



The Municipal Corporation of the
Town of Fort Erie

Regular Council Meeting Minutes

Monday, July 15, 2019

1. Call to Order

The meeting was called to order by Mayor Redekop, Chair 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 along with the Inuit and Metis live in this community to this day.

2. Invocation

The Invocation was read by the Clerk.

3. Roll Call

Present: His Worship Mayor Redekop, Councillors Dubanow, Noyes and Zanko

Absent: Councillors Butler, Lubberts and McDermott

Also Present: Regional Councillor Insinna

Staff: R. Brady, J. Ferraccioli, J. Janzen, S. Hutton, E. Melanson, T. Morden, C. Schofield, and *C. Watson

*Departed at 6:27 p.m.

4. Announcements/Addenda

There was one Addendum under Item 14. Consideration of By-laws to amend Schedule "A" to By-law No. 116-2019 to amend Fees and Charges By-law No. 40-09 Re: Short Term Rentals, to reflect the current business licencing fees which are increased annually in accordance with the Statistics Canada Consumer Price Index (CPI).

Mayor Redekop made the following announcements:

- On Thursday, July 18th, the Friendship Festival is taking place in its usual location along the river.
- Sunday, July 21st is the annual Rick Shular Memorial Race starting

at around 3:54 p.m. at the Fort Erie Racetrack.

- On Tuesday, July 23rd, the Prince of Wales Stakes takes place starting at 4:00 p.m. at the Fort Erie Racetrack.

5. Declarations of Pecuniary Interest

Councillor Dubanow declared a pecuniary interest with respect to Item 15, By-law No. 105-2019 to Exempt Certain Lots in Plan 59M-470 from Part Lot Control, Block 69, Parts 1 to 8 - Peace Bridge Village – Ashton Homes (Western) Limited (A. Vercillo) since he lives in a subdivision developed by Ashton Homes (Western) Limited that has not yet been transferred to the municipality. He abstained from discussing or voting on the matter.

Councillor Dubanow declared a pecuniary interest with respect to Item 15, By-law No. 106-2019 to Authorize the Execution of an Amending Subdivision Agreement with Marina (Green Acres) Developments Inc. (Farhan Adam, Faheem Adam & Luciano Fruiti) (High Pointe Estates Phases 2 and 3), since the company he works for has been retained as a subcontractor for Marina (Green Acres) Developments Inc. and the High Point Estates Subdivision. He abstained from discussing or voting on the matter.

6. Notice of Upcoming Public Meetings

None.

7. Regional Councillor Report

RC Insinna reported on the following matters:

Niagara Peninsula Conservation Authority (NPCA)

For many months now there has been great interest and debate as to how board positions at the NPCA should be filled. There is a report that has passed at the Planning and Economic Development Committee that proposes the Region treat the appointments to the NPCA similar to how appointments are made to the Niagara Regional Police Board. A certain number of Regional Councillors are appointed along with a number of citizens, the numbers are equal. Interested citizens would be required to submit an application and it would be scored on a matrix that was developed. The higher scores on the matrix would then lead to an interview. A panel would look after the administration of this and the final appointments to the Board. This has yet to be ratified by Regional Council and is on the agenda for July 18. This would take effect in the 2022 appointments.

Niagara Peninsula Conservation Foundation (NPCF)

The audit was completed for the Foundation and there are no improprieties. The Foundation's work will continue and we are in a rebuilding stage. Future growth of the membership of the Board along with fundraising and promotions are next on the agenda for the Foundation.

Planning and Economic Development

The Niagara Region Housing Market Analysis: Trends, current state and forecasts 1996-2041 was presented at the Committee Meeting. It is a 51 page report about the housing situation in the Niagara Region, and the situations we have seen are brought to light in the report. The urgent need for affordable housing remains clear and requires our attention.

Public Works

An Automated Speed Enforcement Working Group has been established and will report back to Council with its findings. It will enhance the enforcement of speed zones in the Region as there appears to be an increase over the posted limits. This will not replace police officers but enhance the capability of ensuring safer streets. In conjunction with this, the Region is moving towards establishing Community Safety Zones. The first two will be in Niagara-on-the-Lake and Pelham. All of these initiatives are being looked at in order to make our streets and community safer. The presence of police officers is a deterrent, however, there are only so many police officers and the roads outnumber the officers significantly.

Niagara Specialized Transit continues to grow as it tries to meet the demands of its clientele. A Transit Study is forthcoming this year and we will see what model is best for Fort Erie and the rest of the Region.

Public Health and Social Services Committee

The Committee passed a motion for the increase of two full-time positions that will deal with psychosis issues and intervention. The two positions will be added to Niagara Health Services and the cost will be borne by the LHIN. It is unclear where the two will be working out of but services will be provided throughout the Region.

Lastly, he is advised there are no risks associated with 5Gs on poles.

Community Conversation

RC Insinna will be holding his next Community Conversation on Sunday, July 2, 2019 from 11:00 a.m. to 1:00 p.m. at the Crystal Beach Makers Market. All are invited to attend.

Councillor Dubanow referred to RC Insinna's comments regarding NPCA appointments. He stated he has nothing against the idea of the mix of elected representatives versus citizen appointments but he is concerned about how the members are apportioned to each municipality and how that would work when they are determining the matrix i.e. which municipality would have a citizen appointee versus an elected representative. He asked RC Insinna to get some information and clarify that so they have a better understanding of how that would work. Mayor Redekop asked RC Insinna if he could forward the report to Members of Council.

Councillor Noyes stated the last time she asked him about the lagoon and that it was being dredged, she asked when and where the material that's being dredged is going. RC Insinna responded that he has not heard back from Public Works as to where it's going to go. He believes they are still working with the person who is going to be doing the work as to where exactly it's going. He will continue asking that question. As soon as he has the answer, he will send it to her.

Councillor Noyes advised she sent him an email about a garbage leakage from the compost truck. Despite the smell, the real issue is the health hazard of the germs and bacteria that may be growing and fermenting, and being left on the roadside in residential and non-residential areas. She asked him if he had a chance to look into it. RC Insinna responded that he contacted Public Works and he will be meeting with Acting Commissioner Habermehl to bring that forward. This is not the first time this has been seen and noted. He believes about two months ago the same thing happened on Rebstock Road and they sent a truck out to take a look to see if they could find anything. It was a mixture of what was in the back of the truck with a bit of hydraulic fluid. There are major issues with Emterra right now and he will address that.

Councillor Noyes stated she thinks the Region's in charge of the big trucks that take the excrement from the wastewater treatment plants. RC Insinna confirmed it is sludge. She continued that they put it on farmland, and she understands the value of it. They've recently done it on Schaubel Road. She thinks Schaubel is a shared road between Fort Erie and Niagara Falls. They have wrecked the road to a good extent and now the road is torn up. If you go down a little further you can see the middle of the road rising because of the weight of the trucks. Several

years ago she brought this up because they did the same thing on Point Abino Road after it was redone. It was a paved road and you could see where the truck was and where the pavement was giving. The trucks are obviously too heavy for the road. She questioned if these trucks are allowed on roads that aren't strong enough to hold this kind of weight. She further questioned do these trucks not go by the same guidelines for use of road that other trucks have to do for the loads. The Mayor responded it is a municipal road and something Infrastructure Services can look into. Councillor Noyes advised the sludge is Regional. The Mayor concurred the sludge is Regional, however, the road is municipal. If the trucks are exceeding the weight restrictions on a road, that's something the municipality can deal with.

8. Presentations and Delegations

(a) Bill Galvin, 3650 Kaneff Crescent, Mississauga

Re: Samuel Johnston (The man who saved horse racing, and gave Fort Erie its sustaining industry for 120 years)

Mr. Galvin stated that he will reach back into an earlier time in Fort Erie's storied history when rum runners and smugglers plied their trade on the Niagara River, when Fort Erie's population was much smaller than it is today, and when horses were the main source of transport.

Mr. Galvin acknowledged Linda Rainey, Managing Director of the Canadian Horse Racing Hall of Fame; Stacie Roberts, Editor and Publisher of Thoroughbred Insight; Tom Rankin, a horseman and the President of Rankin Construction, Niagara's best builder and sponsor of the Annual Rankin Run for Cancer that has raised millions; Ruby Smith, President of Fort Erie's Heritage Arts Legacy Association and Adriana Jacobi; Sharon Dell, President of Bertie Historical Society. He stated that Sharon, Ruby and Adriana, along with members of the Bertie Historical Society, have provided tremendous help and support for this presentation. He also acknowledged Rick Cowan, long time Ontario Jockey Club Senior Executive and recently retired Chief Executive Officer of the Fort Erie Racetrack who journeyed from Florida to be here this evening; Reinhold Nagel who has been calling horses to the post with his bugle at Fort Erie Racetrack for 58 years. Alex Wick and Bill McMahon had long writing careers and Mr. McMahon recently retired his position as steward with the Racing Commission. Richard Grubb, a professional jockey in North America and England, winning over 100 major stakes and retired as a senior steward with the Racing Commission and is now living in Fort Erie. Caralee

Grummett who has helped in this venture and Kirsty MacKay. Gil Rowntree, an honoured member of the Canadian Horse Racing Hall of Fame is one of the most successful trainers in Canadian thoroughbred racing history. He's posted four victories in the Queen's Plate and three in the Prince of Wales. He also acknowledged all of the descendants of the men who signed the original Johnston petition.

Mr. Galvin explained the Fort Erie Racetrack first opened in 1897. In 1898, W.J. Stockdale, a Fort Erie resident, approached Bertie Township Council to propose a by-law that would prohibit horse racing of any kind in Bertie Township. In response to Mr. Stockdale's proposed legislation, Samuel Johnston, a local businessman, contractor and horseman, presented a petition signed by himself and 270 ratepayers in which he noted, rather forcefully, that the prohibition of horse racing at Fort Erie would have serious economic consequences for the Fort Erie Jockey Club and for the tax base of the Township. Eventually both Council and Mr. Stockdale recognized the merits of Mr. Johnston's argument and acknowledged the public support for the continuation of racing. As they say, the rest is history. Samuel Johnston saved horse racing and gave the Town of Fort Erie a sustaining industry. From the beginning, the Racetrack played a vital role, pouring hundreds of millions of dollars into the Town's economy during its 120 years of operation. The track was the heart of the Town, it was the Town's largest employer and 240 jobs would be lost without it, according to an article in the Toronto Star in 2012. Fort Erie Racetrack has had a pivotal role in Niagara's history and Fort Erie's history is incomplete without mention of the racetrack stated Earl M. Plato, Past President of the Bertie Historical Society. In 2013 Samuel Johnston was recognized for his huge contribution to the sport by the Canadian Horse Racing Industry when he was enshrined an honoured member in the Canadian Horse Racing Hall of Fame in the Legends/Builder Category.

In closing, Mr. Galvin stated the final chapter of Samuel Johnston and the 270 men who signed the historic 1898 petition that rested in the archives of the Fort Erie Museum for more than a century, is 121 years in the making but the final chapter has not been written. The Town of Fort Erie can author that final chapter and proudly etch Samuel Johnston's name in an honoured spot in its history. It can honour and acknowledge in a meaningful way, his leadership, his foresight and his political insight that allowed for the growth and development of a defining industry in Fort Erie for 121 years and counting.

- (b) Darren Platakis and Ian Lucas, Ohnia:kara Aspiring Global Geopark Steering Committee

Re: Ohnia:kara Aspiring Global Geopark

Messrs. Platakis and Lucas delivered a PowerPoint Presentation which is available for viewing on the Town's website.

Mr. Platakis explained that UNESCO's definition of a geopark is:

- A single, unified geographical area, where sites and landscapes of international geological significance are managed with a holistic concept of protection, education and sustainable development;
- Their bottom-up approach of combining conservation with sustainable development while involving local communities is becoming increasingly popular;
- Living, working landscapes with exceptional geological heritage where science and local communities engage in a mutually beneficial way;
- Those special places around the world that not only tell part of the history of the planet but also celebrate how our geological heritage is linked to all other types of heritage. This forms the basis of community empowerment and the promotion of the area's sustainable economic development.

Mr. Platakis stated that UNESCO's global geopark pillars are:

- Education,
- Sustainable responsible tourism,
- Cultural awareness, and
- Geoconservation/Geotourism.

Mr. Platakis explained "Why Niagara." Promotion and education as it relates to culture is particularly important in the establishment of a UNESCO global geopark, especially for our local indigenous communities, but also other cultures that now call Niagara home. The Niagara Escarpment has driven our earliest industry and provides the perfect climate, making us Canada's Fruit Belt, and our wines are world-renowned. The Welland Canal System exists because of the Escarpment; stone for the construction of the canal locks and prominent buildings came from the Escarpment. From farmer's markets to hiking and cycling, Niagara is fast becoming a four season destination. Niagara is also on the forefront of research, agriculture, sustainability and other disciplines that are prominent in other global geoparks. Designation would provide another incentive for post-secondary institutions to attract masters in post-doctoral

candidates. They just heard a great presentation with respect to the Fort Erie Racetrack but there are other historical attributes as well such as the Mewinzha Archaeology Museum. He stated there are fossils in Fort Erie - specifically the *Nerepisacanthus denisoni*, the first vertebrate fossil collected from the late Silurian Bertie formation, found at Ridgemount Quarry. The fish is the only near-complete acanthodian from the pre-Devonian strata that's worldwide.

In closing, Mr. Platakis stated that Fort Erie has many assets that can contribute to the success of a UNESCO global geopark.

- (c) Connie Stella, Principal and Paul Liu, Director, Fort Erie International Academy

Re: Introduction to New School (Mission, Values, Vision)

Ms. Stella delivered a PowerPoint Presentation which is available for viewing on the Town's website.

Ms. Stella explained that the Fort Erie International Academy (FEIA) are Chinese and Canadian educators with a vision to educate young people utilizing an east meets west world-view model: bridging two languages, cultures and educational platforms. The FEIA is an 18 acre campus and future student residence. A co-educational university preparatory program based on the Ontario Curriculum, designed and delivered at the highest standard, offering full co-curricular programs for both day students and international boarders.

Ms. Stella explained their Mission is to inspire and empower students to realize their academic potential, to become agents of change, innovators and leaders on a global scale. She further explained their goals, introduced the Expert Leadership Team, partnerships and the academic programs, bursaries and scholarships.

Mr. Liu expressed his appreciation to Mayor and Councillors. With their support they became part of the Fort Erie community. They have started hiring local residents and engaging local business. They have already amassed close to \$5 million dollars. Their plan over the next five years is to invest another \$100 million dollars in Fort Erie.

(d) Emily Pinckard, 334 Lakewood Avenue

Re: Bay Beach Operating Changes - Driveway/Permit Rule

Ms. Pinckard introduced herself and Janice Perlstein, her mother-in-law, who authored the letter in the package submitted to Council. She explained that Ms. Perlstein is a resident of Bay Beach and she asked Ms. Pinckard to speak tonight to convey her message.

Ms. Pinckard stated in the package is a copy of the letter that was circulated to Council about two weeks ago concerning the driveway/permit rule with respect to the Bay Beach parking by-laws. A petition is also in the package and has over 200 signatures that were collected electronically within two weeks.

She stated her presentation reiterates most of the comments contained in Ms. Perlstein's letter and there are many constituents from the Bay Beach area who have taken issue with the driveway/permit rule. They are not objecting to paid parking on their streets but are objecting to the fact they're disqualified from getting a resident parking permit because they have the potential to have a driveway on their property. They are asking Council to amend the parking/permit rule so that the residents who are on the affected streets can obtain ideally two resident permits that are vehicle-transferrable so they can use them for themselves, their family and visitors, and not be subject to high parking rates that were implemented for tourists and surrounding residents coming to the beach.

Ms. Pinckard provided a summary of the reasons why they think the driveway/permit rule should be amended:

- The inconvenience and cost to the affected residents amounts to about \$1,000 a summer for each vehicle.
- If you're away and leave your car on the street for more than a day, you would have to make arrangements for someone to buy you a new parking ticket every day.
- Their guests should not be required to pay exorbitant parking fees.
- Residents have two options: one is to pay on-street parking rates at \$10 a day; or two, to install a driveway on their property which includes cost of potential surveys, engineers, materials, labour and permits which they may not have budgeted for.
- Residents feel that tourists paying \$10 to park on the street are being given preference over the residents who live there. They feel like they're almost being penalized or punished because they live within close proximity to Bay Beach.

- Residents who can't afford to pay \$10 a day for the entire summer are parking their cars on the other streets where parking is not paid parking. That's will be the next wave of complaints - people parking in front of other people's properties. Those streets are becoming more crowded because they are dealing with the overflow.

Ms. Pinckard stated there's an inconsistency with the Bay Beach Master Plan that states pay and display parking would be limited to weekends and holidays and that on-street parking should be available to homeowners and their visitors through permits displayed on the dashboard of cars. The new parking by-law is inconsistent with the Master Plan, and disqualifies anyone from getting a permit unless they don't have driveway potential. She does not see many properties that have space for a driveway. Perhaps what concerns the petitioners the most is about green space. It's a green community and was reflected in the Master Plan which stated that recognizing and enhancing the existing character of the neighbourhood was an important principle for any new development in Bay Beach, and the Town parking lots should not be paved or made concrete in order to keep the green character. The residents feel that the Town gets to keep their parking lots looking green but they have to install concrete on their front lawn because they can no longer afford to park on the street as a result of the driveway/permit rule.

In closing, Ms. Pinckard reiterated they would like the driveway permit rule amended or abolished. The amendment would be to take out if you have driveway potential, you are not eligible for a resident permit. They just want to be able to get a permit without having to construct a driveway. They are also requesting an interim arrangement be put in place where residents could obtain permits.

9. Consent Agenda Items

9.1 Request to Remove Consent Agenda Items

None.

9.2 Consent Agenda Items for Approval

1. Minutes

- (a) Approve - Regular Council Meeting - June 17, 2019

- (b) Approve - Special Council Meeting - July 8, 2019
- (c) Approve - Council-in-Committee Meeting - July 8, 2019

2. Correspondence

- (a) Receive - Fort Erie SPCA - Board of Directors Minutes - June 13, 2019
- (b) Receive - City of St. Catharines - Free Menstrual Products at City Facilities
- (c) Proclamation - Niagara Health System Hepatitis C Care Clinic - Hepatitis Awareness Day - July 28, 2019

That: Council proclaims July 28, 2019 as "Hepatitis Awareness Day". **(Carried)**

- (d) Receive - Niagara Region - Response to Council Resolution - May 21, 2019 - Re: Taxi Service in Fort Erie - Future Vehicle for Hire By-law

3. Board/Committee Minutes

- (a) Receive - Fort Erie Accessibility Advisory Committee - June 4, 2019; June 25, 2019
- (b) Receive - Senior Citizens Advisory Committee - June 5, 2019
- (c) Receive - Mayor's Youth Advisory Committee - May 13, 2019
- (d) Receive - Community Gaming Development Corporation - May 22, 2019
- (e) Receive - Ridgeway Business Improvement Area Board of Management - June 5, 2019
- (f) Receive - Fort Erie Active Transportation Committee - March 19, 2019; April 16, 2019; May 14, 2019
- (g) Receive - Fort Erie Public Library Board - June 18, 2019

- (h) Receive - Crystal Beach Business Improvement Area Board of Management - May 7, 2019
- (i) Receive & Approve Recommendation - Environmental Advisory Committee - June 12, 2019, regarding:
 - (i) Areas of Jordyn Drive, Nancy Street, Canada Drive and Jasmine Court: EC Overlay be removed from the developed subdivision in the subject areas. **(Carried)**

4. Other Matters

Consent Agenda Resolution

Resolution No. 1
Moved by: Councillor Zanko
Seconded by: Councillor Dubanow

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) Memorandum - Carol Schofield, Manager, Legislative Services/Clerk - Chairs and Vice-Chairs of Business Subdivisions
- (b) Niagara Region - Notice of Passing of By-law to Amend By-law No. 112-2013 being a by-law to Protect Children and Vulnerable Persons from Exposure to Outdoor Second-Hand Smoke - Triple Majority Requirement - PHD 09-2019, June 11, 2019

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

That: The Council of The Corporation of the Town of Fort Erie consents to the passage of By-law No. 2019-52 of The Regional Municipality of Niagara, being a by-law to amend By-law No. 112-2013 - A Regional By-law to Protect Children and Vulnerable Persons from Exposure to Outdoor Second-hand Smoke. **(Carried)**

- (c) Notice of Resignation - Communities-in-Bloom Committee - Bob Allen

Resolution No. 3

Moved by: Councillor Noyes

Seconded by: Councillor Dubanow

That: Council accepts the resignation of Bob Allen 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)**

- (d) Notice of Resignation - Fort Erie Public Library Board - Leah Feor

Resolution No. 4

Moved by: Councillor Dubanow

Seconded by: Councillor Noyes

That: Council accepts the resignation of Leah Feor from the Fort Erie Public Library Board, and further

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

- (e) Appointment - Fort Erie Public Library Board

Resolution No. 5

Moved by: Councillor Dubanow

Seconded by: Councillor Noyes

That: Council appoints Larry Graber to the Fort Erie Public Library Board for the period ending November 14, 2022.

(Carried)

- (f) Notice of Resignation - Senior Citizens Advisory Committee - Robert Brown, Beachcombers Senior Centre Representative

Resolution No. 6

Moved by: Councillor Noyes

Seconded by: Councillor Dubanow

That: Council accepts the resignation of Robert Brown as the Beachcombers Senior Centre Representative from the Senior Citizens Advisory Committee, and further

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

- (g) Appointment - Senior Citizens Advisory Committee - Mary Franks, Beachcombers Senior Centre Representative

Resolution No. 7

Moved by: Councillor Noyes

Seconded by: Councillor Dubanow

That: Council appoints Mary Franks to the Senior Citizens Advisory Committee as the Beachcombers Senior Centre Representative for the period ending November 14, 2022.

(Carried)

11. Motions

- (a) Councillor Dubanow

Re: Whistleblower Policy

Resolution No. 8

Moved by: Councillor Dubanow

Seconded by: Councillor Noyes

Whereas the Town of Fort Erie has policies in place to ensure that it is accountable to the public for its actions and that its actions are transparent to the public, including the Accountability and Transparency Policy outlined in By-law No. 195-07, and

Whereas whistleblowing by employees in local governments can bring critical knowledge about misconduct and failed policy outcomes and priorities to the attention of politicians and/or the public, and

Whereas the provincial government, as well as other municipalities and agencies in Ontario, have in place policies and/or legislation that provide legal protection from discriminatory or disciplinary action for employees who disclose wrongdoing of any kind in the context of their workplace in good faith and to a competent authority, and

Whereas voters in the Regional Municipality of Niagara, including the Town of Fort Erie, sent a strong message on October 22nd, 2018 for the need for accountability and transparency in the way local governance is conducted, and

Whereas it is always desirable to build upon and enhance existing policies that further strengthen public trust in the accountability and transparency of the way their local government functions;

Now therefore be it resolved,

That: Council directs staff to prepare a report with respect to a whistleblowing policy for the Town of Fort Erie, and further

That: The Municipal Council of the Town of Fort Erie fully supports whistleblowing and is committed to protecting whistleblowers, the important information they provide and more widely, the integrity of the whistleblowing processes. All persons who are considering reporting their concerns in good faith can be assured that their concerns will be taken seriously, their identity will be protected and, as an employee of our municipality, that they will be protected from detrimental treatment, retaliation or employment harassment, and further

That: This resolution be circulated to Niagara Regional Council, the Councils of the Local Area Municipalities within the Regional Municipality of Niagara, and the Board of Directors of the Niagara Peninsula Conservation Authority for their endorsement and support.

Councillor Dubanow requested a recorded vote, the results of which are as follows:

Yes

Councillor Zanko
Councillor Dubanow
Councillor Noyes
Mayor Redekop

(Carried)

Mayor Redekop gave the Chair to Councillor Dubanow in order to bring forward his motion.

(b) Mayor Redekop

Re: Access and Egress to the Douglastown Area

Resolution No. 9

Moved by: Mayor Redekop

Seconded by: Councillor Zanko

Whereas Douglastown is a growing area in the Town of Fort Erie, currently populated by approximately 615 residents, and

Whereas there are only two road access points into and out of Douglastown, namely Baker Road and Black Creek Road, and

Whereas one of the access points, Baker Road, has been temporarily closed in order to permit the installations of underground services and reconstruction of part of the road, thereby reducing the points of access into and out of the area to one, and

Whereas Black Creek Road is narrow and has virtually no shoulder, and

Whereas the closure of either point of access to the area increases the potential for an unexpected closure of the other as a result of calamity, cause of nature or some other reason;

Now therefore be it resolved,

That: Council directs staff to prepare a report outlining the alternatives to add an additional point of access to the Douglastown area of the Town, such report to include possible sites, construction and cost, as well as any other aspect that staff believes appropriate for Council's consideration. **(Carried)**

Councillor Dubanow returned the Chair to Mayor Redekop.

12. Notice of Motion

(a) Councillor Noyes

Councillor Noyes gave notice of a motion to look into the cessation of train whistles where there are crossing arms and follow the process which is required in order to ensure safety.
(Returnable August 26, 2019)

(b) Councillor Noyes

Councillor Noyes gave notice of a motion to request a Traffic Calming Study be completed to address the concerns of speed on the roads for the entire Town, to be funded through the next budget.
(Returnable August 26, 2019)

13. Report

PDS-46-2019

Proposed Zoning By-law Amendment - 1211 & 1225 Sunset Drive - Thomas R. Richardson - Sullivan Mahoney LLP (Agent) - Alfred Beam & Janet Beam (Owner)

Resolution No. 10

Moved by: Councillor Zanko

Seconded by: Councillor Dubanow

That: Council approves the amendments to the Town's Zoning By-law No. 129-90 as detailed in Appendix "3" of Report No. PDS-46-2019 for the lands known as 1211 & 1225 Sunset Drive, and further

That: Council authorizes staff to prepare the necessary by-law. **(Carried)**

14. Consideration of By-laws

By-law Nos. 105-2019 and 106-2019 were removed from the by-law package and dealt with as a separate package due to Councillor Dubanow's pecuniary interests.

By-law No. 113-2019 was removed from the by-law package and dealt with separately at the request of Councillor Noyes.

Resolution No. 11

Moved by: Councillor Noyes

Seconded by: Councillor Zanko

That: The by-law package containing:

101-2019: To Authorize Entry into a Grant Funding Agreement for Physician Recruitment with Dr. Joseph Fraelic

102-2019: To Authorize Entry into a Grant Funding Agreement to Establish Capital Improvement to a Clinic for Physician Recruitment with Dr. Jeffrey Remington

103-2019: To Assume Primary Services in Lots 479, 480, 481 and 482, Plan 520, Located on the South Side of Queen Street between Central Avenue and Douglas Street (Nanavati)

104-2019: To Exempt Certain Lots in Plan 59M-452 from Part Lot Control, Block 6, Parts 1 to 5 - 192, 196, 200 and 204 Alderson Court - Park Lane Home Builders Limited (E. Lenchyshyn)

107-2019: To Authorize the Execution of an Amending Subdivision Agreement with 1639875 Ontario Ltd. (Frank Qiu) (King Street Subdivision)

108-2019: To Authorize the Entry into a Development Agreement with Bradley Brewster and William Denham - 1724 Rebecca Street

109-2019: To Amend By-law No. 97-2015 (To Appoint Deputy Clerks for the Purposes of the *Commissioners for Taking Affidavits Act* and *Courts of Justice Act*)

110-2019: To Appoint William Henry Nobes as Building Inspector for The Corporation of the Town of Fort Erie

111-2019: To Establish a System for Administrative Penalties

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112-2019: To Authorize the Sale of Lands in the Fort Erie Business Park – 0 Commerce Parkway (Harber Realty Holdings Inc. – Andrew Harber)

114-2019: To Authorize the Entry into an Agreement with Rutherford Prosecutions and to Appoint Janet Rutherford as the Hearing Officer for The Corporation of the Town of Fort Erie under the Administrative Penalty System and to Repeal By-law No. 86-2014

115-2019: To Appoint Temporary Municipal Law Enforcement Officers for The Corporation of the Town of Fort Erie

116-2019: To Amend Fees and Charges By-law No. 40-09, as Amended (Short Term Rentals)

is given first and second reading.

(Carried)

Resolution No. 12

Moved by: Councillor Zanko

Seconded by: Councillor Noyes

That: By-law Nos.:

101-2019

102-2019

103-2019

104-2019

107-2019

108-2019

109-2019

110-2019

111-2019

112-2019

114-2019

115-2019

116-2019

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

(Carried)

Resolution No. 12A

Moved by: Councillor Noyes

Seconded by: Councillor Zanko

That: The by-law package containing:

105-2019: To Exempt Certain Lots in Plan 59M-470 from Part Lot Control, Block 69, Parts 1 to 8 - Peace Bridge Village - Ashton Homes (Western) Limited (A. Vercillo)

106-2019: To Authorize the Execution of an Amending Subdivision Agreement with Marina (Green Acres) Developments Inc. (Farhan Adam, Faheem Adam & Luciano Fruiti) (High Pointe Estates Phases 2 and 3)

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

Resolution No. 12B
Moved by: Councillor Zanko
Seconded by: Councillor Noyes

That: By-law Nos.:
105-2019
106-2019

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

Resolution No. 12C
Moved by: Councillor Noyes
Seconded by: Councillor Dubanow

That: By-law No. 113-2019 To Amend Business Licencing By-law No. 217-05 (Licensing and Regulating Short-Term Rental Uses) is given first and second reading. **(Carried)**

Resolution No. 12D
Moved by: Councillor Noyes
Seconded by: Councillor Zanko

That: The words “sleeping and” be inserted after the word “outside” in Sections 4.5 (h) (v) and 5.1 (f) in By-law No. 113-2019. **(Carried)**

Resolution No. 12E
Moved by: Councillor Noyes
Seconded by: Councillor Dubanow

That: Appendix “1” to Schedule “13” of By-law No. 113-2019 be amended to insert reference to the by-laws relative to the three items which do not show a specific administrative penalty in Column 4. **(Carried)**

Resolution No. 12F
Moved by: Councillor Zanko
Seconded by: Councillor Noyes

That By-law No. 113-2019, as amended, is given third and final reading to be signed by the Mayor and Clerk under the corporate seal. **(Carried)**

Resolution No. 13

Moved by: Councillor Dubanow

Seconded by: Councillor Noyes

That: By-law No. 117-2019: To Confirm the Actions of Council at its Council-in-Committee Meeting held on July 8, 2019 and its Council Meeting held on July 15, 2019 is given first and second reading.

(Carried)

Resolution No. 14

Moved by: Councillor Zanko

Seconded by: Councillor Dubanow

That: By-law No. 117-2019 is given third and final reading to be signed by the Mayor and Clerk under the corporate seal.

(Carried)

15. Scheduling of Meetings

- Fort Erie Active Transportation Advisory Committee on Tuesday, July 16, 2019 at 5:30 p.m. in Conference Room No. 1
- Infrastructure Services Sub-Committee Meeting on Wednesday, July 24, 2019 at 5:00 p.m. in Conference Room No. 3
- Planning and Development Services Sub-Committee Meeting on Thursday, August 8, 2019 at 9:00 a.m. in Conference Room No. 3
- Douglas and Albert Street Parks Master Plan Open House on Tuesday, July 16, 2019 between 5:00-7:00 p.m. at the Douglas Heights Senior Centre at 265 High Street
- Affordable Housing Committee Stakeholder Consultation - Housing Needs Study on Wednesday, July 17, 2019 at 1:00 p.m. in Conference Room No. 1

16. Adjournment

Resolution No. 15

Moved by: Councillor Dubanow

Seconded by: Councillor Noyes

That: Council adjourns at 7:46 p.m. to reconvene into a Regular Meeting of Council on August 26, 2019.

(Carried)

Mayor

Clerk