



**COUNCIL MEETING
FEBRUARY 14, 2006**

**BY SPECIAL NOTICE TO MEET: IN COMMITTEE-OF-THE-WHOLE IN CAMERA
TO DISCUSS PERSONAL AND LABOUR RELATIONS MATTERS AND IN OPEN
SESSION TO HOLD PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT;
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 6:35 p.m. and in open session at 7:30 p.m. to hold Statutory Public Hearings under the Planning Act; and pursuant to By-law 2005-176, the Procedural By-law of Council, in open regular session following the General Committee Meeting at 8:50 p.m. on the above date.

His Worship Mayor Damian Goulbourne in the Chair.

Members Present: Councillors D. Alexander, M. Belcastro, P. Chiocchio (until 7:10 p.m.), M. Dzugan, D. Fortier (6:50 p.m.), P. Grenier (6:45 p.m.), M.A. Grimaldi, J. Larouche (6:45 p.m.), S. O'Dell, B. Sharpe and J. Spadafora.

Members of the Staff and Others Present:

City Clerk C.A. Stirtzinger (not present during Committee-of-the-Whole discussions on a personal matter)

City Solicitor G. Banks

City Manager T. Fitzpatrick

General Manager, Human Resources R. Beaumont

General Manager of Planning and Development Services D. Thorpe (7:30 p.m.)

Games Licensing Clerk L. Bubanko (7:30 p.m.)

06-25 Moved by Dzugan and Spadafora that Council meet in Committee-of-the-Whole, closed to the public at 6:35 p.m. to consider:

- a) personal matters about an identifiable individual, including municipal employees; and
- b) labour relations or employee negotiations.

CARRIED

(Councillor Grimaldi was not present during Committee-of-the-Whole discussions on a labour negotiations matter).

06-25 Moved by Grenier and Dzugan that the Committee-of-the-Whole arise from its closed meeting at 7:15 p.m.

CARRIED

THE FOLLOWING COMMUNICATIONS WERE RECEIVED FROM THE GENERAL COMMITTEE MEETING OF FEBRUARY 14, 2006:

04-92 – Gen. Mgr. Planning and Development Serv. D. Thorpe – Report on Request for Minor Variance to Sign By-law.

06-48

06-48Z – Gen. Mgr. Planning and Development Serv. D. Thorpe – Report on Proposed Amendment to the Official Plan and Zoning By-law 2667 – Lots 50 – 75 (inclusive), the Lane and Part of Trufal (closed), Plan 942, being Parts 1 to 4, 59R-12322 and Parts 1 and 2, 59R-12189 – Tina Deluca and Leo Aita – 170 Broadway (File 2005-16).

06-49

06-49Z – Gen. Mgr. Planning and Development Serv. D. Thorpe – Report on Application for Approval of Draft Plan of Subdivision and Zoning By-law Amendment (File 26T-14-05003; 2005-15) Lea Silvestri Investments Ltd. Whispering Pines Subdivision (Block 29, 59M-328).

98-77 – Chief, Fire & Emergency Services P. Olah – Report on Ontario Fire Code Amendment Smoke Alarms.

THE FOLLOWING BY-LAW WAS RECEIVED:

06-1

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 14th day of February, 2006.

STATUTORY PUBLIC HEARINGS PURSUANT TO THE MUNICIPAL ACT

Councillor Larouche presided as Chair of the Public Hearing:

06-48

06-48Z Applications have been made by ALLAN J. HEYWOOD on behalf of TINA DELUCA AND LEO AITA to amend the Official Plan from SCHOOL AND COMMERCIAL (C3) to RESIDENTIAL AND COMMERCIAL (C3) and to rezone Lots 50 to 75 inclusive, Plan 942, Lane and Part of Trufal Avenue (Closed) for lands at 170 Broadway from the existing O2 and C3 Zone By-law 2667 to a Site Specific H-RM4, H-RM3 and C3 Zone By-law 2667. The purpose of the Amendment is to permit the redevelopment of a former school into a 30-unit apartment building; the development of vacant lands for multi-residential purposes; to provide related Site Specific Zone provisions to implement the development/redevelopment of the subject lands; and, to provide one zone coverage (C3) for lands at 48 St. George Street. The Official Plan designation is SCHOOL AND COMMERCIAL (C3). The subject lands are also the subject of an Application for Official Plan Amendment and Application for Consent, File B010/2004WELL.

Councillor Larouche 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:

- Frank DeLuca, agent on behalf of the applicant.

In opposition to the applications:

- Carol Plourde, 105 St. George Street, Welland, Ontario, L3C 5N5
- Terry Charlebois, 46 Trufal Avenue, Welland, Ontario, L3C 2A6
- Carol Aucoin, 265 Clifford Avenue, Welland, Ontario, L3C 2G3
- Brad Rolston, 151 St. George Street, Welland, Ontario L3C 5N9

06-49

06-49Z Applications have been made by UPPER CANADA CONSULTANTS on behalf of LEA SILVESTRI INVESTMENTS LTD. for approval of a Draft Plan of Subdivision and to rezone Block 29, Plan 59M-328 for lands at 740 Thorold Road from the existing H-RM4-X12 Zone By-law 2667 to a Site Specific H-RM4-X12 Zone By-law 2667. The purpose of the Amendment is to permit street townhouses as an additional use with reduced minimum lot area of 180 square metres, minimum lot frontage (end unit) of 7.2 metres, minimum side yard of 1.2 metres, minimum interior side yard of 1.2 metres (0.6 metres for garage) and maximum lot coverage of 50%. The Official Plan designation is MEDIUM AND HIGH DENSITY RESIDENTIAL. The subject lands are also the subject of an Application for Draft Plan of Subdivision – File 26T-14-05003.

Councillor Larouche 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:

- Martin Heikoop, Upper Canada Consultants, agent on behalf of the applicant.

In opposition to the applications:

- No one spoke to the application.

There being no other submissions the hearings were concluded. The Council Meeting recessed at 8:30 p.m. to continue the General Committee meeting. The Council Meeting reconvened at 8:50 p.m.

04-92 Moved by Dzugan and Grenier that Council accept Report PDS-2006-08 concerning a request for a Minor Variance to the Sign By-law and authorize the request to increase the maximum allowable area of a Ground Sign from 6.0 square metres to 8.73 square metres, for an existing sign located at 935 Niagara Street.

CARRIED

06-48

06-48Z Moved by Dzugan and Grenier that Staff Report PDS-2006-07 concerning Official Plan Amendment No. 118 and the concurrent Zoning By-law Amendment Application 2005-16 respecting Lots 50 to 75 (inclusive), The Lane and Part of Trufal (Closed), Plan 942, being Parts 1 to 4, 59R-12322 and Parts 1 and 2, 59R-12189, for lands known municipally as 170 Broadway be received for information purposes.

CARRIED

06-49

06-49Z Moved by Dzugan and Grenier that Report PDS-2006-06 concerning an Application for Draft Plan of Subdivision Approval and Zoning By-law Amendment for Whispering Pines Subdivision (Block 29, 59M-328) be received for information purposes.

CARRIED

98-77

Moved by Dzugan and Grenier that Report F&ES 2006-02 concerning changes to the Ontario Fire Code respecting smoke alarms/detectors be received for information.

CARRIED

BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE ON FEBRUARY 14TH, 2006

06-24 Moved by Spadafora and Grenier that Council appoint the City Manager to act as Deputy Clerk in the absence of the City Clerk.

CARRIED

BY - LAW

BY-LAW PRESENTED FOR FIRST READING:

1. Moved by Dzugan and Grenier that leave now be given to introduce the following proposed By-law entitled:

06-1

2006-12

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 14th day of February, 2006.

And that the same be now read a first time.

CARRIED

BY-LAW PRESENTED FOR SECOND AND THIRD READING:

2. Moved by Dzugan and Grenier that the By-law listed in the foregoing motion for first reading and as reproduced in this Evening's Council Agenda, having been read a first time and considered, 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 8:55 p.m.

These Minutes approved and adopted by Motion of Council this 21st day of February, 2006.

MAYOR

CLERK