



February 25, 2025, 6:00 p.m.

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

Council Members Absent: 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

Deputy Lord Mayor Wiens called the meeting to order at 6:00 p.m.

2. FOCUS STATEMENT

Councillor O'Connor read the Focus Statement.

3. O'CANADA

4. ADOPTION OF THE AGENDA

The following Councillors requested to speak under New Business

- Councillor Vizzari
- Councillor Cheropita
- Councillor Burroughs
- Councillor Mavridis

- Councillor O'Connor

Moved by: Councillor Tim Balasiuk

Seconded by: Councillor Maria Mavridis

That the agenda be adopted, as amended.

APPROVED

Moved by: Councillor Maria Mavridis

Seconded by: Councillor Sandra O'Connor

That Council waive the procedure by-law to allow to delegates to speak to the patio agenda item.

A 2/3 majority required.

APPROVED

5. CONFLICT OF INTEREST

None were declared.

6. COUNCIL & COMMITTEE OF THE WHOLE MINUTES

6.1 Committee of the Whole Planning Minutes - February 4, 2025

Moved by: Councillor Gary Burroughs

Seconded by: Councillor Sandra O'Connor

That item 8.2 Heritage Conservation District Study, CDS-25-028 of the minutes from Committee of the Whole Planning - February 4, 2025, as follows be forwarded for adoption in conjunction with Item 14.1 of tonight's agenda:

That:

1. Council ENDORSE the proposed Queen-Picton Heritage Conservation District Study Area shown in Appendix I to this report; and,

2. Council APPROVE the enactment of a Study Area By-law under Section 40.1 of the Ontario Heritage Act, attached as Appendix II to this report, establishing the study area for the Heritage Conservation District Study, and temporary restrictions on the alteration of property within the Study Area for a one-year period.

APPROVED

6.2 Committee of the Whole General Minutes - February 11, 2025

6.3 Budget Review Committee - January 23, 2025

6.4 Council Minutes - January 28, 2025

Moved by: Councillor Wendy Cheropita

Seconded by: Councillor Maria Mavridis

That the following minutes be approved.

- Balance of Committee of the Whole Planning Minutes - February 4, 2025 (save and except item 8.2 thereof)
- Committee of the Whole General Minutes - February 11, 2025
- Budget Review Committee - January 23, 2025
- Council Minutes - January 28, 2025

APPROVED

7. PROCLAMATIONS

7.1 World Autism Day - April 2, 2025

Town Clerk Grant Bivol read out the proclamation.

WHEREAS World Autism Day is recognized in Canada on April 2, 2025. Autism Ontario is one of the largest collective voices representing the autism community, and the work they do helps all autistic individuals and families in their communities have access to meaningful support, information, and connections, not only on April 2 but every day throughout the year.

WHEREAS Autism impacts more than 135,000 individuals in Ontario, representing 1 in every 50 Canadian children and youth, influencing the lives of autistic individuals, their friends, families, and communities. It's crucial for us to raise awareness and acceptance, provide support and promote a more inclusive society.

WHEREAS Autism is a diverse spectrum that varies widely among individuals. Each person's experience with autism can change over time. This evolving journey highlights the uniqueness of every autistic individual, emphasizing the need for understanding and support tailored to their specific needs.

WHEREAS Autism Ontario is the leading source of information and referral on autism and, since 1973, has been providing support,

information, and opportunities for thousands of families and individuals across the province.

WHEREAS Autism Ontario is devoted to raising public awareness about autism and addressing the everyday challenges faced by individuals with autism, their families, and the professionals who work alongside them. We urge everyone to recognize and celebrate the unique differences and needs of others, fostering an inclusive environment where all individuals can participate fully in activities and discussions. Together, we can create a society that values and includes everyone.

THEREFORE BE IT RESOLVED that I, Lord Mayor Gary Zalepa, do hereby recognize April 2 as World Autism Day while committing to embracing awareness and acceptance today and every day.

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

The Town Clerk read out the following forthcoming dates:

- Budget Review Committee - February 26, 2025 - 10:00 a.m.
- Council Workshop - Official Plan - February 26, 2025 - 2:00 p.m.
- Committee of the Whole - Planning Meeting - March 4, 2025 - 6:00 p.m.
- Committee of the Whole - General Meeting - March 18, 2025 - 6:00 p.m.
- Council Meeting - March 25, 2025 - 5:00 p.m.

9. LORD MAYOR'S REPORT

Deputy Lord Mayor Wiens read the Lord Mayor's report.

10. MEMBERS' ANNOUNCEMENT

The following members made announcements:

- Councillor Balasiuk

11. DELEGATIONS

11.1 Non- Agenda Delegation

11.2 Agenda Delegation

11.2.1 Tim Jennings, Executive Director/CEO, Shaw Festival - Item 14.1 - Queen-Picton Heritage Conservation District Study – Revised Study Area By-law, CDS-25-043

Tim Jennings, Executive Director/CEO, Shaw Festival requested an exemption from the Heritage Conservation District Study Area

Council asked questions of clarity.

11.2.2 Gina Angelakopoulos, Epicurean Restaurant - Temporary Patio

Gina Angelakopoulos, Epicurean Restaurant spoke about the patio program and recommended that it be ended.

Council asked questions of clarification.

12. RESPONSE TO DELEGATIONS FROM COUNCIL

Council asked staff questions of clarification regarding Tim Jennings delegation.

Councillor Cheropita provided a notice of motion to exempt properties including the Royal George and all of the addresses that Tim Jennings mentioned and other projects that have completed pre-consultation meetings, have submitted reports and are within the existing Heritage Conservation District.

Councillor Cheropita was advised to bring the motion forward under item 14.1.

Council asked staff questions of clarification regarding the temporary patio program and the seasonal patio program.

Director McCauley provided clarification on the patio programs.

13. PRESENTATIONS

13.1 Kathy Weiss, Executive Director of Tourism NOTL - Update on Tourism Board NOTL Composition and Mandate

Kathy Weiss, Executive Director of Tourism NOTL provided an update on the board composition and mandate.

Chair Paul Macintyre spoke about the board of directors.

Council asked questions of clarity to Mr. Macintyre and Ms. Weiss.

13.2 Steve Burke, Manager of Policy Planning and Sumra Zia, Heritage Planner - Heritage Designation Priorities

Sumra Zia presented on the Heritage Designation Priorities. Steve Burke provided the conclusion to the presentation.

Council asked questions of clarity.

Moved by: Councillor Wendy Cheropita

Seconded by: Councillor Tim Balasiuk

That the Heritage Designation Priorities presentation be received.

APPROVED

13.3 Aimee Alderman, Manager of Development Planning - Seasonal Patio Program Presentation

Aimee Alderman gave the patio presentation.

Council asked questions of clarity.

Moved by: Councillor Maria Mavridis

Seconded by: Councillor Gary Burroughs

That item 15.4 - Seasonal Patio Program - Request for Feedback - CDS-25-049 be moved up to be discussed with item 13.3.

APPROVED

Moved by: Councillor Maria Mavridis

Seconded by: Councillor Gary Burroughs

That the procedure by-law requirements in respect to reconsideration be waived to permit the immediate reconsideration of support for the seasonal patio program and the resolution directing staff to prepare a permanent program for seasonal patios.

Requires a 2/3 majority.

APPROVED

Moved by: Councillor Maria Mavridis

Seconded by: Councillor Gary Burroughs

Reconsideration of the Council resolution ratified on November 21, 2023:

That Council support the seasonal patio program in the urban area.

DEFEATED

Moved by: Councillor Maria Mavridis

Seconded by: Councillor Gary Burroughs

Reconsideration of the Council resolution ratified on January 30, 2024:

Staff be directed to prepare a permanent program for Seasonal Patios for food and drink establishments within the urban area, including all necessary documentation and application requirements.

DEFEATED

Moved by: Councillor Maria Mavridis

Seconded by: Councillor Tim Balasiuk

That Council cancel the Temporary Patio Program at the end of December 31, 2025 and direct Staff to report back on budget, timing and boundaries for a Heritage District (Queen Street) Master Secondary Plan.

Councillor Burroughs requested a recorded vote.

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

Absent (1): Lord Mayor Gary Zalepa

APPROVED (8 to 0)

Moved by: Councillor Tim Balasiuk

Seconded by: Councillor Gary Burroughs

That items 13.3 - Seasonal Patio Program Presentation and 15.4 - Seasonal Patio Program - Request for Feedback - CDS-25-049 be received.

APPROVED

14. CONSENT AGENDA

14.1 Queen-Picton Heritage Conservation District Study – Revised Study Area By-law, CDS-25-043

Council discussed and asked questions about the report.

Moved by: Councillor Wendy Cheropita

Seconded by: Councillor Maria Mavridis

That Council exempt properties including the Royal George Theatre, that have completed pre-consultation meetings on properties within the existing Heritage Conservation District, as there is protection in place at present.

APPROVED

Councillor Balasiuk assumed the chair at 8:37 p.m. to allow Deputy Lord Mayor Wiens to put forward a motion.

Moved by: Deputy Lord Mayor Erwin Wiens

Seconded by: Councillor Maria Mavridis

That Council pause the Interim Control By-law for 30 days to allow anybody who is in the process to submit their applications.

APPROVED

Deputy Lord Mayor Wiens resumed the chair at 8:48 p.m.

Moved by: Councillor Gary Burroughs

Seconded by: Councillor Sandra O'Connor

That item 8.2 Heritage Conservation District Study, CDS-25-028 from the minutes of Committee of the Whole Planning Minutes - February 4, 2025 be approved:

That:

1. Council ENDORSE the proposed Queen-Picton Heritage Conservation District Study Area shown in Appendix I to this report; and,

2. Council APPROVE the enactment of a Study Area By-law under Section 40.1 of the Ontario Heritage Act, attached as Appendix II to this report, establishing the study area for the Heritage Conservation District Study,

and temporary restrictions on the alteration of property within the Study Area for a one-year period.

APPROVED

Moved by: Councillor Gary Burroughs

Seconded by: Councillor Tim Balasiuk

That:

1. Council **APPROVE** the enactment of *the revised* Study Area By-law under Section 40.1 of the Ontario Heritage Act, as revised and attached as **Appendix II** to this report, establishing temporary restrictions on the alteration of property within the Study Area for a one-year period, in addition to Recommendation 1.2 in Report CDS-25-028.

APPROVED

14.2 2025/26 Holiday Schedule, CAO-25-004

Moved by: Councillor Sandra O'Connor

Seconded by: Councillor Maria Mavridis

That:

1. Council approve the inclusion of Friday, January 2, 2026, as part of the 2025/26 Holiday Closure Schedule, with staff using their entitlements to cover the day off.

APPROVED

15. INFORMATION PACKAGES

15.1 Konik Estates Phase 1 - Lifting of One-Foot Reserve - CDS-25-045

Council asked questions about the report.

Moved by: Councillor Gary Burroughs

Seconded by: Councillor Maria Mavridis

That item 15.1 - Konik Estates Phase 1 - Lifting of One-Foot Reserve - CDS-25-045 be received.

APPROVED

15.2 South Huron's Motion Concerning Amendments to the Ontario Heritage Act through Bill 23 - CDS-25-047

Council asked questions about the report.

Moved by: Councillor Sandra O'Connor

Seconded by: Councillor Maria Mavridis

That the Town of Niagara on the Lake endorses the resolution from the Municipality of South Huron requesting the Province reconsider the amendment to Subsection 29(1.2) of the Ontario Heritage Act and that it be sent to the circulation list included in the motion including the local MPP.

APPROVED

Moved by: Councillor Sandra O'Connor

Seconded by: Councillor Maria Mavridis

That item 15.2 - South Huron's Motion Concerning Amendments to the Ontario Heritage Act through Bill 23 - CDS-25-047 be received.

APPROVED

15.3 Priority Designation Work - Updates and Next Steps - CDS-25-048

Moved by: Councillor Gary Burroughs

Seconded by: Councillor Tim Balasiuk

That item 15.3 - Priority Designation Work - Updates and Next Steps - CDS-25-048 be received.

APPROVED

15.4 Seasonal Patio Program - Request for Feedback - CDS-25-049

This item was lifted and discussed under item 13.3 - Seasonal Patio Program Presentation.

15.5 2024 Fire and Emergency Services Departmental Summary - FES-25-002

Council asked questions about the report.

Moved by: Councillor Tim Balasiuk

Seconded by: Councillor Gary Burroughs

That item 15.5 - 2024 Fire and Emergency Services Departmental Summary - FES-25-002 be received.

APPROVED

15.6 Customer Experience and Communications - 2024 Summary - CAO-25-008

Moved by: Councillor Tim Balasiuk

Seconded by: Councillor Adriana Vizzari

That item 15.6 - Customer Experience and Communications - 2024 Summary - CAO-25-008 be received.

APPROVED

15.7 Strategic Plan Implementation Mid-Term Update - CAO-24-054

Council asked questions and discussed the report.

Moved by: Councillor Gary Burroughs

Seconded by: Councillor Tim Balasiuk

That item 15.7 - Strategic Plan Implementation Mid-Term Update - CAO-24-054 be received.

APPROVED

15.8 2024 NOTL Public Library Statistics Presentation

Councillor Vizzari spoke to the presentation.

Moved by: Councillor Adriana Vizzari

Seconded by: Councillor Maria Mavridis

That item 15.8 - 2024 NOTL Public Library Statistics Presentation be received.

APPROVED

15.9 The Niagara Region - Transportation Master Plan - Presentation

Councillor Vizzari spoke to the presentation

Moved by: Councillor Adriana Vizzari

Seconded by: Councillor Maria Mavridis

That item 15.9 - The Niagara Region - Transportation Master Plan - Presentation be received.

APPROVED

16. COMMITTEES OF COUNCIL MINUTES

16.1 Committee of Adjustment Minutes - December 19, 2024

16.2 Committee of Adjustment Minutes - January 16, 2025

16.3 CAO Recruitment Committee Minutes - January 29, 2025

16.4 Irrigation Committee Minutes - February 5, 2025

16.5 Municipal Heritage Committee Minutes - February 5, 2025

Moved by: Councillor Gary Burroughs

Seconded by: Councillor Tim Balasiuk

That the minutes of the February 5, 2025 - Municipal Heritage Committee be approved and recommendations therein be adopted.

APPROVED

16.6 Agricultural Committee Minutes - February 10, 2025

16.7 CAO Recruitment Committee Minutes - February 14, 2025

16.8 Heritage Trail Committee Minutes - February 19, 2025

Moved by: Councillor Maria Mavridis

Seconded by: Councillor Wendy Cheropita

That the minutes of the following meetings be received:

- Committee of Adjustment Minutes - December 19, 2024
- Committee of Adjustment Minutes - January 16, 2025

- CAO Recruitment Committee Minutes - January 29, 2025
- Irrigation Committee Minutes - February 5, 2025
- Agricultural Committee Minutes - February 10, 2025
- CAO Recruitment Committee Minutes - February 14, 2025
- Heritage Trail Committee Minutes - February 19, 2025

APPROVED

17. MOTIONS

17.1 Councillor O'Connor - Prioritizing Canadian made Goods and Services under the Procurement Policy

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 the proposed U.S. tariffs could negatively impact the residents and economy of Niagara-on-the-Lake; and

WHEREAS at the Niagara borders, 9.1 million people crossed into the US from Canada, and 9.3 million people crossed from the US into Canada; and

WHEREAS a total of \$119.5 billion in goods transited the borders in Niagara: \$57.8 billion were exports to the US, and \$61.6 billion were imports to Canada; and

WHEREAS Niagara borders with the US accounted for 11.4% of total goods traded between Canada and the US; and

WHEREAS Premier Doug Ford has stated the proposed tariffs could cost Ontario 500,000 jobs; and

WHEREAS the federal government has created the Canada-US Relations Council to assist in addressing potential U.S. tariffs, with representatives from the auto sector, unions, industry, and agriculture included; and

WHEREAS in 2023, 532 businesses in Niagara exported \$5.9 billion in goods to the US, and the US market accounts for 72% of total exports from Niagara businesses, and in the Town of Niagara-on-the-Lake, over 80 exporters and nearly 1,700 jobs; and

WHEREAS the Town of Niagara-on-the-Lake is a member of the Great lakes St. Lawrence Cities Initiative, a growing coalition of more than 250

bi-national mayors, who continues to demonstrate how vital the marine economy to our city's, our region and our province; and

WHEREAS the Town of Niagara-on-the-Lake is exploring joining the Border Mayors Alliance, a growing coalition of more than 35 border city mayors, across 5 provinces, to support advocating effectively for the unique needs of our border communities; and

WHEREAS the Town of Niagara-on-the-Lake is actively working with local businesses and the Niagara Region to assess the potential impacts of the proposed U.S. tariffs and to develop strategies aimed at strengthening the local economy;

WHEREAS municipalities have traditionally been restricted by trade agreements from giving preference to "Buy Canadian" initiatives; and

WHEREAS the Town of Niagara-on-the-Lake's current procurement policy (By-law 4701A-18) part 16 LOCAL PREFERENCE, allows that: "All else being equal, preference will be given to purchase goods and/or services firstly from Niagara-on-the-Lake based businesses, secondly from businesses located in the Region of Niagara and thirdly from Ontario owned businesses"; and

WHEREAS part 17 EXCEPTIONS 17.1 States that "The Department Head or designate may request an exemption from any or all purchasing methods outlined in this policy by submission of a staff report requesting the approval of Council. Such exemption may be granted by resolution";

THEREFORE BE IT RESOLVED that the Town of Niagara-on-the-Lake Council calls on the provincial and federal governments to continue to work together on a response that protects the Canadian economy through measures such as financial aid programs for businesses impacted by tariffs, expanding export opportunities outside of the US market, push for exemptions and tariff reductions via diplomatic channels to preserve Ontario's competitive edge; and

BE IT FURTHER RESOLVED that Council asks the federal and provincial governments to remove any impediments to municipalities preferentially procuring from Canadian companies for capital projects and supplies; and

BE IT FURTHER RESOLVED that a temporary procurement policy report be developed by staff for Council consideration to ensure that all Town procurement decisions prioritize Canadian-made goods and services wherever possible and in compliance with applicable trade agreements and legislation and recognizing Town of Niagara-on-the-Lake's current procurement policy (By-law 4701A-18) part 16 LOCAL PREFERENCE, allows that: "All else being equal, preference will be given to purchase goods and/or services firstly from Niagara-on-the-Lake based businesses,

secondly from businesses located in the Region of Niagara and thirdly from Ontario owned businesses”; and

BE IT FURTHER RESOLVED that staff outline the details of the Temporary Procurement Policy, including legal considerations, implementation measures, potential financial impacts and draft by-law; and

BE IT FURTHER RESOLVED that copies of this motion be sent to:

- The Right Honourable Justin Trudeau, Prime Minister of Canada
- The Honourable Doug Ford, Premier of Ontario
- The Honourable Melanie Joly, Minister of Foreign Affairs
- The Honourable Vic Fedeli, Minister of Economic Development, Job Creation and Trade
- The Honourable Nate Erskine-Smith, Minister of Housing, Infrastructure and Communities
- The Honourable Paul Calandra, Minister of Municipal Affairs and Housing
- Robin Jones, President, AMO and Mayor of Westport
- Drew Dilkens, Chair, BMA, and Mayor of Windsor
- Niagara Region Municipalities
- Niagara Region MPPs
- Niagara Region MPs

APPROVED

17.2 Councillor Vizzari - Charitable Exemption for Special Event Applications

Councillor Vizzari introduced her motion.

Council asked questions and discussed the motion.

Moved by: Councillor Adriana Vizzari

Seconded by: Councillor Maria Mavridis

WHEREAS on December 10, 2024, Council adopted a resolution to establish a special event application fee of \$100, effective January 1,

2025, to remain in effect until a full report and further recommendations are approved; and
WHEREAS Council now deems it expedient to further clarify and provide parameters for the fee as implemented;
THEREFORE BE IT RESOLVED that organizations presenting a valid charitable registration number at the time of application shall be exempt from the special event application fee.

APPROVED

18. NOTICE OF MOTION

Council recessed at 9:13 p.m. and resumed at 9:23 p.m.

Councillor Cheropita left the meeting at 9:13 p.m.

Councillor Mavridis provided a Notice of Motion regarding Parking in the Niagara-on-the-Green subdivision.

19. NEW BUSINESS

Councillor Vizzari advised Laura Tait has been appointed Library Manager.

20. BY-LAWS

20.1 By-law 5334B-25 - Administrative Monetary Penalty System for Non-Parking Offences - Amendment

20.2 By-law 2025-007 - Animal Care and Control

20.3 By-law 2025-008 - Dedication By-law to Lift Block 48 Plan 30M 468 (Oakley Drive)

20.4 By-law 2025-009 - Condominium Agreement Amendment - Harvest Creek Condominium

20.5 By-law 2025-010 - Heritage Conservation District Study Area

20.6 By-law 2025-011 - Council Proceedings February 25, 2025

Moved by: Councillor Tim Balasiuk

Seconded by: Councillor Adriana Vizzari

That leave be given to introduce:

- By-law 5334B-25 - Administrative Monetary Penalty System for Non-Parking Offences - Amendment
- By-law 2025-007 - Animal Care and Control
- By-law 2025-008 - Dedication By-law to Lift Block 48 Plan 30M 468 (Oakley Drive)
- By-law 2025-009 - Condominium Agreement Amendment - Harvest Creek Condominium
- By-law 2025-010 - Heritage Conservation District Study Area
- By-law 2025-011 - Council Proceedings February 25, 2025

And that the same be considered read a first, second and third time and passed this 25th day of February, 2025.

APPROVED

21. ADJOURNMENT

Moved by: Councillor Gary Burroughs

Seconded by: Councillor Tim Balasiuk

That this Council adjourn at 9:27 p.m. to the next regular meeting of the Budget Review Committee on February 26, 2025 and if a special meeting is required, it will be held at the call of the Lord Mayor.

APPROVED