



The Municipal Corporation of the
Town of Fort Erie

Regular Council Meeting Minutes

Monday, June 27, 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 6:00 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. 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 6:02 p.m.

Also Present: Regional Councillor Insinna

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

4. Announcements/Addenda

There was one addendum as follows:

Addition of correspondence under Item No. 9.2.2 Consent Agenda Items for Approval: Receive – Buffalo and Fort Erie Public Bridge Authority – Recommend Fort Erie Residents to Save Money Using E-ZPass.

Mayor Redekop made the following announcements:

- **Retirement**

Councillor McDermott, Regional Councillor Insinna, and I attended the retirement for Anna Annunziata, who has faithfully served members of Provincial Parliament and members of Parliament in this area for 27 years. We congratulated Anna for a tremendous job. She's been a whirlwind force in our community for all of those 27 years, and prior to that.

- **Canada Day**

I want to remind everyone that this Friday is Canada Day. We have a great deal to be thankful for in this country, and I hope that we'll all have an opportunity to participate in events and activities that take place that day, as well as remembering the wonderful country that we live in. We have issues that we frequently complain about. I like to say that there are people in various parts of this world, who would love to have the problems that we have here in Canada, because we have such great, great fortune. That doesn't mean that we're perfect, and it doesn't mean that we can't work to make a better country, but I hope that everyone will check the Town website and the local news outlets for information regarding activities.

- **Great Lakes Initiative**

This past week, June 21st through to the 24th, was the Great Lakes St. Lawrence City's Initiative, held in St. Catharines, hosted by the City of St. Catharines and Mayor Walter Sendzik. Mayors throughout the Great Lakes and St. Lawrence Watershed were in attendance. The theme this year was "Powering the Blue Economy". There were a number of items that were focused on such as infrastructure and innovation, waterfront revitalization, climate change challenges, advancing the Great Lake St. Lawrence Trade Corridor, and innovative municipal financing for projects that would affect those living in that watershed.

- **Homelessness Post-Pandemic Forum**

Earlier today, I attended a homelessness post-pandemic forum in Niagara Falls. It was essentially a call to arms to effectively resolve an issue that has significant impacts on our communities and will require multi-tiered, multi-disciplined responses. We'll be working primarily with the Niagara Region and all municipalities in Niagara, to try to deal with that issue, which as I said, has many facets.

- **Brock University – Climate Change Summit**

Tomorrow Brock University is hosting a Climate Change Summit at Pond Inlet, and it will also be live streamed between 9:00 a.m. and 12:00 p.m.

- **Niagara Transit Commission / Board**

The new Niagara Transit Commission or Board continues to move forward with its regionalization of public transit. There are meetings and actions that are taking place to meld the existing service providers and to homogenize fees and technology. Also on the Agenda, is hiring a new head of the Regional Transit.

- **UNESCO**

Wednesday, June 29th, UNESCO judges will be here in Niagara to view various sites to determine and evaluate whether Niagara qualifies as a unique Global Geopark. There is an organization that's been working on that for several years. We, as a Council, passed a resolution supporting that initiative. They will be in Fort Erie in the afternoon, at the Ridgeway Battlefield Park, Mewinzha Archaeology Gallery, and Riverwalk. Aside from Jane Davies, Ron Williamson, the renowned Archaeologist, and Dave Labbe, one of the members of our Indigenous Community will be in attendance and will be addressing the judges for that initiative.

- **Ridgeway Festival - Ridgefest**

Saturday July 9th is the Ridgeway Festival. Among other Lions Club members, I'll be flipping pancakes, carrying water, or helping with something. So please everyone take advantage of that opportunity because the Ridgeway Festival is one of the great events of the summer here in Fort Erie.

5. Declarations of Pecuniary Interest

(a) Councillor Dubanow

Councillor Dubanow declared a pecuniary interest with respect to Item No. 9.2 2 (c) to receive the Fort Erie SPCA Board of Directors Minutes from April 28, 2022 and May 26, 2022, as the company he works for has provided contract services for the Fort Erie SPCA. He abstained from discussing and voting on the matter.

(b) Councillor McDermott

Councillor McDermott declared pecuniary interests with respect to Item No. 14 Re: By-law No. 71-2022 Re: To Authorize the Entry into a Lease Agreement with the Fort Erie International Academy (Summer Aquatic Program), and By-law No. 72-2022 Re: To Amend Fees and Charges By-law No. 40-09, as amended (Summer Aquatic Program Fees – Fort Erie International Academy), as he works on special projects at FEIA. He abstained from discussing and voting on the matters.

(c) Councillor Butler

Councillor Butler declared pecuniary interests with respect to Item No. 14 Re: By-law No. 73-2022 Re: To Amend Zoning By-law No. 129-90, as amended 3285 Thunder Bay Road Westwind Niagara Developments Inc. (Alfred Beam) – Owner, and By-law No. 76-2022 Re: To Authorize the Entry into an Amendment to Memorandum of Understanding with Westwind Niagara Developments Inc. (Alfred Beam) – 3285 Thunder Bay Road, as her company does business with one of the partners at Westwind. She abstained from discussing and voting on the matters.

6. Notice of Upcoming Public Meetings

(a) Proposed Zoning By-law Amendment and Draft Plan of Subdivision

Re: 726 Gorham Road - Owner: 2655321 Ontario Ltd. (Mark Spadafora) - Agent: Urban in Mind (Jacob Dickie) - Monday, July 11, 2022 - 6:00 p.m. The information report will be available by 5:00 p.m. on Wednesday, July 6, 2022.

(b) Public Meeting

Re: Douglstown Third Access Pre-Design Review (Report No. IS-21-2022) – Presentation By and Review of Options Proposed by

the Consultant, Wood PLC. - To Add a Third Access to the Neighbourhood of Douglastown - Monday, July 18, 2022 - 6:00 p.m. - Council Chambers, Town Hall.

7. Regional Councillor Report

RC Insinna gave the following Report:

Niagara Official Plan

The new Niagara Official Plan has taken up a lot of time both at the Region and with staff at the Town. The plan was brought before Council last week setting out how and where the Region will expand until 2051. It is estimated that we will see an influx of 200,000 new residents in the Region by that time. There was much debate about protecting the natural environment systems, watersheds, and the inclusion of buffer zones. The recommendations by Regional Council for the protection of our environment goes beyond the Provincial government's requirements. Climate change was also brought into play in the plan, and policies were put in throughout the plan, with an entire section focused on it. Urban boundary expansion was front and centre in the drafting of the Official Plan and it is especially important to those of us here in Fort Erie. It's been over 50 years since the last plan was developed and this plan will take us through the next 30 years. Mayor Redekop mentioned that there was a session held this morning about Homelessness and Housing.

Consolidated Housing Master Plan

The Consolidated Housing Master Plan update was provided to Regional Council last week. This plan was developed to address the overwhelming demand for community housing along with the alarming rate of people on the centralized housing waitlist. The creation of the plan took into consideration the Niagara Official Plan, Niagara Housing Database, Housing and Homelessness Action Plan, Incentive Review, and the new proposed DC By-law and Built for Zero Canada. The demand for community housing is expected to increase by 20,700 by 2045. There will be a need for 479 units per year for the next 25 years to meet this demand. The Region cannot meet this demand on its own. It is proposed that existing NRH sites be redeveloped, adding 1,835 units, non-profit and co-op service providers expand 5,935 units, new development sites identified by Municipalities 3,196, and potential units at the Lindhaven and new Gilmore Lodge developments. In order to achieve this, a Housing Planner will be employed to spearhead this plan including looking for funding from all available sources. Fort Erie has the potential of adding 167 units on NRH sites, 844 on non-profit/co-op sites, 358 on other municipal sites totalling 1,300 new units for our area.

Currently the Crescent Park area is slated to have 18 new NRH units once the funding is received. This is a 10-year plan that will leverage funding all levels of government and a roadmap to the way forward. NRH is active in developing projects throughout the Region. 3 Project managers are assisting non-profit organizations to go through the funding and building of new affordable housing sites. There are several plans in our area that are currently being worked on and hopefully will be able to start building in the new year: York Street in Welland, as 43 units completed in November, 2022, Ormond/St. David's, Thorold, 11 units, 75% completed, and 12 other projects with 8 different providers – 866 various stages of development.

Niagara Regional Water Treatment

Congratulations to the Niagara Regional Water Treatment personnel Niagara's water has been voted best tasting in Ontario.

Councillor Zanko enquired about the housing that will take place in Crescent Park, providing the funding is available come August, and if there are any dates when it might start.

RC Insinna responded that they already have the plans drawn up. They've spent \$1.6 million on plans, so they're ready to go. Once the funding comes through, there is a timeline that it has to be built within 1 year. Once they get the money and the approval, it's all hands on.

Councillor Lubberts enquired what the total number required is for the Region. RC Insinna responded it works out to 479 units per year for 25 years. Councillor Lubberts enquired if the number RC Insinna gave for Fort Erie was for over 25 years. RC Insinna responded yes, that it works out to over 1,300 new units. What they have proposed is using existing lands that are owned by Niagara Regional Housing, and the other places around the co-ops, to expand on those properties rather than go out and buy new property.

Councillor Lubberts enquired if it's 1,300 units over a 25 year period, how does that compare with the rest of the Region as far as other municipalities? Is that comparable for everybody, or are we below average, above average? RC Insinna responded we are in the top 4.

Councillor Noyes added that sitting on the Fort Erie Not-for-Profit Housing, not only is Niagara Regional Housing looking at the future, they have helped tremendously in regards to repairs on our existing buildings, which in the past 2 years have had over \$2 million put into 2 buildings, with 55 units in each. We can't lose sight that the existing buildings are about 30 to 35 years old, needing some major retrofit. That also has to fit

into the picture of not just new, but maintaining and repairing the existing.

8. **Presentations and Delegations**

Available for viewing on the Town's YouTube Channel:

www.youtube.com/townofforterie

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

(a) John Borozny, 880 Edgemere Road

Re: Request EC Overlay Removal - 880 Edgemere Road

- He applied for a permit to put a garage addition on his house in the summer of 2014, and was told that he had to remove the EC Overlay from the property. He had it removed and built his shop.
- In 2015, he decided to build another shop further back onto his property, and the Planning Department advised he had to have the EC Overlay removed as they had done a housekeeping and put the EC Overlay back on. He had it removed and before building his shop, someone from the Environmental Advisory Committee came out and stated they would deny his permit for 3 weeks as they saw a nesting Baltimore Oriole in a tree. The Conservation Authority came out and had no concerns.
- He lost half of his deposit to have the foundation poured (\$1,500) and had to pay an additional \$1,000 for the foundation of the shop, to find out that the Planning Department had the permit waiting there for 3 weeks. The Planning Department said they had no idea about anyone from EAC delaying the permit.

(b) *Peter Hatcher, 920 Edgemere Road

Re: Property Damage - Snowmobile Use on Friendship Trail

- Requesting the Town to install a barrier beside the Friendship Trail, adjacent to his driveway to prevent illegal snowmobile use from further damaging his property.
- Illegal snowmobile use on the Friendship Trail is creating noise and nuisance all hours of the day and night.
- Reported property damage by snowmobilers to the Police regarding damage to the property with no response/action.

9. Consent Agenda Items

9.1 Request to Remove Consent Agenda Items

Item No. 9.2 2(c) Re: Fort Erie SPCA Board of Director Minutes was removed due to Councillor Dubanow's declared pecuniary interest.

Mayor Redekop requested that Item No. 9.2 2(f) Re: City of Cambridge correspondence, be removed and dealt with separately.

Councillor Zanko requested that Item No. 9.2 3(e) Re: Environmental Advisory Committee Minutes and Recommendations be removed and dealt with separately.

9.2 Consent Agenda Items for Approval

1. Minutes

- (a) Approve - Regular Council Meeting - May 30, 2022
- (b) Approve - Council-in-Committee Meeting - June 13, 2022
- (c) Approve - Special Council Meeting - June 20, 2022
- (d) Approve - Council-in-Committee Meeting - June 20, 2022

2. Correspondence

- (a) Proclamation - Niagara Health/Addiction and Mental Health Services - July 28, 2022 - World Hepatitis Day

That: Council proclaims July 28, 2022 as "World Hepatitis Day". **(Carried)**

- (b) Receive & Refer to Staff - United Way - Request Municipal Contribution to Period Promise Campaign
- (c) Receive - Fort Erie SPCA Board of Directors Minutes - April 28, 2022; May 26, 2022

- (d) Receive - City of Thorold - Declare Mental Health, Homelessness and Addiction State of Emergency
- (e) Receive - Municipal Engineers Association - The Retention of Professional Engineers at Ontario Municipalities
- (f) Receive - City of Cambridge - Request the Province to Include Tiered Energy Efficiency Standards and Timeframe for when Higher Tiers Become the Minimum Energy Efficiency Requirements in the next Edition of the Ontario Building Code
- (g) Receive – Buffalo and Fort Erie Public Bridge Authority – Recommend Fort Erie Residents to Save Money Using E-ZPass

3. Board/Committee Minutes

- (a) Receive - Crystal Beach Business Improvement Area Board of Management - June 7, 2022
- (b) Receive - Ridgeway Business Improvement Area Board of Management - June 7, 2022
- (c) Receive - Mayor's Youth Advisory Committee - May 9, 2022
- (d) Receive - Accessibility Advisory Committee - May 31, 2022
- (e) Receive & Approve Recommendations - Environmental Advisory Committee – March 31, 2022 regarding:

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, and

May 25, 2022 regarding:

842 Rosehill Road: Request to remove EC Overlay be denied until an Environmental Impact Study is completed and approved by the Environmental Advisory Committee.

- (f) Receive - Municipal Heritage Standing Committee - May 16, 2022
- (g) Receive - Community Health Care Services Committee - May 17, 2022

4. Other Matters

Consent Agenda Resolution

Resolution No. 1

Moved by: Councillor McDermott

Seconded by: Councillor Zanko

That: Council approves the Consent Agenda Items as recommended, save and except Item Nos. 9.2 2(c), 9.2 2(f) and 9.2 3(e). **(Carried)**

9.3 Items Removed to be Dealt with Separately

9.2 2. Correspondence

- (c) Resolution No. 1A
Moved by: Councillor McDermott
Seconded by: Councillor Zanko

Receive - Fort Erie SPCA Board of Directors
Minutes - April 28, 2022; May 26, 2022

As the May 26, 2022 Minutes were not signed and the meeting did not appear to have quorum, Council withheld receiving them. Mayor Redekop requested the CAO to find out the status of the Minutes and report back to Council.

That: The April 28, 2022 Minutes only be received. **(Carried)**

- (f) Resolution No. 1B
Moved by: Councillor McDermott
Seconded by: Councillor Zanko

Receive - City of Cambridge - Request the Province to Include Tiered Energy Efficiency Standards and Timeframe for when Higher Tiers Become the Minimum Energy Efficiency

Requirements in the next Edition of the Ontario Building Code

Resolution No. 1C

Moved by: Mayor Dubanow

Seconded by: Councillor Zanko

That: The City of Cambridge correspondence be received and referred to the Planning & Development Services Subcommittee for further discussion. **(Carried)**

9.2 3. Board/Committee Minutes

Councillor Zanko requested that the recommendations be dealt with separately.

(e) Resolution No. 1D

Moved by: Councillor McDermott

Seconded by: Councillor Zanko

Receive & Approve Recommendations -
Environmental Advisory Committee -

March 31, 2022 regarding:

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. 1E

Moved by: Councillor Zanko

Seconded by: Councillor Noyes

That: The Environmental Advisory Committee Recommendation March 31, 2022 Minutes regarding 880 Edgemere Road be postponed to the Council Meeting of July 18, 2022 in order for staff to provide additional information. **(Carried)**

Resolution No. 1F

Moved by: Councillor McDermott

Seconded by: Councillor Zanko

May 25, 2022 regarding:

842 Rosehill Road: Request to remove EC Overlay be denied until an Environmental Impact Study is

completed and approved by the Environmental
Advisory Committee. **(Carried)**

10. Reports

CAO-12-2022 Council Remuneration Comparison Survey

Resolution No. 2
Moved by: Councillor Butler
Seconded by: Councillor McDermott

That: Council receives Report No. CAO-12-022 for information purposes.

Resolution No. 2A
Moved by: Councillor Butler
Seconded by: Councillor Lubberts

That: The Resolution be amended by adding that the matter of Council remuneration be referred to the CAO and Manager of Employment Services for a recommendation report returnable July 11, 2022.

(Carried)

11. New Business/Enquiries

- (a) Notice of Resignation - Communities-in-Bloom Committee - Shirley Opie

Resolution No. 3
Moved by: Councillor Butler
Seconded by: Councillor McDermott

That: Council accepts the resignation of Shirley Opie 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) Federation of Canadian Municipalities/Municipal Asset Management Program Grant Agreement - Optimized Water and Wastewater Asset Management Using Machine Learning

Resolution No. 4
Moved by: Councillor Noyes
Seconded by: Councillor Dubanow

Be it resolved that Council of The Corporation of the Town of Fort Erie, directs staff to apply for a grant opportunity from the Federation of Canadian Municipalities' Municipal Asset Management Program for Optimized Water and Wastewater Asset Management Using Machine Learning, and further

Be it therefore resolved that The Corporation of the Town of Fort Erie commits to conducting the following activities in its proposed project submitted to the Federation of Canadian Municipalities' Municipal Asset Management Program to advance our asset management program:

- Take part in the Community of Municipal Innovators; and
- IntelliPipes Dashboard; and
- Data Quality Control and Analysis.

Be it further resolved that the Corporation of the Town of Fort Erie commits \$50,000 from its budget toward the costs of this initiative.

(Carried)

(c) Niagara Region - Waterpipe Smoking By-law

Resolution No. 5

Moved by: Councillor McDermott

Seconded by: Councillor Dubanow

That: Council of the Town of Fort Erie consents to the passage of the Waterpipe By-law of the Regional Municipality of Niagara, being a by-law to regulate waterpipe smoking in the Region. **(Carried)**

(d) Councillor Zanko

Councillor Zanko asked Mr. Walsh whether after seeing Mr. Hatcher's presentation regarding the Friendship Trail if there is a way to have a guide rail installed or does she have to bring this under notice of motion.

Mr. Walsh responded that originally Councillor Zanko had requested that a guide rail be installed on the east side, similar to the west side. The west guide rail exists because there's a catch basin significantly below grade and protects users from falling into the ditch. It's staff's opinion, and the Town's Policy, that when a resident backs onto a recreational facility such as a park, the resident is responsible for any fencing. The Town doesn't keep people in our parks, people keep people out of their backyards. He had discussed with Councillor Zanko providing Mr. Hatcher with a series of removable reflective markers as a start for this winter. His opinion differs from Mr. Hatcher's, as Mr. Hatcher doesn't think it'll work, but

he, Mr. Walsh, thinks it is a good starting point. He'll give his commitment to Council that if it doesn't work, they can proceed to the next step the following winter. It's \$200 versus \$5,000 to put in a wooden guide rail or fence type structure.

Mayor Redekop enquired if it is 40 or 50 feet of guide rail. Mr. Walsh responded yes, it is.

Councillor Zanko stated that Mr. Hatcher's situation is very unique. His backyard is not on the trail, it's his side yard. He is unable to put up a fence because it will block him in. He's tried to put in flower gardens, and other remedies, but again, last year there was a lot of damage to his driveway. She advised she can understand why he doesn't want to trust the markers and she wouldn't either knowing that there's a potential to have that much damage again when it's just been fixed. She hopes that Council will support her request that a guide rail be installed.

Mayor Redekop recommended that this be referred to the PDS Subcommittee in July, and that Councillor Zanko and Mr. Walsh be in attendance. If by the time of the regular Council Meeting on July 18th, there hasn't been adequate progress addressing Mr. Hatcher's concern, then it can be brought up then.

Councillor Lubberts enquired if Mr. Hatcher puts a fence up on his property or if they were to put in a guide rail, would that not block him in as well. Mayor Redekop responded that the owner can't put up a fence on municipal property. A municipality can, so that means it would not be on his property. Councillor Lubberts asked if Mr. Hatcher could put a fence up on his property. Mayor Redekop responded that it's something that can be discussed at Planning and Development Services and that he can put a fence up on his own property.

Councillor Lubberts asked Mr. Walsh if they have room to put a guide rail in on public property. Mr. Walsh responded more than likely, but he hasn't been out to walk that part of the trail lately.

Mayor Redekop further responded that there would be, and that they will leave that up to Planning and Development Services and hear back from Mr. Walsh next month.

A Response to Enquiry will be provided at a future meeting.

(e) Councillor Butler

Councillor Butler enquired whether Infrastructure Services were able to send someone out to take a look at the conditions of Kayart Road.

Mr. Walsh responded that he had received the Councillor's email last week and spoke with the Manager of Roads and Fleet, and Mr. Stojanovic is looking into it.

(f) Councillor Butler

Councillor Butler enquired about the ditching on Bernard Road off of Dominion Road, as it hasn't occurred yet. She was told it was going to happen last year, then earlier this year, in the end of April, and then the end of May, and now it's the end of June. She saw them cutting debris down, but they didn't actually do any digging, and asked if Mr. Walsh could follow up on it.

Mr. Walsh responded that they have been out there several times and that Mr. Stojanovic has spoken with the homeowner. They can only dig ditches as deep as the culvert and he will have a look at it the next day.

(g) Councillor Butler

Councillor Butler enquired if Mr. Herlovitch could check into 356 Ridge Road because there seems to be a conflict with respect to 51% commercial usage. The presentation of materials that have been submitted have not been accepted even though there's proof that there is 51% being used.

Mayor Redekop responded that this is a Building Department issue and confirmed that Mr. Herlovitch had the address.

(i) Councillor Noyes

Councillor Noyes enquired about ditching. This has come up several times, and will be coming up at the Infrastructure Services Meeting in July. She has seen a number of emails going back and forth and thought Mr. Walsh looked into who is responsible for the maintenance of the ditch. It is her understanding there is no differentiation between the boulevard and the ditch, so technically the abutting property owner is responsible for the ditch maintenance, but maintenance is not defined. She asked if maintenance means that you just have to cut around the little bend

where it goes into the ditch, or do you have to cut the bulrushes growing out of the ditch. There are ditches in Town that, if she got in, she wouldn't be able to get out of without a ladder. Some of the ditches are really deep, and she has met residents who say if they didn't have a nice young person who lived beside them or a few doors down that would come and help them out, they can't do it. To say you can pay somebody to do it, that doesn't seem quite right either because it's actually Town property that is being asked to be maintained. She enquired if there is any way that they can have a better way forward on this, and that By-law Enforcement be asked not to issue tickets or fines for ditches that are not maintained.

Mayor Redekop responded that all situations aren't the same. It's one thing to have a ditch heading into Ridgeway where all of the neighbours have cut them except one, or some place in Thunder Bay, or other parts of Town where the ditches are quite deep. Mayor Redekop asked Mr. McQueen if By-law Enforcement could not lay any charges on ditches until such time as there's been some further clarification of the responsibilities and the definition of maintenance.

Mr. McQueen responded that he can get more clarity on what the division is between what's enforced and what's not enforced. There is some discretion in terms of the By-law Officers, where there may be safety issues with maintaining the ditch to the same extent we might expect somebody to maintain their front yard because of the grade and safety issues.

Mr. Walsh added that there is a Response to Enquiry coming back at the meeting on July 11th, and suggested to Mr. McQueen that it be discussed at the Senior Managers Meeting and go from there.

A Response to Enquiry will be provided at the July 11th Council-in-Committee meeting.

(g) Mayor Redekop

Mayor Redekop advised Mr. McQueen that he and a member of provincial parliament received correspondence recently with respect to the Fort Erie Race Track and ongoing issues arising as a result of conduct from Woodbine, which he thought had been addressed about 4 years ago. Woodbine was restricting under threat of preventing their horse people at Woodbine, if those individuals were to send horses to Fort Erie for races here and then want to return them to Woodbine. That had been the subject of a lot of discussion with the Provincial Government at the time, and involving

Woodbine. It appears that we're back into that same type of situation where the number of races and number of horses has been reduced. Consequently, the betting has been reduced significantly and he doesn't think it's sustainable. MPP Gates has had some conversation with the operators of the track. Mayor Redekop enquired if Mr. McQueen would do 2 things; (1) have his Assistant provide him with the background from 2017 - 2018 with respect to this issue; and (2) make contact with the operators, find out what we, in conjunction with our local MPP, can do in terms of making sure that Woodbine's conduct is not detrimental to our Race Track, which has been in operation for over 100 years. It would be a shame for it to be put in jeopardy because of Race Track owners in Toronto, who receive about 14 times more money from the Provincial Government than the Town of Fort Erie's Race Track. He asked that Mr. McQueen follow up on that and report back on what solutions there may be, and what Council might be able to do to assist our local Race Track.

A Response to Enquiry will be provided at a future meeting.

12. Motions

Mayor Redekop gave the Chair to Councillor Lubberts.

(a) Mayor Redekop

Re: Ontario Building Code to Provide Municipalities with Greater Flexibility

Resolution No. 6

Moved by: Mayor Redekop

Seconded by: Councillor Zanko

That: Council requests the Province of Ontario to amend the Ontario Building Code to provide municipalities with greater flexibility in controlling orderly and timely construction of new and renovated buildings of all types. **(Carried)**

(b) Mayor Redekop

Re: Policies to Better Control Construction

Resolution No. 7

Moved by: Mayor Redekop

Seconded by: Councillor Zanko

That: Council directs staff to prepare a report to Council on policies that can be adopted to better control construction within the municipality, particularly but not exclusively, regarding mud-tracking, road obstruction, lot grading requirements for renovations resulting in expanded building footprints, and increased financial deposits. **(Carried)**

Councillor Lubberts returned the Chair to Mayor Redekop.

13. Notice of Motion

None.

14. Consideration of By-laws

By-law Nos. 71-2022 and 72-2022 were removed and dealt with separately due to Councillor McDermott's declared pecuniary interest.

By-law Nos. 73-2022 and 76-2022 were removed and dealt with separately due to Councillor Butler's declared pecuniary interest.

Resolution No. 8

Moved by: Councillor Lubberts

Seconded by: Councillor Noyes

That: The by-law package containing:

69-2022 To Authorize Applications for the Cancellation, Reduction or Refund of Taxes Levied for the Years 2020, 2021, and 2022

70-2022 To Amend Zoning By-law No. 129-90, as amended 3914 Alexandra Road - Centurion Building Corporation (Nicholas Colaneri) - Owner

74-2022 To Authorize the Extension of the Business Banking Agreement with TD Commercial Banking for the Provision of Banking Services

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75-2022 To Accept and Declare Lands as Public Highway on the South Side of East Main Street (3595 East Main Street – 1712131 Ontario Inc. – Beam Home Builders – Lawrence Beam)

77-2022 To Authorize the Entry into a Niagara Gateway Economic Zone and Centre Community Improvement Plan (1700 Pettit Road - Siltech Corporation)

is given first and second reading. **(Carried)**

Resolution No. 9

Moved by: Councillor Noyes

Seconded by: Councillor Dubanow

That: By-laws:

69-2022

70-2022

74-2022

75-2022

77-2022

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

Resolution No. 9A

Moved by: Councillor Lubberts

Seconded by: Councillor Noyes

That: The by-law package containing:

71-2022 To Authorize the Entry into a Lease Agreement with Fort Erie International Academy (Summer Aquatic Program)

72-2022 To Amend Fees and Charges By-law No. 40-09, as amended (Summer Aquatic Program Fees – Fort Erie International Academy)

is given first and second reading. **(Carried)**

Resolution No. 9B

Moved by: Councillor Noyes

Seconded by: Councillor Dubanow

That: By-laws:

71-2022

72-2022

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

Resolution No. 9C

Moved by: Councillor Lubberts

Seconded by: Councillor Noyes

That: The by-law package containing:

73-2022 To Amend Zoning By-law No. 129-90, as amended 3285
Thunder Bay Road Westwind Niagara Developments Inc. (Alfred Beam)
- Owner

76-2022 To Authorize the Entry into an Amendment to Memorandum of Understanding with Westwind Niagara Developments Inc. (Alfred Beam)
- 3285 Thunder Bay Road

is given first and second reading. **(Carried)**

Resolution No. 9D

Moved by: Councillor Noyes

Seconded by: Councillor Dubanow

That: By-laws:

73-2022

76-2022

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

Resolution No. 9D

Moved by: Councillor Noyes

Seconded by: Councillor Dubanow

That: By-laws:

73-2022

76-2022

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

Resolution No. 10

Moved by: Councillor Dubanow

Seconded by: Councillor Noyes

That: By-law No. 78-2022: To Confirm the Actions of Council at its Council-in-Committee Meetings Held on June 13, 2022 and June 20, 2022, and Council Meeting Held on June 27, 2022 is given first and second reading. **(Carried)**

Resolution No. 11
Moved by: Councillor Zanko
Seconded by: Councillor McDermott

That: By-law No. 78-2022 is given third and final reading to be signed by the Mayor and Clerk under the corporate seal. **(Carried)**

15. Scheduling of Meetings

- Community Gaming and Development Corporation Board of Directors meeting and AGM, Wednesday, June 29, 2022, 5:30 p.m., Southcoast Cookhouse
- Planning and Development Services Subcommittee, Wednesday, July 6, 2022, 5:00 p.m., Conference Rm. No. 1
- Accessibility Advisory Committee, Tuesday, June 28, 2022, 4:00 p.m., Conference Rm. No. 1
- Fort Erie Not-for-Profit Housing Committee, Wednesday, July 6, 2022, 9:00 a.m., Mae's Restaurant

16. Adjournment

Resolution No. 12
Moved by: Councillor Dubanow
Seconded by: Councillor McDermott

That: Council adjourns at 8:05 p.m. to reconvene into a Regular Meeting of Council on July 18, 2022. **(Carried)**

Mayor

Clerk