



GENERAL COMMITTEE

Tuesday, May 9th, 2000

7:10 P.M.

COUNCIL CHAMBERS - CITY HALL

MINUTES OF MEETING # G.C. 2000 - 08

Members Present: Mayor J. Richard Reuter

Councillors:

D. Beaudoin
M. Belcastro
V. Bellantino
F. Campion
C. Forster
D. Fortier

J. Larouche
J. MacLellan
C. McQueen
S. O'Dell
J. Spadafora
L. Van Vliet

Members of the Staff and Others Present:

Chief Administrative Officer	V. Kerschl (7:15 p.m.)
City Clerk	C. A. Stirtzinger
Donald B. Thorpe	Development Planner
Fire Chief	P. Olah
City Treasurer	R. Perron
Community Services Director	I. Smith (7:15 p.m.)
Assistant Clerk	D. Vettori
Recording Secretary	J. Kozuh (7:10 p.m.)

Others Present: Callum Shedden, Solicitor for Vincent Policella Masonry Contractor Limited
Re: Conversion to Condominium Tenure for 117 Willson Road

1. (A) The General Committee met in Committee-of-the-Whole at 6:40 p.m. to discuss a Security of Property matter with the following recommendation to be presented to Council on May 16th, 2000:

"That the non-compliant to CSA standards play equipment located in the City Parks, noted on Schedule 'A' attached to Report CSD 2000-19, be removed as soon as possible."

The General Committee arose from Committee-of-the-Whole at 7:10 p.m.

- (B) Mayor Reuter called the Special Council Meeting to order at 7:15 p.m. for Public Hearings pursuant to The Planning Act.



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(C) The Special Council Meeting/Public Hearing recessed at 7:45 p.m. to re-convene the General Committee Meeting. The Minutes of the Special Council Meeting are recorded separately and filed with the Clerk.

2. **DISCLOSURE OF INTEREST:** Nil

3. **ADOPTION OF MINUTES OF GENERAL COMMITTEE MEETING OF April 25th, 2000:**

Moved by Councillor Larouche that the Minutes of the General Committee Meeting of April 25th, 2000 be and the same are hereby approved and adopted as circulated.

4. **BUSINESS ARISING FROM MINUTES OF PREVIOUS MEETINGS:**

(A) **Corporate Services**

**Ref. No. 92-141 - Welland Soccer Club -
(See report TR 2000-17 on page 30)**

MOVED BY COUNCILLOR BELLANTINO :

That the matter of the proposed partnership between the City and the Welland Soccer Club be referred to the May 23, 2000 General Committee Meeting.

CARRIED

**Ref. No. 92-168 - Termination - O/S Financial Issues - Re: Welland-Port Colborne Rowing Commission
(See report TR 2000-19 on page 45)**

MOVED BY COUNCILLOR MCQUEEN:

That Report TR 2000-19 re: Termination – O/S Financial Issues re: Welland-Port Colborne Commission be received for information and that a further report be prepared for the June 13th General Committee Meeting.

CARRIED

5. **DELEGATIONS: NIL**



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6. STAFF REPORTS:

(A) COMMUNITY SERVICES - Councillor Spadafora, Chair

Community Services Department

**Ref. No. 2000-61 - Welland Heritage Council Request - Merritt Park Statue
(CSD 2000-18)**

Councillor Forster advised Committee that funding in the amount of \$75,000 was approved May 8, 2000. An additional \$25,000 will be required. Donations are being requested.

Councillors noted that there has been concern by the Heritage Council and residents that the monument's recognition will be limited to immigrant men. Committee agreed that unless a person is of North American Indian descent, all others are considered as immigrants. Councillor Larouche requested that women also be recognized.

Councillor MacLellan queried the procedure regarding the procurement of an out-of-town designer for the monument.

MOVED BY COUNCILLOR FORSTER:

That Report CSD 2000-18 re: Welland Heritage Council Request - Merritt Park Statue be received for information of Council.

CARRIED

Development Services Department

Planning Division

**Ref. No. 98-62Z - Proposed amendment to City of Welland zoning By-law
667/Daimler/Mercier/Zavitz St. Andrews Terrace Subdivision - (File 2000-4)
(DSD 2000-40)**

MOVED BY COUNCILLOR MACLELLAN :

1. That City of Welland Zoning By-law 2667, as amended, be further amended to rezone the rear of Lots 119 and 120, Plan 59M-269 (St. Andrews Terrace Subdivision) R3-X8 Zone from RM3 Zone; and



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2. That the RM3-X11 Zone affecting Block 145, Plan 59M-269 (St. Andrews Terrace Subdivision) be amended to provide for a required rear yard of 5.75 metres as opposed to 7.5 metres and to increase the maximum lot coverage from 40 percent to 55 percent for interior townhouse units, and from 40 percent to 45 percent for entire townhouse blocks.

CARRIED

**Ref. No. 2000-87Z - Proposed amendment to Zoning By-law 2667 - 404718 Ontario Inc. (Farr Ford Lincoln Ltd.) - 980 Major Street (File 2000-5).
(DSD 2000-41)**

MOVED BY COUNCILLOR LAROUCHE :

That City of Welland Zoning By-law 2667 be amended for 980 Major Street (Part of Lot 21, Concession 4, former Township of Crowland now in the City of Welland) from the I2 Zone to a Site Specific I2 Zone to permit the additional use of a Car Washing Establishment in addition to those uses permitted in the I2 Zone.

CARRIED

**Ref. No. 2000-85Z - Proposed General Amendments to Zoning By-law 2667 and 1538
(DSD 2000-42)**

Section No. 2.43 - Deck

Mr. Thorpe advised that a balcony is not considered a deck, as it has no supports.

There was concern that the proposed maximum height above Grade of 1.5 metres will result in an invasion of privacy.

Section No. 6.7 - Home Occupation

Mr. Thorpe noted the following:

- a) Enforcement of Item d), nuisance factor, is difficult. With respect to hairdressers, the majority of clients attend during the weekend, therefore the City has no enforcement.
- b) Regarding item (g), on-site signage, exemptions must be obtained through the Committee of Adjustments.
- c) The only change to the section is the addition of item (h) (xii) relating to body-rub parlours.

MOVED BY COUNCILLOR FORTIER:



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That City of Welland Zoning By-laws 2667 and 1538 be amended to incorporate general housekeeping changes in accordance with Report DSD-2000-42.

CARRIED

Councillors Larouche and Beaudoin asked to be recorded as opposed.

Ref. No. 2000-86 - Conversion of 117 Willson Road to Condominium Tenure/Vincent Policella Masonry Contractor Limited - File 26CD-14-20001 (DSD 2000-43)

MOVED BY COUNCILLOR BELLANTINO:

That the Application filed by Mr. Callum Shedden, Solicitor acting on behalf of Vincent Policella Masonry Contractor Limited to convert the existing eighteen unit apartment building at 117 Willson Road, City of Welland be approved in accordance with Section 50 of the Condominium Act.

CARRIED

Ref. No. 99-110 - Proposed Construction of Welland Canal Multi-Use Trail (DSD 2000-44)

In regards to the recommendation, Councillor Fortier requested clarification on the wording "at" in item ii). Chair Spadafora indicated that Mr. Fitzpatrick would be available at the next Council meeting to address same. Councillor O'Dell simplified the item; trail excluding a new bridge.

Councillor Bellantino had concerns that the issue of matching funds is not noted in the recommendation. City Clerk Stirtzinger indicated that the May 2, 2000 Motion is in effect. The recommendation put forth, if passed, does not overrule the May 2^d Motion. Mayor Reuter suggested that the recommendation be amended to include the wording "pursuant to a previous motion of Council passed on May 2, 2000".

MOVED BY COUNCILLOR O'DELL:

That, pursuant to a previous motion of Council passed on May 2, 2000, Staff be directed to implement the construction of the Welland Canal Multi-Use Trail in the City of Welland on the following basis:

- i) construct new portions of the trail from Lincoln Street southerly to the north limit of Port Colborne;
- ii) construct the new trail system from Woodlawn Crossing north to the City of Thorold, including crossing of Canal at Woodlawn bridge; and
- iii) use residual funds from the year 2000 allocation to improve existing trails from



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Lincoln Street to Woodlawn Crossing.

CARRIED

Councillors Larouche and Forster asked to be recorded as opposed.

(B) CORPORATE SERVICES - Councillor Fortier, Chair

Treasury Department

**Ref. No.96-48 - Development Charges 1999 Year End Statement
(TR 2000-18)**

MOVED BY COUNCILLOR MACLELLAN:

That the Treasurer's Statement attached to Report TR-00-18, in accordance with the Development Charges Act and O.R. 104/98, be received and the City Clerk be instructed to forward a copy of this Statement to the Minister of Municipal Affairs within 60 days of giving this report to Council as per Section 43(3).

CARRIED

(C) OPERATIONAL SERVICES - Councillor Campion, Chair

Engineering Division

**Ref. No. 2000-84 - Roadway Resurfacing Program 2000
(ENG 2000-22)**

Councillors noted that the re-surfacing program changes from year-to-year. The consensus of Committee is that projects not completed by the end of the year, should be placed at the top of the list for the following year.

MOVED BY COUNCILLOR VAN VLIET:

That the Director of Operational Services be authorized to proceed with the preparation of plans, specifications, the calling of tenders for the resurfacing of various roadways;



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That the estimated construction cost of \$500,000.00 be funded from the year 2000 Roadways Capital Budget allocations in the amount of \$312,000 under the Operating Budget (Capital from Revenue), and the remaining \$188,000 financed by means of Municipal Debenture;

That the City Solicitor be directed to prepare all necessary and appropriate by-laws to execute same.

CARRIED

Councillors Bellantino and McQueen asked to be recorded as opposed.

7. NEW BUSINESS:

Mr. Mammoliti - Opening of Mathews Road

In regards to the Motion passed May 2nd, 2000, Councillor Larouche made inquiry regarding the status of the by-law, which was to be in tonight's Agenda. Councillor Spadafora indicated that Mr. Banks is not present this evening, but his understanding is that the by-law was put on hold until such time as Mr. Mammoliti came forth with a letter of credit. Mr. Kerschl advised that this matter is an unusual situation. The pre-requisite to opening a road, was that an agreement be in place before the actual construction. When everything is done in accordance with the agreement, then the adoption of the road takes place as a legal entity.

Mr. Thorpe advised that Mr. Fisher was in contact with the Development Services Department last week and will be arranging a meeting with Mr. Fitzpatrick.

UCAR Property

Councillor O'Dell directed Staff to prepare a report on the property and queried whether an environmental study should be undertaken, noting that there may be possible soil contamination. His request originates from inquiry by residents.

Mr. Kerschl advised Committee that Developmental and Environmental staff, the City Solicitor and himself attended the initial meeting with UCAR. There have been a number of subsequent meetings wherein they have worked on a clear understanding of the infrastructure. In regards to assumption of part of the Canal Lands, the City must determine what is underground. It is a laborious and time-consuming task, which we are currently in the middle of. MOE has also been involved.



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Mr. Kerschl advised that while an update could be prepared, it would be inconclusive at this time. In regards to a time frame, Mr. Kerschl will speak to Mr. Cook before responding to same. Mr. Kerschl undertook to have an update report forthcoming in a few weeks time.

(DIRECTION)

River Road - Woodlawn Road Intersection

Councillor Fortier indicated that the deferral (June 13th) will be non-debateable and that the whole process will proceed without support. Can we petition the Province to delay the tender (tenders to be opened by MTO) until public process is complete? He requested direction from Staff.

Councillor Bellantino interjected that since the matter has been deferred, there should be no discussion regarding same. City Clerk Stirtzinger advised Mayor Reuter that there is no Motion being brought forward, Councillor Fortier's comments relate to clarification. He further advised that the tender process is proceeding, with advertising set for next Wednesday.

Councillor O'Dell advised that the road study has now been completed and should be presented to Council shortly.

Following further discussion between Councillors, City Clerk Stirtzinger read the Motion, which was passed by Council on May 2nd, 2000. The one-month deferral related to re-locating the intersection. It did not deal with the current situation at Woodlawn. Mayor Reuter advised Committee that if desired, a Motion must be put forth to re-consider the referral motion.

A **NOTICE OF MOTION** by Councillor Fortier will be placed on the next Council Meeting Agenda, "That Council reconsider the Motion passed on May 2, 2000 to refer the issue of the relocation of the River Road - Woodlawn Road Intersection to the June 13th, 2000 General Committee Meeting."

(ACTION)

8. The General Committee Meeting adjourned at 8:30 p.m.