



**MINUTES OF**  
**COUNCIL MEETING, DECEMBER 1, 2020**  
**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 7:00 p.m. on the above date.

His Worship Mayor Frank Campion in the Chair.

**Members Present:**

Councillors J. Chiochio, T. DiMarco (until 9:45 p.m.), B. Fokkens, B. Green, M.A. Grimaldi, J. Larouche (6:12 p.m.), D. McLeod, A. Moote, G. Speck, L. Spinosa, C. Richard 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  
General Manager, Economic Development & Recreation & Culture, D. Degazio  
General Manager, Infrastructure and Development Services, T. Fitzpatrick  
Interim Director of Engineering and Public Works, SM. Millar  
Interim Director of Development and Building Services, G. Munday  
Manager of Human Resources, A. Daisley (until 6:51 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).

**2020 - 325****20-25**

Moved by Spinosa and DiMarco

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;
  - *Citizen appointments to the City of Welland Heritage Advisory Committee and Accessibility Advisory Committee.*
  - *Personnel Matter - Interim CAO.*
- Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and
- Advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
  - *Planning Matters update.*

**CARRIED****2020 - 326****20-25**

Moved by Richard and Spinosa

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 6:51 p.m. with report.

**CARRIED****DELEGATIONS**

**20-28** Adrienne Jugley, Commissioner, Community Services, Region of Niagara and Jon Braithwaite, Chief Executive Officer, The Hope Centre addressed Council regarding an update on Homeless Services in Niagara Region.

**AGENCIES, BOARDS, COMMISSIONS AND COMMITTEES REPORTS**

**20-4** Councillor McLeod, Chair, Budget Review Committee provided a verbal report on the Budget Review Committee meeting of November 23, 2020.

**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.

**2020 - 327****20-1**

Moved by Larouche and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meeting of 3, 2020 and Special Council Meetings of November 10 and 24, 2020, as circulated.

**CARRIED****2020 – 328****99-99**

Moved by McLeod and Spinosa

THAT THE COUNCIL OF THE CITY OF WELLAND approves the award to WSP Canada Group Ltd. for RFP20-11 Cycling, Walking and City Recreational rails 20-Year Master Plan. This recommended firm was the highest scoring proponent and competitively priced; and further THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into an agreement with WSP Group Canada Ltd.

**CARRIED**

**2020 – 329**

**02-85** Moved by McLeod and Spinosa

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information and approves the amendment of section 5.5 of the Terms of Reference of the Accessibility Advisory Committee to read "Members shall be appointed for a four (4) year term or until a successor has been appointed.

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**02-85** Moved by Spinosa and McLeod

THAT Welland City Council refers back to staff to the amendment of section 5.5 of the Terms of Reference of the Accessibility Advisory Committee to read "Members shall be appointed for a four (4) year term or until a successor has been appointed".

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**02-85** Moved by Speck and Chiochio

THAT THE COUNCIL OF THE CITY OF WELLAND challenges the Chair regarding the Accessibility Advisory Committee appointment.

**YEAS:** Councillors Larouche, Green, McLeod, Richard, Grimaldi, Spinosa, Fokkens, Moote and Mayor Campion.

**NAYS:** Councillors Speck, Chiochio and Van Vliet.

**CARRIED**

**FOLLOWING THE VOTE TO CHALLENGE THE CHAIR, THE REFERRAL MOTION WAS PUT FORWARD AND .....**

**YEAS:** Councillors Green, McLeod, Richard, Grimaldi, Spinosa, Fokkens and Mayor Campion.

**NAYS:** Councillors Larouche, Speck, Chiochio, Moote and Van Vliet.

**CARRIED**

**2020 – 330**

**04-47** Moved by Green and DiMarco

THAT THE COUNCIL OF THE CITY OF WELLAND approves that Welland Public Library be given a grant in the amount of \$2,167,475 for 2021 as recommended by the Budget Review Committee at its meeting of November 23, 2020.

**CARRIED**

**2020 – 331**

**04-91** Moved by Green and DiMarco

THAT THE COUNCIL OF THE CITY OF WELLAND approves that the Welland Historical Museum be given a grant in the amount of \$228,716 for 2021 as recommended by the Budget Review Committee at its meeting of November 23, 2020.

**CARRIED**

**2020 – 332**

**05-50** Moved by Green and DiMarco

THAT THE COUNCIL OF THE CITY OF WELLAND approves that the City of Welland Heritage Advisory Committee be given a grant in the amount of \$13,235 for 2021 as recommended by the Budget Review Committee at its meeting of November 23, 2020.

**CARRIED**

**2020 – 333**

**07-10**

Moved by Van Vliet and Green

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information staff Report CLK-2020-25: Nominating Committee; and further

THAT Welland City Council approves the dissolving the Nominating Committee.

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**07-10**

Moved by Chiocchio and Speck

THAT Welland City Council refers Report CLK-2020-25: Nominating Committee back to staff.

**LOST**

**FOLLOWING THE LOST VOTE TO REFER, THE MAIN MOTION WAS PUT IN ITS ORIGINAL FORM AND .....**

**CARRIED**

**2020 – 334**

**09-104**

Moved by McLeod and Spinosa

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information staff report CLK-2020-24: Amendment to the Terms of Reference for the Audit Review Committee; and further

THAT Welland City Council approves the amendment to the Audit Review Committees Terms of Reference included in "Appendix A", to remove the Human Resources Chair from the membership.

**CARRIED**

**2020 – 335**

**16-104**

Moved by Green and DiMarco

THAT THE COUNCIL OF THE CITY OF WELLAND amends City of Welland By-law 2017- 18 the Sewer and Drainage Works By-law by:

- 1) Increasing the maximum municipal assistance for the installation of an approved Backwater Prevention Device from \$1,000 to a maximum of \$1,500;
- 2) Increasing the maximum municipal assistance to assist Owners with the costs of the following repairs to disconnect Drainage connections from and to reduce Extraneous Flow into the Sewer Works:
  - Removal of roof leaders from the Sanitary Sewer.
  - Removal of existing sump pump connections from the Sanitary Sewer.
  - Repair or replacement of a leaking Building sewers.
  - Removal of Foundation Drain connections from the Sanitary Sewer from \$4,000 to a maximum of \$6,000 for all such corrective works; and
- 3) That on a go forward basis commencing in 2022, the amount of assistance under By-law 2017-18 be adjusted annually by the Non-Residential Construction Price Index.

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**16-104**

Moved by Fokkens and Grimaldi

THAT Welland City Council amends 4.3.1 At the discretion of the Engineer "and with the approval of Council", the owner of any..."

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

**NAYS:** Councillors Green, Speck, Chiocchio, DiMarco, Richard, Grimaldi and Fokkens.

**CARRIED**

**16-104**

Moved by Van Vliet and Larouche

THAT Welland City Council amends that a maximum is increased to \$3,000.

**LOST**

**16-104** Moved by DiMarco and Moote  
 THAT Welland City Council refers Report ENG-2020-37: Amendments to the Sewer and Drainage Works By-law 2017-18, back to staff.

**CARRIED**

**2020 – 336**

**16-129** Moved by Green and Fokkens  
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Niagara Peninsula Conservation Authority dated November 16, 2020 regarding changes to Conservation Authorities Act and Conservation Authorities' Role in land Use Planning.

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**16-129** Moved by Green and Moote  
 THAT Welland City Council to include that the Council of the City of Welland endorses the letter and the resolutions and copy of the resolution be forwarded to the Minister of Municipal Affairs, Minister of Natural Resources, Minister of Environment and local MPP Jeff Burch.  
 WHEREAS the Province has introduced Bill 229, Protect, Support and Recover from COVID 19 Act - Schedule 6 – Conservation Authorities Act;  
 WHEREAS the Legislation introduces a number of changes and new sections that could remove and/or significantly hinder the conservation authorities' role in regulating development, and engaging in review and appeal of municipal planning applications:  
 WHEREAS we rely on the watershed expertise provided by local conservation authorities to protect residents, property and local natural resources on a watershed basis by regulating development and engaging in reviews of applications submitted under the *Planning Act*;  
 WHEREAS the changes allow the Minister to make decisions without CA watershed data and expertise;  
 WHEREAS the Legislation suggests that the Minister will have the ability to establish standards and requirements for non-mandatory programs which are negotiated between the conservation authorities and municipalities to meet local watershed needs;  
 WHEREAS municipalities require a longer transition time to put in place agreements with conservation authorities for non-mandatory programs;  
 WHEREAS municipalities believe that the appointment of municipal representatives on CA Boards should be a municipal decision; and the Chair and Vice Chair of the CA Board should be duly elected;  
 WHEREAS the changes to the 'Duty of Members' contradicts the fiduciary duty of a CA board member to represent the best interests of the conservation authority and its responsibility to the watershed;  
 WHEREAS conservation authorities have already been working with the Province, development sector and municipalities to streamline and speed up permitting and planning approvals through Conservation Ontario's Client Service and Streamlining Initiative;  
 WHEREAS changes to the legislation will create more red tape and costs for the conservation authorities, and their municipal partners, and potentially result in delays in the development approval process;  
 AND WHEREAS municipalities value and rely on the natural habitats and water resources within our jurisdiction for the health and well-being of residents; municipalities value the conservation authorities' work to prevent and manage the impacts of flooding and other natural hazards; and municipalities value the conservation authority's work to ensure safe drinking water;  
 THEREFORE, BE IT RESOLVED:

1. THAT the Province of Ontario work with conservation authorities to address their concerns by repealing and/or amending changes to the *Conservation Authorities Act* and the *Planning Act*.
2. THAT the Province of Ontario delay enactment of clauses affecting municipal concerns.
3. THAT the Province of Ontario provide a longer transition period up to December 2022 for non-mandatory programs to enable coordination of CA-municipal budget processes.
4. THAT the Province respect the current conservation authority/municipal relationships.

...continued...

**16-129...cont'd.**

5. AND THAT the Province embrace their long-standing partnership with the conservation authorities and provide them with the tools and financial resources they need to effectively implement their watershed management role; and further

THAT Welland City Council endorses the letter and the resolutions and copy of the resolution be forwarded to the Minister of Municipal Affairs, Minister of Natural Resources, Minister of Environment and local MPP Jeff Burch.

**CARRIED****2020 – 337**

**18-87** Moved by McLeod and Spinosa (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the City of Hamilton dated September 8, 2020 regarding amending the AGCO Licensing and Application Process for Cannabis retail stores to consider Radial Separation from other Cannabis Locations.

**CARRIED****2020 – 338**

**20-4** Moved by McLeod and Richard.

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the verbal report by Councillor McLeod, Chair, Budget Review Committee, regarding its meeting of November 23, 2020.

**CARRIED****2020 – 339**

**20-4** Moved by Green and DiMarco

THAT THE COUNCIL OF THE CITY OF WELLAND approves that Rose City Kids be given a grant in the amount of \$20,000 for 2021 as recommended by the Budget Review Committee at its meeting of November 23, 2020.

**CARRIED****2020 – 340**

**20-4** Moved by Green and DiMarco

THAT THE COUNCIL OF THE CITY OF WELLAND approves that The Hope Centre be given a grant in the amount of \$65,000 for 2021 as recommended by the Budget Review Committee at its meeting of November 23, 2020.

**CARRIED****2020 – 341**

**20-4** Moved by Green and DiMarco

THAT THE COUNCIL OF THE CITY OF WELLAND approves that Niagara Safety Village be given a grant in the amount of \$6,000 for 2021 as recommended by the Budget Review Committee at its meeting of November 23, 2020.

**CARRIED****2020 – 342**

**20-4** Moved by Green and DiMarco

THAT THE COUNCIL OF THE CITY OF WELLAND approves that Open Arms Mission be given a grant in the amount of \$45,000 for 2021 as recommended by the Budget Review Committee at its meeting of November 23, 2020.

**CARRIED****2020 – 343**

**20-4** Moved by Moote and Richard

THAT THE COUNCIL OF THE CITY OF WELLAND approves the write-off of taxes in the amount of \$26,694.57 as contained in report FIN-2020-19 for the reduction or cancellation of taxes, pursuant to Sections 357 and 358 of the *Municipal Act, 2001*.

**CARRIED**

**2020 – 344****20-4** Moved by McLeod and Spinosa (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND approves the exclusion of amortization and post-employment benefit expenses from the 2021 Budgets.

**CARRIED****2020 – 345****20-4** Moved by McLeod and Spinosa (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes the Chief Financial Officer/Treasurer to borrow, on an interim basis, up to \$9,000,000 to meet current and capital expenditures for the year 2021 while awaiting permanent funding by way of taxation, water, and sewer billings, provincial/federal grants, and regional debentures; and further

THAT Welland City Council directs the City Clerk to prepare the necessary By-law.

**CARRIED****2020 – 346****20-12** Moved by Larouche and Richard

THAT THE COUNCIL OF THE CITY OF WELLAND appoints Councillor Van Vliet as the Infrastructure and Development Services Chair for the term December 1, 2020 to November 30, 2021.

**CARRIED****2020 – 347****20-28** Moved by Richard and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Adrienne Jugley, Commissioner, Community Services, Region of Niagara and Jon Braithwaite, Chief Executive Officer, The Hope Centre regarding an update on Homeless Services in Niagara Region.

**CARRIED****2020 – 348****20-64** Moved by McLeod and Spinosa (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Town of Lincoln dated November 17, 2020 regarding Public Health Measures - Ontario COVID-19 Response Framework.

**CARRIED****2020 – 349****20-96** Moved by McLeod and DiMarco

1. THAT THE COUNCIL OF THE CITY OF WELLAND approves application for Draft Plan of Subdivision for lands legally described as Lots 30-38 (inclusive) Plan 54, former Township of Humberstone, now Plan 813, City of Welland, municipally known as 180 Kingsway, for the development of 21 single detached dwellings, one block for multiple residential dwellings, and one environmental block, subject to the following conditions:

1. That the Owner enter into a Subdivision Agreement with the City of Welland.
2. That no grading or onsite works be commenced prior to the registration of a subdivision agreement on the property.
3. All construction must be in accordance with the City of Welland Municipal Standards.
4. That the owner agrees to gratuitously provide any permanent easement(s) required by other agencies or utilities, free and clear of all encumbrances.
5. That the owner dedicates Block 23 to the City of Welland for environmental conservation purposes, free and clear of all encumbrances.
6. A comprehensive stormwater management plan shall be submitted to the Engineering Department for review and approval.

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**2020 – 349**

**20-96**

7. The outlet for this storm run-off shall be reviewed and determined to be adequate for the amount of run-off designed. If any upgrades to the outlet storm channel from the development to the recreational waterway, these costs shall be borne by the developer.
8. A comprehensive civil engineering design shall be submitted to the City for review and approval.
9. All re-instatements to existing roadways shall be to as good or better condition.
10. A pre-construction survey of all existing housing units shall be undertaken to protect the City, the contractor, and the residents for insurance purposes.
11. That the owner implements any and all construction measures identified in the Geotechnical Report prepared by Landtek Limited at the time of Building Permit.
12. That the applicant will pay Cash-in-Lieu of Parkland Dedication at the time of Building Permit, in accordance with the City of Welland policies.
13. A grading plan prepared by a qualified professional to the satisfaction of the City and NPCA showing the total limit of development and site alteration.
14. An Erosion and Sediment Control Plan be prepared by a qualified professional to the satisfaction of the NPCA.
15. That the Developer obtain a Work Permit from the Niagara Peninsula Conservation Authority prior to beginning any work within the 30-metre wetland buffer. In support of the Work Permit application, the following information will be required:
  - a. A buffer planting plan.
  - b. A grading plan prepared by a qualified professional to the satisfaction of the NPCA showing the total limit of development and site alteration.
  - c. Confirmation from a qualified professional that there will be no negative impact of the stormwater being discharged into the Provincially Significant Wetland.
  - d. A tree preservation and savings plan.
  - e. An erosion and sediment control plan prepared by a qualified professional to the satisfaction of the NPCA.
16. That the Developer provide 1.5 metre high chain link fencing along the rear lot line of Lots 1 to 10 inclusive, to the satisfaction of the Niagara Peninsula Conservation Authority.
17. That the Developer provide limit of work fencing along the rear lot line of Lots 1 to 10 inclusive and to the satisfaction of the Niagara Peninsula Conservation Authority.
18. That prior to approval of the final plan, the owner shall submit a copy of a Phase 2 Environmental Site Assessment (ESA) prepared by a qualified person in accordance with Ontario Regulation 153/04, as amended, to the Niagara Region Planning and Development Services Department to address the change in use of the previously commercial lands at 180 Kingsway.
19. That the subdivision agreement between the owner and the City of Welland contain provisions whereby the owner agrees to implement the recommendations, if any, of the Phase 2 Environmental Site Assessment (ESA).

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**2020 – 349**  
**20-96...cont'd.**

20. That the owner shall file a Record of Site Condition (RSC) on the Ministry of Environment, Conservation and Parks' [Brownfields] Environmental Site Registry in accordance with Ontario Regulation 153/04, as amended, and that the owner provide the Niagara Region Planning and Development Services Department and the City with copies of the Environmental Site Assessment(s) and site remediation reports as well as a copy of the Ministry of Environment, Conservation and Parks' written acknowledgement of the filing of the RSC.
21. That the owner submit an air quality (odour) and noise assessment to determine potential impacts from the nearby Dain City Sewage Pumping Station (135 Talbot Avenue) to the satisfaction of Regional Planning and Development Services. Note: the air quality assessment for odour and/or noise assessment may be subject to peer review, at the expense of the owner/developer.
22. That the subdivision agreement between the owner and the City of Welland contain provisions whereby the owner agrees to implement the recommendations, if any, of the air quality and noise assessments required.
23. That the subdivision agreement between the owner and the City of Welland, and any Agreements of Purchase and Sale or Lease for each dwelling unit, include any warning clauses required, and the following clause:  
*"Due to the proximity of the subdivision lands to the Dain City Sewage Pumping Station, Purchasers/Tenants are advised that, despite the inclusion of noise/odour control features in the development and within the building units, periodic emissions of unpleasant odours and noise from the normal or emergency operations of this facility, for an unspecified duration, may occur and may adversely affect the residents of this development."*
24. That vegetation removals be undertaken between October 1st and March 14<sup>th</sup>, outside of both the breeding bird nesting period and active bat season.
25. That standard best management construction practices shall be used to mitigate construction dust, noise and/or exhaust fumes and prevent spills.
26. That a Buffer Planting Plan be prepared for Regional staff approval, preferably by a full member of the Ontario Association of Landscape Architects (OALA), to identify and illustrate the location of additional native trees, shrubs and groundcover to be planted.
27. A Grading Plan is to be developed and provided to Regional staff for approval in order to ensure the surface water flows associated with rear of Lots 1 through 7, and Lots 10 through 15 are directed to the wetland area.
28. That permanent rear-lot fencing be provided for all lots bordering on the retained Environmental Protection Areas. A no-gate bylaw is recommended to reduce human encroachment and limit the movement of pets into the adjacent natural areas.

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**2020 – 349**  
**20-96...cont'd.**

29. That the Erosion and Sediment Control (ESC) Plan be provided for Regional staff approval. The ESC Plan shall include details for, but not be limited to, ESC fencing and other ESC measures, dust suppression and topsoil storage. ESC measures must be monitored regularly to ensure they are functioning properly and promptly fixed if issues are identified.
30. That the Tree Saving Plan prepared in accordance with the Region of Niagara Tree and Forest Conservation By-law (By-law 30-2008) Section 1.36 be provided for Regional staff approval.
31. That the subdivision agreement between the owner and the City of Welland contain wording wherein the owner agrees to implement the recommendations of the approved Grading Plan, ESC Plan, Buffer Planting Plan, and Tree Saving Plan.
32. That prior to approval of the final plan or any on-site grading, the owner shall submit a detailed stormwater management plan for the subdivision 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 subdivision) planned to be serviced by the stormwater management facility.
33. That the subdivision 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.
34. That the owner provides a written acknowledgement to Niagara Region Planning and Development Services Department stating that draft approval of this subdivision does not include a commitment of servicing allocation by Niagara Region as servicing allocation will not be assigned until the plan is registered and that any pre-servicing will be at the sole risk and responsibility of the owner.
35. That the owner provides a written undertaking to Niagara Region Planning and Development Services Department stating that all Offers and Agreements of Purchase and Sale or Lease, which may be negotiated prior to registration of this subdivision shall contain a clause indicating that servicing allocation for the subdivision will not be assigned until the plan is registered, and a similar clause be inserted in the subdivision agreement between the owner and the City.

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**2020 – 349**  
**20-96...cont'd.**

36. That prior to final approval for registration of this plan of subdivision, the owner shall submit the design drawings [with calculations] for the new sanitary and storm sewers required to service this development and obtain the necessary Ministry of the Environment, Conservation and Parks Compliance Approval under the Transfer of Review Program.
37. That the owner/developer ensure, throughout all phases of development, that all streets and development blocks can provide an access in accordance with the Niagara Region's Corporate Policy and By-laws relating to the curbside collection of waste and recycling. Where a through street is not maintained, the owner/developer shall provide a revised draft plan to show an appropriate temporary turnaround to permit Regional waste collection services.
38. That the owner/developer shall comply with Niagara Region's Corporate Policy for Waste Collection.
39. 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.
40. 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.
  - 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.
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:
 

Niagara Peninsula Conservation Authority: 13, 14, 15, 16, 17

Region of Niagara Conditions: 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38

Canada Post Conditions: 39, 40

...continued...

**2020 – 349**  
**20-96...cont'd.**

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

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, Chiochio, McLeod, DiMarco, Grimaldi, Spinosa, Moote, Van Vliet and Mayor Campion.

**NAYS:** Councillors Larouche, Green, Richard and Fokkens.

**CARRIED**

**2020 – 350**

**20-115** Moved by Van Vliet and Moote

THAT THE COUNCIL OF THE CITY OF WELLAND approves application for Official Plan Amendment No. 31 to designate the lands on the west side of Clare Avenue, south of Woodlawn Road, more specifically described as Part of Lot 246, former Township of Thorold, now in the City of Welland, municipally known as 781 Clare Avenue from Low Density Residential to Medium Density Residential with a site specific provision to allow a maximum density of 94 units per hectare; and further

THAT Welland City Council approves Zoning By-law Amendment to Zoning By-law 2017-117 for lands on the west side of Clare Avenue, south of Woodlawn Road, more specifically described as Part of Lot 246, former Township of Thorold, now in the City of Welland, municipally known as 781 Clare Avenue from Residential Low Density 1 – RL1 to Site Specific Residential Multiple – RM.

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**20-115** Moved by Van Vliet and Moote

THAT Welland City Council refers Report P&B-2020-69: Application for Official Plan Amendment (OPA NO. 31) and Zoning By-law Amendment (2020-10) submitted by Niagara Planning Group on behalf of Niagara HP Properties Inc. for lands on the west side of Clare Avenue, south of Woodlawn Road, legally described as Part of Lot 246, former Township of Thorold, City of Welland, municipally known as 781 Clare Avenue back to staff.

**CARRIED**

**2020 – 351**

**20-116** Moved by McLeod and Spinosa (in block)

1. THAT THE COUNCIL OF THE CITY OF WELLAND grants an easement to the benefit of Niagara Regional Broadband Network Limited for high- speed internet servicing, across City-owned land at 60 East Main Street; and further

2. THAT Welland City Council directs staff to prepare the necessary By-law and documentation; and further

3. THAT Welland City Council authorizes the Mayor and Clerk to execute all documents necessary to grant the easement.

**CARRIED**

**2020 – 352**

**20-117** Moved by McLeod and Spinosa (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the City of Port Colborne dated November 5, 2020 regarding Resolution - Designating the Vulnerable Aquifer Schedule B of Official Plan as a Source Water for Rural Residents of Port Colborne.

**CARRIED**

**2020 – 353**

**20-118** Moved by McLeod and Spinosa (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated November 11, 2020 regarding Report PHD-C 9-2020: Referral of Motion - Decriminalization of Personal Possession of Illicit Drugs.

**CARRIED**

**2020 – 354**

**20-119** Moved by McLeod and Spinosa

THAT THE COUNCIL OF THE CITY OF WELLAND approves an Extension to Draft Plan Approval for the Fusion Homes Subdivision Phases 2 & 3 (File: 26T-14-10002) for an additional two (2) years to January 15, 2023; and further

That Welland City Council approves a policy amendment to allow for Fusion Homes Phases 2 & 3 to be provided with an Extension to Draft Plan of Subdivision Approval for two (2) years which exceeds the one (1) year extension provided through Policy SER-012-0014.

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**20-119** Moved by Fokkens and Larouche

THAT Welland City Council authorizes a one year draft plan extension.

**YEAS:** Councillors Larouche, Green, Speck, Chiocchio, Richard, Grimaldi, Spinosa, Fokkens, Moote, Van Vliet and Mayor Campion.

**NAYS:** Councillor McLeod.

**CARRIED**

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

**CARRIED**

**BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE**

**2020 – 355**

**02-85** Moved by McLeod and Spinosa (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND appoints Ather Shabbar to the Accessibility Advisory Committee for the term December 1, 2020 to November 14, 2022 or until another successor has been appointed.

**CARRIED**

**2020 – 356**

**05-50** Moved by McLeod and Spinosa (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND appoints Melanie Rogers to the City of Welland Heritage Advisory Committee for the term December 1, 2020 to November 14, 2022 or until another successor has been appointed.

**CARRIED**

**BY-LAWS**

Moved by McLeod and Spinosa (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.

**20-116**

BYL 2020 - 139

A By-law to grant an easement to Niagara Regional Broadband Network Limited over the parking lot of Welland City Hall (60 East Main Street).

**05-120**

BYL 2020 - 140

A By-law under the Building Code Act respecting construction, demotion, change of use, occupancy, transfer of permits and inspections.

**20-120**

BYL 2020 - 141

A By-law to exempt certain lands from Part-Lot Control - Parts 1 and 2 on Plan 59R-16823 (25 Parkway), City of Welland.

**20-121**

BYL 2020 - 142

A By-law to exempt certain lands from Part-Lot Control - Parts 1 and 2 on Plan 59R-16806 (46-48 Topham Boulevard), City of Welland.

**11-108**

BYL 2020 - 143

A By-law to amend By-law 2016-104, being a By-law to delegate various Planning and Community Improvement Incentive Approvals to staff and to adopt certain procedures for the processing of Planning Applications subject to Delegated Authority.

**CARRIED**

Moved by Speck and Chiocchio

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.

**20-82**

BYL 2020 - 144

A By-law to authorize expropriation of land by the Corporation of the City of Welland.

**YEAS:** Councillors Larouche, Green, McLeod, Spinosa, Moote, Van Vliet and Mayor Campion.

**NAYS:** Councillors Speck, Chiocchio, Richard, Grimaldi and Fokkens.

**CARRIED**

Moved by Van Vliet 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.

**20-1**

BYL 2020 - 145

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 1<sup>st</sup> day of December, 2020.

**CARRIED**

Council adjourned at 10:06 p.m.

These Minutes to be approved and adopted by Motion of Council this 15<sup>th</sup> day of December, 2020.

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**MAYOR**

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**CITY CLERK**