



**THE CORPORATION OF THE CITY OF THOROLD
PROCEEDINGS OF COUNCIL
MINUTES**

CL 5-2023

Tuesday, February 7, 2023

Council Chamber/ Video Conference

City of Thorold, City Hall, 3540 Schmon Parkway, Thorold, ON

Council Members Present in the Council Chamber: Mayor Terry Ugulini, Councillors D'Angela, De Divitiis, Dekker, DeRose, Handley, Longo, O'Hare, Sentance

Staff Present in the Council Chamber: M. Dilwaria, Chief Administrative Officer, T. Dixon, Director, Fire & Emergency Services/Fire Chief, S. Hansen, Legislative Assistant, G. Holman, Director, Public Works & Community Services, M. Mauro, Director, Finance/Treasurer, S. Santo, Manager, Public Works, K. Scholtens, Manager, Economic Development, J. Simpson, Director, Development Service, M. Trennum, City Clerk

1. Call to Order

Mayor Ugulini called the meeting to order at 6:30 p.m.

2. Land Acknowledgement

Councillor Handley read the land acknowledgement.

3. Declarations of Interest

There were no declarations of interest.

4. Adoption of the Agenda

Moved by: Councillor D'Angela

Seconded by: Councillor Sentance

That Council Agenda CL 5-2023, **BE ADOPTED**, as presented.

CARRIED

5. **Adoption of the Minutes**

Moved by: Councillor O'Hare

Seconded by: Councillor Dekker

That Minutes CL 26-2022, being the open session minutes of the regular City Council meeting held on Tuesday, December 20, 2022, **BE ADOPTED** as presented.

CARRIED

6. **Statutory Public Meeting under the Planning Act**

Zoning By-law Amendment for 10 Sullivan Avenue

Mayor Ugulini called the Public Meeting to order at 6:31pm.

Opening Remarks

Mayor Ugulini advised that the Public Meeting was being held pursuant to the provisions of Section 34 of the Planning Act, R.S.O. 1990, c. P. 13, as amended, respecting Zoning By-law Amendment for 10 Sullivan Avenue.

6.1 Presentations

6.1.1 Staff Presentation

Nick Bogaert, Associate, MHBC, provided information respecting the proposed zoning by-law amendment for 2 South Main Street. Topics of the presentation included:

- Location
- Proposal
- Zoning By-law Amendment
- Public Notice
- Department and Agency Comments

6.1.2 Applicant Presentation

Serge Carpino, applicant, provided information and answered questions respecting the proposed by-law amendment for 10 Sullivan Avenue.

6.2 Registered Speakers

6.2.1 Aaron Pede, Resident, City of Thorold

Aaron Pede, resident, spoke at the public meeting regarding the zoning by-law amendment for 10 Sullivan Avenue, and advised of concerns over traffic.

6.3 Planning Report

6.3.1 DS 7-2023

Zoning By-law Amendment Application for 10 Sullivan Avenue

This item, DS 7-2023, was considered by City Council under Agenda Item 14.3.

6.4 Adjournment of the Statutory Public Meeting

Mayor Ugulini advised that the requirements of the Planning Act R.S.O. 1990, c. P. 13, pursuant to Section 34 have been fulfilled.

Mayor Ugulini closed the Public Meeting at 7:13 p.m.

7. Statutory Public Meeting under the Planning Act

Zoning By-law Amendment for 49 Hayes Road

Mayor Ugulini called the Public Meeting to order at 7:15 p.m.

Opening Remarks

Mayor Ugulini advised that the Public Meeting was being held pursuant to the provisions of Section 34 of the Planning Act, R.S.O. 1990, c. P. 13, as amended, respecting Zoning By-law Amendment for 49 Hayes Road.

7.1 Presentations

7.1.1 Applicant Presentation

Matt Kernahan, Planning Manager, Upper Canada Consultants, provided information respecting the proposed zoning by-law amendment for 49 Hayes Road. Topics of the presentation included:

- Subject Lands
- Proposed Development

- Proposed Dwellings
- Proposed Zoning Amendments
- Supporting Studies and Reports

7.1.2 Staff Presentation

Nick Bogaert, Associate, MHBC, provided information respecting the proposed zoning by-law amendment for 49 Hayes Road. Topics of the presentation included:

- Location
- Proposal
- Zoning By-law Amendment
- Public Notice
- Department and Agency Comments

7.2 Registered Speakers

7.2.1 Jeff Trudel, Resident, City of Thorold

Jeff Trudel, resident, spoke at the public meeting regarding the zoning by-law amendment for 49 Hayes Road, and advised of concerns over railway noise, traffic and proper drainage.

7.3 Planning Report

7.3.1 DS 4-2023

Zoning By-law Amendment Application for 49 Hayes Road (for information only)

Moved by: Councillor Sentance

Seconded by: Councillor Handley

That Report DS 4-2023, dated February 7, 2023, respecting Zoning By-law Amendment Application for 49 Hayes Road, **BE RECEIVED** for information.

CARRIED

7.4 Adjournment of the Statutory Public Meeting

Mayor Ugolini advised that the requirements of the Planning Act R.S.O. 1990, c. P. 13, pursuant to Section 34 have been fulfilled.

Mayor Ugolini closed the Public Meeting at 7:58pm.

8. **Mayor's Report**

The Mayor provided an update respecting activities and events throughout the City and region.

9. **Regional Councillor Update**

There was no Regional Councillor Update.

10. **Civic Recognition**

There were no Civic Recognitions.

11. **Presentations**

The Bell Canada Fibre-to-the-Home Project presentation was withdrawn.

12. **Delegations**

12.1 Report DS 8-2023 respecting The Partners for Climate Protection Program - Financial Considerations

12.1.1 Ron Devereux, Resident, City of Thorold

Ron Devereux, Resident, City of Thorold, spoke regarding Report DS 8-2023.

13.3 DS 8-2023

The Partners for Climate Protection Program - Financial Considerations

Moved by: Councillor Dekker
Seconded by: Councillor Sentance

That Report DS 8-2023, dated February 7, 2023, respecting The Partners for Climate Protection Program (CPC) Financial Considerations, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the City of Thorold's participation in the PCP Program, **BE APPROVED**; and

2. That an elected official **BE APPOINTED** as a joint-contact alongside an assigned Planning staff member for PCP program updates and Plan endorsement.

Moved by: Councillor D'Angela
Seconded by: Councillor DeRose

That Report DS 8-2023, dated February 7, 2023, respecting The Partners for Climate Protection Program (CPC) Financial Considerations, **BE REFERED** to the Environment, Climate Change and Biodiversity Advisory Committee.

LOST

Moved by: Councillor D'Angela
Seconded by: Councillor Longo

A friendly amendment was accepted by the mover and seconder.

That Report DS 8-2023, dated February 7, 2023, respecting The Partners for Climate Protection Program (CPC) Financial Considerations, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the City of Thorold's participation in the PCP Program, **BE APPROVED**;
2. ***That staff BE DIRECTED to conduct an annual review of the program;***
3. That an elected official **BE APPOINTED** as a joint-contact alongside an assigned Planning staff member for PCP program updates and Plan endorsement.

CARRIED

Moved by: Councillor Sentance
Seconded by: Councillor Dekker

That Councillor O'Hare **BE APPOINTED** as a joint-contact alongside an assigned Planning staff member for PCP program updates and Plan endorsement.

CARRIED

13. Items for Consent

Moved by: Councillor Handley

Seconded by: Councillor O'Hare

That the following Consent Reports **BE RECEIVED** and the recommendations contained therein, **BE APPROVED**:

13.2 DF 3-2023

Cyber Security Insurance Report

13.4 DS 9-2023

Amendments to the Administrative Penalty By-law

13.5 CLK-C 26-2023

2023 Dog Kennel License Renewal Applications

13.6 CLK 2-2023

Municipal Modernization Grant- Implementation Stream Deadline Extension

13.7 CLK-C 26-2023

Thorold Municipal Non-Profit Housing Corporation- Terms of Reference

13.11 CLK-C 31-2023

Why I Love My Library Campaign- Thorold Public Library Correspondence

CARRIED

Report Item CAO 1-2023 (Agenda item 13.1) was considered separately as follows:

13.1 CAO 1-2023

Niagara Gateway Economic Zone and Centre Community Improvement Plan – Tax Increment-based Grant Application by Maxima Holdings Inc.

Moved by: Councillor Handley

Seconded by: Councillor O'Hare

That Report CAO 1-2023, dated February 7, 2023, respecting Niagara Gateway Economic Zone and Centre Community Improvement Plan – Tax Increment-based Grant Application by Maxima Holdings Inc., **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the Application for the Niagara gateway Economic Zone and Centre Community Improvement Plan Program, for the property known municipally as 3460 Schmon Parkway in the City of Thorold, **BE APPROVED** for the Tax Increment-based Grant Program for the estimated amount of \$487,485.43, from both the City and the Region to be paid over a 10 year period, subject to the owner satisfying the program requirements;
2. That Report CAO 1-2023 **BE CIRCULATED** to Niagara Region;
3. That the necessary by-law(s) **BE PREPARED** and **PROVIDED** to Council for consideration; and
4. That the Mayor and Clerk **BE AUTHORIZED** to execute any documentation required to satisfy the conditions related to participation in the Tax Increment-based Grant Program.

CARRIED

Correspondence Item CLK-C 27-2023 (Agenda Item 13.8) was considered separately as follows:

13.8 CLK-C 27-2023

Request for a Municipally Significant Event Designation - Jeff Yungblut Memorial Hockey Tournament

Moved by: Councillor Handley

Seconded by: Councillor O'Hare

That Correspondence Item CLK-C 27-2023, being a memorandum from M. Trennum, City Clerk, dated February 7, 2023, respecting Request for a Municipally Significant Event Designation - Jeff Yungblut Memorial Hockey Tournament, **BE RECEIVED** for information.

CARRIED

Moved by: Councillor D'Angela

Seconded by: Councillor Handley

That the Jeff Yungblut Memorial Hockey Tournament, **BE DESIGNATED** as a Municipally Significant Event.

CARRIED

Correspondence Item CLK-C 29-2023 (Agenda Item 13.9) was considered separately as follows:

13.9 CLK-C 29-2023

Public Appointments to the Thorold Public Library Board

Moved by: Councillor Handley

Seconded by: Councillor O'Hare

That Correspondence Item CLK-C 29-2023, being a memorandum from M. Trennum, City Clerk, dated February 7, 2023, respecting Public Appointments to the Thorold Public Library **BE RECEIVED** for information.

CARRIED

Mayor Ugulini advised that Andrew Foster, Dean Taylor, Dodi Colquhoun, Elizabeth Yates, Fred Neale, James Symons, Jane Litman, Jean D'Amelio Swyer, Larry Cohen, Leonard Ferry, Linda Prytula and Tony Vandermaas were appointed to the Thorold Public Library Board.

13.10 CLK-C 30-2023

Public Member Appointments to Committees of Council and Boards

This Item 13.10 was considered after closed session.

14. Items for Consideration

Report PWCS 8-2023, respecting Thorold Senior's Centre Lease-Updated Report (Agenda Item 14.4) was withdrawn from consideration.

14.1 DS 5-2023

Zoning By-law Amendment - 41 St. Davids Street W.

Moved by: Councillor Sentance

Seconded by: Councillor De Divitiis

That Report DS 5-2023, dated February 7, 2023, respecting Zoning By-law Amendment - 41 St. Davids Street West, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the Zoning By-law Amendment to amend Zoning By-law 60-2019 to rezone the subject lands from R2 to R3 with special regulations **BE APPROVED**;

2. That the Zoning By-law Amendment to amend Zoning By-law 2140(97) to rezone the subject lands from R1C to R3C with special regulations **BE APPROVED**; and
3. That the amendment to By-law 60-2019 **BE PASSED** at the same time as the amendment to By-law 2140(97).

CARRIED

14.2 DS 6-2023

Zoning By-law Amendment - 50 St. David's Street West

Moved by: Councillor Dekker
Seconded by: Councillor DeRose

That Report DS 6-2023, dated February 7, 2023, respecting Zoning By-law Amendment - 50 St. David's Street West, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the Zoning By-law Amendment to amend Zoning By-law 60-2019 to rezone the subject lands from R1C to R2 with special regulations **BE APPROVED**;
2. That the Zoning By-law Amendment to amend Zoning By-law 2140(97) to rezone the subject lands from R1C to **R2B BE APPROVED**; and
3. That the amendment to By-law 60-2019 **BE PASSED** at the same time as the amendment to By-law 2140(97).

CARRIED

14.3 DS 7-2023

Zoning By-law Amendment - 10 Sullivan Avenue

Moved by: Councillor Dekker
Seconded by: Councillor D'Angela

That Report DS 7-2023, dated February 7, 2023, respecting Zoning By-law Amendment- 10 Sullivan Avenue, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the Zoning By-law Amendment to amend Zoning By-law 60-2019 to rezone the subject lands from Downtown Mixed Use (C2)

to Downtown Mixed Use with special regulations (C2-85) **BE APPROVED.**

CARRIED

14.4 PWCS 8-2023

Thorold Senior's Centre Lease - Update Report

This Item was removed from the Agenda and will be brought forward at a future Council meeting.

14.5 PWCS 10-2023

Lakeview Cemetery Administration Building Design Contract Award

Moved by: Councillor Sentance

Seconded by: Councillor Dekker

That Report PWCS 10-2023, dated February 7, 2023, respecting Lakeview Cemetery Administration Building Design Contract Award, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the direct appointment of Raimondo & Associates Architects Inc. **BE APPROVED** to complete the detailed design for the renovation of the Lakeview Cemetery Administration Building at an upset limit or \$49,500 plus HST;
2. That the direct appointment of Hallex Engineering Ltd. to complete the electrical, mechanical, and structural engineering design for the renovation of the Lakeview Cemetery Administration Building **BE APPROVED** at an upset limit of \$29,300 plus HST;
3. That the direct appointment of Halluca Cost Consulting Inc. to complete a Class B Cost estimate for the renovation of the Lakeview Cemetery Administration Building **BE APPROVED** at an upset limit of \$3,500 plus HST;
4. That funding for this project **BE ALLOCATED** from the Mausoleum General Improvement Reserve (50%), and Municipal Land and Building Reserve (50%); and
5. That the Mayor and Clerk **BE AUTHORIZED** to execute the necessary agreements and documents required for this project.

CARRIED

- 14.7 PWCS 2-2023
Bell Canada 3.0 Gbps Fibre-to-the-Home Project

This Item was considered after closed session.

- 14.7 CLK-C 28-2023
Councillor Committee Appointments

Moved by: Councillor Handley

Seconded by: Councillor Longo

That Correspondence Item CLK-C 28-2023, being a memorandum from M. Trennum, City Clerk, dated February 7, 2023, respecting Councillor Committee Appointments **BE RECEIVED** for information.

CARRIED

15. Notices of Motion

- 15.1 Councillor DeRose - Thorold Baseball Club and Thorold Soccer Club

Councillor DeRose gave notice that on February 28, 2023, he will bring forward a motion to exempt the Thorold Baseball and Thorold Soccer Clubs from night games lighting fees.

- 15.2 Councillor Dekker - LCBO

Councillor Dekker gave notice that on February 28, 2023, she will bring forward a motion respecting the support for a request to bring a LCBO store back to the City of Thorold.

- 15.3 Councillor Handley - Human Rights

Councillor Handley gave notice that he will bring forward a motion to develop a policy surrounding the practice of human rights and the Canadian Charter of Rights and Freedoms in Thorold.

16. Motions

- 16.1 Canada Summer Games Lease Agreement

Councillor Handley withdrew his motion.

- 16.2 By-law Enforcement

Councillor DeRose withdrew his motion.

17. Statement by Councillors

17.1 Councillor D'Angela- Traffic Enforcement

Councillor D'Angela advised the NRPS want traffic complaints and have set up a hotline which allows people to provide information on traffic safety issues. The hotline lets the public leave information about areas where there are road safety concerns such as speeding or other Highway Traffic Act violations where a greater police presence is required. This program doesn't replace the existing ways of dealing with collisions and other traffic issues but serves as an additional way of reporting problems that you may see or become aware of. By the public and police working together the Niagara Region becomes a safer place for everyone. The hotline number is 289-248-1060. You can also send traffic complaints through email by using the online traffic complaints form which is on their website.

17.2 Councillor Handley- South Bridge Street

Councillor Handley raised awareness of a serious accident on South Bridge Street which eliminated 50 to 60 feet of guardrail and asked that the City address the safety issue resulting from the damaged guardrail.

Mayor Ugolini called for a motion to extend the curfew of the meeting past 10:00 p.m.

Moved by: Councillor Sentence
Seconded by: Councillor O'Hare

That the curfew of the meeting **BE EXTENDED** past 10:00 p.m.

CARRIED

18. Closed Session

Moved by: Councillor DeRose
Seconded by: Councillor O'Hare

That Council **DO NOW MOVE** into closed session for the purposes of receiving information of a confidential nature respecting:

A matter respecting a matter of commercial, and financial information, supplied in confidence to the municipality, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a

person, group of persons, or organization under section 239 (2)(i) of the Municipal Act, 2001 - Bell Canada 3.0 Gbps Fibre-to-the Home Project – Service Level Agreement

Matters respecting Personal matters about an identifiable individual under section 239 (2)(b) of the *Municipal Act, 2001* - Public appointments to the Thorold Municipal Non-Profit Housing Corporation; and

Matters respecting Personal matters about an identifiable individual under section (2)(b) of the Municipal Act, 2001 - Pubic Appointments to the Runway of Recognition sub-committee and the Darlene Ryan Port Robinson Community Centre Board of Management

CARRIED

Council resolved into closed session at 9:59 p.m.

19. Business Arising from Closed Session

Council reconvened in open session at 10:52 p.m. with the following individuals in attendance.

Council Members Present in the Council Chamber: Mayor Terry Ugulini, Councillors D'Angela, De Divitiis, Dekker, DeRose, Handley, Longo, O'Hare, Sentance

Staff Present in the Council Chamber: M. Dilwaria, Chief Administrative Officer, S. Hansen, Legislative Assistant, M. Trennum, City Clerk

19.1 Confidential Appendices to PWCS 2-2023

A matter respecting a matter of commercial, and financial information, supplied in confidence to the municipality, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization under section 239 (2)(i) of the *Municipal Act, 2001* - Bell Canada 3.0 Gbps Fibre-to-the Home Project – Service Level Agreement

Moved by: Councillor Sentance
Seconded by: Councillor DeRose

That Report PWCS 2-2023, dated February 7, 2023, respecting Bell Canada 3.0 Gdps Fibre-to-the-Home Project, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the 2023 budgets **BE ADJUSTED** to reflect the operating and capital costs with full funding from Bell Canada;
2. That the Terms and Conditions of a Service Level Agreement (SLA) between Bell Canada and the City of Thorold **BE APPROVED** as presented in Confidential Appendices 1 and 2 to Report PWCS 2-2023; and
3. That the Mayor and Clerk **BE AUTHORIZED** to execute the necessary agreements and documents required for this project.

Moved by: Councillor Longo
Seconded by: Councillor O'Hare

That Report PWCS 2-2023, dated February 7, 2023, respecting Bell Canada 3.0 Gbps Fibre-to-the-Home Project, **BE DEFERRED**.

CARRIED

19.2 CLK-C 30-2023

Public Member Appointments to Committees of Council and Boards

Moved by: Councillor Dekker
Seconded by: Councillor Longo

That Correspondence Item CLK-C 30-2023, being a memorandum from M. Trennum, City Clerk, dated February 7, 2023, respecting Public Member Appointments to Committees of Council and Boards, **BE RECEIVED** for information.

CARRIED

Moved by: Councillor Dekker
Seconded by: Councillor Longo

That the following individuals **BE APPOINTED** to the Thorold Municipal Non-Profit Housing Corporation:

- Dawn Dobbie
- Edward A. Pizzo
- Joe Atkinson
- John Kenny
- Karen Blackley

CARRIED

Moved by: Councillor Longo
Seconded by: Councillor De Divitiis

That the applicant listed in Confidential Appendix 1 to Correspondence Item CLK-C 30-2023 **BE APPOINTED** to the Runway of Recognition Subcommittee.

CARRIED

Mayor Ugolini advised Tim Whalen was appointed to the Runway of Recognition Subcommittee

Moved by: Councillor Longo
Seconded by: Councillor Sentance

That Councillor Dekker **BE APPOINTED** to the Runway of Recognition Advisory Committee.

CARRIED

Moved by: Councillor Sentance
Seconded by: Councillor DeRose

That the applicants listed in Confidential Appendix 1 to Correspondence Item CLK-C 30-2023 **BE APPOINTED** to the Darlene Ryan Port Robinson Community Centre Board of Management.

CARRIED

Mayor Ugolini advised Judy Gray and Nicole Hirst were appointed to the Darlene Ryan Port Robinson Community Centre Board of Management.

20. By-Law(s)

Moved by: Councillor O'Hare
Seconded by: Councillor Sentance

That the following Bills **BE NOW READ** and **DO PASS**:

Bill 14-2023

A by-law to amend Comprehensive Zoning By-law 60-2019, as amended, by rezoning the lands municipally known as 10 Sullivan Ave., City of Thorold

Bill 15-2023

A by-law to amend Comprehensive Zoning By-law No. 60-2019, as amended, by rezoning the lands municipally known as 41 St. David's Street West, City of Thorold

Bill 16-2023

A by-law to amend Comprehensive Zoning By-law No. 2140(97), as amended, by rezoning the lands municipally known as 41 St. David's Street West

Bill 17-2023

A by-law to amend Comprehensive Zoning By-law 60-2019, as amended, by rezoning the lands municipally known as 50 Sr. David's Street West, City of Thorold

Bill 18-2023

A by-law to amend Zoning By-law 2140(97), as amended, by rezoning the lands municipally known as 50 St. David's Street West

Bill 19-2023

A by-law to amend Administrative Penalty By-law 148-2019

Bill 20-2023

A by-law to adopt, ratify and confirm the actions of City Council at its meeting held on February 7, 2023

CARRIED

21. Adjournment

There being no further business, the meeting adjourned at 10:59 p.m.

Terry Ugolini
Mayor

Per: Sydney Hansen
Legislative Assistant

Per: Matthew Trennum
City Clerk