



MINUTES OF
COUNCIL MEETING, FEBRUARY 18, 2020
CIVIC SQUARE, COUNCIL CHAMBERS
60 EAST MAIN STREET

Council met in Committee-of-the-Whole closed to the public at 6:06 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 J. Chiocchio (until 9:40 p.m.), T. DiMarco (until 9:40 p.m.), B. Fokkens (until 9:56 p.m. and again at 10:01 p.m.), B. Green (until 10:27 p.m.), M.A. Grimaldi, J. Larouche (until 8:30 p.m.), D. McLeod, A. Moote (6:11 p.m.), G. Speck (until 9:45 p.m.), L. Spinosa, C. Richard (until 9:46 p.m.) and L. Van Vliet.

Members of Staff and Others Present:

Chief Administrative Officer, G. Long
City Clerk, T. Stephens
Deputy Clerk, M. Corbett (7:03 p.m.)
Chief, Fire & Emergency Services, B. Kennedy
General Manager, Corporate Services, Chief Financial Officer/Treasurer, S. Zorbas
General Manager, Infrastructure and Development Services, T. Fitzpatrick (7:03 p.m.)
General Manager, Economic Development & Recreation & Culture, D. Degazio (until 10:02 p.m.)
Manager of Human Resources, A. Daisley (7:03 p.m. - 10:30 p.m.)
Manager of Development Approvals, G. Munday (7:03 p.m.)

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

2020 - 51**20-25**

Moved by McLeod and Fokkens

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 6:06 p.m. to consider:

- Personal matters about an identifiable individual, including municipal or local board employees;
 - *Citizens appointment to the Committee of Adjustment and Court/Committee of Revision.*
- Receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - *Welland Rose Festival.*
- Proposed or pending acquisition or disposition of land by the municipality or local board;
 - *Update on land sales.*

(Councillor Spinosa was not present during Committee-of-the-Whole discussions on receiving of advice that is subject to solicitor-client privilege, including communications necessary for that propose)

CARRIED**2020 - 52****20-25**

Moved by Grimaldi and Spinosa

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 6:59 p.m. with report.

CARRIED**THE FOLLOWING ITEMS WERE ADDED:**

19-105 A By-law to amend City of Welland Zoning By-law 2017-117 (Mountainview Developments Inc. - File 2019-02) 633 South Pelham Road.

19-105 A By-law to authorize the adoption of Official Plan Amendment No. 22.

19-4 A By-law to amend By-law 2019-147 being a By-law to provide an interim tax levy for year 2020.

PRESENTATION

20-52 John Mascarin, Lawyer, Aird Berlis addressed Council regarding Council and Staff Relations Policy.

LEGISLATED PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT

Councillor Van Vliet presided as Chair of the Public Hearing:

20-53 A complete application has been submitted by UPPER CANADA CONSULTANTS on behalf of JOSEPH VINCE for Draft Plan of Subdivision for the creation of eight (8) new residential lots and one block to be dedicated to the City of Welland. The property is designated LOW DENSITY RESIDENTIAL and CORE NATURAL HERITAGE in the City of Welland Official Plan and Zoned Residential Low Density 2 (RL2) and Environmental Protection Area in the City of Welland Zoning By-law 2017-117.

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, Upper Canada Consultants, 30 Hanover Drive, Unit 3, St. Catharines, ON L2W 1A3 proponent of the application.

In support of the application:

- No one spoke.

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:

- Thea Moscato, 153 Falcon Drive, Welland, ON L3C 0B2.

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

2020 - 53

02-160 Moved by Chiocchio and DiMarco

THAT THE COUNCIL OF THE CITY OF WELLAND suspend the rules of order to move notice of motion reference number 20-22 forward in the agenda.

LOST

2020 - 54

02-160 Moved by DiMarco and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND suspend the rules of order to remove pages 31 to 36 of the agenda.

LOST

2020 - 55

20-1 Moved by Larouche and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meeting of February 4, 2020 and Special Council Meeting of February 11, 2020, as amended.

CARRIED

2020 - 56

99-99 Moved by Spinosa and Larouche (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Derek Stonier, Splashtown Niagara regarding a proposal for an inflatable water park on the Welland Recreational Canal; and further

THAT Welland City Council directs staff to prepare a RFP to request bid submissions regarding an inflatable water park.

CARRIED

2020 - 57

99-99 Moved by McLeod and Van Vliet

1. THAT THE COUNCIL OF THE CITY OF WELLAND accepts the proposal from Stolk Construction of Port Colborne, Ontario in the amount of \$805,247 (inclusive of net HST at 1.76%) as detailed in Report ENG-2020-10 for the Design, Supply and Installation of a Boat Rental Facility constructed from sea containers at Lincoln Street Park; and further

2. THAT Council authorizes the Mayor and City Clerk to execute the necessary by-laws and agreements to enter into a contract with Stolk Construction.

(Councillor Fokkens asked to be recorded as opposed to this Resolution).

CARRIED

2020 - 58

05-50 Moved by Spinosa and Mootte

THAT THE COUNCIL OF THE CITY OF WELLAND appoints a member of Infrastructure and Development Services Staff as staff liaison to the City of Welland Heritage Advisory Committee.

CARRIED

2020 - 59

08-48 Moved by Spinosa and Larouche (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Luise Tarczy, Resident, and Steven Milani, Resident regarding The Occupancy Standards By-Law; and further THAT Welland City Council refers this matter to staff for a report regarding an Occupancy Standards By-law.

CARRIED

2020 - 60

13-50 Moved by Van Vliet and Speck

THAT THE COUNCIL OF THE CITY OF WELLAND approves that an application be submitted to the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) Rural Economic Development program, Strategic Economic Infrastructure stream, to help with the cost of upgrading the fuel dispensing system at the Niagara Central Dorothy Rungeling Airport (NCDRA); and further THAT Welland Council approves that the City's portion of this cost be paid for by the NCDRA Commission.

CARRIED

2020 - 61

13-86 Moved by Spinosa and Larouche (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND accepts the offer to purchase 0.3 acres of lands immediately north of 472 River Road; and THAT Welland City Council directs staff to prepare all the necessary documentation and by-laws relative to the transfer; and further THAT the Mayor and City Clerk be authorized to execute all the necessary documents relative to the transfer; and further THAT Welland City Council directs staff to deposit the revenues from the sale of these lands into the Economic Development Reserve Fund.

CARRIED

2020 - 62

16-109 Moved by Van Vliet and Grimaldi

1. THAT Welland City Council confirms its request to Regional Niagara for Enhanced Waste Disposal services for Containerized Garbage Collection at Multi-Residential (MR) Properties (11 in total) at an annual cost of \$7,429.29 (inclusive of net HST); and
2. THAT Welland City Council confirms its request to Regional Niagara for Optional Enhanced Service - Every- Other -Week Bulky Goods Collection at MR with seven (7) or more units & Mixed-Use (MU) properties with one (1) or more units and which receive the Region's base service at an annual cost of \$95,825.55 (inclusive of net HST); and
3. THAT Welland City Council accepts the Optional Enhanced Service for In-Ground Collection at Public Spaces/Parks to collect garbage, Blue/Grey Box/Cart, and Green Bin/Cart materials (for example MOLOK, Earth Bins) from in-ground containers at a cost of \$76.32/stop for crane collection and \$55.97/stop for front-end collection (both prices inclusive of net HST); and further
4. THAT the City Clerk advise Regional Niagara accordingly.

(Councillor Moote disclosed an interest in this matter, and did not take part in the consideration and discussion and refrained from voting thereon, he has responded to a Regional request for proposal).

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16-109 Moved by Speck and Spinosa
THAT Welland Council refers back to staff Report ENG-2020-06: Regional Niagara 2020 Waste Collection Contract - Proposed changes & Welland enhanced collection services.

YEAS: Councillors Speck, Chiochio, McLeod, Richard, Grimaldi, Spinosa, and Fokkens.

NAYS: Councillors Larouche, Green, DiMarco, Van Vliet and Mayor Campion.

CARRIED

2020 - 63

17-19 Moved by Fokkens and Spinosa

- 1. THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report P&B-2020-12 regarding the initiation of the consultation process on tree preservation; and further
- 2. THAT Welland City Council authorizes staff to proceed with the initiation of the consultation process on tree preservation as proposed.

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17-19 Moved by Fokkens and Moote

- 3. THAT staff will invite a member of the Ontario Wood Law Commission and/or Ontario Forest Council to participate in the consultation process.

CARRIED

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

CARRIED

2020 - 64

19-50 Moved by Spinosa and Larouche (in block)

- 1. THAT THE COUNCIL OF THE CITY OF WELLAND approves the amendment to the Committee of Adjustment's composition, increasing its membership to five (5) from three (3) in accordance with Report P&B-2020-10; and
- 2. THAT Welland City Council directs staff to prepare the necessary By-law(s); and further
- 3. THAT the Clerk advertise for the additional members in accordance with City policy.

CARRIED

2020 - 65

19-70 Moved by Spinosa and Larouche (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated January 24, 2020 regarding Report PDS 1-2020: New Niagara Official Plan - Public Consultation Summary.

CARRIED

2020 - 66

19-76 Moved by Spinosa and Larouche (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Marvin Ingebrigtsen, Infrastructure, Planning and Development Supervisor, and Alex Marino, Climate Change Coordinator regarding Climate Change Adaptation.

CARRIED

2020 - 67

19-76 Moved by Spinosa and Larouche (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information, Report ENG-2020-09: City of Welland Corporate Climate Adaptation Plan update.

CARRIED

2020 - 68

19-85 Moved by Grimaldi and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report HR-2020-01: Workplace Discrimination, Harassment and Workplace Violence Policy; and further THAT Welland City Council approves the Workplace Discrimination, Harassment and Workplace Violence Policy.

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19-85 Moved by Green and McLeod

THAT Welland City Council removes "if the City chooses to proceed to a formal investigation."

CARRIED

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

CARRIED

2020 - 69

19-85 Moved by Moote and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report HR-2020-02: Hiring Policy; and further THAT Welland City Council approves the Hiring Policy.

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19-85 Moved by McLeod and Van Vliet

THAT Welland City Council ensures selected hire is consistent with the anti-nepotism policy.

CARRIED

19-85 Moved by Fokkens and Green

THAT Welland City Council removes "maximize" and "number of" in policy statement.

LOST

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

CARRIED

2020 - 70

19-85 Moved by Spinosa and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report HR-2020-03: Anti-Nepotism Policy; and further THAT Welland City Council approves the Anti-Nepotism Policy.

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19-85 Moved by Moote and McLeod

THAT Welland City Council removes "apparent conflict."

CARRIED

19-85 Moved by Moote and Spinosa

THAT Welland City Council removes "significant Social Relationship" and any reference.

CARRIED

19-85 Moved by Spinosa and Grimaldi

THAT Welland City Council refers back to staff for further review.

CARRIED

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

CARRIED

2020 - 71**19-94**

Moved by Spinosa and Larouche (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the petition from residents received by the Clerk's office on January 14, 2020 regarding 155 Gadsby Avenue and refers the matter to staff.

CARRIED**2020 - 72****19-105**

Moved by Spinosa and Van Vliet

1. THAT THE COUNCIL OF THE CITY OF WELLAND adopts Official Plan Amendment No. 22 to designate the lands on the west side of South Pelham Road, south of Sumbler Road, and north of the dead-end of Foxtail Avenue and Sparrow Drive, more specifically described as Part of Lot 1, Concession 12, former Township of Pelham, now in the City of Welland, municipally known as 633 South Pelham Road, from Low Density Residential to Medium Density Residential, and to modify the extents of the Core Natural Heritage and designate the lands outside of the Core Natural Heritage Area as Medium Density Residential;

2. THAT Welland City Council Approves Zoning By-law Amendment to Zoning By-law 2017-117 for lands on the west side of South Pelham Road, south of Sumbler Road, and north of the dead-end of Foxtail Avenue and Sparrow Drive, more specifically described as Part of Lot 1, Concession 12, former Township of Pelham, now in the City of Welland, municipally known as 633 South Pelham Road from Residential Low Density 2 (RL2), Residential Medium Density (RM), and Environmental Protection (EP) to Site Specific Residential Medium Density (RM) and Environmental Protection (EP);

3. THAT no further notice under the Planning Act are required as the proposed changes to the proposed Zoning By-law Amendment are minor, as per Section 34(17) of the Planning Act; and

4. THAT Welland City Council Approves the Draft Plan of Vacant Land Condominium for 85 townhouse units, one four-storey condominium building with 50 residential units, and one block of environmental lands, subject to the following conditions:

1. That the Owner enter into a Site Plan Agreement with the City.
2. That the Owner enter into a Condominium Assumption agreement with the City.
3. That no grading or on-site works commence prior to the registration of a site plan agreement on the property.
4. That all necessary easements required for utility purposes be granted to the appropriate Authority, free and clear of all encumbrances.
5. That the Owner pay 5% cash-in-lieu of parkland dedication in accordance with City policy, or in accordance with any subsequent community benefits charges.
6. That the north section of Foxtail Avenue shall be finalized and constructed to City Municipal Standards as per the design of Upper Canada Consultants on behalf of the developer. This will include the construction of a permanent cul-de-sac to urban standards, the extension of sidewalk to the cul-de-sac and sodding of the area boulevards to complete the street north of Thorold Road.
7. The Engineering Consultant shall submit a review and design of the wetland complex to include the removal/permanent plugging of the existing drainage pipe connecting to City infrastructure. This review shall determine the impact of the pipe removal and stormwater runoff implications to surrounding residents. This shall be provided to the Engineering section for review and approval. If any further storm sewer work needs to be undertaken on the City right of way after the study has been completed, the developer shall be required to install any required works at their cost.
8. The end of Sparrow Drive shall be completed to urban standards including curbing and sod work to finalize the development. The land on which the existing cul-de-sac sits shall be deeded to the City of Welland.

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19-105...cont'd.

9. That the Provincially Significant Wetland (PSW) and its associated 15 metre buffer be zoned Environmental Protection or other similar zone category that achieves the same level of protection, to the satisfaction of the Niagara Peninsula Conservation Authority.
10. That the Developer obtain a Work Permit from the Niagara Peninsula Conservation Authority prior to beginning any work related to realigning and crossing the watercourse.
11. That the Developer obtain a Work Permit from the Niagara Peninsula Conservation Authority for any stormwater outlets into Drapers Creek.
12. That the Developer submit to the Niagara Peninsula Conservation Authority for review and approval an EIS addendum and engineering analysis that examines the most appropriate manner of stopping the existing stormwater pipe from draining the wetland as well as the impact of potential flooding as a result. Works to implement the aforementioned reports will require a Work Permit from the Niagara Peninsula Conservation Authority.
13. That the Developer submit to the Niagara Peninsula Conservation Authority for review and approval a buffer restoration plan. Implementation of the restoration plan will require a Work Permit from the Niagara Peninsula Conservation Authority.
14. That the Developer submit to the Niagara Peninsula Conservation Authority for review and approval, detailed grading and construction sediment and erosion control plans.
15. That the Developer install limit of work fencing along the 15 metre buffer and portions where construction encroachments are less than 15 metres, to the satisfaction of the NPCA. The limit of work fencing is to be shown on the detailed grading and construction sediment and erosion control plans, to the satisfaction of the NPCA. Any construction encroachments into the 15 metre buffer require a Work Permit from the Niagara Peninsula Conservation Authority.
16. That the Developer provide 1.5 metre high chain link fencing along the boundary of the 15 metre buffer, to the satisfaction of the Niagara Peninsula Conservation Authority.
17. That the following clauses shall be included in the Condominium Agreement between the owners and the City of Welland:

“Should previously undocumented archaeological resources be discovered on the property during construction activities, construction and alteration of the site shall immediately cease and the owner shall notify the Ministry of Tourism, Culture and Sport (Culture Program Unit) in London (51-675-6898) and engage a licensed consulting archaeologist to carry out archaeological fieldwork in compliance with section 48(1) of the Ontario Heritage Act.”

“As on virtually any property in Southern Ontario, it is possible that Aboriginal or Euro-Canadian burials could be present within the development area. In the event that human remains are encountered during construction activities, construction shall immediately cease and the proponent shall notify the Niagara Regional Police, the local coroner, the Ministry of Tourism, Culture and Sport (Culture Program Unit, London office), and the Registrar, Cemeteries Regulation Unit of the Ontario Ministry of Consumer Services in Toronto (416-326-8392).”

18. That Block 1, which includes the wetland and its 15m buffer, be zoned Environmental Protection Area (EPA) or similar zoning which achieves the same level of protection.
19. That an updated analysis/assessment be submitted that confirms any existing infrastructure currently located within the wetland, and potential changes to the wetland/water levels as a result of any required infrastructure changes (i.e. removal, capping, etc.) can be appropriately dealt with, without

...continued...

19-105...cont'd.

negatively impacting the wetland. This updated assessment should also confirm how Unit 36, the proposed roadways adjacent to Units 36 and 37, and the stormwater management pond will be constructed without encroaching into the PSW buffer.

20. That the agreement contain wording wherein the owner agrees to implement the mitigation measures and recommendations found in the EIS, including but not limited to:
 - a. Culvert and channel re-alignment design and associated mitigation measures to ensure no impacts to fish or fish habitat as approved by Fisheries and Oceans Canada (DFO);
 - b. Vegetation removals be undertaken between September 1 and mid-March, outside of the core breeding bird nesting period.
21. That an Erosion and Sediment Control (ESC) Plan be provided for Regional staff approval. The ESC Plan shall include, but not be limited to, details to protect the wetland during construction and limit downstream impacts during channel realignment and culvert replacement in accordance with DFO approval, as well as details regarding dust suppression and topsoil storage.
22. That a Landscape/Buffer Planting Plan, prepared by a full member of the Ontario Association of Landscape Architects (OALA) or other qualified professional, be provided for Regional staff approval. The Planting Plan should identify and illustrate the location of native trees, shrubs, and groundcover within the recommended 15m wetland buffer.
23. That the agreement contain wording wherein the owner agrees to implement the approved ESC Plan and Landscape/Buffer Planting Plan.
24. That permanent fencing be provided along the length of the wetland buffer as illustrated on the Preliminary Site Servicing Plan (Upper Canada Consultants, May 27, 2019) or updated plans, as applicable. That the Site Plan Agreement identifies that no gates will be permitted to access the Provincially Significant Wetland.
25. That prior to approval of the final plan, or any on-site grading, the owner shall submit a detailed stormwater management plan for the condominium and the following plans designed and sealed by a qualified professional engineer in accordance with the Ministry of the Environment documents entitled Stormwater Management Planning and Design Manual, March 2003 and Stormwater Quality Guidelines for New Development, May 1991, or their successors to the Niagara Region for review and approval:
 - a. Detailed lot grading, servicing, and drainage plans, noting both existing and proposed grades and the means whereby overland flows will be accommodated across the site;
 - b. Detailed erosion and sedimentation control plans;
 - c. Detailed phasing of construction of the stormwater management facility to coincide with phasing of development of residential lands (internal and external to the condominium) planned to be serviced by the stormwater management facility.
26. That the Development Agreement between the owner and the City contain provisions whereby the owner agrees to implement the approved plan(s) required in accordance with the approved Stormwater Management Plan.
27. That the owner submit a written undertaking to the Niagara Region (Development Services Division) that draft approval of this condominium does not include a commitment of servicing allocation by the Regional Municipality of Niagara as this servicing allocation will be assigned at the time of registration and any pre-servicing will be at the sole risk and responsibility of the owner.

...continued...

19-105...cont'd.

28. That the owner submit a written undertaking to the Niagara Region (Development Services Division) that all offers and agreements of Purchase and Sale, which may be negotiated prior to registration of this condominium, shall contain a clause indicating that a servicing allocation for this condominium will not be assigned until the plan is registered, and a similar clause be inserted in the development agreement between the owner and the City.
29. That prior to final approval for registration of this plan of condominium, the owner shall submit the design drawings (with calculations) for sanitary and storm drainage systems required to service this development and obtain Ministry of the Environment Compliance Approval under the Transfer of Review Program.
30. That the applicant dedicates a 3.05 metre road widening to the Regional Municipality of Niagara along the frontage of Regional Road 36 (South Pelham Road), and 4.5 x 4.5 metre daylight triangle prior to the issuance of a building permit, to the satisfaction of Niagara Region.
31. That the condominium agreement between the owner and the City of Welland contain a provision whereby the owner agrees to obtain a certificate from an Ontario Land Surveyor stating that all existing and new survey evidence is in place at the completion of the development.
32. That the owner submit a revised Transportation Impact Study (TIS) to the satisfaction of the Niagara Region Planning and Development Services Department.
33. Prior to any construction taking place within the Regional road allowance, the owner shall obtain a Regional Construction Encroachment and/or Entrance Permit. Applications must be made through the Permits Section of the Niagara Region Public Works Department (Transportation Services Division).
34. That in order to accommodate Regional Waste Collection service, waste collection pads are required to be provided by the applicant for units 9-13 and 80-85. The waste collection pads shall be in accordance with the Niagara Region's Corporate Waste Collection Policy.
35. That the following warning be included in the Condominium Agreement and inserted in all offers and agreement of purchase and sale or lease for units 9-13 and 80-85:

"That in order to accommodate Regional Waste Collection service, waste collection pads are required to be provided by the applicant for units 9-13 and 80-85. The waste collection pads shall be in accordance to the details outlined in the Niagara Region's corporate waste collection policy."
36. Include on all offers of purchase and sale, a statement that advises the prospective purchaser:
 - a. That the home/business mail delivery will be from a designated Centralized Mail Box.
 - b. That the developers/owners be responsible for officially notifying the purchasers of the exact Centralized Mail Box locations prior to the closing of any home sales.
37. The owner further agrees to:
 - a. work with Canada Post to determine and provide temporary suitable Centralized Mail Box locations which may be utilized by Canada Post until the curbs, boulevards and sidewalks are in place in the remainder of the subdivision.
 - b. install a concrete pad in accordance with the requirements of and in locations to be approved by Canada Post to facilitate the placement of Community Mail Boxes.
 - c. identify the pads above on the engineering servicing drawings. Said pads are to be poured at the time of the sidewalk and/or curb installation within each phase of the plan of subdivision.

...continued...

19-105...cont'd.

- d. determine the location of all centralized mail receiving facilities in co-operation with Canada Post and to indicate the location of the centralized mail facilities on appropriate maps, information boards and plans. Maps are also to be prominently displayed in the sales office(s) showing specific Centralized Mail Facility locations.
38. Canada Post's multi-unit policy, which requires that the owner/developer provide the centralized mail.
39. facility (front loading lockbox assembly or rear-loading mailroom [mandatory for 100 units or more]), at their own expense, will be in effect for buildings and complexes with a common lobby, common indoor or sheltered space.
40. That the following warning clause shall be included in the Condominium Agreement and inserted in all offers of purchase and sale or lease for each dwelling unit:
- "The lands in the plan of condominium may be exposed to noise, odour, and dust from nearby agricultural operations and agricultural-related traffic that may occasionally interfere with some activities of the owners who may occupy the lands."*
41. That prior to granting approval for the Final Plan of Subdivision, City of Welland Planning Division will require written notice from the following upon their respective Conditions of Draft Plan Approval have been met satisfactorily:
- Canada Post Conditions: 36, 37, 38
- Region of Niagara Conditions: 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35
- Niagara Peninsula Conservation Authority Conditions: 8, 9, 10, 11, 12, 13, 14, 15, 16
- Town of Pelham Conditions: 39
42. That if Final Approval is not given to this Plan within three (3) years of the approval date, and no extensions have been granted, Draft Approval shall lapse. If the Owner wishes to request extension of Draft Plan Approval, a written request with reasons why the extension is required and the applicable application fee, must be received by the City prior to the lapsing date; and
5. THAT Welland City Council authorizes the Mayor and Clerk to sign the Draft Approval and Final Approval Plans and agreements once all conditions have been satisfied.

YEAS: Councillors Speck, Grimaldi and Mayor Campion.

NAYS: Councillors Larouche, Green, Chiocchio, McLeod, DiMarco, Richard, Spinosa, Fokkens, Moote and Van Vliet.

LOST

2020 - 73

20-4

Moved by Spinosa and Larouche (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated January 24, 2020 regarding Report CSD 1-2020: Approval of Interim Levy Dates and Amounts.

CARRIED

2020 - 74

20-27

Moved by Richard and Green

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report CLK-2020-04: Welland Rose Festival Inc. Terms of Reference.

(Councillor Spinosa disclosed an interest in this matter, and did not take part in the consideration and discussion and refrained from voting thereon, his business was approached to be involved with this event).

CARRIED

2020 - 75

20-28

Moved by Spinosa and Larouche (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Barb Van Der Heyden, Executive Director, Big Brothers Big Sisters of South Niagara, regarding a new vision, mission and logo, awareness of Bowl for Kids Sake Campaign and extending the Annual Mayor's Challenge.

CARRIED

2020 - 76

20-39

Moved by Spinosa and Larouche (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the City of Niagara Falls dated January 14, 2020 regarding homelessness.

CARRIED

2020 - 77

20-52

Moved by Grimaldi and Moote

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by John Mascarin, Lawyer, Aird Berlis regarding Council and Staff Relations Policy.

CARRIED

2020 - 78

20-52

Moved by Grimaldi and Moote

THAT THE COUNCIL OF THE CITY OF WELLAND adopts the "Council and Staff Relations Policy" as attached to Report CLK-2020-05.

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20-52

Moved by Fokkens and Chiocchio

THAT Welland City Council refers Report CLK-2020-05: Council and Staff Relations Policy to the February 25, 2020 General Committee Meeting.

YEAS: Councillors Green, Speck, Chiocchio, DiMarco, Richard and Fokkens.

NAYS: Councillors McLeod, Grimaldi, Spinosa, Moote, Van Vliet and Mayor Campion.

LOST

20-52

Moved by Fokkens and McLeod

THAT Welland City Council to amend section 5 e) ii CAO and/or Division Managers.

CARRIED

20-52

Moved by Van Vliet and Grimaldi

THAT Welland City Council request to call the questions regarding Report CLK-2020-05: Council and Staff Relations Policy.

YEAS: Councillors Grimaldi, Moote, Van Vliet and Mayor Campion.

NAYS: Councillors Green, Speck, Chiocchio, McLeod, DiMarco, Richard, Spinosa and Fokkens.

LOST

20-52 Moved by Fokkens and Green
 THAT Welland City Council amend by adding section 6.1(n) Staff shall not speak in a manner that is discriminatory to any or about a member based on the member's race, ancestry, place of origin, creed, gender, sexual orientation, age, colour, marital status or disability.

LOST

20-52 Moved by Fokkens and Moote
 THAT Welland City Council to amend 5.1 (h) Staff shall take any questioning or criticism with courtesy, respect and professionalism; and in no event shall there be any attempt to humiliate, berate, disparage or denigrate a member. And they shall refrain from publically criticizing members of staff in relation to their intelligence, integrity, competence or otherwise.

LOST

FOLLOWING THE VOTES ON THE AMENDING MOTIONS, THE MAIN MOTION WAS AMENDED AND

YEAS: Councillors McLeod, Grimaldi, Spinosa, Moote, Van Vliet and Mayor Campion.

NAYS: Councillors Green and Fokkens.

CARRIED

2020 - 79

20-53 Moved by Van Vliet and McLeod
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information purposes Report P&B-2020-09 regarding application for Draft Plan of Subdivision for lands on the south side of Webber Road, east side of Colbeck Drive and west of the Welland River, with no municipal address.

YEAS: Councillors McLeod, Grimaldi, Spinosa, Moote, Van Vliet and Mayor Campion.

NAYS: Councillors Fokkens.

CARRIED

2020 - 80

20-54 Moved by McLeod and Moote
 1. THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report P&B-2020-13: Proposed Compensation Policy for Address Changes Initiated by the City and Required by Infill Development; and further
 2. THAT Welland City Council directs staff prepare the compensation Policy and amend By-law 10289, a By-law to authorize the Numbering of Buildings Along Highways to reflect the contents of Report P&B-2020-13.

CARRIED

2020 - 81

20-55 Moved by Spinosa and Larouche (in block)
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report ENG-2020-11 the 2019 Annual Drinking Water Summary Report as required per The Safe Drinking Water Act 2002, Ontario Regulation 170/03.

CARRIED

BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE

2020 - 82

19-50 Moved by Spinosa and Larouche (in block)
 THAT THE COUNCIL OF THE CITY OF WELLAND appoints John Conlin to the Committee of Adjustments and Court/Committee of Revision for the term February 18, 2020 to November 14, 2022 or until other successors has been appointed.

CARRIED

BY-LAWS

Moved by Van Vliet and Spinosa

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.

20-54

BYL 2020 - 16

A By-law to establish and adopt a policy on compensation for address changes initiated by the city and required by infill development.

99-99

BYL 2020 - 17

A By-law to authorize entering into contract with Stolk Construction Limited to construct a Boathouse Rental Facility from Sea Containers.

CARRIED

Moved by Spinosa and Larouche (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.

19-50

BYL 2020 - 18

A By-law to amend By-law 2011-3, being a By-law to constitute and appoint a Committee of Adjustment to delegate the authority of Council to give consent to the committee and to set policies, procedures and conditions for its operation.

18-36

BYL 2020 - 19

A By-law to authorize acceptance of an offer from R & Y Tool and Die Co. for sale of vacant land north of 472 River Road (Part Lot 23, Concession 3).

19-4

BYL 2020 - 20

A By-law to amend By-law 2019-147 being a By-law to provide an interim tax levy for year 2020.

CARRIED

Moved by Van Vliet and Moote

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.

20-1

BYL 2020 - 21

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 18th day of February, 2020.

CARRIED

Council adjourned at 11:05 p.m.

These Minutes to be approved and adopted by Motion of Council this 3rd day of March, 2020.

MAYOR

CITY CLERK