



## COUNCIL MEETING MINUTES

Monday June 21, 2021

04:00 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.

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

### **REGRETS:**

### **STAFF:**

Marnie Cluckie	Chief Administrative Officer
Sheldon Randall	Director, Operations
Kyle Freeborn	Director, Corporate Services
Craig Larmour	Director, Community & Development Services
Nick Ruller	Fire Chief
Kristina Toppazzini	Urban Forestry & Municipal Law Enforcement Officer
Tara Druzina	Administrative Assistant
Colleen Hutt	Acting Town Clerk

### **OTHERS:**

### **MEDIA:**

### **CALL TO ORDER**

Lord Mayor Betty Disero called the meeting to order at 4:00 pm.

### **DELEGATION OF POWERS AND DUTIES**

Municipal Act, 2001 Section 228(4) & (5)

I, Colleen Hutt, Acting Town Clerk, delegate powers and duties to Sarah Stevens for the Closed Session meeting dealing with Item No. 3 under Section 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees,

under Section 228(4) & (5), Municipal Act 2001.

## O'CANADA

### FOCUS STATEMENT

Councillor Sandra O'Connor

### ADOPTION OF THE AGENDA

The following was added to the agenda:

1. Agenda Delegation - Mr. Steven Hidvary

The order of the agenda was re-ordered to move Lord Mayor's Report, Announcements and Remarks following Closed Session.

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

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

- resolution #1, **APPROVED, AS AMENDED.**

### CONFLICT OF INTEREST

Councillor Norm Arsenault previously declared a conflict of interest with Community & Development Services Report CDS-21-015 - 455 Line 2 Road and Zoning By-law No. 4316EB-21 - 455 Line 2 Road - as he lives within the notification area.

Councillor John Wiens declared a conflict of interest with By-law No. 4494-21 - Queenston Golf Club and Municipal Heritage Committee Minutes of June 8, 2021 and June 16, 2021 dealing with 122-124 Queen Street as these matters are similar to his family run business.

### TREE APPEAL

- (1) 169 John Street West - John Rossiter

Kristina Toppazzini, Urban Forestry & Municipal Law Enforcement Officer, background on the request for the tree removal stating that the reasoning for the tree removal did not

meet permit exemptions and the tree was in condition with no defects.

Ms. Toppazzine answered questions from the Committee.

Jim Rossiter stated the following for the reasons for the request for appeal  
branches & leaves are large and dark

- 4 - 6 feet away from the house
- blocks window on the the side of house, doesn't permit natural light
- too large to allow plants underneath
- may replace with narrow birch but will replace with something large
- transplanting not an option

Moved by Councillor Wendy Cheropita, seconded by Councillor Erwin Wiens, that Council grant the tree removal permit for 169 John Street West on the condition that the tree be replaced with 2 trees as noted in the by-law.

<b>COUNCILLOR</b>	<b>YEA</b>	<b>NAY</b>
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR		X
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	1

- resolution #2, **APPROVED**.

#### **CLOSED SESSION - 4:30 PM**

Closed meeting under:

- Section 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose specifically relating to lease negotiations specifically relating to Jet Boats lease;
- Section 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose specifically relating to lease negotiations specifically relating to claims against the municipality;
- Section 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees.

At 4:28 pm the following motion was read in open session.

Moved by Councillor Al Bisback, seconded 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:

- Section 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose specifically relating to lease negotiations specifically relating to Jet Boats lease;
- Section 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose specifically relating to lease negotiations specifically relating to claims against the municipality;
- Section 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees.

<b>COUNCILLOR</b>	<b>YEA</b>	<b>NAY</b>
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

- resolution #3, **APPROVED.**

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

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

- Closed meeting held under Section 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose specifically relating to lease negotiations specifically relating to Niagara George Jet Boats lease and that Council rise confirming legal advisement was undertaken;
- Closed meeting held under Section 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose specifically relating to lease negotiations specifically relating to claims against the municipality and that Council rise with no report;
- Closed meeting held under Section 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees and that Council rise and that the confidential record of such can be found with the Human Resources Generalist.

<b>COUNCILLOR</b>	<b>YEA</b>	<b>NAY</b>
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	

WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

- resolution #4, **APPROVED.**

## **LORD MAYOR'S REPORT, ANNOUNCEMENTS AND REMARKS**

Lord Mayor Betty Disero provided the following:

June has been an extraordinary month. A month filled with many many different emotions. A month where hope is beginning to shine a little light. Hope that this awful pandemic is getting under control and that we are working towards a new sense of normalcy.

This month we celebrated our seniors for their many contributions to our lives, we thanked our Parks and Recreation staff for the work and dedication to the town and on the second Sunday of June we remembered those who died in the Polish Camp Kosheshkew (Get proper spelling) here in Niagara on the Lake from the Spanish flu and we have honoured Indigenous History month.

Lord Mayor Betty Disero read the following statement for Pride Month.

In honour of Pride Month, I would like to take this opportunity, on behalf of Town Council and Staff, to voice our support for Niagara-on-the-Lake's two-spirit, lesbian, gay, bisexual, transgender, queer, questioning, intersex and asexual people.

We celebrate with our 2SLGBTQQIA+ communities, and we pronounce our commitment to fostering an inclusive community led by kindness, love and understanding, where everybody can feel safe to be who they are and love who they love.

Lord Mayor Betty Disero read the following Proclamation:

The Corporation of the Town of Niagara-on-the-Lake Proclaims the Week June 20 to June 26, 2021 "UNITED EMPIRE LOYALIST WEEK" WHEREAS Niagara-on-the-Lake was the cradle of Loyalist settlement and the home of one of the most famous Loyalists, Colonel John Butler; and,

WHEREAS the Ontario Legislature in recognition of the contributions that the United Empire Loyalists and their descendants made and continue to make to the development of Ontario, passed an Act on December 18th, 1997, proclaiming June 19th as United Empire Loyalist Day in Ontario.

THEREFORE Be it resolved that I, Lord Mayor Betty Disero of The Corporation of the Town of Niagara-on-the-Lake, do hereby declare the week of Saturday, June 20th to Saturday, June 26, 2021 “United Empire Loyalist Week” in the Town of Niagara-on-the-Lake.

While we give thanks and celebrate all of those people that are important to us, June has not been without sadness.

The following statement was read regarding the London Tragedy.

The Town of Niagara-on-the-Lake wants to acknowledge with deep sadness, horror, and empathy the terrible event that occurred in London, Ontario on Sunday night, June 6, 2021. London is a beautiful city, rich in history and culture. We grieve with the residents of London that they have been so badly wounded by an individual’s act of irrational hatred. Indiscriminate hate is evil and abhorrent and must be rejected by each of us in speech and action.

If we aspire to be difference-makers in our communities, the best way for us to combat such terror is through consistent demonstrations of civility, respect, inclusiveness, and compassion for others – those who live or work in our communities, or are here to visit, newcomers, or long-time residents, friends and family, or complete strangers.

Our thoughts are with the devastated Afzaal family, the Muslim community, residents of London, and our friends and family who live and work there. Niagara-on-the-Lake stands with London against intolerance and violence in all forms. Peaceful co-existence and community harmony is achieved through the words and good deeds of each of us, step-by-step, and day-by-day.

The following statement was read regarding against aversion.

The Town of Niagara-on-the-Lake Council and staff mourn the children found in unmarked graves at the former Kamloops Indian Residential School. The news is absolutely heartbreaking.

Our hearts are heavy at the unfathomable loss of 215 young lives ended too soon, for their families and communities. I would like to recognize the despair this news brought to the Tk’emlúps te Secwépemc First Nation, other Indigenous communities whose children’s remains are among those discovered, all survivors of Canada’s Indian Residential School system, and Indigenous community members of Niagara-on-the-Lake and the Niagara Region.

The inheritance of this violence remains with us. As we celebrate this National Indigenous Peoples Day across Canada, I call upon all non-Indigenous Canadians to not only atone for this legacy bestowed on us but to assist with the

hard work of reconciliation.

Please join me in a moment of silence to honour all those impacted by this tragedy.

### **NEXT COMMITTEE OF THE WHOLE & COUNCIL MEETING DATES**

- (1) Committee of the Whole - Planning Meeting - July 12, 2021
- (2) Committee of the Whole - General Meeting - July 19, 2021
- (3) Council Meeting - July 26, 2021

Meeting times can be subject to change.

Detailed information can be found on Town's website at [www.notl.org](http://www.notl.org).

### **COVID-19 UPDATE**

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

- The province moved into step one at 12:01 AM on Friday June 11th. The province will remain in step one for at least 21 days in order to evaluate any impacts on key public health and health system indicators.
- Moving into step two at the end of the 21 days is contingent on a couple of things, one being that the Province vaccinated 70% of adults with one dose and 20% of adults with two doses, and that there are positive trends in public health and health system indicators.
- There was a vaccination clinic on June 21, 2021 at the Community Center. Additional dates will be added in July.
- Effective June 21, 2021 the Regions website is reporting that approximately 64.8% of Niagara residents have been vaccinated, with their first dose with approximately 391 thousand doses administered, and we're also now at 16.9% of Niagara residents having had both doses.
- Lacrosse, minor soccer and minor baseball are able to begin practicing and training as of June 21, 2021 at the Virgil Sports Park and Memorial Park. However, no game play is allowed during step one. Physical distancing of three meters is required for any person using the facilities outside.
- Public pools are opening for the pre season in June. The waiting pool is going to open commencing on June 26 and will be open until Labor Day. The splash pad at Virgil is open and it remains open from 9:00 AM till 8:00 PM daily.
- Nine weeks of summer camp being offered for children ages 6 to 12.
- Public washrooms on Market Street, Simcoe Park, Queens Royal Park and Virgil Sports Park are open seven days a week from 8:00 until 8:00 and still being

regularly cleaned and disinfected for safety.

- The Community Center remains closed at this time.
- The Ambassador program is starting up again. The SHAW Guild Volunteers will return to the streets of the Heritage District beginning on Friday, July 9th between noon and 4:00 PM on Saturdays and Sundays.
- There was a 4% increase in traffic over the weekend from last weekend.
- 166 parking tickets were issued this weekend.
- Staff worked with the outlet mall to adjust some of the stores 15% capacities.
- The patio program continues to go well with more patio permits issued late last week.
- Parks were very busy over weekend, but with the outdoor limits now at 10, the volume of people was more manageable and it appeared that most of the large groups were staying within their limits.
- The drive-thru tulip sale is on June 22, 2021. This will be hosted at the Community Center. All proceeds will go to the town's tree fund.
- The strawberry social is scheduled for Monday, June 28. This will be a contact free, drive through and delivery format. Over 300 residents are registered for this event.
- Noted was Indigenous Peoples Day and the 25th Anniversary

**MINUTES**

(1) Special Council Meeting Minutes - May 17, 2021

Moved by Councillor Wendy Cheropita, seconded by Councillor John Wiens that the minutes of the Special Council Meeting held May 17, 2021 and the Council Meeting held May 17, 2021 be approved.

<b>COUNCILLOR</b>	<b>YEA</b>	<b>NAY</b>
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	



LORD MAYOR BETTY DISERO	X	
TOTALS	9	

- resolution #5, **APPROVED.**

**DELEGATIONS:**

All delegation requests will be reviewed by the Town Clerk, at the Clerks discretion delegations will be added. The deadline for non-agenda delegation requests is no later than 12:00 p.m. on the Thursday prior to the Council meeting. Should you wish to speak to a staff report listed on the agenda, submissions must be received by 12:00 p.m. on the day of the scheduled meeting.

Agenda Delegation

Councillor Norm Arsenault previously declared a conflict of interest with this matter and did not take part in any discussion.

Steven & Leslie Hidvary, 459 Line 2 Road  
 RE: 4316EB-21 - 455 Line 2 Road

Steven and Leslie Hidvary again stated concerns with this proposal being lot coverage and setbacks, the size of the proposed dwelling and their lack of privacy and loss of natural light once the dwelling has been built on Part 2. Mr. Hidvary answered questions from the Council. Lord Mayor Betty Disero thanked Mr. Hisvary for his presentation.

**RESPONSE TO DELEGATIONS FROM COUNCIL**

**COMMITTEE MINUTES & REPORTS**

(1) Committee of the Whole Planning Minutes - June 7, 2021

CDS-21-005 - 445 Line 2 Road was lifted for discussion.

Councillor Norm Arsenault previously declared a conflict of interest with CDS-21-015 as he lives within the notification area. He did not take part in any discussions or vote on this matter.

Moved by Councillor Clare Cameron, seconded by Councillor Al Bisback that CDS-21-015 be referred back to staff to have for mediation to occur between the applicant and the neighbour, and a subsequent report be forwarded to the Committee of the Whole Planning meeting in July; and further the report include the consideration of requiring a true one-storey dwelling on the property.

COUNCILLOR	YEA	NAY
NORM ARSENAULT		
AL BISBACK	X	
GARY BURROUGHS	X	

CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS		X
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	7	1

**APPROVED.**

The balance of the minutes were voted on.

Moved by Councillor Clare Cameron, seconded by Councillor John Wiens that the minutes of the Committee of Whole Planning Meeting held June 7, 2021 be approved.

<b>COUNCILLOR</b>	<b>YEA</b>	<b>NAY</b>
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

- resolution 6, **APPROVED, AS AMENDED.**

(2) Committee of the Whole General Minutes - June 14, 2021

Item 9.2 - Heritage Trail Minutes - May 25, 2021 were lifted for separate discussion.

Moved by Councillor Norm Arsenault, seconded by Councillor Sandra O'Connor that the minutes of the Committee of Whole General Meeting held June 14, 2021 be approved.

<b>COUNCILLOR</b>	<b>YEA</b>	<b>NAY</b>
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	

TOTALS	9	
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- resolution #7, **APPROVED.**

(3) Municipal Heritage Committee Minutes - June 8, 2021 & June 16, 2021

Councillor John Wiens previously declared a conflict of interest with 8.2 MHC-21-031 (June 8, 2021 Minutes) and 7.1 (June 16, 2021 Minutes) dealing with 122-124 Queen Street as he runs a similar business.

Moved by Councillor Al Bisback, seconded by Councillor Norm Arsenault that Item 8.2 MHC-21-031 of the June 8, 2021 minutes and Item No. 7 of the June 16, 2021 both dealing with 122-124 Queen Street be approved.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS		
LORD MAYOR BETTY DISERO	X	
TOTALS	8	

**APPROVED.**

The balance of the June 16, 2021 Municipal Heritage Committee minutes were voted on and approved.

Moved by Councillor Norm Arsenault, seconded by Councillor Sandra O'Connor that the minutes of the Municipal Heritage Committee Meeting held June 16, 2021 be approved, as amended.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

- resolution #8, **APPROVED, AS AMENDED.**

Item No 5.1 of the June 8, 2021 minutes was lifted for discussion.

Moved by Councillor Al Bisback, seconded by Councillor Norm Arsenault,  
That the Council support the work as represented pending:

- ensuring that a Stage 1 and Stage 2 Archaeological Assessment is completed prior to the works being undertaken, as is required under the Ontario Heritage Act, and all direction provided under the Stage 1 and 2 is followed;
- that there be coordination with the Parks & Recreation Staff for the delivery of materials to a designated area to ensure safety

<b>COUNCILLOR</b>	<b>YEA</b>	<b>NAY</b>
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

**APPROVED.**

Item No. 8.4 MHC-21-033 Queen Street and Mississagua Street Gateway Feature was lifted for discussion.

Moved by Councillor Clare Cameron, seconded by Councillor Gary Burroughs that Council be the final decision-makers on the Queen Street and Mississagua Street Gateway Feature process; and that discussion regarding the matter be discussed at Committee of the Whole, General; and that the Communities in Bloom Committee, the working group of Communities in Bloom and Mr. Kowalchuk be thanked for their participation thus far; and that Mr. Kowalchuk continues to be an active member of the team moving forward.

<b>COUNCILLOR</b>	<b>YEA</b>	<b>NAY</b>
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA		X
SANDRA O'CONNOR	X	
ERWIN WIENS		X

JOHN WIENS	X	
LORD MAYOR BETTY DISERO		X
TOTALS	6	3

**APPROVED.**

The balance of the June 8, 2021 Municipal Heritage Committee minutes were voted on and approved.

Moved by Councillor Clare Cameron, seconded by Councillor Wendy Cheropita that the minutes of the Municipal Heritage Committee Meeting held June 8, 2021 be approved.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

- resolution #9, **APPROVED, AS AMENDED.**

(5) Environmental Committee Minutes - June 2, 2021

Moved by Councillor Sandra O'Connor, seconded by Councillor Norm Arsenault that the minutes of the Environmental Committee Meeting held June 2, 2021 be approved.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

- resolution #10, **APPROVED.**

(6) Short Term Rental Committee Minutes - June 9, 2021

Moved by Councillor Norm Arsenault, seconded by Councillor Gary Burroughs that the minutes of the Short Term Rental Committee Meeting held June 9, 2021 be approved.

<b>COUNCILLOR</b>	<b>YEA</b>	<b>NAY</b>
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

- resolution #11, **APPROVED.**

(7) Inclusivity Committee Minutes - June 14, 2021

Moved by Councillor John Wiens, seconded by Councillor Erwin Wiens that the minutes of the Inclusivity Committee Meeting held June 14, 2021 be approved.

<b>COUNCILLOR</b>	<b>YEA</b>	<b>NAY</b>
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON		
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	

- resolution #12, **APPROVED.**

(8) OPS-21-019 - All-Way Stop Control Investigation - Niagara Boulevard @ Vincent/Shakespeare Avenue & Chautauqua Area Parking and Traffic Bylaw Amendments

Moved by Councillor Gary Burroughs, seconded by Councillor Sandra O'Connor that the recommendations contained in Operations Services Report OPS-21-019 be approved as follows:

- 1.1 Council approve the following measures to the intersection control at Niagara Boulevard and Vincent Avenue to further raise driver awareness and mitigate

collisions:

- a) Replacement of the stop signs - Ra-101 (75cm x 75cm) at the intersection with a level III or IV reflectivity factor and relocation of the stop signs closer to the stop bars as per the Ontario Traffic Manual;
- b) Installation of "Share the Road" signs on Niagara Boulevard – WC-19 (OTM) (60cm x 60 cm) with a level III or IV reflectivity factor approaching Ryerson Park;
- c) Installation of "Pedestrians Ahead" signs on Niagara Boulevard – WC-7 (OTM) (75cm x 75cm) with a level III or IV reflectivity factor approaching Ryerson Park;

- 1.2 Council approve the implementation of the following parking controls along the following streets within the Chautauqua area as per Council's approved motion on May 17, 2021 as shown on Appendix I attached hereto:

Addison Avenue

- a) The north side of Addison Avenue from Shakespeare Avenue to Circle Street

Circle Street

- a) The complete inner side of Circle Street

Luther Avenue

- a) The north side of Luther Avenue from Shakespeare Avenue to Circle Street

Shakespeare Avenue

- a) The west side of Shakespeare Avenue from Addison Avenue to 190 m north of Addison Avenue

Vincent Avenue

- a) The west side of Vincent Avenue to 45 m south of Niagara Boulevard
- b) The west side of Vincent Avenue from #12 Vincent Avenue to 45 m south of Vincent Avenue.
- c) The east side of Vincent Avenue from Niagara Boulevard to Circle Street

Wilberforce Avenue

- a) The west side of Wilberforce Avenue to 60 m south of Niagara Boulevard
- b) The east side of Wilberforce Avenue from #19 Wilberforce Avenue to Circle Street

Wyckliffe Avenue

- a) The north side of Wyckliffe Avenue from Shakespeare Avenue to Circle Street

- 1.3 the Town install the necessary signage to improve the intersection controls and the implementation of parking control measures at an estimated cost of \$9,105.00, to be charged to the Roads Department operating budget sign account; and
- 1.4 Council approve and direct the Town Clerk amend By-law 4308-09, as amended, by adding Section 205.03.01 to define Special Enforcement Area as shown in Appendix II;
- 1.5 the Town Clerk be directed to amend By-law 4308-09, as amended, "Schedule C – Parking Prohibitions" to implement a parking prohibition on all streets identified in Recommendation 1.2;
- 1.6 the Town Clerk be directed to add "Schedule C1" to By-law 4308-09, as amended, to establish a Special Enforcement Area; and
- 1.7 the Administrative Penalty System By-law 4744-14, as amended, be further amended to establish a Special Enforcement Area penalty amount of \$150.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

- resolution #13, **APPROVED.**

(9) CS-21-021 - Honk Mobile Launch - Parking Discount

Council discussed voting on the recommendations separately. Council did not support Recommendation 1.2 and did not vote on this recommendation.

Moved by Councillor Al Bisback, seconded by Councillor Wendy Cheropita that the recommendations contained in Corporate Services Report CS-21-021 be approved as follows:

- 1.1 Council receive Report No. CS-21-021 - Honk Mobile Launch Status and Parking Discount as an update on the Honk Mobile project.
- ~~1.2 Council approve a \$2 promotional discount per licence plate for all on-street paid parking in the Heritage District via the Honk Mobile platform to promote the use and adoption of Honk Mobile for two weeks following its launch of service in Niagara-on-the-Lake from July 5 to July 18.~~

COUNCILLOR	YEA	NAY



NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

- resolution #14, **APPROVED, AS AMENDED.**

### BY-LAWS

- 4308AI-21 - a by-law to amend By-law No. 4308-09, as amended, being a by-law regulating traffic and parking on Town roads; and to amend Schedule C and add a special enforcement area
- 4316DZ-21 - a by-law to amend By-law No. 4316-09, as amended, entitled a by-law to regulate the use of lands and the erection, use, bulk, height, location, and spacing of buildings and structures within the Town of Niagara-on-the-Lake (409 Mississagua Street)
- 4316EA-21 - a by-law to amend By-law No. 4316-09, as amended, entitled a by-law to regulate the use of lands and the erection, use, bulk, height, location, and spacing of buildings and structures within the Town of Niagara-on-the-Lake (681 Warner Road)
- ~~4316EB-21 - a by-law to amend By-law No. 4316-09, as amended, entitled a by-law to regulate the use of lands and the erection, use, bulk, height, location, and spacing of buildings and structures within the Town of Niagara-on-the-Lake (455 Line 2 Road)~~
- 4744C-21 - a By-law to amend By-law No. 4744-14, as amended, being a By-law to establish a system of administrative penalties and administrative fees; and to amend Schedule A - Administrative Penalties
- 4494A-21 - a by-law to authorize an amendment to a development charge credit agreement between The Corporation of The Town of Niagara-on-the-Lake and Queenston Golf Club Ltd. (Storm Water Management, Pond )
- 5326-21 - a by-law to appoint an Acting Town Clerk for The Corporation of the Town of Niagara-on-the-Lake and to rescind By-law No. 4982-17

- 5327-21 - a by-law to appoint Andrew Puszczalowski a Building Official under the Building Code Act for The Corporation of The Town of Niagara-on-the-Lake and to rescind By-law No. 4953-17
- 5328-21 - a by-law to appoint John Kawula a Building Official under the Building Code Act for The Corporation of The Town of Niagara-on-the-Lake
- 5329-21 - a by-law to appoint the firm of KPMG LLP as auditor's for The Corporation of The Town of Niagara-on-the-Lake and rescind By-law No. 4501-11
- 5330-21 - a by-law to authorize an agreement between The Corporation of The Town Niagara-on-the-Lake and the Niagara-on-the-Lake Kinsmen Club to extend the lease on certain lands owned by the Town of Niagara-on-the-Lake (Club House & Community Centre), and to rescind By-law No. 4482-11
- 5331-21 - a by-law to authorize the Lord Mayor and Town Clerk to execute a transfer/deed of land whereby The Corporation of the Town of Niagara-on-the-Lake is transferring a portion of lands to the Regional Municipality of Niagara (42 Raiana Drive)
- 5332-21 - a by-law to authorize the issuance of a debenture to finance a portion of the installation of led streetlights
- 5333-21 - a by-law to authorize the Lord Mayor and Town Clerk to execute an agreement between The Corporation of The Town of Niagara-on-the-Lake and 2021 Canada Games Host Society Inc. (370 King Street)
- 5334-21 - a by-law to establish an administrative monetary penalty system for non-parking related offences
- 5335-21 - a by-law to authorize the Lord Mayor and Town Clerk to execute an permission to enter agreement between The Corporation of The Town of Niagara-on-the-Lake and Regional Municipality of Niagara (Diverging Diamond Project)
- 5336-21 - a by-law to authorize a development agreement between The Corporation of The Town of Niagara-on-the-Lake and Malcolm MacSween and Carol MacSween (425 Dorchester Street)
- 5337-21 - a by-law to adopt certain lands as part of The Corporation of the Town of Niagara-on-the-Lake Road System and to form part of Concession 2 Road (1072 Concession 2 Road)

Councillor John Wiens previously declared a conflict of interest with By-law No. 4494-21 as he run a similar business. He did not vote on this matter.

By-law No. 4316EB-21 was removed from the agenda as the staff report dealing with this by-law was referred back to staff.

By-law No. 4494A-21 & 5334-21 were lifted for separate discussion.

Moved by Councillor Al Bisback, seconded Clare Cameron that at leave be given to introduce By-law No. 4494A-21 be approved.

<b>COUNCILLOR</b>	<b>YEA</b>	<b>NAY</b>
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS		
LORD MAYOR BETTY DISERO	X	
TOTALS	8	

**APPROVED.**

The balance of the By-laws were voted on.

Moved by Councillor Norm Arsenault, seconded by Councillor Al Bisback that leave be given to introduce By-law Nos. 4308AI-21, 4316DZ-21, 4744C-21, 4494A-21\*, 5326-21, 5327-21, 5328-21, 5329-21, 5330-21, 5331-21, 5332-21, 5333-21, 5334-21\*, 5335-21, 5336-21, 5337-21 and that the same be considered read a first, and second time and passed any ruling of this Council to the contrary notwithstanding.

<b>COUNCILLOR</b>	<b>YEA</b>	<b>NAY</b>
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

- resolution #15, **APPROVED, AS AMENDED.**

**MOTIONS & INFORMATION PACKAGES**

1. The following resolution(s) be adopted:

(1) Endorse Letter from OUTniagara Regional Advisory Committee

Moved by Councillor Clare Cameron, seconded by Councillor John Wiens that Council endorse the request by OUTNiagara Regional Advisory Committee and advise of the initiatives under taken by the Town of Niagara-on-the-Lake.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

- resolution #16, **APPROVED.**

(2) Endorse Petition to the House of Commons re: Declaration of National Emergency on Mental Health

Moved by Councillor Gary Burroughs, seconded by Councillor Sandra O'Connor that Council endorse the following motion,

Whereas several provinces have declared emergencies on various circumstances over time, and

Whereas Canada is allowed to declare national emergencies under the Emergencies Act, 1985.

Approximately 1 in 5 Canadians will experience a mental health problem or illness and whereas the economic burden of mental illness in Canada is estimated at 51 billion dollars per year (including healthcare costs, lost productivity, and reductions in health-related quality of life) (CAMH), and whereas not addressing mental health issues/illness is costly in the long-term to Canada's economy.

According to a recent Morneau Shephard poll, 50% of Canadians reported that their mental health has worsened with the COVID-19 pandemic, with mental health related hospitalizations, crisis-line use, and addiction rates skyrocketing.

We, the undersigned, Citizens of Canada, call upon the House of Commons to Launch a federal study in the Standing Committee on Health (HESA) on the merits of declaring a national emergency on mental health.

11/12 of Niagara's-area municipalities already supported the request for Niagara Regional Council to declare a state of emergency on mental health, homelessness, and addiction.

Be It Resolved that the Town of Niagara-on-the-Lake endorse Petition E-3351 calling upon the House of Commons to Launch a federal study in the Standing Committee on Health (HESA) on the merits of declaring a national emergency on mental health.

<b>COUNCILLOR</b>	<b>YEA</b>	<b>NAY</b>
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

- resolution #17, **APPROVED.**

- (3) Endorse Letter from Town of Lincoln regarding resolution on Climate Change Adaption Plan and Crises

Moved by Councillor Norm Arsenault, seconded by Councillor Sandra O'Connor that Council endorse the correspondence from the Town of Lincoln for the resolution regarding Climate Change Adaption Plan and Crises dated May 5, 2021.

<b>COUNCILLOR</b>	<b>YEA</b>	<b>NAY</b>
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

- resolution #18, **APPROVED.**

- (4) Endorse Letter from Town of Fort Erie regarding opposition resolution on Capital Gains Tax on Primary Residence

Moved by Councillor Norm Arsenault, seconded by Councillor Wendy Cheropita that Council endorse the correspondence from the Town of Fort Erie for the opposition resolution regarding Capital Gains Tax on Primary Residence dated June 1, 2021.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

- resolution #19, **APPROVED.**

2. Information Package(s)  
 (a) June 17, 2021

The following items were lifted for discussion:

Item No. 4 - Information Report - Appointment of Consultants - Various Projects

Item No. 19 - NPCA response to Ministry of the Environment, Conservation & Parks, Phase 1

Item No. 26 - Comments - Restoration of Historic Site.

Moved by Councillor Sandra O'Connor, seconded by Councillor Gary Burroughs, that Council endorse the following letter and copies also be sent to the Niagara Peninsula Conservation Authority,

Thank you for the opportunity to provide input into Phase 1 Regulations of the Regulatory Proposal Consultation Guide for the Conservation Authorities Act. This is significant period of change for the Conservation Authorities (CAs) and their relationships with Ontario municipalities like Niagara-on-the-Lake.

Foremost, we would like to emphasize our commitment to the over-arching watershed-based resource management strategy of Conservation Authorities, renewable natural resources mandate, and their role in helping municipalities address the impact of climate change. CA's protect our watersheds. We want to ensure that they have the resources available to fulfill these important objectives.

Concerning resources, the Province currently contributes <1% of the Niagara Peninsula Conservation Authorities (NPCA) budget and <3% to two targeted programs. Considering the significant role that the Province had played in the changes to the Conservation Authorities Act, we would like you to consider increasing your financial support for their overall programs.

Additionally, re-instating the 50% funding cut to MNRF funding for the natural hazards program is a priority. This program is critical to safe development in municipalities.

Water quality information is essential to ensure healthy watersheds and ecosystems, and effective water management. The Water Quality and Quantity Monitoring should be part of the core programs and should be expanded as we do not want a patchwork of programs across Ontario. Consistent, reliable water quality and quantity information is a basic need. We also need to protect water in the aquifers supplying water to wells from contamination in order to foster rural development.

The pandemic has spotlighted the pressing need for greenspace. Conservation authority owned lands helps to fulfill this need for the health of residents. The efficacy of including the operations of CA owned lands in mandatory programs and budgets is clear.

The development of MOUs with the CAs within the prescribed timeframe will be a challenge and we hope for clarity in the process.

<b>COUNCILLOR</b>	<b>YEA</b>	<b>NAY</b>
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

**APPROVED.**

The balance of the June 17, 2021 Information Package was voted on.

Moved by Councillor Al Bisback seconded by Councillor Clare Cameron that the information package of June 17, 2021 be received.

<b>COUNCILLOR</b>	<b>YEA</b>	<b>NAY</b>
NORM ARSENAULT	X	
AL BISBACK	X	

GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

- resolution #20, **APPROVED, AS AMENDED.**

### **NOTICE OF MOTION**

There were no notices of motion at this time.

### **NEW BUSINESS**

There were no notice of motion at this time.

### **MEMBERS' ANNOUNCEMENT**

There were no members' announcements at this time.

### **PROCEEDINGS BY-LAW**

5338-21 - A by-law to confirm the proceedings at the Council Meeting of the Corporation of the Town of Niagara-on-the-Lake on June 21, 2021.

Moved by Councillor Norm Arsenault, seconded by Councillor Clare Cameron that that leave be given to introduce By-law No. 5338-21 and that the same be considered read a first, and second time and passed any ruling of this Council to the contrary notwithstanding.

<b>COUNCILLOR</b>	<b>YEA</b>	<b>NAY</b>
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

- resolution #21, **APPROVED.**

### **ADJOURNMENT**

Moved by Councillor Gary Burroughs, seconded by Councillor Norm Arsenault that this Council adjourn to the next regular meeting of July 26, 2021 and if a special meeting is



required, it will be held at the call of the Lord Mayor.

<b>COUNCILLOR</b>	<b>YEA</b>	<b>NAY</b>
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

- resolution #22, **APPROVED.**

**VERBAL MOTIONS:**

**ADJOURNMENT: 08:42 PM**

**LORD MAYOR BETTY DISERO**

**ACTING TOWN CLERK COLLEEN HUTT**