



COUNCIL MEETING AGENDA

Tuesday, September 19, 2023

COUNCIL CHAMBERS – CIVIC SQUARE

All Meetings can be viewed at:

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

YourTV: The meeting will be aired live on Channel 700

- 1. COMMITTEE-OF-THE-WHOLE (IN-CAMERA) - (6:15 P.M.)**
 - 1.1 PERSONAL MATTERS ABOUT AN IDENTIFIABLE INDIVIDUAL, INCLUDING MUNICIPAL OR LOCAL BOARD EMPLOYEES:**
 1. Personnel Matters Update.
 - 1.2 PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD**
 1. Offer to accept lands on the west side of Moyer Road (unopened), described as Lots 18 and 19 on Plan 44, NP964.
 2. 882 Schisler Road - Surplus Land Sale.
 3. Land provided to City from Developer.
- 2. ARISE FROM COMMITTEE-OF-THE-WHOLE (IN-CAMERA)**
- 3. OPEN COUNCIL MEETING - 7:00 P.M.**
 - 3.1 NATIONAL ANTHEM**
 - 3.2 OPENING REMARKS**
 - 3.3 ADDITIONS/DELETIONS TO AGENDA**
 - 3.4 ADOPTION OF MINUTES**
 1. Special Council Meetings of August 24, 2023, and September 12, 2023 and Regular Council Meeting of September 5, 2023.
 - 3.5 CALL UPON THE CITY CLERK TO REVIEW COMMITTEE-OF-THE-WHOLE (IN-CAMERA) ITEMS TO BE ADDED TO THE AGENDA BLOCK**
 - 3.6 DISCLOSURES OF INTEREST**
 - 3.7 COUNCILLORS TO DETERMINE AGENDA ITEMS AND BY-LAWS TO BE REMOVED FROM THE BLOCK FOR DISCUSSION IN COMMITTEE-OF-THE-WHOLE (OPEN)**

4. ORAL REPORTS AND DELEGATIONS

4.1 PRESENTATIONS - NIL

4.2 LEGISLATED PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT

1. A complete application has been made by THE BIGLIERI GROUP on behalf of 526 ONTARIO ROAD HOLDINGS LP to rezone lands PT BLK B PL 931; PT 1 59R6361; Welland, municipally known as 526 ONTARIO ROAD from the existing RESIDENTIAL MEDIUM DENSITY - RM SITE SPECIFIC in Zoning By-law 2017-117. The purpose of the Amendment is to permit a stacked townhouse development. Ref. No. 22-136

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

2. P&B-2023-50 - APPLICATION FOR ZONING BY-LAW AMENDMENT (2023-05) SUBMITTED BY THE BIGLIERI GROUP ON BEHALF OF 526 ONTARIO ROAD HOLDINGS LP - 526 ONTARIO ROAD. Ref No. 22-136 Remove From Block

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report P&B 2023-42 regarding application for Zoning By-law Amendment (2023-05) for lands located on the south side of Ontario Road, west of Alberta Street, east of Chaffey Street, and north of Hill Street, municipally known as 526 Ontario Road.

4.3 DELEGATIONS

1. John Greer, Director, SPCA re: Dogs at Large Events. Ref. No. 23-22

(Staff report to be considered following the conclusion of the presentation)

1. TRAF-2023-46 - PROHIBITING DOGS AT LARGE EVENTS. Ref. No. 23-22 (See By-law 8.1) Remove From Block

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives REPORT TRAF-2023-46 Prohibiting Dogs at Large Events.; and further

THAT Welland City Council directs the City Clerk to amend Bylaw 2007-199, the Dog Control and Licensing By-law as follows:

DELETE the following:

9.1. No person shall keep a dog within the boundaries of the City unless said dog is under control at all times and when leashed, said leash shall not exceed 2.5 meters in length when said dog is on land within the boundaries of The City other than that of the Owner unless consent is given by the person owning the land on which the dog is found.

ADD the following:

9.1. No person shall keep a dog within the boundaries of the City unless said dog is under control at all times and when leashed, said leash shall not exceed 1.9 meters in length when said dog is on land within the boundaries of the City other than that of the Owner unless consent is given by the person owning the land on which the dog is found.

2. Steven Soos, Welland Resident re: City of Welland continued Emergency Response for Mental Health and Addiction and Homelessness and Housing Affordability. Ref. No. 21-30

4.4 AGENCIES, BOARDS, COMMISSIONS AND COMMITTEE REPORTS - NIL

5. BUSINESS ARISING FROM MINUTES, PREVIOUS MEETINGS AND OTHER ITEMS REFERRED FROM COUNCIL FOR DISCUSSION:

- 5.1 FIN-2023-20 - Mayor & Councillor Expense Policy Update (FIN-001-0018). Ref. No. 23-34

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

- 6.1 CLK-2023-19 - AMENDMENT TO HYBRID MODEL – MEETINGS OF COUNCIL. Ref. No. 02-160
- 6.2 CLK-2023-20 - UPDATED – 2022-2026 WELLAND CITY COUNCIL REMUNERATION RECOMMENDATIONS. Ref. No. 23-14
- 6.3 HR-2023-03 - 2024-2025 CITY HALL HOLIDAY CLOSURE Ref. No. 23-33
- 6.4 ENG-2023-29 - CANAL BANK STREET SEWER REMOVAL – DEVELOPMENT COST SHARE. Ref. No. 23-115
- 6.5 ENG-2023-30 - ASSUMPTION OF CLARE ESTATES 3 SUBDIVISION – PHASES 3, 4, AND 5. Ref. No. 23-124 (See By-law 8.2)
- 6.6 P&B-2023-47 - OFFER TO ACCEPT LANDS EAST OF VIGER DRIVE AND MEMORIAL PARK DESCRIBED AS BLOCK 74 and 78, PLAN 59M-440. Ref. No. 23-116 (See By-law 8.3)
- 6.7 P&B-2023-48 - REQUEST FOR EXTENSION TO DRAFT PLAN OF VACANT LAND CONDOMINIUM APPROVAL – 401 SOUTH PELHAM ROAD. Ref. No. 23-117
- 6.8 P&B-2023-49 - REQUEST FOR EXTENSION TO DRAFT PLAN APPROVAL – HUNTER'S POINTE PLAN OF SUBDIVISION. Ref. No. 23-118
- 6.9 EDO-2023-15 - SALES OFFICE ON NORTHERN REACH SITE. Ref. No. 22-95 (See By-law 8.4)

7. NEW BUSINESS

- 7.1 Peter Todd, Manager, Legislative Services/Town Clerk, Town of Fort Erie re: Support of Chatham-Kent Resolution - Municipal Freedom of Information and Protection of Privacy Act. Ref. No. 23-119

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information and supports the correspondence from the Town of Fort Erie dated August 31, 2023 regarding the Support of Chatham-Kent Resolution - Municipal Freedom of Information and Protection of Privacy Act.

- 7.2 Bonnie Nistico-Dunk, Town Clerk, Town of Grimsby re: Establishing a Guaranteed Livable Income. Ref. No. 23-123

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Town of Grimsby dated September 8, 2023 regarding establishing a guaranteed livable income.

8. BY-LAWS

- 8.1 A By-law to amend By-law 2007-199 being a By-law to provide for the licensing, control and regulation of dogs. Ref. No. 23-22
(See Report TRAF-2023-46)
- 8.2 A By-law to assume Clare Estates 3 Subdivision (Phases 3, 4 & 5), Plan 59M-392. Ref. No. 23-124
(See Report ENG-2023-30)
- 8.3 A By-law to authorize the transfer of lands from 1650672 Ontario Ltd. to the City of Welland, located east of Viger Drive and Memorial Park and north of Lincoln Street, described as Blocks 74 and 78, Plan 59M-44, for normal consideration.
Ref. No. 23-116 (See Report P&B-2023-47)
- 8.4 A By-law to authorize the transfer of lands from Lionel Gerald et al to the City of Welland, located on the west of Moyer Road, described as Lots 18 & 19, Plan NP964, for nominal consideration. Ref. No. 22-95
(See Report EDO-2023-14)
- 8.5 A By-law to exempt certain lands from Part-Lot Control - Parts 1 to 3 (inclusive) on Plan 59R-17719, Lot 7 and part of Lots 6 and 8, registered Plan 931 (147, 151, 155 Dain Avenue), City of Welland. Ref. No. 23-120
(Approved by by-law 2020-143)
- 8.6 A By-law to exempt certain lands from Part-Lot Control - Parts 1 to 3 (inclusive) on Plan 59R-17634, Lots 2 and 3, registered Plan 606 (51, 55, 59 Downs Drive), City of Welland. Ref. No. 23-121
(Approved by by-law 2020-143)

9. NOTICES OF MOTION

9.1 COUNCILLOR MATTERS DISCUSSED WITH STAFF FOR REPORTING PURPOSES

1. (For the purpose of informing the public on a matter that has been discussed with staff)

9.2 NOTICES OF MOTION (PREVIOUSLY SUBMITTED FOR DISCUSSION)

1. (Councillor DiMarco)
WHEREAS, parking at times is limited at one of our cities main parks/playground and to remove the parking from the roadway which at times can be quite congested and also for the safety of all.
NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to prepare a report that would address parking at Chippawa Park from the pavilion on First Avenue north to Laughlin Avenue on the park property which is currently grass/open space similar to Bugar Park. Ref. No. 23-22
2. (Councillor DiMarco)
THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to prepare a report in regards to creating and allowing family camping along the west side of the former Welland Canal from the Welland International Flat Centre to the north and to a specific distance south of Broadway Avenue and to include electrical powered outlets for the convenience of its users. Ref. No. 99-99

3. (Councillor DiMarco)
THAT THE COUNCIL OF THE CITY OF WELLAND directs the appropriate staff to prepare a report regarding the implementation of a public works crew; and
THAT the duties of such would be, but no limited to, when needed, and after our By-laws have visited and exhausted their powers, to remove garbage and/or trash from a property and/or perform the necessary yard work including snow removal in the winter months that would bring the property into compliance of our trash, grass/weeds and snow clearing policies; and further
THAT in addition to the already in place fines that all costs associated to perform such be the responsibility of the proper owner. Ref. No. 23-103
4. (Councillor Green)
THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to provide an update with legal present regarding the North Welland Trails Strategy. Ref. No. 99-99
5. (Councillor Setaram)
WHEREAS, the Truth and Reconciliation Commission Report recommendation #57 states, "We call upon federal, provincial, territorial, and municipal governments to provide education to public servants on the history of Aboriginal peoples, including the history and legacy of residential schools, the United Nations Declaration on the Rights of Indigenous Peoples, Treaties and Aboriginal rights, Indigenous law, and Aboriginal–Crown relations. This will require skills-based training in intercultural competency, conflict resolution, human rights, and antiracism"; and further
THAT THE COUNCIL OF THE CITY OF WELLAND fully supports the implementation of recommendation 57 from the Truth and Reconciliation Commission Report.
NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to implement recommendation 57 and to provide an update to Council by September 30, 2025. Ref. No. 23-122

6. (Councillor Lee)

WHEREAS, Niagara Regional Council, City of Welland, City of Thorold, City of Niagara Falls and City of St. Catharines have adopted motions to declare mental health, homelessness, and addiction as an emergency; and

WHEREAS, the City of Welland has individuals living rough throughout the community; and

WHEREAS, the availability of affordable housing options is rapidly decreasing making it harder for families and individuals to find housing.

NOW THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND ask Niagara Region commit to deliver more preventative drug education through a public as they see fit; and

THAT The City of Welland lobby the province on more therapeutic approaches and treatment pertaining to mental health care, work to develop strategies to address mental health/homeless/addiction discrimination; and

THAT Welland City Council advocate to the Provincial Government the need for increased medium-housing supply for young people trying to enter the housing market, seniors downsizing, and to open for supply for families; and

THAT Welland City Council requests that the Ford government commit to more funding for residential services for adults and children struggling with an intellectual and/or developmental disability.; and

THAT Welland City Council approaches CMHA and express interest in hosting a safe beds program for City of Welland; and

THAT Welland City Council utilizes the state of emergency on mental health, homelessness and addiction to save the Welland Hospital and offer mental health and addiction services in house at the Welland Hospital-more therapeutic approaches to mental health treatment in hospital settings. Emergency Management and Civil Protection Act, R.S.O. 1990, c. E.9 (ontario.ca); and

THAT Welland City Council approaches upper levels of government and Niagara Health System with the goal to secure a drug rehab centre for the City of Welland, similar to Newport in Port Colborne which is run by Niagara Health System; and

THAT Welland City Council supports more training on the issues of mental health, homelessness, and addiction for police officers in Niagara/Ontario; and

That Welland City Council asks for a staff report on community watch programs and crime prevention by environmental design similar to the City of Mississauga; and

That this resolution be circulated to all Niagara-area municipalities, all Niagara area MPP's, MP's, Ontario's Ministers for Community and Social Services, Solicitor General, Health, Mental Health and Addictions, Seniors and Accessibility, Municipal Affairs and Housing, Indigenous Affairs, Ontario Premier, Doug Ford and Ontario Opposition Leader, Marit Stiles, Federal Ministers of Housing, Diversity and Inclusion, Mental Health and Addictions, Health, Justice and Attorney General, Indigenous services, Prime Minister Justin Trudeau, Deputy PM, Chrystia Freeland, Canada's Opposition Leader, Pierre Poilievre, Marc Gold, Government Representative in the Senate and Daniel Plett, Leader of the Opposition in the Canadian Senate, CMHA Niagara, and Niagara Health System. Ref. No. 21-30

7. (Councillor Speck)
THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report HR-2020-03: Anti Nepotism Policy that was brought forward from the Human Resources Committee previously and that Welland City Council approves the Anti Nepotism Policy. Ref. No. 19-85
8. (Councillor McLeod)
WHEREAS, the behaviour of a member of Council has progressively deteriorated and is no longer acting in a manner consistent with being an elected official.
NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND requests the resignation of Councillor Tony DiMarco. Ref. No. 02-160

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

10. CORPORATION REPORTS

10.1 MAYOR'S REPORT

10.2 CHIEF ADMINISTRATIVE OFFICER'S REPORT

11. CONFIRMATORY BY-LAW

11.1 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 19th day of September, 2023. Ref. No. 23-1

12. ADJOURNMENT

COUNCIL
PLANNING AND DEVELOPMENT SERVICEA

REPORT P&B-2023-50
September 19, 2023

SUBJECT: APPLICATION FOR ZONING BY-LAW AMENDMENT (2023-05) SUBMITTED BY THE BIGLIERI GROUP ON BEHALF OF 526 ONTARIO ROAD HOLDINGS LP FOR LANDS LOCATED ON THE SOUTH SIDE OF ONTARIO ROAD, WEST OF ALBERTA STREET, EAST OF CHAFFEY STREET AND NORTH OF HILL STREET, MUNIC

**AUTHOR: CAITLIN KOVACS, BURPI
DEVELOPMENT PLANNER**

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

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND approves Zoning By-law Amendment to Zoning By-law 2017-117 for lands located on the south side of Ontario Road, west of Alberta Street, east of Chaffey Street, and north of Hill Street, more specifically described as Plan 8 Part Block B Now Known As Plan 931 Registered Plan 59R-6361 Part 1, City of Welland, municipally known as 526 Ontario Road from Residential Medium Density - RM to Site-Specific Residential Medium Density – RM-123.

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. The residents of the proposed development are anticipated to support the local economy.

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. The proposed development is in proximity to existing health and wellbeing services.

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 proposed development is anticipated to provide ample new housing on an underutilized site that is in proximity to essential services, commercial shops, active transportation routes and transit routes.

BACKGROUND:

Application for Zoning By-law Amendment was submitted by The Biglieri Group on behalf of 526 Ontario Road Holdings LP on June 14, 2023. The application was deemed complete on June 27, 2023.

Application for Official Plan Amendment (OPA No. 40) for 526 Ontario Road was previously submitted by the Biglieri Group on behalf of 526 Ontario Road Holdings LP and was approved by Council on December 20, 2022. The Official Plan Amendment redesignated the subject lands from Medium Density Residential to Special Policy Medium Density Residential to allow for the density targets of the High Density Residential designation while maintaining the medium density built form of low-rise stacked townhouses.

DISCUSSION:

The Purpose

The purpose of the application for Zoning By-law Amendment is to permit the construction of a stacked townhouse development. Application for Zoning By-law Amendment has been submitted to rezone 526 Ontario Road from Residential Medium Density – RM to Site-Specific Residential Medium Density – RM with the following site-specific provisions:

- That the daylight triangle is not recognized as the front lot line;
- To permit a reduced exterior side yard setback of 2 metres; whereas, 4 metres is required; and,
- That a required parking stall may be located within 3 metres of a street line but not within 1.5 metres of the street line.

The proposed rezoning will facilitate the development of the subject lands for a stacked townhouse development. The proposed development is anticipated to include six (6) blocks of 3-storey stacked townhouses for a total of 76 dwelling units, and 81 total parking spaces that includes five (5) visitor spaces and two (2) accessible parking spaces.

The Site

The subject site is municipally known as 526 Ontario Road. The site is rectangular in shape and is 5,790 square metres with 73.7 metres of frontage onto Ontario Road. The site currently contains a commercial building which is to be demolished. The subject site is located on the south side of Ontario Road, bound by Alberta Street to the east and Chaffey Street to the west.

Surrounding Land Uses

The surrounding land uses are predominantly low density residential (single-detached dwellings) with some medium density residential (apartment buildings/multiple-dwellings), institutional uses and commercial uses as well. Of note, there are large vacant industrial lands to the west along Ontario Road, Rose City Plaza to the east along Ontario Road and Niagara Health – Welland Site to the northwest along Plymouth Road. There are vacant lands to the north and northwest along Ontario Road. To the north, northeast and east of the subject lands there is a rail line that runs through the area.

Developments and Agency Comments Received

- | | |
|--|---|
| City of Welland Infrastructure Services, Engineering Division (September 5, 2023) | <ul style="list-style-type: none">• The proposed development is currently going through the Site Plan Approval process. The technical comments and requirements from the Engineering Division will continue to be addressed via the Site Plan Approval process.• The proposed development can access existing municipal infrastructure as the capacity is available. |
| City of Welland Planning and Development Services, Building Division (July 27, 2023) | <ul style="list-style-type: none">• Non-visitor parking is located too close to the streetline, 2.3m is provided whereas 3.0 metres is required in the zoning.• The 0.7m setback from the buildings to the parking space could be a problem when backing a large pick up into the space as some have almost a 1.2m overhang.• The H/C parking spaces should be relocated to either side of the ramp so that persons with disabilities do not have to navigate traffic in the fire route.• Please ensure that the turning radii for the fire route is 12m.• The fire route layout suggests that this may become a thoroughfare for traffic shortcuts.• The travel distance to hydrants may be less than the 90m required by the OBC but is the travel distance from the curb where the fire vehicle is likely |

to park less than the 45m required by the OBC?
Please confirm.

Enbridge Gas
(July 7, 2023)

- Enbridge Gas does not object to the proposed application.

Region of Niagara
Planning and
Development Services
(June 12, 2023)

- Regional staff provided comment on the Official Plan Amendment related to this development on October 14, 2022 and have recently provided comments on the 3rd Site Plan submission for the development on August 10, 2023. Accordingly, Regional staff are satisfied that Provincial and Regional interests associated with this development have already been addressed.

Welland Hydro Electric
System Corporation
(July 6, 2023)

- Electrical distribution design and drawings to be completed by the Developers' Consultant and submitted Welland Hydro Electric.
- System Corp (WHESC) for review and approval.
- Developer to provide WHESC with a load calculation summary to assist with determining servicing requirements.
- The design shall include adequate clearance to facilitate the installation(s) of a padmounted transformer as per CSA 22.3 No. 7-20 Section 10.
- The proposed development must meet the clearance requirements of section 3.1.19.1 "Clearance to Buildings" of the Ontario Building Code.
- If easement(s) are required by WHESC to service this development or any future adjacent developments, the applicant shall provide at their expense all necessary registered easements.
- Point of servicing to be the existing poleline located on the North side of Ontario Road.
- Condominium development, WHESC's demarcation point to be the secondary terminals of the padmount transformer(s).
- Individual Hydro meters shall be grouped in a single location. WHESC to be provided unimpeded access to metering location, via an exterior door directly to the metering room. A copy of the keys for the metering room must be provided to WHESC prior to energization.

- Associated costs to provided WHESC's portion of servicing will be estimated once review and approval the provided design package has been completed.

Public Comments Received

A Virtual/In-Person Public Information Meeting was held on Thursday, July 27, 2023, to gain public input regarding the proposed applications. No members of the public participated in the Public Information Meeting. One written submission has been received and the following concerns were raised:

- Concern over parking lot lights shining into their home;
- Concern over potential rodent and pest problem following the demolition of the existing building on the subject land; and,
- Concern over how much parking is being provided and the potential for insufficient parking causing an overflow of parking on the neighbouring residential streets.

The Statutory Public Meeting under the Planning Act is being held on Tuesday, September 19, 2023. The Statutory Public Meeting is to provide an opportunity for the Applicant to make a presentation regarding the Applications and proposal, for interested parties to make comment and/or raise concerns, and for Council Members to inquire about the Applications.

The proposed Zoning By-law Amendment is considered minor in nature as the intention is to provide minor relief to the select aforementioned zoning provisions and provide a practical and reliable interpretation for assessing the front lot line of the site in order to develop the site to its best use potential. The proposal is currently going through the Site Plan Approval process in which the details and technical requirements for the proposal will be addressed to the satisfaction of the City. As such, City Staff are bringing the recommendation to approve the requested applications.

Planning Analysis

Provincial and Regional Policy

The subject lands are within the Settlement Area Boundary of Welland as defined by the Provincial Policy Statement (PPS) and within the City's Built-Up Area as defined by A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan). Both policy documents encourage the focus of growth and development to be within the urban area of a municipality, particularly in the form of efficient land-use patterns, being supportive of active transportation and transit use, and using existing municipal services efficiently. The provincial and regional policies promote a mix of uses and the redevelopment of underutilized lands. The

Regional Official Plan (ROP) identifies the subject lands as being within the Built-Up area of the City of Welland. The policies in the ROP are consistent with the policies found in the PPS and Growth Plan. The ROP policies promote growth and development within urban areas that promotes active transportation and transit use, and that can access municipal services. These principles can be used to analyze proposed developments in order to ensure efficient growth and orderly land use development.

The proposed Zoning By-law Amendment is consistent with provincial policies and regional policies. It will encourage new residential growth within the City's urban area, and can be considered intensification, which is encouraged and desirable. The proposed development will support efficient land use by providing new housing on an existing underutilized lot. The proposed development will support active transportation and transit use as it is located directly along the 506 Ontario Road Bus Route, it is approximately a 10 minute walk from the 505 Lincoln-Wellington Bus Route, it is approximately a 15 minute walk from the 25 Welland to Port Colborne Regional Bus Route. The proposed development is also located within a 10 minute walk from healthcare services and various commercial establishments. The proposed development meets the bicycle parking requirements of Zoning By-law 2017-117 by providing 20 bicycle parking spaces. The proposed development is anticipated to be accommodated by the City's existing infrastructure.

City of Welland Official Plan

The subject lands are designated as Special Policy Medium Density Residential in the City of Welland Official Plan. The Special Policy Medium Density Residential designation allows for a High Density Residential density rate of 61 to 125 dwelling units per hectare while maintaining the low-rise medium density built form of stacked townhouses. The proposed Zoning By-law Amendment seeks to rezone the lands from Residential Medium Density – RM to Site-Specific Residential Medium Density – RM-123. The intention of the rezoning is to permit a stacked townhouse development.

The Medium Density Residential designation permits residential development such as triplex, four-plex, townhouse, stacked townhouse, and low-rise apartment buildings. The built form of the Medium Density Residential designation is to be low-rise dwellings which do not cause significant issues in terms of casting shadows or obstructing views of adjacent lots. The proposed development aligns with this designation because it is comprised entirely of low-rise stacked townhouses that are consistent with the surrounding neighbourhood which is predominantly single-detached dwellings and other low-rise structures (institutional, commercial, industrial).

When reviewing applications for infilling and intensification, Section 4.2.3.6 of the City of Welland's Official Plan identifies that the following criteria should be reviewed:

Land use and
neighbourhood character
compatibility

- The subject lands are within an area with a mix of residential, institutional and commercial uses. The lands to the north are predominantly vacant with an institutional use adjacent to the property. The land uses to the east, south and west of the property are predominantly residential and developed with single-detached dwellings with several apartment buildings included in the vicinity. The proposal will provide a complement to the area and assist in creating a complete community.
- The proposed development is compatible with the surrounding neighbourhood.

Lot pattern and configuration

- The proposed development will be subject to the Site Plan Approval process.
- The configuration of the proposed development is consistent the surrounding area and is in keeping with similar developments within the City of Welland.

Accessibility

- The proposed development will create pedestrian connections that are accessible throughout the development and will provide two (2) accessible parking spaces.
- Any other accessibility features incorporated into the individual dwellings will be at the discretion of the individual property owners.

Parking Requirements

- The proposal anticipates the construction of 76 parking stalls which will provide one (1) parking stall for each unit that is proposed.
- Three (3) visitor parking spaces are anticipated.
- Parking requirements are considered to be satisfied to the City's requirements.

The potential for additional traffic and traffic manoeuvrability

- The proposal will cause a slight increase to traffic on Ontario Road by approximately 3% (as per submitted Traffic Impact Study). Ontario Road is considered to have capacity to accommodate the increase in traffic volumes. No concern has been raised by the City's Traffic Division, nor the Region's with respect to the increase traffic levels. The development proposes entrances from Alberta and Chaffey Street.

The potential for transit ridership

- The proposed development may aid in transit ridership. It is located along the 506 Ontario Road Route and is in proximity to the 505 Lincoln-Wellington Route, the 501 Broadway Route, and the 25 Welland-Port Colborne Regional Route.

Natural (including natural hazards) and built heritage conservation/protection

- There are no natural or built heritage features that have been identified on this property.

The available capacity of municipal infrastructure

- The proposed development has been reviewed by the City's Engineering Division and confirmed that the development can use existing services.
- The City's Engineering Division will continue to provide comments throughout the Site Plan Agreement process and ensure the appropriate capacity and infrastructure is in place for the proposal.

Residential intensification targets identified in this plan

- The proposed development will assist the City in achieving the target of 75% of all new residential development being within the Built-Up Area.

The proposed Zoning By-law Amendment is consistent with the Official Plan policies for residential development, as well as the guidelines for residential infill and intensification. The proposed development is close to services, transit and will support the creation of a complete community.

City of Welland Zoning By-law 2017-117

The subject lands are currently zoned Residential Medium Density – RM. The proposed Zoning By-law Amendment is to rezone the subject lands from Residential Medium Density – RM to Site-Specific Residential Medium Density – RM-123. The relief being sought through the site-specific provisions includes the following:

- That the daylight triangle is not recognized as the front lot line;
- To permit a reduced exterior side yard setback of 2 metres; whereas, 4 metres is required; and,
- That a required parking stall may be located within 3 metres of a street line but not within 1.5 metres of the street line.

The proposed Zoning By-law Amendment is supported by Staff as it is being sought in order to permit the proposed development. The proposed development is anticipated to promote the orderly and efficient growth of the City, promote active transportation and transit use, and can access existing municipal infrastructure. Staff are of the opinion that the proposed amendments to Zoning By-law 2017-117 are appropriate and can be supported.

FINANCIAL:

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

CONCLUSION:

The proposed application for Zoning By-law Amendment to permit the development of a townhouse development represents good planning because:

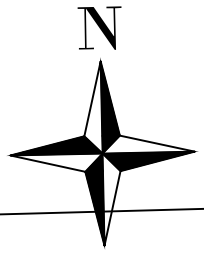
1. It is consistent with Provincial, Regional and City policies which encourage infill and intensification within the identified Built-Up Area;
2. Uses existing municipal infrastructure and services;
3. Encourages the creation of a complete community;
4. Is transit and active transportation supportive; and,
5. Will assist the City in achieving the yearly intensification target.

Therefore, Staff recommend the rezoning of the subject lands as Site-Specific Residential Medium Density – RM123 in order to permit the proposal.

ATTACHMENT:

Appendix I	-	Key Map
Appendix II	-	Conceptual Site Plan
Appendix III	-	Relevant Correspondence
Appendix IV	-	Draft Zoning By-law Amendment

ZBA 2023-05

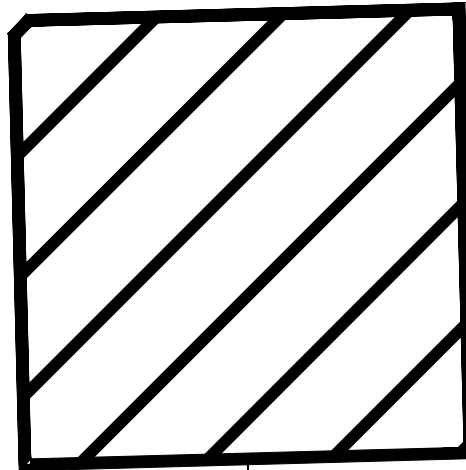


ONTARIO RD

BEATRICE ST

CHAFFEY ST

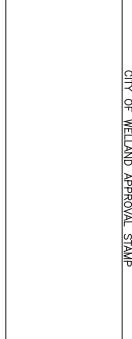
ALBERTA ST



KEY MAP



SUBJECT LANDS



INFORMATION TAKEN FROM:
SURVEYOR'S REAL PROPERTY REPORT
PART OF
BLOCK B, PLAN 931
DESIGNATED AS PART 1, PLAN 59F-6361
CITY OF WELLAND
REGIONAL MUNICIPALITY OF NIAGARA
PREPARED BY:
SIDDA A MALESZYK SURVEYING INC.

[illegible]

CHARGING DEBITS ISSUED	NO.	DATE	BY
1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.			

DETAIL NUMBER
No. _____
DRAWING SHEET NUMBER
No. _____

CONTRACTOR MUST OBTAIN AND VERIFY ALL CONDITIONS AND JOBS CONDITIONS BEFORE PROCEEDING WITH WORK.

ALL DRAWINGS ARE SUBJECT TO CHANGE DUE TO COMMENTS FROM MANAGER, DESIGNER AND OTHER AGENCIES WITH AUTHORITY.

ALL OWNERS AND AGENCIES MUST BE IN POSSESSION OF THE ARCHITECT'S AND/AS-BUILT BE RETURNED AT THE COMPLETION OF THE WORK.

THE CONTRACTOR WORKMAN SHALL DEMONSTRATE AN APPROPRIATE WORKING CONSTRUCTION METHOD AND SHALL FULLY REPAIR ALL DAMAGE AND REPAIR COSTS FOR ANY DAMAGE TO OR DAMAGE TO THE PROJECT OR TO THE WORK.

TO INITIAL LOCATION

From: [REDACTED]
To: [Caitlin Kovacs](#)
Subject: Fwd: file no. 2023-05
Date: September 8, 2023 9:24:20 AM

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

----- Forwarded message -----

From: [REDACTED]
Date: Fri, Sep 8, 2023 at 9:21 AM
Subject: file no. 2023-05
To: <clerk@welland.ca>

my name is [REDACTED] I live on [REDACTED] Chaffey Street across from 526 Ontario Rd. I have a few concerns regarding the construction of the proposed buildings.

- Firstly the parking lot lights, will I have them beaming into my windows at night
- My biggest concern though is rodent remediation. when the old stelpipe plant was torn down we had infestations of rats and mice. so when they tear down the existing building on Ontario road most definitely there will be a lot of rodents coming onto my property. will the city provide traps and or poison for a period of time to help so my property doesn't get infested again as it cost me hundreds of dollars to get rid of them last time
- parking? I noticed that there are only 5 spots for visitor parking and 1 spot for each unit, Where are all the other vehicles going? Not everyone has 1 vehicle and surly with 74 units, there will be more than 5 visitors at once. which leads me to wonder how snow removal will be on the street in the winter as on many occasions already I have had to clear half the road from vehicles parking along the side

thank you [REDACTED]

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

From: [Young, Katie](#)
To: [Caitlin Kovacs](#); [Shanks, Amy](#)
Subject: RE: 526 Ontario Road - Notice of Complete Application - Zoning By-law Amendment
Date: September 1, 2023 4:26:56 PM

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

Hi Caitlin,

Thanks for your email and sorry for the delay in getting a Regional response. Staff provided comment on the Official Plan Amendment related to this development October 14, 2022 and have recently provided comments on the 3rd Site Plan submission for the development on August 10, 2023. Accordingly, staff are satisfied that Provincial and Regional interests associated with this development have already been addressed and therefore we will not require a review of the Zoning By-law Amendment application.

If you have any questions or need anything further for anything else, please don't hesitate to connect with Amy and I next week.

I hope you have a great long weekend!

Katie Young, MSc (PI), MCIP, RPP
Senior Development Planner
Development Planning
Growth Strategy and Economic Development
Niagara Region | www.niagararegion.ca
1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7
P: 905-980-6000 ext. 3727 Toll-free: 1-800-263-7215
E: katie.young@niagararegion.ca

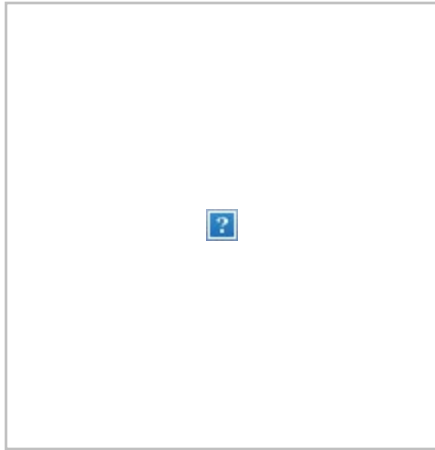
From: Caitlin Kovacs <caitlin.kovacs@welland.ca>
Sent: Friday, September 1, 2023 4:14 PM
To: Young, Katie <Katie.Young@niagararegion.ca>; Shanks, Amy <Amy.Shanks@niagararegion.ca>
Subject: FW: 526 Ontario Road - Notice of Complete Application - Zoning By-law Amendment

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

Hello,

I am forwarding the message below to both of you as are both listed as contacts for Pat in his out of office message.

Thank you,



Caitlin Kovacs

Development Planner
Planning and Development Services
60 East Main Street, Welland, Ontario
L3B 3X4

☐ Phone: 905-735-1700 x2131

☐ welland.ca

☐ engagewelland.ca



This email may contain confidential and/or privileged information for the sole use of the intended recipient. Any review, disclosure, or distribution by others is strictly prohibited. If you have received this email in error, please contact the sender immediately and delete all copies.

From: Caitlin Kovacs

Sent: Friday, September 1, 2023 4:12 PM

To: Busnello, Pat <pat.busnello@niagararegion.ca>

Cc: Development Planning Applications <devtplanningapplications@niagararegion.ca>; Taylor Meadows <taylor.meadows@welland.ca>

Subject: FW: 526 Ontario Road - Notice of Complete Application - Zoning By-law Amendment

Hello Pat,

Following up on this application as I have not yet received comments from the Region.

The application is planned to be at an upcoming Council Meeting. I can receive comments up until September 7th at which time I will be finalizing my report.

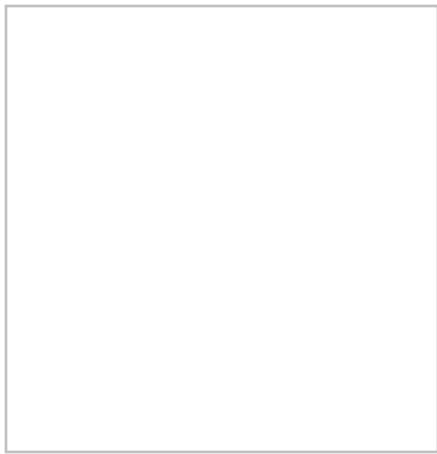
Details can be accessed via this link: <https://acrobat.adobe.com/link/track?uri=urn:aaid:scds:US:e1fc3c95-8a22-476f-896e-350bde9d918f>

Thank you and enjoy your long weekend,

Caitlin Kovacs

Development Planner
Planning and Development Services
60 East Main Street, Welland, Ontario
L3B 3X4

☐ Phone: 905-735-1700 x2131



This email may contain confidential and/or privileged information for the sole use of the intended recipient. Any review, disclosure, or distribution by others is strictly prohibited. If you have received this email in error, please contact the sender immediately and delete all copies.

From: Caitlin Kovacs

Sent: Monday, June 26, 2023 4:19 PM

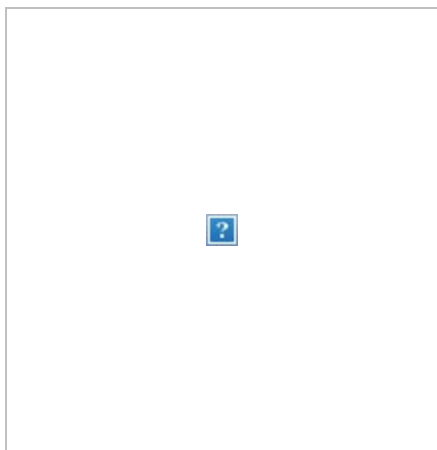
Subject: 526 Ontario Road - Notice of Complete Application - Zoning By-law Amendment

Good Afternoon,

A complete application for Zoning By-law Amendment has been submitted for 526 Ontario Road.

Details have been linked below. Please have any comments returned no later than July 28th, 2023.
<https://acrobat.adobe.com/link/track?uri=urn:aaid:scds:US:18b80a19-0313-4b2f-9fa3-d358c50b54a4>

Best regards,



Caitlin Kovacs
Development Planner
Planning and Development Services
60 East Main Street, Welland, Ontario
L3B 3X4

☐ Phone: 905-735-1700 x2131

☐ [welland.ca](https://www.welland.ca)

☐ [engagewelland.ca](https://www.engagewelland.ca)



This email may contain confidential and/or privileged information for the sole use of the intended recipient. Any review, disclosure, or distribution by others is strictly prohibited. If you have received this email in error, please contact the sender immediately and delete all copies.

The Regional Municipality of Niagara Confidentiality Notice The information contained in this communication including any attachments may be confidential, is intended only for the

July 7, 2023

Caitlin Kovacs
Planning Technician II
Infrastructure and Development Services
City of Welland
Planning Division
60 East Main Street
Welland, ON L3B 3X4

Dear Caitlin,

Re: Zoning By-law Amendment
526 Ontario Road Holdings LP
526 Ontario Road
City of Welland
File No.: Not Provided
Related Application: Site Plan Control Application, 2nd Submission June 12, 2023

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

Sincerely,

A handwritten signature in blue ink, appearing to read 'Willie Cornelio'.

Willie Cornelio CET
Sr Analyst Municipal Planning
Engineering

ENBRIDGE
TEL: 416-495-6411
500 Consumers Rd, North York, ON M2J1P8
enbridge.com
Safety. Integrity. Respect. Inclusion.

From: [Jim Harnum](#)
To: [Caitlin Kovacs](#)
Cc: [Livia McEachern](#)
Subject: RE: 526 Ontario Road - Zoning By-law Amendment Review
Date: September 5, 2023 9:40:42 AM

Hi Caitlin,

Yes, Engineering would be comfortable with the proposal to include the below comment in the ZBA application response. These comments were originally primarily relevant due to the lack of available sanitary capacity. Capacity is now available, and the developer has been informed accordingly. As such, the remainder of the comments can be brought forward to the Site Plan process.

Thank you,



Jim Harnum
Project Manager - Development
Engineering Division
60 East Main Street, Welland, Ontario L3B 3X4
☐ Phone: (905) 735-1700 x2222
☐ [welland.ca](#)
☐ [engagewelland.ca](#)



This email may contain confidential and/or privileged information for the sole use of the intended recipient. Any review, disclosure, or distribution by others is strictly prohibited. If you have received this email in error, please contact the sender immediately and delete all copies.

From: Caitlin Kovacs <caitlin.kovacs@welland.ca>
Sent: Friday, September 1, 2023 3:47 PM
To: Jim Harnum <jim.harnum@welland.ca>
Subject: 526 Ontario Road - Zoning By-law Amendment Review

Hi Jim,

526 Ontario has been subject to a number of planning applications, most recently a Zoning By-law Amendment application. Matteo completed his engineering review back in July, and several of the comments are very similar to the Site Plan comments and are likely better addressed via the Site Plan Approval process, which the proposal is currently working through.

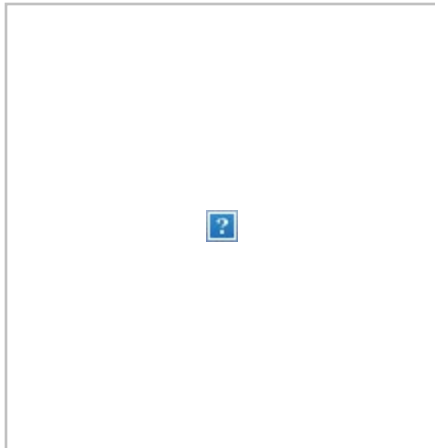
Would the Engineering Division be comfortable with me including the following wording in my recommendation report where the Engineering comments normally appear?

"The proposed develop is currently going through the Site Plan Approval process. The technical comments and requirements from the Engineering Division will be addressed via the Site

Plan Approval process.”

Additionally, if you have any comments for the Zoning By-law Amendment, I can include those in my report as well. The site plan, FSR, and Matteo’s comments are attached.

Thank you,



Caitlin Kovacs

Development Planner

Planning and Development Services

60 East Main Street, Welland, Ontario

L3B 3X4

☐ Phone: 905-735-1700 x2131

☐ welland.ca

☐ engagewelland.ca



This email may contain confidential and/or privileged information for the sole use of the intended recipient. Any review, disclosure, or distribution by others is strictly prohibited. If you have received this email in error, please contact the sender immediately and delete all copies.

MEMORANDUM

Infrastructure Services Engineering Division

TO: Caitlin Kovacs,
Development Planner

FROM: Matteo Ramundo, C.Tech
Development Technician

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

DATE: July 12, 2023

SUBJECT: 526 Ontario Road - Zoning By-Law Amendment

A complete application for Official Plan and Zoning By-Law Amendment was submitted by the Biglieri Group Ltd. and circulated for review. Engineering have reviewed this application for any anticipated concerns related to proposed site servicing.

The following documents were reviewed:

- Functional Servicing Report, dated June 2023, prepared by S. Llewellyn and associates limited; and
- Site Plan concept, dated May 29, 2023, prepared by KNYMH Inc.

After review, Engineering has the following comments for information:

1. Prior to reading the comments provided below City staff would like to provide the conclusion of the sanitary analysis that was carried out as part of this submission. Based on the findings of the sanitary analysis it was determined that there is currently not enough capacity in the surrounding infrastructure to support this development. Until such time that enough capacity is available to support this development the current design will not be able to be built. The comments below are subject to change and additional comments may be forthcoming dependent on the possible change in proposal for the site. The attached sanitary analysis will be finalized upon your review and confirmation of the draft. At that time an invoice will be sent as per the email approval to proceed dated November 3, 2022.
2. As mentioned in section 2.3 of the sanitary analysis, the City is currently undertaking studies to review any key points that may reduce I&I in the

system. Depending on the results from the studies there may be future opportunities for the applicant to assist the City by funding recommended I&I reduction initiatives.

3. The current proposal shows a water meter chamber, private water servicing, and private sanitary services within road allowance that is to be dedicated to the City of Welland. Please note that all private services must remain on private property and must not encroach onto the City's right-of-way.
4. Downspouts are not permitted to discharge directly onto hard surfaces and must discharge onto a grassed area first.
5. The specified pavement structure does not meet the city's standards. Please update to meet our minimum requirements or provide a geotechnical report in support of the proposed structure.
6. Please note that the conduit is no longer required as part of the water meter chamber. This can either be removed from the detail or a note is to be added to indicate this.
7. Please confirm what IDF numbers were used for stormwater modelling calculations. Please refer to the City's standards for IDF curves and return periods for completing calculations.
8. Please clarify what analysis was used to determine the available capacity for the additional 17 L/s within the storm sewers.

From: [Leo Grellette](#)
To: [Caitlin Kovacs](#)
Subject: RE: 526 Ontario Road - Notice of Complete Application - Zoning By-law Amendment
Date: July 31, 2023 8:34:09 AM

Thanks Caitlin!



Leo Grellette
Deputy Chief Building Official
Building
60 East Main Street, Welland, Ontario L3B 3X4
☐ Phone: 905-735-1700 x2310
☐ [welland.ca](#)
☐ [engagewelland.ca](#)
Four small square icons with blue question marks, likely representing social media links.

This email may contain confidential and/or privileged information for the sole use of the intended recipient. Any review, disclosure, or distribution by others is strictly prohibited. If you have received this email in error, please contact the sender immediately and delete all copies.

From: Caitlin Kovacs <caitlin.kovacs@welland.ca>
Sent: Thursday, July 27, 2023 11:34 AM
To: Leo Grellette <leo.grellette@welland.ca>
Subject: RE: 526 Ontario Road - Notice of Complete Application - Zoning By-law Amendment

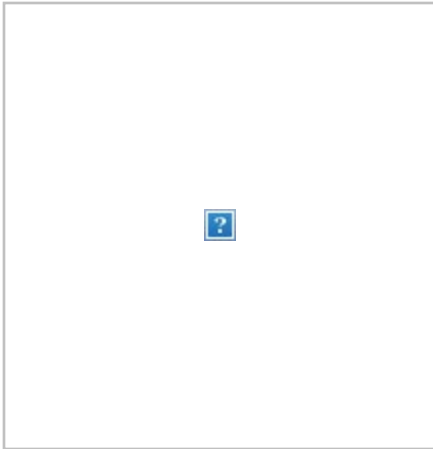
Hi Leo,

Thank you for your comments, I have provided a revised list below that if you are comfortable with I will circulate to the applicant. Some of your other comments are to be addressed in the Zoning By-law Amendment or are being address by other departments already through the site plan process.

- Non-visitor parking is located too close to the streetline, 2.3m is provided whereas 3.0 metres is required in the zoning
- The 0.7m setback from the buildings to the parking space could be a problem when backing a large pick up into the space as some have almost a 1.2m overhang.
- The H/C parking spaces should be relocated to either side of the ramp so that persons with disabilities do not have to navigate traffic in the fire route.
- Please ensure that the turning radii for the fire route is 12m
- The fire route layout suggests that this may become a thoroughfare for traffic shortcuts
- The travel distance to hydrants may be less than the 90m required by the OBC but is the travel distance from the curb where the fire vehicle is likely to park less than the 45m required by the OBC? Please confirm.

Please confirm with me.

Best regards,



Caitlin Kovacs

Development Planner

Planning and Development Services

60 East Main Street, Welland, Ontario

L3B 3X4

☐ Phone: 905-735-1700 x2131

☐ welland.ca

☐ engagewelland.ca



This email may contain confidential and/or privileged information for the sole use of the intended recipient. Any review, disclosure, or distribution by others is strictly prohibited. If you have received this email in error, please contact the sender immediately and delete all copies.

From: Leo Grellette <leo.grellette@welland.ca>

Sent: Tuesday, June 27, 2023 2:56 PM

To: Caitlin Kovacs <caitlin.kovacs@welland.ca>

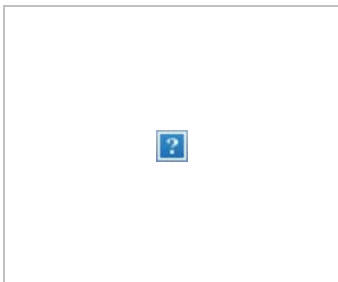
Cc: Jack Tosta <jack.tosta@welland.ca>; Jennifer McRae <jennifer.mcrae@welland.ca>

Subject: RE: 526 Ontario Road - Notice of Complete Application - Zoning By-law Amendment

Caitlin, additional comments:

- Section 6.9.3 of the zoning bylaw notes that for multiple dwelling units or apartment buildings “in no case shall any parking space be closer to a street line than 3.0m. they plan indicates a setback of only 2.3m
- Table 6.4.1 of the zoning bylaw requires 1.0 parking spaces for each unit unless the unit sizes are less than 50sqm in which case the parking can be 0.3 spaces per unit. It does not appear that all units are less than 50sqm so 1 space per unit should be applied. The applicant has indicate a 0.25 space per unit

Leo



Leo Grellette

Deputy Chief Building Official

Building

Planning and Development Services

Corporation of the City of Welland

60 East Main Street, Welland, Ontario L3B 3X4

Phone: (905)735-1700 Ext. 2310

www.welland.ca



This email may contain confidential and/or privileged information for the sole use of the intended recipient. Any review, disclosure, or distribution by others is strictly prohibited. If you have received this email in error, please contact the sender immediately and delete all copies.

From: Caitlin Kovacs <caitlin.kovacs@welland.ca>

Sent: Monday, June 26, 2023 4:19 PM

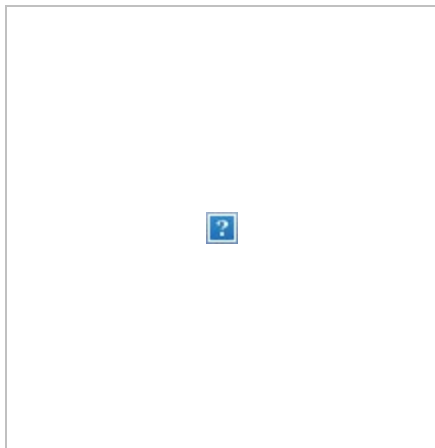
Subject: 526 Ontario Road - Notice of Complete Application - Zoning By-law Amendment

Good Afternoon,

A complete application for Zoning By-law Amendment has been submitted for 526 Ontario Road.

Details have been linked below. Please have any comments returned no later than July 28th, 2023.
<https://acrobat.adobe.com/link/track?uri=urn:aaid:scds:US:18b80a19-0313-4b2f-9fa3-d358c50b54a4>

Best regards,



Caitlin Kovacs
Development Planner
Planning and Development Services
60 East Main Street, Welland, Ontario
L3B 3X4

☐ Phone: 905-735-1700 x2131

☐ welland.ca

☐ engagewelland.ca



This email may contain confidential and/or privileged information for the sole use of the intended recipient. Any review, disclosure, or distribution by others is strictly prohibited. If you have received this email in error, please contact the sender immediately and delete all copies.

From: [Tanya Korolow](#)
To: [Caitlin Kovacs](#)
Subject: RE: 526 Ontario Road - Notice of Complete Application - Zoning By-law Amendment
Date: June 26, 2023 4:34:24 PM

Hi Caitlin,

I have no comments for this project.

Thank you,



Tanya Korolow
Chief Fire Prevention Officer
Welland Fire and Emergency Services
400 East Main Street, Welland, Ontario L3B 3X5
☐ Phone: 905-735-1700 x2408
☐ welland.ca
☐ engagewelland.ca
   

This email may contain confidential and/or privileged information for the sole use of the intended recipient. Any review, disclosure, or distribution by others is strictly prohibited. If you have received this email in error, please contact the sender immediately and delete all copies.

From: Caitlin Kovacs <caitlin.kovacs@welland.ca>
Sent: June 26, 2023 4:19 PM
Subject: 526 Ontario Road - Notice of Complete Application - Zoning By-law Amendment

Good Afternoon,

A complete application for Zoning By-law Amendment has been submitted for 526 Ontario Road.

Details have been linked below. Please have any comments returned no later than July 28th, 2023.
<https://acrobat.adobe.com/link/track?uri=urn:aaid:scds:US:18b80a19-0313-4b2f-9fa3-d358c50b54a4>

Best regards,

Caitlin Kovacs
Development Planner
Planning and Development Services
60 East Main Street, Welland, Ontario
L3B 3X4
☐ Phone: 905-735-1700 x2131
☐ welland.ca

From: [Zachary Sherwood](#)
To: [Caitlin Kovacs](#)
Subject: RE: 526 Ontario Road - Notice of Complete Application - Zoning By-law Amendment
Date: July 6, 2023 9:47:09 AM
Attachments: [image001.png](#)

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

Hi Caitlin,

See comments below.

- Electrical distribution design and drawings to be completed by the Developers' Consultant and submitted Welland Hydro Electric System Corp (WHESC) for review and approval.
- Developer to provide WHESC with a load calculation summary to assist with determining servicing requirements.
- The design shall include adequate clearance to facilitate the installation(s) of a padmounted transformer as per CSA 22.3 No. 7-20 Section 10.
- The proposed development must meet the clearance requirements of section 3.1.19.1 "Clearance to Buildings" of the Ontario Building Code.
- If easement(s) are required by WHESC to service this development or any future adjacent developments, the applicant shall provide at their expense all necessary registered easements.
- Point of servicing to be the existing poleline located on the North side of Ontario Road.
- Condominium development, WHESC's demarcation point to be the secondary terminals of the padmount transformer(s).
- Individual Hydro meters shall be grouped in a single location. WHESC to be provided unimpeded access to metering location, via an exterior door directly to the metering room. A copy of the keys for the metering room must be provided to WHESC prior to energization.
- Associated costs to provided WHESC's portion of servicing will be estimated, once review and approval the provided design package has been completed.
- Please completed WHESC's new service application via the link included below. <https://wellandhydro.com/accounts-billing/electrical-service-connection-request-form/>
- Contact WHESC's Engineering department if you have any questions or concerns.

Regards,

Zach Sherwood
Assets & Engineering Supervisor

Welland Hydro Electric System Corp.
950 East Main St, Welland, ON L3B 5P6
Ph: 905-732-1381 Ext 238 | Fax: 905-732-0123
Email: zsherwood@wellandhydro.com



This message is intended only for the individual(s) named and may contain information that is confidential. If you are not the intended recipient, any review, retransmission, dissemination, distribution or duplication of this communication is prohibited. Please notify the sender immediately via a return email and delete this message from your system.

From: Caitlin Kovacs <caitlin.kovacs@welland.ca>
Sent: Monday, June 26, 2023 4:19 PM
Subject: 526 Ontario Road - Notice of Complete Application - Zoning By-law Amendment

Good Afternoon,

A complete application for Zoning By-law Amendment has been submitted for 526 Ontario Road.

Details have been linked below. Please have any comments returned no later than July 28th, 2023.
<https://acrobat.adobe.com/link/track?uri=urn:aaid:scds:US:18b80a19-0313-4b2f-9fa3-d358c50b54a4>

Best regards,

Caitlin Kovacs
Development Planner





From: [Dave Steven](#)
To: [Caitlin Kovacs](#)
Cc: [Taylor Meadows](#)
Subject: RE: 526 Ontario Road - Notice of Complete Application - Zoning By-law Amendment
Date: July 27, 2023 6:35:54 PM

Hi Caitlin,

No concerns from Parks and Forestry on this file.

Thanks!



Dave Steven
Manager of Parks, Forestry, Cemeteries, Operations &
Development
Community Services
99 Federal Road, Welland, Ontario L3B 6C2
☐ Phone: 905-735-1700 x3021
☐ [welland.ca](#)
☐ [engagewelland.ca](#)
   

This email may contain confidential and/or privileged information for the sole use of the intended recipient. Any review, disclosure, or distribution by others is strictly prohibited. If you have received this email in error, please contact the sender immediately and delete all copies.

From: Caitlin Kovacs <caitlin.kovacs@welland.ca>
Sent: Monday, June 26, 2023 4:19 PM
Subject: 526 Ontario Road - Notice of Complete Application - Zoning By-law Amendment

Good Afternoon,

A complete application for Zoning By-law Amendment has been submitted for 526 Ontario Road.

Details have been linked below. Please have any comments returned no later than July 28th, 2023.
<https://acrobat.adobe.com/link/track?uri=urn:aaid:scds:US:18b80a19-0313-4b2f-9fa3-d358c50b54a4>

Best regards,

Caitlin Kovacs
Development Planner
Planning and Development Services
60 East Main Street, Welland, Ontario
L3B 3X4
☐

From: [planification](#)
To: [Caitlin Kovacs](#)
Subject: RE: [COURRIEL EXTERNE] - 526 Ontario Road - Notice of Complete Application - Zoning By-law Amendment
Date: June 29, 2023 1:46:37 PM

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

Good afternoon,

The CS Viamonde does not have any comment about this application.

Best regards,

Service de la planification | Planning department

Planification@csviamonde.ca

116 Cornelius Parkway | Toronto, On. | M6L 2K5

Visitez notre site web à www.csviamonde.ca

<!--[if !vml]-->  Conseil scolaire Viamonde  <!--[endif]-->

De : Caitlin Kovacs <caitlin.kovacs@welland.ca>

Envoyé : lundi 26 juin 2023 16:18

Objet : [COURRIEL EXTERNE] - 526 Ontario Road - Notice of Complete Application - Zoning By-law Amendment

[COURRIEL EXTERNE]

Good Afternoon,

A complete application for Zoning By-law Amendment has been submitted for 526 Ontario Road.

Details have been linked below. Please have any comments returned no later than July 28th, 2023.

<https://acrobat.adobe.com/link/track?uri=urn:aaid:scds:US:18b80a19-0313-4b2f-9fa3-d358c50b54a4>

Best regards,

Caitlin Kovacs
Development Planner
Planning and Development Services
60 East Main Street, Welland, Ontario



L3B 3X4

☐ Phone: 905-735-1700 x2131

☐ welland.ca

☐ engagewelland.ca



This email may contain confidential and/or privileged information for the sole use of the intended recipient. Any review, disclosure, or distribution by others is strictly prohibited. If you have received this email in error, please contact the sender immediately and delete all copies.

Externe : Ce courriel provient d'une source à l'externe du conseil. S'il vous plait, faire preuve de prudence avec des pièces jointes, des liens ou des demandes d'information. Si vous avez des questions concernant la validité du courriel en question, veuillez communiquer avec aideinfo@csviamonde.ca.

AVIS IMPORTANT: Les renseignements contenus ou joints à ce courriel sont pour l'usage exclusif du destinataire ou de l'institution à qui ce courriel s'adresse et peuvent contenir des renseignements privilégiés, confidentiels et exempts de divulgation conformément à la Loi sur l'accès à l'information municipale et la protection de la vie privée. Dans l'éventualité que le récepteur du présent courriel n'est pas le destinataire concerné ou la personne autorisée à acheminer le message au destinataire concerné, vous êtes, par la présente, avisé(e), que toute divulgation, diffusion, distribution ou reproduction de la présente communication est strictement interdite. Si vous recevez ce message par erreur, veuillez immédiatement en informer l'expéditeur ou l'expéditrice par courriel et détruire celui-ci ainsi que toutes les pièces jointes qu'il comporte. Merci de votre collaboration.

IMPORTANT: The information contained in or attached to this email is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under the Municipal Freedom of Information and Protection of Privacy Act. If the reader of this email is not the intended recipient or the person authorized to deliver the message to the intended recipient, you are hereby notified that any disclosure, dissemination, distribution or copying of this communication is strictly prohibited. If you receive this message in error, please notify the sender immediately by return email and destroy all copies of the information contained in or attached thereto. Thank you for your cooperation.

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

THE CORPORATION OF THE CITY OF WELLAND

BY-LAW NUMBER _____

BEING A BY-LAW TO AMEND CITY OF WELLAND ZONING BY-LAW
2017-117 (FILE NO. 2023-05) 526 ONTARIO ROAD

WHEREAS the Council of the Corporation of the City of Welland adopted By-law 2017-117 on the 17th day of October, 2017;

AND WHEREAS Subsection 1 of Section 34 of The Planning Act R.S.O. 1990, Chapter P.13 provides that local Councils may pass Zoning By-laws;

AND WHEREAS the Council of the Corporation of the City of Welland deems it expedient to amend said Zoning By-law 2017-117.

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

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

- 1. PT BLK B PL 931, PT 1 59R-6361 in the City of Welland, Regional Municipality of Niagara., municipally known as 526 Ontario Road, Welland shown on Schedule "A" attached hereto as "Change to RM-123" is hereby rezoned to RM-123.
- 2. That the provisions of Zoning By-law 2017-117 continue to apply.
- 3. That the uses permitted in the RM Zone be those permitted in the RM-123 Zone, save and except as follows:
 - That the daylight triangle is not recognized as the front lot line;
 - To permit a reduced exterior side yard setback of 2 metres; whereas, 4 metres is required; and,
 - That a required parking stall may be located within 3 metres of a street line but not within 1.5 metres of the street line.

READ A FIRST, SECOND AND THIRD TIME AND PASSED BY COUNCIL THIS 19th DAY OF SEPTEMBER, 2023.

_____MAYOR

_____CLERK

COUNCIL/SPECIAL
PLANNING AND DEVELOPMENT SERVICES
TRAFFIC DIVISION

REPORT TRAF-2023-46
September 19, 2023

SUBJECT: PROHIBITING DOGS AT LARGE EVENTS

AUTHOR: JAMES CRONSHAW, MLEO (C), C.P.S.O
SENIOR BY-LAW ENFORCEMENT OFFICER

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

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives REPORT TRAF-2023-46 Prohibiting Dogs at Large Events.; and further

THAT Welland City Council directs the City Clerk to amend Bylaw 2007-199, the Dog Control and Licensing By-law as follows:

DELETE the following:

- 9.1. No person shall keep a dog within the boundaries of the City unless said dog is under control at all times and when leashed, said leash shall not exceed 2.5 meters in length when said dog is on land within the boundaries of The City other than that of the Owner unless consent is given by the person owning the land on which the dog is found.

ADD the following:

- 9.1. No person shall keep a dog within the boundaries of the City unless said dog is under control at all times and when leashed, said leash shall not exceed 1.9 meters in length when said dog is on land within the boundaries of the City other than that of the Owner unless consent is given by the person owning the land on which the dog is found.

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.

BACKGROUND:

At the Special Council Meeting held on October 22, 2019, the following motion was approved:

THAT THE COUNCIL OF THE CITY OF WELLAND refers the presentation by Heather Hudson, resident, regarding requesting a By-law be established which would not allow people to attend large functions with their dogs back to staff for a report.

In a report submitted to the June 21, 2022, Council meeting, staff from Niagara SPCA and Downtown Welland BIA recommended not to ban dogs from large events. It was indicated that the Niagara SPCA will attend large events with their bike patrol team to monitor and if necessary, enforce existing by-laws.

At the Council Meeting on June 21, 2022, the following motion was approved:

THAT Welland City Council refers back to staff Report TRAF-2022-32 Prohibiting Dogs at Large Events.

DISCUSSION:

In 2021, the Niagara SPCA added bike patrols to their community engagement team program. The bike patrol adds an education centered approach to leash law enforcement in large parks and trails where normal service vehicles cannot access. In 2022, the bike patrol program expanded to include large events in the City.

According to Niagara SPCA and Downtown BIA staff, in 2022-2023, there were a few minor incidents with dogs at events involving poop and scoop matters at City hosted events. This matter was handled by Niagara SPCA and Downtown BIA staff by educating and asking the owners to pick the after their dog.

For 2024, Niagara SPCA will continue its collaboration with the Downtown BIA to increase the safety of community members. Foot patrols at large events by Niagara SPCA Officer will continue and signage will be developed by the Downtown BIA for City held events that is highly visible and portable. Signage will contain prudent information regarding keeping dogs on leash and poop and scoop by-laws. As well, Niagara SPCA staff is recommending that the current leash length be reduced from 2.5 m to 1.9 m.

FINANCIAL:

N/A

CONCLUSION:

The Niagara SPCA and Downtown Welland BIA do not recommend the banning of dogs from large events taking place throughout the City. The Niagara SPCA will attend large events to monitor and if necessary, enforce existing by-laws. Signage will be developed by the Downtown BIA for city events that is highly visible and portable and will contain prudent information regarding keeping dogs on leash and poop and scoop by-laws. Niagara SPCA staff is also recommending that Council approves reducing the current leash length from 2.5 m to 1.9 m.

City Staff will continue to meet with the Downtown BIA and Niagara SPCA and any future recommendations to help improve City events will be brought forward for Council consideration.

ATTACHMENT:

N/A

Report Approval Details

Document Title:	PROHIBITING DOGS AT LARGE EVENTS .docx
Attachments:	
Final Approval Date:	Sep 13, 2023


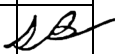
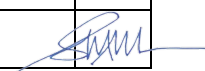
This report and all of its attachments were approved and signed as outlined below:

Grant Munday - Sep 13, 2023 - 12:04 PM

Elizabeth Pankoff - Sep 13, 2023 - 12:53 PM

Sherri - Marie Millar - Sep 13, 2023 - 3:37 PM

COUNCIL
FINANCE DIVISION

APPROVALS	
DIRECTOR	
CFO	
CAO	

REPORT FIN-2023-20
AUG 15, 2023

23-34

SUBJECT: MAYOR & COUNCILLOR EXPENSE POLICY UPDATE (FIN-001-0018)

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

APPROVING DIRECTOR: SHERRI-MARIE MILLAR, INTERIM CAO

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND approves the amendments to the Mayor and Councillors Expense Policy FIN-001-0018 as identified in this report; and further

THAT Welland City Council increase the Councillors conference budget from \$22,135 to \$60,000 with funding to be provided from the operating surplus.

ORIGIN AND BACKGROUND:

Council at the January 17, 2023, adopted the Councilors Expense Policy (FIN-001-0018). The policy was developed to provide business rules and guidelines for expenditures that support Councillors in performing their roles and in representing the community.

Since the adoption of the policy, staff received feedback on the need to review the policy and expand in certain areas to ensure the policy is comprehensive.

COMMENTS AND ANALYSIS:

Staff have reviewed similar policies from other municipalities to ensure the City's policy is more comprehensive. From this review staff are making several recommendations for amendments to the policy. The revised policy will apply to the Mayor and Councillors. The changes to the policy have been identified within Appendix "A". The recommendations to the existing policy are identified in blue within Appendix "A".

FINANCIAL CONSIDERATION:

The 2023 Operating budget established the Mayor and Council Conference budget as follows:

Department	Account #	Description	Budget
Mayor's Office	20-110-520090	CONFERENCES/CONVENTIONS	\$13,000
Councillors	20-110-520090	CONFERENCES/CONVENTIONS	\$21,560
	20-110-520100	PROFESSIONAL DEVELOPMENT	\$575

Staff have been working on revising FIN-001-018 policy based on feedback received. As part of this review staff identified a deficiency in the per Councillor funding for Conferences and Conventions. Based on the 2023 budget each Councillor would be entitled to funding of \$1,796.67 annually. However, based on past Councillor attendance at conferences the cost for attendance was averaging around \$3,000 per attendee per conference.

Staff are recommending the Professional Development (20-110-520100) budget be consolidated with Conferences and Conventions (20-110-520090) in 2023. Once consolidated, staff are recommending the budget for Conferences and Conventions be adjusted in 2023 to \$60,000 thereby providing each Councillor with \$5,000 for Professional Development. The required additional funding of \$37,865 would be provided from the operating surplus.

The revised Conferences and Conventions budget would provide funding to Councillors when performing their roles representing the community.

OTHER DEPARTMENT IMPLICATIONS:

Assistance from the Chief Administrative Officer's Department for review and approval of requests and payments for Mayor and Councillors. No other departments are impacted.

SUMMARY AND CONCLUSION:

THAT THE COUNCIL OF THE CITY OF WELLAND approves the amendments to the Mayor and Councillors Expense Policy Fin-001-0018 as identified in this report; and further,

THAT Welland City Council increase the Councillors conference budget from \$22,135 to \$60,000 with funding to be provided from the operating surplus.

ATTACHMENTS:

APPENDIX "A" – Mayor and Councillors Expense Policy (FIN-001-018)

CITY OF WELLAND

POLICY

Policy Title: <u>Mayor and</u> Councillors Expense Policy	
Date of Approval: January 31, 2023	Policy Number: FIN-001-0018
Lead Role: Finance Division	Support Role: Chief Administrative Officer's Office
Cross Reference: FIN-001-011	Next Review Date: January 1, 2028
Council File Number: 23-34	Revision Date: <u>June 20, 2023</u>

Policy Statement:

The purpose of this policy is to provide the business rules and guidelines for expenditures that support Members of Ccouncillors in performing their roles and in representing the community.

The Mayor and Members of Council are accountable to the public for the type and level of expenses incurred and are expected to exercise good judgement while incurring such expenses.

Purpose:

This policy is intended to provide Members of Ccouncillors with the ability to allocate resources in the most efficient way to meet their own particular requirements and accountability for managing city resources allocated to them.

This policy does not establish the amount of funds available to members of Council for expenses; this is approved annually by Council as part of the annual operating budget process.

Scope:

This policy applies to all Members of Council and establishes the basis upon which the Members will be reimbursed or have payment coverage for Eligible Expenses incurred while undertaking activities related to City Business while acting in their role as an elected official. This policy is in addition to other applicable policies and legislation. This policy applies to all expenses incurred by councillors in the performance of their duties as elected officials, while conducting official city business.

Policy Details:

The following guiding principles should be applied with respect to this policy:

1. Accountability

Members of Councillors are accountable for the type and level of expenses they incur;

- a) Eligible expenses must be reasonable and reflect what the public expects of a Member of Councilor
- b) Reimbursement of an expense should not result in a Member of Councilor receiving any product, service or asset for personal use, benefit or gain.

2. Transparency

- a) The public has a right to know how public funds are allocated to Members of Councilors; and,
- b) The public's request to a Member of Councilor expense information must be balanced against the need to protect privacy and personal information, and allow time for proper accounting and reconciliation of expenses.

3. Compliance

- a) Eligible expenditures should be administered in accordance with applicable policies, administrative directives and procedures of the City, including but not limited to, human resource policies, purchasing and procurement policies as set out in the City's Purchasing By-law, Finance Policies, as well as other statutory requirements; and,
- b) All accounting, audit and Income Tax Act principles and rules must be followed.

4. Mandatory Requirements

4.1 General Guidelines

Expenses submitted for reimbursement by a Member of Councilor must be charged to the expense account(s) reported in the Statement of Remuneration and Expenses on an annual basis, in accordance with Section 284 of the *Municipal Act, 2001*. Please refer to Appendix A.

- a) Reimbursement claims for expenses must follow basic accounting and audit principles and comply with FIN-001-0011 – Travel and Corporate Expense Policy:
 - i. Expenses must relate to the business of the City and for the advancement of the City's strategic goals and objectives;
 - ii. Expenses must be directly incurred. Expenses incurred by third parties cannot be claimed;
 - iii. Expenses must be consistent with the Travel and Corporate Expense Policy;

- iv. Proper documentation must be provided, including detailed original receipts, invoices or e-bills for all expense claims. The name of attendees must be provided for all hospitality expenses;
 - v. Invoices must include a description of the goods purchased or services rendered, the cost, taxes and HST registration number, if applicable;
 - vi. In the case where the receipt/invoice shows the name of the establishment or company providing the goods purchased or services rendered as a numbered company, the operating name of the establishment must be provided;
 - vii. Expenses must be charged to the year in which they were incurred. Expenses cannot be carried forward to subsequent years;
 - viii. Expenses must be submitted for reimbursement within 15 calendar days of incurring the expense or receiving an invoice; and,
 - ix. Members of ~~Councillors~~ will, on a quarterly basis, provide to Finance a standardized signed memo confirming any personal expenses refunded to the City and compliance with this Policy.
- b) Any expenses incurred that promote for-profit organizations, third parties, other levels of government, political parties, or candidates in any election campaigns will be ineligible for reimbursement.

4.2 Annual Member of ~~Councillor~~ Expense Account Budgets

- a) The annual budget for the Mayor and Members of ~~Councillor~~ Accounts are-is established as part of the city's annual budget process;
- b) The annual Conference/Conventions budget for the mayor is determined by the yearly budgeted amount.
- b)c) The annual Conference/Conventions budget per councillor is determined by the yearly budgeted amount, divided by 12.
- e)d) A Member of ~~Councillor~~ shall not exceed their annual allocation of council budget without the prior approval of the Chief Administrative Officer (CAO).
- d)e) After the adoption of the annual budget each Member of ~~Councillor~~ will be advised of their annual allotment.
- e)f) Member of ~~Councillors~~ have discretion to decide how they spend their overall budget in accordance with this policy.

~~f)g)~~ Any Member of Councilor ~~with~~ funds remaining unspent at the end of the calendar year, cannot be carried forward to the next or any calendar year;

~~g)h)~~ A Member of Councilor who exceeds their annual allotment is personally responsible for any over-budget amounts, except where Council waives the requirement for reimbursement;

~~h)i)~~ A Member of Councilor who does not return to the subsequent term of Council may not incur expenses in their prorated Annual Member of Council Expense Account after the date of the Municipal election;

~~i)j)~~ Should a Member of Council not complete their annual term of Council, their Annual Council expense budget shall be pro-rated to the end of the date the Member of Councilor leaves office; and,

~~j)k)~~ In an election year, Members of Councilors shall be:

- i. Restricted to 11/12ths of the approved annual budget;
- ii. Newly elected Members of Councilors are allocated a budget equal to 1/12th of the approved annual budget for the month of December; and
- iii. Re-elected Members of Councilor will have access to the remainder of the year's approved budget on the day after voting day.

4.3 Approvals and Dispute Resolution

a) Members of Councilors shall authorize expenditures from their respective expense account budgets after orders have been received or services rendered;

b) Members of Councilors shall seek approval of all requests for payment/reimbursement of expenses incurred by Council Staff covered by this Policy;

c) The CAO shall approve all requests for payment/reimbursement of expenses incurred by Members of Councilor covered by this Policy and adhering to/covered by the Travel and Corporate Expense Policy (FIN-001-001); and,

d) In the event of disputes or extraordinary circumstances that may arise regarding the application of this Policy:

- i. The Treasurer and CAO shall meet with the Member of Councilor and make every reasonable effort to resolve the matter.

5. Roles and Responsibilities

Members of Councilors:

- a) Comply with the Code of Conduct for Members of Council and rules and requirements outlined in this Policy and other corporate policies, when submitting expense documents;
- b) Exercise integrity and good business judgment when incurring expenses;
- c) Expected to attend an event for which a reimbursement is claimed;
- d) Keep safe and maintain all equipment and furniture provided by the City or purchased with City funds;
- e) Approve and ~~submit~~~~return~~ Expense Reimbursement Statements to City Finance staff within 15 days of receipt; and
- f) Comply with all financial, legal and Income Tax regulations.
- g) Verify funds are available within the allocated budget.

Treasurer:

- a) Ensure Members of Councilors are in compliance with the rules and requirements of this Policy and take appropriate corrective actions when required; and
- b) Verify expenses were incurred in the performance and benefit of City business.

City Finance staff:

- a) Reimburse individuals in a timely manner;
- b) Monitor compliance and follow up on those expense claims not in compliance;
- c) Provide accounting and financial support to Members of Councilors by paying expenditures, preparing financial management reports and providing advice and direction on the interpretation and application of this Policy; and,
- d) Provide training and orientation for Members of Councilors at the beginning of each term and when required or as requested during the term, from time to time.

6. Eligible Expenses – As per FIN-001-0011

Corporate Resources Provided to the Mayor

- a) Office Space – a furnished office at the City Administrative Building consistent with the standard furnishings used by the city.
- b) Staffing – the administrative services of the Executive Assistant to the Mayor.

Advertising and Promotions:

- a) The purchase of approved City branded clothing for use by the Member of Council at official functions or events is an eligible expense. The purchase will be coordinated through the city, with costs charged to the appropriate expense/protocol account.
- b) Advertising or promotions for for-profit organizations, third parties, other levels of government or candidates in any election are deemed to be ineligible expenses.

Information Technology Equipment & Services:

- a) At the commencement of each Term of Council, each Member of Council will be provided the following:
 - A standard City computing device with the appropriate City supported software
 - City email account
 - Mobile Phone
- b) The cost of the equipment replacement referred to above shall be charged to a separate account and is not considered as an expense to a Member of Council's individual expense/protocol account.
- c) City staff does not provide support to computers, computer equipment or software that is not owned by the city.
- d) City equipment requiring replacement and/or services must be brought to the IT Manager.
- e) The technology equipment/software provided to Members of Council remains the property of the City and shall be returned to the City when it is replaced, or in the event that the Mayor or Councillor is no longer a Member of Council.
- f) The use of this technology is in accordance with the City's Technology Policy, Technology Use Policy and Software Use Policy and any other pertinent policies that may be approved.
- g) Replacement computer hardware will only be reimbursed if it is lost or stolen, or no longer operates and cannot be repaired to its initial operating

specifications. The old equipment must be returned, and /or written confirmation if the equipment has been lost or stolen.

Mobile Phones/Telecommunication Services:

- a) The City will supply a mobile phone to Members of Council. The monthly service fees are paid by the City and will be charged to the appropriate expense/protocol account which will be reported annually in the Remuneration and Expenditures for Council Members & Committee of Adjustment report. The initial purchase of the mobile device will not be charged to the Member's expense/protocol account.
- b) Members of Council shall arrange through the IT Manager for an appropriate out of country mobile device plan in order to avoid excessive roaming charges if required for City business.
- c) The Mobile Device Technology Policy is to be adhered to.
- d) The Member of Council agrees to have their City issued mobile phone number advertised for public use.

The following pertains to the Use of a Personal Phone:

- a) The additional costs associated with the initial capital cost of purchasing a mobile phone or costs associated with mobile phone replacements or upgrades are not eligible for reimbursement.
- b) If a Member of Council declines a City mobile phone, reimbursement of a personal monthly cellular bill is an ineligible expense.
- c) The Member of Council is responsible for maintenance and support of the device through the plan or device provider. City staff will only provide support with the installation of the Member's City email account on the device.
- d) The Member of Council agrees to have their personal mobile phone number advertised for public use.

Parking:

- a) The City will provide Members of Council with a parking pass which can be utilized when on authorized City business.
- b) Traffic and Parking tickets are considered an ineligible expense.

STIPEND:

- a) The Members of Council are eligible to receive a stipend as established in the Travel and Corporate Expense Policy (FIN-001-0011). A stipend is designed to

acknowledge and recognize the attendance at an activity and additional commitment of time by the individual.

b) Stipends are provided as part of the expense claims. A stipend claim is processed through accounts payable and must be requested in advance of the scheduled event.

c) A Stipend is treated as a taxable income/benefit and must be included as income by the Member of Council in their tax return. It will be charged to individual protocol accounts.

Corporate Representation on Boards:

a) Members of Council seeking to apply to the Association of Municipalities of Ontario (AMO) or the Federation of Canadian Municipalities (FCM) to be considered for a board position must seek Council approval.

a)b) Costs a Member of Council incurs as a Board member of AMO or FCM will be charged to the appropriate expense/protocol account. Attendance at the Association of Municipalities of Ontario (AMO) and the Federation of Canadian Municipalities (FCM) conferences for councillors.

Professional Development for Members of Councillors:

a) Conferences and seminars; and

b) Professional education and development programs related to councillor matters; and

c) Training events, Civic Events, Public Functions and programs related to council matters.

7. ~~7.~~ Monitoring and Compliance

It is the Member of Council's responsibility to monitor and ensure compliance with this overall policy.

It is the Treasurers responsibility to monitor and ensure the Members of Council comply with this policy.

Monitoring and compliance of the actual expense submission will be conducted by the Member of Council and CAO through a review and approval of each expense submission.

Consequences of non-compliance

Failure to comply with this policy may result in:

- a) Processing and reimbursement delays; and
- b) Members of Councilors will be required to repay the city for any expense claims in excess of their allocated annual budget amounts that are not approved by council.

APPENDIX A

Remuneration & Expenses Reporting

Responsibility to Report

The Chief Administrative Officer's Office will report expenses incurred on behalf of the Member of Council to the Finance Division.

Regular Councillor expenses reporting will include:

QuarterlyMonthly

- a) Members of Council own term expense accounts. This will be distributed to the Members of Council to view and sign off;
- b) QuarterlyMonthly statements commencing in Q2 will be sent by Finance to Members of Council and/or their designated staff by the 15th working day of the following month. QuarterlyMonthly statements should be approved and returned by the Members of Council and/or their designated staff within 15 days of receipt from Finance; and
- c) Only statements for which have Member approval ~~has been received~~ will be posted on the City's website.

Annually

- a) Annual Statement of Remuneration and Expenses will be prepared by March 31st of each year and posted to the City's website according to Section 284 of the Municipal Act.
- b) Section 284 of the Municipal Act requires that the Treasurer of every municipality shall submit to the Council of the Municipality, an itemized statement of the remuneration and expenses paid to each Member of Council in respect of their services as a Member of Council, on or before the 31st day of March in each year.
- c) The statement will include all expenses paid to or incurred on behalf of the Councillor using the councillor expense account, any Corporate operating and capital project accounts, including salaries and benefits and expenses incurred by Council Staff.

COUNCIL
OFFICE OF THE CAO
CLERKS DIVISION

REPORT CLK-2023-19
September 19, 2023

SUBJECT: AMENDMENT TO HYBRID MODEL – MEETINGS OF COUNCIL

AUTHOR: TARA STEPHENS, CITY CLERK

APPROVING: SHERRI-MARIE MILLAR, P.ENG., INTERIM CHIEF ADMINISTRATIVE OFFICER

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information, report CLK-2023-19: Amendment to Hybrid Model - Meeting of Council; and THAT Welland City Council approves the requirement for in-person attendance for members of council; and
THAT Welland City Council approves the two (2) exceptions and requirements identified for a member of council to attend virtually; and further
THAT the update to the Hybrid Model be effective October 17, 2023 Council Meeting.

RELATIONSHIP TO STRATEGIC PLAN

This recommendation is aligned to Council's strategic priority of ensuring "**Environmental Stewardship**" to protect the ecosystems through a responsible approach to minimize the impact on the environment through supportive decision-making, professional processes, incentives, policies, and operational practices.

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.

BACKGROUND:

On March 26, 2020 Welland City Council held their first virtual meeting as a result of the COVID 19 Pandemic.

In May 2022, Welland City Council approved a hybrid model for council meetings, which permitted members of council, staff and the public the option to attend meetings of council virtually or in-person.

DISCUSSION:

The previous staff report presented regarding in-person attendance and hybrid council meetings did not include exceptions for members of council. During the discussions regarding the hybrid meetings, it was identified that staff would be coming back with a report in the future to identify exceptions for council consideration.

Staff are recommending all members of council return to in-person attendance during meetings of council effective October 17, 2023.

In-person attendance will improve engagement with members of the public during presentations, delegations and public meetings, reduce technology issues and distractions, and increase engagement and participation between the members.

In addition, staff are recommending the following two (2) exceptions for members of council to attend virtually:

- i. Contagious illness.
- ii. Traveling on official public business.

If a member of council is attending virtually, they are required to:

- Keep their video feed on and be visible during the entire meeting.
- Notify the Clerk if they are required to step away from their computer/laptop.

The recommendations above are the final step in progressing to post-covid practices for meetings of council, with two (2) exceptions for virtual attendance.

Members of council will be required to bring their city issued laptops to meetings of council in order to access their agendas using the eSCRIBE platform, and accommodate councillors who may be attending virtually, due to one of the exceptions identified in this report.

FINANCIAL:

No financial considerations required.

CONCLUSION:

The purpose of this report is to recommend updates and exceptions to the hybrid model for meetings of council.

ATTACHMENT:

None.

Report Approval Details

Document Title:	CLK-2023-19 - Amendment to Hybrid Model - Meetings of Council.docx
Attachments:	
Final Approval Date:	Sep 13, 2023

This report and all of its attachments were approved and signed as outlined below:

Elizabeth Pankoff - Sep 13, 2023 - 8:43 AM

Sherri - Marie Millar - Sep 13, 2023 - 3:52 PM

COUNCIL
OFFICE OF THE CAO
CLERKS DIVISION

REPORT CLK-2023-20
September 19, 2023

**SUBJECT: UPDATED – 2022-2026 WELLAND CITY COUNCIL
 REMUNERATION RECOMMENDATIONS**

**AUTHOR: TARA STEPHENS, CITY CLERK
 ANDREA DAISLEY, MANAGER OF HUMAN RESOURCES**

**APPROVING: SHERRI-MARIE MILLAR, P. ENG., INTERIM CHIEF
 ADMINISTRATIVE OFFICER**

RECOMMENDATION:

- 1.
2. THAT THE COUNCIL OF THE CITY OF WELLAND receives for information report CLK-2023-19: Updated – 2022-2026 Welland City Council Remuneration Recommendations; and
3. THAT Welland City Council receives Appendix I - CLK-2022-10: 2022-2026 Welland City Council Remuneration Recommendations; and
4. THAT the annual salary for the position of Mayor be increased to \$84,119.00, effective January 1, 2024, which includes the 2.5% economic adjustment in 2021, 2022, 2023 and 2024; and,
5. THAT the annual salary for the position of City Councillor be increased to \$30,197.00, effective January 1, 2024, which includes the 2.5% economic adjustment in 2021, 2022, 2023 and 2024; and
6. THAT all benefits for the position of Mayor and City Councillor continue to be aligned with the Non-Union employee group; and
7. THAT bylaw 2001-01 regarding participation in the OMERS pension plan remain in effect; and
8. THAT compensation adjustments for the Mayor and Members of Council be equal to the Non-Union employee group economic increases; and
9. THAT the Corporate Services Chair and Integrated Services Chair continue to receive an honorarium in the amount of \$2,137.00; and
10. THAT the Vice Mayor continue to receive an honorarium in the amount of \$4,274.00 annually; and
11. THAT Councillors appointed to committees receive a per diem of \$75.00 per day, as compensation for attending committee meetings of the committees as identified in this report; and further

THAT future Council remuneration reviews are conducted during the last year of the sitting Council's term of office.

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.

BACKGROUND:

On May 17, 2022 Welland City Council received a presentation by the Council Compensation Review Committee regarding the 2022-2026 Welland City Council Remuneration recommendations.

Included in the May 17 Council agenda was staff report CLK-2022-10: 2022-2026 Welland City Council Remuneration Recommendations. Due to curfew the staff report was considered at a Special Council meeting held on May 31, 2022.

At the May 31 Special Council meeting, report CLK-2022-10 was deferred to the next term of Council in December of 2022.

The recommendations presented by the Compensation Review Committee were included for Budget Review Committee (BRC) consideration during the 2023 Budget deliberations. The BRC requested the item be tabled at a Council meeting.

DISCUSSION:

This staff report is being presented to Council for consideration and to ensure annual salaries are reflected in the 2024 Budget. The recommendations included in this report have been updated to reflect 2024 figures.

The details and information regarding the Compensation Review Committee's review and recommendations are attached in Appendix I.

Updates to Appendix I are as follows:

The Committees of Council to receive the \$75.00 per diem are as follows:

- Accessibility Advisory Committee
- Active Transportation Advisory Committee
- Affordable Housing Advisory Committee
- Arts and Culture Advisory Committee
- ~~Health Care Committee~~
- **Green Advisory Committee**
- LGBTQ2+ Advisory Committee
- Market Square Advisory Committee
- Senior Citizens Advisory Committee

- *Town and Gown Committee*
- *Welland Arenas Advisory Committee*
- *Welland Community Centre Advisory Committee*

FINANCIAL:

Financial impact to the 2024 budget in the amount of \$41,991.00.

Additional financial impact for councillor attendance at committee meetings.

CONCLUSION:

The City of Welland is committed to paying fair and competitive salaries to its elected officials in recognition of the valuable service they provide to the community and the complexity and importance of the issues they manage. Fair and competitive salaries also assist to attract and retain a diverse pool of citizens to public service.

ATTACHMENT:

Appendix I – CLK-2022-10: 2022-2026 Welland City Council Remuneration Recommendations.

Report Approval Details

Document Title:	CLK-2023-20 - 2022-2026 Welland City Council Remuneration Recommendations.docx
Attachments:	- Appendix I - CLK-2022-10.pdf
Final Approval Date:	Sep 12, 2023

This report and all of its attachments were approved and signed as outlined below:

Elizabeth Pankoff - Sep 12, 2023 - 8:51 AM

Sherri - Marie Millar - Sep 12, 2023 - 8:55 AM

COUNCIL
CORPORATE SERVICES
CLERKS DIVISION

APPROVALS
DIRECTOR
CFO
CAO

22-14

REPORT CLK-2022-10
MAY 17, 2022

**SUBJECT: 2022 – 2026 WELLAND CITY COUNCIL REMUNERATION
RECOMMENDATIONS**

**AUTHORS: TARA STEPHENS, CITY CLERK & ANDREA DAISLEY,
MANAGER OF HUMAN RESOURCES**

APPROVING DIRECTOR: STEVE ZORBAS, CHIEF ADMINISTRATIVE OFFICER

RECOMMENDATION:

1. THAT THE COUNCIL OF THE CITY OF WELLAND receives for information report CLK-2022-10: 2022-2026 Welland City Council Remuneration Recommendations; and
2. THAT the annual salary for the position of Mayor be increased to \$82,069.00, effective January 1, 2023; and
3. THAT the annual salary for the position of City Councillor be increased to \$29,462.00, effective January 1, 2023; and
4. THAT all benefits for the position of Mayor and City Councillor continue to be aligned with the Non-Union employee group; and
5. THAT bylaw 2001-01 regarding participation in the OMERS pension plan remain in effect; and
6. THAT compensation adjustments for the Mayor and Members of Council be equal to the Non-Union employee group economic increases, effective January 1st of each year, beginning in 2024; and
7. THAT the Corporate Services Chair and Integrated Services Chair continue to receive an honorarium in the amount of \$2,137.00;
8. THAT the Vice Mayor continue to receive an honorarium in the amount of \$4,274.00 annually;
9. THAT Councillors appointed to committees receive a per diem of \$75.00 per day, as compensation for attending committee meetings of the committees as identified in this report; and further
10. THAT future Council remuneration reviews are conducted by a review during the last year of the sitting Council's term of office.

ORIGIN AND BACKGROUND:

Prior to a review completed in 2020 by an external consultant, Council compensation had not been reviewed in many years. In September 2020, the compensation for City Councillor was increased from \$18,951.00 to \$27,357.00 annually, and Mayor was increased from \$72,995.00 to \$76,208.00 annually. The increase reflects a fair and competitive salary.

On November 16, 2021, Welland City Council approved the establishment of a Council Compensation Review Committee (the Committee) to review the remuneration and benefits paid to the City of Welland Council Members for the 2022-2026 term of Council.

The Committee's mandate was to review the matter of compensation as it relates to the Mayor and Council, consider compensation adjustments supported by market data and comparable municipalities in terms of scope, size and nature of elected officials' work, review compensation data, and oversee preparation and presentation of a final report and recommendations to Council for its approval.

Recruitment for citizen volunteers was conducted in February 2022.

The following three citizens were appointed by Council to participate on the Committee:

- James Takeo, Owner/Operator - Tattoo Artist
- Sharmila Setaram, Senior Consultant, Executive Talent
- Tristan Urquhart, Controller

The Committee met during throughout the months of March, April, and May 2022.

The City Clerk, Manager of Human Resources and Director of Finance provided professional support to the Committee.

The Committee reviewed material from the Consultant's review in 2020 that recommended changes to the remuneration for the current term of Council, as well as material from comparator municipalities and information from across Ontario from other Citizen Remuneration Committees to inform their decision-making process.

Reviewing the compensation as it relates to public office in a manner that reflects the duties, responsibilities, effort, authority, and decision-making; the Mayor and Members of Council require a set of Guiding Principles to provide direction and the ability to anchor recommendations made with respect to what appropriate compensation levels.

COMMENTS AND ANALYSIS:

The committee began meeting on a weekly basis to review and prepare recommendations for council consideration. Following a review of the terms of reference for the committee, the committee members reviewed background information gathered to support their work. In total, the Committee met eight (8) times to deliberate on the issue of compensation for the Mayor and Members of Council.

This information reviewed by the committee members included:

- Previous Council-approved documents related to Council remuneration.
- Information concerning the roles/responsibilities of municipal councils.
- Survey information from 2020
- Estimated time commitments for the Mayor and Members of Council
- Compensation survey data from multiple Ontario municipalities related to salary, benefits, and other perquisites.

Comparator Group

The comparator group was selected having regard to relevant scope/criteria including historic comparators, similar service alignment, geographic location, and size.

The comparator group consisted of the following municipalities: Port Colborne, St. Catharines, Fort Erie, Niagara-on-the-Lake, Niagara Falls, Grimsby, Brantford, Cambridge, Waterloo, Woodstock, Norfolk County and Brant County.

Salary and Benefit Adjustment Recommendation

To maintain a competitive salary the Committee is recommending an increase to \$82,069.00 for Mayor and \$29,462.00 for City Councillor, effective January 1, 2023.

The final number was determined by applying a 2.5% economic adjustment to 2021, 2022 and 2023, with the 2023 number being the recommended wage, to ensure the salary maintained market competitiveness going into 2023.

The Committee is recommending economic adjustments over the four-year term of Council, which reflect the annual salary increase as identified in the non-union by-law 2021-144, which will maintain the salary at a competitive position.

The existing benefits are aligned with the comparator group and no adjustments are recommended.

	Current Salary	Jan. 1, 2021 Economic Adjusted Salary	Jan. 1, 2022 Economic Adjusted Salary	Jan. 1, 2023 Proposed Salary
Mayor	76,208	78,114	80,067	82,069
Council	27,357	28,041	28,743	29,462

Economic Increase

The Committee discussed the practice to provide the economic increases for the Mayor and Members of Council.

The Committee recommends maintaining the current practice of economic adjustments as follows:

- Increases equal to non-union economic adjustments.
- Adjustments to take place January 1st each year of the term of Council.

Councillors appointed to Committees of Council

The Committee is recommending that members of council who are appointed as a councillor representative to a committee(s) of council receive a per diem of \$75.00 per day.

Members of council who are appointed to a committee(s) of council will receive one payment per year in January to reflect their attendance from the previous year at committee meetings.

It will be the responsibility of the staff liaison for each committee to coordinate with the Finance Division.

The Committees of Council to receive the \$75.00 per diem are as follows:

- Accessibility Advisory Committee
- Active Transportation Advisory Committee
- Affordable Housing Advisory Committee
- Arts and Culture Advisory Committee
- Health Care Committee
- LGBTQ2+ Advisory Committee
- Market Square Advisory Committee
- Senior Citizens Advisory Committee
- Town and Gown Committee
- Welland Arenas Advisory Committee
- Welland Community Centre Advisory Committee

In the future, any newly established committees of council with councillor representation of less than six (6) members of council, identified in the membership/composition, will receive the \$75.00 per diem.

FINANCIAL CONSIDERATION:

Financial Impact to the 2023 budget in the amount of \$31,121.00, which covers the increase in annual salary for Mayor and City Councillors.

Additional financial impact for councillor attendance at committee meetings.

OTHER DEPARTMENT IMPLICATIONS:

Salary for Mayor and Councillors for the 2022 – 2026 term of Council will be affected by the proposed recommendation.

SUMMARY AND CONCLUSION:

The City of Welland is committed to paying fair and competitive salaries to its elected officials in recognition of the valuable service they provide to the community and the complexity and importance of the issues they manage. Fair and competitive salaries also assist to attract and retain a diverse pool of citizens to public service

ATTACHMENT:

None.

COUNCIL/SPECIAL
HUMAN RESOURCES DIVISION

REPORT HR-2023-03
September 19, 2023

SUBJECT: 2024-2025 CITY HALL HOLIDAY CLOSURE

AUTHOR: ANDREA DAISLEY, MANAGER OF HUMAN RESOURCES

**APPROVING: SHERRI-MARIE MILLAR, P.ENG., INTERIM CHIEF
ADMINISTRATIVE OFFICER**

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information report HR-2023-03 2024-2025 City Hall Holiday Closure, and further; THAT Welland City Council approves the closure of City Hall operations for the 2024-2025 holiday season from the close of business on Tuesday, December 24, 2024, up to and including Wednesday, January 1, 2025.

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.

BACKGROUND:

Since 1993 City Hall operations have been closed between Christmas and the New Year. With advanced planning and early notification, the closure has been achieved with little to no inconvenience to the residents.

It is recommended that this practice continue for the 2024-2025 holiday season. The proposed period of closure is from the close of business on Tuesday, December 24, 2024, up to and including Tuesday, January 1, 2024, for a total of six (6) business days.

This report is being submitted at this time to ensure employees can plan for the 2024-2025 closure when scheduling next year's vacation.

DISCUSSION:

Statutory holiday entitlements are provided for Christmas Day, Boxing Day, and New Year's Day (December 25, December 26, January 1, 2025). Eligible staff are scheduled a holiday floater on December 27.

To cover the remaining two days, December 30 and December 31, employees are required to take a vacation, or other eligible leave day, or request unpaid leave.

FINANCIAL:

N/A

CONCLUSION:

It is recommended that Council approve the recommendation contained herein for the closure of City Hall operations from the close of business on Tuesday, December 24, 2024, up to and including Tuesday, January 1, 2024, for a total of six (6) business days.

ATTACHMENT:

December 2024 Calendar

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
		Christmas Eve	Christmas Day	Boxing Day	Floater	
29	30	31	1	2	3	4
	Vacation etc.	Vacation etc.	New Year's Day	Return to Regular Hours		

COUNCIL
INFRASTRUCTURE SERVICES/ENGINEERING

REPORT ENG-2023-29
September 19, 2023

**SUBJECT: CANAL BANK STREET SEWER REMOVAL –
DEVELOPMENT COST SHARE**

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

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

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND approve the cost share with Linamar Light Metals Welland Inc.; and

THAT Council approve the allocation of funding as outlined in this report; and further

THAT Council authorizes the Mayor and Clerk to execute the Memorandum of Understanding, as reviewed by the City Solicitor.

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.

BACKGROUND:

Linamar Light Metals Welland Inc. (Linamar) is currently constructing a new Giga Casting Facility at 59 Canal Bank Street in the City of Welland. The 14.63-hectare site is located on the southeast corner of the intersection of Canal Bank Street and Ontario Road. The new facility will require the following servicing to be funded entirely by Linamar:

- A new 250mm water service connection, including all required appurtenances, on Ontario Road.
- Approximately 26m of new 900mm storm sewer, including all required structures, on Canal Bank Street and outlet improvements.

- Removal of the existing storm sewer (approximately 85m of existing 1m by 1m box culvert), including all existing structures, on Canal Bank Street.
- A new 200mm sanitary lateral and approximately 242m of new 450mm sanitary sewer, including all required structures, on Canal Bank Street.

Upon completion of servicing, the road is to be reinstated with full pavement restoration from Ontario Road to the installation limits of the new 450mm sanitary sewer.

DISCUSSION:

The servicing work required for the Linamar development provides the City with an opportunity to remove the existing sewer (approximately 284m of 1m by 1m box culvert) prior to the reinstatement of Canal Bank Street. Although the sewer removal is not directly required for the installation of the new sewer, the existing sewer was installed in 1908 and is in poor condition. Leaving the decommissioned sanitary sewer in place as it currently exists presents a public safety hazard due to the potential for collapse based on the understood age and condition, creating liability for the City. Having Linamar complete the sewer removal work prior to the reinstatement of the road will maximize the life of the new pavement and road substructure while allowing the City to benefit from the shared road reinstatement costs.

FINANCIAL:

The removal of the existing sanitary sewer, including all existing structures, on Canal Bank Street is not required for the installation of the new 450mm sanitary sewer; therefore, staff recommend a Memorandum of Understanding with Linamar to define the cost share. Linamar's consultant, GM BluePlan, provided the City with an estimated upset cost of \$448,000.00 (includes non-rebated HST) to complete the removal work. Staff recommend allocating funds as noted in the table below.

PROPOSED FUNDING BREAKDOWN	AMOUNT
Northaven Road Watermain Replacement (10-330-21772)	\$100,000.00
Elizabeth Street West Infrastructure Renewals (10-330-21775)	\$48,000.00
Sanitary Sewer Separation/Replacements (10-330-21779)	\$300,000.00
Proposed Reallocation of Funding	\$448,000.00

CONCLUSION:

Staff recommend that Council authorize the Mayor and Clerk to execute a Memorandum of Understanding with Linamar for the servicing works within the City's right-of-way. The Memorandum will include a cost share with Linamar for the removal of the existing sanitary sewer located on Canal Bank Street. Staff further

recommend that funds be allocated from accounts 10-330-21772, 10-330-21775 & 10-330-21779 for the estimated \$448,000.00 City share.

ATTACHMENT:

Attachment 1 – Location Plan

Attachment 2 – Memorandum of Understanding

LOCATION PLAN



MEMORANDUM OF UNDERSTANDING

BETWEEN:

THE CORPORATION OF THE CITY OF WELLAND

(hereinafter referred to as the “City”)

AND

LINAMAR LIGHT METALS WELLAND INC.

(hereinafter referred to as the “Owner”)

WHEREAS the Owner is constructing a new Giga Casting Facility at 59 Canal Bank Street in the City of Welland (the “Property”), with the installation of the new 450mm sanitary sewer providing the City with an opportunity to remove the existing 1m by 1m box sanitary sewer, maximizing the life of the pavement and road substructure;

AND WHEREAS the removal of approximately 284m of the existing 1m by 1m box sanitary, including existing structures, on the Property is not required for the installation of the new 450mm sanitary sewer, City Staff have recommended a Memorandum of Understanding (“MOU”) with the Owner;

AND WHEREAS City Council have approved the cost share division with the Owner, per the terms and conditions of this MOU;

NOW THEREFORE the Parties acknowledge that the mutual promises and covenants contained herein, and other good and valuable consideration are sufficient and adequate to support this MOU;

The Parties agree as follows:

1. The Owner agrees to remove approximately 284m of the existing 1m by 1m box sanitary within the Canal Bank Street right-of-way, including all maintenance holes and other associated structures or appurtenances, including backfilling of the trenches with native materials, asphalt restoration, landscape restoration and

reinstatement of guide rail (the “Work”), for which the City will cost share at an upset limit of \$440,000.00 plus H.S.T., payable within thirty (30) days of completion of the Work;

2. The Owner will tender offers to complete the Work and Newton Group will manage the work on behalf of the Owner;
3. The Owner agrees to install approximately 242m of new 450mm PVC sanitary sewer, including all maintenance holes and other associated structures or appurtenances, in accordance with the approved {drawing set description and date} (hereinafter referred to as the “Design”) and municipal standards at the Owner’s full expense;
4. The Owner agrees to remove approximately 85m of existing 1m by 1m box culvert, including existing maintenance hole structures, and install approximately 26m of new 900mm concrete storm sewer, including all maintenance holes, catchbasins and other associated structures or appurtenances, in accordance with the Design and municipal standards at the Owner’s full expense;
5. The Owner agrees to provide outlet improvements including the placement of rip-rap material, in accordance with the Design and municipal standards at the Owner’s full expense;
6. The Owner agrees to decommission any and all existing water connections from the Property, and install a new 250mm PVC water service, including all appurtenances, in accordance with the Design and municipal standards at the Owner’s full expense;
7. The Owner agrees to apply for, obtain, and adhere to all required approvals and permits required to complete the described works at the Owner’s full expense, including schedule and Traffic Control Plan in support of Site Servicing Permit for any required road closures;
8. The Owner agrees to reinstate the road, boulevard and any other disturbed or damaged areas in accordance with the Design and City standards at the Owner’s full expense including full pavement restoration from Ontario Road to the installation limits of the new 450mm sanitary sewer. Final asphalt top coat to be by agreed to timing.

DATED at the City of Welland, Ontario, this _____ day of _____, 2023.

SIGNED, SEALED & DELIVERED) **THE CORPORATION OF THE CITY OF**

) **WELLAND**

In the presence of)

)

)

) _____
FRANK CAMPION

) MAYOR

)

)

)

) _____
TARA STEPHENS

) CITY CLERK

)

)

)

) **LINAMAR LIGHT METALS WELLAND INC.**

)

)

)

) _____
PRINT NAME:

) PRINT TITLE:

)

) **I HAVE THE AUTHORITY TO BIND THE**

) **CORPORATION**

COUNCIL
INFRASTRUCTURE SERVICES/ENGINEERING

REPORT ENG-2023-30
September 19, 2023

**SUBJECT: ASSUMPTION OF CLARE ESTATES 3 SUBDIVISION –
 PHASES 3, 4, AND 5**

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

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

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND assume Clare Estates 3 Subdivision Phases 3, 4 and 5.

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.

BACKGROUND:

Clare Estates 3 Subdivision Phases 3, 4 and 5 (per Attachment 1 - Plan 59M-392), is located on the east side of South Pelham Road, south of Webber Road, west of Roselawn Crescent and north of Gaiser Road (refer to Attachment 2 - Location Plan). Phase 3, 4 and 5 of this residential development are comprised of forty-nine (49) lots for single-detached dwelling use, two (2) blocks for townhouse dwelling use, and one (1) block for a 4-storey apartment building. Servicing was completed in accordance with the General Servicing Plan (see Attachment 3) in February 2016. The maintenance period concluded in February 2021.

DISCUSSION:

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

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

Asset	Approximate Length (Linear m)
Roadways	568
Sidewalk	1140
Sanitary Sewers	954
Storm Sewers	1139
Watermain	1064

FINANCIAL:

All security deposits will be released post assumption of the subdivision. There will be no costs incurred by the municipality at this time.

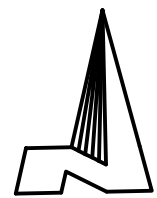
CONCLUSION:

The Developers have fulfilled their obligations as outlined in the Subdivision Agreement; therefore, staff recommend that the City assume Clare Estates 3 Subdivision Phases 3, 4 and 5.

ATTACHMENT:

Attachment 1 – Plan 59M-392
 Attachment 2 – Location Plan
 Attachment 3 – General Servicing Plan

ENG-2023-30 ATTACHMENT 1



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

PLAN OF SUBDIVISION OF
PART OF LOT 258
TOWNSHIP OF THOROLD
IN THE
CITY OF WELLAND
REGIONAL MUNICIPALITY OF NIAGARA
SCALE 1 : 800
DONALD G. CHAMBERS
ONTARIO LAND SURVEYOR
METRIC NOTE
MEASUREMENTS SHOWN ON THIS PLAN ARE IN METRES
AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

PLAN 59M-392

I CERTIFY THAT THIS PLAN IS REGISTERED IN THE LAND
REGISTRY OFFICE FOR THE LAND TITLES DIVISION OF NIAGARA
SOUTH (59) AT 10:40 O'CLOCK ON THE 6th DAY OF
JULY, 2012 AND ENTERED IN THE REGISTER
FOR PINS 64400-0403(LT), 64400-0613(LT) AND
64400-0614(LT) AND REQUIRED CONSENTS ARE REGISTERED
AS PLAN DOCUMENT NO SN-350512.

C. Noddin
REPRESENTATIVE FOR LAND REGISTRAR

THIS PLAN COMPRISES ALL OF PINS 64400-0403(LT),
64400-0613(LT) AND 64400-0614(LT).

SCHEDULE	
LOT / BLOCK	PIN
PART OF LOTS 47, 48, 49, 50, 51 AND 52, ALL OF BLOCKS 87, 85, 96, 99, 101 AND 102, PART OF BLOCKS 86, 88, 89, 90, 91, 92 AND 100, AND PART OF SILVERWOOD AVENUE AND PART OF ROSELAWN CRESCENT	ALL OF PIN 64400-0403(LT)
ALL OF LOTS 58, 59, 60, 61, 62, 63, 64, 65, 68 AND 69, PART OF LOTS 51, 52, 53, 54, 55, 56, 57, 66, 70 AND 71, PART OF BLOCKS 86 AND 100, ALL OF BLOCKS 97 AND 98, AND PART OF SILVERWOOD AVENUE	ALL OF PIN 64400-0613(LT)
ALL OF LOTS 1 TO 46, INCLUSIVE, ALL OF LOTS 72 TO 85, INCLUSIVE, LOT 87, ALL OF BLOCKS 93, 94, 103, 104 AND 105, PART OF LOTS 47 TO 57, INCLUSIVE, PART OF LOTS 66, 70 AND 71, PART OF BLOCKS 86, 89, 90, 91 AND 92, ALL OF SPRUCE CRESCENT, PART OF SILVERWOOD AVENUE AND PART OF ROSELAWN CRESCENT	ALL OF PIN 64400-0614(LT)
ALL OF LOTS 59, 60, 61, 62, 63, 64, 65, 68 AND 69, PART OF LOTS 53, 54, 55, 56, 57, 58, 66, 70 AND 71, ALL OF BLOCKS 97 AND 98, AND PART OF SILVERWOOD AVENUE	
SUBJECT TO EASEMENT OVER PART 2 ON PLAN 59M-13334 AS IN 108940 AND 10544723.	
PART OF LOTS 51, 52, 53 AND 58, AND PART OF BLOCKS 86 AND 100	
SUBJECT TO EASEMENT OVER PART 1 ON PLAN 59M-13334 AS IN 108940 AND 10544723.	

OWNER'S CERTIFICATE
THIS IS TO CERTIFY THAT:
1) PART OF LOTS 47, 48, 49, 50, 51 AND 52, BLOCKS 87, PART OF BLOCKS 86, 88, 89, 90, 91 AND 92, THE RESERVES NAMELY BLOCKS 93, 94, 103, 104 AND 105, THE DEDICATING NAMELY BLOCKS 86, 88, 89, 90, 91, 92, PART OF BLOCKS 86, 89, 90, 91 AND 92, ALL OF SPRUCE CRESCENT, PART OF SILVERWOOD AVENUE AND PART OF ROSELAWN CRESCENT HAVE BEEN LAID OUT IN ACCORDANCE WITH MY INSTRUCTIONS.
2) THE STREETS AND STREET WIDENING ARE HEREBY DEDICATED TO THE CORPORATION OF THE CITY OF WELLAND AS PUBLIC HIGHWAYS.
I HAVE AUTHORITY TO BIND THE CORPORATION.
June 20th, 2012 Mario Salvatore
DATE MARIO SALVATORE - PRESIDENT
TRIPLE-F DEVELOPMENTS INC.

OWNER'S CERTIFICATE
THIS IS TO CERTIFY THAT:
1) LOTS 58, 59, 60, 61, 62, 63, 64, 65, 68 AND 69, PART OF LOTS 51, 52, 53, 54, 55, 56, 57, 66, 70 AND 71, PART OF BLOCKS 86, 88, 89, 90, 91 AND 92, THE RESERVES NAMELY BLOCKS 93, 94, 103, 104 AND 105, AND THE DEDICATING NAMELY BLOCKS 86, 88, 89, 90, 91, 92, PART OF BLOCKS 86, 89, 90, 91 AND 92, ALL OF SPRUCE CRESCENT, PART OF SILVERWOOD AVENUE AND PART OF ROSELAWN CRESCENT HAVE BEEN LAID OUT IN ACCORDANCE WITH MY INSTRUCTIONS.
2) THE STREETS AND STREET WIDENING ARE HEREBY DEDICATED TO THE CORPORATION OF THE CITY OF WELLAND AS PUBLIC HIGHWAYS.
I HAVE AUTHORITY TO BIND THE CORPORATION.
June 20, 2012 Paul Silvestri
DATE PAUL SILVESTRI - PRESIDENT
LEA SILVESTRI INVESTMENTS LTD.

OWNER'S CERTIFICATE
THIS IS TO CERTIFY THAT:
1) LOTS 1 TO 46, INCLUSIVE, LOTS 72 TO 85, INCLUSIVE, LOT 87, PART OF LOTS 47 TO 57, INCLUSIVE, PART OF LOTS 66, 70 AND 71, PART OF BLOCKS 86, 89, 90, 91 AND 92, THE RESERVES NAMELY BLOCKS 93, 94, 103, 104 AND 105, AND THE DEDICATING NAMELY BLOCKS 86, 88, 89, 90, 91, 92, PART OF BLOCKS 86, 89, 90, 91 AND 92, ALL OF SPRUCE CRESCENT, PART OF SILVERWOOD AVENUE AND PART OF ROSELAWN CRESCENT HAVE BEEN LAID OUT IN ACCORDANCE WITH MY INSTRUCTIONS.
2) THE STREETS ARE HEREBY DEDICATED TO THE CORPORATION OF THE CITY OF WELLAND AS PUBLIC HIGHWAYS.
I HAVE AUTHORITY TO BIND THE CORPORATION.
June 20, 2012 Paul Silvestri
DATE PAUL SILVESTRI - PRESIDENT
LEA SILVESTRI INVESTMENTS LTD.

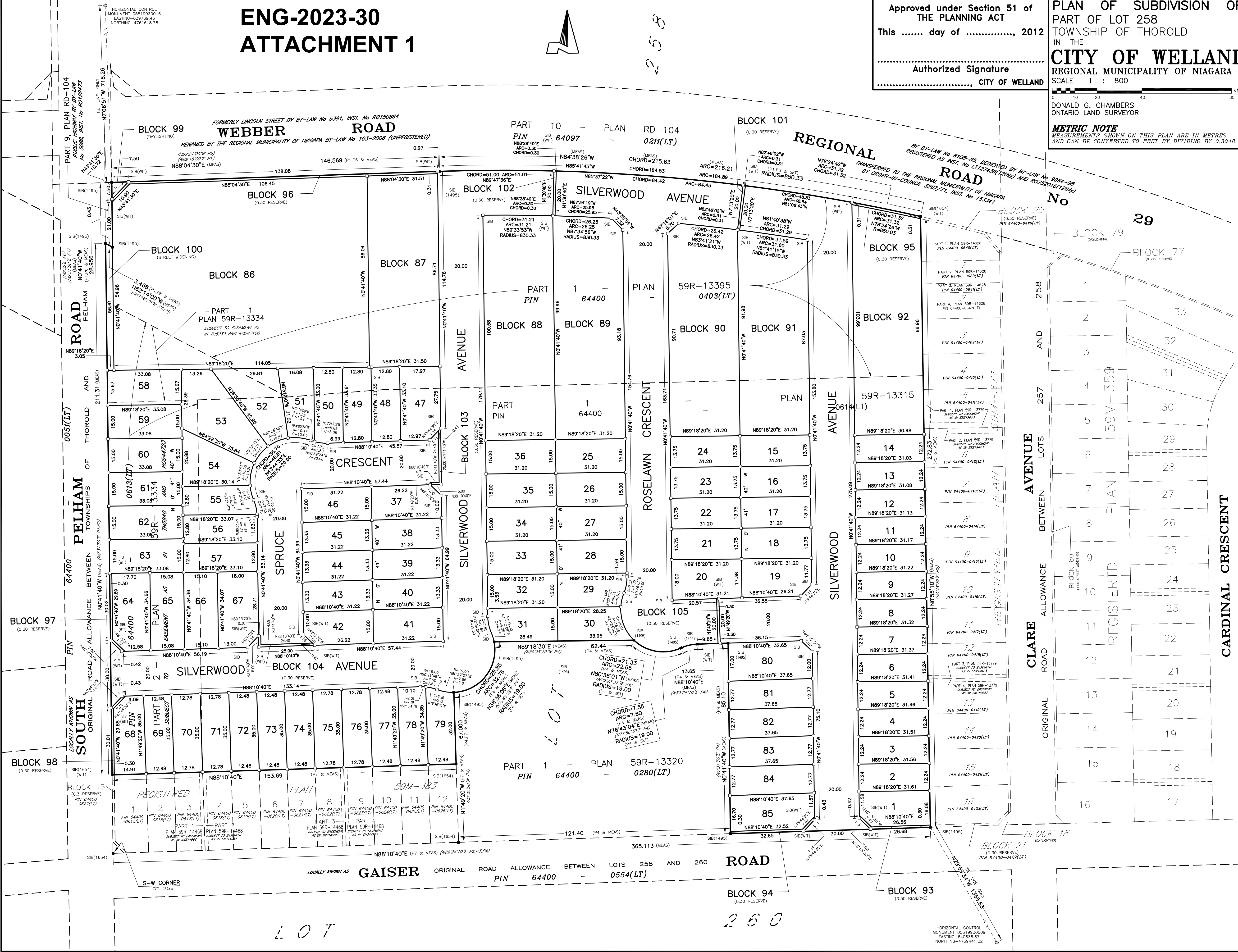
BEARING NOTE
BEARINGS ARE TO GRID, DERIVED FROM SPECIFIED CONTROL POINTS 05519930009 AND 05519930016, UTM ZONE 17, NAD83 (ORIGINAL).
DISTANCE NOTE
DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999820.
SPECIFIED CONTROL POINTS (SCPs): UTM ZONE 17, NAD 83 (ORIGINAL)
CO-ORDINATES TO URBAN ACCURACY PER SEC. 14 (2) OF O.R.C. 216/10
POINT ID NORTHING EASTING
SCP 05519930009 4759441.32 640839.87
SCP 05519930016 4761818.78 639769.45
CO-ORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

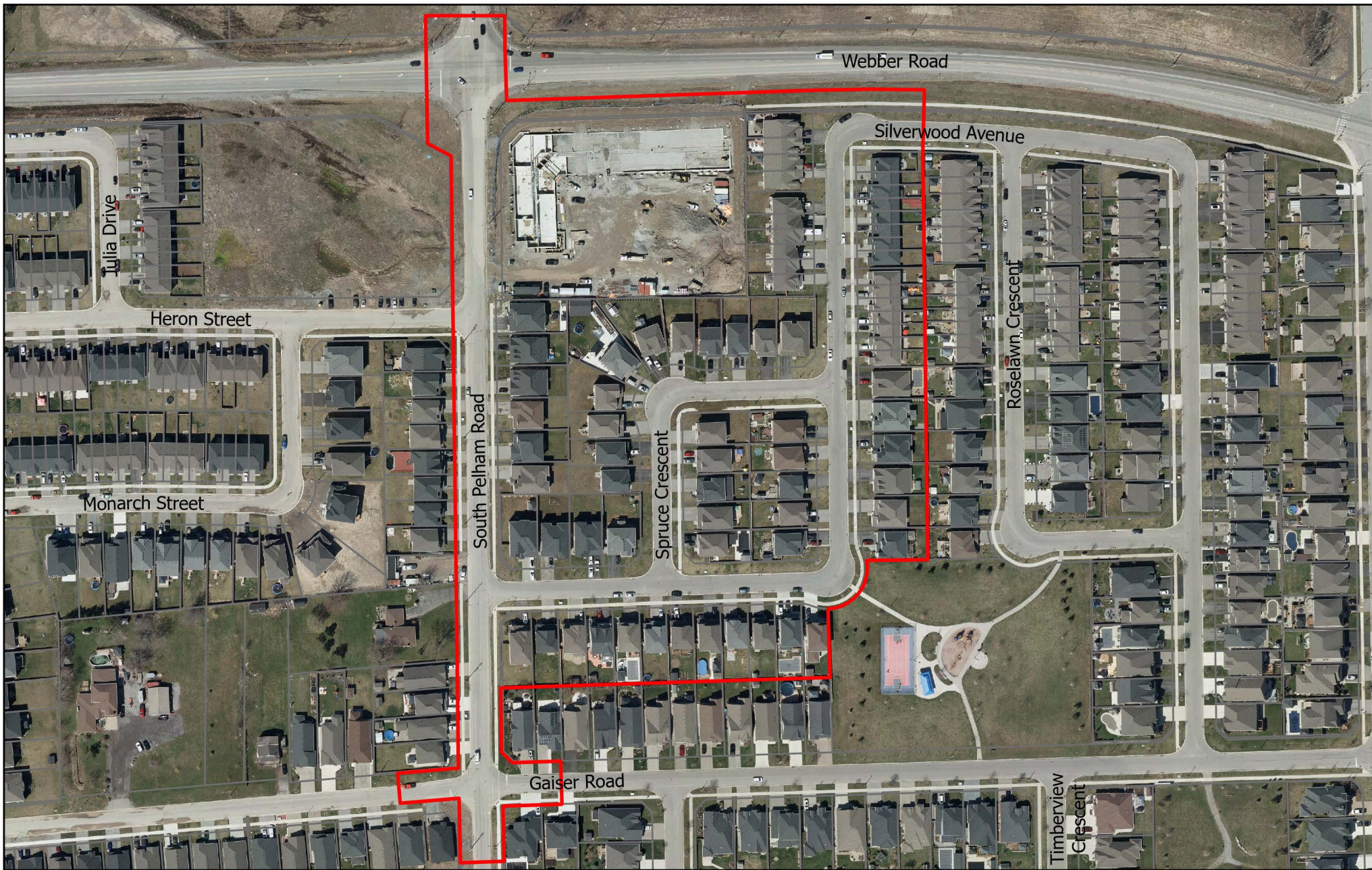
LEGEND
DENOTES SURVEY MONUMENT FOUND
SURVEY MONUMENT SET
SIB STANDARD IRON BAR
SIBB SHORT STANDARD IRON BAR
IB IRON BAR
MEAS MEASURED
WIT WITNESS
N/S/E/W NORTH/SOUTH/EAST/WEST
PIN PROPERTY IDENTIFICATION NUMBER
P1 DEPOSITED PLAN 59M-13335
P2 DEPOSITED PLAN 59M-13334
P3 DEPOSITED PLAN 59M-13315
P4 DEPOSITED PLAN 59M-13320
P5 REGISTERED PLAN 59M-371
P6 DEPOSITED PLAN RD-104
P7 REGISTERED PLAN 59M-383
1495 P. D. REITSMAN, O.L.S.
1654 D. G. CHAMBERS, O.L.S.
C ARC DISTANCE
R CHORD DISTANCE
R RADIUS

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 4th DAY OF JUNE, 2012.
8 JUNE 2012
DATE DONALD G. CHAMBERS, B. Sc., O.L.S.

**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: D.H.T. 02132-9_PHS DWG: 02132-9_MP_PHS_JUNE 12-12 FILE NO: 02-132-9





Legend

- Parcel
- Subdivision Location

Clare Estates 3 Subdivision Phases 3, 4 and 5 Attachment 2 - Location Plan

Page 78 of 104

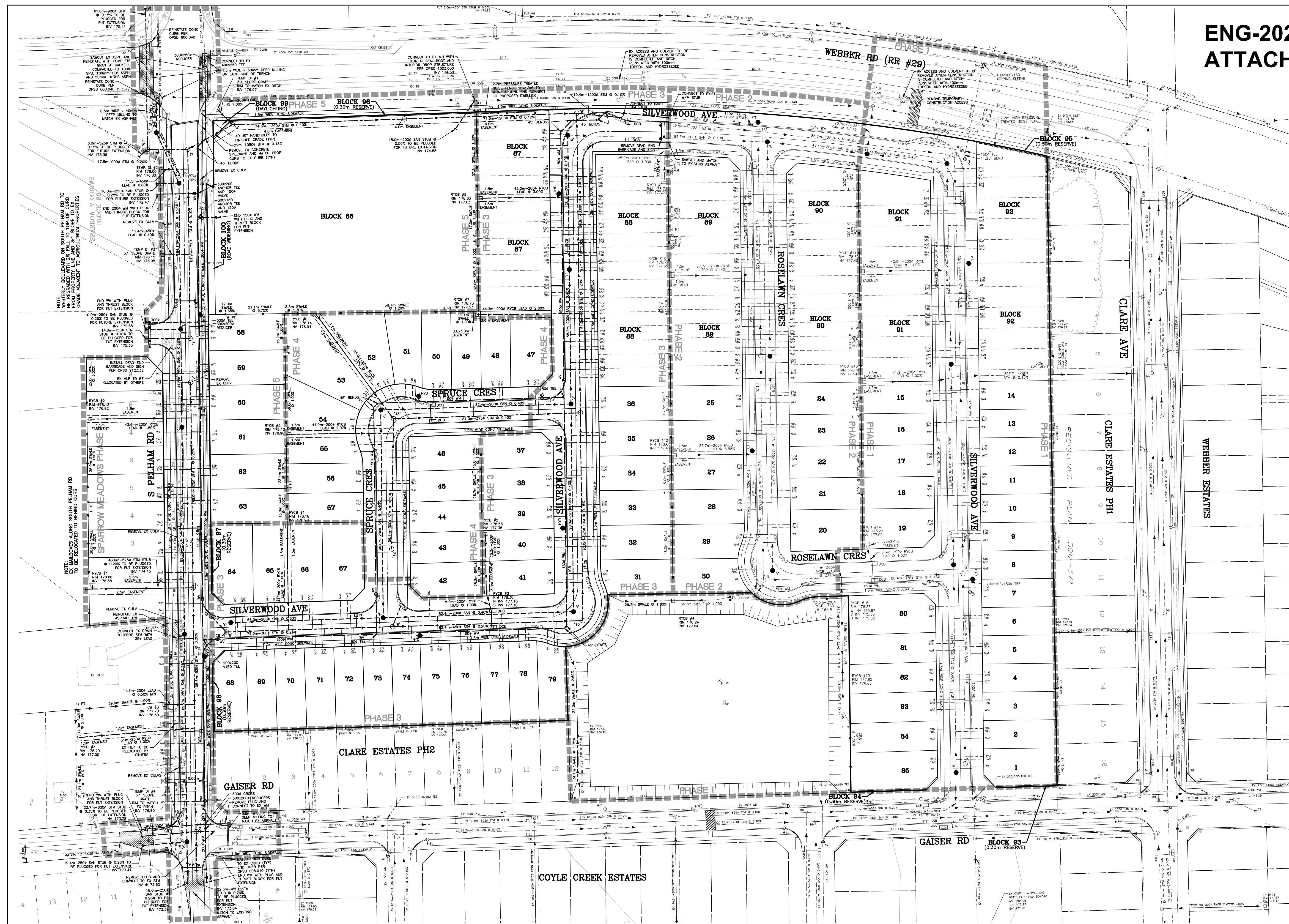
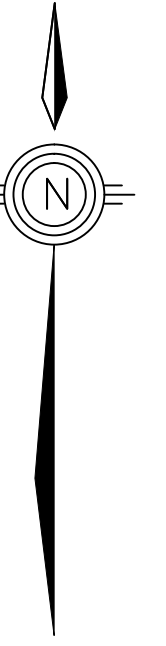


ENG-2023-30

Scale: NTS

Date: 2023-08-21

ENG-2023-30 ATTACHMENT 3



LEGEND:	
	PROPOSED PHASING DIVISION
	PROPOSED STORM SEWER
	EXISTING STORM SEWER
	PROPOSED SANITARY SEWER
	EXISTING SANITARY SEWER
	PROPOSED WATERMAIN
	EXISTING WATERMAIN
	PROPOSED SWALE
	DIRECTION OF FLOW
	PROPOSED STORM MANHOLE
	PROPOSED SANITARY MANHOLE
	PROPOSED CATCHBASIN
	PROPOSED DOUBLE CATCHBASIN
	PROPOSED FIRE HYDRANT
	PROPOSED WATER VALVE
	EXISTING MANHOLE
	EXISTING CATCHBASIN
	EXISTING FIRE HYDRANT
	EXISTING WATER VALVE

11 MOVED HYDRANT AT LOTS 50/51		SEP 03/15	B.K.
10 REVISED FOR PHASES 3-5		AUG 21/15	B.K.
9 ISSUED FOR TENDER, REVISED FOR PHASE 3		APR 13/15	B.K.
8 REVISED FOR PHASE 2		JAN 06/14	B.K.
7 REVISED TOWNHOUSE CONFIGURATION		NOV 27/13	B.K.
6 ISSUED FOR CONSTRUCTION		MAR 19/12	M.H.
5 ADDED SIDEWALK CONNECTIONS		MAR 15/12	M.H.
4 ADDED TEMP. TURNING CIRCLE & BARRICADES		JAN 25/12	B.K.
#		REVISION	DATE
NOTES:		1. SANITARY LATERALS - 100mm GREEN PVC DR 28.	
		2. STORM LATERALS - 100mm WHITE PVC DR 28.	
		3. SINGLE ROADWAY CATCHBASIN LEADS - 200mm.	
		4. DOUBLE ROADWAY CATCHBASIN LEADS - 250mm.	
		5. BEFORE STARTING WORK, THE CONTRACTOR SHALL CHECK WITH ALL UTILITIES INVOLVED AND INFORM HIMSELF OF THE EXACT LOCATION OF ALL SUCH UTILITIES AND STRUCTURES AND SHALL ASSUME ALL LIABILITY FOR DAMAGE TO THEM.	
BENCHMARK:		VERTICAL CONTROL IS GEODETIC. LOCAL REFERENCE TOP OF HEADWALL EAST OF CLARE AVENUE, NORTH OF WEBBER RD.	
ELEVATION 175.48		STAMP:	
MUNICIPALITY:		CITY OF WELLAND ENGINEERING DEPARTMENT	
CONSULTANT:		UPPER CANADA CONSULTANTS ENGINEERS/PLANNERS	
PROJECT NAME:		CLARE ESTATES 3	
DRAWING NAME:		GENERAL SERVICES PLAN	
DESIGN:		M.H.	
DRAFTING:		B.K.	
DATE:		SEPTEMBER 3, 2015	
SCALE:		1:750	
DRAWING No:		0558-GSP	
REV:		11	

COUNCIL/SPECIAL
DEPARTMENT/DIVISION

REPORT P&B-2023-47
September 19, 2023

**SUBJECT: OFFER TO ACCEPT LANDS EAST OF VIGER DRIVE AND
MEMORIAL PARK DESCRIBED AS BLOCK 74 and 78,
PLAN 59M-440**

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

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND accepts transfer of the lands described as Block 74 and 78, Plan 59M-440 from 1650672 Ontario Ltd. to the City of Welland for a nominal value of \$2.00; and

THAT Welland City Council authorizes the Mayor and Clerk to sign any documents required to complete the sale of these lands; and

THAT Welland City Council authorizes Staff to prepare the necessary By-law(s); and

That Welland City Council directs staff to use the Economic Development Reserve Fund to purchase these lands.

RELATIONSHIP TO STRATEGIC PLAN

This recommendation is aligned to Council's strategic priorities of ensuring the following:

"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.

"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 subject lands immediately abut Memorial Park, accept transfer of the lands will increase the size of the park helping to create more opportunities for open space and recreation.

BACKGROUND:

1650672 Ontario Ltd. (owner of the subject lands) has approached the City of Welland to see if the City would agree to accept transfer of lands shown on Appendix I for a nominal cost of \$2.00. The subject lands are located on the east of Viger Drive and Memorial Park and north of Lincoln Street and described as Block 74 and 78. The lands have an area equal to 11,727.55 square metres (2.897 acres) and a frontage of 3 metres (9.84feet). The property is entirely designated Low Density Residential in the Official Plan. The property is primarily zoned H-RL2-86 and a very small portion (Block 78) is zones O2. The lands have limited to no development potential as the are within the Ministry of Transportation protected corridor for the potential future extension of Highway 406.

DISCUSSION:

Staff have reviewed the subject lands and are recommending that the City accepts transfer of the lands as they would add to the parkland available at Memorial Park and provide future trail connections.

FINANCIAL:

The purchase of the lands will be for a nominal fee of \$2. The City will be responsible for its own legal fees.

OTHER DEPARTMENT IMPLICATIONS:

The Legal Division will complete the sale of the lands. The Parks Division will be responsible for maintenance of the lands.

CONCLUSION:

Staff have reviewed 1650672 Ontario Ltd. request to transfer the subject lands to the City and are recommending the City accept the transfer. The lands will form part of the City's open space and park network and will be a benefit to the community as a whole.

ATTACHMENT:

Appendix I - Key Map

Report Approval Details

Document Title: PB 2023-47 - Offer to Accept Lands East of Viger Drive and Memorial Park Drive.docx

Attachments: - Appendix I - Key Map Memorial Park.pdf

Final Approval Date: Sep 13, 2023

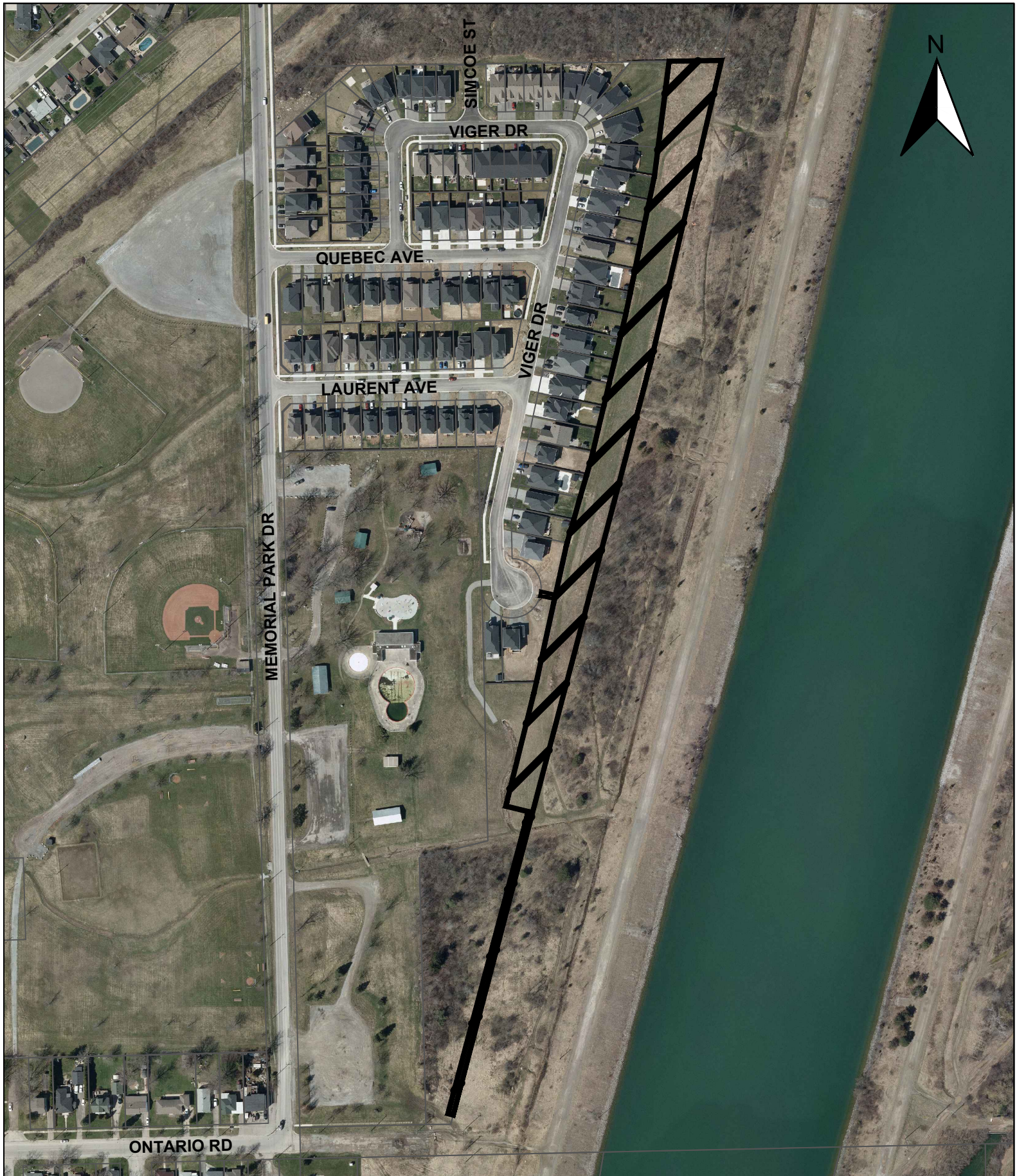
This report and all of its attachments were approved and signed as outlined below:

Grant Munday - Sep 12, 2023 - 3:38 PM

Elizabeth Pankoff - Sep 13, 2023 - 8:47 AM

Sherri - Marie Millar - Sep 13, 2023 - 3:50 PM

APPENDIX I - KEY MAP



COUNCIL
PLANNING AND DEVELOPMENT SERVICES

REPORT P&B-2023-48
September 19, 2023

**SUBJECT: REQUEST FOR EXTENSION TO DRAFT PLAN OF
VACANT LAND CONDOMINIUM APPROVAL – 401 SOUTH
PELHAM ROAD (26CD-14-20005) – SUBMITTED BY
UPPER CANADA CONSULTANTS ON BEHALF OF ROWT
INC., NORTH OF WEBBER ROAD, EAST OF MURDOCH
ROAD, SOUTH OF CHANTLER ROAD, WEST OF SOU**

**AUTHOR: CAITLIN KOVACS, BURPI
DEVELOPMENT PLANNER**

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

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND approves extension to Draft Plan of Vacant Land Condominium for the 401 South Pelham Vacant Land Condominium (file no. 26CD-14-20005) for an additional two (2) years to October 6, 2025; and,

THAT Welland City Council approves a policy amendment to allow for the Draft Plan of Vacant Land Condominium for the 401 South Pelham Vacant Land Condominium Approval for two (2) years which exceeds the one (1) year extension provided through Policy SER-012-0014; and further,

THAT Welland City Council approves Draft Plan of Vacant Land Condominium for the 401 South Pelham Vacant Land Condominium for lands more specifically known as Part of Lot 1, Concession 13, former Town of Pelham, Parts 1 and 2 on 59R-15268, City of Welland, municipally known as 401 South Pelham Road City of Welland, Regional Municipality of Niagara. Subject to the following additional conditions of approval:

1. That the following clauses shall be included in the Site Plan Agreement between the Owners and the City of Welland:

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

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

2. A Tree Saving Plan be submitted to the Niagara Region for review and approval in accordance with the approved recommendations of the Environmental Impact Study Update / April 2020 / Myler Ecological Consulting. The Tree Saving Plan shall generally be prepared in accordance with Section 1.36 of the Region of Niagara Tree and Forest Conservation By-law (By-law 30-2008 or it's successor).
3. Prior to any construction taking place within the Regional road allowance the owner shall obtain a Regional Construction Encroachment and/or Entrance Permit. Applications must be made through the Permits Section of the Niagara Region Public Works Department (Transportation Services Division).
4. “If Regional Waste Collection cannot be provided, the Condominium Agreement between the owner and the City contain provisions that the owner shall provide a written undertaking to the Growth Strategy and Economic Development department acknowledging that because the site design does not meet Regional Waste Policy, garbage/recycling pick-up for the development will not be provided by the Region. Further, the following warning clause shall be included in the Condominium Agreement and inserted in all Agreements of Purchase and Sale or Lease for each dwelling unit:
“Purchasers/Tenants are advised that due to the site layout, garbage/recycling pick-up for the development will be provided by the Condominium Corporation through a private contractor and not the Region.”

RELATIONSHIP TO STRATEGIC PLAN

This recommendation is aligned to Council's strategic priority of ensuring "**Economic Growth**" for creating a diverse economy as the future residents will contribute to the local economy and the future construction will provide quality employment.

This recommendation is aligned to Council's strategic priority of ensuring "**Environmental Stewardship**" to protect the ecosystems as it is situated outside of the protected environmental features found on the site and minimizing the impact of development on the environmental features.

This recommendation is aligned to Council's strategic priority of ensuring "**Liveability**" as it will provide new housing within the built-up area of the city.

BACKGROUND:

The 401 South Pelham Draft Approved Plan of Vacant Land Condominium (File26CD-14-20005) consists of 35 condominium units intended for townhouse dwelling units, one common element block with visitor parking and a dry pond, and one environmental protection block that will be dedicated to the City for the long term protection of the present features. Access to the units will be gained via a private road that connects to South Pelham Road. The access has been designed so it aligns with the existing intersection of Fitch Street and South Pelham Road. No revisions have been proposed with the request for extension to Draft Plan of Vacant Land Condominium Approval.

The request for a two year extension was received by the City on July 25, 2023. The request for extension for two years rather than one year was based on the following:

- To provide time for the remaining final steps of the development prior to initiating the construction phase;
- To provide the developer with adequate time to sufficiently manage and attend to the development amongst their existing projects;
- To provide sufficient time for the clearance of the Draft Plan of Vacant Land Condominium conditions.

DISCUSSION:

There have been no previous requests for extension to Draft Plan Approval. The current Draft Plan of Vacant Land Condominium Approval was approved by Welland City Council on October 6, 2020, and the lapsing date for the draft approval is October 6, 2023.

In accordance with the Memorandum of Understanding amongst the local municipalities, Region of Niagara, all requests for extension to Draft Plans of Condominium are to be circulated to the Region for comments. This is to ensure that any conditions of Draft Plan Approval comply with current policies. The Niagara Region comments are included in Appendix III for further review.

FINANCIAL:

All costs associated with the development of this property will be borne by the Developer.

CONCLUSION:

The 401 South Pelham Approved Draft Plan of Vacant Land Condominium currently consists of 35 condominium units intended for townhouse dwelling units, one common element block with visitor parking and a dry pond, and one environmental protection block that will be dedicated to the City for the long term protection of the present features. No changes to the Approved Draft Plan of Vacant Land Condominium are being proposed.

Staff recommend the approval of the request for extension to Draft Plan of Vacant Land Condominium Approval with the additional conditions.

ATTACHMENT:

- Appendix I - Key Map
- Appendix II - Approved Draft Plan of Vacant Land Condominium
- Appendix III - Relevant Correspondence

401 South Pelham Condominium 26CD-14-20005



N



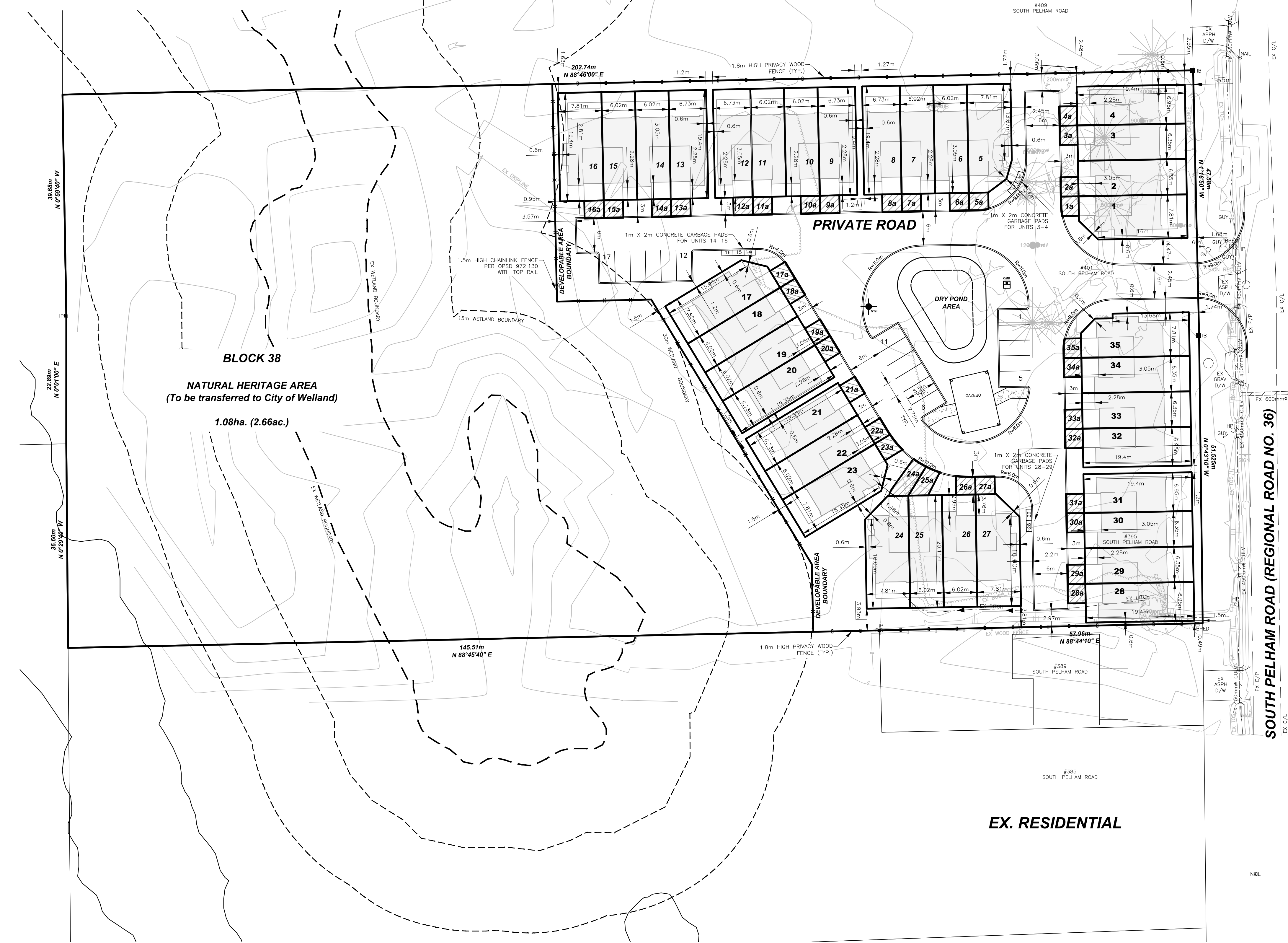
Subject Lands

KEY MAP



CITY OF
Welland

UNIT #	USE AREA	AREA	UNIT #	USE AREA	AREA	UNIT #	USE AREA	AREA
1	LOT AREA	145.81m ²	14	LOT AREA	116.78m ²	27	LOT AREA	148.71m ²
1a	D/W AREA	11.05m ²	14a	D/W AREA	11.05m ²	27a	D/W AREA	11.18m ²
2	LOT AREA	123.19m ²	15	LOT AREA	116.78m ²	28	LOT AREA	134.85m ²
2a	D/W AREA	11.05m ²	15a	D/W AREA	11.05m ²	28a	D/W AREA	11.05m ²
3	LOT AREA	123.19m ²	16	LOT AREA	151.57m ²	29	LOT AREA	123.21m ²
3a	D/W AREA	11.05m ²	16a	D/W AREA	11.18m ²	29a	D/W AREA	11.05m ²
4	LOT AREA	134.83m ²	17	LOT AREA	145.45m ²	30	LOT AREA	123.21m ²
4a	D/W AREA	11.05m ²	17a	D/W AREA	11.16m ²	30a	D/W AREA	11.05m ²
5	LOT AREA	143.54m ²	18	LOT AREA	116.50m ²	31	LOT AREA	134.85m ²
5a	D/W AREA	11.02m ²	18a	D/W AREA	11.06m ²	31a	D/W AREA	11.05m ²
6	LOT AREA	116.80m ²	19	LOT AREA	116.50m ²	32	LOT AREA	134.85m ²
6a	D/W AREA	11.05m ²	19a	D/W AREA	11.06m ²	32a	D/W AREA	11.05m ²
7	LOT AREA	116.80m ²	20	LOT AREA	130.22m ²	33	LOT AREA	123.21m ²
7a	D/W AREA	11.05m ²	20a	D/W AREA	11.18m ²	33a	D/W AREA	11.05m ²
8	LOT AREA	130.65m ²	21	LOT AREA	130.22m ²	34	LOT AREA	123.21m ²
8a	D/W AREA	11.18m ²	21a	D/W AREA	11.18m ²	34a	D/W AREA	11.05m ²
9	LOT AREA	130.55m ²	22	LOT AREA	116.50m ²	35	LOT AREA	143.52m ²
9a	D/W AREA	11.18m ²	22a	D/W AREA	11.06m ²	35a	D/W AREA	11.02m ²
10	LOT AREA	116.78m ²	23	LOT AREA	145.40m ²			
10a	D/W AREA	11.05m ²	23a	D/W AREA	11.91m ²			
11	LOT AREA	116.78m ²	24	LOT AREA	148.71m ²			
11a	D/W AREA	11.05m ²	24a	D/W AREA	20.64m ²			
12	LOT AREA	130.63m ²	25	LOT AREA	121.08m ²	TOTAL LOT AREA TOTAL DRIVEWAY AREA COMMON ELEMENT TOTAL AREA		4526.50m ² 402.69m ² 4429.84m ² 9359.03m ²
12a	D/W AREA	11.18m ²	25a	D/W AREA	15.23m ²			
13	LOT AREA	130.55m ²	26	LOT AREA	121.08m ²			
13a	D/W AREA	11.18m ²	26a	D/W AREA	11.24m ²			



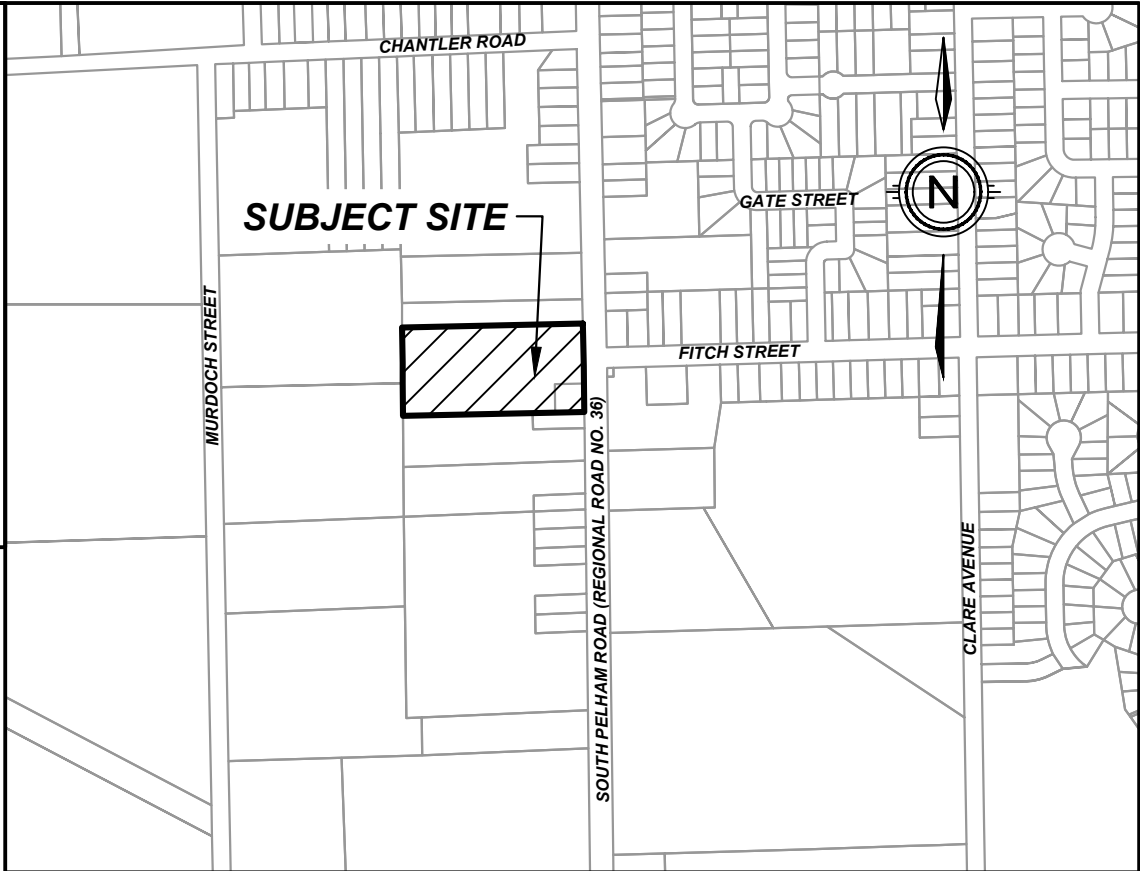
DRAFT CONDOMINIUM

Subject to the conditions, if any, set forth in our letter dated _____, 20____ this draft plan of condominium is approved under Section _____ of the Planning Act and Section _____ of the Condominium Act.

This _____ day of _____, 20____

Authorized Signature

THE CORPORATION OF THE CITY OF WELLAND



KEY PLAN
N.T.S.

DRAFT PLAN OF VACANT LAND CONDOMINIUM

LEGAL DESCRIPTION

PART OF LOT 1, CONCESSION 13
(GEOGRAPHIC TOWNSHIP OF PELHAM)
IN THE
CITY OF WELLAND
REGIONAL MUNICIPALITY OF NIAGARA

OWNER'S CERTIFICATE

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

ROWT INC.

APRIL 17, 2020
DATE

SURVEYOR'S CERTIFICATE

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

KIRKUP MASCOE JURE SURVEYING INC.; ROY KIRKUP

APRIL 17, 2020
DATE

REQUIREMENTS OF SECTION 51(17) OF THE PLANNING ACT

a) SEE PLAN	e) SEE PLAN	i) SILTY SAND
b) SEE PLAN	f) SEE PLAN	j) SEE PLAN
c) SEE PLAN	g) SEE PLAN	k) FULL SERVICE
d) SEE PLAN	h) MUNICIPAL WATER	l) SEE PLAN

LAND USE SCHEDULE		
	Ha	%
BUILDINGS	0.262	13.02
DRIVEWAY/PARKING	0.202	10.03
LANDSCAPING/OPEN SPACE	0.472	23.45
NATURAL HERITAGE BLOCK	1.077	53.50
TOTAL	2.013	100.0
UNITS		35
DEVELOPABLE AREA = 0.936ha.		
DEVELOPABLE DENSITY = 37.39u/Ha		
PARKING REQUIRED		35
PARKING PROVIDED (2 per unit + 17 visitor)		87

1	REVISED PER REGIONAL COMMENTS	2020-07-21	M.K
0	ISSUED FOR REVIEW	2020-04-23	M.K
#	REVISION	DATE	INIT

UPPER CANADA CONSULTANTS
ENGINEERS / PLANNERS

DRAWING TITLE

DRAFT PLAN OF VACANT LAND CONDOMINIUM

DRAFTING MK

DATE FEBRUARY 25, 2020

PRINTED JULY 21, 2020

SCALE 1:400

DWG No. 1401-DP

REV 1

From: [Taran Lennard](#)
To: [Caitlin Kovacs](#)
Subject: RE: NPCA Review: Condominium Extension Request - 401 South Pelham (26CD-14-20005)
Date: August 2, 2023 2:03:43 PM
Attachments: [image001.png](#)

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

Good Afternoon Caitlin,

The NPCA has reviewed the provided documentation, and Staff do not offer objections to the request for draft plan extension.

Thank you.



Taran Lennard

Watershed Planner II

Niagara Peninsula Conservation Authority (NPCA)

250 Thorold Road West, 3rd Floor | Welland, ON L3C 3W2

905.788.3135 x277

www.npca.ca

tlennard@npca.ca

For more information on Permits & Planning, please go to the Permits & Planning webpage at <https://npca.ca/administration/permits>.

For mapping on features regulated by the NPCA please go to our GIS webpage at <https://gis-npca-camaps.opendata.arcgis.com/> and utilize our Watershed Explorer App or GIS viewer.

To send NPCA staff information regarding a potential violation of Ontario Regulation 155/06 please go to the NPCA Enforcement and Compliance webpage at <https://npca.ca/administration/enforcement-compliance>

From: Caitlin Kovacs <caitlin.kovacs@welland.ca>

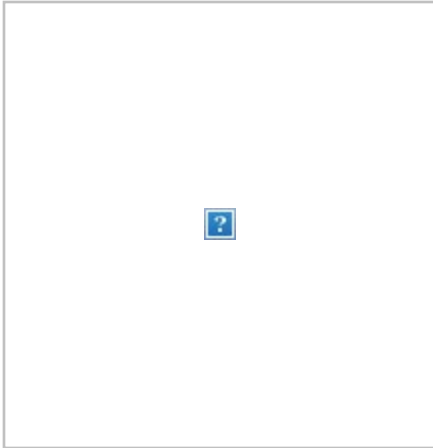
Sent: Thursday, July 27, 2023 6:28 PM

Subject: Condominium Extension Request - 401 South Pelham (26CD-14-20005)

Good afternoon,

The City has received a request for extension of Draft Plan of Vacant Land Condominium Approval at 401 South Pelham Road, File No. 26CD-14-20005. I have attached then request letter and Draft Plan of Vacant Land Condominium. Please have any comments back no later than August 7th, 2023.

Best regards,



Caitlin Kovacs

Development Planner

Planning and Development Services

60 East Main Street, Welland, Ontario

L3B 3X4

☐ Phone: 905-735-1700 x2131

☐ welland.ca

☐ engagewelland.ca



This email may contain confidential and/or privileged information for the sole use of the intended recipient. Any review, disclosure, or distribution by others is strictly prohibited. If you have received this email in error, please contact the sender immediately and delete all copies.

The information contained in this communication, including any attachment(s), may be confidential, is intended only for the use of the recipient(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any disclosure of this communication, or any of its contents, is prohibited. If you have received this communication in error, please notify the sender and permanently delete the original and any copy from your computer system. Thank-you. Niagara Peninsula Conservation Authority.

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

COUNCIL
PLANNING AND DEVELOPMENT SERVICES

REPORT P&B-2023-49
September 19, 2023

**SUBJECT: REQUEST FOR EXTENSION TO DRAFT PLAN
APPROVAL – HUNTER’S POINTE PLAN OF SUBDIVISION
(26T-14-18003) – SUBMITTED BY THE BIGLIERI GROUP
ON BEHALF OF 2599587 ONTARIO LTD. FOR LANDS
EAST OF HIGHWAY 406, NORTH OF DAIMLER PARKWAY
AND SOUTH OF DAIMLER PARKWAY**

**AUTHOR: CAITLIN KOVACS, BURPI
DEVELOPMENT PLANNER**

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

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND approves extension to Draft Plan of Subdivision Approval the Hunters Pointe Plan of Subdivision (File: 26T-14-18003) for an additional three (3) years to September 19; and,

THAT Welland City Council approves a policy amendment to allow for the Hunters Pointe Plan of Subdivision to be provided with an Extension to Draft Plan of Subdivision Approval for three (3) years which exceeds the one (1) year extension provided through Policy SER-012-0014; and,

THAT Welland City Council deems this plan of subdivision not to have lapsed as per Section 51 (33.1) of the *Planning Act*; and further,

THAT Welland City Council approves extension to Draft Plan Approval for the Hunters Pointe Plan of Subdivision (File: 26T-14-18003) subject to the following revised conditions;

1. Should deeply buried archaeological remains/resources be found on the property during construction activities, all activities impacting archaeological resources must cease immediately, and the proponent must notify the Archaeology Programs Unit of the Ministry of Citizenship and Multiculturalism (MCM) (416-212-8886) and contact a licensed archaeologist is required to carry out an archaeological assessment in

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

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. The proposed development is anticipated to include a range of land uses including commercial uses that will facilitate local jobs.

This recommendation is aligned to Council’s strategic priority of ensuring “**Environmental Stewardship**” to protect the ecosystems through a responsible approach to minimize the impact on the environment through supportive decision-making, professional processes, incentives, policies, and operational practices. The proposed development is anticipated to include parks and environmental blocks that aid in the protection of natural features and ecosystems.

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 proposed development is anticipated to include a range of housing types and tenures.

BACKGROUND:

The Hunters Pointe Subdivision (File 26T-14-18003) consists of 786 blocks that are anticipated to contain 735 single-detached dwellings, 178 street townhouses, 28 condominium townhouses, 44 stacked townhouses, and 170 3-storey neighbourhood commercial mixed use units, parks and stormwater management ponds.

Request for a three year extension was received by the City on June 16, 2023. The request for extension for three years rather than one year was based on the following:

- The extensive size of the draft plan and high level of planning requires adequate time to undertake the works as planned;
- The Local Planning Appeal Tribunal hearing took two and a half years to come to a settlement;

- The need to continue working with the Ministry of Transportation to address any issues they have; and,
- The need to continue working to address site servicing and any potential issues that may arise.

DISCUSSION:

No previous requests for draft plan extension have been received or approved for Hunter's Pointe Draft Plan of Subdivision. The existing Draft Plan has an original lapsing date of July 8, 2023. In accordance with Subsection 51(33.1) of the Planning Act the approval authority, The Council of the City of Welland, may deem the approval not to have lapsed subject to three conditions as follows:

- | | |
|--|--|
| a) five or more years have passed since the approval lapsed; | - The approval lapsed on July 8, 2023. |
| b) the approval has previously been deemed not to have lapsed under this subsection; or | - The approval has not previously been deemed not to have lapsed under 51(33.1). |
| c) an agreement had been entered into for the sale of the land by a description in accordance with the draft approved plan of subdivision. | - No such sale has occurred. |

In accordance with the Memorandum of Understanding amongst the local municipalities, Region of Niagara, all requests for extension to Draft Plans of Subdivision are to be circulated to the Region and NPCA for comments. This is to ensure that any conditions of Draft Plan Approval comply with current policies.

Both Agencies have been circulated and at the time of writing this report, no objections have been received. The comments are attached as Appendix III to this report.

FINANCIAL:

All costs associated with the development of this property will be borne by the Developer.

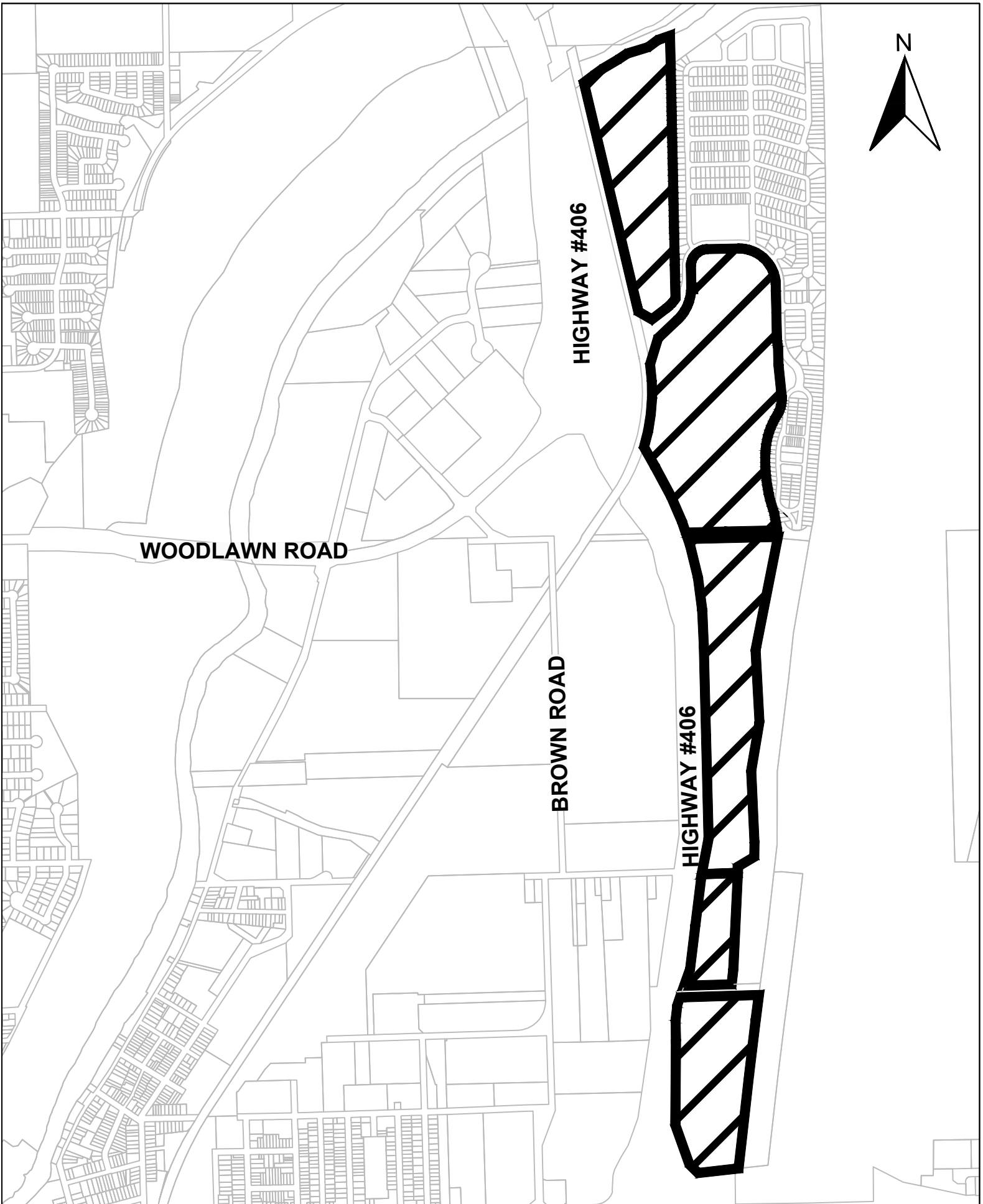
CONCLUSION:

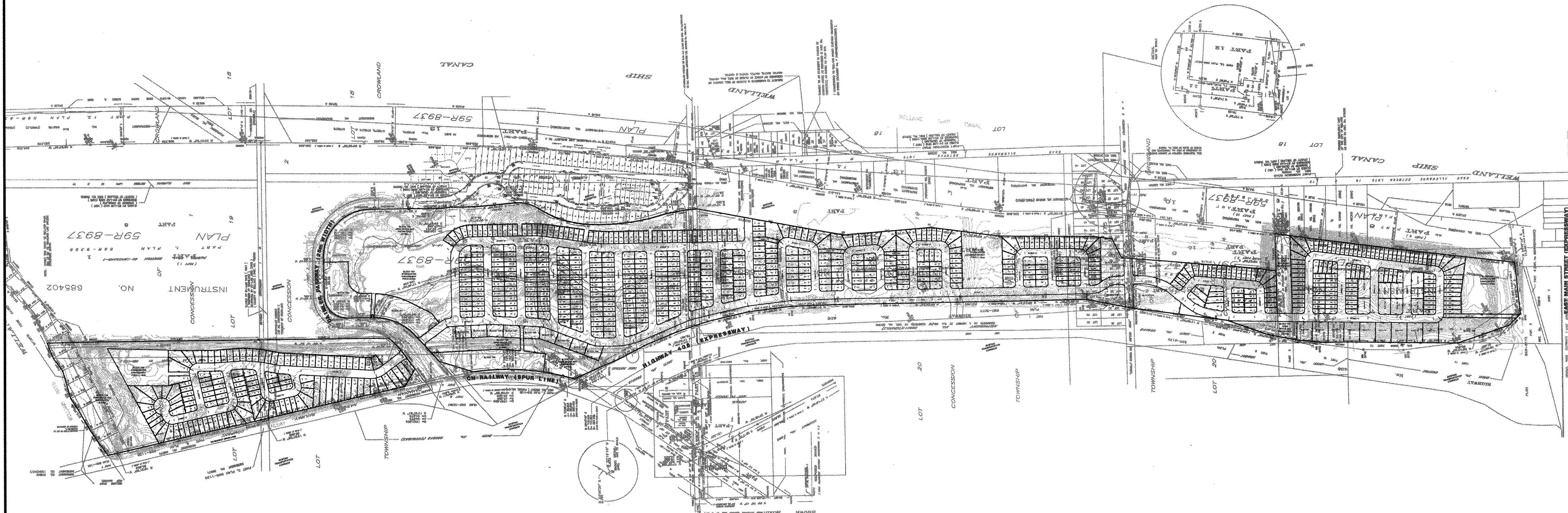
The Hunters Pointe Subdivision (File 26T-14-18003), consisting of 786 blocks that are anticipated to contain 735 single-detached dwellings, 178 street townhouses, 28 condominium townhouses, 44 stacked townhouses, and 170 3-storey neighbourhood commercial mixed use units, parks and stormwater management ponds, received Draft Plan Approval on July 8, 2020.

Staff recommend a three (3) year extension to the Hunter's Pointe Plan of Subdivision Approval to September 19, 2026.

ATTACHMENT:

- Appendix I - Key Map
- Appendix II - Draft Plan of Subdivision
- Appendix III - Relevant Correspondence





LEGAL DESCRIPTION:


KEY PLAN:

AS REQUIRED UNDER SECTION 51(17) OF THE PLANNING
ACT R.S.O. 1990.

- SURVEYOR'S CERTIFICATE:**

I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE
SUBDIVIDED AS SHOWN ON THIS PLAN AND THEIR RELATIONSHIP TO THE
ADJACENT LANDS ARE ACCURATE AND CORRECTLY SHOWN IN
ACCORDANCE WITH A PLAN OF SURVEY PREPARED BY

SUDA & MALESZYK SURVEYING INC.



Philip S. Suda, O.L.S.

Suda & Maleszyk Surveying Inc.

MARCH 2, 2018
DATE

OWNER'S CERTIFICATE:

I HEREBY AUTHORIZE THE BIGLIERI GROUP LTD. TO PREPARE AND SUBMIT
THIS DRAFT PLAN OF SUBDIVISION TO THE CITY OF WELLAND

Zhou Qing
2599597 Ontario Ltd.

DATE 2010-1-21

HUNTERS POINTE

2599587 Ontario Ltd.

APPROVAL STAMP:



PROJECT No.:	17453
--------------	-------

DATE: March 1, 2018

[illegible]

SCALE: 1:5000

DRAFTED BY: J.S.	CHECKED BY: MP
------------------	----------------

DRAWING No.:

DP-00

[illegible]

Downloaded from ascelibrary.org by University of California, San Diego on 06/01/15. Copyright ASCE, For All Rights Reserved, No part of this document may be reproduced, stored in a retrieval system, or transmitted, in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage or retrieval system, without permission in writing from ASCE.

THE BIGLIERI GROUP LTD.

Planning | Development | Project Management
26 Larch Street, Suite 121, Toronto, Ontario M4M 1J6
Tel: 416-593-9333 Fax: 416-593-9334
www.mattmiller.ca

Office: (416) 693-9155 Fax: (416) 693-9133
<http://thebpi.org.com>

August 3, 2023

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

Dear Caitlin,

Re: Draft Plan of Subdivision – 3 Year Extension
259957 Ontario Limited
289 Daimler Parkway
City of Welland
File No.: 26T-14-18003
Related Applications: OPA 16, 2018-01

Enbridge Gas does not have changes to the previously identified conditions for this extension of draft approval request.

Sincerely,



Willie Cornelio CET
Sr Analyst Municipal Planning
Engineering

ENBRIDGE
TEL: 416-495-6411
500 Consumers Rd, North York, ON M2J1P8
enbridge.com
Safety. Integrity. Respect. Inclusion.

From: [Taran Lennard](#)
To: [Caitlin Kovacs](#)
Subject: RE: NPCA Review Response: Hunter's Pointe - Request for Draft Plan Extension
Date: August 2, 2023 2:09:30 PM
Attachments: [image001.png](#)

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

Good Afternoon Caitlin,

The NPCA has reviewed the provided materials and do not offer objections to the approval for draft plan extension.

Thank you.



Taran Lennard

Watershed Planner II

Niagara Peninsula Conservation Authority (NPCA)

250 Thorold Road West, 3rd Floor | Welland, ON L3C 3W2

905.788.3135 x277

www.npca.ca

tlennard@npca.ca

For more information on Permits & Planning, please go to the Permits & Planning webpage at <https://npca.ca/administration/permits>.

For mapping on features regulated by the NPCA please go to our GIS webpage at <https://gis-npca-camaps.opendata.arcgis.com/> and utilize our Watershed Explorer App or GIS viewer.

To send NPCA staff information regarding a potential violation of Ontario Regulation 155/06 please go to the NPCA Enforcement and Compliance webpage at <https://npca.ca/administration/enforcement-compliance>

From: Caitlin Kovacs <caitlin.kovacs@welland.ca>

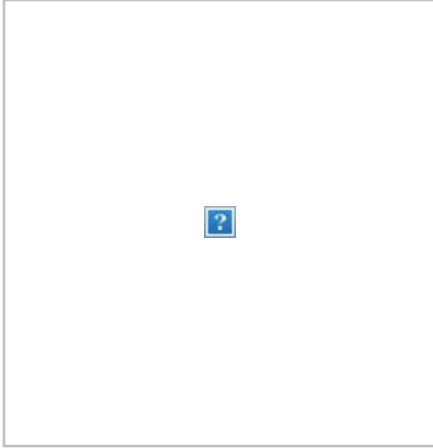
Sent: Thursday, July 27, 2023 5:52 PM

Subject: Subdivision

Good afternoon,

The City has received a request for extension of Draft Plan Approval for the Hunters Pointe Subdivision (File No. 26T-14-18003). I have attached the extension request letter and the Draft Plan of Subdivision. Please have any comments back no later than August 7, 2023.

Best regards,



Caitlin Kovacs

Development Planner

Planning and Development Services

60 East Main Street, Welland, Ontario

L3B 3X4

☐ Phone: 905-735-1700 x2131

☐ welland.ca

☐ engagewelland.ca



This email may contain confidential and/or privileged information for the sole use of the intended recipient. Any review, disclosure, or distribution by others is strictly prohibited. If you have received this email in error, please contact the sender immediately and delete all copies.

The information contained in this communication, including any attachment(s), may be confidential, is intended only for the use of the recipient(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any disclosure of this communication, or any of its contents, is prohibited. If you have received this communication in error, please notify the sender and permanently delete the original and any copy from your computer system. Thank-you. Niagara Peninsula Conservation Authority.

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

From: [Lagakos, Ted \(MTO\)](#)
To: [Caitlin Kovacs](#)
Cc: [Constantine, Neave \(MTO\)](#); [Pilla, Angelo \(MTO\)](#); [Venneri, Rita \(MTO\)](#)
Subject: RE: Subdivision
Date: July 31, 2023 11:01:01 AM
Attachments: [image002.png](#)

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

Good Morning Caitlin,

Thank you for circulating this to the ministry's attention for review and comment.

The ministry has no objection in principle to a proposed extension. Please advise the proponent that depending on timing, the ministry may need to revise our requirements accordingly/request additional review prior to issuance of any MTO clearances and permits.

I trust this is satisfactory at this time. Please do not hesitate to contact me at the number below should you have any questions.

Sincerely,

Ted Lagakos | Senior Project Manager (West)

Highway Corridor Management Section | Central Operations | Ministry of Transportation

159 Sir William Hearst Avenue, 7th Floor, Toronto, ON. M3M 0B7

Telephone: 416-268-3932 | Email: ted.lagakos@ontario.ca



From: Caitlin Kovacs <caitlin.kovacs@welland.ca>

Sent: July 27, 2023 5:52 PM

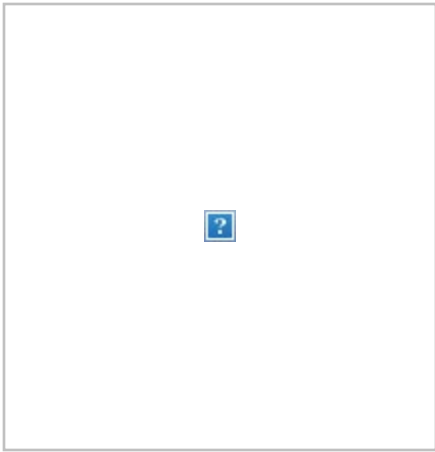
Subject: Subdivision

CAUTION -- EXTERNAL E-MAIL - Do not click links or open attachments unless you recognize the sender.

Good afternoon,

The City has received a request for extension of Draft Plan Approval for the Hunters Pointe Subdivision (File No. 26T-14-18003). I have attached the extension request letter and the Draft Plan of Subdivision. Please have any comments back no later than August 7, 2023.

Best regards,



Caitlin Kovacs

Development Planner

Planning and Development Services

60 East Main Street, Welland, Ontario

L3B 3X4

☐ Phone: 905-735-1700 x2131

☐ welland.ca

☐ engagewelland.ca



This email may contain confidential and/or privileged information for the sole use of the intended recipient. Any review, disclosure, or distribution by others is strictly prohibited. If you have received this email in error, please contact the sender immediately and delete all copies.

VIA E-MAIL ONLY

August 4, 2023

Region File: D.11.11.SD-23-0034

Caitlin Kovacs
Development Planner
City of Welland
60 East Main Street
Welland, ON L3B 3X4

Dear Ms. Kovacs:

**Re: Regional and Provincial Comments
Request for Extension of Draft Plan of Subdivision Approval
Hunters Pointe Subdivision
City File: 24CD-14-20005
Owner: ZSM Developments
Agent: The Biglieri Group (Rachelle Larocque)
289 Daimler Parkway
City of Welland**

Staff of the Regional Growth Strategy and Economic Development Department has reviewed the applicant's request for a three (3) year extension of the Hunters Pointe Draft Plan of Subdivision approval for the property municipally known as 289 Daimler Parkway in the City of Welland. Regional staff received notice of this extension request on July 10, 2023.

The Draft Plan of Subdivision was draft approved by City Council on June 16, 2020. The applicant noted with their extension request concerns with the ability to move forward with clearing draft plan conditions, which was affected by the lengthy process to achieve a settlement of an appeal through the Local Planning Appeal Tribunal (now Ontario Land Tribunal). As such a three year extension was requested to address issues associated with the Ministry of Transportation (MTO) approvals as well as servicing issues.

Planning Comments

Staff notes that Policy 7.5.3.6 of the Niagara Official Plan (NOP) states that "*Local Area Municipalities are encouraged to permit only one extension to a lapsing draft plan of subdivision for a period of up to two years unless the draft plan conforms to (a) the*

policies of this Plan; and (b) it can be demonstrated that concerted effort and progress has been made toward satisfying existing conditions of approval”.

Staff acknowledges that effort has been made in order to satisfy conditions and, as such, an extension of draft plan approval is supported.

Land Use Compatability

The comments provided in the Regional comment letter dated May 1, 2020 remain applicable.

Conditions of Approval

The existing conditions of draft plan approval (2018-01, June 18, 2020) list Regional requirements. These conditions are to be maintained for the period of the approved extension.

Regional staff recommends that, in order to reflect our revised department name, references to “*Niagara Region Planning and Development Services Department*” in Conditions 34 and 35 should be replaced with “*Niagara Region Growth Strategy and Economic Development Department*”.

Archaeological Potential

In addition, in order to reflect the current title of the Provincial ministry responsible for archaeology, the following revisions to Condition 33 (red text and strikethrough) has been included in the attached Appendix.

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

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

Natural Environment System

Consistent with NOP Policy 3.1.30.3.4, if a draft plan approval is proposed to be extended, the Region may review the findings and recommendations made in the studies that supported the initial draft plan approval and may request that studies be updated to determine if changes to the layout of the draft plan and/or any of the conditions need to be made before the extension request is granted. Environmental Planning staff has reviewed the supporting documents previously circulated in support of the subdivision application and note that the latest natural heritage information was completed in 2019/2020. Given the features impacting the site and extent and nature of the approved draft plan, staff does not object to an extension. However, staff recommends that the draft plan extension be limited to a maximum of 2 years, which is consistent with NOP Policy 7.5.3.6. Staff notes that any further extensions may require an update to the survey work to ensure consistency with Regional and Provincial policy.

Technical Review

No new comments are provided.

Conclusion

Staff of the Regional Growth Strategy and Economic Development Services Department does not object to the request for an extension of draft plan approval, subject to the City's satisfaction, provided that there are no changes to the existing approved draft plan. In accordance with Policy 7.5.3.6 of the Niagara Official Plan, Regional staff recommends that a two year extension be considered by the City.

Should you have any questions regarding the above comments, please contact the undersigned at Connor.Wilson@niagararegion.ca

Regards,



for:
Connor Wilson
Development Planner

Cc: Pat Busnello, MCIP, RPP, Manager of Development Planning
Jake McGowan, Development Approvals Technician

Appendix
289 Daimler Parkway
Welland, Ontario

Revised Condition 33

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

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

COUNCIL
OFFICE OF THE CAO – ECONOMIC DEVELOPMENT

22-95

REPORT EDO-2023-15
SEPTEMBER 19, 2023

SUBJECT: SALES OFFICE ON NORTHERN REACH SITE

AUTHOR: LINA DECHELLIS, MANAGER OF ECONOMIC DEVELOPMENT

**APPROVER: SHERRI-MARIE MILLAR, P. ENG.
INTERIM CAO/ DIRECTOR OF INFRASTRUCTURE SERVICES**

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND gives permission to LIV Developments Ltd. to construct a sales office on the lands commonly known as the Northern Reach prior to the closing of the land purchase.

RELATIONSHIP TO STRATEGIC PLAN

Livability – 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.

BACKGROUND:

On March 7, 2023, Council approved a bylaw to authorize the acceptance of an offer to purchase from LIV Developments Ltd. for City owned lands commonly known as the Northern Reach.

The city is currently the owner of these lands until the closing date in December 2023.

DISCUSSION:

LIV Developments has made a request to the city to be able to construct a sales office on the city owned lands commonly known as the Northern Reach. This building will allow them to have an office on site for their staff and consultants.

Since the acceptance of the offer to purchase, LIV Developments Ltd. has been working on the installation of erosion sediment controls including silt fence, submission of NPCA permit application to realign storm water flow at south end of property, site clearing and site plan application.

LIV Developments Ltd. will be required to apply for a building permit for this office structure.

In the event the sale of the Northern Reach does not close, LIV Developments Ltd. will be responsible to demolish the sales office and remove the materials from the lands.

FINANCIAL:

There are no financial implications.

CONCLUSION:

Staff are recommending Council give LIV Developments Ltd. permission to construct a sales office on the Northern Reach Lands.

ATTACHMENT:

Appendix 1 – Key Map



LOCATION PLAN

Northern Reach

**Infrastructure and
Development Services**
Planning Division

Legislative Services

August 31, 2023

File #120203

Sent via email: kaleed.rasheed@ontario.ca

The Honourable Kaleed Rasheed, Minister
Ministry of Public and Business Service Deliver
5th Floor, 777 Bay St.
Toronto, ON M7A 2J3

Honourable and Dear Sir:

Re: Support of Chatham-Kent Resolution – Municipal Freedom of Information and Protection of Privacy Act

Please be advised the Council of the Town of Fort Erie at its meeting of August 28, 2023 received and supported the resolution from the Municipality of Chatham-Kent dated July 5, 2023, requesting the Ministry of Government and Consumer Services to review MFIPPA and consider making the recommendations contained within the attached letter.

Attached please find a copy of the Municipality of Chatham-Kent's correspondence dated July 5, 2023.

Thank you for your attention to this matter.

Sincerely,



Peter Todd,
Manager, Legislative Services / Town Clerk
ptodd@forterie.ca

PT:dlk
Attach

c.c. Jennifer Stevens, MPP - St. Catharines JStevens-CO@ndp.on.ca
Jeff Burch, MPP - Niagara Centre JBurch-QP@ndp.on.ca
Wayne Gates, MPP - Niagara Falls wgates-co@ndp.on.ca
Sam Oosterhoff, MPP - Niagara West-Glanbrook sam.oosterhoff@pc.ola.org
Judy Smith, Clerk, Municipality of Chatham-Kent ckclerk@chtham-kent.ca
Information and Privacy Commissioner of Ontario info@ipc.on.ca
AMCTO Legislative and Policy Advisory Committee amcto@amcto.com
Association of Municipalities of Ontario amo@amo.on.ca
All Ontario Municipalities

Mailing Address:

The Corporation of the Town of Fort Erie
1 Municipal Centre Drive, Fort Erie ON L2A 2S6

Office Hours 8:30 a.m. to 4:30 p.m.

Phone: (905) 871-1600 FAX: (905) 871-4022

Web-site: www.forterie.ca

July 5, 2023

Via Email: Kaleed.Rasheed@ontario.ca
Minister of Public and Business Service Delivery (MPBSD)

Honourable Rasheed:

Re: Time for Change
Municipal Freedom of Information and Protection of Privacy Act

Please be advised the Council of the Municipality of Chatham-Kent at its regular meeting held on June 26, 2023 passed the following resolution:

WHEREAS the Municipal Freedom of Information and Protection of Privacy Act R.S.O. 1990 (MFIPPA) dates back 30 years;

AND WHEREAS municipalities, including the Municipality of Chatham-Kent, practice and continue to promote open and transparent government operations, actively disseminate information and routinely disclose public documents upon request outside of the MFIPPA process;

AND WHEREAS government operations, public expectations, technologies, and legislation surrounding accountability and transparency have dramatically changed and MFIPPA has not advanced in line with these changes;

AND WHEREAS the creation, storage and utilization of records has changed significantly, and the Municipal Clerk of the Municipality is responsible for records and information management programs as prescribed by the Municipal Act, 2001;

AND WHEREAS regulation 823 under MFIPPA continues to reference antiquated technology and does not adequately provide for cost recovery, and these financial shortfalls are borne by the municipal taxpayer;

AND WHEREAS the threshold to establish frivolous and/or vexatious requests is unreasonably high and allows for harassment of staff and members of municipal councils, and unreasonably affects the operations of the municipality;

AND WHEREAS the Act fails to recognize how multiple requests from an individual, shortage of staff resources or the expense of producing a record due to its size, number or physical location does not allow for time extensions to deliver requests and unreasonably affects the operations of the municipality;

AND WHEREAS the name of the requestor is not permitted to be disclosed to anyone other than the person processing the access request, and this anonymity is used by requesters to abuse the MFIPPA process and does not align with the spirit of openness and transparency embraced by municipalities;

AND WHEREAS legal professionals use MFIPPA to gain access to information launch litigation against institutions, where other remedies exist;

AND WHEREAS there are limited resources to assist administrators or requestors to navigate the legislative process;

AND WHEREAS reform is needed to address societal and technological changes in addition to global privacy concerns and consistency across provincial legislation;

BE IT RESOLVED THAT the Ministry of Government and Consumer Services be requested to review the MFIPPA, and consider recommendations as follows:

1. That MFIPPA assign the Municipal Clerk, or designate to be the Head under the Act;
2. That MFIPPA be updated to address current and emerging technologies;
3. That MFIPPA regulate the need for consistent routine disclosure practices across institutions;
4. That the threshold for frivolous and/or vexatious actions be reviewed, and take into consideration the community and available resources in which it is applied;
5. That the threshold for frivolous and/or vexatious also consider the anonymity of requesters, their abusive nature and language in requests to ensure protection from harassment as provided for in Occupational Health and Safety Act;
6. That the application and scalability of fees be designed to ensure taxpayers are protected from persons abusing the access to information process;
7. That administrative practices implied or required under the Act, including those of the IPC, be reviewed and modernized;
8. That the integrity of the Act be maintained to protect personal privacy and transparent governments.

If you have any questions or comments, please contact Judy Smith at
ckclerk@chatham-kefn.ca

Sincerely,

Judy Smith

Digitally signed by
Judy Smith
Date: 2023.07.05
10:48:27 -04'00'

Judy Smith, CMO
Director Municipal Governance
Clerk /Freedom of Information Coordinator

c.

Lianne Rood, MP
Dave Epp MP
Trevor Jones, MPP
Monte McNaughton, MPP
Information and Privacy Commissioner of Ontario
Association of Municipalities of Ontario
AMCTO Legislative and Policy Advisory Committee
Ontario municipalities



**The Corporation of the Town of Grimsby
Administration**

Office of the Town Clerk

160 Livingston Avenue, Grimsby, ON L3M 0J5

Phone: 905-945-9634 Ext. 2171 | **Fax:** 905-945-5010

Email: bdunk@grimsby.ca

September 8, 2023

SENT VIA E-MAIL

Office of the Prime Minister
80 Wellington St.
Ottawa, ON, K1A

Attention: The Right Honourable Justin Trudeau

RE: Establishing a Guaranteed Livable Income

Please be advised that the Council of the Corporation of the Town of Grimsby at its meeting held on September 5, 2023 passed the following resolution:

Moved by: Councillor Korstanje

Seconded by: Councillor Freake

Whereas the Canadian livable wage for Niagara Region, two years ago was determined to be \$19.80. This was \$6000 below the annual income of a minimum wage employee; and

Whereas our residents on programs such as Ontario Works, receive targeted fixed monthly incomes of \$733, and ODSP recipients receive \$1376; and

Whereas at the current Ontario minimum wage rate, a person working 37.5 hours per week will earn approximately \$2,500 monthly (before tax); and

Whereas the median rent for one bedroom in Grimsby as of August 2023 is now \$2000 a month; and

Whereas rent is considered affordable, when it is less than 30% of income. In Niagara west, rent is approximately 272% of Ontario Works, 145% of Ontario Disability Support Services, 75% of minimum wage full-time, and 150% of minimum wage part time; and

Whereas an annual 2.5% allowable rent increase can be combined with an additional 3-6.5% capital investment increase, raising the cost of rental housing another minimum of \$110 monthly; and

Whereas there are no housing units under Niagara Regional Housing for single adults or families with dependents, including 2,3,4 or five bedrooms in our community; and

Whereas the Grimsby Benevolent Fund reported that in 2022:

- 70+ households received monthly rental supplement totaling \$237,744
- \$79,500 was invested into one time emergency housing support as of June 7, 2023
- 78 households are receiving monthly financial benefits to make rental housing more affordable; and

Whereas food inflation was 8.3% and groceries rose by 9.1%; and

Whereas the Grimsby Food Bank numbers from June 2023 reported:

- 19 new households
- 447 served households
- 1055 served individuals
- 7 emergency visits; and

Whereas the Grimsby Economic Strategic Plan identified the general high cost of living and housing affordability as primary obstacles in our workforce attraction.

Therefore be it resolved that The Corporation of the Town of Grimsby circulate correspondence to Ontario municipalities encouraging them not only to collect data of their housing and poverty statistics, but also to examine their pending economic vulnerability as a result.

Be it further resolved that The Corporation of the Town of Grimsby encourage these same municipalities to join us in advocating on behalf of our communities with this data, and by writing a letter to the Prime Minister, Premier, and local politicians calling for a united effort in establishing a Guaranteed Livable Income program.

Be it further resolved the Town of Grimsby Clerks Department circulates this resolution to Niagara West MP Dean Allison and Niagara West MPP Sam Oosterhoff, requesting a response on this matter within 30 days of receipt.

Be it further resolved that The Corporation of the Town of Grimsby, through its Finance and Human Resources departments, undertake a comprehensive assessment to explore the feasibility and implementation of a living wage policy for all Town of Grimsby employees, with the aim of ensuring that all municipal workers receive fair compensation that aligns with the principles of a living wage and that staff be directed to explore becoming a living wage employer.

If you require any additional information, please let me know.

Regards,

A handwritten signature in dark ink, appearing to read 'Bonnie Nistico-Dunk', written in a cursive style.

Bonnie Nistico-Dunk
Town Clerk

cc. Hon. Doug Ford, Premier of Ontario
Ontario Municipalities
Dean Allison, MP Niagara West
Sam Oosterhoff, MPP Niagara West