

**THE REGIONAL MUNICIPALITY OF NIAGARA
PLANNING & ECONOMIC DEVELOPMENT COMMITTEE
MINUTES**

PEDC 2-2021

Wednesday, February 17, 2021

Council Chamber / Video Conference

**Niagara Region Headquarters, Campbell West
1815 Sir Isaac Brock Way, Thorold, ON**

Committee Members Present in the Council Chamber: Huson (Committee Chair)

Committee Members Present via Video Conference: Bradley (Regional Chair), Butters, Bylsma, Campion, Darte, Easton, Fertich, Foster, Greenwood, Heit, Junkin, Redekop, Rigby, Sendzik, Ugulini, Witteveen, Zalepa

Absent/Regrets: Bellows

Staff Present in the Council Chamber: D. Giles, Acting Commissioner, Planning & Development Services, S. Guglielmi, Technology Support Analyst, A.-M. Norio, Regional Clerk, G. Spezza, Director, Economic Development

Staff Present via Video Conference: E. Acs, Manager, Community Planning, I. Banach, Acting Director, Community & Long Range Planning, P. Busnello, Manager, Development Planning, M. Evely, Legislative Coordinator, L. Ferrell, Program Financial Specialist, D. Gibbs, Director, Legal & Court Services, D. Heyworth, Official Plan Policy Consultant, V. Kuhns, Manager, Strategic Initiatives, P. Lambert, Director, Infrastructure Planning & Development Engineering, C. Lampman, Manager, Environmental Planning, K. McCauley, Acting Manager, Long Range Planning, S. Norman, Senior Planner, R. Tripp, Acting Chief Administrative Officer

Others Present via Video Conference: S. Miller, Senior Manager, Water Resources, Niagara Peninsula Conservation Authority, J. Stevens, Partner, and L. Wortsman, Associate, Willms & Shier Environmental Lawyers LLP, External Legal Counsel

1. CALL TO ORDER

Committee Chair Huson called the meeting to order at 1:00 p.m.

2. DISCLOSURES OF PECUNIARY INTEREST

Councillor Heit declared an indirect pecuniary interest with respect to Correspondence Item PDS-C 10-2021 (Agenda Item 5.4), as his daughter is employed by the Liquor Control Board of Ontario (LCBO).

3. **PRESENTATIONS**

3.1 **Source Protection Program Overview**

Thomas Proks, Source Water Protection Coordinator, Niagara Peninsula Conservation Authority, provided information respecting Source Protection Program Overview. Topics of the presentation included:

- Source Protection Process
- Vulnerability Analysis
- Delineation of Surface Water Intake Protection Zones
- Assignment of Vulnerability Score
- Niagara's Vulnerability Scores
- 22 Prescribed Drinking Water Threat Activities
- Summary of Significant Prescribed Drinking Water Threats in Niagara Intake Protection Zones

There being no objection, Report PDS 9-2021 (Agenda Item 6.4) respecting Review of Options – South Niagara Aquifer, was considered at this time.

6. **CONSENT ITEMS FOR INFORMATION**

6.4 **PDS 9-2021**

Review of Options - South Niagara Aquifer

Moved by Councillor Butters

Seconded by Councillor Rigby

That Report PDS 9-2021, dated February 17, 2021, respecting Review of Options - South Niagara Aquifer, **BE RECEIVED** and **BE CIRCULATED** to the City of Port Colborne, Town of Fort Erie, City of Welland, Township of Wainfleet, Niagara Peninsula Conservation Authority (NPCA), and the Niagara Peninsula Source Protection Committee.

Carried

Moved by Councillor Butters

Seconded by Councillor Witteveen

WHEREAS at the January 15, 2020 Planning and Economic Development meeting, the following resolution was adopted: “That staff **BE DIRECTED** to consider the highly vulnerable aquifer as an important, vital source of water to our rural residents in Niagara from Wainfleet, through Port Colborne to Fort Erie and ensure specific Official Plan policies are developed to reflect the importance and subsequent protection of this water source”; and

WHEREAS Report PDS 9-2021 has provided an overview of opportunities for drinking water protection in Ontario with an emphasis on the highly vulnerable aquifer in South Niagara.

NOW THEREFORE BE IT RESOLVED:

That staff **BE FURTHER DIRECTED** to state within the new Regional Official Plan that groundwater across the Region is an important resource to all Niagara residents and specifically a source of potable drinking water to many rural residents.

Carried

4. DELEGATIONS

There were no delegations.

5. ITEMS FOR CONSIDERATION

5.1 PDS-C 9-2021

Planning and Economic Development Committee Vice-Chair

Correspondence Item PDS-C 9-2021 provided information respecting the vacancy in the Committee Vice-Chair role due to Councillor Dart's resignation. Chair Huson called for nominations for the position of Vice-Chair of the Planning and Economic Development Committee for a two-year term (2021-2022).

Moved by Councillor Fertich

Seconded by Councillor Greenwood

That Councillor Witteveen **BE NOMINATED** as Vice-Chair of the Planning and Economic Development Committee for a two-year term (2021-2022).

Carried

Moved by Councillor Redekop

Seconded by Councillor Easton

That Councillor Campion **BE NOMINATED** as Vice-Chair of the Planning and Economic Development Committee for a two-year term (2021-2022).

Carried

Moved by Councillor Butters

Seconded by Councillor Redekop

That nominations for the position of Vice-Chair of the Planning and Economic Development Committee for a two-year term (2021-2022), **BE CLOSED.**

Carried

Voting by a show of hands resulted in the following:

Witteveen = 8

Campion = 6

Based on the result of the vote, Chair Huson announced that Councillor Witteveen would be Vice-Chair of the Planning and Economic Development Committee for a two-year term (2021-2022).

5.2 ED 4-2021

Tourism Adaption and Recovery Fund Budget Adjustment

Moved by Councillor Greenwood

Seconded by Councillor Foster

That Report ED 4-2021, dated February 17, 2021, respecting Tourism Adaption and Recovery Fund Budget Adjustment, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That an operating budget adjustment in the amount of \$2,000,000 gross and \$0 net **BE APPROVED** (and **INITIATED**) for the Niagara Tourism Adaption and Recovery Fund and that the initiative **BE FUNDED** from a Fed Dev Ontario grant.

Carried

5.3 PDS 13-2021

Municipal By-law Enforcement Appointments - Woodland Conservation By-law

Moved by Councillor Zalepa

Seconded by Councillor Fertich

That Report PDS 13-2021, dated February 17, 2021, respecting Municipal By-law Enforcement Appointments - Woodland Conservation By-law, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the following Regional staff **BE APPOINTED** as Municipal By-law Enforcement Officers for the purpose of enforcing Niagara Region By-law No. 2020-79, being the Woodland Conservation By-law:
 - Cara Lampman, Manager, Environmental Planning
 - Daniel Root, Regional Forester
2. That the necessary by-law **BE PREPARED** and **PRESENTED** to Council for consideration.

Carried

Councillor Information Request(s):

Provide a copy of Report PDS 13-2021 and all future reports related to the Woodland Conservation By-law to the Agricultural Policy and Action Committee. Councillor Witteveen.

5.4 PDS-C 10-2021

Motion from Councillor Sendzik respecting Support for the Wine Sector

Moved by Councillor Sendzik

Seconded by Councillor Easton

WHEREAS the Ontario wine industry supports directly and indirectly over 18,000 full-time equivalent jobs; and Niagara is Ontario's largest wine growing region responsible for over 90% of Ontario's grape production;

WHEREAS, with 2.4 million annual visitors, Niagara's wine sector has developed unique experiential destination tourism, enhanced by the proximity to Niagara Falls;

WHEREAS COVID-19 has had significant impacts on Ontario's wine industry – a key contributor to Niagara's economy and tourism sector; and

WHEREAS to build back a stronger, more sustainable economy, there is a need to unlock the potential of Ontario's grape and wine industry.

NOW THEREFORE BE IT RESOLVED:

1. That Niagara Region **CALLS** on the Province of Ontario to create a level playing field and to provide Ontario's entrepreneurial wine industry with opportunities to invest more into innovation and job creation while providing consumer choice and convenience for the purchase of Ontario wines;
2. That the Province **BE URGED** to undertake the following:
 - Eliminate the 6.1% tax applied to VQA (100% Ontario-grown) wines on sales in the 2021 Budget;
 - Enable Ontario wines to offer direct delivery, with margin, to grocery stores;
 - Establish long-term VQA wine support programs at the LCBO that would increase shelf space for VQA wines; and
 - Eliminate import taxes on 100% Ontario VQA wines
3. That this motion **BE CIRCULATED** to municipalities in Niagara, Prince Edward County and Lake Erie North Shore and to the Premier, Minister of Finance and Minister of Agriculture, Food and Rural Affairs.

The following friendly ***amendment*** was accepted by the Committee Chair, and the mover and seconder of the motion:

2. That the Province **BE URGED** undertake the following:
 - Eliminate the 6.1% tax applied to VQA (100% Ontario-grown) wines on sales in the 2021 Budget;
 - Enable Ontario wines to offer direct delivery, with margin, to grocery stores;
 - Establish long-term VQA wine support programs at the LCBO that would increase shelf space for VQA wines and;
 - Eliminate import taxes on 100% Ontario VQA wines
 - ***Continue working towards more equitable inter-provincial trade on wines***

The following friendly ***amendment*** was accepted by the Committee Chair, and the mover and seconder of the motion:

3. That this motion **BE CIRCULATED** to municipalities in Niagara, Prince Edward County and Lake Erie North Shore and to the Premier, Minister of Finance and Minister of Agriculture, Food and Rural Affairs, ***Grape Growers of Ontario, Wine Council of Ontario, the local MPs and MPPs.***

Chair Huson called the vote on the motion, as amended,

WHEREAS the Ontario wine industry supports directly and indirectly over 18,000 full-time equivalent jobs; and Niagara is Ontario's largest wine growing region responsible for over 90% of Ontario's grape production;

WHEREAS, with 2.4 million annual visitors, Niagara's wine sector has developed unique experiential destination tourism, enhanced by the proximity to Niagara Falls;

WHEREAS COVID-19 has had significant impacts on Ontario's wine industry – a key contributor to Niagara's economy and tourism sector; and

WHEREAS to build back a stronger, more sustainable economy, there is a need to unlock the potential of Ontario's grape and wine industry.

NOW THEREFORE BE IT RESOLVED:

1. That Niagara Region **CALLS** on the Province of Ontario to create a level playing field and to provide Ontario's entrepreneurial wine industry with opportunities to invest more into innovation and job creation while providing consumer choice and convenience for the purchase of Ontario wines;
2. That the Province **BE URGED** undertake the following:
 - Eliminate the 6.1% tax applied to VQA (100% Ontario-grown) wines on sales in the 2021 Budget;
 - Enable Ontario wines to offer direct delivery, with margin, to grocery stores;
 - Establish long-term VQA wine support programs at the LCBO that would increase shelf space for VQA wines and;
 - Eliminate import taxes on 100% Ontario VQA wines
 - Continue working towards more equitable inter-provincial trade on wines
3. That this motion **BE CIRCULATED** to municipalities in Niagara, Prince Edward County and Lake Erie North Shore and to the Premier, Minister of Finance and Minister of Agriculture, Food and Rural Affairs, Grape Growers of Ontario, Wine Council of Ontario, the local MPs and MPPs.

Carried

6. CONSENT ITEMS FOR INFORMATION

Moved by Councillor Butters
Seconded by Councillor Junkin

That the following items **BE RECEIVED** for information:

ED 3-2021
COVID-19 Response and Business Continuity in Economic Development

PDS-C 5-2021
COVID-19 Response and Business Continuity in Planning and Development Services

ED 5-2021
Economic Recovery Plan Update 3

PDS 7-2021
Niagara Official Plan Process and Local Municipality Conformity

PDS-C 8-2021
2021 Public Realm Investment Program Launch

Carried

Agenda Items 6.3, 6.8, and 6.9 were considered separately.

6.3 PDS 1-2021

Natural Environment Work Program - 2nd Point of Engagement

Moved by Councillor Redekop
Seconded by Councillor Witteveen

That Report PDS 1-2021, dated February 17, 2021, respecting Natural Environment Work Program - 2nd Point of Engagement, **BE RECEIVED** and **BE CIRCULATED** to the Local Area Municipalities and the Niagara Peninsula Conservation Authority (NPCA).

Carried

6.8 PDS-C 4-2021

Response to Town of Pelham Motion on Cannabis Appeals

Moved by Councillor Junkin
Seconded by Councillor Butters

That Correspondence Item PDS-C 4-2021, being a memorandum from P. Busnello, Acting Director, Development Approvals, dated February 17, 2021, respecting Response to Town of Pelham Motion on Cannabis Appeals, **BE RECEIVED** for information.

Carried

6.9 PDS-C 11-2021

A letter from Jocelyn Baker, Canadian Co-Chair, and Jajean Rose-Burney, U.S. Co-Chair, Niagara River Ramsar Binational Steering Committee, dated February 12, 2021, respecting Confidential Report PDS 2-2021

Moved by Councillor Foster
Seconded by Councillor Butters

That Correspondence Item PDS-C 11-2021, being a letter from Jocelyn Baker, Canadian Co-Chair, and Jajean Rose-Burney, U.S. Co-Chair, Niagara River Ramsar Binational Steering Committee, dated February 12, 2021, respecting Confidential Report PDS 2-2021, **BE RECEIVED** for information.

Carried

7. **OTHER BUSINESS**

7.1 Growing the Size of the Greenbelt in Niagara

Councillor Foster advised that the Ministry of Municipal Affairs and Housing is seeking feedback on ways to grow the size of the Greenbelt in Ontario. Doug Giles, Acting Commissioner, Planning and Development Services, advised that staff would provide a report at the next Planning and Economic Development Committee meeting respecting this issue.

8. CLOSED SESSION

Moved by Councillor Greenwood
Seconded by Councillor Butters

That this Committee **DO NOW MOVE** into Closed Session for the purposes of receiving information of a confidential nature respecting:

A Matter of Advice that is Subject to Solicitor-Client privilege under s. 239(2) of the Municipal Act, 2001 - Implications of a Ramsar Designation on the Niagara River

Carried

Committee resolved into closed session at 3:08 p.m.

9. BUSINESS ARISING FROM CLOSED SESSION ITEMS

Committee reconvened in open session at 3:34 p.m. with the following individuals in attendance:

Committee Members Huson (Committee Chair)
Present in the
Council Chamber:

Committee Members Bradley (Regional Chair), Butters, Bylsma, Darte, Easton,
Present via Video Fertich, Foster, Greenwood, Redekop, Sendzik, Ugulini,
Conference: Witteveen, Zalepa

Absent/Regrets: Bellows, Campion, Heit, Junkin, Rigby

Staff Present in the D. Giles, Acting Commissioner, Planning & Development
Council Chamber: Services, S. Guglielmi, Technology Support Analyst, A.-
 M. Norio, Regional Clerk, G. Spezza, Director, Economic
 Development

Staff Present via E. Acs, Manager, Community Planning, M. Evely,
Video Conference: Legislative Coordinator, D. Gibbs, Director, Legal & Court
 Services

Others Present via J. Stevens, Partner, and L. Wortsman, Associate, Willms
Video Conference: & Shier Environmental Lawyers LLP, External Legal
 Counsel

9.1 Confidential PDS 2-2021

A Matter of Advice that is Subject to Solicitor-Client privilege under s. 239(2) of the Municipal Act, 2001 - Implications of a Ramsar Designation on the Niagara River

Moved by Councillor Redekop
Seconded by Councillor Sendzik

That Confidential Report PDS 2-2021, dated February 17, 2021, respecting A Matter of Advice that is Subject to Solicitor-Client privilege under s. 239(2) of the Municipal Act, 2001 - Implications of a Ramsar Designation on the Niagara River, **BE RECEIVED**; and

That the Planning and Economic Development Committee **RECOMMEND** that Confidential Report PDS 2-2021 including Appendix 1 authored by Willms & Shier dated January 18, 2021, respecting Implications of a Ramsar Designation on the Niagara River, be released publicly subject to Council approval.

Carried

10. NEXT MEETING

The next meeting will be held on Wednesday, March 10, 2021 at 1:00 p.m.

11. ADJOURNMENT

There being no further business, the meeting adjourned at 3:37 p.m.

Councillor Huson
Committee Chair

Mark Evely
Legislative Coordinator

Ann-Marie Norio
Regional Clerk