



**MINUTES OF THE  
AUGUST 18, 2022 SPECIAL COUNCIL MEETING  
CIVIC SQUARE, COUNCIL CHAMBERS  
60 EAST MAIN STREET**

Council met in Committee-of-the-Whole closed to the public at 6:01 p.m. and in open session at 6:53 p.m. on the above date.

His Worship Mayor Frank Campion in the Chair.

**Members Present:**

Councillors J. Chiochio, T. DiMarco (in person until 8:27 p.m.), B. Fokkens, M.A. Grimaldi (6:13 p.m.), J. Larouche, J. Mastroianni, D. McLeod (in person), A. Moote (in person), C. Richard, G. Speck, and L. Van Vliet (in person).

**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

Manager of Human Resources, A. Daisley (until 8:20 p.m.)

Manager of Economic Development, L. DeChellis (until 6:35 p.m.)

Policy Planning Supervisor, N. Aiello

Capital & Payables Manager, A. Vuksan Scott (7:00 p.m. until 9:45 pm.)

**2022 - 287****22-25**

Moved by Van Vliet and Richard

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 6:01 p.m. to consider:

- advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
  - Distribution of Newspapers.
- proposed or pending acquisition or disposition of land by the municipality or local board; and
  - Northern Reach Update.
- personal matters about an identifiable individual, including municipal or local board employees;
  - Chief Administrative Officer Evaluation Update.

**CARRIED****2022 - 288****22-25**

Moved by McLeod and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 6:51 p.m. without report.

**CARRIED****THE FOLLOWING ITEM WAS ADDED:**

- 22-134** A By-law to cancel City taxes and to cancel Regional taxes for Fourth Street and Canal bank Street (File: BROWN 2022-11).

**PRESENTATIONS**

- 02-160** Deborah C. Anschell, Integrity Commissioner addressed Council regarding a Report to Council.
- 99-99** Rob Axiak, Director of Community Services addressed Council regarding Merritt Island Park - Conceptual Design Brief.

**2022 - 289****99-99**

Moved by Grimaldi and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Rob Axiak, Director of Community Services regarding Merritt Island Park - Conceptual Design Brief.

**CARRIED****2022 - 290****99-99**

Moved by McLeod and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND approves the preliminary design and costing as shown in this report and appendices (CS-2022-26) for Merritt Island Park renewal as an outcome of the Niagara Region Water Treatment Plant project; and further

THAT Welland City Council directs staff to provide the design, costing and subsequent council resolution as shown in this report to the Niagara Region, requesting full cost recovery and overall project coordination of Merritt Island Park to be included as part of the Niagara Region Water Treatment Plant project.

**CARRIED**

**2022 - 291**

**02-160**

Moved by Speck and DiMarco

THAT THE COUNCIL OF THE CITY OF WELLAND challenges the Chair regarding a ruling during discussions related to additions to the agenda, related to the Integrity Commissioner's report.

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

**NAYS:** Speck, Chiocchio, DiMarco, Richard and Fokkens.

**CARRIED**

**2022 - 292**

**02-160**

Moved by Grimaldi and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation and report from the Integrity Commissioner regarding Investigation Report - Complaint No. 17075-0322; and further THAT Welland City Council, as recommended by the Integrity Commissioner, suspend Councillor Tony DiMarco's council remuneration for a period of 14 days.

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**02-160**

Moved by Van Vliet and McLeod

THAT Welland City Council amends to suspend Councillor Tony DiMarco's council remuneration for a period of 90 days.

**YEAS:** Larouche, McLeod, Grimaldi, Mastroianni, Moote and Van Vliet.

**NAYS:** Speck, Chiocchio, Richard, Fokkens and Mayor Campion.

**CARRIED**

**FOLLOWING THE VOTE ON THE AMENDING MOTION, THE MAIN  
MOTION WAS PUT AS AMENDED AND .....**

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

**NAYS:** Speck, Chiocchio, Richard and Fokkens.

**CARRIED**

**2022 - 293**

**06-75**

Moved by Larouche and Moote

THAT THE COUNCIL OF THE CITY OF WELLAND adopts Report P&B-2022-47, the City of Welland 2022 Development Charge Background Study prepared by DFA Infrastructure International Inc. and attached as Appendix I; and further

THAT Welland City Council approves the attached proposed Development Charge By-laws attached as Appendix II, III and IV; and further

THAT Welland City Council under Section 12(3) of the Development Charges Act, as amended, has determined that no further public meeting is required; and further

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

**(Councillor McLeod 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 employer is subject to these fees).**

**CARRIED**

**2022 - 294****06-75****20-97**

Moved by McLeod and Richard (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND approves entering into a Development Charge Deferral Agreement with 555 Canal Bank Developments GP Inc. for the lands known as Phase 1 of the Dain City Subdivision Plan 59M-504; and further

THAT Welland City Council authorizes the Mayor and City Clerk to execute any necessary documents and agreements to give effect to the deferral.

**CARRIED****2022 - 295****07-50**

Moved by McLeod and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND receives Report P&B-2022-46 for information; and further

THAT Welland City Council approves the updated Parkland Dedication By-law, as set out in Appendix 1.

**CARRIED****2022 - 296****10-130**

Moved by McLeod and Richard (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from Niagara Regional Housing dated July 5, 2022 regarding the 2021 Annual Report.

**CARRIED****2022 - 297****19-105**

Moved by Van Vliet and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND receives Report P&B-2022-41 for information purposes.

**CARRIED****2022 - 298****21-113**

Moved by McLeod and Richard (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND approves Report P&B 2022-43 regarding application for approval of a Draft Plan of Subdivision for lands located on the east side of Murdock Road and the Urban Boundary between City of Welland and Town of Pelham, north of Webber Road, south of Chantler Road, more specifically 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, subject to the following conditions:

1. That the Owner enter into a Subdivision Agreement with the City of Welland.
2. That no grading or construction work shall commence until such time as the Subdivision Agreement has been entered into and the financial securities are in place, or a pre-servicing agreement has been entered into.
3. That Block 28 and 29 are to merge with Lot 17 and 18 in the Murdoch Road Phase I Subdivision (59M-499).
4. That the Developer shall submit full engineering design drawings to the City of Welland's Engineering Division for review and approval, including Site Servicing, Site Grading, General Notes and Details, Plan and Profile, Sediment Erosion and Control Plan, Storm Drainage Area, Sanitary Drainage Area, Photometric, and Landscaping Plans.
5. That a Servicing Study Report indicating that the receiving storm sewers and sanitary sewers can accommodate the additional flows, and that adequate fire flows can be provided to the development be submitted to the City of Welland for review to the satisfaction of the Director of Infrastructure Services/City Engineer and Fire Chief.

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**2022 - 298****21-113...cont'd.**

6. That the Developer submit to the City of Welland for review and approval by the Director of Infrastructure Services/City Engineer, a detailed stormwater management plan for the subdivision
7. That prior to any site alteration, approval from the Director of Infrastructure Services/City Engineer is required. The Developer shall submit all supporting materials and engineering design, prepared by a qualified professional, as required by the City or any applicable authority, and shall agree to implement the recommendations of the reports, studies, and plans.
8. That prior to registration of this plan, the Developer must obtain Environmental Compliance Approval from the Ministry of Environment, Conservation and Parks for sewer and storm water management works needed to service the proposed development. Prior to installing the watermain to service the proposed development, the Developer must submit Ministry of Environment 'Form 1' Record of Watermain.
9. The Owner shall construct all municipal infrastructure in accordance with the City of Welland Municipal Standards, Ontario Provincial Standards, the Issued for Construction Engineering drawing set, and any other standards that may apply.
10. That the Developer shall be responsible for the construction of all primary and secondary services, including sidewalks, boulevard plantings and sodding/hydroseeding in accordance with the approved engineering design drawings.
11. That the Developer agrees to install sidewalk, and grade and sod boulevards in accordance with the requirements of the Subdivision Agreement and Schedule 'B1'.
12. That at the end of the project, the design engineer shall certify that all grading, storm sewers, and stormwater management controls have been constructed in conformity with the approved plans. Copies of the certification shall be circulated to the City of Welland and the Regional Municipality of Niagara.
13. That all foundation drainage be directed to a sump pump in each house and discharge to grade. Foundation drains will not be connected to storm or sanitary sewer systems.
14. That roof water drainage from any structure or building shall be directed via downspouts discharging via splash pads (concrete or other suitable material) to grass surfaces. These splash pads shall extend a distance of 1.2 metres away from the structure and must direct the flow away from the building, not onto sidewalks or driveways, and not toward adjacent properties.
15. That all necessary easements required for utility and services purposes be granted to the appropriate Authority free and clear of encumbrances.
16. That the Developer agrees to clean the stormwater management facilities prior to assumption and shall provide the City of Welland with a Letter of Credit in the amount of \$100,000.00 for these works.
17. That should the Developer wish to service the property prior to registration of the Subdivision Agreement, the Developer may enter into a Pre-Servicing Agreement with the City.
18. That Parkland Dedication shall be established in accordance with By-law 2014-101, or successor thereto. If a 5% Cash-in-Lieu of parkland method is utilized, the City shall establish the value of land for each lot, to the satisfaction of the City, 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.

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**2022 - 298****21-113...cont'd.**

19. That Construction fencing is required in accordance with the City of Welland Building By-law 2020-140.
20. That municipal addressing is to be approved by the Planning Division prior to submission of building permit applications.
21. That a subsurface Geotechnical Report is to be prepared and submitted at the time of building permit application submission.
22. 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.
23. That the Owner shall provide a revised Draft Plan to reflect a proposed temporary turnaround/cul-de-sac with a minimum curb radius of 12.8 metres or a temporary through-passage in the case of phased development.
24. That the Owner provides a written acknowledgement to Niagara Region Planning and Development Services Department stating that Draft approval of this subdivision does not include commitment of servicing allocation by Niagara Region as servicing allocation will not be assigned until the plan is registered and that any pre-servicing will be at the sole risk and responsibility of the Owner.
25. That the Owner provides a written undertaking to Niagara Region Planning and Development Services Department stating that all Offers and Agreements of Purchase and Sale or Lease, which may be negotiated prior to registration of this subdivision shall contain a clause indicating that servicing allocation for the subdivision will not be assigned until the plan is registered, and a similar clause be inserted in the subdivision agreement between the Owner and the City.
26. That prior to final approval for registration of this plan of subdivision, the owner shall submit the design drawings [with calculations] for the new sanitary and storm sewers required to service this development and obtain the necessary Ministry of the Environment Compliance Approval under the Transfer of Review Program.
27. That prior to approval of the final plan or any on-site grading, the owner shall submit a detailed stormwater management plan for the subdivision and the following plans designed and sealed by a qualified professional engineering in accordance with the Ministry of the Environment, Conservation and Parks documents entitled Stormwater Management Planning and Design Manual March 2003 and Stormwater Quality Guidelines for New Development, May 1991, or their successors to Niagara Region Planning and Development Services for review and approval:
  - a) Detailed lot grading, servicing and drainage plans, noting both existing and proposed grades and the means whereby overland flows will be accommodated across the site;
  - b) Detailed erosion and sedimentation control plans;
  - c) That prior to final approval for registration of this plan of subdivision, the Owner shall submit the design drawings [with calculations] for the stormwater management facility required to service this development and obtain the necessary Ministry of the Environment Compliance Approval.
28. That the subdivision agreement between the Owner and the City contains provisions whereby the Owner agrees to implement the approved plan(s) required in accordance with Condition 28.

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**2022 - 298****21-113...cont'd.**

29. That an EIS Addendum (in the form of a brief technical memo) be prepared for review and approval by the Niagara Region that includes a Water Balance that describes the pre- and post- development surface water drainage patterns and assesses impacts to fish habitat. The EIS Addendum should demonstrate no net loss to productive capacity of fish habitat.
30. That an Erosion and Sediment Control (ESC) Plan be prepared for review and approval by the Niagara Region. All ESC measures shall be maintained in good condition for the duration of construction until all disturbed surfaces have been stabilized. Muddy water shall not be allowed to leave the site.
31. That a Grading Plan be provided to the satisfaction of Niagara Region, that demonstrates that no grading within the natural heritage features and/or their buffers will occur. The Grading Plan shall designate specific locations for stockpiling of soils and other materials which will at a minimum be outside of the natural heritage features and their buffers and a minimum of 30 metres from watercourses, wetlands and the dripline of any trees to be retained.
32. That a Landscape/Restoration Plan be provided to the satisfaction of the Niagara Region for the lands contained within the new channel corridor. The Plan should incorporate dense plantings of native trees and shrubs that complement the adjacent vegetation communities, including thorny species to discourage human intrusion into sensitive areas. The removal of invasive species should also be incorporated, as appropriate. The Landscape/Restoration Plan should be completed by a full member of the Ontario Association of Landscape Architects (OALA).
33. That an Ecological Monitoring Plan be prepared to the satisfaction of Niagara Region. At a minimum the plan should assess the effectiveness of the wildlife exclusion barrier fencing and monitor the success of the restorative plantings and invasive species removals. The Report should be addressed to Adam Boudens, Senior Environmental Planner, [developmentplanningappolcations@niagararegion.ca](mailto:developmentplanningappolcations@niagararegion.ca) by September 1<sup>st</sup> of years 1 through 5. The Report should also include photographs and advise actions necessary to address any deficiencies.
- Note, at a minimum, the plan should assess the effectiveness of the wildlife exclusion barrier fencing and monitor the success of the restorative plantings and invasive species removals. The monitoring should take place upon the initiation of any development and/or site alteration and continue up to and including 5 years from full building out.
34. That the developer provide securities to Niagara Region in the form of a Letter of Credit in the amount of the estimated costs as approved by the Region for the restoration works required in accordance with the above conditions and that the subdivision agreement between the developer and the City include provisions whereby the developer agrees that the Region may draw on the Letter of Credit, if required, to ensure completion of the restorative woodland plantings.
35. That permanent rear-lot fencing be provided adjacent to the natural heritage features contained within the new channel corridor, to the satisfaction of the Niagara Region. The fencing shall include a permanent wildlife exclusion barrier that extends below grade to contain wildlife movement to the natural heritage features and restrict access to the adjacent rear yards. A no-gate by-law is recommended to reduce human encroachment and limit the movement of pets into the adjacent natural areas.
36. That vegetation removals be undertaken between October 1<sup>st</sup> and March 14<sup>th</sup>, outside of both the breeding bird nesting period and active bat season. A survey for active bird nests should be conducted prior to any vegetation removal or site alteration planned to occur during this window. Further, should tree removal be required between May 1 and September 31, a qualified Ecologist shall complete an exit survey of suitable maternal roosting sites identified for removal a maximum of 24 hours before removal. The exit survey must make use of a bat detector and shall occur for no less than the time period between sunset and 60 minutes after sunset.

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**2022 - 298****21-113...cont'd.**

37. That a Photometric Plan be provided to the satisfaction of the Niagara Region that illustrates all proposed street lighting be downward facing and shield to prevent light spillage into the surrounding natural area.
38. That the subdivision agreement contain wording wherein the Owner agrees to implement the approved Erosion and Sediment Control Plan, Grading Plan, Landscape/Restoration Plan, Environmental Monitoring Plan and Photometric Plan.
39. That the Owner shall file a Record of Site Condition (RSC) on the ministry of Environment, Conservation and Parks [Brownfields] Environmental Site Registry in accordance with Ontario Regulation 153/04, as amended, and that the Owner provide the Niagara Region Planning and Development Services Department and the City with copies of the Environmental Site Assessment(s) and site remediation reports as well as a copy of the Ministry of Environment, Conservation and Parks' written acknowledgement of the filing of the RSC.
40. That prior to approval of the final plan, the Owner shall submit a revised copy of a Phase 2 Environmental Site Assessment (ESA) prepared by a qualified person in accordance with Ontario Regulation 153/04, as amended, to the Niagara Region Planning and Development Services Department to address any site remediation (if required).
41. That the subdivision agreement between the Owner and the City of Welland contain provisions whereby the owner agrees to implement the recommendations, if any, of the Phase 2 Environmental Site Assessment (ESA).
42. That the Developer provide detailed grading, construction sediment and erosion control drawings to the Niagara Peninsula Conservation Authority for review and approval
43. That the Developer provide a 1.5 metre-high chain link fence along the rear of lots 1 to 14 to the satisfaction of the Niagara Peninsula Conservation Authority. The applicable Engineering Drawings and the Subdivision Agreement are to clearly indicate that chain link fencing is not to have any gates for lots 1 to 14.
44. That the Developer obtain Work Permits from the NPCA prior to any works associated with the relocation and enhancement of the watercourse and surrounding block. In support of the Work Permit applications, the following with be required:
  - a) Environmental Enhancement Plan which includes:
    - i. Design rationale and objectives of the realigned watercourse and amphibian pond; and,
    - ii. Monitoring Plan for the realigned watercourse and amphibian pond.
  - b) Natural Channel Design Drawings which address the following:
    - i. Additional habitat complexity should be incorporated into the design of the realigned channel. This may include the incorporation of riffles and pools, large woody debris structures and/or rock placed within the watercourse channel;
    - ii. Identification of the proposed substrate to be used within the pools (e.g. muck, leaf litter, small woody debris);

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**2022 - 298**  
**21-113...cont'd.**

- iii. NPCA Staff recommend that the watercourse block be designed such that a woodland community be present once the plantings reach maturity; and
  - iv. Confirmation of how flows will be maintained through all phases of the proposed works and how any undue erosion and sedimentation of downstream receiving watercourses will be mitigated.
45. That Conditions 41 to 44 be incorporated into the Subdivision Agreement between the Developer and the City of Welland, to the satisfaction of the Niagara Peninsula Conservation Authority. The City of Welland shall circulate the Draft Subdivision Agreement to the Niagara Peninsula Conservation Authority for its review and approval.
46. That for any drainage or storm works within the Murdoch Street Right of Way, grading and drainage area plans shall be submitted to the Town of Pelham for review and comment. The drainage and storm works shall not negatively impact neighbouring property owners.
47. That the installation of entrances is to be as per Town of Pelham standards.
48. Street lighting along Murdoch Street may be achieved through installation of standard cobra-head luminaires on existing hydro poles.
49. Full width road resurfacing may be required for the entrance works on Murdoch Street.
50. The Owner shall bear all costs associated with these works (design, construction, etc.).
51. If existing Welland Hydro Electric System Corporation's (WHESC) infrastructure is required to be relocated or temporary Hydro service is required, all costs are the responsibility of the applicant.
52. If easement(s) are required by WHESC to service this development or any future adjacent developments, the applicant will provide at their expense all necessary registered easements.
53. The proposed development must meet the clearance requirements of the Ontario Building Code Section 3.1.19.1 "Clearance to Buildings".
54. The Owner shall complete to the satisfaction of the Director of Engineering of the City of Welland and Canada Post:
- a) Include on all offers of purchase and sale, a statement that advises the prospective purchaser:
    - i. That the home/business mail delivery will be from a designated Centralized Mailbox.
    - ii. That the developers/owners be responsible for officially notifying the purchasers of the exact Centralized Mailbox locations prior to the closing of any home sales.
  - b) The Owner further agrees to:
    - i. Work with Canada Post to determine and provide temporary suitable Centralized Mailbox locations which may be utilized by Canada Post until the curbs, boulevards and sidewalks are in place in the remainder of the subdivision.
    - ii. Install a concrete pad in accordance with the requirements of and in locations to be approved by Canada Post to facilitate the placement of Community Mailboxes.

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**2022 - 298****21-113...cont'd.**

- iii. Identify the pads above on the engineering servicing drawings. Said pads are to be poured at the time of the sidewalk and/or curb installation within each phase of the plan of subdivision.
- iv. Determine the location of all centralized mail receiving facilities in co-operation with Canada Post and to indicate the location of the centralized mail facilities on appropriate maps, information boards and plans. Maps are also to be prominently displayed in the sales office(s) showing specific Centralized Mail Facility locations.

55. That prior to granting approval for the Final Plan of Subdivision, City of Welland Planning Division will require written notice from the following upon their respective Conditions of Draft Plan Approval have been met satisfactorily:

Region of Niagara: 22-41  
 Niagara Peninsula Conservation Authority: 41-45  
 Town of Pelham: 46-50  
 Welland Hydro and Electrical System: 51-53  
 Canada Post: 54

56. 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 Plan Approval shall lapse. If the Owner wishes to request extension to Draft Plan Approval, a written request with reasons why the extension is required, 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.

**CARRIED****2022 - 299****22-4**

Moved by McLeod and Richard (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the 2022 Q2 year-to-date budget variance and capital progress report (FIN-2022-15) from the Manager of Budgets and Financial Reporting/Deputy Treasurer dated August 18, 2022.

**CARRIED****2022 - 300****22-4**

Moved by McLeod and Richard (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the Capital Project Close-out report summary listed in Appendix A as attached to Report FIN-2022-16; and further THAT Welland City Council approves the recommended transfers to/from the respective reserves and recommended projects as outlined in Appendix A attached to Report FIN-2022-16.

**CARRIED****2022 - 301****22-6**

Moved by McLeod and Richard (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND declares the month of March 2023 as "Amyloidosis Awareness Month" in the City of Welland.

**CARRIED****2022 - 302****22-15**

Moved by McLeod and Richard (in block)

1. THAT THE COUNCIL OF THE CITY OF WELLAND approves the award to NiaCon for the provision of Professional Services for the Design Build of Fire Station #3; and further  
 2. THAT Welland City Council authorizes the Mayor and Clerk to execute all necessary documents and appropriate By-law to execute the contract with NiaCon.

**CARRIED**

**2022 - 303****22-19**

Moved by Fokkens and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND approves the award to Oakridge Landscape Contractors for the construction of Sparrow Meadow Park for the amount of \$671,724.62 (excluding taxes), to an upset budget limit of \$750,000 as identified in this report; and further

THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter a contract with Oakridge Landscape Contractors to be signed by the Mayor and City Clerk.

**CARRIED****2022 - 304****22-22**

Moved by McLeod and Richard (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND approves Report TRAF-2022-44: 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 "I" – MUNICIPAL/ PRIVATE PROPERTY:

SKETCH No.	LOCATION	COMMON NAME
No Sketch	266 Division Street	266 Division Street
No Sketch	15 Niagara Street	15 Niagara Street

ADD the following to Schedule "III" – STOPPING PROHIBITIONS

COLUMN 1 HIGHWAY	COLUMN 2 SIDE	COLUMN 3		COLUMN 4 PERIOD (TIMES\DAY)
		FROM	TO	
Quaker Road	North and South	First Avenue	200 metres westerly	AT ALL TIMES

**CARRIED****2022 - 305****22-43**

Moved by Larouche and Speck

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report CLK-2022-13: 2022 Municipal Election Polling Locations Update.

**CARRIED****2022 - 306****22-46**

Moved by McLeod and Richard (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND approves the purchase of Four (4) utility vans at a total price of \$219,800 (plus City portion of HST) from Brock Ford Ltd, and further

THAT Welland City Council directs Purchasing to prepare a Purchase Order to Brock Ford to enter the manufacturer order queue to secure the vans.

**CARRIED****2022 - 307****22-84**

Moved by McLeod and Richard (in block)

1. THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the tender from Provincial Construction (Niagara Falls) Limited in the amount of \$3,635,836.74 (plus HST) being the lowest received bid for the Edgar/Elgin Sewer Separation Part 4 construction tender; and

2. THAT Welland City Council approves and accepts the proposal from Kerry T. Howe Engineering Limited in the amount of \$148,475.00 (plus HST) for construction administration and inspection services for the Edgar/Elgin Sewer Separation Part 4 project; and

3. THAT Welland City Council approves the allocation of funding as outlined in this report; and

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**2022 - 307****22-84...cont'd.**

4. THAT Welland City Council directs staff to prepare the necessary By-law and documents to execute the contracts; and further
5. THAT Welland City Council authorizes the Mayor and Clerk to execute all necessary documents to execute the contracts.

**CARRIED****2022 - 308****22-86**

Moved by Speck and Chiochio

THAT Welland City Council receives for information Report TRAF-2022-41: Distribution of Flyers.

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**22-86**

Moved by Speck and Richard

THAT Welland City Council refers back to staff Report TRAF-2022-41: Distribution of Flyers for a legal opinion.

**CARRIED****ACTION ITEMS/DIRECTON TO STAFF**

- **Recommended staff review original notice of motion regarding the banning the practice of distribution by any other method besides in a mailbox or other intended receptacle.**

**2022 - 309****22-127**

Moved by Fokkens and Van Vliet

1. THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to enter into a contract with GM BluePlan Engineering Limited for the completion of a CCTV Program Review at a cost of \$79,763.20 (excluding HST); and further
2. THAT Welland City Council directs staff to prepare the necessary By-law, documents and agreements for the contracts; and further
3. THAT Welland City Council authorizes the Mayor and Clerk to execute all necessary documents and agreements for the contracts.

**CARRIED****2022 - 310****22-128**

Moved by McLeod and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes the Mayor and Clerk to sign a Pre-Consultation By-law.

**CARRIED****2022 - 311****22-129**

Moved by McLeod and Richard (in block)

1. THAT THE COUNCIL OF THE CITY OF WELLAND receives Report ENG-2022-38 for the Assumption of the Vision Subdivision (Plan 59M-461) for information; and further
2. THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to assume the Vision Subdivision.

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

Moved by Richard and Mastroianni

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.

**22-19**

BYL 2022 - 146

A By-law to authorize acceptance of proposal and to enter into contract with Oakridge Group Inc. for the construction of Sparrow Meadow Park.

**22-127**

BYL 2022 - 147

A By-law to authorize entering into contract with GM BluePlan Engineering Limited for the completion of a CCTV Program Review.

**22-128**

BYL 2022 - 148

A By-law to requiring applicants to consult with the City of Welland prior to the submission of certain types of planning applications and to delegate Council's authority to deem applications complete to the Director of Planning and Development Services.

**07-50**

BYL 2022 - 149

A By-law to require the conveyance of land for park or other public recreational purposes as a condition of development or redevelopment or the subdivision of land.

**CARRIED**

Moved by McLeod and Richard (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.

**22-15**

BYL 2022 - 150

A By-law to authorize acceptance of proposal and to enter into contract with Niacon Limited for the provision of professional services for the design build of Fire Station #3.

**22-133**

BYL 2022 - 151

A By-law to cancel City Taxes and to cancel Regional Taxes for 264 Riverside Drive (File:BROWN 2022-10).

**22-125**

BYL 2022 - 152

A By-law to Name Private Condominium Streets.

**22-84**

BYL 2022 - 153

A By-law to authorize entering into contract with Provincial Construction (Niagara Falls) Limited for the Edgar/Elgin Sewer Separation Part 4 Project.

**22-84**

BYL 2022 - 154

A By-law to authorize entering into contract with Kerry T. Howe Engineering Limited for construction administration and inspection services for the Edgar/Elgin Sewer Separation Part 4 Project.

**22-135**

BYL 2022 - 155

A By-law to exempt certain lands from Part-Lot Control - Parts 1 to 4 (inclusive) on Plan 59R17326, Lots 47, 48 and Part of Lot 46, Registered Plan 978 (77 Golden Boulevard), City of Welland.

**22-130**

BYL 2022 - 156

A By-law to Layout, Establish, Assume and Name as a Public Highway for Road Widening purposes Part 5 on Plan 59R-16965 as part of Lincoln Street.

**22-131**

BYL 2022 - 157

A By-law to Layout, Establish, Assume and Name as a Public Highway for Road Widening purposes Part 2 on Plan 59R-17083 as part of South Pelham Road.

**22-132**

BYL 2022 - 158

A By-law to Layout, Establish, Assume and Name as a Public Highway for Road Widening purposes Part 2 on Plan 59R-17276 as part of Quaker Road.

**22-129**

BYL 2022 - 159

A By-law to authorize the signing of an Assumption Agreement with Centennial Developments (Niagara) Inc. with respect to the Vision Subdivision.

**22-46**

BYL 2022 - 160

A By-law to authorize the purchase of four (4) new utility vans with medium raised roofs from Brock Ford Ltd.

**22-22**

BYL 2022 - 161

A By-law to amend By-law 89-2000, being a By-law Regulating Traffic and Parking within the City of Welland (Schedules I - Municipal/Private Property and Schedule III – Stopping Prohibitions).

**06-75/20-97**

BYL 2022 - 162

A By-law to authorize entering into a Development Charges Deferral Agreement with 555 Canal Bank Developments GP Inc. for the lands known as Phase 1 of the Dain City Subdivision Plan 59M-504.

**06-75**

BYL 2022 - 163

A By-law to establish development charges for the City of Welland for Designated Services in accordance with the Development Charges Act 1997 and to repeal By-law 2019-83.

**06-75**

BYL 2022 - 164

A By-law to establish development charges for the City of Welland for Transit Services in accordance with the Development Charges Act 1997.

**06-75**

BYL 2022 - 165

A By-law to establish development charges for the City of Welland for the Northwest Service Area in accordance with the Development Charges Act 1997.

**CARRIED**

Moved by Van Vliet 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.

**22-134**

BYL 2022 - 166

A By-law to cancel City Taxes and to cancel Regional Taxes for Fourth Street and Canal Bank Street (File: BROWN 2022-11).

**CARRIED**

Moved by Van Vliet 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.

**22-1**

BYL 2022 - 167

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 18<sup>th</sup> day of August, 2022.

**CARRIED**

Council adjourned at 10:23 p.m.

These Minutes to be approved and adopted by Motion of Council this 20<sup>th</sup> day of September, 2022.

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**MAYOR**

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**CITY CLERK**