

**City of Port Colborne
Regular Committee of the Whole Meeting 02-20
Minutes**

- Date:** January 27, 2020
- Time:** 6:39 p.m.
- Place:** Council Chambers, Municipal Offices, 66 Charlotte Street, Port Colborne
- Members Present:** M. Bagu, Councillor
E. Beauregard, Councillor
G. Bruno, Councillor
R. Bodner, Councillor
F. Danch, Councillor
A. Desmarais, Councillor
D. Kalailieff, Councillor
W. Steele, Mayor (presiding officer)
H. Wells, Councillor
- Staff Present:** D. Aquilina, Director of Planning & Development
A. LaPointe, Acting Director of Corporate Services/City Clerk
S. Luey, Chief Administrative Officer
C. Madden, Deputy Clerk (minutes)
S. Shypowskyj, Acting Director of Engineering and Operations
S. Hanson, Manager of By-law Services

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

1. Call to Order:

Mayor Steele called the meeting to order.

2. National Anthem:

Those in attendance stood for O Canada.

3. Introduction of Addendum Items:

Additions:

The addition of item 13, Memorandum from Luke Rowe, Event Coordinator Re: SportsFest 2020. This item was circulated via addendum on January 27, 2020.

The following addition to the motion in item 7, Corporate Services Department, Clerk's Division, Report 2020-11, Subject: Appointments to Boards and Committees:

That Claudia Brema and Albert Murphy be appointed to the Port Colborne Historical and Marine Museum Board for a term ending December 31, 2023;

That Bina Patel and John Maloney be appointed as Associate Members to the Port Colborne Historical and Marine Museum Board for a term ending December 31, 2023;

4. Confirmation of Agenda:

Moved by Councillor R. Bodner
Seconded by Councillor E. Beauregard

That the agenda dated January 27, 2020 be confirmed, as circulated or as amended.

CARRIED

5. Disclosures of Interest:

Councillor Beauregard declared a pecuniary interest regarding item 4 (Planning & Development Department, By-law Enforcement Division, Report 2020-05, Subject: Update with Respect to Council's Request for Proactive Enforcement) as he is employed by Sullivan Mahoney and the firm has provided legal advice with respect to proactive enforcement. Councillor Beauregard refrained from discussing and voting on item 4.

6. Adoption of Minutes:

(a) Regular meeting of Committee of the Whole 01-20, held January 13, 2020.

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

(a) That the minutes of the regular meeting of Committee of the Whole 01-20, held on January 13, 2020, be approved as presented.

CARRIED

7. Determination of Items Requiring Separate Discussion:

The following items were identified for separate discussion:

Items 1, 3, 4, 6, and 9.

8. Approval of Items Not Requiring Separate Discussion:

Moved by Councillor D. Kalailieff
Seconded by Councillor A. Desmarais

That Items 1 to 13 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 & Development Department, By-law Enforcement Division, Report 2020-15, Subject: 48 Kent Street Request of Relief of Fines

Committee of the Whole recommends:

That Council deny the request for financial relief at 48 Kent Street and all costs associated with the lot maintenance clean-up remain on the tax account until paid in full.

5. Planning & Development Department, By-law Enforcement Division, Report 2020-06, Subject: By-law Appointment of Madison Cassar as a Municipal Law Enforcement Officer

Committee of the Whole recommends:

That Madison Cassar be appointed as a Municipal Law Enforcement Officer for The Corporation of the City of Port Colborne, effective February 3, 2020; and

That the Mayor and City Clerk be authorized to execute the appropriate By-law.

7. Corporate Services Department, Clerk's Division, Report 2020-11, Subject: Appointments to Boards and Committees

Committee of the Whole recommends:

That Laura Slade and Alexa Schonewille be appointed to the Accessibility Advisory Committee for a term ending December 31, 2023;

That Michael Scott and George McKibbon be appointed to the Active Transportation Advisory Committee for a term ending December 31, 2023;

That Dan O'Hara, Alexander Fazzari, Trevor Dirstein and Katherine Klauck be appointed to the Council Review Committee for a term ending December 31, 2020;

That David Semley and Andrea Boitor be appointed to the Economic Development Advisory Committee for a term ending December 31, 2023;

That Claudia Brema and Albert Murphy be appointed to the Port Colborne Historical and Marine Museum Board for a term ending December 31, 2023;

That Bina Patel and John Maloney be appointed as Associate Members to the Port Colborne Historical and Marine Museum Board for a term ending December 31, 2023;

That Brenda Haymes be appointed to the Grant Policy Committee for a term ending December 31, 2023; and

That Lesley Rickard and Audrey Garrett be appointed to the Port Colborne Senior Citizen Advisory Council for a term ending December 31, 2023.

8. Chief Administrative Officer, Economic Development Division, Report 2020-12, Subject: Pilot Innovation, Creativity & Culinary Co-Working Hub Project Update

Committee of the Whole recommends:

That the Chief Administrative Officer, Economic Development Division Report 2020-12 be received;

That Council approve the Incubator/Co-Working Hub Lease Agreement as the template for participants of the Incubator/Co-Working Space;

That staff bring forward a by-law to enter into a lease agreement with 3Post Organization Ltd; and

That staff bring forward the template agreement for other participants of the Incubator/Co-Working Space, as required.

**10. Memorandum from Karen Walsh, Executive Administrative Assistant
Re: Active Transportation Advisory Committee – Boulevard
Trees**

Committee of the Whole recommends:

That the Active Transportation Advisory Committee, supports the Environmental Advisory Committee report on Boulevard Trees.

11. Region of Niagara Re: 2020 Budget – Waste Management Services Operating Budget and Requisition (CSD 70-2019 REVISED)

Committee of the Whole recommends:

That the correspondence received from the Region of Niagara Re: 2020 Budget – Waste Management Services Operating Budget and Requisition, be received for information.

12. Region of Niagara Re: 2020 Budget – Water and Wastewater Operating Budget, Rate Setting and Requisition (CSD 71-2019)

Committee of the Whole recommends:

That the correspondence received from the Region of Niagara – Water and Wastewater Operating Budget, Rate Setting and Requisition, be received for information.

13. Memorandum from Luke Rowe, Event Coordinator Re: SportsFest 2020

Committee of the Whole recommends:

That the Council of The Corporation of the City of Port Colborne hereby deems the annual SportsFest as a municipally significant event and supports the application to the Alcohol and Gaming Commission of Ontario for a Special Occasion Permit.

CARRIED

9. Presentations:

Nil.

10. Delegations:

(a) John Lohuis and Ray Hurd, representing Communities in Bloom Ontario Re: The Communities in Bloom Program

John Lohuis and Ray Hurd of Communities in Bloom Ontario provided a presentation with respect to the Communities in Bloom Program and

responded to questions received from Council. A copy of their presentation is attached.

(b) Kruze Ovenden, Waiving of Fees Re: 48 Kent Street, Port Colborne

Moved by Councillor G. Bruno

Seconded by Councillor H. Wells

The rules respecting delegations, as outlined under Section 10 of the Procedural By-law, were suspended in order permit unregistered members of the public to speak regarding item 2, Planning & Development Department, By-law Enforcement Division, Report 2020-15, Subject: 48 Kent Street Request of Relief of Fines.

CARRIED

Mr. Kruze Ovenden presented a request seeking financial relief for charges and penalties on 48 Kent Street, Port Colborne. Mr. Ovenden stated that since the penalties occurred when he was a minor under the age of 18 and when he was not in control of the household, the fines cannot be transferred to him.

11. Mayor's Report:

A copy of the Mayor's Report is attached.

12. Regional Councillor's Report:

Nil.

13. Councillors' Items:

Staff responses to Previous Councillors' enquiries:

Nil.

Councillors' Issues/Enquiries:

(a) Signage on Clarence Street and Catherine Street (Kalailieff)

In response to Councillor Kalailieff's request for an update on the traffic-slowing signage to be posted at the Clarence Street and Catherine Street intersection, the Acting Director of Engineering and Operations confirmed that the installation will occur in the spring.

(b) Stop Sign on corner of Fielden Avenue and Killaly Street West (Danch)

Councillor Danch expressed concern about the stop sign at the corner of Fielden Avenue and Killaly Street West and requested that the Acting Director of Engineering and Operations arrange for it to be either raised or moved over.

(c) Ditching material near Reservoir Park (Bruno)

In response to Councillor Bruno's inquiry regarding ditching material left near Reservoir Park, the Acting Director of Engineering and Operations confirmed that some of the material will be used to create a berm in that area with the rest to be moved offsite.

(d) Tenders Re: Spirits and Banking (Bruno)

In response to Councillor Bruno's request regarding whether staff could reach out to see if there are expressions of interest from other vendors for the sale of alcohol at City-held events, the Chief Administrative Officer reported to Council that there are limited options as the sale of alcohol is regulated to only two (2) national vendors, however a conversation with staff will be held to discuss options. Similarly, Councillor Bruno inquired as to whether alternate vendors for City banking could be explored. The Chief Administrative Officer informed Council that the City has partnered for approximately 30 years with its current banking institution and explained the benefits of doing so. The Chief Administrative Officer further reported that while there are costs and upheaval associated with moving to a new banking institution, a conversation with staff will be held to discuss the potential benefits.

(e) Skelton Drain Court of Revision (Bagu)

Councillor Bagu reported that the Skelton Drain Court of Revision took place on January 21, 2020 and that no appeals were heard. He informed Council that work on the drain will commence soon.

(f) Roof Leaks (Bagu)

Councillor Bagu reported that he has been in contact with staff with regards to the roof leaks at the Vale Centre. The Acting Director of Engineering and Operations confirmed that materials have been acquired and the repairs will be conducted in the spring as soon as the temperature warms up.

(g) Strategic Planning (Bagu)

In response to Councillor Bagu's request for an update on the Corporation's Strategic Planning, the Chief Administrative Officer confirmed that the target timeline for the strategic planning final report to be brought to Council is the first meeting in April.

(h) Tree Replacement Program (Desmarais)

In response to Councillor Desmarais' concern regarding the amount of trees lost in the City due to the recent wind storms as well as her request for an update on the tree replacement program, the Acting Director of Engineering and Operations reported to Council that a tree inventory is currently being conducted and the Boulevard Tree Planting Program is being reviewed. He confirmed that the conjunction of both of these undertakings will progress the implementation of the Tree Replacement Program. In response to Councillor Desmarais' further inquiry regarding the number of trees to be planted this year, the Acting Director of Engineering and Operations informed Council that he will report back at the next Council meeting with that number.

(i) Barriers at the end of Weaver Road and Pinecrest Road (Wells)

Councillor Wells thanked the Acting Director of Engineering and Operations for arranging for the barriers to be placed at the end of Weaver Road and Pinecrest Road.

(j) Consistency on Road Ends (Wells)

In response to Councillor Wells' request for an update on arranging for the road ends in Ward 4 to have consistency with respect to gates and no parking signs, the Acting Director of Engineering and Operations reported that these items are being submitted through the 2020 budget process and if approved, will be implemented in the summer.

14. Consideration of Items Requiring Separate Discussion:

1. Motion by Councillor Beauregard Re: Request for Endorsement of Bill 164 – Protecting Vulnerable Persons in Supportive Living Accommodation Act, 2019

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

WHEREAS Niagara Centre MPP, Jeff Burch, introduced Private Member's Bill 164: Protecting Vulnerable Persons in Supportive

Living Accommodation Act, 2019 (the “Bill”) at the Legislative Assembly of Ontario;

AND WHEREAS the Province of Ontario regulates matters under the following statutes:

- a) Child, Youth and Family Services Act, 2017;
- b) Homes for Special Care Act;
- c) Long-Term Care Homes Act, 2007;
- d) Private Hospitals Act;
- e) Public Hospitals Act;
- f) Retirement Homes Act, 2010;
- g) Residential Tenancies Act, 2006;
- h) Services and Supports to Promote the Social Inclusion of Persons with Developmental Disabilities Act, 2008.

AND WHEREAS there is a need for regulating private supportive living accommodations to protect individuals requiring special care;

NOW THEREFORE the City of Port Colborne endorses the Bill and will complete the following:

1. Send a letter to the Premier, the Minister of Government and Consumer Services; the Minister of Health; the Minister of Children, Community, and Social Services; the Minister of Long-Term Care, and carbon copy the Association of Municipalities of Ontario stating the endorsement of the Bill and reasons for its support no later than one (1) month’s time from the passing of this resolution; and,
2. Circulate the resolution endorsing the Bill to all municipalities in Ontario.

CARRIED

3. Chief Administrative Officer, Report 2020-10, Subject: Revised Logo and Branding Update

Moved by Councillor F. Danch
Seconded by Councillor G. Bruno

That Council approve the proposed new logo and design concepts for staff to move forward with the creation of the Corporation’s visual identity guide and subsequent implementation across the city.

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

That consideration of Chief Administrative Officer, Report 2020-10, Subject: Revised Logo and Branding Update be referred to the Corporate Communications Officer for further review of alternative options; and

That the Corporate Communications Officer report back to Council at the February 10, 2020 Committee of the Whole meeting.

CARRIED

4. Planning & Development Department, By-law Enforcement Division, Report 2020-05, Subject: Update with Respect to Council's Request for Proactive Enforcement

Councillor Beauregard declared a conflict with this item and therefore did not vote.

Moved by Councillor R. Bodner
Seconded by Councillor G. Bruno

That Council approve the implementation of a stepped up approach (deal with all complaints in a timely manner and monitor all historical properties and repeat offenders) for 2020 and hire one (1) full-time Enforcement Officer and one (1) additional summer student and purchase one (1) additional AWD vehicle and other miscellaneous materials to support and house the new staff; and

That Council approve the expenditures through the 2020 budget process.

Moved in amendment by Councillor G. Bruno
Seconded by Councillor R. Bodner

That the main motion be amended by removing the following from the first paragraph:

“and hire one (1) full-time Enforcement Officer and one (1) additional summer student and purchase one (1) additional AWD vehicle and other miscellaneous materials to support and house the new staff”

That the main motion be further amended by replacing the second paragraph with the following:

“That the hiring of one (1) full-time Enforcement Officer and one (1) additional summer student and the purchasing of one (1) additional AWD vehicle and other miscellaneous materials to support and house the new staff be referred to the 2020 budget process.”

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

That Council approve the implementation of a stepped up approach (deal with all complaints in a timely manner and monitor all historical properties and repeat offenders) for 2020; and

That the hiring of one (1) full-time Enforcement Officer and one (1) additional summer student and the purchasing of one (1) additional AWD vehicle and other miscellaneous materials to support and house the new staff be referred to the 2020 budget process.

CARRIED

6. Planning & Development Department, Planning Division, Report 2020-09, Subject: Recommendation Report for Official Plan & Zoning By-law Amendment for Cannabis Production Facility

Moved by Councillor R. Bodner

Seconded by Councillor A. Desmarais

That the Official Plan Amendment, attached as Appendix A of the Planning and Development Report No. 2020-09, Recommendation Report for Official Plan & Zoning By-law Amendment for Cannabis Production Facility be approved;

That the Zoning By-law Amendment for cannabis production facility, attached as Appendix B of the Planning and Development Department Report No. 2020-09, Recommendation Report for Official Plan & Zoning By-law Amendment for Cannabis Production Facility be approved; and

That Staff be directed to prepare the Notice of Passing in accordance with the Planning Act and circulate to all applicable parties.

Moved in amendment by Councillor H. Wells

Seconded by Councillor A. Desmarais

That that main motion be amended by adding the following as the second and third paragraphs:

“That the definition of “Air Treatment Control” in Section 1 of By-law No. 6755/06/20 being a by-law to amend Zoning By-law 6575/30/18, as Amended, to Incorporate Regulations for Cannabis Production Facilities, be amended by replacing the words “similar technology” with “alternatively proven technologies”;

“That 2.94 under Section 6 of By-law No. 6755/06/20 being a by-law to amend Zoning By-law 6575/30/18, as Amended, to Incorporation Regulations for Cannabis Production Facilities, be amended by replacing the words “for security purposes” with “solely for security purposes”;

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

That the Official Plan Amendment, attached as Appendix A of the Planning and Development Report No. 2020-09, Recommendation Report for Official Plan & Zoning By-law Amendment for Cannabis Production Facility be approved;

That the definition of “Air Treatment Control” in Section 1 of By-law No. 6755/06/20 being a by-law to amend Zoning By-law 6575/30/18, as Amended, to Incorporate Regulations for Cannabis Production Facilities, be amended by replacing the words “similar technology” with “alternatively proven technologies”;

That 2.94 under Section 6 of By-law No. 6755/06/20 being a by-law to amend Zoning By-law 6575/30/18, as Amended, to Incorporation Regulations for Cannabis Production Facilities, be amended by replacing the words “for security purposes” with “solely for security purposes”;

That the Zoning By-law Amendment for cannabis production facility, attached as Appendix B of the Planning and Development Department Report No. 2020-09, Recommendation Report for Official Plan & Zoning By-law Amendment for Cannabis Production Facility, as amended, be approved; and

That Staff be directed to prepare the Notice of Passing in accordance with the Planning Act and circulate to all applicable parties.

CARRIED

9. Community and Economic Development Department, Health Services Division, Report 2020-13, Subject: Grant Funding Request to Support Community Palliative Care

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

That the City of Port Colborne approve \$25,000 from the Community Health and Wellness Reserve to be provided to Dr. Kim Scher in order to support the costs associated with a Nurse Practitioner.

CARRIED

15. Notice of Motion:

Nil.

16. Adjournment:

Mayor Steele adjourned the meeting at approximately 8:37 p.m.
CARRIED

AL/cm