



**MINUTES OF**  
**COUNCIL MEETING, AUGUST 25, 2015**  
**CIVIC SQUARE, COUNCIL CHAMBERS**  
**60 EAST MAIN STREET**

Council met in Committee-of-the-Whole closed to the public at 6:16 p.m. and in open session at 7:22 p.m. on the above date.

His Worship Mayor Frank Campion in the Chair.

**Members Present:**

Councillors M. Carl (6:20 p.m.), J. Chiochio, P. Chiochio, T. DiMarco, B. Fokkens, M.A. Grimaldi, J. Larouche, R. Letourneau, J. Mastroianni, D. McLeod, and M. Petrachenko.

**Members of Staff and Others Present:**

Interim City Manager, T. Fitzpatrick

City Clerk, C. Raby

Deputy City Clerk, T. Stephens (7:22 p.m.)

Chief, Fire & Emergency Services, D. Prevost (7:22 p.m.)

General Manager, Corporate Services/Treasurer, S. Zorbas (7:22 p.m.)

General Manager, Human Resources and Legislative Services, R. Mantesso

General Manager, Infrastructure Services/City Engineer, S. Iannello (7:22 p.m.)

Planning Manager, R. Di Felice (7:22 p.m.)

**15-25** Moved by Mastroianni and Letourneau

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 6:16 p.m. to consider:

- personal matters about an identifiable individual, including municipal or local board employees;
- labour relations or employee negotiations;
- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and
- the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

**CARRIED**

**15-25** Moved by Letourneau and Petrachenko

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 7:19 p.m. without report.

**CARRIED**

### **LEGISLATED PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT**

Councillor Mastroianni presided as Chair of the Public Hearing.

**15-727** A complete application has been made by 2415962 ONTARIO INC. to rezone Part Block M, Plan 1649, now known as Plan 564, being Part 1 on Plan 59R-14582 for lands at 90 Lincoln Street from the existing C4-X4 Zone to a Site Specific C4 Zone. The purpose of the Amendment is to permit a propane dispensing station in conjunction with the existing gas station and convenience store. The proposed site Specific C4 Zone would add propane dispensing station as a permitted use, permit a height for the storage tank of 7.7 metres and a minimum setback (distance) from a Residential Zone or use of 15.6 metres. The Official Plan designation is COMMUNITY COMMERCIAL CORRIDOR.

R. Di Felice confirmed that the statutory requirements for public hearing had been met, summarized the purpose of the hearing and reviewed the Planning Division Report.

David Li, 3636B St. Clair Avenue East, Toronto, Ontario M1N 0A5 applicant, owner and operator.  
Ross Keys, Engineering Consultant, 126 Holm Crescent, Thornhill, ON L3T 5J3

#### **In support of the application:**

- No one spoke to the application.

There being no persons present to speak in support of the application, the Chair asked for those opposing the application.

#### **In opposition to the application:**

- No one spoke to the application.

There being no persons present to speak in opposition to the application, the hearing was concluded.

**15-94**

**15-94Z** Complete applications have been made by 544063 ONTARIO INC. to amend the Official Plan (Part Township Lot 258, former Township of Thorold, being Parts 1 and 2 on Plan 59R-15305) for lands at 381 Clare Avenue from INSTITUTIONAL AND CORE NATURAL HERITAGE SYSTEM to LOW DENSITY RESIDENTIAL, MEDIUM DENSITY RESIDENTIAL AND CORE NATURAL HERITAGE SYSTEM, and for approval of a Draft Plan Subdivision for lands at 381 Clare Avenue and to rezone the lands from the existing R1, R1-X4, RA Zones By-law 2667 to a Site Specific R3, Site Specific RM3 and EP - Environmental Protection Zones By-law 2667. The purpose of the Amendment is to permit the development of a Plan of Subdivision containing dwelling units composed of single-detached dwellings; triplexes; townhouses and environmental conservation lands.

R. Di Felice confirmed that the statutory requirements for public hearing had been met, summarized the purpose of the hearing and reviewed the Planning Division Report.

Domenico Iannetti, Applicant, 624 Canboro Road, Fenwick, ON L0S 1C0

**In support of the application:**

- No one spoke to the application.

There being no persons present to speak in support of the application, the Chair asked for those opposing the application.

**In opposition to the application:**

- Don and Kathy Hornby, 531 Fitch Street, Welland, ON L3C 4X2
- Steve Miller, 523 Fitch Street, Welland, ON L3C 2X4

There being no other persons present to speak in opposition to the application, the hearing was concluded.

**AGENCIES, BOARDS, COMMISSIONS AND COMMITTEES REPORTS**

**15-37** Councillor Fokkens, Chair, Water/Wastewater Ad Hoc Committee, provided a verbal update on the Water/Wastewater Ad Hoc Committee meeting of July 29, 2015.

**07-144**

**15-47** Councillor Mastroianni, Chair, Nominating Committee, addressed Council regarding an appointment to the Welland Development Commission.

**15-1**

Moved by Petrachenko and Mastroianni  
THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meeting of July 21, 2015, as circulated.

**CARRIED****06-126**

Moved by Larouche and McLeod  
THAT THE COUNCIL OF THE CITY OF WELLAND approves an extension to Draft Plan Approval for the Dain City Subdivision (File: 26T-14-06002) for an additional one (1) year to September 6, 2016.

**CARRIED**

**07-144****15-47**

Moved by Mastroianni and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND appoints Councillor Van Vliet to the Welland Development Commission as recommended by the Nominating Committee.

**CARRIED****08-48**

Moved by Larouche and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report TRAF-2015-12: Update to The Property Standards By-law 2009-108 as amended; and further THAT Welland City Council directs the City Clerk to amend The Property Standards By-law 2009-108 as follows:

DELETE the following:

- 6.1.1. (d) waste, as defined in the Clean Yards By-law;
- (h) long grass and weeds over 8 in (200 mm) in height, brush, and noxious weeds as defined in the Weeds Control Act;
- 8.2.1. (a) stored material is not waste;
- Schedule A
- 2. (a) James Callaghan
- (c) Jennifer McRae
- (d) Silvestro Ravenda
- 3. (c) Richard Goupil
- (d) Ann-Marie Norio
- (e) Robert Polley
- (f) Tom Sliwinski
- (h) Tabitha Talbot

ADD the following:

- 6.1.1. (d) refuse, as defined in the Clean Yards By-law
- (h) long grass and weeds over 6 inches in height, brush and noxious weeds as defined in the Weed Control Act;
- 8.2.1. (a) stored material is not refuse;
- Schedule A
- 2. (a) Silvestro Ravenda
- (c) Gary Graziani
- 3. (c) Adam White
- (d) Jeff Petruzzo
- (e) Robert Pooley
- (f) Bryan Purins
- (h) Chris Nave.

**CARRIED****08-95**

Moved by Larouche and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND approves the 2015 budget from the North Welland Business Improvement Area Board as recommended by the board in the amount of \$34,500.00; and further

THAT Welland City Council authorizes the General Manager, Financial and Corporate Services/Treasurer to make arrangements to levy an amount of \$34,500.00 against the business operations within the defined area on condition that the required financial statements are submitted to the satisfaction of the Treasurer.

**CARRIED****10-76**

Moved by Larouche and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND approves the Application for the City of Welland Community Improvement Plan for the Downtown and Health and Wellness Cluster for property municipally known as 77-79 East Main Street for the Urban Design Study Grant Program in the maximum amount of \$2,500.00 for a one year period.

**CARRIED**

**10-76** Moved by McLeod and P. Chiochio  
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the Application for the City of Welland Community Improvement Plan for the Downtown and Health and Wellness Cluster for property municipally known as 290 East Main Street for the Facade Improvement Grant Program (Front) in the estimated amount of \$1,600.00 and the Facade Improvement Grant Program (Side) in the estimated amount of \$610.00 with the Niagara Region contributing 50% of each amount (\$800.00 and \$305.00, respectively); and further  
 THAT Welland City Council directs staff to prepare the required By-law and Agreement; and further  
 THAT Welland City Council authorizes the Mayor and City Clerk to execute any documentation required for participation in the Building Improvement Grant Program.

**CARRIED**

**10-76** Moved by Larouche and McLeod  
 THAT THE COUNCIL OF THE CITY OF WELLAND authorizes the Mayor and City Clerk to execute the By-law and Grant Agreement required for participation in the City of Welland Community Improvement Plan for the Downtown and Health and Wellness Cluster for property municipally known as 330-346 King Street for the Building Improvement Grant Program approved by Council on July 21, 2015 in the maximum amount of \$9,920.00 with the Niagara Region contributing 50% of this amount (\$4,960.00).

**CARRIED**

**11-93** Moved by Larouche and McLeod  
 THAT COUNCIL OF THE CITY OF WELLAND approves a By-law to remove the Holding (H) Symbol on lands located east of River Road and north of Woodlawn Road being Part of Lot 1, Plan 59M-391 more specifically described as Parts 4 and 5, Plan 59R-15275, municipally known as 652 River Road; and further  
 THAT Welland City Council directs staff to prepare the necessary By-law.

**CARRIED**

**13-50** Moved by Larouche and McLeod  
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence dated July 24, 2015 from the Region of Niagara regarding the potential transfer of the operations of the Niagara District Airport Commission and the Niagara Central Airport Commission to The Regional Municipality of Niagara.

**CARRIED**

**14-22** Moved by McLeod and Mastroianni  
 THAT THE COUNCIL OF THE CITY OF WELLAND appoints Mr. John Tuck as a Hearings Officer pursuant to City of Welland By-law 2014-81.

**CARRIED**

**14-105** Moved by Petrachenko and Carl  
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report ENG-2015-28 with respect to the Infrastructure Funding Applications for the second intake of the Ontario Community Infrastructure Fund (OCIF) and Small Communities Fund (SCF); and further  
 THAT Welland City Council directs staff to proceed with expression of interest submissions for River Road Sewer Separation and Watermain Replacement and Edgar/Elgin Area Sewer Separation and Watermain Replacement, respectively, for the second OCIF and SCF funding intake.

**CARRIED**

**15-3** Moved by Larouche and McLeod  
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the application for lottery licensing for Welland Community X-mas Toys.

**CARRIED**

**15-5** Moved by DiMarco and Chiocchio  
 THAT THE COUNCIL OF THE CITY OF WELLAND refers Report FIN-2015-21: Revised Grants & Special Assistance Policy to the next General Committee Meeting for further discussion and deliberation by Council.

**(Councillor Carl disclosed an interest in this matter, and did not take part in the consideration and discussion of same, and refrained from voting thereon, as his employer is The Hope Centre).**

**CARRIED**

**15-6** Moved by Larouche and McLeod  
 THAT THE COUNCIL OF THE CITY OF WELLAND declares the week of October 19th - 25th, 2015 as "National Teen Driver Safety Week" in the City of Welland as requested Parachute.

**CARRIED**

**15-19** Moved by Larouche and McLeod  
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence dated July 24, 2015 from the Region of Niagara regarding Report PDS 32-2015: Smarter Niagara Incentive Program Partnership - Reallocation Request from the City of Welland.

**CARRIED**

**15-22** Moved by Larouche and McLeod  
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report TRAF-2015-11 Update to Traffic and Parking By-law 89-2000; and further  
 THAT Welland City Council directs the City Clerk to amend Traffic and Parking By-law 89-2000 as follows:  
 ADD the following to Schedule "I" – Municipal/Private Property

SKETCH NO.	LOCATION	COMMON NAME
No Sketch	154 West Main Street	Westgate Medical Centre
No Sketch	305 Rice Road	Rice Road Community Church

ADD the following to Schedule "IX" – Angle Parking

COLUMN 1 HIGHWAY	COLUMN 2 SIDE	COLUMN 3 BETWEEN	
		FROM	TO
First Avenue	East	A point 45 metres north of Fitch Street	A point 190 metres north of Fitch Street

ADD the following to Schedule "XXVII" – Speed Limits on Highways

COLUMN 1 HIGHWAY	COLUMN 2		COLUMN 3 MAXIMUM SPEED (KM/H)
	FROM	TO	
River Road	East Main Street	Downs Drive	40

DELETE the following from Schedule "XXIV" – One Way Highways

COLUMN 1 HIGHWAY	COLUMN 2 FROM	COLUMN 3 TO	COLUMN 4 TRAFFIC DIRECTION
Cooper Road	Almond Street	Ross Street	Northbound
River Road	Almond Street	Ross Street	Northbound

...continued...

**15-22...cont'd.**

ADD the following to Schedule "V" – Parking Prohibitions

COLUMN 1 STREET	COLUMN 2 SIDE	COLUMN 3		COLUMN 4 PERIOD (TIMES/DAY)
		FROM	TO	
River Road	West Side	East Main Street	Downs Drive	AT NO TIME

DELETE the following from Schedule "V" – Parking Prohibitions

COLUMN 1 STREET	COLUMN 2 SIDE	COLUMN 3		COLUMN 4 PERIOD (TIMES/DAY)
		FROM	TO	
River Road	West Side	Almond Street	Ross Street	AT NO TIME

DELETE the following from Schedule "VIII" – Limited Parking

COLUMN 1 HIGHWAY	COLUMN 2 SIDE	COLUMN 3		COLUMN 4 PERIOD	COLUMN 5 TIMES/DAY
		FROM	TO		
River Road	West Side	Almond Street	Ross Street	6 Hours	

ADD the following to Schedule "XXXV" – Set Fines - Part II Offences:

Item	Column 1	Column 2	Column 3
	Short Form Wording – Set Fines	Provision Creating or Defining Offence	Set Fine
92	Park exceeding time limit where prohibited by sign within the downtown limits	3.20.1	\$25.00

**CARRIED**

**15-22** Moved by DiMarco and Fokkens

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report TRAF-2015-13: Traffic Flow Revision for River Road; and further

THAT Welland City Council approves opening of River Road from Downs Drive to Almond Street to allow two-way traffic; and further

THAT Welland City Council designates Cooper Street as a two-way street; and further

THAT Welland City Council approves a speed limit of 40km/hr on River Road between Downs Drive and East Main Street.

**CARRIED**

**15-37** Moved by Letourneau and P. Chiochio

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the verbal report by Councillor Fokkens, Chair, Water/Wasterwater Ad Hoc Committee, regarding its meetings of July 29, 2015.

**CARRIED**

**15-46** Moved by Larouche and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND receives Report ENG-2015-26 and approves the purchase of two (2) new one ton cab & chassis trucks with dual wheels complete with aluminum service body suitable for mounting on a cab and chassis with 60" CA from Brock Ford Sales Inc. being the lowest tender submitted who met the specifications at a tendered price of \$117,573.00 plus applicable taxes, (HST and AC Excise Tax) as funded through the 2015 Waterworks Budget Report; and further THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into contract with Brock Ford Sales Inc. to execute the sale.

**CARRIED**

**15-72Z** Moved by J. Chiocchio and Mastroianni  
 THAT THE COUNCIL OF THE CITY OF WELLAND approves an Amendment to Zoning By-law 2667, as amended, for lands on the north east corner of Lincoln Street and Prince Charles Drive North, more specifically described as Part Block M, Plan 1649, now known as Plan 564, being Part 1 on Plan 59R-14582, municipally known as 90 Lincoln Street from the existing C4-X4 Zone to a Site Specific C4 Zone to permit a propane dispensing station in conjunction with the existing gas station and convenience store, permit a height for the storage tank of 7.7 metres and a minimum setback from a Residential Zone or use of 15.6 metres.

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**15-72Z** Moved by J. Chiocchio and Letourneau  
 THAT THE COUNCIL OF THE CITY OF WELLAND permits the propane dispensing station in conjunction with the existing gas station and convenience store, permit a height for the storage tank of 7.7 meters and a minimum setback from a Residential Zone or use of 15.6 metres subject to a Holding (H) Symbol being placed on the Site Specific C4 Zone, removal of which will require the owner to submit a Safety and Risk Management Plan, satisfactory to the city.

**LOST**

**FOLLOWING THE LOST VOTE ON THE AMENDMENT, THE MAIN MOTION WAS PUT AND .....**

**LOST**

**15-85** Moved by McLeod and Mastroianni  
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the submission of Norjohn Contracting and Paving Limited as detailed in Report ENG-2015-27 for the Supply and Application of Road Surface Bonded Wearing Course at a price of \$97,983.47 plus applicable taxes; and further  
 THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into contract with Norjohn Contracting and Paving Limited, to execute the construction.

**CARRIED**

**15-89** Moved by Larouche and McLeod  
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence dated July 21, 2015 from Randy Pettapiece, MPP, Perth-Wellington regarding the upcoming private members resolution he is submitting in the Ontario legislature regarding Fairness in Provincial Infrastructure Funds; and further  
 THAT Welland City Council fully supports the resolution and encourages all members of the legislature to also support equal and transparent notice and consideration of infrastructure funding.

**CARRIED**

**15-90** Moved by Larouche and McLeod  
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence dated July 20, 2015 from the Region of Niagara regarding the Analysis of Niagara Catholic District Schools Board (NCDSB) and the Education Development Charge (EDC) Background Study.

**CARRIED**

**15-92** Moved by Larouche and McLeod  
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information purposes the Semi-Annual Subdivision Status Report as of June 30, 2015.

**CARRIED**

**15-93** Moved by Carl and J. Chiocchio  
 THAT THE COUNCIL OF THE CITY OF WELLAND approves entering into a Maintenance Agreement with the City of Thorold for the proposed storm sewers which will service the proposed Merritt Meadows Subdivision in the City of Thorold; and further  
 THAT Welland City Council approves entering into a Servicing Agreement with Sterling Reality (Niagara) Inc. for the opening and extension of Days Avenue in Welland north of St. Lawrence Drive which will connect to the proposed Merritt Meadows Subdivision in Thorold; and further  
 THAT Welland City Council directs staff to prepare any necessary By-laws; and further  
 THAT Welland City Council authorizes the Mayor and Clerk to execute any necessary documents associated with the Agreement.



**CARRIED****15-94****15-94Z**

Moved by Mastroianni and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information purposes Report P&B-2015-44 regarding Applications for Approval of a Draft Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment for lands on the west side of Clare Avenue, south of Fitch Street, municipally known as 381 Clare Avenue.

**CARRIED****BY-LAWS**

Moved by Mastroianni and Petrachenko

THAT THE COUNCIL OF THE CITY OF WELLAND having given due consideration to the following By-laws, as reproduced in this evening's Council Agenda, now read a first, second and third time and pass same, and authorize the Mayor and Clerk to sign and seal same.

**14-22**

BYL 2015 - 95

A By-law to appoint a Hearings Officer pursuant to By-law 2014-81.

**10-76**

BYL 2015 - 97

A By-law to authorize execution of a Façade Improvement Grant Agreement with Don Oliver's Draperies & Decorating Services Ltd. for 290 East Main Street.

**15-85**

BYL 2015 - 101

A By-law to authorize entering into contract with Norjohn Contracting and Paving Limited for the supply and application of road surface materials.

**15-93**

BYL 2015 - 102

A By-law to authorize entering into a Servicing and Maintenance Agreement with the City of Thorold and Sterling Realty (Niagara) Inc. for the development of Merritt Meadows Subdivision in the City of Thorold.

**CARRIED**

Moved by Larouche and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND having given due consideration to the following By-laws, as reproduced in this evening's Council Agenda, now read a first, second and third time and pass same, and authorize the Mayor and Clerk to sign and seal same.

**10-76**

BYL 2015 - 98

A By-law to authorize execution of a Building Improvement Grant Agreement with the Rex Hotel Welland Ltd. for 330-346 King Street.

**11-93**

BYL 2015 - 99

A By-law to amend Zoning By-law 2667 upon the application of 2463396 Ontario Inc. to remove the Holding Symbol "H" from certain lands east of River Road, north of Woodlawn Road, municipally known as 652 River Road (File 2011-02).

**15-46**

BYL 2015 - 100

A By-law to authorize purchase of two (2) new one ton cab and chassis trucks from Brock Ford Sales Inc.

**15-22**

BYL 2015 - 103

A By-law to amend By-law 89-2000, being a By-law Regulating Traffic and Parking within the City of Welland (Schedules I, V, VIII, IX, XXIV, XXVII and XXXV).

**08-48**

BYL 2015 - 104

A By-law to amend By-law 2009-108, being a By-law prescribing standards for the Maintenance and Occupancy of Property.

**15-4**

BYL 2015 - 105

A By-law to authorize an extension agreement with the registered owner of the land municipally known as 27 Centre Street.

**CARRIED**

Moved by Larouche and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND having given due consideration to the following By-law, as reproduced in this evening's Council Agenda, now read a first, second and third time and pass same, and authorize the Mayor and Clerk to sign and seal same.

**15-1**

BYL 2015 - 96

A By-law to adopt, ratify and confirm proceedings of the Council of the Corporation of the City of Welland at its meeting held on the 25<sup>th</sup> day of August, 2015.

**CARRIED**

Councillor J. Chiochio gave Notice of Motion to the following issue to be presented to Council at the September 15, 2015 Regular Council Meeting:

**07-144** THAT THE COUNCIL OF THE CITY OF WELLAND directs the Economic Development Office to provide Council with quarterly reports on their progress in securing industry, business and investment in the City of Welland.

Council adjourned at 10:17 p.m.

These Minutes approved and adopted by Motion of Council this 15<sup>th</sup> day of September, 2015.

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**MAYOR**


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**CITY CLERK**