

City of Port Colborne
Council Meeting Minutes

Date: Tuesday, April 12, 2022
Time: 6:30 pm
Location: Council Chambers, 3rd Floor, City Hall
66 Charlotte Street, Port Colborne

Members Present: M. Bagu, Councillor
E. Beauregard, Presiding Officer as Deputy Mayor
R. Bodner, Councillor
G. Bruno, Councillor
F. Danch, Councillor
A. Desmarais, Councillor
D. Kalailieff, Councillor
H. Wells, Councillor

Member(s) Absent: W. Steele, Mayor (presiding officer)

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

1. Call to Order

Deputy Mayor Eric Beauregard called the meeting to order.

2. National Anthem

3. Land Acknowledgment

4. Proclamations

4.1 National Day of Mourning - April 28, 2022

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

That April 28, 2022 be proclaimed as National Day of Mourning in the City of Port Colborne.

Carried

5. Adoption of Agenda

Item 8.1, Architectural and Engineering Design Services for the Waterfront Centre was withdrawn at the request of staff.

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

That the agenda dated April 12, 2022 be confirmed, as amended .

Carried

6. Disclosures of Interest

6.1 Councillor E. Beauregard - Recommendation Report for Site Plan Control Application D11-01-22, North Side of Killaly Street East, 2022-68

The Councillor has an indirect pecuniary interest as he is employed by Upper Canada Consultants, which are consultants who worked on this application.

7. Approval of Minutes

7.1 Regular Meeting of Council - March 22, 2022

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

That the minutes of the regular meeting of Council, held on March 22, 2022, be approved as presented.

Carried

8. Staff Reports

Moved by Councillor F. Danch
Seconded by Councillor R. Bodner

That items 8.2 to 8.4 be approved, and the recommendations contained therein be adopted.

Carried

8.2 Heritage Report for Proposed Alterations at 1001 Firelane 1, 2022-72

That Development and Legislative Services Report 2022-72 be received; and

That Council approve the proposed addition of a balcony on the south side of the building located at 1001 Firelane 1 in accordance with Section 33 of the Ontario Heritage Act and the Project Overview attached hereto as Appendix A; and

That the property owner and the Ontario Heritage Trust be so notified.

8.3 Proposed Stop up and Close By-law for Borden Avenue Road Allowance, 2022-34

That Office of the Chief Administrative Officer Report 2022-34 be received; and

That the Stop Up and Close By-law, being a By-law to stop up and close the unimproved Borden Avenue Road Allowance, legally described as Part of the road allowance between Lots 15 and 16 on Plan 10, and Lots 23 and 24 on Plan 33 between Steele Street and Knoll Street be approved.

8.4 AMO-LAS Water & Sewer Warranty Program, 2022-64

That Public Works Department Report 2022-64 be received;

That Council approve entering into an agreement with Service Line Warranties of Canada, Inc., attached as Appendix A to Public Works Department Report 2022-64, to offer the Water and Sewer Warranty Program to City of Port Colborne residents; and

That a by-law to enter into the agreement with Service Line Warranties of Canada, Inc. be brought forward.

8.1 Architectural and Engineering Design Services for the Waterfront Centre, 2022-63

This item was withdrawn at the request of staff.

9. Correspondence Items

Moved by Councillor F. Danch

Seconded by Councillor R. Bodner

That items 9.1 to 9.11 be received for information

9.1 Niagara Region - Motion respecting Safety and Security of Staff and Elected Officials

9.2 Niagara Region - Niagara Official Plan - Notice of Open House and Public Meeting

9.3 Niagara Region - Niagara Official Plan - Preferred Urban Settlement Area Recommendations

9.4 Niagara Region - Regional Transitional Incentive Timelines

9.5 CN Rail - CN Right-of-Way Vegetation Control Notice

9.6 MTO - Detail Design of the Replacement of 33 Non-Structural Culverts

9.7 Ministry of Municipal Affairs and Housing - Phase 2 Consultation on Growing the Greenbelt

9.8 Ministry of Municipal Affairs and Housing - More Homes for Everyone Plan

9.9 Town of The Blue Mountains - Ontario Housing Affordability Task Force Report

9.10 City of Barrie, Municipality of Mississippi Mills and Town of Bracebridge - Request to the Province of Ontario for a Plan of Action to Address Joint and Several Liability

9.11 County of Simcoe Regional Government Review Service Delivery Task Force - Fire Services

10. Presentations

11. Delegations

12. Mayor's Report

13. Regional Councillor's Report

14. Staff Remarks

15. Councillors' Remarks

15.1 Update on the City of Port Colborne Welcome Sign (Bagu)

In response to Councillor Bagu's inquiry regarding a progress update on the City of Port Colborne's welcome signs, the Manager of Water/Wastewater advised there is ongoing discussion with the Ministry of Transportation on this matter and the anticipated timeline is Fall of 2022.

15.2 Speed Reduction Program (Bagu)

Councillors Bagu requested a progress update on the Speed Reduction program, the Director of Community Safety & Enforcement confirmed that the request would be relayed to the Port Colborne's Staff Sergeant. Furthermore, Acting Director of Public Works advised Council that staff data analysis is pending however, have received positive feedback from residents.

15.3 Road Deterioration (Bruno)

In response to Councillor Bruno's inquiry regarding signs of road deterioration on Main Street, Acting Director of Public Works confirmed that she would investigate and contact the Region.

15.4 Main Street West (Bruno)

Councillor Bruno expressed his concerns regarding the conditions of the road on Main Street and encouraged residents to participate in a survey initiated by CAA Niagara.

15.5 Street Sweeping (Danch)

Councillor Danch informed Council that street cleaning on Main Street is scheduled to take place at the end of April.

15.6 Bridge Maintenance (Desmarais)

In response to Councillor Desmarais' concern regarding surface maintenance of the bridges throughout the City, the Deputy Mayor confirmed that staff will contact Seaway to raise the concerns.

16. Consideration of Items Requiring Separate Discussion

16.1 Recommendation Report for Official Plan and Zoning By-law Amendment at 54 George St., Files D09-03-21 and D14-15-21, 2022-71

Moved by Councillor H. Wells
Seconded by Councillor D. Kalailieff

That Development and Legislative Services Department Report 2022-71 be received;

That the Official Plan Amendment attached as Appendix A to Development and Legislative Services Department Report 2022-71 be approved;

That the Zoning By-law Amendment attached as Appendix B to Development and Legislative Services Department Report 2022-71 be approved; and

That Planning staff be directed to issue the formal Notice of Adoption/Passing in accordance with the *Planning Act*.

Carried

- a. **Delegation Material from David and Jennifer Gardiner, Residents**
- b. **Delegation Material from Karl and Tracy Reker, Residents**
- c. **Delegation Material from John C Manwaring, Resident**

16.2 Recommendation Report for Site Plan Control Application D11-01-22, North Side of Killaly Street East, 2022-68

Councillor E. Beauregard declared a conflict on this item. (The Councillor has an indirect pecuniary interest as he is employed by Upper Canada Consultants, which are consultants who worked on this application.)

Moved by Councillor D. Kalailieff
Seconded by Councillor H. Wells

That Development and Legislative Services Department Report 2022-68 be received;

That Council approve the Site Plan Control Application from 1338277 Ontario Inc. for the property known Part of Lot 27, Concession 2, being Part 1 on Plan 59R-1871, on the north side of Killaly Street East; and

That the Mayor and Clerk be authorized to sign and execute the Site Plan Agreement between the City and 1338277 Ontario Inc. for the property known Part of Lot 27, Concession 2, being Part 1 on Plan 59R-1871, on the north side of Killaly Street East, subject to technical review and approval by the Director of Public Works.

Carried

a. Delegation Material from Melissa and Mary Bigford, Residents

16.3 Ontario Land Tribunal Information Report, 2022-69

Moved by Councillor H. Wells

Seconded by Councillor M. Bagu

That Development and Legislative Services Report 2022-69 be received for information.

Carried

16.4 Election Sign By-law – 2022-74

Moved by Councillor M. Bagu

Seconded by Councillor D. Kalailieff

That Development and Legislative Services Department Report 2022-74 be received; and

That the Election Sign By-law be brought forward; and

That the proposed fees for storage and removal of signs be approved as outlined in Report 2022-74 and added to Schedule P of the User Fees and Charges By-law 6949/95/21; and

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

Amendment: Moved by Councillor M. Bagu

Seconded by Councillor D. Kalailieff

That Development and Legislative Services Department Report 2022-74 be received; and

That Section 6.4 of the proposed Election Sign By-law be amended from 5 days to remove elections signs to 3 days.

That the Election Sign By-law be brought forward; and

That the proposed fees for storage and removal of signs be approved as outlined in Report 2022-74 and added to Schedule P of the User Fees and Charges By-law 6949/95/21; and

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

Carried

16.5 Update on Inflow and Infiltration Activities, 2022-65

Moved by Councillor D. Kalailieff

Seconded by Councillor M. Bagu

That Public Works Department Report 2022-65 be received for information.

Carried

16.6 Town of Halton Hills - Request for Endorsement - Moratorium on New Gravel Mining Approvals in Ontario

Moved by Councillor H. Wells

Seconded by Councillor R. Bodner

That correspondence from the Town of Halton Hills regarding a request to impose a moratorium on all new Gravel Applications, be referred to the Acting Director of Development and Legislative Services Department to investigate and bring a report forward with further information at the Council Meeting on May 10, 2022.

Carried

16.7 City of Cambridge - Request to Impose a Moratorium on all new Gravel Applications

Moved by Councillor H. Wells

Seconded by Councillor R. Bodner

That correspondence from the City of Cambridge regarding request to impose a moratorium on all new Gravel Applications, be referred to the Acting Director of Development and Legislative Services Department to investigate and bring a report forward with further information at the Council Meeting on May 10, 2022.

Carried

17. Motions

18. Notice of Motions

18.1 Declaring Farmers Market Square as Freedom Square (Councillor Kalailieff)

Moved by Councillor D. Kalailieff

Seconded by Councillor M. Bagu

That the rules respecting notice of motion, as outlined under Section 26 of the Procedural By-law, be waived in order to dispense with notice.

Carried

Moved by Councillor D. Kalailieff

Seconded by Councillor M. Bagu

WHEREAS Freedom Square represents freedom and democracy that can never be taken for granted; and

WHEREAS the City of Port Colborne stands with the Ukrainian people in support of freedom; and,

WHEREAS the City stands for pursuing a course of peace and understanding; and

WHEREAS renaming the Market Square to Freedom Square recognizes the brave people of Ukraine fighting for their freedom;

NOW THEREFORE BE IT HEREBY RESOLVED That the City of Port Colborne hereby renames the Market Square to Freedom Square.

Amendment: Moved by Councillor D. Kalailieff

Seconded by Councillor M. Bagu

WHEREAS Freedom Square represents freedom and democracy that can never be taken for granted; and

WHEREAS the City of Port Colborne stands with the Ukrainian people in support of freedom; and,

WHEREAS the City stands for pursuing a course of peace and understanding; and

WHEREAS renaming the Market Square to **Freedom Square for Ukraine** recognizes the brave people of Ukraine fighting for their freedom;

NOW THEREFORE BE IT HEREBY RESOLVED That the City of Port Colborne hereby renames the Market Square to **Freedom Square for Ukraine for the 2022 Farmer Market season.**

Carried

18.2 Moratorium on new Gravel Applications (Councillor Wells)

Councillor Wells provided notice of his intention to bring a motion forward at the April 26, 2022 Council meeting with respect to request to impose a Moratorium on all new Gravel Applications.

19. Minutes of Boards & Committees

Moved by Councillor F. Danch

Seconded by Councillor R. Bodner

That items 19.1 to 19.3 be approved, as presented.

Carried

19.1 Active Transportation Advisory Committee Minutes, September 28, 2021

19.2 Senior Advisory Council Minutes, January 16, 2020, September 9, 2021 and October 14, 2021

19.3 Port Colborne Environmental Advisory Committee - Annual Report

20. By-laws

Moved by Councillor A. Desmarais

Seconded by Councillor G. Bruno

That items 20.1, 20.2, 20.3 as amended and 20.4 to 20.6 be enacted and passed.

20.1 By-law to Adopt Amendment No. 10 to the Official Plan for the City of Port Colborne Respecting 54 George Street

20.2 By-law to Amend Zoning By-law 6575/30/18 Respecting 54 George Street

20.3 By-Law to Regulate Election Signs in the City of Port Colborne

- 20.4 By-law to Stop Up and Close Part of the Road Allowance between Lots 15 and 16 on Plan 10, and Lots 23 and 24 on Plan 33 between Steele Street and Knoll Street**
- 20.5 By-law to Authorize Entering into a Contract Agreement with Service Line Warranties of Canada, Inc. to offer the Water and Sewer Warranty Program to City of Port Colborne Residents**
- 20.6 By-law to Adopt, Ratify and Confirm the Proceedings of the Council of The Corporation of the City of Port Colborne**
- 21. Confidential Items**
- 22. Procedural Motions**
- 23. Information items**
- 24. Adjournment**

Deputy Mayor Beauregard adjourned the meeting at approximately 9:10pm.

William C. Steele, Mayor

Nicole Rubli, Acting City Clerk