



**COUNCIL MEETING
JUNE 13, 2006**

**BY SPECIAL NOTICE TO MEET: 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 open session at 7:05 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, M. Belcastro, P. Chiochio, M. Dzugan, D. Fortier,
P. Grenier, M.A. Grimaldi, J. Larouche, S. O'Dell.

Members of the Staff and Others Present:

Acting City Clerk B. Gallaccio

City Solicitor G. Banks

General Manager Engineering, Public Works & Transportation Services and
Acting City Manager D. Shantz

General Manager of Planning and Development Services D. Thorpe

THE FOLLOWING COMMUNICATIONS WERE RECEIVED FROM THE GENERAL COMMITTEE MEETING OF JUNE 13, 2006:

04-94 Gen. Mgr. Planning and Development Serv. D. Thorpe – Report on Request for Extension of Draft Plan Approval – Forks Common Subdivision (Formerly Forks End Subdivision) (File 26T-14-97004).

06-3 Acting City Clerk B. Gallaccio – Report on Interim Revenue Model for Pooling Bingo Halls.

06-21 Diane Boutin, Office Administrator, Welland and District Humane Society – Letter requesting permission to hold its annual “Walkathon” on Sunday, June 25, 2006.

06-109

06-109Z 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-14-06001; 2006-06) Lea Silvestri Investments Ltd.; Michael Estates Subdivision (East of South Pelham Road, West of the Westerly Terminus of Michael Drive).

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 13th day of June, 2006.

STATUTORY PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT

Councillor Larouche presided as Chair of the Public Hearings:

06-109 An Application has been made by UPPER CANADA CONSULTANTS on behalf of LEA SILVESTRI INVESTMENTS LTD. for approval of a Draft Plan of Subdivision for lands east of South Pelham Road, west of the westerly terminus of Michael Drive. The subject lands are designated as URBAN AREA by the Regional Policy Plan, as LOW DENSITY RESIDENTIAL by the City of Welland Official Plan and are Zoned R2 – Single-Detached Dwelling – Second Density Zone by By-law 2667. The lands are also the subject of an Application for Zoning By-law Amendment – File 2006-06.

06-109

06-109Z An Application has been made by UPPER CANADA CONSULTANTS on behalf of LEA SILVESTRI INVESTMENTS LTD. to rezone Part Lot 246, Township of Thorold, now in the City of Welland for lands east of South Pelham Road, west of the westerly terminus of Michael Drive from the existing R2 – Single-Detached Dwelling – Second Density Zone By-law 2667 to a Site Specific R3 Zone By-law 2667. The purpose of the Amendment is to permit the development of a Plan of Subdivision containing twenty-seven (27) single-detached dwellings and a stormwater management facility. Site specific R3 (Single-Detached Dwelling – Third Density Zone) is requested to permit reduced side yards and front yard setbacks as well as permit an increased lot coverage percentage for the proposed lots. The Official Plan designation is LOW DENSITY RESIDENTIAL. The subject lands are also the subject of an Application for Draft Plan of Subdivision – File 26T-14-06001.

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 application:

- Mr. D. Heikoop, Upper Canada Consultants, on behalf of the applicant.

In opposition to the application:

- Mr. G. Barkwell, 19 Alyson Court, Welland, L3C 7B8
- Mr. John Raso, 179 NorthValley Drive, Welland, L3C 7B7

There being no other submissions the hearing was concluded.

04-94 Moved by Belcastro and Alexander that Council approve an extension to Draft Plan Approval for the Forks Common Subdivision (formerly Forks End Subdivision) (File 26T-14-97004) for one (1) year to June 29, 2007 as requested by Mario Bevacqua on behalf of JSL Management Inc.

CARRIED

06-3 Moved by Belcastro and Alexander

1. That approval be granted to the Main Street Bingo Palace, 27 East Main Street, to implement the Interim Revenue Model for Pooling Bingo Halls as follows:
 - (a) The licensee shall pay out of the gross receipts the actual costs of the bingo paper used in bingo events and that a monthly report outlining the actual costs be provided to the City.
 - (b) The licensee will pay the bingo hall operator a maximum of 40% of the net proceeds.
2. That the interim revenue model be retroactive from June 1, 2006 to September 30, 2006.
3. That staff prepare the necessary Memorandum of Understanding in accordance with the Alcohol and Gaming Commission of Ontario (AGCO) requirements.
4. That the Registrar of the Alcohol and Gaming Commission of Ontario be so advised.

CARRIED

06-21 Moved by Belcastro and Alexander that Welland City Council approves the application of Welland and District Humane Society to hold a "***Walkathon***" on Sunday, June 25th, 2006 subject to the applicant's completion of all conditions of the Policy of Road Use for Community Activities.

CARRIED

06-109

06-109Z Moved by Belcastro and Alexander that Report PDS-2006-43 concerning an Application for Draft Plan of Subdivision Approval and Zoning By-law Amendment for Michael Estates Subdivision (Part Lot 246, Township of Thorold, now in the City of Welland) be received for information purposes.

CARRIED

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

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

06-1

BYL 2006-81

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 13th day of June, 2006.

And that the same be now read a first time.

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

2. Moved by Belcastro and Chiocchio 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 8:10 p.m.

These Minutes approved and adopted by Motion of Council this 20th day of June, 2006.

MAYOR**ACTING CLERK**