



## **COUNCIL MEETING AGENDA**

**Tuesday, June 19, 2007  
7:30 P.M.  
COUNCIL CHAMBERS – CIVIC SQUARE**

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1. **COMMITTEE-OF-THE-WHOLE (IN CAMERA) (6:45 p.m.)**  
(See yellow tab)
  
  2. **ARISE FROM COMMITTEE-OF-THE-WHOLE (IN CAMERA) (7:25 p.m.)**
  
  3. **OPEN COUNCIL MEETING (7:30 p.m.)**
    - 3.1 **NATIONAL ANTHEM**
    - 3.2 **OPENING REMARKS**
    - 3.3 **ADDITIONS/DELETIONS TO AGENDA**
    - 3.4 **DISCLOSURE OF INTEREST**
    - 3.5 **ADOPTION OF MINUTES**

Regular Council Meeting of June 5, 2007  
(Previously Distributed)
    - 3.6 **CALL UPON THE DEPUTY CLERK TO REVIEW COMMITTEE OF THE WHOLE ITEMS TO BE ADDED TO BLOCK**
    - 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)
  
  4. **ORAL REPORTS AND DELEGATIONS**
    - 4.1 **PRESENTATION(S)**
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4.2 DELEGATION(S) (maximum 5/10/5 policy):

4.3 REGIONAL COUNCIL REPORT

4.4 BOARDS, AGENCIES, COMMISSIONS REPORT(S)

**05-118** Councillor Paul Grenier, Chair – Water Conservation and Efficiency Program Committee update.

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 (for introduction)

7.3 Notices of Motion (previously submitted for discussion)

(Councillor Sharpe)

Regarding a Consent Application by Belvedere, Kostenko, 2077254 Ontario Inc.

Whereas:

- 2077254 Ontario Inc. applied to the Committee of Adjustment for Consent to Sever a 3.35 metre by 33.95 metre strip of land to be transferred to the owner of 190 Parkway (File B002/2007WELL) and;
  - 2077254 Ontario Inc. applied to the Committee of Adjustment for Consent to Sever a 3.35 metre by 2.62 metre strip of land to be transferred to the owner of 155 First Avenue (File B002/2007WELL) and;
  - Frida Kostenko and Seena Kasunich. applied to the Committee of Adjustment for Consent to Sever a 2.62 metre by 19.08 metre strip of land to be transferred to the owner of 155 First Avenue (File B003/2007WELL) and;
  - Raffaele Belvedere was the authorized agent for each of the Applications; and
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- *The Committee of Adjustment has approved these boundary adjustments which do not conform to the Official Plan designation and Zoning of the lands to which they will be merged; and*
- *2077254 Ontario Inc. has agreed to convey a 3.35 metre strips of land to Frida Kostenko and Seena Kasunich and to Raffaele Belvedere at no cost; and*
- *Frida Kostenko and Seena Kasunich have agreed to convey a 2.62 metre strip of land to Raffaele Belvedere at no cost; and*
- *The City of Welland has appealed the Decision of the Committee of Adjustment to the Ontario Municipal Board on the grounds that the Decisions did not include a Condition that the lands be Redesignated and Rezoned; and*
- *One parcel in question was zoned Residential until recently, and Planning and Development Services supports the Official Plan Amendment and Rezoning;*

*Be it resolved that the Council of the City of Welland directs that the normal Official Plan and Zoning Amendment fees over which the City has jurisdiction be waived in the application for the properties affected (namely 190 Parkway Avenue and 155 First Avenue) by the severance required for the development by 2077254 Ontario Inc. at 163 First Avenue.*

### 8. CORPORATION REPORTS

#### 8.1 Councillor Activities Report

#### 8.2 Mayor's Report

#### 8.3 City Manager's Report

### 9. ADJOURNMENT

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### AGENDA BLOCK

1. BUSINESS ARISING FROM MINUTES, PREVIOUS MEETINGS AND OTHER ITEMS REFERRED FROM COUNCIL FOR DISCUSSION
2. COMMITTEE AND STAFF REPORTS
  1. Business Arising from Committee of the Whole (closed)
  2. General Committee Report (NIL)
  3. Staff Reports
    - 1 07-19 Gen. Mgr., Communications, Council and Legislative Services/  
City Clerk, C. Stirtzinger - Community Events Support.
    - 6 07-15 Chief, Fire and Emergency Services, D. Prevost – Establishing the  
Emergency Management Program Committee.
    - 21 ~~07-07~~ 07-07 Mgr., Planning and Development Services, D. Thorpe –  
Memorandum of Understanding for Improving the Planning Function  
in Niagara between the Regional Municipality of Niagara, the twelve  
local municipalities and the Niagara Peninsula Conservation Authority.
    - 48 03-139 Gen. Mgr., Planning and Development Services, D. Thorpe –  
Proposed By-law to remove the Holding (H) Symbol from the C4-X13  
zone affecting Part of Lots 20 and 21, Concession 2 and Part of the  
Road Allowance between Lots 20 and 21, Concession 2, Former  
Township of Crowland, now in the City of Welland being lands north  
of Woodlawn Road, west of Highway 406 known municipally as 102  
Primeway Drive (File 2003-07).
    - 52 01-161 City Mgr., P. Simmons – City of Welland Strategic Plan 2007 – 2012.
    - 70 99-99 City Mgr., P. Simmons – The Welland Recreational Canal  
Corporations Production of “Luminaqua”



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4. **New Business**

- 74                      07-21      Dolores Fabiano, Executive Director, **Welland/Pelham** Chamber of Commerce - requesting permission for the following during the 2007 Oscars Eh Event :
- Temporary street closures;
  - Waiving of all fees;
  - In Kind-Services; and
  - Exemption to the Noise By-law.
- Recommendation:** (Clerk's Department)  
THAT THE COUNCIL OF THE CITY OF **WELLAND** receives the letter from **Welland/Pelham** Chamber of Commerce requesting temporary street closures; waiving of all fees; provision of in-kind services and exemption to the Noise By-law during the "2007 Oscars **Eh** Event" to be held on October 13, 2007 and refers to staff for study and report.
- 76                      07-103      Art **Cardin**, President, **Welland** Indoor Tennis Club – regarding future expansion and funding request.
- Recommendation** (Finance Department)  
THAT THE COUNCIL OF THE CITY OF **WELLAND** receives the letter from the **Welland** Indoor Tennis Club regarding the Club's initiatives, future expansion and funding request and refers same to staff for study and report.
- 78                      99-99      Stephen Fischer, Business & Operations Manager, WRCC, on behalf of Sgt. Des Carter requesting the use of the **Welland** Recreational Canal for the Police Triathlon to be held on July 5, 2007.
- Recommendation:** (Clerk's Department)  
THAT THE COUNCIL OF THE CITY OF **WELLAND** has no objection to the **Welland** Recreational Canal Corporation (WRCC) granting permission to Sgt. Des Carter to operate a motorized vehicle on the waterway on July 5<sup>th</sup>, 2007, during the Police Triathlon in accordance with the "Go Quietly Policy" contained in By-law 2005-92.
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07-104 Janet Beckett, Clerk, City of Port Colborne – **Salvia Divinorum**.

**Recommendation:** (Clerk's Department)

THAT THE COUNCIL OF THE CITY OF WELLAND supports the resolution from the City of Port Colborne to petition the Minister of Health to immediately call for Health Canada to undertake a review of salvia divinorum and its derivatives to determine the risks associated with the use of this substance and its widespread availability and with a view to taking the same proactive stance on the regulation of this substance for the health and safety of Canadians as other nations have for their citizens and that the Clerk advise the proper authorities accordingly.

5. **BY-LAWS**

**MAY BE VIEWED AT THE CLERK'S DEPARTMENT PRIOR TO THE MEETING IF DESIRED.**

**99-99**

04-56

A By-law to authorize the entering into a Sublease Agreement with the Welland Recreational Canal Corporation.

07-1

A By-law to establish an Emergency Management Program Committee and to appoint a Community Emergency Management Coordinator.

07-1

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 19<sup>th</sup> day of June, 2007.

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