



MINUTES OF
COUNCIL MEETING, SEPTEMBER 15, 2020
CIVIC SQUARE, COUNCIL CHAMBERS
60 EAST MAIN STREET

Council met in Committee-of-the-Whole closed to the public at 6:45 p.m. and in open session at 7:01 p.m. on the above date.

His Worship Mayor Frank Campion in the Chair.

Members Present:

Councillors J. Chiochio, T. DiMarco, B. Fokkens, B. Green, M.A. Grimaldi, J. Larouche, D. McLeod (7:01 p.m.), A. Moote, G. Speck, L. Spinosa, C. Richard (7:01 p.m.) and L. Van Vliet.

Members of Staff and Others Present:

Interim CAO/General Manager, Corporate Services, Chief Financial Officer/Treasurer, S. Zorbas
City Clerk, T. Stephens
Deputy Clerk, M. Corbett
General Manager, Infrastructure and Development Services, T. Fitzpatrick
General Manager, Economic Development & Recreation & Culture, D. Degazio
Deputy Fire Chief, A. Eckhart

2020 - 203**20-25**

Moved by Spinosa and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 6:45 p.m. to consider:

- Proposed or pending acquisition or disposition of land by the municipality or local board;
 - *Land sales.*

CARRIED**2020 - 204****20-25**

Moved by Moote and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 6:51 p.m. without report.

CARRIED

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

- No one spoke.

There being no speakers, the public meeting was concluded.

LEGISLATED PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT

Councillor Van Vliet presided as Chair of the Public Hearings:

20-96 A complete application has been made by UPPER CANADA CONSULTANTS on behalf of 2674963 ONTARIO INC. for Draft Plan of Subdivision Approval for lands described as part of Lots 30-38 (inclusive), Plan 54, former Township of Humberstone, now Plan 813, City of Welland, municipally known as 180 Kingsway. The subject lands are designated Urban Area in the Regional Official Plan, as Low Density Residential and Core Natural Heritage in the City of Welland Official Plan, and zoned Residential Low Density 2 - RL2 and Environmental Protection Overlay by By-law 2017-117. The application proposes the development of 2.6 hectares of land for a subdivision for the purposes of creating 31 residential units: 21 lots for single detached residential purposes, one (1) block for multiple residential dwellings, and one (1) block for environmental protection purposes.

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.

Matt Kernahan, Consultant, Upper Canada Consultants, 30 Hanover, Unit #3, St. Catharines, ON L2W 1A3

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:

- Joanne Grenier, 111 Talbot Avenue, Welland, ON L3B 6E9
- Fiona Hodgetts, 124 Talbot Avenue, Welland, ON L3B 6E8

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

20-95 A complete application has been made by 1695525 ONTARIO INC. for Draft Plan of Vacant Land Condominium Approval for lands described as Part of Lot 141 to 143 (inclusive), Part of Block E, Part of Glenwood Parkway (closed), Registered Plan 62, now Plan 821, former Township of Humberstone now in the City of Welland, with no municipal address. The subject lands are designated Urban Area in the Regional Official Plan, as Low Density Residential and Core Natural Heritage in the City of Welland Official Plan, and zoned Residential Low Density 2 - RL2 and Environmental Protection Overlay by By-law 2017-117. The application proposes the development of 0.76 hectares of land for a vacant land condominium for the purposes of crating 13 lots for single detached residential 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.

Charlotte Balluch, Consultant, Fusion Homes, 500 Hanlon Creek Boulevard, Guelph, On N1C 0A1

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:

- Ed Kaczmarczyk, 5 Stanley Street, Welland, ON 5N4

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

20-94 Complete applications have been made by ARMSTRONG PLANNING & PROJECT MANAGEMENT on behalf of 555 Canal Bank Development GP Inc. for Redline Revision for Official Plan Amendment (OPA No. 25), for redline Revision of Draft Plan of Subdivision and to rezone lands described as Part Lots 20, 21, 22, and 23, Concession 5, Part of the Road Allowance between Lots 20 and 21 (Closed), Concession 5, and Part of the Road Allowance between Lot 22 and 23, Concession 5, (Closed), Former Township of Humberstone, now in the City of Welland for lands at 401 Canal Bank from the existing Site Specific Residential Low Density 2 - RL2-58, Neighbourhood Open Space - O1, Community Open Space - O2 to Site Specific Residential Low Density 2 - RL2 and Community Open Space - O2 in Zoning By-law 2017-117. The purpose of the Amendment is to provide site specific provisions for frontage, lot area, front yard setbacks, side yard setbacks (interior and exterior), building height, and lot coverage for single detached, semi-detached, and townhouse dwellings; amends the definition of 'Landscaping' to include walkways; allows opened and roofed porches to encroach 2.5 metres into the front yard and into the rear yard 3.75 metres, with a maximum height from grade of 3 metres; to allow parking spaces in garages to be a minimum size of 3 metres by 6 metres; to allow stairs with no more than three risers to encroach into the parking space; and, that the maximum number of units per block will be identified on the Draft Plan of Subdivision, but the number of new lots created shall not exceed 1,405 lots, not including parkland, open space, and stormwater management blocks. The Official Plan designation is Low Density Residential and Open Space and Recreation. Application for Official Plan Amendment (OPA No. 25) and Application for Redline Revision to Draft Plan of Subdivision File No. 26T-14-06002.

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.

Amanda Kosloski, Armstrong Planning & Project Management, 125 Villarboit Crescent, Vaughan, ON L4K 4K2

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:

- No one spoke.

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

20-97 A Complete Application has been made by ARMSTRONG PLANNING & PROJECT MANAGEMENT on behalf of 555 CANAL BANK DEVELOPMENTS GP INC. to temporarily rezone for three years for lands described as Part of Lots 21, 22, 23, Concession 5, former Township of Humberstone, part of the Road Allowance between Lots 22 & 23, Concession 5 (closed), Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 on 59R-15225, City of Welland for lands at 475, 555, and 635 Canal Bank Street from the existing General Industrial - G1 to Temporary Site Specific General Industrial - G1 and Environmental Conservation Overlay - EC in Zoning By-law 2017-117. The purpose of the Temporary Use By-law is to allow for the construction of eight (8) dry model homes with site specific zone provisions for a up to three years. The Official Plan designation is General Industrial and Core Natural Heritage.

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.

Amanda Kosloski, Armstrong Planning & Project Management, 125 Villarboit Crescent, Vaughan, ON L4K 4K2

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:

- No one spoke.

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

2020 - 206

20-1 Moved by Larouche and Spinosa

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meeting of September 1, 2020 and Special Council Meeting of September 8, 2020, as circulated.

CARRIED

2020 - 206

99-99 Moved by Chiocchio and Spinosa

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report R&C-2020-04: Inflatable Water Park RFP Update; and further THAT Welland City Council authorizes staff to reissue an RFP in an open call for proposals to operate a new inflatable water park along the Recreational Waterway.

CARRIED

2020 - 207**20-3** Moved by McLeod and Green (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND approves the application for lottery licensing for Welland Tennis Club.

CARRIED**2020 - 208****20-3** Moved by McLeod and Green (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND approves the application for lottery licensing for Open Arms Mission of Welland Inc.

CARRIED**2020 - 209****20-4** Moved by Van Vliet and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND approves the write-off of taxes in the amount of \$39,435.88 as contained in Report FIN-2020-16 for the reduction or cancellation of taxes, pursuant to Sections 357 and 358 of the *Municipal Act, 2001*.

CARRIED**2020 - 210****20-6** Moved by McLeod and Green (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND proclaims the week of October 25 to 31, 2020 as "Respiratory Therapy Week" in the City of Welland.

CARRIED**2020 - 211****20-91** Moved by Speck and Green

1. THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the tender of Norjohn Contracting and Paving Limited in the amount of \$143,245.00 (plus HST) being the sole bid received for the Roadway Surface Treatment Program 2020 tender; and
2. THAT Welland City Council directs staff to prepare the necessary By-law and documents to execute the project; and further
3. THAT Welland City Council authorizes the Mayor and Clerk to execute all necessary documents to execute the project.

CARRIED**2020 - 212****20-94** Moved by Spinosa and Moote

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information purposes Report P&B-2020-39 regarding applications for Official Plan Amendment (OPA No. 25), Zoning By-law Amendment (2020-01) and Redline Revision to Draft Plan of Subdivision for lands described as being on the north side of Forks Road, east of the railway tracks, south of the Townline Tunnel and west of the Welland Shipping Canal, more specifically described as being Part of Lots 20, 21, 22, and 23, Part of Road Allowance between Lots 20 and 21 and Lots 22 and 23, Concession 5, geographic Township of Humberstone, City of Welland, municipally known as 401 Canal Bank Street.

CARRIED**2020 - 213****20-95** Moved by McLeod and Spinosa

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report P&B-2020-40 regarding application for Draft Plan of Vacant Land Condominium for lands described as Part of Lots 141 to 143 (inclusive), Part of Block E, Part of Glenwood Parkway (closed), Registered Plan 62, now Plan 821, former Township of Humberstone, now in the City of Welland.

(Councillor Fokkens asked to be recorked as opposed to the Resolution).

CARRIED

2020 - 214**20-96**

Moved by McLeod and Richard

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report P&B-2020-41 regarding application for Draft Plan of Subdivision for lands described as Lots 30-38 (inclusive), Plan 54, former Township of Humberstone, now Plan 813, City of Welland, municipally known as 180 Kingsway.

(Councillor Fokkens asked to be recorked as opposed to the Resolution).

CARRIED**2020 - 215****20-97**

Moved by McLeod and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information purposes Report P&B-2020-42 regarding an application for Temporary Use By-law for lands described as being on the east side of Canal Bank Street, south of Highway 58A, west of the Welland Shipping Canal, and north of Forks Road, more specifically described as Part of Lots 21, 22, 23, Concession 5, former Township of Humberstone, part of the Road Allowance between Lots 22 and 23, Concession 5 (closed), Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 on 59R-15225, City of Welland, municipally known as 475, 555, 635 Canal Bank Street.

CARRIED**2020 - 216****20-98**

Moved by McLeod and Green (in block)

1. THAT THE COUNCIL OF THE CITY OF WELLAND approves the Exemption of Part Lot Control for Part Lots 23 and 24, Plan 586, shown as Part 1, 2, 3, 4 on Plan 59R-16754 to realize the sale of these lands for future residential development purposes; and further
2. THAT Welland City Council authorizes staff to prepare the necessary By-laws.

CARRIED**2020 - 217****20-99**

Moved by Speck and Spinosa

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the City of St. Catharines dated August 11, 2020 regarding a motion regarding Body Cameras for Police Officers - Comments from City of St. Catharines Anti-Racism Advisory Committee.

CARRIED**2020 - 218****20-100**

Moved by McLeod and Green (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the City of St. Catharines dated August 17, 2020 regarding Long-Term Care Homes.

CARRIED**2020 - 219****20-101**

Moved by McLeod and Green (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the City of St. Catharines dated August 17, 2020 regarding Support to the City of Toronto in their Legal Challenge of the Amendments made under Bill 184, Section 83.

CARRIED**2020 - 220****20-102**

Moved by McLeod and Green (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the City of Port Colborne dated August 18, 2020 regarding Endorsement of Bill 164 - Protecting Vulnerable Persons in Supportive Living Accommodation Act, 2019.

CARRIED

2020 - 221

20-103

Moved by Fokkens and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from Mr. and Mrs. Figler regarding continuous flowing issues on David Street between Sauer and McCabe Avenues.

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20-103

Moved by Fokkens and Larouche

THAT Welland City Council includes in the 2021 budget improvements to the David Street and surrounding infrastructure to minimize street flooding and the request be referred to the Budget Review Committee for consideration.

CARRIED

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

CARRIED

BY-LAWS

Moved by McLeod and Speck

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.

20-91

BYL 2020 - 101

A By-law to authorize entering into contract with Norjohn Contracting and Paving Limited for the Road Surface Treatment Program 2020.

CARRIED

Moved by McLeod and Green (in block)

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.

20-98

BYL 2020 - 102

A By-law to exempt certain lands from Part-Lot Control - Part s 1 - 4 (inclusive) on Plan 59R-16754 (47-53 York Street) City of Welland.

CARRIED

Moved by McLeod 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.

20-1

BYL 2020 - 103

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 15th day of September, 2020.

CARRIED

Council adjourned at 9:57 p.m.

These Minutes to be approved and adopted by Motion of Council this 6th day of October, 2020.

MAYOR

CITY CLERK