



THE COROPORATION OF THE TOWNSHIP OF WAINFLEET REGULAR MEETING OF COUNCIL MINUTES

C04/2021

February 16, 2021

6:00 p.m.

Electronic Participation

MEMBERS PRESENT:	K. Gibson	Mayor,
	D. Cridland	Councillor
	T. Gilmore	Councillor
	J. MacLellan	Councillor
	S. Van Vliet	Councillor
STAFF PRESENT:	W. Kolasa	Chief Administrative Officer
	M. Alcock	Fire Chief
	M. Ciuffetelli	Deputy Clerk
	M. Tardif	By-law Enforcement Officer
	L. Gudgeon	Manager of Human Resources
	M. Jemison	Drainage Superintendent
	S. Ivins	Planner
	M. Luey	Treasurer/Mgr of Corporate Services
	R. Nan	Manager of Operations

C04/21

1. Call to Order

Mayor Gibson called the meeting to order at 6:00 p.m.

2. Land Acknowledgement Statement

Mayor Gibson acknowledged that the land on which we gather is the traditional territory of Anishinaabeg and Haudenosaunee Peoples, acknowledging the One Bowl and Spoon Treaty.

3. Disclosures of Interest and the General Nature Thereof

None.

4. Closed Meeting

Resolution No. C-2021-029

Moved by Councillor Gilmore

Seconded by Councillor MacLellan

“THAT Council now move into closed session to discuss:

- a) Item under Section 239(2)(b)(e) of the Municipal Act 2001, personal matters about an identifiable individual, including municipal or local board employees, litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board – 1 item (a litigation matter)

- b) Item under Section 239(2)(b) of the Municipal Act 2001, personal matters about an identifiable individual, including municipal or local board employees – 1 item (Deputy Mayor)
- c) Item under Section 239(2)(h) of the Municipal Act 2001, information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them – 1 item (A matter pertaining to a Township project)

CARRIED

Time: 6:03 p.m.

5. Rise & Report (7:00 p.m.)

The meeting was called to order at 6:00 p.m. in open session, with a motion presented and passed to move into closed session to a delegation respecting a litigation matter and a matter pertaining to a Township project.

Council discussed the position of Deputy Mayor for 2021 and with the following pending motion for consideration in open session.

Resolution No. C-2021-030

Moved by Councillor Van Vliet

Seconded by Councillor MacLellan

“THAT Council appoint Councillor Cridland as Deputy Mayor for 2021.”

CARRIED

6. Mayor’s Announcements & Remarks

Mayor Gibson announced the following:

- Effective today, Ontario has designated Niagara Region to be in a Grey/Lockdown state in order to help stop the spread of COVID-19 and save lives. As a result, we continue to meet electronically.
- The Township of Wainfleet and the NPCA are launching a public survey for 30 days, running from February 22 to March 22. This anonymous survey has been developed to collect feedback from residents regarding the Wainfleet Wetlands and Quarry Conservation Area.
 - Please look for a postcard invitation in your mailbox next week that will guide you to the online survey, which can be found at getinvolved.npca.ca.
 - For residents who wish to submit a paper survey please contact the Township or the NPCA directly and we can assist in making arrangements for you to receive one by mail.

- The Police Services Board will meet electronically on Thursday February 25 at 8:30 a.m.
- Niagara Region Council will meet electronically later that evening at 6:30 p.m.
- Our budget meetings are scheduled for March 1, 3 & 8 and these will be live streamed.
- Our next regular meeting of Council will be held Tuesday March 9 at 7:00 p.m.

7. Councillor's Announcements & Remarks

Councillor Cridland announced that the next Niagara Peninsula Conservation Authority Board Meeting is scheduled for February 18, 2021 at 9:30 a.m. via electronic participation.

8. Adoption of Previous Council Minutes

a) Minutes of the Regular Meeting of Council scheduled January 26, 2021

Resolution No. C-2021-031

Moved by Councillor Gilmore

Seconded by Councillor Cridland

"THAT the minutes of the Regular Meeting of Council scheduled January 26, 2021 be adopted as circulated."

CARRIED

9. Delegations

a) Anne Yagi, Cathy Blott – 8Trees Inc.

Request to move 1 km of Biederman Drain back to original alignment to support species at risk habitat in Wainfleet Bog

Resolution No. C-2021-032

Moved by Councillor Van Vliet

Seconded by Councillor MacLellan

"THAT the delegation presentation from Anne Yagi – 8Trees Inc. requesting to move 1km of Biederman Drain back to original alignment to support species at risk habitat in the Wainfleet Bog be received; and

THAT staff be directed to bring back a supplemental information report on the matter for Council to consider at an upcoming meeting."

CARRIED

b) Perry Climenhage

Request to reverse decision to repeal of By-law No. 003-2020 being a by-law to adopt Amendment No. 02 to the Official Plan for the Township of Wainfleet

Resolution No. C-2021-033

Moved by Councillor Gilmore

Seconded by Councillor MacLellan

“**THAT** the delegation presentation from Perry Climenhage requesting reversal of decision to repeal By-law No. 003-2020 being a by-law to adopt Amendment No. 02 to the Official Plan for the Township of Wainfleet be received for information.”

CARRIED

c) Todd Harris, Wainfleet Resident

Concerns of guide rail system on Lakeshore Road between Burnaby and Station roads

Resolution No. C-2021-034

Moved by Councillor MacLellan

Seconded by Councillor Van Vliet

“**THAT** the delegation presentation by Todd Harris, Wainfleet Resident, respecting concerns of guide rail system on Lakeshore Road between Burnaby and Station roads be received for information.”

CARRIED

d) Christina Day, Wainfleet Resident

Lakewood Beach Re: Extension to Draft Approval – File No. P01/2014W

Resolution No. C-2021-035

Moved by Councillor MacLellan

Seconded by Councillor Gilmore

“**THAT** the delegation presentation from Christina Day, Wainfleet Resident respecting PSR-002/2021 Re: Request for Extension to Draft Approval – File No. P01/2014W – Lakewood Beach Properties Ltd. be received for information.”

CARRIED

10. Staff Reports & Recommendations

a) Administrative Staff Reports

- i. ASR-003/2021 Re: COVID Impact Report

Resolution No. C-2021-036

Moved by Councillor Gilmore

Seconded by Councillor Van Vliet

“THAT Administrative Staff Report ASR-003/2021 respecting COVID-19 Impact Report be received as information.”

CARRIED

- ii. ASR-004/2021 Re: Municipal Grant & Donation Applications

Resolution No. C-2021-037

Moved by Councillor Van Vliet

Seconded by Councillor Gilmore

“THAT Administrative Staff Report ASR-004/2021 respecting 2021 Municipal Grant and Donation Applications be received; and

THAT Council establish that the total amount of zero be applied to the 2021 budget for municipal grant and donation applications.”

CARRIED

b) By-law Enforcement Staff Reports

- i. BESR-002/2021 Re: Review of Fence By-law No. 012-2020

Resolution No. C-2021-038

Moved by Councillor Van Vliet

Seconded by Councillor Gilmore

“THAT By-law Enforcement Staff Report BESR-002/2021 respecting a review of the Fence By-law be received; and

“THAT staff be directed to make further adjustments to By-law 12-2020, section 12.1, to ensure the intent of the by-law is clear with respect to grandfathering.”

CARRIED

- ii. BESR-003/2021 Re: Off Road Vehicles

Resolution No. C-2021-039

Moved by Councillor Van Vliet

Seconded by Councillor Gilmore

“THAT By-law Enforcement Staff Report BESR-003/2021 respecting the use of Off-Road Vehicles on Township Roads be received; and

THAT staff be directed to draft a by-law, mirroring previous regulatory status framework dating back to December 31, 2020, prohibiting the use of Off-Road Vehicles on Township Roads.”

CARRIED

c) Fire Staff Reports

- i. FSR-003/2021 Re: Consolidated Emergency Services Dispatch

Resolution No. C-2021-040

Moved by Councillor Van Vliet

Seconded by Councillor Gilmore

“THAT Fire Staff Report FSR-003/2021 respecting Consolidated Emergency Services Dispatch be received;

AND THAT Council authorize the Fire Chief to investigate potential options for continued dispatch services utilizing our current analog infrastructure once the existing Fire Dispatch Services Agreement between the City of St. Catharines and the Township of Wainfleet expires on December 31, 2022

AND THAT Council direct the Fire Chief to report back on the available options with the associated costs, and provide an implementation plan.”

CARRIED

- ii. FSR-004/2021 Re: Closure of the Ontario Fire College

Resolution No. C-2021-041

Moved by Councillor Van Vliet

Seconded by Councillor Gilmore

“THAT Fire Staff Report FSR-004/2021 respecting the Closure of the Ontario Fire College be received;

AND THAT Council authorize the Fire Chief to continue the implementation and delivery of professional development materials and resources to Wainfleet Fire & Emergency Services personnel in accordance with the levels of service as set out in the Fire Services Establishing & Regulating By-law (BL071-2019), the Collective Agreement and the National Fire Protection Association Standards.”

CARRIED

d) Planning Staff Reports

- i. PSR-002/2021 Re: Request for Extension to Draft Approval – File No. P01/2014W – Lakewood Beach Properties Ltd.

Resolution No. C-2021-042

Moved by Councillor Van Vliet

Seconded by Councillor Gilmore

“**THAT** Planning Staff Report PSR-002/2021 be received; and

THAT Council approve the draft plan extension request for File No. P01/2014W for a one (1) year period with the lapsing date to be March 22, 2022 on lands described as Part of Lots 16 & 17, Concession 1 in the Township of Wainfleet.”

CARRIED

- ii. PSR-003/2021 Re: Zoning By-law Amendment File No. Z01/2021W – Luke & Jannifer Young (Frank & Adrian Stoop – Agent)

Resolution No. C-2021-043

Moved by Councillor Van Vliet

Seconded by Councillor Gilmore

“**THAT** Planning Staff Report PSR-003/2021 be received; and

THAT Zoning By-law Amendment File No. Z01/2021W for lands described as Concession 4 Part Lot 9, known municipally as 41027 Willson Road, be approved for the reasons outlined in PSR-003/2021; and

THAT the application be deemed consistent with the Provincial Policy Statement 2020 and other matters of Provincial interest; and

THAT the zoning by-law amendment attached as Appendix “D” be adopted.”

CARRIED

- iii. PSR-004/2021 Re: Zoning By-law Amendment File No. Z02/2021W – Gerald Zavits (Upper Canada Consultants – Agent)

Resolution No. C-2021-044

Moved by Councillor Van Vliet

Seconded by Councillor Gilmore

“THAT Planning Staff Report PSR-004/2021 be received; and

THAT Zoning By-law Amendment File No. Z02/2021W for lands described as Concession 5, Part Lot 39, be approved for the reasons outlined in PSR-004/2021; and

THAT the application be deemed consistent with the Provincial Policy Statement 2020 and other matters of Provincial interest; and

THAT Council authorize the Mayor and Clerk to execute the development agreement attached as Appendix “C”; and

THAT the zoning by-law amendment attached as Appendix “D” be adopted.”

CARRIED

- iv. PSR-005/2021 Re: Zoning By-law Amendment File No. Z03/2021W – 2709998 Ontario Inc.

Resolution No. C-2021-045

Moved by Councillor Van Vliet

Seconded by Councillor Gilmore

“THAT Planning Staff Report PSR-005/2021 be received; and

THAT Zoning By-law Amendment File No. Z03/2021W for lands described as Concession 4, Part Lot 32 RP 59R4745 PART 1 in the Township of Wainfleet, be approved for the reasons outlined in PSR-005/2021; and

THAT the application be deemed consistent with the Provincial Policy Statement 2020 and other matters of Provincial interest; and

THAT the zoning by-law amendment attached as Appendix “C” be adopted.”

CARRIED

11. Review of Correspondence

- a) C-027-2021 – Police Services Board Re: Medical Cannabis Grow Operations – Public Safety Concerns

Resolution No. C-2021-046

Moved by Councillor Van Vliet

Seconded by Councillor Gilmore

“**THAT** Correspondence item No. C-027-2021 from the Police Services Board respecting Medical Cannabis Grow Operations – Public Safety Concerns be received and supported.”

CARRIED

- b) C-029-2021 – City of Port Colborne Re: Drainage Matters on Canadian National Railway Lands

Resolution No. C-2021-047

Moved by Councillor Van Vliet

Seconded by Councillor Gilmore

“**THAT** Correspondence item No. C-029-2021 from the City of Port Colborne respecting Drainage Matters on Canadian National Railway Lands be received and supported.”

CARRIED

- c) C-031-2021 – Dale & MaryLou Gibson Re: Concerns regarding beach access

Resolution No. C-2021-048

Moved by Councillor Van Vliet

Seconded by Councillor Gilmore

“**THAT** Correspondence item No. C-031-2021 from Dale & MaryLou Gibson respecting Concerns of Wainfleet Beach Access be received for information.”

CARRIED

12. By-laws

Resolution No. C-2021-049

Moved by Councillor Van Vliet

Seconded by Councillor Gilmore

- a) By-law No. 004-2021 being a by-law to amend Zoning By-law No. 034-2014 with respect to those lands forming Part of Lot 9, Concession 4 in the Township of Wainfleet known municipally as 41027 Wilson Road
- b) By-law No. 005-2021 being a by-law to amend Zoning By-law No. 034-2014 with respect to those lands forming Part of Lot 39, Concession 5 in the Township of Wainfleet
- c) By-law No. 006-2021 being a by-law to amend Zoning By-law No. 581-78 with respect to those lands forming Concession 4, Part Lot 32 RP 59R4745 Part 1 in the Township of Wainfleet."

CARRIED

13. Notices of Motion

Councillor MacLellan gave notice that he would be bringing forth 2 motions at the next meeting of Council respecting a Fill By-law and Short-term rentals.

14. Closed Meeting

None.

15. Rise & Report

None.

16. By-law to Confirm the Proceedings of Council

Resolution No. C-2021-050

Moved by Councillor Van Vliet

Seconded by Councillor Gilmore

"THAT By-law No. 007-2021 being a by-law to adopt, ratify and confirm the actions of the Council at its regular meeting held the 16th day of February, 2021 be read and passed this 16th day of February, 2021.

CARRIED

17. Adjournment

There being no further business, the meeting was adjourned at 10:45 p.m.

K. Gibson, MAYOR

M. Ciuffetelli, DEPUTY CLERK

Approved by Council March 9, 2021