



COUNCIL MEETING AGENDA

Tuesday, June 15, 2010

7:00 P.M.

COUNCIL CHAMBERS – CIVIC SQUARE

- 1. COMMITTEE-OF-THE-WHOLE (IN CAMERA) (5:30 p.m.)
(See yellow tab)**
 - For the purpose of educating or training members of Council; and
 - Proposed or pending acquisition or disposition of land by the municipality or local board matter; and
 - Personal matters about an identifiable individual, including municipal or local board employees.

- 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 ADOPTION OF MINUTES**

Regular Council Meeting of June 1, 2010.
(Previously Distributed)
 - 3.5 CALL UPON THE CITY CLERK TO REVIEW COMMITTEE OF THE WHOLE ITEMS (IN CAMERA) TO BE ADDED TO BLOCK**
 - 3.6 DISCLOSURES OF INTEREST**
 - 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)**



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

10-28 John Richmond, Co-Chair of the Garrison Community Council of Niagara and Major Allan Stoyka, Acting C.O. from the Lincoln & Welland Regiment will be providing an overview of the mandate of the Garrison Community Council and exchanging flags with the City of Welland to honour the men and women who serve our Country.

09-152 Geri Dehne, Steven Kealey and Larry Osborn, Niagara Landlord Self Help Group – Rental Licensing.
(Background information provided in Council Members' Agenda)

08-143 Sue Hotte, Co-chair and Ron Walker, Member, Niagara Health Coalition – Ontario Health Coalition 12 Region Expert Panel investigation findings, as it relates to Niagara Region.

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

04-47 Janet Booth, Secretary/CEO, Welland Public Library Board re: update on its activities.

10-19 Bernice Alexander, Chair, Market Square Advisory Committee re: update on its activities.

4.4 LEGISLATED PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT

10-104Z A complete application has been made by TIMBRO DESIGN BUILD on behalf of THE CORPORATION OF THE CITY OF WELLAND to rezone Part Lot 24, Concession 6, former Township of Crowland, now in the City of Welland designated as Parts 3, 4 and 5, Plan 59R-8889 for lands on the north side of Churchill Avenue east of Plymouth Road from the existing RM3 – Multiple Dwelling –Third Density Zone By-law 2667 to a Site Specific IN-1 Zone By-law 2667. The purpose of the Amendment is to permit the construction of an apartment building containing twenty-five (25) residential units for seniors' accommodation, a seniors' activity centre and community resource and training centre. In order to accommodate such development reduced parking, reduced landscaping and reduced setback requirements are also requested. The Official Plan designation is INSTITUTIONAL (INST).
(See Staff Report PDS-2010-41, pages 1 to 14)



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04-47Z A complete application has been made by DR. ERIC MULLINS on behalf of THE WELLAND PUBLIC LIBRARY BOARD to rezone Part of Lot 246, former Township of Thorold, now in the City of Welland for lands at 650 South Pelham Road from the existing R2 – Single-Detached Dwelling – Second Density Zone By-law 2667 to a Site Specific C2 Zone By-law 2667. The purpose of the Amendment is to permit a dental clinic to occupy the existing building. The Official Plan designation is COMMERCIAL (C). (See Staff Report PDS-2010-42, pages 15 to 24)

4.5 PUBLIC MEETING

09-72 Applications for approval of Draft Plan of Subdivision and Zoning By-law
09-72Z Amendment – Central Village, west side of the Welland By-pass Canal, east of Lochness Golf Course and south of the terminus of Daimler Parkway. (See Staff Report PDS-2010-45, pages 29 to 105)

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)

09-152 THAT THE COUNCIL OF THE CITY OF WELLAND rescinds the motion passed by Council on February 16, 2010 regarding Licensing of Rental Housing. Ref. No. 09-152

(Councillor Sharpe)

09-152 WHEREAS, affordable rental housing is needed all across the city; AND WHEREAS, the vast majority of landlords in Welland are responsible individuals or businesses who are aware of and meet their obligations under City By-laws, the Fire code and the Residential Tenancies Act;



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AND WHEREAS, problems related to student housing in the Niagara College neighbourhood had been well managed prior to 2009.

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to work with Niagara College and their Student Administrative Council to establish an effective, ongoing 'Town and Gown' Committee involving residents, Ward Councillors, landlords, Welland Fire and Emergency Services, the Niagara Regional Police, and other stakeholders based on best practice models in use in Ontario.

(Councillor Alexander)

08-136 “A National Food Policy for Canada”

WHEREAS many municipalities support the local economy by running or supporting local farmers markets;

AND WHEREAS municipalities have a significant collective economic impact procuring food for general daily operations including events and functions, day care centres, seniors facilities, cafeterias, sports and cultural facilities, etc.;

AND WHEREAS municipalities support the delivery of food to markets via municipal infrastructure as well as manage the 'end of pipe' of the food system: recycling and disposal of food packaging, organic waste management and wastewater;

AND WHEREAS long-term access to affordable, safe and healthy food is fundamentally important to food security and the quality of life for Canadians;

AND WHEREAS farming and agriculture is a vital part of the economic, environmental, social and cultural fabric of rural Canada;

AND WHEREAS there are a wide range of many other related points to note including urban food, foodbanks, organic farming, land stewardship, multicultural issues, farm incomes, buying local food and water quality issues;

AND WHEREAS Canada is the only country in the G20 without a National Food Policy Strategy.

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND requests that the Federation of Canadian Municipalities (FCM) call on the federal government to develop a National Food Policy Strategy for Canada via creating an FCM policy paper on municipal issues related to food; and further THAT Welland City Council requests that FCM develop a work plan to play an active role with other interested partners and stakeholders with specific attention to advocacy and awareness initiatives on the importance of buying local food and the need for a National Food Policy.



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

8. CORPORATION REPORTS

8.1 Councillor Activities Report

Councillor Alexander: FCM Report
(Background information provided in Council Members' Agenda)

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- 14 PDS-2010-41 Gen. Mgr., Planning and Development Services, D. Thorpe –
Remove from Block Application for Zoning By-law Amendment, City of Welland,
Part Lot 24 Concession 6, former Township of Crowland, now
in the City of Welland, being Parts 3, 4 and 5, Plan 59R-8889,
north side of Churchill Avenue, east of Plymouth Road
(File 2010-03). Ref. No. 10-104Z (See By-law No. 1)**

 - 15 - 24 PDS-2010-42 Gen. Mgr., Planning and Development Services, D. Thorpe –
Remove from Block Application for Zoning By-law Amendment – Dr. Eric Mullins,
Part of Lot 246, former Township of Thorold, now in the
City of Welland, east side of South Pelham Road, north of
Thorold Road, municipally known as 650 South Pelham Road
(File No. 2010-04). Ref. No. 04-47Z (See By-law No. 2)**

 - 25 - 28 PDS-2010-43 Gen. Mgr., Planning and Development Services, D. Thorpe –
Request for extension to Draft Plan Approval – Forks Common
Subdivision (formerly Forks End Subdivision) – Mario Bevacqua on
behalf of 1650725 Ontario Limited (File 26T-14-97004).
Ref. No. 04-94**



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|--------------------------------------|----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 29 - 105 Remove from Block | <u>PDS-2010-45</u> | Gen. Mgr., Planning and Development Services, D. Thorpe – Application for approval of Draft Plan of Subdivision and application for Zoning By-law Amendment), 2090572 Ontario Inc., Part of Lots 18 and 19, Concession 2 and 3, former Township of Crowland, now in the City of Welland, west of the Welland By-Pass Canal, east of Lochness Golf Course and south of the terminus of Daimler Parkway (File No. 26T-14-08004 and 2008-14). Ref. No. 09-72 <i>(Background information provided in Council Members' Agenda)</i> |
| 106 - 123 | <u>FIN-2010-15</u> | Gen. Mgr., Financial and Corporate Services/Treasurer, B. Silvestri – User/Services Fees – Harmonized Sales Tax (HST). Ref. No. 10-4/10-38 (See By-law No. 14) |
| 124 - 126 | <u>FIN-2010-16</u> | Gen. Mgr., Financial and Corporate Services/Treasurer, B. Silvestri – Purchase of New Printer. Ref. No. 10-109 |
| 127 - 165 | <u>FIN-2010-17</u> | Gen. Mgr., Financial and Corporate Services/Treasurer, B. Silvestri – Water and Wastewater Long-Range Financial Plan in accordance with O.Reg. 453/07. Ref. No. 10-4 |
| 166 - 168 | <u>ENG-2010-17</u> | Gen. Mgr., Engineering, Public Works and Transportation Services/City Engineer, S. Iannello – Tender Award – Atlas Avenue and Oxford Road Sanitary Sewer Construction (Part of OAW Drainage Area Combined Sewer Separation 2010 Project) – “A 2010 Niagara Regional CSO Funding Cost Sharing Program”. Ref. No. 10-99 (See By-law No. 3) |
| 169 - 171 | <u>ENG-2010-18</u> | Gen. Mgr., Engineering, Public Works and Transportation Services/City Engineer, S. Iannello – Completion of the Universal Water Metering Program. Ref. No. 04-124 |
| 172 - 175 | <u>ENG-2010-19</u> | Gen. Mgr., Engineering, Public Works and Transportation Services/City Engineer, S. Iannello – Tender Award - Sanitary Lateral Replacement Program 2010. Ref. No. 10-92 (See By-law No. 4) |
| | <u>ENG-2010- 20</u> | Gen. Mgr., Engineering, Public Works and Transportation Services/City Engineer, S. Iannello – Contract Award - Thorold Road Intersection and Roadway Improvement Phase 2 and Watermain Replacement – “An Infrastructure Stimulus Fund Project – ISF 1662”. Ref. No. 09-99 <i>(To be distributed at meeting)</i> |



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- 176 - 178** **TRAF-2010-10** Gen. Mgr., Engineering, Public Works and Transportation Services/City Engineer, S. Iannello – Parking Restrictions on Pietz Avenue. Ref. No. 10-22
- 179 - 181** **TRAF-2010-12** Gen. Mgr., Engineering, Public Works and Transportation Services/City Engineer, S. Iannello – Award of Tender – Supply and Application of Road Traffic Paint and Pavement Markings – 2010. Ref. No. 10-89 (See By-law No. 5)
- 182 - 186** **PFR&CS-2010-16** Gen. Mgr., Parks, Facilities, Recreation and Cultural Services, B. Fenwick – Award of contract for Design-Build Services for the expansion of the Welland Community Wellness Complex. Ref. No. 06-84 (See By-law No. 6)
- 187 - 189** **PFR&CS-2010-17** Gen. Mgr., Parks, Facilities, Recreation and Cultural Services, B. Fenwick – Ontario Senior Games, Actifest 2012. Ref. No. 06-84
- 190 - 192** **PFR&CS-2010-18** Gen. Mgr., Parks, Facilities, Recreation and Cultural Services, B. Fenwick – Cenotaph Restoration and Site Enhancement, Chippawa Park. Ref. No. 10-19 (See By-law No. 7)
- 193 - 195** **PFR&CS-2010-20** Gen. Mgr., Parks, Facilities, Recreation and Cultural Services, B. Fenwick – 2010 Additions and Renovations to Jack Ballantyne Memorial Arena and Welland Arena. Ref. No. 10-19 (See By-law No. 8)

3. NEW BUSINESS

- 196 - 197** 1. Susan Daniels, City Clerk, City of Thorold re: Proposed Amendments to Leaded Gasoline Regulations. Ref. No. 10-105

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND supports the position of the City of Thorold with respect to the Federal Government's proposed amendments to leaded fuel regulations as they relate to an exemption from the regulations for race car tracks.

- 198 - 199** 2. Holly Dowd, Town Clerk, The Town of Niagara-On-The-Lake re: Re-establishment of the Long Term Waste Committee. Ref. No. 10-107

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the letter from the Town of Niagara-On-The-Lake dated May 25, 2010 and supports their initiative to call upon the Niagara Region to re-establish the Long Term Waste Committee.



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- 200 - 202** 3. Peter Partington, Regional Chairman, Region of Niagara re: Wastewater Rate Setting and Forecasting. Ref. No. 10-4

Recommendation:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the letter from Peter Partington, Regional Chairman, Region of Niagara dated June 4, 2010 and refers the matter to the Budget Review Committee.

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 Amendment 2667 (The Corporation of the City of Welland – File 2010-03) north side of Churchill Avenue east of Plymouth Road. Ref. No. 10-104Z
2. A By-law to amend City of Welland Zoning By-law 2667 (The Welland Public Library Board – File 2010-04) 650 South Pelham Road. Ref. No. 04-47Z
3. A By-law to authorize the entering into a contract with Baiocco Construction Corp. for the Atlas Avenue and Oxford Road Sanitary Sewer Construction (Part of OAW Drainage Area Combined Sewer Separation 2010) “A 2010 Niagara Region CSO Funding Cost Sharing Program”.
Ref. No. 10-99
4. A By-law to authorize acceptance of the tender and the entering into an agreement with Pipeflo Contracting Corp. for the Sanitary Sewer Service Lateral Replacement Program 2010. Ref. No. 10-92
5. A By-law to authorize the acceptance of the tenders and entering into contract with 648799 Ontario Limited O/A Provincial Maintenance for the supply and application of road traffic paint and pavement markings. Ref. No. 10-89
6. A By-law to authorize acceptance of the proposal and the entering into a contract with Buttcon Limited for Design-Build Services for the Welland Community Wellness Complex Expansion. Ref. No. 06-84
7. A By-law to authorize acceptance of tender and the entering into a contract with Stevensville Lawn Service Incorporated for the Cenotaph Restoration and Site Enhancement at Chippawa Park. Ref. No. 10-19



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- 8.** A By-law to authorize acceptance of tender and the entering into a contract with Charter Building Company for additions and renovations to the Jack Ballantyne and Welland Main Arenas. Ref. No. 10-19
- 9.** A By-law to authorize the entering into a Collective Agreement with the Welland Professional Firefighters Association, I.A.F.F. 481, effective January 1, 2009 to December 31, 2011. Ref. No. 10-15
- 10.** A By-law to authorize the entering into a short form lease agreement with Community Living Welland-Pelham for a portion of the Welland Market Square. Ref. No. 10-19
- 11.** A By-law to regulate or prohibit removal of topsoil, placing or dumping of fill, and alteration of the grade of land within the City of Welland (Site Alteration By-law). Ref. No. 09-160
- 12.** A By-law to authorize the entering into an agreement with Canadian Tire Real Estate Limited for a temporary easement in favour of the City over 1000 East Main Street for construction of sanitary sewers and structures on the lands and connection to the City's Sewer System. Ref. No. 10-87
- 13.** A By-law to amend definitions of By-law 89-2000, being a By-law Regulating Traffic and Parking within the City of Welland. Ref. No. 10-22
- 14.** A By-law to amend By-law 2006-193, being a By-law to establish and regulate fees and charges for various services or activities and use of property as provided by the municipality, and to repeal By-law 2009-180. Ref. No. 10-38
- 15.** 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 June, 2010. Ref. No. 10-1