



**MINUTES OF**  
**COUNCIL MEETING, JULY 24, 2018**  
**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 7:00 p.m. on the above date.

His Worship Mayor Frank Campion in the Chair.

**Members Present:**

Councillors M. Belcastro, M. Carl (6:10 p.m.), J. Chiochio, P. Chiochio, T. DiMarco (5:31 p.m.), B. Fokkens, M.A. Grimaldi, J. Larouche, J. Mastroianni, D. McLeod (5:33 p.m.), and C. Richard.

**Members of Staff and Others Present:**

Chief Administrative Officer, G. Long  
Acting City Clerk, C. Radice  
Acting Deputy Clerk, C. Viger (7:00 p.m.)  
Chief, Fire & Emergency Services, B. Kennedy  
General Manager, Corporate Services, Chief Financial Officer/Treasurer, S. Zorbas  
Manager of Engineering Services, C. Anders  
Manager of Development Approvals, G. Munday  
Manager of Recreation & Culture, R. Dalton (7:00 p.m. – 9:39 p.m.)  
Transit Manager, D. Stuart (7:00 p.m. – 8:03 p.m.)

(T. Hanrahan and J. McNulty, Solicitors were present during Committee-of-the-Whole discussion on litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.)

**2018-270****18-25** Moved by Mastroianni and Richard

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:

- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and
- a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization.

**CARRIED****2018-271****18-25** Moved by Richard and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 6:49 p.m. without report.

**CARRIED****THE FOLLOWING ITEM WAS ADDED:**

**16-66** Councillor Carl, Member, Active Transportation Advisory Committee addressed Council regarding Committee Terms of Reference Amendment.

**PRESENTATIONS**

**18-13** Dave Stuart, Transit Manager addressed Council regarding Welland Transit Route Changes.

**18-19** Richard Dalton, Manager of Recreation & Culture and Steve Zorbas, General Manager, Corporate Services/Chief Financial Officer/ Treasurer addressed Council regarding Update 5 year Arena Business Plan.

**DELEGATIONS**

**06-156** Vincent Librock, OWREB certified wildlife custodian/operator of a sanctuary for exotics and pet store addressed Council regarding City's exotic animals By-law.

**18-83** Mohamad Aljumaily, resident, City of St. Catharines, addressed Council regarding Petition – Holding Elected Officials to a Higher Standard.

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

Councillor Mastroianni presided as Chair of the Public Hearing:

**11-108**

**11-108Z** Complete applications have been made by UPPER CANADA CONSULTANTS on behalf of 1650672 ONTARIO LIMITED to amend the City of Welland Official Plan and to rezone lands legally described as Lots 37, 38, 54, 55, and 56 and Blocks 74 and 78 on Plan 59M-440, City of Welland, municipally known as 152, 162, 334, 374, 386, and an unaddressed parcel on Viger Drive, to rezone the lands from RL2 - Residential Low Density 2 and O2 - Community Open Space to Special Exception RL2. The Special Exceptions are requested to allow: a reduced front yard setback of 3.0 metres; to delete the maximum lot coverage provisions for all units; and to delete the minimum lot area for a single detached dwelling. These requests have been made to allow for the development of the property with a mix of single, 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.

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.

**2018-272**

**18-1** Moved by Richard and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meeting of June 19, 2018 and Special Council Meeting of June 26, 2018, as circulated.

**CARRIED**

**2018-273**

**99-99** Moved by Fokkens and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to proceed with phase two of the canal development strategy, including the development of a conceptual plan for a recreational hub; and further THAT Welland City Council approves issuing a Request for Proposals (RFP) to have a contractor build a new recreational facility; and further THAT Welland City Council approves the use of the Strategic Economic Development Initiatives Fund as the funding source.

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**2018-273**

**99-99** Moved by Mastroianni and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND defers the report to come back to General Committee with a new and different funding source.

**YEAS:** Councillors DiMarco, Mastroianni, and McLeod.

**NAYS:** Councillors Belcastro, Carl, J. Chiochio, P. Chiochio, Fokkens, Grimaldi, Larouche, Richard and Mayor Campion.

**LOST**

**2018-273**

**99-99** Moved by McLeod and DiMarco

THAT THE COUNCIL OF THE CITY OF WELLAND removes the use of Strategic Economic Development Initiatives Fund as the funding source from the recommendation.

**LOST**

**2018-273**

**99-99** Moved by Fokkens and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND recommends the use of the Strategic Economic Development Initiatives Fund and/or other funding sources.

**CARRIED**

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

**2018-273**

**99-99**

Moved by Fokkens and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to proceed with phase two of the canal development strategy, including the development of a conceptual plan for a recreational hub; and further THAT Welland City Council recommends the use of the Strategic Economic Development Initiatives Fund and/or other funding sources.

**YEAS:** Councillors Belcastro, Carl, J. Chiochio, P. Chiochio, DiMarco, Fokkens, Grimaldi, Larouche, Mastroianni, McLeod, Richard and Mayor Campion.

**NAYS:** Nil

**UNANIMOUSLY CARRIED**

**2018-274**

**02-160**

Moved by Mastroianni and Carl

THAT THE COUNCIL OF THE CITY OF WELLAND approves a one extension of curfew of one-half hour duration.

**YEAS:** Councillors Carl, J. Chiochio, P. Chiochio, Larouche, McLeod, Richard and Mayor Campion.

**NAYS:** Councillors Belcastro, DiMarco, Fokkens, Grimaldi, and Mastroianni.

**LOST**

**2018-275**

**03-133**

**11-108**

Moved by J. Chiochio and Fokkens

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report P&B-2018-44 being a quarterly summary Report of approved 2018 Community Improvement Plan Incentive Applications between April 1, 2018 and June 30, 2018.

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**03-133**

**11-108**

Moved by McLeod and Fokkens

THAT THE COUNCIL OF THE CITY OF WELLAND defers Report P&B-2018-44 to the next Council meeting on August 28, 2018.

**CARRIED**

**2018-276**

**05-90**

**18-2**

Moved by Carl and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report: TRAF-2018-14 Business Licensing for Adult Entertainment; and further THAT Welland City Council approves the delegation of authority to Niagara Region to administer and enforce adult entertainment establishment licensing.

**CARRIED**

**2018-277**

**06-156**

Moved by J. Chiochio and Richard

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Vincent Librock, OWREB certified wildlife custodian/ operator of a sanctuary for exotics and pet store regarding the City's exotic animals By-law; and further THAT Welland City Council refers the presentation to staff for a report back to a General Committee meeting.

**CARRIED**

**2018-278****11-108****11-108Z**

Moved by McLeod and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information purposes Report P&B-2018-43 regarding Applications for Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Vacant Land Condominium for lands on the east side of Viger Drive, west of the Welland Shipping Canal and north and west of Memorial Park, more specifically described as Lots 37, 38, 54, 55, 56, Block 74 and 78 on Plan 59M-440, in the City of Welland, municipally known as 152, 162, 334, 374, 386 and an unaddressed parcel on Viger Drive.

**CARRIED****2018-279****13-50**

Moved by Carl and Belcastro (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence dated July 13, 2018 from the Niagara Central Airport Commission regarding the second quarter update on its activities and developments at the Niagara Central Dorothy Rungeling Airport.

**CARRIED****2018-280****16-66**

Moved by Carl and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND approves a change to the Active Transportation Advisory Committee's Terms of Reference to have a position for a representative from the Welland Downtown BIA as a member; and further

THAT Welland City Council approves a change to the number of members at large from 6 to 5 members.

**CARRIED****2018-281****18-3**

Moved by Carl and Belcastro (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND approves the application for lottery licensing for Crime Stoppers Niagara.

**CARRIED****2018-282****18-6**

Moved by Carl and Belcastro (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND declares the week of September 23-29, 2018 as "Rail Safety Week" in the City of Welland.

**CARRIED****2018-283****18-13**

Moved by Mastroianni and J. Chiochio

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Dave Stuart, Transit Manager regarding Welland Transit Route Changes.

**CARRIED****2018-284****18-13**

Moved by Mastroianni and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Transit Report TRANS-2018-07 Transit Service Revisions; and further

THAT Welland City Council approves the revision to Route 4 Fitch Street eliminating the section of the transit route which travels into the South Pelham Market Plaza (Sobey's Plaza); and further

THAT Welland City Council approves the revision to Route 5 Lincoln – Wellington eliminating the Tanguay Avenue and Promenade Richelieu transit loop east of Wellington Street; and further

THAT Welland City Council approves the revision to Route 6 Ontario Road eliminating the portion of the transit route which travels into the Rose City Plaza; and further

THAT Welland City Council approves the revision to Route 6 Ontario Road eliminating the portion of the transit route south of McCabe Avenue; and further

THAT Welland City Council approves the revision to Route 8 Woodlawn reversing the transit travel on River Road and Ross Street so that when departing the Terminal en route to Woodlawn Road travel is on Ross Street and en route to the Transit Terminal travel is on Ross Street.

**CARRIED**

**2018-285**

**18-13**

**18-43**

Moved by Richard and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the staff report dated July 24, 2018, entitled Transit and Voting Day Locations; and further

THAT Welland City Council direct that Transit provide free ridership to all patrons on Voting Day, October 22nd, 2018; and further

THAT Welland City Council approve the addition of Trans-Cab service on October 22, 2018, on South Pelham Road, between Fitch Street and Webber Road, servicing the WellSpring Community Church voting location at 370 South Pelham Road.

**CARRIED**

**2018-286**

**18-19**

Moved by Grimaldi and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Richard Dalton, Manager of Recreation & Culture and Steve Zorbas, General Manager, Corporate Services/Chief Financial Officer/ Treasurer regarding the update 5 year Arena Business Plan.

**CARRIED**

**2018-287**

**18-19**

Moved by Mastroianni and Fokkens

THAT THE COUNCIL OF THE CITY OF WELLAND approves the 5-year business plan contained in Appendix V of Report R&C-2018-07; and further

THAT Welland City Council approves Option 'A' for the 2018/2019 Welland Arenas ice rental rates, as summarized in Appendix I attached to Report R&C-2018-07.

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**2018-287**

**18-19**

Moved by DiMarco and Larouche

THAT Welland City Council approves Option 'C' for the 2018/2019 Welland Arenas ice rental rates, as summarized in Appendix I attached to Report R&C-2018-07.

**YEAS:** Councillors Belcastro, Carl, DiMarco, P. Chiochio, Fokkens, Grimaldi, Larouche, Mastroianni, Richard and Mayor Campion.

**NAYS:** Councillors J. Chiochio and McLeod.

**(Councilor McLeod asked to be recorded as opposed to this resolution)**

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

**CARRIED**

**2018-287**

**18-19**

THAT THE COUNCIL OF THE CITY OF WELLAND approves the 5-year business plan contained in Appendix V: Forecast C - 4 Year Increase of Report R&C-2018-07; and further

THAT Welland City Council approves Option 'C' for the 2018/2019 Welland Arenas ice rental rates, as summarized in Appendix I attached to Report R&C-2018-07.

**CARRIED**

**2018-288**

**18-36**

Moved by Fokkens and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to proceed with the servicing strategy for the new industrial park located on River Road and Downs Road; and further

THAT Welland City Council approves the use of the Strategic Economic Development Initiatives Fund as the funding source.

**CARRIED**

**2018-289****18-43** Moved by Carl and Belcastro (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the staff report dated July 24, 2018, entitled Advance Poll Dates and Voting Location; and further  
 THAT Welland City Council repeals By-law 2003-115 being a By-law to provide for Advance Votes; and further  
 THAT Welland City Council repeals By-law 2010-9 being a By-law to provide for Advance Votes.

**CARRIED****2018-290****18-46** Moved by Carl and Belcastro (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND approves the purchase of one (1) New Utility Tractor with front end loader attachment and four wheel drive from Premier Equipment Ltd. at a cost of \$78,362 inclusive of applicable taxes, being the offering that met specification and provided best overall value; and further  
 THAT Welland City Council approves the additional funding of \$1,888 from the 2018 Capital Fleet Replacement Budget to cover the variance of budget to actual; and further  
 THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into a purchase contract with Premier Equipment Ltd.

**CARRIED****2018-291****18-57****18-57Z** Moved by Larouche and Carl

THAT THE COUNCIL OF THE CITY OF WELLAND adopts an Amendment to the Official Plan to designate the 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 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 Part 1 and Part 2 on Plan 59R-16073, in the City of Welland, Municipally known as 309 Chaffey Street, from Parks, Open Space and Recreation to Low Density Residential to permit the development of the property for residential purposes; and further  
 THAT Welland City Council approves an Amendment to the Zoning By-law 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 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 Part 1 and Part 2 on Plan 59R-16073, in the City of Welland, Municipally known as 309 Chaffey Street, from the existing Community Open Space (01) to a Holding Residential Low Density 2 (RL2); and further  
 THAT Welland City Council directs that prior to the lifting of the Holding Symbol (H) the Owner provide to the City a Record of Site Condition (RSC), and the Owner enters into a Development Agreement with the City to address the construction of infrastructure, including but not limited to: the construction of roads and underground services in compliance with the City's Municipal Standards.

**CARRIED****2018-292****18-72** Moved by Carl and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the tender of Niagara Crack Sealing Limited as detailed in Report ENG-2018-23 for the Crack Sealing Program 2018; and further  
 THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into contract with Niagara Crack Sealing Limited to execute the construction.

**CARRIED****2018-293****18-83** Moved by Mastroianni and Carl

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated June 19, 2018 regarding Petition – Holding Elected Officials to a Higher Standard Minute Item 10.1.2 CL 8-2018 and refers the matter to staff for comment and response.

**CARRIED**

**2018-294****18-83**

Moved by Grimaldi and Carl

THAT THE COUNCIL OF THE CITY OF WELLAND supports the concepts presented in the "Holding Elected Officials to a Higher Standard" petition; and further

THAT Welland City Council forwards this motion and the petition to the Prime Minister, the Premier of Ontario, Minister of Municipal Affairs and Housing, local area MPPs; and further

THAT Welland City Council requests that the federal and provincial governments investigate the implementation of the concepts.

**UNANIMOUSLY CARRIED****2018-295****18-84**

Moved by Carl and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information and endorses the correspondence from the Region of Niagara dated June 19, 2018 regarding Trade with the United States and Protecting Canadian Jobs Minute Item 14.1 CL 8-2018, June 14, 2018.

**CARRIED****2018-296****18-85**

Moved by Carl and Belcastro (in block)

WHEREAS, the North American Free Trade Agreement (NAFTA) governs nearly every aspect of Canada and the United States economic relationship including manufacturing, agriculture, resources industries, and services;

AND WHEREAS, about 80% of all of Ontario's exports go to the United States and Ontario is the top trading partner of half of all American States;

AND WHEREAS, even minor changes to the established trade relationship between Canada and the United States could have significant consequences for workers, consumers, and governments on both sides of the border;

AND WHEREAS, Canada's and Ontario's economic future and the continued well-being of communities and their local economies depend on free and fair trading relationships based in current future trade agreements.

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND and Ontario municipal governments, represented by the Association of Municipalities of Ontario (AMO), stand together with the Federal and Ontario governments in their efforts to protect Canadian jobs and local economies; and further

THAT AMO will work with the Province of Ontario to support the interests of municipalities and communities affected by trade disputes and during ongoing trade agreement negotiations; and further

THAT AMO will work with the Federation of Canadian Municipalities to ensure that Canada understands the municipal impacts affected by trade disputes and during ongoing trade agreement negotiations; and further

THAT the Corporation of the City of Welland supports AMO's resolution.

**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.

**18-72**

BYL 2018 - 87

A By-law to authorize entering into contract with 788893 Ontario Limited O/A Niagara Crack Sealing for the Roadway Crack Sealing Program 2018.



**05-90****18-2**

BYL 2018 - 88

A By-Law to delegate to the Regional Municipality of Niagara the power to licence, regulate and govern Adult Entertainment Establishments, Owners and Operators of Adult Entertainment Establishments, and Entertainers at Adult Entertainment Establishments; and to repeal By-law 2006-2.

**18-57**

BYL 2018 - 89

A By-law to authorize the adoption of Official Plan Amendment No. 17.

**18-57Z**

BYL 2018 - 90

A By-law to amend City of Welland Zoning By-law 2017-117 (GDC Developments Inc. – File 2018-02) 309 Chaffey Street.

**CARRIED**

Moved by Carl and Belcastro (in block)

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.

**18-46**

BYL 2018 - 86

A By-law to authorize purchase of one new Utility Tractor with Front-End Loader from Premier Equipment Ltd.

**18-43**

BYL 2018 - 91

A By-law to re-establish the Niagara Compliance Audit Committee for the City of Welland and to repeal By-law 2010-115.

**18-12**

BYL 2018 - 92

A By-law to appoint a Vice-Mayor for the period from August 1, 2018 to November 30, 2018.

**99-43****12-114**

BYL 2018 - 93

A By-law to repeal By-law 2018-45, being a By-law to authorize financing to Welland Hydro Energy Services of Joint Venture Feed-In-Tariff 5.0 (FIT) Solar Project.

**CARRIED**

Moved by Belcastro and Carl

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 - 94

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 24<sup>th</sup> day of July, 2018.

**CARRIED**

Council adjourned at 11:00 p.m.

These Minutes to be approved and adopted by Motion of Council this 28<sup>th</sup> day of August, 2018.

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**MAYOR**

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**ACTING CITY CLERK**