

NOTICE

THE MAYOR HAS CALLED

A SPECIAL MEETING OF COUNCIL

AT 5:00 P.M.

TUESDAY, SEPTEMBER 28, 2021

TO DISCUSS THE FOLLOWING:

- LITIGATION OR POTENTIAL LITIGATION, INCLUDING MATTERS BEFORE ADMINISTRATIVE TRIBUNALS, AFFECTING THE MUNICIPALITY OR LOCAL BOARD; AND
 - *Aqueduct – Legal Update.*
- PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND BY THE MUNICIPALITY OR LOCAL BOARD; and
 - *Proposal to declare surplus city owned property at 33 Hellems Avenue and 35 Hellems Avenue.*
 - *Citizens appointment to the following Committee:*
 - *Arts and Culture Advisory Committee.*
 - *Welland Hydro System Corp. Update.*
 - *Director of Finance/CFO*

**FOLLOWED BY SPECIAL COUNCIL IN OPEN SESSION
TO CONSIDER CORRESPONDENCE, REPORTS, AND BY-LAWS.**

Due to COVID-19 all meetings will be held electronically

All Meetings can be viewed at:

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


Tara Stephens, City Clerk



SPECIAL COUNCIL MEETING

Tuesday, September 28, 2021

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1. **COMMITTEE-OF-THE-WHOLE (IN-CAMERA) (5:00 p.m.)**
(See yellow tab)
 - Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
 - *Aqueduct - Legal Update.*
 - Proposed or pending acquisition or disposition of land by the municipality or local board;
 - *Proposal to declare surplus city owned property at 33 Hellems Avenue and 35 Hellems Avenue.*
 - Personal matters about an identifiable individual, including municipal or local board employees; and
 - *Citizens appointment to the following Committee:*
 - *Arts and Culture Advisory Committee.*
 - *Welland Hydro System Corp. Update.*
 - *Director of Finance/CFO.*

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

3. **OPEN SPECIAL COUNCIL MEETING FOLLOWING COMMITTEE-OF-THE-WHOLE (IN-CAMERA).**
 - 3.1 **ADDITIONS/DELETIONS TO AGENDA**
 - 3.2 **CALL UPON THE CITY CLERK TO REVIEW COMMITTEE-OF-THE-WHOLE (IN-CAMERA) TO BE ADDED TO BLOCK**
 - 3.3 **DISCLOSURES OF INTEREST**
 - 3.4 **COUNCILLORS TO DETERMINE AGENDA ITEMS AND BY-LAWS TO BE REMOVED FROM BLOCK FOR DISCUSSION IN COMMITTEE-OF-THE-WHOLE (OPEN) (See pink tab)**

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

5. **BY-LAWS (SEE AGENDA INDEX)**



SPECIAL COUNCIL MEETING AGENDA – Page 2

Tuesday, September 28, 2021

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6. CONFIRMATORY BY-LAW

A By-law to adopt, ratify and confirm proceedings of the Council of the Corporation of the City of Welland at its meeting held on the 28th day of September, 2021.
Ref. No. 20-1

7. ADJOURNMENT



SPECIAL COUNCIL MEETING

Tuesday, September 28, 2021

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AGENDA BLOCK

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

2. COMMITTEE AND STAFF REPORTS

1. Business Arising from Committee-of-the-Whole (closed) - Nil

2. Staff Reports

CLK-2021-22 City Clerk, T. Stephens - Economic Adjustment - Council Remuneration. Ref. No. 21-14 (See By-law 1)
(Refer to pages 65 to 66 from the September 21, 2021 Council Agenda)

1 – 2 R&C-2021-20 Director of Community Services, R. Axiak - RFP21-10 Provision and Installation of one (1) New Video Scoreboard. Ref. No. 21-19

3 – 11 P&B-2021-58 Director of Development and Planning Services, G. Munday - Brownfield Tax Assistance Program and Brownfield Tax Increment Grant Program, 555 Canal Bank Developments GP Inc., 475, 555 and 635 Canal Bank Street (Dain West Subdivision). Ref. No. 20-97

3. NEW BUSINESS - Nil

3. BY-LAWS

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

1. A By-law to amend By-law 1998-11325, being a By-law to provide for paying remuneration to the Members of Council and extended medical benefits to the Mayor. Ref. No. 21-14
(Report CLK-2021-22)



SPECIAL COUNCIL MEETING AGENDA INDEX – Page 2

Tuesday, September 14, 2021

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2. A By-law to authorize entering into contract with Duomax Developments Limited for the provision of design and construction for the Maple Park Enhancement Project. Ref. No. 21-19
(Report R&C-2021-19, approved by Welland City Council on September 21, 2021).

SPECIAL COUNCIL
COMMUNITY SERVICES
RECREATION & CULTURE

APPROVALS	
DIRECTOR	
CFO	
CAO	

21-19

REPORT R&C-2021-20
SEPTEMBER 28, 2021

SUBJECT: RFP21-10 PROVISION AND INSTALLATION OF ONE (1) NEW VIDEO SCOREBOARD

AUTHOR: FRANK PEARSON, FACILITIES MAINTENANCE SUPERVISOR

APPROVING DIRECTOR: ROB AXIAK, DIRECTOR OF COMMUNITY SERVICES

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND approves the award to Paul S. Leskew & Associates Inc. for the provision and installation of one (1) new video scoreboard for the Quaker Road Baseball Facility in the amount of \$193,763.00 plus applicable taxes; and

THAT Welland City Council approves additional funding from the Canada Games 2022, Welland Jackfish and if required, the Capital Surplus Reserve Fund, to cover the additional required funds; and further

THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate by-laws to enter into a contract with Paul S. Leskew & Associates Inc.

ORIGIN AND BACKGROUND:

The Quaker Road Baseball Facility, located at 90 Quaker Road, Welland, Ontario is home to the Welland Jackfish Baseball Club whom recently announced a six year lease at the Stadium effective immediately and through to the 2026 season.

Recent upgrades to the stadium included painting, dugout fencing, new infield, concession upgrades, and now includes plans to replace the Outdoor Electronic Scoreboard.

COMMENTS AND ANALYSIS:

The provision and installation of one (1) new video scoreboard was posted competitively on bidding and closed on August 18, 2021. Paul S. Leskew & Associates Inc., Libertelevision Inc., and Watchfire Signs submitted compliant bids.

Paul S. Leskew & Associates Inc. was the highest scoring proponent and lowest overall cost.

Paul S. Leskew & Associates Inc. has been installing Nevco scoreboards for over 35+ years across Canada. Nevco scoreboards have a 5 year warranty and offers service/support from within

Ontario. The 20 MM advantage Outdoor Video Display Resolution Scoreboard offers wide viewing angles with live-video, animations, logo's, multiple fonts and corporate advertising. The new scoreboard will connect with Display Director Software to customize and organize your game-day experience.

FINANCIAL CONSIDERATION:

The highest scoring proponent, Paul S. Leskew & Associates Inc. is being recommended for the provision and installation of the scoreboard.

Requirement	Overall Value	Price, Inclusive of City Tax
Provision and installation of one (1) new video scoreboard	\$193,763.00	\$197,173.23

The project will be funded by Capital Project: Baseball Stadium Improvements:10-430-20095. The total budget available is \$170,000. The City is in continued discussions with Welland Jackfish and Canada Games to increase their respective contributions committed. If the City is unsuccessful in obtaining the balance of funding required, staff are recommending utilizing the Capital Surplus Reserve Fund.

Source	Amount
City of Welland	\$63,650
Canada Games 2022	\$63,650
Welland Jackfish	\$42,700
	\$170,000

OTHER DEPARTMENT IMPLICATIONS:



Reviewed and supported by Community Services Recreation and Culture Division and Parks and Facilities Division.

SUMMARY AND CONCLUSION:

Both Canada Games 2022 and Welland Jackfish are contributing financially towards a new scoreboard. Replacement of the outdoor electronic scoreboard was an item listed for upgrades at the Quaker Road Baseball Facility. Staff are recommending Paul S. Leskew & Associates Inc. for the provision and installation of the scoreboard, being the lowest bidder with the highest scoring proponent.

ATTACHMENTS:

None

APPROVALS	
GENERAL MANAGER	
CFO	
CAO	

20-97

SPECIAL COUNCIL
PLANNING AND DEVELOPMENT SERVICES
PLANNING DIVISION

REPORT P&B-2021-58
SEPTEMBER 28, 2021

**SUBJECT: BROWNFIELD TAX ASSISTANCE PROGRAM AND
 BROWNFIELD TAX INCREMENT GRANT PROGRAM
 555 CANAL BANK DEVELOPMENTS GP INC.
 475, 555 and 635 CANAL BANK STREET
 (DAIN WEST SUBDIVISION)**

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

RECOMMENDATIONS:

1. THAT THE COUNCIL OF THE CITY OF WELLAND approves the Application for Brownfield Incentive Programs for the properties known municipally as 475, 555 & 635 Canal Bank Street for the Brownfield Tax Assistance Program (BTAP) in the estimated amount of \$166,132.44.00 (City and Region) and the Brownfield Tax Increment Grant Program (BTAP) in the amount of \$18,000,000 (\$10,000,000 City and \$8,000,000 Region);
2. THAT Welland City Council supports in principle a By-law to cancel City property taxes for a maximum of 3 years and directs staff to provide for this funding in the 2023 ,2024 and 2025 Tax supported budgets;
3. That the said By-law and this Report be circulated to the Niagara Region to request the Region's participation in the Tax Assistance Program for cancellation of the increase in the Regional portion of property taxes and in the Tax Increment Grant Program;
4. THAT Welland City Council directs Staff to prepare the required By-law(s) and Agreement(s); and
5. THAT Welland City Council authorizes the Mayor and City Clerk to execute any documentation required to satisfy conditions related to participation in the Brownfield Incentive Programs for this property.

ORIGIN AND BACKGROUND:

A Brownfield Incentive Application has been received from 555 CANAL BANK

DEVELOPMENTS GP INC. for property known municipally as 475, 555 and 635 Canal Bank Street for two Programs available to Applicants within the Community Improvement Plan (CIP) Project Area. The Owner proposes to remediate the property for future residential, commercial and open space purposes and is seeking approval under the Brownfield Tax Assistance Program (BTAP) and the Brownfield Tax Increment Grant (BTIG) Program. In addition, the Owner has made Application for the Brownfields Fees Grant Program. Council's approval of this Brownfield Fees Grant Program can only occur upon final inspection of the completed project.

The purpose of the BTAP is to encourage the remediation and rehabilitation of brownfield sites by providing a cancellation of the City's property tax for up to 3 years on a property that is undergoing or has undergone remediation and redevelopment to assist with payment of the cost of environmental remediation. The estimated remediation costs eligible under this Program is \$50,511,174.00.

The purpose of the BTIG Program is to provide an annual grant for up to 10 years after project completion to assist with the cost of remediating and redeveloping brownfield properties where the project results in an increase in property assessment and property taxes. The total estimated eligible redevelopment costs under this Program is \$193,925,001.00 plus any remaining eligible environmental clean-up costs not covered under the BTA Program.

However, Staff have negotiated reduced City participation in these programs as set out in the RECOMMENDATIONS.

COMMENTS AND ANALYSIS:

The subject property is located on the north side of Forks Road, north and east of the rail line and is illustrated on the attached Location Map (Appendix I). The property is vacant. The Owner proposes to remediate the property for future residential and commercial use by way of a Plan of Subdivision. (The Draft Plan of Subdivision has been approved by Council. Appendix II identifies the draft approved subdivision layout, proposed to contain between 832 to 870 residential dwelling units consisting of single-detached dwellings, semi-detached dwellings and townhouses and approximately 4 hectares of land for mixed-use development.

This site qualifies as an eligible property in accordance with the CIP. The environmental consultants have noted that remediation is required in order to permit the filing of a Record of Site Condition (RSC). As the environmental

standards for residential land use are not met, an RSC must be obtained to permit the redevelopment of the property for residential purposes.

Brownfield Tax Assistance Program

The BTA Program provides a financial incentive in the form of cancellation of City

property taxes for up to 3 years during the rehabilitation period and redevelopment period. The Niagara Region tax assistance is a cancellation of the increase in Region property taxes during the rehabilitation period.

As shown on Appendix III, it is estimated that City total property taxes of \$162,223.00 could be cancelled under the BTA Program starting in 2023 for 3 years. The Region's contribution has been estimated to be approximately \$3,908.00 This program incentive starting in 2023 for a total of 3 years.

The cancelled property taxes (City and Region) are deducted from the amount of eligible remediation costs that can be rebated through the BTIG Program. This financial incentive will cease when the total tax assistance provided equals the total eligible costs, or after 3 years, whichever comes first.

The Owner has not requested approval under the Provincial Brownfield Financial Tax Incentive Program for the education component of taxes.

Pursuant to the Municipal Act, a By-law must be passed by Council authorizing the municipal (City and Region) tax assistance.

Niagara Region must confirm their participation in the Brownfield Tax Assistance Program.

Brownfield Tax Increment Grant Program

The BTIG Program provides an annual grant equivalent to a percentage of the increase in municipal (City and Region) property **taxes** that result from the project for up to 10 years, after the BTA ends. However, given the scale of costs falling to the City under the Program, Staff have been able to negotiate a maximum Brownfield Tax Increment Grant of \$10,000,000 City share with the Owner.

Niagara Region must confirm its participation in the Brownfield Tax Increment Grant Program.

Summary

The total estimated eligible costs for both Tax Incentive Programs is \$244,436,175.00. Based on the estimated Grant calculations, that the Owner could potentially recover approximately \$64,148,781.00 in eligible costs through both Programs. However, as noted Staff have negotiated City payments in the order of \$10,456,199.00.

If Council approves the Application, the Owner will be required to enter into a Grant Agreement(s) for the respective Brownfield Programs which will specify the terms for each Grant. The environmental remediation works may not commence until the Agreement(s) has been executed and the By-law(s) have been passed.

The proposal meets the goals of the Brownfield CIP by improving the physical and visual quality of the site and improving environmental health and public safety by remediating the property for human habitation. Site redevelopment will increase tax assessment and property tax revenues. One of the goals of the CIP is to increase the long-term assessment base and property tax revenues for the City.

Staff recommends approval of the Application for the BTA and BTIG Programs for 475, 555 and 635 Canal Bank Street. These financial incentives will help offset the costs of environmental remediation and redevelopment of this Brownfield property.

Redeveloping this Brownfield site for residential use will increase the municipal tax base, revitalize the vacant property, improve the environmental quality of the site and City as a whole and provide housing opportunities for people.

FINANCIAL CONSIDERATIONS:

The BTA Program will be administered as follows:

- Cancellation of City property taxes for the rehabilitation period and redevelopment period for up to 3 years;
- Regional participation is subject to Regional Council approval;
- The period during which City property taxes are cancelled commences when the By-law is passed or on the date specified in By-law; and
- The tax assistance will end if the eligible property is severed, subdivided, sold or conveyed prior to the end of the 3 year period specified in the By-law.

The BTIG Program will be administered as follows:

- (a) there will be no BTIG payments during the first three (3) years of the program;
- (b) the maximum amount of BTIG payments relating to the City's portion of the Taxes (as that term will be defined in the BTIG Program Agreement) will not exceed One Million (\$1,000,000.00) in calendar years four and five following the first occupancy;
- (c) the maximum amount of BTIG payments relating to the City's portion of the Taxes will not exceed One Million Five Hundred Thousand (\$1,500,000.00) in calendar years six through nine following the first occupancy;

(d) the balance of BTIG payments relating to the City's portion of the Taxes will be the balance owing in calendar year ten following the first occupancy; and

(e) the maximum amount of BTIG payments relating to the Regional Taxes (as that term will be defined in the BTIGP Agreement) will not exceed 80% of the maximum amount of TIG payments related to the City's portion of the taxes in a calendar year.

The total amount of all Grants provided through all available City Incentive Programs shall not exceed \$10,166,132.00.

OTHER DEPARTMENT IMPLICATIONS:

The Legal Division will be involved in the registration of the Agreement(s) and By-laws. The Finance Division will be involved with all financial aspects associated with each specific Incentive Program.

The Building Division will be responsible for processing the future Building Permit Applications and implementing the Development Charge Reductions and Building Permit Fees reductions.

The proposed redevelopment will be eligible for a negotiated 25% reduction in both Building Permit Fees and Development Charges Fees. Under the Incentive Programs and Development Charges By-law the development is eligible for a 100% reduction for both fees.

The Planning Division will be involved with the registration of the Draft Approved Plan of Subdivision and any subsequent planning approvals required.

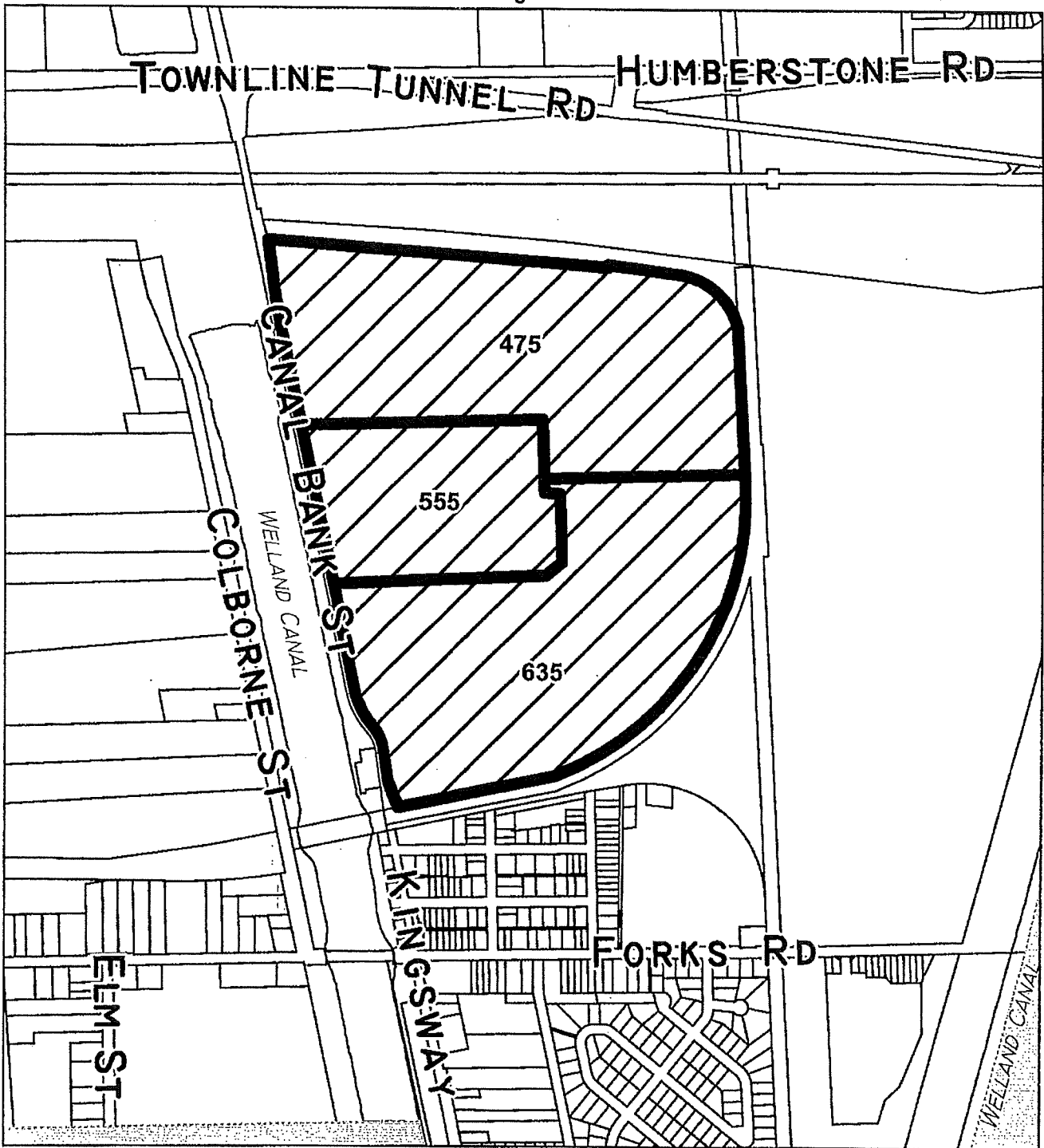
SUMMARY AND CONCLUSION:

The Owner of 475,555 and 635 Canal Bank Street has requested funding under 2 Brownfield Incentive Programs for the proposed remediation and redevelopment of this property. Council's implementation of these Programs facilitates redevelopment of Brownfield properties by assisting property Owners with costs associated with environmental remediation and development. The proposed residential use of the property will provide between 832 to 870 residential dwelling units consisting of single-detached dwellings, semi-detached dwellings and townhouses and approximately 4 hectares of land for mixed-use development.

Staff recommends approval of the Application for the Brownfield Tax Assistance Program and the Brownfield Tax Increment Grant Program for 401 Canal Bank Street as discussed in this Report. The construction of new residential units will generate approximately \$463,535,635.00 in assessed value, revitalize the vacant property, improve the environmental quality of the site and the City as a whole and provide new housing opportunities for people.

ATTACHMENTS:

Appendix	I	Location Map
Appendix	II	Draft Approved Plan of Subdivision
Appendix	III	Tax Assistance Program Estimated Calculations



LOCATION MAP

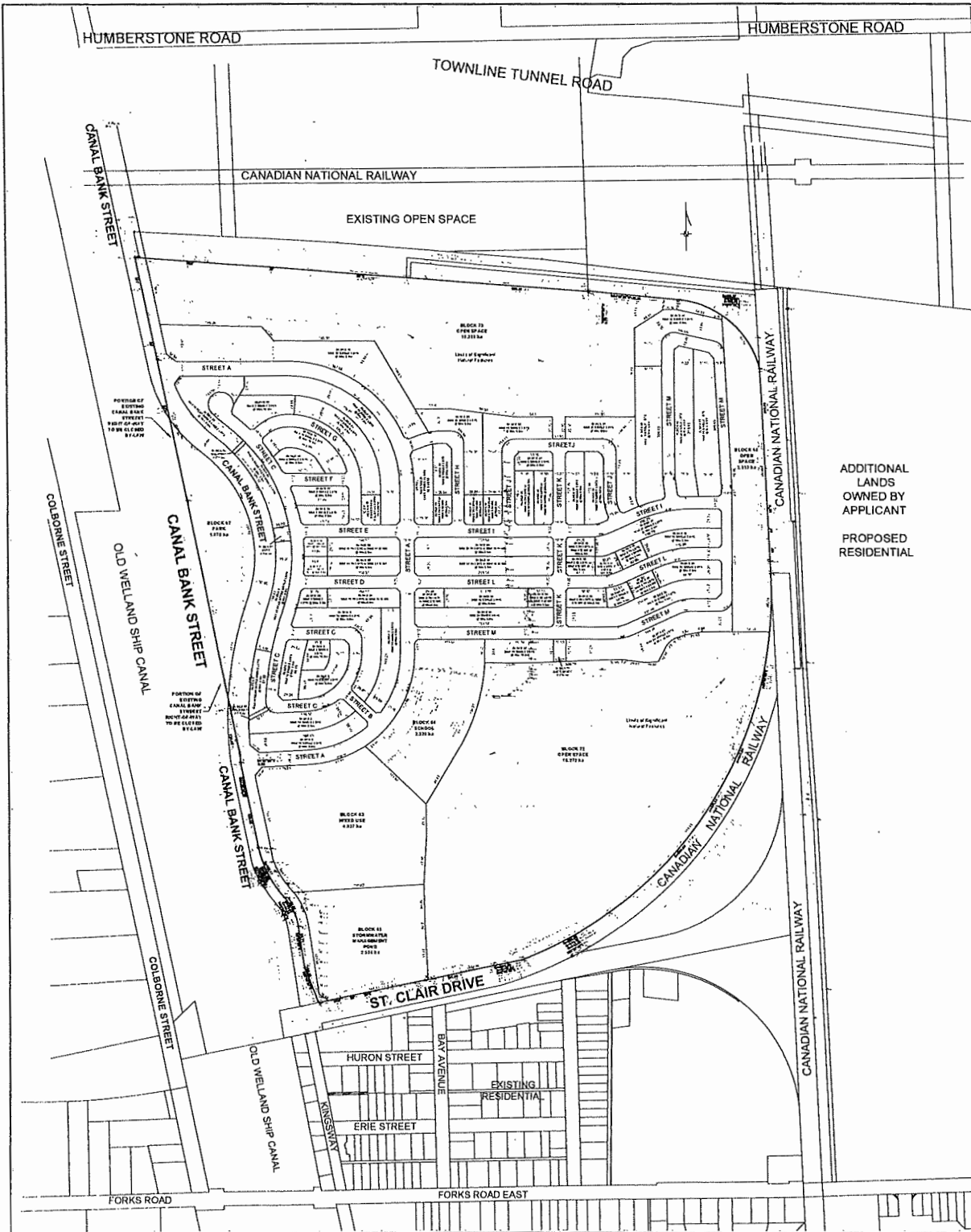
475, 555 and 635 Canal Bank Street



SUBJECT LANDS



*Infrastructure and
Development Services*
Planning Division



KEY PLAN
 ADDITIONAL INFORMATION
 Original Under Section 20(7) of The Planning Act P.C. 1997 1997 L.P. 13

A. SHOWN ON DRAFT PLAN AND KEY PLAN
 B. SHOWN ON KEY PLAN
 C. LAND TO BE USED IN ACCORDANCE WITH LAND USE SCHEDULE
 D. SHOWN ON DRAFT PLAN
 E. SHOWN ON DRAFT PLAN AND KEY PLAN
 F. SHOWN ON DRAFT PLAN AND KEY PLAN
 G. SHOWN ON DRAFT PLAN AND KEY PLAN
 H. SHOWN ON DRAFT PLAN AND KEY PLAN
 I. SHOWN ON DRAFT PLAN AND KEY PLAN

SCHEDULE OF LAND USE

Proposed Land Use	Units	Reference	Area (H.A.)
Residential Single 8.0m	24	Block 39, 40, 41, 42, 43, 44	215.4
Residential Single 5.0m	204	Block 39, 40, 41, 42, 43, 44	15.442
Residential Rear Access Single 5.0m	79	Block 39, 40, 41, 42, 43, 44	1.232
Residential Townhome 5.0m	202	Block 39, 40, 41, 42, 43, 44	4.201
Open Space		Block 39, 40, 41, 42, 43, 44	2.043
Stormwater Management Pond		Block 39, 40, 41, 42, 43, 44	2.243
Park		Block 39, 40, 41, 42, 43, 44	0.205
Wetland		Block 39, 40, 41, 42, 43, 44	0.025
Open Space		Block 39, 40, 41, 42, 43, 44	20.725
ROADS		Block 39, 40, 41, 42, 43, 44	2.491
21m R.O.W. Canal Bank Street		Block 39, 40, 41, 42, 43, 44	2.111
15m R.O.W. Street A1		Block 39, 40, 41, 42, 43, 44	2.713
15m R.O.W. Street B M		Block 39, 40, 41, 42, 43, 44	2.713
TOTAL	870		147.30

ADDITIONAL LANDS OWNED BY APPLICANT
 PROPOSED RESIDENTIAL

Proposed Summary Yield

Proposed Unit Mix	Unit Count with Alternate 5.0m Townhouse Units	Unit Count with Alternate 5.0m Semi Detached Units
Residential Single 10.0m	24	24
Residential Single 8.0m	204	204
Residential Rear Lane Access	79	79
Single 8.0m	69	69
Residential Townhome 5.0m	202	202
Residential Semi-Detached 5.0m		164
TOTAL	870	832

REVISIONS

No.	REVISION	DATE
5		
4		
3		
2		
1	Add Units of Significant Natural Features	March 22, 2021

OWNERS CERTIFICATE
 WE, BEING THE REGISTERED OWNER OF THE SUBJECT LANDS HEREBY AUTHORIZE ARMSTRONG PLANNING AND PROJECT MANAGEMENT TO PREPARE AND SUBMIT A DRAFT PLAN OF SUBDIVISION FOR APPROVAL.

SIGNED: [Signature] DATE: MARCH 22, 2021

SURVEYORS CERTIFICATE
 I HEREBY CERTIFY THAT THE BOUNDARIES OF THE SUBJECT LANDS AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN ON THIS PLAN.

SIGNED: [Signature] DATE: MARCH 22, 2021

DRAIN CITY WEST DRAFT PLAN OF SUBDIVISION

PART LOTS 21, 22 AND 23, CONCLUSION 5, PART OF THE ROAD ALLOWANCE BETWEEN LOTS 22 AND 23, CONCLUSION 5, CREATED BY BY-LAW 555, INST. NO. H/2438, GEOGRAPHIC TOWNSHIP OF HUMBERSTONE, THE CITY OF WELLAND, REGIONAL MUNICIPALITY OF NIAGARA

armstrong
 PLANNING AND PROJECT MANAGEMENT

DESIGN: [Signature] DATE: February 23, 2021 SCALE: 1:2000
 APPROVED: [Signature] DATE: February 23, 2021 PROJECT NO: 20.2699.00
 DRAWING NO: Dain City West Subdivision.dwg PHASFS 1-2

CITY OF WILLAND BROWNFIELD CIPs
 TAX ASSISTANCE PROGRAM CALCULATOR - FOR CITY and REGION PORTION
 475, 555 and 635 Canal Bank Street

2020		2021		2022		2023		2024		2025		2026		2027		2028		2029		2030	
Pre-Project (Ind. Vac. Land - IX)	Pre-Project (Large Ind. Occ. - LT)	Pre-Project (Com. Occupied - CT)	Pre-Project (Large Vac. - LV)	Estimated Year 1 Taxes (3% Increase)	Estimated Year 1 Tax Assistance	Estimated Year 2 Taxes (3% Increase)	Estimated Year 2 Tax Assistance	Estimated Year 3 Taxes (3% Increase)	Estimated Year 3 Tax Assistance	Estimated Year 4 Taxes (3% Increase)	Estimated Year 4 Tax Assistance	Estimated Year 5 Taxes (3% Increase)	Estimated Year 5 Tax Assistance	Estimated Year 6 Taxes (3% Increase)	Estimated Year 6 Tax Assistance	Estimated Year 7 Taxes (3% Increase)	Estimated Year 7 Tax Assistance	Estimated Year 8 Taxes (3% Increase)	Estimated Year 8 Tax Assistance	Estimated Year 9 Taxes (3% Increase)	Estimated Year 9 Tax Assistance
\$3,101,000.00	\$0.00	\$0.00	\$0.00	\$52,484.38	\$52,484.38	\$54,058.90	\$54,058.90	\$55,680.56	\$55,680.56	\$57,359.22	\$57,359.22	\$59,092.98	\$59,092.98	\$60,883.74	\$60,883.74	\$62,735.50	\$62,735.50	\$64,652.26	\$64,652.26	\$66,639.02	\$66,639.02
\$50,955.69	\$0.00	\$0.00	\$0.00	\$43,415.30	\$1,264.52	\$44,717.76	\$1,302.46	\$46,059.29	\$1,341.53	\$47,451.75	\$1,380.50	\$48,794.24	\$1,419.57	\$50,186.70	\$1,458.64	\$51,580.18	\$1,497.71	\$52,976.14	\$1,536.85	\$54,821.09	\$1,575.13
\$42,150.78	\$0.00	\$0.00	\$0.00																		
Total	\$93,106.47	\$0.00	\$0.00	\$95,899.68	\$3,748.89	\$98,776.65	\$55,361.35	\$101,739.95	\$57,022.20	\$104,799.95	\$58,343.75	\$107,942.20	\$59,526.20	\$111,302.20	\$60,883.74	\$114,999.95	\$62,444.44	\$118,777.78	\$64,666.67	\$122,777.78	\$66,666.67

The Brownfield Tax Assistance has been calculated using the June 2018 CIP which provides for a cancellation of taxes. The Region portion of the Brownfield Tax Assistance has been calculated using the 2007 CIP which provides for tax assistance based on the increase in taxes. The pre-project assessment value is based on actual 2021 MPAC assessment. The results are based on a 3% tax increase and are subject to change as the annual tax base and rates change. The results shall not be relied upon as a guarantee or assurance of tax assistance.

- 0.00806183
- 0.01643202
- 0.0212025
- 0.01398646
- 0.01643202
- 0.00666878
- 0.01359264
- 0.01753889
- 0.01156967
- 0.01359262

- ix Rate (Residential - RT)
- ix Rate (Ind. Vac. Land - IX)
- ix Rate (Large Ind. Occ. - LT)
- ix Rate (Com. Occupied - CT)
- ix Rate (Large Ind. Vac. - LV)
- ix (Residential - RT)
- ix (Ind. Vac. Land - IX)
- ix (Large Ind. Occ. - LT)
- ix (Com. Occupied - CT)
- ix (Large Ind. Vac. - LV)



GENERAL COMMITTEE

Tuesday, September 28, 2021

Meeting Number 2021 – 08

Due to COVID-19 all meetings will be held electronically

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1. OPEN GENERAL COMMITTEE MEETING FOLLOWING THE SPECIAL COUNCIL MEETING.
 - 1.1 CALL TO ORDER BY VICE MAYOR MARY ANN GRIMALDI
 - 1.2 ADDITIONS/DELETIONS TO AGENDA
 - 1.3 DISCLOSURES OF INTEREST
 - 1.4 ADOPTION OF MINUTES

General Committee Meeting of September 14, 2021.
 - 1.5 ITEMS TO BE REMOVED FROM BLOCK FOR DISCUSSION IN COMMITTEE-OF-THE-WHOLE (OPEN) (See blue tab)
2. VERBAL REPORTS AND DELEGATIONS
 - 2.1 PRESENTATIONS
 - 12-96 Deborah C. Anschell, Integrity Commissioner re: Code of Conduct and Formal Complaint Protocol.
(Background information included in Council Members packages).
3. ADJOURNMENT



GENERAL COMMITTEE

Tuesday, September 28, 2021

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Page No.

AGENDA BLOCK

1. BUSINESS ARISING FROM MINUTES, PREVIOUS MEETINGS AND OTHER ITEMS REFERRED FROM COUNCIL FOR DISCUSSION - NIL
2. STAFF REPORTS - NIL
3. NEW BUSINESS

1 - 5

1. Memorandum from the Region of Niagara re: Niagara Transit Governance - Welland City Council - Re: Report TRANS-2021-11. Ref. No. 21-13

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated September 20, 2021 regarding Niagara Transit Governance- Welland City Council – re: Report TRANS-2021-11.

MEMORANDUM

Subject: Niagara Transit Governance – Welland City Council – RE: Report TRANS-2021-11

Date: September 20, 2021

To: Tara Stephens, City Clerk, City of Welland

From: Matt Robinson, Director | GO Implementation Office, Niagara Region

At its meeting of September 7, 2021, Welland City Council continued the discussion regarding the future of transit in Niagara, the proposed move to a single, consolidated transit agency, and the revised financial, governance, and service strategies developed in response to municipal feedback.

This discussion included a delegation from the Regional project team on behalf of the Governance Steering Committee (GSC), as well as considering and adopting the recommendations of the related report from the Transit Manager (TRANS-2021-11).

The purpose of this memo is to provide additional information for Council and to address concerns identified in this report. Throughout this process, the GSC has been committed to addressing the concerns raised by all municipalities, providing additional information and where possible, making the necessary revisions and updates to the proposed models in response.

Financial Strategy

1) Impact of future Inter-Regional transit Capital Budget to Welland Taxpayers

The total combined annual capital replacement requirement by 2023 (with existing assets) for the consolidated Commission model is estimated at \$12.8M and the combined annual Provincial Gas Tax (PGT) is \$6.8M; \$1.5M of which is currently being utilized by various municipalities for operating budget offsets. The new capital reserve strategy recommends that the \$1.5M currently used in operating be phased out over 5 years with an additional annual transfer to reserve of \$6.5M being phased in over 3 years. Welland's estimated annual capital replacement requirement for fleet and facilities is \$1.4M. The financial funding strategy associated with capital is the same as operating, and allocates costs based on proportion of service hours. In 2025, with the proposed service standardization, Welland's proportion of service hours would increase

from 11.1% to 12.4%, resulting in 12.4% of the \$6.5M for capital (\$0.8M) being allocated to Welland residents on the Regional levy.

*2) Assumption regarding transit operating costs in a post COVID-19 environment.
[Current ridership for Welland Transit is approximately 28% of pre-COVID levels]*

Ridership in Welland is heavily dependent on Niagara College students and therefore the temporary stoppage of in-class participation has resulted in a drastic decrease in Welland transit demand. As of September 2021, Niagara College and Brock University have now moved to a blend of in-class and online curriculum which should start to increase demand for transit within Welland and across the region. As students move back to fully in-class participation, demand for transit should start to return to pre-COVID levels. If the post-COVID environment does not result in ridership demand equivalent to pre-COVID demand, the new Commission would look to alternative service delivery models, such as on-demand, to ensure that demand is met with the most cost-effective service delivery model.

3) Impact on Provincial Gas Tax funding and continued commitment from other levels of government on sustainable new sources of funding for transit

The proposed financial strategy includes the use of PGT for consolidated capital replacement and removes the existing \$1.5M collectively used from operating over five years. Future forecasted PGT growth in the new Commission is conservative given the reductions in fuel sales during the pandemic. The Region and all municipal transit partners continue to work with MTO on funding options for governance transition costs, ongoing capital requirements and fiscal sustainability. New, sustainable federal transit funding programs will be leveraged wherever possible to reduce the financial pressures on resident taxpayers within Welland and Niagara.

4) The proposed revised transit levy allocation for future Inter-Regional transit operating costs represents a higher tax dollar to Welland taxpayers for delivery of transit services

The proposed increase to Welland residents on their Regional Tax Levy at the time of transit consolidation is a reflection of the additional corporate overhead/profit that Welland currently charges the Region to deliver its NRT service. As a result, under the existing transit model in Welland, by charging the Region at the rate Welland Transit does, which includes a corporate overhead charge of 15%, the resulting impact under the current assessment-based financial model means residents in all other Niagara municipalities pay an extra \$600,000 annually for Regional transit services provided by Welland. Comparatively, St. Catharines and Niagara Falls charge overhead on a cost-

recovery basis only. This allows Welland to in turn use that \$600,000 overhead/profit to offset their local Welland Transit costs, reducing their own local levy.

Under the new proposed financial model, a consolidated Commission would ensure that residents within a municipality pay only for the services that they receive locally. With the new Commission delivering all transit services, Welland would no longer realize that corporate overhead/profit margin. Under the new model, the actual net costs to deliver transit within Welland would be charged to residents. Therefore without Welland's overhead/profit offset, the cost to deliver the same level of service remains the same however now it is all being borne by Welland residents through the special levy rather than the other residents of Niagara through the Regional levy.

5) Application of the Cummings Principle

As part of the Niagara Transit Governance Study (NTGS), a peer jurisdictional review was undertaken by Optimus SBR and found that since the Cummings Principle was established through legal decision in 1950, all subsequent transit amalgamations involving public sector assets in the Province of Ontario have been implemented using the Cummings Principle. This principle at its core dictates that public sector (tax levy) purchased assets by one level of government, when uploaded or downloaded and continued in their same initiated service, those assets are not subsequently paid for a second time by the tax levy when in continued use to deliver the same public service. The principle being that by maintaining public sector governance, those assets would retain and continue the existing service life of the asset; the new public sector governance (in this case the new Commission) would ensure the same level of taxpayer protections and stewardship of the assets until their end of useful life.

Moreover, the vast majority of all transit assets across Niagara including facilities, garages, fleet, ancillary capital such as hoists, on-board fleet assets (i.e. cameras, modems, radios, fareboxes, automated stop announcements), etc., have been purchased with Provincial and/or Federal funding through various transit-exclusive support programs over the last decade. As a result, very minimal amounts of municipal levy funds have been expended to purchase transit capital in Niagara during this period. This in no way negates the actual value of the assets, it merely indicates that municipal contributions (local tax dollars) have been relatively minimal relative in realizing that asset value.

Under the proposed consolidated model, all existing transit capital debt will be assumed by the Commission at the time of consolidation. That means any outstanding municipal debt servicing any of those assets would be assumed by the new Commission. Currently, Welland has \$1.5M in debt with annual payments of \$168,000 (based on treasurer's template each municipality filled out and reported to the Region). Historical

municipal capital contributions are reported through CUTA and reflect a Welland total of \$60,000 between 2014 and 2018.

6) *Land transfer for transit garage/facilities*

Under the proposed terms of the Municipal Transfer Agreements (MTAs) being proposed by the Governance Steering Committee (GSC) for those municipalities with transit capital assets to be transferred to the new Commission, under the current proposal, the land associated with any transit facility purposed to be included with the consolidation and uploaded to the new Commission would be excluded from the transfer. The transit facilities themselves would be transferred, but the land would not. Subsequently, there would likely then be a Payment in Lieu (PIL) of taxes by the new Commission to the respective municipality. This will be addressed in the final MTAs between the Region and those affected municipalities with applicable transit assets.

Commission Board Composition

The proposed composition of the Commission Board was recommended on the basis of two principles:

- that each municipality be provided a minimum of one representative; and
- that extra representation should be considered for the largest three municipalities (St. Catharines, Niagara Falls, and Welland) on the basis of ridership, while balancing the overall size of the Board.

The proposal of three representatives to St. Catharines, two to Niagara Falls, and one to Welland was reflective of the share of ridership between these three large municipalities, as shown in Table 1 below.

Table 1 –Transit Ridership and Share of Representation

Municipality	Ridership	Share	Representation	Share
St. Catharines	4,796,246	54%	3	50%
Niagara Falls	3,164,716	35%	2	33%
Welland	989,357	11%	1	17%
Total	8,950,319	100%	6	100%

Report TRANS-2021-11 identifies that the result of this process is that Welland is provided similar representation to smaller municipalities with limited transit ridership.

This feedback has been considered by the GSC in parallel to the input received from all twelve municipalities across Niagara regarding their preferred composition of the Board.

The GSC has recommended that the current fifteen-member transitional board model be maintained, reflecting concerns from other municipalities regarding the already relatively large total size of the board, the impact on other municipalities' share of representation resulting from further changes, and in keeping with the existing ridership methodology used to determine that compliment.

The external third party review of the transitional Board will revisit and make recommendations regarding the total Board size, and share of representation, in advance of a permanent Board structure being put in place.

Consideration of Delay to 2023

Welland Council has requested to defer to 2023 the triple-majority approval to move into a consolidated transit system on the basis of the concerns outlined within report TRANS-2021-11.

This request will be joined with the feedback and input received from all twelve municipalities across Niagara as part of the second round of municipal consultation and considered by the GSC when making a recommendation on the timing for the initiation of the triple-majority vote. The Linking Niagara Transit Committee has previously identified initiating the triple-majority process within 2021 as a priority, in keeping with the 2017 triple majority direction to pursue a governance solution for a consolidated Niagara transit system.

The purpose of this memorandum is to respond to the recent concerns raised by Welland Council, in anticipation of facilitating its future consideration of a triple-majority vote.

Respectfully submitted and signed by,



Matt Robinson
Director, GO Implementation Office
Niagara Region



MINUTES OF GENERAL COMMITTEE MEETING

September 14, 2021

COUNCIL CHAMBERS – CIVIC SQUARE

Meeting Number G.C. 2021 – 07

Members Present: Chair M.A. Grimaldi

F. Champion	J. Mastroianni
J. Chiochio	D. McLeod
T. DiMarco	A. Moote
B. Fokkens	C. Richard
B. Green	G. Speck
J. Larouche	L. Van Vliet

Members of the Staff Present:

CAO/Director of Corporate Services, Chief Financial Officer/Treasurer, S. Zorbas
City Clerk, T. Stephens
Fire Chief & Community Emergency Management Coordinator, A. Eckhart
Director of Planning and Development Services, G. Munday
Director of Community Services, R. Axiak
Manager of Engineering Services, L. McEachern



MINUTES OF GENERAL COMMITTEE MEETING -- Page 2

Tuesday, September 14, 2021
Meeting Number G.C. 2021 – 07

Chair M.A. Grimaldi called the General Committee Meeting to order at 9:01 p.m.

1. ADDITION/DELETIONS TO AGENDA: Nil
2. DISCLOSURES OF INTEREST: Nil
3. ADOPTION OF MINUTES OF THE GENERAL COMMITTEE MEETING OF JUNE 22, 2021, 2021

Moved by Richard that the Minutes of the General Committee Meeting of June 22, 2021 be and the same are hereby approved and adopted.

CARRIED

4. PRESENTATIONS:

98-82 Mario Patitucci, Founder and Principal Landscape Architect, Adesso Design Inc. re: Civic Square Redevelopment.

Moved by Moote

THAT GENERAL COMMITTEE receives for information the presentation by Mario Patitucci, Founder and Principal Landscape Architect, Adesso Design Inc. regarding Civic Square Redevelopment.

CARRIED

5. DELEGATIONS: Nil
6. AGENCIES, BOARDS, COMMISSIONS AND COMMITTEE REPORT(S): Nil
7. BUSINESS ARISING FROM MINUTES, PREVIOUS MEETINGS AND OTHER ITEMS REFERRED FROM COUNCIL FOR DISCUSSION: Nil
8. STAFF REPORTS:

INFRASTRUCTURE & DEVELOPMENT SERVICES – McLeod, Chair

Infrastructure Services

R&C-2021-17 Civic Square Phase A – Design Update. Ref. No. 98-82

Moved by Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND approves the Civic Square design guiding principles noted in this report; and further
THAT Welland City Council approves the preferred concept design highlighted in this report (Concept #3) subject to any feedback received, allowing staff to move forward into detailed design.

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MINUTES OF GENERAL COMMITTEE MEETING -- Page 3

Tuesday, September 14, 2021
Meeting Number G.C. 2021 – 07

Moved by Green

THAT THE COUNCIL OF THE CITY OF WELLAND refers back to staff Report R&C-2021-17 to present an updated design to an upcoming General Committee Meeting, based on the comments from members of Council.

(Councillors DiMarco and Speck asked to be recorded as opposed to this resolution).

CARRIED

CORPORATE SERVICES – D. McLeod, Chair

CLK-2021-20 City Clerk, T. Stephens, Electronic Participation - After COVID 19.
Ref. No. 02-160

Moved by Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report CLK-2021-20: Electric Participation – After COVID 19; and further THAT Welland City Council requests electronic participation be included as a suggested change to the Procedural By-law when it is reviewed at a future General Committee meeting.

CARRIED

9. The General Committee Meeting adjourned at 10:12 p.m.