



COUNCIL MEETING, JULY 19, 2005

CIVIC SQUARE, COUNCIL CHAMBERS 60 EAST MAIN STREET

Council met in Committee-of-the-Whole closed to the public at 6:10 p.m. and in open session at 7:10 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, D. Beaudoin (until 11:00 p.m.), M. Belcastro, P. Chiocchio, M. Dzugan, D. Fortier, P. Grenier, M. A. Grimaldi, J. Larouche, S. O'Dell (6:40 p.m.), B. Sharpe and J. Spadafora.

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 & Transportation Services D. Shantz (7:10 p.m.)

General Manager Financial & Corporate Services/Treasurer B. Silvestri (7:10 p.m.)

General Manager of Parks and Recreation B. LaPlante

Clerk Steno III C. Viger (7:10 p.m.)

General Manager of Planning and Development Services D. Thorpe

Mark Carl, Mike Lottridge, Helen Kesik and Bob Mahler, Welland Recreational Canal Corporation were present during Committee-of-the-Whole on a security of property matter.

05-25 Moved by Belcastro and Dzugan that Council meet in Committee-of-the-Whole, closed to the public at 6:10 p.m. to consider:

a) the security of the property of the municipality.

05-25 Moved by Dzugan and Belcastro that the Committee-of-the-Whole arise from its closed meeting at 7:10 p.m.

CARRIED

CARRIED

DISCLOSURE OF INTEREST:

Councillor Grenier disclosed an interest in Ref. No. 05-124/124Z and did not take part in the consideration and discussion of same, and refrained from voting thereon, as he lives in the vicinity of the proposed development.

DELEGATIONS:

97-67 John Clark, Chair, North Welland Business Improvement Area announced Collin Nunn as the winner of the design concept for the Welcome to Welland contest.

99-99 John Parisee addressed Council presenting ideas for the Welland Recreational Canal.

99-99 Bill Marr and Bruce Elliott addressed Council re: proposal regarding use of Welland Recreational Canal.

99-99 Mark Carl, Chair and Bob Mahler, Vice Chair of the Welland Recreational Canal Corporation addressed Council regarding By-law 2005-92.

2000-55 Leo Audette, RDEE Ontario, on behalf of the Niagara Central Airport Commission and Club 2000 Niagara addressed Council regarding Feasibility Study on potential for economic development generated by the Niagara Central Airport.

PUBLIC NOTICE OF ROAD CLOSURE PURSUANT TO SECTION 34(1) OF THE MUNICIPAL ACT

05- 127 Parts of Unopened Willson Road Road Allowance south of Endicott Terrace, being Parts 1 to 5 inclusive and 9 to 12 inclusive, Plan 12793.

In support of the By-law:

- No one spoke to the By-law.

In opposition of the By-law:

- No one spoke to the By-law.

05- 128 Part of Unopened Colbeck Drive South of Webber Road and east of Open Colbeck Drive being Part 17, Plan Rd-104.

In support of the By-law:

- No one spoke to the By-law.

In opposition of the By-law:

- No one spoke to the By-law.

PUBLIC NOTICE OF RENAMING ROAD UNDER SECTION 47 OF THE MUNICIPAL ACT

05-127 To name the unnamed Road Allowance on the south side of Endicott Terrace, between Willson Road and Barrington Drive, as Winter Drive, in accordance with Section 47 of the Municipal Act, 2001.

In support of the By-law:

- No one spoke to the By-law.

In opposition of the By-law:

- No one spoke to the By-law.

STATUTORY PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT

Mayor Goulbourne presided as Chair of the Public Hearings.

05-126Z Application by A CHILD'S WORLD FAMILY CHILD CARE SERVICES OF NIAGARA C/O BARB SOCKOVIE on behalf of COLUMBUS CLUB OF WELLAND to rezone lands at 344 Avon Street from the existing RM2 Zone with Exemptions By-law 2667 to a Site Specific RM2 Zone By-law 2667.

Mayor Goulbourne 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.

In support of the application:

- Barb Sockovie, applicant.

In opposition to the application:

- No one spoke to the application.

05-125Z Application by MITCH AND SHELLEY GAUDET to rezone lands at 377 Fitch Street from the existing R1 – Single-Detached Dwelling – First Density Zone By-law 2667 to a RM1 – Multiple Dwelling – First Density Zone By-Law 2667.

Mayor Goulbourne 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.

In support of the application:

- Shelley Gaudet, applicant

In opposition to the application:

- No one spoke to the application.

03-132

03-132Z Application by MICHAEL JOHN CORRADO on behalf of BAKAS INVESTMENTS INC. to amend the Official Plan from Residential to Institutional and to amend the Zoning By-law from R1 to a Site Specific IN-1 Zone for land at 163 First Avenue.

Mayor Goulbourne 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.

In support of the application:

- John Corrado, applicant and John Woods partner.

In opposition to the application:

- No one spoke to the application.

05-124

05-124Z Application by DONALD B. THORPE on behalf of CITY OF WELLAND to amend the Official Plan from OPEN SPACE to RESIDENTIAL and to amend the Zoning By-law from R1 to H-RM4 for land on the south side of Hooker Street, east of Denistoun Street and on the north side of Lincoln Street, east of Denistoun Street.

Mayor Goulbourne 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.

In support of the application:

- No one spoke to the application.

In opposition to the application:

- Tina Hill, 81 Bald Street, Welland L3C 5C1 on behalf of neighbourhood.
- Irene Volpe, 82 Griffith Street, Welland L3B 4G4.
- Henri Louis St. Martin, 86 Price Avenue on behalf of Welland Tennis club as its President.
- John Parisee, 26 Walt Street, Welland L3C 4J3 on behalf of his grandson.
- Mary Scilliberto, 11 Loyalist Drive, Welland, L3C 2X9 on behalf of her parents at 235 Denistoun Street.

There being no further submissions, the Statutory Public Hearings pursuant to the Planning Act were concluded.

THE FOLLOWING CORRESPONDENCE WAS READ:

01-42 A By-law to Lay Out, Establish and Name Block 87, Plan 59M-320 being a 0.3 meter reserve for the City of Welland as part of Draper's Street.

05-124

05-124Z E-Mail from Luella Iseppon in opposition to the proposed Official Plan and Rezoning – Northeast Corner of Lincoln Street and Denistoun Street and south side of Hooker Street between Frazer Street and Denistoun Street, Welland.

THE FOLLOWING COMMUNICATIONS WERE RECEIVED:

98-62 Gen. Mgr., Planning and Development Serv. D. Thorpe - The Highlands Subdivision, formerly St. Andrew's Terrace Subdivision (File 26T-14-97005) – request for extension to Draft Approval.

99-99 Gen. Mgr., Parks and Recreation B. LaPlante – Welland Recreational Canal Corporation Watercraft Restrictions.

99-99 **SECOND AND THIRD READING: By-law 2005-92** A By-law to adopt a 'Go Quiet' Policy and 'Urban Fishing Initiative' respecting the use of the Welland Recreational Canal Waterway; and to repeal By-law 2003-77.

99-110 George Nicholson, Planning and Development Department, Region of Niagara – Signing of the East Side Trail Agreement.

99-110

Carolyn Downs, City Clerk, the City of Kingston – Trail Systems.

99-111 Gen. Mgr., Planning and Development Serv. D. Thorpe – Encroachment agreements with 992548 Ontario Inc., o/a Sparrow Lakes Golf Course.

99-111 A By-law to permit an encroachment under South Pelham Road and Colbeck Drive, for the purpose of irrigation lines for Sparrow Lakes Golf Course.

01-42 Gen. Mgr., Planning and Development Serv. D. Thorpe - Lay out, establish and name various 0.3 metre reserves with respect to the Draper's Creek Subdivision.

01-42 A By-law to lay out, establish and name Block 86, Plan 59M-320 being a 0.3 metre reserve for the City of Welland as Part of Wellbrook Boulevard.

01-43

01-44 Gen. Mgr., Planning and Development Serv. D. Thorpe – Lay out, establish and name various 0.3 Metre Reserves with respect to Harvest Estates and Welland River Estates.

01-43

01-44 A By-law to lay out, establish and name Part of Block 83, Plan 59M-299 being Part 2, Plan 59R-12572 and Block 21, Plan 59M-301 being a 0.3 metre reserve for the City of Welland as Part of Colbeck Drive.

01-43 Gen. Mgr., Planning and Development Serv. D. Thorpe - Lay out, establish and name various 0.3 metre reserves with respect to Harvest Estates Subdivision and Willson Heights Subdivision No.1.

01-84 A By-law to designate 271 Division Street in the City of Welland, known as the Brookfield-Cupido House, of Historic or Architectural Value or Interest.

02-85

05-130 Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer D. Shantz – Pavement Marking Pilot Project – Curb-Cuts.

03-114 A By-law to authorize acceptance of an offer to purchase from Tina Deluca and Leo Aita for the sale of part of Closed Trufal Avenue.

03-125 Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer D. Shantz – Empress Avenue Roadway Construction; Local Improvement Charges.

03-125

05-117 Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer D. Shantz – Award of Tender Roadway Resurfacing Program 2005 and Empress Avenue Roadway Construction.

03-125 A Local Improvement By-law for the Empress Avenue Roadway.

03-125

- 05-117** A By-law to authorize the entering into a contract with Hard-Rock Construction Inc. for the Roadway Resurfacing Program 2005; and the Empress Avenue Roadway Construction.
- 03-132**
- 03-132Z** Gen. Mgr., Planning and Development Serv. D. Thorpe – Proposed Amendments to the Official Plan and Zoning By-law 2667 – Bakas Investments Inc. – Lots 27 to 30 inclusive, Lot A, Part Lot 31, Plan 666; Lots 59 to 62, 110 to 117 and 145 to 151 inclusive and Part of Lot 152 and Block A, Plan 618 - 163 First Avenue (File 2005-12).
- 03-132** A By-law to authorize the signing of Official Plan Amendment No. 116.
- 03-132Z** A By-law to amend City of Welland Zoning By-law 2667 (Bakus Investments Inc. – File 2005-12) 163 First Street.
- 03-133** D. Gilchrist, Supervisor, Legislated Services, City of Kitchener – Federation of Canadian Municipalities (FCM) Brownfield Financing.
- 03-158** Susan Daniels, Deputy City Clerk, City of Thorold – Publicly Procured Hospital/Cancer Care Centre.
- 04-132** Gen. Mgr., Planning and Development Serv. D. Thorpe - Review of Visibility (Sight) Triangle Requirements.
- 04-149** Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer D. Shantz – Ontario Road Pumping Station Sanitary Sewer Drainage Area Extraneous Flow Study.
- 05-1** 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 19th day of July, 2005.
- 05-3** Margaret Robertson, Marshville Heritage Society Inc. – requesting to sell lottery tickets in the City of Welland.
- 05-6** RD Bowman, Cdn. Forces – requesting August 9th, 2005 be declared “Peacekeeper’s Day” and that the UN flag fly on that date.
- 05-7** Gen. Mgr., Financial and Corp. Serv./Treasurer B. Silvestri – Accounts Payable – June 14, 2005 to July 12, 2005.
- 05-13** Port Colborne – Niagara Falls Worker Charter Shuttle Service.
- 05-13** Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer D. Shantz – Chassis Refurbishment of Transit Bus #117.
- 05-15** A By-law to authorize an amendment to the existing agreement with the City of St. Catharines for computer-aided dispatch services for the Welland Fire Department.
- 05-20**
- 05-21** Patsy Ramundo, President - permission to hold a religious procession - **“50th Annual Feast of the Assumption”** and a Special Occasion Permit for August 13 and 14, 2005.
- 05-20** Barb Ivicic, Manager, Veseli Hrvati Sr. Tamburitans – requesting a Special Occasion Permit for a music festival at the Croatian National Home.
- 05-20** Tedd Duchesne, Welland & District Slo-Pitch League Inc. – requesting a Special Occasion Permit during a tournament to be held at the Welland Sports Complex.
- 05-22** Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer D. Shantz – Parking Operations – Rice Road, North of Quaker Road.
- 05-22** Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer D. Shantz – Region Signal Maintenance Agreement.
- 05-22** Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer D. Shantz – Private Property Inclusions – Traffic & Parking By-law 89-2000.
- 05-22** Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer D. Shantz – Administrative Update – Traffic & Parking.
- 05-26** Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer D. Shantz – Award of Tender – Sidewalk Repair and Replacement Program 2005 and New Sidewalk Construction 2005.
- 05-26** A By-law to accept the tender and to enter into a contract with A. Poulin Curb Construction Ltd. for the Sidewalk Repair and Replacement Program 2005.
- 05-50** Nora A. Reid, Secretary, Heritage Welland Committee – name change of the Committee.
- 05-94** Region of Niagara – New Capping Options for 2005 and funding the 2005 Capping Program.
- 05-106** A By-law to authorize the acceptance of tender and the entering into a contract with Serianne Construction Ltd. For the Utility Cut Final Reinstatement 2005.

- 05-111** A By-law to designate 400 King Street in the City of Welland, known as the Mizpah Mission/Italian Pentecostal Church of Historic or Architectural Value or Interest.
- 05-112** Gen. Mgr., Planning and Development Serv. D. Thorpe – Lay out and establish and name Part 2, Plan 59R-12466 as part of Lincoln Street and Part 2, Plan 59R-12696 as Part of Forks Road.
- 05-112** Gen. Mgr., Planning and Development Serv. D. Thorpe – Lay out and establish and name Part 2, Plan 59R-12466 as part of Lincoln Street and Part 2, Plan 59R-12696 as Part of Forks Road.
- 05-112** A By-law to establish Part 2, Plan 59R-12696 as part of Forks Road.
- 05-112** A By-law to establish Part 2, Plan 59R-12466 as Part of Lincoln Street.
- 05-118** Implementation of Water Conservation Program.
- 05-124**
- 05-124Z** Gen. Mgr., Planning and Development Serv. D. Thorpe – Application by City of Welland for Official Plan and Zoning By-law Amendments – Northeast Corner of Lincoln Street and Denistoun Street and South Side of Hooker Street between Frazer Street and Denistoun Street, Welland (File 2005-10).
- 05-124**
- 05-124Z** Petitions and letters in opposition to the proposed Official Plan and Rezoning - Northeast Corner of Lincoln Street and Denistoun Street and South Side of Hooker Street between Frazer Street and Denistoun Street, Welland. Petition approximately 430 signatures. Petition approximately 1506 signatures. Letter from Carol Talousse. Letter from Dick Noebel. Letter from Miriam Gibbons on behalf of the Welland Tennis Club Board.
- 05-125Z** Gen. Mgr., Planning and Development Serv. D. Thorpe - Proposed Amendment to By-law 2667 – Mitch and Shelley Gaudet, 377 Fitch Street (File 2005-08).
- 05-125Z** A By-law to amend City of Welland Zoning By-law 2667 (Mitch and Shelley Gaudet – File 2005-08) 377 Fitch Street.
- 05-126Z** Gen. Mgr., Planning and Development Serv. D. Thorpe - Proposed Amendment to Zoning By-law 2667 – A Child's World Family Child Care Services of Niagara, c/o Barb Sockovie on behalf of the Columbus Club of Welland, 344 Avon Street (File 2005-11).
- 05-126Z** A By-law to amend City of Welland Zoning By-law 2667 (Columbus Club of Welland – File 2005-11) 344 Avon Street.
- 05-127** A By-law to authorize the stopping-up, and closing of that portion of the unopened Wilson Road Allowance, designated as Parts 1 to 5 and 9 to 12, Plan 59R-12793.
- 05-127** A By-law to authorize conveyance of that portion of the unopened Willson Road Allowance, as stopped-up and closed, and designated as Parts 3, 4, 5, 10, 12 and 13, Plan 59R-12793.
- 05-127** A By-law to lay out, establish and name Lot 91, Plan N.S. 14 being a 0.3 metre reserve for the City of Welland as part of Winter Drive.
- 05-127** A By-law to name a Public Highway located on the south side of Endicott Terrace, west of
- 05-128** A By-law to authorize the stopping-up, closing and conveying of that portion of unopened Colbeck Drive, south of Webber Road and east of opened Colbeck Drive, designated as Part 17, Plan RD-104. Willson Road as Winter Drive.
- 05-131** Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer D. Shantz – Closed Circuit TV Inspection of Sewers.
- 05-134** Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer D. Shantz - Proposed Rental Agreement with Hertz Equipment Rental for the rental of four (4) John Deere front end loaders complete with Snow Plows.
- 05-135** Anne Hepplewhite, Acting Regional Clerk re: Ownership and Responsibility for Sewage Pumping Stations and Conveyance Pipes.

05-1 Moved by Larouche and Dzugan that the Minutes of the Regular Council Meeting of June 21, 2005 be and the same are hereby approved and adopted as circulated.

CARRIED

97-67 Moved by Belcastro and Larouche that the presentation by John Clark, Chair, North Welland Business Improvement Area announcing Colin Nunn as the winner of the design concept for the Welcome to Welland contest be received for information.

CARRIED

98-62 Moved by Belcastro and Larouche that Council approve an extension to Draft Approval for The Highlands Subdivision, formerly the St. Andrew's Terrace Subdivision (File 26T-14-97005) for one (1) year to July 27, 2006 as requested by Stephen Kaiser on behalf of 1276343 Ontario Limited.

CARRIED

99-99 Moved by Fortier and Beaudoin that the oral presentation by John Parisee regarding ideas for the Welland Recreational Canal be received for information.

LOST

99-99 Moved by Fortier and O'Dell that the presentation by Bill Marr and Bruce Elliott re: proposal regarding use of Welland Recreational Canal be received for information.

CARRIED

99-99 Moved by Belcastro and Larouche that the presentation by Mark Carl, Chair and Bob Mahler, Vice Chair of the Welland Recreational Corporation regarding By-law 2005-92 be received for information.

CARRIED

99-99 Moved by Grimaldi and Dzugan

1. That Welland Council endorse the recommendation from the Welland Recreational Canal Corporation (WRCC) that the Welland Recreational Canal Waterway be utilized for passive boating except through special permission from the WRCC; and
2. That By-law 2005-92 be given second and third reading.

CARRIED

YEAS: Councillors Dzugan, Sharpe, Alexander, Grenier, Larouche, Belcastro and Mayor Goulbourne.

NAYS: Councillors O'Dell, Grimaldi, Fortier, Beaudoin, Chiochio and Spadafora.

99-110

05-45 Moved by Belcastro and Larouche that Welland City Council supports the resolution from the City of Kingston requesting the Minister of Municipal Affairs and Housing, Honourable John Gerretsen, and the Minister of Tourism and Recreation, Jim Bradley, move to amend the Occupiers Liability Act so as to clearly establish that those using trail systems are deemed to do so at their own risks, so that owners and volunteer organizations will not be held liable in any way for any damages arising from the use of trails by the public; and further That the City Clerk advise the proper authorities accordingly.

CARRIED

99-111 Moved by Belcastro and Larouche

1. That the City of Welland enter into two (2) Encroachments Agreements with 992548 Ontario Inc. respecting irrigation lines traversing South Pelham Road over Part 1 on Plan 59R-12801 and Colbeck Drive over Part 1 on Plan 59R-11999 at an annual fee of \$250.00 each; and
2. That Staff be authorized to prepare the necessary documents.

CARRIED

2000-55 Moved by Fortier and Larouche that the presentation by Leo Audette, RDEE Ontario, on behalf of the Niagara Central Airport Commission (NCAC) and Club 2000 Niagara regarding Feasibility Study on potential for economic development generated by the Niagara Central Airport be received for information; and

That Council supports meeting with the NCAC and the municipalities of Pelham, Port Colborne and Wainfleet to discuss a coordinated request for funding to the Region of Niagara.

CARRIED

01-42 Moved by Belcastro and Larouche that Staff be authorized to prepare the necessary By-law(s) to Lay Out, Establish and Name the 0.3 metre Reserves described as Block 86 (Wellbrook Avenue) and Block 87 (Draper's Street), Plan 59M-320 associated with the Draper's Creek Subdivision as part of the street system.

CARRIED

01-43

01-44 Moved by Belcastro and Larouche that Staff be authorized to prepare the necessary By-law(s) to Lay Out, Establish and Name 0.3 metre Reserves being part of Block 83, Plan 59M-299, being Parts 2 and 8, Plan 59R-12572 (Harvest Estates) and Block 21, Plan 59M-301 (Welland River Estates) as part of Colbeck Drive.

CARRIED

01-43 Moved by Belcastro and Larouche that Staff be authorized to prepare the necessary By-law(s) to Lay Out, Establish and Name a 0.3 metre reserve being Lot 91, N.S. 14 as Winter Drive and to name an unnamed street on the south side of Endicott Terrace, west of Willson Road as Winter Drive.

CARRIED

02-85

05-130 Moved by Belcastro and Larouche that staff be directed to implement the curb-cut pavement marking pilot project at the intersection of Niagara Street and Woodlawn Road to improve the visibility of curb-cuts for those residents with visual disabilities.

CARRIED

03-125

05-117 Moved by Belcastro and Larouche

1. That Council accept the tender from Hard-Rock Construction Inc. for the Roadway Resurfacing Program 2005 and Empress Avenue Roadway Construction, as presented in report ENG-2005-25;
2. 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 \$873,764.30, plus applicable G.S.T.;
3. That financing for the project be in accordance with the approved 2005 Roadways Capital Budget.

CARRIED

03-133 Moved by Belcastro and Larouche that Welland City Council supports the resolution from the City of Kitchener requesting the Minister of Municipal Affairs and Housing to expeditiously revise the appropriate Provincial Legislation to allow all regional tier municipalities to participate in community improvement activities; and further
That the City Clerk advise the proper authorities accordingly.

CARRIED

04-132 Moved by Belcastro and Larouche that Council approve Report PDS-2005-62 Review of Visibility (Sight) Triangle Requirements and authorize Staff to prepare proposed amendments to the Fence By-law, Zoning By-law and Sign By-law to reflect the changes suggested in the report.

CARRIED

05-3 Moved by Belcastro and Larouche that permission is hereby granted to the Marshville Heritage Society Inc. to sell raffle tickets in the City of Welland under authority of Lottery License M395827; subject to the receipt of a \$25.00 administration fee for processing this request.

CARRIED

05-6 Moved by Belcastro and Larouche that, in keeping with the Statement of Proclamation made by the Province of Ontario on November 3, 2004 and in accordance with City Policy on Declarations – GOV-001-0004, the Mayor declare August 9th, 2005 as “Peacekeepers Day” in the City of Welland as requested by the Canadian Association of Veteran’s in United Nations Peacekeeping, Southwestern Ontario Chapter; and further
That the flag of the United Nations be flown on that date provided one is supplied to the City of Welland.

CARRIED

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

1	15-June-2005	\$	1,091,177.29
2	16-June-2005		291,025.36
3	21-June-2005		694,885.93
4	23-June-2005		246,427.08
5	24-June-2005		561,444.80
6	29-June-2005		5,151,695.57
7	30-June-2005		427,916.23
8	04-July-2005		47,279.75
9	05-July-2005		292,483.26
10	07-July-2005		270,963.34
11	12-July-2005		<u>33,901.71</u>
	Total	\$	9,109,797.32.

CARRIED

05-13 Moved by Belcastro and Larouche that Council authorize staff to have Central Transportation Repair Inc. of Dunnville, being the lowest of four (4) quotations, received, undertake chassis refurbishing repairs necessary for Transit Bus #117, a 1991 35' Orion bus, in accordance with a quotation of May 25, 2005 for a total of \$38,870.00, including tax.

CARRIED

05-20

05-21 Moved by Belcastro and Larouche that Welland City Council approves the application for the **"50th Annual Feast of the Assumption Procession"** on Sunday, August 14th, 2005 subject to the applicant's completion of all conditions of the Policy of Road Use for Community Activities; and That Welland City Council has no objection to the issuance of a Special Occasion Permit to the "50th Annual Feast of the Assumption " for events scheduled at the Welland Market Square on August 13th and August 14th , 2005 subject to the satisfactory completion of the Municipal Application for Community Festivals and Special Occasion Permits; and That the scheduled event be permitted to extend to the hour of 12:00 a.m. on Saturday, August 13th and 11:30 p.m. on Sunday, August 14th; and further That the event be designated as municipally significant.

CARRIED**05-20**

Moved by Belcastro and Larouche that Welland City Council has no objection to the issuance of a Special Occasion Permit to the Welland & District Slo-Pitch League Inc. to operate an alcoholic beverage tent at baseball tournaments at the Welland Sports Complex during the following period: July 22, 23 & 24, 2005; subject to the satisfactory completion of the Municipal Application for Community Festivals and Special Occasion Permits; and That Welland City Council declares the event as municipally significant.

CARRIED**05-20**

Moved by Belcastro and Larouche that Welland City Council has no objection to the issuance of a Special Occasion Permit to the Veseli Hrvati Sr. Tamburitizans for the music festival and picnic event at the Croatian National Home on Sunday, August 14, 2005; and designates the event as a Community Festival.

CARRIED**05-22**

Moved by Belcastro and Larouche

1. That the City Solicitor be directed to prepare a By-law to amend Parking Prohibitions, Schedule "V" of By-law 89-2000 by:

i) ADDING the following:

COLUMN 1	COLUMN 2	COLUMN 3		COLUMN 4
HIGHWAY	SIDE	FROM	TO	PERIOD
				(TIMES/ DAY)
Rice Road	Both	Quaker Road	North City Limits	AT NO TIME

CARRIED**05-22**

Moved by Belcastro and Larouche

1. That the City of Welland enter into a Traffic Signal Maintenance agreement with the Region of Niagara for the maintenance of all traffic signals and flashers under the City of Welland's jurisdiction; and
2. That the Mayor and City Clerk be authorized to execute the agreement.

CARRIED**05-22**

Moved by Belcastro and Larouche

1. That the City Solicitor be directed to prepare a Bylaw to amend the following schedule of Bylaw 89-2000:

i) ADDING the following to Schedule "I":

SKETCH NO.	LOCATION	COMMON NAME
A-11	800 Niagara Street North	Seaway Mall
A-12	195 Denistoun Street	Evergreen Village
A-13	53 East Main Street	Youngs Insurance
A-14	55 East Main Street	Youngs Insurance
A-15	57 East Main Street	Youngs Insurance
A-16	57 Griffith Street	St. Matthew's Church

CARRIED

05-22 Moved by Belcastro and Larouche

1. That the City Solicitor be directed to prepare a Bylaw to amend the following schedules of Bylaw 89-2000:

i) By ADDING the following to Schedule "III" (Stopping Restrictions):

COLUMN 1	COLUMN 2	COLUMN 3		COLUMN 4
STREET	SIDE	FROM	TO	PERIOD (TIMES/DAY)
King Street	West	Ontario Road	36 metres north of Ontario Road	Anytime

ii) By ADDING the following to Schedule "V" (Parking Restrictions):

COLUMN 1	COLUMN 2	COLUMN 3		COLUMN 4
STREET	SIDE	FROM	TO	PERIOD (TIMES/DAY)
Lincoln Street	Both	Prince Charles Drive	King Street	Anytime
Lincoln Street	North	King Street	Hellems Avenue	Anytime
Lincoln Street	North	26 metres west of Coventry Road	Crowland Avenue	Anytime
Lincoln Street	South	King Street	116 metres east of King Street	Anytime
Lincoln Street	South	Plymouth Street	Dover Road	Anytime
Lincoln Street	South	14 metres west of Coventry Road	Southworth Street	Anytime
Ontario Road	North	Canal Bank Road	Iron Street	Anytime
Ontario Road	North	King Street	Southworth Street	Anytime
Ontario Road	South	Canal Bank Road	92 metres east	Anytime
Ontario Road	South	Steele Street	20 metres east of Deere	Anytime

			Street	
Ontario Road	South	28 metres west of Wright Street	32 metres east of Wright Street	Anytime
Ontario Road	South	Southworth Street	142 metres west	Anytime
Crowland Avenue	West	East Main Street	74 metres south of East Main Street	Anytime
Southworth Street	West	60 metres north of Lincoln Street	30 metres south of Corvette Street	Anytime
Southworth Street	East	56 metres north of Lincoln Street	53 metres south of Lincoln Street	Anytime
Southworth Street	East	Lewis Street	59 metres north of Lewis Street	Anytime
Southworth Street	East	24 metres north of Sutherland Street	24 metres south of Sutherland Street	Anytime
Southworth Street	East	30 metres north of Laugher street	70 metres north of Laugher Street	Anytime
King Street	West	Ontario Road	64 metres north of Ontario Road	Anytime
King Street	West	20 metres south of Seventh Street	10 metres north of Seventh Street	Anytime
King Street	West	36 metres north of Seventh Street	23 metres north of Sixth Street	Anytime
King Street	West	18 metres north of Fourth Street	10 metres north of Griffith Street	Anytime
King Street	West	Division Street	East Main Street	Anytime
King Street	East	Ontario Road	22 metres north of Ontario Road	Anytime
King Street	East	40 metres south of Seventh Street	54 metres south of Sixth Street	Anytime
King Street	East	17 metres south of Sixth Street	32 metres north of Sixth Street	Anytime
King Street	East	23 metres south of Fifth Street	21 metres north of Fifth Street	Anytime
King Street	East	29 metres	53 metres	Anytime

		south of Fourth Street	north of Lincoln Street	
King Street	East	22 metres north of Park Street	31 metres south of Albert Street	Anytime
King Street	East	26 metres south of State Street	39 metres south of State Street	Anytime
King Street	East	45 metres south of State Street	54 metres south of State Street	Anytime
King Street	East	State Street	26 metres north of State Street	Anytime
King Street	East	Regent Street	22 metres south of Regent Street	Anytime
King street	East	15 metres south of Griffith Street	13 metres north of Griffith Street	Anytime
King Street	East	Avenue Place	Division Street	Anytime
Canal Bank Road	West	Ontario Road	1000 metres south of Broadway Street	Anytime
Canal Bank Road	East	Ontario Road	Townline Tunnel Road	Anytime
Canal Bank Road	Both	228 metres north of Huron Street	884 metres north of Huron Street	Anytime
Thorold Road	Both	South Pelham Road	Niagara Street	Anytime

iii) By ADDING the following to Schedule "VIII" (Limited Parking Restrictions):

COLUMN 1 HIGHWAY	COLUMN 2 SIDE	COLUMN 3		COLUMN 4 PERIOD	COLUMN 5 TIMES/DAYS
		FROM	TO		
Lincoln Street	South	Classic Avenue	26 metres west of Classic Avenue	15 minutes	Anytime
Lincoln Street	South	Canal Bank Road	Steele Street	1 hour	Anytime
Crowland Avenue	East	Paul Street	64 metres north	30 minutes	8:00a.m. to 6:00p.m.
Crowland Avenue	East	Hagar Street	15 metres north	15 minutes	Anytime
Crowland Avenue	East	56 metres north of Lincoln Street	86 metres north of Lincoln Street	15 minutes	Anytime

COLUMN 1 HIGHWAY	COLUMN 2 SIDE	COLUMN 3		COLUMN 4 PERIOD	COLUMN 5 TIMES/DAYS
		FROM	TO		
Southworth Street	West	Corvette Avenue	Ontario Road	1 hour	Anytime
Southworth Street	East	Lincoln Street	28 metres north of Lewis street	30 minutes	Anytime
Southworth Street	East	Lewis street	Sutherland Street	1 hour	Anytime
Southworth Street	East	Sutherland Street	34 metres south of Sutherland street	15 minutes	Anytime
Southworth Street	East	34 metres south of Sutherland Street	Ontario Street	1 hour	Anytime
King Street	West	Fourth Street	44 metres north of Fourth Street	15 minutes	Anytime
King Street	West	Fourth Street	23 metres north of Sixth Street	1 hour	Anytime

iv) By ADDING the following to Schedule "XIII" (Taxi Stands):

COLUMN 1 STREET	COLUMN 2 SIDE	COLUMN 3		COLUMN 4 PERIOD (TIMES/DAY)
		FROM	TO	
Southworth Street	East	59 metres north of Lewis Street	67 metres north of Lewis Street	Anytime
King Street	East	17 metres south of Sixth Street	23 metres south of Sixth Street	Anytime
King Street	East	53 metres north of Lincoln Street	59 metres north of Lincoln Street	Anytime
King Street	East	25 metres south of Albert Street	31 metres south of Albert Street	Anytime
King Street	East	39 metres south of State Street	45 metres south of State Street	Anytime

v) By ADDING the following to Schedule "XV" (Loading Zone):

COLUMN 1 STREET	COLUMN 2 SIDE	COLUMN 3		COLUMN 4 PERIOD (TIMES/DAY)
		FROM	TO	
King Street	East	Regent Street	23 metres north of	Anytime

			Regent Street	
King Street	West	36 metres north of Ontario Road	46 metres north of Ontario Road	Anytime
Cross Street	East	50 metres north of East Main Street	55 metres north of East Main Street	Anytime

vi) By ADDING the following to Schedule "XX" (Stop Signs):

COLUMN 1 HIGHWAY	COLUMN 2 AT	COLUMN 3 FACING TRAFFIC
Canal Bank Road/Kingsway	Forks Road	Northbound on Kingsway
Canal Bank Road/Kingsway	Forks Road	Southbound on Canal Bank Road
Canal Bank Road/Kingsway	Forks Road	Eastbound on Forks Road
Canal Bank Road/Kingsway	Forks Road	Westbound on Forks Road
Quaker Road	Rice Road	Northbound on Rice Road
Quaker Road	Rice Road	Southbound on Rice Road
Quaker Road	Rice Road	Eastbound on Quaker Road
Quaker Road	Rice Road	Westbound on Quaker Road
Sauer Street	Southworth Street	Eastbound on Sauer Street
Sauer Street	Southworth Street	Westbound on Sauer Street
Sauer Street	Southworth Street	Northbound on Southworth Street
Sauer Street	Southworth Street	Southbound on Southworth Street
Hagar Street	Wellington Street	Northbound on Wellington Street
Hagar Street	Wellington Street	Southbound on Wellington Street
Memorial Park Drive	Ontario Road	Southbound on Memorial Park Drive

vii) By ADDING the following to Schedule "XXI" (Yield Signs):

COLUMN 1 HIGHWAY	COLUMN 2 AT	COLUMN 3 FACING TRAFFIC
Lincoln Street	Southworth Street	Northbound right turn channelization
Lincoln Street	King Street	Eastbound right turn channelization
Broadway Street	West Side Road	Northbound right turn channelization
Broadway Street	West Side Road	Southbound right turn channelization
Broadway Street	West Side Road	Westbound right turn channelization

COLUMN 1 HIGHWAY	COLUMN 2 AT	COLUMN 3 FACING TRAFFIC
Broadway Street	West Side Road	Eastbound right turn channelization

viii) By ADDING the following to Schedule "XXVII" (Speed Limits):

COLUMN 1 HIGHWAY	COLUMN 2		COLUMN 3 MAXIMUM SPEED (KM/HR)
	FROM	TO	
Forks Road	220 metres west of Elm Street	366 metres east of Elm Street	60
Biggar Road	Moyer Road	Montrose Road	80
Southworth Street	Railroad Street	Sauer Avenue	40
Rice Road	518 metres north of Quaker Road	north of city limits	60
Wellington Street	East Main Street	Lincoln Street	40
Canal Bank Road	Broadway Street	Townline Road	60
Canal Bank Road	Townline Road	450 metres south of Townline Road	80
Elm Street	Forks Road	Invertose Drive	70

ix) By ADDING the following to Schedule "VI" (FIRE ROUTE):

SCHEDULE NO.	STREET ADDRESS	COMMON NAME
A-74	920 Pelham Street	Woodlands of Sunset

CARRIED

05-26 Moved by Belcastro and Larouche

1. That Council accept the tender of A. Poulin Curb Construction Ltd. for the Sidewalk Repair and Replacement Program 2005 and New Sidewalk Construction 2005, as presented in report ENG-2005-26;
2. 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 \$272,895.00, and;
3. That financing of the project be in accordance with the approved 2005 Roadways and Sidewalks Capital Budgets, and previously approved 2004 Municipal Incentive Grant Fund (MIG) Expenditure – Promenade Richelieu/Eastdale Neighborhood.

CARRIED

05-50 Moved by Belcastro and Larouche that the letter from the Heritage Welland Committee advising of its name change to Heritage Welland Committee effective June 1, 2005 be approved; and further
That the City Solicitor be directed to make the necessary by-law changes to implement this amendment.

CARRIED

05-112 Moved by Belcastro and Larouche

1. That Council pass a By-law to Lay Out, Establish and Name Part 2, Plan 59R-12466 as part of Lincoln Street and Part 2, Plan 59R-12696 as part of Forks Road in accordance with Section 31 (1) and (2) of the Municipal Act, 2001; and
2. That Staff be authorized to prepare the necessary By-laws.

CARRIED

05-124

05-124Z Moved by Belcastro and Larouche that the following petitions and letters in opposition to the proposed Official Plan and Rezoning - Northeast Corner of Lincoln Street and Denistoun Street and South Side of Hooker Street between Frazer Street and Denistoun Street, Welland be received for information.

- Petition approximately 430 signatures.
- Petition approximately 1506 signatures.
- Petition approximately 224 signatures.
- Letter from Carol Talousse.
- Letter from Dick Noebel.
- E-Mail from Luella Iseppon.
- Letter from Miriam Gibbons on behalf of the Welland Tennis Club Board.

CARRIED

05-124

05-124Z Moved by Belcastro and Larouche that the letter from Vincent Bellantino, Solicitor, on behalf of the Sacred Heart Sisters in opposition to the proposed Official Plan and Zoning Amendments for the lands on the north east corner of Lincoln Street and Denistoun Street and on the south side of Hooker Street between Frazer Street and Denistoun Street be received for information.

CARRIED

05-124

05-124Z Moved by Sharpe and Belcastro that the Report PDS-2005-53 concerning the City of Welland's Application for Amendments to the Official Plan and Zoning By-law for lands at the northeast corner of Lincoln Street and Denistoun Street and on the south side of Hooker Street between Frazer Street and Denistoun Street be defeated.

CARRIED

05-124

05-124Z Moved by Sharpe and Belcastro that Council direct staff for any future applications for the City's Hooker Street property to remove the tennis club and playground areas; and further
That any future staff reports include a full analysis of recreational space needs for this neighbourhood

based on sound planning principles.

LOST

05-125Z Moved by Spadafora and Belcastro that the City of Welland Zoning By-law 2667, as amended, be further amended for lands known municipally as 377 Fitch Street (Lot 98, Plan 59M-62) from R1 – Single-Detached Dwelling – First Density Zone to RM1 – Multiple Dwelling – First Density Zone to permit a group home serving children with special needs.

CARRIED

05-126Z Moved by Spadafora and Belcastro that the Application by A Child's World Family Child Care Services of Niagara on behalf of The Columbus Club of Welland to amend Zoning By-law 2667, as amended, as it affects 344 Avon Street to permit administrative offices and a child care centre in addition to the existing permitted uses be approved.

CARRIED

05-131 Moved by Belcastro and Larouche that Council authorizes the General Manager Engineering, Public Works and Transportation Services to proceed with the preparation of Tenders to qualified Sewer Pipeline Inspectors to undertake closed circuit TV inspection of the sewer system.

CARRIED

03-132

03-132Z Moved by Spadafora and Belcastro

1. That the City of Welland adopt Official Plan Amendment No. 116 respecting Lots 27 to 30 inclusive, Lot A, Part Lot 31, Plan 666; Lots 59 to 62, 110 to 117 and 145 to 151 inclusive and Part of Lot 152 and Block A, Plan 618 from Residential to Institutional to permit a retirement community consisting of independent living accommodations and extended care accommodations, a medical clinic and a drug dispensary;
2. That Zoning By-law 2667, as amended, be further amended for Lots 27 to 30 inclusive, Lot A, Part Lot 31, Plan 666; Lots 59 to 62, 110 to 117 and 145 to 151 inclusive and Part of Lot 152 and Block A, Plan 618 from the existing R1- Single Detached Dwelling – First Density Zone to a Site Specific IN-1 Zone to permit a retirement community consisting of independent living accommodations, extended care accommodations in addition to a medical clinic and a drug dispensary; to provide an exemption for parking for that component of the development devoted to the retirement community to provide one parking space for every three (3) bed/units; and, to create Zone provisions (setbacks etc.) as required to recognize the location on the property of the existing building, subject to approval of Official Plan Amendment No. 116; and
3. That upon final approval of the By-law noted in number 2 above, Interim Control By-law 2005-32 be repealed as it affects the lands subject to these Applications.

CARRIED

05-135 Moved by Belcastro and Larouche that Report PWA 100-2005 from the Region regarding Ownership and Responsibility for Sewage Pumping Stations and Conveyance Pipes be received and referred to staff for study and report to Council.

CARRIED

BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE

05-128 Moved by Fortier and Belcastro

1. That Council stop up, close and declare surplus unopened Colbeck Drive Road Allowance south of Webber Road and east of opened Colbeck Drive, being Part 17, Plan RD-104; and
2. That Council authorize Staff to prepare the necessary By-law.

CARRIED**05-133** Moved by Sharpe and Grenier

1. That Report 2005-63 from Planning and Development Services dated July 19, 2005 regarding the request of Mr. & Mrs. Kalra to purchase City-owned lands on the south side of Lyons Creek Road, west of Doan's Ridge Road, (Part Lot 13, Concession 5, Township of Crowland, now City of Welland, being Parts 4,5 and 6, Plan 59R-7963) be received;
2. That Council declare surplus to the City's needs lands on the south side of Lyons Creek Road west of Doan's Ridge Road (Part Lot 13, Concession 5, Township of Crowland, now City of Welland, being Parts 4,5, and 6, Plan 59R-7963); and
3. That any subsequent sale of lands on the south side of Lyons Creek Road west of Doan's Ridge Road (Part Lot 13, Concession 5, Township of Crowland, now City of Welland, being Parts 4,5, and 6, Plan 59R-7963) be carried out in accordance with the Municipal Act; and

...continued...

05-133...cont'd.

4. That in addition to the requirements of notification under the Municipal Act that staff notify all abutting property owners.

CARRIED**CURFEW**

Due to curfew, Council recessed at 11:40 p.m. to reconvene at 5:00 p.m. on July 20, 2005 to complete the agenda as previously notified by the Mayor as a Special Meeting for that purpose.

These Minutes approved and adopted by Motion of Council this 23rd day of August, 2005.

MAYOR

CLERK