

City of Port Colborne

Council Meeting Minutes

Date: Tuesday, March 12, 2024
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
G. Bruno, Councillor
D. Elliott, Councillor
T. Hoyle, Councillor
W. Steele, Mayor (presiding officer)

Member(s) Absent: R. Bodner, Councillor
F. Danch, Councillor

Staff Present: D. Schulz, Senior Planner
D. Landry, Chief Planner
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)
J. Colasurdo, Manager of Infrastructure

1. Call to Order

Mayor Steele called the meeting to order at 6:31 p.m.

2. National Anthem

3. Land Acknowledgement

Councillor Elliott recited the land acknowledgement.

4. Proclamations

5. Adoption of Agenda

Moved by Councillor T. Hoyle
Seconded by Councillor D. Elliott

That the agenda dated March 12, 2024, be confirmed, as amended.

Carried

6. Disclosures of Interest

7. Approval of Minutes

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

That items 7.1 and 7.2 be approved as presented.

Carried

7.1 Public Meeting - January 9, 2024

7.2 Regular Meeting of Council - February 27, 2024

8. Staff Reports

Moved by Councillor E. Beauregard
Seconded by Councillor M. Aquilina

That items 8.1 and 8.2 be approved, and the recommendations contained therein be adopted.

Carried

8.1 Amending Legal Descriptions of Catharine Street Lands, 2024-58

That Chief Administrative Officer Report 2024-58 be received; and

That the by-law attached as Appendix B, being a By-law to Amend By-law 7108/50/23, be approved.

8.2 Quit Claim Deed for PIN 64156-0305, 2024-59

That Chief Administrative Office Report 2024-59 be received; and

That the Manager of Strategic Initiatives be directed to register a Quit Claim Deed as PT PK LT 6 W/S CATHERINE ST PL 987-989; and

That the Mayor and Acting City Clerk be directed to execute the documents.

9. Correspondence Items

Moved by Councillor E. Beauregard

Seconded by Councillor M. Aquilina

That items 9.1 to 9.9 be received for information.

Carried

9.1 Niagara Region - Port Colborne's Niagara Gateway Economic Zone and Centre CIP Expansion Request

9.2 Niagara Region - Tree and Forest Canopy Project

9.3 Niagara Region Transit - Port Colborne NRT OnDemand Statistics

9.4 Township of Perry - Request to the Province to Amend Blue Box Regulation for 'Ineligible' Sources

9.5 Municipality of St. Charles - Potential Municipal Equipment Operator Training Course

9.6 Municipality of St. Charles - Rising Municipal Insurance Costs

9.7 County of Lambton - Upload from local municipalities the responsibility of costs associated with the continued construction, operation and maintenance of major municipally-owned highways to the Province

9.8 City of St. Charles - Provincial Consideration for Amendments to the Residential Tenancies Act

9.9 Tay Valley Township - Declaration of a Climate Change Crisis

10. Presentations

10.1 Brett Sweeney, Director of Communications and Community Engagement- FACS Niagara- Annual Mountainview LemonAID Day

Ellen Schonewille, Senior Manager of Donor Relations at FACS Niagara, provided a presentation in place of Brett Sweeney, regarding the Annual Mountainview LemonAID Day.

11. Delegations

12. Mayor's Report

A copy of the Mayor's Report is attached.

13. Regional Councillor's Report

14. Staff Remarks

14.1 Solar Eclipse Update (Luey)

The Chief Administrative Officer outlined the preparations that have been made for the solar eclipse on April 8, 2024, by Regional emergency management and the City of Port Colborne which includes the activation of the emergency operations center, emergency preparedness messaging with the Niagara Regional Police, redeployment of City staff, parking restrictions, closure of the boat launch, solar eclipse glasses giveaways, and designated viewing areas within the City for the day.

14.2 Neff Street Storm Sewer Project Update (Shypowskyj)

The Director of Public Works advised that the contract for the Neff Street Storm Sewer Project has been awarded to Rankin Construction Inc. He further stated that the construction will begin once the final permit approvals from the Province of Ontario are granted.

14.3 Sanitary Sewer Rehabilitation Project Update (Shypowskyj)

The Director of Public Works stated that the contract for the Sanitary Sewer Rehabilitation Project has been awarded to Capital Sewer Service and the work is expected to begin at the end of March.

14.4 Lions Field Improvement Project Update (Shypowskyj)

The Director of Public Works stated that the tender for the Lions Field Improvement Project closed on March 11, 2024, and that staff are in the process of selecting a company, with construction expected to begin in April and end in early July with minimal disruptions to use of the park.

14.5 Sanitary Sewer CCTV Project Update (Shypowskyj)

The Director of Public Works stated that following flushing work within Ward 1, several properties experienced water coming back up their laterals and advised residents to call the City to rectify any issues that they may experience.

14.6 Rail Crossing Review (Shypowskyj)

The Director of Public Works stated that following a review of rail crossings within the City, several recommendations have come forward based on Transport Canada guidelines, including the installation of stop signs at rail crossings, which is now underway.

14.7 Building Faster Fund Updates (Long)

The Manager of Strategic Initiatives stated that Economic Development staff are awaiting further details on the smaller rural municipalities category of the Building Faster Fund, which Economic Development staff are hoping to apply to shortly.

14.8 Official Plan Open House Update (Landry)

The Chief Planner stated that an open house will be held on March 27, 2024, from 5:30 p.m. to 7:30 p.m. in Council Chambers, for the public to provide their thoughts on the new Official Plan which is being prepared, adding that the open house will be advertised to the public and required parties.

14.9 Zoning By-Law Update (Landry)

Following a question at the previous Council meeting, the Chief Planner stated that following the enactment of a new Official Plan, a new Zoning By-law will be prepared, wherein provisions regarding parking structures setbacks could be included.

15. Councillors' Remarks

15.1 Senior Citizens Advisory Committee Updates (Aquillina)

Councillor Aquilina stated that she, the Director of Museum and Culture, and the Public Programmer provided a presentation at the Guild Hall regarding the Senior Citizens Advisory Committee structure and volunteer opportunities, then expressed concern regarding the accessible parking availability on West Street and the availability of robust transit routes in the Region. The Director of Public Works stated that Public Works staff could create an accessible parking space on West Street and report back to Council. The Chief Administrative Officer stated that staff can investigate the transit concerns and report back at the next Council meeting. Councillor Beauregard stated that he will raise the transit concerns to the Regional Transit Committee.

15.2 Healthcare Presentation Inquiry (Bagu)

In response to Councillor Bagu's inquiry, Mayor Steele stated that Niagara Health will be hosting a public information session in the Golden Puck room at the Vale Health and Wellness Centre on March 21, 2024, from 6:30 p.m. to 8:30 p.m. to address concerns regarding healthcare in Niagara.

15.3 Railroad Crossing Post Stop Signs (Bagu)

In response to Councillor Bagu's inquiry, the Director of Public Works confirmed that stop signs will only be erected at crossings with sight line and sight distance issues. The Director of Public Works further stated that he will work in conjunction with GIO Rail and ensure additional solutions are explored.

15.4 Sidewalk Repairs (Bagu)

Councillor Bagu expressed appreciation to Public Works staff and the contractors who have been conducting sidewalk repairs throughout the City.

15.5 One-Way Water Valves (Bagu)

Councillor Bagu expressed appreciation towards Public Works staff for addressing concerns regarding water coming back up laterals following flushing work within Ward 1 in a timely manner and confirmed that one-way valves are installed on all newer homes.

15.6 Service Requests (Bagu)

Councillor Bagu expressed appreciation towards City staff for their prompt response to service requests.

15.7 Zoning By-Law Inquiry (Bruno)

Councillor Bruno asked whether making minor amendments to the Zoning By-law, such as including parking structures in the definition of a building, would be sufficient to provide for setbacks to parking structures. The Chief Planner responded that she believes the current setbacks outlined in the Zoning By-law are sufficient, then stated that additional setbacks or definitions can be explored if requested by Council.

15.8 Building Permit and Sanitary Leak Inquiry (Bruno)

Councillor Bruno asked whether Public Works staff receive notification of a demolition permit to ensure services are turned off at the property line. The Director of Public Works stated that the City requires the party performing the work to decommission the service lines, noting Public Works staff do receive notification if a work order results from the permit process.

15.9 Water Usage Inquiry (Bruno)

Councillor Bruno asked about the parameters set on water meters within the City and whether notifications are received when anomalies exist in

the system. The Director of Public Works stated that equipment is being installed within the City to gather data from each property to ensure anomalies are reported and investigated.

15.10 Sidewalk Repair Inquiry (Elliott)

In response to Councillor Elliott's inquiry regarding the areas in the City flagged for sidewalk repairs, the Director of Public Works responded advised that there are a number of areas on the repair list, which are ranked by priority and section length.

15.11 Zoning By-Law Amendment Clarification (Elliott)

In response to Councillor Elliott's request for additional information regarding parking structure setbacks within the Zoning By-law, the Chief Planner provided an overview of the provisions of the by-law.

15.12 Appreciation for Victoria Park Work (Hoyle)

Councillor Hoyle expressed gratitude towards Public Works staff for their work at Victoria Park after receiving positive feedback from residents.

15.13 Speeding Concerns (Hoyle)

Councillor Hoyle stated that he has received several concerns from residents regarding speeding on various City Streets. In response, Mayor Steele requested that Councillor Hoyle provide a list of these areas so these can be forwarded to the Niagara Regional Police for further investigation.

16. Consideration of Items Requiring Separate Discussion

16.1 City of Port Colborne Traffic Calming Policy, 2024-44

Moved by Councillor M. Bagu

Seconded by Councillor E. Beauregard

That Public Works Department Report 2024-44 be received; and

That the Traffic Calming Policy attached as Appendix A of Public Works Report 2024-44 be approved.

Carried

16.2 Recommendation for Zoning By-law Amendment at 179 Mellanby Avenue and 56-56 ½ Main Street West – File No. D14-08-23, 2024-53

Moved by Councillor T. Hoyle
Seconded by Councillor G. Bruno

That Development and Legislative Services Department – Planning Division Report 2024-53 be received; and

That the Zoning By-law Amendment attached as in Appendix A of Report 2024-53 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 Notice of Passing in accordance with the *Planning Act*.

Amendment:

Moved by Councillor G. Bruno
Seconded by Councillor T. Hoyle

That Development and Legislative Services Department – Planning Division Report 2024-53 be received; and

That the Zoning By-law Amendment attached as Appendix A of Report 2024-53 be **amended to require 1.25 parking spaces per dwelling unit in place of the 1 parking space per dwelling unit recommended by staff and** 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 Notice of Passing in accordance with the *Planning Act*.

Carried

- a. **Delegation from Rachelle Larocque, Biglieri Group**
- b. **Written Delegation Material from Melissa Bigford and Christopher Lofquist, residents**

16.3 Town of Lincoln - Urgent Need for Increased Funding to Libraries and Museums in Ontario

Moved by Councillor M. Bagu
Seconded by Councillor M. Aquilina

That the correspondence item received from the Town of Lincoln regarding the Urgent Need for Increased Funding to Libraries and Museums in Ontario be supported.

Carried

17. Motions

17.1 Mountainview LemonAID Day for FACS Niagara - June 8, 2024

Moved by Councillor T. Hoyle
Seconded by Councillor D. Elliott

That June 8, 2024, be hereby proclaimed Mountainview LemonAID Day for FACS Niagara.

Carried

18. Notice of Motions

18.1 Motion to Support U.S. Army Corps of Engineers and Governors of Michigan and Illinois in Preventing Invasive Carp in Great Lakes (Mayor Steele)

Mayor Steele provided notice of his intention to bring a motion forward at the March 26, 2024, Council meeting for Council to support the U.S. Army Corps of Engineers and the Governors of Michigan and Illinois in their joint infrastructure project to prevent invasive silver and bighead carp from overtaking the Great Lakes waterways.

19. Minutes of Boards & Committees

Moved by Councillor T. Hoyle
Seconded by Councillor D. Elliott

That items 19.1 to 19.4 be approved as presented.

Carried

19.1 Port Colborne Historical and Marine Museum Board Meeting Agenda and Meeting Minutes - November 21, 2023

19.2 Port Colborne Museum, Heritage and Culture Board Meeting Minutes - January 16, 2024

19.3 Port Colborne Public Library Board Meeting Minutes - January 3, 2024 and February 7, 2024

19.4 Downtown Business Improvement Area Meeting Minutes - September 21, 2023, November 13, 2023, November 22, 2023 and January 24, 2024

20. By-laws

Moved by Councillor G. Bruno

Seconded by Councillor M. Bagu

That items 20.1, 20.3, and 20.4 be enacted and passed, as presented.

Carried

20.1 By-law to Adopt the Traffic Calming Policy

20.2 By-law to amend Zoning By-law 6575/30/18 for the lands municipally known as 179 Mellanby Avenue and 56-56 ½ Main Street West

Moved by Councillor G. Bruno

Seconded by Councillor M. Bagu

That the By-law to amend Zoning By-law 6575/30/18 for the lands municipally known as 179 Mellanby Avenue and 56-56 ½ Main Street West be approved, as amended.

Carried

20.3 By-law to Amend By-law 7108/50/23

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

21. Confidential Items

Moved by Councillor T. Hoyle

Seconded by Councillor D. Elliott

That Council do now proceed into closed session in order to address item 21.1.

Carried

21.1 Office of the Chief Administrative Officer Report 2024-19, a proposed or pending acquisition or disposition of land by the municipality or local board

21.2 Memorandum from Chief Administrative Officer, labour relations or employee negotiations

This item was withdrawn at the request of staff.

22. Procedural Motions

23. Information items

24. Adjournment

Council moved into Closed Session at approximately 9:09 p.m.

Council reconvened into Open Session at approximately 10:10 p.m.

Mayor Steele adjourned the meeting at approximately 10:11 p.m.

William C. Steele, Mayor

Saima Tufail, Acting City Clerk