



MINUTES OF

COUNCIL MEETING, MAY 12, 2009

BY SPECIAL NOTICE TO MEET: IN COMMITTEE-OF-THE-WHOLE (IN CAMERA): TO DISCUSS SECURITY OF PROPERTY AND PROPOSED OR PENDING ACQUISITION OR DISPOSITION OF LAND MATTERS; AND IN OPEN SESSION TO HOLD PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT; AND

**BY PROCEDURAL BY-LAW 2007-178:
TO RATIFY THE ACTIONS OF GENERAL COMMITTEE**

**CIVIC SQUARE, COUNCIL CHAMBERS
60 EAST MAIN STREET**

Council met in a Special Meeting of Committee-of-the-Whole closed to the public at 6:45 p.m. and in open session at 7:08 p.m. to hold Statutory Public Hearings under the *Planning Act*. Council met again in Committee-of-the-Whole closed to the public at 9:28 p.m.

Vice-Mayor Paul Grenier in the Chair.

Members Present:

Mayor Goulbourne (8:05 p.m.), Councillors R. Alakas, D. Alexander, M. Belcastro, F. Campion, P. Chiochio, M. Dzugan (until 8:45 p.m.), J. Larouche, R. Letourneau (until 9:00 p.m.), and B. Sharpe.

Members of the Staff and Others Present:

City Manager, C. Stirtzinger (7:35 p.m.)

Acting Deputy Clerk, C. Mintoff

Acting General Manager, Engineering, Public Works & Transportation Services, L. Ventresca (7:08 p.m.)

General Manager, Financial & Corporate Services/Treasurer, B. Silvestri (6:53 p.m.)

General Manager, Parks, Facilities and Leisure Services, B. Fenwick

General Manager, Planning & Development Services, D. Thorpe

Manager, Development Planning & Real Estate, R. DiFelice (7:08 p.m.)

Vital Statistics & Customer Services Clerk II, T. Chasse (7:08 p.m.)

09-25 Moved by Dzugan and Alakas

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Vice-Mayor as Chair, in Committee-of-the-Whole closed to the public at 6:45 p.m. to consider:

- a) the security of the property of the municipality or local board; and
- b) a proposed or pending acquisition or disposition of land for municipal purposes.

CARRIED

09-25 Moved by Belcastro and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 7:03 p.m. without report.

CARRIED

STATUTORY PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT

Vice-Mayor Grenier presided as Chair of the Public Hearings:

09-94

09-94Z Applications have been made by UPPER CANADA CONSULTANTS on behalf of STERLING REALTY (NIAGARA) INC. for amendments to the Official Plan and Zoning By-law and for approval of a Draft Plan of Condominium on Part of Lot 28, Concession 6, former Township of Crowland, now in the City of Welland for lands on the west side of Elmwood Avenue, south of Lincoln Street and north of Windsor Street, municipally known as 70 Elmwood Avenue. The purpose of the Official Plan Amendment is to re-designate the subject lands from SCHOOLS (SC) to RESIDENTIAL (R). The purpose of the Zoning By-law Amendment is to rezone the subject lands from the existing O2 – Open Space Zone with Exceptions By-law 2667 to a Site Specific RM3 Zone By-law 2667. The site specific provisions requested include lot frontage, lot area, yard setbacks and lot coverage. The purpose of these amendments is to permit the establishment of a vacant land condominium consisting of thirty-six (36) bungalow-style townhouse dwellings.

Vice-Mayor Grenier outlined the procedures of the public hearing as required by the *Planning Act*.

D. Thorpe confirmed that the statutory requirements for the public hearing had been met, summarized the purpose of the hearing and reviewed the Planning Division Report.

Presenting for the applicant were Alison Enns and Jason Schooley from Upper Canada Consultants.

In support of the application:

- No one spoke to the application.

There being no other supporters to the application the Chair asked for those opposing the application.

In opposition to the application:

- Dawn Gvozdanovic, 75 Elmwood Avenue, Welland, ON L3C 2E3
- Poppy Hathaway, 55 Terrace Avenue, Welland, ON L3C 6K1
- Jay Mitchell, 5 Terrace Avenue, Welland, ON L3C 2C5

There being no further opposition to the application the hearing was concluded.

THE FOLLOWING CORRESPONDENCE WAS DELETED:**09-94**

09-94Z Report from Gen. Mgr., Planning & Development Serv., D. Thorpe – Applications for approval of a Draft Plan of Condominium (File 26CD-14-09002) and applications for Official Plan and Zoning By-law amendments (Files OPA and 2009-08), Sterling Realty (Niagara) Inc., Part of Lot 28 Concession 6, Former Township of Crowland, now in the City of Welland, west side of Elmwood Avenue, south of Lincoln Street and north of Windsor Street, known municipally as 70 Elmwood Avenue.

THE FOLLOWING COMMUNICATIONS WERE RECEIVED:

02-157 Gen. Mgr., Planning & Development Serv., D. Thorpe – Regional Policy Plan Amendment – Niagara 2031 Sustainable Community Policies.

09-1 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 12th day of May, 2009.

02-157 Moved by Alexander and Campion
 THAT THE COUNCIL OF THE CITY OF WELLAND supports Regional Policy Plan Amendment 2-2009, Sustainable Community Policies with the request for Regional Council and Regional Staff to consider the requested amendments as outlined in Appendix 1 of Report PDS-2009-32; and further
 THAT Welland City Council directs the City Clerk to forward this Resolution and accompanying Report PDS-2009-32 to the Region for its consideration in amending Regional Policy Plan Amendment 2-2009 (Sustainable Community Policies).

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

1. Moved by Goulbourne and Sharpe
 THAT THE COUNCIL OF THE CITY OF WELLAND now gives leave to introduce the following proposed By-law entitled:

09-1

BYL 2009-62

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 12th day of May, 2009.

And that same be now read a first time.

CARRIED

BY-LAW PRESENTED FOR SECOND AND THIRD READING:

2. Moved by Goulbourne and Sharpe
 THAT THE COUNCIL OF THE CITY OF WELLAND having read a first time and considered the By-law listed in the foregoing motion as reproduced in this evening's Council Agenda, be now read a second and third time and do pass, and the Mayor and Clerk do sign and seal same.

CARRIED

09-25 Moved by Alakas and Alexander
 THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Vice-Mayor as Chair, in Committee-of-the-Whole closed to the public at 9:28 p.m. to consider:
 a) the security of the property of the municipality or local board.

CARRIED

09-25 Moved by Goulbourne and Sharpe
 THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 9:55 p.m. without report.

CARRIED

Council adjourned at 9:55 p.m.

These Minutes approved and adopted by Motion of Council this 19th day of May, 2009.

MAYOR

ACTING CITY CLERK