

NOTLINE NEWS

A NEWS UPDATE FROM THE COUNCIL OF THE TOWN OF *Niagara-On-The-Lake*

Issue # 173 – June 2, 2009

SALE OF TOWN LANDS

The Corporate Services Advisory Committee endorsed a staff recommendation for the sale of a portion of the Butler and John Street road allowances to the Niagara Foundation for \$3,000 plus Town legal and appraisal expenses.

The Niagara Foundation owns the adjacent lands known as 507 Butler Street, being lands designated pursuant to Part IV of the Ontario Heritage Act. The dwelling on the lands currently encroaches onto the road allowances, and the report notes, after discussions with staff, it was felt the best solution would be to retain the dwelling in its current location, consolidate the private lands and road allowances, and sell the whole property as a single developable lot.

The road allowance was previously declared surplus and the Senior Management Team recommends acceptance of the Niagara Foundation's offer noting once the road allowance is purchased, the lands will be saleable and the heritage resource will be conserved.

FIRE DEPARTMENT ACTIVITIES

The Corporate Services Advisory Committee endorsed staff recommendations related to annual events associated with the Fire Department. Firstly, Committee granted permission to District #1 to supervise and ignite a fireworks display on Monday, July 1, 2009, for the Canada Day celebrations at Fort George. Secondly, Committee recommended permission be granted to District #1 to hold its annual toll-gate to raise funds to fight Muscular Dystrophy on Saturday, August 15, 2009, at the intersections of King and Queen Streets and Mississagua and Queen Streets.

PARKING AND TRAFFIC BY-LAW UPDATE

The Corporate Services Advisory Committee endorsed a staff recommendation to update the Parking and Traffic By-law, consolidating a number of past changes into one comprehensive by-law and to remove the voluntary early payment provision for parking fines. In response to Committee's questions, staff advised this was essentially a housekeeping by-law to incorporate a number of previous by-laws related to parking restrictions, including the incorporation of new streets in the community.

QUEEN STREET REPAIRS

The Public Works Advisory Committee endorsed a staff report to accept an offer from Norjohn Contracting to overlay the existing pavement on Queen Street between Mississagua and Palatine Streets, including pavement markings, at a total cost of \$22,588.88 representing 50 percent of the total pavement and marking cost.

The original works were performed by Norjohn in late November 2007 with the scheduling to comply with requests to limit interference with commercial activity in the area. In the spring of 2008, staff noticed areas of deterioration, and after receiving geotechnical analysis, it was noted the results were borderline to the contract specifications. Re-inspection in April 2009 resulted in agreement by Town staff and Norjohn that the surface was continuing to deteriorate at an accelerated rate and required attention. After reviewing the options and several discussions with Norjohn, it was agreed to resurface the street at a total cost of \$45,177.75 with the Town and Norjohn splitting the costs. The work will take approximately two days with affected residents and the Chamber of Commerce being advised of the paving schedule.

NEW BUSINESS ITEMS

Under New Business, the Advisory Committees provided direction on a number of items requiring attention, including:

- Direction to staff to locate a funding source for \$15,000 to provide for an advance to purchase football equipment for NDSS, provided the equipment remains in the ownership of the Town and the monies are repaid
- Direction to implement vehicle speed measurements on Johnson Street between Nassau Street and Niagara Boulevard
- A matter related to the cleaning of a portion of the Gerden Drain be referred to the Senior Management Team for review and report
- Staff review the official land use policy relating to the NDSS lands, particularly relating to the use of the site for an elementary school and community centre, and report back to Committee

COUNCIL SUMMARY – MAY 25, 2009

Lord Mayor Gary Burroughs opened the meeting with the reading of a proclamation declaring the week of June 21 – 27, 2009, “United Empire Loyalist Week” in Niagara-on-the-Lake.

The Lord Mayor commented on a number of recent events in the area including the grants to Niagara College (\$40 million) and Brock University (\$38 million) for expansions to their respective campuses. The grants from the Federal and Provincial Governments represent a significant investment in the Region and the hope is it will assist in keeping young people in the area. He noted the recent success of the Niagara Regional Broadband Network, which is partially owned by NOTL Hydro, and advised it represents a good investment for Hydro.

Last week the Lord Mayor hosted the First Lady of Poland who visited the cemetery where a number of Polish soldiers are buried and advised she expressed her gratitude for all the efforts of the community towards the freedom of Poland in 1918.

Lord Mayor Burroughs extended congratulations to the Virgil Business Association (VBA) on the success of their recent Virgil Stampede noting since the commencement of the event the VBA has contributed in excess of \$1 million to various community projects.

The Lord Mayor noted the recent release of the Jet Boat court decision, and since it has just been received, the decision will need to be reviewed before commenting.

A presentation was made to the All-Ontario Minor Hockey Association 'BB' Champion team members and coaches acknowledging their championship. The team was sponsored by Niagara Riverbend Inn.

Ms. Joey Hewitt of the Joint Accessibility Advisory Committee (JAAC) made a presentation to Council updating them on the status of various legislative initiatives related to the removal of barriers to persons with disabilities. She advised Council on the commenting role of JAAC and on the status of staff training related to customer service.

Ms. Mary Stack, Director of Communications for the Niagara Peninsula Conservation Authority advised Council on the recent marking of NPCA's 50th Anniversary and provided background to Council on their "Simply Tree-mendous Challenge". NPCA has a goal of planting 50,000 native species of trees and has supplied the first 50 trees to each municipality. The Conservation Authority will be keeping score on the planting, and when the goal is achieved, the leading municipality will receive a special award. Details on the challenge and information on plantings is available from the NPCA website at www.npca.ca.

Mr. Randy Busbridge of Harmony Residents Group made a deputation to Council advising of a concept presentation for Onghiara Natural Heritage Park as an alternative use for the Parks Canada lands on Lakeshore Road. He noted Project Niagara is involved in various studies and provided background details as to the benefits of an ecopark as a potential significant component in a growing ecotourism industry. He noted the park could have a positive influence on heritage features and the preservation of natural features, it offers educational opportunities, and has a goal of leaving a very limited human footprint. He advised they have made a submission to Parks Canada and are now seeking partnerships to move the project forward.

Mr. Patrick McCann of the Niagara River Parkway appeared as a deputation before Council and commented on the recent budget deliberations. He noted Council is responsible to establish the budget and felt the recent endorsement of the Town's 2009 Budget was out of line with what local residents are experiencing in these tough economic times. He noted in most situations a tax is based on an individual's ability to pay, while property assessments are based on the value of property which is basically an unrealized capital gain which imparts an unfair burden on the owner. The increase in the budget over the last two years is irresponsible by those who voted for it. The Lord Mayor advised he would meet with the deputant to review his submission.

Mr. Zuhair Kashmeri of King Street appeared as a deputation and commented on the recent minor variance approval for the Irish Harp at 245 King Street for a patio use which may have a negative impact on residents in the area. He noted the owner agreed to a restriction on patio service to cease at 9:00 p.m. yet the Committee of Adjustment could not apply the restriction as a condition for the variance. He noted Council will consider a Heritage Permit for the patio later in the evening, and as the owner agreed to the service restriction, he requested Council to apply the condition to the Heritage Permit. Later in the meeting, when considering the recommendations of the Municipal Heritage Committee, Council applied the condition to the Heritage Permit to restrict service on the patio to 9:00 p.m.

The recommendations of the Committee of the Whole meetings of May 11 and May 14 were adopted without changes.

Council adopted the recommendations of a staff report for various tax rates, including rates for Streetlighting and Consolidated Stormwater Management Improvement special areas, the Niagara Hospital System special levy, the General Tax Rates for the Town, and a flat user rate for basic Waste Management Services and a flat rate for enhanced Waste Management Services. Council also directed a Levying By-law to be prepared to reflect the combined Tax Rates which was approved later in the meeting.

Council endorsed a staff report supporting Regional Policy Plan Amendment 2-2009 which is proposed to implement the Niagara 2031 Growth Management Strategy to bring the Regional Policy Plan into conformity with the Provincial Policy Statement and Places to Grow Growth Plan. The Regional Amendment provides policy direction to local municipalities with respect to growth management. The staff report provided extensive background related to growth philosophies, urban structure, growth projections, and residential intensification targets. The approval of the Amendment will also require the Town's Official Plan to be amended as required to bring it into conformity with the Regional Plan. The OP review is scheduled to commence in 2011.

After considerable discussion, Council endorsed a resolution to not permit the use of cell phones, blackberries, and other text messaging devices by members of Council during Committee or Council meetings. The resolution indicates the devices are a distraction to users as well as other members of Council, and Council members should be providing their complete and undivided attention to the business at hand.

The next Council meeting is scheduled for Monday, June 8, 2009, at 7:00 p.m. Additional information on meeting schedules and deputation procedures may be obtained by contacting the Clerk's Department or by visiting the Town's website at www.notl.org.

**Lord Mayor Gary Burroughs, Councillors: Jim Collard, Dennis Dick, Terry Flynn,
Andrea Kaiser, Jack Lowrey, Martin Mazza, Art Viola, Gary Zalepa**