



MINUTES OF
COUNCIL MEETING, SEPTEMBER 17, 2019
CIVIC SQUARE, COUNCIL CHAMBERS
60 EAST MAIN STREET

Council met in Committee-of-the-Whole closed to the public at 6:30 p.m. and in open session at 7:05 p.m. on the above date.

His Worship Mayor Frank Campion in the Chair.

Members Present:

Councillors J. Chiochio, T. DiMarco, B. Green, M.A. Grimaldi (until 10:22 p.m.), J. Larouche (6:35 p.m. - 9:30 p.m.), D. McLeod, A. Moote, G. Speck, L. Spinosa, and C. Richard.

Members of Staff and Others Present:

Chief Administrative Officer, G. Long
City Clerk, T. Stephens
Deputy Clerk, C. Radice (7:05 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 (7:05 p.m.)
Manager of Development Approvals, G. Munday (7:05 p.m. - 9:09 p.m.)
Transit Manager, D. Stuart (7:05 p.m.)

(Tom Hanrahan, Solicitor, was present during Committee-of-the-Whole discussion on a proposed or pending acquisition or disposition of land by the Municipality or local board).

2019-632

19-25 Moved by Grimaldi and Spinosa

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 6:30 p.m. to consider:

- personal matters about an identifiable individual, including municipal or local board employees; and
- proposed or pending acquisition or disposition of land by the municipality or local board.

CARRIED

2019-633

19-25 Moved by McLeod and DiMarco

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 7:00 p.m. with report.

CARRIED

THE FOLLOWING ITEMS WERE ADDED:

- 19-4** Memorandum from Gen. Mgr., Corporate Services, Chief Financial Officer/Treasurer, S. Zorbas - Amendment to the 2019 Tax Ratios & Tax Rates & Levy Taxes By-law 2019-66.
- 19-4** A By-law to authorize amend By-law 2019-66, being a By-law to establish Tax Ratios and Tax Rates for the year 2019.

THE FOLLOWING ITEM WAS DELETED:

Plaque presentation by Mayor Campion to retired Royal Canadian Air force Sgt. Marion Kelly for winning 5 gold medals at the 2019 Department of Defense (DOD) Warrior Games.

DELEGATIONS

- 19-28** Doug Rapelje, Board Member, Alzheimer Society of Niagara Region addressed Council regarding the 2019 Coffee Break Campaign.

AGENCIES, BOARDS, COMMISSIONS AND COMMITTEES REPORT(S)

- 09-104** Councillor Moote, Chair, Audit Review Committee provided a verbal report on the Audit Review Committee of September 10, 2019.

LEGISLATED PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT

Councillor Moote presided as Chair of the Public Hearing:

19-105 Complete applications for Official Plan Amendment (OPA 22), Zoning By-law Amendment and Draft Plan of Vacant Land Condominium have been submitted by UPPER CANADA CONSULTANTS on behalf of MOUNTAINVIEW DEVELOPMENTS INC. for lands legally described as Part of Lot 1, Concession 12, form Township of Pelham, now in the City of Welland, municipally known as 633 South Pelham Road. The lands are located on the west side of South Pelham Road, south of Sumer Road, and north of the Sobey's Plaza and the dead ends of Foxtail Avenue and Sparrow Drive. Request has been made to rezone the Residential Low Density 1(RL1), Residential Multiple 2 (RL2) and Residential Multiple (RM) zoned lands to Site Specific Residential Multiple to allow for : interpretation guidance for setbacks, coverage and frontage for townhomes; define Block Townhomes; to measure rear yard setbacks to the dwellings rather than a lot line; to allow for covered decks and encroachments into the rear yard to a maximum of 3.75 metres; allow for a rear yard setback of 5.8 metres to a property line (Unit 86); to eliminate the need for a 0.3 increase in the width for obstructed parking spots in private garages or underground parking spots; to eliminate the need for a loading space for an apartment building; and, to allow a required parking space to be between the façade of the building and the private roadway on a private driveway. The requested amendments are to allow for the development of the property with 85 townhouse units and one four-storey condominium apartment building with 50 residential units. Amendments will also be made to the Environment Protection Overlay to be consistent with Ministry of Natural Resources and Forestry Provincially Significant Wetland mapping, as well as Niagara Peninsula Conservation Authority floodplain mapping.

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

Craig Rohe, Senior Planner, on behalf of applicant, Upper Canada Consultants, 30 Hannover Dr., Unit #3, St. Catharines, Ontario, Canada

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:

- Liz Benneian, 3105 Culp Road, Lincoln, ON L0R 1S0 on behalf of Don Labute, 75 Sumbler Road, Welland, ON L3C 3P1
- John Marchio, 75 Sumbler Road, Welland, ON L3C 3P1

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

2019 - 634**19-1** Moved by Spinosa and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meeting of September 3, 2019 and Special Council Meeting of September 10, 2019, as circulated.

CARRIED**2019 - 635****99-90** Moved by Moote and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND approves the slate of Officers and Directors for term of 2018-2022 being: Holly Treddenick, Leda See and David Alexander.

CARRIED**2019 - 636****04-47****19-13** Moved by Chiocchio and Spinosa

THAT THE COUNCIL OF THE CITY OF WELLAND receives Report TRANS-2019-04: Transit Support for Library; and further

THAT Welland City Council approves the transportation initiative as outlined within the report.

CARRIED**2019 - 637****09-104** Moved by Moote and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the verbal report by Councillor Moote, Chair, Audit Review Committee, regarding its meeting of September 10, 2019.

CARRIED**2019 - 638****17-19** Moved by Speck and Spinosa

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report P&B-2019-23 regarding Tree By-law considerations; and further

THAT Welland City Council directs staff to consult with the public, agencies and other stakeholders prior to reporting back to Council regarding tree preservation on properties that are subject to Planning Act Applications.

.....

17-19 Moved by McLeod and Spinosa

THAT Welland City Council removes on properties that are subject to Planning Act Applications.

CARRIED**17-19** Moved by McLeod and

THAT Welland City Council directs staff specifically frame the questions with the public to be "do you want a tree By-law?".

NOT PUT

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

CARRIED**2019 - 639****17-76** Moved by Moote and McLeod (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Tara Stephens, Acting General Manager Human Resources and Legislative Services/City Clerk and Carmela Radice, Deputy Clerk, regarding Streaming/webcasting for the City of Welland.

CARRIED**2019 - 640****19-4** Moved by Spinosa and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND accepts and approves the consolidated financial statements of the Corporation of the City of Welland for the fiscal year ending December 31, 2018, as recommended by the Audit Review Committee at its meeting of September 10, 2019.

CARRIED**2019 - 641****19-4** Moved by McLeod and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND approves the creation of a new YSP sustainability reserve to fund future YSP Operating Deficits and/or capital funding requirements; and

THAT Welland City Council approves the creation of a new Downtown Brownfield Remediation reserve; and

and THAT Welland City Council approves the creation of a Capital Surplus Reserve; and

THAT Welland City Council approves the creation of an Election Reserve; and

THAT Welland City Council approves the creation of an Assessment Appeal Reserve; and

...continued...

2019 - 641**19-4...cont'd.**

THAT Welland City Council approves the funding of the pre-approved 2020 Capital program of \$5.05 million as follows:

- | | | |
|----|-----------------------------|-----------------------------|
| 1. | Health & Wellness Reserve | \$2.5 million |
| 2. | 2019 Federal Gas Tax Top Up | \$1.5 million |
| 3. | Capital Surplus Reserve | \$1.05 million |
| | Total | \$5.05 million; and further |

THAT Welland City Council approves the reallocation of \$1.5 million of "one time 2019 Federal Gas Tax" to the 2020 Pre-approved Road Resurfacing Capital program and that funding of \$1.5 million from the Capital Surplus Reserve now fund Fire Station #2; and further

THAT Welland City Council approves the reallocation of \$2.5 million from the Operating Surplus Reserve Fund to the Capital Surplus Reserve Fund to fund future Capital projects.

.....

19-4 Moved by DiMarco and

THAT Welland City Council removes the creation of a new YSP sustainability reserve to fund future YSP Operating Deficits and/or capital funding requirements.

NOT PUT

**FOLLOWING THE ATTEMPT TO AMEND THE MOTION, THE MAIN MOTION
WAS PUT IN ITS ORIGINAL FORM AND CARRIED**

(Councillor DiMarco asked to be recorded as opposed to the resolution).

2019 - 642**19-4** Moved by Moote and McLeod (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND approves the amendments to the tax classes Commercial Vacant Units, Commercial Vacant Land, Industrial and Large Industrial Vacant Units, Industrial Vacant Land, Industrial New Construction, Industrial New Construction Vacant Units; and further That Welland Council approves the amendments to By-law #2019-66 including Schedule 1.

CARRIED

2019 - 643**19-13** Moved by Green and Spinosa

THAT THE COUNCIL OF THE CITY OF WELLAND receives Report TRANS-2019-05: Transit Yard Enhancements; and further

THAT Welland City Council approves the enhancement initiative as outlined within the report.

CARRIED

2019 - 644**19-13** Moved by Green and Moote

THAT THE COUNCIL OF THE CITY OF WELLAND receives Report TRANS-2019-06: Transit Capital Reallocations; and further

THAT Welland City Council approves the reallocations as outlined within the report.

CARRIED

2019 - 645**19-28** Moved by Richard and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Doug Rapelje, former Board Member, Alzheimer Society of Niagara Region regarding its 2019 Coffee Break Campaign.

(Councillor Spinosa disclosed an interest in this matter, and did not take Part in the consideration and discussion of same, and refrained from Voting thereon, as Alzheimer Coffee Break - My Café The Black Sheep is one of the locations).

CARRIED

2019 - 646**19-28** Moved by Moote and McLeod (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Jonna Wolfenber, Volunteer and Events Coordinator, Community Support Services of Niagara, regarding Community Support Services of Niagara update.

CARRIED

2019 - 647**19-28** Moved by Moote and McLeod (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Janet Handy, Executive Director, Kristen French Child Advocacy Centre Niagara, regarding new programming at the Kristen French Child Advocacy Centre Niagara.

CARRIED

2019 - 648**19-28** Moved by Moote and McLeod (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Kelly Jones, Resident of Welland, regarding the 2019 Terry Fox Run.

CARRIED**2019 - 649****19-28** Moved by Moote and McLeod (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Dan Giancola, Resident of Niagara Falls, regarding the 4th Annual Gala - Give the boot to PTSD.

CARRIED**2019 - 650****19-29** Moved by Moote and McLeod (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report CLK-2019-14 regarding the 2020 Meeting Calendar for Council and establishes the Council meeting dates for 2020 as set out in Appendix I.

CARRIED**2019 - 651****19-33** Moved by Moote and McLeod (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND approves the closure of City Hall operations for the 2020-2021 holiday season from the close of business on Thursday, December 24, 2020 to and including Friday, January 1, 2021.

CARRIED**2019 - 652****19-78** Moved by Green and Spinosa

THAT THE COUNCIL OF THE CITY OF WELLAND approves the purchase of additional sharps containers and related costs in the amount of \$7,500 to assist with safe needle disposal to be funded by the Corporate Contingency Account.

CARRIED**2019 - 653****19-101** Moved by Moote and McLeod (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Craig A. Rohe, Senior Planner, Upper Canada Consultants, regarding Canal View Condominium and the 406 South Corridor.

CARRIED**2019 - 654****19-101** Moved by Moote and McLeod (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND request the Ministry of Transportation remove the Highway 406 'Controlled Access Highway' Corridor designation on the lands shown on Appendix I; and further

THAT Welland City Council request the Ministry of Transportation designate the area shown on Appendix II as the Highway 406 'Controlled Access Highway' Corridor designation; and further

THAT Welland City Council directs Staff to forward Report P&B-2019-44 to the Regional Municipality of Niagara and to the Minister of Transportation for their consideration.

CARRIED**2019 - 655****19-102** Moved by Chiocchio and

THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to purchase and install holiday decorations and Christmas lights for the downtown core for this holiday season 2019. Staff to include costs up to \$25,000 to come from the Economic Initiative Fund.

NOT PUT**2019 - 656****19-103** Moved by Green and DiMarco

THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to create a report on possible enhancements to the public notification process for Committee of Adjustment hearings.

CARRIED**2019 - 657****19-105** Moved by Chiocchio and Spinosa

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information purposes Report P&B-2019-45 regarding applications for Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Vacant Land Condominium for lands on the west side of South Pelham Road, south of Sumbler Road, at the end of Foxtail Avenue and Sparrow Drive, and north of the Sobeys Plaza, more specifically described as Part of Lot 1, Concession 12, in the geographic Township of Pelham, now in the City of Welland, municipally known as 633 South Pelham Road.

YEAS: Councillors Larouche, Green, Speck, McLeod, DiMarco, Richard, Grimaldi, Spinosa, Moote and Mayor Campion.

NAYS: Councillor Chiocchio.

CARRIED

BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE

2019 - 658

05-141 Moved by Moote and McLeod (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND appoints Aldo Parrotta to the Arts & Culture Advisory Committee for the term September 17, 2019 to November 14, 2022 or until another successor has been appointed.

CARRIED

2019 - 659

06-84 Moved by Moote and McLeod (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND appoints Linda Marie Oaks to the Senior Citizens Advisory Committee for the term September 17, 2019 to November 14, 2022 or until another successor has been appointed.

CARRIED

BY-LAWS

Moved by Moote and McLeod (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.

19-4

BYL 2019 - 108

A By-law to amend By-law 2019-66, being a By-law to establish Tax Ratios and Tax Rates for the year 2019.

CARRIED

Moved by McLeod 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.

19-1

BYL 2019 - 109

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 17th day of September, 2019.

CARRIED

Councillor Spinosa gave Notice of Motion to the following issue to be presented to Council at the October 1, 2019 Regular Council Meeting.

19-107 THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to create a report that outlines potential cost and locations for Narcan (Naloxone) nasal spray to be available in key municipal facilities; and further
THAT this report is ready for budget considerations in order to have a program in place by early in 2020.

Councillor Chiochio gave Notice of Motion to the following issue to be presented to Council at the October 1, 2019 Regular Council Meeting.

99-99 THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to investigate the installation of an inflatable water park prototype similar to others in Ontario and options to be set up for the 2020 summer season at Lincoln Street docks.

Councillor Speck gave Notice of Motion to the following issue to be presented to Council at the October 1, 2019 Regular Council Meeting.

17-76 THAT THE COUNCIL OF THE CITY OF WELLAND directs staff come back to Council with a more comprehensive report on live streaming, including costing and video examples between the two competing companies. It should also highlight features of the companies such as split screens, picture in picture, immediate archiving, streaming over multiple social media platforms and availability on all devices.

Councillor Green gave Notice of Motions to the following issue to be presented to Council at the October 1, 2019 Regular Council Meeting.

99-99 THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to prepare a report on city policies regarding utilization of motorized boats on the recreational canal; and further
THAT the report include options and costs to facilitate small craft boats in the north canal section.

19-108 THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to create a report on the costs and feasibility on installing a dock to aid in the launch of motor boats onto the Welland River from the River Road launch site.

Council adjourned at 10:27 p.m.

These Minutes to be approved and adopted by Motion of Council this 1st day of October, 2019.

MAYOR

CITY CLERK