



MINUTES OF
COUNCIL MEETING, MARCH 7, 2017
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 7:04 p.m. on the above date.

His Worship Mayor Frank Campion in the Chair.

Members Present:

Councillors M. Carl, J. Chiochio, P. Chiochio, B. Fokkens, M.A. Grimaldi (5:32 p.m.), J. Larouche (until 10:00 p.m.), R. Letourneau (5:45 p.m. - 8:45 p.m.), J. Mastroianni, D. McLeod, M. Petrachenko and L. Van Vliet.

Members of Staff and Others Present:

Chief Administrative Officer, G. Long
City Clerk, T. Stephens
Deputy Clerk, C. Radice (7:04 p.m.)
Chief, Fire & Emergency Services, B. Kennedy
General Manager, Corporate Services, Chief Financial Officer/Treasurer, S. Zorbas (until 9:26 p.m.)
General Manager, Human Resources and Legislative Services, R. Mantesso
General Manager, Infrastructure and Development Services/City Engineer, S. Iannello (7:04 p.m.)
Manager, Engineering Services, E. Nickel (9:40 p.m. to 10:00 p.m.)
Manager of Development Approvals, G. Munday (7:04 p.m.)
Recording Secretary, C. Viger (7:04 p.m.)
Deputy Fire Chief, A. Eckhart (5:30 p.m. - 6:30 p.m.)
Employment Services Coordinator, A. Daisley (until 6:30 p.m.)
Manager of Budgets & Financial Reporting /Deputy Treasurer, E. Pankoff (7:04 p.m. - 9:26 p.m.)

17-25 Moved by Mastroianni and Van Vliet
THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 5:30 p.m. to consider:

- personal matters about an identifiable individual, including municipal or local board employees; and
- proposed or pending acquisition or disposition of land by the municipality or local board.

CARRIED

17-25 Moved by Letourneau and Petrachenko
THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 6:49 p.m. with report.

CARRIED

THE FOLLOWING ITEM WAS ADDED:

16-104 A By-law to regulate management of a system of sewer works and drainage works in the City of Welland.

AGENCIES, BOARDS, COMMISSIONS AND COMMITTEES REPORTS

99-90

17-20 Lucas Spinosa, Director, Welland Downtown Business Improvement Area Board addressed Council regarding a Special Occasion Permit.

16-66

17-47 Councillor Carl, Chair, Nominating Committee addressed Council regarding an appointment to the Active Transportation Advisory Committee.

LEGISLATED PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT

Councillor Van Vliet presided as Chair of the Public Hearings:

17-57Z A complete application has been made by JOHN PERRY on behalf of N SQUARE DEVELOPMENT GROUP LIMITED to rezone the lands at 699 Niagara Street (west side of Niagara Street, south of Woodlawn Road) from the existing R2 Single-Detached Dwelling - Second Density Zone to a Site Specific RM4 Zone. The purpose of the Amendment is to permit the construction of a 7 storey condominium building with 42 residential units, allow for a reduced front yard setback of 5.1 metres, whereas 9 metres is required; a reduced rear yard of 3.5 metres whereas 9 metres is required; side yard setback of 2.5 metres, whereas a minimum of 4.5 metres is required; and allow for 1 parking space per unit, whereas 1.5 spaces per unit is required. The Official Plan designation is HIGH DENSITY RESIDENTIAL. The lands are also the subject of an Application for Standard Condominium - File 26CD-14-17001, (File No. 2017-01).

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.

Callum Shedden, representing the applicant, Lawyer, Daniels & Partners LLP, 39 Queen Street, St. Catharines, Ontario L2R 7P7

John Perry, Planning Consultant, 315 Elmwood Avenue, P.O. Box 208, Crystal Beach, Ontario L0S 1B0

Stewart Elkins, Traffic Consultant, 22 King Street South, Suite 300, Waterloo, Ontario N2J 1N8

In support of the application:

- No one spoke to the application.

There being no persons present to speak in support of the application, the Chair asked for those opposing the application.

In opposition of the application:

- Kevin Gifford, 43 Gram Avenue, Welland, Ontario L3C 1H5
- Tara Woronchuk, 333 First Avenue, Welland, Ontario L3C 1Z1
- Larry Harper, 670 Niagara Street, Welland, Ontario L3C 1M1
- Gordon Geady, 3 Gram Avenue, Welland, Ontario L3C 1H4.
- Nick Gurden, 50 Gram Avenue, Welland, Ontario L3C 1H4
- Doug Nicholls, 52 Gram Avenue, Welland, Ontario L3C 1H6

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

17-58Z Complete applications have been made by T. JOHNS CONSULTING GROUP AND JACKIE LEE on behalf of DAO SHENG CHEN AND MIAO YAN CHEN to amend the City of Welland Official Plan and to rezone the lands at 16 Steel Street (Lots 232 and 233, Plan 933, Part Lots 230 and 231, Plan 933) from the existing RM3 - Multiple Dwelling - Third Density Zone - Exemption 12.8.5 and C3 - General Commercial Zone - Exemption 21.3.4 to a Site Specific MXR Zone. The purpose of the Amendment is to allow for two (2) residential units, a restaurant and a warehousing use; to exempt the property from providing an amenity area for the residential uses; and to exempt the property from Section 5.21 (e) of the Zoning By-law which would require the construction of a fence separating the required parking lot from any adjacent uses. A Holding provision will be placed on the property to prevent any development prior to the completion of an odor Analysis for the proposed warehousing use. The Official Plan designation is HEALTH AND WELLNESS CLUSTER. (File No. 2017-02).

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.

Cheryl Selig, representing the applicant, T. Johns Consulting Group, 310 Limeridge Road West, Hamilton, Ontario L9C 2V2

In support of the application:

- No one spoke to the application.

There being no persons present to speak in support of the application, the Chair asked for those opposing the application.

In opposition of the application:

- No one spoke to the application.

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

17-59Z A complete application has been made by UPPER CANADA CONSULTANTS on behalf of 2090572 ONTARIO INC. to rezone Part of Lots 18 and 19 and Part of the Road Allowance between Lots 18 and 19, being Lots 2 to 6, all inclusive, Plan 59M-433, former Township of Crowland, now City of Welland for lands at 181, 191, 199, 209 and 217 Turnberry Trail from the existing RM3-X33, RM3-X34 and O1 Zones to a Site Specific R3-X20 Zone. The purpose of the Amendment is to rezone five (5) vacant residential lots from being split zoned to permit the construction of a single-detached dwelling on each lot. The R3-X20 Zone is consistent with the zoning of the adjacent properties that were zoned R3-X20 Zone as part of the North Village Plan of Subdivision. The Official Plan designation is MEDIUM DENSITY RESIDENTIAL (File No. 2017-03).

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.

Jim D'orazio, applicant, President, 2090572 Ontario Ltd., 2787 Brighton Road, Oakville, Ontario L6H 6J4

In support of the application:

- No one spoke to the application.

There being no persons present to speak in support of the application, the Chair asked for those opposing the application.

In opposition of the application:

- Dave Duffus, 76 Galloway Trail, Welland, Ontario L3B 6J5

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

17-1 Moved by Letourneau and P. Chiocchio
THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meeting of February 21, 2017, as circulated.

CARRIED

99-90

17-20 Moved by P. Chiocchio and McLeod
THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Lucas Spinosa, Director, Welland Downtown Business Improvement Area Board regarding a Special Occasion Permit.

CARRIED

99-90

17-20 Moved by Fokkens and P. Chiocchio
THAT THE COUNCIL OF THE CITY OF WELLAND has no objection for the issuance of a Special Occasion Permit to Welland Downtown Business Improvement Area for Feast Street Niagara to be held on September 30 and October 1, 2017 on East Main Street in Downtown Welland; and further
THAT Welland City Council designates "Feast Street Niagara" as one of municipal significance; and further
THAT Welland City Council delegates in accordance with its Delegation of Powers Policy, the authority to the City Clerk, or designate, the power to support applications for Special Occasion Permits for all future events of the Feast Street Niagara and to designate such events as one(s) of municipal significance.

CARRIED

02-160 Moved by Van Vliet and Grimaldi
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated January 20, 2017; and further
 THAT Welland City Council does not support the request for a consent to the passage of the By-law of the Regional Municipality of Niagara, being a By-law to change the composition of the Regional Council.

CARRIED

09-102Z Moved by Larouche and Mastroianni
 THAT THE COUNCIL OF THE CITY OF WELLAND approves an Extension to Draft Plan Approval for the North Village Subdivision (File: 26T-14-09001) for an additional one (1) year to March 29, 2018 subject to the following:

1. That Condition 11 be deleted and replaced with the following wording:
 That the owner ensure that the plan is in accordance with the Regional Municipality of Niagara waste collection policy C3.007, Requirement for Commencement of Collection for New and Redevelopments. Note: for any development phasing, the developer shall create appropriate temporary waste collection turnaround(s), per the Niagara Region waste collection policy C3.007, at the end of each dead end street(s) during any development phasing that will permit Regional waste collection or confirm that waste collection will be the developer's responsibility.

2. That a new Condition be added:
 The developer shall ensure that any work within the Regional Forcemain easement is reviewed and approved by the Region prior to any work being undertaken.

CARRIED

16-66

17-47 Moved by Larouche and Mastroianni
 THAT THE COUNCIL OF THE CITY OF WELLAND appoints Petrachenko to the Active Transportation Advisory Committee until November 30, 2018 as recommended by the Nominating Committee.

CARRIED

16-104

Moved by McLeod and Fokkens
 THAT THE COUNCIL OF THE CITY OF WELLAND 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 Bylaw; and further
 THAT Welland City Council approves the proposed Policy titled Disconnection of Drain Connections from the Sewage System; and further
 THAT Welland City Council revoke Policy SER-002-0005 titled Sewer Connection to Weeping Tile Prohibited since it is superseded by new policy.

CARRIED

16-129

Moved by Larouche and Mastroianni
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Town of Pelham dated February 9, 2017 regarding the request to amend process for appointments to Niagara Peninsula Conservation Authority Board of Directors.

CARRIED

17-5

Moved by McLeod and J. Chiochio
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the 2017 Waiving of Fees, Permissive Grant and the Facility Legacy upgrades attached to Report FIN-2017-03 as Appendix I, Appendix II and Appendix III.

(Councillor Carl 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 the Hope Centre is on the list for a permissive grant).

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17-5

Moved by McLeod and J. Chiochio
 THAT Welland City Council grants \$7,115.00 from Permissive Grants to the Welland Downtown Business Improvement Area for the Merritt Island Supper Markets - Farmers and Feast Street Niagara events.

CARRIED

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

CARRIED

17-19

Moved by Mastroianni and Petrachenko
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from Sal Iannello, General Manager, Infrastructure and Development Services/City Engineer regarding Welland Crowland Memorial at Chippawa Park.

CARRIED

17-22 Moved by Fokkens and Larouche
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report TRAF-2017-02 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 "V" - Parking Prohibitions (Specified Places with Signs).

COLUMN 1 HIGHWAY	COLUMN 2 SIDE	COLUMN 3		COLUMN 4 PERIOD (TIMES/DAYS)
		FROM	TO	
Glenwood Parkway	North Side	37 metres easterly of Parkside Street	6 metres easterly of Stanley Street	At No Time

CARRIED

17-41Z Moved by Larouche and Mastroianni
 THAT THE COUNCIL OF THE CITY OF WELLAND approves an Amendment to Zoning By-law 2667, as amended, for lands on the east side of Home Street, north of Birchmount Avenue, more specifically described as Lots 108 and 109, Plan 618, being Part of Part 1 on Plan 59R-9842, currently with no municipal address, from the existing Single-Detached Dwelling - First Density (R1) Zone to a Site Specific RM1 Zone to permit a maximum lot coverage of 46%, whereas 35% is permitted and to permit the construction of two (2) semi-detached dwellings (four (4) semi-detached units).

(Councillor Van Vliet 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 home is within the area).

CARRIED

17-43 Moved by Larouche and Mastroianni
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Mr. Steven Soos, Resident, regarding naming the city wards.

CARRIED

17-47 Moved by Carl and Fokkens
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the verbal report by Councillor Carl, Chair, Nominating Committee, regarding its meeting of March 7, 2017.

CARRIED

17-48 Moved by Larouche and Mastroianni
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information and supports the request from the Police Services Board dated February 23, 2017 regarding the Burgoyne Bridge Replacement Project Forensic Audit.

CARRIED

17-54 Moved by J. Chiocchio and P. Chiocchio
 THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to prepare a report on the naming of laneway located south of Lincoln Street West, between Prince Charles Drive and King Street leading to the Welland scuba park and swimming dock; and further
 THAT all costs for implementation be associated with the report.

CARRIED

17-55 Moved by Petrachenko and P. Chiocchio
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report ENG-2017-04 Aqueduct Street - Road Reconstruction Detailed Design award; and further
 THAT Welland City Council approves award of RFP17-01 for the Aqueduct Street road reconstruction detailed design to Kerry T. Howe Engineering Limited in the amount of \$38,750 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 Kerry T. Howe Engineering Limited to execute the design study.

CARRIED

17-57Z Moved by Carl and Petrachenko
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information purposes Report P&B-2017-09 regarding an Application for Zoning By-law Amendment and Plan of Standard Condominium for lands on the west side of Niagara Street, south of Woodlawn Road, more specifically described as Part of Township Lot 240, municipally known as 699 Niagara Street.

CARRIED

17-58Z Moved by Mastroianni and Van Vliet
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information purposes Report P&B-2017-10 regarding Applications for Official Plan Amendment and Zoning By-law Amendment for lands on the west side of Steel Street, north of Ontario Road, more specifically described as Lots 232 and 233, Plan 933 and Part Lots 230 and 231, Plan 933, municipally known as 16 Steel Street.

CARRIED

17-59Z Moved by McLeod and Mastroianni
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information purposes Report P&B-2017-11 regarding an Application for Zoning By-law Amendment for lands on the east side of Turnberry Trail, east of Perth Trail and north of Berwick Trail, more specifically described as Part of Lots 18 and 19 and Part of the Road Allowance between Lots 18 and 19, being Lots 2 to 6 (inclusive) on Plan 59M-433, former Township of Crowland, now in the City of Welland. The lots are municipally known as 181, 191, 199, 209 and 217 Turnberry Trail.

CARRIED

17-60 Moved by Larouche and Mastroianni
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information and supports the request from the Region of Niagara dated February 10, 2017 regarding Financial Support for Families of Missing Persons - Minute Item 8.2, CL 02-2017, Thursday, February 9, 2017.

CARRIED

BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE

16-66

17-10 Moved by Larouche and Mastroianni
 THAT THE COUNCIL OF THE CITY OF WELLAND appoints Sylvia Addario, Frank DeChellis, Ron Lemon, Assunta Piccini, Harold Sawchuk and Edward Van Vliet to the Active Transportation Advisory Committee commencing March 7, 2017 to November 30, 2018.

CARRIED

BY-LAWS

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

17-22

BYL 2017 - 14

A By-law to authorize By-law 89-2000, being a By-law regulating Traffic and Parking within the City of Welland (Schedule V).

17-55

BYL 2017 - 15

A By-law to authorize retention of Kerry T. Howe Engineering Limited to provide engineering Services for the Aqueduct Street Road Reconstruction.

16-104

BYL 2017 - 18

A By-law to regulate management of a system of sewer works and drainage works in the City of Welland.

Moved by Larouche 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.

17-41Z

BYL 2017 - 16

A By-law to amend City of Welland Zoning By-law 2667 (Claude St. Amand - File 2016-08) north of Birchmount Avenue, east of Home Street.

17-13

BYL 2017 - 17

A By-law to authorize entering into a transfer payment agreement with the Ministry of Transportation for public transit infrastructure funding.

CARRIED

Moved by Fokkens 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.

17-1

BYL 2017 - 19

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 7th day of March, 2017.

CARRIED

Council adjourned at 10:18 p.m.

These Minutes approved and adopted by Motion of Council this 21st day of March, 2017.

MAYOR

CITY CLERK