



MINUTES OF
COUNCIL MEETING, MAY 5, 2015
CIVIC SQUARE, COUNCIL CHAMBERS
60 EAST MAIN STREET

Council met in Committee-of-the-Whole closed to the public at 6:35 p.m. and in open session at 7:00 p.m. on the above date.

His Worship Mayor Frank Campion in the Chair.

Members Present:

Councillors M. Carl (6:38 p.m.), J. Chiochio, P. Chiochio, T. DiMarco, B. Fokkens, M.A. Grimaldi, J. Larouche, R. Letourneau, J. Mastroianni, D. McLeod, and L. Van Vliet.

Members of Staff and Others Present:

Interim City Manager/ General Manager, Integrated Services, J. Loveys Smith
Acting Deputy Clerk, T. Stephens
Chief, Fire & Emergency Services, D. Prevost (7:00 p.m.)
General Manager, Corporate Services/Treasurer, S. Zorbas (7:00 p.m.)
General Manager, Infrastructure Services/City Engineer, S. Iannello (7:00 p.m.)
General Manager, Human Resources and Legislative Services, R. Mantesso
Planning Manager, R. Di Felice (7:00 p.m. - 8:00 p.m.)
Recording Secretary, C. Viger (7:00 p.m.)

- 15-25** Moved by Fokkens and Letourneau
 THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 6:35 p.m. to consider:
- personal matters about an identifiable individual, including municipal or local board employees.

CARRIED

- 15-25** Moved by Mastroianni and Larouche
 THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 6:48 p.m. with report.

CARRIED

PRESENTATIONS:

Mayor Campion presented Warrant Officer Autumn Ardell and Master Corporal Thomas Lyons with the Bronze Duke of Edinburgh's Award.

- 15-28** Janet St. Amand, CEO, and Terry Suess, Volunteer Board Member, YMCA of Niagara, addressed Council regarding an update on its activities and programs in Welland.

DELEGATIONS:

- 08-143** Sue Hotte, Co-chair, David Duffus, Communication Chair, Daniel Peat, Member at large, and Gary King, Secretary, of the Save Our Welland Hospital Coalition, addressed Council regarding an update on its activities.

LEGISLATED PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT

Councillor Van Vliet presided as Chair of the Public Hearing.

15-70Z A complete application has been made by 2415859 ONTARIO INC. to rezone Part of Lots 236 and 237, Plan 933 for lands at 71-73 Ontario Road from the existing C3 - General Commercial Zone to a Site Specific C3 Zone. The purpose of the Amendment is to permit the conversion of the existing 3-storey building to a total of 9 residential units. The proposed Site Specific C3 Zone will permit the conversion of the main floor to 4 residential units, reduce the parking requirement to 4 stacked parking spaces for the 9 units, reduce the minimum floor area for a bachelor dwelling unit to 33 sq.m. and to 27 sq.m. for a one bedroom unit. The Official Plan designation is HEALTH AND WELLNESS CLUSTER.

J. Loveys Smith confirmed that the statutory requirements for public hearing had been met, summarized the purpose of the hearing and reviewed the Planning Division Report.

Celestino DaCosta and Gisel Nunes, owners of 71-73 Ontario Road, Welland, ON L3B 5C2

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 to the application:

- No one spoke to the application.

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

95-103 Moved by Larouche and Fokkens
 THAT COUNCIL OF THE CITY OF WELLAND approves a By-law to remove the Holding (H) Symbol on lands municipally known as 383 and 391 St. Lawrence Drive, located on the north side of St. Lawrence Drive, west of Hansler Road.
 THAT Welland City Council directs staff to prepare the necessary By-law.

CARRIED

04-47
15-13 Moved by Larouche and Fokkens
 THAT THE COUNCIL OF THE CITY OF WELLAND approves Report TRANS 2015-05: Ride to Read Program.

CARRIED

05-81
15-9 Moved by Larouche and Carl
 THAT THE COUNCIL OF THE CITY OF WELLAND authorizes the expenditure of the City of Welland's 50% share, not to exceed \$253,076 of the Main Street Bridge LED Illumination of project approved by the Niagara Region at their Council meeting of April 21, 2015 as per the recommendations included in the Niagara Region Report Number PW 28-2015; and further
 THAT Contract 2015-T-107 (RN 15-07), BE AWARDED to Procon Constructors Inc. in the amount of \$467,820 (including HST), subject to cost sharing confirmation from City of Welland; and further
 THAT the Engineering Agreement with the consulting firm of Associated Engineering (AE) BE EXTENDED to include contract administration and inspection services of \$32,925.94 (including HST) with the engineering fees being calculated on a time plus disbursements basis; and further
 THAT the costs associated with this project BE CHARGED against Project ZRC1358/RC1358.

YEAS: Councillors Larouche, Carl, J. Chiocchio, McLeod, Letourneau, Grimaldi, Fokkens, Mastroianni, Van Vliet and Mayor Campion.

NAYS: Councillors DiMarco and P. Chiocchio.

CARRIED

08-143 Moved by Grimaldi and Letourneau
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Sue Hotte, Co-chair, David Duffus, Communication Chair, Daniel Peat, Member at large and Gary King, Secretary of the Save Our Welland Hospital Coalition regarding an update on its activities.

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08-143 Moved by Grimaldi and P. Chiocchio
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Sue Hotte, Co-chair, David Duffus, Communication Chair, Daniel Peat, Member at large, and Gary King, Secretary, of the Save Our Welland Hospital Coalition regarding an update on its activities; and further
 THAT Welland City Council refers their request for resolutions to the Health Care Committee to report back to Council.

CARRIED

15-2 Moved by Larouche and Fokkens
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report **TRAF-2015-09** Update to Business Licensing By-law 2011-173; and further
 THAT Welland City Council directs the City Clerk to amend Business Licence By-law 2011-173 as follows:

DELETE the following:

- 2. (a) No Person, except as specifically set out in this By-law and Schedule "A", shall carry on any Business, set out Schedule "A" of this By-law, without a Business Licence.

ADD the following:

- 2. (a) No Person shall carry on any Business, set out in Schedule "A" of this By-law, without a Business Licence.

...continued...

15-2...cont'd.

DELETE the following from Schedule 3 – FOOD VEHICLE

1. (c) "Food Vehicle" means a Chip Wagon, Mobile Food Preparation Vehicle, or Refreshment Vehicle, and shall not include a Mobile Barbeque Facility or Refrigerated Bicycle Cart;

ADD the following to Schedule 3 – FOOD VEHICLE

1. (c) "Food Vehicle" means a Chip Wagon, Mobile Barbeque Facility, Mobile Food Preparation Vehicle or Refreshment Vehicle, and shall not include a Refrigerated Bicycle Cart;

MOBILE BARBEQUE FACILITY

8. (a) In addition to all other requirements of this By-law, the following items shall be submitted with every application for inspections relating to a Food Vehicle that is a Mobile Barbeque Facility:
 - (i) a letter from the Owner of every property on which the Food Vehicle will be situated, authorizing the Applicant to conduct such Business from the property; and
 - (ii) a Site Plan to be approved by the City, indicating compliance with the criteria set out in the City of Welland Zoning By-law, as amended and Section 8(c) of this Schedule.
- (b) No Business Licence shall be issued for a Food Vehicle that is a Mobile Barbeque Facility unless the Site Plan has been approved by the City.
- (c) Every Licensee of a Food Vehicle that is a Mobile Barbeque Facility shall ensure that the Mobile Barbeque Facility is not operated at any time:
 - (i) on any Highway;
 - (ii) on any property where, due to the area occupied by the Food Vehicle, the minimum parking space requirement for said property is not in compliance with the City's Zoning By-law.

REMOVE the following from Schedule 9 – DONATION COLLECTION BINS:

- 14 a) When a Donation Collection Bin is placed, or is not maintained, in contravention of the provisions of this by-law, such Donation Collection Bin may be removed immediately by the City without notice if located on, over, or partly over property owned by or under jurisdiction of the City at the expense of the Operator, and the Operator shall be invoiced.

ADD the following to Schedule 9 – DONATION COLLECTION BINS:

- 14 a) When a Donation Collection Bin is placed in contravention of the provisions of this by-law, such Donation Collection Bin may be removed immediately by the City or its contractor without notice and at the expense of the Operator, and the Operator shall be invoiced.

CARRIED

15-22 Moved by Larouche and Fokkens

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report TRAF-2015-08: Lease Agreement-Division Street Parking Lot; and further

THAT Welland City Council directs the City Solicitor to prepare a lease agreement with the Pathstone Mental Health for the lease of the Division Street parking lot located at the intersection of Division Street and East Main Street.

CARRIED

15-28 Moved by McLeod and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Janet St. Amand, CEO, and Terry Sues, Volunteer Board Member, YMCA of Niagara, regarding an update on its activities and programs in Welland; and further

THAT Welland City Council directs staff to report back on the YMCA's request for property tax release.

CARRIED

15-48 Moved by Letourneau and DiMarco
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report CM-2015-02 regarding the Public Consultation Report - 2014-2018 Welland City Council Goals public consultation process.

YEAS: Councillors Larouche, Carl, J. Chiochio, McLeod, DiMarco, Letourneau, P. Chiochio, Grimaldi, Fokkens, Mastroianni, Van Vliet and Mayor Campion.

NAYS: None.

CARRIED

15-58Z Moved by Larouche and Fokkens
 THAT THE COUNCIL OF THE CITY OF WELLAND approves an Amendment to Zoning By-law 2667, as amended, for lands on the east side of King Street, south of Fourth Street, more specifically described as Part of Block F, Plan 574, in the City of Welland, known municipally as 570 King Street to add a social services hub as a permitted use to the existing C3-X1 Zone requiring a minimum of 70 parking spaces.

(Councillor Carl disclosed and interest in this matter, and did not take part in the consideration and discussion of same, and refrained from voting thereon, as his employer The Hope Centre is the owner of 570 King Street).

CARRIED

15-67 Moved by Grimaldi and Fokkens
 THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to review the selection process for appointments to Boards and Advisory Committees in order to enable Council to make the selection based on an assessment of the application and ensure the process is open and transparent. Staff are to report back no later than July 2015 in order to effect the new 2016 appointment timelines.

CARRIED

15-68 Moved by McLeod and P. Chiochio
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report ENG-2015-13 regarding the 2014 Annual Summary Report as required per the Safe Drinking Water Act 2002, Ontario Regulation 170/03.

CARRIED

15-69 Moved by Larouche and Fokkens
 THAT THE COUNCIL OF THE CITY OF WELLAND authorizes staff to renew the five (5) year agreement, for the period of November 15, 2015 to March 15, 2020 for the rental of six (6) front end loaders complete with snow plow and buckets with Toromont Cat., the lowest bidder as per Report ENG-2015-08. The agreement would commence November 15th to March 15th each year for winter control purposes at a per unit price of \$4,200.00 per unit per month plus applicable taxes; and further
 THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into contract with Toromont Cat.

CARRIED

15-70Z Moved by Larouche and Mastroianni
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information purposes Report P&B-2015-17 regarding an Application for Zoning By-law Amendment for lands on the north side of Ontario Road, west of King Street, more specifically described as Part of Lots 236 and 237, Plan 933, municipally known as 71-73 Ontario Road.

CARRIED

BY-LAWS

Moved by Larouche 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, as amended, now read a first, second and third time and pass same, and authorize the Mayor and Clerk to sign and seal same.

95-103

BYL 2015 - 48

A By-law to amend Zoning By-law 2667 upon the application of Ashton Homes (Western) Limited to remove the Holding Symbol "H" from certain lands on the north side of St. Lawrence Drive, west side of Hansler Road known municipally as 383 and 391 St. Lawrence Drive.

15-58Z

BYL 2015 - 49

A By-law to amend City of Welland Zoning By-law 2667 (The Hope Centre Community Resources in Advocacy - File 2015-02) 570 King Street.

15-24

BYL 2015 - 50

A By-law to authorize the appointment of Janette Loveys Smith as Interim City Manager for the Corporation of the City of Welland.

15-24

BYL 2015 - 51

A By-law to authorize appointment of Tara Stephens as Deputy Clerk of the Corporation of the City of Welland.

15-22

BYL 2015 - 52

A By-law to authorize entering into a Lease Agreement with Pathstone Mental Health for the Division Street Parking Lot.

15-2

BYL 2015 - 53

A By-law to amend Business Licensing By-law 2011-173.

15-69

BYL 2015 - 54

A By-law to authorize entering into contract with Toromont Cat for Seasonal Rental of Snow Removal Equipment.

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.

15-1

BYL 2015 - 55

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 5th day of May, 2015.

CARRIED

Council adjourned at 8:54 p.m.

These Minutes approved and adopted by Motion of Council this 19th day of May, 2015.

MAYOR

DEPUTY CITY CLERK