

**City of Port Colborne
Regular Council Meeting 15-20
Minutes**

- Date:** June 22, 2020
- Time:** 6:30 p.m.
- Place:** Council Chambers, Municipal Offices, 66 Charlotte Street, Port Colborne
- Members Present:** M. Bagu, Councillor (via Zoom)
E. Beauregard, Councillor (via Zoom)
R. Bodner, Councillor (via Zoom)
G. Bruno, Councillor (via Zoom)
F. Danch, Councillor (via Zoom)
A. Desmarais, Councillor (via Zoom)
D. Kalailieff, Councillor (via Zoom)
W. Steele, Mayor (presiding officer)
H. Wells, Councillor (via Zoom)
- Staff Present:** D. Aquilina, Director of Planning and Development Department (via Zoom)
B. Boles, Director of Corporate Services (via Zoom)
A. Grigg, Director of Community and Economic Development (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
N. Halasz, Manager of Parks and Recreation (via Zoom)
A. Vander Veen, Drainage Superintendent (via Zoom)

Also in attendance was one member of WeeStream.

1. Call to Order:

Mayor Steele called the meeting to order and then proceeded into Roll Call.

Mayor Steele delivered his Mayor's Report, a copy of which is attached.

Regional Councillor Butters reported to Council on various items that were brought forth at the recent Regional Standing Committee meetings, including the development of Open Niagara, the Woodland By-law, and a report regarding the election of the Regional Chair. Councillor Butters concluded her report by encouraging residents to maintain social distancing and to follow the news provided on the Region of Niagara's website with respect to COVID-19.

2. Introduction of Addendum Items:

Nil.

3. Confirmation of Agenda:

No. 92 Moved by Councillor R. Bodner
Seconded by Councillor H. Wells

That the agenda dated June 22, 2020 be confirmed, as circulated.

CARRIED

4. Disclosures of Interest:

Councillor Danch declared a pecuniary interest regarding item 1 (Planning and Development Department, Report 2020-77, Subject: Public Information Report – Proposed Closing of a portion of Carl Road) as Rankin Construction Inc. is a customer of the Councillor’s business. Councillor Danch refrained from discussing and voting on item 1.

Councillor Wells declared a pecuniary interest regarding item 1 (Planning and Development Department, Report 2020-77, Subject: Public Information Report – Proposed Closing of a portion of Carl Road). Councillor Wells refrained from discussing and voting on item 1.

Councillor Beauregard declared a pecuniary interest regarding item 1 (Planning and Development Department, Report 2020-77, Subject: Public Information Report – Proposed Closing of a portion of Carl Road), item 5 (Planning and Development Department, Report 2020-39, Subject: Sale of Vacant Land, Part Lot 26, Concession 2), and By-law 6794/44/20 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 these items.

5. Adoption of Minutes:

No. 93 Moved by Councillor D. Kalailieff
Seconded by Councillor M. Bagu

(a) That the minutes of the regular meeting of Council 14-20, held on June 8, 2020, be approved as presented.

CARRIED

6. Determination of Items Requiring Separate Discussion:

The following items were identified for separate discussion:

Item 1, 5, 6, 7, 8, and 10.

7. Approval of Items Not Requiring Separate Discussion:**No. 94**

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

That Items 1 to 11 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. Engineering and Operations Department, Engineering Division, Report 2020-73, Subject: Michener Municipal Drain**

Council Resolved:

That Engineering and Operations Department, Engineering Division, Report No. 2020-73, Subject: Michener Municipal Drain, be received for information; and

That staff be directed to advance the Michener Municipal Drain Engineer's Report to a Meeting to Consider, as per section 41, Chapter D. 17 of the *Drainage Act*.

3. Engineering and Operations Department, Engineering Division, Report 2020-74, Subject: Billing of the Beaver Dam Municipal Drain Maintenance

Council Resolved:

That Council of the City of Port Colborne receives Engineering and Operations Department, Engineering Division, Report No. 2020-74, Subject: Billing of the Beaver Dam Municipal Drain Maintenance; and

That the billings for the Beaver Dam Drain be billed in accordance with the *Drainage Act, R.S.O., 1990*, as detailed in the attached assessment schedule.

4. Engineering and Operations Department, Engineering Division, Report 2020-78, Subject: Billing of the Marsh Municipal Drain

Council Resolved:

That Council of the City of Port Colborne receives Engineering and Operations Department, Engineering Division Report No. 2020-78, Subject: Billing of the Marsh Municipal Drain for information; and

That the billings for the Marsh Municipal Drain be billed out in accordance with the *Drainage Act, R.S.O., 1990*, as detailed in the attached assessment schedule.

9. Corporate Services Department, Clerks Division, Report 2020-83, Subject: Procedural By-law Amendment: Electronic Participation in Closed Sessions of Council

Council Resolved:

That Corporate Services Department Report 2020-83, Procedural By-law Amendment Electronic Participation in Closed Sessions of Council be received; and

That the Procedural By-law be amended to allow electronic participation of Council members in closed sessions of Council; and

That the necessary by-law be approved by Council and signed by the Mayor and City Clerk.

11. Julia Baldesarra, Community Relations Consultant, Hydro One Networks Inc. Re: Hydro One: C1P Refurbishment Completion

Council Resolved:

That the correspondence received from Julia Baldesarra, Community Relations Consultant, Hydro One Networks Inc. Re: Hydro One: C1P Refurbishment Completion, be received for information.

CARRIED

8. Consideration of Items Requiring Separate Discussion:

1. Planning and Development Department, Report 2020-77, Subject: Public Information Report – Proposed Closing of a portion of Carl Road

No. 95

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

That Planning and Development Department Report No. 2020-77, Subject: Public Information Report – Proposed Closing of a portion of Carl Road, be received for information.

CARRIED

5. Planning and Development Department, Report 2020-39, Subject: Sale of Vacant Land, Part Lot 26, Concession 2

No. 96

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

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

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; and

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

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

That consideration of Planning and Development Department Report 2020-39, Subject: Sale of Vacant Land, Part Lot 26, Concession 2 be deferred to the July 27 regular Council meeting.

CARRIED

6. Planning and Development Department, Report 2020-38, Subject: Short Term Rentals

No. 97

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

That Planning and Development Department Report No. 2020-38, Subject: Short Term Rentals be received for information.

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

That Planning and Development Department Report 2020-38, Subject: Short Term Rentals be referred to the Director of Planning and Development and the City Clerk in order to research best practices and regulations from other municipalities in the Niagara Region.

CARRIED

7. Corporate Services Department, Report 2020-79, Subject: COVID-19 Property Tax, Water and Wastewater Penalty and Interest Relief Program

No. 98

Moved by Councillor G. Bruno
Seconded by Councillor A. Desmarais

That Corporate Services Department Report 2020-79, COVID-19 Property Tax, Water and Wastewater Penalty and Interest Relief Program be received; and

That the Director of Corporate Services be given delegated authority until October 30, 2020 to provide interest and penalties relief in accordance with Report 2020-79; and

That By-law 6746/110/19, 3151/22/95, and 3424/6/97 be amended by Council and signed by the Mayor and City Clerk.

Moved in amendment by Councillor G. Bruno
Seconded by Councillor A. Desmarais

That the main motion be amended by adding the following as the third paragraph:

“That eligible person(s) whose property tax and/or water and wastewater accounts for which they are applying for relief were in arrears as of December 31, 2019 still be eligible to apply for interest and penalty relief for the period of July 1, 2020 until October 30, 2020; and”

CARRIED

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

That Corporate Services Department Report 2020-79, COVID-19 Property Tax, Water and Wastewater Penalty and Interest Relief Program be received; and

That the Director of Corporate Services be given delegated authority until October 30, 2020 to provide interest and penalties relief in accordance with Report 2020-79; and

That eligible person(s) whose property tax and/or water and wastewater accounts for which they are applying for relief were in arrears as of December 31, 2019 still be eligible to apply for interest and penalty relief for the period of July 1, 2020 until October 30, 2020; and

That By-law 6746/110/19, 3151/22/95, and 3424/6/97 be amended by Council and signed by the Mayor and City Clerk.

CARRIED

8. Chief Administrative Officer Department, Report 2020-82, Subject: COVID-19 Update #3

No. 99

Moved by Councillor M. Bagu
Seconded by Councillor A. Desmarais

That Chief Administrative Officer Report No. 2020-82, Subject: COVID-19 Update #3, be received for information; and

That the Chief Administrative Officer be directed to arrange for the Port Colborne Community Bus to resume service on June 29, 2020 on a reduced schedule.

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

That the main motion be amended by adding the following as the second paragraph:

“That the Spray Pad at H.H. Knoll Lakeview Park open to the public when the Public Health tests are completed and satisfactory results have been received; and”

CARRIED

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

That Chief Administrative Officer Report No. 2020-82, Subject: COVID-19 Update #3, be received for information; and

That the Spray Pad at H.H. Knoll Lakeview Park open to the public when the Public Health tests are completed and satisfactory results have been received; and

That the Chief Administrative Officer be directed to arrange for the Port Colborne Community Bus to resume service on June 29, 2020 on a reduced schedule.

CARRIED

10. Community and Economic Development Department, Parks and Recreation Division, Report 2020-81, Subject: Concrete Resurfacing – Vale Health and Wellness Centre Capital Improvement

No. 100

Moved by Councillor G. Bruno

Seconded by Councillor M. Bagu

That the Parks and Recreation Division and Facility Maintenance Division be authorized to proceed with the concrete floor resurfacing in common areas, and in Rinks 1 and 2 at the Vale Health and Wellness Centre, as outlined in Community and Economic Development, Parks and Recreation Division Report 2020-81; and

That the project funded through the postponement of other Parks and Recreation Division capital projects previously approved for 2020 but put on hold as a result of COVID-19 (totalling \$98,586), with the remaining funds allocated from capital reserve; and

That in the event no company can meet the timeline and approved dollar figure Staff identify the projects listed for postponement will remain funded as previously approved; and

That the Chief Administrative Officer, Director of Engineering and Operations and Treasurer be authorized to award the project with a budget upset limit of \$119,000.

CARRIED

9. Proclamations:

None.

10. Minutes of Boards, Commissions & Committees:

None.

11. Councillors' Items:**Staff Responses to Previous Councillors' Enquiries****(a) Drainage Issues on Barrick Road (Lee)**

The Director of Engineering and Operations informed Council that staff have been in discussions with the St. Lawrence Seaway with respect to the drainage issues on Barrick Road and are hoping to propose a solution to Council in the near future.

Councillors' Issues/Enquiries**(a) Status of Revisions to Firearms and Noise By-laws (Wells)**

In response to Councillors Wells' request for an update on the revisions to the Firearms and Noise By-laws, the City Clerk indicated that a report with proposed revisions would be brought forth to Council in the near future.

(b) Drainage Issues on Maplevue Crescent (Wells)

In response to Councillor Wells' inquiry with respect to drainage issues occurring on Maplevue Crescent, the Director of Engineering and Operations confirmed that staff have done some initial research on the drainage in this area and multiple investigations are being conducted, one of the investigations being an extension of the municipal drain into the back lots of the parcels on Maplevue Crescent.

(c) Storm Sewer Fees (Wells)

Councillor Wells reported to Council that some residents have expressed concern regarding the breakdown of storm sewer fees on their tax bills. The Director of Engineering and Operations informed Council that staff will be preparing an informational report with respect to the processes of how these fees get calculated and what they are used for. The Director of Corporate Services indicated that solutions to the communication issues both on the tax bills and on the website will be investigated.

(d) Update on Establishing Road End Requirements (Wells)

In response to Councillors Wells' request for a status on the report establishing road end requirements, the Director of Engineering and

Operations informed Council that initial meetings have occurred with staff and the intention is to hold at least two public meetings in order to receive the public's feedback before finalizing the report.

(e) Issues at Pleasant Beach and Pleasant Beach Road End (Wells)

Councillor Wells expressed strong concern regarding multiple issues that have occurred at Pleasant Beach over the last couple of weekends and requested input from staff and Council regarding potential solutions.

No. 101 Moved by Councillor A. Desmarais
Seconded by Councillor H. Wells

That staff be directed to investigate long-term solutions to the ongoing issues occurring on Pleasant Beach Road; and

That the Chief Administrative Officer be directed to hire paid duty Niagara Regional Police Officers to enforce at the Pleasant Beach Road end on Saturdays and Sundays.

CARRIED

(f) Construction on Janet Street (Desmarais)

Councillor Desmarais informed Council that the residents on Janet Street have expressed concern with respect to the condition of their properties as a result of the construction occurring in that area. The Director of Engineering and Operations confirmed that staff will investigate this issue.

(g) Board/Committee Meetings (Desmarais)

In response to Councillor Desmarais' inquiry with respect to when Board/Committee meetings will resume, the City Clerk confirmed that when the provincial restrictions have been lifted to allow for groups of 15 people to gather, that is when the Board and Committee meetings will resume.

(h) Speed Sign on Barrick Road (Danch)

In response to Councillor Danch's request for an update with regards to speed limit signs being installed on the easterly part of Barrick Road past Elm Street, the Director of Engineering and Operations confirmed that Staff is currently investigating this matter.

(i) Grass cutting near Bridge 19A (Danch)

Councillor Danch informed Council and staff that the grass needs to be cut on Seaway property near Bridge 19A. The Mayor confirmed that MP Badawey has been speaking with the senior staff at St. Lawrence Seaway with respect to keeping the grass cut on their properties in Port Colborne.

(j) Speeding on Shamrock Avenue (Danch)

Councillor Danch reported that there has been a high volume of cars speeding and parking on Shamrock Avenue. The Director of Engineering and Operations confirmed that he will ask staff to investigate this issue.

(k) Ditching on Barrick Road (Bruno)

Councillor Bruno thanked Engineering staff for looking into the ditching and drainage issues on Barrick Road.

(l) Marina Road Clean-up (Bruno)

Councillor Bruno thanked Parks and Recreation staff for cleaning up the grass on Marina Road.

(m) Enforcement of Repeat Offenders (Bruno)

Councillor Bruno thanked By-law Enforcement staff for enforcing the long grass repeat offenders in Ward 3.

(n) Cedar Bay Beach (Bodner)

In response to Councillor Bodner's inquiry with respect to how well the reopening of Cedar Bay Beach went, the Director of Community and Economic Development confirmed parking was in high volume but that the general operations went well. Further, the Director of Planning and Development confirmed that there were no complaints received about parking at Cedar Bay Beach over the weekend.

(o) Temporary Barriers on Johnston Street (Beauregard)

Councillor Beauregard expressed appreciation towards Engineering and Operations staff for installing the temporary barriers at the Johnston Street road end.

(p) Thank you to Voluntary Fire Fighters (Beauregard)

Councillor Beauregard thanked the Voluntary Fire Fighters for all of the work they are doing on Fire Station 2.

(q) Winter Photo Contest (Bagu)

Councillor Bagu informed Council that the winners of the Winter Photo contest are being finalized this week and will be announced as part of the Canada Day celebrations.

(r) Stanley Street Sidewalk (Bagu)

In response to Councillor Bagu's request for an update on the installation of a sidewalk on Stanley Street, the Director of Engineering and Operations confirmed that staff have finalized the design of the sidewalk and that notices are being sent out to the residents in the area who will be affected by the construction.

Notice of Motion

Councillor Kalailieff provided notice of her intention to introduce a motion at the July 13, 2020 Council meeting with respect to reconsidering tax relief at 48 Kent Street.

12. Consideration of By-laws:

No. 102 Moved by Councillor F. Danch
 Seconded by Councillor G. Bruno

That the following by-laws be enacted and passed:

6790/40/20	Being a By-law to Amend the Assessment Schedule, to Levy the Actual Costs Incurred, for the Maintenance of Drainage works known as the Beaver Dam Municipal Drain
6791/41/20	Being a By-law to Amend the Assessment Schedule, to Levy the Actual Costs incurred, for the Maintenance of Drainage works known as the Marsh Municipal Drain
6792/42/20	Being a By-law to Amend By-law No. 3151/22/95, as Amended, A By-law to Regulate the Supply of Water and to Provide for the Maintenance and Management of the Water Works and for



Fw: Carl road sale
Amber LaPointe to: Brenda Heidebrecht

2020-06-22 08:50 AM

Amber LaPointe
Manager of Legislative Services /City Clerk
Corporate Services Department, City of Port Colborne
66 Charlotte Street, Port Colborne, ON L3K 3C8
905-835-2900 x106 Fax: 905-835-2969
cityclerk@portcolborne.ca

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----- Forwarded by Amber LaPointe/Port_Notes on 2020-06-22 08:50 AM -----

From: "Betty Konc" [REDACTED]
To: danaquilina@portcolborne.ca
Cc: "Scott Luey" <cao@portcolborne.ca>, amberlapointe@portcolborne.ca, harrywells@portcolborne.ca, angiedesmarais@portcolborne.ca, "Mark Bagu" <markbagu@portcolborne.ca>, "Gary Bruno" <garybruno@portcolborne.ca>, "Eric Beauregard" <ericbeauregard@portcolborne.ca>, donnakalailieff@portcolborne.ca, ronbodner@portcolborne.ca, frankdanch@portcolborne.ca, mayoradmin@portcolborne.ca
Date: 2020-06-22 07:37 AM
Subject: Carl road sale

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

Please let this email represent my comments on the sale of Carl road to PC Quarries PDD report 2020-77

I am concerned about the old growth bush at the north end of the right of way. This is significant wetland and woodlands as identified by the provincial registry and as such the city needs to make sure that the 30-120 buffer be protected. There are species at risk that have their habitats in that bush. The city has adopted the Environmental Advisory Committee's position paper on protection of wetlands, now it is time to show residents that you are willing to take the next step forward and do what needs to be done to protect that bush.

We all know from the Thundering Waters debacle in Niagara Falls that allowing

biodiversity offsetting is NOT an option and shouldn't be allowed here either, nor should the elimination of this old growth forest. In this day and age of concern for the environment and our atmosphere, saving trees and bush land is the very least we as humans can do to help the earth.

The city could request that access to the next pit be from Hwy #3 and that the access at pit 1 be eliminated. The city could also sell up to the bush using the buffer zone as the boundary.

I urge council to make sure that in selling off this right of way you take all steps necessary to protect this wetland/ woodland from extinction.

Thank you ,
Betty Konc
831 Hwy #3 E
Port Colborne, On

Sent from my iPhone



Fw: Closing of Part of Carl Road - Public Meeting June 22, 2020

Amber LaPointe to: Brenda Heidebrecht

2020-06-22 09:18 AM

Amber LaPointe

Manager of Legislative Services/City Clerk

Corporate Services Department, City of Port Colborne

66 Charlotte Street, Port Colborne, ON L3K 3C8

905-835-2900 x106 Fax: 905-835-2969

cityclerk@portcolborne.ca

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----- Forwarded by Amber LaPointe/Port_Notes on 2020-06-22 12:21 AM -----

From: "Josef van Ruyven" [REDACTED] >
To: "amberlapointe@portcolborne.ca" <amberlapointe@portcolborne.ca>, "angiedesmarais@portcolborne.ca" <angiedesmarais@portcolborne.ca>, "cao@portcolborne.ca" <cao@portcolborne.ca>, "danaquilina@portcolborne.ca" <danaquilina@portcolborne.ca>, "donnaikalailieff@portcolborne.ca" <donnaikalailieff@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>, "ronbodner@portcolborne.ca" <ronbodner@portcolborne.ca>
Cc: "mayoradmin@portcolborne.ca" <mayoradmin@portcolborne.ca>
Date: 2020-06-20 02:15 PM
Subject: Closing of Part of Carl Road - Public Meeting June 22, 2020

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

June 20, 2020

To:

Dan Aquilina, Director of Planning and Development

Scott Luey, CAO

Amber LaPointe, City Clerk

Mayor William Steele
Councillors of the City of Port Colborne

Re:

Sale of Part of Carl Road, Highway #3 to Second Concession, PDD Report 2020-77

Please accept my apology for not attending the Council Meeting in compliance with COVID-19 restrictions.

I do, however, wish to express objection to the sale/development of the North portion of Carl Rd. for reasons that may not seem sensible to a party wishing to change what nature has developed, but it makes sense to anyone who recognizes the challenge that such a sale/development is likely to have on habitat and species diversity.

In 1998, not long after I purchased the property at 787 Hwy # 3 East, Port Colborne, in late winter/early spring, members of a variety of northern pike would migrate across my property, up the Wignal and Michener Drains from Lake Erie to what has now become the Babion Rd quarry. There, and in the connected properties to the north and east, in the shallow, marshy lands, the pike spawned and then returned to Lake Erie, subsequently to be followed by their offspring fingerlings later each summer. The Planning Department was irresponsible then, to not have more carefully studied, and observed what I have described, and then take the necessary steps to protect this fish species' spawning grounds, and any others that still make these sensitive wetlands surrounding the northern portion of Carl Rd, their home.

Those northern pike may no longer have access to these wetlands for spawning, but it only makes sense that other species now still depend on you to make the choice, on their behalf, to protect what remains of this sensitive wetland and spawning habitat.

I implore you to base your decision whether to sell/allow development of these wetlands on Science, rather than simply on economic reasoning.

Thank-you for giving me your time.

Sincerely,

Josef van Ruyven
787 Hwy #3 East,
Port Colborne

June 20, 2020

To:

Dan Aquilina, Director of Planning and Development

Scott Luey, CAO

Amber LaPointe, City Clerk

Mayor William Steele

Councillors of the City of Port Colborne

Re:

Sale of Part of Carl Road, Highway #3 to Second Concession, PDD Report 2020-77

In considering the current COVID-19 pandemic, I will not be attending the Public Meeting concerning the subject issue on June 22, 2020. Considering the interest and importance of this issue, and that it is not time sensitive, I believe the meeting should be rescheduled to a time when delegations and attendance can be in person. In that absence, I submit herewith my written comments.

The Province of Ontario has recently amended the Aggregate Resources Act so that quarrying operations on both sides of a road Right-Of-Way (ROW) allow the operator to apply to quarry into the ROW. The City has no say in that matter. Therefore, I have no objection to the sale of that portion of Carl Road where this can occur.

However, the north portion of this ROW separates two Significant Wetlands and Woodlands, as identified in the Provincial Registry (<https://geohub.lio.gov.on.ca/maps/edit?content=mnrf%3A%3Awetlands>). Based on Ministry of Natural Resources and Forestry (MNRF) criteria, and the Niagara Peninsula Conservation Authority (NPCA) site designation, the wetlands, vegetation, and the species that make this their habitat, are to be protected. This leads to the conclusion that the wetlands and the buffer of 30 – 120 metres around the wetlands/woodlands are to be protected. Further, that would preclude quarrying in this reach, and does not fall under the recent Provincial ARA amendment.

The City by resolution of June 25, 2018, has adopted the City's Environmental Advisory Committee's (EAC) Wetland Protection Position Paper on the protection of wetlands. The retention of the portion of Carl Road ROW between the wetlands will support that commitment. The City should not only TALK THE TALK, but also WALK THE WALK.

Respectfully,

Jack S Hellinga, 770 Highway #3, Port Colborne, ON



Fwd: Closing of part of Carl Road Allowance

Dan Aquilina to: Amber LaPointe, Brenda Heidebrecht

2020-06-22 09:31 AM

3 attachments



Public_Notice_Closing_of_Part_of_the_Carl_Road-Allowance_May_26_2020.pdf



PIR 2020-77.pdf



image001.jpg

Dan Aquilina, MCIP, RPP, CPT
Director of Planning & Development

Begin forwarded message:

From: "Babion, Gail" <gail.babion@niagararegion.ca>
Date: June 19, 2020 at 1:41:08 PM EDT
To: Dan Aquilina <danaquilina@portcolborne.ca>
Cc: "dwightairhardt@portcolborne.ca" <dwightairhardt@portcolborne.ca>, "stylee@rankinconstruction.ca" <stylee@rankinconstruction.ca>
Subject: Closing of part of Carl Road Allowance

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I know I missed the date of June 11 to submit comments however hope the following can be included at the Public meeting on June 22.

I am very familiar with the Carl road allowance being a long time resident of the area so feel I can speak objectively to it's proposed closure and sale to PC Quarries.

This is an "unapproved" road allowance similar to the Babion road allowance that runs from Chippawa Road to Third Concession. Both are clay roads and in a horrible state. They are not being maintained by the City of Port Colborne. Even the municipal grader gets stuck in the ruts made by the 4WD trucks & ATVs that continually travel these roads when wet. The water never dries up. People use them as a place to dump their garbage. Drainage at the northwest corner of Carl Road & Second Concession has been a problem for the farmer that rents the land there which floods every time it rains.

Nothing would please me more than to have the Carl road allowance closed and sold to PC Quarries. They need it for their quarrying operation and to hold this up for the sake of "wetland protection" is ludicrous. The residents of Port Colborne will never require the use of this road in future as they haven't in the past. PC Quarries pay a lot of taxes and employ a lot of people so why hinder the good

Corporate taxpayer that they are.

Trusting you will consider my comments at the June 22 public meeting.
Thank you.

Gail Babion – Ken Ruston
975 Chippawa Road
Port Colborne, ON L3K 5V5

Gail Babion

Wastewater Area 1 Clerk, W-WW Services | Public Works Department **Admin**
Office: Niagara Falls Wastewater Treatment Plant

3450 Stanley Avenue, PO Box 957 | Niagara Falls, ON L2E 6V8
T 905 354-2754 x5300 | F 905 374-7188

gail.babion@niagararegion.ca

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June 22, 2020

Project No. 1771656

Shawn Tylee, C.E.T. MBA, Manager Corporate Affairs

Rankin Construction Inc.
20 Corporate Park Drive
Suite 100-101
St. Catharines, ON
L2S 3W2

CONFIRMATION THAT CARL ROAD IS NOT INCLUDED IN THE PROPOSED PIT #3 EXTRACTION BOUNDARY IN THE AREA OF THE WOODLAND/WETLAND

Dear Mr. Tylee:

As discussed, please find attached our current base plan of proposed Pit #3 extension, for you to provide to the City of Port Colborne.


The proposed extraction boundary is shown on this on this plan. The proposed extraction area shown on this plan does not include Carl Road in the area of the Woodland/Wetland.

I confirm that that under the current license application Carl Road will not be extracted in the area of the Woodland/Wetland.

If you have any questions or require clarification, please contact me.

Yours truly,

Golder Associates Ltd.



Dr. Sean McFarland, P.Geol.
Principal

SMF/II

Attachments: Figure 1 – Proposed Quarry Boundary and Excavation Phases

[https://golderassociates.sharepoint.com/sites/32998g/correspondence/rankin construction inc/1771656 ltr to rankin construction 22jun2020.docx](https://golderassociates.sharepoint.com/sites/32998g/correspondence/rankin%20construction%20inc/1771656%20ltr%20to%20rankin%20construction%2022jun2020.docx)

ATTACHMENTS

Figure 1 – Proposed Quarry
Boundary and Excavation Phases

June 22, 2020

Dear Mayor Steele, Dan Aquilina, Amber LaPointe, and Council Member,

RE: Closing of Part of the Carl Road Allowance, Report No. 2020-77 and 2020-66

Please accept this letter as my comments for the public meeting set for 6:30 pm on June 22, 2020 at City Hall Port Colborne.

Please be advised that given the current concerns regarding Covid 19 and my own personal health that I will not be attending this public information meeting. In addition, your Public Notice did not advise us to the protocol that would be needed to speak at this public meeting should I have felt comfortable to do so. To my knowledge, city hall remains closed. In addition, due to covid 19, I did not feel comfortable to meet with Dan Aquilina to peruse the documentation and maps at City hall regarding this matter and the map on the website is vague/hard to see.

Furthermore, the city's public notice of this public meeting did not mention that Carl Road runs through two Provincially significant wetlands/woodlots and I feel that having had that information in the public notice would have generated more public attention/interest regarding this matter.

Port Colborne's Environmental Advisory Committee had submitted a position paper in 2016 that was not accepted by council until June of 2018. It is my hope that the City does engage in a commitment to ensure the protection of this important eco-system (wetlands/woodlots) that are also recognized by both the Niagara Peninsula Conservation Authority and the Ministry of Natural Resources and Forestry. Buffer zones would need to be respected too. Perhaps an environmental study of this area may be needed to ensure the protection of these significant areas. Common sense would suggest that this wetland/woodlot would assist in naturally cleaning the water that would eventually leak down in to the aquifer that is below it; as such, more reason to protect this ecosystem.

A report (2020-66) to council was submitted by Chief Administrative Officer, Scot Luey, and I question if that report included any mention of the Provincially Significant Wetlands (PSW)/Woodlots as it appears in Report No. 2020-77 that a council member raised a question about the existence of the PSW/woodlot being located on both sides of Carl Road.

The current Aggregate Resources Act (ARA) would allow Port Colborne Quarries to extract aggregate from the road allowance whether they owned it or not; however, not within the protected PSW/woodlot. Therefore, I do not oppose the sale of the unopened Carl Road that is south of the PSW/woodlot BUT I think the city should consider keeping ownership of that north portion of Carl Road so that they/other authorities could more easily access and monitor the area of the significant PSW/woodlot. Thinking outside the box – perhaps the city could trade the southern portion of the unopened Carl Road for the city to have ownership of the whole Provincially Significant Wetland/woodlot area !!!

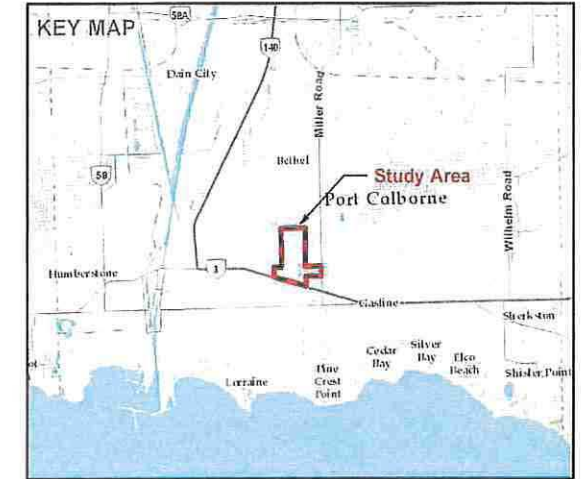
Thank you for accepting this letter as my comments to the proposed closing of part of the Carl Road Allowance for the Public meeting of June 22, 2020.

Sincerely,

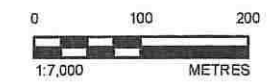
Cindy Mitchell [REDACTED]



- LEGEND**
- ① EXCAVATION PHASE
 - ➔ EXCAVATION DIRECTION ARROW
 - ROADS
 - WATERBODY
 - ▭ PROPERTY BOUNDARY
 - ▭ PROPOSED QUARRY EXTENSION
 - ▭ APPROXIMATE EXCAVATION PHASING BOUNDARY
 - ▨ WETLAND
 - ▨ WOODLAND



DRAFT




REFERENCE(S)
 1. BASE DATA: MNR/LIO 2016
 2. IMAGERY: ORTHOIMAGE PROVIDED BY IBI GROUP, SITE FLOWN JULY 29TH, 2018
 3. ADDITIONAL IMAGERY FROM ESRI, HERE, DELORME, INTERMAP, INCREMENT P CORP., GEBCO, USGS, FAO, NPS, NRCAN, GEOBASE, IGN, KADASTER NL, ORDNANCE SURVEY, ESRI, JAPAN, METI, ESRI CHINA (HONG KONG), SWISSTOPO, MAPMYINDIA, © OPENSTREETMAP CONTRIBUTORS, AND THE GIS USER COMMUNITY
 4. PROJECTION: UTM ZONE 17N DATUM: NAD 83

CLIENT
 RANKIN CONSTRUCTION

PROJECT
 PROPOSED PORT COLBORNE QUARRY EXTENSION

TITLE
 PROPOSED QUARRY BOUNDARY AND EXCAVATION PHASES

CONSULTANT	YYYY-MM-DD	2020-06-22
	DESIGNED	PR
	PREPARED	PR
	REVIEWED	SM
	APPROVED	SM

PROJECT NO: 1771656 CONTROL: 0007 REV: A

PATH: S:\2020\1771656\1771656_Ortho\1771656_Ortho.mxd PRINTED ON: 2020-06-22 AT 10:14:41 AM



IF THIS MEASUREMENT DOES NOT MATCH WHAT IS SHOWN, THE SHEET USE HAS BEEN ACQUIRED FROM

On Jun 21, 2020, 11:42:31 AM, [REDACTED] wrote:

From: [REDACTED]

To: cityclerk@portcolborne.ca

Cc:

Date: Jun 21, 2020, 11:42:31 AM

Subject: COVID-19 Tax relief extension

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

City of Port Colborne

Report # 202079

COVID-19 Property tax relief

Agenda June 22nd, 2020 Item 7 Page 161

Regarding the extension of the COVID-19 tax interest relief only for the present years taxes.

To whom it may concern:

It is somewhat obvious the people that need it the most are the people struggling in arrears to pay their taxes. The ones that need it the least are the ones keeping up to date. As well, if that person decides to pay their present year taxes, it gets applied to the previous years taxes first. Therefore they couldn't benefit as the program is intended.

I recommend the council make the extension to September 30th, 2020 to include relief of tax interest from any previous years.

Sincerely,

Todd Harris

11960 Lakeshore Rd.

Wainfleet, ON L0S 1V0



MAYOR'S REPORT

JUNE 22, 2020 COUNCIL MEETING

COVID-19 UPDATE

Good evening and welcome to our fourth virtual council meeting.

I am here in the council chambers with our CAO Scott Luey, Clerk Amber LaPointe, Deputy Clerk Charlotte Madden and a member of Wee Stream who are live streaming this meeting for us. I would like to welcome our eight city councillors and various city directors who are each attending from home.

City Hall and almost all of our facilities remain closed to the public.

Staff have been working with members of our Emergency Operations Centre on recovery plans for a safe and gradual reopening once we get the go ahead from the Province of Ontario and our Emergency Operations Centre determines that it is safe to open our facilities to staff and members of the public.

In the meantime, we will continue to find new ways to deliver services to you.

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

Activities that have reopened in Phase Two

The provincial government has moved Niagara to Phase Two of its recovery plan. Some additional restrictions have been lifted allowing our municipality to reopen some amenities.

Our Farmers' Market will reopen this Friday in its usual location at Market Square. It will be set up a little differently and there will only be a limited number of vendor spots available.

We ask for everyone's patience this week as we work with you to bring back the market you love.

Nickel Beach will reopen this Friday as well. Again, there will be limited number of spots available on the beach and you will be directed to your spot, that has been socially distanced from the next vehicle, by one of our staff.

Please respect the difficult job that they have to keep everyone safe while enjoying the beach.

Limited public washrooms have also opened throughout the city.

Outdoor patios have started to open up in Port Colborne and we hope you will get out to support our local restaurants.

The provincial government has increased your group size to no more than 10 people.

Anyone taking advantage of these spaces are to follow the best practices as outlined by Niagara Region Public Health to limit the spread of COVID-19 in our community.

These include frequent washing/sanitizing of hands, physical separation, avoid touching of shared surfaces and staying home if displaying symptoms or having been in contact with cases of the virus.

At this time, park and outdoor amenities such as playground equipment, benches, outdoor fitness equipment, and the spray pad will remain closed.

The spray pad is our next top priority and we may hear more about that later this evening.

By-law enforcement will continue to enforce gatherings larger than ten people, dogs off-leash, and anyone using closed park amenities.

Canada Day

Our usual Canada Day celebrations will not be taking place in the park this year.

Communities from across the Niagara Region are coming together for a Canada Day first - Canada Day, the Niagara Way. Join the 12 municipalities of Niagara, the Niagara Parks Commission and the Niagara Region for online activities and festivities for Canada Day.

Celebrate with performances by Tim Hicks, Avenue Inn, Great Lake Swimmers, Spencer Burton, Juliet Dunn, and Rick McLean.

The online festivities begin at 11 a.m. on Facebook. Tune in on the to The City of Port Colborne's Facebook page to catch the action!

Join St. John Ambulance in its first virtual Canada Day 5k. Register to participate online, then run or walk your own preferred 5km route anytime, anywhere between June 27 and July 1. If you are participating on July 1 make sure to wear some red and white to show your Canadian Pride! For more information, contact Alyson at alyson.montovani@sja.ca or visit www.runforSJA.ca

We also encourage you to take part in the Government of Canada's program for Canada Day.

Minister Guilbeault unveiled the program for Canada Day.

On July 1, Canadians from coast to coast to coast are invited to take part in an array of virtual celebrations to express our national pride.

This year more than ever, Canada Day is an important national celebration bringing Canadians together, even if it is done virtually.

It's also time to commemorate some key events in our history, as this year marks the 40th anniversary of the official adoption of our national anthem, "O Canada," and the essential role the Métis Nation played in Manitoba joining Confederation 150 years ago. The roster of activities draws on what makes Canada strong: its diverse cultures, athletic and artistic excellence, Indigenous languages and cultures, and our spirit of innovation. Wherever you are, join in.

A virtual Celebration Kit is now available with interactive, creative and educational activities on the Government of Canada's heritage website.

Visit www.portcolborne.ca/page/canada_day for more information about our virtual Canada Day activities.

Closing

In closing, we must remain vigilant in fighting this virus.

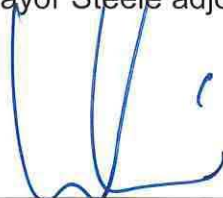
Our number one priority is the health and safety of our citizens as we begin a safe and gradual reopening of services and business activities. Please stay safe.

	the Imposition and Collection of Water Rates
6793/43/20	Being a By-law to Amend By-law No. 3424/6/97, As Amended, Being a By-law for the Imposition and Collection of Sewage Service Rates and Sewer Rates
6794/44/20	Being a By-law to Amend By-law No. 6250/76/15, Being a By-law to Govern the Proceedings of Council and Committee Meetings
6795/45/20	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 June 22, 2020

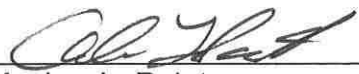
CARRIED

13. Adjournment:

Mayor Steele adjourned the meeting at approximately 9:28 p.m.



William C. Steele
Mayor



Amber LaPointe
City Clerk

AL/cm