



MINUTES OF
COUNCIL MEETING, JUNE 21, 2016
CIVIC SQUARE, COUNCIL CHAMBERS
60 EAST MAIN STREET

Council met in Committee-of-the-Whole closed to the public at 5:30 p.m. and in open session at 7:02 p.m. on the above date.

His Worship Mayor Frank Campion in the Chair.

Members Present:

Councillors M. Carl (6:03 p.m.), J. Chiocchio, P. Chiocchio, T. DiMarco (until 7:55 p.m.), B. Fokkens, J. Larouche (5:37 p.m.), R. Letourneau, J. Mastroianni, D. McLeod, M. Petrachenko and L. Van Vliet.

Members of Staff and Others Present:

Chief Administrative Officer, G. Long
Acting City Clerk, T. Stephens
Chief, Fire & Emergency Services, D. Prevost
Deputy Fire Chief, B. Kennedy
General Manager, Corporate Services and Chief Financial Officer, S. Zorbas
General Manager, Human Resources and Legislative Services, R. Mantesso
General Manager, Infrastructure and Development Services/City Engineer, S. Iannello
Manager of Development Approvals, G. Munday (7:02 p.m. - 9:33 p.m.)
Director of Economic Development, D. Degazio (6:16 p.m. - 6:50 p.m.)
Recording Secretary, C. Viger (7:02 p.m.)

16-25 Moved by Letourneau and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 5:30 p.m. to consider:

- personal matters about an identifiable individual, including municipal or local board employees;
- proposed or pending acquisition or disposition of land by the municipality or local board; and
- the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

CARRIED

16-25 Moved by Mastroianni and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 6:50 p.m. with report.

CARRIED

THE FOLLOWING ITEMS WERE DELETED:

16-4 Report FIN-2016-28 from Gen. Mgr., Corporate Services/Chief Financial Officer, S. Zorbas - Capital Close Out Reports.

02-85

16-26 Notice of Motion from Councillor Grimaldi to be added to the July 19, 2016 Council Meeting.

99-99 Notice of Motion previously submitted by Councillor Van Vliet was pulled from the agenda as per the Councillor.

PRESENTATION:

16-13 Alfred Stockwell, Transit Manager addressed Council regarding the Welland Transit Strategic Plan.

AGENCIES, BOARDS, COMMISSIONS AND COMMITTEES REPORTS

16-28 Sarah Ane, Community Development/Volunteer Coordinator, Recreation & Culture addressed Council regarding the Healthy Kids Community Challenge.

04-47 Ken Su, CEO and Melanie Gross-Kerho, Chair, Welland Public Library Board addressed Council regarding an update on its activities.

05-50

16-15 Nora Reid, Rose Dzugan and Connie McCutcheon, Members, City of Welland Heritage Advisory Committee addressed Council regarding the Hellems Avenue Fire Hall.

PUBLIC MEETING PURSUANT TO SECTIONS 357/358 OF THE MUNICIPAL ACT, 2001 - TAX WRITE-OFFS

- No one spoke.

There being no speakers, the public meeting was concluded.

LEGISLATED PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT

Councillor Van Vliet presided as Chair of the Public Hearing.

16-94

16-94Z Completed applications have been made by UPPER CANADA CONSULTANTS on behalf of BAIOCO DEVELOPMENT CORP. for approvals of a Draft Plan of Condominium for redline revisions to the Draft Approved Plan of Subdivision, Draft Plan of Condominium and to rezone lands on the eastside of Clare Avenue, north of Webber Road and south of Lynbrook Lane from the existing R3 and EP-X2 Zones to Site Specific R3, Site Specific RM3 and EP-X2 Zones. The purpose of the Amendment is to permit the development of a Plan of Subdivision containing five (5) lots for single-detached dwellings and one (1) block containing 8 townhouses dwelling units and 9 triplex dwelling units. The proposed Site Specific R3 Zone would permit a reduced front yard setback of 4.5 metres to the front face of the dwelling and 6.0 metres to the front face of the garage. The proposed Site Specific RM3 Zone would delete the minimum lot area requirement, permit a reduced front yard setback of 4.5 metres to the front face of the dwelling and 6.0 metres to the front face of the garage, permit a rear setback of 6.0 metres, a side yard setback of 3.0 metres between an end wall and end wall between an end wall and a property line, and permit a covered porch to encroach 1.5 metres into the required front yard and 3.5 metres into a required rear yard. These provisions would apply to both townhouses and triplexes. The EP-X2 Zone would apply to all lands within 15 metres of the Provincially Significant Wetland surrounding the subject lands. The Official Plan designation is LOW DENSITY RESIDENTIAL AND CORE NATURAL HERITAGE SYSTEM.

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

Jennifer Vida, Planning Manager, Upper Canada Consultants, 261 Martindale Road, Unit 1, St. Catharines, Ontario, L2W 1A1 presented on behalf of the applicant.

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 to the application:

- No one spoke to the application.

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

16-1

Moved by Larouche and P. Chiochio
 THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meeting of June 7, 2016, as circulated.

CARRIED

01-42

Moved by Petrachenko and Van Vliet
 THAT THE COUNCIL OF THE CITY OF WELLAND approves an Extension to Draft Plan Approval for the Draper's Creek Estates (Phase 3) Subdivision (File 26T-14-20002) for an additional one (1) year to July 11, 2017.

CARRIED

04-47 Moved by Larouche and Carl
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Ken Su, CEO and Melanie Gross-Kerho, Chair, Welland Public Library Board regarding an update on its activities.

CARRIED

04-94 Moved by Fokkens and McLeod
 THAT THE COUNCIL OF THE CITY OF WELLAND approves an Extension to Draft Plan Approval for the Forks Common Subdivision (File: 26T-14-97004) for one (1) year to June 29, 2017.

CARRIED

05-50

16-15 Moved by Mastroianni and Fokkens
 THAT THE COUNCIL OF THE CITY OF WELLAND requests staff work with the Welland Heritage Advisory Committee to proceed with a Fire Museum and Educational Facility at the Hellem's Avenue Fire Hall.

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05-50

16-15 Moved by Van Vliet and Petrachenko
 THAT THE COUNCIL OF THE CITY OF WELLAND defers to staff the request for a report regarding the Hellem's Avenue Fire Hall to be presented at the August 23, 2016 Council Meeting.

CARRIED

08-77

Moved by Petrachenko and Van Vliet
 THAT THE COUNCIL OF THE CITY OF WELLAND approves an extension to Draft Plan Approval for the West Creek Estates Subdivision (File: 26T-14-08002) for an additional one (1) year to June 25, 2017.

CARRIED

15-105

Moved by Carl and P. Chiocchio
 THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the tender of Provincial Construction (Niagara Falls) Ltd. of Niagara Falls, Ontario in the amount of \$5,098,562.10 plus applicable taxes as detailed in report ENG-2016-26 for Regional Road 50 (Niagara Street) Reconstruction and Watermain Replacement between Thorold Road and Riverbank Street; and further
 THAT Welland City Council approves and accepts the proposal from Associated Engineering (Ont.) Ltd. in the amount of \$253,970.00 plus applicable taxes for Construction Administration, Inspection and preparation of Construction Record Drawings; and further
 THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate by-laws to enter into contracts with Provincial Construction (Niagara Falls) Ltd. and Associated Engineering (Ont.) Ltd., in order to execute the construction.

CARRIED

16-4

Moved by Petrachenko and Mastroianni
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the write-off of taxes in the amount of \$16,640.33 as contained in Report FIN-2016-29 for the reduction or cancellation of taxes, pursuant to Sections 357 and 358 of the *Municipal Act, 2001*.

CARRIED

16-6

Moved by Petrachenko and Van Vliet
 THAT THE COUNCIL OF THE CITY OF WELLAND declares July 28, 2016 as "World Hepatitis Day", in the City of Welland as requested by the Niagara Health System - Hepatitis C Care Clinic.

CARRIED

16-13

Moved by Larouche and McLeod
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Alfred Stockwell, Transit Manager regarding the Welland Transit Strategic Plan.

CARRIED

16-19 Moved by Fokkens and P. Chiocchio
 THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to report back to Council on options to install an asphalt 3 on 3 basketball court (16.5m x 10.25m) at Glenwood Park in the 2016 fiscal year.

16-19 Moved by Van Vliet and Larouche
 THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to report back to Council on options to install an asphalt 3 on 3 basketball court (16.5m x 10.25m) at Glenwood Park subject to approval of the 2017 fiscal year.

LOST

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

YEAS: Councillors P. Chiocchio, Fokkens, Mayor Campion, Larouche, Petrachenko, J. Chiocchio and McLeod.

NAYS: Councillors Letourneau, Mastroianni, Van Vliet and Carl.

16-22 Moved by Larouche and Fokkens
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report TRAF-2016-08: 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:

DELETE the following from Schedule "V" – Parking Prohibitions (Specified Places with Signs):

| COLUMN 1 HIGHWAY | COLUMN 2 SIDE | COLUMN 3 | | COLUMN 4 PERIOD (TIMES/DAYS) |
|---------------------|------------------|---------------|-------------|---------------------------------|
| | | FROM | TO | |
| Churchill Avenue | Both Sides | Plymouth Road | Bishop Road | AT NO TIME |

ADD the following to Schedule "V" – Parking Prohibitions (Specified Places with Signs):

| COLUMN 1 HIGHWAY | COLUMN 2 SIDE | COLUMN 3 | | COLUMN 4 PERIOD (TIMES/DAYS) |
|---------------------|------------------|--|--|-------------------------------------|
| | | FROM | TO | |
| Churchill Avenue | South Side | A point 160 meters East of Plymouth Road | Bishop Road | AT NO TIME |
| Churchill Avenue | North Side | Plymouth Road | Bishop Road | AT NO TIME |
| Churchill Avenue | South Side | Plymouth Road | A point 160 meters East of Plymouth Road | 8:00 a.m. -6:00 pm Monday to Friday |

ADD the following to Schedule "III" – Stopping Prohibitions:

| COLUMN 1 HIGHWAY | COLUMN 2 SIDE | COLUMN 3 | | COLUMN 4 PERIOD (TIMES/DAYS) |
|---------------------|------------------|---------------------------------------|--------------------|---------------------------------|
| | | FROM | TO | |
| Division Street | North Side | A point 22 meters East of King Street | 12 meters easterly | AT All TIMES |

CARRIED

16-28 Moved by Fokkens and Petrachenko
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Sarah Ane, Community Development/Volunteer Coordinator, Recreation & Culture regarding the Healthy Kids Community Challenge.

CARRIED

16-62 Moved by Letourneau and Larouche
 THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the tender of Norjohn Contracting and Paving Ltd. of Niagara Falls, Ontario as detailed in Report ENG-2016-25 for the Road Resurfacing and Reconstruction Program 2016 – Part 2; and further
 THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into contract with Norjohn Contracting and Paving Ltd. to execute the construction.

CARRIED

16-93 Moved by Petrachenko and Van Vliet
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information and supports the request from the City of St. Catharines dated June 7, 2016 regarding controlling invasive phragmites.

CARRIED

16-94 Moved by Fokkens and McLeod
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information purposes Report P&B-2016-44 regarding an Application for a Redline Revision of a Draft Plan of Subdivision, an Application for Draft Plan of Condominium and an Application for Zoning By-law Amendment for lands on the east side of Clare Avenue, south of Lynbrook Lane and north of Webber Road.

CARRIED

BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE

16-15 Moved by Petrachenko and Van Vliet
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information in-camera Report F&ES-2016-03: Fire Station on Prince Charles Drive; and further
 THAT Welland City Council directs staff to negotiate with the District School Board of Niagara to obtain the best terms for purchasing a two acre parcel in the north-west corner of the Fitch Street School property.

CARRIED

16-39 Moved by Petrachenko and Van Vliet
 THAT COUNCIL OF THE CITY OF WELLAND accepts an offer of \$7,340.00 from Emmanouel Mertzanis to purchase a portion of the Southworth Street Road Allowance (Parts 1 and 2, Reference Plan 59R-15540) and a 0.3 metre Reserve (Part 3, Reference Plan 59R-15540) to be merged in Title with lands municipally known as 405 Lincoln Street; and further
 THAT Welland City Council authorizes the Stopping Up and Closing of part of Southworth Street being Parts 1, 2 and 4, Reference Plan 59R-15540; and further
 THAT Welland City Council accepts the transfer of Parts 6 and 7, Reference Plan 59R-15540 from Emmanouel Mertzanis, with Parts 7 and 8, Reference Plan 59R-15540 to be Laid Out, Established and Named as part of Lincoln Street; and further
 THAT Welland City Council authorizes Staff to prepare the necessary By-law(s) and documentation.

CARRIED

16-87 Moved by Petrachenko and Van Vliet
 THAT THE COUNCIL OF THE CITY OF WELLAND requests the Minister of Municipal Affairs and Housing make a Minister's Zoning Order to permit the full range of uses and types of buildings for the subject lands in order to facilitate the commencement of construction by General Electric Co. given the importance of the General Electric Co. proposal for the City of Welland, the Niagara Region and Province of Ontario; and further
 THAT Welland City Council requests a copy of the resolution be forwarded to the Minister of Municipal Affairs and Housing, and the Niagara Region, as a statement of Welland City Council's direction and request.

CARRIED

BY-LAWS

Moved by Letourneau and Van Vliet
 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.

16-62

BYL 2016 - 86

A By-law to authorize entering into contract with Norjohn Contracting and Paving Limited for the Road Resurfacing and Reconstruction Program 2016-Part 2.

15-105

BYL 2016 - 87

A By-law to authorize entering into contract with Provincial Construction (Niagara Falls) Ltd. for Regional Road 50 (Niagara Street) Reconstruction and Watermain Replacement between Thorold Road and Riverbank Street.

15-105

BYL 2016 - 88

A By-law to authorize retention of Associated Engineering (Ont.) Ltd. to provide Engineering Services for the Regional Road 50 (Niagara Street) Reconstruction and Watermain Replacement between Thorold Road and River Bank Street Project.

16-22

BYL 2016 - 89

A By-law to amend By-law 89-2000, being a By-law regulating Traffic and Parking within the City of Welland (Schedules "V" and "III").

CARRIED

Moved by Larouche and Fokkens
 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.

16-1

BYL 2016 - 90

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 21st day of June, 2016.

CARRIED

Councillor P. Chiochio gave Notice of Motion to the following issue to be presented to Council at the July 19, 2016, Regular Council Meeting:

16-22 THAT THE COUNCIL OF THE CITY OF WELLAND requests a 3 way stop to be placed at the corner of Goodwillie Drive and Wellandvale Drive due to the safety concerns of the local residents.

Council adjourned at 10:20 p.m.

These Minutes approved and adopted by Motion of Council this 19th day of July, 2016.

MAYOR

ACTING CITY CLERK