



COUNCIL MEETING AGENDA

**Tuesday, August 14, 2007
7:00 P.M.**

COUNCIL CHAMBERS – CIVIC SQUARE

1. **COMMITTEE-OF-THE-WHOLE (IN CAMERA) (5:15 p.m.)**
(See yellow tab)
Litigation or Potential Litigation Matters.
Proposed or Pending Acquisition or Disposition of Land Matter.
Personal Matter.
Security of Property Matters

 2. **ARISE FROM COMMITTEE-OF-THE-WHOLE (IN CAMERA) (6:55 p.m.)**

 3. **OPEN COUNCIL MEETING (7:00 p.m.)**
 - 3.1 **NATIONAL ANTHEM**
 - 3.2 **OPENING REMARKS**
 - 3.3 **ADDITIONS/DELETIONS TO AGENDA**
 - 3.4 **DISCLOSURE OF INTEREST**
 - 3.5 **ADOPTION OF MINUTES**

Regular Council Meetings of June 12, 2007 and July 17, 2007
(Previously Distributed)
 - 3.6 **CALL UPON THE DEPUTY CLERK TO REVIEW COMMITTEE OF THE WHOLE ITEMS TO BE ADDED TO BLOCK**
 - 3.7 **COUNCILLORS TO DETERMINE AGENDA ITEMS AND BY-LAWS TO BE REMOVED FROM BLOCK FOR DISCUSSION IN COMMITTEE OF THE WHOLE (OPEN)**
(See pink tab)

 4. **ORAL REPORTS AND DELEGATIONS**
 - 4.1 **PRESENTATION(S) nil**
-



COUNCIL MEETING AGENDA – Page 2

**Tuesday, August 14, 2007
7:00 P.M.**

COUNCIL CHAMBERS – CIVIC SQUARE

4.2 DELEGATION(S) (maximum 5/10/5 policy):

- 07-6** Nicole Anger, Regional Development Manager, The Arthritis Society – Ontario Division – Niagara/Hamilton – requesting Council to declare the month of September as “Arthritis Awareness Month”.
- 07-21** Doug Reitsma, President, Welland/Chamber of Commerce -waiving of fees for the 2007 Oscar Eh Event.
- 06-I 50**
07-20 Joseph A. Riucci, Chairman, Niagara Blues & Jazz Society Inc. – requesting permission for use of the Market Square, exemption to the Noise By-law and Special Occasion Permit for a music festival event on September 15, 2007.
- 07-I 3** John Ravenda, President, Ravenda Homes Ltd. and Tom Richardson, Solicitor requesting closure of Willson Road allowance north of Colbeck Drive to allow access to service rear lands.

4.3 STATUTORY PUBLIC HEARING PURSUANT TO THE PLANNING ACT.

07-I 15

07-I 15Z Application have been made by ROBERT HAZRA on behalf of FELICE DEL PRIORE, GAETANO LIMONCELLI AND ALFONSO LIMONCELLI to amend the Official Plan from SCHOOLS (SC) to RESIDENTIAL and Zoning By-law 2667 (Lots 422 to 440 and 571 to 585, Plan 960) for lands at 160 Wallace Avenue from the existing 02 – Open Space Zone to a Site Specific R3 Zone. The purpose of the Amendment is to redesignate and rezone the subject lands to permit the construction of thirty (30) single-detached dwellings on lots having a minimum lot frontage of 10 metres and a minimum lot area of 306 square metres.

(See Staff Report PDS-2007 - pages 44 to 59).

07-I 162 An application has been made by MARK STONE on behalf of CROMBIE PROPERTY HOLDINGS LIMITED to rezone Part Lot 1, Concession 12, Township of Pelham, now in the City of Welland for lands at 589-595 South Pelham Road to permit a clinic as an additional use in the existing C3-x9 Zone. The Official Plan designation is COMMERCIAL (C).

(See Staff Report PDS-2007 - pages 60 to 64).

(Adjourn Statutory Public Hearing to reconvene Council Meeting)



COUNCIL MEETING AGENDA – Page 3

Tuesday, August 14, 2007

7:00 P.M.

COUNCIL CHAMBERS – CIVIC SQUARE

4.4 REGIONAL COUNCIL REPORT

4.5 BOARDS, AGENCIES, COMMISSIONS REPORT(S)

~~99-99~~ **99-99** **Stephen Fischer, Manager, Business and Operations - Welland Recreational Canal Corporation quarterly update, initiatives report and outstanding items. (Luminaqua)**

07-4 **Deanna Villella, Chair, and Vice-Chair, Trevor Sainsbury, North Wetland Business Improvement Area Association requesting approval of its proposed 2007 budget.**

07-4 **Greg D'Amico, Chair, Welland Downtown Business Improvement Area Board requesting approval of its proposed 2007 budget.**

5. COMMITTEE OF THE WHOLE (OPEN) (to discuss items removed from Agenda Block)

6. BY-LAWS (SEE AGENDA INDEX)

7. NOTICES OF MOTION

7.1 Councillor matters discussed with staff for reporting purposes.

7.2 Notices of Motion (for introduction)

7.3 Notices of Motion (previously submitted for discussion)

(Councillor Van Vliet)

99-99 **THE COUNCIL OF THE CITY OF WELLAND approves amending the Go Quietly By-law to permit the use of boats powered by motors of 10 horsepower or less to use the Welland Recreational Waterway in the northern section of the waterway commencing from the Townline Road plug to the northern extreme of the Waterway.**



COUNCIL MEETING AGENDA – Page 4

*Tuesday, August 14, 2007
7:00 P.M.*

COUNCIL CHAMBERS – CIVIC SQUARE

- a. **CORPORATION REPORTS**
 - 8.1 **Councillor Activities Report**
 - a.2 **Mayor's Report**
 - a.3 **City Manager's Report**

- 9. **ADJOURNMENT**



COUNCIL MEETING AGENDA INDEX

**Tuesday, August 14, 2007
7:00 P.M.
COUNCIL CHAMBERS – CIVIC SQUARE**

Page No.

AGENDA BLOCK

1. **BUSINESS ARISING FROM MINUTES, PREVIOUS MEETINGS AND OTHER ITEMS REFERRED FROM COUNCIL FOR DISCUSSION**

2. **COMMITTEE AND STAFF REPORTS**
 1. **Business Arising from Committee of the Whole (closed)**

 2. **General Committee Report (NIL)**

 3. **Budget Review Committee Report**
 - 07-4** Welland Downtown Improvement Area Board of Management – 2007 budget.

 - 07-4** North Welland Improvement Area Board of Management – 2007 budget.

 - 06-1 14** 1 50TH Anniversary Planning Committee Budget and Operations Plan.

 - 07-4** Quarterly Report.

3. **Staff Reports**
 - 07-34** Gen. Mgr., Communications, Council and Legislative Services/City Clerk, C. Stirtzinger – Vacancy on Council due to resignation of Toni Eybel.

 - 99-99** Gen. Mgr., Financial and Corp. Serv./Treasurer B. Silvestri- Welland Recreational Canal Corporation 2007 Budget.

 - 01-161** City Manager, P. Simmons – Strategic Plan – Mission Statement.

1
Remove from Block

8

13



COUNCIL MEETING AGENDA INDEX – Page 2

Tuesday, August 14, 2007

7:00 P.M.

COUNCIL CHAMBERS – CIVIC SQUARE

<u>Pane No.</u>	
16	07-17 Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer D. Shantz – Change in Driveway Entrance Policy.
20	<u>07-9</u> Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer D. Shantz – Supply of Led Streetlights.
23	<u>07-22</u> Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer D. Shantz – Thorold Road and First Avenue one year safety review.
25	<u>07-22</u> Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer D. Shantz – Pedestrian Activated Traffic Signal Installations.
28	<u>07-105</u> Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer D. Shantz – Tender Award – Roadway Resurfacing Program 2007.
31	<u>07-46</u> Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer D. Shantz – Purchase of “TWO” New 2008 Cab & Chassis 41 ,00 LB G.V.W.R. Single Axle Truck Cab complete with Dump Spreader Body, Plow Wing, Harness Equipment & On-Board Liquid System. <u>(Background information included in Council Members’ Agenda Packages).</u>
34	<u>07-108Z</u> Gen. Mgr. Planning and Development Services, D. Thorpe – Application for Zoning By-law Amendment – Casey Holland, Lot 978, NP 960, east side of Crowland Avenue, north of Welland Street (114 Crowland Avenue) (File No. 2007-02)
44 Remove from Block	<u>07-I 15</u> <u>07-I 15Z</u> Gen. Mgr. Planning and Development Services, D. Thorpe – Applications for Official Plan and Zoning By-law amendments – Robert Hazra on behalf of Felice Del Priore, Gaetano Limoncelli and Alfonso Limoncelli, lots 422 to 440 and 571 to 585, Plan 960, municipally known as 160 Wallace Avenue, east side of Wallace Avenue, west of Scholfield Avenue, north of Welland Street (File No. 2007-03).
60 Remove from Block	<u>07-I 16Z</u> Gen. Mgr. Planning and Development Services, D. Thorpe – Application for Zoning By-law Amendment – Mark Stone on behalf of Crombie Property Holdings Limited, 589-595 South Pelham Road, west of South Pelham Road, south of Thorold Road (File No. 2007-04)
65	07-118 Gen. Mgr. Planning and Development Services, D. Thorpe – City-owned Land Inventory.



COUNCIL MEETING AGENDA INDEX – Page 3

Tuesday, August 14, 2007

7:00 P.M.

COUNCIL CHAMBERS – CIVIC SQUARE

Page No.

- 67 **06-I 26** Gen. Mgr. Planning and Development Services, D. Thorpe – Proposed Plan of Subdivision – Dain City Subdivision (File No. 26T-14-06002, 2006-07 and OPA) – Dain City Developments – north side of Forks Road, west of the Welland Canal and east of Canal Bank Street.
- 77 **07-I 19** Gen. Mgr. Planning and Development Services, D. Thorpe – To accept the transfer of land for road widening purposes and to lay out and establish a highway – condition related to decision of Committee of Adjustment – consent for Guisepe and Rosina Nicotera – Sumbler Road (File No. B0078/WELL)
- 80 **07-I 20** Gen. Mgr. Planning and Development Services, D. Thorpe – Rural Addressing – Proposed Street Name Changes.
- 84 **07-I 21** Gen. Mgr. Planning and Development Services, D. Thorpe – Semi Annual Subdivision Status Report – June 30, 2007.

4. **New Business**

- 105 ~~07-I 18~~ **07-I 18** Gummo, Associate Director, Comprehensive Community Planning, Region of Niagara – Implementing “Grow South” Local and Regional Partnerships – City of Welland Official Plan Review.

Recommendation: Planning Department

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the letter from the Council of the Region of Niagara dated July 11, 2007 confirming its support to contribute \$50,000.00 and Regional staff participation in the City of Welland Official Plan review.

- 116 **07-I 5** Linda Burling, Clerk of the Corporation of the Town of Kingsville – Bill 221, Workplace Safety and insurance Amendment Act (Presumptions for Firefighters), 2007.

Recommendation: Fire Department

THAT THE COUNCIL OF THE CITY OF WELLAND supports the resolution from the Corporation of the Town of Kingsville requesting the Province of Ontario to ensure that volunteer and part time firefighters are defined as “firefighters” and treated equitably with their full time counterparts in accordance with the regulations detailed in Bill 221 – *An Act to amend the Workplace Safety and Insurance Act, 1997 with respect to firefighters and certain related occupations.*



COUNCIL MEETING AGENDA INDEX – Page 4

Tuesday, August 14, 2007
7:00 P.M.

COUNCIL CHAMBERS – CIVIC SQUARE

Pane No.

07-10 Greg D'Amico, Chair, regarding the appointment of Board Members to the Welland Downtown Business Improvement Area Board.

Recommendation: Clerk's Department

THAT THE COUNCIL OF THE CITY OF WELLAND approves the recommendation for appointment of the following: Greg D'Amico, Steve Talosi, Jeff St. Aubin, Sandy Valleriani, Carl Damude, John Irvine, Kevin Nash, Dominic Ferussi, Sam Bianco to the Welland Downtown Improvement Area Board of Management as determined by the e-mail from Greg D'Amico, Chair dated July 23, 2007 and in accordance with By-law 1999-51.

07-1 Deanna Villella, Chair regarding the appointment of Board Members to the North Welland Business Improvement Area Board.

Recommendation: Clerk's Department

THAT THE COUNCIL OF THE CITY OF WELLAND approves the recommendation for appointment of the following: Deanna Villella, Trevor Sainsbury, Darcy Hulse, John Clark, John Riley, and Roch Lafontaine to the North Welland Business Improvement Area Board as determined by the e-mail from Deanna Villella, Chair, dated July 13, 2007 and in accordance with By-law 1999-1 35.

117

07-20 Masswohl, Executive Director, Welland Heritage Council and Multicultural Centre – request Special Occasion Permit during the Niagara Food Festival for September 28 – 30, 2007.

Recommendation: Clerk's Department

THAT THE COUNCIL OF THE CITY OF WELLAND has no objection to the issuance of Special Occasion Permit to the Welland Heritage Council and Multicultural Centre during the Niagara Food Festival event on September 28, 29, 30, 2007, subject to the applicant complying with the requirements and policies of the City of Welland, and the satisfactory completion of the Municipal Application for Community Festivals and Special Occasion Permits.

119

07-20 Shirley Cordiner, Administrator, Niagara Region Children's Safety Village – request Special Occasion Permit for a Lobster-fest event on Saturday, September 22, 2007.



COUNCIL MEETING AGENDA INDEX – Page 5

Tuesday, August 14, 2007
7:00 P.M.

COUNCIL CHAMBERS – CIVIC SQUARE

Page No.

Recommendation: Clerk's Department

THAT THE COUNCIL OF THE CITY OF WELLAND has no objection to the issuance of a Special Occasion Permit to the Niagara Region Children's Safety Village during the Lobsterfest event on Saturday, September 22, 2007, subject to the applicant complying with the requirements and policies of the City of Welland, and the satisfactory completion of the Municipal Application for Community Festivals and Special Occasion Permits.

121

99-99

06-150

07-20

Stephen Fischer, Business & Operations Manager, Welland Recreational Canal Corporation – request for extension to Noise By-law 10204 during the Downtown Summer Music Series on August 18, 2007.

Recommendation: Clerk's Department

THAT THE COUNCIL OF THE CITY OF WELLAND approves the use of Merritt Park and floating stage by the Niagara Blues and Jazz Society for an event to be held on August 18, 2007; and THAT Welland City Council has no objection to the issuance of a Special Occasion Permit to the Welland Recreational Canal Corporation during this event subject to the applicant complying with the requirements and policies for the City of Welland, and the satisfactory completion of the Municipal Application for Community Festivals and Special Occasion Permits; and further THAT Welland City Council approves an exemption to Noise By-law 10204 for the Downtown Summer Music Series event scheduled for August 18, 2007 at Merritt Park.

122

07-21

Paul Turner, Chairperson, Know Poverty – requesting permission to hold a "***Walkathon***" on Friday, September 21, 2007.

Recommendation: Clerk's Department

THAT THE COUNCIL OF THE CITY OF WELLAND approves the application of Know Poverty to hold a "***Walkathon***" on Friday, September 21, 2007, subject to the applicant's completion of all conditions of the Policy of Road Use for Community Activities.



COUNCIL MEETING AGENDA INDEX – Page 6

Tuesday, August 14, 2007
7:00 P.M.
COUNCIL CHAMBERS – CIVIC SQUARE

Page No.

5. BY-LAWS

MAY BE VIEWED AT THE CLERK'S DEPARTMENT PRIOR TO THE MEETING IF DESIRED.

- 07-9** A By-law to authorize the acceptance of tender and the entering into a contract with Lumecon for the purchase of Led Streetlights.
- 07-I 5** A By-law to authorize the purchase of Fire Service Uniforms from R. Nichols Distributors Inc. and Fire Service Caps and Accoutrements from Stokes International.
- 07-I 1** A By-law to authorize the purchase of a portable staging system from Audio Design Systems.
- 07-46** A By-law to authorize the purchase of two (2) 2008 Cab and Chassis 41,000 Lb GVWR Single Axle Truck Cabs and Related Equipment.
- 07-I 5** A By-law to authorize the acceptance of tender and the entering into a contract with Hard-Rock Construction Inc. for the Roadway Resurfacing Program 2007.
- 07-I 9** A By-law to authorize acceptance of a Transfer of Land, being Part 3, Plan 59R-13436 (Sumbler Road) from Guiseppe and Rosina Nicotera.
- 07-I 19** A By-law to Lay Out, Establish and Name Part 3, Plan 59R-13436 as part of Sumbler Road.
- 07-116Z** A By-law to amend City of Welland Zoning By-law 2667 (Crombie Property Holdings Limited – File 2007-04) 589-595 South Pelham Road.
- 07-I 15** A By-law to authorize the adoption of Official Plan Amendment No.122.
- 07-I 15Z** A By-law to amend City of Welland Zoning By-law 2667 (Felice Del Priore, Gaeano Limoncelli and Alfonso Limoncelli – File 2007-03) 160 Wallace Avenue.
- 07-I 08Z** A By-law to amend City of Welland Zoning By-Law 2667 (Casey Holland – File 2007-02) 114 Crowland Avenue.
- 07-1** 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 1 4th day of August, 2007.
-