



## **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 July 12, 2021 in the Council Chambers, at 06:00 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
Craig Larmour	Director, Community & Development Services
Kyle Freeborn	Director, Corporate Services
Sheldon Randall	Director, Operations
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 6:00 p.m.

## **2. ADOPTION OF AGENDA**

The following was added to the agenda under Delegations:

- 4.5 Thomas A. Richardson, Sullivan Mahoney - CDS-21-018 - 963 Queenston Road
- 4.6 Marion Hassebroek - CDS-21-018 - 963 Queenston Road - Presentation

The following members requested to speak under New Business: Councillors Norm Arsenault, Gary Burroughs and Clare Cameron.

Moved by Lord Mayor Betty Disero that the agenda be adopted, as amended.

## **APPROVED, AS AMENDED**

## **3. CONFLICT OF INTEREST**

Councillor Norm Arsenault declared a conflict of interest with Item No. 4.3 under Delegations and Community & Development Services Report No. CDS-21-015A - 455 Line 2 Road as he lives within the notification area.

## **4. DELEGATIONS**

- 4.1 Marlo Saganski, General Manager  
Pedal Pub

This delegation was not present for the meeting.

- 4.2 John Hawley, Traditional Neighbourhood Development Inc.  
- 111A Garrison Village Drive

Mr. John Hawley spoke to an electronic presentation referencing the proposed Medical Building at The Village Centre Development. He stated he was before the Committee to provide an update on the building project. Mr. Hawley provided some background, a request for a conditional permit, a draft resolution for the Committee for reference and the benefits of a conditional permit.

- 4.3 Steven Hidvary, 459 Line 2 Road  
CDS-21-15A - 455 Line 2 Road

Steven & Leslie Hidvary spoke to the mediation process and the proposed by-law. Mr. Hidvary provided the Committee with photo evidence showing how a proposed two storey dwelling would impact their property.

- 4.4 Mary Lou Tanner, Niagara Planning Group  
CDS-21-018 - 963 Queenston Road

Mary Lou Tanner, Niagara Planning Group, agent for the applicant stated she was present to speak in favour of the staff report and recommendations.

4.5 Thomas A. Richardson, Sullivan Mahoney  
CDS-21-018 - 963 Queenston Road

Thomas Richardson, Sullivan Mahoney, stated he was speaking on behalf of various residents and businesses who are opposed to the amendment. Mr. Richardson provided the Committee with the basis for their opposition speaking to commercial cooking equipment, events, parking and permitted uses.

4.6 Marion Hassebroek, 959 Queenston Road  
CDS-21-018 - 963 Queenston Road

Marion Hassebroek, stated is a neighbour of the property. Ms. Hassebroek stated they are opposed to this amendment for commercial cooking equipment. She further spoke to floor areas, disturbance to neighbours, parking and hospitality uses and events.

Chair Councillor Erwin Wiens thanked the delegates for their presentation.

## **5. RESPONSE TO DELEGATIONS**

### 4.1 Pedal Pub Operation

Moved by Councillor Gary Burroughs that staff be directed to create a by-law regarding pedal pubs to prevent operation of pedal pubs in the Town of Niagara-on-the-Lake; that the 2021 license be terminated upon passing of the by-law and that the Town inform the Region of Niagara that the operation not be permitted in 2021 and beyond in Niagara-on-the-Lake.

**APPROVED.**

### 4.2 111A Garrison Village Drive - Medical Building

Moved by Councillor Gary Burroughs that Council support the Town of Niagara-on-the-Lake Building Department in granting a Conditional Building Permit for the proposed Medical Building that forms part of the Village Centre Site Plan (Building 13a and 13b). The conditional building permit shall be granted during the site plan circulation and commenting process. Occupancy of the building shall not occur until final site plan approval.

**APPROVED.**

### 4.4 CDS-21-018 - 963 Queenston Road

Moved by Councillor Gary Burroughs that Community and Development Services Report CDS-21-018 be lifted for discussion.

**APPROVED.**

Report CDS-21-018 - 963 Queenston Road was discussed, voted on and deferred back to staff for further information.

## **6. PRESENTATIONS**

There were no presentations at this time.

## **7. COVID-19 UPDATE**

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

- The province will be moving into step three of the roadmap to reopen on Friday, July 16th at 12:01 AM. Step three of the roadmap focuses on the resumption of additional indoor services with larger numbers of people, and various restrictions will remain in place.
- Outdoor social gatherings and organized public events with up to 100 people will be permissible, with limited exceptions, indoor social gatherings and organized public events with up to 25 people.
- Religious services, rites, or ceremonies which include weddings and funerals will be permitted with physical distancing.
- Indoor dining will be permitted with no limits on the number of patrons per table with physical distancing and other restrictions still in effect.
- Indoor sports and recreational fitness facilities will open subject to a maximum 50% capacity of that indoor space.
- Indoor meeting and event spaces will be permitted to operate with physical distancing and other restrictions that are still in effect with capacity limited to not exceed 50%.
- Essential and non essential retail will be permitted with capacity limited to the number of people that can maintain a physical distance of two meters.
- Personal care services, including those that require the removal of a face covering will be permissible with physical distancing of two meters.
- Museums Gallery's and Historic sites will be able to open with limited capacity to not exceed 50% for indoors and 70% for outdoors.
- Changes related to the opening of cinemas, concert venues and theaters with restrictions.
- The Province has released O Reg 364 20 to implement the roadmap
- Face covering's in indoor public settings and physical distancing requirements are going to remain in place in Step 3. Face coverings will also be permitted in some outdoor public setting.
- The province will remain in this step for 21 days until 80% of the eligible population that is age 12 or over has received one dose of the vaccine, and when 75% received their second dose.
- The Federal Government announced that they launched their Tourism Relief Fund.
- These changes will have an impact on the Town of Niagara on the Lake. The Community Centre will be able to reopen its doors beginning July 8 at 8:00 AM, which will allow the public to use the fitness area. Rentals in bookings will not quite be available.

- Senior management staff is exploring options to prepare for the safe reopening of town hall. The administrative buildings will remain closed to the public, but staff will remain available to serve the public on line, over the phone with a range curbside pickup or by appointment.
- Water features remain open.
- The public washrooms remain open seven days a week from 8 am to 8 pm with regular cleaning and disinfection in place.
- The Emergency Control Group has begun discussing options for in person council meetings and would like to bring these options back to Council for consideration.
- The Ambassador program started on Friday. The volunteers were on the streets of Old Town to welcome our visitors, answer questions and provide friendly reminders about our COVID-19 protocols.
- There are two additional vaccination clinics in Niagara on the Lake that will take place on July 21 and July 22, 2021.
- Effective July 12, 2021 Niagara Regions website is reporting that 540,000 doses have been administered to residents.
- There was a 23% decrease in traffic this weekend over last weekend.
- By-law staff issued 116 parking tickets this weekend. Parking officers were focused on ensuring public health guidance and provincial regulations were adhered to.
- By-law staff went out and visited the outlet mall again last week, and they inspected the special event area of simply Niagara and that layout .
- By-law staff also visited the Town area and the patios.
- Short Term Rentals are in operation and there has been an increase with complaints.
- The Strawberry Social was held on June the 28, 2021 and 600 residents participated in this event. Many positive notes, emails and phone calls were received about this event
- The conclusion of our step challenge was at the end of June, 2021. There was 178 participants and they walked together over 50 million steps.
- Honk mobile was launched on July 5th, 2021 This is a new way to pay for parking. It's quick and it helps drivers to avoid the high touch areas like pay stations. Metered parking machines will be available at this time so motorists can choose to pay for parking via the honkmobile or through a nearby parking meter.
- The Town is planing a park hop for this summer a safe, fun and kid friendly summer activity that involves our local parks and our playgrounds.

The Committee asked questions in regards to the update.

## **8. CONSENT AGENDA**

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

All reports were lifted for discussion.

**CDS-21-015A      File No. ZBA-03-2021 - 455 Line 2 Road**

## **Application for Zoning By-law Amendment**

Councillor Norm Arsenault previously declared a conflict of interest as he lives in close proximity as he lives within the notification area. He did not take part in any discussions or vote on this matter.

Moved by Lord Mayor Betty Disero that the recommendations contained in Community & Development Services Report CDS-21-015A be adopted as follows:

- 1.1 The recommendations contained in Community & Development Services Report CDS-21-015 (attached as Appendix I to this Report) be set aside;
- 1.2 The application for Zoning By-law Amendment (File No. ZBA-03-2021), with the Staff revisions detailed in this Report and in Report CDS-21-015, for lands known municipally as 455 Line 2 Road, be approved; and
- 1.3 The draft amending Zoning By-law, attached as Appendix II to this Report, be forwarded to Council for adoption.

**APPROVED.**

### **CDS-21-017 412 Four Mile Creek Road Application for Site Plan Approval**

Moved by Councillor Wendy Cheropita that the recommendations contained in Community & Development Services Report CDS-21-017 be adopted as follows:

- 1.1 The application for Site Plan Approval for lands known municipally as 412 Four Mile Creek Road, including the Site Plan, Landscape Plan and Building 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 412 Four Mile Creek Road, 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 412 Four Mile Creek Road, attached as Appendix III to this report, be forwarded to Council for approval.

**APPROVED.**

### **CDS-21-018                      File No. ZBA-05-2021 - 963 Queenston Road Application for Zoning By-law Amendment**

Councillor John Wiens declared a conflict of interest as he runs a similar business. He did not take part in any discussions or vote on this matter.

This report was lifted for discussion and voted on under Response to Delegations.

Moved by Lord Mayor Betty Disero that the report be referred to staff or an independent consultant to comment on the following seven points and that the report come back to Council as soon as possible as an Information Report:

1. Special Events be limited to 150 people.
2. That special events be restricted to 2 per week.
3. A proper site plan be attached to the bylaw showing the designated area.
4. The word ancillary be changed to secondary.
5. Relocation of the existing exhaust fan away from the residential area.
6. Paved parking be required to accommodate 150 attendees for special events.
7. A restaurant is not permitted.
8. Buses

**APPROVED.**

## **9. INFORMATION PACKAGES**

June 24, 2021

Item No. 3

Item No.

Item No.

Item No. 16 - Comments - Restoration of Historic Site

June 30, 2021

Item No.

Item No.

Item No. 11 - Niagara Peninsula Conservation Authority - Niagara River Beach Closings

Item No. 25 - Ontario Land Tribunal - Public Meeting - 200 John Street E and 588 Charlotte Street.

July 8, 2021

Item No. 1 - Information Report - Ontario Land Tribunal: Update

Item No. 2 - Circulation - 524 York Road

Moved by Councillor Al Bisback that the Information Package of June 24, 2021, June 30, 2021 and July 8, 2021 be received.

**APPROVED.**

## **10. NEW BUSINESS**

Discussion took place regarding the following:

- Emergency access by-law
- Intensification report in NOTL
- Committee of Adjustment - Minor Variances
- Ryerson Park renaming update
- Staff representation at open houses & executive reports for planning applications
- Complete application information
- Outside support for planning appeals
- Official Plan policies and process
- Balls Beach
- Lease free dog park - recreation master plan

Moved by Lord Mayor Betty Disero that the meeting be extended beyond 10:00 pm to complete the business of the agenda.

**APPROVED.**

**(a) Notice of Motion - Licensing Division for the Town**

Councillor Norm Arsenault put forward a notice of motion regarding licensing division regime.

**(b) Notice of Motion - Parking Passes through Honk Mobile**

Councillor Norm Arsenault put forward a notice of motion regarding a parking passes.

**11. ADJOURNMENT**

**ADJOURNMENT: 10:25 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 July 12, 2021 Committee of the Whole Planning Meeting be adopted.