



## **COUNCIL MEETING AGENDA**

**Tuesday, September 19, 2017  
7:00 P.M.  
COUNCIL CHAMBERS – CIVIC SQUARE**

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- 1. COMMITTEE-OF-THE-WHOLE (IN-CAMERA) (5:30 p.m.)  
(See yellow tab)**
  - Personal matters about an identifiable individual, including municipal or local board employees.
    - *Ward 5 vacancy appointments.*
    - *Performance Appraisals.*
  - Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.
    - *Elite Urban.*
    - *Development Charges update.*
  - Proposed or pending acquisition or disposition of land by the municipality or local board.
    - *Lease of Merritt Island offices.*
    - *Hellems Avenue update.*
    - *Rice Road update.*
    - *Plazacorr update.*
    - *Atlas property update.*
  
- 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 August 22, 2017 (*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)**



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### **4. ORAL REPORTS AND DELEGATIONS**

#### **4.1 PRESENTATIONS**

**02-160** Harold Elston, Integrity Commissioner re: Resident Complaint Report.

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

**17-28** Doug Rapelje, Former Board Member re: Alzheimer Society of Niagara Region re: 2017 Coffee Break Campaign.

#### **4.3 AGENCIES, BOARDS, COMMISSIONS AND COMMITTEES REPORTS - Nil**

#### **4.4 LEGISLATED PUBLIC HEARINGS PURSUANT TO THE *PLANNING ACT***

**17-107** A complete application has been made by JSL MANAGEMENT on behalf of NIAGARA PINES DEVELOPMENT LTD. for approval of a Draft Plan of Subdivision for lands on the east side of Aqueduct Street, south of Hilda Street. The subject lands are designated URBAN AREA by the Regional Policy Plan, as LOW DENSITY RESIDENTIAL by the City of Welland Official Plan and zoned SINGLE DETACHED DWELLING - FIRST DENSITY ZONE in the City of Welland Zoning By-law 2667. The application has been made for the development of 0.81 hectares of land for residential purposes.  
**(See Report P&B-2017- 50 pages 23 to 27)**

### **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 Larouche)**

**16-22** THAT THE COUNCIL OF THE CITY OF WELLAND requests to rescind the following motion, previously approved by Welland City Council on July 19, 2016:  
THAT THE COUNCIL OF THE CITY OF WELLAND requests a 3 way stop sign to be placed at the corner of Goodwillie Drive and Wellandvale Drive due to the safety concerns of the local residents.



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### **(Councillor Fokkens)**

**09-75** THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to prepare a report for the September 26, 2017 General Committee meeting that breaks down the current cost of the WIFC Capital project - including monies received from TO2015 that are included in the capital project cost, and other sources of revenue.

### **(Councillor Fokkens)**

**17-4** THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to include in their capital close out reports, the information on the various capital funding sources and if the total capital expenditures exceed 10% of original Council approved budget, explanation for over expenditures; and further  
THAT Welland City Council directs staff to prepare a report to list the details of expenses and reasoning/explanation for the over expenditure which would result in the need to fund from the capital over/under account or from other capital projects.

### **(Councillor Fokkens)**

**17-2** WHEREAS THE COUNCIL OF THE CITY OF WELLAND on July 25, 2017 passed and amended parts of the motions outlined in Report TRAF-2017-06;  
AND WHEREAS Councillor Fokkens requested an amendments to Schedule 2 Food Premises Exemptions with amendments to Section 7 and to amend Schedule 4 Hawker and Peddler Exemptions to Section 10 to delete shall be exempt from obtaining a City of Welland business licence and add must obtain a City of Welland business licence;  
AND WHEREAS an amendment to Section 8 Schedule 3 Food Vehicle was not amended to delete shall be exempt from obtaining a business licence and add must obtain a city of Welland business licence which was requested on July 25, 2017;  
AND WHEREAS the motion passed on July 25, 2017 Section 8 Schedule 3 Food Vehicle only be rescinded so that the amendment to Section 8 Schedule 3 Food Vehicle be amended to delete shall be exempt from obtaining a business licence and add must obtain a city of Welland business licence.  
THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND rescind only Section 8 Schedule 3 Food Vehicle from the motion passed on July 25, 2017;  
AND FURTHER THAT Section 8 Schedule 3 Food Vehicle be amended to delete shall be exempt from obtaining a business licence and add must obtain a city of Welland business licence.



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### **(Councillor Fokkens)**

**17-22** THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to review the requirement and costs for having By-law Officers work weekends with minimum cost effect to the City budget, to be included in the 2018 Budget considerations.

### **(Councillor Fokkens)**

**17-43** THAT THE COUNCIL OF THE CITY OF WELLAND requests that a tree be purchased for \$250.00 and planted on Trail 150 in memory of Ward 5 Councillor Rocky Letourneau.

### **(Councillor Van Vliet)**

**17-26** WHEREAS Fitch Street from First Avenue to Shotwell Street has deteriorated to a point of being unsafe;  
AND WHEREAS \$12M of infrastructure upgrades in have been approved under the Small Communities Fund (SCF) Program for work on this street and others in the immediate area.  
NOW THEREFORE IT BE RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to consider it a top priority in 2018 to rebuild this street including sidewalks and curbs.

### **(Councillor McLeod)**

**99-99** WHEREAS there is interest in creating defined gathering spaces along the canal to increase its use.  
NOW THEREFORE IT BE RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND proposes for a purpose built gathering space(s) along the canal be included in the 2018 budget deliberations and be included as a decision unit for committee consideration.

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

## **8. CORPORATION REPORTS**

### **8.1 Mayor's Report**

### **8.2 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 19<sup>th</sup> day of September, 2017. Ref. No. 17-1

## **10. ADJOURNMENT**



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### **AGENDA BLOCK**

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

**2. COMMITTEE AND STAFF REPORTS**

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

**2. Staff Reports**

- |                |                             |  |
|----------------|-----------------------------|--|
| <b>1 - 4</b>   | <b><u>EDO-2017-01</u></b>   | Director of Economic Development, D. Degazio - Awarding contract for Environmental consulting Services for Completion of a Phase Two ESA and Risk Assessment for 400 East Main Street in the City of Welland. Ref. No. 04-48 |
| <b>5</b>       | <b><u>CLK-2017-14</u></b>   | Gen. Mgr., Human Resources and Legislative Services, R. Mantesso - Lottery License. Ref. No. 17-3  |
| <b>6 - 7</b>   | <b><u>CLK-2017-15</u></b>   | Gen. Mgr., Human Resources and Legislative Services, R. Mantesso - Ward 5 Vacancy on Welland City Council. Ref. No. 17-43  |
| <b>8 - 9</b>   | <b><u>TRANS-2017-07</u></b> | Gen. Mgr., Corporate Services, Chief Financial Officer/Treasurer, S. Zorbas - Hoist Replacement. Ref. No. 17-13 (See By-law 1)   |
| <b>10 - 11</b> | <b><u>TRANS-2017-08</u></b> | Gen. Mgr., Corporate Services, Chief Financial Officer/Treasurer, S. Zorbas - WellTrans Service Provider Agreement. Ref. No. 17-13 (See By-law 2)  |
| <b>12 - 18</b> | <b><u>TRANS-2017-09</u></b> | Gen. Mgr., Corporate Services, Chief Financial Officer/Treasurer, S. Zorbas - Welland Transit Branding. Ref. No. 17-13   |
| <b>19 - 22</b> | <b><u>ENG-2017-29</u></b>   | Gen. Mgr., Infrastructure and Development Services/City Engineer S. Iannello - Participation in Provincial Feasibility Study for Alternative Financing and Procurement of Bridge and Culvert Repairs. Ref. No. 17-106        |



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|--|-------------------------------|--|
| <b>23 - 27</b><br>Remove From<br>Block | <b><u>P&amp;B-2017-50</u></b> | Gen. Mgr., Infrastructure and Development Services/City Engineer S. Iannello - Application for Draft Plan of Subdivision (File No. 26T-14-17004) for lands on the east side of Aqueduct Street, south side of Hilda Street, Part of Township Lot 239, in the Geographic Township of Thorold, now in the City of Welland, known municipally as 396 Aqueduct Street. Ref. No. 17-107 |
| <b>28 - 36</b>                         | <b><u>P&amp;B-2017-51</u></b> | Gen. Mgr., Infrastructure and Development Services/City Engineer S. Iannello - Request for Extension to Draft Plan Approval - Sparrow Meadows Plan of Subdivision Phases 3 - 7 - Lea Silvestri Investments, west side of South Pelham Road, north and south sides of Webber Road (File: 26T-14-14001). Ref. No. 14-100   |
| <b>37 - 99</b>                         | <b><u>P&amp;B-2017-52</u></b> | Gen. Mgr., Infrastructure and Development Services/City Engineer S. Iannello - Regional Development Charges By-law Appeal. Ref. No. 06-75  |

### **3. NEW BUSINESS**

- 100 - 117**    1. Nora Reid, Secretary/Researcher, City of Welland Heritage Advisory Committee re: Designation of the Brick Archways at Parkway as having Cultural Heritage Value or Interest under the Ontario Heritage Act. Ref. No. 05-50

**RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information and supports the request by the City of Welland Heritage Welland to designate the Brick Archways at Parkway as having Cultural Heritage Value to the City of Welland.

- 118 - 120**    2. Email from Vance Badawey, Member of Parliament, Niagara Centre re: Investing in Canada Plan and Bilateral Agreements Provinces and Territories. Ref. No. 17-91

**RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from Vance Badawey, Member of Parliament, Niagara Centre dated August 18, 2017 regarding Investing in Canada Plan and Bilateral Agreements Provinces and Territories.



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- 121            3. Welland Hydro Energy Services Corp re: IESO Energy Partnership Program.  
Ref. No. 99-43/12-114

**RECOMMENDATION:**

WHEREAS the Corporation of the City of Welland and Welland Hydro Energy Services Corp. entered into a Joint Venture agreement and applied for two – 500 kW Ground Mount Solar PV Feed-In Tariff Version 4 Contracts (FIT 4 Contracts);

AND WHEREAS the IESO has awarded a FIT Contract for 108 Thorold Road (Contract identification # F-006807-SPV-402-732) and for 950 East Main Street (Contract identification #F-007058-SPV-402-732) to The Corporation of the City of Welland and Welland Hydro Energy Services Corp. (Supplier);

AND WHEREAS both of the FIT Contracts are Municipal Participation projects, both of which are eligible projects to apply for funding through the IESO Energy Partnership Program Partnership Stream, as Joint Applicant;

AND WHEREAS both Joint Applicants are required to include a Support Resolution, authorizing an authorized representative(s) to sign documents on behalf of each applicant;

AND WHEREAS the Joint Applicants are required to designate a main contact (a “Lead Applicant”) to represent all joint Applicants for the purposes of notices and other communications, instructions and funding.

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND approves staff and designated signing authority in order to apply for IESO Energy Partnership Program funding for the 108 Thorold Road FIT 4 Ground Mount Solar Project AND for 950 East Main FIT 4 Ground Mount FIT 4 renewable energy projects.

The City of Welland Mayor and Clerk be the authorizing representatives to sign required program documents on behalf of the Corporation of the City of Welland. The Corporation of the City of Welland designates the Corporation of the City of Welland as the main contact (“Lead Applicant”) to represent the Joint Applicants.

Steve Zorbas, General Manager, Corporate Services/Chief Financing Officer/Treasurer or Dan Degazio, Director of Economic Development be the application contact person to communicate with the IESO.

- 122            4. Greg Medulun, Vice President, External Relations, Niagara College re: Request to declare the week of October 2-6, 2017 as “Niagara College Week”. Ref. No. 17-6

**RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND declares the week of October 2-6, 2017 as “Niagara College Week” in the City of Welland as requested by Niagara College.



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- 123 - 124**      5. Sheila Lindsey, Public Relations Officer, Port Colborne Marine Auxiliary Rescue re: Request to sell lottery tickets in the City of Welland. Ref. No. 17-3

#### **RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND grants permission to Port Colborne Marine Auxiliary Rescue to sell raffle tickets in the City of Welland under authority of Lottery License M789622.

#### **4. BY-LAWS**

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

1. A By-law to authorize purchase of a hoist from Novaquip Lifting Systems Inc.  
Ref. No. 17-13  
(See Report TRANS-2017-07)
2. A By-law to authorize entering into a Service Provider Agreement with Grand Taxi Inc. for expanded WellTrans Service. Ref. No. 17-13  
(See Report TRANS-2017-08)
3. A By-law to cancel a portion of Municipal and Regional Taxes for 175 Southworth Street (File: BROWN 2017-03). Ref. No. 17-78
4. A By-law to amend By-law 2010-119, being a By-law to regulate pool enclosures within the City of Welland (Pool Enclosure By-law) Ref. No. 17-19  
(See Report TRAF-2017-06 included on the July 25, 2017 Council Meeting).