



COUNCIL MEETING, APRIL 24, 2007

BY SPECIAL NOTICE TO MEET: IN COMMITTEE-OF-THE-WHOLE (IN CAMERA): TO HOLD A SPECIAL COUNCIL MEETING PURSUANT TO SECTION 239 (3.1) OF THE *MUNICIPAL ACT, 2001*, AS AMENDED, FOR THE PURPOSE OF TRAINING OR EDUCATING MEMBERS OF COUNCIL; AND ALSO TO MEET FOR THE PURPOSE OF DISCUSSING LITIGATION AND PERSONAL MATTERS; AND IN OPEN SESSION TO HOLD PUBLIC HEARINGS PURSUANT TO THE *PLANNING ACT*; AND TO HOLD A PUBLIC MEETING PURSUANT TO THE *MUNICIPAL ACT, 2001*; 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 again at 6:30 p.m. and in open session at 7:15 p.m. to hold Statutory Public Hearings under the *Planning Act* and to hold a Public Meeting under the *Municipal Act, 2001*; and recessed at 7:55 p.m.; and pursuant to By-law 2005-176, the Procedural By-law of Council, reconvened following the General Committee Meeting at 9:24 p.m. on the above date.

His Worship Mayor Damian Goulbourne in the Chair.

Members Present:

Councillors R. Alakas (6:00 p.m.), D. Alexander (6:30 p.m.), M. Belcastro, F. Champion, P. Chiocchio (6:00 p.m.), M. Dzugan, T. Eybel, P. Grenier, S. O'Dell (6:30 p.m.), B. Sharpe and L. Van Vliet (6:00 p.m.)

Members of the Staff and Others Present:

City Manager, P. Simmons

General Manager, Communications, Council and Legislative Services/City Clerk, C. Stirtzinger (5:20 p.m.)

Deputy Clerk, B. Gallaccio

Deputy Fire Chief, K. Roach (7:15 p.m.)

General Manager Engineering, Public Works & Transportation Services/City Engineer, D. Shantz

General Manager Financial & Corporate Services/Treasurer, B. Silvestri

Acting General Manager, Human Resources, R. Mantesso (6:30 p.m.)

General Manager Parks and Recreation, B. LaPlante

General Manager, Planning and Development Services, D. Thorpe (5:20 p.m.)

Games Licensing Clerk, L. Bubanko (7:15 p.m.)

Deputy Treasurer, K. Douglas (7:15 p.m.)

(Gordon J. Kack, Vice-President, MHPM Project Managers Inc. was present in Committee-of-the-Whole for the purpose of training and educating members of Council).

07-25 Moved by Belcastro and Grenier

THAT THE COUNCIL OF THE CITY OF WELLAND meets in Committee-of-the-Whole in-Camera under Section 239 (3.1) of the *Municipal Act, 2001*, as amended, with the Mayor as Chair, closed to the public at 5:15 p.m. for the purpose of training and educating members of Council by MHPM Consulting concerning Public/Private Partnerships (P3) and Alternative Financing Opportunities for Facility Development.

CARRIED

07-25 Moved by Eybel and Sharpe

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 6:05 p.m. without report.

CARRIED

07-25 Moved by Alakas and Eybel

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 6:30 p.m. to consider:

- a) personal matters about an identifiable individual, including municipal employees; and
- b) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

CARRIED

07-26 Moved by Eybel and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 7:02 p.m. without report.

CARRIED

THE FOLLOWING COMMUNICATIONS WERE RECEIVED FROM THE GENERAL COMMITTEE MEETING OF APRIL 24, 2007:

04-91 Gen. Mgr., Parks and Recreation, B. LaPlante – Report on 65 Hooker Street – Building Demolition and Site Restoration.

05-81 Nora Reid, Secretary, Heritage Welland – Main Street Bridge alterations.

07-4 Gen. Mgr., Financial and Corp. Serv./Treasurer, B. Silvestri – Report on 2007 Capital and Operating Budgets.

07-6

07-20

07-21

07-27 Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer, D. Shantz – Report on Rose Festival & Parade.

07-22 Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer, D. Shantz – Report on Designated Bicycle Lanes – Fitch Street from South Pelham Road to Prince Charles Drive.

07-22 Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer, D. Shantz – Report on Administrative Update – Traffic and Parking Operations.

07-22 Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer, D. Shantz – Report on All-Way Stop Review – Sutherland Avenue and Classic Avenue.

07-22 Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer, D. Shantz – Report on Light Emitting Diode Conversion Program – Traffic Signals and Street Lighting.

COMMUNICATIONS RECEIVED CONT'D...

07-27 General Mgr. Communications, Council & Legislative Services/City Clerk, C. Stirtzinger – Report on Appointment of members to the Rose Festival Advisory Committee and Terms of Reference of the Committee.

07-83 Endorse the nomination bid of Councillor David Alexander for the position of Provincial Board Director – Ontario for the Federation of Canadian Municipalities.

07-85Z Gen. Mgr. Planning and Development Serv., D. Thorpe – Report on Application for Zoning By-law Amendment – Dillon Consulting Limited on behalf of 2090572 Ontario Inc., Block 150, 59M-269, north side of Daimler Parkway, east of Perth Trail (File No. 2006-18).

THE FOLLOWING BY-LAWS WERE RECEIVED:

07-13 A By-law to authorize the procurement of six (6) 2006 transit coaches from Coach Canada.

07-13 A By-law to authorize the entering into an extension agreement with 1032560 ONTARIO INC. operating as 4500 TAXI (1993) for transcab service.

07-85Z A By-law to amend City of Welland Zoning By-law 2667 (2090572 Ontario Inc. – File 2006-18) Block 150, Plan 59M-269, north of Daimler Parkway, east of Perth Trail.

07-1 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 24th day of April, 2007.

STATUTORY PUBLIC HEARINGS PURSUANT TO THE *PLANNING ACT*

Councillor Dzugan presided as Chair of the Public Hearings:

07-85Z An Application has been made by DILLON CONSULTING LIMITED on behalf of 2090572 ONTARIO INC. to rezone Block 150, Plan 59M-269 for lands on Daimler Parkway, east of Perth Trail from the existing HRM3-X16 Zone By-law 2667 to a Site Specific HRM3 Zone By-law 2667. The purpose of the Amendment is to allow for the development of five (5) single-detached dwellings and a freehold triplex. In addition, the request is to permit the noted uses as model homes while the Holding Symbol is in place. Site Specific provisions related to minimum yard requirements, maximum lot coverage and porch encroachments are also being requested. Currently, the existing Site Specific HRM3-X16 Zone permits street townhouses and freehold triplexes to a maximum of 10 units on the subject lands. An Application for Draft Plan of Subdivision required to formalize the lot lines will be submitted. The Official Plan designation is RESIDENTIAL (R).

Councillor Dzugan outlined the procedures of the Public Hearings as required by the *Planning Act*.

D. Thorpe confirmed that the statutory requirements for public hearing had been met, summarized the purpose of the hearing and reviewed the Planning Division Report.

In support of the applications:

- Allan Windrem, Dillon Consulting Ltd., on behalf of the applicant.
- Robert Bell, 145 Muirfield Trail, Welland, ON, L3B 6G7

In opposition to the applications:

- Bob Jasson, 155 Muirfield Trail, Welland, ON, L3B 6G7.

There being no other submissions the hearing was concluded.

PUBLIC MEETING PURSUANT TO THE MUNICIPAL ACT

07-4 To consider the 2007 Capital and Operating Budgets.

No one was present to speak.

There being no other submissions the public meeting was concluded.

04-91 Moved by Dzugan and Belcastro
 THAT THE COUNCIL OF THE CITY OF WELLAND accepts Report P&R 2007-07; and further
 THAT Welland City Council accepts the tender quotation from Budget Environmental Disposal Inc. of Hamilton, Ontario in the amount of \$52,100.00 being the contractor offering the highest value and the lowest tendered price. Staff is directed to proceed immediately with the execution of a contract for the demolition of 65 Hooker Street at the earliest possible date; and further
 THAT Welland City Council approves the Project for Demolition and Site Restoration of 65 Hooker Street for a total of \$ 100,000. This total includes hazmat assessment, asbestos removal, demolition, PCB disposal, site restoration, building memorial and contingency.

CARRIED

05-81 Moved by Dzugan and Belcastro
 THAT THE COUNCIL OF THE CITY OF WELLAND refers the matter of the reconstruction of the Main Street Bridge with respect to lighting and the replacement of splash guards along the roadway to staff for further information and report.

CARRIED

07-4 Moved by Dzugan and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND approves the 2007 Operating and Capital Budgets, Appendices I & II attached to report FIN-2007-09 resulting in a 4.65% **tax levy** increase from \$23,758,451 in 2006 to \$24,862,717 in 2007. Assessment growth of 1.37% reduces the **tax rate** impact to 3.28%.

CARRIED**07-6****07-20****07-21****07-27** Moved by Dzugan and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND approves the road closure for the "Days on the Island" between Friday June 15, 2007 4:30 p.m. and Sunday June 17, 2007 6:00 p.m.; and further

THAT Welland City Council approves the road closure for the "Rose Parade" on Sunday June 17, 2007 on King Street between Second Street and Seventh Street from 9:00 a.m. to 2:00 p.m. to facility the parade setup and organization; and further

THAT Welland City Council approves the road closure for the "Rose Parade" on Sunday June 17, 2007 from 12:30 p.m. to 2:30 p.m.; and further

THAT Welland City Council approves the use of the Civic Square, Community and Multi-Purpose Room for the Baby Contest; and further

THAT Welland City Council requires the organizers to cover the costs associated with facility use and road closure setups.

CARRIED**07-22** Moved by Dzugan and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to prepare the necessary By-law to amend the general wording of By-law 89-2000 and add Schedule II, "Designated Bicycle Lanes" as follows:

Adding "Designated Bicycle Lanes"

i) Part I:

"Bicycle lane" means a facility located in the traveled portion of the street or roadway and is designed for one-way bicycle traffic only and denoted by pavement markings and signage.

ii) Part VI, 6.5:

Designated Bicycle Lanes

Where signs to that effect are displayed on highways set out in Column 1 of Schedule II of this by-law having been divided into clearly marked lanes for bicycle traffic within the limits set out in Column 2, the lane identified in Column 3 is hereby designated only for bicycles in the direction(s) indicated in Column 4.

iii) Schedule II – DESIGNATED BICYCLE LANES:

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
HIGHWAY	BETWEEN	LANE	DIRECTION
Fitch Street	Prince Charles Drive and South Pelham Road	Adjacent to curb	Eastbound, Westbound

CARRIED**07-22** Moved by Dzugan and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND directs staff to prepare the necessary By-law to amend the Schedules "V" Parking Prohibitions, "IX" Angle Parking and "XX" Stop Signs of By-law 89-2000 as follows:

Deletion of the following:

a) Schedule V, (**Parking Prohibitions**)

COLUMN 1 STREET	COLUMN 2 SIDE	COLUMN 3		COLUMN 4 PERIOD (TIMES\DAY)
		FROM	TO	
Asher Street		Hellems Avenue	Burgar Street	AT NO TIME

...Continued

07-22 Cont'd...

b) Schedule XX, (Stop Signs)

COLUMN 1 HIGHWAY	COLUMN 2 AT	COLUMN 3 FACING TRAFFIC
Endicott Terrace	Aquador Avenue	westbound on Endicott Terrace

And replacement with the following:

a) Schedule V, (**Parking Prohibitions**)

COLUMN 1 STREET	COLUMN 2 SIDE	COLUMN 3		COLUMN 4 PERIOD (TIMES\DAY)
		FROM	TO	
Asher Street	North	Hellems Avenue	Burgar Street	AT NO TIME

b) Schedule IX, (**Angle Parking**)

COLUMN 1 HIGHWAY	COLUMN 2 SIDE	COLUMN 3 BETWEEN	
		FROM	TO
Cross Street	east	East Main Street	80m north of East Main Street

c) Schedule XX, (Stop Signs)

COLUMN 1 HIGHWAY	COLUMN 2 AT	COLUMN 3 FACING TRAFFIC
Endicott Terrace	Aquador Drive	westbound on Endicott Terrace
Endicott Terrace	Aquador Drive	eastbound on Endicott Terrace

CARRIED**07-22**

Moved by Dzugan and Belcastro

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information Report TRAF-2007-12 on the review of the request for an All-way Stop at the intersection of Sutherland Avenue and Classic Avenue and directs staff to meet with residents to review solutions under the Traffic Calming Policy.

CARRIED

07-22 Moved by Dzugan and Belcastro
 THAT THE COUNCIL OF THE CITY OF WELLAND receives REPORT TRAF-2007-13, Light Emitting Diode Conversion Program – Traffic Signals and Street Lighting for information purposes.

CARRIED

07-27 Moved by Dzugan and Belcastro
 THAT THE COUNCIL OF THE CITY OF WELLAND endorses the Terms of Reference for the Rose Festival Advisory Committee; and further

THAT Welland City Council appoints the following to the Rose Festival Advisory Committee:

- Josh Bendlis (President)
- Laura Tait (Secretary)
- Norma Lostracco (Treasurer)
- Jane Thompson (Events Coordinator)
- Councillor Barry Sharpe

CARRIED

07-83 Moved by Dzugan and Belcastro
 THAT THE COUNCIL OF THE CITY OF WELLAND endorses the nomination of Councillor David Alexander for the position of Provincial Board Director - Ontario for the Federation of Canadian Municipalities (F.C.M.).

CARRIED

07-85Z Moved by Dzugan and Belcastro
 THAT THE COUNCIL OF THE CITY OF WELLAND approves an Amendment to Zoning By-law 2667, as amended, for lands east of Perth Trail and north of Daimler Parkway (Block 150, Plan 59M-269) to amend the existing H-RM3-X16 Zone to permit the development of seven (7) single-detached dwellings and one (1) freehold triplex consisting of three dwelling units; and further

THAT Welland City Council will lift the Holding Symbol, upon Application, when the Owner informs the City, in writing, that the following items have been completed: the entire sanitary sewer system has been completed and tested and sanitary services have been installed to the front property line and that a video and written report of an internal examination of the sanitary and storm sewer systems is provided; that the entire water system has been completed and tested and disinfected and water services have been installed to the front property line; that the entire storm sewer system has been completed; that the asphalt roadway has been constructed (the stone base and asphalt base); that the grading requirements and lot grading requirements of the City's Land Development Policy have been met; all streetlights are in good working order and energized by the Welland Hydro-Electric Corp; and all street name and traffic control signs are installed all to the satisfaction of the City Engineer and that a new Plan of Subdivision is registered for the subject land; and further

THAT while the Holding Symbol is in place, Building Permits may be issued to permit the construction of model homes; and further

THAT the Mayor and Clerk be authorized to execute any necessary Agreement(s).

CARRIED

BY - LAWS

BY-LAWS PRESENTED FOR FIRST READING:

1. Moved by Dzugan and Belcastro
 THAT THE COUNCIL OF THE CITY OF WELLAND now gives leave to introduce the following proposed By-laws entitled:

07-13

BYL 2007-62

A By-law to authorize the procurement of six (6) 2006 transit coaches from Coach Canada.

Continued...

BY-LAWS PRESENTED FOR FIRST READING Cont'd...**07-13**

BYL 2007-63

A By-law to authorize the entering into an extension agreement with 1032560 ONTARIO INC. operating as 4500 TAXI (1993) for transcab service.

07-85Z

BYL 2007-64

A By-law to amend City of Welland Zoning By-law 2667 (2090572 Ontario Inc. – File 2006-18) Block 150, Plan 59M-269, north of Daimler Parkway, east of Perth Trail.

07-1

BYL 2007-65

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 24th day of April, 2007.

And that the same be now read a first time.

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

2. Moved by Dzugan and Belcastro
 THAT THE COUNCIL OF THE CITY OF WELLAND having read a first time and considered the By-laws listed in the foregoing motion as reproduced in this Evening's Council Agenda, 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 9:25 p.m.

These Minutes approved and adopted by Motion of Council this 1st day of May, 2007.

MAYOR

DEPUTY CLERK