



# The Municipal Corporation of the Town of Fort Erie

## Regular Council Meeting Minutes

**Monday, July 16, 2018**

### **1. Call to Order**

The meeting was called to order by Mayor Redekop, Chair at 6:14 p.m.

### **2. Invocation**

The Invocation was read by the Clerk.

### **3. Roll Call**

Present: His Worship Mayor Redekop; Councillors Butler, Knutt, Lubberts, Passero and Zanko.

Absent: Councillor McDermott

Also Present: Regional Councillor Annunziata\*  
(\*departed at 7:23 p.m.)

Staff: R. Brady, K. Gennings, J. Janzen, T. Kuchyt, J. Marr, M. Marshall  
and C. Schofield

### **4. Announcements/Addenda**

Mayor Redekop made the following announcements:

- This weekend was the Fort Erie Friendship Festival Weekend where lots of people came out and the entertainment in the evening was excellent. He congratulated the organizers, sponsors and those who came out to support the Friendship Festival.
- On Saturday, July 21<sup>st</sup> is Art in the Circle at Derby Circle starting at 10:00 a.m.
- Two events at the Fort Erie Race Track: On Sunday, July 22<sup>nd</sup> is the Annual Rick Shular Memorial Race. It is race seven that is supposed to start around 4:00 p.m. or 3:15. On Tuesday, July 24<sup>th</sup> is the Prince of Wales Stakes at 4:00 p.m.
- A Ban on all Open-Air Burning until further notice was announced

today. The Fire Department, in conjunction with other organizations responsible for fire safety in Niagara, have determined that because of the prolonged hot and dry weather, and in the interest of public safety, the Town of Fort Erie has issued an indefinite ban on all open air burning including rural open-burns and backyard fires. The ban includes cooking fires, consumer fireworks and other types of outdoor burning. Barbecues and other gas appliances are permitted under the ban, but the Fire Department advises residents to be careful while cooking as there is an increased risk of a fire burning out of control that could spread quickly to nearby grass, plants and buildings. He referred to a grass fire that occurred in Niagara-on-the-Lake about three weeks ago causing damage to over 30 motor vehicles during the Lavender Festival. If you see a fire within the Town, call 911 immediately to report it. Residents and visitors who do not comply with the open air burning ban can be charged under the *Fire Protection and Prevention Act* and those fines could range from \$2,000 to \$50,000. In addition, the Town of Fort Erie has the ability to recover any costs incurred by the Fire Department in extinguishing the fire while under this ban. For more information go to the Town of Fort Erie website: [www.forterie.ca](http://www.forterie.ca).

## **5. Disclosures of Pecuniary Interest**

Councillor Passero disclosed a pecuniary interest with respect to New Business Item 10 (c) being the Community Gaming Development Corporation approval of a Permit Application to the Fort Erie Underwater Recovery Unit as he is a volunteer running the Kinsmen Pool on their behalf and the funds are for the Kinsmen Pool. He abstained from discussing or voting on the matter.

Mayor Redekop disclosed a pecuniary interest regarding Item 11 (a) being Councillor Butler's Motion concerning Site Plan Approval for a cannabis facility being proposed on Garrison Road, as he represents Corporations that are involved in a cannabis production facility being constructed in Stevensville. He abstained from discussing or voting on the matter.

Mayor Redekop disclosed a pecuniary interest regarding By-law No. 88-2018 as he represents the property owner, Scott Hunter. He abstained from discussing or voting on the by-law.

## 6. Notice of Upcoming Public Meetings

(a) Public Information Centre

Re: Goderich Street Watermain and Storm Sewer Replacement  
- Thursday, July 26, 2018 - 6:00 - 8:00 p.m. - Fort Erie Public  
Library - Centennial Branch, 136 Gilmore Road, Fort Erie

(b) Public Information Open House

Re: Crystal Beach Secondary Plan - Wednesday, August 1,  
2018 - 6:00 - 8:00 p.m. - Crystal Ridge Community Centre - 89  
Ridge Road South

## 7. Regional Councillor Report

Regional Councillor Annunziata reported on matters at the Region as follows:

- He referred to some concerns that were raised by Council the last time he was present. He advised that he and Mayor Redekop contacted Public Health with respect to Regional testing of Waverly Beach. They got a fulsome response from Dr. Hirji which he will comment on. The key consideration that would tip us into sampling the beach again next year would be if the algae issue can be addressed. With the algae issue the way it is, the testing is a foregone conclusion. In order to keep testing over and over again, it's cost prohibitive, because the testing always comes back the same, that it is not a healthy situation to be bathing in that area. It can be traced back to the algae bloom that continually compromises the integrity of the health and safety along the coast. We need to put a strategic plan in place in order to address the algae issue. Councillor Zanko has brought this issue forward on many occasions on behalf of her constituents. It's an issue that needs multi-input from a lot of different agencies at the provincial, federal, regional and municipal level. It's not a simple answer. There are a lot of mitigating circumstances as to why the phosphorous content is so high at that particular area. We are going to put together an effective strategy to see what kind of dedicated resources we need to do our part as a municipality and a region and hopefully partner with our provincial and federal counterparts. He knows that he and the Mayor, who are on the Public Health Committee, will be actively trying to convince the Region to make sure the area is reinstated for testing and they will do all they can to make sure that is accommodated.

- He advised a report will be coming forward on Thursday with respect to the social housing issue. About a year and a half ago the Region undertook a robust process called the Alternative Social Delivery in Social Housing to see where we're at and how we can effectively reduce the wait list time. Right now it's roughly 10,000 plus and specific to Fort Erie, there are 839 people who make up the wait list. Staff are recommending a hybrid model that says Niagara Regional Housing holds on to the capital assets and manages those capital assets but it's the Niagara Region that is going to manage the wait list, programs and resources in order to make sure those wait lists come down. One factor is housing stock. So until we put shovels in the ground and start building affordable, social housing, those wait lists are going to be static. He has passed the report on to stakeholders in Fort Erie to get their comments to see what they think of the new approach and hopefully this moves us into a whole other direction. They recognize the status quo was not working and that's why we needed a change. He is grateful the Committee he sits on has been able to move this project to the point it is now and hopefully he will bring Council more news in the next couple of months on this issue.
- From a social and public health perspective he wanted to provide a reminder that tick season is here so to please check your dogs, pets and children. The Regional Health facility in the Town of Fort Erie accepts samples and they will have it tested. The turnaround time is very quick to determine whether or not it's one of the black legged tick varieties that is carrying an illness.

Councillor Butler asked RC Annunziata where the stat came from with respect to the social housing issue. The 839 people that make up the waiting list is 3% of the population in Fort Erie. RC Annunziata responded he has many stats. The total number of affordable housing units in Fort Erie are 645 as follows: bachelor units are 14; one bedroom housing units are 217; two bedroom housing units are 138; three bedroom housing units is 252; and four bedroom housing units are 24. The total number on the affordable housing wait list is 839.

Councillor Butler questioned if it was from individuals who are putting their name on a wait list but it's not representative of the people that are in the marketplace looking for affordable housing. Could that number be inflated. RC Annunziata responded in the affirmative. Coming from your background, there are employment numbers that are skewed because some people have just left the workforce looking for work. The numbers on the wait list represent residents from the Town of Fort Erie. Could it be more, absolutely, it could be greater than 839 but without having them registered and on a wait list, those numbers may not be captured.

Councillor Butler asked what type of incentives is the Region putting in place to get homeowners who have multiple unit dwellings to be able to provide affordable housing in the marketplace right now. She noticed there is a trend where the rent is getting higher and higher in the marketplace. What traditionally has been \$800-1,000 for a one bedroom apartment is now \$1,200-1,300 so we are on an upward swing and unemployment in Fort Erie is slightly higher than the norm. RC Annunziata responded there are a lot of misconceptions as far as the responsibilities that fall on the Region and those that are administered through Niagara Regional Housing (NRH) which is its own service provider and manager of social housing throughout the Niagara Region. The report breaks out the information you are looking for. As far as your question as to what incentives the Region is putting forward to induce or encourage units to be utilized for social housing, he can't answer it right now. Where the units are going is at the discretion of Niagara Regional Housing who have their own separate board and committee. He would be happy to approach them and get those answers for the Councillor.

Councillor Butler stated that would be wonderful. She knows there are some homeowners with buildings that are in desperate need of repair. If there were some incentives from the Region and the marketplace that would assist in creating some affordable housing in Fort Erie. Anything you can do to help and pass that information along to her and she will pass it on to those owners. RC Annunziata responded absolutely and added the vacancy rate is 1.5%. We have to do a better job of making sure that we put shovels in the ground and create the units that get people off the waiting lists.

Councillor Knutt asked who represents the Town of Fort Erie on the Niagara Regional Housing Board. RC Annunziata stated he believes it's the Mayor. The Mayor added the Niagara Regional Housing has its own Board of Directors and he's not sure there is anyone from Fort Erie on it but it's on the website. RC Annunziata advised that Ms. Cordiner used to be but she's no longer on that board right now. He knows there has been some turnover but he'll provide that information to the Councillor.

Councillor Knutt asked him to because right now he feels like Fort Erie doesn't have a voice. He believed there were two people, Shirley Cordiner who moved to Welland so he wouldn't count her and Kelly Kendrick was on the board but was removed. He asked what changes has the Region imposed on the Niagara Regional Housing Board. We don't have representation from a Town perspective or any say or input into the social housing. RC Annunziata responded that is not entirely true. If it is the will of Council to adopt the hybrid model being proposed, then a lot of those issues will be at the discretion and disposal of Council as a whole. At the Regional Council level, you have two representatives

that will make sure the concerns of Fort Erie are echoed and brought forward as they have always been. It is imperative to wait and see the direction of Council and the appetite of Council on Thursday and whether or not they accept the recommendations for the hybrid model approach or not.

Councillor Knutt stated that a year and a half ago the Region raised development charges. He asked why would any developer come here and pay an additional 300-600% on multi-unit dwellings when the Region just raised those prices. How are we going to increase the inventory when we have almost 300 people that need housing but we've actually taken steps at the Region to make it counter-productive to get the housing inventory. He asked how is the Region going to overcome that. RC Annunziata responded that what they found at the development charge level and he added the Mayor may concur, that the uptake of builders that developed and built three and four bedroom condo units was pretty non-existent in the Town of Fort Erie. To your point, if there are social housing units, three and four bedrooms, he is going to assume those are not long term solutions for a family of four, five or six. Social housing is supposed to be transitional which is why the majority of those social housing units are bachelor, one or two bedrooms. There is very little uptake with a three or four bedroom home so with respect to your DC question, because there was such little uptake on builders development and building three and four bedroom condos that's why there was an increase in that particular housing stock. He will be happy to bring the Councillor's concerns forward. He stated that last week a DC complaint came forward to Council and they rectified the situation to the best of their ability.

Councillor Knutt asked RC Annunziata to reach out to Mr. Gale as he reached out to Sergeant McAllister about a week ago and she never returned his communication. He has two residents in rural areas that want to speak directly with her regarding the lack of enforcement. People in the rural area don't feel they're getting value for their tax dollars because they are not on municipal sewer or water. All they can count on is that the road gets plowed, garbage gets picked up and they see a cop car once in a while but that's not occurring. He's asked several times for police enforcement on Point Abino Road and Burger Road as he continually drives those roads at different times of the day and in two years he can count on one hand the number of times he's actually seen a police officer on either of those two roads. He has constituents that have had dogs hit, a woman was hit on her horse, and an elderly lady was hit and in hospital for six months. These people are contacting him because they are getting no value from the Niagara Regional Police. He can't even get an email returned by Ms. McAllister in a week and he thinks the customer service is really lacking. RC

Annunziata advised he will be happy to bring forward those concerns again. Staff Sergeant McAllister has always been receptive to helping. She does attend Traffic Management Committee at the Town of Fort Erie and is well apprised of some of the situations including traffic calming issues that we need recognized here in Town. If those residents feel like their voices are not being heard, have them reach out to him directly and he will pass on to not only Board Chair Gale but to Staff Sergeant Kim McAllister as well.

Councillor Knutt recalled he spoke to RC Annunziata about one resident on May 18<sup>th</sup> and passed the information to him by email. The constituent called him twice in a 30-day period and he had not heard from them. Councillor Knutt added he knows that RC Annunziata passes along the information and is good about copying him on it but he is getting calls from people and he tells them he is asking for them to be contacted and they are not being responsive. He asked if we could get a little bit of service in this community.

Mayor Redekop stated that RC Annunziata will be seeing Councillor Gale tomorrow at public works. He will raise it with him as well. He has a reason to communicate with the Staff Sergeant and will ask her to get in touch with Councillor Knutt. Councillor Knutt advised that he sent them to her already.

Councillor Lubberts referred to the Waverly Beach water quality testing and the Region's Health Department and RC Annunziata mentioned there was a doctor's report that came forward. RC Annunziata responded that Mr. Mustafa Hirji is the Chief Medical Officer who took over from Dr. Jager. He addressed the concerns this Council brought forward to Dr. Hirji. Councillor Lubberts asked for a copy of the report. RC Annunziata advised there was no report, it's an email and he will be happy to pass it on to him. It was passed on to Kelly Walsh, Sean Hutton and other Town staff. He will make sure that all of Council gets the response as well. Councillor Lubberts stated it is his understanding that when the Region does the water quality test, it's mostly for E. coli from the runoff. He advised that he is volunteering with Environment Canada who has put together a committee, Niagara Community Coastal Collaborative, to deal with the algae issue along the shoreline from Fort Erie to Wainfleet. They have reached out to all the communities involved including the Region. To date he doesn't know if he met anybody at those meetings who represented Regional Council. As far as the E. coli and water quality, the algae grows in the lake and comes on shore. He would like to know from Dr. Hirji what the relationship is between the algae that comes from the lake to the shoreline and the issue we have with algae. Water quality is important to the residents around Waverly Beach and the patrons. If someone goes down to Waverly Beach it

should be posted for anybody that enters that beach. For the Region to neglect that and say we're not going to post it anymore because every time they post it, the posting is recommending not to swim, that's not responsible for the Region to think that way. If a newcomer comes to Town they should know that beach is posted and that it's not safe to swim there. Waverly Beach is just as important as any other beach. He asked RC Annunziata to go back to the Region and voice our concerns, his concerns especially, to have them contact Environment Canada and find out more about the coastal collaborative and see if the Region could be more involved on the findings of that. RC Annunziata responded he would be happy to take those concerns forward. He wanted to make it perfectly clear that Waverly Beach was sampled only one day a week in part because while it's a busy beach, the volume of betas was relatively low so traditionally, in prior years, Waverly Beach was only sampled once a week. Last year alone, 73% of the time, the water at Waverly Beach was found to have bacterial loads that made it unsafe for swimming. Compounding that issue was the algae and posing a risk for entanglement, reduced visibility and it was a deterrent to visitors. He clarified this is not a Regional Council decision. Ultimately they are entrusted to take the best advice from the medical officers but he will be happy to take the Councillor's concerns forward. He would like to tackle it proactively and beyond the testing aspect of it because the testing always comes back negative and we know there's a problem. There's a greater issue here and it is not whether or not Regional medical facilities are going to test the water anymore, the greater concern is there's a problem there and how do we address that problem. How do we keep those bacterial loads down to an acceptable level that makes it inviting for swimmers, inviting for tourism, inviting for bathers. How do we keep the algae blooms from impacting the quality of life for the residents down there and visitors that are attracted to that beach. That is the bigger issue and the one he wants to bring forward and hopefully we can get some traction on those issues as well as the water quality testing one that you bring forward. The Mayor added there is also the issue that people still use that beach. It is probably not safe. He advised Mr. Kuchyt that he knows it's not posted and we don't have criteria upon which to post it, but asked that perhaps somebody from our staff can communicate with Dr. Hirji to talk about how they're going to proceed with this. It may very well be that if they do testing and it's continuously showing heavy loads of contaminants that the beach should be permanently posted until the algae problem is dealt with. That could be an interim matter. He expects to see Dr. Hirji tomorrow. RC Annunziata asked the Mayor to bring that forward. The Mayor advised he will raise that at Public Health and asked the CAO to reach out as well.



Councillor Lubberts asked the Mayor and RC Annunziata that when they go to the Region to encourage them to be involved with Environment Canada and the collaborative. The volunteers are out there doing citizen science. They go out once a week, have their sections of the beaches, take samples and make reports back to Environment Canada about the algae. The Region is not going to do anything until the algae is addressed. The algae issue is being addressed and is being worked on but the Region didn't get involved and that's not right. The Region should be more involved and the Town of Fort Erie should be more involved. The Town came to one meeting. The Mayor stated it is our beach and Mr. Kuchyt has been listening to what you've said and he's made a note. Councillor Lubberts stated he thinks the Town should have a regular person coming to the meetings on a regular basis. Environment Canada are the ones that are going to help mitigate this algae problem. The Mayor reiterated he made a note of the Councillor's comments with respect to the coastal collaborative and he will raise it tomorrow at the Region.

## **8. Presentations and Delegations**

None.

## **9. Consent Agenda Items**

### **9.1 Request to Remove Consent Agenda Items for Discussion**

None.

Mayor Redekop asked the Clerk whether the July 9<sup>th</sup> Minutes had been amended to include his disclosure of pecuniary interest with respect to Councillor Butler's Notice of Motion given at the June 18<sup>th</sup> Council meeting. The Clerk responded that the Minutes were amended accordingly.

### **9.2 Consent Agenda Items for Approval**

#### **1. Minutes**

- (a) Approve - Regular Council Meeting - June 18, 2018
- (b) Approve - Closed Session - Special Council Meeting - July 9, 2018
- (c) Approve - Council-in-Committee Meeting - July 9, 2018

## 2. Correspondence

- (a) Receive - Niagara Region - Proposed New Regional Official Plan and Request for Initial Comments
- (b) Receive and Support - Niagara Region - Trade with the United States and Protecting Canadian Jobs
- (c) Receive and Support - City of St. Catharines - Support of Federal Government's Negotiations with United States in Regard to Tariffs on Steel and Aluminum
- (d) Receive - Niagara Region - Comments on Province's Draft Agricultural Impact Assessment Guidance Document
- (e) Receive - Niagara Region - Clawback Percentages and Municipal Tax Adjustments
- (f) Receive - Niagara Region - Phase 2 Audit Report on Regional Incentive Programs Review

## 3. Board/Committee Minutes

- (a) Receive & Approve Recommendation - Environmental Advisory Committee - May 30, 2018, regarding:
  - (i) EC Overlay from the portion of the property on the west side of the Creek at 0 Beach Avenue to permit the construction of the single detached dwelling. ***(Postponed from the June 18, 2018 Council Meeting)***
- (b) Receive - Environmental Advisory Committee - June 20, 2018
- (c) Receive - Senior Citizens Advisory Committee - May 2, 2018; June 6, 2018
- (d) Receive - Fort Erie Public Library Board - June 19, 2018
- (e) Receive - Fort Erie Active Transportation Advisory Committee - February 20, 2018; March 20, 2018; April 17, 2018; May 15, 2018
- (f) Receive - Community Gaming Development Corporation - May 23, 2018; Annual General Meeting *(draft)* - June 27, 2018

- (g) Receive & Approve Recommendations - Transit Advisory Committee - May 24, 2018, regarding:
  - (i) East Route to go in a clockwise direction, also known as the East Route #11 – Inbound
  - (ii) West Route to go in a clockwise direction, also known as the West Route #20 – Outbound
  - (iii) North Route to go in a clockwise direction, also known as the North Route #31 – Inbound
  - (iv) Change West Route #20 to have the bus go south on Ridge Road South, to Rebstock Road, then head west on Rebstock Road, to Lakewood Avenue, south on Lakewood Avenue, east on Erie Road, north on Ridgeway Road, and continue up to Farr Avenue (and continue the route as before)
  - (v) Relocate Stop #305 from the corner of Ridge Road South and Roxborough Avenue, to the corner of Ridge Road South and Rebstock Road
- (h) Receive - Ridgeway Business Improvement Area Board of Management - June 13, 2018
- (i) Accessibility Advisory Committee - June 27, 2018

#### **4. Other Matters**

##### **Consent Agenda Resolution**

Resolution No. 1

Moved by: Councillor Butler

Seconded by: Councillor Lubberts

**That:** Council approves the Consent Agenda Items as recommended. **(Carried)**

#### **9.3 Items Removed to be Dealt with Separately**

None.

## 10. New Business/Enquiries

- (a) Notice of Resignation - Communities-in-Bloom Committee - Marie Toye

Resolution No. 2

Moved by: Councillor Lubberts

Seconded by: Councillor Butler

**That:** Council accepts the resignation of Marie Toye from the Communities-in-Bloom Committee, and further

**That:** Council directs staff to proceed with filling the vacancy in accordance with the Procedural By-law. **(Carried)**

- (b) Appointment - Crystal Beach Beautification Committee - Lorraine Wigmore

Resolution No. 3

Moved by: Councillor Lubberts

Seconded by: Councillor Butler

**That:** Council appoints Lorraine Wigmore to the Crystal Beach Beautification Committee for the period ending November 30, 2018. **(Carried)**

- (c) Community Gaming Development Corporation - Approval of 2018-2019 Permittee Applications - New Organizations

Resolution No. 4

Moved by: Councillor Knutt

Seconded by: Councillor Zanko

**That:** Council approves the issuance of a lottery permit to Fort Erie Underwater Recovery Unit, Parents for Victory in Education Association and Rotary Club of Fort Erie for the period July 1, 2018 - March 31, 2019. **(Carried)**

- (d) Councillor Butler referred to her motion with respect to 2043 Garrison Road and grow ops in general and questioned whether it is legal to plant marijuana plants without proper fencing around the perimeter of the properties. Mr. Brady responded it would appear that the Federal Government is providing for a number of field grow marijuana operations with minimal regulations at the present time. There was a memo sent to Council at one point giving the information that he had, but there are suggestions that

regulations are coming. However, at this time, plants are being permitted by the Federal Government and are inspected by the Ontario Provincial Police. There are minimal regulations including the fencing issue.

Councillor Butler stated that's indicative of the fact that municipalities are hard pressed to have any authority or input with respect to how things should be handled. She understands the Federal Government wants to get into the drug business and make money but at the same time, she thinks they've lost sight of what's important in communities, especially smaller communities with residents being affected. She questioned if there was anything we could do to contact someone of authority to help them understand that any chemicals that would be sprayed on these marijuana plants could runoff and end up in the wells, affecting families that count on that water for drinking. Mr. Brady responded that Council could request staff to send a letter to the Federal Government. He's not sure to what degree that would be received. The primary issue is that the Federal Government's concern in the field growth operations has to do with the smell of the plant downwind. He has not seen any analysis on issues associated with the fertilizing or the spraying. It is his understanding that the materials used in terms of fertilization and spraying are not that different than what is used on corn or soy. The Mayor asked Mr. Brady if he could send a letter to Health Canada to make some enquiries with respect to this. He is sure it is not just an issue for Fort Erie but probably any municipality where field plants are being grown.

Councillor Butler explained there was a study in the United States that was conducted with respect to field grown marijuana plants that were treated chemically to keep pests away. It did contaminate the soil and some of the runoff water. She will find the article and sent it to him. It is prudent to do everything that we can as a municipality to safeguard our residents that would be affected by that. Mr. Brady advised he would be happy to send that letter.

Councillor Zanko referred to Councillor Butler's comment regarding the Federal Government and regulating downwind odours and questioned if they know there is a school very close to the site. The Mayor responded he would be surprised if they were specifically aware and he didn't think they particularly care. He asked Mr. Brady if he had any knowledge of whether or not Health Canada would be aware of the location of the school in proximity to this particular or proposed operation. Mr. Brady

responded he does not believe they're aware of that. He believes they are contemplating some setback requirements from what they refer to in the generic sense of sensitive land uses, which would be schools and homes, but those setbacks have not been set into regulation at the present time.

- (e) Councillor Lubberts referred to an email Council received from Mr. Walsh on how they're tackling some of the problems at Bay Beach and that staff are concerned about what's going on down there such as washroom facilities, congestion at the Ashwood entrance, and traffic. There was an article in the newspaper that addressed it somewhat. He is hoping through a media release we can bring forward some of the things that Mr. Walsh was talking about so the residents know that staff are doing everything they can to alleviate these problems. A lot of these problems are a result of construction and there is going to be confusion and problems throughout the season. He asked that the public be patient, as this is only one season they will have to deal with this and staff are doing what they can to alleviate the problems. He is hoping we can get something out to the media so that people can see more than just one article about it. The Mayor responded there have been Facebook postings and information on the Town's website. A media release would be helpful because there have been additional things done since that newspaper article. He stated that some of the complaints the residents are raising they shouldn't have to put up with. He doesn't care what the circumstances are at the beach, it is not appropriate for people to be urinating on people's yards, beside their cars, and there are other things that are not appropriate. There are additional things that staff have done. He asked Melissa, through the CAO, to work on a media release to get out further information. He asked Mr. Kuchyt for an update.

Mr. Kuchyt responded staff met internally early last week and determined to increase the number of port-a-potty's to nine, at different locations. One of the issues is they can't put the port-a-potty's on the beach as that will upset the permanent residents who don't want them near their property. They have also reminded the staff that work there that there are not to be barbecues. They are trying to control the tent situation, but it's okay to have umbrellas. They are also trying to control the traffic situation. They have just received more complaints today on the side streets which they will be addressing and probably be ticketing more people. Mr. Walsh was on 610 Radio last week and he provided an update to those listening. They will provide additional information through social media and he will reach out to local reporters for a story.

Councillor Lubberts commented he has been listening and hearing and getting the reports. He knows that staff are trying to do their best to alleviate any problems. He is asking residents to be patient for this year, and next year he is confident that things will improve and the beach will be more enjoyable. He also wants to let the residents know that he spoke to the CAO and Mr. Walsh and that over the winter months they will meet to set up policies about what can be done at the beach, and how to run the beach. Over the past few years it's been a free for all for some people, especially the drinking and alcohol issues. That will be the next step, but the first step is to get the park built.

## 11. Motions

*Mayor Redekop relinquished the Chair to Councillor Knutt due to his pecuniary interest.*

(a) Councillor Butler

Re: Reinstatement of Site Plan Approval for Marijuana Grow Op at 2043 Garrison Road

Resolution No. 5

Moved by: Councillor Butler

Seconded by: Councillor Lubberts

**That:** Council directs that site plan approval for the Marijuana Grow Op site at 2043 Garrison Road be reinstated to Council.

**(Carried)**

*Mayor Redekop resumed the Chair.*

## 12. Reports

**PDS-49-2018**

Request for Spatial Separation Agreement for 283 Ridge Road North, Ridgeway by Sleek Developments Inc. (Peter Coutu)

Resolution No. 6

Moved by: Councillor Knutt

Seconded by: Councillor Zanko

**That:** Council authorizes the entry into a Spatial Separation Agreement with Sleek Developments Inc. to permit the windows in the southern exposing building face of a proposed two (2) storey building at 283 Ridge Road North to comply with the limiting

distance requirements of the Ontario Building Code.  
**(Carried)**

**CAO-15-2018**

Transition of Business Licencing Enforced by the Niagara Regional Police Services to The Regional Municipality of Niagara – Adult Entertainment Establishments

Resolution No. 7

Moved by: Councillor Zanko

Seconded by: Councillor Passero

**That:** Council authorizes the transfer of delegation of authority from Niagara Regional Police Services to The Regional Municipality of Niagara for the licencing, regulation and governance of adult entertainment establishments; and further

**That:** A by-law be submitted for Council's approval at a future Regular Meeting of Council to amend By-law No. 217-05 to transfer delegation of authority from Niagara Regional Police Services to The Regional Municipality of Niagara. **(Carried)**

*Jeanette Goemans, Business Improvement Manager, Internal Control and Organizational Performance Department, and Chris Carter, General Manager, Region were present to answer questions of Council.*

*Superintendent Ash, Niagara Regional Police was also present to answer questions of Council.*

**13. Notice of Motion**

- (a) Councillor Knutt gave notice of motion, returnable August 27, 2018, as follows:

Re: Rural Road Infrastructure Plan

**Whereas** the Town of Fort Erie has a significant number of rural roads, and

**Whereas** the Province of Ontario requires the Town of Fort Erie to develop an Asset Management Plan to address long-term funding for renewal of existing infrastructure, and

**Whereas** the residents living in the rural areas have voiced



concern over the condition of these roads and the need for repairs are significant, and

**Whereas** the Council of the Town of Fort Erie recognizes the need to address these infrastructure issues in a timelier matter;

**Now therefore be it resolved,**

**That:** Council requests that a separate Rural Road Strategy be given consideration as part of the next Council's Strategic Plan, and further

**That:** Council directs Town staff to investigate alternatives, other strategies and a communication plan to residents for consideration as part of the next Council's Strategic Plan.

- (b) Councillor Knutt gave notice of motion, returnable August 27, 2018, as follows:

Re: Changes to Point Abino Road Speed Limit

**Whereas** the speed limit on Point Abino Road north of Garrison Road to Netherby Road is currently 80 km per hour, and

**Whereas** the local farmers and residents use this road heavily with their farm equipment, walking, bicycling and riding horses, and

**Whereas** the residents of Point Abino Road have requested a reduction in the speed limit due to the danger inherent with the current speed limit, and

**Whereas** the Council of the Town of Fort Erie recognizes the need to reduce the speed limit on Point Abino Road;

**Now therefore be it resolved,**

**That:** Council directs the speed limit on Point Abino Road from Garrison Road to Netherby Road be reduced from 80 kms to 70 kms, and further

**That:** Council directs Town staff to install a 3-way stop at the corner of Bowen Road and Point Abino Road, and further

**That:** Council directs that the speed limit signs be changed

accordingly, and further

**That:** Council directs staff to submit a by-law to Council to amend Traffic By-law No. 2000-89, as amended, to implement the foregoing.

- (c) Mayor Redekop gave notice of motion that this Council requests that the Premier present a government bill with respect to the right of passage along the north shore of Lake Erie, returnable August 27<sup>th</sup>.

## 14. Consideration of By-laws

*By-law No. 88-2018 was removed from the by-law package to be dealt with separately, due to Mayor Redekop's pecuniary interest.*

Resolution No. 8

Moved by: Councillor Passero

Seconded by: Councillor Zanko

**That:** The by-law package containing:

87-2018: To Authorize the Entry into and Execution of an Agreement with Jeffrey Kline - Dominion Road (B58-59/17 F.E. - 0 Dominion Road)

89-2018: To Amend Zoning By-law No. 129-90 - 396 Ridgeway Road - William Cutler (Owner)

90-2018: To Authorize the Extension of the Business Banking Agreement with TD Commercial Banking for the Provision of Banking Services

91-2018: To Authorize the Entry into and Execution of an Extension and Amending Agreement with Heritage Arts Legacy Association of Fort Erie

92-2018: To Designate a Downtown Southend-Riverwalk Core Area Community Improvement Project Area

93-2018: To Adopt the Downtown Southend-Riverwalk Core Area Community Improvement Plan

94-2018: To Authorize the Execution of the Municipal Funding Agreement for Ontario's Main Streets Revitalization Initiative

95-2018: To Authorize the Entry into a Spatial Separation Agreement – 283 Ridge Road North (Sleek Developments Inc. - Peter Coutu)

96-2018: To Adopt The Corporation of the Town of Fort Erie Health and Safety Policy and Repeal By-law No. 90-2017

97-2018: To Authorize the Execution of a Subdivision Agreement with 1639875 Ontario Ltd. (Frank Qui) (King Street Subdivision)

98-2018: To Delegate Authority With Respect to Restricted Acts After Nomination Day (“Lame Duck Period”)

99-2018: To Re-Establish the Niagara Compliance Audit Committee and to Repeal By-law No. 62-2014

is given first and second reading.

**(Carried)**

Resolution No. 9

Moved by: Councillor Knutt

Seconded by: Councillor Zanko

**That:** By-laws:

87-2018

89-2018

90-2018

91-2018

92-2018

93-2018

94-2018

95-2018

96-2018

97-2018

98-2018

99-2018

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

**(Carried)**

*Mayor Redekop relinquished the Chair to Councillor Butler due to his pecuniary interest.*

Resolution No. 9A

Moved by: Councillor Passero

Seconded by: Councillor Zanko

**That:** By-law No. 88-2018 To Amend Zoning By-law No. 129-90 - 1201 Ridge Road North - Scott Hunter (Owner) is given first and second reading.

**(Carried)**

Resolution No. 9B

Moved by: Councillor Knutt

Seconded by: Councillor Zanko

**That:** By-law No. 88-2018 is given third and final reading to be signed by the Mayor and Clerk under the corporate seal.

**(Carried)**

*Mayor Redekop resumed the Chair.*

Resolution No. 10

Moved by: Councillor Butler

Seconded by: Councillor Lubberts

**That:** By-law No. 100-2018: To Confirm the Actions of Council at its Special and Regular Council Meetings Held on July 16, 2018 is given first and second reading. **(Carried)**

Resolution No. 11

Moved by: Councillor Zanko

Seconded by: Councillor Passero

**That:** By-law No. 100-2018 is given third and final reading to be signed by the Mayor and Clerk under the corporate seal. **(Carried)**

## **15. Scheduling of Meetings**

- Infrastructure Services Sub-Committee Meeting on July 25, 2018 at 5:00 p.m. – 25<sup>th</sup> – 5:00 p.m.

## **16. Adjournment**

Resolution No. 12

Moved by: Councillor Knutt

Seconded by: Councillor Zanko

**That:** Council adjourns at 7:36 p.m. to reconvene into a Regular Meeting of Council on August 27, 2018. **(Carried)**

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Mayor

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Clerk