



MINUTES OF
COUNCIL MEETING, MAY 2, 2017
CIVIC SQUARE, COUNCIL CHAMBERS
60 EAST MAIN STREET

Council met in Committee-of-the-Whole closed to the public at 6:25 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 (6:30 p.m.-7:30 p.m. - 8:16 p.m.), J. Chiochio, P. Chiochio, T. DiMarco, M.A. Grimaldi, J. Larouche, D. McLeod and M. Petrachenko (7:15 p.m. - 9:01 p.m.)

Members of Staff and Others Present:

Chief Administrative Officer, G. Long

City Clerk, T. Stephens

Deputy Clerk, C. Radice

Chief, Fire & Emergency Services, B. Kennedy

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

General Manager, Infrastructure and Development Services/City Engineer, S. Iannello

Manager of Development Approvals, G. Munday (7:14 p.m.)

17-25 Moved by McLeod and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 6:25 p.m. to consider:

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

CARRIED

17-25 Moved by Larouche and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 7:04 p.m. without report.

CARRIED

THE FOLLOWING ITEMS WERE ADDED:

17-13 Report TRANS-2017-03 from Gen. Mgr., Corporate Services, Chief Financial Officer/Treasurer - Inter Municipal Transit Renewal Agreement.

17-13 A By-law to authorize an extension agreement relating to Inter-Municipal Transit Services within the Niagara Region.

12-114 Welland Hydro-Electric Holding Corp. Resolution of the Sole Shareholder Approval for FIT 4 and FIT 5 Projects.

12-114 Welland Hydro-Electric Holding Corp. Resolution of the Sole Shareholder Approval - FIT Solar Generation Projects.

LEGISLATED PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT

Councillor Grimaldi presided as Chair of the Public Hearings:

17-78Z A complete application has been made by TURRIS HOLDINGS INC. to rezone Lots 1009 to 1012, Plan 951, Part Lot 22, Concession 6, former Township of Crowland, now in the City of Welland for lands at 175 Southworth Street from the existing RM2 - Multiple Dwelling - Second Density Zone and C3 - General Commercial Zone to a RM3 - Multiple Dwelling - Third Density Zone. The purpose of the Amendment is to allow for the future development of the property for residential purposes. The Official Plan designation is LOW DENSITY RESIDENTIAL.

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

David Hahn, Applicant, 70 Todd Road, Georgetown, Ontario L7G 4R7

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 of the application:

- No one spoke to the application.

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

Councillor Grimaldi presided as Chair of the Public Hearings:

17-79Z A complete application has been made by CALLUM SHEDDEN on behalf of THOMAS JOHN VITTIE to rezone Part Lot 33, Concession 4, former Township of Humberstone, now in the City of Welland for lands at 971 Forks Road from the existing A - Agricultural Zone to a Site Specific Agricultural Zone. The purpose of the Amendment is to recognize a reduced lot size, reduced MDS setback and to allow for the continued use of the property for a custom farming operation. The remainder of the property will be rezoned to a Site Specific Agricultural Zone to permit agricultural purposes only in perpetuity and to prohibit the use of the property for residential uses. The Official Plan designation is AGRICULTURAL.

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

Callum Shedden, Applicant, P.O. Box 24022, 39 Queen Street, St. Catharines, Ontario L2R 7P7

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 of the application:

- No one spoke to the application.

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

17-1 Moved by P. Chiocchio and Petrachenko
THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meeting of April 18, 2017, as circulated.

CARRIED

99-90
17-10 Moved by Larouche and P. Chiocchio
WHEREAS at the February 16, 2016 Council meeting Council appointed members to the Welland Downtown Business Improvement Area;
AND WHEREAS on April 21, 2017 the Welland Downtown Business Improvement Area provided a letter with a revised slate of Officers and Directors for the term of 2015-2018.
Now Therefore Be It Resolved THAT THE COUNCIL OF THE CITY OF WELLAND approves the revised slate of Officers and Directors for the term of 2015-2018 being: Dolorese Bujold Wright, Kelly Jones, Stephen Billyard, Jacqui Eisen, Lucas Spinosa, Heather Hudson, Brenda Herchmer, Samuel Hamp and Allyssa Adams.

CARRIED

04-92 Moved by P. Chiocchio and Larouche
THAT THE COUNCIL OF THE CITY OF WELLAND receives Report CAO 2017-04: City Signage for information purposes; and further
THAT staff proceed with the design, replacement and installation of various signage as contained in this report throughout the City of Welland as budgets and time permits.

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04-92 Moved by McLeod and J. Chiochio
THAT staff proceed with a signage master plan for rebranding City signage, as contained in report and report back to a General Committee meeting.

YEAS: Councillors Petrachenko, J. Chiochio and McLeod.

NAYS: Councillors P. Chiochio, Grimaldi, Mayor Campion, Larouche and DiMarco.

LOST

04-92 Moved by Petrachenko and McLeod
THAT Welland City Council refers Report CAO-2017-04: City Signage to a General Committee meeting.

LOST

YEAS: Councillors P. Chiochio, Grimaldi, Mayor Campion, Larouche, Petrachenko, J. Chiochio and DiMarco.

NAYS: Councillor McLeod.

**FOLLOWING THE VOTES ON THE AMENDING AND REFERRAL MOTIONS,
THE MAIN MOTION WAS PUT IN ITS ORIGINAL FORM AND**

CARRIED

05-50

17-10 Moved by Larouche and P. Chiochio
THAT THE COUNCIL OF THE CITY OF WELLAND appoints Earl Engemann and Joanne Lynes to the City of Welland Heritage Welland Committee as recommended by the Committee.

CARRIED

05-100 Moved by Larouche and P. Chiochio
THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the request for Quotation from Superior Boiler Works and Welding Limited, of Stoney Creek Ontario in the amount of \$172,364.00 plus applicable taxes; and further
THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into a contract with Superior Boiler Works and Welding Limited to execute the replacement of the Welland Courthouse Chiller equipment.

CARRIED

12-114 Moved by Larouche and P. Chiochio
THAT THE COUNCIL OF THE CITY OF WELLAND approves the following matters under 9.12 of the Shareholder Declaration:
(A) Investment Approval: Approve Welland Hydro Energy Services Corp. investment in Fit 4 and FIT 5, Groundmount solar joint venture for generation of electricity projects, which is greater than the \$200,000 Transaction Threshold specified in Shareholder Declaration Article 9.12(ii).
(B) Ongoing Transactions: Approve Welland Hydro Energy Services Corp. ongoing transactions related to operating the FIT 4 and FT 5 Groundmount Solar projects, which is anticipated to be greater than the \$200,000 Transaction Threshold specified in the Shareholder Declaration Article 9.12(ii).

CARRIED

13-50 Moved by Larouche and Grimaldi
THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence dated April 17, 2017 from the Niagara Central Airport Commission regarding the first quarter update on its activities and developments at the Niagara Central Dorothy Rungeling Airport.

CARRIED

17-13 Moved by P. Chiochio and McLeod
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Transit Report TRANS-2017-01: Enhanced Provincial Gas Tax Funding.

CARRIED

17-13 Moved by McLeod and Grimaldi
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the recommendations from Report TRANS-2017-02, Niagara College Student Administrative Council Summer Transit Agreement 2017; and further THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into this agreement.

CARRIED

17-13 Moved by Larouche and P. Chiochio
 THAT THE COUNCIL OF THE CITY OF WELLAND approves Report TRANS-2017-03: Inter Municipal Transit Renewal Agreement; and further THAT Welland City Council authorizes the Mayor and City Clerk to sign the extension agreement between the City of Welland and Niagara Region.

CARRIED

17-22 Moved by Larouche and P. Chiochio
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report TRAF-2017-04: 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 "V" – Parking Prohibitions (Specified Places with Signs)

COLUMN 1 HIGHWAY	COLUMN 2 SIDE	COLUMN 3		COLUMN 4 PERIOD (TIMES/DAYS)
		FROM	TO	
Silverthorn Street	North Side and South Side	Highway 140	210 meters westerly	At No Time

CARRIED

17-29 Moved by Larouche and P. Chiochio
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report CLK-2017-06: July and August Council Meeting Dates; and further THAT Welland City Council approves rescheduling the July 18 and August 15 Council meetings to July 25 and August 22, 2017.

CARRIED

17-52 Moved by P. Chiochio and Larouche
 THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the tender of Catalina Fuels Inc. of Stoney Creek, Ontario in the amount of \$3,448,923.00 plus applicable taxes as detailed in Report ENG-2017-14 for McNaughton Road, Bishop Road and Churchill Avenue Municipal Services Improvements; and THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into contract with Catalina Fuels Inc. to execute the construction; and further THAT Welland City Council authorizes the Chief Financial Officer (CFO) to transfer \$100,000.00 from the Bishop, McNaughton, Nelles Municipal Improvements Project to the Richmond and Springhead Watermain Replacement.

CARRIED

17-62 Moved by Larouche and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the tender of Catalina Fuels Inc. of Stoney Creek, Ontario in the amount of \$225,500.00 plus applicable taxes as detailed in Report ENG-2017-11 for Watermain Replacement on Richmond Street and Springfield Street; and further THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into contract with Catalina Fuels Inc. to execute the construction.

THAT Welland City Council authorizes the Chief Financial Officer (CFO) to transfer \$100,000.00 from the Bishop, McNaughton, Nelles Municipal Improvements Project to the Richmond and Springhead Watermain Replacement.

CARRIED

17-78Z Moved by McLeod and Carl

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information purposes Report P&B-2017-23 regarding an Application for Zoning By-law Amendment for lands on the east side of Southworth Street, north of Ontario Street, more specifically described as Lots 1009, 1010, 1011, and 1012, Plan 951, Part of Lot 22, Concession 6, former Township of Crowland, now in the City of Welland, known municipally as 175 Southworth Street.

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17-78Z Moved by DiMarco and Grimaldi

THAT Welland City Council requests to call the question regarding Report P&B-2017-23: Application for Zoning By-law Amendment (File No. 2017-06) Turriss Holdings Inc. for lands on the east side of Southworth Street, north of Ontario Street, Lots 1009, 1010, 1011 and 1012, Plan 951, Part of Lot 22, Concession 6, former Township of Crowland, now in the City of Welland known municipally as 175 Southworth Street.

YEAS: Councillors P. Chiocchio, Grimaldi, Mayor Campion, J. Chiocchio and DiMarco.

NAYS: Councillors Larouche, Petrachenko, Carl and McLeod.

CARRIED

FOLLOWING THE VOTE TO CALL THE QUESTION, THE MAIN MOTION WAS PUT IN ITS ORIGINAL FORM AND

CARRIED

17-79Z Moved by Larouche and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND approves and Amendment to Zoning By-law 2667, as amended, for lands on the south side of Forks Road, east of Townline Road, more specifically described as Part of Lot 33, Concession 4 in the Geographic Township of Humberstone, in the City of Welland, municipally known as 971 Forks Road, from the existing Rural Agricultural Zone (RA) to a Site Specific RA Zone to rezone Part 1 to allow for continued custom farming on the property; recognize a reduced lot area of 1.8 hectares; recognize a reduced Minimum Distance Separation Distance of 230 metres to a neighbouring livestock barn and associated manure storage; and to allow the owners to temporarily reside in the current residence on the property while constructing a new dwelling on the property; and to Rezone Part 2 to Agricultural Purposes Only to prohibit the construction of any new dwellings on the property; and further

THAT no further Public Meeting is required as the changes to the application were minor, in accordance with Section 34(17) of the *Ontario Planning Act*.

CARRIED

17-80 Moved by Larouche and P. Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND approves the Exemption of Part Lot Control for Part of Lot 439 and Lot 440, Plan 963, being Parts 1 and 2 on Registered Plan 59R-9658 to recognize the development of one semi-detached dwelling (two (2) semi-detached dwelling units) on these lands; and further

THAT Welland City Council authorizes Staff to prepare the necessary By-laws.

CARRIED

BY-LAWS

Moved by Larouche and Grimaldi

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.

17-22

BYL 2017 - 40

A By-law to amend By-law 89-2000, being a By-law regulating Traffic and Parking within the City of Welland (Schedule V).

05-100

BYL 2017 - 43

A By-law to authorize entering into contract with Superior Boiler Works and Welding Limited for the Welland Court House Chiller Replacement.

17-80

BYL 2017 - 45

A By-law to exempt certain lands from Part-Lot Control – Part of Lots 439 and 440, Plan 963, being Parts 1 and 2 on Plan 59R-9685, City of Welland.

CARRIED

Moved by Larouche and P. Chiocchio

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, as amended now read a first, second and third time and pass same, and authorize the Mayor and Clerk to sign and seal same.

17-62

BYL 2017 - 41

A By-law to authorize entering into contract with Catalina Excavating Inc. for watermain replacement on Richmond Street and Springfield Street.

17-52

BYL 2017 - 42

A By-law to authorize entering into contract with Catalina Fuels Inc. for McNaughton Road, Bishop Road, Nelles Road and Churchill Avenue Municipal Services Improvements.

17-79Z

BYL 2017 - 44

A By-law to amend City of Welland Zoning By-law 2667 (Thomas John Vittie - File 2017-07) 971 Forks Road.

17-13

BYL 2017 - 46

A By-law to enter into agreement with Niagara College Student Administrative Council Incorporated to provide Welland Transit U-Pass Service for the 2017 summer Semester.

17-13

BYL 2017- 47

A By-law to authorize an extension agreement relating to Inter-Municipal transit services within the Niagara Region.

CARRIED

Moved by Larouche and Grimaldi

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 - 48

A By-law to adopt, ratify and confirm proceedings of the Council of the Corporation of the City of Welland at its meeting held on the 2nd day of May, 2017.

CARRIED

Council adjourned at 9:14 p.m.

These Minutes approved and adopted by Motion of Council this 16th day of May, 2017.

MAYOR

CITY CLERK