

City of Port Colborne

Council Meeting Minutes

Date: Tuesday, November 8, 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
D. Kalailieff, Councillor
W. Steele, Mayor (presiding officer)
H. Wells, 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 6:30 pm.

2. National Anthem

3. Land Acknowledgment

4. Proclamations

5. Adoption of Agenda

Item 8.2, 290 Catharine Street - Right to Reconveyance Agreement, 2022-240 was withdrawn at the request of staff.

Moved by Councillor E. Beauregard
Seconded by Councillor R. Bodner

That the agenda dated November 08, 2022 be confirmed, as amended.

Carried

6. Disclosures of Interest

7. Approval of Minutes

Moved by Councillor H. Wells
Seconded by Councillor G. Bruno

- a. That the minutes of the Regular Meeting of Council held on October 11, 2022, be approved as circulated.
- b. That the minutes of the Public Meeting held on September 20, 2022, be approved as circulated.

7.1 Regular Meeting of Council- October 11, 2022

7.2 Public Meeting - September 20, 2022

8. Staff Reports

Moved by Councillor A. Desmarais
Seconded by Councillor D. Kalailieff

That items 8.1, 8.3-8.5 be approved, and the recommendations contained therein be adopted.

Carried

8.1 Recommendation Report for Proposed Expansion to the Main Street CIP Area - 1 Neff Street, 2022-238

That Development and Legislative Services Department – Planning Division Report 2022-238 be received for information; and

That the expansion of the Olde Humberstone Main Street Community Improvement Plan Area as shown in Appendix A of Development and Legislative Services Report 2022-238 to include 1 Neff Street, be approved.

8.3 Sale of Surplus Property Knoll Street, 2022-237

That Chief Administrative Office - Economic Development and Tourism Services Division Report 2022-237 be received; and

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

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

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

8.4 Canalside Restaurant Inn – Request to Extend Sidewalk Patio Encroachment Agreement Year-Round, 2022-251

That Chief Administrative Office Report 2022-251 be received; and

That Economic Development and Tourism Services staff be authorized to extend the sidewalk encroachment agreement with Canalside Restaurant Inn from November 1, 2022 to April 30, 2023.

8.5 Santa Claus Parade, 2022-222

That Corporate Services Department Report 2022-222 be received; and

That the road closures and parking restrictions included in this report be approved for the Port Colborne Lighted Santa Claus Parade.

8.2 290 Catharine Street - Right to Reconveyance Agreement, 2022-240

This item was withdrawn from the agenda at the request of staff.

9. Correspondence Items

Moved by Councillor A. Desmarais

Seconded by Councillor D. Kalailieff

That items 9.1 to 9.4 be received for information.

Carried

9.1 Niagara Peninsula Conservation Authority - 2021 Water Quality Stewardship Fact Sheet

- 9.2 Niagara Peninsula Conservation Authority - Final Land Securement Strategy - Deadline Extension**
- 9.3 Niagara Peninsula Conservation Authority - Board Meeting Highlights, October 21, 2022**
- 9.4 Ontario Energy Board Notice - 2023 Federal Carbon Pricing Program - OEB Notice of Application**
- 10. Presentations**
- 11. Delegations**
- 12. Mayor's Report**
- 13. Regional Councillor's Report**
- 14. Staff Remarks**
 - 14.1 Pedestrian Safety (Shypowskyj)**

The Director of Public Works advised Council that a road closure will be necessary for installation of a third speed cushion within H.H. Knoll Lakeview Park to promote pedestrian safety.
 - 14.2 2022 Municipal Election (Luey)**

The Chief Administrative Officer expressed appreciation towards staff and external workers for their efforts towards a successful municipal election. He also thanked Councillor Wells, Councillor Desmarais, Councillor Kalailieff and Regional Councillor Butters for their service.
- 15. Councillors' Remarks**
 - 15.1 Remembrance Day Service (Bodner)**

Councillor Bodner advised Council that there will be a Remembrance Day ceremony at Cedar Bay Centennial Park at 10:30 a.m. and encouraged residents to join.
 - 15.2 Expression of Gratitude – End of Council Term (Bodner)**

Councillor Bodner expressed gratitude towards outgoing Council members for their contributions over the years.
 - 15.3 Retirement Celebration (Bodner)**

Councillor Bodner advised that the Sherkston Community Centre will host a Retirement Celebration for Regional Councillor Butters on November 26 from 1pm-3pm.

15.4 Expression of Gratitude – End of Council Term (Danch)

Councillor Danch expressed gratitude towards outgoing Council members for their contributions over the years.

15.5 Thank you (Danch)

Councillor Danch expressed gratitude towards the Fire Chief and By-law Enforcement staff for tending to a by-law complaint in a timely manner.

15.6 Entrance barriers at H.H. Lakeview Park (Danch)

Councillor Danch requested maintenance of the pedestrian entrance barriers located at H.H. Lakeview Park.

15.7 Traffic Light Repair- Killaly Street (Danch)

In response to Councillor Danch's inquiry regarding a traffic light in disrepair on Killaly Street, the Regional Councillor confirmed that she would investigate.

15.8 Expression of Gratitude – End of Council Term (Beauregard)

Councillor Beauregard expressed gratitude towards outgoing Council members for their contributions over the years.

15.9 Resident Tree Concern (Bagu)

Councillor Bagu expressed gratitude towards staff and informed Council that he received compliments from a resident after their concern was addressed promptly.

15.10 South Niagara Life Ministries- 30th Anniversary (Bagu)

Councillor Bagu advised that he represented the City of Port Colborne Council at the South Niagara Life Ministries, 30th Anniversary on October 28, 2022.

15.11 Wildlife (Bagu)

Councillor Bagu requested that Staff put out communication advising residents to not feed wildlife.

15.12 Expression of Gratitude – End of Council Term (Bagu)

Councillor Bagu expressed gratitude towards outgoing Council members for their contributions over the years.

15.13 Expression of Gratitude – End of Council Term (Bruno)

Councillor Bruno expressed gratitude towards outgoing Council members for their contributions over the years.

15.14 Sherkston Shores (Wells)

In response to Councillor Wells' request for an update regarding Sherkston Shores, the Chief Administrative Officer provided a brief overview of the meeting that took place in September including traffic concerns, golf cart access as well as mobility access. He also stated that another meeting will be scheduled with Sherkston Shores management in the near future.

15.15 Expression of Gratitude – End of Council Term (Wells)

Councillor Wells expressed appreciation towards fellow Councillors, residents and City staff for their support during his term.

15.16 Expression of Gratitude – End of Council Term (Kalailieff)

Councillor Kalailieff expressed appreciation towards fellow Councillors, residents and City staff for their support during her term.

15.17 Expression of Gratitude – End of Council Term (Desmarais)

Councillor Desmarais expressed appreciation towards fellow Councillors, residents and City staff for their support during her term

16. Consideration of Items Requiring Separate Discussion

16.1 Recommendation Report for Development Agreement D11-10-22, 1575 Firelane 2, 2022-239

Moved by Councillor M. Bagu

Seconded by Councillor G. Bruno

That Development and Legislative Services Department – Planning Division Report 2022-239 be received;

The execution of a Development Agreement with Ricky and Erica Froese be approved; and

That the By-law authorizing entering into the Development Agreement for 1575 Firelane 2 with Ricky and Erica Froese, attached as Appendix A of Development and Legislative Services Report 2022-239 be approved.

Carried

16.2 Recommendation Report for Proposed Draft Plan of Condominium and ZBA at 690-700 Elm Street, File No. D07-01-22 & D14-13-21, 2022-235

Moved by Councillor H. Wells
Seconded by Councillor G. Bruno

That Development and Legislative Services Department – Planning Division Report 2022-235 be received; and

That the By-law and Draft Plan Conditions in Appendix A of Development and Legislative Services Report 2022-235, granting approval of a Draft Plan of Vacant Land Condominium be approved; 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 B of Development and Legislative Services Report 2022-235, rezoning the subject lands from R4-CH and R2 to R4-70 be approved; and

That the Mayor and Clerk be authorized to sign the final Plans of Vacant Land Condominium and associated agreements, as applicable, following the clearance of all conditions outlined in the Draft Approval as provided in Appendix A.

Carried

16.3 Recommendation Report for Proposed OPA and ZBA at 9 Chestnut Street, File D09-01-22 and D14-04-21, 2022-236

Moved by Councillor H. Wells
Seconded by Councillor M. Bagu

That Development and Legislative Services Department – Planning Division Report 2022-236 be received; and

That the Official Plan Amendment attached as Appendix A of Development and Legislative Services Report 2022-236, be approved; and

That the Zoning By-law Amendment attached as Appendix B of Development and Legislative Services Report 2022-236, be approved, rezoning the subject land from Public and Park (P) to R4-71.

Carried

a. **Delegation from Christine Clark Lafleur, Executive Director-Port Cares**

b. **Written delegation material from Melissa Bigford, resident**

16.4 Revised Sale of Land Policy, 2022-224

Moved by Councillor M. Bagu

Seconded by Councillor G. Bruno

That Chief Administrative Office - Economic Development and Tourism Division Report 2022-224 be received for information;

That Council approve the revised Sale of Land Policy and By-law; and

That Council authorize the Mayor and Acting City Clerk to sign the By-law.

Amendment:

Moved by Councillor D. Kalailieff

Seconded by Councillor E. Beauregard

That Chief Administrative Office-Economic Development and Tourism Division Report be referred back to staff for additional information and Council be provided with a red line version of the policy at the December 13, 2022 Council Meeting.

Carried

17. Motions

18. Notice of Motions

19. Minutes of Boards & Committees

Moved by Councillor H. Wells

Seconded by Councillor D. Kalailieff

That items 19.1 to 19.3 be approved, as presented.

Carried

19.1 Port Colborne Downtown BIA Minutes, May 3, June 7, July 4, September 6, 2022

19.2 Port Colborne Public Library Board Meeting Minutes- August 3, 2022

19.3 Port Colborne Marine Museum Meeting Minutes,-September 20, 2022

20. By-laws

Moved by Councillor F. Danch

Seconded by Councillor M. Bagu

That items 20.1 to 20. 4 and 20.6 be enacted and passed and that item 20.5 be referred back to Staff.

Carried

20.1 By-law to authorize entering into a development agreement with Ricky and Erika Froese regarding 1575 Firelane 2

20.2 By-law to amend Zoning By-law 6575/30/18 respecting lands in the City of Port Colborne municipally known as 690-700 Elm Street

20.3 By-law to adopt amendment no. 11 to the Official Plan for the City of Port Colborne

20.4 By-law to amend Zoning By-law 6575/30/18 respecting lands in the City of Port Colborne, municipally known as 9 Chestnut Street (Chestnut Park).

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

20.5 By-law to Adopt the Revised Sale of Surplus Land Policy

This item has been withdrawn as a result of the amendments made to the corresponding report.

21. Confidential Items

22. Procedural Motions

23. Information items

24. Adjournment

Mayor Steele adjourned the meeting at approximately 8:14 p.m.

William C. Steele, Mayor

Nicole Rubli, Acting City Clerk