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## COMMITTEE OF THE WHOLE MEETING MINUTES

July 23, 2024, 5:00 p.m.

|                          |   |
|--------------------------|---|
| Council Members Present: | Councillor Gary Burroughs, Councillor Wendy Cheropita, Councillor Sandra O'Connor, Councillor Adriana Vizzari, Councillor Erwin Wiens, Lord Mayor Gary Zalepa   |
| Council Members Absent:  | Councillor Tim Balasiuk, Councillor Maria Mavridis, Councillor Nick Ruller  |
| Staff Present:           | Shaunna Arenburg - Deputy Clerk, Kirsten McCauley - Director of Community and Development Services, Jay Plato - Fire Chief, Kyle Freeborn - Director of Corporate Services/ Treasurer, Grant Bivol - Town Clerk/Manager of Legislative Services, Bruce Zvaniga, CAO (Interim) |

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### 1. CALL TO ORDER

Councillor Vizzari called the meeting to order at 5:00 p.m.

### 2. ADOPTION OF AGENDA

The following members requested to speak under New Business:

- Councillor Wiens
- Councillor Burroughs
- Councillor O'Connor
- Councillor Vizzari

Moved by: Councillor Gary Burroughs

That the agenda be adopted as amended.

**APPROVED**

### 3. CONFLICT OF INTEREST

None were declared.

#### **4. CLOSED SESSION**

Moved by: Councillor Gary Burroughs

That the Committee proceed into a closed meeting at 5:05 p.m. under Section 239(2)(k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board specifically regarding the Court House Lease.

#### **APPROVED**

Moved by: Councillor Wendy Cheropita

That the Committee rise from a closed meeting at 5:17 p.m. under Section 239(2)(k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board specifically regarding the Court House Lease; and

That Report OPS-24-033 be deemed a public document; and

That the Lord Mayor and Town Clerk be authorized to execute the Lease Agreement (Appendix I) between the Corporation of the Town of Niagara-on-the-Lake and the Shaw Festival Theatre, Canada, for performance and workshop space at the Courthouse, located at 26 Queen Street.

#### **APPROVED**

#### **9. INFORMATION PACKAGES**

The Information Package was moved ahead to follow item 4 due to the timing of the delegations.

##### **9.1 Notice of Completion - Corporate Communications Plan - CAO-24-031**

Council discussed and asked questions about the Communications Plan.

Moved by: Councillor Erwin Wiens

That item 9.1. Notice of Completion - Corporate Communications Plan - CAO-24-031 be received.

#### **APPROVED**

## **9.2 Fire Alarm Assistance Program- Midpoint Update - FES-24-009**

Council asked questions about the Fire Alarm Assistance Program.

Moved by: Councillor Erwin Wiens

That item 9.2. Fire Alarm Assistance Program- Midpoint Update - FES-24-009 be received.

**APPROVED**

## **9.3 St. Davids School Safety Walkabout Summary**

Council discussed and asked questions about the Walkabout Summary.

Councillor Cheropita assumed the chair at 5:28 p.m.

Councillor Vizzari commented on the report and spoke in support of Staff reviewing the recommendations.

Councillor Vizzari resumed the chair at 5:29 p.m.

Moved by: Councillor Gary Burroughs

That item 9.3. St. Davids School Safety Walkabout Summary be received and referred to Staff for a report regarding the recommendations.

**APPROVED**

## **5. DELEGATIONS**

### **5.1 Non-Agenda Delegations**

5.1.1 Richard Mell - Bylaw 4308-09 Section 301.03/301.04. - Ability for tour buses to conduct pickups at locations with no off street parking

Richard Mell, one of the owner of Grape Escape Wine Tours, spoke to Council regarding by-law 4308-09 concerning loading and unloading passengers. Mr. Mell requested Council consider a change to the existing by-law to allow for the loading and unloading of passengers from small tour buses.

Council asked questions of clarification.

### **5.2 Agenda Delegations**

There were none.

## 6. RESPONSE TO DELEGATIONS

Council discussed and asked questions about what options could be available to allow for the loading and unloading of passengers from vehicles with 10 or more passengers.

Moved by: Councillor Erwin Wiens

That the matter be referred to Staff for more information with a return date of September for an investigation into solutions and options, accessibility, pros and cons for drop-off, and specialized transit services.

**APPROVED**

## 7. PRESENTATIONS

Council recessed at 5:52 p.m.

Council resumed at 6:10 p.m.

## 8. CONSENT AGENDA

### 8.1 The Settlement Subdivision, CDS-24-103

Council discussed and asked questions about the report.

Moved by: Councillor Gary Burroughs

That:

1. The Town assumes the Primary, Secondary and Tertiary services installed within the Settlement Subdivision (File No. 26T-18-04-03) as defined in the Subdivision Agreement registered on title; and,
2. The draft Assumption By-law, attached as **Appendix I** to this report, be forwarded to Council for approval.

**APPROVED**

### 8.2 976 York Road (Amo Winery) Zoning By-law Amendment ZBA-12-2023, CDS-24-106

Council discussed and asked questions about the report.

Moved by: Councillor Wendy Cheropita

That:

1. The Application for Zoning By-law Amendment (File No. ZBA-12-2023) for lands known municipally as 976 York Road **be approved** as detailed in this report and the draft Zoning By-law Amendment, attached as **Appendix IV** to this report, be forwarded to Council for adoption.

**APPROVED**

**8.3 2023 & 2024 Discretionary Grant Committee Allocations, CS-24-008**

Council discussed and asked questions about the report.

Moved by: Councillor Gary Burroughs

That:

The following allocations be approved, as recommended by the Discretionary Grant Committee for the 2023 and 2024 Program Years.

| <b>Applicant</b>                   | <b>2023</b>       |                   | <b>2024</b>       |                   |
|------------------------------------|-------------------|-------------------|-------------------|-------------------|
|                                    | <b>Request</b>    | <b>Allocation</b> | <b>Request</b>    | <b>Allocation</b> |
| Caribbean Workers Outreach Project | \$ 1,000          | \$ 866            | \$ 1,000          | \$ 404            |
| Drum Circle Niagara                |                   |                   | \$ 505            | \$ 202            |
| Friends of Fort George             | \$ 20,000         | \$ 11,000         | \$ 20,000         | \$ 10,000         |
| General Nelles Branch #124 Legion  |                   |                   | \$ 20,000         | \$ 20,000         |
| Jane's Walk Niagara                |                   |                   | \$ 1,000          | \$ 404            |
| Music Niagara                      | \$ 7,500          | \$ 6,496          | \$ 7,500          | \$ 3,031          |
| Newark Neighbours                  |                   |                   | \$ 16,000         | \$ 16,000         |
| Niagara Jazz Festival              | \$ 10,000         | \$ 8,661          | \$ 10,000         | \$ 4,041          |
| Niagara North Family Health Team   | \$ 4,896          | \$ 4,240          |                   |                   |
| Niagara Pumphouse Arts Centre      | \$ 5,600          | \$ 4,852          | \$ 8,000          | \$ 8,000          |
| Niagara Symphony Association       |                   |                   | \$ 25,000         | \$ 10,103         |
| NOTL Minor Lacrosse                |                   |                   | \$ 6,500          | \$ 2,627          |
| NOTL Museum                        |                   |                   | \$ 52,933         | \$ 21,394         |
| NOTL Pickleball Club               | \$ 6,000          | \$ 5,197          |                   |                   |
| NOTL Youth Collective              |                   |                   | \$ 15,000         | \$ 6,062          |
| Restorative Circle Niagara         | \$ 500            | \$ 433            |                   |                   |
| Riverbrink                         | \$ 5,850          | \$ 5,850          | \$ 7,816          | \$ 3,159          |
| Rotary Club                        | \$ 5,000          | \$ 1,500          | \$ 2,500          | \$ 1,500          |
| Shaw Festival                      | \$ 50,000         | \$ 42,521         | \$ 50,000         | \$ (6,011)        |
| St Davids/Queenston United Church  | \$ 3,000          | \$ 2,598          |                   |                   |
| Station 1 Firefighter Association  | \$ 2,014          | \$ 1,744          | \$ 2,014          | \$ 814            |
| Station 2 Firefighter Association  | \$ 1,319          | \$ 1,142          | \$ 1,319          | \$ 533            |
| Station 3 Firefighter Association  | \$ 1,475          | \$ 1,277          | \$ 1,475          | \$ 596            |
| Station 4 Firefighter Association  | \$ 629            | \$ 544            | \$ 629            | \$ 254            |
| Station 5 Firefighter Association  | \$ 629            | \$ 544            | \$ 629            | \$ 254            |
| Yellow Door Theatre Project        | \$ 3,158          | \$ 2,735          | \$ 8,000          | \$ 3,233          |
| <b>Total</b>                       | <b>\$ 128,569</b> | <b>\$ 102,200</b> | <b>\$ 257,820</b> | <b>\$ 106,600</b> |

## **APPROVED**

### **8.4 2023 Capital Project Closure Report, CS-24-009**

Council discussed and asked questions about the report.

Moved by: Councillor Wendy Cheropita

That:

1. Council receive the Capital Project Closure Report effective December 31, 2023, attached as **Appendix I** to this report;
2. Council receive the Capital Project Status Report effective December 31, 2023, attached as **Appendix II** to this report;
3. Council approve the transfer of the favourable variance for capital projects of \$1,552,653.58, as identified in **Appendix I** in the column identified "Under/(Over) Budget," net of internal financing and debenture projects; and
4. Council approve the transfer of surplus capital funds to projects C00749 and C01991 as outlined in section 5.1 of this report.

## **APPROVED**

### **8.5 2023 Development Charges Reserve Fund Statement, CS-24-010**

Council discussed and asked questions about the report.

Moved by: Councillor Erwin Wiens

That:

1. Council approve the annual Development Charges Reserve Fund Statement for the period from January 1, 2023, to December 31, 2023.

## **APPROVED**

### **8.6 2023 Building Permit Fees Annual Financial Report, CS-24-011**

Council discussed and asked questions about the report.

Moved by: Councillor Wendy Cheropita

That:

1. The Building Permit Fees Annual Financial Report for 2032 be approved by COTW-General and forwarded to Council.

**APPROVED**

**8.7 2023 Year End Surplus, CS-24-012**

Council discussed and asked questions about the report.

Moved by: Councillor Erwin Wiens

That:

1. Council receives this report quantifying the 2023 Operating Budget Surplus of \$234,613 or 0.8%;
2. Council approves that the 2023 surplus be allocated to the following reserves:
3. \$184,613 to the Planning Appeals Reserve.

**APPROVED**

**8.8 Airport Drainage System Proposed Scope Amendment, OPS-24-027**

Council discussed and asked questions about the report.

Moved by: Councillor Wendy Cheropita

That:

1. That Council appoint GEI Consultants Canada Ltd., ("GEI", formerly GM BluePlan Engineering Limited) under section 8(1) of the *Drainage Act* R.S.O. 1990 (the Act) to prepare an updated Engineer's Report under sections 76 and 78 of the *Drainage Act* R.S.O. 1990 for the Airport Municipal Drainage System to vary and update the assessment schedules for future maintenance and address erosion concerns throughout the system; and
2. That Council direct the Town Clerk to amend By-law 5201-20 as required to retain the Drainage Engineer in accordance with the *Drainage Act* R.S.O. 1990.

**APPROVED**

**8.9 Servicing Agreement – 61 Princess Street Watermain Extension, OPS-24-029**

Council discussed and asked questions about the report.

Moved by: Councillor Gary Burroughs

That:

1. Council approve the draft Agreement for the extension of the watermain on Princess Street, attached as **Appendix I** to this report, and forward to the Owner(s) for signatures; and;
2. The Lord Mayor and Town Clerk be authorized to execute an Agreement with the Owners of 61 Princess Street for the construction of the Princess Street watermain extension to Town standards at their expense, including deposits and fees for engineering, construction, inspection, and agreement preparation costs.

**APPROVED**

**8.10 Additional Road Rehabilitation – Line 8 Road from Concession 1 Road to Niagara River Parkway, OPS-24-036**

Councillor Cheropita left the meeting at 7:19 p.m.

Council discussed and asked questions about the report.

Moved by: Councillor Gary Burroughs

That:

1. Council approves the reallocation of surplus funds expected from the Town's 2024 Roads Capital Hot Mix Asphalt Resurfacing Program toward the road rehabilitation of Line 8 Road from Concession 1 Road to Niagara River Parkway; and
2. Council approves the reallocation of any additional surplus funds that may be realized to other locations as necessary at the Director of Operations discretion in consultation with the CAO and Treasurer while staying within the overall approved original funding allocation.

**APPROVED**



**9. INFORMATION PACKAGES**

The items in the Information Package were discussed and received under item 4.

**10. NOTICE OF MOTION**

**11. NEW BUSINESS**

The following items were discussed under New Business:

- Delivery Trucks blocking parking spaces
- Enforcement of the Anti-idling By-law
- Advancing the Official Plan
- Swim Team Bake Sale at St. Davids Pool Wednesday and Memorial Pool Thursday

**12. ADJOURNMENT**

Moved by: Councillor Gary Burroughs

That this Committee adjourn at 7:24 p.m. to the next regular Council meeting of July 30, 2024 and if a special meeting is required, it will be held at the call of the Lord Mayor.

**APPROVED**