



## **COUNCIL MEETING AGENDA**

**Monday, August 11, 2014**

**7:00 P.M.**

**COUNCIL CHAMBERS – CIVIC SQUARE**

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- 1. COMMITTEE-OF-THE-WHOLE (IN-CAMERA) (5:35 p.m.)  
(See yellow tab)**
  - Proposed or pending acquisition or disposition of land by the municipality or local board;
  - Personal matters about an identifiable individual, including municipal or local board employees;
  - Labour relations or employee negotiations; and
  - For the purpose of educating or training members of Council.
  
- 2. ARISE FROM COMMITTEE-OF-THE-WHOLE (IN-CAMERA) (6:45 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 July 15, 2014 (*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**

Councillor Rocky Letourneau received on behalf of the City a plaque from Velo Quebec - The Grand Tour Desjardins 2014 expressing their appreciation for the City's hospitality.



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

**14-92Z** A complete application has been made by VICTORIA VANDER SCHELDE-PRICE on behalf of CAISSE POPULAIRE WELLAND LIMITEE to rezone Lots 21 and 23, Part Lot 19, Registered Plan 1297, now known as Plan 566, being Part 3 on Plan 59R-7189, Welland for lands at 59 Empire Street from the existing RM4-X10 Zone to a RM4-X10 Zone with Modifications. The purpose of the Amendment is to permit a total of four (4) additional apartment units in addition to the existing permitted uses. The RM4-X10 Zone currently permits business offices, a financial institution and associated parking and a maximum of four (4) apartment units on the second floor of the existing building. The Official Plan designation is MEDIUM DENSITY RESIDENTIAL.  
**(See Staff Report P&B-2014-43, pages 83 to 102)**

### **4.3 PUBLIC MEETING PURSUANT TO THE PLANNING ACT**

**10-76** Public Meeting regarding the proposed Community Improvement Plan (CIP) for the Downtown and Health and Wellness Cluster.  
**(See Staff Report P&B-2014-41, pages 64 to 74)**  
**(Background information included in Council Member's Agenda).**

### **4.4 DELEGATIONS (maximum 5/10/5 policy)**

**14-28** Carolyn Fast, Community & Public Relations Coordinator and Nicki Inch, Fund Developer, Young Women Christian Association (YWCA), Niagara Region re: No Fixed Address event.  
**(Background information included in Council Member's Agenda).**

**14-28** Major Phil Gaughan, 31 Canadian Brigade Group, re: Exercise Stalwart Guardian 2014.  
**(Background information included in Council Member's Agenda).**

### **4.5 AGENCIES, BOARDS, COMMISSIONS AND COMMITTEES REPORT(S) - Nil**

**5. COMMITTEE-OF-THE-WHOLE (OPEN)**  
**(to discuss items removed from Agenda Block)**

**6. BY-LAWS (SEE AGENDA INDEX)**



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### **7. NOTICES OF MOTION**

**7.1 Councillor matters discussed with staff for reporting purposes**

**7.2 Notices of Motion (previously submitted for discussion)**

**(Councillor Campion)**

**02-160** THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to create a report listing all outstanding, approved Council motions requiring action by staff along with a projected date of completion of the associated action, and have the report updated and attached to future Council meeting agendas.

**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. 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 11<sup>th</sup> day of August, 2014. Ref. No. 14-1

### **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 - 23</b>	<b><u>P&amp;B-2014-35</u></b>	Gen. Mgr., Integrated Services, J. Loveys Smith re: Semi-Annual Subdivision Status Report - June 30, 2014. Ref. No. 14-91
<b>24 - 30</b>	<b><u>P&amp;B-2014-36</u></b>	Gen. Mgr., Integrated Services, J. Loveys Smith re: Request to allow crossing of City lands and an Encroachment of Landscaping and an entrance sign on the west side of Prince Charles Drive North, north of Fitch Street, for the benefit of 635 Prince Charles Drive North (Jarlette Health Services). Ref. No. 13-84 (See By-law 1)
<b>31 - 44</b>	<b><u>P&amp;B-2014-37</u></b>	Gen. Mgr., Integrated Services, J. Loveys Smith re: Request for Red-Lined Revision to Draft Plan of Subdivision and Authorization to enter into Subdivider's Agreement with 1650725 Ontario Limited for Forks Common Subdivision (File: 26T-14-97004) south side of Forks Road, east of Crescent Drive. Ref. No. 04-94 (See By-law 2)
<b>45 - 48</b>	<b><u>P&amp;B-2014-38</u></b>	Gen. Mgr., Integrated Services, J. Loveys Smith re: Request for Extension to Draft Plan Approval - Dain City Subdivision - Dain City Developments, north side of Forks Road, east of Canal Bank Street (File: 26T-14-06002). Ref. No. 06-126



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|--------------------------------------|-------------------------------|--|
| <b>49 - 52</b>                       | <b><u>P&amp;B-2014-39</u></b> | Gen. Mgr., Integrated Services, J. Loveys Smith re: Proposed By-law to remove the Holding (H) Symbol from Clare Estates 3 (Phase 2) Subdivision, west of Clare Avenue, south of Webber Road and north of Gaiser Road, being Lots 20 to 30 inclusive and Blocks 89 and 90 Plan 59M-392 (File 2007-06). Ref. No. 07-126 (See By-law 3) |
| <b>53 - 63</b>                       | <b><u>P&amp;B-2014-40</u></b> | Gen. Mgr., Integrated Services, J. Loveys Smith re: Cash-In-Lieu of Parkland Dedication. Ref. No. 07-50 (See By-law 4)   |
| <b>64 - 74</b><br>Remove From Block  | <b><u>P&amp;B-2014-41</u></b> | Gen. Mgr., Integrated Services, J. Loveys Smith re: Downtown and Health and Wellness Cluster Community Improvement Plan. Ref. No. 10-76 (See By-laws 5 & 6)  |
| <b>75 - 82</b>                       | <b><u>P&amp;B-2014-42</u></b> | Gen. Mgr., Integrated Services, J. Loveys Smith re: Brownfield Tax Assistance Program and Brownfield Rehabilitation Grant Program - 1544063 Ontario Inc. - 381 Clare Avenue. Ref. No. 01-115   |
| <b>83 - 102</b><br>Remove From Block | <b><u>P&amp;B-2014-43</u></b> | Gen. Mgr., Integrated Services, J. Loveys Smith re: Application for Zoning By-law Amendment - Caisse Populaire Welland Limitee for lands at 59 Empire Street - Lots 21 and 23, Part Lot 19, Plan 1297, now known as Plan 566, being Part 3 on Plan 59R-7189 (File 2014-01). Ref. No. 14-92Z (See By-law 7)                           |
| <b>103 - 110</b>                     | <b><u>R&amp;C-2014-06</u></b> | Gen. Mgr., Integrated Services, J. Loveys Smith re: Renaming of St. George Swimming Pool to recognize Rosie Smith's volunteer contribution to the City of Welland. Ref. No. 14-90  |
| <b>111 - 114</b>                     | <b><u>R&amp;C-2014-07</u></b> | Gen. Mgr., Integrated Services, J. Loveys Smith re: National Recreation Trails Program Grant Opportunity. Ref. No. 14-93   |
| <b>115 - 116</b>                     | <b><u>FIN-2014-16</u></b>     | Acting Gen. Mgr., Corporate Services/Treasurer, S. Zorbas re: Temporary Borrowing - 2015. Ref. No. 14-4 (See By-law 8)   |
| <b>117 - 127</b>                     | <b><u>TRAF-2014-11</u></b>    | Gen. Mgr., Infrastructure Services/City Engineer, S. Iannello re: Removal of Graffiti. Ref. No. 11-58  |
| <b>128 - 131</b>                     | <b><u>TRAF-2014-12</u></b>    | Gen. Mgr., Infrastructure Services/City Engineer, S. Iannello re: Update to Traffic and Parking By-law 89-2000. Ref. No. 14-22 (See By-law 9)  |
| <b>132 - 133</b>                     | <b><u>ENG-2014-27</u></b>     | Gen. Mgr., Infrastructure Services/City Engineer, S. Iannello re: Supply and delivery of two (2) New Cab and Chassis 43,000 LB. G.V.W.R. Single Axle Truck Cab, complete with U Body Spreader, Plow Wing, Harness Equipment & On Board Liquid System. Ref. No. 14-46. (See By-law 10)  |



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- 134 - 136**      **ENG-2014-28**      Gen. Mgr., Infrastructure Services/City Engineer, S. Iannello re: Clare Avenue Extension - Lynbrook Lane to Webber Road Construction (Phase 1) Retention of Engineering Consultant Services. Ref. No. 14-94 (See By-law 11)
- 137 - 139**      **ENG-2014-29**      Gen. Mgr., Infrastructure Services/City Engineer, S. Iannello re: Empress Avenue Sewer Diversion to Evelyn Ditch - Retention of Engineering Consultant Services. Ref. No. 14-95 (See By-law 12)
- 140 - 142**      **CLK-2014-04**      Gen. Mgr., Human Resources, R. Mantesso re: Designation of the Welland Canal Second Aqueduct. Ref. No. 99-99
- 143 - 150**      **CLK-2014-06**      Gen. Mgr., Human Resources, R. Mantesso re: Dissolution of (WIFC) Technical Committee. Ref. No. 09-75

### 3. NEW BUSINESS

- 151 - 161**      1. Cathie Best, Interim Regional Clerk, Niagara Region re: Report PSD 28-2014: Statutory Public Meeting Report - Regional Official Plan Amendment (ROPA 7) - Urban Area Boundary Modification City of Welland. Ref. No. 13-86

**RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated July 28, 2014 regarding Report PSD 28-2014: Statutory Public Meeting Report - Regional Official Plan Amendment (ROPA 7) - Urban Area Boundary Modification City of Welland.

- 162 - 167**      2. Cathie Best, Interim Regional Clerk, Niagara Region re: Report PSD 30-2014: Project Awareness/Pre-Initiation Report - 2015 Regional Municipal Comprehensive Review. Ref. No. 14-96

**RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated July 28, 2014 regarding Report PSD 30-2014: Project Awareness/Pre-Initiation Report - 2015 Regional Municipal Comprehensive Review.

- 168 - 178**      3. Cathie Best, Interim Regional Clerk, Niagara Region re: Report PW 70-2014: Funding of Bikeway Facilities - First Avenue and Fitch Street - City of Welland. Ref. No. 14-85

**RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated July 28, 2014 regarding Report PW 70-2014: Funding of Bikeway Facilities – First Avenue and Fitch Street - City of Welland.



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4. Cathie Best, Interim Regional Clerk, Niagara Region re: Report PDS 29-2014: Imagine Niagara Update and Results of Public Consultation. Ref. No. 13-110

**RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated July 28, 2014 regarding Report PDS 29-2014: Imagine Niagara Update and Results of Public Consultation.

***(A complete copy of Report PDS 29-2014 including the Appendices can be found electronically at:***

**<http://www.niagararegion.ca/council/Council%20Documents/PDS%2029-2014.pdf>**

**187 - 191**

5. Cathie Best, Interim Regional Clerk, Niagara Region re: Report CSD 58-2014: 2014 Claw Back Percentages and Municipal Tax Adjustments. Ref. No. 14-4

**RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated July 25, 2014 regarding Report CSD 58-2014: 2014 Claw Back Percentages and Municipal Tax Adjustments.

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6. Signed petition from residents of Coyle Creek re: deteriorate pond. Ref. No. 14-97

**RECOMMENDATION:**

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the signed petition by residents of Coyle Creek requesting to install a fountain in the deteriorated pond and refers the matter to staff for study and report.

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

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

1. A By-law to authorize granting of an easement for access and encroachment for signage/landscaping for the benefit of 635 Prince Charles Drive North. Ref. No. 13-84
2. A By-law to authorize the signing of a Subdivider's Agreement with 1650725 Ontario Limited with respect to the development of Forks Common Subdivision (File 26T-14-97004). Ref. No. 04-94
3. A By-law to amend Zoning By-law 2667 upon the application of Lea Silvestri Investments Ltd., 1454417 Ontario Ltd., Triple-F Developments Inc. to remove the Holding Symbol "H" from certain lands west of Clare Avenue, south of Webber Road and north of Gaiser Road (File 2007-06). Ref. No. 07-126



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4. A By-law to authorize as a condition of development or redevelopment the conveyance of 5% of land to be developed be conveyed to the city of Welland or alternatively a 5% cash-in-lieu of parkland dedication for all residential development and redevelopment within the City of Welland. Ref. No. 07-50
- Remove From Block 5. A By-law to designate a Community Improvement Plan Project Area. Ref. No. 10-76
- Remove From Block 6. A By-law to adopt a Community Improvement Plan. Ref. No. 10-76
- Remove From Block 7. A By-law to amend City of Welland Zoning By-law 2667 (Caisse Populaire Welland Limitee - File 2014-01) 59 Empire Street. Ref. No. 14-92Z
8. A By-law authorizing the temporary borrowing of up to \$9,000,000 to meet current and capital expenditures for year 2015. Ref. No. 14-4
9. 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", "VIII" and "XXVII"). Ref. No. 14-22
10. A By-law to authorize purchase of two (2) new cab and chassis single axle trucks complete with winter equipment from Archer Truck Services. Ref. No. 14-46
11. A By-law to authorize retention of Upper Canada Consultants to provide engineering services for the Clare Avenue Extension Construction Phase 1. Ref. No. 14-94
12. A By-law to authorize retention of Kerry T. Howe Engineering Limited to provide engineering services for the Empress Avenue Sewer Diversion to Evelyn Ditch. Ref. No. 14-95
13. A By-law to repeal By-law 2002-123, being a By-law to designate 111 Victoria Street in the City of Welland, known as the "Vaughan Seed Company" of historic or architectural value or interest. Ref. No. 02-41
14. A By-law to authorize entering into an extension agreement with the Regional Municipality of Niagara and Area Service Providers (St. Catharines and Niagara Falls Transit). Ref. No. 14-13
15. A By-law to appoint By-law Enforcement Officers of the Corporation of the City of Welland and to repeal By-law 2014-94. Ref. No. 14-22