

City of Port Colborne

Council Meeting Minutes

Date: Tuesday, November 12, 2024
Time: 6:30 pm
Location: Council Chambers, 3rd Floor, City Hall
66 Charlotte Street, Port Colborne

Members Present: M. Aquilina, Councillor
M. Bagu, Councillor
E. Beauregard, Councillor
R. Bodner, Councillor
G. Bruno, Councillor
F. Danch, Councillor
D. Elliott, Councillor
T. Hoyle, Councillor

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

Staff Present: J. Beaupre, Deputy Clerk
B. Boles, Acting CAO, Director of Corporate Services / Treasurer
G. Long, Director of Development and Government Relations
C. Madden, City Clerk
S. Shypowskyj, Director of Public Works
D. Schulz, Manager of Planning

1. Call to Order

Mayor Steele was absent. Councillor Bodner presided as Deputy Mayor and called the meeting to order at 6:29 p.m.

2. National Anthem

Everyone stood for the national anthem.

3. Land Acknowledgement

The Land Acknowledgement was read:

The Niagara Region is situated on treaty land. This land is steeped in the rich history of the First Nations such as the Hatiwendaronk, the Haudenosaunee, and the Anishinaabe, including the Mississaugas of the Credit First Nation. There are many First Nations, Métis, and Inuit people from across Turtle Island that live and work in Niagara today. The City of Port Colborne stands with all Indigenous people, past and present, in promoting the wise stewardship of the lands on which we live.

4. Adoption of Agenda

The following items were added to the agenda:

- Revised Appendix B for report 2024-211
- Revised by-law for item 19.11
- Item 20.5, Confidential Human Resources (HR) Matter under item 20, Closed Session
- Item 20.6, Confidential Verbal Report under item 20, Closed Session
- Item 20.7, Verbal Report regarding a Land Matter under item 20, Closed Session

Moved by Councillor M. Aquilina

Seconded by Councillor T. Hoyle

That the Council agenda dated November 12, 2024, be confirmed, as amended.

Carried

5. Disclosures of Interest

5.1 Councillor E. Beauregard - Public Meeting Report for Proposed Zoning By-law Amendment for Northland Estates, 2024-212

I, Eric Beauregard, declare an indirect pecuniary interest as my employer is the Applicant.

5.2 Councillor E. Beauregard - Recommendation for Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision for Stonebridge Village Subdivision, 2024-211

I, Eric Beauregard, declare an indirect pecuniary interest as I am employed by the Applicant (Upper Canada Consultants)

5.3 Councillor E. Beauregard - By-law to Adopt Amendment No. 17 to the Official Plan for the City of Port Colborne

I, Eric Beauregard, declare an indirect pecuniary interest as I am employed by the Applicant (Upper Canada Consultants).

5.4 Councillor E. Beauregard - By-law to Amend Zoning By-law 6575/30/18 respecting the land legally known as Part of Lot 31, Concession 2, Geographic Township of Humberstone, now in the City of Port Colborne, Regional Municipality of Niagara.

I, Eric Beauregard, declare an indirect pecuniary interest as I am employed by the Applicant (Upper Canada Consultants)

6. Proclamations

6.1 Canadian Federation of University Women Welland and District - 16 Days of Activism against Gender-Based Violence Campaign

Moved by Councillor E. Beauregard
Seconded by Councillor D. Elliott

WHEREAS violence continues to be the greatest gender inequality rights issue for women, girls, and gender-diverse people; and
WHEREAS November is Women Abuse Prevention Month in Ontario; and
WHEREAS Our community is committed to ending all forms of gender-based violence

NOW THEREFORE, I Acting Deputy Mayor Ron Bodner do hereby proclaim that The 16 Days of activism Against Gender- Based Violence to begin November 25 (International Day for the Elimination of Gender-Based Violence Against Women) until December 10 (Human Rights Day). And I urge all citizens to recognize these days to increase awareness and to take action to support survivors of gender-based violence.

Carried

7. Public Meeting

7.1 Public Meeting Report for Proposed Zoning By-law Amendment for Northland Estates, 2024-212

Councillor Beauregard declared a conflict on this item and did not participate in the Public Meeting.

David Schulz, Manager of Planning, presented report 2024-212 to Council. Matt Kernahan, representative for Garden City Development, presented the application to Council.

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

That Development and Government Relations Department – Planning Division Report 2024-212 be received for information.

Carried

8. Presentations

There were no presentations.

9. Delegations

There were no delegations.

10. Mayor's Report

Deputy Mayor Bodner read the Mayor's report on behalf of Mayor Steele. A copy is attached.

11. Regional Councillor's Report

There was no Regional Councillor's report.

12. Consent Agenda

Items 12.3c., 12.3d., 12.3e., 12.3f. and 12.4g. were lifted for separate discussion and considered under item 13, Items Requiring Separate Discussion.

Moved by Councillor F. Danch

Seconded by Councillor T. Hoyle

That Council hereby approves the listed consent items on the November 12, 2024, agenda; and

That the consent items be approved on the recommendations as contained therein.

Carried

12.1 Approval of Minutes

- a. **Regular Council Meeting - October 22, 2024**

12.2 Receipt of Minutes of Boards & Committees

- a. **Port Colborne Public Library Board - October 2, 2024**
- b. **Museum, Culture and Heritage Board - October 15, 2024**

12.3 Staff Reports

- a. **2025 Borrowing By-law, 2024-204**

- b. **2025 Interim Tax Billing, 2024-206**
- g. **Recommendation Report for Proposed Zoning By-law Amendment - Vacant Lot Elizabeth Street, 2024-210**
- h. **Request to Demolish Heritage Listed Property – 725 King Street, 2024-186**
- i. **CAO Annual Review – Policy and Process, 2024-196**
- j. **Recommended Appointments to the Boards and Committees – Fall Recruitment Period, 2024-207**

12.4 Receipt of Correspondence Items

- a. **Office of the Regional Chair, Jim Bradley regarding Made in Ontario Action Plan - Homelessness, Mental Health and Addictions Support**
- b. **Niagara Region - Waste Management 2025 Operating Budget and Requisition**
- c. **Town of Grimsby - Town of Grimsby Comments on Pay on Demand Surety Bond Regulation Proposal (ERO 019-9198)**
- d. **Niagara Peninsula Conservation - Ontario Deposit Return Program Expansion**
- e. **Niagara Peninsula Conservation - Report No. FA-51-24 regarding Draft Conservation Area Strategy**
- f. **Niagara Peninsula Conservation - Report No. FA-52-24 re: Draft Watershed-based Resource Management Strategy**
- h. **Ministry of Transportation - Road Safety Ontario - Electric Kick-Scooter (E-Scooter) Pilot Program Extension**

13. Items Requiring Separate Discussion

13.1 By-law to establish a Municipal Accommodation Tax, 2024-175

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

That Corporate Services Department Report 2024-175 be received;
 That By-law No. 7015/53/22 – Being a by-law to establish a Municipal Accommodation Tax be repealed as of December 31, 2024;
 That a new by-law to establish a Municipal Accommodation Tax, attached

as Appendix A to this report, be brought forward and take effect on January 1, 2025;

That the new by-law to establish a Municipal Accommodation Tax only apply to new bookings after January 1, 2025, bookings made and paid for before January 1, 2025 will be exempt;

That a new by-law and agreement between the City of Port Colborne and an eligible tourism entity, Niagara's South Coast Tourism Association, be brought forward;

That the Treasurer be authorized to make one or more payments in each fiscal year to Niagara's South Coast Tourism Association, and that the payment total is to be equal to 50 per cent (50%) of the Municipal Accommodation Tax revenue collected, net the reasonable fees and costs of collecting and administering the tax; and

That the Treasurer be delegated the authority to implement and administer the by-law, to collect the Municipal Accommodation Tax, and to take all actions and make all decisions, including any and all enforcement measures, required under the by-law.

Carried

13.2 Sale of the Alma Street Road Allowance, 2024-166

Moved by Councillor M. Bagu

Seconded by Councillor M. Aquilina

That Chief Administrative Office Report 2024-166 be received; and

That Council approve the Agreement of Purchase and Sale with 1000923545 Ontario Inc. for the Alma Street Road Allowance; and

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

Carried

13.3 Electric Vehicle Chargers, 2024-197

Moved by Councillor M. Bagu

Seconded by Councillor E. Beauregard

That Public Works Department Report 2024-197 be received; and

A By-law be brought forward to Authorize Entering into an Agreement with FLO Infra Canada 2 LP by its general partner FLO Infra Canada GP 2 Inc. Regarding Lease Agreement for Charging Station Deployment – HH Knoll Lakeview Park; and

A By-law be brought forward to Authorize Entering into an Agreement with FLO Infra Canada 2 LP by its general partner FLO Infra Canada GP 2 Inc. Regarding Lease Agreement for Charging Station Deployment – Market Square; and

A By-law be brought forward to Authorize Entering into an Agreement with FLO Infra Canada 2 LP by its general partner FLO Infra Canada GP 2 Inc. Regarding Lease Agreement for Charging Station Deployment – Main Street West Parking Lot; and

A By-law be brought forward to Authorize Entering into an Agreement with FLO Infra Canada 1 LP by its general partner FLO Infra Canada GP 1 Inc. Regarding Lease Agreement for Charging Station Deployment – Vale Health and Wellness Centre; and

That the Director of Public Works be directed to implement the works as outlined within this report.

Carried

13.4 Recommendation for Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision for Stonebridge Village Subdivision, 2024-211

Councillor E. Beauregard declared a conflict on this item and abstained from participating in discussion / voting on this motion.

Moved by Councillor G. Bruno

Seconded by Councillor F. Danch

That Development and Government Relations Department – Planning Division Report 2024-211 be received;

That the Official Plan Amendment attached as Appendix A to Planning Division Report 2024-211 be approved;

That the Zoning By-law Amendment attached as Appendix B to Planning Division Report 2024-211 be approved;

That the Draft Plan of Subdivision and associated Draft Plan Conditions attached as Appendix C to Planning Division Report 2024-211 be approved; and

That the City Clerk be directed to issue the Notices of Approval in accordance with the Planning Act.

Carried

a. Appendix B - Amended Draft Zoning By-law Amendment

13.5 Ontario Good Roads Association - Establishment of an Ontario Rural Road Safety Program

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

That Council endorse the correspondence received from the Ontario Good Roads Association regarding the establishment of an Ontario rural road safety program.

Carried

14. Motions

There were no motions.

15. Notice of Motions

There were no notices of motions.

16. Staff Remarks

Steve Shypowskyj, Director of Public Works, informed Council that the Waterfront Road End Allowance report is being delayed until February 2025. He also explained that Lockview Park is progressing well, and that the playground installation is scheduled to start this week. They will be using woodchips in place of pouring rubber until the spring. He also encouraged everyone to vote for their favourite Lions Field Mural.

David Schulz, Manager of Planning, explained that they have forwarded the question of if the City can initiate their own studies for development charges to the development charges consultant and to the City's asset management supervisor to review, and they will bring the answer forward at a future council meeting.

Gary Long, Director of Development and Government Relations, explained that in preparation of the groundbreaking ceremony with AK that is scheduled for Thursday, November 14, 2024, they will be hosting an internal meeting with City and Regional Officials as well as with several Federal Ministers to discuss funding options. He also noted Azure Sustainable Fuels will be hosting an Open House on Wednesday, November 27, 2024, from 2 p.m. - 7 p.m. at the Vale Health and Wellness Centre.

Bryan Boles, Director of Corporate Services / Treasurer, explained that the rate budget agenda will be posted on Thursday, November 14, 2024. He also explained that there will now be a greeter on the first floor on Council meeting

nights to direct folks to the meeting, and to ensure City Hall is properly closed at the end of the evening.

17. Councillors' Remarks

Councillor Hoyle thanked staff for assisting him with his questions.

Councillor Elliot inquired to Steve Shypowskyj, Director of Public Works, about the state of the Homewood Avenue watermain construction project for the winter and about decreasing the slope for the sidewalk located on Lighthouse Lane. He also congratulated the Public Works staff for the sidewalk repairs on Sugarloaf Street.

Councillor Bruno inquired to Steve Shypowskyj, Director of Public Works, about installing signage on Knoll Street noting there is a school sign ahead. He also inquired if the hash marked walkway could be repainted by Oakwood Public School and if the hedge row along the curve of the road at Minor Road and Highway 3 could be evaluated, as it is creating a blind spot. Finally, he raised concerns about littering, activity outside of regulated areas and washroom damage at the Vale Health and Wellness Centre and inquired how other communities are handling these challenges.

Councillor Bagu thanked Public Works staff for their continuing efforts for planting trees. He also inquired to Charlotte Madden, City Clerk, about the Active Transportation Committee meeting schedule. Lastly, he inquired Steve Shypowskyj, Director of Public Works, about putting in a temporary measure, such as a flashing light, to alert people to the new stop sign on West Street.

Councillor Aquilina explained she attended the Remembrance Day service at Centennial Park, and there was a good turn out at the event. She also thanked Public Works staff for removing the leaves in the park ahead of the ceremony. She inquired to Steve Shypowskyj, Director of Public Works, if the cross walk could be painted with Remembrance Day colours or with a soldier ahead of next Remembrance Day. Lastly, she asked for an update regarding the meeting from September 11, 2024, with Sun Retreats.

18. Procedural Motions

Moved by Councillor F. Danch

Seconded by Councillor G. Bruno

That Council proceed past the 11 p.m. curfew set out in the Procedural By-law.

Carried

19. By-laws

Councillor E. Beauregard declared a conflict on items 19.10 and 19.11 and abstained from voting on this motion.

Moved by Councillor D. Elliott

Seconded by Councillor F. Danch

That the following by-laws be enacted and passed, as presented:

- Item 19.10, By-law to Adopt Amendment No. 17 to the Official Plan for the City of Port Colborne
- Item 19.11 a., By-law to Amend Zoning By-law 6575/30/18 respecting the land legally known as Part of Lot 31, Concession 2, Geographic Township of Humberstone, now in the City of Port Colborne, Regional Municipality of Niagara.

Carried

Moved by Councillor M. Bagu

Seconded by Councillor T. Hoyle

That the following by-laws be enacted and passed, as presented:

- Item 19.1, By-law to Authorize the Temporary Borrowing of \$6,000,000.00 for 2025
- Item 19.2, By-law to Provide for an Interim Tax Levy for the Year 2025
- Item 19.3, By-law to establish a Municipal Accommodation Tax and repeal By-law No. 7015/53/22
- Item 19.4, By-law to Authorize an Agreement between The City of Port Colborne and Niagara's South Coast Tourism Association and to repeal By-law 7016/54/22
- Item 19.5, By-law to Authorize entering into an Agreement of Purchase and Sale with 1000923545 Ontario Inc., regarding Alma St. PI 843 Port Colborne Lying West of Welland St. Except RO689134; Port Colborne
- Item 19.6, By-law to Authorize Entering into an Agreement with FLO Infra Canada 2 LP by its general partner FLO Infra Canada GP 2 Inc. Regarding Lease Agreement for Charging Station Deployment – HH Knoll Lakeview Park
- Item 19.7, By-law to Authorize Entering into an Agreement with FLO Infra Canada 2 LP by its general partner FLO Infra Canada GP 2 Inc. Regarding Lease Agreement for Charging Station Deployment – Market Square

- Item 19.8, By-law to Authorize Entering into an Agreement with FLO Infra Canada 2 LP by its general partner FLO Infra Canada GP 2 Inc. Regarding Lease Agreement for Charging Station Deployment – Main Street West Parking Lot
- Item 19.9, By-law to Authorize Entering into an Agreement with FLO Infra Canada 1 LP by its general partner FLO Infra Canada GP 1 Inc. Regarding Lease Agreement for Charging Station Deployment – Vale Health and Wellness Centre
- Item 19.12, By-law to Amend Zoning By-law 6575/30/18 Respecting Vacant City-owned Lands on Elizabeth Street, North of the Friendship Trail

Carried

- 19.1 By-law to Authorize the Temporary Borrowing of \$6,000,000.00 for 2025**
- 19.2 By-law to Provide for an Interim Tax Levy for the Year 2025**
- 19.3 By-law to establish a Municipal Accommodation Tax and repeal By-law No. 7015/53/22**
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- 19.7 By-law to Authorize Entering into an Agreement with FLO Infra Canada 2 LP by its general partner FLO Infra Canada GP 2 Inc. Regarding Lease Agreement for Charging Station Deployment – Market Square**
- 19.8 By-law to Authorize Entering into an Agreement with FLO Infra Canada 2 LP by its general partner FLO Infra Canada GP 2 Inc. Regarding Lease Agreement for Charging Station Deployment – Main Street West Parking Lot**

19.9 By-law to Authorize Entering into an Agreement with FLO Infra Canada 1 LP by its general partner FLO Infra Canada GP 1 Inc. Regarding Lease Agreement for Charging Station Deployment – Vale Health and Wellness Centre

19.10 By-law to Adopt Amendment No. 17 to the Official Plan for the City of Port Colborne

19.11 By-law to Amend Zoning By-law 6575/30/18 respecting the land legally known as Part of Lot 31, Concession 2, Geographic Township of Humberstone, now in the City of Port Colborne, Regional Municipality of Niagara.

a. Amended By-law for item 19.11

19.12 By-law to Amend Zoning By-law 6575/30/18 Respecting Vacant City-owned Lands on Elizabeth Street, North of the Friendship Trail

20. Closed Session

Moved by Councillor M. Aquilina

Seconded by Councillor G. Bruno

That Council do now proceed to meet in Closed Session under:

- Section 239(b) of the *Municipal Act, 2001*, where a closed meeting is held if the subject matter being considered are personal matters about an identifiable individual, including municipal or local board employees.
- Section 239(2)(d) of the *Municipal Act, 2001*, where a closed meeting is held if the subject matter being considered is labour relations or employee negotiations.
- Section 239(e) of the *Municipal Act, 2001*, where a closed meeting is held if the subject matter being considered is litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.
- Section 239(2)(f) of the *Municipal Act, 2001*, where a closed meeting is held if the subject matter being considered is advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Carried

20.1 Approval of Closed Session Minutes

a. Regular Council Meeting (Closed Session) - October 22, 2024

- 20.2 Confidential Memorandum to Council**
- 20.3 Confidential Memorandum to Council**
- 20.4 Confidential Appendix A to Report 2024-207**
- 20.5 Confidential Human Resources (HR) Matter**
- 20.6 Confidential Verbal Report**
- 20.7 Verbal Report regarding a Land Matter**

21. Confirmatory By-law

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

Moved by Councillor E. Beauregard

Seconded by Councillor M. Aquilina

That the By-law to Adopt, Ratify and Confirm the Proceedings of the Council of the Corporation of the City of Port Colborne, Dated November 12, 2024, be enacted and passed, as presented.

Carried

22. Adjournment

Deputy Mayor Bodner adjourned the meeting at 11:09 p.m.

Ron Bodner, Deputy Mayor

Charlotte Madden, City Clerk



DEPUTY MAYOR'S REPORT TO COUNCIL

Tuesday, Nov. 12, 2024

Mayor Steele sends his regrets to council and staff, and to those watching at home– he is away today and tomorrow at the Highway H2O conference in Toronto. He will be back Wednesday morning.

UNFORGETTABLE NOVEMBER 11

Mayor Steele attended the annual Remembrance Day ceremony presented by Royal Canadian Legion Branch 56 at the Cenotaph in HH Knoll Lakeview Park, at the 11th hour of the 11th day of the 11th month. The ceremony was live-streamed. If you didn't see it while it was happening, you can watch it anytime on the city's YouTube channel.

It was a well-attended event which included a fly-past of two vintage T-28 Trojan aircraft, coordinated by Alf Beam; and a Bell Ceremony presented by the Royal Canadian Naval Association.

Alfredo Acosta played the Last Post and The Rouse on the trumpet, and Renee Bisson was soloist. Wreaths were laid at the Cenotaph by service personnel, organizations, businesses, families, and individuals in honour of those who fought and died for our freedom. Many thanks to all our citizens, young and not so young, for making your way to stand solemnly together -- Lest we forget. Councillor Aquilina and I attended a ceremony out at the Township of Humberstone Memorial in Centennial Park on Vimy Road. Councillor Aquilina, perhaps you'd say a few words ...

GREEN SHIPPING CORRIDOR FUNDING

Niagara Centre MP Vance Badawey and St. Catharines MP Chris Bittle were in Port Colborne this morning with officials from Transport Canada announce a biofuel terminal

and a shore power charging station to be built on the east side at the south end of the canal on land now managed by the Hamilton Oshawa Port Authority. The projects are all part of the federal government's Green Shipping Corridor Project, to reduce emissions at our ports.

Federal funding of up to \$13.8-million will help HOPA build a 12-acre eight-million litre biofuel terminal. Up to \$6-million will help QSL to install shore power charging facilities to enable vessels to recharge batteries while docked. It's another major partnership of the Government of Canada, HOPA, Canada Clean Fuels, and Canada Steamship Lines. I know the mayor has been working hard to see these major projects come together in our city. Each success reinforces the power of collaboration. Let's keep building on this momentum.

LIVE FROM PORT COLBORNE

Many of you heard the mayor on the radio early yesterday morning when he spoke on NewsTalk CKTB 610 about Remembrance Day services in Port Colborne. The week before, he was part of the NewsTalk CKTB Round Table, broadcast live from The Pie Guys Café on the Welland Canal, right here in Port Colborne.

We extend a big thank you to all those who participated – city staff including – Gary Long, Bram Cotton, Greg Higginbotham, Scott Luey, David Shulz, and local business people including Nicki Lumsden from the Main Street BIA, Mike Smith from Jungbunzlauer, and Sam Mills from Asahi Kasei. Their shared insights on the latest developments here in our city help spread the good news about our City across the Region and beyond. Check the Newstalk 610 website for links to all of the segments if you missed the live broadcast.

VOTE FOR MURAL FOR LIONS FIELD

We are asking everyone in Port Colborne to vote to choose a new mural for the side of the washroom building Port Colborne's Lions Field. From now until November 28, we hope you'll cast your vote for your favourite of four mural designs that will be eventually displayed on the washroom building at Lions Field. For more information or to cast your vote, please visit the city website, portcolborne.ca.