



**MINUTES OF**  
**COUNCIL MEETING, MAY 19, 2015**  
**CIVIC SQUARE, COUNCIL CHAMBERS**  
**60 EAST MAIN STREET**

Council met in open session at 7:01 p.m. and in Committee-of-the-Whole at 10:36 p.m. on the above date.

His Worship Mayor Frank Campion in the Chair.

**Members Present:**

Councillors M. Carl (8:54 p.m.), J. Chiocchio, P. Chiocchio, T. DiMarco (until 10:36 p.m.),  
B. Fokkens, M.A. Grimaldi, J. Larouche, R. Letourneau (until 10:23 p.m.), J. Mastroianni, D. McLeod,  
M. Petrachenko and L. Van Vliet.

**Members of Staff and Others Present:**

Interim City Manager/ General Manager, Integrated Services, J. Loveys Smith  
Deputy City Clerk, T. Stephens  
Chief, Fire & Emergency Services, D. Prevost (until 10:36 p.m.)  
General Manager, Corporate Services/Treasurer, S. Zorbas (until 10:36 p.m.)  
General Manager, Human Resources and Legislative Services, R. Mantesso (until 10:36 p.m.)  
Planning Supervisor, G. Munday (until 10:21 p.m.)  
Recording Secretary, C. Viger (7:01 p.m.)

## **PRESENTATIONS:**

### **COMMUNITY INVOLVEMENT RECOGNITION**

Presentation of plaques by Councillors Grimaldi and Petrachenko to the Heritage Welland 1812 Bicentennial Committee.

Presentation of plaques by Councillor Petrachenko to the Welland L.J. Walters Insurance Major Bantam A Tigers for their achievements during the 2014-2015 Hockey Season.

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

**10-123** Paul Turner, President, STEP Niagara and Christina Lajeunesse, Know Poverty Committee Member addressed Council regarding Anti-Poverty Week and Know Poverty update on their mandate and activities.

**09-104** Councillor Larouche, Chair, Audit Review Committee, provided a verbal update on the Audit Review Committee meeting of May 12, 2015.

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

Councillor Van Vliet presided as Chair of the Public Hearing:

**15-72Z** A complete application has been made by 2415962 ONTARIO INC. to rezone Part Block M, Plan 1649, now known as Plan 564, being Part 1 on Plan 59R-14582 for lands at 90 Lincoln Street from the existing C4-X4 Zone to a Site Specific C4 Zone. The purpose of the Amendment is to permit a propane dispensing station in conjunction with the existing gas station and convenience store. The proposed Site Specific C4 Zone would add propane dispensing station as a permitted use. The Official Plan designation is COMMUNITY COMMERCIAL CORRIDOR.

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.

David Li, 3636B St. Clair Avenue East, Toronto, Ontario M1N 0A5 applicant, owner and operator.  
Mike Martin, proposed supplier propane, 494 Brookdale Avenue, Toronto, ON M5M 1R7  
Ross Keys, Engineering Consultant, 126 Holm Crescent, Thornhill, ON L3T 5J3

#### **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:**

- John Parisee, 2 Riverside Drive, Welland, ON L3C 5C7.

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

Councillor Van Vliet presided as Chair of the Public Hearing:

**15-73**

**15-73Z** Complete applications have been made by UPPER CANADA CONSULTANTS on behalf of ARBER DEVELOPMENTS LTD. AND HERT INC. to amend the City of Welland Official Plan by changing the designation of the lands at 633 South Pelham Road (west side of South Pelham Road, south of Sumbler Road) from CORE NATURAL HERITAGE SYSTEM, LOW DENSITY RESIDENTIAL AND MEDIUM DENSITY RESIDENTIAL to LOW DENSITY RESIDENTIAL AND MEDIUM DENSITY RESIDENTIAL, and for approval of a Draft Plan of Subdivision for lands on the west side of South Pelham Road, south of Sumbler Road and to rezone the lands at 633 South Pelham Road (west side of South Pelham Road, south of Sumbler Road) from the existing R2, RA and C4 Zones to Site Specific R3 and RM3 Zones. The purpose of the Amendment is to permit the development of a plan of subdivision containing dwelling units composed of single-detached dwellings, street townhouses and a storm water management facility/open space.

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.

Jennifer Vida, Upper Canada Consultants, 261 Martindale Road, St. Catharines, ON L2W 1A1 on behalf of applicant.

Ron Huizer, Beacon Environmental, 126 Kimberley Avenue, Bracebridge, ON P1L 1Z9 in attendance to answer any questions regarding the effects on nature around the area.

**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:**

- Donald and Donna Labute, 75 Sumbler Road, Welland, ON L3C 3P1
- Roy Honsberger, 68 Sumbler Road, Welland, ON L3C 3N9

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

**15-1**

Moved by P. Chiocchio and DiMarco

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meetings of April 21, 2015, May 5, 2015 and Special Council Meeting of April 28, 2015, as circulated.

**CARRIED**

**99-43**

Moved by Larouche and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND, as sole shareholder of Welland Hydro-Electric Holding Corp., requests an additional hydro dividend of \$115,000, in addition to the base Hydro Dividend of \$500,000, by way of a special dividend from Welland Hydro-Electric Holding Corp., notwithstanding the terms of the Shareholder Declaration.

**CARRIED**

**99-99**

Moved by P. Chiocchio and J. Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report CM-2015-04 with respect to the Welland Recreational Canal Corporation 2015 Canoe Rental Program; and further THAT Welland City Council directs city staff to work cooperatively with the Welland Recreational Canal Corporation staff to ensure financial and program reports are submitted and reconciled monthly for the 2015 Canoe Rental season.

**CARRIED**

**99-99** Moved by P. Chiocchio and J. Chiocchio  
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report CM-2015-05 regarding the Welland Recreational Canal Corporation and City of Welland 2015 Work Plan for the Canal Lands; and further  
 THAT Welland City Council requests that the Welland Recreational Canal Corporation submit a final budget for \$359,000 which aligns with the proposed 2015 work plan and service levels; and further  
 THAT Welland City Council directs city staff and the City Solicitor to prepare a Memorandum of Understanding which outlines the 2015 work plan and roles and responsibilities of the two organizations; and further  
 THAT Welland City Council directs city staff to work cooperatively with the Welland Recreational Canal Corporation staff to ensure the Canal Lands are maintained for 2015.

**YEAS:** Councillors Letourneau, P. Chiocchio, Grimaldi, Fokkens, Van Vliet, Mayor Campion, Petrachenko, J. Chiocchio and DiMarco.

**NAYS:** Councillors Mastroianni, Larouche, Carl and McLeod.

**CARRIED**

**99-99** Moved by P. Chiocchio and J. Chiocchio  
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report CM-2015-06 regarding the Welland Recreational Canal Corporation Governance and Operational Draft Framework.

**CARRIED**

**09-104** Moved by Van Vliet and Larouche  
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Councillor Larouche, Chair, Audit Review Committee regarding its meeting of May 12, 2015.

**CARRIED**

**10-123** Moved by Petrachenko and Letourneau  
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Paul Turner, President, STEP Niagara, and Christina Lajeunesse, Know Poverty Committee Member regarding Anti-Poverty Week and Know Poverty update on their mandate and activities.

**CARRIED**

**14-85**

**14-85Z** Moved by Fokkens and McLeod  
 THAT THE COUNCIL OF THE CITY OF WELLAND adopts an Official Plan Amendment to designate the lands on the east side of Hellems Avenue, south of Young Street, more specifically described as Part Block V, Plan 564, in the City of Welland, known municipally as 170 Hellems Avenue from Low Density Residential to Community Commercial Corridor – Special Policy Area; and further  
 THAT Welland City Council approves an Amendment to Zoning By-law 2667, as amended, for lands on the south-east corner of Hellems Avenue and Young Street, more specifically described as Part Blocks V and Z, Plan 1649, NP564, in the City of Welland, known municipally as 152 Hellems Avenue, 170 Hellems Avenue and 131 Young Street from the existing Multiple Dwelling – Second Density (RM2) and C1-X13 Zones to a Site Specific C1 – Local Commercial Zone to add respite care as a permitted use to the 170 Hellems Avenue lands, permit a parking requirement of one parking space per 3.07 beds and an east side yard setback of 2.0 metres for the proposed canopy.

**(Councillor P. Chiocchio 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 sister has special needs, and may be assisting in the project).**

**YEAS:** Councillors Petrachenko, J. Chiocchio, McLeod, Letourneau, Grimaldi, Fokkens, Van Vliet and Mayor Campion.

**NAYS:** Councillors Larouche, Carl, DiMarco and Mastroianni.

**CARRIED**

**15-4** Moved by DiMarco and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the Year-End Report up to and including December 31, 2014 (CM-2015-03) as recommended by the Audit Review Committee.

**CARRIED****15-4** Moved by DiMarco and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND requests that the Regional Municipality of Niagara issue debentures in the amount of \$3,581,000 in accordance with the terms of the various authorizing By-laws outlined in Appendix I to Report FIN-2015-14 dated May 19, 2015; and further THAT Welland City Council directs the City Treasurer to make available to the Regional Municipality of Niagara certified copies of all applicable By-laws and Ministry of Environment Certificates applicable and all other information required in connection thereto to ensure the issue of the debentures in the amount of \$3,581,000 are for the projects described on the said Appendix I.

**CARRIED****15-22** Moved by Larouche and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report TRAF-2015-10: Update to Traffic and Parking By-law 89-2000; and further THAT Welland City Council directs the City Clerk to amend Traffic and Parking By-law 89-2000 as follows:

ADD the following from Schedule "I" – Municipal/Private Property

SKETCH NO.	LOCATION	COMMON NAME
No Sketch	162 First Street	Niagara South Condo Corporation #70

DELETE the following from Schedule "VII" – School Bus Loading Zones

COLUMN I HIGHWAY	COLUMN II FROM	COLUMN III TO	COLUMN IV SCHOOL OR INSTITUTION
St. Andrews Avenue	105m South of East Main Street	150m South of East Main Street	St. Andrew Catholic School

DELETE the following from Schedule "V" – Parking Prohibitions (Specified Places with Signs)

COLUMN 1 HIGHWAY	COLUMN 2 SIDE	COLUMN 3		COLUMN 4 PERIOD (TIMES/DAYS)
		FROM	TO	
St. Andrews Avenue	East Side	East Main Street	Laval Avenue	Monday – Friday 8:30 am – 4:00 pm

ADD the following to Schedule "V" – Parking Prohibitions (Specified Places with Signs)

COLUMN 1 HIGHWAY	COLUMN 2 SIDE	COLUMN 3		COLUMN 4 PERIOD (TIMES/DAYS)
		FROM	TO	
St. Andrews Avenue	West Side	East Main Street	Laval Avenue	Monday – Friday 8:30 am – 4:00 pm

ADD the following to Schedule "XXVII" – Speed Limits on Highways

COLUMN 1 HIGHWAY	COLUMN 2		COLUMN 3 MAXIMUM SPEED (KM/HR)
	FROM	TO	
St. Andrews Avenue	East Main Street	Laval Avenue	40

ADD the following to Schedule "VIII" – Limited Parking

COLUMN 1 HIGHWAY	COLUMN 2 SIDE	COLUMN 3		COLUMN 4 PERIOD	COLUMN 5 TIMES/DAYS
		FROM	TO		
Burgar Street	West Side	East Main Street	Division Street	2 hours	8:00 am – 6:00 pm Monday to Friday
Cross Street	East Side	A point 65 metres north of East Main Street	East Main Street	2 hours	8:00 am – 6:00 pm Monday to Friday
Cross Street	Both Sides	East Main Street	Division Street	2 hours	8:00 am – 6:00 pm Monday to Friday
Division Street	Both Sides	King Street	Hellems Avenue	2 hours	8:00 am – 6:00 pm Monday to Friday
East Main Street	Both Sides	King Street	Ross Street/Division Street	2 hours	8:00 am – 6:00 pm Monday to Friday
Frazer Street	East Side	A point 10 metres south of West Main Street	A point 20 metres south of West Main Street	2 hours	8:00 am – 6:00 pm Monday to Friday
Hellems Avenue	West Side	East Main Street	Division Street	2 hours	8:00 am – 6:00 pm Monday to Friday
King Street	Both Sides	East Main Street	Division Street	2 hours	8:00 am – 6:00 pm Monday to Friday
King Street	East Side	Division Street	Regent Street	2 hours	8:00 am – 6:00 pm Monday to Friday
Niagara Street	East Side	A point 75 metres north of West Main Street	A point 25 metres north of West Main Street	2 hours	8:00 am – 6:00 pm Monday to Friday
River Road	East Side	A point 16 metres south of Dorothy Street	A point 22 metres south of Dorothy Street	2 hours	8:00 am – 6:00 pm Monday to Friday
West Main Street	North Side	Albina Street	Niagara Street	2 hours	8:00 am – 6:00 pm Monday to Friday
West Main Street	South Side	A point 50 metres east of Denistoun Street	A point 90 metres west of Frazer Street	2 hours	8:00 am – 6:00 pm Monday to Friday

DELETE the contents of Schedule "XVI" – Parking Meter Control in its entirety.

ADD the following to Schedule "XVI" – Parking Meter Control

COLUMN 1 HIGHWAY	COLUMN 2 SIDE	COLUMN 3		COLUMN 4 FEES	COLUMN 5 MAX TIME	COLUMN 6 TIMES/DAYS
		FROM	TO			
King Street	East	Regent Street	Lincoln Street	\$0.25 / 12 min. \$1.25 / hr. \$2.50 / 2 hr.	2 hours	8:00 am to 6:00 pm Monday to Friday Holidays Exempt
King Street	Both Sides	Third Street	Sixth Street	\$0.25 / 12 min. \$1.25 / hr. \$2.50 / 2 hr.	2 hours	8:00 am to 6:00 pm Monday to Friday Holidays Exempt
King Street	Both Sides	Sixth Street	Ontario Road	\$0.25 / 12 min. \$1.25 / hr. \$2.50 / 2 hr.	2 hours	8:00 am to 6:00 pm Monday to Friday

						Holidays Exempt
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**CARRIED**

**15-37** Moved by P. Chiocchio and J. Chiocchio  
 THAT THE COUNCIL OF THE CITY OF WELLAND refers to staff and Councillor Fokkens to meet and amend Report FIN-2015-13: Water/Wastewater Committee to reflect the intention of the committee, and report back to General Committee on June 9, 2015.

**CARRIED**

**15-55** Moved by P. Chiocchio and J. Chiocchio  
 THAT THE COUNCIL OF THE CITY OF WELLAND refers Report R&C-2015-05: Recreation & Culture Advisory Committee Consolidation to the Workplan Implementation Meeting of May 26, 2015.

**CARRIED**

**15-58** Moved by McLeod and Grimaldi  
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the Application for the City of Welland Community Improvement Plan for the Downtown and Health and Wellness Cluster for property municipally known as 570 King Street for the Building Improvement Grant Program in the estimated amount of \$2,472.50 with the Niagara Region contributing 50% of this amount (\$1,236.25) and for the Planning and Building Fees Grant Program in the amount of \$2,940.00; and further  
 THAT Welland City Council directs staff to prepare the required By-law and Agreement; and further  
 THAT Welland City Council authorizes the Mayor and City Clerk to execute any documentation required for participation in the Building Improvement Grant Program.

**(Councillor Carl 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 the Hope Centre).**

**CARRIED**

**15-59** Moved by Larouche and Mastroianni  
 THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the tender from Bob Robinson & Son, 284612 Ontario Ltd., for the CCTV Camera Survey of Gravity Sewers 2015 & 2016, as presented in Report ENG-2015-14; and further  
 THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into a two (2) year contract with Bob Robinson & Son, 284612 Ontario Ltd., to execute the 2015 and 2016 CCTV Camera Survey of Gravity Sewers at the tender price of \$418,870, excluding applicable taxes, with the 2016 portion being subject to budget approval.

**CARRIED**

**15-70Z** Moved by Larouche and Petrachenko  
 THAT THE COUNCIL OF THE CITY OF WELLAND approves an Amendment to Zoning By-law 2667, as amended, for lands on the north-west corner of Ontario Road and Steel Street, more specifically described as Part of Lots 236 and 237, Plan 933, in the City of Welland, known municipally as 71-73 Ontario Road from the existing C3 - General Commercial Zone to a Site Specific C3 – General Commercial Zone to permit the conversion of the main floor to four (4) residential units, reduce the parking requirement to four (4) stacked parking spaces for the nine (9) units, reduce the minimum floor area for a bachelor dwelling unit to 33 square metres and to 27 square metres for a one bedroom unit.

**CARRIED**

**15-72Z** Moved by Van Vliet and Grimaldi  
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information purposes Report P&B-2015-20 regarding an Application for Zoning By-law Amendment for lands on the north-east corner of Lincoln Street and Prince Charles Drive North, more specifically described as Part Block M, Plan 1649, now known as Plan 564, being Part 1 on Plan 59R-14582, municipally known as 90 Lincoln Street.

**CARRIED**

**15-73****15-73Z**

Moved by Fokkens and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information purposes Report P&B-2015-21 regarding Applications for Draft Plan of Subdivision Approval, Official Plan Amendment and Zoning By-law Amendment for lands on the west side of South Pelham Road, south of Sumbler Road, municipally known as 633 South Pelham Road.

**CARRIED****15-74**

Moved by Larouche and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated May 1, 2015 regarding Report PDS 20-2015: WaterSmart Incentive Program - 2015 Application Recommendations.

**CARRIED****15-75**

Moved by Larouche and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated May 4, 2015 regarding Report PDS 21-2015: Options for Niagara Region Support for the Development of the Canadian Motor Speedway Project in Fort Erie.

**CARRIED****15-76**

Moved by Larouche and Mastroianni

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Town of Fort Erie dated April 28, 2015 regarding Taxi Service in the Town of Fort Erie.

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

Moved by Grimaldi and Mastroianni

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.

**14-85**

BYL 2015 - 58

A By-law to authorize the adoption of Official Plan Amendment No. 9.

**14-85Z**

BYL 2015 - 59

A By-law to amend City of Welland Zoning By-law 2667 (Gary Neumann and Niagara Regional Mortgage Services Inc. - File 2015-01) 152 Hellems Avenue, 170 Hellems Avenue and 131 Young Street.

**15-70Z**

BYL 2015 - 60

A By-law to amend City of Welland Zoning By-law 2667 (2415859 Ontario Inc. - File 2015-03) 71-73 Ontario Road.

**15-4**

BYL 2015 - 61

A By-law to authorize application to the Regional Municipality of Niagara for the issue of debentures for year 2015.

**CARRIED**



Moved by Larouche and Mastroianni

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.

**15-22**

BYL 2015 - 56

A By-law to amend By-law 89-2000, being a By-law regulating traffic and parking with the City of Welland (Schedules I, V, VII, VIII, XVI and XXVII).

**15-59**

BYL 2015 - 57

A By-law to authorize entering into contract with 284612 Ontario Ltd. o/a Bob Robinson & Son for CCTV Camera Survey of Gravity Sewers for years 2015 and 2016.

**CARRIED**

Moved by J. Chiocchio and Petrachenko

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 - 62

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 19<sup>th</sup> day of May, 2015.

**CARRIED**

**15-25**

Moved by Van Vliet and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 10:36 p.m. to consider:

- personal matters about an identifiable individual, including municipal or local board employees.

**CARRIED**

**15-25**

Moved by Fokkens and Carl

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 10:44 p.m. without report.

**CARRIED**

Councillor Fokkens gave Notice of Motion to the following issue to be presented to Council at the June 2, 2015 Regular Council Meeting:

**14-85**

WHEREAS to address the concerns of the residents in the surrounding area of 152 & 170 Hellems Avenue and 131 Young Street and to provide transparency to the operation of the business located at this address.

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND resolves that the owners/operators of the business located at 152 & 170 Hellems Avenue and 131 Young Street, at Council's request, provide information on the business in a public Council forum on how the business will be/is operated, the services to be provided and any long term development plans. The first public information session shall be held no later than to November 30, 2015.

Councillor Van Vliet gave Notice of Motion to the following issue to be presented to Council at the June 2, 2015 Regular Council Meeting:

**15-4**

**15-37** THAT THE COUNCIL OF THE CITY OF WELLAND establishes a deadline of January 1, 2016 for Welland City Council to approve the 2016 Tax Supported Operating and Capital Budes; 2017 - 2025 Capital Forecast; 2016 Water and Wastewater Operating and Capital Budgets; and 2017 - 2025 Water/Wastewater Capital Forecast.

Council adjourned at 10:45 p.m.

These Minutes approved and adopted by Motion of Council this 2<sup>nd</sup> day of June, 2015.

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**MAYOR**

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**DEPUTY CITY CLERK**