

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

**CL 21-2021**

**Thursday, November 18, 2021**

**Council Chamber/Video Conference**

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

Council Members Present in the Council Chamber: Bradley (Regional Chair), Insinna

Council Members Present via Video Conference: Butters, Bylsma, Campion, Chiocchio, Darte, Disero, Easton, Edgar, Fertich, Foster, Gale, Gibson, Greenwood, Heit, Huson, Ip, Junkin, Nicholson, Redekop, Rigby, Sendzik, Steele, Ugulini, Villella, Whalen, Zalepa

Absent/Regrets: Diodati, Jordan, Witteveen

Staff Present in the Council Chamber: D. Barnhart, Executive Officer to the Regional Chair, H. Chamberlain, Director, Financial Management & Planning/Deputy Treasurer, T. Harrison, Commissioner, Corporate Services/ Treasurer, M. Lewis, Client & Support Advisor, A.-M. Norio, Regional Clerk, S. O'Brady, Associate Director, Strategic Communications & Public Affairs, M. Sergi, Commissioner, Planning & Development Services, R. Tripp, Chief Administrative Officer, B. Zvaniga, Interim Commissioner, Public Works

Staff Present via Video Conference: N. Early, Director, Corporate Strategy & Innovation, R. Ferron, Deputy Chief/Associate Director, Emergency Medical Services, D. Gibbs, Director, Legal & Court Services, C. Habermehl, Director, Waste Management Services, Dr. M. M. Hirji, Acting Medical Officer of Health, A. Jugley, Commissioner, Community Services, V. Kuhns, Associate Director, Economic Development, K. Lutz, Deputy Chief/Associate Director, Emergency Medical Services, F. Meffe, Director, Human Resources, B. Menage, Director, Procurement & Strategic Acquisitions, B. Ray, Associate Director, Facilities, Projects, Assets & Energy, J. Tonellato, Director, Water and Wastewater, M. Trennum, Deputy Regional Clerk, D. Woiceshyn, Director, Niagara Housing/Chief Executive Officer, Niagara Regional Housing, Nicole Wolfe, Director, Construction, Energy & Facilities Management

Others Present via Video Conference: Betty-Lou Souter, Community Director, St. Catharines, Niagara Regional Housing Board of Directors (for the Special Members meeting)

1. **CALL TO ORDER**

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

2. **LAND ACKNOWLEDGMENT STATEMENT**

Councillor Gibson read the Land Acknowledgment Statement.

3. **ADOPTION OF AGENDA**

3.1 **Addition of Items**

Moved by Councillor Fertich  
Seconded by Councillor Gale

That William Liske **BE PERMITTED** to appear before Council as a delegate respecting Regional Development Charge Transition Agreements Extension Request.

**Carried**

3.2 **Changes in Order of Items**

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

Moved by Councillor Nicholson  
Seconded by Councillor Zalepa

That Council Agenda CL 21-2021, **BE ADOPTED**, as amended.

**Carried**

4. **DISCLOSURES OF PECUNIARY INTEREST**

Councillor Gale declared an interest with respect to the portion of the Public Health and Social Services Minutes PHSSC 11-2021 (Agenda Item 11.4) concerning Report COM 26-2021, respecting Long-Term Care Home Funding Policy Update (Minute Item 5.3), as his daughter-in-law works in long-term care; accordingly, he did not participate in any discussion or voting on this matter.

Councillor Nicholson declared an interest with respect to the portion of the Corporate Services Committee Minutes CSC 11-2021 (Agenda Item 11.5) concerning Confidential Report CSD 66-2021, respecting A Matter of Advice that is Subject to Solicitor Client Privilege and Respecting Litigation – Summary of Civil Lawsuits Commenced Against The Regional Municipality of Niagara (Niagara Region), Niagara Regional Police Service (NRPS) and Niagara Regional Housing (NRH) (Minute Item 9.2), as it deals with proceedings before Tribunal Ontario, and he has an employment relationship with Tribunal Ontario; accordingly, he did not participate in any discussion or voting on this matter.

5. **SPECIAL MEMBERS MEETING OF THE NIAGARA REGIONAL HOUSING CORPORATION**

At 6:37 p.m. Councillor Sendzik, Chair, Board of Directors, Niagara Regional Housing, called the Special Members meeting of the Niagara Regional Housing Corporation to order.

The purpose of the meeting was to vote on the slate of community members put forward by the Niagara Regional Housing Board of Directors and its Nominations Committee, for election to the Board for a two-year term.

5.1 **CL-C 88-2021**

Niagara Regional Housing Board Member Appointments

Moved by Councillor Zalepa  
Seconded by Councillor Villella

That Regional Council **ELECTS** the individuals contained in Confidential Appendix 1 to CL-C 88-2021 as Community Based Directors to the Board of Directors for Niagara Regional Housing for a two-year term ending on October 31, 2023.

**Carried**

There being no further business it was,

Moved by Councillor Butters  
Seconded by Councillor Steele

That the Special Members meeting of the Niagara Regional Housing Corporation **BE ADJOURNED**.

**Carried**

The Special Members meeting of the Niagara Regional Housing Corporation adjourned at 6:40 p.m.

6. **PRESENTATIONS**

There were no presentations.

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

The Regional Chair introduced Urban Ahlin, Sweden's Ambassador to Canada, Lars Henriksson, The Honorary Consul General of Sweden, and Len Kleine, Chairman of The Board for the Swedish-Canadian Chamber of Commerce.

The Ambassador thanked the Chair and Council for welcoming the Swedish delegation, and Niagara Region's Economic Development team for hosting their meetings with Niagara Businesses.

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

7.1 Regional Council - Accomplishments, Highlights & Communications Campaign

Daryl Barnhart, Executive Officer to the Regional Chair, and Sean O'Brady, Associate Director, Strategic Communications & Public Affairs, provided information respecting Council Accomplishment Highlights & "Here for You" Campaign Overview. Topics of the presentation included:

- Residents as Stakeholders & Shareholders
- Needs and Opportunities
- Council Accomplishment Highlights
- Here For You Niagara Campaign

8. **DELEGATIONS**

8.1 Regional Development Charge Transition Agreements Extension Request (Minute Item 5.1, Minutes CSC 11-2021 (Agenda Item 11.5))

8.1.1 William Liske, Losani Group

William Liske, Losani Group, appeared before Council to provide information respecting the development charge transitional agreement between Niagara Region and Losani Homes, respecting the Fifth Wheel Lands Redevelopment project in the Town of Grimsby. Mr. Liske requested Council delay the development charges payment date.

9. **ADOPTION OF MINUTES**

9.1 Council Minutes CL 20-2021

Thursday, October 21, 2021

Moved by Councillor Easton

Seconded by Councillor Insinna

That Minutes CL 20-2021 being the Open Session minutes of the Regional Council meeting held on Thursday, October 21, 2021, **BE ADOPTED.**

**Carried**

**10. CORRESPONDENCE**

10.1 Receive and/or Refer

Moved by Councillor Junkin  
Seconded by Councillor Disero

That the following items **BE DEALT WITH** as follows:

CL-C 83-2021 respecting Niagara Region Integrity Commissioner Annual Report, **BE RECEIVED**;

CL-C 85-2021 respecting Employment Lands, **BE RECEIVED**; and

CL-C 87-2021 respecting Employment Area Conversion Recommendations, **BE RECEIVED**.

**Carried**

**Councillor Information Request(s):**

Provide the draft complaint protocol and consolidated code of conduct documents from 2017 to the Procedural By-law Review Committee for review. Councillor Zalepa.

10.2 For Consideration

10.2.1 CL-C 82-2021

Declaration of Vacant Regional Council Seat

Moved by Councillor Sendzik  
Seconded by Councillor Darte

That Correspondence Item CL-C 82-2021, being a memorandum from A.-M. Norio, Regional Clerk, dated November 18, 2021, respecting Declaration of Vacant Regional Council Seat, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That, pursuant to Section 262(1) of the Municipal Act, 2001, the seat held by Sandie Bellows, Regional Councillor for the City of St. Catharines, **BE DECLARED** vacant; and
2. That Regional Council **REQUESTS** the City of St. Catharines advise of its preferred method of filling the vacancy on Regional Council by December 15, 2021.

**Carried**

**11. COMMITTEE REPORTS - OPEN SESSION**

11.1 Audit Committee

Minutes AC 3-2021, Monday, November 1, 2021

Moved by Councillor Rigby  
Seconded by Councillor Whalen

That Minutes AC 3-2021 being the minutes of the Audit Committee meeting held on November 1, 2021, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

**Carried**

11.2 Budget Review Committee of the Whole

Minutes BRCOTW 5-2021, Thursday, November 4, 2021

Moved by Councillor Zalepa  
Seconded by Councillor Whalen

That Minutes BRCOTW 5-2021 being the Open Session minutes of the Budget Review Committee of the Whole meeting held on Thursday, November 4, 2021, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

**Carried**

11.3 Public Works Committee

Minutes PWC 11-2021, Tuesday, November 9, 2021

Moved by Councillor Rigby  
Seconded by Councillor Fertich

That Minutes PWC 11-2021 being the Open Session minutes of the Public Works Committee meeting held on Tuesday, November 9, 2021, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

**Carried**

11.4 Public Health and Social Services Committee

Minutes PHSSC 10-2021, Tuesday, November 9, 2021

Moved by Councillor Chiocchio  
Seconded by Councillor Greenwood

That Minutes PHSSC 10-2021 being the Open Session minutes of the Public Health & Social Services Committee meeting held on Tuesday, November 9, 2021, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

**Carried**

**Councillor Information Request(s):**

Provide an update on Public Health program risk management activities in six months, and an update on the Niagara Emergency Medical Services System Pressures within eight months. Councillor Easton.

11.5 Corporate Services Committee

Minutes CSC 11-2021, Wednesday, November 10, 2021

Moved by Councillor Foster  
Seconded by Councillor Whalen

That Minutes CSC 11-2021 being the Open and Closed Session minutes of the Corporate Services Committee meeting held on Wednesday, November 10, 2021, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

11.5.1 Minute Item 5.1 respecting Regional Development Charge Transition Agreements Extension Request

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

That Report CSD 57-2021, dated November 10, 2021, respecting Regional Development Charge Transition Agreements Extension Request, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That no extensions for Brownfield Transition agreements made under Schedule "F" of Regional Development Charge By-Law 2017-98 **BE APPROVED**.

Moved by Councillor Gale  
Seconded by Councillor Fertich

That the motion **BE AMENDED** as follows:

That brownfield transition agreement with Losani Homes, respecting the Fifth Wheel Lands Redevelopment project, **BE EXTENDED** by 12 months to a mutually agreed upon date.

Moved by Councillor Zalepa  
Seconded by Councillor Gale

That Report CSD 57-2021, **BE REFERRED** to the Corporate Services Committee meeting being held on January 12, 2022, to allow staff to consult with the applicant and provide a report on next steps.

**Carried**

**Councillor Information Request(s):**

Provide information respecting the remediation costs incurred by the contractor for the Fifth Wheel Lands Redevelopment project.  
Councillor Redekop

11.5.2 Balance of Recommendations from Corporate Services Committee

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

**Carried**

11.6 Planning and Economic Development Committee

Minutes PEDC 11-2021, Wednesday, November 10, 2021

Moved by Councillor Huson  
Seconded by Councillor Redekop

That Minutes PEDC 10-2021 being the Open and Closed Session minutes of the Planning & Economic Development Committee meeting held on Wednesday, November 10, 2021, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

**Carried**

12. **CHIEF ADMINISTRATIVE OFFICER'S REPORT(S)**

There were no Chief Administrative Officer Reports.



**13. MOTIONS**

13.1 Endorsement of City of St. Catharines Council Motion Requesting a Minister's Zoning Order for Lands Known as 406 Lakeshore Road in the City of St. Catharines

Moved by Councillor Sendzik  
Seconded by Councillor Heit

Whereas on March 25, 2021, Niagara Regional Council provided unanimous approval of Official Plan Amendment No. 26 (OPA 26) for the City of St. Catharines;

Whereas OPA 26 relates to Employment Lands and Employment Areas, which are Regional matters under the Province of Ontario's Growth Plan, and is consistent with, and conforms with, applicable provincial policy; and

Whereas OPA 26 strengthens the long-term protection of Employment Areas to attract, retain, and grow jobs in the City of St. Catharines which supports all of Niagara Region.

NOW THEREFORE BE IT RESOLVED:

1. That Niagara Regional Council **ENDORSE** the motion approved by St. Catharines Council at its meeting held on October 18, 2021, requesting that the Minister of Municipal Affairs and Housing apply a Minister's Zoning order to the lands municipally known as 406 Lakeshore Road, in the City of St. Catharines, in the Region of Niagara, for the long-term protection of employment lands; and that the Minister's Zoning Order for 406 Lakeshore Road, order a General Employment "E2" Zone, as defined and regulated by the City's Zoning By-law 2013-283, as amended, to be applied to the property; and
2. That the Region of Niagara **CIRCULATE** a letter declaring its support of the St. Catharines Council motion, to the Minister of Municipal Affairs and Housing, as well as area Members of Provincial Parliament.

**Carried**

**14. NOTICES OF MOTION**

There were no notices of motion.

**15. OTHER BUSINESS**

Members made various announcements related to activities and events within the Region and area municipalities

**16. CLOSED SESSION**

Council did not resolve into closed session.

**17. BUSINESS ARISING FROM CLOSED SESSION**

Council did not resolve into closed session.

**18. BY-LAWS**

Moved by Councillor Heit  
Seconded by Councillor Campion

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

Bill 2021-88

A by-law to accept, assume and dedicate part of Lot 15, Concession 9, in the City of St. Catharines as part of Regional Road No. 89 (Glendale Avenue).

Bill 2021-89

A by-law to adopt the 2022 waste management budget for The Regional Municipality of Niagara.

Bill 2021-90

A by-law to adopt the 2022 water budget and to set the requisition to be charged for water supplied to lower-tier municipalities for the period of January 1, 2022 to December 31, 2022.

Bill 2021-91

A by-law to set the requisitions to be charged for wastewater received from the lower-tier municipalities for the period of January 1, 2022 to December 31, 2022.

Bill 2021-92

A by-law to amend By-Law No. 2018-26, being a by-law to authorize the execution of an agreement with Her Majesty the Queen in right of Ontario as represented by the Ministry of Transportation for the Province of Ontario – Ontario Municipal Commuter Cycling Program – 2017-18.

Bill 2021-93

A by-law to amend By-Law 89-2000 to Provide for the Regulation of Traffic on Regional Highways (Parking Prohibition on Regional Road 72 in the City of St. Catharines).

Bill 2021-94

A by-law to amend By-Law 89-2000 to Provide for the Regulation of Traffic on Regional Highways (Parking Prohibition on Regional Road 100 in the Town of Niagara-on-the-Lake).

Bill 2021-95

A by-law to adopt, ratify and confirm the actions of Regional Council at its meeting held November 18, 2021.

**Carried**

**19. ADJOURNMENT**

There being no further business, the meeting adjourned at 8:31 p.m.

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Jim Bradley  
Regional Chair

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Matthew Trennum  
Deputy Regional Clerk

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Ann-Marie Norio  
Regional Clerk