



COUNCIL MEETING AGENDA

**Tuesday, April 5, 2016
7:00 P.M.**

COUNCIL CHAMBERS – CIVIC SQUARE

- 1. COMMITTEE-OF-THE-WHOLE (IN-CAMERA) (5:30 p.m.)
(See yellow tab)**
 - Receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.
 - *Assessment Appeals update.*
 - Proposed or pending acquisition or disposition of land by the municipality or local board.
 - *Purchase of City-owned lands.*
 - Personal matters about an identifiable individual, including municipal or local board employees.
 - *Welland Recreational Canal Corporation update.*
 - *Accumulative Costs.*
 - *Information Services update.*
 - *Committee Appointments for the following Committees:
Arts and Culture Advisory Committee.
Welland Community Wellness Complex Advisory Committee.*

- 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**
 - Mr. James Takeo to recite a short poem for National Poetry Month.
 - 3.3 ADDITIONS/DELETIONS TO AGENDA**
 - 3.4 ADOPTION OF MINUTES**

Regular Council Meeting of March 1, 2016 and Special Council Meeting of March 8, 2016 (*Previously Distributed*).
 - 3.5 CALL UPON THE ACTING CITY CLERK TO REVIEW COMMITTEE-OF-THE-WHOLE ITEMS (IN-CAMERA) TO BE ADDED TO BLOCK**
 - 3.6 DISCLOSURES OF INTEREST**



COUNCIL MEETING AGENDA – Page 2

Tuesday, April 5, 2016

7:00 P.M.

COUNCIL CHAMBERS – CIVIC SQUARE

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) - Nil

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

16-28 Dr. Jack Lightstone, President and Vice-Chancellor, Brock University re: Brock University growth, transition and engagement with communities in Niagara.

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

08-95 John Clark, Chair, North Welland Business Improvement Area re: update on its activities.

4.4 LEGISLATED PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT

16-73

16-73Z Complete applications have been made by UPPER CANADA CONSULTANTS on behalf of VINMAR DEVELOPMENTS LTD. for approval of a Draft Plan of Subdivision and to rezone lands west of Clare Avenue, north of Hunter Drive from the existing R2 Single-Detached Dwelling - Second Density Zone to a Site Specific R2 and R3 Zone. The purpose of the Amendment is to develop a Plan of Subdivision by way of a Site Specific R2 Zone to reduce the minimum lot area from 555 square metres to 525 square metres, to reduce the minimum front yard setback from 7.5 metres to 6.0 metres to the front face of the garage and 4.5 metres to the front face of the dwelling; and a Site Specific R# Zone with a minimum front yard setback of 6.0 metres to the front face of the garage and 4.5 metres to the front face of the dwelling. The Official Plan designation is LOW DENSITY RESIDENTIAL.

(See Report P&B-2016-18 pages 47 to 50)

10-123ZA complete application has been made by DICK HALVERSON on behalf of THE CORPORATION OF THE CITY OF WELLAND to rezone Lots 188 to 190, 195, 196, 199, 200, 210 to 239, 292 to 323, Plan 946, Part Lot 191, Plan 946 and part of Louise Street, Plan 946, being Parts 1 and 2, Plan 59R-15367 for lands north of McCabe Avenue, east of Southworth Street from the existing R2 Single-Detached Dwelling - Second Density Zone By-law 2667 to a Site Specific RM3 Zone By-law 2667. The purpose of the Amendment is to permit a 51 unit townhouse development with site specific provisions for lot frontage, lot area, yard setbacks, minimum floor area for dwelling units and accessory dwelling units, maximum lot coverage, minimum landscaped open space, maximum



COUNCIL MEETING AGENDA – Page 3

Tuesday, April 5, 2016

7:00 P.M.

COUNCIL CHAMBERS – CIVIC SQUARE

parking lot coverage and minimum number of parking spaces. The Official Plan designation is LOW DENSITY RESIDENTIAL.
(See Report P&B-2016-19 pages 51 to 55)

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)

(Mayor Champion)

16-23 THAT THE COUNCIL OF THE CITY OF WELLAND amends the Council 2016 Meeting Schedule by replacing all future Workplan Implementation Meetings with additional General Committee Meetings.

(Councillor J. Chiocchio)

11-58 THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to review the Public Nuisance By-law, with emphasis on the city wide graffiti problem on private and public buildings as well as along the canal, to present solutions, costs and new enforcement procedures that will deter their actions in the future.

(Councillor McLeod)

99-99 WHEREAS the development of a new governance model should include a review of past performance, an identification of future objectives.
NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND requests that a governance review of the Welland Recreational Canal Corporation include a General Committee brainstorming session and that input be used in the formation of a new governance model.



COUNCIL MEETING AGENDA – Page 4

Tuesday, April 5, 2016

7:00 P.M.

COUNCIL CHAMBERS – CIVIC SQUARE

(Councillor Fokkens)

16-70 WHEREAS Supportive Living provides accommodations in a home-like setting where residents can be as independent as possible;
AND WHEREAS Supportive Living accommodations should provide residents with services that meet their needs;
AND WHEREAS Supportive Living provides services to the residents requiring a wide range of support due to age, and chronic conditions, to adults with mental health or physical disabilities;
AND WHEREAS Private Supportive Living Accommodations in Ontario currently have no Provincial Statute Governing standards.
NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND supports the development of Provincial legislation requiring the registration, licensing and setting Provincial Standards, for Private Supportive Living Accommodations, where the operator provides accommodations and where the operator provides or arranges for services that relate to the health, safety and security of the residents; and further THAT Welland City Council requests the support of the Region and our local MP and MPP and that a copy of this recommendation be forwarded to all Ontario Municipalities and their local MPP's, AMO and FCM for support.

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 Chief Administrative Officer's Report

9. CONFIRMATORY BY-LAW

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 5th day of April, 2016. Ref. No. 16-1

10. ADJOURNMENT



COUNCIL MEETING AGENDA INDEX

**Tuesday, April 5, 2016
7:00 P.M.
COUNCIL CHAMBERS – CIVIC SQUARE**

Page No.

AGENDA BLOCK

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

Deferred from the General Committee Meeting of March 8, 2016:

- 1 - 5** **15-43** Gen. Mgr., Human Resources and Legislative Services, R. Mantesso - Reducing the number of Councillors.

2. COMMITTEE AND STAFF REPORTS

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

- 6** **2. General Committee Report to Council - meeting of March 8, 2016**

3. Staff Reports

- 7 - 10** **FIN-2016-11** Gen. Mgr., Corporate Services/Treasurer, S. Zorbas - Water/Wastewater Committee. Ref. No. 16-37

- 11 - 13** **FIN-2016-12** Gen. Mgr., Corporate Services/Treasurer, S. Zorbas - 2016 Debenture Request. Ref. No. 16-4 (See By-law 1)

- 14 - 15** **TRANS-2016-03** Gen. Mgr., Infrastructure Services/City Engineer, S. Iannello - Niagara College Student Administrative Council Summer "U PASS" Agreement 2016. Ref. No. 16-13 (See By-law 2)

- 16 - 19** **TRAF-2016-03** Gen. Mgr., Infrastructure Services/City Engineer, S. Iannello - Update to Traffic and Parking By-law 89-2000. Ref. No. 16-22 (See By-law 3)

- 20 - 22** **ENG-2016-11** Gen. Mgr., Infrastructure Services/City Engineer, S. Iannello - Janitorial Cleaning Contract. Ref. No. 16-57 (See By-law 4)



COUNCIL MEETING AGENDA INDEX – Page 2

Tuesday, April 5, 2016

7:00 P.M.

COUNCIL CHAMBERS – CIVIC SQUARE

Page No.

23 - 26	<u>ENG-2016-12</u>	Gen. Mgr., Infrastructure Services/City Engineer, S. Iannello - Road Resurfacing and Reconstruction Program 2016 - Part 1. Ref. No. 16-62 (See By-law 5)
27 - 28	<u>ENG-2016-13</u>	Gen. Mgr., Infrastructure Services/City Engineer, S. Iannello - Crack Sealing Program 2016. Ref. No. 16-71 (See By-law 6)
29 - 36	<u>ENG-2016-14</u>	Gen. Mgr., Infrastructure Services/City Engineer, S. Iannello - 2015 Annual Summary Report - Safe Drinking Water Act 2002 Ontario Regulation 170/03. Ref. No. 16-72
37 - 43	<u>ENG-2016-16</u>	Gen. Mgr., Infrastructure Services/City Engineer, S. Iannello - Sewer Rehabilitation/Relining 2015. Ref. No. 15-102 (See By-law 7)
44 - 46	<u>ENG-2016-17</u>	Gen. Mgr., Infrastructure Services/City Engineer, S. Iannello - Hodgson Steel Sewer Separation. Ref. No. 16-55 (See By-law 8)
47 - 50 Remove From Block	<u>P&B-2016-18</u>	Gen. Mgr., Infrastructure Services/City Engineer, S. Iannello - Application for approval of Draft Plan of Subdivision (File 26T-14-16001) (Valleyway Estates) and application for Zoning By-law Amendment (File 2016-01), Vinmar Developments Ltd., west of Clare Avenue, north of Hunter Drive, Part of Lot 246, former Township of Thorold, now in the City of Welland. Ref. No. 16-73/16-73Z
51 - 55 Remove From Block	<u>P&B-2016-19</u>	Gen. Mgr., Infrastructure Services/City Engineer, S. Iannello - Zoning By-law Amendment Application (File No. 2016-02) by Cordage Green Housing and Community Services for lands on the north side of McCabe Avenue, east of Southworth Street. Ref. No. 10-123
56 - 105	<u>P&B-2016-20</u>	Gen. Mgr., Infrastructure Services/City Engineer, S. Iannello - Draft Plan of Subdivision Application (File No. 26T-14-15003) - Zoning By-law Amendment Application (File No. 2015-10) by Upper Canada Consultants on behalf of Vinmar Developments Ltd. for lands on the northwest and southeast corners of South Pelham Road and Gaiser Road, known municipally as 250 South Pelham Road, 257 South Pelham Road and 545 Gaiser Road (Gaiser Estates Subdivision). Ref. No. 16-51 (See By-law 9)



COUNCIL MEETING AGENDA INDEX – Page 3

Tuesday, April 5, 2016

7:00 P.M.

COUNCIL CHAMBERS – CIVIC SQUARE

Page No.

- | | | |
|------------------|-------------------------------|---|
| 106 - 111 | <u>P&B-2016-21</u> | Gen. Mgr., Infrastructure Services/City Engineer, S. Iannello - Application for Building Improvement Grant Program and Planning and Building Fees Grant Program - Third Incentive Application Community Improvement Plan for the Downtown and Health and Wellness Cluster - The Hope Centre Community Resources in Advocacy - 570 King Street. Ref. No. 10-76/15-58 |
| 112 - 132 | <u>CLK-2016-03</u> | Gen. Mgr., Human Resources and Legislative Services, R. Mantesso - Annual Report - 2015 Meetings of Council. Ref. No. 16-29 |
| 133 | <u>HR-2016-01</u> | Gen. Mgr., Human Resources and Legislative Services, R. Mantesso - Accumulative Costs. Ref. No. 16-74 |

3. NEW BUSINESS

- 134 - 136** 1. Nancy J. Bozzato, Town Clerk, Town of Pelham re: Request to Assist in the Establishment of Active Transportation. Ref. No.16-66

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information and supports the correspondence dated February 22, 2016 from the Town of Pelham regarding the request to assist in the Establishment of Active Transportation.

- 137 - 138** 2. Ralph Walton, Regional Clerk, Niagara Region re: Amendments to the Criminal Code. Ref. No. 16-67

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information and supports the correspondence dated February 29, 2016 from the Region of Niagara regarding amendments to the Criminal Code.

- 139** 3. Ralph Walton, Regional Clerk, Niagara Region re: Vehicle Registration Tax in Niagara. Ref. No. 16-68

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Niagara Region dated March 2, 2016, regarding the implementation of Vehicle Registration Tax in Niagara; and further THAT Welland City Council supports the Niagara Region's decision to not support the recommendation.



COUNCIL MEETING AGENDA INDEX – Page 4

Tuesday, April 5, 2016

7:00 P.M.

COUNCIL CHAMBERS – CIVIC SQUARE

Page No.

- 140 - 142** 4. Laura Bubanko, Manager, Legislative Services/Clerk, Town of Fort Erie re: Niagara Parks Commission Marina. Ref. No. 16-69

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information and supports the correspondence from the Town of Fort Erie dated February 24, 2016, regarding the Niagara Parks Commission Marina.

- 143 - 144** 5. Vance Badawey, Member of Parliament, Niagara Centre re: request to declare the first Saturday in June as National Health and Fitness Day. Ref. No. 16-6

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND declares the first Saturday in June as “National Health and Fitness Day” in the City of Welland as requested by Vance Badawey, Member of Parliament, Niagara Centre.

- 145** 6. Lou Ann Binning, President, Niagara Regional Labour Council re: request to recognize April 28, 2016 as “National Day of Mourning” and all flags at the Civic Square be flown at Half-Mast. Ref. No. 16-6

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND approves the request submitted by the Niagara Regional Labour Council, dated March 3, 2016; to recognize April 28, 2016 as the National Day of Mourning to remember those who have suffered and died on the job by lowering the flags at the Civic Square to half-mast.

- 146 - 152** 7. Cody Linthicum, Events Manager, Silversmith Brewing Company re: requesting Special Occasion Permit for the Welland Super Market being held at Merritt Island. Ref. No. 16-20

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND has no objection for the issuance of a Special Occasion Permit to Silversmith Brewing Company for the Welland Super Market to be held weekly from June 16 to August 25, 2016 at Merritt Island; and further

THAT Welland City Council designates the “Welland Super Market” as one of municipal significance; and further

THAT Welland City Council delegates in accordance with its Delegation of Powers Policy, the authority to the City Clerk, or designate, the power to support applications for Special Occasion Permits for all future events of the Welland Super Market and to designate such events as one(s) of municipal significance.



COUNCIL MEETING AGENDA INDEX – Page 5

Tuesday, April 5, 2016

7:00 P.M.

COUNCIL CHAMBERS – CIVIC SQUARE

Page No.

- 153 - 154** 8. Carrie Zeffiro, Executive Director, Pathstone Foundation, re: request to sell lottery tickets in the City of Welland. Ref. No. 16-3

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND grants permission to Pathstone Foundation to sell raffle tickets in the City of Welland under authority of Lottery License M750184.

4. BY-LAWS

MAY BE VIEWED IN THE CLERK'S DIVISION PRIOR TO THE MEETING IF DESIRED.

1. A By-law to authorize application to the Regional Municipality of Niagara for the issue of debentures for year 2016. Ref. No. 16-4
(See Report FIN-2016-12)
2. A By-law to enter into agreement with Niagara College Student Administrative Council Incorporated to provide Welland Transit U-PASS Service for the 2016 Summer Semester. Ref. No. 16-13
(See Report TRANS-2016-03)
3. A By-law to amend By-law 89-2000, being a By-law regulating Traffic and Parking within the City of Welland (Schedules I, V, VI and VIII). Ref. No. 16-22
(See Report TRAF-2016-03)
4. A By-law to authorize the acceptance of tender and the entering into an agreement with Regional Janitorial Services Inc. for various municipal facilities. Ref. No. 16-57
(See Report ENG-2016-11)
5. A By-law to accept the tender and to enter into contract with Brennan Paving Limited for the Road Resurfacing and Reconstruction Program 2016 (Part 1). Ref. No. 16-62
(See Report ENG-2016-12)
6. A By-law to authorize entering into contract with 788893 Ontario Limited O/A Niagara Crack Sealing for the Crack Sealing Program 2016 (Contract Extension).
Ref. No. 16-71
(See Report ENG-2016-13)
7. A By-law to accept the tender and to enter into contract with Pipeflo Contracting Corp. for the Sewer Rehabilitation/Relining 2015. Ref. No. 15-102
(See Report ENG-2016-16)



COUNCIL MEETING AGENDA INDEX – Page 6

Tuesday, April 5, 2016

7:00 P.M.

COUNCIL CHAMBERS – CIVIC SQUARE

Page No.

- 8.** A By-law to accept the tender and to enter into contract with Duffin Contracting Inc. for the Hodgson Steel Sewer Separation. Ref. No. 16-55
(See Report ENG-2016-17)

- 9.** A By-law to amend City of Welland Zoning By-law 2667 (Vinmar Developments Ltd. - File 2015-10) 250 South Pelham Road, 257 South Pelham Road and 545 Gaiser Road. Ref. No. 16-51
(See Report P&B-2016-20)

- 10.** A By-law to amend By-law 2005-91, being a By-law respecting permits for construction, demolition, occupancy and change of use, transfer or permits and inspections. Ref. No. 05-120