



## **THE CORPORATION OF THE TOWN OF NIAGARA-ON-THE-LAKE COMMITTEE OF THE WHOLE MEETING MINUTES/REPORT**

The members of the Committee of the Whole met on Monday September 20, 2021 in the Council Chambers, at 05:30 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, Gary Burroughs, Clare Cameron, Wendy Cheropita, Sandra O'Connor, Erwin Wiens, John Wiens

### **REGRETS:**

### **STAFF:**

Marnie Cluckie	Chief Administrative Officer
Sheldon Randall	Director, Operations
Kyle Freeborn	Director, Corporate Services
Rick Wilson	Manager of Planning
Nick Ruller	Fire Chief
Lucie Palka	Digital Services Coordinator
Mike Komljenovic	Supervisor of Engineering
Amy Bush	Recording Secretary
Colleen Hutt	Acting Town Clerk

### **OTHERS:**

### **MEDIA:**

### **1. CALL TO ORDER**

Chair Councillor John Wiens called the meeting to order at 6:01 p.m.

## **2. ADOPTION OF AGENDA**

The follow members requested to speak under New Business: Lord Mayor Betty Disero (Patio Permits and signs and charities), Councillors Gary Burroughs (STR), Erwin Wiens (Bike Lanes)

Moved by Councillor Norm Arsenault that the agenda be adopted, as amended.

## **APPROVED, AS AMENDED.**

## **3. CONFLICT OF INTEREST**

No conflicts of interest were declared at this time.

## **4. RECOGNITION OF SERVICE**

Jeff Vyse, Manager Operations - Retirement

Lord Mayor Betty Disero spoke to the retirement of Mr. Jeff Vyse, Manager of Operations and stated the following:

Jeff Vyse started working at the Town of Niagara-on-the-Lake in May, 1987 as an Engineering Technician I. He was promoted to an Engineering Technician II just two years later. Over the years Jeff was promoted to the Supervisor of Engineering, acting Manager of Public Works, permanent Manger of Public Works, and was Acting Director of Operations for 6 months in 2019.

Jeff's work in the Engineering and Public Works Divisions will certainly be missed. He has an eye for detail, has an outstanding amount of corporate knowledge, and has mentored an excellent team of Engineers and Public Works employees.

Please join me in congratulating Jeff for being with the Town for 35 years. We wish you a relaxing, enjoyable retirement and thank you for your service.

## **5. DELEGATIONS**

### **5.1 John Hawley, Traditional Neighbourhood Inc. - 111 Garrison Village Drive**

John Hawley was before the committee to ask for a deferral on the Municipal Development Charges for the Medical Centre that will be built in the Village Center.

### **5.2 Sarah Kaufman, NOTL Museum - Presentation - Museum Updates**

Sarah Kaurman, Niagara-on-the-Lake Museum referred to an electronic presentation and spoke to the following: Successes During COVID, Our Vision, How do we bring that vision into reality?, Opportunities to facilitate our vision, Modernizing exhibits, Eliminating barriers, Project status and the Town of NOTL - Strategic Plan 2018-2022.

Ms. Kaufman answered question from the Committee.

**5.3 Paul MacIntyre, Pillar & Post Inn - Presentation  
re: Response to Pillar & Post Inn Lighting Issues**

Paul MacIntyre referred to an electronic presentation and spoke to the following points: Background, Exterior Lights & Our Community, Interior Lighting, Mitigation Measures to Initial Issues, Neighbour Communication, Outcome, Summary and Conclusion.

**5.4 Michael Allen, Ack Architects,  
re: Response to Pillar & Post Inn Lighting Issues**

Michael Allen, Architect, provided further clarification and support to the presentation by Mr. MacIntyre.

**6. RESPONSE TO DELEGATIONS  
5.1 111 Garrison Village Drive**

Moved by Lord Mayor Betty Disero, that the request from Mr. Hawley, for the deferral of development charges be approved, for the construction of the Medical Building at 111 Garrison Village Drive, prior to the Building Permit being issued.

**APPROVED.**

**5.2 Museum Updates**

Moved by Councillor Gary Burroughs, that the presentation by Sarah Kaufman, NOTL Museum, be forwarded to the Audit and Finance Committee for consideration.

**APPROVED.**

**7. PRESENTATIONS**

There were no presentations at this time.

**8. COVID-19 UPDATE**

Marnie Cluckie, Chief Administrative Officer provided the Committee with the following updates:

- Last COVID update on September 1, 2021 Ontario will require proof of vaccination in select higher risk public indoor settings where face coverings can't always be worn such as restaurants, night clubs, meeting & events spaces, sports & fitness facilities, concert halls, theatres, cinemas and more.
- On September 14, 2021 the Province released the revised regulations and guidance for business, organizations and municipalities, effective the of September 22, 2021.
- Ontario is developing an enhanced vaccine certificate with a unique QR code, scheduled to be available on October 22, 2021 along with the verification app.

- On July 9, 2021 the Province moved us into Step 3 of the Road Map to Reopen, Ontario remains in step 3.
- Proof of vaccination does not apply to a patron entering an area solely to use a washroom or an outdoor area that can only be accessed through an indoor route, to make a retail purchase, while placing or picking up an order, while paying for an order, while purchasing an admission to something, or as may be necessary for the purposes of health and safety.
- Businesses are exempt from the requirement in respect to patrons as per the following: anyone who is under 12, under 18 years of age who are entering indoor premises used for sports & rec fitness facilities solely for participating in that organized sport, or those who have a documented medical reason for not being vaccinated; those individuals will be permitted entry with an approved physician note.
- On September 22, 2021 the proof of vaccination program launches, and it will require that all Ontarians are fully vaccinated and they provide proof of that vaccination, along side their photo ID which can be a driver's license or health card and that's to access certain public settings.
- Residents that are accessing our Niagara-on-the-Lake Community Centre, the Sweets & Swirls Cafe area, or the Meridian Credit Union and Centennial Arenas will require proof of vaccination. Upon entry, all of those eligible patrons and visitors will need to show ID plus proof of a complete series of an approved COVID-19 vaccine, or the combination, and it has to be received at least 14 days prior to coming into the facility.
- For our facilities the exemptions are children 11 years of age and younger and can't be vaccinated or those who are 18 years of age or younger for participating in an organized sport within the facility, plus any individuals requiring access to the facilities solely for the use of restrooms, screening is required for all of them.
- Until the app is ready on October 22, 2021 citizens can provide a printed receipt of vaccination, if you require another one it can be downloaded at <https://covid19.ontariohealth.ca>.
- You do not require proof of vaccination to enter the library.
- Council Chambers are considered to be a workspace, not a meeting facility.
- The next vaccine clinic in NOTL is booked for September 25, 2021 at the Outlet Collection, right beside the Cole Haan Collection and it is for walk-ins only from 10am - 6pm. There is also the clinic scheduled at the Community Centre on September 29, 2021.
- Vaccination & Dosage Statistics
- 13,285 vehicles incoming, 15% increase from last week.
- By-law received no COVID-19 phone complaints over the weekend, we are expecting an increase in questions this week due to the new proof of vaccination requirement.
- By-law is meeting with the Region tomorrow and all the local area municipality By-law departments to discuss the matter and how to enforce appropriately.
- Parking officers issued 193 tickets this weekend.
- To date, By-law has issued 33 special enforcement area tickets, for \$150 in the Chataqua special enforcement area, no increase over last week. It looks like the

signage and enforcement is working. No issues with non-compliance this past week.

- Short Term Rental enforcement, new compliance through Granicus was launched on July 12, 2021 and the new AMPS program came into effect September 7, 2021.
- We have seen 14 penalty notices issued to Short Term Rentals under the AMPS program, and 5 from last week.
- From the start date of the new Granicus system to now, there has been a decrease of 23% for non-compliant Short Term Rentals, last week was a decrease of 12%.
- Granicus identifies Short Term Rentals operating without a license, advertising without a license or advertising incorrectly.
- By-law has been sending out notices of various non-compliances, half of those Short Term Rental operators have reached back out to the Town and staff have been able to work with them and bring them into compliance.
- Election Signs - candidates were sent emails outlining the By-law provisions, staff received 7 service request complaints and 1 email complaint. Signs on Municipal property are removed daily and proactively on properties like our Community Centre and Library. Signs that present a safety hazard are removed immediately. Parking and By-law staff have taken down a fair number of improperly placed election signs this weekend. In the vicinity of 40 election signs that are improperly placed have come down.
- Parking enforcement staff responded to a complaint of a rabid raccoon on Saturday.
- Skatepark open house was presented this Saturday from 10am - 1pm in the Virgil Sportspark and was very well attended and received. It was a free event and was funded through a grant received by Town through Participaction Community Better Challenge Program. The goal was to educate attendees on skateboarding and skateboarding safety. There was a live skateboard demonstration and mini skateboard lessons by CJ's Skatepark.
- During September we are focusing on Truth and Reconciliation and the TRC 94 Call to Action through various efforts. Staff and Council should now have their login for the trainings and some council members and staff have already completed all their training modules.
- We have displays that have been created at the Community Centre and Arenas in honour of Truth and Reconciliation. Our partners at the museum have provided a video about the Indigenous People and Truth and Reconciliation and that is on a loop at the Arena. The library loaned us some books by Indigenous authors and these books are at the Community Centre in a display case, they are all available for loan at the library. Indigenous art canvas was loaned to us by the museum which is up at the Community Centre right now. Our website has a page up right now about Truth and Reconciliation and we have our keynote speaker coming on September 29, 2021.
- Acknowledge planning & building staff for their hard work on planning & building applications. They are very short staffed and are working very hard and we expect to announce some new planners in the very near future.
- Volunteer Firefighters, call volume has really increased significantly, especially over the summer. Yesterday alone they had 11 calls which is quite significant. Thanks to them for keeping the Community Safe.

## **9. CONSENT AGENDA**

At this time the Chair asked for members to identify any items to be lifted for separate discussion.

All reports were lifted for discussion.

### **CS-21-026                      Overnight Parking Provisions - amendments to the Town Parking By-law and Parks By-law**

Moved by Councillor Gary Burroughs that recommendations contained in Corporate Services Report CS-21-026 be approved as follows:

- 1.1 the draft By-law, attached as Appendix I, regarding an amendment to the Town Traffic and Parking By-law be forwarded to Council for approval;
- 1.2 the draft By-law, attached as Appendix II, regarding an amendment to the Town Parks By-law, be forwarded to Council for approval.

**APPROVED.**

### **OPS-21-025                      Request for Sanitary Sewer Extension - 475-481 Queenston Road**

Moved by Councillor Sandra O'Connor that recommendations contained in Operation Services Report OPS-21-025 be approved as follows:

- 1.1 The Town support the proposed installation of a minimum 200 mm diameter sanitary sewer along Queenston Road to a point approximately 105 metres east of Townline (Grantham) Road, in accordance with Policy PW-SAN-002 (Appendix I);
- 1.2 Staff prepare an agreement with the owners of 475-481 Queenston Road and approve servicing plans for the construction of a sanitary sewer on Queenston Road to Town standards at their expense, including fees for engineering, construction, inspection, agreement preparation costs and applicable buy-in charges for Council's consideration at a future date.

**APPROVED.**

### **OPS-21-026                      Irvine Road Drain 2021– Meeting to Consider Adopting the Engineering Report**

Moved by Councillor Gary Burroughs that recommendations contained in Operation Services Report OPS-21-026 be approved as follows:

1. Council adopt the Engineering Report prepared by K. Smart Associates Limited for the Irvine Road Municipal Drain, dated March 26, 2021;
2. Council, having adopted the Engineering Report, give the attached Provisional By-law the two readings required by Section 45(1) of the *Drainage Act*, R.S.O 199 ; and
3. Council directs the Clerk to set a date for the first sitting of the Court of Revision and distribute the Provisional By-law and the Notice of the Court of Revision, in accordance with Sections 46(2) and 46(3) of the *Drainage Act*, R.S.O. 1990.

**APPROVED.**

## **10. INFORMATION PACKAGES**

September 16, 2021

Item No. 1 - King Street - Parking Prohibition Changes

Item No. 2 - Turntable Way - Parking Prohibition Changes

Item No. 10 - Trent Lakes resolution re OHIP Eye Care

Item No. 15 - Ministry of Municipal Affairs & Housing - Site Plan Control Guide

Moved by Councillor Norm Arsenault that the Information Packages of September 16, 2021 be received.

**APPROVED.**

## **11. NEW BUSINESS**

Discussion took place regarding:

- Short Term Rentals
- Signs and our Charities
- Patio Permits
- Bike Lanes
- World Clean Up Day

Moved by Lord Mayor Betty Disero that Council request staff to look at the issue of amplified music and live bands on the temporary patios going forward. To review the alignment of By-laws of the Town and surrounding municipalities.

**APPROVED.**

Moved by Councillor Erwin Wiens 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 Bike Lane motion be reconsidered.

**DEFEATED.**

**(a) Notice of Motion - Lanternfly**

Councillor Clare Cameron put forward a notice of motion with regard to the Lanternfly.

**12. ADJOURNMENT**

**ADJOURNMENT: 09:19 PM**

Lord Mayor, this concludes the Minutes/Report of the Committee of the Whole Meeting.  
I Councillor \_\_\_\_\_ move, seconded by Councillor  
\_\_\_\_\_ that the Minutes/Report of the September 20, 2021 Committee  
of the Whole Meeting be adopted.