



# The Municipal Corporation of the Town of Fort Erie

## Council-in-Committee Meeting Minutes

**Monday, October 3, 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](http://www.youtube.com/townofforterie)

or click on the YouTube icon on the home page of the Town's website ([www.forterie.ca](http://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. Roll Call**

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

Absent: Councillor Butler and Regional Councillor Insinna

Staff: B. Bradnam, A. Dilwaria, A. Herlovitch, J. Janzen, C. McQueen, C. Patton, C. Schofield, K. Walsh.

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

Mayor Redekop made the following announcements:

- **Sept. 29<sup>th</sup> – Friendship Centre – Parade of Orange Shirts**

September 29th was the day when our local Native Friendship Centre celebrated the National Day for Truth and Reconciliation with

a parade of orange shirts down Garrison Road, from Mather Arch to the Native Friendship Centre on Buffalo Road. They did that on the 29<sup>th</sup>, as opposed to the 30<sup>th</sup> which is the actual national holiday for Truth and Reconciliation, because Phyllis Webstead, the woman who started the Orange Shirt Campaign, was in Niagara for a couple of weeks and she had a large schedule of events that took place in Niagara Falls and vicinity, on the 30<sup>th</sup>. It was a large turnout and a gratifying show of support for the indigenous community here in Fort Erie.

- **Election - Advance Polls**

The Election has started with the first Advance Poll on Saturday, October 1<sup>st</sup>. There are 2 further Advanced Polls. One will be on Thursday, October 13<sup>th</sup> at the Central Fire Station on Central Avenue from 1:00 p.m. to 8:00 p.m. The next will be on Friday, October 14<sup>th</sup>, from 10:00 a.m. until 3:00 p.m. at Stevensville Memorial Hall.

- **Mayoral Debate**

There is a Mayoral Debate tomorrow evening, October 4<sup>th</sup>, at the Leisureplex, which starts at 6:00 p.m., and the doors open at 5:30 p.m. I want to express the importance of people taking the time to vote, there are many individuals over the history of our country that have sacrificed so that we can live in the democracy that we enjoy and it's very important for all of us to take the time, if we can, to vote. It's very important, it's the primary right in a democracy.

- **1<sup>st</sup> anniversary from Conventional to On Demand Transit**

October 4<sup>th</sup> is the first anniversary of the move from Conventional Transit to On-Demand transit. There will be small ceremony in the afternoon at the service provider's address on Wintermute Street in Fort Erie.

- **Ontario Cadets Week**

The Ontario Cadets Week is October 1<sup>st</sup> through 7<sup>th</sup>. It was announced by the Provincial Government and recognizes the importance of our Cadet Programs. Army, Navy, and Air in Ontario will be recognized annually across the Province to honour the outstanding young Canadians whose unique, personal and collective development through Cadet Programs will help them to be successful in Canadian society, as well as recognizing those who support the programs directly and indirectly. In Fort Erie, we have all 3 Branches; the Fort Erie Army Cadets, 337 Allen Troupe Air Squadron, and the

Black Creek Navy League. These Cadet Programs are strengthening Canadian communities by investing in youth across Ontario.

- **Thanksgiving**

I want to wish everyone a Happy Thanksgiving Day, which is coming up this weekend. I hope that you will all appreciate what we have to be thankful for in our community.

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

None.

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

None.

#### **6. Public Meetings**

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

Re: 613 Helena Street - Owner: SS Fort Erie Inc. - Agent: Tracy Tucker (IBI Group).

***(POSTPONED to a future date to be determined)***

- (b) Proposed Draft Plan of Subdivision

Re: 0-10972 Seymour Avenue - Owner: 5035003 Ontario Ltd. - Applicant: M. Arshad Siddiqui (C-Architecture). The Applicant's request is to develop 8 residential lots with frontage on Seymour Avenue for the future development of on-street townhouse dwelling units. The subject property is zoned Residential Multiple 1 (RM1-507) Zone and Street Townhouse dwelling units are permitted under the current RM1-507 Zone. A minor variance application (A04/21) was approved by the Committee of Adjustment on January 21, 2021 requesting a reduction to the minimum lot frontage and lot areas of Lots 2 to 7, and an increase to the maximum residential density from 35 units/ha to 47.04 units/ha.

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, Manager, Development Approvals, 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.

Steven Rivers, MCIP, RPP, President /Principal Planner, South Coast Consulting, Land Use Planning & Development Project Management was present to speak on behalf of the Applicant, and provided a PowerPoint Presentation which is available for viewing on the Town's website.

Mayor Redekop enquired whether there were any members of the public present in the virtual waiting room or in the Chamber who wished 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 or ask questions.

***All visual presentations and oral presentations of the members of the public who spoke at this Public Meeting can be viewed as recorded at:***

***[www.youtube.com/townofforterie](http://www.youtube.com/townofforterie)***

(a) Kate Ashbridge - 541 Lakeview Road, Town of Fort Erie

Ms. Ashbridge requested that the decision regarding PDS-69-2022 be postponed until the National Heritage Constraints Assessment can be circulated to the Environmental Advisory Committee (EAC) for comment to municipal staff.

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

<b>PDS-69-2022</b>	Proposed Draft Plan of Subdivision 0-10972 Seymour Avenue - South Coast Consulting - Steven Rivers (Agent) 5035003 Ontario Ltd. - Rukksana Moin (Owner)
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Recommendation No. 1

Moved by: Councillor Zanko

**That:** Council receives for information purposes Report No. PDS-69-2022 regarding a proposed Draft Plan of Subdivision for 0-10972 Seymour Avenue, and further

**That:** Council approves the Draft Plan of Subdivision for 0-10972 Seymour Avenue dated August 24, 2022, showing 8 lots for on-street townhouse dwelling units, as attached as Appendix "2" of Report No. PDS-69-2022, in accordance with the provisions of the *Planning Act*, R.S.O. 1990 c. P. 13 and the Regulations thereunder, subject to the conditions contained in Appendix "5" of Report No. PDS-69-2022, and further

**That:** Council directs staff to circulate the Conditions of Draft Plan Approval in Appendix "5" of Report No. PDS-69-2022 to the applicable agencies in accordance with the requirements of the *Planning Act*.

Recommendation No. 2

Moved by: Councillor Noyes

**That:** A condition be added that all Purchase and Sale Agreements provide that no structural development will occur within the 30 metre setback from the adjacent locally significant wetland. **(Carried)**

Recommendation No. 3

Moved by: Councillor Noyes

**That:** That Condition No. 3 be amended by changing the word "should" to "shall" in the second last line. **(Carried)**

Recommendation No. 4

Moved by: Councillor Lubberts

**That:** The Site Plan Agreement shall not be finalized until the Environmental Advisory Committee has had an opportunity to review the Natural Heritage Constraints Assessment, and provide comments to municipal staff. **(Carried)**

Recommendation No. 5

Moved by: Councillor Zanko

**That:** Council directs that written notification of the amended conditions is not required due to the minor nature of the changes in accordance with Section 51(47) of the *Planning Act*. **(Carried)**

**Following approval of the amendments, Report No. PDS-69-2022 was voted on, as amended, as follows:**

**That:** Council receives for information purposes Report No. PDS-69-2022 regarding a proposed Draft Plan of Subdivision for 0-10972 Seymour Avenue, and further

**That:** Council approves the Draft Plan of Subdivision for 0-10972 Seymour Avenue dated August 24, 2022, showing 8 lots for on-street townhouse dwelling units, as attached as Appendix "2" of Report No. PDS-69-2022, in accordance with the provisions of the *Planning Act*, R.S.O. 1990 c. P. 13 and the Regulations thereunder, subject to the conditions contained in Appendix "5" of Report No. PDS-69-2022, as amended to include a condition that all Purchase and Sale Agreements provide that no structural development will occur within the 30 metre setback from the adjacent locally significant wetland, and that Condition No. 3 is amended by changing the word "should" to "shall" in the second last line, and further

**That:** Council directs staff to circulate the Conditions of Draft Plan Approval in Appendix "5" of Report No. PDS-69-2022 to the applicable agencies in accordance with the requirements of the *Planning Act*, and further

**That:** Council directs that the Site Plan Agreement shall not be finalized until the Environmental Advisory Committee has had an opportunity to review the Natural Heritage Constraints Assessment, and provide comments to municipal staff, and further

**That:** Council directs that written notification of the amended conditions is not required due to the minor nature of the changes in accordance with Section 51(47) of the *Planning Act*. **(Carried)**

## **7. Consent Agenda Items**

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

Councillor Zanko requested that Recommendation No. 1 in Appendix "2" Report No. CAO-14/LC-14-2022 be removed and dealt with separately.

Councillor McDermott requested that Report No. PDS-71-2022 be removed and dealt with separately.

Mayor Redekop requested that Report No. PDS-72-2022 be removed and dealt with separately.

Councillor Noyes requested that Recommendation No. 2 in Appendix "2" Report No. CAO-14/LC-14-2022 be removed and dealt with separately.

## 7.2 Consent Agenda Items for Approval

**PDS-66-1-2022** Minor Change to Conditions - 726 Gorham Road Approved Draft Plan of Subdivision - Urban in Mind - Jacob Dickie (Agent) - 2655321 Ontario Ltd. - Mark Spadafora (Owner)

**That:** Council directs that the conditions of approval for the Draft Plan of Subdivision at 726 Gorham Road be amended, as detailed in Appendix "3" of Report No. PDS-66-1-2022, and further

**That:** Council directs that written notification of the amended conditions is not required due to the minor nature of the changes in accordance with Section 51(47) of the *Planning Act*.

**(Carried)**

**PDS-70-2022** Proposed Combined Official Plan and Zoning By-Law Amendments 124 Windmill Point Road South Quartek Group Inc. - Susan Smyth (Agent) Craig & Katie Kuhn (Owners)

**That:** Council approves the amendments to the Town's Official Plan and Zoning Bylaw as detailed in Report No. PDS-70-2022 for the lands known as 124 Windmill Point Road South, and further

**That:** Council directs staff to prepare the necessary by-laws.

**(Carried)**

**PDS-71-2022** Consideration of Objection to Intention to Designate 1 Burns Place

**That:** Council determines not to withdraw its Notice of Intention to Designate 1 Burns Place, Fort Erie for architectural, historical and contextual attributes and reasons, under Part IV of the *Ontario Heritage Act*; and further

**That:** Council directs staff to prepare a Designation By-law to be passed within 120 days of August 25, 2022, and serve notice in accordance with the requirements of the *Ontario Heritage Act*.

**PDS-72-2022** Composition of the Short-Term Rental Land Use Study Community Focus Group

**That:** Council receives Report No. PDS-72-2022 for information purposes respecting composition of the Short-Term Rental Land Use Study Community Focus Group.

**CAO-14/LC-14-2022** Land Matters: September 7, 2022 Meeting Minutes

**That:** Council receives the September 7, 2022, Land Committee meeting minutes attached as Appendix "1" to Report No. CAO-14/LC-14-2022. **(Carried)**

**CAO-15-2022** Council's 2018-2022 Corporate Strategic Plan - Final Report

**That:** Council receives Report No. CAO-15-2022 for information purposes. **(Carried)**

**CS-16-2022** 2023 Budget Planning

**That:** Council receives for information purposes the 2023 Budget Planning as presented in Report No. CS-16-2022 and quantified in Appendix "1" and "2", and further

**That:** Council approves the 2023 Budget Timetable as per Appendix "3". **(Carried)**

### **Consent Agenda Recommendation**

Recommendation No. 6  
Moved by: Councillor Dubanow

**That:** Council approves the Consent Agenda Items as recommended save & except Recommendation Nos. 1 and 2 in Appendix "2" to Report No. CAO-14/LC-14-2022, Report Nos. PDS-71-2022 and PDS-72-2022. **(Carried)**

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

**PDS-71-2022** Consideration of Objection to Intention to Designate 1 Burns Place

Recommendation No. 7  
Moved by: Councillor McDermott



**That:** Council determines not to withdraw its Notice of Intention to Designate 1 Burns Place, Fort Erie for architectural, historical and contextual attributes and reasons, under Part IV of the *Ontario Heritage Act*; and further

**That:** Council directs staff to prepare a Designation By-law to be passed within 120 days of August 25, 2022, and serve notice in accordance with the requirements of the *Ontario Heritage Act*.  
**(Carried)**

**PDS-72-2022** Composition of the Short-Term Rental Land Use Study Community Focus Group

*Mayor Redekop gave the Chair to Councillor McDermott in order to ask questions.*

**That:** Council receives Report No. PDS-72-2022 for information purposes respecting composition of the Short-Term Rental Land Use Study Community Focus Group.

Recommendation No. 8  
Moved by: Mayor Redekop

**That:** Report No. PDS-72-2022 be postponed to the October 17, 2022 Council meeting for staff to further consider the Applications and the makeup of the Community Focus Group. **(Carried)**

*Councillor McDermott returned the Chair to Mayor Redekop.*

**CAO-14/LC-14-2022** Land Matters: September 7, 2022 Meeting Minutes

Recommendation No. 9  
Moved by: Councillor Zanko

**That:** Council approves Recommendation No. 1 of Appendix 2” (Part of Stephens Road) to Report No. CAO/LC-14-2022 be postponed until the December 5, 2022 Council-in-Committee Meeting. **(Carried)**

Recommendation No. 10  
Moved by: Councillor Noyes

**That:** Council directs that all charges related to the Encroachment Agreement related to Recommendation No. 2 of Appendix “2” (3797 Black Creek Road) to Report No. CAO/LC-14-2022 be waived. **(Carried)**

## 8. Planning and Development Services

*Chaired by: Councillor Dubanow*

### 8.1 Presentations and Delegations

### 8.2 Reports

**PDS-19-2-2021** Supplemental Information Report Re: Proposed Zoning By-Law Amendment for 0-13365 Pettitt Road D.C. McCloskey Engineering Ltd. Mark McCloskey (Agent) KRS Holdings Inc. - Gary Singh (Owner)

Recommendation No. 2  
Moved by: Councillor Zanko

**That:** Council receives Report No. PDS-19-2-2021 regarding additional information for the proposed Zoning By-law Amendment for 0-13365 Pettitt Road. **(Carried)**

**PDS-19-2021** Proposed Zoning By-law Amendment - 0 - 13365 Pettitt Road - D.C. McCloskey Engineering Ltd. - Mark McCloskey (Agent) - KRS Holdings Inc. - Gary Singh (Owner) ***(Postponed from March 8, 2021, April 12, 2021, June 14, 2021, September 13, 2021, January 10, 2022, March 21, 2022, July 11, 2022, August 8, 2022 and September 12, 2022 Council-in-Committee Meetings - 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 Pettitt Road. **(Carried)**

### 8.3 New Business/Enquiries

(a) Councillor Lubberts

Councillor Lubberts referred to the September 19, 2022 meeting of Regular Council where Mr. Strooband, Executive Director, Lincoln County Humane Society (LCHS), appeared. During this time, he was questioned about employees of the LCHS refusing to take cats. Mr. Strooband assured Council members that this would not happen again, although Councillor Lubberts has since received calls stating differently. Councillor Lubberts asked that staff to follow up with the LCHS regarding their policies on this subject.

Mr. Strooband subsequently provided an email response to members of Council.

#### **8.4 Business Status Report**

No changes.

### **9. Infrastructure Services**

*Chaired by Councillor Noyes*

#### **9.1 Presentations and Delegations**

None.

#### **9.2 Reports**

None.

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

None.

#### **9.4 Business Status Report**

No changes.

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

*Chaired by Councillor McDermott.*

#### **10.1 Presentations and Delegations**

None.

#### **10.2 Reports**

None.

### **10.3 New Business/Enquiries**

- (a) Memorandum - Caralee Grummett, Manager, Economic Development & Tourism Services - 2023 Short-Term Rental Licence Renewals
- (b) Councillor Dubanow

Councillor Dubanow advised that he had heard from a resident via email, regarding the service that they received from our customer service staff. He was looking for some information on updates to the voter list. This resident took the time to compliment the staff on the job they did, the follow up, and additional information they provided. It takes a particular level of stellar service for someone to take the time to actually sit down and write an email to their Councillor thanking the staff for how well of a job they did. The customer service staff are phenomenal.

### **10.4 Business Status Report**

No changes.

## **11. Scheduling of Meetings**

- Senior Citizens Advisory Committee, Wednesday, October 5, 2022, 10:00 a.m., Lions Club
- Traffic Coordinating Committee, Wednesday, October 26, 2022, 12:00 p.m. in Committee Rm 1.

## **12. Adjournment**

Recommendation No. 4  
Moved by: Councillor Dubanow

**That:** Council-in-Committee hereby adjourns at 8:32 p.m. **(Carried)**

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Mayor

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Clerk