



**COUNCIL MEETING, APRIL 22, 2008**

**BY SPECIAL NOTICE TO MEET: IN OPEN SESSION TO HOLD PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT; AND**

**BY PROCEDURAL BY-LAW 2007-178:  
TO RATIFY THE ACTIONS OF GENERAL COMMITTEE**

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

Council met in open session at 7:07 p.m. to hold Statutory Public Hearings under the *Planning Act* and recessed at 7:50 p.m. Pursuant to By-law 2007-178, the Procedural By-law, Council reconvened following the General Committee meeting at 9:12 p.m. on the above date. Council met in Committee-of-the-Whole closed to the public at 9:15 p.m.

Vice-Mayor Pat Chiochio in the Chair.

**Members Present:**

Councillors R. Alakas, D. Alexander, M. Belcastro, F. Champion, M. Dzugan, P. Grenier,  
J. Larouche (until 8:05 p.m.), R. Letourneau, S. O'Dell, B. Sharpe and L. Van Vliet.

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

City Manager, P. Simmons

General Manager, Communications, Council & Legislative Services/City Clerk, C. Stirtzinger

Acting Deputy Clerk, C. Mintoff

Chief, Fire & Emergency Services, D. Prevost (until 9:15 p.m.)

General Manager, Engineering, Public Works & Transportation Services/City Engineer, D. Shantz (until 9:15 p.m.)

Manager of Budgets & Financial Reporting/Deputy Treasurer, K. Douglas (until 9:15 p.m.)

General Manager, Planning & Development Services, D. Thorpe (until 9:15 p.m.)

General Manager, Parks, Facilities & Leisure Services, B. Fenwick (until 9:15 p.m.)

General Manager, Human Resources, R. Mantesso

Games Licensing & Committee Clerk, L. Bubanko (until 9:15 p.m.)

**08-25** Moved by Grenier and Van Vliet  
 THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Vice-Mayor as Chair, in Committee-of-the-Whole closed to the public at 9:15 p.m. to consider:  
 a) personal matters about an identifiable individual, including municipal employees.

**CARRIED**

**08-25** Moved by Letourneau and Van Vliet  
 THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 9:30 p.m. without report.

**CARRIED**

**THE FOLLOWING COMMUNICATIONS WERE RECEIVED FROM THE GENERAL COMMITTEE MEETING OF APRIL 22, 2008:**

**99-90**

**08-4** Chair, Welland Downtown Business Improvement Area, Greg D'Amico – 2008 annual operating budget.

**05-118**

**08-84** Chair, Conservation Committee, Councillor Grenier – Earth Day and Litter Clean-up Program.

**06-5** Gen. Mgr., Financial & Corp. Serv./Treasurer, B. Silvestri – Grants-in-kind/Grants-in-lieu /waiving of fees.

**07-107** Gen. Mgr., Parks, Facilities & Leisure Services, B. Fenwick – Sports Complex: Seat Repair – Award of Tender; and Scoreboard Relocation Status.

**08-4**

**08-95** Chair, Deanna Villella and Vice-Chair, Trevor Sainsbury, North Welland Business Improvement Area – Strategic Plan and Budget for 2008/2009.

**08-62** Gen. Mgr., Engineering, Public Works & Transp. Serv./City Engineer, D. Shantz – Review of Snow Clearing Policy SER-014-0004 and its application.

**08-76**

**08-76Z** Gen. Mgr., Planning & Development Serv., D. Thorpe - Applications for Official Plan and Zoning By-law Amendments – Armstrong Hunter & Associates on behalf of 2126369 Ontario Inc., Lots 82 to 90, inclusive, the Block west of Lots 86 and 87, Part of Lots 76, 77, 78, 79 and 81, Part of Park Street and Part of Crowland Street, all on Plan 559; Lot 92 and Part of Lots 91, 93, 94, 95 and 96, Plan 565; and Part of Lot 26 Concession 5, Part of Lot 26, Concession 6 and Part of the Road Allowance between Concessions 5 and 6, Former Township of Crowland, now in the City of Welland, north of Lincoln Street, west of King Street, municipally known as 1 Albert Street (File Nos. 2008-04 and OPA).

**08-77**

**08-77Z** Gen. Mgr., Planning & Development Serv., D. Thorpe – Proposed Plan of Subdivision and Amendments to the Official Plan and Zoning By-law 2667 – West Creek Subdivision, Part Township Lot 258, Former Township of Thorold, now in the City of Welland, east of South Pelham Road, north of Webber Road – Demac Properties Inc., (File Nos. 26T-14-08002, 2008-03 and OPA).

**08-79** Gen. Mgr., Engineering, Public Works & Transp. Serv./City Engineer, D. Shantz – Tender Award – Wallace Avenue Watermain Replacement, and Residential Lot Servicing.

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

**08-70** A By-law to authorize the acceptance of tenders and the entering into contracts with Provincial Maintenance and BP Pavement Markings Inc. for the supply and application of road traffic paint and pavement markings.

**08-76** A By-law to authorize the adoption of Official Plan Amendment No. 126 (2126369 Ontario Inc.) 1 Albert Street.

**BY-LAWS RECEIVED Cont'd:**

**08-76Z** A By-law to amend City of Welland Zoning By-law 2667 (2126369 Ontario Inc. – File 2008-04) 1 Albert Street.

**08-79** A By-law to authorize the acceptance of tender and the entering into a contract with A. Vanegmond Construction (2005) Ltd. for the Wallace Avenue Watermain Replacement and Residential Lot Servicing.

**08-1** 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 22<sup>nd</sup> day of April, 2008.

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

**08-77** A By-law to authorize the adoption of Official Plan Amendment No. 126 (DEMAC Properties Inc.) east side of South Pelham Road, north of Webber Road.

**08-77Z** A By-law to amend City of Welland Zoning By-law 2667 (DEMAC Properties Inc. – File 2008-30) east side of South Pelham Road, north of Webber Road.

**STATUTORY PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT**

Councillor Dzugan presided as Chair of the Public Hearings:

**08-76**

**08-76Z** Applications have been made by ARMSTRONG HUNTER & ASSOCIATES on behalf of 2126369 ONTARIO INC. to amend the Official Plan and to rezone Lots 82 to 90, inclusive, the Block west of Lots 86 and 87, Part of Lots 76, 77, 78, 79 and 81, part of Park Street and part of Crowland Street, all on Plan 559, Lot 92 and Part of Lots 91, 93, 94, 95 and 96, Plan 565 and Part of Lot 26, Concession 5, Part of Lot 26, Concession 6 and part of the Road Allowance between Concessions 5 and 6, former Township of Crowland, now in the City of Welland for lands at 1 Albert Street from the existing RM3, RM4 and O2 Zones By-law 2667 to a Site Specific C2 Zone and Site Specific RM4 Zone By-law 2667. The purpose of the Amendment is to permit a commercial development of 3,000 square metres fronting onto Lincoln Street; to permit the development of approximately 2.13 hectares of land for mixed residential uses composed of an eight (8) storey apartment building, stacked and standard townhouses (approximately 215 units). Each proposed Zone would contain Site Specific provisions such as setbacks, height, open space, percentage etc. The Applicant is also requesting a reduction in the number of required parking spaces for the commercial and residential development as well as reduced parking stall sizes. The Official Plan designation is RESIDENTIAL, INDUSTRIAL AND OPEN SPACE.

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:**

- Jeff Usher, Terrasan Development Corporation, on behalf of applicant.

- Luciano Piccioni, RCI Consulting, on behalf of applicant.
- Peter Januszewski, Stantec Consulting, on behalf of applicant.
- Bob Mahler, Chair, Welland Recreational Canal Corporation

**In opposition to the applications:**

- No one spoke to the applications.

There being no other submissions the hearing was concluded.

**99-90**

**08-4**

Moved by Grenier and Letourneau

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Greg D'Amico, Chair, Welland Downtown Business Improvement Area (BIA) at the April 22, 2008 General Committee Meeting regarding the BIA's 2008 annual operating budget; and further

THAT Welland City Council approves the 2008 Budget from the Welland Downtown Business Improvement Area Board in the amount of \$82,250.00 as submitted to and recommended by the General Committee on April 22, 2008; and further

THAT Welland City Council authorizes the General Manager, Financial and Corporate Services/Treasurer to make arrangements to levy an amount of \$82,250.00 against the business operations within the defined area on condition that the required financial statements are submitted to the satisfaction of the City Treasurer.

**CARRIED**

**05-118**

**08-84**

Moved by Grenier and Letourneau

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Councillor Grenier, Chair, Conservation Committee, at the April 22, 2008 General Committee Meeting regarding Earth Day and the Litter Clean-up Program.

**CARRIED**

**06-5**

Moved by Grenier and Letourneau

THAT THE COUNCIL OF THE CITY OF WELLAND approves the revised Grants and Special Assistance Policy; and further

THAT Welland City Council authorizes the amount of \$60,000 be allocated for Grants-In-Kind/Grants-In-Lieu/Waiving of Fees in the annual operating budget; and further

THAT Welland City Council delegates authority to the City Treasurer (or designate) to administer grants in accordance with this policy to a maximum of \$3,000 for any funds unallocated within the budgetary limit; and further

THAT Welland City Council delegates authority to the Budget Review Committee (BRC) to administer grants in excess of \$3,000 in accordance with this policy for any funds unallocated within the budgetary limit.

**CARRIED**

**07-107**

Moved by Grenier and Letourneau

THAT THE COUNCIL OF THE CITY OF WELLAND receives Report PF&LS-2008 -08 Sports Complex Seat Repair – Award of Tender, and Scoreboard Relocation status for information; and further

THAT Welland City Council approves the reallocation of funding from the unexpended Seniors Centre 2006 Capital Account in the amount of \$20,000.00 to be transferred to the Sports Complex allocation, budgeted in

2007 Capital Budget for Facilities, for a revised total capital budget allocation to the Sports Complex of \$95,000.00

THAT Welland City Council accepts the tender of Serianni Construction Ltd. of Welland, Ontario as detailed in Report PF&LS-2008-08, for Sports Complex Seat Repairs at the quoted price of \$ 68,145.00 including applicable GST; 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**

**08-4**

**08-95** Moved by Grenier and Letourneau

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Deanna Vilella, Chair, and Trevor Sainsbury, Vice-Chair, North Welland Business Improvement Area (BIA) at the April 22, 2008 General Committee Meeting regarding the BIA's Strategic Plan and Budget for 2008/2009; and further

THAT Welland City Council approves the 2008 Budget from the North Welland Business Improvement Area Board in the amount of \$33,000.00 as submitted to and recommended by the General Committee on April 22, 2008; and further

THAT Welland City Council authorizes the General Manager, Financial and Corporate Services/Treasurer to make arrangements to levy an amount of \$33,000.00 against the business operations within the defined area on condition that the required financial statements are submitted to the satisfaction of the City Treasurer.

**CARRIED**

**08-62** Moved by Grenier and Letourneau

THAT Report ENG-2008-016 regarding the existing Snow Clearing Policy #SER-014-0004 and current winter control practices be referred back to staff for further information and report at the May 27, 2008 General Committee Meeting.

**CARRIED**

**08-76**

**08-76Z** Moved by Grenier and Letourneau

THAT THE COUNCIL OF THE CITY OF WELLAND adopts an Official Plan Amendment to redesignate lands north of Lincoln Street, west of King Street, known municipally as 1 Albert Street from Residential, Industrial and Open Space to High Density Residential and Commercial to permit a commercial development along Lincoln Street and a mixed residential development to the north consisting of an eight (8) storey apartment building and a combination of stacked and standard townhouses totaling approximately 215 units; and further

THAT Welland City Council approves an Amendment to Zoning By-law 2667, as amended, for lands north of Lincoln Street, west of King Street, known municipally as 1 Albert Street from the existing RM3, RM4 and O2 Zones to Site Specific (Holding) C2 and Site Specific (Holding) RM4 Zones; and further

THAT Welland City Council directs that the Holding Symbol (H) be removed, upon application, after a Site Plan Control Agreement(s) has been executed between the Developer and the City, providing necessary financial securities; and further

THAT Welland City Council authorizes Staff to prepare the necessary By-laws.

**CARRIED**

**08-77**

**08-77Z** Moved by Grenier and Letourneau

THAT THE COUNCIL OF THE CITY OF WELLAND adopts an Official Plan Amendment to amend the Policies for and designate the lands located on the north side of Webber Road, east of South Pelham Road from Medium Density Residential to Medium Density Residential (with Special Policies), and Institutional; and further

THAT Welland City Council approves an Amendment to Zoning By-law 2667, as amended, for lands north of Webber Road, east of South Pelham Road, more specifically described as Part of Lot 258, former Township of Thorold, now in the City of Welland from the existing Rural Agricultural (RA) Zone to a Holding Site Specific General Commercial Zone (H-C2), a Holding Site Specific Multiple Dwelling – Fourth Density Zone

(H-RM4), a Holding Site Specific Institutional One Zone (IN-1) and a Site Specific Environmental Protection Zone (EPA) to permit the development of a Plan of Subdivision consisting of a commercial plaza, townhouse or apartment units, a retirement community consisting of independent living accommodations, extended care accommodations and related uses and environmental protection area associated with Draper's Creek; and further

...Continued

**08-77/08-77Z Cont'd:**

THAT Welland City Council directs that prior to the lifting of the Holding Symbol (H), the Owner inform 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 had 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 Municipal Standards Manual; and, all street name and traffic control signs are installed all to the satisfaction of the City Engineer and that, where necessary, Site Plan Agreements have been executed; and further

THAT Welland City Council grants Draft Approval to the West Creek Subdivision (File: 26T-14-08002) developed by DeMac Properties Inc. being Part of Lot 258, former Township of Thorold now in the City of Welland based upon a Plan prepared by W. Mascoe, O.L.S. dated January 15, 2008 consisting of one (1) Block for local commercial purposes, one (1) Block for twenty (20) townhouse units or sixty-six (66) apartment units, one (1) Block for the purposes of developing a retirement community facility consisting of independent living accommodations, extended care accommodations and related uses, three (3) Blocks for 0.3m reserves and two (2) Blocks for daylighting triangles as red-lined by the City of Welland subject to the following Conditions:

1. That the Owner enter into a Subdivider's Agreement with the City of Welland to be registered on Title;
2. That no grading or construction work shall commence on 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;
3. That all necessary Easements required for utility and servicing purposes be granted to the appropriate Authority free of all encumbrances;
4. That all necessary Easements be transferred to the City free of all encumbrances;
5. That Blocks 4 to 6 inclusive Block 9 and Block 10 being 0.3 metre Reserves, be transferred to the Region of Niagara free of all encumbrances for access control purposes;
6. That Blocks 7 and 8 being daylighting triangles and Part 1, Plan 59R-12207 being a daylighting triangle be dedicated as part of the roadway system;
7. That the Owner shall pay Cash-in-lieu of Parkland Dedication based upon current City Requirements;
8. The Owner shall pay to the City of Welland for the installation of trees, upon execution of the Subdivider's Agreement , \$8,700.00 along Street 'A', \$5,400.00 along South Pelham Road and \$18,600.00 along Webber Road for the installation of trees within road allowances by City forces;
9. 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;
10. That the Owner acknowledges within sixty (60) days of Draft Plan Approval of this Subdivision that Draft Approval 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;
11. That the Owner shall, within sixty (60) days of Draft Plan Approval, 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;
12. That the Owner submits two (2) copies of a Noise Study to evaluate impacts from traffic along Webber Road (Regional Road No. 29) and South Pelham Road (Regional Road No. 36) to the Regional Planning and Development Department for review and approval. The Study is to be prepared by a qualified Consultant (P. Eng. with expertise) who shall sign and certify that the Study meets the requirements of the Ministry of the Environment Guidelines Noise Assessment Criteria in Land Use Planning, Publication LU-131, October 1997 as amended. Further, the Owner agrees in the Subdivision and Site Plan Agreements to implement any relevant Recommendations of the Study.

...Continued

**08-77/08-77Z Cont'd:**

- NOTE: Any noise attenuation berm or fencing that may be required should be placed on the development parcel and not within the one-foot reserve along Webber Road;
13. That the recommendations noted in the Environmental Impact Study (EIS) prepared by L. Campbell & Associates be included in the Subdivider's Agreement between the City and Owner and implemented to the satisfaction of the City and the Region;
14. That prior to approval of the Final Plan or any on-site grading, the Owner submit to the Regional Planning and Development Department, for review and approval, and to the Niagara Peninsula Conservation Authority for review and approval two (2) copies of a detailed Stormwater Management Plan for the Subdivision (the Plan should provide Level 1 protection) and the following Plans (a & b) 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 as amended and updated:
- a) Detailed lot grading and drainage plans, noting both existing and proposed grades and the means whereby overland flows will be accommodated across the site;
  - b) Detailed sediment and erosion control plans. All sediment and erosion control measures shall be maintained in good conditions for the duration of construction until all disturbed surfaces have been stabilized; and
  - c) The Owner agrees, in the Subdivider's Agreement, to implement the Recommendations of the approved 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;
15. That the Subdivider's Agreement and Site Plan Agreements between the Owner and the City of Welland contain provisions whereby the Owner agrees to implement the approved stormwater management, erosion and sediment control measures required in accordance with Condition 14 above;
16. That the Owner submit a Tree Saving or Preservation Plan to the Regional Planning and Development Department for review and comment, with a copy to the City of Welland. The Recommendations of the approved Plan shall be implemented through the Subdivider's Agreement between the Owner and the City of Welland;
17. That an Archaeological Assessment be conducted of the entire development site by a licensed Archaeologist and adverse impacts to any significant archaeological resources found on the site be mitigated through preservation or resource removal and documentation. No demolition, grading or other soil disturbances shall take place on the subject property prior to the Ministry of Culture, through the Regional Planning and Development Department, confirming that all archaeological resource concerns have met licensing and resource conservation requirements;
- NOTE: A copy of the Archaeological Assessment Report is to be submitted to the Regional Planning and Development Department for information;
18. 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);

19. That Lot Grading Plans be submitted to Regional Public Works Department for approval;
20. 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;
21. That the Owner obtains a Regional Construction Encroachment Permit prior to any construction/servicing taking place within the Regional Road allowance. Restoration of the Region's property must be to 'as good as' or 'better than' condition at the completion of the works;
22. That the Owner obtains a Regional Entrance Permit prior to the construction of any new roadway from Regional Road No. 36 (South Pelham Road);
23. That prior to Final Approval, Regional Public Works Staff shall be satisfied with the proposed access/entrance along Regional Road No. 36 (South Pelham Road);

...Continued

**08-77/08-77Z Cont'd:**

24. That any Regional road works required to facilitate the West Creek Draft Plan will require the Owner/Developer to enter into an Agreement with the Regional Municipality of Niagara and assume responsibility for the full cost of all Regional road works to be undertaken as a result of this development;
25. That in order to provide Regional curbside waste collection services, the Owner must ensure that all roadways can provide a through access and comply with the Regional Public Works Waste Collection standards;
26. That the regulatory floodplain, Provincially Significant Wetland and the 17 metre buffer setback be placed in an Environmental Protection type of Zone category and designation to prohibit development and recognize the environmentally sensitive nature of these features;
27. That detailed Sedimentation and Erosion Control Plans be prepared for the Niagara Peninsula Conservation Authority's review and approval. All sediment and erosion control measures shall be maintained in good condition for the duration of construction until all disturbed surfaces have been stabilized;
28. That a limit of work fence be installed no less than 15 metres from the boundary of the Draper's Creek Wetland Complex prior to any site alteration to minimize potential impacts to the wetland and adjacent buffer;
29. That at the end of the project, the design Engineer shall certify that all grading, storm pond(s) and stormwater management controls have been constructed in general conformity to the approved drawings and designs. Copies of the certification shall be circulated to the City of Welland and the Niagara Peninsula Conservation Authority;
30. That the Owner shall undertake the necessary Studies to determine the location and status of any gas wells located on the subject lands. The Owner will be required to satisfy the City of Welland that any gas wells are properly capped;
31. That the Owner shall have installed a concrete pad in accordance with the requirements of, and in locations to be approved by, Canada Post to facilitate the placement of Community Mail Boxes. These concrete pads shall be identified on the Engineering Servicing drawings. Said pads are to be poured at the time of the sidewalk and/or curb installation within each Phase of the Plan of Subdivision;
32. The Owner shall construct municipal sidewalks along the south side of Street 'A' along its entire length;
33. The Owner agrees to pay apportioned costs associated with oversizing of the storm sewer and the construction and land costs associated with the stormwater management facility to which the subject lands will drain;
34. That the Owner may be required to obtain a Record of Site Condition (RSC);
35. 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: 10, 11, 12, 13, 14, 15, 16 and 17;

Regional Niagara Public Works Department for Conditions: 5, 6, 18, 19, 20, 21, 22, 23, 24 and 25;

Niagara Peninsula Conservation Authority for Conditions: 14, 26, 27, 28 and 29;

36. 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 further

THAT Welland City Council authorizes Staff to prepare the necessary By-laws; and further

THAT Welland City Council authorizes the Mayor to sign the Draft Approval and final Approval Plans for the West Creek Subdivision once all Conditions have been satisfied.

**CARRIED**

**08-79** Moved by Grenier and Letourneau

THAT THE COUNCIL OF THE CITY OF WELLAND approves and accepts the tender of A. VanEgmond Construction (2005) Ltd. of Smithville, Ontario, as detailed in Report ENG-2008-17, for the Wallace Avenue Watermain Replacement between Welland and East Main Streets, and Residential Lot Servicing at the quoted price of \$279,165.00 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 A. VanEgmond Construction (2005) Ltd., to execute the construction.

**CARRIED**

**BY - LAWS**

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

1. Moved by Grenier and Letourneau

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

**08-70**

BYL 2008-57

A By-law to authorize the acceptance of tenders and the entering into contracts with Provincial Maintenance and BP Pavement Markings Inc. for the supply and application of road traffic paint and pavement markings.

**08-76**

BYL 2008-58

A By-law to authorize the adoption of Official Plan amendment No. 126 (2126369 Ontario Inc.) 1 Albert Street.

**08-76Z**

BYL 2008-59

A By-law to amend City of Welland Zoning By-law 2667 (2126369 Ontario Inc. – File 2008-04) 1 Albert Street.

**08-79**

BYL 2008-60

A By-law to authorize the acceptance of tender and the entering into a contract with A. Vanegmond Construction (2005) Ltd. For the Wallace Avenue Watermain Replacement and Residential Lot Servicing.

**08-1**

BYL 2008-61

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 22<sup>nd</sup> day of April, 2008.

And that the same be now read a first time.

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

2. Moved by Grenier 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, as amended, 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 9:30 p.m.

These Minutes approved and adopted by Motion of Council this 6th day of May, 2008.

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**MAYOR**

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**DEPUTY CLERK**