



COUNCIL MEETING AGENDA

**Tuesday, June 7, 2016
7:00 P.M.**

COUNCIL CHAMBERS – CIVIC SQUARE

**1. COMMITTEE-OF-THE-WHOLE (IN-CAMERA) (5:50 p.m.)
(See yellow tab)**

- Receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.
 - *Assessment Appeals update.*
- Personal matters about an identifiable individual, including municipal or local board employees.
 - *Committee Appointments for the following Committees:
Committee of Adjustment
Market Square Advisory Committee*
 - *Welland Recreational Canal Corporation update.*
 - *Non-union positions.*
- *Proposed or pending acquisition or disposition of land by the municipality or local board.*
 - *Rice Road Lease renewal*
 - *Youngs Sportsplex Lease 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 May 17, 2016 and Special Council Meeting of May 24, 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

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

16-15 Kevin Smith, Chief, Niagara Emergency Medical Services re: Niagara E.M.S. Rose Avenue lease agreement.

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

99-43 Matt Brunette, Development and Engagement Manager, Niagara Sustainability Initiative re: Niagara Sustainability Initiative and a brief overview - Evening of Recognition and 2015 Annual Report.

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

16-28 Mayor's Youth Advisory Council re: update on its activities.

16-47 Councillor Van Vliet, Chair, Nominating Committee - meeting of June 7, 2016.

4.4 LEGISLATED PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT

16-92Z A complete application has been made by OSAMA ABO NASSAR on behalf of HATEM SWAIS to rezone Part of Lots 1, D and E, Plan 553 for lands at 24 Burgar Street from the existing RZ - Reinvestment Zone to a Site Specific RZ Zone. The purpose of the Amendment is to permit a supportive living residence with a site specific provision to permit the entire main floor to be used for residential purposes. The Official Plan designation is DOWNTOWN.

(See Report P&B-2016-35 pages 20 to 24)

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



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7.2 Notices of Motion (previously submitted for discussion)

(Councillor Letourneau)

16-82 WHEREAS the Provincial Government implemented the Stronger Protection for Ontario Consumers Act in April 2015 to address, among other things, aggressive and misleading door-to-door sales tactics; WHEREAS Ontarians over the last twelve months continue to experience unsolicited, aggressive and misleading sales tactics at their door from companies seeking to sell home energy products, despite this provincial legislation; WHEREAS the door to door agents acting on behalf of these companies misrepresent their purpose and/or identity, often posing as utility inspectors and government agents needing to gain access to the homes of Ontarians; WHEREAS people across Ontario, and in particular Welland residents, have been targeted by these door to door misrepresentations and misleading sales tactics; WHEREAS one such company has been recently charged with 142 breaches of the Consumer Protection Act due to this fraudulent and misleading sales conduct, previous attempts by the Province to protect Ontarians have failed; and WHEREAS the province has implemented a ban on door-to-door sales for electricity and natural gas contracts by passing the Strengthening Consumer Protection and Electricity System Oversight Act, 2015; THEREFORE BE IT RESOLVED: THAT THE COUNCIL OF THE CITY OF WELLAND urge the Provincial Government to ban all door-to-door sales in the home services sector (more specifically the sale or lease of HVAC equipment, water heaters, water filtration systems and other related home energy products and services by door-to-door sales agents) as soon as possible, and before the Spring session of the Ontario Legislature concludes; and further THAT staff be directed to:

- (i) Issue an Alert via News Release and other forms of communication to Welland residents to warn them about ongoing door-to-door sales activities;
- (ii) Encourage Welland residents to sign the online petition at Change.org; and
- (iii) Encourage other municipalities to join with Welland in calling on the province to act; and further

THAT staff be authorized and directed to do all things necessary to give effect to this resolution.



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(Councillor Fokkens)

16-19 WHEREAS the City of Welland has approved the installation of a New Splash Pad at Glenwood Park for the budgeted amount of \$244,984 in the 2015 budget and the project is 98% completed and scheduled for June 2016 opening; and further
AND WHEREAS the existing tennis court has been removed, to which the youth of the community benefited physically and socially by having an area to exercise and play; and further
AND WHEREAS Dain City Recreation will match funds for the cost of the Basketball Court up to \$10,000.00.
NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to report back to Council on options to install an asphalt 3 on 3 basketball court (16.5m x 10.25m) at Glenwood Park in the 2016 fiscal year.

(Councillor M.A. Grimaldi)

02-85

16-26 THAT THE COUNCIL OF THE CITY OF WELLAND reaffirms its commitment to the citizens of Welland to be a barrier-free community in accordance with the Accessibility for Ontarians with Disabilities Act (AODA), 2005; and further
THAT Welland City Council acknowledges that the benefits of a pedestrian-friendly community are immeasurable and include: a) economic development through increased access to business, b) fewer car trips, resulting in less air pollution and traffic, and c) a sense of community by transforming neighborhoods into friendlier, safer and more attractive places to live; and further
THAT Welland City Council directs staff to prepare a draft Sidewalk Policy that focuses on the creation of new sidewalks, and the improvement and maintenance of existing sidewalks so that all residents can enjoy a pedestrian-friendly environment; and further
THAT Welland City Council directs staff to collaborate with the Accessibility Advisory Committee to develop strategies that will engage citizens in a review of the proposed Sidewalk Policy."

(Councillor Van Vliet)

99-99 WHEREAS my previous Notice of Motion clearly stated that all costs for the WRCC be charged to that account.
NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND requests the \$117,000.00 for grass cutting be taken out of the WRCC Budget, and not the Public Works Budget, and in the future, all costs for the WRCC are to be taken from the WRCC Budget

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



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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 7th day of June, 2016. Ref. No. 16-1

10. ADJOURNMENT



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AGENDA BLOCK

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

Deferred from the Council Meeting of May 17, 2016

- 1 - 3** **16-19**
16-45 Gen. Mgr, Corporate Services/Chief Financial Officer, S. Zorbas - Request from Youngs Insurance to rent the showmobile stage.
- 4 - 5** **16-37** Gen. Mgr, Corporate Services/Chief Financial Officer, S. Zorbas - Water/Wastewater Committee Terms of Reference.

2. COMMITTEE AND STAFF REPORTS

- 1. Business Arising from Committee-of-the-Whole (closed)**
- 6** **2. General Committee Report to Council - May 24, 2016**
- 3. Staff Reports**
- 7 - 16** **P&B-2016-33** Gen. Mgr., Infrastructure Services & Development Services/City Engineer, S. Iannello - Delegation to staff of various approvals under the *Planning Act*. Ref. No. 11-108 (See By-law 1)
- 17 - 19** **P&B-2016-34** Gen. Mgr., Infrastructure Services & Development Services/City Engineer, S. Iannello - Layout, establish and name the 0.3 metre Reserve - Block 18, Plan 59M-378, Shipview Court, Shipview Subdivision (File 6T-14-06005). Ref. No. 06-148 (See By-law 2)
- 20 - 24** **P&B-2016-35** Gen. Mgr., Infrastructure Services & Development Services/City Engineer, S. Iannello - Zoning By-law Amendment Application (File No. 2016-03) - Hatem Swais for lands on the east side of Bugar Street, south of East main Street, municipally known as 24 Bugar Street. Ref. No. 16-92Z
- Remove From Block**



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| 25 - 28 | <u>P&B-2016-36</u> | Gen. Mgr., Infrastructure Services & Development Services/City Engineer, S. Iannello - Proposed By-law to remove the Holding (H) Symbol from 188 Milkweed Trail east side of Milkweed Trail, north of Quaker Road, more particularly described as part of Township Lot 176, former Township of Thorold, now in the City of Welland.
Ref. No. 12-139 (See By-law 3) |
| 29 - 41 | <u>P&B-2016-37</u> | Gen. Mgr., Infrastructure Services & Development Services/City Engineer, S. Iannello - Habitat for Humanity Niagara.
Ref. No. 16-54 |
| 42 - 76 | <u>P&B-2016-38</u> | Gen. Mgr., Infrastructure Services & Development 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 Subdivision (File 26T-14-16001), Vinmar Developments Ltd., west of Clare Avenue, north of Hunter Drive, more specifically described as Part of Lot 246, former Township of Thorold, now in the City of Welland.
Ref. No. 16-73/16-73Z (See By-law 4) |
| 77 - 80 | <u>P&B-2016-39</u> | Gen. Mgr., Infrastructure Services & Development Services/City Engineer, S. Iannello - Application for Façade Improvement Grant Program - Community Improvement Plan for the Downtown and Health and Wellness Cluster - AG Properties Inc., 14-28 Niagara Street (File No. DHWC 2016-03). Ref. No. 10-76 (See By-law 5) |
| 81 - 82 | <u>ENG-2016-22</u> | Gen. Mgr., Infrastructure Services and Development Services/City Engineer, S. Iannello - Supply and delivery of one (1) New Self-Propelled Front Dump Natural Gas Ice Resurfacer Unit.
Ref. No. 16-46 (See By-law 6) |
| 83 - 89 | <u>ENG-2016-23</u> | Gen. Mgr., Infrastructure Services and Development Services/City Engineer, S. Iannello - Special Assistance Program - Emerald Ash Borer. Ref. No. 16-89 |
| 90 - 92 | <u>ENG-2016-24</u> | Gen. Mgr., Infrastructure Services and Development Services/City Engineer, S. Iannello - Implementation Plan for the Redevelopment of the Welland Community Skateboard and BMX Park.
Ref. No. 16-19 |
| 93 - 95 | <u>TRAF-2016-05</u> | Gen. Mgr., Infrastructure Services and Development Services/City Engineer, S. Iannello - Update to Business Licensing By-law - Update to Fees and Charges By-law - Update to Clean Yards By-law. Ref. No. 03-59/16-2/16-38 (See By-laws 7, 8 & 9) |



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- 96 - 99** **TRAF-2016-07** Gen. Mgr., Infrastructure Services and Development Services/City Engineer, S. Iannello - Update to Traffic and Parking By-law 89-2000. Ref. No. 16-22 (See By-law 10)
- 100 - 118** **FIN-2016-25** Gen. Mgr., Corporate Services/Chief Financial Officer, S. Zorbas - Welland Downtown BIA request for amendment to reflection pond/skating rink payments and release of levy. Ref. No. 99-90
- 119 - 127** **FIN-2016-27** Gen. Mgr., Corporate Services/Chief Financial Officer, S. Zorbas - Paperless Bidding Solution. Ref. No. 16-90
- 128 - 129** **TRANS-2016-07** Gen. Mgr., Corporate Services/Chief Financial Officer, S. Zorbas - Ride to Read Program. Ref. No. 04-47/16-13
- 130 - 131** **R&C-2016-03** Gen. Mgr., Corporate Services/Chief Financial Officer, S. Zorbas - Installation of Bilingual Signs at City Hall, Welland Community Wellness Complex and Welland Arenas. Ref. No. 98-82/06-84/14-19
- 132 - 134** **F&ES-2016-01** Chief, Fire & Emergency Services, D. Prevost - Expiry of Niagara E.M.S. Lease at Rose Ave Fire Station. Ref. No. 16-15

3. NEW BUSINESS

- 135 - 136** 1. Ralph Walton, Regional Clerk, Niagara Region re: Lyme Disease - Minutes Item 9.3, CL 6-2016, April 28, 2016. Ref. No. 16-84

RECOMMENDATION

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information and supports the request from the Region of Niagara dated May 9, 2016 regarding Lyme Disease - Minutes Item 9.3, CL 6-2016, April 28, 2016.

- 137** 2. Town of Shelburne re: Autism Doesn't End at 5. Ref. No. 16-88

RECOMMENDATION

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Town of Shelburne dated May 9, 2016 regarding Autism Doesn't End at 5.



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- 138 - 139** 3. Alanna Galeota, North Welland Business Improvement Area re: Requesting approval of its proposed 2016 Budget. Ref. No. 08-95/16-4

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND approves the 2016 budget from the North Welland Business Improvement Area Board as recommended by their board in the amount of \$40,000.00; and further

THAT Welland City Council authorizes the General Manager, Corporate Services/Chief Financial Officer to make arrangements to levy an amount of \$40,000.00 against the business operations within the defined area on condition that the required financial statements are submitted to the satisfaction of the Chief Financial Officer.

- 140 - 154** 4. Ralph Walton, Regional Clerk, Niagara Region re: Report CSD 27-2016: 2016 Tax Capping Policy. Ref. No. 16-4

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated May 24, 2016 regarding Report CSD 27-2016: 2016 Tax Capping Policy.

- 155 - 156** 5. Tammy Fowkes, Deputy Clerk, Town of Amherstburg re: Highway 3 widening project. Ref. No. 16-91

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information and supports the request from the Town of Amherstburg dated May 27, 2016 regarding improving public safety by completing the Highway 3 widening project.

4. BY-LAWS

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

1. A By-law to delegate various Planning and Community Improvement Incentive Approvals to staff and to adopt certain procedures for the processing of planning applications subject to delegate authority. Ref. No. 11-108
(See Report P&B-2016-33)
2. A By-law to Lay Out, Establish and Name Block 18, Plan 59M-378 being a 0.3 Metre Reserve for the City of Welland as part of Shipview Court. Ref. No. 06-148
(See Report P&B-2016-34)



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3. A By-law to amend Zoning By-law 2667 upon the application of Gary Douglas Stickles, Natalie Brenda Stickles and Stanley L. Stickles to remove the Holding Symbol “H” from certain lands on the north side of Quaker Road, east side of Milkweed Trail known municipally as 188 Milkweed Trail. Ref. No. 12-139
(See Report P&B-2016-36)
4. A By-law to amend City of Welland Zoning By-law 2667 (Vinmar Developments Ltd. – File 2016-01) west of Clare Avenue, north of Hunter Drive. Ref. No. 16-73Z
(See Report P&B-2016-38)
5. A By-law to authorize execution of a façade improvement Grant Agreement (Community Improvement Plan) for 14-28 Niagara Street (File No. DHWC 2016-03). Ref. No. 10-76
(See Report P&B2016-39)
6. A By-law to authorize purchase of one new Self-Propelled Front Dump Natural Gas Ice Resurfacer Unit. Ref. No. 16-46
(See Report ENG-2016-22)
7. A By-law to amend Business Licensing By-law 2011-173. Ref. No. 16-2
(See Report TRAF-2016-05)
8. 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 to establish rates effective January 1, 2016. Ref. No.16-38
(See Report TRAF-2016-05)
9. A By-law to amend By-law 10727, being a By-law to provide for maintaining land in a clean and clear condition (Clean Yards By-law). Ref. No. 03-59
(See Report TRAF-2016-05)
10. A By-law to amend By-law 89-2000, being a By-law regulating traffic and parking within the City of Welland (Schedules XXX, XXXI and XL). Ref. No. 16-22
(See Report TRAF-2016-07)
11. A By-law to authorize acceptance of an offer from General Electric Canada Property for the sale of vacant land municipally known as 287 Silverthorne Street being Part Lot 17, Concession 5, Crowland. Ref. No. 16-87