



The Municipal Corporation of the  
Town of Fort Erie

**Council-in-Committee Meeting Minutes**

**Monday, September 14, 2020**

**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.forterie.ca/pages/CouncilAgendasandMinutes>

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**1. Call to Order**

The meeting was called to order by Mayor Redekop 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 (In Council Chambers): His Worship Mayor Redekop

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

Staff (Via Zoom Teleconference): K. Davis, K. Dolch, J. Ferraccioli, J. Janzen, R. Kirk, T. Kuchyt, C. Schofield and K. Walsh

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

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

There were no Addenda.

Mayor Redekop made the following announcements:

- **COVID-19**

With the reopening of schools and fatigue setting in regarding the COVID-19 restrictions, now more than ever we need to be vigilant in following best practices health guidelines to prevent the spread of the virus: wash your hands frequently, maintain a distance of at least 6 feet from others and wear a mask when inside public places or in situations when physical distancing is not practical or likely. These measures followed diligently have allowed Fort Erie and Niagara to maintain relatively low numbers of infections since March this year. Although, I note over the last 2 days in Niagara there have been 12 new cases, which is significantly higher than it has been over the past little while.

There are some who believe that the pandemic is over. That is wishful thinking. Numbers of infections in Fort Erie and Niagara have been gradually rising, suggestive of the risk attendant on the reopening of society, restaurants and schools. Each and every one of us has an obligation to do what we can to protect those around us – family, neighbours, friends. Until a vaccine is available, the surest way to resume some semblance of normalcy in our community is to adhere to the health guidelines, respect others, and do your part to prevent the spread of COVID-19.

I want to thank again everyone who is being diligent in making sure that they follow the health guidelines. Most especially, I want to thank our front-line health care workers who continue to place themselves in harm's way on a daily basis and on whom we rely to help us in this time of great stress.

- **Border Restrictions**

I, along with 10 other Ontario border mayors met electronically last week with the Minister of Security for Canada, Bill Blair, to discuss border restrictions between Canada and the U.S. In that regard, I want to extend appreciation to Mayor Christian Provenzano, Sault Ste. Marie, for arranging the meeting. The federal government closely monitors the situation at the border and the factors relevant to the state of COVID-19 in the U.S. Because the situation changes from week to week, the

government has determined that 30-day, short term reviews and extensions of border restrictions are most effective. This week, there will be another announcement regarding the restrictions beyond September 21<sup>st</sup>, when the current restrictions are set to expire. In view of the continuing troubles in the U.S. in managing the pandemic, I would expect a continuation of the restrictions.

The Minister expressed a desire to continue to consult the border mayors as this situation unfolds, particularly taking advantage of our knowledge of matters on the ground at our border crossings. He listened intently to all 11 mayors as we gave him a synopsis of what was occurring in our communities and what pressures are being felt by our residents and businesses. Our main message was that there needs to be a strategy for eventually moving beyond the border restrictions, one that lifts the restrictions gradually, in a staged fashion and is attended by clear health and safety protocols that need to be communicated to the public well in advance. In that vein, the Minister advised that the government is looking at protocols that could provide exemptions in due course, with safety precautions front and centre, for family reunification and compassionate situations.

- **Douglas Memorial Hospital**

You will note that on this evening's Agenda there is a Report outlining staff proposals for allocating the 2019 budget surplus. One of the recommendations relates to setting aside money for the possible repurposing of Douglas Memorial Hospital. This follows a very productive meeting that Joanne Ferraccioli and I had last month with the President of the Niagara Health System, Lynn Guerrero. We will be looking at opportunities to enhance health care services to the residents of Fort Erie in an innovative way, with a variety of potential partners. We hope that this will be one more initiative that this Council will undertake to ensure that our residents have the access to health care that they need and that they deserve.

- **Susan Jovanovic**

Finally, I wish to extend my personal gratitude to Susan Jovanovic, who served as the Adult Adviser to the Mayor's Youth Advisory Committee over the past several years. While COVID-19 has put MYAC into hiatus since March this year, until that time Susan was very effective in growing MYAC's numbers, engaging our youth in a variety of endeavours and helping to have the voice of youth heard at Town Hall. Thank you, Susan, for your dedication, commitment, time and energy working with MYAC – I

and the members are truly appreciative.

**4. Declarations of Pecuniary Interest**

None.

**5. Notice of Upcoming Public Meetings**

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

Re: 625 Garrison Road & 0-10389 Helena Street - Owner - 575 Garrison Road Inc. (David Kompson) - Agent - Adam Hawkswell (Niacon Construction) - Monday, October 5, 2020 - 6:00 p.m. - Via Video Teleconference. The information report will be available on Wednesday, September 30, 2020.

**6. Public Meetings**

None.

**7. Consent Agenda Items**

**7.1 Request to Remove Consent Agenda Items**

None.

**7.2 Consent Agenda Items for Approval**

**PDS-40-2020** Planning and Development Services - Development, Building and By-law Statistical Reporting - Second Quarter 2020

**That:** Council receives Report No. PDS-40-2020 regarding development, building and by-law statistical reporting for information purposes, and further

**That:** Council directs staff to forward a copy of Report No. PDS-40-2020 to the Regional Planning and Development Services Department, the Fort Erie Economic Development and Tourism Service, the District School Board of Niagara and the Niagara District Catholic School Board. **(Carried)**

**CS-13-2020** 2019 Annual Financial Report

**That:** Council receives for information Report No. CS-13-2020 regarding the "2019 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 \$1,214,730 2019 General Levy

surplus, net of \$337,500 in outstanding transfers previously approved, as follows:

- \$500,000 to the Major Capital Expenditure Reserve,
- \$100,000 to the Emergency Management Reserve,
- \$100,000 to the Community Health and Wellness Reserve,
- \$400,000 to the Facilities Maintenance Reserve,
- \$37,696 BIA and Crystal Beach Beautification Committee surpluses be carried forward to 2020,
- \$77,034 to the General Levy Rate Stabilization Reserve.

**(Carried)**

**CS-14-2020** 2020 Semi-Annual Investment Review

**That:** Council receives for information purposes Report No. CS-14-2020 regarding the 2020 semi-annual investment review.

**(Carried)**

**IS-33-2020** Water Meter Replacement Program 2020 –  
Industrial, Commercial & Institutional (ICI) Meters

**That:** Council receives Administrative Report IS-33-2020 to request a contract extension with Neptune Technology Group to complete ICI meter replacements.

**(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 Zanko*

**8.1 Presentations and Delegations**

None.

**8.2 Reports**

**PDS-11-2020** Proposed Official Plan and Zoning By-law  
Amendment - 260-262 Gorham Road and 3854  
Disher Street - Urban & Environmental

Management Inc. - Greg Taras (Agent) - Lucky Gas - Najeeb Quidwai (Owner) ***(Postponed from March 9, 2020 Council-in-Committee Meeting - Previously Moved by Councillor Zanko as Recommendation No. 7)***

**That:** Council receives for information purposes Report No. PDS-11-2020 regarding a proposed amendment to the Town's Official Plan and Comprehensive Zoning By-law No. 129-90 for 260-262 Gorham Road and 3854 Disher Street.

Recommendation No. 2  
Moved by: Mayor Redekop

**That:** The following recommendation be added:

"All individuals who addressed Council at the Public Meeting or provided comments to Council either prior to the Public Meeting or at the Open House, be provided with direct notice that the Recommendation Report will be coming forward on September 21, 2020. **(Carried)**

**Following approval of the amendment to Recommendation No. 2, the Recommendation, as amended, was voted on as follows:**

**That:** Council receives for information purposes Report No. PDS-11-2020 regarding a proposed amendment to the Town's Official Plan and Comprehensive Zoning By-law No. 129-90 for 260-262 Gorham Road and 3854 Disher Street, and further

**That:** All individuals who addressed Council at the Public Meeting or provided comments to Council either prior to the Public Meeting or at the Open House, be provided with direct notice that the Recommendation Report will be coming forward on September 21, 2020. **(Carried)**

**PDS-39-2020** Intent to Amend Schedule "A" of By-law No. 135-99 - Being a By-law to Designate Lands at 477 Ridge Road North (Birthplace of Dr. Edmund J. Zavitz) as being of Architectural and Historical Value or Interest Property

Recommendation No. 3  
Moved by: Councillor McDermott

**That:** Council approves the amendment to Schedule “A” of By-law No. 135-99, to remove the heritage designation on the dwelling at 477 Ridge Road North, under Section 30.1 of the *Ontario Heritage Act*; and further

**That:** Council directs staff to provide Notice of Intention to Amend a Designating By-law in accordance with the *Ontario Heritage Act*.

Recommendation No. 4  
Moved by: Mayor Redekop

**That:** Report No. PDS-39-2020 be postponed to October 5, 2020 for the Owner to appear to address council on any questions that Council may have with respect to this property.  
**(Carried)**

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

#### (a) Councillor Noyes

Councillor Noyes advised that she has been told that someone was charged \$30 on their telephone bill to dial in for a Zoom Public Meeting. She questioned what we do in this circumstance or how do we prevent people from being charged if they want to join a Zoom meeting?

Mr. Kuchyt responded that sometimes when you're given invites to Zoom meetings, you're giving a few phone numbers and you have to pick the one which pertains to your area. And if the resident picked one that isn't, it would have been a long distance call.

Mr. Davis responded that he doesn't know the exact circumstances, but it does sound like there was a long distance call made. They probably didn't choose the right number to dial in on, and that number subsequently was a long distance call for them. We do usually give Canadian numbers. They're not toll free, but there are times when there are American numbers on there too, but we try to limit it to Canadian numbers.

Councillor Noyes advised that under these circumstances, the resident isn't really complaining, but she brought it up to her. She questioned what do we do in this circumstance? If she submits her bill can she be

reimbursed, although she's not asking for it.

Mayor Redekop advised that we should make sure that it's clear what number people should call or what the coordinates are for them to join us via Zoom so that they don't get charged.

Mr. Davis advised that we promote the video side and they do provide those numbers and they are not toll free. He believes that there is a separate add-on that would give the equivalent of an "800" number. He will look into that.

(b) Mayor Redekop

Mayor Redekop referred to the last Report which was deferred, and makes reference to the fact that the municipality can pass a Heritage Property Standards By-law. He questioned how to go about doing that because he doesn't want to be faced with that particular predicament again in the future. The Town doesn't have a lot of good heritage properties and it would be a shame for us to face the same predicament.

Ms. Dolch responded that with respect to a Heritage Property By-law, Council could request a Report to provide information, and then subsequently, a by-law would need to be passed.

Recommendation No. 5

Moved by: Mayor Redekop

**That:** Staff are directed to submit a Report to Council with respect to passing a Heritage Property Standards By-law.  
**(Carried)**

## **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

### (a) Councillor Butler

Councillor Butler requested a status update with respect to the boardwalk for Bernard Beach, that is, the plans and drawings, and when that's going to be posted.

Mr. Walsh advised that we would speak to Mr. Hutton and get better timelines and provide an update to council.

### (b) Mayor Redekop

Mayor Redekop referred to the Port Colborne Quarry and the information that we received, which he shared with Mr. Walsh on the weekend.

He noted that once again, our staff are responding to emails that he irresponsibly sent out on the weekend, not necessarily expecting a response, but they're right on top of it, and he thinks it's important for the public to be aware of that our staff are working virtually at all hours of the day.

In terms of the Port Colborne Quarry and the efforts to fill that, we received some information about some fill that it looks like it's illegal. It shouldn't be put into the quarry. He questioned what are we doing to monitor that, because Councillor Dubanow had brought forward a Motion which we passed several months ago because of our concern about the aquifer, which extends well into and beyond Fort Erie.

Mr. Walsh responded that right now they are monitoring the actions. When the Ministry of Natural Resources, and Ministry of the Environment Climate Change and Parks, respond formally to Port Colborne's request, there will be an opportunity for stakeholders to comment on that. At that time, we will review the documents either internally or through a hired consultant with expertise to determine the facts, and may comment at that time.

Mayor Redekop questioned whether can we ascertain from the City of Port Colborne what, if any fill, is being permitted into that pit?

Mr. Walsh responded that we can ask, but he doesn't know if they'll give us the answer.

Mayor Redekop advised that we're stakeholders in the sense that we are stewards for the people of Fort Erie, a number of whom have a need for access to the aquifer, so he thinks it should be made clear to them that our position is that we don't want anything that's going to jeopardize that aquifer to take place.

(c) Mayor Redekop

There are complaints about ATVs on the beach again. In the past, we've had complaints about trucks and pick-up trucks on the beach, but he presumes that we have to direct these complaints to the police because they're trespass. We have erected signs at a number of the waterfront access points and beaches to indicate what is private property as opposed to what is public property. Some people still think that it's appropriate to ride these vehicles on beaches and in parks, which they're not. He questioned whether there are any suggestions or advice from senior staff on this?

Mr. Walsh advised that if we don't catch them in the act, there is nothing we can do. We have communications with the police on a fairly regular basis. By-law enforcement has done yeoman's work this summer, patrolling our beaches and some of our trails.

Mayor Redekop questioned whether, in the interim, we can get our Communications Coordinator to put something on our website and social media to remind people what the rules are with respect to our parks and beaches.

Ms. Dolch added that Council approved a vehicle barrier budget for each of the beaches and staff are looking at that this fall, and Ms. Hanson's looking into putting through the RFP. With respect to Colony Road, she's looking at putting some vehicle barriers there to help assist minimizing those ATVs going up and down the beaches. It should be coming forward, whether it'll happen this year or early next year, it'll depend on the proposals received.

Mayor Redekop asked for clarification that those would be

barriers that would be near the entrance to the beaches, which was confirmed by Ms. Dolch.

Councillor Butler advised that there are barriers already put up at Windmill Point Beach and those barriers are working really quite well to deter cars from going there, but the ATV access still is problematic because they've found a way to get around it, so maybe when staff are looking at the rest of the points, they might want to take that into consideration.

*Councillor Butler referred back to the Port Colborne Quarry and the Aquifer.*

(d) Councillor Butler

There is a really big concern with the residents of Fort Erie, because if you were to look at the amount of wells on a map, the residents of Fort Erie outweigh the ones in Port Colborne, and since the aquifers trickled to our side of the line, we have a big stake in what happens here.

*Councillor Dubanow referred back to the matter of vehicles accessing waterfront beaches.*

(e) Councillor Dubanow

Councillor Dubanow advised that he's surprised at how many motorized vehicles use that trail. He cycles up and down it regularly between his home and Point Abino and almost every afternoon or evening that he goes out, he either sees an ATV, e-bike, or golf cart. He thinks he may invest in a helmet mounted cam because it is getting very frustrating for the safety of residents who are engaging in active transportation, and have to worry about getting plowed down by a motorcycle on a pathway that's designed for passive people powered transportation.

*Councillor Dubanow also asked to go back to and comment on the Port Colborne Aquifer.*

(f) Councillor Dubanow

Councillor Dubanow advised that when the motion he brought went through, he was able to access the Province's Well information database, and he believes it was a 4 figure number of active wells right now. He added that he believes

we had 10's of 1,000's of active ones at one point in the past, and we have a significantly higher number of active wells in Fort Erie right now, than Port Colborne. With the way that the geography is and the way things flow, this is definitely a concern for Fort Erie, and it's something we need to keep on top of as he heard it was some concrete or other construction related materials have been put in the quarry. He doesn't know the details of what may have happened between Port Colborne and whoever was involved in that, but it's important we keep an eye on it because this does definitely affect our residents.

(g) Councillor Noyes

Councillor Noyes questioned whether we still need passes to access Bay Beach now that the summer is over. Mr. Walsh advised that you need a pass until September 30th. Councillor Noyes asked if those passes still available.

Mr. Walsh advised that they have terminated open pass giveaways, but if a resident contacts Customer Service, they can arrange to get them a pass.

Councillor Noyes questioned whether the bathrooms are opened.

Mr. Walsh advised that they are.

*Councillor Lubberts referred back to the vehicles on the beaches.*

(h) Councillor Lubberts

Councillor Lubberts referred to some complaints down at the end of Prospect Point Road. He believes that the road is designated for launching access, and there's a couple of other road allowances he thinks that allow for launching. He asked if we're going to be putting barriers up.

Ms. Dolch advised that in those instances where launching is allowed, the Town wouldn't put up barriers because we want to encourage vehicular access to launch boats. In other instances, we do try to minimize it, especially in places such as Colony Road, where we want to avoid the ATVs and things like that going down into the beach lands.

## 9.4 Business Status Report

No changes.

## 10. Corporate and Community Services

*Chaired by Councillor McDermott*

### 10.1 Presentations and Delegations

- (a) Shaun Baylis, Chief Executive Officer, Pathstone Mental Health

Re: Funding Request for Walk-in-Mental Health Clinic For Youth in Fort Erie (Report No. CAO-16-2020)

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

Mr. Baylis advised that with COVID we see job loss, fear of safety, and a lack of social connectedness. When these get impacted, it impacts the emotional wellbeing of people in general. Everyone has gone through family matters that have been impacted by COVID in a very big way. His family has been hit very hard, both on a psychiatric level with one of his children and also with his mom who went into hospital. They weren't able to see her for several months, and that creates stress.

Mr. Baylis advised that 1 in 5 children are impacted by mental health issues at any given time, and that's going to increase because of the circumstances that have occurred. 70% of most mental health issues stem from childhood, so he's not just concerned about the present state of where things are going. One of the things he knows from dealing with a lot of trauma in people's lives, particularly when he worked with the fire department, if there's an incident where a person has a trauma that happens over the course of a couple of hours, it's very different from someone who is in a prolonged state of being in trauma.

He advised that COVID has impacted our youth significantly due to them having to deal with all of the changes that have happened so quickly with regards to having to wear a mask, not being able to socialize, going into stores, being away from school for a

prolonged period of time, and now having to make the adjustment of going back to school. The suicide rate is the third largest for youth in Canada. In Niagara, there is 1 person every 7 days.

Mr. Baylis advised that Pathstone continues to have 17 programs that are available and lends itself to more. They have a residential treatment center in Niagara Falls as well. Most of the issues that they are dealing with with children is anxiety, depression, self-harm, suicide, and all forms of crises. They have been trying to move past those core services to the communities, both in the south and north ends because there is a dearth of resources in Fort Erie's area. They have a school in Welland with about 6 classrooms for children who need mental health support. They have a 10 bed limit in the Niagara Falls Live-in Treatment Program. The reason for the Walk-In Clinic was to give access to treatment and care to kids in a quick fashion. One of the silver linings of COVID is that it has expedited one of their strategic plan directives to provide virtual or video counselling. When COVID happened, they realized this was a priority. Within 2 months time, they had virtual access because they closed up the work sites on March 17th as directed by the Province. When they closed the work sites they kept the telephone counseling available. When the Premier opened up the work sites for services like theirs, they had theirs open within about a week's time.

Mr. Baylis continued that on June 1st, they were probably the first agency who opened in the children's mental health field and started doing in-person counselling. They served over 7,000 children and approximately 132 came through their Walk-In Clinic. They found that some only need one session, some may have needed 3 sessions, and they were able to shore up the issue right then instead of waiting 3 to 5 months to get in. The Walk-ins have played a huge role. There were 67 calls where suicide was being considered by our youth, and it still remained zero reported sudden deaths or suicide among that age group in the past couple of years, in particular this year. The Hear & Now Walk-in Clinics are now all open, and they are continuing to have virtual counseling 5 days a week in Fort Erie and a 1 day a week Walk-in Clinic.

Virtual Walk-in Clinics can continue to work for a period of time for a number of clients, but some clients need to have the face to face personal touch as well, which continues to be a free service. They have seen from the clinics that sometimes they only need one session. Some of their clients are currently on waitlists for full therapy.

Mr. Baylis stated that in the past 12 months, over 1,300 of their 7,000+ clients have come through their Walk-in Clinic which shows that young people want to connect with someone.

Mr. Baylis reviewed the cost of the operations. For 5 days per week at St. Catharines, it costs about \$203,414, and this is outside of their budget. Their foundation and fundraising has been helpful in that area. With the additional 7 single day Walk-in Clinics, for the 7 municipalities it is a combined cost of \$150,000 in 2020. What they need from Fort Erie is \$20,000 annually.

In closing, Mr. Baylis advised that the model of mental health services will be reframed over the next 2 to 3 years. They see the majority of their service converting to the Walk-in Clinic format, and the need for longer term therapy programs will begin to decrease. With that change, they will be able to re-allocate funds from the Ministry of Health into the Walk-in Clinic program.

## 10.2 Reports

**CAO-16-2020** Funding Request for Pathstone Walk-in Mental Health Clinic for Youth in Fort Erie

Recommendation No. 5  
Moved by: Councillor Zanko

**That:** Council approves the request in the amount of \$20,000 for a second year of funding for Pathstone Mental Health to continue to service a Walk-In Clinic for Mental Health for youth in Fort Erie; and further

**That:** Council amends the 2020 Operating Budget to provide grant funding to Pathstone Mental Health in the amount of \$20,000 with funding from the Community Health and Wellness Reserve. **(Carried)**

**COS-04-2020** Amendment to Rules of Procedure By-law  
Regarding Electronic Meetings

Recommendation No. 6  
Moved by: Mayor Redekop

**That:** Council directs that Council Rules of Procedure By-law No. 36-2016, as amended, be further amended with respect to the holding of electronic meetings, as outlined in Report No. COS-04-2020. **(Carried)**

**FES-03-2020** Proposed New Open-Air Burning By-law to  
Regulate Open-Air Burning in the Town of  
Fort Erie

Recommendation No. 7  
Moved by: Councillor Zanko

**That:** Council approves a new Open-Air Burning By-law in the form attached as Appendix "1" to Report No. FES-03-2020, and further

**That:** Council directs that the Fees and Charges By-law No. 40-09, as amended, be further amended to establish the new fee relating to Open-Air Burning. **(Carried)**

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

(a) Response to Enquiry

Re: Enquiry by Mayor Redekop at the August 24, 2020 Council Meeting requesting clarification on how organizations were scored by the Community Gaming and Development Corporation based on the services they provide to the community.

Mr. Jansen read the response into the Minutes which is appended to the Meeting Agenda.

There were no enquiries.

### **10.4 Business Status Report**

No changes.

**11. Scheduling of Meetings**

- Fort Erie Public Library, Tuesday, September 15, 2020, at 5:30 p.m., via Video Teleconference
- Mayor Redekop will be attending the Region on Friday, September 18, 2020 at 11:00 a.m. for joint signing of a Declaration as members of the Coalition of Inclusive Municipalities

**12. Adjournment**

Recommendation No. 8  
Moved by: Councillor Dubanow

**That:** Council-in-Committee adjourns at 7:35 p.m. **(Carried)**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk