

## **City of Port Colborne**

### **Council Meeting Minutes**

**Date:** Tuesday, April 9, 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  
R. Bodner, Councillor  
G. Bruno, Councillor  
F. Danch, Councillor  
D. Elliott, Councillor  
T. Hoyle, Councillor  
W. Steele, Mayor (presiding officer)

**Staff Present:** B. Boles, Director of Corporate Services/Treasurer  
S. Luey, Chief Administrative Officer  
S. Shypowskyj, Director of Public Works  
C. Schofield, Acting City Clerk  
D. Vasu, Acting Deputy Clerk (minutes)  
D. Landry, Chief Planner  
C. Roome, Planner

#### **1. Call to Order**

Mayor Steele called the meeting to order at 6:30 p.m.

#### **2. National Anthem**

#### **3. Land Acknowledgement**

Councillor Beauregard recited the land acknowledgement.

#### **4. Proclamations**

##### **4.1 Canadian Viral Hepatitis Elimination Day - May 9, 2024**

Moved by Councillor R. Bodner  
Seconded by Councillor T. Hoyle

That May 9, 2024, do hereby be proclaimed Canadian Viral Hepatitis  
Elimination Day.

Carried

**5. Adoption of Agenda**

Moved by Councillor F. Danch  
Seconded by Councillor D. Elliott

That the agenda dated April 9, 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 to 7.4 be approved as presented.

Carried

**7.1 Regular Meeting of Council - March 26, 2024**

**7.2 Special Council Minutes (Closed Session) - January 23, 2024**

**7.3 Special Council Minutes (Closed Session) - January 27, 2024**

**7.4 Special Council Minutes (Closed Session) - February 27, 2024**

**8. Staff Reports**

**9. Correspondence Items**

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

That items 9.1 to 9.9 be received for information.

Carried

- 9.1 **Niagara Region - Regional Archaeological Management Plan**
- 9.2 **Niagara Region - 2024 Property Tax Policy, Ratios and Rates**
- 9.3 **Township of Asphodel Norwood - Public Health Ontario Labs - Possible Closures**
- 9.4 **Township of Clearview - Endorsement of Bill C-63 in the House of Commons regarding The Online Harms Act**
- 9.5 **City of Brantford - Home Heating Sustainability**
- 9.6 **County of Northumberland County - Support County of Prince Edward regarding Review of Ontario Works and Ontario Disability Support Program Financial Assistance Rates**
- 9.7 **Town of Shelburne - Resolution to Eradicate Islamophobia and Antisemitism**
- 9.8 **Town of Whitby - Council Support for Ontario Energy Board's Decision to end the Gas Pipeline Subsidy**
- 9.9 **Township of Terrace Bay - Energy Transition**
- 10. **Presentations**
  - 10.1 **Mark Carl, Chief Executive Officer- Habitat for Humanity Niagara**

Mark Carl, Chief Executive Officer of Habitat for Humanity Niagara provided a presentation regarding Habitat for Humanity in Niagara.
  - 10.2 **Presentation for Grants to Non-Profit Organizations - 2024 First Allocation**

Mayor Steele, Councillor Hoyle, and Councillor Aquilina presented the recipients of the first allocation of 2024 grants to non-profit organizations with their grants.
- 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 stated that due to the preparedness of staff, the solar eclipse on April 8, 2024, was a success in terms of safety and the event proceedings, then thanked the Fire Chief and Staff for their emergency preparedness work and plan.

#### **14.2 Official Plan Open House Update (Landry)**

The Chief Planner thanked everyone who attended the first Official Plan open house at the end of March, adding that a lot of feedback was received from residents, and the department is looking forward to the next steps.

### **15. Councillors' Remarks**

#### **15.1 Appreciation for Fire Chief Lawson (Aquilina)**

Councillor Aquilina sent her appreciation to Chief Lawson on his last day with the City of Port Colborne for all of his dedication and commitment during his time with the City and sent him best wishes in his new position in Niagara Falls.

#### **15.2 Eclipse Staff Appreciation (Bagu)**

Councillor Bagu thanked City Staff for all of their efforts at various locations throughout the City on the day of the Eclipse.

#### **15.3 Appreciation for Fire Chief Lawson and Eclipse Staff (Bruno)**

Councillor Bruno expressed appreciation to the Fire Chief for his time and efforts in his position with the City and thanked City staff for their preparedness, communication, and efforts during the eclipse.

#### **15.4 Truck Traffic on Hillcrest Road (Danch)**

Councillor Danch expressed concern regarding the truck traffic on Hillcrest Road, noting that these activities should be directed to Elm Street.

#### **15.5 Derek's Point Clean-up (Danch)**

Councillor Danch expressed concern regarding the condition of Derek's Point and asked staff if clean-up efforts could take place.

#### **15.6 Killaly Street Seaway Property Garbage (Danch)**

Councillor Danch expressed concern regarding the garbage on the Seaway property at the Killaly Street Bridge and asked if the Director of Public Works could communicate these concerns to the Seaway.

**15.7 Appreciation for Fire Chief Lawson and Eclipse Staff Appreciation (Hoyle)**

Councillor Hoyle expressed his appreciation for the events and staff preparedness for the day of the eclipse and sent his best wishes to the Fire Chief regarding his new position.

**15.8 Official Plan Open House Ward 4 Map Concerns (Bodner)**

Councillor Bodner expressed concerns to the Chief Planner that were raised by residents following the Official Plan open house regarding the absence of Ward 4 in the mapping. The Chief Planner responded that Ward 4 would be included within the Official Plan efforts and that while the extent of the static mapping did not allow the inclusion of the entire city limits, there were areas for the hamlets and online mapping activities to ensure the comments are captured for Ward 4 areas. Additionally, the Chief Planner confirmed that future events will be communicated to residents to ensure their feedback is received.

**15.9 Eclipse Comments and Appreciation (Bodner)**

Councillor Bodner sent his appreciation to staff who were working at Centennial Cedar Bay Park for their efforts and collaboration with those at the park and residents in the surrounding area during the eclipse, then the Councillor asked if staff could organize an eclipse glasses collection so the glasses could be sent to another location in the world to be reused for a future eclipse.

**15.10 Appreciation for Fire Chief Lawson (Bodner)**

Councillor Bodner expressed his appreciation for the Fire Chief's efforts and work during his time with the City.

**16. Consideration of Items Requiring Separate Discussion**

**16.1 Options Report for Short-Term Rental Accommodations, 2024-25**

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

That Development and Legislative Services Department – Planning Division Report 2024-25 be received for information; and

That Council approve the regulation of short-term rental accommodations via the Combined Licencing and Official Plan/Zoning By-law Amendment outlined in Option 3; and

That the Acting City Clerk be directed to schedule a Statutory Public Meeting to review the proposed Official Plan Amendment and Zoning By-law Amendment.

Carried

**16.2 Recommendation Report for Zoning By-law and Official Plan Amendments D09-05-23 and D14-10-23 – 174 Mitchell Street, 2024-91**

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

That Planning and Legislative Services Department Report 2024-91 be received; and

That the By-law to adopt amendment no. 15 to the Official Plan for the City of Port Colborne, attached as Appendix A, be approved; and

That the by-law to amend Zoning By-law 6575/30/18 for the lands legally known as Part of Lots 15 and 16 on Plan 849, municipally known as 174 Mitchell Street and the lands known as Lot 26 on Plan 19, on the northeast corner of Nickel and Mitchell Street formerly in the Township of Humberstone, now in the City of Port Colborne, Regional Municipality of Niagara, be approved; and

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

Carried

**16.3 Encroachment Fees for Pop-up Patios, 2024-38**

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

That Chief Administrative Office Report 2024-38 be received; and

That the by-law attached as Appendix A, being a By-law to Amend By-law 6665/29/19, being a By-law to Adopt a Policy for Encroachments on Municipal Property, be approved.

Carried

**16.4 Nickel Beach Parking and Related Operations 2024, 2024-22**

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

That Corporate Services Department Report 2024-22 be received; and

That Council approve consolidating all parking permits and season passes to honk mobile; and

That Council approve redesignating the 26 parking spaces along Lake Road from the Zone 1” parking classification to a No Parking Area zone; and

That Council approve applying line painting and installing flexible bollards, as depicted in Option 1 of Appendix C, along Lake Road between Zone 1 and Zone 2; and

That Council approve updating the current posted speed limit from 20 km/h to 10 km/h; and

That Council approve discounted parking of \$15 on weekdays and \$20 on weekends in Zone 2 for beachgoers who present proof of purchase of a Splashtown pass; and

That Council approve Nickel Beach to align with Bylaw 5503\100\10; and

That Council approve the extension of beach operations from closing after Labour Day to closing after Thanksgiving weekend.

**Amendment:**

Moved by Councillor G. Bruno  
Seconded by Councillor R. Bodner

That a zone wherein dogs are permitted be established on Nickel Beach.

Carried

**16.5 Infrastructure Needs Study, 2024-51**

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

That Public Works Department Report 2024-51 be received; and

That the Water, Wastewater, and Storm Sewer projects outlined in Table 1 of the Financial Section of this report be approved and funded from the City’s capital reserves.

Carried

**a. Addendum to Recommendations of Report 2024-51**

**16.6 Water Financial Plan 2024-88**

Moved by Councillor M. Bagu

Seconded by Councillor E. Beauregard

That Public Works Department Report 2024-88 be received; and

That the Port Colborne Water Distribution System Financial Plan in Appendix A of Public Works Department Report 2024-88 be approved; and

That the Director of Public Works be authorized to submit the Port Colborne Water Distribution System Financial Plan and Council Resolution to the Ministry of the Environment, Conservation and Parks, and the Ministry of Municipal Affairs and Housing, as prescribed; and

That staff make the Port Colborne Water Distribution System Financial Plan available and advertise its availability, as prescribed by Ontario Regulation 453/07.

Carried

**a. Addendum to Recommendations of Report 2024-88**

**16.7 Lock 8 Gateway Park PRIP Funding Application, 2024-67**

Moved by Councillor G. Bruno

Seconded by Councillor T. Hoyle

That Public Works Department Report 2024-67 be received; and

That Council authorize staff to prepare and submit applications for the 2024 Public Realm Investment Program (PRIP) for the total estimated cost of \$340,000.

Carried

**16.8 Shared Services Committee Membership, 2024-95**

Moved by Councillor G. Bruno

Seconded by Councillor M. Bagu



That Chief Administrative Officer Report 2024-95 be received for information; and

That the Acting City Clerk be directed to collaborate with the Clerk of the Township of Wainfleet to schedule a joint closed session meeting for both Councils to discuss the details of sharing fire administration services; and

That the composition of the Joint Shared Services Committee for the City of Port Colborne and Township of Wainfleet be addressed at the joint closed session meeting; and

That the Chief Administrative Officer be directed to present an update regarding the joint closed session meeting, including the composition of the Joint Shared Services Committee and the outcome discussion on sharing fire administration services, to a future open session of Council.

Carried

**a. Delegation from Mike Radzikoski, resident**

**b. Delegation from Lindsay Pilatske, resident**

#### **16.9 Council Composition and Ward Boundary Review, 2024-93**

Moved by Councillor G. Bruno

Seconded by Councillor F. Danch

That Corporate Services Department Report 2024-93 be received; and

That Council approve the transfer of \$30,000 from the over/short reserve to the Council Composition and Ward Boundary review budget.

Carried

#### **16.10 Niagara Region - Motion - New Funding Model Resolution**

Moved by Councillor M. Aquilina

Seconded by Councillor T. Hoyle

That the motion from the Niagara Region regarding New Funding Model Resolution be supported.

Carried

**16.11 Niagara Region - Motion Respecting Federal Infrastructure Investment**

Moved by Councillor M. Aquilina

Seconded by Councillor E. Beauregard

That the motion from the Niagara Region Respecting Federal Infrastructure Investment be supported.

Carried

**16.12 Township of Adelaide Metcalfe - Request to Increase Tile Drain Loan Limit**

Moved by Councillor R. Bodner

Seconded by Councillor T. Hoyle

That the correspondence item received from the Township of Adelaide Metcalfe regarding Request to Increase Tile Drain Loan Limit be supported.

Carried

**16.13 County of Prince Edward - A Call to Action to Meet the Deadline of an Accessible Ontario by 2025**

Moved by Councillor R. Bodner

Seconded by Councillor M. Aquilina

That the correspondence item received from the County of Prince Edward regarding A Call to Action to Meet the Deadline of an Accessible Ontario by 2025 be supported; and

That the support letter be further circulated to the Niagara Members of Parliament.

Carried

**17. Motions**

**18. Notice of Motions**

**19. Minutes of Boards & Committees**

Moved by Councillor F. Danch  
Seconded by Councillor D. Elliott

That items 19.1 to 19.3 be received.

Carried

**19.1 Port Colborne Museum, Heritage, and Culture Board Meeting Minutes  
- February 20, 2024**

**19.2 Heritage Advisory Subcommittee Meeting Minutes - January 22, 2024  
and February 12, 2024**

**19.3 Port Colborne Public Library Board Meeting Minutes - March 6, 2024**

**20. By-laws**

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

That items 20.1 to 20.7 be enacted and passed, as presented.

Carried

**20.1 By-law to adopt amendment no. 15 to the Official Plan for the City of  
Port Colborne**

**20.2 By-law to amend Zoning By-law 6575/30/18 for the lands municipally  
known as 174 Mitchell Street**

**20.3 Being a by-law to amend Zoning By-law 6575/30/18 for the lands  
legally known as Lot 26 on Plan 19, on the northeast corner of Nickel  
and Mitchell Street**

**20.4 By-law to Amend By-law 6665/29/19, being a By-law to Adopt a Policy  
for Encroachments on Municipal Property**

**20.5 By-law to appoint Municipal Law Enforcement Officers**

**20.6 By-law to Appoint a Deputy Clerk**

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

**21. Procedural Motions**

**22. Information items**

**23. Adjournment**

Mayor Steele adjourned the meeting at approximately 10:14 p.m.

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William C. Steele, Mayor

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C. Schofield, Acting City Clerk