

Special Council Minutes

Date: Time: Location:	October 25, 2021 6:00 PM Virtual Meeting
Members Present:	Mayor Easton, Councillor Brunet, Councillor MacPherson, Councillor Mikolic, Councillor Pachereva, Councillor Rintjema, Councillor Russell, Councillor Timmers
Member Regrets:	Councillor Reimer
Staff Present:	CAO Mike Kirkopoulos, J. Kirkelos, P. Di lanni, L. Wagner, S. McKay, G. Hudson, D. Graham, D. Phillips, IT Support
Also Present:	Regional Councillor Foster, Michel Gauthier of Canadian Garden Council

1. CALL TO ORDER

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

2. LAND ACKNOWLEDGEMENT

Mayor Easton read the Land Acknowledgement.

3. <u>ROLL CALL</u>

All Members of Council were in attendance, with regrets from Councillor Reimer.

4. DECLARATIONS OF INTEREST

None.

5. ANNOUNCEMENTS BY MEMBERS

Councillor Rintjema commented on the first meeting of the Housing and Homelessness Community Partnership Advisory Committee in which the Clerk provided an orientation session, and the Director of Special Projects outlined the key work to date of the Housing Task Force and the reports it produced, which included adopted housing targets.

6. **PROCLAMATIONS**

6.1 Year of the Garden: 2022

M. Gauthier, Executive Director of the Canadian Garden Council, spoke to the proclamation, noting 2022 is the centennial of the ornamental horticultural sector and they will work closely with Lincoln to ensure its success.

Members of Council inquired how the community can get involved, with M. Gauthier responding that Canadians can register their garden, plant red florals to show Canadian garden pride, and noted they will encourage

garden organizations to select a Canadian Garden Hero and urged Lincoln to recognize its Garden Heroes on Garden Day as well. Additionally, there will be webinars and several interactive opportunities pertaining to gardening.

Members of Council further inquired if they would reach out to the greenhouse industry for support, with M. Gauthier responding that they are working with Landscape Ontario and plan to reach out to nurseries for support.

With no further discussion, Mayor Easton acknowledged 2022 as the Year of the Garden and Saturday, June 18, 2022, as Garden Day and read the proclamation.

7. RECOGNITION AND ACHIEVEMENTS

None.

8. MOTION TO APPROVE COUNCIL MINUTES

8.1 Special Council Minutes of October 4, 2021

Motion NO. SC-2021-160

Moved by Councillor MacPherson Seconded by Councillor Russell

That Council approve the minutes of the following meetings of Council:

• Special Council Minutes of October 4, 2021

CARRIED

9. PRESENTATIONS

None.

10. DELEGATIONS

None.

11. CORRESPONDENCE

11.1 Niagara Region: Request to Review and Amend Section 128 (Rate of Speed) of the Highway Traffic Act

Councillor Timmers requested that Council endorse the correspondence provided by Niagara Regional Council, which would ensure speed limits across the Town are consistent.

Members of Council inquired about what constitutes a built-up area within the municipality, urban boundaries, specific roadways, whether consideration would be given to lowering the 70 km/hour limit and further reduction of speed limits around schools and parks. Additionally, Members inquired regarding the difference between amending the Highway Traffic Act and the Town changing speed limits on specific Municipal roads. The Director of Public Works commented that amending the Highway Traffic Act would mean all roads would be a set limit without having to post signs; alternatively, changing the speed on a particular road would involve the posting of signs. The CAO added that staff will come back to Council with a report highlighting the benefits of a blanket speed reduction across Town.

Motion NO. SC-2021-161

Moved by Councillor Timmers Seconded by Councillor Brunet

That Council endorse correspondence from the Niagara Region dated September 24, 2021, regarding a Request to Review and Amend Section 128 (Rate of Speed) of the Highway Traffic Act; and

That this endorsement be circulated to the local area municipalities.

CARRIED

12. MOTION TO RECEIVE AND FILE COUNCIL INFORMATION PACKAGE

None.

13. <u>RECOMMENDATIONS FROM STANDING COMMITTEE</u>

13.1 Committee of the Whole Minutes of October 6, 2021

13.2 Committee of the Whole (Budget) Minutes of October 13, 2021

13.3 Committee of the Whole Minutes of October 18, 2021

Councillor Brunet requested that Motion No. CSI-2021-64 from the Committee of the Whole Minutes of October 18, 2021, be lifted and considered separately.

Motion NO. SC-2021-162

Moved by Councillor Brunet Seconded by Councillor Timmers

Regarding Motion No. CSI-2021-64 from the Committee of the Whole Minutes of October 18, 2021.

A recorded vote was requested by Councillor Brunet and taken as follows:

In Favour (5): Councillors MacPherson, Mikolic, Rintjema, Russell and Mayor Easton.

Opposed (3): Councillors Brunet, Pachereva, and Timmers

Absent (1): Councillor Reimer

CARRIED (5 to 3)

Motion NO. SC-2021-163

Moved by Councillor Rintjema Seconded by Councillor Mikolic

That Council approve the following recommendations from Standing Committee:

- Item 13.1, Committee of the Whole Minutes of October 6, 2021
- Item 13.2, Committee of the Whole (Budget) Minutes of October 13, 2021; and
- Item 13.3, Committee of the Whole Minutes of October 18, 2021

<u>CARRIED</u>

14. <u>REPORTS OF MUNICIPAL OFFICERS</u>

14.1 Mayor's Report

Mayor Easton provided her report, commenting on the pandemic and the unwavering support of healthcare and frontline workers, the opening of the new Rotary Park, the Speak-up Lincoln website, and the renovation at Great Lakes Christian High School.

Full details of the report are available on the live webcast.

14.2 Regional Councillor Update

Regional Councilor Foster provided a report, commenting on regional incentives for Community Improvement Programs, including affordable housing, employment lands, brownfield mediation, and public lands. Additionally, Regional Councillor Foster provided an update on the Region's capital budget, noting that it has been approved and more information will be forthcoming as discussions continue with senior staff.

Members of Council inquired regarding the Community Improvement Programs, the KPMG audit report, and the escarpment crossing.

Full details of the report are available on the live webcast.

Motion NO. SC-2021- 164

Moved by Councillor Brunet Seconded by Councillor MacPherson

That Council receive and file as information, the following Reports of Municipal Officers

- Mayor's Report
- Regional Councillor update

CARRIED

15. NOTICE OF MOTION

15.1 Regulating Airbnb's - Councillor Russell

Councillor Russell commented that the intent of the motion is to protect housing options within the Town, as there are numerous new developments forthcoming, and noted the importance of having housing for residents and the need to regulate, govern, license, and possibly restrict Air BnBs within the municipality. Additionally, made the request that staff compare best practices from other municipalities, explore ways of governing Air BnBs in Town, and provide information on the licensing of Bed and Breakfasts and return with recommendations and a report for Council, with the CAO responding that staff will provide this in early 2022.

Members of Council sought clarification on the motion's potential impact on tourism, short-term rentals, the current zoning by-law, and bed and breakfast establishments.

Motion NO. SC-2021-165

Moved by Councillor Russell Seconded by Councillor Mikolic

WHEREAS the Town of Lincoln strives to be a place to grow, a place to prosper, and a place to belong;

AND WHEREAS there is a growing number of short-term rental accommodations within the Municipality of the Town of Lincoln, the Province of Ontario, and across Canada, such as Airbnb's along with other on-line short-term rental supplier websites;

AND WHEREAS there is an existing need for long-term housing that may be additionally impacted with the increase in the conversion of traditional accommodations being converted to short-term rental accommodations;

AND WHEREAS there have been instances of large unauthorized gatherings, excessive noise complaints, concerns about neighbourhood and resident safety, and alleged general mischief in many municipalities with some of these short-term rental accommodations;

AND WHEREAS the Town of Lincoln recognizes the need for short-term rental accommodations to support our tourism industry in appropriate locations within our municipality;

AND WHEREAS in order to ensure that any short-term rentals are compatible with surrounding land uses and are appropriately regulated, it is imperative that the Town of Lincoln have in place the applicable zoning provisions as it relates to short-term rental accommodations and enforceable By-laws and standards.

THEREFORE, BE IT RESOLVED THAT Council direct Town of Lincoln staff to research and investigate the possible need for adjustments to the Town's Zoning By-law and a short-term rental By-law; and

That these By-laws would govern to regulate, license and restrict Airbnb and other non-traditional short-term rental accommodations in the Town of Lincoln.

CARRIED

16. MOTION TO CONSIDER CONFIDENTIAL ITEMS

None.

17. MOTION TO APPROVE BY-LAWS

- 17.1 2021-85 By-law to deem part of a certain registered plan of subdivision not to be a registered plan of subdivision for the purposes of section 50(3) of the Planning Act, R.S.O. 1990
- 17.2 2021-86 By-law to authorize the execution of a site plan agreement between the Corporation of the Town of Lincoln, Taylor Emerson, together with any and all mortgagees that may be on title at the point of registration of the agreement

Motion NO. SC-2021-166

Moved by Councillor Timmers Seconded by Councillor Rintjema

THAT leave be given to approve the following by-laws:

- 2021-85 By-law to deem part of a certain registered plan of subdivision for the purposes of Section 50(3) of the Planning Act, R.S.O. 1990
- 2021-86 By-law to authorize the execution of a site plan agreement between the Corporation of the Town of Lincoln, Taylor Emerson,

together with any and all mortgagees that may be on title at the point of registration of the agreement

CARRIED

18. MOTION TO CONFIRM PROCEEDINGS OF THE COUNCIL MEETING

18.1 2021-87 By-law to adopt, confirm, and ratify matters dealt with by Council Resolution

Motion NO. SC-2021-167

Moved by Councillor Timmers **Seconded by** Councillor Rintjema

THAT leave be given to introduce By-law Number 2021-87 being a by-law to confirm the proceedings of Special Council at its meeting held Monday, October 25, 2021, being read a first, second and third time.

THAT by-law 2021-87 be enacted and passed, and that the Mayor and Clerk sign and seal the said by-law.

CARRIED

19. MOTION TO ADJOURN

Motion NO. SC-2021-168

Moved by Councillor Russell Seconded by Councillor Brunet

That the Special Council meeting on October 25, 2021, be adjourned at 7:21 p.m.

CARRIED

Original Signed by:

MAYOR: SANDRA EASTON Original Signed by:

CLERK: JULIE KIRKELOS