



## **SPECIAL COUNCIL MEETING, MARCH 27, 2001**

**TO HOLD PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT AND TO CONSIDER  
A FLEET VEHICLE REPLACEMENT REPORT TO AUTHORIZE PURCHASE OF TWO  
REPLACEMENT CARGO VANS; AND TO MEET IN COMMITTEE-OF-THE-WHOLE  
TO DISCUSS A SECURITY OF PROPERTY MATTER**

**CITY HALL, COUNCIL CHAMBERS  
411 EAST MAIN STREET**

Council met in Committee-of-the-Whole at 6:40 p.m. and in open session at 7:10 p.m. on the above date.

Her Worship Mayor Cindy Forster in the Chair.

**Members Present:** Councillors R. Alakas, D. Beaudoin, M. Belcastro, N. Dmytrow-Bilboe,  
M. Dzugan, T. Eybel, D. Fortier, J. Irvine, J. Mastroianni, S. O'Dell and  
J. Spadafora (7:10 p.m.)

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

Chief Administrative Officer V. Kersch  
City Clerk C.A. Stirtzinger  
City Solicitor G. Banks  
Director of Development Services T. Fitzpatrick (7:10 p.m.)  
Fire Chief P. Olah (7:10 p.m.)  
Director of Operational Services G. Marcello (7:10 p.m.)  
Community Services Director I. Smith (7:10 p.m.)  
Assistant Clerk D. Vettori

**01-25** Moved by Beaudoin and Belcastro that Council meet in Committee-of-the-Whole, closed to the public at 6:40 p.m. to consider:

a) the security of the property of the municipality.

**CARRIED**

*(Councillor Spadafora was not present during Committee-of-the-Whole)*

*discussions on a security of property matter.)*

**01-25** Moved by Belcastro and Beaudoin that the Committee-of-the-Whole arise from its closed meeting at 6:50 p.m.

**CARRIED**

### **DISCLOSURE OF INTEREST:**

Councillor Irvine disclosed an interest in Ref. No. 01-79Z and did not take part in the consideration and discussion of same, and refrained from voting thereon, as he is the agent for the applicant.

Councillor Spadafora disclosed an interest in Ref. No. 98-82 and did not take part in the consideration and discussion of same, and refrained from voting thereon, as has done work for Buttcon and has accounts outstanding with Buttcon.

### **PUBLIC HEARING PURSUANT TO THE PLANNING ACT**

Councillor Mastroianni presided as Chair of the Public Hearing.

**01-77**

**01-77Z** An application (File 2000-17) to amend the City of Welland Official Plan and Zoning By-law 2667 from **WESLEY VISSER** for lands located on the north side of Humberstone Road, west of Vaughan Road being Part of Gore Lot 29, Concession 7, former Crowland Township, now City of Welland designated as Part 1, Plan 59R-11104. The requested Amendment proposes to amend the Zoning By-law to permit the lands to be rezoned from RA - Rural Agricultural to a Site Specific Industrial Zone to permit the lands to be used to house the Applicant's construction company, commercial greenhouse, a market garden and nursery. The proposed Official Plan Amendment proposes to designate the lands for Industrial use and to permit initial development of the lands, on a temporary basis, with private services.

Councillor Mastroianni outlined the procedures of the Public Hearings as required by the Planning Act. T. Fitzpatrick confirmed that the statutory requirements for public hearing had been met, summarized the purpose of the hearing and reviewed the Planning Division Report.

The following people spoke to the application:

#### **In support of the application:**

Wesley Visser, applicant

#### **In opposition to the application:**

No one spoke to the application.

**01-78Z** An application (File 2001-03) to amend City of Welland Zoning By-law 2667 from **DONALD DEPASQUALE** for lands at 96 Lincoln Street (Part of Lot Lettered "O", Plan 564). The requested Amendment proposes to amend the Zoning By-law from R3 to a Site Specific R3 Zone to recognize an existing triplex; to recognize existing setbacks and to provide for a two-way driveway access with a width of 4.9 metres instead of the required 6.0 metres.

Councillor Mastroianni outlined the procedures of the Public Hearings as required by the Planning Act. T. Fitzpatrick confirmed that the statutory requirements for public hearing had been met, summarized the purpose of the hearing and reviewed the Planning Division Report.

The following people spoke to the application:

**In support of the application:**

Donald DePasquale, applicant.

**In opposition to the application:**

No one spoke to the application.

**01-79Z** An Application (File 2001-04) to amend City of Welland Zoning By-law 2667 from **JOHN IRVINE** on behalf of **SHEILA RANDALL** for lands at 284 Niagara Street (Part of Lot 3, N.T. Fitch Plan, Plan 554). The requested Amendment proposes to amend the Zoning By-law from RM2 to a Site Specific RM3 Zone to permit an existing four-plex with a minimum frontage of 17 metres; a minimum lot area of 530 square metres; a front yard setback of 6.1 metres; a north side yard of 2.52 metres and a south side yard of 0.8 metres; to provide a minimum of 4 parking spaces instead of the required 6; and to recognize an existing 0.8 metre setback for an existing accessory building.

Councillor Mastroianni outlined the procedures of the Public Hearings as required by the Planning Act. T. Fitzpatrick confirmed that the statutory requirements for public hearing had been met, summarized the purpose of the hearing and reviewed the Planning Division Report.

The following people spoke to the application:

**In support of the application:**

John Irvine, agent on behalf of the applicant.

**In opposition to the applications:**

No one spoke to the application.

**95-103Z** The City of Welland has received an Application (File 2001-02) to amend City of Welland Zoning By-law 2667 from **JOHN CONLIN** on behalf of **ASHTON HOMES (WESTERN) LIMITED** for lands on the west and north sides of St. Lawrence Drive and west side of Hansler Road being Lots 93 to 99; Lots 102 to 107; Lots 149 to 152, all inclusive and parts of Lots 100 and 101, Plan 59M-230 (Towpath Village Subdivision). The requested Amendment proposes to amend the Zoning By-law from R3-X4; RM2-X2 and RM3-X8, By-law 2667 to R3, R3-X7 and RM3-X7 to provide more single-detached dwelling units rather than semi-detached and townhouse units. The City is extending the Application to rezone the remainder of Lots 100 and 101 to R3 Holding. The subject lands are also the subject of an Application for Draft Plan of Subdivision File 26T-14-01001.

**95-103** The City of Welland has received an Application (File 26T-14-01001) from **JOHN CONLIN** on behalf of **ASHTON HOMES (WESTERN) LIMITED** for approval of a Draft Plan of Subdivision for lands on the west and north sides of St. Lawrence Drive and the west side of Hansler Road being Lots 93 to 99; Lots 102 to 107; Lots 149 to 152, all inclusive and parts of Lots 100 and 101, Plan 59M-230. The subject lands are designated as URBAN by the Regional Policy Plan, and are zoned R3-X4, RM2-X2 and RM3-X8 by By-law 2667. The City of Welland Official Plan designation for these lands is residential. This Application proposes the development of 2.19 hectares of land for 33 residential lots containing 49 units. The subject lands are also the subject of an Application for Rezoning File 2001-02.

Councillor Mastroianni outlined the procedures of the Public Hearings as required by the Planning Act. T. Fitzpatrick confirmed that the statutory requirements for public hearing had been met, summarized the purpose of the hearing and reviewed the Planning Division Report.

The following people spoke to the applications:

**In support of the applications:**

John Conlin on behalf of the applicant.

**In opposition to the applications:**

No one spoke to the applications.

**01-80Z** The City of Welland has received an Application (File 2001-05) to amend City of Welland Zoning By-law 2667 from **BROOKS, BIELBY & SMITH, SOLICITORS** on behalf of **ALFONSO AND ARLENE JOY FERRUSI** for lands at 35 Elgin Street (Part of Lot 18, Plan 549 and 550). The requested Amendment proposes to amend the Zoning By-law from RM2 to a Site Specific RM3 Zone to permit an existing tri-plex with a minimum frontage of 20.1 metres; a minimum lot area of 418 square metres; a front yard setback of 1.6 metres; an east side yard of 3.8 metres; a west side yard of 0.4 metres; to provide a minimum of two (2) parking spaces in tandem instead of the required 5; and to recognize an existing 0.3 metre setback for an accessory building.

Councillor Mastroianni outlined the procedures of the Public Hearings as required by the Planning Act. T. Fitzpatrick confirmed that the statutory requirements for public hearing had been met, summarized the purpose of the hearing and reviewed the Planning Division Report.

The following people spoke to the application:

**In support of the application:**

Tom Bielby, Solicitor, on behalf of the applicants.  
Alfonso Ferri and Arlene Joy Ferri, applicants.

**In opposition to the application:**

No one spoke to the application.

There being no other submissions the hearing was concluded. The Mayor then resumed the Chair.

**01-82** Moved by Irvine and Dmytrow-Bilboe that Council accept the tender in the amount of \$46,667.00, as submitted by Gillespie Pontiac Buick Cadillac Ltd. for the purchase of two (2) full size cargo style vans. Funding is to come from the approved Water and Sewer Budget Fleet Management Replacement Allocation for the year 2001.

**CARRIED**

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

**98-82** Moved by Mastroianni and Irvine that Council authorize the payment of \$103,437.08 to Buttcon Limited, as per their Construction Manager Contract for the proposed Civic Centre Project in accordance with the contract and billing for the period ending November, 2000; and That the funding for payment be taken from the Civic Centre Reserve Fund.

**CARRIED**

Council adjourned at 8:05 p.m.

These Minutes approved and adopted by Motion of Council this 3<sup>d</sup> day of April, 2001.

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**MAYOR**

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**CLERK**

