

City of Port Colborne Council Meeting Minutes

Date: Tuesday, November 28, 2023
Time: 6:30 pm
Location: Council Chambers, 3rd Floor, City Hall
66 Charlotte Street, Port Colborne

Members Present: M. Aquilina, Councillor
M. Bagu, Councillor
E. Beauregard, Councillor (presiding officer)
R. Bodner, Councillor
G. Bruno, Councillor
F. Danch, Councillor
D. Elliott, Councillor
T. Hoyle, Councillor

Absent: W. Steele, Mayor

Staff Present: B. Boles, Director of Corporate Services/Treasurer
S. Luey, Chief Administrative Officer
S. Shypowskyj, Director of Public Works
S. Tufail, Acting City Clerk
D. Vasu, Acting Deputy Clerk (minutes)
D. Landry, Chief Planner
D. Schulz, Senior Planner
B. Cotton, Economic Development Officer
G. Long, Manager of Strategic Initiatives
J. Colasurdo, Manager of Infrastructure

1. Call to Order

Deputy Mayor Beauregard called the meeting to order at 6:41 p.m.

2. National Anthem

3. Land Acknowledgment

Councillor Aquilina recited the Land Acknowledgement.

4. Proclamations

5. Adoption of Agenda

Moved by Councillor M. Bagu

Seconded by Councillor D. Elliott

That the agenda dated November 28, 2023, be confirmed, as amended.

Carried

6. Disclosures of Interest

7. Approval of Minutes

7.1 Regular Meeting of Council - November 14, 2023

Moved by Councillor T. Hoyle

Seconded by Councillor M. Aquilina

That the minutes of the regular meeting of Council, held on November 14, 2023, be approved as presented.

Carried

8. Recommendations Arising from Committees

8.1 2024 Rates Budget, 2023-164

Moved by Councillor G. Bruno

Seconded by Councillor F. Danch

That Corporate Services Department Report 2023-164, **BE RECEIVED**;
and

That the 2024 Rates Budget as outlined in Appendix B to Corporate
Services Department Report 2023-164, **BE APPROVED**.

Carried

8.2 2024 Rates Setting, 2023-165

Moved by Councillor M. Aquilina

Seconded by Councillor R. Bodner

That Corporate Services Report 2023-165, **BE RECEIVED**;

That the 2024 Water and Wastewater Rates as outlined in Corporate
Services Department Report 2023-165, **BE APPROVED**; and

That the 2024 Storm Sewer Rates as outlined in Corporate Services Department 2023-165, **BE APPROVED**; and

That the by-law attached as Appendix A of Corporate Services Report 2023-165 **BE APPROVED**.

Carried

9. Staff Reports

Moved by Councillor M. Bagu

Seconded by Councillor D. Elliott

That items 9.1 and 9.2 be approved, and the recommendations contained therein be adopted.

Carried

9.1 Niagara Gateway Economic Zone and Centre CIP Expansion, 2023-219

That Chief Administrative Office Report 2023-219 be received; and

That Council approve expanding the Niagara Gateway Economic Zone and Centre Community Improvement Plan (NGCIP) area as outlined in Appendix A; and

That the Manager of Strategic Initiatives be directed to contact the Niagara Region Growth Strategy and Economic Development Department to request a matching of the new boundaries; and

That the Mayor and Acting City Clerk be authorized to execute any and all required documents on behalf of the City.

9.2 Cancellation, Reduction or Refund of Realty Tax, 2023-206

That Corporate Services Department Report 2023-206 be received; and

That the applications pursuant to Section 357/358 of the *Municipal Act*, 2001, as amended, numbered 2022-900, 2023-100, 2023-200, 2023-300 A B, 2023-500, 2023-600, 2023-700, 2023-800, and 2023-900, be approved to cancel or reduce taxes in the amount of \$18,293.60.

10. Correspondence Items

Moved by Councillor M. Bagu

Seconded by Councillor D. Elliott

That items 10.1 to 10.9 be received for information.

Carried

- 10.1 Shelby Cleveland - Subject: Urgent Request for Bylaw Regulation of Unsolicited Graphic Anti-Abortion Flyers**
- 10.2 Niagara Region - Report PDS 37-2023 Niagara Region Unbuilt Housing Supply Update**
- 10.3 Bonfield Township - Childcare Availability in Ontario**
- 10.4 Coleman Township - Support for Ontario Conservation Officer's Association (OCA) to be reclassified as Enforcement Officers**
- 10.5 Town of Aylmer - Motion regarding Provincial Consideration for Amendments to the Residential Tenancies Act**
- 10.6 Town of Orangeville - Ontario Works Financial Assistance Rates**
- 10.7 Municipality of Shuniah regarding Unnecessary Noise - Engine Brakes**
- 10.8 Municipality of South Bruce - Ontario Association of Sewage Industry Services (OASIS)**
- 10.9 Prince Edward County - Province to stop the Ministry of the Environment, Conservation and Parks (MECP) Proposal to expand the Use of the Permit-by-rule**
- 11. Presentations**
- 12. Delegations**
- 13. Mayor's Report**
- 14. Regional Councillor's Report**
- 15. Staff Remarks**
- 15.1 Various Updates (Shypowskyj)**

The Director of Public Works provided updates regarding the roof rehabilitation project and installation of arena speaker system at the Vale Health and Wellness Centre, Lake Road end review, infrastructure needs study, condition assessment of the storm sewer system, sanitary sewer lining program, Victoria Park maintenance, and Lock 8 master plan.

15.2 2023 Christmas Parade (Boles)

The Director of Corporate Services/Treasurer provided details regarding the Christmas parade scheduled for December 2, 2023.

15.3 Municipal Drains (Boles)

The Director of Corporate Services/Treasurer provided an overview of the newly created information pamphlet and changes to the tax certificates for residents. He further stated that a staff report with additional details about the process will be brought forward at a future Council meeting.

15.4 Site Alteration By-Law and Parkland Dedication By-Law (Landry)

The Chief Planner provided a status update regarding the site alteration and parkland dedication by-law.

16. Councillors' Remarks

16.1 Lockview Park Maintenance (Hoyle)

Councillor Hoyle expressed appreciation towards Public Works staff for the recent maintenance work at the East Village Community Park - Victoria Playground and requested that the Lockview Park be maintained.

16.2 Highland Avenue and Fielden Avenue (Danch)

Councillor Danch requested asphalt maintenance of the curb located at the corner of Highland Avenue and Fielden Avenue.

16.3 Storm Sewer - Clarence Street (Elliott)

In response to Councillor Elliott's inquiry, the Manager of Infrastructure provided details regarding the status of the Clarence Street storm sewer and advised that construction will begin in March 2024.

16.4 Pump Station - Oxford Boulevard (Bruno)

In response to Councillor Bruno's inquiry, the Director of Public Works advised that he will contact the Niagara Region staff to address the overgrown trees surrounding the pump station located at Oxford Boulevard.

16.5 Reservoir Tank - Reservoir Park (Bruno)

Councillor Bruno requested that the reservoir at the Reservoir Park be decommissioned earlier than the schedule timeframe. In response, the Director of Public Works stated that he will contact the Regional

Municipality of Niagara to gather more details regarding the future plans for the site.

16.6 Municipal Drains - Training (Bruno)

Councillor Bruno requested that Council be provided training for the Court of Revision/Tribunal processes for Municipal Drains. The Director of Public Works confirmed that he will consult with the Drainage Superintendent and explore possible options for training.

16.7 Tribute (Bruno)

In response to Councillor Bruno's request to explore ways to honor individuals who have gained notoriety in business, culture, music, and the arts, the Chief Administrative Officer confirmed that he will explore all possible options.

16.8 Vision Zero Road Safety Initiative - Red Light Cameras (Bagu)

In response to Councillor Bagu's inquiry, the Chief Administrative Officer provided an overview of the Vision Zero Road Safety Initiative implemented by the Niagara Region.

17. Consideration of Items Requiring Separate Discussion

17.1 Final – Comprehensive Community Improvement Plan, 2023-239

Moved by Councillor G. Bruno
Seconded by Councillor F. Danch

That Development and Legislative Services Department Report 2023-239 be received; and

That City's new Comprehensive Community Improvement Plan (CIP) be adopted; and

That the by-law attached as Appendix B to Development and Legislative Services Department Report 2023-239, being a by-law to designate the Port Colborne Comprehensive Community Improvement Project Area and repeal By-laws 1847/112/86, 5239/145/08, 5526/123/10, 5722/153/11, 5822/76/12, and any amendments thereto, **BE APPROVED**; and

That the by-law attached as Appendix C to Development and Legislative Services Department Report 2023-239, being a by-law to Adopt the Port Colborne Comprehensive Community Improvement Plan, Repeal By-laws 5525/122/10, 5240/146/08, 5769/25/12, 5823/77/12 and any amendments thereto, **BE APPROVED**.

Carried

17.2 Overholt Cemetery Trust, 2023-211

Moved by Councillor M. Bagu

Seconded by Councillor F. Danch

That Corporate Services Department Report 2023-211 be received; and

That Council authorize the City Treasurer to complete, execute, and submit a transfer application form to the Bereavement Authority of Ontario (BAO) for the City of Port Colborne to become the trustee of the Overholt Cemetery Care and Maintenance Trust.

Carried

17.3 Sale of Surplus City Property - Elm and Barrick, 2023-133

Moved by Councillor G. Bruno

Seconded by Councillor R. Bodner

That Chief Administrative Office Report 2023-133 be received; and

That Council approve entering into an Agreement of Purchase and Sale with 1000427593 Ontario Inc, regarding a vacant portion of City-owned property PIN: 64141-0386 legally described as Concession 2 Part of Lot 29 RP 59R10207; PT Part 1 RP at Barrick Street and Elm Street shown in Appendix B as “#2 Parcel”;

That the by-law attached as Appendix D, being a by-law to authorize entering into an Agreement of Purchase and Sale with 1000427593 Ontario Inc, owned by ePrime Construction Management and Estate Hill Developments Inc. regarding the sale of the City-owned property at the corner of Barrick and Elm Street, be approved; and

That the Mayor and Acting City Clerk be authorized to execute any and all documents respecting the sale of these lands.

Carried

17.4 Delegation of Powers and Duties, 2023-243

Moved by Councillor M. Bagu

Seconded by Councillor T. Hoyle

That Chief Administrative Office Report 2023-243 be received; and

That the Delegation of Authority By-law attached as Appendix A of Office of the Chief Administrative Officer Report 2023-243 be approved.

Carried

17.5 Recommendation Report for Proposed Zoning By-law Amendment for 395 Elm Street - File No. D14-05-23, 2023-241

Moved by Councillor G. Bruno
Seconded by Councillor M. Bagu

That Development and Legislative Services Department – Planning Division Report 2023-241 be received; and

That the Zoning By-law Amendment attached as Appendix A to Planning Division Report 2023-241 be approved; and

That Council require no further public notice in accordance with Section 34(17) of the *Planning Act*; and

That the City Clerk be directed to issue the Notices of Adoption and Passing in accordance with the *Planning Act*.

Carried

17.6 Bonfield Township and Town of Gore Bay - Support Tax Credit Increase Volunteer Firefighters

Moved by Councillor T. Hoyle
Seconded by Councillor F. Danch

That the correspondence from Bonfield Township and Town of Gore Bay regarding Support Tax Credit Increase Volunteer Firefighters, be supported.

Carried

18. Motions

19. Notice of Motions

20. Minutes of Boards & Committees

Moved by Councillor R. Bodner
Seconded by Councillor M. Aquilina

That item 20.1 be approved, as presented.

Carried

20.1 Port Colborne Public Library Board Meeting Minutes - October 4, 2023

21. By-laws

Moved by Councillor M. Bagu

Seconded by Councillor D. Elliott

That items 21.1 to 21.7 be enacted and passed, as presented.

Carried

21.1 By-Law to Regulate the Supply of Water, to Provide for Maintenance and Management of Water Works, and for the Imposition and Collection of Water, Sewage Service, and Sewer Rates

21.2 By-law to designate the Port Colborne Comprehensive Community Improvement Project Area and Repeal Various By-laws

21.3 By-law to Adopt the Port Colborne Comprehensive Community Improvement Plan and Repeal Various By-laws

21.4 By-law to Authorize Entering Into an Agreement of Purchase and Sale with 1000427593 Ontario Inc. Respecting a portion of Con 2 PT Lot 29 RP, 59R10207; PT Part 1 RP at Barrick Road and Elm Street.

21.5 By-law to Amend Zoning By-law 6575/30/18 for the lands municipally known as 395 Elm Street and the vacant hydro corridor to the south

21.6 By-law to Delegate Certain powers and Duties under the Municipal Act, S.O. 2001 c.25, the Planning Act, R.S.O. 1990 c. P. 13, and other Acts to Municipal Officers and Employees

21.7 By-law to Adopt, Ratify and Confirm the Proceedings of the Council of The Corporation of the City of Port Colborne

22. Confidential Items

23. Procedural Motions

24. Information items

25. Adjournment

Deputy Mayor Beauregard adjourned the meeting at approximately 8:17 p.m.

E. Beauregard, Deputy Mayor

Saima Tufail, Acting City Clerk