



**MINUTES OF THE
MARCH 1, 2022 COUNCIL MEETING
CIVIC SQUARE, COUNCIL CHAMBERS
60 EAST MAIN STREET**

Council met in Committee-of-the-Whole closed to the public at 6:50 p.m. and in open session at 7:23 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, D. McLeod (in person), A. Moote, C. Richard, G. Speck, and L. Van Vliet (6:55 p.m.).

Members of Staff and Others Present:

Acting Chief Administrative Officer/Fire Chief & Community Emergency Management Coordinator, A. Eckhart
Deputy City Clerk, L. Bubanko
Director of Finance/CFO/Treasurer, S. Fairweather (remote)
Director of Infrastructure Services, SM. Millar
Director of Planning and Development Services, G. Munday
Director of Community Services, R. Axiak (remote)
Manager of Human Resources, A. Daisley (remote)
Manager of Parks & Open Spaces, Operations & Development, R. Doucette (7:23 p.m.)
Forestry Foreman, C. Bowery (7:23 p.m.)
Manager of Fleet, Equipment and Purchasing, A. Beres (7:23 p.m.)

2022 - 58**22-25**

Moved by McLeod and Richard

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 6:50 p.m. to consider:

- Proposed or pending acquisition or disposition of land by the municipality or local board;
 - 126 Colbeck Drive.
- Labour relations or employee negotiations:
 - UNIFOR Collective Agreement.

CARRIED**2022 - 59****22-25**

Moved by Richard and Moote

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 7:23 p.m. without report.

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

06-84 Carol Sernasie, Chair and Doug Rapelje, Vice Chair, Senior Citizens Advisory Committee addressed Council regarding its annual report.

LEGISLATED PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT

Councillor Van Vliet presided as Chair of the Public Hearing:

11-95 A complete application has been made by UPPER CANADA CONSULTANTS on behalf of RISE COMMERCIAL WELLAND LP to rezone part of Lot 251, Geographic Township of Thorold in the City of Welland, Regional Municipality of Niagara for lands at 555 Prince Charles Drive from the existing Institutional Health and Wellness – INSH Zone to Site Specific Institutional Health and Wellness – INSH Zone in Zoning By-law 2017- 117. The purpose of the Amendment is to allow development of lands without frontage on a public street, to deem the proposed eastern lot line as frontage, to permit Block Townhomes subject to the Residential Low Density 2 – RL2 Zoning provisions and for a reduction of the interior side yard setback for Multiple Dwellings. The Official Plan designation is Area Specific Policy #3 (Canadian Tire Financial Site).

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.

Matt Kernahan and Rebecca Waring, Upper Canada Consultants, 30 Hannover Drive, St. Catharines, ON L2W 1A3

In support of the application:

- No one spoke to the application.

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 to the application.

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

2022 - 60

22-1

Moved by Mastroianni and DiMarco

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meeting of February 15, 2022 and Special Council Meeting of February 22, 2022, as circulated.

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22-1

Moved by Speck and Van Vliet

THAT Welland City Council challenges the Chair’s ruling that the February 22, 2022 minutes are correct.

[A vote in favour upholds the Chair’s ruling and a vote opposed disagrees with the Chair’s ruling].

YEAS: Councillors Larouche, McLeod, Grimaldi and Mayor Campion.

NAYS: Councillors Green, Speck, Chiocchio, DiMarco, Richard, Mastroianni, Fokkens, Moote and Van Vliet.

LOST

FOLLOWING THE LOST VOTE ON THE CHAIR’S RULING, THE MAIN MOTION WAS PUT IN ITS ORIGINAL FORM AND

22-1

Moved by Fokkens and Van Vliet

THAT the minutes of February 22, 2022 be amended by changing the referral motion, reference number 22-57 to state: THAT Welland City Council refers back to staff Report ENG-2022-08 and that the letter to the Ministry of the Environment, Conservation and Parks (MECP) regarding the Environmental Compliance Approval (ECA) not be distributed.

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22-1

Moved by Moote and Mastroianni

THAT the Regular Council Meeting minutes of February 15, 2022 and the Special Council Meeting minutes of February 22, 2022 be referred back to staff for review of the February 22, 2022 minutes.

CARRIED

2022 - 61

99-99

Moved by McLeod and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes staff to name the Welland Boat Rental Facility, “Rec Rentals @ the Docks”; and further

That Welland City Council approves the name change of the Welland Community Wellness Complex (WCWC), to the Welland Community Centre.

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99-99

Moved by Fokkens and Speck

THAT the motion be amended to name the Welland Boat Rental Facility “The Docks”.

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

NAYS: Councillors Chiocchio, McLeod, Moote and Mayor Campion.

CARRIED

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

YEAS: Councillors Larouche, Green, Speck, Richard, Grimaldi, Mastroianni, Fokkens and Van Vliet.

NAYS: Councillors Chiocchio, McLeod, DiMarco, Moote and Mayor Campion.

CARRIED

2022 - 62

02-160 Moved by Grimaldi and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report CLK-2022-05: Suggested Recommendations to Procedural By-law 2017-6; and further

That Welland City Council directs the City Clerk to amend the procedural by-law to reflect a five (5) minute time limit per speaker at Public Hearings/Meetings, as recommended by the General Committee; and further

That Welland City Council directs the City Clerk to present the amended procedural by-law at a future Council Meeting for Council's consideration.

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02-160 Moved by Grimaldi and Fokkens

THAT the motion be amended to reflect a ten (10) minute time limit per speaker at Public Hearings/Meetings.

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

NAYS: None.

CARRIED

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

CARRIED

02-160 Moved by McLeod and Larouche

THAT the remaining items to Report CLK-2022-05 be referred to the April 5, 2022 Council Meeting.

CARRIED

2022 - 63

05-50 Moved by Speck and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information and supports the request by the City of Welland Heritage Advisory Committee to designate the Welland Canal Second Aqueduct as having Cultural Heritage Value to the City of Welland.

CARRIED

2022 - 64**05-51**

Moved by Fokkens and Moote

WHEREAS the City of Welland values an open, fair, transparent process in all procurements for goods and services; and

WHEREAS the City's current procurement objective identifies the best value in the most cost effective way; and

WHEREAS the City recognizes that every purchase has an economic, environmental, social and cultural impact; and

WHEREAS various levels of government in Canada are modernizing their procurement practices to support socio-economic objectives and to generate a positive social impact by purchasing local goods, and incorporating social benefits requirements into procurement documents; and

WHEREAS local social procurement can be an opportunity to maximize the value of taxpayer dollars for the benefit of the community and alleviate some of the adverse impacts of the Covid-19 pandemic while supporting an equitable economic recovery; and further

WHEREAS it is an opportunity to support many of the objectives that the City of Welland has identified, including but not limited to diversity and inclusion, local economic development and employment, reconciliation and community safety and well being.

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to make recommendations to update all Purchasing Policies to adopt the principles of local social procurement to Council by the end of Q2 2022.

YEAS: Councillors Green, Speck, DiMarco, Fokkens, Moote and Mayor Campion.

NAYS: Councillors Larouche, Chiochio, McLeod, Richard, Grimaldi, Mastroianni, and Van Vliet.

LOST**2022 - 65****06-84**

Moved by Larouche and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Carol Sernasie, Chair and Doug Rapelje, Vice Chair, Senior Citizens Advisory Committee regarding its annual report.

CARRIED**2022 - 66****06-84**

Moved by McLeod and Moote (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND approves entering into a collaboration agreement with Brock University to run fitness programs for the senior and adult community members through the Brock-Niagara Centre for Health and Well-Being at the Welland Community Wellness Complex Facility starting February 25, 2022, and further

THAT Welland City Council authorizes staff to sign the collaboration agreement and prepare the necessary By-law.

CARRIED**2022 - 67****11-95**

Moved by McLeod and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report P&B 2022-13 regarding application for Zoning By-law Amendment (File No. 2021-12) for lands on the west side of Prince Charles Drive, south of Thorold Road and north of Fitch Street, legally described as Part of Lot 251, Geographic Township of Thorold, in the City of Welland and municipally known as 555 Prince Charles Drive.

CARRIED**2022 - 68****20-64**

Moved by McLeod and Moote (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Jeffrey Sinclair, Homelessness Action Plan Advisor, Bob Carthew, Team Lead, Assertive Street Outreach and John Oscypko, Executive Director, Gateway Residential and Support Services regarding Homelessness during the Pandemic in the Niagara Region.

CARRIED

2022 - 69

20-115

Moved by DiMarco and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND approves the exemption request by Niagara HP Properties Inc, for its Application for Condominium Approval for twenty-four (24) condominium units located at 781 Clare Avenue in accordance with Section 9 (7) of the Condominium Act, Chapter 4, 1998, as amended; and further

That Staff be authorized to prepare any necessary By-laws.

CARRIED

2022 - 70

22-22

Moved by Fokkens and DiMarco

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report TRAF-2022-11: 3-way Stop review at Forks Road and Crescent Drive.

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22-22

Moved by Fokkens and Larouche

THAT the motion be amended to add "and approves the installation of a 3 way Stop at Forks Road and Crescent Drive".

CARRIED

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

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

NAYS: Councillors Chiochio, McLeod, Mastroianni and Van Vliet.

CARRIED

2022 - 71

22-47

Moved by McLeod and Grimaldi

1. THAT THE COUNCIL OF THE CITY OF WELLAND accepts the tender of Niagara Crack Sealing in the amount of \$45,122.00 (plus HST) being the lowest received for the 2022 Crack Sealing Program tender; and

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

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

CARRIED

2022 - 72

22-56

Moved by McLeod and Moote (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information an update on the current partnership with the Niagara Centre YMCA.

CARRIED

2022 - 73

22-58

Moved by Green and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND approves the award to Safe Tree Ltd. for the provision of Gypsy Moth Integrated Pest Management (IPM) Program; and further

THAT Welland City Council approves funding the balance of the program through the Capital Project, Tree Removal (EAB)-10-410-18051; and further

THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into a contract with Safe Tree Ltd.

(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 the Gypsy Moth Program includes the area where his parents live).

CARRIED

2022 -74**22-59**

Moved by Green and Fokkens

THAT THE COUNCIL OF THE CITY OF WELLAND stops up and closes a public lane on the south side of Bruce Street between River Road and Ross Street and a portion of the Delaware Avenue Road allowance; and

THAT Welland City Council declares surplus to the City's needs, lands on the south side of Bruce Street between River Road and Ross Street; and

THAT Welland City Council accepts the Region of Niagara proposal to purchase the lands on the south side of Bruce Street for a sum of \$50,000.00; and

THAT Welland City Council authorizes the Mayor and Clerk to sign any documents required to complete the sale of these lands; and further

THAT Welland City Council authorizes Staff to prepare the necessary By-law(s).

CARRIED**2022 - 75****22-60**

Moved by McLeod and Moote (in block)

1. THAT THE COUNCIL OF THE CITY OF WELLAND authorizes the direct appointment of Urban & Environmental Management Inc (UEM) to provide professional services for the Infrastructure Renewals Part 2 Detailed Design as per their proposal dated February 23, 2022, for the amount of \$70,455.00 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 Urban & Environmental Management Inc to complete the described work; and further

3. THAT Welland City Council authorizes the Mayor and Clerk to execute all necessary documents and agreements for the contracts.

CARRIED**2022 - 76****22-61**

Moved by McLeod and Moote (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the City of Thorold dated February 17, 2022 regarding support for increased fines for firearms infractions.

CARRIED**2022 - 77****22-62**

Moved by McLeod and Moote (in block)

1. THAT THE COUNCIL OF THE CITY OF WELLAND authorizes the direct appointment of GM BluePlan Engineering Limited to provide professional services for the PCD South Sewershed – I/I Investigation & Remediation Action Plan as per their proposal dated February 3, 2022 for the amount of \$29,950.00 excluding HST; and further

2. THAT Welland City Council authorizes the direct appointment of GM BluePlan Engineering Limited to provide professional services for the Dain/Gordon Area Sewershed (Ontario Road South) – I/I Investigation & Remediation Action Plan as per their proposal dated February 3, 2022 for the amount of \$67,150.00 excluding HST; and further

3. THAT Welland City Council authorizes the direct appointment of GM BluePlan Engineering Limited to provide professional services for the Seaway Heights SPS & Feeder Road SPS Sewersheds – I/I Investigation & Remediation Action Plan as per their proposal dated February 3, 2022 for the amount of \$74,100.00 excluding HST; and further

4. THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into a contract with GM BluePlan Engineering Limited to complete the described work; and further

5. THAT Welland City Council authorizes the Mayor and Clerk to execute all necessary documents and agreements for the contracts.

CARRIED

2022 - 78**22-63**

Moved by Fokkens and Larouche

1. THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to enter into a contract for professional services for the engineering design of the Kingsway Road Reconstruction project with Upper Canada Consultants Inc. for \$62,477.50 (excluding HST); and
2. THAT Welland City Council directs staff to prepare the necessary By-law, documents and agreements for the contracts; and further
3. THAT Welland City Council authorizes the Mayor and Clerk to execute all necessary documents and agreements for the contracts.

CARRIED**2022 - 79****02-160**

Moved by Larouche and Chiochio

THAT THE COUNCIL OF THE CITY OF WELLAND suspends the rules of the Procedural By-law, Section 12, to allow a motion to be added to the agenda without prior notice.

YEAS: Councillors Larouche, Green, Speck, Chiochio, DiMarco, Richard, Mastroianni, Fokkens and Mayor Campion.

NAYS: Councillors McLeod, Grimaldi, Moote and Van Viet.

**CARRIED
(2/3 MAJORITY REQUIRED)**

2022 - 80**22-22**

Moved by Larouche and Green

THAT THE COUNCIL OF THE CITY OF WELLAND reconsiders the defeated resolution from the February 15, 2022 Council Meeting regarding installation of stop signs on St. Lawrence Avenue at Gretel Place.

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

NAYS: Councillors McLeod, Grimaldi, Mastroianni, Moote and Van Vliet.

**LOST
(2/3 MAJORITY REQUIRED)**

2022 - 81**22-25**

Moved by McLeod and Fokkens

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 10:42 p.m. to consider:

- Proposed or pending acquisition or disposition of land by the municipality or local board;
 - 126 Colbeck Drive.
- Labour relations or employee negotiations:
 - UNIFOR Collective Agreement.

CARRIED**2022 - 82****22-25**

Moved by Grimaldi and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 10:53 p.m. with report.

CARRIED

BY-LAWS

Moved by McLeod and Moote (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.

06-84

BYL 2022 - 27

A By-law to authorize entering into a collaboration agreement with Brock University to run fitness programs for the senior and adult community members through the Brock-Niagara Centre for Health and Well-Being at the Welland Community Wellness Complex Facility.

22-62

BYL 2022 - 28

A By-law to authorize entering into contract with GM BluePlan Engineering Limited to provide professional services for the Dain/Gordon Area Sewershed (Ontario Road South) - I/I Investigation & Remediation Action Plan.

22-62

BYL 2022 - 29

A By-law to authorize entering into contract with GM BluePlan Engineering Limited to provide professional services for the PCD South Sewershed - I/I Investigation & Remediation Action Plan.

22-62

BYL 2022 - 30

A By-law to authorize entering into contract with GM BluePlan Engineering Limited to provide professional services for the Seaway Heights SPS & Feeder Road SPS Sewersheds - I/I Investigation & Remediation Action Plan.

22-60

BYL 2022 - 31

A By-law to authorize entering into contract with Urban & Environmental Management Inc.(UEM) to provide professional services for the Infrastructure Renewals Part 2 Detailed Design.

10-78

BYL 2022 - 32

A By-law to authorize exemption from condominium approval for lands described as Part of Block F, Plan 574, City of Welland, municipally known as 574 King Street.

12-93

BYL 2022 - 33

A By-law to authorize exemption from condominium approval for lands described as Part of Lot 1, Concession 12, former Township of Pelham, being Part 1 on Plan 59R-14786, and Block 29, registered Plan 59M-385, now in the City of Welland, municipally known as 529 South Pelham.

03-147

BYL 2022 - 34

A By-law to authorize exemption from condominium approval for lands described as Part of Lot 254 former Township of Thorold being Part 1 on Plan 59R6482, City of Welland, municipally known as 547 Thorold Road.

CARRIED

Moved by DiMarco and Mootie

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.

22-47

BYL 2022 - 35

A By-law to authorize entering into contract with 788893 Ontario Limited O/A Niagara Crack Sealing for the 2022 Crack Sealing Program.

22-63

BYL 2022 - 36

A By-law to authorize entering into contract with Upper Canada Consultants Inc. for professional services for the engineering design of the Kingsway Road Reconstruction project.

22-58

BYL 2022 - 37

A By-law to authorize acceptance of proposal and to enter into contract with Safe Tree Ltd. for the provision of Gypsy Moth Integrated Pest Management (IPM) Program.

20-115

BYL 2022 - 38

A By-law to authorize exemption from condominium approval for lands described as Part of Township Lot 246, City of Welland, municipally known as 781 Clare Avenue.

22-59

BYL 2022 - 39

A By-law to authorize the Stopping up and Closing of a public lane on the south side of Bruce Street between River Road and Ross Street and a portion of the Delaware Avenue Road Allowance.

22-59

BYL 2022 - 40

A By-law to authorize acceptance of an offer to purchase from the Region of Niagara for the sale of surplus lands located at the south side of Bruce Street.

CARRIED

Moved by Van Vliet and Richard

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.

22-17

BYL 2022 - 41

A By-law to authorize entering into a collective agreement with UNIFOR Local 523 effective January 1, 2022 to December 31, 2024.

CARRIED

Moved by McLeod 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.

22-1

BYL 2022 - 42

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 1st day of March, 2022.

CARRIED

Council adjourned at 10:55 p.m.

These Minutes to be approved and adopted by Motion of Council this 5th day of April, 2022.

MAYOR

CITY CLERK