



## GENERAL COMMITTEE

Tuesday, March 27<sup>th</sup>, 2001

7:10 P.M.

COUNCIL CHAMBERS - CITY HALL

### MINUTES OF MEETING # G.C. 2001 - 04

**Members Present:** Mayor C. Forster

Councillors:

R. Alakas	D. Fortier
D. Beaudoin	J. Irvine
M. Belcastro	J. Mastroianni
N. Dmytrow-Bilboe (7:15 p.m.)	S. O'Dell
M. Dzugan	J. Spadafora
T. Eybel	

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

Chief Administrative Officer	V. Kerschl
City Clerk	C. A. Stirtzinger
City Solicitor	G. Banks (7:15 p.m.)
Director of Development Services	T. Fitzpatrick
Fire Chief	P. Olah
City Engineer	G. Marcello
Community Services Director	I. Smith
Assistant Clerk	D. Vettori
Recording Secretary	J. Kozuh
Transit Office Co-ordinator	M. Fortin (8:15 p.m.)

**Others Present:**

Mr. Wesley Visser

Re: Proposed Official Plan and Zoning By-law Amendment – Wesley Visser, Part of Gore Lot 29, Concession 7, former Township of Crowland, now City of Welland designated as Part 1, Plan 59R-1105 (File 2000-17) (DSD-2001-24)

Mr. John Conlin

Conlin Associates Limited, 14 Armour Drive, Welland, Ontario. L3C 2N9.

Re: Application for Draft Plan Subdivision Approval and Rezoning Amendment – Ashton Homes – Towpath Village Extension



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(File 26T-14-01001 and File 2001-02)

Mr. Donald Depasquale, 96 Lincoln Street, Welland, Ontario. L3C 5J7.  
Re: Proposed Amendment to Zoning By-law 2667 - Donald Depasquale - 96 Lincoln Street (File 2001-03) (DSD-2001-25)

Mr. John J. Irvine  
John J. Irvine Real Estate Ltd., 39 Division Street, Welland, Ontario. L3B 3Z5.  
Re: Proposed Amendment to Zoning By-law 2667 - Sheila Randall - 284 Niagara Street (File 2001-04) (DSD-2001-26)

Thomas Bielby, Esq.  
Brooks, Bielby & Smith, 247 East Main Street, Welland, Ontario. L3B 3X1.  
Alfonso and Arlene Ferrusi  
Re: Proposed Amendment to Zoning By-law 2667 - Alfonso and Arlene Joy Ferrusi - 35 Elgin Street (File 2001-05) (DSD-2001-27)

1. (A) Mayor Forster called a Special Council Meeting at 7:10 p.m. for Statutory Public Hearings pursuant to The Planning Act and to deal with the matter of Fleet Vehicle Replacement.
- (B) The Special Council Meeting adjourned at 8:05 p.m. to convene the General Committee Meeting. The Minutes of the Special Council Meeting are recorded separately and filed with the Clerk.
- (C) Mayor Forster called the General Committee Meeting to order at 8:05 p.m.

**2. DISCLOSURE OF INTEREST:**

The Councillor listed below disclosed an interest in the matter shown and did not take part in the consideration and discussion of same and refrained from voting thereon for the reason described:  
Councillor Irvine disclosed an interest in Report DSD-2001-26 (File 2001-04) dealing with the proposed amendment to Zoning By-law 2667 – 284 Niagara Street, as he is the real estate agent representing Sheila Randall.

**3. ADOPTION OF MINUTES OF GENERAL COMMITTEE MEETING OF February 27, 2001:**

Moved by Councillor Eybel that the Minutes of the General Committee Meeting of February 27<sup>th</sup>, 2001 be and the same are hereby approved and adopted as circulated.



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

**5. DELEGATIONS: Nil**

**6. STAFF REPORTS:**

**(A) COMMUNITY SERVICES – Councillor Mastroianni, Chair**

**Development Services Department**

**Planning Division**

**01-77**

**01-77Z - Proposed Official Plan and Zoning By-law Amendment - Wesley Visser, Part of Gore Lot 29, Concession 7, former Township of Crowland, now City of Welland designated as Part 1, Plan 59R-1105 (File 2000-17)**

**(DSD-2001-24)**

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**MOVED BY COUNCILLOR SPADAFORA:**

That the Application submitted by Wesley Visser to amend the City of Welland Official Plan and Zoning By-law 2667 concerning Part of Gore Lot 29, Concession 7, former Township of Crowland, now City of Welland designated as Part 1, Plan 59R-11104 be deferred.

**CARRIED**

**01-78Z - Proposed Amendment to Zoning By-law 2667 - Donald Depasquale - 96 Lincoln Street (File 2001-03)**

**(DSD-2001-25)**

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**MOVED BY COUNCILLOR BELCASTRO:**

That Zoning By-law 2667, as amended, be further amended for 96 Lincoln Street (Part of Lot Lettered "O", Plan 564) from the R3 Zone to a Site Specific R3 Zone to permit a triplex; to provide for a minimum lot frontage of 12 metres; to permit a minimum lot area of 580 square metres; a minimum front yard setback of 6.0 metres; a minimum rear yard setback of 7.5 metres; a minimum west side yard setback of 4.9 metres; a minimum east side yard setback of 0.2 metres; a



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maximum lot coverage of 40%; and to provide a two-way access drive to the required parking spaces with a minimum width of 4.9 metres instead of the required 6.0 metres.

**CARRIED**

**01-79Z - Proposed Amendment to Zoning By-law 2667 - Sheila Randall - 284 Niagara Street (File 2001-04)  
(DSD-2001-26)**

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**MOVED BY MAYOR FORSTER:**

That Zoning By-law 2667, as amended, be further amended for 284 Niagara Street (Part of Lot 3, N.T. Fitch Plan - Plan 554) from the RM2 Zone to a Site Specific RM3 Zone to permit all uses in the RM3 Zone and to provide Site Specific Zone provisions for the existing four-plex with a minimum lot frontage of 17 metres; minimum lot area of 530 square metres; minimum front yard setback of 6.0 metres; minimum north side yard setback of 2.4 metres; minimum south side yard setback of 0.8 metres; maximum lot coverage of 40%; to recognize an existing south yard setback for an accessory building of 0.8 metres and to require a minimum number of parking spaces of four (4) instead of the required six (6).

**CARRIED**

**01-80Z - Proposed Amendment to Zoning By-law 2667 - Alfonso and Arlene Joy Ferrusi - 35 Elgin Street (File 2001-05)  
(DSD-2001-27)**

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Councillor Beaudoin suggested that when dealing with draft plan approval for developments, issues such as zoning and services need to be investigated and addressed.

**MOVED BY COUNCILLOR SPADAFORA:**

That Zoning By-law 2667, as amended, be further amended for 35 Elgin Street (Part of Lot 18, Plans 549 and 550) from the RM2 Zone to a Site Specific RM3 Zone to permit all uses in the RM3 Zone and to provide Site Specific Zone provisions for the existing triplex with a minimum lot frontage of 20 metres; a minimum lot area of 415 square metres; minimum rear yard setback of 7.5 metres; minimum east side yard setback of 2.4 metres; minimum west side yard setback of 0.4 metres; maximum lot coverage of 40%; to recognize an existing south yard setback for an accessory



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building of 0.3 metres and to require a minimum number of parking spaces of two (2) instead of the required five (5).

**CARRIED**

**95-103**

**95-103Z - Application for Draft Plan of Subdivision approval and rezoning amendment - Ashton Homes - Towpath Village Extension (File 26T-14-01001 and File 2001-02) (DSD-2001-28)**

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**MOVED BY COUNCILLOR O'DELL:**

That Report DSD-2001-28 regarding applications from Ashton Homes for Draft Plan of Subdivision Approval and Rezoning amendments to By-law 2667, in the towpath Village Subdivision be received for information purposes.

**CARRIED**

**Building and Inspection Division**

**01-68 - Stock Car petition from the residents of Bishop Road. (DSD-2001-29)**

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The report states that the Development Services Department receives eighty-five (85) complaints on a weekly basis. This figure is an average and relates to complaints citywide. Normal follow-up procedure is via correspondence, following which there is usually compliance. If complaints persist, it may become necessary to prosecute. In this instance, evidence is required. Since there is only one (1) By-law Officer, the City requests that witnesses keep documentation in regards to any incidents.

Mr. Fitzpatrick pointed out that had these complaints been made directly to his department, instead of going to Council first, the matter would have been dealt with quickly.

**MOVED BY MAYOR FORSTER:**



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1. That Report DSD-2001-29 concerning noise and stock cars on Bishop Road be received; and
2. That Staff be directed to continue enforcing the Noise By-law with respect to this particular complaint.

**CARRIED**

**(B) CORPORATE SERVICES – Councillor Fortier, Chair**

**Treasury Department**

**01-4 - Budget/Expenditure Controls.**  
**(TR-01-11)**

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City Clerk Stirtzinger advised that part 6 of the recommendation has been amended, with the wording “at the time the report goes to Council” to be added.

Solicitor Banks supports guidelines and indicated that Staff has been investigating an implementation process and certifications. He has prepared drafts. Mr. Fitzpatrick will bring certifications through the project manager and departmental head. Each time a requisition is made for significant funds, a level of certification will be triggered and required from each person, to ensure that the recommendation is within budget. The Acting Treasurer will be implementing same, thereby ensuring accountability.

Chair Fortier advised that Budget review dates would be set in the near future.

**MOVED BY COUNCILLOR MASTROIANNI:**

That the Council approve the following Policy for Budget/Expenditure Controls:

- 1) A Budget Variance Report be prepared quarterly, or more often as determined by the Treasurer, highlighting any overexpended accounts or accounts projected to be overexpended by the year end.
- 2) Directors/department heads provide a report either appended to the Budget Variance Report or by the next Council/Committee meeting, indicating how the over -expenditure will be funded.
- 3) Other than emergency situations, any account overexpenditure which will cause a department/budget unit to be over budget by year end must be approved by Council before the money is expended.
- 4) Any staff report to Council seeking the use of reserve funds be accompanied by a Treasurer



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- authorization form which indicates that the reserve funds a) are sufficient to fund the expenditure and b) their use does not contravene any known bylaws, agreements or legislation.
- 5) Any staff report to Council seeking approval to expend City funds indicate clearly, under a separate paragraph headed "Financing", that the funding for the expenditure is included in the current budget estimates and, if not, what expenditures it is replacing.
  - 6) Capital budgets for any construction projects be submitted with budgeted component breakdowns i.e. outside consulting, outside contracts, etc. at the time the report goes to Council.
  - 7) Any capital projects that are not pre-committed by Council award of contract by December 31<sup>st</sup> of the budget year be re-budgeted in the subsequent year for the balance of the project cost.

**CARRIED**

**01-04 - Approval of Spending Limits prior to approval of the current years budget estimates.  
(TR-01-12)**

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**MOVED BY COUNCILLOR O'DELL:**

That the matter regarding the policy with respect to spending limits prior to approval of current year budget estimates be deferred to the April 10<sup>th</sup>, 2001 General Committee Meeting.

**CARRIED**

**(C) OPERATIONAL SERVICES – Councillor Beaudoin, Chair**

**Engineering Division**

**01-76 - Sanitary Service Lateral Replacement 2001.  
(ENG 01-08)**

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There was lengthy discussion regarding the inclusion of project amounts in the authorization for tender reports. Mayor Fortier queried whether it is possible to receive a confidential document which notes estimated cost, in lieu of including same in staff's report. Councillor O'Dell suggested that report (not confidential) be forwarded to Council. Councillors can then query the amount during discussion.

Councillor Fortier stated that clear direction had been given to departmental heads to provide Council with a five (5) year capital project plan. Such plan was to be in place before the requested projects were commenced. He is unsure whether Summerlea and others need to be prioritized. He noted that the surface of Lincoln Street is inadequate. Councillor Fortier will not support the recommendation until a five (5) year capital project plan is in place.



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Mr. Marcello stated that projects outlined and approved for year 2001 are priority and should be completed in year 2001. Staff has identified and listed priority water main breaks and water quality concerns for year 2001. The Revised Waterworks Capital Budget 2001 (page 35 of the Agenda) lists projects, which must be completed in year 2001.

With respect to a five (5) years capital budget plan, Mr. Marcello indicated that staff would be in a better position to prepare for a water works five (5) year capital budget for the year 2002. The plan would outline which projects should be done first, based on water main breaks. On October 3rd, 2000, Council authorized a water quality assessment study for year 2001 and once same is completed, staff we have a precise five (5) or ten (10) year capital budget. A sewage environmental assessment study has just been completed and a report will be submitted to Council in the next month or so for approval. A ten (10) year capital budget can then be presented as early as year 2001. Mr. Marcello noted that Council was to give guidelines on financial aspect, what can be allocated under yearly basis on budget and what can be

debentured. Currently the budget for waterworks is \$1,000,000 per year. Perhaps this amount should be doubled.

A five (5) year capital budget plan for waterworks and sanitary sewers should be completed in two (2) months time, following receipt of sewage and environmental assessment studies.

With respect to Montgomery Road, Councillor Alakas queried what would happen to the project if there were no funding. Mr. Marcello advised that City would proceed and complete as much of the project as possible, then locate other funding or proceed via debenturing. If there is no funding by the end of June 2001, the City should proceed and request other funds.

With respect to the Hughes Avenue project, Mr. Marcello indicated that it has no priority over the Montgomery Road project; however, since it is adjacent to Lincoln Street, cost savings would be involved. Water quality comes first.

C.A.O. Kerschl stated that a project, which increases from budget, does not increase the Capital Budget. The increase is merely shifted.

### **MOVED BY COUNCILLOR MASTROIANNI:**

That the Director of Operational Services be authorized to proceed with the preparation of plans, specifications and the calling of tenders for the replacement of various sanitary service laterals;

That this project be funded from the allocated \$175,000 in the 2001 Sanitary Sewer Capital Budget (Capital from Revenue under the 2001 Operating Budget);

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

**CARRIED**



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**01-73 - Watermain Replacement on Lincoln Street.**  
**(ENG 2001-09)**

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**MOVED BY COUNCILLOR ALAKAS:**

That the Director of Operational Services be authorized to proceed with the preparation of plans, specifications and the calling of tenders for the replacement of watermain on Lincoln Street between Empress Avenue and Memorial Park Drive;  
That the estimated project cost of \$300,000.00, as budgeted in the 2001 Water Works Capital Budget, be funded by means of Capital from Revenue (Operating Budget);  
That the City Solicitor be directed to prepare all necessary and appropriate by-laws.

**CARRIED**

***(Councillor Fortier asked to be recorded as opposed)***

**01-73 - Hughes Avenue Watermain Replacement.**  
**(ENG 2001-12)**

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**MOVED BY MAYOR FORSTER:**

That the Director of Operational Services be authorized to proceed with the preparation of plans, specifications and the calling of tenders for the replacement of watermain on Hughes Avenue between Lincoln Street and Lewis Street;  
That the estimated construction cost of \$100,000.00, which was under allocated in the approved 2001 Water Works Capital Budget, be funded by means of Capital from Revenue (Operating Budget);  
That the 2001 Water Works Capital Budget be revised to reflect the changes, as proposed;  
That the City Solicitor be directed to prepare all necessary and appropriate by-laws

**CARRIED**

***(Councillor Fortier asked to be recorded as opposed)***

**Transit Division**

**01-13 - Transit Charter Rates**  
**(TRANS 01-01)**

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There was discussion in regards to newspaper articles dealing with the future of Welland Transit. Issue was taken in regards to a statement wherein it was suggested that the matter could be handled with a plebiscite. Councillor O'Dell was adamant that public transit is necessary for development.



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Transit Office Coordinator Fortin advised that Laidlaw charges \$65 per hour for charter rates for organizations outside the City of Welland. This is comparable to the recommendation.

**MOVED BY COUNCILLOR EYBEL:**

1. That Council approve increasing the hourly charter rate from \$35.00 to \$52.50 plus G.S.T., commencing May 1, 2001;  
and
2. That a \$63.00 per hour rate be implemented for organizations outside the City of Welland.

**CARRIED**

**01-13 - Preauthorization to purchase smaller used bus.**  
**(TRANS 01-02)**

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The Transit Review Committee has recently had opportunity to look at the smaller unit used on the #10-Woodlawn Road route. There are two (2) other routes (#1-Broadway and #2-South Pelham) where similar units could be used and purchase of same is being investigated. The committee's intention is to replace approximately 50% of the larger buses; however no direction has been determined.

**MOVED BY MAYOR FORSTER:**

1. That Council support and approve the Transit Review Committee's direction to authorize staff the flexibility to view and purchase a smaller bus(es); and
2. That the purchase amount(s) be limited to \$58,722.00 which is the insurance settlement established for Unit #125.

**CARRIED**

**99-128**

**01-13 - Mobility Niagara**  
**(TRANS-2001-03)**

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Transit Office Coordinator Fortin stated that Welland is the only municipality providing such service for its municipality.

Mayor Forster noted that a business plan to make the system again operational should be ready the second (2<sup>nd</sup>) week of April 2001.

**(ACTION)**

**MOVED BY COUNCILLOR O'DELL:**

1. That Council approve a three month continuation of the existing service on Mobility Niagara at a monthly cost of approximately \$4,000.00 commencing April 1, 2001 to June 30, 2001; and
2. That staff continue to explore the funding opportunities and partnering with the health services and agencies through the Region of Niagara Transportation Steering Committee.

**CARRIED**

**01-13 - Transit and Handi-Trans Fare Increase.**  
**(TRANS-2001-04)**

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At Budget deliberations there has been discussion regarding the replacement of Trans Cab with Handi-Trans. Transit Office Coordinator Fortin stated that Trans Cab was used in low ridership areas because it was more cost effective. She noted that if the proposal were entertained, an investment in capital new vehicles would be required.

Niagara Transit is having difficulty making profit and sustaining service to Niagara Falls; therefore, rate increases are necessary.

**MOVED BY COUNCILLOR MASTROIANNI:**

That the matter regarding approving a fare and pass increase commencing on May 1, 2001 on conventional Transit and Handi-Trans services be referred to the April 10<sup>th</sup> General Committee Meeting.



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**CARRIED**

**98-13 - Welland Transit Terminal - Confectionery Store.**  
**(TRANS-2001-05)**

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**MOVED BY MAYOR FORSTER:**

That the matter regarding renewal of the service provider contract for the confectionery store located at the Welland Transit Terminal be referred to the April 10<sup>th</sup> General Committee Meeting.

**CARRIED**

**01-13 - Transcab Service**  
**(TRANS-01-06)**

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Upon receipt of 4500 Taxi's letter of request dated March 8<sup>th</sup>, 2001, (page 55 of the Agenda), Transit Office Coordinator Fortin stated that Mr. Diab was advised that financial transactions for the year 2000 would be required. The City received same on Friday, March 23<sup>rd</sup>, 2001.

**MOVED BY COUNCILLOR MASTROIANNI:**

That the matter regarding the extension of the Transcab contract be referred to the April 10<sup>th</sup> General Committee Meeting on April 10<sup>th</sup>, 2001.

**CARRIED**

**7. NEW BUSINESS:**

**7.1 Bridge Lighting**

Councillor Irvine pointed out that donation sheets (green) were included in Thursday's package.

**7.2 Help-A-Child-Smile Bowl-a-thon**



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Councillor Eybel stated that the event is scheduled for May 26<sup>th</sup> and 27<sup>th</sup>, 2001. A five (5) person team is required.

### 7.3 Y.M.C.A. Steering Committee

This matter is to be dealt with at the April 3<sup>d</sup>, 2001 Council meeting. One (1) staff and two (2) Councillors are required to sit on same. Councillors Dzugan, Irvine and Fortier put their names forward for consideration.

### 7.4 Heritage Council – Monument (Welland City Canal)

Councillors Fortier and Dzugan were present at today's Heritage Council meeting. There was no discussion regarding financial commitment and its intentions.

Mr. Smith was asked to review prior resolutions regarding financial assistance. In May 2000, Council had committed to building the base (small fountain and a monument) at a cost of \$26,500. This issue should be revisited since Heritage Council is now dealing with a different artisan and a new concept.

Mayor Forster indicated that the Heritage Council is requesting \$30,000 from Council, with \$20,000 needed to pay the foundry, \$7,000 for the artisan and funds for printing of brochures.

With respect to fundraising, Mayor Forster advised that \$12,000 has been received since the recent unfavourable newspaper article. There was discussion as to whether or not the City should assist with same. Solicitor Banks advised that the Heritage Council has not yet developed a full cost basis. Councillor O'Dell disagreed. Mayor Forster directed Mr. Smith to obtain actual costs of the base project, overall project costs and how much of the costs have been committed to fundraising. A report to Council is then to be made. Mayor Forster noted that a fundraising plan would be required. It was suggested that Mary Lou Ambrose-Little be contacted in regards to fundraising. Councillor Dzugan advised that the next Heritage Council meeting is scheduled for Tuesday, April 3<sup>d</sup>, 2001, wherein these issues will be addressed.

**(DIRECTION)**

The deadline for the millennium fund grants has been extended to September 30<sup>th</sup>, 2001.



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A press conference is scheduled at Best Western for Thursday, April 12<sup>th</sup>, 2001.

7.5 Delegations at Council Meetings

There was discussion with respect to screening of delegations coming before Council, in order to divert some to General Committee. It was suggested that this procedure could be utilized for a period of six (6) months.

7.6 Mayoral Correspondence

Mayor Forster advised Council that her secretary has set up a monthly binder of correspondence in and out of the Mayor's office. Councillors are welcome to view same.

7.7 Welland Historical Museum Dinner

Councillor Dmytrow-Bilboe reminded Council that the dinner takes place on Saturday, March 31<sup>st</sup>, 2001.

7.8 Council Pictures

Three (3) dates were given to Councillors regarding same; however, City Clerk Stirtzinger has had no feedback.

**(ACTION)**

8. The General Committee Meeting adjourned at 10:10 p.m.