



**MINUTES OF THE
JANUARY 18, 2022 COUNCIL MEETING
CIVIC SQUARE, COUNCIL CHAMBERS
60 EAST MAIN STREET**

Council met in Committee-of-the-Whole closed to the public at 5:06 p.m. and in open session Special Council at 6:31p.m. and in Regular Council at 7:03 p.m. on the above date.

His Worship Mayor Frank Campion in the Chair.

Members Present:

Councillors J. Chiochio, T. DiMarco, B. Fokkens, B. Green, M.A. Grimaldi, J. Larouche, J. Mastroianni (5:12 p.m.), D. McLeod, A. Moote, 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
Fire Chief & Community Emergency Management Coordinator, A. Eckhart
Director of Infrastructure Services, SM. Millar
Director of Planning and Development Services, G. Munday
Director of Community Services, R. Axiak
Manager of Human Resources, A. Daisley (until 6:30 p.m.)
Manager of Economic Development, L. DeChellis (until 6:26 p.m.)
Deputy Fire Chief, B. Lamoureux (until 6:30 p.m.)
Transit Manager, E. Zahra (6:31 p.m.)
Supervisor Customer Service/Administration, Recreation & Culture, A. Degazio (6:31 p.m.)
Manager, Traffic/Parking/Bylaws, A. Khan (7:00 p.m. - 10:20 p.m.)

2022 - 3**22-25**

Moved by Richard and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 5:06 p.m. to consider:

- Proposed or pending acquisition or disposition of land by the municipality or local board;
 - *Seeley Street.*
 - *Division Street and Cross Street.*
- Personal matters about an identifiable individual, including municipal or local board employees;
 - *Volunteer Firefighter Collective Agreement.*

CARRIED

2022 - 4**22-25**

Moved by Mastroianni and Moote

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 6:30 p.m. without report.

CARRIED

PRESENTATION

98-90 Carolyn Ryall, Director, Transportation Services and Beth Brens, Associate Director, Reporting & Analysis, Region of Niagara addressed Council regarding Vision Zero.

AGENCIES, BOARDS, COMMISSIONS AND COMMITTEES REPORTS

99-90 Kelly Jones, Chair and Amanda Christoff, Treasurer, Welland Downtown Business Improvement Area addressed Council regarding an update on its activities.

LEGISLATED PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT

Councillor Van Vliet presided as Chair of the Public Hearing:

22-39Z A complete application has been made by LANDPRO PLANNING SOLUTIONS INC. on behalf of GENERAL MAINTENANCE SOLUTIONS to rezone and redesignate Part of Lot 242, Geographic Township of Thorold, in the City of Welland, Regional Municipality of Niagara for lands at 180 Thorold Road. The property is proposed to be rezoned from the existing Neighbourhood Commercial (NC-66) to Residential Multiple (RM) with an exception to recognize a deficient lot frontage in Zoning By-law 2017-117. Furthermore, the property is proposed to be redesignated from the existing Low Density Residential to Medium Density Residential in City of Welland Official Plan. The purpose of the amendments are to permit a four storey condominium residential building with 15 units.

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.

Michael Sullivan, LandPro Planning Solutions Inc., 403-110 James Street, St. Catharines, ON L2R 7E8 on behalf of the applicant.

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:

- Marion Trent-Kratz , 178 Thorold Road, Welland, ON L3C 3V8
- Rose Atkinson, 177 Thorold Road, Welland, ON L3C 3V8
- Kristen Martin, 32 Wilks Drive, Welland, ON L3C 6M3
- Marilyn Burcsik, 40 Wilks Drive, Welland, ON L3C 6M3
- Mark Boudens, 36 Wilks Drive, Welland, ON L3C 6M3

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

21-87 A complete Application has been made by UPPER CANADA CONSULTANTS on behalf of 800460 ONTARIO LTD. for Draft Plan of Vacant Land Condominium Approval for lands Part of Lot 223, Geographic Township of Thorold Now in the City of Welland Regional Municipality of Niagara, municipally known as 1110 Hansler Road. The subject lands are designated Urban Area in the Regional Official Plan, as Medium Density Residential in the City of Welland Official Plan, and zoned Residential Medium Density by By-law 2017-117.

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.

Willaim Heikoop, Upper Canada Consultants, Upper Canada Planning & Engineering Ltd., 30 Hannover Drive, St. Catharines, ON L2W 1A3 on behalf of the applicant.

In support of the application:

- No one spoke.

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

In opposition of the application:

- No one spoke.

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

2022 - 5

22-1 Moved by Van Vliet and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Special Council Meetings of December 9, 2021 and January 11, 2022 and Regular Council Meeting of December 21, 2021, as circulated.

CARRIED

2022 - 6

98-90 Moved by Richard and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Carolyn Ryall, Director, Transportation Services and Beth Brens, Associate Director, Reporting & Analysis, Region of Niagara regarding Vision Zero.

CARRIED

2022 - 7**98-90**

Moved by Richard and Moote

THAT THE COUNCIL OF THE CITY OF WELLAND approves the amending agreement to the Niagara Region Courts Inter-Municipal Agreement as attached as Appendix I for purposes of advancing the Vision Zero Program; and further

THAT Welland City Council authorizes the City Solicitor to make changes to the Niagara Region Courts Inter-Municipal Agreement; and further

THAT Welland City Council authorizes the Mayor and Clerk to execute the Final Amending Agreement to the Niagara Region Courts Inter-Municipal Agreement (IMA).

CARRIED**2022 - 8****99-90**

Moved by Richard and Fokkens

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Kelly Jones, Chair and Amanda Christoff, Treasurer, Welland Downtown Business Improvement Area (WDBIA) addressed Council regarding an update on its activities; and

THAT Welland City Council supports the appointment of Corey Dutcher to the WDBIA Board; and further

THAT Welland City Council approves the proposed budget and 2022 levy in the amount of \$114,820 for the WDBIA.

(Councillor McLeod disclosed an interest in this matter, and did not take part in the consideration and discussion of same, and refrained from voting thereon, as he pays levy to the Welland Downtown Business Improvement Area).

CARRIED**2022 - 9****15-105**

Moved by McLeod and Van Vliet

1. THAT THE COUNCIL OF THE CITY OF WELLAND authorizes the direct appointment of Associated Engineering (Ont.) Limited to provide professional services for the Riverbank Street Reconstruction Detailed Design as per their proposal dated October 4, 2021 for the amount of \$73,610.00 excluding HST; and further

2. THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into a contract with Associated Engineering (Ont.) Limited to complete the described work.

CARRIED**2022 - 10****16-104****22-22**

Moved by DiMarco and McLeod

1. THAT THE COUNCIL OF THE CITY OF WELLAND approves Report TRAF-2022-02: Use of Administrative Penalties for the Enforcement of the Short Term Rental Licensing By-law and the Sewer and Drainage Works By-law; and further

2. THAT Welland City Council directs the City Clerk to amend By-law 2017-18, the Sewer and Drainage Works By-law, as follows:

ADD the following to Section 8.3 Penalties

8.3.8 Administrative Penalty By-law 2019-134 applies to each administrative penalty issued pursuant to this By-law.

8.3.9 Any person who contravenes any provision of this By-law shall, upon issuance of a penalty notice in accordance with Administrative Penalty by-law 2019-134, be liable to pay to the City an administrative penalty in accordance with the penalties as set out in Schedule "B" attached.

ADD Appendix I to By-law 2017-18, SET FINE SCHEDULE (APS) - Schedule "B"

...continued...

2022 - 10**16-104****22-22...cont'd.**

3. THAT Welland City Council directs the City Clerk to amend By-law 2019-134, the Administrative Penalty By-law for Non-parking Related Offences, as follows:

ADD the following to Schedule "A" – DESIGNATED BY-LAWS

DESIGNATED BY-LAW	BY-LAW NUMBER
Short Term Rental Licensing By-law	2021-179, as amended
Sewer and Drainage Works By-law	2017-18, as amended

ADD the following to Schedule "C" – SET FINE SCHEDULES

SET FINE SCHEDULE	PAGE NO.:
Short Term Rental Licensing By-law	18
Sewer and Drainage Works By-law	19 - 22

ADD Appendix II to Schedule "C" as page number 18.

ADD Appendix III to Schedule "C" as page number 19 - 22.

CARRIED

2022 - 11**19-114**

Moved by Fokkens and Larouche

1. THAT THE COUNCIL OF THE CITY OF WELLAND authorizes the direct appointment of Wood Environment & Infrastructure Solutions to provide professional services for the Dain City Drainage Channel Environmental Impact Study and Detailed Design as per their proposal dated November 23, 2021, for the amount of \$73,490.00 excluding HST; and further
2. THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into a contract with Wood Environment & Infrastructure Solutions to complete the described work

CARRIED

2022 - 12**21-87**

Moved by Mastroianni and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report P&B 2022-05 regarding an application for Draft Plan of Vacant Land Condominium (File No. 26CD-14-21008) for lands on the east side of Hansler Road, north of Towpath Road, south of the urban boundary between City of Welland and City of Thorold, legally described as Part of Lot 223, Geographic Township of Thorold, Now in the City of Welland, Regional Municipality of Niagara, municipally known as 1110 Hansler Road.

CARRIED

2022 - 13**21-143**

Moved by Larouche and Green (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Niagara Peninsula Conservation Authority regarding Board of Directors Meeting Highlights - November 19, 2021.

CARRIED

2022 - 14**22-6**

Moved by Larouche and Green (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND declares August 18, 2022 as “NeverGiveUpDay” in the City of Welland.

CARRIED**2022 - 15****22-19**

Moved by Mastroianni and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes the relocation of all volleyball court usage from Chippawa Park to Empire Sportsplex.

Discussion was ended due to curfew. Item to be included in the February 1, 2022 Council Agenda.

.....

2022 - 16**02-160**

Moved by Chiocchio and DiMarco

THAT THE COUNCIL OF THE CITY OF WELLAND extends curfew to 11:30 p.m.

CARRIED**2022 - 17****22-22**

Moved by Chiocchio and Moote

THAT THE COUNCIL OF THE CITY OF WELLAND approves Report TRAF-2022-01: 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 “V” – Parking Prohibitions (Specified Places with Signs):

COLUMN 1 HIGHWAY	COLUMN 2 SIDE	COLUMN 3		COLUMN 4 PERIOD (TIMES/DAYS)
		FROM	TO	
Heron Street	North Side	South Pelham Road	West Limit of Heron Street	AT NO TIME
Crow Street	West Side	Heron Street	Gaiser Road	AT NO TIME
Monarch Street	South/East Side	Crow Street	Heron Street	AT NO TIME
Julia Drive	West Side	Gaiser Road	North limit of Julia Drive	AT NO TIME
Julia Drive	South Side	West Limit of Julia Drive	East limit of Julia Drive	AT NO TIME
Julia Drive	West Side	Heron Street	72m north of Heron Street	AT NO TIME

RENUMBER the current Section 3.9 (4) to Section 3.9 (6)

ADD the following to PART III – STOPPING, STANDING AND PARKING

- 3.9 (4) Notwithstanding Section 3.9 (1) and 3.9 (2) no person shall park, stand or stop a commercial motor vehicle:
- a) on private property exceeding a gross weight of 4,500 kilograms in a residential zone except when such commercial motor vehicle is temporarily parked for the purposes of delivering to or servicing the premises.
 - b) on private property exceeding a maximum vehicle length of 6.0 metres in a residential zone except when such commercial motor vehicle is temporarily parked for the purposes of delivering to or servicing the premises.

...continued...

2022 - 17
22-22...cont'd.

- c) on private property exceeding a maximum vehicle height of 2.3 metres in a residential zone except when such commercial motor vehicle is temporarily parked for the purposes of delivering to or servicing the premises.

3.9 (5) Notwithstanding Section 3.9 (1) and 3.9 (2) no person shall park, stand or stop a school bus, used as a commercial vehicle, designed for carrying ten or more passengers on private property, in a residential zone.

ADD to Schedule "XXXV", as amended:

Item	Column 1 Short For Wording – Set Fines	Column 2 Provision Creating or Defining Offence	Column 3 Set Fine
95	Park/ Stand/ Stop a commercial motor vehicle exceeding 4,500 kilograms on private property	3.9 (4) a)	\$65.00
96	Park/ Stand/ Stop a commercial motor vehicle exceeding 6.0 m in length on private property	3.9 (4) b)	\$65.00
97	Park/ Stand/ Stop a commercial motor vehicle exceeding 2.3 m in height on private property	3.9 (4) c)	\$65.00
98	Park/ Stand/ Stop a school bus in a residential zone on private property	3.9 (5)	\$65.00

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

ADD to Schedule "A", as amended:

Item	Column 1 Short For Wording – Set Fines	Column 2 Provision Creating or Defining Offence	Column 3 Set Fine
95	Park/ Stand/ Stop a commercial motor vehicle exceeding 4,500 kilograms on private property	3.9 (4) a)	\$65.00
96	Park/ Stand/ Stop a commercial motor vehicle exceeding 6.0 m in length on private property	3.9 (4) b)	\$65.00
97	Park/ Stand/ Stop a commercial motor vehicle exceeding 2.3 m in height on private property	3.9 (4) c)	\$65.00
98	Park/ Stand/ Stop a school bus in a residential zone on private property	3.9 (5)	\$65.00

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

ADD to Schedule "A", as amended:

CARRIED

2022 - 18**22-29**

Moved by Fokkens and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report CLK-2022-01, regarding the annual meetings of Council in 2021.

CARRIED**2022 - 19****22-39**

Moved by Chiocchio and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report P&B-2022-03 regarding application for Official Plan Amendment (OPA No. 38) and Zoning By-law Amendment (File No. 2021-10) for lands on the north side of Thorold Road, west of First Avenue, more specifically described as Part of Lot 242, Geographic Township of Thorold, in the City of Welland, municipally known as 180 Thorold Road.

(Councillor Moote disclosed an interest in this matter, and did not take part in the consideration and discussion of same, and refrained from voting thereon, as his employer is the planning consultant for the property developer).

CARRIED**BY-LAWS**

Moved by Van Vliet and Mastroianni

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.

22-22

BYL 2022 - 3

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

22-22

BYL 2022 - 4

A By-law to amend Administrative Monetary Penalty By-law 2014-64 (Schedule A).

16-104

BYL 2022 - 5

A By-law to amend By-law 2017-18, being a By-law to Regulate Management of a System of Sewer Works and Drainage Works in the City of Welland.

22-22

BYL 2022 - 6

A By-law to amend By-law 2019-134, being a By-law to establish an Administrative Penalty System for Non-Parking related offences.

98-90

BYL 2022 - 7

A By-law to authorize an amendment to the Intermunicipal Agreement between the Regional Municipality of Niagara and the twelve (12) area municipalities respecting the Vision Zero Program and to amend By-law 2000-66.

19-114

BYL 2022 - 8

A By-law to authorize entering into contract with Wood Environment & Infrastructure Solutions for Professional Services for the Dain City Drainage Channel Environmental Impact Study and Detailed Design.

15-105

BYL 2022 - 9

A By-law to authorize entering into contract with Associated Engineering (ONT.) Limited for Professional Services for the Riverbank Street Reconstruction Detailed Design.

CARRIED

Moved by Larouche and Green (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND having given due consideration to the following By-law, as reproduced in this evening's Council Agenda, now read a first, second and third time and pass same, and authorize the Mayor and Clerk to sign and seal same.

22-36

BYL 2022 - 10

A By-law to exempt certain lands from Part-Lot Control - Parts 1 and 2 on Plan 59R-17159, part of Lot 22, Plan 664 (18 Topham Boulevard) City of Welland.

CARRIED

Moved by Larouche 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.

22-1

BYL 2022 - 11

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 18th day of January, 2022.

CARRIED

Council adjourned at 10:50 p.m.

These Minutes to be approved and adopted by Motion of Council this 1st day of February, 2022.

MAYOR

CITY CLERK