



COUNCIL MEETING, APRIL 1, 2003

**CITY HALL, COUNCIL CHAMBERS
411 EAST MAIN STREET**

Council met in Committee-of-the-Whole at 6:00 p.m. and in open session at 7:05 p.m. on the above date.

Her Worship Mayor Cindy Forster in the Chair.

The open meeting commenced with the playing of the National Anthem.

Members Present: Councillors R. Alakas, D. Beaudoin, M. Belcastro, N. Dmytrow Bilboe, M. Dzugan, T. Eybel, D. Fortier, D. Grenier (7:15 p.m.) , J. Irvine, J. Mastroianni and J. Spadafora .

Members of the Staff and Others Present:

City Clerk C.A. Stirtzinger

City Manager T. Fitzpatrick

Chief, Fire & Emergency Services P. Olah

General Manager Engineering, Public Works & Transportation Services D. Shantz

General Manager Parks & Recreation I. Smith (7:25 p.m.)

General Manager Financial & Corporate Services/Treasurer B. Silvestri (7:05 p.m.)

Manager Human Resources R. Beaumont (until 6:30 p.m.)

Administrative Assistant/Deputy Clerk B. Gallaccio (7:05 p.m.)

Manager, Development Planning/Real Estate D. Thorpe

Community Planner R. DiFelice (7:05 p.m.)

03-25 Moved by Belcastro and Beaudoin that Council meet in Committee-of-the-Whole, closed to the public at 6:00 p.m. to consider:

- a) the security of the property of the municipality; and
- b) labour relations or employee negotiations.

CARRIED

(Councillor Eybel was not present during Committee-of-the-Whole discussions on a labour relations matter).

(Councillor Fortier was not present during Committee-of-the-Whole discussions on a security of property matter).

03-25 Moved by Irvine and Belcastro that the Committee-of-the-Whole arise from its closed meeting at 7:00 p.m.

CARRIED

DISCLOSURE OF INTEREST:

Councillor Eybel disclosed an interest in Ref. No. 03-15 and did not take part in the consideration and discussion of same, and refrained from voting thereon, as her daughter has applied for positions with the Welland Professional Fire Department.

Councillor Fortier disclosed an interest in Ref. No. 99-38 and did not take part in the consideration and discussion of same, and refrained from voting thereon, as his wife owns property adjacent to the subject property.

PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT

Councillor Spadafora presided as Chair of the Public Hearings.

03-82 An application has been made by TONY A. CIMO on behalf of 1493882 ONTARIO LIMITED to amend the Official Plan (Lots 13 through 18 inclusive, Plan 951) for lands at 35 Southworth Street from Commercial to Residential. The purpose of the Amendment is to permit an existing two storey former hotel to be used for residential purposes. The subject lands are also the subject of an application for Zoning By-law Amendment – File 2003-03.

03-82Z An application has been made by TONY A. CIMO on behalf of 1493882 ONTARIO LIMITED to rezone Lots 13 through 18 inclusive, Plan 951 for lands at 35 Southworth Street from the existing C3 – General Commercial Zone By-law 2667 to a Site Specific RM4 Zone By-law 2667. The purpose of the Amendment is to permit an existing two storey former hotel to be converted into an apartment building containing 12 studio/bachelor and 8 two bedroom apartments; to provide for zoning regulations, to provide for a maximum lot coverage of 35% and to permit a minimum of 24 parking spaces instead of the required 30 spaces. The Official Plan designation is COMMERCIAL (C). The subject lands are also the subject of an Application for Official Plan Amendment.

Councillor Spadafora outlined the procedures of the Public Hearings as required by the Planning Act. D. Thorpe confirmed that the statutory requirements for public hearing had been met, summarized the purpose of the hearing and reviewed the Planning Division Report.

The following people spoke to the applications:

In support of the applications:

- Tony Cimo, on behalf of the applicant.

In opposition to the applications:

- No one spoke to the application

03-83Z An application has been made by JOSEPH M. TOMAINO on behalf of JEANETTE PLUTINO AND JOHN NORIO to rezone Part of Block V, Plan 564 for lands at 264, 266 and 268 Hellems Avenue from the existing RM2 – Multiple Dwelling – Second Density Zone By-law 2667 to a Site Specific RM2 Zone By-law 2667. The purpose of the Amendment is to threefold. The first, for Part 1 on the attached sketch, is to permit a single-detached dwelling on a lot with a frontage of 12.5 metres instead of 14 metres, minimum side yard setbacks of 1.2 metres instead of 1.5 metres, to permit an accessory building with a north yard setback of 0.45 metres instead of 0.9 metres and to permit an accessory building to exist without an main building.

The following people spoke to the application:

In support of the application:

- Joseph Tomaino, agent on behalf of applicant.

In opposition to the application:

- No spoke to the applicant.

There being no other submissions the hearing was concluded. The Mayor then resumed the Chair.

DELEGATIONS:

- 03-84** Bjorn Christensen, Director of Health Promotion and Protection, Region of Niagara addressed Council regarding the Region's 2003 West Nile Virus response plan.
- 03-6** John Freeman-Shaw, Vice Principal and student Robin Martin of Centennial Secondary School, Peter Hawkey, Principal and student Marlaina Meinzinger of Fitch Street Elementary School addressed Council regarding activities planned for April 2003 during "***Education Month***".

THE FOLLOWING CORRESPONDENCE WAS READ:

- 03-22** Correction to recommendation from March 25 General Committee Report regarding parking restrictions on Lincoln St. – between Camrose Avenue and Scholfield Avenue – Item (ii) Column 4 – change ***10:00 p.m. to 5:30 p.m.*** and add to the last paragraph: "***which limit the parking zone to two (2) spaces***"
- 03-84** Letter from Sandra Pupatello, MPP, Deputy Leader and Health Critic, Ontario Liberal Party - requesting endorsement of resolution to protect Ontario municipalities from the West Nile Virus.

THE FOLLOWING COMMUNICATIONS WERE RECEIVED:

- 99-43** City Manager T. Fitzpatrick – City of St. Catharines Resolution concerning Strategic Consolidation and Partnerships.
- 99-99** Secondment of staff to the Welland Recreation Canal Corporation.
- 2000-88** Comments on Proposed Niagara Children's Charter.
- 01-117** Mgr., Development Planning/Real Estate D. Thorpe – Background report and draft policies – New Official Plan.
- 02-19** Letter of Understanding – City of Welland and District School Board of Niagara.
- 02-22** Request for installation, Handicapped Parking Space at 20 Cross Street, Dr. Ralph L. Saari, Optometrist.
- 02-22** Request of Steve Starfield and John Falvo to reinstate parking on the north side of Lincoln Street between Camrose and Scholfield Avenues, reconsideration of By-law 2002-143.
- 02-120** City Manager T. Fitzpatrick – Potential Twinning with the City of Cadereyta, Mexico.
- 02-154** Dismantling of the Canada Southern Railway between St. Thomas and Attercliffe.
- 02-155** Emission reduction benefits and financial costs of phasing –out the City's purchases of coal-fired electricity.
- 02-166** Reshaping the Council of Regional Niagara Committee.
- 02-167** Heritage Properties Tax Reduction or Refund Program – Bill 127.
- 03-1** A By-law to adopt, ratify and confirm proceedings of the Council of the Corporation of the City of Welland at its meetings held on the 25th day of March, 2003 and the 1st day of April, 2003.
- 03-3** Order of the Sons of Italy request to use gaming proceeds for capital cost renovations.
- 03-3** City Clerk C.A. Stirtzinger – Lottery License.
- 03-3** Lois Flemming, Director, Fund Development, Canadian Red Cross - request to sell lottery tickets in the City.
- 03-6** John Freeman-Shaw, Vice Letourneau, Principal and student Robin Martin of Centennial Secondary School, Peter Hawkey, Principal and student Marlaina Meinzinger of Fitch Street Elementary School addressed Council regarding activities planned for April 2003 during "***Education Month***".

- 03-6** Bonnie McPhail, Co-Chair and Ronald S. Harrison, Co-Chair, Autism Society Ontario – Niagara Region Chapter – Requesting the day of April 25th, 2003 be declared as “**Toonie for Autism Day**”.
- 03-7** Gen. Mgr., Financial and Corp. Serv./Treasurer B. Silvestri- Accounts Payable – March 12, 2003 to March 24, 2003.
- 03-20** Special Occasion permit – Niagara Food Festival.
- 03-21**
- 03-49** Temporary Road Closure, Niagara Food Festival September 26 to 28, 2003.
- 03-21** Ken Hancock - requesting permission to hold the “**Tenth Annual Niagara Region Walk Against Male Violence**” to be held on May 7, 2003.
- 03-21** Annette Loeffen, Secretary, Welland & Port Colborne Pro Life Association - requesting permission to hold a **Walk-a-thon** on June 7, 2003.
- 03-22** Request of Jocelyne Ouellet dated February 26, 2003 on behalf of residents at 64, 66, 70 McMaster Avenue for exemption to Section 205-01-11 of By-law 89-2000 ‘No Parking’ on a Highway between 12:01 A.M. and 7:00 A.M., November 1st to April 30th of the following year.
- 03-22**
- 03-77** Retention of Consultants, Intersection Improvements and Traffic Signal Installation, Quaker Road at Rice Road.
- 03-22** Request of D & B Fries for use of three (3) parking stalls, eastside of Cross Street.
- 03-22** Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer D. Shantz – 2003 Traffic Signal Program – Ontario Road at Canal Bank Street – Lincoln Street at King Street.
- 03-31** Gen. Mgr. Parks and Recreation I. Smith – Sherwood Activity Centre.
- 03-37** A By-law to authorize the entering into a contract with DeRose Bros. General Contracting Ltd. for the Dain City Area Watermain Replacement Phase 2 (Kingsway from Talbot Avenue to Haun Road).
- 03-49** Tourism of Welland Niagara requesting permission to hold a fireworks display during the Niagara Food Festival.
- 03-61** A By-law to authorize the entering into a contract with 892680 Ontario Limited operating as Miles Services for street sweeping rentals.
- 03-68** Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer D. Shantz – Tender - Supply of Stone.
- 03-71** Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer D. Shantz – Tender – Supply of Asphaltic Materials.
- 03-72** Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer D. Shantz – Award of Tender – Sanitary Sewer Service Lateral Replacement Program 2003.
- 03-72** A By-law to authorize the entering into a contract with 1448042 Ontario Limited operating as Demar Construction for the Sanitary Sewer Service Lateral Replacement Program 2003.
- 03-78** Annual Report – Planning and Development Services – Planning Division.
- 03-79**
- 03-79Z** Proposed Amendment to the Official Plan and Zoning By-law 2667 – Dan Grocholsky – 404 Ontario Road (File 2003-01).
- 03-79** A By-law to authorize the signing of Official Plan Amendment No. 111.
- 03-79Z** A By law to amend City of Welland Zoning By-law 2667 (Dan Grocholsky- File 2003-01) 404 Ontario Road.
- 03-80**
- 03-80Z** Application for Draft Plan of Subdivision Approval and Rezoning Amendment – MAC-BRI Developments Inc. – Riverside West Subdivision (File 26T-14-02003 and 2002-15).
- 03-82** A By-law to authorize the signing of Official Plan Amendment No. 112.
- 03-82** Mgr., Development Planning/Real Estate D. Thorpe – Proposed amendment to the Official Plan and Zoning By-law 2667 – 1493882 Ontario Limited – 35 Southworth Street
- 03-82Z** (File 2003-03).
- 03-82Z** A By-law to amend City of Welland Zoning By-law 2667 (1492883 Ontario Limited - File 2003-03) 35 Southworth Street.
- 03-83Z** Mgr., Development Planning/Real Estate D. Thorpe – Proposed amendment to Zoning By-law 2667 – Jeanette Plutino and John Norio – 264, 266 and 268 Hellems Avenue (File 2003-02).

03-83Z A By-law to amend City of Welland Zoning By-law 2667 (Jeanette Plutino and John Norio - File 2003-02) 264, 266 and 268 Hellems Avenue.

03-84 Bjorn Christensen, Director of Health Promotion and Protection, Region of Niagara – PowerPoint presentation regarding the Region's 2003 West Nile Virus response plan.

03-85 Thomas R. Hollick, Regional Clerk, Regional Municipality of Niagara – regarding County of Renfrew Resolution – Administrative Monetary Penalties & Impact on POA Revenues.

03-86 City Clerk C.A. Stirtzinger – Fax Machine Replacement – Clerk's Department.

03-87 Matter regarding regulations for fireworks displays.

03-1 Moved by Dzugan and Alakas that the Minutes of the Regular Council Meeting of March 18, 2003 and Special Council Meeting of March 25, 2003 be and the same are hereby approved and adopted as circulated.

CARRIED

99-43 Moved by Irvine and Belcastro that the City of Welland receive, file and take no action on the letter from the City of St. Catharines concerning strategic consolidation and partnerships.

CARRIED

99-99 Moved by Irvine and Belcastro that Council approves the request from the Welland Recreation Canal Corporation (WRRC) for the secondment of three (3) City staff to perform management, administrative and operational functions on behalf of the WRCC for 2003.

CARRIED

2000-88 Moved by Irvine and Belcastro that Schedule 'A', "Proposed Niagara Children's Charter", to Report P&R-03-07 be approved by Welland City Council and forwarded to the Region of Niagara as Welland's comments on a proposed Niagara Children's Charter.

CARRIED

01-117 Moved by Alakas and Fortier that Report PDS-2003-22 regarding the Background Report to the Official Plan and Draft Policies for the Official Plan be received for information.

CARRIED

02-19 Moved by Fortier and Alakas

1. That Council approves the partnership with Matthews School to assist with a play ground equipment project on school property; and
2. That the assistance be capped at 1/3 of the project cost to a maximum of \$10,000.00; and furthermore
3. That the Mayor and City Clerk be authorized to sign the Letter of Understanding between the Niagara District School Board and the City of Welland ensuring public access to the play equipment and

school property during non-school hours.

CARRIED

02-22 Moved by Irvine and Belcastro that the request by Dr. Ralph L. Saari, Optometrist for the installation of a 'Handicapped' parking space in the vicinity of 20 Cross Street be approved.

CARRIED

02-22 Moved by Irvine and Belcastro that Council modify parking restrictions on Lincoln Street between Camrose and Scholfield Avenue by establishing times of the day when 'No Parking' would be in effect by requesting the Solicitor to prepare a By-law to amend Schedule 'C' of By-law 89-2000 by:

i) DELETING the following:

Column 1	Column 2	Column 3		Column 4
Highway	Side	From	To	Period Times/Day
Lincoln Street	North Side	Camrose Avenue	Scholfield Avenue	At No Time

ii) ADDING the following:

Column 1	Column 2	Column 3		Column 4
Highway	Side	From	To	Period Times/Day
Lincoln Street	North Side	Camrose Avenue	Scholfield Avenue	5:30 p.m. to 8:00 a.m.

and that the Manager, Environmental & Traffic Services review with the City Solicitor all applicable Schedules required to be amended to address parking issues with respect to this matter which limit the parking zone to two (2) spaces.

CARRIED

02-120 Moved by Irvine and Belcastro that the City of Welland not twin with the City of Cadereyta, Mexico at this time.

CARRIED

02-154 Moved by Irvine and Belcastro that the letter from the Rail Ways to the Future Committee requesting support of its resolution to petition the Federal and Provincial Governments to call for an immediate halt to the dismantling of the Canada Southern Railway between St. Thomas and Attercliffe be again referred to Don Cook, Manager, Environmental and Traffic Services and Dan Degazio, Manager, Economic Development and Tourism for study and report.

CARRIED

02-155 Moved by Irvine and Belcastro that the matter regarding a report on the emission reduction benefits and financial costs of phasing-out the City's purchases of coal-fired electricity be again referred to staff for study and review.

CARRIED

02-166 Moved by Fortier and Dmytrow-Bilboe that Welland City Council should respond to the following questions posed by the Reshaping the Council of Regional Niagara Committee:

- a) Should Mayors continue to be members of Regional Council?
 - b) Should Regional Councillors be directly elected from Regional Wards?
 - c) Should the election of Regional Councillors be based on representation by population?
 - d) Should the total numbers of members of Council be less than 30?; and
- That individual members of Council respond to these questions to the City Clerk by April 1.

CARRIED

02-167 Moved by Irvine and Belcastro that the letter from the Regional Clerk regarding Report CSD 133-2002 Heritage Properties Tax Reduction or Refund Program - Bill 127 approved by the Ad Hoc Committee on Property Assessment and Taxation Reform at its meeting of October 17, 2002 be again referred to the General Manager, Financial and Corporate Services/Treasurer for study and report on a tax deduction policy.

CARRIED

03-3 Moved by Mastroianni and Fortier that permission is hereby granted to the Canadian Red Cross to sell lottery tickets in the City of Welland under authority of Lottery License P022942, subject to the receipt of a \$25.00 administration fee for processing this request.

CARRIED

03-3 Moved by Irvine and Belcastro that Welland City Council grants, to the end of December 2006, the request by the Order of the Sons of Italy, Dante Lodge No. 19, Welland to use its gaming proceeds for the capital cost renovations proposed for the Dante Lodge as noted in its request received March 5th, 2003.

CARRIED

03-3 Moved by Irvine and Belcastro that a Lottery License be granted to the following:
Sacred Heart Church – Raffle and Rapelje Lodge Auxiliary - Raffle.

CARRIED

03-6 Moved by Irvine and Belcastro that the presentation by John Freeman-Shaw, Vice Principal and student Robin Martin of Centennial Secondary School, Peter Hawkey, Principal and student Marlaina Meinzinger of Fitch Street Elementary School to advise of activities planned for April 2003, be received for information; and
That the Mayor declare the month of April as "***Education Month***" in the District School Board of Niagara.

CARRIED

03-6 Moved by Irvine and Belcastro that the Mayor declares the day of April 25th, 2003 as **"Toonie for Autism Day"** in the City of Welland as requested by the Autism Society of Ontario - Niagara Region Chapter.

CARRIED

03-7 Moved by Irvine and Alakas that the Accounts Payable Report - Summary be received and the City Treasurer be instructed to pay the list accounts as follows:

1	12-Mar-03	46,260.53
2	13-Mar-03	21,444.46
3	17-Mar-03	541,189.82
4	18-Mar-03	137,536.59
5	19-Mar-03	14,615.37
6	20-Mar-03	3,573,958.39
7	21-Mar-03	80,426.46
8	24-Mar-03	<u>112,724.37</u>

Total \$ 4,528,155.99

CARRIED

03-20

03-49 Moved by Irvine and Belcastro that Welland City Council has no objection to the issuance of a Special Occasion Permit for the **"Niagara Food Festival"** to be held at Merritt Island on Friday, September 26 to Sunday, September 28, 2003 and designates this event as a Community Festival subject to the satisfactory completion of the Municipal Application for Community Festivals and Special Occasion Permits.

CARRIED

03-21 Moved by Irvine and Belcastro that Welland City Council approves the application for the **"Tenth Annual Walk Against Male Violence"** to be held on Wednesday, May 7, 2003 subject to the applicant's completion of all conditions of the Policy of Road Use for Community Activities.

CARRIED

03-21 Moved by Irvine and Belcastro that Council waives the requirement of liability insurance as provided for in Policy Number SER-017-0004 Road Use for Community Activities and approves the application from the Welland & Port Colborne Pro Life Association for its **"14th Annual Walk-a-thon"**, to be held on Saturday, June 7, 2003, subject to the applicant's completion of all other conditions of the Policy.

CARRIED

03-21

03-49 Moved by Irvine and Belcastro that the City Solicitor be requested to prepare a By-law for the 'Temporary Closure' of the following roadways

COLUMN 1 HIGHWAY	COLUMN 2		COLUMN 3 DURATION
	FROM	TO	

Boardwalk	East Main Street	Cross Street	September 26 to 28, 2003
Court House Lane	Cross Street	Dorothy Street	September 26 to 28, 2003
Cross Street	East Main Street	Courthouse Lane	September 26 to 28, 2003

to facilitate the orderly movement of pedestrians, shuttle buses, and 'Emergency' vehicles to Merritt Island during the Niagara Food Festival, as requested by Tourism Welland Niagara (TOWN) provided all criteria as outlined in City Policy SER-017-0004 are met, including the erection Traffic Control Devices as required under Regulation 599 as Amended.

CARRIED

03-22 Moved by Irvine and Belcastro

1. That the City Solicitor be requested to prepare a By-law to amend Schedule 'C1' of By-law 89-2000 as follows:

ADD:

COLUMN 1 HIGHWAY	FROM	COLUMN 2 TO
McMaster Avenue	River Road	Easterly Termination

2. That the City Solicitor be requested to prepare a By-law to establish 'Permit Parking' on City streets, or an amendment to By-law 89-2000 to allow the establishment of 'Permit Parking' on City streets.

CARRIED

03-22 Moved by Irvine and Belcastro that the request of Deborah Fuller, D & B Fries requesting the use of three (3) parking spaces on Cross Street to operate a 'Chip Wagon' be referred to the April 15th Council Meeting.

CARRIED

03-22 Moved by Irvine and Belcastro that the email from Doug Todd, 50 Riverside Drive regarding a parking ticket he received at the Seaway Mall in December be received and that staff be directed to review this matter further and discuss the situation with Mr. Todd to evaluate his issues.

CARRIED

03-22 Moved by Irvine and Belcastro that the anonymous petition regarding the elimination of parking meters from the Downtown area be received for information and that the City Clerk be directed to file all further petitions received with respect to this matter.

CARRIED

03-22 Moved by Eybel and Dmytrow-Bilboe

1. That the City of Welland enter into a 'Design-Build' agreement with the Region of Niagara for the replacement and/or upgrading of traffic signals at the following locations:

Ontario Road at Canal Bank Street	\$ 40,000.00
Lincoln Street at King Street	<u>\$135,000.00</u>
TOTAL ESTIMATED PROGRAM COST	\$175,000.00

2. That the City Solicitor be requested to prepare the necessary By-law(s) to facilitate the undertaking of these works.

CARRIED

03-22**03-77**

Moved by Irvine and Belcastro

1. That the firm of Totten Sims Hubicki Associates (TSH) be retained by the City of Welland, to undertake the preparation of an Environmental Assessment Study, Functional Design and Tender Documents, for 'Intersection Improvements and Traffic Signals at the intersection of Quaker Road at Rice Road,' as outlined in an Engineering Proposal dated February 25, 2003, at an estimated cost of \$38,500.00 plus applicable taxes.'
2. That the City Solicitor be requested to prepare a By-law to authorize the Mayor and Clerk to sign the 'Authorization to Proceed', which is attached to 'Letter Proposal' received from Totten Sims Hubicki Associates dated February 25, 2003.

CARRIED

03-31

Moved by Irvine and Mastroianni

1. That Council authorize staff to enter into discussions with the Sherwood Activity Centre to review a proposal to develop a 800 square foot building, to be attached to the new washroom building, to be redeveloped as part of the Maple Park Project; and further
2. That staff report back to Council by the first meeting in June with a summary of these discussions and intentions.

CARRIED

03-49

Moved by Irvine and Belcastro that the letter from Tourism of Welland Niagara requesting permission to hold a fireworks display during the Niagara Food Festival be received and referred to staff for study and report.

CARRIED

03-68

Moved by Irvine and Belcastro that Council accepts the tenders of Port Colborne Quarries, and Vineland Quarries for the Supply of Stone at the tendered prices of \$96,956.32 and \$6,502.40 respectively, using the lowest tendered price for each stone category in the corresponding Trucking Areas.

CARRIED

03-71

Moved by Irvine and Belcastro that Council accepts the tenders of Lafarge Construction Materials of HL2, HL3, HL3A Hot Mix Asphalt, and Hard Rock Paving for the supply of HL2, HL8 Hot Mix Asphalt Materials, and Matrex Company for Fine and Course Cold Mix and for the supply of Premium QPR 2000, or equivalent Fine and Course Blend Cold Mix, as these were the lowest of the six (6) tenders submitted.

CARRIED

03-72

Moved by Irvine and Belcastro that Council accepts the tender of 1448042 Ontario Limited o/a Demar Construction for the Sanitary Sewer Service Lateral Replacement Program 2003, as presented in report ENG-2003-17;

That the City Solicitor be directed to prepare all necessary and appropriate by-laws to enter into a contract with the said contractor, to execute the construction, at the tender price of \$179,740.00, plus applicable G.S.T.

That the estimated project cost, based on the low tender, in the amount of \$225,000.00 be funded from the approved 2003 Sanitary Sewer Capital Budget, Capital Contribution from Operating Budget.

CARRIED

03-78

Moved by Irvine and Belcastro that Report PDS-2003-19 with respect to the 2002 Annual Report for Planning and Development Services - Planning Division be received.

CARRIED

03-79**03-79Z**

Moved by Beaudoin and Mastroianni

1. That the City of Welland adopt Official Plan Amendment No. 111 respecting part of Lot 24, Plan 931 known municipally as 404 Ontario Road from Commercial to Residential to permit the subject lands to be used for residential purposes; and
2. That Zoning By-law 2667, as amended, be further amended for 404 Ontario Road (part of Lot 24, Plan 931) from the existing C1 Zone to a Site Specific RM2 Zone to permit a lot for a semi-detached dwelling to have a minimum frontage of 17.6 metres and to permit the garage(s) to be used for the storage of household goods and those goods normally incidental to residential use by the Owner of the property or residential tenants of the property.

CARRIED**03-80****03-80Z**

Moved by Beaudoin and Mastroianni that report PDS-2003-17 concerning Applications for Rezoning and Draft Plan of Subdivision for the Riverside West Plan of Subdivision be received for information.

CARRIED**03-82****03-82Z**

Moved by Belcastro and Grenier

1. That the City of Welland adopt Official Plan Amendment No. 112 respecting Lots 13 through 18 inclusive, Plan 951 known municipally as 35 Southworth Street from Commercial to Residential to permit the subject lands and existing building to be used for an apartment building; and
2. That Zoning By-law 2667, as amended, be further amended for 35 Southworth Street (Lots 13 through 18 inclusive, Plan 951) from the existing C3 - General Commercial Zone to a Site Specific RM4 Zone to permit an existing two storey building to be converted into an apartment building containing 12 studio/bachelor and 8 two bedroom, apartments; to provide for Zoning regulations; to provide for a maximum lot coverage of 35%; and to permit a minimum of 23 parking spaces.

CARRIED**03-83Z**

Moved by Spadafora and Mastroianni

1. That Zoning By-law 2667, as amended, be further amended for lands north of 264 Hellems Avenue (Part of Block V, Plan 564) as shown on Part 1 on a sketch submitted with the Application from the RM2 Zone to a Site Specific RM2 Zone to permit a single-detached dwelling with RM2 provisions save and except a minimum lot frontage of 12.5 metres; a minimum front yard setback of 8.0 metres; minimum one side yard setback of 2.4 metres, minimum other side yard setback of 1.2 metres; and to permit an accessory building to exist without a main building;
2. That Zoning By-law 2667, as amended, be further amended for lands at 264 Hellems Avenue (Part of Block V, Plan 564) as shown as Parts 2 and 4 on a sketch submitted with the Application from the RM2 Zone to a Site Specific RM2 Zone to permit a single-detached dwelling with RM2 provisions save and except a minimum lot frontage of 12.8 metres;
3. That Zoning By-law 2667, as amended, be further amended for lands at 266 and 268 Hellems Avenue (Part of Block V, Plan 564) as shown as Part 3 on a sketch submitted with the Application from the RM2 Zone to a Site Specific RM2 Zone to permit a single-detached dwelling with appropriate provisions and to permit a four-plex with a minimum lot frontage of 12.8 metres; minimum lot area of 480 square metres; minimum front yard setback of 5.1 metres; minimum rear yard setback of 7.5 metres; minimum north yard setback of 2.1 metres; minimum south yard setback of 0.78 metres; a maximum lot coverage of 35% and to require a minimum of 4 parking spaces for 4 dwelling units.

CARRIED

03-84 Moved by Spadafora and Alakas that the presentation by Bjorn Christensen, Director of Health Promotion and Protection, Region of Niagara regarding the Region's 2003 West Nile Virus response plan be received for information; and further
That Welland City Council endorses the request to the Provincial Government from Sandra Pupatello, MPP, Deputy Leader and Health Critic, Ontario Liberal Party calling on the Government of Ontario to show leadership on this issue and to protect Ontario from the West Nile Virus by immediately funding the implementation of regional plans to combat this deadly disease.

CARRIED

03-85 Moved by Irvine and Belcastro that the City of Welland supports Regional Report CLK 08-2003 respecting County of Renfrew Resolution Re: Administrative Monetary Penalties (AMP's) & Impact on POA Revenues ; and
That the City Clerk advise the proper authorities accordingly.

CARRIED

03-86 Moved by Mastroianni and Belcastro that Council approves the purchase of a Xerox Pro 785 (with Internet Fax) Fax machine for the Clerk's Department at a cost of \$3645 to be funded from the 2002 Clerk's Capital Equipment Surplus.

CARRIED

03-87 Moved by Irvine and Belcastro that the matter regarding fireworks displays be again referred to staff for study and review.

CARRIED

BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE

99-38 Moved by Spadafora and Mastroianni that the City of Welland accepts the offer to purchase from Ravenda & Ravenda Construction Limited for the sale of Block 15, Plan M-86 Colbeck Drive subject to the terms and conditions set out in the offer.

CARRIED

01-108 Moved by Spadafora and Dmytrow-Bilboe that staff be authorized to facilitate a meeting between Multi-Use Centre Group with Open Door Concepts, Inc. and Keefer Developments Ltd. to explore the possibilities of a joint redevelopment effort relative to 17-19 East Main Street.

CARRIED

01-118 Moved by Alakas and Irvine

1. That Council authorizes the entering into of an Agreement of Purchase and Sale with Vincent Policella

Masonry Contractor Limited for Part of Block "D", Plan M-69 located on the south side of Larchwood to a width of 18'± for the amount of \$5,000.00 plus G.S.T., if required, subject to an Easement over Part "D", Plan 59R-2652 in favour of the City of Welland for sewer purposes;

2. That the Purchaser be responsible for the preparation of the necessary Reference Plan;
3. That the City retain a one foot square portion at the northeast corner of Block "D" and accept a conveyance from the Purchaser of a one square foot section of Lot 1, Plan 59M-294 at the northwest corner for road widening purposes;
4. The net proceeds of the sale be credited, in the amount of 10% to the Municipal Incentive Grant Fund and 90% to the Planning Act Trust Fund; and
5. That Staff be authorized to prepare the necessary By-law.

CARRIED

BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE...CONT'D.

01-118 Moved by Alakas and Irvine that the letter from Patty McEachern and petition on behalf of residents on Larchwood Circle in favour of retaining the footpath be received for information.

CARRIED

03-15 Moved by Spadafora and Irvine that Welland City Council ratifies the Minutes of Settlement for the purpose of negotiating an amended collective agreement for the period of January 1, 2003 to December 31, 2004 between the Corporation of the City of Welland and the Welland Professional Fire Fighters Association.

CARRIED

03-24 Moved by Mastroianni and Dmytrow-Bilboe that Council confirms the appointment of Bruno Silvestri as General Manager Financial and Corporate Services/Treasurer.

CARRIED

BY-LAW ARISING FROM COMMITTEE-OF-THE-WHOLE

BY-LAW PRESENTED FOR FIRST READING:

1. Moved by Alakas and Irvine that leave now be given to introduce the following proposed By-law entitled:

01-118

BYL 2003-36

A By-law to authorize the entering into an Agreement of Purchase and Sale for the sale of vacant land fronting on the south side of Larchwood Circle, being Parcel D-1, Section M-69, Part of Block D, Plan M-69, to Vincent Policella Masonry Contractor Limited; and to accept a conveyance of one square foot

of land fronting on Larchwood Circle; and to accept a conveyance of one square foot of Lot 1, Plan 59M-294; and to obtain an easement over Part "D", Plan 59R-2652 for sewer purposes.

And that the same be now read a first time.

CARRIED

BY-LAW PRESENTED FOR SECOND AND THIRD READING:

2. Moved by Alakas and Irvine that the By-law listed in the foregoing motion for first reading having been read a first time and considered, as amended, be now read a second and third time and do pass, and the Mayor and Clerk do sign and seal the same.

CARRIED

BY-LAWS

BY-LAWS PRESENTED FOR FIRST READING:

3. Moved by Dzugan and Alakas that leave now be given to introduce the following proposed By-laws entitled:

03-37

BYL 2003 - 42

A By-law to authorize the entering into a contract with DeRose Bros. General Contracting Ltd. for the Dain City Area Watermain Replacement Phase 2 (Kingsway from Talbot Avenue to Haun Road).

03-61

BYL 2003 - 43

A By-law to authorize the entering into a contract with 892680 Ontario Limited operating as Miles Services for street sweeping rentals.

03-72

BYL 2003 - 44

A By-law to authorize the entering into a contract with 1448042 Ontario Limited operating as Demar Construction for the Sanitary Sewer Service Lateral Replacement Program 2003.

03-79

BYL 2003 - 45

A By-law to authorize the signing of Official Plan Amendment No. 111.

03-79Z

BYL 2003 - 46

A By law to amend City of Welland Zoning By-law 2667 (Dan Grocholsky-File 2003-01) 404 Ontario Road.

03-82

BYL 2003 - 47

A By-law to authorize the signing of Official Plan Amendment No. 112.

03-82Z

BYL 2003 - 48

A By-law to amend City of Welland Zoning By-law 2667
(1492883 Ontario Limited - File 2003-03) 35 Southworth Street.

03-83Z

BYL 2003 - 49

A By-law to amend City of Welland Zoning By-law 2667 (Jeanette Plutino
and John Norio - File 2003-02) 264, 266 and 268 Hellems Avenue.

03-1

BYL 2003 - 50

A By-law to adopt, ratify and confirm proceedings of the Council of the
Corporation of the City of Welland at its meetings held on the 25th day
of March, 2003 and the 1st day of April, 2003.

And that the same be now read a first time.

CARRIED

BY-LAWS PRESENTED FOR SECOND AND THIRD READING:

4. Moved by Dzugan and Alakas that the By-laws listed in the foregoing motion for first reading and as reproduced in this Evening's Council Agenda, having been read a first time and considered, be now read a second and third time and do pass, and the Mayor and Clerk do sign and seal the same.

CARRIED

NOTICE OF MOTION

In accordance with By-law 9972 as amended by By-law 2001-2 passed on January 16, 2001, Councillor(s) must submit their Notice of Motion(s) in writing no later than Wednesday, April 9, 2003 for inclusion on the next Regular Council Meeting Agenda.

Council adjourned at 10:30 p.m.

MAYOR

CLERK