



The Municipal Corporation of the Town of Fort Erie

Regular Council Meeting Minutes

Monday, July 18, 2022

Council Chambers

Meetings are being held in-person and via Video Teleconference as may be permitted. All 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 "YourTV"

1. Call to Order

Mayor Redekop called the meeting to order at 6:01 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. Invocation

The Clerk read the Invocation.

3. Roll Call

Present: His Worship Mayor Redekop and Councillors *Butler, Dubanow, Lubberts, McDermott, Noyes, and Zanko

*Arrived at 6:06 p.m.

Regrets: Councillors McDermott and Zanko, and Regional Councillor Insinna

Staff: C. Patton, A. Herlovitch, J. Janzen, C. McQueen, C. Schofield, and K. Walsh

4. Announcements/Addenda

There was one Addendum to add correspondence Item No. 10.2.2: (b) Receive & Support – Buffalo and Fort Erie Public Bridge Authority regarding ArriveCan, and to add Item No. 15 - Closed Session Re: Sale of 271 Ridgeway Road.

Mayor Redekop made the following announcements:

- **Fort Erie Public Bridge Authority – ArriveCAN**

With respect to the correspondence from the Buffalo and Fort Erie Public Bridge Authority regarding ArriveCAN on tonight's Agenda, it is going to be received and hopefully supported by Council. I had an opportunity to discuss this with MP Vance Badawey on Friday. He is trying to arrange a meeting with Minister Mendicino, and it's tentatively scheduled for Thursday. Mayor Diodati and others will be included. I have also followed this up with the Chamber of Commerce, as it looks like there may be an opportunity to get the Border Mayors and the Chambers of Commerce to work collaboratively with respect to this.

The problem is that it's very difficult for Americans to come across the border with the ArriveCAN requirements. If you're familiar with ArriveCAN, the delays involved in the process make it almost meaningless in terms of the testing. In terms of the vaccinations, that is understandable. The correspondence on the Agenda sets out a number of recommendations that are being put forward by the Peace Bridge Authority, and I believe are supported by the other bridge authorities in Niagara. Hopefully we'll make some headway.

- **On-Demand Transit**

Over 5,000 people used our On-Demand Transit in June. That's a large number and it's been continuously growing. I want to thank the staff for continuing to work with that, and the service provider. On January 1st, 2023, the Niagara Region will be taking over the transit, but we will continue to be responsible for advocating for the needs of this community, and of course, paying for the cost of transit as it relates to Fort Erie.

5. Declarations of Pecuniary Interest

(a) Councillor Dubanow

Councillor Dubanow declared a pecuniary interest with respect to Item No. 10.2 2 (a) to receive the Fort Erie SPCA Board of

Directors Minutes of May 26, 2022, as the company he works for has provided contracted services for the Fort Erie SPCA. He abstained from discussing and voting on the matter.

- (b) Councillor Dubanow

Councillor Dubanow declared a pecuniary interest with respect to Item No. 15 Re: By-law No. 90-2022 Re: To Amend Zoning By-law No. 129-90, as amended – 28 Ridge Road South – Integra Inc. (Mike Stepien) – Owner, as his company rents property from Integra Inc. He abstained from discussing and voting on the matter.

6. Notice of Upcoming Public Meetings

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

Re: 644 Garrison Road - Owner: 2350048 Ontario Ltd. (c/o Ben Kooh) - Agent: Antech Design and Engineering Group (Candice Micucci) - Monday, August 8, 2022 - 6:00 p.m. - Council Chambers, Town Hall.

- (b) Proposed Official Plan & Zoning By-law Amendments & Draft Plan of Common Elements Condominium

Re: 315 & 0-350 Garrison Road - Owner: 2717041 Ontario Inc. (Vijay Kumar Patel) - Agent: Susan Smyth (Quartek Group Inc.) - Monday, August 8, 2022 - 6:00 p.m. - Council Chambers, Town Hall.

7. Public Meetings

- (a) Public Meeting

Re: Third Access To Douglastown (Report No. IS-21-2022 - Douglastown Third Access Pre-Design Review) – Presentation By and Review of Options Proposed by the Consultant, Wood PLC.

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

Mr. Walsh, Director, Infrastructure Services provided an introduction.

Mayor Redekop enquired if any members of the public wished to

address Council.

Available for viewing on the Town's YouTube Channel:

www.youtube.com/townofforterie

**Presenter's speaking notes retained in Clerk's office*

(a) Greg Hunter, 3735 Sussex Lane

Mr. Hunter provided a PowerPoint Presentation and the following commentary:

- Opposed to widening Baker Rd. to 4 lanes and in-favour of building a new road through undeveloped land south of Baker Rd.
- There are 3 basic needs for good, safe traffic flow in Black Creek/ Douglastown:
 1. A 3rd access road to accommodate temporary closures of either Baker or Black Creek Roads.
 2. Access for new residential development south of Baker Road.
 3. Access for commercially zoned property on the corner of Netherby & Baker Roads.
- There is a better solution for satisfying the accessibility needs of the community than widening Baker Rd. to 4 lanes:
 1. Build a "Right Turn Only" lane from Netherby Road, south of Baker Road into the undeveloped land.
 2. Build a new road connecting Baker Road to Westbrook Avenue through the undeveloped land.
- Request Council to pass a motion directing staff to enter into an Interchange Highway Access Management Plan (I-HAMP) with the MTO to develop a comprehensive plan.

(b) Pam and Mark Longster, 2842 Baker Road

- Their residence is in the section of Baker Road that's at question.
- The sidewalk was just put in so they have the 10 foot boulevard again, and their foremost concern is snow removal.
- When they park their vehicles, they only have about 1 foot before the sidewalk.
- With the proposal to have 3 ½ metres of road widening on the north and south sides of Baker, it would leave the road right at the end of the sidewalk, which would mean

they would have to clear the sidewalk without a boulevard to receive the snow.

- A 3rd access into Douglastown is definitely necessary. If Baker Road is to be widened they would prefer 7 metres on the south side.
- Supports Mr. Hunter's proposals of a 3rd access.

(c) Mark and Kelly Hand, 3837 Black Creek Road

- Residents of Black Creek for 25 years.
- In talking with their neighbours who have lived there for generations, it's a big concern for them.
- Black Creek Road is not the busiest for vehicles, but it is the busiest walking area. It's where people take their children and dogs, and ride their bikes.
- The beauty of Black Creek Road with the trees has brought many people to the community.
- They hope that nothing is done to change Black Creek Road, nor to have more traffic there.
- Asked that the Town look at all other option.

(d) *Gail Somerville, 2779 Baker Road

- Having another road is the best solution if it could be both ways and she would support either a traffic circle or lights.
- The last time there is a stop is at Sodom Road which is 80 kilometres. With the amount of volume coming out of Baker Road, cars aren't slowing down.
- There is the Black Creek Signature development and another one coming.
- Questioned why no one back when the first subdivision was going in, contacted MTO.
- There is a responsibility that when a new subdivision is coming in, you look at everything, support the people that live there, and do something that's best for everyone.
- An additional road coming in would really help alleviate a lot of the problems.

Mayor Redekop declared the public meeting closed.

8. Regional Councillor Report

None.

9. Presentations and Delegations

(a) Presentation to Zoe Zimmerman

Re: Recognition of Achieving 1st Place at the 2022 Canadian Gymnastics Championships

Zoe Zimmerman placed 1st in her division during the Ontario Gymnastics Championships in Ottawa on May 21st, 2022 with an all time personal best score. She placed 1st as part of Team Ontario in the group competition days later, and finished 7th overall after 2 days of competition at the 2022 Canadian Artistic Gymnastics Championships. She trains an average of 25 hours per week at the gym. She prepares herself for competition by listening to motivational music, then watches her routines and goes through the steps over and over until she has reached perfection. She enjoys all 4 events that she competes in: vault, uneven bars, balance beam, and floor routine, but her preference is the uneven bars. Her parents are extremely proud of her hard work and dedication to succeed.

Zoe plans to continue her gymnastics career in hopes to compete again in future competitions at the provincial and national levels. She encourages other children to consider gymnastics and to be persistent in whatever they're doing. She has found that hard work really does pay off. Her family and the community are very proud of her.

On behalf of Council and the residents of the Town of Fort Erie, Mayor Redekop presented Zoe with a Certificate of Recognition.

(b) Presentation to Isaac Zimmerman

Re: Recognition of Achieving 2nd Place in Canoe and 3rd Place in Kayak at the National Team Trials and Pan American Championship

Isaac Zimmerman placed 2nd in canoe and 3rd in kayak for Canadians in Oklahoma City in May, at the National Team Trials and Pan American Championships, which also served as the Canadian team qualifier for the World Championships. Isaac's journey started 6 years ago on a family vacation up north at Palmer Rapids. Once he was in the kid's program for paddling, he fell in love with the sport and wanted to learn more. His coach happened to be a slalom and kayaking coach, which was very advantageous. After paddling for about 3 years, Isaac was

introduced to slalom and started training in Ottawa monthly with the national team coach, Michal Staniszewski. He travelled to Charlotte, North Carolina in March to train on the bigger whitewater courses before heading to Oklahoma. He earned a chance to represent Canada, and that became a dream come true. Isaac plans to continue paddling, training hard, and see where the sport takes him. The win in Oklahoma qualified Isaac for the Canadian squad headed to Italy, where he continued training for the ICF World Junior and under 23 Canoe Slalom Championships held July 5 to 10, 2022. He faced very tough international competition, but gained valuable international experience. Isaac finished 54th in canoe and 43rd in kayak and should be very proud of his accomplishment, as are his family and all the residents of the Town of Fort Erie.

On behalf of Council and the residents of the Town of Fort Erie, Mayor Redekop presented Zoe with a Certificate of Recognition.

- (c) * Stephen Passero, o/b Fort Erie Underwater Recovery Unit and Fort Erie Lions Club

Re: Pavilion Structure for Sugarbowl Park

Mr. Passero provided the following comments:

- The Sugarbowl Park lands were donated by Sir Harry Oakes in 1933.
- In the 1990's, the Fort Erie Lions Club donated the funds to develop the lands into what it is today.
- The Park was officially named Lions Sugarbowl Park in 1995.
- Part of the original plan was a pavilion, but it was never realized.
- With the next phase of park development underway with the inclusion of a splash pad, the time is right for the pavilion. The estimated cost is between \$150,000 to \$200,000.
- The Fort Erie Lions Club would like to donate \$50,000 and the Fort Erie Underwater Recovery Unit would like to donate \$20,000 towards the project.
- The project should be budgeted for now, and completed in time for Summer 2024.

10. Consent Agenda Items

10.1 Request to Remove Consent Agenda Items

Correspondence Item 10.2 2 (a) was removed due to Councillor Dubanow's declared pecuniary interest.

Board/Committee Minutes Item 10.2 3 (a) was removed at the request of Councillor Butler.

10.2 Consent Agenda Items for Approval

1. Minutes

- (a) Approve - Regular Council Meeting- June 27, 2022
- (b) Approve - Special Council Meeting - July 11, 2022
- (c) Approve - Council-in-Committee Meeting - July 11, 2022

2. Correspondence

- (a) Receive - Fort Erie SPCA Board of Directors Minutes - May 26, 2022 (**Postponed from June 27, 2022 Council Meeting**)
- (b) Receive & Support – Buffalo and Fort Erie Public Bridge Authority - ArriveCAN (**Carried**)

3. Board/Committee Minutes

- (a) Receive & Approve Recommendation - Environmental Advisory Committee - (**Postponed from June 27, 2022 Council Meeting - Previously Moved by Councillor McDermott and Seconded by Councillor Zanko as Resolution No. 1D**)

March 31, 2022 regarding:

- (i) 880 Edgemere Road: Request to remove EC Overlay be denied until a future development proposal is looked at comprehensively with

consideration given to the adjacent natural heritage features.

- (b) Receive - Ridgeway Business Improvement Area Board of Management - July 5, 2022
- (c) Receive - Affordable Housing Committee - June 8, 2022
- (d) Receive - Community Gaming Development Corporation - Annual General Meeting - July 14, 2021; May 25, 2022
- (e) Receive - Senior Citizens Advisory Committee - June 1, 2022

4. Reports

PDS-53-2022 New Niagara Official Plan Adoption - Information Report

That: Council receives Report No. PDS-53-2022 for information purposes regarding the June 23, 2022 adoption of the new Niagara Official Plan. **(Carried)**

PDS-54-2022 Award of Contract for Consulting Services - Douglas Park

That: Council accepts and approves the proposal for consulting services for the Douglas Park Implementation from SHIFT Landscape Architecture Co. Inc., to an upset limit of \$181,647.23 (including 13% HST). **(Carried)**

5. Other Matters

Consent Agenda Resolution

Resolution No. 1

Moved by: Councillor Noyes

Seconded by: Councillor Lubberts

That: Council approves the Consent Agenda Items as recommended, save and except Correspondence Item

10.2 2 (a) and Board/Committee Minutes Item 10.2 3
(a). **(Carried)**

10.3 Items Removed to be Dealt with Separately

Resolution No. 1A
Moved by: Councillor Noyes
Seconded by: Councillor Lubberts

10.2 2. (a) Receive - Fort Erie SPCA Board of Directors
Minutes - May 26, 2022 **(Postponed from June
27, 2022 Council Meeting)** **(LOST)**

Resolution No. 1B
Moved by: Councillor Noyes
Seconded by: Councillor Lubberts

10.2 3. (a) Receive & Approve Recommendation -
Environmental Advisory Committee -
**(Postponed from June 27, 2022 Council
Meeting - Previously Moved by Councillor
McDermott and Seconded by Councillor
Zanko as Resolution No. 1D)**

March 31, 2022 regarding:

- (i) 880 Edgemere Road: Request to
remove EC Overlay be denied until a
future development proposal is looked
at comprehensively with consideration
given to the adjacent natural heritage
features.

Resolution No. 1C
Moved by: Councillor Butler
Seconded by: Councillor Dubanow

That: The Recommendation be postponed to the August 22,
2022 Council Meeting. **(Carried)**

11. Reports

PDS-34-2022 Proposed Draft Plan of Subdivision and Combined
Official Plan and Zoning By-law Amendment - Spring
Creek Estates -0-17482 and 0-17484 Black Creek Road
- 5009823 Ontario Inc. - Mitch William and Mike
Colosimo (Owners) - Upper Canada Consultants - Matt

Kernahan (Agent) ***(Postponed from May 30, 2022 Council Meeting - Previously Moved by Councillor Dubanow and Seconded by Councillor Zanko as Resolution No. 3)***

That: Council receives for information purposes Report No. PDS-34-2022 regarding a proposed Draft Plan of Subdivision and Combined Official Plan and Zoning By-law Amendment for 0-17482 and 0-17484 Black Creek Road.

Resolution No. 1D
Moved by: Councillor Dubanow
Seconded by: Councillor Noyes

That: Report No. PDS-34-2022 be postponed to the August 8, 2022 Council-in-Committee Meeting.
(Carried)

IS-19-2022

The 2022 Neighbourhood Traffic Calming Policy ***(Postponed from June 20, 2022 and July 11, 2022 Council-in-Committee Meeting - Previously Moved by Mayor Redekop as Recommendation No. 9)***

Explanatory Notes:

The first recommendation was carried, as amended at the June 20, 2022 Council-in-Committee Meeting that Council receives the Paradigm's Neighbourhood Traffic Report for information purposes and directs staff to submit a copy of this Report to Niagara Region and engage Regional staff in coordinating traffic calming measures in Fort Erie.

The last two recommendations were postponed at the June 20, 2022 Council-in-Committee Meeting to allow the Town to put the Report on the Town's webpage "Let's Talk Fort Erie" for further engagement.

That: Council approves the new Neighbourhood Traffic Calming Policy, as provided in Appendix '3'; and further

That: Council directs staff to prepare and submit a by-law to adopt the new Neighbourhood Traffic Calming Policy, dated June 2022. **(Carried)**

IS-21-1-2022 Public Consultation for Douglastown Third Access Pre-Design Review

Resolution No. 2
Moved by: Councillor Noyes
Seconded by: Councillor Dubanow

That: Council receives Report No. IS-21-1-2022 for information purposes. **(Carried)**

IS-21-2022 Douglastown Third Access Pre-Design Review
(Postponed from the June 20, 2022 Council-in-Committee Meeting, Moved by Mayor Redekop as Recommendation No. 13)

That: Council receives Wood PLC's Douglastown Third Access Report for information purposes; and further

That: Council directs staff to prepare a supplemental budget request for consideration in the 2023 General Levy Budget Deliberations for the Baker Road Widening Municipal Class Environmental Assessment study in the amount of \$120,000.

Recommendation No. 2A
Moved by: Councillor Noyes
Seconded by: Councillor Dubanow

That: The second recommendation by amended by removing the words "Baker Road Widening". **(Carried)**

Following approval of the amendment, Recommendation No. 13 from the June 20, 2022 Council-in-Committee Meeting was voted on as follows:

That: Council receives Wood PLC's Douglastown Third Access Report for information purposes; and further

That: Council directs staff to prepare a supplemental budget request for consideration in the 2023 General Levy Budget Deliberations for the Municipal Class

Environmental Assessment study in the amount of
\$120,000. **(Carried)**

12. New Business/Enquiries

- (a) Notice of Resignation - Senior Citizens Advisory Committee -
Brigid Browne

Resolution No. 3

Moved by: Councillor Noyes

Seconded by: Councillor Dubanow

That: Council accepts the resignation of Brigid Browne,
Beachcombers Representative from the Senior Citizens
Advisory Committee. **(Carried)**

- (b) Pavilion at Sugarbowl Park

Resolution No. 3A

Moved by: Councillor Butler

Seconded by: Councillor Dubanow

That: The delegation's request for funding for a pavilion at the
Sugarbowl Park be referred to staff for a report to be returnable
to Council in the discretion of the CAO based on staff's ability to
prepare the report. **(Carried)**

- (c) Councillor Lubberts

Councillor Lubberts referred to the Traffic Calming Policy which
has now been approved. The owner of the antique store at the
corner of Queens Circle and Derby Road asked if the Town
could paint "stop" next to the thick white line that's painted half
way across the road next to the stop sign. He asked if this would
go through the new traffic calming process.

Mr. Walsh advised that the forms aren't ready yet. He can email
Councillor Lubberts when the forms are available, and Councillor
Lubberts can pass the email on to the owner. However,
something like that may not necessarily fall into traffic calming,
and is more to do with regulatory requirements. The traffic
calming process may not be the most appropriate avenue, but
he will look into it regardless.

(d) Councillor Butler

Councillor Butler enquired about a hydrant on Pleasant Avenue. Mayor Redekop advised that he spoke to the property owner late that afternoon and also spoke to the CAO. They are both going to get further background information. He also indicated to the property owner that this may require a meeting at Town Hall, which would include Councillor Butler.

(e) Councillor Butler

Councillor Butler advised that the rat issue that took place the last 2 years in the area of Dominion Road where there is a butcher shop and a pizza parlour, has resurfaced again with the nearby residents. She enquired whether there is anything that the Town can do to help the residents that live behind those areas.

Mr. Walsh advised that typically rats are a public health issue. Mayor Redekop advised that his advice would be that this be referred to the Region because it is a public health matter, and perhaps the CAO or a staff member could follow up with the Public Health Department.

Mr. Walsh advised that there is also still a program in place with Orkin to take appropriate measures on a cost-sharing basis. Mayor Redekop asked that he discuss it with the CAO.

(f) Councillor Butler

Councillor Butler advised that she had been speaking to a few business owners and residents within the Crystal Beach and Ridgeway areas. She asked if the Planning Department can implement a system where the hamlets within the municipality are branded so that when developers come in, they have to conform to what the brand is in the area.

Mayor Redekop advised that that would be a design guideline type of issue that the planners would have some interest in. He asked Mr. Herlovitch whether the Town has any mechanisms in place.

Mr. Herlovitch advised that staff are working on municipal urban design guidelines. They are not yet ready, but they would be part of that.

Mayor Redekop asked whether the business owners need to have some dialogue with the staff members who are dealing with it, or would staff be doing public consultation.

Mr. Herlovitch advised that staff would be doing public consultation once they have something in draft format, but they aren't at that stage yet.

Mayor Redekop advised Councillor Butler that his advice is that she should alert those business owners she spoke to that they're going to have to have some consensus as to what the brand is.

(g) Councillor Butler

Councillor Butler advised that many of the subdivisions in the Ridgeway area are being built without tree canopies or the ability to place greenery within the development itself. One example is just off of Ridge Road in the Thunder Bay area on the corner, but she didn't want to identify the developer publicly. She asked if there is a mechanism that can be placed as she thought the Town had a policy.

Mayor Redekop responded that the Town has a Tree Planting Policy which requires at least 1 tree per unit. The difficulty is that there is a probably a backlog.

Mr. Herlovitch confirmed that the Town does have a program which requires the developer to plant trees, but he couldn't say whether or not there's a delay. He can look into that particular subdivision for the Councillor.

Mayor Redekop responded that the developers have to get all of the grading done and services completed, so there is a delay.

(h) Councillor Butler

Councillor Butler advised that she and Mr. Walsh have been discussing Kayart Road. She thinks maybe his crew came out to settle some of the dust issues, but the road itself is starting to crumble. She asked if Mr. Walsh can take another look at that road. Mr. Walsh advised that he will.

(i) Councillor Butler

Councillor Butler advised that she wanted to start off by saying that this has been a great Council and that the members have

such respect for each other, and the Mayor's leadership has been fantastic.

One month from tomorrow is going to be the official end date for the registration for Municipal Council. She advised that she is raising that because she wanted to draw to the public's attention the fact that currently there are only 2 women that are scheduled to run, and they happen to be in Councillor Noyes' ward. The rest are being populated by men at this point.

Councillor Butler advised that she did some research, and saw that there are 32 positions on the Regional Council, of which less than 25% are comprised of women. For the combined 12 municipalities, there are 106 positions that are going to be open for the next election and currently women occupy less than 30% of those positions.

She continued that also, she didn't see any visible minorities nor any Aboriginal peoples, or people with disabilities. There's a huge disparity when it comes to representation at Council. It's important for Council to make that known in the public domain and say it is time for people to stand up and vocalize the importance for women and visible minorities and Aboriginal peoples and people with disabilities to come forward and have their voices heard.

Councillor Butler stated that the Mayor has been great in moving in a manner that really brings out equity, inclusiveness and diversity. She doesn't think that we have been pushing as a society to make sure that those individuals are represented in government as much as they should be, and there has to be a mechanism to promote that. She doesn't know what that is, but great change can be made from grassroot efforts.

This council has been fantastic in leading the charge and making motions - climate change from the Mayor, advocating on behalf of constituents from Councillor Noyes, advocating for really the rights of individuals to be heard and seen. Those are commendable things.

Councillor Butler asked if as a municipality, are we allowed to start that kind of messaging within the domain to encourage those people to come up and represent and advocate on behalf of diverse people for the community and to make those silent voices heard, and to represent the underserved, the marginalized, and the under represented?

Mayor Redekop responded that Council passed a resolution not long ago, based on a recommendation from the Fort Erie Coalition of Diversity and Inclusion, asking Council to support the concept that the next Council would adopt equity, diversity, and inclusion as a value. It is definitely something a local municipality can engage in and should engage in. In terms of candidates for elected office, there are a number of factors that will encourage or discourage individuals from running. If the next council adopts equity, diversity, and inclusion as a value, that provides not only the opportunities for education of the broader public, as well as the staff and the Council, but it also provides the opportunity to perhaps develop a program that will reach out to the community. There is currently only 1 month, but the next Council will have 4 years to look at things that they may be able to do to encourage a broader spectrum of candidates for public office in the next election. That would be the long-term view.

Mayor Redekop continued that there's nothing to prevent us from asking people to seriously consider running for elected office, but it's a big decision. At this stage of the game, people need a longer runway. If they haven't already been thinking about it, he doesn't think a month is a long enough runway for them. It's definitely a concern that he has because he believes that the strength of this Council has been the fact that it has been balanced between men and women, and the different perspectives that that all bring to the table. With our new CAO, who's very, very familiar with inclusion, diversity, equity issues, he's sure that something positive can happen. He also just discussed with the CAO's assistant, Bev Bradnam, who's engaged with the Regional Diversity, Equity, and Inclusion Committee, the possibility of utilizing some of the programming that they're putting together to bring here for Town staff and for some of the broader organizations within our community that might want to participate. In closing, he thanked Councillor Butler for bringing this forward.

(j) Councillor Dubanow

Councillor Dubanow referred to the issue of ditches which was brought up previously. He met today with a resident on Taylor Avenue who advised him of the concerns he had with a very deep ditch. Vehicles left track marks from trying to get in due to how wet it is. Bulrushes are coming up and every time he goes to mow it, it costs him \$150 because his riding lawn mower isn't safe anymore. He doesn't feel safe doing it.

Councillor Dubanow advised that he has also had an opportunity to speak with residents over on Tenth Avenue as well who have risked injury trying to maintain the ditches to a standard, not only suitable to the municipality, but also, these are their homes and they have pride of ownership. They want to ensure that their homes and the effort they put into them is reflected in the view. It's becoming frustrating for residents because they're trying to maintain their ditches the best they can, despite all the challenges. And yet, up the road, they've got bulrushes and there's no consistency.

Councillor Dubanow advised he is hoping we can create some sort of policy regarding maintenance or some other work. It's been a concern that's been dragging on for a very long time.

Mr. Walsh advised that the item has been added to the Infrastructure Services Subcommittee Agenda for Wednesday afternoon.

(k) Mayor Redekop

Mayor Redekop requested Mr. Walsh to check where we are in terms of the stormwater management policies. Mr. Walsh responded that it has not been started right now as Engineering is short-staffed. Mayor Redekop advised that it is a big issue with the new subdivisions.

13. Motions

None.

14. Notice of Motion

None.

15. Closed Session

Resolution No. 4
Moved by: Councillor Butler
Seconded by: Councillor Lubberts

That: Council will now hold a Closed Session Meeting at 8:29 p.m. to consider the following:

- (a) Pursuant to Section 239 2 (c) of the *Municipal Act, 2001* (a proposed or pending acquisition or disposition of land by the municipality or local board

Re: Sale of 271 Ridgeway Road

Resolution No. 5

Moved by: Councillor Dubanow

Seconded by: Councillor Noyes

That: Council does now rise and reconvene from Closed Session at 9:03 p.m. with report that staff proceed as directed. **(Carried)**

16. Consideration of By-laws

By-law No. 90-2022 was removed from the package due to Councillor Dubanow's declared pecuniary interest.

By-law No. 97-2022 was removed from the package at the request of Councillor Noyes.

By-law No. 98-2022 was removed from the package at the request of Mayor Redekop.

Resolution No. 6

Moved by: Councillor Butler

Seconded by: Councillor Dubanow

That: The by-law package containing:

81-2022 To Authorize the Execution of a Subdivision Agreement with 2835033 Ontario Inc. (Mitchell Williams) - (Alliston Woods Subdivision)

82-2022 To Authorize a Franchise Agreement between The Corporation of the Town of Fort Erie and Enbridge Gas Inc. and to Repeal By-law No. 164-2002

83-2022 To Authorize the Sale of Lot 580, Plan 480, Bertie (0 Richmond Avenue) to Ryan Bellefielle and Karen Bellefielle

84-2022 To Exempt Certain Lots in Plan 59M-483 from Part Lot Control (Mitchell Crescent) Blackcreek Signature Subdivision – Rinaldi Homes (Niagara) Inc.

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85-2022 To Accept and Declare Lands as Public Highway on the South East Corner of Foster Street and Coral Avenue (2485 Stevensville Road - David Plyley and Carl Plyley)

86-2022 To Accept and Declare Lands as Public Highway at the South East Corner of Smalls Road and Willowood Avenue and the South West Corner of Smalls Road and Cherry Hill Boulevard (229 Cherry Hill Boulevard – 1000112967 Ontario Inc. – John Lally)

87-2022 To Authorize the Acquisition of Vacant Land from the Estate of Marie Naples for Parkland Purposes (in part) 0-7954 Prospect Point Road North (Paul Di Figlia – Estate Trustee)

88-2022 To Amend By-law No. 185-2000, as amended (Charitable Gaming Policy for The Town of Fort Erie) and to Repeal By-law No. 187-2000

89-2022 To Amend Zoning By-law No. 129-90, as amended – 409 Gorham Road – Gorham Road Inc. (David Kompson) - Owner

91-2022 To Enact an Amendment to the Official Plan Adopted by By-law No. 150-06 for the Town of Fort Erie Planning Area Amendment No. 61 – 0-10546 Di Pietro Street – 2655321 Ontario Limited (Mark Spadafora) - Owner

92-2022 To Amend Zoning By-law No. 129-90, as amended 0-10546 DiPietro Street 2655321 Ontario Limited (Mark Spadafora) - Owner

93-2022 To Approve the Final Assessment Levy for the St. John's Marsh Municipal Drain

94-2022 To Adopt the Engineer's Report for Drainage Works in the Town of Fort Erie, in the Regional Municipality of Niagara, for the Municipal Drain known as the Schihl Municipal Drain

95-2022 To Approve the Final Assessment Levy for the Schihl Municipal Drain

96-2022 To Delegate Authority With Respect to Restricted Acts After Nomination Day

is given first and second reading.

(Carried)

Resolution No. 7

Moved by: Councillor Dubanow

Seconded by: Councillor Noyes

That: By-laws:

81-2022
82-2022
83-2022
84-2022
85-2022
86-2022
87-2022
88-2022
89-2022
91-2022
92-2022
93-2022
94-2022
95-2022
96-2022

are given third and final reading to be signed by the Mayor and Clerk under the corporate seal. **(Carried)**

Resolution No. 7A
Moved by: Councillor Butler
Seconded by: Councillor Noyes

That: The by-law package containing 90-2022 To Amend Zoning By-law No. 129-90, as amended – 28 Ridge Road South – Integra Inc. (Mike Stepien) – Owner, is given first and second reading. **(Carried)**

Resolution No. 7B
Moved by: Councillor Noyes
Seconded by: Councillor Butler

That: By-law No. 90-2022 is given third and final reading to be signed by the Mayor and Clerk under the corporate seal. **(Carried)**

Resolution No. 7C
Moved by: Councillor Butler
Seconded by: Councillor Dubanow

That: The by-law package containing 97-2022 To Establish the Annual Remuneration for Mayor and Members of Council and to Repeal By-law No. 44-12, is given first and second reading. **(Carried)**

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Resolution No. 7D

Moved by: Councillor Dubanow

Seconded by: Councillor Noyes

That: By-law No. 97-2022 is given third and final reading to be signed by the Mayor and Clerk under the corporate seal. **(Carried)**

Resolution No. 7E

Moved by: Councillor Butler

Seconded by: Councillor Dubanow

That: The by-law package containing 98-2022 To Amend Business Licensing By-law No. 217-05, as amended (Short-Term Rentals), is given first and second reading. **(Carried)**

Resolution No. 7F

Moved by: Councillor Butler

Seconded by: Councillor Dubanow

That: Section 5.1(b) of By-law No. 98-2022 be amended by removing the words “and residential address”. **(Carried)**

Resolution No. 7G

Moved by: Councillor Dubanow

Seconded by: Councillor Butler

That: Section 9.8 of By-law No. 98-2022 be amended by:

removing the existing Subsection (b); re-lettering the remaining Subsections (c) and (d) to (b) and (c); changing the reference to “9.8(b)” in the new Subsection (b) to “9.8(a)”; and changing the reference to “9.8(c) in the new Subsection (c) to “9.8(b)”.

(Carried)

Resolution No. 7H

Moved by: Councillor Dubanow

Seconded by: Councillor Noyes

That: By-law No. 98-2022, as amended, is given third and final reading to be signed by the Mayor and Clerk under the corporate seal. **(Carried)**

Resolution No. 8

Moved by: Councillor Lubberts

Seconded by: Councillor Noyes

That: By-law No. 99-2022: To Confirm the Actions of Council at its Council-in-Committee Meeting Held on July 11, 2022 and Council Meeting Held on July 18, 2022 is given first and second reading.

(Carried)

Resolution No. 9

Moved by: Councillor Noyes

Seconded by: Councillor Dubanow

That: By-law No. 99-2022 is given third and final reading to be signed by the Mayor and Clerk under the corporate seal.

(Carried)

17. Scheduling of Meetings

- Infrastructure Services Subcommittee, Wednesday, July 20, 2022, 3:00 p.m., Conference Rm. No. 3
- Niagara Regional Transit Committee, Tuesday, July 19, 2022, 3:00 p.m., Regional Headquarters

18. Adjournment

Resolution No. 10

Moved by: Councillor Dubanow

Seconded by: Councillor Noyes

That: Council adjourns at 9:27 p.m. to reconvene into a Regular Meeting of Council on August 22, 2022.

(Carried)

Mayor

Clerk