



COUNCIL MEETING AGENDA

**Tuesday, September 25, 2018
6:00 P.M.
COUNCIL CHAMBERS – CIVIC SQUARE**

- 1. COMMITTEE-OF-THE-WHOLE (IN-CAMERA) (5:30 p.m.)
(See yellow tab)**
 - Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board:
 - *Dain City Flooding.*
 - *Burlington Braves Baseball Team*
 - *Opportunity for Waterway*
 - *Local Planning Appeal Tribunal (LPAT) Appeal for 156-158 Fitch Street.*

- 2. ARISE FROM COMMITTEE-OF-THE-WHOLE (IN-CAMERA) (5:55 p.m.)**

- 3. OPEN COUNCIL MEETING (6:00 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 August 28, 2018 and Special Council Meeting of September 6, 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)**



COUNCIL MEETING AGENDA – Page 2

Tuesday, September 25, 2018

6:00 P.M.

COUNCIL CHAMBERS – CIVIC SQUARE

4. ORAL REPORTS AND DELEGATIONS

4.1 PRESENTATIONS

Plaque presentation by Mayor Campion to the Welland Warriors Basketball Team for winning the National Championship.

Plaque presentation by Mayor Campion to Sandor Mod, gold medalist, IFAF U19 World Championship, Team Canada 2018 and bronze medalist, Team Ontario 2016.

4.2 DELEGATIONS (maximum 5/10/5 policy)

18-28 Doug Rapelje, Board Member, Alzheimer Society of Niagara Region re: 2018 Coffee Break Campaign.

18-28 Alain Breton, Welland Food Drive re: Annual Welland Food Drive Event.

4.3 AGENCIES, BOARDS, COMMISSIONS AND COMMITTEES REPORT

16-66 Harold Sawchuk, Chair, Active Transportation Advisory Committee, Assunta Piccini, Vice Chair, Active Transportation Advisory Committee and Sarah Cann, Mayor's Youth Advisory Committee Representative re: Update on Active Transportation Advisory Committee activities.
(Background information included in Council members agenda).

09-104 Councillor Van Vliet, Chair, Audit Review Committee - meeting of August 28, 2018.

16-61 Councillor Grimaldi, Chair, Human Resources Committee - meeting of September 13, 2018.
(Background information included in Council members agenda).

4.4 LEGISLATED PUBLIC MEETING PURSUANT TO SECTION 357/358 OF THE MUNICIPAL ACT, 2001

18-4 Public Meeting pursuant to Section 357/358 of the *Municipal Act, 2001* regarding Tax Write-Offs.
(See Report FIN-2018-19, pages 70 to 72)

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



COUNCIL MEETING AGENDA – Page 3

**Tuesday, September 25, 2018
6:00 P.M.
COUNCIL CHAMBERS – CIVIC SQUARE**

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) - Nil

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 25th day of September, 2018. Ref. No. 18-1

10. ADJOURNMENT



COUNCIL MEETING AGENDA INDEX

**Tuesday, September 25, 2018
6:00 P.M.
COUNCIL CHAMBERS – CIVIC SQUARE**

Page No.

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. Budget Review Committee Report to Council - Nil**
 - 1 3. Audit Review Committee Report to Council – August 28, 2018**
 - 4. General Committee Report to Council – Nil**
 - 5. Staff Reports**

- 2 – 4 CAO-2018-08 Chief Administrative Officer, G. Long – Canal Redevelopment Strategy – Phase Two – Recreation Hub. Ref. No. 99-99**

- 5 – 6 CLK-2018-16 Gen. Mgr., Human Resources and Legislative Services, R. Mantesso – Update Webcasting for the City of Welland. Ref. No. 17-76**

- 7 CLK-2018-17 Gen. Mgr., Human Resources and Legislative Services, R. Mantesso – Lottery Licence. Ref. No. 18-3**

- 8 – 11 TRAF-2018-16 Gen. Mgr., Infrastructure and Development Services/City Engineer, E. Nickel – Update to Public Nuisance By-law. Ref. No. 11-58 (See By-law 1)**

- 12 – 15 TRAF-2018-17 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-law 2)**



COUNCIL MEETING AGENDA INDEX – Page 2

Tuesday, September 25, 2018

6:00 P.M.

COUNCIL CHAMBERS – CIVIC SQUARE

Page No.

16 – 19	<u>P&B-2018-47</u>	Gen. Mgr., Infrastructure and Development Services/City Engineer, E. Nickel – Incentive Cap Application for Tax Increment Based Rebate Program City of Welland Niagara Gateway Economic Zone and Centre Community Improvement Plan. Ref. No. 09-60
20 – 22	<u>P&B-2018-49</u>	Gen. Mgr., Infrastructure and Development Services/City Engineer, E. Nickel – Request for approval to establish a crematorium – 421 Prince Charles Drive South. Ref. No. 18-91
23 – 63	<u>P&B-2018-50</u>	Gen. Mgr., Infrastructure and Development Services/City Engineer, E. Nickel – Application for Official Plan Amendment (OPA 18), Zoning By-law Amendment (File No. 2018-04) and Plan of Vacant Land Condominium (File No. 26CD-14-18005) Upper Canada Consultants for lands on the east side of Viger Drive, west of the Welland Shipping Canal and north and west of Memorial Park, more specifically described as Lots 37, 38, 54, 55, 56, Block 74 and 78 on Plan 59M-440, in the City of Welland, municipally known as 152, 162, 334, 374, 386 and an unaddressed parcel on Viger Drive. Ref. No. 11-108 (See By-laws 3 & 4)
64 – 65	<u>ENG-2018-28</u>	Gen. Mgr., Infrastructure and Development Services/City Engineer, E. Nickel – Appointment of a Drainage Superintendent. Ref. No. 18-24 (See By-law 5)
66 – 67	<u>ENG-2018-29</u>	Gen. Mgr., Infrastructure and Development Services/City Engineer, E. Nickel – Gaiser Road Reconstruction Cost Sharing – Sparrow Meadows Phase 3. Ref. No. 14-100
68 – 69	<u>ENG-2018-30</u>	Gen. Mgr., Infrastructure and Development Services/City Engineer, E. Nickel – Federation of Canadian Municipalities (FCM) Grant Funding - Council Support of Application to Municipal Asset Management Program. Ref. No. 18-92
70 – 72	<u>FIN-2018-19</u>	Gen. Mgr., Corporate Services, Chief Financial Officer/Treasurer, S. Zorbas – Application for Tax Write-Offs - Sections 357/358. Ref. No. 18-4
Remove From Block		
73 – 79	<u>R&C-2018-08</u>	Gen. Mgr., Corporate Services, Chief Financial Officer/Treasurer, S. Zorbas – Pickleball in Welland – Indoor/Outdoor Locations. Ref. No. 18-68
80 – 81	<u>TRANS-2018-08</u>	Gen. Mgr., Corporate Services, Chief Financial Officer/Treasurer, S. Zorbas – Niagara College Student Administrative Council Agreement Renewal for Transit Services 2018-2019. Ref. No. 18-13 (See By-law 6)



COUNCIL MEETING AGENDA INDEX – Page 3

Tuesday, September 25, 2018

6:00 P.M.

COUNCIL CHAMBERS – CIVIC SQUARE

Page No.

82 – 83

TRANS-2018-09 Gen. Mgr., Corporate Services, Chief Financial Officer/Treasurer, S. Zorbas – Brock University Students' Union Agreement Renewal for Transit Services 2018-2019. Ref. No. 18-13 (See By-law 7)

84 – 85

TRANS-2018-10 Gen. Mgr., Corporate Services, Chief Financial Officer/Treasurer, S. Zorbas – Purchase of Transit Farebox TRIM Units. Ref. No. 18-13

3. NEW BUSINESS

86

1. Dinah Hardy, Risk Manager, Fonthill and District Kinette Club re: Request to sell lottery tickets in the City of Welland October 13 and 14, 2018. Ref. No. 18-3

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND grants permission to Fonthill and District Kinette Club to sell raffle tickets in the City of Welland under authority of Lottery License M783989.

87 – 91

2. Carol Schofield, Manager Legislative Services/Clerk, Town of Fort Erie re: The Right of Passage. Ref. No. 18-90

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information and supports the Town of Fort Erie resolution regarding The Right of Passage Act requesting to ensure that the public has the right to walk along all Great Lake shorelines between the water's edge and the high water mark, requiring removal by property owners of all fences running vertical to the shoreline a distance of no less than 10 feet from the water's edge and any other obstructions to the public's right to walk the shore, permit public access to the Great Lakes shoreline only via public lands, such as parks, road allowances or easements, and prohibit the public from any activity on privately owned waterfront, other than a right to walk along the shoreline.

92

3. Michael Robach, Communications & Engagement Coordinator, Pulmonary Hypertension Association (PHA) of Canada re: Request to declare the month of November 2018 as "Pulmonary Hypertension (PH) Awareness Month". Ref. No. 18-6

RECOMMENDATION:

THAT THE COUNCIL OF THE CITY OF WELLAND declares the month of November 2018 "Pulmonary Hypertension (PH) Awareness Month" in the City of Welland.



COUNCIL MEETING AGENDA INDEX – Page 4

Tuesday, September 25, 2018

6:00 P.M.

COUNCIL CHAMBERS – CIVIC SQUARE

Page No.

4. BY-LAWS

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

1. A By-law to amend Public Nuisance By-law 2011-129. Ref. No. 11-58
(See Report TRAF-2018-16)
2. A By-law to amend By-law 89-2000, being a By-law Regulating Traffic and Parking within the City of Welland (Schedule XXXIV). Ref. No. 18-22
(See Report TRAF-2018-17)
3. A By-law to authorize the adoption of Official Plan Amendment No. 18. Ref. No. 11-108
(See Report P&B-2018-50)
4. A By-law to amend City of Welland Zoning By-law 2017-117 (Upper Canada Consultants - File 2018-04) 152, 162, 334, 374, 386 and an unaddressed parcel on Viger Drive. Ref. No. 11-108
(See Report P&B-2018-50)
5. A By-law to authorize the appointment of Spencer Pierce as Drainage Superintendent; and to repeal By-law 2017-32. Ref. No. 18-24
(See Report ENG-2018-28)
6. A By-law to authorize entering into agreement with Niagara College Student Administrative Council Inc. to provide Welland Transit Services for the 2018 to 2019 Academic Term. Ref. No. 18-13
(See Report TRANS-2018-08)
7. A By-law to authorize entering into agreement with Brock University Students' Union, Inc. To Provide Welland Transit Services For The 2018 To 2019 Academic Term. Ref. No. 18-13
(See Report TRANS-2018-09)
8. A By-law to amend By-law 10937 being a By-law to approve and authorize the execution of a Standard Conditional Permit Agreement. Ref. No. 18-86
(See Report P&B-2018-46 went to the August 28, 2018 Council Meeting)