



MINUTES OF
SPECIAL COUNCIL MEETING, OCTOBER 27, 2020
CIVIC SQUARE, COUNCIL CHAMBERS
60 EAST MAIN STREET

Council met in Committee-of-the-Whole closed to the public at 6:43 p.m. and in open session at 7:11 p.m., and again in Committee-of-the-Whole closed to the public at 8:16 p.m. and again in open session at 8:49 p.m.

His Worship Mayor Frank Campion in the Chair.

Members Present Electronically:

Councillors J. Chiochio, T. DiMarco (until 7:46 p.m.), B. Fokkens, B. Green, M.A. Grimaldi,
J. Larouche, D. McLeod, A. Moote (8:10 p.m.), G. Speck, L. Spinosa, C. Richard, and L. Van Vliet.

Members of Staff and Others Present:

Interim CAO/General Manager, Corporate Services, Chief Financial Officer/Treasurer, S. Zorbas
City Clerk, T. Stephens
General Manager, Infrastructure and Development Services, T. Fitzpatrick
General Manager, Economic Development & Recreation & Culture, D. Degazio
Manager of Human Resources, A. Daisley
Planning Supervisor, R. Larocque (7:11 p.m. - 8:16 p.m.)
Manager of Development Approvals, G. Munday (7:11 p.m. - 8:16 p.m.)

2020 - 295**20-25**

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 6:43 p.m. to consider:

- Personal matters about an identifiable individual, including municipal or local board employees;
 - *Human Resources Matters update.*
 - *Memorandum - Chief Administrative Officer recruitment.*

CARRIED**2020 - 296****20-25**

Moved by McLeod and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 7:10 p.m. without report.

CARRIED**2020 - 297****02-160**

Moved by Fokkens and Green

THAT THE COUNCIL OF THE CITY OF WELLAND suspends the rules to add 7.1 "Council matters previously discussed with staff for reporting purposes" to the agenda.

YEAS: Councillors Green, Speck, Chiocchio, DiMarco, Richard and Fokkens.

NAYS: Councillors Larouche, McLeod, Grimaldi, Spinosa, Van Vliet and Mayor Campion.

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

Councillor Van Vliet presided as Chair of the Public Hearings:

20-113 Complete applications have been made by the Corporation of the City of Welland to redesignate lands and to rezone lands described as Part Township Lots 23 and 24, Concession 5, Parts 1 and 2 on RP 59R-9333, and Part 1 on RP 59R-6589, City of Welland for lands municipally known as 80, 98, 122 and 148 Colborne Street. The lands are currently under appeal in Zoning By-law 2017-117. The application has been to rezone the lands to Site Specific Rural Residential - RR, to allow for a maximum of eight (8) residential lots to be created in this area on private services, and set out site specific lot area, frontage, front yard, interior side yard, rear yard, building height, lot coverage provisions, and to require that the development on these lands must be completed through a Draft Plan of Condominium. An application for Official Plan Amendment has also been submitted in conjunction with the application for Rezoning to identify the lands as an Area Specific Policy.

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

Travers Fitzpatrick, City of Welland is the applicant.

In support of the application:

- Tom Richardson, Sullivan Mahoney LLP. 40 Queen Street, St. Catharines, ON L2R 5G3
- Greg Hynde, Quartek Group 89-91 St. Paul Street, Suite 100 St. Catharines, ON L2R 3M3

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

In opposition of the application:

- Pauline Falardeau, 114 Colborne Street, Welland, ON L3B 3P1

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

20-112 A complete application has been made by U. Lucchetta Construction Ltd. to amend the existing Site Specific Residential Multiple RM-4 Zone in Zoning By-law 2017-117. This application will impact properties on Kintyre, Turnberry, Berwick, Ganton, Carrick and Ailsa Trials, as well as lands that have not yet been registered as part of the Plan of Subdivision. The purpose of the application for Rezoning is to: allow for front yard porches to encroach into the front yard on corner lots, allow for lot coverage of 60% for interior units on townhouse blocks; to allow for covered or uncovered rear yard decks to encroach 3 metres into the rear yard; and to identify that the daylighting triangle is not the front yard on corner lots. The Official Plan designation is Medium Density Residential.

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

Rob Lucchetta, is the applicant, U. Lucchetta Construction 1054 Quaker Road Welland, ON L3B 5N5

In support of the application:

- No one spoke.

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.

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

2020 - 298

20-24 Moved by Fokkens and Van Vliet

1. THAT THE COUNCIL OF THE CITY OF WELLAND receives for information staff Report HR-2020-06: Chief Administrative Officer (CAO) Recruitment, and further
2. THAT Welland City Council provides direction and selects option one (1) regarding the recruitment of the CAO to Human Resources, and further
3. THAT Welland City Council approves the amendment to the CAO salary to allow compensation at the 60th percentile, on the non-union salary schedule; and further
4. THAT Welland City Council approves an amendment to By-law 2017-82 to remove "1. Wages (c)".

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20-24 Moved by Fokkens

THAT Welland City Council amends option one (1) to state "Council appoints a CAO Hiring Committee to be comprised of Mayor, and one Councillor per ward two of which are female on the committee".

NOT PUT

20-24 Moved by Speck and Chiochio
THAT Welland City Council amends option one (1) to state "CAO Hiring sub-committee be comprised of Mayor, and one Councillor per ward".

YEAS: Speck and Chiochio.

NAYS: Larouche, Green, McLeod, Richard, Grimaldi, Spinosa, Fokkens, Moote, Van Vliet and Mayor Campion.

LOST

20-24 Moved by Green and Van Vliet
THAT Welland City Council amends option one (1) to state "CAO Hiring Committee be comprised of the Mayor, and four members of Council as appointed by Council".

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20-24 Moved by Spinosa and McLeod
THAT Welland City Council amends option one (1) to state "CAO Hiring Committee be comprised of the Mayor, and four members of Council as appointed by Council by 2/3 majority vote".

YEAS: Councillors Larouche, McLeod, Richard, Spinosa, Moote, Van Vliet and Mayor Campion.

NAYS: Councillor Green, Speck, Chiochio, Grimaldi and Fokkens.

CARRIED

FOLLOWING THE VOTE TO AMEND THE AMENDMENT, THE AMENDMENT WAS PUT AS AMENDED AND

YEAS: Councillor Larouche, Green, Speck, McLeod, Richard, Grimaldi, Moote, Van Vliet and Mayor Campion.

NAYS: Councillor Chiochio, Spinosa and Fokkens.

CARRIED

FOLLOWING THE VOTES TO AMEND THE MAIN MOTION, THE MAIN MOTION WAS PUT AS AMENDED AND SPLIT.

20-24 Moved by Fokkens and Van Vliet
1. THAT THE COUNCIL OF THE CITY OF WELLAND receives for information staff Report HR-2020-06: Chief Administrative Officer (CAO) Recruitment, and further
2. THAT Welland City Council provides direction and choses option one regarding the recruitment of the CAO to Human Resources.

YEAS: Councillors Larouche, Green, Speck, McLeod, Richard, Grimaldi, Spinosa, Fokkens, Moote, Van Vliet and Mayor Campion.

NAYS: Councillor Chiochio.

CARRIED

20-24 Moved by Fokkens and Van Vliet

3. THAT Welland City Council approves the amendment to the CAO salary to allow compensation at the 60th percentile, on the non-union salary schedule; and further
4. THAT Welland City Council approves an amendment to By-law 2017-82 to remove "1. Wages (c)".

YEAS: Councillors Larouche, Green, McLeod, Grimaldi, Spinosa, Moote, Van Vliet, and Mayor Campion.

NAYS: Councillors Speck, Chiochio, Richard and Fokkens.

CARRIED

2020 - 299**20-104** Moved by Fokkens and Moote.

1. THAT THE COUNCIL OF THE CITY OF WELLAND adopts Official Plan Amendment No. 29 to re-designate lands generally described as bordering the City of Welland municipal boundary with the City of Thorold and the Town of Pelham to the north, Niagara Street (Regional Road 50) to the east, the existing City of Welland urban area to the south and Clare Avenue to the west (Northwest Welland Secondary Plan area) from Agriculture, Residential, Institutional, Open Space and Recreation and Core Natural Heritage System to Low Density Established Residential, Low Density Greenfield Residential, Medium Density Residential, General Institutional, Open Space and Recreation, Environmental Conservation Area and Environmental Protection Area thereby implementing the proposed urban land use designations and policies for the proposed Northwest Welland Secondary Plan; and further
2. That Welland City Council endorses the Urban Design Guidelines for the Northwest Welland Secondary Plan area prepared by SGL Planning & Design Inc. dated August 2020 to guide the implementation of the Northwest Welland Secondary Plan through future development approval processes; and further
3. That Welland City Council directs staff to prepare the necessary By-laws; and further
4. That Welland City Council directs staff to circulate a copy of Report P&B-2020-63 to Niagara Region advising of its adoption of Official Plan Amendment No. 29 to include land use designations and policies recommended by the Northwest Welland Secondary Plan; and further
5. That Welland City Council requests that Niagara Region Council approve Official Plan Amendment No. 29 for the City of Welland.

(Councillor McLeod disclosed a conflict of interest in this matter, and did not take part in the consideration and discussion of same, and refrained from voting thereon, as his parents live in the area affect by the report).

CARRIED

2020 - 300**20-112** Moved by Green and Larouche

1. THAT THE COUNCIL OF THE CITY OF WELLAND approves application for Zoning By-law Amendment 2020-08 submitted by U. Lucchetta Construction for all lands within the RM-5 Zone, to amend the wording in the RM-5 Zone; and further
2. THAT no further notice under the Planning Act are required as the proposed changes to the proposed Zoning By-law Amendment are minor, as per Section 34(17) of the Planning Act.

CARRIED

2020 - 301**20-113** Moved by Grimaldi and Spinosa

1. THAT THE COUNCIL OF THE CITY OF WELLAND approves Official Plan Amendment # 32; and
2. THAT THE COUNCIL OF THE CITY OF WELLAND approves amendments to City of Welland Zoning By-law 2017-117 to permit the construction of a maximum of 8 single unit dwellings in the RR-101 Special Exceptions Zone, subject to the provisions in the said Zone; and further
3. THAT THE COUNCIL OF THE CITY OF WELLAND requests Regional Niagara to approve the deferred portion of the City of Welland Official Plan, while making provision for City of Welland OPA # 32.

CARRIED

2020 - 302**20-26**

Moved by McLeod and Green

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 8:16 p.m. to consider:

- Personal matters about an identifiable individual, including municipal or local board employees;
 - *Human Resources Matters update.*
 - *Memorandum - Chief Administrative Officer recruitment.*
- Proposed or pending acquisition or disposition of land by the municipality or local board; and
 - *Land Sale update.*
 - Colborne Street.

CARRIED**2020 - 303****20-25**

Moved by McLeod and Moote

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 8:48 p.m. without report.

CARRIED**.BY-LAWS**

Moved by Grimaldi and Spinosa

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.

20-113

BYL 2020 - 126

A By-law to authorize the adoption of Official Plan Amendment No. 32.

20-113

BYL 2020 - 127

A By-law to amend City of Welland Zoning By-law 2017-117 Froude - Colborne Street).

20-104

BYL 2020 - 128

A By-law to authorize the adoption of Official Plan Amendment No. 29.

20-112

BYL 2020 - 129

A By-law to amend City of Welland Zoning By-law 2017-117 (U Lucchetta Construction Ltd. - File No. 2020-08) Lots 8-60 (inclusive) Plan 59M-389; Lots 1-41 (inclusive) and Bocks 48 - 52 (inclusive) Plan 59M-433; Lots 10-44 (inclusive) and Blocks 49 - 53 (inclusive) Plan 59M-458; and part of Part 1 and Part 2 RP 59R-10855, Part Road Allowance, Part Lots 18 and 19, Concession 1, former Township of Crowland, City of Welland.

CARRIED

Moved by McLeod 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.

20-1

BYL 2020 - 130

A By- to adopt, ratify and confirm proceedings of the Council of the Corporation of the City of Welland at its meeting held on the 27th day of October, 2020.

CARRIED

Council adjourned at 9:43 p.m.

These Minutes to be approved and adopted by Motion of Council this 3rd day of November, 2020.

MAYOR

CITY CLERK