



**CITY OF
Welland**

MINUTES OF THE

NOVEMBER 26, 2024 COUNCIL MEETING

**CIVIC SQUARE, COUNCIL CHAMBERS
60 EAST MAIN STREET**

Council met in Committee-of-the-Whole closed to the public at 6:40 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 J. Chiochio (until 8:26 p.m.), T. DiMarco (virtual until 8:10 p.m. and again at 8:20 p.m. and until 8:25 p.m.), B. Fokkens, B. Green, M.A. Grimaldi, J. Lee, D. McLeod, A. Moote, C. Richard (until 8:55 p.m.), S. Setaram, G. Speck, and L. Van Vliet.

Members of Staff and Others Present:

Chief Administrative Officer, R. Axiak

Director of Legislative Services/City Clerk, T. Stephens

Acting Deputy City Clerk, C. Ambrosio

General Manager of Corporate & Enterprise Services/CFO, S. Nagel

Fire Chief & Community Emergency Management Coordinator, A. Eckhart (virtual)

Director of Community Services, J. Ruddell

Director of Infrastructure Services, SM. Millar (virtual)

Director of Planning and Development Services, G. Munday

Manager of Facility Operations & Development, F. Pearson (7:00 p.m.)

Manager of Business & Community Services, A. Degazio (7:00 p.m.)

Manager of Budgets & Financial Services/Deputy Treasurer, A. Vuksan Scott (7:00 p.m. - 8:20 p.m.)

2024 - 334**24-25** Moved by McLeod 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 6:40 p.m. to consider:

- personal matters about an identifiable individual, including municipal or local board employees;
 - Citizen appointment to the Green Advisory Committee.

CARRIED**2024 - 335****24-25** Moved by McLeod and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 6:52 p.m. with report.

CARRIED**THE FOLLOWING ITEM WAS DELETED:**

24-14 CLK-2024-11: Response to Notice of Motion - Options to Reduce Council Size to Lessen Financial Impact on Taxpayer and Public Engagement.

The Mayor recessed the council meeting at 7:55 p.m. and reconvened at 8:01 p.m.

2024 - 336**24-1** Moved by Lee and Setaram

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meeting of October 29, 2024 as amended and Special Council Meetings of November 5 and 11, 2024, as circulated.

CARRIED**2024 - 337****02-160** Moved by Setaram and Fokkens

WHEREAS, Council expects to be formally notified of public meetings/consultations taking place in the City of Welland.

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to speak with Niagara Region to coordinate formal notification of public meetings/consultations taking place in the City of Welland in the weekly Council Information Packages.

CARRIED**2024 - 338****21-30** Moved by Fokkens and Richard

WHEREAS, the City of Welland is experiencing an increase in the number of encampments on or near public, private or business properties; and

WHEREAS, the City of London and Hamilton have Encampment Protocol Procedures which balances the needs of the homeless, against the safety of the residents and businesses; and further

WHEREAS, The City of Welland has not yet established perimeters for temporary shelters or encampments.

THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to create a bylaw to define perimeters, to restrict the erection of temporary shelters or encampments; and further THAT staff identify any legal implications and procedural systems to carry out and enforce this bylaw.

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21-30 Moved by Van Vliet and McLeod

THAT Welland City Council refers back to staff the notice of motion regarding increases in the number of encampments near public, private and business properties.

CARRIED

2024 - 339

21-30 Moved by Mayor Campion and Grimaldi

WHEREAS, Welland along with other Ontario cities are left to manage issues of encampments, homelessness, mental health and addiction without adequate resources and support, despite mental health care, addiction treatment, and housing being provincial responsibilities; and

WHEREAS, all levels of government must collaborate and take immediate action to address the homelessness and mental health crisis affecting our communities; and

WHEREAS, effective programs exist, but require the cooperation of all levels of government, municipalities, and community partners; and

WHEREAS, the City of Welland recognizes the province's leadership in considering all tools available to assist municipalities in managing this crisis. However, existing legal parameters often hinder Welland's ability to effectively enforce the standards and safety protocols necessary to address unauthorized encampments; and

WHEREAS, residents and businesses are impacted, and there is a need for people to feel safe in downtowns and public spaces; and further

WHEREAS, by invoking the notwithstanding clause, the City of Welland would be better equipped to manage these challenges.

NOW THEREFORE IT BE RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND formally requests the Province of Ontario to invoke the notwithstanding clause in Section 33 of the Canadian Charter of Rights and Freedoms, to empower Welland to enact temporary bylaws that prioritize the health and safety of all residents while ensuring responsible and dignified support for those experiencing homelessness; and

THAT City of Welland is also working with the Region of Niagara to expand the shelter system, including a new shelter in Welland by the end of this year. While housing of all types remains a priority, the issue of encampments, including mental health and addiction in public spaces, has become significant; and

THAT the City of Welland is committed to collaborating with the provincial government to address the root causes of homelessness, balancing compassion with the need for public safety and city integrity; and further

THAT I, Frank Campion, Mayor for the City of Welland, request Council to support the request to the Province of Ontario to invoke the notwithstanding clause in Section 33 of the Canadian Charter of Rights and Freedoms.

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21-30 Moved by McLeod and Moote
THAT Welland City Council amend the last paragraph to add until December 31,2026.

YEAS: Mayor Campion, Fokkens, Green, Grimaldi, Lee, McLeod, Moote, Setaram, Speck and Van Vliet.

NAYS: None.

CARRIED

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

YEAS: Mayor Campion, Green, Grimaldi, Lee, McLeod, Moote and Setaram.

NAYS: Fokkens, Speck and Van Vliet.

CARRIED

2024 - 340

21-145 Moved by Green and Lee
THAT THE COUNCIL OF THE CITY OF WELLAND approves increased funding through the Operating Surplus Reserve Fund for \$ 33,066.28 including tax, to the 2025 Operating Budget for the award the Security Services Contractor tender award; and further
THAT Welland City Council approves the award to Garda Canada Security Corporation for the provision of the Security Services Contractor, for a period of two years.

CARRIED

2024 - 341

24-5 Moved by Lee and Green
THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report CS-2024-30: Community Grants Program Funding Update.

YEAS: Mayor Campion, Grimaldi, Lee, McLeod, Moote, Setaram and Van Vliet.

NAYS: Fokkens, Green, Richard and Speck.

CARRIED

2024 - 342

24-38 Moved by Chiochio and McLeod
THAT THE COUNCIL OF THE CITY OF WELLAND approves the updated Fees and Charges as set out in Appendix I; and further
That Welland City Council approves the amendment to By-law 2006-193 to reflect the updated fees and charges effective January 1, 2025, or such other dates as set out in Appendix I; and further
That Welland City Council approves the amendment to By-law 2021-188 to reflect the updated fees and charges effective January 1, 2025.

CARRIED

2024 - 343**24-97** Moved by Fokkens and Lee

THAT THE COUNCIL OF THE CITY OF WELLAND assumes the Forks Common Subdivision.

CARRIED**2024 - 344****24-98** Moved by Moote and Van Vliet.

THAT THE COUNCIL OF THE CITY OF WELLAND approves extension to Draft Plan of Vacant Land Condominium for the Southwoods Condominium (file no. 26CD-14-19003) for an additional eighteen (18) months to July 6, 2026, subject to modification to conditions of approval; and further

THAT Welland City Council approves a policy amendment to allow for the extension to Draft Plan of Vacant Land Condominium for the Southwoods Condominium (file no. 26CD-14-19003) for an additional 18 months which exceeds the one (1) year extension provided through Policy SER-012-0014.

CARRIED**2024 - 345****24-100** Moved by Moote and Van Vliet (in block)

THAT THE COUNCIL OF THE CITY OF WELLAND approves the exemption request by 1000716281 Ontario Inc. for its Application for Condominium Approval of eighty-four (84) condominium units located at 348 Thorold Road, in accordance with Section 9 (7) of the Condominium Act, Chapter 4, 1998, as amended.

CARRIED**BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE (IN-CAMERA)****2024 - 346****22-112** Moved by Fokkens and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND appoints Tom Liszt to the Green Advisory Committee for the term November 26, 2024 to November 14, 2026.

CARRIED**BY-LAWS**

Moved by Moote and Van Vliet (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.

05-51

Byl 2024 - 109

A By-law to establish and adopt a purchasing policy; and to repeal By-law 2015-1.

24-99

BYL 2024 - 110

A By-law to exempt certain lands from Part-Lot- Control - Parts 1 and 2, Plan 59R-18214, Part of Lot 45, Plan 579 (41 and 43 Myrtle Avenue), City of Welland.

24-100

BYL 2024 - 111

A By-law to authorize exemption from Condominium approval for 100071681 Ontario Inc. for lands described as PCL 244-2 Sec 59 Thorold: Part Township Lot 244 Thorold Part 1 59R2011; except Part 1 59R18095; City of Welland, municipally known as 348 Thorold.

CARRIED

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.

05-120

BYL 2024 - 112

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 Moote and Lee

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.

24-1

BYL 2024 - 113

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 26th day of November 2024.

CARRIED

Council adjourned at 9:32 p.m.

These Minutes to be approved and adopted by Motion of Council this 10th day of December 2024.