



COUNCIL MEETING

Tuesday, July 25, 2023, 9:30 a.m.

	Pages
1. CALL TO ORDER	
2. FOCUS STATEMENT	
3. O'CANADA	
4. ADOPTION OF THE AGENDA	
5. COUNCIL & COMMITTEE OF THE WHOLE MINUTES	
5.1 Committee of the Whole Planning Minutes- July 11, 2023	4
5.2 Committee of the Whole General Minutes - July 18, 2023	15
5.3 Council Minutes - June 27, 2023	28
5.4 Revised Special Council Meeting Minutes - June 20, 2023 *Clerk's note - the minutes were revised July 6, 2023 in order to capture the discussion that proceeded the motion as reflected in the video*	43
5.5 Council Workshop Meeting - June 29, 2023	49
6. CONFLICT OF INTEREST	
7. PROCLAMATIONS	
8. NEXT COMMITTEE OF THE WHOLE & COUNCIL MEETING DATES:	
(1) Committee of the Whole - Planning Meeting - Tuesday, September 12, 2023, at 6:00 p.m.	
(2) Committee of the Whole - General Meeting - Tuesday, September 19, 2023, at 9:30 a.m.	
(3) Council Meeting - Tuesday, September 26, 2023, at 9:30 a.m.	
Meeting times can be subject to change. For more detailed information, please visit the Town's website at www.notl.com or contact the office at 905-468-3266.	
9. LORD MAYOR'S REPORT, ANNOUNCEMENTS AND REMARKS	
10. MEMBERS' ANNOUNCEMENT	
11. DELEGATIONS	
11.1 Non- Agenda Delegation	
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17.5	Councillor Cheropita - Fleet Review	206
18.	NOTICE OF MOTION	
	Notices of Motion may be introduced by any Member at a regular Meeting of Council or Committee of the Whole for consideration at the next subsequent regular meeting of Council.	

19. NEW BUSINESS

New Business may be introduced under adoption of the Agenda. Items of direction to staff must in be in the form of a motion.

20. CLOSED SESSION

Closed meeting under Section 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for the purpose, specifically dealing with Shoreline Protection.

21. BY-LAWS

21.1	By-law 4316ER-23 - 240 Nassau Street - Zoning By-law	207
21.2	By-law 4316ET-23 - 281 Tanbark Road - Zoning By-law	211
21.3	By-law 5000YF-23 - 823 Line 6 Road - Zoning By-law	216
21.4	By-law 5000XH(1)-23 -911 Lakeshore Road - Zoning By-law	220
21.5	By-law 4316ES-23 - 1570 Niagara Stone Road - Zoning By-law	224
21.6	By-law 5527-23 - Appoint Brandon Enns Inspector of Drainage and repeal By-law 4818-15 and 4817-15	229
21.7	By-law 5528-23 - St. Catharines Computer Aided Fire Services Agreement	230
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21.10	By-law 5531-23 Council Proceedings	247

22. ADJOURNMENT



COMMITTEE OF THE WHOLE - PLANNING MEETING MINUTES

July 11, 2023, 6:00 p.m.

Council Members Present: Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Nick Ruller, Councillor Adriana Vizzari, Councillor Erwin Wiens, Lord Mayor Gary Zalepa

Staff Present: Marnie Cluckie - Chief Administrative Officer, Shaunna Arenburg - (A) Town Clerk, Kirsten McCauley - Director of Community and Development Services, Jay Plato - Fire Chief, Kyle Freeborn - Director of Corporate Services/ Treasurer, Shannon Mista - (A) Deputy Clerk

1. CALL TO ORDER

Councillor Wendy Cheropita called the meeting to order at 6:00 p.m.

2. ADOPTION OF AGENDA

Councillor Burroughs requested to speak under new business.

Moved by: Councillor Tim Balasiuk

That the agenda be adopted as amended.

Yea (9): Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Nick Ruller, Councillor Adriana Vizzari, Councillor Erwin Wiens, and Lord Mayor Gary Zalepa

APPROVED (9 to 0)

3. CONFLICT OF INTEREST

3.1 Councillor Erwin Wiens - CONFLICT OF INTEREST

Councillor Wiens declared a conflict for ZBA-06-2023 - 434 Hunter Road - Report CDS-23-126 as this is his church.

4. PUBLIC MEETING

4.1 File ZBA-06-2023 - 434 Hunter Road - Report CDS-23-126

Councillor Wiens left at 6:04 p.m.

Mark Iamarino, Senior Planner, gave a presentation on the file outlining:

- Development Process
- Proposal and Location
- Provincial, Region and Town Planning Policies
- Zoning By-law and Amendment
- Town, Agency and Public Comments
- Next Steps

Mark answered questions from Council.

Susan Smyth from Quartek and Wendy Eitzen from Corner Stone Church gave a presentation, including information on the proposed expansion/development, conceptual site plan, site statistics, proposed renderings, requested amendments and next steps.

Susan answered clarification questions from Council.

Gracia Janes - 261 King Street - Concerns that the lands are specialty crop lands, which under Regional and Provincial policies are given the highest priority to be protected for long-term agriculture. The lands are within the Greenbelt, and the site is almost completely surrounded by specialty cropland. The proposed expansion building area is only 98 square metres short of doubling the size of the Church, almost double the lot coverage, and will pave over 34% of the lot. The expanded uses are not Agricultural ones and won't help satisfy the Provincial Policy vision that *"farming will be productive, diverse and sustainable."*, and the substantive building and parking expansions for the Church in this proposal appear to be for its planned expanded membership uses, and only used in a minor way for the farm workers.

Moved by: Councillor Gary Burroughs

That Information Report (agenda item 9.1), CDS-23-126, be lifted for discussion.

Yea (8): Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Nick Ruller, Councillor Adriana Vizzari, and Lord Mayor Gary Zalepa

Conflict (1): Councillor Erwin Wiens

APPROVED (8 to 0)

Moved by: Councillor Gary Burroughs

That Information Report (agenda item 9.1), CDS-23-126, be received.

Yea (8): Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Nick Ruller, Councillor Adriana Vizzari, and Lord Mayor Gary Zalepa

Conflict (1): Councillor Erwin Wiens

APPROVED (8 to 0)

4.2 File ZBA-07-2023 - 1339 Lakeshore Road (Strewn Winery) - Report CDS-23-137

Councillor Wiens returned to the meeting at 6:37 p.m.

Mark Iamarino, Senior Planner, gave a presentation on the file outlining:

- Development Process
- Proposal and Location
- Provincial, Region and Town Planning Policies
- Zoning By-law and Amendment
- Town, Agency and Public Comments
- Next Steps

Mark answered questions from Council.

The applicant Stephen Bedford was present and gave a brief overview and answered clarifying questions from Council.

Moved by: Lord Mayor Gary Zalepa

That Information Report (agenda item 9.2), CDS-23-137, be lifted for discussion.

Yea (9): Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Nick Ruller, Councillor Adriana Vizzari, Councillor Erwin Wiens, and Lord Mayor Gary Zalepa

APPROVED (9 to 0)

Moved by: Lord Mayor Gary Zalepa

That Information Report (agenda item 9.2), CDS-23-137, be received.

Yea (9): Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Nick Ruller, Councillor Adriana Vizzari, Councillor Erwin Wiens, and Lord Mayor Gary Zalepa

APPROVED (9 to 0)

4.3 File ZBA-09-2023 - 925 Line 2 Road - Report CDS-23-147

Mark Iamarino, Senior Planner, gave a presentation on the file outlining:

- Development Process
- Proposal and Location
- Provincial, Region and Town Planning Policies
- Zoning By-law and Amendment
- Town, Agency and Public Comments
- Next Steps

Mark answered questions from Council.

Robert Smit and Jesse Auspitz from NPG Planning Solutions presented on behalf of the applicant, including Farm Consolidation, next steps and supporting studies.

Moved by: Lord Mayor Gary Zalepa

That Information Report (agenda item 9.3), CDS-23-147, be lifted for discussion.

Yea (9): Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Nick Ruller, Councillor Adriana Vizzari, Councillor Erwin Wiens, and Lord Mayor Gary Zalepa

APPROVED (9 to 0)

Moved by: Lord Mayor Gary Zalepa

That Information Report (agenda item 9.3), CDS-23-147, be received.

Yea (9): Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Nick Ruller, Councillor Adriana Vizzari, Councillor Erwin Wiens, and Lord Mayor Gary Zalepa

APPROVED (9 to 0)

5. DELEGATIONS

There were none.

6. RESPONSE TO DELEGATIONS

There were none.

7. PRESENTATIONS

There were none.

8. CONSENT AGENDA

Councillor Erwin Wiens had previously declared a conflict with item 8.2 1570 Niagara Stone Road.

Moved by: Lord Mayor Gary Zalepa

That item 8.2 be approved, and that the reports and recommendations contained therein be forwarded to Council for adoption.

Yea (8): Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Nick Ruller, Councillor Adriana Vizzari, and Lord Mayor Gary Zalepa

Conflict (1): Councillor Erwin Wiens

APPROVED (8 to 0)

**8.1 823 Line 6 Road (Big Head Estate Winery)
Zoning By-law Amendment Application ZBA-14-2022, CDS-23-129**

Councillor O'Connor lifted the report for discussion.

Councillor O'Connor requested clarification on two points;

1. That the 10 hectares will remain agricultural lands

Kirsten McCauley, Director of Community and Development Services confirmed that the zoning by-law does specify that 75% of the lands must stay in production. There will be a marginal increase for the expansion of the estate winery that is being dealt with through a site plan agreement amendment.

2. That events such as weddings and other events are not proposed as part of the winery expansion and requested verification that this is factual and will be carried through.

Director McCauley verified that there is no intention at this time of any events and confirmed there is no outdoor patio or hospitality space. If in the future, they would like to host a special event it would require a Special Event Permit.

It is respectfully recommended that:

1.1 The application for Zoning By-law Amendment (File No. ZBA-14-2023) for the lands known municipally as 823 Line 6 Road, be approved as detailed in this report; and

1.2 The draft Zoning By-law Amendment, attached as **Appendix IV** to this report, be forwarded to Council for adoption.

8.2 1570 Niagara Stone Road Zoning By-law Amendment ZBA-05-2023, CDS-23-133

It is respectfully recommended that:

1. The application for Zoning By-law Amendment (File No. ZBA-05-2023) for lands municipally known as 1570 Niagara Stone Road, be approved as detailed in this report; and,
2. The draft Zoning By-law Amendment, attached as **Appendix IV** to this report, be forwarded to Council for adoption.

8.3 240 Nassau Street Zoning By-law Amendment ZBA-03-2023, CDS-23-134

Councillor O'Connor lifted the report for discussion.

Councillor O'Connor requested confirmation from Staff the proposed site layout will preserve the existing on-site and boulevard trees and facilitate the opportunity for generous perimeter and internal landscaping since the site plan does not come back to the Council for review.

Director McCauley confirmed that any building or entrance permits would have to be reviewed for any tree removal and the intent would be to maintain the existing landscaping.

Councillor Burroughs requested clarification on whose decision it would be for tree removal. Director McCauley confirmed the decision would be from the department in charge of the permit application.

Councillor O'Connor requested that it be relayed to those departments that the intent of Council is to keep the trees.

It is respectfully recommended that:

1. The application for Zoning By-law Amendment (File No. ZBA-03-2023) for lands municipally known as 240 Nassau Street, be approved as detailed in this report; and
2. The draft Zoning By-law Amendment, attached as **Appendix IV** to this report, be forwarded to Council for adoption.

8.4 281 Tanbark Road & Stoneridge Crescent Zoning By-law Amendment Application ZBA-26-2022, CDS-23-061

Councillor O'Connor lifted the report for discussion.

Councillor O'Connor requested confirmation that no trees were destroyed as a result of this amendment and asked Director McCauley if she can assure that the relevant departments will be made aware of Council's intent. Director McCauley confirmed there is no intention of tree removal.

It is respectfully recommended that:

1. The Application for Zoning By-law Amendment (File No. ZBA-26-2022) for lands known municipally as 281 Tanbark Road be approved as detailed in this report; and
2. The draft Zoning By-law Amendment, attached as **Appendix IV** to this report, be forwarded to Council for adoption.

Moved by: Councillor Erwin Wiens

That the Consent agenda item(s) 8.1, 8.3, and 8.4 be approved and that the reports and recommendations contained therein be forwarded to Council for adoption.

Yea (9): Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Nick Ruller, Councillor Adriana Vizzari, Councillor Erwin Wiens, and Lord Mayor Gary Zalepa

APPROVED (9 to 0)

9. INFORMATION PACKAGES

9.1 Information Report - Public Meeting - 434 Hunter Road (ZBA-06-2023) - CDS-23-126

This item was lifted and received under item 4.1.

9.2 Information Report - Public Meeting - 1339 Lakeshore Road (ZBA-07-2023) - (Strewn Winery) - CDS-23-137

This item was lifted and received under item 4.2.

9.3 Information Report - Public Meeting - 925 Line 2 Road (ZBA-09-2023) - CDS-23-147

This item was lifted and received under item 4.3.

9.4 The City of Port Colbourne email re: Support Town of Bradford West Gwillimbury - The Right - to - Repair Movement

Councillor Ruller left the room at 7:30 p.m.

Councillor Ruller returned to the room at 7:36 p.m.

Moved by: Councillor Sandra O'Connor

That the Town of Niagara-on-the-Lake support the Town of Port Colborne and support the Town of Bradford West Gwillimbury - Right to Repair motion and be circulated to the list contained within

Yea (3): Councillor Gary Burroughs, Councillor Sandra O'Connor, and Councillor Erwin Wiens

Nay (5): Councillor Tim Balasiuk, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Adriana Vizzari, and Lord Mayor Gary Zalepa

Absent (1): Councillor Nick Ruller

DEFEATED (3 to 5)

Moved by: Lord Mayor Gary Zalepa

Information Report (agenda item 9.4), be received.

Yea (7): Councillor Tim Balasiuk, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Adriana Vizzari, Councillor Erwin Wiens, and Lord Mayor Gary Zalepa

Nay (1): Councillor Gary Burroughs

Absent (1): Councillor Nick Ruller

APPROVED (7 to 1)

9.5 The Niagara Peninsula Conservation Email re: Agreement of Services with Municipalities as required under the Conservation Authorities Act

Councillor O'Connor highlighted that under the changes to the Conservation Authorities Act, the NPCA can no longer provide the natural heritage review services needed for the *Planning Act*. A separate agreement with Municipalities must be developed for this and must be in place for January 1, 2024. Councillor O'Connor asked for a status update on how the negotiations are going as it will impact the budget for the following year. Director McCauley stated that there have been some discussions with the NPCA and the Region as the Region also provides some environmental reviews for the Towns' development applications. There will be a report coming forward on the Service Agreements discussed with the Region. Director McCauley stated that she will also include information on the NPCA Agreement in that report.

The intention is to bring the report forward in September.

Councillor Mavridis left the room at 7:38 p.m.

Moved by: Councillor Sandra O'Connor

That agenda item 9.5 be received.

Yea (8): Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Sandra O'Connor, Councillor Nick Ruller, Councillor Adriana Vizzari, Councillor Erwin Wiens, and Lord Mayor Gary Zalepa

Absent (1): Councillor Maria Mavridis

APPROVED (8 to 0)

9.6 The Ministry of Natural Resources and Forestry Email Re: Technical Bulletin - Flooding Hazards: Data Survey and Mapping Specifications

Lifted from the July 6 Information Package by Councillor O'Connor.

Councillor O'Connor inquired on how we fulfill our responsibility without guidance on a current flood standard to address the more extreme rainfall events that are occurring.

Councillor O'Connor requested Staff consult with the Province on what is being done to update the flood standards in response to climate change.

Director McCauley confirmed that Staff will consult with the NPCA and the Province and return with a comprehensive response.

Moved by: Councillor Sandra O'Connor

That agenda item 9.6 be received.

Yea (9): Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Nick Ruller, Councillor Adriana Vizzari, Councillor Erwin Wiens, and Lord Mayor Gary Zalepa

APPROVED (9 to 0)

10. NEW BUSINESS

Councillor Burroughs discussed amalgamation and the potential issues that could arise that concerned the previous Council.

Councillor Burroughs had previously provided notes from the past Council to the Town's Senior Management Team, he requested those notes be circulated to the current Council.

11. ADJOURNMENT

Adjournment time: 8:02 p.m.

Moved by: Councillor Erwin Wiens

That Council adjourn to the next Committee of the Whole - General meeting of July 18, 2023, and if a special meeting is required, it will be held at the call of the Lord Mayor.

Yea (9): Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Nick Ruller, Councillor Adriana Vizzari, Councillor Erwin Wiens, and Lord Mayor Gary Zalepa

APPROVED (9 to 0)



COMMITTEE OF THE WHOLE MEETING MINUTES

July 18, 2023, 9:30 a.m.

Council Members Present: Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Nick Ruller, Councillor Adriana Vizzari, Lord Mayor Gary Zalepa

Council Members Absent: Councillor Erwin Wiens

Staff Present: Marnie Cluckie - Chief Administrative Officer, Shaunna Arenburg - Town Clerk, Kirsten McCauley - Director of Community and Development Services, Kyle Freeborn - Director of Corporate Services/ Treasurer, Rome D'Angelo - Director of Operations, Shannon Mista - Deputy Clerk

Staff Absent: Victoria Steele - Strategy & Government Relations Officer, Jay Plato - Fire Chief

1. CALL TO ORDER

Councillor Wendy Cheropita called the meeting to order at 9:30 a.m.

2. ADOPTION OF AGENDA

Councillor Wendy Cheropita requested to speak under New Business.

Lord Mayor Zalepa joined the meeting virtually at 9:39 a.m.

Moved by: Councillor Gary Burroughs

That the agenda be adopted as amended.

Yea (8): Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Nick Ruller, Councillor Adriana Vizzari, and Lord Mayor Gary Zalepa

Absent (1): Councillor Erwin Wiens

APPROVED (8 to 0)

3. CONFLICT OF INTEREST

There were none.

4. DELEGATIONS

4.1 Non-Agenda Delegations

4.1.1 Cathy Simpson - The Library Board 2022 Year End Review

Cathy Simpson, Chief Librarian, and Darryl Novack Board Chair, presented on the Library Board 2022 year-end review with highlights on;

- The Vision/ Mission Statement
- 789 new members last year
- an increase in social media followers
- 72,949 items were circulated last year.
- Cognitive care kits were created.
- Service development through Federal Economic Development
- New Programming - (Tots, Teens, Between the Stacks (Speed Dating), the Makery, The Repair Cafe, and Tech Help.
- Outreach - Home delivery, Community Garden and Seed Garden, Migrante Farm Workers
- Pop-up Library

4.2 Agenda Delegations

There were none.

5. RESPONSE TO DELEGATIONS

Councillor Burroughs asked if the library is in the Virgil Information Centre and Cathy responded yes, they have a pop-up library there.

Councillor Vizzari asked clarifying questions on the Repair Cafe.

The Lord Mayor and Councillor O'Connor commended the Board for all the great work they are doing around the Community.

6. PRESENTATIONS

6.1 Carlos Alvarez & Jodie Nesbitt - KPMG 2022 Financial Statements and Audit Findings

Carlos Alvarez, Audit Partner with KPMG presented on:

- Audit Highlights
- Audit Risks and Results
- Misstatements
- Control Deficiencies
- Independence
- Audit Quality
- Additional Matters
- Appendices

7. CONSENT AGENDA

Consent Agenda items 7.1, 7.2, and 7.6 were lifted for separate discussion.

Moved by: Councillor Nick Ruller

That the Consent Agenda be approved, with the exception of the items 7.1, 7.2 and 7.6 listed for separate discussion, and the reports and recommendations contained therein be forwarded to Council for adoption.

Yea (8): Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Nick Ruller, Councillor Adriana Vizzari, and Lord Mayor Gary Zalepa

Absent (1): Councillor Erwin Wiens

APPROVED (8 to 0)

7.1 2024 Budget Timeline, CS-23-024

Lifted by Councillor Ruller.

Councillor Ruller asked some clarifying questions on the budget.

Council discussed and asked questions regarding:

- The operating levy increased by 6.5%.
- Employee Bargaining Group.
- What are our commitments for salaries and other fixed expenses.
- Action items within that funding target.
- Fleet Review.
- MAT Tax/Short Terms Rentals

Moved by: Councillor Sandra O'Connor

That recommendation 3 be amended to Council give Staff guidance for 2024 for an operating levy increase not to exceed 6.5% and an option to not exceed 3%.

Yea (6): Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, and Councillor Nick Ruller

Nay (2): Councillor Adriana Vizzari, and Lord Mayor Gary Zalepa

Absent (1): Councillor Erwin Wiens

APPROVED, AS AMENDED (6 to 2)

Moved by: Councillor Maria Mavridis

That the balance of agenda item 7.1 be approved.

Yea (8): Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Nick Ruller, Councillor Adriana Vizzari, and Lord Mayor Gary Zalepa

Absent (1): Councillor Erwin Wiens

APPROVED (8 to 0)

7.2 Committees of Council – Hybrid Meetings, CS-23-025

Lifted by Councillor Ruller.

Lord Mayor Zalepa left the meeting at 10:50 a.m.

Council discussed and asked questions regarding:

- The number of IT Staff required.
- Budget Implications
- Which Committees would transition to hybrid vs virtual
- Returning to all in-person
- The preferences of Committee Members

Moved by: Councillor Sandra O'Connor

It is respectfully recommended that:

1. Council distribute the motion to move to hybrid meetings, attached as **Appendix I**, to the Committees selected to transition to the hybrid model: Municipal Heritage, Urban Design, Irrigation, and the Committee of Adjustment.
2. Council approve the proposed Phase-in Schedule of Hybrid Meetings, attached as **Appendix II**; and
3. Council approve the proposed Hybrid Policy – Committees of Council, attached as **Appendix III**. With scope modified to address only those committees selected to move to hybrid meetings.
4. Staff be directed to report back to Council with the financial implications of moving all of the committees to hybrid as part of the 2024 budget.

Yea (7): Councillor Tim Balasiuk, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Nick Ruller, Councillor Adriana Vizzari, and Lord Mayor Gary Zalepa

Nay (1): Councillor Gary Burroughs

Absent (1): Councillor Erwin Wiens

APPROVED, AS AMENDED (7 to 1)

7.3 2022 Year End Deficit, CS-23-026

It is respectfully recommended that:

1. Council receives this report quantifying the 2022 Operating Budget Deficit of \$99,416 or 0.4%; and
2. Council approves that the deficit be funded with the Contingency Reserve.

7.4 2022 Financial Statements and Audit Findings Report, CS-23-027

This report was lifted and approved during item 6.1.

Council discussed and asked questions regarding:

- New closing requirements.
- Process Reviews/ Process of Capital Budgeting
- The consolidated of Hydro's statements
- Surplus vs deficit
- ESG accounting for natural assets
- Asset Management Plan requirements
- Drain Billing

Moved by: Councillor Maria Mavridis

It is respectfully recommended that:

1. Council approves the proposed consolidated financial statements for the year ended December 31, 2022, for The Corporation of the Town of Niagara-on-the-Lake (the "Town"), attached as **Appendix I**;
 - 1.2. Council approves the attached Audit Findings Report for the year ended December 31, 2022, for The Corporation of the Town of Niagara-on-the-Lake, attached as **Appendix II**; and Council approves the proposed consolidated financial statements for the year ended December 31, 2022, for The Corporation of the Town of Niagara-on-the-Lake (the "Town"), attached as **Appendix I**;
 - 1.3 Council approves \$30,000 to fund consulting services for implementation of and compliance with the new Asset Retirement Obligations accounting standard for yearend 2023 (PS 3280 Asset Retirement Obligations).

Yea (8): Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Nick Ruller, Councillor Adriana Vizzari, and Lord Mayor Gary Zalepa

Absent (1): Councillor Erwin Wiens

APPROVED (8 to 0)

7.5 2023 Catch Basin Cleaning - 2024 and 2025 option - OPS-23-043

It is respectfully recommended that:

1. Council approve the lowest compliant bid of \$162,150.00 (excluding applicable taxes) from GFL Environmental Services Inc. for a three-year contract for Catch Basin Cleaning; and
2. Council direct Staff to stay within the approved budget amount of \$50,000 for works to be completed in 2023; and
3. Council direct Staff to allocate the appropriate operating budget for 2024 and 2025 to ensure all works identified are completed; and
4. Council authorize the Director of Operations to sign the required contract documents on behalf of the Corporation.

7.6 911 Lakeshore Road - Zoning By-law Amendment Application ZBA-08-2023 (Removal of Holding Symbol), CDS-23-161

Lifted for discussion by Councillor Ruller.

Councillor Burroughs confirmed Council was discussing Palatine Hills Estate Winery.

Councillor Burroughs requested an explanation on the fire hydrant issue, how it is not a Town fire hydrant and if it was connected to a pond.

Director McCauley informed Councillor Burroughs that one of the requirements for lifting the holding symbol is confirmation that the dry fire hydrant on the subject lands is connected to an adequate water source.

Councillor Ruller confirmed the hydrant is connected to a cistern.

Moved by: Councillor Adriana Vizzari

It is respectfully recommended that:

1. The Zoning By-law Amendment Application (ZBA-08-2023) to remove the Holding (H) symbol from the Zoning By-law affecting the subject lands, 911 Lakeshore Road, be approved; and
2. The draft Zoning By-law Amendment, attached as **Appendix III** to this report, to remove the Holding (H) symbol affecting the subject lands be forwarded to Council for approval.

Yea (6): Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Nick Ruller, and Councillor Adriana Vizzari

Absent (3): Councillor Tim Balasiuk, Councillor Erwin Wiens, and Lord Mayor Gary Zalepa

APPROVED (6 to 0)

8. INFORMATION PACKAGES

Moved by: Councillor Gary Burroughs

That items 8.4 and 8.5 from the Information Package be approved.

Yea (7): Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Nick Ruller, and Councillor Adriana Vizzari

Absent (2): Councillor Erwin Wiens, and Lord Mayor Gary Zalepa

APPROVED (7 to 0)

8.1 Heritage Training Manual - CDS-23-159

Lifted for discussion by Councillor O'Connor

Councillor O'Connor inquired about the status of the Heritage Tax Rebate Program noted in the report.

Director McCauley informed Councillor O'Connor that the program is still under review, and is on the Community Services and Development task list for this year. Staff capacity is being reviewed in order to follow through with the implementation of the program.

Moved by: Councillor Maria Mavridis

That agenda item 8.1 be received.

Yea (7): Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Nick Ruller, and Councillor Adriana Vizzari

Absent (2): Councillor Erwin Wiens, and Lord Mayor Gary Zalepa

APPROVED (7 to 0)

8.2 Mississagua Street - Reconstruction Update - OPS-23-037

Lifted for discussion by Councillor O'Connor

Councillor Balasiuk left the meeting at 11:43 a.m.

Councillor O'Connor highlighted the challenges with the removal of the boulevard trees and noted that some of the roots of the trees have already been damaged by the construction of sidewalks. Councillor O'Connor expressed how trees are a part of the character of the neighbourhood and emphasized how important it is to take the trees into consideration and suggested a high priority be placed on trees when doing the upcoming planning.

Councillor Burroughs also expressed wanting to keep the trees where possible and inquired if Council could receive an estimate on how many trees will be part of the project and if sidewalks are necessary on both sides of the street. Councillor Burroughs requested that the signage at Queen Street and Mississugua Street be improved to provide better direction.

Director D'Angelo confirmed he has noted all of the elements discussed and informed Council that they are currently in the design faze and he will share this information with the designers and engineering group.

Director D'Angelo advised the intention is to have a Public Information Session with the design to engage the public and receive their feedback and input.

Councillor Vizzari assumed the Chair at 11:46 a.m.

Councillor Cheropita inquired about the bicycle lanes being very narrow on new streets and asked how wide the bike lanes would be on this project.

Director D'Angelo explained that the standards will be applied based on the width of the platform and the limitations of the platform. The

Transportation Master Plan will also be applied, and the criteria is laid out in that plan.

Councillor Cheropita stated that her recommendation would be sidewalks on one side and wider bike lanes on the other for safety in the community.

Councillor Cheropita resumed the chair at 11:50 a.m.

Moved by: Councillor Gary Burroughs

That item 8.2 be received.

Yea (6): Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Nick Ruller, and Councillor Adriana Vizzari

Absent (3): Councillor Tim Balasiuk, Councillor Erwin Wiens, and Lord Mayor Gary Zalepa

APPROVED (6 to 0)

8.3 Line 3 Road Reconstruction Tender Results - OPS-23-041

Councillor Mavridis left the meeting at 11:44 a.m.

Lifted for discussion by Councillor Ruller

Councillor Ruller inquired about the total budgeted amount being under what was allotted and if there will be a surplus. He inquired what happens when there is a significant variance like this, is there an opportunity mid-budget cycle to approve other projects?

Director Freeborn informed Councillor Ruller that reallocating those funds would be possible after confirmation with the department that the funds are surplus through either a staff report or a notice of motion.

Councillor Ruller inquired how he could action that in the future. CAO Cluckie advised there is usually a percentage that can be reallocated, and it is usually located in the policy.

Director D'Angelo was directed to give consideration to other projects that could be advanced with surplus funds and to report back to Council.

Councillor O'Connor had a question on timing with the construction of HWY 55 in Virgil as many locals use Line 3 as a detour around it and how does it jive with the construction on HWY 55.

Director D'Angelo stated that the timing and mobilization of this project will be towards the end of August / early September with the anticipation that the HWY 55 Niagara Stone Road construction will be completed in the September/October timeframe. There will be an overlap but because of the distance between the two projects and the plan to provide proper detour signs he doesn't foresee an issue.

Moved by: Councillor Nick Ruller

That agenda item 8.3 be received.

Yea (6): Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Nick Ruller, and Councillor Adriana Vizzari

Absent (3): Councillor Tim Balasiuk, Councillor Erwin Wiens, and Lord Mayor Gary Zalepa

APPROVED (6 to 0)

8.4 Line 5 Road Watermain Replacement Tender Results - OPS-23-045

8.5 By-law AMPS Statistics from September 2021 to April 2023, FES-23-007

8.6 Media Release re: Town Statement - Confirmed Case of Oak Wilt in Niagara-on-the-Lake

Councillor Burroughs congratulated Staff for reacting very quickly to a very serious situation in our community. He hopes that education within the community can be provided because it will play a huge role in when to cut oak trees.

CAO Cluckie confirmed that the Operations Department have identified a Lead and they have been working with the Communications Department to develop a new webpage with information on oak wilt. Communication on social media makes connections and Staff will take away that the Horticulture Society is organizing groups so that we can connect.

Director D'Angelo advised that Operations have been working very closely with the Canadian Food Inspection Agency which has identified wilt in this area. There is a staff person with expertise in oak wilt that they will be meeting with every Tuesday, and oak wilt has been added to the Vineland Research Agenda for the next meeting.

Moved by: Councillor Adriana Vizzari

That agenda item 8.6 be received.

Yea (5): Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Sandra O'Connor, Councillor Nick Ruller, and Councillor Adriana Vizzari

Absent (4): Councillor Tim Balasiuk, Councillor Maria Mavridis, Councillor Erwin Wiens, and Lord Mayor Gary Zalepa

APPROVED (5 to 0)

9. NOTICE OF MOTION

Councillor Mavridis put forth three Notices of Motions:

- Parking permit extension
- By-law enforcement officers
- Municipal licensing and building licensing

10. NEW BUSINESS

Councillor Vizzari assumed the Chair at 12:09 p.m.

Councillor Cheropita inquired about creating lane swims for adults in the evenings in the Veterans Park Pool.

Director D'Angelo informed Council that they have a meeting this afternoon to discuss the aquatics schedule and that any changes made will be provided to Council and the Community.

Councillor Cheropita asked if Staff could bring forward the Project List from the previous Council. CAO Cluckie confirmed that the information will be circulated.

Councillor Cheropita resumed the Chair at 12:12 p.m.

11. ADJOURNMENT

Adjournment time: 12:12 p.m.

Moved by: Councillor Gary Burroughs

That Council adjourn to the next Council Meeting of July 25, 2023, and if a special meeting is required, it will be held at the call of the Lord Mayor.

Yea (5): Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Sandra O'Connor, Councillor Nick Ruller, and Councillor Adriana Vizzari

Absent (4): Councillor Tim Balasiuk, Councillor Maria Mavridis, Councillor Erwin Wiens, and Lord Mayor Gary Zalepa

APPROVED (5 to 0)



June 27, 2023, 9:30 a.m.

Council Members Present: Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis (9:54 a.m.), Councillor Sandra O'Connor, Councillor Nick Ruller, Councillor Adriana Vizzari, Councillor Erwin Wiens, Lord Mayor Gary Zalepa

Staff Present: Marnie Cluckie - Chief Administrative Officer, Victoria Steele - Strategy & Government Relations Officer, Shaunna Arenburg - Town Clerk, Kirsten McCauley - Director of Community and Development Services, Jay Plato - Fire Chief, Kyle Freeborn - Director of Corporate Services/ Treasurer, Rome D'Angelo - Director of Operations

1. CALL TO ORDER

Lord Mayor Zalepa called the meeting to order at 9:30 a.m.

2. FOCUS STATEMENT

Councillor Ruller read the focus statement.

3. O'CANADA

4. ADOPTION OF THE AGENDA

The following members requested to speak under New Business:

Councillor Burroughs
Councillor Cheropita

Moved by: Councillor Wendy Cheropita

Seconded by: Councillor Tim Balasiuk

That the agenda be adopted as amended

Yea (8): Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Sandra O'Connor, Councillor Nick Ruller, Councillor Adriana Vizzari, Councillor Erwin Wiens, and Lord Mayor Gary Zalepa

Absent (1): Councillor Maria Mavridis

APPROVED (8 to 0)

5. COUNCIL & COMMITTEE OF THE WHOLE MINUTES

Councillor O'Connor requested item 5.5 Committee of the Whole - General - June 13, 2023, item 7.5 be amended to strike out the phrase using a phased in approach from section 1.1 of her motion as it was all in one year. And that item 8.4 be amended to read requested clarification on the wastewater capacity for NOTL based on the report and if the new wastewater treatment plant that opened in 2022 was part of the statistics and clarification on the status of the Queenston wastewater study.

Moved by: Councillor Adriana Vizzari

Seconded by: Councillor Wendy Cheropita

That the minutes from following dates be approved May 23, June 13, and June 20 be approved as amended.

Yea (7): Councillor Tim Balasiuk, Councillor Wendy Cheropita, Councillor Sandra O'Connor, Councillor Nick Ruller, Councillor Adriana Vizzari, Councillor Erwin Wiens, and Lord Mayor Gary Zalepa

Nay (1): Councillor Gary Burroughs

Absent (1): Councillor Maria Mavridis

APPROVED, AS AMENDED (7 to 1)

5.1 Council Minutes - May 23, 2023

5.2 Special Council Minutes - May 23, 2023

5.3 Committee of the Whole Planning Minutes- June 13, 2023

5.4 Special Council Minutes - June 13, 2023

5.5 Committee of the Whole General Minutes - June 20, 2023

5.6 Special Council Minutes - June 20, 2023

6. CONFLICT OF INTEREST

There were none.

7. PROCLAMATIONS

There were none.

8. NEXT COMMITTEE OF THE WHOLE & COUNCIL MEETING DATES:

9. LORD MAYOR'S REPORT

Lord Mayor Zalepa updated Council on the following:

- May 23 attended a small gathering, with Neil Lumsden the Minister of Tourism and Sport at the Shaw Festival and Peller Estate Winery; reviewed tourism features and opportunities in NOTL
- May 23 attended NOTL Rotary Club's Paul Harris awards dinner at the Community Centre; locals Vaughan and Lauren Goettler, Jody Porter and Cindy Grant were recognized; entertainment was provided by a young group of performers from Yellow Door Theatre productions.
- May 25-28 attended FCM with Councillors Balasiuk, and Mavridis. Speeches from PM, Leader of NDP, Green Party and many informative sessions, notes will be circulated to Council
- May 29 attended the Niagara Pride week Flag raising at Town Hall
- June 1 attended NOTL Arts Collective Open house at Chateau des Charmes. Many amazing local artists and their works on display.
- June 2 attended Niagara Geo Park update at Niagara College; this exciting project is working towards UNESCO designation for the Niagara Geo Park.
- June 2 attended awards dinner for 809 Newark Squadron RCAC at the Legion branch 124
- June 3 attended 52nd Annual Review for 809 Newark Squadron RACAC at the Croatian Hall on Line 3; outdoors; presented Best First Year Cadet Award to LAC Tera Epp
- June 3 attended 60th Anniversary Maclaren car rally on Queen St hosted by Q124
- June 5 attended flag raising for National Accessibility week, joined by our JAAC committee members.

- June 5 attended media launch event for Jazz Niagara festival schedule of concerts; with Councillors Cheropita and Mavridis, congratulations to Juliet Dunn on another exciting lineup of concerts.
- June 6 attended Fort George Tourism Day, familiarization tour; hosted by Parks Canada and FOGF
- June 7th attended reception at Hockey Hall of Fame, for international site selection group (Exis Global Summit), brought greetings on behalf of Regional Chair Bradley; sponsored by Niagara Region Economic Development.
- June 8 meeting with Greenbelt Foundation CEO Edward McDonnell, discussed how Municipalities can support the Greenbelt.
- June 8 attended speaker series at NOTL Museum; Aboriginal origins in Niagara.
- June 9 attended Pillitteri Family 30th Anniversary event at Pillitteri Winery. Gary and Lena have been farming in NOTL for over 70 years; what a legacy they have built.
- June 9. Attended NOTL PickleBall Tournament; watched pro session; full arena; weekend of hundreds of participants; excellent exposure for the Town.
- June 10 attended General Hollar Run; at the Polish cemetery; with Polish Ambassador; Gen Consul, and other dignitaries, including Mayor of Jurczyce.
- June 10 attended NOTL Firefighters Recruits graduation; congrats to the families and individuals taking on this important responsibility.
- June 11 attended Polish Sunday, Pilgrimage at the Polish Cemetery, including a parade to the Cenotaph;
- June 12 attended DSBN Chess tournament for grades 3-8 at the NOTL Community centre
- June 13 attended at Grape Escapes wine tours, as they hosted education tours for GTA high school students (over 100) about history in Niagara
- June 15 attended NOTL Chamber of Commerce event, Business Forum; Brought remarks and updates on the work of Council; Councillors Burroughs, Cheropita, Balasiuk, Wiens, Mavridis, and O'Connor, Thanks to the Chamber for hosting at Ravine Winery.

- June 17 attended the Niagara Ride for dads at the Legion; in support of prostate cancer research. Councillor Wiens was riding along with his wife Dorothy.
- June 17 attended flag raising at the Cenotaph for United Empire Loyalist week; also held a ceremony at the Col John Butler homestead site where the UEL group dedicated a tree to her Majesty Queen Elizabeth
- June 17 attended the butterfly release ceremony hosted by NOTL Palliative Care, in support of loved ones who have experienced loss in 2022 with Councillors O'Connor and Cheropita.
- June 19 attended an open house promoting the Niagara Region's seniors programming at the NOTL Community Centre. Programming every week day.
- June 20 attended the ribbon cutting for our rainbow crosswalk in Town
- June 22 attended the grand opening of the new Vineland Growers Coop facility in Vineland. With Councillor Wiens and Regional Chair Bradley,
- June 22 attended along with Minister of Agriculture, Honouable Lisa Thompson at Mathias Oppenlander farm on Line 3 as they were provided with a grant and recognition as sustainable farm by the Minister. Councillor Wiens, MPP Gates and MP Baldinelli attended.
- June 24 attended yard sale in support of NOTL Cats Rescue, on Line 2 in Virgi.
- June 24 attended the Smugglers Cove boat club annual Sailpast in NOTL; with MP Baldinelli and MPP Gates.

10. MEMBERS' ANNOUNCEMENT

Councillor Mavridis joined the meeting at 9:54 a.m.

Councillor O'Connor - attended the Glendale Public Information Session

Councillor Cheropita - announced the Step Up for Ukraine event taking place Saturday, July 22

Councillor Cheropita - announced that at 5 p.m. July 11 the Village Celebrates their 25th Anniversary, she extended congratulations to the Hawley family.

Councillor Vizzari - attended Community Crew Lunch Box Gala - they provide lunches to school children throughout the Community.

Councillor Balasiuk - announced the Cherry Festival taking place on July 8 and that there will be Paddle Board Race taking place at Queen's Royal Park

11. DELEGATIONS

11.1 Non-Agenda Delegation

11.1.1 Andrea Kaiser - Regional Councillor - Regional Updates

Regional Councillor Andrea Kaiser and the Commissioner of Niagara Region Community Services Adrienne Jugley gave a presentation on Community Services including:

- Community Services
- Children's Services
- Homelessness Services & Community Engagement
- Housing Services
- Seniors Services
- Social Assistance & Employment Opportunities

Councillor Kaiser and Commissioner Jugley answered questions from Council.

11.2 Agenda Delegation

11.2.1 George Webber - Friends of the Forgotten - Item 15.1 - Negro Burial Ground - Archaeological Assessment - Stage 1 Results - OPS-23-042

George Webber spoke about the stage 1 assessment results, the fundraising efforts, explained the funding model, and thanked Council for their support.

George answered questions from Council.

12. RESPONSE TO DELEGATIONS FROM COUNCIL

13. PRESENTATIONS

13.1 Roger Smith - NOTL Fleet Service Review

Director D'Angelo introduced the presentation and provided the background to the project, the scope of work (deliverables). Director introduced Roger Smith for the Fleet Service Review presentation.

Roger Smith presented:

- the seven key steps in NOTL Fleet Review
- management practices review
- fleet management practices survey
- fleet and GHG baseline profile
- lifecycle analysis results
- fleet capital budget planning
- long-term capital planning key results
- EV level two charging analysis

Director D'Angelo concluded the presentation with the staff recommendations.

Roger Smith answered questions from Council.

14. CONSENT AGENDA

14.1 Fleet Service Review & Green Fleet Strategy, OPS-23-016

Councillor Cheropita lifted the report for discussion.

Councillor O'Connor spoke to the report and how it will guide Council for the next 15 years and appreciates the inclusion of greening the fleet and the commitment to environmental sustainability. Councillor O'Connor requested additional time to review the report and proposed a motion to defer.

Council discussed the modernization service delivery review, reducing future costs, electric vehicles, the lifespan of vehicles and budget concerns.

Lord Mayor Zalepa passed the chair to Councillor Wiens at 11:31 a.m.

Lord Mayor Zalepa referenced the staggered recommendations in the report, requested direction from Council on how they would like to proceed.

Councillor Vizzari left the meeting at 11:32 a.m.

Lord Mayor Zalepa resumed the chair at 11:34 a.m.

Moved by: Councillor Maria Mavridis
Seconded by: Councillor Tim Balasiuk

That report OPS-23-016 be deferred to September.

Yea (8): Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Nick Ruller, Councillor Erwin Wiens, and Lord Mayor Gary Zalepa

Absent (1): Councillor Adriana Vizzari

APPROVED (8 to 0)

14.2 Discretionary Grants, CS-23-017

Lord Mayor Zalepa left the meeting at 11:36 a.m.

Deputy Lord Mayor Wiens assumed the Chair for the remainder of the meeting.

Councillor Burroughs asked about informing the media, CAO Cluckie clarified that a media release was not intended to come back to Council unless a motion of Council is passed and letters will be sent out.

Councillor Mavridis requested the total amount promised to the Fire Fighter Association. Chief Jay Plato clarified that a number was not confirmed they were promised priority consideration when the grant program goes live.

Councillor Mavridis requested the application be amended to not include events that require purchasing tickets, the event should be free for the public to attend.

Moved by: Councillor Maria Mavridis
Seconded by: Councillor Wendy Cheropita

That:

1.1 Council approves the attached Discretionary Grant Policy and Procedure (**Appendix I**); and

That recommendation 1.1 be amended to include in the application that the grant funding cannot be used for paid ticketed events and to include in the application that only new events or initiatives or existing events with new items be funded.

Yea (5): Councillor Tim Balasiuk, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Nick Ruller, and Councillor Erwin Wiens

Nay (2): Councillor Gary Burroughs, and Councillor Sandra O'Connor

Absent (2): Councillor Adriana Vizzari, and Lord Mayor Gary Zalepa

APPROVED, AS AMENDED (5 to 2)

Three members needed to be appointed to the Discretionary Grant Committee. Councillors Balasiuk, Burroughs, Mavridis and Vizzari put their names forward for consideration.

Councillor Burroughs withdrew his name from consideration.

Moved by: Councillor Sandra O'Connor

Seconded by: Councillor Maria Mavridis

That the policy and procedure be amended to include that indexing does not preclude amending the total discretionary grant budget / add and Council.

Yea (7): Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Nick Ruller, and Councillor Erwin Wiens

Absent (2): Councillor Adriana Vizzari, and Lord Mayor Gary Zalepa

APPROVED (7 to 0)

Councillor O'Connor left the room at 11:53 a.m.

Moved by: Councillor Maria Mavridis

Seconded by: Councillor Tim Balasiuk

1.2 Council appoints three (3) Council members to the Discretionary Grant Committee; Councillor Mavridis, Councillor Balasiuk, and Councillor Vizzari; and

1.3 The Discretionary Grant Program opens for applications on September 5, 2023, for a period of six weeks for consideration of funding for 2023 / 2024 applications, with the Discretionary Grant Committee meetings occurring in October and a report returning to Council in November for final approval.

Yea (5): Councillor Tim Balasiuk, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Nick Ruller, and Councillor Erwin Wiens

Nay (1): Councillor Gary Burroughs

Absent (3): Councillor Sandra O'Connor, Councillor Adriana Vizzari, and Lord Mayor Gary Zalepa

APPROVED (5 to 1)

15. INFORMATION PACKAGES

Councillor O'Connor returned to the meeting at 11:57 a.m.

15.1 Negro Burial Ground - Archaeological Assessment - Stage 1 Results - OPS-23-042

15.2 Email Community Schools Alliance re: 2023 Call for Nominations

Councillor Burroughs lifted the item for discussion.

Councillor Burroughs spoke to the Community Schools Alliance and spoke to the history of the alliance, former Councillor Jim Collard was a member for many years. The alliance is the conduit to the minister of education. Councillor Burroughs put his name forward to be considered.

Moved by: Councillor Sandra O'Connor

Seconded by: Councillor Wendy Cheropita

That Councillor Burroughs be nominated to submit his application to the Community Schools Alliance.

Yea (7): Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Nick Ruller, and Councillor Erwin Wiens

Absent (2): Councillor Adriana Vizzari, and Lord Mayor Gary Zalepa

APPROVED (7 to 0)

15.3 Email from Councillor Cheropita re: Step up for Ukraine

Moved by: Councillor Wendy Cheropita

Seconded by: Councillor Tim Balasiuk

That Council receive the Information Package.

Yea (7): Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Nick Ruller, and Councillor Erwin Wiens

Absent (2): Councillor Adriana Vizzari, and Lord Mayor Gary Zalepa

APPROVED (7 to 0)

16. COMMITTEES OF COUNCIL MINUTES

Moved by: Councillor Gary Burroughs

Seconded by: Councillor Tim Balasiuk

That the minutes from the following dates be received April 2023, May 10, May 17, May 18, May 24, May 29, and June 7, 2023.

Yea (7): Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Adriana Vizzari, and Councillor Erwin Wiens

Absent (2): Councillor Nick Ruller, and Lord Mayor Gary Zalepa

APPROVED (7 to 0)

16.1 Niagara-on-the-Lake Public Library Board Minutes - April 2023

16.2 Irrigation Committee Minutes - May 10, 2023

16.3 Heritage Trail Committee Minutes - May 17, 2023

16.4 Committee of Adjustment Minutes - May 18, 2023

16.5 Urban Design Committee Minutes - May 24, 2023

16.6 Municipal Heritage Committee Minutes - May 29, 2023

16.7 Municipal Heritage Committee Minutes - June 7, 2023

17. MOTIONS

18. NOTICE OF MOTION

Councillor Mavridis gave a notice of motion regarding By-law Officers.

Councillor Cheropita gave a notice of motion regarding a Fleet Study.

19. BY-LAWS

Moved by: Councillor Wendy Cheropita
Seconded by: Councillor Gary Burroughs

that leave be given to introduce By-law No. 5519-23, 5520-23, 5521-23, 5522-23, 5523-23, 5524-23, 5525-23, 5526-23 and 5527-23 that the same be considered read a first, second and third time and passed this 27th day of June, 2023.

Yea (8): Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Nick Ruller, Councillor Adriana Vizzari, and Councillor Erwin Wiens

Absent (1): Lord Mayor Gary Zalepa

APPROVED (8 to 0)

19.1 By-law 4316EQ-23 - 507 Butler Street- Zoning By-law

19.2 By-law 500YE-23 - 882 Line1 Road - Zoning By-law

19.3 By-law 5519-23 - 241 Johnson Street - Development Agreement

19.4 By-law 5520-23 - 241 Johnson Street (Lot 1 - 30M-344) - Part Lot Control Exemption By-law

19.5 By-law 5521-23 - 445 Line 2 Road Subdivision - Assumption By-law

19.6 By-law 5522-23 - Apricot Glen Phase 1 Subdivision - Assumption By-law

19.7 By-law 5523-23 - Apricot Glen Phase 2 Subdivision - Assumption By-law

19.8 By-law 5524-23 - Paxton Lane (Block 71 + Part Block 72 - 30M-375) - Part Lot Control Exemption By-law

19.9 By-law 5525-23 - 494 Line 2 Road

19.10 By-law 5526-23 - Natalie Gallard MLE Officer

20. NEW BUSINESS

Councillor Burroughs inquired about parking and by-law enforcement on weekends. Fire Chief Jay Plato confirmed officers are out 8:00 a.m.-9:30 p.m. on weekends. There is a third-party afterhours number for complaints that notifies the parking officers. Chief Plato will direct officers to add more focus to Queens Royal Park area.

Councillor Burroughs inquired about in-person vs hybrid meetings and would like to begin meeting in person immediately, CAO Cluckie advised a report is coming forward in July.

Councillor O'Connor advised the EAC and MAT Committee are eager to start meeting.

Councillor Cheropita brought forward complaints about parking machines received from Laurie Harley one the ambassadors.

Councillor Cheropita inquired about the sidewalk on Andres and requested clarification on which side of street the sidewalk will be installed on as the residents would like it on the west side. Director D'Angelo clarified the sidewalk would be on the East side with construction starting in July. The east side was chosen as there are too many utilities on the west side.

21. CLOSED SESSION

Moved by: Councillor Nick Ruller

Seconded by: Councillor Gary Burroughs

Council proceeded to go into a closed meeting to consider matters that qualify under the Municipal Act 2001 under Section 239(3.1) for the purposes of educating and providing training to members regarding the Standard of Care Water Quality;

and that Council proceed to go into a closed meeting under Section 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose specifically regarding 144 & 176 John Street East, 200 John Street & 588 Charlotte Street.

Yea (8): Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Nick Ruller, Councillor Adriana Vizzari, and Councillor Erwin Wiens

Absent (1): Lord Mayor Gary Zalepa

APPROVED (8 to 0)

Moved by: Councillor Tim Balasiuk

Seconded by: Councillor Nick Ruller

That Council rise from a closed meeting to consider matters that qualify under the Municipal Act 2001 under Section 239(3.1) for the purposes of educating and

providing training to members regarding the Standard of Care water Quality with no report; and

That Council rise from a closed meeting under Section 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose specifically regarding 144 & 176 John Street East, 200 John Street & 588 Charlotte Street with no report.

Yea (8): Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Nick Ruller, Councillor Adriana Vizzari, and Councillor Erwin Wiens

Absent (1): Lord Mayor Gary Zalepa

APPROVED (8 to 0)

22. PROCEEDINGS BY-LAW No. 5527-23

Moved by: Councillor Nick Ruller

Seconded by: Councillor Adriana Vizzari

That leave be given to introduce By-law No. 5527-23, and that the same be considered read a first, second and third time and passed any ruling of this Council to the contrary notwithstanding.

Yea (8): Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Nick Ruller, Councillor Adriana Vizzari, and Councillor Erwin Wiens

Absent (1): Lord Mayor Gary Zalepa

APPROVED (8 to 0)

23. ADJOURNMENT

Adjournment time: 3:50 p.m.

Moved by: Councillor Tim Balasiuk

Seconded by: Councillor Adriana Vizzari

That Council adjourn to the next Council Workshop meeting of June 29, 2023, and if a special meeting is required, it will be held at the call of the Lord Mayor

Yea (8): Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Nick Ruller, Councillor Adriana Vizzari, and Councillor Erwin Wiens

Absent (1): Lord Mayor Gary Zalepa

APPROVED (8 to 0)



June 20, 2023, 1:00 p.m.

Council Members Present: Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Nick Ruller, Councillor Adriana Vizzari, Councillor Erwin Wiens, Lord Mayor Gary Zalepa

Staff Present: Marnie Cluckie - Chief Administrative Officer, Victoria Steele - Strategy & Government Relations Officer, Shaunna Arenburg - Deputy Clerk, Kyle Freeborn - Director of Corporate Services/ Treasurer, Rome D'Angelo - Director of Operations

Staff Absent: Kirsten McCauley - Director of Community and Development Services, Jay Plato - Fire Chief

1. CALL TO ORDER

Lord Mayor Gary Zalepa called the meeting to order at 1:00 p.m.

2. ADOPTION OF THE AGENDA

Moved by: Councillor Gary Burroughs

Seconded by: Councillor Nick Ruller

That the agenda be adopted as presented.

Yea (9): Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Nick Ruller, Councillor Adriana Vizzari, Councillor Erwin Wiens, and Lord Mayor Gary Zalepa

APPROVED (9 to 0)

3. CONFLICT OF INTEREST

Councillor Gary Burroughs declared a conflict on this item. (Declared a conflict with Closed Session Item 3 as it pertained to himself.)

3.1 Councillor Gary Burroughs - CONFLICT OF INTEREST

Declared a conflict with Closed Session Item 3 as it pertained to himself.

4. DELEGATIONS

4.1 Jeff Sentineal - Memorandum - Expanding Caleche Operations - CAO-23-058

Jeff Sentineal owner of Queens Royals Tours requested that both permits available be granted to him, and for him to have the ability to sublet them.

Clerk's note - the minutes were revised July 6, 2023 in order to capture that the delegate specifically requested the ability to sublet the licenses to Meghan Sentineal as reflected in the video

5. COMMITTEE MINUTES & REPORTS

5.1 Memorandum - Expanding Caleche Operations - CAO-23-058

Clerk's note - the minutes were revised July 6, 2023 in order to capture the discussion that proceeded the motion as reflected in the video

Council discussed and asked questions regarding the caleche licenses:

- allocating the licenses to three operators
- the status of non-use for Jeff Sentineal's licenses from the Region
- the Town licenses are to occupy land and are a separate process from the Region
- the Town licenses are to occupy space on the road with a horse and carriage
- there are currently two licenses to occupy Town land available
- clarified Council can grant the ability to sublet a license
- confirmed the recommendation states Laura Sentineal would receive three licenses as she has in the past
- confirmed the recommendation states Ronda Cave would receive one license

- confirmed the recommendation states that Jeff Sentineal would receive one license
- a one-year term for the three operators which will allow Council to reevaluate the allocations for next season.

Council discussion concluded at allowing Laura Sentineal of Sentineal Carriages to operate with three licenses, Ronda Cave to operate with one license, and Jeff Sentineal of Queen's Royal Tours be granted one license with Council's permission to sublet his one license to Meghan Sentineal.

Moved by: Councillor Maria Mavridis

Seconded by: Councillor Wendy Cheropita

That:

1.1 Council direct Staff to provide 1 of the 5 licences to occupy Town-owned land to 1000220148 Ontario Inc. (Rhonda Cave) to operate a Caleche service through the 2023 Season and the other licence to Queens Royal Tours for the period of one year and;

1.2 Council provides Staff delegated authority to execute the appropriate agreements to the three (3) operators including the subletting for the use of the five (5) Licences to Occupy Town-owned Land for the 2023 season.

Yea (8): Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Nick Ruller, Councillor Adriana Vizzari, Councillor Erwin Wiens, and Lord Mayor Gary Zalepa

Nay (1): Councillor Sandra O'Connor

APPROVED (8 to 1)

6. CLOSED SESSION

Moved by: Councillor Wendy Cheropita

Seconded by: Councillor Nick Ruller

That Council proceed to go into a closed meeting under Section 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees, specifically regarding personal matters about an identifiable individual relating to Council member(s); and

That Council proceed to go into a closed meeting under Section 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees, specifically regarding personal matters about an identifiable individual relating to Staff member(s).

Yea (9): Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Nick Ruller, Councillor Adriana Vizzari, Councillor Erwin Wiens, and Lord Mayor Gary Zalepa

APPROVED (9 to 0)

Moved by: Councillor Nick Ruller

Seconded by: Councillor Adriana Vizzari

That Council proceed to go into a closed meeting under Section 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees, specifically regarding personal matters about an identifiable individual relating to Council member(s).

Yea (8): Councillor Tim Balasiuk, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Nick Ruller, Councillor Adriana Vizzari, Councillor Erwin Wiens, and Lord Mayor Gary Zalepa

Conflict (1): Councillor Gary Burroughs

APPROVED (8 to 0)

Moved by: Councillor Maria Mavridis

Seconded by: Councillor Adriana Vizzari

That Council rise from a closed meeting under Section 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees, specifically regarding personal matters about an identifiable individual relating to Council member(s) with no report; and

That Council rise from a closed meeting under Section 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees, specifically regarding personal matters about an identifiable individual relating to Staff member(s) with no report.

Yea (7): Councillor Tim Balasiuk, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Adriana Vizzari, Councillor Erwin Wiens, and Lord Mayor Gary Zalepa

Absent (2): Councillor Gary Burroughs, and Councillor Nick Ruller

APPROVED (7 to 0)

Moved by: Councillor Wendy Cheropita

Seconded by: Councillor Erwin Wiens

That Council rise from closed meeting under Section 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees, specifically regarding personal matters about an identifiable individual relating to Council member(s) that the CAO proceed as directed in closed session.

Yea (7): Councillor Tim Balasiuk, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Adriana Vizzari, Councillor Erwin Wiens, and Lord Mayor Gary Zalepa

Absent (2): Councillor Gary Burroughs, and Councillor Nick Ruller

APPROVED (7 to 0)

7. BY-LAWS

7.1 Proceedings By-law No. 5518-23

Moved by: Councillor Tim Balasiuk

Seconded by: Councillor Erwin Wiens

5518-23 - A by-law to confirm the proceedings at the Council Meeting of the Corporation of the Town of Niagara-on-the-Lake on June 20, 2023.

Yea (7): Councillor Tim Balasiuk, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Adriana Vizzari, Councillor Erwin Wiens, and Lord Mayor Gary Zalepa

Absent (2): Councillor Gary Burroughs, and Councillor Nick Ruller

APPROVED (7 to 0)

8. ADJOURNMENT

Moved by: Councillor Erwin Wiens

Seconded by: Councillor Adriana Vizzari

That this Council adjourn to the next regular meeting of June 27, 2023 and if a special meeting is required, it will be held at the call of the Lord Mayor.

Yea (7): Councillor Tim Balasiuk, Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Adriana Vizzari, Councillor Erwin Wiens, and Lord Mayor Gary Zalepa

Absent (2): Councillor Gary Burroughs, and Councillor Nick Ruller

APPROVED (7 to 0)



June 29, 2023, 10:00 a.m.

Council Members Present: Councillor Tim Balasiuk, Councillor Gary Burroughs (left 11:15), Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Nick Ruller (arrived 10:05), Councillor Adriana Vizzari, Councillor Erwin Wiens, Lord Mayor Gary Zalepa

Staff Present: Marnie Cluckie - Chief Administrative Officer, Victoria Steele - Strategy & Government Relations Officer, Kirsten McCauley - Director of Community and Development Services, Jay Plato - Fire Chief, Kyle Freeborn - Director of Corporate Services/ Treasurer, Rome D'Angelo - Director of Operations, Lauren Kruitbosch - Manager of Customer Experience and Communications

1. CALL TO ORDER

Lord Mayor Gary Zalepa called the meeting to order at 10:00 AM.

2. ADOPTION OF THE AGENDA

The agenda was adopted as presented.

3. CONFLICT OF INTEREST

No conflicts of interest were declared.

4. CLOSED SESSION

Council proceeded to go into a closed meeting to consider matters that qualify under the Municipal Act 2001 under Section 239(3.1) for the purposes of educating and providing training to members regarding the Strategic Plan.

Councillor Nick Ruller arrived at 10:05 AM.

Councillor Gary Burroughs left the meeting at 11:15 AM.

Council rose from a closed meeting to consider matters that qualify under the Municipal Act 2001 under Section 239(3.1) for the purposes of educating and providing training to members regarding the Strategic Plan with no report.

5. ADJOURNMENT

Council adjourned at 12:35 PM to the next Committee of the Whole - Planning of July 11, 2023, and if a special meeting is required, it will be held at the call of the Lord Mayor.

From: no-reply@web-response.com on behalf of [Town of Niagara-on-the-Lake](#)
To: [Clerks](#)
Subject: Webform submission from: Delegation Request Form
Date: Tuesday, July 18, 2023 9:18:04 PM

CAUTION: This email originated from outside the Town of Niagara-on-the-Lake. Use caution when clicking on a link or opening an attachment unless you know that the content is safe. If unsure, forward the email to IT to validate.

Submitted on Tue, 07/18/2023 - 21:17

Submitted by: Anonymous

Submitted values are:

Information

Name

Rochelle Bush

Organization Name

Salem Chapel, BME Church NHS

Address

92 Geneva Street
St. Catharines. L2R 4N2

Email Address

scbmec@gmail.com

Telephone Number

Cell: [+1 905-347-4407](tel:+19053474407)

Presentation

Agenda Delegation

Non Agenda Delegation

Topic

I have never spoken on this issue before

The key points of my presentation are as follows:

I wish to address a proposed memorial that includes Barbados that may be installed in the Niagara Baptist Church Burial Ground, formerly known as the Negro Burial Ground.

Terms

I have read and understand the Delegation Protocol and acknowledge the information contained on this form, including any attachments, will become public documents and listed on Town Meeting Agendas. I also understand presentation materials including speaking notes and electronic presentations must be submitted by email to clerks@notl.com no later than 12:00 p.m. on the Monday prior the scheduled meeting.
Yes

Meeting Time

I wish to appear before:
Council

Date
Tue, 07/25/2023 - 00:00

Presentation Requirements

Do you have a presentation?
No

I agree
Yes

Delegation

I will be appearing:
In person

I also understand presentation materials including speaking notes and electronic presentations must be submitted by email to clerks@notl.com no later than 12:00 p.m. on the Monday prior to the scheduled meeting.
Yes

I acknowledge I have 10 minutes to delegate
Yes

I give permission to be audio and video recorded on the Town of Niagara on the Lake's livestream
Yes

In point form, provide an overview of what points you will be speaking to:
Letter attached

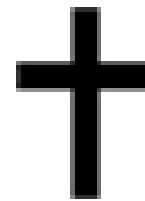
Do you require accessible accommodation to participate:

No

Privacy Disclaimer

I have read and understand the above Privacy Disclaimer.

Yes



Salem Chapel

Harriet Tubman Underground Railroad National Historic Sites

Lord Mayor and Council
Town of Niagara-on-the-Lake
1593 Four Mile Creek Road
PO Box 100
Virgil, ON L0S 1T0

RE: Delegation Summary of Remarks

July 24, 2023

Dear Lord Mayor and Council:

As we all know, a great deal of media attention has been thrust upon the Niagara Baptist Church Burial Ground, formerly known as Negro Burial Ground in Niagara-on-the-Lake (NOTL) due to discrepancies regarding the number of burial sites in the cemetery and the disappearance of gravestones over the years.

As many individuals, groups and organizations focus on research related to the burial site, others work towards fundraising goals for archeological studies, and a few plan to erect a memorial sculpture.

I am here today to discuss the forthcoming memorial sculpture that may be placed in the cemetery. One proposed memorial is entitled "Memorializing the people of the fugitive slave ads: Barbados and Niagara."

This group did reach out to me in the fall of 2021 to request my research material for their Barbados/NOTL project. Their request was denied.

The proposed Barbados – NOTL memorial has generated a lot of media attention and discussion.

The ideas behind this memorial reimagine the history and the facts by:

- 1) Falsely connecting the history of enslaved people of African descent who resided in Barbados to the history of enslaved people who resided in NOTL under the guise of the African diaspora.

Descendants of West Africans were forced into slavery and dispersed throughout the Americas. Their lived experiences were very different. A person, who was enslaved in Brazil, had a different experience than someone who was enslaved in Jamaica, the United States (US) or British Canada.

The strong majority of early Black residents in NOTL were from the US. There are rare exceptions (Richard Pierpoint), however, many were brought as slaves from the US by White Loyalists and others were Black Loyalists who were once enslaved in the US.

A memorial that re-writes the narrative by connecting the history of enslaved people in Barbados to the history of enslaved people in Niagara-on-the-Lake is historically inaccurate.

2) Reducing the importance of NOTL's early Black history and the history of notable residents such as Herbert Holmes and Jacob Green.

NOTL's early Black history is the only Black history that should be included in a memorial.

3) The inclusion of the St. Catharines fugitive slave testimonials in the NOTL memorial.

A Boston abolitionist and journalist named Benjamin Drew interviewed several St. Catharines freedom seekers in 1855. The narratives were published in 1856 in a book entitled, "The Refugee or a North-Side View of Slavery." Several of the people who were interviewed include Harriet Tubman, who has no documented connection to NOTL or the cemetery and John W. Lindsay who has no documented connection to NOTL or the cemetery and is buried in Victoria Lawn Cemetery in St. Catharines.

Harriet Tubman as you may know was a member of the Salem Chapel and John Lindsay was a long-standing Trustee of the said church. The majority of the people Benjamin Drew interviewed were members of the church. More importantly, they were all residents of St. Catharines, not NOTL.

The deliberate transfer of St. Catharine's fugitive slave narratives to a NOTL memorial is historically inaccurate and not acceptable.

NOTL has a wealth of early Black history and several fugitive slave ads that can be commemorated in the cemetery without using the St. Catharines narratives or narratives from elsewhere in the region or province.

4) Using elements from Barbados in the proposed design that are not connected to NOTL or Niagara as a whole.

NOTL does not appear to take centre stage in the memorial sculpture. The imagery including the people, flowers and symbols appear to represent Barbados.

Will there a joint memorial sculpture in Barbados to represent the people of the African diaspora from NOTL/Niagara?

A Black history memorial in NOTL should reflect the early Black settlers of NOTL.

Sculpture image:



5) Using the slave trade and the African diaspora to insert Caribbean people into the 18th and 19th-century NOTL history.

Will it stop at Barbados? Will there be additional memorials to include other Caribbean countries? What about Brazil, Mexico, the United States and all the other countries where African peoples were dispersed due to the slave trade? Will the Town of Niagara-on-the-Lake and the cemetery become a memorial or commemorative point for the slave trade and the African diaspora?

If a partnered memorial with another country such as Barbados is permitted in NOTL, then all the other African diaspora countries should be recognized with a memorial as well.

I would like to urge Council to limit the memorial to NOTL history and to deny any and all requests to commemorate any history that is not NOTL-specific.

I thank you kindly for your time.

Best regards,



Rochelle Bush
Salem Chapel Trustee, Clerk & Historian

cc: Salem Chapel BME Church Official Board

Sources

Webpage:

<https://memorialstopeopleinfugitiveads.ca/>

News article:

April 18, 2023

https://www.niagarathisweek.com/news/brock-project-to-remember-historic-black-community-in-niagara-on-the-lake/article_978e21b0-1f2a-5bc5-ab7b-881534e7c6a0.html



Niagara-on-the-Lake

2022 – 2026 Council Strategic Plan Presentation
Council Meeting, July 25, 2023

Agenda

- What is a Strategic Plan?
- Timeline
- Framework
- 2022 – 2026 Strategic Plan
- Recommendations
- Next Steps & Questions



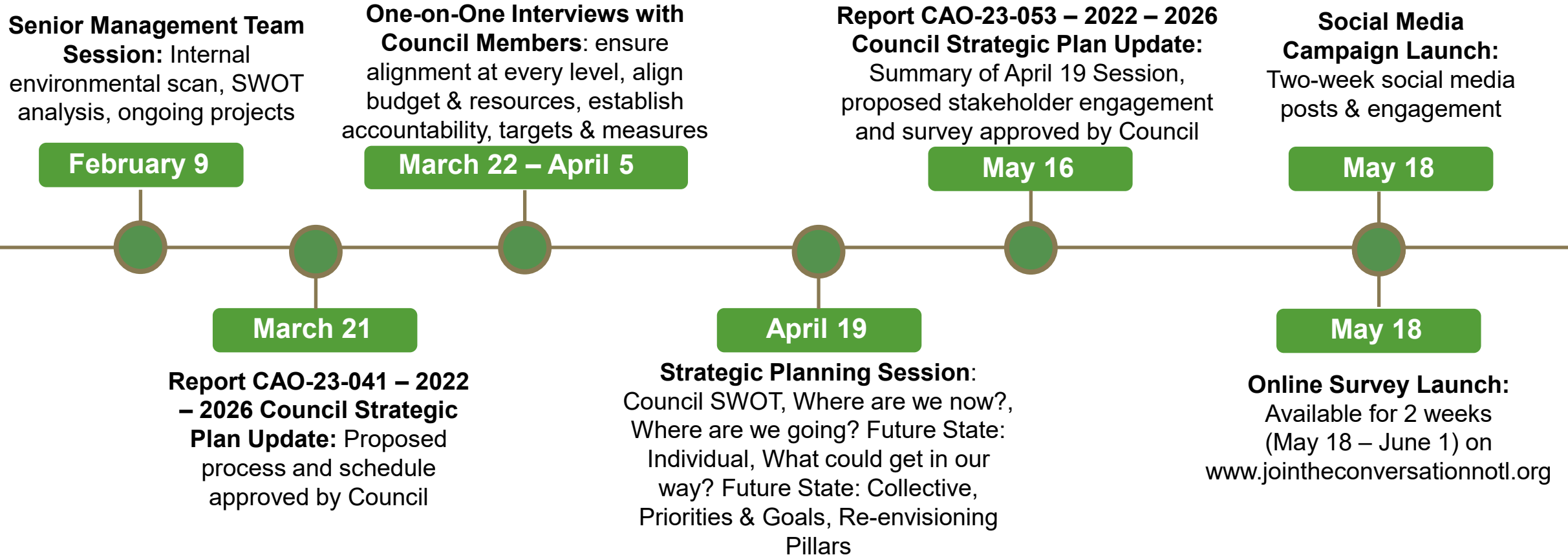
What is a Strategic Plan?



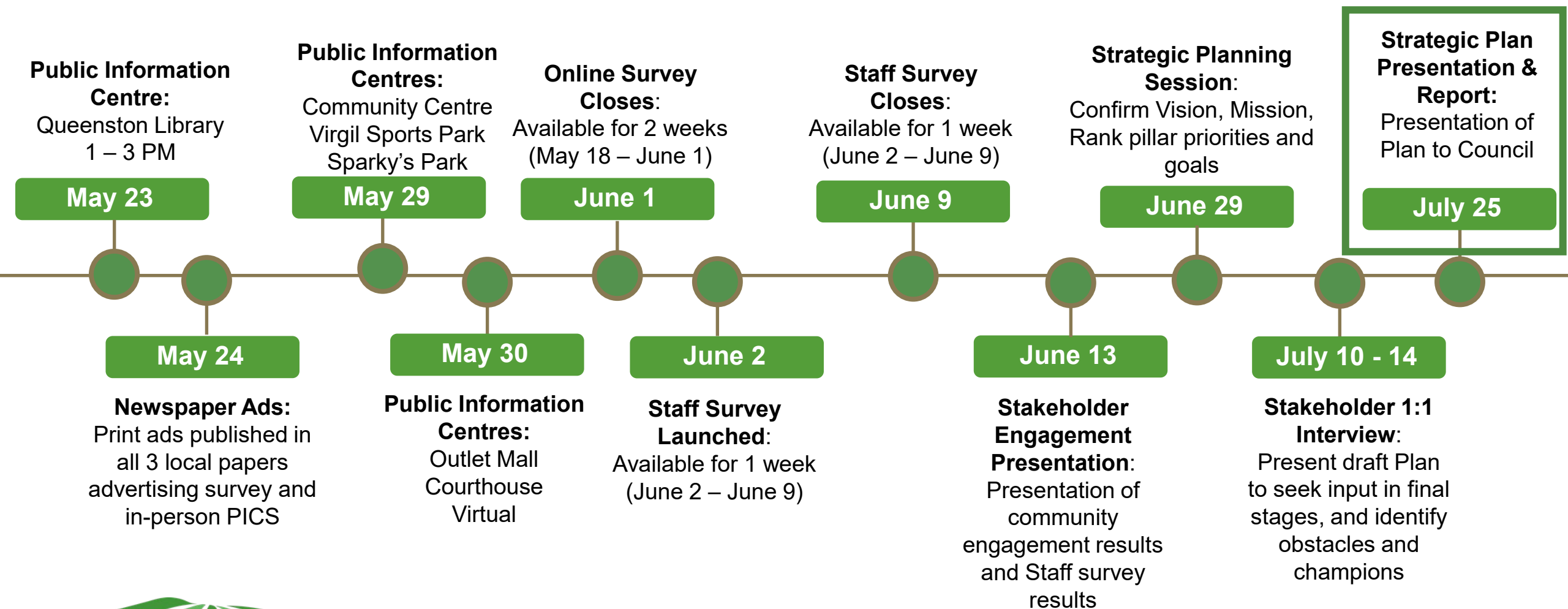
Timeline



Strategic Planning Timeline



Strategic Planning Timeline



Framework



Strategic Plan Components

Vision – represents what we aspire to be

Mission – identifies why we exist as an organization

Lenses – provides two specific areas that must be considered when making decisions

Pillars – provides guidance on where we are focusing our efforts to meet desired outcomes

Foundation – Staff provides the foundation of executing Council's Strategic Plan and have internal objectives and goals that complement the delivery of services

Objective Statement – provides an overarching goal to achieve within each Pillar

Priorities – provides specific focus areas to support the objective

Action Items – indicates specific actions to be taken to achieve priorities

Indicators of Success – high-level accomplishments that indicate successful outcomes



Pillar Title

Objective Statement

Priority

- **Action Items Heading**
 - Action Item
 - Action Item
- **Action Items Heading**
 - Action Item
 - Action Item

Priority

- **Action Items Heading**
 - Action Item
 - Action Item
- **Action Items Heading**
 - Action Item
 - Action Item

Priority

- **Action Items Heading**
 - Action Item
 - Action Item
- **Action Items Heading**
 - Action Item
 - Action Item

Indicators of Success

- Accomplishment
- Accomplishment
- Accomplishment

- Accomplishment
- Accomplishment
- Accomplishment

- Accomplishment
- Accomplishment
- Accomplishment



2022-2026 Strategic Plan

TOWN OF NIAGARA-ON-THE-LAKE



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Message from the Lord Mayor

With the active involvement of Council Members, residents, community stakeholders, and Town Staff, I am thrilled to present the 2022-2026 Niagara-on-the-Lake Council Strategic Plan. This comprehensive plan acts as a guiding roadmap, defining measurable goals and priorities that will shape the future of Niagara-on-the-Lake during Council's term. It consistently focuses Council's actions and decision-making processes.

Strategic planning is a crucial process that establishes a vision, defines direction, and formulates long-term objectives. It encompasses specific plans to achieve these objectives, their implementation, and subsequent evaluation. This process offers numerous advantages, such as providing a clear sense of direction, anticipating potential risks, and fostering accountability.

Through extensive collaboration and thoughtful consideration, Council has developed a thorough Plan to lead the future of our community. The Plan acts as a continuous guide and involves actionable steps to obtain our identified priorities, positioning our Town for success and directing our community toward a promising and prosperous future.

Through regular progress reports provided by Town Staff, Council will remain well-informed regarding completed milestones, ongoing initiatives, and upcoming projects. This process guarantees that strategic decisions are made in alignment with the Plan, fostering a cohesive and coordinated approach.

It is with great pride that Council presents this Plan, which outlines our forthcoming initiatives. The dedication and effort invested in this endeavour are truly commendable, and I encourage all readers to explore the intricate details of what lies ahead for Niagara-on-the-Lake and follow along as we achieve success together.

Thank you for your continued support and commitment to our beautiful community.



Lord Mayor Gary Zalepa



NIAGARA-ON-THE-LAKE
2022-2026 **Town Council**



Lord Mayor
Gary Zalepa



Deputy Lord Mayor/Councillor Erwin
Wiens



Councillor Tim
Balasiuk



Councillor Gary Burroughs



Councillor Wendy
Cheropita



Councillor Maria
Mavridis



Councillor
Sandra O'Connor



Councillor Nick
Ruller



Councillor Adriana Vizzari

OUR COMMUNITY
AT A GLANCE

19,088

POPULATION (2021)

51.3

AVERAGE AGE OF THE
POPULATION (2021)

8,290

IN THE LABOUR FORCE (2021)

131.35

SQUARE KILOMETRES OF
LAND AREA (2021)

145.3

POPULATION DENSITY
PER SQUARE KILOMETRE (2021)

STATISTICS CANADA, 2021 CENSUS

Strategic Plan Process



Vision

Enriching and protecting our heritage, agriculture and natural beauty, while creating a resilient, vibrant and welcoming community for all.



Mission

To efficiently deliver a high standard of municipal services and dependable infrastructure to support the community and to take leadership in planning, decision-making and policy development to ensure a healthy and financially sustainable future.

Diversity, Equity, & Inclusion *Lens*



Cultivating a welcoming and inclusive community, this Strategic Plan embeds a lens of diversity, equity, and inclusion into all decisions to remove systemic barriers and foster a sense of belonging.

Environmental Stewardship *Lens*

Integrating an environmental stewardship lens into all aspects of our Strategic Plan ensures responsible and sustainable resource management, advancing a harmonious relationship between the community and the environment.



Vision

Mission

Diversity, Equity & Inclusion Lens

Environmental Stewardship Lens



Vibrant & Complete
Community



Good
Governance



Enrich Community Assets,
Environment, &
Infrastructure



Optimize Organizational Excellence



Vibrant & Complete Community

Protect distinct community assets and sustain a high quality of life for our residents by planning for progress, fostering a thriving economy, collaborating with partners to deliver services, and developing long-term strategies and plans to prepare for the future.

Planning for Progress

- **Official Plan**
 - Adopt Official Plan
- **Planning for Progress Initiatives**
 - Review Comprehensive Zoning By-law
 - Review and expand Heritage Conservation District
 - Designate heritage properties and areas
 - Complete Glendale Secondary Plan
 - Update Secondary Plans
 - Prepare development guidelines and supporting documentation
 - Create training manual and conduct heritage training
 - Execute Region/Town Planning Service Agreement

Economic Development & Community Partnerships

- **Economic Development**
 - Attract and retain businesses
 - Complete Business Retention and Expansion Program
 - Diversify tax base
 - Collaborate with local economic drivers, such as Niagara College, Niagara District Airport, Niagara Parks Commission, Parks Canada, and Shaw Festival Theatre
- **Community Partnerships**
 - Boost communications to villages and rural area
 - Write and finalize Memorandums of Understanding (MOU) with the Chamber of Commerce, NOTL Tourism, and NOTL Museum
 - Identify industry-specific support opportunities (i.e. Agriculture, Arts and Culture, Hospitality, Innovation, Tourism)
 - Develop additional youth and family programs and amenities

Strategies & Masterplans

- **Strategies & Masterplans**
 - Tourism Strategy
 - Finalize and implement Tourism Strategy
 - Municipal Accommodation Tax Program
 - Update By-law, develop project criteria, and execute program
 - Affordable and Attainable Housing Plan
 - Assess housing needs, availability, and spectrum
 - Parks and Recreation Masterplan
 - Adopt Parks and Recreation Masterplan

Indicators of Success

- Adopt new Official Plan
- Accomplish top priority action items in Planning for Progress document
- Sign Region/Town Service Agreement

- Track engagements resulting in business retention, expansion and attraction
- Establish engagement with villages/rural area
- Approve MOUs with community partners
- Increase youth/family programs and amenities

- Adopt Tourism Strategy
- Approve MAT project criteria and funding
- Complete housing needs assessment
- Adopt Parks and Recreation Masterplan



Good Governance

Demonstrate responsible and transparent governance by committing to strong fiscal management, exploring shared service opportunities, and engaging in advocacy efforts to represent the interests of our community.

Financially Sustainable Future

- **Sustainable Capital Investments**
 - Explore funding opportunities to close the gap on capital investments
- **Revenue Generation**
 - Research sponsorship and donation prospects
 - Review user fees and cost recovery opportunities
 - Undertake Building Fee Review
 - Undertake Planning Application Fee Review
- **Efficiencies and Cost Reductions/Avoidances**
 - Seek opportunities through annual budget process

Shared Services

- **Shared Services**
 - Investigate shared services with the Region and Local Area Municipalities, such as:
 - Support physician recruitment
 - Identify and increase healthcare infrastructure
 - Coordinate Chief Building Officer approaches
 - Advance AODA compliance
 - Further procurement coordination
 - Align climate change action and responses
 - Collaborate with Niagara Peninsula Conservation Authority
 - Sign Conservation Authority Act Memorandum of Understanding (MOU)
 - Continue collaboration on Niagara River Remedial Action Plan
 - Support 2Billion Trees Program

Advocacy & Government Relations

- **Advocacy Strategies**
 - Generate and update a list of priority advocacy issues such as:
 - Agriculture
 - Education
 - Healthcare
 - Housing
 - Infrastructure (Irrigation)
- **Government Relations**
 - Seek grant funding opportunities
 - Enhance 2-way communications with all levels of government
 - Liaise with agency, boards, and commissions, such as:
 - Niagara District Airport
 - Niagara Parks Commission
 - NOTL Hydro
 - NOTL Library Board
 - Parks Canada Agency
 - School Boards

Indicators of Success

- Develop 10-year Capital budget plan with funding strategies
- Create a Sponsorship/Naming Policy
- Complete Building and Planning Application Fee Reviews

- Monitor qualitative and quantitative successes of implemented Shared Services
- Sign Shared Services Agreements and MOU

- Track number of delegation meetings
- Measure success of advocacy efforts
- Increase grant application submissions and success rate



Enrich Community Assets, Environment, & Infrastructure

Enrich and preserve community assets by maintaining and promoting a sustainable natural and built environment, and investing in physical and green infrastructure to support residents, businesses, and visitors needs now, and for the future generations.

Assets

- **Asset Management (Physical & Green)**
 - Develop Asset Management Plan
 - Collect Data
 - Inventory current levels of service
 - Assess current asset performance and condition
 - Determine lifecycle management plan and financial strategy
 - Develop Natural Assets Plan
 - Create Arts and Culture asset map

Environment

- **Sustainable Natural Environment**
 - Implement Climate Change Adaptation Plan (CCAP):
 - Integrate into plans, policies, By-Laws and standards
 - Build urban forest resiliency
 - Reduce flooding risks
 - Support public awareness and education
 - Develop Invasive Species Plan
 - Commence research and community engagement for Waterfront Plan
 - Collect data and research for Coastal Protection Program
 - Adopt Tree Management and Conservation Plan

Infrastructure

- **Infrastructure Investment (Physical & Green)**
 - Review Facilities and Land Optimization
 - Inventory surplus/vacant lands
 - Develop plan for former hospital site
 - Establish highest and best use process
 - Integrate sustainability and green infrastructure principles
 - Adopt Transportation Master Plan
 - Develop Master Services Plan
 - Continue implementation of the Irrigation Master Plan
 - Establish Glendale Eco-Park

Indicators of Success

- Determine current and proposed levels of service, funding needs, and asset lifecycles
- Establish State-of-Good-Repair Program
- Complete Arts and Culture assets mapping

- Secure full-time resource for implementation of Climate Change Adaptation Plan
- Increase education methods about invasive species
- Analyze data to determine next steps for Waterfront Plan and Coastal Protection Program

- Create inventory of vacant/surplus lands
- Develop plan for former hospital site
- Adopt Transportation Master Plan
- Advocate for irrigation system to be considered infrastructure



Optimize Organizational Excellence

Cultivating efficient and effective organizational initiatives that foster collaboration, and continuous improvement by transforming service delivery through innovation, delivering exceptional customer experience journeys, and championing a dynamic workforce and culture.

Communication Lens: Effective communication serves as the key to successfully informing stakeholders, both internal and external, of our progress and successes in advancing our strategic plan. Making decisions through the lens of communication ensures messages are effectively conveyed and the most suitable methods are used to achieve our goals.

Streamline & Modernize

- **Modernization Initiatives**
 - Seek digital transformation opportunities
 - Create and implement Cybersecurity Plan
 - Accomplish key priorities of Fleet Services Review
 - Update Enforcement Plans such as:
 - Anti-Idling
 - Nuisance Lighting
 - Short Term Rentals
 - Special Events
- **Streamline Processes**
 - Execute Lean Process Reviews
 - Enhance Planning Division processes

Customer Experience

- **Customer Experience**
 - Develop a Customer Experience Plan
 - Consider multi-faceted service options and methods
 - Maintain a robust training model
- **Communications**
 - Create Community Engagement Plan
 - Define engagement strategies
 - Consider new tools to enhance engagement
 - Commence Corporate Communication Plan
 - Develop branding guidelines
 - Establish social media guidelines
 - Create communication templates
 - Streamline communications processes
 - Standardize advertising efforts

Culture & Workforce

- **Culture and Workforce**
 - Develop and implement People Strategy that includes:
 - Strengthen recruitment and retention strategies
 - Foster leadership and learning
 - Prepare succession plans
 - Optimize and Promote Volunteer Firefighter Model
 - Implement the Fire Services Strategic Plan
 - Strengthen Volunteer Firefighter Recruitment and Retention
 - Enhance Fire Public Education Opportunities
 - Employ diversity, equity, and inclusion strategies to inform internal practices and service delivery
 - Advance Truth and Reconciliation Calls to Action

Indicators of Success

- Monitor fleet centralization cost reductions and cost avoidances
- Report Enforcement Plan Updates annually

- Increase levels of community engagement
- Increase services that can be completed online (i.e. self-serve)

- Endorse People Strategy
- Document diversity, equity, and inclusion and Truth and Reconciliation plans

Council Strategic Plan 2022-2026



Thank you

Niagara-on-the-Lake!

This document will serve as Council's roadmap, guiding and focusing decisions over the next four years, prioritizing the needs and aspirations of our community.

Moving forward, we commit to providing progress reports, and sharing accomplishments, ensuring transparency and accountability.

Together, we will continue building a vibrant and welcoming community for all.

CONNECT WITH THE TOWN



905-468-3266



info@notl.com



1593 Four Mile Creek Road, Virgil,
L0S 1T0



www.notl.com

Sign up to receive Town news and alerts at
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@niagara.on.the.lake



@Town_of_NOTL



@Town of Niagara-on-the-Lake

Recommendations

It is respectfully recommended that:

1.1 Council endorse the 2022 – 2026 Council Strategic Plan (Appendix I);

1.2 Council extend the term of this Strategic Plan to 2027 and revise the document's title to "2022 – 2027 Council Strategic Plan;"

1.3 Council direct Staff to create an implementation plan and key performance indicators, and present this information to Council in the fourth quarter of 2023; and

1.4 Council direct Staff to present progress reports on a bi-annual basis in the second quarter and fourth quarter of each year.



Next Steps

1. **Finalize** document, if required (e.g., 2027)
2. **Publish** document online and circulate to Council and Staff
3. **Issue** media release announcing approval of Strategic Plan
4. **Develop** implementation plan with key performance indicators for Q4, 2023
5. **Provide** progress reports in Q2 and Q4 of each year





**Thank you.
Questions?**



Town of Niagara-on-the-Lake

1593 Four Mile Creek Road
P.O. Box 100, Virgil, ON L0S 1T0
905-468-3266 www.notl.com

REPORT #: CAO-23-065

COMMITTEE DATE: 2023-07-25

DUE IN COUNCIL: 2023-07-25

REPORT TO: Council

SUBJECT: 2022 – 2026 Council Strategic Plan

1. RECOMMENDATION

It is respectfully recommended that:

- 1.1 Council endorse the 2022 – 2026 Council Strategic Plan (**Appendix I**);
- 1.2 Council extend the term of this Strategic Plan to 2027 and revise the document's title to "2022 – 2027 Council Strategic Plan";
- 1.3 Council direct Staff to create an implementation plan and key performance indicators, and present this information to Council in the fourth quarter of 2023; and
- 1.4 Council direct Staff to present progress reports on a bi-annual basis in the second quarter and fourth quarter of each year.

2. EXECUTIVE SUMMARY

- Strategic planning is an organization's process of defining its vision, direction and long-term goals, creating specific plans to achieve them, implementing those plans, and evaluating the results.
- Council's Strategic Plan is a roadmap for success to ensure decisions made today set the course for the desired future of our community.
- The Strategic Plan document in **Appendix I** is the result of collaborative discussion, open dialogue, and consensus building among Council, Staff, the community, and stakeholder engagement.
- The Strategic Plan includes a revised vision and mission statement.
- The Strategic Plan has two (2) lenses: a diversity, equity and inclusion lens, and an environmental stewardship lens.
- The Strategic Plan includes three (3) community pillars and a foundation pillar, which supports the community pillars.
- It is recommended the term of this Plan be extended to 2027 to provide adequate time for the next term of Council to develop their Strategic Plan process and permit Staff to continue working on multi-year initiatives throughout elections and Council onboarding.
- Staff will report back with an implementation plan and measures of success in the fourth quarter of 2023.
- Staff will provide progress reports on a bi-annual basis in the second quarter and fourth quarter of each year.

3. PURPOSE

The purpose of this report is to present the 2022 – 2026 Council Strategic Plan. This document includes Council's vision, mission and priority projects and initiatives.

4. BACKGROUND

Strategic planning is an organization's process of defining its vision, direction and long-term goals, creating specific plans to achieve them, implementing those plans, and evaluating the results. At the beginning of each Council term, the Office of the Chief Administrative Officer coordinates the development of a Strategic Plan to establish key goals and initiatives that will move the community forward. Council's Strategic Plan provides direction to Town Staff about areas of focus as the organization works toward achieving its vision.

On March 21, 2023, Council approved Report CAO-23-041 – 2022-2026 Strategic Plan which outlined the overall process and engagement plan. One-on-one meetings with all members of Council and the Strategy and Government Relations Officer took place to identify individual priorities and goals.

On April 19, 2023, Council and Senior Management had a joint Strategic Plan session. At the workshop a list of priorities and goals were established and suggested Pillar titles were agreed upon to present to the public for feedback. The summary of this workshop, along with a public survey, was presented and received by Council at the May 16, 2023, COTW-General meeting.

Throughout the last two weeks of May, Staff hosted six in-person Public Information Centres across the villages and one virtual session to engage with the public about Council's Strategic Plan. Approximately 100 people attended the in-person and virtual sessions. In addition, an online survey was available on the Town's online engagement tool, Join the Conversation. In total, 177 surveys were completed and 453 people visited the website. 59% of survey respondents live in Old Town and 48% of respondents identified within the 50 – 69 age group.

To ensure there was internal buy-in from Staff, who are responsible for executing the actions within Council's Strategic Plan, a survey was issued in June. Of note, 89% of respondents indicated that they felt the Strategic Plan adequately represented their Department and Division. The full results of the community and staff feedback were presented to Council on June 13, 2023.

A Council workshop took place on June 29, 2023, to discuss the preferred vision and mission statements, the pillar titles, and prioritizing and reorganizing goals and actions. Multiple strategic planning prioritization activities took place, including dot voting and ranking. The discussion and feedback from this workshop are reflected within the final document (**Appendix I**).

One-on-one stakeholder interviews took place the week of July 10:

- Andrea Kaiser – Regional Councillor
- Chandra Sharma and Senior Management Team – Niagara Peninsula Conservation Authority
- David Adames – Niagara Parks Commission

- Lisa Curtis – Parks Canada Agency
- Minerva Ward and Andrew Niven – NOTL Tourism
- Pam Skinner and Vince Malvaso – Niagara College

The stakeholder interviews were very informative and identified excellent opportunities for future collaboration. As a result of the meetings, Tim Jennings, Executive Director/CEO of the Shaw Festival Theatre was added to the consultation list.

A significant amount of stakeholder engagement has been completed and informed the final document being presented to Council.

5. DISCUSSION / ANALYSIS

The 2022 – 2026 Council Strategic Plan includes the following components:

- **Vision** – represents what we aspire to be
- **Mission** – identifies why we exist as an organization
- **Lenses** – provides two specific areas that must be considered when making decisions
- **Pillars** – provides guidance on where we are focusing our efforts to meet desired outcomes
- **Foundation** – Staff provides the foundation of executing Council's Strategic Plan and have internal objectives and goals that complement the delivery of services
- **Objective Statement** – provides an overarching goal to achieve within each Pillar
- **Priorities** – provides specific focus areas to support the objective
- **Action Items** – indicates specific actions to be taken to achieve priorities
- **Indicators of Success** – high-level accomplishments that indicate successful outcomes

Council's Strategic Plan includes three areas of focus for 2022 – 2026:

- Vibrant and Complete Community
- Good Governance
- Enrich Community Assets, Environment, and Infrastructure

There is also the Foundation Pillar: Optimize Organizational Excellence.

Each strategic direction stems from critical issues identified through an extensive review of current and emerging influences from political, environmental, social, technological, economic, and legislative perspectives.

To better identify and communicate success, it is proposed that the next step is for Town Staff to develop an implementation plan with key indicators to demonstrate accountability and impact. It is proposed this be presented to Council as information in the fourth quarter of 2023. Also, to ensure accountability and demonstrate progress, it is suggested that Staff report to Council on a bi-annual basis (Q2 and Q4 of each year).

It is also proposed Council extend the length of the Strategic Plan and rename it to read "2022 - 2027 Council Strategic Plan". This will provide adequate time for the next term of Council to develop their Strategic Plan process and permit Staff to continue working on multi-year initiatives throughout elections and 2026 – 2030 Council onboarding. It is anticipated the majority, if not all, indicators of success will be completed and reported through the Q2, 2026 Progress Report.

6. STRATEGIC PLAN

The content of this report supports the following Strategic Plan initiatives:

Pillar(s)

4. Excel in a Positive Workplace

Objective(s)

4.1 Strengthen staff and Council partnership

Tactic(s)

4.1 a) Develop organizational values that will drive behaviours that will have positive impacts on interpersonal

Pillar(s)

5. Strengthen 2-way Communications

Objective(s)

5.3 Strengthen communications delivery methods

Tactic(s)

5.3 b) Understand and meet the informational needs of all constituents

7. OPTIONS

- 7.1 **Option 1:** Endorse the 2022 – 2026 Council Strategic Plan and amend the title to read “2022 – 2027 Council Strategic Plan”; **(Recommended)**
- 7.2 **Option 2:** Endorse the 2022 – 2026 Strategic Plan and keep the title to read “2022 – 2026 Council Strategic Plan”; *(Not Recommended)*
- 7.3 **Option 3:** Amend the 2022 – 2026 Council Strategic Plan *(Not Recommended)*
- 7.4 **Option 4:** Defer the 2022 – 2026 Council Strategic Plan *(Not Recommended)*

8. FINANCIAL IMPLICATIONS

Financial implications will be determined and communicated as the implementation plan and key performance indicators are developed. Additional financial implications will be presented during the 2024 budget process and future opportunities will be flagged for upcoming years. It is anticipated Council's Strategic Plan will inform future budget processes.

9. ENVIRONMENTAL IMPLICATIONS

Environmental stewardship plays a key role in Council's Strategic Plan. It is a lens through which all aspects of decision-making will be made through to ensure responsible resource management. In addition, the environment is referenced and embedded within all three Pillars, most specifically, “Enrich Community Assets, Environment, and Infrastructure”. Ideally, environmental stewardship, which includes conservation and preservation, will be evident in decision making and policy development of the 2022 – 2026 term of Council. In addition, the Niagara Peninsula Conservation Authority (NPCA) is enthusiastic to work in collaboration with the Town to achieve our environmental stewardship goals.

10. COMMUNICATIONS

A robust communications plan will be developed to ensure Council's Strategic Plan is clearly communicated to the public and staff. Infographics will be developed for social media as part of an education campaign for the Strategic Plan. The Strategic Plan Summary page (page 11) will be placed under each blotter in the Council Chambers and circulated to all staff. In addition to updating the Town's website, external-facing dashboards are being explored to communicate progress and success to the community.

11. CONCLUSION

Council's Strategic Plan is one of the most powerful tools within a local municipality. The Plan will remain dynamic and relevant through the term of Council. It provides a collective starting point and will be used as a guiding tool for Council, Staff, and the community. It is essential that Council and Staff move in lockstep and have the same roadmap to achieve the same destination. Successful implementation of Council's Strategic Plan is preliminarily noted through high-level Indicators of Success as identified in the document. Achieving success will rely upon well-defined goals, clear action steps, and effective monitoring. It is recommended that Council approve the final document for the 2022 - 2026 Strategic Plan.

12. PREVIOUS REPORTS

- CAO-23-041: Council Strategic Plan Update
- CAO-23-053: 2022 – 2026 Council Strategic Plan Update
- Stakeholder Engagement Presentation (June 13, 2023)

13. APPENDICES

- **Appendix I** – 2022 – 2026 Council Strategic Plan

Respectfully submitted:

Recommended by:



**Victoria Steele, B.A., Dipl.M.A.
Strategy & Government Relations Officer**

Submitted by:



**Marnie Cluckie, MS.LOD, B.ARCH, B.ES
Chief Administrative Officer**



2022-2026

Strategic Plan

TOWN OF NIAGARA-ON-THE-LAKE



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Message from the Lord Mayor

With the active involvement of Council Members, residents, community stakeholders, and Town Staff, I am thrilled to present the 2022-2026 Niagara-on-the-Lake Council Strategic Plan. This comprehensive plan acts as a guiding roadmap, defining measurable goals and priorities that will shape the future of Niagara-on-the-Lake during Council's term. It consistently focuses Council's actions and decision-making processes.


Strategic planning is a crucial process that establishes a vision, defines direction, and formulates long-term objectives. It encompasses specific plans to achieve these objectives, their implementation, and subsequent evaluation. This process offers numerous advantages, such as providing a clear sense of direction, anticipating potential risks, and fostering accountability.

Through extensive collaboration and thoughtful consideration, Council has developed a thorough Plan to lead the future of our community. The Plan acts as a continuous guide and involves actionable steps to obtain our identified priorities, positioning our Town for success and directing our community toward a promising and prosperous future.

Through regular progress reports provided by Town Staff, Council will remain well-informed regarding completed milestones, ongoing initiatives, and upcoming projects. This process guarantees that strategic decisions are made in alignment with the Plan, fostering a cohesive and coordinated approach.

It is with great pride that Council presents this Plan, which outlines our forthcoming initiatives. The dedication and effort invested in this endeavour are truly commendable, and I encourage all readers to explore the intricate details of what lies ahead for Niagara-on-the-Lake and follow along as we achieve success together.

Thank you for your continued support and commitment to our beautiful community.



Lord Mayor Gary Zalepa



NIAGARA-ON-THE-LAKE
2022-2026 **Town Council**



**Lord Mayor
Gary Zalepa**



**Deputy Lord Mayor/Councillor
Erwin Wiens**



**Councillor Tim
Balasiuk**



**Councillor Gary
Burroughs**



**Councillor Wendy
Cheropita**



**Councillor Maria
Mavridis**



**Councillor
Sandra O'Connor**



**Councillor Nick
Ruller**



**Councillor Adriana
Vizzari**

OUR COMMUNITY
AT A GLANCE

19,088
POPULATION (2021)

51.3
AVERAGE AGE OF THE
POPULATION (2021)

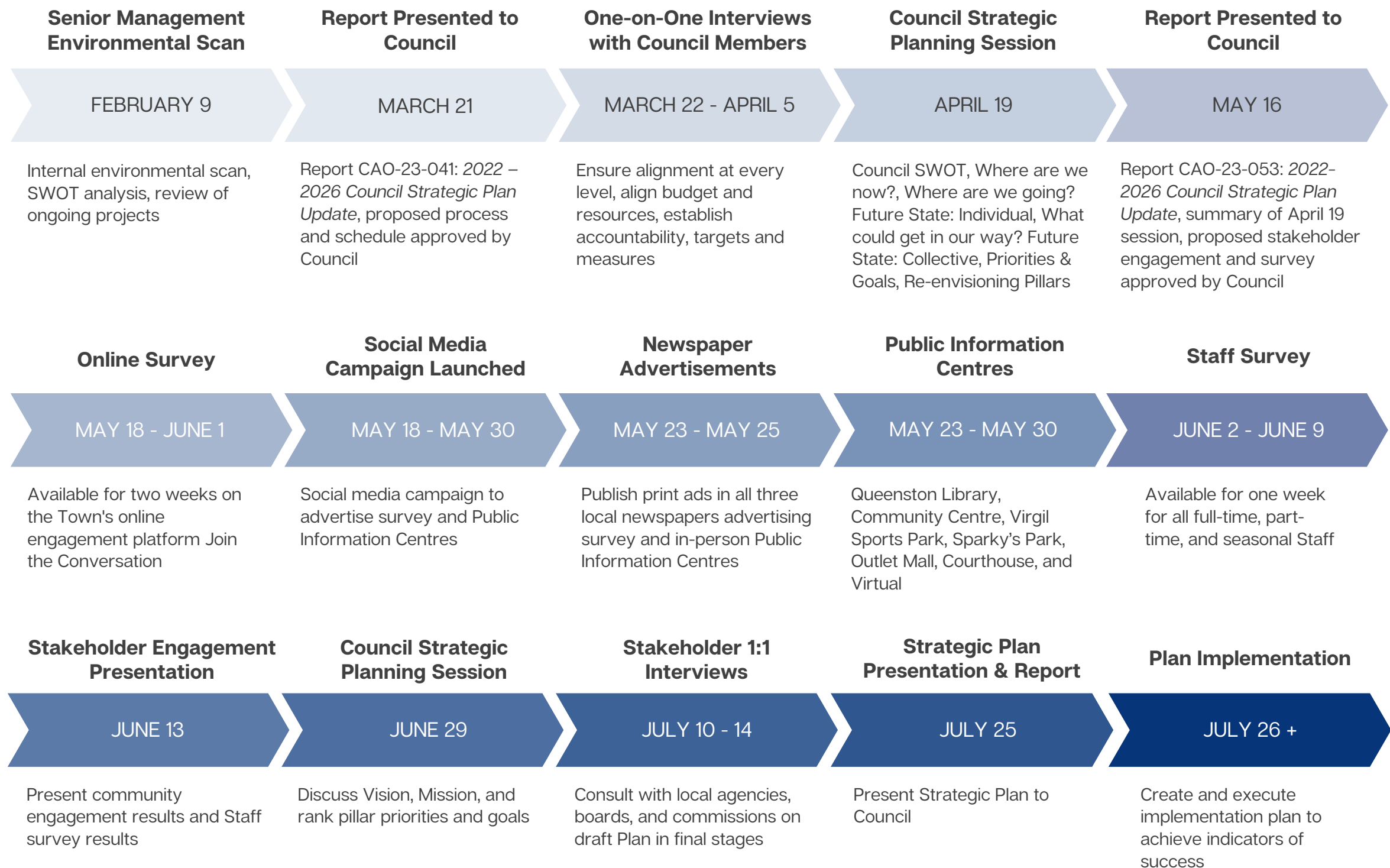
8,290
IN THE LABOUR FORCE (2021)

131.35
SQUARE KILOMETRES OF
LAND AREA (2021)

145.3
POPULATION DENSITY
PER SQUARE KILOMETRE (2021)

STATISTICS CANADA, 2021 CENSUS

Strategic Plan Process



Vision

Enriching and protecting our heritage, agriculture and natural beauty, while creating a resilient, vibrant and welcoming community for all.

Mission

To efficiently deliver a high standard of municipal services and dependable infrastructure to support the community and to take leadership in planning, decision-making and policy development to ensure a healthy and financially sustainable future.

Diversity, Equity, & Inclusion *Lens*



Cultivating a welcoming and inclusive community, this Strategic Plan embeds a lens of diversity, equity, and inclusion into all decisions to remove systemetic barriers and foster a sense of belonging.

Environmental Stewardship *Lens*

Integrating an environmental stewardship lens into all aspects of our Strategic Plan ensures responsible and sustainable resource management, advancing a harmonious relationship between the community and the environment.



Vision

Mission

Diversity, Equity & Inclusion Lens

Environmental Stewardship Lens



**Vibrant &
Complete
Community**



**Good
Governance**



**Enrich Community
Assets, Environment,
& Infrastructure**



Optimize Organizational Excellence



Vibrant & Complete Community

Protect distinct community assets and sustain a high quality of life for our residents by planning for progress, fostering a thriving economy, collaborating with partners to deliver services, and developing long-term strategies and plans to prepare for the future.

Planning for Progress

- **Official Plan**
 - Adopt Official Plan
- **Planning for Progress Initiatives**
 - Review Comprehensive Zoning By-law
 - Review and expand Heritage Conservation District
 - Designate heritage properties and areas
 - Complete Glendale Secondary Plan
 - Update Secondary Plans
 - Prepare development guidelines and supporting documentation
 - Create training manual and conduct heritage training
 - Execute Region/Town Planning Service Agreement

Economic Development & Community Partnerships

- **Economic Development**
 - Attract and retain businesses
 - Complete Business Retention and Expansion Program
 - Diversify tax base
 - Collaborate with local economic drivers, such as Niagara College, Niagara District Airport, Niagara Parks Commission, Parks Canada, and Shaw Festival Theatre
- **Community Partnerships**
 - Boost communications to villages and rural area
 - Write and finalize Memorandums of Understanding (MOU) with the Chamber of Commerce, NOTL Tourism, and NOTL Museum
 - Identify industry-specific support opportunities (i.e. Agriculture, Arts and Culture, Hospitality, Innovation, Tourism)
 - Develop additional youth and family programs and amenities

Strategies & Masterplans

- **Strategies & Masterplans**
 - Tourism Strategy
 - Finalize and implement Tourism Strategy
 - Municipal Accommodation Tax Program
 - Update By-law, develop project criteria, and execute program
 - Affordable and Attainable Housing Plan
 - Assess housing needs, availability, and spectrum
 - Parks and Recreation Masterplan
 - Adopt Parks and Recreation Masterplan

Indicators of Success

- Adopt new Official Plan
- Accomplish top priority action items in Planning for Progress document
- Sign Region/Town Service Agreement

- Track engagements resulting in business retention, expansion and attraction
- Establish engagement with villages/rural area
- Approve MOUs with community partners
- Increase youth/family programs and amenities

- Adopt Tourism Strategy
- Approve MAT project criteria and funding
- Complete housing needs assessment
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Demonstrate responsible and transparent governance by committing to strong fiscal management, exploring shared service opportunities, and engaging in advocacy efforts to represent the interests of our community.

Financially Sustainable Future

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 - Seek digital transformation opportunities
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 - Develop and implement People Strategy that includes:
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 - Implement the Fire Services Strategic Plan
 - Strengthen Volunteer Firefighter Recruitment and Retention
 - Enhance Fire Public Education Opportunities
 - Employ diversity, equity, and inclusion strategies to inform internal practices and service delivery
 - Advance Truth and Reconciliation Calls to Action

Indicators of Success

- Monitor fleet centralization cost reductions and cost avoidances
- Report Enforcement Plan Updates annually

- Increase levels of community engagement
- Increase services that can be completed online (i.e. self-serve)

- Endorse People Strategy
- Document diversity, equity, and inclusion and Truth and Reconciliation plans

Council Strategic Plan 2022-2026

Vision

Enriching and protecting our heritage, agriculture and natural beauty, while creating a resilient, vibrant and welcoming community for all.

Mission

To efficiently deliver a high standard of municipal services and dependable infrastructure to support the community and to take leadership in planning, decision-making and policy development to ensure a healthy and financially sustainable future.

DIVERSITY, EQUITY, & INCLUSION LENS

ENVIRONMENTAL STEWARDSHIP LENS



Vibrant & Complete Community

- Planning for Progress
- Economic Development & Community Partnerships
- Strategies & Masterplans



Good Governance

- Financially Sustainable Future
- Shared Services Strategy
- Advocacy & Government Relations



Enrich Community Assets, Environment, & Infrastructure

- Assets
- Environment
- Infrastructure



Optimize Organizational Excellence

COMMUNICATION LENS

- Streamline and Modernize
- Customer Experience
- Culture and Workforce



Thank you


Niagara-on-the-Lake!

This document will serve as Council's roadmap, guiding and focusing decisions over the next four years, prioritizing the needs and aspirations of our community.


Moving forward, we commit to providing progress reports, and sharing accomplishments, ensuring transparency and accountability.

Together, we will continue building a vibrant and welcoming community for all.

CONNECT WITH THE TOWN

 905-468-3266


 info@notl.com


 1593 Four Mile Creek Road,
Virgil, LOS 1T0

 www.notl.com

Sign up to receive Town news and alerts at **www.notl.com/subscribe**.

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Town of Niagara-on-the-Lake

1593 Four Mile Creek Road
P.O. Box 100, Virgil, ON L0S 1T0
905-468-3266 www.notl.com

REPORT #: FES-23-011

COMMITTEE DATE: 2023-07-25

DUE IN COUNCIL: 2023-07-25

REPORT TO: Council

SUBJECT: Fire Services Dispatch Agreements

1. RECOMMENDATION

It is respectfully recommended that:

- 1.1 Council approves Bylaws 5528-23 and 5529-23 when presented to Council, so the Niagara-on-the-Lake Fire & Emergency Services (NOTLFES) are able to continue strong communications with a reliable Dispatch Provider.

2. EXECUTIVE SUMMARY

- NOTLFES has actively been negotiating a revised contract with the Corporation of the City of St. Catharines to continue providing the Department with effective and reliable radio communications and keep firefighters safe during emergency calls.
- A contract has been reached between the City of St. Catharines and the NOTLFES that Staff believe is acceptable and will help serve the Department for years to come (**Appendix II**).
- The NOTLFES is seeking Council's support in passing the related bylaw.
- Additionally, the NOTLFES is seeking Council's support for another supplemental contract and associated bylaw (**Appendix III**) to maintain two separate digital radios for use during mutual aid calls within the Niagara Region.

3. PURPOSE

This report aims to outline the changes identified with the new Dispatch Agreement between the Corporation of the City of St. Catharines and the Corporation of the Town of Niagara-on-the-Lake attached as **Appendix II**. Additionally, this report is to outline the details of a separate Supplemental Agreement which will permit the NOTLFES to maintain and operate two digital radios for use during any mutual aid calls within the Niagara Region – pursuant to the Region of Niagara Mutual Aid Plan 2023 attached as **Appendix III**.

4. BACKGROUND

The Corporation of the City of St. Catharines, specifically St. Catharines Fire Services, has been providing Dispatch Services for NOTLFES for more than 30 years. This partnership has worked well with very few concerns during this time.

5. DISCUSSION / ANALYSIS

New Dispatch Agreement

The previous contract for dispatch services ended on December 31, 2021.

St. Catharines Fire was unable to produce a new contract by the end of the previous contract due to some internal shifts in their organization. However, the Fire Chief of St. Catharines Fire Services provided a direct letter to NOTLFES confirming that they would continue to provide dispatching services until a new agreement could be achieved, or if NOTLFES so chose, a new agreement with a different Dispatching Communication Centre could be reached. While waiting for the details of the new contract from St. Catharines fire, NOTLFES visited another Communication Centre so a review and comparison could be completed. The purpose of the review was to ensure the NOTLFES was making an informed decision in the best interest of the community.

After receiving and negotiating a revised contract with St. Catharines Fire, it is believed by the NOTLFES that signing a renewal agreement with St. Catharines Fire is in the best interest of the Town of Niagara-on-the-Lake.

Specific items within the deal that vary from previous agreements include:

- A 15-year commitment for dispatching services. (Previous agreements have always been in 5-year increments. Both St. Catharines and NOTLFES were looking for longer-term commitments for continuity reasons.)
- An agreement that reduces percentage increases the longer the contract goes on.
- The ability to opt out of the contract at the tenth anniversary.
- Within the agreement, there is a requirement to upgrade the NOTLFES radio system to a digital system in approximately nine (9) years. If this upgrade is appropriately planned and saved for by the Municipality, it will be a manageable and likely necessary upgrade. Additionally if the NOTLFES decides not to upgrade its radio system, the Department can opt out of the agreement by providing adequate advance notice.

Supplemental Agreement

To finalize capital project C01260 – *Radio Infrastructure System Upgrade*, the NOTLFES was able to purchase two digital radios, which are intended to be placed within Tanker 2 and Tanker 5. This purchase is intended to provide NOTLFES firefighters with the ability to communicate with incident command during a mutual aid call where Niagara-on-the-Lake apparatus is dispatched into neighbouring communities to provide assistance providing rural area water supply. While NOTLFES currently operates on the analog radio system, most nearby communities where tanker apparatus would be called to operate are on a digital radio system. Providing firefighters with a digital radio would help ensure firefighter safety during an incident. The contract has been set up to run month to month, allowing the NOTLFES to cancel the contract at any time.

6. STRATEGIC PLAN

The content of this report supports the following Strategic Plan initiatives:

Pillar(s)

5. Strengthen 2-way Communications

Objective(s)

5.3 Strengthen communications delivery methods

Tactic(s)

5.3 b) Understand and meet the informational needs of all constituents

7. OPTIONS

- 7.1 **Option 1:** Council support or approve Bylaws 5528-23 and 5529-23 as presented. **(Recommended)**
- 7.2 **Option 2:** Council not support or approve Bylaws 5528-23 and 5529-23, thus sending NOTLFES back to St.Catharines, or another dispatch provider, to re-negotiate a new deal based on provided feedback from Council *(Not Recommended)*

8. FINANCIAL IMPLICATIONS

New Dispatch Agreement

As per the payment schedule attached within the Dispatch Agreement Documents and associated 5528-23, the current annual rate for 2023 is \$65,964. The remaining payment Schedule has been attached to this report as **Appendix I**.

Supplemental Agreement

The Supplemental Agreement requires the NOTLFES to pay \$50.00 monthly per radio for the duration of the contract. This equates to \$100 per month to maintain the use of the two digital radios.

9. ENVIRONMENTAL IMPLICATIONS

There are no environmental implications associated with these contracts.

10. COMMUNICATIONS

Upon Council's approval of the by-laws, the City of St. Catharines will be notified.

11. CONCLUSION

The NOTLFES requests that Council approve Bylaws 5528-23 and 5529-23 as they will continue to provide NOTLFES firefighters with the ability to effectively and confidently communicate during emergencies, ultimately keeping the Town's volunteer firefighters safe.

12. PREVIOUS REPORTS

- N/A; there are no previous reports associated with these contracts.

13. APPENDICES

- **Appendix I** – Payment Schedule
- **Appendix II** – By-law 5528-23 St Catharines Computer Aided Fire Services Agreement
- **Appendix III** – By-law 5529-23 St Catharines the P25 System Agreement

Respectfully submitted:

Prepared by:



**Jay Plato, Fire Chief
Fire & Emergency Services**

Submitted by:



**Marnie Cluckie, MS.LOD, B.ARCH, B.ES
Chief Administrative Officer**

SCHEDULE "A"
PAYMENT SCHEDULE

NOTL Proposed CAD Partner Allocation 15 Year (2023-2037)			
Year # (Contract)	Year	Contract Target Increase	Contract Amount (CAD \$)
1	2023	3.00%	65,964
2	2024	4.00%	68,603
3	2025	4.00%	71,347
4	2026	3.50%	73,844
5	2027	3.50%	76,429
6	2028	3.00%	78,722
7	2029	3.00%	81,083
8	2030	2.50%	83,110
9	2031	2.50%	85,188
10	2032	2.50%	87,318
11	2033	2.50%	89,501
12	2034	2.50%	91,738
13	2035	2.50%	94,032
14	2036	2.50%	96,382
15	2037	2.50%	98,792
Total NOTL Year Contract (2023-2037)			\$ 1,242,052

*The Contract Target Increase, and corresponding Contract Amount, is subject to change in accordance Annual Inflation and with the formula below. In any given year of the contract, Annual Inflation shall be calculated in accordance with the Consumer Price Index (Bank of Canada) for the month of December.

Should "Annual Inflation" exceed twice the Contract Target Increase, for each 1% of the overage, the Contract Target Increase shall increase by an additional 0.25% for the given year. After Year 3 (i.e. 2026 and beyond), should Annual Inflation fall under 2% of the Contract Target Increase, for each 1% of the shortage, the Contract Target Increase shall decrease by 0.25% for the given year.

**THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE
BY-LAW NO. 5528-23**

A BY-LAW TO AUTHORIZE AN AGREEMENT BETWEEN THE
CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE
AND THE CORPORATION OF THE CITY OF ST. CATHARINES
(Fire Dispatch Service Agreement January 2023 – December
2037)

BE IT ENACTED AS A BY-LAW OF THE CORPORATION OF THE TOWN OF
NIAGARA-ON-THE-LAKE as follows:

1. THAT the agreement dated the 25th day of July, 2023 between The Corporation of the Town of Niagara-on-the-Lake and The Corporation of the City of St. Catharines for the renewal of the Fire Dispatch agreement, be and the same is hereby approved; and
2. THAT the Lord Mayor and Clerk be authorized to affix their hands and the Corporate Seal; and
3. THAT this by-law shall come into force and take effect immediately upon the passing thereof.

**READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 25th DAY OF
JULY, 2023**

LORD MAYOR GARY ZALEPA

(A) TOWN CLERK
SHAUNNA ARENBURG

THIS AGREEMENT made this day of , 2023, and authorized by
By-law No. 2020-156 of the City of St. Catharines.

BETWEEN:

THE CORPORATION OF THE CITY OF ST. CATHARINES

(hereinafter called "St. Catharines")

OF THE FIRST PART

- and -

THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE

(hereinafter called "Recipient")

OF THE SECOND PART

WHEREAS section 20 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipality may enter into an agreement with one or more municipalities for their joint benefit on any matter which all of them have the power to provide within their own boundaries;

AND WHEREAS section 2(5) of the *Fire Protection and Prevention Act, 1997*, S.O. 1997, c.4, as amended, authorizes a municipality to provide and/or receive fire protection services to or from other municipalities;

AND WHEREAS St. Catharines has been providing the Recipient with emergency communications services and the Recipient has requested that St. Catharines continue to provide its municipality with such services;

AND WHEREAS St. Catharines also provides similar services to Thorold, Pelham, Haldimand, West Lincoln, Grimsby, Wainfleet, Port Colborne, Lincoln and Norfolk;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the mutual covenants and agreements herein contained and subject to the terms and conditions hereinafter set out the parties hereto agree as follows:

1. St. Catharines agrees to provide the Recipient with emergency communications

services and required backup operations for a fifteen (15) year period commencing on January 1, 2023 to continue until December 31, 2037 (the “Term”).

2. The Recipient agrees that it shall be responsible to pay to St. Catharines the annual sums as highlighted in yellow on Schedule “A” attached hereto. In every case the annual amounts shall be payable by the Recipient in quarterly instalments, in advance and upon the receipt of an invoice from St. Catharines.

3. The parties hereto agree that in the event St. Catharines should be successful in negotiating additional users to this emergency communications service, that the rate referred to herein may be renegotiated to reflect other users, however the Recipient’s share will not increase except as outlined in paragraph 2 herein.

4. Any subsequent renewal of this Agreement is subject to changes in terms and conditions, including fees payable, as agreed to by the parties.

5. St. Catharines, together with all Municipalities that have an agreement with St. Catharines for the provision of fire dispatch services shall form a Joint Operating Committee (hereinafter “JOC”) to oversee the provision of emergency communications services including Geographical Information Systems, Information Technology, Standard Operating Guidelines, and performance targets for St. Catharines’ Emergency Communications Centre (hereinafter the “Centre”). This JOC will consist of the Fire Chief, or his or her deputies, of St. Catharines, the Fire Chiefs, or their deputies, of each municipality for which St. Catharines provides dispatch services, and communications support personnel.

6. The JOC shall hold two (2) meetings per year during each year of the Term, and all meetings of the JOC shall have an agenda and recorded minutes.

7. On an ongoing basis the JOC shall review staffing and service levels of the Centre and shall forward any recommendations to the CAO’s of each municipality.

8. The parties acknowledge that:

- a) The overall responsibility for the Communication Division of the St. Catharines Fire Services will be under the direction of a senior (non-union) member of the St. Catharines Fire Services.
- b) After hours and holiday supervision of the Centre will be provided by Communications Coordinators, and/or the on duty Platoon Chief of the St. Catharines Fire Services;
- c) Operating costs to staff, operate, maintain, repair and replace the Centre will be determined and administered by St. Catharines in its sole discretion. For added clarity, costs related to Centre building upgrades and improvements shall be borne by St. Catharines;
- d) A minimum of two (2) Public Safety Telecommunicators will be present at the Centre at all times; and
- e) City of St. Catharines Information Systems support staff and Radio Technician will be available Monday to Friday 8:30am to 4:30pm for any supported platforms. After hours assistance shall be coordinated through the on-call St. Catharines Senior Officer.

9. The Recipient shall be responsible for the following:

- a) To provide high speed internet connections dedicated to each station printer and terminal which is to receive the computer aided dispatch transmittals from St. Catharines;
- b) To provide existing or compatible radio systems and hardware to receive the transmittals from St. Catharines;

- c) To maintain all required equipment, owned by the Recipient , including its radio system and hardware and high speed internet connection, in good working order at all times;
- d) To provide master response information run cards and any other pertinent information;
- e) To provide St. Catharines and/or St. Catharines' geographical information systems (GIS) provider all necessary information for the operation of the dispatch system, including but not limited to maps, single line road network data, hydrant locations, assessment data, and any and all other pertinent data as required by the Fire Chief for St. Catharines and to immediately notify St. Catharines of any inaccuracies it discovers;
- f) To continue to be responsible for receiving all non-emergency and business calls directly;
- g) Subject to the review and recommendation of the JOC and authorized by the Council of the Recipient, to pay costs for any additional work arising in relation to this Agreement but that is not specifically identified herein; and
- h) To upgrade all of the Recipient's radio systems used for communication under this Agreement to that of a digital standard prior to the end of the Term. The Recipient acknowledges and agrees to upgrade its radio systems pursuant to the radio replacement plan of the Niagara Regional Police Services and that such upgrade shall occur on the ninth anniversary of the Term (i.e. 2032).

10. St. Catharines agrees that it shall:

- a) Provide the Recipient with computer aided fire dispatch (CAD) services twenty-four (24) hours a day, seven (7) days a week, which services shall include the receipt, recording and retransmission of all calls for Fire Department

Emergency Services for the Recipient, other than non-emergency and business calls as set out in paragraph 9 f) herein;

b) Maintain the equipment located in St. Catharines, and other locations as may be required from time to time for the provision of the services outlined herein;

c) Retain all voice recordings for a period of up to one hundred and eighty (180) days and all written and CAD records for a period of up to seven (7) years, and provide copies of secure voice recordings upon request from the Fire Chief of the Recipient;

d) Provide monthly and annual call for service reports to the Recipient based on dispatch time reports, call volume and nature of the calls;

e) Provide the necessary training and supervision to ensure that its employees are in compliance with the Operational Guidelines of St. Catharines Fire Service and shall work towards operating at the National Fire Protection Association 1710 and Chapter 15, Standard for Dispatch Operations Level (hereinafter "NFPA 1221"). The parties acknowledge that such performance targets are targets only and not an obligation of St. Catharines; and

f) Use best efforts for communications personnel to meet the current edition of NFPA 1061 Standard for Public Safety Telecommunicator Professional Qualifications, without prejudice.

11. All computer aided dispatch incident records and data in connection with an incident ("Data") will belong to the party to which the incident relates, or as required by federal or provincial legislation. Each party will be responsible for the storage, integrity, retention and destruction of its own Data. St. Catharines will not be responsible for the Recipient's storage, integrity, retention or destruction of its Data.

12. Commencing on the 10th anniversary of the Term, the parties agree that either

party shall have the right to terminate this Agreement, for any purpose whatsoever, by giving twenty-four (24) months prior written notice to the other party, and no compensation shall be payable for any damages incurred.

13. If either party to this Agreement is in breach of any of its obligations under this Agreement, the other party may give a notice in writing of the breach to the defaulting party and request that the default be remedied. If the party in breach fails to remedy the breach within fifteen (15) days after the date of written notice, then this Agreement may be terminated by written notice of termination given by the complaining party, such termination to be effective fifty (50) days from the date of the notice of termination. In the event that notice of termination is provided by either party, St. Catharines shall continue to provide the services described herein until the effective date of the termination.

14. The Recipient acknowledges that St. Catharines has incurred substantial costs in upgrading the emergency services infrastructure required to provide the services in this Agreement. If this Agreement is terminated prior to the expiration of the Term as a result of the Recipient's breach of this agreement under section 13, the Recipient shall continue to pay the annual sums in accordance with section 2, as well as any other costs which become owing, until all such payments which are owed throughout the Term of this Agreement or would have been owed but for the earlier termination, are paid for in full. If the Agreement is terminated early by the Recipient pursuant to section 13 due to a breach by St. Catharines, no further payment shall be owed by the Recipient to St. Catharines after the effective date of termination.

15. Each party to this Agreement (the "First Party") shall indemnify and hold harmless the other party and its officers, directors, employees, members of council, assignees, licensees, sub-licensees, customers and agents (the "Other Party") from any and all claims, losses, liabilities, damages, actions, debts, expenses and costs which result from and/or are based on the acts, omissions, default or negligence of the First Party or those for whom the First Party is at law responsible.

16. St. Catharines shall obtain, pay and maintain in effect for the duration of this

Agreement Commercial General Liability Insurance and Errors and Omissions Liability Insurance, each in the amount of not less than Two Million Dollars (\$2,000,000.00), naming the Recipient as an additional insured. St. Catharines shall deliver to the Recipient a certificate of insurance for such coverage.

17. No waiver by either party to this Agreement of any default, breach or non-observance by the other party at any time or times in respect of any provision herein contained shall operate as, or be deemed to be, a waiver of the non-defaulting party's rights hereunder in respect of any continuing or subsequent default, breach or non-observance, or so as to defeat or affect in any way such party's rights in respect of any such continuing or subsequent default or breach, and no waiver shall be inferred from or implied by anything done or omitted by the non-defaulting party save only express waiver in writing.

18. St. Catharines will not disclose or disseminate confidential information received by the Recipient to anyone other than those employees with a need to know. Nothing in this section precludes St. Catharines from complying with the requirements of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, as amended and subject to the provisions of the *Emergency Management and Civil Protection Act*, R.S.O. 1990, CHAPTER E.9, as amended, it is understood and agreed by the Recipient that this Agreement and any information or material submitted to St. Catharines under this Agreement may be subject to disclosure under the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, as amended.

19. This Agreement embodies the entire Agreement of the parties hereto with regard to the matters dealt with herein, and no understandings or agreements, verbal or otherwise, exist between the parties except as herein expressly set forth.

20. This Agreement may only be amended in writing upon being signed by both parties.

21. Any notice required by any provision of this Agreement shall be given in writing

addressed, in the case of notice to St. Catharines, to it at:

The Corporation of the City of St. Catharines
50 Church Street
P. O. Box 3012
St. Catharines, Ontario L2R 7C2
Attention: City Clerk

and, in the case of notice to Recipient, to it at:

The Corporation of the Town of Niagara-On-The-Lake
ATTN: Fire Chief
593 Four Mile Creek Road, P.O. Box 100,
Virgil, ON L0S 1T0

and sent by prepaid registered mail. The time of giving such notice shall be conclusively deemed to be the second business day after the day of such mailing. Such notice shall also be sufficiently given when it shall have been delivered, in the case of notice to St. Catharines, to the City Clerk, and in the case of notice to the Recipient, by delivery to the Town Clerk. Such notice, if delivered, shall be conclusively deemed to have been given and received at the time of such delivery.

22. Neither party shall assign this Agreement nor any right or obligation hereunder without first obtaining the prior written consent of the other party.

23. This Agreement shall be governed by and construed in accordance with the laws of the Province of Ontario and the federal laws of Canada.

24. The invalidity or unenforceability of any provision or part of any provision of this Agreement shall not affect the validity or enforceability of any other provision or part thereof, and any such invalid or unenforceable provision or part thereof shall be deemed to be separate, severable and distinct.

25. Nothing in this Agreement should be construed to create a partnership, joint venture or employer-employee relationship between St. Catharines and the Recipient.

26. This Agreement shall enure to the benefit of and be binding upon the parties hereto, their successors and assigns.

27. Each party agrees that no portion of this Agreement shall be interpreted less favourably to either party because that party or its counsel was primarily responsible for the drafting of that portion.

28. This Agreement may be executed in any number of counterparts, either electronically or manually, each of which will be deemed an original, but all of which together will constitute one and the same instrument.

29. The following sections, and all applicable cross-referenced sections and schedules, will continue in full force and effect from the date of expiry or termination of this Agreement: section 2, section 15, section 18, section 23, section 24, section 25, section 26, section 27, and section 29.

[remainder of page intentionally left blank. Signature page follows.]

IN WITNESS WHEREOF the parties hereof have hereunto affixed their corporate seals under the hands of their proper officers duly authorized in that behalf.

SIGNED, SEALED AND DELIVERED
in the presence of

THE CORPORATION OF THE CITY OF
ST. CATHARINES

Dave Upper, Fire Chief
As authorized under By-law 2020-156

THE CORPORATION OF THE TOWN
OF NIAGARA-ON-THE-LAKE

MAYOR

CLERK

SCHEDULE “A”
PAYMENT SCHEDULE

NOTL Proposed CAD Partner Allocation 15 Year (2023-2037)			
Year # (Contract)	Year	Contract Target Increase	Contract Amount (CAD \$)
1	2023	3.00%	65,964
2	2024	4.00%	68,603
3	2025	4.00%	71,347
4	2026	3.50%	73,844
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10	2032	2.50%	87,318
11	2033	2.50%	89,501
12	2034	2.50%	91,738
13	2035	2.50%	94,032
14	2036	2.50%	96,382
15	2037	2.50%	98,792
Total NOTL Year Contract (2023-2037)			\$ 1,242,052

*The Contract Target Increase, and corresponding Contract Amount, is subject to change in accordance Annual Inflation and with the formula below. In any given year of the contract, Annual Inflation shall be calculated in accordance with the Consumer Price Index (Bank of Canada) for the month of December.

Should “Annual Inflation” exceed twice the Contract Target Increase, for each 1% of the overage, the Contract Target Increase shall increase by an additional 0.25% for the given year. After Year 3 (i.e. 2026 and beyond), should Annual Inflation fall under 2% of the Contract Target Increase, for each 1% of the shortage, the Contract Target Increase shall decrease by 0.25% for the given year.

**THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE
BY-LAW NO. 5529-23**

A BY-LAW TO AUTHORIZE AN AGREEMENT BETWEEN THE
CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE
AND THE CORPORATION OF THE CITY OF ST. CATHARINES
(Use of the P25 Radio Communication during Automatic
Aid/Mutual Aid Events System Agreement)

BE IT ENACTED AS A BY-LAW OF THE CORPORATION OF THE TOWN OF
NIAGARA-ON-THE-LAKE as follows:

1. THAT the agreement dated the 25th day of July, 2023 between The Corporation of the Town of Niagara-on-the-Lake and The Corporation of the City of St. Catharines for the use of the P25 System for the provision of P25 Radio system communication during Automatic Aid/Mutual Aid events, be and the same is hereby approved; and
2. THAT the Lord Mayor and Clerk be authorized to affix their hands and the Corporate Seal; and
3. THAT this by-law shall come into force and take effect immediately upon the passing thereof.

**READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 25th DAY OF
JULY, 2023**

LORD MAYOR GARY ZALEPA

(A) TOWN CLERK
SHAUNNA ARENBURG

THIS SUPPLEMENTAL AGREEMENT made the ____ day of _____, 2023, and authorized by By-law No. 2020-156, of the City of St. Catharines.

BETWEEN:

THE CORPORATION OF THE CITY OF ST. CATHARINES
hereinafter called the "St. Catharines"

of the FIRST PART;

- and -

THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE

hereinafter called the "NOTL"

of the SECOND PART;

WHEREAS this agreement is supplemental to an agreement (hereinafter called the "Fire Dispatch Agreement") between the same parties whereby St. Catharines agreed to continue to provide to NOTL computer aided dispatch services for a period of fifteen (5) years, commencing on the 1st day of January, 2023 and ending on the 31st day of December, 2037, upon the terms set forth therein;

AND WHEREAS St. Catharines has entered into a memorandum of understanding dated the 26th day of July, 2018, with The Regional Municipality of Niagara Police Services Board (hereinafter called the "P25 MOU") for the use of an interoperable public safety grade voice radio communication system known as "P25VRS" (hereinafter called the "P25 System") to enhance provision of emergency services in the Region of Niagara for a period of fourteen (14) years upon the terms set forth therein;

AND WHEREAS the P25 MOU specifically contemplates utilization of the P25 System by St. Catharines to provide fire dispatch services to one or more municipalities in or near the Region of Niagara under an agreement;

AND WHEREAS NOTL wishes to use of the P25 System for the provision of P25 Radio system communication during Automatic Aid/Mutual Aid events with neighbouring fire departments and will continue use of the prior or legacy radio dispatch system from St. Catharines under the Fire Dispatch Agreement;

AND WHEREAS NOTL has directly purchased portable radios, including any essential components for operation of the radio equipment, compatible with the P25 System (hereinafter called "P25 Radios" or "P25 Radio") for receiving fire dispatch transmittals from St. Catharines under the Fire Dispatch Agreement;

NOW THEREFORE for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

1. NOTL agrees to pay a subscriber fee in the amount of FIFTY DOLLARS (\$50.00) plus applicable sale taxes per P25 Radio for every month of connection to the P25 System (hereinafter called the "Subscriber Fee"). The Subscriber Fee shall be in addition to the annual sum payable by NOTL to St. Catharines for provision of dispatch services under the Fire Dispatch Agreement in accordance with Schedule "A" of that agreement. The Subscriber Fee may be prorated for any partial month of connection to the P25 System at St. Catharines' sole discretion.
2. NOTL shall convert to and commence use of the P25 System as of May 1, 2023 (the "Commencement Date"). NOTL shall connect a total of 2 P25 Radios to the P25 System as of the Commencement Date.
3. NOTL acknowledges that this supplemental agreement is ancillary to the Fire Dispatch Agreement and in the event the Fire Dispatch Agreement is terminated or expires and is not extended or renewed then this supplement agreement shall also be immediately terminated and at an end.
4. St. Catharines shall commence charging the Subscriber Fee based on the total number of P25 Radios identified by NOTL to connect to P25 System as of the Commencement Date and shall be entitled to charge the Subscriber Fee for the identified number of P25 Radios continuously until such time as NOTL submits a change notice to St. Catharines

that it intends to increase or decrease the total number of P25 Radios connected to the P25 System.

5. A change notice with respect to altering the total number of P25 Radios connected to P25 System is deemed to be effective as of the 1st day of the month immediately subsequent to the date of receipt of the notice by St. Catharines for the purpose of calculating the subscriber fees payable by NOTL under this agreement. To be effective, a change notice must be sent by mail or courier to:
 - a. The Corporation of the City of St. Catharines, 50 Church Street, P.O. Box 3012, St.Catharines , Ontario L2R 7C2, Attention City Clerk. or
 - b. sent by electronic mail to: clerks@stcatharines.ca

A change notice is deemed to be received by St. Catharines on the second business day following mailing or delivery by courier, and, in the case of delivery by electronic mail, on the same day as being sent.

6. NOTL agrees to pay the Subscriber Fee payable for each calendar year of the remaining term of the Fire Dispatch Agreement in quarterly instalments, in advance and upon receipt of an invoice from St. Catharines with adjustments for any change notice from time to time as necessary. St. Catharines anticipates billing for the Subscriber Fee at the same time as billing for the Fire Dispatch Agreement but this is not guaranteed.
7. In the event St. Catharines determines that it has not been notified of any change in the total number of P25 Radios connected to the P25 System for payment purposes, it may adjust invoicing for the subscriber fee payable by NOTL under this agreement at its initiative and discretion without notice to NOTL.
8. Upon execution of this supplemental agreement and for the remaining term of the Fire Dispatch Agreement, NOTL shall not have the option of discontinuing use of the P25 System and returning to use of the prior or legacy radio dispatch system operated by St. Catharines.
9. NOTL acknowledges that the Subscriber Fee is a system access fee charged by The Regional Municipality of Niagara Police Services Board under the P25 MOU for connection to the P25 System. As such, NOTL acknowledges and agrees that St. Catharines is not responsible for and the Subscriber Fee does not represent payment for provision or maintenance or repair of any equipment or hardware, including the P25 Radios, under this supplemental agreement and the Fire Dispatch Agreement and, without limiting the generality of the forgoing, NOTL acknowledges and agrees that it shall be solely responsible for, including the cost of, if any:
 - a. maintenance, repair and replacement of its inventory of P25 Radios as required to ensure optimal performance and continued operation of such equipment; and
 - b. maintaining or improving compatibility of or adding functionality to its inventory of P25 Radios with the P25 System, including any software upgrades to its P25 Radios.

Notwithstanding the foregoing, St. Catharines shall install firmware updates available for free from the provider of the P25 System for NOTL's inventory of P25 Radios on an as-needed basis to correct operating issues at no additional charge to NOTL and, for clarity, such installation of free firmware updates is the only service provided by St. Catharines to NOTL at no additional charge under this supplemental agreement and the Fire Dispatch Agreement.

10. St. Catharines shall not be responsible for any service disruptions or discontinuation resulting from neglect or failure by NOTL to properly maintain and repair its P25 Radios including maintaining compatibility with the P25 System.
11. NOTL shall be solely responsible for obtaining authorization of its P25 Radios for connection to and operation on the P25 System, and shall provide written confirmation to St. Catharines of such authorization a minimum of seven (7) calendar days prior to connection of any P25 Radio to receive fire dispatch transmittals.
12. In the event of costs savings or escalations in operation of the P25 System resulting in an increase or decrease of costs payable by St. Catharines under the P25 MOU, St.

Catharines shall have the right to increase or decrease the P25 Monthly Fee on an equitable and reasonable basis to reflect such costs savings or escalations without advance notice to NOTL.

- 13. NOTL agrees to indemnify and hold harmless St. Catharines, its volunteers, agents, employees and elected officials from and against losses, claims, demands, payments, suits, judgments, orders or expenses of every nature and description arising out of or in consequence of any breach or nonperformance of any terms or conditions of this agreement to be fulfilled, observed or performed by NOTL or its contractors or agents.
- 14. This supplemental agreement shall be read together with the Fire Dispatch Agreement and the parties confirm that, except as modified herein, all terms and conditions in the Fire Dispatch Agreement remain unchanged, unmodified and in full force and effect and shall apply with respect to the matters contained within this supplemental agreement.
- 15. Any capitalized word or term not otherwise defined herein shall have the meaning given thereto in the Fire Dispatch Agreement.
- 16. The parties agree, from time to time, to do or cause to be done all such things, and shall execute and deliver all such documents, agreements and instruments reasonably requested by the other party, as may be necessary or desirable to complete this agreement and to carry out its provisions and intention.
- 17. This supplemental agreement shall enure to the benefit of and be binding upon the parties and their legal representatives, heirs, executors, administrators, successors and permitted assigns as the case may be.
- 18. This agreement may be executed in any number of counterparts, each of which will be deemed an original, but all of which together will constitute one and the same instrument. This agreement will be considered fully executed when all parties have executed an identical counterpart, notwithstanding that all signatures may not appear on the same counterpart. This agreement may be executed and delivered by facsimile signatures or other electronic delivery and will be binding on all parties as if executed by original signature and delivered personally.

IN WITNESS WHEREOF the parties hereto have executed this agreement.

SIGNED, SEALED AND DELIVERED:	)	<u>THE CORPORATION OF THE CITY</u>
	)	<u>OF ST. CATHARINES</u>
)	
)	
)	
)	
)	_____
	)	Dave Upper
	)	Fire Chief
	)	as authorized by By-law 2020-156.
)	
)	
)	
)	_____
	)	Clerk
)	
)	
	)	<u>THE CORPORATION OF THE TOWN</u>
	)	<u>OF NIAGARA-ON-THE-LAKE</u>
)	
)	
)	
)	_____
	)	Mayor
)	
)	
)	_____
	)	Clerk

The Corporation of the Town of Niagara-on-the-Lake Information Report to Council

SUBJECT: By-law Enforcement Metrics - June 2023
DATE: 2023-07-25
REPORT #: FES-23-012
PREPARED BY: Erin Montanaro
DEPARTMENT: Fire & Emergency Services

BACKGROUND INFORMATION

This report aims to inform Council of By-law Enforcement metrics for the Town of Niagara-on-the-Lake during June 2023.

By-law Enforcement is part of the Clerks and Legislative Services Division and is responsible for investigating and resolving By-law violation complaints. The Municipal Act 2001 allows municipalities to pass by-laws to regulate many areas affecting health, safety, and the enjoyment of property. In August 2021, Council approved Report No. CDS-21-022 regarding the necessary amendments to the Town's by-laws to allow for implementing the Administrative Monetary Penalty System (AMPS). AMPS provides the municipality with a means to encourage compliance and efficiently deter non-compliance. The Administrative Monetary Penalty System became active in Niagara-on-the-Lake on September 7, 2021. At that time, Staff committed to providing regular enforcement metrics.

The By-laws enforced through AMPS include Animal Care & Control (By-law 4512-11), Clean Yards (By-law 5190-19), Fences (By-law 4778-14), Fireworks Sale of and Use (By-law 5172-19), Noise (By-law 4588-12), Nuisance (By-law 4397-10), Parks (By-law 5306-21), Property Standards (By-law 5192-19), Short Term Rentals (By-law 4634-13), Sign (By-law 4586-12), Site Alteration (By-law 3941-05), Swimming Pool (By-law 5155-19), Private Trees (By-law 4571-12), and Public Trees (By-law 5139-19).

By-law Enforcement Metrics for June 2023

By-law Enforcement metrics for the Town of Niagara-on-the-Lake between **June 1 and June 30, 2023**, are attached as **Appendix I**.

In June 2023, there was an increase in the number of by-law investigations. Staff undertook **11** Municipal Law Enforcement (MLE) investigations and **25** Property Standards Investigations. Town Staff issued **1** AMPS ticket in June.

By-law Enforcement Staff was able to meet the daily requirements of the municipality and build upon the significant progress made on some of the Town's recent enforcement initiatives.

Additional information related to the core enforcement areas is provided below.

Parking – There were **864** parking penalties issued, representing a 54.11% decrease in the number of tickets compared to June 2022. Seasonal and full-time Parking Enforcement Officers issued parking tickets. Staff will continue to issue parking tickets proactively and respond to complaints.

Short-Term Rental (STR) – Throughout June, By-law staff focused on achieving compliance with the Short-Term Rental (STR) By-law. Building on the progress from previous months, Staff continued to gain compliance by taking a proactive approach. Staff will take an educational approach as a first step in achieving compliance, followed by enforcement through penalties should compliance not be achieved voluntarily.

STR compliance remains an area of high priority within the By-law division. There was 1 AMPS ticket issued in June for Short-Term Rental non-compliance. As non-compliance numbers can change daily, By-law staff anticipates non-compliant operators will be maintained at 0 to 10 at any given time.

Summary – The table below provides a monthly overview of the Service Requests directly related to the By-law Enforcement Division, including a comparison to the previous year.

Town of Niagara-on-the-Lake By-law Data for June 2023		
	June 2022	June 2023
Parking Penalty Notices Issued	1883	864
Screenings for Parking Notices	13	34
Special Enforcement Area Penalties Issued*	16	1
By-law MLE Investigations	58	11
Property Standards Investigations**	44	25
Tree Permit Exemptions	9	6
Tree Permits Issued	1	12
Tree Permit Denials	0	0
Tree Investigations	14	1
Tree By-law Penalties Issued	5	0
Short-Term Rental Investigations	10	4
Short-Term Rental Penalties Issued	2	1
Other By-law Penalties Issued	11	0
Total AMPS Penalties Issued	18	1

Town of Niagara-on-the-Lake Overall By-law Data for 2023	
Total AMPS Penalties Issued in 2023	9
Total Short-Term Rental Penalties Issued in 2023	9
Total Tree By-law Penalties Issued in 2023	0
Total Other By-law Penalties Issued in 2023	0

* *Special Enforcement Area increased fines are in place from March 15th to November 15th in accordance with the by-law. (SEA Officer began July 27, 2021)*

** *Property Standards Investigations include Property Standards, Long Grass, and Clean Yards*

Attached as **Appendix I** is the By-law Metrics Infographic for June 2023.

NEXT STEP / CONCLUSION

The Town's By-Law Enforcement Section will continue to provide a monthly update to Council regarding the By-law metrics.

ATTACHMENTS

- **Appendix I** - By-law Metrics Infographic for June 2023

TOWN OF NIAGARA-ON-THE-LAKE

BY-LAW BREAKDOWN FOR JUNE 2023

1 

AMPS* Tickets
(Total)

1 

Short Term
Rental Penalty
Notices

25 

Property Standards
Investigations

11 

By-law
Investigations

864 

Parking Tickets

*AMPS: Administrative Monetary Penalty System

The Corporation of the Town of Niagara-on-the-Lake Information Report to Council

SUBJECT: Requests for Letters of Municipal Significance – August 2023
DATE: 2023-07-25
REPORT #: CAO-23-064
PREPARED BY: Shaunna Arenburg
DEPARTMENT: CAO/Administration

BACKGROUND INFORMATION

In order to secure a Special Occasion Permit for public events, the Alcohol and Gaming Commission of Ontario (AGCO) regulations state that; “A municipal resolution or a letter from a designated municipal official (e.g., a Municipal Clerk), designating the event as ‘municipally significant’ is required”. All the listed events have applied for a Special Event Permit from the Town and have submitted the required documentation.

The events requiring identification as “municipally significant” to finalize their permits with the AGCO) are listed below:

The Champagne Showgirls

What: Performing arts show with dancing and singing.

When: August 12, 2023, 7:30 pm to 9:30 pm

Where: 14 Anderson Lane, Community Centre

Recurring Event: No

Expected Attendance: 50

Road Closures: No

Services Requested of the Town: None

Peach Festival

What: An on-street festival celebration of Niagara-on-the-Lake's agricultural and chamber merchant community by highlighting one of its best fruits, the peach! Guests have a chance to shop at over 30 vendors, eat, and enjoy the historic district.

When: August 12, 2023, 6:00 am to 10:00 pm

Where: Queen Street between King St. to Gate St.

Recurring Event: Yes

Expected Attendance: 1000

Road Closures: Yes, Queen Street from King Street to Gate Street 6 am – 10 pm

Services Requested of the Town: Road Closure, 16-20 Traffic Cones, 16-20 Barricades, 10 Garbage Bins, and Public Washrooms.

Shades of Rose

What: An outdoor community dinner celebrating the peach harvest and rose wine.

When: August 13, 2023, 4:00 pm to 11:00 pm

Where: Queen Street between King St. to Regent St.

Recurring Event: Yes, previously called Shades of Summer.

Expected Attendance: 950

Road Closures: Yes, Queen Street from King Street to Regent Street from 6 am – 12 am

Services Requested of the Town: Road Closure, 12 Traffic Cones, 12 Barricades, and Public Washrooms.

Wall of Fame Ceremony

What: Ceremony to unveil this year's inductees to the Niagara-on-the-Lake Sports Wall of Fame

When: August 18, 2023, 3:00 pm to 11:00 pm

Where: 1565 Four Mile Creek Road, Meridian Credit Union Arena

Recurring Event: Yes

Expected Attendance: 100

Road Closures: No

Services Requested of the Town: None

Moonlight Picnic 2023

What: Fundraising Picnic where people bring their own pre-made food.

When: September 8, 2023, 6:00 pm to 10:00 pm

Where: 247 Ricardo Street, Niagara Pumphouse Arts Centre

Recurring Event: Yes

Expected Attendance: 300

Road Closures: No

Services Requested of the Town: Four garbage bins to be provided.

NEXT STEP / CONCLUSION

A declaration from Town Council is required to identify the above as events of municipal significance. A proposed motion is attached in **Appendix I**, which would grant Staff the authority to issue a letter of municipal significance for the Champagne Showgirls, the Peach Festival, the Shades of Rose dinner, the Wall of Fame Ceremony, and the Moonlight Picnic events.

ATTACHMENTS

- **Appendix I** – Motion for Declaring the August 2023 and September 8th Events Municipally Significant



Department of Corporate Services
 1593 Four Mile Creek Road
 P.O. Box 100, Virgil, ON L0S 1T0
 905-468-3266 • Fax: 905-468-2959

www.notl.com

**THE CORPORATION OF THE
 TOWN OF NIAGARA-ON-THE-LAKE
 OFFICE OF THE TOWN CLERK**

WHEREAS a municipal resolution designating the event as 'municipally significant' is required by the ACGO to secure a Special Occasion Permit for public events; and

WHEREAS the event organizers have all applied for a Special Event Permit with the Town of Niagara-on-the-Lake;

THEREFORE BE IT RESOLVED that Council direct staff to prepare a Letter of Municipal Significance for the Champagne Showgirls, the Peach Festival, the Shades of Rose dinner, the Wall of Fame Ceremony and the Moonlight Picnic events.

The Corporation of the Town of Niagara-on-the-Lake Information Report to Council

SUBJECT: Q124 Hotel Site Plan Update - Landscaping
DATE: 2023-07-25
REPORT #: CDS-23-172
PREPARED BY: Rick Wilson, MCIP, RPP, Manager of Planning
DEPARTMENT: Community & Development Services

BACKGROUND INFORMATION

The purpose of this report is to provide an update to Council regarding an amendment to the existing Site Plan for lands known as 124 Queen Street (Q124 Hotel). Various updates had been provided during the previous term of Council.

Council approved applications in 2018 to permit the development of the subject lands for a hotel with an underground parking garage and the relocation of the historic “Smithy” building to the rear of the property.

The owner entered into a Site Plan Agreement with the Town for the development of the property. The Site Plan Agreement was registered on June 11, 2019 with an amendment for revised elevation plans registered on July 23, 2019. The rear lands of the subject property (see the Location Map in **Appendix I** to this report) above the underground parking garage are to be landscaped open space.

The owner has constructed the hotel, parking garage and moved the “Smithy” to its permanent location. Through this process, the owner has requested changes to the landscaped rear lands originally approved through the Site Plan Agreement.

The owner submitted an initial Site Plan Amendment application in 2021. As the site is within the Queen Picton Heritage Conservation District, a Heritage Permit was required for the proposed modifications. Staff recommended approval of the garden plan indicating that impacts are not anticipated to the streetscape or surrounding cultural heritage resources, in part, since the area was not visible from the street. The landscape design and Heritage Permit require the planting of cedar trees (or similar) with minimum size requirements along the property perimeter to provide privacy screening for adjacent residential lands. The landscaping is to be approved to the satisfaction of the Director of Community & Development Services and substantially in accordance with the submitted plan. Provided the principles and requirements of the Heritage Permit are addressed, there is no need to obtain further heritage approval from the Town’s Municipal Heritage Committee.

The owner submitted formal revised materials for the amendment to the Site Plan Agreement in June 2023. The attached **Appendix II** and **Appendix III** to this report contain the proposed Landscaping Plans and Lighting Plan. Staff is reviewing these plans and other submitted documents. The installation of perimeter fencing and landscaping at the site has commenced.

The rear area of the site abuts residential properties and residents have raised concerns with the potential use of the rear garden for special events. Town Staff has previously advised Council that there is no permission in the Site-Specific Zoning By-law (4316DH-18, as amended) for events in the rear landscaped area. Staff has also advised that any possible events may be considered through a Special Event Permit issued by the Town.

The revised landscape plan appears to address some issues of compatibility identified by residents during the construction process and review of earlier variations for the rear landscaped area. The organization of the space and different surface treatments within the area reduces the size of gathering spaces that could impact abutting properties due to potential noise/activity.

Town Staff provided the preliminary Landscape Plan and Lighting Plan to neighbours in the area in May 2023 for information. Comments have been submitted by two area residents. These neighbours have stated the proposed layout is a better design than previous concepts. Generally, residents would prefer the planting of higher cedars along the perimeter and commented on vegetation species. Questions on lighting in the landscaped area have also been raised.

NEXT STEP / CONCLUSION

Staff acknowledge that the owner and surrounding residents wish to finalize the landscaping at the rear of the hotel and address all matters to complete the development.

Based on past commitments to Council and residents, and in the interest of transparency, Staff committed to provide information to Council and the public as part of the review process for the Site Plan Amendment. Staff has provided a courtesy notice to area residents advising that this report was on the Council agenda.

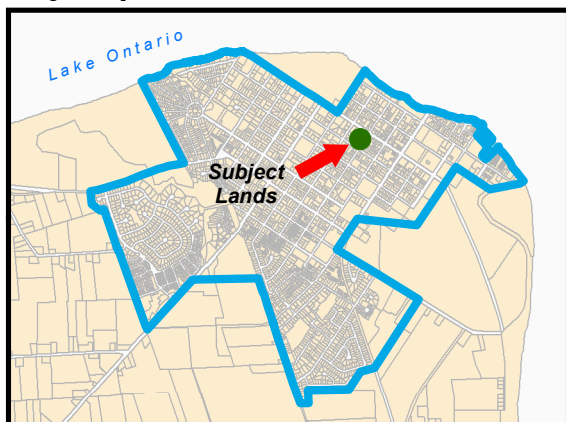
Bill 109 amended the *Planning Act* to require Site Plan approval be delegated to Town Staff (Director of Community & Development Services) effective July 2022. Final approval of the Site Plan Amendment rests with Town Staff.

Staff continue to review the application and are working with the owner to complete the landscaping and lighting design.

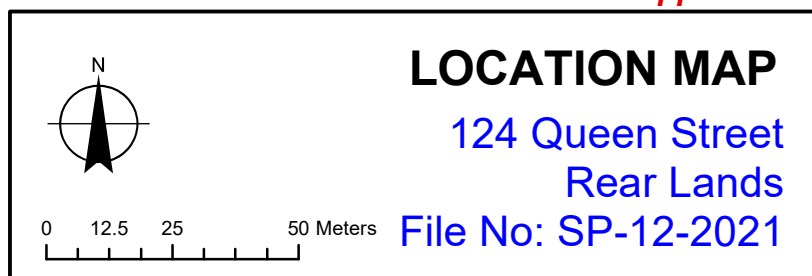
ATTACHMENTS

- **Appendix I** - Location Map
- **Appendix II** - Landscaping Plans
- **Appendix III** - Lighting Plan

Key Map



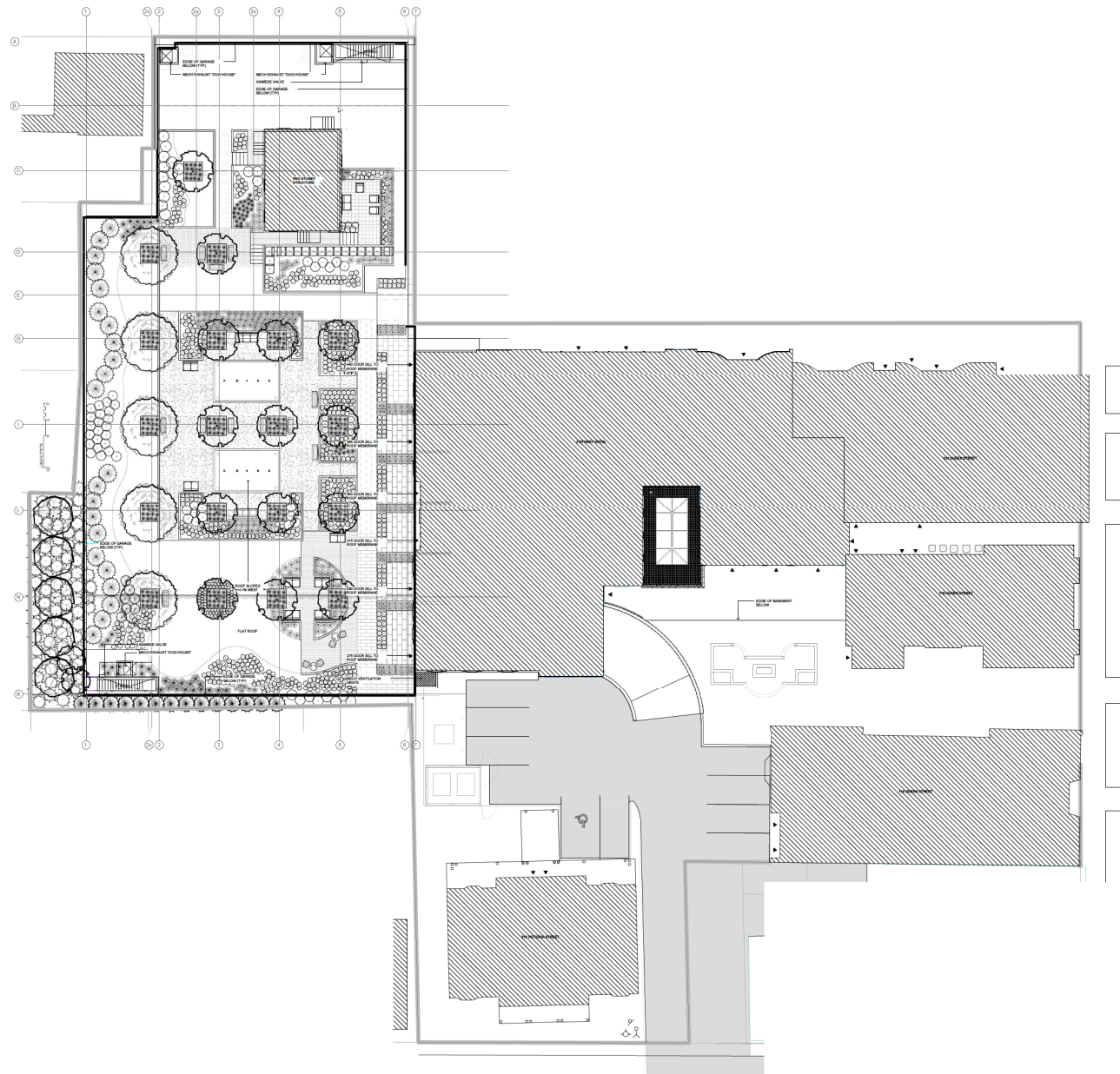
Appendix I



1:1,500

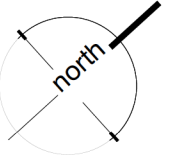
Niagara *on-the-Lake*
EST. 1781





124 on Queen Green Roof - Subject Lands Context
SCALE: 1/16" = 1'

NOT FOR CONSTRUCTION
ISSUED FOR REVIEW & COMMENTS ONLY



OWNER'S NAME
OWNER'S SIGNATURE

LORD MAYOR
TOWN CLERK
DATE

revisions/ submissions		
#	date	description
1	2023-05-11	Issued for review
2	2023-05-11	Issued for SPA

stamp



Environmental
DESIGN GROUP

P.O. Box 51
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1 905.489.5375
www.environmentaldesign.ca

client
124Queen

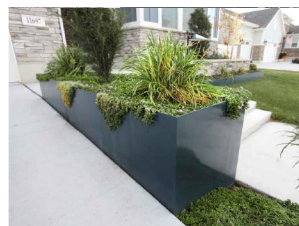
municipality
Niagara-on-the-Lake

project
124 on Queen Green Roof

sheet
Subject Lands Context

date: December 14, 2022
drawn:
checked: JCT
project #: 22-041

S-1



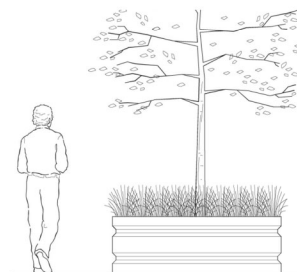
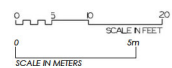
Terrace Planter Concept



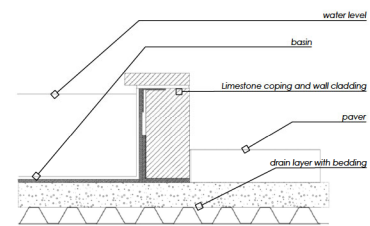
Planter Concept - colour



Planter Concept - colour

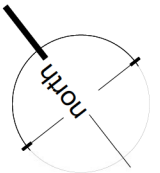


Tree Planter Concept Detail



Water Feature Detail

124 on Queen Green Roof
SCALE: 1/8" = 1'



OWNER'S NAME
OWNER'S SIGNATURE

LORD MAYOR
TOWN CLERK
DATE

revisions/ submissions		
#	date	description
1	2022-12-14	Issued for discussion
2	2023-01-11	Issued for discussion
3	2023-01-13	Issued for discussion
4	2023-05-11	Issued for SFA

stamp



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municipality
Niagara-on-the-Lake

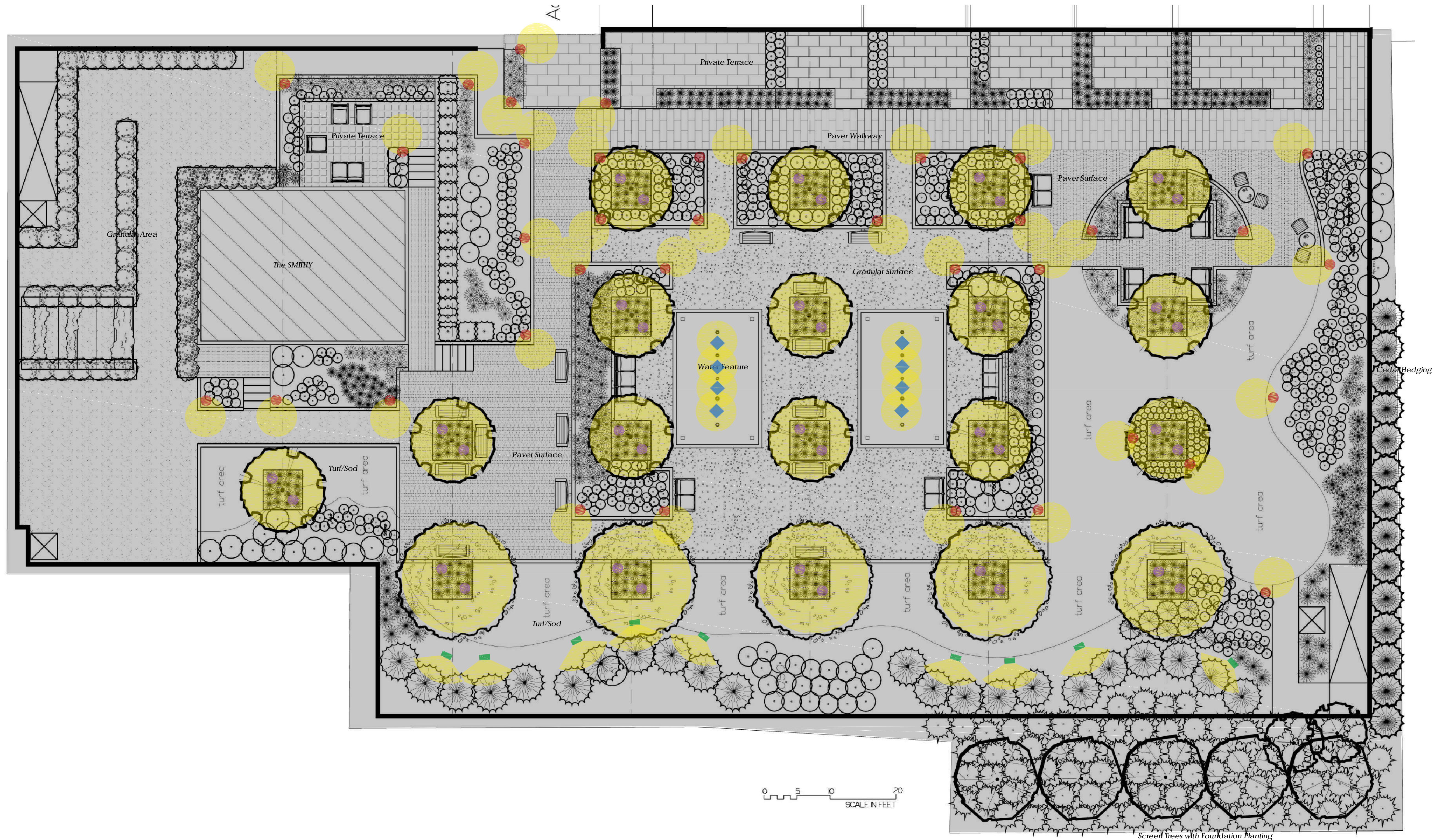
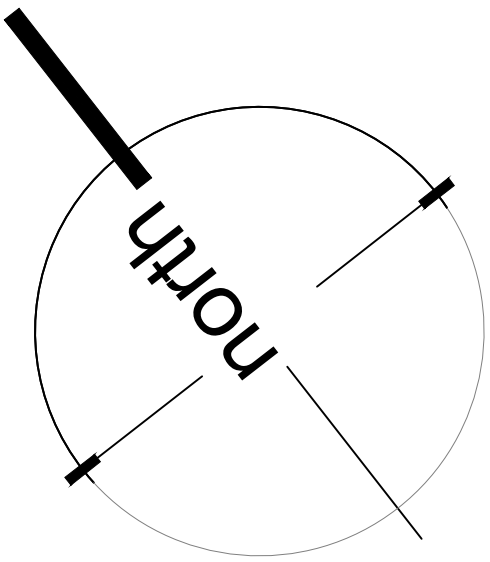
project
124 on Queen Green Roof

sheet
Green Roof Plan

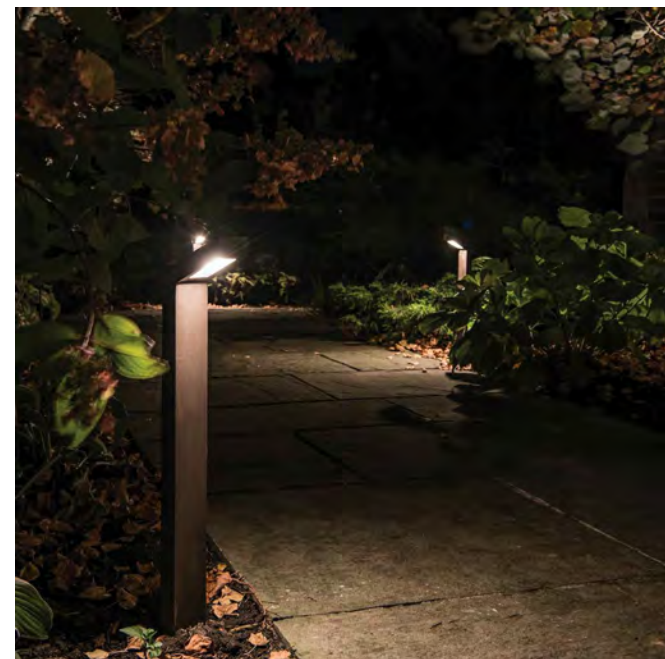
date: December 14, 2022
drawn: JCT
checked: JCT
project #: 22-041

NOT FOR CONSTRUCTION
ISSUED FOR REVIEW & COMMENTS ONLY

L-1



Wall Wash Light



Path Light



Tree Uplight



Underwater Light

124 on Queen Green Roof - Lighting Concept Plan

SCALE: 1/8" = 1'

NOT FOR CONSTRUCTION

ISSUED FOR REVIEW & COMMENTS ONLY

revisions/ submissions		
#	date	description
1	2022-12-22	Issued for discussion
2	2023-01-23	Issued for discussion

stamp



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client
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municipality
Niagara-on-the-Lake

project
124 on Queen Green Roof

sheet
Lighting Concept Plan

date: December 14, 2022
drawn:
checked: JCT
project #: 22-041

L-3



June 26, 2023

Re: 23rd Annual Child Care Worker and Early Childhood Educator Appreciation Day, October 17, 2023

To Ontario mayors and councils,

We are writing to ask that you and your council proclaim and participate in Child Care Worker & Early Childhood Educator Appreciation Day on Tuesday, October 17, 2023. This day recognizes the commitment, skills and hard work of Early Childhood Educators (ECEs) and staff who work with young children. Each year, the day is proclaimed by the Ontario Coalition for Better Child Care (OCBCC), the Canadian Union of Public Employees (CUPE), municipalities and school boards across Ontario, and is marked by hundreds of child care centres, unions, and allies.

This year's Child Care Worker and Early Childhood Educator Appreciation Day theme is **WORTH MORE!** This Appreciation Day will be important as we continue to navigate the implementation of the Canada-Wide Early Learning and Child Care system and push for it to include decent work and pay for ECEs and child care workers. They deserve decent work and pay.

To fulfil the promise of the Canada-Wide Early Learning and Child Care system we need to ensure high quality spaces for every family who needs it. We have seen how affordable child care is life-changing for many families, but we need to make that possible *for all*. To make that vision a reality we need to expand access to child care by building new programs – but most importantly we must ensure that we retain, re-attract and recruit ECEs and child care workers with decent work and fulfilling careers to lead these vital, educational programs.

We will be sharing these messages on Appreciation Day and we need your help to make it happen by making an official proclamation.

If your council does not issue official proclamations, there are many alternative ways for your municipality to participate in celebrating this important day:

- Organize a public announcement;
- Flag raising or purple light display;
- Display our posters and distribute our buttons; and
- Organize events and contests for the day or have councilors or the mayor participate in events hosted by child care centres.

A sample proclamation and document outlining additional ways to recognize this important day is attached.

We would love to acknowledge municipalities who choose to celebrate child care workers and ECEs across Ontario on October 17, 2023. Please let us know how your municipality is participating in the appreciation day and we will add you to our list of proclamations and celebrations.

Please direct any correspondence on proclamations and/or celebration activities to the attention of Carolyn Ferns, by mail: Ontario Coalition for Better Child Care, PO Box 73034 Wood Street PO Toronto, ON M4Y 2W5, or by email at: carolyn@childcareontario.org.

Thank you for your consideration.

Sheila Olan-MacLean
President, OCBCC

Fred Hahn
President, CUPE Ontario Division



Le 26 juin 2023

Objet : la 23^e Journée d'appréciation des éducatrices et éducateurs et des travailleuses et travailleurs de la petite enfance, le 17 octobre 2023

Aux maires et aux conseillers municipaux de l'Ontario,

Par la présente, nous vous demandons à vous et à votre Conseil municipal de proclamer et de célébrer la Journée d'appréciation des éducatrices et éducateurs et des travailleuses et travailleurs de la petite enfance, le 17 octobre 2023. Cette journée reconnaît l'engagement, les compétences, le travail acharné et le dévouement des éducateurs et éducatrices de la petite enfance (ÉPE) et du personnel qui travaillent avec les jeunes enfants. Chaque année, la journée est proclamée par la Coalition ontarienne pour de meilleurs services éducatifs à l'enfance (COMSÉE), le Syndicat canadien de la fonction publique (SCFP), les municipalités et les conseils scolaires de l'Ontario. Elle est célébrée par des centaines de garderies, de syndicats et d'alliés.

Cette année, le thème de la Journée d'appréciation des éducatrices et éducateurs et des travailleuses et travailleurs de la petite enfance est **MÉRITENT MIEUX !** La Journée d'appréciation est d'importance alors que nous continuons de gérer la mise en place d'un système pancanadien d'apprentissage et de services de garde d'enfants qui comprend un travail et un salaire décents pour les ÉPE et les travailleurs et travailleuses en garderie. Ils(elles) méritent un travail et un salaire décents.

Pour tenir la promesse en ce qui concerne un système pancanadien d'apprentissage et de services de garde d'enfants, nous devons garantir des places de qualité à toutes les familles qui en ont besoin. Nous avons constaté que des services de garde d'enfants abordables changent la vie de nombreuses familles et nous devons faire en sorte que cela soit possible pour *tous(toutes)*. Pour que cette vision devienne réalité, nous devons élargir l'accès aux services de garde d'enfants en créant de nouveaux programmes. Mais, nous devons surtout nous assurer que nous retenons, attirons à nouveau et recrutons des ÉPE et des travailleurs et travailleuses en garderie avec un travail décent et une carrière épanouissante pour gérer ces programmes éducatifs essentiels.

Nous diffuserons ces messages lors la Journée d'appréciation. Veuillez nous aider en faisant une proclamation officielle.

Même si votre Conseil municipal n'émet pas de proclamation officielle, il y a de nombreuses façons de participer et de célébrer cette importante journée, par exemple :

- Organiser une annonce publique.
- Levée de drapeau ou un affichage lumineux violet.
- Apposer nos affiches et distribuer nos macarons.
- Organiser des événements et des concours pendant la journée ou encore vous assurer que les conseillers municipaux et le maire participent à des activités organisées par les garderies.

Vous trouverez ci-joints un exemple de proclamation ainsi que des documents faisant ressortir d'autres manières de reconnaître cette importante journée.

Nous tenons à reconnaître les municipalités qui célébreront les ÉPE et les travailleurs et travailleuses en garderie, à l'échelle de l'Ontario, le 17 octobre 2023. Veuillez nous informer de la façon dont votre municipalité participera à cette Journée et nous l'ajouterons à notre liste de proclamations et de célébrations.

Veuillez faire parvenir toute correspondance touchant les proclamations et/ou activités de célébration à l'attention de Carolyn Ferns, par la poste à la Coalition ontarienne pour de meilleurs services éducatifs à l'enfance, Boîte postale 73034, Wood Street PO, Toronto (Ontario) M4Y 2W5 ou par courriel à carolyn@childcareontario.org.

Nous vous remercions de l'attention que vous porterez à la présente.

Sheila Olan-MacLean
Présidente de la COMSÉE

Fred Hahn
Président de la division de l'Ontario du SCFP

23RD ANNIVERSARY | OCTOBER 17, 2023
**CHILD CARE WORKER AND EARLY
 CHILDHOOD EDUCATOR
 APPRECIATION DAY**

COALITION ONTARIENNE POUR
 de meilleurs services
 éducatifs à l'enfance



ONTARIO COALITION FOR
Better Child Care



This day recognizes the commitment, hard work and dedication of Early Childhood Educators (ECEs) and staff who work with young children. Each year, the day is proclaimed by The Ontario Coalition for Better Child Care (OCBCC), the Canadian Union of Public Employees (CUPE), municipalities and school boards across Ontario, and is marked by hundreds of child care centres, unions, and allies.

While recognition is important, action to achieve change is even better. Visit childcareworthmore.ca to make your voice heard and ensure child care workers and early childhood educators are treated with respect.

Tips to Recognize and Celebrate the Day!

Everyone

Show child care workers your appreciation on social media:

- Share photos of how you're celebrating the day
- Share an event prior to the date to raise awareness
- Write a kind message about a child care provider you know
- Use the hashtag #ECEappreciation and tag us @ChildCareON

Municipalities

- Place an ad in the local newspaper promoting the day
- Nominate staff from local child care centres to be recognized by the Mayor
- Encourage local councillors to tour child care centres to find out more about this important work
- Organize a community-wide celebration to recognize individual staff, centres, and programs

School Boards

- Insert the day on the October calendar
- Arrange to have the day announced on the PA
- Encourage classes of students to visit the child care centre
- Set up a Wall of Fame where parents have the opportunity to say thank you to staff
- Place our poster on school bulletin boards

Child Care Centres

- Host a pizza lunch for staff
- Give staff members a certificate of appreciation.
- Have every staff in the centre vote on one child care champion of the year
- Set up a board near the entrance of the centre where parents may write thank-you notes
- Place our poster on the main doors

* Contact the OCBCC to order posters and buttons by October 3, 2023 to ensure timely delivery.



Cette journée reconnaît l'engagement, le travail acharné et le dévouement des éducateurs et éducatrices de la petite enfance (ÉPE) et du personnel qui travaillent avec les jeunes enfants. Chaque année, la journée est proclamée par la Coalition ontarienne pour de meilleurs services éducatifs à l'enfance (COMSÉE), le Syndicat canadien de la fonction publique (SCFP), les municipalités et les conseils scolaires de l'Ontario. Elle est célébrée par des centaines de garderies, de syndicats et d'alliés.

Si la reconnaissance est importante, l'action préconisant le changement l'est encore plus. Consultez <https://lesservicesdegardevalentplus.ca/> pour faire entendre votre voix et veiller à ce que les travailleurs et travailleuses en garderie et les éducateurs et éducatrices de la petite enfance soient traité(e)s avec respect.

Quelques idées sur la façon de célébrer la journée !

Tout le monde	Les municipalités	Les conseils scolaires	Les garderies
<p>Montrez votre appréciation des travailleurs et travailleuses des services éducatifs à l'enfance sur les médias sociaux :</p> <ul style="list-style-type: none"> • Partagez des photos sur la façon dont vous célébrez la journée. • Annoncez un événement avant sa tenue afin de sensibiliser la population. • Écrivez un petit mot gentil à propos d'un(e) travailleur et travailleuse en garderie que vous connaissez. • Utilisez le mot clic #ECEappreciation et balisez-nous à @ChildCareON. 	<ul style="list-style-type: none"> • Placez une annonce dans le journal local faisant la promotion de la journée. • Nommez des membres du personnel des garderies locales remarquables que le maire devrait reconnaître. • Invitez les conseillers et conseillères municipaux à visiter des garderies pour en savoir plus sur ce travail important. • Organisez une célébration à l'échelle de la communauté afin de reconnaître des membres du personnel, des garderies et des programmes. 	<ul style="list-style-type: none"> • Inscrivez le jour à l'agenda d'octobre. • Veillez à ce que la journée soit annoncée sur le système électroacoustique. • Invitez les élèves à visiter la garderie. • Installez un Mur de la renommée où les parents peuvent laisser un mot de remerciement au personnel. • Apposez notre affiche sur le babillard du conseil scolaire. 	<ul style="list-style-type: none"> • Organisez un dîner-pizza pour le personnel. • Remettez à chaque membre du personnel un certificat d'appréciation. • Demandez au personnel de voter pour le champion des services de garde d'enfants de l'année. • Installez un babillard près de l'entrée de la garderie où les parents peuvent écrire un mot de remerciements. • Apposez une affiche sur les portes principales.

* Veuillez communiquer avec la COMSÉE pour commander des affiches et des macarons au plus tard le 3 octobre 2023 pour garantir la livraison en temps opportun.

23rd Annual Child Care Worker and Early Childhood Educator Appreciation Day

October 17, 2023

Proclamation

Whereas years of research confirms the benefits of high-quality early learning and child care for young children's intellectual, emotional, social and physical development and later life outcomes; and

Whereas child care promotes the well-being of children and responds to the needs of families and the broader community by supporting quality of life so that citizens can fully participate in and contribute to the economic and social life of their community; and

Whereas trained and knowledgeable Registered Early Childhood Educators and child care staff are the key to quality in early learning and child care programs;

Whereas Registered Early Childhood Educators and child care workers will be vital to the success of the Canada-Wide Early Learning and Child Care system;

Therefore, Be It Resolved that October 17, 2023 be designated the 23rd annual "Child Care Worker & Early Childhood Educator Appreciation Day" in recognition of the education, dedication and commitment of child care workers to children, their families and quality of life of the community.

23^e Journée d'appréciation des éducatrices et éducateurs et des travailleuses et travailleurs de la petite enfance

Le 17 octobre 2023

Proclamation

Attendu que des années de recherche viennent confirmer les avantages des services de garde d'enfants de haute qualité pour le développement intellectuel, émotionnel, social et physique des jeunes enfants et leurs résultats ultérieurs dans la vie; et

Attendu que les services de garde d'enfants favorisent le bien-être des enfants et pourvoient aux besoins des familles et de l'ensemble de la communauté en soutenant la qualité de vie afin que les citoyens et citoyennes puissent participer et contribuer pleinement à la vie économique et sociale de leur communauté; et

Attendu que les éducateurs et éducatrices de la petite enfance et les travailleurs et travailleuses en garderie formé(e)s et compétent(e)s sont la clé de la qualité des programmes d'apprentissage et de garde d'enfants; et

Attendu que les éducateurs et éducatrices de la petite enfance et les travailleurs et travailleuses en garderie agréé(e)s seront essentiel(le)s à la réussite du Système d'apprentissage et de garde des jeunes enfants pancanadien,

Il est donc résolu que le 17 octobre 2023 soit désigné comme la 23^e Journée d'appréciation des éducatrices et éducateurs et des travailleuses et travailleurs de la petite enfance en reconnaissance de l'éducation, du dévouement et de l'engagement des travailleurs et travailleuses en garderie envers les enfants, leurs familles et la qualité de vie de la communauté.



NOTL PUBLIC LIBRARY BOARD MEETING DRAFT MINUTES

Wednesday, May 16th, 2023, 7:00 p.m.

Last motion 23-08

1. Call to Order

A regular meeting of the Niagara-on-the-Lake Public Library Board was called to order at 7:01 p.m.

Present: Ilze Andzans, Graham Bailey, Benoit Beausoleil (remote), Katie Desharnais, Susan Elliot, Robin Foster, Daryl Novak (Chair), Wayne Scott (Vice Chair), Adriana Vizzari (Town Council Representative)

Staff: Sarah Bowers (Technical Services), Kasia Dupuis (Marketing & Communications) Cathy Simpson (CEO), Laura Tait (Manager)

2. Approval of Agenda

MOTION 23-09: Moved by K. Desharnais that the agenda be approved. **CARRIED.**

3. Introductions

Councillor Adriana Vizzari and staff member Kasia Dupuis introduced themselves. D. Novak welcomed A. Vizzari emphasizing the critical liaison role our sole council representative plays on the board and thanked her for her enthusiasm.

4. Deputations

No deputations were received.

5. Declaration of Conflict of Interest

No conflicts of interest were declared.

6. Approval of Consent Agenda

6.1. April 2023 Board Meeting Draft Minutes

6.2. April 2023 CEO Report

6.3. April 2023 Media Coverage Report

6.4. Correspondence

The CEO noted the omission of S. Bower's activities from the January – March CEO report and the addition of these activities to the April CEO report. She also noted the success of this year's Seed Library and the plan to harvest seeds from the native plants supplied by the Niagara Peninsula Conservation Authority (NPCA) for spring planting in the library garden.

MOTION 23-10: Moved by R. Foster that the consent agenda and revised April minutes be approved. **CARRIED.**

7. Business Arising

7.1. Land Acknowledgement

B. Beausoleil and K. Desharnais provided an update on their land acknowledgement research.

ACTION: B. Beausoleil and K. Desharnais to provide a further update on advice regarding when and where the land acknowledgments should be read and which version should be used. A vote will then take place at the board level on adoption of recommendations.

8. 2022 Year In Review Video

K. Dupuis screened the library's 2022 Year In Review video and received board member feedback for incorporation into the 2023 edition.

ACTION: K. Dupuis to create a version under 10 minutes for use at a future delegation to municipal council.

9. Statistics

G. Bailey reviewed the statistics dashboard created in collaboration with S. Bowers. Board members discussed the statistics they would like to see monthly, quarterly and annually.

ACTION: The dashboard will be used for monthly presentations at board meetings in its current iteration with S. Bowers highlighting any key changes. A review will take place in the fall to determine the efficacy of the dashboard and how well it tracks statistics relating to strategic priorities.

10. 2022 Budget

The CEO presented the unaudited 2022 operating budget and the forecasted \$39,000 surplus.

ACTION: Finance Committee to provide the following for the next board meeting:

- An overview of assets and liabilities

- 2023 budget update

11. Committees

D. Novak reviewed recommendations to form a Finance Committee, Advocacy and Municipal Relations Committee and Executive Committee as soon as possible. Board members volunteered to form the following committees with the appropriate staff member(s):

Finance Committee

- G. Bailey, Chair
- D. Novak
- W. Scott
- C. Simpson (CEO)

Advocacy and Municipal Relations

- I. Andzans
- S. Elliot
- R. Foster
- A. Vizzari
- D. Krause (Community Engagement Coordinator)
- C. Simpson (CEO)

Executive

- D. Novak
- W. Scott
- C. Simpson (CEO)

ACTION: CEO to arrange initial committee meetings before the June board meeting.

12. Board Development

12.1. Governance Framework

W. Scott presented his governance framework from provincial to CEO level to clarify and guide the board in their governance role. He noted the board is the corporation and not the library.

12.2. SharePoint

S. Bowers demonstrated the SharePoint website populated with information and resources for board members. Board members discussed the additional need to have a collaborative workspace.

ACTION: S. Bowers to send board members SharePoint access email message by the end of May.

ACTION: Board members to test and use SharePoint over the next few months to determine if a collaborative workspace is still needed.

13. Advocacy, Engagement & Inquiries

13.1. Board Photos & Biographies

The CEO is inviting reporters from the three local newspapers to the June board meeting to introduce the new board. She also requested members supply headshots and short biographies for the library website.

ACTION: Board members to supply their photo and biography for posting on the library's website by June 1st.

13.2. Summer Kick Off

L. Tait discussed the Summer Kick Off event in partnership with the Town of NOTL scheduled for June 24th and the need for volunteers.

ACTION: Volunteers for the June 24 Summer Kick Off to respond to A. Polito by June 1st.

14. Other Business

14.1. Native Species Planting

Volunteers are needed to assist in the planting of native species supplied by the NPCA, in the library garden in late May or early June, date to be confirmed.

ACTION: Volunteers for the library garden spring planting to contact the CEO by May 23rd.

15. Meeting Termination

MOTION 23-11: Moved by R. Foster that the meeting be terminated at 9:02 p.m. **CARRIED**

Next meeting June 21st, 2023, 7:30 p.m. *

***Please note change to 7:30 p.m. meeting start time for the June meeting only.**



IRRIGATION COMMITTEE MEETING MINUTES

June 19, 2023, 2:00 p.m.

Members Present: Kevin Buis - Chair, Erwin Wiens - Vice-Chair, Aaron Oppenlander, Michael Kauzlaric, Kurt Neumann, George Lepp

Members Absent: Rob Enns

Staff Present: Brett Ruck- Supervisor Environmental Services, Brandon Enns - Drainage & Irrigation Superintendant , Cheryl Lootsma - Administrative Assistant Operations

Staff Absent: Darren MacKenzie - Manager Public Works

Others Present: Craig Fowler for Rebecca Shortt

1. CALL TO ORDER

Chair Kevin Buis called the meeting to order at 2:09 P.M.

2. ADOPTION OF AGENDA

Kurt Neumann moved that agenda be adopted as amended.

Mike Kauzlaric requested to add Future Water Access - Line 7 and Concession 7 under new business.

Approved.

3. CONFLICT OF INTEREST

There are no conflicts of interest.

4. PREVIOUS MINUTES

Kurt Neumann and Aaron Oppenlaender moved that the previous minutes be approved.

Approved.

4.1 May 10, 2023

5. PRESENTATIONS

There are no presentations.

6. ANNOUNCEMENTS

There are no announcements.

7. CORRESPONDENCE

There is no correspondence.

8. BUSINESS

8.1 Pump Status Update

- Brett Ruck provided update on Pumps as requested by Chair Kevin Buis:
- OPG Legal Status - Town needs use of siphon, have asked them for update.
- Airport, Bright and Lavigne - in process in regards to crossing, staff to send email to Committee with further updates from Region.

8.2 Future Meeting Location - Virtual vs. In-person

Chair Kevin Buis proposed Committee to meet in-person.

Staff was advised by Clerks that no other Committee of Council meets in person, however, they will potentially allow for a hybrid schedule in the future.

Vice Chair Erwin Wiens- informed that this initiative will be presented to Council at July meeting.

Committee is all in favour of hybrid meetings.

8.3 Permit To Take Water - Renewal

- Brett Ruck provided overview on renewing permit.
- New permit in place for 1 year, conditions need to be met to secure 10 year permit:

- Seaway allows for 22460L/min (approx 600 gal) = 7200L/ min. In order to secure permit from Ministry, we need to get appropriate permits from Seaway with updated water allowances.

8.4 Four Mile Creek Maintenance - OPS-23-010

Staff advised that an update/decision will be deferred to July meeting.

9. NEW BUSINESS

9.1 Future Water Access - Line 7 and Conc 7

Mike Kauzlaric would like to consider alternative opportunities for future.

Chair Kevin Buis moved that this discussion be revisited in off-season, mid-December workshop, as part of long term plan.

Approved.

9.2 Flow Meters

Craig Fowler from OMAFRA, pointed out, for clarification, that the flow meters supplied by Rebecca Shortt did not come from the Agriculture Canada, as had been previously mentioned in the Committee's May 10, 2023 meeting.

10. NEXT MEETING DATE

10.1 Wednesday, July 12, 2023 @ 2:00 P.M.

Approved.

11. ADJOURNMENT

Chair Kevin Buis moved to adjourn meeting at 2:48 P.M.

Approved.



HERITAGE TRAIL COMMITTEE MEETING MINUTES

June 21, 2023, 1:00 p.m.

Members Present: Rick Meloen, Tony Chisholm, Cheryl Morris, Rick Coyne, Wendy Cheropita - Councillor

Members Absent: Fred Sentineal

Staff Present: Kevin Turcotte - Manager Parks & Recreation, Cheryl Lootsma - Administrative Assistant Operations

1. CALL TO ORDER

Chair Rick Meloen called the meeting to order 1:02 P.M.

2. ADOPTION OF AGENDA

Chair Rick Meloen moved that the agenda be adopted.

Approved.

3. CONFLICT OF INTEREST

No conflict of interests

4. PREVIOUS MINUTES

Chair Rick Meloen moved that the previous minutes be approved.

Approved.

4.1 May 17, 2023

5. PRESENTATIONS

No presentations were made.

6. ANNOUNCEMENTS

Vice Chair Tony Chisholm provided update on interpretive signs, moving forward, intend to be ready for September release.

Kevin Turcotte advised there are temporary signs being installed for Pollinator Gardens.

7. CORRESPONDENCE

There was no correspondence.

8. BUSINESS

8.1 Community Engagement

- Kevin Turcotte provided overview and update on trail design for Phase 2.
- Funding of \$60,400 and Fund-Raising efforts of \$33,500 received for Phase 2.
- Area of trail will run from East West Line to Line 1 (hopeful to push to Line 3).
- 2.56km to be rehabilitated, longest section of trail to date.
- Mid-July is target to host Phase 2 Community Engagement.

8.2 Pollinator Gardens

- Chair Rick Meloen provided an update on Pollinator Gardens.
- Gave mention and is thankful to all the planting that has occurred for the gardens.
- Trees donated by TD Bank have tree guards which need to be removed.

9. NEW BUSINESS

9.1 Networking & Fund Raising Initiatives

- Councillor Cheropita discussed her intentions for fund raising and forging connections for the Trail.
- Scheduled to meet with a local developer.
- Also meeting with a Bruce Trail board member, so as to foster engagement and inspire possible volunteers.
- Provided overview of an event she attended, hosted by Niagara Geopark. There would be value in a possible partnership as they have similar goals as the Heritage Trail.

10. NEXT MEETING DATE

10.1 July 21, 2023 @ 1:00 P.M.

11. ADJOURNMENT

Chair Rick Meloen moved to adjourn meeting at 1:22 P.M.

Approved.



COMMITTEE OF ADJUSTMENT MEETING MINUTES

June 15, 2023, 6:00 p.m.

Members Present: Steve Bartolini, Margaret Louter, Angelo Miniaci, Eric Lehtinen,
Allan Killin

Members Absent: Paul Johnston

Staff Present: Mark Iamarino, Natalie Thomson

1. CALL TO ORDER

Chair Eric Lehtinen called the meeting to order and confirmed quorum at 6:00 p.m.

2. ADOPTION OF AGENDA

Moved by Margaret Louter that the agenda be adopted, as presented.

3. CONFLICT OF INTEREST

Angelo Miniaci declared an interest for Minor Variance Application A-17/23 287 Tanbark Road due to living in close proximity to the subject lands and being familiar with details regarding the application.

4. REQUEST FOR WITHDRAWAL OR ADJOURNMENT

There were no requests.

5. APPLICATIONS

5.1 Minor Variance Application A-09/23 – 1607 Four Mile Creek Road, CDS-23-138

Natalie Thomson summarized the notice.

Mark Iamarino summarized the staff report.

Michael Allen (agent) was present on behalf of the application. Michael explained the work that has been done to address amenity space since this application was last heard in April.

The Chair called on those registered to speak in support of the proposal. There was no one in the audience who wished to speak for the application.

The Chair called on those registered to speak against the application. There was no one in the audience who wished to speak against the application.

The Committee discussed the application in regards to the proposed amenity area and commented that the new proposal was a reasonable approach to move forward with.

Moved by: Steve Bartolini

that Minor Variance Application A-09/23, as amended, for 1607 Four Mile Creek Road be approved.

The following Committee members noted approval:

Angelo Miniaci

Steve Bartolini

Margaret Louter

Allan Killin

Eric Lehtinen

Decision: Granted.

Reasons: The Committee of Adjustment agrees with the minor variance report analysis and recommendation that this application meets the four Planning Act tests for minor variance:

1. The variance is minor in nature.
2. The variance is appropriate for the development of the land.
3. The general intent and purpose of the Zoning By-law is maintained.
4. The general intent and purpose of the Official Plan is maintained.

The Chair summarized the decision.

APPROVED

5.2 Minor Variance Application A-16/23 – 513 Gate Street, CDS-23-117

Natalie Thomson summarized the notice.

Mark Iamarino summarized the staff report.

Andrew Hellwig (agent) was present on behalf of the application. Andrew noted that the applicants acknowledge the merits set out in the staff report.

The Chair called on those registered to speak in support of the proposal. There was no one in the audience who wished to speak for the application.

The Chair called on those registered to speak against the application. There was no one in the audience who wished to speak against the application.

The Committee discussed the application.

Moved by: Angelo Miniaci

that Minor Variance Application A-16/23 for 513 Gate Street be approved.

The following Committee members noted approval:

Angelo Miniaci

Steve Bartolini

Margaret Louter

Allan Killin

Eric Lehtinen

Decision: Granted.

Reasons: The Committee of Adjustment agrees with the minor variance report analysis and recommendation that this application meets the four Planning Act tests for minor variance:

1. The variance is minor in nature.
2. The variance is appropriate for the development of the land.
3. The general intent and purpose of the Zoning By-law is maintained.

4. The general intent and purpose of the Official Plan is maintained.

The Chair summarized the decision.

APPROVED

5.3 Minor Variance Application A-17/23 – 287 Tanbark Road, CDS-23-118

Angelo Miniaci left the meeting due to his declared conflict.

Natalie Thomson summarized the notice.

Mark Iamarino summarized the staff report and noted the previous variance request that was refused. Mark noted 2 letters of support that were received from the public.

Ken and Dianne Lamb (homeowners) were present on behalf of the application. Ken spoke about the history of the project.

The Chair called on those registered to speak in support of the proposal. There was no one in the audience who wished to speak for the application.

The Chair called on those registered to speak against the application. There was no one in the audience who wished to speak against the application.

The Committee discussed the merits of the carport and staff spoke about Urban Design guidelines in St. Davids.

Moved by: Margaret Louter

that Minor Variance Application A-17/23 for 287 Tanbark Road be approved.

The following Committee members noted approval:

Steve Bartolini

Margaret Louter

Eric Lehtinen

Decision: Granted.

Reasons: The Committee of Adjustment agrees with the minor variance report analysis and recommendation that this application meets the four Planning Act tests for minor variance:

1. The variance is minor in nature.
2. The variance is appropriate for the development of the land.
3. The general intent and purpose of the Zoning By-law is maintained.
4. The general intent and purpose of the Official Plan is maintained.

The Chair summarized the decision.

APPROVED

5.4 Minor Variance Application A-18/23 – 5 Westwood Court, CDS-23-119

Angelo Miniaci rejoined the meeting.

Natalie Thomson summarized the notice.

Mark Iamarino summarized the staff report.

Joseph De Fillips (agent) was present on behalf of the application.

The Chair called on those registered to speak in support of the proposal.

There was no one in the audience who wished to speak for the application.

The Chair called on those registered to speak against the application.

There was no one in the audience who wished to speak against the application.

The Committee discussed the application and provided feedback on moving or reducing the warehouse footprint to confirm with the zoning requirements. Joseph De Fillips explained that the warehouse was a pre-fabricated building so the scale and footprint could not be reduced.

Moved by: Angelo Miniaci

that Minor Variance Application A-18/23 for 5 Westwood Court be approved.

The following Committee members noted approval:

Angelo Miniaci

Steve Bartolini

Margaret Louter

Allan Killin

Eric Lehtinen

Decision: Granted.

Reasons: The Committee of Adjustment agrees with the minor variance report analysis and recommendation that this application meets the four Planning Act tests for minor variance:

1. The variance is minor in nature.
2. The variance is appropriate for the development of the land.
3. The general intent and purpose of the Zoning By-law is maintained.
4. The general intent and purpose of the Official Plan is maintained.

The Chair summarized the decision.

APPROVED

6. MINUTES FOR APPROVAL

The May 18, 2023 minutes were approved by unanimous consent.

7. NEW BUSINESS

Committee members Allan Killin and Margaret Louter delivered a brief presentation about their experiences at the 2023 OACA Conference. Topics included:

- Legislative changes
- Legal Non-Conforming uses in Ontario
- Guidelines for chairing a meeting
- Ask an expert: Lawyer edition
- Changes to the Conservation Authorities Act and potential impacts to local decision-making
- Planning Act removal of third-party appeals
- Appeal process
- Committee decision notices and providing reasoning

8. NEXT MEETING DATE

Thursday, July 20, 2023 at 6:00pm.

9. ADJOURNMENT

The meeting was adjourned at 7:30pm.

June 28, 2023

SUBJECT: Recommendations for Consideration from:
URBAN DESIGN COMMITTEE

MEMO TO: Council

FROM: Denise Horne, Heritage Planner

The Urban Design Committee, at their meeting of June 28, 2023, recommended and approved the following for consideration by Council:

Item 8.1 325 King Street – OPA-01-2023 & ZBA-01-2023, CDS-23-150

Motion moved by Peter Neame, that the following recommendations be considered by staff and the applicant regarding 325 King Street - OPA-01-2023 & ZBA-01-2023, CDS-23-150:

1. The Urban Design Committee recommends that Staff and Council reject the proposed Official Plan and Zoning Bylaw amendments at this time.
2. The Urban Design Committee further recommends that Staff and Council carry out the required studies to define the need for and potential location of any new, designated commercial areas within NOTL Old Town, prior to asking for and/or considering specific development proposals for any particular site within such new, designated commercial areas;
3. Without prejudicing the results of any zoning or related planning studies which may address this particular site, the Urban Design Committee recommends that Staff take the following concerns into account when preparing their report to Council on this proposed development (a proposed hotel at 325 King Street
 - a) The required market/impact study (as per Official Plan section 10.4 Commercial Policies) has not been submitted;
 - b) The proposed development is not consistent with the Official Plan, which requires that developments should be compatible with:
 - ‘existing and planned land uses...in the surrounding neighborhood’
 - ‘existing and/or planned densities in the surrounding neighborhood’
 - ‘existing and/or planned height and massing of buildings within the surrounding neighborhood’
 - and have ‘an effective transition in built form between areas of different densities and scale’

c) The massing of the proposed hotel is too large, and inappropriate for the location within the surrounding neighbourhood and related hierarchy.

d) The height proposed is also inappropriate for the location, and much greater than current requirements.

e) No formal parking study has been done, and the proposed amount of parking appears to be quite inadequate given the numbers of guests, hotel staff and visitors for the associated facilities.

f) No formal landscaping plan has been prepared, and the limited information on the site plan is inadequate to properly assess what is planned.

4. The Urban Design Committee further recommends that Council require Staff to ensure that development proposals are complete, with all required documentation, before being subject to the process of public consultation, advisory committee review and Staff review, prior to submission to Council for review and decision.

APPROVED

Item 8.2 6.1 Melville Street – OPA-02-2023 & ZBA-04-2023, CDS-23-135

Motion moved by Peter Neame, that the following recommendations be considered by staff and the applicant regarding 61 Melville Street - OPA-02-2023 & ZBA-04-2023, CDS-23-135:

1. Consider adding additional parking with two parking spots per unit;
2. Reconsider the tree choice and consider appropriate trees in the landscaping; and
3. Consider commercial mixed-use designation of land for the first floor of the building.

APPROVED

Appendix I – 325 King Street – OPA-01-2023 & ZBA-01-2023, CDS-23-150

Appendix II - 61 Melville Street – OPA-02-2023 & ZBA-04-2023, CDS-23-135



URBAN DESIGN COMMITTEE MEETING MINUTES

June 28, 2023, 5:00 p.m.

Members Present: Councillor Wendy Cheropita - Chair, Peter Neame - Vice-Chair, Allan Killin, David Snelgrove, Chrys Kaloudis, Victoria Morley

Members Absent: Mira Young

Staff Present: Denise Horne - Heritage Planner, Erica Pretty - Administrative Assistant, Shaunna Arenburg - (A) Town Clerk

1. CALL TO ORDER

The meeting was called to order by Wendy Cheropita, Chair at 5:00 p.m.

2. ADOPTION OF AGENDA

Peter Neame and Denise Horne suggested amendments to the Agenda.

Moved by Peter Neame that the Agenda be adopted with an additional discussion regarding clarification of committee member communications in advance of meetings and to present the Temporary Patio Program as the last order of business.

APPROVED

3. CONFLICT OF INTEREST

There were none.

4. PREVIOUS MINUTES

Moved by David Snelgrove that May 24, 2023, minutes were received.

APPROVED

5. PRESENTATIONS

There were none.

6. ANNOUNCEMENTS

There were none.

7. CORRESPONDENCE

Moved by Chrys Kaloudis that the correspondence be received.

8. BUSINESS

8.1 Urban Design Review – 325 King Street - OPA-01-2023 & ZBA-01-2023, CDS-23-150

Denise Horne presented on 325 King Street (former Parliament Oak School site) on behalf of Mark Iamarino.

The Architect for the project, Peter J Lesdow, presented a summary of the project.

The Committee reviewed the attached materials submitted as part of the applications for Official Plan Amendment and Zoning By-law Amendment for a proposed hotel at 325 King Street and provided comments on zoning requirements, massing and height of the building, parking and landscaping.

The main comments of the Committee pertained to inadequate parking for guests, hotel staff and visitors, the height of the building is out of scale with the surrounding area, massing and shadowing is a concern, more trees required to buffer potential noise around the perimeter of the property, and concerns about the proposed change to commercial use.

Motion moved by Peter Neame, that the following recommendations be considered by staff and the applicant regarding 325 King Street - OPA-01-2023 & ZBA-01-2023, CDS-23-150:

1. The Urban Design Committee recommends that Staff and Council reject the proposed Official Plan and Zoning Bylaw amendments at this time.
2. The Urban Design Committee further recommends that Staff and Council carry out the required studies to define the need for and potential location of any new, designated commercial areas within NOTL Old Town, prior to asking for and/or considering specific development proposals for any particular site within such new, designated commercial areas;

3. Without prejudicing the results of any zoning or related planning studies which may address this particular site, the Urban Design Committee recommends that Staff take the following concerns into account when preparing their report to Council on this proposed development (a proposed hotel at 325 King Street

a) The required market/impact study (as per Official Plan section 10.4 Commercial Policies) has not been submitted;

b) The proposed development is not consistent with the Official Plan, which requires that developments should be compatible with:

- 'existing and planned land uses...in the surrounding neighborhood'
- 'existing and/or planned densities in the surrounding neighborhood'
- 'existing and/or planned height and massing of buildings within the surrounding neighborhood'
- and have 'an effective transition in built form between areas of different densities and scale'

c) The massing of the proposed hotel is too large, and inappropriate for the location within the surrounding neighbourhood and related hierarchy.

d) The height proposed is also inappropriate for the location, and much greater than current requirements.

e) No formal parking study has been done, and the proposed amount of parking appears to be quite inadequate given the numbers of guests, hotel staff and visitors for the associated facilities.

f) No formal landscaping plan has been prepared, and the limited information on the site plan is inadequate to properly assess what is planned.

4. The Urban Design Committee further recommends that Council require Staff to ensure that development proposals are complete, with all required documentation, before being subject to the process of public consultation, advisory committee review and Staff review, prior to submission to Council for review and decision.

APPROVED

8.2 Urban Design Review – 61 Melville Street – OPA-02-2023 & ZBA-04-2023, CDS-23-135

Planner II, Aimee Alderman, presented on 61 Melville Street.

The architect for the project, Wayne Murray, presented and summarized the project on behalf of the applicant.

The Committee reviewed the attached materials submitted as part of the applications for Official Plan Amendment and Zoning By-law Amendment for a proposed residential apartment building at 61 Melville Street and provided comments on zoning, mass, scale, shadowing and percent lot coverage of the building, landscaping, snow removal, garbage removal, amount of parking, provision for electric vehicles charging stations, and parking security and sidewalks.

The main comments of the Committee pertained to inadequate parking spaces, appropriate choice of trees (in particular the use of *Pyrus calleryana*, an invasive species) and commercial mixed-use designation of land for the first floor of the building.

Motion moved by Peter Neame, that the following recommendations be considered by staff and the applicant regarding 61 Melville Street - OPA-02-2023 & ZBA-04-2023, CDS-23-135:

1. Consider adding additional parking with two parking spots per unit;
2. Reconsider the tree choice and consider appropriate trees in the landscaping; and
3. Consider commercial mixed-use designation of land for the first floor of the building.

APPROVED

8.3 Request for Comments – Temporary Patio Program Review, CDS-23-136

Planner II, Aimee Alderman, presented on the Temporary Patio Program Review.

The Urban Design Committee provided feedback on the existing parameters of the Temporary Patio Program regarding lighting, use of wood, flowers, umbrellas and overall consistent design standards.

The main comments of the Committee pertained to the use of warm coloured lighting, prohibiting rough frame timber, planting boxes as a

requirement, black umbrellas being prohibited (they attract too much heat from the sun) and a need for consistent design standards.

Motion moved by Victoria Morley, that the following recommendations be considered by staff regarding the Temporary Patio Program Review, CDS-23-136:

1. Lighting will be of warm colours around 2700 Kelvin;
2. Use of rough framed timber is prohibited (no rough 2x4s);
3. Decorative free-standing flower pots or planting boxes are required;
4. Black umbrellas prohibited; and
5. Consistent design standards are developed.

APPROVED

9. NEW BUSINESS

9.1 Clarification of Committee Member Communications

Town Staff answered questions regarding the Town's Procedure By-law, and the parameters around communications with a majority of Committee members. Quorum and the rules regarding members meeting and communicating outside of established meeting times were clarified and discussed.

10. NEXT MEETING DATE

July 26, 2023 at 5:00 p.m.

11. ADJOURNMENT

Adjournment unanimously took place at 8:31 p.m.



Town of Niagara-on-the-Lake

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REPORT #: CDS-23-150 **COMMITTEE DATE:** 2023-06-28
REPORT TO: Urban Design Committee **DUE IN COUNCIL:** N/A
SUBJECT: Urban Design Review – 325 King Street - OPA-01-2023 & ZBA-01-2023
Proposed 4-Storey, 129-Room Hotel Development

1. RECOMMENDATION

It is respectfully recommended that:

- 1.1 The Committee review the attached materials submitted as part of the applications for Official Plan Amendment and Zoning By-law Amendment for a proposed hotel at 325 King Street and provide comments on massing, scale and height, setbacks, landscaping, parking, circulation and other matters related to urban design.

2. PURPOSE

Applications have been received for an Official Plan Amendment and Zoning By-law Amendment to permit a 19-metre tall, 129-room hotel with a restaurant and patio, spa and personal services, banquet/conference facilities, and associated retail uses.

The Official Plan Amendment proposes to redesignate the subject lands from “Open Space & Community Facilities” to “General Commercial” with site-specific exemptions related to the orientation of the hotel, location of access driveways and loading areas, screening and landscaping, and the requirement for a cultural heritage impact assessment.

The Zoning By-law Amendment proposes to rezone the subject lands from “Institutional (I) Zone” to “General Commercial (GC) Zone” with site-specific provisions related to the permitted uses, maximum area of the proposed restaurant patio, lot frontage, lot area, lot coverage, landscaped open space, setbacks, building height, prohibition of amplified noise, parking and loading spaces, and encroachments.

The application submission included draft renderings, site plans, floor plans, and building elevations (attached as **Appendix I** to this report); Shadow Study (attached as **Appendix II**); Arborist Report and Tree Inventory (attached as **Appendix III**); Draft Official Plan Amendment (attached as **Appendix IV**); and Draft Zoning By-law Amendment (attached as **Appendix V**).

The required Public Meeting under the *Planning Act* for the Official Plan Amendment and Zoning By-law Amendment was held at Council on May 9, 2023. There have been no decisions made on the applications. The applicant is appearing before the Urban Design Committee (the “UDC”) to receive comments on the proposal related to urban design matters.

An application for Site Plan Approval would be required in the future to permit the proposed hotel. Some design elements of the proposal may not directly relate to the current applications

for Official Plan Amendment and Zoning By-law Amendment. There may be opportunities for further refinement through the Site Plan Approval process.

3. BACKGROUND

3.1 Site Description and Surrounding Land Use

The subject lands are known as 325 King Street, comprising an entire block bound by Regent Street on the west, Gage Street on the north, Centre Street on the south and King Street on the east. The subject lands are within the Urban Area of Old Town. A location map of the subject lands is shown in **Figure 1**.



Figure 1: The subject lands are outlined in red

The subject lands have an area of 4.07 acres and contain the former Parliament Oak Public School. Surrounding lands contain residential and open space (park) uses. The Queen Street commercial area is located two blocks to the north. The Pillar and Post Spa and Hotel is located two blocks to the south.

4. DISCUSSION / ANALYSIS

4.1 Applicable Official Plan Policies Related to Urban Design

The relevant policies related to urban design contained in the Town's Official Plan (OP) and the General Commercial (GC) Zoning By-law regulations are provided in **Appendix VI** to this report for reference.

The Growth Management Policies of the OP provide applicable urban design policies, land use compatibility criteria and development criteria for proposed redevelopment. The OP does not include criteria to guide the architectural style of development, but rather focuses on the built form, including massing and scale, height, setbacks, and other matters such as landscaping/screening, traffic and pedestrian circulation/connectivity, and parking. A diversity of building styles, materials and colours are supported.

The OP encourages the development of healthy neighbourhoods. The redevelopment of brownfield sites is encouraged, along with compact development, and a mix of uses where redevelopment is consistent with the heritage and character of the area. The OP includes a number of urban design and land use compatibility criteria to guide development to achieve a high quality of design and compatibility with surrounding uses.

The OP states that the Town consists of low-rise buildings in a small-town setting with numerous historic buildings. Further, traditionally, the building height has not generally exceeded 11 metres, and for the most part, the existing low-rise character should be maintained. The OP also recognizes that it is possible to consider a variety of built forms that will complement the existing character.

Commercial development should be distributed in an orderly fashion, and scattered commercial development is discouraged. Commercial development is to be directed to appropriate locations and should not intrude into residential areas. Impacts from commercial develop on surrounding land uses should be minimized.

4.2 Discussion

The applicant has indicated that the hotel has been designed in a Second Empire style and draws inspiration from two local examples in close proximity to the subject lands, including the Prince of Wales Hotel.

The applicant noted that the hotel also resembles the former residence of Josiah Plumb that once existed on the subject lands. The Plumb residence was a three-storey brick building with a mansard roof, arched dormers, and large porch.

The architect who designed the proposed hotel stated that the proposed hotel incorporates high quality materials and offers more formal façade details to reflect its prominence and use.

4.2.1 Massing, Scale, and Height

The proposed hotel exceeds the massing, scale and height of the surrounding single-detached dwellings. However, the subject lands contain a former school building which has a large massing and scale compared to the surrounding single-detached dwellings. The proposed hotel is four-storeys in height, whereas the former school building is 1-2 storeys in height. There are limited examples of four-storey buildings in Old Town.

The applicant has identified examples in Town where existing hotels are sited in close proximity to surrounding residential uses and have existed harmoniously for a long time, such as the Prince of Wales, Pillar and Post, Queen's Landing, and Oban Inn. Although these hotels vary in scale, height, and location, the buildings have narrow setbacks to lot lines and are within or adjacent to residential neighbourhoods. The applicant has noted that the subject

lands are able to accommodate additional massing and height because the subject lands are a four-acre block surrounded by streets on all sides, with significant setbacks provided between the proposed hotel and surrounding residential uses. Setbacks are discussed more in the following sections.

The application has noted several other strategies to reduce the overall massing of the proposed hotel. The applicant has indicated that the additional height is proposed so that the hotel could be developed with a more compact form to reduce façade exposure and maintain greater setbacks from surrounding residential uses. A mansard roof is proposed to avoid additional roof height and lower the roof profile. The hotel is designed with a U-shaped floor plan with a courtyard/terrace at the rear to break-up the rear façade. The side facades include one-storey components with terraces and the front facade includes a one-storey porte cochere.

The Shadow Study demonstrates that shadows would be contained to the subject lands.

Staff request the Committee's input on the massing, scale and height of the proposed hotel and the strategies outlined by the application.

4.2.2 Setbacks

The proposed hotel does not provide any transition between adjacent residential uses, however, the proposed setbacks are generous. The front yard setback (King Street) is 26.8 metres to the main four-storey façade of the proposed hotel and 13.5 metres to the one-storey porte cochere. The former school building has a front yard setback greater than 13 metres to the main entrance area and 8.9 metres to the gymnasium.

The proposed hotel has side yard setbacks to the one-storey terraces of 23.0 metres on the southerly side and 24.4 metres on the northerly side. The four-storey main façade of the hotel has side yard setbacks of 32.5 metres on the southerly side and 31.6 metres on the northerly side. The former school building has side yard setbacks of approximately 8.5 metres to the gymnasium on the southerly side and 48.5 metres to northerly side.

The rear yard setback (Regent Street) to the proposed hotel is 50.0 metres. The existing school has a rear yard setback of 57.0 metres.

Staff request input from the Committee regarding the proposed setbacks.

4.2.3 Landscaping

The Arborist Report and Tree Inventory identifies a number of mature trees on the subject lands. There is a large oak tree located at the southeast corner of the proposed hotel. The applicant has indicated that the large oak tree influenced the siting of the proposed hotel so the oak tree could be retained. Healthy mature trees located at the rear of the hotel and around the perimeter of the subject lands would also be retained.

The draft site plan also indicates that numerous gardens and flower beds would be planted around the hotel, in front of the loading/delivery and waste collection areas, on and around the terraces, in front of the porte cochere, and along the pedestrian pathway leading to the main

entrance. Numerous new trees would also be planted around the perimeter of the subject lands.

A large landscape feature is shown adjacent to the rear terrace with a pathway leading to a monument. The monument is proposed to contain the stone bas relief carvings located on the former school building. Staff understand that the bas relief carvings would be publicly accessible and visible along Regent Street. A low fence with stone piers is proposed around the perimeter of the subject lands to the rear of the proposed hotel. The two existing historic markers located along King Street would retain in their current locations.

A draft Landscape Plan has not been submitted with the applications for Official Plan Amendment and Zoning By-law Amendment, however, the draft site plan indicated numerous landscaped details. A detailed Landscape Plan would be required with the submission of an application for Site Plan Approval.

Staff request the Committee's input on the proposed landscaping.

4.2.4 Parking and Circulation

Two driveway entrances are proposed along King Street providing access to the front entrance of the hotel, two small surface parking areas (short term - check-in/drop-off) and an underground parking area. The proposal includes 197 parking spaces in total (8 above ground and 189 underground). The applicant provided a Parking Review Technical Memo to support a proposed reduction in the number of required parking spaces. Staff will review the memo to determine if sufficient parking is provided. There are separate driveways proposed on Centre Street and Gage Street providing access to service and delivery areas.

Sidewalks are required to be constructed around the perimeter of the subject lands. A walkway is proposed to connect the sidewalk to the front entrance along King Street.

The main access to the site is provided via a circular driveway along King Street which provides access to the underground parking area.

Staff request input from the Committee regarding parking and site circulation.

5. STRATEGIC PLAN

The content of this report supports the following Strategic Plan initiatives:

Pillar(s)

1. Protect Distinctive Community Assets
2. Deliver Smart Balanced Growth

Objective(s)

- 1.1 Preserve unique community elements
- 2.2 Develop smart, balanced growth

6. OPTIONS

The Committee may provide urban design related comments on the proposal, and/or request a subsequent review after potential revisions are made in consideration of Committee recommendations or at the Site Plan Approval stage.

7. FINANCIAL IMPLICATIONS

There is no fee for UDC Review and Staff review and administrative costs are borne by the Town. The applicant is responsible for all costs related to any future development.

8. ENVIRONMENTAL IMPLICATIONS

Any issues related to environmental matters are addressed throughout this report.

9. COMMUNICATIONS

The Urban Design Committee Minutes will be forwarded to Council as part of the Information Package where all recommendations will be publicly available. The Committee's comments will be considered as part of Staff's review of the applications for Official Plan Amendment and Zoning By-law Amendment.

10. CONCLUSION

Staff request comments from the UDC on matters related to:

- massing, scale and height;
- setbacks;
- landscaping; and
- parking and circulation.

The UDC may also provide additional comments on any other matters related to urban design.

11. PREVIOUS REPORTS

- CDS-23-086 – Public Meeting – 325 King Street – Official Plan & Zoning By-law Amendments (OPA-01-2023 & ZBA-01-2023)

12. APPENDICES

- Appendix I – Draft Renderings, Site Plan, Floor Plan, Building Elevations
- Appendix II – Shadow Study
- Appendix III – Arborist Report and Tree Inventory
- Appendix IV – Draft Official Plan Amendment (OPA)
- Appendix V – Draft Zoning By-law Amendment (ZBA)
- Appendix VI – Relevant Official Plan Policies and Zoning Requirements

Respectfully submitted:



Mark Iamarino, MCIP, RPP
Senior Planner



Town of Niagara-on-the-Lake

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REPORT #: CDS-23-135 **COMMITTEE DATE:** 2023-06-28
REPORT TO: Urban Design Committee **DUE IN COUNCIL:** N/A
SUBJECT: Urban Design Review – 61 Melville Street – OPA-02-2023 & ZBA-04-2023
Proposed 3-Storey, 12-Unit Apartment Condominium Building

1. RECOMMENDATION

It is respectfully recommended that:

- 1.1 The Committee review the attached materials submitted as part of the applications for Official Plan Amendment and Zoning By-law Amendment for a proposed residential apartment building at 61 Melville Street and provide comments on setbacks, landscaping and screening, massing, scale and transition, and other matters related to urban design.

2. PURPOSE

Applications have been received for an Official Plan Amendment and Zoning By-law Amendment for a proposed apartment building containing 12 residential units with a height of 12.0 metres on the subject lands. The Official Plan Amendment proposes a “Medium Density Residential” designation with no site-specific exemptions, to facilitate the proposed development. The Zoning By-law Amendment proposes to rezone the lands from a “Marine Commercial (MC) Zone” to a “Residential Multiple 1 (RM1) Zone” with site-specific provisions related to lot coverage, landscaped open space, front yard setback, interior and exterior side yard setbacks, amenity area, outdoor parking area setback and covered porches and entrance steps.

The application submission included a draft site plan, landscape plan, floor plans and architectural drawings, and building renderings (attached as **Appendix I** to this report). The applicant has also submitted a proposed draft zoning by-law amendment (attached as **Appendix IV**)

The required Public Meeting under the *Planning Act* for the Official Plan Amendment and Zoning By-law Amendment was held at Council on June 13, 2023. There have been no decisions made on the applications. The applicant is appearing before the Urban Design Committee (the “UDC”) to receive comments on the proposal related to urban design matters.

An application for Site Plan Approval would be required in the future to permit the proposed development. Some design elements of the proposal may not directly relate to the current applications for Official Plan Amendment and Zoning By-law Amendment. Therefore, there may be opportunities for further refinement through the Site Plan Approval process.

3. BACKGROUND

3.1 Site Description and Surrounding Land Use

The subject lands are located on the west side of Melville Street, the north side of Delater Street and the south side of Lockhart Street within the Urban Area of Old Town. A location map of the subject lands is shown in **Figure 1**.



Figure 1: Location of the subject lands outlined in red.

The subject lands have an area of 1,746 square metres (0.43 acres) and currently contain a two-storey building formerly used as an Inn, and associated asphalt parking area. **Figure 2** and **Figure 3** provide photographs of the subject lands.



Figure 2: Subject lands.



Figure 3: Subject lands.

The subject lands are not listed on the Town's Municipal Heritage Register or designated under the *Ontario Heritage Act*, however, are located adjacent to a listed heritage property (115 Delater Street). With the applications, a Heritage Impact Assessment and Stage 1-2 Archaeological Assessment were submitted. Town Staff continues to review the cultural heritage potential of the subject lands and is consulting with the Municipal Heritage Committee at a future meeting date.

The surrounding lands include residential, hotel and marine-related uses. Existing residential uses along Delater Street include single-detached dwellings ranging between one and two storeys. The Harbour House Hotel, located at the southwest corner of Delater Street and Melville Street, directly to the south of 61 Melville Street, provides three storeys above ground level. The existing residential uses along the south side of Lockhart Street include single-detached dwellings that range between one and two storeys; the residential uses along the north side of Lockhart Street include condominium residential units that are three storeys in height. Marine-related uses, including the Niagara-on-the-Lake Sailing Club, are located to the east of the lands at 61 Melville Street.

4. DISCUSSION / ANALYSIS

4.1 Applicable Official Plan Policies Related to Urban Design

The relevant policies related to urban design contained in the Town's Official Plan (OP) and Zoning By-law 4316-09, as amended, are provided in **Appendix II** to this report for reference.

The OP permits the development of apartment buildings subject to various policies. The OP includes a number of urban design and land use compatibility criteria to guide development to achieve a high quality of design and compatibility with surrounding uses.

The Growth Management Policies of the OP provide applicable urban design policies, land use compatibility criteria and development criteria for proposed residential infill development. The OP does not include criteria to guide the architectural style of development, but rather focuses on the built form, including lot frontage/area, massing and scale, height, setbacks, building orientation, and other matters such as landscaping/screening, traffic and pedestrian circulation/connectivity, and parking. A diversity of building styles, materials and colours are supported. The OP further recognizes that it is possible to consider a variety of housing forms that will complement the existing character.

The subject lands are located within the 'Deferred Area' of the Dock Area Secondary Plan (Schedule B8), meaning that the policies of the Secondary Plan are not in force or effect for these lands. While the urban design policies and guidance of the Dock Area Secondary Plan are not required to be implemented for the proposed development, the proposal should demonstrate urban design alignment, where feasible, with the Dock Area Secondary Plan. The Secondary Plan policies related to the design of the site and proposed building are included in **Appendix III** to this report for reference.

4.2 Discussion

4.2.1 Setbacks

Buildings within the surrounding area have a range of front yard, side yard, and rear yard setbacks. Buildings within the area include single-detached dwellings, a residential condominium building, and a hotel. The front yard setbacks for the single-detached dwellings along Lockhart Street and Delater Street range from 0.5 metres to 7.0 metres. The Harbour House Hotel provides for a 2.5 metre setback from Ricardo Street, 0.0 metre setback to Melville Street, and a landscape buffer ranging from 2.5 metres to 4.7 metres to adjacent existing single-detached dwellings. The residential condominium building to the north of the subject property provides for minimal to no setback from Melville Street, River Beach Drive, and the rear lot line.

The proposed apartment building provides a minimum front yard (Melville Street) setback of 2.0 metres to the building face, and 0.6 metres to the covered porch entry; a minimum interior side yard setback of 1.5 metres; and a minimum exterior side yard setback of 1.0 metres. A setback of 0.3 metres to the uncovered surface parking area to the exterior side lot line is also requested. The proposed rear yard setback of the apartment is 7.5 metres; however, the proposed surface parking is located approximately 1.0 metres from the rear lot line.

Given that the surrounding lands are comprised of residential buildings ranging in height from one storey to three storeys, as well as various setbacks, Staff request input from the UDC with respect to building setbacks to ensure compatibility with surrounding existing and permitted uses.

4.2.2 Landscaping & Screening

The subject lands are occupied by an existing parking area and a commercial building; some periphery landscaping is provided in the form of a hedge along Delater Street and some trees along the rear property line abutting the residential dwellings along Delater Street and Lockhart Street. A Landscape Plan was submitted with the applications and proposes the planting of 17 deciduous trees, 3 coniferous trees, 100 deciduous and coniferous shrubs, and a range of grasses and perennials on the subject lands. Landscaping is proposed to screen the surface parking area from Delater Street and the residential dwellings to the north, as well as to provide a buffer from the proposed building. Landscaping is also proposed between the proposed building and municipal sidewalk along Melville Street, including the provision of street trees. Approximately 21% of the subject lands will be used for landscaping.

Two of the six types of the proposed trees are listed as preferred species in the Town's Urban Tree By-law (5139-19, as amended), including Sugar Maple and Pin Oak. Decorative metal fencing is proposed along the Delater Street frontage, and wood fencing is proposed along the rear property line.

Staff request comments from the UDC regarding landscaping and screening.

4.2.3 Massing, Scale & Transition

Surrounding buildings vary in massing and scale and contain small bungalows, condominium apartment units, and a hotel. These buildings range in height from one storey to three-storeys

at grade. The massing and scale of the apartment building is greater than the surrounding single-detached dwellings, however, is similar to the existing condominium apartment building to the north and hotel to the south. The proposed height of the building satisfies the standard requirement of the Residential Multiple (RM1) Zone (maximum permitted height is 12.0 metres). The OP directs that transition in built form will act as a buffer between proposed development and existing uses, and should be provided through appropriate massing, architectural design, and siting.

Staff request input from the UDC with respect to the massing, scale and transition of the proposed building, and request feedback on any design strategies to address the overall massing and/or potential impacts on the surrounding area and uses.

5. STRATEGIC PLAN

The content of this report supports the following Strategic Plan initiatives:

Pillar(s)

1. Protect Distinctive Community Assets
2. Deliver Smart Balanced Growth

Objective(s)

- 1.1 Preserve unique community elements
- 2.2 Develop smart, balanced growth

6. OPTIONS

The Committee may provide urban design related comments on the proposal, and/or request a subsequent review after potential revisions are made in consideration of Committee recommendations or at the Site Plan Approval stage.

7. FINANCIAL IMPLICATIONS

There is no fee for UDC Review and Staff review and administrative costs are borne by the Town. The applicant is responsible for all costs related to any future development.

8. ENVIRONMENTAL IMPLICATIONS

Any issues related to environmental matters are addressed throughout this report.

9. COMMUNICATIONS

The Urban Design Committee Minutes will be forwarded to Council as part of the Information Package where all recommendations will be publicly available. The Committee's comments will be considered as part of Staff's review of the applications for Official Plan Amendment and Zoning By-law Amendment.

10. CONCLUSION

Staff request comments from the UDC on matters related to:

- massing and scale;
- setbacks; and
- landscaping and screening

11. PREVIOUS REPORTS

- CDS-23-111 – Public Meeting Information Report, 61 Melville Street, Official Plan & Zoning By-law Amendments (OPA-02-2023 & ZBA-04-2023)

12. APPENDICES

- Appendix I – Draft Site Plan, Landscape Plan, Architectural Drawings and Renderings
- Appendix II – Relevant Official Plan Policies and Zoning By-law Requirements
- Appendix III – Dock Area Secondary Plan Urban Design Policies
- Appendix IV – Draft Zoning By-law Amendment

Respectfully submitted:

Prepared by:

A handwritten signature in black ink, appearing to read 'Aimee Alderman', with a stylized flourish at the end.

**Aimee Alderman, MCIP, RPP
Planner II**

July 12, 2023

SUBJECT: Recommendations for Consideration from:
IRRIGATION COMMITTEE MEETING MINUTES

MEMO TO: Council

FROM: Cheryl Lootsma - Administrative Assistant Operations

The Irrigation Committee, at their meeting of July 12, 2023, recommended and approved the following for consideration by Council:

Item 8.1 Pump Status Update

Motion moved by Vice-Chair Councillor Erwin Wiens that the Town proceed with the replacement of the check valve at an estimated cost of \$4000.

APPROVED



IRRIGATION COMMITTEE MEETING MINUTES

July 12, 2023, 2:00 p.m.

Members Present: Kevin Buis - Chair, Councillor Erwin Wiens - Vice-Chair, Michael Kauzlaric, Kurt Neumann, Rob Enns, George Lepp, Aaron Oppenlander

Staff Present: Brandon Enns - Drainage & Irrigation Superintendant , Cheryl Lootsma - Administrative Assistant Operations

Staff Absent: Rome D'Angelo - Director of Operations, Darren MacKenzie - Manager Public Works

Others Present: Sarah Marshall - Ontario Tender Fruit
Craig Fowler - OMAFRA

1. CALL TO ORDER

Chair Kevin Buis called meeting to order at 2:06 P.M.

2. ADOPTION OF AGENDA

Brandon Enns added Meters to new business.

Chair Kevin Buis added change of Personnel to new business.

Moved by George Lepp that the agenda be adopted, as amended

APPROVED

3. CONFLICT OF INTEREST

No conflicts of interest.

4. PREVIOUS MINUTES

4.1 June 19, 2023

Moved by Vice-Chair Councillor Erwin Wiens that the previous minutes be adopted.

APPROVED

5. PRESENTATIONS

No presentations.

6. ANNOUNCEMENTS

No announcements were made.

7. CORRESPONDENCE

No correspondence.

8. BUSINESS

8.1 Pump Status Update

Brandon Enns provided update on pump status.

All pumps are operating as intended.

Whirlpool pumping station a gate valve has seized. Contractor was in to asses and recommended replacement. Check valve is needed to run the second pump, estimation for cost and labour to replaced is approximately \$4000.

Moved by Vice-Chair Councillor Erwin Wiens that the Town proceed with the replacement of the check valve at an estimated cost of \$4000.

APPROVED

ABL is running smoothly, after being shut down for a culvert installation.

The Town is working with Associated Engineering and the Region for the pump twin.

Dee Road - one pump running.

Hydro Canal - one pump running.

8.2 Four Mile Creek Maintenance OPS-23-010

Brandon Enns advised that the update is deferred to the next meeting.

The Committee discussed their partnership with the Town and some expressed that they would like to see strengthened communications between Staff and the Irrigation Community. The Committee requested that the update regarding the report from Town Staff be communicated to them as soon as possible.

Aaron Oppenlander joined the meeting at 2:08 pm.

9. NEW BUSINESS

9.1 Change of Personnel

- Brandon Enns advised Brett Ruck is no longer with the Town.
- Brandon Enns remains Irrigation and Drainage Superintendent.
- Darrin Wills is in the Acting Environmental Services Supervisor role.
- Committee requested for Darrin to attend a future meeting, for introductions.
- Brandon Enns to continue on Irrigation Committee of the Whole.
- Committee expressed their gratitude to Brett Ruck for his work over the years.

9.2 Meters

Brandon Enns discussed metering.

- Meters received from OMAFRA have digital totalizer that requires a battery, and the ones the Town received are currently not working and cannot be used at this time
- Grower that was using it as a trial advised that it is working great, doing what was expected.
- Investigating to see if batteries can be replaced or a solar panel can be used
- Craig Fowler offered his assistance

Brandon Enns advised that a representative from Everest Automation would like to meet with some growers along with a representative from AVB (another metering company).

9.3 OMAFRA Update

- Sarah Marshall advised that Staff and Regional participants along with OMAFRA, will host a delegation tour with Jodie Parmar from Canada Infrastructure Bank on Tuesday July 18. Participants from all levels of Government to attend.
- Intention to fund engineering study Lincoln/St. Catharines proposed areas.

- Chair Kevin Buis requested to be added on Niagara sector of tour.
- Kurt Neumann asked Vice Chair Erwin Wiens to mention Encore Ontario Report to delegation. Highlight that in 2019, Niagara wine sector contributed just over \$1 billion to Canada's GDP.

10. NEXT MEETING DATE

10.1 Wednesday, August 30 @ 2:00 P.M.

11. ADJOURNMENT

Moved by Chair Kevin Buis to adjourn meeting at 2:31 P.M.

APPROVED

July 12, 2023

SUBJECT: Recommendations for Consideration from:
MUNICIPAL HERITAGE COMMITTEE MINUTES

MEMO TO: Council

FROM: Denise Horne, Heritage Planner

The Municipal Heritage Committee, at their meeting of July 12, 2023, recommended and approved the following for consideration by Council:

Item 8.1 61 Melville Street – Review of Heritage Impact Assessment CDS-23-149

Motion moved by Amanda Demers that the following recommendations be considered by Council.

1.1.1 the installation of a plaque on the proposed building, or within the landscaped gardens, to acknowledge the history of the building that is proposed for demolition and its relationship to the larger historic Dock Area;

1.1.2 Juliet-type balconies are added to the north elevation (facing the waterfront) to enhance the historic relationship to the waterfront; and

1.1.3 Window treatment be included on the rear (west) elevation of the proposed building to encourage a relationship with the residential area of the Dock Area neighbourhood.

1.1.4 That natural stone skirting be utilized with split face natural rubble; and

1.1.5 Waste management plan be considered.

APPROVED

Appendix I – 61 Melville Street – Review of Heritage Impact Assessment – CDS-23-149



MUNICIPAL HERITAGE COMMITTEE MEETING MINUTES

July 12, 2023, 6:00 p.m.

Members Present: Drew Chapman - Chair, Amanda Demers - Vice Chair, Rita Trudeau, David Snelgrove, Brian Marshall, John Morley, Alexander Topps, Councillor Gary Burroughs

Members Absent: Councillor Tim Balasiuk

Staff Present: Denise Horne - Heritage Planner, Shannon Mista - Administrative Assistant

1. CALL TO ORDER

The meeting was called to order by Drew Chapman, Chair at 6:00 p.m.

2. ADOPTION OF AGENDA

Moved by Councillor Burroughs that the agenda be adopted as amended with the deferral of 325 King Street until the August 2, 2023, MHC meeting and with the addition of New Business 9.1 Proposal for a Pilot Program for Restoration and Protection of Two Ordnance Boundary Stones.

3. CONFLICT OF INTEREST

There were none.

4. PREVIOUS MINUTES

The June 7, 2023, minutes were received.

5. PRESENTATIONS

There were none.

6. ANNOUNCEMENTS

There were none.

7. CORRESPONDENCE

There were none.

8. BUSINESS

8.1 61 Melville Street - Review of Heritage Impact Assessment CDS-23-149

Denise Horne, Heritage Planner described the details of the Heritage Impact Assessment.

In attendance to represent the application were Ethan Laman from Upper Canada Consultants, Wayne Murray from Chapman Murray Architects and Dan Currie from MHBC, who briefly summarized the project, and answered a few questions.

The Committee reviewed the attached materials submitted as part of the review of the Heritage Impact Assessment for the suggested mitigation and conservation measures for the proposed development within the existing historic Dock Area neighbourhood.

Motion moved by Amanda Demers that the following recommendations be considered by Council.

1.1.1 the installation of a plaque on the proposed building, or within the landscaped gardens, to acknowledge the history of the building that is proposed for demolition and its relationship to the larger historic Dock Area;

1.1.2 Juliet-type balconies are added to the north elevation (facing the waterfront) to enhance the historic relationship to the waterfront; and

1.1.3 Window treatment be included on the rear (west) elevation of the proposed building to encourage a relationship with the residential area of the Dock Area neighbourhood.

1.1.4 That natural stone skirting be utilized with split face natural rubble; and

1.1.5 Waste management plan be considered.

APPROVED AS AMENDED

8.2 433 Regent Street - Heritage Permit Application Revised Drawing Submission (File No. HER-10-2023) - CDS-23-154

Denise Horne, Heritage Planner described the details of the Heritage Permit Application Revised Drawings Submission.

The homeowner Jonathan Sobol was present to answer questions on the application.

The Committee reviewed the attached materials submitted as part of the Heritage Permit Application Revised Drawings for the construction of a rear addition to the existing historic dwelling.

Motion moved by Councillor Burroughs that the committee is satisfied with the elevation drawings that have been put forward for 433 Regent Street - Heritage Permit Application - CDS-23-100 be approved.

APPROVED

8.3 Notice of Intent to Demolish - 325 King Street (Parliament Oak School) - Additional Information - CDS-23-158

Deferred until the August 2, 2023, MHC meeting.

8.4 Request for Comments - Cenotaph Restoration Plan CDS-23-148

Denise Horne, Heritage Planner described the details of the Cenotaph Restoration Plan.

The Committee reviewed the attached materials submitted as part of the review for the Cenotaph Restoration Plan.

The Committee had a discussion in detail and came up with the following recommendations to staff:

- Consider updating galvanized pipes;
- Consider opportunities for electronic donations;
- Consider removing parging on stone plinth at a future date;
- Staff should review the Town's Asset Management Plan to confirm that the Cenotaph is included.

APPROVED

9. NEW BUSINESS

9.1 Proposal for a Pilot Program for Restoration and Protection of Two Ordnance Boundary Stones

A motion was brought forward by David Snelgrove and Alexander Topps that a working group is started for the raising and restoration of two ordnance boundary stones.

The committee discussed and it was recommended that the Committee direct staff to set up a walking tour so that the committee can see the stones and get familiar with the history.

APPROVED

10. NEXT MEETING DATE

11. ADJOURNMENT

Adjournment unanimously took place at 8:06 p.m.



Town of Niagara-on-the-Lake

1593 Four Mile Creek Road
P.O. Box 100, Virgil, ON L0S 1T0
905-468-3266 www.notl.com

REPORT #: CDS-23-149
COMMITTEE DATE: 2023-07-12
DUE IN COUNCIL: 2023-07-25
REPORT TO: Municipal Heritage Committee
SUBJECT: 61 Melville Street - Review of Heritage Impact Assessment CDS-23-149

1. RECOMMENDATION

It is respectfully recommended that:

- 1.1 The Municipal Heritage Committee provide the following suggested mitigation and conservation measures for the proposed development at 61 Melville Street to encourage compatibility within the existing historic Dock Area neighbourhood:
 - 1.1.1 the installation of a plaque on the proposed building, or within the landscaped gardens, to acknowledge the history of the building that is proposed for demolition and its relationship to the larger historic Dock Area;
 - 1.1.2 the porthole (round) windows be removed and replaced with sash type windows that are representative of the specific historic character of the Dock Area, Georgian or Neo-classical in form and detail;
 - 1.1.3 Juliet-type balconies are added to the north elevation (facing the waterfront) to enhance the historic relationship to the waterfront; and
 - 1.1.4 Window treatment be included on the rear (west) elevation of the proposed building to encourage a relationship with the residential area of the Dock Area neighbourhood.

2. EXECUTIVE SUMMARY

- Planning Act Applications for Official Plan Amendment and Zoning By-law Amendment have been submitted for the property at 61 Melville Street (the “subject property”) to permit a medium density residential use in the form of a 3-storey residential building containing 12 units, with site-specific provisions related to lot coverage, landscaped open space, front yard setback, interior and exterior yard setbacks, amenity area, outdoor parking area setbacks, covered porches and entrance steps.
- A Cultural Heritage Impact Assessment (CHIA) assessing potential impacts to heritage resources was submitted with the applications, prepared by MHBC and dated March 2023.
- The CHIA concludes that there is heritage value associated with the subject property and the adjacent property at 115 Delater Street, but the proposed new development will not impact the heritage value of either property.
- Staff have suggested several mitigation and conservation measures to encourage compatible development within the Dock Area neighbourhood and to enhance the heritage value of the subject property and surrounding area.

3. PURPOSE

The purpose of this report is to provide advice to Staff regarding the conservation of cultural heritage resources with a proposed development on the subject lands at 61 Melville Street in the Dock Area and potential impacts to adjacent cultural heritage resources. Staff have reviewed the CHIA submitted with the development application for the subject property and have provided it for Committee's review (**Appendix I**).

4. BACKGROUND

4.1 Site Description and Surrounding Context

The subject property is located within the Dock Area neighbourhood in the Old Town urban area. The Niagara Harbour and Dock Company (the "NH&D Co.") opened in the 1830s and became a booming industry within the area, employing over 400 workers. It became one of the busiest ports and shipyards in what was then Upper Canada.

The subject property currently contains a circa 1890s two-storey structure that was formerly known as the King George Inn, and the "American Hotel" (see **Figure 1**). The HIA indicates that prior to the construction of the existing 1890s building, there was an earlier hotel building on the subject property at the south corner of Melville Street and Delater Street. The earlier hotel building was likely constructed after the NH&D Co. shut down in 1863.



Figure 1 – the waterfront and subject property behind, showing the existing building when it was the American Hotel.

The subject property has an area of 1,746 square metres (0.43 acres) and is bounded by streets on three sides: Lockhart Street at the north, Melville Street at the east and Delater Street at the south. Melville Street, and the subject property, are centrally located within the Town's Dock Area neighbourhood. Melville Street is one of the primary access roads to the

Dock Area and leads directly down to the waterfront. The view down Melville Street from Ricardo Street at the highest point down to the water at the lowest point, is identified as a “significant view” within the Dock Area Secondary Plan (see Dock Area Heritage Landscapes and Significant Views mapping in **Figure 2**). Significant views assist in understanding and respecting the area’s history and sense of place, and the Town is encouraged to protect significant views through height, side yard setbacks and appropriate landscaping requirements.

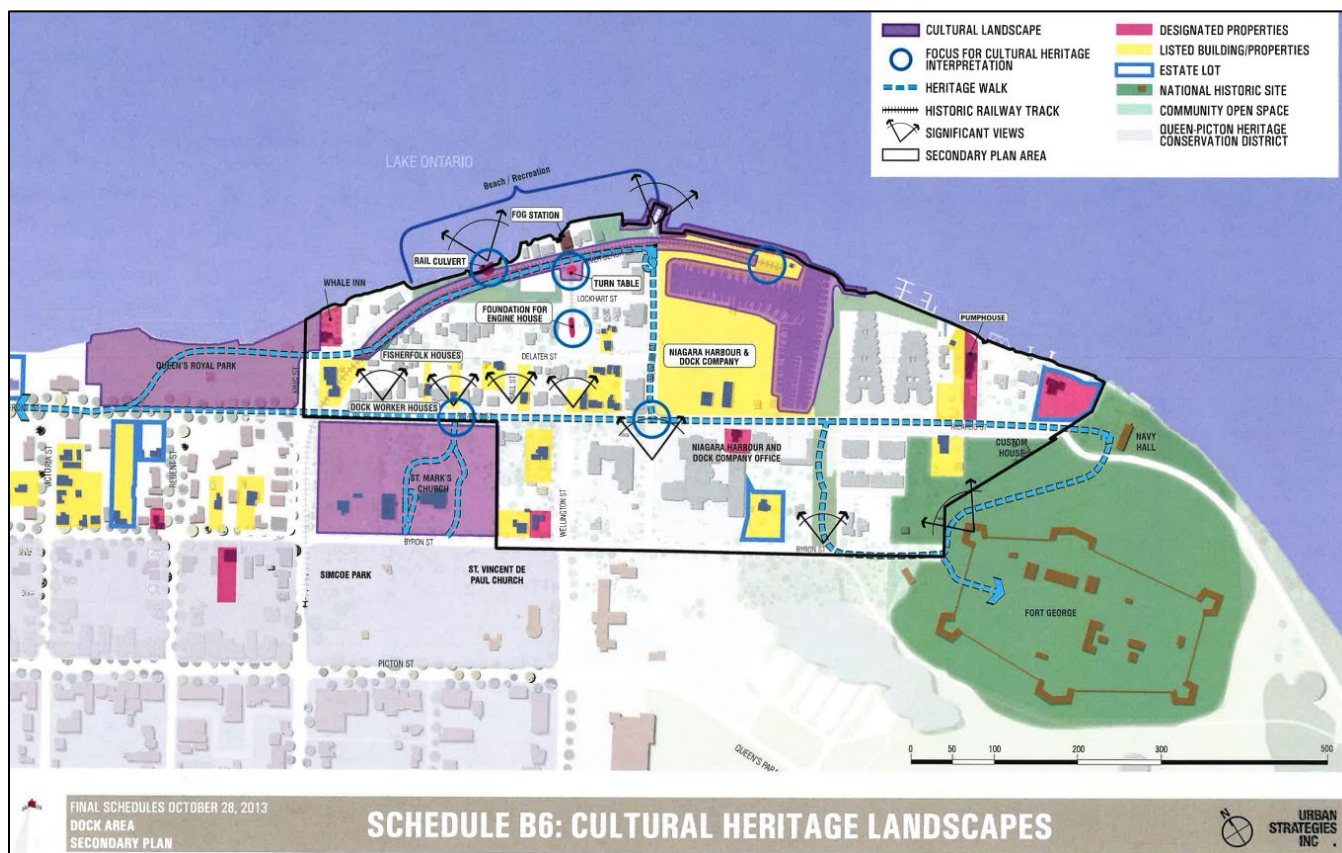


Figure 2 – Dock Area Secondary Plan showing significant views from the bluffs (arrows) and surrounding cultural heritage resources

Directly to the north of the subject property is the River Beach residential condominium development, which is of contemporary design and approximately 3 storeys in height. Further north is a public beach and dock area overlooking the Niagara River with views to Fort Niagara across the river. The streetscapes along Lockhart Street and Delater Street are defined by narrow streets with soft shoulders, grassed boulevards, mature trees and hedges and modest cottage-type dwellings set close to the street, as well as open spaces with views to the waterfront (**Figure 3** and **Figure 4**). The west terminus of Lockhart Street is anchored by an open boulevard which contains the remnant foundations of the former train engine house and further north along Turntable Way, the remnants of the former train turntable. The engine house and turntable, designated under Part IV of the OHA, are associated with the early Michigan Central Rail line, which ran down to service the wharf. To the east is the Niagara-on-

the-Lake Sailing Club marina, formerly the 19th century wharf and inner harbour for the NH&D Co. and for later (small-scale) commercial fishing operations.



Figure 3 – view along Lockhart Street toward Turntable Way



Figure 4 – View down Delater Street toward Melville Street

115 Delater Street, Listed Property

The property at 115 Delater Street is listed on the Town's Municipal Heritage Register of Properties of Cultural Heritage Value or Interest (the "Heritage Register"). The HIA indicates that the existing dwelling was constructed in place of an earlier dwelling that burned down prior to 1894. The heritage value of the dwelling resides in its architectural style and association with the NH&D Co. The HIA describes the cottage as a representative example of the Ontario Cottage in form and massing, but with little original material remaining on the exterior. The Town's draft character statement (attached as **Appendix II**) describes the dwelling as a Greek Revival style due to the Greek Revival inspired pediment over the central entrance which is now obscured by a front porch (see **Figure 5**). Even the modern front porch has door trim with a tympanum over the door frame. The dwelling is compatible and comparable to other dwellings in the Dock Area. Heritage Attributes include the clapboard siding, medium gable roof, projecting eaves with plain fascia, soffit and moulded frieze, double sash 6-over-6 windows, 6 panel door and centred entrance with three light flat transom and pediment.



Figure 5 – Cottage dwelling at 115 Delater Street with Greek Revival detail obscured by enclosed front porch addition

4.2 Policy Context

4.2.1 Provincial Policy Statement, 2020

The Provincial Policy Statement (PPS) provides the following policies in section 2.6 as it relates to conservation of built heritage resources, cultural heritage resources and archaeological resources:

2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.

2.6.3 Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.

The PPS defines the following:

Adjacent lands mean lands contiguous to a protected heritage property or as otherwise defined in the municipal official plan.

Built heritage resource refers to any listed or designated building, structure, monument, installation or any manufactured or constructed part or remnant that contributes to a property's cultural heritage value or interest as identified by a community.

Conserved means the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment that has been approved, accepted or adopted by the relevant planning authority and/or decision-maker. Mitigative measures and/or alternative development approaches can be included in these plans and assessments.

Cultural heritage landscape refers to any listed or designated defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Indigenous community. The area may include features such as buildings, structures, spaces, views, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association.

Heritage attributes means the principal features or elements that contribute to a protected heritage property's cultural heritage value or interest, and may include the property's built, constructed, or manufactured elements, as well as natural landforms, vegetation, water features, and its visual setting.

Protected heritage property refers to property designated under Parts IV, V or VI of the Ontario Heritage Act.

4.3 Town of Niagara-on-the-Lake Official Plan, 2017 Consolidation, as amended

The Town Official Plan (Town OP) provides objectives and policies for heritage resources in section 18.2 that encourage protection and preservation of heritage resources and good contemporary building design that use sympathetic forms but do not copy historic architecture. Design that is incompatible with existing buildings is discouraged.

4.4 Dock Area Secondary Plan

The Dock Area Secondary Plan forms part of the Town's OP and provides policies and design guidelines specific to the character and sense of place established within the Dock Area. However, the subject property falls within the "Deferred Area" of the Dock Area Secondary Plan, meaning the policies of the Dock Area Secondary Plan are not in force and effect for the subject property. The area was deferred by Town Council in November 2012. The policies and guidelines provide general guidance for compatible development but cannot be enforced.

Policies in section 3.1.1 encourage buildings to be sited to the public street frontage with a high level of architectural design on all facades oriented to public streets.

Section 3.1.2 'General Built Form and Massing', directs that buildings have low profile roofs with distinctive features such as gables and dormers, encourages the use of wood sash windows and wraparound porches for residential buildings. Buildings longer than 35 metres are to be massed to reflect a series of smaller linked pavilion type buildings defined by recessed building segments setback from the principal façade to break up the building mass.

Generally, recessed segments should occur at 10m to 15m intervals. Building height is to be compatible with the height of surrounding buildings, which in the Dock Area is typically lower than in other areas of the Town.

The subject property is located within the Basin District, which is described as the heart of the Dock Area's marine commercial area. New development is to be of a scale and character that respects the traditional modest scale of the Dock Area. The policies limit the scale and massing for proposed new commercial uses to less than 2,000 square metres in area and less than 700 square metres in footprint.

The subject property is also located within the Dock Area Marine Commercial designation (section 4.3) where the historic marine commercial character is meant to evolve, grow and prosper with mixed-uses that are appropriate in scale and intensity for the Dock Area. New development is not to exceed 60% lot coverage and 10.5 metres (3 storeys) in height to peak of roof.

5. DISCUSSION / ANALYSIS

Since the NH&D Co. opened in 1830, the area has changed greatly. Much of the built heritage resources directly along the waterfront have been lost. However, small cottages associated with the employees of the NH&D Co., and dwellings associated with those involved in commercial fishing practices (circa 1830s-1955) remain. A map of the subject property is shown in **Figure 6**, and highlights heritage resources in close proximity to the subject property, including listed and designated properties.



Figure 6 – subject property at 61 Melville Street outlined in red, 115 Delater Street shown in yellow, other listed properties shown in blue, Part IV designated properties shown in purple.

Delater Street and Ricardo Street are still heavily defined by close-set, cottages of a modest scale, largely of wood clapboard cladding, with low-pitched roofs. There are a variety of architectural styles in the Dock Area, including simple Georgian, Neo-classical and Saltbox

cottages, but also asymmetrical façade designs and contemporary dwellings, some of which are unrelated to the character of the area.

5.1 Impacts to 61 Melville Street (Subject Property)

The subject property at 61 Melville Street is neither listed on the Town's Heritage Register nor designated under the Ontario Heritage Act. The King George Inn building has been significantly altered since it was constructed in the 1890s, which has diminished the heritage integrity of the building. However, the scale of the existing building is compatible with the area and the use of wraparound porches reinforces the building's relationship to the waterfront and harbour. The heritage value of 61 Melville Street resides largely in its historical and associative value, as a property associated with hotel uses that supported the historic marine industries in the area from the 1860s to present. Until the last few years, the King George Inn was still functionally tied to modern marine uses (the Jet Boat Tours).

The subject property retains a strong visual connection to modern marine uses across the street (the NOTL Sailing Club) and the waterfront. Given that the heritage value resides in the property with its historical and visual ties to marine uses in the Dock Area, these attributes should be retained and enhanced within any new development. The OHA does not, and cannot, regulate the use of a property; however, the design of any new development should reinforce the property's relationship to the inner harbour and waterfront and larger Dock Area neighbourhood. It is recommended that the applicant consider the installation of a plaque on the building, or within the gardens, to acknowledge the history of the building that is proposed for demolition and its relationship to the larger historic Dock Area.

5.2 Impacts to 115 Delater Street (Adjacent Listed Property)

The heritage value of 115 Delater Street resides primarily in its associative value, with its connection to the NH&D Co., and in its contextual value as a vernacular dwelling, of modest scale and design, which supports the character of the Dock Area, and which is functionally tied to its surroundings as part of the former NH&D Co lands. Direct impacts to the heritage value of 115 Delater Street are not anticipated as a result of the proposed new development at 61 Melville Street. 115 Delater Street is visually connected to the other early cottages on the south side of Delater Street and will continue to support the character of the area, specifically the "dense collection of heritage houses along Delater Street and Ricardo Street between Melville Street and King Street" which are an important heritage asset in the Dock Area (section 11 of the Dock Area Secondary Plan).

5.3 Proposed New Development at 61 Melville Street

5.3.1 Proposed New Building Design

The proposed design for the residential building does not reflect the appearance of the former King George Inn, a two-storey building with gabled roof and wraparound porch/gallery shown in **Figure 1**.

The proposed residential building is a contemporary design (see proposed Elevation drawings and Site Plan in **Appendix III** and concept Renderings in **Appendix IV**) that borrows design elements from existing buildings in the Dock Area including the use of:

- low-pitched, hipped roof design;

- deep overhanging eaves,
- shutters,
- clapboard and shingle cladding;
- the use of porches for views out to the water; and
- symmetrical façade design.

In general, the proposed materials and design elements of the building are compatible within the Dock Area, and specifically with the character that has recently developed along Melville Street. To break up the long façade, and as recommended in the Dock Area Secondary Plan, the proposed building is massed to reflect smaller linked pavilion type buildings defined by recessed building segments. The design also uses a variety of window types to give a varied appearance to the façade. While round porthole windows generally provide a nautical feel, porthole windows are not characteristic of the historic architectural character of the Dock Area. I would recommend that the porthole windows be removed and replaced with windows that are representative of the specific historic character of the Dock Area (Georgian or Neo-classical inspired). In addition, the north facing (side) elevation along Lockhart Street would benefit from additional architectural treatment as it is a primary façade viewed from the waterfront. It is recommended that the applicant consider the use of Juliet-type balconies on the north (Lockhart Street facing) elevation to enhance architectural interest and, more importantly, to enhance historic views to, and connection with, the waterfront. The sliding doors at the ground level are an excellent design element that ties the front façade of the building to the streetscape and inner harbour area across Melville Street.

It is noted that the rear (Lockhart Street) elevation of the proposed building design does not include windows (see **Figure 7**) and therefore the view down Lockhart Street (**Figure 8**) would be of a blank wall face. To ensure the proposed building retains a relationship with the surrounding Dock Area neighbourhood and does not appear to “turn its back” on the residential area, it is recommended that windows be incorporated. If functional windows are not possible due to interior uses or concerns about privacy for adjacent residential uses, false or blackout windows could be considered. False closed shutters might also be considered (similar to the false shutters on 8 Centre Street in Old Town).



Figure 7 – rear façade of the proposed development with blank wall face outlined in red



Figure 8 – Lockhart Street towards Melville Street (facing east) with area of proposed development shown outlined in red

5.3.2 Scale and Massing

The King George Inn building only occupies about ½ of the subject property. The Dock Area Secondary Plan envisioned that any proposed new (commercial) building would be more intensive than existing, but that it would not occupy more than 60% of the lot, with a footprint of not more than 700 square metres. The proposed residential building would occupy approximately 67% lot coverage with a footprint of 1162 square metres. The proposed building design would stretch almost the full block length along Melville Street, approximately 52 metres in length. The massing is larger than anticipated but is similar to other new developments along Melville Street, including the Harbour House Hotel to the south and the River Beach residential development to the north. The massing/height analysis provided by Chapman Murray Associates Architects Inc., provides further assessment of the massing and height of surrounding buildings (see **Appendix V**). The building is set close to the streetscapes, which is characteristic of existing new and historic development patterns.

The proposed height of the residential building is 10.5 metres to the parapet and 12 metres to the roof peak. In comparison, the height of the River Beach residential development across Lockhart Street is 10 metres in height to the roof parapet and approximately 11 metres in height to the top of the chimney flutes. The heights are comparable and it is not anticipated that significant views (identified within the Dock Area Secondary Plan) down Melville Street or from the Ricardo Street bluffs will be impacted.

5.4 Archaeological Assessments

Archaeological Assessment of the subject property is on-going. The Site Plan Agreement will contain clauses that any archaeological resources are conserved prior to development.

6. STRATEGIC PLAN

The content of this report supports the following Strategic Plan initiatives:

Pillar(s)

1. Protect Distinctive Community Assets

Objective(s)

- 1.1 Preserve unique community elements

Tactic(s)

- 1.1 b) Support residences and businesses in protecting their valuable heritage assets

7. OPTIONS

- 7.1 Option 1: The proposed mitigation and conservation measures from this Staff Report be recommended to staff to be implemented through the Site Plan phase of the development process. (Recommended)
- 7.2 Option 2: Mitigation and conservation measures are not recommended to staff. (Not Recommended)

8. FINANCIAL IMPLICATIONS

Not applicable.

9. ENVIRONMENTAL IMPLICATIONS

Not applicable.

10. COMMUNICATIONS

The minutes of the MHC meeting will be forwarded to Council. If recommended for support, the mitigation and conservation measures can be implemented within any future Site Plan Agreement.

11. CONCLUSION

Direct impacts to cultural heritage resources within the Dock Area neighbourhood are not anticipated with the proposed development at 61 Melville Street. To encourage compatible development and mitigate indirect impacts to cultural heritage resources the following mitigation and conservation measures are suggested for incorporation within any future Site Plan Agreement:

- the installation of a plaque on the proposed building, or within the landscaped gardens, to acknowledge the history of the building that is proposed for demolition and its relationship to the larger historic Dock Area;
- the porthole (round) windows be removed and replaced with sash type windows that are representative of the specific historic character of the Dock Area, Georgian or Neo-classical in form and detail;
- Juliet-type balconies are added to the north elevation (facing the waterfront) to enhance

- the historic relationship to the waterfront; and
- Window treatment be included on the rear (west) elevation of the proposed building to encourage a relationship with the residential area of the Dock Area neighbourhood.

12. PREVIOUS REPORTS

Not applicable.

13. APPENDICES

- Appendix I – CHIA 61 Melville Street
- Appendix II – 115 Delater Street Draft Character Statement
- Appendix III – Elevation & Site Plan Drawings
- Appendix IV – Concept Renderings
- Appendix V – Massing/Height Schematic

Respectfully submitted:



**Denise Horne, MA, Dipl. Heritage
Conservation, CAHP
Heritage Planner**

**THE CORPORATION OF THE
TOWN OF NIAGARA-ON-THE-LAKE**
OFFICE OF THE TOWN CLERK

WHEREAS the Town of Niagara-on-the-Lake community, like other municipalities, faces a myriad of challenges, and By-law Enforcement plays a crucial role in maintaining order, safety, and quality of life for our residents;

WHEREAS the need for responsive by-law enforcement during evenings and weekends has become increasingly evident due to the number of issues that arise outside regular business hours, and prompt responses to these issues are important to address concerns of community members;

WHEREAS the increase in resident concerns and inquiries pertaining to various by-laws has put additional strain on the existing By-law Division;

WHEREAS the Town currently employs four (4) By-law Officers (plus 4 seasonal parking enforcement officers), including one (1) dedicated officer for Short Term Rentals, and this may not be sufficient to meet the Short Term Rental demands or other growing enforcement needs of the community;

THEREFORE, BE IT RESOLVED THAT Town Council supports an increase in the number of By-law Officers to better respond to concerns and inquiries and ensure a higher standard of enforcement/service level.

AND FURTHER THAT Staff prepare a business case(s) for inclusion in the 2024 Budget Deliberations.

**THE CORPORATION OF THE
TOWN OF NIAGARA-ON-THE-LAKE**
OFFICE OF THE TOWN CLERK

WHEREAS, Resident Parking Permits are available exclusively to residents of the Town of Niagara-on-the-Lake for a cost of \$22 per calendar year and the permit entitles the permit holder up to one (1) hour of free parking at any parking meter/pay & display machine in the Heritage District;

WHEREAS, some other municipalities offer up to four (4) hours for their resident parking permits;

WHEREAS, local residents have expressed interest in supporting local business;

THEREFORE BE IT RESOLVED THAT the resident parking permits be revised to entitle resident permit holders up to three (3) hours of free parking, effective immediately;

AND FURTHER THAT this change be supported by an increase in the annual permit cost to \$30 per calendar year to recoup possible revenue loss, effective January 1, 2024.

AND FURTHER THAT unlimited free parking be provided to all resident parking permit holders during the month of December.

**THE CORPORATION OF THE
TOWN OF NIAGARA-ON-THE-LAKE**
OFFICE OF THE TOWN CLERK

WHEREAS, the Town of Niagara-on-the-Lake does not currently have a Master Business Licencing system for various businesses within the Town;

WHEREAS, some other municipalities have successfully implemented Master Business Licence Programs to improve efficiency and regulatory compliance;

WHEREAS, a Business Licence Program has the potential to enhance public safety, balance the needs of businesses and residents, foster economic growth and ensure better enforcement of regulations;

THEREFORE, BE IT RESOLVED THAT Council directs Staff to investigate options (including a shared services option), costs, required resources, benefits and impacts of implementing a Master Business Licence Program in the Town of Niagara-on-the-Lake.

**THE CORPORATION OF THE
TOWN OF NIAGARA-ON-THE-LAKE
OFFICE OF THE TOWN CLERK**

WHEREAS, the Tourism Strategy Committee members were previously appointed by Council;

WHEREAS, the Niagara-on-the-Lake Chamber of Commerce (NOTL Chamber) has submitted a request to appoint the President of the Chamber as the Destination Marketing Organization (DMO) representative on this committee;

WHEREAS, the Lord Mayor and CAO had a meeting with the President and Chair of the Chamber to discuss;

THEREFORE, BE IT RESOLVED THAT Council directs Staff to remove Andrew Niven from the Tourism Strategy Committee and appoint Minerva Ward, NOTL Chamber President, as the new DMO representative.

**THE CORPORATION OF THE
TOWN OF NIAGARA-ON-THE-LAKE**
OFFICE OF THE TOWN CLERK

WHEREAS the fleet review was requested by Council as a project within the Provincial Government Municipal Modernization Service Delivery Funding program in 2021;

WHEREAS the Modernization Service Delivery program had 2 objectives: One to modernize service delivery through innovation and technology and two to reduce future costs for the municipal taxpayers;

WHEREAS during the term of Council from 2018 – 2022 and it continues today that residents frequently express their concerns about the large number of Town owned vehicles. They also commented on the size of vehicles most being full sized SUVs, and trucks with high gas consumption. They asked why in most cases each vehicle was operated by a single staff member;

WHEREAS the Fleet Review Study results presented in July 2023 indicated that the Town has 91 vehicles in the fleet;

WHEREAS the results were focused on greening the fleet resulting in a proposed \$3.1 million in new spending. This was not aligned with the direction from Council.

WHEREAS in fairness to our current leadership team, they were not there at the time of the request from Council and as such are trying to bring ideas for greening the fleet like most government agencies to address Climate Change. Our leadership team have also expressed a desire to work with Council to address the original mandate from Council to tackle cost saving in the Fleet Review Study Results.

WHEREAS the fleet review request from Council included specifically exploring ways to reduce the fleet budget through a review of lease vs purchase to find the lower cost option, reducing the amount of fuel use by moving to small economical cars for non parks and recreation staff, fleet sharing options for large scale trucks with other municipalities or outsourcing services including the fleet management. Council also asked staff to look to reduce the size of the fleet using car sharing options, and industry best practices (not just from local municipalities).

THEREFORE, BE IT RESOLVED THAT staff come back to Council in the Fall with a report using a lens of cost reduction, to find efficiencies and investigate the specific items based on Council's original direction outlined in this Notice of Motion.

Explanation of the Purpose and Effect of
By-law 4316ER-23

The subject lands are described as 240 Nassau Street, Niagara-on-the-Lake, more particularly described as Part of Lots E & F, Plan 86; Town of Niagara-on-the-Lake, Regional Municipality of Niagara.

Purpose

The purpose of this By-law is to rezone the subject lands to facilitate a future Consent application to create one new lot for single-detached dwellings fronting onto Nassau Street and Johnson Street.

Effect

The effect of this By-law is to rezone the subject lands from “Established Residential (ER)” to “Established Residential (ER-105(a)) – Site Specific Zone”, and “Established Residential (ER-105(b)) – Site Specific Zone.”

<p><i>Owner:</i> Susan Russell & Catherine Russell-Powers <i>File Number:</i> ZBA-03-2023 <i>Report Number:</i> CDS-23-134 <i>Assessment Roll Number:</i> 262701000607000</p>

**THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE
BY-LAW NO. 4316ER-23**

240 Nassau Street - Roll No. 262701000607000

A BY-LAW TO AMEND BY-LAW NO. 4316-09, AS AMENDED, ENTITLED
A BY-LAW TO REGULATE THE USE OF LAND AND THE ERECTION,
USE, BULK, HEIGHT, LOCATION, AND SPACING OF BUILDINGS AND
STRUCTURES WITHIN THE TOWN OF NIAGARA-ON-THE-LAKE.

WHEREAS the Town of Niagara-on-the-Lake Council is empowered to enact this By-law by virtue of the provisions of Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended;

AND WHEREAS this By-law conforms to the Town of Niagara-on-the-Lake Official Plan.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE enacts as follows:

1. Schedule "A-3" of By-law 4316-09, as amended, is further amended by changing the zoning of the subject lands identified on Map 'A' attached to and forming part of this By-law from "Old Town Community Zoning District – Established Residential (ER)" to "Old Town Community Zoning District – Established Residential (ER-105(a)) – Site Specific Zone," and "Old Town Community Zoning District – Established Residential (ER-105(b)) – Site Specific Zone."
2. That Subsection 7.14 Site Specific Exceptions of By-law 4316-09, as amended, is hereby further amended by adding the following:

7.14.105 – 240 Nassau Street – See Schedule ‘A-3’ (ER-105(a), ER-105(b))

7.14.105A ER-105(a) Zone Requirements

In lieu of the corresponding provisions of Subsection 7.1.2, the following provisions shall apply to the subject lands identified as ER-105(a) on Schedule ‘A-3’:

(a)	Minimum lot frontage	22.8 metres
(g)	Maximum lot coverage	34%

7.14.105B ER-105(b) Zone Requirements

In lieu of the corresponding provisions of Subsection 7.1.2, and in addition to such provisions, the following provisions shall apply to the subject lands identified as ER-105(b) on Schedule ‘A-3’:

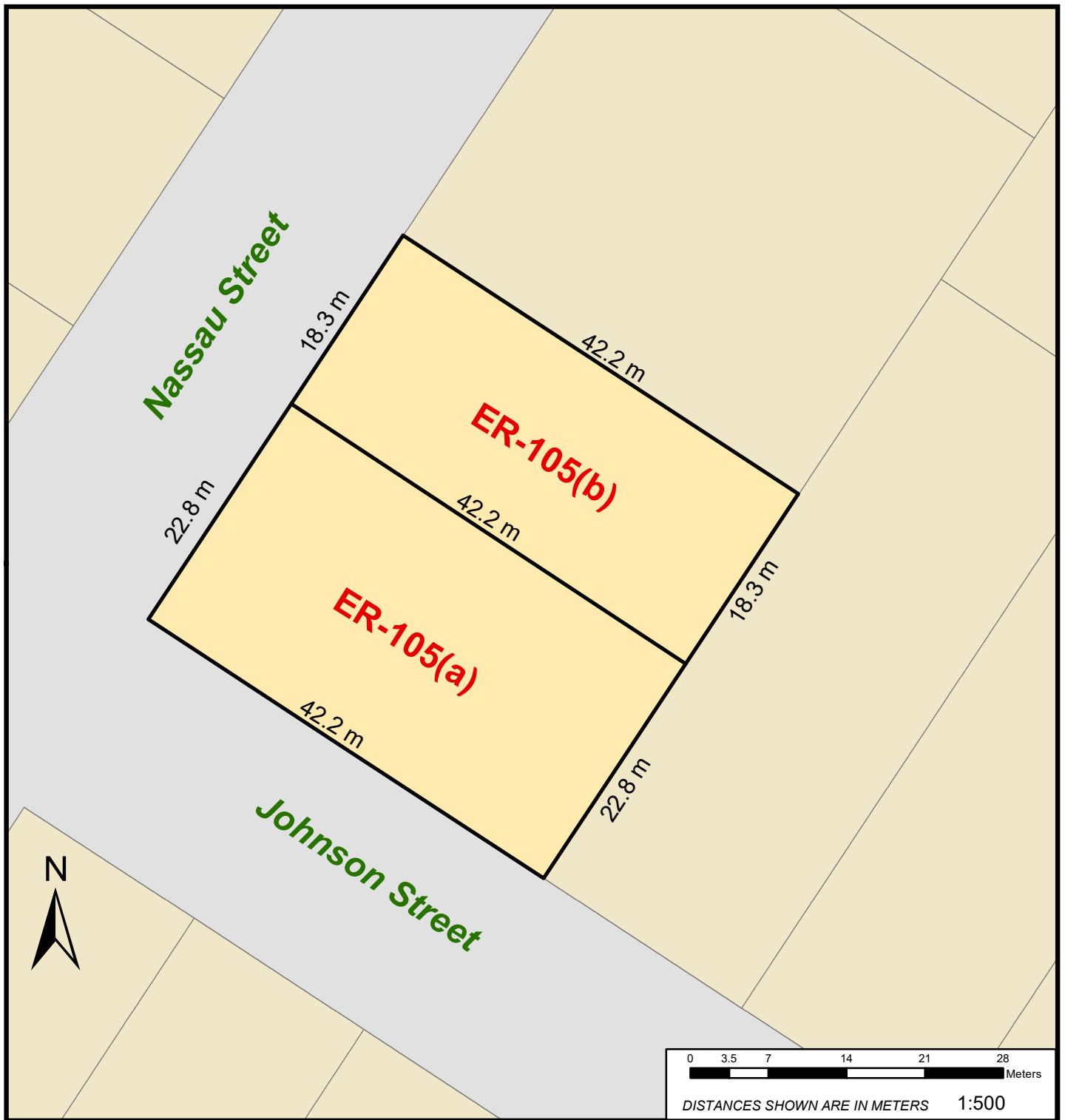
(a)	Minimum lot frontage	18.3 metres
(f)	Minimum rear and interior side yard setback for accessory buildings	1.2 metres
(k)	Maximum height of an accessory building or structure	6.7 metres

3. All other provisions of Zoning By-law 4316-09, as amended, shall continue to apply to the subject lands.
4. That the effective date of this By-law shall be the date of final passage thereof.

READ A FIRST, SECOND AND THIRD TIME THIS 25TH DAY OF JULY, 2023.

LORD MAYOR
GARY ZALEPA

ACTING TOWN CLERK
SHAUNNA ARENBURG



MAP 'A' ATTACHED TO BY-LAW 4316ER-23, BEING AN AMENDMENT TO SCHEDULE "A-3" OF ZONING BY-LAW 4316-09, AS AMENDED, OF THE TOWN OF NIAGARA-ON-THE-LAKE AS PASSED ON THIS 25th DAY OF JULY, 2023.

LORD MAYOR
GARY ZALEPA

ACTING TOWN CLERK
SHAUNNA ARENBURG

Explanation of the Purpose and Effect of
By-law 4316ET-23

The subject lands are described as 281 Tanbark Road, Niagara-on-the-Lake, more particularly described as Lot 1 of Plan 664; Town of Niagara-on-the-Lake, Regional Municipality of Niagara.

Purpose

The purpose of this By-law is to rezone the subject lands to permit the creation of one (1) new lot for the conversion of an existing detached garage to a single-detached dwelling and retain one (1) lot for an existing single-detached dwelling.

Effect

The effect of this By-law is to rezone the subject lands from “St. Davids Community Zoning District – Residential (R1) Zone” to “St. Davids Community Zoning District – Residential [R1-36(a)] Site-Specific Zone” and “St. Davids Community Zoning District – Residential [R1-36(b)] Site-Specific Zone” with site-specific provisions pertaining to:

- Minimum lot area
- Maximum front yard setbacks
- Minimum interior and exterior side yard setbacks
- Minimum rear yard setback
- Minimum accessory building setbacks
- Minimum setback for an in-ground pool
- Minimum dwelling floor area
- Driveway and parking area

<i>Owner:</i>	Frederick Coccimiglio
<i>File Number:</i>	ZBA-26-2022
<i>Report Number:</i>	CDS-23-061
<i>Assessment Roll Number:</i>	262702002511309

**THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE
BY-LAW NO. 4316ET - 23**

281 Tanbark Road, Roll #: 262702002511309

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.

WHEREAS the Town of Niagara-on-the-Lake Council is empowered to enact this By-law by virtue of the provisions of Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended;

AND WHEREAS this By-law conforms to the Town of Niagara-on-the-Lake Official Plan.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE enacts as follows:

1. Schedule "A-23" of By-law 4316-09, as amended, is further amended by changing the zoning of the subject lands identified on Map 'A' attached to and forming part of this By-law from "St. Davids Community Zoning District – Residential (R1) Zone" to "St. Davids Community Zoning District – Residential [R1-36(a)] Site-Specific Zone" and "St. Davids Community Zoning District – Residential [R1-36(b)] Site-Specific Zone".
2. That Subsection 9.13 Site Specific Exceptions of By-law 4316-09, as amended, is hereby further amended by adding the following:

9.13.36 – 281 Tanbark Road & Stoneridge Crescent – See Schedule A-23

9.13.36.1 R1-36 (a) Zone Requirements

In lieu of the corresponding provisions of Subsection 9.1.2, the following provisions shall apply to the subject lands identified as R1-36 (a) on Schedule 'A-23':

(f)	Maximum front yard setback	As existing on the date of passage of this by-law
(i)	Minimum exterior side yard setback	
(o)	Minimum accessory building exterior side yard setback	
(p)	Minimum setback of in-ground swimming pool from interior lot line	

9.13.36.2 R1-36 (b) Zone Requirements

In lieu of the corresponding provisions of Subsection 9.1.2, and in addition to such provisions, the following provisions shall apply to the subject lands identified as R1-36 (b) on Schedule 'A-23':

(b)	Minimum lot area	610 square metres
(f)	Maximum front yard setback for existing building	14.8 metres
(h)	Minimum east interior side yard setback for existing building	1.4 metres
	Minimum west interior side yard setback for existing building	12 metres
(j)	Minimum rear yard setback for existing building	1.6 metres
(l)	Minimum dwelling floor area for existing building	75 square metres
(p)	Driveway and parking area	As existing on the date of passage of this by-law

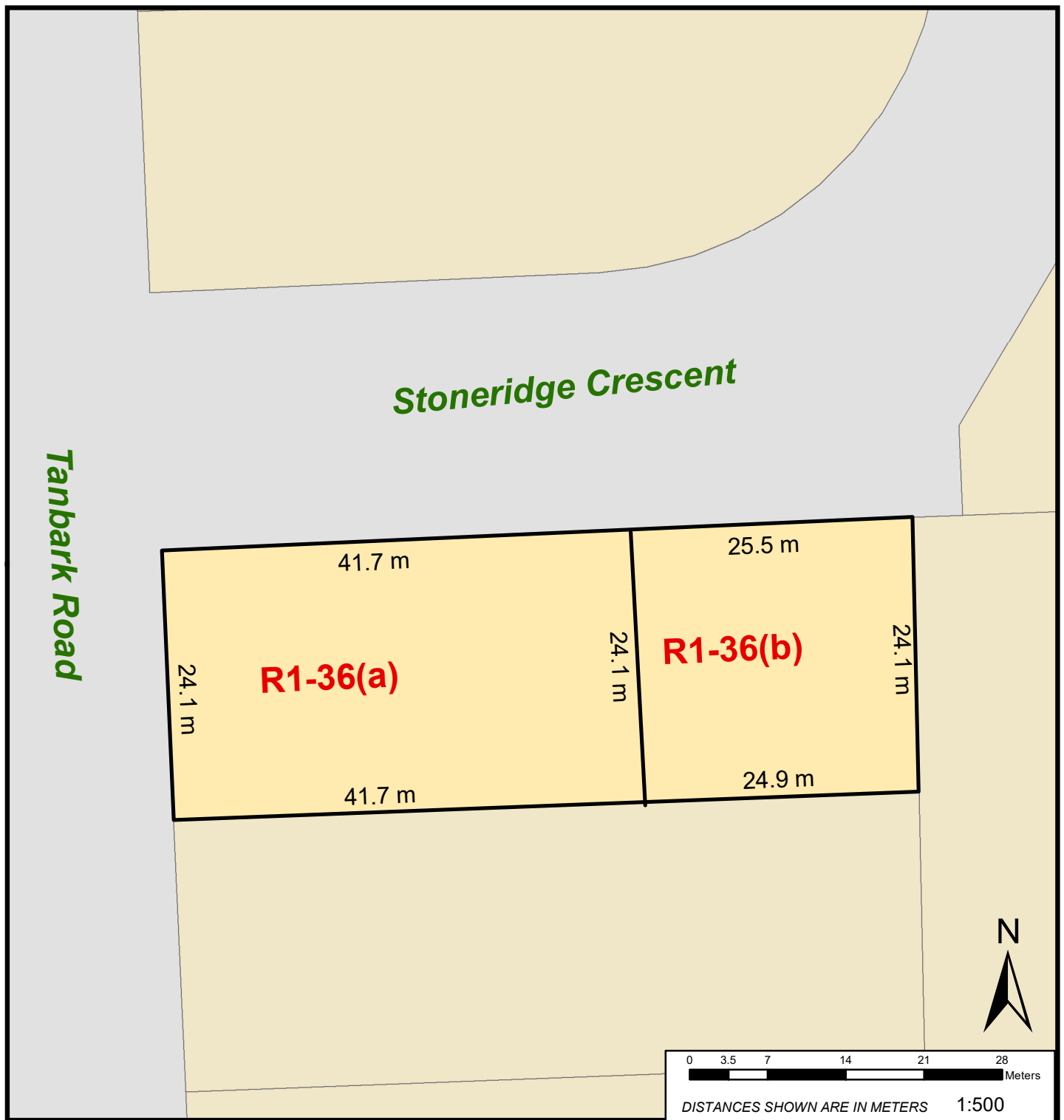
3. All other provisions of Zoning By-law 4316-09, as amended, shall continue to apply to the subject lands.

4. That the effective date of this By-law shall be the date of final passage thereof.

READ A FIRST, SECOND AND THIRD TIME THIS 25TH DAY OF JULY, 2023.

LORD MAYOR GARY ZALEPA

ACTING TOWN CLERK
SHAUNNA ARENBURG



MAP 'A' ATTACHED TO BY-LAW 4316ET-23, BEING AN AMENDMENT TO SCHEDULE "A-23" OF ZONING BY-LAW 4316-09, AS AMENDED, OF THE TOWN OF NIAGARA-ON-THE-LAKE AS PASSED ON THIS 25th DAY OF JULY, 2023.

LORD MAYOR
GARY ZALEPA

ACTING TOWN CLERK
SHAUNNA ARENBURG

Explanation of the Purpose and Effect of
By-law 500YF-23

The subject lands are municipally known as 823 Line 6 Road, and legally described as Part of Niagara Township Lots 82 and 103 and part of the road allowance between Lots 82 and 103, being Part 2 on Reference Plan 30R2659, except Part 1 on Reference Plan 30R-4836, Niagara-on-the-Lake.

Purpose

The purpose of this By-law is to rezone the subject lands to permit a proposed Estate Winery, including a retail area, tasting areas, a hospitality area, and a restaurant.

Effect

The effect of this By-law is to rezone a portion of the subject lands to “Rural (A) – Site Specific Zone” with site-specific provisions pertaining to the following:

- Lot area
- Lot area to be planted in full vineyard production
- Setbacks;
- Floor area of the secondary uses; and
- the use of commercial cooking equipment.

<i>Applicant:</i>	Big Head Wines Inc., Andrzej Lipinski, Janina Lipinski
<i>File Number:</i>	ZBA-14-2022
<i>Report Number:</i>	CDS-23-129
<i>Assessment Roll Numbers:</i>	262702002019602

**THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE
BY-LAW NO. 500YF-23**

823 Line 6 Road; Roll 262702002019602

A BY-LAW PURSUANT TO SECTION 34 OF THE ONTARIO PLANNING ACT TO AMEND BY-LAW 500A-74, AS AMENDED, ENTITLED A BY-LAW TO REGULATE THE USE OF LAND AND THE CHARACTER, LOCATION AND USE OF BUILDINGS AND STRUCTURES THEREON.

WHEREAS the Town of Niagara-on-the-Lake Council is empowered to enact this By-law by virtue of the provisions of Section 34 of the *Planning Act, R.S.O. 1990, c.P.13*, as amended;

AND WHEREAS this By-law conforms to the Town of Niagara-on-the-Lake Official Plan;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE enacts as follows:

1. Schedule “A” of By-law 500A-74, as amended, is further amended by changing the zoning of the subject lands from “Rural (A) Zone” to “Rural (A) – Site Specific Zone” as identified on Map A (attached to and forming part of this By-law).
2. That Subsection 21.A, Special Exceptions of By-law 500A-74, as amended, is hereby further amended by adding the following:

823 LINE 6 ROAD

1. Notwithstanding the permitted uses under Section 4 – Rural (A) Zone and Section 3.33, the following uses shall apply to the lands shown on Map A attached hereto:

Permitted uses:

- a) one Estate Winery

Secondary uses to an Estate Winery:

- a) Retail sale of wine
- b) Hospitality (wine tasting) area
- c) Restaurant/wine bar

2. In lieu of the corresponding requirements under Section 3.33 – Estate Winery and Schedule F, and in addition to those provisions, the following zone requirements shall apply to an Estate Winery on the subject lands shown on Map A attached hereto:
 - a) Minimum lot area – 8 hectares (20 acres)

Minimum lot area to be planted in full vineyard production – 75% of the lot area

- g) Minimum easterly side yard setbacks:
 - i. Estate Winery building – 7.0 metres
 - ii. Crush pad – 1.0 metres
 - iii. Canopy roof – 1.9 metres
- h) Minimum northerly side yard setback:
 - i. Estate Winery building – 8.0 metres

3. In lieu of the provisions of Section 3.33 – Secondary Uses – Subsection (d), the following provisions shall apply to the subject lands shown on Map A attached hereto:

Maximum combined gross leasable floor area of all secondary uses shall be 400 square metres, with the maximum gross leasable floor area of any individual secondary use not exceeding 200 square metres.

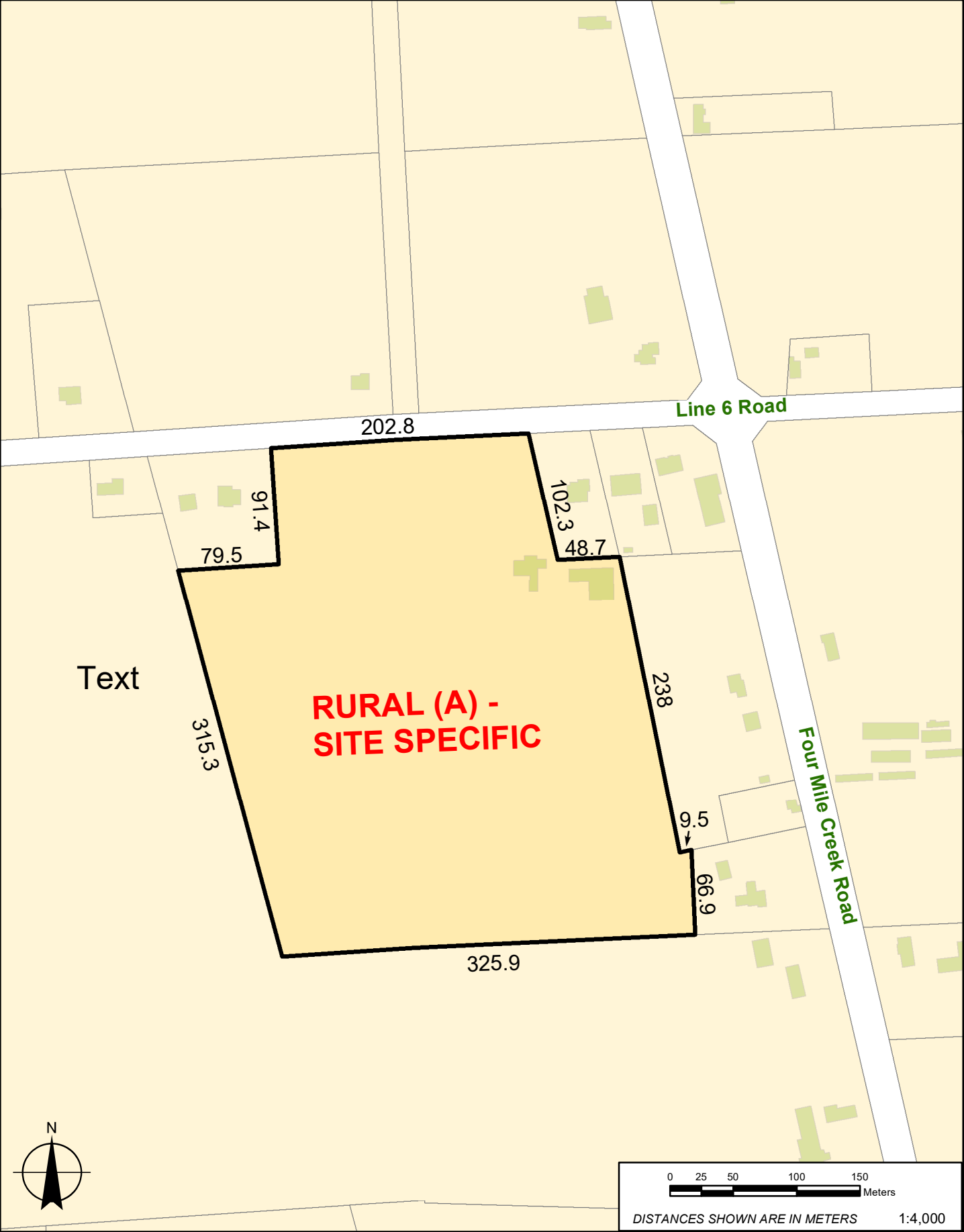
4. Notwithstanding the definition of “hospitality room” provided under Section 2.41B, commercial cooking equipment shall be permitted in the restaurant (kitchen).

3. That the effective date of this By-law shall be the date of final passage thereof.

READ A FIRST, SECOND AND THIRD TIME THIS 25th DAY OF JULY, 2023.

LORD MAYOR GARY ZALEPA

ACTING TOWN CLERK
SHAUNNA ARENBURG



MAP 'A' ATTACHED TO BY-LAW 500YF-23 BEING AN AMENDMENT TO SCHEDULE "A" OF ZONING BY-LAW 500A-74, AS AMENDED, OF THE TOWN OF NIAGARA-ON-THE-LAKE AS PASSED ON THIS 25th DAY OF JULY, 2023.

LORD MAYOR
GARY ZALEPA

ACTING TOWN CLERK
SHAUNNA ARENBURG

Explanation of the Purpose and Effect of
By-law 500XH(1)-23

The subject lands are a parcel of land described as 911 Lakeshore Road and the Rear of 931 Lakeshore Road, Niagara-on-the-Lake, more particularly described as Plan M1 Lot 67, Lot 117 and Lot 118.

Purpose

The purpose of this By-law is to remove the Holding (“H”) Symbol on the property to allow an Estate Winery and associated secondary uses, previously approved through By-law 500XH-18.

Effect

The effect of this By-law is to remove the Holding (“H”) Symbol on the existing By-law applying to the lands municipally known as 911 Lakeshore Road.

<i>Owner:</i>	John Neufeld Farms Limited
<i>File Number:</i>	ZBA-08-2023
<i>Report Number:</i>	CDS-23-161
<i>Assessment Roll Number:</i>	262702001007500 & 262702001007504

**THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE
BY-LAW NO. 500XH(1) - 23**

Palatine Hills Estate Winery – 911 Lakeshore Road
Roll # 262702001007500 & 262702001007504

A BY-LAW TO AMEND BY-LAW NO. 500XH-18, BEING A BY-LAW TO AMEND BY-LAW 500A-74, AS AMENDED, ENTITLED A BY-LAW TO REGULATE THE USE OF LAND AND THE CHARACTER, LOCATION AND USE OF BUILDINGS AND STRUCTURES THEREON.

WHEREAS the Town of Niagara-on-the-Lake Council is empowered to enact this By-law by virtue of the provisions of Section 34 and Section 36 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended;

AND WHEREAS the Town of Niagara-on-the-Lake Council did approve By-law No. 500XH-18 on September 17, 2018, which included a Holding (“H”) Symbol in accordance with Section 36(1) of the *Planning Act* that prevents the use of an Estate Winery and associated secondary uses until the Holding (“H”) Symbol is removed;

AND WHEREAS the Owner of the lands has now met the requirements for removal of the Holding (“H”) Symbol from the lands;

AND WHEREAS Section 36(4) of the *Planning Act* provides that a Holding (“H”) Symbol may be removed by passing a By-law applying to the lands subject to the Holding (“H”) Symbol.

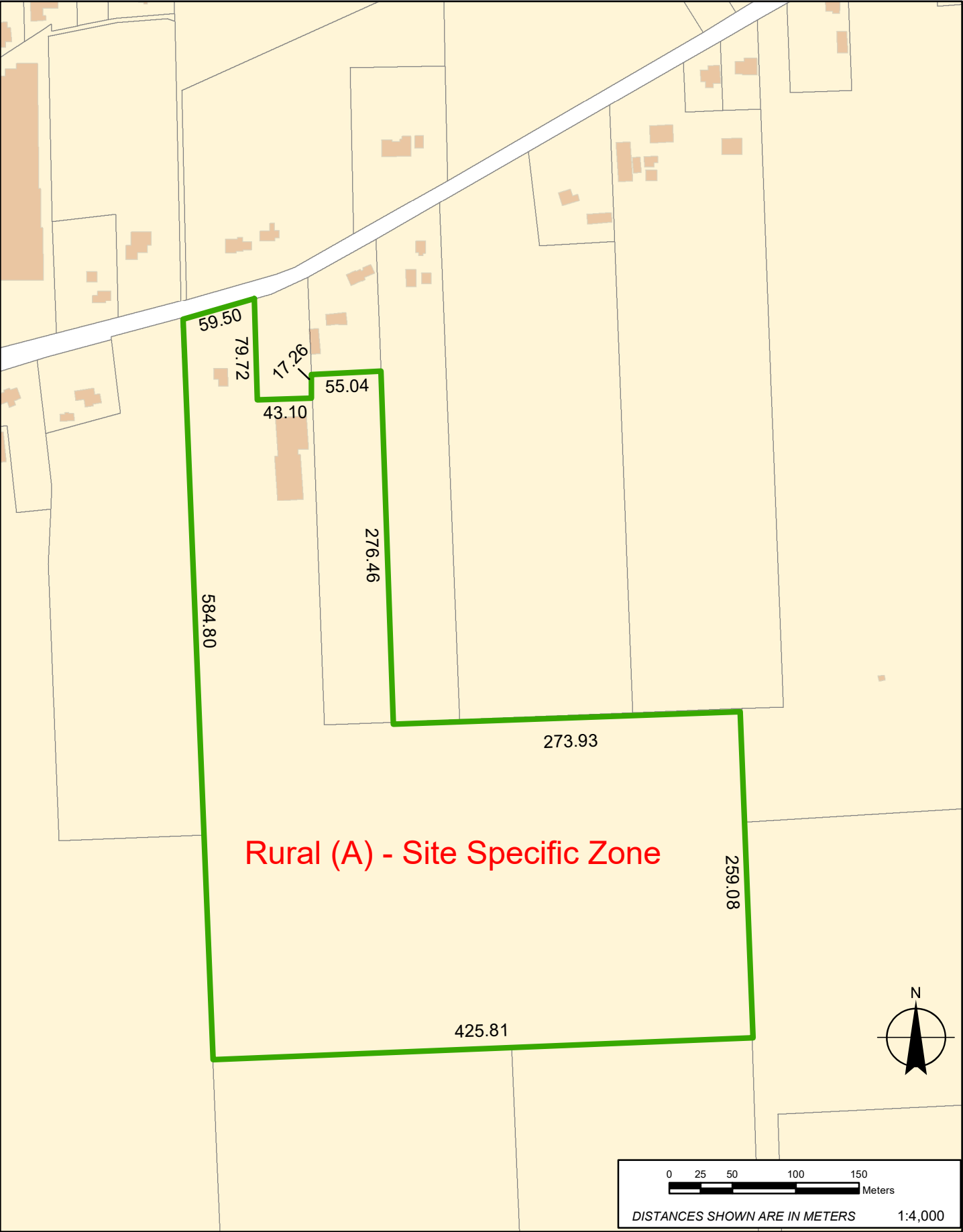
NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE enacts as follows:

1. Section 1 of By-law 500XH-18 is amended to delete the term “Rural (A-H) – Site Specific-Holding Zone” and replace it with “Rural (A) – Site-Specific Zone.”
2. Section 2(4) of By-law 500XH-18 is deleted in its entirety.
3. Map “A” attached to and forming part of By-law 500XH-18 is deleted and replaced with Map “A” attached to and forming part of this By-law.
4. That this By-law comes into force and takes effect immediately upon the passing thereof.

READ A FIRST, SECOND AND THIRD TIME THIS 18th DAY OF JULY, 2023.

LORD MAYOR GARY ZALEPA

ACTING TOWN CLERK
SHAUNNA ARENBURG



MAP 'A' ATTACHED TO BY-LAW 500XH(1)-23 BEING AN AMENDMENT TO SCHEDULE "A" OF ZONING BY-LAW 500A-74, AS AMENDED, OF THE TOWN OF NIAGARA-ON-THE-LAKE AS PASSED ON THIS 25TH DAY OF JULY, 2023.

**LORD MAYOR
GARY ZALEPA**

**ACTING TOWN CLERK
SHAUNNA ARENBURG**

Explanation of the Purpose and Effect of
By-law 4316ES-23

The subject lands are a parcel of land described as 1570 Niagara Stone Road, Niagara-on-the-Lake, more particularly described as Lot 40, Part of Lots 34, 35, 38 & 39 Plan 304 and Part of Block 9, Township Plan 85, Niagara-on-the-Lake.

Purpose

The purpose of this By-law is to rezone the southern portion of the lands to recognize the continued use of a church, reduced interior side yard setback and buffer strip width, and the height of the existing building. Further, the remaining commercial and residential lands fronting Elden Street are to be rezoned to add a “Holding (H)” symbol to prohibit future development or site alteration until future planning applications are received.

Effect

The effect of this By-law is to rezone, in part, the southern portion of the property to “Village Commercial (VC) – Site Specific” with provisions pertaining to interior side yard setback, buffer strip width, and building height, and also to rezone, in part, the northern portion of the property to add a “Holding (H)” symbol to the existing “Residential (R1) Zone” and “Village Commercial (VC) Zone” to require approval of a future Zoning By-law Amendment prior to development on these lands.

<i>Applicant:</i>	Cornerstone Community Church (Niagara)
<i>File Number:</i>	ZBA-05-2023
<i>Report Number:</i>	CDS-23-133
<i>Assessment Roll Number:</i>	262702001313300

**THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE
BY-LAW NO. 4316ES - 23**

1570 Niagara Stone Road
Roll No. 262702001313300

A BY-LAW PURSUANT TO SECTION 34 OF THE ONTARIO PLANNING ACT TO AMEND BY-LAW 4316-09, AS AMENDED, ENTITLED A BY-LAW TO REGULATE THE USE OF LAND AND THE CHARACTER, LOCATION AND USE OF BUILDINGS AND STRUCTURES THEREON.

WHEREAS the Town of Niagara-on-the-Lake Council is empowered to enact this By-law by virtue of the provisions of Section 34 of the Planning Act, R.S.O. 1990, c.P.13, as amended;

AND WHEREAS this By-law conforms to the Town of Niagara-on-the-Lake Official Plan.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE enacts as follows:

1. Schedule "A-14" of By-law 4316-09, as amended, is further amended by changing the zoning of the subject lands identified on Map 'A' (attached to and forming part of this By-law) from "Virgil Community Zoning District – Village Commercial (VC) Zone" and "Virgil Community Zoning District – Residential (R1) Zone" to "Virgil Community Zoning District – Village Commercial (VC-42) – Site Specific Zone," from "Virgil Community Zoning District – Village Commercial (VC) Zone" to "Virgil Community Zoning District – Village Commercial Holding (VC-H-42) Zone," and from "Village Commercial Zoning District – Residential (R1) Zone" to "Virgil Community Zoning District – Residential Holding (R1-H-42) Zone."
2. That Subsection 10.12, Site Specific Exceptions of By-law 4316-09, as amended, is hereby further amended by adding the following:

10.12.42 - 1570 Niagara Stone Road – See Schedule ‘A-14’ (VC-42, VC-H-42, R1-H-42)

10.12.42A VC-42 Zone Requirements

In lieu of the corresponding provisions of Subsection 10.7.2.1, and in addition to such provisions, the following provisions shall apply to the subject lands identified as VC-42 on Schedule ‘A-14’:

(j)	Maximum building height	As existing, or 10.5 metres
(n)	Minimum most northerly interior side yard setback	2.25 metres

In addition to the provision of Subsection 10.7.3, the following provision shall apply to the subject lands identified as VC-42 on Schedule ‘A-14’:

Where the most northerly and the western interior side yard lot lines of a lot zoned Village Commercial (VC) abuts a residential zone, a strip of land adjacent to the adjoining lot line being a minimum of 2.2 metres in width shall be used as a buffer strip in accordance with Section 6.6.

10.12.42B VC-H-42 Zone Requirements

In lieu of the corresponding provisions of 10.7, the following provision shall apply to the subject lands identified as VC-H-42 on Schedule ‘A-14’:

Existing uses are permitted. The development of any new buildings or building additions or new structures shall not be permitted until the removal of the Holding (H) symbol, subject to an amendment to the Zoning By-law.

10.12.42C R1-H-42 Zone Requirements

In lieu of the corresponding provisions of 10.1, the following provision shall apply to the subject lands identified as R1-H-42 on Schedule ‘A-14’:

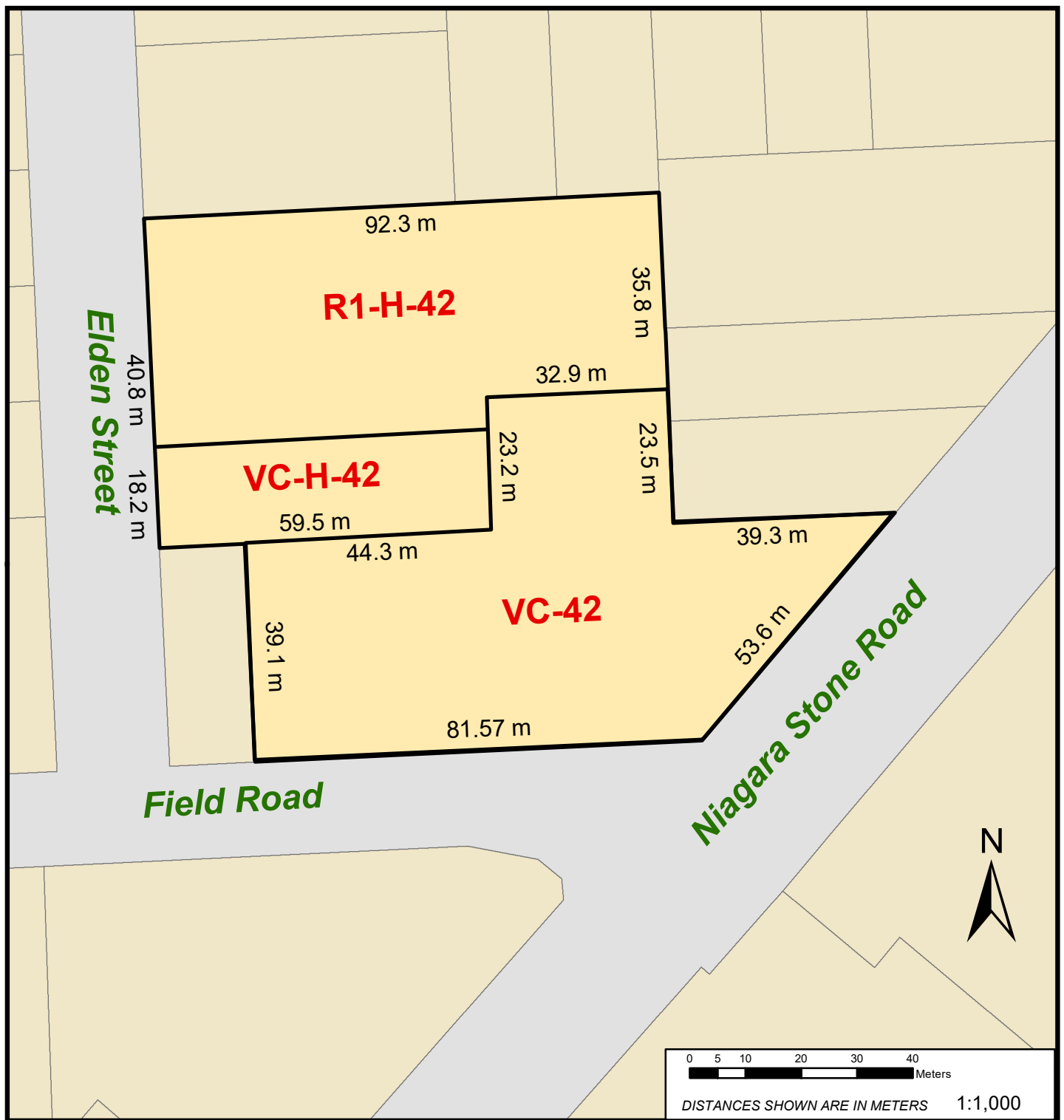
Existing uses are permitted. The development of any new buildings or building additions or new structures shall not be permitted until the removal of the Holding (H) symbol, subject to an amendment to the Zoning By-law.

3. That the effective date of this By-law shall be the date of final passage thereof.

READ A FIRST, SECOND AND THIRD TIME THIS 25TH DAY OF JULY, 2023.

LORD MAYOR GARY ZALEPA

ACTING TOWN CLERK
SHAUNNA ARENBURG



MAP 'A' ATTACHED TO BY-LAW 4316ES-23, BEING AN AMENDMENT TO SCHEDULE "A-14" OF ZONING BY-LAW 4316-09, AS AMENDED, OF THE TOWN OF NIAGARA-ON-THE-LAKE AS PASSED ON THIS 25th DAY OF JULY, 2023.

LORD MAYOR
GARY ZALEPA

ACTING TOWN CLERK
SHAUNNA ARENBURG

**THE CORPORATION OF THE
TOWN OF NIAGARA-ON-THE-LAKE**

BY-LAW NO. 5527-23

**A BY-LAW TO APPOINT BRANDON ENNS
INSPECTOR OF DRAINAGE AND TO REPEAL
BY-LAW 4818-15 AND 4817-15**

WHEREAS Section 4 of The Tile Drainage Act, R.S.O. 1990, c. T.8, provides that the council of a municipality borrowing money under this Act shall employ an inspector of drainage who shall inspect the drainage work and file with the clerk an inspection and completion certificate in the prescribed form, together with a sketch indicating the location, spacing, direction and depth of the tile as laid, and the cost of such services by the inspector shall be charged against the drainage work inspected and shall be paid out of the money borrowed and deducted from the amount loaned under section 7. R.S.O. 1990, c. T. 8, s. 4; 2002, c. 17, Sched. F, Table.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE enacts as follows:

1. That Brandon Enns, be hereby appointed Inspector of Drainage pursuant to Section 4 of the Tile Drainage Act.
2. That the Inspector of Drainage shall inspect all drainage work, for which applications are granted by the Council of the Corporation of the Town of Niagara-on-the-Lake, pursuant to the provisions of The Tile Drainage Act.
3. That the Inspector of Drainage shall file with the Clerk of the Corporation of the Town of Niagara-on-the-Lake for each drainage work inspected, a report pursuant to the provisions in the Tile Drainage Act.
4. That By-law 4128-15 and 4817-15 be and are hereby repealed.
5. That this by-law shall come into force and effect upon the passing thereof.

**READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 25TH DAY
OF JULY 2023**

LORD MAYOR GARY ZALEPA

**(A)TOWN CLERK
SHAUNNA ARENBURG**

**THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE
BY-LAW NO. 5528-23**

A BY-LAW TO AUTHORIZE AN AGREEMENT BETWEEN THE
CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE
AND THE CORPORATION OF THE CITY OF ST. CATHARINES
(Fire Dispatch Service Agreement January 2023 – December
2037)

BE IT ENACTED AS A BY-LAW OF THE CORPORATION OF THE TOWN OF
NIAGARA-ON-THE-LAKE as follows:

1. THAT the agreement dated the 25th day of July, 2023 between The Corporation of the Town of Niagara-on-the-Lake and The Corporation of the City of St. Catharines for the renewal of the Fire Dispatch agreement, be and the same is hereby approved; and
2. THAT the Lord Mayor and Clerk be authorized to affix their hands and the Corporate Seal; and
3. THAT this by-law shall come into force and take effect immediately upon the passing thereof.

**READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 25th DAY OF
JULY, 2023**

LORD MAYOR GARY ZALEPA

(A) TOWN CLERK
SHAUNNA ARENBURG

THIS AGREEMENT made this day of , 2023, and authorized by
By-law No. 2020-156 of the City of St. Catharines.

BETWEEN:

THE CORPORATION OF THE CITY OF ST. CATHARINES

(hereinafter called "St. Catharines")

OF THE FIRST PART

- and -

THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE

(hereinafter called "Recipient")

OF THE SECOND PART

WHEREAS section 20 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipality may enter into an agreement with one or more municipalities for their joint benefit on any matter which all of them have the power to provide within their own boundaries;

AND WHEREAS section 2(5) of the *Fire Protection and Prevention Act, 1997*, S.O. 1997, c.4, as amended, authorizes a municipality to provide and/or receive fire protection services to or from other municipalities;

AND WHEREAS St. Catharines has been providing the Recipient with emergency communications services and the Recipient has requested that St. Catharines continue to provide its municipality with such services;

AND WHEREAS St. Catharines also provides similar services to Thorold, Pelham, Haldimand, West Lincoln, Grimsby, Wainfleet, Port Colborne, Lincoln and Norfolk;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the mutual covenants and agreements herein contained and subject to the terms and conditions hereinafter set out the parties hereto agree as follows:

1. St. Catharines agrees to provide the Recipient with emergency communications

services and required backup operations for a fifteen (15) year period commencing on January 1, 2023 to continue until December 31, 2037 (the “Term”).

2. The Recipient agrees that it shall be responsible to pay to St. Catharines the annual sums as highlighted in yellow on Schedule “A” attached hereto. In every case the annual amounts shall be payable by the Recipient in quarterly instalments, in advance and upon the receipt of an invoice from St. Catharines.

3. The parties hereto agree that in the event St. Catharines should be successful in negotiating additional users to this emergency communications service, that the rate referred to herein may be renegotiated to reflect other users, however the Recipient’s share will not increase except as outlined in paragraph 2 herein.

4. Any subsequent renewal of this Agreement is subject to changes in terms and conditions, including fees payable, as agreed to by the parties.

5. St. Catharines, together with all Municipalities that have an agreement with St. Catharines for the provision of fire dispatch services shall form a Joint Operating Committee (hereinafter “JOC”) to oversee the provision of emergency communications services including Geographical Information Systems, Information Technology, Standard Operating Guidelines, and performance targets for St. Catharines’ Emergency Communications Centre (hereinafter the “Centre”). This JOC will consist of the Fire Chief, or his or her deputies, of St. Catharines, the Fire Chiefs, or their deputies, of each municipality for which St. Catharines provides dispatch services, and communications support personnel.

6. The JOC shall hold two (2) meetings per year during each year of the Term, and all meetings of the JOC shall have an agenda and recorded minutes.

7. On an ongoing basis the JOC shall review staffing and service levels of the Centre and shall forward any recommendations to the CAO’s of each municipality.

8. The parties acknowledge that:

- a) The overall responsibility for the Communication Division of the St. Catharines Fire Services will be under the direction of a senior (non-union) member of the St. Catharines Fire Services.
- b) After hours and holiday supervision of the Centre will be provided by Communications Coordinators, and/or the on duty Platoon Chief of the St. Catharines Fire Services;
- c) Operating costs to staff, operate, maintain, repair and replace the Centre will be determined and administered by St. Catharines in its sole discretion. For added clarity, costs related to Centre building upgrades and improvements shall be borne by St. Catharines;
- d) A minimum of two (2) Public Safety Telecommunicators will be present at the Centre at all times; and
- e) City of St. Catharines Information Systems support staff and Radio Technician will be available Monday to Friday 8:30am to 4:30pm for any supported platforms. After hours assistance shall be coordinated through the on-call St. Catharines Senior Officer.

9. The Recipient shall be responsible for the following:

- a) To provide high speed internet connections dedicated to each station printer and terminal which is to receive the computer aided dispatch transmittals from St. Catharines;
- b) To provide existing or compatible radio systems and hardware to receive the transmittals from St. Catharines;

- c) To maintain all required equipment, owned by the Recipient , including its radio system and hardware and high speed internet connection, in good working order at all times;
- d) To provide master response information run cards and any other pertinent information;
- e) To provide St. Catharines and/or St. Catharines' geographical information systems (GIS) provider all necessary information for the operation of the dispatch system, including but not limited to maps, single line road network data, hydrant locations, assessment data, and any and all other pertinent data as required by the Fire Chief for St. Catharines and to immediately notify St. Catharines of any inaccuracies it discovers;
- f) To continue to be responsible for receiving all non-emergency and business calls directly;
- g) Subject to the review and recommendation of the JOC and authorized by the Council of the Recipient, to pay costs for any additional work arising in relation to this Agreement but that is not specifically identified herein; and
- h) To upgrade all of the Recipient's radio systems used for communication under this Agreement to that of a digital standard prior to the end of the Term. The Recipient acknowledges and agrees to upgrade its radio systems pursuant to the radio replacement plan of the Niagara Regional Police Services and that such upgrade shall occur on the ninth anniversary of the Term (i.e. 2032).

10. St. Catharines agrees that it shall:

- a) Provide the Recipient with computer aided fire dispatch (CAD) services twenty-four (24) hours a day, seven (7) days a week, which services shall include the receipt, recording and retransmission of all calls for Fire Department

Emergency Services for the Recipient, other than non-emergency and business calls as set out in paragraph 9 f) herein;

b) Maintain the equipment located in St. Catharines, and other locations as may be required from time to time for the provision of the services outlined herein;

c) Retain all voice recordings for a period of up to one hundred and eighty (180) days and all written and CAD records for a period of up to seven (7) years, and provide copies of secure voice recordings upon request from the Fire Chief of the Recipient;

d) Provide monthly and annual call for service reports to the Recipient based on dispatch time reports, call volume and nature of the calls;

e) Provide the necessary training and supervision to ensure that its employees are in compliance with the Operational Guidelines of St. Catharines Fire Service and shall work towards operating at the National Fire Protection Association 1710 and Chapter 15, Standard for Dispatch Operations Level (hereinafter "NFPA 1221"). The parties acknowledge that such performance targets are targets only and not an obligation of St. Catharines; and

f) Use best efforts for communications personnel to meet the current edition of NFPA 1061 Standard for Public Safety Telecommunicator Professional Qualifications, without prejudice.

11. All computer aided dispatch incident records and data in connection with an incident ("Data") will belong to the party to which the incident relates, or as required by federal or provincial legislation. Each party will be responsible for the storage, integrity, retention and destruction of its own Data. St. Catharines will not be responsible for the Recipient's storage, integrity, retention or destruction of its Data.

12. Commencing on the 10th anniversary of the Term, the parties agree that either

party shall have the right to terminate this Agreement, for any purpose whatsoever, by giving twenty-four (24) months prior written notice to the other party, and no compensation shall be payable for any damages incurred.

13. If either party to this Agreement is in breach of any of its obligations under this Agreement, the other party may give a notice in writing of the breach to the defaulting party and request that the default be remedied. If the party in breach fails to remedy the breach within fifteen (15) days after the date of written notice, then this Agreement may be terminated by written notice of termination given by the complaining party, such termination to be effective fifty (50) days from the date of the notice of termination. In the event that notice of termination is provided by either party, St. Catharines shall continue to provide the services described herein until the effective date of the termination.

14. The Recipient acknowledges that St. Catharines has incurred substantial costs in upgrading the emergency services infrastructure required to provide the services in this Agreement. If this Agreement is terminated prior to the expiration of the Term as a result of the Recipient's breach of this agreement under section 13, the Recipient shall continue to pay the annual sums in accordance with section 2, as well as any other costs which become owing, until all such payments which are owed throughout the Term of this Agreement or would have been owed but for the earlier termination, are paid for in full. If the Agreement is terminated early by the Recipient pursuant to section 13 due to a breach by St. Catharines, no further payment shall be owed by the Recipient to St. Catharines after the effective date of termination.

15. Each party to this Agreement (the "First Party") shall indemnify and hold harmless the other party and its officers, directors, employees, members of council, assignees, licensees, sub-licensees, customers and agents (the "Other Party") from any and all claims, losses, liabilities, damages, actions, debts, expenses and costs which result from and/or are based on the acts, omissions, default or negligence of the First Party or those for whom the First Party is at law responsible.

16. St. Catharines shall obtain, pay and maintain in effect for the duration of this

Agreement Commercial General Liability Insurance and Errors and Omissions Liability Insurance, each in the amount of not less than Two Million Dollars (\$2,000,000.00), naming the Recipient as an additional insured. St. Catharines shall deliver to the Recipient a certificate of insurance for such coverage.

17. No waiver by either party to this Agreement of any default, breach or non-observance by the other party at any time or times in respect of any provision herein contained shall operate as, or be deemed to be, a waiver of the non-defaulting party's rights hereunder in respect of any continuing or subsequent default, breach or non-observance, or so as to defeat or affect in any way such party's rights in respect of any such continuing or subsequent default or breach, and no waiver shall be inferred from or implied by anything done or omitted by the non-defaulting party save only express waiver in writing.

18. St. Catharines will not disclose or disseminate confidential information received by the Recipient to anyone other than those employees with a need to know. Nothing in this section precludes St. Catharines from complying with the requirements of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, as amended and subject to the provisions of the *Emergency Management and Civil Protection Act*, R.S.O. 1990, CHAPTER E.9, as amended, it is understood and agreed by the Recipient that this Agreement and any information or material submitted to St. Catharines under this Agreement may be subject to disclosure under the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, as amended.

19. This Agreement embodies the entire Agreement of the parties hereto with regard to the matters dealt with herein, and no understandings or agreements, verbal or otherwise, exist between the parties except as herein expressly set forth.

20. This Agreement may only be amended in writing upon being signed by both parties.

21. Any notice required by any provision of this Agreement shall be given in writing

addressed, in the case of notice to St. Catharines, to it at:

The Corporation of the City of St. Catharines
 50 Church Street
 P. O. Box 3012
 St. Catharines, Ontario L2R 7C2
 Attention: City Clerk

and, in the case of notice to Recipient, to it at:

The Corporation of the Town of Niagara-On-The-Lake
 ATTN: Fire Chief
 593 Four Mile Creek Road, P.O. Box 100,
 Virgil, ON L0S 1T0

and sent by prepaid registered mail. The time of giving such notice shall be conclusively deemed to be the second business day after the day of such mailing. Such notice shall also be sufficiently given when it shall have been delivered, in the case of notice to St. Catharines, to the City Clerk, and in the case of notice to the Recipient, by delivery to the Town Clerk. Such notice, if delivered, shall be conclusively deemed to have been given and received at the time of such delivery.

22. Neither party shall assign this Agreement nor any right or obligation hereunder without first obtaining the prior written consent of the other party.

23. This Agreement shall be governed by and construed in accordance with the laws of the Province of Ontario and the federal laws of Canada.

24. The invalidity or unenforceability of any provision or part of any provision of this Agreement shall not affect the validity or enforceability of any other provision or part thereof, and any such invalid or unenforceable provision or part thereof shall be deemed to be separate, severable and distinct.

25. Nothing in this Agreement should be construed to create a partnership, joint venture or employer-employee relationship between St. Catharines and the Recipient.

26. This Agreement shall enure to the benefit of and be binding upon the parties hereto, their successors and assigns.

27. Each party agrees that no portion of this Agreement shall be interpreted less favourably to either party because that party or its counsel was primarily responsible for the drafting of that portion.

28. This Agreement may be executed in any number of counterparts, either electronically or manually, each of which will be deemed an original, but all of which together will constitute one and the same instrument.

29. The following sections, and all applicable cross-referenced sections and schedules, will continue in full force and effect from the date of expiry or termination of this Agreement: section 2, section 15, section 18, section 23, section 24, section 25, section 26, section 27, and section 29.

[remainder of page intentionally left blank. Signature page follows.]

IN WITNESS WHEREOF the parties hereof have hereunto affixed their corporate seals under the hands of their proper officers duly authorized in that behalf.

SIGNED, SEALED AND DELIVERED
in the presence of

THE CORPORATION OF THE CITY OF
ST. CATHARINES

Dave Upper, Fire Chief
As authorized under By-law 2020-156

THE CORPORATION OF THE TOWN
OF NIAGARA-ON-THE-LAKE

MAYOR

CLERK

SCHEDULE “A”
PAYMENT SCHEDULE

NOTL Proposed CAD Partner Allocation 15 Year (2023-2037)			
Year # (Contract)	Year	Contract Target Increase	Contract Amount (CAD \$)
1	2023	3.00%	65,964
2	2024	4.00%	68,603
3	2025	4.00%	71,347
4	2026	3.50%	73,844
5	2027	3.50%	76,429
6	2028	3.00%	78,722
7	2029	3.00%	81,083
8	2030	2.50%	83,110
9	2031	2.50%	85,188
10	2032	2.50%	87,318
11	2033	2.50%	89,501
12	2034	2.50%	91,738
13	2035	2.50%	94,032
14	2036	2.50%	96,382
15	2037	2.50%	98,792
Total NOTL Year Contract (2023-2037)			\$ 1,242,052

*The Contract Target Increase, and corresponding Contract Amount, is subject to change in accordance Annual Inflation and with the formula below. In any given year of the contract, Annual Inflation shall be calculated in accordance with the Consumer Price Index (Bank of Canada) for the month of December.

Should “Annual Inflation” exceed twice the Contract Target Increase, for each 1% of the overage, the Contract Target Increase shall increase by an additional 0.25% for the given year. After Year 3 (i.e. 2026 and beyond), should Annual Inflation fall under 2% of the Contract Target Increase, for each 1% of the shortage, the Contract Target Increase shall decrease by 0.25% for the given year.

**THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE
BY-LAW NO. 5529-23**

A BY-LAW TO AUTHORIZE AN AGREEMENT BETWEEN THE
CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE
AND THE CORPORATION OF THE CITY OF ST. CATHARINES
(Use of the P25 Radio Communication during Automatic
Aid/Mutual Aid Events System Agreement)

BE IT ENACTED AS A BY-LAW OF THE CORPORATION OF THE TOWN OF
NIAGARA-ON-THE-LAKE as follows:

1. THAT the agreement dated the 25th day of July, 2023 between The Corporation of the Town of Niagara-on-the-Lake and The Corporation of the City of St. Catharines for the use of the P25 System for the provision of P25 Radio system communication during Automatic Aid/Mutual Aid events, be and the same is hereby approved; and
2. THAT the Lord Mayor and Clerk be authorized to affix their hands and the Corporate Seal; and
3. THAT this by-law shall come into force and take effect immediately upon the passing thereof.

**READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 25th DAY OF
JULY, 2023**

LORD MAYOR GARY ZALEPA

(A) TOWN CLERK
SHAUNNA ARENBURG

THIS SUPPLEMENTAL AGREEMENT made the ____ day of _____, 2023, and authorized by By-law No. 2020-156, of the City of St. Catharines.

BETWEEN:

THE CORPORATION OF THE CITY OF ST. CATHARINES
hereinafter called the "St. Catharines"

of the FIRST PART;

- and -

THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE

hereinafter called the "NOTL"

of the SECOND PART;

WHEREAS this agreement is supplemental to an agreement (hereinafter called the "Fire Dispatch Agreement") between the same parties whereby St. Catharines agreed to continue to provide to NOTL computer aided dispatch services for a period of fifteen (5) years, commencing on the 1st day of January, 2023 and ending on the 31st day of December, 2037, upon the terms set forth therein;

AND WHEREAS St. Catharines has entered into a memorandum of understanding dated the 26th day of July, 2018, with The Regional Municipality of Niagara Police Services Board (hereinafter called the "P25 MOU") for the use of an interoperable public safety grade voice radio communication system known as "P25VRS" (hereinafter called the "P25 System") to enhance provision of emergency services in the Region of Niagara for a period of fourteen (14) years upon the terms set forth therein;

AND WHEREAS the P25 MOU specifically contemplates utilization of the P25 System by St. Catharines to provide fire dispatch services to one or more municipalities in or near the Region of Niagara under an agreement;

AND WHEREAS NOTL wishes to use of the P25 System for the provision of P25 Radio system communication during Automatic Aid/Mutual Aid events with neighbouring fire departments and will continue use of the prior or legacy radio dispatch system from St. Catharines under the Fire Dispatch Agreement;

AND WHEREAS NOTL has directly purchased portable radios, including any essential components for operation of the radio equipment, compatible with the P25 System (hereinafter called "P25 Radios" or "P25 Radio") for receiving fire dispatch transmittals from St. Catharines under the Fire Dispatch Agreement;

NOW THEREFORE for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

1. NOTL agrees to pay a subscriber fee in the amount of FIFTY DOLLARS (\$50.00) plus applicable sale taxes per P25 Radio for every month of connection to the P25 System (hereinafter called the "Subscriber Fee"). The Subscriber Fee shall be in addition to the annual sum payable by NOTL to St. Catharines for provision of dispatch services under the Fire Dispatch Agreement in accordance with Schedule "A" of that agreement. The Subscriber Fee may be prorated for any partial month of connection to the P25 System at St. Catharines' sole discretion.
2. NOTL shall convert to and commence use of the P25 System as of May 1, 2023 (the "Commencement Date"). NOTL shall connect a total of 2 P25 Radios to the P25 System as of the Commencement Date.
3. NOTL acknowledges that this supplemental agreement is ancillary to the Fire Dispatch Agreement and in the event the Fire Dispatch Agreement is terminated or expires and is not extended or renewed then this supplement agreement shall also be immediately terminated and at an end.
4. St. Catharines shall commence charging the Subscriber Fee based on the total number of P25 Radios identified by NOTL to connect to P25 System as of the Commencement Date and shall be entitled to charge the Subscriber Fee for the identified number of P25 Radios continuously until such time as NOTL submits a change notice to St. Catharines

that it intends to increase or decrease the total number of P25 Radios connected to the P25 System.

5. A change notice with respect to altering the total number of P25 Radios connected to P25 System is deemed to be effective as of the 1st day of the month immediately subsequent to the date of receipt of the notice by St. Catharines for the purpose of calculating the subscriber fees payable by NOTL under this agreement. To be effective, a change notice must be sent by mail or courier to:
 - a. The Corporation of the City of St. Catharines, 50 Church Street, P.O. Box 3012, St. Catharines, Ontario L2R 7C2, Attention City Clerk. or
 - b. sent by electronic mail to: clerks@stcatharines.ca

A change notice is deemed to be received by St. Catharines on the second business day following mailing or delivery by courier, and, in the case of delivery by electronic mail, on the same day as being sent.

6. NOTL agrees to pay the Subscriber Fee payable for each calendar year of the remaining term of the Fire Dispatch Agreement in quarterly instalments, in advance and upon receipt of an invoice from St. Catharines with adjustments for any change notice from time to time as necessary. St. Catharines anticipates billing for the Subscriber Fee at the same time as billing for the Fire Dispatch Agreement but this is not guaranteed.
7. In the event St. Catharines determines that it has not been notified of any change in the total number of P25 Radios connected to the P25 System for payment purposes, it may adjust invoicing for the subscriber fee payable by NOTL under this agreement at its initiative and discretion without notice to NOTL.
8. Upon execution of this supplemental agreement and for the remaining term of the Fire Dispatch Agreement, NOTL shall not have the option of discontinuing use of the P25 System and returning to use of the prior or legacy radio dispatch system operated by St. Catharines.
9. NOTL acknowledges that the Subscriber Fee is a system access fee charged by The Regional Municipality of Niagara Police Services Board under the P25 MOU for connection to the P25 System. As such, NOTL acknowledges and agrees that St. Catharines is not responsible for and the Subscriber Fee does not represent payment for provision or maintenance or repair of any equipment or hardware, including the P25 Radios, under this supplemental agreement and the Fire Dispatch Agreement and, without limiting the generality of the foregoing, NOTL acknowledges and agrees that it shall be solely responsible for, including the cost of, if any:
 - a. maintenance, repair and replacement of its inventory of P25 Radios as required to ensure optimal performance and continued operation of such equipment; and
 - b. maintaining or improving compatibility of or adding functionality to its inventory of P25 Radios with the P25 System, including any software upgrades to its P25 Radios.

Notwithstanding the foregoing, St. Catharines shall install firmware updates available for free from the provider of the P25 System for NOTL's inventory of P25 Radios on an as-needed basis to correct operating issues at no additional charge to NOTL and, for clarity, such installation of free firmware updates is the only service provided by St. Catharines to NOTL at no additional charge under this supplemental agreement and the Fire Dispatch Agreement.

10. St. Catharines shall not be responsible for any service disruptions or discontinuation resulting from neglect or failure by NOTL to properly maintain and repair its P25 Radios including maintaining compatibility with the P25 System.
11. NOTL shall be solely responsible for obtaining authorization of its P25 Radios for connection to and operation on the P25 System, and shall provide written confirmation to St. Catharines of such authorization a minimum of seven (7) calendar days prior to connection of any P25 Radio to receive fire dispatch transmittals.
12. In the event of costs savings or escalations in operation of the P25 System resulting in an increase or decrease of costs payable by St. Catharines under the P25 MOU, St.

Catharines shall have the right to increase or decrease the P25 Monthly Fee on an equitable and reasonable basis to reflect such costs savings or escalations without advance notice to NOTL.

- 13. NOTL agrees to indemnify and hold harmless St. Catharines, its volunteers, agents, employees and elected officials from and against losses, claims, demands, payments, suits, judgments, orders or expenses of every nature and description arising out of or in consequence of any breach or nonperformance of any terms or conditions of this agreement to be fulfilled, observed or performed by NOTL or its contractors or agents.
- 14. This supplemental agreement shall be read together with the Fire Dispatch Agreement and the parties confirm that, except as modified herein, all terms and conditions in the Fire Dispatch Agreement remain unchanged, unmodified and in full force and effect and shall apply with respect to the matters contained within this supplemental agreement.
- 15. Any capitalized word or term not otherwise defined herein shall have the meaning given thereto in the Fire Dispatch Agreement.
- 16. The parties agree, from time to time, to do or cause to be done all such things, and shall execute and deliver all such documents, agreements and instruments reasonably requested by the other party, as may be necessary or desirable to complete this agreement and to carry out its provisions and intention.
- 17. This supplemental agreement shall enure to the benefit of and be binding upon the parties and their legal representatives, heirs, executors, administrators, successors and permitted assigns as the case may be.
- 18. This agreement may be executed in any number of counterparts, each of which will be deemed an original, but all of which together will constitute one and the same instrument. This agreement will be considered fully executed when all parties have executed an identical counterpart, notwithstanding that all signatures may not appear on the same counterpart. This agreement may be executed and delivered by facsimile signatures or other electronic delivery and will be binding on all parties as if executed by original signature and delivered personally.

IN WITNESS WHEREOF the parties hereto have executed this agreement.

SIGNED, SEALED AND DELIVERED:	)	<u>THE CORPORATION OF THE CITY</u>
	)	<u>OF ST. CATHARINES</u>
)	
)	
)	
)	
)	_____
	)	Dave Upper
	)	Fire Chief
	)	as authorized by By-law 2020-156.
)	
)	
)	
)	_____
	)	Clerk
)	
)	
	)	<u>THE CORPORATION OF THE TOWN</u>
	)	<u>OF NIAGARA-ON-THE-LAKE</u>
)	
)	
)	
)	_____
	)	Mayor
)	
)	
)	_____
	)	Clerk

',
**THE CORPORATION OF THE
TOWN OF NIAGARA-ON-THE-LAKE
BY-LAW NO. 5530-23**

**A BY-LAW TO AUTHORIZE THE ISSUANCE OF A
DEBENTURE TO FINANCE A PORTION OF
ACQUISITION COSTS FOR FIRE APPARATUS IN
THE TOWN OF NIAGARA-ON-THE-LAKE**

WHEREAS the Council of the Corporation of the Town of Niagara-on-the-Lake approved the acquisition of a fire pumper apparatus at a cost of \$840,000 as part of the 2020 and 2021 Capital budgets, with the following funding sources:

Financing Sources:		Budget	Actual
<i>Reserve Financing:</i>			
	Capital Levy	\$20,000	\$20,000
	Debt Financing	\$820,000	\$820,000
Total		\$840,000	\$840,000
Total Debt Financing Required for Project			\$820,000

AND WHEREAS the Treasurer of the Corporation of the Town of Niagara-on-the-Lake has certified that the borrowing herein provided is within the Corporation’s annual debt repayment limit.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE ENACTS AS FOLLOWS:

1. That the Corporation of the Town of Niagara-on-the-Lake purchased a fire pumper apparatus with capital costs to be debentured of \$820,000.
2. That any debentures to be issued for the loan to be effected to pay for the costs of the said work when completed shall bear interest at such rate as the Council of the Regional Municipality of Niagara shall determine and the said debentures shall be payable in a term not to exceed ten (20) years.
4. That the Director of Corporate Services/Treasurer is authorized to execute any documents to finalize the debenture.

**READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 27TH DAY
OF JUNE 2023**

LORD MAYOR GARY ZALEPA

**(A) TOWN CLERK
SHAUNNA ARENBURG**

THE CORPORATION
OF THE
TOWN OF NIAGARA-ON-THE-LAKE

BY-LAW NO. 5527-23

A BY-LAW TO CONFIRM THE PROCEEDINGS AT THE COUNCIL MEETING OF THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE HELD ON JULY 25, 2023

WHEREAS the Council of The Corporation of the Town of Niagara-On-The-Lake (the “**Municipality**”) passed various motions at its meeting held on July 25, 2023;

WHEREAS pursuant to the provisions of Section 5 of the *Municipal Act, 2401*, as amended, the powers of a municipality shall be exercised by its council by by-law unless the municipality is specifically authorized to do otherwise;

AND WHEREAS it is deemed expedient that the actions of the Council of the Municipality at its meeting held on July 25, 2023, be confirmed, and adopted by by-law.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE ENACTS AS FOLLOWS:

1. That the actions of the Council of the Municipality in respect of each motion, resolution, declaration and other action passed, taken or adopted at the meeting held on July 25, 2023, are hereby adopted and confirmed as if the same were expressly included in this By-law, including, but not limited to, the motions of the Council of the Municipality adopted at that meeting which are outlined in the July 25, 2023, Council Minutes.
2. That the Lord Mayor and the proper officials of the Municipality are hereby authorized and directed to do all things necessary, including the execution of the necessary documents, to give effect to the actions of the Council of the Municipality referred to in section 1 of this By-law.
3. That the provisions of this By-law with respect to the Council meetings referred to in section 1 of this By-law shall be deemed to have been effective immediately following the July 25, 2023 meeting of the Council of the Municipality in respect of the motions of the Council of the Municipality as outlined in the July 25, 2023, Council Minutes.
4. That this By-law shall come into force and take effect upon the final passing hereof.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS 25TH DAY OF JULY, 2023

LORD MAYOR GARY ZALEPA

(A) TOWN CLERK SHAUNNA ARENBURG