



**MINUTES OF THE
SEPTEMBER 20, 2022 COUNCIL MEETING
CIVIC SQUARE, COUNCIL CHAMBERS
60 EAST MAIN STREET**

Council met in Committee-of-the-Whole closed to the public at 6:33 p.m. and in open session at 7:08 p.m. on the above date.

His Worship Mayor Frank Campion in the Chair.

Members Present:

Councillors J. Chiocchio (in person), T. DiMarco, B. Fokkens (in person), B. Green, M.A. Grimaldi, J. Larouche (in person at 6:45 p.m. - 9:45 p.m. and again at 10:12 p.m.), J. Mastroianni (in person), D. McLeod (in person), A. Moote (in person), C. Richard (in person), G. Speck (in person), and L. Van Vliet (in person).

Members of Staff and Others Present:

Chief Administrative Officer, S. Zorbas

City Clerk, T. Stephens

Director of Finance/CFO/Treasurer, S. Fairweather

Director of Infrastructure Services, SM. Millar

Director of Planning and Development Services, G. Munday

Director of Community Services, R. Axiak

Manager of Economic Development, L. DeChellis (until 7:05 p.m.)

Manager of Human Resources, A. Daisley (7:08 p.m. - 9:57 p.m.)

Corporate communications Manager, M. MacDonald (7:30 p.m. - 9:45 p.m.)

2022 - 312**22-25**

Moved by Richard 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 6:33 p.m. to consider:

- personal matters about an identifiable individual, including municipal or local board employees;
 - Citizen appointments to the Green Advisory Committee.
- Proposed or pending acquisition or disposition of land by the municipality or local board; and
 - Real Estate Transaction.
- 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;
 - Arenas Canteen/Concessions License Agreement Transfer.

CARRIED**2022 - 313****22-25**

Moved by Moote and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 7:05 p.m. with report.

CARRIED**LEGISLATED PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT**

Councillor Van Vliet presided as Chair of the Public Hearing:

22-136 A complete application for Official Plan Amendment (OPA No. 40) has been submitted by THE BIGLIERI GROUP on behalf of 526 ONTARIO ROAD HOLDINGS LP for lands legally described as PT BLK B PL 931; PT 1 59R6361; WELLAND, municipally known as 526 Ontario Road. Request has been made for Official Plan Amendment to redesignate the property from Medium Density Residential to Medium Density Residential site specific to allow for the increase in density. The purpose of the amendment to permit the proposed density of 125 units per hectare, while maintaining a medium-density built form, complying with the current RM-Residential Medium Density zone. The proposed development seeks to permit four blocks of 3.5 storey stacked townhouse buildings providing for a total of 72 dwelling 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.

Rachelle Larocque, The Biglieri Group Ltd., 126 Catharine Street North, Hamilton, ON L8R 1J4 presented on behalf of the applicant.

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.

22-137 A complete application has been made by THE BIGLIERI GROUP on behalf PRESENTIA CAPITAL CORP. to rezone and redesignate PLAN 564 PT LOT KK and RP; 59R7294 PART 1 RP 59R8995 PT; PART 1 RP 59R16265 PARTS 3 AND 4 in the City of Welland, Regional Municipality of Niagara, municipally known as 50 Bruce Street. The property is proposed to be rezoned from the existing Light Industrial (L1) and Low Density Residential 2 (RL2) in Zoning By-law 2017-117. Furthermore, the property is proposed to be redesignated from the existing Light Industrial and Low Density Residential to High Density Site Specific in the City of Welland Official Plan. The purpose of the Amendments are to permit 3.5 storey stacked townhouse buildings, providing for a total of 136 dwelling 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.

Rachelle Larocque, The Biglieri Group Ltd., 126 Catharine Street North, Hamilton, ON L8R 1J4 presented on behalf of the applicant.

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:

- Melissa Jenne, 294 River Road, Welland, ON L3B 2S4.

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

2022 - 314

22-1 Moved by McLeod and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meeting of July 19, 2022 and Special Council Meeting of August 18, 2022, as circulated.

CARRIED

2022 - 315

98-82 Moved by McLeod and Chiocchio

WHEREAS Report CS-2022-03 was discussed twice at General Committee; and WHEREAS the report clearly identifies safety concerns as well as community benefits as the core reasons for the report; and further WHEREAS Council has the authority to request reports be discussed as part of its normal council business.

NOW THEREFORE IT BE RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND requests that Report CS-2022-03 be part of Council's next agenda, in order for a decision to be made by the Council of the City of Welland.

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98-82 Moved by McLeod and Larouche

THAT this matter regarding Report CS-2022-03 be presented at the 2nd meeting of the new term of Council.

YEAS: Larouche, Chiocchio, McLeod, Grimaldi, Mastroianni, Moote and Mayor Campion.

NAYS: Green, Speck, DiMarco, Richard, Fokkens and Van Vliet.

CARRIED

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

YEAS: Larouche, Chiocchio, McLeod, Grimaldi, Mastroianni, Moote and Mayor Campion.

NAYS: Green, Speck, DiMarco, Richard, Fokkens and Van Vliet.

CARRIED

2022 - 316

11-108 Moved by Green and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report P&B-2022-50 being a quarterly summary Report of approved Community Improvement Plan Incentive Applications between April 1, 2022 and June 30, 2022.

CARRIED

2022 - 317

19-114 Moved by Fokkens and McLeod

1. THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the tender from Anthony's Excavating Central Inc. in the amount of \$1,398,750.00 (plus HST) being the lowest received bid for the 2022 Dain City Drainage Channel Cleaning and Rehabilitation project; and
2. THAT Welland Council approves and accepts the proposal from Wood Environment & Infrastructure Solutions Limited in the amount of \$79,730.00 (plus HST) for fish and wildlife rescue, construction administration and inspection services for the Dain City Drainage Channel Cleaning & Rehabilitation project; and
3. THAT Welland Council approve the allocation of funding as outlined in this report; and
4. THAT Welland Council directs staff to prepare the necessary By-law and documents to execute the contracts; and further
5. THAT Welland Council authorizes the Mayor and Clerk to execute all necessary documents to execute the contracts.

CARRIED

2022 - 318

21-108 Moved by Larouche and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND declare by resolution that in accordance with subsection 45 (1.4) of the Planning Act, R.S.O. 1990, C.P. 13, as amended, the owners of the subject lands be permitted to apply to the Committee of Adjustment for variances from the provisions of Zoning By-law 2017-117, before the second anniversary of the day on which the By-law was approved by the Council of the City of Welland.

THAT THE COUNCIL OF THE CITY OF WELLAND approves Draft Plan of Vacant Land Condominium for lands described as Part of Township Lot 229 Thorold Designated as Parts 1,2,3,4,5,6,7,8,9,10,11,12, 59R-17062. Part of Township Lots 229 & 230 Thorold Designated as Parts 13 and 14, 59R-17062. Part Township Lot 229, Thorold Designated as Parts 19, 20, 21, 22, 23 and 24, 59R-17062; Part Block F Plan M75 Designated as Parts 19, 20, 21, 22, 23 and 24, 59R-17062; Part Block G Plan M75 Designated as Parts 25, 26 and 27, 59R-17062; Welland S/T RO743059 Over Parts 2, 3 and 4, 59R-17062; S/T RO357511 Over Part 3, 59R-17062; S/T RO345094 Over Parts 7, 8 and 9, 59R-17062; S/T LT16884 Over Parts 21 and 22, 59R-17062; S/T Easement in Favour of Welland Hydro-Electric System Corp. Over Parts Over Parts 4, 5, 8 and 11, 59R-17062 as in RO778444 and Over Parts 17 and 18, 20, 22, 24, and 26 as in SN19072, City of Welland, municipally known as 800 Niagara Street, for the creation of 15 units to be developed with approximately 1300 dwelling units, internal streets, parks and small-scale commercial uses, subject to the following conditions:

1. That the Owner enter into a Condominium Agreement with the City of Welland;

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2022 - 318

21-108...cont'd.

2. That the Owner obtain approval from the City of Welland Committee of Adjustment or their designate, to gain relief from Section 5.13 a) in Zoning By-law 2017-117 to address the lands reflected as Future Development on the submitted Draft Plan;
3. That the Owner establish an easement for the purpose of access and servicing to the lands reflected as 'Future Development' on the submitted Draft Plan, to the satisfaction of the City of Welland Engineering Division;
4. That no grading or construction work commence until such time as the Condominium Agreement has been entered into and financial securities are in place;
5. That should the Developer wish to service the property prior to registration of the Condominium Agreement, the Developer may enter into a Pre-Servicing Agreement with the City;
6. That the owner/developer shall comply with Niagara Region's Corporate Policy for waste collection and complete the Application for Commencement of Collection prior to Regional curbside waste collection services commencing;
7. That the owner shall file a Record of Site Condition (RSC) on the Ministry of Environment, Conservation and Parks' [Brownfields] Environmental Site Registry in accordance with Ontario Regulation 153/04, as amended, and that the owner provide the Niagara Region Planning and Development Services Department and the City with copies of the Ministry of Environment, Conservation and Parks' written acknowledgement of the filing of the RSC;
8. That the Condominium Agreement between the owner and the City of Welland contain provisions whereby the owner agrees to implement the recommendations, if any, of the Phase 2 Environmental Site Assessment (ESA);
9. That the Condominium Agreement between the owner and the City of Welland contain provisions whereby the owner agrees to implement the recommendations of the reviewed *Road Traffic and Stationary Noise Impact Study*;
10. That the following Noise Warning Clauses be included in all purchase and sale/tenant agreements for:
 - a. For all units
 - i. "Purchasers/tenants are advised that sound levels due to the adjacent industry facility are required to comply with the sound level limits that are protective of indoor areas and are based on the assumption that windows and exterior doors are closed. This dwelling unit has been supplied with a ventilation/air conditioning system which will allow windows and exterior doors to remain closed";
11. That the owner/developer ensure that all streets and development blocks can provide an access in accordance with the Niagara Region's Corporate Policy and By-laws relating to the curbside collection of waste and recycling;
12. That the owner/developer shall comply with the Niagara Region's Corporate Policy for Waste Collection and complete the Application for Commencement of Collection and Indemnity Agreement;

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2022 - 318
21-108...cont'd.

13. If Regional Waste Collection cannot be provided, the Condominium Agreement between the owner and the City shall contain provisions that the owner shall provide a written undertaking to the Niagara Region Planning and Development Services Department acknowledging that because the site design does not meet Regional Waste Policy, garbage/recycling pick-up for the development will not be provided by the Region. Further, the following warning clause shall be included in the Condominium Agreement and inserted in all Agreements of Purchase and Sale or Lease for each dwelling unit:
 - a. "Purchasers/Tenants are advised that due to the site layout, garbage/recycling pick-up for the development will be provided by the condominium corporation through a private contractor and not the Region";
14. That the owner shall submit a written acknowledgement to the Niagara Region Planning and Development Services Division, stating that draft approval of this condominium does not include a commitment of servicing allocation by the Regional Municipality of Niagara as this servicing allocation will be assigned at the time of registration and any pre-servicing will be at the sole risk and responsibility of the owner;
15. That the owner shall submit a written undertaking to the Niagara Region Planning and Development Services Division, stating that all offers and agreements of Purchase and Sale, which may be negotiated prior to registration of this condominium shall contain a clause indicating that servicing allocation for this condominium will not be assigned until the plan is registered, and a similar clause be inserted in the condominium agreement between the owner and the City of Welland;
16. That prior to final approval for registration of this plan of condominium, the owner shall submit the design drawings [with calculations] for any new municipal sanitary and storm sewers required to service this development and obtain the necessary Ministry of the Environment Compliance Approval under the Transfer of Review Program or through the Consolidated Linear ECA approval process;
17. That prior to final approval for registration of this plan of condominium, the owner shall submit the design drawings requested for review and approval as it relates to the Regional forcemain on Lancaster Avenue;
18. That prior to approval of the final plan or any on-site grading, the owner shall submit a detailed stormwater management plan for the condominium and the following plans designed and sealed by a qualified professional engineer in accordance with the Ministry of the Environment, Conservation and Parks documents entitled Stormwater Management Planning and Design Manual, March 2003 and Stormwater Quality Guidelines for New Development, May 1991, or their successors to Niagara Region Planning and Development Services for review and approval;
 - a. Detailed lot grading, servicing and drainage plans, noting both existing and proposed grades and the means whereby overland flows will be accommodated across the site;
 - b. Detailed erosion and sedimentation control plans;
19. That the condominium agreement between the owner and the City contain provisions whereby the owner agrees to implement the approved plan(s) required in accordance with the approved Stormwater Management Plan;

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2022 - 318

21-108...cont'd.

20. That the Erosion and Sediment Control (ESC) Plan be prepared for review and approval by the Niagara Region. All ESC measures shall be maintained in good condition for the duration of construction until all disturbed surfaces have been stabilized. Muddy water shall not be allowed to leave the site. The Plan shall designate specific locations for stockpiling of soils and other materials which will at a minimum be outside of the natural heritage features and their buffers;
21. That a Watercourse Restoration and Enhancement Plan be prepared to the satisfaction of the Niagara Region. The Plan should incorporate dense plantings of native trees and shrubs, within the 7.5 metre buffer, that complement the adjacent vegetation communities. The removal of invasive species should also be incorporated, as appropriate. The Plan should include an Ecological Monitoring component and be completed by an environmental professional;
22. That the Developer provide detailed, construction sediment and erosion control drawings to the Niagara Peninsula Conservation Authority for review and approval;
23. That the Developer provide a 1.5 metre high chain-link fencing along the rear lot lines (exclusive to Unit 12). The applicable Engineering Drawings and the Condominium Agreement are to clearly indicate that chain link fencing is not to have any gates for the lots;
24. That all lands at and beyond stable top of slope (Unit 12) and its associated buffer be placed under common element to preclude development. An exclusion will be made for the Municipal Right-of-Way which should not fall under common element;
25. That the applicant submit a Watercourse Enhancement Plan and Buffer Planting Plan as completed by a qualified professional. A Monitoring Component should be included in the Enhancement Plan;
26. That the Developer obtain Work Permits from the NPCA prior to any works associated with the buffer plantings;
27. That Conditions 22 – 26 be incorporated into the Condominium Agreement between the Developer and the City of Welland, to the satisfaction of the Niagara Peninsula Conservation Authority. The City of Welland shall circulate the Draft Condominium Agreement to the Niagara Peninsula Conservation Authority for its review and approval;
28. That the owner shall submit full engineering design and drawings to the City of Welland's Engineering Division for review and approval, including Site Servicing, Site Grading, General Notes and Details, Sediment and Erosion Control, Storm Drainage Area, Sanitary Drainage Area, Photometric, and Landscaping Plans;
29. That the owner shall submit a Functional Servicing Report to the City of Welland's Engineering Division for review and approval. This report shall show that the receiving storm sewers and sanitary sewers have sufficient capacity, and that adequate fire flows, as per the City's requirements, are provided. The Functional Servicing Report, or a separate Stormwater Management Brief, shall also demonstrate that post development storm flows do not exceed pre-development storm flows, and that an Enhanced level of water quality control is provided;

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2022 - 318**21-108...cont'd.**

30. That the owner shall construct all municipal infrastructure in accordance with the City of Welland Municipal Standards, Ontario Provincial Standards, the issued for Construction Engineering drawing set and any other standards that may apply;
31. That the owner shall grant, in the Condominium Agreement, the City, its servants, agents and assigns permission to enter upon the lands for the purpose of the inspection and maintenance of all water meter chambers and ensure that the area in and around the water meter chamber is made free and clear of all encumbrances, at all times, which may interfere with such tasks;
32. That the owner shall, in the Condominium Agreement, ensure that no storm, surface water, roof water, or weeping tiles is discharged into the sanitary sewer system;
33. That the owner shall, prior to any construction taking place within the Municipal road allowance, obtain a Site Servicing Road Occupancy Permit. Applications must be made through the Engineering Division and the Traffic Division of City of Welland;
34. That the owner shall complete and fully commission all internal and external servicing works, as specified by the Condominium Agreement, prior to the construction of any structures within the condominium;
35. The owner shall be responsible for all costs associated with servicing the development, including restoration. Restoration is to be as per City standards to existing conditions or better;
36. That the owner secure a permit from the Niagara Peninsula Conservation Authority (exclusive to Unit 12) prior to issuance of Building Permits;
37. That Section 168.3.1 of the *Environmental Protection Act* with respect to the construction of a building in connection with the Change of use o the property is applicable. A Record of Site Condition is required prior to issuance of Building Permits;
38. That a subsurface Geotechnical Report prepared by a Professional Engineer will be required at the time of building permit application submission;
39. That Parkland Dedication shall be established in accordance with the policy in effect at the time of Building Permit. A Cash-in-Lieu of Parkland or Alternative method may be utilized. The values shall be determined as per Parkland Dedication By-law 2022-149;
40. That municipal addressing approved by the Planning Department will be required prior to the submission of Building Permit applications;
41. That construction fencing will be required in accordance with the City of Welland Building by-law 2020-140;
42. That the owner shall complete to the satisfaction of the Director of Engineering of the City of Welland and Canada Post:
 - a. Include on all offers of purchase and sale, a statement that advises the prospective purchaser:
 - i. That the home/business mail delivery will be from a designated Centralized Mail Box.

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2022 - 318
21-108...cont'd.

- ii. That the developer/owner will be responsible for officially notifying the purchasers of the exact Centralized Mail Box locations prior to the closing of any home sales.
- b. The owner further agrees to:
- i. Work with Canada Post to determine and provide temporary suitable Centralized Mail Box locations which may be utilized by Canada Post until the curbs, boulevards and sidewalks are in place in the remainder of the condominium.
 - ii. Install a concrete pad in accordance with the requirements of and in locations to be approved by Canada Post to facilitate the placement of Community Mailboxes.
 - iii. Identify the pads above on the engineering servicing drawings. Said pads are to be poured at the time of the sidewalk and/or curb installation within each phase of the plan of condominium.
 - iv. Determine the location of all centralized mail receiving facilities in co-operation with Canada Post and to indicate the location of the centralized mail facilities on appropriate maps, information boards and plans. Maps are also to be prominently displayed in the sales office(s) showing specific Centralized Mail Facility locations.
- c. Canada Post's multi-unit policy, which requires that the owner/developer provide the centralized mail facility (front loading lockbox assembly or rear-loading mailroom [mandatory for 100 units or more]), at their own expense, will be in effect for buildings and complexes with a common lobby, common indoor or sheltered space.
43. That the owner enter into an agreement for and pay \$500,000.00 towards community service improvements in the general area in lieu of the \$500,000.00 payment which was originally approved towards construction of a new transit terminal.
44. That prior to granting approval for the Final Plan, the City of Welland will require written notice from the following upon their respective conditions having been met satisfactorily:
- Region of Niagara: 6 – 21
 Niagara Peninsula Conservation Authority 22 – 27
 Canada Post: 42
45. That if final approval is not given to this Plan within three (3) years of the approval date and no extensions have been given, Draft Approval shall lapse. If the owner wishes to request extension to Draft Plan Approval, a written request with reasons why the extension is required and the applicable application fee, must be received by the City prior to the lapsing date; and further,

THAT Welland City Council authorizes the Mayor and Clerk to sign the Draft Approval and Final Approval Plans once all Conditions have been satisfied.

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

NAYS: DiMarco.

CARRIED

2022 - 319**22-4**

Moved by Speck and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND adopts a policy regarding the use of on-demand Surety Bonds (Development Agreement Surety Bond Policy) which will take the form at Appendix 1 attached to this report; and further

THAT Welland City Council directs staff to update the language used in development agreement templates to permit surety bonds that conform to the Development Agreement Surety Bond Policy as an acceptable form of security; and further

THAT Welland City Council authorizes the Treasurer to accept surety bonds as a form of developer security; and further

THAT Welland City Council amend Letters of Credit policy FIN-001-0008 as attached as Appendix 3 to this report.

CARRIED**2022 - 320****22-6**

Moved by Grimaldi and Larouche (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND declares November 26, 2022 as "National Awareness Campaign for Economic Abuse Awareness Day" in the City of Welland.

CARRIED**2022 - 321****22-19**

Moved by Chiocchio and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND approves the release of \$40,000 from the Planning Development Reserve Fund to assist in funding the Boardwalk Parkette located at 2nd East Main Street renewal; and further

THAT Welland City Council approves the award to Oakridge Group Inc. for the construction of 2 East Main Street Parkette in the amount of \$175,001.05 plus applicable taxes; and further

THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter a contract with Oakridge Group Inc.

CARRIED**2022 - 322****22-19**

Moved by Fokkens and Moote

1. THAT THE COUNCIL OF THE CITY OF WELLAND approves a capital project subject to approval by the Natural Infrastructure Fund of the grant application in the amount of \$400,000 for the replanting of trees lost to Emerald Ash Borer (EAB) and other natural causes; and further

2. THAT Council directs staff to apply to the Natural Infrastructure Fund small-scale project stream for the EAB Tree Replacement Project.

3. THAT Welland City Council approves the municipal funding contribution of \$80,000 from the Parks-Cash-in-lieu Reserve fund.

CARRIED**2022 - 323****22-28**

Moved by Grimaldi and Larouche (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from Biodiversity and Climate Action Niagara (BCAC) dated August 26, 2022 requesting Niagara Regional and local governments work with BCAC to convene a Biodiversity Summit early in 2023.

CARRIED**2022 - 324****22-33**

Moved by Grimaldi and Larouche (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND approves the closure of City Hall operations for the 2023-2024 holiday season from the close of business on Friday, December 22, 2023 up to and including Monday, January 1, 2024.

CARRIED

2022 - 325**22-136**

Moved by Fokkens and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report P&B-2022-48 regarding application for Official Plan Amendment (OPA No. 40) for lands legally described as PT BLK B PL 931; PT 1 59R6361; WELLAND, municipally known as 526 Ontario Road.

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

NAYS: DiMarco.

CARRIED**2022 - 326****22-137**

Moved by Larouche and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report P&B 2022-49 regarding applications for Official Plan Amendment (OPA No. 41) and Zoning By-law Amendment (2022-01) for lands on the north side of Bruce Street, west side of Ross Street, south of Almond Street, east of the Welland River, municipally known as 50 Bruce Street.

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

NAYS: Speck and DiMarco.

CARRIED**2022 - 327****22-138**

Moved by Speck and McLeod

1. THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the tender from Demar Construction Inc. in the amount of \$1,723,869.84 (plus HST) being the lowest received bid for the 2022 Infrastructure Renewals 2 construction tender; and

2. THAT Welland City Council approves and accepts the proposal from Urban & Environmental Management Inc. in the amount of \$90,679.43 (plus HST) for construction administration and inspection services for the 2022 Infrastructure Renewals 2 project; and

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

4. THAT Welland Council authorizes the Mayor and Clerk to execute all necessary documents to execute the contracts.

CARRIED**2022 - 328****22-139**

Moved by Fokkens and McLeod

1. THAT THE COUNCIL OF THE CITY OF WELLAND a capital project for David Street Ditch and Culvert Improvements subject to approval of the Natural Infrastructure Fund grant application for \$325,000; and

2. THAT Welland Council directs staff to apply to the Natural Infrastructure Fund small-scale project stream for the David Street Ditch and Culvert Improvements project; and further

3. THAT Welland Council approves the municipal contribution of funding of \$65,000 from the Capital Surplus Reserve.

CARRIED**2022 - 329****22-140**

Moved by Grimaldi and Larouche (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Niagara Peninsula Conservation Authority dated September 2, 2022 regarding Report No. FA-24-222; Draft Land Securement Strategy 2022-2032.

CARRIED

2022 - 330**22-141**

Moved by McLeod and Mootie

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the report by the Corporate Communications Manager, outlining an illustrated children's (print and Digital)book for marketing and communications purposes.

CARRIED**2022 - 331****22-147**

Moved by Grimaldi and Larouche (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report HR-2022-02: Disconnecting From Work Policy.

CARRIED**2022 - 332****22-148**

Moved by Van Vliet and Mootie

1, THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report HR-2022-04: Employee Years of Service Recognition Policy, and further
2. THAT Welland City Council approves the Employee Years of Service Recognition Policy.

CARRIED**2022 - 333****02-160**

Moved by Speck and

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

NOT PUT**BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE****2022 - 334****22-19**

Moved by Grimaldi and Larouche (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND approves the Arenas Canteen / Concession License Agreement Transfer from Marzim Holdings Ltd. to Express Snack Bar Inc. (License #704719301) pending all City compliance requirements are met; and further
THAT Welland City Council authorizes the Mayor and Clerk to execute the said License Agreement upon fulfillment of all City compliance requirements.

CARRIED**BY-LAWS**

Moved by Van Vliet and Richard

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.

22-138

BYL 2022 - 168

A By-law to authorize entering into contract with Demar Construction Inc. for the 2022 Infrastructure Renewals 2 Construction Project.

22-138

BYL 2022 - 169

A By-law to authorize entering into contract with Urban and Environmental Management Inc. for construction administration and inspection services for the 2022 Infrastructure Renewals 2 Project.

19-114

BYL 2022 - 170

A By-law to authorize entering into contract with Anthony's Excavating Central Inc. for the 2022 Dain City Drainage Channel Cleaning and Rehabilitation Project.

19-114

BYL 2022 - 171

A By-law to authorize entering into contract with Wood Environment & Infrastructure Solutions Canada Limited for the Fish and Wildlife Rescue, Construction Administration and Inspection Services for the 2022 Dain City Drainage Channel Cleaning and Rehabilitation Project.

22-19

BYL 2022 - 172

A By-law to authorize acceptance of proposal and to enter into contract with Oakridge Group Inc. for the construction of 2 East Main Street Parkette.

CARRIED

Moved by Grimaldi 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.

22-142

BYL 2022 - 173

A By-law to exempt certain lands from Part-Lot Control - Parts 1 to 5 (inclusive) on Plan 59R17343, Block 32, Registered Plan 59M-499 (6, 14, 20, 26 Austin Drive) City of Welland.

22-143

BYL 2022 - 174

A By-law to exempt certain lands from Part-Lot Control - Parts 1 to 3 (inclusive) on Plan 59R17344, Block 30, Registered Plan 59M-499 (32, 38, 44 Austin Drive) City of Welland.

22-144

BYL 2022 - 175

A By-law to exempt certain lands from Part-Lot Control - Parts 1 to 5 (inclusive) on Plan 59R17347, Block 33, Registered Plan 59M-499 (27, 33, 39, 45, 51 Austin Drive) City of Welland.

22-145

BYL 2022 - 176

A By-law to exempt certain lands from Part-Lot Control - Parts 1-6 (inclusive) on Plan 59R17367, Block 3, Plan 59M-500 (1002, 1026, 1030, 1034, 1038 and 1044 Hansler Road, City of Welland.

22-146

BYL 2022 - 177

A By-law to exempt certain lands from Part-Lot Control - Parts 1-5 (inclusive) on Plan 59R17363, Block 4, Plan 59M-500 (994, 1004, 1008, 1012 and 1018 Hansler Road), City of Welland.

22-19

BYL 2022 - 178

A By-law to authorize the transfer of the Licence Occupation Agreement from Marzim Holdings Ltd. to Express Snack Bar Inc. for use of the concession booths within the Welland Arena and Jack Ballantyne Arena.

CARRIED

Moved by McLeod 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.

22-1

BYL 2022 - 179

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 20th day of September, 2022.

CARRIED

Council adjourned at 10:51 p.m.

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

MAYOR

CITY CLERK