



MINUTES OF
COUNCIL MEETING, SEPTEMBER 15, 2009
CIVIC SQUARE, COUNCIL CHAMBERS
60 EAST MAIN STREET

Council met in Committee-of-the-Whole closed to the public at 5:27 p.m. and in open session at 7:10 p.m. on the above date.

His Worship Mayor Damian Goulbourne in the Chair.

Members Present:

Councillors R. Alakas, D. Alexander, M. Belcastro, F. Campion, P. Chiochio, M. Dzugan, P. Grenier (5:40 p.m.), J. Larouche (8:05 p.m.), S. O'Dell, and B. Sharpe (7:10 p.m.)

Members of the Staff and Others Present:

City Manager, C. Stirtzinger
Acting City Clerk, C. Mintoff
Deputy Clerk, B. Nistico-Dunk (7:10 p.m.)
Chief, Fire & Emergency Services, D. Prevost
Manager, Engineering Services, L. Ventresca
Manager, Budgets and Financial Reporting/Deputy Treasurer, K. Douglas
General Manager, Human Resources, R. Mantesso (until 8:00 p.m.)
General Manager, Parks, Facilities & Leisure Services, B. Fenwick
General Manager, Planning & Development Services, D. Thorpe
Manager, Economic Development, D. Degazio (until 7:10 p.m.)

(John Corlett, and Doug Earl, Brock University; and Bob Mahler, Chair, and Stephen Fischer, Manager Business & Operations, Welland Recreational Canal Corporation (WRCC), were present during Committee-of-the-Whole discussions on a proposed or pending acquisition or disposition of land by the municipality or local board matter).

(John Kuntze was present during Committee-of-the-Whole discussions on a litigation or potential litigation including matters before administrative tribunals affecting the municipality or local board matter).

- 09-25** Moved by Alakas and Chiocchio
 THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 5:27 p.m. to consider:
- b) personal matters about an identifiable individual, including municipal or local board employees;
 - c) a proposed or pending acquisition or disposition of land by the municipality or local board;
 - d) labour relations or employee negotiations; and
 - e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;

CARRIED

(Councillor Alakas was not present during Committee-of-the-Whole discussions on a proposed or pending acquisition or disposition of land by the municipality or local board matter).

- 09-25** Moved by Alakas and Chiocchio
 THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 6:58 p.m. with report.

CARRIED

DISCLOSURES OF INTEREST:

Councillor Alakas disclosed an interest in Ref. No. 99-99 and did not take part in the consideration and discussion of same, and refrained from voting thereon, as he is president of CAW.

PRESENTATION:

Mayor Goulbourne presented a plaque to Royce Consigli in recognition of signing a Major League Professional Baseball contract with the Oakland Athletics.

DELEGATIONS:

- 09-28** Dr. Julia Murray, and Barb Dvernechuk, Community Animal Allies of Niagara addressed Council regarding the Trap Neuter Return (TNR) program.
- 09-28** Doug Rapelje, Alzheimer Society of Niagara Region, addressed Council regarding Alzheimer Coffee Break.

BOARDS, AGENCIES, COMMISSIONS REPORTS

- 08-71** John Kuntze, P. Eng., addressed Council regarding Engineering Report – Balsam St. Drain.
- 08-127**
- 09-79** Angela Carter and Dr. Willard addressed Council regarding an update by the Health Services Task Force.
- 02-85** Russ Findlay, Chair, Accessibility Advisory Committee addressed Council regarding the 2010 Accessibility Plan.
- 09-4** Budget Review Committee Report to Council – Meeting of September 8, 2009.
- 09-111** Human Resources Committee – Meeting of August 10, 2009.

THE FOLLOWING CORRESPONDENCE WAS READ:

- 99-99** Notice of Motion – Councillor O'Dell re: use of motor-powered watercraft on the Recreational Waterway or the rowing course without prior notifications to and authorization by Welland City Council.
- 99-99** A By-law to authorize entering into a Lease Agreement with the Welland Recreational Canal Corporation for an amphitheatre at Merritt Park.
- 02-85** Russ Findlay, Chair, Accessibility Advisory Committee re: 2010 Accessibility Plan.
- 02-85** Gen. Mgr., Parks, Facilities and Leisure Services, B. Fenwick – 2010 Accessibility Plan for the City of Welland.
- 04-92**
- 04-132**
- 09-144** Gen. Mgr., Planning and Development Services, D. Thorpe – Amendment to Sign, Swimming Pool and Fence By-laws.
- 04-92**
- 04-132**
- 09-144** A By-law to amend City of Welland By-laws 10545, 10557 and 2005-21, as amended.

- 05-120** A By-law to amend By-law 2005-91, being a By-law respecting permits for construction, demolition, occupancy and change of use, transfer of permits and inspections.
- 08-48** A By-law to amend By-law 2009-108, being a By-law prescribing standards for the maintenance and occupancy of property.
- 08-71** John Kuntze, P. Eng., re: Engineering Report – Balsam St. Drain.
- 08-127**
- 09-79** Angela Carter and Dr. Willard re: update by the Health Services Task Force.
- 08-143** Peter Senese, Director of Community & Corporate Services/Deputy Clerk re: Impacts on Regional Niagara EMS of Emergency Department Conversions as Part of NHS – HIP.
- 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 15th day of September, 2009.
- 09-3** Acting City Clerk, C. Mintoff - Raffle Lottery License request from Climate Action Niagara.
- 09-3** Gracia Janes, Secretary/Treasurer, the Preservation of Agricultural Lands Society (PALS) re: requesting permission to sell raffle tickets in the City of Welland.
- 09-4** Budget Review Committee Report to Council – Meeting of September 8, 2009.
- 09-6** Governor General Michaëlle Jean - Request to proclaim the week of October 4 to October 10, 2009 as Fire Prevention Week in the City of Welland.
- 09-22** A By-law to amend definitions of By-law 89-2000, being a By-law Regulating Traffic and Parking within the City of Welland.
- 09-22** A By-law to appoint By-law Enforcement Officers of the Corporation of the City of Welland and to repeal By-laws 910, 978, 1628, 2515, 3049, 8507, 8517, 8520, 8542, 8544, 8548, 8751, 8773, 8810, 8824, 9171, 9437, 10027, 10206, 10302, 2002-37, 2002-48, 2004-51, 2004-52, 2004-138, 2006-34, 2006-35, 2006-36, 2006-76 and 2008-20.
- 09-28** Dr. Julia Murray, and Barb Dvernechuk, Community Animal Allies of Niagara re: Trap Neuter Return (TNR), a policy presentation for feral cats.
- 09-28** Doug Rapelje, Alzheimer Society of Niagara Region, re: Alzheimer Coffee Break.
- 09-43** A By-law to permit an encroachment onto the Frazer Street Road Allowance to benefit the owners of the property known municipally as 65 West Main Street.
- 09-46** Gen. Mgr., Engineering, Public Works & Transp. Serv./City Engineer, S. Iannello – Retender for the purchase of two (2) new unleaded fuel compact cars.
- 09-46** A By-law to authorize the purchase of two (2) new unleaded fuel compact cars.
- 09-46** Gen. Mgr., Engineering, Public Works & Transp. Serv./City Engineer, S. Iannello – Retender for the purchase of one (1) new one-ton crew cab pick-up complete with box 10,000lb g.v.w. single axle truck.
- 09-46** A By-law to authorize the purchase of a new one ton crew cab pick-up complete with box 10,000 lb G.V.W. single axle truck.
- 09-46** Gen. Mgr., Engineering, Public Works & Transp. Serv./City Engineer, S. Iannello – Retender for the purchase of five (5) new one-half-ton cargo type vans.
- 09-46** A By-law to authorize the purchase of five (5) new one half ton cargo type vans.
- 09-46** Gen. Mgr., Engineering, Public Works & Transp. Serv./City Engineer, S. Iannello – Seasonal Rental of Snow Removal Equipment, Rubber Tired Front-end Loaders with Snow Plow and Buckets.
- 09-91** A By-law to authorize entering into a contribution agreement with the Ministry of Energy and Infrastructure and Ministry of Agriculture, Food and Rural Affairs, to secure funding under the Infrastructure Stimulus Fund.
- 09-111** Human Resources Committee – Meeting of August 10, 2009.
- 09-111** Gen. Mgr., Human Resources, R. Mantesso – Human Resources Committee Terms of Reference.
- 09-114** Community Adjustment Fund (CAF) Ontario.
- 09-114** A By-law to authorize entering into an agreement with the Government of Canada to secure funding under the Community Adjustment Fund for Local Projects.
- 09-122** Gen. Mgr., Planning and Development Services, D. Thorpe – Road Widening Condition related to decision of Committee of Adjustment – Consent for Ryan Shea and Robyn Mulrooney – 243 Willson Road (north side of Glen Park Drive, west of Willson Road) (File: B004/2009WELL).
- 09-122** A By-law to authorize acceptance of a transfer of land, being Part 2, Plan 59R-14053 (File No. B004/2009WELL) part of Willson Road.
- 09-122** A By-law to layout, establish, assume and name as a public highway for road widening purposes Part 2, Plan 59R-14053 as part of Willson Road.
- 09-122** A By-law to layout, establish, assume and name as a public highway for road widening purposes Part 4, Plan 59R-14053 as part of Glen Park Drive.
- 09-140Z** A By-law to amend City of Welland Zoning By-law 2667 (Gord-Blanche Limited – File 2009-13) 207 Ross Street.
- 09-141Z** A By-law to amend City of Welland Zoning By-law 2667 (Irena Juzevski- File 2009-14) 97 Bugar Street.
- 09-145** Warren Hoshizaki, Director of Education, District School Board of Niagara re: Request support for funding the installation of air conditioning for the theatre facility at Welland Centennial Secondary School.
- 09-146** Kevin Bain, Regional Clerk, Niagara Region re: Notice of Passing of a Development Charges By-law by the Regional Municipality of Niagara.
- 09-148** Gen. Mgr., Engineering, Public Works & Transp. Serv./City Engineer, S. Iannello – New Regional Waste Collection Contract – One side collection in rural areas.
- 09-149** Kirk Weaver, Director, Community and Corporate Planning, Niagara Region re: Niagara Region Comments – proposed Regulations of the Green Energy Act 2009.
- 09-150** Bernie Corbett, Chairman, Haldimand County Disaster Relief Committee re: Donation Request – Grand River Flood 2009.

09-1 Moved by Dzugan and Grenier
 THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Regular Council Meeting of August 11, 2009, as circulated.

CARRIED

99-99 Moved by O'Dell and Alakas
 THAT THE COUNCIL OF THE CITY OF WELLAND enacts a By-law that prohibits the Welland Recreational Canal Corporation (WRCC) or any other body from authorizing the use of motor-powered watercraft on the Recreational Waterway or the rowing course without prior notification to and authorization by Welland City Council.

YEAS: Councillors O'Dell, Campion, Chiocchio, Alexander and Alakas.

NAYS: Councillors Dzugan, Larouche, Grenier, Belcastro, Sharpe and Mayor Goulbourne.

LOST

02-85 Moved by Alakas and O'Dell
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Russ Findlay, Chair, Accessibility Advisory Committee regarding the 2010 Accessibility Plan.

CARRIED

02-85 Moved by Belcastro and Chiocchio
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the 2010 Annual Accessibility Plan in accordance with the Ontarians with Disabilities Act (ODA), 2001, subject to 2010 budget approval.

CARRIED

04-37

04-124 Moved by Belcastro and Chiocchio
 THAT THE COUNCIL OF THE CITY OF WELLAND continues its policy of using the flat rate water billing amount of \$243.52/quarter as per By-law 2009-23 for homeowners who have requested and not received a water meter.

CARRIED

04-92

04-132

09-144 Moved by Belcastro and Chiocchio
 THAT THE COUNCIL OF THE CITY OF WELLAND amends Fence By-law 10545, Swimming Pool Fence By-law 10557, and Sign By-law 2005-21 to transfer delegated authority from the Chief Building Official to the City Engineer or designate.

CARRIED

07-88

Moved by Belcastro and Chiocchio
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Ron Shishido and Patrick Kennedy, Dillon Consulting at the September 8, 2009 General Committee Meeting regarding an update on the Official Plan Amendment (OPA) Process.

CARRIED

08-29

08-136

09-4 Moved by Grenier and Sharpe
 THAT THE COUNCIL OF THE CITY OF WELLAND authorizes, as recommended by Ad Hoc Committee No. 1 (Meeting Schedule Review - Ref. No. 08-29) and the Budget Review Committee, a change to the City's Purchasing Policy to require Council approval only for purchases greater than \$75,000; and further THAT Welland City Council authorizes Staff, as per the City's Purchasing Policy, Schedule "B", to approve purchases up to \$75,000 provided that the purchase is:

1. identified in the City's budget;
2. does not exceed the current year budget limit;
3. requisite number of quotes have been received; and
4. the lowest compliant bidder has been chosen.

Should all provisions identified above (items 1, 2, 3, and 4) not be met, such purchase regardless of the total price, shall require Council approval.

CARRIED

08-71 Moved by Alexander and Alakas
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation and Engineering Report by John Kuntze, P. Eng., Balsam St. Drain dated August 7, 2009; and further THAT Welland City Council directs the Clerk to hold a public meeting on October 20, 2009 and that notice be given in accordance with the provisions of the Drainage Act.

CARRIED

08-127

09-79 Moved by Grenier and Belcastro
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Angela Carter and Dr. Willard regarding an update by the Health Services Task Force.

CARRIED

08-143

Moved by Belcastro and Chiocchio
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence dated July 28, 2009 from the City of Port Colborne regarding Impacts on Regional Niagara EMS of Emergency Department Conversions as Part of NHS - HIP.

CARRIED

09-3

Moved by Belcastro and Chiocchio
 THAT THE COUNCIL OF THE CITY OF WELLAND approves Climate Action Niagara for Raffle Lottery Licensing.

CARRIED

09-3

Moved by Belcastro and Chiocchio
 THAT THE COUNCIL OF THE CITY OF WELLAND grants permission to the Preservation of Agricultural Lands Society (PALS) to sell raffle tickets in the City of Welland under authority of Lottery License M611334; subject to the receipt of a \$25.00 administration fee for processing this request.

CARRIED

09-4

Moved by Grenier and Larouche
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the 2009 Year to Date Q2 Variance Report as recommended by the Budget Review Committee.

CARRIED

09-6

Moved by Belcastro and Chiocchio
 THAT THE COUNCIL OF THE CITY OF WELLAND declares the week of October 4 to October 10, 2009 as "Fire Prevention Week" in the City of Welland as requested by Governor General Michaëlle Jean.

CARRIED

09-15

09-132Z Moved by Belcastro and Chiocchio
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information report F&ES 2009-06, Propane Regulation Changes.

CARRIED

09-28

Moved by Campion and Alakas
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Dr. Julia Murray, and Barb Dvernechuk, Community Animal Allies of Niagara regarding the Trap Neuter Return (TNR) program, and refers the matter to staff and the Welland and District Humane Society for report back to Council.

CARRIED

09-28

Moved by Chiocchio and Alexander
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Doug Rapelje, Alzheimer Society of the Niagara Region regarding National Coffee Break Day on September 17, 2009 in support of the Alzheimer Society.

CARRIED

09-46

Moved by Chiocchio and Alexander
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the purchase of two (2) New Unleaded Fuel Compact Cars from Forbes Ford being the lowest bidder at a tendered price of \$32,721.84 (\$16,360.92 each), PST included; as per the 2009 Fleet Capital Replacement Program.

CARRIED

09-46 Moved by Chiocchio and Alexander
 THAT THE COUNCIL OF THE CITY OF WELLAND approve the purchase of one (1) new one ton crew cab pick-up complete with box 10,000 lb G.V.W. single axle truck from Performance Chrysler, the lowest bidder at a tendered price of \$41,721.48 PST included; as per the 2009 Fleet Capital Replacement Program.

CARRIED

09-46 Moved by Chiocchio and Alexander
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the purchase of five (5) new one half ton cargo style vans from Performance Chrysler being the lowest bidder at a tendered price of \$112,379.40 (\$22,475.88 each), PST included; as per the 2009 Fleet Capital Replacement Program.

CARRIED

09-46 Moved by Chiocchio and Alexander
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the continued rental of two (2) additional Front-End Loaders beyond the 2008/2009 Winter Season for Winter Control Operations.

CARRIED

09-71

09-71Z Moved by Sharpe and Dzugan
 THAT THE COUNCIL OF THE CITY OF WELLAND adopts an Official Plan Amendment to redesignate 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 and semi-detached dwellings; 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 RM Zone to permit single-detached and semi-detached dwellings with specific provisions including setbacks and lot frontage requirements.

CARRIED

09-111 Moved by Belcastro and Chiocchio
 THAT THE COUNCIL OF THE CITY OF WELLAND approves the Human Resources Committee revised Terms of Reference as recommended and endorsed by the Human Resources Committee.

CARRIED

09-111 Moved by Sharpe and Grenier
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the appointment of Councillor Mike Belcastro as Chair to the Human Resources Committee effective August 1, 2009, as recommended by the Human Resources Committee.

CARRIED

09-114 Moved by Belcastro and Chiocchio
 THAT THE COUNCIL OF THE CITY OF WELLAND authorizes staff to proceed with the work proposed in the application for the Community Adjustment Fund (CAF) Ontario for water/sewer servicing to an industrial park adjacent to Highway 406 in the City of Welland and associated improvements in road alignment and signalization of railway crossing; and further
 THAT Welland City Council directs the City Clerk to prepare the necessary and appropriate by-laws and contracts as may be required for said work and authorizes the Mayor and City Clerk to execute same.

CARRIED

09-122 Moved by Belcastro and Chiocchio
 THAT THE COUNCIL OF THE CITY OF WELLAND authorizes staff to prepare the necessary By-laws required to clear a Condition of Approval regarding a Consent to Sever Application (File No. B004/2009WELL) to accept Part 2, Plan 59R-14053 and to layout, establish and name the subject lands as part of Willson Road for lands on the west side of Willson Road, north of Glen Park Drive, municipally known as 243 Willson Road.

CARRIED

09-132Z Moved by Belcastro and Chiocchio
 THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence received from Zelinka Priamo Ltd. officially withdrawing their application for Zoning By-law Amendment, Part of Lot 4, Plan 59M-377, north side of Woodlawn Road, west of Primeway Drive (File 2009-12).

CARRIED

09-140Z

Moved by Belcastro and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND approves an Amendment to Zoning By-law 2667, as amended, for lands on the west side of Ross Street, south of Bruce Street (Lot 48, Part of Lane, Plan 596) from the existing RM2 (Multiple Dwelling - Second Density) Zone to a Site Specific RM2 Zone to permit a parking lot in addition to the residential uses currently permitted in the RM2 Zone.

CARRIED**09-141Z**

Moved by Belcastro and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND approves an Amendment to Zoning By-law 2667, as amended, for lands described as Part Lot 9, Plan 557, known municipally as 97 Bugar Street from the existing RM2 (Multiple Dwelling - Second Density) Zone to a Holding (H) Site Specific RM2 Zone to permit a single-detached dwelling, a duplex or a triplex within the existing building with three (3) required parking spaces, partially within the front yard, off of Randolph Street for a triplex; and further THAT Welland City Council requires that the Owner enter into an Encroachment Agreement with the City of Welland for the existing building that encroaches onto Bugar Street as shown on the sketch prepared by Chambers and Associates Surveying Ltd., dated July 7, 2009; and further THAT Welland City Council authorizes Staff to prepare the necessary documents and By-laws.

CARRIED**09-142**

Moved by Belcastro and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Niagara Region Report ICP 40-2009 regarding Ontario Municipal Board Appeals Regional Policy Plan Amendment 2-2009 Sustainable Community Policies.

CARRIED**09-143**

Moved by Belcastro and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the petition from the residents of Barron Street, Woodcroft Crescent and Home Street regarding a request to approve closure of the pathway that connects these three local roads and refers to staff for study and report.

CARRIED**09-145**

Moved by Belcastro and Chiocchio

THAT THE COUNCIL OF CITY OF WELLAND receives for information the request from the District School Board of Niagara regarding support for funding for the installation of air conditioning for the theatre facility at Welland Centennial Secondary School and refers to staff for study and report to the Budget Review Committee for consideration.

CARRIED**09-146**

Moved by Belcastro and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the Notice of Passing of a Development Charges By-law on July 30, 2009 by the Regional Municipality of Niagara.

CARRIED**09-148**

Moved by Grenier and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND refers to staff for report the Region's recommendation that residents on the attached list of roads be required to set out waste and recycling on one side of the street only with respect to viability and potential cost saving to the Welland waste levy, and to review the impact of the Region's Business Improvement Area (BIA) and Industrial land recommendations and the effect of the stated property owners.

LOST**09-148**

Moved by Grenier and Campion

THAT THE COUNCIL OF THE CITY OF WELLAND requests that the current level of service for waste and recycling collection provided by the Region of Niagara be maintained in rural areas of the City of Welland.

CARRIED**09-149**

Moved by Belcastro and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence dated August 4, 2009 from the Region of Niagara regarding the proposed regulations of the Green Energy Act 2009.

CARRIED**09-150**

Moved by Sharpe and Alexander

THAT THE COUNCIL OF THE CITY OF WELLAND approves the request by the Haldimand County Disaster Relief Committee (HCDRC) and donates \$250.00 to the HCDRC for the Grand River Flood 2009 relief efforts and that the Treasurer determine the appropriate account to draw these funds from.

CARRIED

BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE

99-99 Moved by Belcastro and Chiocchio
 THAT THE COUNCIL OF THE CITY OF WELLAND approves a lease agreement with the Welland Recreational Canal Corporation for the location and use of an amphitheatre at Merritt Park along the Recreational Canal and trails.

CARRIED

09-19 Moved by Belcastro and Chiocchio
 THAT THE COUNCIL OF THE CITY OF WELLAND authorizes staff to extend the employment contract with the incumbent Market Square Coordinator for a period of one year.

CARRIED

09-79 Moved by Belcastro and Chiocchio
 THAT THE COUNCIL OF THE CITY OF WELLAND authorizes the Mayor, City Manager, and applicable staff to fully explore the development of a Human Performance Centre with Brock University located in Welland's urban core; and further
 THAT Welland City Council encourages consideration be given to additional partnerships such as the Welland Recreational Canal Corporation, Welland International Flatwater Centre, Welland Development Commission, and Sports and Medical Communities.

CARRIED

BY-LAWS

BY-LAWS PRESENTED FOR FIRST READING:

1. Moved by Belcastro and Chiocchio
 THAT THE COUNCIL OF THE CITY OF WELLAND now gives leave to introduce the following proposed By-laws entitled:

09-22

BYL 2009 – 117

A By-law to amend definitions of By-law 89-2000, being a By-law Regulating Traffic and Parking within the City of Welland.

09-43

BYL 2009 – 118

A By-law to permit an encroachment onto the Frazer Street Road Allowance to benefit the owners of the property known municipally as 65 West Main Street.

09-91

BYL 2009 – 119

A By-law to authorize entering into a contribution agreement with the Ministry of Energy and Infrastructure and Ministry of Agriculture, Food and Rural Affairs, to secure funding under the Infrastructure Stimulus Fund.

99-99

BYL 2009 – 120

A By-law to authorize entering into a Lease Agreement with the Welland Recreational Canal Corporation for an amphitheatre at Merritt Park.

08-48

BYL 2009 – 121

A By-law to amend By-law 2009-108, being a By-law prescribing standards for the maintenance and occupancy of property.

05-120

BYL 2009 – 122

A By-law to amend By-law 2005-91, being a By-law respecting permits for construction, demolition, occupancy and change of use, transfer of permits and inspections.

09-114

BYL 2009 – 123

A By-law to authorize entering into an agreement with the Government of Canada to secure funding under the Community Adjustment Fund for Local Projects.

...continued...

BY-LAWS PRESENTED FOR FIRST READING...cont'd.:**09-122**

BYL 2009 – 124

A By-law to authorize acceptance of a transfer of land, being Part 2, Plan 59R-14053 (File No. B004/2009WELL) Part of Willson Road.

09-122

BYL 2009 – 125

A By-law to layout, establish, assume and name as a public highway for road widening purposes Part 2, Plan 59R-14053 as part of Willson Road.

09-122

BYL 2009 – 126

A By-law to layout, establish, assume and name as a public highway for road widening purposes Part 4, Plan 59R-14053 as part of Glen Park Drive.

09-46

BYL 2009 – 127

A By-law to authorize the purchase of two (2) new unleaded fuel compact cars.

09-46

BYL 2009 – 128

A By-law to authorize the purchase of a new one ton crew cab pick-up complete with box 10,000 lb G.V.W. single axle truck.

09-46

BYL 2009 – 129

A By-law to authorize the purchase of five (5) new one half ton cargo type vans.

04-92**04-132****09-144**

BYL 2009 – 130

A By-law to amend City of Welland By-laws 10545, 10557 and 2005-21, as amended.

09-140Z

BYL 2009 – 131

A By-law to amend City of Welland Zoning By-law 2667 (Gord-Blanche Limited – File 2009-13) 207 Ross Street.

09-141Z

BYL 2009 – 132

A By-law to amend City of Welland Zoning By-law 2667 (Irena Juzevski-File 2009-14) 97 Burgar Street.

09-22

BYL 2009 – 133

A By-law to appoint By-law Enforcement Officers of the Corporation of the City of Welland and to repeal By-laws 910, 978, 1628, 2515, 3049, 8507, 8517, 8520, 8542, 8544, 8548, 8751, 8773, 8810, 8824, 9171, 9437, 10027, 10206, 10302, 2002-37, 2002-48, 2004-51, 2004-52, 2004-138, 2006-34, 2006-35, 2006-36, 2006-76 and 2008-20.

09-1

BYL 2009 – 134

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 15th day of September, 2009.

And that same be now read a first time.

CARRIED**BY-LAWS PRESENTED FOR SECOND AND THIRD READING:**

2. Moved by Belcastro and Chiocchio
 THAT THE COUNCIL OF THE CITY OF WELLAND having read a first time and considered the By-laws listed in the foregoing motion and, as reproduced in this evening's Council Agenda, be now read a second and third time and do pass, and the Mayor and Clerk do sign and seal same.

CARRIED

NOTICE OF MOTION

In accordance with By-law 2007-178 passed on November 27, 2007, Councillor(s) must submit their NOTICE OF MOTION(s) in writing no later than Wednesday, September 30, 2009 for inclusion on the next regular Council meeting agenda of October 6, 2009.

Councillor Alakas gave Notice of Motion of the following issue to be presented to Council at the October 6, 2009 Regular Council Meeting:

09-152 WHEREAS landlords in many cases absentee landlords have begun to convert homes in residential and established neighbourhoods for the purpose of student rental housing,
 AND WHEREAS many of these rental units are in traditional family neighbourhoods resulting in concerns over property values, neighbourhood impacts and safety,
 AND WHEREAS demand for student housing in Welland neighbourhoods near the college continues to grow creating friction between permanent residents and students living in family homes converted to student housing,
 AND WHEREAS recent changes to the Ontario Municipal Act appear to grant powers to municipalities allowing the right to license such properties,
 AND WHEREAS other municipalities in the Province of Ontario where demand for student housing placed pressures on their community similar to Welland imposed by-laws regulating student housing,
 AND WHEREAS the City of Hamilton facing similar concerns investigated implementing a by-law to protect neighbourhoods near Mohawk College and McMaster University,
 THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND consult with the City of Hamilton and other like communities, Niagara College, landlords, and residents in the immediate area of the College,
 AND BE IT FURTHER RESOLVED THAT Welland City Council prepare a report for Council's consideration regarding the feasibility of a by-law that would balance the interests of permanent residents, landlords, students and Niagara College,
 AND BE IT FURTHER RESOLVED THAT the report from staff when addressing the consideration of a new rental by-law include limiting the number of bedrooms in student houses; regulate noise, maintenance and parking.

Council adjourned at 9:45 p.m.

These Minutes approved and adopted by Motion of Council this 6th day of October, 2009.

MAYOR

ACTING CITY CLERK