

# Town and Gown Advisory Committee

## Minutes

**Thursday, April 06, 2017**

**Ante Room at 4:00 p.m.**

### **Attendance:**

Bernice DEttorre, Chair  
John Kuchard, Citizen Appointee  
Jonathon Belgrave-Sookhoo, Citizen Appointee  
Bradley Clarke, Director, Student Life and Community Experience, Brock University  
Nadia Bathish, Brock University Students' Union  
Julia Wood, Brock University Students' Union  
Joanne Bakker, Interim Director Student Services, Niagara College  
James Taylor, Niagara Regional Police  
Glen Hamilton, Niagara Regional Police  
Bryan Keenan, Landlord Representative, Brockview Student Rentals

Councillor Joe Kushner  
Councillor Bill Phillips  
Steve Stec, By-law Enforcement Officer  
Nathan Melin, Fire Services

### **Absent:**

Steve Kosh, Executive Director, Niagara College  
Erica Walters, McMaster University

### **Staff Liaison:**

Waldy Heyder, Acting Manager of Inspection, Planning and Building Services  
Rosa Risi, Recording Secretary, Planning and Building Services

1. The Chair, Bernice DEttorre **called the meeting to order at 4:03 pm.**
2. **Additions/Deletions to the Agenda**  
None
3. **Motion to approve the agenda**  
Moved by: Bernice DEttorre  
Seconded by: John Kuchard  
**CARRIED**

4. **Motion to approve the Town and Gown Advisory Committee minutes February 23, 2017**

Moved by: Bernice DEttorre

Seconded by: John Kuchard

With the following revision:

As per Brad Clarke Page 4 (paragraph 1) has been revised to read:

‘Brock University enforces and oversees its on-campus activity.’

**CARRIED.**

5. **Presentations (invited guests)**

Councillor Kushner noted that the meeting held at Brock University with City Officials, NRP and Fire with regards to St. Patrick’s Day concluded these parties are common place throughout University towns and the best approach is to manage them rather than prohibit them. It would be beneficial to create a Task Force to focus on St. Patrick’s Day.

Two Options with regards to the Task Force:

- 1) Task Force to be Committee of Council
- 2) Subcommittee would report to Town and Gown Advisory Committee (TGAC).

Councillor Kushner also suggested modifying the TGAC as follows:

1. Statement of purpose should be more exact;
2. Composition of committee be changed to 3 citizen rep, student reps from Brock and Niagara College, Administration staff from Brock and Niagara;
3. McMaster University School of Medicine member should be removed;
4. Should have landlord representative as a voting member; and
5. Should have NRP, Fire and By-law representative.

Councillor Kushner also mentioned that the nuisance (Brewing) by-law amendment has been modified and will be circulated.

NRP rep, Constable James Taylor, confirmed he will be the representative and in his absence Constable Glen Hamilton is to attend meetings. Constable Taylor also suggested Alcohol and Gaming Commission (AGCO) should be represented. Michael Langelaan is the new rep in the Niagara Falls Office. Brad Clarke suggested the committee also invite Regional Waste, and Councillor Kushner suggested Legal be a part of the committee to address boarding, lodging, rooming housing which requires legal interpretation and possibly looking at how other communities are addressing this issue.

Councillor Kushner suggested a motion to restructure the committee. Recommendation be made to Council that the structure and composition of the committee be changed and that a subcommittee be formed to deal with St. Patrick’s Day. The subcommittee to be chaired by two councillors. A report to be submitted to Councillor Bill Phillips to make this recommendation to Council. Councillor Kushner volunteered himself and Councillor Matt Harris.

Bryan Keenan noted that absentee landlords are a problem because they are not in the City to address issues. Also, increase in housing costs forces them to increase the number of students per house. Nathan Melin confirmed this is a problem for Fire.

Constable Taylor explained events of St. Patrick's Day. Due to higher priority incidences which arose unexpectedly, NRP was not able to properly address the student issue on Jacobson Avenue. He also explained that the Charter of Rights and Freedom makes it difficult to enforce the law. Charter of Rights and Freedom prevents officers from entering a property or house. This is unlawful entry and if the situation escalates, NRP risks being charged. This makes it difficult for NRP to address students drinking on the roof. Students know their rights and can prevent officer from entering on their property. NRP must work within the Charter of Rights. Steps need to be taken to prepare for next year, and Brock, NRP, Bylaw and Fire need to continue to educate students to be good citizens.

Bernice asked how the nuisance by-law and brewing will be addressed. Constable Taylor replied that the NRP will respond on a priority level. Police do not typically enforce City by-laws; they enforce criminal law, federal and provincial statutes. They address the noise bylaw and the nuisance bylaw if it presents and they have the time.

Question posed as to how Fire, the City and Brock University can get message to landlords regarding parties. Councillor Kushner replied that this would be the purpose of the subcommittee. Constable Taylor explained that to be able to address nuisance issues, the resident must be willing to be a witness to prosecute in court. NRP needs guarantee that witness will come to court. Residents are afraid to be a witness.

If Legal says the nuisance bylaw will pass Charter of Rights and Freedom, it is another tool for NRP. It cannot be used every time unless a witness gives statement and is prepared to show up. If intoxication, damage underage drinking, urination on public property, NRP is able to charge and arrest if necessary. There are criteria to get a conviction for urination on public property.

Bernice stated we need to take control with regards to how many people live in house. What is the maximum number of bedrooms? Thorold is looking at licensing, zoning bylaw, what constitutes number of rooms in house. Bryan has been through this and it is difficult to prove how many rooms in a rental property.

Discussion regarding pre-party attendance by By-law Fire and NRP. Steve Stec noted that this has been done and there is no difference. Students will still party and drink. Brad Clarke mentioned that when the party happens, everyone pitches in and helps cleanup and if they know there is a keg party they will infiltrate the party.

Bernice asked what Brock's position is with regards to consequences to the students. Brad responded that the charges are the consequences.

Joanne Bakker noted that every Town and Gown Committee struggles with same issues. Nathan responded that the committees wait to see what other municipalities are implementing and want to see what works before implementing their own. Brad suggested that the committee gets strategic and try to prepare for next year.

Councillor Kushner recommend identifying the problem homes and charge them.

Fire has to have a reason to enter property and NRP cannot piggyback off Fire to enter properties.

Thorold's bylaw states for rentals in Thorold there must be a local contact/property manager to address issues.

Constable Taylor informed Bernice if residents have questions, he would be glad to answer them. Charter of Rights is what rules Police. Constable Hamilton noted it is one thing to write a bylaw, but enforcing the law is difficult.

Councillor Kushner recommended next meeting everyone bring forward suggestions as to what each area can do. Joanne Bakker mentioned that we will never come up with a plan that will be the resolution; it will be continuous and ongoing opportunity to educate students because of student turnover.

Julia noted from student perspective, the parties will not leave Jacobson Avenue. It is now a tradition and they are trying to emulate the Waterloo tradition on Ezra Street. BUSU is thinking of ways to keep students on campus - possible beer garden for next year. Bryan Keenan suggested that if we could get the party on Jacobson Avenue we can close off entry, have no traffic, place fire truck at one entrance and police at others and control the party. If we accept they are going to do it, we need to prepare for the street party. It would be the same as Grape and Wine control.

Councillor Elliott recommended that we identify the specific days that need an action plan and the task force can be used for these days. Councillor Kushner recommended NRP, Fire, By-law and Landlord Rep along with students should be included in this committee. Establish it as concept before deciding who should be on the committee.

**Motion:**

To modify the structure and composition of the Town and Gown Advisory Committee.

Moved by: Bernice

Seconded by: Brad

**CARRIED**

**Motion:**

To create a subcommittee to TGAC with focus on St. Patrick's Day and other significant dates.

Moved by: Bernice

Seconded: Brad

**CARRIED**

Parking and Property Standards review moved to next meeting to coordinate with them to move forward with parking and property standards.

Overcrowding of houses: please come with ideas for next meeting. Next step - look towards safety for students.

8. **Date of next meeting**  
Thursday, June 15, 2017

9. **Motion to Adjourn**

Motion to adjourn 5:37 p.m.

Moved by: John Kuchard

Seconded: Bernice

**CARRIED**