



## **COUNCIL MEETING AGENDA**

*Tuesday, January 19, 2010  
7:00 P.M.*

**COUNCIL CHAMBERS – CIVIC SQUARE**

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- 1. COMMITTEE-OF-THE-WHOLE (IN CAMERA) (6:00 p.m.)  
(See yellow tab)**
  - Receiving of advice that is subject to solicitor-client privilege, inducing communications necessary for that purpose;
  - Litigation or potential litigation including matters before administrative tribunals, affecting the municipality or local board;
  - Security of the property of the municipality or local board; and
  - Proposed or pending acquisition or disposition of land by the municipality or local board matter.
  
- 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 December 15, 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**

**10-19** Presentation of plaques by Jane Thompson and Angela Gravelle, Winter Lights Committee to the following winners of the 2009 Winter Lighting Contest:

1<sup>st</sup> Place: Damiano & Maria Morrone, 62 Strathmore Crescent

2<sup>nd</sup> Place: Kelly McComber, 118 Pinehurst Drive

3<sup>rd</sup> Place: Norm Sawyer, 41 Bishop Road

People's Choice Award: Damiano & Maria Morrone, 62 Strathmore Crescent.

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

**10-28** Liz Palmieri, Executive Director, Niagara Community Foundation and Mel Groom re: grant activity from 2009.

**09-162** Regional Councillor Brian Baty, Co-Chair, Public Health and Social Services Committee re: Stop Family Violence: It's Everybody's Business".

**10-28** Anthony Tofano and Haley Bateman, Care Foundation Strike Out Violence Bowling Tournament re: raise awareness of Women's Place of South Niagara Inc.

**(Background information provided in Council Members' Agenda)**

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

**10-41Z** A complete Application has been made by JOSEPH WOJDAT on behalf of MUTUAL INCOME ESTATES INC. to rezone Part Block A, Plan 92, now known as Plan 640 for lands at 30 Rice Road from the existing C2-Shopping Commercial Zone By-law 2667 to a Site Specific C2 Zone By-law 2667. The purpose of the Amendment is to permit a commercial school as an additional use to uses already permitted by the existing C2 Zone. There is no Official Plan coverage. (File No. 2009-15)

(See Staff Report PDS-2010-1, pages 1 to 10)



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**09-43Z** A complete Application has been made by TERRANCE WILLIAM EWANOCHKO to rezone Part Lot 4 and Part Lots 27 and 28, Plan 552 for lands at 65 West Main Street to permit Site Specific Amendments to the H-RZ-X8 Zone By-law 2667. The purpose of the Amendment is to permit a bed and breakfast in the converted church building and to reduce the required parking to a total of six (6) spaces for the permitted residential units and the proposed bed and breakfast use. The Official Plan designation is COMMERCIAL (C). (File No. 2009-16)

(See Staff Report PDS-2010-2, pages 11 to 23)

**10-42**

**10-42Z**

Applications have been made by RAFFAELE BELVEDERE on behalf of CENTRE DE SANTE COMMUNAUTAIRE HAMILTON/NIAGARA INC. to amend the Official Plan and to rezone Part of Lot 22, Concession 4, former Township of Crowland, now in the City of Welland for lands at 810 East Main Street from the existing C3 and RM2 Zones By-law 2667 to a Site Specific C3 Zone By-law 2667. The purpose of the Amendment is to rezone that portion of the subject lands currently used for parking purposes, to recognize a 0.00 metre west side yard setback to the existing building and to permit a reduction in the number of parking spaces to a total of 72 spaces associated with the construction of an addition to the existing building in order to establish a Community Health and Social Service Centre. The Official Plan designation is COMMERCIAL AND RESIDENTIAL. (File No. 2009-17)

(See Staff Report PDS-2010-3, pages 24 to 44)

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

**04-47**

Janet Booth, CAO, and Stephen Hanns, Manager of Public Services, Welland Public Library re: Library's contribution to the Community.  
**(Background information provided in Council Members' Agenda)**

**09-4**

Budget Review Committee Report to Council – (meeting of January 19, 2010)



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**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 Campion)**

**08-143** WHEREAS the Niagara Health System (NHS) Hospital Improvement Plan calls for the elimination of several services including Maternity, Pediatrics, Psychiatry, Orthopedic Surgery and 42% of Elective Surgery from the NHS Welland Site; AND WHEREAS these planned reductions and reductions in services planned for the Greater Niagara General Hospital (GNGH) will have a significant negative impact on patients in Welland, Niagara Falls and all South Niagara municipalities. NOW THEREFORE BE IT RESOLVED THAT THE CORPORATION OF THE CITY OF WELLAND supports the City of Niagara Falls Resolution No. 40 of November 30, 2009 (attached) which calls for the Lieutenant Governor in Council to appoint an investigator to investigate and report on the quality of management and administration at the Niagara Health System; and further THAT Welland City Council directs copies of this resolution be forwarded to area municipalities, the Premier of Ontario, the Minister of Health and Long-Term Care and all area MPs & MPP's.  
**(Background information provided in Council Members' Agenda)**

**(Councillor Campion)**

**08-143** THAT THE CORPORATION OF THE CITY OF WELLAND establishes a committee of council which would represent the interests of City Council and the residents of Welland relative to the Niagara Health System (NHS) Hospital Improvement Plan to ensure that the NHS, LHIN, Provincial Government and other



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organizations are aware of our concerns over the removal of health care services from the Welland Hospital site; and further THAT Welland City Council directs this committee to act as a liaison and in unison with other area municipalities and organizations in order to present the unified messages and take necessary actions that will be required to convince the LHIN, NHS and Provincial Government that changes to the HIP are necessary in order to protect the integrity and availability of health care services for all residents of Niagara.

### **(Councillor Sharpe)**

**08-62** WHEREAS Welland City Council approved a Sidewalk Snow Clearing By-law (2008-185) that requires property owners to remove snow and ice from the public sidewalks adjacent to their property no later than 24 hours after a substantial snowfall;  
AND WHEREAS the City of Welland has had a Sidewalk Snow Clearing Program in place since 2006;  
AND WHEREAS the City of Welland is committed to becoming a fully accessible community.  
NOW THEREFORE BE IT RESOLVED THAT THE CORPORATION OF THE CITY OF WELLAND approves expanding the Sidewalk Snow Clearing Program to include all sidewalks adjacent to city-owned properties that provide access to a school or Welland Transit stop, and that sufficient funding be included in the 2010 Operating Budget for this purpose.

### **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**

**2. COMMITTEE AND STAFF REPORTS**

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

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

**3. Staff Reports**

**1 - 10**

**Remove from Block**

**PDS-2010-1**

Gen. Mgr., Planning and Development Services, D. Thorpe – Application for Zoning By-law Amendment – Mutual Income Estates Inc., Part Block A, Plan 92, known as Plan 640, north side of Thorold Road, east of Rice Road (30 Rice Road) (File No. 2009-15). Ref. No. 10-41Z (See By-law No. 1)

**11 - 23**

**Remove from Block**

**PDS-2010-2**

Gen. Mgr., Planning and Development Services, D. Thorpe – Application for Zoning By-law Amendment and Proposed By-law to remove the Holding (H) Symbol – Terrence William Ewanochko, Part Lots 4, 27 and 28, Plan 552, south side of West Main Street, west of Frazer Street, known municipally as 65 West Main Street, (Files Nos.: 2008-12 and 2009-16). Ref. No. 09-43Z (See By-law Nos. 2 & 3)

**24 - 44**

**Remove from Block**

**PDS-2010-3**

Gen. Mgr., Planning and Development Services, D. Thorpe – Applications for Official Plan and Zoning By-law Amendment – Centre De Sante Communautaire Hamilton/Niagara Inc., 810 East Main Street, Part of Lot 22, Concession 4, former Township of Crowland, now in the City of Welland (Files: 2009-17 and OPA). Ref. No. 10-42Z (See By-law Nos. 4 & 5)



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<b>45 - 50</b>	<b><u>PDS-2010-4</u></b>	Gen. Mgr., Planning and Development Services, D. Thorpe – Request for Extension to Draft Plan Approval – Harry W. Diffin Industrial Park Subdivision – City of Welland (File 26T-14-89015). Ref. No. 99-92
<b>51 - 54</b>	<b><u>PDS-2010-5</u></b>	Gen. Mgr., Planning and Development Services, D. Thorpe – Proposed By-law to remove the Holding (H) Symbol from lands on the west side of Elmwood Avenue, south of Lincoln Street and north of Windsor Street municipally known as 70 Elmwood Avenue (File 2009-08). Ref. No. 09-94Z (See By-law No.6).
<b>55 - 56</b>	<b><u>PDS-2010-6</u></b>	Gen. Mgr., Planning and Development Services, D. Thorpe – Rural Addressing – Proposed Street Name Changes – Update. Ref. No. 07-120
<b>57 - 79</b>	<b><u>PDS-2010-7</u></b>	Gen. Mgr., Planning and Development Services, D. Thorpe – Semi-Annual Subdivision Status Report – December 31, 2009. Ref. No. 09-130
<b>80 - 81</b>	<b><u>TRAF-2010-01</u></b>	Gen. Mgr., Engineering, Public Works and Transportation Services/City Engineer, S. Iannello – Parking Restrictions – Michael Drive. Ref. No. 10-22
<b>82 - 84</b>	<b><u>TRAF-2010-02</u></b>	Gen. Mgr., Engineering, Public Works and Transportation Services/City Engineer, S. Iannello – Public Domain Incentive Program – Downtown Infrastructure Improvements. Ref. No. 01-108



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**3. NEW BUSINESS**

- 85**            1.     Barbara Van Der Heyden, Executive Director, Big Brothers Big Sisters of South Niagara - requesting that the month of February be declared as “Tim Horton’s Bowling for Kids Sake”. Ref. No. 10-6

**Recommendation:**

THAT THE COUNCIL OF THE CITY OF WELLAND declares the month of February as “**Tim Horton’s Bowling for Kids Sake**” in the City of Welland as requested by the Big Brothers Big Sisters of South Niagara.

- 86 - 87**            2.     Bill Hodgson, Mayor, Town of Lincoln re: Horticultural Crisis. Ref. No. 08-136

**Recommendation:**

THAT THE COUNCIL OF THE CITY OF WELLAND supports the correspondence from the Town of Lincoln dated November 16, 2009 to hereby petition the Government of Canada to support the Ontario Fruit and Vegetable Growers’ Association to work with farmers to establish a program to ensure sustainability of the fruit and vegetable sector.

**4. BY-LAWS**

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

1. A By-law to amend City of Welland Zoning By-law 2667 (Mutual Income Estates Inc. – File 2009-15) 30 Rice Road. Ref. No. 10-41Z
2. A By-law to amend Zoning By-law 2667 upon the application of Terrance William Ewanochko to remove the Holding Symbol “H” from certain lands south of West Main Street, north of Bald Street, west of Frazer Street known municipally as 65 West Main Street (File No. 20080-12). Ref. No. 09-43Z
3. A By-law to amend Zoning By-law 2667 (Terrance William Ewanochko – File 2009-16) 65 West Main Street. Ref. No. 09-43Z
4. A By-law to authorize the adoption of Official Plan Amendment No. 135. Ref. No. 10-42Z
5. A By-law to amend City of Welland Zoning By-law 2667 (Centre De Sante Communautaire Hamilton/Niagara Inc. – File 2009-17) 810 East Main Street. Ref. No. 10-42Z



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6. A By-law to amend Zoning By-law 2667 upon the application of Grey Forest Homes Ltd. to remove the Holding Symbol "H" from certain lands on the west side of Elmwood Avenue, south of Lincoln Street and north of Windsor Street known municipally as 70 Elmwood Avenue (File 2009-08). Ref. No. 09-94Z
7. A By-law to authorize an extension of the Lease Agreement with Laurent Viger Construction Limited for lands adjacent to Memorial Park. Ref. No. 10-19
8. A By-law to authorize the entering into an agreement with the Welland and District Society for the Prevention of Cruelty to Animals for animal control and municipal pound services within the City of Welland. Ref. No. 06-56
9. A By-law to provide for advance votes to be held prior to voting day. Ref. No. 10-43
10. 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 January, 2009. Ref. No. 10-1