



SPECIAL COUNCIL MEETING, JUNE 26, 2007

**BY SPECIAL NOTICE TO MEET: IN COMMITTEE-OF-THE-WHOLE (IN CAMERA):
TO CONSIDER A LITIGATION OR POTENTIAL LITIGATION MATTER;**

**AND IN OPEN SESSION TO HOLD THE FOLLOWING:
PUBLIC HEARINGS PURSUANT TO THE *PLANNING ACT*; AND
A PUBLIC MEETING PURSUANT TO THE *MUNICIPAL ACT, 2001*; AND
TO CONSIDER OTHER ITEMS OUTLINED IN THE SPECIAL COUNCIL MEETING AGENDA**

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

Council met in open session at 7:40 p.m. on the above date.

His Worship Mayor Damian Goulbourne in the Chair.

Members Present:

Councillors R. Alakas, D. Alexander, M. Belcastro, F. Campion, P. Chiocchio, M. Dzugan, T. Eybel,
P. Grenier, R. Letourneau, S. O'Dell, B. Sharpe and L. Van Vliet.

Members of the Staff and Others Present:

General Manager, Communications, Council & Legislative Services/City Clerk, C. Stirtzinger
Peter Simmons, City Manager
Deputy Treasurer, K. Douglas
Gen. Mgr., Financial and Corp. Serv./Treasurer, B. Silvestri
Deputy Clerk, B. Gallaccio
Chief, Fire & Emergency Services, D. Prevost
General Manager, Engineering, Public Works & Transportation Services/City Engineer, D. Shantz
Acting General Manager, Human Resources, R. Mantesso
Records Clerk, C. Viger
General Manager, Planning & Development Services, D. Thorpe

THE FOLLOWING CORRESPONDENCE WAS READ:

07-4 Report from P. Simmons, City Manager, re: Year to Date Report – Budget Variance.

THE FOLLOWING CORRESPONDENCE WAS DELETED:

Litigation or potential litigation in Committee-of-the-Whole matter.

THE FOLLOWING COMMUNICATIONS WERE RECEIVED:**05-87Z**

06-132Z Gen. Mgr., Planning and Development Services, D. Thorpe – Proposed By-laws to remove the Holding (H) Symbols from the H-R3 and H-RM3-X17 zones affecting the Webber Estates Subdivision, Plan 59M-359 located south of Webber Road and west of Colbeck Drive (Files 2005-05 and 2006-11).

05-87Z

06-132Z A By-law to amend Zoning By-law 2667 upon the application of Lea Silvestri Investments Ltd. to remove the Holding Symbol “H” from certain lands on the south of Webber Road, west of Colbeck Drive.

05-87Z

06-132Z A By-law to amend Zoning By-law 2667 upon the application of Lea Silvestri Investments Ltd. to remove the Holding Symbol “H” the Webber Estates Plan of Subdivision, Plan 59M-359 for certain lands on the south of Webber Road, west of Colbeck Drive.

06-116 Gen. Mgr., Planning and Development Services, D. Thorpe – Request for Zoning By-law Amendment – Part Lot 24 and Part of the Road Allowance between Lots 24 and 25, Concession 5, former Township of Humberstone, now City of Welland, north side of Forks Road, east of Highway 58 – Harold Froude (File 2007-01).

06-116 A By-law to amend City of Welland zoning by-law 2667 (Harold Froude – File 2007-01) part of Lot 24 and Part of the Road Allowance between Lots 24 and 25, Concession 5, former Township of Humberstone, now in the City of Welland (lands north of forks Road, east of Highway 58).

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 26th day of June, 2007.

07-19 Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer D. Shantz – Youth Arena Structural Improvements – Award of Tender.

07-19 A By-law to authorize the award of tender Youth Arena Structural Improvements .

07-85 Gen. Mgr., Planning and Development Services, D. Thorpe – Application for approval of Draft Plan of Subdivision (File 26T-14-07001) 2090572 Ontario Inc., Block 150, Plan 59M-269 (north of Daimler Parkway, east of Perth Trail).

07-100 A By-law to authorize acceptance of an offer to purchase city-owned lands from Habitat for Humanity Niagara being Parts Lots 131 and 132, Plan 565, known municipally as 46 Fourth Street.

07-106 Gen. Mgr. Engineering, Public Works & Transp. Serv./City Engineer D. Shantz – Retention of Engineering Consultant Services for the preparation of a drinking water quality management standard to obtain a municipal drinking water licence.

07-106 A By-law to authorize the retention of Amec Earth & Environmental to develop a Drinking Water Quality Management Standard to obtain a Municipal Drinking Water Licence.

STATUTORY PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT

Councillor Dzugan presided as Chair of the Public Hearings:

07-85 An application has been made by DILLON CONSULTING LIMITED on behalf of 2090572 ONTARIO INC. for approval of a Draft Plan of Subdivision for lands on the north side of Daimler Parkway, east of Perth Trail. The subject lands are designated as URBAN AREA by the Regional Policy Plan, as RESIDENTIAL (R) by the City of Welland Official Plan and are Zone H-RM3-X16 Zone by By-law 2667.

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 application:

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

In opposition to the application:

- No one spoke to the application.

06-116 An application has been made by THOMAS A. RICHARDSON on behalf of HAROLD FROUDE to rezone Part of Lot 24, Concession 5, former Township of Humberstone for lands on the north side of Forks Road, east of Highway 58 from the existing RA – Rural Agricultural Zone By-law 2667 to a Site Specific RA Zone By-law 2667. The purpose of the Amendment, as amended by the City of Welland, is to permit a lot to exist without frontage and to acknowledge access from Forks Road by way of land with a frontage of 20 metres together with a permanent right-of-way over City-owned lands shown as Part 4 on the attached sketch. A Site Specific Rural Agricultural (RA) Zone to recognize the above property characteristics is requested. Future infill development is proposed. The Official Plan designation of LIGHT INDUSTRIAL AND RURAL.

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 application:

- Thomas A. Richardson, Solicitor on behalf of the applicant.

In opposition to the application:

- No one spoke to the application.

There being no other submissions the hearing was concluded.

PUBLIC MEETING PURSUANT TO THE MUNICIPAL ACT

07-4

07-19 – To consider reallocation of funding in the the 2007 Capital Budget.

- No one spoke to the matter.

There being no other submissions the public meeting was concluded.

05-87Z

06-132Z Moved by Eybel and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND approves the removal of the Holding (H) Symbols from the HR3 and HRM3-X17 Zones affecting the Webber Estates Subdivision, Plan 59M-359 located south of Webber Road, west of Colbeck Drive to permit the development of residential uses; and further THAT Welland City Council authorizes Staff to prepare the necessary By-laws; and further THAT the Mayor and Clerk be authorized to execute the By-laws upon the recommendation of the General Manager, Planning and Development Services.

CARRIED

06-116 Moved by O'Dell and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND approves an amendment to Zoning By-law 2667, as amended, for lands located on the north side of Forks Road, east of Highway 58, described as Part Lot 24 and part of the road allowance between Lots 24 and 25, Concession 5, former Township of Humberstone, now in the City of Welland, from the existing O2 – Open Space and RA – Rural Agricultural Zones to a Site Specific RA-X6 Zone to permit the lot to exist without frontage and to acknowledge access from Forks Road by way of land with a frontage of 20± metres together with a permanent right-of-way over City-owned lands.

CARRIED

07-4 Moved by Alexander and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND receives Report CM 2007-03 regarding Year to Date Report – Budget Variance for information.

CARRIED

07-19 Moved by Campion and Alexander

THAT THE COUNCIL OF THE CITY OF WELLAND accepts Report P&R-2007-19 Youth Arena Structural Improvements Award of Tender for information; and further THAT Welland City Council approves the reallocation of funding in the 2007 Capital Budget for Facilities of \$60,000 from the Main Arena and \$125,000 from Swimming Pools be transferred to the Youth Arena for a revised total capital budget allocation of \$300,000 of which \$225,000 will be financed by debenture; and further

THAT Welland City Council accepts the tender of Serianni Construction Ltd. of Welland, Ontario, as detailed in Report P&R-2007-19, for the Youth Arena Roof Structural Improvements at the quoted price of \$198,750 including applicable PST; and further

THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate by-laws to enter into a contract with Serianni Construction Ltd., to execute the construction.

CARRIED

07-85 Moved by Belcastro and Dzugan

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information purposes Report PDS-2007-48 concerning an Application for Draft Plan of Subdivision Approval for Block 150, 59M-269 (north of Daimler Parkway, east of Perth Trail).

CARRIED

07-106 Moved by Grenier and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes the retention of AMEC Earth & Environmental at a total budgeted cost of \$30,000.00 for 2007 and \$27,000 for 2008, for the preparation of a Drinking Water Quality Management Standard required to obtain a Municipal Drinking Water Licence as mandated by the Safe Drinking Water Act, 2002, O.Reg 188/07; and further

THAT Welland City Council directs the City Clerk to prepare all necessary and appropriate by-laws to enter into an engineering agreement with AMEC Earth & Environmental for preparation of a Drinking Water Quality Management Standard.

CARRIED

BY-LAWS

BY-LAW PRESENTED FOR FIRST READING:

1. Moved by Dzugan and Letourneau

THAT THE COUNCIL OF THE CITY OF WELLAND now gives leave to introduce the following proposed By-law entitled:

07-19

BYL 2007 – 94

A By-law to authorize the acceptance of tender and the entering into contract with Serianni Construction Ltd. for the Youth Arena roof structural improvements.

And that same be now read a first time.

CARRIED

BY-LAW PRESENTED FOR SECOND AND THIRD READING:

2. Moved by Dzugan and Letourneau

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 same.

CARRIED

BY-LAWS PRESENTED FOR FIRST READING:

3. Moved by Eybel and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND now gives leave to introduce the following proposed By-laws entitled:

05-87Z

06-132Z

BYL 2007 - 95

A By-law to amend Zoning By-law 2667 upon the application of Lea Silvestri Investments Ltd. to remove the Holding Symbol "H" from certain lands on the south of Webber Road, west of Colbeck Drive.

06-116Z

BYL 2007 - 96

A By-law to amend City of Welland Zoning By-law 2667 (Harold Froude File 2007-01) part of Lot 24 and Part of the Road Allowance between Lots 24 and 25, Concession 5, former Township of Humberstone, now in the City of Welland (lands north of Forks Road, east of Highway 58).

05-87Z

06-132Z

BYL 2007 - 97

A By-law to amend Zoning By-law 2667 upon the application of Lea Silvestri Investments Ltd. to remove the Holding Symbol "H" the Webber Estates Plan of Subdivision, Plan 59M-359 for certain lands on the south of Webber Road, west of Colbeck Drive.

07-100

BYL 2007 - 98

A By-law to authorize acceptance of an offer to purchase city-owned lands from Habitat for Humanity Niagara being Parts Lots 131 and 132, Plan 565, known municipally as 46 Fourth Street.

07-106

BYL 2007 - 99

A By-law to authorize the retention of Amec Earth & Environmental to develop a Drinking Water Quality Management Standard to obtain a Municipal Drinking Water Licence.

07-1

BYL 2007 - 100

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 26th day of June, 2007.

And that same be now read a first time.

CARRIED

BY-LAWS PRESENTED FOR SECOND AND THIRD READING:

4. Moved by Eybel and Chiocchio
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 same.

CARRIED

Council adjourned at 8:40 p.m.

These Minutes approved and adopted by Motion of Council this 17th day of July, 2007.

MAYOR

DEPUTY CLERK