



## COUNCIL MEETING, FEBRUARY 15, 2005

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

Council met in Committee-of-the-Whole closed to the public at 7:00 p.m. and in open session at 7:30 p.m. on the above date.

His Worship Mayor Damian Goulbourne in the Chair.

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

**Members Present:** Councillors D. Alexander (7:10 p.m.), D. Beaudoin, M. Belcastro, P. Chiocchio, M. Dzugan, D. Fortier, P. Grenier (7:05 p.m.), M. A. Grimaldi (7:30 p.m.), J. Larouche, B. Sharpe and J. Spadafora (7:30 p.m.).

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

City Clerk C.A. Stirtzinger

City Solicitor G. Banks

City Manager T. Fitzpatrick

Chief, Fire & Emergency Services P. Olah

General Manager Engineering, Public Works & Transportation Services D. Shantz (7:30 p.m.)

General Manager Financial & Corporate Services/Treasurer B. Silvestri (7:30 p.m.)

Administrative Assistant/Deputy Clerk B. Gallaccio (7:30 p.m.)

Community Planner R. DiFelice (7:30 p.m.)

Chief Building Official M. Mantesso (7:30 p.m.)

**05-25** Moved by Belcastro and Dzugan that Council meet in Committee-of-the-Whole, closed to the public at 7:00 p.m. to consider:

a) the security of the property of the municipality.

**CARRIED**

**05-25** Moved by Belcastro and Chiocchio that the Committee-of-the-Whole arise from its closed meeting at 7:15 p.m.

**CARRIED**

### **DISCLOSURE OF INTEREST:**

Councillor Grimaldi disclosed an interest in Ref. No.04-16 and By-law 2005-20 and did not take part in the consideration and discussion of same, and refrained from voting thereon, as her husband is a member of CUPE Local 1115.

Mayor Goulbourne disclosed an interest in Ref. No. 05-65 and did not take part in the consideration and discussion of same, and refrained from voting thereon, as he owns property in the vicinity of the development. During discussion on this issue, Mayor Goulbourne vacated the Chair and Councillor Grenier presided.

### **DELEGATIONS:**

- 01-83** Paul Leon, Chair and Liz Palmieri, Executive Director, The Niagara Community Foundation presented grant cheques to the Welland Public Library and the Welland Historical Museum from the 2004 Community Grants Program and updated Council on the activities of the Niagara Community Foundation.
- 05-68** Cindy Paskey, President, Niagara Anaphylaxis Support and Knowledge addressed Council regarding Bill 3 – An act to Protect Anaphylactic students.
- 04-66** Marta Bilyk and John Mscichowski, owners of a business at 237 Hellems Avenue addressed Council regarding the Hellems Avenue construction project.
- 04-146** Vince Bellantino on behalf of the Ad Hoc Committee for the Rentention of the Land Registry Office at Welland and Marc Yvain Giroux, President, Francophone Community addressed Council regarding closure of the Land Registry Office.
- 04-92** Mike Mantesso, Chief Building Official presented Council regarding an overview of the proposed Sign By-law.

### **THE FOLLOWING COMMUNICATIONS WERE RECEIVED:**

- 01-83** Liz Palmieri, Executive Director, The Niagara Community Foundation – Grants to be awarded from the 2004 Community Grants Program.
- 01-126** Mr. John Hogg, Cole Layer Trumble Canada Inc. – proposal to introduce competition to Ontario's property assessment industry.
- 03-55**
- 03-55Z** Proposed Draft Plan of Subdivision and Zoning By-law Amendment – Rainbow Country Estates Subdivision (26T-14-2002 and 2002-13) – U. Lucchetta Construction Limited – south of Balsam Street, west of south Pelham Road.
- 04-66** Marta Bilyk and John Mscichowski, Welland residents – Hellems Avenue construction.
- 04-92** Mike Mantesso, Chief Building Official - overview of proposed Sign By-law.
- 04-92** Proposed New Sign By-law.
- 04-107Z** Gen. Mgr. of Planning and Development Services D. Thorpe – Request by Hectares

Properties Inc. – Regatta Subdivision Phase 2 – To Lift Holding Symbol.

**04-136** Gen. Mgr. of Planning and Development Services D. Thorpe – Semi-Annual Subdivision Status Report – December 31, 2004.

**04-146** Anthony W. Pylypuk , Chair, Ad Hoc Committee for the Rentention of the Land Registry Office at Welland- Closure of the Land Registry Office.

**05-7** Gen. Mgr., Financial and Corp. Serv./Treasurer B. Silvestri- Accounts Payable – January 27, 2005 to February 8, 2005.

**05-22** Heather Babcock, Clerk, The Corporation of the Town of Midland – Veterans Licence Plate Program.

**05-45** C. A. Stirtzinger, City Clerk – Bonding of Employees.

**05-64Z** Proposed amendment to Zoning By-law 2667 – Baiocco Development Inc., east side of Clare Avenue, north of Lynbrook Lane (File 2004-07).

**05-65** Application for Draft Plan of Subdivision approval – 1006136 Ontario Limited, Clare Avenue Estates – Phase 2 (File 26T-14-04001).

**05-68** Cindy Paskey, President, Niagara Anaphylaxis Support and Knowledge – Bill 3 – An act to Protect Anaphylactic students.

**05-1** Moved by Dzugan and Sharpe that the Minutes of the Regular Council Meeting of February 1, 2005 be and the same are hereby approved and adopted as circulated.

**CARRIED**

**01-83** Moved by Chiocchio and Alexander that the presentation of grant cheques from the 2004 Grants Program by Paul Leon, Chair and Liz Palmieri, Executive Director to the Welland Public Library and the Welland Historical Museum as well as an update on the Niagara Community Foundation be received for information.

**CARRIED**

**01-126** Moved by Belcastro and Chiocchio that the presentation by Mr. John Hogg, Cole Layer Trumble Canada Inc. at the General Committee Meeting of February 8, 2005 regarding a proposal to introduce competition to Ontario's property assessment industry be received and referred to staff for report.

**CARRIED**

**03-55**

**03-55Z** Moved by Belcastro and Chiocchio

1. That City of Welland Zoning By-law 2667, as amended, be further amended for lands south of Balsam Street, west of South Pelham Road (Part of Lot 1, Concession 11, former Township of Pelham) from RA to R3 and O1 Zones;
2. That the City of Welland hereby grants Draft Approval to the Rainbow Country Estates Subdivision (File 26T-14-02002) developed by U. Lucchetta Construction Limited, being Part of Lot 1, Concession 11, former Township of Pelham based upon a plan prepared by Kirkup & Ure Surveying Ltd., as revised, dated October 22, 2004 and amended on December 14, 2004 consisting of twenty-five (25) single-detached residential lots and one (1) Block for Parks purposes subject to the following Conditions:
  - a. That the Owner enter into a Subdivider's Agreement with the City of Welland to be registered on Title;
  - b. That no grading or construction work shall commence on the site until such time as the Subdivider's Agreement has been entered into, all financial security is in place and the Plan and

- all documentation has been registered on Title;
- c. That all necessary Easements required for utility and servicing purposes be granted to the appropriate Authority free of all encumbrances;

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**03-55**

**03-55Z...Cont'd.**

- d. That Block 26 be transferred to the City of Welland for Parks purposes. Any over dedication shall be applied as a credit to other lands owned by the Applicant adjoining the subject lands to the south;
- e. That Block 26 be developed in conformity with the City's Policy on Requirements for Lands to be Conveyed to the City, February 15, 1994 and to incorporate any vehicular barriers as required by the City;
- f. That Blocks 27, 28 and 29, being 0.3 metre reserves, be transferred to the City of Welland free of all encumbrances for access control purposes;
- g. That prior to any disturbance of the site or approval of the Final Plan, the Owner submit to the Regional Planning Department and the Niagara Peninsula Conservation Authority for review and approval an Environmental Impact Assessment (E.I.A.) prepared by a qualified Consultant. Further, that the Owner agree to implement the recommendations of the Environmental Impact Assessment through the Subdivision Agreement, a Zoning By-law Amendment and/or other measures that might be recommended;
- h. That detailed lot grading and drainage plans, delineating both existing and proposed grades and the means whereby major system flows will be accommodated across the site, be submitted to the N.P.C.A. for review and approval. The lot grading and drainage plans will indicate that the Draper's Creek Floodplain will be maintained in its natural state and that the surface drainage will be directed away from the Floodplain and toward the internal Subdivision road;
- i. That the Owner obtain a Balanced Cut and Fill Permit from the Conservation Authority in accordance with the Fill, Construction, and Alteration to Waterways Regulation for Lots 15, 16, 17 and 18 which encroach within the Floodplain;
- j. That detailed sedimentation and erosion control plans detailing methods proposed for the control of silt and erosion during the construction phase and restoration proposed for the site after construction be submitted to the N.P.C.A. for review and approval;
- k. That the Owner agrees in the executed Subdivision Agreement to:
- i) Implement the lot grading and drainage plans, sedimentation and erosion control plans, stormwater management plan, environment impact assessment and balanced cut and fill as noted in Conditions g, h, i and j;
  - ii) Not place or dump material of any kind, whether original on-site or off-site in the Draper's Creek Floodplain, unless a Work Permit from the Conversation Authority has been issued;
  - iii) During the construction phase, erect and maintain a sediment control fence along the rear lot line; and
  - iv) Revegetate or otherwise stabilize all disturbed areas immediately following the completion of construction;
- l. That the Owner acknowledge promptly to the Regional Planning Department that the Draft Approval of this Subdivision does not include a commitment of servicing allocation by the Regional Municipality of Niagara. Servicing allocation will be assigned instead at the time of Final Approval of this Subdivision for registration purposes;
- m. That immediately following Notice of Draft Plan Approval, the Owner shall provide the Regional Planning Department with a written undertaking that all Offers and Agreements of Purchase and Sale that may be negotiated prior to registration of the Subdivision shall contain a clause clearly indicating that a servicing allocation for the Subdivision will not be assigned until the Plan is granted Final Approval for registration;
- n. That the detailed design drawings for the watermain system, the sanitary sewer and the

stormwater drainage system required to service this proposal be submitted to the Regional Public Works Department for its review and approval.

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**03-55**

**03-55Z...Cont'd.**

- o. That the Ministry of the Environment Certificate of Approval be obtained for the necessary servicing (water, sanitary sewer and stormwater drainage) for the development prior to Final Approval for registration. NOTE: Where a quality/quantity facility or a new outlet to a receiving stream is being proposed, the design for the stormwater management system should be submitted directly to the Ministry of the Environment (Attention: M. Dhalla, P. Eng.) for approval and the issuance of a Certificate of Approval;
  - p. That prior to approval of the Final Plan, the Owner submit to the Regional Planning Department for review and approval a detailed Stormwater Management Plan for the Subdivision completed in accordance with the Ministry of Environment documents entitled Stormwater Management, Planning and Design Manual, March 2003, as revised and Stormwater Quality Guidelines for New Development, May 1991, endorsed by a suitably qualified Professional Engineer. A copy of the Stormwater Management Plan and supporting documentation should also be submitted to the Niagara Peninsula Conservation Authority for its review and response to the Regional Planning Department. Furthermore, that the Owner agree in the Subdivision Agreement to implement the approved Stormwater Management Plan;
  - q. That the Owner carry out an archaeological assessment of the subject property and mitigate any adverse impacts to any significant archaeological resources found through preservation or resource removal and documentation. Furthermore, that no grading or other soil disturbances take place on the subject property prior to the Regional Planning Department and the Ministry of Culture confirming that all archaeological resource concerns have met licensing and resource conservation requirements;
  - r. That in the Subdivider's Agreement, the Owner agrees to provide a pavement area with a minimum radius of 12.8 metres at the cul-de-sac bulb;
  - s. The Owner shall provide a geotechnical subsurface investigation study, prepared by a qualified geotechnical firm, to the City which must make recommendations on the use of the site for the construction of houses/buildings and streets;
  - t. The Owner shall be responsible for the enlargement of the existing storm water management facility located north of Lots 5 and 6 and Block 26. As well, the pond and adjoining lands must be landscaped and fenced to the satisfaction of Parks and Recreation Services. Servicing drawings must include approved landscaping plans;
  - u. That prior to the granting of Approval for the Final Plan, City of Welland Planning and Development Services will require **written notice** from the following upon their respective Conditions having been met satisfactorily:  
Regional Niagara Planning and Development Department for Conditions g, l, m, p and q;  
Regional Niagara Public Works Department for Condition n, o, r;  
Niagara Peninsula Conservation Authority for Conditions g, h, i, j, k;  
Ministry of Culture for Condition q;
  - v. That if Final Approval is not given to this Plan within **three (3) years** of the approval date and no extensions have been given, Draft Approval shall lapse. If the Owner wishes to request an extension to Draft Approval, a written request, with reasons why the extension is required, must be received by the City prior to the lapsing date;
3. That the Mayor be authorized to sign Draft Approval and Final Approval Plan for the Rainbow Country Estates Subdivision once all Conditions have been satisfied.

**NOTES:**

1. Land required to be registered under the Land Titles Act.
2. An electrical distribution line operating at below 50,000 volts might be located within the area affected by this development or abutting this development. Section 186 - Proximity - of the Regulations for Construction Projects in the *Occupational Health and Safety act*, requires that no object be brought closer than 3 metres (10 feet) to the energized conductor. It is the proponent's responsibility to be aware, and to make all personnel on site aware, that all equipment and

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**03-55**

**03-55Z...Cont'd.**

personnel must come no closer than the distance specified in the Act. They should also be aware that the electrical conductors can raise and lower without warning, depending on the electrical demand placed on the line. Warning signs should be posted on the wood poles supporting the conductors stating "**DANGER - Overhead Electrical Wires**" in all locations where personnel and construction vehicles might come in close proximity to the conductors.

**CARRIED**

**04-66**

Moved by Alexander and Dzugan that the presentation by Marta Bilyk and John Mscichowski, owners of a business at 237 Hellems Avenue regarding the Hellems Avenue construction project be received for information; and further That staff be requested to meet with the owners of 237 Hellems Avenue to discuss their concerns.

**CARRIED**

**04-92**

Moved by Belcastro and Chiocchio that Council accept Report PDS-2005-09 concerning the proposed Sign By-law and authorize Staff to present the proposed Sign By-law to Council for ratification.

**CARRIED**

**04-92**

Moved by Belcastro and Chiocchio that the presentation by Mike Mantesso, Chief Building Official regarding an overview of the proposed Sign By-law be received for information.

**CARRIED**

**04-107Z** Moved by Larouche and Belcastro

1. That the Holding Symbol (H) established by City of Welland By-law 10346 for the R3 Zone affecting Phase 2 of the Regatta Subdivision (Plan 59M-247) located on Regatta Drive north of Talbot Avenue be removed; and
2. That Staff be authorized to prepare the necessary By-law.

**CARRIED**

**04-136**

Moved by Belcastro and Chiocchio that the Semi-Annual Subdivision Status Report as of December 31, 2004 be received for information.

**CARRIED**

**04-145** Moved by Fortier and Alexander that the presentation by Vince Bellantino on behalf of the Ad Hoc Committee of the Welland County Law Association and Marc Yvain Giroux, President, Francophone Community, regarding closure of the Land Registry Office and requesting financial assistance in an effort to retain the Land Registry Office in Welland, be received for information.

**CARRIED**

**04-145** Moved by Fortier and Alexander that City Council hereby authorizes and directs the City Treasurer to pay to Anthony W. Pylypuk in trust the sum of \$5,000 to be used by him as First Stage Funding for the Litigation on the terms set out in the Report and in the Request Letter; and further That City Council hereby authorizes and directs the City Treasurer as, if and when requested by the Committee upon it being ascertained by the Committee and so certified by it to the City Treasurer that First Stage Funding from all sources is insufficient to permit the Litigation to proceed to hearing and through all levels of appeal, and to indemnify the litigants for any award of costs made against them, to disburse to Anthony W. Pylypuk in trust the further sum of \$5,000 to be used by him as Second Stage Funding for the Litigation on the terms set out in the Report and in the Request Letter.

**CARRIED  
UNANIMOUSLY**

**05-7** Moved by Dzugan and Grimaldi that the Accounts Payable Report - Summary be received and the City Treasurer be instructed to pay the list of accounts as follows:

1	27-Jan-05	\$	18,013.52
2	28-Jan-05		126,604.10
3	31-Jan-05		346,630.38
4	04-Feb-05		<u>76,847.42</u>
	<b>Total</b>	<b>\$</b>	<b>568,095.42</b>

**CARRIED**

**05-22** Moved by Belcastro and Chiocchio that the letter from the Corporation of the Town of Midland regarding The Veterans Licence Plate Program be received and forwarded to staff for consideration to be included in the City of Welland Traffic and Parking By-law 89-2000 under Provisions for Exempting Owners of Veterans Licence Plate.

**CARRIED**

**05-45** Moved by Belcastro and Chiocchio that Public Entity Casualty Policy Number CP 99128, issued by the Guarantee Company of North America and Lombard General Insurance Company of Canada, with an expiry date of December 31, 2005 be received, noted and filed in the City Clerk's Office as proof of Bonding of Employees as required pursuant to Section 287 of the Municipal Act.

**CARRIED**

**05-64Z** Moved by Spadafora and Beaudoin

1. That Zoning By-law 2667, as amended, be further amended for lands on the east side of Clare Avenue, north of Lynbrook Lane (Lots 3 to 8 all inclusive, Plan NS20) from Single Detached Dwelling -

First Density Zone (R1) to Single Detached Dwelling – Second Density Zone Holding (H-R2) to permit the development of seven (7) residential lots; and

2. That the Owner enter into a Development Agreement to provide for such matters as the extension of municipal water and sanitary sewer services, storm water drainage, grading plans, improvements to Clare Avenue, cash-in-lieu of parkland (if required) and financial matters to the satisfaction of the City of Welland; and
3. That prior to the removal of the Holding Symbol (H), the Developers must enter into the required Development Agreement and provide the necessary financial requirements, if any; and
4. That Council authorize Staff to prepare a By-law to exempt the subject lands from Part Lot Control so that the lands can be re-lotted; and further

...continued...

**05-64ZCont'd.**

5. That Council determine that no further Notice is required due to the change in the Application to permit the R2 Zone instead of the R3 Zone.

**CARRIED**

**YEAS:** Councillors Grimaldi, Dzugan, Fortier, Sharpe, Beaudoin, Alexander, Chiochio, Belcastro, Spadafora and Mayor Goulbourne.

**NAYS:** Councillor Grenier.

**05-65**

Moved by Belcastro and Chiochio

1. That the City of Welland hereby grants Draft Plan of Subdivision Approval to the Clare Avenue Estates Phase 2 Subdivision (File 26T-14-04001) to Vincent Policella Masonry Contractor Limited and 1006136 Ontario Limited being Part of Lot 246, former Township of Thorold and Part of Lot 7 and Part of Block 18, Registered Plan 59M-288 in the City of Welland based upon a Plan prepared by P. D. Reitsma Surveying Ltd. dated October 8, 2004 consisting of seven (7) residential lots, a Block for a 0.3 metre reserve, a Block for access to a storm water retention pond and a Block for future development subject to the following Conditions:
  - a) That the Owner enter into a Subdivider's Agreement with the City of Welland to be registered on Title;
  - b) That no grading or construction work shall commence on the site until such time as the Subdivider's Agreement has been entered into, all financial security is in place and the Plan and all documentation has been registered on Title;
  - c) That all necessary Easements required for utility and servicing purposes be granted to the appropriate Authority free of all encumbrances;
  - d) That Block 10 and 11, being 0.3 metre reserves, be transferred to the City of Welland free of all encumbrances for access control purposes;
  - e) That Block 8 be designated as land for future development and be amalgamated with the land to the east when development occurs;
  - f) The Owner shall pay Cash-in-Lieu of Parkland Dedication based upon current City requirements;
  - g) That Block 9 be transferred to the City of Welland for access to the retention pond on the abutting land to the west;
  - h) That detailed lot grading and drainage plans, delineating both existing and proposed grades and the means whereby flows will be accommodated across the site, be submitted to the City for review and approval;
  - i) That the Owner acknowledge promptly that Draft Approval of this Subdivision does not include a commitment of servicing allocation by the Regional Municipality of Niagara as this servicing allocation will be assigned at the time of the Subdivision registration process;
  - j) That immediately following Notice of Draft Plan Approval, the Owner shall provide the Regional Planning and Development Department with a written undertaking that all Offers and Agreements

of Purchase and Sale, which may be negotiated prior to registration of this Subdivision, shall contain a Clause clearly indicating that a servicing allocation for this Subdivision will not be assigned until the Plan is granted Final Approval for registration and a similar Clause be inserted in the Subdivision Agreement between the Owner and the City of Welland;

- k) That the design drawings for the water, sanitary sewer and storm water drainage systems required to service this development be submitted to the Regional Public Works Department for review and approval. (NOTE: Any Storm Water Management Facility that may be proposed for this development would require the direct approval of the Ministry of the Environment, Toronto).
- l) That prior to Final Approval for registration of this Plan, the Owner shall obtain Ministry of the Environment Certificates of Approval to the satisfaction of the Regional Public Works Department for the necessary servicing (watermains, storm sewers and sanitary sewers) for this development;

...continued...

**05-65Cont'd...**

- m) That prior to the Approval of the Final Plan or any on-site grading, the Owner shall submit to the Regional Planning and Development Department for review and approval two (2) copies of the following Plans for the Subdivision designed and sealed by a suitably qualified Professional Engineer:
    - i) Detail lot grading and drainage plans, noting both existing and proposed grades and the means whereby overland flows will be accommodated across the site;
    - (ii) Detailed sediment and erosion control plans; and
    - (iii) That the Subdivision Agreement between the Owner and the City of Welland contain provisions whereby the Owner agrees to implement these approved plans.
  - n) That the finished cul-de-sac road design should have an adequate turnaround radius of 12.8 metres;
  - o) The Owner shall provide a Geotechnical Subsurface Investigation Study, prepared by a qualified Geotechnical firm, to the City which must make recommendations on the use of the site for the construction of houses/buildings;
  - p) Prior to granting Final Plan Approval, the City of Welland must be in receipt of written confirmation from the following Agencies that their respective requirements have been met satisfactorily:
    - ? Regional Niagara Planning for Conditions i, j and m;
    - ? Regional Niagara Public Works for Conditions k, l and n (through Regional Planning);
  - q) That if Final Approval is not given to this Plan within three (3) years of the Approval date and no extensions have been given, Draft Approval shall lapse. If the Owners wish to request an extension to Draft Plan Approval, a written request, with reasons why the extension is required, must be received by the City prior to the Draft Plan lapsing date;
2. That the Mayor be authorized to sign Draft Approval and Final Approval Plan for the Clare Avenue Estates Phase 2 Subdivision once all Conditions have been satisfied.

**NOTES:**

- a) Land required to be registered under the Land Titles Act.
- b) An electrical distribution line operating at below 50,000 volts might be located within the area affected by this development or abutting this development. Section 186 – Proximity – of the Regulations for Construction Projects in the *Occupational Health and Safety Act*, requires that no object be brought closer than 3 metres (10 feet) to the energized conductor. It is the proponent's responsibility to be aware, and to make all personnel on site aware, that all equipment and personnel must come no closer than the distance specified in the Act. They should also be aware that the electrical conductors can raise and lower without warning, depending on the electrical demand placed on the line. Warning signs should be posted on the wood poles supporting the conductors stating “**DANGER – Overhead Electrical Wires**” in all locations where personnel and construction vehicles might come in close proximity to the conductors.

**CARRIED**

**05-68** Moved by Grimaldi and Beaudoin that the presentation by Cindy Paskey, President, Niagara Anaphylaxis Support and Knowledge be received for information; and further That the City of Welland urges the Provincial Government to expeditiously pass Bill 3, an Act to Protect Anaphylactic Students.

**CARRIED**

### **BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE**

**05-15** Moved by Dzugan and Larouche that Staff be authorized to negotiate an agreement with Welland Hydro Corporation for rental of a portion of the hydro building at 950 East Main Street for the relocation of Fire & Emergency Services Department staff and equipment from Central Fire Hall.

**CARRIED**

### **BY-LAWS**

#### **BY-LAWS PRESENTED FOR FIRST READING:**

1. Moved by Belcastro and Chiocchio that leave now be given to introduce the following proposed By-laws entitled:

**04-16**

BYL 2005 - 20

A By-law to authorize the entering into a Collective Agreement with the Canadian Union of Public Employees Local 1115, effective January 1, 2004 to December 31, 2005.

**04-92**

BYL 2005 - 21

A By-law for prohibiting and regulating the erection of signs and other advertising devices and to repeal By-laws 994, 1003, 1623, 1711, 1797, 2016, 2446, 2789, 2790, 2845 and 2890.

**04-107Z**

BYL 2005 -22

A By-law to amend Zoning By-law 2667 upon the application of Hectares Properties Inc. to remove the Holding Symbol "H" from certain lands on Regatta Drive, north of Talbot Avenue known municipally as 176 through 300 Regatta Drive (even), 261 Regatta Drive and 3 through 43 Henley Court.

**04-143**

BYL 2005 - 23

A By-law to authorize conveyance of Mazzini Avenue Road allowance being Part 1, Plan 59R-12624, to Falconer Scrap Iron and Metal.

**05-1**

BYL 2005 - 24

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 15th day of February, 2005.

And that the same be now read a first time.

**CARRIED****BY-LAWS PRESENTED FOR SECOND AND THIRD READING:**

2. Moved by Belcastro and Chiocchio 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, February 23, 2005 for inclusion on the next Regular Council Meeting Agenda.**

Council adjourned at 9:55 p.m.

These Minutes approved and adopted by Motion of Council this 1<sup>st</sup> day of March, 2005.

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**MAYOR**

**CLERK**