



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 December 06, 2021 in the Council Chambers, at 04:30 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.

Lord Mayor Betty Disero, Councillors: Norm Arsenault, Al Bisback, Gary Burroughs, Clare Cameron, Wendy Cheropita, Sandra O'Connor, Erwin Wiens (4:38 p.m.) John Wiens

REGRETS:

STAFF:

Marnie Cluckie	Chief Administrative Officer
Rick Wilson	Manager of Planning
Mark Iamarino	Senior Planner
Nick Ruller	Fire Chief
Sheldon Randall	Director, Operations
Kyle Freeborn	Director, Corporate Services
Fred Cervantes	Manager, IT Services
Lauren Kruitbosch	Manager, Customer Experience & Communications
Tara Druzina	Administrative Assistant
Colleen Hutt	Acting Town Clerk

OTHERS:

MEDIA:

1. CALL TO ORDER

Chair Councillor Gary Burroughs called the meeting to order at 4:30 p.m.

1A. DELEGATION OF POWERS AND DUTIES

I, Colleen Hutt, Acting Town Clerk, delegate powers and duties to Tara Druzina for the Committee of the Whole meeting on December 6, 2021, under Section 228(4) & (5), Municipal Act 2001.

2. ADOPTION OF AGENDA

The following members requested to speak under New Business: Lord Mayor Betty Disero.

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 the Closed Session matter dealing with 963 Queenston Road as he owns a similar business.

4. CLOSED SESSION

Clerk to read:

- Closed meeting under Section 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose specifically regarding 963 Queenston Road;
- Closed meeting under Section 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees specifically regarding Vaccination Policy Update.

At 4:34 p.m. the following motion was read in open session.

Councillor John Wiens declared a conflict of interest with the closed session matter dealing with 963 Queenston Road as he owns a similar business he did not take part in the Closed Session meeting on this matter.

Moved by Councillor Al Bisback, 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)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose specifically regarding 963 Queenston Road;
- Closed meeting under Section 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees specifically regarding Vaccination Policy Update.

APPROVED.

At 6:00 p.m. the following motion was read in open session.

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

- Closed meeting under Section 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose specifically regarding 963 Queenston Road;
- Closed meeting under Section 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees specifically regarding Vaccination Policy Update,

with no report.

APPROVED.

5. DELEGATIONS/ PRESENTATIONS

- 5.1 Kemal Uyar, 668 Concession 1 Road
CDS-21-028 - 684 Concession 1 Road,
Telecommunication Tower

Kemal Uyar, 668 Concession 1 Road stated he lives in close proximity of the proposed telecommunication tower. Mr. Uyar provided the Committee with the reasons he did not agree with the recommendations provided in the staff report and stated he felt that the proposal does not ensure minimization of the location without thoroughly exploring and providing that a co-location and other options are not available. The Committee asked questions of the presenter.

- 5.2 Sarah Duncan, Forbes Bros Ltd.
CDS-21-028 - 684 Concession 1 Road,
Telecommunication Tower

Ms. Duncan was present to speak to the staff recommendations on the Explore Net proposal. Ms. Duncan provided details on the design and process to date. She further provided information on how they feel their proposal meets the criteria of the protocol. Ms. Duncan also spoke to the archaeological report and Health Canada requirements. The Committee asked questions of the presenter.

Chair Councillor Gary Burroughs thanked the delegates for their presentations.

6. RESPONSE TO DELEGATIONS

- 5.1 CDS-21-028 - 684 Concession 1 Road, Application for Municipal
Concurrence - Telecommunication Tower

Moved by Councillor Norm Arsenault that CDS-21-028 be lifted for discussion.

APPROVED.

Moved by Councillor Clare Cameron that the recommendation contained in Community & Development Services Report CDS-21-028 be approved as follows:

- 1.1 Council authorize the Director of Community and Development Services to submit a statement of municipal concurrence, attached as Appendix V, to the Ministry of Innovation, Science and Economic Development, including a public consultation summary.

APPROVED.

7. COVID-19 UPDATE

7.1 Marnie Cluckie, Chief Administrative Officer - COVID-19 Update

The following was provided for the Committee:

- Province still in Step 3 of Roadmap to Reopen
- As of December 2 - 90% of Ontarians 12 and over received first dose, 87% with complete series, and 25% of children 5-11 years received first dose
- December 9th Auditor General will deliver four additional audits on the response to the pandemic
- Province is accelerating the booster dose eligibility for those 50 and over
- Encouraged from the Region that everyone keep wearing masks and social distancing
- Niagara Region new instructions for businesses or organizations operating indoor areas of facilities like sports, athletic and recreational fitness activities
- Those 12 and older must show proof of vaccination
- Niagara Region stats 79.1% first dose and 75.7% with a complete series
- 15 people currently in Niagara hospitals
- Vaccination clinics taking place on December 10, 11 and 12th
- 15% increase in traffic with 99 parking tickets issued, 39 tickets in the special enforcement area
- Free parking in December in Old Town
- Non-compliant STRs decreased by 97%
- Invite to children to help design a holiday card for seniors in long term care homes - 107 submission received
- Newark Neighbours and Town give back on December 10th
- Santa around Town was moved to Sunday December 11th and the route can be tracked on the Town's website

7.2 COVID-19: Recover, Reopen, Reimagine Presentation

Marnie Cluckie, Chief Administrative Officer, Lauren Kruitbosch, Manager, Customer Experience & Communications and Fred Cervates, Manager, IT Services spoke to an electronic presentation and referenced the following: Recover, Reopen and Reimagine Plan: Purpose, Guiding Principles, Development and Implementation; Reopening

Process: Strategy and Timeline; Next Steps: In-person meetings, and more in-person service; and Conclusion. The Committee asked questions in regard to the presentation.

Moved by Lord Mayor Betty Disero that Council approve, starting for the December 20, 2021 meeting, the Council Chambers be made available for those Council members that would like to attend in-person for the meeting.

APPROVED.

8. STATUTORY PUBLIC MEETING UNDER THE PLANNING ACT

The Chair explained the process for public meetings and read the Planning Act requirements for submission of an appeal to the Local Planning Tribunal.

8.1 569 Niagara Stone Road, application for Zoning By-law Amendment

At the request of the Chair, Mark Iamarino, Senior Planner, Community & Development Services referred to an electronic presentation and explained that an application to amend the Zoning By-law has been received to rezone the subject lands to permit an agriculture-related truck staging operation within the existing site-specific "Special Exemption 31 – Kucan Zone." The proposed site-specific provisions would limit the truck staging operation to a maximum of 25 trucks on-site, and a maximum service area of 428 square metres. The Committee asked questions with regard to the presentation. Chair Gary Burroughs thanked Mr. Iamarino for his presentation.

The Chair noted there was 1 participant who registered to speak to the proposal.

Greg Hynde, agent for the applicant, provided background information on the property and the history of the site. He explained that the application is for a small truck staging operation with 25 trucks.

9. CONSENT AGENDA

Both reports were lifted for discussion.

CDS-21-028 File No. TEL-01-2021 - 684 Concession 1 Road Application for Municipal Concurrence - Telecommunication Tower

This report was lifted for discussion under Item No. 6 Response to Delegations voted on and approved.

CDS-21-029 Character Study - Randwood and John Street East

The Committee discussed referring this report to Council, in order to provide an opportunity for the public to delegate on this matter, in light of the two pieces of correspondence received.

Moved by Lord Mayor Betty Disero that Community & Development Services Report CDS-21-029 Character Study - Randwood and John Street East be referred to the December 20, 2021 Council Meeting, and further that the two pieces of correspondence be included in the Information Package of December 16, 2021 for discussion at Council.

APPROVED.

10. INFORMATION PACKAGES

10.1 December 2, 2021

The following were lifted for discussion:

Item No. 27 - Email - Conservation Authorities Act - Phase 1 Regulations

Item No. 29 - Email - Environmental Assessment Modernization Proposals

Moved by Councillor Norm Arsenault that the Information Package of December 2, 2021 be received.

APPROVED.

11. NEW BUSINESS

Discussion took place regarding:

- 325 King Street update

(1) Notice of Motion - Cross Over

Lord Mayor Betty Disero put forward a notice of motion regarding PXO cross over in front of community centre

12. ADJOURNMENT

ADJOURNMENT: 08:57 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 December 6, 2021 Committee of the Whole Planning Meeting be adopted.