



MINUTES OF
SPECIAL COUNCIL MEETING, SEPTEMBER 9, 2014
CIVIC SQUARE, COUNCIL CHAMBERS
60 EAST MAIN STREET

Council met in open session at 7:04 p.m. on the above date.

His Worship Mayor Barry Sharpe in the Chair.

Members Present:

Councillors M. Belcastro, F. Champion, M. Carl, P. Chiocchio, T. DiMarco, P. Grenier,
J. Larouche, R. Letourneau, D. McLeod, M. Petrachenko and B. Wright.

Members of Staff and Others Present:

City Manager, C. Stirtzinger

City Clerk, C. Raby

General Manager, Human Resources, R. Mantesso

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

Deputy Fire Chief, B. Kennedy

Acting General Manager, Corporate Services/City Treasurer, S. Zorbas

General Manager, Integrated Services, J. Loveys Smith

Planning Manager, R. Di Felice

LEGISLATED PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT

Councillor Chiochio presided as Chair of the Public Hearings.

14-100

14-100Z Complete Applications have been made by UPPER CANADA CONSULTANTS on behalf of LEA SILVESTRI INVESTMENTS LTD. for approval of a Draft Plan of Subdivision for lands at the north west and south west corners of South Pelham Road and Webber Road; and to rezone the lands at 245, 253, 309 and west side of South Pelham Road from the existing Rural Agricultural - RA to Site Specific MXR, R3 and RM3 Zones, EP and O1 Zones; and to amend the City of Welland Official Plan by changing the designation of the lands from CORE NATURAL HERITAGE SYSTEM, LOW DENSITY RESIDENTIAL AND MEDIUM DENSITY RESIDENTIAL to CORE NATURAL HERITAGE SYSTEM, AREA SPECIFIC LOW DENSITY RESIDENTIAL AND MEDIUM DENSITY RESIDENTIAL. The purpose of the rezoning and the Official Plan amendments is to permit the development of a Plan of Subdivision containing mixed-use residential/commercial uses; dwelling units composed of single-detached dwellings, semi-detached dwellings, triplexes, townhouses; parkland and environmental conservation lands. (File No. 26T-14-14001, File 2014-02 and OPA).

J. Loveys Smith confirmed that the statutory requirements for public hearing had been met, summarized the purpose of the hearing and reviewed the Planning Division Report.

Jennifer Vida, Planning Manager, Upper Canada Consultants, presented on behalf of the applicant.

In support of the application:

- No one spoke to the application.

There being no persons present to speak in support of the application, the Chair asked for those opposing the application.

In opposition to the application:

- No one spoke to the application.

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

14-101Z A complete Application has been made by UPPER CANADA CONSULTANTS on behalf of 1872353 ONTARIO INC. to rezone a portion of the lands at 401 South Pelham Road (west side of South Pelham Road at the intersection of South Pelham Road and Fitch Street) from the existing R2 and RA Zones to a Site Specific RM3 Zone. The purpose of the Amendment is to permit a proposed freehold triplex with Site Specific provisions for lot coverage and accessory dwelling units. The Official Plan designation is CORE NATURAL HERITAGE SYSTEM, LOW DENSITY RESIDENTIAL AND MEDIUM DENSITY RESIDENTIAL. The lands are also the subject of an Application for Consent - File B010/2014WELL.

J. Loveys Smith confirmed that the statutory requirements for public hearing had been met, summarized the purpose of the hearing and reviewed the Planning Division Report.

Jennifer Vida, Planning Manager and Carmella Agro, Planning Technician, Upper Canada Consultants, presented on behalf of the applicant.

In support of the application:

- No one spoke to the application.

There being no persons present to speak in support of the application, the Chair asked for those opposing the application.

In opposition to the application:

- No one spoke to the application.

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

14-102

14-102Z Complete Applications have been made by DARLENE EDWARDS AND MARK D. AND LYNN M. MELLONI on behalf of JULIE ZENOVIA MALISKEVICH AND EDWARD LUSKA to amend the City of Welland Official Plan by changing the designation of the lands at 142 and 144A Thorold Road (north side of Thorold Road, west of Carlton Avenue) from LOW DENSITY RESIDENTIAL to COMMUNITY COMMERCIAL CORRIDOR; and to rezone the lands from the existing R2 Zone and R2 Exemption 8.2.7 to a Site Specific C3 Zone. The purpose of the amendments is to permit the existing dwelling and lands at 142 Thorold Road to be used for a business office and personal services and to permit the existing building and lands at 144A Thorold Road to be used for uses permitted in the General Commercial Zone - C3. The Official Plan designation is LOW DENSITY RESIDENTIAL. (File 2014-04 and OPA).

J. Loveys Smith confirmed that the statutory requirements for public hearing had been met, summarized the purpose of the hearing and reviewed the Planning Division Report.

Lynne Melloni, 646 Quaker Road, Welland, ON L3C 3H2 and Darlene Edwards, 325 Thorold Road, Welland, ON L3C 3W4, presented on behalf of the applicant.

In support of the application:

- No one spoke to the application.

There being no persons present to speak in support of the application, the Chair asked for those opposing the application.

In opposition to the application:

- No one spoke to the application.

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

DELEGATIONS**02-85**

13-26 James Almas addressed Council regarding the Magnolia Lane sidewalks.

AGENCIES, BOARDS, COMMISSIONS AND COMMITTEES REPORTS

13-86 Patrick Kennedy, and Kiran Chhiba, Dillon Consulting addressed Council regarding the draft Urban Design Guidelines.

10-108 Adam Bennett and Ed Pavao, Nustadia Recreation addressed Council regarding an update on the 2014 Business Plan and 3rd Quarter Financials for the Youngs Sportsplex.

99-99 Stephen Fischer, Executive Director, Welland Recreational Canal Corporation addressed Council regarding its Second Interim Report.

99-99 Moved by McLeod and DiMarco
THAT THE COUNCIL OF THE CITY OF WELLAND receives for information, Report WRCC-CR-2014-07, the 2014 Canal Lands Operations Interim Budget Variance Report - July 2014.

CARRIED

99-99 Moved by McLeod and DiMarco
THAT THE COUNCIL OF THE CITY OF WELLAND receives for information, Report WRCC-CR-2014-09, the 2014 Interim Budget Variance Report for Projects - July 2014.

CARRIED

01-108 Moved by Grenier and Belcastro
THAT THE COUNCIL OF THE CITY OF WELLAND approves the Application for the Downtown Improvement Incentive Programs - Refund of Local Planning and Building Fee in the amount of \$52.50 for the Building Demolition Fee to be reimbursed to the Owner upon project completion and occupancy for a restaurant, to the satisfaction of the City; and further
THAT Welland City Council directs staff to utilize the Municipal Incentive Grant (MIG) Reserve fund for the Demolition Building Fee refund.

CARRIED

02-85
13-26 Moved by Chiocchio and DiMarco
THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by James Almas regarding Magnolia Lane Sidewalks.

CARRIED

02-85
13-26 Moved by Carl and Wright
THAT THE COUNCIL OF THE CITY OF WELLAND denies the request by residents on Magnolia Lane to delete sidewalks on the north and east sides of Magnolia Lane.

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02-85
13-26 Moved by Wright and Chiocchio
THAT THE COUNCIL OF THE CITY OF WELLAND refers Report P&B-2014-50 back to staff for discussions with the developer to explore ways in which the City could obtain the funds allocated as part of the Plan of Subdivision for Magnolia Lane and create a Reserve Account for those funds in order to satisfy the terms of Plan of Subdivision with respect to sidewalks.

CARRIED

04-94 Moved by Grenier and Belcastro
THAT THE COUNCIL OF THE CITY OF WELLAND approves an Extension to Draft Plan Approval for the Forks Common Subdivision (File: 26T-14-97004) for one (1) year to June 29, 2015.

CARRIED

09-75 Moved by McLeod and DiMarco
THAT THE COUNCIL OF THE CITY OF WELLAND receives for information, Report WRCC-CR-2014-08, the 2014 Interim Budget Variance Report for WIFC - July 2014.

CARRIED

10-108 Moved by Petrachenko and Belcastro
THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Adam Bennett and Ed Pavao, Nustadia Recreation regarding an update on the 2014 Revised Year-End Projections and 3rd Quarter Financials for the Youngs Sportsplex.

CARRIED

13-86 Moved by Grenier and McLeod
THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Patrick Kennedy and Kiran Chhiba, Dillon Consulting regarding the draft Urban Design Guidelines.

CARRIED

13-86 Moved by Campion and McLeod
THAT THE COUNCIL OF THE CITY OF WELLAND adopts the Urban Design Guidelines prepared by Dillon Consulting Limited dated August 2014.

CARRIED

14-4 Moved by Grenier and Belcastro
THAT THE COUNCIL OF THE CITY OF WELLAND approves the proposal from the RBC Royal Bank to provide banking services to the City of Welland; and further
THAT Welland City Council directs the Clerk to prepare the necessary By-law to enter into a contract extension of two (2) years commencing February 1, 2015.

CARRIED

14-26 Moved by McLeod and Petrachenko
THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the revised tender from 1526957 Ontario Limited o/a CTC Contracting of Welland, Ontario, as detailed in Report ENG-2014-30 for Selective Sidewalk Replacement; and further
THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate By-laws to enter into contract with 1526957 Ontario Limited o/a CTC Contracting to execute the construction.

CARRIED

14-100
14-100Z Moved by Grenier and Wright
THAT THE COUNCIL OF THE CITY OF WELLAND receives for information purposes Report P&B-2014-45 regarding Applications for Draft Plan of Subdivision Approval, Official Plan Amendment and Zoning By-law Amendment for lands north and south of Webber Road, west of South Pelham Road.

CARRIED

14-101Z Moved by Belcastro and Wright

THAT THE COUNCIL OF THE CITY OF WELLAND approves an Amendment to Zoning By-law 2667, as amended, for lands on the west side of South Pelham Road at the intersection of South Pelham Road and Fitch Street, more specifically described as Part Lot 1, Concession 13, former Township of Pelham, now in the City of Welland, known municipally as 401 South Pelham Road from the existing Single-Detached Dwelling - Second Density - R2 and Rural Agricultural - RA Zones to a Site Specific Multiple Dwelling - Third Density - RM3 Zone to permit a freehold triplex each with an accessory dwelling unit with increased lot coverage provisions and required on-site parking for each accessory dwelling unit in the defined front yard.

(Councillor Campion asked to be recorded as opposed to this motion)

CARRIED

14-102

14-102Z Moved by Grenier and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information purposes Report P&B-2014-47 regarding Applications for Official Plan Amendment and Zoning By-law Amendment for lands on the north side of Thorold Road, west of Carlton Avenue, more specifically described as Part Township Lot 241, former Township of Thorold and Part Township Lot 241, former Township of Thorold, being Parts 2 and 3 on Plan 59R-3923, both in the City of Welland, known municipally as 142 and 144A Thorold Road.

CARRIED

BY-LAWS

Moved by Grenier and Belcastro

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.

14-4

BYL 2014 - 118

A By-law to authorize extension of banking services with RBC Royal Bank, and to amend By-law 2009-176.

14-43

BYL 2014 - 121

A By-law to provide for the appointment of members to The Niagara Compliance Audit Committee.

CARRIED

Moved by Belcastro and Petrachenko

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.

14-26

BYL 2014 - 119

A By-law to accept the tender and to enter into contract with 1526957 Ontario Limited o/a CTC Contracting for selective sidewalk replacement.

14-101Z

BYL 2014 - 120

A By-law to amend City of Welland Zoning By-law 2667 (1872353) Ontario Inc. – File 2014-03) west side of South Pelham Road, south of Fitch Street.

(Councillor Champion asked to be recorded as opposed to this By-law)

CARRIED

Moved by McLeod and Carl

THAT THE COUNCIL OF THE CITY OF WELLAND having given due consideration to the following By-law, 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.

14-1

BYL 2014 - 122

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 9th day of September, 2014.

CARRIED

Council adjourned at 10:04 p.m.

These Minutes approved and adopted by Motion of Council this 7th day of October, 2014.

MAYOR

CITY CLERK