GENERAL COMMITTEE

Tuesday, February 2, 2021
Meeting Number 2021 – 02

Due to COVID-19 and the closure of the Civic Square
All Electronic Meetings can be viewed at:
City of Welland website: https://www.welland.ca/Council/LiveStream.asp

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1. OPEN GENERAL COMMITTEE MEETING AT 5:00 P.M.

1.1 CALL TO ORDER BY VICE MAYOR BONNIE FOKKENS

1.2 ADDITIONS/DELETIONS TO AGENDA

1.3 DISCLOSURES OF INTEREST

1.4 ADOPTION OF MINUTES - Nil

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

20-82 Steve Zorbas, Interim CAO, Gen. Mgr., Corporate Services, Chief Financial Services/Treasurer, Travers Fitzpatrick, Gen. Mgr., Infrastructure and Development Services, Dan Degazio, General Manager, Economic Development, Recreation and Culture, Grant Munday, Interim Director, Development and Building Services and Lina DeChellis, Economic Development Officer re: Expropriation update.
(Please see Appendix VI of Report P&B-2021-08)

2.2 DELEGATIONS (MAXIMUM 5/10/5 RULE)

20-82 Marsha Rempel, resident re: Expropriation of 349 Ridge Road.

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

3. COMMITTEE-OF-THE-WHOLE (OPEN)
(Discuss items removed from Agenda Block)

4. ADJOURNMENT

GENERAL COMMITTEE

Tuesday, February 2, 2021
COUNCIL CHAMBERS - CIVIC SQUARE

Meeting Number 2021 – 02

Page No.

AGENDA BLOCK

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

2. STAFF REPORTS

INFRASTRUCTURE AND DEVELOPMENT SERVICES – L. Van Vliet, Chair

1 - 51 **P&B-2021-08** Interim Director of Development and Building Services, G. Munday - Expropriation of 349 Ridge Road and 712 Reaker Road, Part of Lot 16, Concession 7 designated as Part 1 to 4, Plan 59R-3342 City of Welland. Ref. No. 20-82

3. NEW BUSINESS - Nil

GENERAL COMMITTEE

DEVELOPMENT AND BUILDING SERVICES

APPROVALS	
GENERAL MANAGER	
CFO	
CAO	

20-82

REPORT P&B -2021-08
FEBRUARY 2, 2021

SUBJECT: **EXPROPRIATION OF 349 RIDGE ROAD AND 712 REAKER ROAD, PART OF LOT 16 CONCESSION 7 DESIGNATED AS PART 1 TO 4, PLAN 59R-3342 CITY OF WELLAND**

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

RECOMMENDATION:

THAT Welland City Council receive the update Report P&B – 2021-08 concerning the Application for Approval to Expropriate Land for lands described as Part of Lot 16 Concession 7 former Township of Crowland now City of Welland, designated as Parts 1 to 4 inclusive Plan 59R 3342 and Part of Road Allowance between Lots 17 and 17 Crowland designated as Part 1 Plan 59R 6954, known municipally as 349 Ridge Road and 712 Reaker Road;

ORIGIN AND BACKGROUND:

Over the last several years the City's Economic Development Department has sold the following industrial lands:

a) 316 Enterprise Drive – Northern Gold Foods Ltd. - October 2014;
b) Harry Diffin Industrial Park – General Electric (now Innio) – June 2016;
c) 412 Enterprise Drive – Devron Sales – June 2016;
d) 368 & 392 Enterprise Drive – Niagara Holdings – February 2018;
e) 381 Enterprise Drive – Athena Donair – April 2018;
f) 361 Enterprise Drive – Upper Canada Railway Services - Jun 2019;
g) 150 Downs Drive -GDC Developments - October 2020;
h) 100 Downs Drive - Kit Steel- April 2020;
i) 450 River Road-2589440 Ontario Inc – April 2020

As of the writing of this updated report, the City of Welland has limited City owned lands (3 parcels on River Road/ Downs Drive) available to sell to attract new businesses to the community. To be able to provide employment opportunities for Welland and Regional residents, Staff wish to continue to actively and aggressively market the City of Welland. However, to be able to do this requires more City owned lands to be available. The City has initiated the expropriation process under the Expropriation Act to purchase lands know as 349 Ridge Road and 712 Reaker Road for industrial economic development purposes.

COMMENTS AND ANALYSIS:

The Corporate Leadership Team has had ongoing discussions concerning the limited City owned lands available for sale and have concluded that the acquisition of additional lands is in order if the City is to continue to actively and aggressively pursue additional economic growth. Accordingly, a review has been conducted of lands that can be readily serviced and which are currently properly zoned to accommodate industrial growth.

The subject lands are designated Gateway Economic Centre by the City of Welland Official Plan and zoned G1 General Industrial by City of Welland Zoning By-law 2017-117. Further, water and sewer services are readily available to the subject lands and access to transportation routes, both highway and rail, are also readily available. A detailed presentation concerning the subject lands, general employment policy and employment land supply is attached as Appendix 6.

On 6 January, 2020 a registered letter was sent to the registered owner of the lands advising of the City's interest in acquiring the lands. A second letter was sent to the owner on 6 February, 2020. There has been no response to either of those letters, both of which are attached hereto.

Notice of Expropriation was served on the registered owner of the lands as acknowledged by her Solicitor in a hand delivered letter to the City of Welland dated August 5, 2020, a copy of which letter is attached hereto as Appendix 5.

The Owner wishes to contest the City's application for expropriation and via her solicitor has requested a hearing of necessity as provided for in the Expropriation Act. It should be noted that this is NOT a public process but a hearing held by LPAT. Once the Report of Inquiry Officer is released the matter will come back to Council for approval. The hearing and decision are not anticipated to happen until late 2021 or early 2022.

FINANCIAL CONSIDERATIONS:

The 2019 Capital Budget set aside $5,000,000 for "Strategic Land Acquisition & Servicing" with the funds coming from the Economic Development Reserve Fund.

OTHER DEPARTMENT IMPLICATIONS:

Assistance in the expropriation process will be required from the Legal Department and the Corporate Services Department.

SUMMARY AND CONCLUSION:

The City of Welland has seen significant employment/industrial expansion in the last several years. As a consequence, the City owned lands inventory available for promotion, sale and development is limited (only 3 parcels remaining) and will restrict the City's ability to continue to aggressively promote employment expansion.

It was and is the conclusion of the Corporate Leadership Team that the acquisition of these industrial lands is imperative. The move to expropriation comes only after repeated attempts to acquire the subject lands on a mutually agreeable basis.

ATTACHMENTS:

Appendix I – Registered Letter to the owner dated 6 January, 2020

Appendix 2 – Letter to the owner dated 6 February, 2020

Appendix 3 – Location Map of Property

Appendix 4 – Copy of Notice of Expropriation

Appendix 5 – Copy of Letter from J. Leigh Dayboll received August 10, 2020

Appendix 6 – Proposed Expropriation Presentation

City of Welland
Infrastructure and Development Services
Planning and Building Division
60 East Main Street, Welland, ON L3B 3X4
Phone: 905-735-1700 Ext. 2251 | **Fax:** 905-735-8772
Email: devserv@welland.ca | www.welland.ca

January 6, 2020 via Registered Mail

Ms. Marsha Rempel,
349 Ridge Road,
RR # 4, Welland, ON
L3B 5N7

Subject: 349 Ridge Road

Dear Ms. Rempel,

On behalf of the City of Welland, I wish to advise that the City wishes to purchase your lands located at 349 Ridge Road in the City of Welland.

The purchase price of the lands would be based upon the market value of the lands as determined by an accredited appraiser. I would ask you to consider this matter, speak with your solicitor and respond to me at your early convenience.

I look forward to hearing from you and would be pleased to discuss this matter with you at your convenience.

Yours very truly,

Travers Fitzpatrick,
General Manager,
Infrastructure and Development Services,
City of Welland

cc. Mayor Campion
Gary Long, CAO

Appendix II

City of Welland
Infrastructure and Development Services
Planning and Building Division
60 East Main Street, Welland, ON L3B 3X4
Phone: 905-735-1700 Ext. 2251 | **Fax:** 905-735-8772
Email: devserv@welland.ca | www.welland.ca

February 6, 2020

Ms. Marsha Rempel,
349 Ridge Road,
RR # 4, Welland, ON
L3B 5N7

Subject: 349 Ridge Road

Dear Ms. Rempel,

Further to my letter of January 6, 2020, I would appreciate a response regarding the purchase of your lands located at 349 Ridge Road in the City of Welland.

In addition, while undertaking various studies, we are prepared to permit you to live in the house once the transfer of ownership is complete.

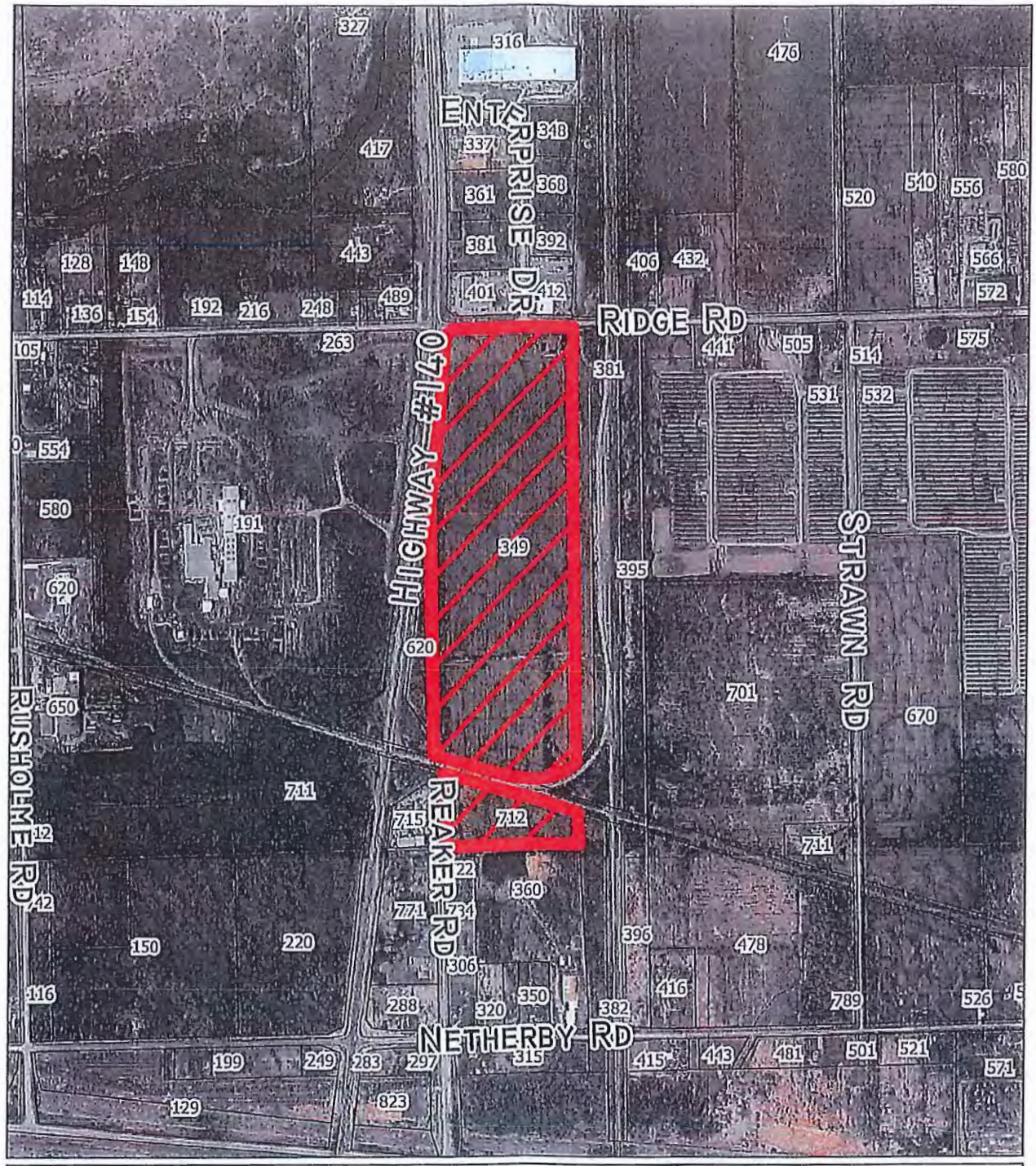
I look forward to hearing from you and would be pleased to discuss this matter with you at your earliest convenience.

Yours very truly,

Travers Fitzpatrick,
General Manager,
Infrastructure and Development Services,
City of Welland

cc. Mayor Campion
Gary Long, CAO

Appendix III



LOCATION MAP

349 Ridge Road - Area: 59.68 acres
712 Reaker Road - Area: 6.84 acres

N
W E
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n.t.s

SUBJECT LANDS

Welland
ONTARIO • CANADA

Infrastructure and Development Services
Planning Division

March 20, 2019

Niagara This Week 23 | Thursday, August 6, 2020 | 6

WELLAND CIVIC NEWS
Bridging the past, present and future • www.welland.ca

Notice of Application for Approval to Expropriate Land
Form 2
Expropriations Act, R.R.O. 1990, Reg. 363

In the matter of an application by

The Corporation of the City of Welland
Name of expropriating authority

for approval to expropriate land being (part, parts of) Lot PT LOT 16

Concession 7 CROWLAND AND PART OF ROAD ALLOWANCE BTN LOTS 16&17, CROWLAND (CLOSED

Registered Plan PARTS 1-4, INCLUSIVE, PLAN 59R3342 AND PART 1, PLAN 59R-6954 BY BY-LAW

in the City of Welland RO58890)
Name of local municipality

Region of Niagara
County or district

for the purpose(s) of

Servicing and developing the lands for industrial development
Description of project or work

Notice is hereby given that application has been made for approval to expropriate the land described as follows:

PT LOT 16 CON7 CROWLAND PTS 1 TO 3 59R3342;PT RDAL BTN LTS 16 & 17 CROWLAND (AS CLOSED BY BYLAW RO588990)PT 1 59R6954;S/T RO588991 WELLAND BEING ALL OF PIN 64129-0014(LT) PT LT 16 CON 7 CLD, PT 4 59R3342; WELLAND BEING ALL OF PIN 64129-0024(LT)

Any owner of land in respect of which notice is given who desires a hearing into whether the taking of such land is fair, sound and reasonably necessary in the achievement of the objectives of the expropriating authority shall so notify the approving authority in writing,

(a) in the case of a registered owner, served personally or by registered mail within thirty days after the registered owner is served with the notice, or, when the registered owner is served by publication, within thirty days after the first publication of the notice;

(b) in the case of an owner who is not a registered owner, within thirty days after the first publication of the notice.

The approving authority is Council of The Corporation of the City of Welland
Name of approving authority

Address

Unit number	Street number	Street name
	60	East Main Street

City/Town	Province	Postal code
Welland	ON	L3B 3X4

Name of expropriating authority
The Corporation of the City of Welland

Name of officer or agent of expropriating authority	Signature of officer or agent of expropriating authority
Travers Fitzpatrick	"Travers Fitzpatrick"

(Where this notice is published, the following shall appear in each publication:
"This notice first published on the 6th (Date) day of August (Month), 2020 (Year).")

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niagarathisweek.com

J. LEIGH DABOLL B.Sc.(Agr.) LL.B.

BARRISTER & SOLICITOR

Telephone: 905-892-0569
Facsimile: 905-892-2986
email: jld-law@xplornet.com

1991 Hansler Street
R.R. 1, Ridgeville
Ontario L0S 1M0

HAND DELIVERED
~~BY REGISTERED MAIL~~

RECEIVED
AUG 10 2020
CITY OF WELLAND
PLANNING - BUILDING

August 5th, 2020

Council of the Corporation of the
City of Welland
60 Main Street
Welland, Ontario L3B 3X4

Attention - Travers Fitzpatrick

Dear Sir:

RE: Notice of Application for Approval to Expropriate Land
PT LOT 16 CON7 CROWLAND PTS 1 TO 3 59R3342; PT RDAL BTN LTS 16 & 17 CROWLAND (AS CLOSED BY BYLAW RO588990)PT1 59R6954;S/T RO588991 WELLAND BEING ALL OF PIN 64129-0014(LT)

PT LT 16 CON 7 CLD, PT 4 59R3342; WELLAND BEING ALL OF PIN 64129-0024(LT)

Please be advised that I have been retained by Ms. Marsha Louise Rempel, the registered owner of the above noted property, with respect to the proposed expropriation proceedings.

Ms. Rempel has provided me with the Notice of Application for Approval to Expropriate Land, Form 2, which was recently served upon her. As Ms. Rempel is entirely opposed to the expropriation of her property, she has requested that a hearing be scheduled to determine whether the taking of such land is fair, sound, and reasonably necessary.

Accordingly, I confirm that a hearing will be scheduled forthwith and I look forward to receipt of the Notice of Hearing.

I trust the foregoing is satisfactory.

Yours sincerely,

J. Leigh Daboll

JLD:sm
c.c. Client

Welland

ONTARIO • CANADA

Bridging the past, present and future

Proposed Expropriation – 349 Ridge Road & 712 Reaker Road

1. Council Strategic Priorities
2. Ontario Municipal Act – Role of Council
3. Overview of Subject Lands
4. General Employment Policies
5. Overview of Employment Land Supply in Welland
6. Land Development Process
7. Expropriation Process – Previous Presentation By Aird & Berlis
8. Historical Value of the Property
9. Conclusion

Council Strategic Priorities

Seated left to right are Councillors: Mary Ann Grimaldi, Leo Van Vliet, Tony DiMarco, Bonnie Fokkens, John Chiocchio. Standing left to right are Councillors: Adam Moote, David McLeod, Graham Speck, Claudette Richard, Bryan Green, Mayor Frank Campion, Jim Larouche, Lucas Spinosa.

Council's 2019/2022 Strategic Priorities

Welland is maturing into a smarter and adaptable city; therefore, strategic priorities are paramount to help guide City Council with clear and focused decision making. City Council's 2019/2022 Strategic Priorities take a holistic approach to improving lives by investing in social infrastructure. The following 2019/2022 Strategic Priorities are the pillars of Council's 2019-2022 vision.

- Canal Lands and Waterway Redevelopment
- Financial Management and Sustainability
- City Infrastructure
- Business Development and Job Creation
- Communications, Community Engagement, and Organizational Culture
- Health & Well-being

Ontario Municipal Act – Role of Council

Role of council

224 It is the role of council,

(a) to represent the public and to consider the well-being and interests of the municipality;

(b) to develop and evaluate the policies and programs of the municipality;

(c) to determine which services the municipality provides;

(d) to ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of council;

(d.1) to ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality;

(e) to maintain the financial integrity of the municipality; and

(f) to carry out the duties of council under this or any other Act. 2001, c. 25, s. 224; 2006, c. 32, Sched. A, s. 99.

Municipal administration

Section 227 It is the role of the officers and employees of the municipality,

(a) to implement council's decisions and establish administrative practices and procedures to carry out council's decisions;

(b) to undertake research and provide advice to council on the policies and programs of the municipality; and

(c) to carry out other duties required under this or any Act and other duties assigned by the municipality. 2001, c. 25, s. 227.

Lands Subject to Expropriation -349 Ridge Road & 712 Reaker Road

- Located at the South-East Corner of Ridge Road and Highway #140
- 26.9 hectares (66.5 acres) of land
- Currently contains a single detached dwelling and farm outbuildings and the land is currently leased to a cash crop farmer.

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Location Advantages of Subject Lands

- Immediately adjacent to major transportation infrastructure including Highway #140 to the west, CN Rail Line to the east and south
- Close proximity to Canada/US Border, Welland Shipping Canal, Highway 406, Highway 58A, QEW, existing industrial development.
- Water and sewer mains available on Ridge Road immediately adjacent to the subject lands.
- Immediately south of existing City developed Enterprise Drive industrial subdivision and in close proximity to the Harry Diffin Industrial Subdivision (Innio).
- Land is suited to create an industrial subdivision with a double loaded road and a range of 2 acre to 6 acres lots which is where most of the industrial demand is while allowing the potential for larger development parcels if needed.
- Does not abut and is not near significant residential development.

Planning Policy Context for Subject Lands

- Located within the Urban Boundary of the City.
- Located within the Gateway CIP Area and is identified within a Strategic Location for Investment
- Designated Gateway Economic Centre in the Region and City Official Plans.
- Zoned – GEC – Gateway Economic Centre in Zoning By-law 2017-117.

General Employment Policies

- The Council approved an employment need projection of 11,050 additional jobs between 2016-2041. Employment needs may increase as residential growth increases beyond current projects.
- The City has been aggressive in developing incentives to transform employment lands to "Shovel Ready" sites. These sites send a strong message to both prospective businesses and local residents – it says that your community is serious about economic development.
- City Official Plan
  - Section 2.4 – An Economic Gateway

v. Welland will work, in partnership with all levels of government, to ensure that attractive employment lands are provided and protected in Welland which create job opportunities and economic diversity, allowing growth in key sectors such as advanced manufacturing, tourism, aerospace, logistics, food processing, health, biosciences, green technologies and interactive media.

ix. Welland will support and promote the growth of transportation and logistics and the advanced manufacturing sector by strategically locating employment lands in close proximity to the Highway 406 and Highway 140 corridors.

  - Section 3.2 – Planning Objectives

viii. To ensure the availability of a sufficient supply of designated employment and residential land to meet the City's projected long term growth.

General Employment Policies

- Other Policies in OP

4.3.1.1 Provide for the Orderly Growth and Distribution of Employment Areas

The City will ensure there is an appropriate supply and distribution of Employment lands provided throughout the City and that future development occurs in an orderly manner.

4.3.1.9 Minimize Adverse Impacts Associated with Industrial Uses

The City will attempt to minimize adverse impacts associated with industrial uses by ensuring that industrial uses occur on designated lands and that issues related to impacts of air, noise, vibration and odour are addressed in a manner which is consistent with City and Provincial standards.

4.3.3.6 Industrial Traffic

Industrial traffic should be directed away from, and not through, residential areas. Generally, the number of access points from employment areas to arterial and collector roads should be limited to minimize potential disruptions to traffic flow.

4.3.3.4 Balancing Demand and Supply

The City will support and promote existing vacant Employment Areas by monitoring the inventory of vacant employment land and designating new employment lands only where there is appropriate planning merit as demonstrated through a comprehensive review.

General Employment Policies

- Welland Economic Development Strategy and Action Plan 2019-2024
  - 8 Key Strategic Areas

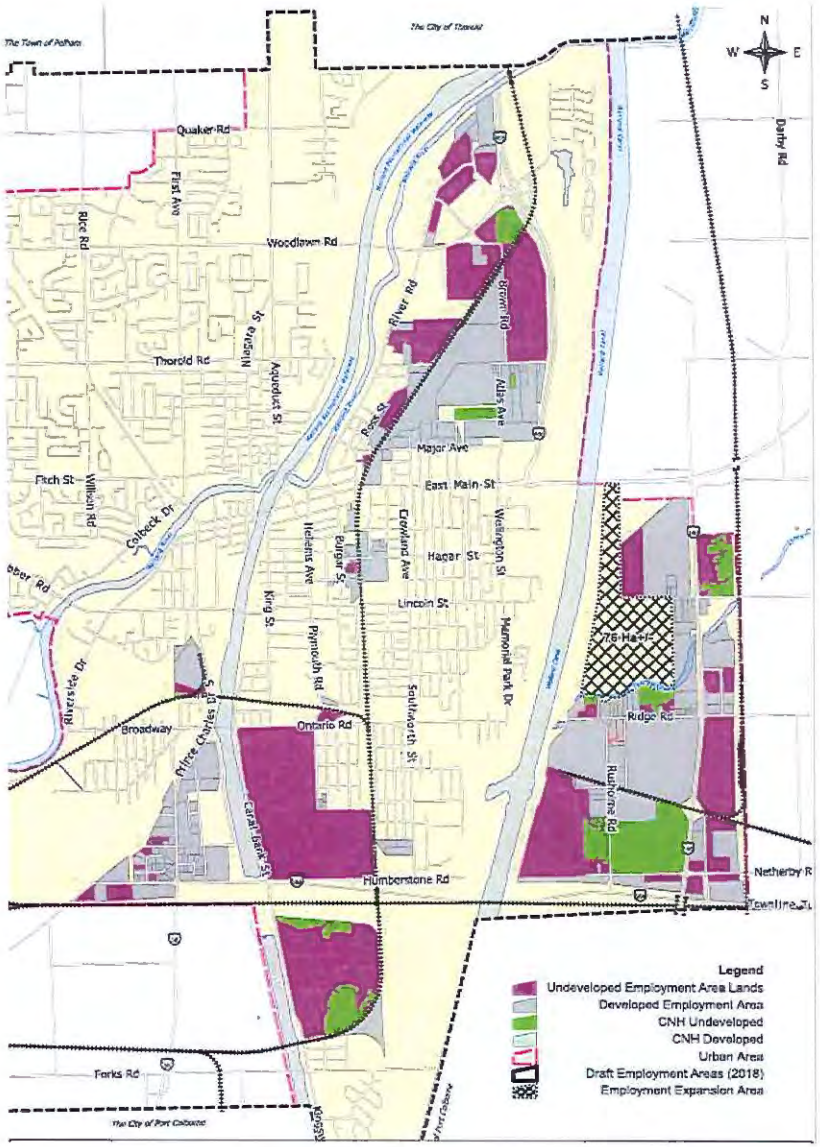
    A. Business Retention
    B. Innovation, Entrepreneurship & Start-Ups
    C. Investment Attraction
    D. Workforce Development
    E. Marketing
    F. Sectors of Focus
    G. Employment Lands
    H. Resourcing

  - G. Employment Lands

    Success in commercial real estate and development requires a formalized approach. Key components include:

    - Concierge service led by the Economic Development Department to guide prospective investors through the development process with all city departments
    - Aggressive incentive programs for downtown, health and wellness, residential, brownfield and Gateway jurisdictions coupled with Application feed and Environmental Grant programs. (see Appendix E.3)
    - Competitively priced and shovel ready land
    - Competitive tax rates
    - Infrastructure improvements

Welland Employment Land Supply



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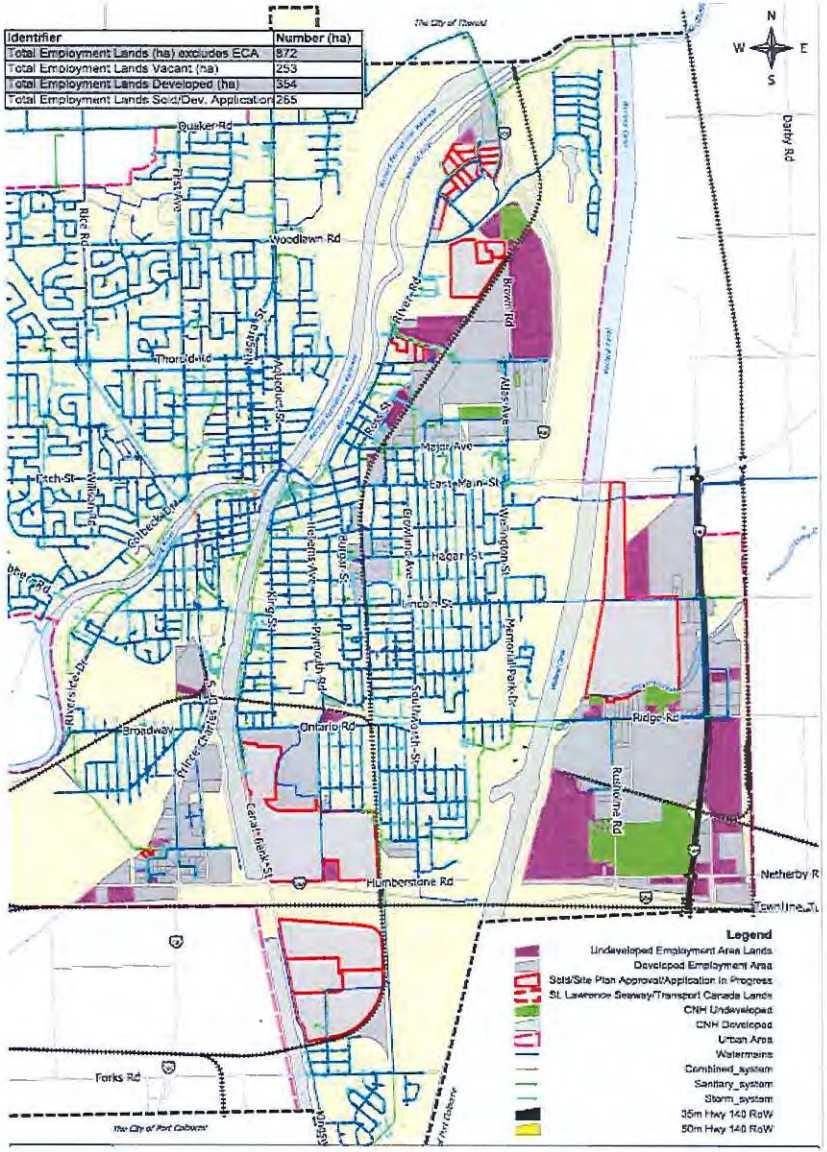
Bridging the past, present and future

Employment Lands Supply – Reality Check

- At first glance it appears that there is a significant amount of land available for employment uses to develop, however the following has to be factored in:
  - There are a number of vacant industrial properties that have recently sold to various companies looking to build facilities in Welland (e.g. Primeway Industrial Park is almost completely sold out with only one lot left.)
  - Many properties are in the various stages of the development pipeline (Pre-Consultation, Site Plan Approval, Building Permit Review)
  - Brownfields are not particularly attractive to industries as they want to spend resources on developing a facility and purchasing equipment so they may start doing their business.
  - Some properties do not have immediate access to City water and sewer services.

Welland Employment Land Supply with Current Land Sales/Development Applications Factored in



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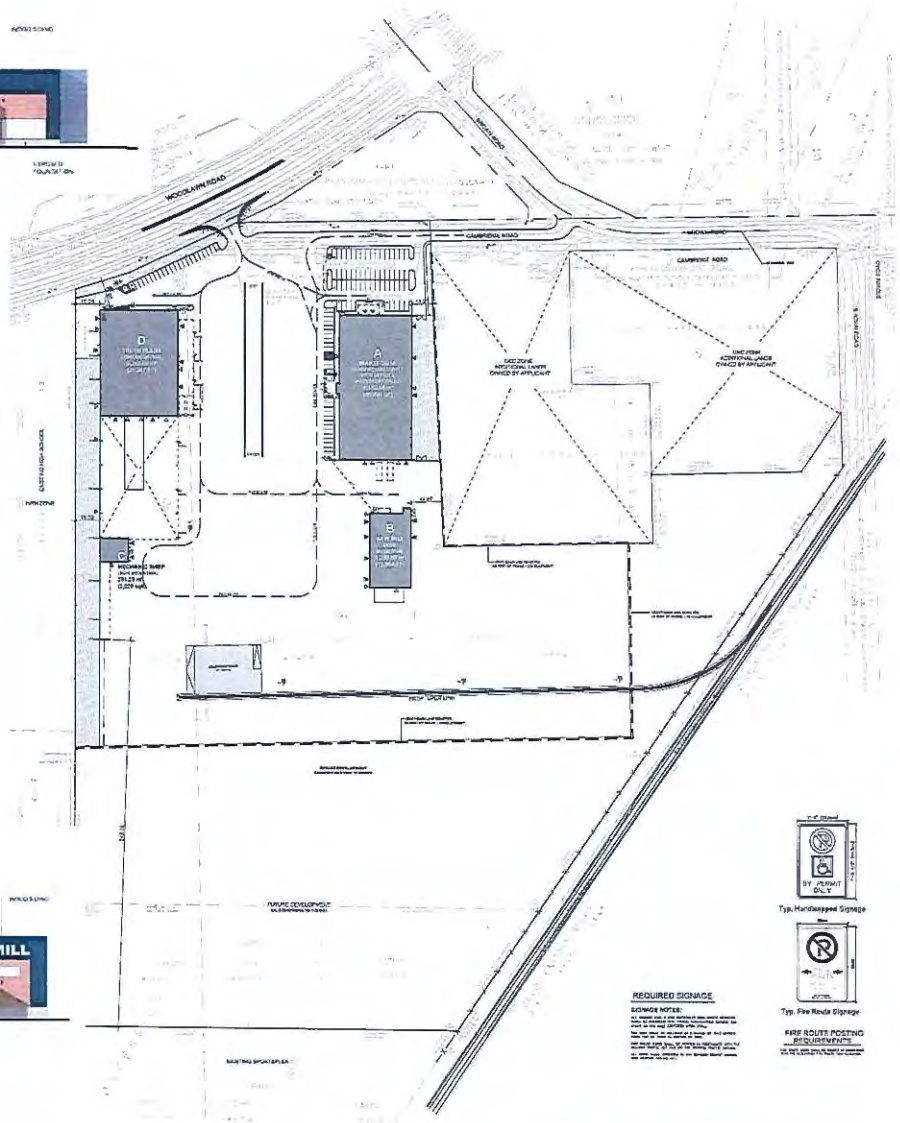
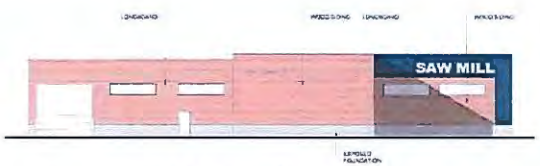
Bridging the past, present and future

Tamarack Lumber (7 Woodlawn Avenue) as an Example of a Development Timeline

- City Staff contact Tamarack Lumber - July 2016
- Land Purchase - September 29, 2017
- Gateway CIP Application – December 9, 2019
- Gateway CIP Approval Letter – December 23, 2019
- Site Plan Control Application Submission – July 23, 2019
- Site Plan Approval – Final Agreement In Process
- Building Permit Submission – December 21, 2020





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Tamarack Lumber Proposed Site Plan

Warehouse =	45,000 ft^2
Trussplant =	35,347 ft^2
Sawmill =	13,354 ft^2
Mechanic Shop =	3,028 ft^2
Total =	96,728 ft^2

Lot Areas

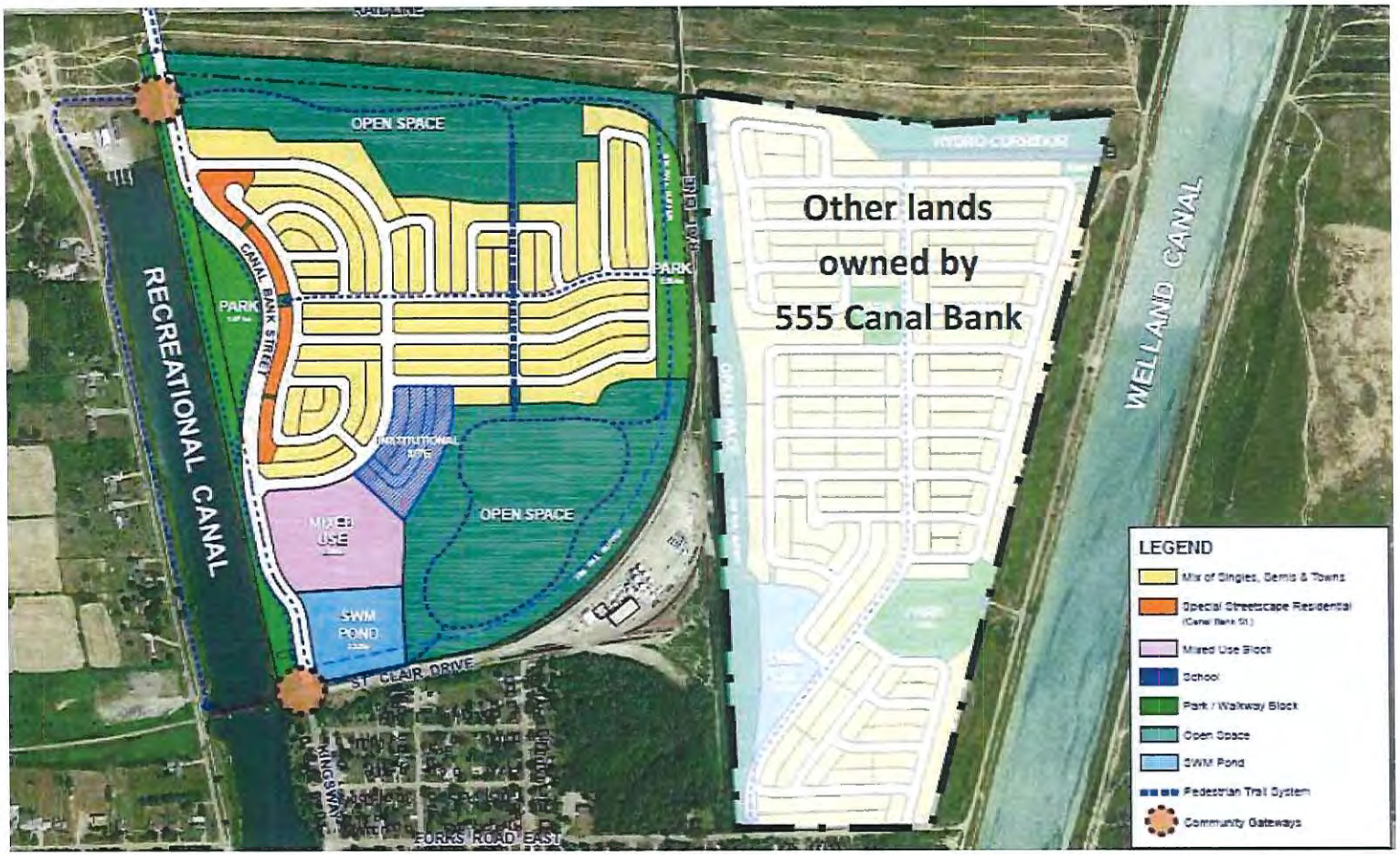
- 7 Woodlawn Road = 37.7 acres
- 3-15 Cambridge Road = 5.06 acres
- 5W Corner of Cambridge & Brown Road = 5.02 acres

Bridging the past, present and future

Former John Deere Lands & Former Union Carbide Lands

- Not suited to industrial as most do not want to clean-up or inherit other companies environmental problems/liabilities. They want to focus their investment on buildings and technology to get up and running.
- Clean-up costs are significant.
  - Former Union Carbide = $180 million
  - Former John Deere Lands = $51 million
  - 401 Canal Bank (Dain City East Subdivision) = $11 million
  - Former Stelco/Energex = Unknown
- Significant ground contamination poses a risk to water quality of the Recreational Canal
- Residential development with mixed use is more appropriate in these areas given proximity to the Welland Recreational Canal and the prospect of having the lands remediated are ideal outcomes for the City.

Former John Deere Lands Concept Plan

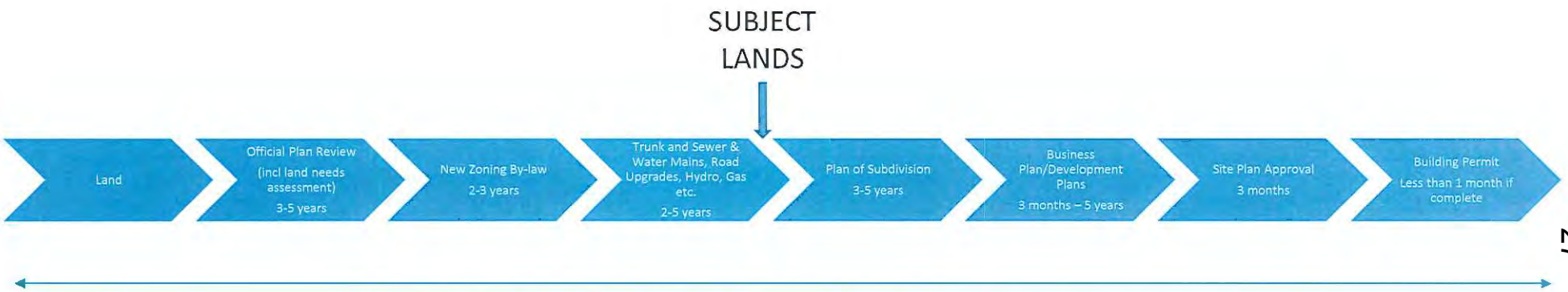


Proposed Concept Plan – Dain West Subdivision

Success Factors in Attracting New Employment/Industrial Uses

- There is a need to plan ahead as developing an Industrial subdivision from start to finish is a 3-5 year process.
- Having shovel ready land is key to attracting new jobs to the City. (OP and Zoning Designation in place, required studies completed, water and sewer available at lot line or withing road)
- New City developed industrial parks ensure the City has land immediately available for development with reasonable pricing. The River-Downs Industrial Subdivision is the City's 6th industrial subdivision.
- Land must be strategically located (near rail, Provincial Highways, water and sewer is available and away from residential areas)
- Streamlined development approvals and permit processes are attractive for this type of development.

Employment Land Development Process



Process Relies on Lands Being Available For Sale at a Reasonable Price

Shovel Ready refers to sites which are pre-qualified with proper land use designation, utilities, transportation improvements, availability and pricing and in some cases, incentives.

Table of Contents

1. What is expropriation?
2. Why expropriate land?
3. How does expropriation occur?
4. How much does it cost to expropriate land?
5. How is compensation determined?
6. What is the timeline?

What is expropriation?

- Expropriation is defined in the *Expropriation Act* as:
  - "the taking of land without the consent of the owner by an expropriating authority in the exercise of its statutory powers"
- Municipal council is an "expropriating authority"
- Expropriation can be either full, partial, or temporary

AIRD BERLIS

What is Expropriation? – Legal Authority

- A municipality's legal authority to expropriate land comes from section 6 of the *Municipal Act, 2001*
  - 6 (1) "The power of a municipality to acquire land under this or any other Act includes the power to expropriate land in accordance with the *Expropriations Act*"
- The process governing expropriation comes from the *Expropriations Act*

AIRD BERLIS

Why Expropriate Land?

- In some situations a municipal undertaking will require the use or acquisition of land that does not belong to the municipality
- E.g.: widening roads, creating easements, building transit stops, building parks
- Expropriation is a commonly used tool available to municipalities when a private party is unwilling to amicably sell their land to the municipality
- A municipality has very broad authority to expropriate land in pursuit of valid objectives (*Vincorp Financial v Oxford*, 2014 ONSC 2580)

AIRD BERLIS

Protecting the Landowner

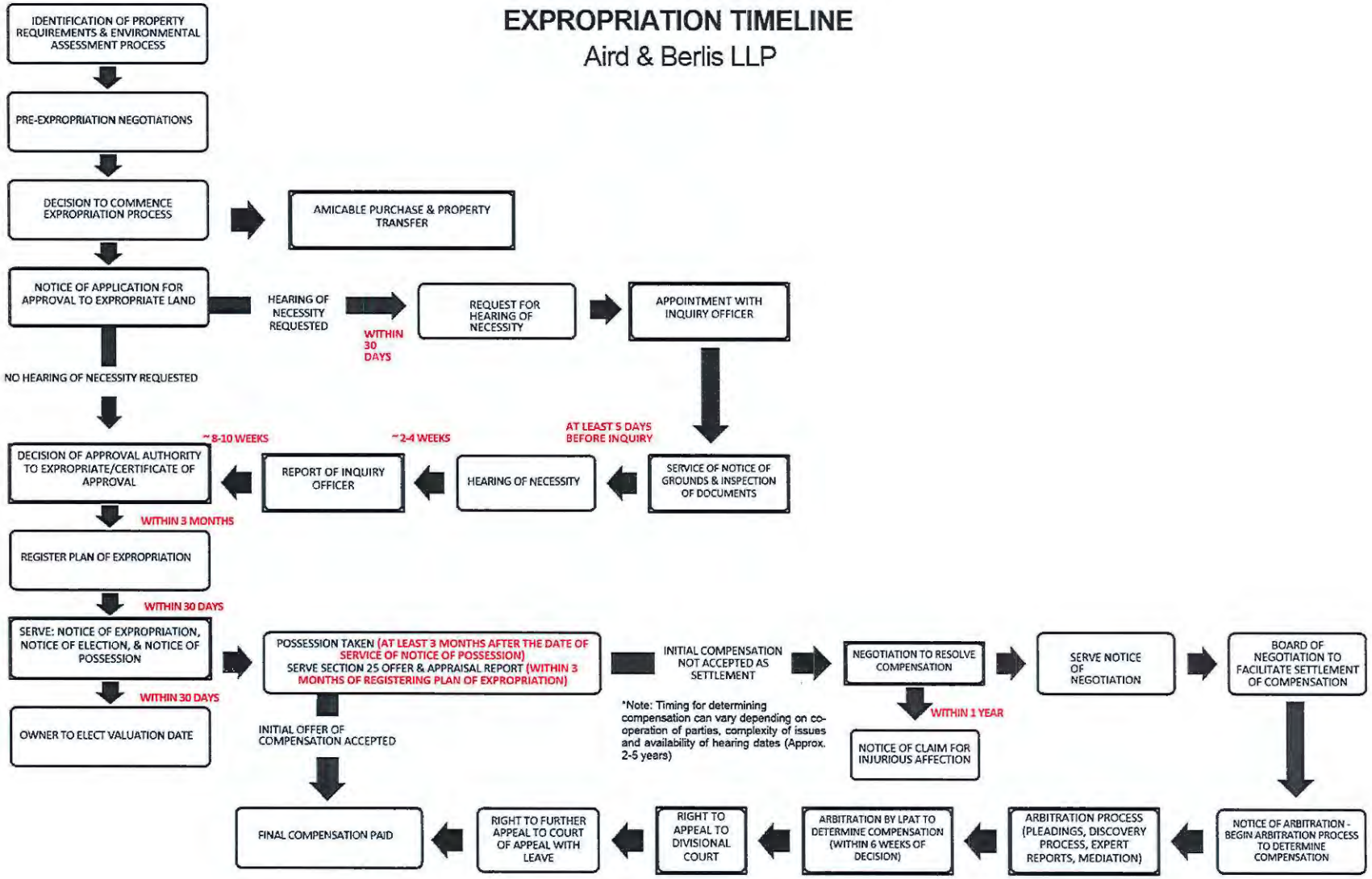
- "The expropriation of property is one of the ultimate exercises of governmental authority. To take all or part of a person's property constitutes a severe loss and a very significant interference with a citizen's private property rights." (*Toronto Area Transit Operating Authority v. Dell Holdings Ltd.*, 1997] 1 SCR 32)

- The *Expropriations Act* was drafted as a remedial statute with its purpose to adequately compensate those whose lands are taken to serve the public interest

- The Courts in Canada have consistently applied a broad interpretation of the *Expropriations Act* to ensure that whenever land is expropriated, compensation will be paid

EXPROPRIATION TIMELINE

Aird & Berlis LLP



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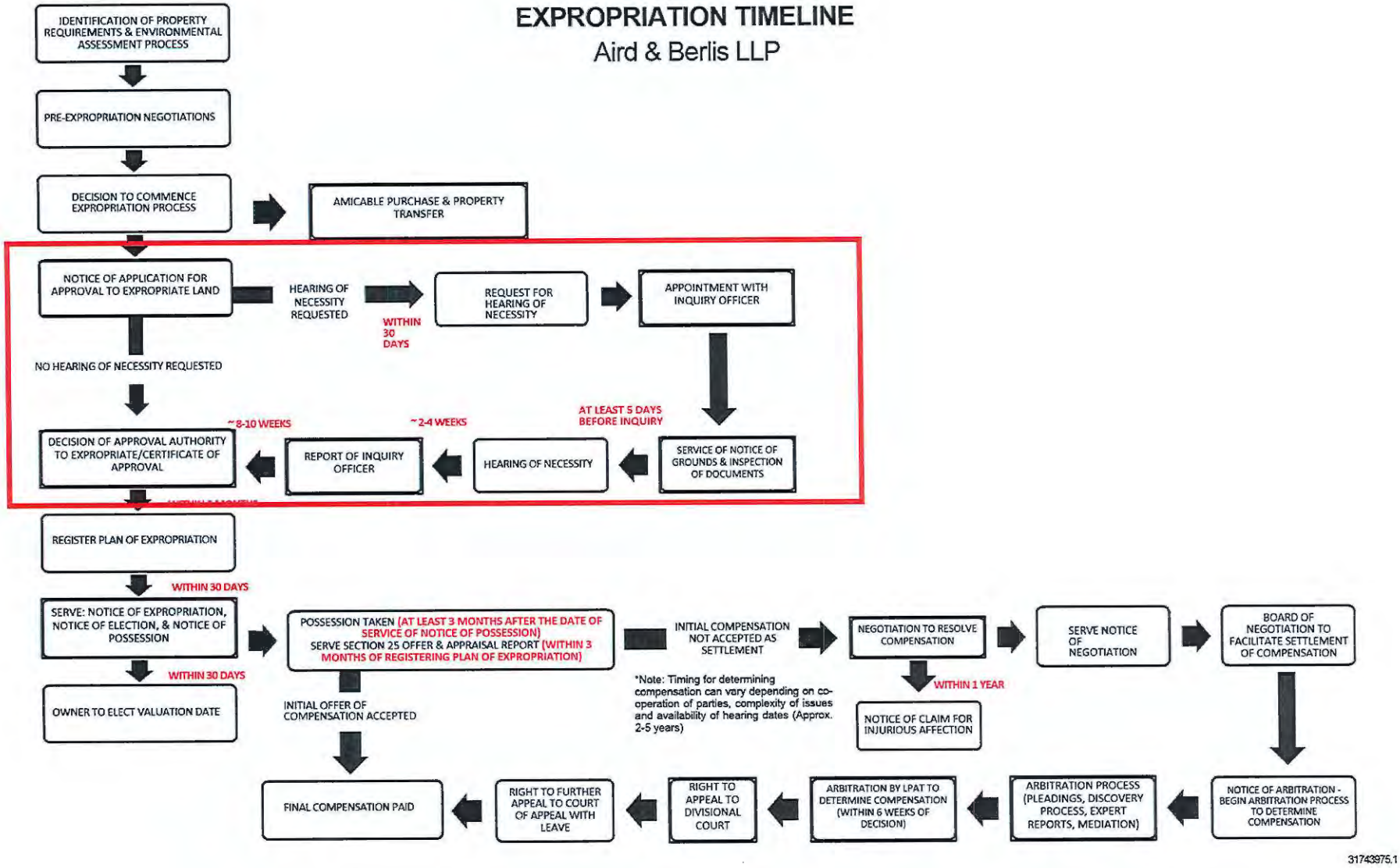
EXPROPRIATION TIMELINE

Aird & Berlis LLP



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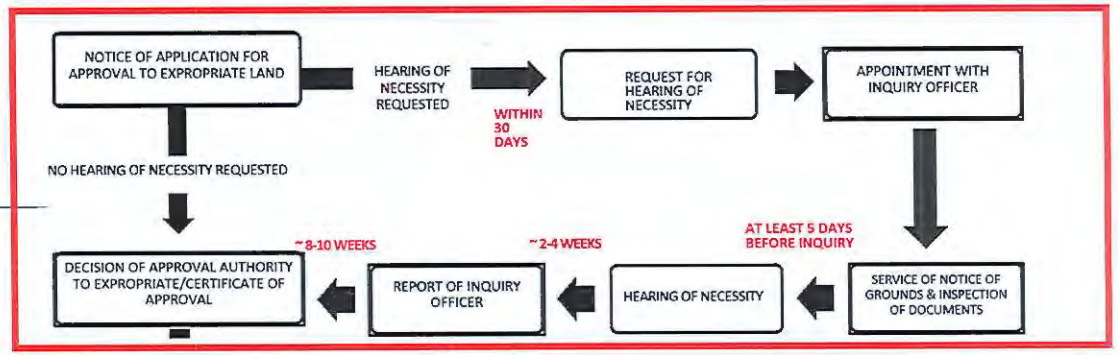
Application for Approval and Providing Notice

- The expropriation process starts with a decision of council, usually when an amicable transfer of land is not possible
- The first formal step is to apply for approval from the expropriating authority (in this case, municipal council itself)
- Application is approved by resolution of council
- Upon applying for approval, council is required to:
  1. Serve Notice of Application upon each **registered owner** of the lands to be expropriated
  2. Publish the Notice of Application once a week for three consecutive weeks in a newspaper having a general circulation in the area

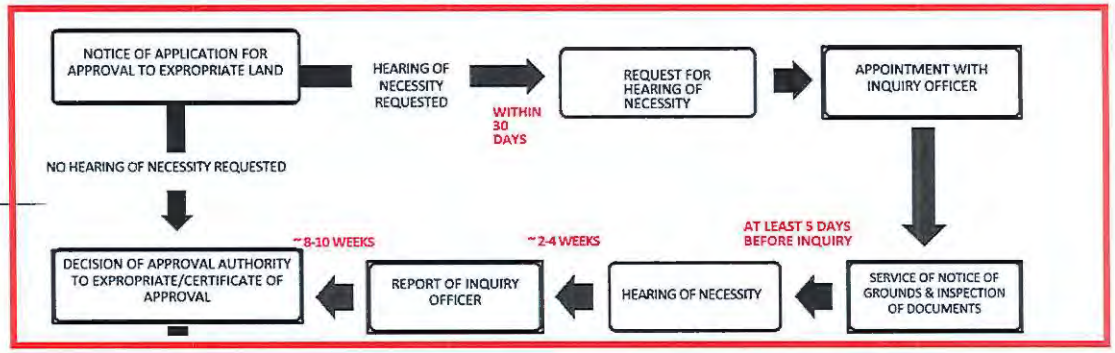
Hearing of Necessity



- Once Notice of Application to Expropriate has been served and published, an owner may request a hearing
- Both **registered owners** and **non-registered owners** may request a hearing
- Request for hearing must be made within 30 days of receiving the Notice of Application to Expropriate

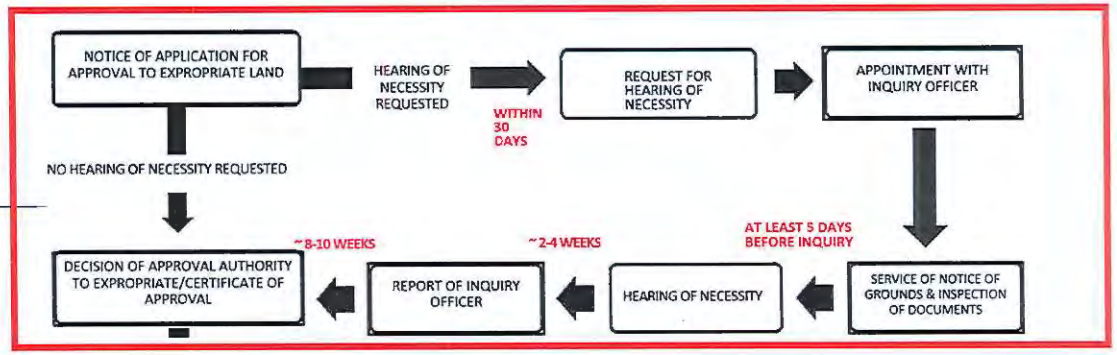
AIRD BERLIS

Hearing of Necessity



- If a request for a hearing is made, the Attorney General will appoint a chief inquiry officer and other officers
- The expropriating authority must demonstrate, to the satisfaction of the inquiry officer, that the proposed taking "**fair, sound, and reasonably necessary**" to achieve council's objectives
- The inquiry officer(s) will not consider the merits and demerits of council's objectives, but instead will focus on whether the proposed expropriation is "reasonably defensible" in the circumstances

Hearing of Necessity



- The inquiry officer will prepare a *non-binding* report containing recommendations to be considered by Council
- Council must consider the report of the inquiry officer and render a decision to approve or disapprove within 90 days
- Council shall provide written reasons for its decision
- If there is no inquiry, Council is permitted to approve the expropriation proposal immediately

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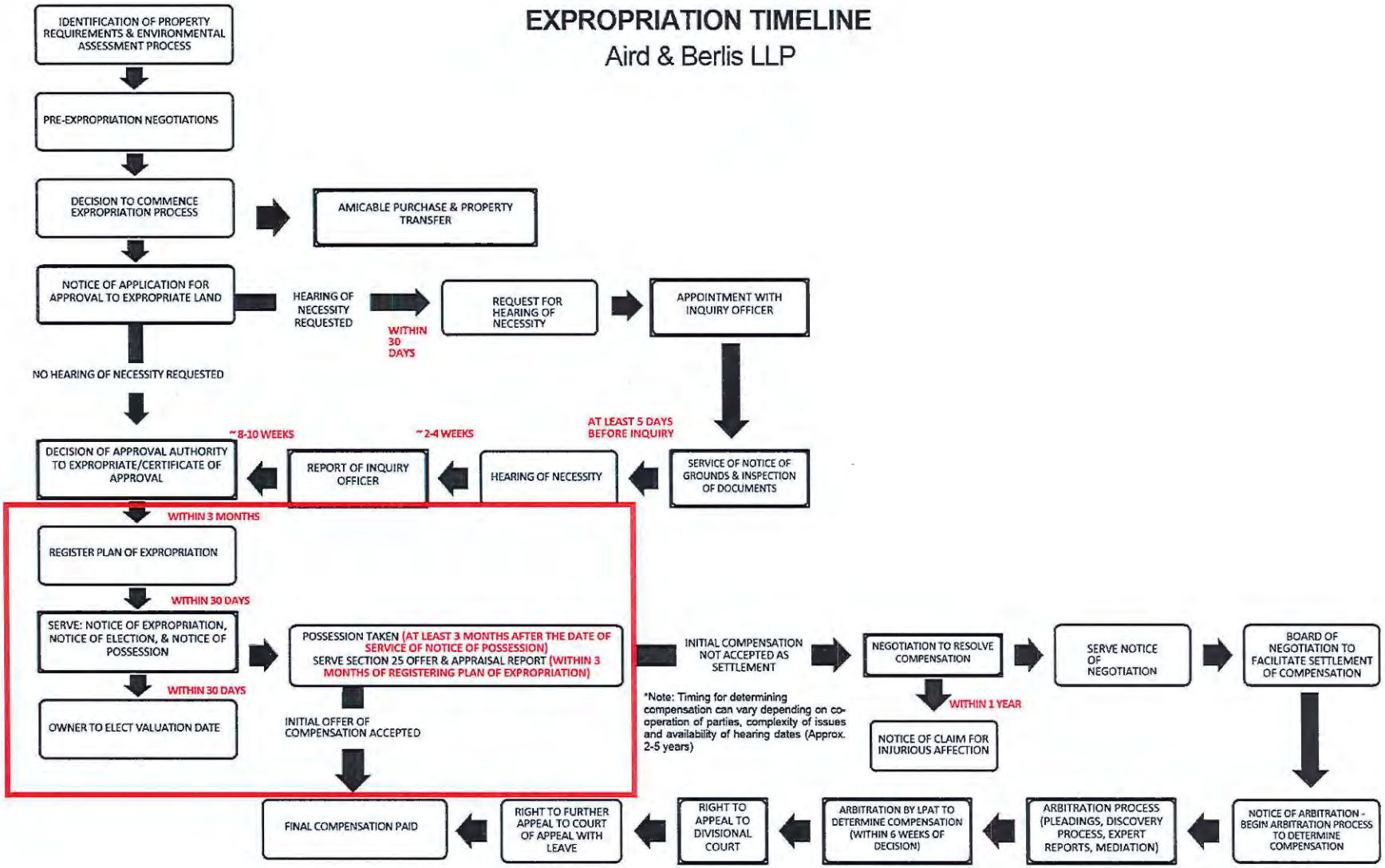
EXPROPRIATION TIMELINE

Aird & Berlis LLP



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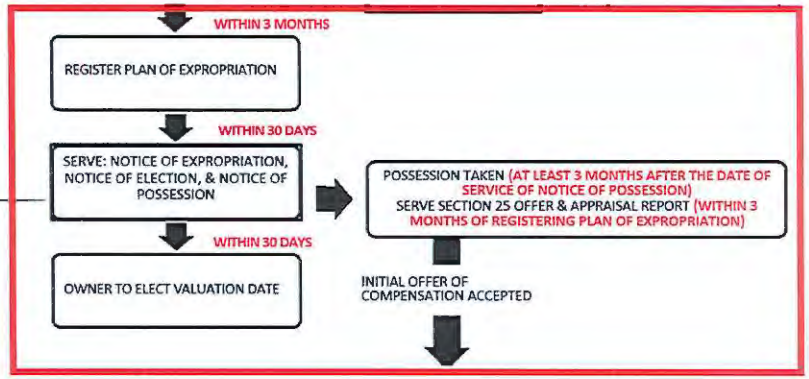
Registration of Plan of Expropriation



- Once a proposed expropriation has been approved, the expropriation plan must be registered with the proper land registry office
- Registration must occur within three months of the approval
- Once the expropriation plan is registered the land **vests** with the expropriating authority – all other interests in the land are converted to claims for compensation and no longer affect the land (e.g. mortgages are released from title; leases are frustrated)

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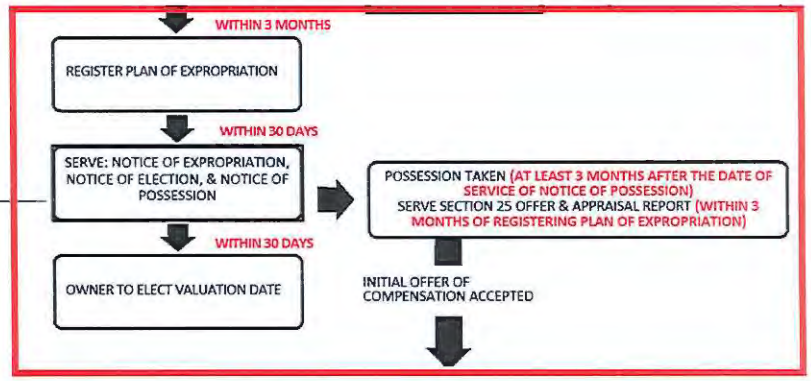
Notices of Expropriation, Election and Possession

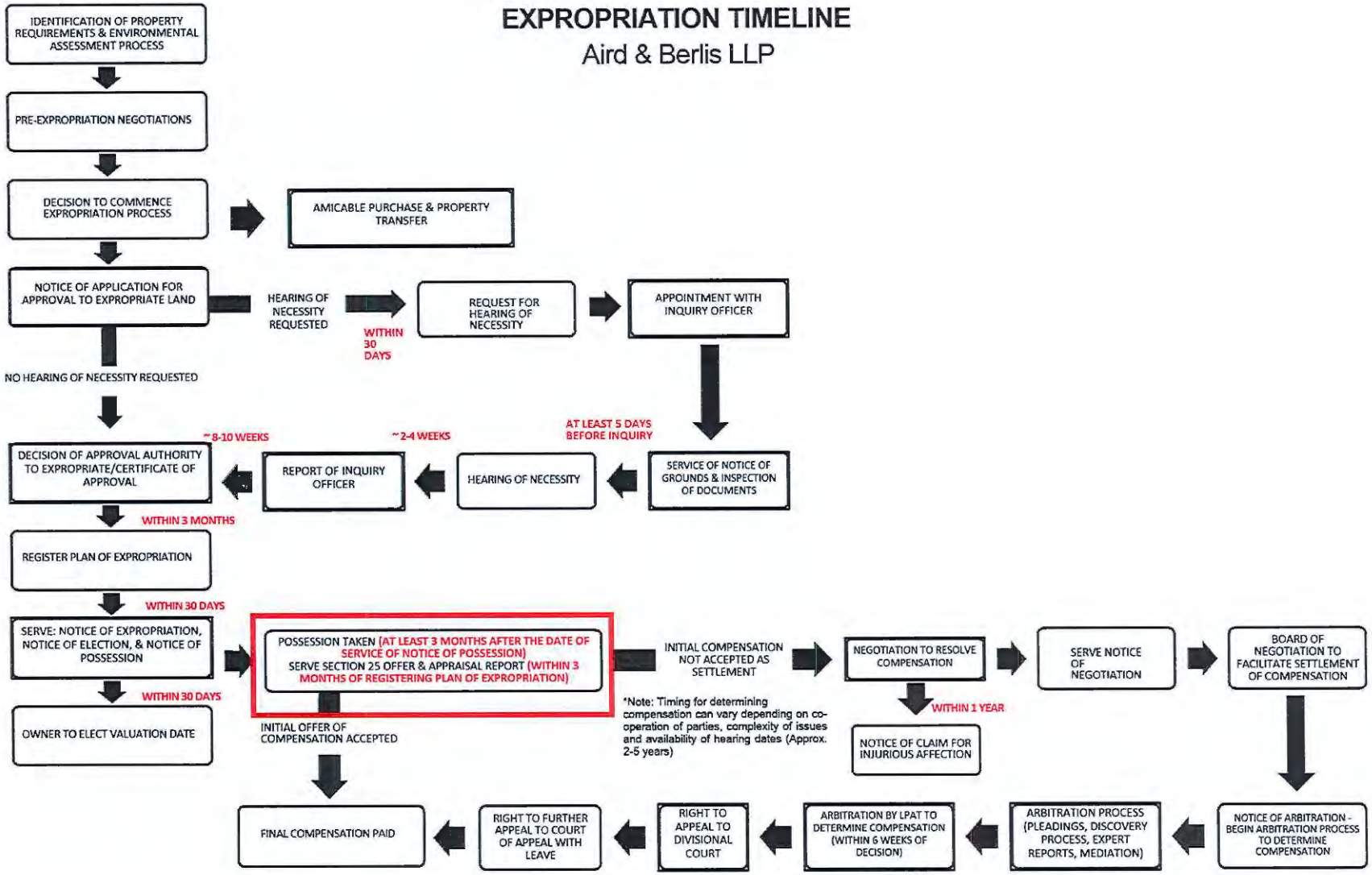


- Within 30 days of plan registration, the expropriating authority must provide the owner with:

1. **Notice of Expropriation** – must be served on both the **owner** and **registered owner**
2. **Notice of Election** - allows the owner three choices as to the date of property valuation: (i) date of Notice of Hearing of Necessity; (ii) date plan was registered; or (iii) date of Notice of Expropriation
3. **Notice of Possession** - must indicate a date where possession will be taken, no sooner than 3 months from the date this notice is delivered

EXPROPRIATION TIMELINE

Aird & Berlis LLP



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Section 25 Offer of Compensation

POSSESSION TAKEN (AT LEAST 3 MONTHS AFTER THE DATE OF SERVICE OF NOTICE OF POSSESSION)
SERVE SECTION 25 OFFER & APPRAISAL REPORT (WITHIN 3 MONTHS OF REGISTERING PLAN OF EXPROPRIATION)

- The owner of expropriated land shall be compensated by the expropriating authority for the **market value** of the land
  - "the amount that the land might be expected to realize if sold in the open market by a willing seller to a willing buyer"
- An Offer of Compensation must be made within 3 months of registration of plan
- The Offer of Compensation must be accompanied by an appraisal document
- Offers must be made to all **registered owners** of the property (including mortgagees, tenants if registered etc.)
- The Offer of Compensation must be made before the expropriating authority takes possession

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Section 25 Offer of Compensation

POSSESSION TAKEN (AT LEAST 3 MONTHS AFTER THE DATE OF SERVICE OF NOTICE OF POSSESSION)
SERVE SECTION 25 OFFER & APPRAISAL REPORT (WITHIN 3 MONTHS OF REGISTERING PLAN OF EXPROPRIATION)

- 2 offers must be made to a property owner
  - Offer "A" – owners can choose to accept the amount as full & final compensation (and payment made immediately, owner signs release, matter is over)
  - Offer "B" – owners can choose to accept the amount without prejudice to right to seek **additional compensation** (most commonly accepted)

Claim for Additional Compensation

POSSESSION TAKEN (AT LEAST 3 MONTHS AFTER THE DATE OF SERVICE OF NOTICE OF POSSESSION)
SERVE SECTION 25 OFFER & APPRAISAL REPORT (WITHIN 3 MONTHS OF REGISTERING PLAN OF EXPROPRIATION)

- If an owner elects Offer "B" the owner may seek the following types of additional compensation

1. Additional market value compensation (ie: appraised value was too low)
2. Disturbance damages (ie: business loss, replacement costs, storage costs, relocation costs, moving costs)
3. Injurious Affection (where partial expropriation occurs, the reduction in value caused to the remaining land of the owner)

Additional Costs

POSSESSION TAKEN (AT LEAST 3 MONTHS AFTER THE DATE OF SERVICE OF NOTICE OF POSSESSION)
SERVE SECTION 25 OFFER & APPRAISAL REPORT (WITHIN 3 MONTHS OF REGISTERING PLAN OF EXPROPRIATION)

- In most cases the expropriating authority will be required to pay the owners' reasonable legal, appraisal and other consulting costs in determining the compensation claim
  - These costs are payable when the final compensation is determined to be at least 85% of the compensation offer

- The owner is also entitled to be paid interest on outstanding market value or injurious affection at the rate of **6 per cent a year** calculated from the date the owner ceases to reside on or make productive use of the lands

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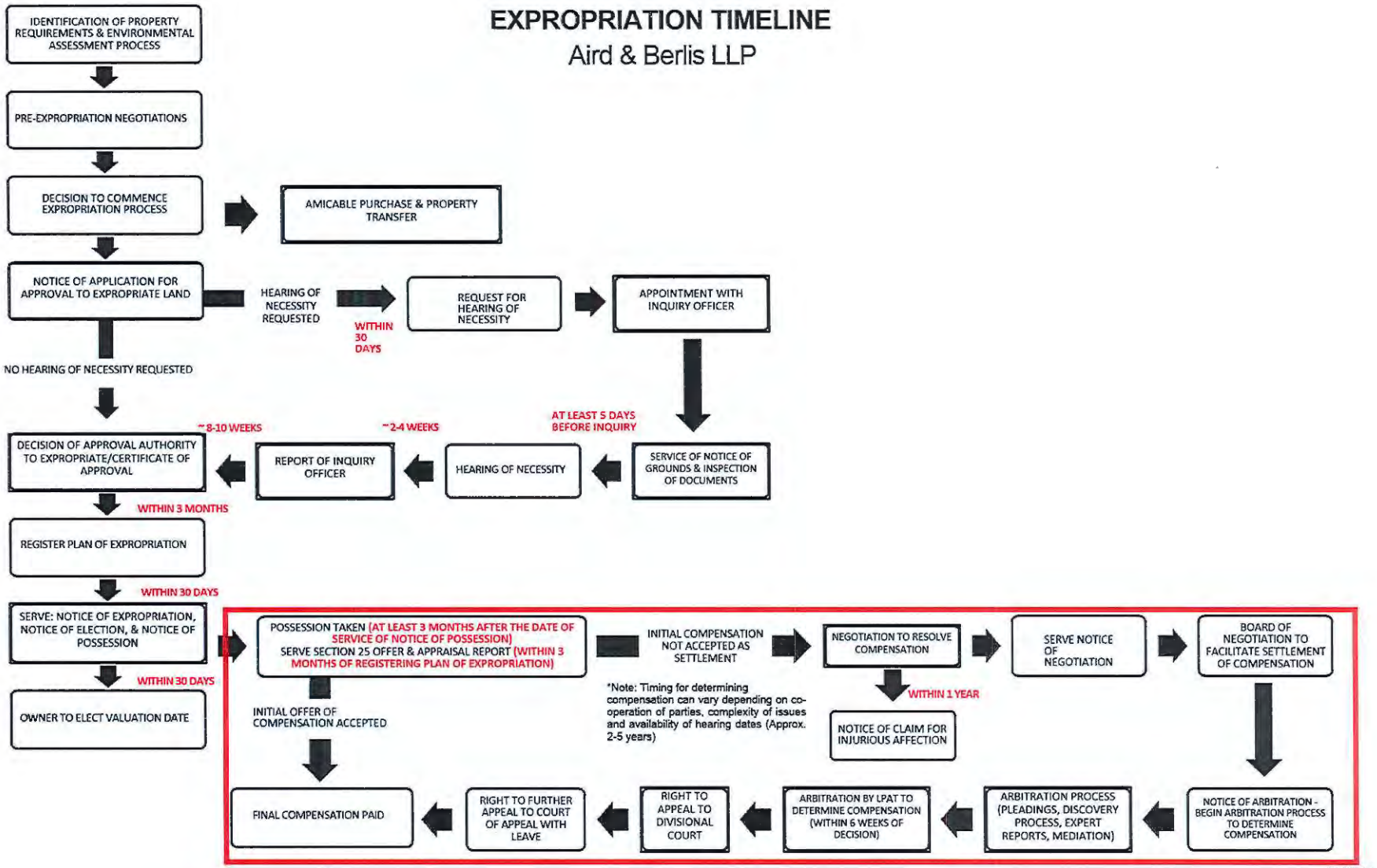
EXPROPRIATION TIMELINE

Aird & Berlis LLP



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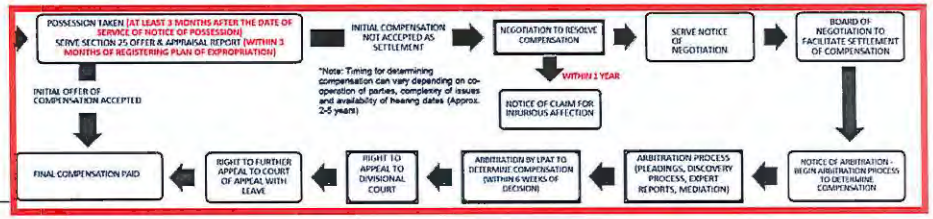
Compensation Claim Process



- Most often, claims for compensation are resolved by the parties through negotiation and settlement
- Where the parties are unable to resolve the matter on their own, they may proceed to the Board of Negotiation to facilitate settlement discussions
- If negotiation does not resolve a claim, arbitration may proceed before the Local Planning Appeal Tribunal (LPAT) to determine compensation
  - The arbitration process includes pleadings, discovery, expert reports, mediation, and ultimately a formal hearing
- Appeals of LPAT decisions lie with the Divisional Court
- Appeals of Divisional Court decisions lie with Court of Appeal (with leave)

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Timeline

- The timeline for an expropriation process can range from several months to several years;
- At minimum, from Council's decision to expropriate to actual possession of the land, the process requires at least 4 months, usually much longer;
- Claims for compensation are typically resolved in 1-2 years, but can take decades

Ontario Heritage Act Designated

- The property is not currently designated under the Ontario Heritage Act and not recommended for consideration by the Welland Heritage Committee.
- Does not prevent the City from expropriating.
- City could have its worthiness to be designated as part of the range of studies that would be required to develop the site (archaeological, geotechnical, traffic impact study etc.)
- House and Buildings could be retained on a separate parcel if it were to be designated.

Conclusion

- Planning for employment land is a purposeful exercise of the City. We need to be strategic in our approach and plan for the short, medium and long term.
- City owned "shovel ready" employment lands have a proven track record of success (e.g. Innio, Northern Gold Foods, Devron Sales etc.)
- The City is running out of "shovel ready" employment lands to meet it's needs. This will severely limit the ability of the City to attract needed jobs for residents and the Region.
- The Expropriation Act is intended to allow a municipality to purchase needed land where a property owner is unwilling to sell. Property owners are fairly compensated through this process.
- The City Council will have another opportunity to consider this expropriation after the decision is rendered after the Hearing of Necessity.

COUNCIL MEETING AGENDA

Tuesday, February 2, 2021
7:00 P.M.
Due to COVID-19 and the closure of the Civic Square
All Electronic Meetings can be viewed at:
City of Welland website: https://www.welland.ca/Council/LiveStream.asp
YourTV: The meeting will be aired on channel 700 on February 4, 2021 at 8:00 p.m.

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1. OPEN COMMITTEE-OF-THE-WHOLE (IN-CAMERA)
(See yellow tab)

- Proposed or pending acquisition or disposition of land by the municipality or local board:
  - *Sale of City Owned Land.*
- Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board: and
  - *Legal Proceedings - Fire Code Enforcement.*
- Personal matters about an identifiable individual, including municipal or local board employees:
  - *Personnel Matters.*
  - *Management.*

2. ARISE FROM COMMITTEE-OF-THE-WHOLE (IN-CAMERA) (6:55 p.m.)

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

Regular Council Meeting of January 19, 2021 (Pre*viously Distributed).*

3.5 CALL UPON THE CITY CLERK TO REVIEW COMMITTEE-OF-THE-WHOLE ITEMS (IN-CAMERA) TO BE ADDED TO BLOCK

3.6 DISCLOSURES OF INTEREST

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

4.1 PRESENTATIONS

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

21-28 Sandy Graham, President and Vic Kerschl, President-Elect, Rotary Club re: Rotary Club of Welland Cheque Presentation.
(Background information included in Council Member's packages).

4.2 DELEGATION(S) (maximum 5/10/5 policy)

21-15 Nora Reid, President, Central Station Education Initiative re: Update activities and its 100th Anniversary Celebration.
(Background information included in Council Member's packages).

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

4.4 LEGISLATED PUBLIC HEARINGS/MEETINGS - Nil

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

6. BY-LAWS (SEE AGENDA INDEX)

7. NOTICES OF MOTION

7.1 Councillor matters discussed with staff for reporting purposes

7.2 Notices of Motion (previously submitted for discussion)

(Councillor Green)

20-82 THAT THE COUNCIL OF THE CITY OF WELLAND rescinds By-law 2020-144: A By-law to authorize expropriation of land by the Corporation of the City of Welland.

(Councillor Speck)

20-64 WHEREAS the City of Welland has a proven method of holding virtual council and general committee meetings; and further
WHEREAS By-law 2020-34 states "8. THAT the delegation of powers and duties provided for by this By-law may be revoked at any time by Council without notice".
THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND revoke By-law 2020-34, as amended, to delegate powers and duties to the Chief Financial Officer during the COVID 19 Pandemic.

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

8. CORPORATION REPORTS

8.1 Mayor's Report

8.2 Chief Administrative Officer's Report

9. CONFIRMATORY BY-LAW

A By-law to adopt, ratify and confirm proceedings of the Council of the Corporation of the City of Welland at its meeting held on the 2nd day of February, 2021. Ref. No. 21-1

10. ADJOURNMENT

COUNCIL MEETING AGENDA

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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. COMMITTEE AND STAFF REPORTS

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

1 **2. General Committee Report to Council - January 26, 2021**

P&B-2021-06 Interim Director, Development and Building Services, G. Munday - Regulation of Short-term Rentals. Ref. No. 21-22
(Refer to pages 1 to 3 from the January 26, 2021 General Committee Agenda).

RECOMMENDATION:
THAT THE COUNCIL OF THE CITY OF WELLAND receives Report P&B-2021-06 for information.

HR-2021-01 Interim CAO, Gen. Mgr., Corporate Services, Chief Financial Officer/Treasurer, S. Zorbas - Hiring Policy. Ref. No. 19-85
(Refer to pages 4 to 14 from the January 26, 2021 General Committee Agenda).

RECOMMENDATION:
1. THAT THE COUNCIL OF THE CITY OF WELLAND receives for information report HR-2021-01 Hiring Policy, and further
2. THAT THE COUNCIL OF THE CITY OF WELLAND approves the Hiring Policy.

COUNCIL MEETING AGENDA INDEX – Page 2

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R&C-2021-01 Interim CAO, Gen. Mgr., Corporate Services, Chief Financial Officer/Treasurer, S. Zorbas and Gen. Mgr., Economic Development, Recreation & Culture, D. Degazio - Outdoor Pool Condition Assessment. Ref. No. 21-19
(Refer to pages 25 to 98 from the January 26, 2021 General Committee Agenda).

RECOMMENDATION:
THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report R&C-2021-01: Outdoor Pool Condition Report.

3. Budget Review Committee Report to Council - Nil

4. Staff Reports

2 - 3	**FIN-2021-04**	Interim CAO, Gen. Mgr., Corporate Services, Chief Financial Officer/Treasurer, S. Zorbas - Supply and Delivery of Mobility Van, Welland Transit. Ref. No. 21-13 (See By-law 1)
4 - 6	**FIN-2021-05**	Interim CAO, Gen. Mgr., Corporate Services, Chief Financial Officer/Treasurer, S. Zorbas - Inflatable Water Park Update. Ref. No. 99-99
7 - 10	**TRANS-2021-02**	Interim CAO, Gen. Mgr., Corporate Services, Chief Financial Officer/Treasurer, S. Zorbas - Transit Evening Service Level Proposal. Ref. No. 21-13
11 - 14	**TRAF-2021-05**	Interim Director, Development and Building Services, G. Munday - Update to Traffic and Parking By-law 89-2000. Ref. No. 21-22 (See By-law 2)
15 - 17	**P&B-2021-07**	Interim Director, Development and Building Services, G. Munday - Application for Condominium Exemption (File No. 26T-14-21002) made by 867962 Ontario Limited for lands described as Part of Block F, Plan 574, City of Welland, municipally known as 574 King Street. Ref. No. 10-78
18 - 19	**F&ES-2021-01**	Fire Chief, A. Eckhart - Consolidate Emergency Services Dispatch. Ref. No. 21-15
20 - 22	**F&ES-2021-02**	Fire Chief, A. Eckhart - Cost Recovery and Fees for Services Update. Ref. No. 21-15

COUNCIL MEETING AGENDA INDEX – Page 3

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3. NEW BUSINESS

23 - 27 **1.** Ann-Marie Norio, Regional Clerk, Region of Niagara re: T. Roy Adams Humanitarian of the Year Award 2021. Ref. No. 21-48

RECOMMENDATION:
THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated January 7, 2021 regarding the T. Roy Adams Humanitarian of the Year Award 2021.

28 - 32 **2.** Ann-Marie Norio, Regional Clerk, Region of Niagara re: Report CSD 2-2021: Approval of 2021 Interim Levy Dates and Amounts. Ref. No. 21-4

RECOMMENDATION:
THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated January 22 2021 regarding Report CSD 2-2021: Approval of 2021 Interim Levy Dates and Amounts.

33 - 109 **3.** Signed petition by residents of Welland re: Expropriation of Lot 16 Concession 7 known as 349 Ridge Road. Ref. No. 20-82

RECOMMENDATION:
THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the petition from the residents regarding the expropriation of Lot 16 Concession 7 known as 349 Ridge Road.

4. BY-LAWS

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

1. A By-law to authorize purchase of one mobility van for Welland Transit Fleet.
Ref. No. 21-13
(See Report FIN-2021-04)

2. A By-law to amend By-law 89-2000, being a By-law regulating Traffic and Parking within the City of Welland (Schedule "I" - Municipal/Private Property and Schedule "XVII" - Parking Lots) Ref. No. 21-22
(See Report TRAF-2021-05)

Page No.

3. A By-law to exempt certain lands from Part-Lot Control - Parts 1 and 2 on Plan 59R-1680 (32 Anne Street), City of Welland. Ref. No. 21-42
(Approved by By-law 2020-143)

4. A By-law to authorize entering into a Letter of Agreement with the Ministry of Transportation to provide for the transfer of dedicated gas tax funds for public transportation program (2020-2021). Ref. No. 21-13
(To authorize acceptance of Municipal Funding)

5. A By-law to authorize the appointment of Laura Bubanko as Deputy Clerk of The Corporation of the City of Welland and to repeal By-law 2020-116.
Ref. No. 21-24
(Appointment of a Deputy City Clerk)

GENERAL COMMITTEE REPORT TO COUNCIL

On Tuesday, January 26, 2021, the General Committee met with the following members in attendance: Chair, B. Fokkens, F. Campion, J. Chiocchio, T. DiMarco, B. Green (5:08 p.m.), M.A. Grimaldi, J. Larouche, D. McLeod (5:14 p.m.), A. Moote, G. Speck, L. Spinosa, C. Richard and L. Van Vliet.

The General Committee recommends Council approval on the following matters:

PRESENTATIONS

21-19
THAT GENERAL COMMITTEE receives for information the presentation by Lee Battams, President, Aqua Plans Aquatic Consultants Inc. regarding Asset Condition Assessment Report - Municipal Pools.

99-99
THAT GENERAL COMMITTEE receives for information the presentation by Vince Beaudoin, Manager of Public Works and Adam Beres, Manager of Fleet, Equipment and Purchasing regarding Supply, Delivery and Installation of Unique Waterfront Swimming Feature.

Respectfully submitted by

T Stephens

TARA STEPHENS
City Clerk

APPROVALS	
GENERAL MANAGER	
CFO	
CAO	

21-13

COUNCIL

CORPORATE SERVICES

FINANCE DIVISION

REPORT FIN-2021-04
FEBRUARY 2, 2021

SUBJECT: **SUPPLY AND DELIVERY OF MOBILITY VAN, WELLAND TRANSIT**

AUTHOR: **ADAM BERES, MANAGER OF FLEET, EQUIPMENT AND PURCHASING**

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

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND approves the award for purchase of one (1) Specialized Mobility Van to be operated by Welland Transit; and further

THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate by-laws to enter into a purchase agreement with Move Mobility Inc.

ORIGIN AND BACKGROUND:

Purchase of a specialized mobility van / vehicle was identified and approved by City Council in the 2020 Capital budget.

On December 8, 2020, a Request for Tender inclusive of required specifications was posted openly and competitively through the City's Biddingo site. At closing time on December 22, 2020, City purchasing received three bids; two of those deemed compliant.

In January 2021, after further review of the submissions for conformance to specifications, product availability, after sales service, and considering the financial offerings, staff recommends awarding to Move Mobility Inc.

FINANCIAL CONSIDERATION

Budgetary funding is allocated to 10-810-20070 "Specialized Bus".

Name	Base Price Inclusive of City HST*	Total Budget
Move Mobility Inc.	$91,655	$175,000
Silver Cross Auto Inc.	$93,053	

SUMMARY AND CONCLUSION:

THAT THE COUNCIL OF THE CITY OF WELLAND approves the award for purchase of one (1) specialized mobility van to be operated by Welland Transit from Move Mobility Inc. as lowest priced unit conforming to specifications and well suited to provide the service required.

ATTACHMENTS:

None.

APPROVALS	
GENERAL MANAGER	
CFO	
CAO	

99-99

COUNCIL

CORPORATE SERVICES

FINANCE DIVISION

REPORT FIN-2021-05
FEBRUARY 2, 2021

SUBJECT: **INFLATABLE WATER PARK UPDATE**

AUTHORS: **RICHARD DALTON, MANAGER, RECREATION & CULTURE DIVISION, ECONOMIC DEVELOPMENT**
and
ADAM BERES, MANAGER OF FLEET, EQUIPMENT & PURCHASING

APPROVING G.M.: **STEVE ZORBAS, CPA, CMA, B.Comm, DPA, INTERIM CAO / GENERAL MANAGER, CORPORATE SERVICES, CHIEF FINANCIAL OFFICER / TREASURER**
and
DAN DEGAZIO, GENERAL MANAGER, ECONOMIC DEVELOPMENT, RECREATION & CULTURE

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information report FIN-2021-05 which provides a procurement process status update for the Inflatable Water Park; and further

THAT Welland City Council directs an additional competitive process through Purchasing in the winter of 2022.

ORIGIN AND BACKGROUND:

In early 2020, City Purchasing posted an RFP to select a suitable vendor to be the first to establish an inflatable floating water park in Welland. Such parks are known to provide a healthy outdoor activity attraction and tend to be environmentally friendly as well as provide a positive impact on local tourism. All of these attributes support the placement of an inflatable water park attraction on the Recreational Waterway as a component of Council's strategic priority of Redevelopment.

COMMENTS AND ANALYSIS:

RFP 20-07 Inflatable Water Park was issued competitively on the City's Biddingo platform in March 2020. The proposal ask was to operate a new inflatable water park along the Recreational Waterway. In response to the RFP there was a total of six document takers with one submission received. The sole submission was from PT Watersports Inc., which met and exceeded the stated criteria for selection. Council approved the staff recommendation to award PT Watersports a contract to operate an inflatable water park.

In the intervening months since the selection of PT Watersports Inc., the company faced significant COVID-19 related impacts to their operations, including closure of all their existing

water park facilities for 2020. Due to this impact, PT Watersports indicated they are not ready to proceed with the financial and operational commitment of entering a contract to open a new facility in the City of Welland.

In September 2020, City Purchasing released a second RFP for the same opportunity. During this RFP process, there were six document takers, however zero bid submissions received.

A Non Bid Form was sent to the document takers to inquire as to why they did not participate in the process. At the time of writing this report no response to the Non Bid Form has been received from any vendor.

FINANCIAL CONSIDERATIONS:

None.

OTHER DEPARTMENT IMPLICATIONS:

None.

CONCLUSION

City of Welland Purchasing has conducted two RFP processes to secure a vendor to operate a floating inflatable water park on the Welland Recreational Waterway. Neither of these RFPs were successful in securing a contract with a qualified vendor.

Due to the current negative impact of COVID-19 on the economy, staff are recommending to re-bid this opportunity in early 2022 for installation during the summer of 2022.

ATTACHMENTS:

Appendix I – Non Bid Form

Non Bid Form

It is important to the City to receive a reply from as many Bidders as possible. There is no obligation to submit a bid or proposal, however, completion of this form will assist the City in determining the type of goods or services you are interested in for future opportunity.

INSTRUCTIONS

If you were unable, or did not wish to bid on this opportunity, please complete the following portions of this form. State your reason for not bidding by checking the applicable space(s) or by explaining briefly in the space provided.

1	**We did not manufacture/supply this commodity/service**	
2	**We did not manufacture/supply to this specification**	
3	**Unable to quote competitively**	
4	**Cannot handle due to present work load**	
5	**Quantity/job too large**	
6	**Quantity/job too small**	
7	**Cannot meet delivery/completion requirements**	
8	**Licensing restrictions**	
9	**Agreements with distributors/dealers do not permit us to sell direct**	
10	**Not relevant to our business model**	

Other reasons/additional comments:

Do you wish to bid on these goods/services in the future?

Firm Name:

Address:

Telephone No:

Name of Contact

Position:

Date:

APPROVALS	
GENERAL MANAGER	
CFO	
CAO	

COUNCIL

CORPORATE SERVICES

TRANSIT DIVISION

REPORT TRANS-2021-02
FEBRUARY 2, 2021

SUBJECT: **TRANSIT EVENING SERVICE LEVEL PROPOSAL**

AUTHOR: **DAVE STUART, TRANSIT MANAGER**

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

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information report TRANS-2021-02 – Transit Evening Service Level Proposal; and further

THAT Welland City Council approve the evening service level proposal as outlined within this report.

ORIGIN AND BACKGROUND:

Throughout the current pandemic, the City of Welland has made best efforts to fiscally manage the ever changing relationship between revenues and expenses. As this relationship pertains to Welland Transit, a measured approach has been employed to review and adjust service levels based on provincial orders, health officials' guidance, and in response to significantly diminished revenues.

COMMENTS AND ANALYSIS:

The global pandemic has brought great challenges and uncertainty to public transit. Ridership and revenue losses are substantial at the present time and will likely take years to fully recover. Prior to the current lockdown, which went into effect December 26, 2020, transit ridership had been climbing to 30% of pre-COVID levels. Since December 26, 2020, the ridership has fallen to approximately 15% of pre-COVID levels, which amounts to ~350 passenger trips per weekday, ~250 passenger trips on Saturdays, and ~100 passenger trips on Sundays.

The current service hours for Welland Transit are hourly frequencies commencing at 6 a.m. and finishing at 9:30 p.m. Monday through Saturday, and starting at 10 a.m. and ending at 6 p.m. on Sundays. A review of Appendix 1 (attached) indicates the ridership has fallen significantly since the lockdown was introduced to reduce the viral spread. Further, the ridership beyond 7 p.m. is less than half of the ridership per hour Welland Transit realizes during the day.

Therefore, to further manage and right-size the level of service provided with the current state of ridership, Transit staff suggest implementing our Community Bus level of service from 7 p.m. to 10 p.m. The Community Bus service includes the following benefits;

Coverage The #510 West Community and #511 East Community cover the entire city to offer customers options to board and exit the buses (see Appendix 2)

Familiarity These two routes are known service options and thus, customers know where to board their bus and how to move around our community.

Connectivity These two routes meet every 45 minutes at the Terminal for convenient customer transfers.

Marketability Posters will be generated to ensure the information is featured on the City's website, social media outlets, on the buses, and at the Bus Terminal.

FINANCIAL CONSIDERATION:

The implementation of the Community Bus level of service Monday to Saturday from 7 p.m. to 10 p.m. will enable the City to realize a savings of $3,900 per week. In addition to these savings, Welland Transit will have to lay-off one more full-time unionized member for the duration of this service revision.

Although the MTO has been providing financial assistance to municipalities that incur the costs associated with providing public transit in the form of subsidies, the receipt of these funds is contingent upon the Transit systems demonstrating cost containment initiatives, such as this evening service level proposal.

OTHER DEPARTMENT IMPLICATIONS:

This evening service revision to the two Community Bus routes will have no implications to other city departments.

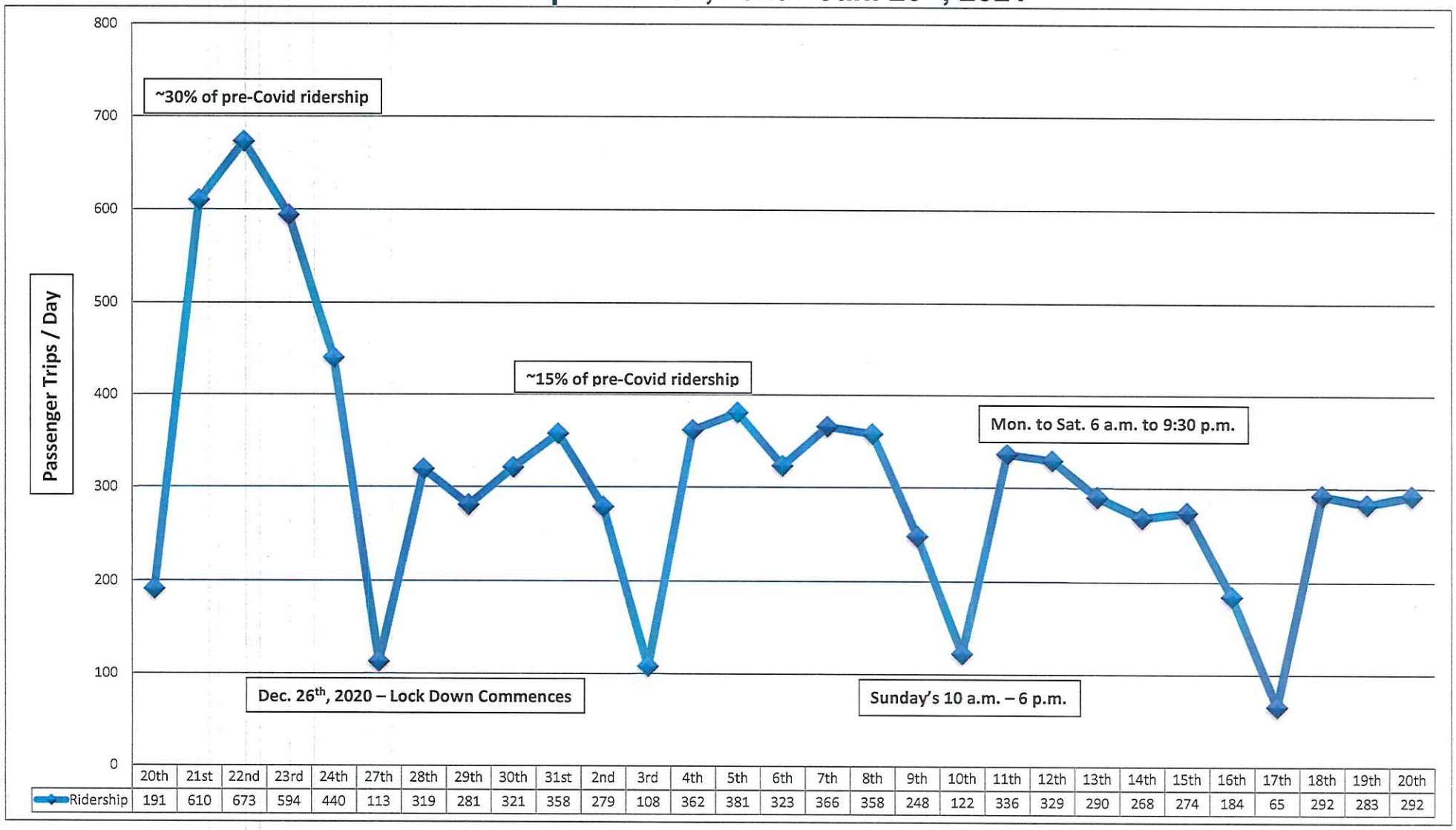
SUMMARY AND CONCLUSION:

Welland Transit's ridership is heavily dependent on the orders imposed by the province upon our municipality. The current 'stay at home' orders and 'essential trips only' limitations have reduced ridership to ~15% of pre-COVID levels. Of this ridership, the evening boarding's represent less than half of the daytime boarding's and thus, Transit staff reviewed opportunities to better manage our expenses by revising the evening service levels. The Community Bus routes provide a known service entity and will enable residents to continue to receive public transportation through to 10 p.m. Monday through Saturday to make essential trips for medical, family support, and grocery shopping outings. Therefore, Transit staff recommend City Council approve TRANS-2021-02 Transit Evening Service Level Proposal. This level of service will remain in effect until the provincial orders are lifted and residents are able to move freely for non-essential services.

ATTACHMENTS:

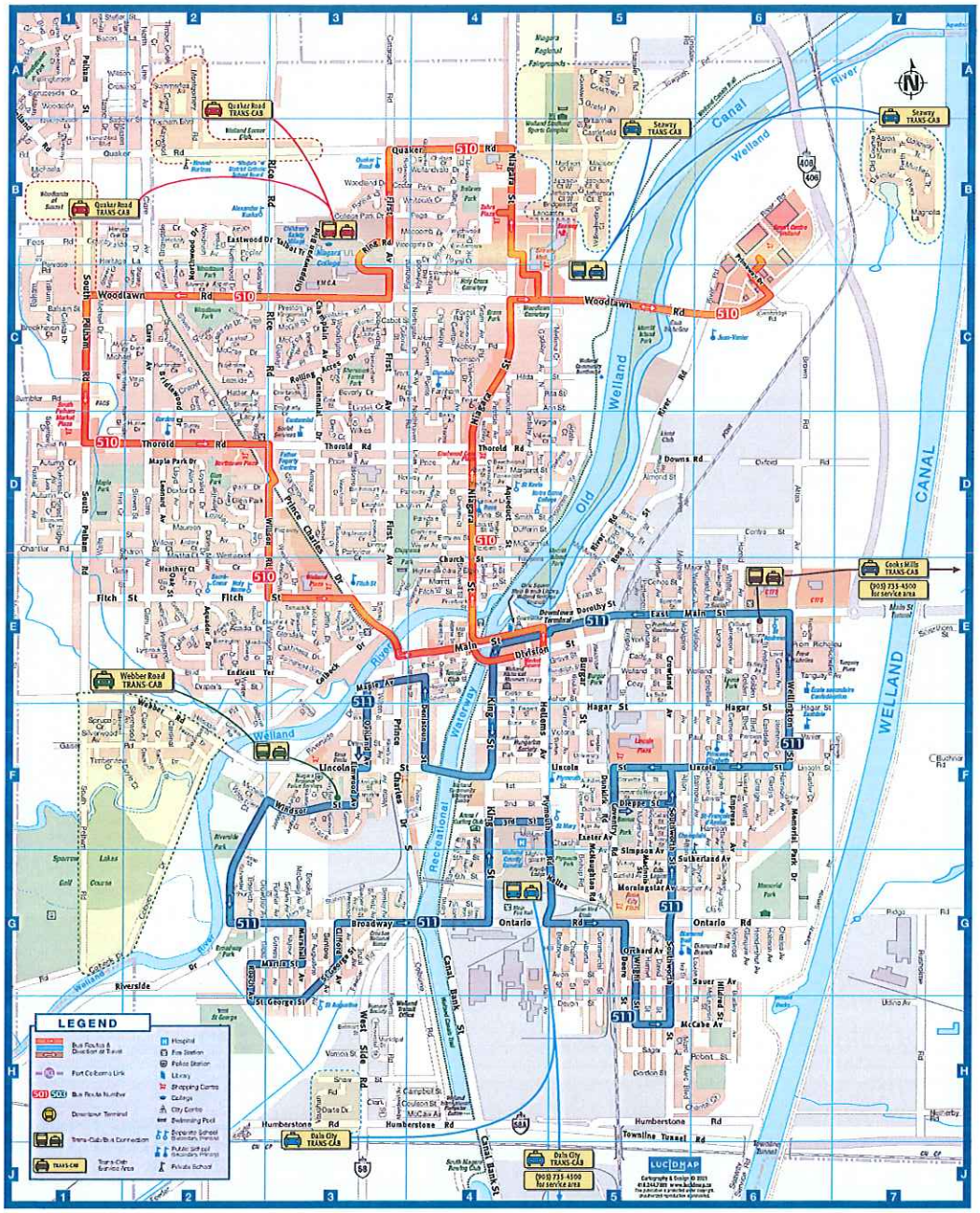
Appendix I – Ridership Dec. 20, 2020 – Jan. 20, 2021
Appendix 2 – Community Bus Routes / Schedules

Ridership Dec. 20th, 2020 - Jan. 20th, 2021



	20th	21st	22nd	23rd	24th	27th	28th	29th	30th	31st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th	12th	13th	14th	15th	16th	17th	18th	19th	20th
Ridership	191	610	673	594	440	113	319	281	321	358	279	108	362	381	323	366	358	248	122	336	329	290	268	274	184	65	292	283	292

WELLANDtransit
GOING YOUR WAY



510	WEST COMMUNITY					
Time of Day	Downtown Terminal	Wal-Mart	Seaway Mall	Niagara College	South Pelham Market Plaza	Downtown Terminal
MONDAY TO SATURDAY						
PM	7:00	7:10	7:16	7:24	7:35	7:42
	7:45	7:55	8:01	8:09	8:20	8:27
	8:30	8:40	8:46	8:54	9:05	9:12
	9:15	9:25	9:31	9:39	9:50	9:57

511	EAST COMMUNITY					
Time of Day	Downtown Terminal	Oakland Av. & Lincoln St.	Broadway & Clifford Av.	Welland County General Hospital	Lincoln Plaza	Downtown Terminal
MONDAY TO SATURDAY						
PM	7:00	7:08	7:15	7:20	7:30	7:42
	7:45	7:53	8:00	8:05	8:15	8:27
	8:30	8:38	8:45	8:50	9:00	9:12
	9:15	9:23	9:30	9:35	9:45	9:57

COUNCIL

DEVELOPMENT AND SERVICES

TRAFFIC/PLANNING DIVISION

APPROVALS	
GENERAL MANAGER	
CFO	
CAO	

REPORT TRAF-2021-05
FEBRUARY 2, 2021

21-22

SUBJECT: **UPDATE TO TRAFFIC AND PARKING BY-LAW 89-2000**

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

APPROVING MANAGER **MUHAMMAD ALI KHAN, M.A.Sc., P. ENG.**
MANAGER, TRAFFIC, PARKING & BY-LAWS

APPROVING G.M.: **GRANT MUNDAY, B.A.A, INTERIM DIRECTOR**
DEVELOPMENT AND BUILDING SERVICES

RECOMMENDATIONS:

THAT THE COUNCIL OF THE CITY OF WELLAND approves **REPORT TRAF-2021-05** Update to Traffic and Parking By-law 89-2000; and further

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

ADD the following to Schedule "I" – MUNICIPAL/ PRIVATE PROPERTY:

SKETCH No.	LOCATION	COMMON NAME
No Sketch	134 Dorothy Street	Briar Rose Co-operative Homes
No Sketch	33-35 Park Street	Briar Rose Co-operative Homes
No Sketch	91-93 Plymouth Road	Briar Rose Co-operative Homes
No Sketch	26 McCabe Avenue	Briar Rose Co-operative Homes
No Sketch	575 Southworth Street	Briar Rose Co-operative Homes

DELETE the following from Schedule "XVII" – PARKING LOTS

Lot #	Lot Name	Control	Rate	Time of Day	Maximum Stay
7	Division Street Parking Lot		Lease	Monday to Sunday	24 Hours

ADD the following to Schedule "XVII" – PARKING LOTS

Lot #	Lot Name	Control	Rate	Time of Day	Maximum Stay
7	Division Street Parking Lot	Monthly Permit	$35.00	Monday to Sunday	24 Hours

ORIGIN AND BACKGROUND:

On this occasion, **SCHEDULE "I"** and **SCHEDULE "XVII"** will be affected.

SCHEDULE "I" – Municipal/ Private Property

An amendment is required to include 134 Dorothy Street, 33-35 Park Street, 91-93 Plymouth Road, 26 McCabe Avenue and 575 Southworth Street to the City of Welland Municipal/ Private Property Schedule of By-law 89-2000:

This will allow Parking Enforcement Officers to enter onto private lands at the request of the property owner to issue a penalty notice and/ or remove unauthorized vehicles.

SCHEDULE "XVII" – Parking Lots

Division Street Parking Lot is located at the southeast corner of Division Street and East Main Street. An amendment is required to permit the sale of monthly parking permits in this lot. Previously the City leased this lot, however, that lease was terminated and now remains vacant. Allowing the sale of monthly permits will provide options to property owners, tenants, business owners and employees. Anyone will be able to purchase a monthly parking permit. The permit fee of $35.00 is the same fee charged for a monthly parking permit at Park Street Parking Lot, Firehall Parking Lot, Plymouth Road Parking Lot and Churchill Parking Lot.

COMMENTS AND ANALYSIS:

The proposed amendments to the Traffic and Parking By-law 89-2000 are necessary to define the traffic and parking regulations on Municipal and Private Property within the City of Welland.

FINANCIAL CONSIDERATION:

There is potential for increased revenue with the additional Private Property inclusions and monthly parking permits.

OTHER DEPARTMENT IMPLICATIONS:

Legal Services and the Clerks Department would be required to update the By-laws with the changes noted in this report.

SUMMARY AND CONCLUSION:

The additions to the Municipal/ Private Property schedule are at the request of the property owner. Private property owners are experiencing difficulties with illegally parked vehicles on their property and joining the Traffic and Parking By-law offers a solution. Once added

to the by-law, Parking Enforcement Officers will be able to enter onto the private lands at the request of the property owner to enforce parking regulations.

The addition to the Parking Lot schedule will permit staff to issue a monthly parking permit to anyone in need of parking in that area. It will provide an option to property owners, tenants, business owners and employees that require additional parking.

Staff recommends the modifications as outlined in this report.

ATTACHMENTS:

Appendix I – Authorization Letter (Briar Rose Co-operative Homes Inc.)

BRIAR ROSE

AUTHORIZATION LETTER
Parking Enforcement Unit as AGENTS

December 14, 2020

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

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

Re: Authorization for Private Property Tagging and/or Towing
134 Dorothy St., Welland, ON L3B 3V9
33-35 Park St., Welland, ON L3B 4M3
91-93 Plymouth Rd., Welland, ON L3B 3C6
26 McCabe Ave., Welland, ON L3B 5Y4
575 Southworth St., Welland, ON L3B 2A1

Briar Rose Co-operative Homes Inc. is the owner of the above-mentioned properties and requests the City of Welland to control unauthorized parking at the above noted addresses as per Traffic and Parking Bu-Law 89-2000.

The following persons have been designated with signing privileges:

Veronica LaPlante	President
Kevin Sider	Maintenance Manager
Janet Catterall	Co-ordinator

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

APPROVALS	
GENERAL MANAGER	
CFO	
CAO	

10-78

COUNCIL

INFRASTRUCTURE AND DEVELOPMENT SERVICES

REPORT P&B-2021-07
FEBRUARY 2, 2021

SUBJECT: **APPLICATION FOR CONDOMINIUM EXEMPTION (FILE NO. 26T-14-21002) MADE BY 867962 ONTARIO LIMITED FOR LANDS DESCRIBED AS PART OF BLOCK F, PLAN 574, CITY OF WELLAND, MUNICIPALLY KNOWN AS 574 KING STREET**

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

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

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND approves the exemption request by 867962 Ontario Limited, for its Application for Condominium Approval for 50 condominium units located at 574 King Street in accordance with Section 9 (7) of the Condominium Act, Chapter 4, 1998, as amended; and further,

That Staff be authorized to prepare any necessary By-laws.

ORIGIN AND BACKGROUND:

The City received an application for Condominium Exemption made by 867962 Ontario Limited for one four-storey condominium building with a total of 50 units. The property is located on the east side of King Street, south of Third Street, west of the Welland Hospital, and north of the railway line. The property is municipally known as 574 King Street.

COMMENTS AND ANALYSIS:

Section 9(7) of the Condominium Act provides that an Application for Condominium Approval may be exempted from Section 51 of the Planning Act where the approval authority is of the opinion that the exemption is appropriate in the circumstances.

The building was approved for construction through the Site Plan Exemption process in 2017, and was approved to participate in the City's Downtown Health and Wellness Community Improvement Program. In order to facilitate the Condominium Exemption process, a full Site Plan Agreement was registered on

title in January, 2021. The building has been constructed per the approved Site Plan, however, final occupancy has not been granted final occupancy. In order to allow for the building to become a Standard Condominium, approval for the Condominium Exemption must be approved prior to occupancy being granted and residents living in the building. If the building is occupied prior to condominium approval, it becomes a conversion from rental to condominium and there are policies that the City has in place to restrict condominium conversions that this application would need to achieve. As the request has been made prior to the building being occupied, the conversion policies do not apply.

This building has been constructed for the purpose of being affordable rental units, and the owner has an agreement with the Canadian Mortgage and Housing Company (CMHC) to provide the affordable units. The intent is not to sell the units at this time as the agreement with CMHC will ensure that they are affordable units for a minimum time period, but once that period has ended, it will provide options for the current owner or any future owners to maintain the rental units, or sell off units.

All issues regarding servicing, grading, parking, landscaping, and zoning compliance were reviewed at the time of Site Plan Approval. The proposal met the requirements of the City's Zoning By-law and Engineering Standards. Any requirements that would typically be reviewed through the Condominium Approval have been addressed through the Site Plan Agreement which has been registered on the title of the property. All securities will be held by the City until the development has been completed in accordance with the approved Site Plan.

FINANCIAL CONSIDERATION:

All costs associated with the proposal will be borne by the Applicant.

OTHER DEPARTMENT IMPLICATIONS:

All comments from other departments were received through the Site Plan Exemption process and were addressed at that time.

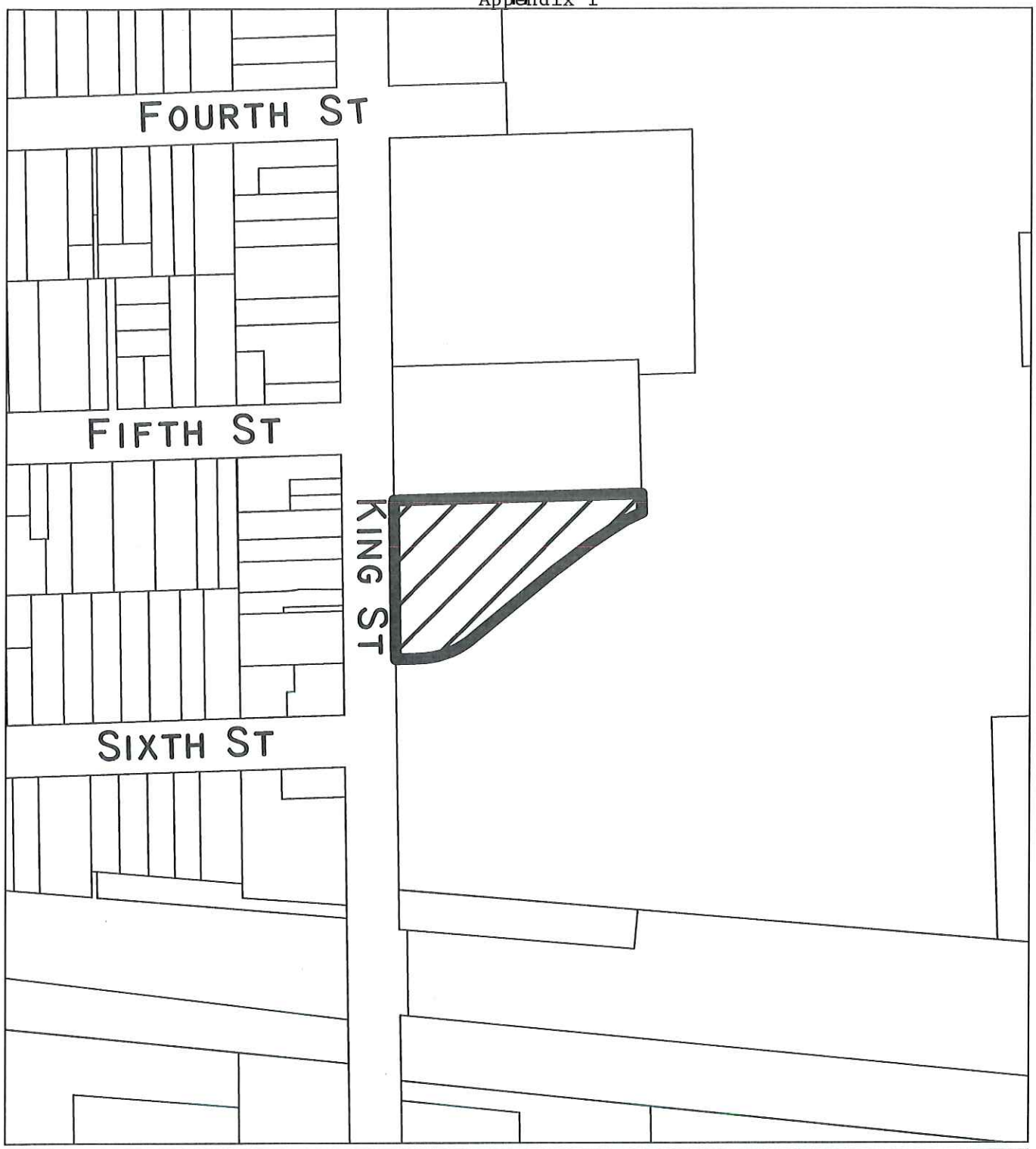
SUMMARY AND CONCLUSION:

Staff recommends the exemption request for the Application for Condominium Exemption for 574 King Street as all development requirements have been addressed through the Site Plan that has been registered on the Title. The proposed exemption is appropriate as it is consistent with the policies of the Condominium Act and the Planning Act which permit exemptions.

ATTACHMENTS:

Appendix I – Location Map

Appendix I



LOCATION MAP

574 King Street

N
W E
S
n.t.s

SUBJECT LANDS

Welland
ONTARIO • CANADA

Infrastructure and Development Services
Planning Division

Z:\MAPPING\LOCATION MAPS\2021\loc4-574 King Street.map

January 26, 2021

APPROVALS	
GENERAL MANAGER	
CFO	
CAO	

COUNCIL

FIRE AND EMERGENCY SERVICES

REPORT F&ES-2021-01
DATE: February 2, 2021

21-15

SUBJECT: CONSOLIDATE EMERGENCY SERVICES DISPATCH

AUTHOR: ADAM ECKHART MPS, BPSA, ECFO, FIRE CHIEF

APPROVING G.M.: ADAM ECKHART MPS, BPSA, ECFO, FIRE CHIEF

RECOMMENDATION:

That Welland City Council receive this report as information regarding the potential for a consolidated regional dispatch centre, and further,

Council authorize the Fire Chief to investigate potential options for continued dispatch services utilizing our current analog infrastructure once the existing Fire Dispatch Services Agreement between the City of St. Catharines and City of Welland expires on December 31, 2022, and further,

Council direct the Fire Chief to report back on the available options with the associated costs, and provide an implementation plan.

ORIGIN AND BACKGROUND:

The current radio system used by Welland Fire & Emergency Services (WFES) is an analog system. Emergency calls are received at the St. Catharines Fire Services (SCFS) dispatch centre is located on Merritt Street in St. Catharines. Communication staff members generate alerts to WFES personnel on the existing analog radio towers after answering the telephone call made to 911.

WFES shares a communications tower and radio frequency with Pelham and Wainfleet and has nearly completed implementing a new radio frequency to support WFES' needs at complex emergency scenes. Welland Hydro has authorized WFES to install a repeater and radio equipment on their existing infrastructure, and this improved radio signalling across the city. Additional equipment has been installed on WFES vehicles to improve radio signals at all emergency scenes.

Currently, seven municipalities within Niagara operate on analogue radio equipment, choosing not to purchase radio services from the Niagara Police on their digital radio system. Despite the best efforts to bring all Fire Departments on to the digital system, migration was not a preferred option for WFES.

This month Chief of Niagara Emergency Medical Services, Kevin Smith, tabled a report to Niagara Regional Council identifying the requirement to upgrade the communications equipment to support Next Generation 911 (NG911) technology. All 911 call centers in

Canada must comply with a new NG911 standard by April 30, 2024. This report begins the process of developing a consolidated dispatch service supported by a consultant. Niagara Region Acting CAO Ron Tripp has stated that all area fire departments will be consulted in the future. This report and formal discussion have suggested that there are benefits to the dispatch provider to have all users on the existing Niagara Regional Police Radio System.

COMMENTS AND ANALYSIS:

Although it is in the early stages, the conversation has already extended past dispatch providers and is beginning to look at user gear, equipment, and items such as the analogue radios that firefighters utilize, with an eye on migrating user groups to the digital radio system by way of a consolidated dispatch.

The digital radio system operated by the Niagara Regional Police Services does not presently meet the needs of WFES. Without a method to address these performance issues, the costly equipment replacement, and monthly system access fees, it would not be advantageous to migrate to the digital system.

St. Catharines Fire Services has not been able to offer services to WFES analogue radio equipment past the end of the service agreement, concluding on December 31, 2022. It is uncertain if any dispatch service in Niagara will provide services to analogue radio users past this date.

It is recommended that Council authorize the Fire Chief to participate in the consolidated dispatch review and investigate all options, inside and outside Niagara, to ensure that cost-effective, proficient radio communications are maintained for WFES.

The Fire Chief will report back on the available options, the associated costs, and recommend an implementation plan.

FINANCIAL CONSIDERATION:

None

OTHER DEPARTMENT IMPLICATIONS:

None

SUMMARY AND CONCLUSION:

That Welland City Council authorizes the Fire Chief to investigate potential options for seamless dispatch services, utilizing the current city-owned analog infrastructure beyond the existing contract for dispatch services.

ATTACHMENTS:

None

APPROVALS	
GENERAL MANAGER	
CFO	
CAO	

COUNCIL

FIRE AND EMERGENCY SERVICES

REPORT F&ES-2021-02
DATE: February 2, 2021 20-15

SUBJECT: COST RECOVERY AND FEES FOR SERVICES UPDATE

AUTHOR: ADAM ECKHART MPS, BPSA, ECFO, FIRE CHIEF

APPROVING G.M.: ADAM ECKHART MPS, BPSA, ECFO, FIRE CHIEF

RECOMMENDATION:
That Welland City Council Receive this report for information and further,

That Welland City Council Direct the Fire Chief to proceed with increased cost recovery through the applicable fees for Service and ensure Fire Code compliance through enforcement efforts.

ORIGIN AND BACKGROUND:
Welland Fire and Emergency Services (WFES) has a legislated requirement to respond to all fire safety complaints, requests, and all reported emergencies. There is a significant risk to the community and liability to the City if this does not occur.

There are currently four full-time staff with WFES, responsible for property inspections, enforcement measures, and fire investigations. They are working at full capacity. They are assigned property files that they oversee from start to finish. With a diligent property owner, staff would only visit one time and confirm compliance. If violations are found, the owner is notified, and the necessary steps and timelines are established. Another visit is scheduled to confirm that the necessary measures were taken. Most matters are resolved in this two-visit process. However, if the owner fails to ensure that fire and life safety requirements are met, the Fire Prevention staff must take more steps to ensure compliance. Not doing so may result in significant consequences to building inhabitants and the City of Welland.

Many factors result in increasing demand for the Fire Prevention Division. Some of which are; development, fire events, real estate transactions, lax fire safety measures, and frequently, rental properties owned and operated at a distance without local stewardship. An enhanced cost recovery initiative will promote fire safety compliance and reduced the demand on the City's financial resources and the Fire Prevention Division.

WFES is experiencing an increase in the number of complaints and violations in the same properties. In some of these instances, the building owner has waited for the Fire Department to issue formal Orders before they take simple measures to protect their

tenants and have allowed for the same violations to return after the fire department visit concludes.

Welland fire currently invoices to recover costs incurred during significant fire events, motor vehicle accidents on King's Highways (e.g. Hwy 406, 140), standby services (e.g. gas line strike) nuisance alarms more than three times in the previous twelve months. The current municipal by-laws establish the authority and rates for these rates and fees.

There are three regularly used monetary measures that the WFES may implement to properties within the City; **Provincial Offences Tickets** (often issued for Smoke Alarms violations), **Fire Code Charges** (issued after our Orders have expired without remedy) and **Fees for Service** (issued when excessive demand has been placed on the Fire Department.

COMMENTS AND ANALYSIS:

The Fire Department has the authority to issue monetary enforcement and recovery measures. Provincial Offences Tickets and Charges are paid to the Niagara Regional Branch of the Provincial Offences Court. The funds are distributed across the municipalities in the Region as per a long-standing practice. This occurs regularly. Fees for Service are entirely paid to the corporation and are normative when excessive demand is placed upon the Department.

Frequently the Fire Department must remain at a property where a fire has occurred without the owner attending. The property owners will not attend, can not be reached, or choose not to attend. This may leave the responsibility on WFES to find accommodations and assistant tenants, secure the building, contact supporting agencies, navigate the insurance component and various other tasks. Caring for the people and property within our community is in our best interest and not doing so presents some risks to them and the City of Welland. However, many of these events incur costly overtime and increase work demand on the Fire Department. In future occurrences, the property owner will be invoiced for these additional services.

The growth within our community adds many challenges to the Fire Department. Increasing cost recovery initiatives will see building operators pay fair fees for the Fire Department's expenses and any excess demands that they place upon the Department. It is the goal that these cost recovery efforts will motivate timelier compliance of fire code violations and better stewardship of the properties within the community. Reducing the workload on staff is a critical benefit that will ensure the fire department's efficient operations.

Fees for Service will be issued more frequently to building owners who increase demand on the Fire Department. Examples of these demands include:

- Absent or negligent owners
- Undermaintained systems
- Landlord-tenant issues
- Non-confirming open-air burning
- Post-fire support services

FINANCIAL CONSIDERATION:
Increased fees and additional cost recovery benefits will have a positive net impact on the City of Welland.

OTHER DEPARTMENT IMPLICATIONS:
None

SUMMARY AND CONCLUSION:
WFES will expand the fair and appropriate cost recovery for services that are beyond the established service delivery levels.

ATTACHMENTS:
None

Niagara Region

Administration
Office of the Regional Clerk
1815 Sir Isaac Brock Way, PO Box 1042, Thorold, ON L2V 4T7
Telephone: 905-685-4225 Toll-free: 1-800-263-7215 Fax: 905-687-4977
www.niagararegion.ca

January 7, 2021

Mayor Frank Campion
City of Welland
60 East Main Street
Welland ON L3B 3X4

SENT ELECTRONICALLY

T. Roy Adams Humanitarian of the Year Award 2021

We are pleased to announce the nineteenth year of the T. Roy Adams Humanitarian of the Year Award. The award honours the memory of the late T. Roy Adams and is presented annually to a current resident of Niagara who best exemplifies his values and dedication to community service; a person who sees volunteerism as an integral part of their life.

We want to reach as many potential nominees as possible and encourage you to announce this award information at your next council meeting. A Nomination Package is attached for your information that includes the eligibility criteria, nomination procedures and a biography of Mr. Adams. Nominations are to be submitted to the Regional Clerk's Office by March 31, 2021.

Thank you for your assistance.

Sincerely,

Ann-Marie Norio
Regional Clerk
:cjp
Enc.

CLK-C 2021-014

21-48

T. ROY ADAMS HUMANITARIAN OF THE YEAR AWARD

T. Roy Adams was an eminent Niagaran, well known throughout the Region, Canada, and abroad for his service to God, his country and his fellow citizens.

In 2003, in memory of the late Councillor T. Roy Adams, Niagara Region initiated a memorial award in his name to honour a resident of Niagara who best exemplifies Roy's values and dedication to community service; a person who sees volunteerism as an integral part of their life.

Eligibility Guideline:

- a current resident of Niagara
- evidence that the spirit of volunteerism and community service plays an integral part of the individual's life
- a person whose community service has involved the citizens of Niagara

Nomination Process:

A nominee for the T. Roy Adams Humanitarian Award may be sponsored by:

- an organization, or
- two individuals – a sponsor and one co-sponsor not related to the nominee

The nomination must include the following information:

- the completed Nomination Form
- a detailed description, approximately two pages in length, that highlights the nominee's lifetime of community service and volunteerism (see Evaluation Matrix for criteria)
- an explanation as to why the sponsors feel the nominee deserves to be recognized with this award
- in addition, letters of support may be included

Nominees are eligible for the year in which they are nominated. Active politicians and active regional staff are not eligible. Candidates **will not** be considered posthumously.

Selection Process

A Committee comprised of Regional Councillors, Regional Staff and one member of the community will review the nominations and select the recipient. (see Evaluation Matrix)

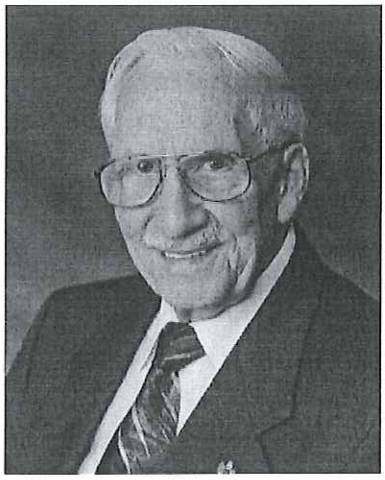
The award will be presented at the Regional Council meeting in July. The recipient's name will also be engraved on the commemorative plaque which is displayed in the lobby of the Regional Headquarters Building.

Nomination Form

Nominations can be submitted by e-mail to charlotte.powell@niagararegion.ca, online at www.niagararegion.ca or mailed to: Regional Clerk, Niagara Region, 1815 Sir Isaac Brock Way, Thorold, Ontario L2V 4T7

Deadline for submitting nominations is March 31, 2021.

More Information or a Nomination Package:
Contact Charlotte Powell at (905) 980-6000, ext. 3221.



T. Roy Adams Biography

Thomas 'Roy' Adams was born and raised in St. Catharines, the second eldest of 10 children (seven boys and three girls). Born to parents who encouraged their children to serve the Lord, Roy committed his life to service through the Salvation Army. He served as a leader of the youth (Sunday School Teacher, Young People's Sergeant Major, Young People's Band Leader, and Chairman of the Group Committee of the Boy Scouts) and through adult ministries (Songster Leader and Deputy Bandmaster). When not in active leadership, his steady participation in the music ministries exemplified the faithfulness of his purpose.

Roy enlisted in the Lincoln and Welland Regiment in June 1940, served overseas and was honourably discharged in 1945. He remained a member of the Regimental Association, and was Director for 3 years, and President until his death. He also was a member of the Royal Canadian Legion, and enjoyed planning, organizing and arranging charter flights to Holland, as well as annual reunions, for many years.

Roy was employed by Foster Wheeler for more than 20 years in various capacities, including personnel supervisor. In 1972 he joined ARC Industries as workshop director and was then appointed Executive Director of the St. Catharines Association for the Mentally Retarded. He was elected Mayor of the City of St. Catharines in 1976 and served in that capacity for 9 years, and served on Regional Council from 1988 until 2002. During Roy's terms on Regional Council, he was a member of several standing committees, served as Chair of the Community and Health Services Committee for many years, and Chair of the Police Services Board.

Roy was actively involved in many organizations including: the Association of Municipalities of Ontario; the St. Catharines General Hospital Board of Governors; the Niagara District Health Council, Executive Committee; the Niagara Rehabilitation Centre; the St. Catharines Hydro Electric Commission; the St. Catharines South Rotary Club; the Christian Business Men, St. Catharines; President, Canadian Bible Society, St. Catharines; President, Probus Club, St. Catharines and District; Christian Connections; the Lincoln and Welland Regiment Band; the Thorold Reed Band; the Niagara Falls Concert Band; the Port Colborne Band; the Clown Band/Hungry Seven; and the Bandmaster/Director of Holland's Glorie Band.

Roy believed that "every person matters", and had a sincere interest in people, particularly those less fortunate, whether because of disability or misfortune. He was a man respected for his service and dedication to the people of St. Catharines, Niagara Region, and the country.

T. ROY ADAMS HUMANITARIAN OF THE YEAR AWARD

2021 NOMINATION FORM

NOMINEE

Surname: _____ Given Name(s): _____

Phone: _____

Address: _____

_____

SPONSORS

A nominee for the T. Roy Adams Humanitarian of the Year Award may be sponsored by an organization, OR two individuals - a sponsor and a co-sponsor, not related to the nominee. Nominees are eligible for the year in which they are nominated.

ORGANIZATION: _____

Corporate Address: _____

_____

Contact Person: Surname: _____ Given Name: _____

E-mail: _____ Phone: _____

INDIVIDUALS

Sponsor (Contact Person): Surname: _____ Given Name: _____

Address: _____

_____

E-mail: _____ Phone: _____

Co-Sponsor: Surname: _____ Given Name: _____

Address: _____

_____

E-mail: _____ Phone: _____

The nomination must include the following information:

- the completed Nomination Form
- a detailed description, approximately two pages in length, that highlights the nominee's lifetime of community service and volunteerism (see Evaluation Matrix for criteria)
- an explanation as to why the sponsors feel the nominee deserves to be recognized with this award
- in addition, letters of support may be included

All nominations will be kept confidential
The deadline for nominations is March 31, 2021

This information is collected in accordance with the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA) for the purpose of administering the T. Roy Adams Humanitarian of the Year Award. Any questions relating to the collection of personal information may be directed to the Privacy Office, at (905) 980-6000, ext. 3779.

T. ROY ADAMS HUMANITARIAN OF THE YEAR AWARD

EVALUATION MATRIX

Comparative Candidate Evaluation Criteria	Explanation of Criteria The humanitarian service(s) should be considered in the following context:	Weight (%)
Quality of the 'humanitarian' service	Is it truly humanitarian?	20
Scope of Humanitarian Impact	Who does it affect?	16
Personal commitment/ sacrifice (time, cost)	What is the degree of sacrifice/commitment (e.g. time commitment)?	16
Need for the community service	What is the community demand?	14
New, unique initiative/idea	Is it a common/ubiquitous community service?	12
Niagara benefit	Is it region-wide or strictly local?	10
Extent of volunteer/professional capacity	Is it an extension of the nominee's current job (remuneration)?	8
References	What is the relative quality & content of submission through additional support information?	4
Total Weighted Scores:		100

Niagara Region

Administration
Office of the Regional Clerk
1815 Sir Isaac Brock Way, PO Box 1042, Thorold, ON L2V 4T7
Telephone: 905-685-4225 Toll-free: 1-800-263-7215 Fax: 905-687-4977
www.niagararegion.ca

January 22, 2021

CL 1-2021, January 21, 2021
CSC 1-2021, January 13, 2021
Report CSD 2-2021, January 13, 2021

21-4

LOCAL AREA MUNICIPALITIES

SENT ELECTRONICALLY

Approval of 2021 Interim Levy Dates and Amounts
Report CSD 2-2021

Regional Council, at its meeting held on January 21, 2021, approved the following recommendation of its Corporate Services Committee:

That Report CSD 2-2021, dated January 13, 2021, respecting Approval of 2021 Interim Levy Dates and Amounts, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the interim amounts for the Regional levy **BE APPROVED** by Regional Council in the amounts shown in Appendix 1 of Report CSD 2-2021;
2. That the Regional Clerk ensures that the appropriate by-law **BE PREPARED** for presentation to Regional Council for consideration and approval; and
3. That Report CSD 2-2021 **BE CIRCULATED** to the Councils of the local area municipalities for information.

A copy of Report CSD 2-2021 is enclosed for your reference.

Yours truly,

Ann-Marie Norio
Regional Clerk
:kl

CLK-C 2021-017

cc: R. Fleming, Senior Tax & Revenue Analyst
T. Harrison, Commissioner Corporate Services/Treasurer

Subject: Approval of 2021 Interim Levy Dates and Amounts

Report to: Corporate Services Committee

Report date: Wednesday, January 13, 2021

Recommendations

1. That the interim amounts for the Regional levy **BE APPROVED** by Regional Council in the amounts shown in **Appendix 1**;

2. That the Regional Clerk ensures that the appropriate by-law **BE PREPARED** for presentation to Regional Council for consideration and approval; and

3. That report CSD 2-2021 **BE CIRCULATED** to the Councils of the local area municipalities for information.

Key Facts

- The purpose of this report is to approve the interim levy amounts and due dates.
- Section 316 of the Municipal Act provides that the council of an upper-tier municipality may requisition an amount equivalent to 50% of the prior year's approved levy from each area municipality in order to continue core services prior to the adoption of budget estimates for the year.
- The Region's Budget Control Bylaw (2017-63, section 6.3 paragraph a.) provides that prior to Council's approval of the Operating Budget bylaw, a current year's expenditures may be incurred if a budget for a similar item existed in the previous year's operating budget and the expenditures is at the same service level as the prior year and does not exceed 50% if the amount appropriated in the previous year's operating budget.
- Interim levy dates are consistent with the prior years. The local area municipalities were consulted and no alternative dates are considered.

Financial Considerations

The interim levy amounts to be requisitioned from the local area municipalities totals $196,284,697 (General Levy) and $19,410,737 (Waste Management) for a total of $215,695,434 or 50% of the 2020 levied amounts. The interim levy will provide sufficient cash flows for current year Region operations until approval of the 2021 operating budget and levy amounts.

Analysis

The authority to incur expenditures by Regional departments, boards and agencies is granted by Regional Council through the annual approved operating budget as prescribed by the Municipal Act. Prior to the an annual budget being adopted by Regional Council, bylaw 2017-63 as approved by Regional Council provides that Regional departments, boards and agencies may incur expenses up to 50% of their prior year's operating budget in order to maintain business as usual for Regional services.

Further to this, Section 316 of the Municipal Act authorizes Council through a bylaw to provide an interim levy equivalent to 50% of the prior year's approved estimates (subject to certain adjustments) before the adoption of budget estimates for the year. It has been the Region's past practice to levy an interim levy in order to fund Regional services prior to the approval of the annual budget and final levy amounts. As such, Appendix 1 includes the proposed interim levy dates and amounts by Area Municipality.

Alternatives Reviewed

Alternative thresholds were not considered as the interim levy of 50% permitted by the Municipal Act will generally ensure cash inflows in the shorter term are able to accommodate the level of expenditures. The Municipal Act does not have a requirement to approve a spending limit in advance of the budget approval however the practice has been adopted by the Region through bylaw 2017-63.

Relationship to Council Strategic Priorities

Not Applicable.

Other Pertinent Reports

Not Applicable.

Prepared by:
Rob Fleming, MBA
Senior Tax & Revenue Analyst
Corporate Services

Recommended by:
Todd Harrison, CPA, CMA
Commissioner/Treasurer
Corporate Services

Submitted by:
Ron Tripp, P.Eng.
Acting, Chief Administrative Officer

This report was prepared in consultation with Margaret Murphy, Associate Director, Budget Planning & Strategy and reviewed by Helen Chamberlain, Director, Financial Management & Planning/Deputy Treasurer

Appendices

Appendix 1 Interim Levy Payments and Dates

Appendix 1 - Interim Levy Payments and Dates

General Levy			
Municipality	March 10, 2021	May 12, 2021	Total Interim Levy
Fort Erie	6,062,754	6,062,754	12,125,508
Grimsby	7,516,889	7,516,889	15,033,779
Lincoln	5,833,404	5,833,404	11,666,808
Niagara Falls	20,700,592	20,700,592	41,401,185
Niagara-on-the-Lake	8,506,826	8,506,826	17,013,653
Pelham	4,094,715	4,094,715	8,189,430
Port Colborne	3,141,768	3,141,768	6,283,535
St. Catharines	25,634,978	25,634,978	51,269,956
Thorold	3,923,644	3,923,644	7,847,288
Wainfleet	1,485,405	1,485,405	2,970,810
Welland	8,123,257	8,123,257	16,246,514
West Lincoln	3,118,117	3,118,117	6,236,234
Total	**98,142,349**	**98,142,349**	**196,284,697**

Waste Management Special Levy			
Municipality	March 10, 2021	May 12, 2021	Total Interim Levy
Fort Erie	738,469	738,469	1,476,938
Grimsby	530,215	530,215	1,060,429
Lincoln	442,593	442,593	885,186
Niagara Falls	1,903,785	1,903,785	3,807,571
Niagara-on-the-Lake	420,597	420,597	841,195
Pelham	335,669	335,669	671,338
Port Colborne	486,563	486,563	973,126
St. Catharines	2,954,087	2,954,087	5,908,174
Thorold	410,601	410,601	821,203
Wainfleet	150,179	150,179	300,358
Welland	1,088,826	1,088,826	2,177,651
West Lincoln	243,785	243,785	487,571
Total	**9,705,369**	**9,705,369**	**19,410,737**

Total General & Waste Management Interim Levy			
Municipality	March 10, 2021	May 12, 2021	Total Interim Levy
Fort Erie	6,801,223	6,801,223	13,602,446
Grimsby	8,047,104	8,047,104	16,094,208
Lincoln	6,275,997	6,275,997	12,551,994
Niagara Falls	22,604,378	22,604,378	45,208,755
Niagara-on-the-Lake	8,927,424	8,927,424	17,854,847
Pelham	4,430,384	4,430,384	8,860,768
Port Colborne	3,628,331	3,628,331	7,256,661
St. Catharines	28,589,065	28,589,065	57,178,129
Thorold	4,334,245	4,334,245	8,668,491
Wainfleet	1,635,584	1,635,584	3,271,168
Welland	9,212,082	9,212,082	18,424,165
West Lincoln	3,361,902	3,361,902	6,723,805
Total	**107,847,717**	**107,847,717**	**215,695,434**

PRESCRIBED FORM OF PETITION

TITLE: Expropriation of agricultural land of family dating back 150 years for City of Welland financial gain

CITY OF WELLAND
RECEIVED
JAN 28 2021
Office of the City Clerk

To: The Council of the City of Welland
c/o City Clerk
60 East Main Street
Welland, ON L3B 3X4

I/We the undersigned, petition the Council of the City of Welland as follows:

We the citizens of Welland ask City Council to rescind and reject by-law 2020-144 that authorizes the expropriation of Lot 16 Concession 7 by the Corporation of the City of Welland and further that Council of the City of Welland reverses the motion to expropriate said lands.
Reference # P&B 2020-18

PRINTED NAME	PRINTED ADDRESS	SIGNATURE
Bonnie Cramp	617 Clare Ave Welland ON L3C 3B9	Bonnie Cramp
Andrew Cramp	617 Clare Ave Welland ON L3C 3B9	Andrew Cramp
Marie Robson	33 RICE ROAD WELLAND L3C 2V4	Marie Robson
Karson Fordyce	76 Whitetail Crs	Karson Fordyce
Ron Fordyce	76 Whitetail Cres	Ron Fordyce
Ed Belanger	50 JEFFERSON CW	Ed Belanger
MARIE BELANGER	50 JEFFERSON CTW.	Marie Belanger
Pat Bayda	51 Jefferson Ctw	
Katharine Bayda	51 Jefferson Ctw	K. Bayda
Frazer Burson	51 JEFFERSON CRT W	
BILL CANN	64 JEFFERSON COURT	
Peter Klojcik	70 Jefferson	
EMILY EGGLETON	65 JEFFERSON	Emily Eggleton
WALT EGGLETON	65 JEFFERSON	Walt Eggleton
V Hopkins	42 Jefferson	
Eleanor Protz	47 Jefferson	Eleanor Protz
Sarah Cann	64 Jefferson Court W	
ELSPETH CANN	" " "	E Cann
IBOJKA ZOVKIC	61 Jefferson Court W	
ZDENKO ZOVKIC	61 JEFFERSON COUR W	

By signing this petition, I hereby acknowledge that this petition will become a record belonging to the City of Welland and that all information contained in this petition will be available for viewing by the public and may be reproduced in a future Council Agenda.

20-82

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PRINTED NAME	PRINTED ADDRESS	SIGNATURE
Judy Feeley	36 Jefferson Crt W	Judy Feeley
BOB HAYLOR	3 JEFFERSON CRT W	[illegible]
MARILYN PALMA	29 JEFFERSON CRT E	[illegible]
Mark Beck	55 Jefferson Crt E	[illegible]
KARL BORN	71 JEFFERSON CRT E	[illegible]
LIZ BORN	71 JEFFERSON CRT E	[illegible]
LUZ NARANJO	64 JEFFERSON CRT E.	[illegible]
SAM ADDARIO	56 JEFFERSON	[illegible]
Ann Marie Karle	38 Jefferson Ct. E.	[illegible]
Jane Doneff	22 Jefferson Ct E	[illegible]
MARIO SABATINI	48 JEFFERSON CRT. E.	[illegible]
Sherry Fancy	6 Jefferson Court E	[illegible]
TONY DELLA VENTURA	24 BRIDGEWATER CRT	[illegible]
NANCY FAKLA	30 BRIDGEWATER CRT	[illegible]
ANDREW Fakla	30 Bridgewater Crt	[illegible]
Joe Ravenda	60 Bridgewater	[illegible]
Marilyn Young	6 Bridgehaven Crt	[illegible]
L. Bayne O'BAYNE	7 WILLOWLANDING CT	[illegible]
Dale Winger	11 WILLOWLANDS	[illegible]
Kathy Smith	31 Willowlanding	[illegible]

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PRINTED NAME	PRINTED ADDRESS	SIGNATURE
Cathy Kokoski	25 Domville Ave	Cathy Kokoski
LINDA HYSERT	596 RIDGE RD	L Hysert
B Hyst	" "	B Hyst
Tamara Ekberg	389 Corvette Street	[illegible]
Debbie White Beattie	605 Ridge Rd	[illegible]
Dan Fournier	631 Ridge Rd	[illegible]
Leah Jeffs	631 Ridge Rd	[illegible]
MARK REYNOLDS	645 RIDGE RD	[illegible]
BEV STANDING	645 RIDGE RD	[illegible]
Jules Porpetta	655 Doans Ridge RD	[illegible]
MARK Brochu	770 Doans Ridge Rd	[illegible]
Kelly Brochu	770 Doans Ridge Rd	[illegible]
Noah Brochu	770 Doans Ridge Rd	[illegible]
Lynda Brochu	13073 McKenney Rd	[illegible]
JOE CAMILLERI	668 DOANS RIDGE RD	[illegible]
MARON LUNDY	938 NETHERBY RD	Maron Lundy
WAYNE LUNDY	938 NETHERBY RD	Wayne Lundy
Chris Bome	432 DOANS RIDGE RD	Chris Bome
Mark Bome.	" " " "	Mark Bome.
Sonya Markowski	188 Doans Ridge Rd.	S. Markowski

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PRINTED NAME	PRINTED ADDRESS	SIGNATURE
Mary L LATHAM	586 Lyons Creek RD	Mary L Latham
PAUL LATHAM	586 LYONS CREEK	Paul Latham
Dave Chouinard	652 Lyons Cr.	[illegible]
Alicia Fuller	765 Lyons Creek	[illegible]
Brad Alward	765 Lyons Creek	[illegible]
LUCY EMMERSON	771 LYONS CR. RD	[illegible]
Eleanor Matthews	785 Lyons Cr. Rd.	[illegible]
Jack Matthews	" " " "	[illegible]
Carol McCauley Ince	805 Lyons Creek Rd	[illegible]
WANDA AUSTIN	" "	[illegible]
Marilyn Imbeault	809 Lyons Creek Rd	[illegible]
Andrew Imbeault	" " "	[illegible]
Randy Leppert	798 Lyons Creek Rd	[illegible]
Lauren Cunningham	823 Lyons Creek Rd	[illegible]
Kelly Frigault	820 Lyons Creek Rd	[illegible]
James Stewart	820 Lyons Creek Rd.	[illegible]
R. Mueller	19 Guest Rd	R. Mueller
C. Hardy	836 Lyons Creek Rd	C. Hardy
L. Hardy	836 Lyons creek Rd	L. Hardy
Bruce Parker	851 Lyons Creek Rd	[illegible]
Michelle Parker	851 Lyons Creek Rd	[illegible]

By signing this petition, I hereby acknowledge that this petition will become a record belonging to the City of Welland and that all information contained in this petition will be available for viewing by the public and may be reproduced in a future Council Agenda. Michael Parker 851 Lyons Creek Rd Michael Parker

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PRINTED NAME	PRINTED ADDRESS	SIGNATURE
BRETT BELAIRE	9800 LYONS CREEK RD WELLAND	B Belaire
Laura Lot	123 Dains Ridge Rd Welland	[illegible]
TRACY COSTELLO (SWARTZ)	14 Oakwood St. Port Colborne	Tracy Costello
LINDSAY COSTELLO	14 OAKWOOD ST. PORT COLBORNE	Lindsay Costello
Larry Young	811 Effingham. Fenwick	Larry Young
Ghislaine Young	811 Effingham Fenwick	Ghislaine Young
Patti Lukacsy Fagan	Woodside Sq Fonthill	Patti L Fagan
PAUL FAGAN	Woodside Sq Fonthill	Paul Fagan
Brenda Lukacsy	Cottingham St Toronto	Brenda Lukacsy
Susan Lukacsy	Port Elgin	Susan Lukacsy
R. CAMERON	9710 LYONS CREEK RD	[illegible]
M. PEIPER	8710 LYONS CREEK	M Peiper
BRIAN HOLLINGSWORTH	272 Ridge Rd.	[illegible]
Suzanne Hollingsworth	272 Ridge Rd	S Hollingsworth

Family

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PRINTED NAME	PRINTED ADDRESS	SIGNATURE
FRAN MAIN	792 LYONS CRD WELLAND	Fran Main
BRAD MAIN	126 Trelawn Pkwy	Brad Main
CHRISTINE BAILLIE	126 TRELAWN PKWY	Christine Baillie
DIANA WALES	206 LINCOLN ST	[illegible]
NICK VILLELLA	206 LINCOLN ST.	Nick Villella
DOUG TERRYBERRY	9479 OLD SCHISLER	D.S.T
LESLIE BENT	9125 SCHISLER	[illegible]
Paulette Colley	8125 Schisler	P Colley
Lloyd Roseboom	3248 YAGER RD.	Lloyd Roseboom
BEV Roseboom	3248 YAGER RD.	[illegible]
Judy Koole	591 Doans Ridge Rd.	Judy Koole
Dick Koole	591 Doans Ridge Rd.	[illegible]
MARSHA REMPEL	349 RIDGE ROAD	Marsha Rempel

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PRINTED NAME	PRINTED ADDRESS	SIGNATURE
BONNIE Doucet	78 Netherby Rd Welland	Bonnie Doucet
JOHN Doucet	78 Netherby Rd Welland	John Doucet
LINDA BINDER	268 Ridge Rd. Welland	Linda Binder
Marilyn Latham	20 Kingsway Welland	Ma. C. Law
Ed Latham	20 Kingsway Welland	Ed Latham
David Lemay	86 Kingsway Welland	David Lemay
BRIAN SCOTT	414 Kingsway Welland	[illegible]
TONY McCreadie	406 Kingsway Welland	Tony McCreadie
Cheryl Loisel	403 Kingsway St	Cheryl Loisel
Herven Loisel	402 Kingsway St	Herven Loisel
Sue Zareski	398 Kingsway St	Sue Zareski
John Zareski	398 Kingsway St	[illegible]
April Martin	382 Kingsway	A Martin
Jennifer Hric	378 Kingsway St	[illegible]
Thereseh Lagace	374 Kingsway St	[illegible]
J. LAGACE	"	J. Lagacé
June VanTiesch	370 Kingsway St	[illegible]
Bill Kirby	332 Kingsway	Bill Kirby
JIM MICHALINE	328 KINGSWAY	Jim Michaline
L Boudreau	308 Kingsway	L Boudreau

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PRINTED NAME	PRINTED ADDRESS	SIGNATURE
Laura White	27 Argyle Crt Welland	Laura White
DAVE KUIPERS	"	Dave Kuipers
A THIVERGE	131 DOVER Rd	
Lidia Kuipers	10566 Woodland D.	Lidia Kuipers
Michael Robinard	254 Doans Ridge Road	M Rob
GRAINGER BURK	149 RIDGE RD S	M Burk
EDDIE KISAE	201 CLARE AVE	Ed K
Tyler Workman	5023 CAWBOURNE RD	
Jonathan Cvetkovich	657 lincoln st	
TIM SOMMER	23 TRELAWN PLACE	
Joanne Stortz	27 Pine St Welland	Joanne Stortz
Mardeen Henderson	62790 Con. 6, Wainfleet	Mardeen Henderson
DAVID HONEY	2131 KING ST LINCOLN	David Honey
SHIRLEY WELSTEAD	35-70 ELMWOOD AVE	S Welstead
GORD WELSTEAD JR	35-70 ELMWOOD AVE	G Welstead

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PLEASE TURN OVER.

PRESCRIBED FORM OF PETITION

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PRINTED NAME	PRINTED ADDRESS	SIGNATURE
Danaka Kimber	617 Lyons Creek Rd Welland.	
Lily Weima	617 Lyons Creek Rd Welland	
Sara Bourne	50 Doans Ridge Rd.	Sara Bourne
Ryan Kimber	617 Lyons Creek Rd Welland.	
Karen Hoare	111 Pearson Rd Wel	Karen Hoare
Kelly Chambers	631 Lyons Creek Rd Welland	Kelly Chambers
Lori Falvo	637 Lyons Creek Rd Welland	
John Falvo	637 Lyons Creek Rd	
Chris Falvo	637 Lyons Creek Rd	Chris Falvo
Melissa Chambers	940 Schisler Rd Welland	Melissa Chambers

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PRESCRIBED FORM OF PETITION

TITLE: Expropriation of agricultural land of family dating back 150 years for City of Welland financial gain

To: The Council of the City of Welland
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Welland, ON L3B 3X4

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PRINTED NAME	PRINTED ADDRESS	SIGNATURE
SUE DEGAZIO	642 Lyons Creek RD	Sue DeGazio
Nadia Gennings	505 Lyons Creek	N. Gennings
Lesley Witt	733 Lyons Creek Rd	[illegible]
Andrea Valvasori	9836 Lyons Creek Road	[illegible]
WAYNE LEISHMAN	9826 LYONS CREEK RD	Wayne Leishman
CYNDY VIOLETTE	52 Margaret Rd Welland	Cyndy Violette
LILI OLIVER	71 Doan's Ridge Rd	Lilia M Oliver
Steve Simpson	87 Doan's Ridge Rd.	[illegible]
Clara Simpson	87 Doan's Ridge Rd	C. Simpson
Harley Simpson	62 GRIFFITH ST	[illegible]
D Lostracco	740 BUCHNER RD	[illegible]
K Lostracco	740 Buchner Rd	[illegible]
A. Sheridan	732 Buchner Rd	[illegible]
M. Sheridan	732 Buchner Rd	[illegible]
R. DiPietro	100 Pearson RD	[illegible]
D. Smart	244 WALLACE AVE. S	[illegible]
E. DI PIETRO	107 Pearson Rd.	E. Di Pietro
C. DI PIETRO	107 PEARSON RD	C. DiPietro
J. BATTAGLINI	108 Abbey Rd	[illegible]
C. HOARE	111 PEARSON RD	[illegible]

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PRINTED NAME	PRINTED ADDRESS	SIGNATURE
Ajay Babu Pazhayattil	565 Doans Ridge Rd, Welland	
Teju Puthiakunnel	565 Doans Ridge Rd	
Twino Puthiakunnel	565 Doans Ridge Rd	
Rosamma Jose Puthiakunnel	565 Doans Ridge Rd	Rosamma Jose
Harvey Sayer	220 Pearson Rd.	
April Sayer	220 Pearson Rd	
Shannon Lalande	3331 Dominion Rd	
Melanie Lamontagne	462 Wallace Ave N	M Lamontagne
ROGER LALANDE	3331 DOMINION RD	
SHANE WRIGHT	8346 YOKOM RD	
Michele Wright	8346 Yokom Rd.	
Dan Potts	796 Buchner Rd	
Kelly Priestley	749 Buchner Rd	Kelly Priestley
Joe Priestley	749 Buchner Rd.	Joe Priestley
LISA TOTH	75 Doans Ridge	
Adele Bourne	50 Doans Ridge	Adele Bourne
Percy Walker	75 Doans Ridge	
Jean Walker	75 Doans Ridge	
GREG TOTH	75 Doans Ridge	
GINO PITTARACCIA	647 CYCLS Rail RD	

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PRINTED NAME	PRINTED ADDRESS	SIGNATURE
TOM LISZT	2 ARMOUR DR. Welland ON L3C2N8	
BETH AQUINO-LISZT	2 ARMOUR DR. WELLAND L3C2N8	
ALEXI LISZT	2 Armour Drive Welland ON L3C2N8	Alexi Liszt
Jerrod Stamm	2 Armour Dr Welland L3C2N8	
Maia Liszt	2 Armour Dr. Welland L3C2N8	
Rick Tavares	16 Fern Gate L0S 1E4	
Graham Tavares	"	
Donna Tavares	"	
Gordon Churchill	11 Milburn Fonthill L0S 1E4	
Mary Churchill	11 Milburn Fonthill L0S 1E4	
Andy HARRIS	82 GOLDEN BLVD GAST1	
SASHIA DELANO	82 Golden Boulevard GAST	S DELANO

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PRINTED NAME	PRINTED ADDRESS	SIGNATURE
Denis Guillemette	256 Ridge Rd	
Derek Paul Guillemette	256 Ridge Rd	
Lise Denommee	248 Ridge Rd	
Vic Denommee	248 Ridge Rd	
Jacob Gaudet	142 ridge Rd	
Samantha McPherson	142 Ridge Rd	
Franci Lamontagne	148 RIDGE RD W.	
FRANCIS LAMONTAGNE	148 RIDGE RD	
MARLENE & GARY BARTOK	136 RIDGE RD	
DARYL POOLEY	278 RIDGE RD	
TAMMY FORREST	278 RIDGE RD	
Scott Best	499 Moore Rd	
Jennifer Best	499 Moore Rd	
FRANCES SYDOR	489 MOORE Rd	
TIM SYDOR	489 MOORE Rd	

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PRINTED NAME	PRINTED ADDRESS	SIGNATURE
Crystal Haitas	745 Lyons Creek	Crystal Haitas
Alex Haitas	745 Lyons Creek	
Mary Vanscoy	583 Lyons Creek	
Lindsay Lamarre	595 Lyons Creek	
Myra Lamarre	595 Lyons Creek	
Guy Lamarre	595 Lyons Creek	
Julie Parker	492 Lyons Creek	Julie Parker
Pat Parker	492 Lyons Creek	
CECIL DOLAN	465 LYONS CREEK	
Steve Orth	408 Lyons Creek	
Vanessa Herzog	"	
Barbara Ryerse	425 Lyons Creek	Barbara Ryerse
Tony Clarke	452 Lyons Creek Rd	
Spencer Chapman	462 Lyons Cr Rd	Spencer Chapman
Heather Cory	462 Lyons Cr Rd	Heather Cory
Kelly Chambers	631 Lyons Cr Rd	Kelly Chambers
DON IRVINE	140 DOANS RIDGE	
CELINE HARDY-JOHNSON	621 Ridge Rd Welland	
JOE JOHNSON	621 Ridge Rd. Welland	
Kirk Williamson	433 Doans Ridge	

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PRINTED NAME	PRINTED ADDRESS	SIGNATURE
SHIRLEY DESJARDINS	118 WILLOW LANDING	
Julie Wadsworth		
Paul Kuhar	204 Willowlanding	
Steve Grant	224 Willowlanding	
Kaley Williams	224 Willowlanding	
DONA GAYLOR	228 WILLOW LANDING	
Maxine Gaylor	228 Willowlanding Crt	
DALE McDONELL	183 Willowpond Cr	
Marcel Lewis	177 Willow Landing Crt	
Marlene Noel	58 Strathmore Cres	Marlene Noel
DENIS NOEL	58 STRATHMORE CRES	
JOAN SCOTT	69 EMPRESS AVE	Joan E. Scott
BILL BRUIN	66 CLASSIC AV	
DIANE BRUIN	66 CLASSIC AVE	Diane Bruin
Tracy Bruin	66 Classic Ave	

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PRINTED NAME	PRINTED ADDRESS	SIGNATURE
Theresa Hert	944 Cope Rd	Theresa Hert
HUGO Hert	0944 Cope Rd	H. Hert
Jennifer Spiece	782 Cope Road	Jennifer Spiece
JUSTIN SPIECE	782 COPE RD	[illegible]
THERESA SEGUIN	747 Ridge Rd	Theresa Seguin
MARCEL SEGUIN	747 RIDGE RD	Marcel Seguin
Jessica Seguin	8141 Coventry Rd	Jessica Seguin

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PRINTED NAME	PRINTED ADDRESS	SIGNATURE
Jill Labbe	59 Woodgate Dr, Welland	
PAT LABBE	59 WOODGATE DR. WELLAND	
KATHLEEN EDWARDS	8001 NETHERBY RD, WELLAND	
Ed Edwards	8001 Netherby Rd Welland	
Susanne Robitaille	93 Northwood Dr Welland	
Zachary Warren	93 Northwood Dr Welland	

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PRINTED NAME	PRINTED ADDRESS	SIGNATURE
SHEILA MATTHEWS	31 MATTHEWS RD.	Sheila Matthews
David Matthews	31 Matthews Rd	David Matthews
MARCEL LONGPRE	374 DOAN'S RIDGE	[illegible]
PRISCILLE LONGPRE	374 Doan's Ridge	Priscille Longpré
Gilles LONGPRE	" " "	Gilles Longpré
Jim MORTON	662 Lyons Creek Rd.	[illegible]

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PRINTED NAME	PRINTED ADDRESS	SIGNATURE
madison kelly	478 doans ridge road	madison Kelly
Connie McCutcheon	478 Doan's Ridge Rd	[illegible]
Roger Kelly	478 Doan's Ridge Rd	[illegible]
Nicki Thede	484 Doan's ridge Rd	Nicki Thede
meagan kelly	478 Doan's Ridge Rd	meagan kelly

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PRINTED NAME	PRINTED ADDRESS	SIGNATURE
Sandra Van der Kant	278 Doans Ridge Rd., Welland	S Van der Kant
Henry VanderKant	278 Doan Ridge Rd.	H Vanderkant
Lynn Swayze	28 Stella Vonhill.	L Swayze
Rachael Vanderkant	278 Doans Ridge Rd.	R Vanderkant

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PRINTED NAME	PRINTED ADDRESS	SIGNATURE
AGNES STACHON	586 DOAN'S RIDGE RD	A Stachon
MARTIN STACHON	WELLAND, ON.	
	586 DOAN'S RIDGE	
	RD, WELLAND	
PATRICIA FOWLER	572 Doan Ridge	
MICHAEL FOWLER	572 Doan Ridge	Michael Fowler
ADAM HORTON	572 DOANS RIDGE	Adam Horton

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PRINTED NAME	PRINTED ADDRESS	SIGNATURE
Ryan Mannell	9364 Biggar Rd. Port Robinson, ON	
SEAN NEAMTU	770 LYON'S CREEK WELLAND, ON	

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PRINTED NAME	PRINTED ADDRESS	SIGNATURE
MARIO ARCARO	676 Doans Ridge	[illegible]
LINA ARCARO	676 Doans Ridge	Lina Arcaro

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PRINTED NAME	PRINTED ADDRESS	SIGNATURE
Courtney Glinsky Jones	706 lyons creek rd	
Matthew Jones	706 lyons Creek rd	

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Karen Young	573 Matthews Rd.	
Roberta Young	573 Matthews Rd	

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PRINTED NAME	PRINTED ADDRESS	SIGNATURE
Heather Morden	762 Lyons Creek Rd	[illegible]
Clinton Morden	762 Lyons Creek Rd	[illegible]

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Cathie Popp	180 Doan's Ridge	C Popp

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Jessica LaHay
January 15 at 9:37 PM ·

1 2 Shares

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info@cooksmills.com

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Jessica LaHay	522 Leonard Ave Welland	
Michael LaHay	522 Leonard Ave Welland	
Maureen Catherwood	522 Leonard Ave Welland	
Julie Matthews	786 Ridge Rd Welland	
Ron Matthews	786 Ridge Rd Welland	
Justin Matthews	786 Ridge Rd Welland	
Homer Vanloon Heel	25 Dennis Avenue	
Morgan Mills	25 Dennis Ave, Thorold	

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Pam Pearson	31 Argyle Crt	[illegible]
Jodie Stawonisky	31 Argyle Crt	[illegible]
Cody Stawonisky	31 Argyle Crt	[illegible]

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Dawn Brenner	333 Aqueduct St	Dawn Brenner
David Cooper	333 Aqueduct St	[illegible]
[illegible]	331 Aqueduct St	[illegible]
[illegible]	31 Blue St	[illegible]
[illegible]	331 Aqueduct St	[illegible]

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Carol Pettet	768 Buchner Rd	
GERALD PETTET	768 BUCHNER RD	

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Reference # P&B 2020-18

PRINTED NAME	PRINTED ADDRESS	SIGNATURE
Sy Ivain Thibault	524-1230 Marlborough Crt, Oakville, ON L6H 3K6	[illegible]
Klaudia Thibault	-"- same -"-	[illegible]

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PRESCRIBED FORM OF PETITION

TITLE: Expropriation of agricultural land of family dating back 150 years for City of Welland financial gain

To: The Council of the City of Welland
c/o City Clerk
60 East Main Street
Welland, ON L3B 3X4

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PRINTED NAME	PRINTED ADDRESS	SIGNATURE
Karen Young	573 Matthews Rd	[illegible]
Robert Young	573 Matthews Rd	[illegible]

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Reference # P&B 2020-18

PRINTED NAME	PRINTED ADDRESS	SIGNATURE
Orlando Bonomo	41166 Forks Rd Wainfleet	[illegible]
Kari Bonomo	141 darling rd Canfield	Kari Bonomo
Joshua Bonomo	141 Darling Rd Canfield	[illegible]
Steph Wheeler	12082 Station Rd	[illegible]
Jeremy Bonomo	12082 Station Rd, Wainfleet	[illegible]

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PRINTED NAME	PRINTED ADDRESS	SIGNATURE
Steven Cramp	617 clare ave Wellanc	

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Carlie Fopp	100 Doans Ridge	C Fopp

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PRINTED NAME	PRINTED ADDRESS	SIGNATURE
Diane Sharkey	512 Lakeshore Road, Fort Erie	Diane Sharkey

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Alanna J Palma	115 Highland Ave. Port Colborne	Alanna J Palma

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PRINTED NAME	PRINTED ADDRESS	SIGNATURE
Elizabeth Best	1115 Garner Avenue, Fenwick, Ontario L0S 1C0	Elizabeth Best
Greg Best	1115 Garner Avenue, Fenwick, Ontario L0S 1C0	Greg Best

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PRINTED NAME	PRINTED ADDRESS	SIGNATURE
Amanda Robins	723 Forkes Rd. Pt. Col	[illegible]
Derek Robins	723 Forkes Rd Pt Colborne	[illegible]
Chris Smith	195 Humboldt Parkway	[illegible]
Samantha Smith	195 Humboldt Parkway	[illegible]

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Grace Stevenson	303- 82 Ormond Street N	G Stevenson

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Sarah Oszter	3143 Walker Road Upper, Windsor, ON-N8W3R6	
Brendan Ker		

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Nancy Brzozowski	105 Canboro Road, Fonthill, ON L0S1E0	Nancy Brzozowski

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PRINTED NAME	PRINTED ADDRESS	SIGNATURE
Ashley Jones	833 Lyons Creek rd	a jones
Matt Jones	833 Lyons Creek rd	Matt Jones

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PRINTED NAME	PRINTED ADDRESS	SIGNATURE
KATHY CUMMING	29 COYLE CRT Welland L3C 0E2	Kathy Cumming

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Mitch Dumont	305 First Ave, Welland	
Brooke Dumont	305 First Ave, Welland	

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LISA LETOURNEAU	90 SECOND ST. WELLAND	

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PRINTED NAME	PRINTED ADDRESS	SIGNATURE
Connie Litalien	71 Springfield St. Welland	Note ... signature pending
Jack Litalien	71 Springfield St. Welland	came in via COOKS MILLS MESSENGER

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Rob Tsanoff	75 Chantal Ct. L3B 5V3	Note ... signature pending
		came in via COOKS MILLS
		MESSENGER

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Frank Lubrizzi	47 Fifth St Welland	
Chelsy Hills	47 Fifth St Welland	

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Alex Hoelzli	780 Bridge Rd. Welland.	Alex Hoelzli
Kelsey MacIsaac	780 Bridge Rd Welland	KMacIsaac

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PRINTED NAME	PRINTED ADDRESS	SIGNATURE
Janet Hoelzli	780 Ridge Rd, Welland L3B5N7	
Mike Hoelzli	780 RIDGE RD, WELLAND	
Donna Panetta	770 RIDGE RD WELLAND	
Frank Panetta	770 RIDGE RD WELLAND	
Adrian Panetta	770 RIDGE RD WELLAND	Adrian Panetta

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Joanne Lynes	64 Diffin Dr. Welland L3C 2K2	Joanne Lynes

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PRINTED NAME	PRINTED ADDRESS	SIGNATURE
ALBERT GRIFFITH	159 SOUTH HUGHES ST	[illegible]
Rose Griffith	127 Quaker Rd	Rose Griffith
Russell Godin	127 Quaker Rd	[illegible]
PAUL JOLLIFFE	3618 BOWEN RD	[illegible]
Kelly Godin	127 Quaker Rd	[illegible]
[illegible] LOVES	119 QUAKER RD	[illegible]
BARRIE LOVES	119 QUAKER RD	[illegible]

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PRINTED NAME	PRINTED ADDRESS	SIGNATURE
Karen Martens	14011 Montrose Rd Welland,	Note ... signature pending
		came in via COOKS MILLS EMAIL

From: Karen Martens <kmartens3@icloud.com>
Date: January 16, 2021 at 10:59:51 PM EST
To: info@cooksmills.com
Subject: Petition

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PRINTED NAME
Karen Martens

PRINTED ADDRESS
14011 Montrose Road Welland, ON L3B 5N7

SIGNATURE
Karen Martens

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Kelly Hollands	116 Aqueduct St	K. Hollands

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Ruth Feagan	5 Oakmount, Welland, ON	Ruth Feagan

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Fawn Ballinger	9291 Lyons Creek Rd. Welland, ON. L3B-5N4	

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PRINTED NAME	PRINTED ADDRESS	SIGNATURE
Paula Vandenbosch	106-22 Glen Park Dr. Welland ON L3C6J9	PVandenbosch
Jim Lanigan	106-22 Glen Park Dr. Welland ON L3C6J9	

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Amy Roy	5 Kingsway	AR

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PRESCRIBED FORM OF PETITION

TITLE: Expropriation of agricultural land of family dating back 150 years for City of Welland financial gain

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c/o City Clerk
60 East Main Street
Welland, ON L3B 3X4

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PRINTED NAME	PRINTED ADDRESS	SIGNATURE
Genestah P Banga	142 Second Street, Welland	Banga
Eddissun P Banga	142 Second Street, Welland	Eddissun
Sheri Prokopowich	142 Second Street, Welland	
Peter Banga	142 Second Street, Welland	PBanga

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PRINTED NAME	PRINTED ADDRESS	SIGNATURE
brenda wetmore	132 kingsway st welland l3b3n9	brenda wetmore
doug wetm ore	132 kingsway st welland l3b3n9	doug wetmore

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Michelle Vosburgh	110 Silvan Dr. Welland	M. Vosburgh

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Liz MacDonald	48 Roselawn Crescent, WELLAND, ON	

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Edward Anderson	195 Leaside Dr, Welland, ON L3C6N4	Ed Anderson
Elaine Anderson	195 Leaside Dr, Welland, ON L3C6N4	Elaine Anderson

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James Winger	223 Main St West, Pt Colborne, ON L3k3V7	

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Laura Molina.	4537 Ivy Gardens cres	
	Beamsville L0R1B5.	

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PRINTED NAME	PRINTED ADDRESS	SIGNATURE
JUNE ETTA CHENARD	3 Welland Ave. #4 St. Catharines L2R 2L8	June Etta Chenard

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PRINTED NAME	PRINTED ADDRESS	SIGNATURE
KARI WILLS	21-6730 KALAR RD N.FALLS, ON	
SEAN McAULEY	21-6730 KALAR RD NF	

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Reference # P&B-2020-01

Nathalie
burnside
5699 leonard
ave niagara
falls on.
L2g4r3

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ALISHA McISAAC	856 Lorraine Rd. Port Colborne	Alisha McIsaac

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Scott Armstrong	63 Henry St, St. Catharines	Scott Armstrong

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Carlin Rapp	Dr Dawn Rapp	Carlin

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PRINTED NAME	PRINTED ADDRESS	SIGNATURE
LAURIE PARKER	77 QUAKER WELLAND	Laurie Parker

PROPERTY NUMBER	PROPERTY ADDRESS	SIGNATURE

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PRINTED NAME	PRINTED ADDRESS	SIGNATURE
Patricia Séguin Hillier	14 Beckman St, Ottawa, ON K2G 7B4	P Séguin Hillier
Ryan Hillier	14 Beckman St Ottawa ON K2G 7B4	[illegible]

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COUNCIL

INTEGRITY COMMISSIONER

REPORT
FEBRUARY 2, 2021

SUBJECT: COMPLAINT FROM STAFF AGAINST COUNCILLOR GRAHAM SPECK

AUTHOR: ROBERT SWAYZE, INTEGRITY COMMISSIONER *PRO TEM*

RECOMMENDATION:

That the compensation paid to Councillor Graham Speck as a member of Council be suspended for a period of 30 days commencing with the next pay period.

ORIGIN AND BACKGROUND:

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

I received a complaint against Councillor Speck on November 24, 2020 from member(s) of staff who requested that they remain anonymous. I served the Councillor with the complaint and he requested an extension to the time I required him to respond beyond the holidays. I granted him an extension until January 15, 2021 and he sent his response to me on the last day.

The complaint alleges that Councillor Speck posted comments about staff on Facebook which were disrespectful, unprofessional and discourteous, contrary to the Code of Conduct for Members of Council (the “Code”).

Councillor Speck embarked on a campaign with staff to have them recommend that the paving of Lyons Creek Road be upgraded to asphalt contrary to the City policy applying to the road which is not located in the urban area. Staff are opposed to the change and he admits that he knows that Council will not approve the upgrade without a staff recommendation.

His posts about staff not supporting the upgrade are numerous, but for the purpose of this report, I need only quote the following:

> "I just wanted to highlight this is what we as councillors are dealing with when we communicate with staff. This is not all staff and this is not on every issue but certainly with something of critical importance to the residents along Lyons Creek I would have expected a more professional reply. “

This post elicited a comment from a resident calling staff “a bunch of beauties”.

The Code in Section VII provides as follows:

> "Members are expected at all times to treat staff with respect, professionalism and courtesy.
>
> Members shall be respectful of the fact that staff are charged with making recommendations that reflect their professional expertise and corporate perspective without undue influence from any individual Member or group of Members."

COMMENTS AND ANALYSIS:

I served Councillor Speck with the complaint and his response to me contained further severe criticism of staff which I will not make public. He argued that Councillors are "free to disagree with staff" which is true. They are free to disagree in open Council and vote against staff recommendations so long as they do so respectfully. If a member of Council has a problem with the performance of any staff member, he or she may complain privately to the staff member's supervisor (preferably at the director level) and if not satisfied with the result, take the matter to the CAO. If still not satisfied, the Clerk can be requested to hold a closed meeting with Council to discuss the staff member's performance. Staff are not immune from any of these actions by a member of Council.

However, this Councillor seems not to understand that you are not permitted to damage the reputation of staff publicly or to use undue influence against them. A member of Council has one vote and no part to play in the staff chain of command at the City. His proposal to upgrade the road should have been brought to Council by Notice of Motion and if it is defeated, that should have been the end of it.

SUMMARY AND CONCLUSION:

The Facebook posts by Councillor Speck clearly contravene the Code as behavior not respectful of staff. I have also taken in to account the vitriolic attitude towards staff displayed in his response to the complaint. I recommend that the compensation paid to him as a member of Council be suspended for 30 days commencing at the next pay period.

ATTACHMENT:

None.

_____

Robert Swayze
Integrity Commissioner *Pro Tem*