



SPECIAL COUNCIL MEETING, MAY 28, 2002

IN COMMITTEE-OF-THE-WHOLE TO CONSIDER A SOLICITOR-CLIENT PRIVILEGE MATTER; AND IN OPEN SESSION TO HOLD PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT; AND TO CONSIDER AN APPEAL OF A CONDITION OF DRAFT PLAN APPROVAL - ONE FORTY INDUSTRIAL PARK.

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

Council met Committee-of-the-Whole at 6:30 p.m. and in open session at 7:00 p.m. on the above date.

Her Worship Mayor Forster in the Chair.

Members Present: Councillors R. Alakas, D. Beaudoin, M. Belcastro, M. Dzugan, T. Eybel, D. Fortier (7:00 p.m.), J. Irvine, J. Mastroianni, and S. O'Dell.

Members of the Staff and Others Present:

City Clerk C.A. Stirtzinger

City Solicitor G. Banks

Chief, Fire & Emergency Services P. Olah

General Manager Engineering, Public Works & Transportation Services G. Marcello

General Manager Parks & Recreation/Acting City Manager Ian Smith

General Manager Financial & Corporate Services/Treasurer B. Silvestri

Clerk Steno III B. Gallaccio (7:00 p.m.)

Manager, Development Planning/Real Estate D. Thorpe

Chief Building Official M. Mantesso

02-25 Moved by Mastroianni and Dzugan that Council meet in Committee-of-the-Whole, closed to the public at 6:30 p.m. to consider:

- a) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

CARRIED

02-25 Moved by Dzugan and Mastroianni that the Committee-of-the-Whole arise from its closed meeting at 6: 45 p.m.

CARRIED

PUBLIC HEARING PURSUANT TO THE PLANNING ACT

Councillor Irvine presided as Chair of the Public Hearing.

02-95Z An Application has been made by **TERRY DUFFY** on behalf of **WELLAND MEDICAL DEVELOPMENTS LIMITED** to rezone Part of Block "F", Plan 574 for lands at 570 King Street from the existing C3-X1 Zone By-law 2667 to a Revised C3-X1 Zone to recognize Zone provisions for Part 2 on the sketch and to a Site Specific C3 Zone for Part 1, By-law 2667. The purpose of the Amendment for Part 1 is to permit a clinic, a medical laboratory, retail activities related to health care such as a pharmacy and optician, a delicatessan or sandwich shop and accessory uses; to create Zone provisions and to require a minimum of 50 parking spaces instead of the required 71 spaces. The Official Plan designation is INSTITUTIONAL (INST.).

Councillor Irvine 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.

The following people spoke to the application:

In support of the application:

- Terry Duffy, on behalf of the applicant.

In opposition to the application:

- No one spoke to the application.

02-96 An Application has been made by **P. DOUGLAS REITSMA** on behalf of **CAISSE POPULAIRE WELLAND LIMITEE** to amend the Official Plan (Lots 21 and 23, Part Lot 19, Plan 566) for lands at 59 Empire Street from Residential to Commercial. The purpose of the Amendment is to permit the use of the entire building/property for a business office (Financial Institution) and to eliminate residential uses. A business office has been located on the site for over 32 years. The subject lands are also the subject of an Application for Zoning By-law Amendment - File 2002-05.

02-96Z An Application has been made by **P. DOUGLAS REITSMA SURVEYING LTD.** on behalf of **CAISSE POPULAIRE WELLAND LIMITEE** to rezone Lots 21 and 23, Part Lot 19, Plan 566 for lands at 59 Empire Street from the existing RM2 Zone with Exemptions, By-law 2667, to a Site Specific C2 Zone, By-law The purpose of the Amendment is to permit the use of the entire building/property for a business office (Financial Institution); to eliminate residential uses and to create Zone provisions. A business office has been located on the site for over 32 years. The Official Plan designation is RESIDENTIAL (R). The subject lands are also the subject of an Application for Official Plan Amendment.

Councillor Irvine 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.

The following people spoke to the applications:

In support of the applications:

- Doug Reitsma, agent on behalf of Caisse Populaire.

In opposition to the applications:

- No one spoke to the applications.

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

99-92 Moved by Mastroianni and Dzugan that the request from Leonard Zwierschke, Pelham Excavating requesting to appeal a condition of the Draft Plan Approval for the One Forty Industrial Park - File 26T-89015 be received for information.

CARRIED

BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE

99-92 Moved by Mastroianni and Dzugan

1. That Welland Council confirm the Offer to Purchase in the amount of \$219,000 for Part of Lot 17, Concession 5, formerly Crowland Township, now City of Welland, known municipally as the One Forty Industrial Subdivision;
2. That the City Solicitor prepare all necessary documents for execution by the Mayor and Clerk;
3. That the Mayor and Clerk are hereby authorized to execute all necessary documentation to close the transaction;
4. That the funds for the transaction be taken from the Industrial Development Reserve Fund; and
5. That condition 2. adopted by Welland Council on 7 May, 2002 respecting the extension of Draft Plan approval having to do with outstanding taxes be repealed.

CARRIED

Council adjourned at 7:20 p.m.

These Minutes approved and adopted by Motion of Council this 4th day of June, 2002.

MAYOR

CLERK

