



**COUNCIL MEETING
APRIL 11, 2006**

**BY SPECIAL NOTICE TO MEET: IN COMMITTEE-OF-THE-WHOLE IN CAMERA
TO DISCUSS A SECURITY OF PROPERTY MATTER 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 6:50 p.m. and in open session at 7:35 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 7:55 p.m. on the above date.

His Worship Mayor Damian Goulbourne in the Chair.

Members Present: Councillors D. Alexander (6:55 p.m), M. Belcastro, P. Chiocchio, M. Dzugan, D. Fortier (6:55 – 7:10 p.m.), P. Grenier, M.A. Grimaldi, J. Larouche, S. O'Dell, B. Sharpe and J. Spadafora

Members of the Staff and Others Present:

City Solicitor G. Banks

Acting City Manager C. Stirtzinger

Acting City Clerk B. Gallaccio

General Manager Financial and Corp. Services/Treasurer B. Silvestri
(until 7:35 p.m.)

General Manager of Planning and Development Services D. Thorpe

General Manager of Parks and Recreation B. LaPlante

Games Licensing Clerk L. Bubanko (7:35 p.m.)

06-25 Moved by Grenier and Belcastro that Council meet in Committee-of-the-Whole, closed to the public at 6:50 p.m. to consider:

- a) the security of the property of the municipality.

CARRIED

06-25 Moved by Belcastro and Grenier that the Committee-of-the-Whole arise from its closed meeting at 7:05 p.m.

CARRIED

THE FOLLOWING COMMUNICATIONS WERE RECEIVED FROM THE GENERAL COMMITTEE MEETING OF APRIL 11, 2006:

04-91 Gen. Mgr. Parks and Recreation B. LaPlante – Report on Welland Historical Museum Lease.

06-6 Dr. Frank Bojic, President, Niagara Peninsula Dental Association – Letter requesting that the Mayor declares the month of April as “Oral Health Month” in the City of Welland.

06-78Z Gen. Mgr. Planning and Development Serv. D. Thorpe – Report on Proposed Amendment to Zoning By-law 2667 – Leonard and Dean Pupo, Part of Lot 257 Former Township of Thorold, now in the City of Welland, 407 Fitch Street (File 2006-03).

06-91 Gen. Mgr. Planning and Development Serv. D. Thorpe – Report on Replacement of Mill Street Waterline – Niagara Street Westerly to Frazer Street.

THE FOLLOWING BY-LAWS WERE RECEIVED:

06-78Z

A By-law to amend City of Welland Zoning By-law 2667 (LEONARD PATSY PUPO AND DEAN JOSEPH PUPO – File 2006-03) 407 Fitch Street.

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 11th day of April, 2006.

STATUTORY PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT

Councillor Larouche presided as Chair of the Public Hearing:

06-78Z An Application has been made by P. DOUGLAS REITSMA SURVEYING LTD. on behalf of LEONARD PATSY PUPO AND DEAN JOSEPH PUPO to rezone Part Lot 257, Township of Thorold now in the City of Welland for lands at 407 Fitch Street from the existing R1-Single-Detached Dwelling – First Density Zone By-law 2667 to a RM3 Zone By-law 2667. The purpose of the Amendment is to permit the construction of a triplex on the subject lands. There is no Official Plan coverage.

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:

- P. Douglas Reitsma, agent on behalf of the applicant.

In opposition to the applications:

- No one spoke to the application.

There being no other submissions the hearing was concluded.

04-91 Moved by Belcastro and Grenier

1. That Council approves the signing of a leasehold agreement between the City and the Welland Historical Museum Board of Management to establish a Museum at the former King Street library building at 140 King Street, Welland; and
2. That the Solicitor be authorized to prepare the necessary By-law.

CARRIED

06-6 Moved by Belcastro and Grenier that the Mayor declares the month of April as "***Oral Health Month***" in the City of Welland as endorsed by the Government of Ontario.

CARRIED

06-78Z Moved by Belcastro and Grenier that Zoning By-law 2667, as amended, be further amended for Part of Lot 257, former Township of Thorold, now in the City of Welland known municipally as 407 Fitch Street from the existing R1 - Single Detached Dwelling - First Density Zone to a Site Specific RM3 Zone to permit the construction of one of a variety of residential uses including a single-detached dwelling, semi-detached dwelling, duplex, triplex, freehold triplex and a Bed & Breakfast.

CARRIED

06-91 Moved by Belcastro and Grenier

1. That Council approve the replacement of an existing 150 mm watermain with a 200 mm watermain on Mill Street from Niagara Street to Frazer Street at an estimated cost of \$40,000.00; and
2. That the net cost of the project, after taking into consideration the prepayment of \$8,930.65 by the Owner of 26 Mill Street, be temporarily funded by the Municipal Incentive Grant Reserve Fund (MIG), with final expenditures to be budgeted for in the 2007 Waterworks Capital Budget.

CARRIED

BY-LAWS ARISING FROM COMMITTEE-OF-THE-WHOLE ON APRIL 11TH, 2006

BY-LAWS PRESENTED FOR FIRST READING:

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

04-48

BYL 2006-44

A By-law to accept the transfer of Part of Centre Street, Plan 945 being Parts 7, 8 and 9, Plan 59R-13050 from Centre Properties (Welland) Ltd. and to Lay Out, Establish, Assume and Name as a Public Highway Parts 7, 8 and 9, Plan 59R-13050 as Part of Centre Street.

04-48

BYL 2006-45

A By-law to authorize the Escrow Agreement for implementation of the "Atlas Tax Settlement Agreement".

And that the same be now read a first time.

CARRIED

BY-LAWS PRESENTED FOR SECOND AND THIRD READING:

2. Moved by Larouche and Dzugan that the By-laws listed in the foregoing motion for first reading, 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

BY - LAWS

BY-LAWS PRESENTED FOR FIRST READING:

3. Moved by Belcastro and Grenier that leave now be given to introduce the following proposed By-laws entitled:

06-78Z

BYL 2006-46

A By-law to amend City of Welland Zoning By-law 2667 (Leonard Patsy Pupo and Dean Joseph Pupo – File 2006-03) 407 Fitch Street.

06-1

BYL 2006-47

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 11th day of April, 2006.

And that the same be now read a first time.

CARRIED

BY-LAWS PRESENTED FOR SECOND AND THIRD READING:

4. Moved by Belcastro and Grenier that the By-laws 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 8:05 p.m.

These Minutes approved and adopted by Motion of Council this 18th day of April, 2006.

MAYOR

ACTING CLERK