



COUNCIL MEETING AGENDA

*Tuesday, July 13, 2010
7:00 P.M.*

COUNCIL CHAMBERS – CIVIC SQUARE

- 1. COMMITTEE-OF-THE-WHOLE (IN CAMERA) (6:30 p.m.)
(See yellow tab)**
 - Personal matters about an identifiable individual, including municipal or local board employees; and
 - Proposed or pending acquisition or disposition of land by the municipality or local board.

- 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 15, 2010 and Special Council Meeting of June 22, 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**



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4.1 PRESENTATIONS

Presentation of Rose Festival certificates by Mayor Goulbourne to: Rose Bud King; Quentin Perry; Rose Bud Queen: Ryan Leigh Waines; Rose Queen: Katrina Arnds; 1st Princess: Lindsay Jones; 2nd Princess: Erica Olsson; and Miss Congeniality: Kaitlyn Romano.

The following contestants: Monica Bridge, Melissa Campo, Madison Hamilton, Shelby Johnston, Marley Kajan, Quinn Phillippe, Alexandra Rwicker de Smith, and Sarah Walker.

Welland Minor Basketball Association Novice Boys in recognition of winning the 2010 Ontario Cup – Novice Division.

Community Involvement Recognition

Niagara Construction Association and Niagara Home Builders Association.

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

10-28 Claire Masswohl, CEO, Welland Heritage Council and Multicultural Centre re: 34th Annual Folklore Festival.

10-113 John MacLellan re: Heritage Tax Relief Program.

(Background information provided in Council Members' Agenda)

4.3 LEGISLATED PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT

10-110Z The City of Welland is proposing a housekeeping amendment to Zoning By-law 2667, as amended. The Amendments propose new and revised definitions including contractor's establishment, pet grooming establishment, place of worship and restaurant. New provisions as well as changes to the general provisions are proposed including the requirement for municipal services and access and parking requirements for a restaurant/outdoor patio. This Amendment also proposes the addition of a pet grooming establishment as a permitted use to some commercial zones and as a permitted home occupation. As well, a new provision related to violations is proposed for the administration section of the Zoning By-law. (See Staff Report PDS-2010-49, pages 8 to 37)



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4.4 AGENCIES, BOARDS, COMMISSIONS AND COMMITTEES REPORTS

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

10-47 Nominating Committee – meeting of July 13, 2010.

10-4 Budget Review Committee – meeting of July 13, 2010.

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 Alexander)

09-152 THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to investigate the development of an absentee landlord By-law.

(Councillor Van Vliet)

10-113 THAT THE COUNCIL OF THE CITY OF WELLAND supports the proposed Heritage Tax Relief Program in principle; and further THAT Welland City Council refers the matter regarding the development of a Heritage Tax Relief Program to staff for study and report to Council on August 10, 2010; and further THAT Welland City Council directs that a copy of such report be circulated to owners of designated heritage buildings; and further THAT Welland City Council requests that the Regional Municipality of Niagara implement a matching rebate as may be established by the City of Welland under the Heritage Tax Relief Program.



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(Mayor Goulbourne)

09-152 THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to explore the “Rental Housing Licensing” By-laws from Oshawa and London and bring back an information report to Council.

10-114 WHEREAS in 2008, the Province of Ontario provided municipalities with "Investing In Ontario" funds and Welland received approximately \$ 2.4 million;

AND WHEREAS, the City of Welland worked with the Welland Development Commission (WDC) to create the subsequent "Invest In Welland" initiative;

AND WHEREAS, several projects were realized such as improvements to the Welland Arena and property acquisition which expedited the development of Highway 406;

AND WHEREAS, in April Council and senior staff toured the new Niagara College Sport Complex with Niagara College officials and as a result Council and staff have determined that the proposal under the Invest In Welland initiative to spend \$65,272 on a portable basketball floor for the Welland Arena is no longer necessary due to the construction of a state of the art basketball/volleyball facility at the Welland Campus;

AND WHEREAS, the City of Welland has entered into a Memorandum of Understanding with Niagara College;

AND WHEREAS, the City of Welland has been nurturing a relationship with the City of Rochester, in particular, between the University of Rochester and Niagara College;

AND WHEREAS, the WDC passed a motion in support of providing funds from the Investing In Welland initiative to underwrite this developing partnership with the University of Rochester and Niagara College;

AND WHEREAS, representatives from the University of Rochester will be meeting with the Mayor, city staff, key stakeholders whom include individuals from Niagara College and Brock University on July 21, 2010.

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND authorizes the Mayor and staff to participate in discussions with the University of Rochester and Niagara College to develop a plan and activities in either/or areas of Life Sciences and Green Technology that can help create economic development advancements for Welland and Rochester; and further

THAT Welland City Council directs staff to prepare a report for presentation to Council in September outlining how \$50,000 of the Investing in Welland funds previously earmarked for the portable basketball court could be utilized to advance a partnership between Niagara College and University of Rochester.

(see additional information pages 1 to 3)



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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

- 4 - 5** Request for deferral of consideration of Staff Report PDS-2010-45 – Central Village Draft Plan of Subdivision 26T-14-08004 and related Rezoning from Allan N. Windrem, Dillon Consulting. Ref. No. 09-72

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the request from Allan N. Windrem, Dillon Consulting, for deferral of consideration of Staff Report PDS-2010-45 to August 10, 2010 – Draft Plan of Subdivision 26T-14-08004 and related Rezoning.

- 6 - 7** Memorandum of Status Update re: Town & Gown Committee. Ref. No. 09-152

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the Memorandum from Manager, Traffic, Parking & By-law Operations regarding an update on the Town and Gown Committee.

2. COMMITTEE AND STAFF REPORTS

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

- 2. General Committee Report (NIL)**

- 3. Staff Reports**

- 8 - 37** **PDS-2010-49** Gen. Mgr., Planning and Development Services, D. Thorpe – Housekeeping Amendment to Zoning By-law 2667, as amended – Definitions, General Provisions, Home Occupation Use and Administration – City of Welland (File 2010-05). Ref. No. 10-110Z (See By-law 1)
Remove From Block



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| 38 - 40 | <u>PDS-2010-50</u> | Gen. Mgr., Planning and Development Services, D. Thorpe – Lay Out and Establish Parts 1 through 6 inclusive, Plan 59R-14076 as part of Thorold Road. Ref. No. 09-99 (See By-law 2) |
| 41 - 45 | <u>PDS-2010-51</u> | Gen. Mgr., Planning and Development Services, D. Thorpe – Request for extension of Draft Plan Approval – The Highlands Subdivision (formerly St. Andrew’s Terrace Subdivision) (File 26T-14-97005). Ref. No. 98-62 |
| 46 - 50 | <u>PDS-2010-52</u> | Gen. Mgr., Planning and Development Services, D. Thorpe – Request for Red-Lined Revision to Draft Plan of Subdivision and Proposed Subdivider’s Agreement – Blue River Estates Subdivision (Phase 2) (File 26T-14-06004) south of Webber Road, west of Colbeck Drive. Ref. No. 06-132 (See By-laws 3,4,5,6, & 7) |
| 51 - 53 | <u>PDS-2010-53</u> | Gen. Mgr., Planning and Development Services, D. Thorpe – The Laying Out, Establishing and Naming of Part 1, Plan 59R-9845 as part of River Road. Ref. No. 10-111 (See By-law 8) |
| 54 - 55 | <u>PDS-2010-54</u> | Gen. Mgr., Planning and Development Services, D. Thorpe – 225 East Main Street - Proceeds of Sale. Ref. No. 04-111 |
| 56 - 78 | <u>PDS-2010-55</u> | Gen. Mgr., Planning and Development Services, D. Thorpe – Semi-Annual Subdivision Status Report – June 30, 2010. Ref. No. 10-114 |
| 79 - 81 | <u>ENG-2010-21</u> | Gen. Mgr., Engineering, Public Works and Transportation Services/City Engineer, S. Iannello – Approval to purchase (1) one new heavy duty commercial type front mount mower with 4 wheel drive, hard cab, mower deck, sweeper broom attachment and snow blower. Ref. No. 10-46 (See By-law 9) |
| 82 - 86 | <u>ENG-2010-22</u> | Gen. Mgr., Engineering, Public Works and Transportation Services/City Engineer, S. Iannello – Green Fleet Implementation Plan – Interim Report. Ref. No. 09-126 |
| 87 - 90 | <u>ENG-2010-23</u> | Gen. Mgr., Engineering, Public Works and Transportation Services/City Engineer, S. Iannello – Tender Award – Road Re-Surfacing program 2010 and Colbeck Drive Bridge Approaches. Ref. No. 10-106 (See By-law 10) |



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- 91 - 93** **ENG-2010-24** Gen. Mgr., Engineering, Public Works and Transportation Services/City Engineer, S. Iannello – Tender Award – Willson Road Sidewalk Construction between Fitch Street and Prince Charles Drive. Ref. No. 10-26 (See By-law 11)
- 94 - 99** **TRAF-2010-13** Gen. Mgr., Engineering, Public Works and Transportation Services/City Engineer, S. Iannello – Downtown Streetscaping Project – Update. Ref. No. 09-108 (See By-law 12 & 13)
- 100 - 101** **TRANS-2010-03** Gen. Mgr., Engineering, Public Works and Transportation Services/City Engineer, S. Iannello – Fuel Pump. Ref. No. 10-13
- 102 - 104** **TRANS-2010-04** Gen. Mgr., Engineering, Public Works and Transportation Services/City Engineer, S. Iannello – Approval to purchase one mid size low floor bus. Ref. No. 10-13 (See By-law 14)
- 105 - 107** **TRANS-2010-05** Gen. Mgr., Engineering, Public Works and Transportation Services/City Engineer, S. Iannello – Award of Tender – Purchase of one low floor large transit coach. Ref. No. 10-13 (See By-law 15)
- 108 - 114** **TRANS-2010-06** Gen. Mgr., Engineering, Public Works and Transportation Services/City Engineer, S. Iannello – 2009/2010 Dedicated Gas Tax Funds Program for Public Transit. Ref. No. 10-13 (See By-law 16)
- 115 - 119** **TRANS-2010-07** Gen. Mgr., Engineering, Public Works and Transportation Services/City Engineer, S. Iannello – Niagara College Students Administration Council Amendment to Agreement 2010. Ref. No. 10-13 (See By-law 17)
- 120** **CCLS-2010-03** City Clerk, C. Mintoff – Lottery Licensing. Ref. No. 10-3.
- 121 – 134** **CCLS-2010-04** City Clerk, C. Mintoff – Compliance Audit Committee – Municipal Election Campaign Finances. Ref. No. 10-43 (See By-law 18)



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3. NEW BUSINESS

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1. Petition signed by residents of Michael Drive – re: elimination of sidewalk proposed on Michael Drive (off of Woodlawn Road). Ref. No. 10-26

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives the petition from residents of Michael Drive regarding the sidewalk proposed for Michael Drive (off of Woodlawn Road) and refers the matter to the Accessibility Advisory Committee and staff for review and report.

138 - 140

2. Lori Burns, Heritage Welland Committee re: Carnegie Building (Welland Historical Museum – 140 King Street) – Approval of restoration of original front steps. Ref. No. 06-63

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information correspondence and estimates for restoration and approves the plan for restoration of the original front steps of the Carnegie Building (Welland Historical Museum 140 King Street) under the *Ontario Heritage Act*.

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, as amended (City of Welland – File 2010-05) Ref. No. 10-110Z
2. A By-law to Lay Out, Establish, Assume and Name as a Public Highway for road widening purposes (Daylighting Triangles) Part 1, 2, 3, 4, 5, 6, Plan 59R-14076 as part of Thorold Road. Ref. No. 09-99
3. A By-law to authorize the signing of a Subdivider's Agreement with Vincent Policella Masonry Contractor Limited with respect to the development of Blue River Estates (Phase 2) Subdivision (File 26T-14-06004). Ref. No. 06-132
4. A By-law to accept the transfer of an easement(s) for storm sewers from Vincent Policella Masonry Contractor Limited to the Corporation of the City of Welland in the Blue River Estates (Phase 2) Subdivision (File 26T-14-06004). Ref. No. 06-132



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5. A By-law to Assume, Lay Out, Establish and Name as a Public Highway for road widening purposes Block 45, Plan 59M- _____ as Part of Colbeck Drive (File 26T-14-06004). Ref. No. 06-132
6. A By-law to Lay Out, Establish and Name Block 86, Plan 59M-369 being 0.3 metre reserve for the City of Welland as part of Creekside Drive (File 26T-14-06604). Ref. No. 06-132
7. A By-law to accept the transfer of certain 0.3 metre reserves for access control purposes from Vincent Policella Masonry Contractor Limited to the Corporation of the City of Welland in the Blue River Estates (Phase 2) Subdivision (File 26T-14-06004). Ref. No. 06-132
8. A By-law to Lay Out, Establish, Assume and Name as a Public Highway for road widening purposes Part 1, Plan 59R-9845 as part of River Road. Ref. No. 10-111
9. A By-law to authorize the purchase of one new heavy duty commercial type front mount mower with 4 wheel drive, hard cab, mower deck, sweeper broom attachment and snow blower from Ben Berg Farm & Industrial Equipment. Ref. No. 10-46
10. A By-law to authorize the acceptance of tender and the entering into a contract With Brennan Paving Limited for the Road Resurfacing Program 2010 and the Colbeck Drive Bridge Approaches. Ref. No. 10-106
11. A By-law to authorize the acceptance of tender and the entering into a contract with 1526957 Ontario Ltd. operating as CTC Contracting for the Willson Road sidewalk construction between Fitch Street and Prince Charles Drive. Ref. No. 10-26
12. A By-law to authorize the acceptance of tender and the entering into a contract with Autotrim and signs Niagara for Gateway and Wayfinding Signage within the Downtown Core. Ref. No. 09-108
13. A By-law to authorize the entering into an Amending Agreement with AECOM for the Downtown Streetscaping Project and to amend By-law 2009-103. Ref. No. 09-108
14. A By-law to authorize the purchase of one new mid-size low floor bus from Creative Carriage Ltd. Ref. No. 10-13
15. A By-law to authorize the purchase of one low floor large transit coach from City View Bus Sales Ltd. Ref. No. 10-13



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- 16.** A By-law to authorize the entering into a Letter of Agreement with Her Majesty the Queen in Right of the Province of Ontario, as represented by the Minister of Transportation, for provincial funding under the Dedicated Gas Tax Funds for Public Transportation Program. Ref. No. 10-13
- 17.** A By-law to authorize an amendment to the agreement with Niagara College Student Administrative Council Inc. relating to the Welland Transit U-Pass Services for the Fall and Winter Semesters; and to amend By-law 2007-82. Ref. No. 10-13
- 18.** A By-law to establish the Niagara Compliance Audit Committee for the City of Welland. Ref. No. 10-43
- 19.** 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
- 20.** A By-law to appoint Traffic Enforcement Officers of the Corporation of the City of Welland to enforce the provisions of Traffic and Parking By-law 89-2000 at Seaway Mall and to amend By-law 2010-26. Ref. No. 10-22
- 21.** 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 2010-91. Ref. No. 10-38
- 22.** A By-law to regulate pool enclosures within the City of Welland. Ref. No. 10-19
- 23.** A By-law to authorize the entering into an Encroachment Agreement with Bell Canada for lands within the Wellington Street Realignment Area, being Parts 3, 4, 5 and 6, Plan 59R-9834. Ref. No. 10-112
- 24.** 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 13th day of July, 2010. Ref. No. 10-1