



March 26, 2024, 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: 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)

1. CALL TO ORDER

Lord Mayor Zalepa called the meeting to order at 6:10 p.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 O'Connor requested that the Update - CAO-24-2013 Caleche Report be added under new business.
- Councillor Burroughs

Moved by: Councillor Gary Burroughs

Seconded by: Councillor Erwin Wiens

That the agenda be adopted as amended.

APPROVED

5. COUNCIL & COMMITTEE OF THE WHOLE MINUTES

5.1 Council Minutes - Tuesday, February 27, 2024

5.2 Committee of the Whole Planning Minutes - Tuesday, March 5, 2024

5.3 Committee of the Whole General Minutes - Tuesday, March 19, 2024

Moved by: Councillor Maria Mavridis

Seconded by: Councillor Wendy Cheropita

That the following minutes be approved:

- Council Minutes - Tuesday, February 27, 2024
- Committee of the Whole Planning Minutes - Tuesday, March 5, 2024
- Committee of the Whole General Minutes - Tuesday, March 19, 2024

APPROVED

6. CONFLICT OF INTEREST

None were declared.

7. PROCLAMATIONS

7.1 World Autism Day - April 2, 2024

The Lord Mayor proclaimed April 2, 2024 as World Autism Day.

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

The Clerk read out the following upcoming meetings:

- Committee of the Whole - Planning Meeting - Tuesday, April 9, 2024
- Committee of the Whole - General Meeting - Tuesday, April 16, 2024
- Council Meeting - Tuesday, April 30, 2024

9. LORD MAYOR'S REPORT

The Lord Mayor presented his report.

10. MEMBERS' ANNOUNCEMENT

The following members made announcements:

- Councillor Burroughs
- Councillor Cheropita

- Councillor O'Connor
- Councillor Wiens

11. DELEGATIONS

11.1 Non-Agenda Delegation

11.1.1 Jason Snyder - Crime Stoppers of Niagara - How the Town of Niagara-on-the-Lake can Assist, Support, and Work with Crime Stoppers

Jason Snyder from Crime Stoppers of Niagara gave a presentation on the purpose and effect of Crime Stoppers.

Mr. Snyder answered questions of clarity from Council.

11.1.2 Brett Sweeney - FACS Niagara - Mountainview LemonAID Day 2024

Jaden Polgrabia on behalf of FACS Niagara presented on Mountainview LemonAID Day 2024.

Mr. Polgrabia answered questions from Council.

11.2 Agenda Delegation

11.2.1 Catherin Lyons -on behalf of Save Our Rand Estate - Agenda Item 14.1 - Character Study for Rand Estate and John Street East – Town Initiated Official Plan Amendment (OPA-1-2024), CDS-24-045

Catharine Lyons on behalf of Save Our Rand Estate - spoke in support of the Staff recommendation in agenda Item 14.1 - Character Study for Rand Estate and John Street East – Town Initiated Official Plan Amendment (OPA-1-2024), CDS-24-045.

Council had no questions for Ms. Lyons.

12. RESPONSE TO DELEGATIONS FROM COUNCIL

Councillor Cheropita and Councillor Burroughs spoke in support of Crime Stoppers and requested a report back from Staff.

Councillor Cheropita spoke in favour of supporting MountainView LemonAid Day.

Councillor Mavridis left the meeting at 7:05 p.m.

13. PRESENTATIONS

14. CONSENT AGENDA

14.1 Character Study for Rand Estate and John Street East – Town Initiated Official Plan Amendment (OPA-1-2024), CDS-24-045

Council discussed and asked questions about the report.

Moved by: Councillor Gary Burroughs

Seconded by: Councillor Tim Balasiuk

That:

1. The application for Official Plan Amendment (File No. OPA-01-2024) known as the Former Rand Estate and John Street East Character Study, be approved as detailed in this report;
2. The draft Official Plan Amendment, attached as **Appendix IV** to this report, be adopted by Council; and
3. That the Former Rand Estate and John Street East Character Study report, attached as **Appendix I** to this report, be formally endorsed by Council.

APPROVED

15. INFORMATION PACKAGES

15.1 By-law Enforcement Metrics- December 2023 - FES-24-002

Moved by: Councillor Gary Burroughs

Seconded by: Councillor Erwin Wiens

That item 15.1 - By-law Enforcement Metrics- December 2023 - FES-24-002 be received.

APPROVED

16. COMMITTEES OF COUNCIL MINUTES

16.1 Committee of Adjustment Minutes - February 15, 2024

Lifted for discussion by Councillor Burroughs.

Director McCauley will follow up via email with the clarification requested.

16.2 Heritage Trail Committee - February 21, 2024

16.3 Budget Review Committee - February 29, 2024

16.4 Tourism Strategy Committee - March 4, 2024

Lifted for separate vote by Councillor Burroughs.

Moved by: Councillor Gary Burroughs

Seconded by: Councillor Sandra O'Connor

That the Tourism Strategy Committee - March 4, 2024 minutes be approved.

APPROVED

16.5 Municipal Heritage Committee Minutes - March 6, 2024

Moved by: Councillor Wendy Cheropita

Seconded by: Councillor Tim Balasiuk

That the following minutes be approved:

- Committee of Adjustment Minutes - February 15, 2024
- Heritage Trail Committee - February 21, 2024
- Budget Review Committee - February 29, 2024
- Municipal Heritage Committee Minutes - March 6, 2024

APPROVED

17. MOTIONS

Councillor Mavridis rejoined the meeting virtually at 7:20 p.m.

17.1 Councillor O'Connor - Forest Management Plan

Councillor O'Connor introduced her motion.

Council discussed and asked questions about the motion.

Moved by: Councillor Sandra O'Connor

Seconded by: Councillor Gary Burroughs

WHEREAS one of the goals of the Climate Change Adaptation Plan was to conduct tree

canopy coverage mapping for NOTL; and

WHEREAS this has been completed by the Region; and

WHEREAS the next goal is to develop a forestry management plan;

THEREFORE BE IT RESOLVED that as per Niagara-on-the-Lake's Strategic Plan, Council directs Staff to begin a comprehensive review of the current policy and by-law; and

BE IT FURTHER RESOLVED that Staff be directed, in consultation with

the Environmental Advisory and Agricultural Committee, to prepare a forestry management plan to increase Niagara-on-the-Lake's tree canopy, including canopy targets and timelines.

APPROVED

17.2 Councillor O'Connor - Transportation Strategy Appointment

Councillor O'Connor introduced her motion.

Council discussed and asked questions about the motion.

Councillor Wiens requested the motion be separated.

Moved by: Councillor Sandra O'Connor

Seconded by: Councillor Gary Burroughs

WHEREAS Regional Council is seeking an appointee of a Councillor or a Regional Councillor to represent the Town of Niagara-on-the-Lake on the Transportation Strategy Steering Committee; and

WHEREAS Town Councillor Adriana Vizzari is agreeable to join as the Town Representative;

THEREFORE BE IT RESOLVED that Council nominate Councillor Adriana Vizzari to represent the Town of Niagara-on-the-Lake on the Transportation Strategy Steering Committee;

APPROVED

The Lord Mayor requested a recorded vote.

Moved by: Councillor Sandra O'Connor

Seconded by: Councillor Gary Burroughs

BE IT FURTHER RESOLVED that the appointed representative on the Transportation Strategy Steering Committee advocate for positions identified by Niagara-on-the-Lake Council on any transportation initiatives.

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

Nay (3): Councillor Wendy Cheropita, Councillor Erwin Wiens, and Lord Mayor Gary Zalepa

APPROVED (6 to 3)

18. NOTICE OF MOTION

The Lord Mayor put forward notices of motions regarding:

- The Federation of Canadian Municipalities regarding Infrastructure Funding
- Great Lakes in Saint Lawrence Seaway initiative

19. NEW BUSINESS

Councillor O'Connor put forward a motion regarding the proposed minor variance application at 332 Johnson St.

The Deputy Lord Mayor took the chair at 7:31 p.m.

The Lord Mayor spoke to the motion.

The Lord Mayor resumed the Chair at 7:32 p.m.

The Lord Mayor requested a recorded vote.

Moved by: Councillor Sandra O'Connor

Seconded by: Councillor Gary Burroughs

To approve the Staff recommendations on the proposed minor variance application at 332 Johnson St. and appeal the decision.

Yea (5): Councillor Tim Balasiuk, Councillor Gary Burroughs, Councillor Sandra O'Connor, Councillor Nick Ruller, and Councillor Erwin Wiens

Nay (4): Councillor Wendy Cheropita, Councillor Maria Mavridis, Councillor Adriana Vizzari, and Lord Mayor Gary Zalepa

APPROVED (5 to 4)

Council discussed and asked questions about the Caleche report update.

19.1 Update - CAO-24-2013 Caleche Report

Moved by: Councillor Sandra O'Connor

Seconded by: Councillor Erwin Wiens

That Update - CAO-24-2013 Caleche Report be received and Option two in the report be pursued.

APPROVED

20. BY-LAWS

Director McCauley will follow up via email to Council regarding the lot shape of item 20.3 - William Street Holding (ZBA-03-2024).

- 20.1 By-law 5157B-24 -Heavy Motor Vehicle Prohibition - By-law Amendment**
- 20.2 By-law 4744D-24 - Administrative Penalties Amendments**
- 20.3 By-law 4316DM(1)-24 - William Street Holding (ZBA-03-2024)**
- 20.4 By-law 2024-019 - William Street Subdivision Agreement - March 5 2024**
- 20.5 By-law 2024-020 - Official Plan Amendment 92**
- 20.6 By-law 2024-021 - Site Plan Control By-law Update**
- 20.7 By-law 2024-022 - Delegated Authority By-law**
- 20.8 By-law 2024-023 - Designation By-law 12 Princess Street**
- 20.9 By-law 2024-024 - Designation By-law 130 Front Street**
- 20.10 By-law 2024-025 - Idling Reduction**
- 20.11 By-law 4588C-24 - Noise By-law - Amendment**
- 20.12 By-law 5334A-24 - AMPS Non-Parking By-Law - Amendment**
- 20.13 By-law 2024-026 - Council Proceedings March 26, 2024**

Moved by: Councillor Gary Burroughs

Seconded by: Councillor Erwin Wiens

That leave be given to introduce By-laws: By-law 5157B-24, By-law 4744D-24, By-law 4316DM(1)-24, By-law 2024-019, By-law 2024-020, By-law 2024-021, By-law 2024-022, By-law 2024-023, By-law 2024-024, By-law 2024-025, By-law 5334A-24, By-law 2024-026 and that the same be considered read a first, second and third time and passed this 26th day of March 2024.

APPROVED

21. ADJOURNMENT

Moved by: Councillor Gary Burroughs

Seconded by: Councillor Tim Balasiuk

That this Council adjourn at 7:48 p.m. to the next regular Committee of the Whole - Planning meeting of April 9, 2024 and if a special meeting is required, it will be held at the call of the Lord Mayor.

APPROVED