



The Municipal Corporation of the Town of Fort Erie

Council-in-Committee Meeting Minutes

Monday, November 2, 2020 - 6:00 PM

Council Chambers via Video Teleconference

Due to the COVID-19 Pandemic and the Closure of Town Hall

All electronic meetings can be viewed at:

Town's Website:

<https://www.forterie.ca/pages/CouncilAgendasandMinutes>

Town's YouTube Channel: www.youtube.com/townofforterie

or click on the YouTube icon on the home page of the Town's website (www.forterie.ca) or Cogeco TV

1. Call to Order

The meeting was called to order by Mayor Redekop at 6:00 p.m.

Mayor Redekop acknowledged the land on which we gather is the traditional territory of the Haudenosaunee, Mississaugas of the New Credit, and Anishinaabe people, many of whom continue to reside in this area.

2. Roll Call

Present (In Council Chambers): His Worship Mayor Redekop

Present (Via Zoom Teleconference): Councillors Dubanow, Lubberts, McDermott, Noyes, and Zanko

Staff (Via Zoom Teleconference): C. Bandy, K. Dolch, J. Janzen, T. Kuchyt, E. Melanson, C. Schofield, G. Stojanovic, D. Vander Veen, and K. Walsh

This meeting was held in compliance with the electronic participation provisions of Council Rules of Procedure By-law No. 36-2016, as amended.

3. Announcements/Addenda

Mayor Redekop made the following announcements:

Remembrance Day

The Royal Canadian Legion launched its Poppy Campaign on October 30, 2020, locally and nationally. Due to the COVID-19 pandemic, the Legion will not be able to engage in their usual campaign; instead, poppies will be available for purchase at select locations. With disruptions in the Legion's efforts to raise money for veterans, the community, and youth, I ask that residents be as generous as possible when purchasing a poppy and wear it with pride and distinction.

COVID-19

As there has been an explosion of COVID cases in Fort Erie, especially over the last 3 days, I want to bring the community up-to-date on the pandemic. Fort Erie currently has 21 active cases, which have arisen from various locations, including those in long-term care. We do not have precision concerning the exact locations and how it is spreading. We have been trying to obtain as much information as we can from public health authorities and anyone else who can provide us with that information so that residents can be aware of how to protect themselves from the virus's spread. We continue to try and get that information and share that data with the public. There is a lot of information on the Niagara Regional Public Health Web Site; however, it does not caution residents on where they should or should not go nor what activities they could participate in. Limit your contact with others as the virus is spreading quickly. We need to be more vigilant as the increase in cases puts our health and businesses in jeopardy. We need to do everything we can to help contain the virus.

4. Declarations of Pecuniary Interest

(a) Councillor Dubanow

Councillor Dubanow declared a pecuniary interest concerning Corporate and Community Services New Business/Enquires Item 9.3(a) Memorandum - Carol Schofield, Manager, Legislative Services/Clerk - SPCA – By-law No. 106-12 Delegating Appointment of Municipal Law Enforcement Officers to the Clerk as the company he works for has performed contracted services to the Fort Erie SPCA. He abstained from discussing the matter.

(b) Councillor Dubanow

Councillor Dubanow declared a pecuniary interest concerning Planning and Development Services Report No. PDS-48-2020 Amendment to Conditions of Draft Plan Approval - Ashton Homes (Western) Limited as he lives in a subdivision developed by Ashton Homes (Western) Limited which has not yet been transferred to the municipality. He abstained from discussing and

voting on the matter.

5. Notice of Upcoming Public Meetings

(a) Public Information Meeting

Re: Housekeeping Amendment - Town's Comprehensive Zoning By-law No. 129-90 - Tuesday, November 3, 2020 - 5:00 p.m. - Via Video Teleconference.

(b) Proposed Draft Plan of Vacant Land Condominium & Zoning By-law Amendment

Re: 397 Garrison Road - Owner - Ashton Homes (Western) Ltd. - Agent - William Heikoop (Planning & Engineering Ltd.) - Monday, November 9, 2020 - 6:00 p.m. - Via Video Teleconference. The information report will be available on Wednesday, November 4, 2020.

(c) Proposed Official Plan & Zoning By-law Amendment

Re: 2776 Stevensville Road - Owner - Mike and Mary Ellen Grummett - Agent - Mike Grummett, Jr. - Monday, November 9, 2020 - 6:00 p.m. - Via Video Teleconference. The information report will be available on Wednesday, November 4, 2020.

(d) Proposed Temporary Zoning By-law Amendment

Re: 409 Gorham Road - Owner - Gorham Road Inc. (David Kompson) - Agent - Zelinka Priamo Ltd. (Dave Hannam) - Monday, November 9, 2020 - 6:00 p.m. - Via Video Teleconference. The information report will be available on Wednesday, November 4, 2020.

(e) Zoning By-law Amendment (Adjourned from August 31, 2020)

Re: 0 Burleigh Road North - Owner: Roman Catholic Episcopal Corporation St. Catharines - Agent: Alexis Banfai - Monday, November 16, 2020 - 6:00 p.m. - Via Video Teleconference. The information report will be available on Thursday, November 12, 2020.

(f) Town's Zoning By-law Amendment

Re: Housekeeping Amendment - Town's Comprehensive Zoning By-law No. 129-90 - Monday, November 16, 2020 - 6:00 p.m. - Via Video Teleconference. The information report will be available on Thursday, November 12, 2020.

(g) 2021 Budget Meeting Schedule

Council-in-Budget Committee Meetings: #1 - Wednesday, November 18, 2020 - Capital Budget & Forecast; #2 - Wednesday, December 9, 2020 - Water and Wastewater Operating Budget and User Fees Analysis; #3 - Wednesday, February 3, 2021 - Library, General Levy Operating Budget & Assessment Analysis; #4 – Wednesday, February 10, 2021 – (If required). All budget meetings begin at 6:00 p.m. Via Video Teleconference. Budget By-laws: Monday, December 14, 2020 – Preliminary Capital Budget By-law; Monday, January 18, 2021 – Water and Wastewater Budget and Rates By-law; Monday, February 16, 2021 – General Levy Budget By-law and General Capital Budget By-law.

6. Public Meetings

(a) Proposed Official Plan & Zoning By-law Amendment

Re: 7 Central Avenue & 100-1 Queen Street - Owner: Compass Heights Development Ltd. (Jeff Andrews) - Agent: P. Leigh Whyte (PLW Consulting). The applicant is requesting an amendment to the Official Plan to re-designate the northerly portion of lands from Peace Bridge (Border Services Area) to Core Mixed Use and add a Special Policy Area designation to allow an increase to the maximum residential density and maximum building height. The applicant is requesting to rezone the lands from a site specific Core Mixed Use 1 (CMUI-447), in part and Public to a site specific Core Mixed Use 1 (CMU1) Zone to allow an increase in the maximum building height.

Mayor Redekop announced that this portion of the meeting would be devoted to the holding of the Public Meeting.

Mayor Redekop also provided information on electronic participation for members of the public who wished to provide input relative to the Application.

Ms. Dilwaria, Senior Development Planner, delivered a PowerPoint Presentation which is available for viewing on the Town's website.

Ms. Dilwaria confirmed the statutory requirements for the Public Meeting were met, summarized the purpose of the Application, and public comments received.

Mayor Redekop requested staff to bring the Applicant or Agent in to participate in the meeting.

Jeffrey Andrews, Owner, and Jason Pizzicarola, Architect, were present to speak on behalf of the Application.

Mr. Andrews advised that they know the concerns raised by Ron Rienas, General Manager, Peace Bridge Authority, and Vikram Patel, Knights Inn. Mr. Andrews read a statement from the adjoining owner, Mr. Patel, that they are working collaboratively to manage concerns and that Mr. Patel is satisfied with the resolutions. Mr. Andrews said that they are excited about the responses they have received and to also see that the project is moving forward. Mr. Andrews added that the architects had done a great job designing something that Fort Erie can be proud of, and advised that they are open to input on the project.

Mr. Pizzicarola stated that the site is perfect for this development for the following reasons:

- there are similar style buildings in the area;
- there are no directly adjacent residential neighbourhoods;
- the building has been set back as staff recommended; and
- parking has been tucked away.

Mr. Andrews also added that this site is perfect for this development as the addition of 200 family units would otherwise negatively affect green space.

Mayor Redekop enquired if any members of the public wished to speak for or against the Application. No members of the public came forward.

Mayor Redekop declared the Public Meeting closed.

7. Planning and Development Services

Chaired by Councillor Zanko

7.1 Presentations and Delegations

None.

7.2 Reports

PDS-47-2020 Proposed Official Plan and Zoning By-law
Amendment - 7 Central Avenue & 100-1 Queen

Street - P. Leigh Whyte (PLW Consulting) (Agent)
- Compass Heights Development Ltd. (Jeffery
Andrews) (Owner)

Recommendation No. 1
Moved by: Councillor Dubanow

That: Council receives for information purposes Report No. PDS-47-2020 regarding amendments to the Town's Official Plan and Zoning By-law for 7 Central Avenue and a portion of 100-1 Queen Street. **(Carried)**

PDS-48-2020 Amendment to Conditions of Draft Plan Approval - Ashton Homes (Western) Limited (Aldo Vercillo), Park Lane Home Builders Ltd. (Debbie Hill) and Delta Bingo Inc. (Duncan Cameron) - Owners - Upper Canada Consultants (William Heikoop) - Agent - Peace Bridge Village Phase 2 Subdivision (South of Garrison Road, East of Arthur Street)

Recommendation No. 2
Moved by: Councillor McDermott

That: Council directs that the conditions of approval for the Peace Bridge Village Phase 2 draft plan of subdivision be amended as detailed in Appendix "2" of Report No. PDS-48-2020, and further

That: Council directs that written notification of the amended conditions is not required due to the minor nature of the change in accordance with Section 51(47) of the *Planning Act*. **(Carried)**

7.3 New Business/Enquiries

(a) Response to Enquiry

Re: Enquiry by Councillor Noyes at the September 21, 2020 Council Meeting regarding Stevensville Mini Park Equipment

The Chair read into the Minutes the Response to Enquiry which is appended to the Agenda.

(b) Councillor Noyes

Councillor Noyes requested information on the illegal

cannabis operation at Winger Road and Eagle Street as she felt all of Council should be aware of the situation.

Ms. Dolch will provide a Response to Enquiry at a future meeting.

(c) Councillor Noyes

Councillor Noyes enquired about a further egress to Black Creek Douglas Town. She advised that she understands that a previous council has taken off the possibility of one of the streets coming off of Black Creek Road, which was Simpson, and she thinks this is an option which should be considered. Councillor Noyes advised that she would like to have some background information, and once that's received, she may be making a notice of motion that it be considered as an option.

Ms. Dolch will provide a Response to Enquiry at a future meeting.

7.4 Business Status Report

No changes.

8. Infrastructure Services

Chaired by Councillor Noyes

8.1 Presentations and Delegations

None.

8.2 Reports

IS-37-2020 2019 Municipal Bridge and Culvert Assessment Report

Recommendation No. 3
Moved by: Mayor Redekop

That: Council receives the 2019 Municipal Bridge and Culvert Assessment Report for information purposes; and further

That: Council considers the Consultant's recommendations regarding funding levels required to meet a sustainable system

of infrastructure when preparing the 2021 budget. **(Carried)**

IS-38-2020 Award of Tender for Smith Street Watermain Replacement - Contract No. ISE-20T-SMTH19

Recommendation No. 4
Moved by: Councillor McDermott

That: Council accepts and approves the tender submission for the Smith Street Watermain Replacement - Contract No. ISE-20T- SMTH19 from Vic Vatr Contracting in the amount of \$171,770.89 (including 13% HST). **(Carried)**

IS-39-2020 Award of Tender for the Renovation of Town Hall - Contract No. ISF-20T-THRA20

Recommendation No. 5
Moved by: Councillor McDermott

That: Council accepts and approves the tender submission from Ser Gianni Construction Ltd. for the Renovation of Town Hall - Contract No. ISF-20T-THRA20 in the amount of \$76,665.00 (including 13% HST). **(Carried)**

8.3 New Business/Enquiries

None.

8.4 Business Status Report

No changes.

9. Corporate and Community Services

Chaired by Councillor McDermott.

9.1 Presentations and Delegations

None.

9.2 Reports

CS-19-2020 Adjustments, Rebates, Under Section 357 and 358 for 2018, 2019 and 2020

Recommendation No. 6
Moved by: Councillor Dubanow

That: Council approves the cancellation, reduction or refund of taxes and penalties in the amount of \$46,233.49 as per Appendix “1” to Report No. CS-19-2020 in accordance with Section 357 and 358 of the Municipal Act, 2001 and directs staff to submit a by-law to Council. **(Carried)**

9.3 New Business/Enquiries

- (a) Memorandum - Carol Schofield, Manager, Legislative Services/Clerk - SPCA – By-law No. 106-12 Delegating Appointment of Municipal Law Enforcement Officers to the Clerk

Councillor Noyes enquired whether By-law Officers for the SPCA are vetted before appointment to fulfill the Animal Control Agreement.

Ms. Schofield responded that the By-law that delegates authority to the Clerk to appoint By-law Enforcement Officers for the SPCA is strictly for that purpose. The appointment of SPCA employees as By-law Officers for the Town is so that they may carry out their contractual duties with the Town. Ms. Schofield added that the Town does not hire the officers and, therefore, does not vet the officers.

Councillor Noyes questioned whether this posed any legal liability.

Ms. Schofield responded that legal liability may have been considered at the time of passing the By-law in 2012.

Mayor Redekop advised that, as the Animal Control By-law will be undergoing review, we could get legal advice with respect to this, and look at the possibility of vetting officers.

9.4 Business Status Report

No changes.

10. Scheduling of Meetings

- Corporate & Community Services Subcommittee Meeting, Tuesday,

Council-in-Committee - 02 Nov 2020 Meeting Minutes

November 3, 2020 at 2:30 p.m., via Video Teleconference

- Land Committee Meeting, Thursday, November 5, 2020 at 9:00 a.m., via Video Teleconference

11. Adjournment

Recommendation No. 7

Moved by: Councillor Dubanow

That: Council-in-Committee adjourns at 7:18 p.m. **(Carried)**

Mayor

Clerk