

**City of Port Colborne
Regular Council Meeting 21-20
Minutes**

- Date:** August 24, 2020
- Time:** 6:30 p.m.
- Place:** Council Chambers, Municipal Offices, 66 Charlotte Street, Port Colborne
- Members Present:** M. Bagu, Deputy Mayor (presiding officer)
E. Beauregard, Councillor (via Zoom)
R. Bodner, Councillor (via Zoom)
G. Bruno, Councillor
A. Desmarais, Councillor (via Zoom)
D. Kalailieff, Councillor
H. Wells, Councillor
- Absent: F. Danch, Councillor
B. Steele, Mayor
- Staff Present:** D. Aquilina, Director of Planning and Development Department (via Zoom)
S. Baswick, Museum Director/Curator
B. Boles, Director of Corporate Services/Treasurer (via Zoom)
J. Douglas-Kameka, Economic Development Officer (via Zoom)
A. Grigg, Director of Community and Economic Development (via Zoom)
S. Hanson, Manager of By-law Services (via Zoom)
C. Lee, Director of Engineering and Operations (via Zoom)
A. LaPointe, Manager of Legislative Services/City Clerk
S. Luey, Chief Administrative Officer
C. Madden, Deputy Clerk (minutes)

Also in attendance was one member of WeeStream.

1. Call to Order:

Deputy Mayor Bagu called the meeting to order.

Deputy Mayor Bagu delivered a Mayor's Report, a copy of which is attached.

Regional Councillor Butters reported to Council on the Niagara Region's recent Special meeting where a motion was passed that acknowledged the existence of systemic racism in Niagara as well as the diversity, equity and inclusion strategic plan that was passed by the Niagara Regional Police. Councillor Butters further

reported on the sustainability review final report which was presented at the recent Niagara Region Committee of the Whole meeting. Councillor Butters concluded her report by informing Council of the COVID-19 funding received from upper levels of government as well as by providing the statistics of COVID-19 cases in the Niagara region.

2. Introduction of Addendum Items:

None.

3. Confirmation of Agenda:

No. 156 Moved by Councillor A. Desmarais
Seconded by Councillor E. Beauregard

That the agenda dated August 24, 2020 be confirmed, as circulated.

CARRIED

4. Disclosures of Interest:

Councillor Wells declared a pecuniary interest regarding item 12 (Memorandum from Councillor Bodner Regarding Site Alteration By-law Moratorium Request). Councillor Wells refrained from discussing and voting on item 3.

Councillor Beauregard declared a pecuniary interest regarding item 10 (Planning and Development Department, Report 2020-110, Subject: Sale of Vacant Land, Part Lot 26, Concession 2), By-law No. 6813/63/20 (Being a By-law to Authorize Entering into an Agreement of Purchase and Sale with Denny Brochu and Amelia Wade respecting Part Lot 26, Concession 2), By-law No. 6814/64/20 (Being a By-law to Authorize Entering into a Lease Agreement with Big Pappi's), and By-law No. 6815/65/20 (Being a By-law to Authorize Entering into a Lease Agreement with Splashtown Niagara), as he is employed by Sullivan Mahoney and the firm has provided legal advice with respect to these items. Councillor Beauregard refrained from discussing and voting on item 10 as well as By-laws 6813/63/20, 6814/64/20, 6815/65/20.

Councillor Beauregard declared a pecuniary interest regarding item 12 (Memorandum from Councillor Bodner Regarding Site Alteration By-law Moratorium Request), as he is employed by Sullivan Mahoney, the solicitor for Rankin companies. Councillor Beauregard refrained from discussing and voting on item 12.

Deputy Mayor Bagu declared a pecuniary interest regarding item 7 (Planning and Development Department, By-law Enforcement Division, Report 2020-106, Subject: Fence Variance – 128 McCain Street) as the property owners immediately south of 128 McCain Street share the same granddaughter as the Deputy Mayor. Deputy

Mayor Bagu refrained from discussing and voting on item 7. Councillor Bruno chaired this item.

Deputy Mayor Bagu declared a pecuniary interest regarding item 10 (Planning and Development Department, Report 2020-110, Subject: Sale of Vacant Land, Part Lot 26, Concession 2), and By-law No. 6813/63/20 (Being a By-law to Authorize Entering into an Agreement of Purchase and Sale with Denny Brochu and Amelia Wade respecting Part Lot 26, Concession 2) as his sibling provided a property assessment on the land. Deputy Mayor Bagu refrained from discussing and voting on item 10. Councillor Bruno chaired these items.

5. Adoption of Minutes:

No. 157 Moved by Councillor H. Wells
Seconded by Councillor R. Bodner

(a) That the minutes of the regular meeting of Council 20-20, held on August 10, 2020, be approved as presented.

CARRIED

6. Determination of Items Requiring Separate Discussion:

The following items were identified for separate discussion:

Items 1, 2, 3, 4, 7, 8, 9, 10, and 12.

7. Approval of Items Not Requiring Separate Discussion:

No. 158 Moved by Councillor A. Desmarais
Seconded by Councillor G. Bruno

That Items 1 to 14 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:

5. Corporate Services Department, Financial Services Division, Report 2020-116, Subject: Capital and Related Projects Update

Council Resolved:

That Council of The Corporation of the City of Port Colborne approve the adjustments identified in Appendix A to the Capital and Related Projects Budget.

6. Planning and Development Department, By-law Enforcement Division, Report 2020-105, Subject: Parking and Traffic – West Street

Council Resolved:

That the Council of the City of Port Colborne approve the following amendment to By-law No. 89-2000 being a By-law regulating traffic and parking on City roads:

1. That Schedule “E” Limited Parking Restrictions, to By-law 89-2000 as amended, be amended by deleting therefrom the following:

Column 1	Column 2	Column 3		Column 4	Column 5
Highway	Side	From	To	Times/Days	Maximum
West Street	East	Clarence St.	Charlotte St.	9:00 a.m. to 6:00 p.m. Mon to Sat	2 hours

2. That Schedule “E” Limited Parking Restrictions, to By-law 89-2000 as amended, be amended by adding thereto the following:

Column 1	Column 2	Column 3		Column 4	Column 5
Highway	Side	From	To	Times/Days	Maximum
West Street	East	Clarence St.	Charlotte St.	8:00 a.m. to 10:00 p.m. Mon to Sun	2 hours

11. Department of Chief Administrative Officer, Report 2020-117, Subject: COVID-19 Update #5

Council Resolved:

That Chief Administrative Officer, Report No. 2020-117, Subject: COVID-19 Update #5, be received for information.

13. Region of Niagara Re: Signing of the AMO-Ontario Federation of Indigenous Friendship Centres – Declaration of Mutual Commitment and Friendship with Niagara Region And Friendship Centre Support

Council Resolved:

That the correspondence received from the Region of Niagara Re: Signing of the AMO-Ontario Federation of Indigenous Friendship Centres – Declaration of Mutual Commitment and Friendship with Niagara Region And Friendship Centre Support, be received for information.

14. City of St. Catharines Re: Long Term Care Homes

Council Resolved:

That the resolution received from the City of St. Catharines Re: Long Term Care Homes, be received for information.

CARRIED

8. Delegations/Presentations

- (a) **Presentation:** Paul Blais, MDB Insight Inc. and Jim Burkitt, Gow Hastings Architects Re: Port Colborne Innovation, Creativity and Culinary Incubator Feasibility Study

Paul Blais, MDB Insight Inc. and Jim Burkitt, Gow Hastings Architects, provided a presentation with respect to the Port Colborne Innovation, Creativity and Culinary Incubator Feasibility Study and responded to questions received from Council. A copy of their presentation is attached.

9. Consideration of Items Requiring Separate Discussion:

- 1. Port Colborne Historical and Marine Museum, Report 2020-113, Subject: Museum Annual Report 2019, Museum/Archives Services during the Novel Coronavirus (COVID-19) Pandemic**

No. 159 Moved by Councillor H. Wells
Seconded by Councillor A. Desmarais

That Port Colborne Historical and Marine Museum Report No. 2020-113, Subject: Museum Annual Report 2019, Museum/Archives Services during the Novel Coronavirus (COVID-19) Pandemic, be received for information.

CARRIED

2. Planning and Development Department, Report 2020-103, Subject: Department of Planning and Development Annual Report

No. 160 Moved by Councillor H. Wells
Seconded by Councillor A. Desmarais

That Planning and Development Department, Report No. 2020-103, Subject: Department of Planning and Development 2020 Annual Report, be received for information.

CARRIED

3. Office of the Chief Administrative Officer, Economic Development Division, Report 2020-111, Subject: Recommended Consultant for the Completion of the Port Colborne Tourism Strategic Plan and Cruise Destination Business Case

No. 161 Moved by Councillor H. Wells
Seconded by Councillor G. Bruno

That Chief Administrative Officer, Economic Development Division, Report 2020-111 be received;

That the Mayor and Clerk be authorized to enter into an agreement with KWL Advisory Inc. to complete the Port Colborne Tourism Strategic Plan and Cruise Destination Business Case at a total cost of \$54,975 (including HST); and

That a by-law to enter into an agreement with KWL Advisory Inc., be brought forward.

CARRIED

4. Corporate Services Department, Financial Services Division, Report 2020-114, Subject: Investment Policy

No. 162 Moved by Councillor G. Bruno
Seconded by Councillor A. Desmarais

That Corporate Services Department, Financial Services Division, Report No. 2020-114, Subject: Investment Policy, be received; and

That Council for The Corporation of the City of Port Colborne approve the Investment Policy attached as Appendix A.

CARRIED

7. Planning and Development Department, By-law Enforcement Division, Report 2020-106, Subject: Fence Variance – 128 McCain Street

No. 163 Moved by Councillor E. Beauregard
Seconded by Councillor H. Wells

That Planning and Development Department, By-law Enforcement Division, Report 2020-106, Subject: Fence Variance – 128 McCain Street, be received for information; and

That the fence variance request for 128 McCain Street not be approved, and that the property be brought into compliance with the Fence By-law.

Moved in deferral by Councillor E. Beauregard
Seconded by Councillor A. Desmarais

That consideration of Planning and Development Department, By-law Enforcement Division, Report 2020-106, Subject: Fence Variance – 128 McCain Street, be deferred to the September 14, 2020 regular Council meeting.

CARRIED

8. Planning and Development Department, By-law Enforcement Division, Report 2020-108, Subject: Parking and Traffic – Wyldewood Road

No. 164 Moved by Councillor H. Wells
Seconded by Councillor A. Desmarais

That Council approve the following recommended measures in order to alleviate the parking issues on Wyldewood Road:

- Reduce the speed limit.
- Reduce the size of the angle parking permitted in this area.
- Implement prohibition of parking and tow away zones.
- Implement on-street permit parking for the residential cottage area.

That Schedule 'W' Speed Limits to By-law 89-2000, as

amended be further amended to delete the following therefrom:

Column 1	Column 2		Column 3
Highway	From	To	Max. Speed
Wyldeewood Road	Hwy #3	South to Lake Erie	60

That Schedule 'W' Speed Limits to By-law 89-2000, as amended be further amended by adding thereto the following:

Column 1	Column 2		Column 3
Highway	From	To	Max. Speed
Wyldeewood Road	Hwy #3	720m north of the Termination of the dead end of Wyldeewood Road at Lake Erie (Centre line of Michael Drain)	60
Wyldeewood Road	Termination of the dead end of Wyldeewood Road at Lake Erie	720m north therefrom (Centre line of Michael Drain)	40

That Schedule 'C2' Parking Prohibitions Tow Away Zone to By-law 89-2000, as amended be further amended by adding thereto the following:

Column 1	Column 2	Column 3		Column 4
Highway	Side	From	To	Times/Day
Wyldeewood Road	West	Termination of the dead end of Wyldeewood Road at Lake Erie	180m north therefrom	Anytime

Wyldeewood Road	West	192m north of the Termination of the dead end of Wyldeewood Road at Lake Erie	528m north therefrom	Anytime
Wyldeewood Road	East	Termination of the dead end of Wyldeewood Road at Lake Erie	186m north therefrom	Anytime
Wyldeewood Road	East	211m north of the Termination of the dead end of Wyldeewood Road at Lake Erie	48m north therefrom	Anytime
Wyldeewood Road	East	305m north of the Termination of the dead end of Wyldeewood Road at Lake Erie	415m north therefrom	Anytime

That Schedule 'F' Angle Parking to By-law 89-2000, as amended be further amended to delete the following therefrom:

Column 1	Column 2	Column 3	
Highway	Side	From	To
Wyldeewood Road	West	A point 420m south of the centre line of the Michael Drain	A point 144m South
Wyldeewood Road	East	A point 439m south of the centre line of the Michael Drain	A point 125m South

That Schedule 'F' Angle Parking to By-law 89-2000, as amended be further amended by adding the following thereto:

Column 1	Column 2	Column 3	
Highway	Side	From	To

Wyldeewood Road	West	180m north of the Termination of the dead end of Wyldeewood Road at Lake Erie	12m north therefrom
Wyldeewood Road	East	186m north of the Termination of the dead end of Wyldeewood Road at Lake Erie	25m north therefrom
Wyldeewood Road	East	259m north of the Termination of the dead end of Wyldeewood Road at Lake Erie	46m north therefrom

That Schedule 'A' On-Street Permit Parking to By-law 6116/82/14 be amended by adding the following thereto:

Column 1	Column 2	Column 3		Column 4
Highway	Side	From	To	Times/days
Wyldeewood Road	East	259m north of the Termination of the dead end of Wyldeewood Road at Lake Erie	12m north therefrom	Anytime

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

That the main motion be amended by adding the following as the eighth and ninth paragraphs:

“That Schedule I Designated Parking Spaces on Streets and Highways to By-law No. 4310/146/02 be amended by adding the following thereto:

Column 1	Column 2	Column 3		Column 4
Highway	Side	From	To	Times/Days
Wyldeewood Road	West	180m north of the Termination of the dead end of	5m north therefrom	Anytime

		Wyldeewood Road at Lake Erie		
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That the times of prohibited parking on the areas of Wyldeewood Road where prohibited parking is applicable be shifted from 12:00 a.m. midnight to 6:00 a.m. daily to 9:00 p.m. to 6:00 a.m. daily.”

CARRIED

Moved in amendment by Councillor H. Wells
Seconded by Councillor A. Desmarais

That the main motion be amended by adding the following as the tenth and eleventh paragraphs:

“That Schedule ‘C’ On-Street Permit Parking to By-law 6116/82/14 be amended to delete the following therefrom:

Item	Column 1 Designated Provisions	Column 2 Short Form Wording	Column 3 Administrative Penalty
2.	4.1	Park without permit	\$50

That Schedule ‘C’ On-Street Permit Parking to By-law 6116/82/14 be amended by adding the following thereto:”

Item	Column 1 Designated Provisions	Column 2 Short Form Wording	Column 3 Administrative Penalty
2.	4.1	Park without permit	\$160

CARRIED

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

That Council approve the following recommended measures in order to alleviate the parking issues on Wyldeewood Road:

- Reduce the speed limit.
- Reduce the size of the angle parking permitted in this area.

- Implement prohibition of parking and tow away zones.
- Implement on-street permit parking for the residential cottage area.

That Schedule 'W' Speed Limits to By-law 89-2000, as amended be further amended to delete the following therefrom:

Column 1	Column 2		Column 3
Highway	From	To	Max. Speed
Wyldeewood Road	Hwy #3	South to Lake Erie	60

That Schedule 'W' Speed Limits to By-law 89-2000, as amended be further amended by adding thereto the following:

Column 1	Column 2		Column 3
Highway	From	To	Max. Speed
Wyldeewood Road	Hwy#3	720m north of the Termination of the dead end of Wyldeewood Road at Lake Erie (Centre line of Michael Drain)	60
Wyldeewood Road	Termination of the dead end of Wyldeewood Road at Lake Erie	720m north therefrom (Centre line of Michael Drain)	40

That Schedule 'C2' Parking Prohibitions Tow Away Zone to By-law 89-2000, as amended be further amended by adding thereto the following:

Column 1	Column 2	Column3		Column 4
Highway	Side	From	To	Times/Day
Wyldeewood Road	West	Termination of the dead end of Wyldeewood Road at Lake Erie	180m north therefrom	Anytime
Wyldeewood Road	West	192m north of the Termination of the	528m north therefrom	Anytime

		dead end of Wyldewood Road at Lake Erie		
Wyldewood Road	East	Termination of the dead end of Wyldewood Road at Lake Erie	186m north therefrom	Anytime
Wyldewood Road	East	211m north of the Termination of the dead end of Wyldewood Road at Lake Erie	48m north therefrom	Anytime
Wyldewood Road	East	305m north of the Termination of the dead end of Wyldewood Road at Lake Erie	415m north therefrom	Anytime

That Schedule 'F' Angle Parking to By-law 89-2000, as amended be further amended to delete the following therefrom:

Column 1	Column 2	Column 3	
Highway	Side	From	To
Wyldewood Rd.	West	A point 420m south of the centre line of the Michael Drain	A point 144m South
Wyldewood Rd.	East	A point 439m south of the centre line of the Michael Drain	A point 125m South

That Schedule 'F' Angle Parking to By-law 89-2000, as amended be further amended by adding the following thereto:

Column 1	Column 2	Column 3	
Highway	Side	From	To
Wyldewood Rd.	West	180m north of the Termination of the dead end of Wyldewood Road at Lake Erie	12m north therefrom
Wyldewood Rd.	East	186m north of the Termination of the dead end of Wyldewood Road at Lake Erie	25m north therefrom

Wyldeewood Rd.	East	259m north of the Termination of the dead end of Wyldeewood Road at Lake Erie	46m north therefrom
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That Schedule 'A' On-Street Permit Parking to By-law 6116/82/14 be amended by adding the following thereto:

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>		<u>Column 4</u>
Highway	Side	From	To	Times/Days
Wyldeewood Rd.	East	259m north of the Termination of the dead end of Wyldeewood Road at Lake Erie	46m north therefrom	Anytime

That Schedule I Designated Parking Spaces on Streets and Highways to By-law No. 4310/146/02 be amended by adding the following thereto:

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>		<u>Column 4</u>
Highway	Side	From	To	Times/Days
Wyldeewood Road	West	180m north of the Termination of the dead end of Wyldeewood Road at Lake Erie	5m north therefrom	Anytime

That the times of prohibited parking on the areas of Wyldeewood Road where prohibited parking is applicable be shifted from 12 midnight to 6:00 a.m. daily to 9:00 p.m. to 6:00 a.m. daily.

That Schedule 'C' On-Street Permit Parking to By-law 6116/82/14 be amended to delete the following therefrom:

Item	Column 1 Designated Provisions	Column 2 Short Form Wording	Column 3 Administrative Penalty
2.	4.1	Park without permit	\$50

That Schedule 'C' On-Street Permit Parking to By-law 6116/82/14 be amended by adding the following thereto:

Item	Column 1 Designated Provisions	Column 2 Short Form Wording	Column 3 Administrative Penalty
2.	4.1	Park without permit	\$160

CARRIED

9. Engineering and Operations Department, Engineering Division, Report 2020-109, Subject: REVISED – Request for Traffic Safety Review – Intersection of Bell Street and Fares Street

No. 165 Moved by Councillor H. Wells
 Seconded by Councillor A. Desmarais

That Council direct staff to install three new amber lights, increase the size of the “Stop” signs, add new “Intersection Ahead” and “Stop Ahead” signs, and relocate the Canada Post mailbox, with the estimated \$15,000 cost to be funded from existing roads maintenance accounts, and to work with the By-law Department to implement prohibited parking limits further from the intersection.

CARRIED

10. Planning and Development Department, Report 2020-110, Subject: Sale of Vacant Land, Part Lot 26, Concession 2

No. 166 Moved by Councillor H. Wells
 Seconded by Councillor A. Desmarais

That Council declares Part Lot 26, Concession 2 as surplus to the City’s needs;

That the City enters into an Agreement of Purchase and Sale with Denny Brochu and Amelia Wade for the purchase price of \$6,500 (plus HST), attached hereto 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.

CARRIED

12. Memorandum from Councillor Bodner Regarding Site Alteration By-law Moratorium Request

No. 167 Moved by Councillor G. Bruno
Seconded by Councillor A. Desmarais

That the Site Alteration By-law be amended to halt the intake of new applications to import fill from outside of Port Colborne until such time as the City has passed a new Site Alteration By-law of January 31, 2021 – whichever comes first.

Recorded Vote:

Yes: Bodner, Bruno, Desmarais, Kalailieff, Bagu

No:

CARRIED

10. Proclamations:

None.

11. Minutes of Boards, Commissions & Committees:

No. 168 Moved by Councillor D. Kalailieff
Seconded by Councillor G. Bruno

(a) Minutes of the Environmental Advisory Committee Meeting of March 11, 2020.

(b) Minutes of the Grant Policy Committee Meeting of March 5, 2020.

CARRIED

12. Councillors' Items:**Staff Responses to Previous Councillors' Enquiries****(a) COVID-19 Update (Luey)**

The Chief Administrative Officer provided a brief update on the City's response to COVID-19. He reported that the Emergency Operations Centre is focused on the operational realities of reopening business units across the City. The Chief Administrative Officer expressed appreciation towards staff for leading the City through this pandemic as well as through the recovery process. In response to Councillor Desmarais' inquiry regarding whether the Delegation of Authority will be removed in the near future, the Chief Administrative Officer and the City Clerk confirmed that the Delegation of Authority to the CAO and

Mayor will remain in place but shall only be used in the event that Council cannot meet.

(b) Issues at Nickel Beach and Centennial Park/Cedar Bay Beach (Grigg)

The Director of Community and Economic Development provided a thorough update to Council on the City's current operations at Nickel Beach and Centennial Park/Cedar Bay Beach and expressed appreciation towards staff for managing the challenging environment. She indicated that concerns have been received regarding parking, garbage, crowding, and trespassing at both locations and explained the various ways that staff could move forward for the remainder of the 2020 summer season, including implementing locals only at both locations, implementing a maximum capacity occupancy limit at Centennial Park/Cedar Bay Beach, and closing the beaches completely in response to the concerns. The Director of Community and Economic Development requested direction from Council on how to proceed.

Councillor Beauregard declared a pecuniary interest as he is employed by Sullivan Mahoney and the firm has provided legal advice with respect to this matter. Councillor Beauregard refrained from discussing and voting on this item.

No. 169 Moved by Councillor D. Kalailieff
Seconded by Councillor H. Wells

That the rules respecting notice of motion, as outlined under Section 15 of the Procedural By-law, be waived in order to dispense with notice.

CARRIED

No. 170 Moved by Councillor D. Kalailieff
Seconded by Councillor H. Wells

That Council reconsiders the vote taken on July 27, 2020 with respect to restricting the access of Nickel Beach to Port Colborne residents only.

CARRIED

No. 171 Moved by Councillor D. Kalailieff
Seconded by Councillor A. Desmarais

That access to Nickel Beach and Cedar Bay Beach be restricted to Port Colborne residents and their guests only;

That access to all road ends in Ward 4 be closed in accordance with the Director of Engineering and Operations' approval, with the exceptions of Pleasant Beach Road and Wyldewood Road which will operate under the current restrictions in place;

That two (2) adult non-residents be permitted access to Nickel Beach and Cedar Bay Beach by accompanying one (1) adult Port Colborne resident, and in the circumstances of a carload, access shall be permitted when at least one (1) adult Port Colborne resident is present in that carload;

That an unlimited amount of non-residents under the age of 15 be permitted access to Nickel Beach and Cedar Bay Beach by accompanying one (1) adult Port Colborne resident;

That the above-noted access restrictions to Nickel Beach and Cedar Bay Beach be effective as of August 28, 2020 or sooner, if possible, with communication on these restrictions to begin as soon as possible;

That the above-noted access restrictions to all road ends in Ward 4 with the exceptions of Pleasant Beach Road and Wyldewood Road be effective as of August 25, 2020;

That the above-noted access restrictions to Nickel Beach and Cedar Bay Beach as well as the Ward 4 road ends with the exceptions of Pleasant Beach Road and Wyldewood Road, be effective until September 30; and

That Centennial Park/Cedar Bay Beach shall have fencing with only one (1) point of entry to the beach.

CARRIED

Councillors' Issues/Enquiries

(a) Stones at the corner of Miller Road and Killaly Street East (Wells)

In response to Councillor Wells' request for an update on the stones being cleaned off the corner of Miller Road and Killaly Street East, the Director of Engineering and Operations reported that staff have been speaking with the Ministry of Transportation officials on site at this location who confirmed that the stones will be cleaned up this upcoming weekend.

(b) No Parking Signs on Beach Road and Michener Road (Wells)

In response to Councillor Wells' request for an update on the installation of No Parking signs on Beach Road and Michener Road, the Director of Engineering and Operations confirmed that he will check in on the status of this and inform Council as soon as he finds out.

(c) Eagle Marsh Drain Incident (Kalailieff)

In response to Councillor Kalailieff's request for an update regarding the Eagle Marsh Drain incident, the Director of Engineering and Operations informed Council that the cleanup has occurred pursuant to the MECP's instruction and that the funds for this cleanup are built in through the Eagle Marsh Drain accounts. The Director of Engineering and Operations further reported that staff are monitoring the dissolved oxygen levels and are preparing a report to Council regarding the details of the repairs to the gates.

(d) Stop Sign Review on Sugarloaf and King Streets (Kalailieff)

In response to Councillor Kalailieff's request for an update on the stop sign review at the location of Sugarloaf and King Streets, the Director of Engineering and Operations reported that staff are conducting a final survey and a report will be brought forward at the next Council meeting.

(e) Speeding at Wellington Street (Beauregard)

Councillor Beauregard reported that there has been an issue with cars speeding along Wellington Street and indicated that he will notify the Mayor of this issue so that he can bring it forward to the Niagara Regional Police's new Staff Sergeant.

13. Consideration of By-laws:

No. 172 Moved by Councillor D. Kalailieff
 Seconded by Councillor A. Desmarais

That the following by-law be enacted and passed:

6811/61/20	Being a By-law to Authorize Entering into an Agreement of Purchase and Sale with Denny Brochu and Amelia Wade respecting Part Lot 26, Concession 2
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CARRIED

No. 173 Moved by Councillor H. Wells
 Seconded by Councillor R. Bodner

That the following by-laws be enacted and passed:

6812/62/20	Being a By-law to Authorize Entering into a Lease Agreement with Big Pappi's
6813/63/20	Being a By-law to Authorize Entering into a Lease Agreement with Splashtown Niagara

CARRIED

No. 174 Moved by Councillor E. Beauregard
Seconded by Councillor H. Wells

That the following by-laws be enacted and passed:

6810/60/20	Being a By-Law to Amend By-Law No. 89-2000, Being a By-Law Regulating Traffic and Parking on West Street
6814/64/20	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 August 24, 2020


CARRIED

14. Adjournment:

Deputy Mayor Bagu adjourned the meeting at approximately 11:11 p.m.

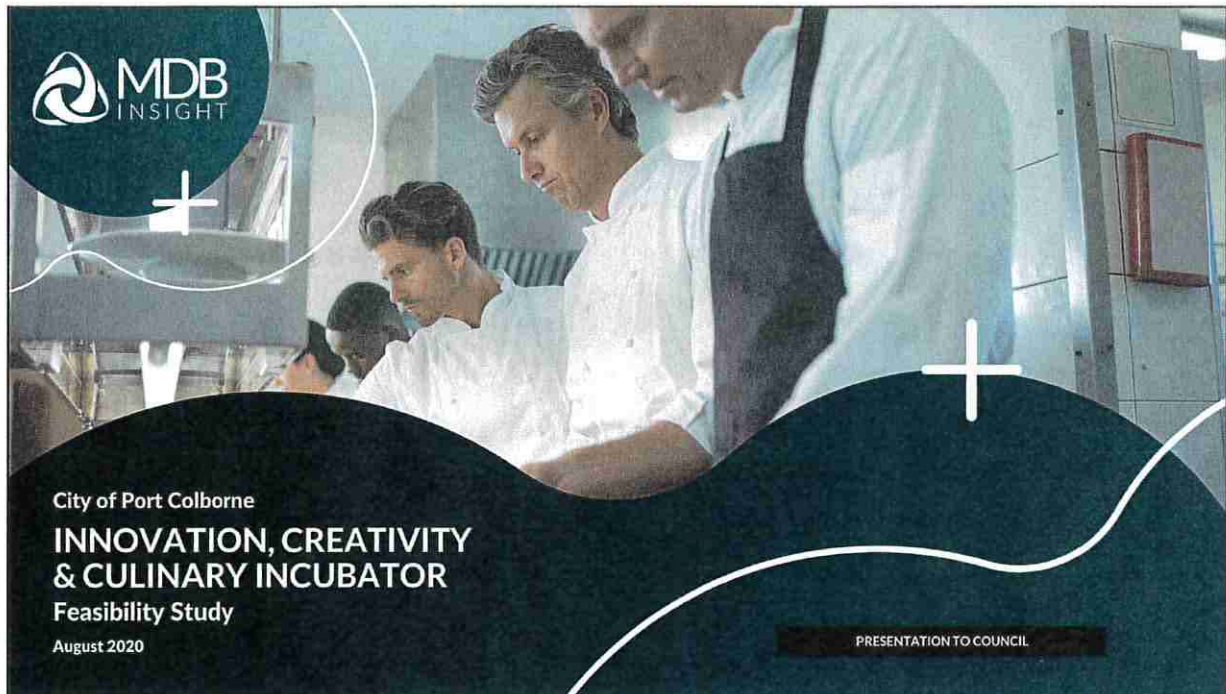


 Mark Bagu
 Deputy Mayor



 Amber LaPointe
 City Clerk

AL/cm



OVERVIEW

This feasibility study was developed to determine the **need, interest and capacity** of an Innovation, Creativity & Culinary Incubator. For this study, need, interest and capacity were defined as follows:

- **Is there a need?** Does the community need this service? Is there demand from the business community for business support services?
- **Is there interest?** Would businesses, community partners and the community at large be interested in getting involved with the proposed incubator?
- **Is there capacity?** Is the Roselawn Centre an appropriate location for the incubator? What is the cost of renovating the facility? Is there enough space for prospective demand?

IS THERE NEED?

Does the community need this service? Is there demand from the business community for business support services?
YES

Rationale:

<p>Lack of similar services in South Niagara Region</p> <p>After reviewing the innovation landscape, it is evident the lack of organization that support and promote entrepreneurship in the South Niagara context.</p> <div style="text-align: center; margin-top: 10px;"> </div>	<p>Data suggest growth in focus sectors</p> <p>Projections show growth in two of the sectors being considered for this project (culinary 7%, and innovation 5%). The potential business incubator could foster the growth of these industries.</p> <div style="text-align: center; margin-top: 10px;"> </div>	<p>Commuting patterns</p> <p>There is a strong inter-regional commuting labour force in the South Niagara Region - 48% of labour force already commute to a different census subdivision within then same census division.</p> <div style="text-align: center; margin-top: 10px;"> </div>	<p>Support the objectives established in the City's EcDev Strategic Plan</p> <p>Port Colborne is aiming to have an entrepreneurial ecosystem, as well as increase in the number of businesses and increase the population.</p> <div style="text-align: center; margin-top: 10px;"> </div>
---	--	--	--

Legend

Contractor Evaluation	Environmental scan	Statistical analysis	Online survey	Stakeholder engagement
-----------------------	--------------------	----------------------	---------------	------------------------

City of Port Colborne - Innovation, Creativity & Culinary Incubator Feasibility Study 3

IS THERE INTEREST?

Would businesses, partners and the community at large be interested in getting involved with the proposed incubator?
YES

Rationale:

<p>Pilot project</p> <p>The pilot project launched by the City of Port Colborne showed that some local companies were ready to occupy spaces in the Roselawn Centre.</p> <div style="text-align: center; margin-top: 10px;"> </div>	<p>Online survey</p> <p>18 small businesses responded with services they are looking for which are similar to the proposed incubator.</p> <div style="text-align: center; margin-top: 10px;"> </div>	<p>Stakeholder Interviews</p> <p>30 stakeholders from different organizations participated in semi structured interviews where they showed interest in collaborating and promoting the incubator.</p> <div style="text-align: center; margin-top: 10px;"> </div>	<p>Information Session</p> <p>The information session and general conversations around the incubator have caught the attention of local media. Local authorities are also interested in having this project materialize.</p> <div style="text-align: center; margin-top: 10px;"> </div>
--	---	---	--

Legend

Contractor Evaluation	Environmental scan	Statistical analysis	Online survey	Stakeholder engagement
-----------------------	--------------------	----------------------	---------------	------------------------

City of Port Colborne - Innovation, Creativity & Culinary Incubator Feasibility Study 4



IS THERE CAPACITY?

What is the cost of turning the Roselawn Centre into the proposed incubator and is there enough space for prospective demand after renovations?

YES

Rationale:

Power Capacity

After an evaluation of electricity and natural gas supply, the contractor confirms Roselawn Centre can power the proposed incubator

Physical Space

The main floor plan includes flexible furniture to manage incubator space. A large open-concept kitchen provides efficient space for culinary use. Storage and office space are included in basement and second floor.

Accessibility

A new elevator is proposed to improve accessibility within the Roselawn Centre.

Phased Cost

The Contractor has provided a cost-efficient plan for renovating the Roselawn Centre to fit the needs and interest behind the incubator.

Legend

- Contractor Evaluation
- Environmental scan
- Statistical analysis
- Online survey
- Stakeholder engagement



A PREVIEW OF THE POTENTIAL INCUBATOR





IMPLICATIONS OF COVID-19

The proposed incubator would provide cost-effective access to resources, knowledge, and networks that help entrepreneurs get through the initial obstacles in starting and growing their business.

This is an impactful service for businesses during the anticipated economic recovery stage of this pandemic.



A catalyst for innovation, an essential element in the new economy



Capitalize on potential desire for entrepreneurs to migrate to smaller communities



A new Roselawn Centre built for the "new normal"



FINAL RECOMMENDATION

The outcomes of this study suggest that there is an **interest** and a **need** for an incubator focused on culinary and innovation programs. It is recommended to not pursue a focus on the creativity sector.



Existing base of business activity



Existing base of business activity



Existing support organizations interested in supporting this incubator

Despite the well-documented historical challenges, the Roselawn Centre holds promise and has the **capacity** to serve the proposed incubator based on the site evaluation by Gow Hastings and the new development plan.

THANK YOU!

Contact:

Paul Blais, MA, Ec.D., CEcD
Executive Vice-President
 T: 1.855.367.3535 ext. 241
 E: pblais@mdbinsight.com



ADDITIONAL INFORMATION

- Methodology
- About Business Incubation
- Innovation Landscape in the Niagara Region
- Engagement
 - Stakeholder Interviews/Info. Session
 - Business Survey
 - Priority Matrix
- Site Evaluation
- Preview of The Potential Incubator
- Risk Assessment





METHODOLOGY

To answer the questions related to need, interest and capacity, a holistic approach consisting of primary and secondary research was implemented. The following activities were conducted:



Baseline research



Semi-Structured interviews



Online business survey



Stakeholder information session at Roselawn Centre



Site evaluation and operational requirements



Recommendation Matrix



ABOUT BUSINESS INCUBATION

Business incubator provide a value-added “intervention system” to tenant companies, which consists of a range of services to small businesses which are designed to nurture and develop them into successful enterprises over a defined period. Possible outcomes include:



Job creation



Neighborhood revitalization



Technology commercialization



Economic diversification



New business formation



Community development



Wealth creation



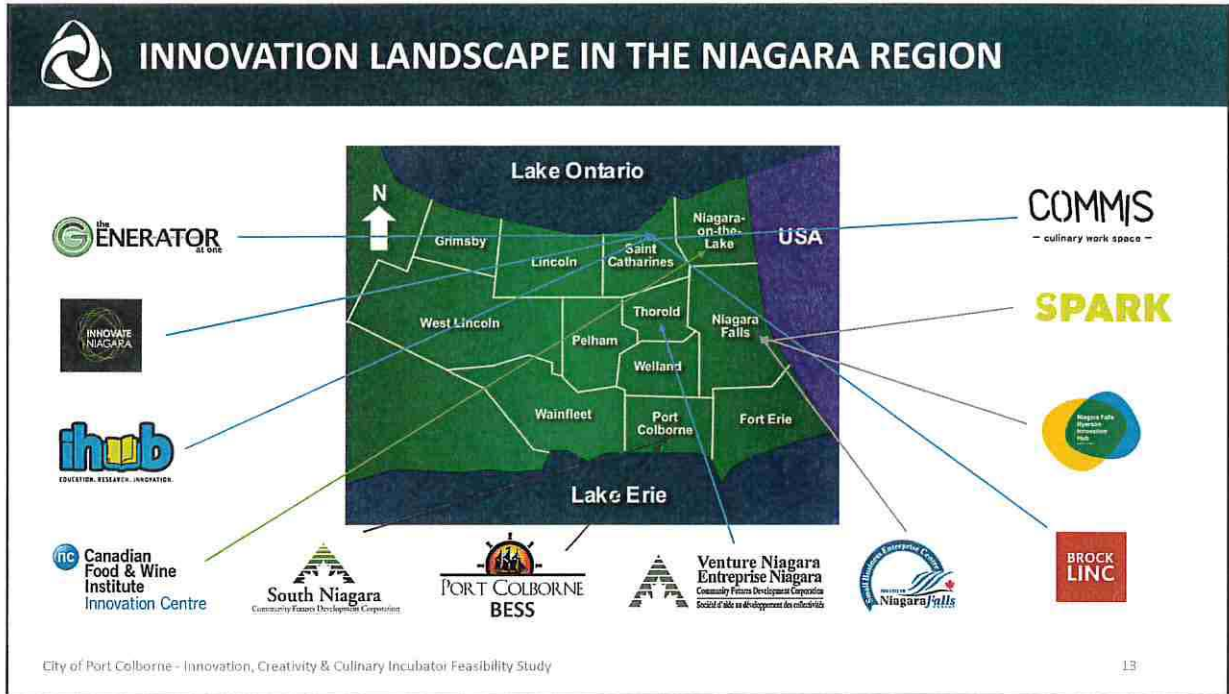
Industry cluster/sector development



Tax revenue generation



Empowering minorities





ENGAGEMENT: STAKEHOLDER INTERVIEWS/INFO. SESSION

30 phone interviews were conducted with local and regional stakeholders. Many of these interviewees plus elected officials and management from the City, made up the 20+ attendees at an information session/workshop held in the Roselawn Centre. These stakeholders represented private business, business innovation and support services, workforce development organizations, economic development services and educational institutions. Four main themes of importance were identified:



City of Port Colborne - Innovation, Creativity & Culinary Incubator Feasibility Study

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ENGAGEMENT: BUSINESS SURVEY

A survey was delivered to understand the potential demand for a business incubator in Port Colborne and the services and programs that would benefit entrepreneurs. 18 businesses responded to the survey. Some of the key findings include:

33%

Of respondents are start-ups (less than one year of operation)

28%

of respondents said they would use a co-working space occasionally (occasional daily use, as needed)

47%

of the responded classified their business as food and beverage production/food services

22%

of respondents said they would use the space regularly (regular ongoing use, extended period)

City of Port Colborne - Innovation, Creativity & Culinary Incubator Feasibility Study

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ENGAGEMENT: PRIORITY MATRIX

Market Segment	Needs/Services	Current Situation	Amenities Required	Demand
Culinary	Commercial Kitchens	There is a small number of kitchens for culinary start-ups/businesses in South Niagara. Some options are available in the broader Niagara Region, but these are also very limited.	Cold, frozen, storage	High
			Specialist equipment (e.g. ovens, stoves, vacuum packer, mixers, blast chillers)	High
			Printing and labels	Low
			Dry storage and pallet storage	Mid
			Smallware (pots, pans, bowls, utensils)	Low
Innovation	Co-working Spaces	Compared to commercial kitchens, there is a more variety of co-working spaces in Niagara Region. However, there is still a lack of co-working space in South Niagara (Welland, Port Colborne, Fort Erie and Wainfleet). Currently, no business incubators are operating in South Niagara. Nonetheless, some business support services are offered through local partnerships.	Office/desk space	Mid
			Broadband/High-speed internet	High
			Co-working space	High
			Office/desk space	High
			Meeting/boardroom/event spaces	High
Creativity (Arts and Crafts)	Maker Space	There is no makerspace with a focus on arts and crafts in Niagara Region. Some makerspaces exist in St. Catharines, but these spaces are focused on technology and information.	Printing (including 3D printing)	High
			Co-working makerspace (shared workshop)	Mid
			Printing and labels (including 3D printing)	Low
			Power tools (saws, drills, drivers, sanders)	Low
			Hand tools (measuring tools, cutting tools, hammers, clamps screwdrivers)	Low
			Tool storage	Low
			Welding and soldering tools	Low
Office/desk space	Low			

City of Port Colborne – Innovation, Creativity & Culinary Incubator Feasibility Study

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SITE EVALUATION





SITE EVALUATION AND OPERATIONAL REQUIREMENTS

GOW HASTINGS ARCHITECTS

After a request for quotation process and active outreach initiative Gow Hastings Architects (Gow) was chosen for the site evaluation based on their technical skills experience working on relevant projects in the Niagara Region.



**Evaluate Current
Structure/floor plan
of Roselawn Centre**



**Mandatory
Modernization
Requirements**



**Consideration of
Historical Building
Modification
Limitations**



**Overall Approval of
Site for Proposed
Incubator**

PREVIEW OF THE POTENTIAL INCUBATOR

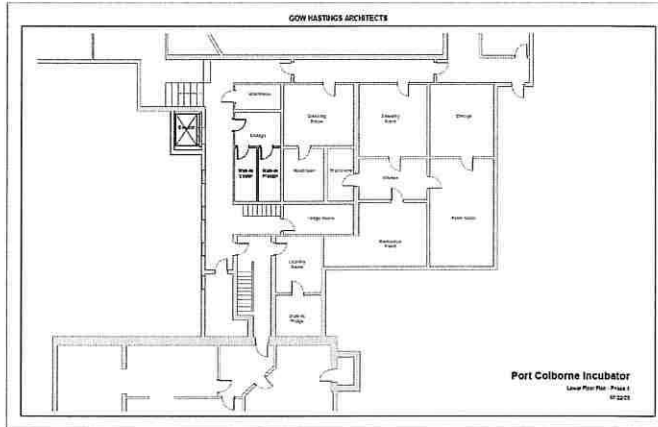




PHASED APPROACH TO TRANSFORM ROSELAWN CENTRE

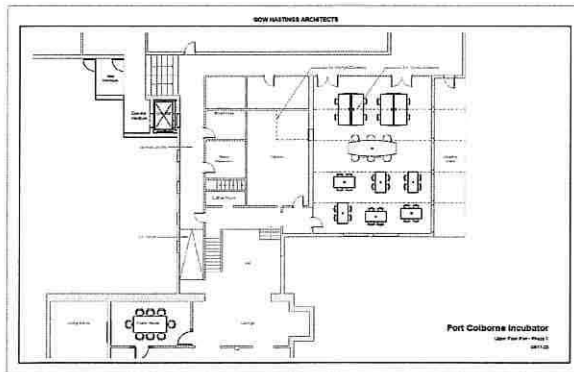
To make the most of the space, Gow has designed a four-phased approach to renovating the Roselawn Centre, which considers the basement, main floor and second floor (Furniture costs only).

Phase 1 – Basement

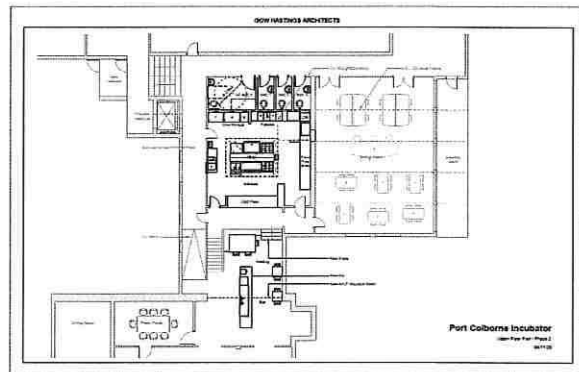


PHASED APPROACH TO TRANSFORM ROSELAWN CENTRE

Phase 1 – Main Floor Cost = \$376,725



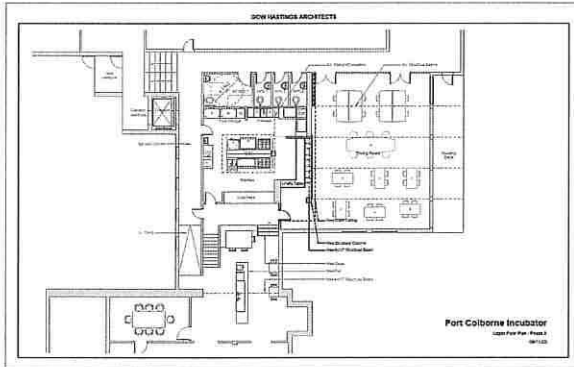
Phase 2 - Main Floor Cost = \$840,500





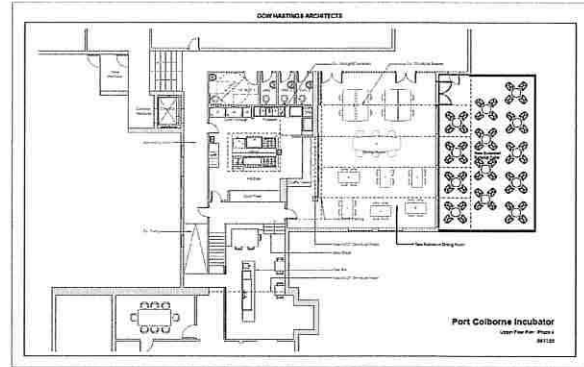
PHASED APPROACH TO TRANSFORM ROSELAWN CENTRE

Phase 3 – Main Floor
Cost = \$316,025



City of Port Colborne - Innovation, Creativity & Culinary Incubator Feasibility Study

Phase 4 – Main Floor
Cost = \$453,440



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PHASED APPROACH TO TRANSFORM ROSELAWN CENTRE

Phase 1

\$376,725

Phase 2

\$840,500

Phase 3

\$316,025

Phase 4

\$453,440

**Estimated
Total Cost**

\$1,986,690

City of Port Colborne - Innovation, Creativity & Culinary Incubator Feasibility Study

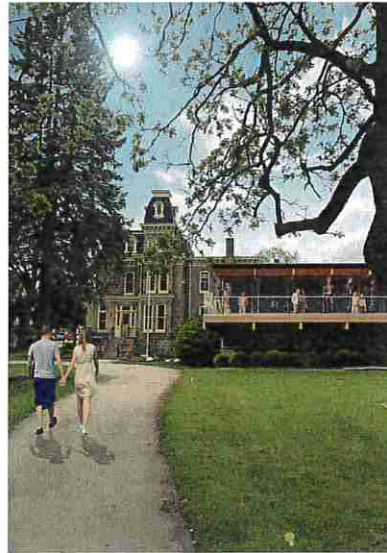
24



EXTERIOR RENDERING

The exterior render provides a view of the new deck addition and dining room from the eastern Roselawn garden.

This new deck addition is intended to connect the beautiful eastern garden with the incubator portion of the Roselawn Centre.



City of Port Colborne - Innovation, Creativity & Culinary Incubator Feasibility Study

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INTERIOR RENDERING

The interior rendering provides a view toward the incubator kitchen from the original dining room featuring the chef's table. The space is outfitted with modern, flexible furniture solutions on wheels equipped to not only function as a renewed event/dining space but also to support hotdesking for the innovation side of the incubator.



City of Port Colborne - Innovation, Creativity & Culinary Incubator Feasibility Study

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RISK ASSESSMENT

The ability to identify and respond to risks is an expected process for all business incubators and accelerators. Situations may arise that were not apparent at an earlier time. Nonetheless, some considerations can be anticipated as potential threats and dealt with or planned for proactively.

Potential Challenges:

- **Seed Funding**
- **Occupancy**
- **Financial Break-Even**
- **Graduates Leave Area**
- **Community Support**
- **Shortages of Time/Capacity**



Hello Charlotte,

I would like this passed along to members of council please.

My name is Rachel MacPherson and I am emailing with regards to the variance to 128 McCain street. I have had the chance to review the report Sherry Hanson composed and I have some further viewpoints to provide. As previously mentioned in my application for the variance the fence has been up for 20 years with no voiced concerns. I noticed Sherry added photos of the transition of the fence over the past 13 years. The fence that is separating my lot to the neighbours lot, changed in 2009. If I am not mistaken, the by law at that time allowed the change. The current by-law wasn't changed until 2010. I have attached the previous by-law. The fence should be grandfathered in.

If the trees that are being considered a fence based on how they've been planted are an issue I am willing to replant them elsewhere. In the 2020 photo taken, it shows the visibility from the neighbours view. There is no obstruction to view, in fact if I had been parked in my driveway the time of the photo, you would see that my truck sticks out further than the fence. I can provide photographic evidence of this.

Currently the neighbour who is voicing concern regarding the fence has been harassing me, and vandalizing/defacing the fence in place. The fence is 4 inches onto my yard. I can provide photographic proof if need be.

Thank you for your time,

Rachel MacPherson

THE CORPORATION OF THE CITY OF PORT COLBORNE**BY-LAW NO. 4245/81/02****BEING A BY-LAW TO AMEND BY-LAW 1170/117/81, AS AMENDED,
BEING A BY-LAW TO PRESCRIBE THE HEIGHT
AND DESCRIPTION OF LAWFUL FENCES
IN THE CITY OF PORT COLBORNE**

WHEREAS the Council of the Corporation of the City of Port Colborne enacted By-law 1170/117/81, being a by-law to prescribe the height and description of lawful fences in the City of Port Colborne and to repeal by-law 989/60/80, on the 23rd day of November 1981.

AND WHEREAS By-law 1170/117/81 has been amended from time to time;

AND WHEREAS the Council of the Corporation of the City of Port Colborne approved OPDS-Operational Services Division-Director's Report No. 2002-38, Fence By-law Review, as amended, on the 27th day of May, 2002;

**NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF
THE CITY PORT COLBORNE ENACTS AS FOLLOWS:**

1 That By-law 1170/117/81, being a by-law to prescribe the height and description of lawful fences and repeal by-law 989/60/80, as amended, be further amended by adding to Section 1 "Definitions" the following:

'Side Yard - Interior' - means a side yard other than an exterior side yard

'Side Yard - Exterior' - means a side yard immediately adjoining a public street

2 That By-law 1170/117/81, being a by-law to prescribe the height and description of lawful fences and to repeal by-law 989/60/80, as amended, be further amended by adding to Section 6 "Fences & Hedges at Intersections & Corner Lots" the following:

6(d) "Notwithstanding subsection 6(c) no person shall construct or permit to be erected or maintained any fence or hedge greater than 2m in any exterior side yard except where the said fence is set back a minimum of 3m from the exterior side lot line or, where a sidewalk exists parallel to the fence line, a minimum of 3m from the near side of the sidewalk".

**READ A FIRST, SECOND AND THIRD TIME AND PASSED BY COUNCIL THIS
10TH DAY OF JUNE, 2002.**



Council Agenda August 24, 2020

*Memorandum from Councillor Bodner Regarding Site Alteration By-law
Moratorium Request That the Site Alteration By-law be amended to halt the intake
of new applications to import fill from outside of Port Colborne until such time as the
City has passed a new Site Alteration By-law of January 31, 2021 – whichever comes
first.*

August 21, 2020.

Dear City of Port Colborne Council and Mayor,

Please re-word the above motion to include a moratorium on ALL dumping in Pit 1 at Port Colborne Quarries. The quarry floor of Pit 1 lies 8 meters into the aquifer water table.

This aquifer supplies the drinking water to thousands of people across the southern tier of Niagara. Clean Water = Health.
These facts are not new to you.

- YOU have the power to invoke this moratorium to **protect** the citizens of Port Colborne.

If you are citing that legal counsel advises that you may not invoke the requested moratorium, please provide that in a document to the public.

If you are citing that the MOECP says all is fine to do the dumping, then why did it start just after the ICZBL lapsed?

Whether or not this asphalt and concrete from Southport Condos are in Pit 1 for recycling misses the entire point here.

The point is: concrete and asphalt from a brownfield property such as Southport Condos is not acceptable in the water table.

Please put your people of Port Colborne before corporate profit and invoke this moratorium now.

respectfully,

Lorie Tokola

Niagara Water Protection Alliance

Co-Founder, Past President, Media/Social Media Communications

905-515-1797

www.niagarawaterprotectionalliance.com



niagara
water
protection
alliance

2020-08-21

Re: Proposed moratorium request on the Site Alteration Bylaw for Aug 24th Council Meeting.

Dear Councillor Ron Bodner,

Try holding your breath for 1 minute and you realize how important air is to sustaining life. Well, right next to air, is water for life sustenance. The human body is about 60% water and the human brain is over 70% water. Three days without water and cognitive function is impaired.

Ron, stopping the backfilling of Pit 1 has always been about the risk of contamination of our water source. It is about protecting the life giving value of abundant clean water to our flora and fauna.

The wording of your motion is about industry and commerce. It is about protecting that which is local from that which is distant. Although this may be a good thing IF the backfilling was being done in a dry pit, it totally misses the target of not filling a wet pit, like Pit 1, with anything that is a risk to our water source.

The request for a moratorium is a bandage to temporarily fix a symptom that developed when the Interim Control Bylaw on Mineral Aggregate Operations timed out. Whether it was a coincident, or a planned maneuver, material started to be dumped in Pit 1 within days of the ICBL/MOA timing out.

Please change the wording in your motion to stop all dumping, stock piling, and/or processing of excess construction material until a new bylaw is passed.

This communication has been Cc'd to Port Colborne City Council and Staff.

Respectfully,

Robert Henderson
President of NWPA

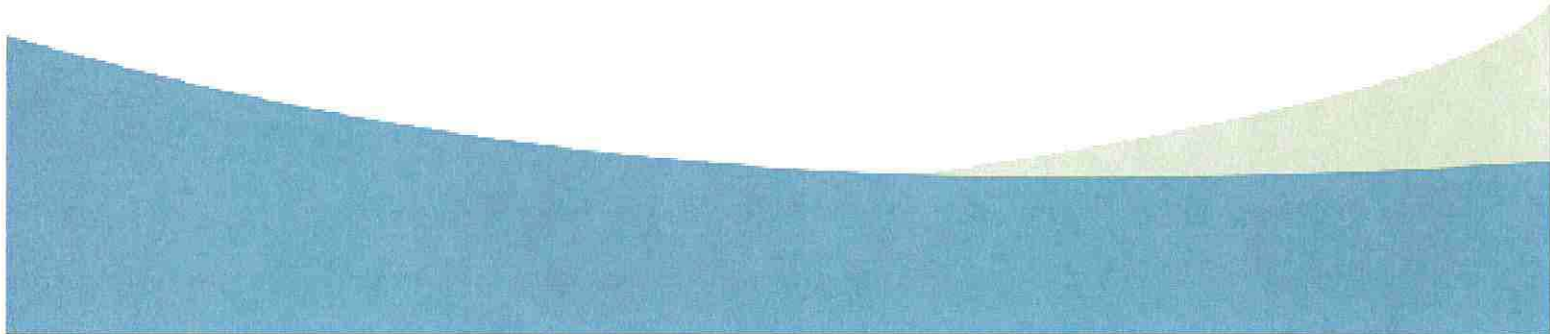
Robert Henderson, President

Tel: (905) 834-0299

nwpa411@gmail.com

www.niagarawaterprotectionalliance.com

Follow us on [Facebook](#)



From: "Josef van Ruyven" [REDACTED]
To: "amberlapointe@portcolborne.ca" <amberlapointe@portcolborne.ca>, ronbodner@portcolborne.ca
Cc: "angiedemarais@portcolborne.ca" <angiedemarais@portcolborne.ca>,
"donnakalailieff@portcolborne.ca" <donnakalailieff@portcolborne.ca>,
"ericbeauregard@portcolborne.ca" <ericbeauregard@portcolborne.ca>,
"frankdanch@portcolborne.ca" <frankdanch@portcolborne.ca>, "garybruno@portcolborne.ca"
<garybruno@portcolborne.ca>, "harrywells@portcolborne.ca" <harrywells@portcolborne.ca>,
"markbagu@portcolborne.ca" <markbagu@portcolborne.ca>, "mayor@portcolborne.ca"
<mayor@portcolborne.ca>
Date: 2020-08-21 10:53 AM
Subject: Memorandum Moratorium Request

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good evening Councillor Bodner:

Re: Council Agenda August 24, 2020

Memorandum from Councillor Bodner Regarding Site Alteration By-law Moratorium Request That the Site Alteration By-law be amended to halt the intake of new applications to import fill from outside of Port Colborne until such time as the City has passed a new Site Alteration By-law of January 31, 2021 – whichever comes first.

Upon review of the council package it appears that there may have been a misunderstanding or something has been lost in the translation as to what we, members of the NWPA, have been lobbying for regarding our moratorium request.

As a matter of clarification:

The moratorium request is for an immediate halt to, “all dumping or storage of any materials onto the floor of PIT #1 at Port Colborne Quarries”.

I understand that it is important that the wording of the memorandum in the package include “New & Future” applications for the importation of fill, however, the memorandum fails to address the current activities taking place at both the Port South Condos, and Pit #1 locations.

I respectfully request that you please, through the City Clerk Amber Lapointe, make the necessary changes to the memorandum / motion so that it accurately reflects the NWPA moratorium request.

I thank you in advance.

*Josef van Ruyven
Board Member, NWPA*

*787 Hwy #3 East
Port Colborne,
L3K 5V3*

From: "Cindy Cosby" [REDACTED]
To: "ronbodner@portcolborne.ca" <ronbodner@portcolborne.ca>, "ericbeauregard@portcolborne.ca" <ericbeauregard@portcolborne.ca>, "harrywells@portcolborne.ca" <harrywells@portcolborne.ca>, "frankdanch@portcolborne.ca" <frankdanch@portcolborne.ca>, "markbagu@portcolborne.ca" <markbagu@portcolborne.ca>, "garybruno@portcolborne.ca" <garybruno@portcolborne.ca>, "donnaikalailieff@portcolborne.ca" <donnaikalailieff@portcolborne.ca>, "angiedesmarais@portcolborne.ca" <angiedesmarais@portcolborne.ca>, "amberlapointe@portcolborne.ca" <amberlapointe@portcolborne.ca>, "mayor@portcolborne.ca" <mayor@portcolborne.ca>, "cao@portcolborne.ca" <cao@portcolborne.ca>
Date: 2020-08-21 08:57 PM
Subject: Moratorium request in the agenda package of August 24, 2020

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hello Ron,

Please ensure that the moratorium motion includes the wording that ALL dumping of any material must cease within and especially at the base of Pit 1 because this Pit/quarry is dug 8 metres deep into our highly vulnerable aquifer. This aquifer provides water for thousands of residents, farmers, and businesses throughout South Niagara. The risk of contamination is too great and we must do all we can to protect our precious water supply and the health of our communities.

In 2018, an interim Consolidated Zoning Bylaw (CZBL) was put into effect to ensure the wording within the Mineral Aggregate Zone (MAO) could be amended in order to protect our water (prevent certain activities) and since that time the council and the city have failed to do the work. The planning department did not do their work and a public meeting was not held. Once this interim bylaw lapsed the dumping returned to the bottom of Pit 1. Once again, we have another promise from Dan Aquilina of the planning department to hold a public information meeting this upcoming September 2020 (years late).

Due to our concerns surrounding the safety of our water within the aquifer and our greater communities livelihood; a moratorium was requested to cease all dumping within Pit 1 until the CZBL/MAO could be properly amended.

The intention of the moratorium was to NOT ALLOW ANY dumping from within Port Colborne or from outside of Port Colborne until the public meeting could occur and the properly amended CZBL/MAO could be passed.

Furthermore there are provincial regulations regarding excess soil and construction waste site dumping; that prohibit the dumping of excess soils/construction materials within two metres of the top of our groundwater level or within 30 metres of a body of water. Remember, this quarry (wet Pit 1) is already dug 8 metres in to our aquifer !!!

The Provincial Policy Statement of May 1, 2020 even helps to guide Port Colborne to protect as follows:

2.2.1 Planning authorities shall protect, improve or restore the quality and quantity of water by:
f) implementing necessary restrictions on development and site alteration to:
1. protect all municipal drinking water supplies and designated vulnerable areas; and

2. protect, improve or restore vulnerable surface and ground water, sensitive surface water features and sensitive ground water features, and their hydrologic functions;

It concerns me that if this cement/material dug from the site of Southport on West Street has been deemed safe then why was the site of Southport also designated as a brownfield area in order to be one of the qualifying factors for a tax exemption in excess of two million dollars (as indicated in a previous council meeting). It seems when convenient the brownfield designation is suitable for financial purposes but when inconvenient to place elsewhere; this excavated material was dumped within our aquifer and it is suddenly safe. I am simply baffled!

The City of Port Colborne does possess the authority to protect our highly vulnerable aquifer and I would like to see this happen.

IF the City of Port Colborne has received some documentation that leads them to believe that dumping in Pit 1 is perfectly fine even on a temporary basis; then, please accept this letter as also a request pursuant to the Freedom of Information Act that you provide me a copy of the documentation and/or legal letters that informs the City of this granted permission. I need to know why our city cannot act to protect our aquifer; it is as simple as that.

So, once again, please re-write the moratorium regarding dumping in to Pit 1 so that nothing is dumped in to Pit 1 (or any wet pit/quarry) until the proper CZBL/MAO is completed – my request is simple. We need to be ensured that our water is safe and not at risk of contamination.

Sincerely,

Cindy Mitchell
Vice President
Niagara Water Protection Alliance

Sent from Mail for Windows 10

From: "Gary Gaverluk" [REDACTED]
To: ronbodner@portcolborne.ca, amberlapointe@portcolborne.ca
Cc: mayor@portcolborne.ca, markbagu@portcolborne.ca, donnakalailieff@portcolborne.ca,
harrywells@portcolborne.ca, ericbeauregard@portcolborne.ca, angiedemarais@portcolborne.ca,
frankdanch@portcolborne.ca, garybruno@portcolborne.ca
Date: 2020-08-21 07:17 AM
Subject: Re: COUNCIL AGENDA AUGUST 24, 2020 - MEMORANDUM MORATORIUM REQUEST

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

To avoid further confusion I have amended my comments as per the following:

The moratorium request is for an immediate stoppage of "all dumping of suspect materials specific to PIT #1 at Port Colborne Quarries".

To avoid further confusion this should be:

The moratorium request is for an immediate stoppage of "all dumping of materials specific to PIT #1 at Port Colborne Quarries".

Gary B. Gaverluk
Gaverluk Services Ltd.
"Quality Assurance through
Responsible in plant representation"
[REDACTED]
[REDACTED]

On Aug 20, 2020, at 6:26 PM, Gary Gaverluk [REDACTED] > wrote:

Good evening Councillor Bodner:

Council Agenda August 24, 2020

Memorandum from Councillor Bodner Regarding Site Alteration By-law Moratorium Request That the Site Alteration By-law be amended to halt the intake of new applications to import fill from outside of Port Colborne until such time as the City has passed a new Site Alteration By-law of January 31, 2021 – whichever comes first.

Upon review of the council package it appears that there may have been a miss understanding or something has been lost in the translation as to what we, members of the NWPA have been lobbying for regarding our moratorium request.

As a matter of clarification:

The moratorium request is for an immediate stoppage of “all dumping of suspect materials specific to PIT #1 at Port Colborne Quarries”.

I understand that it is important to include as per the wording of the memorandum in the package to include “New & Future” applications for the importation of fill.

However it fails to address the current activities taking place at both the Port South Condos and Pit #1 Locations.

I respectfully request that you please, through the City Clerk Amber Lapointe make the necessary changes to the memorandum / motion so that it accurately reflects the NWPA moratorium request.

I thank you in advance.

Gary B. Gaverluk
Gaverluk Services Ltd.
“Quality Assurance through
Responsible in plant representation”

████████████████████
████████████████

From: Jack Hellinga [REDACTED]
Date: Thu, 20 Aug 2020 at 16:24
Subject: Intent of Moratorium
To: Ron Bodner <ronbodner@portcolborne.ca>
Cc: Angie Desmarais/Port_Notes <angiedesmarais@portcolborne.ca>, Mark Bagu <markbagu@portcolborne.ca>

Ron,

The Council Agenda for Monday night includes a motion for a moratorium on importing fill from outside Port Colborne. This is NOT the issue I was trying to have addressed. I asked that the Consolidated Zoning ByLaw MAO zoning be amended to conform to the Interim Control ByLaw of 2018, and that an interim restraint (via a moratorium until a public meeting can be held) be in place until Planning can present the amendment to the CZBL.

This issue has gone on and on as if it is intentionally being delayed. The motion should be reworded to address the above, and presented on Monday night.

Sincerely,
Jack S Hellinga

Sent from my BlackBerry 10 smartphone on the Rogers network.



MAYOR'S REPORT

AUGUST 24, 2020 COUNCIL MEETING

Good evening and welcome to our virtual council meeting.

I am Deputy Mayor Mark Bagu sitting in for Mayor Steele who is on vacation this week.

Tonight we are welcoming three of our councillors back into the council chambers. Joining us are Councillors, Bruno, Kalalief and Wells and well as our CAO Scott Luey, Clerk Amber LaPointe, Deputy Clerk Charlotte Madden, Stephanie Powell Baswick, Museum Director and Curator and a member of Wee Stream who are live streaming this meeting for us.

Our other three city councillors, Councillors Beauregard, Bodner and Desmarais and the following staff are each attending from home.

Dan Aquilina, Director of Planning and Development Department
Bryan Boles, Director of Corporate Services/Treasurer
Julian Douglas-Kameka, Economic Development Officer
Ashley Grigg, Director of Community and Economic Development
Sherry Hanson, Manager of By-law Services
Brian Kostuk, Development and Asset Inventory Supervisor
Chris Lee, Director of Engineering and Operations

Councillor Danch is unable to attend.

As we remain in Stage 3 of the COVID-19 recovery process, we continue to emphasize social distancing, hand washing and face coverings where social distancing can't be maintained or where required by the Region's face covering by-law.

We ask for your patience while we all work together for a safe and gradual return of services.

We must remain vigilant in fighting this virus.

Our number one priority is the health and safety of our staff and citizens as we continue the safe and gradual reopening of services and business activities. Please stay safe.