



GENERAL COMMITTEE MEETING

Tuesday, May 11, 2004

7:20 P.M.

COUNCIL CHAMBERS - CITY HALL

Meeting Number G.C. 2004 - 06

General Committee met in Committee-of-the-Whole in Camera at 6:40 p.m. to discuss a personal matter and a matter of Solicitor/Client Privilege and in open session at 7:20 p.m. with Mayor Goulbourne calling the meeting to order

Members present: Mayor Damian Goulbourne

Councillors:

D. Alexander
D. Beaudoin
M. Belcastro
P. Chiocchio
M. Dzugan

D. Fortier (until 7:10 p.m.)
P. Grenier
J. Larouche
S. O'Dell
B. Sharpe

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 and Transportation Services D. Shantz
Acting General Manager, Parks & Recreation R. Morwald (7:20 p.m. - 7:30 p.m.)
General Manager Financial and Corporate Services / Treasurer B. Silvestri (7:20 p.m.-7:30 p.m.)
General Manager, Planning & Development Services D. Thorpe (7:20 p.m.)
Recording Secretary, Games Licensing Clerk S. Stirling (7:20 p.m.)

Moved by Councillor Grenier

That Council meet in Committee-of-the-Whole, closed to the public at 6:40 p.m. to consider:

- i) Personal matter about an identifiable individual, including municipal employees; and
- ii) The receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.



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CARRIED

Moved by Councillor Grenier

That the Committee-of-the-Whole arise from its closed meeting at 7:10 p.m. without report.

CARRIED

Mayor Goulbourne called the open session of General Committee Meeting to order at 7:20 p.m.

1. ADDITIONS/DELETIONS TO AGENDA: NIL

2. DISCLOSURE OF INTEREST:

Councillor Alexander disclosed an interest in the matter of Item 03-84 and did not take part in the consideration and discussion of same; and refrained from voting thereon as the backyard of his property contains a municipal drain which may be affected by the standing water by-law.

3. ADOPTION OF MINUTES OF GENERAL COMMITTEE MEETING OF APRIL 27TH, 2004

Moved by Councillor Dzugan that the Minutes of the General Committee Meeting of April 27th, 2004 be and the same are hereby approved and adopted as circulated.

CARRIED

4. BUSINESS ARISING FROM MINUTES OF PREVIOUS MEETINGS: NIL

5. PUBLIC HEARINGS: NIL



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6. DELEGATIONS AND PRESENTATIONS: NIL

7. STAFF REPORTS:

(A) COMMUNITY SERVICES - Councillor S. O'Dell, Chair

Planning and Development Services

Planning Division

**04-55 - Proposed Plan of Subdivision and Zoning By-law amendment – Woodlawn Meadows Subdivision (Files 26T-14-03003 and 2003-15) – Adisco Limited – south side of Woodlawn Road, east of South Pelham Road.
(PDS-2004-21)**

Councillor Beaudoin expressed concern that developers are building as many homes as possible on a parcel of land which is resulting in large homes being built on small lots. He used this particular Plan of Subdivision as an example with the original submission containing 37 lots and the red-lined revision indicating 40 lots. He stated that he would like to see lot sizes that would be beneficial to everyone because the large homes on small lots lead to other concerns regarding on-street parking, side yard clearance and snow removal problems. He added that he would like to see different styles of homes being built in new neighbourhoods in this municipality and not always the same type with the garage right in front. He emphasized that he is not centering out this specific Plan of Subdivision but would like to see Council set criteria and policies on Subdivision Plans. Mr. Fitzpatrick responded by saying that 40 feet lots for low density developments is standard and that residents are building the largest possible homes for the least amount of money. They desire the smaller lots because it is a significant amount of money for larger lots. Mr. Fitzpatrick cautioned that developers are building what the people want to buy and the City will have to conduct dialogues with the developers regarding Council's wish for them to build different styles of homes. Councillor Alexander offered the municipality of Milton as an example where a variety of differently designed homes were built that were not "cookie cutter" homes. He suggested that someone from this development be invited to speak to Council so that the City can receive materials to present to builders in this area. Councillor Larouche indicated the need for restrictions to be in place on the density of lots so that the City does not have a fire hydrant in the middle of someone's driveway. Mr. Thorpe stressed that both the builder and the purchaser are aware of fire hydrant and utility locations because they are designed and installed prior to development starting. He explained that before a building permit can be issued the fire hydrants, water and base asphalt must all be there first. Mayor Goulbourne referred to 2 (e) on page one of this report and asked if it was standard practice for owners to pay Cash-in-Lieu of Parkland Dedications and Mr. Thorpe indicated that it would depend on the area of the new development and whether or not there was a need for parkland there. He explained that this particular development has a large park to the east so there was no requirement for more parkland. The discussion continued with Councillor O'Dell inquiring about the drainage in this development and Mr. Thorpe indicated that the post-development flow over land will be the same as the pre-development flow.



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Moved by Councillor Beaudoin

1. That City of Welland Zoning By-law 2667, as amended, be further amended for lands on the south side of Woodlawn Road, east of South Pelham Road (Part of Lot 246, former Township of Thorold) from the existing R2 Zone to the R3 Zone to permit residential development by Plan of Subdivision.
2. That the City of Welland hereby grant Draft Approval to the Woodlawn Meadows Subdivision (File 26T-14-03003) developed by Adisco Limited, being Part of Lot 246, former Township of Thorold based upon a Plan prepared by Urbex Engineering Limited dated March 18, 2004 consisting of forty (40) single-detached residential lots, three (3) Blocks for future residential purposes, one (1) Block for a temporary Storm Water Management Facility, one (1) Block for a future street and seven (7) Blocks for access control purposes as red-lined by City Council subject to the following Conditions:
 - a) That the Owner enter into a Subdivider's Agreement with the City of Welland to be registered on Title.
 - b) That no grading or construction work shall commence on the site until such time as the Subdivider's Agreement has been entered into, all financial security is in place and the Plan and all documentation has been registered on Title.
 - c) That all necessary Easements required for utility and servicing purposes be granted to the appropriate Authority free of all encumbrances.
 - d) That Blocks 46 through 52 inclusive, being 0.3 metre Reserves be transferred to the City of Welland free of all encumbrances for access control purposes.
 - e) The Owner shall pay Cash-in-Lieu of Parkland Dedications based upon current City Requirements.
 - f) The Owner shall provide a Geotechnical Subsurface Investigation Study, prepared by a qualified Geotechnical firm, to the City which must make recommendations on the use of the site for the construction of houses/buildings.
 - g) The Owner shall construct a temporary Storm Water Management Facility on Block 43, including any required fencing and landscaping to the satisfactory of the City. Vehicular access will be permitted over Blocks 42, 47 and 48 for maintenance of the Facility. The City shall not take ownership of Block 43 and the Owner shall be responsible for its maintenance and operations. The Owner shall provide the City with financial security to ensure maintenance.
 - h) When the temporary Storm Water Management Facility on Block 43 is no longer required, the Owner shall be responsible for ensuring that Block 43 is restored to its original condition in accordance with any government procedures and to the satisfactory of the City of Welland.
 - i) Subject to any government requirements concerning the re-use of Block 43 for residential purposes, the development of adjoining lands to the south to incorporate a street in conjunction with Block 42 and the entering into of any Agreements required in the future, the City may permit the development of Block 43 for single-detached residential purposes.
 - j) That detailed sedimentation and erosion control plans detailing methods proposed for the control of silt and erosion during the construction phase and restoration proposed for the site after construction be submitted to the N.P.C.A. for review and approval.
 - k) That the Owner acknowledge promptly that draft approval of this subdivision does not include a commitment of servicing allocation by the Regional Municipality of Niagara as this servicing allocation will be assigned at the time of final approval of the subdivision for registration purposes.



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- l) That immediately following notice of draft plan approval, the Owner shall provide the Regional Niagara Planning and Development Department with a written undertaking that all offers and agreements of purchase and sale, which may be negotiated prior to registration of this subdivision, shall contain a clause clearly indicating that a servicing allocation for this subdivision will not be assigned until the plan is granted final approval for registration, and a similar clause be inserted in the Subdivider's Agreement between the Owner and the City of Welland.
 - m) That the design drawings for the water, sanitary sewer and stormwater drainage systems required to service this development be submitted to the Regional Public Works Department for review and approval. (Note: Any Stormwater Management Facility that may be proposed for this development would require the direct approval of the Ministry of the Environment, Toronto).
 - n) That prior to final approval for registration of this plan, the Owner shall obtain Ministry of the Environment Certificates of Approval to the satisfaction of the Regional Public Works Department for the necessary servicing (watermains, storm sewers and sanitary sewers) for this development.
 - o) That prior to approval of the final plan or any on-site grading, the Owner shall submit to the Regional Planning and Development Department for review and approval two copies of a detailed Stormwater Management Plan for the subdivision and the following plans designed and sealed by a suitably qualified professional engineer in accordance with the Ministry of the Environment documents entitled "Stormwater Management Planning and Design Manual", March 2003, and "Stormwater Quality Guidelines for New Development", May 1991:
 - i) Detailed lot grading and drainage plans, noting both existing and proposed grades and the means whereby overland flows will be accommodated across the site;
 - ii) Detailed sediment and erosion control plans.
- Note:** The Region will request the Niagara Peninsula Conservation Authority to review the Stormwater Management Plan and other related plans on the Region's behalf and to submit comments to the Regional Planning and Development Department regarding the approval of these plans and the subsequent clearance of related conditions by Regional Planning staff.
- p) That the Subdivider's Agreement between the Owner and the City of Welland contain provisions whereby the Owner agrees to implement the approved Stormwater Management Plan required in accordance with Condition o) above.
 - q) That the developer revise the proposed plan of subdivision with a redline revision wherein Lots 12 to 16 are removed and replaced with a block for a Stormwater Management Facility.
 - r) The Owner shall prepay for the subject land's share, on an area basis, of a permanent Storm Water Management Facility to be constructed in accordance with the Central West Planning and Services Review Study, such facility to be constructed in the future.
 - s) That Block 42 proposed to form part of future road allowance, be transferred to the City at no cost for such purposes.
 - t) That prior to the granting of Approval for the Final Plan, City of Welland Planning and Development Services will require **written notice** from the following upon their respective Conditions having been met satisfactorily:
 - Regional Niagara Planning and Development Department for Conditions k), l), o), p) and q);
 - Regional Niagara Public Works Department for Conditions m) and n);



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- Niagara Peninsula Conservation Authority for Conditions j).
- u) That if Final Approval is not given to this Plan within **three (3) years** of the approval date and no extensions have been given, Draft Approval shall lapse. If the Owner wishes to request an extension to Draft Approval, a written request, with reasons why the extension is required, must be received by the City prior to the lapsing date; and
3. That the Mayor be authorized to sign Draft Approval and Final Approval Plan for the Woodlawn Meadows Subdivision once all Conditions have been satisfied.

NOTES:

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

CARRIED

Mayor Goulbourne chaired this portion of the meeting to allow Councillor O'Dell to speak on this matter.

03-84 - Proposed Standing Water By-law (PDS-2004-22)

Councillor O'Dell inquired as to the enforcement ability of the municipality to tell residents to drain out any standing water. Mr. Thorpe replied that Council must put a By-law in place to give the municipality the enforcement ability. He indicated that larvicide satisfies the health concern and is used by the Region and is recommended by the Health Unit to residents for use in treating this matter. Mr. Thorpe pointed out that residents can be charged under the Provincial Offenses Act if staff inspects and advises residents to clean up the standing water and they do not comply. Mr. Banks added that municipalities do not have a lot of authority to deal with this issue and added that owners cannot change their property to adversely affect their neighbours deliberately. Councillor O'Dell suggested that something be put in place that states when a new development goes in the swale cannot be blocked. Mr. Banks referred to a seldom used point in the Drainage Act called the Mutual Agreement Grant, Section 2 whereby a process can be put in place where the cost is collected from all the property owners who are made aware of the swale and told it cannot be blocked. He cautioned that this is first introduced at the point of development and the City must be ready to enforce and administer this Mutual Agreement at a cost to the City. Mr. Thorpe clarified that the intention of this recommendation is for a By-law to be prepared and presented at the next Council Meeting so it can be implemented next week. He detailed that this By-law will be based on By-laws from other municipalities such as



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Thorold. He concluded the discussion by stressing the importance of having this By-law in place this year and suggested that it be examined next year for any necessary adjustments. Councillor Sharpe added that he would like to see the City develop a program and be a good example to educate the public on how to deal with standing water and remind people to act to reduce potential health hazards in the City.

Moved by Councillor Belcastro

That Staff be authorized to bring forward a By-law designed to reduce and limit the existence of standing water which contributes to the breeding of insects, in particular mosquito larvae.

CARRIED

Parks & Recreation Department

04-83 - Tender – Weed Cutting. (P&R-2004-12)

Moved by Councillor Belcastro

That Council waive the requirement for the minimum of three (3) bids for weed cutting along urban and rural roadsides, on privately owned and City owned lots, and on lands adjacent to the Rowing Club, south of Forks Road in the City of Welland, due to the fact that only two (2) tenders were received, and furthermore, that Council authorize the opening of the two tenders.

CARRIED

(B) CORPORATE SERVICES - Councillor M. Belcastro, Chair

Finance Division

96-48 - Development Charges 2003 Year End Statement. (FIN-04-15)

Moved by Councillor Belcastro

That the Treasurer's Statement attached to Report FIN-04-15, in accordance with the Development Charges Act and O. Reg. 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).



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CARRIED

Office of the City Manager

01-46 - Additional Engineering Services – Harry Diffin Industrial Park. (CM-2004-17)

Councillor Chiocchio inquired as to what the \$92,000 in additional costs are and whether this amount will be the final cost. Mr. Fitzpatrick responded by explaining that the neighbours did not want industrial traffic on Buchner Road so the Plan had to be amended. This and several other items have led to the increase in costs. Councillor Alexander requested a copy of this business plan. Mr. Fitzpatrick indicated that he will get this information for Councillor Alexander. He detailed the turning lane requirements due to the changes in the plan and stressed the importance of keeping this 1989 Draft Plan Approval moving at this time.

Moved by Councillor Chiocchio

That Council authorize additional engineering services in the amount of \$92,955.04 for the City owned Harry Diffin Industrial Park and that the additional costs be funded from the 2003 Current Budget surplus.

CARRIED

(C) OPERATIONAL SERVICES - Councillor M. Dzugan, Chair

Engineering, Public Works and Transportation Services

Engineering Division

96-160 - G.I.S. Deployment Implementation. (ENG-2004-09)

Councillor O'Dell voiced his concerns on the costs of the system and requested an explanation on purchasing a system that no one in house is trained on and can operate which would result in the City having to hire an additional employee. Mr. Shantz then explained that the training has to do with the map viewing system and that no one person has the time to coordinate and work on a central base that all departments can contribute to. He added that each department currently has their own map and this system would create a single map with each department adding their own layer to it resulting in improved efficiency in accessing the information. Councillor O'Dell expressed his concern that the 2 year contract to oversee the implementation of this system mentioned in this report would probably be longer and there would be an ongoing need. Councillor Alexander indicated his concern that this City is behind other municipalities this size in GIS work. He stressed that the City of Welland needs to invest in this system. Councillor Beaudoin inquired as to what municipalities in the Niagara Region are currently using a GIS system and Mr. Shantz responded that the Region of Niagara, City of Niagara Falls, City of St. Catharines and the Town of Fort Erie are. Councillor Beaudoin stated his concern that the 2 year contract



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referred to in the report will turn into a longer contract and that there is a timing problem with this project with the move to the new facility coming up. He also referred to Mr. Shantz's earlier comment indicating that the City should move quickly before the system is outdated and he mentioned that he has further concerns if the technology is changing that drastically. Councillor Dzugan asked if other municipalities using this system have a full time position dedicated to it and Mr. Shantz responded that Niagara Falls and St. Catharines both have a section that constantly performs the updates on the system. He stressed that, if a GIS system is implemented in the City of Welland and a full time person in one department is not assigned to input and continually update the system, it will be outdated by the time all the information is finally input. Councillor Sharpe stated that Niagara College has had a GIS system operation course in existence for 10 years and it is always oversubscribed. He informed Council that 40 GIS Coordinators are trained every year at the College and the need is out there for this type of work. He suggested the City implement a GIS system and requested information on the potential savings if the City did go ahead. Mr. Shantz then responded by saying that currently two staff members would be requested to retrieve information on a property and, if the City had a GIS system, he could call the information up immediately on the computer himself and that staff would no longer be hunting through paper files for the information. Mr. Shantz explained that, with the GEOSMART Initiative staff will have access to and be able to view the Niagara Region's as well as other municipalities' GIS. He added that the ability to use something more precise like a GIS would also be a benefit to assist call centre applications for fire and ambulance dispatch. Councillor O'Dell questioned as to whether the technology would have to be updated at some point in the future. Mr. Shantz responded that the data collected would serve forever but the application to draw the information would have new versions coming out and improvements on the system would be required at some point when the City's needs increase. Mr. Fitzpatrick added that the City currently updates all the hardware every three years and the GIS system would fall into that three year cycle. Councillor Grenier offered Bell Canada and the Peel School Board as examples of other organizations currently uses a GIS system and indicated that it would help with fire response times. He also agreed that this City is behind others in its capability to do this type of work and the need to move forward.

Moved by Councillor O'Dell

That Council reject the recommendation in Report ENG-2004-09 for the City of Welland to proceed with the deployment of a GIS system.

LOST

Moved by Councillor Grenier

1. That subject to Budget approval the City of Welland proceed with deployment of a GIS system, and that the expenditures for the Project be charged to the Municipal Infrastructure Information Technology & Asset Management Strategic Plan project fund; and
2. That a GIS Coordinator position, reporting to the Information Services Manager, be created as a 2 year contract to oversee and implement the GIS system deployment.



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CARRIED

8. NEW BUSINESS:

(A) CORPORATE SERVICES

Councillor Belcastro informed Council that there will be a Budget Meeting on Monday, May 17th, 2004 at 3:30 p.m.

Councillor Sharpe mentioned that, at the Budget Committee Meeting on Monday, May 10th, 2004 the potential role of the Human Resources Committee was discussed and he informed Council that the Committee's terms of reference include the staffing and original design of the City.

9. OUTSTANDING ITEMS REFERRED TO COMMITTEE:

Mayor and Council reviewed with staff the status of the outstanding items.

10. The General Committee Meeting adjourned at 9:35 p.m.