



COUNCIL MEETING AGENDA

Tuesday, February 6, 2018

7:00 P.M.

COUNCIL CHAMBERS – CIVIC SQUARE

- 1. COMMITTEE-OF-THE-WHOLE (IN-CAMERA) (6:05 p.m.)
(See yellow tab)**
 - Proposed or pending acquisition or disposition of land by the municipality or local board:
 - *Rice Road update.*
 - *Enterprise Industrial Subdivision.*
 - Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board:
 - *Appeal to Ontario Municipal Board (OMB) for lands on the east side of Aqueduct Street and on the south side of Hilda Street, municipally known as 396 Aqueduct Street.*
 - *Appeal to Ontario Municipal Board (OMB) regarding Regional Development Charges.*

- 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 January 16, 2018 *and* Special Council Meeting of January 23, 2018. *(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 PRESENTATION(S) - Nil

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

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

16-61 Councillor Grimaldi, Chair, Human Resources Committee re: meeting of January 25, 2018.

(Background information included in Council members agenda).

4.4 LEGISLATED PUBLIC HEARINGS PURSUANT TO THE *PLANNING ACT*

09-83 A complete application has been made by 1969578 Ontario Ltd for a Plan Subdivision (Lots 42, 44, 45 and Part of Lot 43, Plan 556, Lot J.L. and Part of Block H.A.R., Plan 564, Lots 19, 20, 21 & 22, Part of the Raceway Reserve and Part of the Unnamed Road between Lot 22 and the Raceway Reserve, Plan 569) for lands at 200 West Main Street. The property is designated as URBAN AREA in the Region's Official Plan and HIGH DENSITY RESIDENTIAL in the City's Official Plan and Zoned Site Specific RH-41 in the City's Zoning By-law 2017-117. The application proposes the property for the development of 2.87 hectares of land for residential purposes in three separate phases. FILE NO. 26T-14-17005
(See Report P&B-2018-02 pages 81 to 86)

18-39 A complete application has been made by Upper Canada Consultants on behalf of Vinmar Developments LTD. for a Plan Subdivision (Part 1 & Part 2, Plan 59R-4392, Part 1 Plan 59R-8936, Part of Lot 1, Concession 13, Geographic Township of Pelham, City of Welland) for lands at 370 Murdock Road. The property is designated as URBAN AREA in the Region's Official Plan and LOW AND MEDIUM RESIDENTIAL in the City's Official Plan and Zoned RESIDENTIAL LOW DENSITY 1 (RL1) AND RESIDENTIAL MEDIUM DENSITY (RM) in the City's Zoning By-law 2017-117. The application proposes the property for the development of 3.121 hectares of land for residential purposes. FILE NO. 26T-14-17006
(See Report P&B-2018-03 pages 87 to 91)

18-36

18-36z Complete applications have been submitted by the CITY OF WELLAND to amend the Official Plan and to rezone the southern portion of the lands legally described as Part Lots 21, 22 & 23, Concession 3, former Township of Crowland, Part Road Allowance between Lots 22 & 23 (Closed), being Parts 1 & 3 on 59R-12920, except Part 1 on 59R-13397



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and except Part 1 on 59R-13768, in the City of Welland, municipally known as 570 River Road from COMMUNITY OPEN SPACE - O1 to GATEWAY ECONOMIC CENTRE - GEC to allow for the future industrial development of this property. FILE NO. 2017-10
(See Report P&B-2018-04 pages 92 to 96)

- 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)**

(Mayor Campion)

16-129 WHEREAS the Regional Municipality of Niagara is the primary funder of the Niagara Peninsula Conservation Authority (NPCA) on behalf of the 12 area municipalities and approves said funding through their budget process; and
WHEREAS a majority (currently 11 of 12) regional representatives are also Regional Councillors; and
Whereas the NPCA and the Region are by legislation and definition two distinct and separate entities; and
WHEREAS the above composition potentially blurs the line which separates the two entities and can potentially create a conflict with regards to Governance and budgeting; and further
WHEREAS the Local Area Municipalities have the authority to have appointed a representative of their choice to the NPCA by the Region.
NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to prepare reports, policies and By-laws necessary to establish a protocol/process that will implement municipally appointed NPCA representative. That the process enable consideration of a member of the public and that it would exclude the appointment of a member of Regional Council; and further
THAT Welland City Council implement this (a) as soon as the bylaws are prepared and passed or (b) at the beginning of the term of Council, or (c) both a & b.; and further



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THAT this motion be distributed to all Regional Municipalities for consideration & support; and further
THAT this motion be distributed to the NPCA, Regional Municipality of Niagara, the appropriate Provincial Ministries and all Regional MPP's for information.

(Councillor McLeod)

04-124

18-4

WHEREAS it is well known that water meters are in need of replacement; and
WHEREAS without a speedy replacement strategy water meters are under registering the amount of water being consumed; and
FURTHER THAT this cost of under recording is unfairly being passed on to those whose water meters are working properly.
NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF WELLAND requests that the Treasurer prepare a report identifying alternative funding sources to adequately address water meter replacement in 2018.

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 6th day of February, 2018. Ref. No. 18-1

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 - January 23, 2018**

2 – 13 **FIN-2018-02** Gen. Mgr., Corporate Services, Chief Financial Officer/Treasurer,
S. Zorbas - 2018 Permissive Grants. Ref. No.18-4/18-5

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND approves the amount of \$5,970.00 to the Welland Downtown Business Improvement Area Board (WDBIA); and

THAT THE COUNCIL OF THE CITY OF WELLAND approves the amount of \$60,000.00 to the Welland Rose Festival; and

THAT THE COUNCIL OF THE CITY OF WELLAND approves the amount of \$6,000.00 to the Niagara Safety Village; and

THAT THE COUNCIL OF THE CITY OF WELLAND amends the Hope Centre amount to \$60,000.00 and that Welland City Council amend the Open Arms Mission amount to \$45,000.00 and that Welland City Council amend the Royal Canadian Legion Branch #4 amount to \$5,773.00; and further

THAT Welland City Council approves in block that is set out in Revised Appendix I of Report FIN-2018-02 as numbers 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 15, 18, 20, and 2, 3.

14 - 29 **R&C-2018-01** Gen. Mgr., Corporate Services, Chief Financial Officer/Treasurer,
S. Zorbas - Revised Municipal Arts & Culture Policy. Ref. No. 05-141

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND approves the revised Municipal Arts & Culture Policy as detailed in Report R&C-2018-01.



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R&C-2018-02 Gen. Mgr., Corporate Services, Chief Financial Officer/Treasurer, S. Zorbas - Sale of Portable Washroom Trailer. Ref. No. 99-99

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes staff to proceed with the sale of one (1) portable washroom trailer owned by the City of Welland.

34 - 38

TRAF-2018-02 Acting Gen. Mgr., Infrastructure and Development Services/City Engineer, E. Nickel – Update to Traffic and Parking By-law 89-2000. Ref. No.18-22

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND refers Report TRAF-2018-12: Update to Traffic and Parking by-law 89-2000 to the General Committee meeting to reinvestigate the reduction of the area of the petition.

3. Staff Reports

39 – 47

TRAF-2018-03 Acting Gen. Mgr., Infrastructure and Development Services, City Engineer, E. Nickel – Update to Traffic and Parking By-law 89-2000. Ref. No. 18-22 (See By-laws 1& 2)

48 – 59

TRAF-2018-04 Acting Gen. Mgr., Infrastructure and Development Services, City Engineer, E. Nickel – Parking Payment by Mobile Devices. Ref. No. 18-22 (See By-law 3)

60 – 68

ENG-2018-02 Acting Gen. Mgr., Infrastructure and Development Services, City Engineer, E. Nickel - McNaughton Road, Bishop Road, Nelles Road and Churchill Avenue Municipal Services Improvements. Ref. No. 17-52 (See By-law 4)

69 – 77

ENG-2018-03 Acting Gen. Mgr., Infrastructure and Development Services, City Engineer, E. Nickel - Municipal Services Improvements Dorothy Street, Evan Street, River Road and Margery Road. Ref No. 17-104 (See By-law 5)

78 – 80

ENG-2018-04 Acting Gen. Mgr., Infrastructure and Development Services, City Engineer, E. Nickel - Assumption of Shipview Court Subdivision Development. Ref No. 06-148 (See By-law 6)

81 – 86

P&B-2018-02 Acting Gen. Mgr., Infrastructure and Development Services, City Engineer, E. Nickel - Application for a Draft Plan of Subdivision (File No 26T-14-17005) Dennis Lui c/o 1969578 Ontario Inc. for lands on the north side of West Main Street, east of Denistoun Street, more specifically described as Lots 42, 44, 45 and part of Lot 43, Plan 556, Lot J.L. and Part of Block H.A.R., Plan 564,



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- Lots 19, 20, 21 & 22, Part of the Raceway Reserve and part of the unnamed road between Lot 22 and the Raceway Reserve, Plan 569, in the City Of Welland, known municipally as 200 West Main Street. Ref. No.09-83
- 87 – 91** **P&B-2018-03** Acting Gen. Mgr., Infrastructure and Development Services, City Engineer, E. Nickel - Application for a Draft Plan of Subdivision (File No 26T-14-17006) Upper Canada Consultants for lands on the north side of Webber Road, east of Murdock Road, more specifically described as Part 1 & Part 2, Plan 59R-4392, Part 1 Plan 59R-8936, Part of Lot 1, Concession 13, geographic Township Of Pelham, City of Welland, known municipally as 370 Murdock Road. Ref. No.18-39
- 92 – 96** **P&B-2018-04** Acting Gen. Mgr., Infrastructure and Development Services, City Engineer, E. Nickel - Application for Official Plan Amendment and Zoning By-law amendment (File No. 2017-10) City of Welland for lands on the east side of River Road, south of Woodlawn Road and North of Downs Drive, more specifically described as Part Lots 21, 22 & 23, Concession 3, former Township Of Crowland, Part Road Allowance between Lots 22 & 23 (Closed), being Parts 1 & 3 on 59R-12920, except Part 1 on 59R-13397 and except Part 1 on 59R-13768, in the City of Welland, municipally known as 570 River Road.
Ref. No.18-36/18-36z
- 97 – 121** **CLK-2018-02** Gen. Mgr., Human Resources and Legislative Services, R. Mantesso - Annual Report - 2017 Meetings of Council.
Ref. No. 18-29

3. NEW BUSINESS

- 122 - 124** 1. Richard Rybiak, Chair, Niagara Central Airport Commission re: Fourth quarter update on its activities and developments at the Niagara Central Dorothy Rungeling Airport.
Ref. No. 13-50

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence dated January 12, 2018 from the Niagara Central Airport Commission regarding the fourth quarter update on its activities and developments at the Niagara Central Dorothy Rungeling Airport.



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2. Scott R. Butler, Manager of Policy and Research, Ontario Good Roads Association (OGRA), re: Seeking reforms to the Municipal Class Environmental Assessment (MCEA) process. Ref. No. 18-40

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND requests that the Minister of the Environment and Climate Change take immediate steps to expedite the response process for Part II Orders or Bump-Up requests, as part of the s.61 review to improve MCEA process times and reduce study costs; and further

THAT the Minister of the Environment and Climate Change support changes to better integrate and harmonize the MCEA process with processes defined under the *Planning Act*, and further

THAT the Minister of the Environment and Climate Change amend the scope of MCEA reports and studies to reduce duplication with existing public processes and decisions made under municipal Official Plans and provincial legislation.

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3. Cathy Bassi, Corporate Secretary/Executive Assistant, Welland Hydro Energy Services Corp. re: Annual Appointment of the Chairman to the Joint Venture Management Committee. Ref. No. 12-114/18-10

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND approves that Dan Degazio, an appointed member to the Management Committee as per Article 5.4 of the Joint Venture Agreement and City representative be selected as the chairman of the Management Committee as per the requirements set out in Article 5.5 of the Joint Venture Agreement, effective upon receiving the approved documentation from City Council.

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4. Carrie McIntosh, Deputy Clerk, City of Port Colborne. re: Regional Council Approval of Audit Committee Recommendation Respecting the Town of Pelham. Ref. No. 02-160

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND endorses Port Colborne's, Thorold's and St. Catharines' resolutions and strongly objects to the Region and its Audit Committee interfering in a local municipality's finances; and

FURTHER THAT the Niagara Regional Council, all Niagara municipalities and MPPs and the Provincial Auditor General be notified.



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4. BY-LAWS

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

1. A By-law to amend By-law 89-2000, being a By-law regulating Traffic and Parking within the City of Welland (Parts I and III, Schedules "I", "XXXV"). Ref. No. 18-22
(See Report TRAF-2018-03)
2. A By-law to amend Administrative Penalty By-law 2014-64 (Schedules "A" and "D"). Ref. No. 18-22
(See Report TRAF-2018-03)
3. A By-law to authorize entering into agreement with Honk Mobile Inc. for Parking Payments by Mobile Devices. Ref. No. 18-22
(See Report TRAF-2018-04)
4. A By-Law to authorize entering into contract with Catalina Excavating Inc. for Municipal Service Improvements (Phase 2) McNaughton Road, Bishop Road, Nelles Road and Churchill Avenue Project at Nelles Road. Ref. No.17-52
(See Report ENG-2018-02)
5. A By-law to authorize entering into contract with O'Hara Trucking & Excavating Inc. for Municipal Service Improvements (Phase 2) Dorothy Street, Evan Street, River Road at Margery Road. Ref. No. 17-104
(See Report ENG-2018-03)
6. A By-law to assume Shipview Court Subdivision Plan 59M-378. Ref. No. 06-148
(See Report ENG-2018-04)
7. A By-law to authorize acceptance of an offer from Niagara Medical Structures Inc. for the sale of vacant land municipally known as 368 and 392 Enterprise Drive. Ref. No. 18-41