



MINUTES OF

COUNCIL MEETING, JANUARY 27, 2009

BY SPECIAL NOTICE TO MEET: IN COMMITTEE-OF-THE-WHOLE (IN CAMERA): TO DISCUSS SECURITY OF PROPERTY 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 6:40 p.m. and in open session at 7:24 p.m. to hold Statutory Public Hearings under the *Planning Act*; and recessed at 7:39 p.m.; and pursuant to By-law 2007-178, the Procedural By-law of Council, reconvened following the General Committee Meeting at 8:02 p.m. on the above date.

Acting Vice-Mayor Paul Grenier in the Chair.

Members Present:

Councillors D. Alexander, M. Belcastro, F. Campion, P. Chiocchio, J. Larouche,
R. Letourneau, S. O'Dell, B. Sharpe and L. Van Vliet.

Members of the Staff and Others Present:

City Manager, C. Stirtzinger
Acting City Clerk, B. Nistico-Dunk
Chief, Fire & Emergency Services, D. Prevost (until 7:06 p.m.)
General Manager, Engineering, Public Works & Transportation Services/City Engineer, S. Iannello
General Manager, Financial & Corporate Services/Treasurer, B. Silvestri
General Manager, Planning & Development Services, D. Thorpe
General Manager, Parks, Facilities and Leisure Services, B. Fenwick
Games Licensing & Committee Clerk, L. Bubanko (7:24 p.m.)
Manager, Business & Operations – WRCC, S. Fischer (7:24 p.m. – 7:55 p.m.)
Manager, Engineering Services, L. Ventresca (until 7:06 p.m.)

THAT THE COUNCIL OF THE CITY OF WELLAND meet, with the Acting Vice-Mayor as Chair, in Committee-of-the-Whole closed to the public at 6:40 p.m. to consider:

- a) the security of the property of the municipality or local board; and
 in addition to consider the following:
 b) the security of the property of the municipality or local board.

CARRIED

09-25 Moved by Van Vliet and Letourneau

THAT THE COUNCIL OF THE CITY OF WELLAND arise from its closed Committee-of-the-Whole meeting at 7:06 p.m. without report.

CARRIED

THE FOLLOWING COMMUNICATIONS WERE RECEIVED FROM THE GENERAL COMMITTEE MEETING OF JANUARY 27, 2009:

99-99 Mgr., Business & Operations – WRCC, S. Fischer & Chair, WRCC, B. Mahler – Presentation to Council re: the Welland Feeder Canal and Merritt Park Amphitheatre Projects.

99-99 Mgr., Business & Operations – WRCC, S. Fischer – expenditures for the Welland Feeder Canal Project.

99-99 Mgr., Business & Operations – WRCC, S. Fischer – expenditures for the Merritt Park Amphitheatre Project.

04-124 Gen. Mgr., Engineering, Public Works & Transp. Serv./City Engineer, S. Iannello – Universal Water Metering Program Fourth Quarter Update.

08-59 Gen. Mgr., Planning & Development Serv., D. Thorpe – Semi-Annual Subdivision Status Report – December 31, 2008.

09-43Z Gen. Mgr., Planning & Development Serv., D. Thorpe – Application for Zoning By-law Amendment – Terrance William Ewanochko, 65 West Main Street, south side of West Main Street, west of Frazer Street (File No. 2008-12).

09-53 Mayor Goulbourne & City Mgr., C. Stirtzinger – 2009 Work Plan.

THE FOLLOWING BY-LAWS WERE RECEIVED:

09-36Z A By-law to amend City of Welland Zoning By-law 2667 (Terrance William Ewanochko – File 2008-12) 65 West Main Street.

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 27th day of January, 2009.

STATUTORY PUBLIC HEARINGS PURSUANT TO THE PLANNING ACT

Mayor Goulbourne presided as Chair of the Public Hearings:

09-43Z A complete application has been made by ERIN SARGENT on behalf of TERRANCE WILLIAM EWANOCHKO to rezone Lot 28, Part Lots 4 and 27, Plan 552 for lands at 65 West Main Street from the existing RZ and R2 Zones By-law 2667 to RM4 and RM2 Zones By-law 2667. The purpose of the Amendment is to permit the existing church building to be converted into 4 residential units and to permit the construction of a semi-detached dwelling on the south portion of the lands fronting on Bald Street. In order for the overall development of the lands to proceed as described above the Applicant has also submitted a Consent Application to divide the subject property. The Official Plan designation is COMMERCIAL AND RESIDENTIAL. The subject lands are also the subject of an Application for Consent – File B011/2008WELL.

Mayor Goulbourne 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:

- Terrance William Ewanochko, 65 West Main Street, Welland, ON, L3C 4Z8, applicant.

In opposition to the application:

- James Dowling, 48 Bald Street, Welland, ON, L3C 5B9.

There being no other submissions the hearings were concluded.

99-99 Moved by Larouche and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the presentation by Stephen Fischer, Manager, Business & Operations - WRCC and Bob Mahler, Chair, WRCC at the January 27, 2009 General Committee Meeting regarding the expenditures for the Welland Feeder Canal Project and the Merritt Park Amphitheatre Project.

CARRIED

99-99 Moved by Larouche and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes expenditures to a limit of \$47,834.00 plus applicable taxes from the WRCC capital budget, for landscaping for the Welland Feeder Canal Project.

CARRIED

99-99 Moved by Larouche and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND authorizes expenditures to a limit of \$550,000.00 plus applicable taxes from the Provincial Grant received by the WRCC, for the Merritt Park Amphitheatre Project.

CARRIED

04-124 Moved by Larouche and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information REPORT ENG-2009-01 on the progress of the Universal Water Metering Program; and further
THAT Welland City Council directs Staff to present for Council's consideration a report on the plan for repair of deficient curb stops and installation of the remaining water meters beyond the current contract.

CARRIED

08-59 Moved by Larouche and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information purposes the Semi-Annual Subdivision Status Report as of December 31, 2008.

CARRIED

09-43Z

Moved by Larouche and Van Vliet

THAT THE COUNCIL OF THE CITY OF WELLAND approves an Amendment to Zoning By-law 2667, as amended, for lands on the south side of West Main Street, west of Frazer Street, known municipally as 65 West Main Street from the existing Holding RZ - Reinvestment Zone and R2 - Single-Detached Dwelling - Second Density Zone to a Site Specific Holding RZ (Reinvestment) Zone and a Site Specific RM2 (Multiple Dwelling - Second Density) Zone to permit the existing church building to be converted into four (4) residential units and to permit the construction of a semi-detached dwelling on the south portion of the lands fronting on Bald Street; and further

THAT Welland City Council agrees to an encroachment of eaves onto Frazer Street Road Allowance for the existing church building known municipally as 65 West Main Street and shown on the sketch prepared by Suda & Maleszyk Surveying Inc. dated September 25, 2008; and further

THAT Welland City Council directs Staff to prepare the necessary documents and By-law(s); and further THAT Welland City Council requires the Applicant provide a Reference Plan identifying the extent of the encroachment and pays for legal fees of \$300.00 for the preparation and registration of the required documentation.

CARRIED**09-53**

Moved by Larouche and Letourneau

THAT THE COUNCIL OF THE CITY OF WELLAND receives for information the Report from Mayor Damian Goulbourne and City Manager, Craig Stirtzinger regarding the 2009 Work Plan.

CARRIED**BUSINESS ARISING FROM COMMITTEE-OF-THE-WHOLE****09-12**

Moved by Van Vliet and Letourneau

THAT THE COUNCIL OF THE CITY OF WELLAND appoints Councillor Grenier to Chair the January 27, 2009 Special closed meeting of Council.

CARRIED**BY - LAWS****BY-LAWS PRESENTED FOR FIRST READING:**

1. Moved by Belcastro and Sharpe

THAT THE COUNCIL OF THE CITY OF WELLAND now gives leave to introduce the following proposed By-laws entitled:

09-43Z

BYL 2009-10

A By-law to amend City of Welland Zoning By-law 2667 (Terrance William Ewanochko - File 2008-12) 65 West Main Street.

09-1

BYL 2009-11

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 January, 2009.

And that the same be now read a first time.

CARRIED

BY-LAWS PRESENTED FOR SECOND AND THIRD READING:

2. Moved by Belcastro and Sharpe
THAT THE COUNCIL OF THE CITY OF WELLAND having read a first time and considered the By-laws 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

Council adjourned at 8:14 p.m.

These Minutes approved and adopted by Motion of Council this 3rd day of February, 2009.

MAYOR

ACTING CITY CLERK