



**November 27, 2024, 9:00 a.m.**

Council Members Present: Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Adriana Vizzari, Councillor Erwin Wiens, Lord Mayor Gary Zalepa, Councillor Andrew Niven

Council Members Absent: Councillor Wendy Cheropita

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), Natalie Thomson

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**1. CALL TO ORDER**

The Lord Mayor called the meeting to order at 9:01 a.m.

**2. ADOPTION OF THE AGENDA**

Moved by: Councillor Gary Burroughs

Seconded by: Councillor Maria Mavridis

That the agenda be adopted as presented.

**APPROVED**

**3. GENERAL INFORMATION:**

The Town Clerk advised that notice was mailed on November 15, 2024 to all interested parties.

**4. PROCESS FOR THE HEARING:**

The Lord Mayor provided the process for the hearing and the criteria for a minor variance.

**5. CONFLICT OF INTEREST**

None were declared.

**6. FENCE VARIANCE APPLICATION FV-02-24 - 474 William Street**

The background information concerning application FV-02-24 was included on the agenda for Council's information.

**6.1 Copy of the Notice of Appeal**

**6.2 The Complete Record before the Hearing of the Committee of Adjustment**

**6.3 Copy of the Notice of the Appeal Hearing**

**6.4 Copy of Report CS-16-11**

**7. WITNESSES TO BE HEARD IN THE FOLLOWING ORDER:**

All parties affirmed the oath.

**7.1 Town Planner(s) and/or any other Town staff and/or any other witness(es) retained by the Town**

**7.1.1 Information Report - Fence Variance Appeal Hearing - 474 William Street - CDS-24-158**

John Federici, Senior Planner gave a presentation on the Fence Variance Appeal Hearing - 474 William Street - CDS-24-158.

Council asked questions of clarification.

**7.2 Any Interested Parties against the Fence Variance**

No speakers present

**7.3 Any Interested Parties in favour of the Fence Variance**

**7.3.1 Julia Buxton-Cox - Applicant**

Julia Buxton-Cox provided her presentation in favour of the minor fence variance.

Ms. Buxton-Cox answered questions from Council.

**7.4 The Appellant**

**7.4.1 Evi Mitchinson**

Evi Mitchinson provided her presentation against the minor fence variance.

Council asked questions of clarification.

## **8. RESPONSE FROM COUNCIL**

Council recalled John Federici to answer additional questions.

Council directed additional questions to by-law.

Moved by: Councillor Gary Burroughs

Seconded by: Councillor Maria Mavridis

That the Maximum height from 1.0 metres in the front yard, as required in the Fence By-law, to 3.5 metres for the existing cedar trees be granted.

Yea (8): Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Maria Mavridis, Councillor Sandra O'Connor, Councillor Adriana Vizzari, Councillor Erwin Wiens, Lord Mayor Gary Zalepa, and Councillor Andrew Niven

Absent (1): Councillor Wendy Cheropita

**APPROVED (8 to 0)**

## **9. PROCEEDINGS BY-LAW NO. 2024-076**

Moved by: Councillor Maria Mavridis

Seconded by: Councillor Tim Balasiuk

That leave be given to introduce By-law No. 2024-076, a By-law to confirm the proceedings at the Council Meeting of the Corporation of the Town of Niagara-on-the-Lake held on November 27, 2024, and that the same be considered read a first, second and third time and passed any ruling of this Council to the contrary notwithstanding.

**APPROVED**

## **10. ADJOURNMENT**

Moved by: Councillor Erwin Wiens

Seconded by: Councillor Maria Mavridis

That this Council adjourn at 10:08 a.m. to the next regular meeting of Budget Review Committee on November 28, 2024, and if a special meeting is required, it will be held at the call of the Lord Mayor.

**APPROVED**