



COMMITTEE OF THE WHOLE - PLANNING MEETING MINUTES

June 6, 2022, 5:00 p.m.

Council Members Present: Lord Mayor Betty Disero
Councillor Norm Arsenault, Councillor Allan Bisback, Councillor Gary Burroughs, Councillor Clare Cameron, Councillor Wendy Cheropita, Councillor Sandra O'Connor, Councillor Erwin Wiens, Councillor John Wiens

Staff Present: Marnie Cluckie, Chief Administrative Officer
Kirsten McCauley, Director, Community & Development Services
Rick Wilson, Manager, Planner
Victoria Nikoltcheva, Planner II
Josh Salisbury, Planner II
Kyle Freeborn - Director, Corporate Services
Kevin Turcotte, Acting Director, Operations
Darren Trostenko, Acting Fire Chief
Jay Plato, Deputy Fire Chief
Ralph Walton, Town Clerk
Colleen Hutt, Deputy Clerk

1. CALL TO ORDER

Chair Councillor Al Bisback called the meeting to order at 5:00 p.m.

2. ADOPTION OF AGENDA

The following member(s) requested to speak under New Business: Lord Mayor Betty Disero and Councillor Wendy Cheropita.

that the agenda be adopted, as amended.

Moved by: Councillor Gary Burroughs

APPROVED

3. CONFLICT OF INTEREST

3.1 Councillor Erwin Wiens - 786 Concession 1 Road - application for zoning by-law amendment

as he lives in close proximity to the subject property.

3.2 Councillor Erwin Wiens - Public Meeting - 786 Concession 1 Road, CDS-22-015

as he lives in close proximity to the subject property.

4. CLOSED SESSION

At 5:09 p.m. the following was read in open session.

that Council proceed to go into a closed meeting to consider matters that qualify under the Municipal Act 2001, as amended:

- 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 and 200 John Street East and 588 Charlotte Street.

Moved by: Councillor Norm Arsenault

APPROVED

5. RISE FROM CLOSED SESSION

At 6:14 p.m. the following was read in open session.

that Council rise from closed session that considered matters that qualify under the Municipal Act 2001, as amended:

- 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 and 200 John Street East and 588 Charlotte Street.

Moved by: Councillor Gary Burroughs

APPROVED

6. STATEMENT OF SUPPORT

Lord Mayor Betty Disero read a statement of support for 2SLGBTQIA+ Community as follows:

I am so proud when June rolls around and it is time for Pride Month. This month, and all months of the years, it is important to be a friend and ally to the 2SLGBTQIA+ community. The Progressive Pride Flag is proudly flying at Town Hall, demonstrating Niagara-on-the-Lake's commitment to stand with all members of the 2SLGBTQIA+ community and advocate for acceptance and equal rights.

This rainbow flag is not just a celebration of identity, rather, it is a symbol of allyship, of safe spaces, community and togetherness. Tonight, on behalf of Town Council and Staff, I am sharing Niagara-on-the-Lake's support for Niagara's 2SLGBTQIA+ communities, Pride Niagara, Niagara Pride Week and International Pride.

We thank you for all of your hard work in advocating for voices of the 2SLGBTQIA+ community to be heard.

It is my hope that the 2SLGBTQIA+ community feels safe, welcome, respected, and celebrated here in Niagara-on-the-Lake.

Through these local and international Pride leaders, big strides have been made in Niagara and beyond in supporting those in the 2SLGBTQIA+ community.

I am confident that Pride initiatives will continue to grow, serving the 2SLGBTQIA+ community in furthering their sense of inclusion and diversity.

Thank you, and Happy Pride Month!

7. PUBLIC MEETING

The Chair explained the process for public meetings and read the Planning Act requirements for submission of an appeal to the Local Planning Tribunal.

7.1 786 Concession 1 Road - application for zoning by-law amendment

Councillor Erwin Wiens previously declared a conflict of interest with the Public Meeting for 786 Concession 1 Road. He did not take part in any discussion.

At the request of the Chair, Victoria Nikoltcheva, Planner II, Community & Development Services referred to an electronic presentation and explained that the Zoning By-law Amendment requests to rezone the agricultural portion of the lands to the "Agricultural Purposes Only (APO) Zone". The application also proposes to rezone the residential portion of the property containing the single-detached dwelling known as 786 Concession 1 Road to the "Rural (A) Zone" with site-specific provisions for lot frontage and setback to the existing accessory building. The Zoning By-law Amendment is required to fulfill a condition of consent to sever a surplus farm dwelling (File B-21/21). Ms. Nikoltcheva answered questions from the Committee with regard to the application.

Susan Wheler, Susan Wheler & Associates, agent for the application provided a brief summary and purpose of the application, along with the history of the property.

7.2 1214 Concession 2 Road - application for zoning by-law amendment

At the request of the Chair, Josh Salisbury, Planner II, Community & Development Services referred to an electronic presentation and explained that The Zoning By-law Amendment requests to rezone the agricultural portion of the lands to the “Agricultural Purposes Only (APO) Zone” with a site-specific provision for lot frontage. The application also proposes to rezone the residential portion of the property containing the single-detached dwelling known as 1214 Concession 2 Road to the “Rural (A) Zone” with site-specific provisions for lot frontage, total lot coverage, accessory building height and accessory building lot coverage. The Zoning By-law Amendment is required to fulfill a condition of consent to sever a surplus farm dwelling (File B-01/22).

Susan Wheler, Susan Wheler & Associates, agent for the application provided a brief summary and purpose of the application, along with the history of the property.

8. DELEGATIONS

8.1 David Pritchard - Caribbean Workers Outreach Project

Mr. Pritchard was present to request relief from the rental cost for Memorial Park on June 12th and a grant of \$600 for a special event for the Caribbean Workers Outreach Project Cricket Match. Mr. Pritchard provided a brief overview of what their group provides for the Caribbean Workers.

9. RESPONSE TO DELEGATIONS

9.1 Caribbean Workers Outreach Project

Moved by: Councillor Norm Arsenault

that Council provide relief from the field costs for the Caribbean Workers Outreach Project special event on June 12, 2022 and that the request for a grant be forwarded to the Audit and Finance Committee for review in June.

APPROVED

Moved by: Lord Mayor Betty Disero

that Council supports Councillor Erwin Wiens and the Lord Mayor in reaching out to raise \$600 from the community to support this event.

APPROVED

10. UPDATE by the CAO

Marnie Cluckie, Chief Administrative Officer provided the following updates:

- National Indigenous History Month
- Pride Month Flag raising
- Senior's Month
- Strawberry Social
- Parks & Recreation Month
- 100 year Anniversary of Cenotaph
- Traffic Increase of 4.3% decrease from previous weekend
- By-law Update - 405 parking tickets; STR investigations
- Enforcement - no AMPS tickets issued
- no reported Coyote sightings
- former Niagara Nursery School renovation complete
- Community Garden now open
- Fire Recruitment video
- Rainbow Crosswalk & Bench survey
- Step Challenge
- Tourism week

11. CONSENT AGENDA

11.1 CDS-22-018 - 1091 Line 4 Road & Line 4 Road (South Side)

Moved by: Councillor John Wiens

that the recommendations contained in Community & Development Services Report CDS-22-018 be approved as follows:

1.1 The application for Zoning By-law Amendment (File No. ZBA-04-2022) for lands known municipally as 1091 Line 4 Road and Line 4 Road (South Side) be approved; and

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

APPROVED

11.2 CDS-22-027 - 419 Line 1 Road Zoning By-law Amendment Application ZBA-01-2022

Moved by: Councillor Gary Burroughs

that the recommendations contained in Community & Development Services Report CDS-22-027 be approved as follows:

1.1 The application for Zoning By-law Amendment (File No. ZBA-01-2022) for the lands known municipally as 419 Line 1 Road, be approved; and

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

APPROVED

12. INFORMATION PACKAGES

Councillor Erwin Wiens previously declared a conflict of interest with Item No. 12.1.3 - 786 Concession 1 Road. He did not take part in any discussion or vote on this item.

The following items were lifted for discussion:

Item No. 12.1.3 - Information Report - Public Meeting - 786 Concession 1 Road

Item No. 12.2.1 - Circulation - 455 William Street

Item No. 12.2.3 - Circulation - 7 Niagara Street

Item No. 12.4.1 - Niagara Region re Waterpipe Smoking By-law

Item No. 12.4.6 - Shuniah resolution re Funding Support for Infrastructure Projects

Item No. 12.4.8 - Niagara Region re Waste Management System By-law

Item No. 12.5.9 - Niagara Region re Brownfield Tax Assistance

Item No. 12.5.1 - re Orban Rabies Vaccine Bait Distribution

Moved by: Councillor Gary Burroughs

that Item No. 12.1.3 - Information Report - Public Meeting 786 Concession 1 Road was lifted and voted on separately.

APPROVED

Moved by: Councillor Wendy Cheropita

that the Council of Niagara-on-the-Lake consents to the passage of the Waterpipe By-law of the Regional Municipality of Niagara, being a by-law to regulate waterpipe smoking in the Region.

APPROVED

Moved by: Councillor Erwin Wiens

that the Town of Niagara-on-the-Lake Council endorse any initiatives that would include the funding for culverts and funding in the definition of municipal infrastructure in rural municipalities.

APPROVED

Moved by: Councillor Gary Burroughs

that Item 11.4.9 - Niagara Region re Brownfield Tax Assistance Incentive Funding request be referred to the Audit & Finance Committee for review.

APPROVED

Moved by: Councillor Norm Arsenault

that the information package of June 2, 2022 be received.

APPROVED

12.1 INFORMATION REPORTS

12.1.1 Public Meeting - 786 Concession 1 Road, CDS-22-015

Councillor Erwin Wiens declared a conflict on this item. (as he lives in close proximity to the subject property.)

12.1.2 Public Meeting - 1214 Concession 2 Road, CDS-22-024

12.1.3 Additional Residential Units - Response to April 25, 2022, Council Motion - CDS-22-028

12.2 STAFF CORRESPONDENCE

12.2.1 Circulation - 455 William Street - application for subdivision agreement

12.2.2 Circulation - SE Side Niagara Stone Road

12.2.3 Circulation - 7 Niagara Stone Road - Letter of Concurrence for Telecommunications Facilities

12.3 COMMITTEES OF COUNCIL MINUTES

12.3.1 Heritage Trail Committee Minutes - May 10, 2022

12.4 OTHER MUNICIPAL CORRESPONDENCE

12.4.1 Niagara Region re Waterpipe Smoking By-law

12.4.2 Lanark Highlands resolution re Ontario Must Build it Right the First Time

12.4.3 Niagara Region - Notice of Study Commencement & Public Information Centre No. 1

12.4.4 Niagara Region - Motion - Voluntary Russian Sanction Request

12.4.5 West Lincoln - re Grimsby Regional Airport

12.4.6 Shuniah resolution re Funding Support for Infrastructure Projects

12.4.7 Kitchener resolution re Energy Performance Tiers and Timelines

12.4.8 Niagara Region re Waste Management System By-law

12.4.9 Niagara Region re Brownfield Tax Assistance Incentive Funding Request

12.4.10 Muskoka resolution re Annual Emergency Exercise Exemption

12.5 MISCELLANEOUS CORRESPONDENCE

12.5.1 Ministry of Northern Development re Oral Rabies Vaccine Bait Distribution

13. NEW BUSINESS

14. ADJOURNMENT

This meeting adjourned at 8:30 p.m.