



THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE COMMITTEE OF THE WHOLE MEETING MINUTES/REPORT

The members of the Committee of the Whole met on Monday August 09, 2021 in the Council Chambers, at 05:00 PM.

PRESENT:

This meeting was held via Video Conference due to COVID-19 and public health concerns and was able to be viewed via Livestream on the Town's website.

Chair Councillor Erwin Wiens, Lord Mayor Betty Disero, Councillors: Al Bisback, John Wiens, Sandra O'Connor, Norm Arsenault, Wendy Cheropita, Gary Burroughs, Clare Cameron

REGRETS:

STAFF:

Marnie Cluckie	Chief Administrative Officer
Rick Wilson	Manager, Planning
Kevin Turcotte	Manager, Parks & Recreation
Nick Ruller	Fire Chief
Tara Druzina	Administrative Assistant
Colleen Hutt	Acting Town Clerk

OTHERS:

MEDIA:

1. CALL TO ORDER

Chair Councillor Erwin Wiens called the meeting to order at 5:00 p.m.

2. ADOPTION OF AGENDA

The following was added to the agenda under Delegations:

5.1 Delegations - Jeremy Tran, Niagara Planning Group, CDS-21-021 - 135 Queen Street & 178 Gate Street.

The follow members requested to speak under New Business: Lord Mayor Betty Disero, Councillors: Al Bisback, Gary Burroughs.

Moved by Councillor Norm Arsenault that the agenda be adopted, as amended.

APPROVED, AS AMENDED.

3. CONFLICT OF INTEREST

Councillor John Wiens declared a conflict of interest with Delegation 5.1 and CDS-21-021 both matters dealing with 135 Queen Street & 178 Gate Street as he runs a similar business.

Councillor John Wiens declared a conflict of interest with the Closed Session matter dealing with 963 Queenston Road as as he runs a similar business.

Councillor Clare Cameron declared a conflict of interest with the Closed Session matter dealing with 963 Queenston Road as her spouse has financial interest in the applicant's parent company.

4. CLOSED SESSION

Councillor John Wiens previously declared a conflict of interest with the Closed Session matter dealing with 963 Queenston Road as as he runs a similar business.

Councillor Clare Cameron previously declared a conflict of interest with the Closed Session matter dealing with 963 Queenston Road as her spouse has financial interest in the applicant's parent company.

At 5:05 pm the following motion was read in open session.

Moved by Councillor Gary Burroughs, that Council proceed to go into a closed meeting to consider matters that qualify under the Municipal Act 2001, as amended:

- Closed meeting under Section 239(2)(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board specifically dealing with 963 Queenston Road.

APPROVED.

At 6:15 pm the following motion was read in open session.

Moved by Councillor Al Bisback, that Council rise from closed session that considered matters that qualify under the Municipal Act 2001, as amended:

- Closed meeting under Section 239(2)(e) litigation or potential litigation, including

matters before administrative tribunals, affecting the municipality or local board specifically dealing with 963 Queenston Road and that the recommendations of legal counsel be approved.

APPROVED.

5. DELEGATIONS/ PRESENTATIONS

5.1 Jeremy Tran, Niagara Planning Group
CDS-21-021 - 135 Queen Street & 178 Gate Street

Jeremy Tran, agent for the applicant, stated they had reviewed the staff report on were in agreement with the staff recommendations and he was available to address any comments or questions from the Committee.

6. RESPONSE TO DELEGATIONS

5.1 CDS-21-021 - 135 Queen Street & 178 Gate Street

Councillor John Wiens previously declared a conflict of interest with Delegation 5.1 and CDS-21-021, both matters dealing with 135 Queen Street & 178 Gate Street. He did not take part in any discussion or vote on this matter.

Community & Development Services Report CDS-21-021 was lifted for discussion, voted on and approved.

Moved by Councillor Al Bisback that CDS-21-021 be lifted for discussion.

APPROVED.

The Committee asked questions of both the delegate and staff.

7. COVID-19 UPDATE

Lord Mayor Betty Disero noted that the flag was at half mass in honour of former Premier Bill Davis, who served 14 years as premier and was in public service for 25 years.

Marnie Cluckie, Chief Administrative Officer provided an update on the following:

- Niagara on the Lake along with the rest of the province, is still in step three of the roadmap to reopen.
- The next step in Ontario's recovery plan is to exit step three and into the roadmap exit step. This will happen after certain vaccination thresholds are met.
- 81% of the eligible population has received one dose as of August 8th. We must also have 75% of the population have two doses.
- 71.7%. of the eligible population has receives two doses as of August 8.
- There is not a set date for when Ontario will move into the roadmap exit step, but we

continue to monitor that.

- From a federal perspective, we saw the reopening of the US border.
- As of today, Canada opened the borders to American citizens and permanent residents. This applies to those who have currently resided in the US and have been fully vaccinated for at least 14 days prior to entering Canada for non essential travel. This is the first phase of reopening with the second phase anticipated to be implemented on September the 7th.
- Effective today, five additional Canadian airports are permitted to accept international flights. This included Halifax, Quebec, Ottawa, Winnipeg and Edmonton.
- On July 30th the province approved O Reg 541/21 which makes some amendments to the previous O Reg 364/20. Staff are currently reviewing this so we are ready and can help inform our residents and business owners.
- The arenas are on track to open September 7th.
- We have started to take bookings for the Community Centre in preparation for the rental booking opening date.
- The waiting pool and the splash pad at Virgil Sports Park remain open.
- Aquatics programs are running well.
- Our washrooms remain open seven days a week from 8 till eight and they continue to be regularly cleaned and disinfected for folks.
- The vaccination clinic on July 30th at the Niagara on the Lake Community Centre went very well and we now have new bookings for August 16th and 17th.
- Effective today at 11:45 the website for the Niagara Region is reporting that approximately 634 thousand doses of the vaccine have been administered to Niagara residents. 70.5% of Niagara residents have had their first dose, with 61.9% having completed the series.
- From a traffic perspective, the total of incoming cars this past Saturday and Sunday for so August, 7th and 8th was 13,578.
- For By-law enforcement from a COVID perspective, we didn't have any covid complaint phone calls this past weekend. COVID related service requests are still minimal at this point.
- Priorities of By-law enforcement staff have shifted as a result because there's the lessening need to focus on COVID-19 restrictions.
- Parking officers issued 208 tickets this weekend.
- Parking staff are very busy and By-law staff also spent a fair amount of time following up on short term rental issues
- The Special Enforcement Area fines are now in place that Council approved for Chatauqua.
- The new By law officer for the Special Enforcement Area Pilot Program issued 58 tickets in the area. Feedback from the community is being compiled through our. Join the Conversation page.
- A By-law officer was hired on a 12 month modernization contract. In addition to some other bylaw work, this officer will be working on the Short Term Rental program and advancing our new compliance program with Granicus.
- The park hop remains on going. This is a family friendly scavenger hunt.
- The volunteer in Ambassador program continues to work very well. Our Ambassadors are still walking the streets of Old Town on weekends welcoming our visitors, answering questions, and providing friendly reminders regarding COVID-19.

8. CONSENT AGENDA

At this time the Chair asked for members to identify any items to be lifted for separate discussion.

The following report was lifted for separate discussion: CDS-21-021.

Moved by Councillor Al Bisback that the Consent Agenda be approved, with the exception of item listed for separate discussion above, and that the reports and recommendations contained therein be forwarded to Council for adoption.

APPROVED.

(1) Reports not requiring separate discussion.

CDS-21-019 Cannery Park - File No. 26T-18-10-01 Assumption of Services

- 1.1 The Town assume the primary, secondary and tertiary services installed within the Cannery Park Subdivision, File No. 26T-18-10-01, as defined in the Subdivision Agreement authorized by Town By-law 4725-14 (attached as **Appendix III** to this report) and also the Subdivision Agreement Amendment authorized by Town By-law 4725A-14 (attached as **Appendix IV** to this report); and
- 1.2 The draft Assumption By-law, attached as **Appendix I** to this report, be forwarded to Council for approval.

CDS-21-020 Kent Street - Development Agreement (Consent Application B-14/20)

- 1.1 The Lord Mayor and Acting Town Clerk be authorized to execute the Development Agreement, attached as **Appendix III** to this report, between the Owner and the Town, and
- 1.2 The Development Agreement be registered on the title of Part 1, Reference Plan 30R-15782.

(2) Report lifted for separate discussion.

CDS-21-021 135 Queen Street & 178 Gate Street Site Plan Agreement

This report was discussed and voted on under Response to Delegations.

Discussion took place regarding:

- lot grading

- trees
- water mitigation
- elevations

Moved by Councillor Gary Burroughs, that the recommendations contained CDS-21-021 be approved as follows:

1.1 The application for Site Plan Approval for lands known municipally as 135 Queen Street & 178 Gate Street, including the Site Plan, Landscape Plan and Architectural Elevations attached as Appendix I to this report, be approved, subject to the following condition:

1.1.1 The owner enters into a site plan agreement with the Town and that the same is registered against the title of the subject lands known municipally as 135 Queen Street & 178 Gate Street, Town of Niagara-on-the-Lake, all to the satisfaction of the Director of Community and Development Services or their designate; and

1.2 The draft Site Plan Agreement, for the subject lands known municipally as 135 Queen Street & 178 Gate Street, attached as Appendix III to this report, be forwarded to Council for approval.

APPROVED.

9. INFORMATION PACKAGES

July 29, 2021

Item No. 2 - Welland resolution re Ontario Wine & Beer in Retail Stores

August 5, 2021

Item No. 1 - Urban Design Committee Minutes - July 27, 2021

Moved by Councillor Gary Burroughs that the Information Packages of July 29, 2021 and August 5, 2021 be received.

APPROVED.

10. NEW BUSINESS

Discussion took place regarding:

- residential development
- update Town Official Plan
- traffic incident

Moved by Lord Mayor Betty Disero that staff be directed to consider installing a four way stop at the corner Concession 4 Road and East & West Line.

APPROVED.

(a) Notice of Motion - Planning & Streetscapes

Councillor Gary Burroughs put forward a notice of motion regarding planning and streetscapes.

(b) Notice of Motion - Upper Canada Lodge

Councillor Gary Burroughs put forward a notice of motion regarding Upper Canada Lodge.

(c) Notice of Motion - Resettlement Area Requests

Councillor Gary Burroughs put forward a notice of motion regarding resettlement area requests.

11. ADJOURNMENT

ADJOURNMENT: 08:36 PM

Lord Mayor, this concludes the Minutes/Report of the Committee of the Whole Planning Meeting. I Councillor _____ move, seconded by Councillor _____ that the Minutes/Report of the August 5, 2021 Committee of the Whole Planning Meeting be adopted.