



**MINUTES OF**  
**COUNCIL MEETING, SEPTEMBER 7, 2021**  
**CIVIC SQUARE, COUNCIL CHAMBERS**  
**60 EAST MAIN STREET**

Council met in Committee-of-the-Whole closed to the public at 5:06 p.m. and in open session at 7:08 p.m. on the above date.

His Worship Mayor Frank Campion in the Chair.

**Members Present:**

Councillors J. Chiocchio, T. DiMarco, B. Fokkens, B. Green (5:11 p.m.), M.A. Grimaldi (5:11 p.m.), J. Larouche, J. Mastroianni, D. McLeod (5:15 p.m.), A. Moote, C. Richard, G. Speck, and L. Van Vliet.

**Members of Staff and Others Present:**

CAO/Director Corporate Services, Chief Financial Officer/Treasurer, S. Zorbas  
Deputy City Clerk, L. Bubanko  
Legislative Assistant, C. Viger  
Fire Chief & Community Emergency Management Coordinator, A. Eckhart  
Director of Infrastructure Services, SM. Millar  
Director of Planning and Development Services, G. Munday  
Manager of Economic Development, L. DeChellis  
Manager of Human Resources, A. Daisley (5:06 p.m. – 7:07 p.m.)  
Director of Community Services, R. Axiak  
Policy Planner, A. Nicolas (7:08 p.m. – 10:05 p.m.)  
Transit Manager, E. Zahra (7:08 p.m.)  
Manager, Traffic/Parking/By-laws, A. Khan (7:08 p.m.)  
Revenue Service Manager, M. Lostracco (7:08 p.m.)

**2021 - 198****21-25**

Moved by Mastroianni and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 5:06 p.m. to consider:

- Personal matters about an identifiable individual, including municipal or local board employees and Labour relations or employee negotiations;
  - *Non-Union Compensation and Policies.*
- Proposed or pending acquisition or disposition of land by the municipality or local board;
  - *Request for a revised Encroachment Agreement - 535 King Street.*
  - *Agreement of Purchase and Sale for 33 Hellems Avenue.*
  - *Humberstone Landfill - Host Municipality Compensation Agreement.*

**CARRIED****2021 - 199****21-25**

Moved by McLeod and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 7:04 p.m. with report.

**CARRIED****PRESENTATION:**

**21-13** Matt Robinson, Director, GO Implementation Office, Niagara Region addressed Council regarding Niagara Transit Governance - Revised Strategies Reflecting Phase 1 Feedback.

**DELEGATION:**

**21-15** Nora Reid, President and Claire Masswohl, Vice President, Central Station Education Initiative addressed Council regarding an update on its Business Plan.

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

Councillor Van Vliet presided as Chair of the Public Hearing:

**21-21** The City of Welland is proposing to amend Zoning By-law 2017-117 to permit short-term rental use, including but not limited to short-term rental of rooms in a dwelling unit, and short-term rental of entire dwelling units. The Zoning By-law Amendment proposes to permit Short-Term Rentals as a secondary use to the principal Residential use of a dwelling except for in Commercial Zones where residential uses are permitted. Short-Term Rental Accommodations would be permitted in a single-detached dwelling, two-unit dwelling, townhouse dwelling, multiple dwelling, apartment dwelling, and an accessory dwelling unit. A Short-Term Rental Licensing By-law has also been proposed that will be implemented in conjunction with the Draft Zoning Provisions. The Licensing By-law will include a licensing framework that provides enforcement tools beyond the land use permissions and be associated with an Administrative Penalty System (APS) to address contraventions of the Licensing By-law.

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.

Nicholas Aiello, Policy Planner, City of Welland for the applicant.

**In support of the application:**

- No one spoke.

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:**

- Shanthi Bolla, 1234 Northwestern, LA 90038
- Felix Vortsman, 105 Bentwood Crescent, Thornhill, ON L4J 8R4
- Caswell Thompson, 534 Lincoln Street, Welland, ON L3B 4P2

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

**21-113** A Complete Application has been made by UPPER CANADA CONSULTANTS on behalf of VINMAR DEVELOPMENTS LTD. for Draft Plan of Subdivision Approval for lands described as PART OF LOT 1, CONCESSION 13, RP 59R4275 PART 2, GEOGRAPHIC TOWNSHIP OF PELHAM, IN THE CITY OF WELLAND, REGION OF NIAGARA, municipally known as 420 MURDOCK ROAD. The subject lands are designated URBAN AREA in the Regional Official Plan, as LOW DENSITY RESIDENTIAL AND CORE NATURAL HERITAGE in the City of Welland Official Plan, and zoned RESIDENTIAL LOW DENSITY 1 – RL1 AND ENVIRONMENTAL PROTECTION OVERLAY - EP by By-law 2017-117.

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, Planning Manager, Upper Canada Consultant, 30 Hannover Drive, St. Catharines, ON L2W 1A3 presented for 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.

**2021 - 200**

**21-1** Moved by Richard and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Special Council Meetings of August 10 and 17, 2021, as circulated.

***(Councillor DiMarco was opposed to the Minutes)***

**CARRIED**

**2021 - 201****02-160**

**21-43** Moved by McLeod and Grimaldi

WHEREAS from time to time a duly elected Welland City Councillor is unable to complete their term of council; and further

WHEREAS the third runner-up usually has garnered significant support within the ward to warrant appointment.

NOW THEREFORE IT BE RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND automatically appoints the third place candidate to fill the vacancy, who has been democratically elected as the runner-up, provided they have received a minimum of 18% of the Ward vote, they are still interested in the Councillor position and are in good standing within the community.

.....

**2021 - 202**

**02-160**

**21-43**

Moved by DiMarco and

THAT THE COUNCIL OF THE CITY OF WELLAND amends the motion regarding the appointment of the third place candidate to fill the vacancy to make it applicable only for this current term of Council.

**NOT PUT**

**FOLLOWING THE ATTEMPT TO AMEND THE MOTION, THE MAIN MOTION WAS PUT IN ITS ORIGINAL FORM AND .....**

**YEAS:** Councillors Larouche, McLeod, Grimaldi, Mastroianni, Moote and Mayor Campion.

**NAYS:** Councillors Green, Speck, Chiochio, DiMarco, Richard, Fokkens and Van Vliet.

**LOST**

**2021 - 203**

**21-13**

Moved by Richard and Green

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Matt Robinson, Director, GO Implementation Office, Niagara Region regarding Niagara Transit Governance - Revised Strategies Reflecting Phase 1 Feedback.

**CARRIED**

**2021 - 204**

**21-13**

Moved by Van Vliet and Grimaldi (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report TRANS-2021-12: Mobile Ticketing Procurement; and further THAT Welland City Council authorizes the Mayor and Clerk to execute all necessary By-laws and agreements.

**CARRIED**

**2021 - 205**

**21-13**

Moved by Richard and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report TRANS-2021-11: Update # 2: On Niagara Region Transit (NRT) Governance Strategy; and further THAT Welland City Council supports the current levels of Niagara Region Transit service in place and the emergence of on-demand services for smaller municipalities, which do not provide conventional and specialized services; and further THAT Welland City Council defers approval for the proposed Niagara Transit Governance Strategy until 2023 due to the potential negative financial impact to Welland taxpayers; and further THAT Report TRANS-2021-11: Second Update on Niagara Region Transit (NRT) Governance Strategy be circulated to all area municipalities.

**CARRIED**

**2021 - 206**

**21-13**

Moved by Van Vliet and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from Region of Niagara dated July 5, 2021 regarding Report LNTC-C 3-2021: Niagara Transit Governance - Revised Strategies Reflecting Phase 1 Municipal Consultation.

**CARRIED**

**2021 - 207**

**21-15**

Moved by Mastroianni and Grimaldi

THAT THE COUNCIL OF THE CITY receives for information the presentation by Nora Reid, President and Claire Masswohl, Vice President, Central Station Education Initiative regarding an update on its Business Plan.

**CARRIED**

**2021 - 208****21-22** Moved by Mastroianni and Green

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report P&B 2021-49 regarding an application for Zoning By-law Amendment (File No. 2021-08) to permit Short-Term Rentals in the City, subject to certain conditions including but not limited to Licencing.

**CARRIED****2021 - 209****21-22** Moved by Chiocchio and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to provide a technical report as to installing a 4 way stop at Gaiser Road and South Pelham Road, and Gaiser Road and Clare Avenue; and further

THAT a report is to be presented for council consideration no later than October 15, 2021.

**CARRIED****2021 - 210****21-45** Moved by Van Vliet and Grimaldi (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information and approves Report FIN-2021-27 regarding Intact Public Entities (formerly known as Frank Cowan Company) for the final year of the multi-year contract for the delivery of general insurance coverage at an upper limit cost of \$794,802 (excluding PST) for 2021 – 2022; and further

THAT Welland City Council directs staff to go to market to obtain competitive insurance quotes at the conclusion of the current policy.

**CARRIED****2021 - 211****21-89** Moved by Van Vliet and Grimaldi (in block)

1. THAT THE COUNCIL OF THE CITY OF WELLAND accepts the tender of Demar Construction Inc in the amount of \$994,608.48 (plus HST) being the lowest of seven (7) bid submissions received for the 2021 Cast Iron Watermain Replacement Part 2 project; and further

2. THAT Welland City Council directs staff to prepare the necessary By-law and documents to execute the project; and further

3. THAT Welland City Council authorizes the Mayor and Clerk to execute all necessary documents to execute the project.

**CARRIED****2021 - 212****21-98** Moved by McLeod and Moote

1. THAT THE COUNCIL OF THE CITY OF WELLAND accepts the tender of Oakridge Landscape Contractors in the amount of \$270,810.00 (plus HST) being the lowest of four (4) bid submissions received for the South Pelham SWM Pond Cleaning and Rehabilitation project; and further

2. THAT WELLAND CITY COUNCIL directs staff to prepare the necessary By-law and documents to execute the project; and further

3. THAT WELLAND CITY COUNCIL authorizes the Mayor and Clerk to execute all necessary documents to execute the project.

**CARRIED****2021 - 213****21-103** Moved by Van Vliet and Grimaldi (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information and supports the correspondence from the MP of New Westminster - Burnaby dated June 17, 2021 regarding seeking endorsement for Motion M-84 Anti-Hate Crimes and Incidents & Private Member's Bill C-313 Banning Symbols of Hate Act.

**CARRIED**

**2021- 214****21-113** Moved by Chiocchio and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report P&B 2021-47 regarding an application for Draft Plan of Subdivision (File No. 26T-14-21006) for lands located on the east side Murdock Road and the urban boundary between City of Welland and Town of Pelham, north of Webber Road, south of Chantler Road, legally described as Part 1, Concession 13, RP 59R4275 Part 2, Geographic Township of Pelham, in the City of Welland, Region of Niagara, Municipally known as 420 Murdock Road.

**CARRIED****2021 - 215****21-116** Moved by Fokkens and Larouche

1. THAT THE COUNCIL OF THE CITY OF WELLAND enters into a cost share agreement with the Regional Municipality of Niagara in the amount of \$1,107,294.87 (excluding HST) for the Dain City Emergency Forcemain Replacement project; and further
2. THAT Welland City Council approves an additional \$361, 250.00 to address the funding shortfall for this project; and further
3. THAT Welland City Council directs staff to prepare the necessary By-law and documents to execute the cost share agreement; and further
4. THAT Welland City Council authorizes the Mayor and Clerk to execute all necessary documents to execute the cost share agreement.

**CARRIED****2021 - 216****21-117** Moved by Green and Moote

1. THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to fund \$8,524,000.00 for the Dain City Storm Sewer Improvements from the sources described herein; and further
2. THAT Welland City Council directs staff to fund \$1,298,000.00 for the Dain City Secure Watermain project from the Water/Wastewater Reserve.

**CARRIED****BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE****2021 - 217****21-101** Moved by Larouche and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND agrees to enter into an Encroachment Agreement on the Fourth Street Road Allowance to the benefit of 535 King Street to provide for a time frame of 25 years during which the City cannot access the right to termination; and further  
 THAT Welland City Council requires the owner to provide proof of \$2,000,000.00 of cross liability insurance naming the City of Welland; and further  
 THAT Welland City Council directs Staff to prepare the necessary By-law and documentation as required.

**CARRIED****2021 - 218****21-114** Moved by Van Vliet and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND enters into an agreement of purchase and sale with Candace Ellen Armenti for the purchase of 33 Hellems Ave; and further  
 THAT Welland City Council directs staff to prepare all the necessary documentation and By-laws relative to the transfer; and further  
 THAT the Mayor and City Clerk be authorized to execute all the necessary documents relative to the transfer; and further  
 THAT Welland City Council directs staff to take the funds for the purchase of this building from the Economic Development Reserve Fund.

**CARRIED**

**2021 - 219****02-160**

THAT THE COUNCIL OF THE CITY OF WELLAND extends curfew to 11:10 p.m.

**YEAS:** Councillors Larouche, Green, Speck, Chiocchio, McLeod, DiMarco, Richard, Grimaldi, Mastroianni, Fokkens, Moote, Van Vliet and Mayor Campion.

**NAYS:** None.

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

Moved by Van Vliet and Grimaldi (in block)

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.

**21-89**

BYL 2021 - 132

A By-law to authorize entering into contract with Demar Construction Inc. for the 2021 Cast Iron Watermain Replacement Part 2 Project.

**21-13**

BYL 2021 - 133

A By-law to authorize entering into an agreement with Masabi Ltd. for Mobile Ticketing Software.

**21-118**

BYL 2021 - 134

A By-law to exempt certain lands from Part-Lot Control - Parts 1-3 (inclusive) on Plan 59R-17035, Part of Lot NN, Plan 546 (388 River Road), City of Welland.

**21-119**

BYL 2021 - 135

A By-law to exempt certain lands from Part-Lot Control - Parts 1-4 (inclusive) on Parts 104 (inclusive) on Plan 59R-17036, Lots 276, 277, 278 and Part of the lane lying in Block J (Closed) Plan 942 (139 St. George Street) City of Welland.

**21-120**

BYL 2021 - 136

A By-law to exempt certain lands from Part-Lot Control - Parts 1 and 2 on Plan 59R-16957, Part Lot 46, Plan 564 (56 Griffith Street) City of Welland.

**21-115**

BYL 2021 - 137

A By-law to authorize and govern the execution of documents by electronic signature. Ref. No 21-115

**18-57**

BYL 2021 - 138

A By-law to amend Zoning By-law 2017-117 upon the application of Dennis Home Corporation to remove the Holding Symbol "H" from certain lands on the east side of Beatrice Street, east and west side of Chaffey Street and west side of Alberta Street.

**21-24**

BYL 2021 - 139

A By-law to establish a non-union overtime policy for all non-union employees of the Corporation of the City of Welland.

**21-24**

BYL 2021 - 140

A By-law to establish a non-union alternative work arrangements policy for all non-union employees of the Corporation of the City of Welland.

**21-114**

BYL 2021 - 141

A By-law to authorize purchase of property municipally known as 33 Hellems Avenue, Welland from Candace Ellen Armenti.

**CARRIED**

Moved by Larouche and Richard

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.

**21-98**

BYL 2021 - 142

A By-law to authorize entering into contract with Oakridge Landscape Contractors for the South Pelham SWM Pond Cleaning and Rehabilitation Project.

**21-116**

BYL 2021 - 143

A By-law to authorize entering into a cost savings agreement with the Regional Municipality of Niagara for the Dain City Emergency Forcemain Replacement Project.

**CARRIED**

Moved by McLeod 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.

**21-24**

BYL 2021 - 144

A By-law to establish a comprehensive policy for all non-union employees of the Corporation of the City of Welland respecting certain terms and conditions of employment; and to repeal By-law 2009-187; and all amendments thereto.

**YEAS:** Councillors Larouche, Green, Chiochio, McLeod, DiMarco, Richard, Grimaldi, Mastroianni, Fokkens, Moote and Mayor Campion.

**NAYS:** Councillors Speck and Van Vliet.

**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.

**21-101**

BYL 2021 - 145

A By-law to permit an encroachment onto the Fourth Street Road Allowance to benefit the owners of the property municipally known as 535 King Street.



Moved by Grimaldi 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.

**21-1**

BYL 2021 - 146

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 7<sup>th</sup> day of September, 2021.

**CARRIED**

Council adjourned at 11:04 p.m.

These Minutes to be approved and adopted by Motion of Council this 21<sup>st</sup> day of September, 2021.

\_\_\_\_\_  
**MAYOR**

\_\_\_\_\_  
**CITY CLERK**