

**City of Port Colborne
Regular Council Meeting 03-18
Minutes**

Date: February 12, 2018

Time: 6:30 p.m.

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

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

Absent: F. Danch, Councillor (due to vacation)

Staff Present: D. Aquilina, Director of Planning and Development
T. Cartwright, Fire Chief
A. Grigg, Director of Community and Economic Development
C. Lee, Director of Engineering and Operations
S. Luey, Chief Administrative Officer
C. McIntosh, Deputy Clerk (minutes)
P. Senese, Director of Corporate Services

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

1. Call to Order:

Mayor Maloney called the meeting to order.

2. Introduction of Addendum Items:

Withdrawn:

By-law No. 6550/05/18, Being a Comprehensive Zoning By-Law to Regulate the Use of Lands and The Character, Location and Use of Buildings and Structures Within the City of Port Colborne was withdrawn due to the amendment of the by-law during the Committee of the Whole meeting. The remaining by-laws were renumbered to suit.

3. Confirmation of Agenda:

No. 14 Moved by Councillor R. Bodner
Seconded by Councillor Y. Doucet

That the agenda dated February 12, 2018 be confirmed, as circulated or as amended.

CARRIED.

4. Disclosures of Interest:

Nil.

5. Adoption of Minutes:

(a) **Special meeting of Council 01-18, held on January 22, 2018**

(b) Regular meeting of Council 02-18, held on January 22, 2018

No. 15 Moved by Councillor D. Elliott
Seconded by Councillor B. Kenny

- (a) That the minutes of the special meeting of Council 01-18, held on January 22, 2018, be approved as presented.
 - (b) That the minutes of the regular meeting of Council 02-18, held on January 22, 2018 be approved as presented.
- CARRIED.

6. Determination of Items Requiring Separate Discussion:

Nil.

7. Approval of Items Not Requiring Separate Discussion:

No. 16 Moved by Councillor R. Bodner
Seconded by Councillor B. Butters

That Items 1 to 21 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:**Regional Councillor's Report**

Council resolved:

That The Corporation of the City of Port Colborne forward to Regional Councillor Gale, Chair of the Police Services Board, a request to attend, at his earliest convenience, a meeting of City Council to speak about the decisions made by the Police Services Board with respect to the retirement of Chief McGuire, the budget shortfall and how the Board's decisions will impact taxes and policing in the community.

Items:**1. Planning and Development, Planning Division, Report No. 2018-14, Subject: Recommendation Report – Proposed New Comprehensive Zoning By-law**

Council resolved:

That By-law 1150/97/81, being the existing Zoning By-law and any and all amendments thereto be hereby rescinded;

That Schedule "A7" to the draft Comprehensive Zoning By-law be changed for 679 Elm Street from R4 zoning to R2 zoning.

That the by-law approving the draft Comprehensive Zoning By-law, attached as Appendix A and B to Planning and Development Report 2018-14, be approved, as amended;

That pursuant to the provisions of Section 34(17) of the *Planning Act*, no further notice of public meeting be required;

That pursuant to Section 34(10.0.0.2) of the *Planning Act*, applications for an amendment to the by-law are allowed before the second anniversary of the day on which the Council approves the Comprehensive Zoning By-law.

2. Planning and Development, Report No. 2018-16, Subject: Stopping Up and Closing part of Victoria Street and Sale to 2023781 Ontario Inc.

Council resolved:

That in accordance with City policy, the by-law attached to Planning and Development Report 2018-16, Being a By-law to Stop Up, Close, Declare Surplus and to Authorize the Sale of the Portion of The Victoria Street Road Allowance, Plan 831 now Garlinda Street, Between Sherwood Forest Lane and Omer Avenue, Being All of PIN 64137-0107 (LT) to 2023781 Ontario Inc., be approved.

That 2023781 Ontario Inc.'s offer to purchase the above lands for \$40,000 (plus HST) be approved.

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

3. Planning and Development, Report No. 2018-17, Subject: Sale of 14 King Street (Valley Camp)

Council resolved:

That an Agreement of Purchase and Sale be entered into with Andrew Soave (or assignees) for the purchase of 14 King Street (Valley Camp) for the purchase price of \$170,000 (plus HST), attached to Planning and Development Report 2018-17 as Appendix "A".

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

4. Engineering and Operations, Operations Division, Report No. 2018-15, Subject: Multiple Vehicle Purchase

Council resolved:

That the quotation for the lowest pricing from Brock Ford of Niagara Falls for the replacement of the vehicles, as outlined in Engineering and Operations Report 2018-15, Multiple Vehicle Purchase, be approved.

That funding for the vehicles be financed under the following GL Account Numbers: \$206,830 - 3-550-33150-3401; Equipment Reserve, \$13,165 - 3-595-33103-3401; Water Equipment and \$13,165 - 3-590-33102-3401; Sewer Equipment.

That the Director of Engineering and Operations be authorized to issue a purchase order for the purchase of these vehicles from the appropriate vender at the pricing detailed.

Miscellaneous Correspondence:

5. Dr. Salanki & Associates of Chiropractic Associates of Port Colborne Re: Request for Proclamation of Doctor's With a Heart Day, February 14, 2018

Council resolved:

That February 14th, 2018 be proclaimed as Doctor's With a Heart Day in the City of Port Colborne in accordance with the request received from Dr. Salanki and Associates of Chiropractic Associates of Port Colborne.

6. Region of Niagara Re: 2018 Interim Levy Dates and Amounts (CSD Report 3-2018)

Council resolved:

That the correspondence received from the Region of Niagara Re: 2018 Interim Levy Dates and Amounts (CSD Report 3-2018), be received for information.

7. Region of Niagara Re: Niagara Escarpment Plan Agriculture Policies (PDS Report 1-2018)

Council resolved:

That the correspondence received from the Region of Niagara Re: Niagara Escarpment Plan Agriculture Policies (PDS Report 1-2018), be received for information.

8. Region of Niagara Re: Protocol for Planning Services Between the Regional Municipality of Niagara and the Niagara Peninsula Conservation Authority (PDS Report 2-2018)

Council resolved:

That the correspondence received from the Region of Niagara Re: Protocol for Planning Services Between the Regional Municipality of Niagara and the Niagara Peninsula Conservation Authority (PDS Report 2-2018), be received for information.

9. Richard Rybiak, Chair, Niagara Central Airport Commission Re: Niagara Central Dorothy Rungeling Airport, 2017 Fourth Quarter Report

Council resolved:

That the correspondence received from Richard Rybiak, Chair, Niagara Central Airport Commission Re: Niagara Central Dorothy Rungeling Airport, 2017 Fourth Quarter Report, be received for information.

Outside Resolutions – Requests for Endorsement:

10. Scott Butler, OGRA, Policy and Research, Ontario Good Roads Association Re: Requesting Ontario Municipalities to Adopt a Resolution that Calls on the Minister of Environment and Climate Change to Accelerate the Application for Review of the Municipal Class Environmental Assessment (MCEA) Process

Council resolved:

That the correspondence received from Scott Butler, OGRA, Policy and Research, Ontario Good Roads Association Re: Requesting Ontario Municipalities to Adopt a Resolution that Calls on the Minister of Environment and Climate Change to Accelerate the Application for Review of the MCEA Process, be received; and

That the following motion be approved:

WHEREAS a coalition of the Municipal Engineers Association (MEA) and the Residential and Civil Construction Alliance of Ontario have successfully applied to have a review of the Municipal Class

Environmental Assessment process conducted under Part IV (Section 61) of the *Environmental Bill of Rights Act, 1993* (EBR Act);

AND WHEREAS impact studies and public meetings required by the MCEA process often take two years or more to complete before construction can commence;

AND WHEREAS the MCEA requirements to evaluate alternatives are often not well aligned with prior or municipal land use planning decisions;

AND WHEREAS analysis by the Residential and Civil Construction Alliance of Ontario (RCCAO) has demonstrated that the time to complete an EA rose from 19 months to 26.7 months and costs went from an average of \$113,300 to \$386,500;

AND WHEREAS the Auditor General of Ontario has tabled recommendations for modernizing the MCEA process;

AND WHEREAS in spite of written commitments made by the Ministry of the Environment between 2013-2015, no action has been taken;

AND WHEREAS local projects that do not have the necessary approvals could lose out on the next intake of Build Canada funding;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF PORT COLBORNE RESOLVES AS FOLLOWS:

That The City of Port Colborne requests that the Minister of the Environment and Climate Change take immediate steps to expedite the response process for Part II Orders or Bump-Up requests, as part of the s.61 review to improve MCEA process times and reduce study costs;

And Further that the Minister of the Environment and Climate Change support changes to better integrate and harmonize the MCEA process with processes defined under the *Planning Act*;

And Further that the Minister of the Environment and Climate Change amend the scope of MCEA reports and studies to reduce duplication with existing public processes and decisions made under municipal Official Plans and provincial legislation.

11. Email correspondence from Donna Cripps, Chief Executive Officer, Hamilton Niagara Haldimand Brant Local Health Integration Network Re: Town of Fort Erie's Resolution regarding Health Care Services in the Niagara Region

Council resolved:

That the correspondence received from Donna Cripps, Chief Executive Officer, Hamilton Niagara Haldimand Brant Local Health Integration Network Re: Response to the Town of Fort Erie's

resolution regarding Health Care Services in the Niagara Region, be received for information.

12. City of St. Catharines Re: Town of Fort Erie - Support of Resolution: Health Care Services in Niagara Region

Council resolved:

That the resolution received from the City of St. Catharines Re: Town of Fort Erie – Support of Resolution regarding Health Care Services in Niagara Region, be received for information.

13. City of St. Catharines Re: Long Term Care Facilities – Increased Funding

Council resolved:

That the resolution received from the City of St. Catharines Re: Long Term Care Facilities – Increased Funding, be supported.

14. City of Thorold Re: Niagara Peninsula Conservation Authority – Disclosure of Legal Costs

Council resolved:

That the resolution received from the City of Thorold in support of the resolution of the City of St. Catharines Re: Niagara Peninsula Conservation Authority Disclosure of Legal Costs, be received for information.

15. City of Thorold Re: Federal Changes to the Municipal Councillor Taxation on Income

Council resolved:

That the resolution received from the City of Thorold in support the resolution of the Township of Wainfleet Re: Federal Changes to Municipal Councillor Taxation on Income, be received for information.

16. City of Thorold Re: Gillian's Place and National Day of Action on Violence Against Women

Council resolved:

That the resolution received from the City of Thorold in support of the resolution from the City of St. Catharines Re: Gillian's Place and National Day of Action on Violence Against Women, be received for information.

17. Township of Wainfleet Re: Niagara Parks Commission's Proposed Expansion and Enhancement – Marina and Resort Development at Miller's Creek (Town of Fort Erie)

Council resolved:

That the resolution received from the Township of Wainfleet Re: Niagara Parks Commission's Proposed Expansion and Enhancement – Marina and Resort Development at Miller's Creek, be received for information.

18. Town of Lakeshore Re: Allocate Infrastructure Funding Dedicated to Municipalities for Storm Water Management and Drainage Improvements

Council resolved:

That the resolution received from the Town of Lakeshore Re: Allocate Infrastructure Funding Dedicated to Municipalities for Storm Water Management and Drainage Improvements, be supported.

19. Kathryn McGarry, Minister, Ministry of Natural Resources and Forestry Re: Response to the City of Port Colborne's Resolution Regarding The Appointment of a Provincial Supervisor to the Niagara Peninsula Conservation Authority

Council resolved:

That the correspondence received from Kathryn McGarry, Minister, Ministry of Natural Resources and Forestry Re: Response to the City of Port Colborne's Resolution regarding the Appointment of a Provincial Supervisor to the Niagara Peninsula Conservation Authority, be received for information.

Responses to City of Port Colborne Resolutions:

20. Kathleen Wynne, Premier of Ontario Re: Response to the City of Port Colborne's Resolution Regarding The Niagara Peninsula Conservation Authority – Disclosure of Legal Costs

Council resolved:

That the correspondence received from The Honourable Kathleen Wynne, Premier of Ontario Re: Response to the City of Port Colborne's Resolution regarding the Niagara Peninsula Conservation Authority – Disclosure of Legal Costs, be received for information.

21. City of St. Catharines and the City of Thorold in support of the City of Port Colborne's Resolution Re: Regional Council Approval of Audit Committee Recommendations respecting the Town of Pelham

Council resolved:

That the resolutions received from the City of St. Catharines and the City of Thorold endorsing the City of Port Colborne's resolution and strongly objects to the Region and its Audit Committee interfering in a local municipality's finances, be received for information.

CARRIED.

8. Consideration of Items Requiring Separate Discussion:

Nil.

9. Proclamations:

No. 17 Moved by Councillor J. Mayne
Seconded by Councillor B. Kenny

(a) Doctor's With a Heart Day, February 14, 2018

WHEREAS Wednesday, February 14th, 2018 is recognized as “**Doctor’s With A Heart Day**”;

AND WHEREAS following this long established annual tradition, Dr. David Salanki & Associates of Chiropractic Associates of Port Colborne, will examine and treat all members of the local community at no charge on Wednesday, February 14th, 2018;

AND WHEREAS Dr. Salanki and his staff will waive all treatment fees this day and in lieu of charging any patient fees will invite members of the community to bring in donations for **The Port Colborne & Welland District Humane Society (SPCA)**. The Humane Society provides shelter and emergency services to animals in crisis that have been victims of abuse and neglect.

NOW THEREFORE, I, Mayor, John Maloney, proclaim Wednesday, February 14th, 2018 as “**Doctor’s With A Heart Day**” in the City of Port Colborne.
CARRIED.

10. Minutes of Boards, Commissions & Committees:

- (a) **Minutes of the Port Colborne Active Transportation Advisory Committee Meeting of November 20, 2017**
- (b) **Minutes of the Port Colborne Transit Advisory Committee Meeting of October 18, 2017**

No. 18 Moved by Councillor R. Bodner
Seconded by Councillor J. Mayne

- (a) That the minutes of the Port Colborne Active Transportation Advisory Committee Meeting of November 20, 2017, be received.
 - (b) That the minutes of the Port Colborne Transit Advisory Committee Meeting of October 18, 2017, be received.
- CARRIED.

11. Consideration of By-laws:

No. 19 Moved by Councillor B. Butters
Seconded by Councillor A. Desmarais

That the following by-laws be enacted and passed:


- | | |
|------------|---|
| 6550/05/18 | Being a By-Law to Stop Up and To Close, Declare Surplus and to Authorize the Sale of the Portion of The Victoria Street Road Allowance, Plan 831, Now Garlinda Street, Between Sherwood Forest Land and Omer Avenue, Being All of Pin 64137-0107 (LT) to 2023781 Ontario Inc. |
| 6551/06/18 | Being a By-Law to Authorize Entering Into an Agreement of Purchase and Sale with Andrew Soave (or Assignees) Respecting 14 King Street (Valley Camp) |
| 6552/07/18 | 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 February 12, 2018 |

CARRIED.


12. Adjournment:

No. 20 Moved by Councillor R. Bodner
Seconded by Councillor Y. Doucet

That the Council meeting be adjourned at approximately 9:06 p.m.
CARRIED.



John Maloney
Mayor



Carrie McIntosh
Deputy Clerk

CM/