

**City of Port Colborne
Regular Committee of the Whole Meeting 27-19
Minutes**

Date: November 12, 2019

Time: 6:30 p.m.

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

Members Present: M. Bagu, Councillor
R. Bodner, Councillor
G. Bruno, Councillor
F. Danch, Deputy Mayor (presiding officer)
D. Kalailieff, Councillor
H. Wells, Councillor

Members Absent: E. Beauregard, Councillor
A. Desmarais, Councillor
W. Steele, Mayor

Staff Present: D. Aquilina, Director of Planning and Development
A. LaPointe, Acting Director of Corporate Services/City Clerk
L. Nelson, EAA to the Director of Corporate Services (minutes)
P. Senese, Interim Chief Administrative Officer
S. Shypowskyj, Manager of Projects & Design

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

1. Call to Order:

Deputy Mayor Danch called the meeting to order.

2. National Anthem

Those in attendance stood for O Canada.

3. Introduction of Addendum Items:

Nil.

4. Confirmation of Agenda:

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

That the agenda dated October 28, 2019 be confirmed, as circulated or as amended.

CARRIED.

5. Disclosures of Interest:

Councillor Danch declared a pecuniary interest regarding item 13. Councillor Danch refrained from discussing or voting on item 13.

6. Adoption of Minutes:

(a) Regular meeting of Committee of the Whole 26-19, held on October 28, 2019.

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

That the minutes of the regular meeting of the Committee of the Whole 26-19, held on October 28, 2019, be approved as presented.
CARRIED.

7. Determination of Items Requiring Separate Discussion:

The following items were identified for separate discussion:

Items 1, 3, 5, 10, and 13.

8. Approval of Items Not Requiring Separate Discussion:

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

That items 1 to 15 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 Department, Planning Division, Report 2019-168, Subject: Land Sale on Lorraine Road

Committee of the Whole recommends:

That By-law 6706/70/19 Being A By-Law To Authorize Entering Into An Agreement Of Purchase And Sale be amended to remove Helen Lliodromitis.

That the City enters into an Agreement of Purchase and Sale with Robert and Tanya Krier for \$230,000 plus HST.

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

CARRIED.

4. **Planning and Development Department, Planning Division, Report 2019-174, Subject: Condominium Exemption Request – 57 Minto Street**

Committee of the Whole recommends:

That Council approves the request for exemption from draft plan of condominium for the development at 57 Minto Street.

CARRIED.

6. **Corporate Services Department, Finance Division, Report 2019-163, Subject: Audit Results for the year ended December 31, 2018**

Committee of the Whole recommends:

The Council accept and approve the Audit Results report for the year ended December 31, 2018.

CARRIED.

7. **Corporate Services Department, Finance Division, Report 2019-164 Subject: Approval of the 2018 Consolidated Financial Statements**

Committee of the Whole recommends:

That Council approve the Consolidated Financial Statements for the year ended December 31, 2018.

CARRIED.

8. **Corporate Services Department, Finance Division, Report 2019-165, Subject: Development Charge Reserve Funds – 2018 Year-end Update**

Committee of the Whole recommends:

That Council receives the attached Development Charge Statement for information.

CARRIED.

9. **Community and Economic Development Department, Parks and Recreation Division, Report 2019-158, Subject: Annual Lighted Santa Claus Parade – Road Closures**

Committee of the Whole recommends:

1. That the road closures necessary for the Annual Lighted Santa Claus Parade on Saturday, December 7, 2019, as outlined in Community and Economic Development, Report 2019-158, be approved;
2. That the following roads be closed to general vehicular traffic and parking from 4:00 p.m. to 7:00 p.m. on Saturday, December 7, 2019, for the purpose of parade staging:

- Fielden Avenue, from the southern limit of Killaly Street to the southern limit of Elgin Street; and
 - Elgin Street, from the western limit of Elm Street to the eastern limit of Steele Street; and
 - Fielden Avenue, at the western limit of Delhi Street.
3. That the following roads be closed for vehicular parking from 4:00 p.m. to 9:00 p.m. on Saturday, December 7, 2019, for the purpose of parade staging and to provide for a safe viewing area of the parade:
- Clarence Street, from the western limit of Steele Street to the eastern limit of West Street;
 - West Street, from the northern limit of Clarence Street to the southern limit of Charlotte Street; and
 - Charlotte Street, from the western limit of Elm Street to the eastern limit of West Street.
4. That the following road intersections be temporarily closed (by barricade) beginning at 6:30 p.m. until 9:00 p.m. on Saturday, December 7, 2019, to restrict through traffic onto the parade route:
- North and west intersections of Steele Street and Elgin Street;
 - East intersection of Steele Street at Carter Street;
 - East intersection of Steele Street at Park Street;
 - East intersection of Steele Street at Tugboat Lane;
 - West and south intersections of Steel Street and Clarence Street;
 - North and south intersections of Fielden Avenue at Clarence Street;
 - North and south intersections of Elm Street at Clarence Street;
 - North and south intersections of Catharine Street at Clarence Street;
 - North and south intersections of King Street at Clarence Street;
 - North and east intersections of West Street at Clarence Street;
 - South intersection of West Street at Charlotte Street;
 - North and south intersections of King Street at Charlotte Street; and
 - East and north intersections of Charlotte Street and Catharine Street.
5. That emergency service vehicles, including ambulance, police and fire, as well as public works, public utility vehicles, and authorized permit vehicles be exempt from the above noted closures;
6. That Public Works staff deliver traffic barricades before the event at the predetermined locations, restrict access to the appropriate parking stalls and deliver waste receptacles along the Parade route;
7. That Public Works staff will block off all parking stalls along the parade route with pylons beginning at the time of the traffic and parking restrictions;

8. That By-law Enforcement staff ticket and remove vehicles as necessary along the parade route during the time of the traffic and parking restrictions closures.

CARRIED.

11. Region of Niagara Re: Actions & Resources to Join the Coalition of Inclusive Municipalities Report CAO 14-2019

Committee of the Whole recommends:

That the correspondence received from the Region of Niagara Re: Actions & Resources to Join the Coalition of Inclusive Municipalities Report CAO 14-2019, be received for information.

CARRIED.

12. Region of Niagara Re: Proposed Cuts to Legal Aid Ontario Budget

Committee of the Whole recommends:

That the correspondence received from the Region of Niagara Re: Proposed Cuts to Legal Aid in Ontario Budget, be received for information.

CARRIED.

14. City of Niagara Falls Re: School Bus Camera Legislation

Committee of the Whole recommends:

That the resolution received from the City of Niagara Falls Re: School Bus Camera Legislation, be received for information.

CARRIED.

15. Town of Kingsville Re: Local Health Care Services

Committee of the Whole recommends:

That the resolution received from the Town of Kingsville Re: Local Health Care Services, be received for information.

CARRIED.

9. Presentations:

Nil.

10. Delegations:

Nil.

11. Mayor's Report:

A copy of the Mayor's Report is attached.

12. Regional Councillor's Report:

Councillor Butters reported that the EMS transformation shows that the results are encouraging with quicker response times and diversion of ambulances from emergency departments. Councillor Butters also reported that the KPMG sustainability review came in and the services that the Region offers are 46% mandatory, 34% essential, 12% traditional and 8% discretionary services.

13. Councillors' Items:**(a) Centennial Park (Bodner)**

Councillor Bodner thanked staff for the clean-up at Centennial Park and the Sherkston Community Centre staff for the Remembrance Day set up.

(b) City Hall Snow and Ice Removal (Bodner)

Councillor Bodner inquired about cleaning of snow and ice at City Hall and other city facilities. Councillor Bodner noted that there was salt put down on the steps of City Hall but no follow-up shoveling or cleanup.

(c) Lighting Issues West Street and Charlotte Street (Kalailieff)

Councillor Kalailieff requested an update on lighting in the downtown area. The Manager of Projects and Design informed Councillor Kalailieff that staff are verifying the outages and isolating the problems with a contractor.

(d) BIA Refurbishing Party (Kalailieff)

Councillor Kalailieff thanked the BIA and volunteers for all getting together and refurbishing the wreaths for the City.

(e) Development Charges (Wells)

Councillor Wells inquired about the development charges by-law and the community benefits charge by-law. Councillor Wells noted that in 2021 developers are no longer being charged for soft charges. The Director of Planning & Development stated that the Ministry is working out the details of this.

(f) Committee of Adjustment Meeting Cancelled (Bruno)

Councillor Bruno noted that the Committee of Adjustment meeting set for November 13 has been cancelled.

(g) Neff Street Storm Sewer (Bruno)

Councillor Bruno inquired into the status of the Neff Street storm sewer repairs. The Manager of Projects & Design informed Council that immediate repairs have been made and that crews are cleaning the remainder of any debris.

(h) Trillium Railway on Sugarloaf (Bagu)

Councillor Bagu mentioned ongoing issues with the Trillium railway at Sugarloaf. The Manager of Projects & Design noted he would provide an updated at the end of the week.

(i) Storm Barricades (Bagu)

Councillor Bagu noted that the community needs to be aware of barricades on roadways and not to go around them for safety reasons. Councillor Bagu stated that he witnessed several people going through a barricade and over a live hydro wire during the most recent storm.

Staff responses to Councillors' enquiries:**(a) Thank You (Chief Cartwright)**

The Chief thanked his team and the Operations staff for their help during the storm.

(b) Provincial Disaster Team (Chief Cartwright)

The Chief reported that the Ministry has requested the nature and scope of the damage in the City and read a statement from the Provincial Disaster Team.

(c) Provincial Disaster Team (Aquilina)

The Director reported that there will be a public announcement regarding the new cannabis regulations.

(d) Lead in Drinking Water (Suddard)

The Environmental Compliance Officer noted that there has been a lot of media attention towards lead in drinking water. She noted that there is testing done in the City of Port Colborne and there has been no lead found in the samples taken since 2008. She stated that if anyone in the community would like their water tested for lead, they can call the City and set-up appointment for testing.

14. Consideration of Items Requiring Separate Discussion: Re-order items**1. Planning and Development Department, Planning Division, Report 2019-161, Subject: Cannabis Production – Interim Control By-law**

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

That Council pass an Interim Control By-law, pursuant to Section 38 of the Planning Act, for a period of one year, prohibiting retail cannabis production on all properties in the City; and

That the Mayor and City Clerk be authorized to execute the necessary By-law to give effect to Council's decision; and that the Notice of Decision required by the Planning Act, R.S.O. 1990, as amended, be processed by staff.

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

That the main motion be amended by adding the following as the second paragraph: That the definition of facility in the draft by-law be renamed cannabis production facility.

CARRIED.

The vote was then called on the main motion, as amended, as follows:

That Council pass an Interim Control By-law, pursuant to Section 38 of the Planning Act, for a period of one year, prohibiting retail cannabis production on all properties in the City;

That the definition of facility in the draft by-law be renamed cannabis production facility; and

That the Mayor and City Clerk be authorized to execute the necessary amended by-law to give effect to Council's decision; and that the Notice of Decision required by the Planning Act, R.S.O. 1990, as amended, be processed by staff.

CARRIED.

3. Planning and Development Department, Planning Division, Report 2019-173, Subject: Ministry of Environment, Conservation and Parks Response Regarding Safe Soil Levels of the CBRA

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

That Planning and Development Department report 2019-173, Ministry of the Environment, Conservation and Parks Response Regarding Safe Soil Levels of the CBRA be received for information; and

That the Director of Planning and Development discuss concerns about land use change burdens associated with requiring a RSC with Vale.

CARRIED.

5. Engineering and Operations Department, Engineering Division, Report 2019-172, Subject: Eagle Marsh Municipal Drain – Appointment of Engineer

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

That the Council of the City of Port Colborne receives Report 2019-172 with respect to Eagle Marsh Drain Engineer Appointment as information; and

That Brandon Widner P. Eng. Of Spriet Associates Engineers and Architects. be appointed under Section 8 of the Drainage Act, Chapter D.17 R.S.O. 1990 for the preparation of a new engineer's report under Section 78 of the Drainage Act, Chapter D.17 R.S.O. 1990, related to the Eagle Marsh Municipal Drain.

CARRIED.

10. Memorandum from Janice Peyton, Executive Assistant, DEO Re: Transit Advisory Committee – Community Bus Saturday Service Pilot Program

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

That the Memorandum from Janice Peyton, Executive Assistant, DEO on behalf of the Transit Advisory Committee Re: Community Bus Saturday Service Pilot Program, be received for information; and

That the Council of the City of Port Colborne be notified that the Port Colborne Transit Advisory Committee is in agreement with increasing the Port Colborne Community bus services through a pilot project coordinated with Welland Transit, to run on Saturdays for a six-hour block of time. The pilot project will be in place from May 2, 2020 to December 31, 2020.

CARRIED.

13. Town of Fort Erie Re: Port Colborne Quarry and the Aquifer through Fort Erie

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

That the resolution received from the City of Niagara Falls Re: School Bus Camera Legislation, be received for information.

CARRIED.

15. Notice of Motion:

Nil.

16. Adjournment:

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

That the Committee of the Whole meeting be adjourned at approximately 7:40 p.m.

CARRIED.



MAYOR'S REPORT – NOVEMBER 12, 2019

Wind storm – October 31, 2019

The Provincial Disaster Assessment Team was in Port Colborne on Thursday, November 7th and met with officials and staff. They toured the city and also met with some homeowners affected by the storm.

Disaster Recovery Assistance for Ontarians is a program that helps individuals, small owner-operated businesses, farms and not-for-profit organizations cover emergency expenses and repair or replace essential property following a natural disaster. It does not apply to costs covered by insurance. Learn more by visiting their website at www.ontario.ca/page/apply-disaster-recovery-assistance

The Ministry has requested that the city commence assembling detailed information regarding the nature and scope of damage arising from the storm to attempt to lay the groundwork for the Provincial recognition of the storm as a true natural disaster.

To facilitate additional information gathering that may assist the Province's disaster assessment, the City rolled out a notification process using our website and social media channels asking members of the public affected by the storm to submit whatever information that they might have available regarding their situation to the municipality, by calling 905-835-2900 Ext 115.

The information collected is intended to support the City's call on the Province to activate the Disaster Recovery Assistance for Ontarians program.

If the program is activated, residents will be able to make application directly to the Province of Ontario for assistance in restoring essential property. The application deadline will be 120 calendar days after the Ministry of Municipal Affairs and Housing announces that the program is active.

Applicants will be required to provide proof that their property was damaged in the natural disaster and documentation that eligible expenses were incurred. To qualify as a homeowner or tenant, you must be the owner of the property, or the tenant of the affected property, at the time of the disaster. The property must be your primary residence where you live on a day-to-day basis. Secondary residences such as recreational properties are not eligible under the program.

If you require further information, please call 905-835-2900 Ext 115.