



MINUTES OF
SPECIAL COUNCIL MEETING, AUGUST 10, 2021
CIVIC SQUARE, COUNCIL CHAMBERS
60 EAST MAIN STREET

Council met in Committee-of-the-Whole closed to the public at 5:04 p.m. and in open session at 6:41 p.m. on the above date.

His Worship Mayor Frank Campion in the Chair.

Members Present:

Councillors J. Chiochio, T. DiMarco (until 10:45 p.m.), B. Fokkens, B. Green, M.A. Grimaldi, J. Larouche, D. McLeod, A. Moote, C. Richard, G. Speck (8:56 p.m.), and L. Van Vliet.

Members of Staff and Others Present:

Interim CAO/Director Corporate Services, Chief Financial Officer/Treasurer, S. Zorbas
City Clerk, T. Stephens
Deputy City Clerk, L. Bubanko
Fire Chief & Community Emergency Management Coordinator, A. Eckhart
Director of Infrastructure Services, SM. Millar
Director of Planning and Development Services, G. Munday
Manager of Economic Development, L. DeChellis (5:04 p.m. – 11:03 p.m.)
Policy Planner, N Aiello (6:41 p.m.)
Transit Manager, E. Zahra (6:41 p.m. – 9:27 p.m.)
General Foreman, R. Chamberlain (6:41 p.m. – 10:10 p.m.)
Manager of Parks, Facilities & Canal Lands, P. Boyce (6:41 p.m. - 8:57 p.m.)
Manager of Budgets & Financial Reporting/Deputy Treasurer, E. Pankoff (6:41 p.m. – 9:33 p.m.)
Revenue Service Manager, M Lostracco (6:41 p.m. – 9:29 p.m.)
Director of Community Services, Rob Axiak, (6:41 p.m. – 8:57 p.m.)

2021 - 165

21-25 Moved by McLeod and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 5:04 p.m. to consider:

- Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
 - *Aqueduct - Legal Update.*
 - *Dain City Rain Event.*
- Proposed or pending acquisition or disposition of land by the municipality or local board;
 - *Northern Reach Update.*
 - *Declaring Surplus Lands.*
 - *Agreement of purchase and sale for surplus city owned lands municipally known as 469 Rice Road (former Soccer Club Lands).*
- Receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose:
 - *Elite - TO2015 Construction - Facility & Tower Update.*
- Personal matters about an identifiable individual, including municipal or local board employees and litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
 - *Group Home - 309 Beatrice Street.*
- 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:
 - *Lease - WMHA at Main Arena.*
- Personal matters about an identifiable individual, including municipal or local board employees;
 - *Crossing Guards Update.*

(Councillor Chiocchio was not present during Committee-of-the-Whole discussion on 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)

(Councillor Fokkens was not present during Committee-of-the-Whole discussion on litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board)

CARRIED

2021 - 166

21-25 Moved by Moote and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 6:36 p.m. with report.

CARRIED

LEGISLATED PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT

Councillor Van Vliet presided as Chair of the Public Hearings:

21-86 Complete Applications have been made by UPPER CANADA CONSULTANTS on behalf of MOUNTAINVIEW HOMES (NIAGARA) LTD. for Draft Plan of Vacant Land Condominium Approval and to rezone lands legally described as Block 2 of Plan 59M- 472 Geographic Township of Thorold now in the City of Welland, Regional Municipality of Niagara known municipally as 89 West Creek Court from Residential Medium Density (RM) and Institutional Health and Wellness (INSH) to Site Specific Residential Medium Density (RM), Site Specific Institutional Health and Wellness (INSH) and Environmental Protection (EP). The purpose of the Site Specific Residential Medium Density (RM) and Site Specific

Institutional Health and Wellness (INSH) Zone is to: permit block townhouse dwellings across the entirety of the subject lands; establish a definition for block townhouses; provide site specific provisions for rear yard setbacks; allow decks, covered or uncovered to project a maximum of 3.75 metres into the required rear yard, provided said deck is not higher than 1.5 metres above grade; to eliminate the required 0.3 metre increase in width for obstructed parking spaces in private garages; and, to permit the required parking for block townhouses between the façade of the building and the private roadway. Application for Draft Plan of Vacant Land Condominium 26CD-14-21005) was submitted in conjunction with this application.

Grant Munday confirmed that the statutory requirements for public hearing had been met, summarized the purpose of the hearing and reviewed the Planning Division Report.

In support of the application:

Craig Rohe, Upper Canada Consultants on behalf of applicant.

There being no other persons present to speak in support of the application, the Chair asked for those opposing the application.

In opposition of the application:

No one to speak

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

21-108 Complete applications have been submitted by BETTER NEIGHBOURHOODS DEVELOPMENT CONSULTANTS on behalf of IDRAKOTH LTD. for Official Plan Amendment (OPA No. 36) and to rezone lands legally described as PT TWP LT 229 & 230, Former City of Thorold, Parts 3, 4 on 59R-1742 and Parts 1 & 2 on 59R-2895, S/T RO345094, S/T RO357411, S/T RL734059, S/T RO778444; PCL 229-3 Sec 59 Thorold; Part 3 on 59R-2784; S/T easement in favour of Welland Hydro-Electric System Corp. over Part 1 Plan 59R-11677 & Parts 5, 6, 7, 8 & 9 on Plan 59R-8977 as in SN19072; PCL F-2 SEC M75; BLK F PL M75 except Part 1 on 59R-2986; S//T LT16884; PCL G-1 SEC M75; BLK G PL M75 except Part 1 on 59R-4566, City of Welland, municipally known as 800 Niagara Street. Request has been made for Zoning By-law Amendment to Rezone the north-east portion of the lands from Site Specific Regional Shopping Node (RS-73) to Site Specific Residential Medium Density (RM) and Site Specific Residential High Density (RH). The proposed Site Specific Amendments create two separate Site Specific Residential Medium Density Zones and two Site Specific Residential High Density zones. The Site Specific Amendments propose to: increase the maximum permitted height (3.5 storeys, 8 storeys, 20 storeys, and 30 storeys; allow for additional permitted uses; and amend the yard setback provisions. Official Plan Amendment (OPA No. 36) has been submitted in conjunction with the subject application.

Grant Munday confirmed that the statutory requirements for public hearing had been met, summarized the purpose of the hearing and reviewed the Planning Division Report.

In support of the application:

Kahlin Holmes, Better Neighbourhoods, 190A Ontario Street, St. Catharines, ON L2R 5K9
Drew Toth, PO Box 84, Thorold, ON L2V 3Y7

There being no other persons present to speak in support of the application, the Chair asked for those opposing the application.

In opposition of the application:

Linda Illes, 99 Willowlanding Court, Welland, ON L3C 7L7
 Anne Marie Pieterse, 61 Bridgewater Court, Welland, ON L3C 7M6
 Lynn Eager, 143 Willowlanding Court, Welland, ON L3C7L8

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

PRESENTATION

21-13 Edward Zahra, Transit Manager and Eric Czerniak, IBI Group addressed Council regarding the New Transit Operations Facility.

2021 - 167

21-1 Moved by Richard and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meeting of July 6, 2021, as circulated.

CARRIED**2021 - 168**

02-160 Moved by Green and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND extends curfew.

YEAS: Councillors Larouche, Green, McLeod, Moote, Speck, Richard, Fokkens and Mayor Campion.

NAYS: Councillors Chiocchio, Grimaldi and Van Vliet.

CARRIED**2021 - 169**

02-160 Moved by Green and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report CLK-2021-19: In-person and Hybrid Council Meetings.

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

CARRIED**2021 - 170**

04-152 Moved by McLeod and Moote

THAT THE COUNCIL OF THE CITY OF WELLAND accepts the offer to purchase 31.59 acres of City owned lands municipally known as 469 Rice Road; and further

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 transfer the proceeds of the sale into the YSP Sustainability Reserve.

YEAS: Councillors Larouche, Green, Chiocchio, McLeod, Grimaldi, Moote, Van Vliet and Mayor Campion.

NAYS: Councillors Speck, Richard and Fokkens.

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

CARRIED

2021 - 171**10-77** Moved by Moote and Larouche (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND approves the amendments to the Tangible Capital Assets Policy as outlined in Report FIN-2021-21; and further

THAT Welland City Council directs the City Clerk to amend By-Law 2010-48 Establish & Adopt a City policy governing Tangible Capital Assets.

CARRIED**2021 - 172****11-108** Moved by McLeod and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report P&B-2021-40 being a quarterly summary Report of approved Community Improvement Plan Incentive Applications between April 1, 2021 and June 30, 2021.

CARRIED**2021 - 173****18-87** Moved by Green and Richard

THAT THE COUNCIL OF THE CITY OF WELLAND receives Report P&B-2021-43 for information; and further

THAT Welland City Council directs staff to commence the process of amending the City's Zoning By-law 2017-117 to further amend the provisions for Medical Marihuana Facilities now referred to as Cannabis Production Facilities; and further

THAT Welland City Council directs staff to address Cannabis Production Facilities in the City's Official Plan Update, including but not limited, to policies regarding site plan control; and further

THAT Welland City Council directs staff to commence the process of amending the City's Site Plan Control By-law 9973 to address Cannabis Production Facilities.

CARRIED**2021 - 174****21-4** Moved by Fokkens and Richard

THAT THE COUNCIL OF THE CITY OF WELLAND approves the Consolidated Financial Statements for The Corporation of the City of Welland (the "Municipality") including the Trust Fund Financial statement for the year ended December 31, 2020; and further

THAT Welland City Council receives for information the audit findings report pertaining to the audited consolidated financial statements of The Corporation of the City of Welland for the year ended December 31, 2020.

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

CARRIED**2021 - 175****21-6** Moved by Moote and Larouche (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND declares "2022 Year of the Garden" in the City of Welland.

CARRIED**2021 - 176****21-13** Moved by Larouche and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Edward Zahra, Transit Manager and Eric Czerniak, IBI Group regarding the new Transit Operations Facility.

CARRIED

2021 - 177

21-13 Moved by Moote and Larouche (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report TRANS-2021-06: Expedited Service Level Increase; and further

THAT Welland City Council approves the increase to transit service levels to thirty (30) minute headways during peak AM and PM peak periods, Monday to Friday only.

CARRIED

2021 - 178

21-13 Moved by Van Vliet and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report TRANS-2021-07: Expanded Transit Terminal Hours; and further

THAT Welland City Council approves the update to the hours of operation from 6:00 AM to 11:00 PM (Monday to Friday), 6:00 AM to 10:00 PM (Saturday) and 10:00 AM to 6:00 PM (Sundays and Holidays), effective January 2nd, 2022.

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21-13 Moved by Green and Speck

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report TRANS-2021-07: Expanded Transit Terminal Hours; and further

THAT Welland City Council approves the update to the hours of operation from 6:00 AM to 11:00 PM (Monday to Friday), 6:00 AM to 10:00 PM (Saturday) and 10:00 AM to 6:00 PM (Sundays and Holidays), effective 1st week of September 2021.

CARRIED

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

CARRIED

2021 - 179

21-13 Moved by Moote and Larouche (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report TRANS-2021-08: Renewal of UPass Agreement for Brock University Students' Union; and further

THAT Welland City Council authorizes the Mayor and Clerk to execute all necessary By-laws and Agreements.

CARRIED

2021 - 180

21-13 Moved by Moote and Larouche (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report TRANS-2021-09: Nova Bus Purchases Through the Transit Joint Procurement Agreement; and further

THAT Welland City Council approves the shortfall of funding be allocated from Capital Project ITS Enhancements; and further

THAT Welland City Council authorizes the Mayor and Clerk to execute all necessary By-laws and Agreements.

CARRIED

2021 - 181

21-13 Moved by Green and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report TRANS-2021-10: Transit Operations Facility Update.

CARRIED

2021 - 182

21-19

Moved by Green and Moote

THAT THE COUNCIL OF THE CITY OF WELLAND approves the award to Circle P Paving the provision of Stop 19 – Recreational Trail Improvements; and further

THAT Welland City Council approves staff recommendation that the shortfall of \$74,760.57 be funded by the Capital Surplus Reserve; and further

THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into a contract with Circle P Paving.

CARRIED

2021 - 183

21-22

Moved by Van Vliet and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND approves Report TRAF-2021-38: Update to Traffic and Parking By-law 89-2000; and further

THAT Welland City Council directs the City Clerk to amend Traffic and Parking By-law 89-2000 as follows:

ADD the following to Schedule “I” – MUNICIPAL/ PRIVATE PROPERTY:

SKETCH No.	LOCATION	COMMON NAME
No Sketch	242 First Avenue North	Wesley-Robins Retirement Village

ADD the following to Schedule “XVII” – PARKING LOTS

Lot #	Lot Name	Control	Rate	Time of Day	Maximum Stay
15	Maple Park Parking Lot (Designated Area)	Five (5) Monthly Permit	\$50.00	Monday to Sunday	24 Hours

DELETE the following from Schedule “V” – Parking Prohibitions (Specified places, with signs)

COLUMN 1 HIGHWAY	COLUMN 2 SIDE	COLUMN 3		COLUMN 4 PERIOD (TIMES/DAYS)
		FROM	TO	
Elmview Street	North Side	36m west of Niagara Street	Edgar Street	Any Time

ADD the following to Schedule “V” – Parking Prohibitions (Specified places, with signs)

COLUMN 1 HIGHWAY	COLUMN 2 SIDE	COLUMN 3		COLUMN 4 PERIOD (TIMES/DAYS)
		FROM	TO	
Elmview Street	South Side	Niagara Street	Edgar Street	Any Time

2021 - 184

21-22

Moved by McLeod and Richard

THAT THE COUNCIL OF THE CITY OF WELLAND refers Schedule “XVII” – Parking Lots regarding Maple Park Parking Lot back to staff.

CARRIED

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

CARRIED

2021 - 185**21-45**

Moved by Grimaldi and VanVliet

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information and approves Report FIN-2021-24 regarding Intact Public Entities (formerly known as Frank Cowan Company) for the final year of the multi-year contract for the delivery of general insurance coverage at an upper limit cost of \$810,163 (excluding PST) for 2021 – 2022.

YEAS: Councillors Green, Chiocchio, Grimaldi, Van Vliet and Mayor Campion.

NAYS: Councillors Larouche, Speck, McLeod, Moote, Richard and Fokkens.

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

LOST**2021 - 186****21-66**

Moved by Moote and Larouche (in block)

1. THAT THE COUNCIL OF THE CITY OF WELLAND accepts the tender of Rankin Construction Inc. in the amount of \$2,287,467.00 (plus HST) being the lowest of three (3) tenders received for the 2021 Road Rehabilitation - Part 2; and
 2. THAT Council directs staff to prepare the necessary By-law and documents to execute the project; and further
 3. THAT Council authorizes the Mayor and Clerk to execute all necessary documents to execute the project.

CARRIED**2021 - 187****21-86**

Moved by Van Vliet and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report P&B 2021-39 regarding an application for Zoning By-law Amendment (File No. 2021-06) and Draft Plan of Vacant Land Condominium (File No. 26CD-14-21005) for the lands on the east side of South Pelham Road, north of Webber Road and west of Claire Avenue, legally described as Block 2 59M-472, Geographic Township of Thorold, Now in the City of Welland, Regional Municipality of Niagara, municipally known as 89 West Creek Court.

CARRIED**2021 - 188****21-104**

Moved by Moote and Larouche (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information and supports the correspondence from the Niagara Peninsula Conservation Authority regarding Water Quality Monitoring Program Summary Report for the Year 2020.

CARRIED**2021 - 189****21-105**

Moved by Moote and Larouche (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated July 19, 2021 regarding Motion - 16 Days of Activism against Gender-Based Violence.

CARRIED**2021 - 190****21-106**

Moved by Moote and Larouche (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Niagara Peninsula Conservation Authority dated July 28, 2021 regarding Report No. FA-45-2021: Compliance and Enforcement 2021 Q2 Statistics.

CARRIED

2021 - 191**21-107** Moved by Moote and Larouche (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information and supports the correspondence from the Niagara Peninsula Conservation Authority dated July 22, 2021 regarding Resolution No. FA-147-2021: Global decline in the pollinator species.

CARRIED**2021 - 192****21-108** Moved by Moote and Larouche (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report P&B-2021-41 regarding application for Official Plan Amendment (OPA No. 36) and Zoning By-law Amendment (File No. 2021-07) for lands municipally known as 800 Niagara Street.

CARRIED**2021 - 193****21-109** Moved by McLeod and Moote

- 1) THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report P&B-2021-42; and further
- 2) THAT Welland City Council requests Niagara Region Council to maintain the existing Grants and Incentives Programs as detailed in this Report; and further
- 3) THAT Welland City Council is supportive of adding additional financial incentives for affordable/rental housing; and further
- 4) THAT Welland City Council requests the City Clerk forward a copy of this Report to the Niagara Region, and all municipalities within the Niagara Region for information and support.

YEAS: Councillors Larouche, Green, Chiochio, McLeod, DiMarco, Richard, Grimaldi, Fokkens, Moote, Van Vliet and Mayor Champion.

NAYS: Councillor Speck.

CARRIED**2021 - 194****21-111** Moved by Fokkens and Larouche

1. THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the Report ENG-2021-18 Storm Event: July 17, 2021; and
2. THAT Council directs staff to apply to the second intake of the Disaster Mitigation and Adaptation Fund (DMAF) for the small-scale project stream to include Dain City Storm Sewer Improvements; and further
3. THAT Council directs staff to apply to the Investing in Canada Infrastructure Program - Green Stream Stage II to include a second watermain to Dain City for the provision of security of supply.

CARRIED**BY-LAWS**

Moved by Moote 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.

21-4

BYL 2021 – 121

A By-law to amend By-law 2010-48, being a By-law to Establish and Adopt a city policy governing Tangible Capital Assets.

21-13

BYL 2021 – 122

A By-law to authorize entering into a service agreement with the Regional Municipality of Niagara and Area Municipalities (Niagara Falls, Fort Erie and Port Colborne) for Public Transit Services for Brock University Students (U-PASS Program).

21-13

BYL 2021 – 123

A By-law to authorize bus purchases from Nova Bus (Metrolinx Joint Procurement Initiative).

21-66

BYL 2021 – 124

A By-law to authorize entering into contract with Rankin Construction Inc. for the 2021 Road Rehabilitation (Part 2).

21-22**21-23**

BYL 2021 – 125

A By-law to amend By-law 2018-49, being a By-law to appoint Municipal Weed Inspectors for the Corporation of the City of Welland; and to amend By-law 2018-50, being a By-law to appoint Municipal Law Enforcement Officers for the Corporation of the City of Welland.

21-19

BYL 2021 – 126

A By-law to authorize entering into a Lease Agreement with Welland Minor Hockey Association.

CARRIED

Moved by Van Vliet and Larouche

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.

04-152

BYL 2021 – 129

A By-law to authorize acceptance of an offer from Schout Corporation for sale of 31.59 acres of vacant city-owned land municipally known as 469 Rice Road

21-19

BYL 2021 – 127

A By-law to authorize entering into contract with Circle P. Paving Inc. for the Stop 19 Recreational Trail Improvements.

21-22

BYL 2021 – 128

A By-law to amend By-law 89-2000, being a By-law Regulating Traffic and Parking within the City of Welland (Schedules I, V).

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.

21-1

BYL 2021 - 130

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 10th day of August 2021.

CARRIED

Council adjourned at 11:24 p.m.

These Minutes to be approved and adopted by Motion of Council this 7th day of September 2021.

MAYOR

CITY CLERK