



**MINUTES OF THE
NOVEMBER 2, 2021 COUNCIL MEETING
CIVIC SQUARE, COUNCIL CHAMBERS
60 EAST MAIN STREET**

Council met in Committee-of-the-Whole closed to the public at 6:38 p.m. and in open session at 7:04 p.m. on the above date.

His Worship Mayor Frank Campion in the Chair.

Members Present:

Councillors J. Chiochio, T. DiMarco (6:40 p.m.), B. Fokkens, B. Green, M.A. Grimaldi, J. Larouche (6:40 p.m.), J. Mastroianni, D. McLeod, C. Richard, G. Speck, and L. Van Vliet.

Members of Staff and Others Present:

Chief Administrative Officer, S. Zorbas

City Clerk, T. Stephens

Director of Finance/CFO/Treasurer, S. Fairweather

Director of Planning and Development Services, G. Munday

Policy Planner, N. Aiello (until 8:40 p.m.)

Transit Manager, E. Zahra (until 8:55 p.m.)

Manager of Budgets & Financial Reporting/Deputy Treasurer, E. Pankoff (until 7:20 p.m.)

Revenue Service Manager, M. Lostracco (until 7:20 p.m.)

2021 - 321

21-25 Moved by Mastroianni 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 6:38 p.m. to consider:

- Advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and
 - *Niagara Region Inter-Municipal Transit.*
- Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
 - *Audit Services.*

CARRIED

2021 - 322

21-25 Moved By Van Vliet and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 7:02 p.m. without report.

CARRIED

THE FOLLOWING ITEM WAS DELETED:

06-84 Report R&C-2021-21: Grand Canal and Welland Community Wellness Complex Reciprocal Agreement.

AGENCIES, BOARDS, COMMISSIONS AND COMMITTEES REPORTS

21-4 Councillor McLeod, Chair, Budget Review Committee provided a verbal report on the Budget Review Committee meeting of October 26, 2021.

2021 - 323

21-1 Moved by McLeod and Richard

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meeting of October 19, 2021 and Special Council Meeting of October 26, 2021, as circulated.

CARRIED

2021 - 324

11-108 Moved by Green and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report P&B-2021-61 being a quarterly summary report of approved Community Improvement Plan Incentive Applications between July 1, 2021 and September 30, 2021.

CARRIED

2021 - 325

18-87 Moved by Green and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND receives Report P&B-2021-62 for information; and further

THAT Welland City Council approves an amendment to Zoning By-law 2017-117 to amend the provisions for Medical Marihuana Facilities now referred to as Cannabis Production Facilities; and further

THAT Welland City Council approves an amendment to Site Plan Control By-law 9973 to address Cannabis Production Facilities.

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18-87 Moved by Grimaldi and Mastroianni
THAT Welland City Council refers back to staff Report P&B-2021-62 to the November 16, 2021 Council Meeting.

CARRIED

2021 - 326

20-97 Moved by Fokkens and Larouche
THAT THE COUNCIL OF THE CITY OF WELLAND approves the entering into a Storm Sewer and Groundwater Management System Agreement with St. Lawrence Seaway Management Corporation and 555 Canal Bank Developments GP Inc. with respect to residential Plan of Subdivision(s) (Dain East) located east of Canal Bank Street, North of Forks Road, South of Townline Tunnel Road and west of the Welland Canal; and further
THAT WELLAND CITY COUNCIL authorizes the Mayor and Clerk to execute any necessary documents associated with the agreement.

CARRIED

2021 - 327

21-4 Moved by McLeod and Mastroianni
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 October 26, 2021.

CARRIED

2021 - 328

21-4 Moved by Mastroianni and Grimaldi (in block)
THAT THE COUNCIL OF THE CITY OF WELLAND approves removal of the November 29, 2021 Budget Review Committee meeting from the 2022 Budget Timetable, and that Permissive Grant discussions take place at the November 22, 2021 meeting, with continued discussions on December 6, 2021, if necessary as recommended by the Budget Review Committee of October 26, 2021.

CARRIED

2021 - 329

21-13 Moved by McLeod and
THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report TRANS-2021-16; and further
THAT Welland City Council authorizes the Mayor and Clerk to execute all necessary By-laws and agreements.

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21-13 Moved by McLeod and Grimaldi
THAT Welland City Council reduced price be \$50.00 to the eligible residents (31 Day Municipal Pass).

CARRIED

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

YEAS: Councillors Larouche, Green, Speck, Chiocchio, McLeod, DiMarco, Richard, Grimaldi, Mastroianni, Fokkens, Van Vliet and Mayor Campion.

NAYS: None.

CARRIED

2021 - 330

21-15 Moved by Mastroianni and Grimaldi (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes a cost recovery for inspection, investigation, enforcement, and emergency responses to gas line breaks and automotive accidents as outlined in this report; and

THAT Welland City Council approves the annual transfer of funds from the Building Department to the Fire Department that reflects the services that the Fire Department provides as required for inspections of buildings under permit; and further

THAT Welland City Council approves the attached Fee Schedule as revised for January 1, 2022, as recommended by the Budget Review Committee of October 26, 2021.

CARRIED

2021 - 331

21-22 Moved by Green and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report TRAF-2021-63: Proposed Increase to Parking Fines; and further

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

DELETE Schedule XXXV from the Traffic and Parking By-law and REPLACE with Schedule XXXV as set out in Appendix III;

THAT Welland City Council directs the City Clerk to amend Niagara College of Applied Arts & Technology Parking By-law 11027 as follows:

DELETE Schedule B from the Niagara College of Applied Arts & Technology Parking By-law and REPLACE with Schedule B as set out in Appendix V

THAT Welland City Council directs the City Clerk to amend Administrative Penalty By-law 2014-64 as follows:

DELETE Schedule A from the Administrative Penalty By-law and REPLACE with Schedule A as set out in Appendix IV

DELETE Schedule B from the Administrative Penalty By-law and REPLACE with Schedule B as set out in Appendix V

THAT Welland City Council approves an effective date of January 1, 2022 for the above noted amendments.

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21-22 Moved by Green and Chiochio

THAT Welland City Council update page 12 – 89-2000: “parking on private property without consent” be increased to \$40.00 for the proposed set fine; and further

Update page 28 – Schedule B, By-law 11027 and 2014-64: “parking where prohibited: be increased to \$40.00 for the proposed set fine.

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

NAYS: Councillors Larouche, McLeod, Grimaldi, Mastroianni, Van Vliet and Mayor Campion.

LOST

21-22 Moved by Fokkens and Green

THAT Welland City Council update 89-2000 By-law “park repeated (at/near) one location” and park on private property without consent” be increased to \$45.00 for the proposed set fine.

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21-22 Moved by McLeod and Mastroianni

THAT Welland City Council update The “park repeated (at/near) one location” to be increased to \$50.00.

YEAS: Councillors Green, Speck, McLeod, DiMarco, Richard and Mastroianni.

NAYS: Councillors Larouche, Chiochio, Grimaldi, Fokkens, Van Vliet and Mayor Campion.

LOST

FOLLOWING THE LOST VOTE TO AMEND THE AMENDMENT, THE AMENDMENT WAS PUT AND.....

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

NAYS: Councillors Larouche, McLeod, Grimaldi, Mastroianni, Van Vliet and Mayor Campion.

LOST

FOLLOWING THE LOST VOTES ON THE AMENDING MOTIONS, THE MAIN MOTION WAS PUT IN ITS ORIGINAL FORM AND

CARRIED

2021 - 332

21-22 Moved by Chiocchio and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND receives Report P&B-2021-65 for information; and THAT Welland City Council approves an Amendment to Zoning By-law 2017-117 to permit Short-Term Rentals in the City, subject to certain conditions including but not limited to Licencing; and further THAT Welland City Council approves the Short-Term Rental Licencing By-law as set out in Appendix I, to be effective as of January 31, 2022; and further THAT Welland City Council directs the City Clerk to amend the Fees and Charges By-law, as follows: ADD the following to Schedule "A"

Department	Account #	Description	HST	2021 Rates
LICENSING	340010	Short Term Rental – Application Fee		\$500.00
LICENSING	340010	Short Term Rental – Renewal Fee		\$75.00
LICENSING	340010	Short Term Rental – Appeal Fee		\$634.00

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21-22 Moved by Chiocchio and Mastroianni

THAT Welland City Council request staff report back to Council within a year to provide an overview on how well the By-law is working currently.

CARRIED

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

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

NAYS: Councillors Speck, DiMarco and Richard.

CARRIED

2021 - 333

21-38 Moved by Mastroianni and Grimaldi (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND refers the 2022 Water Haulage fee structure review be referred to staff to report back to the BRC at the November 15, 2021 meeting; and THAT Welland City Council approves that all Parking Permit rates remain the same in 2022 as in 2021; and THAT Welland City Council approves the fees and charges set out in Appendices I and II of Staff Report LGL-2021-01– Annual Review of Fees and Charges for Various Services and Use of Municipal Facilities/Amendment to By-Law 2006-19, as amended; and further THAT the City Clerk prepare an amendment to By-law 2006-193 to reflect the rates for year 2022 or such other date as set out in Appendices I and II, as amended, as recommended by the Budget Review Committee of October 26, 2021.

CARRIED

2021 - 334**21-133**

Moved by Richard and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to prepare a staff report regarding the development of a Council Compensation Review Committee, which includes a terms of reference for the committee; and further

THAT staff be directed to present the report to Council in November 2021.

YEAS: Councillors Larouche, Green, Chiochio, McLeod, Richard, Grimaldi, Mastroianni, Fokkens, Van Vliet and Mayor Campion.

NAYS: Councillor Speck and DiMarco.

CARRIED

2021 - 335**21-138**

Moved by Grimaldi and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND approves the policy for a Compassionate Grant for Sewer Backup for residential properties as a result of significant rainfall.

(Councillor Fokkens disclosed an interest in this matter and did not take part in the consideration and discussion of same, and refrained from voting thereon, as I have a submitted a claim for against the City of Welland for the July 17, 2021 flooding of my basement and I may benefit from this grant in the future).

CARRIED

2021 - 340**21-139**

Moved by Mastroianni and Grimaldi (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated October 25, 2021 regarding Report PDS 37-2021: Regional Incentives Information and Alternatives.

CARRIED

BY-LAWS

Moved by Larouche and Van Vliet

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.

21-22

BYL 2021 - 175

A By-law to amend By-law 89-2000, being a By-law Regulating Traffic and Parking within the City of Welland (Schedule XXXV – Set Fine Schedule).

21-22

BYL 2021 - 176

A By-law to amend A By-law to amend By-law 11027, being a By-law to control the parking of motor vehicles on the property of Niagara College of Applied Arts and Technology (Schedule B).

21-22

BYL 2021 - 177

A By-law to amend By-law 2014-64, being a By-law to establish an Administrative Monetary Penalties System respecting the Stopping, Standing or Parking of Vehicles in the City of Welland (Administrative Penalties By-law) (Schedules A & B).

20-97

BYL 2021 - 178

A By-law to authorize entering into an agreement with St. Lawrence Seaway Management Corporation and 555 Canal Bank Developments GP Inc. for Storm Sewer and Groundwater Management System.

21-19

BYL 2021 - 179

A By-law to provide regulations for the licensing and inspecting of Short Term Rentals.

05-120/21-22

BYL 2021 - 180

A By-law to amend City of Welland By-law 2017-117 (City of Welland - File No. 2021-08).

CARRIED

Moved by Mastroianni and Grimaldi (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.

21-22

BYL 2021 - 181

A By-law to amend By-law 89-2000, being a By-law Regulating Traffic and Parking within the City of Welland (Schedule "XX" - Stop Signs).

CARRIED

Moved by Van Vliet and Larouche

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 - 182

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 2nd day of November, 2021.

CARRIED

Council adjourned at 9:18 p.m.

These Minutes to be approved and adopted by Motion of Council this 16th day of November, 2021.

MAYOR

CITY CLERK