



**City of Port Colborne**  
**Council Meeting Minutes**

**Date:** Tuesday, June 25, 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  
R. Bodner, Councillor  
G. Bruno, Councillor  
D. Elliott, Councillor  
T. Hoyle, Councillor  
W. Steele, Mayor (presiding officer)

**Member(s) Absent:** E. Beauregard, Councillor  
F. Danch, Councillor

**Staff Present:** S. Luey, Chief Administrative Officer/Acting City Clerk  
B. Boles, Director of Corporate Services/Treasurer  
S. Shypowskyj, Director of Public Works  
D. Vasu, Acting Deputy Clerk  
C. Banting, Compliance, Programs and Performance Manager  
J. Colasurdo, Manager of Infrastructure  
G. Long, Director of Development and Government Relations

- 1. Call to Order**  
Mayor Steele called the meeting to order at 6:30 p.m.
- 2. National Anthem**
- 3. Land Acknowledgement**  
Councillor Elliott recited the land acknowledgement.
- 4. Proclamations**
- 5. Adoption of Agenda**

Moved by Councillor R. Bodner  
Seconded by Councillor D. Elliott

That the agenda dated June 25, 2024, be confirmed, as amended.

Carried

**6. Disclosures of Interest**

**6.1 Councillor T. Hoyle - City Real Estate – Surplus Declaration and Disposition (Killaly St. E.), 2024-139**

Councillor Hoyle declared a conflict of interest due to residential location to the development proposed for Killaly Street East which are purchasing the City surplus land.

**7. Approval of Minutes**

That items 7.1 to 7.5 be approved as presented.

**7.1 Regular Meeting of Council - May 28, 2024**

**7.2 Public Meeting Minutes - April 2, 2024**

**7.3 Public Meeting Minutes - June 4, 2024**

**7.4 Public Meeting Minutes - June 18, 2024**

**7.5 Council in Closed Session - June 18, 2024**

**8. Staff Reports**

That items 8.1-8.4 be approved, and the recommendations contained therein be adopted.

**8.1 Recommendation Report for Official Plan and Zoning By-law Amendments for 631 Lorraine Road – File Nos: D14-02-24 and D09-01-24, 2024-142**

That Chief Administrative Office – Planning Division Report 2024-142 be received;

That the Official Plan Amendment attached as Appendix A of Planning Division Report 2024-142 be approved;

That the Zoning By-law Amendment attached as Appendix B of Planning Division Report 2024-142 be approved; and

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

## **8.2 Fouling of Roads Draft By-law, 2024-48**

That Community Safety and Enforcement Department Report 2024-48 be received;

That the draft Fouling of Roads By-law attached as Appendix A to Community Safety and Enforcement Report 2024-48, be approved; and

That the draft by-law attached as Appendix B to Community Safety and Enforcement Report 2024-48, being a By-law to Amend By-law 6902/50/21, the By-law to Establish a System for Administrative Penalties for Non-Parking Offences within The City of Port Colborne, be approved.

## **8.3 Stop Up and Close Barrick and Elm, 2024-129**

That Office of the Chief Administrative Office Report 2024-129 be received; and

That the By-law attached as Appendix C, being a By-law to stop up and close a portion of Part of Lot 29, Concession 2 Humberstone, being Part 1, Plan 30R-16228; Port Colborne, be approved; and

That the Mayor and Acting City Clerk be directed to sign all necessary documents.

## **8.4 Sale of 235-241 Welland Street, 2024-131**

That Chief Administrative Office Report 2024-131 be received; and

That Council approve the by-law attached as Appendix B, being a By-law to Authorize Entering into an Agreement of Purchase and Sale with 1342392 Ontario Ltd. For 235-241 Welland Street; and

That the Mayor and Acting City Clerk be authorized to sign the by-law for the Agreement of Purchase and Sale and any and all documents respecting the sale of these lands.

### **a. Memo and Updated Appendix B - 235-241 Welland Street By-law Authorizing Agreement of Purchase and Sale**

## **8.5 City Real Estate – Surplus Declaration and Disposition (Killaly St. E.), 2024-139**

Councillor T. Hoyle declared a conflict on this item (Councillor Hoyle declared a conflict of interest due to residential location to the development proposed for Killaly Street East which are purchasing the

City surplus land).

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

That Chief Administrative Officer Report 2024-139 be received; and

That Council declares the City property legally described as Part 1 on 59R-17397 as surplus, and that it be conveyed to SG Real Estate Opportunities LP III for \$3,000.00 plus costs identified in the financial section of this report; and

That Council declares the City property legally described as Part 1 on 59R-17399 as surplus, and that it be conveyed to SG Real Estate Opportunities LP III for \$91,630.27 plus costs identified in the financial section of this report; and

That the Director of Development and Government Relations be directed to work with the City Solicitor to finalize the documentation for these transactions and to bring them back to Council for final approval; and

That net proceeds from the sale of these properties be directed to the economic development reserve.

Carried

## **9. Correspondence Items**

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

That items 9.1-9.5 be received.

Carried

- 9.1 Port Colborne Downtown BIA - Inquiry Regarding Additional Accessible Parking Spots on West Street**
- 9.2 Niagara Region - 2023 Water and Wastewater Treatment Capacities**
- 9.3 Niagara Region - Motion Reaffirming Niagara Region's Commitment to the Expansion of All-day, Two-way GO Train Service**
- 9.4 Town of the Blue Mountains - Ride-Sharing Services**
- 9.5 Municipality of Callander - Urging the Government to Promptly Resume Assessment Cycle**

- 10. Presentations**
- 11. Delegations**
- 12. Mayor's Report**
- 13. Regional Councillor's Report**
- 14. Councillors' Remarks**

**14.1 Budweiser Can Am Walleye Challenge (Bodner)**

Councillor Bodner discussed representing the Mayor at the Budweiser Can Am Walleye Challenge.

**14.2 Traffic Enforcement Along Fares Street (Hoyle)**

Councillor Hoyle requested increased enforcement of speed limits to prevent speeding along Fares Street.

**14.3 Thanks for Fixing Water Main and Questions about Lions Field and Grass Regulations (Elliott)**

Councillor Elliott complimented the Public Works staff for fixing a watermain break, then requested an update about the project at Lions Field and asked about regulations related to long grass next to the road in town.

**14.4 Lions Field, Meadow Heights, and FCM Conference (Bruno)**

Councillor Bruno complimented the work on Lions Field and asked about grant funding for fencing at the project, then asked about the Meadow Heights subdivision and drainage issues in the area, then reported on his attendance at the Federation of Canadian Municipalities (FCM) conference in Calgary, including meeting with playground vendors and attending an Artificial Intelligence seminar.

**14.5 FCM Conference, Light Pollution (Bagu)**

Councillor Bagu discussed attending the FCM conference, including the workshops he attended about sustainable planning, retaining municipal talent, and lowering carbon emissions, then spoke about light pollution in the municipality.

**14.6 Traffic Enforcement Near Empire Road (Aquilina)**

Councillor Aquilina requested additional police monitoring near Empire Road due to an increase in traffic during the summer.

**15. Staff Remarks**

**15.1 Fire Services Review Committee and Lodging House By-law Update (Luey)**

The Chief Administrative Officer discussed the continued work by the Fire Services Review Committee, and outlined the delays that have impacted the return of the lodging by-law.

**15.2 Neff Street Storm Outlet Reconstruction (Shypowskyj)**

The Director of Public Works spoke about the ongoing work at the Neff Street storm outlet reconstruction.

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

**16.1 2024 Asset Management Plan, 2024-133**

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

That Corporate Services Department Report 2024-133 be received; and

That the Asset Management Plan (AMP) in Appendix B of Corporate Services Report 2024-133 be approved.

Carried

**a. Delegation from Jenn Gross, GEI Consultants**

**16.2 Energy Conservation and Demand Management Plan 2024-2029, 2024-137**

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

That Public Works Department Report 2024-137 be received; and

That the Energy Conservation and Demand Management Plan attached as Appendix A be approved.

Carried

**16.3 Noise Variance Request 175 King Street, The Belmont, 2024-132**

Moved by Councillor M. Bagu  
Seconded by Councillor T. Hoyle

That Community Safety & Enforcement Department Report 2024-132 be received; and

That the Belmont Bar and Grill be granted a permit to exempt them from Section 4(3) of By-law 4588/119/04 with the following terms and conditions:

That a conditional noise variance be approved for the period starting Fridays in June to Friday, September 2, 2024, from 8:00 p.m. to 11:59 p.m. for a DJ with equipment and live bands being able to amplify music, with the condition that if staff receives complaints from the public about excessive noise, staff will work with the Belmont management to ensure that the Belmont addresses and alleviates the noise concerns. In the event the complaints cannot diminish, Staff would rescind the noise variance permit. The permit is applicable only to the production, reproduction, and amplification of sound in connection with these events.

Carried

**16.4 Telecommunications Facility Siting Agreement - Shared Tower Inc, 2024-77**

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

That Chief Administrative Office Report 2024-77 be received; and

That Council approve the lease agreement attached as Appendix B, being a lease agreement between the City of Port Colborne and Shared Tower Inc. regarding telecommunications equipment being located on a portion 2767 Vimy Ridge Road, as depicted in Appendix A; and

That the Director of Development and Government Relations is directed to bring a by-law for Council to approve the lease agreement, after the successful completion of the public engagement process.

**Amendment:**

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

That the public notification radius be expanded from the required 120-metre radius to include the area bounded by Pinecrest Road to the west, Vimy Road to the south, Cedar Bay Road to the east, and the Friendship Trail to the north.

Carried

**16.5 Town of Fort Erie - Continuation of Urgent Care Centre Operation in Fort Erie (& Port Colborne) and Request for Regional Support**

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

That the correspondence item from the Town of Fort Erie regarding the Continuation of Urgent Care Centre Operation in Fort Erie (& Port Colborne) and Request for Regional Support be supported.

Carried

**16.6 Niagara Peninsula Conservation Regarding Report No. FA-27-24 - NPCA Comments on Proposed Regulation Detailing Minister's Permit and Review Powers - ERO Posting 019-8320**

Moved by Councillor M. Bagu  
Seconded by Councillor D. Elliott

That the correspondence item from the Niagara Peninsula Conservation Regarding Report No. FA-27-24 - NPCA Comments on Proposed Regulation Detailing Minister's Permit and Review Powers - ERO Posting 019-8320 be supported.

Carried

**17. Motions**

**18. Notice of Motions**

**19. Minutes of Boards & Committees**

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

That items 19.1 to 19.3 be received.

Carried

**19.1 Port Colborne Public Library Board Meeting Minutes - May 8, 2024**

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

**19.3 The City of Port Colborne and The Township of Wainfleet Fire Services Review Committee Meeting Minutes - May 30, 2024**

**20. Procedural Motions**

**21. Information items**

**22. By-laws**



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

That items 22.1-22.5, 22.6 (a), and 22.7-22.9 be enacted and passed, as presented.

Carried

- 22.1 By-law to Adopt Amendment No. 16 to the Official Plan for the City of Port Colborne (631 Lorraine Road)**
  - 22.2 By-law to Amend Zoning By-law 6575/30/18 Respecting the Lands Municipally Known as 631 Lorraine Road**
  - 22.3 By-law to Prohibit the Obstruction, Encumbering, Injuring or Fouling of City Roads**
  - 22.4 By-law to Amend By-law No. 6902/50/21, Being a By-law to Establish a System for Administrative Penalties for Non-Parking Offences within The City of Port Colborne - Fouling of Roads**
  - 22.5 By-law to Stop and Close for Part of Lot 29, Concession 2, being Part1, Plan 30R-16228; Port Colborne (Part of PIN 64141-0383) (Barrick and Elm Street)**
  - 22.7 By-law to Exempt the Lands Municipally Known as 730-742 Clarence Street from the Part Lot Control Provisions of the Planning Act**
  - 22.8 By-law to Amend 7006/44/22 to Establish a Permitting System of Vehicles on Designated Highway and Parking Lots in The City of Port Colborne - Canal Days**
  - 22.9 By-law to Adopt, Ratify and Confirm the Proceedings of the Council of The Corporation of the City of Port Colborne**
  - 22.6 By-law to Authorize Entering into an Agreement of Purchase and Sale with 1342392 Ontario Ltd. for 235-241 Welland Street**
    - a. Updated By-law to Authorize Entering into an Agreement of Purchase and Sale with 1342392 Ontario Ltd. for 235-241 Welland Street**
- 23. Adjournment**
- Mayor Steele adjourned the meeting at approximately 8:24 p.m.

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William C. Steele, Mayor

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Scott Luey, Acting City Clerk