



**MINUTES OF  
SPECIAL COUNCIL MEETING, AUGUST 27, 2013**

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

Council met in Committee-of-the-Whole closed to the public at 6:26 p.m. and in open session at 7:20 p.m. on the above date.

His Worship Mayor Barry Sharpe in the Chair.

**Members Present:**

Councillors M. Belcastro, F. Champion, M. Carl, P. Chiocchio, P. Grenier, M.A. Grimaldi, R. Letourneau, D. McLeod, M. Petrachenko, and B. Wright.

**Members of Staff and Others Present:**

City Manager, C. Stirtzinger  
City Clerk, C. Raby  
Deputy City Clerk, L. Bubanko (7:20 p.m.)  
General Manager, Human Resources, R. Mantesso  
General Manager, Corporate Services/City Treasurer, K. Douglas  
Deputy Fire Chief, B. Kennedy  
Manager, Engineering Services, L. Ventresca (7:20 p.m.)  
Interim General Manager, Recreation Services, D. Degazio (7:20 p.m. – 9:00 p.m.)  
Planning Manager, R. Di Felice (7:20 p.m.)  
Planning Supervisor, G. Munday (7:20 p.m.)

(Rose Di Felice, Planning Manager, and Grant Munday, Planning Supervisor, were present during Committee-of-the-Whole discussions on litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board).

**13-25** Moved by Campion and Wright

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Mayor as Chair, in Committee-of-the-Whole closed to the public at 6:26 p.m. to consider:

- personal matters about an identifiable individual, including municipal or local board employees:
- labour relations or employee negotiations:
- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

**CARRIED****13-25** Moved by Letourneau and Campion

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 7:12 p.m. with report.

**CARRIED****LEGISLATED PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT**

Councillor Chiocchio presided as Chair of the Public Hearings:

**13-84**

**13-84Z** A complete Application has been made by THE CORPORATION OF THE CITY OF WELLAND to rezone Part of Township Lots 250 and 251, former Township of Thorold, now City of Welland, being Parts 1 to 5 on Plan 59R-14533 for lands at 475, 555 and 635 Prince Charles Drive North from the existing C2 and R1 Zones By-law 2667 to a Site Specific Mixed Use and O1 – Public Open Space Zones By-law 2667. The purpose of the Amendment is to add a new Mixed Use Reinvestment Zone with applicable uses and Zone provisions and to add definitions for extended care and independent living; to rezone 475, 555 and 635 Prince Charles Drive North to Site Specific Mixed Use Reinvestment Zones; and to rezone a portion of the pathway to O1, and to permit the redevelopment of the subject lands and to recognize open space linkages. The Official Plan designation is AREA SPECIFIC POLICY – AREA 3. The lands are also the subject of an Application for Official Plan Amendment. The purpose of the Amendment is to replace Area Specific Policy – Area 3 (Section 6.7.3) with a new Policy based upon a Land Use Study accepted by Welland City Council; by amending Policy 6.2.2 1B – Open Space Uses – to include additional uses; to amend Policy 7.8.1 – Site Plan Control by adding ‘a three unit dwelling’ as an exception; and by amending Policy 4.2.2 B – Permitted Uses (Low Density Residential) and adding ‘triplex and townhouse’.

Councillor Chiocchio outlined the procedures of the Public Hearing as required by the *Planning Act*.

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

Grant Munday, Planning Supervisor, City of Welland, presented on behalf of the applicant.

**In support of the application:**

- No one spoke to the application

There being no persons present to speak in support of the application, the Chair asked for those opposing the application.

**In opposition of the application:**

- Donald Jarvis, 186 Willson Road, Welland, Ontario, L3C 2T6

There being no other persons present to speak in opposition to the application, the hearing was concluded.

**13-96Z** A complete Application has been made by THE CORPORATION OF THE CITY OF WELLAND from the existing A, RA, I1, O1, O2, O2-X6, R1 and R2 Zones By-law 2667 to an O4 – Community Open Space Zone By-law 2667. The purpose of the Amendment is to propose a general amendment to Zoning By-law 2667, as amended. The Amendment will add a new Zoning category ‘Community Open Space – O4’ which will include recreational and ancillary commercial uses. A definition for ‘drugless practitioners’ will also be added to By-law 2667. Several City-owned parks/recreational areas will be rezoned from A, RA, I1, O1, O2, O2-X6, R1 and R2 to permit the lands to be used for the purposes permitted in the Community Open Space Zone. The Official Plan designation is PARKS, OPEN SPACE AND RECREATION. The lands are also the subject of an Application for Official Plan Amendment.

Councillor Chiocchio outlined the procedures of the Public Hearing as required by the *Planning Act*.

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

Grant Munday, Planning Supervisor, City of Welland, presented on behalf of the applicant.

**In support of the application:**

- No one spoke to the application

There being no persons present to speak in support of the application, the Chair asked for those opposing the application.

**In opposition of the application:**

- No one spoke to the application

There being no persons present to speak in opposition to the application, the hearing was concluded.

**13-88Z** A complete Application has been made by UPPER CANADA CONSULTANTS on behalf of 1872334 ONTARIO INC. to rezone Part Lot 29, Consession 5, former Township of Crowland, now in the City of Welland for lands at 154 Riverside Drive from the existing H-RM4-X20 Zone to a Site Specific RM4 (Multiple Dwelling – Fourth Density) Zone. The purpose of the Amendment is to increase the permitted height from a proposed 4 storey apartment building to a 6 storey apartment building; reducing the parking requirement from 1.5 spaces per unit to 1.25 spaces per unit and to permit 5 parking spaces in the Front Yard. The Official Plan designation is HIGH DENSITY RESIDENTIAL.

Councillor Chiocchio outlined the procedures of the Public Hearing as required by the *Planning Act*.

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

Jennifer Vida, Senior Planner, Upper Canada Consultants, presented on behalf of the applicant.

**In support of the application:**

- No one spoke to the application

There being no persons present to speak in support of the application, the Chair asked for those opposing the application.

**In opposition of the application:**

- Lorraine Gallaccio, 118 Colbeck Avenue, Welland, Ontario, L3C 7B2
- Mike Dickman, 116 Riverside Drive, Welland, Ontario, L3C 5E2
- Tony Whelan, 124 Riverside Drive, Welland, Ontario, L3C 5E2
- Stella Motolanez, 181 Riverside Drive, Welland, Ontario, L3C 5E3

There being no others present to speak in opposition to the application, the hearing was concluded.

**05-141**

Moved by Petrachenko and Carl

THAT THE COUNCIL OF THE CITY OF WELLAND approves the changes to the Terms of Reference for the Arts and Culture Advisory Committee membership composition as outlined in the memorandum from the City Clerk dated August 27, 2013; and further

THAT Welland City Council acknowledges the continued membership of Regional Councillor Dan Fortier on the Arts and Culture Advisory Committee until November 30, 2014.

**CARRIED**

**06-84**

Moved by McLeod and Petrachenko

THAT THE COUNCIL OF THE CITY OF WELLAND approves the changes to the Terms of Reference for the Senior Citizen Advisory Committee as outlined in the memorandum from the City Clerk dated August 27, 2013.

**CARRIED**

**07-125**

Moved by McLeod and Petrachenko

THAT THE COUNCIL OF THE CITY OF WELLAND approves the changes to the Terms of Reference for the Welland Civic Square Art Task Force as outlined in the memorandum from the City Clerk dated August 27, 2013.

**CARRIED**

**11-91**

Moved by McLeod and Petrachenko

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the correspondence from the Region of Niagara dated August 6, 2013 regarding Report ICP 82-2013: Updates to Sections 1, 2, and 3 of the Regional Policy Plan.

**CARRIED**

**13-3**

Moved by McLeod and Petrachenko

THAT THE COUNCIL OF THE CITY OF WELLAND grants permission to the Tender Wishes Foundation to sell raffle tickets in the City of Welland under authority of Lottery Licenses M719818 and M719817.

**CARRIED**

**13-84****13-84Z** Moved by Carl and Grenier

THAT THE COUNCIL OF THE CITY OF WELLAND adopts an Official Plan Amendment: 1. to designate Part of Township Lots 250 and 251, former Township of Thorold, now in the City of Welland, being Parts 1 to 5, Plan 59R-14533 for lands at 475, 555 and 635 Prince Charles Drive North as Area Specific Policy - Area 3 to implement recommendations of the Land Use Study dated September 2012 and prepared by Dillon Consulting Limited; 2. to amend Policy 6.2.2.1.B - Open Space Uses to include additional uses; 3. to amend Policy 7.8.1 - Site Plan Control to add a 'three dwelling unit as an exception; 4. to amend Policy 4.2.2.2.B - Permitted Uses (Low Density Residential) to add 'triplex and townhouse'; and further THAT Welland City Council approves an Amendment to Zoning By-law 2667, as amended, for lands described as Part of Township Lots 250 and 251, former Township of Thorold, now in the City of Welland, being Parts 1 to 5, Plan 59R-14533 for lands at 475, 555 and 635 Prince Charles Drive North from the existing Shopping Commercial (C2) and Single-Detached Dwelling - First Density (R1) Zone to a Site Specific Mixed Use Reinvestment (MXR) and Public Open Space (O1) Zones to permit the redevelopment of the subject lands and to recognize existing open space linkages.

**CARRIED****13-84Z** Moved by Grenier and Petrachenko

THAT THE COUNCIL OF THE CITY OF WELLAND approves that City of Welland Zoning By-law 2667, as amended, be further amended to add a new Community Open Space (O4) Zone which will permit recreational and ancillary commercial uses; to rezone several City-owned parks/recreational areas to permit the lands to be used for the purposes permitted in the O4 Zone; and, to add a definition for 'drugless practitioner'.

**CARRIED****13-88Z** Moved by Wright and Carl

THAT THE COUNCIL OF THE CITY OF WELLAND approves an Amendment to Zoning By-law 2667, as amended, for lands described as Part of Lot 29, Concession 5, former Township of Crowland, now in the City of Welland, known municipally as 154 Riverside Drive from the existing H-RM4-X20 Zone to a Site Specific Holding (H) RM4 Zone to permit the construction of a 6 storey, 123 unit apartment building; and further

THAT Welland City Council directs that prior to the lifting of the Holding (H) Symbol related to the Zoning, the applicant will be required to enter into Site Plan Agreement(s) with the City to ensure the proper development of the subject property.

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**13-88Z** Moved by Campion and Chiocchio

THAT THE COUNCIL OF THE CITY OF WELLAND refers Report P&B-2013-31 regarding a Zoning By-law Amendment Application for lands at 154 Riverside Drive to staff, to consider discussions with the developer to reduce the number of floors to 5 and report back to Council on September 24, 2013.

*(Councillor Carl asked to be recorded as opposed to this motion).***CARRIED****BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE****06-84** Moved by McLeod and Petrachenko

THAT THE COUNCIL OF THE CITY OF WELLAND appoints Vinay Sharma as recommended by Mayor's Youth Advisory Council ("MYAC") to represent MYAC, and Fran Côté-Ferrusi to fill the member-at-large vacancy on the Welland Community Wellness Complex Advisory Committee, for the period commencing August 27, 2013.

**CARRIED**

**06-84** Moved by McLeod and Petrachenko  
 THAT THE COUNCIL OF THE CITY OF WELLAND appoints Suzanne Payeur-Grenier to fill the vacancy on the Senior Citizens Advisory Committee for the period commencing August 27, 2013 to and including November 30, 2014.

**CARRIED**

### **BY-LAWS**

Moved by Belcastro and Chiocchio  
 THAT THE COUNCIL OF THE CITY OF WELLAND having given due consideration to the following By-laws, as reproduced in this evening's Council Agenda, as amended, now read a first, second and third time and pass same, and authorize the Mayor and Clerk to sign and seal same.

**13-84**

BYL 2013-110

A By-law to authorize the adoption of Official Plan Amendment No. 4.

**13-84Z**

BYL 2013-111

A By-law to amend City of Welland Zoning By-law 2667 (The Corporation of the City of Welland - File 2013-07) Mixed Use Reinvestment Zone, 475, 555 and 635 Prince Charles Drive North, City-owned lands along west side of Prince Charles Drive North.

**13-84Z**

BYL 2013-112

A By-law to amend City of Welland Zoning By-law 2667 (The Corporation of the City of Welland - File 2013-08) Community Open Space Zone for various City-owned lands and General Amendment.

**CARRIED**

Moved by McLeod and Petrachenko  
 THAT THE COUNCIL OF THE CITY OF WELLAND having given due consideration to the following By-laws, as reproduced in this evening's Council Agenda, as amended, now read a first, second and third time and pass same, and authorize the Mayor and Clerk to sign and seal same.

**13-4**

BYL 2013-113

A By-law to re-enact By-law 2013-60, being a By-law to authorize an Extension Agreement with the registered owner of the land municipally known as 232 Pearson Road.

**13-4**

BYL 2013-114

A By-law to re-enact By-law 2013-61, being a By-law to authorize an Extension Agreement with the registered owner of the land municipally known as 226 Pearson Road.

**13-4**

BYL 2013-115

A By-law to re-enact By-law 2013-62, being a By-law to authorize an Extension Agreement with the registered owner of the land municipally known as 886 Buchner Road.

**13-4**

BYL 2013-116

A By-law to re-enact By-law 2013-63, being a By-law to authorize an Extension Agreement with the registered owner of the land municipally known as 822 Buchner Road.

**13-1**

BYL 2013-117

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 27th day of August, 2013.

**CARRIED**

Council adjourned at 10:05 p.m.

These Minutes approved and adopted by Motion of Council this 1<sup>st</sup> day of October, 2013.

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**MAYOR**

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**CITY CLERK**