



MINUTES OF
COUNCIL MEETING, MARCH 21, 2017
CIVIC SQUARE, COUNCIL CHAMBERS
60 EAST MAIN STREET

Council met in Committee-of-the-Whole closed to the public at 5:15 p.m. and in open session at 7:14 p.m. on the above date.

His Worship Mayor Frank Campion in the Chair.

Members Present:

Councillors M. Carl (5:17 p.m.), J. Chiochio, T. DiMarco (6:45 p.m.), B. Fokkens, M.A. Grimaldi, J. Mastroianni, D. McLeod, M. Petrachenko and L. Van Vliet.

Members of Staff and Others Present:

Chief Administrative Officer, G. Long

City Clerk, T. Stephens

Deputy Clerk, C. Radice (7:14 p.m.)

Chief, Fire & Emergency Services, B. Kennedy (until 6:20 p.m. and again at 7:14 p.m.)

General Manager, Corporate Services, Chief Financial Officer/Treasurer, S. Zorbas

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

Manager of Development Approvals, G. Munday (until 6:20 p.m. and again at 7:14 p.m.)

Project Manager, Facilities, J. O'Neill (until 6:05 p.m. and again at 7:14 p.m.)

Engineering Design Supervisor, C. Anders (until 6:05 p.m. and again at 7:14 p.m.)

Water Quality Coordinator, R. Chamberlain (7:14 p.m. - 8:37 p.m.)

Recording Secretary, C. Viger (7:14 p.m.)

(Tom Hanrahan, Solicitor, was present during Committee-of-the-Whole discussions on a proposed or pending acquisition or disposition of land by the municipality or local board).

17-25 Moved by Mastroianni and J. Chiochio

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 5:15 p.m. to consider:

- personal matters about an identifiable individual, including municipal or local board employees; and
- proposed or pending acquisition or disposition of land by the municipality or local board.

CARRIED

17-25 Moved by Mastroianni and Petrachenko

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 7:10 p.m. with report.

CARRIED

AGENCIES, BOARDS, COMMISSIONS AND COMMITTEES REPORTS

17-13 Councillor Van Vliet, Chair, Infrastructure and Development Services addressed Council regarding the Transit Advisory Committee.

17-1 Moved by McLeod and Petrachenko

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meeting of March 7, 2017, as circulated.

CARRIED

10-130 Moved by Petrachenko and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from Niagara Regional Housing (NRH) dated February 17, 2017 regarding the NRH 2016 4th Quarter Report to Council.

CARRIED

13-50 Moved by Petrachenko and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND hereby directs staff to notify the Niagara Central Dorothy Rungeling Airport (NCDRA) Board, Transport Canada and the Niagara Region that the City of Welland will be divesting themselves of their involvement, financial obligations and ownership interest in the NCDRA effective January 1, 2018; and further

THAT THE CAO be directed to report back to Council on steps necessary to implement the above.

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13-50 Moved by Grimaldi and Mastroianni

THAT Welland City Council defers Report CAO-2017-03: Airport Governance Review until after the next airport commission meeting.

CARRIED

17-6 Moved by Petrachenko and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND declares April 4, 2017 as "Canadian Oncology Nursing Day" in the City of Welland as requested by the Canadian Association of Nurses in Oncology.

CARRIED

17-13 Moved by Van Vliet and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the verbal report by Councillor Van Vliet, Chair, Infrastructure and Development Services regarding the Transit Advisory Committee.

CARRIED

17-19 Moved by Van Vliet and Petrachenko

THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the Request for Proposal from Acapulco Pools Ltd., of Kitchener Ontario in the amount of \$248,000.00 plus applicable taxes; and THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into a contract with Acapulco Pools Ltd. to execute the replacement of the Maple Park Pool mechanical and filtration equipment.

CARRIED**17-57Z** Moved by Carl and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND approves an Amendment to the Zoning By-law 2667, as amended, for the lands on the west side of Niagara Street, south of Woodlawn Road, more specifically described as Part of Township Lot 240, former City of Thorold, now in the City of Welland, known municipally as 699 Niagara Street from the existing R2 - Single-Detached – Second Density Zone to a Site Specific Multiple Dwelling – Fourth Density (RM4) Zone to allow for the construction of a seven (7) storey residential apartment on the subject property; and further

THAT Welland City Council approves a Plan of Standard Condominium, for the lands on the west side of Niagara Street, south of Woodlawn Road, more specifically described as Part of Township Lot 240, former City of Thorold, now in the City of Welland, known municipally as 699 Niagara Street, subject to the following conditions:

1. That the Owner enters into a Condominium Agreement with the City of Welland that is to be registered on Title.
2. That the Owner enter into a Site Plan Agreement with the City of Welland that is to be registered on Title.
3. That no grading or construction work shall commence on site until such time as the Site Plan Agreement has been entered into, financial securities are in place and the Plan and all documentation has been registered on Title.
4. That all development must conform to the City of Welland's 'Municipal Standards', as amended.
5. That all necessary easements required for utility and servicing purposes be granted to the appropriate Authority free and clear of all encumbrances.
6. That the Owner agrees to pay cash-in-lieu of Parkland Dedication of 5% subject to the City's Parkland Dedication and Cash-in-Lieu of Parkland Dedication Policy.
7. That the Owner shall provide a Geotechnical Subsurface Investigation Study prepared by a qualified Geotechnical firm, to the satisfaction of the City of Welland, which must make recommendations on the use of the site for the construction proposed.
8. That the Owner submit to the City of Welland for review and approval, a complete review of the engineering requirements for the site.
9. That the following warning clause shall be included in the Condominium Agreement and inserted in all Agreements of Purchase and Sale or Lease of all dwelling units:
"This dwelling unit has been supplied with a central air conditioning system which will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound limit levels of the Municipality and the Ministry of the Environment and Climate Change."
10. That the following warning clause shall be included in the Condominium Agreement and inserted into all Agreements of Purchase and Sale or Lease for each unit to survive closing:
"Purchasers/tenants are advised that due to the site layout, garbage/recycling pick-up for the development will be provided by the condominium corporation through a private contractor and not by Niagara Region."
11. That the following clause shall be included in the Condominium Agreement and inserted into all Agreements of Purchase or Sale or Lease for each unit to survive closing:
"Purchasers/tenants are advised and each unit will have exclusive use to one (1) parking space to be designated by the Condominium Corporation."
12. That the Owner shall pay for the cost and construction of a bus pull off bay in front of this location, subject to review and approval of the City of Welland and the Regional Municipality of Niagara.; and further

THAT Welland City Council authorizes the Mayor and Clerk to sign the Draft Approval and Final Approval Plans once all Conditions have been satisfied.

YEAS: Councillors Grimaldi, Mastroianni, Van Vliet, Mayor Campion, Petrachenko, Carl and McLeod.

NAYS: Councillors Fokkens, J. Chiocchio and DiMarco.

CARRIED

17-59Z Moved by McLeod and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND approves an Amendment to Zoning By-law 2667, as amended, for lands on the east side of Turnberry Trail, east of Perth Trail, more specifically described as Part of Lots 18 and 19 and Part of the Road Allowance between Lots 18 and 19, being Lots 2 to 6, inclusive, Plan 59M-433, former Township of Crowland, now in the City of Welland. The lots are known municipally as 181, 191, 199, 209 and 217 Turnberry Trail, from RM3-X33, RM3-X34 and O1 Zones to a Site Specific R3-X20 Zone to allow for the construction of single-detached residential dwellings on the property.

CARRIED

17-63 Moved by Petrachenko and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND accepts the proposal from Bell Mobility Inc. to install small cell telecommunications equipment to select facilities and infrastructure owned by the City of Welland and permit Bell Mobility Inc. to provide wireless telecommunications services; and further THAT Welland City Council directs the Clerk to prepare all necessary By-laws to enter into a Master License Agreement with Bell Mobility Inc. for the installation of Small Cell telecommunications equipment.

CARRIED

17-64 Moved by Petrachenko and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated March 6, 2017 regarding the Foreign Trade Zone - Minute Item 10.2.3, CL 03-2017, March 2, 2017.

CARRIED

17-65 Moved by Petrachenko and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated March 3, 2017 regarding Report PDS 11-2017: Coordinated Policy Review - Response to Greenbelt Plan - Environmental Bill of Rights Posting.

CARRIED

17-66 Moved by Petrachenko and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information and supports the correspondence from the Town of Lincoln dated March 7, 2017 regarding Region-Wide Strategic Plan for Agricultural Irrigation.

CARRIED

17-67 Moved by Petrachenko and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report ENG-2017-07 regarding the 2016 Annual Summary Report as required per the Safe Drinking Water Act 2002, Ontario Regulation 170/03.

CARRIED

BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE

17-10

17-19 Moved by Petrachenko and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND appoints William Barnes and Wendy Barnes to the Market Square Advisory Committee commencing March 21, 2017 to November 30, 2018.

CARRIED

BY-LAWS

Moved by Van Vliet 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.

17-63

BYL 2017 - 20

A By-law to authorize entering into a Master Licence Agreement with Bell Mobility Inc. relating to Small Cell Telecommunications Equipment.

17-19

BYL 2017 - 21

A By-law to authorize entering into contract with Acapulco Pools Limited to replace equipment at Maple Park Pool.

17-57Z

BYL 2017 - 22

A By-law to amend City of Welland Zoning By-law 2667 (N Square Development Group Limited - File 2017-01) 699 Niagara Street.

17-59Z

BYL 2017 - 23

A By-law to amend City of Welland Zoning By-law 2667 (2090572 Ontario Inc. - File 2017-03) 181, 191, 199, 209 and 217 Turnberry Trail.

CARRIED

Moved by Petrachenko and Mastroianni

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.

99-110

BYL 2017 - 24

A By-law to repeal By-law 2007-183, being a By-law to authorize and prohibit uses on the East Side Trail.

CARRIED

Moved by Mastroianni and Van Vliet

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.

17-1

BYL 2017 - 25

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 21ST day of March, 2017.

CARRIED

Council adjourned at 9:00 p.m.

These Minutes approved and adopted by Motion of Council this 4th day of April, 2017.

MAYOR

CITY CLERK