from Niagara Regional Housing to be made. Eligible incentives under a Brownfield CIP would include:

- Environmental Study Grant
- Brownfield Tax Assistance Grant (if remediation is required)
- Brownfield Tax Increment Grant (if remediation is required)
- Brownfield Fees Grant (planning and building fees)

For more information regarding the Affordable Rental Housing and Brownfield CIP Incentives – Please refer to the following web link:

<https://madeinwelland.ca/Incentives/CIPs.asp>

FINANCIAL:

The financial implications associated with the recommendations of this report include nominal legal fees associated with conveyance and registration of the land to Niagara Regional Housing.

The costs associated with the CIP Incentives will be related to project construction, remediation (if required), planning and building permit fees; and, the increase in assessment/taxes to form the tax increment grant.

Should Niagara Regional Housing apply for the incentives, Council will review the estimated grant costs in a staff CIP update memo.

ATTACHMENT:

- Appendix I - Reference Plan - 59R-17992
- Appendix II - 184 Denistoun Street – Proposed Site Plan



SCHEDULE			
PART	LOT / BLOCK	PLAN	PIN
1	PART OF LOTS 133 AND 134 PART OF BLOCK Q	PLAN 585 PLAN 564	PART OF PIN 64103-0176(LT)
2	ALL OF LOTS 135, 136, 137 AND 138, AND PART OF LOTS 133, 134 AND 139 PART OF BLOCK Q	PLAN 585 PLAN 564	

PLAN 59R-17992

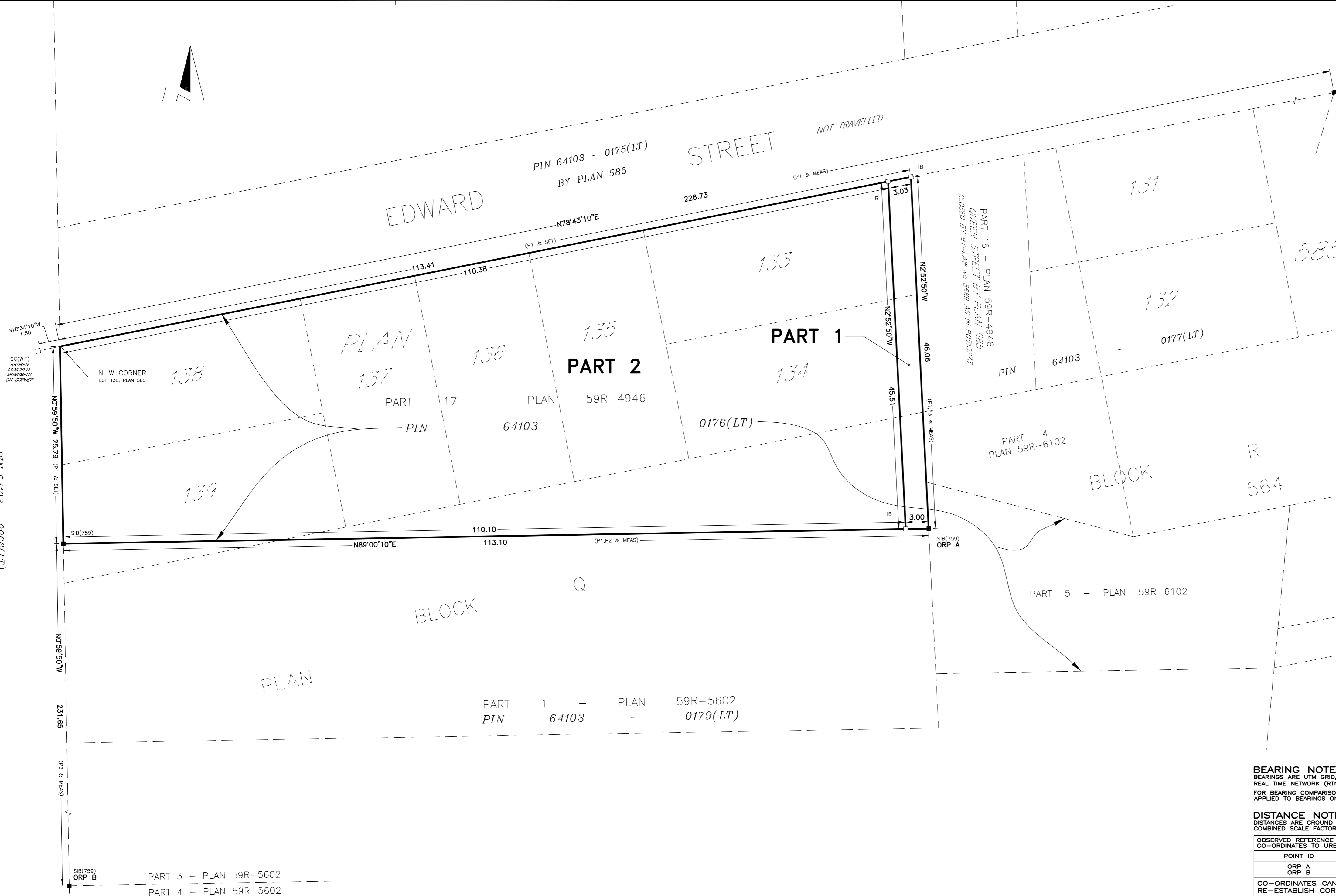
Received and deposited

February 22nd, 2024

Todd Bondy

Representative for the
Land Registrar for the
Land Titles Division of
Niagara South (No.59)

ST. NICHOLAS ATTRACTION
DENISTOWN STREET
ORIGINAL ROAD ALLOWANCE BETWEEN TOWNSHIP LOTS 26 AND 27
PIN 64103 - 0066(LT)



PLAN OF SURVEY OF
LOTS 133, 134, 135, 136, 137
AND 138, AND PART OF LOT 139
PLAN 585
AND PART OF BLOCK Q - PLAN 564
CITY OF WELLAND
REGIONAL MUNICIPALITY OF NIAGARA
SCALE 1 : 300

0 1 2 3 4 5 10 15 20 30 METRES
DONALD G. CHAMBERS
ONTARIO LAND SURVEYOR

THE INTENDED PLOT SIZE OF THIS PLAN IS 862mm IN WIDTH BY
424mm IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:300

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

LEGEND

■	DENOTES	SURVEY MONUMENT FOUND
□		SURVEY MONUMENT SET
SIB		STANDARD IRON BAR
SSIB		SHORT STANDARD IRON BAR
IB		IRON BAR
MEAS		MEASURED
WIT		WITNESS
OU		ORIGIN UNKNOWN
N/S/E/W		NORTH/SOUTH/EAST/WEST
PIN		PROPERTY IDENTIFICATION NUMBER
P1		DEPOSITED PLAN 59R-4946
P2		DEPOSITED PLAN 59R-5602
P3		DEPOSITED PLAN 59R-6102
MTO		MINISTRY OF TRANSPORTATION, ONTARIO
759		C. J. CLARKE, O.L.S.
WSC		WELLAND SHIP CANAL

SURVEYOR'S CERTIFICATE
I CERTIFY THAT:
1) THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE
SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE
REGULATIONS MADE UNDER THEM;
2) THE SURVEY WAS COMPLETED ON THE 13th DAY OF FEBRUARY, 2024.

FEB. 16, 2024
DATE DONALD G. CHAMBERS, B. Sc., O.L.S.

THIS PLAN OF SURVEY RELATES TO A.O.L.S. PLAN SUBMISSION FORM V-52315

CHAMBERS AND ASSOCIATES
SURVEYING LTD

12 THOROLD ROAD EAST
WELLAND ONTARIO
L3C 3T2

(905) 735-7841 / 735-7844
FAX (905) 735-7333
www.casl-surveying.com

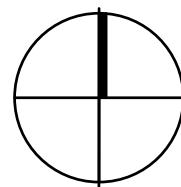
DRAWN BY: DHT MSCAD: 24004_MS DWG: 24004_RP FILE NO: 24-04

BEARING NOTE
BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B BY
REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010)
FOR BEARING COMPARISONS, A ROTATION OF 1°01'50" COUNTERCLOCKWISE WAS
APPLIED TO BEARINGS ON P1, P2 AND P3.

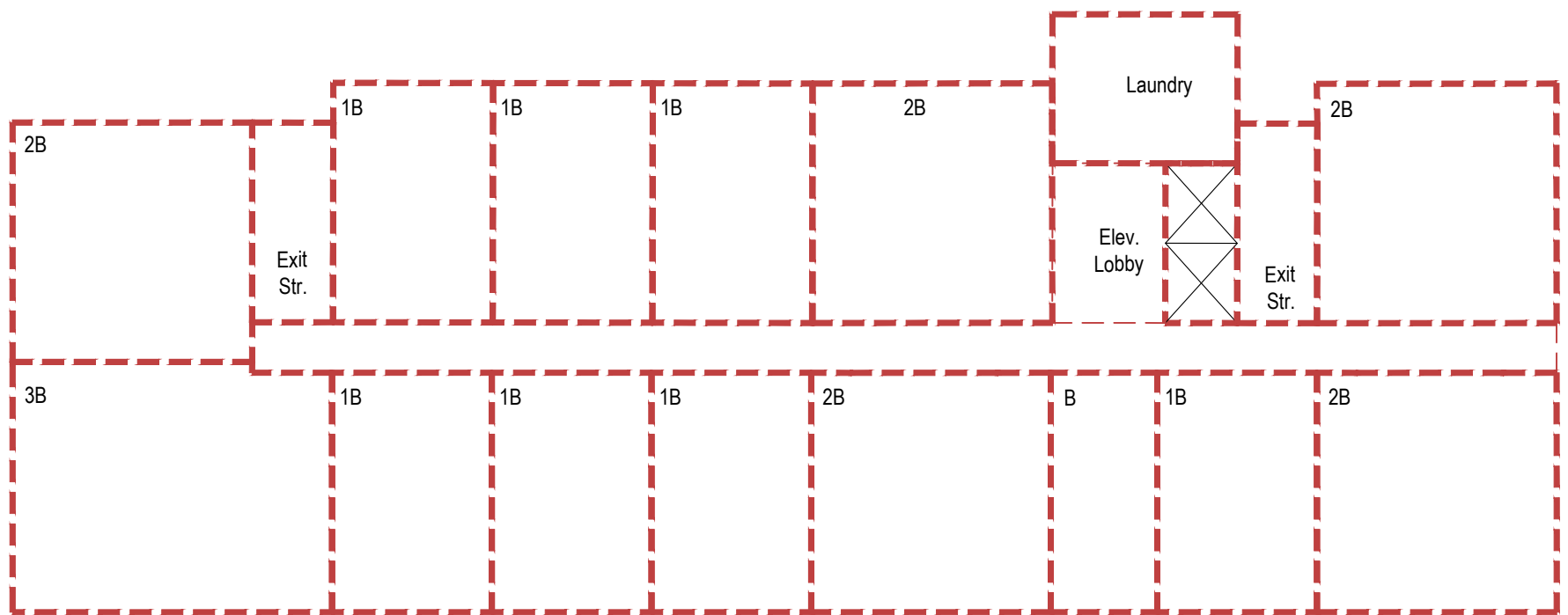
DISTANCE NOTE
DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE
COMBINED SCALE FACTOR OF 0.999821.

OBSERVED REFERENCE POINTS (ORP _s): UTM ZONE 17, NAD 83 (CSRS) (2010). CO-ORDINATES TO URBAN ACCURACY PER SEC. 14 (2) OF O.REG. 216/10			
POINT ID	NORTHING	EASTING	
ORP A	4760931.80	642245.42	
ORP B	4760698.24	642136.36	

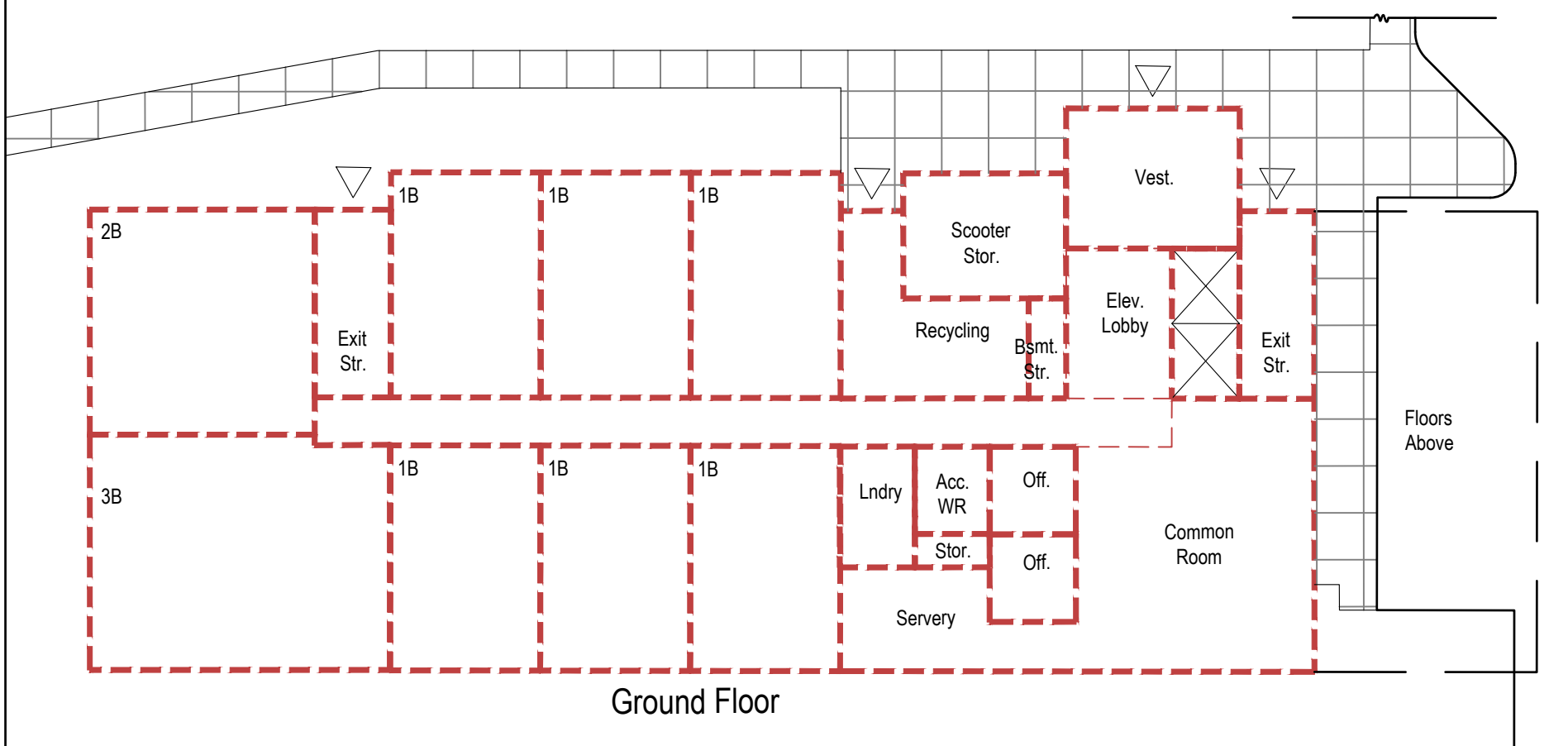
CO-ORDINATES CANNOT, IN THEMSELVES, BE USED TO
RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.



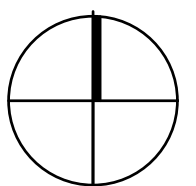
Dev. Yield	Units/FI	Bachelor	1-Bedroom	2-Bedroom	3-Bedroom
Floor G	8	0	6	1	1
Floor 2	14	1	7	5	1
Floor 3	14	1	7	5	1
Floor 4	14	1	7	5	1
Floor 5	14	1	7	5	1
Floor 6	14	1	7	5	1
Dev. Yield	78	5	41	26	6



Floors 2 to 6



Ground Floor



COUNCIL MEETING
INFRASTRUCTURE SERVICES / ENGINEERING

REPORT ENG-2025-05
February 18, 2025

SUBJECT: Rear Yard Disconnection of Sewer (RYDS) - Grant Allocations

AUTHOR: Livia McEachern, P.Eng.
Manager of Capital Engineering

APPROVING: Sherri-Marie Millar, P.Eng.
Director of Infrastructure Services / City Engineer

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND approve an increase to the maximum funding available under the Sewage Water Alleviation Program (SWAP) to \$10,000.00 for Rear Yard Disconnection of Sewer (RYDS) cases; and further

THAT Council approve an amendment to By-law 2017-18 being A BY-LAW TO REGULATE MANAGEMENT OF A SYSTEM OF SEWER WORKS AND DRAINAGE WORKS IN THE CITY OF WELLAND to increase Section 4.3.2 maximum reimbursements from \$6,000.00 to \$10,000.00.

RELATIONSHIP TO STRATEGIC PLAN:

This recommendation is aligned to Council's strategic priority of ensuring "**Health and Wellbeing**" to promote personal health and well-being by offering an abundance of activities that meet the diverse needs and interests all while, advocating for improved health care throughout the city, and supporting the need for safety and security.

EXECUTIVE SUMMARY:

The City of Welland faces challenges with stormwater inflow and infiltration (I/I) into the sanitary sewer system, which can cause basement flooding, increase treatment costs, and limit sewer capacity. To mitigate I/I, homeowners can disconnect downspouts and weeping tiles from the sewer and repair private sanitary laterals.

To assist with costs, the City offers the Sewage Water Alleviation Program (SWAP), providing grants for eligible work such as installing backwater valves, sump pumps, and disconnecting foundation drains. Under By-law 2017-18, homeowners can receive up to \$8,000 in funding for certain drainage disconnections.

A growing issue is the costly redirection of sanitary laterals from aging rear yard sewers to new municipal mains. Recognizing the higher financial burden, the City proposes increasing the maximum grant for these "Rear Yard Disconnection of Sewer (RYDS)" cases to \$10,000, while keeping other SWAP grant amounts unchanged.

BACKGROUND:

The City's challenges with inflow and infiltration (I/I) of stormwater into the sanitary sewer system are well documented. I/I can increase the risk of basement flooding, inflate water treatment costs, and limit capacity in the existing sewers which in turn limits the capacity for growth.

The solution to reducing I/I is multifaceted. In addition to municipal efforts, individual homeowners can significantly reduce I/I through the disconnection of downspouts and weeping tiles from the sanitary sewer as well as the repair/replacement of private sanitary laterals.

To assist homeowners with the financial costs associated with making changes to their property that benefit municipal network, the City of Welland offers a grant program. The program is titled, "Sewage Water Alleviation Program (SWAP)" and is based on provisions within By-law 2017-18 being A BY-LAW TO REGULATE MANAGEMENT OF A SYSTEM OF SEWER WORKS AND DRAINAGE WORKS IN THE CITY OF WELLAND (also known as the Sewer and Drainage Works By-law).

Work eligible for reimbursement under the SWAP program includes the following:

- Installation of an approved backwater valve that complies with Article 7.4.6.4. of the Ontario Building Code;
- Installation of a CSA approved sump pump, basin and discharge pipe including supporting electrical works and battery backup;
- Disconnection of foundation drains or weeping tiles from the sanitary sewer;
- Disconnection of downspouts to prevent the direct or indirect connection to the sanitary sewer;
- Lateral or weeping tile connection tracing by camera or other means;
- Installation of a cleanout if required (every home should have one); and
- All associated construction for the installation of the devices listed; and other limited restoration.

Additionally, the Sewer and Drainage Works By-law provides the following:

Section 4.3.2: Provided that funds are available, as approved through the Corporation's annual budget deliberations, financial assistance to a maximum reimbursement of \$8,000 may be considered to assist Owners with the Costs of the following repairs to disconnect Drainage connections from, and to reduce Extraneous Flow into, the Sewer Works:

- a) Removal of roof leaders from the Sanitary Sewer.
- b) Removal of existing sump pump connections from the Sanitary Sewer.
- c) Repair or replacement of a leaking Building sewers.
- d) Removal of Foundation Drain connections from the Sanitary Sewer.

With an increased number of infrastructure renewal projects in recent years, specifically focused on older neighbourhoods with aging infrastructure, staff have encountered a number of cases where residents are required to redirect their sanitary laterals from aging rear yard and/or privately owned sewers to new municipal mains to comply with the Sewer and Drainage Works By-law, specifically:

Section 4.1.4: Where Sanitary Sewers have been installed within a road Right-of-Way or easement which abuts the Property of an existing Building, the affected Owner shall connect to the completed Sanitary and/or Storm Sewer at his or her expense within twelve (12) months of the date of notice requiring the connection to be made provided to the Owner by the Corporation via registered mail at the Owner's last known address.

In these cases, redirecting a sanitary lateral from a rear yard infrastructure connection is typically more costly than a standard front yard lateral replacement. To that end, Council requested a review of these costs with consideration to be given to raising eligible SWAP funding.

DISCUSSION:

On May 07, 2024 Council referred back to staff Report ENG-2024-13: Increasing Sewage Water Alleviation Program (SWAP) Grant Allocations in which staff recommended an increase to the maximum funding available under the SWAP program from \$6,000.00 to \$8,000.00. There was discussion around the costs related to the redirecting of rear yard sanitary laterals compared to other SWAP initiatives.

The costs for private sanitary lateral replacements and connections to municipal servicing (at the property line) is the responsibility of the respective property owner. However, if these replacements, due to material type and age, are expected to benefit the City by reduce infiltration into the municipal sanitary network, they may be eligible for SWAP grants.

In recent years staff have encountered several cases where residents must redirect their sanitary laterals from aging rear yard and/or privately owned sewers to new municipal mains within the road allowance. Under SWAP, staff now refer to these cases as "Rear Yard Disconnection of Sewer (RYDS)".

In 2023 and 2024, the average cost to homeowners to complete eligible SWAP works was \$7,321, while the average cost to homeowners to complete eligible RYDS works was \$13,520. Both costs exclude applicable taxes.

Grants are intended to encourage residents to participate in I/I reduction initiatives and to alleviate the financial burden related to the same. Therefore, recognizing that the disconnection from a rear yard sewer is frequently a larger financial outlay for a homeowner than other SWAP eligible works, staff recommends that RYDS applications under the SWAP be eligible for a maximum funding of \$10,000.00 and that Section 4.3.2 of By-law 2017-18 be amended to reflect this specific case and grant. Other eligible works and grant amounts will remain unchanged under the SWAP.

FINANCIAL:

The 2025 Capital Budget included \$100,000 in approved SWAP funding.

ATTACHMENT:

None.

COUNCIL MEETING
PLANNING AND DEVELOPMENT SERVICES
PLANNING DIVISION

REPORT P&B 2025-10
February 18, 2025

SUBJECT: Amendment To The Fees And Charges By-Law 2024-116

AUTHOR: Irene Mcdonald
Administrative Supervisor, Planning And Development Services

APPROVING DIRECTOR: Grant Munday, B.A.A, RPP, MCIP
Director, Planning And Development Services

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND approve an amendment to By-law 2024-116 to correct an erroneous fee for Site Plan Control Application in Schedule "A" as attached.

RELATIONSHIP TO STRATEGIC PLAN:

This recommendation is aligned to Council's strategic priority of ensuring "**Economic Growth**" for creating a diverse economy through partnerships and emerging markets to ensure sustainable growth and quality employment.

EXECUTIVE SUMMARY:

An incorrect fee was identified in Schedule "A" to By -law 2024-116 Being A By-Law To Amend By-Law 2006-193, Being A By-Law To Establish And Regulate Fees And Charges For Various Services Or Activities and Use Of Property, as Provided By The Municipality To Establish Rates Effective January 1, 2025. To address the issue, it is recommended that the Fee Schedule be updated to ensure accurate cost of service for a Site Plan Control Application.

BACKGROUND:

The City's Fees and Charges By-law is updated annually to reflect the cost of services, user fees and use of property. During a routine review, an incorrect fee was identified in Schedule "A" which was not in alignment with the intended cost to provide this service.

DISCUSSION:

Upon identifying the error, it was determined that the incorrect fee was a result of a clerical error that was made during the last fee schedule update. The fee was inadvertently entered as \$8, 643.00 instead of \$9,672.00

FINANCIAL:

Currently no site plan control applications have been submitted in 2025; therefore, no impact has been experienced.

ATTACHMENT:

Appendix I – By-law 2024-116

THE CORPORATION OF THE CITY OF WELLAND

BY-LAW NUMBER 2024 - 116

A BY-LAW TO AMEND BY-LAW 2006-193, BEING A BY-LAW TO ESTABLISH AND REGULATE FEES AND CHARGES FOR VARIOUS SERVICES OR ACTIVITIES AND USE OF PROPERTY AS PROVIDED BY THE MUNICIPALITY TO ESTABLISH RATES EFFECTIVE JANUARY 1, 2025.

WHEREAS Council deems it necessary and advisable to amend By-law 2006-193, known as the "Fees and Charges By-law" and enacted by Council on December 12th, 2006, and amended from time to time, as outlined in Report FIN-2024-25.

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

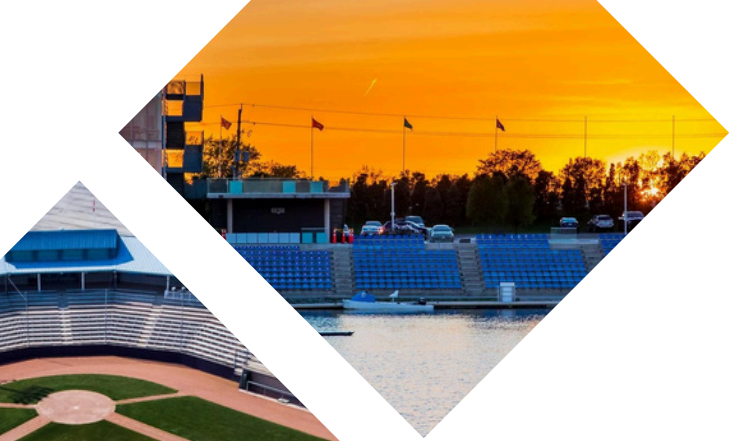
1. That By-law 2006-193 shall be and the same is hereby amended by replacing the existing Schedule "A" with Schedule "A" attached hereto.
2. This By-law shall come into full force and effect on January 1, 2025, or such date as specified on attached Schedules.

READ A FIRST, SECOND AND THIRD TIME AND PASSED BY COUNCIL THIS 10th DAY OF DECEMBER, 2024.

VICE Adam Monte
MAYOR

Bob Ambrose
ACTING DEPUTY CLERK

24-38



CITY OF
Welland

FEEES & CHARGES | 2025



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CLERKS

FEE/DESCRIPTION	HST	2024 FEE	2025 FEE
LICENCES AND PERMITS			
Lottery administration	Incl. HST	\$25.00	\$25.00
Lottery license – 3% of actual prize value (min. \$15.00)			
Bingo hall criteria	Incl. HST	\$500.00	\$500.00
Operating tele theatre betting license (OTB)	Incl. HST	\$75.00	\$75.00
Marriage licence	Incl. HST	\$130.00	\$130.00
Marriage rehearsal	Incl. HST	\$50.00	\$50.00
City hall room rental for marriages	Incl. HST	\$75.00	\$75.00
Admin fee for civil marriages by city clerk or designate	Incl. HST	\$100.00	\$100.00
Marriage ceremony by clerk during business hours	Incl. HST	\$150.00	\$150.00
Marriage ceremony by clerk off-site	Incl. HST	\$200.00	\$200.00
Witness for marriage ceremonies (city-staff witness/fee per witness)	Incl. HST	\$25.00	\$25.00
Provincial burial permits	Incl. HST	\$25.00	\$25.00

FEE/DESCRIPTION	HST	2024 FEE	2025 FEE
RENTAL			
Gazebo	Incl. HST	\$75.00	\$75.00
MUNICIPAL FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT			
Application fee	N/A	\$5.00	\$5.00
Photocopies - per sheet	N/A	\$0.20	\$0.20
USB, cd, or digital record (pdf)	N/A	\$10.00	\$10.00
Manual search - each 15 minutes	N/A	\$7.50	\$7.50
Preparing a record for disclosure - each 15 minutes	N/A	\$7.50	\$7.50
Developing a computer program - each 15 minutes	N/A	\$15.00	\$15.00
COMMISSIONER			
Commissioner's fee			
<ul style="list-style-type: none"> If application completed 	Incl. HST	\$15.00	\$20.00
<ul style="list-style-type: none"> If application not completed 	Incl. HST	\$20.00	\$25.00
Municipal clearance application	Incl. HST	\$15.00	\$20.00
Copy of street index	Incl. HST		
<ul style="list-style-type: none"> Printed copy for City 	Incl. HST	\$5.00	\$5.00
<ul style="list-style-type: none"> Printed copy for Individual Ward 	Incl. HST	\$2.50	\$2.50
USB or digital record (pdf)	Incl. HST	\$15.00	\$15.00

FEE/DESCRIPTION	HST	2024 FEE	2025 FEE
MAPS			
City Colour (approximately 3' x 4')	Incl. HST	\$20.00	\$20.00
City Colour (11" x17")	Incl. HST	\$15.00	\$15.00
City Colour (8.5" x 11")	Incl. HST	\$7.50	\$7.50
City Photocopy (8.5"x 11") Black & White	Incl. HST	\$ 2.50	\$2.50
Ward Colour (11" x 17")	Incl. HST	\$15.00	\$15.00
Ward Colour (8.5"x 11")	Incl. HST	\$7.50	\$7.50
Ward Photocopy (8.5"x 11") Black & White	Incl. HST	\$2.50	\$2.50
OTHER			
City pins	Incl. HST	\$2.00	\$2.00
City pens	Incl. HST	\$3.00	\$3.00
Certified copies	Incl. HST	\$15.00	\$15.00
Photocopying per sheet		\$ 0.25	\$0.25
Flags – City of Welland		\$50.80	\$50.80



FEE/DESCRIPTION	HST	2024 FEE	2025 FEE
Agreement (lease/encroachment)	+HST	\$367.50	\$379.00
Renewal agreement/amending agreement/assumption agreement/cip agreement/misc. agreements	+HST	\$199.50	\$205.00
Easement/release of easement/release of site plan agreement/application general/discharge of an interest	+HST	\$168.00	\$173.00
Inhibiting order (for new plan of subdivision includes deletion upon compliance) *	+HST	\$367.50	\$379.00
NOTE: fees for the Legal Division include land registration, if applicable			

FINANCE

FEE/DESCRIPTION	HST	2024 FEE	2025 FEE
Returned payment fee (NSF)	N/A	\$40.00	\$40.00
Tax registration		Actual fees charged plus 25%	Actual fees charged plus 25%
<ul style="list-style-type: none"> After final notice 	N/A	Actual fees charged plus 25%	Actual fees charged plus 25%
<ul style="list-style-type: none"> Sale by tender/ auction 	N/A	\$2,200.00	\$2,200.00
<ul style="list-style-type: none"> Preparation of extension agreement 	N/A	\$500.00	\$500.00
Tax certificates - paper	N/A	\$60.00	\$62.00
Water certificates - paper	N/A	\$60.00	\$62.00
Combined tax & water certificate - paper	N/A	\$100.00	\$103.00
Ownership changes (tax)	N/A	\$35.00	\$40.00
New roll number	N/A	\$35.00	\$40.00

FEE/DESCRIPTION	HST	2024 FEE	2025 FEE
Tax/water bill reprint * first occurrence free if property owner signs up for e-billing * New 2025	N/A	\$10.00	\$10.00
Refund credit balances – first occurrence free	N/A	\$25.00	\$30.00
Transfer Incorrect Payments – 1st transfer free then fee applies	N/A	\$25.00	\$30.00
Mortgage co. – fee on listing interim & final	N/A	\$5.00	\$5.00
Statement of account	N/A	\$20.00	\$20.00
New water accounts	N/A	\$35.00	\$40.00
Tax/ water payment confirmation letter	N/A	\$25.00	\$30.00
Taxes- additions to the roll	N/A	\$50.00	\$55.00
Verbal confirmations- tax & water	N/A	\$35.00	\$50.00
Meter testing (refundable if found to over register above AWWA tolerance) *	PREPAID	\$150.00	\$150.00
If found to be accurate or under reading* *New 2025	PREPAID		\$150.00 + COST OF METER
<ul style="list-style-type: none"> *Fee is applicable to residential homeowners after receipt of two metered water billings 			
Special meter reads	N/A	\$50.00	\$60.00
Interest charges on overdue general accounts receivables remaining unpaid for more than 30 days from the date of the invoice	N/A	1.25% per month	1.25% per month



INFRASTRUCTURE SERVICES

FEE/DESCRIPTION	HST	2024 FEE	2025 FEE
ENGINEERING			
Request for written limited information letter/business/license	N/A	\$187.00	\$293.00
<ul style="list-style-type: none"> Plus \$123.60/hr for every hr. Of city staff time 	N/A	\$120.00	\$123.60
Fees charged to developers' lands, and are due prior to registering 'subdivision agreements'			
1) a fee based on the actual cost of all the works (except hydro electrical installations) for examination, recommendation and final approval of plans & specifications carried out by the city as follows:			
Cost of works			
Less than \$100,000		4.00%	4.00%
\$100,000 - 500,000		3.50%	3.50%
More than 500,000		3.00%	3.00%
2) a fee for construction inspection (to be furnished by infrastructure services of the city), as follows:			

FEE/DESCRIPTION	HST	2024 FEE	2025 FEE
Fee is 3% of estimated cost of all the works (except hydro electrical installations)		3.00%	3.00%
3) Fees charged to developers' lands, and are due prior to registering the 'site plan control agreement' or site plan exemption			
A) a fee based on the cost estimate of proposed works provided by the engineering consultant for the developer covering all proposed works in relation to the site plan control agreement/exemption for examination, recommendation and final approval of the plans & specifications and for any casual inspection deemed necessary and carried out by the city as follows:			
Fee is 1.40% of estimated costs of all the works as submitted for construction.		1.40%	1.40%
A fee for construction inspection (to be furnished by infrastructure services of the city) when entering into a servicing agreement.			
Returned payment fee (NSF)	N/A	\$40.00	\$40.00
ROAD OCCUPANCY PERMITS – SITE SERVICING			
Sanitary lateral	N/A	\$350.00	\$360.00
Sanitary sewer and lateral	N/A	\$650.00	\$670.00

FEE/DESCRIPTION	HST	2024 FEE	2025 FEE
Sanitary sewer or lateral - decommissioning	N/A	\$350.00	\$360.00
Storm lateral/lead	N/A	\$350.00	\$360.00
Storm sewer and lateral/lead	N/A	\$650.00	\$670.00
Storm sewer or lateral - decommissioning	N/A	\$350.00	\$360.00
Water Service (50mm Dia. Or less)	N/A	\$350.00	\$360.00
Watermain or Water Service (Greater than 50mm Dia.)	N/A	\$650.00	\$670.00
Watermain or water service - decommissioning	N/A	\$350.00	\$360.00
Daylighting, etc.	N/A	\$350.00	\$360.00
ENGINEERING MODEL REVIEW			
Per letter report and model review			
Sanitary sewer (under 300 units)	+HST	\$2,500.00	\$2,500.00
Sanitary sewer (300 Units and Over)	+HST	\$5,000.00	\$5,000.00
Storm sewer (under 300 units)	+HST	\$2,500.00	\$2,500.00
Storm sewer (300 Units and Over)	+HST	\$5,000.00	\$5,000.00
Watermain (under 300 units)	+HST	\$2,500.00	\$2,500.00
Watermain (300 Units and Over)	+HST	\$5,000.00	\$5,000.00
SITE ALTERATION PERMITS			
Less than or equal to 2 dwelling units on the property		\$350.00	\$350.00

FEE/DESCRIPTION	HST	2024 FEE	2025 FEE
Greater than 2 dwelling units on property; or any permitted use other than dwelling units on the property; or the property is subject to a current or future development application.		\$650.00	\$650.00
MUNICIPAL CONSENT			
Permit review (per 1000 linear metres of proposed plant)		\$500.00	\$515.00
SANITARY SEWERS			
New construction fee		\$400.00	\$400.00
High pressure cleaning of sewer lateral from maintenance hole/property line at city's discretion		AT COST	AT COST
Residential rod and camera	+HST	\$225.00	\$225.00
WATERWORKS			
New construction fee		\$400.00	\$400.00
Water haulage monthly fixed charge		\$155.00	\$160.00
Water Haulage Variable Rate (m3) - Payments made at City Hall		\$1.536	\$1.608
Water Haulage Variable Rate (m3) - Paid by Credit Card		\$1.613	\$1.689
Water haulage new account/ reactivation		\$35.00	\$40.00
Water meter inspection fee		\$75.00	\$75.00
Failure to be ready/no show water meter appointment		\$75.00	\$75.00
External services			
WATERMAIN TAP > 2" (GREATER THAN 50mm)	PREPAID	\$460.00	\$460.00

FEE/DESCRIPTION	HST	2024 FEE	2025 FEE
Turn off/on			
• During working hours		\$90.00	\$90.00
• After hours/Saturday/Sunday/holidays		\$235.00	\$235.00
Meter removal/installation			
• During working hours	+HST	\$100.00	\$100.00
• After hours/Saturday	+HST	\$60.00	\$60.00
• Sunday/holiday	+HST	\$100.00	\$100.00
WATER METER & BACKFLOW RENTAL/TESTING			
Meter and backflow rental (yellow box) - consumption to also be billed per present volumetric rate	+HST	\$250.00	\$250.00
Every 14 days after date of rental	+HST	\$100.00	\$100.00
Administration fee - private side backflow (contractor supplied) * New 2025	+HST		\$150.00
Meter testing (refundable if found to over register above AWWA tolerance) *	PREPAID	\$150.00	\$150.00
• If found to be accurate or under reading * *New 2025	PREPAID		\$150.00 + COST OF METER
• *Fee is applicable to residential homeowners after receipt of two metered water billings			
Flow test @ property line (\$500 deposit required)			
• If city problem	PREPAID	\$20.00	\$20.00
• If owner problem	PREPAID	\$500.00	\$500.00

FEE/DESCRIPTION	HST	2024 FEE	2025 FEE
WATERMAIN SAMPLING & TESTING			
Charge per watermain section for each subsequent set of two consecutive bacteriological samples after first two failed attempts		\$750.00	\$750.00
WATER METERS PURCHASE			
Water meter purchase/ installation			
• 5/8" x 3/4"	+HST	\$850.00	\$850.00
• 3/4"	+HST	\$930.00	\$930.00
• 1"	+HST	\$1,100.00	\$1,100.00
• 1 1/2"	+HST	\$1,600.00	\$2,150.00
• 2" Mach 10	+HST	\$1,900.00	\$2,450.00
Meters greater than 2" at cost + labour	+HST	AT COST	AT COST

PLANNING & DEVELOPMENT

FEE/DESCRIPTION	HST	2024 FEE	2025 FEE
PLANNING			
Official Plan Amendment + Regional Fee		\$9,841.00	\$10,137.00
Zoning By-law Amendment + Regional Fee		\$9,841.00	\$10,137.00
Concurrent Official Plan and Zoning By-law Amendment + Regional Fee		\$14,470.00	\$14,905.00
Removal of Holding Symbol		\$1,763.00	\$1,816.00
Temporary Use By-law		\$10,028.00	\$10,329.00
Site Plan Control Application + Regional Fee		\$8,391.00	\$8,643.00
Site Plan Exemption		\$5,374.00	\$5,536.00
Minor Change to Site Plan Agreement		\$8,573.00	\$8,805.00
Site Plan Resubmission (3 or More)		\$ 1,720.16	\$1,772.00
Processing of Subdivision Application/Development Agreements + Regional Fee			\$16,832.00
Each Phase over one		\$2,989.00	\$3,079.00

FEE/DESCRIPTION	HST	2024 FEE	2025 FEE
Per Lot or Block excluding 0.3 metre reserves		\$136.00	\$140.00
Subdivision Fee for each Plan Registration greater than 1 dealing		\$5,870.00	\$6,047.00
Modification to Draft Plan Conditions Involving Circulation + Regional Fee		\$2,106.00	\$2,170.00
Extension to Draft Plan Approval + Regional Fee		\$3,295.00	\$3,394.00
Plus, per lot or block		\$135.00	\$140.00
Processing of Short Form Subdivision Agreement		\$2,387.00	\$2,459.00
Processing of Condominium Application/Exemption Request + Regional Fee		\$17,321.00	\$17,841.00
Processing Part Lot Control By-law (including registration)		\$2,921.00	\$3,009.00
Processing Servicing/Development Agreement		\$9,653.00	\$9,943.00
Processing Front-Ending Agreement		\$9,688.00	\$9,979.00
Certificates of Compliance		\$373.00	\$385.00
Minor Variance/Change of Use Application + Regional Fee		\$862.00	\$888.00
• OLT Appeal - Primary Appeal		\$459.00	\$ 473.00
Consent to Sever / Validation of Title + Regional Fee		\$3,839.00	\$3,955.00
• OLT Appeal - Primary Appeal		\$459.00	\$473.00
Concurrent Minor Variance and Consent		\$3,534.00	\$3,641.00

FEE/DESCRIPTION	HST	2024 FEE	2025 FEE
Rescheduling of Consent or Minor Variance Application		\$1,983.00	\$2,043.00
Change of Conditions for Consent		\$1,473.00	\$1,518.00
Change of Address Requests		\$480.00	\$495.00
<ul style="list-style-type: none"> • OLT cost recovery for a third-party appeal 		\$7,630.00	\$7,859.00
Environmental Impact Study (EIS) Review* New 2025			\$3,000.00
Written Information Letter		\$284.00	\$293.00
PUBLICATIONS			
ZONING BY-LAW 2667 (office consolidation)	+HST	\$33.00	\$34.00
Official plan amendments	+HST	\$27.00	\$28.00
Zoning map	+HST	\$32.00	\$33.00
OFFICIAL PLAN MAP (office consolidation)	+HST	\$39.00	\$41.00
Street map	+HST	\$33.00	\$34.00
<ul style="list-style-type: none"> • 11" x 17" map 	+HST	\$16.00	\$16.50
<ul style="list-style-type: none"> • Custom maps/air photos (Includes preparation time and output) 	+HST	\$110 PER HOUR in 15 min. intervals	\$114 PER HOUR in 15 min. intervals
<ul style="list-style-type: none"> • Air photo (2'x3') no custom work 	+HST	\$39.00	\$41.00
Reports per sheet	+HST	\$0.60	\$0.65
Compliance letters		\$373.00	\$385.00
Request for written limited information letter/business/license		\$187.00	\$293.00

FEE/DESCRIPTION	HST	2024 FEE	2025 FEE
- Plus \$123.60/hr for every hr. Of city staff time		\$120.00	\$123.60
BUILDING			
LICENCES			
Master Plumber Licencing- new		\$69.00	\$72.00
renewal, examination, and reciprocal		\$35.00	\$37.00
Journeyman Licence- new and renewal		\$18.00	\$19.00
Inspections/ plan examination fees			
<ul style="list-style-type: none"> (Ref. Schedule "F" of Building By-Law) 			
After hours inspection requests (min. \$435.00)		\$120.00/hr (min. \$422.00)	\$124.00/hr (min. \$435.00)
<ul style="list-style-type: none"> After hours plan examination requests (min. \$435.00) 		\$120.00/hr (min. \$422.00)	\$124.00/hr (min. \$435.00)
<ul style="list-style-type: none"> Inspection Cancelled or not ready 		\$119.00	\$123.00
Building without a permit based on %			
<ul style="list-style-type: none"> (Ref. Section 6.3 of Building By-Law) 			
Refund (Ref. Section 6.9 of Building By-Law)			
Photocopying per page		\$0.60	\$0.65
Annual building report	+HST	\$8.25	\$8.50
<ul style="list-style-type: none"> Drawings per sheet 	+HST	\$5.40	\$5.60
Spatial separation agreement		\$1,002.00	\$1,033.00
<ul style="list-style-type: none"> Plus \$419 per property in excess of two 			

FEE/DESCRIPTION	HST	2024 FEE	2025 FEE
		(plus \$406.00 per property in excess of two)	(plus \$419.00 per property in excess of two)
<ul style="list-style-type: none"> Limited easement agreement 		\$440.00	\$454.00
Request for regulatory by-law exemption			
Council approval and by-law amendment		\$698.00	\$719.00
<ul style="list-style-type: none"> Chief administrative officer or general manager approval 		\$175.00	\$181.00
<ul style="list-style-type: none"> Request for written limited information letter/business/license 		\$186.00	\$192.00
Plus \$123/hr for every hr. Of city staff time		\$119.00	\$123.00
Discharge order from title		\$578.00	\$596.00
Enforcement admin fee (city performs remedial work where person is in default) -work performed on building		\$352.00	\$363.00
Other work		\$308.00	\$318.00
<ul style="list-style-type: none"> Sign permit application 		\$186.00	\$192.00
Ev charging station (per hour) * New 2025			\$3.00
PARKING			
PARKING PERMITS			
Lot 1 - Courthouse	+HST	\$55.00	\$55.00
Lot 2 - Market Square	+HST	\$40.00	\$40.00

FEE/DESCRIPTION	HST	2024 FEE	2025 FEE
Lot 5 – Park Street	+HST	\$40.00	\$40.00
Lot 6 – Fire Hall	+HST	\$40.00	\$40.00
Lot 7 – Division	+HST	\$40.00	\$40.00
Lot 8 – Plymouth	+HST	\$40.00	\$40.00
Lot 9 – Churchill	+HST	\$40.00	\$40.00
On street residential parking permits (First permit registered at designated address – no charge)			
Traffic	+HST	\$20.00	\$20.00
Lost or stolen permits- annually	+HST	\$20.00	\$20.00
Snow removal permits- annually	+HST	\$50.00	\$50.00
Road occupancy permits – general		\$175.00	\$175.00
PARKING MACHINES			
		\$2.00	\$2.00
BY-LAW ENFORCEMENT			
Vacant building registry fee – initial registration	Incl. HST	\$200.00	\$200.00
Vacant building – inspection fee	Incl. HST	\$282.00	\$282.00
Work carried out by city – per event	Incl. HST	\$282.00 PLUS \$94.00 per hour for administration work in excess of 2 hours	\$282.00 PLUS \$94.00 per hour for administration work in excess of 2 hours

FEE/DESCRIPTION	HST	2024 FEE	2025 FEE
LICENCING			
LICENSING DIVISION FEES			
Fireworks - sale of - Application Fee		\$30.00	\$30.00
Fireworks - sale of - By-law Inspection Fee		\$35.00	\$35.00
Fireworks - sale of - Yearly Renewal Fee		\$30.00	\$30.00
Food Premises - Application Fee		\$30.00	\$30.00
Food Premises - By-law Inspection Fee		\$35.00	\$35.00
Food Premises - Yearly Renewal Fee		\$30.00	\$30.00
Food Vehicle - Application Fee		\$30.00	\$30.00
Food Vehicle - By-law Inspection Fee		\$35.00	\$35.00
Food Vehicle - Yearly Renewal Fee		\$30.00	\$30.00
Hawker and Peddler - Application Fee		\$30.00	\$30.00
Hawker and Peddler - By-law Inspection Fee		\$35.00	\$35.00
Hawker and Peddler - Yearly Renewal Fee		\$30.00	\$30.00
Outdoor Entertainment Event - Application Fee		\$30.00	\$30.00
Outdoor Entertainment Event - By-law Inspection Fee		\$35.00	\$35.00
Outdoor Entertainment Event - Yearly Renewal Fee		\$30.00	\$30.00
Pawnbroker - Application Fee		\$30.00	\$30.00
Pawnbroker - By-law Inspection Fee		\$35.00	\$35.00
Pawnbroker - Yearly Renewal Fee		\$30.00	\$30.00

FEE/DESCRIPTION	HST	2024 FEE	2025 FEE
Personal Service Establishment - Application Fee		\$30.00	\$30.00
Personal Service Establishment - By-law Inspection Fee		\$35.00	\$35.00
Personal Service Establishment - Yearly Renewal Fee		\$30.00	\$30.00
Public Garage - Application Fee		\$30.00	\$30.00
Public Garage - By-law Inspection Fee		\$35.00	\$35.00
Public Garage - Yearly Renewal Fee		\$30.00	\$30.00
Donation Collection Bin - Application Fee		\$30.00	\$30.00
Donation Collection Bin - By-law Inspection Fee		\$35.00	\$35.00
Donation Collection Bin - Yearly Renewal Fee		\$30.00	\$30.00
Donation Collection Bin - Deposit Fee		\$255.00	\$255.00
Short-Term Rental - Application Fee		\$500.00	\$500.00
Short-Term Rental - Renewal Fee		\$75.00	\$75.00
Short-Term Rental - Appeal Fee		\$634.00	\$634.00
Pet Shop - Application Fee		\$187.92	\$187.92
Pet Shop - By-law Inspection Fee		\$193.47	\$193.47
Pet Shop - Yearly Renewal Fee		\$199.02	\$199.02
Weed cutting (lot size in square metres)		\$210.11	\$210.11
0 - 700 sqm *		\$215.66	\$215.66
700 - 1400 sqm *		\$221.21	\$221.21
1400 - 2500 sqm *		\$226.76	\$226.76

FEE/DESCRIPTION	HST	2024 FEE	2025 FEE
2500 – 4200 sqm *		\$232.31	\$232.31
GREATER THAN 4200 sqm *		\$237.85	\$237.85
To be adjusted according to tendered contract		\$243.40	\$243.40
* Additional \$200.00 Admin Fee charged on all weed cutting		\$248.95	\$248.95
Sign reclaim fees		\$254.50	\$254.50
Mobile sign		\$260.05	\$260.05
Sign over 3 sqm in area		\$265.60	\$265.60
Sign 1 – 3 sqm in area		\$271.14	\$271.14
Sign under 1 sqm in area		\$276.69	\$276.69
Limited easement agreement		\$282.24	\$282.24
Request for regulatory by-law exemption		\$287.79	\$287.79
Council approval and by-law amendment		\$293.34	\$293.34
City manager or general manager approval		\$298.88	\$298.88
Request for written limited information letter		\$304.43	\$304.43
- Plus \$63/hr for every hr. Of city staff time		\$309.98	\$309.98
Discharge order from title		\$315.53	\$315.53
Appeal fee for property standards/dog appeal hearing		\$321.08	\$321.08
Enforcement admin fee (city performs remedial work where person is in default)		\$326.63	\$326.63
Plus \$63/hr fee for admin work in excess of two hours - hourly		\$332.17	\$332.17
Meter Tampering Fee		\$337.72	\$337.72
Residential		\$343.27	\$343.27

FEE/DESCRIPTION	HST	2024 FEE	2025 FEE
Commercial		\$348.82	\$348.82
Industrial		\$354.37	\$354.37
Double the initial fee on more than one occurrence		\$359.92	\$359.92



FEE/DESCRIPTION	HST	2024 FEE	2025 FEE
RETURNED FROM BY-LAW 2021-188			
INSPECTIONS - All fees include an administrative fee and maximum hours to inspect. Additional time will be billed at the hourly rates and rounded up to the full hour.			
LCBO License Review and documentation (1 hour)	+HST	\$194.25	\$200.00
On site inspection Residential, single dwelling (1 hour)	+HST	\$262.50	\$270.00
On site inspection Residential, duplex (3 hours)	+HST	\$393.75	\$406.00
On-site inspection Residential 3 or more units (4 hours)	+HST	\$551.25	\$568.00
On-site inspection Commercial and Industrial (5 hours)	+HST	\$603.75	\$622.00
Inspection of Trade Shows, Special Functions (3 hours)	+HST	\$383.25	\$395.00

FEE/DESCRIPTION	HST	2024 FEE	2025 FEE
On-site inspection Bed and Breakfast, short-term rentals, and Compliance letter (2 hours)	+HST	\$393.75	\$406.00
On-site inspection of Multi Unit Hotels and Motels (4 hours)	+HST	\$603.75	\$622.00
Private Home Day Care Inspections (2 hours)	+HST	\$262.50	\$270.00
Day Care Centres and compliance letter (3 hours)	+HST	\$498.75	\$514.00
Vulnerable Occupancy, Care Occupancy up to 10 residents, Inspection and Compliance Report	+HST	\$729.75	\$752.00
Vulnerable Occupancy, Care Occupancy up to 11+ residents, Inspection and Compliance Report	+HST	\$840.00	\$865.00
Vulnerable Occupancy, Registered Retirement Home, Inspection and Compliance Report	+HST	\$1,417.50	\$1,460.00
Vulnerable Occupancy, Care and Treatment Facility, Inspection and Compliance Report	+HST	\$1,312.50	\$1,352.00
Fire Safety Plan initial review (1 hour) subsequent reviews double the previous review fee	+HST	\$199.50	\$205.00
Refreshment Vehicle administrative on-site inspection (No Suppression System) (1 hour)	+HST	\$108.15	\$111.00
Refreshment Vehicle on-site inspection (Suppression System) (2 hours)	+HST	\$204.75	\$211.00

FEE/DESCRIPTION	HST	2024 FEE	2025 FEE
Refreshment Vehicle Administrative Review of a current fire safety inspection review	+HST	\$68.25	\$70.00
Occupant Load Calculation	+HST	\$142.80	\$147.00
Welland Fire Investigation Report Redacted - not including OFM report* New 2025	+HST		\$242.00
Welland Fire Statements and Notes - redacted - each individual * New 2025	+HST		\$70.00
Property File Search Letter - current status	+HST	\$162.75	\$84.00
Standard Incident Report - Redacted	+HST		\$84.00
Administrative Services-Per Hour	+HST	\$ 68.25	\$70.00
Fire Prevention Officer, Hourly Rate	+HST	\$101.33	\$104.00
Chief Fire Prevention Officer, Hourly Rate	+HST	\$120.23	\$124.00
Extra Costs: Cost recovery plus 15% administrative overhead for any extraordinary costs incurred relating to firefighting, overhaul, investigation, or securing a property. Including the costs of specialists, consumables, equipment, machinery, damages to public infrastructure.	+HST		
Extra Costs: Request for document prioritization within 3 business days of proof of fee payment - 25% of applicable fee as established * New for 2025	+HST		

FEE/DESCRIPTION	HST	2024 FEE	2025 FEE
Paid Duty: The greater of Costs plus 15% administration overhead, or \$485.00 per hour (as established by MTO) or portion thereof in ½ hour increments for each staffed fire department vehicle.	+HST		
FEES SET THROUGH THE MTO			
Third and subsequent False Alarm (other than mischief) in a 12-month period for each attending Fire Dept. Vehicle as assigned by Dispatch (MTO rates)	+HST	\$495.00	\$495.00
Response to Motor Vehicle Collisions, approved MTO rate per vehicle, minimum 2 vehicles	+HST	\$488.40	\$488.40
Response to natural gas leak from damage, approved MTO rate per vehicle, minimum 2 vehicles	+HST	\$488.40	\$488.40
FEES FOR SERVICE			
Inspection and Fire Investigation after hours services (6 hours)	+HST	\$598.50	\$616.00
Non-Compliant Open-Air Burning (3 incidents within 24 months for non-compliance open-air-burning)	+HST	\$472.50	\$487.00
Single station Smoke Alarm & Installation, privately owned residence	+HST	\$26.25	\$27.00

FEE/DESCRIPTION	HST	2024 FEE	2025 FEE
Single station Carbon Monoxide Alarm & Installation	+HST	\$31.50	\$32.00
Single station Combination Smoke and Carbon Monoxide Alarm & Installation	+HST	\$42.00	\$43.00
Fire Extinguisher Training on site at Fire Department (minimum 2 hours of setup and 2 hours of training)	+HST	\$892.50	\$919.00
Fire Training Classroom only rental - one business day	+HST	\$183.75	\$183.75
Fire Training Classroom only rental - half business day	+HST	\$105.00	\$105.00
Fire Training Center, no supplies - full day	+HST	\$420.00	\$433.00
Fire Training Center, no supplies - half day	+HST	\$262.50	\$270.00
Fees for training supplies, cost recovery plus 15% administrative	+HST		
PERMITS			
Burning Permit and Burning Safety Plan review with a 12 month or less expiration date (as per By-law 2011-85) (minimum 2 hours)	+HST	\$199.50	\$205.00
Fire Works Display Permit (as per By-law 2003-127) (3 hours)	+HST	\$393.75	\$406.00



FEE/DESCRIPTION	HST	2024 FEE	2025 FEE
PARKS/ FACILITIES			
CEMETERIES			
PROVINCIAL LICENCE FEE	+HST	\$30.00	\$30.00
INSPECTIONS - All fees include an administrative fee and maximum hours to inspect. Additional time will be billed at the hourly rates and rounded up to the full hour.			
GRAVE OPENINGS/BURIALS			
Adult weekday	+HST + LICENCE FEE	\$744.00	\$766.00
Infant weekday	+HST + LICENCE FEE	\$431.00	\$444.00

FEE/DESCRIPTION	HST	2024 FEE	2025 FEE
Cremation (greens provided) weekday	+HST + LICENCE FEE	\$431.00	\$444.00
Adult Saturday	+HST + LICENCE FEE	\$901.00	\$928.00
Infant Saturday	+HST + LICENCE FEE	\$512.00	\$527.36
Cremation (greens provided) Saturday	+HST + LICENCE FEE	\$512.00	\$527.36
Adult holiday/Sunday	+HST + LICENCE FEE	\$ 1,056.00	\$1,088.00
Infant holiday/Sunday	+HST + LICENCE FEE	\$864.00	\$890.00
Cremation (greens provided) holiday/Sunday	+HST + LICENCE FEE	\$864.00	\$890.00
*All fees for Non-Welland Residents are 50% above resident rates (excluding fees that are set by the BAO and Additional Service - Disinterment Charges)			

FEE/DESCRIPTION	HST	2024 FEE	2025 FEE
INTERMENT RIGHTS (LAND ACQUISITION)			
Single adult grave- flat marker	+HST	\$983.00	\$1,012.00
Single Adult Grave (Monument-Woodlawn only)	+HST	\$1,166.00	\$1,201.00
Double adult grave plot (monument section)	+HST	\$2,336.00	\$2,406.00
Single Infant Grave (Section "L" only)	+HST	\$437.00	\$450.00
Cremation Plot (Woodlawn only)	+HST	\$437.00	\$450.00
*On all grave sales an amount not less than 40% of the total selling price must be invested in the Care & Maintenance Reserve Fund.			
*Perpetual Care & Maintenance (Fees are governed by the Bereavement Association of Ontario - BAO):			
*All fees for Non-Welland Residents are 50% above resident rates (excluding fees that are set by the BAO and Additional Service - Disinterment Charges)			
FOUNDATIONS/MARKERS			
*The following charges are the same for residents as non-residents.			
Pouring Foundations per cubic ft of concrete (Poured 5 feet deep)	+HST	\$32.00	\$33.00

FEE/DESCRIPTION	HST	2024 FEE	2025 FEE
Setting of a flat marker on a grave	+HST	\$107.00	\$110.00
Setting of four corner markers on a grave	+HST	\$107.00	\$110.00
Disinterment charges	+HST	\$1,204.00	\$1,240.00
MARKERS & MONUMENTS			
Flat marker over 172 square inches	+HST	\$100.00	\$100.00
Upright monument up to 4 feet in height or length	+HST	\$200.00	\$200.00
Upright monument exceeding 4 feet in height or length	+HST	\$400.00	\$400.00
Notes:			
<ul style="list-style-type: none"> • Double depth burials are not permitted. 			
<ul style="list-style-type: none"> • A maximum of four cremations will be permitted to be buried on top of an adult single grave. 			
<ul style="list-style-type: none"> • Device and tents are not provided by Welland Parks and Recreation. 			
<ul style="list-style-type: none"> • Greens are available for cremations only. 			
<ul style="list-style-type: none"> • Burial fees are based upon actual date of interment 			
*All fees for Non-Welland Residents are 50% above resident rates (excluding fees that are set by the BAO and Additional Service - Disinterment Charges)			

FEE/DESCRIPTION	HST	2024 FEE	2025 FEE
ADMINISTRATION			
Interest charges on overdue general accounts receivables remaining unpaid for more than 30 days from the date of the invoice		1.25% per month	1.25% per month
Administration Fees -Per Receipt		\$11.42	\$11.77
Film Application Fee - Level 1 * New 2025	+HST		\$60.00
Film Application Fee - Level 2 *New 2025	+HST		\$40.00
Parking lot - Per Hour * New 2025	+HST		\$25.00
Wear and Tear Fee-Per Event/Permit		5%	5%
Withdrawal Fee - Camp -Per Withdrawal		\$73.85	\$76.06
CITY OF WELLAND DAY CAMP			
Weekly Resident-Per Week		\$163.86	\$168.78
Weekly Non-Resident-Per Week		\$169.75	\$202.53
Leader In Training I - Resident-Per Week		\$220.37	\$226.98
Leader In Training I - Non-Resident-Per Week		\$243.40	\$250.70
EMPIRE SPORTZ CAMP			
Weekly resident-per week		\$193.80	\$199.61
Weekly non-resident-per week		\$232.56	\$239.54

FEE/DESCRIPTION	HST	2024 FEE	2025 FEE
MEMBERSHIPS			
Resident – Senior Ages 50+–Annual Fee	HST included	\$31.00	\$33.00
Resident – Adults Ages 19 – 49 –Annual Fee	HST included	\$31.00	\$33.00
Resident – Youth Ages 15 – 18 –Annual Fee	HST included	\$11.00	\$13.00
Resident – Children (14 & under) –Annual Fee	HST included	\$11.00	\$13.00
Resident – Family–Annual Fee	HST included	\$66.00	\$68.00
Resident – Single Day Pass–Annual Fee	HST included	\$5.25	\$5.25
Non-Resident – Senior Ages 50+–Annual Fee	HST included	\$39.00	\$41.00
Non-Resident – Adult Ages 19 – 49–Annual Fee	HST included	\$39.00	\$41.00
Non-Resident – Youth Ages 15 – 18–Annual Fee	HST included	\$13.00	\$15.00
Non-Resident – Children (14 & under) – Annual Fee	HST included	\$13.00	\$15.00
Non-Resident – Family–Annual Fee	HST included	\$84.00	\$86.00
Non-Resident – Single Day Pass–Annual Fee	HST included	\$6.00	\$6.00
Non-Resident – Replacement Card–Annual Fee	HST included	\$3.00	\$3.00

FEE/DESCRIPTION	HST	2024 FEE	2025 FEE
COMMUNITY CENTRES/MEETING ROOMS			
Premier Venue – Daily * New 2025	+HST		\$554.75
Premier Venue – Daily– Not-For-Profit * New 2025	+HST		\$277.37
Premier Venue – Hourly * New 2025	+HST		\$69.34
Premier Venue – Hourly– Not-For-Profit * New 2025	+HST		\$34.67
Community Centre – large per hour* New 2025	+HST		\$48.25
Community Centre – large per hour -Not- For-Profit * New 2025	+HST		\$24.12
Meeting Room – small per hour * New 2025	+HST		\$31.05
Meeting Room – small per hour -Not-For- Profit * New 2025	+HST		\$15.52
Afterhours Janitorial – Per hour * New 2025	HST included		\$30.00
Premier Venue: WIFC Celebration Hall, Arena Floor, WCC Theatre, Merritt Park Amphitheatre. After hours rates increase of 20% except Merritt Park Amphitheatre. Rates reduced by 50% for not-for profits serving Welland.			
Community Centre: Arena Community Room (2 nd Floor), Civic Square Community Room, Chippawa Community Centre Community Room, Carrie Lynn Pinard gymnasium, Cooks Mills Hall, Hooker St Community Centre, WCC Community Centre, WCC Atrium. Rates reduced by 50% for not-for profits serving Welland.			

FEE/DESCRIPTION	HST	2024 FEE	2025 FEE
Meeting Room: Chippawa Community Centre meeting room, Civic Square – Room 108 and Room 109, Carrie Lynn Pinard Classroom, WCC Meeting Room, WCC, Activity Room, WCC Green Room, WCC Dressing Room, WCC Library. Rates reduced by 50% for not-for profits serving Welland.			
COMMUNITY RENTALS			
Public Pool Part Rental Small/Large Pool – 1-30 People –Per Hour	+HST	\$73.85	\$76.06
Public Pool Part Rental Small/Large Pool – 31-75 People –Per Hour	+HST	\$97.82	\$100.75
Public Pool Part Rental Small/Large Pool – 76-135 People –Per Hour	+HST	\$118.63	\$122.18
Maple Park Community Room –Per Month	+HST	\$37.43	\$38.56
REC RENTALS @ THE DOCKS			
Equipment Recovery Surcharge–Per Rental		\$1.50	\$1.50
Single Rider –Per Hour	HST included	\$12.75	\$15.91
Double Rider and Specialty Equipment (Peddle and Hydro bike) – Per hour	HST included		\$21.00
EconoPass (15 visits)	HST included	\$95.47	\$98.34
Group Rental Staffing and Equipment–	HST included	\$159.22	\$164.00
Equipment Replacement Fee – Per Replacement	+HST		\$60.00
MARKET SQUARE			
Market Square Insurance –Annual Fee	HST included	\$26.01	\$26.01

FEE/DESCRIPTION	HST	2024 FEE	2025 FEE
Market Square Insurance -Per Day	HST included	\$26.01	\$26.01
Market Square Private Rental - Per Hour - Not for Profit	+HST	\$17.70	\$17.70
Market Square Private Rental -Per Hour	+HST	\$35.39	\$35.39
Market Square Private Rental -Per Day	+HST	\$659.63	\$659.63
Market Square Private Rental Custodian Rate-Per Day	+HST	\$99.86	\$99.86
Market Square Demonstration Kitchen - Per Hour	+HST	\$38.45	\$38.45
Market Square Zone A, B, E - First Table-Annual Fee	+HST	\$226.85	\$226.85
Market Square Zone A, B, E - Second Table-Annual Fee	+HST	\$210.12	\$210.12
Market Square Zone A, B, E - Third Table-Annual Fee	+HST	\$197.68	\$197.68
Market Square Zone C - Section 1 - 16 (excluding 4&11)-Annual Fee	+HST	\$784.48	\$784.48
Market Square Zone C - Section 4-Annual Fee	+HST	\$661.67	\$661.67
Market Square Zone C - Section 11-Annual Fee	+HST	\$1,119.45	\$1,119.45
Market Square Zone D-Annual Fee	+HST	\$574.26	\$574.26
Market Square Zone F, G, H - First Table-Annual Fee	+HST	\$135.25	\$135.25
Market Square Zone F, G, H - Second Table-Annual Fee	+HST	\$121.69	\$121.69
Market Square Zone F, G, H - Third Table-Annual Fee	+HST	\$106.08	\$106.08

FEE/DESCRIPTION	HST	2024 FEE	2025 FEE
Market Square Daily Vendor-Per Day	+HST	\$35.39	\$35.39
WELLAND ARENAS			
Ice Bumper - set up included-Per Unit / Per Hour	+HST	\$5.87	\$6.04
Ice Bumper Replacement Fee-Per Unit	+HST	\$306.00	\$315.18
Arena Floor - Adult Sport -Per Hour	+HST	\$95.68	\$98.55
Arena Floor - Youth Sport (weekday)-Per Hour	+HST	\$46.82	\$48.22
Arena Floor - Youth Sport (weekend/holidays)-Per Hour	+HST	\$58.24	\$59.99
Arena Floor - Junior B Lacrosse (weekday)-Per Hour	+HST	\$58.24	\$59.99
Arena Floor - Junior B Lacrosse (weekend/holiday)-Per Hour	+HST	\$65.59	\$67.55
Memorial Arena Seating - Per Agreement * New 2025	+HST		\$250.00
Arena Ice Resurfacing-Per Rental	HST included	\$3.06	\$3.15
Arena Ice Prime Time Adults-Per Hour	+HST	\$192.47	\$198.25
Arena Ice Prime Time Minor Hockey/Figure Skating-Per Hour	+HST	\$154.02	\$158.64
Arenas Ice Walk-In Rate; Prime Time Only-Per Hour	+HST	\$108.22	\$111.47
Arena Ice, JR A/B, SR A & Southern Tier Admirals AAA Hockey-Per Hour	+HST	\$177.89	\$183.22
Arena Ice Non-Prime -Per Hour	+HST	\$105.06	\$108.21
Arena Ice School Rate; Elementary Non-Prime Time Only-Per Hour		\$-	\$-

FEE/DESCRIPTION	HST	2024 FEE	2025 FEE
Arena Ice School Rate; Non-Elementary Non-Prime Time Only-Per Hour	+HST	\$52.02	\$53.58
Public Skating - Adults-Per Day	HST included	\$3.50	\$3.50
Public Skating - Child(ren) - under 14-Per Day	HST included	\$2.50	\$2.50
Arena Skate Sharpening -Per Month	+HST	\$158.10	\$162.84
Advertising: Main Arena (1-year term)	+HST		\$750.00
Advertising: Main and Jack Ballantyne Memorial Arena (1- year term)	+HST		\$1,000.00
Advertising: Main Arena (3-year term)	+HST		\$2,000.00
Advertising: Main and Jack Ballantyne Memorial Arena (3-year term)	+HST		\$2,500.00
PARKS AND OPEN SPACES			
Memorial Tree Program-Per Agreement	+HST	\$765.00	\$787.95
Memorial Bench Program-Per Agreement	+HST	\$3,570.00	\$3,677.10
Tree Planting - Subdivision Agreement-Per Agreement	+HST	\$691.56	\$712.31
Park Pavilion-Per Day	+HST	\$63.44	\$65.35
Picnic Table, Delivered-Per Day	+HST	\$16.63	\$17.12
Picnic Table, No Pickup or Delivery-Per Day	+HST	\$11.42	\$11.77
Green Space Rental - Private, Not-for-Profit -Per Hour	+HST	\$31.21	\$32.15
Green Space Rental - Not-for-Profit - Small (1-99)-Daily	+HST	\$255.00	\$262.65

FEE/DESCRIPTION	HST	2024 FEE	2025 FEE
Green Space Rental – Not-for-Profit – Medium (100 – 499)-Daily	+HST	\$357.00	\$367.71
Green Space Rental – Not-for-Profit – Large (500+)-Daily	+HST	\$459.00	\$472.77
Green Space Rental – Private / Commercial (Event) Small (1-99)-Daily	+HST	\$408.00	\$420.24
Green Space Rental – Private / Commercial (Event) Medium (100 – 499)-Daily	+HST	\$510.00	\$525.30
Green Space Rental – Private / Commercial (Event) Large (500+)-Daily	+HST	\$612.00	\$630.36
Chippawa Volleyball Courts – Not-For-Profit all courts-Per Hour	+HST	\$20.20	\$20.80
Chippawa Volleyball Courts – League / Commercial Booking all courts-Per Hour	+HST	\$40.60	\$41.81
Lawn Bowling – Per Season	+HST	\$326.40	\$336.19
Wooden Bleachers – Parks Equipment-Per Day	+HST	\$104.04	\$107.16
Showmobile Unit-Per Day	+HST	\$486.95	\$501.56
Showmobile P.A. Equipment-Per Day	+HST	\$110.26	\$113.57
Showmobile Pick up and Delivery-Per Day	+HST	\$91.60	\$94.34
Afterhours Showmobile Pick up and Delivery-Per Day	+HST	\$215.32	\$221.78
Showmobile Unit Extended Rentals-Per Day	+HST	\$137.29	\$141.41
Stage (Portable) Section 1-Per Day	+HST	\$67.63	\$69.65
Stage (Portable) Section 2-Per Day	+HST	\$100.88	\$103.90

FEE/DESCRIPTION	HST	2024 FEE	2025 FEE
Stage (Portable) Section 3-Per Day	+HST	\$134.23	\$138.26
Stage (Portable) Pick up and Delivery-Per Day	+HST	\$36.41	\$37.51
Afterhours Stage (Portable) Pick up and Delivery-Per Day	+HST	\$54.06	\$55.68
Canteen (Portable)-Per Day	+HST	\$130.05	\$133.95
Portable generator-Per Day	+HST	\$87.41	\$90.04
Tow behind generator-Per Day	+HST	\$410.96	\$423.29
10' x 10' Tents - Parks Equipment -Per Day	+HST	\$30.19	\$31.10
Ropes and Delineator-Per Day	+HST	\$11.42	\$11.77
Pylons - Parks Equipment (up to 25)-Per Day	+HST	\$6.63	\$6.83
Garbage Drums - Parks Equipment-Per Day	+HST	\$11.44	\$11.79
Stationary P.A. System - Parks Equipment-Per Day	+HST	\$70.79	\$72.91
Folding Tables - Parks Equipment-Per Day	+HST	\$11.42	\$ 11.77
Chairs - Parks Equipment-Per Day	+HST	\$3.83	\$3.94
Beverage Bins - Parks Equipment-Per Day	+HST	\$12.44	\$12.82
Barricades - Parks Equipment-Per Day	+HST	\$9.95	\$10.24
Easels/Pegboards - Per Unit/Per Day	+HST	\$9.00	\$9.27
Rhino Box-Per Unit/Per Day	+HST	\$102.00	\$105.06
WELLAND DISTRICT SLO-PITCH (EXCLUDING WELLAND STADIUM)			
Field Only - Slo-Pitch per team-Per Season	+HST	\$566.00	\$582.98
Field with Lights - Slo-Pitch per team-Per Season	+HST	\$752.25	\$774.82

FEE/DESCRIPTION	HST	2024 FEE	2025 FEE
PLAYING FIELDS			
Saturday Field Tournament Fees -Per Day	+HST	\$134.23	\$138.26
Sunday Field Tournament Fees -Per Day	+HST	\$201.86	\$ 207.91
Soccer Field - Adult-Per Hour	+HST	\$24.99	\$25.74
Soccer Field - Youth (Minor)-Per Hour	+HST	\$12.44	\$12.82
Soccer Field - Commercial, For Profit -Per Hour	+HST	\$30.60	\$31.52
Cricket Field-Per Day	+HST	\$30.19	\$31.10
Sport Field Light Fees -Per Usage	+HST	\$24.99	\$25.74
Field A - Ball Diamond Adult-Per Hour	+HST	\$24.99	\$25.74
Field A - Ball Diamond Minor Baseball (Youth under 18)-Per Hour	+HST	\$12.44	\$12.82
Field A - Ball Diamond Commercial, For Profit -Per Hour	+HST	\$15.30	\$15.76
Field A - Ball Diamond School Rentals-Per Day	+HST	\$32.23	\$33.20
Field B - Ball Diamond Adult-Per Hour	+HST	\$19.89	\$20.49
Field B - Ball Diamond Minor Baseball (Youth under 18)-Per Hour	+HST	\$9.95	\$10.24
Field B - Ball Diamond Commercial, For Profit -Per Hour	+HST	\$12.75	\$13.13
Field B - Ball Diamond School Rentals-Per Day	+HST	\$25.76	\$26.53
Field C - Ball Diamond Adult-Per Hour	+HST	\$15.81	\$16.28
Field C - Ball Diamond Minor Baseball (Youth under 18)-Per Hour	+HST	\$7.96	\$8.19
Field C - Ball Diamond Commercial, For Profit -Per Hour	+HST	\$10.20	\$10.51

FEE/DESCRIPTION	HST	2024 FEE	2025 FEE
SPORTS COMPLEX (WELLAND STADIUM)			
Saturday Stadium Tournament Fees -Per Day	+HST	\$134.23	\$138.26
Sunday Stadium Tournament Fees -Per Day	+HST	\$200.84	\$206.86
Stadium Field; Prime Time -Per Hour	+HST	\$46.82	\$48.22
Stadium Field; Non - Prime Time -Per Hour	+HST	\$34.37	\$ 35.41
Stadium Field; Prime Time Minor Baseball Not for Profit & High Schools-Per Hour	+HST	\$31.21	\$32.15
Stadium Dressing Rooms - Adult Casual Use-Per Season	+HST	\$137.29	\$141.41
Stadium Dressing Rooms - Minor Casual Use-Per Season	+HST	\$106.08	\$109.26
Stadium Dressing Rooms - Adult Exclusive Use-Per Season	+HST	\$686.66	\$707.26
Stadium Concession Stand - Licensed Event/Tournament-Daily	+HST	\$82.21	\$84.68
Stadium Light Fees-Per Hour	+HST	\$36.41	\$37.51
EMPIRE SPORTSPLEX COMMERCIAL FOR-PROFIT LEAGUES			
Empire Sportsplex Single Court Rental - Commercial for Profit /League-Per Hour	+HST	\$16.00	\$16.48
Empire Sportsplex Double Court Rental - Commercial for Profit /League-Per Hour	+HST	\$14.00	\$14.42
Empire Sportsplex Additional Court Rental - Commercial for Profit /League-Per Hour	+HST	\$6.00	\$6.18

FEE/DESCRIPTION	HST	2024 FEE	2025 FEE
Empire Sportsplex Tournament Fees – Commercial for Profit /League–Per Day	+HST	\$102.00	\$105.06
Empire Sportsplex Full Facility Exclusive use –Commercial for Profit /League–Per Day	+HST	\$612.00	\$ 630.36
CANAL LANDS AND WELLAND INTERNATIONAL FLATWATER CENTRE (WIFC)			
Waterway Water Quality Test (Fecal, Strep, E. coli, PH)–Per Test	+HST	\$194.51	\$200.35
Amphitheatre at Merritt Park – Community/Not-for-Profit–Per Day	+HST	\$279.89	\$288.28
Amphitheatre at Merritt Park – Commercial/For Profit–Per Day	+HST	\$336.60	\$346.70
WIFC Celebration Hall (1, 2 & 3) – 8AM – 5PM–Per Day	+HST	\$424.52	\$437.26
WIFC Celebration Hall (1, 2 & 3) – 3PM – 1AM–Per Day	+HST	\$684.62	\$705.16
WIFC Celebration Hall (1, 2 & 3)–Hourly	+HST	\$53.04	\$54.63
WIFC North Course Rental–Per Day	+HST	\$865.57	\$891.54
WIFC South Course Rental–Per Day	+HST	\$764.69	\$787.63
WIFC North Course Organized Non-Exclusive Rental–Per Day	+HST	\$226.85	\$233.65
WIFC South Course Organized Non-Exclusive Rental–Per Day	+HST	\$170.65	\$175.77
WIFC Northern Reach Rental –Per Day	+HST	\$208.08	\$214.32
WIFC Waterway Event Set Up Day–Per Day	+HST	\$364.14	\$375.06

FEE/DESCRIPTION	HST	2024 FEE	2025 FEE
WIFC Paddle Tank – Affiliate Rate (formerly standard per hour rate)–Per Hour	+HST	\$128.01	\$131.85
WIFC Paddle Tank – Non-Affiliate Rate (formally Tier 1)–Per Hour	+HST	\$138.41	\$142.57
Portable Washrooms – Regular Unit–Per Day; Per Unit	+HST	\$128.01	\$131.85
Portable Washrooms – Disability Unit–Per Day; Per Unit	+HST	\$178.91	\$184.28
Portable – Double cold sink station –Per Day; Per Unit	+HST	178.91	\$184.28
Portable – Cleaning –Per Day; Per Unit	+HST	\$29.17	\$30.05
Service Call–Per Call	+HST	\$ 104.04	\$107.16
Garbage Bin (30 cubic yard roll off bin)–Per Event	+HST	\$230.93	\$237.86
Kayak –Per Day; Per Unit	+HST	\$92.62	\$95.39
Rescue Board –Per Day; Per Unit	+HST	\$128.01	\$131.85
Affiliated / Seasonal User		\$ 1,500.00	\$1,545.00
Zodiacs – North Course Event–Per Day; Per Unit	+HST	\$178.91	\$184.28
Zodiacs – South Course Event–Per Day; Per Unit	+HST	\$236.13	\$243.21
Replacement – Boat Safety Kits–Per Unit	+HST	\$22.85	\$23.53
Chairs –Per Day; Per Unit	+HST	\$3.06	\$3.15
Muskoka Chairs –Per Day; Per Unit	+HST	\$3.06	\$3.15
Folding Tables 8ft–Per Day; Per Unit	+HST	\$10.20	\$10.51
High Top Tables –Per Day; Per Unit	+HST	\$9.18	\$9.46

FEE/DESCRIPTION	HST	2024 FEE	2025 FEE
Weigh Scale-Per Day	+HST	\$ 173.71	\$178.92
Weigh Scale Sand-Per Day	+HST	\$59.26	\$61.04
Two-way radio - 1 to 6 units -Per Event	+HST	\$51.00	\$52.53
Two-way radio - 7 to 24 units-Per Event	+HST	\$185.23	\$190.79
Megaphones -Per Event; Per Unit	+HST	\$35.39	\$36.46
Megaphones replacement-Per Unit	+HST	\$162.28	\$167.15
P.A. Equipment (portable)-Per Event	+HST	\$110.26	\$113.57
Tent; 20 x 20-Per Event; Per Unit	+HST	\$484.81	\$499.35
Tent; 10 x 20-Per Event; Per Unit	+HST	\$173.71	\$178.92
Tent; 10 x 10-Per Event; Per Unit	+HST	\$87.41	90.04
Tent; 20 x 20 with sides-Per Event; Per Unit	+HST	\$529.58	\$545.47
Tent; 10 x 20 with sides-Per Event; Per Unit	+HST	\$208.08	\$214.32
Tent; 10 x 10 with sides-Per Event; Per Unit	+HST	\$111.28	\$114.62
Finish Lynx System - Without Operator-Per Day	+HST	\$487.97	\$502.61
Finish Lynx System - Operator included - Per Day	+HST	\$862.51	\$888.39
Finish Lynx System - Operator included - Two Day Event	+HST	\$1,186.06	\$1,221.64
Fencing - per 8' panel in length with delivery-Per Panel	+HST	\$10.20	\$10.51
Fencing - per 8' panel in length with delivery and set up-Per Panel	+HST	\$12.44	\$12.82
Bleachers (1 unit)-Two Day Event	+HST	\$499.39	\$514.37
Bleachers (2 units)-Two Day Event	+HST	\$870.77	\$896.90
Bleachers (3 units)-Two Day Event	+HST	\$1,137.20	\$1,171.31

FEE/DESCRIPTION	HST	2024 FEE	2025 FEE
Additional day – Bleachers–Per Day	+HST	\$264.28	\$272.21
Bleacher delivery & setup (within Welland City Limits)–Per Rental	+HST	\$167.48	\$172.51
Special Exemption Regional Delivery–Per Rental	+HST	\$210.12	\$216.42
Pontoon Boat – Large–Per Event	+HST	\$260.10	\$267.90
Affiliate Wakeless Launches –Per Month	+HST	\$162.28	\$167.15
Affiliate Wakeless Launches –Deposit	+HST	\$318.34	\$327.89
North Course Event Wakeless Launch (includes fuel cost and refilling)–Per Day; Per Unit	+HST	\$198.70	\$204.66
South Course Event Wakeless Launch (includes fuel cost and refilling)–Per Day; Per Unit	+HST	\$226.85	\$233.65
North Course Organized Non-Exclusive Wakeless Launch (includes fuel cost and refilling)–Per Day; Per Unit	+HST	\$68.65	\$70.71
South Course Organized Non-Exclusive Wakeless Launch (includes fuel cost and refilling)–Per Day; Per Unit	+HST	\$85.27	\$87.83
Lifeguard (subject to availability)–Per Hour; Per Guard	+HST	\$30.60	\$31.52
Security Guard (per guard, per hour)–Per Hour; Per Guard	+HST	\$22.85	\$23.53

COUNCIL MEETING
PLANNING AND DEVELOPMENT SERVICES

REPORT TRAF-2025-01
February 18, 2025

SUBJECT: **Updates to the Parking By-laws: Administrative Penalties, Parking Permits, Private Property Enforcement – Referred Part I**

AUTHOR: **James Cronshaw, MLEO (C), C.P.S.O**
Supervisor of Parking & By-law Enforcement

APPROVING DIRECTOR: **Grant Munday, B.A.A., MCIP, RPP**
Director of Planning and Development Services

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND approves **REPORT TRAF-2025-01** Updates to the Parking By-laws: Administrative Penalties, Parking Permits, Private Property Enforcement – Referred Part I; and further

THAT Welland City Council directs the City Clerk to amend By-law 89-2000, By-law 2019-134 and By-law 11027 as provided in APPENDIX I.

RELATIONSHIP TO STRATEGIC PLAN

This recommendation is aligned to Council’s strategic priority of ensuring “**Health and Wellbeing**” to promote personal health and well-being by offering an abundance of activities that meet the diverse needs and interests all while, advocating for improved health care throughout the city, and supporting the need for safety and security.

EXECUTIVE SUMMARY:

- The proposed amendments are necessary to permit the use of the Administrative Penalty System to enforce road occupancy permits.
- The Traffic and Parking By-law will be added to the list of designated by-laws within the Administrative Penalty By-law.
- Two (2) properties will be added to the by-law schedule for private property enforcement.

- Three (3) properties will be added to the to the by-law schedule for fire routes.
- Digital parking permits are now available. Updates to existing definitions and specific sections will add clarity to the by-laws.
- Remaining updates to the By-law 89-2000 and By-law 11027 are administrative.

BACKGROUND:

On December 10, 2024 the Council of the City of Welland approved the following motion:

“THAT Welland City Council refers Report TRAF-2024-09: Updates to the Parking By-laws: Administrative Penalties, Parking Permits, Private Property and Fire Route Enforcement back to staff.”

The original report has been separated into two (2) parts. Part I will focus on the amendments to the parking by-laws and Part II will focus on the parking and storage of trailers.

DISCUSSION:

The proposed amendments will designate the Traffic and Parking By-law to permit the use of administrative penalties for enforcement purposes. The proposed penalties will help with the enforcement of road occupancy permits.

A road occupancy permit is required for a variety of different reasons such as: parades, special events, placement of materials and construction within the right-of-way. Currently our only method of enforcement is through the POA Court system.

An amendment to Schedule “I” is required to include 111 Second Street and 563 Niagara Street to the City of Welland Municipal/ Private Property Schedule of By-law 89-2000. This will allow Parking Enforcement Officers to enter onto private lands at the request of the property owner to issue a penalty notice and/ or remove unauthorized vehicles.

An amendment to Schedule “VI” is required to include 70-102 Primeway Drive, 158 Primeway Drive and 165 Primeway Drive to the Fire Route Schedule for enforcement purposes.

Digital parking permits are now available City wide. The proposed updates to the parking permit definitions and the sections regulating parking permits will add clarity to the by-laws.

The remaining updates to the parking by-laws are administrative.

FINANCIAL:

As by-laws are added to the Administrative Penalty System an increase to fine revenue can be expected.

ATTACHMENT:

Appendix I – Proposed amendments to the parking by-laws

Appendix II - Schedule “XXXVI” – Set Fine Schedule

Appendix III – Authorization Letter (111 Second St)

Appendix IV – Authorization Letter (563 Niagara St)

APPENDIX I

THAT Welland City Council directs the City Clerk to amend Traffic and Parking By-law 89-2000 as follows:

DELETE the following from Section 1.1:

“parking permit” means a permit issued by the City of Welland or property owner, which indicates the permit number, expiry date and allows the holder of the permit to park at the designated parking lot or designated highway;

ADD the following to Section 1.1:

“parking permit” means a permit issued or approved by the City of Welland or a property owner, which allows parking within a designated parking lot or designated roadway.

ADD the following subsections:

- 4.7.7 Notwithstanding Sections 4.7.4, 4.7.5 and 4.7.6, persons using a parking lot where digital parking permits are available may obtain a digital parking permit in lieu of displaying a ticket dispensed by the parking ticket dispenser or in lieu of displaying a valid permit in the vehicle. Where a digital parking permit, approved by the City is obtained, the digital parking permit is only valid for the vehicle identified by the licence plate provided. Only one (1) licence plate can be valid at one time.
- 8.2.8 Notwithstanding Section 8.2.5, persons parking on-street where digital on-street parking permits are available, may obtain a digital permit in lieu of displaying a valid permit in the vehicle. Where a digital on-street parking permit, approved by the City is obtained, the digital on-street parking permit is only valid for the vehicle identified by the licence plate provided. Only one (1) licence plate can be valid at one time.
- 8.3.9 Notwithstanding Section 8.3.5, persons parking on-street where digital snow clearing exemption permits are available, may obtain a digital snow clearing exemption permit in lieu of displaying a valid parking permit in the vehicle. Where a digital snow clearing exemption permit, approved by the City is obtained, the digital permit is only valid for the vehicle identified by the licence plate provided. Only one (1) licence plate can be valid at one time.

DELETE the following from Part X – Offences and Penalties:

- 10.1 Any offence created by this By-law is not subject to the penalty provisions of the Provincial Offence Act, save and except for the following:
- a) park within accessible parking space without valid permit displayed (Section 3.4.1.1);
 - b) park vehicle exceeding 6.5 metres without authority (Section 3.9.1.f);
 - c) the offences and penalties as set out in Schedule XXXVI hereto, being offences and penalties under Part 1 of the Provincial Offences Act.
- 10.2 Any contravention of the offences set out herein, save and except for the exceptions as noted in Paragraph 10.1 above, shall be subject to the provisions set out in the Administrative Municipal Penalty By-law.
- 10.3 Any person who contravenes any of the provisions of the sections or subsections of this By-law set out in column 2 of Schedule “XXXVI” hereto, and wishes to make a payment pursuant to the By-law may pay the amount set out in column 3 of the said Schedule, such amount to be payable in lawful money of Canada, and all such penalties are exclusive of costs.

ADD the following to Part X - Offences and Penalties:

PART X **OFFENCES AND PENALTIES**

- 10.1 Any offence created by this By-law is not subject to the penalty provisions of the Provincial Offences Act.
- 10.2 Any contravention of the offences set out herein, shall be subject to the provisions set out in the Administrative Penalty By-law 2014-64, as amended or the Administrative Penalty By-law for Non-parking Related Offences By-law 2019-134, as amended.
- 10.3 Every person who contravenes any provision of this by-law is guilty of an offence and shall be subject to the provisions set out in the Administrative Penalty By-law 2014-64, as amended or the Administrative Penalty By-law for Non-parking Related Offences By-law 2019-134, as amended.
- 10.4 Every offence under this By-law is designated as a continuing offence.

- 10.5 An Officer who finds that a Person has contravened a provision of this By-law may issue a penalty notice pursuant to the Administrative Penalty By-law 2014-64, as amended or the Administrative Penalty By-law for Non-parking Related Offences By-law 2019-134, as amended.
- 10.6 Every person who contravenes any provision of this By-law shall, upon issuance of a penalty notice in accordance with the Administrative Penalty By-law 2014-64, as amended or the Administrative Penalty By-law for Non-parking Related Offences By-law 2019-134, as amended, be liable to pay to the City an administrative penalty in accordance with the penalties set out in Schedule “XXXV” and Schedule “XXXVI”

DELETE the following from PART XI – Application, Administration and Enforcement:

11.1 Enforcement

This by-law shall be enforced by the Police Force and by any officer appointed for the enforcing or carrying out of the provisions of this by-law.

11.3 Application of By-law

This by-law applies to all highways and parts of highways under the jurisdiction of the City of Welland.

ADD the following to PART XI – Application, Administration and Enforcement:

11.1 Enforcement & Application of By-law

This by-law shall be enforced by the Police Force, an officer appointed for the enforcing or carrying out of the provisions of this by-law and this by-law shall apply to all highways and parts of highways under the jurisdiction of the City of Welland.

11.3 Right of Access

An Officer designated to perform inspections pursuant to this by-law may at all reasonable times, enter upon any land for the purpose of carrying out an inspection to determine whether or not this By-law is being contravened.

ADD the following to Schedule “I” – Municipal/Private Property Schedule:

SKETCH No.	LOCATION	COMMON NAME
No Sketch	111 Second Street	St John the Baptist Church
No Sketch	563 Niagara Street	Tim Hortons

ADD the following to Schedule “VI” – Fire Routes:

NO.	STREET ADDRESS	COMMON NAME	SKETCH DATE
A-82	70-102 Primeway Drive	Smart Centres	No Sketch
A-83	158 Primeway Drive	Canadian Tire	No Sketch
A-84	165 Primeway Drive	Rona	No Sketch

DELETE Schedule “XXXVI” – Set Fines – Part I Offences and replace with Schedule “XXXVI” attached to this report as Appendix “II”.

THAT Welland City Council directs the City Clerk to amend By-law 2019-134, as amended, as follows:

ADD the following to Schedule “A”:

DESIGNATED BY-LAW	BY-LAW NUMBER
Traffic and Parking By-law	89-2000, as amended

THAT Welland City Council directs the City Clerk to amend By-law 11027, as amended, as follows:

DELETE the following from Section 1:

- (h) “parking permit” means a permit issued by Niagara College, which indicates the permit number, expiry date and the designated parking lot and/or a ticket obtained from a parking ticket dispenser;

ADD the following to Section 1:

- (h) “parking permit” means a permit issued or approved by Niagara College which allows parking within a designated parking lot.

DELETE the following from Section 2:

2. Permit Parking

Where permit parking is permitted under the authority of this by-law as shown in Schedule A, no person shall park a vehicle or permit a vehicle to remain parked unless:

- (a) A valid parking permit is displayed; and
- (b) affixed to the sun visor on the driver's side of the vehicle with the visor turned down; or
- (c) on the driver's side of the dashboard of the vehicle; or
- (d) attached to the rear view mirror.

ADD the following to Section 2:

2. Permit Parking

Where permit parking is permitted under the authority of this by-law as shown in Schedule A, no person shall park a vehicle or permit a vehicle to remain parked unless a valid parking permit is obtained; and when required:

- (a) affixed to the sun visor on the driver's side of the vehicle with the visor turned down; or
- (b) on the driver's side of the dashboard of the vehicle; or
- (c) attached to the rear-view mirror.

Where a digital parking permit, approved by Niagara College is obtained, the digital permit is only valid for the vehicle identified by the licence plate provided. Only one (1) licence plate can be valid at one time.

APPENDIX II

Schedule "XXXVI"

THE CORPORATION OF THE CITY OF WELLAND

BY-LAW 89-2000

SET FINE SCHEDULE

**BY-LAW 89-2000, BEING A BY-LAW REGULATING
TRAFFIC AND PARKING WITHIN THE CITY OF
WELLAND**

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Provision Creating or Defining Offence	COLUMN 3 Penalty
1.	Social Event on roadway without valid permit	Sec. 8.1 (a)	\$500.00
2.	Construction or material on roadway without valid permit	Sec. 8.1 (b)	\$500.00
3.	Fail to carry out event/ construction/ placement of material to the satisfaction of the City	8.1.7	\$500.00



St John the Baptist

Hungarian Greek Catholic Church

111 Second Street
Welland, ON L3B 4T8
Canada
(905) 735-3433

The Corporation of the City of Welland
60 East Main Street – City Hall
Welland, ON L3B 3X4

May 2, 2024

Via Email
secretary@stjohnwelland.ca

Attention: James Cronshaw, MLEO(C)
Senior By-law Enforcement Officer

Regarding: Authorization for Private Property Tagging and/or Towing.
111 Second Street, Welland, Ontario L3B 4T8

Dear Mr. Cronshaw,

St John the Baptist Church is owned by *The Ukrainian Catholic Eparchy of Toronto and Eastern Canada* and is administered by its pastor, Rt. Rev. Nicholas Deak. On behalf of Rt. Rev. Nicholas Deak, as the secretary of St John's, I request the City of Welland to control unauthorized parking at the above noted address as per Traffic and Parking By-law 89-2000.

The following person(s) have been designated with signing privileges:

1. Nicholas Deak, pastor
2. Susan Fleury, treasurer
3. Frank Raso, secretary

A copy of this letter and identification will be produced each time a Parking Enforcement Officer arrives to enforce the offense of "Park on Private Property without the owner's consent" or "Park on Private Property in contravention of Traffic and Parking By-law 89-2000".

We understand that you require a "FORM 2" to be fully completed for each and every enforcement attendance by one of the above authorized person(s), who will call (905)735-1700 Ext. 2250 or 2113 for enforcement.

Signage is affixed to a permanent post, approximately 6' high and are located on both sides of each entrance/exit of the property. The signs indicate:

Private Property
Unauthorized vehicles will be
Tagged and/or towed
At owner's expense
City of Welland
By-law 89-2000

If further information is required, please call Frank Raso at 905-382-4685.

Sincerely,

Frank Raso

Frank Raso, Secretary

cc. Rt. Rev. Nicholas Deak, Pastor

Tim Hortons.

July 3, 2024

The Corporation of the City of Welland

60 East main Street -City Hall

Welland , Ontario

L3B 3X4

Attention: James Cronshaw, MLEO(C) Senior By-Law Enforcement Officer

RE: Authorization for Private Property Tagging and or/ Towing

Tim Horton's

563 Niagara Street Welland, Ontario L3C 1L7

To whom it may concern;

Petchco Inc. are the Owners of 563 Niagara Street and request the City of Welland to control unauthorized parking at the above noted address as per Traffic and Parking By-Law 89-2000.

A copy of this letter and identification will be produced each time a Parking Enforcement Officer arrives to enforce the offence of "Park on Private Property without owner's consent "89-2000.

Permanent signage has been posted and is clearly visible. If further info is required ,please call Denielle Brown at 905-734-8202.

Sincerely,

Shawn Petlichkov

COUNCIL MEETING
PLANNING AND DEVELOPMENT SERVICES
PLANNING DIVISION

REPORT P&B-2025-09
February 18, 2025

SUBJECT: **Layout, Establish and Name the Lands on Part of
Aqueduct Street, Clare Avenue and Thorold Road.**

AUTHOR: **Caitlin Kovacs, B.URPI
Development Planner**

**APPROVING
SUPERVISOR:** **Taylor Meadows, B.URPI, CPT, RPP, MCIP
Manager of Development Planning**

**APPROVING
MANAGER:** **Michael Greenlee, RPP, MCIP
Manager of Planning Services**

**APPROVING
DIRECTOR:** **Grant Munday, B.A.A, RPP, MCIP
Director, Planning And Development Services**

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes the lay out, establishment, and naming as a public highway for road widening purposes Part 3 on Plan 59R17614 as part of Aqueduct Street;

THAT Welland City Council authorizes the lay out, establishment, and naming as a public highway for road widening purposes Part 3 on Plan 59R18198 as part of Clare Avenue;

THAT Welland City Council authorizes the lay out, establishment, and naming as a public highway for road widening purposes Part 3 on Plan 59R17081 as part of Clare Avenue;

THAT Welland City Council authorizes the lay out, establishment, and naming as a public highway for road widening purposes Part 4 on Plan 59R17676 as part of Clare Avenue;

THAT Welland City Council authorizes the lay out, establishment, and naming as a public highway for road widening purposes Part 1 on Plan 59R17329 as part of Clare Avenue; and

THAT Welland City Council authorizes the lay out, establishment, and naming as a public highway for road widening purposes Part 1 on Plan 59R18095 as part of Thorold Road;

RELATIONSHIP TO STRATEGIC PLAN

This recommendation is aligned to Council's strategic priority of ensuring "Liveability" by creating a sense of belonging while enhancing mobility by improving access to recreation and community events, ensuring adequate housing options, encouraging job growth, and improving ways to efficiently move people throughout the city.

EXECUTIVE SUMMARY:

As part of the development process lands are commonly identified and dedicated for the purpose of road widening. This report is provided to outline how the dedicated lands must now be laid out, established, and named as part of the public highway.

BACKGROUND:

As a result of several recent planning applications, the City has received dedicated lands to address road widenings. With reference to Appendix I to VI, the Subject Lands are located on Aqueduct Street, Clare Avenue and Thorold Road. The lands can now, via by-law, be laid out, established, and named as part of the public highway.

DISCUSSION:

The City of Welland Official Plan policy 6.4.2.1.F provides that as a condition of development approvals, the City will require that sufficient lands be conveyed to the City to provide for a road right-of-way width.

Policy 6.4.2.1.F and Schedule F of the Official Plan set out a list of roads that are planned for widening and as such are subject to policy 6.4.2.1.F. The lands described in the appendices of this report have been transferred in accordance with this policy.

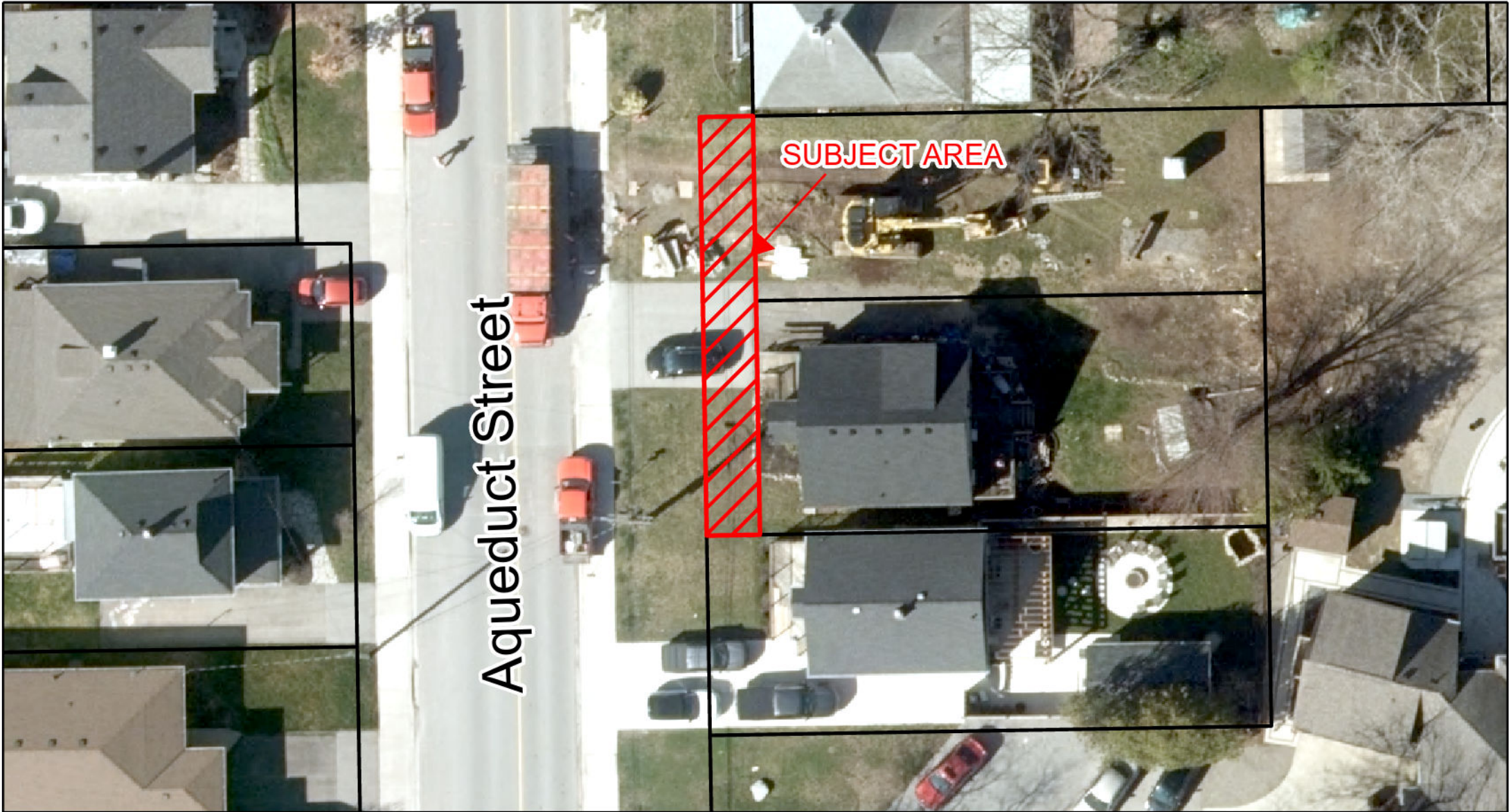
FINANCIAL:

There is no financial impact from the recommendations in this report at this time.

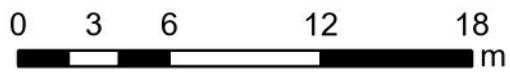
ATTACHMENT:

Appendix I	-	314-316 Aqueduct Street
Appendix II	-	427-429 Clare Avenue
Appendix III	-	618-622 Clare Avenue
Appendix IV	-	641-645 Clare Avenue
Appendix V	-	781 Clare Avenue
Appendix VI	-	348 Thorold Road

APPENDIX I



 SUBJECT AREA



Scale: 1:300



KEY MAP
Road Widening
314- 316 Aqueduct Street
Page 147 of 157

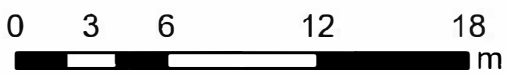


Planning & Development Services
Planning Division

APPENDIX II



 SUBJECT AREA



Scale: 1:300

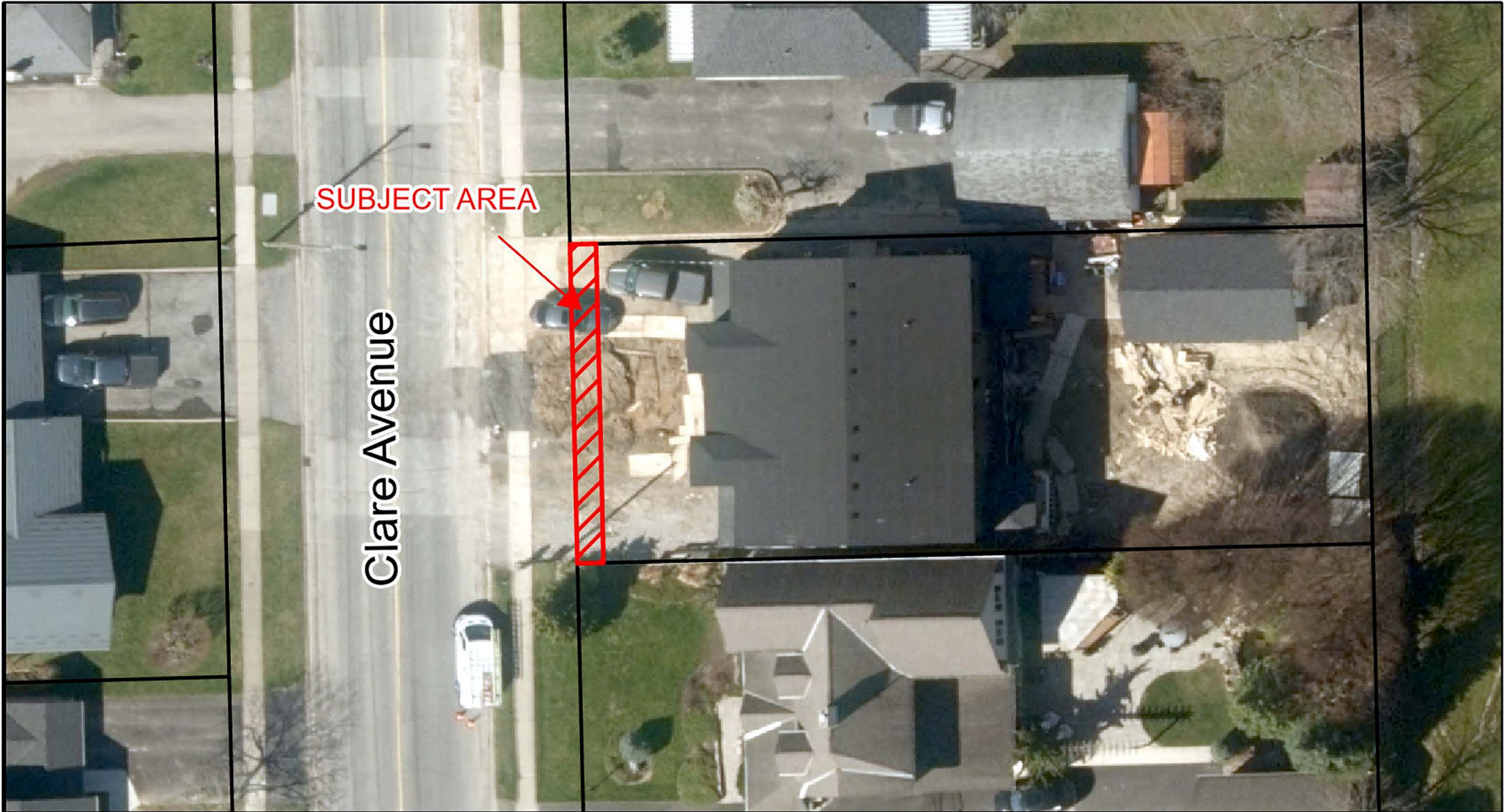


KEY MAP
Road Widening
427-429 Clare Avenue
Page 148 of 157



Planning & Development Services
Planning Division

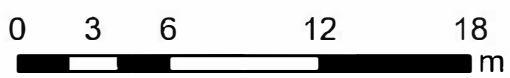
APPENDIX III



SUBJECT AREA

Clare Avenue

 SUBJECT AREA



Scale: 1:300

KEY MAP

Road Widening

618 - 622 Clare Avenue

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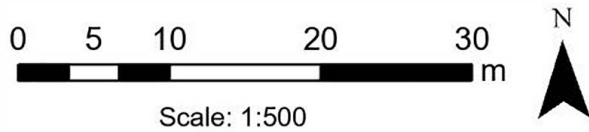
Planning & Development Services

Planning Division

APPENDIX IV



 SUBJECT AREA



KEY MAP
Road Widening
641 - 645 Clare Avenue
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Planning & Development Services
Planning Division

APPENDIX V



Woodlawn Road

Clare Avenue

SUBJECT AREA

0 10 20 40 Meters

 SUBJECT AREA

Key Map
Road Widening
784 Clare Avenue
784 Clare Avenue



CITY OF
Welland
Planning & Development Services
Planning Division

APPENDIX VI



0 12.5 25 50 Meters

 SUBJECT AREA

Key Map
Road Widening
348 Thorold Road

 CITY OF Welland
Planning & Development Services
Planning Division

COUNCIL MEETING
OFFICE OF THE CITY CLERK

REPORT CLK-2025-02
February 18, 2025

SUBJECT: Response to Notice of Motion – Council Information Package

AUTHOR: Tara Stephens, Director of Legislative Services/City Clerk

APPROVING: Rob Axiak, Chief Administrative Officer

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information report CLK-2025-02: Response to Notice of Motion – Council Information Package.

RELATIONSHIP TO STRATEGIC PLAN

Integrity: This recommendation is aligned to council’s strategic priority of ensuring “Transparency and Accountability” by providing consistent, timely updates and ensuring public access to relevant municipal and provincial matters.

EXECUTIVE SUMMARY:

This report is a response to a notice of motion that was referred to staff in April 2024 regarding Council Information Packages. The report outlines the Council Information Package process, emphasizing that actionable items can be added to future council agendas upon request. This practice enhances accessibility and communication, with no associated financial implications.

BACKGROUND:

Since January 2024, Council Information Packages have been published weekly on the city’s website, sharing over **765** pieces of correspondence with council and the public. Before 2024, only correspondence from Niagara Region municipalities was included in council agendas for consideration. This report outlines the Council Information Package process and procedures for requesting agenda items based on shared information.

DISCUSSION:

Council Information Packages are designed to share correspondence and other important information for members of council to be aware of that do not require consideration at a Council/General Committee meeting. They include:

- Resolutions from other municipalities;
- Memorandums from staff;
- Correspondence submitted to council;
- Webinars/training sessions; and
- other information that may be of interest to council

The practice ensures regular and accessible communication of matters affecting the municipality and broader provincial landscape. All documents in the Council Information Package are made publicly available to uphold transparency.

Key Achievements

- Over **765** pieces of correspondence shared since January 2024.
- Regular updates ensure council is informed about provincial and organizational developments in a timely manner.
- Enhanced transparency for matters being considered across Ontario.

Actionable Items

- Items shared in the CIP often include requests for support, recommendations, or declarations.
- Council members may request any actionable item to be included in a future Welland City Council agenda for consideration.

Items provided as “For Your Information” (FYI) are not eligible for inclusion on an agenda unless they involve a clear request or actionable component.

FINANCIAL:

There are no financial implications associated with the preparation and dissemination of Council Information Packages.

ATTACHMENT:

None.

COUNCIL MEETING
PLANNING AND DEVELOPMENT SERVICES

REPORT PB-2025-08
February 18, 2025

SUBJECT: Official Plan Update - Budget

AUTHOR: Nicolas Aiello, HBA, MCIP, RPP
Planning Supervisor - Policy

**APPROVING
MANAGER:** Michael Greenlee, MCIP, RPP
Manager Of Planning

**APPROVING
DIRECTOR:** Grant Munday, B.A.A., MCIP, RPP
Director Of Planning And Development Services

RECOMMENDATION:

THAT COUNCIL OF THE CITY OF WELLAND approves an increase of \$23,000.00 plus the City portion of HST, to the Official Plan Update capital project 10-510-21651.

RELATIONSHIP TO STRATEGIC PLAN

This recommendation is aligned to Council's strategic priority of ensuring "Liveability" by creating a sense of belonging while enhancing mobility by improving access to recreation and community events, ensuring adequate housing options, encouraging job growth, and improving ways to efficiently move people throughout the city.

The Official Plan (OP) is being updated with a view to planning for the next 25 years of growth in Welland. It will contain goals, objectives, and policies that define and support the community's vision for long-term growth and development. It will also incorporate environmental, economic, cultural, and social considerations.

EXECUTIVE SUMMARY:

There have been recent provincial planning legislation changes that now need to be addressed in the Official Plan Update. The provincial planning updates were

not anticipated as part of the initial project scope and associated budget for consultant services. In order to complete this added work, project requires additional funds to the original budget.

BACKGROUND:

Planning Act

Section 26 of the Planning Act requires municipalities to review and update their current Official Plan every five years to ensure:

- conformity with provincial plans;
- regard to matters of provincial interest; and
- consistency with Provincial policy statements.

Official Plan

The Official Plan is a document that guides both short and long-term growth and development. City staff and the team of consultants have completed considerable work updating the Official Plan to ensure that growth in Welland is well-managed with appropriate guidance.

Official Plan Update

On April 20, 2021, Welland Council retained SGL Planning & Design Inc. (SGL), to lead the project of undertaking a comprehensive review and update of the City of Welland's Official Plan.

The City of Welland's Official Plan Update project is in the final phase.

DISCUSSION:

Over the last couple of years, several Provincial planning changes resulted in new legislation that imposed additional work on SGL to finalize the City's Official Plan Update. Further, this work is beyond the original project scope and estimated budget.

The additional work by the City's consultant, SGL Planning & Design is as follows:

- Provincial Planning Statement, 2024

Updating the Draft Official Plan Update's text to be consistent with the new Provincial Planning Statement that recently came into effect on October 20, 2024; and,

- Bill 23, More Homes Built Faster Act, 2022

Updating the Draft Official Plan Update's structure to recognize that Niagara Region will no longer have any planning authority over the City of Welland.

There is also a need to review comments and requests that resulted from the release of the Draft Official Plan Update (Spring 2024). In addition, private landowner requests for land conversions and settlement area boundary expansion must be assessed.

Provincial changes to the Region's planning authority means that the Updated Official Plan amendment will be adopted by the Minister in accordance with section 26 of the Planning Act.

A section 26 amendment requires an open house to be held to present the final Official Plan at least 7 days prior to the statutory public meeting. SGL has accounted for time to attend the open house. Staff have requested additional details with respect to addressing Forestry Guidelines.

The Updated Official Plan must conform to the changes to provincial policy including meeting provincial housing goals and objectives. The Province will not approve the Plan unless it is to their satisfaction.

FINANCIAL:

Council approved \$150,000 for the Official Plan Update. Due to the additional work required further funds are being requested in the amount of \$23,000.00 plus the City's portion of HST. It is estimated that this project will cost \$173,000.00 which will be funded by Development Charges (DCs).