



**THE CORPORATION OF THE TOWNSHIP OF WAINFLEET
REGULAR MEETING OF COUNCIL MINUTES**

C11/2022
May 31, 2022
7:00 P.M.
COUNCIL CHAMBERS

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. Ciuffetelli	Deputy Clerk
A. Chrastina	Administrative Assistant
L. Gudgeon	Manager of Human Resources
S. Ivins	Planner
R. Nan	Manager of Operations

OTHER:

J. Stirton	Township Solicitor
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1. Call to Order

Mayor Gibson called the meeting to order at 7:00 p.m.

2. National Anthem

3. 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.

4. Disclosures of Interest and the General Nature Thereof

None.

5. Mayor's Announcements & Remarks

Mayor Gibson provided the following remarks:

- Please note that meeting proceedings are being broadcast live, recorded and made available through the Township website and youtube.com.
- With June just around the corner, I'd like to acknowledge International Pride Month and offer my support for Niagara's LGBTQ+ communities.
 - It is essential that all residents are able to express ourselves openly and support each other freely in an environment of safety and respect.

- Niagara Pride Week kicked off on Saturday, May 28th and events will be held until Sunday, June 5, 2022.
- I'll be attending the Port Colborne-Wainfleet Community Living 60th Anniversary celebration this Saturday afternoon at the Market Square in Port Colborne
- Our next regular meeting of Council will be held Tuesday June 21 at 7:00 p.m.

6. Councillor's Announcements & Remarks

Councillor Cridland provided notice that the next Niagara Peninsula Conservation Authority Board meeting will be held June 17, 2022 at 9:30 a.m.

7. Adoption of Previous Council Minutes

a) Minutes of the regular meeting of Council held May 10, 2022

Resolution No. C-2022-096

Moved by Councillor MacLellan

Seconded by Councillor Van Vliet

“**THAT** the minutes of the regular meeting of Council held May 10, 2022 be adopted as circulated.”

CARRIED

8. Public Meeting

a) Draft Plan of Subdivision P02/2021W & Zoning By-law Amendment Z06/2021W
Applicant: 270998 Ontario Inc. (LandPro Planning Solutions Inc. – Agent)
Subject Property: Vacant Lot Pettit Road

Mayor Gibson advised that the purpose of this meeting is for applicants to present their proposal to Council and the public and for Council to receive comments from the public.

The Planner reported that the Draft Plan of Subdivision proposes fifteen lots for single detached dwellings, one block for the existing municipal drain, two blocks for stormwater management, one block for water for firefighting purposes and two public roads.

The Zoning By-law Amendment proposes to rezone the subject lands from Development – D and Hazard – H to Residential – R1-358 and Hazard – H under Zoning By-law 581-78. The proposed Residential – R1-358 zone contains the following site specific provisions:

- Minimum Lot Frontage for Lot 5: 35.93m;
- Minimum Lot Frontage for Lot 6: 36.94m;
- Minimum Lot Frontage for Lot 10: 28.45m;

- Minimum Lot Frontage for Lot 11: 33.15m.

A list of applications in support of the applications were provided (as listed in the Planner's Public Meeting Information Report). The Planner also outlined agency comments received by the Township.

Councillors discussed concerns surrounding storm water management, potential light pollution and lot sizes.

Public comments were received respecting concerns around drainage and flooding, a request for a traffic study to be done on Pettit Road and a park be built for the young families in the neighbourhood.

9. Delegations

- a) Leslie Daudelin – Request for amendment to Noise By-law No. 042-2018

Resolution No. C-2022-097

Moved by Councillor Gilmore

Seconded by Councillor Cridland

“THAT the delegation presentation from Leslie Daudelin Re: Request for amendment to Noise By-law No. 042-2018 be received for information.”

CARRIED

- b) Kathy Buttigieg, HorsePlay Niagara – Request for permission to use the beach areas for the purpose of offering horseback rides to the public

Resolution No. C-2022-098

Moved by Councillor MacLellan

Seconded by Councillor Cridland

“THAT the delegation presentation from HorsePlay Niagara Re: Request for permission to use the beach areas for the purpose of offering horseback rides to the public be received for information; and

THAT staff be directed to prepare a report with a recommendation for consideration at the next available meeting.”

CARRIED

10. Staff Reports & Recommendations

- a) Administrative Staff Reports

i. ASR-013/2022 Re: Right to Disconnect Policy

Resolution No. C-2022-099

Moved by Councillor Gilmore

Seconded by Councillor Van Vliet

“THAT Administrative Staff Report ASR-013/2022 respecting the Right to Disconnect Policy be received;

AND THAT Council adopt Policy and Procedure HR 2.31.ON respecting the Right to Disconnect.”

CARRIED

ii. ASR-014/2022 Re: Noise By-law

After discussion from Council, the main motion was amended to read as follows:

Resolution No. C-2022-100

Moved by Councillor Gilmore

Seconded by Councillor Cridland

“THAT Administrative Staff Report ASR-014/2022, Proposed Replacement of Noise Control By-law be received; and

THAT Schedule “A”, Sections 5.1 (f), 5.1 (g), and 5.1 (l) of the proposed Noise Control By-law be amended to read as follows:

5.1 (f)	Operation of any tool for lawn, yard or garden maintenance between 9:00 p.m. one day and 7:00 a.m. the following day, other than on Sundays and Holidays	\$1,000.00 \$75.00
5.1 (g)	On Sundays and Holidays, operation of any tool for lawn, yard or garden maintenance before 10:00 a.m.	\$1,000.00 \$75.00
5.1 (l)	Persistent shouting, yelling, hooting, whistling, singing or like sounds of any Person between 8:00 p.m. 10:00 p.m. one day and 8:00 a.m. the following day, other than on Sundays or Holidays	\$1,000.00

AND THAT a special meeting be held next week to consider the proposed by-law as amended.”

CARRIED

b) Public Works Staff Reports

i. PWSR-011/2022 Re: Site Alteration By-law

Resolution No. C-2022-101

Moved by Councillor MacLellan
Seconded by Councillor Cridland

“THAT Public Works Staff Report PWSR-011/2022 respecting the draft Site Alteration By-law be received; and

THAT the draft Site Alteration By-law appended to this report be presented to council for adoption; and

THAT the Township of Wainfleet Administrative Monetary Penalty System By-law be amended to include the new Site Alteration by-law.”

CARRIED

11. Review of Correspondence

a) C-2022-108 – Request for Proclamation (World Hepatitis Day – June 28, 2022)

Resolution No. C-2022-102

Moved by Councillor Van Vliet
Seconded by Councillor Cridland

“THAT Correspondence item C-2022-108 Re: Request for Proclamation (World Hepatitis Day – June 28, 2022) be supported.”

CARRIED

b) C-2022-111– Niagara Region Waterpipe Smoking By-law

Resolution No. C-2022-103

Moved by Councillor Gilmore
Seconded by Councillor MacLellan

“THAT the Council of the Township of Wainfleet consents to the passage of the Waterpipe By-law of the Regional Municipality of Niagara, being a by-law to regulate waterpipe smoking in the Region.”

CARRIED

Councillor Cridland pulled correspondence item No. C-2022-107 respecting Release of Federal and Provincial Documents Related the Former Mohawk Institute Residential School

Resolution No. C-2022-104

Moved by Councillor Cridland

Seconded by Councillor Van Vliet

“THAT Council of the Township of Wainfleet pass a motion in support of City of Brantford resolution dated May 18, 2022, copy attached; that is respectfully calling for the IMMEDIATE RELEASE, to the Survivors Secretariat, of all Federal and Provincial documents related to the former Mohawk Institute Residential School; and

THAT a copy of this support be sent to the City of Brantford, the Survivors Secretariat, our Niagara West MP and MPP.”

CARRIED

12. By-laws

Resolution No. C-2022-105

Moved by Councillor Cridland

Seconded by Councillor Gilmore

“THAT the following by-laws be read and passed this 31st day of May, 2022

- a) By-law No. 025-2022 being a Site Alteration By-law to regulate the removal, placing or dumping of fill in the Township of Wainfleet
- b) By-law No. 026-2022 being a by-law to amend By-law No. 027-2019, being a by-law to establish an administrative monetary penalty system for non-parking related offences

CARRIED

13. Notices of Motion

- a) Councillor MacLellan provided notice at the May 10, 2022 regular meeting of Council Re: Animals at Large By-law

Resolution No. C-2022-106

Moved by Councillor MacLellan

Seconded by Councillor Gilmore

“THAT staff be directed to amend Schedule “A” of the Township’s Animals at Large By-law No. 008-2018 to increase penalties in section 3 (a) Permit Animal to run at large as follows:

1st Offence: \$250.00
2nd Offence: \$500.00
3rd Offence: \$1,000.00
4th Offence: \$2,000.00
5th and Subsequent Offences: \$5,000.00.”

CARRIED

14. Closed Meeting

Resolution No. C-2022-107

Moved by Councillor Cridland

Seconded by Councillor Gilmore

“THAT Council now move into closed session to discuss:

- a) Item under Section 234 (2)(k) of the Municipal Act, 2001, a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board. 2 items - (Negotiation Matters)
- b) Minutes of the closed meeting of Council held May 10, 2022”

CARRIED

15. Rise & Report

The Deputy Clerk reported that Council went into closed session and received information from staff and provided direction to staff on two negotiation matters.

A procedural vote was taken to adopt previous closed meeting minutes.

16. By-law to Confirm the Proceedings of Council

Resolution No. C-2022-108

Moved by Councillor Cridland

Seconded by Councillor Gilmore

“THAT By-law No. 027-2022 being a by-law to adopt, ratify and confirm the actions of the Council at its meeting held May 31, 2022 be read and passed this 31st day of May, 2022.”

CARRIED

17. Adjournment

There being no further business, the meeting was adjourned at 10:20 p.m.

K. Gibson, MAYOR

M. Ciuffetelli, DEPUTY CLERK

Approved by Council June 21, 2022