

City of Port Colborne
Council Meeting Minutes

Date: Tuesday, September 13, 2022
Time: 6:30 pm
Location: Council Chambers, 3rd Floor, City Hall
66 Charlotte Street, Port Colborne

Members Present: M. Bagu, Councillor
E. Beauregard, Councillor
R. Bodner, Councillor
G. Bruno, Councillor
F. Danch, Councillor
A. Desmarais, Councillor
W. Steele, Mayor (presiding officer)
H. Wells, Councillor

Member(s) Absent: D. Kalailieff, Councillor

Staff Present: S. Luey, Chief Administrative Officer
B. Boles, Director of Corporate Services/Treasurer
S. Lawson, Fire Chief
S. Tufail, Acting Deputy Clerk (minutes)
N. Rubli, Acting City Clerk
S. Shypowskyj, Director of Public Works

1. Call to Order

Mayor Steele called the meeting to order at 6:32 p.m.

2. National Anthem

3. Land Acknowledgment

4. Proclamations

5. Adoption of Agenda

Moved by Councillor H. Wells
Seconded by Councillor R. Bodner

That the agenda dated September 13, 2022 be confirmed, as circulated.

Carried

6. Disclosures of Interest

7. Approval of Minutes

Moved by Councillor A. Desmarais
Seconded by Councillor E. Beauregard

1. That the minutes of the Public Meeting held on August 09, 2022, be approved as circulated
2. That the minutes of the Regular Meeting of Council held on August 23, 2022, be approved as circulated.

Carried

7.1 Public Meeting - August 09, 2022

7.2 Regular Meeting of Council- August 23, 2022

8. Staff Reports

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

That items 8.1 to 8.5 be approved, and the recommendations contained therein be adopted.

Carried

8.1 Compliance Audit Committee-2022 Municipal Elections, 2022-209

That Development and Legislative Services - Clerks Division Report 2022-209 be received; and

That the Acting City Clerk be delegated authority to appoint members to the 2022 Compliance Audit Committee.

8.2 JAAC Multi-year Accessibility Plan, 2022-194

That Corporate Services Department – Human Resources Division Report 2022-194 be received; and

That Council approve the Multi-Year Accessibility Plan (MYAP) attached as Appendix A.

8.3 Downtown BIA – Harvest Festival, 2022-202

That Corporate Services Department – Recreation Division Report 2022-02 be received;

That Catharine Street from Clarence Street to Charlotte Street be closed to vehicular traffic and street parking from 7:00am to 6:00pm on Saturday, September 24, 2022.

That Charlotte Street from King Street to West Street be closed to vehicular traffic and street parking from 7:00am to 6:00pm on Saturday, September 24, 2022.

That Council approve City support of Harvest Festival and waive the \$180 fees as outlined in the report.

8.4 Grant for Non-Profits, 2022-199

That Chief Administrative Officer Report 2022-199 be received; and

That the following grants for non-profits totalling \$19,050 be approved for the second allocation of 2022 grants:

\$3,000Niagara Antique Power Association

\$5,000Port Cares Reach Out Centre

\$1,250Port Colborne Historical and Marine Museum Auxiliary

\$3,000STEP Youth Empowerment Centre

\$4,300St. James St. Brendan's Anglican Church

\$2,500YMCA

8.5 Amendment to Heritage Designation By-law 6743/107/19 & Heritage Easement Agreement for 380 King Street, 2022-191

That Development and Legislative Services Department – Planning Division Report 2022-191 be received; and;

That Council approve the By-law attached as Appendix A, being a By-law to amend the legal description of 380 King Street in By-law #6743/107/19; and;

That Council approve a By-law to enter into the amended Heritage Easement Agreement for 380 King Street as outlined in Appendix C; and

That Council approve the amendment to the legal description in the Heritage Easement Agreement for 380 King Street as outlined in Appendix D, and the Mayor and Clerk be authorized to execute the amended agreement.

9. Correspondence Items

Moved by Councillor G. Bruno

Seconded by Councillor F. Danch

That items 9.1 and 9.2 be received for information.

Carried

9.1 Niagara Region - Regional Development Charges By-law

9.2 Niagara Peninsula Conservation Authority - Draft Land Securement Strategy 2022-2032

10. Presentations

10.1 My Main Street Program Update- City of Port Colborne Municipal Presentation

Olga Loeffen, Main Street Ambassador, provided a presentation and responded to questions received from Council.

Moved by Councillor M. Bagu

Seconded by Councillor G. Bruno

That My Main Street Program Update, City of Port Colborne Municipal Presentation be received.

Carried

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 Manager of Infrastructure (Luey)

Chief Administrative Officer welcomed and introduced Joe Colasurdo as the new Manager of infrastructure.

14.2 Roof Repairs at Vale Health and Wellness Centre (Shypowskyj)

The Director of Public Works provided an update to Council in regards to the roof repairs taking place at the Vale Health and Wellness Centre.

14.3 Signage (Shypowskyj)

The Director of Public Works informed Council that staff are currently awaiting a timeline for service club signage installation from the Ontario Ministry of Transportation on Highway 58, Highway 140 and Progress Drive North and South.

14.4 Water Service and Sewer Lateral Replacement Grants and Loan Program (Shypowskyj)

The Director of Public Works informed Council that the grant and loan program to assist residents with the cost to replace their water line and/or sewer line has been launched and published on the City's website.

15. Councillors' Remarks

15.1 Main Street Revitalization (Bruno)

In response to Councillor Bruno's request to upgrade various elements of Main street, the Director of Public Works informed Council that he would investigate this matter.

15.2 Thank You to Staff - Repairs (Danch)

Councillor Danch expressed appreciation towards Public Works staff for taking care of a recent request for repairs at a resident's property.

16. Consideration of Items Requiring Separate Discussion

16.1 Affordable Housing Strategy and Action Plan – Final Report, 2022-201

Tim Welch, consultant from Tim Welch Consulting Inc, provided a presentation and responded to questions received from Council.

Moved by Councillor A. Desmarais
Seconded by Councillor R. Bodner

That Chief Administrative Office - Economic Development and Tourism
Division Report 2022-201 be received; and

That Council approve the Affordable Housing Strategy and Action Plan
report and recommendations as attached to Report 2022-201.

Carried

16.2 Library Annual Update and Strategic Plan Presentation, 2022-206

Susan Therrien, Director of Library Services, provided a presentation and
responded to questions received from Council.

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

That Port Colborne Public Library Report 2022-206 be received; and

That the Library's Annual Update and 2023-2027 Strategic Plan be
received for information purposes.

Carried

16.3 Haney Street Affordable Housing Project, 2022-168

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

That Chief Administrative Office - Economic Development and Tourism
Report 2022-168 be received; and

That Council direct staff to draft a Memorandum of Understanding (MOU)
with Niagara Regional Housing for a partnership on an affordable housing
project for Council approval at a future Council meeting.

Amendment:

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

That Chief Administrative Office - Economic Development and Tourism
Report 2022-168 be received; and

That Council direct staff to draft a Memorandum of Understanding (MOU) with Niagara Regional Housing for a partnership on an affordable housing project for Council approval at a future Council meeting.

That Council direct staff to include a three year term in the Memorandum of Understanding (MOU) with Niagara Regional Housing.

Carried

16.4 Draft Discharge of Firearms By-law 2022 Update, 2022-145

Moved by Councillor H. Wells

Seconded by Councillor M. Bagu

That Community Safety and Enforcement Department - By-Law Services Report 2022-145 be received;

That the Discharge of Firearms By-law attached to the Community Safety and Enforcement Department Report – By-Law Services 2022-145 be approved;

That By-law 4588/119/04, Being a By-law to Regulate Noise be amended, as shown in Appendix C to Community Safety and Enforcement Department– By-Law Services Report 2022-145;

That the proposed Discharge of Firearm Variance Fee be approved; and

That the updated Schedule F of the User Fees and Charges By-law be included in a future amendment to By-law 6949/95/21.

Amendment:

Moved by Councillor H. Wells

Seconded by Councillor M. Bagu

That Community Safety and Enforcement Department - By-Law Services Report 2022145 be received;

That Section 10(a) of the Discharge of Firearms By-law be amended to read: where the Firearm is a shotgun, that it have a shell shot no greater than a No. 2 Led Shot (3.18 millimetres , 0.15 inches);

That the Discharge of Firearms By-law attached to the Community Safety and Enforcement Department Report – By-Law Services 2022-145 be approved as amended;

That By-law 4588/119/04, Being a By-law to Regulate Noise be amended, as shown in Appendix C to Community Safety and Enforcement Department– By-Law Services Report 2022-145;

That the proposed Discharge of Firearm Variance Fee be approved; and

That the updated Schedule F of the User Fees and Charges By-law be included in a future amendment to By-law 6949/95/21.

Carried

16.5 Erie Street Watermain Construction – Project Update, 2022-211

Moved by Councillor G. Bruno

Seconded by Councillor H. Wells

That Public Works Department Report 2022-211 be received;

That Council approve extending the contract with Associated Engineering for contract administration and inspection services to project completion at an estimated cost of \$155,000 funded from budget 21C-PW-R48;

That Council approve fully paving Erie Street, and complete select sidewalk improvements to be funded from the 2023 and 2024 Asphalt Resurfacing Programs, and the 2023 Sidewalk Replacement program; and

That Council allocate \$25,000 from 21C-PW-R48 to be used for legal fees.

Carried

16.6 Sale of Knoll Street, 2022-200

Moved by Councillor G. Bruno

Seconded by Councillor H. Wells

That Chief Administrative Office - Economic Development and Tourism report 2022-200 be received;

That Council approve entering into an Agreement of Purchase and Sale with Stanley Homes for a vacant City-owned lot on Knoll Street;

That a By-law to authorize entering into an Agreement of Purchase and Sale with Stanley Homes regarding the sale of a City-owned lot on Knoll Street, legally described as part of Borden Avenue, Pl. 792 Humberstone E/S of Knoll Street, Port Colborne, be brought forward; and

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

Carried

16.7 Chippawa Road Pedestrian Safety Investigation Update, 2022-210

Moved by Councillor H. Wells

Seconded by Councillor A. Desmarais

That Public Works Department Report 2022-174 be received for information.

Carried

a. Written Delegation material from Melissa Bigford and Christopher Lofquist , residents

16.8 Recommendation Report for Zoning By-law Amendment at 360 Killaly Street East, File No. D14-01-22, 2022-207

Moved by Councillor M. Bagu

Seconded by Councillor E. Beauregard

That Development and Legislative Services – Planning Division Report 2022-207 be received; and

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

That the Zoning By-law Amendment, attached as Appendix A be approved, as revised, rezoning the property at 360 Killaly Street East from Institutional (I) to R4-69.

Carried

16.9 Active Transportation Fund – Contribution Agreement, 2022-205

Moved by Councillor M. Bagu

Seconded by Councillor F. Danch

That Chief Administrative Office – Economic Development and Tourism Division Report 2022-205 be received;

That a By-law to enter into a Contribution Agreement with the Permanent Public Transit Program – Active Transportation Fund, be brought forward;

That the Chief Administrative Officer be delegated authority to execute the Contribution Agreement; and

That Council approve an increase to the Active Transportation Master Plan capital project budget from \$50,000 to \$100,000 representing the additional \$50,000 grant received through the Contribution Agreement.

Carried

**16.10 Town of Kingsville - Bill 3, Strong Mayors, Building Homes Act, 2022
- In Opposition**

Moved by Councillor M. Bagu

Seconded by Councillor A. Desmarais

That correspondence from the Town of Kingsville regarding opposition to Bill 3, Strong Mayors, Building Homes Act, 2022 be supported.

Carried

17. Motions

18. Notice of Motions

19. Minutes of Boards & Committees

19.1 Environmental Advisory Committee Minutes - June 8, 2022

Moved by Councillor M. Bagu

Seconded by Councillor H. Wells

That item 19.1 be approved, as presented.

Carried

20. Recommendations Arising from Boards and Committees

**20.1 Memorandum from Environmental Advisory Committee - Multi
Municipal Wind Turbine Working Group Correspondence -Ontario's
Energy Plan and Wind Turbines**

Moved by Councillor H. Wells

Seconded by Councillor M. Bagu

That the Environmental Advisory Committee supports the views expressed by the Working Group and recommends that Council write the Minister of Environment, Conservation and Parks (MECP) requesting the Province: 1. 2. 3. 4. 5. 6. The City reaffirm its 2017 resolution that it is an "Unwilling Host" for wind turbine projects until it has been demonstrated they do not pose an adverse effect on the environment and the health and safety to the public. The City recognizes that wind powered hydro generation is a green source of energy and the Province should support research and development of wind turbines that are more efficient and have performance characteristics that mitigate any adverse effects. The Province establish a moratorium for all new applications for wind energy projects until it has been demonstrated that all adverse effects can be mitigated. Update the direction provided in terms of setbacks between wind turbines and other activities; The Province needs to take more aggressive action in enforcing the terms of approvals for existing wind turbines before authorizing the construction of any new turbines; Bar operators of projects with these compliance failures from participating in any of the contract extensions or opportunities to bid on capacity expansions that are envisioned in the recent Ministerial directive; and 7. Where ongoing MECP review of compliance and land use compatibility policy is concerned, the Province continue current Environmental Protection Act compliance requirements where wind turbine noise is concerned on both existing and new facilities; Further that Council support EAC's recommendation that the Planning Department staff liaise with Planning Departments of the Turbine Working Groups (Bruce, Huron and Grey Counties) to determine appropriate land use compatibility guidelines and setbacks used in these municipalities and where appropriate, consider their usage in Port Colborne's Official Plan and Zoning Bylaw.

Carried

21. By-laws

Moved by Councillor A. Desmarais

Seconded by Councillor F. Danch

That items 21.1, as amended and 21.2 to 21.8 be enacted and passed.

Carried

- 21.1 By-law to Regulate the Discharge of Firearms and Bows in the City of Port Colborne**
- 21.2 By-law to Amend Noise By-law 4588/119/04**
- 21.3 By-law to Authorize entering into an Agreement of Purchase and Sale of property with Stanley Homes for a vacant lot on Knoll Street**
- 21.4 By-law to amend Zoning By-law 6575/30/18 respecting the lands legally known as Part of Lot 25 on Concession 2, municipally known as 360 Killaly Street East.**
- 21.5 By-law to Authorize Entering into a Contribution Agreement for the Permanent Public Transit Program – Active Transportation Fund**
- 21.6 By-law to amend By-law 6743/107/19, designating 380 King Street, in the City of Port Colborne, Regional Municipality of Niagara to be of cultural heritage value or interest, for the purposes of correcting the legal description of the property**
- 21.7 By-law to authorize entering into an amended Heritage Easement Agreement with the owner of 380 King Street, as Designated under Part IV of the Ontario Heritage Act**
- 21.8 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**

Mayor Steele adjourned the meeting at approximately 8:42 p.m.

William C. Steele, Mayor

Nicole Rubli, Acting City Clerk