



**MINUTES OF THE  
FEBRUARY 15, 2022 COUNCIL MEETING  
CIVIC SQUARE, COUNCIL CHAMBERS  
60 EAST MAIN STREET**

Council met in open session at 7:03 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 (7:07 p.m.), J. Mastroianni, D. McLeod, A. Moote, C. Richard (until 8:48 p.m. and again at 9:08 p.m.), G. Speck, and L. Van Vliet.

**Members of Staff and Others Present:**

Chief Administrative Officer, S. Zorbas

City Clerk, T. Stephens

Director of Finance/CFO/Treasurer, S. Fairweather

Fire Chief & Community Emergency Management Coordinator, A. Eckhart

Director of Infrastructure Services, SM. Millar

Director of Planning and Development Services, G. Munday

Director of Community Services, R. Axiak

Transit Manager, E. Zahra (until 8:47 p.m.)

Manager of Facilities Operations & Development, F. Pearson (until 7:18 p.m.)

## **PRESENTATIONS**

Mayor Campion presented a plaque to the Notre Dame College School Senior Football Team on winning the Provincial Fottball Championship.

Vic Kerschl, President-Elect, Rotary Club of Welland presented a cheque to the City of Welland.

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

Councillor Van Vliet presided as Chair of the Public Hearing:

**22-54** A complete application has been made by THE BIGLIERI GROUP on behalf of 154 RIVERSIDE DRIVE LP to rezone Part of Lot 29, Concession 5, Geographic Township of Crowland, in the City of Welland, Regional Municipality of Niagara for lands at 154 Riverside Drive. The property is proposed to be rezoned from the existing High Density Residential (RH) to High Density Residential (RH) site specific to permit stacked townhouses in Zoning By-law 2017-117 within the High Density designation in City of Welland Official Plan.

Mike Pettigrew, Biglieri Group, 2472 Kingston Road, Scarborough, ON M1N 1V3

### **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:**

- Nino Ramunno, 114 Colbeck Drive, Welland, ON L3C 7B2

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

## **2022 - 40**

**22-1** Moved by Mastroianni and Richard

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meeting of February 1, 2022, as circulated.

**CARRIED**

## **2022 41**

**99-99** Moved by Van Vliet and McLeod (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND approves the Community Trails Strategy (CTS) as summarized in Report CS-2022-02 and as illustrated in Appendix A, titled the 'Welland Community Trails Strategy', and further noted in the council presentation, Appendix C.

That Welland Council approves the initial funding strategy, authorizing the application to Infrastructure Canada – Active Transportation Fund, highlighting the City's current investment of available capital funds to help support the city's application as noted in the Financial Section of report CS-2022-02, and as illustrated in Appendix B.

**CARRIED**

**2022 - 42****12-96**

Moved by Van Vliet and Moote

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Deborah C. Anschell, Integrity Commissioner regarding updates to the Code of Conduct for Integrity Commissioner Procedures; and

THAT Welland City Council approves the Code of Conduct for Members of Council, as amended at General Committee; and further

THAT Welland City Council approved the Integrity Commissioner Procedures, as amended at General Committee.

**CARRIED****2022 - 43****21-22**

Moved by Green and DiMarco

THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to install stop signs on St. Lawrence Avenue at Gretel Place; and further

THAT Welland City Council directs Traffic, Parking and By-law staff to amend the By-law pertaining to such.

YEAS: Councillors Green, Speck, Chiochio, DiMarco, Fokkens and Mayor Campion.

NAYS: Councillors Larouche, McLeod, Grimaldi, Mastroianni, Moote and Van Vliet.

**LOST****2022 - 44****21-30**

Moved by Van Vliet and McLeod (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information and supports the correspondence from the City of St. Catharines dated January 26, 2022 regarding CHPI Funding Shortfalls.

**CARRIED****2022 - 45****21-87**

Moved by Green and DiMarco

THAT THE COUNCIL OF THE CITY OF WELLAND approves Draft Plan of Vacant Land Condominium for lands on the east side of Hansler Road, north of Towpath Road, south of the urban boundary between City of Welland and City of Thorold, legally described as Part of Lot 223, Geographic Township of Thorold, Now in the City of Welland, Regional Municipality of Niagara, municipally known as 1110 Hansler Road for the creation of 43 townhouse units, subject to the following conditions:

1. That the Owner enter into a Site Plan Agreement and Condominium Assumption Agreement with the City of Welland;
2. That no grading or construction works commence until such time as the Site Plan Agreement has been entered into and financial securities are in place;
3. That all necessary easements required for utility purposes be granted to the appropriate Authority free and clear of all encumbrances;
4. That the owner/developer shall comply with Niagara Region's Corporate Policy for Waste Collection and complete the Application for Commencement of Collection prior to Regional curbside waste collection services commencing. If the owner/developer does not comply with the Policy for Waste Collection, collection will have to be provided through a private contractor.
5. The Developer shall submit the full engineering design drawings to the City of Welland's Engineering Division for review and approval. Design drawing submission shall include servicing, grading, photometric, signage, and landscaping plans;
6. The revised sewer drainage area plans shall be submitted to the City of Welland's Engineering Division for review and approval;
7. The Developer shall be responsible for all costs associated with the development, including reinstatements to the existing condition or better;

...continued...

**2022 - 46**

**21-87...cont'd.**

- 8. The Developer shall construct all municipal infrastructure in accordance with the City of Welland Municipal Standards, Ontario Provincial Standards and any other applicable standards that may apply;
- 9. The Developer shall conduct home condition surveys, as or if required, prior to commencement of construction;
- 10. A subsurface Geotechnical Report to be prepared by a qualified Geotechnical Engineer is required to be submitted at the time of building permit application submission;
- 11. Parkland dedication shall be established in accordance with By-law 2014-101. If a 5% Cash-in-Lieu method is utilized, the Developer shall establish the value of land for each lot, to the satisfaction of the City, prior to execution of the Site Plan or Condominium Agreement. The values shall be determined by an Appraiser in accordance with City policy as of the day before the day the first building permit is issued for the development. The values shall be referenced in the Special Conditions and Building Restrictions of the Site Plan or Condominium Agreement;
- 12. That prior to granting Approval for the Final Plan, the City of Welland will require written notice from the following upon their respective conditions have been met satisfactorily:  
     Region of Niagara: 4  
     City of Welland: 1,2, 5-11
- 13. That if Final Approval is not given to this Plan within three (3) years of the approval date and no extensions have been given, Draft Approval shall lapse. If the Owner wishes to request extension to Draft Plan Approval, a written request with reasons why the extension is required and the applicable application fee, must be received by the City prior to the lapsing date; 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.

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**21-87**

Moved by Moote and McLeod

THAT Welland City Council refers back to staff Report P&B-2022-10 regarding an application for draft plan of vacant land condominium for 1110 Hansler Road.

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

**NAYS:** Councillors Green, Speck, Chiocchio, DiMarco, Richard, Fokkens, Van Vliet and Mayor Campion.

**LOST**

**FOLLOWING THE LOST VOTE TO REFER, THE MAIN MOTION WAS PUT IN ITS ORIGINAL FORM AND .....**

**CARRIED**

**(Councillor McLeod asked to be recorded as opposed to this resolution).**

**2022 - 47**

**22-13**

Moved by McLeod and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report TRANS 2022- 02; and further

THAT Welland City Council approves funding the On-Demand service through the Safe Restart Funding; and further

THAT Welland City Council approves the elimination of the \$1.25 TransCab Transfer Fee and replaces with an On-Demand Service Fee of \$2.00 to fixed route services; and further

THAT Welland City Council approves the replacement of TransCab with On-Demand through RideCo; and further

THAT Welland City Council approves Report TRANS 2022-02; and further

THAT Welland City Council directs the Clerk to prepare and amendment to By-law 2006-193; and further

THAT Welland City Council authorizes the Mayor and Clerk to execute all necessary By-laws and agreements.

**CARRIED**

**2022 - 48****22-43**

Moved by McLeod and Green

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report CLK-2022-04: Overview of 2021 Ward 3 By-Election.

**CARRIED****2022 - 49****22-52**

Moved by Moote and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information and supports the correspondence from the City of St. Catharines dated February 3, 2022 regarding Acts of Violence, Harassment and Intimidation against Elected Officials and Government Employees.

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

**NAYS:** None.

**CARRIED****2022 - 50****22-54**

Moved by Chiocchio and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report P&B-2022-09 regarding application for Zoning By-law Amendment (File No. 2021-14) for lands on the north side of Riverside Drive, south of the Welland River and north of Lincoln Street, more specifically described as Part of Lot 29, Concession 5, Geographic Township of Crowland, in the City of Welland, Regional Municipality of Niagara, municipally known as 154 Riverside Drive.

**CARRIED****2022 - 51****22-55**

Moved by Van Vliet and McLeod (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND approves the award to Pinchin Ltd. for the provision of Asbestos Consulting Services and Asbestos Management Program (AMP); and further THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into a contract with Pinchin Ltd.

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

Moved by Van Vliet and McLeod (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.

**22-55**

BYL 2022 - 18

A By-law to authorize acceptance of proposal and to enter in contract with Pinchin Ltd. For the provision of Asbestos Consulting Services and Asbestos Management Program (AMP).

**22-15**

BYL 2022 - 19

A By-law to authorize the appointment of Matthew Richardson as Deputy Fire Chief for the Welland Fire and Emergency Department.

**22-53**

BYL 2022 - 20

A By-law to cancel city taxes and to cancel a portion of regional taxes for 119 Lincoln Street (File: Brown 2021-06).

**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.

**22-38**

BYL 2022 - 21

A By-law to amend By-law 2006-193, being a By-law to establish and regulate fees and charges for various services or activities and use of property as provided by the municipality to establish rates and effective January 1, 2022.

**CARRIED**

Moved by Moote 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.

**22-1**

BYL 2022 - 22

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 15<sup>th</sup> day of February, 2022.

**CARRIED**

Council adjourned at 9:10 p.m.

These Minutes to be approved and adopted by Motion of Council this 1<sup>st</sup> day of March, 2022.

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**MAYOR**

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**CITY CLERK**