

**AMENDMENT NO. 30**  
**to the**  
**OFFICIAL PLAN**  
**of the**  
**CORPORATION OF THE CITY OF WELLAND**

**MAY 4, 2021**

**THE CORPORATION OF THE CITY OF WELLAND  
BY-LAW NUMBER 2021- 74**

**A BY-LAW TO AUTHORIZE THE ADOPTION  
OF OFFICIAL PLAN AMENDMENT NO. 30**

**WHEREAS** the Official Plan of the Corporation of the City of Welland was adopted by the City of Welland on May 4, 2010.

**AND WHEREAS** the Regional Municipality of Niagara gave partial approval to the Official Plan on October 21, 2011.

**AND WHEREAS** the Ontario Municipal Board gave partial approval to the Official Plan on June 24, 2014.

**AND WHEREAS** the Council of the Corporation of the City of Welland deems it expedient to amend the Official Plan.

**AND WHEREAS** the Regional Municipality of Niagara is the approval authority for Amendments to the Official Plan of the Corporation of the City of Welland.

**NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF  
THE CITY OF WELLAND ENACTS AS FOLLOWS:**

1. That the Corporation of the City of Welland hereby adopts Official Plan Amendment No. 30 for the Corporation of the City of Welland.
2. That Staff is hereby authorized and directed to give Notice of Council's adoption of Amendment No. 30 to the Official Plan of the Corporation of the City of Welland in accordance with Section 17(23) of the Planning Act.
3. That Staff is hereby authorized and directed to forward the decision and required materials to the Region of Niagara for approval in accordance with Section 17(23) of the Planning Act.

**READ A FIRST, SECOND AND THIRD TIME AND PASSED BY COUNCIL THIS  
4TH DAY OF MAY, 2021.**

Original Signed\_\_\_\_\_Mayor

Original Signed\_\_\_\_\_Clerk

**AMENDMENT NO. 30 TO THE OFFICIAL PLAN OF THE  
CORPORATION OF THE CITY OF WELLAND**

PART A - THE PREAMBLE (This does not constitute part of the Amendment) .....	1
TITLE AND COMPONENTS.....	1
 PART B - THE AMENDMENT .....	2
SCHEDULE "A" LAND USE PLAN.....	4
 PART C - THE APPENDICES .....	5
APPENDIX I         - AFFIDAVIT .....	6
SCHEDULE "A" TO APPENDIX 1 - AFFIDAVIT.....	7
APPENDIX II        - NOTICE OF ADOPTION .....	8
APPENDIX III       - MINUTES OF PUBLIC MEETING -.....	10
APPENDIX IV        - STAFF REPORT .....	11
APPENDIX V         - COUNCIL RESOLUTION.....	106

## **PART A - THE PREAMBLE (This does not constitute part of the Amendment)**

### **TITLE AND COMPONENTS**

This document, when approved in accordance with the Planning Act, shall be known as Amendment No. 30 to the Official Plan of the Corporation of the City of Welland.

Part "A", the Preamble, does not constitute part of this Amendment.

Part "B", the Amendment, consists of the map and text changes.

Part "C", the Appendices, which does not constitute part of this Amendment, contains the background data, planning considerations and public involvement associated with this Amendment.

### **PURPOSE OF THE AMENDMENT**

The purpose of Official Plan Amendment No. 30 is to redesignate the lands shown on attached Schedule "A" from Special Policy Area, General Industrial and Core Natural Heritage System to Special Policy Area Low Density Residential, Community Commercial Corridor, Core Natural Heritage System and Parks, Open Space, and Recreation. The purpose of the amendment is to redesignate the lands to allow for a mixed-use subdivision. The Special Policy Low Density Residential will permit a minimum density of 15 units per net hectare and a maximum density of 54 units per net hectare. The uses permitted in the Low Density Residential and Commercial designation shall be those permitted in the Special Policy Area.

### **LOCATION**

The lands are located on the north side of St. Clair Drive, west of the CN Canal Sub Rail Line, south of Highway 58A, and east of the Welland Recreational Canal. The lands are approximately 74 hectares in size.

### **BASIS**

The subject lands are within the urban area boundary for the City of Welland and currently designated General Industrial and Core Natural Heritage System. This amendment for a land use change from employment lands to mixed-use residential is required to retain space for a similar number of jobs to remain accommodated on site, in accordance with Policy 2.2.5.14 of the *A Place to Grow, Growth Plan for the Greater Golden Horseshoe* ("Growth Plan") dated August 2020 in order to permit the proposed residential subdivision within the built boundary in the City of Welland.

## **PART B - THE AMENDMENT**

All of the Amendment entitled PART B - THE AMENDMENT, consisting of the following Policies and the map referred to as Schedule “A” - Land Use Plan and Policies, constitutes Amendment No. 30 to the Official Plan of the Corporation of the City of Welland.

### **MAP CHANGES**

1. Schedule A, City Structure Map is hereby amended by identifying additional Environmental Conservation and Environmental Protection Areas on the property.
2. Schedule B, Land Use Map is hereby amended by identifying the lands as Residential, Commercial, and Core Natural Heritage, as well as identifying the special exemption on the property. The Area Specific Policy 4 designation will also be removed from this property.
3. Schedule B1, Residential Hierarchy Land Use Map is hereby amended by identifying a portion of the lands as Low Density Residential and Core Natural Heritage with the special exemption.
4. Schedule B2, Commercial Hierarchy Land Use Map is hereby amended by adding the Community Commercial Corridor area to the map and identifying the special exemption on the property.
5. Schedule C, Core Natural Heritage System Map is hereby amended by identifying additional Environmental Conservation and Environmental Protection Areas on the property.
6. Schedule C1, Components of the Natural Heritage System Map is hereby amended by identifying the additional Environmental Conservation Areas on the property.

### **TEXT CHANGES**

1. The Official Plan of the City of Welland is hereby amended by adding the following:

#### **4.2.3.20 Exemptions**

- 4.2.3.20 F Notwithstanding the density provisions of Section 4.2.2.2, the lands will be permitted to have a minimum density of 15 units per net hectare and a maximum density of 54 units per net hectare.

The mixed-use employment block designated as community commercial corridor (“Employment Block”) shall have no less than 280,000 sq. ft. of space for employment uses to remain accommodated on site, as was concluded in the *Revised Final Report-Employment Area Market Review and Lands Needs*

*Study 475, 555 and 675 Canal Bank Street, Welland* (dated February 24, 2021) prepared by IBI Group.

The Employment Block is of City and Regional interest since it represents the space retained in accordance with Growth Plan (2020) policy. The Employment Block must be comprehensively planned to achieve the minimum required space. The minimum space area will be calculated on future *Planning Act* applications within the mixed-use employment block, in which the Region will comment through circulation.

Future development proposed within the Employment Block shall be considered with regard to the *Mixed-Use Block & Dain City Economic Cluster* report (dated August 28, 2020) and the *Urban & Architectural Design Guidelines* (revised March 26, 2021) prepared by Armstrong Planning and Project Management, or other documents deemed acceptable by City and Regional staff

# SCHEDULE "A" LAND USE PLAN



## SCHEDULE "A" TO AMENDMENT NO. TO THE OFFICIAL PLAN OF THE CORPORATION OF CITY OF WELLAND

# LAND USE PLAN

**NOTE: THIS SCHEDULE FORMS PART OF AMENDMENT NO.  
TO THE OFFICIAL PLAN OF THE CORPORATION OF THE CITY OF WELLAND  
AND MUST BE READ IN CONJUNCTION WITH THE WRITTEN TEXT**

	LAND DESIGNATED FROM GENERAL ENVIRONMENTAL AND SPECIAL POLICY AREA 4 TO ENVIRONMENTAL CONSERVATION AREA
	LAND DESIGNATED FROM GENERAL ENVIRONMENTAL AND SPECIAL POLICY AREA 4 TO ENVIRONMENTAL PROTECTION AREA
	LAND DESIGNATED FROM ENVIRONMENTAL CONSERVATION AREA TO ENVIRONMENTAL PROTECTION AREA
	LAND DESIGNATED FROM GENERAL ENVIRONMENTAL AND SPECIAL POLICY AREA 4 TO SPECIAL EXCEPTED LOW DENSITY RESIDENTIAL
	LAND DESIGNATED FROM GENERAL ENVIRONMENTAL AND SPECIAL POLICY AREA 4 TO SPECIAL EXCEPTED COMMUNITY COMMERCIAL CORRIDOR
	LAND DESIGNATED FROM GENERAL ENVIRONMENTAL AND SPECIAL POLICY AREA 4 TO PARKS, OPEN SPACE, AND RECREATION



*Infrastructure and  
Development Services*  
Planning Division

## **PART C - THE APPENDICES**

The following appendices do not constitute part of Amendment No. 30 to the Official Plan of the Corporation of the City of Welland, but are included only as information supporting the amendment.

APPENDIX I	-	Affidavit
APPENDIX II	-	Notice of Adoption
APPENDIX III	-	Minutes of Public Meeting
APPENDIX IV	-	Staff Report
APPENDIX V	-	Council Resolution (Certified)



**APPENDIX I - AFFIDAVIT**

IN THE MATTER OF SECTION 7, ONTARIO  
REGULATION 543/06

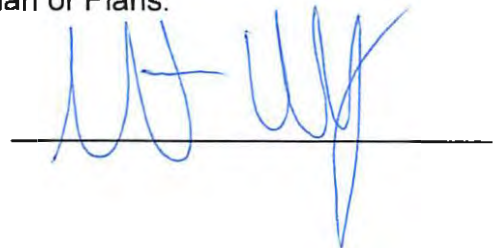
AND

IN THE MATTER OF THE ADOPTION OF  
OFFICIAL PLAN AMENDMENT NO. 30 BY BY-  
LAW 2021-74 PASSED BY COUNCIL OF THE  
CORPORATION OF THE CITY OF WELLAND  
ON MAY 4, 2021

I, Grant Munday of the City of Welland in the Regional Municipality of Niagara, make oath and say as follows:

1. I am the Director, Development and Building Services of the Corporation of the City of Welland.
2. That in accordance with Section 17(15) of The Planning Act, as amended and Section 3 of Ontario Regulation 543/06, Notice of the Public Meeting was published in the Niagara This Week Newspaper on January 21, 2021. I hereby certify that the required Public Meeting was held virtually on March 2, 2021 by the Council of the Corporation of the City of Welland.
3. A list of all persons or public bodies which made oral submissions at the Public Meeting is attached as Schedule "A" to this Affidavit.
4. That in accordance with Section 17(23) of The Planning Act, as amended, and Ontario Regulation 543/06, the requirements for the giving of Notice of Adoption of the Amendment have been complied with.
5. That in accordance with Section 7(7) of Ontario Regulation 543/06, the decision of Council is consistent with the Policy Statements issued under sub-Section 3(1) of the Act and conforms to any applicable Provincial Plan or Plans.

Sworn before me at the City of Welland  
in the Regional Municipality of Niagara,  
this 18<sup>th</sup> day of May, 2021.



**SCHEDULE "A" TO APPENDIX 1 - AFFIDAVIT**

List of individuals who made oral submission at the Statutory Public Meeting conducted March 2, 2021 concerning Amendment No. 30 to the Official Plan of the Corporation of the City of Welland .

Opposed

No one

In Favour

Amanda Kosloski, Armstrong Planning & Project Management



CITY OF WELLAND  
NOTICE OF ADOPTION OF  
AMENDMENT NO. 30 TO THE  
OFFICIAL PLAN OF THE CORPORATION OF THE CITY OF WELLAND

Take notice that the Council of the Corporation of the City of Welland passed By-law 2021-74, being a By-law to adopt Amendment No. 30 to the Official Plan on May 4, 2021 under Section 17(23) of The Planning Act, as amended.

The Purpose of Amendment No. 30 is to redesignate a portion of the property from General Industrial, Core Natural Heritage, and Special Policy Area 4 to Special Exemption Low Density Residential, Special Exemption Community Commercial Corridor, Core Natural Heritage System, and Parks, Open Space, and Recreation. The Low Density Residential Special Exemption will allow for a minimum density of 15 units per net hectare and a maximum of 54 units per net hectare. The Community Commercial Corridor Special Exemption Area will identify Dain City Square a Community Commercial Node and be planned to accommodate up to 280,000 square feet of commercial space (including limited light industrial) and allow residential uses on the ground floor.

The Effect of the redesignation is to allow for the development of the property with a mixed-use subdivision with a mix of single detached, semi-detached, townhouse, apartment and accessory apartment dwellings, commercial, mixed use blocks, as well as parks, stormwater management facilities, natural environment blocks, and potentially an elementary school.

Pursuant to Section 17(23.1)(a) of the Planning Act, as amended, City Council took into consideration all written and oral presentations made to it before rendering a decision.

The Region of Niagara is the approval authority for this proposed Official Plan Amendment. Any person or public body will be entitled to receive notice of the decision of the Council of the Region of Niagara if a written request to be notified of the decision is made to the Region of Niagara Planning and Development Services at 1815 Sir Isaac Brock Way, P.O. Box 1042, Thorold, ON L2V 4T7.

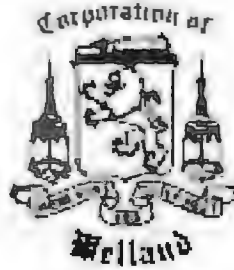
The land to which this proposed Amendment to the Official Plan applies is also the subject of a Zoning By-law Amendment (File No. 2020-09) and Draft Plan of Subdivision (26T-14-20007).

A copy of the Amendment and Staff Report are available for inspection by the public as of April 30, 2021 on the City of Welland website [www.welland.ca/council/AgendasMinutes.asp](http://www.welland.ca/council/AgendasMinutes.asp).

Dated at the City of Welland this 10<sup>th</sup> day of May, 2021.

GRANT MUNDAY, B.A.A., MCIP, RPP  
DIRECTOR  
DEVELOPMENT AND BUILDING SERVICES  
OF THE CORPORATION OF THE CITY OF WELLAND

**APPENDIX III - MINUTES OF PUBLIC MEETING -**



**MINUTES OF  
SPECIAL COUNCIL MEETING, MARCH 2, 2021  
TO CONSIDER MATTERS FROM FEBRUARY 23, 2021  
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 at 5:21 p.m. on the above date.

His Worship Mayor Frank Campion in the Chair.

**Members Present:**

Councillors J. Chiocchio, T. DiMarco, B. Fokkens, B. Green, M.A. Grimaldi, J. Larouche, D..McLeod (5:09 p.m.), A. Moote, G. Speck, C. Richard and L. Van Vliet.....

**Members of Staff and Others Present:**

Interim CAO/General Manager, Corporate Services, Chief Financial Officer/Treasurer, S. Zorbas  
City Clerk, T. Stephens  
Deputy City Clerk, L. Bubanko (5:20 p.m.)  
Interim Director of Engineering and Public Works, SM. Millar  
Interim Director of Development and Building Services, G. Munday  
Economic Development Officer, L. DeChellis  
Manager of Human Resources, A. Daisley (until 5:12 p.m.)

**2021 - 69****21-25**

Moved by Van Vliet 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 5:06 p.m. to consider:

- Personal matters about an identifiable individual, including municipal or local board employees; and
  - *CUPE Negotiations update.*
- Proposed or pending acquisition or disposition of land by the municipality or local board;
  - *Sale of City Owned Land.*

**CARRIED****2021 - 70****21-25**

Moved by McLeod and Green

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 5:20 p.m. without report.

**CARRIED****THE FOLLOWING ITEMS WERE DELETED:**

**04-48** Report ENG-2021-02 - Gen. Mgr., Infrastructure and Development Services, T. Fitzpatrick - Amendment to the Insurance Provisions in the Atlas Landfill Post-Closure Agreement between the Corporation of the City of Welland and Walker Environmental Group Inc.

**04-48** A By-law to authorize entering into amending Post-Closure Agreement with Walker Environmental Group Inc. for the Atlas Landfill site at 685 River Road.

**2021- 71****18-87**

Moved by Fokkens and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information and endorses the correspondence from the Regional Municipality of Niagara Police Services Board dated November 4, 2020 regarding Medical Cannabis Grow Operations - Public Safety Concerns; and further THAT Welland City Council requests this motion endorsing the correspondence be forwarded to the Minister of Public Safety and Emergency Preparedness and the Minister of Justice and Attorney General of Canada.

**CARRIED****2021- 72****20-78**

Moved by DiMarco and Green

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information staff Report CLK-2021-04: Results - Welland Ward and Council Review - Public Engagement Survey.

**CARRIED****2021- 73****20-82**

Moved by Fokkens and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to prepare a report for council consideration regarding moving forward with a municipal comprehensive review, under section 4.3.3.1 of the Official Plan, for the property as outlined in Report P&B-2021-08 for an Employment Land conversion from Gateway Economic Centre to Agriculture; and further THAT the staff report be presented at the March 9, 2021 Council Meeting.

.....

**20-82**

Moved by Larouche and McLeod

THAT Welland City Council moves the Notice of Motion to the March 23<sup>rd</sup>, 2021 Special Council Meeting.

**CARRIED**

**2021- 74****20-115**

Moved by McLeod and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND approves application for Zoning By-law Amendment for lands on the north and south sides of Webber road and east and west sides of South Pelham Road, west of Clare Avenue, and east of Murdock Road, being Block 5 on Plan 5Mm-466, Blocks 3-26 on Plan 59M-477, former Township of Thorold, Part 1 on Plan 59R-16195, Part 1 on Plan 59R-7834 and Part 1 on Plan 59R-7994, except 59M-472, City of Welland with multiple addresses to amend the existing site specific RL2-15, RM-37, and RL2-96 zone provisions.

**CARRIED****2021- 75****21-2**

Moved by Green and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND approves Report TRAF-2021-11: City of Welland Business Licenses - Waiving of 2021 Fees; and further  
 THAT Welland City Council directs staff to refund all fees associated with obtaining a 2021 Business License, excluding fire inspection fees; and further  
 That Welland City Council directs staff to waive all fees associated with obtaining a business license in 2021, excluding fire inspection fees.

**CARRIED****2021- 76****21-52**

Moved by Green and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND supports the 2021 Census, and encourages all residents to complete their census questionnaire online at [www.census.gc.ca](http://www.census.gc.ca). Accurate and complete census data support programs and services that benefit our community.

**CARRIED****BY-LAWS**

Moved by McLeod and Grimaldi

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.

**20-115**

BYL 2021 - 19

A By-law to amend City of Welland Zoning By-law 2017-117 (Mountainview Homes Inc. - File 2021-01) Block 55 Plan 59M-446; Blocks 3-26 Plan 59M-477; and, Part Lot 258, former Township of Thorold, Part 1 on Plan 59R-16195, Part 1 on Plan 59R-7834 and Part 1 on Plan 59R-7994, except 59M-472, City of Welland.

**CARRIED**

Moved by Speck 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.

**21-22**

BYL 2021 - 20

A By-law to appoint Hearings Officers pursuant to By-law 2014-81 and to repeal By-law 2015-95.

**CARRIED**

Moved by DiMarco and Chiocchio

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.

**21-53**

BYL 2021 - 21

A By-law to exempt certain lands from Part-Lot Control - Parts 1, 2, 3, 4, 5, and 6 on Plan 59R-16853, Lot 76 Plan NS-19 (70-72 Northgate Drive), City of Welland

**CARRIED**

Moved by Moote 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 - 22

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 2<sup>nd</sup> day of March, 2021.

**CARRIED**

Council adjourned at 6:12 p.m.

These Minutes to be approved and adopted by Motion of Council this 20<sup>th</sup> day of April, 2021.

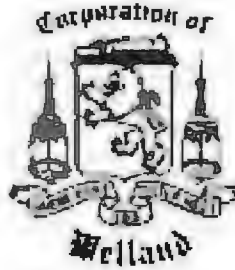
---

**MAYOR**

---

**CITY CLERK**





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

Council met in open session at 7:01 p.m. on the above date.

His Worship Mayor Frank Campion in the Chair.

**Members Present:**

Councillors J. Chiocchio, T. DiMarco, B. Fokkens, B. Green, M.A. Grimaldi, J. Larouche, D. McLeod, A. Moote, G. Speck, C. Richard and L. Van Vliet.

**Members of Staff and Others Present:**

Interim CAO/General Manager, Corporate Services, Chief Financial Officer/Treasurer, S. Zorbas

City Clerk, T. Stephens

Deputy City Clerk, L. Bubanko

Interim Director of Engineering and Public Works, SM. Millar

Interim Director of Development and Building Services, G. Munday

Economic Development Officer, L. DeChellis (until 10:00 p.m.)

Manager of Fleet, Equipment and Purchasing, A. Beres (until 9:45 p.m.)

**THE FOLLOWING ITEM WAS ADDED:**

**04-48** A By-law to authorize entering into amending Post-Closure Agreement with Walker Environmental Group Inc. for the Atlas Landfill site at 685 River Road.

**PRESENTATION**

**12-96** Robert Swayze, Interim Integrity Commissioner addressed Council regarding a Report to Council.

Councillor Van Vliet presided as Chair of the Public Hearings:

**20-97** Complete Applications have been made by ARMSTRONG PLANNING & PROJECT MANAGEMENT on behalf of 555 CANAL BANK DEVELOPMENTS GP INC. for Draft Plan of Subdivision Approval, to redesignate and to rezone lands legally described as Part of Lots 21, 22, 23, Concession 5, former Township of Humberstone, part of the Road Allowance between Lots 22 and 23, Concession 5 (closed), Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 on 59R-15225, City of Welland, municipally known as 475, 555, and 635 Canal Bank Street from the existing TEMPORARY SITE SPECIFIC RESIDENTIAL LOW DENSITY 2 (T-RL2-100) with the underlying zone of GENERAL INDUSTRIAL (G1) and ENVIRONMENTAL CONSERVATION OVERLAY (EC) to SITE SPECIFIC RESIDENTIAL LOW DENSITY 2 (RL2), SITE SPECIFIC COMMUNITY COMMERCIAL CORRIDOR (CC2), NEIGHBOURHOOD OPEN SPACE (O1), ENVIRONMENTAL CONSERVATION OVERLAY, and HOLDING SITE SPECIFIC INSTITUTIONAL (INS1) in Zoning By-law 2017-117. The purpose of the Amendment is to Site Specific Residential Low Density 2 is to: provide site specific provisions for frontage, lot area, front yard setbacks, side yard setbacks (interior and exterior), building height, and lot coverage for single detached, semi-detached, and townhouse dwellings; amends the definition of 'Landscaping' to include walkways; allows opened and roofed porches to encroach 2.5 metres into the front yard and into the rear yard 3.75 metres, with a maximum height from grade of 3 metres; to allow parking spaces in garages to be a minimum size of 3 metres by 6 metres; to allow stairs with no more than three risers to encroach into the parking space; and, that the maximum number of units per block will be identified on the Draft Plan of Subdivision, but the number of new lots created shall not exceed 870 lots, not including parkland, open space, and stormwater management blocks. The purpose of the Site Specific Zoning By-law Amendment is to allow supermarket, retail centre, retirement home, hotel, assembly hall, research and development establishment, art gallery, commercial parking lot, parking structure or garage, and street townhouses in addition to the uses already permitted in the CC2 Zone, as well as to eliminate the maximum lot coverage and create specific front yard provisions. The purpose of the Holding Special Exception Institutional Zone is to allow for an Elementary School on the property, however, if the option for the construction of a school is not realized within five years of registration of the subdivision, the lands can be developed with residential uses, subject to the site specific Residential Low Density 2 provisions. The Official Plan designation is General Industrial. Application for Regional Official Plan Amendment, City of Welland Official Plan Amendment (OPA No. 31), and Draft Plan of Subdivision (26T-14-20007).

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.

Amanda Kosloski, VP, Planning and Project Management, Armstrong Planning and Project Management, 1600 Steels Avenue West, Suite 318, Vaughan, ON L4K 4M2 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.

**PRESENTATION**

**99-99** Mordechai Kanner and Robert Melohn, Plazacom addressed Council regarding 439 King Street - Deck at the Canal.

**2021 – 77**

**21-1** Moved by Larouche and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meeting of February 23, 2021 as circulated.

**CARRIED**

**2021 – 78**

**99-99** Moved by McLeod and Richard

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Mordechai Kanner and Robert Melohn, Plazacom regarding 439 King Street - Deck at the Canal.

**CARRIED**

**2021 – 79**

**99-99** Moved by Green and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND approves the construction of a 20' x 80' wood deck for public ownership and use along the east side of the Welland Recreational Canal, south of Lincoln Street as shown in Appendix II, attached to this report, and further

That Welland City Council authorizes the Mayor and City Clerk to sign any documents necessary to implement Council's decision.

**YEAS:** Councillors Larouche, Green, Speck, Chiocchio, McLeod, DiMarco, Richard, Grimaldi, Moote, Van Vliet and Mayor Champion.

**NAYS:** Councillor Fokkens.

**CARRIED**

**2021 – 80**

**02-160** Moved by Fokkens and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND declares one seat on Council in Ward 3 vacant in accordance with section 262(1) of the Municipal Act, 2001, as a result of a resignation of Councillor Lucas Spinosa; and further

THAT Welland City Council directs staff to prepare a report for Council consideration for filling the vacancy for Ward 3 Council; and further

THAT a report be presented to Council on March 9, 2021.

**CARRIED**

**2021 – 81**

**02-160** Moved by Speck and Moote

THAT THE COUNCIL OF THE CITY OF Welland directs staff to prepare a report comparing the Procedural By-laws of the 11 other municipalities in the Niagara Region, including the Niagara Region related to timeframe of when their agendas are posted publicly to residents; and

THAT Welland City Council requests information not only what is written in their Procedural By-law but what their common practice is; and further

THAT this report is to be completed within the next 3 months.

.....

**02-160**

Moved by Fokkens and Moote

THAT Welland City Council refers back to staff Notice of Motion regarding council agendas being posted publically to residents.

**CARRIED****2021 – 82****04-48**

Moved by Moote and Green (in block)

1) THAT the insurance provisions in the Atlas Landfill Post-Closure Agreement between the Corporation of the City of Welland and Walker Environmental Group Inc be modified in accordance with Report ENG-2021-02; and

2) That staff prepare the necessary amending agreement for execution by the Mayor and Clerk; and further

3) That the Mayor and Clerk be authorized to execute the said amending agreement.

**CARRIED****2021 – 83****09-104**

Moved by McLeod and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information staff Report CLK-2021-05: Audit Review Committee; and further

THAT Welland City Council approves the dissolving the Audit Review Committee.

.....

**09-104**

Moved by McLeod and Green

THAT Welland City Council approves the expansion of the Audit Review Committee to include all of Council and to be included in regular council meetings.

**CARRIED**

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

**CARRIED**

**(Councillor DiMarco asked to be recorded as opposed to this Resolution).**

**2021 – 84****10-130**

Moved by Moote and Green (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from Niagara Regional Housing (NRH) dated February 19, 2021 regarding the NRH 2021 1st Quarterly Report.

**CARRIED****2021 – 85****12-96**

Moved by Van Vliet and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Robert Swayze, Interim Integrity Commissioner regarding a Report to Council; and further

THAT Welland City Council approves the suspension pay for Councillor Speck for an additional 60 days, in addition to the current 30 days.

**YEAS:** Councillors Larouche, McLeod, Grimaldi, Moote, Van Vliet and Mayor Campion.

**NAYS:** Councillors Green, Chiocchio, DiMarco, Richard and Fokkens.

**CARRIED**

**2021 – 86****20-82**

Moved by Richard and Speck

1. THAT THE COUNCIL OF THE CITY OF WELLAND as the approval authority under the Expropriations Act, do not approve the expropriation of 349 Ridge Road, also known as Lot 16, Concession 7, Township of Crowland, Welland, Ontario; and
2. THAT Welland City Council directs staff to contact the owner's counsel to advise that the municipal council has exercised its authority as the approval authority to not approve the expropriation of 349 Ridge Road, therefore a Hearing of Necessity is not required and therefore request the owner's consent to collectively withdraw the request for a Hearing of Necessity, considering the expropriation will not be proceeding; and
3. THAT if the owner does not consent to collectively withdrawing the request for a Hearing of Necessity, staff are directed to contact the inquiry officer and advise that a Hearing of Necessity is not required to proceed, as the municipal council as the approval authority has directed the expropriation not proceed on 349 Ridge Road; and further
4. THAT Welland City Council directs staff to review the owner's submitted reasonable expenses incurred as a natural and reasonable consequence of expropriation and professional fees for the determination of compensation in accordance with section 32 of the Expropriations Act. If such expenses are reasonable, staff is directed to reimburse such expenses.

.....

**20-82**

Moved by Richard and Chiocchio

THAT Welland City Council requests to call the question regarding Report CLK-2021-07: Alternative option to stop expropriation of 349 Ridge Road.

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

**NAYS:** Councillors Speck and McLeod.

**CARRIED**

**FOLLOWING THE VOTE TO CALL THE QUESTION, THE MAIN MOTION  
WAS PUT AND .....**

**YEAS:** Councillors Larouche, Green, Speck, Chiocchio, DiMarco, Richard, Grimaldi, Fokkens, Mayor Campion.

**NAYS:** Councillors McLeod, Moote and Van Vliet.

**CARRIED****2021 – 87****20-97**

Moved by Van Vliet and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND receives Report P&B-2021-12 regarding Applications for Official Plan Amendment (OPA No. 30), Zoning By-law Amendment (2020-09), and Draft Plan of Subdivision (26T-14-20007) for lands on the east side of Canal Bank Street, north of Forks Road, south of the Townline Tunnel, described as Part of Lots 21, 22, 23, Concession 5, former Township of Humberstone, part of the Road Allowance between Lots 22 and 23, Concession 5 (closed), Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 on 59R-15225, City of Welland, municipally known as 475, 555, and 635 Canal Bank Street.

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

**NAYS:** Councillors Speck and DiMarco.

**CARRIED**

**2021 – 88****20-105** Moved by Green and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND accepts the offer to purchase 5.64 acres of land south of Shaw Street, north of Highway 58A, east of Prince Charles Drive South and west of the Welland Recreational Canal; and

THAT Welland City Council directs staff to prepare all the necessary documentation and by-laws relative to the transfer; and further

THAT the Mayor and City Clerk be authorized to execute all the necessary documents relative to the transfer; and further

THAT Welland City Council directs staff to deposit the revenues from the sale of these lands into the Economic Development Reserve Fund.

**CARRIED****2021 – 89****20-108** Moved by Larouche and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND accepts the offer to purchase a portion of vacant city owned lands on the north-east corner of Fourth Street and Canal Bank Street; and

THAT Welland City Council directs staff to prepare all the necessary documentation and by-laws relative to the transfer; and further

THAT the Mayor and City Clerk be authorized to execute all the necessary documents relative to the transfer; and further

THAT Welland City Council directs staff to deposit the revenues from the sale of these lands into the Economic Development Reserve Fund.

**(Councillor Fokkens asked to be recorded as opposed to this Resolution).**

**CARRIED****2021 – 90****21-40** Moved by McLeod and Green

1. THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the tender from Circle P Paving Inc. of Stevensville, Ontario as detailed in Report ENG-2020-03 for Utility Cuts Final Reinstatement 2021 at the tendered price of \$548,162.00 (excluding taxes);

2. THAT Council directs staff to prepare the necessary by-law and documents to execute the project; and

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

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

**NAYS:** Councillor DiMarco.

**CARRIED****2021 – 91****21-41** Moved by Van Vliet and Moote

1. THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the tender of Springside Paving Limited as detailed in Report ENG-2021-04 for the 2021 Asphalt Patching Program at the tendered price of \$92,800.00 (excluding taxes); and

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

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

**CARRIED**

**2021 – 92**

**21-46** Moved by Moote and Green (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND approves the purchase of one (1) cab and chassis assembly from PTG Mississauga Enterprises Limited Partnership operating as Premier Truck Group, being the offering that met specifications and provided best overall value; and further

THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into a purchase contract with PTG Mississauga Enterprises Limited Partnership.

**CARRIED**

**2021 – 93**

**21-55** Moved by Moote and Green (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Association of Managers, Clerks and Treasurers of Ontario (AMCTO) dated February 18, 2121 regarding an Open Letter to Ontario Municipal Councils.

**CARRIED**

**2021 – 94**

**21-56** Moved by Speck and Moote

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Town of Lincoln dated February 8, 2021 regarding Town of Lincoln Council Resolution - Explore Options for Securing Recycling Bin Contents.

**CARRIED**

**2021 – 95**

**21-58** Moved by McLeod and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND requests a report regarding brownfield employment lands that are non-employment producing within the city limits; and further

THAT Welland City Council directs staff to identify potential strategies related to their rejuvenation and/or clean-up be presented to Council.

**CARRIED**

**2021 – 96**

**21-59** Moved by Mayor Campion and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to create a report on a strategy to aggressively pursue the acquisition of seaway lands from the Federal government, to discuss with them an accelerated process to declare such lands surplus and enter into discussions for the acquisition of identified properties and review options for "lease to own" such lands until such time as they become available; and

THAT staff identify Seaway lands of interest and develop servicing plans and other strategies as may be required; and further

THAT staff identify other lands within and/or adjacent to employment lands identified in Welland's official plan that would be strategic acquisitions for the purpose of industrial/employment use and see if owners are interested in selling those lands to the municipality. If they are not interested the city would not pursue expropriation. In relation to all of the above staff would prepare strategies and associated costs to service lands so that they would be "shovel ready".

**CARRIED**

**2021 – 97**

**21-60** Moved by Richard and Speck

1. THAT THE COUNCIL OF THE CITY OF WELLAND accepts the tender of Demar Construction Inc in the amount of \$1,823,878.27 (plus HST) being the lowest of seven (7) bid submissions received for the Scholfield Avenue – Road Reconstruction and Sanitary Sewer Replacement project; 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**

**BY-LAWS**

Moved by Moote and Green (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.

**21-46**

BYL 2021 – 23

A By-law to authorize purchase of one truck cab and chassis from PTG Mississauga Enterprises Limited partnership operating as Premier Truck Group.

**04-48**

BYL 2021 – 25

A By-law to authorize entering into amending Post-Closure Agreement with Walker Environmental Group Inc. for the Atlas Landfill Site at 685 River Road.

**CARRIED**

Moved by Chiocchio 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.

**21-14**

BYL 2021 – 24

A By-law to amend By-law 1998-11325, being a By-law to provide for paying remuneration to the Members of the Council and extended medical benefits to the Mayor.

**CARRIED**

Moved by Grimaldi and Moote

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.

**20-105**

BYL 2021 – 26

A By-law to authorize acceptance of an offer from Neeraj Bakshi for the sale of vacant land south of Shaw Street, north of Highway 58A, east of Prince Charles Drive south and west of the Welland Recreational Canal.

**20-108**

BYL 2021 - 27

A By-law to authorize acceptance of an offer from Property Force (Canada) Inc. for the sale of vacant land on the north-east corner of Fourth Street and Canal Bank Street.

**21-40**

BYL 2021 – 28

A By-law to authorize entering into contract with Circle P. Paving Inc. for Utility Cuts Final Reinstatement 2021.

**21-41**

BYL 2021 – 29

A By-law to authorize entering into contract with Springside Paving Limited for the 2021 Asphalt Patching Program.



**21-60**

BYL 2021 – 30

A By-law to authorize entering into contract with Demar Construction Inc. for the construction of roadway and sanitary sewer replacement on Scholfield Avenue between East Main Street and Welland Street.

**CARRIED**

Moved by Larouche and Van Vliet

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 - 31

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 2<sup>nd</sup> day of March, 2021.

**CARRIED**

Council adjourned at 10:54 p.m.

These Minutes to be approved and adopted by Motion of Council this 20<sup>th</sup> day of April, 2021.

---

**MAYOR**

---

**CITY CLERK**

***APPENDIX IV - STAFF REPORT***

**APPENDIX V****- COUNCIL RESOLUTION**

FROM THE OFFICE OF THE CITY CLERK

RESOLUTION NO: 2021-87

REFERENCE NO. 20-97

March 05, 2021

Dear Sir or Madam:

Welland City Council passed the following motion

on

March 02, 2021

"THAT THE COUNCIL OF THE CITY OF WELLAND receives Report P&B-2021-12 regarding Applications for Official Plan Amendment (OPA No. 30), Zoning By-law Amendment (2020-09), and Draft Plan of Subdivision (26T-14-20007) for lands on the east side of Canal Bank Street, north of Forks Road, south of the Townline Tunnel, described as Part of Lots 21, 22, 23, Concession 5, former Township of Humberstone, part of the Road Allowance between Lots 22 and 23, Concession 5 (closed), Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 on 59R-15225, City of Welland, municipally known as 475, 555, and 635 Canal Bank Street."

TS:cap

G. Munday, Interim Director of Development & Building Services  
c.c. - R. Larocque, Interim Manager of Planning

From

A handwritten signature in cursive script, appearing to read "J. Stephens".  
City Clerk