



**MINUTES OF
COUNCIL MEETING, JULY 16, 2013**

**CIVIC SQUARE, COUNCIL CHAMBERS
60 EAST MAIN STREET**

Council met in Committee-of-the-Whole closed to the public at 6:25 p.m. and in open session at 7:18 p.m. on the above date.

His Worship Mayor Barry Sharpe in the Chair.

Members Present:

Councillors M. Belcastro, F. Champion, M. Carl, P. Chiochio, T. DiMarco, P. Grenier, M.A. Grimaldi, J. Larouche (until 8:40 p.m.), R. Letourneau, D. McLeod, M. Petrachenko and B. Wright.

Members of Staff and Others Present:

City Manager, C. Stirtzinger

City Clerk, C. Raby

Deputy Clerk, L. Bubanko

Chief, Fire & Emergency Services, D. Prevost

General Manager, Infrastructure Services/City Engineer, S. Iannello

General Manager, Corporate Services/City Treasurer, K. Douglas

Planning Manager, R. Di Felice (until 8:35 p.m.)

Manager, Economic Development, D. Degazio (until 7:30 p.m.)

13-25 Moved by Letourneau and Grenier

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 6:25 p.m. to consider:

- personal matters about an identifiable individual, including municipal or local board employees;
- a proposed or pending acquisition or disposition of land by the municipality or local board; and
- for the purpose of educating or training members of Council.

CARRIED

13-25 Moved by Larouche and DiMarco

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 7:07 p.m. with report.

CARRIED

LEGISLATED PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT

Councillor Chiocchio presided as Chair of the Public Hearing:

13-81Z A complete Application has been made by Mike DiRaddo on behalf of 842661 Ontario Inc. to rezone Part Lots 24 and 25, Concession 5, former Township of Humberstone, Part of Road Allowance between Lots 24 and 25, Concession 5 being Part 1, Plan 59R-1161 and Part 1, Plan 59R-5828 except Parts 1, 2, 3 and 4, Plan 59R-1612 and Parts 8, 9, 10 and 11, Plan 59R-3758, Welland for lands at 201 Humberstone Road from the existing I1 – Storage and Lighting Manufacturing Zone to a Site Specific I1 Zone. The purpose of the Amendment is to permit a construction and trucking company, commercial greenhouses, a market garden, a nursery, a garden centre and a contractor's establishment. The Official Plan designation is LIGHT INDUSTRIAL.

Councillor Chiocchio outlined the procedures of the Public Hearing as required by the *Planning Act*.

R. Di Felice confirmed that the statutory requirements for public hearing had been met, summarized the purpose of the hearing and reviewed the Planning Division Report.

Mike Di Raddo, Plant's Choice Canada Ltd., the applicant, presented to Council.

In support of the application:

- No one spoke to the application

There being no supporters to the application the Chair asked for those opposing the application.

In opposition of the application:

- No one spoke to the application

There being no persons present to speak in opposition to the application, the hearing was concluded.

13-1 Moved by Chiocchio and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND hereby approves and adopts the minutes of the Special Council Meetings of June 11, 2013 and June 25, 2013 and Regular Council Meeting of June 18, 2013, as circulated.

CARRIED

99-90**13-4**

Moved by Petrachenko and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND approves the 2013 budget from the Welland Downtown Business Improvement Area Board as recommended by their board in the amount of \$54,000.00; and further

THAT Welland City Council authorizes the General Manager, Corporate Services/City Treasurer to make arrangements to levy an amount of \$54,000.00 against the business operations within the defined area on condition that the required financial statements are submitted to the satisfaction of the City Treasurer.

CARRIED**99-99****13-4**

Moved by Grenier and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to defer 2013 debenture needs of \$210,000 to 2014.

CARRIED**08-95****13-4**

Moved by Petrachenko and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND approves the 2013 budget from the North Welland Business Improvement Area Board as recommended by their board in the amount of \$33,000.00; and further

THAT Welland City Council authorizes the General Manager, Corporate Services/City Treasurer to make arrangements to levy an amount of \$33,000.00 against the business operations within the defined area on condition that the required financial statements are submitted to the satisfaction of the City Treasurer.

CARRIED**10-143**

Moved by Letourneau and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND accepts the terms and agreements to host the 25th Annual Association of French Municipalities/Association française des municipalités de l'Ontario (AFMO) 2014 Conference/Congrès in Welland; and further

THAT Welland City Council authorizes the Mayor and Clerk to sign the Memorandum of Understanding (MOU) for the AFMO 2014 Conference/Congrès.

CARRIED**12-116****12-116Z**

Moved by Larouche and Wright

THAT THE COUNCIL OF THE CITY OF WELLAND adopts an Official Plan Amendment to redesignate Part of Lots 25 and 26, Concession 5, former Township of Crowland, being Part 1, Plan 59R-3183, known municipally as 1 Griffith Street from Community Commercial Corridor to High Density Residential to permit the subject lands to be used for residential purposes; and further

THAT Welland City Council approves an Amendment to Zoning By-law 2667, as amended, for lands described as Part of Lots 25 and 26, Concession 5, former Township of Crowland, being Part 1, Plan 59R-3183, south side of Griffith Street, north side of Regent Street, west of King Street, known municipally as 1 Griffith Street from the existing O1 – Open Space Zone to a Site Specific Holding (H) RM4 Zone to permit the construction of a 12 storey, 70 unit apartment building; and further

THAT Welland City Council approves the laying out and establishing of that portion of 'Griffith Street' lying west of King Street, being Part 3, Plan 59R-3183; and further

THAT Welland City Council requests that prior to lifting the Holding (H) Symbol, at the request of the Owner, the proponent will be required to enter into an Agreement with the City for the provision of community benefits in return for increased height and density as provided for in the Planning Act, all to the satisfaction of the City, and to relinquish his right-of-way over Part 3, Plan 59R-3183. This Agreement is to be entered into no later than October 31, 2013.

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12-116**12-116Z**

Moved by Belcastro and Grimaldi

THAT THE COUNCIL OF THE CITY OF WELLAND defers Report P&B-2013-20: Official Plan Amendment Application and Zoning By-law Amendment Application by Upper Canada Consultants on behalf of 1435587 Ontario Inc. for lands at 1 Griffith Street (west of King Street, north of Regent Street) (File 2012-04 and OPA) to the September 10, 2013 Special Council Meeting.

CARRIED**13-3**

Moved by Petrachenko and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND approves the application for lottery licensing for Christ Community Church.

CARRIED**13-3**

Moved by Petrachenko and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND approves the application for lottery licensing for South Niagara Canoe Club.

CARRIED**13-4**

Moved by Grenier and Carl

THAT THE COUNCIL OF THE CITY OF WELLAND retains BMA Management Consulting Inc. at an upset limit of \$69,980 plus HST to perform a Service Delivery Review for the City of Welland; and further THAT Welland City Council authorizes that this review be funded from the Operating Surplus Reserve Fund; and further

THAT Welland City Council invites the standing committee chairs, Corporate Services, Integrated Services and Human Resources to attend the first principles meeting; and further

THAT Welland City Council authorizes staff to prepare the necessary By-law.

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13-4

Moved by Campion and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND amends the recommendation of Report FIN-2013-20 to also invite any other members of Council to the first principle's meeting.

**FOLLOWING THE VOTE ON THE MOTION TO AMEND, THE MAIN
MOTION WAS PUT AS AMENDED AND.....**

CARRIED**13-22**

Moved by DiMarco and Petrachenko

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report TRAF-2013-16: School Crossing Location Review; and further

THAT Welland City Council directs staff to discontinue school crossing guard operations at these locations; and further

THAT Welland City Council directs staff to provide notification to the local area school boards of the decision so information can be sent to parents of the affected schools.

CARRIED**13-26****13-77**

Moved by McLeod and Larouche

THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the tender of Brennan Paving Ltd. as detailed in Report ENG-2013-20 for Road Resurfacing and Sidewalk Program 2013; and further

THAT Welland City Council approves and accepts the quote of Circle P Paving Inc. as detailed in Report ENG-2013-20 for Cold Recycled Asphalt Trial on Park Street; and further

THAT Welland City Council authorizes the Treasurer to debenture as approved up to amounts of \$200,000.00 and \$65,000.00 respectively for capital budget items 2013 Roadways: River Road Resurfacing, and 2013 Sidewalks: Ontario Road Sidewalk Replacement; and further

...continued...

13-26**13-77...cont'd.**

THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into contract with Brennan Paving Ltd. to execute the construction.

CARRIED**13-36****13-36Z**

Moved by McLeod and Grenier

THAT THE COUNCIL OF THE CITY OF WELLAND adopts an Official Plan Amendment to redesignate a portion of Part of Lot 29, Concession 5, former Township of Crowland, now in the City of Welland, known municipally as 160 Riverside Drive, from Community Commercial Corridor to Low Density Residential and to create Site Specific Policies to permit townhouses as a use and provide for a minimum density of 13 units per net hectare to permit the subject lands and existing buildings to be used for residential purposes; and further

THAT Welland City Council approves an Amendment to Zoning By-law 2667, as amended, for lands described as Part of Lot 29, Concession 5, former Township of Crowland, now in the City of Welland known municipally as 160 Riverside Drive from the existing C4 – Highway Commercial and O2 – Open Space Zones to a Site Specific RM3 - Multiple Dwelling Third Density and EP – Environmental Protection Zones to permit the two (2) existing one storey buildings and single detached dwelling to be converted into a total of 12 residential dwelling units with Site Specific Zoning regulations for yard setbacks, parking in the front yard and minimum dwelling unit sizes and to protect the natural heritage features on the property.

CARRIED**13-79**

Moved by Grenier and Campion

THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to create a policy or By-law for management and placement of charity donation boxes, for clothing and household items; and further

THAT Welland City Council directs staff to address the balance between good intentions of citizens and the collection of garbage around these boxes that increases costs to property owners; and further

THAT Welland City Council directs staff to present a report at the General Committee meeting of October 8, 2013.

CARRIED**13-81Z**

Moved by Larouche and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND approves an Amendment to Zoning By-law 2667, as amended, for lands described as Part of Lots 24 and 25, Concession 5, former Township of Humberstone, part of road allowance between Lots 24 and 25, Concession 5, being Part 1, Plan 59R-1161 and Part 1, Plan 59R-5828 except Parts 1, 2, 3 and 4, Plan 59R-1612 and Parts 8, 9, 10 and 11, Plan 59R-3758, now in the City of Welland, south side of Humberstone Road, west of Highway 58 known municipally as 201 Humberstone Road from the existing I1 – Storage and Light Manufacturing Zone to a Site Specific I1 Zone to permit a construction and trucking company; commercial greenhouses, a market garden; a nursery; a garden centre; and a contractor's establishment with Site Specific provisions.

CARRIED**13-82**

Moved by Petrachenko and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated June 7, 2013 regarding Report PW 48-2013: Update on Illegal Dumping Initiatives.

CARRIED**13-83**

Moved by Petrachenko and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND supports the recommendation from the Alzheimer Society Sudbury-Manitoulin requesting urgent action for the development of a dementia strategy at all levels of government.

CARRIED

BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE

13-19 Moved by Petrachenko and McLeod
 THAT THE COUNCIL OF THE CITY OF WELLAND approves Report WDC-2013-02 reduction of costs to the existing Welland Arena Lounge lease with Marzim Holdings retroactive to April 15th 2013; and further THAT Welland City Council directs the City Clerk to make the necessary amendment to the lease agreement.

CARRIED

13-84 Moved by Petrachenko and McLeod
 THAT THE COUNCIL OF THE CITY OF WELLAND declares surplus to the City's needs lands municipally known as 475, 555 and 635 Prince Charles Drive North.

CARRIED

BY-LAWS

Moved by Wright and Carl
 THAT THE COUNCIL OF THE CITY OF WELLAND having given due consideration to the following By-laws, as reproduced in this evening's Council Agenda, now read a first, second and third time and pass same, and authorize the Mayor and Clerk to sign and seal same.

13-26/13-77

BYL 2013 - 92

A By-law to accept the tender and to enter into contract with Brennan Paving Limited for the Road Resurfacing and Sidewalk Program; and Circle P Paving Inc. for Cold Recycled Asphalt on Park Street.

13-4

BYL 2013 - 93

A By-law to authorize Retention of BMA Management Consulting Inc. to Perform a Service Delivery Review.

13-81Z

BYL 2013 - 94

A By-law to amend City of Welland Zoning By-law 2667 (842661 Ontario Inc. - File 2013-03) 201 Humberstone Road.

13-36

BYL 2013 - 95

A By-law to authorize the adoption of Official Plan Amendment No. 2.

13-36Z

BYL 2013 - 96

A By-law to amend City of Welland Zoning By-law 2667 (Kevin Edward Winfield, Jacoba Lamberta Winfield, Marc Leo Pigeon, Theresa Mary Pigeon, Samuel James Lyle McKay, Sandra Elizabeth McKay - File 2012-09) 160 Riverside Drive.

CARRIED

Moved by Petrachenko and McLeod

THAT THE COUNCIL OF THE CITY OF WELLAND having given due consideration to the following By-laws, as reproduced in this evening's Council Agenda, now read a first, second and third time and pass same, and authorize the Mayor and Clerk to sign and seal same.

13-22

BYL 2013 - 97

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 repeal By-law 2013-57.

(Councillor Belcastro disclosed an interest and did not take part in the consideration and discussion of same, and refrained from voting thereon, as he is president of the Seaway Mall).

13-1

BYL 2013 - 98

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 16th day of July, 2013.

CARRIED

NOTICE OF MOTION

In accordance with By-law 2009-144 passed on November 3, 2009, Councillor(s) must submit their NOTICE OF MOTION(s) in writing no later than Wednesday, August 7, 2013 for inclusion on the next regular Council meeting agenda of August 12, 2013.

Councillor DiMarco gave Notice of Motion to the following issue to be presented to Council at the August 12, 2013 Regular Council Meeting:

13-19 THAT THE COUNCIL OF THE CITY OF WELLAND continues to support and promote sports and recreation events in our City; and further THAT Welland City Council will support the Welland Whalers Senior Men's Hockey Team in acquiring the Allan Cup which is the Canadian Championship of Senior Hockey within the next 3 years.

Council adjourned at 9:19 p.m.

These Minutes approved and adopted by Motion of Council this 12th day of August, 2013.

MAYOR

CITY CLERK