



THE REGIONAL MUNICIPALITY OF NIAGARA SPECIAL COUNCIL ORDER OF BUSINESS

CL 5-2024

Thursday, April 25, 2024

4:00 p.m.

Council Chamber - In Person and Electronic Meeting

Niagara Region Headquarters, Campbell West

1815 Sir Isaac Brock Way, Thorold, ON

To view live stream meeting proceedings, please visit: niagararegion.ca/government/council

Pages

1. CALL TO ORDER

2. LAND ACKNOWLEDGEMENT STATEMENT

3. ADOPTION OF AGENDA

4. DISCLOSURES OF PECUNIARY INTEREST

5. CLOSED SESSION

5.1 Integrity Commissioner Education and Training Session - Regional Council Meeting January 25, 2024

An Education and Training Session under s. 239 (3.1) of the Municipal Act, 2001 – Integrity Commissioner Training Session regarding Regional Council Meeting held January 25, 2024

5.2 Confidential CHR 3-2024

Education and Training Session under s. 239 (3.1) of the Municipal Act, 2001 – Correspondence to the Regional Chair from Councillor Bateman respecting Regional Council Meeting held January 25, 2024 with covering memorandum from the Regional Chair

6. BUSINESS ARISING FROM CLOSED SESSION

7. ADOPTION OF MINUTES

7.1 Council Minutes CL 2-2024 Thursday, January 25, 2024

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These minutes were referred to the Integrity Commissioner in accordance with the motion from the Regional Council meeting held February 22, 2024.

They are presented for errors and/or omissions only.

8. BY-LAWS

8.1 Bill 2024-24

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A by-law to adopt, ratify and confirm the actions of Regional Council at its special meeting held April 25, 2024.

9. ADJOURNMENT

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**THE REGIONAL MUNICIPALITY OF NIAGARA
PROCEEDINGS OF COUNCIL
MINUTES**

CL 2-2024

Thursday, January 25, 2024

**Council Chamber - In Person and Electronic Meeting
Niagara Region Headquarters, Campbell West
1815 Sir Isaac Brock Way, Thorold, ON**

Council: Bradley (Regional Chair), Bateman, Champion*, Chiocchio, Davies, Diodati*, Easton*, Foster, Gale, Ganann*, Grant*, Heit*, Huson, Insinna, Ip, Jordan, Junkin*, Kaiser, Morocco, Redekop, Rigby, Seaborn*, Secord*, Siscoe, Steele, Ugulini, Villella, Whalen, Witteveen, Zalepa*

Absent/Regrets: Craitor, Sorrento

Staff: E. Acs, Manager, Community Planning*, R. Ball-Condron, Government Relations Specialist, D. Barnhart, Chief of Staff, A. Basic, Legislative Coordinator, D. Carnegie, Deputy Chief Administrative Officer, D. Gibbs, Director, Legal & Court Services, T. Harrison, Commissioner/Treasurer, Corporate Services, Dr. M.M. Hirji, Associate Medical Officer of Health, A. Jugley, Commissioner, Community Services, P. Kennah, Labour Relations Manager*, K. Lotimer, Deputy Regional Clerk, F. Meffe, Director, Human Resources, B. Menage, Director, Procurement & Strategic Acquisitions*, A.-M. Norio, Regional Clerk, S. Norman, Senior Planner*, T. Ricketts, Commissioner, Public Works, M. Sergi, Commissioner, Growth Strategy & Economic Development, G. Spezza, Director, Economic Development, J. Spratt, Legislative Coordinator, A. Stea, Director, Community & Long Range Planning, F. Tassone, Director, Transportation Services, A. Tikky, Senior Project Policy Planner*, J. Tonellato, Director, Water & Wastewater Services*, R. Tripp, Chief Administrative Officer*

* indicates members who participated electronically, all other members participated in person

1. CALL TO ORDER

Regional Chair Bradley called the meeting to order at 6:30 p.m.

2. **LAND ACKNOWLEDGMENT STATEMENT**

Councillor Siscoe read the Land Acknowledgment Statement.

3. **ADOPTION OF AGENDA**

3.1 **Addition of Items**

Moved by Councillor Siscoe
Seconded by Councillor Ip

That the motion respecting Support for Israelis and Palestinians Living in Niagara (Agenda Item 13.2) and all other associated agenda items **BE REMOVED** from the agenda as this matter does not pertain to any area of Niagara Region business or mandate and regardless of the outcome of Agenda Item 13.2, the end result would be division within our community.

Moved by Councillor Ip
Seconded by Councillor Gale

That the question **BE CALLED**.

Recorded Vote:

Yes (24): Chiocchio, Davies, Diodati, Foster, Gale, Ganann, Grant, Heit, Huson, Insinna, Ip, Junkin, Morocco, Redekop, Rigby, Seaborn, Secord, Siscoe, Steele, Ugulini, Villella, Whalen, Witteveen, Zalepa.

No (2): Bateman, Kaiser.

Carried

The Regional Chair called the vote on the motion and declared it,

Carried

Regional Chair Bradley recessed the meeting at 6:37 p.m.

The meeting resumed at 6:53 p.m.

3.2 Changes in Order of Items

Moved by Councillor Gale
Seconded by Councillor Kaiser

That the order of the agenda **BE AMENDED** to consider Minute Item 4.3.1 of Minutes PWC 1-2024 (Agenda Item 11.2), respecting Proposed Street Name Change by Area Municipality - Regional Road 61, Town of Niagara-on-the-Lake, immediately following the delegation on this matter (Agenda Item 7.1.1).

Carried

Moved by Councillor Davies
Seconded by Councillor Huson

That Council Agenda CL 2-2024, **BE ADOPTED**, as amended.

Carried

4. **DISCLOSURES OF PECUNIARY INTEREST**

There were no disclosures of pecuniary interest.

5. **PRESENTATIONS**

There were no presentations.

6. **CHAIR'S REPORTS, ANNOUNCEMENTS, REMARKS**

The Regional Chair provided an update respecting activities within the Region.

7. **DELEGATIONS**

7.1 Proposed Street Name Change by Area Municipality - Regional Road 61, Town of Niagara-on-the-Lake (Minute Item 4.3.1, Minutes PWC 1-2024 (Agenda Item 11.2))

7.1.1 Frank Racioppo, Resident, Town of Niagara-on-the-Lake

Frank Racioppo, resident, Town of Niagara-on-the-Lake, appeared before Council to request that the report be referred back to the Public Works Committee to consider a street name that reflects the history of the area.

11. COMMITTEE REPORTS - OPEN SESSION

11.2 Public Works Committee

11.2.1 Minutes PWC 1-2024, Minute Item 4.3.1 respecting Proposed Street Name Change by Area Municipality - Regional Road 61, Town of Niagara-on-the-Lake

The motion contained in Minute Item 4.3.1 was considered separately as follows:

That Report PW 1-2024, dated January 9, 2024, respecting Proposed Street Name Change by Area Municipality - Regional Road 61, Town of Niagara-on-the-Lake, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Regional Council **APPROVE** the renaming of Regional Road 61 (Townline Stamford Road / Niagara Townline Road), between Regional Road 100 (Four Mile Creek Road / St. Paul Avenue) and Regional Road 102 (Stanley Avenue) to Regional Road 61 (Niagara Townline Road); and
2. That the necessary by-law **BE PREPARED** and **PRESENTED** for Council's consideration.

Carried

8. ADOPTION OF MINUTES

Moved by Councillor Insinna
Seconded by Councillor Steele

That the following minutes of Regional Council **BE ADOPTED**:

Open Session Minutes CL 16-2023, Thursday, December 14, 2023 (Regular Meeting)

Open and Closed Session Minutes CL 1-2024, Thursday, January 11, 2024 (Special Meeting)

Carried

9. CORRESPONDENCE

9.1 CL-C 1-2024

Key Updates from the Federation of Canadian Municipalities (FCM) Board of Directors Meeting November 24, 2023

Moved by Councillor Huson
Seconded by Councillor Kaiser

That Correspondence Item CL-C 1-2024, respecting Key Updates from the Federation of Canadian Municipalities (FCM) Board of Directors Meeting November 24, 2023, **BE RECEIVED**.

Carried

10. ITEMS FOR CONSIDERATION

10.1 CL-C 3-2024

Niagara Transit Commission Public Advisory Committee Recommended Appointments

Moved by Councillor Siscoe
Seconded by Councillor Morocco

That Correspondence Item CL-C 3-2024, dated January 25, 2024, respecting Niagara Transit Commission Recommended Community Member Appointments to the Niagara Transit Commission Public Advisory Committee, **BE RECEIVED**; and

That the recommended community member appointments for the Niagara Transit Commission Public Advisory Committee, contained in Confidential Appendix 1 to Memorandum CL-C 3-2024, **BE APPROVED**.

Carried

10.2 CL-C 21-2024

Standing Committee Appointment

Moved by Councillor Witteveen
Seconded by Councillor Insinna

That Correspondence Item CL-C 21-2024, dated January 25, 2024, respecting Standing Committee Appointment, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That, effective immediately, Councillor Bateman **BE APPOINTED** to the Public Works Committee.

Carried

11. COMMITTEE REPORTS - OPEN SESSION

11.1 Budget Review Committee of the Whole

Minutes BRCOTW 15-2023, Thursday, December 14, 2023

Moved by Councillor Redekop
Seconded by Councillor Whalen

That Minutes BRCOTW 15-2023 being the Open Session minutes of the Budget Review Committee of the Whole meeting held on Thursday, December 14, 2023, **BE ADOPTED**.

Carried

11.2 Public Works Committee

Minutes PWC 1-2024, Tuesday, January 9, 2024

Moved by Councillor Witteveen
Seconded by Councillor Insinna

That Minutes PWC 1-2024 being the Open Session minutes of the Public Works Committee meeting held on Tuesday, January 9, 2024, **BE RECEIVED** and the recommendations contained therein **BE APPROVED** save and except Minute Item 4.3.1.

Carried

11.3 Public Health and Social Services Committee

Minutes PHSSC 1-2024, Tuesday, January 9, 2024

Moved by Councillor Chiochio
Seconded by Councillor Morocco

That Minutes PHSSC 1-2024 being the Open Session minutes of the Public Health & Social Services Committee meeting held on Tuesday, January 9, 2024, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

Carried

11.4 Corporate Services Committee

Minutes CSC 1-2024, Wednesday, January 10, 2024

Moved by Councillor Foster

Seconded by Councillor Whalen

That Minutes CSC 1-2024 being the Open Session minutes of the Corporate Services Committee meeting held on Wednesday, January 10, 2024, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

11.4.1 Minutes CSC 1-2024, Minute Item 6.2 respecting Approval of 2024 Interim Levy Dates and Amounts

The motion contained in Minute Item 6.2 was considered separately as follows:

That Report CSD 2-2024, dated January 10, 2024, respecting Approval of 2024 Interim Levy Dates and Amounts, **BE RECEIVED** and the following recommendations, **BE APPROVED**:

1. That the interim Regional levy amounts and dates **BE APPROVED** in accordance with Appendix 1 to Report CSD 2-2024;
2. That the appropriate by-law **BE PREPARED** for presentation to Regional Council for consideration and approval; and
3. That Report CSD 2-2024 **BE CIRCULATED** to the Local Area Municipalities for Information.

Carried

11.4.2 Balance of the Recommendations from the Corporate Services Committee

The Regional Chair called the vote on the balance of the recommendations from the Corporate Services Committee and declared it,

Carried

11.5 Planning and Economic Development Committee
Minutes PEDC 1-2024, Wednesday, January 10, 2024

Moved by Councillor Huson
Seconded by Councillor Rigby

That Minutes PEDC 1-2024 being the Open Session minutes of the Planning and Economic Development Committee meeting held on Wednesday, January 10, 2024, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

11.5.1 Minutes PEDC 1-2024, Minute Item 6.2 respecting
Recommendation Report - Approval of Regional Official Plan
Amendment and Approval of Local Official Plan Amendment, Port
Colborne Quarries Pit 3 Extension

The motion contained in Minute Item 6.2 was considered separately
as follows:

That Report PDS 2-2024, dated January 10, 2024, respecting
Recommendation Report – Approval of Regional Official Plan
Amendment and Approval of Local Official Plan Amendment, Port
Colborne Quarries Pit 3 Extension, **BE RECEIVED** and the
following recommendations **BE APPROVED**:

1. That Regional Official Plan Amendment – Port Colborne
Quarries Pit 3 Extension **BE APPROVED** (attached as
Appendix 2 to Report PDS 2-2024);
2. That City of Port Colborne Official Plan Amendment 13 **BE
APPROVED** as modified (attached as Appendix 3 to Report
PDS 2-2024);
3. That all parties **BE NOTIFIED** of Regional Council's decision in
accordance with Planning Act requirements;
4. That Staff **BE DIRECTED** to inform the Ministry of Natural
Resources and Forestry of the decision of Regional Council, 20
days after notice of Council's decision has been given, provided
that no appeals have been filed against the decision, to inform
the licensing process under the Aggregate Resources Act; and
5. That Report PDS 2-2024 **BE CIRCULATED** to the City of Port
Colborne and Niagara Peninsula Conservation Authority.

Carried

11.5.2 Balance of the Recommendations from the Planning and Economic Development Committee

The Regional Chair called the vote on the balance of the recommendations from the Planning and Economic Development Committee and declared it,

Carried

12. CHIEF ADMINISTRATIVE OFFICER'S REPORT(S)

12.1 CAO 1-2024

Government Relations 2023 End of Year Review

Rachael Ball-Condron, Government Relations Specialist, and Daryl Barnhart, Chief of Staff, Governance, provided information respecting Government Relations 2023 End of Year Review. Topics of the presentation included:

- The Importance of Government Relations
- Niagara Region Government Relations
- 2023 Corporate Government Relations Initiatives
- 2023 Corporate Advocacy Priorities
- Annual Opportunities
- Ad Hoc Opportunities
- Financial Considerations
- Prosperous Region
- Government Relations 2023-2026

Moved by Councillor Ugolini

Seconded by Councillor Rigby

That Report CAO 1-2024, dated January 25, 2024, respecting Government Relations 2023 End of Year Review, **BE RECEIVED** for information.

Carried

Councillor Information Request(s):

Provide the annual budget for Government Relations. Councillor Redekop.

13. MOTIONS

13.1 Comprehensive Review and Overhaul of the Emergency Management and Civil Protection Act, 1990

Moved by Councillor Foster
Seconded by Councillor Steele

WHEREAS the *Emergency Management and Civil Protection Act, 1990*, and its regulations were established to provide a framework for managing emergencies and civil protection in Ontario and has remained largely unchanged for nearly 20 years;

WHEREAS municipalities across the Province of Ontario are encountering a range of emerging situations that are diverse and increasingly complex that were not adequately envisioned when the *Act* was drafted;

WHEREAS the evolving nature of emergencies, including but not limited to pandemics, cyber threats, climate-related events, mental health crises, and homelessness, requires a modernized and comprehensive legislative framework to empower municipalities to effectively respond and protect their communities;

WHEREAS the review should include the Province reinforcing the spheres of jurisdiction under the *Municipal Act, 2001*, to ensure declarations of emergencies are made in accordance with municipal powers established under the *Municipal Act, 2001*; and

WHEREAS a thorough review and overhaul of the *Act* and its regulations will enhance the capacity of municipalities to prevent, mitigate, prepare, respond and recover from various unforeseen and emergent circumstances.

NOW THEREFORE BE IT RESOLVED:

1. That Regional Council **URGES** the Province of Ontario to engage in a consultative process with municipalities, emergency management professionals, and relevant stakeholders to gather input and insights for the development of updated legislation that reflects the current needs and realities of local communities;
2. That the Regional Chair **BE DIRECTED** to send a letter requesting the Provincial Government to undertake a comprehensive review and overhaul of the *Emergency Management and Civil Protection Act, 1990*, and its regulations to better align with the current and future needs of municipalities in addressing emergent and evolving situations; and

3. That a copy of this resolution **BE CIRCULATED** to the Premier of Ontario, the Minister of Municipal Affairs and Housing, Treasury Board Secretariat, Minister of Small Business and Red Tape Reduction, Niagara's MPs and MPPs, the Association of Municipalities of Ontario, the Federation of Canadian Municipalities and the local area municipalities.

Carried

14. NOTICES OF MOTION

The Regional Chair called for notices of motion at which point business was disrupted by attendees in the public gallery.

Regional Chair Bradley recessed the meeting at 8:25 p.m.

The meeting resumed at 8:41 p.m.

As the disruption in the gallery continued, the Regional Chair called the question on the By-laws.

18. BY-LAWS

Moved by Councillor Steele
Seconded by Councillor Seaborn

That the following Bills **BE NOW READ** and **DO PASS**:

Bill No. 2024-02

A by-law to authorize a 2024 Interim Tax, Waste Management Special Upper-Tier Levy, and Transit Special Upper Tier Levy for the Regional Municipality of Niagara.

Bill No. 2024-03

A by-law to rename Regional Road 61 (Townline Stamford Road/ Niagara Townline Road) to Regional Road 61 (Niagara Townline Road) between Regional Road 100 (Four Mile Creek Road/ St. Paul Avenue) and Regional Road 102 (Stanley Avenue) in the Town of Niagara-on-the-Lake.

Bill No. 2024-04

A by-law to provide for the adoption of an amendment to the Official Plan for the Regional Municipality of Niagara to update Regional Road allowance widths.

Bill No. 2024-05

A by-law to provide for the adoption of Amendment No. 3 to the Official Plan for the Regional Municipality of Niagara to permit the Port Colborne Quarry - Pit 3 Extension.

Bill No. 2024-06

A by-law to amend by-law 89-2000 being a by-law to provide for the regulation of traffic on Regional Highways (Parking Prohibition on Regional Road 48 in the City of St. Catharines).

Bill No. 2024-07

A by-law to expropriate lands required for Municipal purposes (Regional Road 45 (Creek Road), Township of Wainfleet).

Bill No. 2024-08

A by-law to expropriate lands required for Municipal purposes (Regional Road 45 (Creek Road), Township of Wainfleet).

Bill No. 2024-09

A by-law to adopt, ratify and confirm the actions of Regional Council at its meeting held January 25, 2024.

Carried

19. ADJOURNMENT

There being no further business, the meeting adjourned at 8:42 p.m.

Jim Bradley
Regional Chair

Kelly Lotimer
Deputy Regional Clerk

Ann-Marie Norio
Regional Clerk

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. <>

A BY-LAW TO ADOPT, RATIFY AND CONFIRM THE
ACTIONS OF REGIONAL COUNCIL AT ITS SPECIAL
MEETING HELD APRIL 25, 2024

WHEREAS subsection 5 (3) of the Municipal Act, S.O. 2001, Ch. 25, as amended, provides that, except if otherwise authorized, the powers of Regional Council shall be exercised by by-law; and,

WHEREAS it is deemed desirable and expedient that the actions of Regional Council as herein set forth be adopted, ratified and confirmed by by-law.

NOW THEREFORE the Council of The Regional Municipality of Niagara enacts as follows:

1. That the actions of the Regional Council at its special meeting held Thursday, April 25, 2024, including all resolutions or motions approved, are hereby adopted, ratified and confirmed as if they were expressly embodied in this by-law.
2. That the above-mentioned actions shall not include:
 - a) Any actions required by law to be taken by resolution; or
 - b) Any actions for which prior Ontario Land Tribunal approval is required, until such approval is obtained.
3. That the Chair and proper officials of The Regional Municipality of Niagara are hereby authorized and directed to do all things necessary to give effect to the above-mentioned actions and to obtain approvals where required.
4. That unless otherwise provided, the Chair and Clerk are hereby authorized and directed to execute and the Clerk to affix the seal of The Regional Municipality of Niagara to all documents necessary to give effect to the above-mentioned actions.
5. That this by-law shall come into force and effect on the day upon which it is passed.

THE REGIONAL MUNICIPALITY OF NIAGARA

James Bradley, Regional Chair

Ann-Marie Norio, Regional Clerk

Passed: < >