



COUNCIL MEETING MINUTES

Monday August 30, 2021

06:00 PM

PRESENT:

This meeting was held via Video Conference due to COVID-19 and public health concerns and was able to be viewed via Livestream on the Town's website.

Lord Mayor Betty Disero, Councillors: Norm Arsenault, Al Bisback, Clare Cameron, Wendy Cheropita, Sandra O'Connor, Erwin Wiens, John Wiens, Gary Burroughs

REGRETS:

STAFF:

Marnie Cluckie	Chief Administrative Officer
Sheldon Randall	Director, Operations
Kyle Freeborn	Director, Corporate Services
Craig Larmour	Director, Community & Development Services
Nick Ruller	Fire Chief
Jeff Vyse	Manager, Public Works
Kevin Turcotte	Manager, Parks & Recreation
Lauren Kruitbosch	Manager, Community &
Tara Druzina	Administrative Assistant
Colleen Hutt	Acting Town Clerk

OTHERS:

MEDIA:

CALL TO ORDER

Lord Mayor Betty Disero called the meeting to order at 6:00 p.m.

O'CANADA

FOCUS STATEMENT

Councillor Norm Arsenault

ADOPTION OF THE AGENDA

The agenda be amended to add a motion to Suspend the Rules under Section 2.2 of Town's Procedural By-law No. 4675-13 to permit the discussion on the Municipal Accommodation Tax.

The agenda be amended to move the presentation by Marnie Cluckie, Chief Administrative Officer prior to the Delegation section of the agenda.

Moved by Councillor Al Bisback, seconded by Councillor Clare Cameron that the agenda be adopted, as presented.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

- resolution #1, **APPROVED, AS AMENDED.**

CONFLICT OF INTEREST

Councillor John Wiens previously declared a conflict of interest with Delegation 5.1 and CDS-21-021 both matters dealing with 135 Queen Street & 178 Gate Street as he runs a similar business. (August 9, 2021)

Councillor John Wiens previously declared a conflict of interest with the Closed Session matter dealing with 963 Queenston Road as he runs a similar business. (August 9, 2021)

Councillor Clare Cameron previously declared a conflict of interest with the Closed Session matter dealing with 963 Queenston Road as her spouse has financial interest in the applicant's parent company. (August 9, 2021)

Councillor Clare Cameron withdrew her perviously declared conflict of interest from the Committee of the Whole General Meeting of August 9, 2021 on the Closed Session Item regarding 963 Queenston Road further to discussion with the Integrity Commissioner.

Councillor Wendy previously declared a conflict of interest with Corporate Services Report CS-21-028 as there is a business that benefits from the pedal pub that she has

affiliation with.

NEXT COMMITTEE OF THE WHOLE & COUNCIL MEETING DATES

- (1) Committee of the Whole - Planning Meeting - September 13, 2021
- (2) Committee of the Whole - General Meeting - September 20, 2021
- (3) Council Meeting - September 27, 2021

Meeting times can be subject to change.

Detailed information can be found on Town's website at www.notl.org.

MINUTES

- (1) Council Meeting Minutes - July 26, 2021

Moved by Councillor Gary Burroughs seconded by Councillor John Wiens that the minutes of the Council Meeting held July 26, 2021.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

- resolution #2, **APPROVED**.

Moved by Councillor Al Bisback, seconded by Councillor Norm Arsenault that Section 2.2 of Town's Procedural By-law No. 4675-13 be applied, that the rules and procedures contained herein may be suspended, at such times and upon such conditions as may be deemed appropriate, by an affirmative vote of Two Thirds of Council, in order that the municipal tax accommodation resolution be considered.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS		X
CLARE CAMERON		X
WENDY CHEROPITA		X
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	

LORD MAYOR BETTY DISERO	X	
TOTALS	6	3

APPROVED.

Moved by Councillor Norm Arsenault, seconded by Councillor Wendy Cheropita that the delegations

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	0

APPROVED.

PRESENTATION

1. Marnie Cluckie, Chief Administrative Officer
- 6 Month Review

Marnie Cluckie, Chief Administrative Officer referred to electronic presentation and noted the following: Overview, the CAO Work Plan, 6-month Achievements, Modernization Efforts, Grant Funding. She spoke to where the Town is going next and provided a conclusion. Ms. Cluckie answered questions from Council with regard to the information contained in the presentation. Lord Mayor Betty Disero thanked Ms. Cluckie for her presentation.

DELEGATIONS:

All delegation requests will be reviewed by the Town Clerk, at the Clerks discretion delegations will be added. The deadline for non-agenda delegation requests is no later than 12:00 p.m. on the Thursday prior to the Council meeting. Should you wish to speak to a staff report listed on the agenda, submissions must be received by 12:00 p.m. on the day of the scheduled meeting.

Non-Agenda Delegation

1. Mary Keith, Niagara North Health Team
- 176 Wellington Street

Mary Keith was before Council to request to rent approximately 1380 square feet of space, in the basement, of 176 Wellington Street for the Applied Health Professionals of the Niagara North Family Health Team. The current lease at 1882 Niagara Stone Road

is due to expire in December 2021. She stated that she hoped to lease the space until the completion of the new centre at the end of April 2022.

2. Tim Balasiuk, Paddle Niagara
- Riverbeach Road paddle sport launch

Tim Balasiuk was before Council to request consideration for his business to operate at the south end of River Beach Drive. He also stated that wish team with the Parks & Recreation section of Operations to develop partnership. Mr. Balasiuk also provided details on the programs that Paddle Niagara does.

Response to Non-Agenda Delegations from Council

1. 176 Wellington Street

Moved by Councillor Norm Arsenault seconded by Councillor John Wiens that staff be directed to proceed with negotiations on a month to month basis for additional space and time requested by the Niagara North Health Team.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	0

- resolution #3, **APPROVED.**

2. Paddle Niagara

Moved by Councillor John Wiens, seconded by Councillor Gary Burroughs that Council refer the issue brought forward by Tim Balasiuk, regarding Paddle Niagara and use of the south end of River Beach Drive, to Operations staff and to be reviewed by the Purchasing Officer; and further that staff be cognizant of surrounding properties

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	

ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	0

- resolution #4, **APPROVED.**

Agenda Delegation

1. Tim Jennings, Shaw Festival Theatre
- Municipal Accommodation Tax Resolution

Tim Jennings was present to speak in opposition to the proposed motion on the Municipal Tax Accommodation.

2. Eduardo Lafforgue, NOTL Chamber of Commerce
- Municipal Accommodation Tax Resolution

Eduardo Lafforgue was present to speak in opposition to the proposed motion on the Municipal Tax Accommodation.

3. Katarzyna Sliwa, Dentons LLP - Lais Hotel Properties Ltd.
- Municipal Accommodation Tax Resolution

Katarzyna Sliwa, representing the Lais Hotel Properties was present to speak in opposition to the proposed motion on the Municipal Tax Accommodation.

Response to Agenda Delegation from Council

1. Municipal Accommodation Tax

The Municipal Accommodation Tax resolution was lifted, discussed and voted on that this time.

- resolution #5, **APPROVED, AS AMENDED.**

PRESENTATION

1. Marnie Cluckie, Chief Administrative Officer
- 6 Month Review

This Presentation was moved earlier in the agenda.

2. Kevin Turcotte, Manager, Parks & Recreation
Safe Return to Council Chambers

Kevin Turcotte, Manager, Parks & Recreation spoke to an electronic presentation. Mr. Turcotte provided information on three options for a safe turn to the Council Chambers for Town meetings. Referenced were developing the options and what was considered, Provincial Regulations, current measures/installations, Option 1 - Continue Virtual ,

Option 2 - Hybrid, and Option 3 - In Person. Also discussed layouts, capacity and costs for each option. Mr. Turcotte also discussed the work undertaken to date in the Town Offices, signage and staff screening desks. The Committee asked questions regarding the options. Lord Mayor Betty Disero thanked Mr. Turcotte for this presentation.

Moved by Councillor Gary Burroughs, seconded by Councillor Al Bisback that Option 1 to Continue all meeting virtual be approved.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

- resolution #6, **APPROVED.**

COVID-19 UPDATE

Marnie Cluckie, Chief Administrative Officer provided the follow update to Council:

- Province remains in Step Three of the Roadmap to Reopen
- Nearly 83% Ontarians have received one dose of the vaccine
- It was reported that case numbers have been increasing
- Province debating implementation of vaccine "passport"
- funding has been made available vaccine passports and medical officers of help look to province for assistance
- Back to school plan introduced, with updated screening guidelines
- Schools will get new take home test kits
- discussion around vaccination policies
- Vaccine statistics
- three clinics dates proposed for NOTL
- decrease in traffic numbers over the weekend
- 243 parking tickets issued with 3 tickets in the Special Enforcement Area
- Communities in Bloom - working at establishing Hope Gardens
- Flag raising your Childhood Cancer Awareness

Ms. Cluckie answered questions regarding the update.

Moved by Councillor Norm Arsenault, seconded by Councillor Gary Burroughs that the time of meeting be extended to 11:00 p.m.

COUNCILLOR	YEA	NAY

NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

APPROVED.

COMMITTEE MINUTES & REPORTS

(1) Committee of the Whole Planning Minutes - August 9, 2021

Moved by Councillor Wendy Cheropita, seconded by Councillor Erwin Wiens that the minutes of the Committee of the Whole Planning Meeting held August 9, 2021 be approved.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

- resolution #7, **APPROVED.**

(2) Committee of the Whole General Minutes - August 23, 2021

Moved by Councillor John Wiens, seconded by Councillor Al Bisback that the minutes of the Committee of the Whole General Meeting held August 23, 2021 be approved.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	

ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

- resolution #8, **APPROVED.**

(3) Municipal Heritage Committee Minutes - August 10, 2021

Moved by Councillor Norm Arsenault, seconded by Councillor Al Bisback that the minutes of the Municipal Heritage Committee Meeting Minutes held August 10, 2021 be approved.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

- resolution #9, **APPROVED.**

(4) CS-21-024 - Request for Proposal - New Town Website and Hosting - Evaluation & Selection Recommendation

Moved by Councillor Gary Burroughs, seconded by Councillor Clare Cameron that the recommendations contained in Corporate Services Report CS-21-024 be approved as follows:

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

- resolution #10, **APPROVED.**

(5) CS-21-027 - National Day for Truth and Reconciliation

Council discussed lifting and voting on each recommendation individually.

Moved by Councillor Norm Arsenault, seconded by Councillor John Wiens that the recommendations contained in Corporate Services Report CS-21-027 - National Day for Truth and Reconciliation be approved as follows:

- 1.1 the Town of Niagara-on-the-Lake (the Town) commit to recognizing September 30, 2021, as the National Day for Truth and Reconciliation (National Orange Shirt Day) by sharing the stories of residential school survivors, their families, and communities;

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

APPROVED.

- 1.2 the Town engage in meaningful education related to Truth and Reconciliation; and

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

APPROVED.

- 1.3 the Town recognize and observe the federal statutory holiday for National Day for

Truth and Reconciliation.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK		X
GARY BURROUGHS		X
CLARE CAMERON	X	
WENDY CHEROPITA		X
SANDRA O'CONNOR		X
ERWIN WIENS	X	
JOHN WIENS		X
LORD MAYOR BETTY DISERO	X	
TOTALS	4	5

DEFEATED.

- resolution #11, **APPROVED, AS AMENDED.**

(6) CS-21-028 - Pedal Pub - Revised Route for 2021/22

Councillor Wendy previously declared a conflict of interest with Corporate Services Report CS-21-028 as there is a business that benefits from the pedal pub that she has affiliation with. She did not take part in any discussion or vote on this matter.

Moved by Councillor Norm Arsenault, seconded by Councillor Clare Cameron that the recommendations contained in Corporate Services Report CS-21-028 - Pedal Pub - Revised route for 2021/22 be approved as follows:

- 1.1 Council support the proposed route (Appendix I) to be used by the Pedal Pub operator for 2021 and 2022; and
- 1.2 Staff be directed to forward the Council decision to the Regional Municipality of Niagara.

At 11:00 p.m. the following motion was read.

ADJOURNMENT

Moved by Councillor Gary Burroughs, seconded by Councillor Erwin Wiens that this Council adjourn to complete the business of the agenda on September 3, 2021 at 12 p.m.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR		X

ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

APPROVED.

Council reconvened the Monday August 30, 2021 Council Meeting on September 3, 2021 at 12:00 p.m.

Lord Mayor Betty Disero called the meeting to order at 12:0 p.m.

PRESENT:

Lord Mayor Betty Disero, Councillors: Norm Arsenault, Al Bisback, Gary Burroughs, Clare Cameron, Wendy Cheropita, Sandra O'Connor, Erwin Wiens, John Wiens

(6) CS-21-028 - Pedal Pub - Revised Route for 2021/22

Discussion continued with CS-21-028.

Discussion to place regarding the following:

- licensing period
- routes not acceptable
- should be routed to wineries
- options provided by staff

Councillor Norm Arsenault, seconded by Councillor Sandra O'Connor that staff be directed to return to conversations with the Pedal Pub regarding a safe route that includes Mississagua to Centre, Simcoe to Queen and use the Courthouse as a parking option and that staff return to Council seeking direction and approval.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK		X
GARY BURROUGHS	X	
CLARE CAMERON		X
WENDY CHEROPITA		
SANDRA O'CONNOR		X
ERWIN WIENS		X
JOHN WIENS		X
LORD MAYOR BETTY DISERO		X
TOTALS	2	6

DEFEATED.

The recommendations of CS-21-028 were voted on.

COUNCILLOR	YEA	NAY

NORM ARSENAULT		X
AL BISBACK	X	
GARY BURROUGHS		X
CLARE CAMERON	X	
WENDY CHEROPITA		
SANDRA O'CONNOR		X
ERWIN WIENS	X	
JOHN WIENS		X
LORD MAYOR BETTY DISERO		X
TOTALS	3	5

- resolution #12, **DEFEATED.**

BY-LAWS

- 3941A-21 - a by-law to amend By-law No. 3941-05 to prohibit or regulate the removal of topsoil, the placing or dumping of fill, and the alteration of the grade of land within the entire Town of Niagara-on-the-Lake
- 4308AK-21 - a by-law to amend By-law No. 4308-09, as amended, being a by-law regulating traffic and parking on Town Roads (Schedule P - Stop Signs at Intersections)
- 4397B-21 - a by-law to amend By-law No. 4397-10 to address public nuisances and rescind By-law No. 4397A-11
- 4512A-21 - a by-law to amend By-law No. 4512-11 of The Corporation of The Town of Niagara-on-the-Lake respecting animal care and control
- 4571A-21 - a by-law to amend By-law No. 4571-12 to authorize and regulate the planting, care, maintenance and removal of trees on the Town of Niagara-on-the-Lake's Property
- 4586D-21 - a by-law to amend By-law No. 4586-12 as amended to regulate the size, use, location and maintenance of signs within The Corporation of The Town of Niagara-on-the-Lake
- 4588A-21 - a by-law to amend By-law No. 4588-12 to prohibit and regulate noise in The Town of Niagara-on-the-Lake
- 4634D-21 - a by-law to amend By-law No. 4634-13 as amended for the licencing, regulating and governing of short term rentals in The Corporation of The Town of Niagara-on-the-Lake
- 4778A-21 - a by-law to amend By-law No. 4778-14 to provide uniform standards for the construction of fences in the Town of Niagara-on-the-Lake
- 4879A-21 - a by-law to authorize Lord Mayor and Town Clerk to execute an

extension to a lease agreement between The Corporation of The Town of Niagara-on-the-Lake and the Niagara-on-the-Lake Lawn Bowling Club (Community Centre Lawn Bowling Court 2021- 2026)

- 5139C-21 - a by-law to amend By-law No. 5139-19 as amended to regulate the destruction or injuring of trees on private property in the urban areas of the Municipality
- 5172A-21 - a by-law to amend By-law No. 5172-19 to regulate the sale of and use of fireworks within the The Town of Niagara-on-the-Lake
- 5155A-21 - a by-law to amend By-law No. 5155-19 to regulate private outdoor swimming pools, hot tubs and swimming pool enclosures in the Municipality
- 5190A-21 - a by-law to amend By-law No. 5190-19 being a by-law for maintaining land in a clean and clear condition
- 5192A-21 - a by-law to amend By-law No. 5192-19 for prescribing the standards for the maintenance and occupancy of property within The Town of Niagara-on-the-Lake
- 5306B-21 - a by-law to amend By-law No. 5306-21 as amended to regulate the use of municipally owned parks
- 5345-21 - a by-law to appoint Stephanie Klassen as a Municipal Law Enforcement Officer, Property Standards Officer and Area Weed Inspector for The Corporation of The Town of Niagara-on-the-Lake
- 5346-21 - a by-law to appoint Jesse Paul as a Municipal Law Enforcement Officer, Property Standards Officer and Area Weed Inspector for The Corporation of The Town of Niagara-on-the-Lake
- 5347-21 - a by-law to authorize the Lord Mayor and Town Clerk to executive a Rural Economic Development Program Agreement between The Corporation of The Town of Niagara-on-the-Lake and Her Majesty the Queen in Right of Ontario as represented by The Minister of Agriculture, Good and Rural Affairs (Ontario)
- 5348-21 - a by-law to authorize the Lord Mayor and Town Clerk to executive an Ontario Transfer Payment Agreement between The Corporation of The Town of Niagara-on-the-Lake and Her Majesty the Queen in Right of Ontario as represented by The Minister of Municipal Affairs and Housing (Ontario)
- 5349-21 - a by-law to authorize the Lord Mayor and Town Clerk to execute

agreement between The Corporation of The Town of Niagara-on-the-Lake and Her Majesty the Queen in Right of Ontario as represented by the Minister of the Environment for the purposes of the Parks Canada Agency (Fort George NOTL Bus Parking Lot)

- 5350-21 - a by-law to authorize the Lord Mayor and Town Clerk to execute agreement between The Corporation of The Town of Niagara-on-the-Lake and Her Majesty the Queen in Right of Ontario as represented by the Minister of the Environment for the purposes of the Parks Canada Agency (176 Wellington Street parking meters)
- 5351-21 - a by-law to assume municipal services including the acceptance of primary, secondary and tertiary services in Cannery Park, Plan 30M-422
- 5352-21 - a by-law to authorize a development agreement between The Corporation of The Town of Niagara-on-the-Lake and Joshua Peter Giesbrecht and Rebekah Dori Weins-Giesbrecht (5 Kent Street)
- 5353-21 - a by-law to authorize a site plan agreement between The Corporation of The Town of Niagara-on-the-Lake and Equity Venture Group Corp. (135 Queen Street & 178 Gate Street)
- 5354-21 - a by-law to authorize the Lord Mayor and Town Clerk to execute an extension to a lease agreement between The Corporation of The Town of Niagara-on-the-Lake and Insite Wireless Group on certain lands owned by Town of Niagara-on-the-Lake (745 Warner Road)
- 5355-21 - a by-law to authorize a servicing agreement between The Corporation of The Town of Niagara-on-the-Lake and Craig Tunnicliff

By-law No. 5353-21 was lifted and voted on separately.

Councillor John Wiens previously declared a conflict of interest with By-law No. 5353-21. He did not take part in any discussion or vote on this matter.

Moved by Councillor Clare Cameron, seconded by Councillor Norm Arsenault that leave be given to introduce By-law No. 5353-21 and that the same be considered read a first, and second time and passed any ruling of this Council to the contrary notwithstanding.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS		X
CLARE CAMERON	X	
WENDY CHEROPITA	X	

SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS		
LORD MAYOR BETTY DISERO	X	
TOTALS	7	1

APPROVED.

Each By-law was lifted separately and voted on.

3941A-21 - a by-law to amend By-law No. 3941-05 to prohibit or regulate the removal of topsoil, the placing or dumping of fill, and the alteration of the grade of land within the entire Town of Niagara-on-the-Lake

Moved by Councillor John Wiens , seconded by Councillor Clare Cameron that leave be given to introduce By-law No. 3941A-21, and that the same be considered read a first, and second time and passed any ruling of this Council to the contrary notwithstanding.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS		X
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS		
LORD MAYOR BETTY DISERO	X	
TOTALS	7	1

APPROVED.

4308AK-21 - a by-law to amend By-law No. 4308-09, as amended, being a by-law regulating traffic and parking on Town Roads (Schedule P - Stop Signs at Intersections)

Moved by Councillor Wendy Cheropita, seconded by Councillor Norm Arsenault Clare Cameron that leave be given to introduce By-law No 4308AK-21, and that the same be considered read a first, and second time and passed any ruling of this Council to the contrary notwithstanding.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	

SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

APPROVED.

- 4397B-21 - a by-law to amend By-law No. 4397-10 to address public nuisances and rescind By-law No. 4397A-11

Moved by Councillor Norm Arsenault , seconded by Councillor Al Bisback that leave be given to introduce By-law No 4397-21, and that the same be considered read a first, and second time and passed any ruling of this Council to the contrary notwithstanding.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR		X
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	1

APPROVED.

- 4512A-21 - a by-law to amend By-law No. 4512-11 of The Corporation of The Town of Niagara-on-the-Lake respecting animal care and control

Moved by Councillor Norm Arsenault, seconded by Councillor John Wiens that leave be given to introduce By-law No 4512A-21, and that the same be considered read a first, and second time and passed any ruling of this Council to the contrary notwithstanding.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	

TOTALS	9	
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APPROVED.

- 4571A-21 - a by-law to amend By-law No. 4571-12 to authorize and regulate the planting, care, maintenance and removal of trees on the Town of Niagara-on-the-Lake's Property

Moved by Councillor Sandar O'Connor, seconded by Councillor Gary Burroughs that By-law Nos. 4571A-21 and 5139A-21 be referred back to staff for further information.

COUNCILLOR	YEA	NAY
NORM ARSENAULT		X
AL BISBACK		X
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA		X
SANDRA O'CONNOR	X	
ERWIN WIENS		X
JOHN WIENS		X
LORD MAYOR BETTY DISERO	X	
TOTALS	4	5

DEFEATED.

Moved by Councillor Norm Arsenault , seconded by Councillor Al Bisback that leave be given to introduce By-law No 4571A-21, and that the same be considered read a first, and second time and passed any ruling of this Council to the contrary notwithstanding.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS		X
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR		X
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	7	2

APPROVED.

- 4586D-21 - a by-law to amend By-law No. 4586-12 as amended to regulate the size, use, location and maintenance of signs within The Corporation of The Town of Niagara-on-the-Lake

Moved by Councillor Norm Arsenault, seconded by Councillor Gary Burroughs that leave be given to introduce By-law No 4586D-21, and that the same be considered read a first, and second time and passed any ruling of this Council to the contrary notwithstanding.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS		X
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	1

APPROVED.

4588A-21 - a by-law to amend By-law No. 4588-12 to prohibit and regulate noise in The Town of Niagara-on-the-Lake

Moved by Councillor Norm Arsenault, seconded by Councillor Al Bisback that leave be given to introduce By-law No 4588A-21, and that the same be considered read a first, and second time and passed any ruling of this Council to the contrary notwithstanding.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

APPROVED.

4634D-21 - a by-law to amend By-law No. 4634-13 as amended for the licencing, regulating and governing of short term rentals in The Corporation of The Town of Niagara-on-the-Lake

Moved by Councillor Norm Arsenault, seconded by Councillor Gary Burroughs that leave be given to introduce By-law No 4634D-21, and that the same be considered read

a first, and second time and passed any ruling of this Council to the contrary notwithstanding.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS		X
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS		
LORD MAYOR BETTY DISERO	X	
TOTALS	7	1

APPROVED.

- 4778A-21 - a by-law to amend By-law No. 4778-14 to provide uniform standards for the construction of fences in the Town of Niagara-on-the-Lake

Moved by Councillor Sandra O'Connor, seconded by Councillor Erwin Wiens that leave be given to introduce By-law No 4778A-21, and that the same be considered read a first, and second time and passed any ruling of this Council to the contrary notwithstanding.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

APPROVED.

- 4879A-21 - a by-law to authorize Lord Mayor and Town Clerk to execute an extension to a lease agreement between The Corporation of The Town of Niagara-on-the-Lake and the Niagara-on-the-Lake Lawn Bowling Club (Community Centre Lawn Bowling Court 2021- 2026)

Moved by Councillor John Wiens, seconded by Councillor Gary Burroughs that leave be given to introduce By-law No 4879A-21, and that the same be considered read a first,

and second time and passed any ruling of this Council to the contrary notwithstanding.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

APPROVED.

5139C-21 - a by-law to amend By-law No. 5139-19 as amended to regulate the destruction or injuring of trees on private property in the urban areas of the Municipality

Moved by Councillor Norm Arsenault, seconded by Councillor John Wiens that leave be given to introduce By-law No 5139C-21, and that the same be considered read a first, and second time and passed any ruling of this Council to the contrary notwithstanding.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR		X
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	1

APPROVED.

5172A-21 - a by-law to amend By-law No. 5172-19 to regulate the sale of and use of fireworks within the The Town of Niagara-on-the-Lake

Moved by Councillor Wendy Cheropita, seconded by Councillor Al Bisback that leave be given to introduce By-law No 5172A-21, and that the same be considered read a first, and second time and passed any ruling of this Council to the contrary notwithstanding.

COUNCILLOR	YEA	NAY

NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

APPROVED.

5155A-21 - a by-law to amend By-law No. 5155-19 to regulate private outdoor swimming pools, hot tubs and swimming pool enclosures in the Municipality

Moved by Councillor Norm Arsenault, seconded by Councillor Erwin Wiens that leave be given to introduce By-law No 5155A-21, and that the same be considered read a first, and second time and passed any ruling of this Council to the contrary notwithstanding.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

APPROVED.

5190A-21 - a by-law to amend By-law No. 5190-19 being a by-law for maintaining land in a clean and clear condition

Moved by Councillor Norm Arsenault, seconded by Councillor Erwin Wiens that leave be given to introduce By-law No 5190A-21, and that the same be considered read a first, and second time and passed any ruling of this Council to the contrary notwithstanding.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	

AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

APPROVED.

- 5192A-21 - a by-law to amend By-law No. 5192-19 for prescribing the standards for the maintenance and occupancy of property within The Town of Niagara-on-the-Lake

Moved by Councillor Sandra O'Connor, seconded by Councillor Wendy Cheropita that leave be given to introduce By-law No 5192A-21, and that the same be considered read a first, and second time and passed any ruling of this Council to the contrary notwithstanding.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

APPROVED.

- 5306B-21 - a by-law to amend By-law No. 5306-21 as amended to regulate the use of municipally owned parks

Moved by Councillor Al Bisback, seconded by Councillor John Wiens that leave be given to introduce By-law No. 5306B-21, and that the same be considered read a first, and second time and passed any ruling of this Council to the contrary notwithstanding.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	

CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

APPROVED.

- 5345-21 - a by-law to appoint Stephanie Klassen as a Municipal Law Enforcement Officer, Property Standards Officer and Area Weed Inspector for The Corporation of The Town of Niagara-on-the-Lake

Moved by Councillor Wendy Cheropita, seconded by Councillor Al Bisback that leave be given to introduce By-law No. 5345-21, and that the same be considered read a first, and second time and passed any ruling of this Council to the contrary notwithstanding.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

APPROVED.

- 5346-21 - a by-law to appoint Jesse Paul as a Municipal Law Enforcement Officer, Property Standards Officer and Area Weed Inspector for The Corporation of The Town of Niagara-on-the-Lake

Moved by Councillor Sandra O'Connor, seconded by Councillor Erwin Wiens that leave be given to introduce By-law No 5346-21, and that the same be considered read a first, and second time and passed any ruling of this Council to the contrary notwithstanding.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	

SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

APPROVED.

- 5347-21 - a by-law to authorize the Lord Mayor and Town Clerk to executive a Rural Economic Development Program Agreement between The Corporation of The Town of Niagara-on-the-Lake and Her Majesty the Queen in Right of Ontario as represented by The Minister of Agriculture, Good and Rural Affairs (Ontario)

Moved by Councillor Gary Burroughs, seconded by Councillor Wendy Cheropita that leave be given to introduce By-law No 5347-21, and that the same be considered read a first, and second time and passed any ruling of this Council to the contrary notwithstanding.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

APPROVED.

- 5348-21 - a by-law to authorize the Lord Mayor and Town Clerk to executive an Ontario Transfer Payment Agreement between The Corporation of The Town of Niagara-on-the-Lake and Her Majesty the Queen in Right of Ontario as represented by The Minister of Municipal Affairs and Housing (Ontario)

Moved by Councillor Gary Burroughs, seconded by Councillor Norm Arsenault that leave be given to introduce By-law No 5348-21, and that the same be considered read a first, and second time and passed any ruling of this Council to the contrary notwithstanding.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	

GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

APPROVED.

- 5349-21 - a by-law to authorize the Lord Mayor and Town Clerk to execute agreement between The Corporation of The Town of Niagara-on-the-Lake and Her Majesty the Queen in Right of Ontario as represented by the Minister of the Environment for the purposes of the Parks Canada Agency (Fort George NOTL Bus Parking Lot)

Moved by Councillor John Wiens, seconded by Councillor Al Bisback that leave be given to introduce By-law No 5349-21, and that the same be considered read a first, and second time and passed any ruling of this Council to the contrary notwithstanding.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

APPROVED.

- 5350-21 - a by-law to authorize the Lord Mayor and Town Clerk to execute agreement between The Corporation of The Town of Niagara-on-the-Lake and Her Majesty the Queen in Right of Ontario as represented by the Minister of the Environment for the purposes of the Parks Canada Agency (176 Wellington Street parking meters)

Moved by Councillor Al Bisback, seconded by Councillor Wendy Cheropita that leave be given to introduce By-law No 5350-21, and that the same be considered read a first, and second time and passed any ruling of this Council to the contrary notwithstanding.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	

AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

APPROVED.

- 5351-21 - a by-law to assume municipal services including the acceptance of primary, secondary and tertiary services in Cannery Park, Plan 30M-422

Moved by Councillor Norm Arsenault, seconded by Councillor Al Bisback that leave be given to introduce By-law No. 5351-21, and that the same be considered read a first, and second time and passed any ruling of this Council to the contrary notwithstanding.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

APPROVED.

- 5352-21 - a by-law to authorize a development agreement between The Corporation of The Town of Niagara-on-the-Lake and Joshua Peter Giesbrecht and Rebekah Dori Weins-Giesbrecht (5 Kent Street)

Moved by Councillor Clare Cameron, seconded by Councillor Sandra O'Connor that leave be given to introduce By-law No 5352-21, and that the same be considered read a first, and second time and passed any ruling of this Council to the contrary notwithstanding.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	

GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

APPROVED.

- 5354-21 - a by-law to authorize the Lord Mayor and Town Clerk to execute an extension to a lease agreement between The Corporation of The Town of Niagara-on-the-Lake and Insite Wireless Group on certain lands owned by Town of Niagara-on-the-Lake (745 Warner Road)

Moved by Councillor Erwin Wiens, seconded by Councillor Al Bisback that leave be given to introduce By-law No 5354-21, and that the same be considered read a first, and second time and passed any ruling of this Council to the contrary notwithstanding.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

APPROVED.

- 5355-21 - a by-law to authorize a servicing agreement between The Corporation of The Town of Niagara-on-the-Lake and Craig Tunnicliff

Moved by Councillor Erwin Wiens, seconded by Councillor Clare Cameron that leave be given to introduce By-law No 5355-21, and that the same be considered read a first, and second time and passed any ruling of this Council to the contrary notwithstanding.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	

WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

APPROVED.

Moved by Councillor Clare Cameron, seconded by Councillor Norm that leave be given to introduce By-law Nos. 3941A-21, 4308AK-21, 4397B-21, 4512A-21, 4571A-21, 4586D-21, 4588A-21, 4634D-21, 4778A-21, 4879A-21, 5139C-21, 5172A-21, 5155A-21, 5190A-21, 5192A-21, 5306B-21, 5345-21, 5346-21, 5347-21, 5348-21, 5349-21, 5350-21, 5351-21, 5352-21, 5353-21*, 5354-21, 5355-21 and that the same be considered read a first, and second time and passed any ruling of this Council to the contrary notwithstanding.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

- resolution #13, **APPROVED.**

MOTIONS & INFORMATION PACKAGES

1. The following resolution(s) be adopted:
 - (a) Planning & Streetscapes

Moved by Councillor Gary Burroughs, seconded by Wendy Cheropita,

WHEREAS almost all Planning reports to Council state that staff have reviewed the planning issue and it complies within the broad parameters of the Official Plan, the Planning Act etc.;

AND WHEREAS the reports do not provide recommend (whether tiered or otherwise) as to whether the proposal fits with the existing streetscape and character of the Town;

AND WHEREAS Council is elected by the residents, and represents the residents on planning issues;

THEREFORE BE IT RESOLVED that the following be discussed at the Planning training session held on September 29, 2021; in all future Planning reports to Council that, in addition to advising on conformity with statutes, and the Official plan, staff provide an opinion and/or options on the proposal and its compliance with the existing streetscape and character of our Town.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

- resolution #14, **APPROVED, AS AMENDED.**

(b) Upper Canada Lodge

Moved by Councillor Gary Burroughs, seconded by Councillor John Wiens,

WHEREAS the Region of Niagara has a lease with Parks Canada on the lands known as Upper Canada Lodge, and the Region intends to start the closed of the facility in 2021,

WHERE further to the motion of February 20, 2020, which provided further details,

THEREFORE BE IT RESOLVED that Town Council work with Regional representatives to ensure that decisions are made quickly regarding the future of Upper Canada Lodge in their negotiations with the Region an Park Canada.

COUNCILLOR	YEA	NAY
NORM ARSENAULT		X
AL BISBACK		X
GARY BURROUGHS	X	
CLARE CAMERON		X
WENDY CHEROPITA		X
SANDRA O'CONNOR	X	
ERWIN WIENS		X
JOHN WIENS	X	
LORD MAYOR BETTY DISERO		X

TOTALS		
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- resolution #15, **DEFEATED.**

(c) Resettlement Area Requests

Moved by Councillor Gary Burroughs, seconded by Councillor Norm Arsenault,

Whereas the Region of Niagara considers "Resettlement Area Requests" when updating their Official Plan, and this process is currently underway,

And whereas our Director of Community & Development Services is aware of applications affecting Niagara-on-the Lake properties, and follows their likelihood of success,

Therefore be it resolved that Planning Staff, through the Director, keep Council informed about requests for settlement area adjustments in this process, as it relates to Niagara-on-the Lake *and that the matter be discussed at the September 29, 2021 meeting.*

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

- resolution #16, **APPROVED, AS AMENDED.**

(d) Bike Lanes

Moved by Councillor Al Bisback, seconded by Councillor Norm Arsenault that,

Whereas Niagara-on-the-Lake is a mature destination, and the tourism infrastructure needs expansion and renewal, and

Whereas there are more and more cyclists using rural roads, and

Whereas the Town encourages tourists to visit our wineries, the best in Canada,

Therefore, be it resolved that Council ask the Province for assistance or enabling legislation to assist with the creation of bicycle lanes in rural areas and further

discussions take place with cycle companies and wineries in Niagara-on-the-Lake.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON		X
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS		X
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	7	2

- resolution #17, **APPROVED.**

(e) Broadening Parking Area

This motion was moved by Councillor Norm Arsenault, but did not receive a seconder and failed.

(f) Municipal Register

Moved by Councillor Al Bisback, seconded by Norm Arsenault, that

Whereas the Town Historian has identified up to 20 Virgil properties (Appendix I) that should be reviewed for potential inclusion on the Municipal Register.

And whereas the current Municipal Register lists 5 of the 20 listed properties being: 1125 Four Mile Creek Road (Ferry-Bessey House), 1126 Four Mile Creek Road (James Clement House, 421 Hunter Road (Locust Grove), 1823 Niagara Stone Road (Belfry Cottage), and 846 Niagara Stone Road (Griffin House).

And whereas the Town Historian's proposed list was intended to include all appropriate houses in Virgil (excluding cemeteries, churches, and schools - the most appropriate of which are on the Register) that should be on the Register.

And whereas this Virgil list of 20 houses was created to raise awareness, that several existing Virgil houses have not been considered as of interest, particularly in the former "Lawrenceville" sector of Niagara Stone Road (between the cross roads of Niagara Stone Road & Four Mile Creek Road and Field Road).

And whereas these are probably the most critical inclusions that should be reviewed considering the possible near-term rehabilitation plans for the Virgil transportation corridor; the most significant of all is possibly George Lawrence's 1818 House (the

former 'Pie Plate' and the oldest house in the downtown Virgil urban core) at 1516 Niagara Stone Road.

Therefore, the Municipal Heritage Committee be requested to review the list, *with the assistance of staff and/or heritage consultants*, and offer final recommendations to Council.

And it would be helpful to focus the review first on any properties that may be impacted by changes to the Transportation Corridor (Niagara Stone Road) as a pre-condition before final plans of the potential Transportation construction works are approved.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS		
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

- resolution #18, **APPROVED, AS AMENDED.**

(g) A-frame Signage

Moved by Councillor Al Bisback, seconded by Councillor Norm Arsenault that,

Whereas the Town relaxed the rules and regulations with respect to A-frame signs to assist businesses on Queen Street through the pandemic, and

Whereas we are starting to re-open and more and more visitors are attending Queen Street, and Whereas public health and safety is paramount, and

Whereas Council would like to have as much space for pedestrians as possible,

Therefore be it resolved that the Municipal Heritage Committee be requested to review the list, *with the assistance of staff and/or heritage consultants*, and offer final recommendations to staff.

And further that MHC look at the concept used by the Grace United Church hanging sign on Queen Street,

And further that this be completed and ready for use for the next spring season.

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COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

- resolution #19, **APPROVED, AS AMENDED.**

(h) Contextual Zoning

Moved by Councillor Sandra O'Connor, seconded by Councillor Norm Arsenault,

Whereas the Zoning By-laws put the general policies of an Official Plan into effect and provide for its day-to-day administration,

Whereas there are growing concerns with the size of single homes on small lots and,

Whereas Zoning By-law No. 4316-09 changed from contextual zoning to straight measurements,

Whereas the Council and public have had an opportunity to see the impact of these changes over the years, and

Whereas there is a planning workshop taking place for Council in the near future,

Therefore, be it resolved that Council direct staff to have the consultant to prepare information for the planning workshop of September 29th that would discuss the impact of the zoning by-law change from straight measurements to contextual.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS		
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	8	

- resolution #20, **APPROVED, AS AMENDED.**

(i) Municipal Accommodation Tax

This resolution was lifted and discussed under Response to Agenda Delegations by Council.

Moved by Councillor Erwin Wiens, seconded by Councillor Al Bisback that

Whereas Niagara-on-the-Lake is a mature destination and the tourism infrastructure needs expansion and renewal, and

Whereas the local taxpayers of 18,000 cannot and should not be paying for tourism infrastructure for upwards of 2,000,000 tourists annually, and

Whereas the Province, recommended in the Minister of Tourism, Heritage Sports and Culture's Tourism Economic Recovery Ministerial Task Force, recommendation number 7:

7. *Reduce the amount of time tourism businesses spend on red tape so they can spend time delivering unforgettable experiences*

Build on government's early successes to support business (eg providing municipalities with the power to designate for responsible alcohol consumption, permanently allowing restaurants to do takeout/delivery of alcohol), by taking a cross-ministerial approach and collaborating with Ministries to create conditions for a thriving tourism industry, related to responsibly loosening alcohol laws, hospitality sector and gaming and reviewing Municipal Accommodation Tax (MAT) to optimize revenue generation for the tourism industry.

Whereas on November 23, 2017, the Province of Ontario issued the Transient Accommodation Regulation 435/17, which came into force December 1, 2017 and provides the necessary provisions for municipalities across Ontario to implement a Municipal Accommodation Tax (MAT), and

Whereas many municipalities have instituted a MAT in their areas, and

Barrie
Belleville
Brantford
Brockville
Burlington
Cambridge
Cochrane
Cornwall

Dryden
Durham region
Fort Frances
Ganonoque
Guelph
Hamilton
Hearst
Huntsville
Kenora
Kingston
Kirkland Lake
Kitchener
Lambdon Shores
London
Marathon
Markham
Mississauga
Niagara Falls
North Bay
Oakville
Orillia
Ottawa
Pembroke
Petawawa
Peterborough & the Kawarthas
Point Edward
Prince Edward County
Quite West
Red Lake
Richmond hill
Sarnia
Sudbury
South Bruce Peninsula
Sault St Marie
Sioux Lookout
Stratford approved but not implemented
Thunder Bay

Timmins
Toronto
Vaughn
Waterloo region
Wawa
Wilmot
Windsor
Woolwich

were listed in a previous report to Council in 2020

Therefore, be it resolved, that Council support the introduction of MAT within the 2022 budget for accommodations with 5 or more rooms, with a scaled up version of 2%, 3% and 4% over 3 years and that any funds generated be put in a reserve to support tourism infrastructure,

And that Audit & Finance Committee formulate recommendations for tourism based capital projects for Council consideration in the 2022 Budget year,

And that the introduction of MAT be included in the scope of the Tourism Strategy,

And further that the cost of the administration of the program be funded from the Municipal Accommodation Tax.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS		X
CLARE CAMERON		X
WENDY CHEROPITA		X
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	6	3

- resolution #5, **APPROVED, AS AMENDED.**

2. Information Package(s)
 - (a) August 26, 2021

Item No. 3 - Information Report - Queen & Mississagua Entranceway Project

Moved by Councillor Clare Cameron, seconded by Councillor Gary Burroughs that the the Information Package of August 26, 2021 be received.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

- resolution #21, **APPROVED.**

NOTICE OF MOTION

Notices of Motion may be introduced by any Member at a regular Meeting of Council or Committee of the Whole for consideration at the next or a subsequent regular meeting of Council.

(a) Notice of Motion - Cenotaph on Queen Street

Councillor Gary Burroughs put forward a notice of motion regarding the cenotaph on Queen Street.

(b) Notice of Motion - Business off Queen Street

Councillor Wendy Cheropita put forward a notice of motion regarding businesses off Queen Street.

NEW BUSINESS

New Business may be introduced under adoption of the Agenda. Items of direction to staff must be in the form of a motion.

Discussion took place regarding:

- irrigation system in the Town

LORD MAYOR'S REPORT, ANNOUNCEMENTS AND REMARKS

MEMBERS' ANNOUNCEMENT

PROCEEDINGS BY-LAW

5356-21 - A by-law to confirm the proceedings at the Council Meeting of the Corporation of the Town of Niagara-on-the-Lake on August 30, 2021.

Moved by Councillor Gary Burroughs, seconded by Councillor Norm Arsenault that leave be given to introduce By-law No. 5356-21 and that the same be considered read a first, and second time and passed any ruling of this Council to the contrary notwithstanding.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

- resolution #22, **APPROVED.**

ADJOURNMENT

Moved by Councillor Gary Burroughs, seconded by Councillor John Wiens that this Council adjourn to the next regular meeting of August 30, 2021 and if a special meeting is required, it will be held at the call of the Lord Mayor.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

- resolution #23, **APPROVED.**

VERBAL MOTIONS:

1. Moved by Councillor Norm Arsenault, seconded by Councillor Gary Burroughs that the time of meeting be extended to 11:00 p.m.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	

JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

APPROVED.

2. Moved by Councillor Gary Burroughs, seconded by Councillor Erwin Wiens that this Council adjourn to complete the business of the agenda on September 3, 2021 at 12 p.m.

COUNCILLOR	YEA	NAY
NORM ARSENAULT	X	
AL BISBACK	X	
GARY BURROUGHS	X	
CLARE CAMERON	X	
WENDY CHEROPITA	X	
SANDRA O'CONNOR	X	
ERWIN WIENS	X	
JOHN WIENS	X	
LORD MAYOR BETTY DISERO	X	
TOTALS	9	

APPROVED.

ADJOURNMENT:

LORD MAYOR BETTY DISERO

ACTING TOWN CLERK COLLEEN HUTT