



THE COROPORATION OF THE TOWNSHIP OF WAINFLEET  
REGULAR MEETING OF COUNCIL AGENDA – **AS AMENDED**

OCTOBER 5, 2021 – 7:00 P.M.

**COUNCIL CHAMBERS**

*In an attempt to limit the size of gatherings to control the spread of COVID-19, please be advised that there is limited public seating in the gallery and appropriate COVID-19 protocols will be enforced.*

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C20/21

1. **Call to Order**
2. **National Anthem**
3. **Land Acknowledgement Statement**
4. **Disclosures of Interest and the General Nature Thereof**
5. **Mayor's Announcements & Remarks**
6. **Councillor's Announcements & Remarks**
7. **Adoption of Previous Council Minutes**
  - a) Minutes of the regular meeting of Council held September 14, 2021
8. **Public Meeting**
9. **Delegations**
  - a) Shen Sivananthan Re: Request for Council to permit encroachment of internet antenna on Township road allowance
  - b) Mary Barchiesi, Request to speak to item 9. a) on the agenda (Request for Council to permit encroachment of internet antenna on Township road allowance)*
10. **Staff Reports & Recommendations**
  - a) Administrative Staff Reports
    - i. ASR-025/2021 Re: COVID-19 Impact Report
    - ii. ASR-026/2021 Re: 2022 Election Planning

b) Building Staff Reports

- i. BSR-003/2021 Re: Conditional Building Permit - 11605 Beach Road West

c) Drainage Staff Reports

- i. DSR-015/2021 Re: Apportionment Agreement (Bergsma)

**11. Review of Correspondence**

a) C-290-2021

Proclamation Request – Women's Place (The International Day for the Elimination of Violence against Women)

b) C-296-2021

Motion approved by the City of Welland approving proposal for loan to the Niagara Central Dorothy Rungeling Airport Commission for construction of 10 T hangars

**12. By-laws**

**13. Notices of Motion**

**14. Closed Meeting**

**15. Rise & Report**

**16. By-law to Confirm the Proceedings of Council**

- a) By-law No. 031-2021 being a by-law to adopt, ratify and confirm the actions of the Council at its meeting held on the 5<sup>th</sup> day of October, 2021

**17. Adjournment**



# THE CORPORATION OF THE TOWNSHIP OF WAINFLEET

## REGULAR MEETING OF COUNCIL MINUTES

SEPTEMBER 14, 2021 – 6:00 P.M.

### COUNCIL CHAMBERS

PRESENT:	K. Gibson	Mayor
	D. Cridland	Councillor (Electronic Participation)
	T. Gilmore	Councillor
	J. MacLellan	Councillor
	S. Van Vliet	Councillor

STAFF PRESENT:	W. Kolasa	Chief Administrative Officer
	M. Ciuffetelli	Deputy Clerk
	M. Alcock	Fire Chief
	A. Dashwood	Administrative Assistant
	L. Gudgeon	Manager of Human Resources
	M. Jemison	Drainage Superintendent

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C19/21

**1. Call to Order**

Mayor Gibson called the meeting to order at 6:00 p.m.

**2. Closed Meeting**

**Resolution No. C-2021-203**

Moved by Councillor Gilmore

Seconded by Councillor Van Vliet

“**THAT** Council now move into closed session to discuss:

- a) Item under Section 239(2)(c) of the *Municipal Act, 2001*, a proposed or pending acquisition or disposition of land by the municipality – 1 item (A property acquisition matter)

**CARRIED**

**3. Rise & Report**

The Council meeting was called to order in open session with a motion passed to go into closed at 6:00 p.m.

Council received and discussed information respecting a proposed or pending acquisition of land matter which concluded with direction being provided to the Township's Solicitor.

**4. National Anthem**

**5. Land Acknowledgement Statement**

Mayor Gibson acknowledged that the land on which we gather is the traditional territory of Anishinaabeg and Haudenosaunee Peoples, acknowledging the One Bowl and Spoon Treaty.

**6. Disclosures of Interest and the General Nature Thereof**

None.

**7. Presentations**

None.

**8. Mayor's Announcements & Remarks**

Mayor Gibson reported the following:

- I attended the opening of the 2021 Celebration of Nations and Awards of Excellence on Friday evening at the First Ontario Performing Arts Centre.
- The next vaccine clinics in Wainfleet will be held September 17 and September 22 at the Firefighters Community Hall
- The Police Services Board and Regional Council both meet on Thursday September 23 at 8:30 a.m. and 6:30 p.m.
- The Township Office will be closed Thursday, September 30 in recognition of the National Day for Truth and Reconciliation
- Wainfleet's next regular meeting of Council will be held Tuesday, October 5 at 7:00 p.m.

**9. Councillor's Announcements & Remarks**

Councillor Cridland announced that the next Niagara peninsula Conservation Authority meeting will be held September 17, 2021 at 9:30 a.m.

**10. Adoption of Previous Council Minutes**

**Resolution No. C-2021-204**

Moved by Councillor Cridland

Seconded by Councillor Van Vliet

"**THAT** the minutes of the regular meeting of Council held August 24, 2021 and the Special meeting of Council held September 2, 2021 be adopted as circulated."

**CARRIED**

**11. Public Meeting**

None.

**12. Delegations**

None.

### 13. Staff Reports & Recommendations

#### a) Fire Staff Reports

- i. FSR-011/2021 Re: Central Fire Station Pre-Tender Design/Financials

**Resolution No. C-2021-205**

Moved by Councillor Gilmore

Seconded by Councillor Van Vliet

**“THAT** the barn renovation be removed from the Fire Hall Project; and

**THAT** the barn be demolished and appropriately disposed of and the costs be added back into the fire hall project.”

**CARRIED**

**Resolution No. C-2021-206**

Moved by Councillor MacLellan

Seconded by Councillor Gilmore

**“THAT** Councillor MacLellan and Councillor Van Vliet meet with staff at Raimondo & Associates independent of the Township’s Project Planning Team to undertake a value engineering assessment of the fire hall project and provide a report to Council at the next available meeting.”

**CARRIED**

**Resolution No. C-2021-207**

Moved by Councillor Gilmore

Seconded by Councillor Van Vliet

**“THAT** Fire Staff Report FSR-011/2021 respecting the Central Station Fire Station Pre-Tender Design and Updated Cost Report be **DEFERED** to the next available meeting.”

**CARRIED**

b) Administrative Staff Reports

- i. ASR-024/2021 Re: COVID-19 Impact Report

**Resolution No. C-2021-208**

Moved by Councillor MacLellan

Seconded by Councillor Van Vliet

**“THAT** Administrative Staff Report ASR-024/2021 respecting COVID-19 Impact Report be received as information.”

**CARRIED**

c) By-law Enforcement Staff Reports

- i. BESR-007/2021 Re: Discharge of Firearms Review

**Resolution No. C-2021-209**

Moved by Councillor Gilmore

Seconded by Councillor MacLellan

**“THAT** By-law Enforcement Staff Report BESR-007/2021 respecting a review of the Discharge of Firearm By-law be received as information.”

**CARRIED**

d) Drainage Staff Reports

- i. Memorandum Re: Partial Abandonment CSW Drain 1

**Resolution No. C-2021-210**

Moved by Councillor Cridland

Seconded by Councillor Van Vliet

**“THAT** the Memorandum from the Drainage Superintendent respecting Partial Abandonment of the CSW Drain be received as information.”

**CARRIED**

e) Public Works Staff Reports

- i. PWSR-021/2021 Re: Award for Engineering Services for Township of Wainfleet Community Complex Renovation

**Resolution No. C-2021-211**

Moved by Councillor Cridland

Seconded by Councillor MacLellan

**“THAT** Report PWSR-021/2021 respecting Award for Engineering Services for Township of Wainfleet Community Complex Renovation be received; and

**THAT** Council direct the Manager of Operations to engage the services of Spriet Associates to perform engineering services for the design and contract administration for Township of Wainfleet Community Complex Renovation.”

**CARRIED**

**14. Review of Correspondence**  
None.

**15. By-laws**

**Resolution No. C-2021-212**

Moved by Councillor MacLellan

Seconded by Councillor Gilmore

**“THAT** By-law No. 029-2021 being a by-law to provide Abandonment of a section of the Consolidated South Wainfleet Drain #1 for drainage works in the Township of Wainfleet in the Region of Niagara be read and passed this 14<sup>th</sup> day of September, 2021.”

**CARRIED**

**16. Notices of Motion**  
None.

**17. Closed Meeting**  
None.

**18. Rise & Report**  
None.

**19. By-law to Confirm the Proceedings of Council**

**Resolution No. C-2021-213**

Moved by Councillor Cridland

Seconded by Councillor Gilmore

“**THAT** By-law No. 030-2021 being a by-law to adopt, ratify and confirm the actions of the Council at its meetings held on the 2<sup>nd</sup> day of September, 2021 and the 14<sup>th</sup> day of September, 2021 be read and passed this 14<sup>th</sup> day of September, 2021.”

**CARRIED**

**20. Adjournment**

There being no further business, the meeting was adjourned at 8:33 p.m.

\_\_\_\_\_  
K. Gibson, MAYOR

\_\_\_\_\_  
M. Ciuffetelli, DEPTY CLERK





**TOWNSHIP OF WAINFLEET**  
**DELEGATION REQUEST FORM**

Please fill out and return no later than 4:30 p.m. on the Tuesday prior to the meeting you wish to appear. Completed forms are to be submitted to the Clerks Department and can be dropped off or emailed to [mciuffetelli@wainfleet.ca](mailto:mciuffetelli@wainfleet.ca)

If you are speaking to an item listed on the agenda, the deadline for submission is 12:00 p.m. on the day of the scheduled meeting.

<b>Name:</b> <b>Shen Sivananthan</b>	
<b>Address:</b> <b>10187 Lakeshore Road W, Wainfleet, Ontario, L3K 5V4</b>	
<b>Telephone:</b> <b>416-454-9296</b>	<b>E-mail:</b> <b>shen@clearbanc.com</b>

**Date of Meeting:**     **Oct 5th, 2021**

<b>Subject Matter to be Discussed:</b>	<b>Encroachment of internet antenna on unopened road allowance</b>
<b>Action Requested:</b>	<b>Permission to temporarily keep internet antenna on unopened road allowance until such time there are alternative internet options, or the Township decides to open the road</b>

**Have you previously spoken on this issue?**

Yes ☐ No ☒

If an individual has previously appeared as a delegation, a further delegation from the same individual on the same topic will not be permitted, unless there is significant new information to be brought forward.

**Do you have material for distribution at the meeting?**

Yes ☐ No ☒

If yes, specify:

**Do you have a copy of your notes/presentation to attach?**

Yes ☒ No ☐

If yes, specify:

Delegations are required to provide the Clerk's Department presentation materials for publication in Council's agenda package.

☒ I have read and understand the Delegation Protocol attached to this form and understand that the information contained on this form, including any attachments, will become public documents and listed on Township meeting agendas and posted to the Township's website.

  
\_\_\_\_\_  
Signature

**September 29, 2021**  
Date

## Request for Permission

Re: Internet antenna encroaching road allowance behind 10187 Lakeshore Rd W

To whom it may concern,

Please find below a summary of events and request for permission to temporarily keep a residential, personal-use internet antenna upon an unopened road allowance. We'd like to apologize in advance for the lack of brevity in this summary however we feel that context in the situation is valuable when considering our appeal.

My wife and I are new residents to Wainfleet from Toronto, as we purchased our home on Lakeshore Road W on June 17, 2021. The home we bought is the one that my wife grew up in so there was much sentimental and emotional value associated. Although the home had been left vacant for 6 years by foreign investors, we believed that we could revive the property and restore it to its illustrious form. After purchasing the property, we knew we had a long road of renovations ahead of us but were optimistic about the final outcome.

In late-July we decided to visit our neighbours to introduce ourselves ahead of our official move-in date (Labour Day) and in conversation expressed that we both work from home and are on video calls all day. It was at that moment that we were informed of the reality that there are absolutely no internet service providers offering service in our area. Coming from Toronto, where the idea that internet connectivity is table stakes, this news was a shock to us and so began our long and tiresome road towards finding a viable internet solution.

Some potentially relevant context is that my wife and I were building a house in Oakville a month before the pandemic struck. From March of 2020 to June of 2021, we lived with my wife's family (and our newborn) while we waited for our house to be built. Unfortunately, the contractor that we hired to build our house disappeared with \$200K and left us without a home or many options. Having already gone through such a draining process over the past two years, we were particularly motivated to find a solution for our internet woes and so I began calling each and every ISP I could find. I built spreadsheets to track options and packages and LinkedIn messaged CEOs of large and small corporations. In a month and a half, we spoke to and had 14 different service providers ranging from Bell and Rogers to Beanfield, TekkSaavy, Acanac and others visit our home in hopes of obtaining an internet signal. I spoke to the Economic Development Officer in Port Colborne and pleaded with the Director of Media Relations at SWIFT. I contacted the Region of Niagara and the "Connecting Families Initiative of Canada". All outreach was in vain as no service provider was able to get a signal through trees near our property or were able to support Fiber optic or copper cables to our home. Even more discouraging was the fact that not one service provider even had plans of rolling fiber optic internet to our area in the next 2-3 years.

Finally, through cold outreach via LinkedIn, I got in touch with the CEO of NRBN who was incredibly impressed with the fact that I was so motivated to find a solution. In an attempt to

solidify my commitment to bringing fiber optic to the area, I knocked on doors from Bessie Road to Tennessee Avenue and secured 30+ signatures of residents who would be willing to sign a 2 year contract with NRBN to secure fiber optic internet service. Undoubtedly, NRBN has been receptive and excited at the prospect of supporting this community however, they have been restricted by financial and infrastructure constraints that they continue to work through. Though NRBN may be a long term solution with merit, the short to medium term solution has been to drive 20 minutes every morning and 20 minutes back home everyday due to the lack of internet. We were basically at the point of exhausting all possible options and had very seriously considered selling the property, as there were absolutely no options. That is, until we were referred to NWIC.

NWIC sent a technician to our home who determined that a signal may be present but would require us to build an antenna/tower to reach the height at which they can leverage their point to point solution. The tower costs were substantially beyond our budget but given that the internet is what keeps us employed, it was an easy decision to move forward with the tower.

A few weeks ago, once we had secured the tower contractor referred by NWIC, we reached out to our neighbour to ask for use of her driveway (to get to the top of the hill) to install the tower. She was kind enough to let us use her driveway and so we moved forward with the installation after referring to a land survey that was provided to us at the time of purchase of our home. A few days after the tower was installed we received a text message from our neighbour saying that we had installed the tower on her property, which was a blindside and a complete shock to us. We were extremely apologetic and explained that we had no intention of putting a tower on her property and that we would move it immediately, which would cost us tens of thousands of dollars. After careful examination of the survey it was evident that the tower was in fact not on her property. After seeing the survey and finally reconsidering, she then told us that we weren't on her property but rather on the road allowance. I told her that I had no intention of the tower going on anyone's property than my own. The reason why we chose that specific place was because the tower contractor said it would be the least disruptive to trees overhead and so we opted for that. Our neighbour then brought this to the attention of the town and we were contacted by bylaw officers for the encroachment. All members of the Township we have encountered thus far have been incredible and understanding people who we truly appreciate.

The road allowance itself is an unopened 66 foot road allowance covered with mature trees and many hills and valleys. The area in which the tower resides has not been entered into for many, many years and is inaccessible by the general public. It is a thin tall tower that does not block passage, is extremely secure within the protection of the trees and the concrete base is 4ft x 4ft x 4ft. Furthermore, even prior to this notice of encroachment, I had offered all surrounding neighbours access to the antenna at no cost to ensure they too were able to access reliable internet.

My humble request (read: plea) to the council is to please consider that in the current pandemic that we are all experiencing, access to reliable internet is a necessity and a requirement for many to earn a living. My intention was never to build this structure on someone else's property

and this so happens to be a very unfortunate situation that we find ourselves in. Our ask is that the council approve this tower to remain temporarily until such time there is an alternative internet solution or until the road is planned to be opened. Upon notice of either of these events happening, I will surely remove the tower immediately and will oblige to any and all requests set forth by the council and the Township.

Thank you very much for your understanding and consideration and we truly look forward to being active and helpful residents of the community and the Township of Wainfleet.

Best,

Shen and Lauren Sivananthan  
416-454-9296

**THE CORPORATION OF THE  
TOWNSHIP OF WAINFLEET**

**BYLAW NO. 027-2017**

Being a bylaw to adopt a policy for  
encroachments on Township owned lands and  
to repeal Bylaw 039-2015.

**WHEREAS** Section 8(1) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

**AND WHEREAS** Section 9 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

**AND WHEREAS** Item 1 under Table 2 to Section 11 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides a lower tier municipality and an upper tier municipality may pass by-laws respecting matters within the sphere of jurisdiction for highways;

**AND WHEREAS** Section 391 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, authorizes the Council of a local municipality to pass by-laws imposing fees or charges on persons or services or activities provided or done by or on behalf of the municipality, and for the use of its property including property under its control;

**AND WHEREAS** Section 446(1) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides that if a municipality has the authority under this or any other Act or under a by-law under this or any other Act to direct or require a person to do a matter or thing, the municipality may also provide that, in default of it being done by the person directed or required to do it, the matter or thing shall be done at the person's expense;

**AND WHEREAS** Section 446(2) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides that for the purposes of subsection (1), the municipality may enter upon land at any reasonable time;

**AND WHEREAS** Section 446(3) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides that the municipality may recover the costs of doing a matter or thing under subsection (1) from the person directed or required to do it by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes;

**AND WHEREAS** Section 446(5) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides the costs include interest calculated at a rate of 15 percents or such lesser rate as may be determined by the municipality, calculated for the period of commencing on the day the municipality incurs the costs and ending on the day the costs, including the interest, are paid in full;

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**AND WHEREAS** Section 446(6) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides the amount of the costs, including interest, constitutes a lien on the land upon the registration in the proper land registry office of a notice of lien;

**AND WHEREAS** the Township of Wainfleet has encountered encroachments on municipal road allowances and municipal property;

**AND WHEREAS** Council for the Corporation of the Township of Wainfleet has deemed it desirable to adopt a policy for encroachments on municipal property;

**NOW THEREFORE** the Council of the Corporation of the Township of Wainfleet **HEREBY ENACTS AS FOLLOWS:**

1. **THAT** Bylaw 039-2015 is hereby repealed;
2. **AND THAT** the Encroachment Policy as set out in Schedule "A" attached hereto and forming part of this bylaw is hereby adopted;
3. **AND THAT** the Encroachment Policy shall come into force and take effect on the day of its passage.

BYLAW READ A FIRST TIME THIS 20<sup>TH</sup> DAY OF JUNE, 2017.

BYLAW READ A SECOND TIME THIS 20<sup>TH</sup> DAY OF JUNE, 2017.

BYLAW READ A THIRD TIME AND FINALLY PASSED THIS 20<sup>TH</sup> DAY OF JUNE, 2017.

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A. Jeffs, MAYOR

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M. Ciuffetelli, DEPUTY CLERK



**TOWNSHIP OF WAINFLEET**

**ENCROACHMENT POLICY**



# ENCROACHMENT POLICY

June 20, 2017

**Policy Type:** Planning

**Effective Date:** June 20, 2017

**Department:** Corporate Services

**Approval Level:** Council

## 1.0 POLICY STATEMENT

The Township of Wainfleet ("Township", "Municipality") realizes private encroachments on Township property and easements exist and will continue to be discovered, and has established this policy as a result. The Township of Wainfleet must ensure that encroachments do not adversely affect these properties or the Township's ability to maintain effective services or restrict public access and enjoyment of land for public use.

Encroachments are required to be removed unless authorized by a consent letter, encroachment agreement or expressly permitted by this policy.

## 2.0 PURPOSE

This policy will assist the public and enable the Municipality to manage encroachments effectively. It is intended to provide a more consistent approach in processing applications, enforcing the policy, and protecting and indemnifying the Municipality wherever encroachments have been identified.

## 3.0 DEFINITIONS

- 3.01 "Applicant" means any party who has encroached onto lands in which the Township holds an interest or is subject to the direction, control, and management of the Township.
- 3.02 "Authorized Encroachment" means an encroachment that is authorized by a valid Consent Letter or Encroachment Agreement.
- 3.03 "Bylaw Enforcement Officer" means the Bylaw Enforcement Officer for the Township of Wainfleet or his/her delegate.
- 3.04 "Council" means the Council of the Corporation of the Township of Wainfleet.
- 3.05 "Consent Letter" means the Township's standard form of letter, as amended from time to time, for situations in which the Manager of Operations determines, at his/her sole discretion, whether an encroachment is minor of nature such that an Encroachment Agreement is not required.



- 3.06 “Encroachment” means anything constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground that extends on, over or under Township lands.
- 3.07 “Encroachment, Minor” means an encroachment that is minor in nature and may include, but is not limited to the following:
- projections from buildings (including eaves, cantilevers, etc.)
  - sheds 10m<sup>2</sup> or smaller
  - shrubs, trees or other natural landscape materials
  - hard landscaping (including asphalt, concrete, brick sidewalks and walkways, curbs, parking pads, aprons or driveways).
- 3.08 “Encroachment, Major” means an encroachment that is large in scale, difficult to move, secured by a footing and may include, but is not limited to the following:
- buildings (including dwellings, garages, sheds larger than 10m<sup>2</sup>);
  - structures (including retaining walls, decks, stairs and patios);
  - fences
- 3.09 “Encroachment Agreement” means a legal and binding agreement between the Corporation of the Township of Wainfleet and the Owner having permission to occupy the Township land.
- 3.10 “Manager of Operations” means the Manager of Operations for the Township of Wainfleet or his/her designate.
- 3.11 “Owner” means the registered owner of land abutting Township lands.
- 3.12 “Planner” means the Planner for the Township of Wainfleet or his/her designate.
- 3.13 “Surveyor” means a member of the Association of Ontario Land Surveyors who is authorized under the *Surveyors Act* to engage in the practice of professional lands surveying in Ontario.
- 3.14 “Township” means the Corporation of the Township of Wainfleet.
- 3.15 “Township Lands” means any lands owned by, leased, licensed to or under the management of the Township, and shall include but not be limited to any public highway, road, street avenue, parkway, lane, alley, square, place, viaduct or trestle, water, thoroughfare, way or bridge, park, woodland, greenbelt, storm water management facility, open space, cemetery, and all parts thereof, including any surface, grassed area, boulevard, ditch, curb, gutter and sidewalk.

#### **4.0 APPLICATION**

- 4.01 This policy applies to encroachments on Township lands.

#### **5.0 ADMINISTRATION**

- 5.01 The Planner is responsible for the administration of this policy on behalf of the Township.

- 5.02 The Manager of Operations is responsible for determining whether an encroachment is minor or major and whether an encroachment is permitted to stay.
- 5.03 The Bylaw Enforcement Officer, in consultation with the Manager of Operations, is responsible for the enforcement of the provisions of this policy.

## **6.0 GENERAL PROVISIONS**

- 6.01 An encroachment occurs when objects are placed on, in, or under the ground space or in the air space of Township lands, either deliberately or inadvertently. Encroachments may be man-made or natural features and include, but are not limited to:
  - i. "structural" ie. construction of fences, gates, decks, buildings, pools, wells, septic systems, docks, retaining walls, parking lots and appurtenances;
  - ii. "non-structural" ie. pool drainage, waste dumping etc.
  - iii. "vegetative" ie. planting of floral or vegetable gardens, decorative landscaping including shrubs, trees, stones etc.
- 6.02 Encroachments are of concern because they:
  - i. May restrict or limit the use and enjoyment of Township lands which are for the benefit of all abutting property owners, residents, tourists and visitors;
  - ii. May pose a safety hazard to the public and give rise to potential liability claims from resultant injuries;
  - iii. May damage the natural environment and undermine the Township's stewardship role in protecting natural features;
  - iv. May destabilize public lands with resultant damage to adjacent private lands;
  - v. May result in ratepayers absorbing costs to restore degraded Township lands;
  - vi. May interfere with existing or future municipal infrastructure (ie. drainage, highway improvements, water and/or sewer lines).
- 6.03 New encroachments, established on or after June 20, 2017, shall not be permitted.
- 6.04 All existing encroachment agreements in force on the date of passing of this policy shall remain in force until the encroachment is removed or until the property changes ownership.

## **7.0 IDENTIFYING ENCROACHMENTS**

- 7.01 Encroachments may be identified by any of the following means:
  - i. Through inspections and patrols as may be deemed necessary from time to time by the Manager of Operations;
  - ii. Through the performance of regular duties by Township staff;
  - iii. Through information or plans provided to the Township;
  - iv. Through boundary surveys, title searches, or other functions completed by the Township, its consultants, contractors or agents;
  - v. Through written complaints.
- 7.02 Once an encroachment is identified, the Manager of Operations shall determine if the encroachment is a minor encroachment or major encroachment, as defined in Section 3.0, and whether the encroachment is permitted to stay. The Manager of Operations shall use the guidelines presented in Section 8.0 to evaluate the encroachment.

## **8.0 GUIDELINES FOR CONSIDERING ENCROACHMENTS**

The following guidelines shall be applied when considering encroachments on all Township lands:

- 8.01 Determine whether that part of the Township land so encroached upon is required for municipal purposes.
- 8.02 Determine whether the encroachment:
  - i. has been constructed inadvertently;
  - ii. has existed for a long period of time;
  - iii. is maintained in good repair, used or abandoned;
  - iv. poses a safety hazard to the public and gives rise to potential liability claims from resultant injuries;
  - v. destabilizes public lands with resultant damage to adjacent private lands;
  - vi. damages the natural environment and undermines the Township’s stewardship role in protecting natural features;
  - vii. is a natural feature which should be preserved or protected – i.e. mature trees and sensitive flora or fauna;
  - viii. conflicts with the Township’s Official Plan, Zoning Bylaw or other applicable bylaws;
  - ix. interferes with any existing, planned proposed or possible future municipal improvements;
  - x. comprises drainage or interferes with existing or proposed drainage works;
  - xi. is minor in nature;
  - xii. takes into consideration the surrounding neighbourhood.
- 8.03 In the case of a structure, determine also whether the encroachment:
  - i. is constructed on a permanent foundation;
  - ii. is being maintained in good condition.
- 8.04 Notwithstanding anything contained in this policy to the contrary:
  - i. mature trees, which do not hinder or discourage public access to or on Township lands, shall be deemed permitted encroachments. Encroachment agreements shall not be required for such mature trees.
  - ii. Notwithstanding Subsection 8.04 i) above, the Manager of Operations may, at his/her sole discretion, require the removal of such mature trees in order to facilitate the completion of present or future municipal works or improvements on or to Township lands.
- 8.05 These guidelines set out above are not exhaustive. The intent of this policy is to consider each encroachment on a case-by-case basis, while having regard to the guidelines set out herein and the unique features of particular encroachments.

## **9.0 REMOVAL OF ENCROACHMENTS**

- 9.01 If an Owner is required by the Township to remove an encroachment, the Owner shall do so at the Owner’s sole expense.

- 9.02 The Township shall provide the Owner with written notice to remove the encroachment; or to make mutually agreed upon arrangements for removal, by a specified date and failing which the Township will be at liberty to enter upon the Owner's lands, where necessary, to undertake the removal of the encroachment in accordance with the *Municipal Act, 2001*, as amended from time to time. Such date shall be a minimum of thirty (days) notice from the date of mailing of the notice, and may be for such longer period as deemed appropriate based upon weather conditions, the scope of the work to be undertaken, and whether the Owner is a seasonal resident.
- 9.03 Where the removal of an encroachment is required and it is not removed within the specified time, in addition to any other remedies available to it by law, the Township may, upon reasonable notice to the Owner, enter upon the Owner's lands where necessary, and through its agents, employees, contractors or otherwise, remove the encroachment without any liability and add the costs of doing so to the municipal tax roll of the Owner and collect the same in the manner and with the same priorities as municipal taxes. The Owner shall not be entitled to any compensation of any kind for removal of the encroachment.
- 9.04 Notwithstanding the foregoing, the provisions of the *Municipal Act, 2001*, as amended from time to time, shall at all times govern.

#### **10.0 LETTER OF CONSENT**

- 10.01 A consent letter shall be required for all permitted minor encroachments.
- 10.02 A consent letter formally recognizes the encroachment by both the Township and the Owner, and clearly establishes the terms and conditions specific to the permission being granted, including but not limited to the provisions that permission for the encroachment is being granted until such a time as it is required to be removed by the Township, in its sole discretion.
- 10.03 A drawing shall be provided by the Owner, in a form satisfactory to the Manager of Operations, clearly indentifying the extent of the encroachment, and serves to assist in eliminating subsequent enlargements of the encroachment without permission.
- 10.04 The Owner shall submit the appropriate fee for a consent letter, as outlined in Schedule "A".
- 10.05 The Owner shall submit maintain a liability insurance policy for the encroachment in the amount of one million dollars naming the Township as third party insured.
- 10.06 The Owner shall provide proof of the insurance policy to the Township on an annual basis.

#### **11.0 ENCROACHMENT AGREEMENTS**

- 11.01 An Encroachment Agreement shall be required for all permitted major encroachments and shall be approved by Council.
- 11.02 An Encroachment Agreement formally recognizes the encroachment by both the Township and the Owner, and clearly establishes the terms and conditions specific to the permission

being granted, including but not limited to the provisions that permission for the encroachment is being granted until such a time as it is required to be removed by the Township, in its sole discretion.

- 11.03 A Reference Plan, prepare by a qualified Surveyor, shall be deposited on title clearly identifying the extent of the encroachment, and serves to assist in eliminating subsequent enlargements of the encroachment without permission.
- 11.04 Registration of the Agreement on the Owner's property and the subject portion of the Township lands shall occur. Registration is effective notice to subsequent Owners, and provides an enforceable, clear recourse to the Township in the event of default by the Owner of any of the provisions, including provisions for removal of the encroachment.
- 11.05 The Owner shall submit the appropriate fee for an encroachment agreement, as outlined in Schedule "A".
- 11.06 The Owner shall be responsible for the costs associated with the preparation and registration of a reference plan and the registration of the encroachment agreement on title.
- 11.07 The Owner shall submit maintain a liability insurance policy for the encroachment in the amount of one million dollars naming the Township as third party insured.
- 11.08 The Owner shall provide proof of the insurance policy to the Township on an annual basis.

## **12.0 EXEMPTIONS**

- 12.01 The activities, infrastructure and equipment of the Township and its agents are exempt from the provisions of this policy.
- 12.02 The activities of Canada Post Corporation and its agents with respect to the placement of receptacles or devices upon highways for the collection, delivery or storage of mail are exempt from the provisions of this policy.
- 12.03 The activities, infrastructure and equipment of companies and agencies that provide public utilities, electricity and telecommunications services upon highways are exempt from the provisions of this policy provided they are carried out in compliance with any bylaws and policies applicable to the installation or maintenance of such infrastructure.
- 12.04 Every private entrance upon a highway that complies with the requirements of the applicable bylaw regulating private entrances is exempt from the provisions of this policy.
- 12.05 Every rural mail box upon a highway that is erected and maintained in compliance with the requirements of the Mail Receptacles Regulations under the Canada Post Corporation Act is exempt from the provisions of this policy.

## **13.0 AMENDMENTS/REVIEWS**

**Next Review Date:**

**Date:**

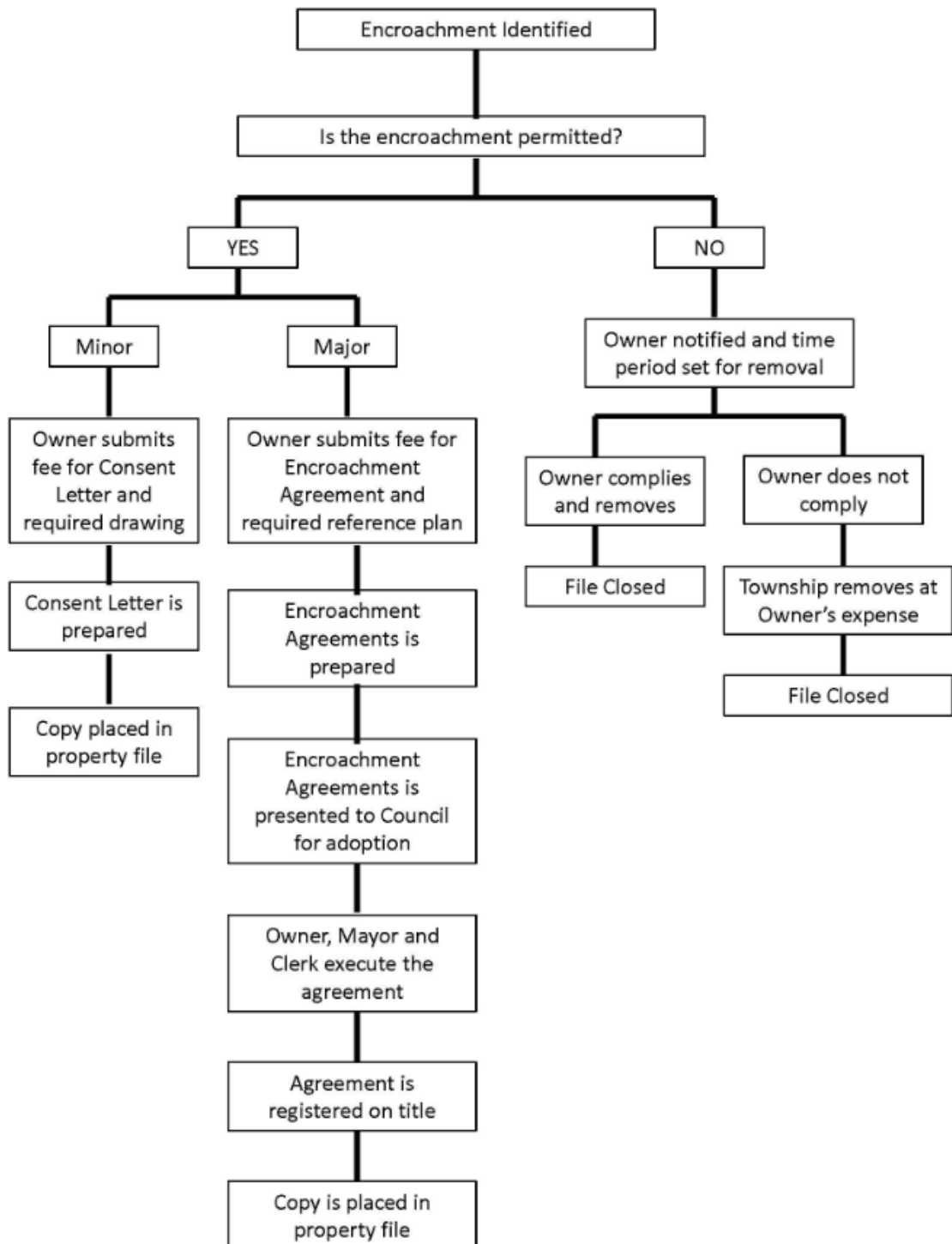
**Section Amended:**

**Comments:**

**ENCROACHMENT POLICY**  
**SCHEDULE "A"**  
FEES

Consent Letter	\$150.00
Encroachment Agreement	\$500.00

**ENCROACHMENT POLICY**  
**SCHEDULE "B"**  
**ENCROACHMENT PROCESS**







## TOWNSHIP OF WAINFLEET

### DELEGATION REQUEST FORM

Please fill out and return no later than 4:30 p.m. on the Tuesday prior to the meeting you wish to appear. Completed forms are to be submitted to the Clerks Department and can be dropped off or emailed to [mciuffetelli@wainfleet.ca](mailto:mciuffetelli@wainfleet.ca)

If you are speaking to an item listed on the agenda, the deadline for submission is 12:00 p.m. on the day of the scheduled meeting.

<b>Name:</b> Tim McAvoy / Mary Barchiesi (Nee McAvoy) for Mrs. Elaine Mcavoy	
<b>Address:</b> 10201 Camelot Drive, Wainfleet, Ontario, L3K 5V4	
<b>Telephone:</b> T McAvoy 905-732-8228      M Barchiesi 905-834-0671	<b>E-mail:</b> tmcavoy@mcavoy.com    mary.barchiesi@gmail.com

**Date of Meeting:** Tuesday October 5, 2021

<b>Subject Matter to be Discussed:</b>	Item #9 on the agenda - Delegations a) Shen Siviananthan Re: Request for the Council to permit encroachment of internet antenna on Township road allowance
<b>Action Requested:</b>	To very briefly (2-3 min) clarify and answer questions on the attached package which was emailed to the Mayor and Councillors last Friday October 1, 2021 addressing item #9 on the agenda.

**Have you previously spoken on this issue?**

Yes ☐ No ☒

If an individual has previously appeared as a delegation, a further delegation from the same individual on the same topic will not be permitted, unless there is significant new information to be brought forward.

**Do you have material for distribution at the meeting?**

Yes ☐ No ☒

If yes, specify: The attached materials were emailed to the Mayor and Council members on Friday October 1, 2021.

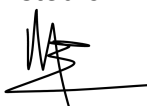
**Do you have a copy of your notes/presentation to attach?**

Yes ☒ No ☐

If yes, specify: Brief clarification of attached material (2-3 minutes) and offering opportunity for questions.

Delegations are required to provide the Clerk's Department presentation materials for publication in Council's agenda package.

☒ I have read and understand the Delegation Protocol attached to this form and understand that the information contained on this form, including any attachments, will become public documents and listed on Township meeting agendas and posted to the Township's website.

  
\_\_\_\_\_  
Signature

Monday October 4, 2021  
Date

October 5, 2021 Wainfleet Council Presentation

My name is Mary Barchiesi (nee McAvoy) I live at 10233 Camelot Dr.

I am here to speak on behalf of my 95 year old mother Mrs. Elaine McAvoy 10201 Camelot Dr.

The package and pictures emailed to the Mayor and Councilors Friday October 1 is self-explanatory:

- Sequence of events
- Wainfleet Contacts
- Concerns and summary

In good faith, my mother gave Sivananthan's permission to cross her driveway and front lawn to put up a "big tower in THEIR yard". (as stated per Lauren Sivananthan's text)

This is the message my mother has asked us to share with you tonight:

- That she and my deceased father have been caretakers of their property for over 70 years
- They have been caretakers of the Road Allowance including building shoreline protection along the Road Allowance
- That she is a kind and caring woman who is known in our community for working collaboratively with new and long term neighbours
- At 95 she is afraid this tower may harm her great grandchildren and the neighbourhood children playing in the woods or hurt her, her home or her property during one of our disastrous storms

At 95 my mother is struggling to remain in her own home. The surrounding wildlife brings her great joy each and every day. This tower could affect her remaining years of enjoyment.

Mr. Sivananthan's Request for Permission content surprised me to see he had knocked on doors and signed up 30 people for internet. Nobody at Camelot received that knock.

In addition, we understood this to be a personal endeavour, now we are confused as to what this is all about.

On behalf of my mother, we are simply requesting that the Township uphold the by-laws that my parents have adhered to all these years.

Specifically 6.03, New encroachments, established on or after June 20, 2017, shall not be permitted.

Our friends/neighbours attending here tonight and many who were unable to attend are in support of this request.

Thank you

Mary Barchiesi for Mrs. Elaine McAvoy

**TO:** Mayor Gibson & Members of Council

**FROM:** William Kolasa, Chief Administrative Officer

**DATE OF MEETING:** October 5, 2021

**SUBJECT:** COVID-19 Impact Report

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**RECOMMENDATION(S):**

**THAT** Administrative Staff Report ASR-025/2021 respecting COVID-19 Impact Report be received as information.

**EXECUTIVE SUMMARY:**

The Township of Wainfleet continues to operate under a formally declared state of emergency (declared on April 3, 2020, in collaboration with Niagara Region and its constituent lower tier municipalities) due to the worldwide COVID-19 Pandemic.

The Township continues to monitor the COVID-19 situation and guide appropriate responses to ensure the safety of the community and staff while providing for continuity of municipal services.

**DISCUSSION:****Current COVID-19 Status**

Ontario entered Step 3 of the Province's "Roadmap to Reopen" on July 16, 2021 – and remains at this step today. Observed increases in new daily cases and concerns regarding the implications of evolving "Variants of Concern" have caused the Province to pause the exit from the [Roadmap to Reopen](#) for a further, undisclosed amount of time.

**Proof of Vaccination in Select Settings**

On September 1, 2021, the Province of Ontario announced that people will be required to be fully vaccinated and provide proof of their vaccination status to access certain businesses and settings starting September 22, 2021. The regulation providing details of the provincial requirements was issued on September 14, 2021 (copy attached), and Township staff, along with staff in municipalities across the province, have been preparing for the implementation of those regulated requirements as they directly impact operations of:

- Wainfleet Arena (including the Moore Room and the Senior's Room);
- Wainfleet Firefighters' Community Hall.

More specifically, the regulation requires the Township to require each patron entering the facilities (at the point of entry) to provide:

- proof of identification; and
- proof of being fully vaccinated against COVID-19.

Proof of identity can be established using documentation issued by an institution or public body, provided it includes the holder's name and date of birth, and they match the name and date of birth on the patron's vaccination receipt. Examples of acceptable proof of identity include birth certificate, citizenship card, driver's license, or government-issued identification card such as health card, Indian Status Card/Indigenous Membership Card, passport, or Permanent Resident card.

The following versions of the COVID-19 vaccination receipt are acceptable as proof of full vaccination, and will be accepted if the person's name and date of birth on their identification document matches the vaccination receipt:

- A paper copy of the receipt of first and second dose provided on site at the time of vaccination;
- An email version sent to the recipient's address for their records;
- A vaccination receipt downloaded or printed through the COVID-19 vaccination provincial portal; or
- A vaccination receipt obtained by calling the Provincial Vaccine Booking Line at 1-833-943-3900.

The provincial regulation does provide a series of exemptions for patrons:

- (a) who are under 12 years of age;
- (b) who are under 18 years of age, and who are entering the indoor premises of a facility used for sports and recreational fitness activities solely for the purpose of actively participating in an organized sport, in accordance with guidance published by the Ministry of Health on its website for the purposes of this provision;
- (c) who provide a written document, completed and supplied by a physician or registered nurse in the extended class, that sets out, in accordance with the Ministry's guidance mentioned in subsection (4),
  - (i) a documented medical reason for not being fully vaccinated against COVID-19, and
  - (ii) the effective time-period for the medical reason;
- (d) who are entering the indoor premises of a meeting or event space, including a conference centre or convention centre, solely for the purposes of attending a

wedding service, rite or ceremony or a funeral service, rite or ceremony, but not an associated social gathering;

(e) who are entering the indoor premises of a meeting or event space that is located in a place of worship or in a funeral establishment, cemetery, crematorium or similar establishment that provides funeral, cemetery or cremation services and that is operated by a person licensed under the Funeral, Burial and Cremation Services Act, 2002, for the purposes of attending a social gathering associated with a funeral service, rite or ceremony; or

(f) who are entering the indoor premises of a meeting or event space other than a place described in clause (e), including a conference centre or convention centre, for the purposes of attending a social gathering associated with a wedding service, rite or ceremony or a social gathering associated with a funeral service, rite or ceremony, on or after September 22, 2021, but before October 13, 2021, as long as the patron produces the results of an antigen test administered within the previous 48 hours establishing that the person is negative for COVID-19 to the person responsible for the establishment.

Also, beginning on October 22<sup>nd</sup>, Ontario will make available an enhanced digital vaccine certificate with a unique QR (Quick Response) code and accompanying verification application that will allow users to securely and safely verify their vaccination status when scanned. Following this date, patrons will be able to provide a paper copy of their receipt or a digital copy of their enhanced vaccine certificate with QR code to provide proof of vaccination.

In addition to the proof of identity and proof of vaccination, “regular” COVID-19 screening protocols (including contact tracing) also remain in effect (<https://covid-19.ontario.ca/self-assessment/>) and must be completed before patrons being permitted into the facilities.

The Reopening Ontario (A Flexible Response to COVID-19) Act, 2020, includes enforcement provisions, as well as charges and fines for individuals and corporations (including the Township) for non-compliance.

### COVID-19 Vaccinations

Niagara continues to follow the Province of Ontario’s vaccine distribution plan. Most recently, the Region has been transitioning to community-based and pop-up clinics. This includes a number of recent successful “walk-in” vaccination clinics at the Wainfleet Firefighters’ Community Hall. Further clinics are currently scheduled to occur in Wainfleet on:

- October 6, 2021;
- October 13, 2021;
- October 23, 2021;
- October 27, 2021.

Niagara Region maintains an up-to-date COVID-19 Vaccine Clinic Schedule on their website:

<https://www.niagararegion.ca/health/covid-19/vaccination/clinic-schedule.aspx>

The most current Niagara Region COVID-19 statistical information is updated daily on Niagara Region's website: <https://www.niagararegion.ca/health/covid-19/statistics/statistics.aspx>

All residents continue to be encouraged to seek vaccinations to prevent the spread of COVID-19 and its variants.

### Conclusion

The COVID-19 pandemic continues to pose a real threat to the community as well as the Township's ability to provide services in the same manner as historically delivered. Although the levels of cases of COVID-19 have been manageable within the community and Niagara Region, the threat remains serious and the Township must remain vigilant throughout the recovery phases so that we are able to continue to provide essential services that our residents expect.

The Emergency Control Group continues to monitor and respond to the pandemic with prepared business continuity plans and has been diligently planning for potential future developments. The ECG continues to be dedicated to the safety of staff and the community, while ensuring essential services continue to be delivered without interruption and focusing on business continuity and re-opening the Township in the safest manner possible.

### **FINANCIAL CONSIDERATIONS:**

The requirement that facility owners/operators provide proof of vaccination screening (as well as COVID-19 screening) for patrons entering facilities will require a dedicated Township resource at the entry of our facilities while they are open to the public.

During the initial arena opening period (prior to the province making an enhanced digital vaccine certificate available on October 22<sup>nd</sup>), the Township is intending to secure the contracted services of an external company to provide the necessary patron screening during the approximately 60.5 hours per week that the arena is currently scheduled to be operating.

To that end, staff did reach out to three potential firms with the ability, expertise and capacity to provide the required services. Based upon the responses, staff have secured the services of the firm that is providing the same service to most of Niagara's other municipalities. Staff estimate that this unanticipated and unbudgeted service will cost the municipality approximately \$1,600 per week.

Staff will be closely monitoring the situation during this initial period with an eye to manage and control costs, while providing the provincially-mandate services, and are

also currently exploring opportunities for alternative (and more cost effective) service delivery options, particularly once the province makes digital vaccine certificates available later this month.

Staff will also be exploring cost-recovery opportunities for the additional costs incurred by the municipality due to the new provincial regulations (including lobbying the Province to provide additional funding in this regard as a result of their policy direction).

**OTHERS CONSULTED:**

- 1) Emergency Control Group

**ATTACHMENTS:**

- 1) Appendix A – Ontario Regulation 645/21 – Proof of Vaccination Requirements for Certain Settings

Respectfully submitted and approved by,

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William J. Kolasa  
Chief Administrative Officer





Français

**ONTARIO REGULATION 645/21**

made under the

**REOPENING ONTARIO (A FLEXIBLE RESPONSE TO COVID-19) ACT, 2020**

Made: September 9, 2021

Filed: September 14, 2021

Published on e-Laws: September 14, 2021

Printed in The Ontario Gazette: October 2, 2021

**AMENDING O. REG. 364/20**

**(RULES FOR AREAS AT STEP 3 AND AT THE ROADMAP EXIT STEP)**

**1. Schedule 1 to Ontario Regulation 364/20 is amended by adding the following section:**

**Proof of vaccination**

**2.1** (1) The person responsible for a business or an organization described in subsection (2) that is open shall require each patron who enters an area of the premises of the business or organization that is described in that subsection to provide, at the point of entry, proof of identification and of being fully vaccinated against COVID-19.

(2) Subsection (1) applies with respect to the following areas of the premises of the following businesses and organizations:

1. The indoor areas of restaurants, bars and other food or drink establishments where dance facilities are not provided, but not with respect to takeout and delivery service.
2. The indoor and outdoor areas of food or drink establishments where dance facilities are provided, including nightclubs, restoclubs and other similar establishments, but not with respect to takeout and delivery service.
3. The indoor areas of meeting and event spaces, including conference centres or convention centres, but not including places described in subsection 4 (2) of this Schedule.
4. The indoor areas of facilities used for sports and recreational fitness activities, including waterparks and personal physical fitness trainers, including, for greater certainty, the indoor areas of facilities where spectators watch events, but not including places described in subsection 16 (4) of Schedule 2.
5. The indoor areas of casinos, bingo halls and other gaming establishments.
6. The indoor areas of concert venues, theatres and cinemas.
7. The indoor areas of bathhouses, sex clubs and strip clubs.
8. The indoor areas of horse racing tracks, car racing tracks and other similar venues.
9. The indoor areas of places where commercial film and television production takes place, where there is a studio audience. For the purposes of this paragraph, a member of the studio audience is considered to be a patron of the production.

(3) Subsection (1) does not apply where a patron is entering an indoor area solely,

- (a) to use a washroom;
  - (b) to access an outdoor area that can only be accessed through an indoor route;
  - (c) to make a retail purchase;
  - (d) while placing or picking up an order, including placing a bet or picking up winnings in the case of a horse racing track;
  - (e) while paying for an order;
  - (f) to purchase admission; or
  - (g) as may be necessary for the purposes of health and safety.
- (4) The person responsible for a business or an organization to which this section applies shall comply with guidance published by the Ministry of Health on its website specifying,
- (a) what constitutes proof of identification and of being fully vaccinated against COVID-19; and
  - (b) the manner of confirming proof of vaccination.
- (5) For the purpose of this section, a person is fully vaccinated against COVID-19 if,
- (a) they have received,
    - (i) the full series of a COVID-19 vaccine authorized by Health Canada, or any combination of such vaccines,
    - (ii) one or two doses of a COVID-19 vaccine not authorized by Health Canada, followed by one dose of a COVID-19 mRNA vaccine authorized by Health Canada, or
    - (iii) three doses of a COVID-19 vaccine not authorized by Health Canada; and
  - (b) they received their final dose of the COVID-19 vaccine at least 14 days before providing the proof of being fully vaccinated.
- (6) A business or an organization is exempt from the requirement under subsection (1) in respect of patrons,
- (a) who are under 12 years of age;
  - (b) who are under 18 years of age, and who are entering the indoor premises of a facility used for sports and recreational fitness activities solely for the purpose of actively participating in an organized sport, in accordance with guidance published by the Ministry of Health on its website for the purposes of this provision;
  - (c) who provide a written document, completed and supplied by a physician or registered nurse in the extended class, that sets out, in accordance with the Ministry's guidance mentioned in subsection (4),
    - (i) a documented medical reason for not being fully vaccinated against COVID-19, and
    - (ii) the effective time-period for the medical reason;
  - (d) who are entering the indoor premises of a meeting or event space, including a conference centre or convention centre, solely for the purposes of attending a wedding service, rite or ceremony or a funeral service, rite or ceremony, but not an associated social gathering;
  - (e) who are entering the indoor premises of a meeting or event space that is located in a place of worship or in a funeral establishment, cemetery, crematorium or similar establishment that provides funeral, cemetery or cremation services and that is operated by a person licensed under the *Funeral, Burial and Cremation Services Act, 2002*, for the purposes of attending a social gathering associated with a funeral service, rite or ceremony; or
  - (f) who are entering the indoor premises of a meeting or event space other than a place described in clause (e), including a conference centre or convention centre, for the purposes of attending a social gathering associated with a wedding service, rite or ceremony or a social gathering associated with a funeral service, rite or ceremony, on or after September 22, 2021, but before October 13, 2021, as long as the patron produces the results of an antigen test administered within the previous 48 hours establishing that the person is negative for COVID-19 to the person responsible for the establishment.

(7) A person who is a patron shall not enter an area described in subsection (2) without providing the information required by subsection (1) except,

(a) for a purpose specified in subsection (3); or

(b) in the circumstances described in subsection (6).

(8) A person who provides any information to a business or an organization to satisfy a requirement under this section shall ensure that their information is complete and accurate.

(9) A business or an organization shall not retain any information provided pursuant to this section.

#### **Commencement**

**2. This Regulation comes into force on the later of September 22, 2021 and the day it is filed.**

Français

**TO:** Mayor Gibson & Members of Council

**FROM:** Meredith Ciuffetelli, Deputy Clerk

**DATE OF MEETING:** October 5, 2021

**SUBJECT:** 2022 Municipal Election Planning

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**RECOMMENDATION(S):**

**THAT** Administrative Staff Report ASR-026/2021 regarding 2022 Municipal Election Planning be received for information.

**EXECUTIVE SUMMARY:**

The purpose of this report is to provide information about the upcoming 2022 Municipal Election including legislative changes, alternative voting methods, and key dates.

**BACKGROUND:****Legislative Changes**

On November 20, 2020, Bill 218, Supporting Ontario's Recovery and Municipal Elections Act received Royal Assent and it proposed several amendments to the Municipal Elections Act (MEA), the most significant being the removal of sections that permit municipalities to offer a ranked ballot election. A few other amendments that were approved include the following:

- Nomination date has been changed from the fourth Friday in July to the third Friday in August;
- The deadline for Council to enact a by-law to permit voting and vote-counting equipment and alternative voting methods has changed to May 1 in the year of the election; and
- On or before June 1, 2022 the Clerk shall establish procedures and forms for the use of any voting and vote-counting equipment authorized by By-law, and any alternative method authorized by By-law and provide a copy of the procedures and forms to each candidate when his or her nomination is filed.

**Alternative Voting Methods**

Since 2014, the Township has used a hybrid of vote-by-mail and in-person voting. As staff prepare for 2022, it provides an opportunity to re-examine what has been done in the past and explore different methods to deliver a successful election. The COVID-19 pandemic has challenged everyone to look at service delivery options and take all steps possible to mitigate potential emergencies.

Prior to each Municipal Election, Section 42(1) of the MEA provides that:

The Council of a local municipality may pass by-laws,

- a) authorizing the use of voting and vote-counting equipment such as voting machines, voting recorders or optical scanning vote tabulators;
- b) authorizing the electors to use an alternative voting method, such as voting by mail or by telephone, that does not require electors to attend at a voting place in order to vote.

Staff are exploring all available options for methods of voting and Council can expect a report and By-law prior to the end of 2021 with a recommendation. Based on the time required to prepare, a decision of Council will need to be made well in advance of the May 1, 2022, legislated deadline. A procurement delay into 2022 could result in equipment being unavailable and would limit the perception that any sitting member of Council is making an election decision so close to the opening of nominations.

The Clerk has several criteria to consider before making a recommendation on vote-counting equipment and alternative voting methods. The first is whether the option upholds the principles of the MEA and its regulations. The principles generally recognized based on case law include:

- a) the secrecy and confidentiality of the voting process is paramount;
- b) the election shall be fair and non-biased;
- c) the election shall be accessible to the voters;
- d) the integrity of the voting process shall be maintained throughout the election;
- e) there is to be certainty that the results of the election reflect the votes cast;
- f) voters and candidates shall be treated fairly and consistently; and
- g) the proper majority vote governs by ensuring that valid votes are counted and invalid votes are rejected so far as reasonably possible.

Other criteria may include community feedback, the ability to effectively administer and support an option, as well as seeing what trends are occurring for elections.

Recommendations for 2022 will also be based on a review of best practices employed elsewhere in light of the COVID-19 pandemic. The local area Clerks have established an Election Working Group and will be addressing different concerns including alternative voting methods and the security of the different methods.

### **Engagement Planning**

Public engagement on voting systems and methods is planned for Q3 of 2021. This will include an online survey to provide an opportunity for the community to provide feedback about the various methods of voting being considered.

## Key Dates

Election planning starts well in advance of Election Day, as there are many tasks that must be completed. The following key dates provides an overview of what Council should be aware of:

Last Day for Notice of Intent to Pass a By-law to Submit a Question to Electors	February 19, 2022
Last Day to Pass or Amend a By-law to Submit a Question to Electors	March 1, 2022
Last Day to Pass By-law Dividing or Redividing the Local Municipality into Voting Subdivisions & to Notify Agencies (ie. MPAC)	March 31, 2022
Last Day to Pass By-law Regarding Use of Municipal Resources	April 30, 2022
Final Day to pass By-law authorizing vote counting equipment and/or alternative voting methods (mail, telephone, etc.)	May 1, 2022
Nomination Period Commences	May 2, 2022
Last Day for Clerk to establish practices and procedures regarding vote counting equipment and/or alternative voting methods	June 1, 2022
Nomination Day (last day to be nominated)	August 19, 2022
Certification of Candidates by Clerk <i>[first potential lame duck period commences]</i>	August 22, 2022
Final Day for withdrawal of candidacy	August 24, 2022
Voter List Revision Period Commences	September 1, 2022
First Possible Day for Advance Voting	September 24, 2022
Final Day to Appoint of Compliance Audit Committee	October 1, 2022
Voting Day	October 24, 2022
Clerk to Declare Official Election Results <i>[second potential lame duck period commences]</i>	October 25, 2022
New term of Council begins	November 15, 2022
Candidate Campaign Period ends	January 3, 2023
Candidate Financial filing deadline	March 31, 2023

## Optional Matters for Consideration

One “non-standard” matter that is within the scope of Council’s discretionary authority is the ability to submit a question to the electors pursuant to Section 8 of the Municipal Elections Act. Such questions must:

- a) concern a matter within the jurisdiction of the municipality;
- b) not concern matters that have been prescribed as matters of provincial interest. The Province, through Ontario Regulation 425/00, as amended, has defined matters of provincial interest as:

- i. any matter for which the municipality does not have the authority to implement all aspects of the results of the question;
- ii. any matter for which the municipality requires an action by the Province of Ontario in order to implement the results of the question;
- iii. without limiting paragraphs i) and ii), casinos and charity casinos as defined in the Ontario Lottery and Gaming Corporations Act, 1999 (some exceptions apply with regard to casinos and charity casinos);
- iv. without limiting paragraphs i) and ii), municipal restructuring, including the consideration, investigation, discussion and negotiation of municipal restructuring;
- v. be clear, concise and neutral; and
- vi. be capable of being answered in the affirmative or the negative – the only permitted answers to the question are “yes” and “no”

Under certain specific circumstances, the results of the vote on a question submitted to electors can be binding upon Council for implementation, however, such results cannot be used to override any substantive or procedural legal right of any person or entity who is or may be affected by implementation of the results of the question. Should Council wish to consider submitting such a question to the electors, the deadline for completing a decision is March 1, 2022, and planning would need to be initiated without delay in order to meet statutory timelines.

Council similarly has the ability to consider dividing or redividing the municipality into wards, such a decision is required to be completed by March 31, 2022. Such an option would require significant investigation and public engagement prior to implementation – and the usual practice for such exercises is to secure the services of an independent, external consultant to facilitate the review effort. Based upon the history of the Township, its geopolitical composition and its current electoral size, staff are not recommending that this option be pursued at this time. However, if there is appetite for such an effort: staff would recommend that appropriate funding be budgeted over the course of next 24 months so that this exercise could be commenced in 2023 and be in a position to be implemented for the 2026 election.

#### **FINANCIAL CONSIDERATIONS:**

All costs associated with the 2022 Municipal Election will be appropriately budgeted for and considered during budget deliberations.

#### **OTHERS CONSULTED:**

- a) Strategic Leadership Team

#### **ATTACHMENTS:**

None.

Respectfully submitted by,

Approved by,

---

Meredith Ciuffetelli  
Deputy Clerk

---

William J. Kolasa  
Chief Administrative Officer/Clerk



**TO:** Mayor Gibson & Members of Council

**FROM:** David Methot, Chief Building Official

**DATE OF MEETING:** October 5, 2021

**SUBJECT:** Conditional Building Permit 11605 Beach Road West

---

**RECOMMENDATION(S):**

**THAT** Building Staff Report BSR-003/2021 respecting a Conditional Building Permit – 11605 Beach Road West be received; and

**THAT** the Township of Wainfleet enter into a Conditional Building Permit Agreement with Kevin Baum to allow him to start construction of the foundation only to replace a cottage that was destroyed by the storm of October 31<sup>st</sup>, 2020 prior to receiving a septic permit from the Ministry of Environment, conservation and Parks (MECP) and a minor variance from the Committee of Adjustment

**EXECUTIVE SUMMARY:**

In accordance with the provisions set out in the Building Code Act, as amended; a Conditional Permit will allow the owner to commence construction while they await the Permits from the MECP in order to place their holding tank on their property on the opposite site of the privately owned road and the a minor variance from the Committee of Adjustment to vary the requirements of Section 4.12a(iv) of the Town's Zoning By-Law

**BACKGROUND:**

On October 31, 2020, the cottage located at 11605 Beach Road West was picked up and moved off its foundation by the storm waters and flooding as a result of the 100 year storm that affected most of the north shore of Lake Erie. The existing cottage was removed by the owner's insurance company in August, 2021. The owners have been working with their insurance company to replace the building. Due to Covid-19 restrictions, it has taken a considerable amount of time to get to the permit application stage of their project. The owner's insurance company has set a deadline of October 31, 2021 for them to commence construction or owner's will have to forfeit the insurance payout for the construction costs.

The proposed construction meets the requirements of the Building Code with the exception of the Septic permit, which requires MECP approval because it crosses the privately owned road, and a minor variance because the Town's Zoning By-Law only allows for the rebuild of the exact same building in size and height. The building will be the exact same size and footprint, except that the proposal is for a two storey dwelling instead of a single storey.

**OPTIONS/DISCUSSION:**

The Building Code Act does allow the CBO to issue a permit that does not comply with applicable law if it can be demonstrated that a delay in construction will create a hardship and that compliance with the applicable law will follow. This proposal definitely meets that criteria.

Further, in order for the CBO to proceed with the issuance of a conditional permit, the applicant must enter into an agreement with the Township pursuant to the Building Code Act. Such an agreement requires the approval of Council.

By proceeding with a conditional permit, the owner will be required to assume all risk for commencing construction in advance of final approvals being received from the MECP and the Committee of Adjustment. Also, in the event those final approvals are not issued: the owners, at their own cost, will be required to take steps to remove the foundation and restore the site to the pre-construction condition and/or otherwise bring their development into compliance with the law.

**FINANCIAL CONSIDERATIONS:**

The fees will be as follows in accordance with our Schedule of Fees:

Building permit fee for foundation only	15% of applicable building permit fee for the each building
Conditional Permit Fee	\$851.04
Security Deposit - Conditional Permit	\$10,000.00

**OTHERS CONSULTED:**

- 1) Strategic Leadership Team

**ATTACHMENTS:**

- 1) Building Code Act excerpt – Conditional Permits
- 2) Site Plan
- 3) Conditional Permit Agreement

Respectfully submitted by,

Reviewed by,

\_\_\_\_\_  
David Methot  
Chief Building Official

\_\_\_\_\_  
Lindsay Earl  
Manager of Community & Development Services

Approved by,

\_\_\_\_\_  
William J. Kolasa  
Chief Administrative Officer

## APPENDIX “A”

### Conditional Permit Requirements - BCA

#### Conditional permit

(3) Even though all requirements have not been met to obtain a permit under subsection (2), the chief building official may issue a conditional permit for any stage of construction if,

- (a) compliance with by-laws passed under sections 34 and 38 of the *Planning Act* and with such other applicable law as may be set out in the building code has been achieved in respect of the proposed building or construction;
- (b) the chief building official is of the opinion that unreasonable delays in the construction would occur if a conditional permit is not granted; and
- (c) the applicant and such other person as the chief building official determines agree in writing with the municipality, upper-tier municipality, board of health, planning board, conservation authority or the Crown in right of Ontario to,
  - (i) assume all risk in commencing the construction,
  - (ii) obtain all necessary approvals in the time set out in the agreement or, if none, as soon as practicable,
  - (iii) file plans and specifications of the complete building in the time set out in the agreement,
  - (iv) at the applicant's own expense, remove the building and restore the site in the manner specified in the agreement if approvals are not obtained or plans filed in the time set out in the agreement, and
  - (v) comply with such other conditions as the chief building official considers necessary, including the provision of security for compliance with subclause (iv). 1992, c. 23, s. 8 (3); 1997, c. 30, Sched. B, s. 7 (2); 1999, c. 12, Sched. M, s. 5 (1); 2002, c. 17, Sched. F, Table.

#### Delegation re conditional permits

(3.1) A principal authority may, in writing, delegate to the chief building official the power to enter into agreements described in clause (3) (c) and may impose conditions or restrictions with respect to the delegation. 2002, c. 9, s. 14 (3).

#### Criteria

(4) In considering whether a conditional permit should be granted, the chief building official shall, among other matters, have regard to the potential difficulty in restoring the site to its original state and use if required approvals are not obtained. 1992, c. 23, s. 8 (4).

#### Registration

(5) Any agreement entered into under clause (3) (c) may be registered against the land to which it applies and the municipality, upper-tier municipality, board of health, planning board, conservation authority or the Province of Ontario, as the case may be, is entitled to enforce its provisions against the registered owner and, subject to the *Registry Act* and the *Land Titles Act*, any person acquiring any interest in the land subsequent to the registration of the agreement. 1999, c. 12, Sched. M, s. 5 (2); 2002, c. 17, Sched. F, Table; 2017, c. 34, Sched. 2, s. 5.

#### Enforcement of agreement

(6) If the chief building official determines that a building has not been removed or a site restored as required by an agreement under clause (3) (c), the chief building official may cause the building to be removed and the site restored and for this purpose the chief building official, an inspector and their agents may enter upon the land and into the building governed by the agreement at any reasonable time without a warrant. 1992, c. 23, s. 8 (6).







# APPENDIX "C"

## THE CORPORATION OF THE TOWNSHIP OF WAINFLEET CONDITIONAL PERMIT AGREEMENT

THIS AGREEMENT made this 5th day of October, 2021

BETWEEN:

THE CORPORATION OF THE TOWNSHIP OF WAINFLEET  
hereinafter called "the Township"

OF THE FIRST PART

and Kevin Baum  
hereinafter called "the Owner(s)"

OF THE SECOND PART

WHEREAS the Owner acknowledges ownership of the subject lands known municipally as 11605 Beach Road West and has requested a Conditional Permit from the Township for the REPLACEMENT OF AN EXISTING COTTAGE DESTROYED BY A STORM prior to meeting all requirements to obtain a Building Permit according to the Building Code Act 1992, s.8(2);

AND WHEREAS the Chief Building Official is satisfied that meeting such requirements would unreasonably delay the subject construction;

AND WHEREAS the Chief Building Official considers the restoration of the site to be feasible in the event that all the necessary approvals are not obtained;

NOW THEREFORE THIS AGREEMENT WITNESSETH THAT in consideration of the mutual covenants hereinafter expressed and other good and valuable consideration, the Parties hereto agree one with the other as follows:

1. The lands affected by this Agreement (hereinafter referred to as the "subject lands") are as described in Schedule "A" attached hereto.
2. The construction affected by this Agreement (hereinafter referred to as the "subject construction") is that construction proposed in a "Foundation Only" Permit Application filed with the Township and identified as Application Number W-2021-169.
3. The Township agrees to issue a Conditional Permit for the "Foundation Only" to be erected on the subject lands provided that the Owner agrees to assume all risks involved in commencing construction before every requirement for a Building

Permit has been met, and to this end hereby will indemnify and save harmless the Township from and against all claims arising from the issuance of the Conditional Permit.

4. The Owner hereby agrees:

- a) to assume all risk in commencing construction;
- b) to obtain all approvals (prerequisite to the issuance of a Building Permit for remainder of construction) by January 1<sup>st</sup>, 2021;
- c) to stop the subject construction and secure the site to the satisfaction of the Chief Building Official if, in the opinion of the Chief Building Official, any impediment arises to prevent the lawful continuation of the subject construction or if upon application to the Ministry of Environment, Conservation and Parks, the Ministry of Environment, Conservation and Parks an onsite sewage system permit is not issued and/or upon application to the Committee of Adjustment, a minor variance is not approved for the additional height proposed;
- d) to remove the building or part thereof and restore the site if all necessary approvals have not been obtained;
- e) to comply with all development standards that are applicable to the subject lands including but not limited to site servicing, grading, tree protection, fire protection, and storm water management;
- f) without limiting the generality of the foregoing, to meet any specific conditions that are set out in Schedule "B" to this Agreement; and
- g) that the Building Code Act permits the Chief Building Official to revoke a Conditional Permit if a term of this Agreement is not complied with.

5. The site restoration referred to in this Agreement shall be to the pre-development conditions present at the time of Permit Application and shall include the removal of all construction, the replacement of all vegetative matter, the stabilization of slopes and the restoration of drainage patterns. Restoration must seriously commence within thirty (30) days of the date cited in 4.(b) or at such later time as may be directed by the Chief Building Official.

6. If the Chief Building Official determines that a building has not been removed or a site restored as required by this Agreement, the Chief Building Official may cause the building to be removed and the site restored and for this purpose, the Chief Building Official, an Inspector and their Agents may enter upon the land and into any building or part thereof governed by this Agreement at any reasonable time without a warrant.

7. Security

- a) As security for the cost of demolition of the subject construction as a result of non-compliance with this Agreement, the Owner shall file a Letter-of-Credit, certified cheque or cash deposit with the Township, in the amount of \$10,000.00 in a form acceptable to the Township Treasurer.
- b) If the Chief Building Official determines that a building has not been removed or a site restored as required by this Agreement, the Letter-of-Credit, certified cheque or cash deposit may be drawn upon in full and the monies used to restore the site as provided for in paragraph 5.
- c) Should there be full compliance with this Agreement, any separate Letter-of-Credit, certified cheque or cash deposit will be returned to the Owner at the address provided on the application for Building Permit.
- d) Should costs associated with the restoration of the site be incurred by the Township in excess of the amount of the Letter-of-Credit, certified cheque or cash deposit, the Township shall have a lien on the land for such amount and the amount shall be deemed to be municipal taxes, and may be collected in the same manner and with the same priorities as municipal taxes.

8. This Agreement may be registered against the subject lands and the Township is entitled to enforce its provisions against the Owner and, subject to the Registry Act and the Land Titles Act, any and all subsequent Owners of the subject lands. Upon compliance with this Agreement, the Township shall provide the Owner with a (registrable) release of this Agreement.

IN WITNESS WHEREOF the Parties hereto have hereunto affixed their signatures

SIGNED AND DELIVERED

In the Presence of

THE CORPORATION OF THE  
TOWNSHIP OF WAINFLEET

---

William Kolasa

CAO/Clerk

I HAVE THE AUTHORITY TO BIND THE  
CORPORATION

---

Kevin Gibson

Mayor

I HAVE THE AUTHORITY TO BIND THE  
CORPORATION

---

OWNER

---

Kevin Baum



SCHEDULE "A" - DESCRIPTION OF LAND

All and singular that certain parcel or tract of land and premises situate lying and being on the Township of Wainfleet in the Regional Municipality of Niagara designated as 11605 Beach Road West, Roll No 2714000004032000000.

## SCHEDULE "B" - SPECIAL CONDITIONS

The Owner hereby agrees to:

1. Apply for and obtain an Onsite Sewage System Permit from the Ministry of Environment, Conservation and Parks for the operation of a sewage works by January 1<sup>st</sup>, 2022.
2. Apply for and obtain a Minor Variance from the Committee of Adjustment to vary the requirements of Section 4.12a(iv) of the Town's Zoning By-Law 034-2014 by January 1<sup>st</sup>, 2022

**TO:** Mayor Gibson & Members of Council  
**FROM:** M. Jemison, Drainage Superintendent  
**DATE OF MEETING:** October 5, 2021  
**SUBJECT:** Apportionment Agreement – (Bergsma)

---

**RECOMMENDATION(S):**

**THAT** Drainage Staff Report DSR-0015/2021 respecting Apportionment Agreement (Bergsma) be received;

**AND THAT** the Agreement on Share of Assessment attached hereto as Appendix “A” be approved.

**EXECUTIVE SUMMARY:**

Application B08/2021W were made by M. & D. Bergsma to the Township for consent to sever and adjust the boundaries of portions of their property, and was subsequently approved. This severance affects the Drain Assessment Schedule for the Lambert Road Municipal Drain and as such, staff have prepared an Agreement on Share of Assessment (Apportionment Agreement) as per Section 65 (2) of the Drainage Act, R.S.O. 1990. Upon resolution by Council, this agreement will form part of the Drain Assessment Schedule of the affected drain.

**BACKGROUND:**

It is the practice of the Township of Wainfleet to provide Apportionment Agreements for property severances on lands assessed to a municipal drain. In order to maintain fair and equitable billing for drain maintenance activities, up-to-date property ownership records must be maintained by the Township. Changes in ownership and lots sizes affect the amount of benefit derived from drainage works and the amount of obligation for maintenance charges.

**OPTIONS/DISCUSSION:**

Section 65 (2) of the Drainage Act reads:

***Agreement on share of assessment***

*(2) If the owners of the subdivided land mutually agree on the share of the drainage assessment that each should pay, they may enter into a written agreement and file it with the clerk of the local municipality and, if the agreement is approved by the council by resolution, no engineer need be instructed under subsection (1). 2010, c. 16, Sched. 1, s. 2 (26).*

To satisfy the requirements of the Drainage Act and continue legal and fair billing practices for drain maintenance, Council is requested to:

- Approve this agreement by resolution.

**FINANCIAL CONSIDERATIONS:**

There are no financial impacts on the Township of Wainfleet. The approval of apportionment agreements ensures that invoices for the maintenance of municipal drains to individual property owners continues to be legal and equitable based on the amount of benefit provided by the drainage works.

**OTHERS CONSULTED:**

- 1) Sarah Ivins - Planner, Assistant Secretary-Treasurer - Committee of Adjustment

**ATTACHMENTS:**

- 1) Appendix "A" – Apportionment Agreement (Bergsma)

Respectfully submitted by,

Approved by,

---

Mark Jemison  
Drainage Superintendent

---

William J. Kolasa  
Chief Administrative Officer/Clerk



# Township of Wainfleet

*"Wainfleet - find your country side!"*

## Agreement Between Property Owners for Municipal Drain Assessment Apportionment Due to Land Severance or Sale

This Apportionment Agreement has been calculated by the Drainage Superintendent for the Township of Wainfleet, on behalf of the landowner(s) indicated below. Calculations on the property sizes and shares of assessment have been made using the numbers provided in the latest Engineer's Report for the Municipal Drain to which the properties are assessed, as well as any additional information contained with the drainage files of the Township. Property sizes indicate the area of the subject properties that are assessed to a particular drain and may not be indicative of the total size of property owned. Property sizes also may NOT be the same as calculated or shown on property tax related assessments.

Original Parcel Information as per the Engineer's Report on the Lambert Road Drain by K. Smart (2018).

Roll No. or Lot & Conc.	Landowner	Hectares Affected	Acres Affected	% Main. Costs
2714000010015400	M. & D. Bergsma	3.2	N/A	0.1107
	<b>TOTALS</b>	<b>3.2</b>		<b>0.1107</b>

New or Current Parcel Information (calculated).

Roll No. or Lot & Conc.	Landowner	Hectares Affected	Acres Affected	% Main. Costs
Unknown (Part 1)	M. & D. Bergsma	0.4	N/A	0.032
Unknown (Part 2)	M. & D. Bergsma	2.8	N/A	
	<b>TOTALS</b>	<b>3.2</b>	<b>N/A</b>	<b>0.51</b>

I/We, the undersigned, agree on the share of assessment of costs as detailed above.

Landowner 1: M. & D. Bergsma

Date: Sept 27/21

Signature: \_\_\_\_\_

*[Handwritten Signature]*

Date: Sept 27 21

Signature: \_\_\_\_\_

*[Handwritten Signature]*



**WOMEN'S PLACE**  
NOVA HOUSE • SERENITY PLACE



## **Sample Proclamation- The International Day for the Elimination of Violence Against Women**

**WHEREAS** violence continues to be the greatest gender inequality rights issue for women, girls and gender-diverse individuals; and

**WHEREAS** November is Woman Abuse Prevention Month; and

**WHEREAS** Gender-based violence is a human right issue which our community must work together to address, prevent and address through public awareness and education; and

**WHEREAS** 1 in 3 women will experience gender-based violence in their lifetime and these numbers increase exponentially for Black, Indigenous and Women of Colour; and

**WHEREAS** the COVID-19 pandemic has increased barriers to support and services for survivors of gender-based violence and their children; and

**WHEREAS** last year in Ontario, every 13 days a woman or child was killed by a man known to them, with the majority being their current or former intimate partner

**WHEREAS** this month and throughout the 16 Days of Activism Against Gender-Based Violence, we acknowledge our community's support of the Wrapped in Courage campaign and commitment to ending gender-based violence; and

**WHEREAS** on November 25th, The International Day for the Elimination of Violence Against Women, a Wrapped in Courage 2021 Campaign flag will be raised in recognition that the courage of a woman alone is not enough, it takes an entire community to end gender-based violence; and

**NOW THEREFORE I**, Kevin Gibson, Mayor of the Town of Wainfleet, on behalf of the Town Council do hereby proclaim November 25th, 2021 shall be known as

**“The International Day for the Elimination of Violence Against Women”**

in the Town of Wainfleet and urge all citizens to recognize this day by taking action to support survivors of gender-based violence and becoming part of Ontario wide efforts to end gender-based violence.

### **1. Flag Design**





**City of Welland**  
**Corporate Services**  
Office of the City Clerk  
60 East Main Street, Welland, ON L3B 3X4  
**Phone:** 905-735-1700 Ext. 2159 | **Fax:** 905-732-1919  
**Email:** clerk@welland.ca | www.welland.ca

Received September 23, 2021  
C-296-2021

September 22, 2021

**File No. 13-50**

SENT VIA EMAIL

Town of Pelham  
P.O. Box 400  
20 Pelham Town Square  
Fonthill, ON L0S 1E0

Attention: Ms. Holly Willford, Town Clerk

City of Port Colborne  
66 Charlotte Street  
Port Colborne, ON L3K 3C8

Attention: Ms. Amber LaPointe, City Clerk

Township of Wainfleet  
P.O. Box 400  
31940 Highway #3  
Wainfleet, ON L0S 1V0

Attention: Mr. William Kolasa, Town Clerk

Dear Mr. Kolasa:

**Re: September 14, 2021 – WELLAND CITY COUNCIL**

At its meeting of September 14, 2021, Welland City Council passed the following motion:

**“THAT THE COUNCIL OF THE CITY OF WELLAND approves the proposal for a \$600,000 15-year loan (monthly payments) to the Niagara Central Dorothy Rungeling Airport Commission (NCDRAC) for the construction of 10 T hangars; and further**



September 22, 2021

**THAT Welland City Council authorizes the City Clerk to prepare all necessary agreements and By-laws to advance the funding.”**

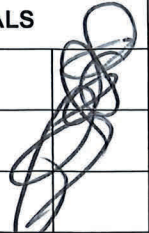
Yours truly,

A handwritten signature in blue ink that reads "T. Stephens". The signature is stylized with a large, looped initial "T" and a cursive "Stephens".

Tara Stephens  
City Clerk

TS:cap

**COUNCIL**  
**CORPORATE SERVICES**  
**FINANCE DIVISION**

APPROVALS	
DIRECTOR	
CFO	
CAO	

13-50

**REPORT FIN-2021-25**  
**SEPTEMBER 7, 2021**

**SUBJECT:** CITY OF WELLAND FINANCING OF NIAGARA CENTRAL  
DOROTHY RUNGELING AIRPORT COMMISSION

**AUTHOR:** ELIZABETH PANKOFF, MBA, CPA, CGA  
MANAGER OF BUDGETS & FINANCIAL REPORTING/DEPUTY  
TREASURER

**APPROVING DIRECTOR:** STEVE ZORBAS, CPA, CMA, B.Comm, DPA,  
CAO / DIRECTOR, CORPORATE SERVICES / CHIEF FINANCIAL  
OFFICER / TREASURER

**RECOMMENDATIONS:**

THAT THE COUNCIL OF THE CITY OF WELLAND approves the proposal for a \$600,000 15-year loan (monthly payments) to the Niagara Central Dorothy Rungeling Airport Commission (NCDRAC) for the construction of 10 T hangars; and further

THAT Welland City Council authorizes the City Clerk to prepare all necessary agreements and By-laws to advance the funding.

**ORIGIN AND BACKGROUND:**

NCDRAC has provided a loan proposal requesting \$600,000 for the construction of 10 T hangars at the Niagara Central Dorothy Rungeling Airport for Council consideration as outlined in Appendix A.

**COMMENTS AND ANALYSIS:**

Staff recommends financing with a 15-year amortizing loan at an annual interest rate of 3.75%. The repayment of the loan from NCDRAC will commence in December 2021 as outlined in Appendix B.

**FINANCIAL CONSIDERATION:**

Appendix B summarizes the monthly payments. The total interest to be earned on the loan is approximately \$185,000.

This financing will be funded from the Infrastructure Renewal Reserve fund and all interest earned will remain in this fund.

**OTHER DEPARTMENT IMPLICATIONS:**

Not applicable.

**SUMMARY AND CONCLUSION:**

Staff recommends financing the construction of 10 T hangers with a 15-year loan (monthly payments) to NCDRAC. The loan will be funded from the Infrastructure Renewal Reserve fund with the repayment to commence in December 2021 as outlined in Appendix B.

**ATTACHMENTS:**

Appendix A – NCDRAC Hanger Loan Proposal

Appendix B – Monthly Payment Schedule for 15-year Period

Good Morning Steve

Last evening at our Commission meeting we brought forward the results of our recent discussion to the Commission. The Commission then authorized the attached financial plan that supports the request to the City of Welland for your consideration and response for a construction loan for up to \$600,000 for 10 T hangars at the NCDR Airport . See attachment!

The Commission wishes to thank the City of Welland for this opportunity and looks forward to any questions and your reply.

Sincerely

John MacLellan

Chair NCDRAC

# NCDRA Commission Hangar Loan Proposal August 2021

Input Values	
SENARIO - 10 T Hangars	
Mortgage	\$600,000
Interest Rate	3.75
Term	15
Monthly Hangar Fee	635
Number of Hangers	10
Insurance	3000
Annual Property Tax	11000
Annual Misc	1000



Calculated Values Annually	
SENARIO - 10 T Hangars	
<b>Revenue</b>	
Annual Fee/hanger	\$76,200.00
<b>Annual Operating Cost</b>	
Insurance at \$3000	\$3,000.00
Property tax at \$11,000	\$11,000.00
Annual Misc at \$1,000	\$1,000.00
<b>Mortgage (calculated value)</b>	
Annual Mortgage Payments	\$52,256.61
Total CASH EXPENSE	-\$67,256.61
<b>NET INCOME/LOSS</b>	<b>\$8,943.39</b>
End of Term	15
Revenue	\$1,143,000.00
Expenses without Mortgage	\$225,000.00
Mortgage Payments	\$783,849.17
<b>Net INCOME/LOSS</b>	<b>\$134,150.83</b>

Calculated Values Monthly	
SENARIO - 10 T Hangars	
<b>Revenue</b>	
Annual Fee/hanger	\$6,350.00
<b>Annual Operating Cost</b>	
Insurance at 3,000	\$250.00
PROPERTY TAX AT \$11,000	\$916.67
Annual Misc at \$1,000	\$83.33
<b>Mortgage (calculated value)</b>	
Annual Mortgage Payments	\$4,354.72
Total CASH EXPENSE	-\$5,604.72
<b>NET INCOME/LOSS</b>	<b>\$745.28</b>

## Monthly Payment Schedule

Principal Amount	\$ 600,000.00
Annual Interest Rate	3.75 %
Loan Term (Year)	15
Debenture Date (mm/dd/yyyy)	11-01-2021
Maturity Date (mm/dd/yyyy)	11-01-2036
Payment Frequency	Monthly
Loan Type	Amortizing

Payment Date	Total Payment	Principal Amount	Interest Amount	Principal Balance
12-01-2021	\$ 4,363.33	\$ 2,488.33	\$ 1,875.00	\$ 597,511.67
01-01-2022	\$ 4,363.33	\$ 2,496.11	\$ 1,867.22	\$ 595,015.56
02-01-2022	\$ 4,363.33	\$ 2,503.91	\$ 1,859.42	\$ 592,511.65
03-01-2022	\$ 4,363.33	\$ 2,511.73	\$ 1,851.60	\$ 589,999.92
04-01-2022	\$ 4,363.33	\$ 2,519.58	\$ 1,843.75	\$ 587,480.34
05-01-2022	\$ 4,363.33	\$ 2,527.45	\$ 1,835.88	\$ 584,952.89
06-01-2022	\$ 4,363.33	\$ 2,535.35	\$ 1,827.98	\$ 582,417.54
07-01-2022	\$ 4,363.33	\$ 2,543.28	\$ 1,820.05	\$ 579,874.26
08-01-2022	\$ 4,363.33	\$ 2,551.22	\$ 1,812.11	\$ 577,323.04
09-01-2022	\$ 4,363.33	\$ 2,559.20	\$ 1,804.13	\$ 574,763.84
10-01-2022	\$ 4,363.33	\$ 2,567.19	\$ 1,796.14	\$ 572,196.65
11-01-2022	\$ 4,363.33	\$ 2,575.22	\$ 1,788.11	\$ 569,621.43
12-01-2022	\$ 4,363.33	\$ 2,583.26	\$ 1,780.07	\$ 567,038.17
01-01-2023	\$ 4,363.33	\$ 2,591.34	\$ 1,771.99	\$ 564,446.83
02-01-2023	\$ 4,363.33	\$ 2,599.43	\$ 1,763.90	\$ 561,847.40
03-01-2023	\$ 4,363.33	\$ 2,607.56	\$ 1,755.77	\$ 559,239.84
04-01-2023	\$ 4,363.33	\$ 2,615.71	\$ 1,747.62	\$ 556,624.13
05-01-2023	\$ 4,363.33	\$ 2,623.88	\$ 1,739.45	\$ 554,000.25
06-01-2023	\$ 4,363.33	\$ 2,632.08	\$ 1,731.25	\$ 551,368.17
07-01-2023	\$ 4,363.33	\$ 2,640.30	\$ 1,723.03	\$ 548,727.87
08-01-2023	\$ 4,363.33	\$ 2,648.56	\$ 1,714.77	\$ 546,079.31
09-01-2023	\$ 4,363.33	\$ 2,656.83	\$ 1,706.50	\$ 543,422.48
10-01-2023	\$ 4,363.33	\$ 2,665.13	\$ 1,698.20	\$ 540,757.35
11-01-2023	\$ 4,363.33	\$ 2,673.46	\$ 1,689.87	\$ 538,083.89
12-01-2023	\$ 4,363.33	\$ 2,681.82	\$ 1,681.51	\$ 535,402.07
01-01-2024	\$ 4,363.33	\$ 2,690.20	\$ 1,673.13	\$ 532,711.87
02-01-2024	\$ 4,363.33	\$ 2,698.61	\$ 1,664.72	\$ 530,013.26
03-01-2024	\$ 4,363.33	\$ 2,707.04	\$ 1,656.29	\$ 527,306.22
04-01-2024	\$ 4,363.33	\$ 2,715.50	\$ 1,647.83	\$ 524,590.72
05-01-2024	\$ 4,363.33	\$ 2,723.98	\$ 1,639.35	\$ 521,866.74
06-01-2024	\$ 4,363.33	\$ 2,732.50	\$ 1,630.83	\$ 519,134.24
07-01-2024	\$ 4,363.33	\$ 2,741.04	\$ 1,622.29	\$ 516,393.20
08-01-2024	\$ 4,363.33	\$ 2,749.60	\$ 1,613.73	\$ 513,643.60
09-01-2024	\$ 4,363.33	\$ 2,758.19	\$ 1,605.14	\$ 510,885.41
10-01-2024	\$ 4,363.33	\$ 2,766.81	\$ 1,596.52	\$ 508,118.60
11-01-2024	\$ 4,363.33	\$ 2,775.46	\$ 1,587.87	\$ 505,343.14
12-01-2024	\$ 4,363.33	\$ 2,784.13	\$ 1,579.20	\$ 502,559.01
01-01-2025	\$ 4,363.33	\$ 2,792.83	\$ 1,570.50	\$ 499,766.18

Payment Date	Total Payment	Principal Amount	Interest Amount	Principal Balance
02-01-2025	\$ 4,363.33	\$ 2,801.56	\$ 1,561.77	\$ 496,964.62
03-01-2025	\$ 4,363.33	\$ 2,810.32	\$ 1,553.01	\$ 494,154.30
04-01-2025	\$ 4,363.33	\$ 2,819.10	\$ 1,544.23	\$ 491,335.20
05-01-2025	\$ 4,363.33	\$ 2,827.91	\$ 1,535.42	\$ 488,507.29
06-01-2025	\$ 4,363.33	\$ 2,836.74	\$ 1,526.59	\$ 485,670.55
07-01-2025	\$ 4,363.33	\$ 2,845.61	\$ 1,517.72	\$ 482,824.94
08-01-2025	\$ 4,363.33	\$ 2,854.50	\$ 1,508.83	\$ 479,970.44
09-01-2025	\$ 4,363.33	\$ 2,863.42	\$ 1,499.91	\$ 477,107.02
10-01-2025	\$ 4,363.33	\$ 2,872.37	\$ 1,490.96	\$ 474,234.65
11-01-2025	\$ 4,363.33	\$ 2,881.35	\$ 1,481.98	\$ 471,353.30
12-01-2025	\$ 4,363.33	\$ 2,890.35	\$ 1,472.98	\$ 468,462.95
01-01-2026	\$ 4,363.33	\$ 2,899.38	\$ 1,463.95	\$ 465,563.57
02-01-2026	\$ 4,363.33	\$ 2,908.44	\$ 1,454.89	\$ 462,655.13
03-01-2026	\$ 4,363.33	\$ 2,917.53	\$ 1,445.80	\$ 459,737.60
04-01-2026	\$ 4,363.33	\$ 2,926.65	\$ 1,436.68	\$ 456,810.95
05-01-2026	\$ 4,363.33	\$ 2,935.80	\$ 1,427.53	\$ 453,875.15
06-01-2026	\$ 4,363.33	\$ 2,944.97	\$ 1,418.36	\$ 450,930.18
07-01-2026	\$ 4,363.33	\$ 2,954.17	\$ 1,409.16	\$ 447,976.01
08-01-2026	\$ 4,363.33	\$ 2,963.40	\$ 1,399.93	\$ 445,012.61
09-01-2026	\$ 4,363.33	\$ 2,972.67	\$ 1,390.66	\$ 442,039.94
10-01-2026	\$ 4,363.33	\$ 2,981.96	\$ 1,381.37	\$ 439,057.98
11-01-2026	\$ 4,363.33	\$ 2,991.27	\$ 1,372.06	\$ 436,066.71
12-01-2026	\$ 4,363.33	\$ 3,000.62	\$ 1,362.71	\$ 433,066.09
01-01-2027	\$ 4,363.33	\$ 3,010.00	\$ 1,353.33	\$ 430,056.09
02-01-2027	\$ 4,363.33	\$ 3,019.40	\$ 1,343.93	\$ 427,036.69
03-01-2027	\$ 4,363.33	\$ 3,028.84	\$ 1,334.49	\$ 424,007.85
04-01-2027	\$ 4,363.33	\$ 3,038.31	\$ 1,325.02	\$ 420,969.54
05-01-2027	\$ 4,363.33	\$ 3,047.80	\$ 1,315.53	\$ 417,921.74
06-01-2027	\$ 4,363.33	\$ 3,057.32	\$ 1,306.01	\$ 414,864.42
07-01-2027	\$ 4,363.33	\$ 3,066.88	\$ 1,296.45	\$ 411,797.54
08-01-2027	\$ 4,363.33	\$ 3,076.46	\$ 1,286.87	\$ 408,721.08
09-01-2027	\$ 4,363.33	\$ 3,086.08	\$ 1,277.25	\$ 405,635.00
10-01-2027	\$ 4,363.33	\$ 3,095.72	\$ 1,267.61	\$ 402,539.28
11-01-2027	\$ 4,363.33	\$ 3,105.39	\$ 1,257.94	\$ 399,433.89
12-01-2027	\$ 4,363.33	\$ 3,115.10	\$ 1,248.23	\$ 396,318.79
01-01-2028	\$ 4,363.33	\$ 3,124.83	\$ 1,238.50	\$ 393,193.96
02-01-2028	\$ 4,363.33	\$ 3,134.60	\$ 1,228.73	\$ 390,059.36
03-01-2028	\$ 4,363.33	\$ 3,144.39	\$ 1,218.94	\$ 386,914.97
04-01-2028	\$ 4,363.33	\$ 3,154.22	\$ 1,209.11	\$ 383,760.75
05-01-2028	\$ 4,363.33	\$ 3,164.08	\$ 1,199.25	\$ 380,596.67
06-01-2028	\$ 4,363.33	\$ 3,173.97	\$ 1,189.36	\$ 377,422.70
07-01-2028	\$ 4,363.33	\$ 3,183.88	\$ 1,179.45	\$ 374,238.82
08-01-2028	\$ 4,363.33	\$ 3,193.83	\$ 1,169.50	\$ 371,044.99
09-01-2028	\$ 4,363.33	\$ 3,203.81	\$ 1,159.52	\$ 367,841.18
10-01-2028	\$ 4,363.33	\$ 3,213.83	\$ 1,149.50	\$ 364,627.35
11-01-2028	\$ 4,363.33	\$ 3,223.87	\$ 1,139.46	\$ 361,403.48
12-01-2028	\$ 4,363.33	\$ 3,233.94	\$ 1,129.39	\$ 358,169.54
01-01-2029	\$ 4,363.33	\$ 3,244.05	\$ 1,119.28	\$ 354,925.49

Payment Date	Total Payment	Principal Amount	Interest Amount	Principal Balance
02-01-2029	\$ 4,363.33	\$ 3,254.19	\$ 1,109.14	\$ 351,671.30
03-01-2029	\$ 4,363.33	\$ 3,264.36	\$ 1,098.97	\$ 348,406.94
04-01-2029	\$ 4,363.33	\$ 3,274.56	\$ 1,088.77	\$ 345,132.38
05-01-2029	\$ 4,363.33	\$ 3,284.79	\$ 1,078.54	\$ 341,847.59
06-01-2029	\$ 4,363.33	\$ 3,295.06	\$ 1,068.27	\$ 338,552.53
07-01-2029	\$ 4,363.33	\$ 3,305.35	\$ 1,057.98	\$ 335,247.18
08-01-2029	\$ 4,363.33	\$ 3,315.68	\$ 1,047.65	\$ 331,931.50
09-01-2029	\$ 4,363.33	\$ 3,326.04	\$ 1,037.29	\$ 328,605.46
10-01-2029	\$ 4,363.33	\$ 3,336.44	\$ 1,026.89	\$ 325,269.02
11-01-2029	\$ 4,363.33	\$ 3,346.86	\$ 1,016.47	\$ 321,922.16
12-01-2029	\$ 4,363.33	\$ 3,357.32	\$ 1,006.01	\$ 318,564.84
01-01-2030	\$ 4,363.33	\$ 3,367.81	\$ 995.52	\$ 315,197.03
02-01-2030	\$ 4,363.33	\$ 3,378.34	\$ 984.99	\$ 311,818.69
03-01-2030	\$ 4,363.33	\$ 3,388.90	\$ 974.43	\$ 308,429.79
04-01-2030	\$ 4,363.33	\$ 3,399.49	\$ 963.84	\$ 305,030.30
05-01-2030	\$ 4,363.33	\$ 3,410.11	\$ 953.22	\$ 301,620.19
06-01-2030	\$ 4,363.33	\$ 3,420.77	\$ 942.56	\$ 298,199.42
07-01-2030	\$ 4,363.33	\$ 3,431.46	\$ 931.87	\$ 294,767.96
08-01-2030	\$ 4,363.33	\$ 3,442.18	\$ 921.15	\$ 291,325.78
09-01-2030	\$ 4,363.33	\$ 3,452.94	\$ 910.39	\$ 287,872.84
10-01-2030	\$ 4,363.33	\$ 3,463.73	\$ 899.60	\$ 284,409.11
11-01-2030	\$ 4,363.33	\$ 3,474.55	\$ 888.78	\$ 280,934.56
12-01-2030	\$ 4,363.33	\$ 3,485.41	\$ 877.92	\$ 277,449.15
01-01-2031	\$ 4,363.33	\$ 3,496.30	\$ 867.03	\$ 273,952.85
02-01-2031	\$ 4,363.33	\$ 3,507.23	\$ 856.10	\$ 270,445.62
03-01-2031	\$ 4,363.33	\$ 3,518.19	\$ 845.14	\$ 266,927.43
04-01-2031	\$ 4,363.33	\$ 3,529.18	\$ 834.15	\$ 263,398.25
05-01-2031	\$ 4,363.33	\$ 3,540.21	\$ 823.12	\$ 259,858.04
06-01-2031	\$ 4,363.33	\$ 3,551.27	\$ 812.06	\$ 256,306.77
07-01-2031	\$ 4,363.33	\$ 3,562.37	\$ 800.96	\$ 252,744.40
08-01-2031	\$ 4,363.33	\$ 3,573.50	\$ 789.83	\$ 249,170.90
09-01-2031	\$ 4,363.33	\$ 3,584.67	\$ 778.66	\$ 245,586.23
10-01-2031	\$ 4,363.33	\$ 3,595.87	\$ 767.46	\$ 241,990.36
11-01-2031	\$ 4,363.33	\$ 3,607.11	\$ 756.22	\$ 238,383.25
12-01-2031	\$ 4,363.33	\$ 3,618.38	\$ 744.95	\$ 234,764.87
01-01-2032	\$ 4,363.33	\$ 3,629.69	\$ 733.64	\$ 231,135.18
02-01-2032	\$ 4,363.33	\$ 3,641.03	\$ 722.30	\$ 227,494.15
03-01-2032	\$ 4,363.33	\$ 3,652.41	\$ 710.92	\$ 223,841.74
04-01-2032	\$ 4,363.33	\$ 3,663.82	\$ 699.51	\$ 220,177.92
05-01-2032	\$ 4,363.33	\$ 3,675.27	\$ 688.06	\$ 216,502.65
06-01-2032	\$ 4,363.33	\$ 3,686.76	\$ 676.57	\$ 212,815.89
07-01-2032	\$ 4,363.33	\$ 3,698.28	\$ 665.05	\$ 209,117.61
08-01-2032	\$ 4,363.33	\$ 3,709.84	\$ 653.49	\$ 205,407.77
09-01-2032	\$ 4,363.33	\$ 3,721.43	\$ 641.90	\$ 201,686.34
10-01-2032	\$ 4,363.33	\$ 3,733.06	\$ 630.27	\$ 197,953.28
11-01-2032	\$ 4,363.33	\$ 3,744.73	\$ 618.60	\$ 194,208.55
12-01-2032	\$ 4,363.33	\$ 3,756.43	\$ 606.90	\$ 190,452.12
01-01-2033	\$ 4,363.33	\$ 3,768.17	\$ 595.16	\$ 186,683.95



Payment Date	Total Payment	Principal Amount	Interest Amount	Principal Balance
02-01-2033	\$ 4,363.33	\$ 3,779.94	\$ 583.39	\$ 182,904.01
03-01-2033	\$ 4,363.33	\$ 3,791.75	\$ 571.58	\$ 179,112.26
04-01-2033	\$ 4,363.33	\$ 3,803.60	\$ 559.73	\$ 175,308.66
05-01-2033	\$ 4,363.33	\$ 3,815.49	\$ 547.84	\$ 171,493.17
06-01-2033	\$ 4,363.33	\$ 3,827.41	\$ 535.92	\$ 167,665.76
07-01-2033	\$ 4,363.33	\$ 3,839.37	\$ 523.96	\$ 163,826.39
08-01-2033	\$ 4,363.33	\$ 3,851.37	\$ 511.96	\$ 159,975.02
09-01-2033	\$ 4,363.33	\$ 3,863.41	\$ 499.92	\$ 156,111.61
10-01-2033	\$ 4,363.33	\$ 3,875.48	\$ 487.85	\$ 152,236.13
11-01-2033	\$ 4,363.33	\$ 3,887.59	\$ 475.74	\$ 148,348.54
12-01-2033	\$ 4,363.33	\$ 3,899.74	\$ 463.59	\$ 144,448.80
01-01-2034	\$ 4,363.33	\$ 3,911.93	\$ 451.40	\$ 140,536.87
02-01-2034	\$ 4,363.33	\$ 3,924.15	\$ 439.18	\$ 136,612.72
03-01-2034	\$ 4,363.33	\$ 3,936.42	\$ 426.91	\$ 132,676.30
04-01-2034	\$ 4,363.33	\$ 3,948.72	\$ 414.61	\$ 128,727.58
05-01-2034	\$ 4,363.33	\$ 3,961.06	\$ 402.27	\$ 124,766.52
06-01-2034	\$ 4,363.33	\$ 3,973.43	\$ 389.90	\$ 120,793.09
07-01-2034	\$ 4,363.33	\$ 3,985.85	\$ 377.48	\$ 116,807.24
08-01-2034	\$ 4,363.33	\$ 3,998.31	\$ 365.02	\$ 112,808.93
09-01-2034	\$ 4,363.33	\$ 4,010.80	\$ 352.53	\$ 108,798.13
10-01-2034	\$ 4,363.33	\$ 4,023.34	\$ 339.99	\$ 104,774.79
11-01-2034	\$ 4,363.33	\$ 4,035.91	\$ 327.42	\$ 100,738.88
12-01-2034	\$ 4,363.33	\$ 4,048.52	\$ 314.81	\$ 96,690.36
01-01-2035	\$ 4,363.33	\$ 4,061.17	\$ 302.16	\$ 92,629.19
02-01-2035	\$ 4,363.33	\$ 4,073.86	\$ 289.47	\$ 88,555.33
03-01-2035	\$ 4,363.33	\$ 4,086.59	\$ 276.74	\$ 84,468.74
04-01-2035	\$ 4,363.33	\$ 4,099.37	\$ 263.96	\$ 80,369.37
05-01-2035	\$ 4,363.33	\$ 4,112.18	\$ 251.15	\$ 76,257.19
06-01-2035	\$ 4,363.33	\$ 4,125.03	\$ 238.30	\$ 72,132.16
07-01-2035	\$ 4,363.33	\$ 4,137.92	\$ 225.41	\$ 67,994.24
08-01-2035	\$ 4,363.33	\$ 4,150.85	\$ 212.48	\$ 63,843.39
09-01-2035	\$ 4,363.33	\$ 4,163.82	\$ 199.51	\$ 59,679.57
10-01-2035	\$ 4,363.33	\$ 4,176.83	\$ 186.50	\$ 55,502.74
11-01-2035	\$ 4,363.33	\$ 4,189.88	\$ 173.45	\$ 51,312.86
12-01-2035	\$ 4,363.33	\$ 4,202.98	\$ 160.35	\$ 47,109.88
01-01-2036	\$ 4,363.33	\$ 4,216.11	\$ 147.22	\$ 42,893.77
02-01-2036	\$ 4,363.33	\$ 4,229.29	\$ 134.04	\$ 38,664.48
03-01-2036	\$ 4,363.33	\$ 4,242.50	\$ 120.83	\$ 34,421.98
04-01-2036	\$ 4,363.33	\$ 4,255.76	\$ 107.57	\$ 30,166.22
05-01-2036	\$ 4,363.33	\$ 4,269.06	\$ 94.27	\$ 25,897.16
06-01-2036	\$ 4,363.33	\$ 4,282.40	\$ 80.93	\$ 21,614.76
07-01-2036	\$ 4,363.33	\$ 4,295.78	\$ 67.55	\$ 17,318.98
08-01-2036	\$ 4,363.33	\$ 4,309.21	\$ 54.12	\$ 13,009.77
09-01-2036	\$ 4,363.33	\$ 4,322.67	\$ 40.66	\$ 8,687.10
10-01-2036	\$ 4,363.33	\$ 4,336.18	\$ 27.15	\$ 4,350.92
11-01-2036	\$ 4,364.52	\$ 4,350.92	\$ 13.60	\$ 00.00
	\$ 785,400.59	\$ 600,000.00	\$ 185,400.59	

# THE CORPORATION OF THE TOWNSHIP OF WAINFLEET

## BY-LAW NO. 31-2021

Being a by-law to adopt, ratify and confirm the proceedings of the Council of the Corporation of the Township of Wainfleet at its regular meeting held October 5, 2021

**WHEREAS** Subsection 5 (1) of the *Municipal Act, 2001*, S.O. 2001, Chapter M.25, as amended, provides that the powers of a municipal corporation are to be exercised by its Council;

**AND WHEREAS** section 5 (3) of the *Municipal Act 2001*, S.O. 2001, Chapter M.25, as amended, provides that, except if otherwise authorized, the powers of Council shall be exercised by by-law;

**AND WHEREAS** it is deemed desirable and expedient that the actions of the Council as herein set forth be adopted, ratified and confirmed by by-law;

**NOW THEREFORE** the Council of the Corporation of the Township of Wainfleet **HEREBY ENACTS AS FOLLOWS:**

1. (a) The actions of the Council at its regular meeting held October 5, 2021, including all resolutions or motions approved, are hereby adopted, ratified and confirmed as if they were expressly embodied in this by-law.  
  
(b) The above-mentioned actions shall not include:
  - (i) any actions required by law to be taken by resolution, or
  - (ii) any actions for which prior Ontario Municipal Board approval is required, until such approval is obtained.
2. The Mayor and proper officials of the Corporation of the Township of Wainfleet are hereby authorized and directed to do all things necessary to give effect to the above-mentioned actions and to obtain approvals where required.
3. Unless otherwise provided, the Mayor and Clerk are hereby authorized and directed to execute and the Clerk to affix the seal of the corporation of the Township of Wainfleet to all documents necessary to give effect to the above-mentioned actions.
4. This by-law shall come into force on the day upon which it is passed.

BY-LAW READ AND PASSED THIS 5<sup>th</sup> DAY OF OCTOBER, 2021

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K. Gibson, MAYOR

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M. Ciuffetelli, DEPUTY CLERK