



## GENERAL COMMITTEE MEETING

Tuesday, January 28, 2003  
7:00 P.M.  
COUNCIL CHAMBERS - CITY HALL

Meeting Number G.C. 2003 - 02

**Members present:** Mayor Cindy Forster

Councillors:

R. Alakas	D. Forster
D. Beaudoin	J. Irvine
M. Belcastro	J. Mastroianni
N. Dmytrow-Bilboe	S. O'Dell
M. Dzugan	J. Spadafora
T. Eybel	

**Members of the Staff and Others Present:**

City Clerk C.A. Stirtzinger  
City Solicitor G. Banks  
City Manager T. Fitzpatrick  
General Manager Engineering, Public Works and Transportation Services G. Marcello (7:20 p.m.)  
General Manager Engineering, Public Works and Transportation Services D. Shantz  
General Manager Financial and Corporate Services / Treasurer B. Silvestri  
Manager, Environmental and Traffic Services D. Cook  
Manager, Development Planning / Real Estate D. Thorpe  
Manager, Leisure Services R. Morwald  
Recording Secretary, Games Licensing Clerk S. Stirling

**Others Present:**

**03-52Z**

Stirling Wood, on behalf of Nino and Josephine Iocca  
Re: Proposed Amendment to Zoning By-law 2667 – Nino and Josephine Iocca – 35 Aqueduct Street ( File 2002-11)  
**(PDS-2003-02)**

**03-53Z**

P. Douglas Reitsma, P.D. Reitsma Surveying Ltd., on behalf of Floria Ontario Inc.  
Re: Proposed Amendment to Zoning by-law 1538 – Floria Ontario Inc. – north-east corner of Ridge Road and Highway 140 (File 2002-12)  
**(PDS-2003-03)**

**03-53Z**

Marsha Rempel, 349 Ridge Road  
Re: Proposed Amendment to Zoning by-law 1538 – Floria Ontario Inc. – north-east corner of



## GENERAL COMMITTEE MEETING -- Page 2

Tuesday, January 28, 2003  
Meeting Number G.C. 2003 - 02

Ridge Road and Highway 140 (File 2002-12)  
**(PDS-2003-03)**

Mayor Forster called the General Committee Meeting to order at 7:00 p.m.

### 1. ADDITIONS/DELETIONS TO AGENDA:

The following correspondence was deleted:

#### (A) COMMUNITY SERVICES

##### Parks & Recreation Department

**03-19 - Written requests for price quotations for the printing of the 2003 Spring/Summer & 2003/04 Fall/Winter Leisure Guides.  
(P&R03-03)**

### 2. DISCLOSURE OF INTEREST:

Councillor Spadafora disclosed an interest in the matter of Item 03-53Z – Proposed Amendment to Zoning by-law 1538 – Floria Ontario Inc. – North-east corner of Ridge Road and Highway 140 (File 2002-12) and did not take part in the consideration and discussion of same, and refrained from voting thereon as he is the owner of the subject property. (Councillor Spadafora vacated the chair and Councillor Ivine chaired the Community Services portion of the General Committee Agenda)

### 3. ADOPTION OF MINUTES OF GENERAL COMMITTEE MEETING OF January 14<sup>th</sup>, 2003

Moved by Councillor Mastroianni that the Minutes of the General Committee Meeting of January 14<sup>th</sup>, 2003 be and the same are hereby approved and adopted as circulated.

**CARRIED**

4. (A) Mayor Forster recessed the General Committee Meeting to convene the Special Council Meeting at 7:00 p.m. p.m. for Statutory Public Hearings, chaired by Councillor Ivine, pursuant to The Planning Act.

(B) The Special Council Meeting adjourned at 7:30 p.m. to re-convene the General Committee Meeting. The Minutes of the Special Council Meeting are recorded separately and filed with the Clerk.



## GENERAL COMMITTEE MEETING -- Page 3

Tuesday, January 28, 2003  
Meeting Number G.C. 2003 - 02

5. BUSINESS ARISING FROM MINUTES OF PREVIOUS MEETINGS: NIL
6. DELEGATIONS: NIL

7. STAFF REPORTS:

(A) COMMUNITY SERVICES - Councillor J. Irvine, Chair

Planning and Development Services

Planning Division

**03-52Z - Proposed Amendment to Zoning By-law 2667 – Nino and Josephine Iocca  
– 35 Aqueduct Street (File 2002-11)  
(PDS-2003-02)**

**Moved by Councillor Dmytrow-Bilboe**

That Zoning By-law 2667, as amended, be further amended for 35 Aqueduct Street (Lot 54, Part Lot 53, Plan 549 and 550) from the RM2 Zone to a Site Specific RM2 Zone to recognize an existing residential 6-plex with a minimum front yard setback of 7.5 metres; a minimum rear yard setback of 14 metres; a north side yard of 5 metres; a south side yard of 7 metres; a minimum lot frontage of 30 metres; minimum lot area of 960 square metres; minimum lot coverage of 35%; and to recognize an accessory building with a rear yard of 0.5 metres and a north side yard setback of 0.4 metres.

**CARRIED**

**03-53Z - Proposed Amendment to Zoning By-law 1538 – Floria Ontario Inc. – North-east corner of Ridge Road and Highway 140 (File 2002-12)  
(PDS-2003-03)**

Councillor O'Dell inquired as to whether there was any chance that the OMB ruling could be overturned by Council. He referred to Mrs. Rempel being at Council to speak in opposition to this rezoning tonight under the Special Council Meeting. He requested clarification on the legal process if the City chose to ignore or challenge the OMB decision. Mr. Banks stressed that Council cannot ignore the ruling of the OMB and its decision is a matter of law that must be followed.

**Moved by Councillor Eybel**

That Zoning By-law 1538 (Crowland) be amended for lands on the north-east corner of Ridge Road and Highway 140 (Part of Lot 16, Concession 6, former Township of Crowland, now in the City of Welland being Part 2, Plan 59R-7238) from the RA District (with some industrial uses) to a Site Specific I1 Zone to permit an assembly/fabrication/manufacturing or processing plant; warehousing; a contractor's establishment; business service



## GENERAL COMMITTEE MEETING -- Page 4

Tuesday, January 28, 2003  
Meeting Number G.C. 2003 - 02

establishment; call centre; and a testing/research laboratory and to provide Site Specific Zone provisions to regulate setbacks and outdoor storage.

**CARRIED**

**99-157 - Request for Exemption from Development Charges – Danny Moccia – 18 Montgomery Road.  
(PDS-2003-04)**

**Moved by Councillor Dzugan**

1. That Council receive the letter from Mr. Moccia concerning 18 Montgomery Road, Welland dated January 6, 2003 and received by the City Clerk on January 13, 2003;
2. That the City Clerk inform Mr. Moccia that the Council Resolution of November 16, 1999 providing a credit in the amount of \$750.00 against any City Development Charge is still valid under the current Development Charge By-law 1999-142; and
3. That Mr. Moccia be advised that upon Application and payment of the fees in place at the time (currently \$3,300.00 for sanitary lateral and \$1,600.00 for water lateral) the City will install the required laterals.

**CARRIED**

**(B) CORPORATE SERVICES - Councillor D. Fortier, Chair**

**Clerk's Division**

**03-45 – Insurance Audit for 2004 Insurance Renewal.  
(CLK-2003-03)**

**Moved by Councillor Dzugan**

That Council accept the proposal from RISKPRO, Risk Management Consulting of Woodstock, Ontario to conduct an insurance audit, develop a Request for Proposal (RFP) for insurance renewal, and review (RFP) submissions in accordance with its proposal submitted on January 17, 2003 at an estimated cost of \$17,950 + GST; and That this expenditure be funded from the 2003 Outside Contract Operating Budget of the Clerks Department and the Insurance Deductible Reserve.

**CARRIED**

**8. NEW BUSINESS:**

**02-22**



## GENERAL COMMITTEE MEETING -- Page 5

Tuesday, January 28, 2003  
Meeting Number G.C. 2003 - 02

Mr. Shantz advised members of Council and staff that reports on the Downtown speed limit and the request for handicapped parking in the Downtown area will be brought to Council in the near future.

Mr. Cook updated Council on other outstanding Traffic and Parking matters that were listed on the General Committee Agenda and that reports will be brought to Council in the near future.

Councillor Eybel inquired about a stop sign on Orchard Avenue, which is a side street on Deere and requested information on when that report would be brought to Council for recommendation as it was first brought up a year ago. She explained that cars travelling on Deere Street obtain very high speeds because there are no stops on this long street. Mr. Cook informed Council that he must look at the area from Deere Street to Southworth Street and conduct a detailed study that includes two or three public meetings with the area residents before a report can be prepared. The Mayor requested that a report be brought to Council so this issue can be dealt with. Councillor Eybel stressed the need for at least one stop sign and asked if one could be put up on Deere Street temporarily in the interim before a child is hurt. Mr. Cook mentioned that his report would say that a stop sign is not warranted but it would ultimately be Council's decision. Councillor Spadafora inquired as to why Councillor Eybel has had to wait one year for this response. Councillor Dmytrow-Bilboe requested information on the cost of a stop sign and Mr. Cook responded that two stop signs would be needed in this area at cost of \$110 each. Councillor Eybel then asked that a report be brought to Council for recommendation to put stop signs on Deere Street and that this report include the cost.

Mayor Forster announced that the Federal Cabinet has approved City of Welland Superbuild projects totaling \$3.2 million and, that across the Region, \$29 million has been approved. A report will be forthcoming to Council on the projects and costs in the near future.

Councillor Dzugan brought up the issue of a vehicle parked on Ontario Road that has several tickets on its windshield and inquired as to why the city has not towed it away. Mr. Cook explained that only vehicles that are abandoned or derelict can be towed by the city. The City By-law does not define what "abandoned" is but that, under the Highway Traffic Act, it is defined as any unlicensed vehicle. Mr. Cook continued that the city's By-law allows towing only for vehicles with expired or old plates. He encouraged Council to create a policy that states that any vehicle that remains in the same spot over 72 hours be considered abandoned under the Highway Traffic Act. This would allow staff to issue a 12 hour ticket on the first day, another 12 hour ticket the second day in addition to a tag to tow and, on the third day, a 12 hour ticket and towing of the vehicle. He mentioned that a vehicle is apparently abandoned if it has not moved for 72 to 96 hours. He recommended that Council and staff create a policy to declare what an abandoned vehicle is. The city is not currently ticketing vehicles every night on the direction of Council. Ticketing at night only occurs when snow plowing is taking place. Councillor Alakas inquired as to why a vehicle that has several tickets on it and has not moved for several days is still there and has not been towed. Mr. Cook responded that the city currently has no authority to tow unless the vehicle is inoperable due to a circumstance such as flat tires or is unlicensed. Councillor Spadafora stressed that, if the city has no authority to tow under the current By-law then it is recommended it be changed. Councillor Alakas asked if there are two separate By-laws for Regional roads and city roads and Mr. Cook responded that that was correct. There is no parking between 2:00 and 6:00 a.m. year round on Regional roads or the vehicles can be tagged. The City's By-law provides for no parking on city streets between 12:01 and 7:00 a.m. only from November 1<sup>st</sup> to April 30<sup>th</sup>. Vehicles cannot be tagged at any other time of the year. Mayor Forster suggested that this matter be referred to staff and that a report be prepared for Council's consideration and that this report include the number of tickets that has been issued to this particular vehicle.



## GENERAL COMMITTEE MEETING -- Page 6

Tuesday, January 28, 2003  
Meeting Number G.C. 2003 - 02

Councillor Fortier requested that a report be presented to Council in the near future on the Lincoln Street Corridor Study.

Councillor Fortier mentioned that 1 or 1 ½ years ago Council passed a By-law regarding the beautification of the west side corner of Empire and Hagar Streets by Canada Forge. He gave Council details on the background of this situation between Canada Forge and Bedard Automotive and the parking on this corner because of Canada Forge's desire to beautify the area. Councillor Fortier stressed that Canada Forge has not complied with this beautification and he would like an update on the situation.

Councillor Irvine requested that a reminder be put in the next mailing of water bills explaining that vehicles on city streets will be ticketed during snowfall. He also suggested that a second reminder be included with water bills in October or November.

Councillor Fortier advised Council that there will be a Budget meeting on Monday, February 3<sup>d</sup> at 6:30 p.m.

9. The General Committee Meeting adjourned at 8:05 p.m.