



MINUTES OF
COUNCIL MEETING, JUNE 5, 2018
CIVIC SQUARE, COUNCIL CHAMBERS
60 EAST MAIN STREET

Council met in Committee-of-the-Whole closed to the public at 6:07 p.m. and in open session at 7:03 p.m. on the above date.

His Worship Mayor Frank Campion in the Chair.

Members Present:

Councillors M. Belcastro, M. Carl (7:02 p.m.), J. Chiochio, P. Chiochio, T. DiMarco (6:17 p.m.), J. Larouche (6:10 p.m.), J. Mastroianni, D. McLeod (6:20 p.m.), C. Richard and L. Van Vliet.

Members of Staff and Others Present:

Chief Administrative Officer, G. Long

Acting City Clerk, C. Radice

Acting Deputy Clerk, C. Viger (7:03 p.m.)

Deputy Chief, Fire & Emergency Services, A. Eckhart

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

General Manager, Human Resources and Legislative Services, R. Mantesso (7:03 p.m.)

General Manager, Infrastructure and Development Services/City Engineer, E. Nickel

Manager of Development Approvals, G. Munday (7:03 p.m.)

Purchasing Agent, S. Moon (7:03 – 9:12 p.m.)

(Tom Hanrahan, Solicitor was present during Committee-of-the-Whole discussion on advice that is subject to solicitor-client privilege, including communications necessary for that purpose.)

2018-205**18-25**

Moved by Van Vliet and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 6:07 p.m. to consider:

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

CARRIED**2018-206****18-25**

Moved by Larouche and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 6:35 p.m. with report.

CARRIED**LEGISLATED PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT**

Councillor Van Vliet presided as Chair of the Public Hearing:

18-39 A complete application for Zoning By-law Amendment has been submitted by Upper Canada Consultants on behalf of Vinmar Developments Ltd. for lands legally described as Part of Lot 1, Concession 12, former Township of Pelham, City of Welland, municipally known as 370 Murdock Road, to rezone the lands from RL1 - Residential Low Density 1 and RM - Multiple Residential to Special Exception RL1 and Special Exception RM. The Special Exceptions are requested to allow: a reduced lot area of 360 square metres, increased lot coverage of 55%, and allow rear yard decks and porches (opened or roofed) to extend 4.5 metres into the required rear yard in the RL1 Zone; and to remove the required Lot Coverage, and allow rear yard decks and porches (opened or roofed) to extend 4.5 metres into the required rear yard in the RM Zone. These requests have been made to allow for the development of the property with a Plan of Subdivision containing single detached and townhouse dwellings.

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.

Craig Rohe, Senior Planner, Upper Canada Consultants, 3-30 Hanover Dr., St.Catharines, ON L2W 1A3

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.

Councillor Van Vliet presided as Chair of the Public Hearing:

18-57 Complete applications for Zoning By-law Amendment (File No. 2018-02) and Official Plan Amendment (File No. OPA 17) have been submitted by the Niagara Planning Group on behalf of GDC Developments Inc. for lands legally described as Part of Barber Street (closed), Part of Chaffey Street (closed), All of Lots 216 to 223, All of Lots 232 to 258, All of Lots 266 to 275 on Plan 937, shown as Parts 1 and 2 on Plan 59R-16073, in the City of Welland, municipally known as 309 Chaffey Street, to rezone the lands from O1-COMMUNITY OPEN SPACE to RL2-RESIDENTIAL LOW DENSITY 2 to allow the property to be developed with 45 residential dwelling units, with a mix of single-detached, semi-detached, and townhouse dwellings.

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.

John Henricks, Principal Planner, Niagara Planning Group, 4999 Victoria Ave., Niagara Falls, ON, L2E 4C9

Heather Sewell, Planner, Niagara Planning Group, 4999 Victoria Ave., Niagara Falls, ON, L2E 4C9

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:

- Richard Chamberlain, 305 Beatrice Street, Welland, ON L3B 2Z9
- Elizabeth Shukis, 306 Beatrice Street, Welland, ON L3B 2Z9
- Tammy Reece, 302 Chaffey Street, Welland, ON L3B 2Z1

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

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

- No one spoke to the application.

There being no speakers, the public meeting was concluded.

AGENCIES, BOARDS, COMMISSIONS AND COMMITTEES REPORTS

09-104 Councillor McLeod, Chair, Audit Review Committee provided a verbal update on the Audit Review Committee meeting of May 15, 2018.

2018-207

18-1 Moved by Van Vliet and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meeting of May 15, 2018, as circulated.

CARRIED

2018-208**02-52** Moved by Mastroianni and McLeod (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information and supports the City of Hamilton's resolution regarding the Province's right to approve landfill developments in municipalities.

CARRIED**2018-209****09-104** Moved by McLeod and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the verbal report by Councillor McLeod, Chair, Audit Review Committee regarding its meeting of May 15, 2018.

CARRIED**2018-210****09-152****18-2** Moved by Mastroianni and McLeod (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Ali Khan, Supervisor Traffic, Parking & By-laws, Brian Kennedy, Fire Chief, Jack Tosta, Chief Building Official, James Cronshaw, Senior By-law Enforcement Officer and Grant Munday, Manager of Development Approvals regarding Rental Housing Licensing.

CARRIED**2018-211****09-152****18-2** Moved by Mastroianni and McLeod (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report TRAF-2018-10: Rental Housing Licensing; and further

THAT Welland City Council directs staff to work together to bring back a report on an education strategy to the public, tenants and landlords regarding rental housing.

CARRIED**2018-212****11-108** Moved by Mastroianni and McLeod (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND approves the Exemption of Part Lot Control for Blocks 69, 70, and 71 as shown on Plan 59M-440, to realize the sale of these lands for future residential development purposes; and further

THAT Welland City Council authorizes staff to prepare the necessary By-laws.

CARRIED**2018-213****11-108****18-8** Moved by Mastroianni and McLeod (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND approves Report ENG-2018-17 for the cost sharing payment to 1650672 Ontario Limited, developer of Canal View Heights Subdivision, for the reconstruction of Memorial Park Drive in the amount of \$474,207.58 including 1.76% HST and for the watermain replacement along Memorial Park Drive in the amount of \$194,180.42 including 1.76% HST, per the Subdivision Agreement. Both projects being identified in the 2017 Capital budget; and further

THAT Welland City Council approves the reallocation of \$93,944.74 from the 2016 Waterworks capital project "Riverside Drive Sewer Separation & Watermain Replacement" to be used towards the Memorial Park Drive Watermain Replacement cost sharing payment.

CARRIED**2018-214****16-109** Moved by Richard and J. Choicchio

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report WMPSC-C-9-2018 from the Niagara Region; and further

THAT Welland City Council directs staff to provide comment to the Niagara Region Waste Management, Public Works Department.

CARRIED

2018-215

18-4 Moved by Mastroianni and McLeod (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the Year-End Report, FIN-2018-10, up to and including December 31, 2017; and further

THAT Welland City Council approves that the 2017 Tax Supported Budget forecasted surplus (unaudited and estimated to be \$1,591,996) be allocated as follows:

- Building Permit Fee Revenues (unaudited and estimated to be \$120,178) to the Operating Surplus Reserve Fund and net balance of \$1,471,818 (unaudited and estimated) be allocated to the Capital Surplus Reserve Fund; and further

THAT Welland City Council approves that the 2017 Rate Supported Budget forecasted surplus (unaudited and estimated to be \$351,031) be allocated to the Water/Wastewater Reserve Fund.

CARRIED

2018-216

18-4 Moved by Mastroianni and Richard

THAT THE COUNCIL OF THE CITY OF WELLAND approves the write-off of taxes in the amount of \$9,925.20 as contained in Report FIN-2018-13 for the reduction or cancellation of taxes, pursuant to Sections 357 and 358 of the *Municipal Act, 2001*.

CARRIED

2018-217

18-22 Moved by P. Chiocchio and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information and refers the petition to staff for a report back to General Committee regarding the implementation of two (2) hour free parking in downtown core from Ontario Road to Division Street.

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18-22 Moved by Larouche and P. Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND implements the two (2) hour free parking in the downtown core from Ontario Road to Division Street; and further

THAT Welland City Council directs staff to report back on the east side of King Street between Third Street and Fourth Street regarding two (2) hour free parking.

YEAS: Councillors Carl, J. Chiocchio, P. Chiocchio, DiMarco, Larouche, Mastroianni, and Richard.

NAYS: Councillors Belcastro, McLeod, Van Vliet and Mayor Campion.

CARRIED

18-22 Moved by Larouche and P. Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the petition; and further THAT Welland City Council implements the two (2) hour free parking in the downtown core from Ontario Road to Division Street; and further

THAT Welland City Council directs staff to report back on the east side of King Street between Third Street and Fourth Street regarding two (2) hour free parking.

YEAS: Councillors Belcastro, Carl, J. Chiocchio, P. Chiocchio, DiMarco, Larouche Mastroianni, Richard, and Mayor Campion.

NAYS: Councillor McLeod and Van Vliet.

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

CARRIED

2018-218**18-22**

Moved by P. Chiochio and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND challenges the ruling of the Chair on accepting the notice of motion regarding the signage erected on Wellandvale at Goodwillie Drive.

YEAS: Councillors DiMarco, Larouche, and McLeod.

NAYS: Councillor Belcastro, Carl, J. Chiochio, P. Chiochio, Mastroianni, Richard, Van Vliet.

(Mayor Campion declared a conflict as he was chairing the meeting and Council challenged his ruling).

LOST**2018-219****18-28**

Moved by Mastroianni and McLeod (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Barb Fournier, Vice-Chair, and Barry Johnston, Chairman, Welland Eastdale Alumni regarding an update on its activities.

CARRIED**2018-220****18-39Z**

Moved by Van Vliet and P. Chiochio

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information purposes Report P&B-2018-27 regarding Application for Zoning By-law Amendment for lands on the north side of Webber Road, east side of Murdock Road and west of South Pelham Road, more specifically described as Part of Lot 1, Concession 13, geographic Township of Pelham, now in the City of Welland, municipally known as 370 Murdock Road.

CARRIED**2018-221****18-45**

Moved by Larouche and P. Chiochio

THAT THE COUNCIL OF THE CITY OF WELLAND accepts the proposal from Frank Cowan Company for a multi-year contract covering the delivery of general insurance coverage at an upper limit cost of \$630,000 (excluding HST) for 2018 – 2019; \$640,000 (excluding HST) for 2019 – 2020 and option to renew for coverage in 2020 – 2021 with a rate stability agreement capping cost escalation on property, auto and liability insurance.

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18-45

Moved by Belcastro and Carl

THAT THE COUNCIL OF THE CITY OF WELLAND defers Report FIN-2018-12 to the next Council Meeting.

CARRIED**2018-222****18-57Z**

Moved by P. Chiochio and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information purposes Report P&B-2018-26 regarding Applications for Official Plan Amendment and Zoning By-law Amendment for lands on the east side of Beatrice Street, west of Alberta Street, south of Devon Street and at the end of Chaffey Street, more specifically described as Part of Barer Street (Closed), Part of Chaffey Street (Closed), all of Lots 216 to 223, all of Lots 232 to 258, all of Lots 266 to 275 on Plan 937, shown as Part 1 and Part 2 on Plan 59R-16073, in the City of Welland, municipally known as 309 Chaffey Street.

CARRIED

2018-223**18-70**

Moved by McLeod and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the tender of O'Hara Trucking and Excavating Inc. as detailed in Report ENG-2018-18 for the Edgar/Elgin Sewer Separation (Phase 1) Fitch Street, Somerville Avenue and Merritt Street; and further

THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into contract with O'Hara Trucking and Excavating Inc. to execute the construction.

CARRIED**2018-224****18-78**

Moved by Mastroianni and McLeod (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Township of Wainfleet regarding the Lakewood Beach Property.

CARRIED**2018-225****18-79**

Moved by Larouche and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND approves the Downtown and Health and Wellness Cluster Community Improvement Plan Application for property municipally known as 57 Ontario Road for the Tax Increment Grant Program in the estimated amount of \$17,236.32; and further

THAT Welland City Council supports the circulation of this Report to Niagara Region to request the Region's participation in the Tax Increment Grant Program; and further

THAT Welland City Council directs staff to prepare the required By-law and Agreement; and further

THAT Welland City Council authorizes the Mayor and City Clerk to execute any documentation required to satisfy conditions related to participation in the Downtown and Health and Wellness Cluster Incentive Program.

UNANIMOUSLY CARRIED**2018-226****18-80**

Moved by Richard and P. Choicchio

THAT THE COUNCIL OF THE CITY OF WELLAND participates in the Ontario Good Road Association's (OGRA) Autonomous Vehicle Initiative and that this matter be referred to staff to develop a list of preferred routes with the municipality; and further

THAT Welland City Council appoints Erik Nickel, General Manager of Infrastructure and City Engineer as the point of contact who will be responsible to spearhead all Autonomous Vehicle (AV) related activities for the municipality.

CARRIED**BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE****2018-227****06-84****18-10**

Moved by Mastroianni and McLeod (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND appoints Lois Cifani as a member of the Senior Citizens Advisory Committee from June 5, 2018 to November 30, 2018.

CARRIED**2018-228****18-10****18-19**

Moved by Mastroianni and McLeod (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND appoints Cindy Haist as a member of the Market Square Advisory Committee from June 5, 2018 to November 30, 2018.

CARRIED

2018-229**12-114****18-36** Moved by Mastroianni and McLeod (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes the conveyance of vacant land municipally known as 482 River Road to Welland Hydro-Electric Holding Corp.

CARRIED**BY-LAWS**

Moved by Mastroianni and Belcastro

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.

18-79

BYL 2018 - 64

A By-law to authorize the execution of a Tax Increment Grant Program Agreement (Community Improvement Plan) for 57 Ontario Road (File No. DHWC 2018-03).

18-70

BYL 2018 - 66

A By-law to authorize entering into contract with O'Hara Trucking & Excavating Inc. for the Edgar/Elgin Sewer Separation (Phase 1) Fitch Street, Somerville Avenue and Merritt Street.

CARRIED

Moved by Mastroianni and Belcastro

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.

11-108

BYL 2018 - 65

A By-law to exempt certain lands from Part-Lot Control – all of Blocks 69, 70, And 71 on Plan 59M-440, City of Welland.

18-43

BYL 2018 - 67

A By-law to delegate certain authority to the Chief Administrative Officer and Chief Financial Officer during the Lame Duck Period.

18-74

BYL 2018 - 68

A By-law to permit an encroachment onto the Douglas Avenue road allowance to benefit the owners from time to time of the property known municipally as 10 Thorold Road.

12-114**18-36**

BYL- 2018 -69

A By-law to authorize conveyance of vacant land municipally known as 482 River Road to Welland Hydro-Electric Holding Corp.

CARRIED

Moved by Mastroianni 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.

18-1

BYL 2018 - 69

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 5th day of June, 2018.

CARRIED

Council adjourned at 9:43 p.m.

These Minutes to be approved and adopted by Motion of Council this 19th day of June, 2018.

MAYOR

ACTING CITY CLERK