

**City of Port Colborne**  
**Regular Meeting of Committee of the Whole 18-18**  
**Monday, September 10, 2018 – 6:30 p.m.**  
**Council Chambers, 3<sup>rd</sup> Floor, 66 Charlotte Street**

**Agenda**

1. **Call to Order:** Mayor John Maloney
2. **National Anthem:** Joel Longfellow
3. **Introduction of Addendum and Delegation Items:**
4. **Confirmation of Agenda:**
5. **Disclosures of Interest:**
6. **Adoption of Minutes:**
  - (a) Regular meeting of Committee of the Whole 17-18, held on August 27, 2018.
7. **Determination of Items Requiring Separate Discussion:**
8. **Approval of Items Not Requiring Separate Discussion:**
9. **Presentations:**

Nil.
10. **Delegations (10 Minutes Maximum):**
  - (a) Laurie Elliott Leach, Safety at Home Program Manager and Darlene Upper, Snow Buddie Coordinator, Community Support Services of Niagara regarding program and services provided (Page No. 5)
  - (b) Vic Kerschl, Chair, Board of Directors, Alzheimer Society Niagara Foundation regarding the 2018 Coffee Break Campaign and updates regarding dementia in the Niagara Region (Page No. 14)
11. **Mayor's Report:**
12. **Regional Councillor's Report:**
13. **Councillors' Items:**
  - (a) Councillors' Issues/Enquiries
  - (b) Staff Responses to Previous Councillors' Enquiries
14. **Consideration of Items Requiring Separate Discussion:**
15. **Notice of Motion:**

**16. Adjournment:****Upcoming Committee of the Whole and Council Meetings**

Monday, September 24, 2018	Committee of the Whole/Council – 6:30 P.M.
Tuesday, October 9, 2018	Committee of the Whole/Council – 6:30 P.M.
Monday, October 22, 2018	Cancelled – Due to Municipal Election
Tuesday, November 13, 2018	Committee of the Whole/Council – 6:30 P.M.
Monday, November 26, 2018	Committee of the Whole/Council – 6:30 P.M.
Monday, December 10, 2018	Committee of the Whole/Council – 6:30 P.M.

Note: If not otherwise attached to the staff report, by-laws are published and available for review under the "Consideration of By-laws" section of the Council agenda.

**Committee Items:**

Notes	Item	Description / Recommendation	Page
<p>JDM BB RB AD FD YD DE BK JM</p>	<p>1.</p>	<p><b>Community and Economic Development Department, Parks and Recreation Division, Report 2018-126, Subject: Eighth Annual Downtown Harvest Festival</b></p> <hr/> <p>That the request to host the eighth annual HarvestFest on Saturday, September 29, 2018 from 10:00 a.m. to 4:00 p.m., as outlined in Community and Economic Development Department, Parks and Recreation Division Report 2018-126, be approved;</p> <p>That Market Square be closed to vehicular traffic from 8:00 a.m. to 4:00 p.m. on September 29, 2018;</p> <p>That emergency services, including ambulance, police and fire, and public works and public utility vehicles, be exempt from the above noted closure;</p> <p>That the Engineering and Operations Department be directed to install and retrieve road closure barricades at the predetermined locations requiring same;</p> <p>That the fee for a Noise By-law Exemption application, to be submitted to the By-law Enforcement Division, be waived;</p> <p>That the permit fee for the use of the King George Park, be waived;</p> <p>That all other permit/application fees and charges associated with 2018 HarvestFest, including the provision of hydro access and picnic tables, be waived;</p> <p>That the Event Organizer submit a site plan prior to the event for review and approval by the Event Coordinator indicating the following: emergency access, locations of music stage, type and location of any food vendors, in compliance with Public Health requirements;</p> <p>That the Event Organizer ensure that Certificates of Insurance are submitted from all third party vendors naming the BIA and City of Port Colborne as additional insured no less than \$2 million per occurrence in accordance with City's insurance requirements.</p> <p>That the appropriate by-law be presented for approval.</p>	<p>19</p>

Note: If not otherwise attached to the staff report, by-laws are published and available for review under the "Consideration of By-laws" section of the Council agenda.

JDM	BB	RB	2.	<p><b><u>Public Meeting to Discuss Vandalism in Downtown Port Colborne</u></b></p> <p>This meeting has been called to address concerns reported by residents and business owners in the downtown area. City Council will hear delegations from the public and discuss how to improve conditions in the future.</p> <p>At the request of City Council, Staff Sergeant Rob LaPlante, Niagara Regional Police Services, the Downtown Business Improvement Area, and the Main Street Business Improvement Area have been invited to the meeting.</p> <p>If you would like to speak at this meeting, or submit written comments, please contact the City Clerk's Office by noon on Monday, September 10, 2018 at <a href="mailto:cityclerk@portcolborne.ca">cityclerk@portcolborne.ca</a> or 905-835-2900 ext. 126.</p> <p><b>Note: This item requires separate consideration.</b></p>	-----
AD	FD	YD			
DE	BK	JM			
<b>Miscellaneous Correspondence</b>					
JDM	BB	RB	3.	<p><b><u>Stephen Covey, Chief of Police and Chief Security Officer, CN Re: Request for Proclamation of Rail Safety Week, September 23 – 29, 2018</u></b></p> <p>That September 23 – 29, 2018 be proclaimed as “Public – Rail Safety Week” in the City of Port Colborne in accordance with the request received from Stephen Covey, Chief of Police and Chief Security Officer, CN.</p>	25
AD	FD	YD			
DE	BK	JM			
<b>Outside Resolutions – Requests for Endorsement</b>					
JDM	BB	RB	4.	<p><b><u>Town of Fort Erie Re: The Right of Passage Act</u></b></p> <p>That the resolution received from the Town of Fort Erie Re: The Right of Passage Act respecting the Great Lakes Shorelines, be supported.</p>	29
AD	FD	YD			
DE	BK	JM			
<b>Responses to City of Port Colborne Resolutions</b>					
JDM	BB	RB	5.	<p><b><u>Niagara Police Services Board Re: Salvage/Scrap Yards – Niagara Police Services Board Licensing By-law</u></b></p> <p>That the correspondence received from Deb Reid, Executive Director, Niagara Police Services Board Re: Salvage/Scrap Yards – Niagara Police Services Board Licensing By-law, be received for information.</p>	31
AD	FD	YD			
DE	BK	JM			

Note: If not otherwise attached to the staff report, by-laws are published and available for review under the “Consideration of By-laws” section of the Council agenda.



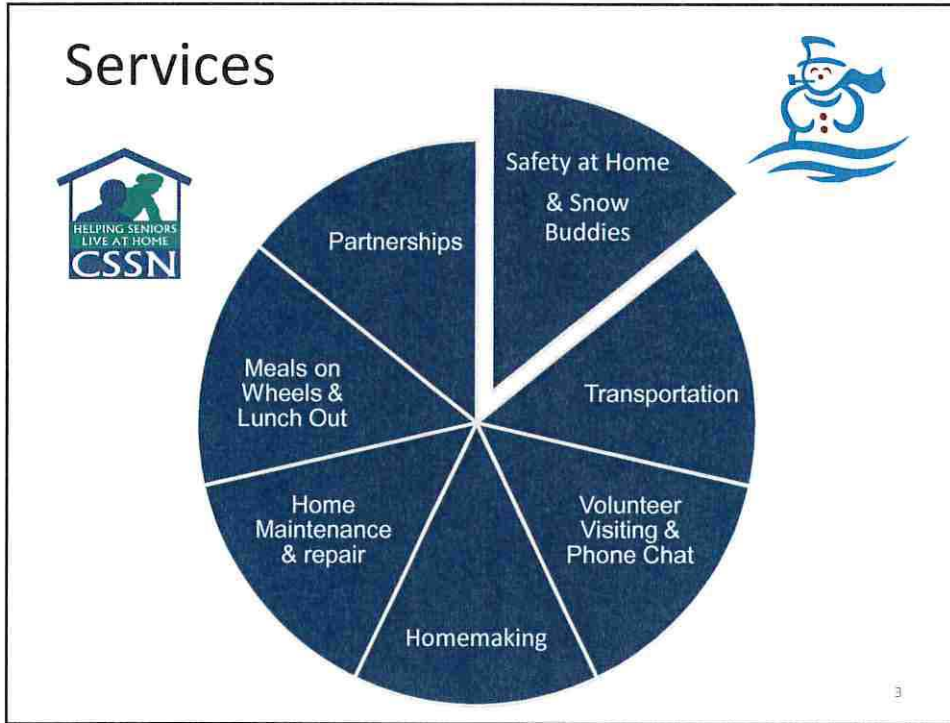
## Community Support Services of Niagara

September 10, 2018  
Port Colborne City Hall



**“We help seniors live at home”**

- Serve both seniors & adults with disabilities
- Non-profit; funding from the LHIN
- 3 offices; St.Catharines; Welland; Beamsville
- CSSN: Serving all of the Niagara Region
- Many services supported by volunteers



## DID YOU KNOW?

- **Every 10 minutes** at least one senior visits an emergency department due to a fall<sup>[1]</sup>
- **In Niagara, falls are the leading cause of injury related to hospital admissions.** In 2016 there were 18400 ED visits<sup>[2]</sup>
- **\$962 million** is the estimated annual cost for senior's falls in Ontario<sup>[1]</sup>

<sup>[1]</sup> "The Economic Burden of Injury in Ontario" SMARTRISK – 2006 report 18400 ED visits

<sup>[2]</sup> "Ambulatory Emergency External Cause (2009-16)"

## Why do you need to know this?



## Why Safety at Home?

- People are injured at home more than any other location
- This program can help people stay living independent in their home








## How “Safety at Home” helps?

### *Promoting Independence & Mobility*

- Free individualized home visit & referrals
- Snow removal volunteers “Snow Buddies” 
- Assistive devices subsidy option
- Home modifications
- Brokered worker; Home Maintenance & Repair

7



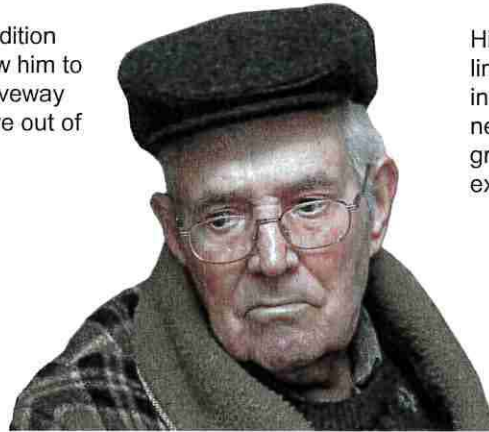
Leaf & Snow Buddies





## Profile of a CSSN Client

His heart condition does not allow him to shovel his driveway ... His kids live out of town



His income is limited...expenses include medical needs, medications, groceries and home expenses

**Leaf & Snow Buddies** help a senior stay independent and safe in their homes.... Allowing support services to get to his home and allowing him to leave for medical appointments and the grocery store..... Snow Buddies can help him not feel trapped in his own house in the winter.

## Leaf Buddies

- ✓ A lot of seniors also need support in the fall
- ✓ Prevents falls
- ✓ Gives students more volunteer hours
- ✓ Matching earlier and carries into the winter
- ✓ Community involvement; helping a neighbour
- ✓ Intergenerational interaction
- ✓ Free support; people cannot afford to pay





# Snow Buddies



- ✓ Match volunteers with seniors
- ✓ Provide FREE snow removal
- ✓ Prevent slips & falls
- ✓ Volunteer opportunity
- ✓ A support for seniors



11



## What we have accomplished:



Media



PORT COLBORNE



Niagara Falls



Partnerships



Ambassador Award

12



## What are we asking of you?

- Continue to be Supportive of Leaf & Snow Buddies**
- Encourage students** to volunteer with the Leaf & Snow Buddies program
- You have been a Champion Partner**





*Thank you*

**Darlene Upper**  
**Snow/Leaf Buddie Coordinator**  
[dupper@cssn.ca](mailto:dupper@cssn.ca) 905-682-3800 ext 35



**Laurie Elliott Leach**  
Safety at Home Program Manager  
**Community Support Services of Niagara**  
[lelliott@cssn.ca](mailto:lelliott@cssn.ca)  
905-682-3800 ext 28 [www.cssn.ca](http://www.cssn.ca)

From: "Wendy Nasmith" <WNasmith@alzheimerniagara.ca>  
To: "cityclerk@portcolborne.ca" <cityclerk@portcolborne.ca>  
Date: 2018-07-17 03:26 PM  
Subject: Delegation to Council - Alzheimer Society Niagara Region

Dear Amber,

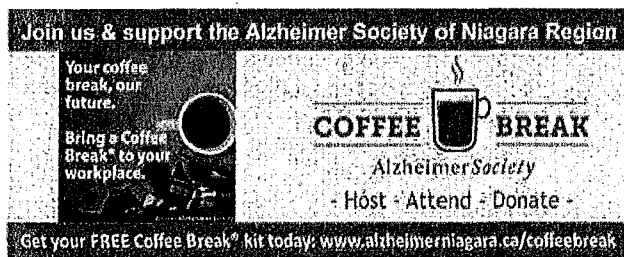
Please find attached our request to present at your Council meeting on Monday, September 10, 2018, on behalf of the Alzheimer Society Niagara Region. We would like to talk about our upcoming Coffee Break campaign, which kicks off on September 20 with our Honourary Chair, Wade Stayzer, Senior Vice President, Meridian Credit Union. We will also be bringing updates regarding dementia in the Niagara Region and present Mayor Maloney with his Coffee Break kit.

I can forward a copy of the presentation and confirm who will be in attendance on our behalf at the beginning of September.

I thank you in advance for your consideration and look forward to hearing from you.

Kind Regards,

Wendy Nasmith  
Fund Development Assistant  
Alzheimer Society Niagara Foundation  
403 Ontario St., Unit 1  
St. Catharines, ON L2N 1L5  
905-687-6856 ext 562  
[wnasmith@alzheimerniagara.ca](mailto:wnasmith@alzheimerniagara.ca)



*Soci t  Alzheimer Society*

NIAGARA REGION  
R GION DE NIAGARA



*Alzheimer Society*

Alzheimer Society of Niagara Region – 23rd Annual Coffee Break

**City of Port Colborne, Mayor John Maloney**

**Presenter: Vic Kerschl**

**Alzheimer Society of Niagara Region**

**September 10, 2018 – 6:30 pm**

Mayor Maloney, members of council, City staff and members of the public, my name is Vic Kerschl, Chair of the Board of Directors for the Alzheimer Society of Niagara Foundation. Thank you for the opportunity to appear before you this evening and share information about our Annual Coffee Break campaign, now in its 23<sup>rd</sup> year.

Originally the inspiration of the Niagara Alzheimer Society, Coffee Break is now the longest-standing national annual fundraising event for Alzheimer societies across Canada. Thousands of Coffee Breaks are held each year and annually raises more than \$1 Million to support the work of local Alzheimer Societies.

National Coffee Break Day is Thursday, September 20<sup>th</sup>, and we anticipate that more than 10,000 Coffee Breaks will take place across the country that day. In the Niagara Region, our Campaign will kick off in St. Catharines at the Lake Street Meridian Credit Union with a lunch with this year's Honourary Chair, Wade Stayzer, Senior Vice President and Chief Member Experience Officer for Meridian Credit Union. From 12 noon to 2 pm, Johnny Rocca's mobile pizza truck will be selling pizza with partial proceeds being donated back to the event, along with free ice cream samples from Marble Slab Creamery and Tim Hortons coffee from the Riediger Family.

Alzheimer's disease, already the seventh-leading cause of death in Canada, continues to grow as a public health concern as the number of Canadians with dementia rises. The latest statistics from Alzheimer Canada indicate that as of today, there are over half a million Canadians living with dementia - plus about 25,000 new cases diagnosed every year. By 2031, that number is expected to rise to 937,000, an increase of 66

per cent. The annual cost to care for those with dementia is currently estimated at \$10.4 billion.

Dementia doesn't discriminate – it can affect anyone regardless of background, education, lifestyle or status. It is not a normal part of aging. It's one of the fastest-growing diseases of our time, but still has no cure or effective treatments. Dementia is also a health condition with important social implications that impacts our communities. There is often a lack of awareness and understanding of dementia, resulting in stigmatization and barriers to diagnosis and care.

In the Niagara Region, there are over 10,000 people experiencing a progressive dementia and the number of cases continues to grow. Last year, we saw more than 1,900 new referrals to our Society and educated more than 11,000 Niagara residents and frontline staff. With a diagnosis of dementia, an individual and their family most likely will have questions about what it means, what to do and who can help, both in the short term and in planning for the future. Our service provision includes all individuals impacted by the diagnosis of dementia - spouses, families and friends who also need education and support to facilitate lifestyle, health and wellness changes for their family member.

The Alzheimer Society of Niagara Region is a recognized leader in the field of Dementia Care. Our vision is a community where individuals with dementia and their care partners are fully supported to maximize their quality of life and well-being. Working in partnership with those living with dementia, their care partners and the broader community, we offer a range of specialized programs and services that provide information, education, support and advocacy at every stage of the dementia journey.

Our goal is to enhance safety and independence within the home and community, strengthen resilience and coping capacity, and ensure that people living with dementia continue to participate in family and community life for as long as possible.

We offer people living with dementia a welcoming place where they can access information and support, as well as connect with others who share a similar experience. By accessing education, personalized in-home support services and wellness programs, families can better understand dementia, navigate the health system and access the resources they need



when they need them. We have had tremendous success with our Brain Wave Cafes that are offered in 6 communities across the Region.

To support a large variety of programs, the majority of which focus on those with early stage dementia and are provided at no charge to individuals or their families, our Society must fundraise for approximately \$500,000 each year and Coffee Break is our signature event.

Coffee Breaks are an opportunity to invite your friends, family, neighbours, co-workers, clients or customers to come together to enjoy a cup of coffee or other beverage and even treats at a break time or another social get-together in exchange for making a donation to support the work of your local Alzheimer Society.

Hosting a coffee break is easy to organize and provides a fun social opportunity. Our Society supplies each host with a free kit, while hosts supply the people and place. The kit includes coffee for that first pot, supplied locally by Barclay & Todd's, promotional signage and literature, as well as a donation box to support each event. While many of the Alzheimer Coffee Breaks in Canada will be held on the National Day, you can choose a date that is more convenient for you, since the Niagara campaign runs from September through to December. You may even consider organizing your event to coincide with World Alzheimer Day, which is September 21<sup>st</sup>.

Coffee Break events are held in homes, work places, community centres, schools, churches, city halls, stores, businesses – just about anywhere you can imagine a social gathering taking place, and where coffee, other beverages, or food and goodies can be served and a donation collected. Some of the most successful events have been a result of doing something a little different. Whether it's a barbecue, open house, raffle, dress-down days, selling coffee cup or forget-me-not decals or rounding up your bill at the cash register, no Coffee Break event is too big or too small and each one truly makes a difference in the lives of those living with the effects of dementia in the Niagara Region!

Thanks to this Council and over 100 hosts, we raised close to \$70,000 last year.

Organizing or taking part in a Coffee Break event in your community not only raises much-needed funds, but it can raise awareness and encourage discussion about Alzheimer's disease and dementia. You not only make all of the Society's accomplishments possible, but you ensure that individuals and their families – your loved ones, friends and neighbours, know that they are not alone in their journey.

Consider hosting a Coffee Break event this year and 'make your coffee count'. It's a fun and easy way to show your support for the Alzheimer Society. Anyone can register for a free Coffee Break kit by calling the Alzheimer Society of Niagara Region at 905-687-3914 or by visiting the website at [www.alzheimerniagara.ca](http://www.alzheimerniagara.ca).

Thank you for your time this evening and your consideration in making a difference in your community today and making memories matter.

Mayor Maloney, may I please present you with your Coffee Break Host Kit? (present kit). Thank you.

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Report Number: 2018-126

Date: September 10, 2018

**SUBJECT: Eighth Annual Downtown Harvest Festival**

**1) PURPOSE:**

The purpose of this report is to present a request from the Downtown Business Improvement Area to host the eighth Annual Harvest Festival (“Harvest Fest”).

**2) HISTORY, BACKGROUND, COUNCIL POLICY, PRACTICES**

The Downtown Business Improvement Area (the “Event Organizer”) has submitted a request for the use of King George Park and Market Square to host the eighth Annual Harvest Fest (the “Event”) to take place Saturday, September 29, 2018 from 10:00 a.m. to 4:00 p.m. with event set-up to commence at 8:00 a.m. The Event Organizer has advised that other temporary road closures are not required for this year’s event.

The City’s policies and procedures concerning festivals and events outline guidelines for the City to provide assistance to local associations and organizations to host special events in municipally owned facilities and/or property. To manage municipal resources for these event and ensure public safety (as per the City’s User Pay Policy) event organizers may request to borrow certain City-owned equipment and materials. Equipment such as picnic tables, waste receptacles, snow fencing, barricades, and traffic barriers/pylons may be loaned by the City, providing the event organizer reimburses the City for any additional costs that may be incurred (i.e. through the transportation and delivery of materials, staff overtime, and equipment, etc.). Event organizers are also responsible for any loss and/or damage to municipal facilities/property, including equipment/materials on loan, that are subject to full recovery charges for the actual replacement/repair costs incurred by the City.

In addition to other conditions of approval that the City may impose, the City’s festivals and events insurance policy requires event organizers to carry a minimum of \$2 million in general liability insurance (or \$5 million for an event involving alcohol). The organizer is required to file a Certificate of Insurance, naming the City as an additional insured, to the City prior to the event. Further, event organizers are required to submit an application for a Noise By-law exemption to the By-law Enforcement Division, if they are intending to provide amplified music during the event.

**3) STAFF COMMENTS AND DISCUSSIONS**

The Event Organizer requests Council grant permission to allow for the closure of Market Square and the use of King George Park for the event. The BIA has requested road closures in the past, but is not making the same request this year.

In order to host the event, the Event Organizer has requested City support, as follows:

- Closure of Market Square;

- Supply and installation of City road closure barricades;
- Use of King George Park, and waiving of associated fee (\$75);
- Use of the electrical outlet at King George Park, and waiving of associated fee (\$5 access charge);
- Provision of ten picnic tables, and waiving of associated fee (\$2.50/picnic table);
- Provision of waste receptacles;
- Noise By-law Exemption, and waiving of associated fee (\$100);
- Waiving of any other permit/application fees associated with the above.

The fees outlined above are subject to Harmonized Sales Tax, and do not reflect overtime labour expenses, if incurred.

As in previous years, a tractor drawn hayride will take place, with the route being accommodated by sharing the road with motor vehicles. The route begins in Market Square and continues south on Catharine Street turning left on Kent Street and traveling eastbound towards West Street, stopping to exchange riders at the corner of Kent Street and West Street. The hayride will turn left to travel north on West Street, stopping to exchange riders at Clarence Street before continuing north on West Street. The tractor will then turn left to head west on Princess Street, crossing over King Street then stopping for a rider exchange at the Museum. The tractor will then turn left onto Catharine Street to head southbound to return to Market Square. The hayride route is outlined in Appendix "A".

Additional planned activities include crafts for kids, a photo booth and potentially an inflatable at King George Park. In addition, individual businesses within the BIA will host sidewalk sales. Artisan vendors and crafters will set-up inside Market Square as shown in Appendix "B". All vendors will be using tents that measure 10 feet by 10 feet, which does not require a building permit. Market square will also be utilized for a classic car show.

The BIA, as an organization, is incorporated under the *Municipal Act, 2001* and is a named insured under the City's insurance policy. However, it is recommended that the BIA secure additional certificates of insurance from all participating third party vendors naming the BIA and City of Port Colborne as additional insured parties for no less than \$2 million per occurrence and to ensure the bouncy equipment complies with all safety requirements for public use.

#### **4) OPTIONS AND FINANCIAL CONSIDERATIONS:**

##### **a) Do nothing.**

Council may choose to receive and file this report, effectively denying the request. This option is not recommended.

##### **b) Other Options.**

Council may provide alternative direction regarding the event and/or road closures. This option is not recommended.

## **5) COMPLIANCE WITH STRATEGIC PLAN INITIATIVES**

The Community and Economic Development Department is in the process of exploring methods in which to collect and analyze data to assist in measuring the impact that events, sports and recreation activities have on the City's economy and tourism. Once this information is available, it will be included in future reports presented to Council. Although this data and analysis is not yet available, it is reasonable to expect the event will have some positive impact on the participating businesses and surrounding area.

## **6) ATTACHMENTS**

Appendix "A" – Hayride Route

Appendix "B"– 2018 Harvest Festival Site Plan

## **7) RECOMMENDATION**

That the request to host the eighth annual HarvestFest on Saturday, September 29, 2018 from 10:00 a.m. to 4:00 p.m., as outlined in Community and Economic Development Department, Parks and Recreation Division Report 2018-126, be approved;

That Market Square be closed to vehicular traffic from 8:00 a.m. to 4:00 p.m. on September 29, 2018;

That emergency services, including ambulance, police and fire, and public works and public utility vehicles, be exempt from the above noted closure;

That the Engineering and Operations Department be directed to install and retrieve road closure barricades at the predetermined locations requiring same;

That the fee for a Noise By-law Exemption application, to be submitted to the By-law Enforcement Division, be waived;

That the permit fee for the use of the King George Park, be waived;

That all other permit/application fees and charges associated with 2018 HarvestFest, including the provision of hydro access and picnic tables, be waived.

That the Event Organizer submit a site plan prior to the event for review and approval by the Event Coordinator indicating the following: emergency access, locations of music stage, type and location of any food vendors, in compliance with Public Health requirements

That the Event Organizer ensure that Certificates of Insurance are submitted from all third party vendors naming the BIA and City of Port Colborne as additional insured no less than \$2 million per occurrence in accordance with City's insurance requirements.

That the appropriate by-law be presented for approval.

**8) SIGNATURES**

Prepared on August 29, 2018 by:



Luke Rowe  
Assistant Event Services Coordinator

Reviewed by:



Ashley Grigg  
Director of Community and Economic  
Development

Reviewed and respectfully submitted by:

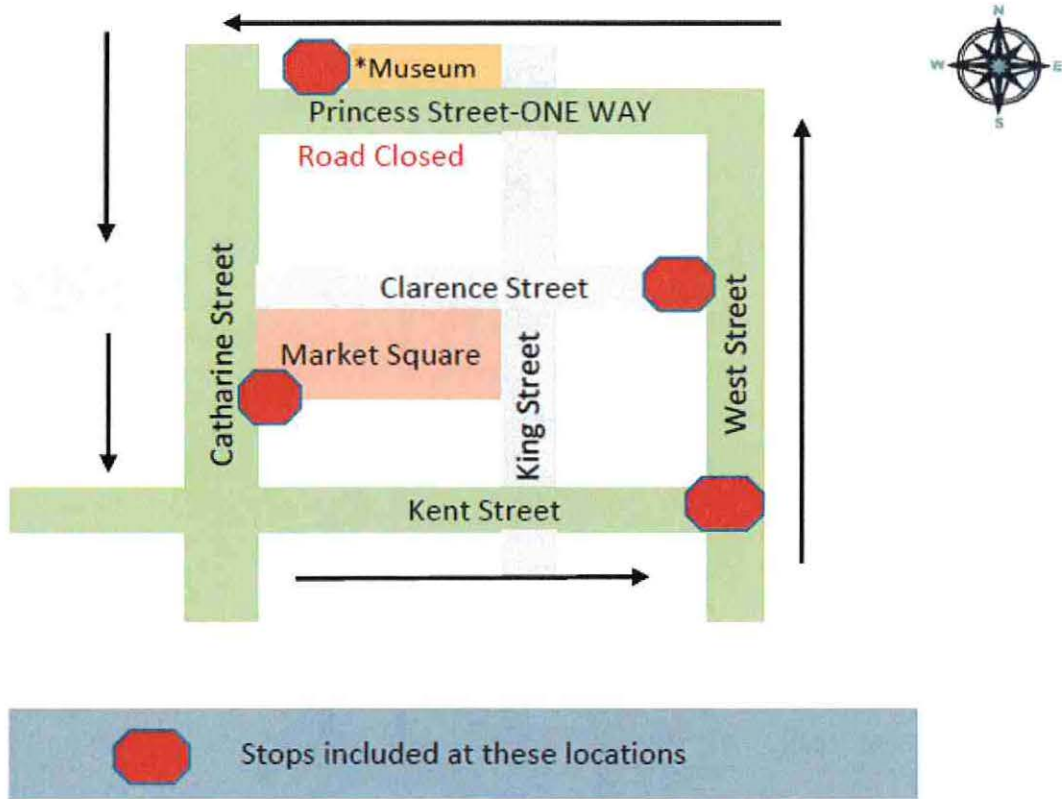


C. Scott Luey  
Chief Administrative Officer



Appendix "A" to Community and Economic Development, Parks and Recreation Division Report 2018-126





Downtown City of Port Colborne BIA 6th Annual Harvest Festival Hayride Route



Map is not to scale

Appendix "B" to Community and Economic Development, Parks and Recreation Division Report 2018-126

**2018 Harvest Festival Site Plan**  
September 29 10:00 a.m.- 4:00 p.m.

Children's Area  Classic Car Show   
Vendors/crafters  Music 



**AUG 21 2018**

**CORPORATE SERVICES  
DEPARTMENT**

From: "Stephen Covey" <stephen.covey@cn.ca>  
To: cao@portcolborne.ca  
Date: 08/21/18 04:22 PM  
Subject: Reminder - Resolution for Rail Safety Week 2018

Dear Mr. Luey,

Rail Safety Week is coming up soon! This year, it will be held from September 23 to 29, 2018 in Canada and in the United States. We wanted to remind you of the occasion to join the safety efforts of many other municipalities by adopting a resolution in support of Rail Safety Week.

Rail safety is everyone's responsibility and by looking out for each other and working together, we can help keep our communities safe and prevent fatalities and injuries on or near railway property.

At CN, our commitment is to keep communities safe by raising rail safety awareness year round and collaborate with them to ensure everyone's safety.

Your council can be a powerful ally in this effort to save lives by adopting the attached draft resolution. Please send a copy of your resolution by mail or e-mail to the following contact and let us know how you will be promoting rail safety in your community this year.

CN – Josée Magnan  
935 de la Gauchetière Street West  
11<sup>th</sup> floor  
Montreal, Quebec  
H3B 2M9  
[josee.magnan@cn.ca](mailto:josee.magnan@cn.ca)

For additional information about Rail Safety Week 2018, please consult [www.cn.ca/railsafety](http://www.cn.ca/railsafety), [www.operationlifesaver.ca](http://www.operationlifesaver.ca) or [www.oli.org](http://www.oli.org).

Sincerely,



Stephen Covey  
Chief of Police and Chief Security Officer

Tel : 514-399-6220

Fax: 514-399-8846

E-mail: [stephen.covey@cn.ca](mailto:stephen.covey@cn.ca)



**CN**

935 de la Gauchetière Street West, Floor 15  
Montréal, Québec, Canada, H3B 2M9

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(Draft Resolution)

RESOLUTION IN SUPPORT OF PUBLIC – RAIL SAFETY WEEK

Whereas *Public – Rail Safety Week* is to be held across Canada and the United States from September 23 to 29, 2018

Whereas it is in the public's interest to raise citizens' awareness on reducing avoidable accidents, injuries and damage caused by collisions at level crossings or incidents involving trains and citizens;

Whereas Operation Lifesaver is a public/private partnership whose aim is to work with the rail industry, governments, police services, the media and other agencies and the public to raise rail safety awareness;

Whereas CN has requested City Council adopt this resolution in support of its ongoing effort to save lives and prevent injuries in communities, including our municipality;

It is proposed by Councillor \_\_\_\_\_

seconded by Councillor \_\_\_\_\_

It is hereby RESOLVED to support national *Public – Rail Safety Week*, to be held from September 23 to 29, 2018.

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## Community Services

### Legislative Services

City of Port Colborne  
RECEIVED

AUG 30 2018

CORPORATE SERVICES  
DEPARTMENT

August 28, 2018

Sent via email: [premier@ontario.ca](mailto:premier@ontario.ca)

The Honourable Doug Ford, Premier of Ontario  
Room 281, Legislative Building, Queen's Park  
Premier's Office  
Toronto, ON M7A 1A1

Honourable and Dear Sir:

**Re: The Right of Passage**

The Municipal Council of the Town of Fort Erie at its meeting of August 27, 2018 passed the following resolution.

**Whereas** the people of Ontario are blessed with the Great Lakes and miles of diverse waterfront, and

**Whereas** the waters of the Great Lakes constitute the largest reservoir of fresh water in the world, and

**Whereas** the value of these waters as a life-sustaining resource can best be understood and appreciated by the public if it has access to the waterfront along the shoreline of the Great Lakes, and

**Whereas** MPP's for Niagara Falls-Fort Erie-Niagara-on-the-Lake have presented Private Member's Bills (The Right of Passage Bills) to ensure public walking rights along Ontario's Great Lakes shoreline, and

**Whereas** none of these Private Member's Bills have been passed by the Ontario Legislature, and

**Whereas** now, more than ever, the right of the public to walk along the Great Lakes shoreline should be confirmed by statute;

**Now therefore be it resolved,**

**That:** Council of the Town of Fort Erie calls upon the Premier, Doug Ford, to present and enact government legislation, The Right of Passage Act, to:

.../2

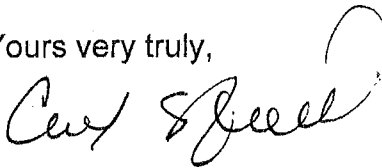


- a) Ensure that the public has the right to walk along all Great Lake shorelines between the water's edge and the high water mark,
- b) Require removal by property owners of all fences running vertical to the shoreline a distance of no less than 10 feet from the water's edge and any other obstructions to the public's right to walk the shore,
- c) Permit public access to the Great Lakes shoreline only via public lands, such as parks, road allowances or easements, and
- d) Prohibit the public from any activity on privately owned waterfront, other than a right to walk along the shoreline, and further

**That:** A copy of this resolution be delivered to the Premier, The Honourable Doug Ford, for action and to the MPP's and MP's in Niagara, the Clerk of the Niagara Region and of the area municipalities for information and support. **(Carried)**

We thank you for your attention and action on this very important matter.

Yours very truly,



Carol Schofield,  
Manager, Legislative Services/Clerk  
[cschofield@forterrie.ca](mailto:cschofield@forterrie.ca)

CS:dlk  
Attach.

cc: Rob Nicholson, MP-Niagara Falls, Parliament of Canada *Sent via email: [rob.nicholson@parl.gc.ca](mailto:rob.nicholson@parl.gc.ca)*  
Vance Badawey, MP-Niagara Centre, *Sent via email: [vance.badawey@parl.gc.ca](mailto:vance.badawey@parl.gc.ca)*  
Chris Bittle, MP-St. Catharines *Sent via email: [chris.bittle@parl.gc.ca](mailto:chris.bittle@parl.gc.ca)*  
Wayne Gates, MPP-Niagara Falls, Legislative Assembly of Ontario *Sent via email: [wrgates-co@ndp.on.ca](mailto:wrgates-co@ndp.on.ca)*  
Sam Oosterhoff, MPP-Niagara West-Glanbrook, Legislative Assembly of Ontario *Sent via email: [sam.oosterhoff@pc.ola.org](mailto:sam.oosterhoff@pc.ola.org)*  
Jennifer Stevens, MPP-St. Catharines *Sent via email: [JStevens-CO@ndp.on.ca](mailto:JStevens-CO@ndp.on.ca)*  
Jeff Burch, MPP-Niagara Centre *Sent via email: [JBurch-QP@ndp.on.ca](mailto:JBurch-QP@ndp.on.ca)*  
Ann-Marie Norio, Regional Clerk, Niagara Region *Sent via email: [Ann-Marie.Norio@niagararegion.ca](mailto:Ann-Marie.Norio@niagararegion.ca)*  
Niagara Local Area Municipalities *Sent via email*



REGIONAL MUNICIPALITY OF NIAGARA <sup>City of Port Colborne</sup> RECEIVED  
**POLICE SERVICES BOARD** AUG 30 2018

5700 VALLEY WAY, NIAGARA FALLS, ONTARIO L2E 1X8

~~CORPORATE SERVICES~~  
DEPARTMENT

Tel: (905) 688-4111 Fax: (289) 248-1011  
E-mail: [psb@niagarapolice.ca](mailto:psb@niagarapolice.ca)  
Website: [www.niagarapolice.ca](http://www.niagarapolice.ca)

August 29, 2018

**SENT BY EMAIL ONLY**

Mayor John Maloney  
and Members of Council  
City of Port Colborne  
Municipal Offices  
66 Charlotte Street  
Port Colborne, ON  
L3K 3C8

Dear Mayor Maloney:

**RE: Salvage/Scrap Yards  
Niagara Police Services Board Licensing By-law**

Thank you for your letter advising of the concerns of Port Colborne City Council with respect to salvage/scrap yards.

The Niagara Police Services Board Licensing By-law has provisions with respect to second hand goods stores and salvage yards. It requires that a person selling or disposing of goods provide two pieces of identification, and that the licensee (i.e. owner) note the particulars of the identification. This information is recorded on a Register that is then provided to the Niagara Regional Police Service Licensing Unit. The Police Service is currently working with licensees at these businesses to ensure compliance with completion of the Register as the information is crucial to investigations and projects with respect to stolen property, as your Council has also noted.

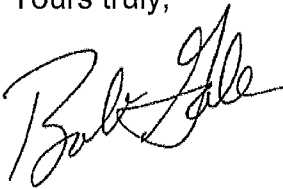
As you may be aware, the Niagara Region has decided to transition the authority to licence, regulate and govern vehicles for hire and business licenses (including second hand goods stores and salvage yards) from the Police Services Board and the Niagara Regional Police Service back to the Niagara Region.

The licensing transition process is currently underway with a planned transfer date of July 2019 and therefore I would suggest that you may want to contact the Niagara Region for consideration of any future by-law amendments with respect to salvage/scrap yards.

The contact information for the project lead on the transition of the Business Licensing Unit to the Niagara Region is as follows:

Jeanette Goemans, Business Improvement Manager  
Internal Control and Organizational Performance  
Niagara Region  
Phone: 905-980-6000 ext. 3654  
Email: [Jeanette.goemans@niagararegion.ca](mailto:Jeanette.goemans@niagararegion.ca)

Yours truly,



Bob Gale  
Board Chair

c. Deb Reid, Executive Director, Niagara Police Services Board

**City of Port Colborne  
Regular Committee of the Whole Meeting 17-18  
Minutes**

- Date:** August 27, 2018
- Time:** 6:54 p.m.
- Place:** Council Chambers, Municipal Offices, 66 Charlotte Street, Port Colborne
- Members Present:** R. Bodner, Councillor  
B. Butters, Councillor  
F. Danch, Councillor  
A. Desmarais, Councillor  
Y. Doucet, Councillor  
D. Elliott, Councillor  
B. Kenny, Councillor  
J. Maloney, Mayor (presiding officer)
- Absent: J. Mayne, Councillor (leave of absence)
- Staff Present:** D. Aquilina, Director of Planning and Development  
T. Cartwright, Fire Chief  
S. Hanson, Supervisor, By-law Enforcement Division  
A. LaPointe, Manager of Legislative Services/City Clerk  
C. Lee, Director of Engineering and Operations  
S. Luey, Chief Administrative Officer  
P. Senese, Director of Corporate Services  
C. McIntosh, Deputy Clerk (minutes)

Also in attendance were interested citizens, members of the news media and WeeStream.

**1. Call to Order:**

Mayor Maloney called the meeting to order.

**2. Introduction of Addendum Items:**

**Addition:**

The addition of item 19, request from the Canadian Corps Unit 43 for a letter of non-objection to the application for a temporary licence extension to an existing liquor licence for a special event being held on September 22, 2018.

**Withdrawn:**

The City Clerk reported that item 2 under delegations, Rosangela Alessandrini, was withdrawn. The City Clerk advised that Ms. Alessandrini's request regarding fees to be waived under Lot Maintenance By-law 6574/29/18, charged for grass cutting – Omer

Avenue – would be considered during item 12, Katie and Ben Atkins Re: Request for fees to be dismissed that were charged for grass cutting at 507 Sugarloaf Street.

**3. Confirmation of Agenda:**

Moved by Councillor B. Butters  
Seconded by Councillor B. Kenny

That the agenda dated August 27, 2018 be confirmed, as circulated or as amended.

CARRIED.

**4. Disclosures of Interest:**

Nil.

**5. Adoption of Minutes:**

**(a) Regular meeting of Committee of the Whole 16-18, held on July 23, 2018**

Moved by Councillor B. Kenny  
Seconded by Councillor Y. Doucet

(a) That the minutes of the regular meeting of the Committee of the Whole 16-18, held on July 23, 2018, be approved as presented.

CARRIED.

**6. Determination of Items Requiring Separate Discussion:**

The following items were identified for separate discussion:

Items 1, 7, 10, 11, 12, 14, 19.

**7. Approval of Items Not Requiring Separate Discussion:**

Moved by Councillor R. Bodner  
Seconded by Councillor B. Kenny

That items 1 to 19 on the agenda be approved, with the exception of items that have been deferred, deleted or listed for separate discussion, and the recommendation contained therein adopted.

**Items:**

**2. Planning and Development, Planning Division, Report 2018-100, Subject: Recommended Consultant for the Completion of the 2019 Development Charges Study and By-law**

Committee of the Whole recommends:

That a by-law be adopted authorizing the Mayor and Clerk to sign an agreement with Watson and Associates for the completion of a Development Charges study and updated by-law at a total cost of \$35,800 exclusive of HST.

**3. Planning and Development, By-law Enforcement Division, Report 2018-117, Subject: Fence Variance – 19 Lena Crescent**

Committee of the Whole recommends:

That the fence variance request for 656 Fielden Avenue be approved.

**4. Planning and Development, By-law Enforcement Division, Report 2018-119, Subject: Fence Variance – 656 Fielden Avenue**

Committee of the Whole recommends:

That the fence variance request for 656 Fielden Avenue be approved.

**5. Planning and Development, By-law Enforcement Division, Report 2018-120, Subject: Encroachment Request – 162 West Street**

Committee of the Whole recommends:

That the encroachment application be approved for 162 West Street and that staff be authorized to enter into a License Agreement with the applicant, owner, and the St. Lawrence Seaway Management Corporation.

**6. Fire and Emergency Services, Report 2018-92, Subject: Municipal Establishing and Regulating By-Law**

Committee of the Whole recommends:

That the proposed by-law be adopted as the City of Port Colborne's Fire Department Establishing and Regulating By-law, and that By-law No. 5054/109/07 be repealed; and

That the Mayor and City Clerk be authorized to execute the appropriate documents.

**8. Corporate Services, Clerk's Division, Report 2018-114, Subject: Appointments to Boards and Committees**

Committee of the Whole recommends:

That Alison Chambers be appointed to the Accessibility Advisory Committee for a term ending December 31, 2022; and

That Connie Butler be appointed to the Senior Citizen Advisory Council for a term ending December 31, 2019.

That the Clerk be directed to bring forward the necessary by-law for approval.

**9. Community and Economic Development, Parks and Recreation Division, Report No. 2018-118, Subject: Thirty Eighth Annual Terry Fox Run**

Committee of the Whole recommends:

That the request to host the thirty eighth annual Terry Fox Run on September 16, 2018 at 1:00 p.m., and the twelfth annual head shave at 12:30 p.m. at the H.H. Knoll Lakeview Park bandshell, be approved; and

That the permit fee for the use of the H.H. Knoll Lakeview Park bandshell be waived; and

That the request for the Terry Fox Run flag to be raised over City Hall the week of August 20, 2018, be approved and referred to the Mayor's office for response; and

That the request for a 10' x 10' stall at the Port Colborne Farmers' Market on September 7, 2018 and September 14, 2018 to sell licensed Terry Fox t-shirts and distribute pledge forms, be approved and referred to the Market Clerk for response; and

That the Event Organizer file a Certificate of Insurance, naming the City as an additional insured, in the amount of \$5,000,000, in advance of the event.

**13. Niagara Health Foundation Re: Donor Impact Report**

Committee of the Whole recommends:

That the correspondence received from Roger D. Ali, President & CEO, Niagara Health Foundation Re: Donor Impact Report, be received for information.

**15. Town of Pelham Re: Cannabis Odour Enforcement**

Committee of the Whole recommends:

That the resolution received from the Town of Pelham Re: Cannabis Odour Enforcement be supported.

**16. Town of Fort Erie, City of Thorold and City of Welland Re: Niagara Regional Council resolution – Trade with United States and Protecting Canadian Jobs**



Committee of the Whole recommends:

That the resolutions received from the Town of Fort Erie, City of Thorold and the City of Welland in support of the Regional Council resolution regarding Trade with United States and Protecting Canadian Jobs, be received for information.

**17. City of St. Catharines, Town of Fort Erie, City of Thorold, City of Niagara Falls and City of Welland Re: Support of Federal Government's Negotiations with United States in Regard to Tariffs on Steel and Aluminum**

Committee of the Whole recommends:

That the resolutions received from the City of St. Catharines, Town of Fort Erie, City of Thorold, City of Niagara Falls and City of Welland, Re: Support of Federal Government's Negotiations with United States in Regard to Tariffs on Steel and Aluminum, be received for information.

**18. City of Toronto Re: Immediate Steps to Address Gun Violence**

Committee of the Whole recommends:

That the resolution received from the City of Toronto Re: Immediate Steps to Address Gun Violence, be received for information.

CARRIED.

**8. Presentations:**

Nil.

**9. Delegations:**

**(a) Luke Corbeil regarding a request for relief from City by-law in order to allow for an additional driveway space at 978 Steele Street**

Luke Corbeil presented with respect to his request for Council to waive Section 3.2.2 of By-law 1117/64/81, thereby permitting a driveway to his garage. Mr. Corbeil was advised by staff that only Council has the authority to waive the conditions of a by-law.

Moved by Councillor B. Kenny  
Seconded by Councillor A. Desmarais

That an exemption of By-law 1117/64/81, Section 3.2.2, for 978 Steele Street be granted to allow for additional driveway space.

CARRIED.

**10. Mayor's Report:**

A copy of the Mayor's Report is attached.

**11. Regional Councillor's Report:**

Nil.

**12. Councillors' Items:****a) All-terrain vehicles on the Friendship Trail (Butters)**

Councillor Butters requested that the Mayor speak to the Niagara Regional Police Port Colborne District Staff Sergeant with respect to enforcement of ATVs on the Friendship Trail between Wyldewood Road and Sherkston, particularly on the weekend.

**b) Regional Chief Administrative Officer's Employment Contract (Butters)**

In response to an inquiry by Councillor Butters about whether Regional Chair Caslin had the authority to change and extend the contract of the Regional Chief Administrative Officer, the Mayor provided the opinion that the Chair did not have the authority and advised that he would be addressing the matter at Regional Council. In response to further inquiry, the Mayor advised that there is no process to remove the Regional Chair during the term as the Chair is elected as a Regional Councillor and elected Chair by Regional Council.

**c) Hiring process of the Regional Chief Administrative Officer (Kenny)**

In response to an inquiry by Councillor Kenny as to whether the Regional Chair's staff provided the interview questions to Mr. D'Angelo ahead of his interview for the Chief Administrative Officer position, the Mayor responded that all candidates received the questions ahead of their interviews.

**d) Fallen tree, Elm Street near Prosperity Lane (Danch)**

In response to a concern expressed by Councillor Danch, the Director of Engineering and Operations advised that he will direct staff to investigate if the fallen tree on Elm Street near Prosperity Lane is a City tree and will direct staff to respond accordingly.

**e) Drainage behind the new Engineering & Operations Centre (Doucet)**

Councillor Doucet inquired about staff's progress at obtaining permission from the St. Lawrence Seaway Management Corporation to construct a ditch, partially on Seaway property, to alleviate ongoing drainage issues behind the new Engineering & Operations Centre. The Mayor advised that he would work with the Director of Engineering and Operations to obtain the required permission.

**f) Friendship Trail entrances (Bodner)**

In response to Councillor Bodner's concern with respect to the recent trail maintenance that created entrances large enough for ATVs to access the trail, the Director of Engineering and Operations advised that he will direct staff to review each intersection to determine remedial measures.

**g) Chevron signs on Sherkston Road from Hwy 3 intersection (Bodner)**

Councillor Bodner advised the Director of Engineering and Operations that there are damaged chevron signs, which warn of a sharp curve in the road, on Sherkston Road after the Hwy 3 intersection.

**h) Waste collection at Pleasant Beach (Bodner)**

In response to a request by Councillor Bodner to provide an update with respect to the ongoing issue of waste collection at Pleasant Beach, the Director of Engineering and Operations advised that the City has an agreement with Regional staff until the end of the season to have the waste collection contractor pick up the extra debris. The Director further advised that the City and Region will address the service, including price, going forward.

**i) Cross walk at the intersection of Clarence and Catharine Streets (Elliott)**

In response to a request by Councillor Elliott for an update with respect to the progress of the installation of the cross walk at the intersection of Catharine and Clarence Streets, the Director of Engineering and Operations advised that secondary pricing has been obtained as the Region was having trouble obtaining pricing and it is expected that the project will begin soon.

**j) Fielden Avenue and Charlotte Street intersection safety (Elliott)**

In response to a concern expressed by Councillor Elliott about the safety, sight lines and parking near the intersection of Fielden Avenue and Charlotte Street, the Director of Engineering and Operations advised that he would direct staff to investigate.

**k) Sink holes on Olga Drive (Elliott)**

In response to an inquiry by Councillor Elliott about the expected completion of the repairs to the sink holes on Olga Drive, the Director of Engineering and Operations advised that one sink hole was repaired and the locates are complete for a second sink hole that occurred on the street.

**l) Gravelly Bay hunting (Elliott)**

In response to a request by Councillor Elliott for an update about hunting at Gravelly Bay, the Chief Administrative Officer advised that the City obtained a

legal opinion and staff are in the process of implementing a survey that will be followed by an open house and the a report to Council.

**m) Uncut grass on Merritt Parkway (Elliott)**

In response to a concern expressed by Councillor Elliott about a portion of Merritt Parkway where the grass is not cut near the road, the Director of Engineering and Operations advised that he would direct staff to investigate.

**n) Grass cutting on trail along properties on Johnson and Colborne Streets (Desmarais)**

In response to a concern expressed by Councillor Desmarais with respect to the quality of the grass cutting by the City's contractor on the trail along properties on Johnson and Colborne Streets, the Director of Engineering and Operations advised that he would direct staff to address the issues with the contractor.

**o) Property on McCrae Avenue (Desmarais)**

Councillor Desmarais expressed a job well done to staff for continuing enforcement efforts with respect to a habitual offender property on McCrae Avenue that has been repaired and is now being properly maintained.

**p) Stop signs at Chippawa Road and Berkley Avenue (Desmarais)**

Councillor Desmarais advised that she has received complaints from residents about the stop signs at Chippawa Road and Berkley Avenue. The Director of Engineering and Operations advised that he would direct staff to review the intersection for improvements.

**q) East Village construction update (Desmarais)**

In response to a request by Councillor Desmarais for an update about the construction in the East Village, the Director of Engineering and Operations advised that the job is not substantially complete, is still under warranty and staff is working with the contractor to ensure completion.

**r) Election signs on City property and boulevards (Kenny)**

Councillor Kenny advised that she has received concerns from residents about election signs that are placed contrary to the City's sign by-law. The City Clerk advised that candidates have been notified about the sign by-law and signs in contravention of the by-law should be reported to the staff in either the By-law Enforcement Division or Clerks Division for inspection and removal if in contravention.

**Staff Responses to Previous Councillor Enquiries:**

Nil.

**13. Consideration of Items Requiring Separate Discussion:****1. Planning and Development, Planning Division, Report No. 2018-110, Subject: Westwood Estates Sidewalk Construction**

Todd Shoalts, Lester Shoalts Limited addressed Council with respect to Council's April 23, 2018 decision to defer installation of sidewalks in Phase 1 of the Westwood Estates subdivision expansion. Mr. Shoalts expressed the opinion that the sidewalk installation should be permitted in order to fulfill the terms of the subdivision agreement. A copy of Mr. Shoalts' presentation is attached.

Moved by Councillor A. Desmarais  
Seconded by Councillor B. Kenny

That Planning and Development Department, Planning Division Report 2018-110 Subject: Westwood Estates Sidewalk Construction, be received for information.

CARRIED.

**7. Fire and Emergency Services, Report 2018-92, Subject: Municipal Establishing and Regulating By-Law**

Moved by Councillor A. Desmarais  
Seconded by Councillor B. Kenny

That option number 5 outlined in Fire and Emergency Services Department Report 2018-115 and as provided for in Mr. McAvoy's report attached thereto, be adopted, requiring City staff to bill for fire fighting services using a third party, as necessary; and

That Segwick Canada be authorized to support the billing for fire fighting services; and

That staff be directed to modify the Fire Department's fee schedule to reflect the fees using the applicable Ministry of Transportation hourly rate; and

That funds raised as a result of billing for fire fighting services be transferred to a Fire Department major capital reserve fund for purchases such as apparatus, rescue equipment and breathing apparatus, etc.

CARRIED.

**10. Corporate Services, Finance Division, Report 2018-122, Subject: Niagara Central Airport Commission – Financing for Capital Projects – Loan Agreement**

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Moved by Councillor B. Kenny  
Seconded by Councillor B. Butters

That the loan agreement with the Niagara Central Airport Commission be approved in the amount of \$32,870 with terms of repayment to be amortized over 10 years, annual interest rate at 4.3%, with annual payments due August 24th commencing on August 24th 2019; and

That the Mayor and City Clerk be authorized to sign the appropriate loan agreement and by-law.

CARRIED.

**11. Engineering and Operations, Engineering Division, Report 2018-123, Subject: Information Report on the Proposed Staging and Funding of the Downtown Community Improvement Plan Project**

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Moved by Councillor D. Elliott  
Seconded by Councillor F. Danch

That staff be directed to apply for all of the funding sources as detailed in Engineering and Operations Department, Engineering Division Report 2018-123 Subject: Proposed Staging and Funding of the Downtown Community Improvement Plan Project and that a phasing of the Downtown Community Improvement Plan project be entertained once the funding is realized.

CARRIED.

**12. Katie and Ben Atkins Re: Request for Fees to be Dismissed that were charged for Grass Cutting at 507 Sugarloaf Street**

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Moved by Councillor A. Desmarais  
Seconded by Councillor B. Kenny

That the correspondence from Katie and Ben Atkins regarding grass cutting at 507 Sugarloaf Street be received for information.

CARRIED.

Moved by Councillor A. Desmarais  
Seconded by Councillor B. Butters

That the correspondence from Rosangela Alessandrini regarding grass cutting at Omer Avenue be received for information.

CARRIED.

**14. Region of Niagara Re: Results of Stakeholder Engagement for Vacancy Rebate Program Revisions (CSD 41-2018)**

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Moved by Councillor D. Elliott  
Seconded by Councillor R. Bodner

That the correspondence received from the Region of Niagara Re: Results of Stakeholder Engagement for Vacancy Rebated Program Revisions (CSD 41-2018), be received for information.

CARRIED.

**19. Request from the Canadian Corps Unit 43 for a letter of non-objection to the application for a temporary licence extension to an existing liquor licence for a special event being held on September 22, 2018.**

---

Moved by Councillor B. Butters  
Seconded by Councillor Y. Doucet

That the Council of The Corporation of the City of Port Colborne has no objection to the application for a temporary licence extension to an existing liquor licence held by the Canadian Corps Unit 43, located at 70 West Street, Port Colborne, for a special event being held on September 22, 2018, as outlined in the correspondence dated August 27, 2018, subject to the condition that the applicant satisfies and complies with all applicable regulatory requirements, rules and provisions; and

That the request for a Noise By-law Exemption be referred to the By-law Enforcement Division, and that the applicable fee be waived in accordance with the City policy for not-for-profit organizations.

CARRIED.

**14. Notice of Motion:**

Nil.

**15. Adjournment:**

Moved by Councillor F. Danch  
Seconded by Councillor D. Elliott

That the Committee of the Whole meeting be adjourned at approximately 8:51 p.m.

CARRIED.

AL/cm



**LESTER SHOALTS LIMITED**  
214 WEST STREET, PORT COLBORNE, ONTARIO, L3K 4E3

PHONE: 905-835-2177  
FAX: 905-835-2151

June 5, 2018

City of Port Colborne,  
66 Charlotte Street  
Port Colborne, ON L3K 3C8

Attn: Mayor Maloney and Members of Port Colborne City Council

**RE: Westwood Estates - Sidewalks**

Dear Mayor Maloney and Members of Port Colborne City Council,

I am writing regarding the decision by Port Colborne City Council on April 23<sup>rd</sup>, 2018 to defer installation of sidewalks in Phase 1 of the Westwood Estates subdivision expansion. The decision appears to have been made based on one complaint from a homeowner on Renfield Street. I was contacted by this homeowner who expressed his concerns regarding the installation of sidewalks. I advised him that sidewalk installation was imminent and any concerns should be discussed with the Mayor or members of Council.

Council considered this homeowner complaint at the April 23<sup>rd</sup> Council meeting. Unfortunately I was not contacted by Staff or invited to appear at this Council meeting. I was disappointed not to be part of these discussions before Council made a decision to defer sidewalk construction. This decision is counter to our Subdivision Agreement. I was contacted by text and email on that Monday evening and given instructions that sidewalk construction should not commence on April 24<sup>th</sup> as previously scheduled. As a developer, this is an extremely unusual process.

Sacco Construction had been contracted to install the sidewalks in Westwood Estates on April the 24<sup>th</sup>. After receiving instructions from Dan Aquilina in the evening on April the 23<sup>rd</sup>, fortunately I was able to contact Sacco before they mobilized and began their work.

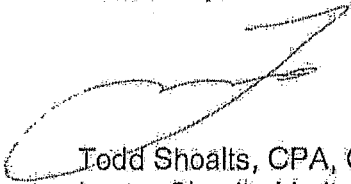
The construction of sidewalks (essentially on one side of the street) in the extension of Westwood Estates was part of the Subdivision agreement dated June 15<sup>th</sup>, 2016 negotiated with the City of Port Colborne over a lengthy period of time. We have posted Letters of Credit for, amongst other things, the construction of sidewalks. During these negotiations, City staff were adamant that sidewalks would be constructed in the Subdivision extension. We accepted this decision and agreed to it as part of the Subdivision agreement.

**LESTER SHOALTS LIMITED**  
214 WEST STREET, PORT COLBORNE, ONTARIO, L3K 4E3

PHONE: 905-835-2177  
FAX: 905-835-2151

I understand that the Director of Planning has been instructed by Council to contact each lot owner in Phase 1 and 2 to ask their opinion as to sidewalks, which will likely lead to more confusion and uncertainty. Ultimately as the developer, we are required to carry out the decision of City Council. However, I would have appreciated an opportunity to discuss this with Council before the deferral decision was made. I would appreciate some clarity regarding the decision making process on sidewalk construction, the timing of this decision and the implications for our signed Subdivision Agreement. I look forward to further discussions on this matter.

Yours truly,



Todd Shoalts, CPA, CA  
Lester Shoalts Limited  
C: 289-213-2344

CC: Dan Aquilina  
Director of Planning



## PORT COLBORNE

Mayor's Report to the  
August 27, 2018 Council Meeting

### **Canal Days**

I would like to extend our appreciation to the many staff and volunteers who pulled together to make our 40<sup>th</sup> annual Canal Days a fabulous success.

To the many thousands of visitors and residents, we hope you enjoyed what we had to offer and come back to our City at your pleasure.

I've heard mostly positive comments about the change in venues for the concert series, the kite show and the car show. I have to agree.

Working together, we can do great things in this city.

### **Community-Based Risk Assessment (CBRA)**

I am pleased to report that since sending a letter to the Minister of the Environment, Conservation and Parks on July 19<sup>th</sup>, we have now received confirmation that they are prepared to meet with ourselves, Vale and Public Health concerning the Community-Based Risk Assessment.

A meeting is being scheduled for the end of September.

### **Berkley B1 Fishing Tournament**

The return of the Berkley B1 Fishing Tournament was also a great success with the weather cooperating much better than it did last year.

Over 100 participants took in the two day tournament with many arriving early to get a feel for the lake.

This tournament is a big booster for our city and we thank Ben Woo and the tournament organizers.

Our portion of Lake Erie is a wonderful recreational fishery.

### **Niagara Peninsula Conservation Authority**

At our last meeting, Councillor Butters inquired as to the status of the report from the Auditor General regarding the Niagara Peninsula Conservation Authority.

In fact, the Auditor General's team gave a confidential oral report at the NPCA monthly meeting the following Wednesday.

Unfortunately, parts of this report had been leaked.

The Auditor General was embarrassed, most annoyed and committed to undertaking an investigation on the source of the leak.

It is anticipated that the final report will be released by the end of August or early September.

### **Association of Municipalities of Ontario Annual Conference**

CAO Scott Luey and I attended the Association of Municipalities of Ontario annual conference in Ottawa last week with many other representatives from the Niagara Region.

Through coordination with the Niagara Region, we had the opportunity to meet with five provincial ministers to raise awareness of issues affecting the Niagara Region.

## **Senior Citizens Advisory Committee Strategic Plan**

Our Senior Citizens Advisory Committee met earlier this month to map out their Strategic Plan for the coming year.

Areas they focused on were communication and information, transportation, housing, health services and community support, and social participation as it relates to seniors.

The members expect to have a well-defined plan put together by November of this year with actionable items that focus on improving overall health and well-being of seniors in our community.

Meetings are held at City Hall the third Thursday of each month at 10:00 a.m.

Residents wishing more information about the committee's work can check out the City's website or contact the committee chair.

### **Project Zero**

I want to extend the appreciation of council and the residents of the City of Port Colborne for the generous donation of 150 combination smoke and carbon monoxide alarms by Enbridge Gas Distribution as a part of their Project Zero - a public education campaign that is providing more than 6,600 alarms to residents in 30 Ontario municipalities.

This year, Enbridge invested \$200,000 in Project Zero, and our community was fortunate to be included.

In the words of Fire Chief Tom Cartwright, "These efforts will undoubtedly save lives through the distribution of these smoke and carbon monoxide alarms.

We are saving lives through education, fire prevention and enforcement.

Never think it can't happen to you."

### **Vandalism – Downtown Core**

Most recently we had a number of incidences in the downtown core with respect to vandalism, assaults a scenario that we are very concerned about.

I met with the Staff Sergeant approximately 3 weeks ago on this issue and it would appear urgent that we have another meeting. We will go as far as we can, go up to the Chief of Police if he is available to meet. But it is a situation that is no longer, never was acceptable and certainly not acceptable now. There are criminal violations going on a regular basis, I hate to say that it is like "Dodge City" out there sometimes.

We had one meeting and we are certainly aware that we will require additional meetings on the subject and that Mrs. Konc of the BIA will be definitely included as well as the residents that live in the downtown core, it is a situation that this will not be tolerated period.

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**City of Port Colborne  
Regular Meeting of Council 21-18  
Monday, September 10, 2018  
following Committee of the Whole Meeting  
Council Chambers, 3<sup>rd</sup> Floor, 66 Charlotte Street**

**Agenda**

- 1. Call to Order:** Mayor John Maloney
- 2. Introduction of Addendum Items:**
- 3. Confirmation of Agenda:**
- 4. Disclosures of Interest:**
- 5. Adoption of Minutes:**
  - (a) Special meeting of Council 19-18, held on August 27, 2018.
  - (b) Regular meeting of Council 20-18, held on August 27, 2018.
- 6. Determination of Items Requiring Separate Discussion:**
- 7. Approval of Items Not Requiring Separate Discussion:**
- 8. Consideration of Items Requiring Separate Discussion:**
- 9. Proclamations:**
  - (a) Public Rail Safety Week, September 23-29, 2018
- 10. Minutes of Boards, Commissions & Committees:**

Nil.
- 11. Consideration of By-laws:**
- 12. Adjournment:**

**Council Items:**

Notes	Item	Description / Recommendation
<p>JDM BB RB AD FD YD DE BK JM</p>	<p>1.</p>	<p><b>Community and Economic Development Department, Parks and Recreation Division, Report 2018-126, Subject: Eighth Annual Downtown Harvest Festival</b></p> <hr/> <p>That the request to host the eighth annual HarvestFest on Saturday, September 29, 2018 from 10:00 a.m. to 4:00 p.m., as outlined in Community and Economic Development Department, Parks and Recreation Division Report 2018-126, be approved;</p> <p>That Market Square be closed to vehicular traffic from 8:00 a.m. to 4:00 p.m. on September 29, 2018;</p> <p>That emergency services, including ambulance, police and fire, and public works and public utility vehicles, be exempt from the above noted closure;</p> <p>That the Engineering and Operations Department be directed to install and retrieve road closure barricades at the predetermined locations requiring same;</p> <p>That the fee for a Noise By-law Exemption application, to be submitted to the By-law Enforcement Division, be waived;</p> <p>That the permit fee for the use of the King George Park, be waived;</p> <p>That all other permit/application fees and charges associated with 2018 HarvestFest, including the provision of hydro access and picnic tables, be waived;</p> <p>That the Event Organizer submit a site plan prior to the event for review and approval by the Event Coordinator indicating the following: emergency access, locations of music stage, type and location of any food vendors, in compliance with Public Health requirements;</p> <p>That the Event Organizer ensure that Certificates of Insurance are submitted from all third party vendors naming the BIA and City of Port Colborne as additional insured no less than \$2 million per occurrence in accordance with City's insurance requirements.</p> <p>That the appropriate by-law be presented for approval.</p>

JDM	BB	RB	2.	<p><b><u>Public Meeting to Discuss Vandalism in Downtown Port Colborne</u></b></p> <p>This meeting has been called to address concerns reported by residents and business owners in the downtown area. City Council will hear delegations from the public and discuss how to improve conditions in the future.</p>
AD	FD	YD		
DE	BK	JM		
<b>Miscellaneous Correspondence</b>				
JDM	BB	RB	3.	<p><b><u>Stephen Covey, Chief of Police and Chief Security Officer, CN Re: Request for Proclamation of Rail Safety Week, September 23 – 29, 2018</u></b></p> <p>That September 23 – 29, 2018 be proclaimed as “Public – Rail Safety Week” in the City of Port Colborne in accordance with the request received from Stephen Covey, Chief of Police and Chief Security Officer, CN.</p>
AD	FD	YD		
DE	BK	JM		
<b>Outside Resolutions – Requests for Endorsement</b>				
JDM	BB	RB	4.	<p><b><u>Town of Fort Erie Re: The Right of Passage Act</u></b></p> <p>That the resolution received from the Town of Fort Erie Re: The Right of Passage Act respecting the Great Lakes Shorelines, be supported.</p>
AD	FD	YD		
DE	BK	JM		
<b>Responses to City of Port Colborne Resolutions</b>				
JDM	BB	RB	5.	<p><b><u>Niagara Police Services Board Re: Salvage/Scrap Yards – Niagara Police Services Board Licensing By-law</u></b></p> <p>That the correspondence received from Deb Reid, Executive Director, Niagara Police Services Board Re: Salvage/Scrap Yards – Niagara Police Services Board Licensing By-law, be received for information.</p>
AD	FD	YD		
DE	BK	JM		

**Consideration of By-laws  
(Council Agenda Item 11)**

<b>By-law No.</b>	<b>Title</b>
6610/65/18	Being a By-law to Close sections of Various streets to Vehicular traffic for the purpose of the Eighth Annual Downtown Harvest Festival
6611/66/18	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 September 10, 2018

The Corporation of The City Of Port Colborne

By-law No. 6610/65/18

Being a by-law to temporarily close sections of various streets to vehicular traffic for the purpose of the Eighth Annual Downtown Harvest Festival

Whereas at its meeting of September 10, 2018, the Council of The Corporation of the City of Port Colborne ("Council") approved the recommendation of Community and Economic Development Department, Parks and Recreation Division, Report 2018-126, Subject: Eighth Annual Downtown Harvest Festival; and

Whereas Council has jurisdiction, as defined in Section 28 of the *Municipal Act, 2001*, S.O. 2001, c.25, over the highway known as Market Square; and

Whereas the municipality is granted the power under Sections 11(3) and 27(1) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, to pass by-laws with respect to Highways within its jurisdiction and to close a highway temporarily for any purpose specified in the by-law; and

Whereas Council is desirous of closing temporarily sections of specified streets to vehicular traffic for purposes of the Eighth Annual Downtown Harvest Festival; and

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

1. That in this by-law "Vehicle" includes a motor vehicle, trailer, traction engine, farm tractor (not including those participating in festival), road-building machine and any vehicle drawn, propelled or driven by any kind of power including muscular power.
2. No person shall park a vehicle to situate on the highways or portions thereof as set out in Schedule "A" attached hereto and made part of this By-law at any time during the hours of 8:00 a.m. to 4:00 p.m. on September 29, 2018.
3. The highways or portions thereof as set out on Schedule "A" attached hereto and made part of this by-law shall be closed to vehicular traffic during the hours of 8:00 a.m. to 4:00 p.m. on September 29, 2018.
4. No person shall permit or cause to permit any vehicle to be driven on the streets or portions of streets as set out in Schedule "A" attached hereto and made part of this by-law during the hours of 8:00 a.m. to 4:00 p.m. on September 29, 2018
5. The provisions of this by-law shall not apply to ambulances, police or fire services vehicles or public utility emergency vehicles, authorized event vehicles or any other vehicles required in the case of emergency.
6. Any person violating the provisions this by-law shall be guilty of an offence and subject to the penalty of not more than \$5,000.00 exclusive of costs to be collected pursuant to the provisions of the *Provincial Offences Act*.
7. This by-law shall take effect on the date and times prescribed and on the placing of proper barricades and signs.

Enacted and passed this 10th day of September, 2018.

\_\_\_\_\_  
John Maloney  
Mayor

\_\_\_\_\_  
Amber LaPointe  
City Clerk

Market Square

The Corporation of the City of Port Colborne

By-Law No. 6611/66/18

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 September 10, 2018.

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

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 September 10, 2018 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 except where the approval of the Ontario Municipal Board is required, in which case the effective date shall be the day after the approval of the Ontario Municipal Board is obtained or such other day as the Ontario Municipal Board may order; and further
2. That the Mayor and 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 10th day of September, 2018.

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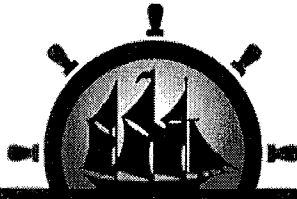
John Maloney  
Mayor

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Amber LaPointe  
City Clerk

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# PORT COLBORNE

September 10, 2018

Moved by Councillor  
Seconded by Councillor

**WHEREAS** *Public - Rail Safety Week* is to be held across Canada and the United States from September 23 to 29, 2018;

**AND WHEREAS** it is in the public's interest to raise citizens' awareness on reducing avoidable accidents, injuries and damage caused by collisions at level crossings or incidents involving trains and citizens;

**AND WHEREAS** Operation Lifesaver is a public/private partnership whose aim is to work with the rail industry, governments, police services, the media and other agencies and the public to raise rail safety awareness;

**AND WHEREAS** CN has requested City Council adopt this resolution in support of its ongoing effort to save lives and prevent injuries in communities, including our municipality.

**NOW THEREFORE**, I Mayor John Maloney proclaim the week of September 23 to 29, 2018 as "**Public - Rail Safety Week**" in the City of Port Colborne.

John Maloney  
Mayor

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**City of Port Colborne  
Special Council Meeting 19-18  
Minutes**

**Date:** August 27, 2018  
**Time:** 6:30 p.m.  
**Place:** Council Chambers, Municipal Offices, 66 Charlotte Street, Port Colborne

**Members Present:** R. Bodner, Councillor  
B. Butters, Councillor  
F. Danch, Councillor  
A. Desmarais, Councillor  
Y. Doucet, Councillor  
D. Elliott, Councillor  
B. Kenny, Councillor  
J. Maloney, Mayor (presiding officer)

Absent: J. Mayne, Councillor (leave of absence)

**Staff Present:** D. Aquilina, Director of Planning and Development  
A. LaPointe, Manager of Legislative Services/City Clerk  
C. Lee, Director of Engineering & Operations  
S. Luey, Chief Administrative Officer  
P. Senese, Director of Corporate Services

Also in attendance were interested citizens, members of the news media and WeeStream.

**1. Call to Order:**

Mayor Maloney called the meeting to order.

**2. National Anthem:**

Joel Longfellow sang O Canada.

**3. Confirmation of Agenda:**

**No. 119** Moved by Councillor Y. Doucet  
Seconded by Councillor R. Bodner

That the agenda of the Special Meeting of Council dated  
August 27, 2018 be confirmed, as circulated or as amended.  
CARRIED.

**4. Disclosures of Interest:**

None.

**5. Public Hearing Under the Development Charges Act:**

**Planning and Development, Planning Division, Report 2018-111, Subject: Public Meeting Report – Proposed Amendment to the Development Charges By-law 6131/97/14: 1-year Waiving of Charges for Residential and Non-Residential Uses**

**(i) Presentation of Proposed Amendment to Development Charges By-law:**

Mr. Aquilina presented a brief power point presentation that first provided what development charges are collected for followed by a history of past exemptions since 2014, what CIPs have in place regarding development charge waivers and what the applicable charges would be if no waiver is extended.

Mr. Aquilina also informed Council the amount of exempted charges for each year since 2014 being the first year of providing an exemption. Mr. Aquilina concluded by providing comments on the positive impacts since the waiver began and an option to collect 50% of charges that could be used for growth related matters.

Mr. Aquilina advised that Notice of the Public Meeting was administered in Meeting was published in Niagara This Week and no comments have been received.

**(ii) Questions of Clarification to Planning Staff:**

Councillor Kenny raised that new growth has contributed to the tax base and requested that this amount be calculated. Councillor Butters expressed her interest to know these amounts as well. Councillor Desmarais expressed her interest to know these amounts too and what developments have not occurred well.

Councillor Elliott inquired on how development charges related to growth can be collected and used. Mr. Aquilina mentioned he would provide information from the development charges background on how monies can be. Councillor Elliott inquired to the time when development chargers would be collected and Mr. Aquilina commented they are at time of building permit application.

**(iii) Oral Presentations and/or Questions from the Public:**

Eric Beauregard, B237 Mitchell Street asked if any other municipalities are involved in the development charges study, if any other municipalities have waived development charges and what has been the impact. Mr. Aquilina responded that almost all municipalities have development charges and locally the City of St. Catharines that has none.

Mr. Aquilina concluded that once all information has been received from staff a future report will return to Council for their consideration.

**6. Adjournment:**

**No.120** Moved by Councillor D. Elliott  
Seconded by Councillor R. Bodner

That the Council meeting be adjourned at approximately  
6:53 p.m.  
CARRIED.

\_\_\_\_\_  
John Maloney  
Mayor

\_\_\_\_\_  
Amber LaPointe  
City Clerk

Minutes prepared by the Department of Planning and Development.

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**City of Port Colborne  
Regular Council Meeting 20-18  
Minutes**

**Date:** August 27, 2018

**Time:** 8:51 p.m.

**Place:** Council Chambers, Municipal Offices, 66 Charlotte Street, Port Colborne

**Members Present:** R. Bodner, Councillor  
B. Butters, Councillor  
F. Danch, Councillor  
A. Desmarais, Councillor  
Y. Doucet, Councillor  
D. Elliott, Councillor  
B. Kenny, Councillor  
J. Maloney, Mayor (presiding officer)

Absent: J. Mayne, Councillor (leave of absence)

**Staff Present:** D. Aquilina, Director of Planning and Development  
T. Cartwright, Fire Chief  
A. LaPointe, Manager of Legislative Services/City Clerk  
C. Lee, Director of Engineering and Operations  
S. Luey, Chief Administrative Officer  
P. Senese, Director of Corporate Services  
C. McIntosh, Deputy Clerk (minutes)

Also in attendance were interested citizens, members of the news media and WeeStream.

**1. Call to Order:**

Mayor Maloney called the meeting to order.

**2. Introduction of Addendum Items:**

**Addition:**

The addition of item 19, request from the Canadian Corps Unit 43 for a letter of non-objection to the application for a temporary licence extension to an existing liquor licence for a special event being held on September 22, 2018.

**3. Confirmation of Agenda:**

**No. 121** Moved by Councillor A. Desmarais  
Seconded by Councillor B. Butters

That the agenda dated August 27, 2018 be confirmed, as circulated or as amended.

CARRIED.

**4. Disclosures of Interest:**

Nil.

**5. Adoption of Minutes:**

**No. 122** Moved by Councillor B. Butters  
Seconded by Councillor A. Desmarais

(a) That the minutes of the regular meeting of Council 18-18, July 23, 2018, be approved as presented.

CARRIED.

**6. Determination of Items Requiring Separate Discussion:**

Nil.

**7. Approval of Items Not Requiring Separate Discussion:**

**No. 123** Moved by Councillor R. Bodner  
Seconded by Councillor Y. Doucet

That items 1 to 19 on the agenda be approved, with the exception of items that have been deferred, deleted or listed for separate discussion, and the recommendation contained therein adopted.

**Motions Arising from Committee of the Whole Meeting Delegations:**

(a) **Luke Corbeil regarding a request for relief from City by-law in order to allow for an additional driveway space at 978 Steele Street**

Council resolved:

That an exemption of By-law 1117/64/81, Section 3.2.2, for 978 Steele Street be granted to allow for additional driveway space.

**Items:**

**1. Planning and Development, Planning Division, Report No. 2018-110, Subject: Westwood Estates Sidewalk Construction**

Council resolved:



That Planning and Development Department, Planning Division Report 2018-110 Subject: Westwood Estates Sidewalk Construction, be received for information.

**2. Planning and Development, Planning Division, Report 2018-100, Subject: Recommended Consultant for the Completion of the 2019 Development Charges Study and By-law**

Council resolved:

That a by-law be adopted authorizing the Mayor and Clerk to sign an agreement with Watson and Associates for the completion of a Development Charges study and updated by-law at a total cost of \$35,800 exclusive of HST.

**3. Planning and Development, By-law Enforcement Division, Report 2018-117, Subject: Fence Variance – 19 Lena Crescent**

Council resolved:

That the fence variance request for 656 Fielden Avenue be approved.

**4. Planning and Development, By-law Enforcement Division, Report 2018-119, Subject: Fence Variance – 656 Fielden Avenue**

Council resolved:

That the fence variance request for 656 Fielden Avenue be approved.

**5. Planning and Development, By-law Enforcement Division, Report 2018-120, Subject: Encroachment Request – 162 West Street**

Council resolved:

That the encroachment application be approved for 162 West Street and that staff be authorized to enter into a License Agreement with the applicant, owner, and the St. Lawrence Seaway Management Corporation.

**6. Fire and Emergency Services, Report 2018-92, Subject: Municipal Establishing and Regulating By-Law**

Council resolved:

That the proposed by-law be adopted as the City of Port Colborne's Fire Department Establishing and Regulating By-law, and that By-law No. 5054/109/07 be repealed; and

That the Mayor and City Clerk be authorized to execute the appropriate documents.

**7. Fire and Emergency Services, Report 2018-92, Subject: Municipal Establishing and Regulating By-Law**

Council resolved:

That option number 5 outlined in Fire and Emergency Services Department Report 2018-115 and as provided for in Mr. McAvoy's report attached thereto, be adopted, requiring City staff to bill for fire fighting services using a third party, as necessary; and

That Segwick Canada be authorized to support the billing for fire fighting services; and

That staff be directed to modify the Fire Department's fee schedule to reflect the fees using the applicable Ministry of Transportation hourly rate; and

That funds raised as a result of billing for fire fighting services be transferred to a Fire Department major capital reserve fund for purchases such as apparatus, rescue equipment and breathing apparatus, etc.

**8. Corporate Services, Clerk's Division, Report 2018-114, Subject: Appointments to Boards and Committees**

Council resolved:

That Alison Chambers be appointed to the Accessibility Advisory Committee for a term ending December 31, 2022; and

That Connie Butler be appointed to the Senior Citizen Advisory Council for a term ending December 31, 2019.

That the Clerk be directed to bring forward the necessary by-law for approval.

**9. Community and Economic Development, Parks and Recreation Division, Report No. 2018-118, Subject: Thirty Eighth Annual Terry Fox Run**

Council resolved:

That the request to host the thirty eighth annual Terry Fox Run on September 16, 2018 at 1:00 p.m., and the twelfth annual head shave at 12:30 p.m. at the H.H. Knoll Lakeview Park bandshell, be approved; and

That the permit fee for the use of the H.H. Knoll Lakeview Park bandshell be waived; and

That the request for the Terry Fox Run flag to be raised over City Hall the week of August 20, 2018, be approved and referred to the Mayor's office for response; and

That the request for a 10' x 10' stall at the Port Colborne Farmers' Market on September 7, 2018 and September 14, 2018 to sell licensed Terry Fox t-shirts and distribute pledge forms, be approved and referred to the Market Clerk for response; and

That the Event Organizer file a Certificate of Insurance, naming the City as an additional insured, in the amount of \$5,000,000, in advance of the event.

**10. Corporate Services, Finance Division, Report 2018-122, Subject: Niagara Central Airport Commission – Financing for Capital Projects – Loan Agreement**

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Council resolved:

That the loan agreement with the Niagara Central Airport Commission be approved in the amount of \$32,870 with terms of repayment to be amortized over 10 years, annual interest rate at 4.3%, with annual payments due August 24th commencing on August 24th 2019; and

That the Mayor and City Clerk be authorized to sign the appropriate loan agreement and by-law.

**11. Engineering and Operations, Engineering Division, Report 2018-123, Subject: Information Report on the Proposed Staging and Funding of the Downtown Community Improvement Plan Project**

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Council resolved:

That staff be directed to apply for all of the funding sources as detailed in Engineering and Operations Department, Engineering Division Report 2018-123 Subject: Proposed Staging and Funding of the Downtown Community Improvement Plan Project and that a phasing of the Downtown Community Improvement Plan project be entertained once the funding is realized.

**12. Katie and Ben Atkins Re: Request for Fees to be Dismissed that were charged for Grass Cutting at 507 Sugarloaf Street and Roseangela Alessandrini Re: Request for Fees to be Dismissed that were charged for Grass Cutting – Omer Avenue**

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Council resolved:

That the correspondence from Katie and Ben Atkins regarding grass cutting at 507 Sugarloaf Street be received for information; and

That the correspondence from Rosangela Alessandrini regarding grass cutting at Omer Avenue be received for information.

**13. Niagara Health Foundation Re: Donor Impact Report**

Council resolved:

That the correspondence received from Roger D. Ali, President & CEO, Niagara Health Foundation Re: Donor Impact Report, be received for information.

**14. Region of Niagara Re: Results of Stakeholder Engagement for Vacancy Rebate Program Revisions (CSD 41-2018)**

Council resolved:

That the correspondence received from the Region of Niagara Re: Results of Stakeholder Engagement for Vacancy Rebated Program Revisions (CSD 41-2018), be received for information.

**15. Town of Pelham Re: Cannabis Odour Enforcement**

Council resolved:

That the resolution received from the Town of Pelham Re: Cannabis Odour Enforcement be supported.

**16. Town of Fort Erie, City of Thorold and City of Welland Re: Niagara Regional Council resolution – Trade with United States and Protecting Canadian Jobs**

Council resolved:

That the resolutions received from the Town of Fort Erie, City of Thorold and the City of Welland in support of the Regional Council resolution regarding Trade with United States and Protecting Canadian Jobs, be received for information.

**17. City of St. Catharines, Town of Fort Erie, City of Thorold, City of Niagara Falls and City of Welland Re: Support of Federal Government's Negotiations with United States in Regard to Tariffs on Steel and Aluminum**

Council resolved:

That the resolutions received from the City of St. Catharines, Town of Fort Erie, City of Thorold, City of Niagara Falls and City of Welland, Re:

Support of Federal Government's Negotiations with United States in Regard to Tariffs on Steel and Aluminum, be received for information.

**18. City of Toronto Re: Immediate Steps to Address Gun Violence**

Council resolved:

That the resolution received from the City of Toronto Re: Immediate Steps to Address Gun Violence, be received for information.

**19. Request from the Canadian Corps Unit 43 for a letter of non-objection to the application for a temporary licence extension to an existing liquor licence for a special event being held on September 22, 2018.**

Council resolved:

That the Council of The Corporation of the City of Port Colborne has no objection to the application for a temporary licence extension to an existing liquor licence held by the Canadian Corps Unit 43, located at 70 West Street, Port Colborne, for a special event being held on September 22, 2018, as outlined in the correspondence dated August 27, 2018, subject to the condition that the applicant satisfies and complies with all applicable regulatory requirements, rules and provisions; and

That the request for a Noise By-law Exemption be referred to the By-law Enforcement Division, and that the applicable fee be waived in accordance with the City policy for not-for-profit organizations.

CARRIED.

**8. Consideration of Items Requiring Separate Discussion:**

Nil.

**9. Proclamations:**

Nil.

**10. Minutes of Boards, Commissions & Committees:**

**No. 124** Moved by Councillor F. Danch  
Seconded by Councillor D. Elliott

- a) That the minutes of the Port Colborne Historical and Marine Museum Board of Management meeting of June 19, 2018, be received.

CARRIED.

**11. Consideration of By-laws:**

**No. 125** Moved by Councillor A. Desmarais  
Seconded by Councillor Y. Doucet

That the following by-laws be enacted and passed:

- 6604/59/18 Being a By-law to Authorize Entering into an Agreement with Watson & Associates for the Completion of a Development Charges Study and Updated By-law
- 6605/60/18 Being a By-law to Authorize Entering Into a Licence Agreement with The St. Lawrence Seaway Management Corporation, Eric Roy Hughes, Dawn Kathleen Hughes and Jesse Boles (a/o The Green Apple Coffee House) regarding 162 West Street
- 6606/61/18 Being a By-law to Establish and Regulate the City of Port Colborne Fire and Emergency Services (Composite)
- 6607/62/18 Being a By-law to Confirm Appointments to Various Agencies, Boards and Committees
- 6608/63/18 Being a By-law to Authorize the Execution of a Loan Agreement with the Niagara Central Dorothy Rungeling Airport Commission
- 6609/64/18 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 Special and Regular Meetings of August 27, 2018

CARRIED.

**12. Council in Closed Session:**

**Motion to go into closed session – 8:56 p.m.**

**No. 126** Moved by Councillor B. Butters  
Seconded by Councillor B. Kenny

That Council do now proceed into closed session in order to address the following matter(s):

- (a) Minutes of the closed session portion of the following Council meetings: July 23, 2018.
- (b) Planning and Development Department, Planning Division Report 2018-112, concerning the potential sale of City-owned land, pursuant to the Municipal Act, 2001, Subsection 239(2)(c) a proposed or

pending acquisition or disposition of land by the municipality or local board.

CARRIED.

**Motion to rise with report – 9:14 p.m.**

**No. 127** Moved by Councillor B. Kenny  
Seconded by Councillor R. Bodner

That Council do now rise from closed session with report at approximately 9:14 p.m.

CARRIED.

**13. Disclosures of Interest Arising From Closed Session:**

Nil.

**14. Report/Motions Arising From Closed Session:**

**(b) Planning and Development Department, Planning Division Report 2018-112, concerning the potential sale of City-owned land, pursuant to the *Municipal Act, 2001*, Subsection 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board.**

The City Clerk reported that direction was provided to the Direct of Planning and Development during closed session in accordance with the *Municipal Act, 2001*.

**15. Adjournment:**

**No. 128** Moved by Councillor F. Danch  
Seconded by Councillor Y. Doucet

That the Council meeting be adjourned at approximately 9:15 p.m.  
CARRIED.

\_\_\_\_\_  
John Maloney  
Mayor

\_\_\_\_\_  
Amber LaPointe  
City Clerk

AL/cm

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