

**THE REGIONAL MUNICIPALITY OF NIAGARA
PROCEEDINGS OF COUNCIL
OPEN SESSION**

**CL 11-2021
Thursday, May 20, 2021
Council Chamber/Video Conference
Niagara Region Headquarters, Campbell West
1815 Sir Isaac Brock Way, Thorold**

Council Members Present in the Council Chamber:	Bradley (Regional Chair), Insinna
Council Members Present via Video Conference:	Bellows, Butters, Bylsma, Campion, Chiocchio, Darte, Diodati, Disero, Easton, Edgar, Fertich, Foster, Gale, Gibson, Greenwood, Heit, Huson, Ip, Jordan, Junkin, Nicholson, Redekop, Rigby, Sendzik, Steele, Ugulini, Villella, Whalen, Witteveen, Zalepa
Staff Present in the Council Chamber:	D. Giles, Acting Commissioner, Planning & Development Services, T. Harrison, Commissioner/Treasurer, Corporate Services, M. Lewis, Client & Support Advisor, A.-M. Norio, Regional Clerk, R. Tripp, Acting Chief Administrative Officer
Staff Present via Video Conference:	E. Acs, Manager, Community Planning, I. Banach, Acting Director, Community & Long Range Planning, D. Barnhart, Executive Officer to the Regional Chair, H. Chamberlain, Director, Financial Management & Planning/Deputy Treasurer, D. Gibbs, Director, Legal & Court Services, D. Heyworth, Official Plan Policy Consultant, Dr. M. M. Hirji, Acting Medical Officer of Health, A. Jugley, Commissioner, Community Services, V. Kuhns, Associate Director, Economic Development, P. Martel, Manager, Emergency Management, K. McCauley, Acting Manager, Long Range Planning, F. Meffe, Director, Human Resources, S. Norman, Senior Planner, C. Ogunniyi, Diversity, Equity & Inclusion Program Manager, M. Trennum, Deputy Regional Clerk, D. Woiceshyn, Chief Executive Officer, Niagara Regional Housing, B. Zvaniga, Interim Commissioner, Public Works
Others Present:	N. McDonald, President, Meridian Planning, S. Spitale, Principle - Senior Ecologist, North-South Environmental

1. **CALL TO ORDER**

Regional Chair Bradley called the meeting to order at 6:31 p.m.

2. **ADOPTION OF AGENDA**

2.1 **Addition of Items**

At this time, Councillor Bylsma provided a public statement of apology with respect to comments made to a Niagara Region resident.

Councillor Zalepa withdrew his motion respecting Withdrawal of Prohibition of Outdoor Recreation Activities (Agenda Item 11.2).

Councillor Huson advised she would be deferring her motion respecting 16 Days of Activism Against Gender-Based Violence (Agenda Item 11.3) to the Regional Council meeting being held on June 24, 2021.

Moved by Councillor Easton
Seconded by Councillor Whalen

That Susan Murphy **BE PERMITTED** to appear before Council respecting the portion of the Planning and Economic Development Committee Minutes concerning Regional Official Plan Consolidated Policy Report.

Carried

2.2 **Changes in Order of Items**

There were no changes in the order of items on the agenda.

Moved by Councillor Ugolini
Seconded by Councillor Gibson

That Council Agenda CL 11-2020, **BE ADOPTED**, as amended.

Carried

3. **DISCLOSURES OF PECUNIARY INTEREST**

Councillor Gale declared an indirect pecuniary interest with respect to the portion of the Public Health and Social Services Committee Minutes PHSSC 5-2021 (Agenda Item 9.4) concerning Report COM-C 21-2021, respecting Ontario's Long-Term Care COVID-19 Commission Final Report (Minute Item 6) as his daughter-in-law works in long-term care.

Councillor Heit declared an indirect pecuniary interest with respect to the portion of the Public Health and Social Services Committee Minutes PHSSC 5-2021 (Agenda Item 9.4) concerning Report COM 10-2021, respecting Homelessness Services Report 2020 (Minute Item 6) as his wife works for a local charitable organization.

4. PRESENTATIONS

There were no presentations.

5. CHAIR'S REPORTS, ANNOUNCEMENTS, REMARKS

The Regional Chair provided an update respecting activities within the Region and the efforts of Niagara Region with respect to the COVID-19 pandemic.

6. DELEGATIONS

6.1 Regional Official Plan Consolidated Policy Report (Minute Item 5.1, Minutes PEDC 5-2021 (Agenda Item 9.6))

6.1.1 Rachel DeBon, Resident, Town of Niagara-on-the-Lake

Rachel DeBon, resident, Town of Niagara-on-the-Lake, shared her personal experience with finding affordable housing in Niagara. She spoke of a need to consider housing attainability over housing affordability in the new Official Plan.

6.1.3 Annette Gibbons, Resident, Town of Grimsby

Annette Gibbons, resident, Town of Grimsby, appeared before Committee in support of an endorsement of Natural Environment System (NES) Option 3C, and spoke to the need for alternative housing development.

6.1.4 Charlotte Chan, Resident, City of St. Catharines

Charlotte Chan, resident, City of St. Catharines, appeared before Council in support of an endorsement of Natural Environment System (NES) Option 3C, and the positive impacts on climate change.

6.1.5 Dawoud Najmudin, Resident, City of Welland

Dawoud Najmudin, resident, City of Welland, shared his concerns with the recommendation of option 3B and spoke in support of an endorsement of Natural Environment System (NES) Option 3C.

6.1.6 Ken Kawall, Resident, Town of Lincoln

Ken Kawall, resident, Town of Lincoln, appeared before Committee in support of an endorsement of Natural Environment System (NES) Option 3C.

6.1.7 Kostyn Petrunick, Resident, Town of Lincoln

Kostyn Petrunick, resident, Town of Lincoln, appeared before Committee in support of an endorsement of Natural Environment System (NES) Option 3C and spoke in support of evidence based environmental policy.

6.1.2 David Samis, Niagara Home Builders Association

David Samis, Niagara Home Builders Association, provided information respecting the adequate supply of housing in Niagara. He spoke in support of policies for compact density development balanced with ground oriented housing and decision making derived from evidence based population forecasting and demographic analysis.

6.1.8 Susan Murphy, Resident, Town of Lincoln

Susan Murphy, resident, Town of Lincoln, provided information respecting the various bird species reliant on Niagara' carolinian forest. She shared her concerns with the recommendation of Option 3B and spoke in support of Natural Environment System (NES) Option 3C.

6.2 Withdrawal of Prohibition of Outdoor Recreation Activities (Agenda Item 11.2)

The delegations respecting Withdrawl of Prohibition of Outdoor Recreation Activities (Agenda Item 11.2) were not provided as the motion was withdrawn by Councillor Zalepa.

6.3 16 Days of Activism against Gender-Based Violence (Agenda Item 11.3)

The delegations respecting 16 Days of Activism against Gender-Based Violence (Agenda Item 11.3) were not provided as the motion was withdrawn for this meeting by Councillor Huson.

7. ADOPTION OF MINUTES

Moved by Councillor Campion
Seconded by Councillor Bellows

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

Open Session Minutes CL 7-2021, Thursday, April 22, 2021 (Special Meeting)

Open and Closed Session Minutes CL 8-2021, Thursday, April 22, 2021 (Regular Meeting)

Open and Closed Session Minutes CL 9-2021, Thursday, April 29, 2021 (Special Meeting)

Carried

8. CORRESPONDENCE

8.1 Receive and/or Refer

There were no items of correspondence to receive and/or refer.

8.2 For Consideration

8.2.1 CSD 31-2021

Budget Amendment - Reinstatement of Waste Management Free Container Exchange Program Budget

Moved by Councillor Foster
Seconded by Councillor Fertich

That Report CSD 31-2021, dated May 20, 2021, respecting Budget Amendment - Reinstatement of Waste Management Free Container Exchange Program Budget, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That a one-time amendment to the previously adopted 2021 Waste Management Operating Budget in the amount of \$111,346 **BE APPROVED** from the Waste Management Stabilization Reserve to fund the reinstatement of the damaged recycling or green bin exchange program and that there be no impact on Niagara Region's 2021 Waste Management Requisition to Local Area Municipalities (LAMs), 2021 tax levy and 2021 property tax rates.

Carried

8.2.2 CL-C 47-2021

Regional Councillor Appointment to the Diversity, Equity and Inclusion Advisory Committee

Moved by Councillor Ip
Seconded by Councillor Greenwood

That Correspondence Item CL-C 47-2021, being a memorandum from A.-M. Norio, Regional Clerk, dated May 20, 2021, respecting Regional Councillor Appointment to the Diversity, Equity and Inclusion Advisory Committee, **BE RECEIVED**.

Carried

At this time, both Councillor Ip and Councillor Darté were nominated for membership on the Diversity, Equity & Inclusion Advisory Committee.

Moved by Councillor Redekop
Seconded by Councillor Ugolini

That the Terms of Reference for the Diversity, Equity and Inclusion Advisory Committee **BE AMENDED** to include representation from two (2) Regional Councillors on the Committee.

Carried

Moved by Councillor Huson
Seconded by Councillor Easton

That Councillors Darté and Ip **BE APPOINTED** to the Diversity, Equity and Inclusion Advisory Committee, for the remainder of this term of Council.

Carried

9. COMMITTEE REPORTS - OPEN SESSION

9.1 Committee of the Whole

Minutes COTW 1-2021, Thursday, May 6, 2021

Moved by Councillor Disero
Seconded by Councillor Campion

That Minutes COTW 1-2021 being the Open Session minutes of the Committee of the Whole meeting held on Thursday, May 6, 2021, **BE ADOPTED**.

Carried

9.2 Audit Committee

Minutes AC 2-2021, Monday, May 10, 2021

Moved by Councillor Rigby

Seconded by Councillor Chiocchio

That Minutes AC 2-2021 being the Open Session minutes of the Audit Committee meeting held on Monday, May 10, 2021, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

9.2.1 Minute Item 5.3 respecting Audit Committee Terms of Reference Update

The motion contained in Minute Item 5.1 was considered separately as follows:

That Report AC-C 6-2021, dated May 10, 2021, respecting Audit Committee Terms of Reference Update, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That the updated Audit Committee Terms of Reference, Appendix 1 to Report AC-C 6-2021, **BE APPROVED**.

Moved by Councillor Easton

Seconded by Councillor Ip

That Report AC-C 6-3032, respecting Audit Committee Terms of Reference Update, **BE REFERRED** to the Corporate Service Committee for further discussion.

Carried

9.2.2 Minute Item 5.1 respecting 2020 Audited Consolidated Financial Statements

The motion contained in Minute Item 5.1 was considered separately as follows:

That Report AC-C 3-2021, dated May 10, 2021, respecting 2020 Audited Consolidated Financial Statements, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the audited consolidated financial statements of the Regional Municipality of Niagara (the "Niagara Region"), including the sinking fund financial statements and the trust fund financial statements, for the year ended December 31, 2020, as presented in Appendix 1 of Report AC-C 3-2021, **BE APPROVED**;

2. That the audit findings report pertaining to the audited consolidated financial statements of the Niagara Region for the year ended December 31, 2020, as presented in Appendix 2 to Report AC-C 3-2021, **BE RECEIVED** for information; and
3. That staff **BE DIRECTED** to co-ordinate with the auditors to finalize the statements as presented.

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

Carried

9.2.3 Balance of the Recommendations from Audit Committee

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

Carried

9.3 Public Works Committee

Minutes PWC 5-2021, Tuesday, May 11, 2021

Moved by Councillor Rigby
Seconded by Councillor Fertich

That Minutes PWC 5-2021 being the Open Session minutes of the Public Works Committee meeting held on Tuesday, May 11, 2021, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

Carried

9.4 Public Health and Social Services Committee

Minutes PHSSC 5-2021, Tuesday, May 11, 2021

Moved by Councillor Chiocchio
Seconded by Councillor Greenwood

That Minutes PHSSC 5-2021 being the Open Session minutes of the Public Health & Social Services Committee meeting held on Tuesday, May 11, 2021, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

Carried

9.5 Corporate Services Committee

Minutes CSC 5-2021, Wednesday, May 12, 2021

Moved by Councillor Foster

Seconded by Councillor Whalen

That Minutes CSC 5-2021 being the Open Session minutes of the Corporate Services Committee meeting held on Wednesday, May 11, 2021, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

Carried

The Regional Chair announced that the following Committee members had been selected for membership on the Diversity, Equity and Inclusion Advisory Committee:

Cindilee Ecker-Flagg

Brianna Irvine

Eldean Ivri

Ken Kawall

Rene Nand

Ather Shabbar

Emily Spanton

Yuexin Wang

9.6 Planning and Economic Development Committee

Minutes PEDC 5-2021, Wednesday, May 12, 2021

Moved by Councillor Huson

Seconded by Councillor Witteveen

That Minutes PEDC 5-2021 being the Open Session minutes of the Planning & Economic Development Committee meeting held on Wednesday, May 12, 2021, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

9.6.1 Minute Item 5.1 respecting Regional Official Plan Consolidated Policy Report

The motion contained in Minute Item 5.1 was considered separately as follows:

That Report PDS 17-2021, dated May 12, 2021, respecting Niagara Official Plan Consolidated Policy Report, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Council **ENDORSE** Natural Environment System Option 3B, as described in Appendix 6 to Report PDS 17-2021;
2. That consultation **BE INITIATED** as set out in Report PDS 17-2021, with a request that all feedback be received by July 2, 2021, to allow sufficient time for Staff to review those comments and make recommendations based on that feedback; and
3. That Report PDS 17-2021 and all Appendices **BE CIRCULATED** to the Province, the local are municipalities, agencies, stakeholder groups, and all parties who have indicated an interest.

Moved by Councillor Huson
Seconded by Councillor Butters

That clause 1 of the motion **BE AMENDED** as follows:

1. That Council **ENDORSE** Natural Environment System Option ~~3B~~ **3C**, as described in Appendix 6 to Report PDS 17-2021.

Moved by Councillor Rigby
Seconded by Councillor Campion

That the motion **BE REFERRED** to the Planning and Economic Development meeting being held on June 16, 2021.

Recorded Vote:

Yes (9): Bellows, Campion, Diodati, Gale, Nicholson, Rigby, Steele, Villella, Whalen.

No (22): Butters, Bylsma, Chiocchio, Darte, Disero, Easton, Edgar, Fertich, Foster, Gibson, Greenwood, Heit, Huson, Insinna, Ip, Jordan, Junkin, Redekop, Sendzik, Ugulini, Witteveen, Zalepa.

Defeated

Moved by Councillor Campion
Seconded by Councillor Zalepa

That Clause 1 **BE FURTHER AMENDED** as follows:

That Council **ENDORSE** Natural Environment System Option-~~3B~~
3B and 3C, as described in Appendix 6 to Report PDS 17-2021.

Recorded Vote:

Yes (16): Bellows, Campion, Diodati, Easton, Fertich, Foster, Gale, Heit, Junkin, Nicholson, Steele, Ugulini, Villella, Whalen, Witteveen, Zalepa.

No (15): Butters, Bylsma, Chiocchio, Darte, Disero, Edgar, Gibson, Greenwood, Huson, Insinna, Ip, Jordan, Redekop, Rigby, Sendzik.

Carried

Moved by Councillor Campion
Seconded by Councillor Diodati

That the question **BE CALLED**.

Carried

The Regional Chair called the vote on the amendment, as amended, as follows:

1. That Council **ENDORSE** Natural Environment System Option **3B and 3C** as described in Appendix 6 to Report PDS 17-2021.

Carried

At this point in the meeting, Councillor Insinna assumed the Chair.

That Report PDS 17-2021, dated May 12, 2021, respecting Niagara Official Plan Consolidated Policy Report, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Council **ENDORSE** Natural Environment System Option 3B and 3C, as described in Appendix 6 to Report PDS 17-2021;
2. That consultation **BE INITIATED** as set out in Report PDS 17-2021, with a request that all feedback be received by July 2, 2021, to allow sufficient time for Staff to review those comments and make recommendations based on that feedback; and

3. That Report PDS 17-2021 and all Appendices **BE CIRCULATED** to the Province, the local are municipalities, agencies, stakeholder groups, and all parties who have indicated an interest.

Recorded Vote:

Yes (21): Bellows, Bylsma, Campion, Diodati, Easton, Edgar, Fertich, Foster, Gale, Gibson, Heit, Huson, Junkin, Nicholson, Redekop, Steele, Ugulini, Villella, Whalen, Witteveen, Zalepa.

No (9): Bradley, Butters, Chiocchio, Darte, Disero, Greenwood, Ip, Jordan, Sendzik.

Carried

At this point in the meeting, Regional Chair Bradley assumed the Chair.

Moved by Councillor Diodati
Seconded by Councillor Steele

That Regional Council **EXTEND** this meeting's curfew to 11:00 p.m.

Carried

- 9.6.2 Balance of the Recommendations from 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

10. CHIEF ADMINISTRATIVE OFFICER'S REPORT(S)

10.1 CAO 8-2021

2 Billion Trees, Niagara Peninsula Conservation Authority (NPCA)
Request For Information Submission

Moved by Councillor Butters
Seconded by Councillor Disero

That Report CAO 8-2021, dated May 20, 2021, respecting 2 Billion Trees, Niagara Peninsula Conservation Authority (NPCA) Request For Information Submission, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Regional Council **APPROVE** the attached resolution in Appendix 1 to Report CAO 8-2021 endorsing the NPCA request for information for the “2 Billion Trees – Growing Canada’s Forests” initiative; and
2. That the Chief Administrative Officer **BE AUTHORIZED** to issue the letter of support for the project attached as Appendix 2 to Report CAO 8-2021.

Carried

10.2 CAO 9-2021

Association of Municipalities of Ontario (AMO) 2021 Annual Conference

Moved by Councillor Steele

Seconded by Councillor Junkin

That Report CAO 9-2021, dated May 20, 2021, respecting Association of Municipalities of Ontario (AMO) 2021 Annual Conference, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the advocacy issues identified in Report CAO 9-2021 **BE ENDORSED** as delegation requests during the 2021 AMO Conference; and
2. That staff **BE DIRECTED** to request meetings with cabinet ministers, parliamentary assistants, senior ministry staff, and opposition party leaders to discuss regional advocacy issues during the AMO Conference.

Carried

11. **MOTIONS**

11.1 Niagara's Agriculture Sector and Access to Untreated Water for Irrigation

Moved by Councillor Witteveen

Seconded by Councillor Darte

WHEREAS agriculture plays a crucial role in Niagara’s economy, contributing over \$1.4 billion to the Regional GDP;

WHEREAS the Province of Ontario has identified agricultural lands in Niagara through the Greenbelt Plan, Growth Plan and Niagara Escarpment Plan with a vision to protect against their loss and support their viability;

WHEREAS Niagara farms play an important role in ensuring Ontario’s food security;

WHEREAS Niagara farms also produce value add products which contribute to increased jobs and tax revenues;

WHEREAS climate change has resulted in more frequent cycles of drought-like conditions;

WHEREAS the Niagara Irrigation Committee, a working group of the Agricultural Policy and Action Committee, has determined growers are willing to invest in a more sustainable system for access to untreated water for irrigation;

WHEREAS agricultural infrastructure, including irrigation is supported by Provincial and Regional policies;

WHEREAS a system that relies on gravity is the most economical way to provide that water;

WHEREAS certain reservoirs and channels that are in the control of the Ontario Power Generation Corp (OPG) have been determined to meet the criteria of a gravity fed system;

WHEREAS the Irrigation Committee has met with the OPG at the staff level and was told there was no interest in entering into an agreement with growers for access to their infrastructure; and

WHEREAS the Agricultural Policy and Action Committee endorsed this initiative at its meeting held on April 23, 2021.

NOW THEREFORE BE IT RESOLVED THAT:

1. That the Regional Chair **BE DIRECTED** to request the Minister of Energy initiate a meeting with the Senior VP of Renewable Generation & Energy Markets at OPG, Mayor Sendzik, Irrigation Committee Chair Bill Schenck, and Agricultural Policy and Action Committee Chair Albert Witteveen to discuss the role of OPG power generation in developing an agriculture irrigation system for Niagara; and
2. That Regional Council **REQUEST** that staff support be provided to assist the Irrigation Committee in developing a Niagara Region Irrigation Water Utility Board.

Moved by Councillor Insinna
Seconded by Councillor Easton

That the motion **BE REFERRED** to the Planning and Economic Development Committee meeting being held July 14, 2021, to be accompanied with a staff report on the matter.

Defeated

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

Carried

11.2 Withdrawal of Prohibition of Outdoor Recreation Activities

This motion was withdrawn by Councillor Zalepa.

11.3 16 Days of Activism against Gender-Based Violence

This motion was deferred to the Regional Council meeting being held on June 24, 2021.

12. NOTICES OF MOTION

There were no notices of motion.

13. OTHER BUSINESS

13.1 Pandemic Relief Taskforce

Councillor Gale requested information respecting the COVID-19 pandemic relief taskforce, and whether local business groups have been consulted.

14. CLOSED SESSION

Council did not resolve into closed session.

15. BUSINESS ARISING FROM CLOSED SESSION

Council did not resolve into closed session.

16. BY-LAWS

Moved by Councillor Campion
Seconded by Councillor Diodati

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

Bill 2021-31

A by-law to accept, assume and dedicate part of township lot 141, in the City of Niagara Falls as part of Regional Road No. 20 (Lundy's Lane).

Bill 2021-32

A by-law to accept, assume and dedicate part of lots 1, 2 & 3, Plan 85 and part lot 1, Plan 207, in the City of Niagara Falls as part of Regional Road No. 49 (McLeod Road).

Bill 2021-33

A by-law to accept, assume and dedicate block 8, Plan 59M-487, in the City of Niagara Falls as part of Regional Road No. 98 (Montrose Road).

Bill 2021-34

A by-law to permit Lowe's Store located at 7959 McLeod Road in the City of Niagara Falls to be open on certain holidays for the maintenance or development of tourism.

Bill 2021-35

A by-law to adopt, ratify and confirm the actions of Regional Council at its meeting held on May 20, 2021.

Carried

17. ADJOURNMENT

There being no further business, the meeting adjourned at 10:43 p.m.

Jim Bradley
Regional Chair

Matthew Trennum
Deputy Regional Clerk

Ann-Marie Norio
Regional Clerk