



The Municipal Corporation of the  
Town of Fort Erie

**Council-in-Committee Meeting Minutes**

**Monday, September 13, 2021**

**Council Chambers via Video Teleconference**

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

All electronic meetings can be viewed at:

Town's Website:

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

Town's YouTube Channel: [www.youtube.com/townofforterie](http://www.youtube.com/townofforterie)

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**1. Call to Order**

Mayor Redekop called the meeting to order at 6:10 p.m.

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

**2. Roll Call**

Present (In Council Chambers): His Worship Mayor Redekop

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

Absent: Councillor Zanko

Staff (Via Zoom Teleconference): A. Dilwaria, K. Dolch, J. Janzen, T. Kuchyt, E. Melanson, C. Schofield, J. Stirton, D. Vander Veen, K. Walsh, and P. Wasserman

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

### **3. Announcements/Addenda**

Mayor Redekop made the following announcements:

#### **COVID-19 Update**

Approximately a week and a half ago, an event in Fort Erie resulted in a large number of COVID-19 cases, which led to a significant increase in cases in Fort Erie overall. Case numbers in Fort Erie have since stabilized.

Vaccination rates are coming in slowly; however, we are trying to provide more opportunities in Fort Erie through pop-up clinics. On September 21st, from 10:00 a.m. until 6:00 p.m., a pop-up clinic will be held at the Central Fire Station. The Town's website continues to be updated with opportunities to receive vaccines locally, and pharmacies continue to provide vaccines as well.

We all must continue to follow the public health guidelines and encourage others to become vaccinated; this is the surest way that we get back to normal and keep our community safe.

#### **Rick Shular Memorial Race**

The 7<sup>th</sup> Annual Rick Shular Memorial Race was held today at the Fort Erie Racetrack. Rick Schuler was a councillor in the Town of Fort Erie from 2003 until 2014. When he was re-elected in 2014, he attended the inaugural meeting before unfortunately succumbing to cancer. The race was a great opportunity to connect with the family of Rick Shular and remember him as a truly unique individual who touched a lot of people, who was involved in a lot of activities, and who will always be remembered.

#### **Federal Election**

The final date for voting in the Federal election is next Monday, September the 20<sup>th</sup>. Advance polls have been operating throughout the Town with high turnout levels, including a large number of requests for mail-in ballots across the country. We all must vote as this is one of the main rights that we have in Canada.

### **Hybrid Return to Council Chambers**

It was planned that Councillors could return to Council Chambers tonight; however, after some technical difficulty, that has changed to next week's Regular Council meeting. The meeting will still be held over Zoom with some councillors and staff present in the Council Chambers.

### **4. Declarations of Pecuniary Interest**

None.

### **5. Notice of Upcoming Public Meetings**

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

Re: 3285 Thunder Bay Road – Owner: Westwind Niagara Developments Inc. (Alfred Beam) - Agent: Upper Canada Consultants (Craig Rohe) - Monday, October 4, 2021 - 6:00 p.m. The information report will be available by 5:00 p.m. on September 29, 2021.

### **6. Public Meetings**

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

Re: 4197 Niagara River Parkway - Owners: Sant Prakash Dhillon, Aman, Uppal, Shaminder Dhillion & Kuldip - Agent: Curtis Thompson (Better Neighbourhoods Inc.). The Applicant's request is to facilitate a future severance to create a new residential lot and to add a Special Policy Area and rezone the subject lands to a new site-specific Waterfront Residential (WR) Zone to permit new development within the Urban Area on private water service. The subject property is located within the urban boundary and is currently designated Low-Density Residential, in the Douglastown-Black Creek Secondary Plan and zoned Waterfront Residential (WR) Zone, in accordance with Zoning By-law No. 129-90.

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

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

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

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

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

Mr. Curtis Thomson, Better Neighbourhoods Inc., Agent, was present to speak on behalf of the Application. Mr. Thomson provided a PowerPoint presentation and stated the following:

- The property is located in the urban area
- The property lacks municipal water but does have access to municipal sanitary sewer
- The purpose of the application is to apply to the Committee of Adjustment, to sever a new lot; however, in order to do that, a site-specific exemption is warranted under the official plan and the zoning bylaw to allow for partial private services
- The proposed building envelope and driveway have been designed to preserve existing trees on the property
- The garage has been placed on the southern flank of the building to preserve the neighbour's privacy to the south
- As a result of feedback from the Open House, the Owner is willing to increase the proposed side yard setback from 2.2 metres to 3 metres as well as prohibit the use of a short-term rental in perpetuity
- The Official Plan Amendment is for partial private services, specifically water, to be provided through an underground cistern tank

Mayor Redekop enquired whether the Clerk received any comments subsequent to the posting of the Report, to be read into the Minutes.

The Clerk the following comments into the Minutes:

(a) Herb Pirk, 4169 Niagara Parkway, Stevensville

"On behalf of a number of local residents and neighbours, we wish to lodge our objection to the Combined Official Plan and Zoning By-Law Amendment Application, more specifically

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Application #s 350302-0124 and 350309-0524. I am writing this letter personally because many neighbours have voiced their reluctance to sign their names to a public letter for fear of reprisals.

We understand the need for intensification from a policy point of view as it is critical to Town revenue and indeed is good for the environment in general. However, the houses in the area immediately surrounding the property and indeed the entire Douglastown-Black Creek Secondary Plan are relatively small compared to other properties on the Parkway, unassuming, well set back and well spaced giving a rural look to this section of the Parkway. Whatever intensification is approved, it needs to be consistent with the surrounding environs.

We recognize the rights of the Applicants to apply for the aforementioned Amendments to the Official Plan and Zoning By-law.

The Applicants ask for site specific variances related to a site-specific Waterfront Residential (WR) Zone to permit new development within the Urban Area on private water service and have submitted a site plan that impacts a longstanding homeowner at 4197 Niagara Pkwy. Her rights for a quiet, tranquil home in which she has resided for almost 40 years need to be respected as well.

While the neighbours would favour no change, we concede that this is unlikely and leads us to examine what actions or restrictions and requirements the Town could make to the future severed lot to maintain the quiet, tranquil enjoyment of their properties.

We trust that Council will carefully consider the four recommendations seriously as they, in our view, will address most of the concerns of the homeowners in the immediate area of impact.

September 7, 2021

To: Members of Town Council, Town of Fort Erie

Re: Combined Official Plan and Zoning By-law Amendment  
Application re: 4197 Niagara River Parkway, Application #s  
350302-0124 and #350309-0524

WHEREAS:

1. The Applicant utilized the property for income on short term rentals through Airbnb and occasional long-term rentals.
2. The Applicant did not monitor the activities of these renters and ignored complaints of late-night partying, excessive noise, garbage being scattered on the property and lack of maintenance by the owner.
3. When Covid restrictions were imposed on short term rentals, the Applicant was cautioned that his continued renting of the property for short term rentals had been suspended as a Covid precaution by the Province, was not permitted and indeed illegal. The Applicant continued privately to utilize the property for short term rentals.
4. In January of 2021 a double murder at the property shocked the neighborhood. The Applicant had rented 4197 Niagara Pkwy. on a short-term basis to the people associated with this crime, again, illegally due to Provincial COVID restrictions. Renting to people who were also prepared to ignore these COVID restrictions showed a complete disregard for the law by both the Applicant and the "renter". It put neighbours and local citizens at risk and undermined the sense of safety and tranquility which the community had always enjoyed.
5. This Application comes on the heels of a lengthy pattern of disregard for the law by the Applicant and puts his credibility in question. He has demonstrated an inability to follow the law. He has disregarded safe neighborhood norms. He has deliberately misrepresented his intentions. He has proven his oral intentions have no credibility. The Town Council should not rely on the content of his written submissions or his oral intentions.
6. After the Information Meeting called by the Town Planning Department in August the Applicant indicated directly to Ms. Herod the following: a) he agreed to a 3-metre setback from Ms. Herod's property line; b) he agreed to a substantial front yard setback that would not compromise her privacy and view.

7. The Application also includes a reference to a future dwelling of 2 storeys and 3,000 square feet which is totally out of scale with the immediate neighbourhood, both in size and proximity to a neighbour's property.

THEREFORE BE IT RESOLVED THAT: In the event Town Council approves a Site-Specific Official Plan and Zoning By-Law Amendment for the property known as 4197 Niagara Parkway, such approval should also include the following Site-Specific amendments to be registered on title:

1. That the side lot set back between the subject property, 4197 Niagara Pkwy, and the adjacent property, 4189 Niagara Pkwy, be no less than 3 metres.
2. That the front lot setback of the new lot be not less than 15.9 metres.
3. That the maximum dwelling size be no greater than 2,200 square feet, nor greater than 2 storeys.
4. That Short Term rentals be prohibited on the newly created lot.”

(b) Ernie and Pat Lapp

“We wish to inform you that we will unfortunately be unable to take part in the zoom meeting, September 13th. concerning the 4197 Niagara River Parkway property. We completely support all of the issues submitted by Herb Pirk in a letter dated September 8,2021 to the members of council for the town of Fort Erie.”

(c) Robert Bates

“My name is Robert Bates and I live next door to the property in question. I am opposed to the severance being proposed. In my opinion, the council passed a poorly thought out short term rental law which ultimately resulted in the deaths of two young girls next door, despite phone calls and emails from me. “Our” council woman Noyes was quoted after hearing about the murders saying, “Oh, that’s the party house.” To date, we have never received a reply from Noyes from any email or phone call. Large lawsuits should be anticipated by the family of the murdered girls and others as the property was illegally rented during the lockdown without oversight. This property which may

be encumbered by litigation should not be severed. Please don't compound one mistake with another."

(d) Paul Callow

"I am currently a resident of the Niagara Parkway for which I have owned for the last 8 years. It has always been my understanding that there was a minimum lot size to build a property. This was in place to maintain an area of spacious properties that compliments its proximity along the Niagara Parks land. It was this that lead me, and many other to seek a residence with spacious living on the Niagara Parkway. My position is that I am opposed to this amendment. There have been many conversations on this matter with those living in this area and the feeling is shared. Lowering the lot size, down to 25 m sets a dangerous precedent, that will pave the way into turning this beautiful, unique and picturesque road into any overcrowded residential street. It is certain that once the process starts it will be followed by many other interest groups looking to break up properties for financial gain. It is important for council to consider the motive for this amendment application and the potential damage it can do to this community."

Mayor Redekop asked if there was anyone in the virtual waiting room with their hand raised.

(e) Herb Pirk, 4169 Niagara Parkway, stated that the applicant has dealt with at least three of his four recommendations. Mr. Pirk also stated that the size and square footage of the building is out of scope with other properties along the Niagara Parkway from Netherby Road to Switch Road. He added that a 2,200 square foot dwelling would be more typical for property in question.

(f) Debra Herrod, 4189 Niagara Parkway, stated that she is surprised that the Town is allowing this severance as it may lead to many other severances between Fort Erie and Chippewa which will result in a loss of tranquility and peacefulness. Ms. Herrod also stated that, as an adjacent neighbour, the severance will directly impact her as she will lose privacy with the increase in people.

Mayor Redekop enquired whether there were any members of the public in the waiting room who wish to speak in favour of the Application.

No members of the public came forward.

Mayor Redekop enquired if any members of the public wished to speak in opposition to the Application.

No members of the public came forward.

**Mayor Redekop declared the Public Meeting closed.**

(b) Proposed Zoning By-law Amendment

Re: 3399 North Shore Drive - Owner: Paul Phillip & Susana Phillip / Sider Brothers Builders Ltd. - Agent: Upper Canada Consultants Planning & Engineering Ltd. (Matt Kernahan). The Applicant's request is to permit severance of two new lots and to formalize an existing legal non-conforming two-storey detached garage that is located in the front yard of the retained lot. Site-specific zoning provisions are requested to permit a reduced setback from the 1-in-100-year flood elevation along the waterfront, reduced lot frontage for one of the new lots, and to permit an existing pool and accessory building to remain on one of the proposed new lots as a temporary use for a period of one year. The zoning will change from Waterfront Residential (WR) Zone to three site-specific Waterfront Residential (WR) Zones.

Mr. Vander Veen, Junior Planner, delivered a PowerPoint Presentation which is available for viewing on the Town's website.

Mr. Vander Veen confirmed the statutory requirements for the Public Meeting were met, summarized the purpose of the Application, and public comments received.

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

Mr. Kernahan, Upper Canada Consultants, Agent, was present to speak on behalf of the Application. Mr. Kernahan provided a PowerPoint presentation summarizing the application and stated the following:

- The purpose of the proposed amendment for Part Three is to permit the existing pool and accessory structure to remain in place while and until the dwelling is constructed on this property

- The purpose of the proposed amendment for Part One is to permit a severance and reduced lot frontage
- The purpose of the proposed amendment for Part Two is to facilitate a future severance and maintain the existing garage and two-story dwelling to remain
  - The dwelling and deck will be modified slightly in order to accommodate the future proposed lot line, and the existing tennis court will be removed from the property
- Part four is a six-foot-wide strip of land, which will be transferred to the town to improve the existing walkway access to the beach; Town staff expressed a strong desire to acquire the strip of land as Parkland and the owners are agreeable to transferring it to them
- The proposed lot frontages are similar to many other lots in the area, including a number that are located along North Shore Drive, both north and south side
- The proposed development is supported under the Ridgeway Thunder Bay Secondary Plan and encouraged by Regional Information Policy
- The proposed development will not have any negative impact on natural heritage and hazard areas
  - The NPCA have no objection to the proposal or requires any studies
- The creation of the new lots will result in the dedication of the strip of land that will be added to the Town's walkway and improve waterfront access

Mayor Redekop enquired whether there were any members of the public in the waiting room who wish to speak in favour of the Application.

No members of the public came forward.

Mayor Redekop enquired whether the Clerk received any comments subsequent to the posting of the Report, to be read into the Minutes.

The Clerk advised she had received written comments from Dwayne Chrustie, Louis Carlesso, Karen Lane and Richard Ross. Mr. Butler advised that those individuals were present and they were called upon to speak.

- (a) Karen Lane, 57 Maple Leaf Avenue South, stated that she is opposed to the proposal as it will increase density and not meet the character of the neighbourhood. Ms.

Lane also stated that she is opposed to the current AirBnB use as it creates parking problems. She added that the additional lots will negatively affect the naturalized park atmosphere of the streetscape.

- (b) Dwaine Chrustie, 112 Derbyshire Drive, stated that he is opposed to the proposal as he is concerned that the additional dwellings will be used as short-term rentals. Mr. Chrustie also stated that existing short-term rental has had a negative affect in the area and he is concerned about more of the same.
- (c) Louis Carlesso, 3404 North Shore Drive, stated that he is concerned with the reduced lot frontage of 12 metres in comparison to other larger lots in the area with frontages around 80 metres. Mr. Carlesso added that he is concerned that the proposed smaller lots will set a precedent for future development in the area.
- (d) Richard Ross, 47 Maple Leaf Avenue South, stated that the proposed development will have a negative impact on the character of the neighbourhood and is opposed to the reduction in lot frontage. Mr. Ross also stated that he is concerned that future development will lead to further subdivision of other larger lots.
- (e) John Burke, 119 Maple Leaf Avenue South, stated that he is opposed to the application for the same reasons stated by previous speakers. Mr. Burke added that he is concerned about drainage on the proposed new lots as there are existing flooding problems.
- (f) Jason Grimoldby, 129 Maple Leaf Avenue South, stated that he is opposed to the application for the same reasons stated by previous speakers.

Mayor Redekop enquired if any other members of the public wished to address Council. No members of the public came forward.

**Mayor Redekop declared the Public Meeting closed.**

*Council recessed at 7:58 p.m. until 8:05 p.m.*

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

Re: 544 Walden Boulevard - Owner: Anthony Infurna Sr. - Agent: Hallex Engineering Ltd. (Anthony Infurna). The Applicant's request is to permit the development of two semi-detached dwellings for a total of four units fronting onto Walden Boulevard. An Official Plan Amendment is required to permit the semi-detached dwellings by changing the land use designation from Commercial to Urban Residential. A zoning by-law amendment is also required to change the Highway Commercial (C3) Zone to a site-specific Residential 3 (R3) Zone with provisions to permit reduced lot frontage for all four units and reduced lot area for one of the units, to permit the dwelling designs.

Mr. Vander Veen, Junior Planner, delivered a PowerPoint Presentation which is available for viewing on the Town's website.

Mr. Vander Veen confirmed the statutory requirements for the Public Meeting were met, summarized the purpose of the Application, and public comments received.

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

Mr. Anthony Infurna, Agent, was present to speak on behalf of the Application. He advised that staff had covered everything and he had nothing further to add.

Mayor Redekop enquired whether the Clerk received any comments subsequent to the posting of the Report, to be read into the Minutes. The Clerk advised that she did not.

Mayor Redekop enquired whether there were any members of the public in the waiting room who wish to speak in favour of the Application.

(a) Anthony Annunziata, 516 Garrison Road, stated that he supports the proposed change in zoning from C3 Commercial to Residential.

Mayor Redekop enquired if any members of the public wished to speak in opposition to the Application.

No members of the public came forward.

**Mayor Redekop declared the Public Meeting closed.**

## **7. Consent Agenda Items**

### **7.1 Request to Remove Consent Agenda Items**

### **7.2 Consent Agenda Items for Approval**

**PDS-84-2021** Beachwalk Subdivision - Amending Subdivision Agreement and Pre-Servicing Approval - West Side of Schooley Road, South Side of Michener Road - Marz Homes (Crystal Beach) Inc. (Dan Gabriele)

**That:** Council authorizes the entry into an Amending Subdivision Agreement with Marz Homes (Crystal Beach) Inc. for the Beachwalk Subdivision (formerly JetMar Plan of Subdivision), and further

**That:** Council permits the Developer to pre-service the subdivision prior to registration of the Subdivision Agreement subject to receipt of the drawings, security deposit, cash payment, approvals, insurance certificate, and letter of indemnification to the satisfaction of the Town, and further

**That:** Council directs staff to prepare a by-law for Removal of Part Lot Control pursuant to Section 50 of the Planning Act, R.S.O 1990, and further

**That:** Council directs staff to prepare a by-law to execute the Subdivision Agreement and associated documents. **(Carried)**

**PDS-85-2021** River Trail Phase 2 Stage 2 - Amending Subdivision Agreement - East Side of Black Creek Road, South of Baker Road - Royal Niagara Falls Estates Development Corp. (Linda Jabbaz)

**That:** Council authorizes the entry into an Amending Subdivision Agreement with Royal Niagara Falls Estates Development Corp. for the River Trail Phase 2 Stage 2 Subdivision, and further

**That:** Council directs staff to prepare a by-law to execute the Amending Subdivision Agreement and associated documents.  
**(Carried)**

**CS-08-2021** 2020 Annual Financial Report

**That:** Council receives for information Report No. CS-08-2021 regarding the “2020 Annual Financial Report” attached as Appendix “1” and published in accordance with Section 295 of the Municipal Act, 2001, and further

**That:** Council allocates the \$1,734,158 2020 General Levy surplus as follows:

- \$700,000 to the Road Refurbishing Reserve,
- \$350,000 to the Parkland Reserve,
- \$250,000 to the Major Capital Expenditure Reserve,
- \$200,000 to the Facilities Maintenance Reserve,
- \$100,000 to the IT Equipment Reserve,
- \$45,813 BIA and Crystal Beach Beautification Committee surpluses be carried forward to 2021, and
- \$88,345 to the General Levy Rate Stabilization Reserve.

**(Carried)**

**CS-09-2021** Adjustments, Rebates, Under Section 357 and 358 for 2018, 2019 and 2020

**That:** Council approves the cancellation, reduction or refund of taxes and penalties in the amount of \$17,203.75 as per Appendix “1” to Report No. CS-09-2021 in accordance with Section 357 and 358 of the Municipal Act, 2001 and directs staff to submit a By-law to Council.

**That:** Council supports staff’s recommendation regarding properties with roll numbers 020 019 26705 and 020 023 02100 which is for no assessment change.  
**(Carried)**

**CS-10-2021** 2021 Semi Annual Investment Review

**That:** Council receives for information purposes Report No. CS-10-2021 regarding the 2021 semi-annual investment review.  
**(Carried)**

**Consent Agenda Recommendation**

Recommendation No. 1  
Moved by: Councillor Dubanow

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

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

None.

## **8. Planning and Development Services**

*Chaired by Councillor Dubanow.*

### **8.1 Presentations and Delegations**

None.

### **8.2 Reports**

**PDS-19-2021** Proposed Zoning By-law Amendment - 0 -13365 Pettit Road - D.C. McCloskey Engineering Ltd. - Mark McCloskey (Agent) - KRS Holdings Inc. - Gary Singh (Owner) ***(Postponed from March 8, 2021, Council-in-Committee Meeting, April 12, 2021, Council-in-Committee Meeting and the June 14, 2021 Council-in-Committee Meeting - Previously Moved by Councillor Zanko as Recommendation No. 4)***

**That:** Council receives for information purposes Report No. PDS-19-2021 regarding a proposed amendment to the Town's Comprehensive Zoning By-law No. 129-90 for 0-13365 Pettit Road.

Recommendation No. 2  
Moved by: Mayor Redekop

**That:** Report No. PDS-19-2021 be postponed until such time as the applicant has submitted the revised application with updating supporting studies. **(Carried)**

**PDS-81-2021** Proposed Combined Official Plan & Zoning By-Law Amendment - 4197 Niagara River Parkway - Curtis Thompson (Better Neighbourhoods Inc.) (Agent) - Sant Parkash Dhillon, Aman Uppal, Shaminder Dhillion & Kuldip Singh (Owners)

Recommendation No. 3  
Moved by: Mayor Redekop

**That:** Council receives for information purposes Report No. PDS-81-2021 regarding an amendment to the Town's Official Plan and Zoning By-law for 4197 Niagara River Parkway.

**(Carried)**

**PDS-82-2021** Proposed Zoning By-Law Amendment - 3399 North Shore Drive - Upper Canada Consultants Planning & Engineering Ltd. - Matt Kernahan - (Agent) - Sider Brothers Builders Ltd. - Shawn Sider / Paul Philip & Susana Philip (Owners)

Recommendation No. 4  
Moved by: Councillor McDermott

**That:** Council receives for information purposes Report No. PDS-82-2021 regarding a proposed Zoning By-law Amendment for 3399 North Shore Drive.

**(Carried)**

**PDS-83-2021** Proposed Combined Official Plan & Zoning By-Law Amendment - 544 Walden Boulevard - Hallex Engineering Ltd. - Anthony Infurna (Agent) - Anthony Infurna Sr. (Owner)

Recommendation No. 5  
Moved by: Councillor Butler

**That:** Council receives for information purposes Report No. PDS-83-2021 regarding a proposed Official Plan Amendment and Zoning By-law Amendment for 544 Walden Boulevard.

**(Carried)**

**PDS-86-2021** Crystal Beach Secondary Plan - Proposed Official Plan Amendment No. 54 and Related Zoning By-law Amendments

Recommendation No. 6  
Moved by: Councillor Lubberts

**That:** Council approves the Crystal Beach Secondary Plan Official Plan Amendment No. 54 (OPA 54) attached as Appendix "4" to Report No. PDS-86-2021, and further

**That:** Council approves the amendments to the Town's Zoning By-law No. 129-90 to implement OPA 54, and further

**That:** Council directs staff to submit the necessary by-laws to Council for approval, and further

**That:** Council directs staff to notify all relevant partner agencies, stakeholders, and property owners of the amendments, and any other person or party having expressed interest or requested notification of the Town's intent to pass the by-laws attached as Appendices "4" and "5" to Report No. PDS-86-2021, and further

**That:** Council hereby determines that in accordance with Section 34(17) of the Planning Act, further notice is not required as a result of the inclusion of Documentation Modifications and Mapping Schedule Modifications subsequent to the Public Meeting, and further

**That:** Council directs staff to initiate the process to create a Downtown Core Area Community Improvement Plan for the Crystal Beach mixed-use commercial district.

*Mayor Redekop called a point of order to Councillor Lubberts questioning the Clerk concerning delegations speaking subsequent to the Statutory Public Meeting being declared closed. The Chair ruled in favour of the point of order.*

Recommendation No. 7  
Moved by: Councillor Lubberts

**That:** The portion of the Crystal Beach Tennis & Yacht Club lands identified as Part 14 on Schedules A 1-5 of Report No. PDS-86-2021 within the Crystal Beach Secondary Plan be deferred until April 1, 2022. **(Lost)**

***Following the vote on the proposed amendment, Recommendation No. 6 was voted on as follows:***

**That:** Council approves the Crystal Beach Secondary Plan Official Plan Amendment No. 54 (OPA 54) attached as Appendix "4" to Report No. PDS-86-2021, and further

**That:** Council approves the amendments to the Town's Zoning By-law No. 129-90 to implement OPA 54, and further

**That:** Council directs staff to submit the necessary by-laws to Council for approval, and further

**That:** Council directs staff to notify all relevant partner agencies, stakeholders, and property owners of the amendments, and any other person or party having expressed interest or requested notification of the Town's intent to pass the by-laws attached as Appendices "4" and "5" to Report No. PDS-86-2021, and further

**That:** Council hereby determines that in accordance with Section 34(17) of the Planning Act, further notice is not required as a result of the inclusion of Documentation Modifications and Mapping Schedule Modifications subsequent to the Public Meeting, and further

**That:** Council directs staff to initiate the process to create a Downtown Core Area Community Improvement Plan for the Crystal Beach mixed-use commercial district. **(Carried)**

### **8.3 New Business/Enquiries**

None.

### **8.4 Business Status Report**

No changes.

## **9. Infrastructure Services**

*Chaired by Councillor Lubberts.*

### **9.1 Presentations and Delegations**

*None.*

### **9.2 Reports**

**IS-39-2021** Tenth Street Ditching Assessment (***Postponed from August 9, 2021, Council-in-Committee Meeting - Previously Moved by Councillor McDermott as Recommendation No. 10***)

**That:** Council receives the Tenth Street Ditching Assessment for information purposes; and further

**That:** Council chooses Option 1: Re-Grading existing ditches to resolve the current issues brought forth by the residents on Tenth Street; and further

**That:** Council amends the 2021 Capital Budget to supplement the Tenth Street Ditching project TADR21 by \$125,000.00 with funding from the Storm Refurbishing Reserve.

Recommendation No. 8  
Moved by: Councillor Dubanow

**That:** Report No. IS-39-2021 be tabled. **(Carried)**

### **9.3 New Business/Enquiries**

(a) Councillor Butler

Councillor Butler enquired about the projected date of the traffic calming report as a child was almost struck by a vehicle over the weekend and she wants to assure the neighbourhood that the Town is seriously considering traffic calming options.

Mr. Walsh advised that the plan is to bring the report to Council before the end of the year.

### **9.4 Business Status Report**

No changes.

## **10. Corporate and Community Services**

*Chaired by Council McDermott.*

### **10.1 Presentations and Delegations**

None.

## 10.2 Reports

**EDTS-03-2021** Proposed Housekeeping Amendments to By-law 217-05 – Short Term Rentals Schedule “13”

Recommendation No. 9  
Moved by: Councillor Noyes

*Mayor Redekop called a point of order that Councillor Lubberts was not speaking to the content of the report. The Chair ruled in favour of the point of order.*

**That:** Council approves the proposed housekeeping amendments to Schedule “13”- Short-Term Rentals to By-law No. 58-2021 set out as Appendix 1 to this report; and further

**That:** Council directs staff to prepare the necessary by-law to amend Schedule “13” – Short-Term Rentals to By-law No. 217-05 accordingly. **(Carried)**

## 10.3 New Business/Enquiries

None.

## 10.4 Business Status Report

No changes.

## 11. Scheduling of Meetings

None.

## 12. Adjournment

Recommendation No. 9  
Moved by: Councillor Dubanow

**That:** Council-in-Committee hereby adjourns at 9:45 p.m. **(Carried)**

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Mayor

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Clerk