



**MINUTES OF THE  
DECEMBER 6, 2022 COUNCIL MEETING  
CIVIC SQUARE, COUNCIL CHAMBERS  
60 EAST MAIN STREET**

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

His Worship Mayor Frank Campion in the Chair.

**Members Present:**

Councillors J. Chiocchio (in person), T. DiMarco (in person), B. Fokkens (in person), B. Green, (in person), M.A. Grimaldi (in person), J. Lee (in person), D. McLeod (6:11 p.m. in person), A. Moote (in person), C. Richard (virtual), S. Setaram (in person), G. Speck (6:05 p.m. 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  
Fire Chief & Community Emergency Management Coordinator, A. Eckhart  
Director of Infrastructure Services, SM. Millar (until 9:45 p.m.)  
Director of Planning and Development Services, G. Munday  
Director of Community Services, R. Axiak  
Manager of Budgets & Financial Reporting/Deputy Treasurer, E. Pankoff (until 7:06 p.m.)  
Manager of Economic Development, L. DeChellis (until 10:00 p.m.)  
Economic Development Officer, L. Allen (until 10:00 p.m.)  
Chief Building Official, J. Tosta (6:17 p.m.- 10:44 p.m.)

**2022 - 361****22-25**

Moved by Lee 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 6:03 p.m. to consider:

- proposed or pending acquisition or disposition of land by the municipality or local board;
  - *Division and Cross Streets.*
  - *Gadsby Avenue.*
- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
  - *Lincoln Street Update.*

**CARRIED****2022 - 362****22-25**

Moved by Moote and Green

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 7:03 p.m. without report.

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

Councillor Graham Speck presided as Chair of the Public Hearing:

**21-79** Revised applications have been made by Joseph Tomaino on behalf of Lucas Lucchetta & Lucchetta Builders Inc. to redesignate lands legally described as Part of Lot 239, former Township of Thorold, shown as Part 2, on Plan 59R-7365, Part 2 on Plan 59R-13030 and Parts 1 and 2 on Plan 59R-16468 for lands at 368 Aqueduct Street and 155 Gadsby Avenue from the existing RESIDENTIAL LOW DENSITY 1 - RL1 and NEIGHBOURHOOD OPEN SPACE - O1 to SITE SPECIFIC RESIDENTIAL MULTIPLE - RM, SITE SPECIFIC RESIDENTIAL LOW DENSITY 2 - RL2, and ENVIRONMENTAL CONSERVATION OVERLAY in zoning by-law 2017-117. The purpose of the Site Specific RL2 Zone is to allow for a rear yard setback of 5 metres for the lot proposed at 155 Gadsby Avenue. The purpose of the site Specific RM is to permit a lot frontage of 16 metres whereas 45 metres is required for the lot fronting onto Aqueduct Street. The application for Zoning By-law amendment has been made to allow for the future development of a three-storey condominium building with a total of 24 residential units fronting onto Aqueduct Street and the development of a single lot fronting onto Gadsby Avenue. The Official Plan designation is LOW DENSITY RESIDENTIAL AND PARK, RECREATION AND OPEN SPACE. Revised applications for Official Plan Amendment (OPA No. 33) and Draft Plan of Standard condominium (File No. 26CD-14-20009) were submitted in conjunction with the revised application for Zoning By-law Amendment.

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.

Joe Tamaino and Anne Yagie, 127 Aqueduct Street , Welland, ON L3C 1C2 on behalf of 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:**

- Susan Sommerville, P.O. Box 163, Fonthill, ON L0S 1E0
- Tom Richardson, 40 Queen Street, St. Catharines, ON L2R 5H3
- Scott Sutton, 161 Gadsby Avenue, Welland, ON L3C 1B2
- Alison Balind, 161 Gadsby Avenue, Welland, ON L3C 1B2
- David Alexander, 322 Aqueduct Street, Welland, ON L3C 1E1
- Carolyn Fast, 21 Linwood Drive, Welland, ON L3C 2B2
- Gabrielle Parent-Dolier, 153 Gadsby Avenue, Welland, ON L3C 1B1

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

**2022 - 363**

**22-1** Moved by McLeod and Lee

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meeting of November 1, 2022 and Special Council Meeting of November 16, 2022, as circulated.

**CARRIED**

**2022 - 364**

**05-120** Moved by Green and Lee

THAT THE COUNCIL OF THE CITY OF WELLAND receives Report P&B-2022-53; and THAT Welland City Council approves the recommended fees contained in the attached Appendix I; and further THAT Welland City Council directs the City Clerk to amend By-law 2020-140 with the updated Schedule "A".

**(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 his employer is subject to the fees discussed in the report).**

**CARRIED**

**2022 - 365**

**13-50** Moved by Green and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND appoints Councillors Leo Van Vliet, Graham Speck and Jamie Lee to the Niagara Central Airport Commission for the term December 6, 2022 to November 14, 2026.

**CARRIED**

**2022 - 366**

**21-79** Moved by DiMarco and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information purposes Report No. P&B-2022-56 regarding applications for Official Plan Amendment (OPA No. 33) and Zoning By-law Amendment (2020-14) for lands on the east side of Aqueduct Street, north side of Gadsby Avenue, north of Thorold Road and south of Hilda Street, municipally known as 368 Aqueduct Street and 155 Gadsby Avenue.

**CARRIED**

**2022 - 367****22-4**

Moved by McLeod and Moote

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the memorandum dated November 28, 2022, regarding the 2023 Tax Supported Budget, 2023-2032 Capital Budget, and 2023 Rate Supported Budget; and further

THAT Welland City Council directs staff to prepare a Tax Supported Budget for 2023; and further

THAT Welland City Council directs staff to target an overall 2023 tax increase that minimizes impact to taxpayers while maintain existing service levels of those in 2022; and further

THAT Welland City Council directs staff to present Decision Units as part of the 2023 Tax Supported Budget to support corporate strategic initiatives and new staffing requests that could not be accommodated within the Tax Supported Budget; and further

THAT Welland City Council directs staff to prepare a Capital Budget and forecast for 2023-2032; and further

THAT Welland City Council approves the 2023 Budget Timetable, attached as Appendix I to the 2023 Budget Call Information Report memorandum dated November 28, 2022 as recommended by the Budget Review Committee at its meeting of November 28, 2022.

**CARRIED****2022 - 368****22-13**

Moved by McLeod and Setaram

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated November 11, 2022 regarding appointments to the Niagara Transit Commission; and further

THAT Welland City Council appoints Councillor Leo Van Vliet to the Niagara Transit Commission Board for the 2022-2026 Term of Council.

**CARRIED****2022 - 369****22-19**

Moved by Green and Chiochio

THAT THE COUNCIL OF THE CITY OF WELLAND approves the award to NIACON Limited for the construction of the Memorial Park Pool at a total cost of \$ 6,451,566.93 + applicable HST; and further

THAT Welland City Council approves the amended budget to \$6,570,000 as outlined in the financial considerations section of this report; and further

THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into a contract with NIACON Limited to be signed by the Mayor and City Clerk.

**CARRIED****2022 - 370****22-140**

Moved by McLeod and Moote (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Niagara Peninsula Conservation Authority dated October 28, 2022 regarding the Land Securement Strategy Deadline Extension.

**CARRIED****2022 - 371****22-153**

Moved by McLeod and Moote (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated November 11, 2022 regarding Motion Respecting Active Transportation and Migrant Workers.

**CARRIED****2022 - 372****02-160**

Moved by Speck and Green

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

**LOST  
(2/3 majority required)**

**2022 - 373****02-160**

Moved by Speck and Green

THAT THE COUNCIL OF THE CITY OF WELLAND extends curfew to 15 minutes.

**LOST**  
**(2/3 majority required)**

**BY-LAWS**

Moved by McLeod and Fokkens (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.

**22-158**

BYL 2022 - 190

A By-law to exempt certain lands from Part-Lot Control - Block 28, Registered Plan 59M-486, Parts 1 to 15 (inclusive), 59R-17475, City of Welland (289, 295, 391, 411, 419, 431 Perth Trail) and (578, 600, 606, 612 Turnberry Trail).

**22-4**

BYL 2022 - 191

A By-law to provide an Interim Tax Levy for year 2023.

**22-156**

BYL 2022 - 192

A By-law to exempt certain lands from Part-Lot Control - Lots 19, 20 21 and 22, Registered Plan 969, Parts 1 to 3 (inclusive), 59R-17451, City of Welland (34 Pietz Avenue).

**22-157**

BYL 2022 - 193

A By-law to exempt certain lands from Part-Lot Control - Lot 259, Registered Plan 937, Parts 1 and 2, 59R-17468, City of Welland (304 & 308 Chaffey Street).

**22-159**

BYL 2022 - 194

A By-law to exempt certain lands from Part-Lot Control - Lot 739 and Part Lot 738, Registered Plan 939, being Part 1 on 59R-17491, City of Welland; Lot 737 and Part Lots 736 and 738, Registered Plan 939, being Part 2 on 59R17491, City of Welland (827-835 David Street).

**CARRIED**

Moved by McLeod and Fokkens

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.

**22-19**

BYL 2022 - 195

A By-law to authorize entering into contract with Niacon Limited for the construction of the Memorial Park Pool.

**05-120**

BYL 2022 - 196

A By-law to amend By-law 2020-140, being a By-law under the Building Code Act respecting Construction, Demotion, Change of Use, Occupancy, Transfer of Permits and Inspections.

**05-120**

BYL 2022 - 197

A By-law to amend By-law 2020-140, being a By-law under the Building Code Act respecting Construction, Demotion, Change of Use, Occupancy, Transfer of Permits and Inspections.

**CARRIED**

Moved by Green and Grimaldi

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.

**22-10**

BYL 2022 - 198

A By-law to authorize the appointment of Cindy Viger as Acting Deputy Clerk of the Corporation of the City of Welland.

**CARRIED**

Moved by McLeod and Fokkens

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 - 199

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 6<sup>th</sup> day of December, 2022.

**CARRIED**

Council adjourned at 11:00 p.m.

These Minutes to be approved and adopted by Motion of Council this 20<sup>th</sup> day of December, 2022.

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**MAYOR**

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**CITY CLERK**