

City of Port Colborne Council Meeting Agenda

Date: Tuesday, May 23, 2023
Time: 6:30 pm
Location: Council Chambers, 3rd Floor, City Hall
 66 Charlotte Street, Port Colborne

	Pages
1. Call to Order	
2. National Anthem	
3. Land Acknowledgment	
4. Proclamations	
5. Adoption of Agenda	
6. Disclosures of Interest	
7. Approval of Minutes	
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	In order to speak at a Council meeting, individuals must register no later than 12 noon on the date of the scheduled meeting. To register, complete the online application at www.portcolborne.ca/delegation , email deputyclerk@portcolborne.ca or phone 905-835-2900, ext. 115.	
11.1	D'Arcy Kewley - Request to Repeal By-Law 6788/38/20-To Regulate Open Air Burning and Recreational Fires in the City of Port Colborne	70
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21.	Confidential Items	
	Confidential reports will be distributed under separate cover. Items may require a closed meeting in accordance with the Municipal Act, 2001.	
21.1	Minutes of the closed session portion of the April 25, 2023 Council Meeting	
21.2	Minutes of the closed session portion of the May 02, 2023 Council Meeting	
21.3	Minutes of the closed session portion of the May 09, 2023 Council Meeting	
21.4	Chief Administrative Office Report 2023-24, Proposed or Pending Acquisition or Disposition of Land	
21.5	Chief Administrative Office Report 2023-97, a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality	
22.	Procedural Motions	
23.	Information items	
24.	Adjournment	

City of Port Colborne Council Meeting Minutes

Date: Tuesday, May 9, 2023
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
D. Elliott, Councillor
T. Hoyle, Councillor
W. Steele, Mayor (presiding officer)

Member(s) Absent: F. Danch, Councillor

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

1. Call to Order

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

2. National Anthem

3. Land Acknowledgment

4. Proclamations

4.1 Mountainview LemonAID Day, Saturday, June 10, 2023

Sheryl Matthews, Trustee, FACS Foundation Board of Directors and Brett Sweeney Director of Communications and Community Engagement,

provided a presentation to Council with information regarding the Mountainview LemonAID Day.

Moved by Councillor D. Elliott
Seconded by Councillor G. Bruno

That June 10, 2023 be proclaimed as "Mountainview LemonAID Day" in the City of Port Colborne.

Carried

4.2 May is Museum Month (May 1- 31, 2023)

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

That May 01 - 31, 2023 be proclaimed as "Museum Month" in the City of Port Colborne

Carried

5. Adoption of Agenda

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

That the agenda dated May 09, 2023 be confirmed, as amended.

Carried

6. Disclosures of Interest

7. Approval of Minutes

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

- a. That the minutes of the Public Meeting held on April 11, 2023, be approved as circulated.
- b. That the minutes of the Regular Meeting of Council held on April 25, 2023, be approved as circulated.
- c. That the minutes of the Council Orientation, Education and Training Session (Closed Session) held on May 02, 2023, be approved as circulated.

Carried

7.1 Public Meeting - April 11, 2023

7.2 Regular Meeting of Council - April 25, 2023

7.3 Council Orientation, Education and Training Session - May 2, 2023

8. Staff Reports

Moved by Councillor T. Hoyle

Seconded by Councillor D. Elliott

That items 8.1 to 8.6 be approved, and the recommendations contained therein be adopted.

Carried

8.1 2023 Property Tax and Storm Sewer By-Law, 2023-87

That Corporate Services Department Report 2023-87 be received;

That the 2023 property tax rates outlined in Appendix A of Corporate Services Report 2023-87 be approved;

That the 2023 Property Tax Rate By-Law attached as Appendix B of Corporate Services Report 2023-87 be approved;

That Churches and Places of Worship property type category and rate as outlined in Appendix B of Corporate Services Report 2023-87 be approved.

8.2 Pop-up Patio and Encroachment Fees 2023, 2023-85

That Chief Administrative Officer Report 2023-85 be received; and

That Economic Development and Tourism Services staff be authorized to extend the waiving of sidewalk encroachment agreement fees and pop-up patio fees for 2023, and to bring back a recommendation on a fee schedule for 2024 in September 2023.

a. Written Delegation material from Port Colborne Downtown B.I.A.-Letter of Support

8.3 Video Surveillance Memorandum of Understanding, 2023-67

That Corporate Services Department Report 2023-67 be received;

That Council approve a memorandum of understanding between the City of Port Colborne and the Niagara Regional Police Service regarding video surveillance feed sharing; and

That the Mayor and City Clerk be authorized to execute the Memorandum of Understanding and By-law.

8.4 Surplus Declaration - Part of PIN 64457-0087, 2023-84

That Chief Administrative Officer – Economic Development and Tourism Services Division Report 2023-84 be received;

That Council declare a portion of PIN 64457-0087 legally described as Catharine St PL 987, 988, 989 South of Sugar Loaf Street, also known as Catharine St; Port Colborne as surplus; and

That Council delegate authority to the Chief Administrative Officer to dispose of this surplus parcel; and

That the purchase/sale agreement and by-law be brought to Council at a future Council meeting.

8.5 Awarding RFP 2023-02 – Commercial Food Vending at H.H. Knoll Lakeview Park, 2023-88

That Corporate Services Department Report 2023-88 be received; and

That Council approve entering into a lease agreement with PL8 of Fries food vendor for the purposes of food vending operations at H.H. Knoll Lakeview Park; and

That the Mayor and City Clerk be authorized to execute the lease agreement and By-law, attached as Appendix A.

8.6 Downtown Cruise Nights - 2023, 2023-80

That Corporate Services Department Report 2023-80 be received; and

That the following road closures be approved on Thursday evenings from 5 p.m. to 9 p.m. from May 18, 2023, to August 31, 2023, as shown in Appendix A:

- Clarence Street, from the eastern limit of Catharine Street to the western limit of King Street.
- Clarence street, from the eastern limit of King Street to the western limit of West Street;

- Catharine Street from the southern limit of Clarence Street to the Northern limit of Charlotte Street;
- The Northern parking spaces in Market Square on the southern border of King George Park.

That the Port Colborne Downtown Cruiser's Association (PCDCA) be required to file a Certificate of Insurance, naming the City as an additional insured, in the amount of \$2,000,000, prior to the event;

That the fees be waived for the use of King George Park and access to hydro for the staging of the Cruise Night events; and

That the fee for a Noise By-law Exemption application be waived.

9. Correspondence Items

Moved by Councillor T. Hoyle

Seconded by Councillor D. Elliott

That items 9.1 and 9.2 be received for information.

Carried

9.1 City of Stratford - Funding and Support for VIA Rail Services

9.2 Federation of Northern Ontario Municipalities (FONOM) - Bail Reform Resolution

10. Presentations

10.1 City of Port Colborne Museum and Culture Annual Department Update

Stephanie Baswick, Director of Museum and Culture, provided an annual department update presentation for Museum and Culture and responded to questions received from Council.

10.2 City of Port Colborne Public Library Annual Update

Susan Therrien, Director of Library Services, provided an annual department update presentation for the Port Colborne Public Library and responded to questions received from Council.

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 Port Promenade (Shypowskyj)

The Director of Public Works advised that concrete work is being completed along the Port Promenade on West Street, between Charlotte Street and Victoria Street and as a result, sections of the promenade will not be accessible to ensure public safety.

14.2 Vale Health and Wellness Centre (Shypowskyj)

The Director of Public Works advised Council that the roof mounted cooling towers as well as the central gutter system replacement project is underway and will be completed within six weeks.

14.3 Vacant Land Owners-Correspondence (Boles)

The Director of Corporate Services/Treasurer advised Council that any inquiries regarding the correspondence that was sent to owners of vacant properties can be directed to Customer Service staff. He further provided an overview of the wastewater fees as set out in the by-law.

14.4 Motion Regarding Sherkston Shores Resort-Restoration of Access to Residents of LOS 1R0 (Luey)

The Chief Administrative Officer stated that the staff report pertaining to the Sherkston Shores restoration of access to residents of LOS 1R0 will be brought forward at the June 13, 2023 regular Council meeting.

15. Councillors' Remarks

15.1 Speed Limit Signs on Highway 3 (Bodner)

In response to Councillor Bodner's inquiry, the Chief Administrative Officer advised that the complaints regarding the change in speed limits on Highway 3 were reported to the Ministry of Transportation and have been rectified.

15.2 Ground-Breaking Event-Foyer Richelieu Welland (Hoyle)

Councillor Hoyle advised that he attended an event on May 2, 2023 at Foyer Richelieu in Welland for Hospice Niagara on behalf of the City. He

further stated that the Ontario government is providing up to \$4.6 million to Hospice Niagara for a new 10-bed residential hospice.

15.3 Sugarloaf Marina (Bruno)

Councillor Bruno provided an overview of the changes that have been made at the Sugarloaf Marina and expressed appreciation towards staff for all their hard work.

15.4 Friends of Roselawn High Tea (Aquilina)

Councillor Aquilina stated that she attended the High Tea event hosted by Friends of Roselawn and expressed appreciation towards staff and volunteers for a successful event.

15.5 Port Colborne Conservation Club (Aquilina)

In response to Councillor Aquilina's request, the Manager of By-law Services informed Council that she would investigate the increased shooting by members of the Port Colborne Conservation Club.

15.6 Port Promenade (Steele)

Mayor Steele requested that the St. Lawrence Seaway be contacted to repair a damaged ladder located at the Port Promenade.

16. Consideration of Items Requiring Separate Discussion

16.1 2022 Year End Surplus and Project Close Out, 2023-73

The Director of Corporate Services/Treasurer provided a presentation regarding the 2022 Year End Surplus and Project Close Out and responded to questions received from Council.

Moved by Councillor G. Bruno

Seconded by Councillor M. Aquilina

That Corporate Services Department Report 2023-73 be received; and

That the year-end levy surplus be transferred to the City's Infrastructure Reserve; and

That the capital and related project and reserve balances of Appendices E, F, and G of Corporate Services Department Report 2023-73 be approved.

Carried

16.2 User Fee Principles, 2023-91

The Director of Corporate Services/Treasurer provided a presentation regarding User Fee Principles and responded to questions received from Council.

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

That Corporate Services Department Report 2023-91 be received; and

That the user fee principles as set out in this report and associated Appendix be approved.

Carried

16.3 Nickel Beach Parking By-law Amendments, 2023-86

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

That Corporate Services Department Report 2023-86 be received;

That Council approve the amendments to the Permitting System for Parking of Vehicles on Designated Highways and Parking Lots in the City of Port Colborne By-law 7006/44/22, identified as Appendix A of Corporate Services Report 2023-86;

That Council approve the new Parking Fees identified in Appendix B of Corporate Services Report 2023-86; and

That the updated Schedule G of the User Fees and Charges By-law be included in a future amendment to the Fees and Charges for Various Services By-law 7047/84/22.

Carried

a. Written Delegation Material from Melissa Bigford, resident

16.4 Niagara Central Dorothy Rungeling Airport Commission – Facilitation of Hangar Purchase, 2023-90

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

That Corporate Services Department Report 2023-90 be received; and

That Council delegate authority to the CAO and the Director, Corporate Services/Treasurer to enter into an agreement to purchase a hangar identified by the Commission and sell the hangar to the Niagara Central Dorothy Rungeling Airport Commission provided written confirmation from Grant Thornton of their verbal tax advice as outlined in the report is received.

Carried

17. Motions

18. Notice of Motions

19. Minutes of Boards & Committees

20. By-laws

Moved by Councillor M. Aquilina

Seconded by Councillor E. Beauregard

That items 20.1 to 20.5 be enacted and passed.

Carried

20.1 By-law to Amend By-law No. 7006/44/22, By-law No. 89-2000 and By-law No. 4310/146/02

a. By-law to Amend By-law No. 7006/44/22, By-law No. 89-2000 and By-law No. 4310/146/02

20.2 By-law to Set and Levy the Rates of Taxation for City Purposes for the Year 2023

20.3 By-law to Authorize Entering into a Memorandum of Understanding with Niagara Regional Police Services

20.4 By-law to Authorize Entering into a Lease Agreement with PI8 of Fries Regarding Food Vending Operations at H.H. Knoll Lakeview Park

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

21. Confidential Items

Moved by Councillor G. Bruno

Seconded by Councillor R. Bodner

That Council reconvene into closed session in order to address item 21.1.

Carried

21.1 Human Resources Verbal Report, pursuant to the Municipal Act, 2001, Subsection 239(2)(b) Personal matters about an identifiable individual, including municipal or local board employees

22. Procedural Motions

23. Information items

24. Adjournment

Council reconvened into Closed Session at approximately 9:02 p.m.

Council reconvened into Open Session at approximately 9:57 p.m.

Mayor Steele adjourned the meeting at approximately 9:58 p.m.

William C. Steele, Mayor

Charlotte Madden, Acting City Clerk



PORT COLBORNE

Mayor's Report

MAY 9, 2023

GREAT LAKES CITIES IN OTTAWA May 1-2

WELCOME SUMMER STUDENTS

Welcome to 39 students employed by the city this summer. They'll be working to save toward their post-secondary education, and to gain valuable experience in a variety of fields to prepare them for their lives ahead. We are all pleased you are here, and we know you'll have a great summer working with the great team here at the City of Port Colborne..

OFSSA CHAMPIONSHIP 40-YEAR REUNION

The Port Colborne High School senior boys' basketball team made history in 1983 by winning the Ontario Federation of Schools Athletic Association championship. They made history again Saturday afternoon when they reunited to see themselves in the Port High centennial display in Port Colborne Historical and Marine Museum.

You know you've made it when you're a museum exhibit!

The players -- all 40 years older and wiser-- paid tribute to their Coach Bruce Kant and Mrs. Kant, their logistical, moral and spiritual adviser. I met them all at the exhibit on behalf of council and the city, where we shared lots of great memories.

The 1983 OFSSA champion basketball team members, led by Coach Kant, are Mark Russell, Geoff James, Jeff Climenhage, Gord Lannan, Kirk Fretz, Bruce Haun, Shane McGowan, Jamie Koeber, Paul Faris, Ron Simonson, Dave Elit, Ross Legault, and manager Paul DeRuyte. Congratulations, gentlemen. Good to celebrate an historic achievement with you.

COMMUNITY SAFETY DAY

One of the most popular city events for children and their families is Community Safety Day, Saturday, May 13 from 11 in the morning until 2 in the afternoon at the Fire Station on Killaly West. It's a free event with lots of things to see and do. Sparky the Fire Dog and the team at Fire and Emergency Services will serve snacks and refreshments. Test your bicycle skills in the Port Colborne Optimist Club Bike Rodeo. Hope to see hundreds of children Saturday at this fun and interactive event. (We all just might learn something, too!)

CLEAN COMMUNITY DAY

Let's all do our part to keep our city beautiful by cleaning up our properties on Clean Community Day, coming up in two weeks on Saturday, May 27.

Here's a list of things you can get rid of by taking them to the Operations Centre on Killaly West: broken furniture, lawn chairs, broken toys, broken lawn ornaments, old plastic pails and buckets, cushions and mattresses, water damaged books and magazines, and yes, even the old kitchen sink.

All these city events are in the May edition of City Hall News – please subscribe to it on our website, and you'll get one every month by email. Save the paper, and always know what's happening in the city.

NIAGARA INDUSTRIAL ASSOCIATION BREAKFAST IN OLD HUMBERSTONE

Our Economic Development and Tourism Services Division will be host of the Niagara Industrial Association Manufacturers Breakfast Thursday morning May 11. We're all looking forward to our first visit to the Humberstone on Main Street, the new restaurant opened by Kyla and Kevin Echlin of Smokin' Buddha fame. The new Go Buddha global food take-out joint is up front, and the special event centre and patio are out back. CAO Scott Luey and our economic development team will join me in welcoming industrial leaders from across Niagara to Port Colborne.

MAY IS COMMUNITY LIVING MONTH

Community Living Month is a province-wide annual awareness campaign to recognize the accomplishments of the Community Living movement. Let's join Community Living Ontario and 115 local associations across Ontario to show why inclusion matters for people who have an intellectual disability and their families.

Deputy Mayor Mark Bagu will represent council as we raise a flag at city hall to mark May as Community Living Month.

I will be in Niagara Falls Friday morning, invited to meet United States Ambassador David Cohen. It will be the Ambassador's first visit to Canada. We've already invited him to Port Colborne for Canal Days!

Subject: Lifting of Part Lot Control on 263-273 Lancaster Drive - File No. D25-01-23

To: Council

From: Development and Legislative Services Department

Report Number: 2023-98

Meeting Date: May 23, 2023

Recommendation:

That Development and Legislative Services Department – Planning Division Report 2023-98 be received; and

That the By-law attached as Appendix A to Planning Division Report 2023-98 be approved, exempting 263-273 Lancaster Drive on Plan 59R-17626 from the Part Lot Control provisions of the *Planning Act*.

Purpose:

The purpose of this report is to provide Council with information and a recommendation regarding an application submitted by Jeff Collins of Bridge and Quarry Ltd. for a Part Lot Control exemption for the lands known as Block 72 on Plan 59M-428, more specifically described as Parts 1-12 on Plan 59R-17626, municipally known as 263-273 Lancaster Drive.

Background:

The Westwood Estates Phase 2 Plan of Subdivision was registered in 2016. Construction has been ongoing in the subdivision since 2016, however it is nearing its full build out. Within the subdivision, two blocks (being Blocks 72 and 73) were approved for townhouse units. This application is only for Block 72 at this time; however, staff anticipate that a similar application will follow in the future for Block 73.

Section 50 (5) of the *Planning Act* (“the Act”) provides restrictions on how land can be conveyed and transferred to new owners. In simple terms, only whole lots or blocks in a registered plan of subdivision can be legally transferred to new owners. Section 50 (7)

of the Act further provides an option to local municipalities to pass a by-law to exempt lands from s. 50 (5) when located in a registered plan of subdivision. This provision of the Act is typically used to convey individual units in a townhouse block and allow them to be dealt with independently. This allows the townhouse block to be built cohesively and that a reference plan be surveyed to accurately reflect the common wall property lines.

Discussion:

Provincial and Regional Policies:

This application has been reviewed with consideration of applicable policies in the Provincial Policy Statement (2020), A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019), the Niagara Official Plan (2022), the City of Port Colborne Official Plan and the City of Port Colborne Comprehensive Zoning By-law 6575/30/18.

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The subject lands are within a “settlement area” according to the PPS. According to the PPS, settlement areas are to be the focus of growth and development and land use patterns shall be based on densities and a mix of land uses that should efficiently use land and resources.

The Growth Plan also directs development to settlement areas. The subject parcel is located within a settlement area and designated greenfield area. Development in these areas is to be planned, designated, zoned, and designed in a manner that: supports the achievement of complete communities, supports active transportation, and encourages integration and sustained viability of transit services.

The Niagara Official Plan (NOP) designates the subject lands as within the “Urban Area Boundary” and “Designated Greenfield Area”. Policies within the NOP generally encourage development within the Urban Area and Greenfield Areas provided the development builds a compact, mixed use, transit supportive, active transportation friendly community.

City Official Plan and Zoning By-law:

The City of Port Colborne Official Plan designates these lands as Medium Density Residential within the Westwood Park Secondary Plan. These areas are planned for townhouse developments such as this one. Staff are of the opinion that this proposal is consistent with the policies of the Official Plan and more specifically the Westwood Park Secondary Plan.

The City of Port Colborne Zoning By-law 6575/30/18 zoned the lands as Third Density Residential (R3). The R3 zone permits single detached, semi-detached, duplex, triplex,

fourplex, and townhouse dwellings. A fulsome zoning review was completed through the Building Permit application and again through this application to verify that the townhouse block is in full compliance with the City's Zoning By-law.

Land Division:

The Part Lot Control exemption is being requested in order to facilitate the creation of six independent units (lot) in the existing townhouse block, as well as to reference the existing easement in the rear of Block 72. Staff recommend that the by-law contain a two-year expiration date following approval from Council. This will allow the owner sufficient time to create the lots required to be able to sell the units individually.

Based on the above, staff are confident that the proposed Part Lot Control exemption meets the applicable policies set out in the Provincial, Regional and City plans. Staff recommend that Council approve the By-law attached as Appendix A for a period of two years, which will provide the current owner sufficient time to transfer the lands accordingly.

Internal Consultations:

Applicable departments such as Public Works, Fire, Building, and Planning have been involved in this permit application and have had no concerns.

Financial Implications:

There are no financial implications with this specific application. Fees such as parkland dedication and development charges were collected at the time of the Building Permit application.

Public Engagement:

Public engagement is not required as per the *Planning Act* for this type of application.

Strategic Plan Alignment:

The initiative contained within this report supports the following pillar(s) of the strategic plan:

- Service and Simplicity - Quality and Innovative Delivery of Customer Services
- People: Supporting and Investing in Human Capital
- Governance: Communications, Engagement, and Decision-Making

Conclusion:

Based on the review of the application and applicable Provincial, Regional, and City planning policies, Planning staff is of the opinion that the proposal is consistent with the Provincial Policy Statement and conforms with the Growth Plan, Regional Official Plan, and City Official Plan, and represents good planning. Staff recommends that the Part Lot Control exemption by-law attached as Appendix A be approved.

Appendices:

- a. Part Lot Control By-law
- b. Reference Plan 59R-17626

Prepared by,

David Schulz, BURPI, MCIP, RPP
Senior Planner
(905) 835-2900 ext. 202
david.schulz@portcolborne.ca

Respectfully submitted,

Denise Landry, MCIP, RPP
Chief Planner
(905) 835-2900 ext. 203
denise.landry@portcolborne.ca

Report Approval:

All reports reviewed and approved by the Department Director and also the City Treasurer when relevant. Final review and approval by the Chief Administrative Officer.

The Corporation of the City of Port Colborne

By-law no. _____

Being a by-law to exempt the lands known as Block 72 on Plan 59M-428, more specifically described as Parts 1-12 on Plan 59R-17626, municipally known as 263-273 Lancaster Drive from the Part Lot Control provisions of the *Planning Act*.

Whereas, subsection 50(5) the *Planning Act* provides restrictions on how land can be conveyed and transferred to new owners.

Whereas, subsection 50(7) of the *Planning Act* allows municipalities to pass a by-law exempting specific lands within a registered plan of subdivision to be exempt from subsection 50(5).

Whereas, the Council of The Corporation of the City of Port Colborne desires to pass an exemption by-law.

Now therefore, and pursuant to the provisions and authority of subsection 50(7) of the *Planning Act*, R.S.O. 1990, The Corporation of the City of Port Colborne enacts as follows:

1. That subsection 50(5) of the *Planning Act*, R.S.O. 1990, shall not apply to the lands described as follows:
 - a) Block 72, Plan 59M-428, City of Port Colborne being all of PIN 64403-0570 (LT)

For the purpose of creating six (6) lots for street townhouse dwelling units as follows:

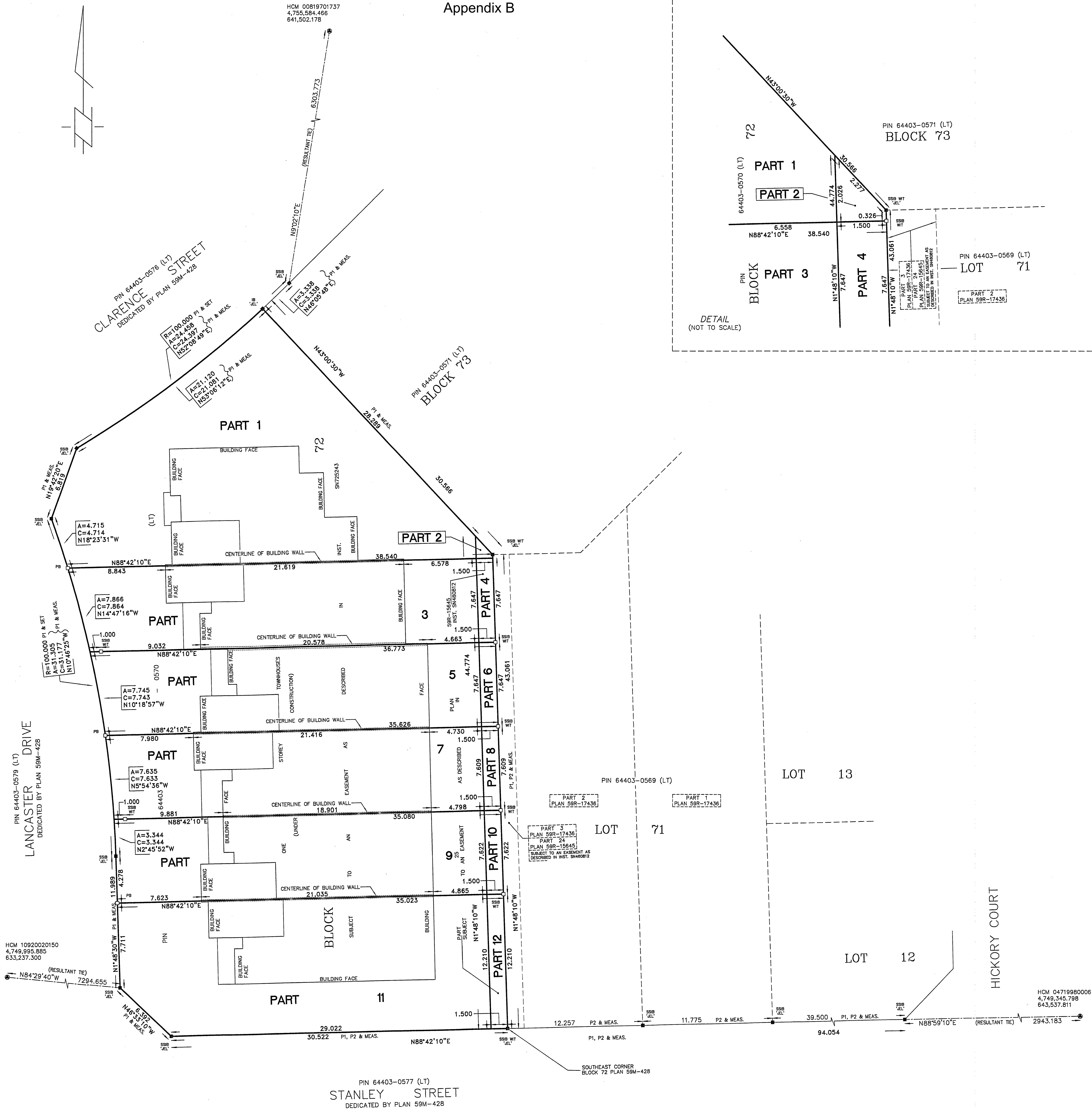
 - i. Parts 1 & 2 on Reference Plan 59R-17626
 - ii. Parts 3 & 4 on Reference Plan 59R-17626
 - iii. Parts 5 & 6 on Reference Plan 59R-17626
 - iv. Parts 7 & 8 on Reference Plan 59R-17626
 - v. Parts 9 & 10 on Reference Plan 59R-17626
 - vi. Parts 11 & 12 on Reference Plan 59R-17626
2. This By-law expires two years from the date of its enactment by Council in accordance with subsection 50(7.3) of the *Planning Act*.
3. That this by-law shall come into force and take effect on the day that it is passed by Council, subject to the provisions of the *Planning Act*.
4. The City Solicitor is hereby authorized and directed to proceed with the registration of this by-law with the local Land Registry Office, as applicable.

Enacted and passed this day of , 2023.

William C Steele
Mayor

Charlotte Madden
Acting Clerk

Report 2023-98
Appendix B



I REQUIRE THIS PLAN TO BE
DEPOSITED UNDER THE
LAND TITLES ACT.

DATE: FEBRUARY 21, 2023

MARK GILMORE
ONTARIO LAND SURVEYOR

PLAN 59R-17626

RECEIVED AND DEPOSITED
DATE: MARCH 13, 2023

"CAROLYN WATSON"
REPRESENTATIVE FOR LAND REGISTRAR FOR
THE LAND TITLES DIVISION
OF NIAGARA SOUTH (59)

SCHEDULE

PART	LOT	PLAN	PIN
1	BLOCK 72	59M-428	ALL OF PIN 64403-0570 (LT)
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			

PARTS 2, 4, 6, 8, 10 & 12 ARE SUBJECT TO AS EASEMENT AS DESCRIBED IN INST. SN480812
PARTS 1 to 12 (both inclusive) ARE SUBJECT TO AN EASEMENT AS DESCRIBED IN INST. SN725243.

PLAN OF SURVEY OF

BLOCK 72
PLAN 59M-428

IN THE

CITY OF PORT COLBORNE
REGIONAL MUNICIPALITY OF NIAGARA

SCALE 1:150



LANTHIER & GILMORE SURVEYING LTD.
2023

LEGEND

+	DENOTES SURVEY MONUMENT FOUND	'JEL' DENOTES	LANTHIER & GILMORE SURVEYING LTD.
+	SURVEY MONUMENT SET	P1	PLAN 59M-428
+	STANDARD IRON BAR	P2	PLAN 59R-17436
+	SHORT STANDARD IRON BAR		
+	IRON BAR		
+	ROUND IRON BAR		
+	IRON TUBE		
+	PLASTIC BAR		
+	CUT CROSS		
+	WITNESS		
+	HCM		
+	MEAS.		

INTEGRATION DATA

COORDINATES ARE DERIVED FROM SPECIFIED CONTROL
POINTS 10920020150, 00819701737 AND 04719980006
UTM ZONE 17, NAD 83 (ORIGINAL).

COORDINATES TO URBAN ACCURACY PER SEC. 14 (2)
OF O. REG. 216/10.

POINT ID	NORTHING	EASTING
10920020150	4,749,995.885	633,237.300
00819701737	4,755,584.466	641,502.178
04719980006	4,749,345.798	643,537.811

CAUTION

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH
CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

BEARING NOTE

BEARINGS SHOWN HEREON ARE UTM GRID BEARINGS AND WERE DERIVED FROM
SPECIFIED CONTROL POINT 10920020150, 00819701737 AND 04719980006
UTM ZONE 17, NAD 83 (ORIGINAL).

DISTANCE NOTES

METRIC CONVERSION
DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET
BY DIVIDING BY 0.3048.

GRID SCALE CONVERSION
DISTANCES SHOWN ON THIS PLAN ARE ADJUSTED GROUND LEVEL DISTANCES AND CAN BE USED TO COMPUTE
GRID COORDINATES BY MULTIPLYING THE DISTANCES BY A COMBINED SCALE FACTOR OF 0.999817562.

SURVEYOR'S CERTIFICATE

- I CERTIFY THAT:
- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT,
THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
 - THE SURVEY WAS COMPLETED ON FEBRUARY 20, 2023.

DATE: FEBRUARY 21, 2023.

MARK GILMORE
ONTARIO LAND SURVEYOR

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER V-34851

LANTHIER & GILMORE SURVEYING LTD.
173 CLARENCE ST. PORT COLBORNE, ONT. (905) 835-5477

SCALE: 1:150 DR. BY: CM CH. BY: DM JEL. FILE: 22-706 F-1405



Subject: Agreement for Funding from Vale Canada

To: Council

From: Community Safety & Enforcement Department

Report Number: 2023-79

Meeting Date: May 23, 2023

Recommendation:

That Community Safety & Enforcement Department Report 2023-79 be received; and

That the Chief Administrative Officer be directed to execute the gift agreement between Vale Canada Limited and the City of Port Colborne.

Purpose:

The purpose of this report is to update and receive direction from Council regarding the gift of funds to Port Colborne Fire & Emergency Services from Vale Canada Limited (VALE) to assist in enhancing the Fire Department's hazardous material response capabilities within the City.

Background:

Port Colborne Fire & Emergency Services is a full-service fire department and is regularly dispatched to hazardous materials calls. Most of these materials are liquid-based and are a result of a motor vehicle accident. The City of Port Colborne does have industrial businesses, rail networks, and road systems that see larger quantities of hazardous materials used, stored, and transported through the City.

In Ontario, there are four levels of Hazardous Materials response, in increasing order of skill, these are:

- Awareness Level
- Operational Level
- Technician Level
- Specialist Level

Within the Council-approved Establishing and Regulating By-law (6745/109/19), Port Colborne Fire & Emergency Services permits three personnel trained to technician level; all staff are trained to a minimum of Operational Level. While operational level meets the needs to be certified as a firefighter in Ontario, there are restrictions when responding to a true hazardous materials response. This limits Port Colborne Fire & Emergency Services' abilities to contain and control a hazardous materials spill that threatens life, property, and the environment.

The Ontario government passed O. Reg. 343/22: Fire Fighter Certification on April 14, 2022. This mandates that all fire fighters must be certified to a specific level of training to be allowed to perform an action. While the City's full-time staff is trained to a higher level for hazardous materials, they are not trained to the level that allows direct interventions. This is adequate for a municipality of Port Colborne's size, but as a matter of best practice, management would like to see a higher level of certification to protect the community. The funds provided under this agreement will allow the Department to reach this higher level of certification.

It is also notable that the fire service supplies decontamination services for hazardous materials incidents to the rest of the Niagara Region through a mutual aid agreement. To provide these services at the City's current level of hazardous materials certification, the Fire Department must work under the supervision of an external hazardous materials technician or allied agency. Once the recommendations in this report have been implemented, it will no longer be necessary to work under that supervision as Port Colborne will have the capacity internally.

Discussion:

In the fall of 2022, VALE contacted Port Colborne Fire & Emergency Services to discuss their compliance needs regarding materials used on the property and the Fire Department's ability to assist in the event of a spill. Over the following months, notification procedures were created to streamline the notification procedure for a potential issue on the property.

After finalizing those discussions, VALE and Port Colborne Fire & Emergency Services participated in a joint emergency management drill at VALE's Port Colborne location. The drill tested the notification system and gave staff a better understanding of potential issues at the property and each entity's ability to handle a hazardous material spill.

Fulsome discussions followed the drill, and an offer to help fund an expansion of Port Colborne Fire & Emergency Services hazardous materials response capacity was made by VALE. Staff investigated the department's needs with the assistance of subject experts. A course of action to meet those needs was determined. An application was submitted to VALE for the sum of \$200,000 to meet those needs, which was recently approved and is being gifted to Port Colborne Fire & Emergency Services.

The financial support will make it possible to acquire specialized hazardous material response training for staff. All full-time officers within the department would be trained and certified to the technician level. It will also fund the purchase of air monitoring, response supplies, and personal protective equipment. In the words of VALE “the training, supplies, and PPE is expected to support response to hazardous materials emergency response to industrial sites in the Niagara Region, in addition to VALE’s Port Colborne operations”.

The Fire Department will respond to any and all hazardous materials spills within the City. It is the unspoken expectation of the public that their fire service has the skills and abilities to act quickly and efficiently at any incident. Ensuring staff are trained and appropriately equipped for intervention actions will ensure the City meets this expectation.

Internal Consultations:

The Fire Chief has discussed the financial gift agreement with the Chief Administrative Officer, the Director of Corporate Services, and the Corporate Leadership Team.

Financial Implications:

The gifted funds will cover the immediate and future needs of Port Colborne Fire & Emergency Services regarding hazardous material response. Any future training will be funded within the current operating budget.

Any unspent funds will be encumbered (carried forward to future years) so they are available to be utilized in accordance with their intended purposes.

Public Engagement:

Not applicable.

Strategic Plan Alignment:

The initiative contained within this report supports the following pillar(s) of the strategic plan:

- Service and Simplicity - Quality and Innovative Delivery of Customer Services
- Value: Financial Management to Achieve Financial Sustainability
- People: Supporting and Investing in Human Capital

Conclusion:

Through training and the proper equipment, swift action can mitigate and minimize the damages that are associated with a hazardous materials spill or release. VALE's funding offer to assist the department in an upgrade of hazardous material capabilities will achieve this.

Finally, this is an example of a partnership that benefits VALE, the City of Port Colborne, industry within the municipality and the Region of Niagara as a whole. Working together as community partners to promote a safer community for all.

Appendices:

- a. Gift Agreement between Vale Canada Limited and Port Colborne Fire & Emergency Services

Respectfully submitted,

Scott Lawson
Fire Chief
905-834-4512 ext. 402
scott.lawson@portcolborne.ca

Report Approval:

All reports reviewed and approved by the Department Director and also the City Treasurer when relevant. Final review and approval by the Chief Administrative Officer.

GIFT AGREEMENT

This Gift Agreement (the “**Agreement**”) is entered into and effective as of May 31, 2023 (the “**Effective Date**”) between Vale Canada Limited, a corporation incorporated under the laws of Canada with its office at 200 Bay Street, Royal Bank Plaza, Suite 1500 South Tower, P.O. Box 70, Toronto, ON M5J 2K2 (the “**Sponsor**”) and the Corporation of the City of Port Colborne, with its office at 66 Charlotte Street in Port Colborne, Ontario, L3K 3C8, a corporation incorporated under the laws of **Ontario** with its office at (the “**Charity**”) (collectively, the “**Parties**” and individually, a “**Party**”).

1. PURPOSE. The purpose of the financial donation to be made by the Sponsor is to support the improved hazardous material response in Port Colborne and the Niagara Region. Specifically, this will include:

- Specialized hazardous material response training
- Purchase of hazardous material response supplies and personal protection equipment

The training, supplies and PPE is expected to support response to hazardous material emergency response to industrial sites in the Niagara Region, in addition to Vale’s Port Colborne Operations.

2. INTERPRETATION.

- (a) In this Agreement the words “**including**”, “**includes**” and “**include**” mean “**including (or includes or include) without limitation**”. The expression “**Section**” or other subdivision followed by a number or letter mean and refer to the specified Section or other subdivision of this Agreement. Words importing the singular number only include the plural and vice versa.
- (b) Reference to a Party, whether by name or otherwise, includes such Party’s directors, officers, employees, agents or advisors, including accountants, counsel, lenders, consultants and financial advisors.
- (c) All references to dollars or to “\$” are expressed in Canadian currency unless otherwise specifically indicated.

3. TERM AND TERMINATION.

- **Term.** This Agreement will take effect as of the Effective Date and will, unless terminated in accordance with Section [3.3] [or renewed in accordance with Section 3.2], continue for a period of two (2) years beginning on the Effective Date (the “**Term**”).
- **Renewal.** Sponsor may, at its sole option, extend the Term by notifying the Charity no less than ten (10) days prior to the expiry of the Term or any extension thereof, and pledging additional funds in an amount to be agreed upon by the Parties (the “**Extended Term**”). This Agreement will continue to apply for the duration of the Extended Term in accordance with its terms.

- **Termination.** This Agreement shall expire upon the conclusion of the Term or the Extended Term, as applicable. The Sponsor may, at its sole discretion, terminate this Agreement at any time with at least thirty (30) days prior written notice to the Charity.

4. FINANCIAL COMMITMENT AND PAYMENT DATES.

- (a) The Sponsor shall pay to the Charity **\$200,000** (the “**Funds**”) to be utilized by the Charity in accordance with the Purpose specified above.
- (b) The Funds shall be paid to a bank account registered to the Charity. The Charity shall provide relevant banking information to the Sponsor and complete any applicable vendor information forms as requested by the Sponsor.

The Funds shall be paid as follows:

- \$100,000 by May 31, 2023
- \$100,000 by May 31, 2024

Upon receipt of each payment, a receipt shall be emailed to danica.pagnutti@vale.com.

5. SPONSORSHIP RECOGNITION AND STEWARDSHIP. During the Term, the Charity shall recognize the Sponsor as a sponsor in accordance with the following:

- News release and/or media event
- Social media recognition post
- Co-branding of fire and emergency services trailer

For greater certainty, the Sponsor’s name and logo may only be utilized by the Charity for the purposes set out in this Section 5, with prior written approval from the Sponsor in each instance.

6. REPORTING AND RECORDS.

- a. An annual work plan will be developed and a progress report will be presented to the Sponsor annually until this agreement expires or terminates herewith.
- b. The Charity shall maintain all financial records relating to the agreement in a manner consistent with generally acceptable accounting principles and all non-financial documents and records relating to the agreement.

7. RESTRICTIONS.

- a. **Publicity.** The Charity shall not disclose any details or the existence of this Agreement or use the name of the Sponsor in any public announcements, promotional, marketing, or other materials or efforts except in accordance with

this Agreement or the terms of any prior written consent provided by the Sponsor.

- b. Assignment.** The Charity shall not assign, novate or otherwise dispose of this Agreement or any portion thereof, or purport to do so, without the prior written consent of the Sponsor.
 - c. Anti-Corruption.** The Charity in all of its activities in connection with this Agreement and on behalf of the Sponsor, will at all times comply with all applicable anti-bribery, anti-corruption or conflict of interest laws and regulations, including, but not limited to, the Canadian Corruption of Foreign Public Officials Act (S.C. 1998, c.34, as amended), the US Foreign Corrupt Practices Act (15 U.S.C. §78-dd-1, et seq., as amended), and the Brazilian Anti-Corruption Law (Lei nº 12.846/2013).
8. **WAIVER.** No waiver of any of the provisions of this Agreement will constitute a waiver of any other provision (whether or not similar). No waiver will be binding unless executed in writing by the Party to be bound by the waiver. A Party's failure or delay in exercising any right under this Agreement will not operate as a waiver of that right. A single or partial exercise of any right will not preclude a Party from any other or further exercise of that right or the exercise of any other right.

9. MISCELLANEOUS.

- a. **Notice.** All notice, invoice, consent, direction or other communication (each a “Notice”) given regarding the matters contemplated by this Agreement must be in writing.
- b. **Relationship of Parties.** Nothing in this Agreement creates any agency, partnership, joint venture, representative or employment relationship between the Parties, except as expressly provided in this Agreement.
- c. **Mutual Understanding.** This Agreement is the result of mutual negotiations between the Sponsor and the Charity, and each Party agrees that no part of this Agreement shall be interpreted as against the other Party on the grounds that particular language was drafted by such Party. The Charity acknowledges that it has been afforded an opportunity to obtain independent legal advice with respect to this Agreement and that it understands the nature and consequences of this Agreement.
- d. **Costs and Expenses.** Except as otherwise expressly provided in this Agreement, each Party will pay for its own costs and expenses incurred in connection with this Agreement. The costs and expenses referred to in this Section 9.d are those that are incurred in connection with the negotiation, preparation, execution and performance of this Agreement, including fees and expenses of legal counsel.
- e. **Applicable Law.** This Agreement is governed by, interpreted and enforced in accordance with the laws of the Province of Ontario and the federal laws of Canada applicable therein. Each Party irrevocably attorns and submits to the exclusive jurisdiction of the Ontario courts situated in the City of Greater Sudbury and waives objection to the venue of any proceeding in such court or that such court provides an inconvenient forum.
- f. **Compliance with Law.** Each Party shall comply with all laws and regulations specifically applicable to it.
- g. **Entire Agreement.** This Agreement constitutes the entire agreement between the Parties relating to its subject matter and supersedes all prior agreements, understandings, negotiations and discussions, between the Parties, whether oral or written. Neither Sponsor nor Charity are relying on any other information, discussion or understanding in entering into and completing the transactions contemplated by this Agreement.
- h. **Amendments.** This Agreement may only be amended, supplemented, or otherwise modified by written agreement signed by the Parties.
- i. **Severability.** If any provision of this Agreement is determined to be invalid, illegal or unenforceable by an arbitrator or any court of competent jurisdiction from which no appeal exists or is taken, that provision will be severed from

this Agreement and the remaining provisions of this Agreement will remain in full force and effect.

- j. **Execution.** This Agreement becomes effective only when executed by all of the Parties. This Agreement may be executed in any number of counterparts and all counterparts taken together constitute one and the same instrument. Receipt of an originally executed counterpart signature page by facsimile or an electronic reproduction of an originally executed counterpart signature page by electronic mail is effective execution and delivery of this Agreement.

IN WITNESS WHEREOF, the Parties execute this Agreement as of the Effective Date.

VALE CANADA LIMITED

by: _____

Gord Gilpin
Head, Ontario Operations

CITY OF PORT COLBORNE

by: _____

Scott Luey
Chief Administrative Officer

Subject: Lock 8 Pavilion – Condition Assessment

To: Council

From: Public Works Department

Report Number: 2023-96

Meeting Date: May 23, 2023

Recommendation:

That Public Works Department Report 2023-96 be received;

That the Manager of Road and Park Operations be directed to demolish and remove the Lock 8 Pavilion for safety reasons; and

That the total estimated cost of \$15,000 excluding applicable taxes for the demolition project be approved.

Purpose:

The purpose of this report is to obtain Council's approval and support regarding the demolition of the Lock 8 Pavilion, located at Lock 8 Gateway Park due to structural concerns.

Staff intend to include a new pavilion structure in a forthcoming conceptual design of Lock 8 Park and a subsequent grant application to the Region's Public Realm Investment Program.

Background:

In 1986, the City constructed the Lock 8 Pavilion, located at Lock 8 Gateway Park in Port Colborne. Mary and Fred Bueitner bequeathed to the City of Port Colborne, which funded the majority of the construction cost for the pavilion. At the bequest of the Bueitners, the funds were used to provide a feature that could be used by "the children of Port Colborne," to whom the current structure is dedicated. Many of the beams used in this structure came from the old Welland Canal walls, near Lock 1 and it has been confirmed that the Lock 8 Pavilion is not on the heritage registry.

In March of 2023, Public Works staff raised concerns over the condition of the Lock 8 Pavilion. Staff consulted with a facility assessment project manager from McIntosh Perry, who was able to provide a limited visual review and assessment as outlined in Appendix A. Based on this initial assessment, the consultant found the pavilion to be in fair condition. However, this limited assessment resulted in an unknown degree of deterioration for many of the wood column bases. Due to unknown conditions of the wood members, McIntosh Perry recommended that the pavilion should not be used in its current state.

Based on this recommendation, Public Works staff placed fencing around the structure to deter use by the public and informed Recreation and Events staff of the assessment. Staff then acquired the services of a structural engineer from McIntosh Perry to conduct a thorough assessment of the structure's wood columns and bearing areas. This second assessment found that all wood columns had experienced a significant amount of rot. These columns are the main support for this structure thus, without repair or replacement, it is unsafe to continue using the pavilion.

Discussion:

The investigations completed by McIntosh Perry identified several key issues contributing to the current condition of the structure. McIntosh Perry developed the most economical and long-term repair solutions for staff and Council's consideration.

The assessment report submitted by McIntosh Perry (Appendix A) summarizes the findings of the investigation completed. Based on this report and further discussions with McIntosh Perry's structural engineer, the following potential options concerning scopes of work, repair details, and cost estimates are provided.

The options discussed have been summarized below:

Option #1

This first option includes the demolition and removal of the structure for safety reasons.

The total estimated cost for this option is \$15,000 excluding applicable taxes.

Option #2

The second option includes the replacement of the wooden pillars to support the structure, the replacement and repair of some of the trusses, and repairs to the masonry work and concrete pad.

The total estimated cost for this option is \$70,000 excluding applicable taxes.

Option #3

The third option includes the complete demolition of the structure, followed by the immediate replacement with a new structure of similar proportions.

The total estimated cost for this option is \$150,000, excluding applicable taxes.

Staff recommend Option #1, the complete demolition of the structure to mitigate the current safety concerns as soon as possible. City staff are currently working with the Region to complete a conceptual design of Lock 8 Park in order to prepare an application for the Region's Public Realm Investment Program (PRIP) in 2024.

The conceptual design will incorporate streetscaping along the Region's Mellanby Avenue, a new location for the playground when replacement is required, and a new parking area. A new pavilion or shade structure(s) will be incorporated into the design as a replacement for the demolished existing structure.

The design of the replacement structure, or structures, would take into consideration public opinion to create a recreational space that suits the needs of residents. This would meet the City's strategic goal to build new infrastructure, renew existing infrastructure, and upgrade facilities and public spaces for residents and future growth.

Internal Consultations:

Staff consulted with Museum and Culture staff to determine that the Lock 8 Pavilion is not on the heritage registry.

Staff consulted with Recreation staff, who then informed members of the public who had booked the Lock 8 Pavilion for events of the current condition and offered alternative solutions for their events.

Recreation staff removed Lock 8 Pavilion as a rentable facility on the City's website.

Financial Implications:

The cost of removing the Lock 8 Pavilion will be funded through the Parks Operating Budget.

If Council chooses to move forward with Option #2 or Option #3, the City's Infrastructure Reserve could be a source of funding.

Strategic Plan Alignment:

The initiative contained within this report supports the following pillar of the strategic plan:

- City-Wide Investments in Infrastructure and Recreational/Cultural Spaces
-

Conclusion:

The condition of the Lock 8 Pavilion requires timely action to mitigate safety concerns regarding the integrity of the structure. The demolition of the pavilion provides the most immediate and economical solution to these safety concerns. The phased approach will provide the City with the ability to engage the public on the design of the new structure, and ensure the new structure fits into the Lock 8 Park conceptual design.

Appendices:

- a. 2023-96 Appendix A, Lock 8 Gateway Park Pavilion – March 21 Report

Respectfully submitted,

Curtis Dray
Manager Roads & Parks
905-835-2900 x220
Curtis.Dray@portcolborne.ca

Report Approval:

All reports reviewed and approved by the Department Director and also the City Treasurer when relevant. Final review and approval by the Chief Administrative Officer.

March 21, 2023

Mae Lannan, Climate Change Coordinator
City of Port Colborne
3 Killaly Street West
Port Colborne, Ontario
L3K 2L5

Dear Ms. Lannan:

Re: Lock 8 Gateway Park Pavilion

A visual review was undertaken at the Lock 8 Gateway Park Pavilion on March 20, 2023. The original construction date is not known. The following details McIntosh Perry's observations and recommendations.



The structure consists of 9"x9" wood columns at approximately 11' on centre along the north, south, and east sides. The columns support rough cut wood trusses, purlins, roof rafters, and decking. Trusses include steel tie rods in the centre. Trusses are through bolted to columns using steel angle clips. Diagonal members between columns and trusses are nailed.



Columns are encased with red sandstone at their bases. Stone bases are presumed to be supported by concrete pads or piers. A concrete slab on grade is installed throughout the pavilion, independent of the concrete pads or piers. Termination of the wood columns is unknown.



Cracking along mortar joints was noted at all stone bases. Minimal cracking of stones was noted. Cracks range from hairline to approximately 5mm. Mortar between columns and bases has separated. Significant separation between the stone base and wood column was noted at the northwest corner.



The wood column at the northwest corner is deteriorated where visible within the stone base. There is also notable movement of the column. The column is not supported.



A stone wall, fireplace, and chimney are located along the west side of the Pavilion. Typical mortar cracking was noted at the chimney and north wall.



The sloped roof is finished with newer metal panels. A loose section of roofing was noted at the southwest corner.



Minimal checking, or splitting, of the wood members was noted. Checking is a common occurrence as wood dries. Checking may have occurred when the wood was processed or in recent years.



Based on this limited, visual review, the condition of the structure is fair. The degree of deterioration of the remaining five wood column bases is unknown but is presumed to be like what is observed at the northwest column. Detailing of the stone column bases does not allow for water entry, through mortar gaps and the porous nature of the stone and mortar, to drain freely. Column bases are also untreated (preservative not used) which exacerbates the issue.

MP is of the opinion that the structure should not be used in its current state due to unknown conditions of the wood members. It is recommended that the loose metal roofing be removed, or resecured and remaining fasteners be reviewed due to high winds observed. The columns require temporary support until re-design and rebuilding can commence. The checking of the wood members should be monitored as part of maintenance.

The statements made in this letter are based solely on the information obtained to date as part of the above referenced assessment. McIntosh Perry Limited has used its professional judgement in assessing this information and formulating its opinions and recommendations. The mandate at McIntosh Perry Limited is to perform the tasks prescribed by the client with due diligence of the profession. No other warranty or representation is expressed or implied as to the accuracy of the information or recommendations included or intended in this letter. McIntosh Perry Limited disclaims any liability or responsibility to any person or party for any loss, damage, expense, fine or penalty which may arise or result from the use of any information or recommendation contained in this letter.

Subsurface conditions are to be verified and specifications/drawings are required to properly define the Scope of Work and to obtain formal quotations for any major repair or refurbishment work.

McIntosh Perry

Prepared By:

Reviewed By:



(digitally signed)

(digitally signed)

Deirdre Roe

John Kirkpatrick

B.A.Tech., Dipl.Arch.Tech., FMP

B.Tech.(Arch.Sc.), M.A.A.T.O., CRP, BCQ

Project Manager

Director, Corporate Projects

Subject: Canada Day Celebrations

To: Council

From: Corporate Services Department

Report Number: 2023-101

Meeting Date: May 23, 2023

Recommendation:

That Corporate Services Department Report 2023-101 be received;

That the City sponsorship and waiver of fees for the Optimist Club Canada Day Celebrations at H.H. Knoll Lakeview Park Celebrations be approved;

That the following roads be closed to parking and vehicular traffic on Saturday, July 1, 2023, from 11:00 a.m. to 11:00 p.m.

- West Street, from the southern limit of Charlotte Street to the southern limit of the former Public Works Yard (11 King Street);
- Intersection of Kent Street and West Street;
- Intersection of Victoria Street at West Street;
- Intersection of Adelaide Street at West Street;
- Intersection of Sugarloaf Street at West Street; and

That the Port Colborne Optimist Club be required to file a certificate of insurance naming the City as an additional insured, in the amount of \$2,000,000, prior to the event.

Purpose:

The purpose of this report is to provide Council with information regarding the 2023 Optimist Club Canada Day Celebrations at H.H. Knoll Lakeview Park and a recommendation for road closures to accommodate the Canada Day Patio/fireworks display on West Street.

Background:

The annual Optimist Club Canada Day Celebrations (the “event”) provides the community with a fun-filled day of family activities at H.H. Knoll Lakeview Park. This is a family-oriented community event with food vendors, retail vendors, artisan vendors, penny sales, community organizations, children’s activities and more. The afternoon will also feature various entertainers and performances. This event is deemed to be a significant event for the City of Port Colborne and is recognised in the maintenance standards for Municipal Parks under section 8.2 Special Events – subsection 8.2.1 – Regionally Significant Events. The event poster from the Optimist Club is attached as Appendix “A”.

In addition to the Optimist Day Celebrations, the City of Port Colborne will also be hosting an evening event on West Street leading up to the fireworks. The event will run from 6:00 p.m. to 10:00 p.m. and will include live music, entertainment for all ages, Patio on West with alcoholic beverages for sale ending with fireworks at 10:00 p.m. Downtown BIA businesses will be offering menu specials starting at 4:00 p.m. The City’s live music and entertainment will not start until 6:00 p.m. to ensure it does not overlap with the Optimist Club Canada Day Celebrations.

To facilitate the City of Port Colborne Canada Day Celebrations on West Street and fireworks, a portion of West Street, from the southern limit of Charlotte Street to the southern limit of the former Public Works Yard (11 King Street), will be closed to prohibit general vehicular traffic and parking by the public.

Discussion:

The event at H.H. Knoll Lakeview Park will be held from 10:00 a.m. to 6:00 p.m. on Saturday, July 1, 2023. The Optimist Club is requesting the city waive fees for H.H. Knoll Lakeview Park, the large pavilion, and the bandshell. The Optimist Club is also requesting that the City install snow fencing to accommodate the birds of prey exhibit, provision of portable washrooms, and the waiver of the noise variance. Below is a summary of the total value of the city sponsorship.

Sponsorship Type	Approximate Value (\$)
Park Permit – H.H. Knoll Lakeview Park	\$85.00
Pavilion and Bandshell Permit	\$95.00
Snow Fencing Installation Fee	\$400
Noise Variance Fee	\$125
Portable Washroom Fee	\$250

Road closures are required to facilitate a safe viewing area for the Canada Day Celebrations and fireworks display along West Street and are recommended between

11:00 a.m. and 11:00 p.m. on Saturday, July 1, 2023. This area is for Patio on West, entertainment and for pedestrians to view the Canada Day fireworks that will occur over the Welland Canal beginning at approximately 10:00 p.m. (weather permitting). The following road closures are recommended:

- West Street, from the southern limit of Charlotte Street to the southern limit of the former Public Works Yard (11 King Street);
- Intersection of Kent Street at West Street;
- Intersection of Victoria Street at West Street;
- Intersection of Adelaide Street at West Street; and
- Intersection of Sugarloaf Street at West Street.

The proposed road closure map is attached as Appendix “B”.

Strategic Plan Alignment:

The initiative contained within this report supports the following pillar(s) of the strategic plan:

- Service and Simplicity - Quality and Innovative Delivery of Customer Services
 - Attracting Business Investment and Tourists to Port Colborne
 - City-Wide Investments in Infrastructure and Recreational/Cultural Spaces
-

Conclusion:

In conclusion, staff recommend that Council approve the City sponsorship for the Optimist Club Canada Day Celebrations at H.H. Knoll Lakeview Park and the road closures for the Canada Day Celebrations/fireworks display on West Street.

Appendices:

- a. Optimist Club’s Canada Day Event Poster
- b. Firework Viewing Road Closure Map

Respectfully submitted,

Amy Duffy
Supervisor, Events and Sponsorship
905-835-2900 ext. 536
amy.duffy@portcolborne.ca

Report Approval:

All reports reviewed and approved by the Department Director and also the City Treasurer when relevant. Final review and approval by the Chief Administrative Officer.

PORT COLBORNE

OPTIMIST CLUB

PRESENTS A

CANADA DAY

FAMILY CELEBRATION



JOIN US

FOR A FULL DAY OF FAMILY FUN

FRIDAY, JULY 1ST H.H. KNOLL PARK PORT COLBORNE
FIREWORKS AT 10PM BY THE CANAL - Presented by the City of Port Colborne

GIANT PENNY SALE

Vendor Fair
Food Vendors

4:00 pm to 6:00pm

MUSIC BY



Photo Booth
Popcorn
Snow cones

Schedule of Events

10:30 — Mad Science
11:30 — Smudge Fundaes
12:30 — Ann Singer Band
1:00 — Brooke Madeleine
1:45 — Opening Ceremonies
2:30 — Tara's Highland Dance
3:15 — Magician
4:00 — The Figure Four

Schedule subject to change

FREE ACTIVITIES
THROUGHOUT THE
PARK

Birds of Prey
Alpaca's
Bouncy Castles
Hay Rides

PONY RIDES \$6
11—5 pm

Violet King will be singing the National Anthem at 1:00 PM



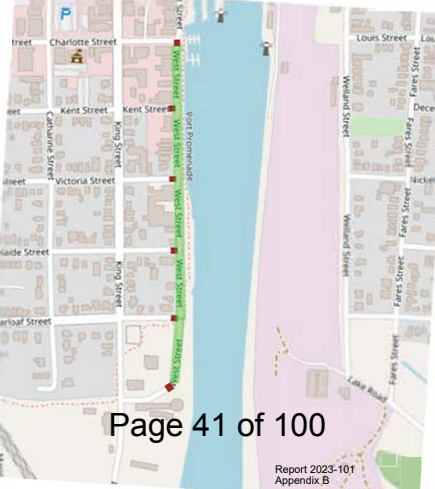
PORT COLBORNE

Report 2023-101
Appendix A

Lemayzzz Meats Frank's Home Hardware



For up-to-date information please visit the clubs website at
Page 40 of 100
<https://www.pcoptimistclub.com/canada-day-1.html>



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Ministry of Natural Resources and Forestry

Wildlife Research and Monitoring Section
2140 East Bank Drive
DNA Building, c/o Trent University
Peterborough, ON K9L 1Z8

Ministère du des Richesses naturelles et des Forêts

Phone: 1-888-574-6656
Fax: 705-755-1559
Email: rabies@ontario.ca

May 12, 2023

In 2023, the Ministry of Natural Resources and Forestry (MNRF) will once again be conducting Oral Rabies Vaccine (ORV) bait distribution and trap-vaccinate-release (TVR) programs in Ontario. Baiting and TVR operations will begin June 19 and continue until the end of October. TVR operations in St. Catharines will begin May 1.

Please find attached:

- 1) Map of planned baiting area for 2023
- 2) Rabies Vaccine Bait Information Sheet

Per the attached map, rabies vaccine bait distribution will be conducted in rural areas with MNRF aircraft and by hand in urban areas by MNRF wildlife technicians. These are the details of bait distribution work in 2023 (dates are subject to change depending on weather conditions):

- Grey shaded areas will be completed with a combination of Twin Otter airplane and Eurocopter EC130 helicopter in mid-late August.
- Urban hand baiting, including the use of temporary bait stations, will occur in the brown shaded areas starting June 19 and continue through to the end of October.
- Live trapping and vaccinating wildlife (trap-vaccinate-release) will occur in the areas surrounding Hamilton, Niagara, St. Catharines and Welland shaded in yellow starting June 19 and will continue through to the end of October. TVR operations in St. Catharines will begin May 1.
- Preventative baiting of the purple shaded area in eastern Ontario will take place in mid August by Twin Otter airplane and will take one day to complete and hand baiting in the dark purple shaded area of the city of Cornwall will be completed in early August.

In addition to the activities mentioned above, MNRF may conduct localized rapid response baiting and trap-vaccinate-release measures, which would take place in the event of a raccoon or fox strain rabies case outside of the planned baiting area.

The ministry is committed to the research, surveillance, control and elimination of the outbreak of rabies in southwestern Ontario to prevent the disease from spreading. Since the start of the rabies outbreak in 2015, the first of its kind in over a decade, MNRF has taken quick action to protect communities, distributing over 8.2 million vaccine baits by air and ground. Rabies cases have decreased by 90% since 2016.

In keeping with current World Health Organization guidelines, the 2023 rabies control zone has been reduced as some areas have had no reported cases in over two years. The control zone encompasses an area within approximately 50 km of positive cases that are less than two years old (positive cases since July 1, 2021).

Any warm-blooded mammal can contract rabies. If a human contracts rabies and does not receive treatment, the disease is fatal.

The khaki-green coloured bait being distributed by hand and by aircraft is made of wax-fat with an attractant flavour (vanilla-sugar). A label with a toll-free telephone number (1-888-574-6656) and the message "Do not eat" is located on the exterior of the bait, and a plastic package containing the liquid rabies vaccine is embedded in the centre. If found, the bait should not be touched, but left for raccoons, skunks and foxes to consume. (See attached bait identification hand out for detailed description.)

Ontario's rabies vaccine baits have been tested to ensure they are safe for wildlife, people, and pets. However, eating a vaccine bait does not replace the regular rabies vaccination provided by a veterinarian for pets. If a pet has eaten a bait and the owner is concerned, they should contact their vet as a precaution.

Ontario's rabies control program is a joint effort that receives important input and contributions from a variety of partners across the province. Partnerships with provincial ministries, federal agencies, regional health units, municipalities, wildlife rehabilitators, licensed trappers, wildlife control agents and Indigenous communities are all key to the continued success of Ontario's rabies control program.

For further information about rabies in Ontario, please visit [Ontario.ca/rabies](https://ontario.ca/rabies) or contact the ministry's rabies information line at 1-888-574-6656.

Should you have any questions or concerns about the information provided, please contact me at 705-313-2043 or by email at Larissa.Nituch@ontario.ca.

Larissa Nituch

Rabies Science Operations Supervisor

705-313-2043 (cell)

Larissa.Nituch@ontario.ca

Rabies vaccine bait identification

June 2022

The ONRAB® Ultralite Bait is used in Ontario for both fox strain and raccoon strain rabies control. Exposure to the bait is not harmful to people or pets; however, in the unlikely event that people or pets come in contact with the vaccine contained in the bait, contacting a doctor or veterinarian as a precaution is recommended.

Bait Ingredients

The bait formula coats the blister pack containing the vaccine. This formula consists of vegetable based fats, wax, icing sugar, vegetable oil, artificial marshmallow flavour and dark-green food grade fat-soluble dye.

Ultra-lite blister-pack (Vaccine Carrier)

This is a polyvinyl chloride (PVC) blister pack (40 mm x 22 mm x 10 mm) which weighs approximately 4.3 grams. The blister pack is a white/clear polyester flocked container with a heat-sealed laminated polyester lidding. The body of the blister pack is embedded in the bait matrix but the green lidding is exposed and has a black warning label printed on it.



Inside Baits: ONRAB® oral rabies vaccine

Description: a recombinant live virus liquid vaccine

Volume/bait: 1.8 ±0.1 ml in the blister pack

Other inclusions: vaccine stabilizers

Colour: clear

Target species: skunk, fox, and raccoon

Contact: Wildlife Research and Monitoring Section

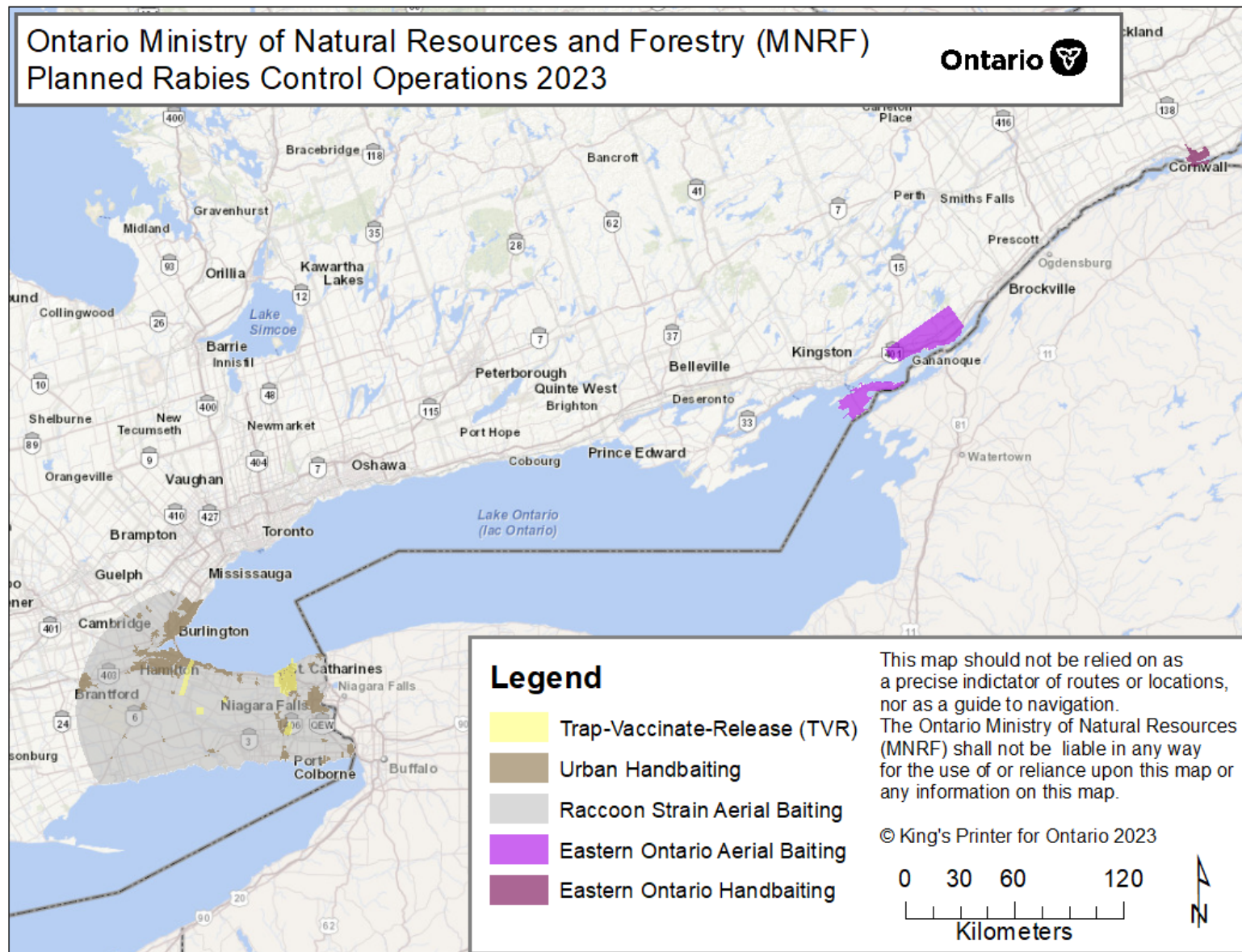
rabies@ontario.ca

1-888-574-6656

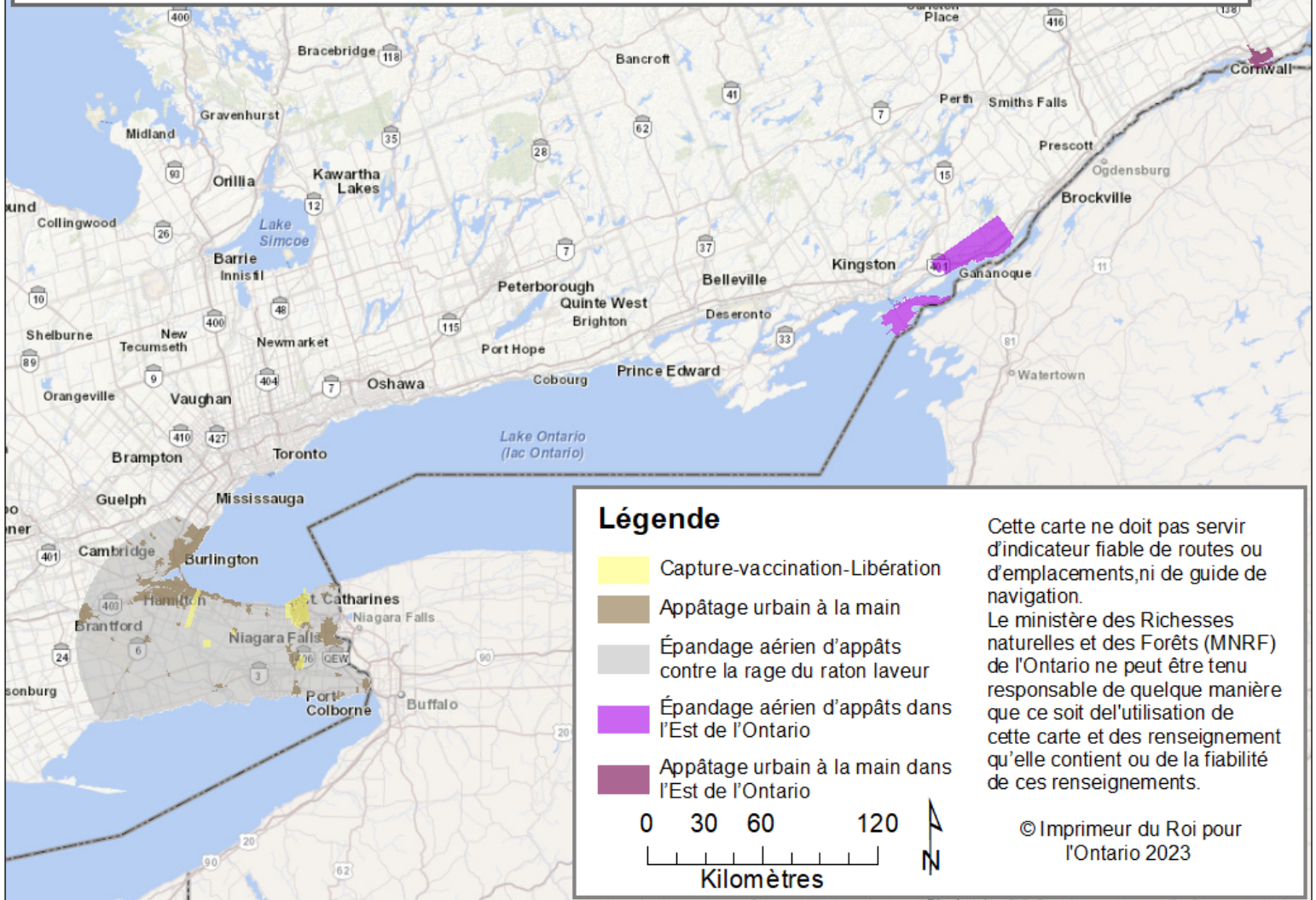
Ontario.ca/rabies

Disponible en français

Ontario Ministry of Natural Resources and Forestry (MNRF) Planned Rabies Control Operations 2023



Ministère des Richesses naturelles et des Forêts Opérations de lutte la rage prévues en 2023 (carte en anglaise seulement)





CORPORATION OF THE TOWNSHIP OF ARMOUR

RESOLUTION

Date: May 9, 2023

Motion # 132

WHEREAS some proponents of water aerodromes claim federal jurisdiction to bypass provincial and municipal authorities and build massive docks and boathouses under the guise of the Aeronautics Act;

AND WHEREAS Transport Canada does not require proponents of water aerodromes to follow the same registration and certification procedures as land aerodromes;

AND WHEREAS Transport Canada's current regulations for water aerodromes fail to state that mixed-use docks and structures are not permitted;

AND WHEREAS Transport Canada does not require a proponent to be transparent with local authorities about their intentions or submit a building permit and final construction plans;

AND WHEREAS Transport Canada does not require a proponent to provide the municipality with a copy of the water aerodrome registration or certification documents;

AND WHEREAS Registration and certification of water aerodromes are done without environmental impact assessments from provincial and municipal authorities;

AND WHEREAS Registration and certification of water aerodromes are done without safety assessments from local authorities;

AND WHEREAS Transport Canada's loopholes in the regulations lead to lengthy court battles paid by provincial and municipal jurisdictions.

NOW THEREFORE, be it resolved that the Council of the Township of Armour supports efforts to raise awareness about the loopholes in current regulations regarding water aerodromes that allow proponents to build massive docks and boathouses without municipal consultation, approval, or adherence to bylaws and regulations.

AND FURTHERMORE, The Council of the Township of Armour endorses the letter from the Three Mile Lake Community Club Inc. and calls on Transport Canada to:

- Amend current legislation regarding water aerodromes to require mandatory consultation and transparency with provincial and municipal authorities prior to construction.
- State that 'mixed-use' docks and structures will not be permitted.

AND FURTHERMORE, the Council of the Township of Armour urges all mentioned in this resolution to **support petition e-4364** to the Minister of Transport, Omar Alghabra.

Petition e-4364 - Petitions (ourcommons.ca)

AND FURTHERMORE, be it resolved that this resolution be forwarded to neighbouring municipalities, the Association of Municipalities of Ontario (AMO), the Federation of Canadian Municipalities (FCM). Federation of Northern Ontario Municipalities (FONOM), Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO), MP Scott Aitchison, MP Marcus Powlowski (Haliburton-Kawartha Lakes-Brock, Ontario), Graydon Smith MPP.

Moved by:

Blakelock, Rod ☒
 Brandt, Jerry ☐
 Haggart-Davis, Dorothy ☐
 Ward, Rod ☐
 Whitwell, Wendy ☐

Seconded by:

Blakelock, Rod ☒
 Brandt, Jerry ☐
 Haggart-Davis, Dorothy ☐
 Ward, Rod ☐
 Whitwell, Wendy ☐

Carried / Defeated 

Declaration of Pecuniary Interest by:

Recorded vote requested by:

Recorded Vote:

Blakelock, Rod
 Brandt, Jerry
 Haggart-Davis, Dorothy
 Ward, Rod
 Whitwell, Wendy

For

☐
☐
☐
☐
☐

Opposed

☐
☐
☐
☐
☐

The Corporation of the City of Cambridge
Corporate Services Department
Clerk's Division
The City of Cambridge
50 Dickson Street, P.O. Box 669
Cambridge ON N1R 5W8
Tel: (519) 740-4680 ext. 4585
mantond@cambridge.ca

May 10, 2023

Re: Highway Traffic Act Amendments

Dear Ms. Mulroney,

At the Council Meeting of May 9, 2023, the Council of the Corporation of the City of Cambridge passed the following Motion:

WHEREAS speeding on our roads is a major concern in our community,

AND WHEREAS speeding can occur in all areas of our community,

AND WHEREAS barriers and delays to enforcement pose a danger to our community,

AND WHEREAS our municipality has limited resources to implement speed mitigation road design and re-design,

AND WHEREAS our local police service has limited resources to undertake speed enforcement,

AND WHEREAS s.205.1 of the Highway Traffic Act (HTA) provides that Automated Speed Enforcement systems (ASE) may only be placed in designated community safety zones and school safety zones,

THEREFORE BE IT RESOLVED THAT, the City of Cambridge request that the Ontario Government amend s.205.1 of the HTA to permit municipalities to locate an ASE system permanently or temporarily on any roadway under the jurisdiction of municipalities and as determined by municipalities and not be restricted to only community safety zones and school safety zones;

AND THAT a copy of this resolution be forwarded to the Ontario Minister of Transportation, the Ontario Minister of Municipal Affairs and Housing, local area MPPs, the Association of Municipalities of Ontario (AMO) and all Ontario Municipalities.

Should you have any questions related to the approved resolution, please contact me.

Yours Truly,



Danielle Manton
City Clerk

Cc: (via email)
Steve Clark, Ontario Minister of Municipal Affairs and Housing
Local Area MPPs
Association of Municipalities of Ontario (AMO)
All Ontario Municipalities

May 10, 2023

Please be advised that during the Regular Council meeting of May 9, 2023 the following resolution regarding the proposed new Provincial Planning Statement (PPS) was carried:

RESOLUTION NO. 2023-293

DATE: May 9, 2023

MOVED BY: Councillor Hirsch

SECONDED BY: Councillor MacNaughton

WHEREAS the goal of increasing housing supply and reducing barriers in planning processes as set out in the recent legislative, regulatory and policy changes, including new provisions from Bill 23, More Homes Built Faster Act, 2022 is welcomed;

WHEREAS the proposed PPS (sections 2.6 and 4.3) would dramatically remove municipal power and renders aspects of the County's Official Plan, and other official plans throughout Ontario inoperative, terminating some local planning autonomy, and directly interfering with municipalities' ability to meet local variation and unique community needs;

WHEREAS the proposed PPS changes that would allow proliferation of lots with protection restricted to specialty crop areas only diminishes the purpose, uses, and integrity of rural and agricultural lands, thereby removing protection and restricting future uses of those lands;

WHEREAS the proposed PPS changes encourage sprawl and rural roadway strip development, rather than more fiscally and environmentally sustainable practices like intensification in established settlement areas; and

WHEREAS the province has announced changes will be proposed to natural heritage (section 4.1) that have yet to be published;

THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the County of Prince Edward urges the province to:

- pause proposed changes to the PPS, particularly regarding natural heritage (section 4.1) and agricultural lands (sections 2.6 and 4.3)

- reinvest trust in the local planning authority of all 444 municipalities, recognizing that each Ontario municipality has unique landscapes, different housing needs and differing visions for local planning matters;

THAT our fellow municipalities be urged to voice their concerns regarding the proposed undermining of local planning authority;

AND FURTHER THAT a copy of this resolution be sent to all 444 municipalities, The Hon. Doug Ford, Premier of Ontario, The Hon. Steve Clark, Minister of Municipal Affairs and Housing; The Hon. Lisa Thompson, Ministry of Agriculture, Food and Rural Affairs, The Hon. David Piccini, Minister of Environment, Conservation and Parks, Bay of Quinte MPP, Todd Smith, the Association of Municipalities of Ontario, the Federation of Canadian Municipalities, and the Eastern Ontario Wardens Caucus.

CARRIED

Yours truly,



Catalina Blumenberg, **CLERK**

cc: Mayor Ferguson, Councillor Hirsch, Councillor MacNaughton & Marcia Wallace, CAO



The Honourable Steve Clark
Minister of Municipal Affairs & Housing
minister.mah@ontario.ca

DELIVERED VIA EMAIL

May 11th 2023

Re: Removing Addresses on Municipal Election Forms

Dear Minister Clark,

Please be advised that at the Regular Council Meeting on May 10th 2023, the Town of Plympton-Wyoming Council passed the following motion, supporting the resolution from the Council of the Region of Waterloo regarding Removing Addresses on Municipal Election Forms.

Motion 13

Moved by Councillor Kristen Rodrigues

Seconded by Councillor Mike Vasey

That Council support item 'M' of correspondence from the Region of Waterloo regarding Removing Addresses on Municipal Election Forms.

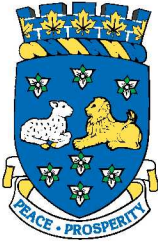
Carried.

If you have any questions regarding the above motion, please do not hesitate to contact me by phone or email at dgiles@plympton-wyoming.ca.

Sincerely,

Denny Giles
Deputy Clerk
Town of Plympton-Wyoming

cc: Rebekah Harris, Research/Administrative Assistant to Council, Region of Waterloo
Bob Bailey – MPP, Sarnia-Lambton
Association of Municipalities of Ontario
Association of Municipal Clerks and Treasurers of Ontario
Ontario Public School Boards' Association
Ontario Catholic School Trustees' Association
All Ontario Municipalities



April 24, 2023

Area Members of Provincial Parliament
Sent via email

Dear Area Members of Provincial Parliament:

Re: Councillor J. Erb Notice of Motion

Please be advised that the Council of the Regional Municipality of Waterloo at their regular meeting held on April 19, 2023, approved the following motion:

WHEREAS the Municipal Elections Act requires all individuals wishing to be a candidate in a municipal or school board election to file Nomination Paper - Form 1 with the municipal clerk;

AND WHEREAS the Municipal Elections Act requires all candidates who sought election to a municipal council or school board to file Financial Statement – Auditor’s Report Candidate – Form 4 with the municipal clerk;

AND WHEREAS Form 1 requires candidates to provide their qualifying address;

AND WHEREAS Form 4 requires candidates to list the name and home address of any donor contributing over \$100.00

AND WHEREAS the Municipal Elections Act specifies that these documents are not protected by the Municipal Freedom of Information and Protection of Privacy Act, and requires the municipal clerk to make Form 4 available on a website;

AND WHEREAS there has been concern expressed about those who hold public office and those who support them that they have been the subject of unnecessary attention and excessive scrutiny;

AND WHEREAS the requirement to publish the personal home address of donors to specific candidates may discourage individuals from

engaging in the democratic process to elect municipal and school board politicians.

THEREFORE, BE RESOVLED THAT the Regional Municipality of Waterloo calls on the Minister of Municipal Affairs and Housing for the Province of Ontario to protect the privacy of candidates and donors by removing the requirement for their street name, number and postal code to be listed on publicly available forms.

AND FURTHER THAT for verification purposes, the addresses of all candidates and all donors over \$100 be submitted to the municipal clerk on separate forms that are protected by the Municipal Freedom of Information and Protection of Privacy Act and will not be published.

AND FINALLY, that this resolution be forwarded to the Area Members of Provincial Parliament, the Association of Municipalities of Ontario, the Association of Municipal Clerks and Treasurers of Ontario, the Ontario Public School Boards' Association, the Ontario Catholic School Trustees' Association, and all Ontario municipalities.

Please accept this letter for information purposes only. If you have any questions or require additional information, please contact Rebekah Harris, Research/Administrative Assistant to Council, at RHarris@regionofwaterloo.ca or 519-575-4581.

Regards,



William Short

Regional Clerk/Director, Council and Administrative Services

WS/hk

cc: Association of Municipalities of Ontario
Association of Municipal Clerks and Treasurers of Ontario
Ontario Public School Boards' Association
Ontario Catholic School Trustees' Association
Ontario municipalities

**Municipality of Tweed Council Meeting
Council Meeting**



Resolution No.

328.

Title:

Proposed Resolution Re: Bell-Hydro Infrastructure

Date:

Tuesday, May 9, 2023

Moved by

J. Palmateer

Seconded by

J. DeMarsh

WHEREAS poles are essential for deployment of telecommunication and hydro networks across the Province of Ontario;

AND WHEREAS the coordination of pole infrastructure between stakeholders is necessary to limit duplication of servicing infrastructure;

AND WHEREAS the Canadian Radio-Television and Telecommunications Commission recently set expedited timelines for large telephone companies to provide competitors with access to poles to roll out networks more efficiently leading to more competition across Canada;

AND WHEREAS provincial and territorial government are being encouraged to coordinate with service providers and other stakeholders to facilitate sound network deployment;

NOW THEREFORE BE IT RESOLVED that the Municipality of Tweed calls on the Province of Ontario to facilitate, coordinate, and regulate pole deployment measures across the Province of Ontario to prevent unnecessary duplication of pole infrastructure;

AND FURTHER, that the Province of Ontario encourage Bell Canada and Hydro One to work together to provide access for poles to better service the infrastructure needs of Ontarians;

AND FURTHER, that this motion be circulated to the Premier of Ontario, the Association of Municipalities of Ontario (AMO), MPP Ric Bresee, all Ontario Municipalities for support, Bell Canada, Hydro One.

Carried

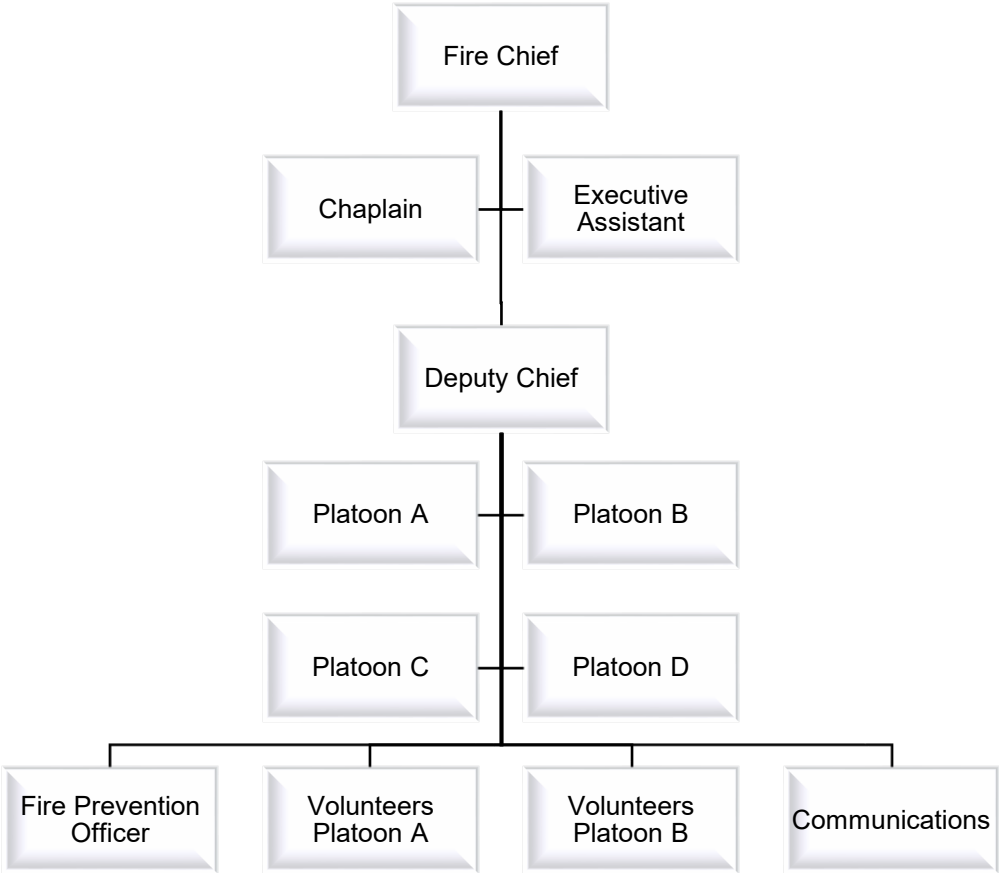
Community Safety & Enforcement Annual Department Update

City Council Meeting: May 23, 2023



PORT COLBORNE

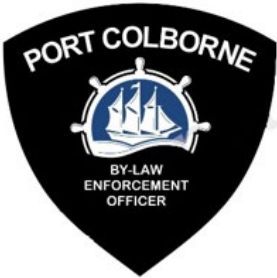
Our Team



Scott Lawson - Director



Sherry Hanson - Manager



Travis Morden -Sr. Enforcement Officer

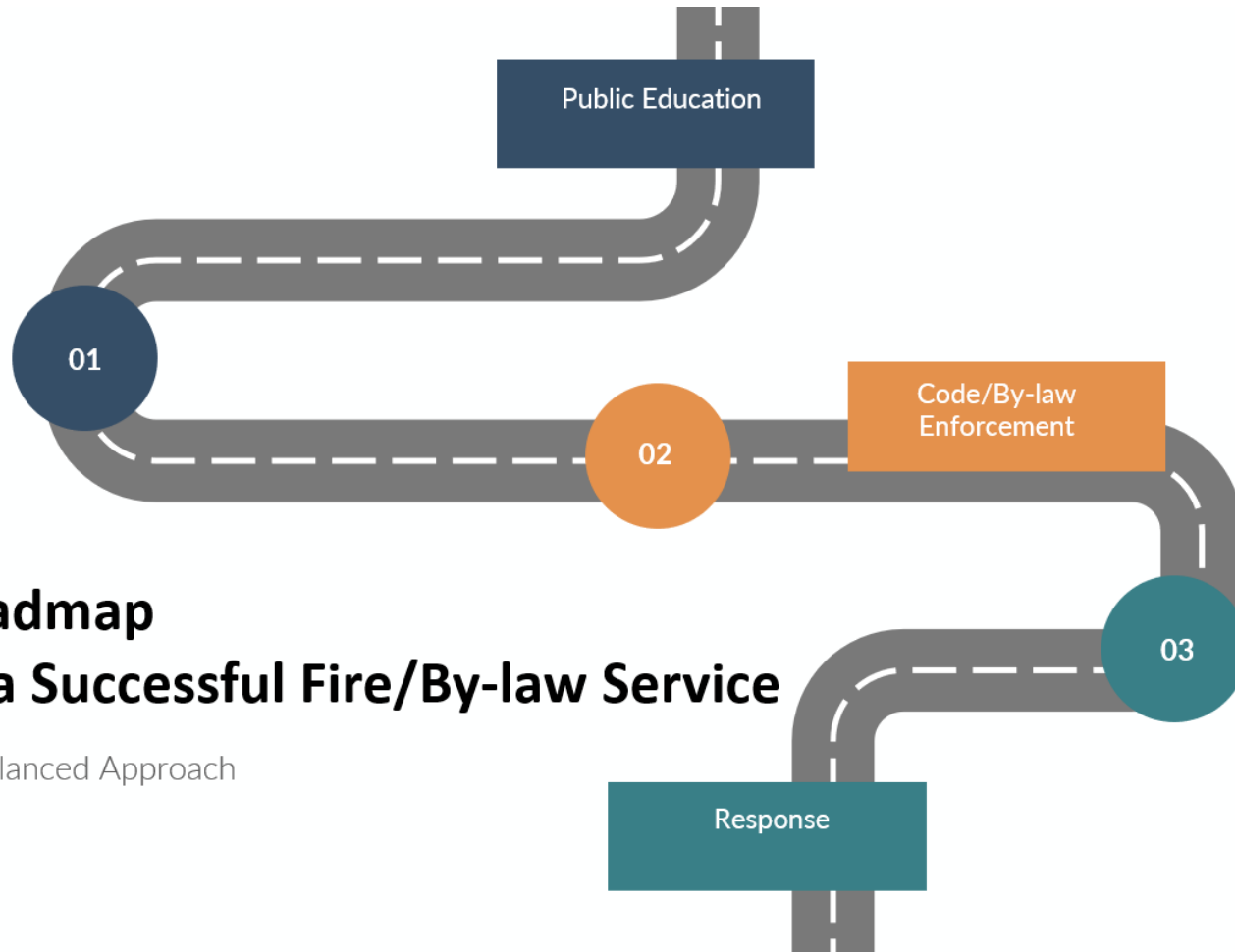


Carter McColl – Enforcement Officer



Madison Cassar – Intake Officer

Community Safety



Roadmap To a Successful Fire/By-law Service

A Balanced Approach

What we do:

- Caretakers of the Community
 - Emergency response
 - Safety programs
 - Education
- Serve our community
- Mitigate hazards
- Partner with community members
- Enforce Councils by-laws
- Provide support where needed

By-Law Services



PORT COLBORNE



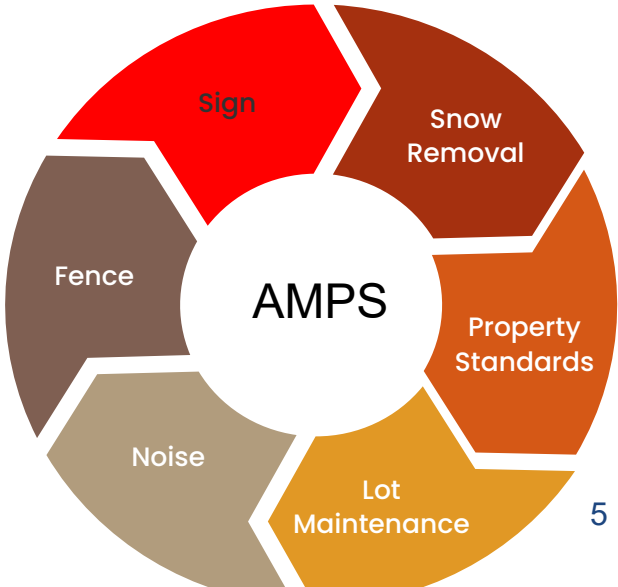
By-law: Achievements & Successes

Statistics at a Glance

-  871 recorded complaints
↑11% over the 5-year average
-  215 grass complaints
- 7 month season
-  280 parking tickets
↓44% during COVID
↑19% from pre-COVID
-  160 lot maintenance complaints
- difficult situations
-  87 property standards complaints
- time consuming
-difficult to achieve compliance

Changing the Community

- Receipts for tickets
 - Support City businesses in the community during a lockdown
 - Educate residents on the snow removal by-law
- Clean Community Day
 - Sponsored event to let residents drop off the waste in the City
 - Reduced lot maintenance orders
- Administrative Monetary Penalty System (AMPs)
 - Not new but expanded fining
 - Enforcement tool outside POA
 - Garners compliance
 - Progressive fines



Division Name: Current Projects & Activities



Supporting Other Departments

- Whenever needed
- knowledge, experience, and consultation



Updating Existing By-laws

- Property Standards
- Lot maintenance
- Fence
- Blvd and Snow Removal



Vacant Building Database

- Knowing what is vacant
- Ensure the building is secure
- creating a new vacant building registry by-law



Poop & Scoop Promo

- Partner with NSPCA for a clean community



Communications

- starting By-law social media posts (waiting on comms)
- tips for compliance
- Applications, Variances, and appeals on-line
- Ability to register complaints on-line
- What3words!!!



Clean Community Days

- Partner with community support



Division Name: Future Plans & Strategies



Revamped By-law Services web page

- Who does what regarding City's bylaws
- Greater understanding



Guide to By-law Services

- Residents guide to the City's bylaws
- Greater understanding



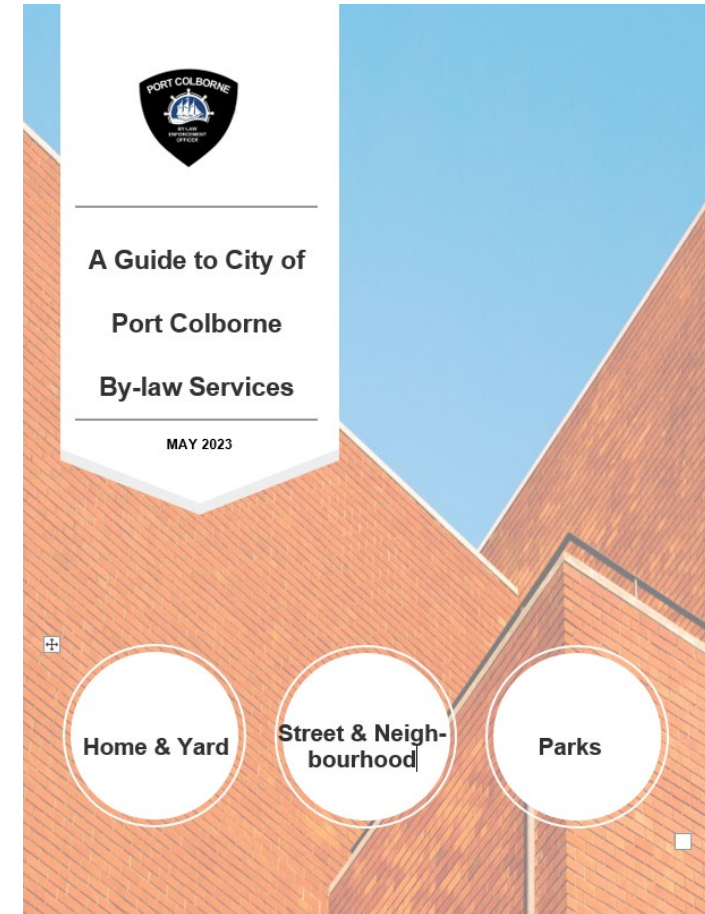
By-laws Strategic Plan

- Provide direction for the future



Consolidating By-laws

- 89-2000 parking, traffic, firelanes...
- ease of use



Port Colborne Fire & Emergency Services



PORT COLBORNE



PCF&ES: Achievements & Successes

Statistics at a Glance



Smoke & CO Compliance

↑from 28% in 2016

↑from 42% in 2019



31 Structure Fires

↓26% during COVID

↑11%from pre-COVID



976 Calls for Assistance

↑9% from 2021

↓8% on the 10-year average



743 Home Inspections

↑9% from 2021



Employee Engagement Survey

-Third survey showing improvement



PORT COLBORNE



Good on Us

Water/Ice Program Updated

- New equipment in service
- Rescuer friendly and safer

Automatic Aid Agreement with Wainfleet

- 11 responses into Wainfleet
- 20 responses into Port Colborne

Blizzard Elliot

- Mitigate what we could
- Minimize where we could
- Maximize when needed



Fire Fighter Games

- Build camaraderie
- Show our families what we do when we leave

PCF&ES: Current Projects & Activities



First Due

- Data management system



Prevention Strategic Plan

- Kickstart the division
- Utilize all staff
- 9 key directions with 40 action items identified



In-service Inspections

- Suppression staff completing all aspects of inspections
- Inspections, orders, and follow-ups.



Emergency Management Review

- Adding depth
- Address training needs
- Upgrade to firehall EOC capabilities



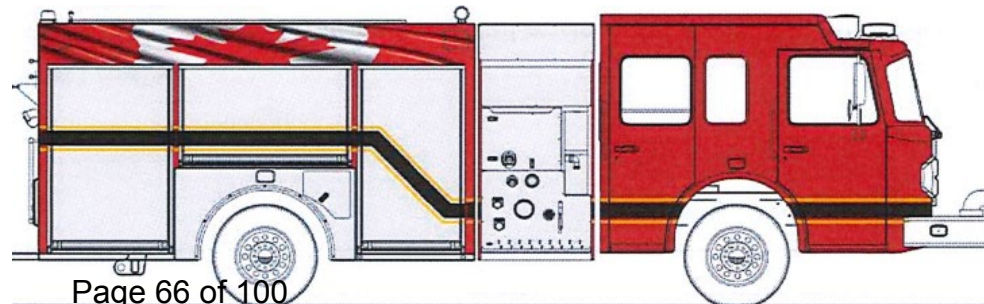
Engine 2 Replacement

- Expected delivery in July



PORT COLBORNE

Port Colborne Fire & Emergency Services
Strategic Plan for the Fire Prevention Division 2023-2028

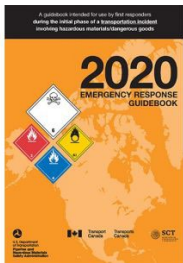


Division Name: Future Plans & Strategies



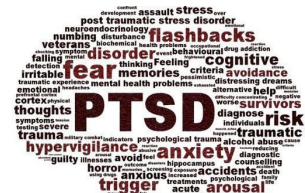
The Evolution of Alarmed for **LIFE**

- Battery → 10-year lithium →
- WIRELESS INTERCONNECTED



Expand PCF&ES Hazmat Abilities

- next step to mitigate
- partnership with industry



Providing Supports for Mental Health

- PeeronCall App
- Creation of PTSD Strategy



Community Risk Assessment

- O.Reg. 378/18 Mandates assessment
- Due July 1, 2024



Recruitment & Retention

- Supporting our Existing People
- Attracting new
- Lifers



Master Fire Plan

- Last edition was completed in 2014
- To match the anticipated growth of the city



CS&E: Focus on Community

Christmas Toy Drive

Community Dinner

Easter Boot Drive

School Backpack

Lions Food Drive

LemonAID – FACS

Tournament – SPCA

Coaching in Port Colborne

Just to name a few.....



Thank you!



PORT COLBORNE

Repeal of Bylaw 6788/38/20

To regulate open air burning and recreational fires
in the city of Port Colborne



Why I am addressing council.

- I would like council to consider the repeal of Bylaw 6788/38/20 that allows open air burning and recreational wood fires in the city of Port Colborne. This bylaw was established by council in 2020 at the start of the covid pandemic.
- The allowance of wood fueled burning within city limits gravely affects people's health, damages interiors of homes and possessions, and presents as a safety concern to the citizens of Port Colborne.
- There is no issue with wood fire burns conducted in the rural areas of Port Colborne.
- Stats Canada 2021 PC pop. 20,033, 164.2 people per square km

Dangers of wood firepits within PC city limits

- Burning wood produces more carbon dioxide than oil and gas and also produces methane. Both of these, in particular methane is a powerful global warming gas and this hinders the achievement of climate neutrality. Soot when released through wood burning blankets arctic snow and increases melt rates. (1)
- Wood firepits are potential fire hazards to surrounding structures. (2)
- The Consumer Product Safety Commission cited that wood firepits put children at risk. The Journal of Burn Care & Research cited that children 19 and younger accounted for 10,951 burns due to firepits between 2006-2017. (3)

Dangers of wood firepits cont'd

- The ideal location of a wood firepit should be 20-25 feet away from houses, garages, shrubs, trees, gardens, and fences. It should also not be located in a windy location. Not many houses in Port Colborne can accommodate this safety measure due to lot size, building congestion, foliage, trees and so on... (3)
- “A fire’s heat dries out everything above and around it. If something becomes dry and brittle enough over time and gets to a certain temperature, it’ll ignite. You don’t even need a spark the heat alone will ignite it, ” states Roydhouse who has a degree in fire science. (3)
- From the late 1800s to 1940s balloon-framed wood construction was the fastest and easiest way to construct multi storied houses.

Dangers of wood firepits cont'd

- Outdoor wood firepits are dangerous to wood structures and balloon-framed structured houses. There are many houses in PC like this.
- “The balloon frame uses a continuous wood stud wall member that stretches from the home’s foundation to the attic. The stud framing is typically 16 inches apart and contain no inherent vertical fire stops, except for the occasional window or door. The wood lathe used to key plaster walls and ceilings provides abundant fuel and increases the potential for flame spread in void spaces. The floor/ceiling joist space is also open and connected to the wall stud space which contributes to deadly horizontal flame spread. Fires in balloon-frame construction are labour intensive and require a lot of fire personnel to respond. It is important to determine if there is enough personnel available to respond to such fires.” (4)

Damage caused by wood firepits

- Invasive insects that kill wood trees and our forests spread geographically to destroy other forests through the sale of firewood.
- The Emerald Ash Borer and the Hemlock Woolly Adelgid are two such invasive insects that are killing Ash and Hemlock trees in Southern Ontario according to the Forests Ontario EAB advisory and the Canadian Forest Service of Natural Resources Canada. These insects bore into the wood of these trees and lay their eggs for propagation.

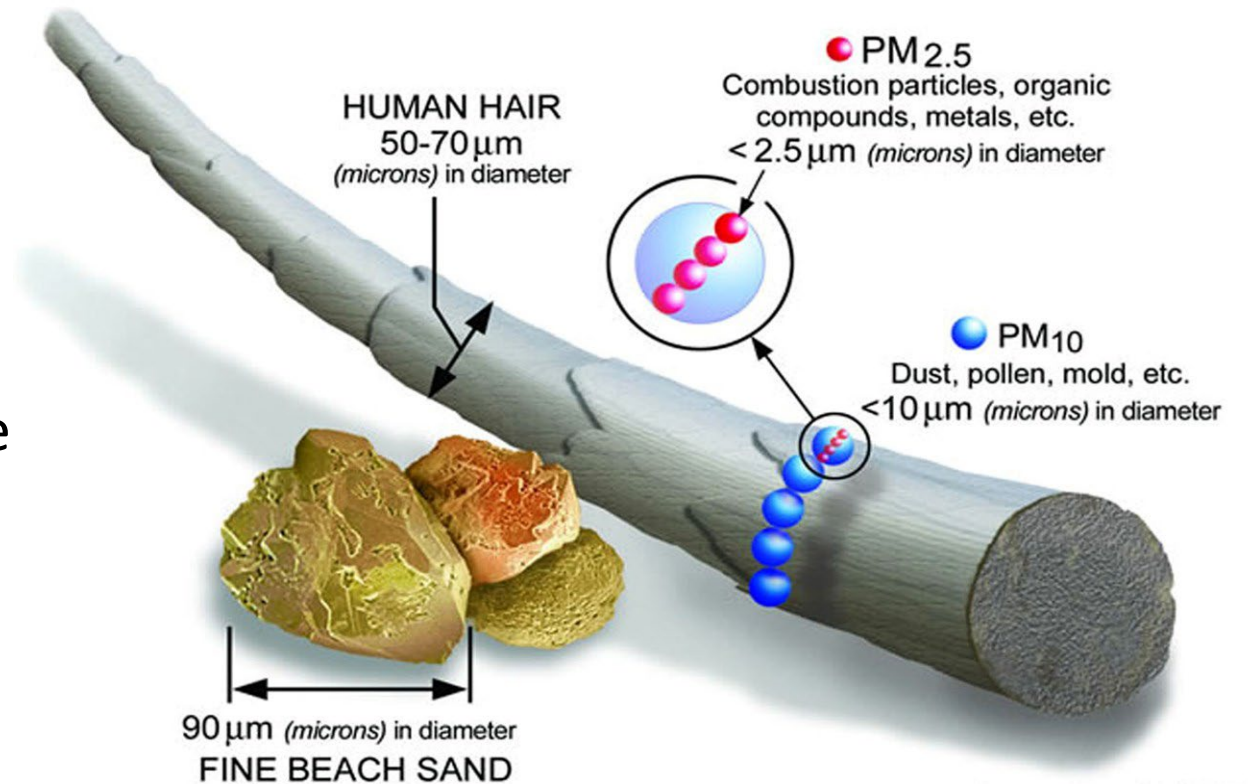


Damage caused by wood firepits cont'd

- Fine smoke particles from firepits invades home interiors and damages belongings. Curtains and upholstery are the most damaged, then bedding, clothing, wood furniture, floors, rugs, drywall, ceiling tiles, plastics, medicines, hygiene products, cosmetics, and food.
Health Effects From Wood Burning Firepits
- Chemicals found on these fine smoke particles that land upon your belongings expose you to harmful toxic substances on these smoke damaged items. Sitting in a smoke damaged chair or living within smoke damaged walls is enough for these toxic chemicals to make their way into your lungs and then your bloodstream and has serious health consequences. (7)

Wood Smoke Particulate Matter 2.5 microns

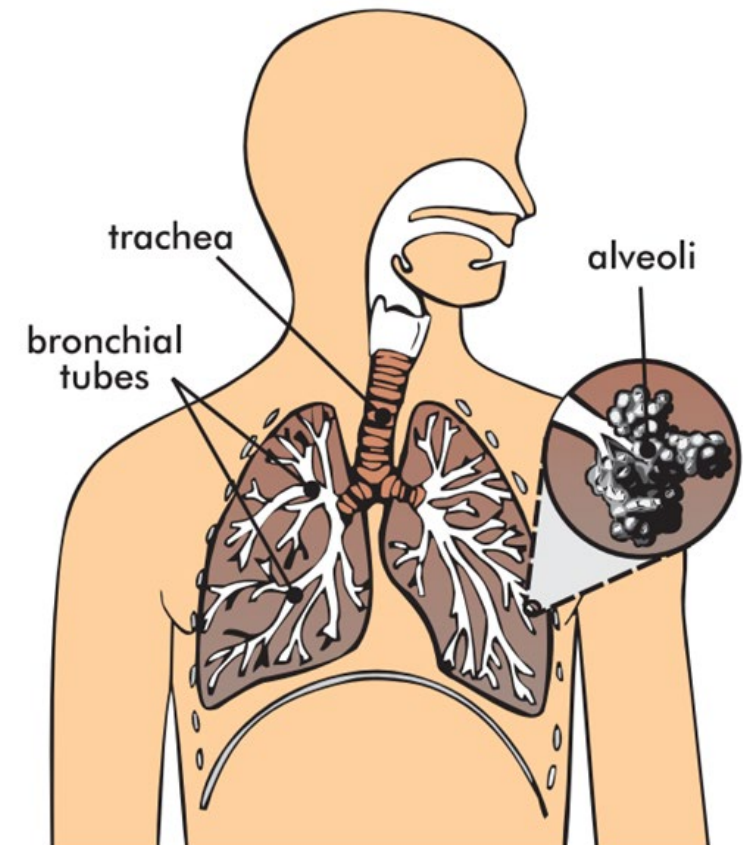
- Smoke is comprised of tiny bits of solids and liquids made of partially burned wood. One of the pollutants of most concern in wood smoke is fine particulate matter. When you breathe in wood smoke, you inhale the fine particulate matter deep into your lungs. These particles contain toxic substances that can remain in your lungs for months, and cause changes that lead to disease and structural damage. Most wood smoke particles are 2.5 microns (μm) or less in size which makes them smaller in diameter than a human hair. (8)



Wood Smoke Particulate Matter 2.5 microns cont'd

- Scientists label these particles PM_{2.5}, known as “fine particles.” These particles are so small they get past the respiratory tract’s defenses and reach the deepest areas of the lungs. It is this area of the lung known as the alveoli, wherein tiny air sacs allow oxygen to enter the blood stream, instead, these toxic particles pass into the bloodstream. (8) These particles carry toxic gases that are harmful to the lung and cause inflammation damaging the lungs delicate tissue and limiting the lung’s ability to absorb oxygen.(10)

Figure 2: The human respiratory tract



Toxic substances found on smoke particles

- Nitrogen Oxides – cause lung and airway irritation, shortness of breath, increased risk lung infections for people with COPD/Asthma
- VOCs – irritate respiratory tract and cause cancer
- Formaldehyde – eye irritation, headaches, coughing, wheezing
- Hydrocarbons – cause lung inflammation, coughing, wheezing, cause Asthma, and COPD
- Benzene – suppresses immune system, bleeding, anemia

Toxic substances found on smoke particles Cont'd

- Carbon monoxide – reduces the lungs ability to absorb oxygen, strains the lungs and cardiovascular system , can cause and worsen respiratory symptoms, and at high levels causes suffocation.
- Acrolein – irritates eyes and respiratory tract.
- Dioxins – cause cancer
- Sulfur Dioxide – cause eye irritation, bronchospasms, respiratory inflammation in people with pre-existing respiratory disease. (9, 10)

Health Complications from Wood Smoke

- People with heart or lung diseases, diabetes, young children, women who are pregnant, and older adults are most affected by particle pollution exposure from wood smoke. (12)



Health Complications from Wood Smoke

- 20% of Canadians have a serious respiratory disease such as asthma, COPD, lung cancer, tuberculosis, cystic fibrosis, and respiratory distress syndrome.(12) Wood smoke exacerbates these conditions.(10)
- Wood smoke can also trigger heart attacks and stroke in those already affected by cardiovascular disease. Fine particle pollution is also associated with premature death in people suffering from heart disease and COPD. (9,10) The journal Environmental Research tied wood smoke to inflammation and clotting since its toxins enter the bloodstream. (14)
- Covid – fine particulate matter in air pollution is linked to a 9% increase in covid-19 mortality. People who've recently recovered from Covid-19 or are now battling it will feel the effects of wood smoke more. (11)

Health Complications from Wood Smoke

- Heat of the smoke breathed in- Smoke isn't the only health hazard from wood fires, the heat a fire produces is harmful to a person's health in particular when the air a person inhales is hotter than the temperature of the surrounding area. Breathing in extreme heat can damage the lining of the lower respiratory tract.(12)
- The International Agency for Research on Cancer identified five cancer causing chemicals found in wood smoke. Smoke not only causes cancer but has serious negative health consequences on people suffering from cancer.(13)
- Pregnant women exposed to wood smoke have a higher risk for hypertensive pregnancy disorders like preclampsia, and gestational high blood pressure.(14)

Health Complications from Wood Smoke

- Type 1 diabetics exposed to wood smoke particulate matter experienced overall higher glucose levels and fasting blood sugar level. Chronic inflammation caused from wood smoke particulate matter is believed to be the mechanism responsible for the build up in insulin resistance and difficulty controlling blood sugar levels. (15)
- Obese type 2 diabetic patients “demonstrated a greater inflammatory response than non-obese diabetic patients after being exposed to wood smoke and as a result exhibited insulin resistance and difficulty controlling blood sugar levels.” In addition, type 2 diabetic patients experienced an increase in body weight and body mass index. (15)
- An increase in ambulations due to high and low sugar reactions to smoke particulate matter was observed 24-48 hours after the event. (15)

What is the alternative to a wood firepit in the city of Port Colborne?

- According to Firepit Magazine, propane firepits are safer than wood-burning firepits due to lack of open flames and sparks produced from wood burning firepits. 'The flame in a propane firepit can be turned off instantly by turning off the gas. Propane firepits are a low maintenance alternative to wood burning firepits, and propane is an environmentally friendly fuel.'(16)
- The only drawback is the production of carbon monoxide but this can be avoided if the tank and the firepit are inspected frequently for wear.(16)

Will council decide to repeal Bylaw 6788/38/20

- There are many dire consequences of allowing wood burning firepits to operate within city limits. The high population density of Port Colborne at 164.2 people per square kilometer would indicate that there are many people afflicted within that square kilometer with at least one of the health conditions I indicated was highly affected by wood smoke particles. People with respiratory conditions, cardiac conditions, cancer, Covid-19, older people, young children, diabetics, and pregnant women are just a few reminders of some of the conditions and people adversely affected by wood smoke.
- Wood burning firepits are dangerous to most of the homes and buildings located in Port Colborne since yards and building congestion doesn't allow firepits to be located safely 20-25 ft away from buildings and foliage. In addition, there are a lot of wood and wooden balloon construction homes in Port Colborne built in the late 1800s to the 1940s.
- Damage of house contents is just part of the problem of PM2.5 smoke entering buildings and landing on possessions that hold onto the toxic chemicals carried in by the smoke. This endangers the home's occupants to the possibility of severe health consequences.

Sources of Information

- 1) Guardian news Feb 25, 2022: [Pollutionwatch: wood fires are bad for planet, more evidence shows | Greenhouse gas emissions | The Guardian](#)
- 2) The Greenage: [Are Fire Pits Bad for the Environment? – TheGreenAge](#)
- 3) Consumer Reports: [Fire Pit Safety Advice - Consumer Reports](#) By Tobie Stanger May 4, 2023
- 4) Firefighter Nation: [Fires in Balloon-Frame Construction - FirefighterNation: Fire Rescue - Firefighting News and Community](#) 12.1.2011
- 5) Forests Ontario, EAB Advisory Services: [Emerald Ash Borer Advisory Services Program | Forests Ontario](#)
- 6) World News via CP, 2022-09-05 :[Invasive insects found in southern Ontario could pose a danger to hemlock trees \(theworldnews.net\)](#)
- 7) [Damage Affects Items in Your Home \(cfrsfl.com\)](#) How Smoke Damage Affects Items in Your Home [02/26/2021: How Smoke](#)

Sources of Information

- 8) Washington State Department of Ecology publication “How wood smoke harms your health”: Publication #91-br-023 (revised July 2012) [Bro-WoodSmoke.vp \(wa.gov\)](#)
- 9) Commission for Environmental Cooperation US/Can/Mex North American agreement on environmental cooperation [11474-wood-burning-en.pdf \(cec.org\)](#)
- 10) LPT Medical: [The Dangers of Wood-Burning Stoves and Fireplaces for People with COPD \(lptmedical.com\)](#)
- 11) Healthline: [How Wildfire Smoke Affects the Body and How You Can Protect Yourself \(healthline.com\)](#)
- 12) BC Lung, [1172-Wood Smoke Infographics_R5_F_web \(bclung.ca\)](#)
- 13) The Daily Mail May 17, 2023: [Smoke from trendy outdoor fire pits and BBQs can cause heart disease | Daily Mail Online](#)
- 14) American Heart Association: [Lovely but dangerous, wood fires bring health risks | American Heart Association](#)
- 15) Annals of Biological Sciences 2015, 3 (2):20-26: [195 \(imedpub.com\)](#)

City of Port Colborne
Environmental Advisory Committee Meeting Minutes

Date: Wednesday, March 8, 2023
Time: 6:00 pm
Location: Engineering and Operations Centre, Committee Room
1 Killaly St West, Port Colborne

Members Present: R. Waines
J. Hellinga
T. Doan
G. McKibbon
T. Lamb
K. Klauck

Staff Present: M. Lannan, Staff Liaison
M. Bagu, Councillor
T. Hoyle, Councillor
K. Royer, NPCA Representative

Others Present: Interested citizens.

1. Call to Order

The Chair called the meeting to order at 6 p.m.

2. Adoption of the Agenda

Moved By Trent Doan
Seconded By Tim Lamb

That the agenda dated March 8, 2023, be accepted as circulated.

Carried

3. Disclosures of Interest

Nil.

4. Approval of Minutes

Moved By Trent Doan
Seconded By Tim Lamb

That the minutes of January 11, 2023, be accepted as written.

Carried

5. Staff Updates

Mae Lannan, Climate Change Coordinator, provided the following update:

Urban Forest Management Plan

The timeline for the By-law review was moved to be completed during task 2 of the project. This was done at the suggestion of the consultant, as the management plan and the By-law are more closely related than the inventory and the Bylaw.

While task 2 was outlined as provisional in the RFP, the By-law review remained a non-provisional item. This review is currently taking place along with the management plan.

The cash allowance for the By-law review, outlined in the RFP, was determined by City Staff based on similar projects.

The management plan is being created with key Staff members to ensure that specific functional land uses are considered.

The committee provided comments on the Criteria and Indicators activity, and SWOT (strengths, weaknesses, opportunities, and threats) analysis.

Comments are provided as an attachment, and to be provided to Williams and Associates as background information for the urban forest management plan.

The committee was provided information regarding next steps for the urban forest management plan project.

The Chair asked for volunteers to form a small study group, to review information produced by the project consultants, and report back to the committee and staff.

Tim Lamb, Katherine Klauck, and George McKibbon will form the study group.

Moved By Trent Doan
Seconded By Katherine Klauck

That the considerations from 2019 Environmental Advisory Committee the Boulevard Tree and By-law review be adopted by the committee.

Carried

6. Order of Business

The subcommittee for work plan 1 will begin to meet, and follow this plan until further direction.

The committee reviewed the Niagara Climate Change Action Network (NCCAN): Niagara Climate Projections Report and provided comments on the document.

Mae Lannan, Climate Change Coordinator, will bring comments regarding variance amongst climate models back to the NCCAN.

Moved By Tim Lamb

Seconded By Ryan Waines

That the Committee, and relevant subcommittees, will proceed with the two work plans in draft form, until further direction has been given by the Clerks office.

Carried

7. New Business

Mae to circulate the NPCA Public Advisory Recruitment email to Committee Members.

Mae to circulate Trees on the Landscape information, which Kerry will provide.

8. Adjournment

The Chair adjourned the meeting at approximately 7:47 p.m.

The next EAC meeting will be on Wednesday May 10th at 6 p.m.

Chair

Staff Liaison

Port Colborne Public Library Board

MINUTES of the Fourth Regular Meeting of 2023

Date: Wednesday, April 5, 2023
Time: 6:00 p.m.
Location: Auditorium, Port Colborne Public Library
310 King Street, Port Colborne

Members Present: M. Cooper, Chair
B. Ingram, Vice-Chair
M. Bagu, Councillor
B. Beck
M. Booth
H. Cooper
A. Desmarais
C. MacMillan
E. Tanini

Staff Present: S. Luey, Chief Executive Officer
S. Therrien, Director of Library Services (Board Secretary)
B. Boles, Board Treasurer
R. Tkachuk, Librarian
M. Murray, Chief Human Resources Officer, City of Port Colborne

1. Call to Order

M. Cooper, Chair, called the meeting to order at approximately 6:01 p.m.

2. Land Acknowledgement

3. Declaration of Conflict of Interest

4. Adoption of the Agenda

Motion: 2023-023
Moved by A. Desmarais
Seconded by C. MacMillan

Port Colborne Public Library Board

That the agenda dated April 5, 2023 be adopted, as circulated.

Carried.

5. Approval of Minutes

Motion: 2023-024

Moved by C. MacMillan

Seconded by E. Tanini

That the minutes of the regular meeting dated March 1, 2023 be approved, as amended.

Carried.

6. Business Arising from the Minutes

7. Consent Items

7.1. Circulation Reports

- February 2023 Circulation Report
- February 2023 Transit Report

7.2. Financial Statements

- 2023 Operating Budget (as of March 30, 2023)

7.3. Media Items

- Port Colborne Public Library Digital Newsletter, April 2023
- City Hall News, April 2023

Motion: 2023-025

Moved by C. MacMillan

Seconded by M. Booth

That consent items 7.1 to 7.3 be received for information purposes.

Carried.

8. Discussion

8.1. Public Relations Report and March Break 202

Librarian R. Tkachuk presented an update on programs and outreach activities conducted in March 2023. March Break was successful with over 600 children and their families enjoying activities organized by library staff during the week. Activities included traditional arts and crafts, green screen photography, music makerspace, and a community art project.

8.2. Community Ambassador Partnership Program

Librarian R. Tkachuk presented a plan to attract, engage, and expand partnership opportunities. The strategy positions the library as a venue for local support agencies to connect with the public. Agencies can schedule library space to meet and register clients in the library while providing information about their services and resources. The library can provide space for presentations or customize programs for their clients. The plan includes access to an ambassador table, programming opportunities, and promotion.

8.3. OnBoard Trustee Training 2023

The Board reviewed the OnBoard Trustee Training agenda for Niagara area board trustees. The event will be held on April 22, 2023 at the Meridian Centre.

9. Policy Review

- 9.1. OP-03: Code of Conduct (Patron)
- 9.2. HR-06: Employee Recognition of Service
- 9.3. GOV:07: Board Advocacy
- 9.4. GOV:09: Board Evaluation
- 9.5. GOV:11: Library Board Recognition

Motion: 2023-026

Moved by H. Cooper

Seconded by B. Beck

Port Colborne Public Library Board

That policies 9.1 to 9.5 be approved, as presented.

Carried.

10. Confidential Items

Motion to go into Closed Session (2 items)

Motion: 2023-027

Moved by H. Cooper

Seconded by E. Tanini

That the Board do now proceed into closed session in order to address the following matters at approximately 6:39 p.m.:

10.1. Minutes of the closed session portion of the March 1, 2023 Board meeting.

10.2. Labour relations or employee negotiations – Culture Services Review, pursuant to Section 16.1(4)(d) of the *Public Libraries Act*, as amended.

Carried.

Motion: 2023-030

Moved by M. Bagu

Seconded by A. Desmarais

That the Board do now rise from closed session at approximately 7:47 p.m.

Carried.

11. Other Business

12. Notices of Motion

13. Date of the Next Meeting

The next regular meeting will be held Wednesday, May 3, 2023, at 6:00 p.m. at the Port Colborne Public Library.

The Director of Library Services will schedule a special meeting to be held prior to

Port Colborne Public Library Board

the May 3, 2023 meeting, and will send out invitations to the Board.

14. Adjournment

Motion: 2023-031

Moved by M. Bagu

Seconded by B. Beck

That the meeting be adjourned at approximately 7:55 p.m.

Carried.

Michael Cooper
Board Chair
May 3, 2023

Susan Therrien
Director of Library Services
Board Secretary
May 3, 2023

The Corporation of the City of Port Colborne

By-law no. _____

Being a by-law to exempt the lands known as Block 72 on Plan 59M-428, more specifically described as Parts 1-12 on Plan 59R-17626, municipally known as 263-273 Lancaster Drive from the Part Lot Control provisions of the *Planning Act*.

Whereas, subsection 50(5) the *Planning Act* provides restrictions on how land can be conveyed and transferred to new owners.

Whereas, subsection 50(7) of the *Planning Act* allows municipalities to pass a by-law exempting specific lands within a registered plan of subdivision to be exempt from subsection 50(5).

Whereas, the Council of The Corporation of the City of Port Colborne desires to pass an exemption by-law.

Now therefore, and pursuant to the provisions and authority of subsection 50(7) of the *Planning Act*, R.S.O. 1990, The Corporation of the City of Port Colborne enacts as follows:

1. That subsection 50(5) of the *Planning Act*, R.S.O. 1990, shall not apply to the lands described as follows:
 - a) Block 72, Plan 59M-428, City of Port Colborne being all of PIN 64403-0570 (LT)

For the purpose of creating six (6) lots for street townhouse dwelling units as follows:

 - i. Parts 1 & 2 on Reference Plan 59R-17626
 - ii. Parts 3 & 4 on Reference Plan 59R-17626
 - iii. Parts 5 & 6 on Reference Plan 59R-17626
 - iv. Parts 7 & 8 on Reference Plan 59R-17626
 - v. Parts 9 & 10 on Reference Plan 59R-17626
 - vi. Parts 11 & 12 on Reference Plan 59R-17626
2. This By-law expires two years from the date of its enactment by Council in accordance with subsection 50(7.3) of the *Planning Act*.
3. That this by-law shall come into force and take effect on the day that it is passed by Council, subject to the provisions of the *Planning Act*.
4. The City Solicitor is hereby authorized and directed to proceed with the registration of this by-law with the local Land Registry Office, as applicable.

Enacted and passed this day of , 2023.

William C Steele
Mayor

Charlotte Madden
Acting Clerk

The Corporation of the City of Port Colborne

By-law no. _____

Being a by-law to appoint Municipal Law Enforcement Officers

Whereas the *Police Services Act, R.S.O. 1990, C.P. 15* Section 15 provides that a municipal council may appoint persons to enforce the by-laws of the municipality;

Whereas The Corporation of the City of Port Colborne is desirous of appointing Municipal Law Enforcement Officers;

Now therefore the Council of The Corporation of the City of Port Colborne enacts as follows:

1. That Blair Holinaty be and is hereby appointed as a Municipal Law Enforcement Officer for The City of Port Colborne;
2. That Lee Traver be and is hereby appointed as a Municipal Law Enforcement Officer for The City of Port Colborne;
3. That Travon Scalzo be and is hereby appointed as a Municipal Law Enforcement Officer for The City of Port Colborne;
4. That Isaac Schonewille be and is hereby appointed as a Municipal Law Enforcement Officer for The City of Port Colborne;
5. This By-law shall come into force and take effect on the date of passing.

Enacted and passed this 23rd day of May 2023.

William C. Steele
Mayor

Charlotte Madden
Acting City Clerk

The Corporation of the City of Port Colborne

By-law No.

A By-law to Appoint a City Clerk
(Charlotte Madden)

Whereas Subsection 228(1) of the *Municipal Act, 2001* (“the Act”) provides that a municipality shall appoint a clerk; and

Whereas the Council of The Corporation of the City of Port Colborne deems it expedient to appoint a City Clerk;

Now therefore the Council of The Corporation of the City of Port Colborne enacts as follows:

1. That Charlotte Madden is hereby appointed City Clerk for The Corporation of the City of Port Colborne.
2. That this by-law shall be repealed on the date that the appointee ceases to be an employee of the City of Port Colborne.
3. That By-law 6553/08/18 is hereby repealed.
4. That this By-law shall come into force and take effect on the date of passing.

Enacted and passed this 23rd day of May, 2023.

William C. Steele
Mayor

Saima Tufail
Deputy City Clerk

The Corporation of the City of Port Colborne

By-Law No. _____

Being a by-law to adopt, ratify and confirm
the proceedings of the Council of The
Corporation of the City of Port Colborne at
its Regular Meeting of May 23, 2023

Whereas Section 5(1) of the *Municipal Act, 2001*, provides that the powers of a municipality shall be exercised by its council; and

Whereas Section 5(3) of the *Municipal Act, 2001*, provides that a municipal power, including a municipality's capacity rights, powers and privileges under section 9, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise; and

Whereas it is deemed expedient that the proceedings of the Council of The Corporation of the City of Port Colborne be confirmed and adopted by by-law;

Now therefore the Council of The Corporation of the City of Port Colborne enacts as follows:

1. Every action of the Council of The Corporation of the City of Port Colborne taken at its Regular Meeting of May 23, 2023 upon which a vote was taken and passed whether a resolution, recommendations, adoption by reference, or other means, is hereby enacted as a by-law of the City to take effect upon the passing hereof; and further
2. That the Mayor and Acting City Clerk are authorized to execute any documents required on behalf of the City and affix the corporate seal of the City and the Mayor and Clerk, and such other persons as the action directs, are authorized and directed to take the necessary steps to implement the action.

Enacted and passed this 23rd day of May, 2023.

William C. Steele
Mayor

Charlotte Madden
Acting City Clerk