



COUNCIL MEETING AGENDA

Tuesday, June 16, 2009

7:00 P.M.

COUNCIL CHAMBERS – CIVIC SQUARE

- 1. COMMITTEE-OF-THE-WHOLE (IN CAMERA) (6:00 p.m.)
(See yellow tab)**
 - Proposed or pending acquisition or disposition of land by the municipality or local board matters;
 - The receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - Labour relations and employee negotiations.

- 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 DISCLOSURES OF INTEREST**
 - 3.5 ADOPTION OF MINUTES**

Regular Council Meeting of June 2, 2009, and Special Council Meetings of May 26, 2009, and June 9, 2009.
(Previously Distributed)
 - 3.6 CALL UPON THE CITY CLERK TO REVIEW COMMITTEE OF THE WHOLE ITEMS (IN CAMERA) 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**



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4.1 PRESENTATION

COMMUNITY INVOLVEMENT RECOGNITION

Paul Grenier to present plaques to the following members of the Welland High Vocational School Reunion Organizing Committee: Cherie Reles-Brock – Co-Chair; Lisa Letourneau-Penney – Co-Chair, Doreen Orsini – Secretary; Eileen Mancuso - Treasurer; Debbie Mallais-Tomaino – Events Coordinator; Jody Kernichan – Publicity Coordinator; and Jamie Lee – Webmaster/Registrar.

4.2 DELEGATIONS (maximum 5/10/5 policy):

09-94 Alison Enns, Upper Canada consultants re: Sterling Realty (Niagara) Inc.'s applications for Zoning By-law Amendment (2009-08), Official Plan Amendment, and Draft Plan of Subdivision (26CD-14-09002).

09-94 Jay Mitchell re: 70 Elmwood Avenue proposed Condominium development.

4.3 PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT.

09-115

09-115Z Applications have been made by 1650702 ONTARIO INC. for amendments to the Official Plan and Zoning By-law to rezone Lot 18, Part of Lots 17, 19, 20, and 21 inclusive, Part of University Lane (Closed), Part of Burton Lane (Closed), Plan 573, designated as Parts 2, 3, and 5, Plan 59R-5112 for lands at 370 Hellems Avenue from the existing RM3 Zone with Exemptions By-law 2667 to a Site Specific IN-1 Zone By-law 2667. The purpose of the Amendment is to permit the construction of a four (4) storey, 95 unit retirement residence consisting of independent living accommodations with ancillary health and personal service uses for the sole purpose of serving the residents of the building. In addition, Site Specific Zone provisions for reduced parking, lot frontage, lot area, lot coverage, setbacks, landscaped open space and building height have been requested. The Official Plan designation is RESIDENTIAL (R). **(See Staff Report PDS-2009-41 pages 6- 30).**

09-85

09-85Z Applications have been made by THE CORPORATION OF THE CITY OF WELLAND for amendments to the Official Plan and Zoning By-law to rezone Lots 10 and 11, Plan 560 for lands at 9 Frazer Street from the existing RZ – Reinvestment Zone By-law 2667 to a R3 Zone By-law 2667.



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The purpose of the Amendment is to permit the construction of three (3) single-detached dwellings. The Official Plan designation is COMMERCIAL (C). (See Staff Report PDS-2009-39 pages 31 - 46).

4.4 AGENCIES, BOARDS, COMMISSIONS AND COMMITTEES REPORT(S)

02-85

09-26 Russ Findlay, Chair, Accessibility Advisory Committee re: First Avenue North sidewalk issue.

Human Resources Committee (if meeting and reporting)

Budget Review Committee (meeting of June 9, 2009 – see pages 1 to 4)

- First Quarter Operating and Capital Budget Variance Analysis
- Fire Apparatus Replacement Plan and Standards
- Dufferin and McCormick Streets – Cost Implications
- Terms of Reference – Budget Review Committee

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 (previously submitted for discussion)

(Councillor Sharpe)

04-59 WHEREAS the current economic slowdown obliges all levels of government to become both more efficient and more effective; and
WHEREAS the Internet, email, and voicemail now facilitate communication between City Councillors and their constituents to resolve ward issues, receive input and provide feedback and information; and
WHEREAS the integration and co-ordination of planning and decision making by the City of Welland and the Region of Niagara is increasingly important to ensure sustainable growth, control the cost of municipal services and rising local taxes and fees.



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NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to fully investigate reducing the number of City Councillors to eight (8), six (6) who would be elected within the existing wards and two (2) who would be elected at large and would also serve as Welland's Regional councillors along with the Mayor; and further

THAT Welland City Council requires public input be sought on this proposed model of governance for the City of Welland; and further

THAT Welland City Council directs staff report back to Council as soon as possible and not later than October 30, 2009.

(Councillor Campion)

09-112 THAT THE COUNCIL OF THE CITY WELLAND requests that the Legislative Assembly of Ontario "fast-track" private member's Bill 134, introduced by Peter Kormos, which specifies that "the Niagara Health System consists of 12 trustees who shall be elected in accordance with the Municipal Elections Act, 1996, with one trustee to be elected from each of the area municipalities..." and further THAT Welland City Council endorses Bill 134.

(Councillor Campion)

08-143 WHEREAS the Niagara Health System (NHS), through its Hospital Improvement plan, has determined to remove medical services from local community hospitals in the Niagara Region in order to create a Centre of Excellence and reduce operating costs; and

WHEREAS other regions through Ontario are seeing their services reduced and consolidated into major centres due to funding shortfall; and

WHEREAS the current formula for funding hospitals in Ontario does not meet the increasing demands of Ontario's growing and aging population;

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND demands that an improved funding model be developed and implemented by the Provincial Government to ensure that every citizen has equal and reasonable access to all necessary medical and health services provided through the hospital system; and further

THAT Welland City Council directs staff to circulate this motion to all Ontario Municipalities for their consideration and endorsement and to all area provincial and federal representatives and other appropriate persons.

(Councillor Campion)

08-143 WHEREAS the Niagara Health System (NHS) has indicated that they will consult with doctors on the implementation of the Hospital Improvement Plan and that some changes to the plan are possible; and

WHEREAS millions of Welland property tax dollars have been pledged over the years and millions of dollars worth of charitable donations have been made by Welland



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businesses and individuals to finance the purchase of medical equipment and technology for their Welland Hospital.

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND urges the Niagara Health System place an immediate moratorium on the removal of any services and equipment from the Welland Hospital site until such time as all negotiations, alterations and changes to the existing Hospital Improvement Plan are completed.

7.3 Call for Notices of Motion (for introduction at the meeting)

8. CORPORATION REPORTS

8.1 Councillor Activities Report

8.2 Mayor's Report

8.3 City Manager's Report

9. ADJOURNMENT



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AGENDA BLOCK

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

Referred at the March 10, 2009 Special Council Meeting to Planning & Development staff for further report with respect to budget implications and any future revenue potential; budget implications and revenue potential discussed at Budget Review Committee meeting of June 9, 2009.

09-71

09-71Z Gen. Mgr., Planning and Development Services D. Thorpe – Applications for Official Plan and Zoning By-law Amendments, Lots 78 and 79, Part Lots 80 and 81, Plan 571, north side of McCormick Street, west of the Welland Recreational Waterway, City of Welland (File 2009-02).

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND adopts an Official Plan Amendment to re-designate lands on the north side of McCormick Street, west of the Welland Recreational Waterway, being Lots 78 and 79, Part Lots 80 and 81, Plan 571, from Open Space to Residential to permit single-detached, semi-detached, townhouses or street townhouses; and further THAT Welland City Council approves an Amendment to Zoning By-law 2667, as amended, for lands on the north side of McCormick Street, west of the Welland Recreational Waterway, being Lots 78 and 79, Part Lots 80 and 81, Plan 571, from the existing R3 and O1 Zones to Site Specific RM3 Zone to permit single-detached, semi-detached, townhouses, or street townhouses with specific provisions including setbacks and lot frontage requirements.

2. COMMITTEE AND STAFF REPORTS

1. Business Arising from Committee of the Whole (closed)

2. General Committee Report of June 9, 2009.



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3. Staff Reports

- 6 - 30**
Remove from Block
- 09-115**
09-115Z Gen. Mgr., Planning and Development Services, D. Thorpe – Applications for Official Plan and Zoning By-law Amendment – 370 Hellems Avenue, Lot 18, Part of Lots 17, 19, 20 and 21, part of closed University Lane and part of closed Burton Lane, Plan 573 being Parts 2, 3 and 5, Plan 59R-5112 (File 2009-10 and OPA). **(Report PDS-2009-41)**
- 31 - 46**
Remove from Block
- 09-85**
09-85Z Gen. Mgr., Planning and Development Services, D. Thorpe – Application for Official Plan and Zoning By-law Amendment – 9 Frazer Street, Lots 10 and 11, Plan 560, Welland (File 2009-09). **(Report PDS-2009-39)**
- 47 - 75**
- 07-88** Gen. Mgr., Planning and Development Services, D. Thorpe – Official Plan Amendment – Commercial Policies for the City of Welland. **(Report PDS-2009-42)**
- 76 - 79**
- 01-42** Gen. Mgr., Planning and Development Services, D. Thorpe – Request for extension to Draft Plan Approval – Draper's Creek Estates Subdivision (Phase 3) (formerly Gillmora Estates) – Baiocco Construction Corp. (File 26T-14-20002). **(Report PDS-2009-40)**
- 80 - 158**
- 06-75** Gen. Mgr., Planning and Development Services, D. Thorpe – City of Welland 2009 Development Charge Background Study and By-law. **(Report PDS-2009-43)**
- 159 - 206**
- 09-94**
09-94Z Gen. Mgr., Planning and Development Services, D. Thorpe – Application for approval of a Draft Plan of Condominium and Applications for Official Plan and Zoning By-law Amendments, Sterling Realty (Niagara) Inc., Part of Lot 28, Concession 6, former Township of Crowland, now in the City of Welland, west side of Elmwood Avenue, south of Lincoln Street and north of Windsor Street, known municipally as 70 Elmwood Avenue (Files 26CD-14-09002, OPA and 2009-08). **(Report PDS-2009-44)**
- 207 – 208**
- 09-113** Gen. Mgr., Planning and Development Services, D. Thorpe – Waive partial building permit fees Niagara College. **(Report PDS-2009-45)**



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209 – 212	<u>09-4</u>	Gen. Mgr., Financial and Corporate Services/Treasurer – Debenture Request 2009. (Report FIN-2009-09)
213 – 215	<u>09-4</u>	Gen. Mgr., Financial and Corporate Services/Treasurer – Two-Year Extension of Auditors Contract to Grant Thornton International. (Report FIN-2009-06)
216 – 223	<u>09-4</u>	Gen. Mgr., Financial and Corporate Services/Treasurer – Capital Project Close Out Reports. (Report FIN-2009-11)
224 – 228	<u>05-158</u>	Gen. Mgr., Parks, Facilities and Leisure Services – RFP – Report to Council – Woodlawn Road Sportsplex and Arenas Submissions. (Report PF&LS-2009-04)
229 – 235	<u>04-124</u>	Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer, S. Iannello – Universal Water Metering Program Plan For Completion. (Report Eng-2009-21)
236 – 239	<u>06-97</u>	Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer, S. Iannello – Broadway Avenue Sanitary Sewer Drainage Area Basement Flooding Prevention Program. (Report ENG-2009-22)
240 – 242	<u>09-93</u>	Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer, S. Iannello – Camrose Avenue and Golden Boulevard East Watermain Replacement, and Hagar Street Watermain Abandonment “An Investing in Ontario Project”. (Report ENG-2009-23)
243 – 245	<u>09-13</u>	Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer, S. Iannello – Summer Youth Bus Promotion. (Report TRANS-2009-08)
246 – 249	<u>09-22</u>	Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer, S. Iannello – Aqueduct Street, Chippawa Street and Smith Street – Community Safety Zones and Speed Humps. (Report TRAF-2009-15)
250 – 253	<u>09-116</u>	Manager, Economic Development, D. Degazio – Alternative/Green Energy Ad-Hoc Committee and Study. (Report EDO-2009-01)
254 – 257	<u>09-117</u>	Manager, Economic Development, D. Degazio – Green Municipal Fund. (Report EDO-2009-02)
258 – 261	<u>09-118</u>	Gen. Mgr., Human Resources, R. Mantesso – Update of Health and Safety Policy. (Report HR-2009-03)



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3. NEW BUSINESS

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09-19

Sarah Doherty, Community Development/Volunteer Coordinator, Parks and Recreation Department, City of Welland – requesting permission to hold fireworks displays on the following: Canada Day and Family Day Celebrations.

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY COUNCIL approves the application from City of Welland Parks, Facilities and Leisure Services Department (PF&LS) to hold fireworks displays for the following: Canada Day at Memorial Park on July 1, 2009 and Welland Recreation Projects Association's Family Day at St. George Park on August 2, 2009; subject to the applicant's completion of all conditions of the City of Welland's Fireworks By-law 2003-127; and further

THAT Welland City Council delegates, in accordance with its Delegation of Powers Policy, to the Fire Chief (or designate), in conjunction with the approval of fireworks event applications, the authority to approve and support all future Canada Day and Family Day fireworks event applications by PF&LS.

263 – 270

09-96

Letter from Marilyn Kreamer and petition to prevent the sale of City-owned property used as a connecting pathway between Aqueduct Street and Patricia Avenue.

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the letter and attached petition from residents in opposition to the sale of City-owned property used as a connecting pathway between Aqueduct Street and Patricia Avenue.

271 – 272

09-96

Petition from residents regarding the Aqueduct/Patricia Streets pathway.

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the petition from residents in support of the sale of open space property to the adjacent home owners and not to construct a designated pathway between Aqueduct Street and Patricia Avenue.



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09-119 John Mastroianni, Chair, Heritage Welland re: Commemorative wall to mark the Plymouth Cordage Historic District.

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND refers to staff for study and report the request by Heritage Welland (LACAC) to erect a commemorative wall and plaque in the parkette at the corner of King and Lincoln Streets (Plymouth Cordage Historic District).

4. BY-LAWS

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

99-43

99-99

A By-law to authorize extension of the Lease Agreement with Welland Hydro-Electric System Corp. to permit the continued use of Hydro Facilities along the Welland Recreational Canal Lands and Welland River.

09-85

A By-law to authorize the Adoption of Official Plan Amendment No. 130.

09-85Z

A By-law to amend City of Welland Zoning By-law 2667 (The Corporation of the City of Welland - File 2009-09) 9 Frazer Street.

09-115

A By-law to authorize the Adoption of Official Plan Amendment No. 131

09-115

09-115Z

A By-law to amend City of Welland Zoning By-Law 2667 (1650702 Ontario Inc. – File 2009-10) 370 Hellems Avenue.

07-88

A By-law to authorize the Adoption of Official Plan Amendment No. 132.

09-71

A By-law to authorize the Adoption of Official Plan Amendment No. 133.

09-71Z

A By-law to amend City Of Welland Zoning By-Law 2667 (The Corporation of the City Of Welland - File 2009-02) north side of McCormick Street, west of Welland Recreational Waterway.

09-94

A By-law to authorize the Adoption of Official Plan Amendment No. 134.

09-94

09-94Z

A B-law to amend City of Welland Zoning By-law 2667 (Sterling Realty (Niagara) Inc. - File 2009-08) 70 Elmwood Avenue.



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- 06-75** A By-law to establish Development Charges for the City of Welland for Designated Services in accordance with the Development Charges Act, 1997 and to Repeal By-law 2004-107.
- 97-49** A By-law to authorize the entering into an agreement for Physician Services.
- 09-93** A By-law to authorize the acceptance tender and the entering into a contract with Vic Vatr Contracting Ltd. for the Camrose Avenue and Golden Boulevard East Watermain Replacement and Hagar Street Watermain Abandonment "An Investing In Ontario Project"
- 09-77**
- 09-82** A By-law to amend By-laws 2009-59 (Serianni Construction Ltd.),
- 09-87** 2009-72 (Vic Vatr Contracting Ltd.) and 2009-73 (Condotta Construction Ltd.) being By-laws to authorize various contracts.
- 09-1** 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 16th day of June, 2009.