



GENERAL COMMITTEE MEETING

Tuesday, May 28, 2002
7:00 P.M.
COUNCIL CHAMBERS - CITY HALL

Meeting Number G.C. 2002 - 08

Members present: Mayor Cindy Forster

Councillors:

R. Alakas	D. Fortier
D. Beaudoin	J. Irvine
M Belcastro	J. Mastroianni
M. Dzugan	S. O'Dell
T. Eybel	

Members of the Staff and Others Present:

City Clerk C.A. Stirtzinger
City Solicitor G. Banks (until 7:45 p.m.)
Chief, Fire & Emergency Services P. Olah
General Manager Engineering, Public Works and Transportation Services G. Marcello
General Manager, Parks and Recreation and Acting City Manager I. Smith
General Manager Financial and Corporate Services/Treasurer B. Silvestri
Manager Development Planning/Real Estate D. Thorpe
Chief Building Official M. Mantesso
Clerk Steno III B. Gallaccio
Recording Secretary M. Hughes

Others Present:

02-95Z

Terry Duffy, Agent on behalf of applicant.
Re: Proposed Amendment to Zoning By-law 2667 - Welland Medical Developments Limited, 570 King Street. **(DSD-2002-49)**

02-96

02-96Z

P. Douglas Reitsma, Agent on behalf of applicant.
Re: Proposed Amendment to Official Plan and Zoning By-law 2667, Caisse Populaire Welland Limitee, 59 Empire Street. **(DSD-2002-50)**

02-2

J. Szanto, Owner of Jimmy Sweets/Bulldogs BBQ Backyard Grill, 147 East Main Street, Welland.
Re: City Restaurant Consideration, 147 East Main Street. **(DSD-2002-51)**



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

1. ADDITIONS/DELETIONS TO AGENDA:

02-21

Letter from the Heart and Stroke Foundation of Ontario requesting permission to hold the annual "**Big Bike for Stroke**" on May 29th, 2002

2. DISCLOSURE OF INTEREST:

Councillor Dzugan disclosed an interest in the matter of Item 02-2 – City Restaurant License Consideration (DSD-2002-51) and did not take part in the consideration and discussion of same, and refrained from voting thereon as he is employed by Ramada Kaves Nite Club which is in direct competition with Jimmy Sweets/Bulldogs BBQ Backyard Grill.

3. ADOPTION OF MINUTES OF GENERAL COMMITTEE MEETING OF May 14, 2002

Moved by Councillor Eybel that the Minutes of the General Committee Meeting of May 14, 2002 be and the same are hereby and adopted as circulated.

CARRIED

4. (A) Mayor Forster recessed the General Committee Meeting to convene the Special Council Meeting at 7:05 p.m. for Statutory Public Hearings, chaired by Councillor Irvine, pursuant to The Planning Act.

(B) The Special Council Meeting adjourned at 7:20 p.m. to re-convene the General Committee Meeting. The Minutes of the Special Council Meeting are recorded separately and filed with the Clerk.

5. BUSINESS ARISING FROM MINUTES OF PREVIOUS MEETINGS: NIL

6. DELEGATIONS: NIL

7. STAFF REPORTS:



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

Parks and Recreation Department

**02-114 – Equity in Sport Review
(P&R-02-18)**

Council has requested to see any pertinent information regarding equity in sports including gender equity, group/organization equity. Council was informed that a Request For Proposal (RFP) has never been issued before for this type of review. An RFP would assist present and future sports organizations to receive equitable treatment and be helpful to Council during budget deliberations.

Staff is to gather information and prepare the terms of reference for the RFP and present it to Council in September.

(DIRECTION)

Councillors expressed concern regarding the budgeted amount of \$35,000. Staff informed Council that the amount was determined by researching other municipalities.

Council agreed to delete mention of the \$35,000 and amend the recommendation as follows.

Moved by Councillor Alakas

1. That staff be authorized to prepare a Request for Proposal (RFP) for the retention of a professional consulting company to review the relationship between the City and the community's minor sports groups.
2. That the RFP provide Council with options to ensure equity for all community, minor sports organizations.
3. That staff complete an RFP for review by Council.

CARRIED

**02-31 – Tender proposals for Gram, Trelawn and Manchester Park
(P&R-02-23)**

Councillor Eybel questioned why Erie Park was not on the list to receive playground equipment. Mr. Smith informed Council that Erie Park was scheduled for playground equipment once the 2002 Budget was approved. This Budget was approved Tuesday, May 21, 2002 (last week). However, Trelawn, Gram and Manchester Parks were initially approved in 2001 with the money going into reserve. Playground equipment can be



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ordered for Erie Park at the same time as the other orders are placed with Erie Park receiving the same playground equipment as Manchester Park within the 2002 budgeted amount of \$30,000 including GST. Equipment should be in parks about June/July 2002. Mr. Smith informed Council of the factors which determine which parks receive equipment as well as the monetary amount spent at the parks. It was agreed to include Erie Park in the recommendation.

Moved by Councillor Eybel

That Council accept the three proposals for Gram, Trelawn and Manchester Parks play equipment with funding from the Parks Equipment Reserve Funds (2001) and Erie Park from the Parks Equipment Capital Funds (2002) and that staff be directed to install the equipment, as soon as possible. The proposals are as follows:

Trelawn Park Proposal	-	Little Tykes Commercial Playsystems
	-	\$16,641.11 plus GST
Gram Park Proposal	-	Belair Recreational Products Inc.
	-	\$9,055.38 plus GST
Manchester Park Proposal	-	Henderson Recreational Equip. Ltd.
	-	\$23,363 plus GST
Erie Park Proposal	-	Henderson Recreational Equip. Ltd.
	-	\$23,363 plus GST

CARRIED

02-32 – Public Skating - Arenas (P&R-02-24)

Council was informed that approximately 25 to 30 skaters (mostly youths) use the ice during the free time on Saturday. Sunday free skating is very well attended, mostly families. Minor hockey is expanding and has requested the Saturday skate time for hockey. Council noted that it was unfair to take away the Saturday afternoon skating time.

Moved by Councillor Mastroianni

That report P & R-02-24 regarding Public Skating - Arenas be tabled.

CARRIED

97-77 – Sports Complex Concession Booth



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(P&R-02-25)

Councillor Irvine suggested that the years be changed to 2002-2004 from 2003-2005 and that an ad be placed in the newspaper requesting proposals for concession operation at the Sports Complex starting this summer. Some Councillors felt this was short notice and unfair to the present concession operator. Some Councillors suggested that a contribution of more than \$500 or a percentage of gross sales be contributed to the Culture Sport and Recreation Fund due to the fact that there are three major tournaments scheduled for this summer.

Moved by Mayor Forster

That staff prepare a Request for Proposal (RFP) for the operation of the Concession Booth at the Sports Complex for the 2003-2005 seasons (3 years) and for the year 2002, the present concession operator be asked to contribute 5% of gross sales during special events/tournaments to the Culture Sport and Recreation Fund.

LOST

Moved by Councillor Alakas

That staff prepare a Request for Proposals (RFP) for the operation of the Concession Booth at the Sports Complex for the 2003-2005 seasons (3 years) and for the year 2002, the present concession operator be asked to contribute \$500.00 to the Culture Sport and Recreation Fund.

CARRIED

02-4

02-32 – Capital Project – Jack Ballantyne Memorial Arena

(P&R-02-26)

Moved by Councillor Mastroianni

That the quote from Tech-Stone Floor and Wall Coatings Inc., Welland, Ontario in the amount of \$5,526.55 including GST for the resurfacing of the walls and floors of the showers in be Jack Ballantyne Memorial Arena be accepted as being the lowest price received. Funds for the project shall be from the Capital Budget of the 2002 Parks and Recreation Budget.

CARRIED

97-77



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02-31 – Use of Ball Fields – Profit Groups (P&R-02-27)

Moved by Councillor Eybel

That all profit groups using City of Welland Sports Fields for baseball, slowpitch or soccer shall be charged at a rate equal to the profit groups being charged for use of the Welland Stadium of \$18.00/ hour in 2002 and \$24.00/ hour in 2003. The new rate will be in effect for the 2002 and will not be retroactive to the start of the season.

CARRIED

02-31 – 326 Aqueduct – Tree (P&R-02-28)

Several Councillors drove by 326 Aqueduct to see for themselves the tree that is growing in the middle of the driveway. The property owner has to drive over his neighbor's property to access his driveway/garage. The home is approximately 40 to 50 years old, the driveway is approximately 20 years old. The healthy tree is on City property. The same situation was brought forward before a previous Council about 8 years ago. The property changed ownership 18 months ago.

Council has asked that Mr. Banks check into the legalities of the situation and offer appropriate recommendations at the next General Committee Meeting in 2 weeks.

(DIRECTION)

Moved by Councillor Belcastro

That Report P & R-02-28 regarding 326 Aqueduct - Tree be referred to the next General Committee Meeting.

CARRIED

Development Services Department

02-115 – Agreements with the Town of Pelham for Development of the Niagara Region's Proposed Long Term Care Facility (PDS-2002-48)

Moved by Councillor Eybel

1. That Council exempt the Regional Municipality of Niagara from the requirement to provide financial security for on-site works for the proposed Regional Long Term Care Facility on South Pelham Road as it affects the City of Welland;
2. That the City of Welland and the Town of Pelham enter into an agreement for the joint enforcement of the Building Code Act with respect to the construction of the Regional



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Municipality of Niagara's Proposed Long Term Care Facility located at the northwest corner of Foss Road and South Pelham Road; and the Mayor and Clerk be authorized to sign the agreement.

CARRIED

**02-95Z – Proposed Amendment to Zoning By-law 2667 – Welland Medical Developments Limited – 570 King Street (File 2002-04)
(DSD-2002-49)**

Moved by Councillor Eybel

That Zoning By-law 2667, as amended, be further amended for lands located on the east side of King Street, south of Fourth Street (part of Block F, Plan 574) by amending the C3-X1 Zone for the northerly 51.6± metres, known municipally as 570 King Street, to provide for reduced Zone Provisions to recognize a Consent Decision by the Committee of Adjustment and to Rezone the southerly 61.2± metres from the existing C3-X1 Zone to a Site Specific C3 Zone to restrict the uses to a clinic, a medical laboratory, retail activities related to health care such as a pharmacy and optician, a delicatessen or sandwich shop, and accessory uses; to create Zone Provisions and to require a minimum of 50 parking spaces instead of the required 71 spaces.

CARRIED

02-96

**02-96Z – Proposed Amendment to Official Plan and Zoning By-law 2667 – Caisse Populaire Welland Limitee – 59 Empire Street (File 2002-05)
(DSD-2002-50)**

Moved by Councillor Eybel

1. That the City of Welland adopt Official Plan Amendment No. 105 respecting Lots 21, 23 and part of Lot 19, Plan 566 known municipally as 59 Empire Street to permit business offices and a financial institution and to provide Policies to guide redevelopment;
2. That Zoning By-law 2667, as amended, be further amended for 59 Empire Street (Lots 21, 23 and part of Lot 19, Plan 566) from the existing RM4 with exemptions to a Site Specific RM4 Zone to permit the entire property to be used for business offices and a financial institution and to create Zone Provisions and that such By-law shall come into force upon the final approval of the Official Plan Amendment; and
3. That By-laws 4822 and 5621, being By-laws amending Zoning By-law 2667, be repealed upon the final approval of the proposed Zoning By-law Amendment.

CARRIED



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02-2 – City Restaurant License Consideration for Jimmy Sweets / Bulldogs BBQ Backyard Grill at 147 East Main Street (DSD-2002-51)

Mr. Szanto was present to answer questions/concerns from Council. Mr. Szanto informed Council that the proposed “bar” would be similar to a fast food take-out counter. No liquor license has been applied for yet. The “bar” would offer BBQed burgers, hot dogs, and pig on a spit. Seating would be set up for patrons under an awning. Councillors expressed concern regarding the mural on the wall in the area of the proposed awning. Mr. Szanto indicated that about 80% of the mural would still be visible. He indicated the mural would enhance his business acting as a backdrop. Ownership of the mural came into question. Staff informed Council that the mural technically belongs to the building owner next door to Mr. Szanto. Council also expressed concern about the portion of the mural under the awning which would be directly behind the counter area and the possibility of it being damaged in some way. Mr. Szanto informed Council that he would be willing to notify his insurance company to obtain the necessary coverage.

Council requested Staff to bring back information regarding the ownership and/or agreements regarding the murals.

(DIRECTION)

That the City grant a Business License (Restaurant) for the proposed outdoor patio/cafe at 147 East Main Street subject to the premises complying with City By-laws and the requirements of Fire, Health and Building Officials.

CARRIED

(B) CORPORATE SERVICES – Councillor Irvine, Chair

Clerk’s Department

02-113 – Purchase of Xerox 470STSLX Copier (CLK-2002-10)

Moved by Councillor Eybel

That Council approves the purchase of a Xerox 470STSLX Copier at a purchase price of \$30,995 plus applicable taxes, to be funded from the Capital Budget; plus \$.09 per copy for a full Maintenance Coverage Agreement to be paid from the Operating Budget.

CARRIED



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(A) **CORPORATE SERVICES**

Clerk's Department

02-21 – Heart and Stroke Foundation Request for Approval of Big Bike for Stroke Research Event.

Moved by Council Eybel

That Welland City Council approves the application of the Heart and Stroke Foundation of Ontario for its annual ***“Big Bike for Stroke”*** scheduled for May 29, 2002 at the Seaway Mall; subject to the applicant's completion of all conditions of the Policy of Road Use for Community Activities.

CARRIED

9. The General Committee Meeting adjourned at 8:50 p.m.