



**COUNCIL MEETING  
JUNE 27, 2006**

**BY SPECIAL NOTICE TO MEET: IN COMMITTEE-OF-THE-WHOLE (IN CAMERA):  
TO HOLD A SPECIAL COUNCIL MEETING TO CONSIDER THE FOLLOWING  
MATTERS: A PROPOSED DISPOSITION OF LAND, LABOUR RELATIONS, AND  
LITIGATION AND TO HOLD THE ANNUAL SOLE SHAREHOLDER MEETING OF  
THE WELLAND HYDRO-ELECTRIC HOLDING CORPORATION UNDER THE  
BUSINESS CORPORATIONS ACT; AND IN OPEN SESSION TO HOLD THE  
ANNUAL SHAREHOLDER MEETING WITH THE WELLAND HYDRO-ELECTRIC  
HOLDING CORPORATION; AND**

**BY PROCEDURAL BY-LAW 2005-176:  
TO RATIFY THE ACTIONS OF GENERAL COMMITTEE**

**CIVIC SQUARE, COUNCIL CHAMBERS  
60 EAST MAIN STREET**

Council met in Special Meeting Committee-of-the-Whole closed to the public at 5:15 p.m. and in open session at 6:45 p.m. to hold the Annual Sole Shareholder Meeting of the Welland Hydro-Electric Holding Corporation, minutes of which are separate from these; and pursuant to By-law 2005-176, the Procedural By-law of Council, in open regular session following the General Committee Meeting at 10:20 p.m. on the above date.

His Worship Mayor Damian Goulbourne in the Chair.

**Members Present:** Councillors D. Alexander (5:45 p.m.), M. Belcastro, P. Chiocchio, M. Dzugan, D. Fortier, P. Grenier (5:20 p.m.), M.A. Grimaldi, J. Larouche, S. O'Dell and B. Sharpe.

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

Acting City Manager C. Stirtzinger

Acting City Clerk B. Gallaccio

City Solicitor G. Banks

General Manager Engineering, Public Works & Transportation Services and  
Acting City Manager D. Shantz (7:05 p.m.)

General Manager Financial & Corporate Services/Treasurer B. Silvestri (5:30 p.m.)

General Manager of Planning and Development Services D. Thorpe (6:15 p.m.)

General Manager of Parks and Recreation B. LaPlante (6:45 p.m.)

Games Licensing Clerk L. Bubanko (7:00 p.m.)

**06-25** Moved by Dzugan and Belcastro that Council meet in Committee-of-the-Whole, closed to the public at 5:15 p.m. to consider:

- a) a proposed or pending disposition of land by the municipality;
- b) labour relations or employee negotiations;
- c) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

**CARRIED**

**06-25** Moved by Dzugan and Grimaldi that the Committee-of-the-Whole arise from its closed meeting at 6:30 p.m.

**CARRIED**

**THE FOLLOWING COMMUNICATIONS WERE RECEIVED FROM THE GENERAL COMMITTEE MEETING OF JUNE 27, 2006:**

**03-80** Gen. Mgr. Planning and Development Serv. D. Thorpe – Report on Proposed Subdivider's Agreement with Mac-Bri Developments Inc. (File: 26T-14-02003) West Side of Riverside Drive, South of Lincoln Street.

**04-19** Parks, Recreation and Culture Master Plan Steering Committee – Presentation of the Interim Report; Parks, Recreation and Culture Plan.

**06-15**

**06-21** Chief, Fire & Emergency Services P. Olah – Report on Bill 58, An Act to Amend the Safe Streets Act, 1999 and the Highway Traffic Act.

**06-22** Chair, Welland Downtown Business Improvement Area Board G. D'Amico – Presentation regarding downtown parking.

**06-22** Gen. Mgr. Engineering, Public Works & Transp. Serv./CityEngineer D. Shantz – Report on Parking Operations – Various Roadways.

**06-106** Gen. Mgr. Engineering, Public Works & Transp. Serv./CityEngineer D. Shantz – Report on Transfer to Region of City Wastewater Pumping Station.

**06-110** Gen. Mgr. Parks and Recreation B. LaPlante – Report on Historic Market Square Building Roof Replacement – Phase 1.

**06-111** Acting City Manager C. Stirtzinger – Report on Welland Heritage Council Request for an Expanded Multicultural Centre.

**06-112** Gen. Mgr. Planning and Development Serv. D. Thorpe – Report on Request for Sign Variance at 961 Niagara Street.

**06-113** Gen. Mgr. Planning and Development Serv. D. Thorpe – Report on Acceptance of a Dedication of Land and to Lay Out, Establish and Name Part 1, Plan 59R-13121 being a 3.0 Metre Road Widening as Part of Quaker Road.

**THE FOLLOWING BY-LAWS WERE RECEIVED:**

**03-80** A By-law to accept the transfer of certain blocks for access purposes from Mac-Bri Developments Inc. to the Corporation of the City of Welland in the Riverside West Subdivision (File 26T-14-02003).

**03-80** A By-law to accept the transfer of an easement(s) for storm sewers from Mac-Bri Developments Inc. to the Corporation of the City of Welland in the Riverside West Subdivision.

**03-80** A By-law to authorize the signing of a Subdivider's Agreement with Mac-Bri Developments Inc. with respect to the development of Riverside West Subdivision.

...cont'd.

**BY-LAWS RECEIVED Cont'd...****05-43**

**06-43** A By-law to authorize acceptance of the offer to purchase from Habitat for Humanity Niagara for the sale of vacant land fronting on the north side of Sixth Street, west of King Street (Part Lot 170, Plan 565).

**06-13** A By-law to authorize the entering into a Municipal Funding Agreement with the Association of Municipalities of Ontario for the transfer of Federal Public Transit Funds.

**06-15**

**06-21** A By-law to authorize the annual boot drive fund raiser event for Muscular Dystrophy by the Welland Volunteer Fire Fighters.

**06-24** A By-law to appoint an Acting Fire Chief and Acting Deputy Fire Chief for the Welland Fire and Emergency Department.

**06-24** A By-law to authorize the appointment of a Deputy Treasurer of the Corporation of the City of Welland.

**06-84** A By-law to authorize the acceptance of a proposal from Baron Roofing & Siding Limited for the Rose City Senior's Activity Centre Roof Replacement.

**06-113** A By-law to accept the Transfer of certain lands for road widening purposes being Part Township Lot 230, former Township of Thorold, more particularly described as Part 1, Plan 59R-13121 from Pinewood Homes (Tara) Ltd. to the Corporation of the City of Welland on the south side of Quaker Road, east of Niagara Street.

**06-113** A By-law to dedicate Part Township Lot 230, former Township of Thorold now in the City of Welland, being Part 1 on Plan 59R-13121 as a Public Highway and naming the same Quaker Road.

**06-1** 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 27th day of June, 2006.

**03-80** Moved by Dzugan and Belcastro

1. That the City of Welland enter into a Subdivider's Agreement with Mac-Bri Developments Inc. with respect to the development of a twenty-nine (29) lot residential subdivision (Riverside West Subdivision) located on Parts of Lots 29 and 30 Concession 6, former Township of Crowland, now the City of Welland, west side of Riverside Drive, south of Lincoln Street;
2. That the Mayor and Clerk be authorized to execute any necessary documents associated with the Subdivision; and
3. That the Mayor be authorized to sign the Final Plan of Subdivision to allow the Plan to be registered once all Conditions of Draft Approval have been met and the Plan has been checked for conformity.

**CARRIED**

**04-19** Moved by Dzugan and Belcastro that the presentation by the members of the Parks, Recreation and Culture Master Plan Steering Committee, at the June 27th, 2006 General Committee Meeting regarding the Interim Report of the Parks, Recreation and Culture Plan be received for information.

**CARRIED****06-15**

**06-21** Moved by Dzugan and Belcastro

1. That report WF&ES 2006-04 concerning amendments to the Safe Streets Act, 1999 and the Highway Traffic Act regarding fund-raising activities of legitimate charities and non-profit organizations be received.

2. That the City Solicitor be directed to prepare a By-law to recognize the fund raising activities of a Boot Drive for Muscular Dystrophy by the Welland Volunteer Fire Fighters.

**CARRIED**

**06-22** Moved by Dzugan and Belcastro that, as per the request by the Downtown BIA and other downtown stakeholders at a meeting with the Mayor on June 26, 2006, Resolution 06-22 passed by Council on May 2, 2006 be amended by reinstating the enforcement of metered parking at City meters within the designated Business Improvement Area (on streets) but that the unenforced (free) parking at the Market Square remain for the duration of the East Main Street Bridge closure period in 2006.

**CARRIED**

**06-22** Moved by Dzugan and Belcastro that the City Solicitor be directed to prepare a By-law to amend By-law 89-2000 by:

- i) DELETING the following from Limited Parking, Schedule "VIII":

<b>COLUMN 1</b>	<b>COLUMN 2</b>	<b>COLUMN 3</b>		<b>COLUMN 4</b>
<b>HIGHWAY</b>	<b>SIDE</b>			<b>PERIOD</b>
		<b>FROM</b>	<b>TO</b>	<b>(TIMES/ DAY)</b>
Wallace Avenue	East Side	East Main Street	Major Street	1 hour
Major Street	South Side	Harold Avenue	Wallace Avenue	1 hour
Major Street	South Side	McAlpine Avenue	Wallace Avenue	2 hours
Major Street	South Side	McAlpine Avenue	Myrtle Avenue	2 hours
McAlpine Avenue	East and West Sides	East Main Street	Cohoe Street	2 hours
McAlpine Avenue	West Side	A point 15 meters south of Major Street	A point 25 meters south of Major Street	30 minutes
McAlpine Avenue	West Side	A point 25 meters south of Major Street	Cohoe Street	2 hours
Spencer Street	Both Sides	Myrtle Avenue	McAlpine Avenue	2 hours
Myrtle Avenue	East Side	East Main Street	Major Street	1 hour
Patterson Avenue	West Side	East Main Street	250' northerly	3 hours
Patterson Avenue	West Side	350' north of north limit of East Main Street	Cohoe Street	3 hours

- ii) DELETING the following from PARKING PROHIBITIONS, Schedule "V":

<b>COLUMN 1</b>	<b>COLUMN 2</b>	<b>COLUMN 3</b>		<b>COLUMN 4</b>
<b>HIGHWAY</b>	<b>SIDE</b>			<b>PERIOD</b>
		<b>FROM</b>	<b>TO</b>	<b>(TIMES/ DAY)</b>
Patterson Avenue	East Side	East Main Street	Major Street	AT NO TIME
Patterson Avenue	West Side	250' north of East Main Street	100' northerly	AT NO TIME

- iii) DELETING the following from RESIDENTIAL PARKING PERMIT ONLY, Schedule XXXIV":

<b>COLUMN 1</b>	<b>COLUMN 2</b>
<b>HIGHWAY</b>	<b>TO</b>

Cohoe Street	Patterson Avenue	McAlpine Avenue
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...cont'd.

**06-22 Cont'd:**

iv) ADDING the following to PARKING PROHIBITIONS, Schedule "V":

COLUMN 1	COLUMN 2	COLUMN 3		COLUMN 4
HIGHWAY	SIDE	FROM	TO	PERIOD
				(TIMES/ DAY)
Patterson Avenue	West Side	East Main Street	Major Street	AT NO TIME

v) ADDING the following to Limited Parking, Schedule "VIII":

COLUMN 1	COLUMN 2	COLUMN 3		COLUMN 4
HIGHWAY	SIDE	FROM	TO	PERIOD
				(TIMES/ DAY)
McAlpine Avenue	West Side	Major Street	Cohoe Street	30 minutes

**CARRIED**

**06-106** Moved by Dzugan and Belcastro that Council approves the transfer of ownership and operating responsibility for the Seaway Sewage Pumping Station to the Region of Niagara, as per Regional Report PWA 100-2005, but on an "as is" basis, and not after upgrades to Regional standards, as per REPORT ENG-2006-20.

**CARRIED**

**06-110** Moved by Dzugan and Belcastro that Council accepts the proposal from Baron Roofing & Siding Limited for the tendered price of \$9,416.00 plus applicable taxes, for replacement of the shingled roof on the Historic Market Square Building located at 325 Market Square, Welland.

**CARRIED**

**06-111** Moved by Dzugan and Belcastro that the matter regarding the expansion of the Multicultural Centre be deferred until such time as the Mayor, the Acting City Manager and members of the Welland Heritage Council can meet to identify municipal sites for the proposed expansion.

**CARRIED**

**06-112** Moved by Dzugan and Belcastro that Council accept Report PDS-2006-48 and approve the request for a sign variance at 961 Niagara Street concerning a proposed third party wall sign and by allowing sign dimensions of 3.05m (10.0 feet) by 6.10m (20.0 feet).

**CARRIED**

**06-113** Moved by Dzugan and Belcastro

1. That Council accept a Transfer for Part Township Lot 230, former Township of Thorold, now in the City of Welland being Part 1, Plan 59R-13121 from Pinewood Homes (Tara) Ltd. for road widening purposes to satisfy a Condition of Site Plan Control Agreement;
2. That Staff be authorized to prepare the necessary By-laws to accept the Transfer and to dedicate Part 1, Plan 59R-13121 as part of Quaker Road; and

3. That the Mayor and Acting Clerk be authorized to execute all documentation with respect to these transactions.

**CARRIED**

### **BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE**

**06-59** Moved by Belcastro and Grenier

1. That Council accepts the Offer of Purchase and Sale from Pointe of View Developments Inc. for Part of Lot 27, Concession 6, former Township of Crowland, now in the City of Welland being a 0.4+ hectare parcel of land south of the Best Western in the amount of \$75,000.00;
2. That the net proceeds of the Sale be deposited to the Canal Lands Reserve Fund;
3. That the City Solicitor be authorized to prepare the necessary By-laws to finalize this transaction.

**CARRIED**

### **BY - LAWS**

#### **BY-LAWS PRESENTED FOR FIRST READING:**

1. Moved by Alexander and Sharpe that leave now be given to introduce the following proposed By-laws entitled:

**03-80**

BYL 2006-88

A By-law to accept the transfer of certain blocks for access purposes from Mac-Bri Developments Inc. to the Corporation of the City of Welland in the Riverside West Subdivision (File 26T-14-02003).

**03-80**

BYL 2006-89

A By-law to accept the transfer of an easement(s) for storm sewers from Mac-Bri Developments Inc. to the Corporation of the City of Welland in the Riverside West Subdivision.

**03-80**

BYL 2006-90

A By-law to authorize the signing of a Subdivider's Agreement with Mac-Bri Developments Inc. with respect to the development of Riverside West Subdivision.

**05-43**

**06-43**

BYL 2006-91

A By-law to authorize acceptance of the offer to purchase from Habitat for Humanity Niagara for the sale of vacant land fronting on the north side of Sixth Street, west of King Street (Part Lot 170, Plan 565).

**06-13**

BYL 2006-92

A By-law to authorize the entering into a Municipal Funding Agreement with the Association of Municipalities of Ontario for the transfer of Federal Public Transit Funds.

...cont'd.

**BY-LAWS PRESENTED FOR FIRST READING CONT'D:**

**06-15**

**06-21**

BYL 2006-93

A By-law to authorize the annual boot drive fund raiser event for Muscular Dystrophy by the Welland Volunteer Fire Fighters.

**06-24**

BYL 2006-94

A By-law to appoint an Acting Fire Chief and Acting Deputy Fire Chief for the Welland Fire and Emergency Department.

**06-24**

BYL 2006-95

A By-law to authorize the appointment of a Deputy Treasurer of the Corporation of the City of Welland.

**06-84**

BYL 2006-96

A By-law to authorize the acceptance of a proposal from Baron Roofing & Siding Limited for the Rose City Senior's Activity Centre Roof Replacement.

**06-113**

BYL 2006-97

A By-law to accept the Transfer of certain lands for road widening purposes being Part Township Lot 230, former Township of Thorold, more particularly described as Part 1, Plan 59R-13121 from Pinewood Homes (Tara) Ltd. to the Corporation of the City of Welland on the south side of Quaker Road, east of Niagara Street.

**06-113**

BYL 2006-98

A By-law to dedicate Part Township Lot 230, former Township of Thorold now in the City of Welland, being Part 1 on Plan 59R-13121 as a Public Highway and naming the same Quaker Road.

**06-1**

BYL 2006-99

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 27th day of June, 2006.

And that the same be now read a first time.

**CARRIED****BY-LAWS PRESENTED FOR SECOND AND THIRD READING:**

2. Moved by Alexander and Sharpe that the By-laws listed in the foregoing motion for first reading and as reproduced in this Evening's Council Agenda, having been read a first time and considered, be now read a second and third time and do pass, and the Mayor and Clerk do sign and seal the same.

**CARRIED**

Council adjourned at 10:25 p.m.

These Minutes approved and adopted by Motion of Council this 18th day of July, 2006.

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**MAYOR****ACTING CLERK**