



MINUTES OF
COUNCIL MEETING, AUGUST 23, 2016
CIVIC SQUARE, COUNCIL CHAMBERS
60 EAST MAIN STREET

Council met in Committee-of-the-Whole closed to the public at 5:05 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 (5:30 p.m.), J. Chiocchio, P. Chiocchio, T. DiMarco, B. Fokkens, M.A. Grimaldi, J. Larouche (5:12 p.m.), R. Letourneau, and M. Petrachenko (5:07 p.m.).

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
Manager, Engineering Services, E. Nickel
General Manager, Corporate Services and Chief Financial Officer, S. Zorbas
General Manager, Human Resources and Legislative Services, R. Mantesso
Manager of Development Approvals, G. Munday
Director of Economic Development, D. Degazio (until 6:48 p.m.)
Recording Secretary, C. Viger (7:02 p.m.)

16-25 Moved by Grimaldi and Letourneau

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 5:05 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;
- litigation or potential litigation, including matters before administrative tribunals, affecting 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 Petrachenko and Fokkens

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 6:48 p.m. with report.

CARRIED

THE FOLLOWING ITEMS WERE ADDED:

16-94Z A By-law to amend City of Welland Zoning By-law 2667 (Baiocco Development Corp. - File 2016-04) east side of Clare Avenue, north of Webber Road and south of Lynbrook Lane.

16-13 Report R&C-2016-06: Gen. Mgr., Corporate Services/Chief Financial Officer, S. Zorbas - Ontario After School Program request for waiving-of-fees.

THE FOLLOWING ITEMS WERE DELETED:

99-99 Notice of Motion from Councillor McLeod.

15-107 Notice of Motion related to the Canada Day Celebrations location submitted by Councillor Letourneau.

THE FOLLOWING ITEM WAS AMENDED:

99-99 Report WRCC-2016-01 - an addition to the motion "THAT Welland City Council authorizes staff to review and amend the By-laws and governing documents".

DELEGATIONS:

16-28 Joe March, Partnership Manager, SmartSAVER addressed Council regarding Canada Learning Bond.

AGENCIES, BOARDS, COMMISSIONS AND COMMITTEES REPORTS

05-50

16-15 Nora Reid and Christian Venditti, Members, Central Fire Hall Sub-Committee addressed Council regarding an update on the Central Fire Hall.

16-37 Councillor Fokkens, Chair, Water/Wastewater Ad Hoc Committee provided a verbal update on the Water/Wastewater Ad Hoc Committee meeting of July 27, 2016.

16-1 Moved by Larouche and Petrachenko
 THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meeting of July 19, 2016 and Special Council Meeting of August 10, 2016, as circulated.

CARRIED

99-99 Moved by P. Chiocchio and Grimaldi
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the installation of a permanent hybrid model of management and governance of the WRCC, according to the following guidelines:

- a) Corporate Governance
- The WRCC will remain as a separate entity to the City of Welland and will retain non-profit status
 - Annual approval of WRCC budget to be conducted by Welland City Council
 - WRCC will provide quarterly reporting to Council on operational and financial activities
 - WRCC Board undergoes a transformation to a seven (7) member advisory board with rotating membership. Advisory board composition to include the Mayor, two (2) City Councillors, two (2) user-group representatives, and two (2) members of the public to provide structured feedback and insight from key stakeholders to the WRCC Manager.
 - New advisory board operates as a committee of Council.
- b) Management
- WRCC to be managed by a dedicated Manager
 - The Manager will be a City employee, reporting directly to the Chief Administrative Officer of the City of Welland
 - Core responsibility is management of the WRCC, along with potential for added responsibilities in related areas of business, such as sports tourism.
- c) Staff
- WRCC will continue to employ its own facilities, administrative, and event operations staff in a mixture of seasonal and full year positions
 - City of Welland to provide support services in key internal management areas such as public relations, communications, graphic design, financial management, and human resources
 - City of Welland Public Works department to continue providing support services in partnership with WRCC, specifically in the areas of maintenance, equipment sharing, and event setup; and further
- THAT Welland City Council authorizes staff to review and amend the By-laws and governing documents.

YEAS: Councillors Letourneau, P. Chiocchio, Grimaldi, Fokkens, Mayor Campion, J. Chiocchio and DiMarco.

NAYS: Councillors Larouche, Petrachenko and Carl.

CARRIED

01-42 Moved by Larouche and Fokkens
 THAT THE COUNCIL OF THE CITY OF WELLAND approves an amendment to Zoning By-law 2267, as amended, for lands on the east side of Clare Avenue, south of Lynbrook Lane and north of Webber Road, more specifically described as Part Township Lot 257, former Township of Thorold, being Part 1 and 2 on Plan 59R-12430, now in the City of Welland, from Single-Detached Dwelling - Third Density (R3) Zone to a Site Specific Single-Detached Dwelling - Third Density (R3) Zone to allow for the development of a Plan of Subdivision consisting of five (5) single-detached dwellings; and further
 THAT Welland City Council approves an amendment to Zoning By-law 2267, as amended, for lands on the east side of Clare Avenue, south of Lynbrook Lane and north of Webber Road, more specifically described Part Township Lot 257, former Township of Thorold being Part 1 and 2 on Plan 59R-12430, now in the City of Welland, from Single-Detached Dwelling - Third Density (R3) Zone and to a Site Specific Multiple Dwelling - Third Density (RM3) Zone to allow for the development of a Plan of Condominium consisting of seventeen (17) townhouse dwelling units; and further
 THAT Welland City Council approves an amendment to Zoning By-law 2267, as amended, for lands on the east side of Clare Avenue, south of Lynbrook Lane and north of Webber Road, more specifically described as Part Township Lot 257, former Township of Thorold being Part 1 and 2 on Plan 59R-12430, now in the City of Welland, from Single-Detached Dwelling - Third Density (R3) Zone to Environmental Protection (EP) Zone; and further

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01-42...cont'd.

THAT Welland City Council grants Red-Line Approval to the Plan of Subdivision (File No. 26T-14-20001) developed by Baiocco Developments Corp. more specifically described as Part Township Lot 257, former Township of Thorold being Part 1 and 2 on Plan 59R-12430, now in the City of Welland, based upon a plan prepared by Upper Canada Consultants dated March 16, 2016 consisting of five (5) single-detached residential lots, subject to entering into a Subdivision Agreement with the City of Welland to be registered on Title, subject to the following new and amended conditions, in addition to the existing conditions (as outlined in Report PDS-2003-30), and that Conditions s, t, u, v, w, x, ff, hh and jj be replaced with the following conditions numbered 1-6 below:

1. That the Developer submit to the Niagara Peninsula Conservation Authority for review and approval, detailed grading, storm servicing, stormwater management, and construction sediment control plans.
2. That the Developer submit a Tree Saving Plan to the Niagara Peninsula Conservation Authority for review and approval as required under Policy 7.B.1.19 of the Regional Official Plan. The Tree Saving Plan shall be prepared in accordance with Section 1.36 of the Region of Niagara Tree and Forest Conservation By-law (By-law 30-2008).
3. That the Developer submit a Planting Plan to the Niagara Peninsula Conservation Authority for review and approval as required by the Environmental Impact Study prepared by Beacon Environmental and dated June 2015 as required to demonstrate conformity with Policy 7.B.1.11 of the Regional Official Plan. The Planting Plan shall include planting densities and a monitoring plan with success criteria to be completed by the Developer.
4. That the Developer provide 1.5 metre high chain link fencing along the outer boundaries of Block 10; the outer boundary between Block 6 and Lot 5; and the outer boundary between Block 6 and Lot 4.
5. That sediment control and limit of work fencing be shown on the Grading Plan along the outer boundaries of Block 10; the boundary between Block 6 and Lot 5; and the boundary between Block 6 and Lot 4, and that no grading occur beyond this point. Limit of work fencing must be maintained during the development process and all silt fencing shall be removed once work is completed and all exposed soils are re-vegetated or otherwise stabilized.
6. That the Subdivision Agreement between the Developer and the City of Welland contain a clause wherein the Developer agrees that no site alteration (including grading) is to take place within the 15 metre buffer from the Provincially Significant Wetland.
7. That Conditions 1 to 6 above 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.
8. Should archaeological resources be discovered during construction, the Owner shall agree to immediately cease construction and undertake an archaeological assessment by a licensed archaeologist and adverse impacts to any significant archaeological resources found on the site shall be mitigated through preservation or resource removal and documentation. No further demolition, grading or other soil disturbances shall take place on the subject property prior to the issuance of a letter from the Ministry of Tourism, Culture and Sport through the Niagara Region Planning and Development Services Department, confirming that all archaeological resource concerns have met licensing and resource conservation requirements. NOTE: A copy of the archaeological assessment report is to be submitted to the Niagara Region Planning and Development Services Department.
9. Should deeply buried archaeological remains/resources be found on the property during construction activities, the Heritage Operations Unit of the Ontario Ministry of Tourism, Culture and Sport in London (519-675-7742) and [Owner's Archaeology Consultant] shall be notified immediately. In the event that human remains are encountered during construction, the Owner should immediately notify the police or coroner, the Registrar of Cemeteries of the Ministry of Small Business and Consumer Services in Toronto (416-326-8392), the Ministry of Tourism, Culture and Sport and Mayer Heritage Consultants.
10. That the Owner acknowledge promptly to the Regional Planning and Development Services Department that the draft Approval of this Subdivision does not include a commitment of servicing allocation by the Regional Municipality of Niagara. Servicing allocation will be assigned instead at the time of Final Approval of this Subdivision for registration purposes.

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11. That immediately following Notice of Draft Plan Approval the Owner shall provide the Regional Planning and Development Services Department with a written undertaking that all Offer and Agreements of Purchase and Sale that may be negotiated prior to registration of the Subdivision shall contain a Clause clearly indicating that a servicing allocation for the Subdivision will not be assigned until the Plan is granted Final Approval for registration
12. That the detailed design drawings for the watermain system, the sanitary sewer system and the stormwater drainage system required servicing this proposal may be submitted to the Regional Planning and Development Services Department for its review and approval. NOTE: For all three systems, it may be necessary to include the required downstream servicing improvements as part of the submission. In addition, the stormwater drainage system should be sized to accommodate a possible future storm sewer on Webber Road.
13. The prior to the Approval of the Final Plan, the Owner submit the Niagara Peninsula Conservation Authority and the Regional Planning and Development Services Department for review and approval a detailed stormwater management plan for the subdivision completed in accordance with the Ministry of the Environment and Climate Change documents entitled Stormwater Manager Practices, Planning and Design Manual June 1994, and Stormwater Quality Guidelines for New Development May 1991, endorsed by a suitably qualified Professional Engineer. Furthermore, the Owner agree in the Subdivision Agreement to implement the approved stormwater management plan.
14. That the Block 6 be dedicated to the City of Welland free and clear of any mortgages or encumbrances; and further

THAT Welland City Council grants Draft Plan Approval to the Condominium – Vacant Land Condominium (File No. 26CD-14-16002) developed by Baiocco Developments Corp., more specifically described as Part Township Lot 257, former Township of Thorold, being Part 1 and 2 on Plan 59R-12430, now in the City of Welland, based upon a plan prepared by Upper Canada Consultants dated March 24, 2016 consisting of seventeen (17) townhouse dwelling units subject to entering into a Site Plan Agreement with the City of Welland to be registered on Title; subject to the following conditions:

1. That the Owner enters into a Condominium Agreement with the City of Welland that is registered on Title.
2. That an Application for Site Plan Control be submitted to the City of Welland for approval, and that the Owner enter into a Site Plan Agreement with the City of Welland that is registered on Title.
3. That all development must conform to the Welland Municipal Standards, as amended.
4. That no grading or construction work shall commence on the site until such time as the Condominium Agreement and the Site Plan Agreement have been finalized and entered into, and all financial securities are in place and the Plan and all documentation have been registered on Title.
5. That Blocks 7, 8 and 9 be dedicated to the City of Welland free and clear of any mortgages or encumbrances.
6. That the Owner agrees to pay Cash-in-Lieu of Parkland Dedication, in accordance with current City Policy.
7. That the Owner shall provide a Subsurface Geotechnical Investigation Study prepared by a qualified Geotechnical Engineer, to the City which must make recommendations on the use of the site for the construction of dwellings/buildings, as well as be completed to geodetic elevations.
8. That all private roadways less than 8 metres in width be designated as "Fire Routes".
9. That the Owner ensure that all streets and development blocks can provide an access in accordance with the Regional Municipality of Niagara policy C3.C17, *Collection of Material By Way of Entry on Private Property*, and by-laws relating to the curbside collection of waste throughout all phases of development. In order to accommodate Regional Waste Collection service, waste collection pads are required to be provided by the developer for Units 5, 10 and 11. The waste collection pads shall be in accordance with Appendix 3 in the Regional Niagara Policy C3.C17 *Collection of Waste by Way of Entry of Private Property*.
10. That the Owner is required to modify the plan to show the three collection pads for Units 5, 10 and 11 to conform with Niagara Region Waste Collection Policy and the Owner shall enter into an Indemnity Agreement with Niagara Region for service. Should the Owner fail to conform with this policy, the Owner shall provide a written undertaking to the Niagara Region Planning and Development Services Department acknowledging that because the site design does not meet Regional Waste Policy, garbage/recycling pick-up for the development will not be provided by the Region. A similar clause shall be inserted in the Site Plan Agreement between the Owner and the

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municipality. In addition, the following warning clause shall be included in the Condominium Agreement and inserted in all Agreements of Purchase and Sale or Lease for each dwelling to survive closing:

"Purchasers/Tenants are advised that due to the site layout, garbage/recycling pick-up for the development will be provided by the condominium corporation through a private contractor and not the Region."

11. That the following clause(s) be included in the Condominium Agreement and/or Site Plan Agreement:
 - i. *Should archaeological resources be discovered during construction, the Owner shall agree to immediately cease construction and undertake an archaeological assessment by a licensed archaeologist and adverse impacts to any significant archaeological resources found on the site shall be mitigated through preservation or resource removal and documentation. No further demolition, grading or other soil disturbances shall take place on the subject property prior to the issuance of a letter from the Ministry of Tourism, Culture and Sport through the Niagara Region Planning and Development Services Department, confirming that all archaeological resource concerns have met licensing and resource conservation requirements. NOTE: A copy of the archaeological assessment report is to be submitted to the Niagara Region Planning and Development Services Department.*
 - ii. *Should deeply buried archaeological remains/resources be found on the property during construction activities, the Heritage Operations Unit of the Ontario Ministry of Tourism, Culture and Sport in London (519-675-7742) and [Owner's Archaeology Consultant] shall be notified immediately. In the event that human remains are encountered during construction, the Owner should immediately notify the police or coroner, the Registrar of Cemeteries of the Ministry of Small Business and Consumer Services in Toronto (416-326-8392), the Ministry of Tourism, Culture and Sport and Mayer Heritage Consultants.*
12. That the Owner submit an updated Environmental Impact Study to the City of Welland, Niagara Peninsula Conservation Authority, and the Niagara Region Planning and Development Services Department for review and approval.
13. That the vegetated buffers, as approved by the City in consultation with the NPCA and Niagara Region be zoned as Environmental Protection (EP) Zone in the City's Zoning By-law.
14. That the Developer submit to the Niagara Peninsula Conservation Authority for review and approval, detailed grading, storm servicing, stormwater management, and construction sediment control plans.
15. That the Developer submit a Tree Saving Plan to the Niagara Peninsula Conservation Authority for review and approval as required under Policy 7.B.1.19 of the Regional Official Plan. The Tree Saving Plan shall be prepared in accordance with Section 1.36 of the Region of Niagara Tree and Forest Conservation By-law (By-law 30-2008).
16. That the Developer submit a Planting Plan to the Niagara Peninsula Conservation Authority for review and approval as required by the Environmental Impact Study prepared by Beacon Environmental and dated June 2015 as required to demonstrate conformity with Policy 7.B.1.11 of the Regional Official Plan. The Planting Plan shall include planting densities and a monitoring plan with success criteria to be completed by the Developer.
17. That the Developer provide 1.5 metre high chain link fencing along the outer boundaries of Block 10.
18. That sediment control and limit of work fencing be shown on the Grading Plan along the outer boundaries of Block 10, and that no grading occur beyond this point. Limit of work fencing must be maintained during the development process and all silt fencing shall be removed once work is completed and all exposed soils are re-vegetated or otherwise stabilized.
19. That the Condominium Agreement and/or Site Plan Agreement between the Developer and the City of Welland contain a clause wherein the Developer agrees that no site alteration (including grading) is to take place within the 15 metre buffer from the Provincially Significant Wetland.
20. That Condition 14 to 19 above be incorporated into the Condominium Agreement and/or the Site Plan 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.

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- 21. The Owner covenants and agrees to provide the City of Welland with evidence that satisfactory arrangements, financial and otherwise, have been made with Canada Post Corporation for the installation of Community Mail Boxes (CMB's) as required by Canada Post Corporation and as shown on the approved engineering design drawings/draft plan, at the time of sidewalk and/or curb installation. The Owner further covenants and agrees to provide notice to prospective purchasers of the locations of CMB's and that home/business mail delivery will be provided via CMB, provided the Developer has paid for the activation and equipment installation of the CMB's.
- 22. That the Owner shall indicate in the Agreement, in words satisfactory to Bell Canada, that it will grant to Bell Canada any easements that may be required, which may include a blanket easement, for communication/telecommunication infrastructure. In the event of any conflict with existing Bell Canada facilities or easements, the Owner shall be responsible for the relocation of such facilities or easements.
- 23. That prior to the granting of Approval for the Final Plan, the City of Welland will require written notice from the following upon their respective Conditions having been met satisfactorily:
 Regional Niagara for Conditions: 8, 9, 10;
 Niagara Peninsula Conservation Authority for Conditions: 11, 12, 13, 14, 15, 16, 17, 18, 19;
 Canada Post for Condition: 20; and
 Bell Canada Condition: 21
- 24. 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 an extension to Draft 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 to sign the Draft Approval and Final Approval Plans for the Sparrow Meadows Estates Subdivision once all Conditions have been satisfied.

CARRIED

05-50

16-15

Moved by Letourneau and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Nora Reid and Christian Venditti, Members, Central Fire Hall Sub-Committee regarding an update on the Central Fire Hall.

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05-50

16-15

Moved by Fokkens and Larouche

THAT Welland City Council allows the Sub-Committee one year to investigate potential funding and grant possibilities for the Central Fire Hall and requests the committee to report back in one year to Welland City Council.

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

NAYS: Councillors Carl and DiMarco.

CARRIED

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

CARRIED

06-126

Moved by Larouche and Fokkens

THAT THE COUNCIL OF THE CITY OF WELLAND approves an extension to Draft Plan Approval for the Dain City Subdivision (File: 26T-14-06002) for an additional one (1) year to September 6, 2017.

CARRIED

10-76**16-87**

Moved by Larouche and Fokkens

THAT THE COUNCIL OF THE CITY OF WELLAND approves the Application for the City of Welland Niagara Gateway Economic Zone and Centre Community Improvement Plan Incentive Program for the property known municipally as 287 Silverthorn Street, 242, 246 and 250 Buchner Road in the City of Welland for the Tax Increment Based Rebate Program in the estimated amount of \$37,414,681.61 over ten (10) years; and further

THAT Welland City Council directs staff to prepare the required By-law(s) and Agreement(s); and further THAT Welland City Council authorizes the Mayor and City Clerk to execute any documentation required to satisfy the conditions related to participation in the Tax Increment Based Rebate Program.

CARRIED**12-114**

Moved by Larouche and Fokkens

THAT THE COUNCIL OF THE CITY OF WELLAND appoints the Director of Economic Development as its second member to the Joint Venture Management Committee as recommend by the Joint Venture Management Committee.

CARRIED**13-50**

Moved by Larouche and Fokkens

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence dated July 15, 2016 from the Niagara Central Airport Commission regarding the second quarter of 2016 update on its activities and developments at the Niagara Central Dorothy Rungeling Airport.

CARRIED**16-3**

Moved by Larouche and Fokkens

THAT THE COUNCIL OF THE CITY OF WELLAND approves the application for lottery licensing for St. David's Anglican Church.

CARRIED**16-4**

Moved by Larouche and Fokkens

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated July 25, 2016 regarding Report CDS 35-2016: 2016 Claw Back Percentages and Municipal Tax Adjustments.

CARRIED**16-6**

Moved by Larouche and Fokkens

THAT THE COUNCIL OF THE CITY OF WELLAND declares the week of October 16th - 22nd, 2016 as "National Teen Driver Safety Week" in the City of Welland as requested by Parachute.

CARRIED**16-6**

Moved by Larouche and Letourneau

THAT THE COUNCIL OF THE CITY OF WELLAND declares September 9, 2016 as "Fetal Alcohol Spectrum Disorders Day" in the City of Welland as requested by Fetal Alcohol Spectrum Disorder Ontario.

CARRIED**16-13**

Moved by DiMarco and Petrachenko

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes staff to waive the Welland Transit cash fares for four program supervisors and forty children enrolled in the Ontario After-School Program in Welland operated by Centre de santé communautaire Hamilton/Niagara for the period September 2016 to December 2016 as detailed in Report R&C-2016-06.

CARRIED

16-19 Moved by Fokkens and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the tender of CTC CONTRACTING, of Welland, Ontario, as detailed in Report ENG-2016-31 Market Square Concrete Replacement and New Commemorative Space 2016 for the revised tender price of \$411,894.76 plus applicable taxes; and further

THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into contract with CTC Contracting to execute the construction.

CARRIED

16-19 Moved by Fokkens and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes staff to proceed with the installation of a basketball court at Glenwood Park in Dain City.

CARRIED

16-22 Moved by Letourneau and DiMarco

THAT THE COUNCIL OF THE CITY OF WELLAND changes the stop signs to bilingual signs in the French Town area to match the existing street signs in this area. French Town being bordered by Main Street, Crowland Avenue, Hagar Street and the railway line to the west. This change would require some 23 signs. Bilingual stop signs can be found all over the north in the bilingual speaking communities. This would enhance the unique French section we have here in Welland. We should take advantage of this unique quality of our French Heritage.

CARRIED

16-22 Moved by DiMarco and Letourneau

THAT THE COUNCIL OF THE CITY OF WELLAND requests that all future installation of stop sign requests be referred to staff, for a staff report to be prepared, and then submitted to Council for consideration.

CARRIED

16-28 Moved by Carl and P. Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Joe March, Partnership Manager, SmartSAVER regarding Canada Learning Bond.

CARRIED

16-37 Moved by Fokkens and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the verbal report by Councillor Fokkens, Chair, Water/Wastewater Ad Hoc Committee, regarding its meeting of July 27, 2016.

CARRIED

16-96 Moved by Larouche and Fokkens

THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the tender of Vic Vatr Contracting Ltd. of Welland, Ontario in the amount of \$520,774.10 plus applicable taxes as detailed in Report ENG-2016-30 for Watermain Replacement on Endicott Terrace and Springhead Gardens; and further,

THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into contract with Vic Vatr Contracting Ltd. to execute the construction.

CARRIED

16-98 Moved by Larouche and Fokkens

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information and supports the request from the Region of Niagara dated July 25, 2016 regarding an Appointment of Niagara Resident to the Senate of Canada: Minute Item 13.2, CL 12-2016, July 21, 2016.

CARRIED

16-102 Moved by Petrachenko and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND:

- 1) Supports in principle the concept of a Niagara Tourism Information Centre at the existing Casablanca / QEW Interchange;
- 2) Supports in principle that Niagara Region develop a new operation plan and a new lease agreement to support a Niagara Tourism information kiosk at the Grimsby Gateway Centre;
- 3) Supports the direction that Niagara Region develop a regional tourism strategy around the 5 Trail/Scenic Drives Tourism Strategy that will assist in bringing visitors to the 12 municipalities in Niagara;
- 4) Support staff participation in a Regional Tourism Summit;
- 5) Supports further investigation and asks staff to develop a city-wide tourism strategy with all its partners and that this align with the region's strategy.

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16-102 Moved by Larouche and Carl

THAT THE COUNCIL OF THE CITY OF WELLAND requests "and that this align with the region's strategy" be removed from the recommendation.

CARRIED

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

CARRIED

16-103 Moved by Larouche and Fokkens

THAT THE COUNCIL OF THE CITY OF WELLAND receives Report P&B-2016-50 for information regarding Amendments to the *Planning Act*.

CARRIED

16-104 Moved by P. Chiocchio and J. Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report ENG-2016-29 regarding the Sewer and Drainage Works Bylaw; and further THAT Welland City Council approves the Sewer and Drainage Works Bylaw; and further THAT Welland City Council directs staff to apply to the Ministry of the Attorney General for the establishment of set fines pertaining to the Sewer and Drainage Works By-law.

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16-104 Moved by Grimaldi and J. Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND defers Report ENG-2016-29: Sewer and Drainage Works By-law to the September 27, 2016 General Committee Meeting.

CARRIED

16-105 Moved by DiMarco and P. Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes staff to prepare the necessary By-law to lay out, establish and name the 0.3 metre Reserves described as Blocks 37 and 39, Plan 59M-286 (Towpath Village Extension Subdivision) as Days Avenue.

CARRIED

16-107 Moved by Larouche and Fokkens

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information purposes the Semi-Annual Subdivision Status Report as of June 30, 2016.

CARRIED

BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE

16-54 Moved by Larouche and Fokkens

THAT THE COUNCIL OF THE CITY OF WELLAND declares surplus a parcel of land and identified as Parts 11 and 12 on Plan 59R-1565, located on the north-east corner of Sauer Avenue and Hildred Street; and further

THAT Welland City Council authorizes staff to accept the offer of \$10,000.00 from Habitat for Humanity Niagara (HFHN) to purchase a portion of Parts 11 and 12 on Plan 59R-1565 and shown as Part 2 on Appendix III; and further

THAT Welland City Council authorizes HFHN to apply for a Building Permit on Part 2 on Appendix III prior to taking possession of the proposed lot; and further

THAT Welland City Council authorizes staff to prepare the necessary By-law(s).

CARRIED

16-106 Moved by Larouche and Fokkens

THAT THE COUNCIL OF THE CITY OF WELLAND stop up, close and declare surplus portions of two (2) unopened, unnamed road allowances, identified as Parts 2, 5 and 6 on Plan 59R-15152, located on the east side of Colbeck Drive, south of Webber Road (within 490 Colbeck Drive); and further

THAT Welland City Council authorizes staff to prepare the necessary By-law(s); and further

THAT Welland City Council authorizes staff to accept the offer of \$16,350.00 from Cynthia Robins to purchase the unopened road allowances east of Colbeck Drive, located within the property boundaries of 490 Colbeck Drive.

CARRIED

BY-LAWS

Moved by DiMarco and Carl

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.

16-4

BYL 2016 - 114

A By-law to amend By-law 2013-82, being a By-law to authorize signing authority to certain persons on behalf of the City.

16-19

BYL 2016 - 116

A By-law to authorize an amending agreement with Marzim Holdings Ltd. for use of the Welland Main Arena Lounge; and to amend By-law 2012-29.

CARRIED

Moved by DiMarco and Petrachenko

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.

16-19

BYL 2016 - 115

A By-law to authorize an amending agreement with Marzim Holdings Ltd. for use of the concession booths within the Welland Arena and Jack Ballantyne Arena; and to amend By-law 2011-94.

CARRIED

Moved by Fokkens and P. Chiochio

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.

16-105

BYL 2016 - 109

A By-law to Lay Out, Establish and Name Blocks 37 and 39, Plan 59M-286 being a 0.3 metre Reserve for the City of Welland as part of Days Avenue.

16-19

BYL 2016 - 111

A By-law to accept the tender and to enter into contract with 1526957 Ontario Limited O/A CTC Contracting for the Market Square concrete replacement and new commemorative space 2016.

CARRIED

Moved by Larouche and Fokkens

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, as amended, now read a first, second and third time and pass same, and authorize the Mayor and Clerk to sign and seal same.

10-76

16-87

BYL 2016 - 110

A By-law to authorize execution of an agreement for Tax Increment Grant Program (Community Improvement Plan) for 287 Silverthorn Street, 242, 246, 250 Buchner Road.

16-96

BYL 2016 - 112

A By-law to accept the tender and to enter into contract with Vic Vattr Contracting Ltd. for the Endicott Terrace and Springhead Gardens Watermain Replacement.

04-91

BYL 2016 - 113

A By-law to authorize extension of the term of the lease agreement with the Welland Historical Museum Board of Management for 140 King Street.

07-107

16-19

BYL 2016 - 117

A By-law to amend By-law 2016-71, being a By-law to grant licenses of occupation to Vesna Bazgaloska-Murgoski for the provision of food services at the Welland Market Square and the Welland Sports Complex.

16-19

BYL 2016 - 118

A By-law to authorize an amending agreement with Welland Minor Hockey Association; and to amend By-law 2011-155.

16-15

BYL 2016 - 119

A By-law to authorize the appointment of Brian Kennedy as Fire Chief for the Welland Fire and Emergency Department; and to repeal By-laws 2006-126 and 2011-107.

16-15

BYL 2016 - 120

A By-law to amend By-law 2007-90, being a By-law to establish an Emergency Management Program Committee and to appoint a Community Emergency Management Coordinator.

16-94Z

BYL 2016 - 121

A By-law to amend City of Welland Zoning By-law 2667 (Baiocco Development Corp. - File 2016-04) east side of Clare Avenue, north of Webber Road and south of Lynbrook Lane.

CARRIED

Moved by Letourneau and Larouche

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 - 122

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 23rd day of August, 2016.

CARRIED

Councillor J. Chiochio gave Notice of Motion to the following issue to be presented to Council at the September 20, 2016, Regular Council Meeting:

16-108 THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to prepare a report for the assumption of Wagner Lane. The Laneway between 278 and 284 Hellems Avenue. Residents accessing the Laneway are 280 and 284 Hellems Avenue in behind 278 Hellems Avenue. That costs for snow clearing and other City services be incorporated in that report.

Council adjourned at 10:37 p.m.

These Minutes approved and adopted by Motion of Council this 20th day of September, 2016.

MAYOR

ACTING CITY CLERK