



MINUTES OF
COUNCIL MEETING, APRIL 4, 2017
CIVIC SQUARE, COUNCIL CHAMBERS
60 EAST MAIN STREET

Council met in Committee-of-the-Whole closed to the public at 6:10 p.m. and in open session at 7:16 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, J. Larouche, R. Letourneau (until 8:27 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 (7:16 p.m.)

Chief, Fire & Emergency Services, B. Kennedy

General Manager, Corporate Services, Chief Financial Officer/Treasurer, S. Zorbas

General Manager, Infrastructure and Development Services/City Engineer, S. Iannello

Manager of Development Approvals, G. Munday (7:16 p.m.)

Project Manager, Facilities, J. O'Neill

Chief Building Official, M. Mantesso (until 7:13 p.m.)

17-25 Moved by Mastroianni 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 6:10 p.m. to consider:

- proposed or pending acquisition or disposition of land by the municipality or local board.

CARRIED

17-25 Moved by Larouche and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 7:13 p.m. without report.

CARRIED

AGENCIES, BOARDS, COMMISSIONS AND COMMITTEES REPORTS

17-47 Councillor J. Chiochio, Chair, Nominating Committee addressed Council regarding an appointment to the Facility Review Team for the Youngs Sportsplex.

08-143 Councillor Grimaldi, Chair, Health Care Committee provided a verbal report regarding an update on the Committee.

LEGISLATED PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT

Councillor Van Vliet presided as Chair of the Public Hearing:

17-68Z Complete applications have been made by STEVE RIVERS on behalf of MIKE KNAPP FORD SALES LIMITED to amend the City of Welland Official Plan and to rezone the lands at 383 Aqueduct Street (west of Niagara Street, southwest of Hilda Street) from the existing R2 Single-Detached Dwelling - Second Density Zone to a Site Specific C3 Zone. The purpose of the Amendment is to permit the subject lands to be used in conjunction with a motor vehicle sales dealership. The Official Plan designation is LOW DENSITY RESIDENTIAL. (File No. 2016-09)

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.

Steve Rivers, Applicant, 189 Clare Avenue, Port Colborne, Ontario L3K 5Y1
Mike Knapp, Applicant, 1219 South Pelham Road, Fonthill, Ontario L3C 3E2

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:

- Steve Roller, 379 Aqueduct Street, Welland, Ontario L3C 1E2
- Suzanne Holowatsch, 9 Hilda Street, Welland, Ontario L3C 6P7
- Al Moms, 408 Aqueduct Street, Welland, Ontario L3C 1E1

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

16-58Z Complete applications have been made by UPPER CANADA CONSULTANTS on behalf of SCHOUT COMMUNITIES (WELLAND) INC. for approval of a Draft Plan of Vacant Land Condominium and to rezone lands at 485 Prince Charles Drive North (west side of Prince Charles Drive North, north of Fitch Street) from the existing Site Specific MXR-X3, MXR-X4 and MXR-X5 Zones to a Site Specific RM3 Zone. The purpose of the Amendment is to permit the construction of a 65 unit plan of Vacant Land Condominium comprised of 33 triplex units and 32 townhouse units. Relief is being requested to allow for: a 4 metre front yard setback for dwellings and 6 metres for attached garages, whereas 6 metres is required; a side yard setback of 3 metres between townhouse blocks and to lot lines, whereas 4.5 metres is required; and a rear yard setback of 5 metres, whereas 7.5 metres is required. The Official Plan Designation is SITE SPECIFIC POLICY AREA 3. (File 26CD-14-17002 and File No. 2017-04)

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.

Ken Ganyou, representing the applicant, Upper Canada Consultants, 261 Martindale Road, St. Catharines, Ontario L2W 1A1

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.

17-69Z A complete application has been made by BD DEVELOPMENTS INC. on behalf of ANTOINETTE SALVATORI to rezone Lots 152 and 153, Plan 446, City of Welland for lands on the west side of Louise Street, north of Sauer Avenue from the existing R2 Single-Detached Dwelling - Second Density Zone By-law 2667 to a Site Specific RM2 Zone By-law 2667. The purpose of the Amendment is to permit the construction of one (1) semi-detached dwelling (two (2) semi-detached units with site specific provisions to allow the lot frontage for each lot to be 7.6 metres, whereas 9 metres is required, to allow a side yard setback of 0.9 metres whereas 1.5 metres is required; and to allow a lot area of 255 square metres whereas 306 square metres is required. The Official Plan designation is LOW DENSITY RESIDENTIAL. (File No. 2017-05)

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.

Terrance Hatton, Applicant, 146 Forest Ridge Court, Welland, Ontario L3C 0C2
Chris Bestward, Applicant, 757 Clare Avenue, Welland, Ontario L3C 3B9

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.

17-1 Moved by Mastroianni and Carl
 THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meeting of March 21, 2017 as amended and Special Council Meeting of March 28, 2017, as circulated.

CARRIED

02-160 Moved by Larouche and Grimaldi
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report CLK-2017-03: Council's Corner; and
 THAT Welland City Council reaffirms its position of choosing option (3) for Councillors to present city/ward activities and event reports; and further
 THAT Welland City Council approves the motion from January 24, 2017, and requests the full report be forwarded to Council for consideration.

CARRIED

08-143 Moved by Grimaldi and Carl
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the verbal report by Councillor Grimaldi, Chair, Health Care Committee, regarding an update on its Committee.

CARRIED

10-108
17-47 Moved by J. Chiochio and Letourneau
 THAT THE COUNCIL OF THE CITY OF WELLAND appoints Councillor Van Vliet and Councillor Mastroianni to the Facility Review Team for the Youngs Sportsplex from April 4, 2017 to November 30, 2018 as recommended by the Nominating Committee.

CARRIED

16-58Z Moved by Van Vliet and Carl
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information purposes Report P&B-2017-16 regarding an for Zoning By-law Amendment and Plan of Vacant Land Condominium for lands on the west side of Prince Charles Drive North, north of Fitch Street, more specifically described as Part Township Lots 250 and 251, former Township of Thorold, being Parts 2, 5 and 8 on Plan 59R-14614, in the City of Welland, known municipally as 485 Prince Charles Drive North.

CARRIED

16-129 Moved by Van Vliet and Petrachenko
 THAT THE COUNCIL OF THE CITY OF WELLAND urges the NPCA to accept the offer of the Attorney General and not proceed with any other 3rd party investigation; and
 THAT Welland City Council directs staff to prepare a report, regarding Welland City Council's ability to appoint and submit a preferred candidate to be appointed by the Region Council to the NPCA board to represent Welland at the beginning of the council term; and further
 THAT Welland City Council directs staff to provide options on how the candidate would be selected.

CARRIED

17-13 Moved by Larouche and Grimaldi
 THAT THE COUNCIL OF THE CITY OF WELLAND consents to the passage of By-law No. 2017-21 of the Regional Municipality of Niagara, being a By-law to provide Niagara Region with the non-exclusive authority to establish, operate and maintain an inter-municipal passenger transportation system for the Niagara Region.

CARRIED

17-14 Moved by Larouche and Grimaldi
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report FIN-2017-06: with respect to 2016 Remuneration and Expenditures covering Members of Council.

CARRIED

17-15 Moved by Larouche and Grimaldi
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Nora Reid, Chair, and Claire Masswohl, Central Fire Hall Committee, regarding the Central Fire Hall Sub-Committee; and further
 THAT Welland City Council requests a lease agreement and partnership agreement be signed with the committee.

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17-15 Moved by McLeod and Grimaldi
 THAT THE COUNCIL OF THE CITY OF WELLAND defers the request for a lease agreement and partnership agreement with a report to the May 2, 2017 Council Meeting.

CARRIED

17-15 Moved by Larouche and Grimaldi
 THAT THE COUNCIL OF THE CITY OF WELLAND supports a three station model response system for Welland Fire and Emergency Services Department to ensure a timely and effective fire response to the community, and to reflect increased growth and development in the City; and further
 THAT THE COUNCIL OF THE CITY OF WELLAND supports the fire hall replacement strategy presented by the Fire Chief and to finalize plans to build a new fire station headquarters/training facility and two satellite stations, subject to budget approval and funding from senior levels of government.

YEAS: P. Chiochio, Grimaldi, Fokkens, Mastroianni, Van Vliet, Mayor Campion, Larouche, Petrachenko, Carl, J. Chiochio and McLeod.

NAYS: None.

CARRIED

17-19 Moved by Larouche and Grimaldi
 THAT THE COUNCIL OF THE CITY OF WELLAND awards the Woodlawn Cemetery Expansion contract of 2017 work to Touchstone Site Contractors Inc., of Thorold, Ontario, being the second lowest total project bid price of \$758,064.00; and further
 THAT Welland City Council be advised that staff will bring forth a 2018 capital budget proposal for completion works for the Woodlawn Cemetery Expansion; and further
 THAT subject to Welland City Council approval in 2018, a second contract of \$158,064.00, being the presently unfunded amount of the total project value be entered into with the same contractor; and further
 THAT THE COUNCIL OF THE CITY OF WELLAND directs Corporate and Legislative staff to prepare the necessary agreements and By-laws for the execution of the prescribed works.

CARRIED

17-28 Moved by Larouche and Grimaldi
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Carrie-Lynne Sones, Community Support Service of Niagara, regarding Seniors and Persons with a Disability Programs.

CARRIED

17-47 Moved by J. Chiochio and Letourneau
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the verbal report by Councillor J. Chiochio, Chair, Nominating Committee, regarding its meeting of April 4, 2017.

CARRIED

17-58Z Moved by Grimaldi and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND adopts an Amendment to the Official Plan to designate the 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 from Health and Wellness Cluster to Health and Wellness Cluster – Special Policy Area to permit two (2) residential units, a restaurant and a food processing warehouse; and further

THAT Welland City Council approves an Amendment to Zoning By-law 2667, as amended, 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, known municipally as 16 Steel Street from the existing RM3 – Multiple Dwelling – Third Density Zone, Site Specific RM3 – Multiple Dwelling – Third Density Zone Exemption - 12.8.5 and C3 - General Commercial Zone - Exemption 21.3.4 to a Site Specific Holding (H-MXR) Zone to permit the use of the property for a food processing warehouse, restaurant and two (2) residential units with reduced rear yard setback, exempting the property from providing residential amenity area and exempting the property from providing fencing; and further

THAT Welland City Council directs that prior to the lifting of the Holding Symbol (H), the Owner submit an Odour Analysis and Noise Study to the satisfaction of the City of Welland and the Region of Niagara.

CARRIED**17-68Z** Moved by P. Chiocchio and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information purposes Report P&B-2017-17 regarding an Application for Official Plan Amendment and Zoning By-law Amendment for lands on the west side of Aqueduct Street, east of Niagara Street and Southwest of Hilda Street, more specifically described as Lot 61, Plan 665, in the City of Welland, known municipally as 383 Aqueduct Street.

CARRIED**17-69Z** Moved by Carl and Fokkens

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information purposes Report P&B-2017-18 regarding an Application for Zoning By-law Amendment for lands on the west side of Louise Street, north of Sauer Avenue, more specifically described as Lots 152 and 153, Plan 946, currently with no municipal address.

CARRIED**17-70** Moved by Larouche and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated March 3, 2017 regarding Report PDS-11-2017: Coordinated Policy Review - Response to Greenbelt Plan Environmental Bill of Rights Posting.

CARRIED**BY-LAWS**

Moved by Mastroianni 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.

17-19

BYL 2017 - 30

A By-law to authorize entering into contract with Touchstone Site Contractors Inc. for the Woodlawn Cemetery Expansion 2017.

CARRIED

Moved by Larouche and Grimaldi

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.

17-58

BYL 2017 - 28

A By-law to authorize the adoption of official Plan Amendment No.12.

17-58Z

BYL 2017 - 29

A By-law to amend City of Welland Zoning By-law 2667 (Dao Sheng Chen and Miao Yan Chen - File 2017-02) 16 Steel Street.

CARRIED

Moved by Larouche and Mastroianni

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 - 31

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 4th day of April, 2017.

CARRIED

Councillor Larouche gave Notice of Motion to the following issue to be presented to Council at the April 18, 2017 Regular Council Meeting:

- 17-71** WHEREAS the use of residential security cameras recording devices are increasing;
AND WHEREAS these cameras can be used for other intrusive uses and potentially illegal purposes.
NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to investigate the potential of introducing a fortification By-law and report back to Council.

Council adjourned at 9:29 p.m.

These Minutes approved and adopted by Motion of Council this 18th day of April, 2017.

MAYOR

CITY CLERK