



COUNCIL MEETING AGENDA

Tuesday, December 6, 2016

7:00 P.M.

COUNCIL CHAMBERS – CIVIC SQUARE

**1. COMMITTEE-OF-THE-WHOLE (IN-CAMERA) (6:00 p.m.)
(See yellow tab)**

- Proposed or pending acquisition or disposition of land by the municipality or local board.
 - *Proposal to declare surplus City-owned canal lands generally described as located westerly along the recreational waterway and associated trail system, north of Woodlawn Road.*
 - *425 King Street and 158 Lincoln Street.*
 - *240 Denistoun Street.*
- Personal Matters about an identifiable individual, including municipal or local board employees.
 - *Welland Hydro System Corp. 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 November 15, 2016 and Special Council Minutes of November 29, 2016 (*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 PRESENTATION

COMMUNITY INVOLVEMENT RECOGNITION

Presentation of plaque by Councillor Larouche to Sabrina D'Angelo.

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

16-3 Daniel Roy, Sacre Coeur Church re: Raffle draw.

4.3 AGENCIES, BOARDS, COMMISSIONS AND COMMITTEES REPORTS

16-28 Vani Sharma Chair, Dario Smagata, Vice Chair, Jackson Root, Secretary and Shelby Laing, Publicity and Promotion Coordinator, Mayor's Youth Advisory Council re: update on activities.

(Background information included in Council Members agenda).

16-4 Councillor McLeod, Chair, Budget Review Committee - meetings of November 14 and 28, 2016.

16-47 Councillor Grimaldi, Chair, Nominating Committee - meeting of December 6, 2016.

4.4 LEGISLATED PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT

16-128Z A complete application has been made by CLAUDE DEMERS AND RICHARD TRUDEL on behalf of REGISTERED PROPERTY OWNERS to rezone Lots 122 to 138, Plan 59M-230 for lands 74, 80, 86, 94, 104, 112, 120, 128, 136, 144, 152, 160, 168, 176, 184, 192, 198 and 204 Courtney Crescent from the existing R3-X5 Zone to a Site Specific R3 Zone. The purpose of the Amendment is to permit structures within 2 metres of rear lot lines to include stairs, pools, decks, railings, hot tubs and sheds; to allow the construction of a fence along the rear lot line; to allow a maximum lot coverage of 50%. All proposed construction will be subject to Niagara Peninsula Conservation Authority Approval. The Official Plan designation is LOW DENSITY RESIDENTIAL.

(See Report P&B-2016-75 Pages 38 to 52)



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16-123Z A complete application has been made by UPPER CANADA CONSULTANTS on behalf of ENA BOERSEMA AND JOHANNES BOERSEMA to rezone the lands at 150 South Pelham Road (south of Webber Road and on the east side of South Pelham Road) from the existing RA - Rural Agricultural Zone to a Site Specific R3 Zone. The purpose of the Amendment is to permit the following: a reduced front yard setback of 4.5 metres for a dwelling and 6 metres for an attached garage and to allow for a maximum lot coverage of 50%. The Official Plan designation is LOW DENSITY RESIDENTIAL AND AGRICULTURAL. The lands are also the subject of an Application for Consent - File B013/2016WELL and B014/2016WELL.

(See Report P&B-2016-74 Pages 32 to 37)

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 DiMarco)

04-48 THAT THE COUNCIL OF THE CITY OF WELLAND rescinds the motion passed on September 21, 2010 approving Report CM-2010-10, a motion dedicating revenues generated by the Atlas Landfill Site Remediation Project to “a Sports and Culture Infrastructure Capital Reserve Fund”.

(Councillor DiMarco)

04-48 THAT THE COUNCIL OF THE CITY OF WELLAND directs all new revenues derived from the lease and royalty payments from the Atlas Landfill Site Remediation Project be committed to the cities sidewalks and roadways.

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



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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 6th day of December, 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 - Nil**

- 2. COMMITTEE AND STAFF REPORTS**
 - 1. Business Arising from Committee-of-the-Whole (closed)**

 - 1 2. General Committee Report to Council - November 29, 2016**

 - 2 - 4 3. Budget Review Committee Reports to Council - October 24, 2016, November 7, 2016, and November 28, 2016.**

 - 4. Staff Reports**

 - 5 - 10 FIN-2016-44 Gen. Mgr., Corporate Services, Chief Financial Officer/Treasurer, S. Zorbas - *Municipal Act* Regulation 284/09 and Public Sector Accounting. Ref. No. 16-4**

 - 11 - 26 FIN-2016-43 Gen. Mgr., Corporate Services, Chief Financial Officer/Treasurer, S. Zorbas - 2017 Water/Wastewater Operating and Capital Budgets with resulting rates structure & 2018-2026 Water & Wastewater Capital Budget Forecast. Ref. No. 16-37 (See By-law 1)**

 - 27 - 29 P&B-2016-71 Gen. Mgr., Infrastructure and Development Services/City Engineer, S. Iannello - Development Charges - 152 Hellems Avenue. Ref. No. 16-114**

 - 30 - 31 P&B-2016-73 Gen. Mgr., Infrastructure and Development Services/City Engineer, S. Iannello - Federation of Canadian Municipalities' Green Municipal Fund funding request for an update to the City of Welland Brownfield Community Improvement Plan. Ref. No. 03-133**



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**Remove From
Block**

P&B-2016-74

Gen. Mgr., Infrastructure and Development Services/City Engineer,
S. Iannello - Application for Zoning By-law Amendment (File No.
2016-07) Ena and Johannes Boersema for lands on the east side of
South Pelham Road, south of Gaiser Road, municipally known as
150 South Pelham Road. Ref. No. 16-123Z

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**Remove From
Block**

P&B-2016-75

Gen. Mgr., Infrastructure and Development Services/City Engineer,
S. Iannello - Application for Zoning By-law Amendment (File No.
2016-06) Claude Demers and Richard Trudel (Agents) for lands on
the south side of Courtney Crescent, east of St. Lawrence Drive,
municipally known as 74, 80, 86, 94, 104, 112, 120, 128, 136, 144,
152, 160, 168, 176, 184, 192, 198, 204 Courtney Crescent.
Ref. No. 16-128Z (See By-law 2)

3. NEW BUSINESS

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1. David A. Ullrich, Executive Director, Great Lakes and St. Lawrence Cities Initiative re: Waukesha Water Diversion Application. Ref. No. 16-122

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND affirms its commitment to the protection of our water resources by calling on the Governors of Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania and Wisconsin, and their representatives on the Compact Council to reconsider their Final Decision to approve the Waukesha Application; and

THAT Welland City Council supports challenges by the Great Lakes and St. Lawrence Cities Initiative to the Compact Council's approval of the Waukesha Application under procedures adopted by the Compact Council, which may include requesting a hearing and initiating judicial review of the Final Decision; and further

THAT Welland City Council urges the Governors and Premiers of the Regional Body and Compact Council, consistent with good public policy, to reverse its approval of the Waukesha diversion application and ensure that the provisions of the Compact are strictly applied in this and any future application in order to protect the finite water resources of the Great Lakes and St. Lawrence River Basin.

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2. Alan Caslin, Regional Chair, Niagara Region re: Asbestos Ban. Ref. No. 16-125

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information and supports the request from Niagara Region regarding the banning of Asbestos.



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- 58** 3. Rob Morton, Executive Assistant, Lorne Coe, MPP Whitby-Oshawa re: Bill 9, *End Age Discrimination Against Stroke Recovery Patients Act, 2016*. Ref. No. 16-124

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from Rob Morton, Executive Assistant, Lorne Coe, MPP Whitby-Oshawa regarding Bill 9, *End Age Discrimination Against Stroke Recovery Patients Act, 2016*; and

THAT Welland City Council supports Bill 9 which states that all stroke victims receives care regardless of their age; and further

THAT Welland City Council directs staff to send a letter of confirmation to the Health and Long Term Care Minister, Eric Hoskins.

4. BY-LAWS

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

1. A By-law to adopt the water and wastewater operating budget with resulting rate structure for the 2017 billing year, effective April 1, 2017. Ref. No. 16-37
(See Report FIN-2016-43).
2. A By-law to amend City of Welland Zoning By-law 2667 (Registered Property Owners - File 2016-06) 74, 80, 88, 94, 104, 112, 120, 128, 136, 144, 152, 160, 168, 176, 184, 192, 198, 204 Courtney Crescent. Ref. No. 16-128Z
(See Report P&B-2016-75).
3. A By-law to Lay Out, Establish and Name Part 5, Plan 59R-15692, being a 0.3 metre reserve for the City of Welland as part of Miranda Court. Ref. No. 16-118
(See Council Meeting of November 15, 2016 - P&B-2016-68)
4. A By-law to authorize certain new capital works of the Corporation of the City of Welland (the "Lower-Tier Municipality"); to authorize the submission of an application to Ontario Infrastructure and Lands Corporation ("OILC") for financing such capital works; to authorize temporary borrowing from OILC to meet expenditures in connection with such works; and to authorize long term borrowing for such works through the issue of debentures by the Regional Municipality of Niagara (The "Upper-Tier Municipality") to OILC. Ref. No. 16-126