



MINUTES OF
COUNCIL MEETING, JANUARY 19, 2021
CIVIC SQUARE, COUNCIL CHAMBERS
60 EAST MAIN STREET

Council met in Committee-of-the-Whole closed to the public at 6:32 p.m. and in open session at 7:10 p.m. and again in Committee-of-the-Whole closed to the public at 8:20 p.m. on the above date.

His Worship Mayor Frank Campion in the Chair.

Members Present:

Councillors J. Chiochio, T. DiMarco, B. Fokkens, B. Green, M.A. Grimaldi, J. Larouche, D. McLeod, A. Moote, G. Speck, L. Spinosa (6:37 p.m.), 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
Interim Director of Engineering and Public Works, SM. Millar
Interim Director of Development and Building Services, G. Munday
Deputy City Clerk, L. Bubanko
General Foreman, Public Works, R. Chamberlain (7:10 p.m. until 8:20 p.m.)
Manager of Public Works, V. Beaudoin (7:10 p.m. until 8:20 p.m.)
Water Quality & Compliance Supervisor, S. Vander Veer (7:10 p.m. until 8:20 p.m.)

(Tom Hanrahan, Solicitor, was present during Committee-of-the-Whole discussion regarding receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose).

2021 - 9**21-25**

Moved by Grimaldi and Moote

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 6:32 p.m. to consider:

- receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and
 - *Planning Matter update.*
- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
 - *OMERS In Lieu.*

(Councillor Van Vliet was not present during Committee-of-the-Whole discussions on litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board).

CARRIED**2021 - 10****21-25**

Moved by Moote and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 7:08 p.m. without report.

CARRIED**PRESENTATION**

Mayor Campion presented the Winter Lights Competition to the following winners of the 2020 Winter Lighting Contest:

1st Place: Scott and Lisa Cullen, 322 Classic Avenue.

2nd Place: David Durley, 80 Courtney Crescent.

3rd Place: Dale and Fran Johnston, 169 Price Avenue.

People's Choice Award: David Durley, 80 Courtney Crescent.

LEGISLATED PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT

Councillor Van Vliet presided as Chair of the Public Hearings:

18-97 A complete application has been made by BETTER NEIGHBOURHOODS INC. on behalf of CAIRNWOOD DEVELOPMENTS INC. (File No. 2020-12) to rezone Part Lots 50, 51, 52, 53, 54, 55 and Lots 56 to 75 (inclusive), Plan 942; Part Lane Plan 942 (closed); Part Trufal Ave., Plan 942 formerly Sixth Avenue East (closed), designated as Parts 1, 2,3 4, 5, 6, and 7 Plan 59R-16434; subject to an easement in gross over Parts 2, 3 & 6, Plan 59R-16343, City of Welland for lands at 170 Broadway Avenue to amend the existing RM-89 Zone in Zoning By-law 2017-117. The purpose of the Amendment is to allow for an increase in the maximum lot coverage for roofed structure to 60%; allow for a maximum lot coverage for an accessory structure of 15%; and to allow for a minimum parking stall width of 2.7 metres where the parking space abuts a wall. The Official Plan designation is Medium Density Residential. The land are also subject to Draft Plan of Vacant Land Condominium approval (File No. 26CD-14-18006).

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

Taylor Meadows, Better Neighbourhoods Development Consultants, 190A Ontario Street, St. Catharines, ON L2R 5K9 on behalf of the applicant.

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.

18-39 A complete application has been made by UPPER CANADA CONSULTANTS on behalf of VINMAR DEVELOPMENT LTD. (File No. 2020-13) to rezone Part of Lot 1, Concession 13, former Township of Thorold, now the City of Welland for lands at 370 Murdock Road from the existing RL1-84 to Site Specific Residential Low Density 2 – RL2 and to amend the existing Site Specific RM-84 Zone in Zoning By-law 2017-117. The purpose of the Amendment is to allow for: no maximum lot coverage, to allow for rear yard encroachments of 4.5 metres for decks/porches; and, to not recognize zone lines as property lines and to allow for a 0 metre setback to zone lines in the proposed Site Specific RL2 Zone. The requested amendment to the existing RM-84 Zone is to not recognize zone lines as property lines and to allow for a 0 metre setback to zone lines. The Official Plan designation is Low Density Residential and Medium Density Residential. The lands currently have Draft Plan of Subdivision approval (File No. 26T-14-17006).

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

Matt Kernahan, Upper Canada Planning and Engineering Limited, 30 Hannover, Unit #3, St. Catharines, ON L2W 1A3 on behalf of the applicant.

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.

PRESENTATION

21-37 Sandra Vander Veer, Water Quality & Compliance Supervisor and Ray Chamberlain, General Foreman Public Works, addressed Council regarding Drinking Water Quality Management Awareness.

2021 - 11

21-1 Moved by Van Vliet and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meeting of December 15, 2020 and Special Council Meetings of December 22, 2020 and January 12, 2021, as circulated.

CARRIED

2021 - 12**11-108**

Moved by Chiocchio and Spinosa

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report P&B-2021-01 being a quarterly summary report of approved Community Improvement Plan Incentive Applications between October 1, 2020 and December 31, 2020.

CARRIED**2021 - 13****18-39**

Moved by Van Vliet and Mootte

THAT THE COUNCIL OF THE CITY OF WELLAND approves application for Zoning By-law Amendment for lands on the north side of Webber Road, east side of Murdock Road, west of South Pelham Road, and south of Chantler Road, municipally known as 370 Murdock Road to rezone a portion of the lands to Site Specific Residential Low Density 2 and to amend the existing RM-85 Zone; and further
THAT Welland City Council approves application for Redline Revision to the existing Draft Plan of Subdivision.

CARRIED**2021 - 14****18-97**

Moved by Van Vliet and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND approves application for Zoning By-law Amendment made by Better Neighbourhoods Inc. on behalf of Cairnwood Developments Inc. for lands on the south side of Broadway Avenue, north side of St. George Street and east side of Perenack Avenue from the existing Site Specific RM-89 to a modified RM-89.

CARRIED**2021 - 15****20-64**

Moved by Green and Fokkens

1. THAT THE COUNCIL OF THE CITY OF WELLAND approves Report TRAF-2021-04: Temporary Patios & Outdoor Displays on Public and Private Property; and further
2. THAT Welland City Council waives Road Occupancy Permit fees for businesses for the 2021 calendar year related to patio installation and outdoor displays; and further
3. THAT Welland City Council sets the cash-in-lieu of parking requirement for outdoor patios at \$0 per parking space for the remainder of 2021 and that an applicant will be required to enter into an agreement with the City; and further
4. THAT Welland City Council authorizes the Interim Director of Development and Buildings Services to sign these cash-in-lieu of parkland agreements; and further
5. THAT Welland City Council waives Site Plan Exemption Fees for outdoor patios and outdoor displays for commercial businesses.

(Councillor Spinosa 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 business may benefit by the program).

CARRIED**2021 - 16****20-64**

Moved by Grimaldi and Spinosa

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information and supports the letter from the Medical Advisory Committee; and further
THAT Welland Council in the strongest possible terms, urges the Provincial Government to immediately allocate more Pfizer vaccines to Niagara and restore the allocation of Moderna that was unfairly taken away, that the Mayor be authorized to send a letter to the Premier of Ontario to this effect on behalf of Welland City Council and that this motion be forwarded to all local area municipalities, all members of the Provincial Legislature and the Medical Advisory Committee.

UNANIMOUSLY CARRIED

2021 - 17**20-82**

Moved Green and DiMarco

THAT WELLAND CITY COUNCIL suspends the rules to reconsider expropriation By-law 2020-144.

YEAS: Councillors Larouche, Green, Speck, Chiocchio, DiMarco, Richard, Grimaldi and Fokkens.**NAYS:** Councillors McLeod, Spinosa, Moote, Van Vliet and Mayor Campion.**LOST****2021 - 18****21-29**

Moved by Fokkens and Spinosa

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report CLK-2021-03, regarding the annual meetings of Council in 2020.

CARRIED**2021 - 19****21-30**

Moved by Green and Spinosa

THAT THE COUNCIL OF THE CITY OF WELLAND requests the Niagara Region to declare a state of emergency on mental health, homelessness and addiction; and further The Niagara Regional Council, Niagara Region Public Health and Social Services, Premier of Ontario, Minister of Health, Minister of the Attorney General, Minister of Children, Community and Social Services, Minister of Municipal Affairs and the Niagara Center MPP be copied on this resolution.

YEAS: Councillors Larouche, Green, Speck, Chiocchio, McLeod, DiMarco, Richard, Grimaldi, Spinosa, Fokkens, Moote, Van Vliet and Mayor Campion.**NAYS:** None.**CARRIED****2021 - 20****21-37**

Moved by Richard and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Sandra Vander Veer, Water Quality & Compliance Supervisor and Ray Chamberlain, General Foreman, Public Works regarding Drinking Water Quality Management Awareness.

CARRIED**BY-LAWS**

Moved by Moote 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.

18-39

BYL 2021 - 4

A By-law to amend City of Welland Zoning By-law 2017-117 (Vinmar Developments Ltd - File 2020-13) Part Lot 1, Concession 13, former Township of Pelham, now in the City of Welland, 370 Murdock Road.

18-97

BYL 2021 - 5

A By-law to amend City of Welland Zoning By-law 2017-117 (Cairnwood Developments Inc.- File 2020-12) Part Lots 50, 51, 52, 53, 54, 55 and Lots 56-75 (inclusive), Plan 942; Part Lane Plan 942 (closed); Part Trufal Ave, Plan 942, formerly Sixth Avenue East (closed), designated as Parts 1, 2, 3, 4, 5, 6 and 7, Plan 59R-16434; subject to an easement in Gross over Parts 2, 3 & 6, Plan 59R-16434, City of Welland; 170 Broadway Avenue.

CARRIED

Moved by Moote and Larouche

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.

21-31

BYL 2021 - 6

A By-law to exempt certain lands from Part-Lot Control - Parts 1 and 2 on Plan 59R-16858 (81-87 Grove Street), City of Welland.

21 - 32

BYL 2021 -7

A By-law to Lay Out, Establish and Name Part 4, Plan 59R-16855 as Part of Thorold Road West.

21-13

BYL 2021 - 8

A By-law to authorize entering into a Transfer Payment Agreement with Her Majesty The Queen In Right of Ontario as represented by The Minister of Transportation Ontario for Municipal Transit Enhanced Cleaning.

CARRIED

Moved by Grimaldi and Moote

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.

12-96

BYL 2021 - 9

A By-law to appoint an Integrity Commissioner; and to repeal By-law 2020-136.

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Moved by Van Vliet and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND requests to call the question.

LOST

FOLLOWING THE VOTE TO CALL THE QUESTION, THE MAIN BY-LAW WAS PUT IN ITS ORIGINAL FORM AND

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

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

CARRIED

Moved by Grimaldi 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.

21-1

BYL 2021 - 10

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 19th day of January, 2021.

CARRIED

2021 - 21

21-25

Moved by Speck and 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 8:20 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;
 - *Property matter.*

CARRIED

2021 - 22

21-25

Moved by McLeod and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 8:41 without report.

CARRIED

Council adjourned at 9:45 p.m.

These Minutes to be approved and adopted by Motion of Council this 2nd day of February, 2021.

MAYOR

CITY CLERK