



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

C13/22  
June 21, 2022  
6:00 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. Alcock         Fire Chief  
                              M. Ciuffetelli    Deputy Clerk  
                              L. Earl            Mgr. of Community & Development Services  
                              L. Gudgeon        Manager of Human Resources  
                              M. Luey           Manager of Corporate Services  
                              S. Ivins           Planner  
                              R. Nan            Manager of Operations  
                              A. Chrastina      Administrative Assistant

OTHER:                   Eric D'Uva         Urban & Environmental Management Inc.  
                              David Schram     Urban & Environmental Management Inc.

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C13/22

**1. Call to Order**  
Mayor Gibson called the meeting to order at 6:00 p.m.

**2. Closed Meeting**

**Resolution No. C-2022-111**

Moved by Councillor Gilmore

Seconded by Councillor MacLellan

**"THAT** Council now move into closed session to discuss:

- a) Item under Section 234 (2)(c)(f) of the Municipal Act, 2001, a proposed or pending acquisition or disposition of land by the municipality or local board, advice that is subject to solicitor-client privilege, including communications necessary for that purpose – 1 item (An acquisition of land matter)

- b) Item under Section 234 (2)(f) of the Municipal Act, 2001, advice that is subject to solicitor-client privilege, including communications necessary for that purpose – 1 item (Advice respecting draft Short Term Rental By-law)
- c) Item under Section 234 (2)(e) of the Municipal Act, 2001, litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board – 1 item (A litigation matter)”

CARRIED

### 3. Rise & Report

The Deputy Clerk reported that Council went into closed session and received information and provided direction to the Township Solicitor regarding a potential acquisition of land matter. Council reviewed legal advice respecting the Short Term Rental By-law and received information on an ongoing legal matter.

### 4. National Anthem

### 5. 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.

### 6. Disclosures of Interest and the General Nature Thereof

None.

### 7. 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.
- Today is National Indigenous Peoples Day. It is observed on the 21st of June to recognize the summer solstice, the day of maximum daylight, and its importance to Indigenous Peoples.
- The Farmers Market is up and running for the season. Please stop by the pavilion behind the arena each Wednesday until mid-September.
- The Police Services Board meets next on Thursday June 23 at 9:00am and this will be live-streamed.
- Regional Council also meets Thursday June 23 at 6:30pm. This is a Zoom meeting.
- I'm happy to see the return of our Canada Day celebrations this year, with the festivities commencing at 5:00 pm.
- Our next regular meeting of Council will be held Tuesday July 12 at 7:00 p.m.

**8. Councillor's Announcements & Remarks**

Councillor Cridland provided notice that the Beaver Creek and Big Forks Creek Floodplain Mapping Information Session is June 22<sup>nd</sup> from 6:00-8:00 p.m. in Wellandport. The next Niagara Peninsula Conservation Authority Board meeting will be held July 15<sup>th</sup> at 9:30 a.m. and will be attending the first Niagara Transit Commission Meeting June 28<sup>th</sup> at 5:00 p.m. at the Region.

**9. Adoption of Previous Council Minutes****Resolution No. C-2022-112**

Moved by Councillor Cridland

Seconded by Councillor MacLellan

"**THAT** the minutes of the regular meeting of Council held May 31, 2022 and the special meeting of Council held June 7, 2022 be adopted as circulated."

CARRIED

**10. Public Meeting**

- a) Zoning By-law Amendment Z02/2022W – 33553 Feeder Road West  
Applicant: Manuel Mayr (Agent) on behalf of Mayr Farms Ltd. (Owner)  
Subject Property: 33553 Feeder Road West, Wainfleet

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 provided an overview of the information report respecting the file.

There were no questions or comments from the public.

- b) Zoning By-law Amendment Z03/2022W – Vacant Lot Morgan's Point Road  
Applicant: NPG Planning Solutions (Agent) on behalf of Tom Mikkelsaar (Owner)  
Subject Property: Vacant Lot Morgan's Point Road, Wainfleet

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 provided an overview of the information report respecting the file and the agent provided information and presentation on the file.

Council discussed lot size

There were no questions or comments from the public.

## 11. Delegations

- a) Karen Alexander – European Water Chestnut Rapid Removal Program for the Welland River

**Resolution No. C-2022-113**

Moved by Councillor Cridland

Seconded by Councillor MacLellan

“**THAT** the delegation presentation from Karen Alexander respecting European Water Chestnut Rapid Removal Program for the Welland River be received;  
and

**THAT** Council support the request for Community Awareness and Engagement through appropriate channels for the Township.”

CARRIED

## 12. Staff Reports & Recommendations

- a) Fire Staff Reports

- i. FSR-006/2022 Re: Central Fire Station Project Progress Report

**Resolution No. C-2022-114**

Moved by Councillor Cridland

Seconded by Councillor Gilmore

“**THAT** Fire Staff Report FSR-006/2022: Central Fire Station – Project Management Progress Report be received as information.”

CARRIED

- ii. FSR-007/2022 Re: Award of Tender for Utility Pickup Truck

**Resolution No. C-2022-115**

Moved by Councillor Cridland

Seconded by Councillor Van Vliet

“**THAT** Fire Staff Report FSR-007/2022 respecting the Award of Tender for Utility/Squad Pickup Truck, be received;

**AND THAT** the Fire Chief be authorized to purchase one (1) new 2023, 4,800 kg GVWR, crew cab, 4-door, 4-wheel drive, 2500 GMC Sierra HD pickup truck from Niagara Motors, being the only bid submitted, in the amount of \$70,790.00 (excluding HST), with the final purchase price to be no more than 10% over the 2022 bid received;

**AND THAT** the Fire Chief be authorized to proceed with the purchase of all required equipment to complete the project with an upset limit of \$35,000.00 plus HST;

**AND THAT** the unbudgeted overage be funded from the Equipment Reserve.”

CARRIED

b) Administrative Staff Reports

- i. ASR-015/2022 Re: Cancellation, reduction or refund of Property Tax for the 2021 & 2022 Taxation Years (January 1 – December 31)

**Resolution No. C-2022-116**

Moved by Councillor MacLellan

Seconded by Councillor Van Vliet

“**THAT** Administrative Staff Report ASR 015/2022 respecting the cancellation, reduction and refund of property tax be received;

**AND THAT** Council approve the attached Application No. 2021-03 pursuant to Section 357 of the Municipal Act, 2001, to write off taxes in the amount of \$3,736.11.”

CARRIED

c) Community & Development Services

- i. CDS-003/2022 Re: Short Term Rentals

**Resolution No. C-2022-117**

Moved by Councillor Gilmore

Seconded by Councillor MacLellan

“**THAT** Community & Development Services Staff Report CDS-003/2022 be received; and

**THAT** staff be directed to provide a revised draft licensing by-law and program to regulate Short-Term Rentals in the Township of Wainfleet for review by Council at the next available meeting; and

THAT Council consider the Interim Control By-law, attached to CDS-003/2022 as Appendix "A"

CARRIED

d) Public Works Staff Reports

- i. PWSR-011/2022 Re: Award of Tender for Asphalt Road Rehabilitation 2022

**Resolution No. C-2022-118**

Moved by Councillor Gilmore

Seconded by Councillor MacLellan

"THAT Report PWSR-012/2022 respecting Award of Asphalt Road Rehabilitation Tender be received; and

THAT the Manager of Operations engage the services of Walker Construction Limited to complete the 2022 Asphalt Road Rehabilitation as outlined in the Tender."

CARRIED

**13. Review of Correspondence**

- a) C129 - Rail Safety Week Proclamation

**Resolution No. C-2022-119**

Moved by Councillor MacLellan

Seconded by Councillor Cridland

"THAT Correspondence item C-2022-129 respecting a proclamation request for Rail Safety Week be received and supported."

CARRIED

**14. By-laws**

**Resolution No. C-2022-120**

Moved by Councillor MacLellan

Seconded by Councillor Gilmore

"THAT the following by-laws be read and passed this 21st day of June, 2022

- a) By-law No. 029-2022 being a by-law to amend By-law No. 008-2018, being a by-law to prohibit and regulate animals being at large

- b) By-law No. 030-2022 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

c) By-law No. 031-2022 being a by-law to impose interim control on the use of lands, buildings and structures respecting Short-Term Rental Units within the geographic boundaries of the Township of Wainfleet.”

CARRIED

**15. Notices of Motion**

None.

**16. Closed Meeting**

**Resolution No. C-2022-121**

Moved by Councillor Gilmore

Seconded by Councillor Van Vliet

“**THAT** Council now move into closed session to discuss:

a) Item under Section 234 (2)(c)(f) of the Municipal Act, 2001, a proposed or pending acquisition or disposition of land by the municipality or local board, advice that is subject to solicitor-client privilege, including communications necessary for that purpose – 1 item (An acquisition of land matter)

b) Item under Section 234 (2)(b) of the Municipal Act, 2001, personal matters about an identifiable individual, including municipal or local board employees – 3 items (Staffing Matters and By-law Enforcement Matter)

c) 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)

d) Item under Section 234 (2)(e) of the Municipal Act, 2001, litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board – 1 item (A litigation matter)

d) Minutes of the closed meeting of Council held May 31, 2022”

CARRIED

**17. Rise & Report**

The Deputy Clerk reported that Council met in closed session to receive advice subject to solicitor-client privilege and provided direction respecting an acquisition of land matter and litigation matter.

**18. By-law to Confirm the Proceedings of Council**

- a) By-law No. 031-2022 being a by-law to adopt, ratify and confirm the actions of the Council at its meeting held on the 21<sup>st</sup> day June, 2022

**Resolution No. C-2022-122**

Moved by Councillor Gilmore

Seconded by Councillor Van Vliet

“**THAT** By-law No. 032-2022 being a by-law to adopt, ratify and confirm the actions of the Council at its meeting held June 21, 2022 be read and passed this 21st day of June, 2022.”

CARRIED

**19. Adjournment**

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

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K. Gibson, MAYOR

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M. Ciuffetelli, DEPUTY CLERK

**Approved by Council July 12, 2022**