



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

AUGUST 9, 2022 – 7:00 P.M.

COUNCIL CHAMBERS

C16/22

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 July 12, 2022 and the special meeting of Council held August 3, 2022
8. **Public Meeting**
9. **Delegations**
 - a) John Armstrong, Rogers Communications – Wainfleet Expansion Plans
 - b) Jason Duliban, Wainfleet Minor Hockey – Signage Allowance
 - c) *David Lain, 20304 Kwik Mix Road – Conditional Construction Permit*
10. **Staff Reports & Recommendations**
 - a) Administrative Staff Reports
 - i. ASR-017/2022 Re: 2022-2026 Multi Year Accessibility Plan
 - ii. Memorandum Re: Wainfleet Central Fire Station Borrowing By-law

b) Building Staff Reports

- i. BSR-003-2022 Re: Extension of Conditional Building Permit Kwik Mix

c) Drainage Staff Reports

- i. DSR-005/2022 Re: Request for Drain Improvement – North East Consolidated

d) Fire Staff Reports

- i. FSR-009/2022 Re: WFES Second Quarter Review

e) Public Works Staff Reports

- i. PWSR-014/2022 Re: Award of Tender – Asphalt Patching
ii. PWSR-015/2022 Re: Award of Tender – Sports Complex Drainage Improvement

11. Review of Correspondence

a) C-2022-152 Re: Township of Wainfleet Integrity Commissioner Annual Report

b) C-2022-153 Re: Township of Wainfleet Central Fire Station Monthly Report

c) C-2022-160 Re: Invasive Species Centre - Paddle with a Purpose Event

12. By-laws

- a) By-law No. 039-2022 being a by-law to authorize certain new capital work(s) of the Corporation of the Township of Wainfleet (the “lower-tier municipality”); to authorize the submission of an application to Ontario Infrastructure and Lands Corporation (“OILC”) for financing of such capital work(s); to authorize temporary borrowing from OILC to meet expenditures in connection with such capital work(s); and to authorize long-term borrowing for such capital work(s) through the issue of debentures by Regional Municipality of Niagara (the “upper-tier municipality”) to OILC

13. Notices of Motion

14. Closed Meeting

- a) Item under Section 239 (2) (b) of the *Municipal Act, 2001*, personal matters about an identifiable individual, including municipal or local board employees – 1 item (An accounts receivable matter)

- b) Item under Section 239 (2) (a) of the *Municipal Act, 2001*, the security of the property of the municipality or local board (An application pertaining to absolute title matter)

- c) Item under Section 239 (e) of the *Municipal Act, 2001*, litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board (A by-law enforcement matter)

15. Rise & Report

16. By-law to Confirm the Proceedings of Council

- a) By-law No. 040-2022 being a by-law to adopt, ratify and confirm the proceedings of the Council of the Corporation of the Township of Wainfleet at its special meeting held August 3, 2022 and its regular meeting held August 9, 2022.

17. Adjournment



**THE CORPORATION OF THE TOWNSHIP OF WAINFLEET
REGULAR MEETING OF COUNCIL MINUTES**

C14/22
July 12, 2022
7:00 P.M.
COUNCIL CHAMBERS

PRESENT: K. Gibson Mayor
D. Cridland Councillor

T. Gilmore Councillor
J. MacLellan Councillor
S. Van Vliet Councillor

STAFF PRESENT: W. Kolasa Chief Administrative Officer
M. Alcock Fire Chief
M. Ciuffetelli Deputy Clerk
L. Earl Mngr. of Community & Development Services
L. Gudgeon Manager of Human Resources
M. Jemison Drainage Superintendent
M. Luey Manager of Corporate Services
S. Ivins Planner
R. Nan Manager of Operations

C14/22

1. Call to Order

Mayor Gibson called the meeting to order at 7:00 p.m.

2. National Anthem

3. Land Acknowledgement Statement

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

4. Disclosures of Interest and the General Nature Thereof

None.

5. Mayor's Announcements & Remarks

Mayor Gibson provided the following remarks:

- Wainfleet was proud to have participated in the 2022 Canada Summer Games Torch Relay this past Saturday and is encouraging the public to come out to our 13 for 13 cultural event coinciding with the Summer Games on August 16, 2022 at the Wainfleet Arena from 5-10:00 p.m.

This is going to be a wonderful celebration of arts and heritage featuring celebrated Nunavut artist Susan Aglukark and homegrown artists the Great Lake Swimmers. Come enjoy our local farmers market, delicious offerings from our culinary partners and food trucks, and special activities for the whole family to enjoy.

- The Township recently received information that Rogers Communications is coming to Wainfleet to offer high speed fibre services to the broader Wainfleet community – including most currently underserved areas of the Township. This is a huge initiative that will be commenced by Rogers later this year and is expected to help address a problem that was brought to Council’s attention earlier this term. Rogers will be making a presentation at an upcoming Council meeting to provide further details on the initiative.
- On Tuesday July 26 at 6pm the Township and engineering firm will hold a preliminary information meeting to discuss the improvement project for the Ellsworth municipal Drain.
- On Thursday July 28 at 6pm the Township and engineering firm will hold the onsite meeting to kick off the improvement project for the Casey Drain and Casey Drain North municipal drains. Both of these meetings are being held at the Wainfleet Firefighter’s memorial community hall and notifications were distributed to impacted property owners this week.
- The next regular meeting of Council will be held August 9, 2022 at 7:00 p.m.

6. Councillor’s Announcements & Remarks

Councillor Cridland advised that the next Niagara Peninsula Conservation Authority Board meeting will be held July 15, 2022 at 9:30 a.m. and the next Niagara Transit Commission meetings will be held July 19, 2022 at 3:00 p.m.

7. Adoption of Previous Council Minutes

Resolution No. C-2022-123

Moved by Councillor MacLellan
Seconded by Councillor Van Vliet

“**THAT** the minutes of the regular meeting of Council held June 21, 2022 be adopted as circulated.”

CARRIED

8. Public Meeting

N/A

9. Delegations

a) Chief Bryan MacCulloch, Niagara Regional Police Service – 2022 Update

Resolution No. C-2022-124

Moved by Councillor Cridland
Seconded by Councillor Gilmore

“**THAT** the delegation presentation from Niagara Region Police Services respecting a 2022 Update be received as information.”

CARRIED

10. Staff Reports & Recommendations

a) Building Staff Reports

- i. Memorandum Re: 2022 Building Permit Activity – Quarters 1 & 2

Resolution No. C-2022-125

Moved by Councillor Gilmore
Seconded by Councillor Van Vliet

“**THAT** the memorandum from the Chief Building Official respecting 2022 Building Permit Activity – Quarters 1 & 2 be received as information.”

CARRIED

b) By-law Enforcement Staff Reports

- i. Memorandum Re: Appoint Summer By-law Student

Resolution No. C-2022-126

Moved by Councillor Gilmore
Seconded by Councillor Van Vliet

“**THAT** the memorandum from the By-law Enforcement Officer respecting Summer Municipal By-law Enforcement Officer be received as information.”

CARRIED

c) Community and Development Services Staff Reports

- i. Memorandum Re: Amendment to Lakeshore Access By-law

Resolution No. C-2022-127

Moved by Councillor MacLellan
Seconded by Councillor Van Vliet

“**THAT** the memorandum from the Manager of Community & Development Services respecting Amendment to Lakeshore Access By-law be received as information.”

CARRIED

d) Drainage Staff Reports

- i. DSR-005/2022 Re: Chambers Corner Drain Extension Improvement– Engineer’s Report

Resolution No. C-2022-128

Moved by Councillor Van Vliet
Seconded by Councillor MacLellan

“**THAT** Report DSR-005-2022 regarding consideration of the Chambers Corner Drain Extension Improvement be received;

AND THAT a By-law be given two readings to provisionally adopt the Chambers Corner Drain Extension Report dated June 20, 2022, prepared by Spriet Associates Engineer’s & Architects, under Section 4, Chapter D. 17 of the *Drainage Act, R.S.O. 1990*.

AND THAT Staff be directed to advance the Chambers Corner Drain Extension Report to that of the Court of Revision, as per Section 46(1) of the *Drainage Act, R.S.O. 1990*.

AND THAT Councillors Van Vliet, Cridland, and MacLellan be appointed as members to the Chambers Corner Drain Extension Court of Revision and Mayor Gibson be appointed as an alternate member to be tentatively scheduled for August 9, 2022, at 6:30 p.m., prior to the regular Council meeting.

AND THAT upon completion of the appeal process, the Drainage Superintendent be authorized to proceed with construction of the drainage works in accordance with the *Drainage Act*.”

CARRIED

e) Fire Staff Reports

- i. FSR-008/2022 Re: Revision of Fire & Emergency Services Organizational Chart

Resolution No. C-2022-129

Moved by Councillor Gilmore
Seconded by Councillor Van Vliet

“**THAT** report FSR-008/2022 be received for information; and

THAT Council approve and adopt the Organizational Chart as presented and direct staff to prepare an amendment to the Fire Department Establishing & Regulating bylaw (BL071-2019) at the next available meeting.”

CARRIED

f) Planning Staff Reports

- i. PSR-002/2022 Re: Zoning By-law Amendment File No. Z02/2022W
Mayr Farms Ltd. (Manuel Mayr – Agent)

Resolution No. C-2022-130

Moved by Councillor MacLellan
Seconded by Councillor Gilmore

“**THAT** Planning Staff Report PSR-002/2022 be received; and

THAT Zoning By-law Amendment File No. Z02/2022W for lands described as Concession 2 Part Lot 34 & 35, known municipally as 33553 Feeder Road West, be approved for the reasons outlined in PSR-002/2022; and

THAT the application be deemed consistent with the Provincial Policy Statement 2020 and other matters of Provincial interest; and

THAT the zoning by-law amendment attached as Appendix “C” be adopted.”

CARRIED

- ii. PSR-003/2022 Re: Zoning By-law Amendment File No. Z03/2022W
Tom Mikkelsaar (NPG Planning Solutions Inc. – Agent)

Resolution No. C-2022-131

Moved by Councillor Gilmore
Seconded by Councillor MacLellan

“**THAT** Planning Staff Report PSR-003/2022 be received; and

THAT Zoning By-law Amendment File No. Z03/2022W for lands described as Concession 1 Part Lot 13, known municipally by its Assessment Roll Number 271400000318501, be approved for the reasons outlined in PSR-003/2022; and

THAT the application be deemed consistent with the Provincial Policy Statement 2020 and other matters of Provincial interest; and

THAT the zoning by-law amendment attached as Appendix “C” be adopted.”

CARRIED

g) Public Works Staff Reports

- i. PWSR-013/2022 Re: Capital Project Update

Resolution No. C-2022-132

Moved by Councillor MacLellan

Seconded by Councillor Van Vliet

“**THAT** Report PWSR-013/2022 respecting 2022 Capital Project Update be received for information.”

CARRIED

- ii. Memorandum Re: Canada Summer Games Bicycle Time Trials Update

Resolution No. C-2022-133

Moved by Councillor MacLellan

Seconded by Councillor Van Vliet

“**THAT** the memorandum from the Manager of Operations respecting the Canada Summer Games Bicycle Time Trials Update be received as information; and

THAT Council approve the Township of Wainfleet hosting the Niagara 2022 Canada Summer Games Time Trial Race utilizing the Township Right of Ways; and

THAT Canada Games obtain a Road Occupancy Permit from the Township; and

THAT Canada Games submit to the Township a traffic management and emergency plan developed with the assistance of our Fire and Operations Department, EMS, and Niagara Regional Police; and

THAT Council authorize the Chief Administrative Officer or his designate to enter into an agreement with Canada Games on terms and conditions satisfactory to the Township Solicitor.”

CARRIED

11. Review of Correspondence

Councillor Cridland requested that Correspondence item No. C-2022-137 Re: Proposal for the Acquisition of New Library Space

Resolution No. C-2022-134

Moved by Councillor MacLellan
Seconded by Councillor Van Vliet

“THAT Correspondence Item No. C-2022-137 Re: Proposal for the Acquisition of New Library Space be received; and

“THAT staff be directed to compile all correspondence received on the subject matter and prepare an information report to Council at a future meeting.”

CARRIED

12. By-laws

Resolution No. C-2022-135

Moved by Councillor Gilmore
Seconded by Councillor Cridland

“THAT the following by-laws be read and passed this 12th day of July, 2022:

- a) By-law No. 033-2022 being a by-law to appoint a Municipal By-law Enforcement Officer for the Corporation of the Township of Wainfleet.
- b) By-law No. 034-2022 being a by-law pursuant to the provisions of Section 34 of the Planning Act, R.S.O. 1990 to amend Zoning By-law No. 034-2014 of the Corporation of the Township of Wainfleet with respect to those lands forming Part of Lot 34 & 35, Concession 2 in the Township of Wainfleet, known municipally as 33553 Feeder Road West.
- c) By-law No. 035-2022 being a by-law pursuant to the provisions of Section 34 of the Planning Act, R.S.O. 1990 to amend Zoning By-law No. 034-2014 of the Corporation of the Township of Wainfleet with respect to those lands forming Part of Lot 13, Concession 1 in the Township of Wainfleet.
- d) By-law No. 036-2022 being a by-law to protect, prohibit, regulate and control municipally-owned properties providing lakeshore access in the Township of Wainfleet.”

CARRIED

Resolution No. C-2022-136

Moved by Councillor Gilmore
Seconded by Councillor MacLellan

“**THAT** By-law No. 037-2022 being a by-law to provide for drainage works in the Township of Wainfleet in the Region of Niagara (Chambers Corner Drain Extension) be read a first and second time and be provisionally adopted this 12th day of July, 2022.”

CARRIED

13. Notices of Motion

None.

14. Closed Meeting

Resolution No. C-2022-137

Moved by Councillor MacLellan
Seconded by Councillor Gilmore

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

- a) Item under Section 234 (2)(c)(f) of the Municipal Act, 2001, a proposed or pending acquisition or disposition of land by the municipality or local board, advice that is subject to solicitor-client privilege, including communications necessary for that purpose – 1 item (A Tax Sale Matter)

CARRIED

15. Rise & Report

The Deputy Clerk reported that Council went into closed session to receive information and provide direction on a tax sale matter.

16. By-law to Confirm the Proceedings of Council

Resolution No. C-2022-138

Moved by Councillor Cridland
Seconded by Councillor Gilmore

“**THAT** By-law No. 038-2022 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 July 12, 2022.

CARRIED

17. Adjournment

There being no further business, the meeting was adjourned at 8:36 p.m.

K .Gibson, MAYOR

M. Ciuffetelli, DEPUTY CLERK

DRAFT



**THE CORPORATION OF THE TOWNSHIP OF WAINFLEET
SPECIAL MEETING OF COUNCIL MINUTES**

C15/22

August 3, 2022

9:00 A.M.

Electronic Participation

PRESENT: K. Gibson Mayor
D. Cridland Councillor

T. Gilmore Councillor
J. MacLellan Councillor
S. Van Vliet Councillor

STAFF PRESENT: W. Kolasa Chief Administrative Officer
M. Ciuffetelli Deputy Clerk
L. Earl Mngr. of Community & Development Services
L. Gudgeon Manager of Human Resources
M. Jemison Drainage Superintendent
M. Luey Manager of Corporate Services

C15/22

1. Call to Order

Mayor Gibson called the meeting to order at 9:00 a.m.

2. Land Acknowledgement Statement

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

3. Disclosures of Interest and the General Nature Thereof

None.

4. Staff Reports & Recommendations

a) Administrative Staff Reports

- i. a) ASR-016/2022: Re: 2020 Auditor's Report and Draft Financial Report

Resolution No. C-2022-125

Moved by Councillor MacLellan

Seconded by Councillor Gilmore

"THAT Report ASR-016/2022 be received; and

THAT the 2020 Auditor's Report Council – Communication of Audit Strategy and Results be received for information; and

AND THAT Council approve the 2020 Draft Financial Report"

CARRIED

5. Closed Meeting
None

6. Adjournment
There being no further business, the meeting was adjourned at 9:12 a.m.

K .Gibson, MAYOR

M. Ciuffetelli, DEPUTY 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

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.

Name: <u>JOHN ARMSTRONG</u>	
Address: <u>244 NEWKIRK RD Richardson Hill</u>	
Telephone: <u>416 560 7511</u>	E-mail: <u>John.ARMSTRONG@RCI-ROBER.COM</u>

Date of Meeting: AUG 9th 2022

Subject Matter to be Discussed:	<u>ROGERS COMMUNICATIONS expansion plans in Wainfleet.</u>
Action Requested:	<u>oral presentation.</u>

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:

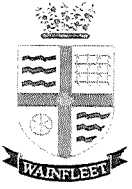
Do you have a copy of your notes/presentation to attach? Yes No
 If yes, specify:

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

Date AUG 2. 2022



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

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.

Name: Jason Duliban	
Address: 50857 O'Reillys Rd Wainfleet	
Telephone: 905-321-3037	E-mail:

Date of Meeting: August 9, 2022

Subject Matter to be Discussed:	Wainfleet Minor Hockey
Action Requested:	Signage Allowance

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

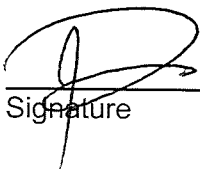
If yes, specify:

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

July 20, 2022
Date

Jason Duliban
50857 O'Reillys Road South
Wainfleet ON
L0S 1V0
905-321-3037
jduliban@dulibaninsurance.com



Dear Township of Wainfleet

RE: Wainfleet Minor Hockey Association Signage at the Wainfleet Arena

I am writing to the Township of Wainfleet to seek your support and approvals of additional signage at the Wainfleet Arena, pertaining to the Wainfleet Minor Hockey Association.

The Wainfleet Minor Hockey Association Board of Directors has intentions this year to gain more sponsorship connections for the local community by offering two new opportunities for grand exposure and signage to the Wainfleet Arena and its visitors. One is similar to the Canada Summer Games graphic representation that is currently posted outdoors (See Appendix A). The second opportunity is the welcome header when you walk into the Wainfleet Arena (Appendix B). It would say 'Home of the Wainfleet Wild' with our logo and its sponsorship details listed as well. This would be a wall decal the size of the entire wall space.

Our vision is to create artwork vibrant celebrates Wainfleet and Wainfleet Minor hockey. This eye-catching all-weather sticker would include the Wainfleet Wild Logo along with its sponsor(s) who assisted in paying for this application and donating to Wainfleet Minor Hockey. For next year, We recognize that next year is the 50th anniversary Wainfleet Arena, and with permission we would like to utilize the signage to celebrate this.

The benefits for the Township and the sponsors of the hockey community align as it makes sense to support these sponsorship opportunities. If you have any questions or concerns, please do not hesitate to contact me at the above personal information.

Regards,

Jason Duliban

Jason Duliban
Sponsorship Director
Wainfleet Minor Hockey Association

Appendix A:



Appendix B:





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

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.

Name: David Lain	
Address: 20304 Kwik Mix Road, Wainfleet, Ontario L3K 5V4	
Telephone: 905-330-2523	E-mail: dave.lain14@gmail.com

Date of Meeting: Aug 7, 2022

Subject Matter to be Discussed:	Conditional construction permit
Action Requested:	Extension of the conditional construction permit

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

Aug 8, 2022

Date

TO: Mayor Gibson & Members of Council

FROM: William Kolasa, Chief Administrative Officer

DATE OF MEETING: August 9, 2022

SUBJECT: 2022-2026 Multi-Year Accessibility Plan

RECOMMENDATION(S):

THAT Administrative Staff Report ASR-017/2022 respecting a new 2022-2026 Multi-Year Accessibility Plan be received;

AND THAT the draft 2022-2026 Multi-Year Accessibility Plan developed for the Township of Wainfleet by the Herrington Group Ltd. be adopted.

EXECUTIVE SUMMARY:

The purpose of this report is to introduce, for Council's consideration and approval, a new 2022-2026 Multi-Year Accessibility Plan developed for the municipality by the Herrington Group Ltd. to provide for the Township's continued compliance with the Accessibility for Ontarians with Disabilities Act, 2005.

DISCUSSION:**Historical Background**

In accordance with the requirements of the Ontarians with Disabilities Act, 2001, and the subsequent Accessibility for Ontarians with Disabilities Act, 2005 (AODA), the Township has committed to fostering an inclusive society and providing an accessible environment in which all individuals have access to Township programs and services in a way that respects the dignity of independence of people with disabilities.

As the Township has not reached a population threshold that requires the establishment of an Accessibility Advisory Committee; staff have been required to take the initiative to ensure compliance with evolving accessibility guidelines and have undertaken necessary research on matters relating to policies, practices, services and programs for persons with disability issues.

Staff have also sought external expertise, when necessary, to ensure that the Township remains current and up-to-date in relation to the changing regulatory environment, including engaging with persons with disabilities to ensure Township activities remain consistent with the purposes and intents of the AODA.

Since 2010, the Township has utilized the services of The Herrington Group Ltd., a passionate group of experts in their field, who truly believe in making the world a better place by educating, implementing and communicating the need for accessibility awareness

and change. Members of The Herrington Group include persons living with disabilities who understand and appreciate the realities and “lived experiences” to better serve and provide services to the community.

Multi-Year Accessibility Plan

It is a requirement under the AODA that every municipality adopt a Multi-Year Accessibility Plan (MYAP). The MYAP is a five-year plan that attempts to identify, remove and prevent accessibility barriers across organizations by committing to specific initiatives and outcomes aimed at making sure that people with disabilities can participate in the municipality’s programs, services, facilities, public spaces, information and communications and employment.

With the expiry of the Township’s [2018-2022 MYAP](#) this year, a new MYAP (attached as Appendix “A”) will create a road map that all Township departments can follow in implementing the requirements of the AODA for the period 2022-2026. As there have been no significant new accessibility regulations introduced by the Province of Ontario under the AODA; the new MYAP includes a primary focus on ongoing continuous monitoring and improvement of municipal policies, programs and services.

OPTIONS

- 1) Council adopt the draft 2022-2026 Township of Wainfleet Multi-Year Accessibility Plan as prepared by the Herrington Group Ltd. to address the requirements of the Accessibility for Ontarians with Disabilities Act, 2005.
- 2) Council provide alternative direction to staff.

FINANCIAL CONSIDERATIONS:

None at this time.

OTHERS CONSULTED:

- 1) Senior Leadership Team

ATTACHMENTS:

- Appendix “A” - Draft 2022-2026 Township of Wainfleet Multi-Year Accessibility Plan

Respectfully submitted and approved by,

William J. Kolasa
Chief Administrative Officer

APPENDIX "A"

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Township of Wainfleet

Multi-Year Accessibility Plan (2022-2026)

In Compliance with O. Reg. 191/11, O. Reg. 413/12 Including
Information and Communication, Employment,
Design of Public Spaces and Customer Service Accessibility
Standards

DRAFT- July 20, 2022

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DRAFT

Introduction

The Township of Wainfleet is a rural municipality located on the northern shore of Lake Erie, in southern Niagara Region, Ontario, Canada. While Wainfleet first appeared under its present name on the map of Upper Canada in 1798; Wainfleet was most recently recognized in its current form as a public sector, lower tier municipality through the enactment of the *Regional Municipality of Niagara Act* in 1970.

The Township of Wainfleet is committed to fostering an inclusive society and providing an accessible environment in which all individuals have access to the Township's services and programs in a way that respects the dignity and independence of people with disabilities.

The Township of Wainfleet supports the goals of the Accessibility for Ontarians with Disabilities Act (AODA) and will establish policies, practices and procedures which are consistent with the accessibility standards established under the AODA, including accessible customer service, information and communication, employment, the built environment and transportation.

Ontario Regulation 191/11 (Integrated Accessibility Standard) under the *Accessibility for Ontarians with Disabilities Act, 2005*, provides that public and private sector organizations in the Province of Ontario must develop a multi-year accessibility plan to identify and address barriers to information and communication, employment, transportation and customer service for people with disabilities. The Township of Wainfleet is pleased to present its 3rd Multi-Year Accessibility Plan (2022-2026). Accessibility provides the Township with an opportunity to provide excellence in customer service and an accessible experience for all citizens.

This Plan identifies, by division, the steps the Township has taken and will continue to take, to ensure its goods, services are accessible to people of all abilities.

The Township of Wainfleet wishes to thank its community partners, stakeholders and service partners in helping our municipality achieve its accessibility goals. The Township also wishes to thank the Province of Ontario and the Accessibility Directorate for its leadership in ensuring a fully accessible Province by 2025.

Integrated Accessibility Standards Regulation: Information and Communication

Regulation	Action Plan	Accountability	Complete	Status Comments
(1) Every provider shall develop, implement and maintain policies governing its provision of goods, services or facilities, as the case may be, to persons with disabilities. O. Reg. 165/16, s. 16.	1.1 <u>Accessibility Policy</u> Established accessibility policy. Annual review of Policy to ensure it is up to date, reflects all Township changes as they occur and is posted on the website.	Clerks	Yes, ongoing	January 1, 2022 - December 31, 2026
<u>Provision of Alternate Formats</u> Providing the following information in alternate format or accessible communication supports (for example: American Sign Language (ASL) interpretation or Teletype Telephone (TTY)) upon request according to legislated deadlines; for example: <ul style="list-style-type: none"> • O. Reg. 191/11-13 (1) - Organizational emergency procedures, plans and public safety information (January 1, 2012). • O. Reg. 191/11-3 (1) - Township Accessibility Policy and Accessibility Plan (January 1, 2013). • O. Reg. 191/11-21 (1) Applicant and employee related information (January 1, 2014). 	1. <u>Establish Vendor of Record:</u> 1.1 The municipality to contract Alternate Format Service Provider Vendor of Record. Create RFP and evaluate proposals from proponents.	Clerks	Yes, ongoing	January 1, 2022 – December 31, 2026
	1.2 Accessible Documents Training – Provide to applicable employees. Annual review of training content; update as needed. Training regarding municipal Accessible Documents Guide for internal documents provided to new hires.	Clerks	Yes, Ongoing	January 1, 2022- December 31, 2026

Integrated Accessibility Standards Regulation: Information and Communication

Regulation	Action Plan	Accountability	Complete	Status Comments
<p><u>Provision of Alternate Formats continued</u></p> <p>Providing the following information in alternate format or accessible communication supports (for example: American Sign Language (ASL) interpretation or Teletype Telephone (TTY)) upon request according to legislated deadlines; for example:</p> <ul style="list-style-type: none"> • <i>O. Reg. 191/11-13 (1)</i> - Organizational emergency procedures, plans and public safety information (January 1, 2012). • <i>O. Reg. 191/11-3 (1)</i> - Township Accessibility Policy and Accessibility Plan (January 1, 2013). • <i>O. Reg. 191/11-21 (1)</i> Applicant and employee related information (January 1, 2014). 	<p>1.4 Annual review of source list of vendors willing to provide ASL interpretation upon request</p>	<p>Clerks, Accessibility Consultant</p>	<p>Yes, ongoing</p>	<p>January 1, 2022-December 31, 2026</p>
	<p>1.5 Process Map – Annual review of internal procedures for processing requests for alternate formats (i.e., how vendor/coordinator is contacted, how requests are tracked, response procedure to customer, customer follow-up)</p>	<p>Clerks</p>	<p>Yes, ongoing</p>	<p>January 1, 2022-December 31, 2026</p>

Integrated Accessibility Standards Regulation: Information and Communication

Regulation	Action Plan	Accountability	Complete	Status Comments
<p><i>O. Reg. 191/11–11(1–4)</i> <u>Feedback Mechanism</u></p> <p>Ensure accessible feedback mechanism in relation to areas covered under Integrated Accessibility Regulation. Every obligated organization shall notify public about availability of accessible formats and communication supports.</p>	Annual review of Feedback Mechanism	Clerks	Yes, ongoing	January 1, 2022-December 31, 2026
<p><i>O. Reg. 191/11–14(1–7)</i> <u>Websites</u></p> <p>New web content to conform to W3C WCAG 2.0 Level A. Except where not practicable, this applies to: Web-based applications that an organization controls directly or through a contractual relationship that allows for modification of a product.</p>	1.2. Annual update of municipal website to communicate new feedback procedures and mechanisms (as appropriate)	Clerks	Yes, ongoing	January 1, 2022-December 31, 2026

Integrated Accessibility Standards Regulation: Information and Communication

Regulation	Action Plan	Accountability	Complete	Status Comments
<p><u>O. Reg. 191/11–12 (1) Organizational Material in Alternate Format:</u></p> <p>Except as otherwise provided, every obligated organization shall upon request provide or arrange for the provision of accessible formats and communication supports for persons with disabilities:</p> <p>(a) in a timely manner that takes into account the person’s accessibility needs and in consultation with the person making the request.</p>	<p><u>Alternate Format Provision:</u></p> <p>1.1. Establish municipal Accessible Communication Policy – outlining Township protocols for using a standardized Township Accessible Style Guide – including templates for accessible word processing, accessible PDF’s and accessible web-based materials</p>	Clerks	Update in progress	January 1, 2022-December 31, 2026
	<p>1.2. Participate in accessible template procedural training and other accessible communication refresher training as needed</p>	Clerks	Yes, ongoing	January 1, 2022-December 31, 2026

Integrated Accessibility Standards Regulation: General Regulations

Regulation	Action Plan	Accountability	Complete	Status Comments
<p><i>O. Reg. 191/11-3 (1)</i> <u>Accessibility Policy</u> Dissemination of Township Accessibility Policy to public.</p>	<p><u>Communication Plan:</u> 1.1. Post Accessibility Policy on municipal website.</p>	Clerks	Yes, ongoing	January 1, 2022-December 31, 2026
	<p>1.2. Accessibility Policy available in alternate formats or alternate communication supports upon request</p>	Clerks	Yes, ongoing	January 1, 2022-December 31, 2026
<p><i>O. Reg. 191/11-4(1)</i> <u>Accessibility Plan</u> Provide public consultation opportunity to review Accessibility Plan for municipality.</p>	<p>2.1 Prepare Multi-Year Accessibility Plan presentation; prepare consultation documents in alternate format upon request</p>	Clerks, Accessibility Consultant	Yes, ongoing	January 1, 2022-December 31, 2026
	<p>2.2 Assist with the facilitation of the public consultation process</p>	Clerks, Accessibility Consultant	Ongoing	January 1, 2022-December 31, 2026

Integrated Accessibility Standards Regulation: General Regulations

Regulation	Action Plan	Accountability	Complete	Status Comments
<p><i>O. Reg. 191/11–14(1–7)</i> <u>Websites</u></p> <p>New websites and web content to conform to W3C WCAG 2.0 Level A. Except where not practicable, this applies to:</p> <p>Websites Web content (published after January 1, 2012) Web-based applications that an organization controls directly or through a contractual relationship that allows for modification of a product.</p>	<p><u>Municipal Website – Accessibility Page:</u> 1.1. Annual review and update of Accessibility Page to outline Accessibility Policy and update as needed</p>	Clerks	Yes, ongoing	January 1, 2022-December 31, 2026
	<p><u>Website Compliance:</u> 2.1. Ensure all new website content is meets WCAG 2.0 Level AA compliance</p>	Clerks	Yes, ongoing	January 1, 2022-December 31, 2026
	<p>2.2. Ensure all new web-based applications meets WCAG 2.0 Level AA compliance</p>	Clerks	Yes, ongoing	January 1, 2022-December 31, 2026
<p><i>O. Reg. 191/11–11(1–4)</i> <u>Feedback Mechanism</u></p> <p>Ensure accessible feedback mechanism in relation to areas covered under Integrated Accessibility Regulation. Every obligated organization shall notify public about availability of accessible formats and communication supports.</p>	<p>3.1. Annual update of Township website to communicate new feedback procedures and mechanisms (as appropriate)</p>	Clerks	Yes, ongoing	January 1, 2022-December 31, 2026

Integrated Accessibility Standards Regulation: Information and Communication

Regulation	Action Plan	Accountability	Complete	Status Comments
<p><i>O. Reg. 191/11-7(1-6)</i> <u>Training</u> Provide training regarding Integrated Accessibility Regulation requirements to all persons who provide goods, services or facilities on behalf of the organization. Training to take place as soon as practicable and shall include any changes to policies on an ongoing basis. Record keeping of training provided and number of participants is required.</p>	<p><u>Training Plan Development:</u> Provide annual refresher AODA training through municipal LMS training modules</p>	<p>Human Resources, Clerks</p>	<p>Yes, ongoing</p>	<p>January 1, 2022-December 31, 2026</p>

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Integrated Accessibility Standards Regulation: Employment

Regulation	Action Plan	Accountability	Complete	Status Comments
<p><i>O. Reg. 191/11-22</i> <u>Availability of Accommodations</u> Notice provided to employees and public about the availability of accommodation for applicants with disabilities during recruitment process.</p>	1.1. An annual review of Accommodation Policy and Accommodation Planning Tool and Return-to-Work Process and Planning tools	Human Resources	Yes, ongoing	January 1, 2022-December 31, 2026
<p><i>O. Reg. 191/11-28 (1-3)</i> <u>Documented Individual Accommodation Plans</u> Documented Accommodation Plans provided to employees with disabilities.</p>	1.2. Review Employment Policy and Procedures and update as required	Human Resources	Yes, ongoing	January 1, 2022-December 31, 2026
	1.3. Review recruitment accommodations including notice in advertisements as required	Human Resources	Yes, ongoing	January 1, 2022-December 31, 2026
<p><i>O. Reg. 191/11-29 (1-3)</i> <u>Return-to-Work Process</u> Documented Return-to-Work process established including disability-related accommodations.</p>	1.4. Annual review of AODA LMS training modules and update as needed	Human Resources, Clerks	Yes, ongoing	January 1, 2022-December 31, 2026

Integrated Accessibility Standards Regulation: Employment

Regulation	Action Plan	Accountability	Complete	Status Comments
<p><i>O. Reg. 191/11–23 (1–4)</i> <u>Selection Process</u> <u>Accommodations</u></p> <p>Accommodation provided to applicants selected to participate in assessment or selection process, upon request. Suitable accommodation provided in manner that takes applicant’s accessibility needs.</p>	<p><u>Policy:</u> 1.1. An annual review of the Recruitment Policy and Procedures</p>	Human Resources	Yes, ongoing	January 1, 2022-December 31, 2026
	<p>1.2. Annual review of AODA LMS training modules and update as needed</p>	Human Resources, Clerks	Yes, ongoing	January 1, 2022-December 31, 2026
<p><i>O. Reg. 191/11–24</i> <u>Notice to Successful Applicants:</u></p> <p>Successful applicant provided accommodation policy when making offer of employment.</p>	<p>1.1. Review of Offers of Employment Procedures as required</p>	Human Resources	Yes, ongoing	January 1, 2022-December 31, 2026
	<p>1.2. Annual review of Employment Offer Checklist to ensure that all successful applicants/new employees are aware of municipal staff website, Accessibility Policy, Accommodation Policy and Accommodation Planning Procedures and Emergency Response and Evacuation Support Procedures</p>	Human Resources	Yes, ongoing	January 1, 2022-December 31, 2026

Integrated Accessibility Standards Regulation: Employment

Regulation	Action Plan	Accountability	Complete	Status Comments
<p><u>O. Reg. 191/11-25 (1-3)</u> <u>Notice to Employees</u></p> <p>Accommodation policy provided to all employees and updates provided whenever changes are made.</p>	<p>1. <u>Policy:</u> 1.1 Updates provided to employees as needed</p>	Human Resources	Yes, ongoing	January 1, 2022-December 31, 2026
<p><u>O. Reg. 191/11-26 (1-2)</u> <u>Alternate Formats for Employees</u></p> <p>Alternate formats provided to employees with disabilities upon request including information needed to perform employee's job, information generally available in workplace. Employer will consult employee making request when determining suitability of accessible format provided.</p>	<p><u>Policy and Procedure:</u> . Reminder Notices sent to all Supervisors and Managers regarding process/procedure on how to respond to requests for alternate formats from employees</p>	Human Resources, Clerks	Yes, ongoing	January 1, 2022-December 31, 2026
	<p>. All Health and Safety and Orientation material for new and existing employees (as relevant to the employee and job description) to be provided in an alternate format upon employee's request</p>	Human Resources, Clerks	Yes, ongoing	January 1, 2022-December 31, 2026

Integrated Accessibility Standards Regulation: Employment

Regulation	Action Plan	Accountability	Complete	Status Comments
<p><i>O. Reg. 191/11–30 (1–2); 31 (1–2); 32 (1–2)</i> Performance Management, Career Development and Advancement and Redeployment processes include accessibility accommodation and provided in alternate format upon request.</p>	<p><u>Performance Management Career Development and Advancement and Redeployment:</u> 1.1. Annual review of Supervisors training on LMS regarding how to provide accessibility in performance management, development and advancement and redeployment</p>	Human Resources	Yes, ongoing	January 1, 2022-December 31, 2026
	<p>.Ensure accommodation plans meets all requirements, and moves with the employee when changing locations</p>	Human Resources	Yes, ongoing	January 1, 2022-December 31, 2026
<p><i>O. Reg. 191/11–7 (1–6)</i> <u>Training</u> Employment Training (i.e. Ontario Human Rights Code, accessible recruitment and screening, employment policy and accommodation planning training).</p>	<p>1. <u>Training</u> Annual refresher AODA training through Township LMS training modules</p>	Human Resources, Clerks	Yes, ongoing	January 1, 2022-December 31, 2026

Integrated Accessibility Standards Regulation: Customer Service

Regulation	Action Plan	Accountability	Complete	Status Comments
<p><i>O. Reg. 191/11-4 (1-4)</i> <u>Accessibility Plan</u></p> <p>Develop a “multi-year Accessibility Plan” that outlines compliance strategies to comply with Integrated Accessibility Regulation (i.e., Information and Communication, and Employment).</p> <p>Accessibility Plan must be posted to organization’s website and available in alternate format upon request.</p> <p>Annual Status Report outlining progress must be written and posted to website each year. Accessibility Plan and Progress Reports must include consultation with people with disabilities (at least one public meeting).</p> <p>Accessibility Plan to be reviewed and updated every five years. Review must include consultation with people with disabilities.</p>	<p>1. Development of a five-year Accessibility Plan. Plan includes organization-wide analysis of barriers and proposed solutions. Township policy implications to be reviewed</p>	Clerks	Yes	July 31, 2022
	<p>2. Participate in public consultation into Township Accessibility Plan development to address any policy changes</p>	Clerks	Upcoming	December 2022

Integrated Accessibility Standard – Information and Communication/Design of Public Spaces

Regulation	Action Plan	Accountability	Complete	Status Comments
<p><i>O. Reg. 80.44</i> In addition to the accessibility plan requirements set out in section 4, obligated organizations, other than small organizations, shall ensure that their multi-year accessibility plans include the following:</p> <p>1. Procedures for preventative and emergency maintenance of the accessible elements in public spaces as required under this Part.</p> <p>2. Procedures for dealing with temporary disruptions when accessible elements required under this Part are not in working order. O. Reg. 413/12, s. 6.</p>	<p><u>Maintenance of Accessibility Features</u> 1.1 Annual check of accessibility features and planned maintenance managed by Public Works</p>	Public Works	Yes, ongoing	January 1, 2022-December 31, 2026
	<p><u>Temporary Disruptions</u> 1.1 Disruptions are posted at site of disruption. If disruption to last more than 3 days, notice is posted to the Township website.</p>	Public Works, Clerks	Yes, ongoing	January 1, 2022 – December 31, 2026
<p><i>O. Reg. 413/12; OBC Section 3.8</i></p>	Ongoing implementation of accessibility audit recommendations for all municipal facilities and venues	Public Works	Yes, ongoing	January 1, 2022-December 31, 2026

Integrated Accessibility Standards Regulation: Customer Service

Regulation	Action Plan	Accountability	Complete	Status Comments
<p>O. Reg. 80.46</p> <p>1. The goods, services or facilities must be provided in a manner that respects the dignity and independence of persons with disabilities.</p> <p>2. The provision of goods, services or facilities to persons with disabilities must be integrated with the provision of goods, services or facilities to others, unless an alternative measure is necessary, whether temporarily or on a permanent basis, to enable a person with a disability to obtain, use or benefit from the goods, services or facilities.</p> <p>3. Persons with disabilities must be given an opportunity equal to that given to others to obtain, use and benefit from the goods, services or facilities.</p> <p>4. When communicating with a person with a disability, the provider shall do so in a manner that takes into account the person's disability. O. Reg. 165/16, s. 16.</p>	<p>Policy outlines how Township is compliant with these requirements.</p>	<p>Clerks</p>	<p>Yes, ongoing</p>	<p>January 1, 2022-December 31, 2026</p>
	<p>Provision of goods, services and facilities to people with disabilities is integrated into provision of goods, services or facilities for all citizens wherever possible.</p> <p>When communicating with people with disabilities the Township takes into account the person's accessibility needs.</p>	<p>Clerks</p>	<p>Yes, ongoing</p>	<p>January 1, 2022-December 31, 2026</p>

Integrated Accessibility Standards Regulation: Customer Service

Regulation	Action Plan	Accountability	Complete	Status Comments
<p><i>O. Reg. 80.46</i> (3) Without limiting subsections (1) and (2), the policies must deal with the use of assistive devices by persons with disabilities to obtain, use or benefit from the goods, services or facilities or with the availability of other measures, if any, which enable them to do so. <i>O. Reg. 165/16, s. 16.</i></p>	<p>Accessibility Policy addresses assistive devices used by citizens with disabilities</p>	<p>Clerks</p>	<p>Yes, ongoing</p>	<p>January 1, 2022-December 31, 2026</p>
<p>(4) Every provider, other than a small organization, shall prepare one or more documents describing the policies established under this section and, on request, shall give a copy of any such document to any person. <i>O. Reg. 165/16, s. 16.</i></p>	<p>Accessibility Policy established and available upon request.</p>	<p>Clerks</p>	<p>Yes, ongoing</p>	<p>January 1, 2022-December 31, 2026</p>

Integrated Accessibility Standards Regulation: Customer Service

Regulation	Action Plan	Accountability	Complete	Status Comments
<p><i>O. Reg. 80.46</i> (5) Every provider, other than a small organization, shall notify persons to whom it provides goods, services or facilities that the documents required by subsection (4) are available on request. <i>O. Reg. 165/16, s. 16.</i></p>	<p>Notice of policy availability on municipal website</p>	<p>Clerks</p>	<p>Yes, ongoing</p>	<p>January 1, 2022 – December 31, 2026</p>
<p>(6) The notice required by subsection (5) may be given by posting the information at a conspicuous place on premises owned or operated by the provider, by posting it on the provider’s website, if any, or by such other method as is reasonable in the circumstances. <i>O. Reg. 165/16, s. 16.</i></p>	<p>Policy posted on municipal website</p>	<p>Clerks</p>	<p>Yes, ongoing</p>	<p>January 1, 2022- December 31, 2026</p>

Integrated Accessibility Standards Regulation: Customer Service

Regulation	Action Plan	Accountability	Complete	Status Comments
<i>O. Reg. 80.47</i> (2) If a person with a disability is accompanied by a guide dog or other service animal, the provider shall ensure that the person is permitted to enter the premises with the animal and to keep the animal with him or her, unless the animal is otherwise excluded by law from the premises. O. Reg. 165/16, s. 16.	Service animal requirements addressed in municipal Accessibility Policy	Clerks	Yes, ongoing	January 1, 2022- December 31, 2026
<i>O. Reg. 80.47</i> (3) If a service animal is excluded by law from the premises, the provider shall ensure that other measures are available to enable a person with a disability to obtain, use or benefit from the provider's goods, services or facilities. O. Reg. 165/16, s. 16.	Service animal requirements addressed in Township Accessibility Policy	Clerks	Yes, ongoing	January 1, 2022- December 31, 2026

Integrated Accessibility Standards Regulation: Customer Service

Regulation	Action Plan	Accountability	Complete	Status Comments
<p><i>O. Reg. 80.47</i> (5) The provider may require a person with a disability to be accompanied by a support person when on the premises, but only if, after consulting with the person with a disability and considering the available evidence, the provider determines that, (b) there is no other reasonable way to protect the health or safety of the person with a disability and the health or safety of others on the premises. <i>O. Reg. 165/16, s. 16.</i></p>	<p>Support Person requirements addressed in municipal Accessibility policy</p>	<p>Clerks</p>	<p>Yes, ongoing</p>	<p>January 1, 2022- December 31, 2026</p>

Integrated Accessibility Standards Regulation: Customer Service

Regulation	Action Plan	Accountability	Complete	Status Comments
<p><i>O. Reg. 80.47</i> (7) If, under subsection (5), the provider requires a person with a disability to be accompanied by a support person when on the premises, the provider shall waive payment of the amount, if any, payable in respect of the support person's admission to the premises or in connection with the support person's presence on the premises. <i>O. Reg. 165/16, s. 16.</i></p>	<p>Accessibility policy addresses support person requirements</p>	<p>Clerks</p>	<p>Yes, ongoing</p>	<p>January 1, 2022 - December 31, 2026</p>

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Integrated Accessibility Standards Regulation: Customer Service

Regulation	Action Plan	Accountability	Complete	Status Comments
<p><i>O. Reg. 80.47</i> (8) Every provider, other than a small organization, shall prepare one or more documents describing its policies with respect to the matters governed by this section and, on request, shall give a copy of any such document to any person. O. Reg. 165/16, s. 16.</p>	<p>Accessibility Policy established to address compliance needs</p>	<p>Clerks</p>	<p>Yes, ongoing</p>	<p>January 1, 2022 – December 31, 2026</p>
<p><i>O. Reg. 80.47</i> (9) Every provider, other than a small organization, shall notify persons to whom it provides goods, services or facilities that the documents required by subsection (8) are available on request. O. Reg. 165/16, s. 16. (10) The notice required by subsection (9) may be given by posting the information at a conspicuous place on premises owned or operated by the provider, by posting it on the provider's website, if any, or by such other method as is reasonable in the circumstances. O. Reg. 165/16, s. 16.</p>	<p>Notice provided on municipal website</p>	<p>Clerks</p>	<p>Yes, ongoing</p>	<p>January 1, 2022 – December 31, 2026</p>

Integrated Accessibility Standards Regulation: Customer Service

Regulation	Action Plan	Accountability	Complete	Status Comments
<p><i>O. Reg. 80.48</i> (1) If, in order to obtain, use or benefit from a provider's goods, services or facilities, persons with disabilities usually use other particular facilities or services of the provider and if there is a temporary disruption in those other facilities or services in whole or in part, the provider shall give notice of the disruption to the public. <i>O. Reg. 165/16, s. 16.</i></p>	<p>Notice of service disruption provided at site of disruption, to Clerks department and on the municipal website as appropriate.</p>	<p>Public Works, Clerks</p>	<p>Yes, ongoing</p>	<p>January 1, 2022 – December 31, 2026</p>
<p><i>O. Reg. 80.48</i> (2) Notice of the disruption must include the reason for the disruption, its anticipated duration and a description of alternative facilities or services, if any, that are available. <i>O. Reg. 165/16, s. 16.</i></p>	<p>Notice of disruption provides reason, duration and description of alternate facilities or services.</p>	<p>Public Works, Clerks</p>	<p>Yes, ongoing</p>	<p>January 1, 2022 – December 31, 2026</p>

Integrated Accessibility Standards Regulation: Customer Service

Regulation	Action Plan	Accountability	Complete	Status Comments
<p><i>O. Reg. 80.48</i> (3) Every provider, other than a small organization, shall prepare a document setting out the steps that the provider will ensure are taken in connection with a temporary disruption and, on request, shall give a copy of the document to any person. O. Reg. 165/16, s. 16.</p> <p>(4) Every provider, other than a small organization, shall notify persons to whom it provides goods, services or facilities that the document required by subsection (3) is available on request. O. Reg. 165/16, s. 16.</p>	<p>Accessibility Policy established to address compliance needs. Policy is available upon request.</p>	<p>Clerks</p>	<p>Yes, ongoing</p>	<p>January 1, 2022 – December 31, 2026</p>

Integrated Accessibility Standards Regulation: Customer Service

Regulation	Action Plan	Accountability	Complete	Status Comments
<p><i>O. Reg. 80.48</i> (5) The notices required by subsections (2) and (4) may be given by posting the information at a conspicuous place on premises owned or operated by the provider, by posting it on the provider's website, if any, or by such other method as is reasonable in the circumstances. <i>O. Reg. 165/16, s. 16.</i></p>	<p>Notice provided on municipal website</p>	<p>Clerks</p>	<p>Yes, ongoing</p>	<p>January 1, 2022 – December 31, 2026</p>

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Integrated Accessibility Standards Regulation: Customer Service

Regulation	Action Plan	Accountability	Complete	Status Comments
<p><i>O. Reg. 80.49</i> (1) In addition to the requirements in section 7, every provider shall ensure that the following persons receive training about the provision of the provider's goods, services or facilities, as the case may be, to persons with disabilities:</p> <ol style="list-style-type: none"> 1. Every person who is an employee of, or a volunteer with, the provider. 2. Every person who participates in developing the provider's policies. 3. Every other person who provides goods, services or facilities on behalf of the provider. O. Reg. 165/16, s. 16. 	<p>Training provided through municipal Learning Management System.</p>	<p>Clerks</p>	<p>Yes, ongoing</p>	<p>January 1, 2022 – December 31, 2026</p>

Integrated Accessibility Standards Regulation: Customer Service

Regulation	Action Plan	Accountability	Complete	Status Comments
<p><i>O. Reg. 80.49</i> (2) The training must include a review of the purposes of the Act and the requirements of this Part and instruction about the following matters:</p> <ol style="list-style-type: none"> 1. How to interact and communicate with persons with various types of disability. 2. How to interact with persons with disabilities who use an assistive device or require the assistance of a guide dog or other service animal or the assistance of a support person. 3. How to use equipment or devices available on the provider's premises or otherwise provided by the provider that may help with the provision of goods, services or facilities to a person with a disability. 4. What to do if a person with a particular type of disability is having difficulty accessing the provider's goods, services or facilities. O. Reg. 165/16, s. 16. 	<p>Training addresses all legislative requirements.</p>	<p>Clerks</p>	<p>Yes, ongoing</p>	<p>January 1, 2022 – December 31, 2026</p>

Integrated Accessibility Standards Regulation: Customer Service

Regulation	Action Plan	Accountability	Complete	Status Comments
<i>O. Reg. 80.49</i> (3) Every person referred to in subsection (1) shall be trained as soon as practicable. O. Reg. 165/16, s. 16.	Training of new hires occurs at onboarding	Human Resources; Clerks	Yes, ongoing	January 1, 2022 – December 31, 2026
(4) Every provider shall also provide training on an ongoing basis in respect of any changes to the policies described in section 80.46. O. Reg. 165/16, s. 16.	Ongoing training occurs with any change to Accessibility Policy.	Human Resources; Clerks	Yes, ongoing	January 1, 2022 – December 31, 2026
(5) Every provider, other than a small organization, shall keep records of the training provided under this section, including the dates on which the training is provided and the number of individuals to whom it is provided. O. Reg. 165/16, s. 16.	Training records kept.	Human Resources; Clerks	Yes, ongoing	January 1, 2022 – December 31, 2026

Integrated Accessibility Standards Regulation: Customer Service

Regulation	Action Plan	Accountability	Complete	Status Comments
<p><i>O. Reg. 80.49</i> (6) Every provider, other than a small organization, shall, (a) prepare a document that describes its training policy, summarizes the content of the training and specifies when the training is to be provided; Every provider, other than a small organization, shall, (b) on request, give a copy of the document to any person. <i>O. Reg. 165/16, s. 16.</i></p>	<p>Accessibility Policy established to address compliance needs. Policy is available upon request. Policy posted on website.</p>	<p>Clerks</p>	<p>Yes, ongoing</p>	<p>January 1, 2022 – December 31, 2026</p>
<p>(7) Every provider, other than a small organization, shall notify persons to whom it provides goods, services or facilities that the document required by subsection (6) is available on request. <i>O. Reg. 165/16, s. 16.</i></p>				
<p>(8) The notice required by subsection (7) may be given by posting the information at a conspicuous place on premises owned or operated by the provider, by posting it on the provider's website, if any, or by such other method as is reasonable in the circumstances. <i>O. Reg. 165/16, s. 16.</i></p>				

Integrated Accessibility Standards Regulation: Customer Service

Regulation	Action Plan	Accountability	Complete	Status Comments
<p><i>O. Reg. 80.50</i> (1) Every provider shall establish a process for receiving and responding to, (a) feedback about the manner in which it provides goods, services or facilities to persons with disabilities; (1) Every provider shall establish a process for receiving and responding to, (b) feedback about whether the feedback process established for purposes of clause (a) complies with subsection (3). O. Reg. 165/16, s. 16.</p>	<p>Accessibility Policy addresses feedback mechanism and how feedback is received by Township.</p>	<p>Clerks</p>	<p>Yes, ongoing</p>	<p>January 1, 2022 – December 31, 2026</p>

Integrated Accessibility Standards Regulation: Customer Service

Regulation	Action Plan	Accountability	Complete	Status Comments
<p><i>O. Reg. 80.50</i> (2) The feedback process must specify the actions that the provider will take if a complaint is received about the manner in which it provides goods, services or facilities to persons with disabilities. <i>O. Reg. 165/16, s. 16.</i></p>	<p>Feedback mechanism specifies who complaints are received and managed.</p>	<p>Clerks</p>	<p>Yes, ongoing</p>	<p>January 1, 2022 – December 31, 2026</p>
<p>(3) Every provider shall ensure that the feedback process is accessible to persons with disabilities by providing, or arranging for the provision of, accessible formats and communication supports, on request. <i>O. Reg. 165/16, s. 16.</i></p>	<p>Feedback mechanism is accessible to people with disabilities by providing accessible formats and communication supports upon request.</p>	<p>Clerks</p>	<p>Yes, ongoing</p>	<p>January 1, 2022 – December 31, 2026</p>

Integrated Accessibility Standards Regulation: Customer Service

Regulation	Action Plan	Accountability	Complete	Status Comments
<i>O. Reg. 80.50</i> (4) Every provider shall make information about the feedback process readily available to the public. O. Reg. 165/16, s. 16.	Feedback mechanism available to public via municipal website.	Clerks	Yes, ongoing	January 1, 2022 – December 31, 2026
(5) Every provider, other than a small organization, shall prepare a document describing the feedback process and, on request, shall give a copy of the document to any person. O. Reg. 165/16, s. 16.	Accessibility Policy addresses feedback mechanism and how feedback is received by Township.	Clerks	Yes, ongoing	January 1, 2022 – December 31, 2026
(6) Every provider, other than a small organization, shall notify persons to whom it provides goods, services or facilities that the document required by subsection (5) is available on request. O. Reg. 165/16, s. 16.	Public is notified that Accessibility Policy is available upon request.	Clerks	Yes, ongoing	January 1, 2022 – December 31, 2026

Integrated Accessibility Standards Regulation: Customer Service

Regulation	Action Plan	Accountability	Complete	Status Comments
<p><i>O. Reg. 80.50</i> (7) The notice required by subsection (6) may be given by posting the information at a conspicuous place on premises owned or operated by the provider, by posting it on the provider's website, if any, or by such other method as is reasonable in the circumstances. O. Reg. 165/16, s. 16.</p>	<p>Notice of feedback mechanism provided on municipal website</p>	<p>Clerks</p>	<p>Yes, ongoing</p>	<p>January 1, 2022 – December 31, 2026</p>
<p><i>O. Reg. 80.51</i> (1) If a provider is required by this Part to give a copy of a document to a person with a disability, the provider shall, on request, provide or arrange for the provision of the document, or the information contained in the document, to the person in an accessible format or with communication support, (a) in a timely manner that takes into account the person's accessibility needs due to disability;</p>	<p>Documents provided to public are available in alternate format upon request.</p>	<p>Clerks</p>	<p>Yes, ongoing</p>	<p>January 1, 2022 – December 31, 2026</p>

Integrated Accessibility Standards Regulation: Customer Service

Regulation	Action Plan	Accountability	Complete	Status Comments
<p>(1) If a provider is required by this Part to give a copy of a document to a person with a disability, the provider shall, on request, provide or arrange for the provision of the document, or the information contained in the document, to the person in an accessible format or with communication support, (b) at a cost that is no more than the regular cost charged to other persons. O. Reg. 165/16, s. 16.</p>	<p>Alternate formats provided at no more than regular cost to public.</p>	<p>Clerks</p>	<p>Yes, ongoing</p>	<p>January 1, 2022 – December 31, 2026</p>
<p>(2) The provider shall consult with the person making the request in determining the suitability of an accessible format or communication support. O. Reg. 165/16, s. 16.</p>	<p>The Township consults with person requesting alternate format regarding suitability of the format to meet the person's needs.</p>	<p>Clerks</p>	<p>Yes, ongoing</p>	<p>January 1, 2022 – December 31, 2026</p>



Memorandum

To: Mayor Gibson & Members of Council
From: W. Kolasa, Chief Administrative Officer
Date: August 9, 2022
Re: Wainfleet Central Fire Station Borrowing By-law

With the actual commencement of construction for the new Wainfleet Central Fire Station, staff have been working with the Ontario Infrastructure and Lands Corporation (OILC) and Niagara Region to put into place necessary borrowing authority to facilitate completion of the project. In accordance with direction from both OILC and Niagara Region, borrowing approvals are now being sought to accommodate both short-term financing during the construction phase as well as a long-term debenture once the project is complete.

To that end, a by-law in conformity with the requirements of the OILC is being presented for Council's consideration and ratification this evening. The by-law seeks to obtain Council authorization to borrow an amount of up to \$7,160,900; being the total global project amount (including all project elements such as land acquisition, site preparation works, professional fees, construction, etc. but excluding Township-own contributions from reserves, development charges, etc.).

Members will recall the recent [award of the construction contract to TRP Construction Ltd.](#) on April 8, 2022, at a construction cost of \$5,950,000.

Temporary advances regarding the capital works will be processed only on an as-needed basis during the construction phase with a final long-term debenture being issued at project conclusion when actual amounts to be debentured are known with certainty. Only funds required to be borrowed will be borrowed – and only when required. Council will continue to be informed of the project status throughout the construction phase.

As the Municipal Act, 2001, requires lower tier municipal debentures to be administered through the applicable upper tier municipality, implementation of borrowing by the Township will be coordinated with OILC through Niagara Region.

TO: Mayor Gibson & Members of Council

FROM: Ben Hopkins, Chief Building Official

DATE OF MEETING: August 9, 2022

SUBJECT: Extension of Conditional Building Permits – 20403 Kwik Mix Road.

RECOMMENDATION(S):

THAT Building Staff Report BSR-003/2022 respecting the extension of Conditional Building Permits W172-2020, W173-2020, W174-2020 – 20403 Kwik Mix Road be received; and

THAT the Township of Wainfleet amend the Conditional Building Permit Agreements with David Lain, Agent for 1806193 Ontario Inc., to permit an extension of the compliance date to March 1, 2023.

EXECUTIVE SUMMARY:

In accordance with the provisions set out in the *Building Code Act*, as amended; on July 13, 2021, Council considered [Report BSR-002/2021](#) and approved the issuance of Conditional Building Permits to allow the owner to commence construction while they await the approvals from the Ministry of Transportation (MTO) and the Niagara Peninsula Conservation Authority (NPCA) in order to build within areas governed by the above- mentioned agencies.

Township staff have completed the required building inspections to date, and have received the inspection reports from the consultants that committed to general review of these projects. Despite an evolving process, Kwik Mix has been working with their consultants, albeit at a slower pace than anticipated. As such, in order to extend the expired compliance dates, Council will need to support amending the Conditional Building Permit Agreements to March 1, 2023.

Denying the extension will result in the enforcement of items 4. D & G of the Conditional Permit Agreements, which includes staff revoking the existing conditional building permits and ordering the removal of all applicable buildings and restoring the site to its original state.

BACKGROUND:

The Site plan (Appendix 'B') for the property was approved by the Planning Department in March of 2021. The approved plans relied on the removal of a culvert on Highway #3 to reduce the extent of the floodplain on the subject property. The Site Plan Agreement included conditions that required the property owner to obtain a Building and Land Use Permit from the Ministry of Transportation (MTO) and Work Permit from the Niagara Peninsula Conservation Authority (NPCA). This was also included in the original Conditional Permit Agreements (approved by Council on July 13, 2021) which required the applicant to obtain all approvals from the Agencies by August 31, 2021.

In March of 2022, Encroachment, Building and Land Use Permits were applied for with the Ministry of Transportation (MTO). As part of the permit review, MTO Administrators required the property owner to submit a Storm Water Management Plan (SWM), which was to include the decommissioning of the culvert on the neighbouring property owned by Hydro One. Kwik Mix was required to obtain clearance from Hydro One for the removal of the culvert. After several months of communication with Hydro One, with varying information from the local representative and their head office it was determined that Hydro One would not remove the culvert. Furthermore, Hydro One did not consider the property surplus which eliminated the possibility of the purchase of that property as a secondary option. This setback resulted in the need for a revision to their SWM.

Information provided by the applicant indicated that their engineering consultant that was retained to prepare this document sustained an injury that required months of hospitalization. As a result, Wood PLC has also been retained along side their engineer to provide the required information to the various agencies to satisfy the application and obtain the required approvals.

To date, a new Building and Land Use Permit has been submitted to the MTO. The MTO confirmed that Kwik mix does not need to complete an Encroachment Permit as the intent is to not remove the culvert given that Hydro One will not allow the culvert removal. The only other requirement is the outstanding Storm Water Management Plan. Kwik Mix has agreed to conduct a full study. The study will be completed by the end of July. As such, the MTO has indicated that a work permit should be in place by December.

Staff from the NPCA has confirmed that a NPCA permit application was submitted in spring of 2021. However, NPCA staff advised the applicant in May of 2021 that since a portion of the works were to occur within the Right-of-Way, signed permission from the legal landowner (the MTO) would be required prior to the NPCA issuing the permit. To date, this remains outstanding. Further, the applicant has not been forthcoming with the information related to the status of the NPCA permit when requested by Township staff.

OPTIONS/DISCUSSION:

On behalf of the landowner, the Applicant David Lain of Stolk Construction has provided Township staff with a current summary of their recent and anticipated progress of the outstanding approvals in pursuit of obtaining both the MTO and NPCA approval by December of this year (attached as Appendix 'D').

Building Department staff (CBO) requests that Council amend the Conditional Permit Agreements and extend the original compliance date of August 31st, 2021 permitting the Owner to obtain all outstanding approvals by March 1, 2023.

By proceeding with an extension of the conditional permit, the owner will continue to be required to assume all risk for commencing construction in advance of final approvals being received from the MTO and NPCA.

In the event those final approvals are not issued, and/or Council not support the extension request: 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:

N/A

OTHERS CONSULTED:

- 1) Strategic Leadership Team

ATTACHMENTS:

- Appendix "A" - Building Code Act excerpt – Conditional Permits
- Appendix "B" - Site Plan
- Appendix "C" - Conditional Permit Agreements
- Appendix "D" - Letter from David Lain, Stolk Construction (July 11, 2022)

Respectfully submitted by,

Reviewed by,

Ben Hopkins
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

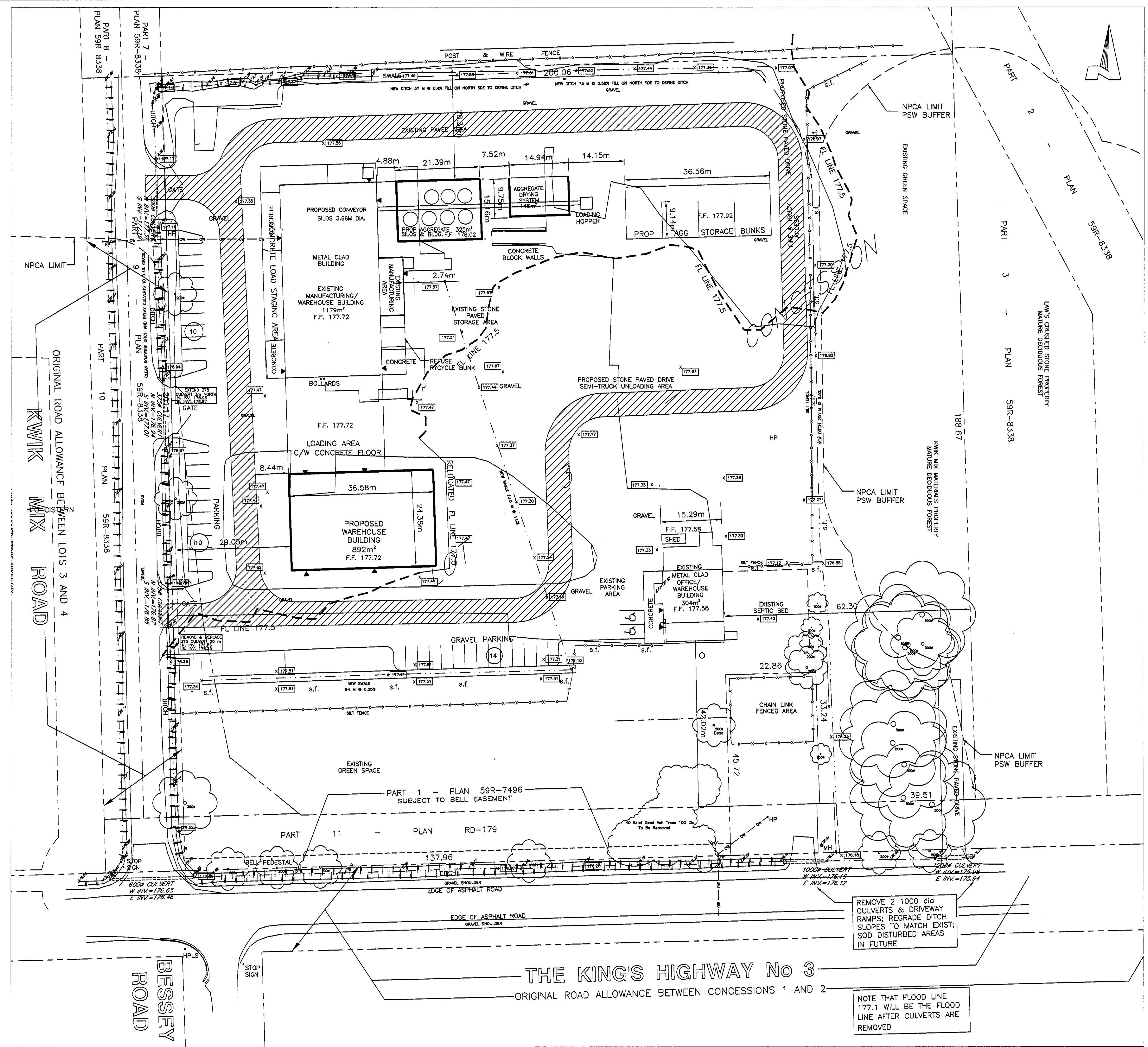
(5) Any agreement entered into under clause (3) (c) may be registered against the land to which it applies and the municipality, upper-tier municipality, board of health, planning board, conservation authority or the Province of Ontario, as the case may be, is entitled to enforce its provisions against 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 "B"

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TITLE	KWIK MIX MATERIALS SITE PLAN	
ADDRESS	20403 KWIK MIX RD. WAINFLEET ON.	
LOT	3	
CONCESSION	2	
REGISTERED PLAN NUMBER	R0736203 & R0717048; STR0623694	
PROPOSED USE	MANUFACTURE	
ASSESSMENT ROLL NUMBER	271400000125800.0000	
OFFICIAL PLAN DESIGNATION	EXTRACTIVE INDUSTRIAL & RURAL	
ZONING	M1	

SITE STATISTICS			
	REQUIRED / LIMIT	EXISTING	PROPOSED
LOT AREA	4000 sm	38501 sm	38501 sm
LOT FRONTAGE	46m	137.96m	137.96m
LOT COVERAGE (1483/38501)	(2846/38501)	30%	3.9%
GRAVEL AREA	-	13563 sm	20167 sm
GRAVEL AREA (%)	-	35.3%	52.4%
LANDSCAPED AREA	-	23455 sm	15608 sm
LANDSCAPED AREA (%)	-	60.9%	40.5%
NEW IMPERVIOUS AREA	-	-	6603 sm
GROSS FLOOR AREA	-	-	-
EXISTING OFFICE/WAREHOUSE	-	-	304 sqm
EXISTING MANUFACTURING/WAREHOUSE	-	-	1179 sqm
PROPOSED MANUFACTURING ADDITION	-	-	0 sqm
PROPOSED WAREHOUSE	-	-	892 sqm
PROPOSED SILOS BLDG	-	-	325 sqm
PROPOSED AGG DRYING SYSTEM	-	-	146 sqm
TOTAL	-	-	2846 sqm
PARKING SPACES (3m x 6m)	-	-	-
EXISTING OFFICE/WAREHOUSE	4	-	-
EXISTING MANUFACTURING/WAREHOUSE	14	-	-
PROPOSED MANUFACTURING ADDITION	0	-	-
PROPOSED WAREHOUSE	10	-	-
PROPOSED SILOS BLDG	4	-	-
PROPOSED AGG DRYING SYSTEM	2	-	-
TOTAL	34	-	34
FRONT YARD SETBACK	15m	-	42.0m
INTERIOR SIDE YARD SETBACK	7.5m	-	62.3m
EXTERIOR SIDE YARD SETBACK	10m	-	29.1m
REAR YARD SETBACK	7.5m	-	28.3m
LOADING SPACES (3.5m x 9m)	2	-	2
BUILDING HEIGHT	-	-	9.14m
LANDSCAPED AREA ADJACENT TO ROADS	3m	-	3.05m
WALKWAY WIDTH	-	-	2m

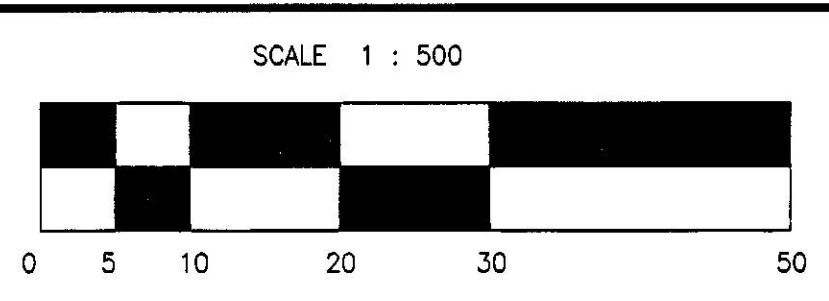
PART OF LOT 3 CONCESSION 2
TOWNSHIP OF WAINFLEET
REGION OF NIAGARA

LEGEND	
• 177.32	DENOTES EXISTING GROUND ELEVATION
HP	DENOTES HYDRO POLE
—	DENOTES OVERHEAD UTILITY LINE
X 177.42	DENOTES PROPOSED GRADE
○	DENOTES EXIST DECIDUOUS TREE
▨	DENOTES FIRE ROUTE
— s.f.	DENOTES SILT FENCE

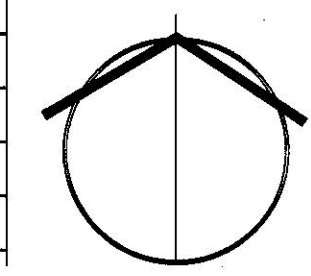
BENCHMARK
ELEVATIONS HEREON ARE GEODETIC AND WERE DERIVED FROM THE TOPNET RKT NETWORK, NAD83 CSRS, VERSION 3, EPOC 1997

CONLIN ENGINEERING LTD.

42 Munsee Street South
Cayuga, Ontario, Canada
N0A 1E0
Phone: 905-885-2863
Fax: 905-772-0208
johnconlin@bell.net



14			09	ADD DITCH EAST SIDE, REVISE STAT TABLE	FEB. 24 2017	04	OFFICE & WAREHOUSE MOVED	NOV 11 2016
13	REVISE TO SHOW PROP W/HSE & AGG DRY	OCT. 3, 2020	08	REMOVE OLD FLOODLINE & MOVE PARKING	JAN 28 2017	03	PARKING ADDED	SEP 15 2016
12	REVISE TO SHOW PHASE 1 WORK	SEPT. 20 2017	07	ADD WELL & SILT FENCE	JAN 13 2017	02	REVIEWED & REVISED	SEP 13 2016
11	ADD PROP. EASEMENT TO HYDRO LANDS	MAR 17, 2017	06	REVISE SILOS & DRYING BLDG.	DEC 13 2016	01	FOR COMMENT	SEP 2 2016
10	ADD DELETE HWY 3 CULVERTS	MAR 14, 2017	05	REVISE STAT TABLE & AGG. BUNKERS	NOV 22 2016	00	INTERNAL REVIEW	AUG 18 2016



CHAMBERS AND ASSOCIATES
SURVEYING LTD.

12 THOROLD ROAD EAST
WELLAND, Ontario, Canada
Phone: 905-735-7841
Fax: 905-735-7533

PROJECT	KWIK MIX	SCALE:	1:500
DRAWING	SITE PLAN	DATE:	OCTOBER 3, 2020
		DESIGN BY:	J. CONLIN
		DRAWN BY:	RGTS

APPENDIX "C"

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THE CORPORATION OF THE TOWNSHIP OF WAINFLEET
CONDITIONAL PERMIT AGREEMENT

THIS AGREEMENT made this 22 day of June, 2021

BETWEEN:

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

OF THE FIRST PART

and

DAVID LAIN AGENT FOR
1806193 ONTARIO INC. o/a
KWIK MIX MATERIALS LIMITED

hereinafter called "the Owner(s)"

OF THE SECOND PART

WHEREAS the Owner acknowledges ownership of the subject lands known municipally as 20403 KWIK MIX ROAD and has requested a Conditional Permit from the Township for the CONSTRUCTION OF THE "FOUNDATION AND SHELL ONLY" OF A NEW BUILDING REFERED TO AS THE LEAN TO BUILDING 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 Permit Application filed with the Township and identified as Application Number W-2020-174
3. The Township agrees to issue a Conditional Permit for the subject

construction 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 from the Ministry of Transportation(MTO) and the Niagara Peninsula Conservation Authority(NPCA) by August 31st, 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 Transportation (MTO) and/or the Niagara Peninsula Conservation Authority (NPCA), the MTO and/or the NPCA, does not issue a Work Permit;
- 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. The OWNER agrees that only the foundation and structural shell of the building may be constructed under this permit and that the building shall not be used or occupied until a permit for the completion of the building has been issued.

8. The OWNER further agrees that no additional permits will be granted for this building until the conditions of this permit have been met.

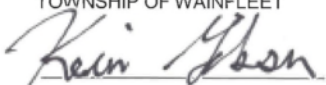
9. Security

- 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 \$3,000.00 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.

10. 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

Kevin Gibson
Mayor

I HAVE THE AUTHORITY TO BIND THE
CORPORATION


William Kolasa
CAO/Clerk

I HAVE THE AUTHORITY TO BIND THE
CORPORATION

OWNER
DAVID LAIN AGENT FOR
1806193 ONTARIO INC. o/a
KWIK MIX MATERIALS LIMITED


David Lain

I HAVE THE AUTHORITY TO BIND THE
CORPORATION

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 20405 and 20403 Kwik Mix Road, Roll No 2714 000 001 25800 0000.

CON 2 PT LOT 3, TOWNSHIP OF WAINFLEET

SCHEDULE "B" - SPECIAL CONDITIONS

The Owner hereby agrees to:

1. Apply for and obtain A WORK PERMIT from the Ministry of Transportation, by August 31st, 2021
2. Apply for and obtain A WORK PERMIT from the Niagara Peninsula Conservation Authority, by August 31st, 2021

THE CORPORATION OF THE TOWNSHIP OF WAINFLEET
CONDITIONAL PERMIT AGREEMENT

THIS AGREEMENT made this 22 day of June, 2021

BETWEEN:

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

OF THE FIRST PART

and

DAVID LAIN AGENT FOR
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OF THE SECOND PART

WHEREAS the Owner acknowledges ownership of the subject lands known municipally as 20403 KWIK MIX ROAD and has requested a Conditional Permit from the Township for the CONSTRUCTION OF THE "FOUNDATION AND SHELL ONLY" OF A NEW BUILDING REFERED TO AS THE "SILO BUILDING" 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 Permit Application filed with the Township and identified as Application Number W-2020-173
3. The Township agrees to issue a Conditional Permit for the subject

construction 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 from the Ministry of Transportation(MTO) and the Niagara Peninsula Conservation Authority(NPCA) by August 31st, 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 Transportation (MTO) and/or the Niagara Peninsula Conservation Authority (NPCA), the MTO and/or the NPCA, does not issue a Work Permit;
- 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. The OWNER agrees that only the foundation and structural shell of the building may be constructed under this permit and that the building shall not be used or occupied until a permit for the completion of the building has been issued.

8. The OWNER further agrees that no additional permits will be granted for this building until the conditions of this permit have been met.

9. 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 \$3500.00 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.

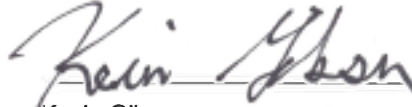
10. This Agreement may be registered against the subject lands and the Township is entitled to enforce its provisions against the Owner and, subject to the Registry Act and the Land Titles Act, any and all subsequent Owners of the subject lands. Upon compliance with this Agreement, the Township shall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



Kevin Gibson

Mayor

I HAVE THE AUTHORITY TO BIND THE
CORPORATION



William Kolasa

CAO/Clerk

I HAVE THE AUTHORITY TO BIND THE
CORPORATION

OWNER

DAVID LAIN AGENT FOR
1806193 ONTARIO INC. o/a
KWIK MIX MATERIALS LIMITED



David Lain

I HAVE THE AUTHORITY TO BIND THE
CORPORATION

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 20405 and 20403 Kwik Mix Road, Roll No 2714 000 001 25800 0000.

CON 2 PT LOT 3, TOWNSHIP OF WAINFLEET

SCHEDULE "B" - SPECIAL CONDITIONS

The Owner hereby agrees to:

1. Apply for and obtain A WORK PERMIT from the Ministry of Transportation, by August 31st, 2021
2. Apply for and obtain A WORK PERMIT from the Niagara Peninsula Conservation Authority, by August 31st, 2021

THE CORPORATION OF THE TOWNSHIP OF WAINFLEET
CONDITIONAL PERMIT AGREEMENT

THIS AGREEMENT made this 22 day of June, 2021

BETWEEN:

THE CORPORATION OF THE TOWNSHIP OF WAINFLEET

hereinafter called "the Township"

OF THE FIRST PART

and

DAVID LAIN AGENT FOR
1806193 ONTARIO INC. o/a
KWIK MIX MATERIALS LIMITED

hereinafter called "the Owner(s)"

OF THE SECOND PART

WHEREAS the Owner acknowledges ownership of the subject lands known municipally as 20403 KWIK MIX ROAD and has requested a Conditional Permit from the Township for the CONSTRUCTION OF THE "FOUNDATION AND SHELL ONLY" OF A NEW WAREHOUSE BUILDING 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 Permit Application filed with the Township and identified as Application Number W-2020-172
3. The Township agrees to issue a Conditional Permit for the subject

construction 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 from the Ministry of Transportation(MTO) and the Niagara Peninsula Conservation Authority(NPCA) by August 31st, 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 Transportation (MTO) and/or the Niagara Peninsula Conservation Authority (NPCA), the MTO and/or the NPCA, does not issue a Work Permit;
- 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. The OWNER agrees that only the foundation and structural shell of the building may be constructed under this permit and that the building shall not be used or occupied until a permit for the completion of the building has been issued.

8. The OWNER further agrees that no additional permits will be granted for this building until the conditions of this permit have been met.

9. Security

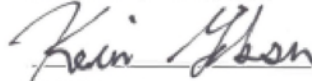
- a) As security for the cost of demolition of the subject construction as a result of non-compliance with this Agreement, the Owner shall file a Letter-of-Credit, certified cheque or cash deposit with the Township, in the amount of \$3,500.00 in a form acceptable to the Township Treasurer.
- b) If the 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.

10. 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

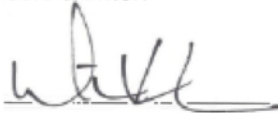
SIGNED AND DELIVERED
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David Lain

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SCHEDULE "A" - DESCRIPTION OF LAND

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CON 2 PT LOT 3, TOWNSHIP OF WAINFLEET

SCHEDULE "A" - DESCRIPTION OF LAND

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CON 2 PT LOT 3, TOWNSHIP OF WAINFLEET

APPENDIX “D”

Kwik Mix Permit

A new Building and Land Use Permit has been submitted to the MTO. We have been told that we do not need to complete an Encroachment Permit as the intent is to not remove the culvert given that Hydro One will not allow the removal because their required easement access. As the traffic study had been completed for the previous application it has been submitted again as instructed by the MTO. The only other requirement is a Storm Water Management Plan according to the MTO. We have agreed to conduct a full study. The study will be complete by the end of July and has been contracted to Wood Engineering. The MTO has indicated that a work permit should be in place by December at the latest given the familiarity to the project.

The NPCA has been difficult to create a reasonably current dialogue with them through phone or email. They have recognized that the original site plan submission has changed to now reflect the culvert remaining. As they indicated after their first approval they will honour the MTO's approval of the work permit and issue their permit.

It is important to note that all construction on this project is outside of the designated flood plain as previously defined.

We have reached out to Sam Oosterhoff, MPP Niagara West, and he has assured any assistance that we may need with the MTO and NPCA permit approvals in a timely matter.

TO: Mayor Gibson & Members of Council
FROM: Mark Jemison, Drainage Superintendent
DATE OF MEETING: August 9, 2022
SUBJECT: Request for Drain Improvement – North East Consolidated

RECOMMENDATION(S):

THAT DSR-005-2022 regarding a request for a drain improvement, North East Consolidated, be received as information;

AND THAT Council accept the Request for Drain Improvement and authorize staff to prepare and distribute the necessary notices in accordance with Section 78(1) *Drainage Act*;

AND FURTHER THAT Council appoint Spriet Associates Engineering under the *Drainage Act* to improve the North East Consolidated Drain.

ALIGNMENT WITH THE STRATEGIC PLAN:

The Township of Wainfleet has identified Economic Development and Community Stewardship as components of their Strategic Plan. This report and its recommendations align with these objectives. Maintaining and improving the extensive network of Municipal Drains in the Township of Wainfleet is vital to the sustainability of the agricultural business sector and ensures that the over 250km of drainage infrastructure in the Township continues to provide a high level of service to the landowners.

EXECUTIVE SUMMARY

Property owners have submitted a request under Section 78 of the Drainage Act to improve the North East Consolidated Drain (NEC). Constructed most recently by report in 1971, the open ditch drainage system generally serves the area north from the Feeder Canal to the former Canada National Rail line between Deeks Road South and Overholt/Hewitt Road.

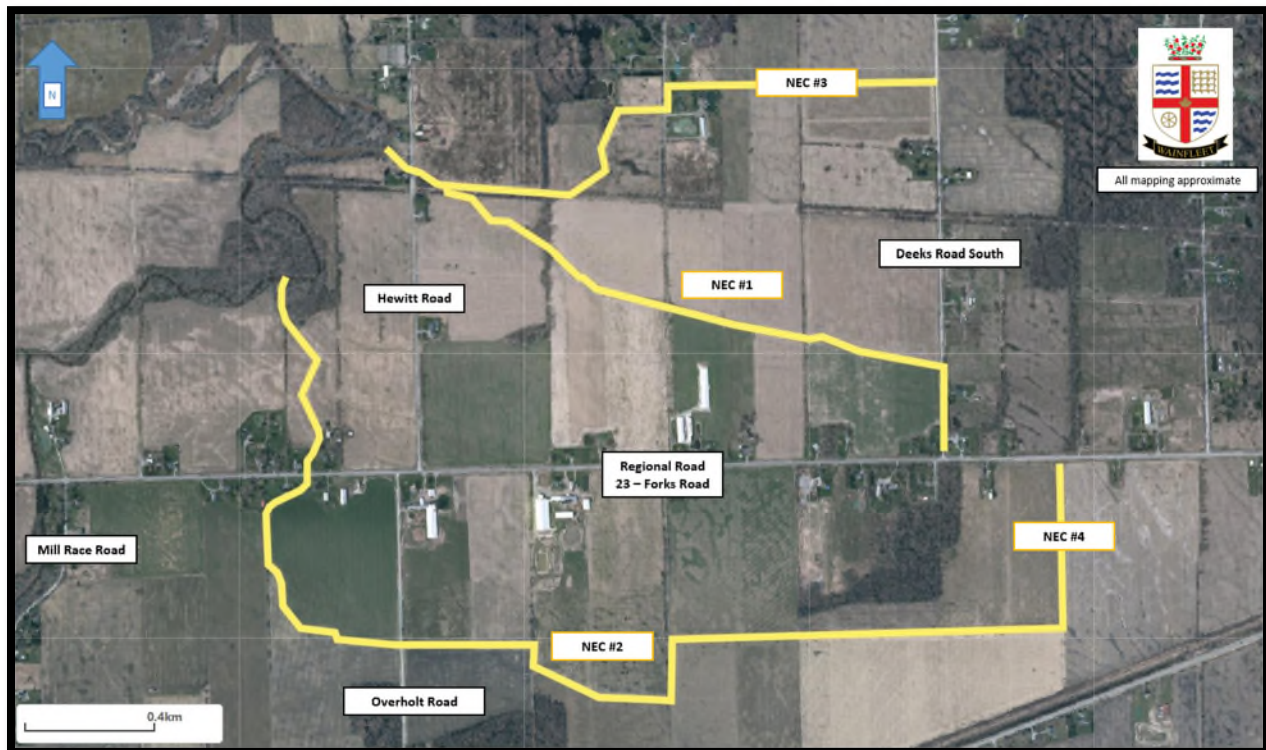
Staff recommend undertaking a Section 78 engineer’s report update to ensure the drain meets current and future drainage needs.

BACKGROUND:

In 1971 in response to property owner petitions, the NEC was constructed in accordance with the design of the Engineer’s report created by R. Blake Erwin and Associates Consulting Engineers. In 2000, Spriet Associates prepared a report under Section 4 of the Drainage Act on the reconstruction of Branch 3 of the NEC System.

As seen in Attachment 1 the recently submitted request seeks to: improve or alter the drainage works, cover all or part of the drainage works, reconstructing, reconstructing or extending bridges or culverts, update watershed adjustments and look into and possible remove Drain #4.

Maintenance on the approximately 6,700m long NEC system is required every 4-5 years, more frequently than most other drains in the Township. Serving predominately agricultural lands the drainage system also provides outlet for Regional Road 23 (Forks Road), Overholt Road, Deeks Road South and Hewitt Road, further crossing unimproved road allowances at Lots 10/9 and Lot 11/12.



OPTIONS/DISCUSSION:

- 1) Council accept the Request for Improvement and authorize staff to prepare the necessary notices in accordance with the *Drainage Act* (recommended)
- 2) Do not support the Request for Improvement (Not Recommended).

FINANCIAL CONSIDERATIONS:

If approved by Council, the Township will be required to carry the costs of the project until the report is completed and the costs are allocated to the appropriate property owners in accordance with the engineer's report prepared pursuant to the *Drainage Act*, R.S.O. 1990.

As per the *Drainage Act*, R.S.O. 1990, final actual costs to the Township will only be those assessed to the roads and lands of the Township identified in the engineer's

report for any maintenance or improvements completed on the drain as outlined in the Section 78 report. A Section 78 engineering report is 100% billable and eligible for grant from OMAFRA.

OTHERS CONSULTED:

- 1) Strategic Leadership Team

ATTACHMENTS:

1. Request for Drain Improvement
2. Section 78 Flow Chart

Respectfully submitted by,

Reviewed by:

Mark Jemison
Drainage Superintendent

Richard Nan
Manager of Operations

Approved by,

William Kolasa
Chief Administrative Officer

APPENDIX "A"



Ministry of Agriculture,
Food and Rural Affairs

Notice of Request for Drain Major Improvement *Drainage Act, R.S.O.* 1990, c. D.17, subs. 78 (1.1)

To: The Council of the Corporation of the Township of Wainfleet

Re: North East Consolidated Drain

(Name of Drain)

In accordance with section 78 (1.1) of the *Drainage Act*, take notice that I, as owner of land affected, request that the above mentioned drain be improved.

The Major Improvement Project work being requested is (check all appropriate boxes):

- Changing the course of the drainage works;
- Making a new outlet for the whole or any part of the drainage works;
- Constructing a tile drain under the bed of the whole or any part of the drainage works;
- Constructing, reconstructing or extending bridges or culverts;
- Extending the drainage works to an outlet;
- Improving or altering the drainage works if the drainage works is located on more than one property;
- Covering all or part of the drainage works;
- Consolidating two or more drainage works; and/or
- Any other activity to improve the drainage works, other than an activity prescribed by the Minister as a minor improvement.

Provide a more specific description of the proposed drain major improvement you are requesting:

Look into Drain #4 Possible Remove?
Updated Watershed adjustments

Property Owners

- Your municipal property tax bill will provide the property description and parcel roll number.
- In rural areas, the property description should be in the form of (part) lot and concession and civic address.
- In urban areas, the property description should be in the form of street address and lot and plan number, if available.

Property Description

Milstien Farm S

Ward or Geographic Township

Wainfleet

Parcel Roll Number

2714000007069

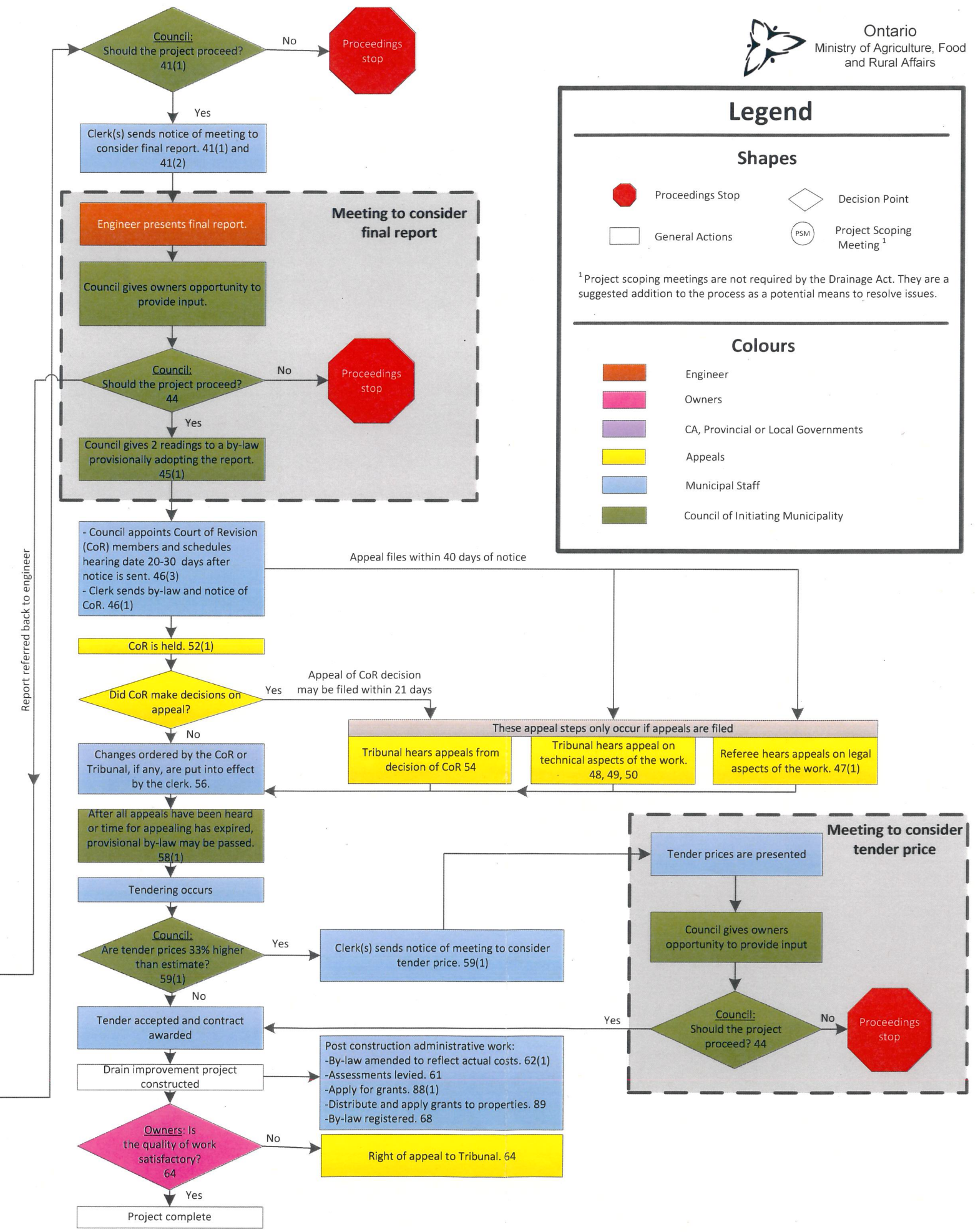
If property is owned in partnership, all partners must be listed. If property is owned by a corporation, list the corporation's name and the name and corporate position of the authorized officer. Only the owner of the property may request a drain improvement.

APPENDIX "B"

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DRAIN IMPROVEMENT PROCEDURES

SECTION 78 OF THE DRAINAGE ACT



Legend

Shapes

- Red Octagon: Proceedings Stop
- White Rectangle: General Actions
- White Diamond: Decision Point
- Circle with PSM: Project Scoping Meeting¹

Colours

- Orange: Engineer
- Pink: Owners
- Purple: CA, Provincial or Local Governments
- Yellow: Appeals
- Blue: Municipal Staff
- Green: Council of Initiating Municipality

¹ Project scoping meetings are not required by the Drainage Act. They are a suggested addition to the process as a potential means to resolve issues.

FIRE STAFF REPORT

FSR-009/2022

TO: Mayor Gibson & Members of Council
FROM: M. Alcock, Fire Chief/CEMC
DATE OF MEETING: August 9, 2022
SUBJECT: 2022 Second Quarter Fire & Emergency Services Review

RECOMMENDATION(S):

THAT Fire Staff Report FSR-009/2022 respecting 2022 Second Quarter Fire & Emergency Services Review be received for information.

EXECUTIVE SUMMARY:

This report includes a summary of Fire Department activity within the Township of Wainfleet for the second quarter of 2022 (April - June).

ADMINISTRATION

Joint Health & Safety Committee

The JHSC met on April 20, 2022. The agenda included ongoing review of department Operational Guidelines (OGs), Firefighter Incident/Injury summary, and personal protective equipment needs. Two firefighters were involved in minor incidents, one was the result overexertion at a commercial structure fire and the second was a strike injury due to partial structure collapse. Both incidents had firefighters assessed on scene by EMS, and neither incident resulted in lost time or medical treatment. The JHSC reviewed the incidents, conducted follow up interviews with the firefighters. At this time there are no recommended operational changes.

Mental Health & Wellness

The Fire Services leadership team has partnered with a local Mental Health Professional (MHP) to conduct a review of the Post Traumatic Stress Disorder (PTSD) Prevention Plan/Program. The MHP utilized a Needs & Capacity Assessment prepared by Toronto Fire Services and the Centre for Addiction & Mental Health (CAMH), which resulted in 52 recommendations, or industry best practices, for fire services in Ontario to review and guide program evolution.

This review has resulted in a new Mental Health & Wellness working group being formed. This working group includes members of the Fire Services Leadership Team, Peer Support and Critical Incident Stress Management Team, Joint Health & Safety Committee, as well as the fire services Chaplain and the Mental Health professional.

The working group has reviewed a draft Mental Health & Wellness Plan/Program (MH&WP) that was developed by the MHP. The MHWP addresses the broader mental health of first responders, while still ensuring we meet all the legislative requirements for PTSD prevention.

Focusing on resiliency and post incident processing, the MH&WP now includes quarterly screening, rapid access to resources, and pre planned pathways for care for all WFES personnel.

For 2022, the MHWP and any required assistance will be funded through the Health & Wellness budget. Staff will be provided reports, as personnel access various resources, which will assist in the next needs assessment and development of future budgetary requirements.

Peer Support/Critical Incident Stress Management (CISM)Team

On April 12, 2022 members of the Peer Support/Critical Incident Stress Management (CISM)Team attended "SafeTALK" training. Members learned how to prevent suicide by recognizing signs, engaging someone and connecting them to an intervention resource for further support in the Niagara Region.

Recruitment

The Recruit class of 2022 began their training on January 6, 2022. Below is a list of the training topics covered during the 2nd Quarter of 2022.

Key Date	Benchmark
April 8 & 9, 2022	Fire Hose Operations and Streams
April 14, 2022	Firefighter Survival
April 22 & 23, 2022	Fire Suppression Tactics & Search and Rescue
April 28, 2022	Overhaul, Conservation
May 6 & 7, 2022	Tech Rescue, Auto Ex Theory and Practical
May 12, 2022	Foam Firefighting
May 19, 2022	Maintenance and Testing Equipment
May 27 & 28,2022	Fire Suppression Tactics
June 2, 2022	Building Construction
June 10, 2022	Origin and Cause
June 11, 2022	Community Risk Reduction
June 16, 2022	Medical Refresher
June 23 & 24, 2022	Review
June 25, 2022	AS&E Testing

FIRE PREVENTION & PUBLIC EDUCATION

PUBLIC EDUCATION

WFES members have been able to attend various public events, such as:

Date	Event
April 13, 2022	Wainfleet Community Open House
May 16, 2022	William E Brown – Kindergarten Class Fire Station Tour
June 9, 2022	William E. Brown "Fun Fair"

FIRE PREVENTION, INSPECTIONS, ENFORCEMENT, INVESTIGATIONS

Date	Property Type	Reason	Result
April 5, 2022	Residential	Request	Inspection - Closed
April 12, 2022	Commercial	Licensing	Inspection – Various contraventions – In progress
May 1, 2022	Residential	Post Incident Follow up	TSSA enforcement
May 31, 2022	Residential	Request	Inspection – In progress
June 14, 2022	Residential	Licensing	Inspection –Closed
May 9, 2022	Residential	Open Air Burning Complaint	Education of homeowner
May 30, 2022	Commercial/ Residential	Open Air Burning Complaint	Open Air By-law AMPs (Ticket) issued
June 1, 2022	Residential	Open Air Burning Complaint	Education of homeowner
June 14, 2022	Residential	Open Air Burning Complaint	Education of homeowner and request of site cleanup
June 15, 2022	Multi-unit Residential	Post Incident Follow up	Recommendations provided. Inspection - Closed
June 15, 2022	Multi-unit Residential	Complaint	Recommendations provided. Inspection - Closed

OPERATIONS**Automatic/Mutual Aid**

The Automatic Aid agreement with Port Colborne went live on February 22, 2022. The Automatic Aid has been used by both departments since its activation.

On January 24, 2022, Niagara Region fully closed the bridge on Regional Road 45 at Oswego Creek to all vehicular traffic, including emergency vehicles. As of the date of this report, the closure still remains in place.

Should WFES be called to any property impacted by the closure, Dispatch will automatically notify Haldimand County, who will provide a Pumper and a Tanker from Station 6 (Canborough) and a Tanker from Station 9 (Dunnville).

Automatic/Mutual Aid Activations

Date	Aid Received or Provided	Municipality	Reason
April 18, 2022	Provided	Port Colborne	Residential Structure Fire
April 19, 2022	Received	Port Colborne & Haldimand County	Barn & Residential Structure Fire
May 13, 2022	Provided	Port Colborne	Residential Structure Fire
May 28, 2022	Provided	Port Colborne	Residential Structure Fire
June 5, 2022	Provided	Port Colborne	Commercial Structure Fire
June 5, 2022	Received	Port Colborne	Multi-Unit Residential Structure Fire
June 25, 2022	Provided	Haldimand County	Residential Structure Fire

OPERATIONS**Emergency Responses (2nd Quarter)**

Number	Date	Response Type Description	Address
22-042	3-Apr-22	Vehicle Extrication	Willford Rd, Wainfleet
22-043	5-Apr-22	Open Air Burning Complaint	Augustine Rd, Wainfleet
22-044	9-Apr-22	Medical Assist - Cardiac	Park St, Wainfleet
22-045	10-Apr-22	Low angle rescue from Hayloft	Regional Road 45, Wainfleet
22-046	15-Apr-22	Open Air Burning Complaint	Augustine Rd, Wainfleet
22-047	18-Apr-22	Automatic Aid - Residential Fire	Vimy Rd, Port Colborne
22-047A	18-Apr-22	Automatic Aid - Cancelled on Route	West St, Port Colborne
22-048	18-Apr-22	Medical Assist - VSA	Old River Rd E, Wainfleet
22-049	19-Apr-22	Fire-Residential Structure-Closed in error	Abbey Rd, Wainfleet
22-050	19-Apr-22	Fire - Residential Structure - Call reopened	Abbey Rd, Wainfleet
22-050A	20-Apr-22	Fire - Hot Spots	Abbey Rd, Wainfleet
22-050B	21-Apr-22	Fire - Hot Spots	Abbey Rd, Wainfleet
22-051	21-Apr-22	Medical Assist - Lift Assist	Regional Road 45, Wainfleet
22-052	23-Apr-22	Call cancelled on route	Bellevue Beach Rd, Wainfleet
22-053	24-Apr-22	Call cancelled on route	Flanagan Rd, Wainfleet
22-054	26-Apr-22	Medical Assist - Seizure	Highway 3, Wainfleet
22-055	28-Apr-22	Public Hazard - Natural Gas Leak	Ellsworth Rd N, Wainfleet
22-056	4-May-22	Motor Vehicle Collision	Regional Road 24, Wainfleet
22-057	7-May-22	Call cancelled on route	Regional Road 24, Wainfleet
22-058	13-May-22	Automatic Aid - Residential Fire	Cedar Bay Rd, Port Colborne
22-059	13-May-22	Medical Assist - Alcohol or drug related	Highway 3, Wainfleet
22-060	14-May-22	Call cancelled on route	Bessey Rd, Wainfleet
22-061	15-May-22	Medical Assist - Respiratory Condition	Concession 6 Rd, Wainfleet
22-062	21-May-22	Call cancelled on route	Empire Rd., Port Colborne
22-063	23-May-22	Medical Assist - Other	Highway 3, Wainfleet
22-064	23-May-22	Medical Assist - VSA	Feeder Rd W, Wainfleet
22-065	24-May-22	Medical Assist - Not Required	Morgan's Point Rd, Wainfleet
22-066	24-May-22	Pre-Fire Conditions - Heater Malfunction	Winger Rd, Wainfleet
22-067	24-May-22	Alarm System - Equipment Malfunction	Regional Road 45, Wainfleet
22-068	26-May-22	Alarm System - Accidental Activation	Highway 3, Wainfleet
22-069	28-May-22	Automatic Aid - Residential Fire	Clarence St, Port Colborne
22-070	28-May-22	Medical Assist - Other	Burnaby Rd, Wainfleet
22-071	29-May-22	Fire - Barn	Sideroad 42, Wainfleet
22-072	30-May-22	Medical Assist - Other	Concession 6 Rd, Wainfleet
22-073	30-May-22	Open Air Burning Complaint	Highway 3, Wainfleet
22-074	31-May-22	Motor Vehicle Collision	Lakeshore Rd, Wainfleet
22-075	2-Jun-22	Medical Assist - VSA	Forks Rd, Wainfleet
22-075A	5-Jun-22	Automatic Aid - Not Required	King St, Port Colborne
22-076	5-Jun-22	Automatic Aid - Not Required	Lakeshore Rd, Port Colborne
22-077	5-Jun-22	Fire - Residential Structure	Highway 3, Wainfleet
22-078	6-Jun-22	Automatic Aid - Cancelled on Route	West Side St, Port Colborne
22-079	8-Jun-22	Medical Assist - Respiratory Condition	Morgan's Point Rd, Wainfleet
22-080	10-Jun-22	Motor Vehicle Collision /Water Rescue	Canborough Rd, Wainfleet
22-081	10-Jun-22	Activated Alarm - Equipment Malfunction	Green Rd N, Wainfleet
22-082	12-Jun-22	Motor Vehicle Collision	Bell Rd, Wainfleet
22-083	18-Jun-22	Water Rescue	Harbourview Rd, Wainfleet

Operations – Emergency Responses cont'd

Number	Date	Response Type Description	Address
22-084	18-Jun-22	Open Air Burning Complaint	Lakeshore Rd, Wainfleet
22-085	18-Jun-22	Medical Assist - VSA	Regional Road 27, Wainfleet
22-086	20-Jun-22	Motor Vehicle Collision	Regional Road 27, Wainfleet
22-087	23-Jun-22	Motor Vehicle Collision	Forks Rd, Wainfleet
22-088	23-Jun-22	Fire – Lawn tractor	Green Rd N, Wainfleet
22-089	25-Jun-22	Mutual Aid - Residential Structure Fire	Booker Rd, Haldimand
22-090	25-Jun-22	Medical Assist - VSA	Camelot Dr, Wainfleet
22-091	26-Jun-22	Activated Alarm - Equipment Malfunction	Churchill Ave, Wainfleet
22-092	27-Jun-22	Motor Vehicle Collision	Highway 3, Wainfleet
22-093	29-Jun-22	Medical Assist - Respiratory Condition	Abbey Rd, Wainfleet
22-094	30-Jun-22	Medical Assist - VSA	O'Reillys Rd S, Wainfleet

April 6, 2022 – WFES supervised and assisted with a controlled burn being conducted by Niagara Beeway, as a chemical free and natural lands restoration method, that will prepare the land for the seeding of a wild prairie grass meadow. The intent is that the restored lands that will serve as a natural and sustainable habitat for various birds, bees and pollinators.

May 24, 2022 – Representatives from FireRein Inc. provided WFES personnel with a demonstration and training on their “Eco-Gel” firefighting water additive. WFES has moved away from chemical based Class A&B firefighting foams that contain fluorine and perfluoroalkyl substances (PFAS) that have been linked to cancer and ground water contamination.

Eco-Gel is the only firefighting water additive certified by UL and the US Department of Agriculture (USDA) to be 100% bio-based, and does not have the environmental impacts of standard firefighting foams, while producing a firefighting Hydrogel that:

- Knocks down Class A and B fires.
- Clings to vertical and horizontal surfaces.
- Creates a safe egress path.
- Can form a fire break for bush and grass fires.
- Prevents re-ignition.

APPARATUS & EQUIPMENT**Apparatus**

As approved in the 2022 Capital Budget and following the results of the tender process, a 2023 GMC Sierra HD pickup truck has been ordered. Estimated delivery is Q4, 2022.

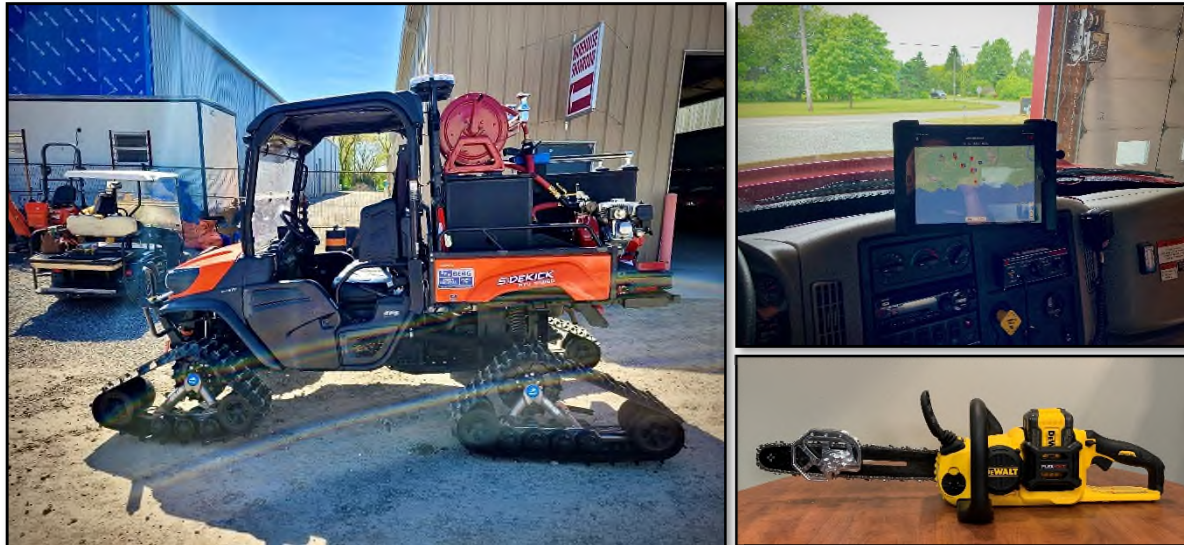
Engine 2 (1999 International), continues to require regular repairs. During the annual safety inspection, it was noted that the air-lines and fittings that operate the braking system be completely replaced. This work was scheduled to be completed in early Q3.

Tanker 3 (2018 International) continues to have exhaust system issues. Staff are working with both the service shop and the manufacturer to have this addressed through warranty. A temporary solution has been implemented until parts can be sourced for a permanent repair.

All other apparatus continues to be cycled through for their annual safety inspections and various maintenance items.

Equipment

Capital equipment purchases for 2023 have begun to be delivered, such as the track kit for the UTV, cordless chainsaw/vents saws for Engines 3 & 4 and Mobile Data Terminals (MDTs) for Tankers 3 & 4. Installation and training has been completed as these items are placed in service.



FACILITIES

Existing Stations

Council approved the Capital budget in March of 2022, which included a continuance of repairs and investments into Stations 3 (Burnaby) and 4 (Schwoob). These projects include:

Station #	Description	Status
Station 2	Storage Cabinets	Complete
Station 3	Repair of Concrete Sidewalk	Requests for quotes issued
Station 4	PPE Storage	Project moved to 2023
Station 4	Paint	Quotes received
Station 4	Floor repairs & Coating	Quotes received
Station 4	Foundation Repair	Scope of work & RFQ being prepared

Central Fire Station Project

Work continues on the Central Fire Station project. Below is a list of key dates that have occurred.

Date	Benchmark
April 8, 2022	Award of Tender to TRP Construction
April 25, 2022	Construction contract finalization & preconstruction meeting
May 3, 2022	Ground Breaking Ceremony
May 5, 2022	Demolition Permit issued
May 16, 2022	MTO Permit issued
May 26, 2022	Building Permit issued
June 3, 2022	Demolition of House & Barn completed
June 28, 2022	Site stripping completed
June 30, 2022	New site entrance constructed

PROFESSIONAL DEVELOPMENT, TRAINING & CERTIFICATION

April 19, 2020 - Two members attended a Seminar on Fire Safety Plans (FSP) needs, contents and reviews. As required by the Fire Prevention and Protection Act (FPPA), Chief Fire Officials are required to review and approve FSPs for buildings that require them under the Ontario Building Code and the Ontario Fire Code.

June 25, 2022 – WFES hosted NFPA certification testing. Three firefighters completed NFPA 1001 Firefighter levels 1 & 2, two firefighters completed NFPA 1072 Hazardous Materials Awareness, and one firefighter completed NFPA 1072 Hazardous Materials Operations. Additionally, two firefighters from West Lincoln attended for NFPA testing.

Regular/Weekly Training

Personnel continue to conduct weekly training utilizing various facilities, and props available to the department. Suitable training facilities continue to be a need, and personnel continue to find creative solutions until a centralized facility can be provided.

Below is a list of topics covered during Q2 of 2022.

Lead Topic	Sub-Topics and Description
Wildland Firefighting	Theory – Personal Protective Equipment, Fire Weather & Natural features that affect fire behaviour, Crew Configurations, Hose lays and Fire attack,
Automatic Aid	Practical – Fire attack and hose advancement with PCFD crews
Fire Ground Operations	Practical – Deploy a fire attack handline, force entry through a locked door, advance a charged hose-line into a structure, apply an effective hose streams for fire suppression.
Fire Ground Operations	Practical - Conduct a size up and pre-plan various structures within the station's response area.
Fire Ground Operations	Perform safe operations of hoisting various equipment utilizing different ropes & Knots
Firefighter Survival & Rescue	Practical – SCBA air emergencies, reduced profile evacuation techniques, wire disentanglement, self rescue
Medical	Theory & Practical - First Aid & Basic Life Support (CPR & AED)
Apparatus Operations	Practical – Apparatus inspections, pumping from a pressurized and a static water source, fire hose and fire streams.
Fire Suppression Agents	Demonstration and orientation training with FireRein Eco Gel firefighting agent.

PRIORITIES

The priorities for the Third quarter of 2022 include:

- Launch of 2023 Recruitment drive
- Investigate Alternate Training Facilities and Options
- Continue work on Central Fire Station
- Continue work on 2022 Capital projects
- Continue work on Community Risk Assessment and Gap Analysis

OPTIONS/DISCUSSION:

None.

FINANCIAL CONSIDERATIONS:

None.

OTHERS CONSULTED:

- 1) Fire Services Leadership Team
- 2) Deputy Fire Chief – Shawn Schutten
- 3) Strategic Leadership Team

ATTACHMENTS:

- 1) Appendix “A” - Year to Date Incident Statistics

Respectfully submitted by,

Approved by,

Morgan Alcock
Fire Chief/CEMC

William Kolasa
Chief Administrative Officer

APPENDIX "A" TO FSR-009/2022

WAINFLEET FIRE & EMERGENCY SERVICES 2022 MONTHLY DISPATCHES BY DETERMINANT

Determinant Group	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL	2021	% Change
STRUCTURE FIRE	1	2	3	1	1	1							9	5	80.0%
PRELIMINARY ALARM	0	1	0	0	0	0							1	0	100.0%
REMOTE ALARM	2	2	1	0	2	1							8	3	166.7%
VEHICLE FIRE	1	0	0	0	0	1							2	6	-66.7%
GRASS/TREE/BRUSH	0	0	0	1	0	0							1	8	-87.5%
BURNING COMPLAINT	0	0	1	1	1	0							3	9	-66.7%
OTHER FIRE	0	1	0	0	0	1							2	6	-66.7%
MVC	3	3	2	1	3	5							17	16	6.3%
GENERAL/TECH RESCUE	0	0	0	0	0	0							0	0	0.0%
MEDICAL	6	5	4	7	8	6							36	12	200.0%
CARBON MONOXIDE	0	0	0	0	0	0							0	5	-100.0%
HAZMAT	0	0	0	0	0	0							0	0	0.0%
EMERGENCY ASSIST	1	0	1	1	1	1							5	3	66.7%
NON EMERG/ASSIST	0	0	0	0	0	0							0	1	-100.0%
ICE/WATER RESCUE	0	0	0	0	0	2							2	1	100.0%
UNKNOWN 911	0	0	0	0	0	0							0	0	0.0%
Total Responses Within Municipality	14	14	12	12	16	18	0	0	0	0	0	0	86	75	14.7%
Total Responses Out of Jurisdiction (Other)	0	0	1	0	0	1							2	1	
To Port Colborne	0	0	0	2	3	2							7	0	
2022 TOTAL	14	14	13	14	19	21	0	0	0	0	0	0	95		
2021 TOTAL	13	12	11	6	22	12	0	0	0	0	0	0	76		

PUBLIC WORKS STAFF REPORT

PWSR-014/2022

TO: Mayor Gibson & Members of Council
FROM: Richard Nan, Manager of Operations
DATE OF MEETING: August 9, 2022
SUBJECT: Award of Tender for Asphalt Patching Tender

RECOMMENDATION(S):

THAT Public Works Staff Report PWSR-014/2022 respecting Award of Tender for Asphalt Patching be received; and

THAT Council direct the Manager of Operations to engage the services of R. Griffin Construction to complete the Asphalt Patching Tender.

EXECUTIVE SUMMARY:

As council is aware, The Township of Wainfleet has experienced road damage as a result of large vehicles on Township Roads throughout the Township. Some damages occurred as a result of detours from emergency closures, and some areas due to traffic utilizing various traffic apps to avoid the larger detour routes such as the MTO Hwy 58 bridge project. Additional quantities are included to restore various road crossing culverts that have been replaced as well as driveway culvert replacements.

Staff have prepared a tender for the patching in accordance with the township procurement policy and the results are included in the below chart.

BACKGROUND:

Staff incorporated \$65,000 in the 2022 budget to repairs various patches throughout the township as well as restoration required for road culverts and driveway culverts. Staff have found extensive damage this year on various locations due to heavy volume of larger vehicles as well as volume of traffic due to road closures. Staff have prepared a tender to repair the roads in order to meet the minimum maintenance standards accepted by council.

The tender bids listed below were received:

Company	Tender Price
Circle P Paving	\$299,798.00
R. Griffin Construction	\$245,120.62
Rankin Construction	\$334,265.00
Walker Construction	\$308,582.00

OPTIONS/DISCUSSION:

- 1) Council direct the Manager of Operations to engage the services of R. Griffin Construction to complete the Asphalt Patching Tender (Recommended).
- 2) Award the tender to an alternate bidder.
- 3) Reduce the scope of work and re-tender to meet budgetary restraints (Staff would note that this option would result in sections of Township roadways being left in a condition that fails to meet minimum maintenance standards).

FINANCIAL CONSIDERATIONS:

As presented to Council during our recent 2022 capital budget deliberations, the project will be funded from the \$65,000 allocated in the current budget, potential savings from other capital works and the remainder from reserves.

OTHERS CONSULTED:

- 1) Manager of Corporate Services/Treasurer
- 2) Strategic Leadership Team

ATTACHMENTS:

- 1) None.

Respectfully submitted by,

Approved by,

Richard Nan
Manager of Operations

William J. Kolasa
Chief Administrative Officer

TO: Mayor Gibson & Members of Council
FROM: Richard Nan, Manager of Operations
DATE OF MEETING: August 9, 2022
SUBJECT: Award of Tender for Sports Complex Drainage Tender

RECOMMENDATION(S):

THAT Public Works Staff Report PWSR-015/2022 respecting Award of Tender for Sports Complex Drainage be received; and

THAT Council direct the Manager of Operations to engage the services of Anthony's Excavating Central Inc. to complete the Sports Complex Drainage Improvements.

EXECUTIVE SUMMARY:

As council is aware, The Township of Wainfleet became the recipients of a substantial grant for the Township of Wainfleet Community Complex Renovation. The project grant submission included installation of field drainage tile on approx. 16 acres of sports fields, improvements to lane way and parking lot drainage, installation of a walking trail, a new pavilion, and renovation of the tennis courts, washrooms and fencing and facility Lighting upgrade.

Council awarded the engineering for the design and contract administration of the project to Spriet Associates in PWSR 021/2021.

Staff and Spriet Associates prepared a tender for the drainage improvements for the soccer fields, and laneway in accordance with township procurement policy. Upon the tender closing on August 3/2022 the township received 2 bids. The results of the bids are below.

BACKGROUND:

The Township Recreation Master plan recommended various upgrades to our facilities including the Arena and the sports complex. The Arena received significant improvements in the past 5 years and staff were prioritizing various improvements to our recreation complex to be implemented over a period of time as capital funds became available and approved during budget deliberations. Staff met with user groups of our facilities to gage the needs of the groups and community to try and coordinate various upgrades.

In 2019, staff prepared a submission for a grant to include included installation of field drainage tile on approx. 16 acres of sports fields, improvements to lane way and parking lot drainage, installation of a walking trail, a new pavilion, and renovation of the tennis courts, washrooms and fencing and facility Lighting upgrade. In late 2021 the Township was notified that they would be the recipients of a 1.5 million grant submission and staff began the process of implementing the various upgrades over a 4 year period.

The first step in the project includes the upgrade of the drainage to the soccer fields and laneway between the soccer fields and ball diamonds. Staff prepared an RFP for engineering and contract administration to begin the project and Spriet Associates were engaged to begin the engineering work. Staff and the engineers prepared a tender for the drainage improvement portion and the results of the tender are below.

The tender bids listed below were received and include HST:

Company	Tender Price
Anthony's Excavating Central Inc	\$702,513.09
Circle P Paving	\$773,055.60

OPTIONS/DISCUSSION:

- 1) Council direct the Manager of Operations to engage the services of Anthony's Excavating Central Inc. to complete the Sports Complex Drainage Improvements. (Recommended).
- 2) Council may choose to direct staff to negotiate with the lowest bidder to potentially find savings in a scope of work change or a slight alteration to design components.
- 3) Award the tender to an alternate bidder.

FINANCIAL CONSIDERATIONS:

Staff estimated costing of this portion of the contract to be \$580,000 utilizing rates available for Contract service and material supply based on 2019 rates available at the time. As council is aware prices have sky rocketed for materials, fuel and contract services. Staff have included \$50,000 in this project for a contingency that will only be used on township approval for any unforeseen issues that may arise. The Grant submission also included a contingency that will be utilized for a portion of this project. Additionally savings will be realized from the tax rebate. As presented to Council during our recent 2022 capital budget deliberations, the project will be funded from the grant received and the Township portion from Township reserves.

OTHERS CONSULTED:

- 1) Manager of Corporate Services/Treasurer
- 2) Strategic Leadership Team

ATTACHMENTS:

- 1) None.

Respectfully submitted by,

Approved by,

Richard Nan
Manager of Operations

William J. Kolasa
Chief Administrative Officer



ADR
C H A M B E R S

Integrity Commissioner Office
for the Township of Wainfleet

Received July 19, 2022
C-2022-152

EDWARD T. MCDERMOTT
Integrity Commissioner
for Township of Wainfleet
integrity@adr.ca

July 18, 2022

SENT BY EMAIL TO:

Meredith Ciuffetelli
Township Clerk
Corporation of the Township of Wainfleet
Municipal Office
31940 Highway 3
Wainfleet, Ontario L0S 1V0
mciufetelli@wainfleet.ca

**Re: Township of Wainfleet Integrity Commissioner
Annual Report- IC- 18287-0622- April 17, 2021- April 16, 2022**

Dear Ms. Ciuffetelli:

Thank you for the opportunity to act as Integrity Commissioner (or "IC") for the Township of Wainfleet over the past year. In accordance with the terms of the Agreement between the Township and ADR Chambers and pursuant to s. 223.6 (1) of the *Municipal Act, 2001*, ("MA") we are providing our Annual Report for the fourth operating period of the Agreement covering the period April 17, 2021 – April 16, 2022.

As you know, the IC's role is to help Members of Council ("Members") ensure that they are performing their functions in accordance with the Township's Code of Conduct ("the Code"). The Integrity Commissioner is available to educate and provide advice to Members on matters governing their ethical behavior and compliance with the Code

and the Municipal Conflict of Interest Act ("MCIA") in accordance with the provisions of the MA; MCIA and the Code. The Integrity Commissioner is also responsible for receiving, assessing, and investigating appropriate complaints made by Council, Members, and members of the public respecting alleged breaches of the Code (and now the Municipal Conflict of Interest Act ("MCIA")) by Members.

Activities of Integrity Commissioner during Year under Review

Once again the Township is to be congratulated on its continuing record for three consecutive years of having no Complaints of contraventions of the Code or MCIA filed with my office. Your continuing efforts to comply with these legislated requirements has helped to contribute towards healthy and progressive relationships between Councillors and with members of the public who you have the responsibility to serve. It also helps to conserve the resources of the Township for other issues of concern to the residents of Wainfleet.

I wish to advise that during the period under review, I did respond to a Request for Advice made by a Councillor which was completed in a quick and cost-effective manner.

Cost

The cost to the municipality for my services during the year under review was accordingly limited to the sum of \$787.50 plus HST (including the preparation of an Annual Report and Responding to a Request for Advice).

You will recall that in my first year of service to the Township I had to deal with a significant Complaint against a Councillor which was upheld. This involved a cost of \$11,330.00. We subsequently held a full educational seminar with Council on May 8, 2019 with all Councillors and senior staff participating. The results of that effort appear to have borne fruit but no-one can predict when another significant matter (and expenditure) may arise. I would therefore caution Council that it would be prudent to budget a reasonable amount for this portfolio on an annual basis to deal with these unknown but ever present potential costs.

Issues to be considered going forward

As a result of our experience during the past four years, it is respectfully suggested that Council consider the following issues on a going forward basis:

- The provisions of Bill 68 came into force on March 1, 2019 and contain some significant amendments to the *Municipal Act, 2001* and the *Municipal Conflict of Interest Act* which affect the role and powers of the Integrity Commissioner and the obligation of Members under the Township's Code. I have already conducted a comprehensive education seminar on the Code in 2019 for all Members of Council and senior staff, but would once again suggest that an *in camera* education seminar with the IC might be scheduled in the future in order to (once again) familiarize all Councillors with the effect of these new amendments as well as emphasizing our experience with evolving issues such as the importance of not disclosing confidential information in accordance with the requirements of the Code. In my view, you should look at doing this when the next elected Council is in place - December, 2022 or early 2023.
- It also might also be of some value if Councillors could have at least some personal interaction with the Integrity Commissioner (in the form of an education seminar) so that Requests for Advice and subsequent complaints are not dealt with in a vacuum.
- The content of the Township's Code of Conduct is also a living document which should be periodically reviewed to ensure it meets the needs and requirements of the law, the Township, its Councillors and its citizens. There are a number of provisions which should, in my view, be reconsidered (e.g. delegating the power to impose penalties to the IC).

It has also recently come to light that a significant number of municipalities have not properly dealt with the requirements of the Municipal Act to have a Code of Conduct and Integrity Commissioner in place for Members of "Local Boards" of the municipality.

These and other issues should be addressed at the first reasonable opportunity. I would be pleased to assist in such a review if Council so requests.

- On March 5, 2021, The Ontario Government launched a Consultation process to "Strengthen Municipal Codes of Conduct" with the objective of eliminating "workplace harassment or discrimination of any kind". The Consultation process was led by Ms. Jill Dunlop the Associate Minister of Children's and Women's Issues.

It is likely that the results of this consultation process will lead to further statutory obligations being placed on municipalities and their Councils and that the duties and powers of an Integrity Commissioner will be expanded to deal with matters arising out of these new measures.

Council should be aware of this impending development and make appropriate plans to deal with any new obligations once they are announced as it is anticipated these measures will affect the scope of the Code; the role of the IC; and inevitably, the cost of administering this program.

Summary

It has been a pleasure to assist the Township and its Members of Council (for now four years) in contending with the issues which have arisen in connection with the administration of its Code of Conduct and the MCIA.

Yours truly,

A handwritten signature in blue ink, appearing to read 'E. McDermott', written in a cursive style.

Edward T. McDermott
Integrity Commissioner for the Township of Wainfleet

Monthly Summary Report No. 02 – Wainfleet Central Fire Station

Project:	Wainfleet Fire Station – 42143 Highway #3, Wainfleet ON, L0S 1V0		
Owner:	Township of Wainfleet		
Contract:	General Construction (GC) – Stipulated Price Contract (CCDC2) with Amendments		
Contractor:	TRP Construction General Contractors – 3050 Harvester Rd unit 107, Burlington, ON L7N 3J1		
Reporting Period:	June 1 st , 2022, to June 30 th , 2022		
Report Date:	July 12, 2022	UEM Project #21-800	
Circulation:	Township of Wainfleet Morgan Alcock Shawn Shutten	Mallory Luey William Kolasa	Revision: Final

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1.0 PROJECT BUDGET

The project budget (excluding HST) for the Wainfleet Central Fire Station includes:

Construction (TRP Contract)	\$5,950,000
Contract Allowances	\$325,000
Contract Award	\$6,275,000
Construction Contingency	\$315,000
Pre-Construction Township Activities	\$8,100
Owners Allowances	\$686,100
Advisory Services	\$686,100
Project Budget	\$7,658,900

2.0 PROJECT SCHEDULE

The CCDC-2 contract, including amendments to the CDC-2 between the Township of Wainfleet and TRP Construction General Contractors Construction (the Contractor), included that specific works were to be completed on a “date certain basis”. In executing the contract.

2.1. MONTHLY SCHEDULE

The contract requires that an updated schedule be submitted by the contractor monthly.

TRP Construction provided a baseline project schedule on May 18th, 2022. And provided an updated schedule on June 28th, 2022, which provided the following updates:

- Revised Earthworks tasks due to an operator’s union strike and delays delivering equipment to site
- Revised all subsequent tasks to reflect the delayed earthworks by two to three weeks.

The anticipated substantial completion date has been revised to May 25th, 2023

2.2. SUBSTANTIAL COMPLETION AND OCCUPANCY

Substantial Completion as defined by the Ontario Architects Association, Ontario General Contractors Association, and the Construction Lien Act (as amended April 19th, 2021) state a project is substantially complete if: (1) the building must be completed for its intended use, and (2) it meets the financial requirements of the Act (uncompleted and deficient work shall be less than 3% for the contract’s first \$1,000,000, 2% for the second \$1,000,000, and 1% of the remainder).

Based on the approved contract cost of \$6.3M, the amount remaining to achieve Substantial Completion would need to be less than \$93,000 (\$30,000, \$20,000, \$43,000).

Occupancy is a separate decision/process from the substantial completions process. Occupancy is granted by the host municipality (Wainfleet) and could involve full or partial occupancy before or after substantial completion is certified.

The owner must have insurances in place for both partial and full occupancy or when substantial completion is certified.

2.3. TOWNSHIP RESPONSIBILITIES

The TRP construction contract includes the building, all infrastructure, and finishes; however, excludes several operational items/tasks that the Township is responsible for completing or procuring such as:

- Office and Administration Furniture
- Office Equipment
- Communication Radios & Public Address Systems
- Maintenance Tools & Equipment
- SCBA Compressor & Fill Station
- PPE Extractor
- IT Servers, Racking, Active Network Equipment & Setup
- Security Cameras
- Appliances

The Township must prepare a Fire & Life Safety Plan for the new Central Fire Station to satisfy the conditions of the occupancy permit

To assist the Township in its preparations for occupation and building operations, UEM will prepare two schedules:

- Owner Responsibilities for Building Operations, and
- Occupancy Schedule.

2.4. MONITORING CONSTRUCTION PROGRESS

UEM works closely with the contractor administrator to monitor the construction progress against the project schedule on an ongoing basis, reviewing milestones, deliveries, commencing work, completed work, outstanding issues, and project risks.

2.5. SUMMARY OF KEY DATES

CONSTRUCTION ACTIVITY	ESTIMATED DATE COMPLETE
Construction Tender Issued	February 10 th , 2022
Construction Tender Public Opening	March 22 nd , 2022
Contractor Mobilization	May 3 rd , 2022
Demolition of Barn and House	June 3 rd , 2022
Strip & Grade Building Pad	July 7 th , 2022
Footings & Foundation Walls	July 18 th , 2022
Parking Lot Prep & Granular	August 12 th , 2022
Permanent Power	August 30 th , 2022
In-Floor Heating Rough-in	September 14 th , 2022
Masonry Block	October 20 th , 2022
Roof Trusses	October 10 th , 2022
Aluminum Windows	October 25 th , 2022
Overhead Doors	October 27 th , 2022
Mechanical Rough ins	December 12 th , 2022
Electrical Rough ins	December 15 th , 2022
Drywall	March 2 nd , 2023
Concrete Floor Polishing	March 27 th , 2023
Electrical Devices & Fixtures	April 6 th , 2022
Plumbing Fixtures	April 25 th , 2022
Fire Alarm Verification	May 18 th , 2023
Occupancy	May 19 th , 2023
Substantial Completion	May 25 th , 2023

On June 22nd, 2022, the contractor advised zero (0) working days lost due to inclement weather and difficult working conditions in the inclement weather since the beginning of the project. The Project Manager reviews lost weather days with the contractor weekly and reports to the Township every other week. The number of lost weather days recorded from windy, wet, and hot weather is confirmed and the potential effect is considered in the contractor's updated schedule. To date there has been no material impact on the project schedule.

Construction Site meetings are held every other Wednesday starting May 25th, 2022.

3.0 FRONT END DOCUMENTATION AND RESPONSIBILITIES

New and renovated construction projects can require several pre-approvals and documentation prior to and during construction. Following is a brief checklist of the more common project front end responsibilities required as part of the contract at the provincial and regional/municipal levels.

3.1. BUILDING PERMIT & SITE PLAN APPROVAL

Township of Wainfleet Plan Agreement

- **Completed**

Township of Wainfleet Building Permit

- **Completed** (May 26th, 2022)

MTO Permit

- **Completed** (May 16th, 2022)

3.2. GENERAL REQUIREMENTS

The contractor is required to prepare a project specific “health and safety” plan for review by the Township and posted at the project site. The contractor is to provide safety training to trades and representatives that intend to access the project site.

- ✓ **Completed**

The contractor will engage the municipal building inspector and Fire Department at the beginning of the project to review building exits, fire access and other code matters.

- ✓ **Completed**

The contractor will provide prior to construction, a Gantt chart in sufficient detail to track (and update) progress and a cash flow forecast.

- ✓ **Completed** – Ongoing Updates

The Township is responsible to prepare the Facilities’ Fire & Life Safety plan prior to occupancy.

- **Outstanding**

3.3. ENVIRONMENTAL REQUIREMENTS & APPROVALS

Ontario Regulation 102/94 – “Waste Audits and Waste Reduction Work Plans” mandates that a project consisting of the construction of one or more buildings with a total floor area of at least 2,000 square meters requires the contractor to:

- Conduct a pre-construction waste audit
- Prepare a written waste reduction plan based on the waste audit to reduce, reuse and recycle waste to be generated at the construction project
- Implement the waste reduction plan
 - **Not Required** – Project less than 2,000 square meters

Renovation or demolition of buildings constructed prior to approximately 1979 require a project specific designated substance survey prior to construction. If hazardous or designated substances are identified, then remediation must be undertaken prior to the construction/renovation.

- ✓ **Completed** – Designated Substance & Hazardous Material Evaluation report issued by Ontario Environmental & Safety Network Ltd. On March 5th, 2020. Asbestos contain materials were found and abated in the structures to be demolished.

3.4. SERVICES FROM OTHER AGENCIES

Electrical Connections – Hydro One

- **In Process** – Application forms for temporary service submitted to Hydro One on June 6th, 2022

TSSA Certification – The contractor, subcontractor(s) and manufacture(s) are contractually obligated to complete required certification forms. Owner signature required for submission to TSSA.

- **Incomplete** - Schedule TBD

Supply natural gas to the Wainfleet Fire Station – Enbridge Gas

- **Incomplete** - Schedule TBD

Internet Services Provider

- **Incomplete** - Schedule TBD

4.0 MAJOR ACTIVITIES COMPLETED/ONGOING

April 1st to May 31st, 2022

- Contractor mobilized (May 2nd, 2022)
- Permits issued
- Demolition of existing structures commenced

June 1st to June 30th, 2022

- Strip and stockpile topsoil
- Removal of trees, stumps, fencing
- Excavation for footings
- Commence forming of footings

5.0 FORECASTED CASH FLOW

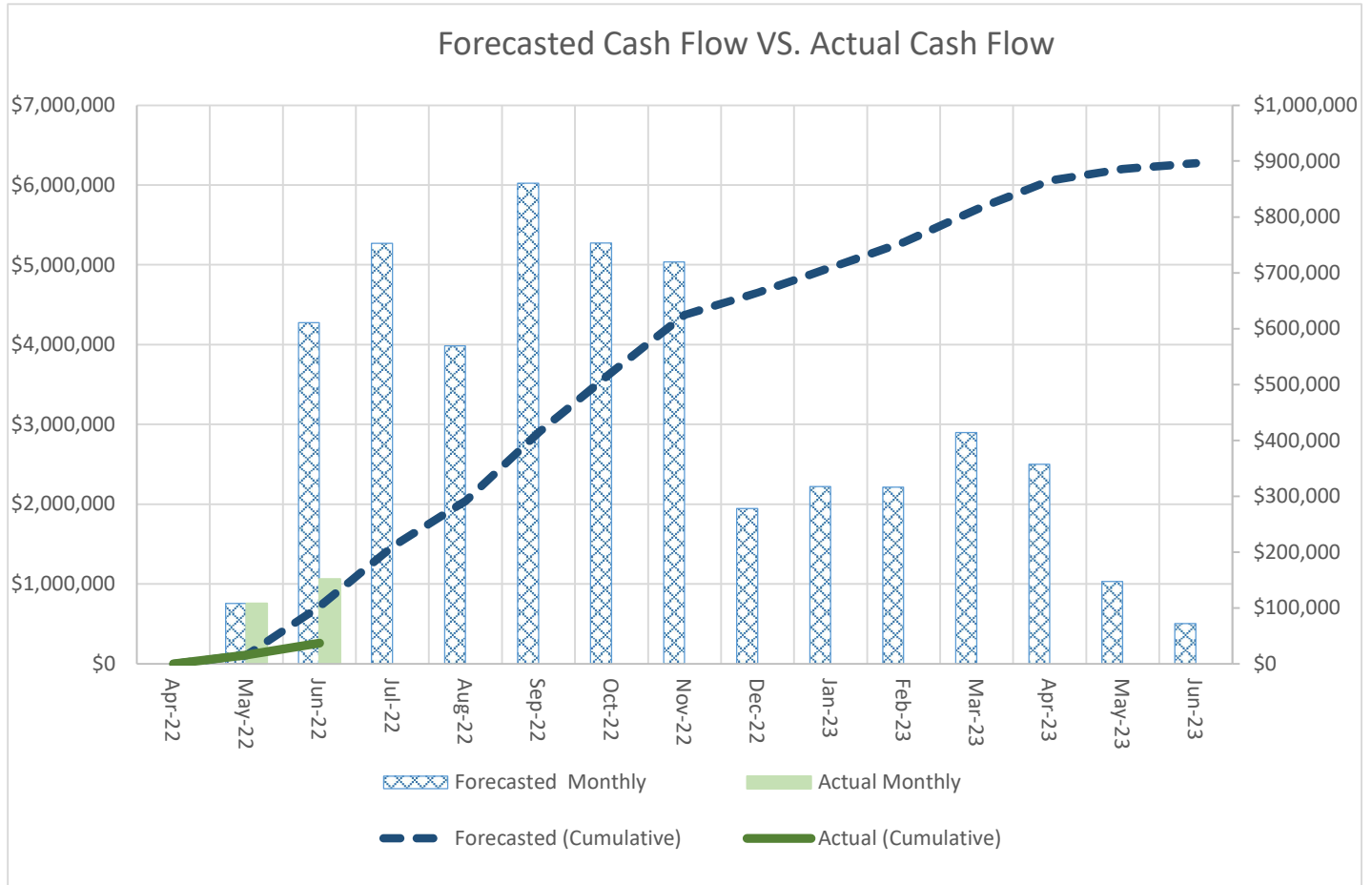
The TRP Construction contract includes the Wainfleet Central Fire Station construction (\$5,950,000) and allowances (\$325,000) for Testing and Inspection, Door Hardware, Interior Signage, Hydro & Gas Services, Security, Construction Rubble, Window Covers Project sign Board, and Commissioning for a total project budget of \$6,275,000. Projected cash flow (excluding HST) for monthly TRP Construction contract draws follows.

Projected and Actual Cumulative cash flow includes the total monthly amount Certified. The “actual monthly” and “actual cumulative” is before 10% of the certified amount is deducted for statutory holdback. It is also exclusive of HST. The cash flow forecast was issued by TRP Construction on May 31st, 2022. The forecasted cashflow include the contract allowances and does not include change orders.

Also included is a month by month (non-cumulative) actual and forecasted cashflow.

Construction Period Ending	Forecasted Cumulative – May 31 st , 2022 (Exc. HST)	Actual Monthly (Exc. HST & Inc. 10% Holdback)	Actual Cumulative (Exc. HST & Inc. 10% Holdback)
2022			
May	\$107,900	\$107,900	\$107,900
June	\$718,400	\$151,984	\$259,884
July	\$1,471,300		
August	\$2,040,300		
September	\$2,900,950		
October	\$3,654,350		
November	\$4,373,750		
December	\$4,651,550		
2023			
January	\$4,968,550		
February	\$5,284,550		
March	\$5,698,717		
April	\$6,055,800		
May	\$6,203,000		
June	\$6,275,000		

Note: The forecasted cashflow includes the upset limit for contract allowances.



6.0 PROPOSED CHANGE ORDERS (PC)

Proposed Change	Date Issued	SI /RFI	Description of PCO	Status
PC 1.0	May 18/22	-	Add Hot Water line and Power to Future Washer	CO-3.0
PC 2.0	May 19/22	-	Remove Lights for SB-10	CO-6.0
PC 3.0	Jun. 8/22	-	Add ATS Bypass Switch and Power to Extractors	CO-5.0
PC 4.0	Jun. 23/22	-	Revised Light Fixture Type	CO-4.0

7.0 REQUEST FOR CHANGES (RFCO) – CONTRACTOR

Proposed Change	Date Issued	Description of PCO	Status
RFCO-01	May 30/22	Upsize Septic Tank from 6,800L to 18,000L	CO-2.0
RFCO-02	May 30/22	ATS Single Bypass Switch	Cancelled for PC 3.0
RFCO-03	Jun. 3/22	Credit for Hydro One Application Fees Paid by Town	CO-1.0
RFCO-04	Jun. 13/22	Proposed Alternative Ceramic Floor Tile	Cancelled
RFCO-04	Jun. 13/22	Revised Light Fixture Type	Cancelled for PC 4.0

8.0 POTENTIAL CHANGES OF SIGNIFICANCE

The proposed change order (PC), request for change order (RFCO), and change directive (CD) process often involves multiple quote submissions, requests for further detail, clarifications and negotiations before costing is finalized as a change order or the request is rejected.

There are no project changes with significant cost implications that are currently in the analysis and costing processes.

9.0 APPROVED CHANGE ORDERS (CO)

The total cost of approved Change Orders and Change Directives is \$8,318.65 which is approximately 0.1% of the awarded contract cost (\$6,275,000). Changes required because of design team issues is 0.1% of the Total Contract Cost.

To assist in reviewing the scope and nature of change orders, each are summarized as follows:

Type of Change Order	Cost of Changes to Date	Percent of Total Change Orders	Percent of Contract Cost (\$6,275,000)
Soil Conditions	\$0.00	0.0%	0.0%
Design Team: Errors, Omissions, Changes	\$9,361.83	100.0%	0.1%
Owner Requested	\$0.00	0.0%	0.0%
Address Existing Conditions	\$0.00	0.0%	0.0%
Other	\$0.00	0.0%	0.0%
Credits	(\$1,043.18)	N/A	N/A
Total Change Orders to Date	\$8,318.65		

9.1. SOIL CONDITIONS

CO #	Change Orders to Original Contract	PC Reference	Date CO Issued	Date Approved	Cost/(Credit)
Sub-Total Soil Conditions Change Orders					\$0.00
Percentage of Total Change Orders					0%

9.2. DESIGN TEAM ERRORS, OMISSIONS, DESIGN CHANGE

The following lists the approved change orders described as errors, omissions, and changes to the design by the architectural/engineering team. The percentage by discipline/division is as follows:

Discipline	Cost of Error/ Omission, Design Change to Date	Percent of Error/Omission, Design Changes	Percent of Contract Cost (\$85,580,225)
Architectural (A)	\$0.00	0.0%	0.00%
Structural (S)	\$0.00	0.0%	0.00%
Electrical (E)	\$2,085.59	22.3%	0.00%
Mechanical (M)	\$0.00	0.0%	0.00%
Civil (C)	\$0.00	0.0%	0.00%
Other (O)	\$7,276.24	77.7%	0.01%

CO #	Change Orders to Original Contract	Discipline	PC Reference	Date CO Issued	Date Approved	Cost/(Credit)
CO-2.0	Upsize Septic Tank from 6,800L to 18,000L	O	RFCO-01	Jun. 9/22	Jun. 10/22	\$7,276.24
CO-3.0	Add Hot Water line and Power to Future Washer	E	PC 1.0	Jun. 10/22	Jun. 15/22	\$2,085.59
Sub-Total Errors, Omissions, Design Changes Change Orders						\$9,361.83
Percentage of Total Change Orders						0%

9.3. TOWNSHIP REQUESTED CHANGE

CO #	Change Orders to Original Contract	PC Reference	Date CO Issued	Date Approved	Cost/(Credit)
Sub-Total Owner Requested Change Orders					\$0.00
Percentage of Total Change Orders					0%

9.4. ADDRESS EXISTING CONDITIONS

CO #	Change Orders to Original Contract	PC Reference	Date CO Issued	Date Approved	Cost/(Credit)
Sub-Total Existing Conditions Change Orders					\$0.00
Percentage of Total Change Orders					0%

9.5. CREDITS

CO #	Change Orders to Original Contract	PC Reference	Date CO Issued	Date Approved	Cost/(Credit)
CO-1.0	Credit for Hydro One Application Fees Paid by Town	RFCO-03	Jun. 3/22	Jun. 15/22	(\$1,043.18)
Sub-Total Credit Change Orders					(\$1,043.18)

10.0 CHANGE DIRECTIVES (CD)

CD #	Change Directives to Original Contract	Date CD Issued	CO Reference	Cost/(Credit)
Total Change Directives				\$0.00

11.0 ALLOWANCE DISPERSAL (AD)

Section 12.0 is a summary of awarded contracts, billing progress and budget status for the cash allowances.

CAA #	Description	Date CAA Issued	Date CAA Approved	Cost/(Credit)
AD-01	Door Hardware – Supply & Installation by William Knell & Company Limited. This allowance includes all specified door hardware, operators, sweeps, closures, and electronic components for the new Fire Station. The scope was competitively priced by three bidders, with William Knell & Company being the low bid.	May 11/22	May 12/22	\$46,350.00
AD-02	Door Hardware – Supply & Installation by William Knell & Company Limited. This allowance is for a new electric strike for door D11-01. This strike was omitted on the hardware schedule and is required for the operation of the specified automatic door operator.	Jun. 13/22	Jun. 14/22	\$250.00
AD-03	Hydro and Gas – Additional engineering required by Schneider Electric for modifications to the main electrical switchboard and transformer cabinet to accommodate the Hydro One supplied cabinet transformer (CT). The specified Schneider cabinet is designed to accommodate several types of CT but was not designed for the CT Hydro One has in stock.	Jun. 22/22	Jun. 29/22	\$1,571.06
AD-04	Construction Rubble – Removal and disposal of concrete foundations found buried on site. (RFI-08). These foundations were not part of the demolished house or barn structures.	Jul. 4/22	Jul. 5/22	\$572.00

12.0 CASH ALLOWANCE DRAWS (CAD)

The following cash allowance summary notes awarded contracts and tracks billing progress against a total Contract Allowance of \$325,000. The project cash allowances are drawn from the Contract Allowance as stipulated in the construction contract.

The Sum of Approved Allowances awarded to date on Certificate of Payment 2 is \$48,743.06 against the Allowance Budget of \$325,000.

CAD Description	CAD Approved by Township (Exc. HST)	CAD Invoiced to Date (Exc. HST)	CAD Invoiced this Period (Exc. HST)	CAD Remaining to be Drawn (Exc. HST)
Door Hardware (AD-01)	\$46,350.00	\$0.00	\$0.00	\$46,350.00
Door Hardware (AD-02)	\$250.00	\$0.00	\$0.00	\$250.00
Testing & Inspection	TBD	\$0.00	\$0.00	n/a
Hydro & Gas (AD-03)	\$1,571.06	\$0.00	\$0.00	\$1,571.06
Surveying	TBD	\$0.00	\$0.00	n/a
Security Control	TBD	\$0.00	\$0.00	n/a
Construction Rubble (AD-04)	\$572.00	\$0.00	\$0.00	\$572.00
Window Coverings	TBD	\$0.00	\$0.00	n/a
Wayfinding Signage	TBD	\$0.00	\$0.00	n/a
Project Sign Board	TBD	\$0.00	\$0.00	n/a
Commissioning	TBD	\$0.00	\$0.00	n/a
Total Allowance in Contract (A)	\$325,000.00	-	-	-
Total Approved CAD's (B)	\$48,743.06	\$0.00	\$0.00	\$48,743.06
Difference (A - B)	\$276,256.94	-	-	-

* The total cash allowance for the above items is \$325,000. The cost for each item will be allocated as the contractor awards the individual contracts.

13.0 CERTIFICATE OF PAYMENTS SUMMARY

Certificate of Payment “CoP No. 02”, Draw 2 for the period ending June 30th, 2022, was issued by the Architect on June 28th, 2022, and recommended for payment by UEM on June 29th, 2022, for the Wainfleet Central Fire Station project. The amount payable excluding HST is \$136,785.44. The schedule of Certificate of Payments received and recommended is as follows. All figures exclude HST.

Certificate of Payment (CoP) / Period Ending	Cumulative Net Amount Certified by Architect (Exc. 10% Holdback)	TRP Contract Cost (Including COs & CDs)	Balance of Statutory Holdback (10%)	Balance to Complete Contract
\$97,110.00 (CoP No. 01 for May '22)	\$107,900.00	\$6,275,000.00	\$10,790.00	\$6,177,890.00
\$136,785.44 (CoP No. 02 for Jun. '22)	\$259,883.82	\$6,283,318.65	\$25,988.38	\$6,049,423.21

14.0 SUPPLEMENTAL (SITE) INSTRUCTIONS (SI)

SI	Date Issued	Description

15.0 REQUEST FOR TOWNSHIP INFORMATION (RFTI)

RFTI	Date Issued	Description	Status

16.0 STATUS OF PROJECT BUDGET

The status of the project budget and costs (excluding HST) to May 31st, 2022, for the Wainfleet Central Fire Station are as follows.

Note: The status of construction costs to date represents the amount paid by the Township of Wainfleet to the contractor and INCLUDES Holdbacks (10%).

ACTIVITY	BUDGET	STATUS TO DATE
A1. Construction Cost (Tender Cost from TRP)	\$5,950,000	\$251,565
A2. Construction Allowances (By Competitive Bid)	\$325,000	\$0
Construction Contingency	\$315,000	\$8,319
A3. Pre-Construction Township Activities	\$8,100	\$7,979
B. Owners Allowances	\$686,100	\$477,380
C. Advisory Services	\$374,700	\$115,072
TOTAL PROJECT BUDGET	\$7,658,900	\$860,315

17.0 POTENTIAL PROJECT RISKS

All construction projects carry some level of risk and uncertainty to participants. Owners mitigate risk by following a rigorous planning, evaluative, investigative and design process and transfers risk by insurances, bonding, indemnification, supplementary conditions, and contracts. However, there remains potential project risks to the owner that should be regularly assessed by a risk register and ongoing evaluation of the probability of specific risks.

The probability of a project risk is considered as “low” (unlikely), “moderate” (possible), “high” (likely) or “very high” (active). A construction risk can have one or more causes and one or more impacts. Construction project risks are interrelated and interdependent.

The assessment of potential project risks considers the probability, uncertainty, and consequences of a potential risk. The probability of the risk may change as circumstances change or arise and are specific to a particular project. Some of the most consequential potential project risks experienced during construction include:

Schedule – Schedule risks include weather delays, unknown site conditions, moisture in concrete, fire, permit delays, contractor performance (including financial issues), supply (labour and material) problems, work stoppages (strikes and mandated shutdowns) and decision-making delays.

The effect of the potential return of the pandemic in 2022/2023 is considered in rating the schedule risk. Potential schedule impacts are mitigated by agreeing to a critical path schedule and monitoring completion of milestone activities against the approved baseline. Supply of goods and labor is an ongoing scheduling matter that is monitored regularly.

- **Risk to Project: Low**

Budget – Factors contributing to budget risk include design omissions and errors, unknown site conditions, contract disputes, schedule delays, increases in material costs, and work stoppages. Consequences could be that certain parts of the project are eliminated, changed, or not fully completed.

- **Risk to Project: Low**

Overpayment to Contractor – There is a risk of overpayment to the contractor if the process of contractor draws are not rigorously reviewed. This can be a significant project risk in terms of completed project and addressing construction deficiencies.

Payment to the contractor follows due diligence involving the architect, engineering sub-trades, the contract administrator, and the project manager. The percent of work claimed by the contractor and the verification of delivered equipment and materials is reviewed by the frequent on-site visits. Reference to the contractor’s schedule and forecasted cashflow provide another monitor. Details such as the inclusions of only approved changes is another check against over payment. Holdbacks, both statutory and against unfinished or deficient work, provide assurances.

There is also risk of duplicate payment for work in the base contract and new work defined by changes to project scope. The contract administrator works closely with the design team to determine what is acceptable new scope and what the contractor is providing as part of their contractual obligations.

- **Risk to Project: Low**

Pandemic – A public health crisis would likely affect construction productivity, or the government could again mandate the construction industry, including supply of equipment, materials, and products, to stop work because of the COVID-19 virus. The consequence is a high level of uncertainty which has potential effects on the project schedule, cash flow, budget and potentially equipment, material and labour supply.

- **Risk to Project: Low**

Goods and Labour Supply – The supply of goods (equipment and materials) and labour (including availability of trades and specialized subtrades) can be affected by several factors such as a pandemic, mandated shutdowns, labour shortages, disputes and strikes, high demand for specific goods, currency exchange fluctuations and seasonal shutdown by manufacturers. The consequences are probable impacts on project schedule/completion date.

The construction industry is seeing an unprecedented number of labour strikes. Several key trades are poised to strike that could impact the Central Fire Station project (masons, general labourers, glazers).

- **Risk to Project: Moderate**

Health and Safety – Worker safety is paramount to the general contractor, subtrades and the owner. Unsafe work conditions, carelessness or a serious workplace accident can affect the project schedule. The general contractor has implemented a comprehensive work health and safety program. Consequence is that workers health and safety is affected which in turn could impact project schedule and completion.

- **Risk to Project: Low**

Environmental – Unknowns and the unexpected such as severe weather events, subsurface conditions not suitable for construction, contaminated soils, underground hazards, structures and tanks, endangered or sensitive species or the presence of archaeological or historical resources represent high levels of risk, particularly in the early stages of the project. The consequences are impacts to budget, schedule and project completion.

- **Risk to Project: Low**

Contractor Performance – The quality of construction including defective work, the completion of the project on schedule, negligence, project close-out and operational readiness, the financial stability of the general contractor, bankruptcy, the availability of trades and labour, health & safety practices and labour unrest represent high levels of risk. The consequences affect all aspects of the project.

This risk is mitigated by employing a rigorous contractor (including major subtrades) selection process that considers qualifications and experience, financial stability, and proposed project management and on-site supervision personnel.

As noted in the assessment of schedule risk, contractor performance in the last stages of the project is critical to its success. A coordinated effort of all trades and the architectural/engineering team is imperative to meet project milestones.

- **Risk to Project: Low – Monitor**

18.0 OTHER PROJECT MATTERS

No other project matters to document at this time.

19.0 CLOSE OUT DOCUMENTS

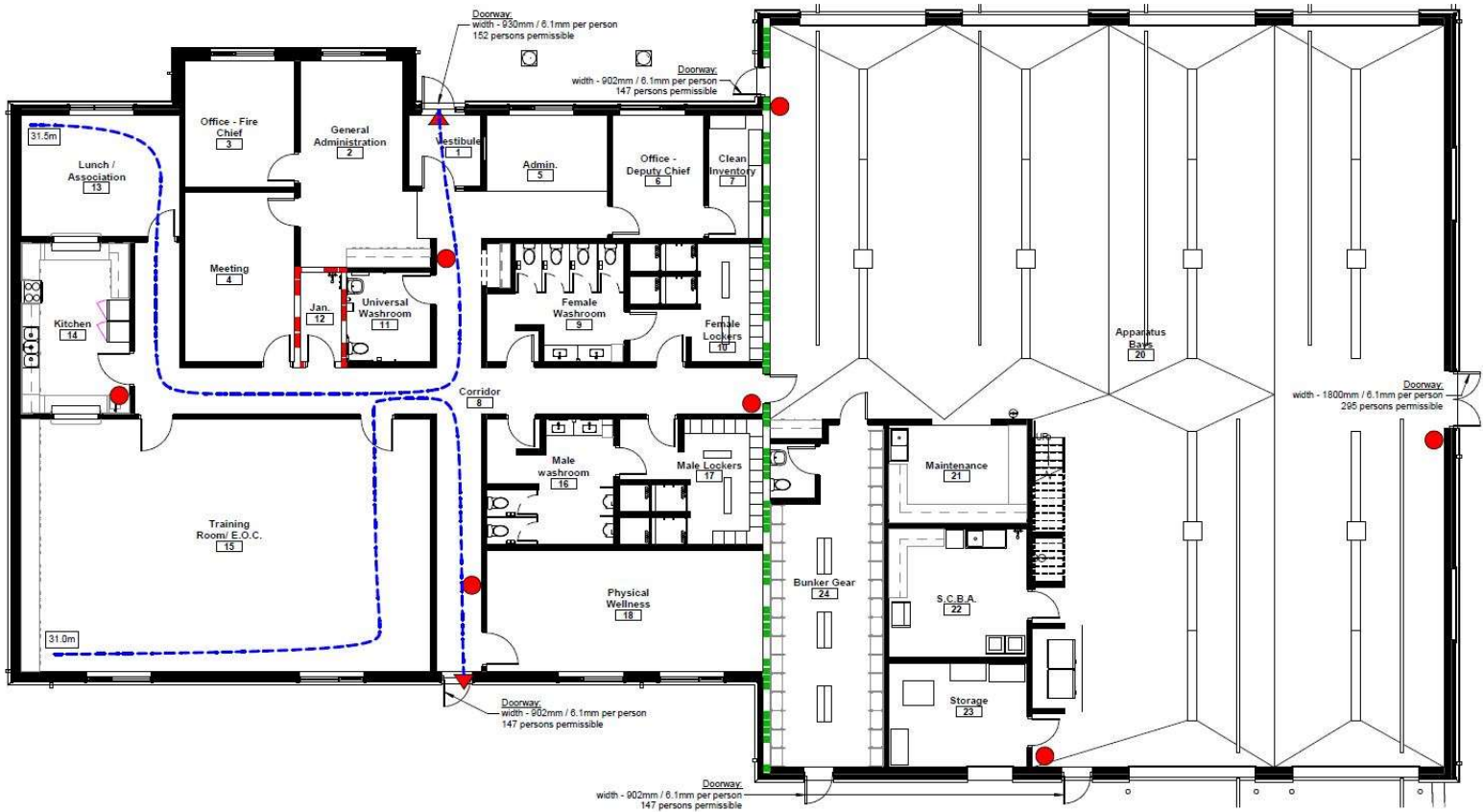
There are four significant milestones at the end of a construction project that must be addressed to permit occupancy:

- Certificate of Substantial Performance
 - **Construction in Progress**
- Occupancy Permit from Building Department (in consultation with Fire Department) including verification/compliance letters (i.e. ESA, emergency lighting, fire alarm, seismic restraint, sprinkler, electrical, mechanical), letters from sub-contractors and from the design architects/engineers. Balancing and controls can be ongoing during occupancy.
 - **Building Inspector and Fire Department undertake periodic inspections during construction**
 - **Submission of Fire & Life Safety Plan** (Owners responsibility)
- Architectural/Civil, Electrical, Mechanical and Structural As-Built Drawings
 - **Construction in Progress**
- Operation and Maintenance Manuals
 - **Construction in Progress** – Draft O&M submissions with architects for review

20.0 CONSULTANT & SUBCONTRACTOR LIST

Scope	Consultant / Contractor	Location
Architect	Raimondo + Associates Architects	Niagara Falls
Project Management	Urban & Environmental Management (UEM)	Niagara Falls
Mech./Elec./ Civil/ Structural Engineering	Mantecon Partners	Dundas
Commissioning Agent	TBD	-
Testing & Inspection	TBD	-
General Contractor	TRP Construction General Contractors	Burlington
Demolition	Budget Environmental Disposal Inc	Hamilton
Civil/Siteworks	Backwoods Excavating Inc.	Grassie
Septic	Dynamic Fusion	Dunnville
Mechanical	Besseling Mechanical Inc	Hamilton
Electrical	Fred Giessler Electric	Niagara-on-the-Lake
Masonry	Cecchini Masonry Ltd.	Thorold
Landscape	Touchstone Site Contractors	Thorold
Finish Carpentry	Baywood Interiors Ltd.	Kitchener
Concrete Formwork	Niagara Formwork Structure Inc.	Welland
Concrete Supplier	Inter County Concrete Contracting	Dunnville
Concrete Finishing	Appolo Concrete Contracting	Hamilton
Structural Steel	C.R. Sanders Inc.	Welland
Metal Doors, Frames, Hardware	William Knell and Company Ltd.	Kitchener
Metal Siding, Soffit, Roofing	Plazo Constriction Corporation	North York
Overhead Doors	Overhead Door Company Limited	St. Catharines
Toilet & Bath Accessories	Canada Washroom Products Inc.	Burlington
Glazing	Welland Glass & Entrances Inc.	Welland
Gypsum Board/ACT	DBN Drywall & Acoustics Ltd.	St. Catharines
Flooring	Percella Flooring Inc.	Toronto
Painting	Painting-Canada Inc.	Hamilton

21.0 WAINFLEET CENTRAL FIRE STATION FLOOR PLAN



22.0 SITE PICTURES



Stripping Topsoil



New Site Entrance Constructed



Excavation for Footings



Forming and Reinforcing of Footings

PROJECT FACT SHEET

Wainfleet Fire Station Construction Contract:	
TRP Construction	\$ 5,950,000.00
Construction Allowances	\$ 325,000.00
Total Wainfleet Fire Station Contract (Ex. HST)	\$ 6,275,000.00
Wainfleet Fire Station Project Scope:	
- Gross Floor Area	1,239 m ² (13,342 ft ²)
- Site Area	2.02 ha (4.99 ac)
Wainfleet Fire Station Key Features:	
Six Apparatus Bays	Dedicated Offices for Fire Chief and Deputy Fire Chief
1,200 ft ² , 60-person Training Room	440 ft ² Physical Wellness Room
Male Washroom and Change Rooms w/32 lockers	Female Washroom and Change Rooms w/20 lockers
300kW Natural Gas Generator	Metal Roof
Provisions for Future Apparatus Bays (2)	Provisions for Future EMS Station
50,000 Gallon Greywater Storage (Rainwater) c/w Pumps for Filling Fire Trucks	
Schedule:	
Occupancy	May 19 th , 2023
Substantial Completion	May 25 th , 2023

To: Karen Alexander
Subject: RE: European water chestnut - Paddle with a Purpose event #3

From: Karen Alexander
Sent: Thursday, August 4, 2022 3:31 PM
To: Gerrit Boerema <gboerema@westlincoln.ca>; bweins@pelham.ca <bweins@pelham.ca>; acrastina@wainfleet.ca <acrastina@wainfleet.ca>; Meredith Ciuffetelli <MCiuffetelli@wainfleet.ca>; rob.axiak@welland.ca <rob.axiak@welland.ca>; Rory Doucette <rory.doucette@welland.ca>; Dave Steven <dave.steven@welland.ca>; craig.bowery@welland.ca <craig.bowery@welland.ca>; daniella.wright@welland.ca <daniella.wright@welland.ca>
Subject: European water chestnut - Paddle with a Purpose event #3

Hi everyone,

We are almost done Week 5 of our Rapid Response Program to contain and remove European water chestnut from the Welland River. With just 3 more weeks to go - we can confidently report that we will remove the entire infestation from the river this year!

We had such a great turnout to our Paddle with a Purpose events in July, we have decided to host one more event! This one will be slightly different than the other two. This one is called "the Final Push" and is a call for volunteer paddlers to join the Field Technicians and attempt to paddle the entire stretch of river between the Wellandport Community Centre and the City of Welland to locate any regrowth and give our team the info. they need to have a very productive final few weeks on the river.

The event is scheduled for 8 am on August 13 starting at Wellandport Community Centre. Please see the attached event poster and circulate as best as possible.

I have also attached two social media jpegs that can be posted standalone if you are willing to do so.

Thank you in advance for your help spreading the word about this event.

Sincerely,

Karen Alexander

Policy Coordinator

Invasive Species Centre

kalexander@invasivespeciescentre.ca    

I acknowledge that I work and live in Amherstburg, ON., traditional territory of the Three Fires Confederacy of First Nations (comprising the Ojibway, the Odawa, and the Potawatomie Peoples), and of the Huron-Wendat and Wyandot Peoples. I value the significant historical and contemporary contributions of local and regional First Nations and all of the Original Peoples of Turtle Island.



Paddle with a Purpose

The Final Push!

We need your help!

Aggressive invasive European Water Chestnut (EWC) has been detected in the Welland River and a Rapid Response Program is underway to remove it.

Help the removal team look for regrowth throughout the length of the river to help plan for the final weeks of the program. With your help, we can ensure the removal of as much EWC as possible.



When and Where

WHEN: Saturday, Aug. 13 at 8 a.m.

WHERE: Wellandport Community Centre (5042 Canborough Rd, Wellandport, ON L0R 2J0)

What You Should Bring

- Bring your own boat/recreational watercraft and associated personal protective equipment
- ***Note:** Please do not unload your boat until you are assigned a launch point by an ISC team member. Some paddlers may be asked to launch at a nearby site.
- Drinking water
- Hat / Sunglasses
- Other items for personal comfort

For more information about European Water Chestnut and the Rapid Response Program, please visit the Invasive Species Centre website: www.invasivespeciescentre.ca/EWCWelland

Sign up to receive your waiver ahead of the event: www.invasivespeciescentre.ca/EWCWelland

Walk-ins are also welcome, please see the registration table upon arrival.

If you have any questions, please email kalexander@invasivespeciescentre.ca



Invasive
Species
Centre



NIAGARA PENINSULA
CONSERVATION
AUTHORITY



Paddle with a Purpose

The Final Push!

Help the removal team look for regrowth throughout the length of the river to help plan for the final weeks of the program. With your help, we can ensure the removal of as much EWC as possible.

WHEN: Saturday, Aug. 13 at 8 a.m.

WHERE: Wellandport Community Centre
(5042 Canborough Rd, Wellandport, ON L0R 2J0)

Learn more & register: www.invasivespeciescentre.ca/EWCWelland.



Invasive
Species
Centre



NIAGARA PENINSULA
CONSERVATION
AUTHORITY



THE CORPORATION OF THE TOWNSHIP OF WAINFLEET

BY-LAW NUMBER 039-2022

A BY-LAW TO AUTHORIZE CERTAIN NEW CAPITAL WORK(S) OF THE CORPORATION OF THE TOWNSHIP OF WAINFLEET (THE “LOWER-TIER MUNICIPALITY”); TO AUTHORIZE THE SUBMISSION OF AN APPLICATION TO ONTARIO INFRASTRUCTURE AND LANDS CORPORATION (“OILC”) FOR FINANCING OF SUCH CAPITAL WORK(S); TO AUTHORIZE TEMPORARY BORROWING FROM OILC TO MEET EXPENDITURES IN CONNECTION WITH SUCH CAPITAL WORK(S); AND TO AUTHORIZE LONG-TERM BORROWING FOR SUCH CAPITAL WORK(S) THROUGH THE ISSUE OF DEBENTURES BY REGIONAL MUNICIPALITY OF NIAGARA (THE “UPPER-TIER MUNICIPALITY”) TO OILC

WHEREAS the *Municipal Act, 2001* (Ontario), as amended, (the “**Act**”) provides that a municipal power shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

AND WHEREAS it is now deemed to be expedient to authorize for the purposes of the Lower-tier Municipality the new capital work(s) described in column (2) of Schedule “A” (the “**Capital Work(s)**”) attached hereto and forming part of this By-law (“**Schedule “A**”) in the amount of the respective estimated expenditure set out in column (3) of Schedule “A”, subject in each case to approval by OILC of the financing for such Capital Work(s) requested by the Lower-tier Municipality in the Application as hereinafter defined;

AND WHEREAS in accordance with section 4 of Ontario Regulation 403/02 (the “**Regulation**”), the Council of the Lower-tier Municipality had its Treasurer calculate an updated limit in respect of its most recent annual debt and financial obligation limit received from the Ministry of Municipal Affairs and Housing (as so updated, the “**Updated Limit**”), and, on the basis of the authorized estimated expenditure for the Capital Work or for each Capital Work, as the case may be, as set out in column (3) of Schedule “A” (the “**Authorized Expenditure**” for any such Capital Work) the Treasurer calculated the estimated annual amount payable in respect of the Capital Work or each Capital Work, as the case may be, (collectively the “**Estimated Annual Amount Payable**”), and determined that the Estimated Annual Amount Payable does not cause the Lower-tier Municipality to exceed the Updated Limit, and accordingly the approval of the Local Planning Appeal Tribunal pursuant to the Regulation is not required before any such Capital Work is authorized by the Council of the Lower-tier Municipality;

AND WHEREAS subsection 405(1) of the Act provides, amongst other things, that a municipality may authorize temporary borrowing to meet expenditures made in connection with a work to be financed in whole or in part by the issue of debentures if, the municipality is a lower-tier municipality in a regional municipality and it

has approved the work and the upper-tier municipality has approved the issue of debentures for the work;

AND WHEREAS subsection 401(1) of the Act provides that a municipality may incur a debt for municipal purposes, whether by borrowing money or in any other way, and may issue debentures and prescribed financial instruments and enter prescribed financial agreements for or in relation to the debt;

AND WHEREAS subsection 401(3) of the Act provides that a lower-tier municipality in a regional municipality does not have the power to issue debentures and accordingly the Lower-tier Municipality intends that the Upper-tier Municipality will issue debentures in respect of the Capital Work(s) and will request that the Upper-tier Municipality do so;

AND WHEREAS subsection 403(1) of the Act provides that a by-law of an upper-tier municipality authorizing the issuing of debentures for the purposes or joint purposes of one or more of its lower-tier municipalities may require those lower-tier municipalities to make payments in each year to the upper-tier municipality in the amounts and on the dates specified in the by-law;

AND WHEREAS the Act also provides that a municipality shall authorize long-term borrowing by the issue of debentures or through another municipality under section 403 or 404 of the Act and subsection 403(7) of the Act provides that all debentures issued under a by-law passed by an upper-tier municipality under section 403 are direct, joint and several obligations of the upper-tier municipality and its lower-tier municipalities;

AND WHEREAS OILC has invited Ontario municipalities desirous of obtaining temporary and long-term debt financing in order to meet capital expenditures incurred on or after the year that is five years prior to the year of an application in connection with eligible capital works to make application to OILC for such financing by completing and submitting an application in the form provided by OILC;

AND WHEREAS the Lower-tier Municipality requested the Upper-tier Municipality to issue debentures for the Capital Work(s) and in this connection the Upper-tier Municipality and the Lower-tier Municipality completed and submitted or is in the process of submitting an application to OILC, as the case may be (the "**Application**") to request financing for the Capital Work(s) by way of long-term borrowing pursuant to section 403 of the Act through the issue of debentures to OILC by the Upper-tier Municipality and by way of temporary borrowing by the Lower-tier Municipality from OILC pending the issue of such debentures;

AND WHEREAS OILC has accepted and has approved or will notify the Lower-tier Municipality only if it accepts and approves the Application, as the case may be;

AND WHEREAS the Upper-tier Municipality has approved the issue of debentures for the Capital Work(s) to OILC in the maximum aggregate principal amount

of \$7,160,900 (the “**Debentures**”); and OILC has indicated that pending the issue of the Debentures it will provide financing by way of temporary advances to the Lower-tier Municipality in respect of the Capital Work(s);

AND WHEREAS the Lower-tier Municipality will enter into a financing agreement with OILC pursuant to the terms of which OILC will provide temporary advances to the Lower-tier Municipality in respect of the Capital Work(s);

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

1. The Council of the Lower-tier Municipality hereby confirms, ratifies and approves the execution by the Treasurer of the Application and the submission by such authorized official of the Application, duly executed by such authorized official, to OILC, in cooperation with the Upper-tier Municipality, for the financing of the Capital Work(s) by way of temporary borrowing from OILC, pending the issue of the Debentures, in the maximum aggregate principal amount of \$7,160,900 substantially in the form of Schedule “B” hereto and forming part of this By-law, with such changes thereon as such authorized official may hereafter approve, such execution and delivery to be conclusive evidence of such approval.
2.
 - (a) The undertaking of the Capital Work or of each Capital Work, as the case may be, in the amount of the respective Authorized Expenditure set out in column (3) of Schedule “A” is hereby approved and authorized;
 - (b) any one or more of the Mayor and the Treasurer are hereby authorized to conclude contracts on behalf of the Lower-tier Municipality for the undertaking of the Capital Work or of each Capital Work, as the case may be, in accordance with the Lower-tier Municipality’s usual protocol;
 - (c) where applicable, the Engineer of the Lower-tier Municipality will forthwith make such plans, profiles and specifications and furnish such information as in the opinion of the Engineer are necessary for the undertaking of the Capital Work or of each Capital Work, as the case may be; and
 - (d) where applicable, the undertaking of the Capital Work or of each Capital Work, as the case may be, shall be carried on and executed under the superintendence and according to the direction and orders of such Engineer.
3. The Mayor and the Treasurer are hereby authorized to negotiate and enter into, execute and deliver for and on behalf of the Lower-tier Municipality a financing agreement (a “**Financing Agreement**”) with OILC that provides for temporary borrowing from OILC under the authority of this By-law in respect of the Capital Work(s) on such terms and conditions as such authorized officials may approve, such execution and delivery to be conclusive evidence of such approval.

4. The Mayor and/or the Treasurer are hereby authorized, pending the substantial completion of the Capital Work or of each Capital Work, as the case may be, or as otherwise agreed with OILC, to make temporary borrowings pursuant to section 405 of the Act in respect of the Capital Work or of each Capital Work, as the case may be, on the terms and conditions provided in the Financing Agreement which Financing Agreement provides that the information contained in the Record, as defined in the Financing Agreement, in respect of such temporary borrowings shall be deemed final, conclusive and binding on the Lower-tier Municipality, and on such other terms and conditions as such authorized officials may agree; and the Treasurer is authorized to sign such certifications as OILC may require in connection with such borrowings in respect of the Capital Work(s); provided that the amount of borrowings allocated to the Capital Work or to each Capital Work, as the case may be, does not exceed the Authorized Expenditure for such Capital Work and does not exceed the related loan amount set out in column (4) of Schedule "A" in respect of such Capital Work.
5. In accordance with the provisions of section 25 of the *Ontario Infrastructure and Lands Corporation Act, 2011*, as amended from time to time hereafter, the Lower-tier Municipality is hereby authorized to agree in writing with OILC that the Minister of Finance is entitled, without notice to the Lower-tier Municipality, to deduct from money appropriated by the Legislative Assembly of Ontario for payment to the Lower-tier Municipality, amounts not exceeding the amounts that the Lower-tier Municipality fails to pay to OILC on account of any unpaid indebtedness of the Lower-tier Municipality to OILC under any outstanding temporary borrowing and/or the Debentures, as the case may be (the "**Obligations**") and to pay such amounts to OILC from the Consolidated Revenue Fund.
6. For the purposes of meeting the Obligations, the Lower-tier Municipality shall provide for raising in each year as part of the general lower-tier levy, the amounts of principal and interest payable in each year under any outstanding temporary borrowing and/or any Debenture outstanding pursuant to the Financing Agreement, to the extent that the amounts have not been provided for by any other available source including other taxes or fees or charges imposed on persons or property by a by-law of any municipality.
7. (a) The Mayor and the Treasurer are hereby authorized to enter into, execute and deliver the Financing Agreement, one or more of the Clerk and the Treasurer are hereby authorized to generally do all things and to execute all other documents and papers in the name of the Lower-tier Municipality in order to perform the Obligations of the Lower-tier Municipality under the Financing Agreement, to request and receive any temporary borrowing, and the Treasurer is authorized to affix the Lower-tier Municipality's municipal seal to any such documents and papers.

- (b) The money realized in respect of any temporary borrowing for the Capital Work(s) and the Debentures, including any premium, and any earnings derived from the investment of that money, after providing for the expenses related to any such temporary borrowing and to the issue of the Debentures by the Upper-tier Municipality, if any, shall be apportioned and applied to the respective Capital Work and to no other purpose except as permitted by the Act.

8. This By-law takes effect on the day of passing.

ENACTED AND PASSED this _____ day of _____, A.D. 20__.

K. GIBSON, MAYOR

W. KOLASA, CLERK

Schedule "A"
to By-Law Number 039-2022
(New Capital Work(s))

(1) <u>Capital Work</u> <u>Number</u>	(2) <u>Description of Capital Work</u>	(3) <u>Estimated</u> <u>Expenditure</u>	(4) <u>Loan</u> <u>Amount</u>
1	Wainfleet Central Fire Station	\$7,658,900	\$7,160,900

Schedule "B"
to By-Law Number 039-2022

Please insert the OILC Application into Schedule "B".



ONTARIO INFRASTRUCTURE AND LANDS CORPORATION (OILC) LOAN APPLICATION SIGNATURE PAGE

Application ID: 747

Printed Date: 08/05/2022
Application Submit Date: 07/28/2022

I/We acknowledge that a Loan Application has been submitted to Ontario Infrastructure and Lands Corporation (OILC) containing the following information.

Eligible Category	Loan Amount
Municipal Other Infrastructure	\$7,160,900.00 ----- -----
	Total \$7,160,900.00

Name of Borrower: Wainfleet, The Township of

Name of Treasurer's (or equivalent): _____
Telephone Number: _____
ID: 26014

Address:

The undersigned certifies that he/she has read the OILC loan program guidelines and all information provided to OILC is accurate and complete. The undersigned acknowledges that some information provided may be shared with the line ministries to provide technical expertise to OILC. Applicant agrees to provide OILC with additional information as required in order to process the loan.

Treasurer's (or equivalent) Signature:

Date: _____

Webloans Loan Application Details

FA Number

Application for

Projects

ID	SIT Project ID	Project Name	Construction/Purchase Start	Construction/Purchase End	Project Cost	OILC Loan Amount
1943	1	Wainfleet Central Fire Station	01/15/2019	06/30/2023	\$7,658,900.00	7,160,900.00

Details of Project Wainfleet Central Fire Station

Project Category

Work Type

Project Name

Construction/Purchase Start

Construction/Purchase End

06/30/2023

Energy Conservation

Project Address 1

42143 Highway #3

Project Address 2

City / Town

Wainfleet

Province

ON

Postal Code

L0S1V0

Description

The Township of Wainfleet has identified the need for a new centralized fire station as a priority for the continued delivery of fire protection services. This new station will allow the Township to consolidate 2 existing, and antiquated stations, and provide for a more sustainable service delivery by moving from a 4 station model, to a 3 Station model. The project began in 2019 with the acquisition of land, site surveying, planning studies and concept design. In 2020, the project moved from concept to construction design and engineering. The new station has been designed with a balance of energy efficiency, low cost and quality construction materials, that will provide a safe work environment for personnel and suit the needs of the community not only today, but for the next 75 years.

Comments and/or Special Requests

The Township will require short term construction draws to pay for incurred project costs.

Project Life Span (Years)

75

Project Financial Information

Project Cost (A)

Other Project Funding / Financing (B):

Description	Timing	Amount
Reserves	Existing	\$408,000.00
Development Charges	Existing	\$90,000.00

Other Project Funding/Financing Total (B)

OILC Loan Amount (A-B)

Only include long-term borrowing in this section. If you anticipate that you will require short-term financing during the construction phase of the project, the information will be gathered as part of the Financing Agreement.

Required Date	Amount	Term	Type
<input type="text" value="09/30/2022"/>	<input type="text" value="\$7,160,900.00"/>	<input type="text" value="20"/> ▼	<input type="text" value="Serial"/> ▼

Long-term Borrowing Total

Debt and Re-payments Summary

Has there been any new/undisclosed debt acquired since last FIR was submitted?

Yes No

Please describe any re-financing plans for any existing "interest only" debt, if applicable.

Non Re-payments of Loans or Debenture

In the last 10 years, has the borrower ever failed to make a loan payment or debenture repayment on time to any lender, including the Provincial Government?

If yes, please provide details.

OILC Loan Repayment Information

Please indicate the source(s) of revenue you plan to use to repay the OILC Loan

Taxation

User Fees

Service Charges

Development Charges

Connection Fees

Repayment Subsidies

Other

Total

Documentation and Acknowledgements

Please ensure all required documents are submitted with the signed application. OILC requires originals as noted below to be mailed or couriered. Also, please retain a copy of all documents submitted to OILC for your records.

To obtain templates for documents see listed below.

- Loan Application Signature Page signed and dated by the appropriate individual (original to be submitted)
- Certificate and sealed copy of OILC template By-law authorizing project borrowing and applying for a loan (original with seal)
- Certificate of Treasurer Regarding Litigation using the OILC template (original, signed & sealed)
- Updated Certified Annual Repayment Limit Calculation (original)

I acknowledge and agree that all of the above referenced documents must be submitted in the form required by OILC and understand that the application will not be processed until such documents have been fully completed and received by Infrastructure Ontario.

Please note: OILC retains the right to request and review any additional information or documents at its discretion.

Confidential Information

OILC is an institution to which the Freedom of Information and Protection of Privacy Act (Ontario) applies. Information and supporting documents submitted by the Borrower to process the loan application will be kept secure and confidential, subject to any applicable laws or rules of a court or tribunal having jurisdiction.

Infrastructure Ontario

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THE CORPORATION OF THE TOWNSHIP OF WAINFLEET

BY-LAW NO. 040-2022

Being a by-law to adopt, ratify and confirm the proceedings of the Council of the Corporation of the Township of Wainfleet at its special meeting held August 3, 2022 and its regular meeting held August 9, 2022.

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 special meeting held August 3, 2022 and its regular meeting held August 9, 2022, 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 9TH DAY OF AUGUST, 2022

K. Gibson, MAYOR

M. Ciuffetelli, DEPUTY CLERK