



**THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE**  
**OPERATIONS ADVISORY COMMITTEE MEETING MINUTES/REPORT**

The members of the Operations Advisory Committee met on December 4, 2017 in the Council Chambers, at 8:40 p.m.

**PRESENT:**

Vice Chair Councillor Jamie King, Lord Mayor Pat Darte, Councillors: Martin Mazza, Betty Disero, Jim Collard, John Wiens, Paolo Miele, Terry Flynn

**REGRETS:**

Councillor Maria Bau-Coote

**STAFF:**

Sheldon Randall	Director of Operations
Holly Dowd	Chief Administrative Officer/Director of Corporate Services
Rob Grimwood	Fire Chief
Peter Todd	Town Clerk
Victoria Butters	Deputy Clerk

**OTHERS:**

**MEDIA:**

Suzanne Mason	Sun Media
Mike Zettel	Niagara this Week

Chair Councillor Jim Collard called the meeting to order at 8:40 p.m.

**CONFLICT OF INTEREST:**

There were no conflicts were declared at this time.

**DELEGATION:**

There were no delegations made at this meeting.

**PRESENTATION:**

There were no presentations made at this meeting.

## **CONSENT AGENDA:**

The consent agenda is a set of reports that could be approved in one motion of Council. The approval endorses all of the recommendations contained in each of the reports within the set.

Prior to the motion being taken, a Councillor may request that one or more of the reports be lifted out of the consent agenda to be considered separately.

### **OPS-17-066**

#### **Annual Emergency Management Program Adoption**

The recommendations contained in Operations Report OPS-17-066 be adopted to include that:

- 1.1 That the Clerk be authorized to prepare a by-law to adopt the Niagara-on-the-Lake Municipal Emergency Management Program and Emergency Response Plan; and
- 1.2 That the Annual Emergency Management Program Statement of Completion be signed by the Lord Mayor and Community Emergency Management Coordinator and be submitted to the office of the Ontario Fire Marshal and Emergency Management.

### **OPS-17-067**

#### **Fire Dispatch Service Agreement Renewal**

The recommendations contained in Operations Report OPS-17-067 be adopted to include that:

- 1.1 That the Clerk be authorized to prepare a by-law to authorize an agreement with the Corporation of the City of St. Catharines to provide fire dispatch service for Niagara-on-the-Lake Fire and Emergency Services for the period of January 1, 2018 through December 31, 2022 as per the agreement attached to this report.

Moved by Lord Mayor Pat Darte that the reports included in the Consent Agenda be approved as recommended.

## **APPROVED.**

The following reports were lifted from the Consent Agenda and voted on separately.

### **OPS-17-068**

#### **Joint Irrigation / Agricultural Committee Meeting Minutes- October 19, 2017**

Moved by Councillor Terry Flynn that Section 2.2 of Town's Procedural By-law 4675-13, that the rules and procedures contained herein may be suspended, at such times and upon such conditions as may be deemed appropriate, by an affirmative vote of Two Thirds of Council, in order to permit a delegation by Austin Kirkby.

**APPROVED.**

At this time Austin Kirkby came forward to answer questions of Council regarding the submission attached within the report identified in recommendation 1.2.1. Ms. Kirkby emphasized the need to provide a more cohesive document and provided suggestions to Committee.

Moved by Councillor Betty Disero that Section 2.2 of Town's Procedural By-law 4675-13, that the rules and procedures contained herein may be suspended, at such times and upon such conditions as may be deemed appropriate, by an affirmative vote of Two Thirds of Council, in order that Community & Development Services Report CDS-17-055, Review of NPCA's The Living Landscape Policy Document (Draft April 2017) be reconsidered in order that an amendment be put forward.

**APPROVED.**

Moved by Councillor Betty Disero that Community & Development Services Report CDS-17-055, Review of NPCA's The Living Landscape Policy Document (Draft April 2017) be amended as follows:

Specific Policy Comments

- ~~1. NPCA should consider adding the following additional criteria to Section 9.2.4: "the watercourse crossing will not have an impact on any sensitive species or species at risk," or similar wording.~~

NOT APPROVED

2. Section 10 (Fill Placement) is the only chapter that lists potential supporting studies. For the other chapters, supporting studies are summarized in Section 13.4. The content of Section 10.2.2.4 should be relocated to Section 13.4 so that all the supporting study requirements are in one place.

APPROVED

3. Town staff request that the NPCA recognize the Town's irrigation system as infrastructure in the Living Landscape document.

APPROVED

4. Section 9.2.5.2 should include an exception for buildings or structures for agricultural, agriculture-related and on-farm diversified uses proposed within 30m of permanent and intermittent streams in the Niagara Peninsula Tender Fruit and Grape Area. As per Section 3.2.5(8) of the Greenbelt Plan (2017), if the permanent or intermittent stream also functions as an agricultural swale, roadside ditch or municipal drain (~~i.e. the Town's irrigation system~~), a minimum 15m vegetative protective zone is required between the new building or structure

and the permanent or intermittent stream. Additionally, the vegetative protective zone is not required to be maintained as natural self-sustaining vegetation if the land is used for agricultural purposes. This new Greenbelt policy was allows some flexibility for farmers within the Niagara Peninsula Tender Fruit and Grape Area due to the ~~unique agricultural irrigation system~~, generally smaller lots sizes and specialized agricultural use. The policies of the Living Landscape document should not be more restrictive than the polices of the Greenbelt Plan.

#### APPROVED AS AMENDED

5. Section 13.1.3.3 should provide further clarification on how the NPCA intends to develop and implement climate change policies. Will the NPCA include climate change polices in the Living Landscape document through an amendment, or will direction come through a separate guidance document? The NPCA should also describe the role the Niagara Region and lower-tier municipalities will play in developing climate change policy, and how the NPCA intends to consult with these parties during the development of climate change policies.

APPROVED.

#### APPROVED.

Moved by Councillor Paolo Miele that the recommendations contained in Operations Report OPS-17-068 be adopted to include:

- 1.1 that the Joint Irrigation / Agricultural Committee meeting held October 19, 2017, attached to this report be received; and
- 1.2 that the following recommendations as outlined in the Joint Irrigation / Agricultural Committee meeting minutes be forwarded to Council for approval:
  - 1.2.1 that the recommendation report authored by the Irrigation Committee (and approved by both Irrigation and Agricultural Committees) regarding the NPCA Living Landscape be accepted as submitted and forwarded to the NPCA by the December deadline, as amended

1.2.2 WHEREAS the  
Federal Government  
plans to pass the  
Cannabis Act (Act) in  
July 2018 to legalize  
recreational  
marijuana;  
AND WHEREAS the  
Act passed second  
reading on June 18,  
2017 and is before  
the Standing  
Committee on Health  
currently;  
AND WHEREAS the  
Province of Ontario  
has the ultimate  
responsibility for land  
use in the Province of  
Ontario;  
AND WHEREAS  
there are only two  
specialty crop areas  
in the Province,  
Niagara-on-the-lake  
and Holland Marsh;  
AND WHEREAS  
these specialty crop  
areas are considered  
vital by the Province,  
and the Green Belt  
legislation has  
indicated that  
specialty crop lands  
must be maintained  
for vegetables, tender  
fruit and grapes,  
because of the  
increasing population  
in Ontario;  
AND WHEREAS  
recreational  
marijuana  
greenhouses could be  
located in areas that  
are not adequate for  
specialty crops within  
Niagara-on-the-Lake.  
THEREFORE be it  
resolved that Council  
request the Region  
and the Province of

Ontario to develop a policy that would protect specialty crops lands from recreational marijuana greenhouses to be ready when the legislation is passed AND FURTHER that this request be circulated to municipalities where specialty crops are located. AND THAT staff through the Agricultural Committee report to Council on an appropriate distancing factor. AND FURTHER that the Town of Niagara-on-the-Lake post a symposium of recognized agricultural representatives including, but not limited to, people from Vineland Research, OMAFRA and medicinal marijuana facilities in order to determine a scientifically based setback requirement for new or proposed marijuana facilities and bio digesters in Niagara-on-the-Lake. Invitations be sent from the Lord Mayor's office and a date to be determined sometime in January 2018;

1.2.3 that staff approach Tim Andrews about the viability of

installing a  
Rockcheck Dam prior  
to Water Structures  
as well as bypass  
piping. If Mr. Andrews  
does not agree to  
this, go to Council to  
include these funds in  
the 2018 budget.  
Irrigation Committee  
remove the dam at  
the cost of the  
Irrigation Committee.  
request funds from  
Council to approve  
the removal of Water  
Structures.

**APPROVED, AS AMENDED.**

**OPS-17-069**

**NPCA Living Landscape - Irrigation & Drainage Superintendent Comments**

Moved by Councillor Betty Disero that the following recommendations contained in Operations Report OPS-17-070 be adopted to include:

- 1.1 that Council endorse the comments within this report, from the Irrigation and Drainage Superintendent regarding the request for responses to the Niagara Peninsula Conservation Authority (NPCA) Living Landscape Document.

**APPROVED.**

**OPS-17-070**

**Response to Delegation Regarding Requested Transit Reroute**

Moved by Councillor Betty Disero that the recommendations contained in Operations Report OPS-17-070 be received; and that Council adopt the following:

- 1.1 That Staff proceed with a 6 month pilot to preserve the bus stop fronting the Pillar and Post by transiting Niagara Stone/Mary/Regent/John/King rather than Niagara Stone/Mary/King as proposed by the deputation.

**APPROVED.**

Moved by Councillor Betty Disero that the following recommendations contained in Report OPS-17-070 be adopted to include, as amended:

- 1.1 *That the following recommendations be received:*

- 1.1.1 That Council not endorse the request by a resident to reroute the Heritage-Old Town transit route from Simcoe Street, John Street West and

King Street to Mississagua Street, Mary Street and King Street.

- 1.1.2 That Council direct staff to include consideration of the proposed transit reroute in the larger context of upcoming transit route evaluation and redesign.

*1.2 That the following recommendations be adopted to include:*

- 1.2.1 That Staff proceed with a 6 month pilot to preserve the bus stop fronting the Pillar and Post by transiting Niagara Stone/Mary/Regent/John/King rather than Niagara Stone/Mary/King as proposed by the deputation.*

**APPROVED, AS AMENDED.**

## **NEW BUSINESS**

### **a) Notice of Motion - Irrigation Funding**

Councillor Paolo Miele put forth a notice of motion for the next Council Meeting regarding potential Irrigation funding from the Region.

ADJOURNMENT: 9:27 p.m.

***Lord Mayor, this concludes the Minutes/Report of the Operations Advisory Committee I Councillor \_\_\_\_\_ move, seconded by Councillor \_\_\_\_\_ that the Minutes/Report of the December 4, 2017 Operations Advisory Committee Meeting be adopted.***

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LORD MAYOR PAT DARTE