The Municipal Corporation of the Town of Fort Erie

Council Meeting Agenda

Tuesday, May 19, 2020 - 6:00 PM

Council Chambers via Video Conference

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
Town's YouTube Channel: www.youtube.com/townofforterie
or click on the YouTube icon on the home page of the Town's website (www.forterie.ca) or Cogeco TV

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1. Call to Order

2. Invocation

3. Roll Call

4. Announcements/Addenda

5. Declarations of Pecuniary Interest

6. Notice of Upcoming Public Meetings

(a) Property Rezoning ***(Postponed)***

Re: 0 Townline Road - 550075 Ontario Inc. (Joseph Zawadski) - Owner - 2639723 Ontario Inc. (Amit Khera) - Applicant - Urban & Environmental Management Inc. (Greg Taras) - Agent.

The Town of Fort Erie will issue a future notice advising of the rescheduled Public Meeting date. The notice will also contain updated information on when the Information Report for the application will be available to the public.

7. Regional Councillor Report

8. Presentations and Delegations

(a) *Due to precautions being taken due to the COVID-19 emergency, in-person delegations will not be permitted at this meeting. Written delegations may be submitted by email to the*

Town Clerk at cschofield@forterie.ca, no later than 12:00 Noon on Friday, May 15, 2020.

9. Consent Agenda Items

9.1 Request to Remove Consent Agenda Items

9.2 Consent Agenda Items for Approval

1. Minutes

11 - 25 (a) Approve - Council Meeting - April 20, 2020
April 20r - minutes

26 - 39 (b) Approve - Special Council Meeting - May 4, 2020
May 4spr - minutes

2. Correspondence

40 (a) Proclamation - Fort Erie Museum and Cultural Heritage Advisory Committee - June 2, 2020 - Decoration Day

Resolution:

That: Council proclaims June 2, 2020 as "Decoration Day."

Comm(a)-Decoration Day

41 (b) Proclamation - Senior Citizens Advisory Committee - June as Seniors Month and flag raising request

Resolution:

That: Council proclaims June as "Seniors Month" and approves the Age-Friendly flag to be flown at Town Hall.

Comm(b)-Senior

42 (c) Proclamation - Accessibility Advisory Committee - National Access Awareness Week - May 31-June 6, 2020

Resolution:

That: Council proclaims May 31 - June 6, 2020 as "National Access Awareness Week."

Comm(c)-ACC

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43 - 46 (d) Receive & Support - Township of Armour - High Speed Internet Connectivity in Rural Ontario
Comm(d)-Armour

47 - 49 (e) Receive & Support - Town of Lincoln - Request for Emergency Funding for Municipalities from the Government of Canada
Comm(e)-Lincoln

3. Board/Committee Minutes

50 - 55 (a) Receive - Ridgeway Business Improvement Area Board of Management - April 18, 2020 - Special and Regular Meetings; May 6, 2020
RBIA-Apr18-Special
RBIA-Apr18
RBIA-May6

56 - 62 (b) Receive - Crystal Beach Business Improvement Area Board of Management - March 3, 2020; May 5, 2020 - Special and Regular Meetings
CBBIA-Mar3
CBBIA-May5-Special
CBBIA-May5

63 - 66 (c) Receive - Senior Citizens Advisory Committee - March 4, 2020
Senior-Mar4

67 - 70 (d) Receive & Approve Recommendations - Street Naming & Wayfinding Committee - April 21, 2020 regarding:

a)Approve adding the following names to the Approved Street Name List:
(i)Coshan
(ii)Chadwick
(iii)Wujek (for a street located in Black Creek area only)

b)Oaks at Six Mile Creek Townhouse Condominiums:
(i)Deny the name “Sassafras Crescent”
(ii)Approve the name “Sassafras Row”
(iii)Deny the name “Butternut Crescent”
(iv)Approve the name “Butternut Row”
Street Naming Wayfinding-Apr21

4. Other Matters

Consent Agenda Resolution

Resolution:

That: Council approves the Consent Agenda Items as recommended.

9.3 Items Removed to be Dealt with Separately

10. Reports

71 - 89 **PDS-22-2020** Extension of Draft Plan Approval – Hazelwood Draft Plan of Subdivision - West Side of Hazelwood Avenue, North of Erie Road - Roll Nos. 2703 020 017 38700 0000 & 2703 020 017 37000 0000 - Knof Group Inc. (Jens Knof) – Owner - Pursuit Developments Inc. (Dmitri Yakimov) – Agent

Resolution:

That: Council extends draft plan approval for the Hazelwood draft plan of subdivision located at the west side of Hazelwood Avenue, north of Erie Road until April 5, 2021, and the Owner and Regional Municipality of Niagara Planning and Development Services Department be so advised, and further

That: Council directs that the conditions of approval for the Hazelwood draft plan of subdivision be amended as detailed in Appendix “5” of Report No. PDS-22-2020, and further

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

PDS-22-2020 Hazelwood Draft Plan Approval Extension Report

90 - 100 **PDS-23-2020** Terms of Reference – Cannabis Legislation and Policy Study

Resolution:

That: Council approves the Terms of Reference for a Cannabis Legislation and Policy Study for the Town of Fort Erie as outlined in Report No. PDS-23-

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		2020. PDS-23-2020 - TOR Cannabis Study FINAL
101 - 128	**PDS-24-2020**	Request to Remove Environmental Conservation Overlay – Construction of a Dwelling and Septic System – 1563 Kingston Road – Roll No. 2703 020 010 67600 0000 – MacDonald, Michael & Dougherty, Amber - Owners Resolution: **That:** Council approves the removal of the Environmental Conservation Overlay at 1563 Kingston Road, to the extent required for the construction of the proposed dwelling, septic system, driveway, cistern and required yards, subject to the owner submitting a Landscape Plan and Tree Preservation Plan, prepared by a qualified professional, to the satisfaction of the Director of Planning and Development Services or his/her designate, and further **That:** Council directs that the owner is required to provide a security deposit and a written undertaking to provide the Landscape Plan to the satisfaction of the Director of Planning & Development Services or his/her designate, to ensure the approved Landscape Plan is completed. PDS-24-2020 1563 Kingston Road EC Removal
129 - 132	**IS-24-2020**	Award of Tender for Replacement of the Leisureplex Banquet Hall Flooring - Contract No. ISF-20T-LPFR19 Resolution: **That:** Council accepts and approves the tender submission from Serianni Construction Ltd. for the Replacement of the Leisureplex Banquet Hall Flooring - Contract No. ISF-20T-LPFR19 in the amount of $76,614.00 (including 13% HST). IS-24-2020 - Leisureplex Flooring Tender Award-Final
133 - 147	**CAO-10-2020**	Town of Fort Erie Business Continuity Update Resolution: **That:** Council receives Report No. CAO-10-2020 for

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information purposes.
CAO-10-2020 - Business Continuity Update FINAL

148 - 161 **CS-07-2020** COVID-19 Financial Impacts

Resolution:

That: Council receives Report No. CS-07-2020 regarding COVID-19 Financial Impacts for information purposes, and further

That: Council supports the motions of Region of Niagara Report CHR 2-2020 for active collaboration between all regional municipalities to ensure the exchange of critical information in the development of short, medium and long-term impacts of COVID-19 and coordinate the response and required advocacy strategies to the federal and provincial governments for financial relief related to COVID-19.
CS-07-2020 - COVID-19 Financial Impacts combined

11. New Business/Enquiries

(a) Appointment - Crystal Beach Business Improvement Area Board of Management - Sandra Lyons
(CONFIDENTIAL MEMORANDUM)

Resolution:

That: Council appoints Sandra Lyons to the Crystal Beach Business Improvement Area Board of Management for the period ending November 14, 2022

(b) Notice of Resignation - Ridgeway Business Improvement Area Board of Management - Jennifer Wilkinson

Resolution:

That: Council accepts the resignation of Jennifer Wilkinson from the Ridgeway Business Improvement Area Board of Management, and further

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

162 - 163 (c) Appointment of Chairs and Vice-Chairs for Business Subdivisions

Resolution:

That: Council appoints the following Chairs and Vice-Chairs to the Business Subdivisions for the period of May 20, 2020 to July 31, 2021:

Corporate and Community Services
Chair _____
Vice-Chair _____

Planning and Development Services
Chair _____
Vice Chair _____

Infrastructure Services
Chair _____
Vice-Chair _____
MEMO - Appointment Chairs Vice-Chairs - May 12 2020

164 (d) Support of the Medical Staff Association of Niagara Health and the Medical Academies of Lincoln, Niagara and Welland - Ministry of Health Billing Codes for the Provision of Virtual Care - COVID-19

Resolution:

Whereas the Medical Staff Association of Niagara Health and the Medical Academies of Lincoln, Niagara and Welland, have collectively requested municipal support by way of a letter dated May 11, 2020, and

Whereas the Ministry of Health has implemented billing codes for the provision of virtual care,and

Whereas these billing codes will not be paid to physicians in a timely manner, and

Whereas this will result in office closures and patients losing their physicians and becoming orphaned;

Now therefore be it resolved,

That: The Municipal Council of the Town of Fort Erie supports the letter dated May 11, 2020 from the Medical Staff Association of Niagara Health and the Medical Academies of Lincoln, Niagara and Welland, and further

That: The Municipal Council of the Town of Fort Erie hereby requests the Ministry of Health to ensure physicians are paid in a timely manner and that they are supported in a manner that does not result in offices being closed and patients being orphaned, and further

That: A copy of this resolution be circulated to The Honourable Doug Ford, Premier of Ontario, The Honourable Christine Elliott, Minister of Health, Wayne Gates, MPP-Niagara Falls, Sam Oosterhoff, MPP-Niagara West-Glanbrook, Jennifer Stevens, MPP-St. Catharines, Jeff Burch, MPP-Niagara Centre, The Regional Municipality of Niagara, and all Niagara Area Local Municipalities, for their support.
NB(d)-Ministry of Health Biling Codes for the Provision of Virtual Care - COVID-19

12. Motions

(a) Councillor Butler

Re: COVID-19 - Personal Facial Masks

Resolution:

Whereas the Federal and Provincial governments have been guided by advice from science and health professionals to date in dealing with the COVID-19 emergency and should continue to do so, and

Whereas Canadians have been asked to stay at home and maintain physical distance from others if they go out to help flatten the curve of COVID-19, and

Whereas the Federal and Provincial Governments are beginning to expand the scope of businesses allowed to operate, and locations where people may go as the economy is reopened, and

Whereas there will be more businesses opening up, more individuals returning to work, and more patronage in local area businesses that will assist in moving the economy forward in a positive direction, and

Whereas given that more people will be coming into closer contact with each other, there is a risk for the spread of the Novel Coronavirus to rise as a direct result, and

Whereas it would be wise to add to the government's plan to mitigate that risk by implementing a policy and directive with respect to the wearing of non-medical masks when physical distancing is not possible, and

Whereas local, national and global Public Health Officials agree that there are individuals who disclose or display no symptoms who may be carriers of the virus, those who have mild symptoms and are about to get sick, as well as those who are sick but don't know that they are infected with COVID-19, who could transmit the virus, and

Whereas Canada's Chief Public Health Officer, Doctor Theresa Tam, has recently issued new advice for Canadians to wear a non-medical face mask to help cut down the spread of the Novel Coronavirus to others by reducing the chance of respiratory droplets coming into contact with others or landing on surfaces, and

Whereas there remains some discord among health authorities as to the efficacy of wearing facial masks, but there seems to be clear agreement that in some circumstances a facial mask will assist in reducing the risk of the wearer spreading the virus, and

Whereas facial masks for personal use need not be medical grade but can be made out of readily available things in people's homes such as scarves, bandanas, sheets, denim and cotton shirts as examples, and

Whereas Canadians can help by taking this additional measure when there are situations where proper physical distancing from others is difficult;

Now therefore be it resolved,

That: The Council of the Town of Fort Erie hereby requests the Prime Minister of Canada and the Premier of Ontario to consider implementing policies regarding the wearing of masks when social distancing is not possible and within essential services such as grocery stores, pharmacies and the like, as society is reopened following the current emergency, and further

That: Any such policies remain in place until such time that it can be demonstrated that the curve of the virus spread has been flattened and the outbreak is contained, and further

That: The Federal and Provincial governments adopt an educational program providing instruction on how to make your own personal facial mask, proper use of a facial mask in the circumstances specified, and safe handling procedures of a facial mask, and further

That: A copy of this resolution be circulated to The Right Honourable Justin Trudeau, Prime Minister, The Honourable Doug Ford, Premier of Ontario, Wayne Gates, MPP-Niagara Falls, The Regional Municipality of Niagara, and all Niagara Area Local Municipalities, for their support.

13. Notice of Motion

14. Consideration of By-laws

165 **49-2020** To Confirm the Actions of Council at its Council Meeting Held on May 19, 2020
49-2020 Confirmatory

15. Scheduling of Meetings

16. Adjournment

The Municipal Corporation of the Town of Fort Erie

Regular Council Meeting Minutes

Monday, April 20, 2020

Council Chambers / Video Teleconference

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 occupy this area.

2. Invocation

The Invocation was read by the Clerk.

3. Roll Call

Present (In Council Chambers): His Worship Mayor Redekop

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

Staff (In Council Chambers): C. Schofield

Staff (Via Zoom Teleconference): K. Dolch, J. Janzen, T. Kuchyt, and K. Walsh

This meeting was held in compliance with the electronic participation provisions of the *Municipal Emergency Act, 2020* and Council Rules of Procedure By-law No. 36-2016, as amended.

4. Announcements/Addenda

There were no addendums.

Mayor Redekop made the following announcements:

- April 19 – 25 is National Volunteer Week, and there will be a resolution later on the Agenda which will recognize our volunteers;

- April 22 is the 50th Anniversary of Earth Day, and although we can't formally gather, it is hoped that residents would take the opportunity to do something friendly to our environment on that day;

- April 28 is the National Day of Mourning, for which there is a Proclamation on the Agenda and the flags will be lowered to half mast.

Mayor Redekop gave the following public message:

"It is now just over a month since the Premier of Ontario announced a State of Emergency for the Province. Since that time, the number of cases of, and deaths from, COVID-19 have mounted. However, today there was encouraging news about the flattening of the curve, a slowdown in the number of cases and an indication that efforts to contain the virus are having an effect. This is the result of the stringent measures required by the federal and provincial governments since mid-March.

The sacrifices that we have all been asked to make to protect each other have been working. However, both the Prime Minister and Premier expressed caution today about easing those measures too soon. Even in the face of this promising news, the front-line workers – the doctors, nurses, PSW's, first responders, by-law enforcement officers, store clerks, essential workers – remain overwhelmed. Long term care homes and retirement residences remain in precarious jeopardy.

The situation continues to evolve and restrictions will be gradually eased. However, we need to continue to be vigilant. As I have said before, this situation is not about any one of us, it is about all of us. The actions of each of us have an impact on how all of us will survive the pandemic and how quickly we can return to a semblance of normal life.

I want to comment on several issues that appear to be most on the minds of the community:

Seasonal Residents
I have confirmed with the Regional Director-General of the Canada Border Services Agency that her forces continue to follow the protocol adopted since the federal government announced last month restrictions on travel across the Canada-US border. Only essential travel is permitted – truck drivers with essential goods, essential workers,

returning nationals or landed immigrants. Returning Canadians are required to self-isolate for 14 days. Those who are working on either side of the border are to go to work and return home directly. Some of these individuals are permitted to drive American plated vehicles. However, if you see someone who appears to be violating the protocol and you have information to permit enforcement of the protocol, you should contact the Town and/or CBSA to lodge a complaint.

Short term rentals are not permitted to operate, by provincial directive, unless for bookings after April 4th for accommodations related to essential need. That means that vacationers should not be coming into Town for short stays. Seasonal residents who live elsewhere in Ontario have been encouraged by the federal and provincial governments to remain in their home communities, that is “stay home”. Sherkston Shores has been closed to all but those Canadian residents who maintain their permanent home in Canada there.

The Town of Fort Erie can be contacted at 905-871-1600 or by email by going to our web site: forterie.ca. The Niagara Region can be contacted at 905-984-3690 or by going to its web site: niagararegion.ca. Canada Border Services can be contacted at 905-354-5137.

Beaches/boat launches, trails, parks, playgrounds
For the time being, the beaches, boat launches and playgrounds in Town are closed. Parks and recreational trails are open, but individuals must maintain social distancing. We are aware that people would like to walk the beaches, but I remind everyone that the Town-owned beaches are primarily 66 foot road allowances, the exceptions being Bay Beach (1,000 feet) and Waverly Beach (about 200 feet). We are also aware that boaters would like to get out on the lake or river. We continue to monitor the situation and will make decisions changing the status in the context of safety and adherence to social distancing rules.

In the meantime, the public is permitted to walk, run, cycle, and get fresh air, but not congregate, in the passive parks and on the recreational trails in Town.

Public Health
We have received many expressions of concern about the amount of information being shared by the Niagara Region Public Health agency. While the information displayed on its web site has improved over the past week, there remains important data that could and should be shared: the number of tests conducted in Niagara, results and pending results, specifics as to cases in long term care homes and retirement residences, and a breakdown of cases by municipality. I have corresponded with the Acting Chief Medical Officer of Health for Niagara

Region voicing my concerns in this regard. I know that Regional Councillor Insinna has expressed similar concerns. They will be raised at the Regional Council meeting scheduled for Thursday this week.

Landfill Site
The local landfill site on Pettit Road is operated by the Region. It is open for essential disposals, with a variety of qualifications. I urge you to go to the Region's web site to ascertain its availability for use. In the meantime, Regional Councillor Insinna and I will be raising concerns about the restrictions imposed at the landfill site during a time when people are doing work around their homes because of federal and provincial directives and need to be able to dispose of refuse.

Town Operations
The Town continues most of its operations, including processing planning and building applications, engineering and design work on projects, maintenance of facilities, equipment and infrastructure, outreach to businesses and customer service. Over 80% of employees are working from home. Outside crews are working in shifts and maintaining social distance. The mayors and regional chair and various senior staff meet regularly electronically with their counterparts.

Members of Council continue to respond to constituents needs and interact with senior staff. Council will be receiving a report at the beginning of May apprising us and the public of the financial implications on the municipality of the COVID-19 emergency.

Vandalism
There have been a number of incidents of vandalism in a variety of areas of Town over the past couple of weeks. I cannot imagine what possesses someone to deface the property of others, including the community. I cannot imagine a more senseless act – it benefits no one. In response, the Town will be erecting security cameras in select locations to ensure that should this type of conduct persist, the perpetrators will be found out and appropriately dealt with by the law.

Volunteers
Finally, I want to say a word about the many volunteers and frequent good works that have taken place in Fort Erie over the past month. Many of the non-profit organizations in Town have also suffered a loss of critical revenue with the closure of the bingo halls. Many individuals and some businesses and developers have offered assistance to them in this stressful time. I want to thank everyone who has been generous in a time when we are all feeling overwhelmed, and I encourage those of you who can, to make a donation to a service club, charity or non-profit organization of your choice.

Some service clubs, like the Ridgeway Lions (who are offering meals to those in need by pick-up or curbside delivery) and the Kinettes (who have offered to offset the cost of some of our health care providers who require accommodations away from home), have done what they always do – they have stepped up to serve their community. The food banks are struggling to maintain inventory for all those in need. These and other community organizations have been receiving donations and offers of assistance from across our Town.

To all the members of the service clubs and organizations, to each generous individual and business, to everyone who is trying to brighten the day for those around you, to our health-care providers, first responders and essential workers, I say THANK YOU, THANK YOU, THANK YOU, THANK YOU. The Council, your family, friends and neighbours are truly appreciative. We will overcome this crisis, and because of all of you, we will do it sooner and with a sense of optimism."

5. Declarations of Pecuniary Interest

Councillor Butler declared a pecuniary interest with respect to Item 10. Report No. IS-21-2020 Re: Extension of Contract No. ISO-19T-AUCR to Circle P. Paving Inc. for the 2020 Asphalt Utility Cut Reinstatement Program, as her business does business with the proponent. She abstained from discussing or voting on the matter.

6. Notice of Upcoming Public Meetings

(a) Property Rezoning ***(Postponed)***

Re: 0 Townline Road - 550075 Ontario Inc. (Joseph Zawadski) - Owner - 2639723 Ontario Inc. (Amit Khera) - Applicant - Urban & Environmental Management Inc. (Greg Taras) - Agent.

The Town of Fort Erie will issue a future notice advising of the rescheduled Public Meeting date. The notice will also contain updated information on when the Information Report for the application will be available to the public.

7. Regional Councillor Report

Regional Councillor Insinna reported on matters at the Region as follows:

- Regional Council has sent a letter of support for the Lake Ontario Express Inc. project to the City of Toronto, to allow the company to have a dedicated dock in the Inner Harbour to operate a hovercraft service to and from St. Catharines and Toronto. It is anticipated that

schedules for Metrolinx and Niagara Regional Transit will be incorporated into the planning. One of the major benefits of this project is the potential to remove a significant number of vehicles travelling back and forth from Niagara to the GTA. Two hovercrafts will be utilized with capacity of approximately150 to 200 passengers per trip. There is no cost to the Niagara Regional tax payers for this venture, it is self funded. The service is planned to run 24/7 with each trip lasting about 30 minutes, a great savings of time, and better for the environment.

- The Region is moving forward with the Vision Zero Road Safety Program. Part of the program revolves around the use of Automated Speed Enforcement (ASE) technology. There will be a combined use of mobile and semi-fixed ASE assets throughout the Region. The first phase is to put them in School Safety Zones along with community safety zones that will be established. There were several criteria that were looked at to find the best location of the ASE assets. In each of the zones there will be signage identifying the type of zone and that ASE assets are in use. Niagara Region has one of the highest fatal collision rates per 100,000 people. Central Avenue in Fort Erie, from Bertie Street to Gilmore Road has been designated as a School Safety Zone, and ASE assets will be placed in this area. The time-line for this is now on hold, and he will ensure Council is made aware when it is to start.

- At the Niagara Regional Housing Board meeting, staff were requested to have a plan in place to deal with housing once the pandemic restrictions are lifted. It was agreed that there be at least 5 projects ready to go in order to take advantage of any and all stimulus funding that the Federal and Provincial governments may put forward. It is hoped that non-profit organizations wishing to take advantage of this will come forward and partner with Niagara Regional Housing.

- RC Insinna thanked our first responders and everyone who deals with the public and those keeping our food chain moving. Their unselfish work is so appreciated. As a member of this community, he would like to convey a special thank you to this Council and staff for continuing their work in light of this pandemic.

Councillor Dubanow enquired why Central Avenue has been designated as a School Safety Zone, as his perception is that Garrison Road has always been a little more a dicier area in the mornings with traffic, rather than Central Avenue.

RC Insinna responded that several criteria were looked at, and a lot of it involved statistics around traffic enforcement and Our Lady of Victory

school stood out. He will obtain the criteria and send it to Council as well as more information as they start rolling out to the Community Safety Zones.

8. Presentations and Delegations

None.

9. Consent Agenda Items

9.1 Request to Remove Consent Agenda Items

Councillor McDermott requested that Item 9.2 3(b), being the Traffic Coordinating Committee Notes of Meeting, be removed from the Consent Agenda.

9.2 Consent Agenda Items for Approval

1. Minutes

(a) Approve - Council Meeting - March 23, 2020

(b) Approve - Council-in-Committee Meeting - April 6, 2020

2. Correspondence

(a) Proclamation - Cure Foundation (Breast Cancer) - May 12, 2020 as "National Denim Day"

That: Council proclaims May 12, 2020 as "National Denim Day". **(Carried)**

(b) Proclamation - Community Living Fort Erie - May as Community Living Month

That: Council proclaims May as "Community Living Month". **(Carried)**

(c) Proclamation - National Regional Labour Council - April 28, 2020 as "National Day of Mourning" and request to lower flags to half-mast

That: Council proclaims April 28, 2020 as "National Day of Mourning" and approves their request for flags to be flown at half-mast. **(Carried)**

3. Board/Committee Minutes

(a) Receive - Ridgeway Business Improvement Area Board of Management - March 4, 2020

4. Reports

PDS-19-2020 Planning and Development Services - Development, Building and By-law Statistical Reporting - Fourth Quarter 2019 and Year End

That: Council receives Report No. PDS-19-2020 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-19-2020 to the Regional Planning and Development Services Department, the Fort Erie Economic Development and Tourism Corporation, District School Board of Niagara and Niagara District Catholic School Board. **(Carried)**

PDS-20-2020 2020 Provincial Policy Statement

That: Council receives for information purposes Report No. PDS-20-2020 regarding the key policy changes in the new 2020 Provincial Policy Statement. **(Carried)**

IS-22-2020 Award of Tender for 2020 and 2021 Street Sweeping - Contract No. ISO-20T-RSWEEP

That: Council accepts and approves the tender from D & D Trucking and Construction Service Inc. for the 2020 and 2021 Street Sweeping Contract No. ISO-20T-RSWEEP in the amount of $183,256.62 (including 13% H.S.T.) to complete the 2020 and 2021 street sweeping program. **(Carried)**

5. Other Matters

Consent Agenda Resolution

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

That: Council approves the Consent Agenda Items as recommended, save and except Item 9.2 3(b). **(Carried)**

Items Removed to be Dealt with Separately

Resolution No. 1A
Moved by: Dubanow
Seconded by: Councillor McDermott

9.2 **3** (b) Receive - Traffic Coordinating Committee - Notes of Meeting - March 4, 2020 **(Carried)**

10. Reports

IS-19-2020 Award of Tender for the Replacement of Park Signage - Contract No. ISF-20T-WAYF17

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

That: Council accepts and approves the tender submission from 774459 Ontario Inc. O/A Signature Sign & Image for the Replacement of Park Signage - Contract No. ISF-20T-WAYF17 in the amount of $239,560.00 (including 13% HST); and further

That: Council authorizes and approves an amendment to the 2020 Capital Budget to supplement the Replacement of Park Signage - Contract No. ISF-20T-WAYF17 by $110,000 from the Road Refurbishing Reserve. **(Carried)**

IS-20-2020 Reconstruction Options for the Damages at Pt. Abino Road South

Resolution No. 3
Moved by: Councillor Zanko
Seconded by: Councillor Dubanow

That: Council amends the 2020 Capital Budget to include the design for the Pt. Abino Road South Reinstatement of the Shoreline Protection and Road Reconstruction for $491,459.92 with funding from the Road Refurbishing Reserve. **(Carried)**

IS-21-2020 Extension of Contract No. ISO-19T-AUCR to Circle P. Paving Inc. for the 2020 Asphalt Utility Cut Reinstatement Program

Resolution No. 4
Moved by: Councillor Lubberts
Seconded by: Councillor McDermott

That: Council extends the contract with Circle P Paving Inc. (Contract No. ISO-19T-AUCR) for the completion of the 2020 Asphalt Utility Cut Reinstatement program in the amount of $240,238.34 (including 13% H.S.T). **(Carried)**

11. New Business/Enquiries

(a) Proclamation - "National Volunteer Week: It's time to Applaud This Country's Volunteers" - April 19-25, 2020

Resolution No. 5
Moved by: Councillor Butler
Seconded by: Councillor McDermott

Whereas 12.7 million Canadian volunteers give their time to help others, contributing close to 2 billion volunteer hours per year, and

Whereas the collective result of the work done by our volunteers is that the Town of Fort Erie is a more desirable place to live;

Now therefore be it resolved,

That: Council proclaims April 19-25, 2020 as "National Volunteer Week: It's time to Applaud this Country's Volunteers", and further

That: Council expresses their appreciation and gratitude to all volunteers in the Town of Fort Erie for their service, dedication and commitment to our community. **(Carried)**

(b) Councillor Butler

Councillor Butler advised she has been receiving phone calls and emails with respect to the SPCA, and asked if there is an opportunity to get a copy of their financial statements?
Mr. Kuchyt advised he believes they are public documents, and the SPCA does a formal audit annually. The Town hires the SPCA for animal control, but not for animal sheltering. He received about a month and a half ago, and he met with the SPCA. He has some notes, and there's been discussion on social media and other areas. He will share it with Council through an email as soon as he gets an opportunity, and he will ask the SPCA for their financial statements and provide them to Council.

(c) Councillor McDermott

Councillor McDermott requested clarification concerning the boat ramps. He asked if Mr. Kuchyt could look into the fact that just the other day the Premier had assured the public there would be a fishing season this year. He has had about 9 phone calls and an email with regard to this today. We're getting a mixed message as the Premier's saying one thing and also closing boat ramps at the same time. Councillor McDermott advised that he doesn't have any concern with boat ramps being closed, but if the Premier's saying there's going to be a fishing season, you would think that wouldn't just be fishing along the river, but would mean from boats as well.

Mr. Kuchyt responded that the last set of orders that he saw from the Province directed us to close our boat launch and the marinas as well, and that's what we did. Anyone can fish along the shores of rivers and lakes. He heard late today that boat launches can be open according to the Province, so he's going to look into that. As it stands right now, they will remain closed. People can fish along shores, riverbanks, and so forth, as long as they abide with social distancing and no groups.

Mayor Redekop clarified that what Mr. Kuchyt said (as part of the audio was not clear), is that the boat launches and marinas are closed for now. The Parks Commission has indicated that theirs are all closed and will open when the Province eases up on its restrictions. This is something that's changing, as is the issue with respect to beaches, which is discussed at every Emergency Management meeting. We understand people want to get out and fish, and we understand that they need some diversions right now. The context will be safety and social distancing. We will be reviewing that, and Council will be kept apprised as to what we find out. In the meantime, Mr. Kuchyt and Ms. Dolch can clarify what the situation is as far as the Province is concerned.

Councillor Dubanow advised that he had a constituent forward to him an email from our MPP's office that said that there was no Provincial directive in place that requires boat launches to be closed, and that it was actually up to the individual municipalities. He hopes this will be sorted out by the next Emergency Management meeting on Thursday.

Mayor Redekop added that it needs to be clear as well that the boat launches on the river are under the control of the Niagara Parks Commission, and we have communication with them as well. What we would try to do, as well as with the other municipalities in Niagara, is try to act in some type of uniform fashion.

(d) Councillor Dubanow

Councillor Dubanow expressed that he appreciates everything that staff have done, and he believes we have struck a very good balance between the aspect of education and ensuring people are aware of why these rules exist, rather than a more heavy-handed approach you may have read about in the newspapers in other municipalities, where someone just touches a park bench and ends up with an $880 fine. Also, we don't know why American plates are driving down our streets. They could be residents or using cars. There are people who travel back and forth. There are Canadian citizens who live in the United States who have a legal right to enter Canada that we can't deny entry to. He believes the response from our municipality has been fantastic, and we need to be compassionate. We need to understand that we're all dealing with this as best we can, every day, one day at a time, and that the sanctimonious judgment, some of the things you see on

social media is inappropriate. We're going to get through this, and it's going to take time. He reiterated that he extends his appreciation to Town staff for how they've handled this. I think it's been excellent. He thanked his Council colleagues and Regional Councillor Insinna for everything they do. He advised this has been tough, but we're starting to see some light at the end of the tunnel and he believes we've done a good job.

Mayor Redekop responded that those are very good comments, and they're reflective of a lot of the messages that we're receiving from members of the public. Most of them are inquiries and they get responses from us. Most of the responses, even if they don't agree with us, are generally well-mannered. There's a lot to be said for the community as well. The public doesn't have an appreciation of how much the staff has been involved. They know that the building is closed. They think that there's nobody here, but the reality is the work continues. There's been a lot of work going on.

(e) Councillor Noyes

Councillor Noyes advised that we now have more information from Public Health in regards to the COVID-19 statistics. One of the statistics is that 20% of those that have tested positive are health care providers. She advised she believes that is an important message to get out to the public - how important it is for self-isolation and that the caregivers, health care providers are at the front lines.

Mayor Redekop added that following the meeting that the Mayors and the Regional Chair had, there were some changes made, but he believes there's still additional information that we require. The concern that he expressed was that it'd be helpful if we had more data that would support some of the comments that were being made. We now have information relative to places where there have been COVID-19 or potential COVID-19 outbreaks, but no real other specific information as to how many. Some of the regions have information that identifies numbers of both staff and residents who have been affected. Some regional websites break down by municipality where they are occurring. He advised we'll get there at some point.

12. Motions

None.

13. Notice of Motion

(a) Councillor McDermott

Councillor McDermott gave notice that he would be bringing forward a motion with regards to the continued closure of the Peace Bridge.

(Returnable to a Special Council Meeting on May 4, 2020)

14. Consideration of By-laws

Resolution No. 6
Moved by: Councillor Noyes
Seconded by: Councillor Zanko

That: The by-law package containing:

42-2020: To Assume Secondary Services in the Village Creek Subdivision - Phase 2, Stage 1, Plan 59M-390 (800547 Ontario Limited – Debra Hill)
43-2020: To Accept and Declare Lands as Public Highway on the West Side of Burleigh Road North (615 Burleigh Road North – Christine Watson)
44-2020: To Amend Traffic By-law No. 2000-89 – (To provide for Parking on the west side of Klauck Street)
45-2020: To Amend Council Rules of Procedure By-law No. 36-2016, as amended - Emergency Electronic Meetings - Local Boards

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

Resolution No. 7
Moved by: Councillor Butler
Seconded by Councillor McDermott

That: By-law Nos.:

42-2020
43-2020
44-2020
45-2020

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

Resolution No. 8
Moved by: Councillor Zanko
Seconded by: Councillor Noyes

That: By-law No. 46-2020: To Confirm the Actions of Council at its Council-in-Committee Meeting Held on April 6, 2020 and its Council Meeting Held on April 20, 2020 is given first and second reading.
(Carried)

Resolution No. 9
Moved by: Councillor McDermott
Seconded by: Councillor Dubanow

That: By-law No. 46-2020 is given third and final reading to be signed by the Mayor and Clerk under the corporate seal. **(Carried)**

15. Scheduling of Meetings

- Emergency Management Team on April 23, 2020 at 9:00 a.m. via Video Teleconference
- Regional Council meeting on April 23, 2020 at 6:30 p.m. via Video Teleconference
- Planning and Development Services Subcommittee Meeting on April 29th at 4:00 p.m. via Video Teleconference

Councillor Dubanow added that there was a Library Board Meeting hosted through Zoom on April 14, 2020.

16. Adjournment

Resolution No. 10
Moved by: Councillor Dubanow
Seconded by: Councillor McDermott

That: Council adjourns at 7:07 p.m. to reconvene into a Regular Meeting of Council on May 19, 2020. **(Carried)**

_____
Mayor

_____
Clerk

The Municipal Corporation of the Town of Fort Erie

Special Council Meeting Minutes

Monday, May 4, 2020

Council Chambers via Video Conference

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
Town's YouTube Channel: www.youtube.com/townofforterie
or click on the YouTube icon on the home page of the Town's website (www.forterie.ca) or Cogeco TV

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 occupy 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. Dolch, J. Janzen, T. Kuchyt, C. Schofield, and K. Walsh

This meeting was held in compliance with the electronic participation provisions of the *Municipal Emergency Act, 2020* and Council Rules of Procedure By-law No. 36-2016, as amended.

3. Announcements/Addenda

There was one Addendum being the addition of Item No. 9 Notice of Motion section in order to permit a member of Council to give notice of motion at this Special Meeting of Council. Therefore, Consideration of By-laws will become Item No. 10 and Adjournment Item No. 11.

Mayor Redekop made the following announcements:

- This coming Sunday is Mother's Day and in this extraordinary time he wishes all Mothers in Fort Erie a very happy day, and he hopes they have an opportunity to connect with their children, although that may be by phone or some other virtual means or with children standing at the end of the driveway. It will undoubtedly be the most unusual Mother's Day we have ever encountered.

- As the weather gets nicer, it gets more challenging to maintain social distance and stay at home, but those are still the guiding words from the Federal and Provincial governments, based on the advice of the public health authorities. As we go forward, just remember that what we are doing is trying to protect each other, and no one more so than the doctors, nurses, personal support workers, those individuals who are serving us, and the ambulance attendants. We owe it to them to make sure we act in such a fashion so as to protect them, because we are relying on them. Let's bear that in mind as we go forward into the nicer weather.

4. Declarations of Pecuniary Interest

Councillor Dubanow declared a pecuniary interest with respect to Report No. PDS-21-2020 being an Amendment to Conditions of Draft Plan Approval 0 Ashton Homes (Western) Ltd. (Aldo Vercillo), Parklane Home Builders Ltd. (Debbie Hill) and Delta Bingo Inc. (Duncan Cameron) – Owners – Upper Canada Consultants (William Heikoop) – Agent – Peace Bridge Village Phase 2 Subdivision (South of Garrison Road, East of Arthur Street), as 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 Zanko declared a pecuniary interest with respect to Item 8 Motions (a) Re: Canada/US Border Crossings – Essential Traffic Only – COVID-19, as she often travels into the US assisting non-resident importers and it impacts her financially. She abstained from discussing or voting on the matter.

5. Consent Agenda Items

5.1 Request to Remove Consent Agenda Items

Report No. PDS-21-2020 was removed due to Councillor Dubanow's pecuniary interest.

5.2 Consent Agenda Items for Approval

1. Correspondence

(a) Receive and Support Item # 13 – City of Welland - Request of support for the expansion of eligibility criteria to qualify for the 75% Canada Emergency Response Benefit Wage Subsidy for COVID-19 to all municipalities (including Library and Museum Boards), where currently only available to private sector employers

(b) Receive - Niagara Region - COVID-19 Preliminary Overview of Financial Impacts

2. Reports

IS-23-2020 Award of Engineering Services for Idylewylde Street Sanitary Sewer Replacement - Contract No. ISE-20P-IDYL20

That: Council accepts and approves the proposal from Kerry T. Howe Engineering Limited to provide Engineering Design Services for the Idylewylde Street Sanitary Sewer Replacement Project (Contract No. ISE-20P-IDYL20) to the upset limit of $78,987.00 (including 13% HST). **(Carried)**

3. Other Matters

Consent Agenda Resolution

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

That: Council approves the Consent Agenda Items as recommended, save and except Report No. PDS-21-2020. **(Carried)**

5.3 Items Removed to be Dealt with Separately

PDS-21-2020 Amendment to Conditions of Draft Plan Approval - Ashton Homes (Western) Ltd. (Aldo Vercillo), Parklane Home Builders Ltd. (Debbie Hill) and Delta Bingo Inc. (Duncan Cameron) - Owners - Upper Canada Consultants (William Heikoop) - Agent - Peace Bridge Village Phase 2 Subdivision (South of Garrison Road, East of Arthur Street)

Resolution No. 1A
Moved by: Councillor Zanko
Seconded: Councillor McDermott

That: Council directs that the conditions of approval for the Peace Bridge Village Phase 2 draft plan of subdivision be amended as detailed in Appendix "2" of Report No. PDS-21-2020, and further

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

6. Reports

IS-10-2020 Stevensville Road Drain - Filing of Engineer's Report, Pursuant to Section 4 of the *Drainage Act*, R.S.O. 1990 , c.D.17 ***(Postponed from March 9, 2020 Council-in-Committee Meeting - Previously Moved by Councillor Dubanow - Recommendation No. 12)***

That: Council accepts the new Engineer's Report for the Stevensville Road Drain for information purposes, and further

That: Council directs staff to continue with the legislative process in accordance with the *Drainage Act* and establish the date for the Court of Revision.

Resolution No. 1B
Moved by: Councillor Dubanow
Seconded by: Councillor Butler

That: Report No. IS-10-2020 be postponed to the Council-in-Committee Meeting to be held on July 13, 2020. **(Carried)**

CAO-09-2020 Agreement Between The Corporation of the Town of Fort Erie and JPAS International Inc. for the Acquisition of the Former Fort Erie Fort Erie Public School Site - Acknowledgement for the Reduction of the Contingent Liability Amount Paid to the Town

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

That: Council approves a reduction in the contingent liability payment held by The Corporation of the Town of Fort Erie held as an indemnity as required by the District School Board of Niagara, from $3,000,000 to $2,000,000; and further

That: The Town of Fort Erie returns $1,000,000 of the held funds to JPAS International Inc. upon receipt of the executed Acknowledgement, attached as Appendix “1” to Administrative Report No. CAO-09-2020. **(Carried)**

7. New Business/Enquiries

(a) Niagara Parks Commission Development of Miller's Creek Marina

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

Whereas the Niagara Parks Commission (“NPC”) has considered options for the operation or closing of its marina on the Niagara River in Fort Erie, near Miller’s Creek; and

Whereas in 2005, the NPC agreed to work with the Town of Fort Erie to permit the Fort Erie Economic Development & Tourism Corporation (“EDTC”) to undertake a Request for Proposals process for the expansion and enhancement of the marina and potential development of the lands between the Niagara Parkway and Cairns Crescent (“the adjacent lands”); and

Whereas as a result of the cooperative efforts of the NPC, Town of Fort Erie and the EDTC, submissions were received for expansion and enhancement of the marina and the development of a resort on the adjacent lands, and

Whereas since 2012, the NPC has embarked on a number of processes with a view to proceed with a marina/resort development at the Miller’s Creek Marina, and

Whereas the NPC's most recent initiative resulted at the end of August 2017 in no proponent submitting a response to the NPC's Request for Proposals for development at the marina, and

Whereas the NPC maintains that it continues to be committed to marina enhancements and development on the adjacent lands, and

Whereas the Council of the Town of Fort Erie understands that there remains developer interest in proceeding to develop the marina and adjacent lands at Miller's Creek Marina.

Now therefore be it resolved,

That: The Council of the Town of Fort Erie reiterates its continuing support for the expansion and enhancement of the marina and a resort development on the adjacent lands at the NPC's Miller's Creek Marina; and further

That: Council urges the NPC to continue its discussions with the Province of Ontario regarding the transfer of a portion of the adjacent lands to facilitate redevelopment of the marina and development of a resort; and further

That: Council requests the NPC to review the realignment of the Niagara Parkway to allow for the development of the marina and resort development; and further

That: Council requests that the NPC work with the Town of Fort Erie and the Region of Niagara in the preparation and circulation of a public Request for Proposal (RFP) that maintains the integrity of the mandate of the NPC; and further

That: A copy of this resolution be forwarded to the Chair of the NPC for action; and further

That: A copy of this resolution be forwarded to the Premier of the Province of Ontario, the Minister of Tourism, Culture and Sport, the Minister of Infrastructure, the Chair of the Region of Niagara, the M.P.P.'s in Niagara, and the Honourable Tony Baldinelli, M.P.; and further

That: A copy of this resolution be circulated to the Councils of the local municipalities in Niagara for their support. **(Carried)**

(b) Councillor McDermott

Councillor McDermott referred to the potential closing of the Marina at Miller's Creek and asked if he and the Mayor could get together with Mr. Adames sometime this week to discuss it, as there are many concerns of people who use the site. Mayor Redekop responded that he would set that up and perhaps Mr. Kuchyt might wish to be involved as well.

(c) Councillor Dubanow

Councillor Dubanow advised that he had a conversation with a constituent about the reopening of parks and that earlier today the Premier hinted about getting some good news on that in the next couple of days. He spoke with Mr. Kuchyt about this today, and asked Mr. Kuchyt to explain to the public what precautions the municipality is going to put in when we get to that point.

Mr. Kuchyt advised that the Emergency Management Team discussed this matter this morning and we are going to take the lead from the Province. When the Province says they can be opened up for active use, as currently they are passive, staff will remove the fencing and add additional signage "use at own risk" as we do not have the staff to be cleaning the playground equipment continuously. We hope that whoever is looking after the children in the park will take on the responsibility to clean the equipment before and after they use it. When we can, we will clean the equipment, and as soon as we can, we will open up the playground equipment.

(d) Councillor Dubanow

Councillor Dubanow expressed concern about a Regional Councillor in St. Catharines who was viciously attacked during an on-line podcast. He serves with Laurie Ip on the Transportation Steering Committee, and she is a very good friend of his. He advised It is difficult to see her be subjected to such misogynistic behaviour. He advised he serves a municipality with 6 wards and 6 councillors, 3 of which are women and the other 3 are men, which he thinks is fantastic. He values their contributions, and they have a right to be here and a right to be respected for their opinion. As a white male who has certain privileges in this society, he likewise is not perfect and sometimes loses track of that. He asked that those who note it, to call him out on it. He likewise feels it is important for him to call out other men who do the same thing. Councillor Dubanow asked that they all take a step back

and look at what people say to them, recognize the mistakes they make, the mistakes others have made in the past, strive to be better human beings, and recognize their differences and contributions. If they do that, then one day, what his friend was subjected to during a difficult time of what we are all facing during this pandemic, his daughter may not have to face it.

Mayor Redekop advised that the Regional Chair sent out a Media Release concerning this, and from what he read in the newspaper article, Councillor Ip was very discouraged about her role as a Regional Councillor and was seriously contemplating whether it was worthwhile for her to participate. She is a very active member on the Regional Council and has deep roots in the community. No one should be put in the position of having to choose whether they should serve their community or not due to the conduct of another person which is completely unacceptable. Mayor Redekop added that it was appropriate for Councillor Dubanow to bring this up, and we are fortunate that we have a variety of views and life experiences on our Council.

(e) Councillor Butler

Councillor Butler referred to boating and fishermen, and the emails and phone calls Councillors all have been receiving with respect to when people can get their boats in the water and be able to fish. She asked if there are any comments that can be offered at this point.

Mr. Kuchyt advised that the Emergency Management Team discussed this matter morning. Our boat launch is closed, and it is promising that the Premier advised last Friday that marinas and golf courses should get themselves ready to open. Mr. Kuchyt advised he believes we will see an announcement this week for both of them to open. He stated that when the marinas can open, then regionally we should all open boat launches at the same time. He advised he is reluctant to open just ours if the other municipalities are not willing to do so, because then we will have chaos at our boat launch. Mr. Kuchyt further advised that the CAOs have conference calls two times a week. They have all agreed that they want to open their launches at the same time. Mr. Kuchyt advised he will be speaking with the Niagara Parks Commission as well as we need to collaborate our openings with them.

Mayor Redekop advised that the main point behind all of this re-opening is that as we re-open, whether it’s a park, boat launch,

beach, or a store, that people abide by the need to distance themselves from those around them. That is the key, and as long as people continue to follow the protocol, a lot of these things will come back.

(f) Councillor Noyes

Councillor Noyes asked if it would be beneficial to let the public know how the changes in the restrictions are going to affect this Town. She stated that we have told them that certain playgrounds are going to be delayed, certain roads aren't going to be done, and now it looks like we can't move forward on a lot of our infrastructure projects.

Mayor Redekop advised that we have kept up a very active media profile with respect to COVID-19, and that how we are going to re-open and the steps we will take, and the expectations we will have for our community will be part of future releases. That information goes not only to the media, but also on our website, Facebook and Twitter.

Mr. Kuchyt advised that times are ever changing and it's never black and white, so it takes a few days to respond on re-opening of services. Staff are always working with the Province and trying to get that information, and it is shared with the public. Mr. Kuchyt advised that he hopes for a little bit of a slow down so that staff can summarize all of the changes that have taken place in the last couple weeks and put something out. If there are ever any questions call him or Town Hall. Mr. Kuchyt stated he hopes the Province takes a good look at this and slows things down because he thinks we are actually opening things up too quick in his opinion.

8. Motions

(a) Councillor McDermott

Re: Canada/US Border Crossings - Essential Traffic Only - COVID-19

Resolution No. 4
Moved by: Councillor McDermott
Seconded by: Councillor Butler

Whereas the COVID-19 Pandemic has resulted in all countries taking extraordinary measures to ensure the health of their populations, and

Whereas the limiting to essential traffic only at the border between the United States of America (US) and Canada has undoubtedly assisted in the containment of this disease, and

Whereas the medical community has stated that the possibility exists for another wave of infections, and

Whereas the Governors of US States have been empowered to begin easing restrictions, and

Whereas the conduct and travel of residents, and the operation of businesses in the US States bordering Canada and beyond, has a direct impact on the potential spread of the virus by virtue of those individuals entering Canada, and

Whereas Canadians and Americans entering each other's countries have the potential to return home after becoming infected;

Now therefore be it resolved,

That: The Corporation of the Town of Fort Erie hereby requests the Prime Minister of Canada to continue limitation of cross-border traffic to essential traffic only, and further

That: The restrictions remain in place until such time that it can be demonstrated that the flattening of the outbreak curve in the United States of America is on par with the progress we are seeing in Ontario, and further

That: Special attention be paid to the outbreak statistics concerning border States in the eventual decision making process to return cross-border travel to pre-pandemic normalcies, and further

That: A copy of this resolution be circulated to The Right Honourable Justin Trudeau, Prime Minister, The Honourable Chrystia Freeland, Deputy Prime Minister, The Honourable Doug Ford, Premier of Ontario, Wayne Gates, MPP-Niagara Falls, Legislative Assembly of Ontario, Sam Oosterhoff, MPP-Niagara West-Glanbrook, Legislative Assembly of Ontario, Jennifer Stevens, MPP-St. Catharines, Jeff Burch, MPP-Niagara Centre, Dean Allison, MP-Niagara West, Chris Bittle, MP- St. Catharines, Tony Baldinelli, MP- Niagara Falls, Vance Badawey, MP, Niagara Centre, The Regional Municipality of Niagara, and all Niagara Area Local Municipalities, for their support.

Mayor Redekop requested a friendly amendment to add after the second substantive provision: "*THAT Canada Border Services Agency, in association with other health and law enforcement authorities, continues its protocol of screening and monitoring those individuals crossing the border to ensure that only essential travellers or individuals who reside in Canada gain entry into Canada as long as the border restrictions remain in place.", which was approved by Councillor McDermott and his seconder.*

Resolution No. 4A
Moved by: Councillor Dubanow
Seconded by: Councillor Butler

That: The following be added after the last recital:
"**Whereas** in less extraordinary times our American friends, family and neighbours are welcome in our community, and **Whereas** we urge the government of Canada to continue to be guided by health and science in making its decisions regarding the border;" **(Carried)**

Following the acceptance of the friendly amendment, and the approval of the second amendment, the Motion was voted on as follows:

Whereas the COVID-19 Pandemic has resulted in all countries taking extraordinary measures to ensure the health of their populations, and

Whereas the limiting to essential traffic only at the border between the United States of America (US) and Canada has undoubtedly assisted in the containment of this disease, and

Whereas the medical community has stated that the possibility exists for another wave of infections, and

Whereas the Governors of US States have been empowered to begin easing restrictions, and

Whereas the conduct and travel of residents, and the operation of businesses in the US States bordering Canada and beyond, has a direct impact on the potential spread of the virus by virtue of those individuals entering Canada, and

Whereas Canadians and Americans entering each other's countries have the potential to return home after becoming

infected, and

Whereas in less extraordinary times our American friends, family and neighbours are welcome in our community, and

Whereas we urge the government of Canada to continue to be guided by health and science in making its decisions regarding the border;

Now therefore be it resolved,

That: The Corporation of the Town of Fort Erie hereby requests the Prime Minister of Canada to continue limitation of cross-border traffic to essential traffic only, and further

That: The restrictions remain in place until such time that it can be demonstrated that the flattening of the outbreak curve in the United States of America is on par with the progress we are seeing in Ontario, and further

That: Canada Border Services Agency, in association with other health and law enforcement authorities, continues its protocol of screening and monitoring those individuals crossing the border to ensure that only essential travellers or individuals who reside in Canada gain entry into Canada as long as the border restrictions remain in place, and further

That: Special attention be paid to the outbreak statistics concerning border States in the eventual decision making process to return cross-border travel to pre-pandemic normalcies, and further

That: A copy of this resolution be circulated to The Right Honourable Justin Trudeau, Prime Minister, The Honourable Chrystia Freeland, Deputy Prime Minister, The Honourable Doug Ford, Premier of Ontario, Wayne Gates, MPP-Niagara Falls, Legislative Assembly of Ontario, Sam Oosterhoff, MPP-Niagara West-Glanbrook, Legislative Assembly of Ontario, Jennifer Stevens, MPP-St. Catharines, Jeff Burch, MPP-Niagara Centre, Dean Allison, MP-Niagara West, Chris Bittle, MP- St. Catharines, Tony Baldinelli, MP- Niagara Falls, Vance Badawey, MP, Niagara Centre, The Regional Municipality of Niagara, and all Niagara Area Local Municipalities, for their support. **(Carried)**

9. Notice of Motion

Councillor Butler gave notice that she would be bringing forward a motion regarding the use of face masks.

(Returnable May 19, 2020)

10. Consideration of By-laws

Resolution No. 5
Moved by: Councillor Dubanow
Seconded by: Councillor Zanko

That: By-law No. 47-2020: To Accept and Declare a Daylighting Triangle as Public Highway at the Southeast Corner of Spears Road and Ross Avenue (Essential Capital Inc. – Frank Ianniello) is given first and second reading. **(Carried)**

Resolution No. 6
Moved by: Councillor Lubberts
Seconded by: Councillor McDermott

That: By-law No. 47-2020 is given third and final reading to be signed by the Mayor and Clerk under the corporate seal. **(Carried)**

Resolution No. 7
Moved by: Councillor Noyes
Seconded by: Councillor McDermott

That: By-law No. 48-2020: To Confirm the Actions of Council at its Special Meeting Held on May 4, 2020 is given first and second reading. **(Carried)**

Resolution No. 8
Moved by: Councillor Zanko
Seconded by: Councillor Dubanow

That: By-law No. 48-2020 is given third and final reading to be signed by the Mayor and Clerk under the corporate seal. **(Carried)**

10. Adjournment

Resolution No. 9
Moved by: Councillor Dubanow
Seconded by: Councillor Zanko

That: Council adjourns at 7:03 p.m.to reconvene into a Regular Meeting of Council on May 19, 2020. **(Carried)**

_____
Mayor

_____
Clerk

A

A

Mayor Wayne Redekop & Council,
Town of Fort Erie,
1 Municipal Drive
Fort Erie, Ontario.

Dear Mayor Redekop and Council Members,

In 2019 Council approved the request of the Museum & Cultural Heritage Committee to proclaim June 2nd as Decoration Day in the Town of Fort Erie. We then purchased a wreath which we laid at the Cenotaph at the Ridgeway Battlefield site. The Committee had voted to make this an ongoing annual event so that the Ridgeway Nine are recognized and remembered annually at the place where they fell.

We have been advised that we need to make a request each year to have Council proclaim June 2 as Decoration Day throughout the town. As we outlined in our original request there is considerable history and precedent to support this as an annual day of recognition.

The date of the Battle of Ridgeway inspired Canada's original Decoration Day. In 1870 the Volunteer's Monument was erected in Toronto in memory of those who fell at the Battle of Ridgeway. The monument was paid for by private donations. At the time it was considered to be as historically significant as Brock's Monument at Queenston Heights and the Plains of Abraham monument in Quebec. It is recognized today as Toronto's oldest public monument.

Despite the existence of the Volunteers Monument no commemorative wreath or any honorable acknowledgment was forthcoming from the Government of Canada. It wasn't until June 2, 1890 that veterans of the battle, in a form of protest, placed fresh flowers at the Monument to honor their fallen comrades. In 1891 it was estimated over fifty thousand people attended Decoration Day activities in Toronto.

In 1933 an Act of Parliament changed that official day of remembrance to November 11 to commemorate the armistice of World War I. Since then the Ridgeway Nine and the veterans of the Battle of Ridgeway have not been properly honored or remembered.

We respectfully request that Council proclaim June 2nd as Decoration Day in 2020, to ensure the continuity of recognizing and remembering the Ridgeway Nine at the battlefield site.

Thank you for your consideration of this matter.

Yours truly,

Mary McLelland-Papp
Chairperson
Fort Erie Museum and Cultural Heritage Advisory Committee

c.c Lindsay Richardson, Jane Davies

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BY COUNCIL

B

Senior Citizen's Advisory Committee
Town of Fort Erie

B

Thursday, April 30, 2020

Town of Fort Erie
1 Municipal Centre Drive
Fort Erie, ON

Town Council:

I am requesting the Town of Fort Erie to proclaim the month of June as "Senior Citizens" month and to proclaim October 1st as "World Senior's Day" in the Town of Fort Erie and to fly the Age-Friendly flag during that time.

Thanking you in advance for your consideration.

Barbara Hopkins

Barbara Hopkins
Secretary
SCAC

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Town of Fort Erie

Accessibility Advisory Committee

May 12, 2020

Mayor and Members of Council
Town of Fort Erie
1 Municipal Centre Drive
Fort Erie, ON L2A 2S6

Re: National Access Awareness Week – May 31 - June 6, 2020

Dear Mayor and Council,

Since 2005, Council has affirmed its commitment to creating an accessible Town of Fort Erie by recognizing National Access Awareness Week. National Access Awareness Week was established in 1988 in response to a request from Rick Hansen following his Man in Motion World Tour. Its aim is to bring together in a spirit of partnership, persons with disabilities, organizations who serve them, business, labour and governments to affect meaningful changes in the daily lives of persons with disabilities.

Council has been an avid supporter of the Accessibility Advisory Committee (AAC) since its inception and continues to value the work of its members to raise awareness for persons with disabilities and create a welcoming and inclusive community.

A great deal of accessibility improvements has been made over the past 15 years in both the public and private sector, but we still have a lot of work to do!

This year's National Access Awareness Week will be very different from past years as the AAC is not able to meet during this time and some members are very vulnerable to Covid-19 and have had to socially isolate in order to stay healthy. As we are unable to hold a meeting to pass a recommendation as in previous years, I am providing this request on behalf of the Committee and would ask that Council continues its support by proclaiming May 31 to June 6, 2020 as National Access Awareness Week.

All of which is respectfully submitted on behalf of the Accessibility Advisory Committee,

Bev Bradnam

Bev Bradnam, DPA, CMM III
Manager, Strategic Initiatives

Cc: Accessibility Advisory Committee Members

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TOWNSHIP OF ARMOUR

DISTRICT OF PARRY SOUND

56 ONTARIO STREET
PO BOX 533
BURK'S FALLS, ON
P0A 1C0

(705) 382-3332
(705) 382-2954
Fax: (705) 382-2068
Email: info@armourtownship.ca
Website: www.armourtownship.ca

April 29, 2020

Honourable Doug Ford
Premier of Ontario
Legislative Building
Queen's Park
Toronto, ON M7A 1A1

Re: Support Resolution - High Speed Internet Connectivity in Rural Ontario

At its meeting held on April 28, 2020, the Council of the Township of Armour passed Resolution #6 supporting our Councillor Rod Ward's letter regarding the need to make substantial investments in high-speed internet connectivity in the rural areas of Ontario.

A copy of Council's Resolution #6 dated April 28, 2020 and Councillor Ward's letter is attached for your consideration.

Sincerely,

Charlene Watt
Deputy Clerk

Cc: MPP Norm Miller, MP Scott Aitchison and Ontario Municipalities

Enclosures

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BY COUNCIL

CORPORATION OF THE TOWNSHIP OF ARMOUR

RESOLUTION

Date: **April 28, 2020** **Motion #** 6.

That the Council of the Township of Armour supports the letter, dated April 15, 2020 from Councillor Rod Ward, on the need to make substantial investments in high-speed internet connectivity in rural areas. Furthermore, that this resolution and the letter be circulated to Scott Aitchison, MP for Parry Sound-Muskoka, Norm Miller, MPP for Parry Sound-Muskoka and all Ontario municipalities requesting their support.

Moved by:		**Seconded by:**	
	Blakelock, Rod ☐		Blakelock, Rod ☑
	Brandt, Jerry ☑		Brandt, Jerry ☐
	MacPhail, Bob ☐		MacPhail, Bob ☐
	Ward, Rod ☐		Ward, Rod ☐
	Whitwell, Wendy ☐		Whitwell, Wendy ☐

Carried / **Defeated**

Declaration of Pecuniary Interest by: _____

Recorded vote requested by: _____

Recorded Vote:	For	Opposed
Blakelock, Rod	☐	☐
Brandt, Jerry	☐	☐
MacPhail, Bob	☐	☐
Ward, Rod	☐	☐
Whitwell, Wendy	☐	☐

CORPORATION OF THE TOWNSHIP OF ARMOUR

RESOLUTION

Date: **April 28, 2020** **Motion #** 6.

That the Council of the Township of Armour supports the letter, dated April 15, 2020 from Councillor Rod Ward, on the need to make substantial investments in high-speed internet connectivity in rural areas. Furthermore, that this resolution and the letter be circulated to Scott Aitchison, MP for Parry Sound-Muskoka, Norm Miller, MPP for Parry Sound-Muskoka and all Ontario municipalities requesting their support.

Moved by:		**Seconded by:**	
	Blakelock, Rod ☐		Blakelock, Rod ☑
	Brandt, Jerry ☑		Brandt, Jerry ☐
	MacPhail, Bob ☐		MacPhail, Bob ☐
	Ward, Rod ☐		Ward, Rod ☐
	Whitwell, Wendy ☐		Whitwell, Wendy ☐

Carried / **Defeated**

Declaration of Pecuniary Interest by: _____

Recorded vote requested by: _____

Recorded Vote:	For	Opposed
Blakelock, Rod	☐	☐
Brandt, Jerry	☐	☐
MacPhail, Bob	☐	☐
Ward, Rod	☐	☐
Whitwell, Wendy	☐	☐

April 15, 2020

To whom it may concern,

The COVID-19 pandemic in Ontario has highlighted both our positive responses to a crisis, and some definite shortcomings in infrastructure, systems and services which need to be addressed on a long-term basis. Setting priority on solving these issues will be a challenge, given the differing agendas and the strained budgets. Solving fundamental issues should focus on the most basic needs as a starting point. One of the clear needs in a rural community such as the Almaguin Highlands, highlighted further by recent events, is the need for proper high-speed internet connectivity. Healthcare and education are both going down a path where appropriate connectivity is assumed. Like many models that move outward from metropolitan areas, this assumption is lost on rural areas. For the vast majority of households in our community, true high-speed connectivity simply does not exist. For the vast majority of future strategies in healthcare and education, there is an assumption that it does exist.

Even in areas in the Almaguin Highlands which have 'high-speed' internet, the overall infrastructure is still limited. It is certainly not designed to deal with a sudden huge peak in demand. Whereas the capacity in large urban centres is built to handle the added throughput, there are clear limitations here. The best way to explain it is a comparison to hydro. Imagine if everyone went home at the same time and turned their lights on, but because there wasn't enough hydro capacity overall, all lights were 50% dimmer than normal and some appliances simply didn't work. We no longer have to imagine what happens with internet speed during peak usage. Suddenly during the COVID pandemic, people are working from home who have never worked from home. Kids are trying to do courses on-line. People who are not working are turning on-line to stay connected. Video-conferencing, which was a totally foreign concept to many, is now part of daily routine. Any idea how much internet bandwidth video uses? It's no wonder we hit a wall.

The future of healthcare sees patients being monitored and cared for in their own homes, through the use of technology. The future of education sees students doing much of their learning on-line. The future of business and commerce sees the ability to function outside the 'bricks and mortar' of an office location. Malls disappear and on-line shopping is the norm. For some, that future has already arrived. Our area has already been drastically affected by cutbacks in the area of healthcare and education through gradual decreases in budgets and services. Technology offers us the ability to level the playing field to a great extent. High-speed connectivity cannot be seen as a luxury or a nice-to-have, any more than hydro should be seen that way. In order to solve some other problems (i.e. skyrocketing budgets in healthcare and education) the wise investment is in providing connectivity for every resident in the province.

Rod Ward
Councillor
Armour Township

E

E

Town of Lincoln

4800 SOUTH SERVICE RD
BEAMSVILLE, ON L0R 1B1
905-563-8205

May 7, 2020

SENT VIA EMAIL

The Honourable William Francis Morneau
Minister of Finance
90 Elgin Street
Ottawa, ON K1A 0G5
Bill.Morneau@canada.ca

Dear Minister of Finance Morneau:

RE: REQUEST FOR EMERGENCY FUNDING FOR MUNICIPALITIES FROM THE GOVERNMENT OF CANADA

At its Special Council meeting held on Monday, May 4, 2020, the Council of the Town of Lincoln approved the following resolution:

Moved by: Councillor J.D. Pachereva; Seconded by: Councillor P. MacPherson

WHEREAS that the COVID-19 pandemic has created a global crisis;

AND WHEREAS towns, cities and communities are major economic drivers across Canada;

AND WHEREAS the Federation of Canadian Municipalities (FCM) on April 23, 2020 released its position, and called on all orders of government to work together in partnership, starting with an appeal to national leadership and stating that municipalities face challenges supporting isolation and good health among vulnerable populations;

AND WHEREAS, the Large Urban Mayors Caucus of Ontario (LUMCO) passed a resolution on April 28, 2020 stating that running deficits as a way to manage municipal financial challenges as a result of the pandemic is not in the public interest, and asked for emergency operating funding to keep critical services running;

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MAY 19 2020

AND WHEREAS the Council of the Town of Lincoln has expanded fiscal relief measures to ease the burden for businesses and residents and strategically plan for recovery for long-term sustainability;

AND WHEREAS that staff continue to explore ways to assist Lincoln residents and businesses as well as continue to pursue advocacy with various levels of government as they experience and manage the impacts of the COVID-19 pandemic;

AND WHEREAS the Council of the Town of Lincoln has an obligation to run an effective, fiscally responsible and trusted local government, the intent of the Town's fiscal relief efforts are to support the community during the pandemic while not losing sight of long-term sustainability, which is critical to the development of an achievable and affordable long-term financial and resource strategy.

AND WHEREAS that the Council of the Town of Lincoln request emergency funding be administered to municipalities to assist with relief efforts;

THEREFORE BE IT RESOLVED that the Council of the Town of Lincoln support the positions of FCM and LUMCO in calling for support to municipalities, and that this be shared with local Niagara MP's and MPP's, the Federal Minister of Finance, the Minister of Municipal Affairs and Housing and Minister of Finance for the Province of Ontario, as well as the Niagara Region and the Niagara Region Local Area Municipalities.

Regards,

Julie Kirkelos
Town Clerk
jkirkelos@lincoln.ca

cc: The Honourable Rod Philips, Minister of Finance
The Honourable Steve Clark, Minister of Municipal Affairs and Housing
Dean Allison, MP
Sam Oosterhoff, MPP
Chris Bittle, MP
Jennifer Stevens, MPP
Tony Baldinelli, MP
Wayne Gates, MPP
Vance Badawey, MP
Jeff Burch, MPP
Niagara Region
Local Area Municipalities

AND WHEREAS the Council of the Town of Lincoln has expanded fiscal relief measures to ease the burden for businesses and residents and strategically plan for recovery for long-term sustainability;

AND WHEREAS that staff continue to explore ways to assist Lincoln residents and businesses as well as continue to pursue advocacy with various levels of government as they experience and manage the impacts of the COVID-19 pandemic;

AND WHEREAS the Council of the Town of Lincoln has an obligation to run an effective, fiscally responsible and trusted local government, the intent of the Town's fiscal relief efforts are to support the community during the pandemic while not losing sight of long-term sustainability, which is critical to the development of an achievable and affordable long-term financial and resource strategy.

AND WHEREAS that the Council of the Town of Lincoln request emergency funding be administered to municipalities to assist with relief efforts;

THEREFORE BE IT RESOLVED that the Council of the Town of Lincoln support the positions of FCM and LUMCO in calling for support to municipalities, and that this be shared with local Niagara MP's and MPP's, the Federal Minister of Finance, the Minister of Municipal Affairs and Housing and Minister of Finance for the Province of Ontario, as well as the Niagara Region and the Niagara Region Local Area Municipalities.

Regards,

Julie Kirkelos
Town Clerk
jkirkelos@lincoln.ca

cc: The Honourable Rod Philips, Minister of Finance
The Honourable Steve Clark, Minister of Municipal Affairs and Housing
Dean Allison, MP
Sam Oosterhoff, MPP
Chris Bittle, MP
Jennifer Stevens, MPP
Tony Baldinelli, MP
Wayne Gates, MPP
Vance Badawey, MP
Jeff Burch, MPP
Niagara Region
Local Area Municipalities

Attendance

Board Members Present: Marge Ott, Patty Mountain, Rob Faragalli, Sarah Chevalier, Councillor Marina Butler

Regrets: Don Irvine

Staff: Victoria MacDonald

1) **Call to Order:**

Meeting was called to order at 11:14 am by Chair Rob Faragalli

2) **Roll Call**

Marge Ott, Patty Mountain, Rob Faragalli, Sarah Chevalier, Councillor Marina Butler

3) **Welcome, Announcements and Addenda**

The Chair welcomed everyone

4) **Acceptance of the Agenda:**

Motion to accept the special agenda issued for April 18, 2020
Motion: to accept the Agenda. *Motion: Patty Mountain, 2nd: Marge Ott, carried*

5) **Motions:**

Motion: to approve **Electronic Participation-State of Emergency**
That: The Ridgeway Business Improvement Area Rules of Procedure By-Law is amended to provide for the following provisions:
That: During any period where an emergency has been declared to exist in the municipality under the Emergency Management and Civil Protection Act, as amended, the Ridgeway Business Improvement Area Board of Management may participate electronically in an open meeting; and
That: The members of the Ridgeway Business Improvement Area Board of Management participating electronically shall be counted in determining whether or not a quorum of members is present and shall have the same rights and responsibilities as if he or she were in physical attendance.
Motion: Marge Ott, 2nd: Sarah Chevalier, Carried

6) **Adjournment:**

Motion to adjourn at 11:16 am *Motion: Patty Mountain, 2nd Marina Butler, Carried*

Minutes prepared by:

Patty Mountain Secretary

Minutes approved by:

Rob Faragalli, Chair

Attendance

Board Members Present: Marge Ott, Patty Mountain, Rob Faragalli, Sarah Chevalier, Councillor Marina Butler

Regrets: Don Irvine

Staff: Victoria MacDonald

1) **Call to Order:**
Meeting was called to order at 11:17 am by Chair Rob Faragalli

2) **Roll Call**
Marge Ott, Patty Mountain, Rob Faragalli, Sarah Chevalier, Councillor Marina Butler

3) **Welcome, Announcements and Addenda**
The Chair welcomed everyone

4) **Acceptance of the Agenda:**
Motion to accept the agenda issued for April 18, 2020
Motion: to accept the Agenda. *Motion: Marina Butler, 2nd: Marge Ott, carried*

5) **Motions:**

*Motion***:** to waive 50% of the RBIA levy for 2020
That: The Board of Directors of the Ridgeway Business Improvement Area requests the Council of the Town of Fort Erie not to impose 50% of the levy on the BIA businesses in 2020; and further
That: The BIA's 2020 Budget be amended and resubmitted to the Council of the Town of Fort Erie to reduce the 2020 levy from $35,000.00 to $17,500.00 and to reduce associated materials and services in the same amount of $17,500.00, for approval.
Please Note: The RBIA 2020 Amended Budget is attached.
Motion: Marge Ott, 2nd Marina Butler, Carried

6) **Adjournment:**

Next regular meeting will be Wednesday May 6th at 5:30 pm via Zoom.

Motion to adjourn at 11:25 am *Motion: Rob Faragalli, 2nd Sarah Chevalier, Carried*

Minutes prepared by:

Patty Mountain Secretary

Minutes approved by:

Rob Faragalli, Chair

2020 Ridgeway BIA Revised Budget for 50% Levy deduction minus monies already expended							
		2019	2019	2020	2021	2022	
Revenues	Acct #	YTD					
BIA Levy	193	35000.00	35000	17500	35000	35000	
Grants (Watering)	364		7500	9100	7500	7500	
EDTC Grant			5000	4000	5000	5000	
Other: Surplus Revenue (Fundraising)	989	6674.79	9500	4000	4500	4500	
Event Revenue:							
Farmer's Market	995	9720.00	10000	4500	10000	10000	
Art by the Market	995	3481.00	1800		1500	1500	
Easter	994	485.00	0		500	500	
Summer Festival	994	24887.25	20000		20000	20000	
Fall Festival	995	3876.45	4000	2953	3000	3000	
Spirit of Christmas	995			0	1860	1860	
Concerts on the Ridge	995	----------	1000				
Fundraising Beautification	970	2000.00	1900	674	2000	2000	
Community Fundraiser		----------	6000	0	0	0	
Total Revenues at Sept 13th		86124.49	101700	**42727**	90860	90860	
After grant money rec'd		**98624.49**					
					2021 and 2022 based on right hand column		
Expenditures							
Materials & Supplies (Office)	2190	1051.18	1,000	1,274	1,621	1,621	1800.00
Contract Services	2198	4666.69	11,000	9,050	9,005	9,005	10000.00
Other Contracts (Watering)	2199	6000.00	9,350	9,100	7,655	7,655	8000.00
Utilities	2890	278.40	300	324	357	357	396.00
Farmers' Market/Art by the Market	2995	2811.69	3,200	1,801	2,612	2,612	2900.00
Fall Festival	2995	160.00	4,300	1,801	1,621	1,621	1800.00
Concerts on the Ridge	2995	----------	1,000	0	0	0	
Sundry**	2999	4448.44	11,000	0	0	0	
Streetscaping	3101	5172.93	11,000	6,304	9,906	9,906	11000
Membership***	3140	354.00	1,900	1,594	6,304	6,304	7000.00
Spirit of Christmas	3186		3,000	3,152	5,403	5,403	6000.00
Advertising	3250	7474.16	19,000	6,841	21,613	21,613	24000.00
Audit Fee	3310	407.04	1,650	1,486	1,531	1,531	1700.00
Summer Festival	3422	24028.83	23,000		20,712	20,712	23000.00
Easter	3422	650.93	0		720	720	800.00
Fundraising			6,000		1,801	1,801	2000.00
Total Expenditures at Sept 13th		57504.29	106,700	**42,727**	90,860	90,860	
				5.*****			

Notes 1 & 4 are now n/a from original budget						
2. **Sundry has been eliminated for 2020. In 2019 it included: 5000 insurance deductible, Banners, cell phone, photocopier, condolence flowers, Mary Lou's St John certification, petty cash, food supplies for Aug paint night and bank fees.						
3. ***Membership has been changed to Administration for 2020						
5.***** Town has removed HST as revenue, removed hst from expense and added the refundable amount to the expense						

Attendance

Board Members Present: Patty Mountain, Rob Faragalli, Councillor Marina Butler

Regrets: Don Irvine, Marge Ott, Sarah Chevalier

Staff: Victoria MacDonald, Jennifer McCready

Membership: Gary O'Brien

1) **Call to Order:**

Meeting was called to order at 5:43 pm by Chair Rob Faragalli

2) **Roll Call**

Patty Mountain, Rob Faragalli, Councillor Marina Butler

3) **Welcome, Announcements and Addenda**

The Chair welcomed everyone

4) **Acceptance of the Agenda:**

Motion to accept the agenda issued for May 6, 2020 ***Motion:*** to accept the Agenda. *Motion: Marina Butler, 2nd: Rob Faragali, carried*

5) **Acceptance of Minutes of Previous Meetings:**

Motion to accept the minutes of Regular Board Meeting March 4, 2020, Special Board Meeting Saturday April 18, 2020 and Regular Board meeting April 18, 2020. *Motion: Marina Butler, 2nd Patty Mountain, Carried*

6) **Correspondence:**

Email from EDTC: Fort Erie Economic Development and Tourism Services is working in partnership with Digital Main Street to offer a Fort Erie Online Pop-Up Market to showcase local businesses. Applications are now open. ***Please read the email and apply if you are interested.***

7) **Reports:**

Treasurer: n/a
Market: Victoria is working with Health Niagara and the Town to hopefully open the farmers' market in the municipal parking lot, there will be no Art by the Market for 2020. She is in contact on a regular basis with the FMO to setup an online market.
Marketing: Discussion in regards to opening up the BIA facebook page to people outside of the BIA. It was determined not to go forward with this, we want to keep the site top priority for our BIA businesses to advertise. Suggest the ones outside of the district set up their own pages for their advantage. Jennifer mentioned the good ideas she has been researching from other BIA's to make us more efficient in our marketing.
Maintenance: Marina reported back that the Town will not be able to tell us exactly when the street will get swept. It was decided we may have to have a work party, of course maintaining social distance.
Beautification: Marge has had new soil put in the beds in preparation of the flowers. Thank you, Marge
Councillor Butler: Marina passed us information on new style banners she noticed and will pass the information on to other board members. We would still like to retain our image that is on the banners now and the colour scheme.

8) **Action Items:**

Need two more board members. The secretary will check with the Town and with Karen Arbour to see where her application stands.

9) **Open discussion & New Business:**

Discussion was had about the best way to reach out to businesses to see how they are faring through Covid 19 and come up with ways we may be able to help. It was decided the Chair, with support of Councillor Butler, will compose a letter that will be sent to each business person via Canada Post. We hope that we will receive some useful feedback.

10) **Adjournment & Next Meeting:**

The next RBIA general meeting will be Wednesday June 3, 2020 at 5:30 pm VIA Zoom.

Motion to adjourn at 6:15 pm *Motion: Patty Mountain, 2nd: Rob Faragali, carried*

Minutes prepared by:

Patty Mountain Secretary

Minutes approved by:

Rob Faragalli, Chair

Crystal Beach BIA

Minutes

Meeting Date, Time, and Location
Tuesday March 3rd, 2020 at 6:00pm, Casa Hugo, 4060 Erie road, Crystal Beach ON L0S 1B0

Members Present
Board Members – Kirk Fretz, Phil Smith, Robin Bannerman, Wayne Redekop
Regrets – Rick Boivin, Carol McKay Absent –
BIA Members – Guest –

1) **Call to Order**

Meeting called to order by: Kirk Fretz at 6:09 pm.

2) **Roll Call**

Recording secretary noted all attendees.

3) **Disclosures of Pecuniary Interest**

None.

4) **Approval of Agenda**

Motion to approve the agenda as presented. Moved by Phil Smith /Seconded by Robin Bannerman. Carried.

5) **Presentations and Delegations**

a) Bruce Lowther shared preliminary discussions and findings after touring with a lighting service provider. They came up with the following suggestions / recommendations:
   - Increase the lighting around the "Welcome to Crystal Beach" signage on Ridgeway, perhaps by leveraging solar and to also, back-light the signage. (Perhaps engage the help of one of the local high schools for welding?)
   - Derby Circle: leverage stand up lighting to highlight the trees and the circle itself
   - Waterfront Park: leverage solar lighting, light up the walking paths, increase band stand lighting. It was noted the Pavillion could use some work/TLC.
   - Ashwood area of Erie: it was suggested to add 7 lights on stands to better lighten up the area to increase business visibility and thereby increasing traffic in that area.

DRAFT

- Bay Beach entrance – we ought to consider lighting up the playground area.
- Investigate similar garbage containers as in place in Ridgeway, for Bay Beach and repair the benches

Winnie Swalm strongly encouraged dealing with the lights and garbage cans in Queen's Circle. Kirk will follow up with Wayne et al in this regard. We will reach out to Fire department to see if they can remove the string of lights? Phil will also reach out to the Fire Department and Orma will reach out to her contact who has a cherry picker.

b) Justin Kuhn gave an update on the Supper Market. He plans on extending a 2-tier sponsorship model via the BIA website. In addition, Justin is working on highlighting local business using drone footage for quick video and quick hit messages. In exchange for the videos, merchants could then donate merchandise / gift cards, etc… and these donations can then be used to incent and to drive traffic to the BIA website and create excitement.

Kirk shared the idea of acquiring a gear trailer that could double as an eatery area at the Supper Market and which could also leverage sponsorship opportunities. The trailer could be used to store and transport picnic tables, pylons, and fencing necessary to the success of the Supper Marker.

Orma spoke to business brochure ideas as created last year by Advancing Crystal Beach. She will work with Justin to combine forces and continue this work. We are all here for the same reason – betterment of our community.

6) **Approval of Minutes**

Motion to approve the minutes of February 4th, 2019 as presented/amended.
Moved by Phil Smith /Seconded by Kirk Fretz Carried

7) **Agenda Items**

A. Crosswalk painting update (images?)
Charmaine Smith presented some compelling images and visual examples of crosswalks. This brings up a need to reach out to the Town to discuss existing paint lines. We need to craft a letter in this regard. Once we grasp a better understanding of the present paint lines, we can work toward implementing new initiatives. Kirk Fretz will reach out to Kelly Walsh for clarification and next steps.

B. BIA Events' overview
- CB5K (financial report and cheque) – all is in order here and Phil and his team, will submit a cheque to the BIA.
- Spring Splash – Scheduled for Saturday May 16th. NO GO on fireworks being launched from the Yacht Club. The pier is deemed to be too unsafe. Kirk's contact for turnkey fireworks requires 150' clearance and will come back to us with a future proposal. We are looking to increasing the number of food vendors.
- Summer Games – likely will receive an invitation for an information session.

C. Hanging Baskets – requesting to work together with the Beautification Committee to confirm supplier, number of baskets and best suited flowers

D. Event Trailer acquisition.
Motion to purchase event trailer. Moved by Phil Smith and seconded by Robin Bannerman. Carried.

E. Board Member Appointment

That: The Crystal Beach BIA Board of Directors goes into Closed Session under Section 239 (2) (b) of the Municipal Act, 2001, *as amended*, personal matters about an identifiable individual, including municipal or local board employees

Motion to go into Closed Session. Moved by Kirk Fretz and seconded by Robin Bannerman. Carried.

That: The Crystal Beach BIA Board of Directors rise from Closed Session at 7:34pm without report.

Motion to appoint Sandra Lyons to the Board of Directors Town of Fort Erie and ballots be accepted and presented to the Town of Fort Erie per our minutes. Moved by Phil Smith. Seconded by Robin Bannerman. Carried.

8) **Reports & Correspondence**

a. Treasurer's Report – approx.. $17k

b. Councillor's Report – n/a

9) **New Business and Inquiries by Members**

Phil Smith suggested looking into a 2nd phase of pavers as previously done by the Lions Club at the Bay Beach entrance.

11) **Next Meeting Date and Adjournment**

The next meeting will be April 7th, 2020 at Casa Hugo

Motion to adjourn. Moved by Kirk Fretz / Seconded by Phil Smith Carried.

The meeting was adjourned at 7:55 pm.

Crystal Beach BIA

Minutes from SPECIAL meeting

Meeting Date, Time, and Location

Tuesday May 5th, 2020 7:00pm via Zoom

Members Present

Present: Kirk Fretz, Rick Boivin, Carol McKay, Robin Bannerman

Regrets: Phil Smith

Absent: Mayor Wayne Redekop

1) **Call to Order :**

Meeting called to order by Kirk Fretz at 7:06pm

2) **Roll Call**

3) **Approval of Agenda**

Motion to approve the agenda as presented/amended. Moved by Kirk Fretz / Seconded by Robin Bannerman - Carried

5) **Motions to be presented: Electronic Participation - State of Emergency**

That: The Crystal Beach Business Improvement Area Rules of Procedure By-law is amended to provide for the following provisions:
That: During any period where an emergency has been declared to exist in the municipality under the *Emergency Management and Civil Protection Act,* as amended, the Crystal Beach Business Improvement Area Board of Management may participate electronically in an open meeting; and
That: The members of the Crystal Beach Business Improvement Area Board of Management participating electronically shall be counted in determining whether or not a quorum of members is present and shall have the same rights and responsibilities as if he or she were in physical attendance.

Motion: Moved by Robin Bannerman_ 2nd: Carol McKay__ Carried

Motion to adjourn. Time: 7:08pm. Motion: Kirk Fretz / Seconded: Rick Boivin. Carried.

Crystal Beach BIA

Minutes

Meeting Date, Time, and Location

Tuesday May 5th, 2020 Immediately following the Special CBBIA Board of Management Meeting, via Zoom

Members Present

Board Members: Kirk Fretz, Rick Boivin, Carol McKay, Robin Bannerman

Regrets: Phil Smith

Absent: Mayor Wayne Redekop

1) **Call to Order**

Meeting called to order by Kirk Fretz at 7:10pm

2) **Roll Call**

3) **Disclosures of Pecuniary Interest**

None

4) **Approval of Agenda**

Motion to approve the agenda as presented/amended. Moved by Rick Boivin / Seconded by Carol McKay. Carried.

5) **Presentations and Delegations**

None

6) **Approval of Minutes**

Motion to approve the minutes of Tuesday March 3rd, 2020 as presented/amended. Moved by Kirk Fretz / Seconded by Robin Bannerman. Carried.

7) **Agenda Items**

A. Motion: To waive the levy for 2020

That: The Board of Directors of the Crystal Beach Business Improvement Area requests the Town of Fort Erie not to impose a levy on the BIA businesses in 2020; and further,

That: The BIA's 2020 Budget be amended and resubmitted to the Town of Fort Erie to exclude the $15,000.00 levy and $15,000.00 in associated materials and services, for approval.

Please Note: The CBBIA 2020 Amended Budget is attached.

Moved by Carol McKay / Seconded by Rick Boivin. Carried.

B. Events Update

- Spring Splash – Saturday May 16th, 2020 - cancelled
- Supper Market – will make the call on or before May 15th, 2020
- CB5K – on hold until closer to the date
- Polar Plunge – on hold until closer to the date

C. Web update – new platform? New host?

It may be time to investigate a new and more robust platform to host the CB BIA web page and associated content. The present web platform is limited and cannot integrate present day content. A platform to consider may be something like, 'SquareSpace' or the like. Further investigation required.

8) **Reports & Correspondence**

a. Treasurer's Report - expecting an approximate $4k injection from CB5K. Flower baskets' budget to be renewed per last year.
b. Councillor's Report – n/a

9) **New Business and Inquiries by Members**

None

10) **Next Meeting Date and Adjournment**

TBA

Motion to adjourn. Moved by Carol McKay / Seconded by Robin Bannerman. Carried.

The meeting was adjourned at 7:34pm. Moved by Kirk Fretz / Seconded by Rick Boivin. Carried.

Crystal Beach BIA - 2020 Operating Budget & Forecast

	Acct #	Unaudited Actuals 2019	Approved Budget 2019	Budget Year 2020	2nd Year 2021	3rd Year 2022	4th Year 2023
Revenues							
Grants	0364						
Donations	0970	$ 5,400.00		$ -	$ 4,000.00	$ 4,000.00	$ 4,000.00
BIA Levy	0193	$ 14,816.00	$ 15,000.00	$ -	$ 15,000.00	$ 15,000.00	$ 15,000.00
Other: surplus from prior year		$ 3,646.00	$ 3,000.00	$ 20,000.00			
Event Revenue: (list below)							
Supper Market		$ 15,779.00	$ 12,000.00		$ 20,400.00	$ 20,800.00	$ 21,225.00
5k run, etc…							
Total Revenues		$ 39,641.00	$ 30,000.00	$ 20,000.00	$ 39,400.00	$ 39,800.00	$ 40,225.00
Expenditures							
Beautification	2996	$ 3,304.00	$ 3,500.00	$ 3,800.00	$ 3,876.00	$ 3,950.00	$ 4,000.00
Postage	3210						
Audit	3310	$ 880.00	$ 882.00	$ 900.00	$ 920.00	$ 940.00	$ 955.00
Advertising	3250	$ 1,107.00	$ 4,000.00	$ 4,000.00	$ 4,100.00	$ 4,200.00	$ 4,300.00
Communications	3117	$ 199.00	$ 300.00	$ 600.00	$ 620.00	$ 635.00	$ 650.00
Equipment Expenses	2294	$ -	$ -	$ -	$ 3,564.00	$ 3,285.00	$ 2,940.00
Materials & Supplies	2190	$ 965.00	$ 7,318.00	$ 3,500.00	$ 5,600.00	$ 5,700.00	$ 5,800.00
Metting Expenses	2993	$ -	$ 300.00	$ 300.00	$ 330.00	$ 335.00	$ 350.00
Events & Programs	3422	$ 10,392.00	$ 13,000.00	$ 3,500.00	$ 11,750.00	$ 12,000.00	$ 12,250.00
Sundry	2999	$ -	$ 300.00	$ 300.00	$ 330.00	$ 335.00	$ 350.00
Membership	3140	$ 354.00	$ 400.00	$ 400.00	$ 410.00	$ 420.00	$ 430.00
Manager		$ 2,500.00	$ -	$ 2,700.00	$ 7,900.00	$ 8,000.00	$ 8,200.00
Total Expenditures		$ 19,701.00	$ 30,000.00	$ 20,000.00	$ 39,400.00	$ 39,800.00	$ 40,225.00
Net Revenue/Expenditure			$ -	$ -	$ -	$ -	$ -

MINUTES

Senior Citizens Advisory Committee

Meeting Date, Time, and Location		
Wednesday March 4, 2020	10:00 am	Fort Erie Lions' Seniors Centre

Members

Board Members Present: John Folusewych, Bill Jones, Barbara Hopkins, Maria Scott, Margaret Rodway, Noreen Smith, Sandra Peitsch, Councillor Noyes, Fran Hill, Mary Franks
Absent: Bill Doyle, Rosalie Snyder, Graham Rignall, Eleanor Hurst, Wyndmill Hoskin

1) **Welcome & Announcements**

- Meeting was called to order at 10:07 am by John Folusewych. John welcomed everyone, thanked them for attending. Everyone welcomed John back from his Leave of Absence.

2) **Introduction of Special Guests**

- No special guests

3) Minutes of Previous Meeting

No errors or omissions

Motion to accept minutes of February 5, 2020 meeting, was made by Scott, 2nd by Jones… carried

4) **Business Arising from the Previous Meeting**

Review of the February event – *(Noreen Smith)*

- There only 52 guests and 3 board members in attendance
- Garrison Little Theatre (GLT) said they would not do an event again for SCAC with no meal
- GLT stated they would not do just desserts
- GLT included SCAC event on their poster
- Every year there has been issues and due to the high costs SCAC will not consider this event for the 2021 calendar
- Margaret Rodway agreed to meet with Tony to review issues

Finalizing the March Theatre event – *(Rosalie Snyder/Bill Doyle)*

- Due to health issues with Bill Doyle Margaret Rodway agreed to take over the coordination of this event
- Ticket distribution was changed due to the size of the venue and the fact there are less tickets available then for any other event
- Some Board members were upset that they did not receive any tickets to sell

- John Folusewych suggested splitting one seller's tickets between two other groups and Fran Hill offered her tickets to one of the disappointed members to help alleviate the ticket issue and the mood of the disappointed members

Follow-up on the April event – *(Ellie Hurst/Sandra Peitsch)*

- Confirmed the date for the event will be April 22nd
- Event will be Bingo & Euchre at the Fort Erie Senior's Centre
- Sandra Peitsch and John Folusewych will go to the Leisureplex and check the inventory to decide what will be needed for this event
- Volunteers from SCAC will be making sandwiches with Sandra and Ellie purchasing the food stuffs
- Desserts will be purchased
- Volunteers will be needed the day of the event
- Tickets will be printed in two lots: 1 set for bingo and 1 set for Euchre. Hopefully this will help keep the numbers straight

Follow-up on June Euchre party – *(Ellie Hurst)*

- Event is scheduled for June 17th and discussion deferred to next month when Ellie Hurst returns from vacation

Follow-up on June Family Day – *(Bill Doyle/Rosalie Snyder)*

- The July celebration at the Fort Erie Racetrack has been scheduled for June 28th
- Rosalie Snyder will be back from vacation next month, so details are deferred until next meeting

Follow-up Joint Seniors/Youth Event – *(Barb Hopkins)*

- Looking at a date in August
- Barb Hopkins to meet with the Town Youth committee
- Details to be discussed at next meeting

Follow-up on more members

- Barb Hopkins read the email from Carol Schofield recommending an amendment to the composition of SCAC

Motion to amend the composition to give more flexibility in that preference would be given to applicants from Seniors Groups in Fort Erie, with 4 Community Representatives (at large) for a total of 17 Members plus 1 Member of Council, and the flexibility to also fill Seniors Groups vacancies, such as Black Creek Leisure Homes and Italo Canadian Seniors club, with Community Representatives was made by Franks, 2nd by Rodway… carried

5) **Treasurer's Report**

FE SAC REVENUE/EXPENSE REPORT ENDING FEBRUARY 29 , 2020					
	FEBRUAY OPENING GRANT				$ 16,771.56
	GARRISON LITTLE THEATRE PLAY	42 TICKETS @ $12.00			$ 503.00
	GARRISON LITTLE THEATRE PLAY	ADDITIONAL TICKETS SOLD			$ -
	note: ticket sales short $1.00				$ -
	TOTAL SALES BEFORE EXPENSES				$ 17,274.56
	EXPENSES FROM REVENUE				$ -
	AVAILABLE GRANT + NET REVENUE		GRANT BALANCE		$ 17,274.56

EXPENSES	ACCT.	GROSS	HST	REBATE	NET
BEATTIES - TICKETS & POSTERS	3422	$ 47.23	$ 5.43	$ 4.69	$ 42.54
GARRISON LITTLE THEATRE	3422	$ 1,040.00	$ -	$ -	$ 1,040.00
	2993	$ -	$ -	$ -	$ -
		$ -	$ -	$ -	$ -
		$ -	$ -	$ -	$ -
				$ -	$ -
				$ -	$ -
				$ -	$ -
		$ -	$ -	$ -	$ -
		$ -	$ -	$ -	$ -
		$ -	$ -	$ -	$ -
		$ -		$ -	$ -
		$ -	$ -	$ -	$ -
GRANT USED		$ 1,087.23			$ 1,082.54
GRANT BALANCE					$ 16,192.02

Motion to accept February Treasurer's Report was made by Jones, 2nd by Franks… carried

6) **Correspondence**

- Email from Carol Schofield re Committee Members
- Email from Margaret Rodway re sale of tickets
- Email from Cheryl Watson requesting a photo of the Committee
- Email from Cheryl Watson re not sending donations to other groups

7) **Other Business**

- Discussed the possibility of an event in the month of May. The event would be Karaoke at Beachcombers

Motion to host the Karaoke event at Beachcombers on May 16th was made by Peitsch, 2nd by Scott… carried

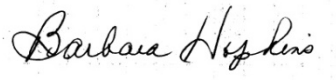
- Discussed the Happy Jack's event with regards to the exorbitant costs and further discussion has moved to the next meeting
- Age Friendly Niagara Network (AFNN) update – deferred to next meeting
- In follow up to the email regarding a group photo, Ann Marie Noyes will talk to her husband about being the photographer and Barb Hopkins will coordinate a date for the photo shoot

8) **Next Meeting Date and Adjournment**

The next official meeting date has been scheduled for Wed. April 1, 2020

The March 4, 2020 meeting adjourned at 11:11 am.

Minutes prepared by **Minutes approved by**



MINUTES

STREET NAMING & WAYFINDING COMMITTEE

Meeting Date, Time, and Location

Tuesday April 21, 2020 10:00am Video Conference

Members

Councillor Nick Dubanow
Kira Dolch, Director, Planning and Development Services, Chair
Aaron Butler, Manager, Development Services
Chris Millar, Neighbourhood Planner, PDS
Carol Schofield, Clerk (designate-Bonnie Critelli)
Ed Melanson, Fire Chief
Holly Galloway, Admin Assistant, PDS, Recorder

Staff Representative:
Jeremy Korevaar, Coordinator, Development Approvals, PDS

1) **Review and Approval of Previous Minutes**

N/A

2) **Business Arising from Previous Minutes**

N/A

3) **Street Naming Requests**

3.1 Request from Mr. Shawn McCooey to add names to Approved Street Name List
- **Coshan**
- **Chadwick**

Recommendation:

- That the request to add the proposed street name **Coshan** to the Approved Street Name List be approved.
- That the request to add the proposed street name **Chadwick** to the Approved Street Name List be approved.
- Moved by Kira Dolch, Motion: **CARRIED**

3.2 Request from Mr. Mike Amadio to add names to Approved Street Name List - **Wujek**

- That the request to add the proposed street name **Wujek** to the Approved Street Name List be approved for a street located in the Black Creek area only.
- Moved by Kira Dolch, Motion: **CARRIED**

3.3 The Oaks at Six Mile Creek Townhouse Condominiums – (requested by developer) – map attached
- Proposed street names for this development – **Sassafras Crescent** and **Butternut Crescent**

.

- The Oaks at Six Mile Townhouse Condominiums are located on a private street within the condominium development. It is typical that the units would be numbered using Whispering Woods Trail as the street name, but the developer is requesting that the two sections be given different street names.
- Aaron advised that normally private streets in other municipalities have a different coloured street sign to indicate that the street is a private street. Often the street sign is white with black lettering.
- Ed Melanson advised that he is supportive of the two private streets having two different names as opposed to being named Whispering Woods Trail followed by the unit numbers because it would be easier to find the location if emergency services are requested.

Recommendation:

- That the request to approve the proposed street name **Sassafras Crescent** be denied.
- That the alternate recommended street name **Sassafras Row** be approved.
- That the request to approve the proposed street name **Butternut Crescent** be denied.
- That alternate recommended street name **Butternut Row** be approved.
- Moved by Kira Dolch, Motion: **CARRIED**

4) **New Business**

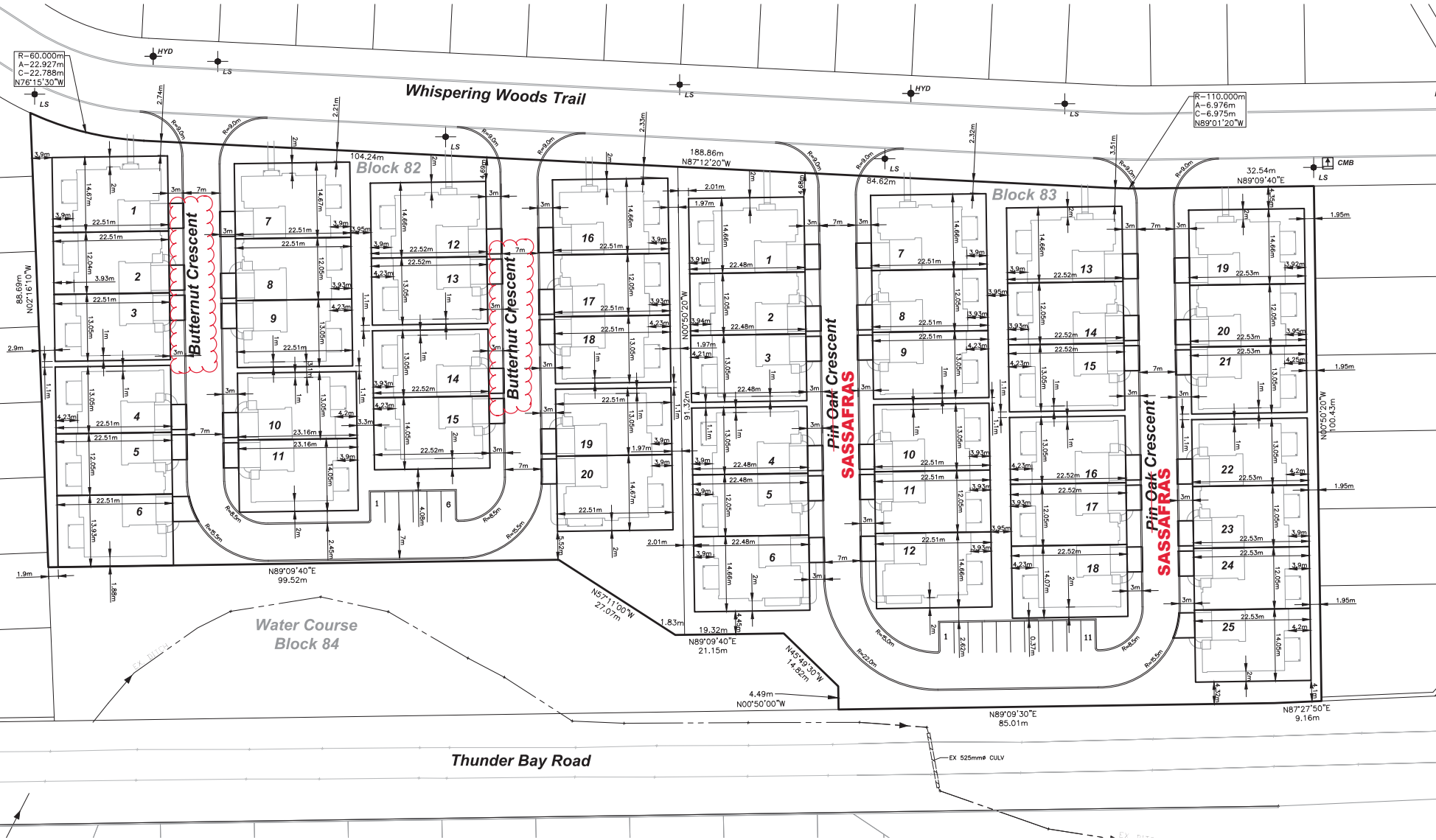
- Discussion centered around private streets in condominium complexes such as The Oaks at Six Mile. It would be beneficial to the town, including emergency services to implement this going forward. Staff to review the streetnaming by-law to propose changes for private streets.
- Additionally, it would be beneficial to use a street name suffix for new private streets that are not used on town streets such as Row or Mews.
- Bonnie advised that Carol has been making notes regarding necessary changes to the Streetnaming Policy.

5) **Next Meeting Date and Adjournment**

- The next date of the meeting date is to be determined based on requests.
- The April 21, 2020 meeting adjourned at 10:45am

Minutes recorded and prepared by:	Minutes approved by:
Original Signed	*Original Signed*
Holly Galloway Administrative Assistant	Kira Dolch, MCIP, RPP, CNU-A Director, Planning and Development Services

ATTACHMENT '1'



Planning and Development Services

Prepared for	Regular Council	**Report No.**	PDS-22-2020
Agenda Date	May 19, 2020	**File No.**	350308-0081

Subject

EXTENSION OF DRAFT PLAN APPROVAL – HAZELWOOD DRAFT PLAN OF SUBDIVISION
WEST SIDE OF HAZELWOOD AVENUE, NORTH OF ERIE ROAD
ROLL NOs. 2703 020 017 38700 0000 & 2703 020 017 37000 0000
KNOF GROUP INC (JENS KNOF) - OWNER
PURSUIT DEVELOPMENTS INC (DMITRI YAKIMOV) - AGENT

Recommendations

THAT Council extends draft plan approval for the Hazelwood draft plan of subdivision located at the west side of Hazelwood Avenue, north of Erie Road until April 5, 2021, and the Owner and Regional Municipality of Niagara Planning and Development Services Department be so advised, and further

THAT Council directs that the conditions of approval for the Hazelwood draft plan of subdivision be amended as detailed in **Appendix "5"** of Report No. PDS-22-2020, and further

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

Relation to Council's 2018-2022 Corporate Strategic Plan

Priority: Managed Growth through Responsibility, Stewardship and Preservation
Goal: N/A
Initiative: N/A

List of Stakeholders

Owner - Knof Group Inc (Jens Knof)
Agent - Pursuit Developments Inc (Dmitri Yakimov)
Residents and Property Owners in Fort Erie

Prepared by:	Submitted by:	Approved by:
Original Signed Daryl Vander Veen Planning Technician		
Reviewed by: *Original Signed* Aaron Butler, MCIP, RPP Manager, Development Approvals	*Original Signed* Kira Dolch, MCIP, RPP, CNU-A Director, Planning and Development Services	*Original Signed* Tom Kuchyt, C.E.T. Chief Administrative Officer

Purpose

This report intends to provide a recommendation to Council on a request to extend draft plan approval for Hazelwood subdivision and to implement minor revisions to the conditions of draft plan approval. A request to extend draft plan approval for one year has been submitted by the Agent, Dmitri Yakimov of Pursuit Developments Inc. and Jens Knof of Knof Group Inc, owner of the Hazelwood draft plan of subdivision. **Appendix "1"** shows the location of the development in the Town of Fort Erie.

Background

The Hazelwood draft plan of subdivision was approved by Council on April 5, 2008. The subject development is located on the west side of Hazelwood Avenue, north of Erie Road in Crystal Beach.

The subject lands are zoned Residential Multiple 1 RM1-387 Zone in accordance with the Town of Fort Erie's Comprehensive Zoning By-law No. 129-1990. The site is 0.35 hectares (0.86 acres) in size. The draft approved plan of subdivision contains two blocks each containing six townhomes (**Appendix "2"**).

Draft plan approval was last extended for Hazelwood subdivision in 2019. Due to changes to the Memorandum of Understanding between Niagara Region and the NPCA in 2018 Niagara Region is responsible for clearing conditions related to the natural heritage policies in the Regional Official Plan. The NPCA confirmed in an email in 2019 that the agency no longer requires circulation on future requests to extend draft plan approval for this development.

The Agent submitted a formal extension request on March 30, 2020 **(Appendix "3")**. Staff have temporarily extended draft plan approval for Hazelwood Subdivision from April 5, 2020 to May 12, 2020 to process the extension request. This is the sixth request for extension of draft plan approval since the plan was draft approved by Council in 2008.

Analysis

The extension request letter submitted by the Agent states that they have been working towards registration. The letter notes that the Agent is waiting on review of an archaeological study and an environmental study by the Province. The letter also notes that there has been difficulty with servicing the site and that the Agent has been working extensively with Town staff in an effort to resolve the issue. The Agent is requesting a one year extension of draft plan approval to provide additional time to account for review of the above submissions.

Staff is satisfied that a one year extension of draft plan approval is appropriate to provide additional time for the Agent to clear remaining conditions of draft plan approval. Town staff note that two rounds of drawing submissions and subsequent staff reviews have occurred since the last extension in 2019 and staff have been continuously working with the Agent on servicing details. Further progress can be reviewed by Council in April 2021 to see if satisfactory advancement towards registration of the draft plan occurs.

Niagara Region was circulated for comment on this extension request and provided a letter with comments. Niagara Region does not object to a one year extension of draft plan approval. The letter places the Agent/Owner on notice that if a further extension of draft plan approval is requested beyond 2021 the Region will ask for an update to the environmental impact study (EIS) to ensure the EIS meets current Regional policy and that the recommendations of the study are still appropriate. The letter also recommends that the Town of Fort Erie incorporate native tree and shrub planting recommendations from the EIS in the future subdivision agreement. Niagara Region requests several minor revisions to the conditions of draft plan approval for Hazelwood subdivision including addition of a provision to Condition 31 that requires the Region to be copied on all correspondence with the Ontario Ministry of Environment, Conservation and Parks (MECP). The comments from Niagara Region are outlined in detail in the Comments from Relevant Departments/Community & Corporate Partners section of this report and the full letter from Niagara Region is attached as **Appendix "4"**.

Staff have updated the conditions of approval for Hazelwood subdivision to reflect the changes requested by Niagara Region. A copy of the updated conditions with tracked changes is attached as **Appendix "5"**. Given the minor nature of the changes, staff recommend that notice of the amended conditions not be distributed as per Section 51(47) of the *Planning Act*. If the revised conditions are approved staff will provide the updated version to the Owner/Agent and Niagara Region.

Financial/Staffing Implications

All costs associated with the development of the draft plan of subdivision are the responsibility of the Agent/Owner and will be incorporated into future subdivision agreement(s).

Policies Affecting Proposal

Development of this plan of subdivision is set out in accordance with the requirements of the *Planning Act*. Section 51 (33) of the *Planning Act* contains a regulation for lapsing of draft plan approval. The Hazelwood draft plan of subdivision meets the *Planning Act* regulation.

Section 51 (44) of the *Planning Act* permits the approval authority of a draft plan of subdivision to change conditions of draft plans of subdivision at its discretion. Section 51(47) of the Planning Act states an approval authority is not required to give written notice under subsection (45) if, in the opinion of the approval authority, the change to conditions is minor.

Comments from Relevant Departments/Community and Corporate Partners

Regional Municipality of Niagara (Niagara Region)

Niagara Region staff note that it is the agency's practice to consider extensions of draft plan approval for up to two years. Niagara Region is satisfied that the request to extend draft plan approval will not compromise Regional or Provincial interests and do not object to an extension of one year.

Niagara Region has requested several minor revisions to the conditions as follows:

- The Ministry name in Condition 18 has changed to the Ontario Ministry of Environment, Conservation and Parks (MECP), and the reference to a Certificate of Approval should now be called an Environmental Compliance Approval.
- The Ministry name in Condition 19 also requires updating to MECP and the note at the end of the condition may be removed as the NPCA is no longer involved in the clearing the condition.
- The Provincial Ministry name referred to in Conditions 28 & 32 has changed to the Ministry of Heritage, Sport, Tourism and Culture Industries.
- Condition 31 should change to reflect that the MECP is now the approval authority and the Region requests the following be added to the end of the condition: "A copy of all correspondence with MECP staff be submitted to Niagara Region for review and comment."
- Condition 38 is no longer applicable and may be removed.

Niagara Region also notes in their letter that should Hazelwood subdivision request another extension of draft plan approval beyond 2021 they will request an update to the environmental impact study (EIS) originally completed in 2006 to ensure it is still consistent with Regional Official Plan core natural heritage system policies and that the conclusions and mitigation measures in the study remain appropriate.

Niagara Region also provided a few comments on matters concerning Species at Risk (SAR). A SAR assessment completed by the Agent in 2018 recommends that any tree

removal onsite should occur between October 15 and April 1. Any correspondence with the MECP regarding SAR matters should be forwarded to Niagara Region for review. Vegetation clearing is not to occur until MECP approval is obtained regarding SAR standards and until Niagara Region clears Condition 31 and any other applicable conditions.

Finally, Niagara Region reviewed the EIS addendum from 2007 which noted that vegetation along the municipal drain to the west should be maintained as is and that conifers may be used to delineate the corners of the property boundaries. The addendum also recommended planting of native species of Red-oiser, Gray and Sily Dogwood and Willow shrubs to enhance the vegetative buffer. Niagara Region suggests that the Town consider the planting of the above-noted species as part of provisions in a future subdivision agreement requiring planting of native tree species and plant spice bush.

Niagara Region's comments are attached in full as **Appendix "4"**. The Region's requested changes to the conditions of draft plan approval have been implemented and are attached as **Appendix "5"**.

Communicating Results

No additional communication is required at this time.

Alternatives

Council may decide to deny extension draft plan approval for the Hazelwood subdivision. Staff does not recommend this as it would cause draft plan approval to lapse. Progress has been made since the last extension and the development is nearing registration. Staff are of the opinion that a one year extension should provide the Agent with additional time to move towards final approval. Progress can also be reviewed by Council in April 2021 to see if further extensions of draft plan approval are warranted.

Council may also decide not to approve the updated conditions of draft plan approval for Hazelwood subdivision. Staff do not recommend this as the changes are minor and Niagara Region has requested them in writing.

Council may also direct staff to send out notice of the updated conditions to Niagara Region and other applicable agencies. Staff do not recommend this at the current time as the changes are minor. If the updated conditions are approved by Council staff will provide the updated version to the Owner/Agent and Niagara Region.

Conclusion

Staff recommend that Council approve a one year extension of draft plan approval for the Hazelwood draft plan of subdivision to April 5, 2021 to allow the Agent to work towards fulfilment of draft plan conditions.

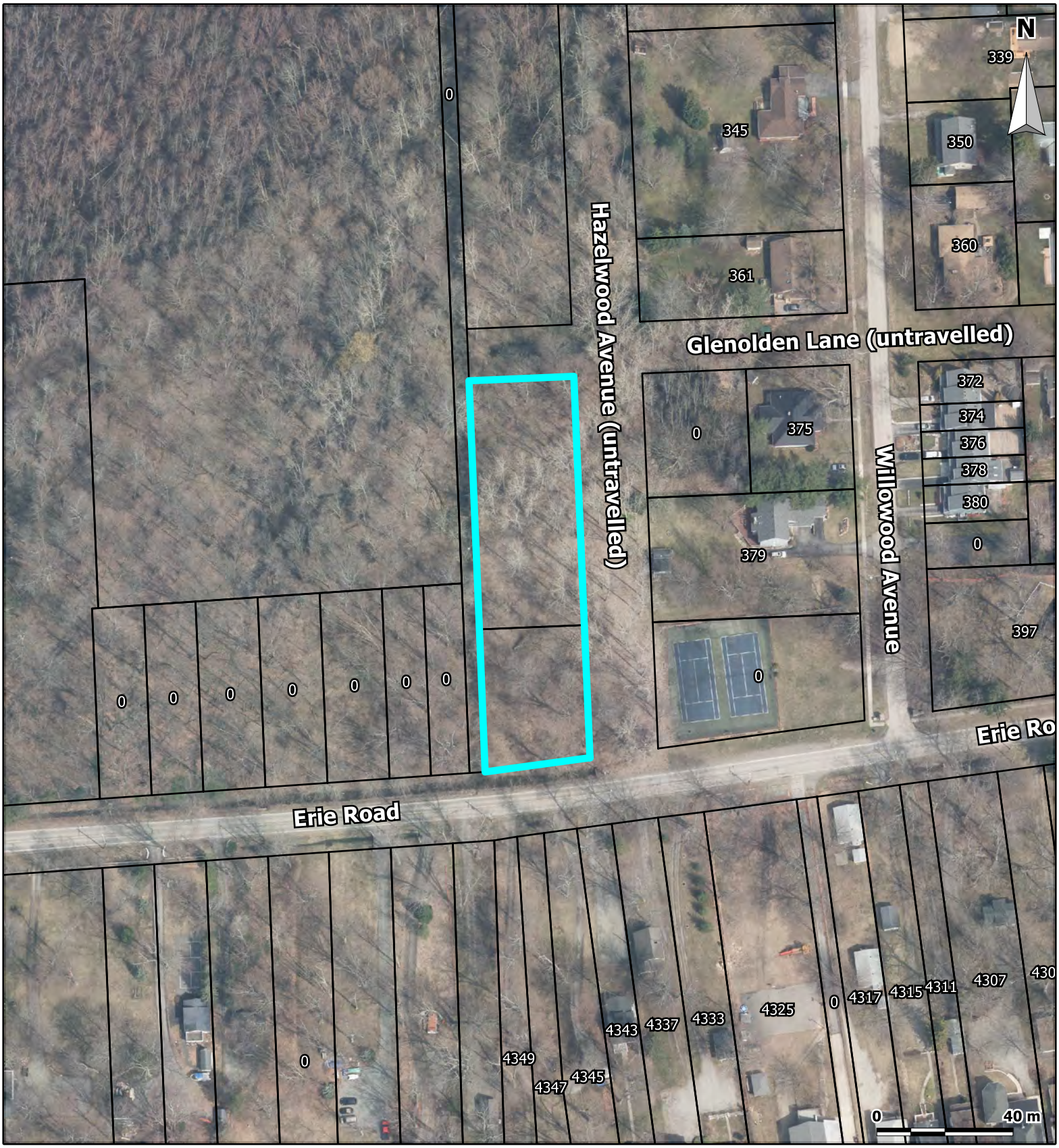
Staff also recommend that Council approves the updated conditions of draft plan approval that are attached as **Appendix "5"**. This will ensure the document reflects recent changes to the naming of Provincial ministries and includes several minor revisions requested by Niagara Region.

Staff also recommend that written notification of the updated conditions of draft plan approval not be issued given the minor nature of the proposed revisions.

Attachments

Appendix "1" - Location Plan of Hazelwood Subdivision
Appendix "2" - Hazelwood Approved Draft Plan of Subdivision
Appendix "3" - Request Letter from Agent
Appendix "4" - Comments from the Regional Municipality of Niagara
Appendix "5" - Updated Conditions of Approval for Hazelwood Subdivision

APPENDIX "1" TO ADMINISTRATIVE REPORT PDS-22-2020 DATED MAY 19, 2020



LOCATION PLAN
Hazelwood Subdivision

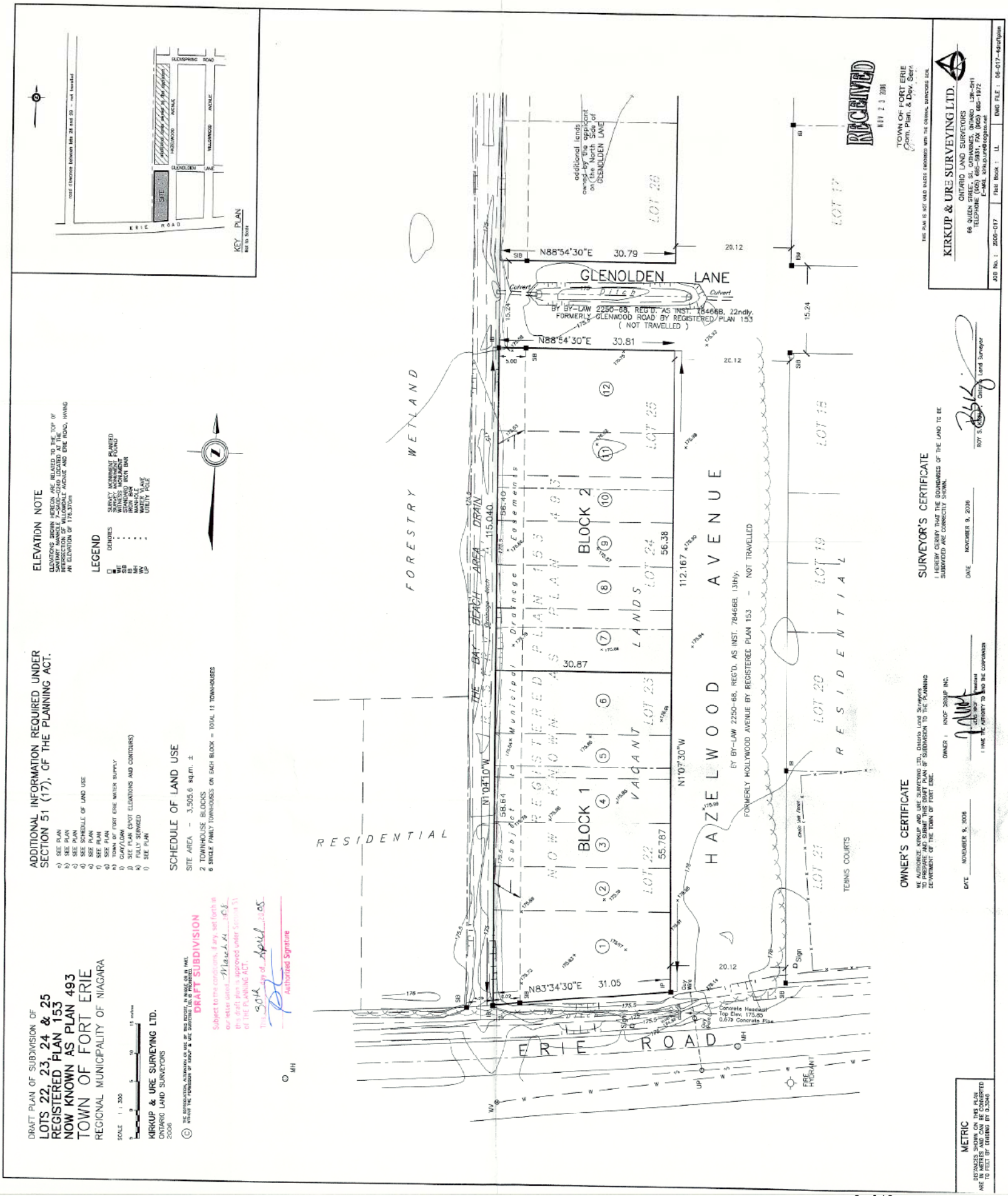
Subject Lands - Hazelwood Subdivision

PLAN 45 LOTS 23 TO 26 NP493 IN THE TOWN OF FORT ERIE REGIONAL MUNICIPALITY OF NIAGARA

Planning & Development Services
Map created April 24, 2020

REGULAR MEETING OF COUNCIL 19 May 2020
Page 77 of 165
7 of 19

O:\Planning and Development Services\Planning\ADMIN REPORTS\2020\PDS-XX-2010 Hazelwood Subdivison Extension of Draft Plan Approval\PDS-XX-2020 Appen


DRAFT PLAN OF SUBDIVISION OF
LOTS 22, 23, 24 & 25
REGISTERED PLAN 153
NOW KNOWN AS PLAN 493
TOWN OF FORT ERIE
REGIONAL MUNICIPALITY OF NIAGARA
SCALE 1 : 300
KIRKUP & URE SURVEYING LTD.
ONTARIO LAND SURVEYORS
2006
DRAFT SUBDIVISION
Authorized Signature
ADDITIONAL INFORMATION REQUIRED UNDER SECTION 51 (17), OF THE PLANNING ACT.
a) SEE PLAN
b) SEE PLAN
c) SEE PLAN
d) SEE SCHEDULE OF LAND USE
e) SEE PLAN
f) SEE PLAN
g) SEE PLAN
h) TOWN OF FORT ERIE WATER SUPPLY
i) CLAY/LOAM
j) SEE PLAN (SPOT ELEVATIONS AND CONTOURS)
k) FULLY SERVICED
l) SEE PLAN
SCHEDULE OF LAND USE
SITE AREA - 3,505.6 sq.m. ±
2 TOWNHOUSE BLOCKS
6 SINGLE FAMILY TOWNHOUSES ON EACH BLOCK = TOTAL 12 TOWNHOUSES
ELEVATION NOTE
LEGEND
KEY PLAN
GLENOLDEN LANE
BY BY-LAW 2250-68, REG'D. AS INST. 78466B, 22ndly.
FORMERLY GLENWOOD ROAD BY REGISTERED PLAN 153
(NOT TRAVELLED)
N88°54'30"E 30.79
N88°54'30"E 30.81
N83°34'30"E 31.05
N1°04'10"W
N1°07'30"W
BLOCK 1
BLOCK 2
REGISTERED PLAN 153
NOW KNOWN AS PLAN 493
VACANT LANDS
HAZELWOOD AVENUE
BY BY-LAW 2250-68, REG'D. AS INST. 78466B, 13thly.
FORMERLY HOLLYWOOD AVENUE BY REGISTERED PLAN 153 - NOT TRAVELLED
FORESTRY WETLAND
RESIDENTIAL
ERIE ROAD
TENNIS COURTS
RECEIVED
TOWN OF FORT ERIE
Com. Plan. & Dev. Serv.
KIRKUP & URE SURVEYING LTD.
ONTARIO LAND SURVEYORS
SURVEYOR'S CERTIFICATE
OWNER'S CERTIFICATE
METRIC

— planning | development | growth —

6767 Thorold Stone Rd. Unit#37

Niagara Falls ON L2J3W9

Personal Direct line 289-990-4509

REQUEST FOR EXTENSION

To: The Planning Department/The Town of Fort Erie

Please accept this letter in supplement to the verbal request discussed with you regarding Request for Extension re: Hazelwood Development Draft Plan Agreement.

We ask for extension to the Draft Plan Approval for Hazelwood Subdivision expiring on April 5, 2020.

Since our last extension we have completed the following:

- Archeological studies and submitted for the review 2018
- Environmental studies as required by MNR and submitted for review 2018
- Architectural drawings (full set) and submitted for review March 2019
- Engineering/Design for Sewer & Water submitted for review March 2019
- Servicing plans submitted for review march 2019
- We have been working extensively with Jeremy Korevaar regarding site conditions that are currently very difficult re: site services. All efforts have been by the consultants and the Owner with the help of the development approval department to resolve it. Currently, the latest proposals are under review by the Town.

After consulting with departments responsible for the reviews we were suggested to ask for 1 year extension due to the fact that number of submissions are under the review and are out of our hands.
It may be possible to complete everything in a shorter time, however, we are no exactly sure what that time would be.

Kind regards,

March 30th/2020
Dmitri Yakimov

PROJECT DIRECTOR *FSRT/WRT*

Via Email Only

April 21, 2020

File No.: D.11.01 SD-20-0014

Mr. Daryl Vander Veen
Planning Technician
Town of Fort Erie
1 Municipal Centre Drive
Fort Erie, ON L2A 2S6

Dear Mr. Vander Veen:

Re: Regional and Provincial Comments
Extension of Draft Plan Approval - Hazelwood
Applicant: Pursuit Developments
Owner: Knof Group Inc.
Town File No.: 350308-081
West Side of Hazelwood Avenue, North of Erie Road
Town of Fort Erie

Regional Planning and Development Services staff has reviewed the applicant's request for an extension of draft plan approval for the Hazelwood Subdivision, which proposes the development of two residential blocks for a total of 12 townhouse units. The request for extension was received on April 8, 2020 with the review fees received April 16, 2020.

The development was originally granted draft plan approval on April 5, 2008. Several subsequent draft plan extensions have been granted for the development since its original approval. The latest extension lapsed on April 5, 2020. The Town granted a temporary extension of draft approval that is set to expire on May 11, 2020.

The correspondence submitted with the extension request indicates that the 1-year extension has been requested so the owner and consultant can continue to work with the Town to resolve servicing constraints. The request noted that updated servicing drawings have been recently submitted to the Town for their review. It has been the Region's practice to consider extension to draft plan approval for up to two years. This allows for regular review of the proposal in light of the most recent policies and/or infrastructure considerations, and to modify and/or update conditions of approval if necessary.

Regional staff note that given the changes in responsibilities within the Memorandum of Understanding and the protocol between the Region and the Niagara Peninsula Conservation Authority (NPCA), Niagara Region is now responsible for the review and comment related to stormwater management and potential impacts on the Regional Core Natural Heritage System (CNHS) for all planning applications. Regional Environmental Planning staff has reviewed the application and note that Regional CNHS mapping identifies an Environmental Conservation Area (ECA) associated with Significant Woodland on and adjacent to the subject lands. Staff note that a scoped Environmental Impact Study (EIS) was prepared by L. Campbell & Associates, dated November 27, 2006 and NPCA previously provided comments on the Region's behalf. However, should the draft plan not proceed in a timely manner and require another extension beyond one year, the EIS will have to be updated to ensure the proposed development is consistent with Region Official Plan CNHS policies and that the original conclusions and mitigation measures remain appropriate.

Regional staff reviewed the Species at Risk (SAR) Assessment prepared by Colville Consulting Inc., dated November 13, 2018. The SAR assessment concludes that the proposed development is not likely to impact any SAR or SAR habitat and recommends that any tree and vegetation removal works occur from October 15th to April 1st. Regional staff would appreciate that any correspondence with the Ministry of the Environment, Conservation and Parks (MECP), which is now the approval authority, be forwarded to the Region for review and ask that this be incorporated into the existing draft condition 31, see wording below. Staff note that vegetation removal is not to occur until applicable conditions have been cleared, including but not limited to, Condition 31 requiring MECP approval.

Regional staff also reviewed an EIS Addendum prepared by L. Campbell & Associates dated August 3, 2007. The Addendum identified that existing vegetation on the eastern bank of the municipal drain be maintained in its current form. It noted that conifers could be used to delineate the corners of the lots and additional planting of native Dogwoods (ie., Red-oiser, Gray and Silky) and Willow shrubs could be planted along the bank to improve the existing buffer. It is noted that Condition 21 requires the planting of native trees species and spice bush. The Town may wish to consider the addition of the above noted species identified in the EIS Addendum as part of the overall planting plan.

Please note that the NPCA continues to be responsible for the review and comment on planning applications related to their regulated features. As such, NPCA should continue to be consulted with respect to their comments and permit requirements pursuant to Ontario Regulation 155/06.

Regional staff has reviewed the approved conditions of draft approval submitted with the application and offer the following:

- Condition 18 - note that the Ministry name has changed to Ministry of the Environment, Conservation and Parks (MECP). Also, the Certificate of Approval is now an Environmental Compliance Approval;
- Condition 19 - note Ministry name has changed. Also, the "Note" at the end of the condition can be deleted as the NPCA no longer reviews these plans on the Regions behalf;
- Conditions 28 and 32 - note that the Ministry name has changed to Ministry of Heritage, Sport, Tourism and Culture Industries; and
- Condition 31 - note that the Ministry responsible for review with respect to Species at Risk is now the Ministry of the Environment, Conservation and Parks (MECP). Regional staff request the following be added at the end of the condition:
  A copy of all correspondence with MECP staff be submitted to Niagara Region for review and comment.
- Condition 38 can be removed as no longer applicable

Conclusion

In conclusion, Development Planning Services staff is satisfied that Regional and Provincial interest will not be compromised and have no objection to the requested one year extension of draft approval subject to the requested changes.

Should you have any questions concerning the above noted comments, please do not hesitate to contact me at 905-980-6000 extension 3518 or by email at lola.emberson@niagararegion.ca. Please send notice of Council's decision on this application.

Respectfully,

Lola Emberson

Lola Emberson, MCIP, RPP
Senior Development Planner

cc: Mr. P. Busnello, MCIP, RPP, Manager of Development Planning, Niagara Region
Ms. J. Whittard, BES, MPlan, PMP, Manager, Environmental Planning, Niagara Region
Ms. S.Dunsmore, P.Eng., Manager of Development Engineering, Niagara Region
Mr. A. Butler, MCIP, RPP, Manager, Development Approvals, Fort Erie

Conditions of Draft Plan Approval

KNOF GROUP INC. Hazelwood Draft Plan of Subdivision

The conditions of final approval and registration of the Knof Group Inc. Plan of Subdivision – by Knof Group Inc. file no. 350308-0081 (26T-15-06-04) Town of Fort Erie are as follows:

1. That this approval applies to the Knof Group Inc. Plan of Subdivision –Part of Lots 22, 23, 24 and 25, Registered Plan 153, know as Plan 493 in the Town of Fort Erie dated November 9, 2006 showing Blocks 1 and 2 intended for townhouses and Part 1 being an existing maintenance easement.

2. That the streets be named to the satisfaction of the Town of Fort Erie.

3. That the Subdivision be phased to the satisfaction of the Town of Fort Erie.

4. That the owner shall deed the required land block(s) for road widening, daylighting, 0.3 metre reserves, storm water management and drainage purposes to the Town free and clear of any mortgages, liens and encumbrances.

5. That pursuant to Section 51.1(3) of the *Planning Act* the owner shall pay to the Town of Fort Erie a cash-in-lieu of parkland dedication equal to 5% of the value of the land to be subdivided.

6. That the owner deed any and all easements that may be required for access, utility and drainage purposes be granted to the appropriate authority and utilities.

7. That the owner shall agree in writing to satisfy all the requirements, financial and otherwise, of the Town of Fort Erie concerning the provision of roads, the installation of watermains, sanitary sewer, storm sewer and stormwater management, daylighting triangles, sidewalks, fire hydrants, street lighting including the upgrading of existing services and the restoration of existing roads damaged during the development of the Subdivision.

8. That the subdivision agreement include a clause requiring that each agreement of purchase and sale that “Roof downspouts shall discharge only to ground surface via splash pads to either side or rear yards, with no direct connection to the storm sewer or discharge directed to the driveway or roadway.

9. That the subdivision agreement include a clause requiring that each agreement of purchase and sale state that “Public sidewalk installation will be in accordance with the terms of the subdivision agreement and as per the approved plans on file at Town Hall”.

10. That the subdivision agreement include a clause requiring that each agreement of purchase and sale state that “The owner (developer) shall be responsible for installing paved driveway aprons from the curb to the property line or from the curb to the sidewalk.

11. That the subdivision agreement include a clause requiring each agreement of purchase and sale to state that “No buildings, sheds, fences, trees or other obstructions can be erected on the easement along west edge of the property. (Grading Cultivating etc…)

12. That the owner submit for review and approval by the Town a Geotechnical Study prepared by a qualified engineer that verifies the soil bearing capacity, recommends appropriate sewer pipe design, pipe bedding and backfill and roadway pavement designs.

13. That the design of all Municipal and public utility services for the Subdivision be coordinated with adjacent development.

14. That the owner prepare a detailed Subdivision Grade Control Plan showing both existing and proposed grades and the means whereby major storm flows will be accommodated across the site. This plan shall be submitted to the Town of Fort Erie.

15. That the owner shall enter into any agreement as required by utility companies for installation of services including the provision of street lighting all in accordance with the standards of the Town of Fort Erie. All utilities servicing the subdivision shall be underground.

16. That the design drawings for the sanitary sewer system and the storm water system required to service this development be submitted to the Town of Fort Erie and the Regional Municipality of Niagara Planning & Development Services Department for review and approval. The design drawings for watermains will be submitted to the Town of Fort Erie for review and approval of watermains under the Ministry of Environment, Conservation and Parks ~~and Climate Change Water~~ License Program.

17. That the owner agrees to construct 1.5 metre sidewalks on one side of all external street frontages adjacent to the subdivision (Erie Road, Hazelwood Avenue, Glenolden Lane) to the satisfaction of the Town.

18. That prior to final approval for registration of this plan, the owner shall obtain Ministry of the Environment, Conservation and Parks ~~and Climate Change Certificates of Approval~~Environmental Compliance Approval to the satisfaction of the Town of Fort Erie, Infrastructure Services and the Regional Municipality of Niagara Planning & Development Services Department for the necessary servicing (watermains, storm sewers, sanitary sewers and stormwater management) for this development. Note: Any stormwater management facility that may be proposed for this development would require the direct approval of the Ministry of the Environment, Conservation and Parks ~~and Climate Change~~, Toronto).

19. That prior to final approval or any on-site grading the owner shall submit to the Town of Fort Erie and Regional Municipality of Niagara Planning & Development Services Department for review and approval four copies of the following plans for the Subdivision designed and sealed by a suitably qualified professional engineer in accordance with the Ministry of the Environment, Conservation and

Parks ~~and Climate Change~~ documents entitled "Stormwater Management Planning and Design Manual", March 2003 and "Stormwater Quality Guidelines for New Development", May 1991, and in accordance with Town of Fort Erie's Storm Drainage Guidelines, the Town of Fort Erie Lot Grading Policy, Town of Fort Erie Stormwater Management Facility Design, Operation and Maintenance Policy and Standards:

(a) Detailed lot grading and drainage plans, noting both existing and proposed grades and the means whereby overland flows will be accommodated across the site.

(b) Detailed sediment and erosion control plans

~~Note: The Region will request the Niagara Peninsula Conservation Authority to review the detailed lot grading and drainage plan as well as the detailed sediment and erosion control plan on the Region's behalf and submit comments to the Regional Municipality of Niagara Planning & Development Services Department regarding the approval of these plans and the subsequent clearance of related conditions by Region staff.~~

20. That the Subdivision Agreement between the owner and the Town of Fort Erie contain provisions whereby the owner agrees to implement the Stormwater Management Plan required in Condition 19.

21. That the Subdivision Agreement between the owner and the Town of Fort Erie contain provisions whereby the owner will be required to plant native tree species and plant spice bush.

22. That the Subdivision Agreement between the owner and the Town of Fort Erie be registered by the Municipality against the lands to which it applies in accordance with *The Planning Act.*

23. Approved Service Connection Permits must be obtained by the owner from the Town for connection to existing sewers and watermains.

24. The Developer is hereby advised that prior to commencing any work within the Plan, the Developer must confirm that sufficient wire-line communication/telecommunication infrastructure is currently available within the proposed development. In the event that such infrastructure is not available, the Developer is hereby advised that the Developer may be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure. If the Developer elects not to pay for such connection to and/or extension of the existing communication/telecommunication infrastructure, the Developer shall be required to demonstrate that sufficient alternative communication/telecommunication facilities are available within the proposed development to enable, at a minimum, the effective delivery of communication/telecommunication services for emergency management services (i.e. 911 Emergency Services)

25. That immediately following Notice of Draft Plan Approval the owner shall provide the Regional Municipality of Niagara Planning & Development Services

Department with a written undertaking that all offers and Agreements of Purchase and Sale which may be negotiated prior to registration of this Subdivision, shall contain a clause clearly indicating that a servicing allocation for the Subdivision will not be assigned until the plan is granted final approval for registration and further that a similar clause be inserted in the Subdivision Agreement between the owner and the Town of Fort Erie.

26. That the owner acknowledge promptly, to the Regional Municipality of Niagara Planning & Development Services Department, that draft approval of the Subdivision does not include a commitment of servicing allocation by the Regional Municipality of Niagara. Servicing allocation will be assigned at the time of final approval of the Subdivision for registration purposes.

27. That the owner submit a detailed Tree Saving or Preservation Plan to the Town of Fort Erie for review and approval, with a copy of the Regional Municipality of Niagara Planning & Development Services Department for review and comment, and that the approved Plan be implemented through the Subdivision Agreement between the owner and the Town of Fort Erie.

28. That a Stage 1 and 2 Archeological Assessment be submitted to the Ministry of Heritage, Sport, Tourism and Culture Industries for review and approval. The applicant is reminded that no demolition, grading or other soil disturbances shall take place on the subject property prior to the Ministry Heritage, Sport, Tourism and ~~of~~ Culture Industries through the Regional Municipality of Niagara Planning & Development Services Department, confirming that all archeological resource concerns have met licensing and resource conservation requirements.

29. That the Canadian Niagara Power Company be provided with a construction schedule and a complete set of drawings showing all grading and drainage, all storm and sanitary sewers, all water lines and all road, curb and sidewalk construction, including road cross sections.

30. That the proponent satisfy Canadian Niagara Power Company with respect to the design and installation of underground electrical services and street lighting all at the owner's expense.

31. That Species at Risk standards shall be adhered to in discussion with and to the satisfaction of the Ontario Ministry of Environment, Conservation and Parks ~~Natural Resources and Forestry~~, who will also act as the approval authority.

    A copy of all correspondence with Ministry of Environment, Conservation and Parks staff be submitted to Niagara Region for review and comment.

32. That no demolition, grading or soil disturbance shall take place on the subject property until Ministry of Heritage, Sport, Tourism and Culture Industries through the Regional Municipality of Niagara Planning & Development Services Department have confirmed that all archeological resource concerns have met the licencing and resource conservation requirements.

33. That Stormwater quality controls shall be implemented in order to treat stormwater runoff to a Normal standard prior to discharge from the site.

34. Stormwater quantity controls shall be implemented to attenuate post development peak flows to the capacity of the downstream storm infrastructure for all storms up to and including the 100 year storm event.

35. Vegetation removal associated with clearing, site access and staging should occur outside the key breeding bird period identified by Environment Canada for migratory birds to ensure compliance with the Migratory Birds Convention Act (MBCA), 1994 and Migratory Birds Regulations (MBR). Vegetation removal should be undertaken outside the breeding season for migratory birds (March 15 and August 31). For any proposed clearing of vegetation within this timeframe a nest survey should be completed by a qualified avian biologist prior to commencement of works to identify and locate active nests of species covered by the MBCA. This should include the development of a mitigation plan to address any potential impacts on migratory birds and their active nests.

36. That if final approval is not given to this plan within three years of the approval date and no extensions have been granted, Draft Plan Approval shall lapse. If the owner wishes to request an extension to the draft plan approval period, a written explanation with reasons why the extension is required, together with a letter of support from the Region must be received by the Town prior to the lapsing date.

37. That the development meet the Niagara Region Waste Collection Policy for waste/recycling curbside collection and that a drive-through street or a temporary cul-de-sac with a minimum radius of 12.8 m is provided at the north end of Hazelwood Avenue.

~~38. That the owner provide a letter of credit and enter into a legal agreement for the water and wastewater portion of the Regional Development Charges within 12 months of the draft plan extension for the portion of the draft approved plan for which the Ministry of the Environment servicing approvals have not been issued, unless evidence of a complete Ministry of the Environment and Climate Change application for servicing has been received by the Region within this time, to the satisfaction of the Regional Municipality of Niagara Planning & Development Services Department.~~

Clearance of Conditions

Prior to granting approval of the final plan, the Town will require written confirmation from the following agencies that their respective conditions have been met satisfactorily:

- Regional Municipality of Niagara Planning & Development Services Department for Conditions 16, 18, 19, 25-28, 32-34 and 36-38.
- Canadian Niagara Power Company for Conditions 29 and 30.
- Ontario Ministry Environment, Conservation and Parks ~~of Natural Resources and Forestry~~ for Condition 31.

1. THE LANDS REQUIRED TO BE REGISTERED UNDER THE LAND TITLES ACT:

a) Section 160(1) of the *Land Titles Act*, which requires all new plans to be registered in the Land Titles system.

b) Section 160(2) allows certain exceptions.

2. WATER AND SEWER SYSTEMS

Inauguration or extension of a piped water supply, a sewage system or a storm drainage system is subject to the approval of the Ministry of Environment and Climate Change under Section 52 and 53 of the *Ontario Water Resources Act, R.S.O. 1990*.

3. CONVEYING

As the land mentioned above be conveyed to the Municipal Corporation may be more easily described in the conveyance by reference to a registered plan than by “metes and bounds” be it suggested that the description be so worded and be it further suggested the owner give to the Municipality an undertaking to deposit with the Clerk a properly executed copy of the conveyance concurrent with the registration of the plan.

4. In order to assist agencies listed above in clearing the conditions of final approval and registration of the plan, it may be useful to forward executed copies of the Agreement between the owner and the Town to these agencies. In this instance this copy should be sent to:

Mr. Jeff Hoover, Engineering Supervisor
Canadian Niagara Power Company Limited
1130 Bertie Street, P.O. Box 1218
Fort Erie, Ontario L2A 5Y2
Phone: (905) 871-0330

Ms. Lola Emberson, MCIP, RPP
Senior Development Planner
Planning and Development Services Department
The Regional Municipality of Niagara
1815 Sir Isaac Brock Way
Thorold L2V 4T7
Phone: 905-980-6000 ext. 3518 Toll-free: 1-800-263-7215
Fax: 905-687-8056

~~Mr. Joad Durst~~
~~Resources Management Supervisor~~
~~Ontario Ministry of Natural Resources and Forestry~~
~~Vineland Field Office~~
~~4890 Victoria Avenue North~~
~~PO Box 5000~~
~~Vineland, Ontario L0R 2E0~~
~~Phone: (905) 562-1175~~

5. REVIEW OF CONDITIONS

   The applicants are advised that should any of the condition appear unjustified or their resolution appear to be too onerous they are invited to bring their concerns to Council's attention. Council will consider a request to either revise or delete conditions.

6. SUBDIVISION AGREEMENT

   Prior to final approval for registration, a copy of the executed Subdivision Agreement for the proposed development should be submitted to the Regional Municipality of Niagara Planning & Development Services Department for verification that the appropriate clauses pertaining to any of these conditions of approval have been included.
   Note: The Regional Municipality of Niagara Planning & Development Services Department recommends that a copy of the draft Agreement also be provided in order to allow for the incorporation of any necessary revisions prior to execution.

7. NOTE

   The owner is advised that the appropriate Regional permits must be completed prior to any construction occurring within the regional right-of-way. The owner is advised that Service Connection Permits must be obtained from the Town for connection to existing sewers and watermains.

Planning and Development Services

Prepared for	Regular Council	**Report No.**	PDS-23-2020
Agenda Date	May 19, 2020	**File No.**	110401

Subject

TERMS OF REFERENCE – CANNABIS LEGISLATION AND POLICY STUDY

Resolution

THAT Council approves the Terms of Reference for a Cannabis Legislation and Policy Study for the Town of Fort Erie as outlined in Report No. PDS-23-2020.

Relation to Council's 2018-2022 Corporate Strategic Plan

Priority: Managed Growth through Responsibility, Stewardship and Preservation
Goal: N/A
Initiative: N/A

List of Stakeholders

Residents and Property Owners in Fort Erie

Prepared by:	Submitted by:	Approved by:
Original Signed	*Original Signed*	*Original Signed*
Lindsay Richardson, MCIP, RPP, Senior Community Planner	Kira Dolch, MCIP, RPP, CNU-A Director, Planning and Development Services	Tom Kuchyt, CET Chief Administrative Officer

Purpose of Report

The purpose of this report is to obtain Council's approval for the Terms of Reference for a Cannabis Legislation and Policy Study in the Town.

Analysis

Background

In 2014, the Council approved amendments to the town of Fort Erie Official Plan and Zoning By-law to include provisions for Medical Marihuana Grow and Production Facilitates that were licensed under the 2013 Marihuana for Medical Purposes Regulations (MMPR).

The Town's Official Plan and Zoning By-law have not been updated in response to the *Access to Cannabis for Medical Purposes Regulations, 2018* (ACMPR) or the *Cannabis Act, 2018*, which are the two current pieces of federal legislation governing the production of cannabis in Canada. Current Official Plan policies and Zoning By-law regulations permit cannabis production in the Agricultural, Rural and Industrial Zones as well as Open Space Zones located outside of the urban area, when conducted within buildings and licensed under this legislation. The Town's Official Plan policies and Zoning regulations do not currently contemplate the outdoor cultivation of cannabis, which is now permitted under the new federal legislation, as of June, 2018.

At its meeting on December 2nd, 2019 Council approved a resolution requesting Staff to initiate amendments to the Official Plan and Comprehensive Zoning By-law in order to update policies and regulations for the production and processing of cannabis. Through the 2020 budget process, Council approved the allocation of $75,000 to undertake a Cannabis Legislation, Policy and By-law Review.

Terms of Reference – Cannabis Land Use Planning

Town Staff is currently working on the preparation of a Request for Proposal (RFP) for a Cannabis Legislation and Policy Study. To ensure the study meets all of the expectations of Council, the Terms of Reference (project scope) is provided in this report for Council's consideration.

Staff is of opinion that the Cannabis Legislation and Policy Study should provide a measured assessment of the current Official Plan policies and Zoning By-law regulations, relevant case law and legal precedents, identify any gaps with the current federal, provincial and regional legislation, and recommend land use planning policy that can be utilized by the Town to address these gaps. The study will provide the Town with draft amendments to the Official Plan and/or Zoning By-Law, which will be brought to Council for its consideration.

The study will include an extensive public/stakeholder consultation and engagement strategy. The best practice review of the land use planning policies and regulatory tools will address, but not be limited to:

- Noise
- Odour and Air Quality
- Traffic
- Property Values
- Lighting
- Groundwater
- Loss of Agricultural Lands
- Increased Costs of the Town
- Environmental Impacts
- Changing Character of the Rural Agricultural Area
- Water/Wastewater
- Building Retrofits
- Impacts/Fitting in to Rural Character
- Enforcement
- Roles of Upper vs. Lower Tier Municipalities
- Licensing
- Zoning

Project Timeframe

Once the Study terms of reference (Appendix "1") are approved by Council, Staff anticipates that the RFP for the Cannabis Legislation and Policy Study will be issued in late May, pursuant to the Town of Fort Erie Procurement Policy. A report relative to the award of contract for the aforementioned consulting services will be brought forward at Council's July 2020 meeting. It is expected that the study work will commence in July, with consultation occurring in the fall. A final policy/regulatory recommendation report will be brought back to Council for consideration by the end of 2020.

Any recommended Official Plan and/or Zoning By-law Amendments that result from the approved study will be undertaken in 2021, pursuant to the requirements of the Planning Act.

Financial/Staffing Implications and AODA Considerations

Council allocated $75,000 to complete the study. Funding will be derived from the Planning and Development Services operating account 24000-3350 Supp 2.7.

The study will be managed by the Senior Community Planner, in consultation with relevant Town staff and agencies.

The public consultation process will involve a minimum of two public open houses, in addition to meetings with stakeholders and legislated public meetings.

Policies Affecting Proposal

While the *Cannabis Act* and associated regulations do not consider land use impacts, the Cannabis Licensing Application Guide advises that it is the responsibility of the licensed producer to comply with all other federal, provincial and municipal laws and by-laws, including municipal zoning by-laws.

Land use policies for the production of cannabis are contained in the Town's Official Plan and Comprehensive Zoning By-law 129-90.

The Town's Site Plan Control By-law subjects cannabis facilities to Site Plan Control.

The Request for Proposal for a Cannabis Legislation and Policy Study will be issued in accordance with the Town of Fort Erie Purchasing By-law No. 2-10.

Comments from Relevant Departments/Community and Corporate Partners

None at this time.

Communication Requirements

No additional communication is required at this time.

Alternatives

Council may elect to add or remove requirements and criteria from the recommended Terms of Reference as outlined in this report.

Attachments

Appendix "1" – PDS-20-FECLS - Part 2 – The Deliverables

PART 2 - THE DELIVERABLES

2.1 Background

In 2014, the Council approved amendments to the Town of Fort Erie Official Plan and Zoning By-law to include provisions for Medical Marihuana Grow and Production Facilities that were licensed under the 2013 Marihuana for Medical Purposes Regulations (MMPR). These amendments were designed to ensure the Town was prepared for applications as a result of the MMPR and included a definition of grow and production facilities, setbacks (including setbacks to residential uses and other sensitive uses), minimum lot area requirements, maximum building coverage, and parking, screening and landscaping requirements. The setback, buffer and screening requirements were developed with the Ministry of the Environment D-6 Guidelines as the basis for the required setbacks.

Medical Marihuana Grow and Production facilities are required to obtain Site Plan Approval in accordance with the Town's Site Plan Control By-law 133-86.

The Town's Official Plan and Zoning By-law have not been updated in response to the *Access to Cannabis for Medical Purposes Regulations, 2018* (ACMPR) or the *Cannabis Act, 2018*, which are the two current pieces of federal legislation governing the production of cannabis in Canada (the term "cannabis" replaces "medical marihuana" in the current legislation). Current Official Plan policies and Zoning By-law regulations permit cannabis production, when conducted within buildings and licensed under this legislation in the Agricultural, Rural and Industrial Zones as well as Open Space Zones located outside of the urban area. The Town's Official Plan policies and Zoning regulations do not currently contemplate the outdoor cultivation of cannabis (which is now permitted under the new federal legislation) as this was not permitted at the time of their development.

2.2 Project Scope

The Town of Fort Erie is soliciting proposals for a comprehensive Cannabis Legislation and Policy Study pertaining to cannabis growing facilities in the Town of Fort Erie under the new ACMPR and Cannabis Act. Results of this Study will serve as a guiding policy document, with the aim of providing recommended policy and regulatory updates to the Town's Official Plan and Zoning By-law.

The Cannabis Legislation and Policy Study should provide a measured assessment of the current Official Plan policies and Zoning By-law regulations, relevant case law and legal precedent, identify any gaps with current legislation and recommend land use planning strategies that can be utilized by the Town to address these gaps. The Study will provide the Town with draft amendments to the Official Plan and/or Zoning By-law which will be taken to Council for their consideration.

It is anticipated that there will be significant public consultation throughout the development of this Study. An effective public/stakeholder consultation and engagement strategy will be required as part of the proposal.

2.3 Project Requirements

The proponent, in its submission, will propose a methodology and schedule for the delivery of the outlined tasks and deliverables, and identify tasks not outlined in the RFP but considered necessary to achieve the study objectives. The project will incorporate:

1. Review of Current Standards, Legislation and Best Practices
    - Review the Federal, Provincial and other relevant legislation, policies and regulations governing cannabis growing in the Province of Ontario. This review must include an analysis of the powers that municipalities have to regulate cannabis growing facilities (i.e. what a zoning by-law can and cannot regulate).
    - Assess and provide an analysis of case law relative to cannabis policies, by-laws or operations, including legal precedents and best practices based on case law.
    - Conduct a best practice review of the land use planning policies and regulatory tools used in other Ontario municipalities including land use impacts related to, but not limited to:
        - Noise
        - Odour and Air Quality
        - Traffic
        - Property Values
        - Lighting
        - Groundwater
        - Loss of Agricultural Lands
        - Increased Costs for the Town
        - Environmental Impacts
        - Changing Character of the Rural Agricultural Area
        - Water/wastewater
        - Building retrofits
        - Impact/fitting in to rural character
        - Enforcement
        - Roles of upper vs lower tier municipalities
        - Licensing
        - Zoning

2. Review of Current Town Policy and Legislation
    - Review and analyze the Town's current Official Plan, Zoning By-law regulations and any other applicable policies including the Town's Site Plan and Property Standards By-law and the Ontario Building Code.

3. Gap Analysis
    - Compare and contrast the results of the Federal and Provincial legislation review and the best practices review with the Town's existing policies and regulations to identify any gaps that may exist in the Town's current policies.
    - Prepare a technical summary/status update that outlines the results of the background research and analysis and provides recommendations for policy/regulatory updates.

4. Policy Alternatives and Recommendations
    - Prepare draft policy and/or regulatory options based on the results of the gap analysis to be presented to the public
    - Based on the comments received through consultation and the project team, refine the policy/regulatory options and prepare a final presentation and recommendation report which must include draft amendments to the Town's Official Plan and Zoning By-law for consideration by Council.

5. Implementation (Provisional)
   Through this provisional item, the proponent will lead the enactment of the recommended legislative additions and amendments through the relevant processes and pursuant to the Ontario Planning Act.

    - Finalise the draft Official Plan, Zoning By-Law and any other policy and/or regulatory documents, and circulate to the appropriate internal and external agencies pursuant to relevant legislation
    - Refine the draft amendments, as required, based on any agency comments received.
    - Coordinate and host a public open house to present the draft policy and regulatory documents to the public and gather final feedback
    - Prepare and present the final draft policy and regulatory documents at a Statutory Public Meeting.
    - Prepare and present the final draft documents for consideration by Council.

While the consultant will work with Planning and Development Services Staff, Council and community stakeholders in compiling and reviewing information throughout the process. It is expected that the consultant will provide sound, objective and defensible analysis and reports based on technical and professional judgement which may or may not necessarily be consistent with the opinions and conclusions of Town Staff, Council or other community stakeholder inputs.

The documentation arising out of this project shall be consistent with/conform to all Provincial and municipal legislation and policies, such as the Planning Act, Provincial Policy Statement, Growth Plan, Region of Niagara Official Plan and Town of Fort Erie Official Plan, and in accordance with sound planning principles.

If necessary, the consultant shall be expected to attend hearings of the Local Planning Appeal Tribunal (LPAT), Courts and/or tribunals to present evidence and professional opinions in defense of the documentation it supplies as part of this project. Accordingly, the consultant shall provide an all-inclusive per diem (as an additional cost item) for any LPAT related works.

The consultant shall also be required to include a flat rate hourly fee (as an additional cost item) for any additional work that may be required above and beyond the scope of this RFP.

2.4 Public/Agency/Stakeholder Consultation

To inform the Cannabis Legislation and Policy Study, the Consultant, will coordinate (includes preparation of materials and display boards, public meeting notices etc) and attend, at minimum, 2 public open houses/information sessions throughout the course of the project. Appropriate land use controls for cannabis operations are a priority of Council, and public consultation will be a key component of this land use study. Additional methods beyond standard public meetings (i.e online surveys, social media information etc.) must also be considered.

Due to the ongoing Covid19 restrictions and the uncertainty of when large public gatherings will be permitted, the proponent shall provide, in its proposal, a public consultation strategy that includes alternatives for both in person and digital consultations, for public workshops, public open houses and mandatory public meetings.

The implementation component of the project (provisional) will require a public open house, statutory pubic meeting and final presentation to council.

It is important that the community and appropriate stakeholders are consulted throughout and to guide this study. The Proponent will propose an effective, comprehensive and transparent consultation and communication process that addresses, at a minimum, the following:

- Co-ordinate and lead stakeholder consultation, including relevant agencies, associations, and organizations. Anticipate a minimum of two meetings. Assist the Town in identifying relevant and representative stakeholders.
- Attend regular project team meetings, which will include staff and Council representatives. Anticipate monthly meetings, or more often as required.
- Host 2 public open houses:
    - 1 at the completion of the recommendations stemming from the legislative review/gap analysis. This discussion should include the strengths and weaknesses of each policy/regulatory option and a review of what the municipality can and cannot do in terms of regulating the use.

    - 1 to present the final study recommendations
- Engage the community using methods outside of the traditional public open house including online surveys or other online engagement tools and the use of social media to encourage public participation.
- Supply the Town will formatted digital content that can be distributed through the Town's social media accounts.
- Attend one Council meeting to present final report recommendations.

2.5 Project Deliverables

The project will be completed to the satisfaction of the Town of Fort Erie. The consultant will be expected to establish the minimum standards necessary to fulfill the project objectives, to at least include:

1. Reports
    - Technical Summary reports at conclusion of each section.
    - Final recommendation report and draft Official Plan and/or Zoning By-law amendments. Final report should summarize the entire study process, findings and public consultation process.
    - Final Draft Official Plan and/or Zoning By-law documents and presentation materials for public open house and statutory public meeting. (Provisional)
    - Final Draft Official Plan and/or Zoning By-law documents and presentation materials for Council consideration. (Provisional)

All draft documents will be required in a digital format (pdf). All final documents will be required in original digital format (word, excel) and pdf format. Digital files will not contain any disclaimer seals or any locked information, blocks or layers. Ten (10) bound copies (spiral ring binding) of final document will also be required, for distribution to Council and senior staff, as needed.

All graphics and mapping will be required in original digital format, high resolution .jpg format and pdf format, royalty free.

2. Consultation
    - The lead consultant and applicable representatives shall attend all meetings required during the project including:
        - Start up meeting *
        - Regular progress meetings with Town Staff on a bi-weekly basis. Project team meeting at least once a month/end of each phase of the project.
        - Public Open Houses, Public Meetings and Council meetings as necessary*.

* In person attendance required. Covid -19 containment measures permitting.

3. Meeting Materials

- Prepare and provide meeting agendas and minutes, due within 1 week of meeting.
- Record of all public consultation activities, summarized in a report
- Design visual aids (i.e. mapping graphics, concept plans) and presentation materials for public open houses and provide all presentation materials required for meetings.

2.6 Study Area

The study is the jurisdiction of the Town of Fort Erie in its entirety.

2.7 Supporting Documentation

The following supporting documentation should be considered through the background review:

- Town of Fort Erie Official Plan and pertinent Amendments (OPAs)
- Fort Erie Zoning By-law
- Town's Site Plan Control By-law
- Building Code Act
- Town's Property Standards By-law
- Region of Niagara Official Plan
- The Cannabis Act (S.C. 2018, c. 16)
- The Access to Cannabis for Medical Purposes Regulations (ACMPR)
- The Cannabis Licensing Application Guide
- The Farming and Food Production Act (FFPPA)
- Any other applicable legislation relating to the cultivation of cannabis
- Any applicable reports, memos and meeting minutes/discussions arising from Fort Erie Council meetings; and
- Any applicable case law.

2.8 Upset Limit

The upset limit for the entirety of this contract is $60,000.00. This includes all consulting fees, mileage, printing costs, disbursements, contingencies, and all other costs associated with implementing the work. The upset limit excludes HST. All of the work required to fulfill the goals, objectives and deliverables of this contract shall be performed within this upset limit. It is the responsibility of the proponent to anticipate and identify all of the tasks required to perform this contract, whether or not they have been specifically identified within this RFP.

2.9 Project Schedule

Completion of the Study anticipated to be complete by the end of the year. The provisional component will be completed in the first quarter of 2021.

Project Schedule	
Event	**Date**
Anticipated Start Date:	July 20, 2020
Data Collection and Analysis:	August 2020
Consultation/Open House:	September/October 2020
Report and Recommendations:	November 2020

2.10 Personnel

In addition to the obvious need for expertise relative to evolving cannabis legislation and policy making, the consulting team shall demonstrate expertise in land use planning, legal analysis and recommendations, and public consultation/facilitation/mediation. The Proponent shall submit information related to the qualifications and experience of its personnel and that of sub consultants who will be assigned to this work, which may include resumes, documentation of accreditation, and/or letters of reference. **See Section 5.5.3 before submitting any such personal information.**

2.11 Payment Terms

The Purchaser's standard payment terms are net thirty (30) days.

2.12 Accessibility for Ontarians with Disabilities Act

The Purchaser is committed to the highest possible standards for accessibility. Proponents must be capable to recommend and deliver, as appropriate for each Deliverable, accessible and inclusive Services consistent with the Ontario Human Rights Code (OHRC), the Ontarians with Disabilities Act, 2001 (ODA) and Accessibility for Ontarians with Disabilities Act, 2005 (AODA) and its regulations in order to achieve accessibility for Ontarians with disabilities.

In accordance with Ontario Regulation 429-07 made under the Accessibility for Ontarians with Disabilities Act, 2005 (Accessibility Standards for Customer Service), the Purchaser has established policies, practices and procedures governing the provision of its services to persons with disabilities. These policies, practices and procedures are available for review at: www.forterie.on.ca (Select: Quick Links, Accessibility Advisory Committee)

Proponents are required to comply with the Purchaser's accessibility standards, policies, practices, and procedures, which may be in effect during the Term of the Agreement and which apply to the Deliverables to be provided by the Supplier.

Appendix E – Accessibility Regulations for Contracted Services Confirmation Form is to be submitted in envelope 1 as part of any proposal.

[End of Part 2]

Planning and Development Services

Prepared for	Regular Council	**Report No.**	PDS-24-2020
Agenda Date	May 19, 2020	**File No.**	350309

Subject

REQUEST TO REMOVE ENVIRONMENTAL CONSERVATION OVERLAY - CONSTRUCTION OF A DWELLING AND SEPTIC SYSTEM
1563 KINGSTON ROAD
ROLL NO. 2703 020 010 67600 0000
MACDONALD, MICHAEL & DOUGHERTY AMBER - OWNERS

Recommendations

THAT Council approves the removal of the Environmental Conservation Overlay at 1563 Kingston Road, to the extent required for the construction of the proposed dwelling, septic system, driveway, cistern and required yards, subject to the owner submitting a Landscape Plan and Tree Preservation Plan, prepared by a qualified professional, to the satisfaction of the Director of Planning and Development Services or his/her designate, and further

THAT Council directs that the owner is required to provide a security deposit and a written undertaking to provide the Landscape Plan to the satisfaction of the Director of Planning & Development Services or his/her designate, to ensure the approved Landscape Plan is completed

Relation to Council's 2018-2022 Corporate Strategic Plan

Priority: Managed Growth through Responsibility, Stewardship and Preservation
Goal: N/A
Initiative: N/A

List of Stakeholders

Owners - Michael MacDonald & Amber Dougherty
Environmental Advisory Committee

Prepared by:	Submitted by:	Approved by:
Original Signed	*Original Signed*	*Original Signed*
Aaron Butler, MCIP, RPP Manager, Development Approvals	Kira Dolch, MCIP, RPP, CNU-A Director, Planning and Development Services	Tom Kuchyt, C.E.T. Chief Administrative Officer

Purpose

This report intends to provide a recommendation to Council on a request to remove the Environmental Conservation (EC) Overlay from the Town's Zoning By-law for lands at 1563 Kingston Road (Location Map attached as **Appendix "1"**), to facilitate the construction of a dwelling and septic system on an existing lot of record. The site plan for the proposal is attached as **Appendix "2"**. This type of request would typically be reviewed by the Town's Environmental Advisory Committee (EAC), with a Council decision made through receipt of the EAC meeting minutes. Since EAC is not currently meeting due to COVID-19 pandemic, Council is being asked to consider this request with written comments provided from members of EAC.

The owners of the site submitted a building permit application to the Town for the proposed dwelling construction on March 9, 2020. A request to remove the EC Overlay was received on March 11, 2020. The issuance of the building permit is pending until such time as the EC Overlay is removed from the Zoning By-law.

Nature of the Site

The subject property is located west of the Crescent Park, north of Dominion Road and east of Rosehill Road. The lands are approximately 0.30 ha (0.75 ac) in size and are located within a woodland and Locally Significant Wetland. The following summarizes the land uses surrounding the subject property:

North:	Single detached dwelling along Kingston Road, woodland/locally significant wetland beyond
South:	Single detached dwelling along Kingston Road, woodland/locally significant wetland beyond
East:	Woodland/locally significant wetland
West:	Single detached dwellings along Kingston Road

Zoning By-law No 129.1990

The subject lands are zoned Rural Residential in the Town's Zoning By-law, which permits the proposed residential dwelling. However, the Environmental Conservation (EC) Overlay Zone states that development is subject to an Environmental Impact Study and/or approval from the relevant authority in accordance with the policies of the Town's Official Plan.

Policy 8.3 VI. of the Official Plan states that an Environmental Impact Study (EIS) may not be required for developments of this type (i.e., single detached dwelling on an existing lot of record) where the development is located and designed to minimize impacts to natural features and their functions.

In this case, the Niagara Peninsula Conservation Authority (NPCA) and the Niagara Region are both relevant approval authorities since the lands are located within a

wetland and a woodland. Town Council is also an approval authority on this matter and would typically receive advice from EAC in this regard.

Comments from Relevant Departments/Community and Corporate Partners

Niagara Peninsula Conservation Authority (NPCA)

The regulations of the Conservation Authority are in effect on the subject lands as the property is within a Locally Significant Wetland. Permits for work in regulated areas are applicable under the *Building Code Act*. In November 2018, the NPCA issued a permit to the previous owner for construction of a proposed dwelling and septic system within the wetland on site. The permit was re-issued in March 2020 to the current owner, with minor modifications to the building footprint and septic system location. The current NPCA permit is attached as **Appendix "3"**.

The NPCA also administers and enforces the Region's Tree By-law, which regulates tree removal in woodlands greater than 1.0 ha. Since the subject lands are within a larger woodland greater than 1.0 ha, the Region's Tree By-law is relevant. The NPCA permit for the proposal allowed for vegetation removal to facilitate the house construction and installation of the septic system. The NPCA Forester has indicated to Town Staff that tree removal on site occurred in December 2018, after the NPCA permit was issued. It was also indicated that the forest cover in the area is mainly 40 year-old green ash monoculture, heavily impacted by the Emerald Ash Borer (EAB).

Therefore, the NPCA has permitted the proposed development to occur. The lands are within a regulated area of the NPCA and subject to the Region's Tree By-law, which the NCPA administers and enforces. Town Staff have no objection to the NPCA's permit approvals on these lands.

Environmental Advisory Committee (EAC) Members

Staff have circulated the EC Overlay removal request to members of the Town's Environmental Advisory Committee by email. Comments from Committee members are summarized below, with detailed comments attached as **Appendix "4"**.

- The property is located with a Locally Significant Wetland which may lead to major drainage issues. Substantial fill may be required to raise the house and septic bed for usage given the existing overland flow patterns.
- Concern with the elimination of the wetland. Development within a locally significant wetland should be discouraged and the loss of a locally significant wetlands is unfortunate due to their ecological value, but also the community benefits provided in terms of storm water retention, etc.
- Concerned that tree cutting has occurred before the EC Overlay was removed.
- No objections so long as no further vegetation removals occurs.

- Concern how the condition in the NPCA permit are enforced and monitored, particularly relating to re-vegetation. Regular monitoring updates from the NPCA requested.
- In addition to the tree preservation plan discussed by staff, a landscape plan consisting of native plantings should be provided for review and approval. The Town has in the past required a security deposit to ensure that the plantings are installed.
- The site is likely made up of heavy wet clay, with an overburden of approximately 2.5 m to 3.0 m. The conditions are suitable for a raised septic bed without concern of contamination to the aquifer. If a pond were proposed, that would diminish the protection from contamination of the aquifer.
- Purple cress observed on site.
- A variety of species likely in the area such as American Toad, Spring Peeper, Chorus Frog, Green Frog and Bull Frog. There is also an excess of 30 different bird species in the area in general, including some species of special concern.
- The Town must be mindful of wildlife linkages and corridors which tie together woodlots and wetlands into a natural heritage system.
- EAC's concerns should be communicated to the NPCA before building permit is issued.
- Recommend that the Town's Bird Friendly Design Guidelines be applied to the building design.

Analysis

In the opinion of Town Staff, the EC Overlay Zone can be removed from the lands to the extent needed for the construction of the proposed dwelling, septic system, driveway, cistern and required yards. As stated previously, since the lands are located within a Locally Significant Wetland, a NPCA permit was issued in November 2018 for a previous iteration of the proposal, with an updated permit issued in March 2020. The permit includes conditions related to matters such as construction and erosion control measures, limits of development, timing of vegetation removal, equipment and material storage, species at risk, breeding birds, re-vegetation and monitoring.

The Town's Woodland and Heritage Tree and Forest Conservation By-law is not relevant in this matter as the site is within a woodland greater than 1.0 ha. The Region's By-law regulates the removal of trees in woodlands greater than 1.0 ha and is therefore applicable in this case. Since the NPCA administers the Region's Tree By-law, the NPCA permit effectively allows tree removals to occur the construction to occur within the wetland. The NPCA is aware of the tree removals that occurred in December 2018, after the NPCA permit was issued.

With respect to comments from members of EAC regarding potential Species at Risk on site, the Ontario Endangered Species Act (ESA) would apply. The onus is on the owner to comply with the ESA when conducting vegetation removals, in addition to the Migratory Birds Act; this is also included as a condition of the NPCA permit. Further, the NPCA has advised the owner that they should contact the Province to ensure that no

damage to Species at Risk or their habitat will result from the proposed work. The area may potentially contain Species at Risk.

EAC Members have suggested that native plant materials should be used in planting on site, and have suggested that a Landscape Plan be submitted to support removal of the EC Overlay. The NPCA permit requires the owner to use a native seed mix to re-vegetate disturbed soil and encourages the use of native plant material in gardens around the house.

Staff agree with EAC and recommend that the owner submit a Landscape Plan and Tree Preservation Plan to the satisfaction of the Director of Planning and Development Services prior to the removal of the EC Overlay and issuance of the building permit. The Landscape Plan shall be made up of native plantings, as requested by EAC. The Tree Preservation Plan will illustrate if any other trees are proposed to be removed and identify tree protection measures on those to remain. It has been regular practice of Council and EAC in the past to apply such conditions to the Overlay removal. It has also been past practice, in certain instances to require the owner to sign a written undertaking and submit a security deposit to ensure planting is completed.

Financial/Staffing Implications

None.

Policies Affecting Proposal

The Town's Zoning By-law, which is applicable law under the *Building Code Ac*t, references that development within the EC Overlay Zone is subject to relevant policies of the Town's Official Plan. The Natural Heritage policies of the Official Plan have been considered, in particular, the policies related to Environmental Conservation Areas.

Communicating Results

EAC members have requested that their concerns be communicated to the NPCA. Town Staff will forward a copy of this report and appendices to NPCA Staff.

Alternatives

Council may decide not to remove the EC Overlay from the subject lands. Staff does not recommend this since the owner has already obtained a permit from the NPCA for work within the wetland, and in turn, permission to remove trees to facilitate the construction. The regulations of the NPCA are applicable law to the building permit application, and the Region's Tree By-law (administered by the NPCA) is in effect on the lands.

Council may choose to add other stipulations to the removal of the EC Overlay, such as requesting further information or studies from the owner. Staff do not recommend this

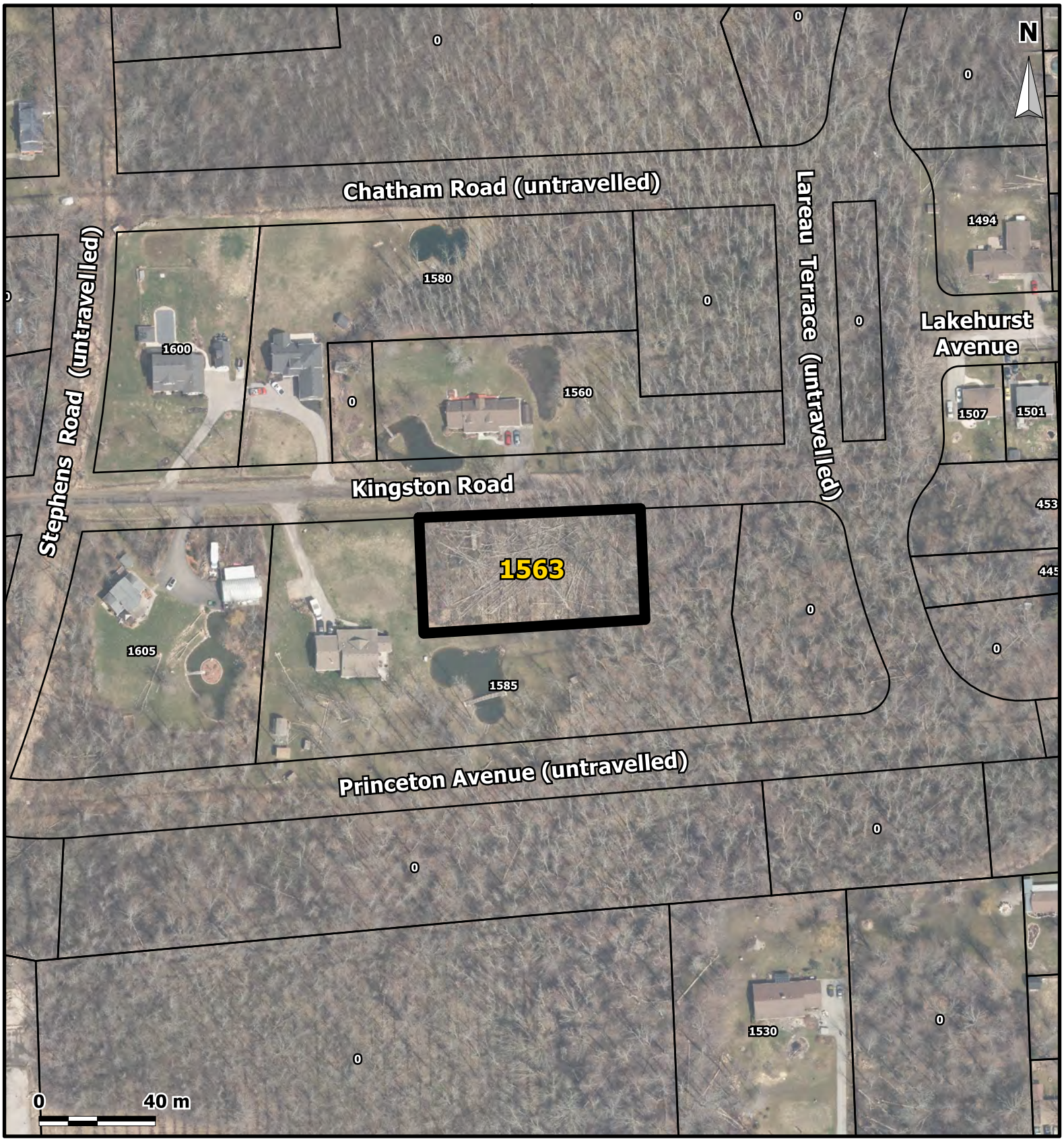
as the NPCA permit contains a number of relevant conditions that the owner must fulfill. In line with requests from members of EAC, Town Staff recommend that a Landscape Plan be submitted for approval, which must illustrate how the owner will re-vegetate the site with native plantings.

Conclusion

Staff recommend that Council approve the removal of the EC Overlay Zone at 1563 Kingston Road, to the extend needed for the proposed development, subject to the approval of a Landscape Plan and Tree Preservation Plan by the Director of Planning and Development Services, or their designate. As part of the approval of the Landscape Plan, it is also recommended that the owner submit a written undertaking and security deposit committing to the completion of the required plantings identified on the Landscape Plan.

Attachments

Appendix "1" - Location Map
Appendix "2" - Proposed Site Plan
Appendix "3" - NPCA Permit
Appendix "4" - Comments from EAC Members



Location Map - 1563 Kingston Road

Subject Lands - 1563 Kingston Road

PLAN 107 LOT 298 TO LOT 302 NEW 47 IN THE TOWN OF FORT ERIE, REGIONAL MUNICIPALITY OF NIAGARA

Planning & Development Services
Map created March 18, 2020

LOTS 298, 299, 300, 301 & 302 PLAN 447
STREET: KINGSTON ROAD
OWNER: MIKE MACDONALD

TOWN OF FORT ERIE
INDIVIDUAL LOT GRADING CERTIFICATE

D-1464

BENCH MARK (LOCATION AND ELEVATION) ELEVATIONS SHOWN HEREON ARE ORTHOMETRIC.

LANTHIER & GILMORE SURVEYING LTD.
173 CLARENCE ST., PORT COLBORNE, ONT. (905) 835-5477

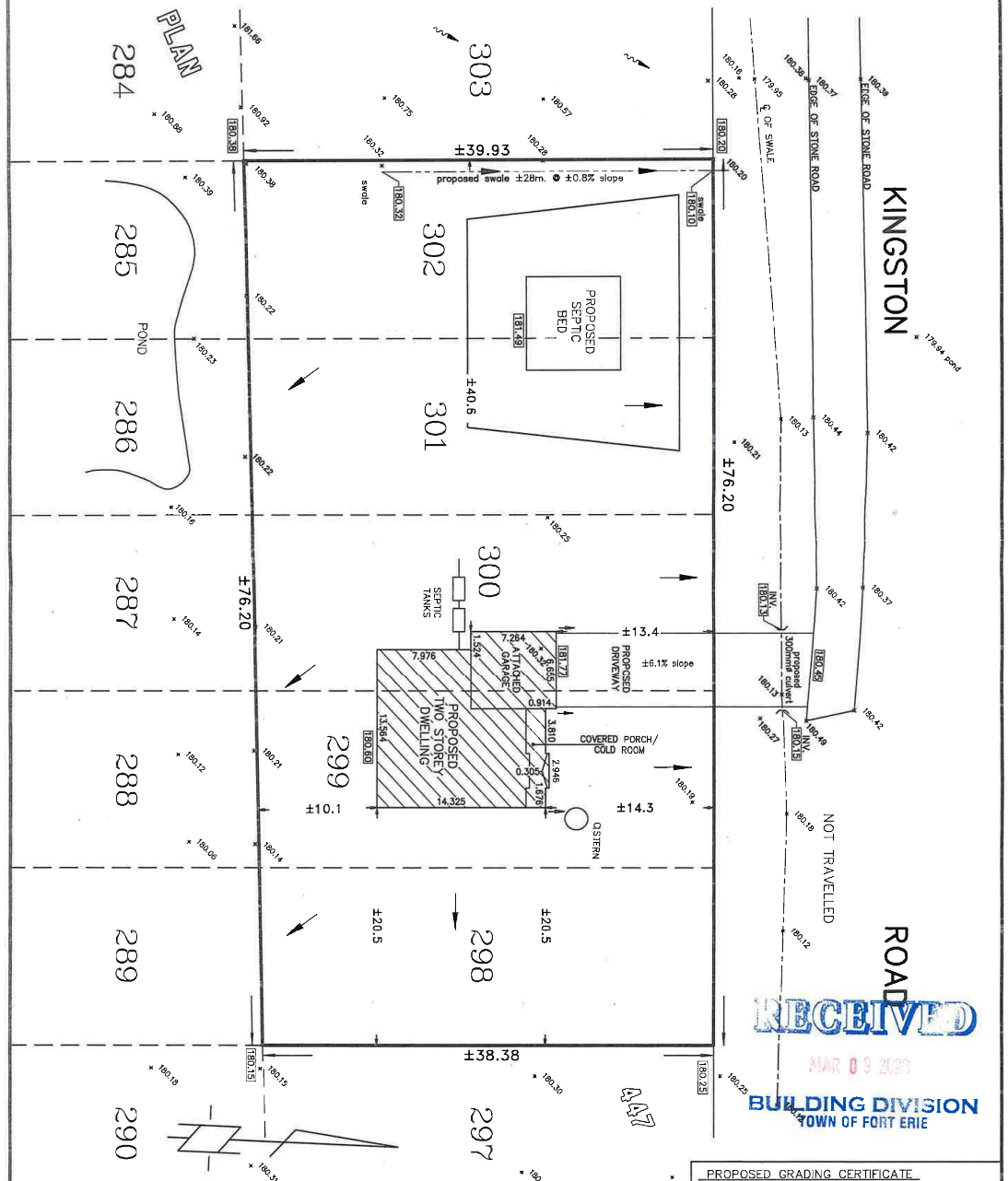
SCALE 1:350 CM 2019
SURVEY 22-265

The position of conduits, watermains, sewers and other underground utilities and structures are not necessarily shown on this plan, and where shown, the accuracy of the position of such utilities and structures is not guaranteed. Before starting work the contractor shall inform himself of the exact location of all such utilities and structures, and shall assume all liability for damage to them.

CAUTION:
THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED FOR TRANSACTION OR MORTGAGE PURPOSES.

NOTE:
ALL ELEVATIONS ARE IN METRES

Proposed First Floor = ±182.53
Proposed Top of Footing =±179.38
Proposed Top of Basement Wall =±180.75 (rear)
Proposed Apron =±181.62 (front)
Proposed Apron =±180.60 (rear)



Legend

- Proposed Drainage Pattern
- Existing Drainage Pattern
- Proposed Downspout Direction
- 180.0 Existing Ground Elevation
- 180.0 Proposed Ground Elevation
- 180.0 Proposed Apron Elevation
- 180.0 Finished Ground Elevation
- Denotes Deciduous Tree
- Denotes Coniferous Tree

BC Denotes Bottom of Curb
TC Denotes Top of Curb
CB Denotes Catch Basin
MH Denotes ManHole

$\frac{2142\phi(198.9M)}{2983.37} = 6.7\%$

PROPOSED GRADING CERTIFICATE

I HEREBY CERTIFY THAT THE PROPOSED BUILDING WILL BE COMPATIBLE WITH THE PROPOSED GRADING AND THE OBJECTIVES OF THE LOT DRAINAGE AND DRAINAGE POLICY.

FURTHER I CERTIFY THAT THE EXISTING DRAINAGE ONTO THIS PROPERTY HAS BEEN ACCOMMODATED AND THAT ALL DRAINAGE SHALL BE DIRECTED TO AN ACCEPTABLE OUTLET.

NAME: MARK GILMORE
SIGNATURE
DATE: FEBRUARY 13, 2020
FILED BY TOWN
DATE

D-1464

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NIAGARA PENINSULA CONSERVATION AUTHORITY
250 Thorold Road West, 3rd Floor, Welland, Ontario L3C 3W2
Telephone 905.788.3135 | Facsimile 905.788.1121 | www.npca.ca

March 25, 2020

CityView Regulation File Number PLPER 201800974

Amber Dougherty and Mike Macdonald
40 Highland Avenue
Fort Erie, ON
L2A 2X5

SUBJECT: PERMIT AMENDMENT - N.P.C.A. PERMIT NO. 201800974 (A) FOR THE PURPOSE OF NEW HOME AND SEPTIC CONSTRUCTION IN AN EXISTING LOT OF RECORD WETLAND AT ARN 270302001067600 KINGSTON ROAD, IN THE TOWN OF FORT ERIE.

Attached is a Niagara Peninsula Conservation Authority Permit and associated Conditions regarding the approval of the above-noted works, pursuant to the Conservation Authorities Act and Ontario Regulation 155/06, known as the NPCA's Regulation of Development, Interference with Wetlands, and Alterations to Shorelines and Wetlands.

All works must be completed in accordance with the original approved Permit and Schedule 'A' which are attached and, the attached drawing titled "Lots 298, 300, 301 & 302 Plan 447 Proposed Grading Certificate" by Lanthier & Gilmore Surveying Ltd. dated February 13, 2020 displaying the NPCA stamp (which forms part of the permit) within the time period specified therein.

The issuance of this permit does not release you from compliance with any other applicable federal, provincial or municipal statutes, regulations or by-laws.

Should you have any questions regarding this permit please contact Jason Culp, Supervisor, Permits & Compliance, at 905-788-3135 ext. 262.

Yours truly,

Darren MacKenzie, C.Tech., rcsi
Director, Watershed Management
Niagara Peninsula Conservation Authority

Prepared by,

Jason Culp, C. Tech., EP
Supervisor, Permits & Compliance
Niagara Peninsula Conservation Authority

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Telephone 905.788.3135 | Facsimile 905.788.1121 | www.npca.ca

PERMIT 201800974 SCHEDULE 'A'

This Permit No. 201800974 is issued subject to compliance with the following conditions:

- ☑ Prior to construction, erosion control measures (i.e. silt fence, straw bales, silt curtain) shall be installed as per the attached Ontario Provincial Standard Drawing (OPSD) (or approved equivalent) and maintained in good condition until all disturbed areas have been vegetated and stabilized with native materials to a pre-disturbed state or better. **NPCA requests photo documentation of the installed erosion control measures be forwarded to our office. Absolutely no dirty water or debris is to be discharged to the wetland.**

- ☑ The permittee covenants to indemnify and forever save and keep harmless the Niagara Peninsula Conservation Authority, its officers, servants and agents from and against any and all claims, demands, suits, actions, damages, loss, cost or expenses arising out of any injury to persons, including death, or loss or damage to property of others which may be or be alleged to be caused by or suffered as a result of or in any manner associated with the exercise of any right or privilege granted to the permittee by this permit.

- ☑ Work carried out in contravention of this permit and/or violation of any of the conditions contained herein constitutes an offence under the Conservation Authorities Act. Pursuant to the Act: "**Every person who contravenes a regulation made under subsection (1) or the terms and conditions of a permission of an authority in a regulation made under clause (1) (b) or (c) is guilty of an offence and on conviction is liable to a fine of not more than $10,000 or to a term of imprisonment of not more than three months**."

- ☑ The Permittee shall keep this permit or a true copy thereof on the work permit area.

- ☑ The person in charge of the operation conducted under this permit shall produce and show this permit or the true copy kept on the work area to any Conservation Authority officer whenever requested by the officer.

- ☑ Please advise the Niagara Peninsula Conservation Authority, via e-mail (dmackenzie@npca.ca), a minimum of 24 hours prior to commencing any works related to this permit and no later than two (2) weeks upon completion of the works. Please reference the file number along with the permit number in your correspondence.

- ☑ That authorized representatives of the Niagara Peninsula Conservation Authority will be granted entry at any time into lands and buildings which are the subject of this permit application in order to make such surveys, examinations, investigations, inspections or other arrangements which such representatives deem necessary.

- ☑ That all complaints arising from the proposed works authorized under this permit shall be reported immediately by the permittee to the Niagara Peninsula Conservation Authority. The permitee shall indicate any action which has been taken, or is planned to be taken, with regard to each complaint.

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250 Thorold Road West, 3rd Floor, Welland, Ontario L3C 3W2
Telephone 905.788.3135 | Facsimile 905.788.1121 | www.npca.ca

☑ The Niagara Peninsula Conservation Authority may cancel this permit or may change any of the conditions at any time and without prior notice if it is determined that:

- The works are not in conformance to the intent of the permission granted;
- The information presented to obtain a permit is false;
- The works or method of construction, have detrimental impacts on the environment.

☑ The extent of the construction shall be clearly identified on site (preferably using visible construction fence) prior to any site alteration, and no equipment, machinery or materials shall extend beyond the project area into any other sections of the wetland.

☑ Construction shall be limited to the proposed area depicted on the approved drawing.

☑ All development and site alteration, including grading and vegetation removal shall not extend past 5 metres from the edge of the proposed dwelling to the east property line.

☑ All areas within the above buffer shall remain in a natural, non-manicured state to avoid impacts to ecological functions of the wetland.

☑ All materials and equipment used for the purpose of site preparation and project completion shall be operated and stored in a manner that prevents any deleterious substance (e.g. petroleum products, silt, debris, etc.) from entering the wetland.

☑ Any equipment maintenance and refueling operations shall be set back sufficiently to prevent spills from entering the wetland.

☑ Any stockpiled materials shall be stored and stabilized away from the wetland.

☑ Any grading or filling be designed to maintain existing overland flow patterns.

☑ No fill or alteration of the natural vegetation, or development is to take place within any other section of the wetland, other than what is currently proposed.

☑ All vegetation removal shall comply with the Endangered Species Act, Migratory Birds Act and all other relevant legislation.

☑ All vegetation removal shall occur outside of the Breeding Bird period (March 15 - August 31).

☑ Fatal Light Awareness Program (FLAP) guidelines shall be incorporated to ensure that any exterior lighting is installed to avoid negative impacts to wildlife.

☑ All areas of disturbed soil shall be stabilized and re-vegetated with a native seed mix (https://npca.ca/sites/default/files/NPCAPlantGuide.pdf) immediately upon completion of work and restored to a pre-disturbed state or better.

☑ All seeded areas shall be monitored on a regular basis (weekly) to ensure that vegetation has established successfully, and re-seeding should be conducted during the growing season as appropriate to ensure vegetative cover of disturbed areas.

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- ☑ Native plant material should be encouraged in gardens around the house, or at least the avoidance of invasive species with the capacity to escape and impact the native woodland/wetland flora.

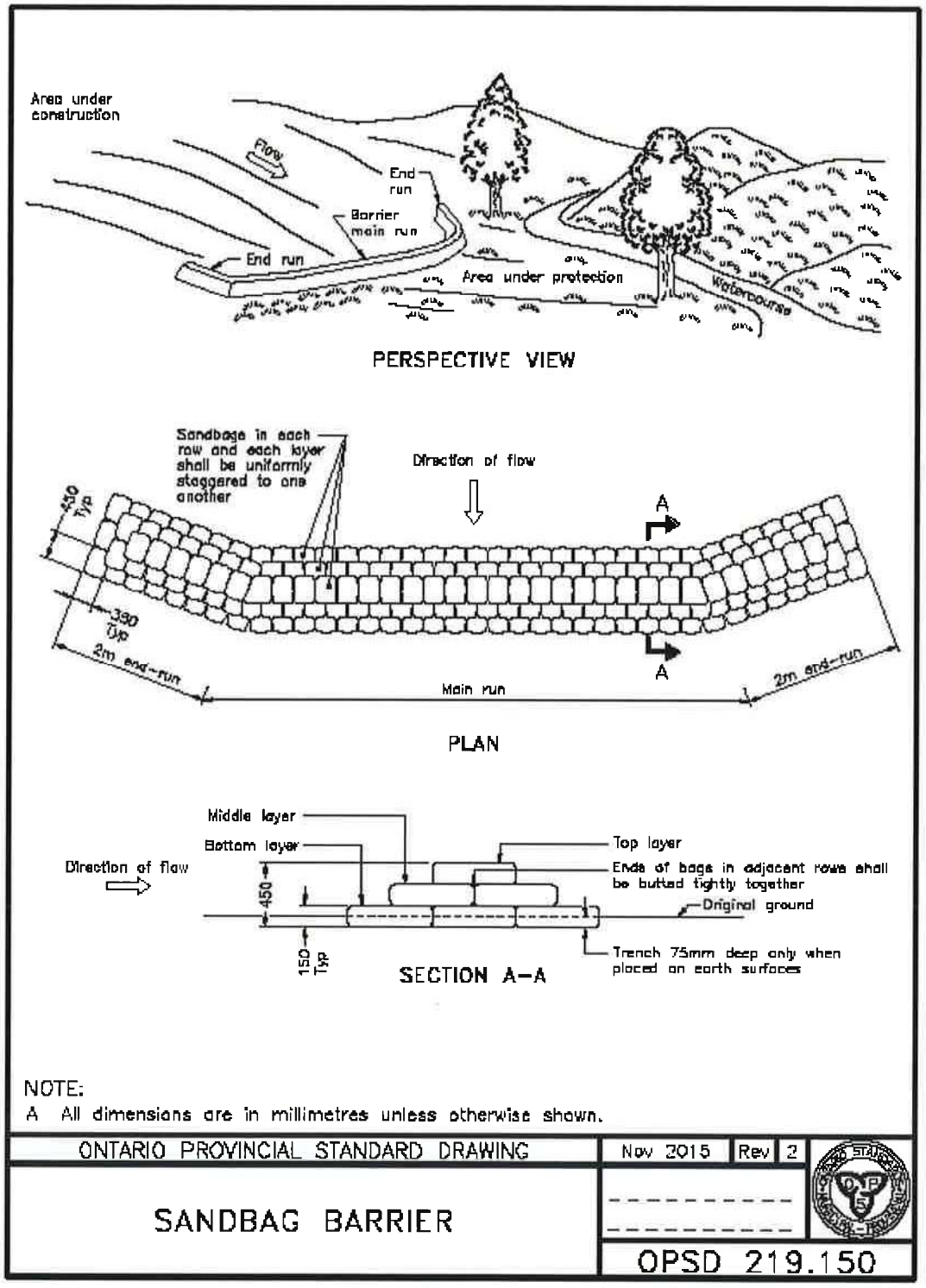
- ☑ Sediment and erosion control shall be implemented between the wetland and all areas where exposed soil is anticipated prior to the commencement of any activities on site to ensure no migration of sediment into the wetland.

- ☑ Sediment controls must be inspected regularly and maintained in good working order throughout the construction period and until all areas of exposed soil have been stabilized. If the sediment and erosion control measures are not functioning properly, no further work shall continue until the sediment and/or erosion problem is addressed.

Please Note:

This area may contain Species at Risk. The permittee should contact the Ministry of Natural Resources and Forestry (MNRF) of Ontario to ensure that no damage to Species at Risk or their habitat will result from the proposed work. Please send your request to ESAGuelph@ontario.ca. A MNRF representative will screen the information and provide a response.

NIAGARA PENINSULA CONSERVATION AUTHORITY
250 Thorold Road West, 3rd Floor, Welland, Ontario L3C 3W2
Telephone 905.788.3135 | Facsimile 905.788.1121 | www.npca.ca



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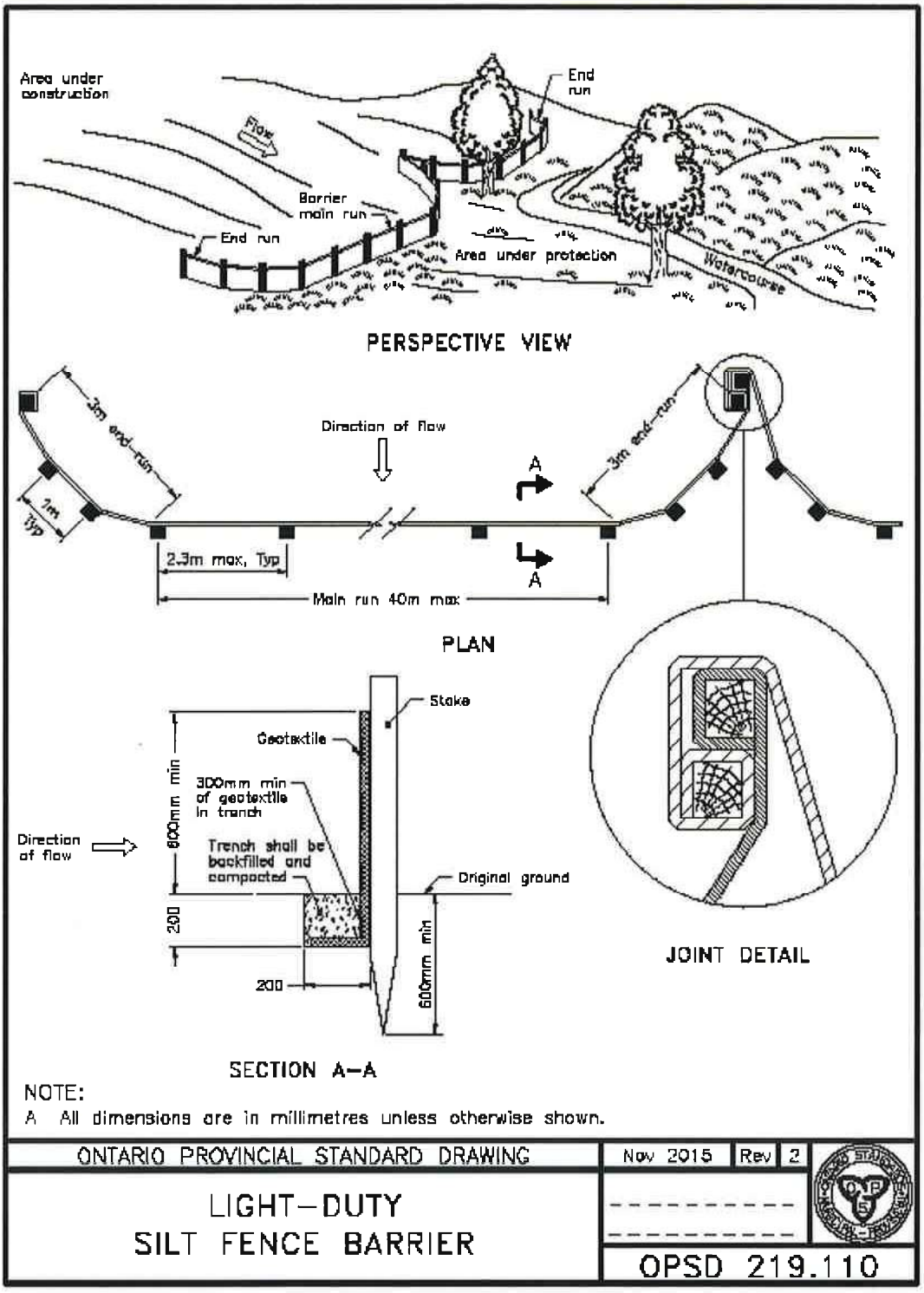

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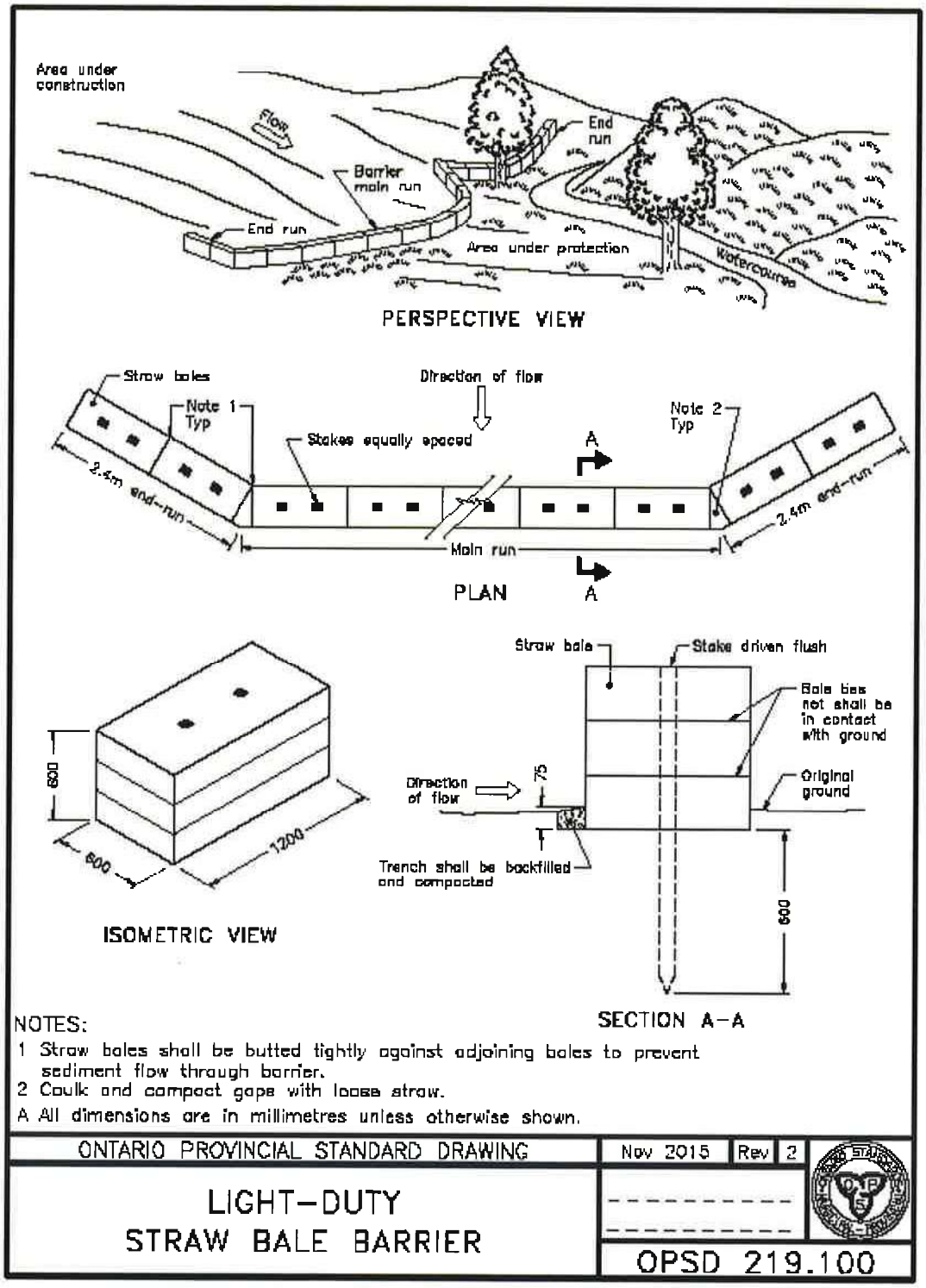


-End of Page-

LOTS 298, 299, 300, 301 & 302 PLAN 447
STREET: KINGSTON ROAD
BUILDER: BEAM HOME BUILDERS

TOWN OF FORT ERIE
INDIVIDUAL LOT GRADING CERTIFICATE

D-1417

BENCH MARK (LOCATION AND ELEVATION) ELEVATIONS SHOWN HEREON ARE ORTHOMETRIC.

LANTHIER & GILMORE SURVEYING LTD.
173 CLARENCE ST., PORT COLBORNE, ONT. (905) 835-5477

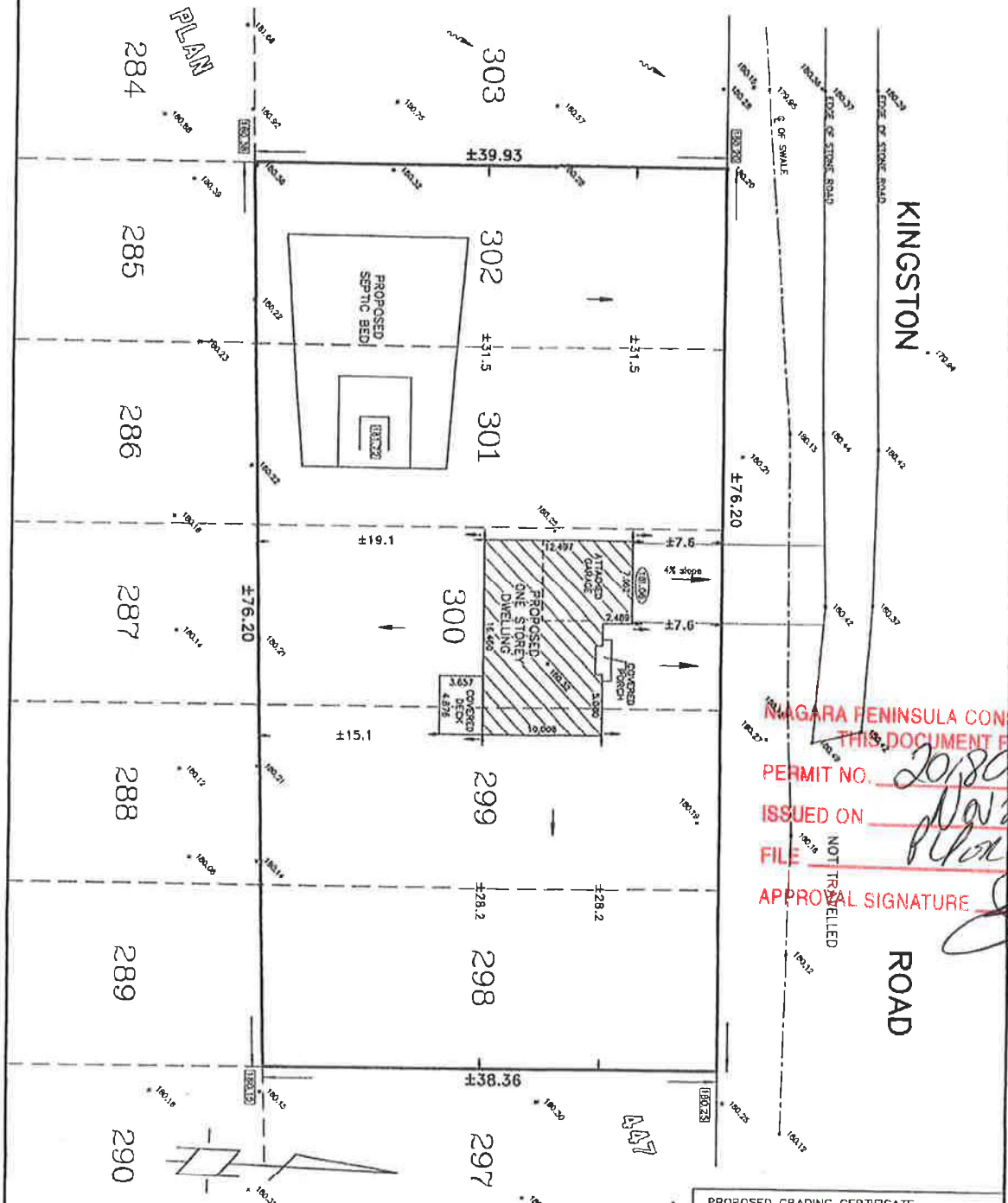
SCALE 1:350 CM 2018
SURVEY 22-076

The position of conduits, watermains, sewers and other underground utilities and structures are not necessarily shown on this plan, and where shown, the accuracy of the position of such utilities and structures is not guaranteed. Before starting work the contractor shall inform himself of the exact location of all such utilities and structures, and shall assume all liability for damage to them.

CAUTION:
THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED FOR TRANSACTION OR MORTGAGE PURPOSES.

Proposed First Floor = ±181.56
Proposed Top of Footing =±178.87
Proposed Top of Basement Wall =±181.26
Proposed Apron =±181.06

NOTE:
ALL ELEVATIONS ARE IN METRES



NIAGARA PENINSULA CONSERVATION AUTHORITY
THIS DOCUMENT FORMS PART OF
PERMIT NO. 20180074
ISSUED ON Nov 29/18
FILE Plan 20180074
APPROVAL SIGNATURE
NOT TRAVELLED

Legend

- Proposed Drainage Pattern
- Existing Drainage Pattern
- Proposed Downspout Direction
- 180.0 Existing Ground Elevation
- (180.0) Proposed Ground Elevation
- (180.0) Proposed Apron Elevation
- (180.0) Finished Ground Elevation
- Denotes Deciduous Tree
- Denotes Coniferous Tree

BC Denotes Bottom of Curb
TC Denotes Top of Curb
CB Denotes Catch Basin
MH Denotes ManHole

© COPYRIGHT LANTHIER & GILMORE SURVEYING LTD. 2018

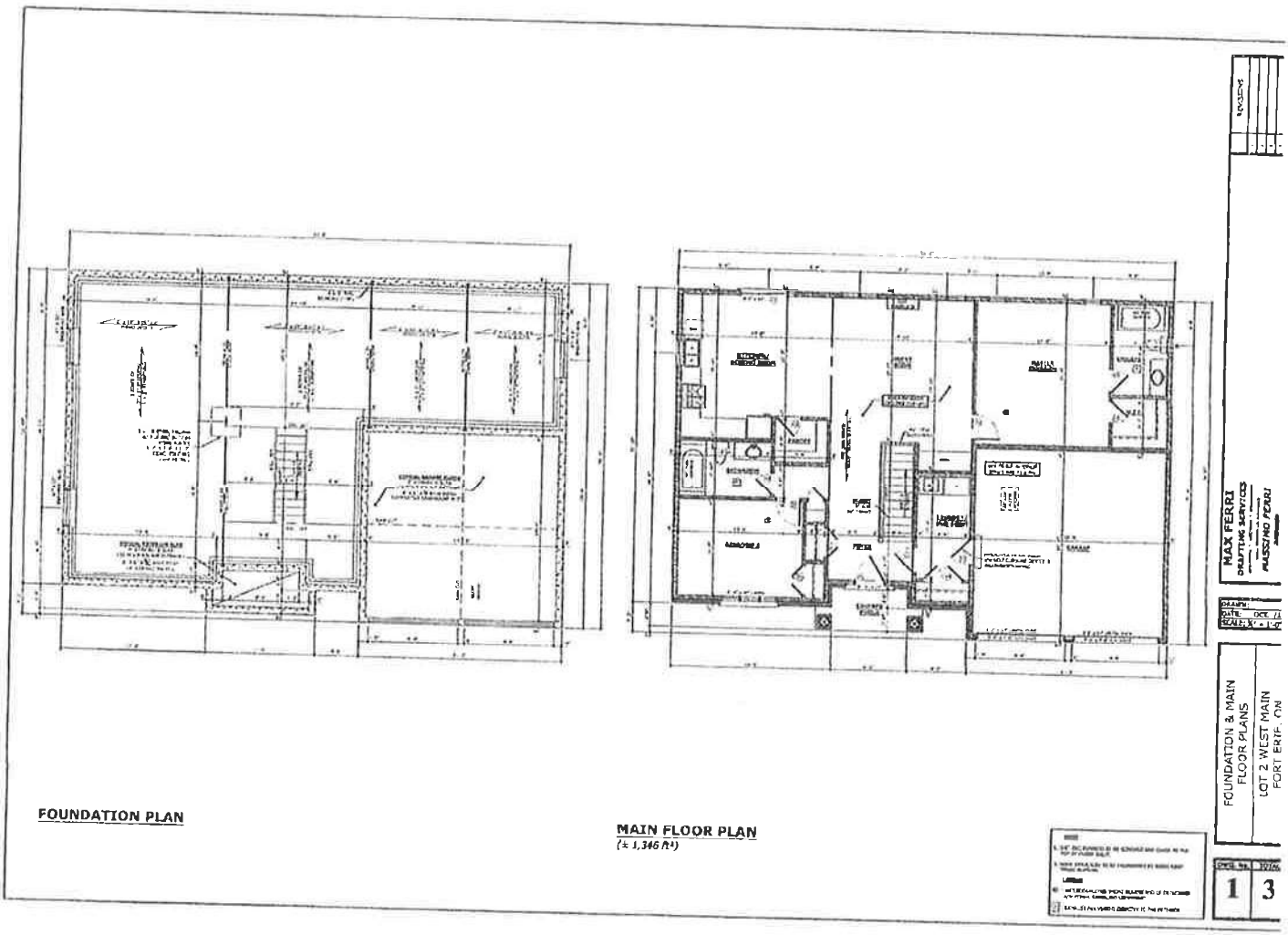
PROPOSED GRADING CERTIFICATE

I HEREBY CERTIFY THAT THE PROPOSED BUILDING WILL BE COMPATIBLE WITH THE PROPOSED GRADING AND THE OBJECTIVES OF THE LOT DRAINAGE AND DRAINAGE POLICY.

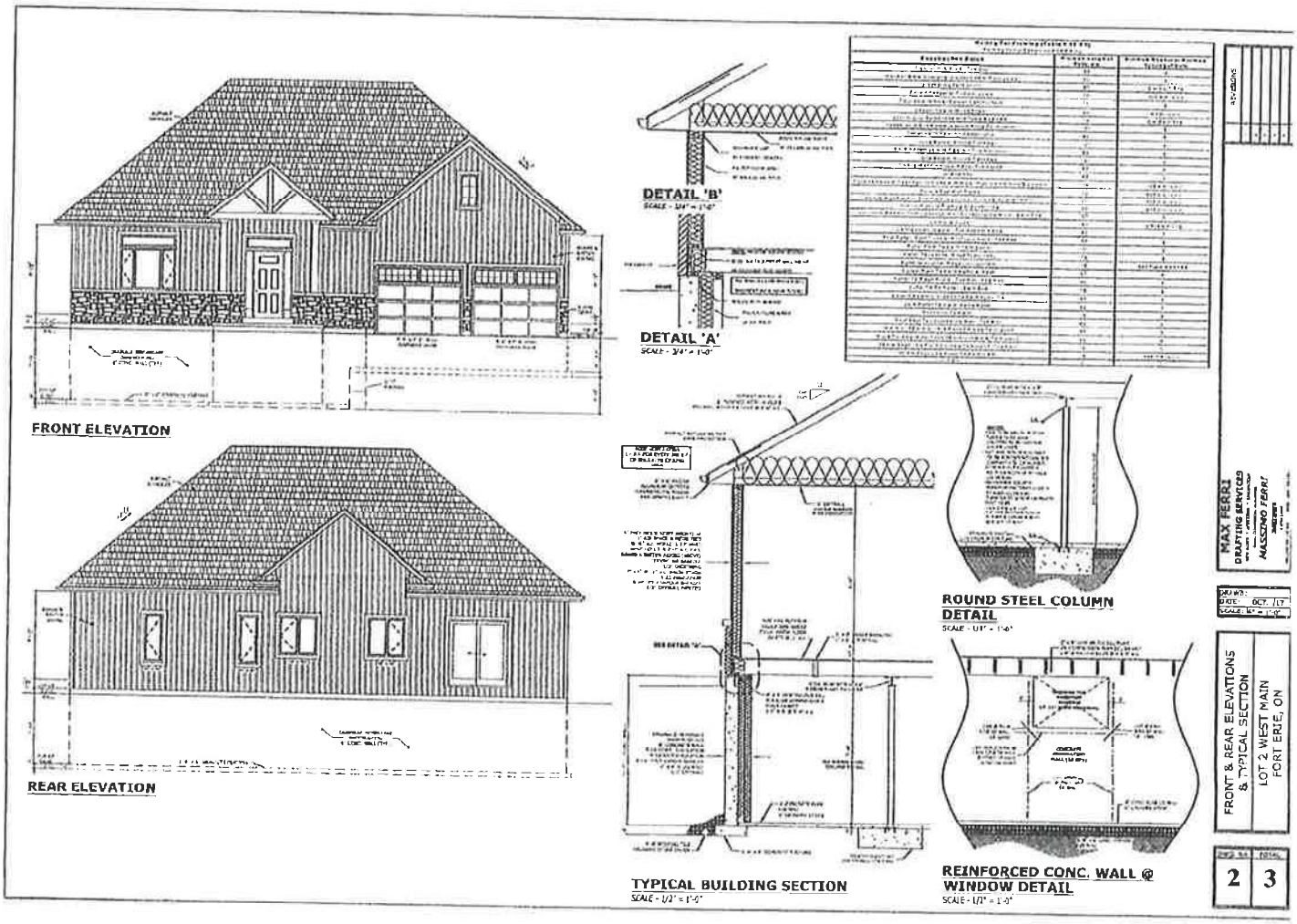
FURTHER I CERTIFY THAT THE EXISTING DRAINAGE ONTO THIS PROPERTY HAS BEEN ACCOMMODATED AND THAT ALL DRAINAGE SHALL BE DIRECTED TO AN ACCEPTABLE OUTLET.

NAME: MARK GILMORE
SIGNATURE
DATE: OCTOBER 25, 2018
FILED BY TOWN
DATE

D-1417



NIAGARA PENINSULA CONSERVATION AUTHORITY
THIS DOCUMENT FORMS PART OF
PERMIT NO. 20180974
ISSUED ON NOV 29/18
FILE PLAN 20180974
APPROVAL SIGNATURE



NIAGARA PENINSULA CONSERVATION AUTHORITY
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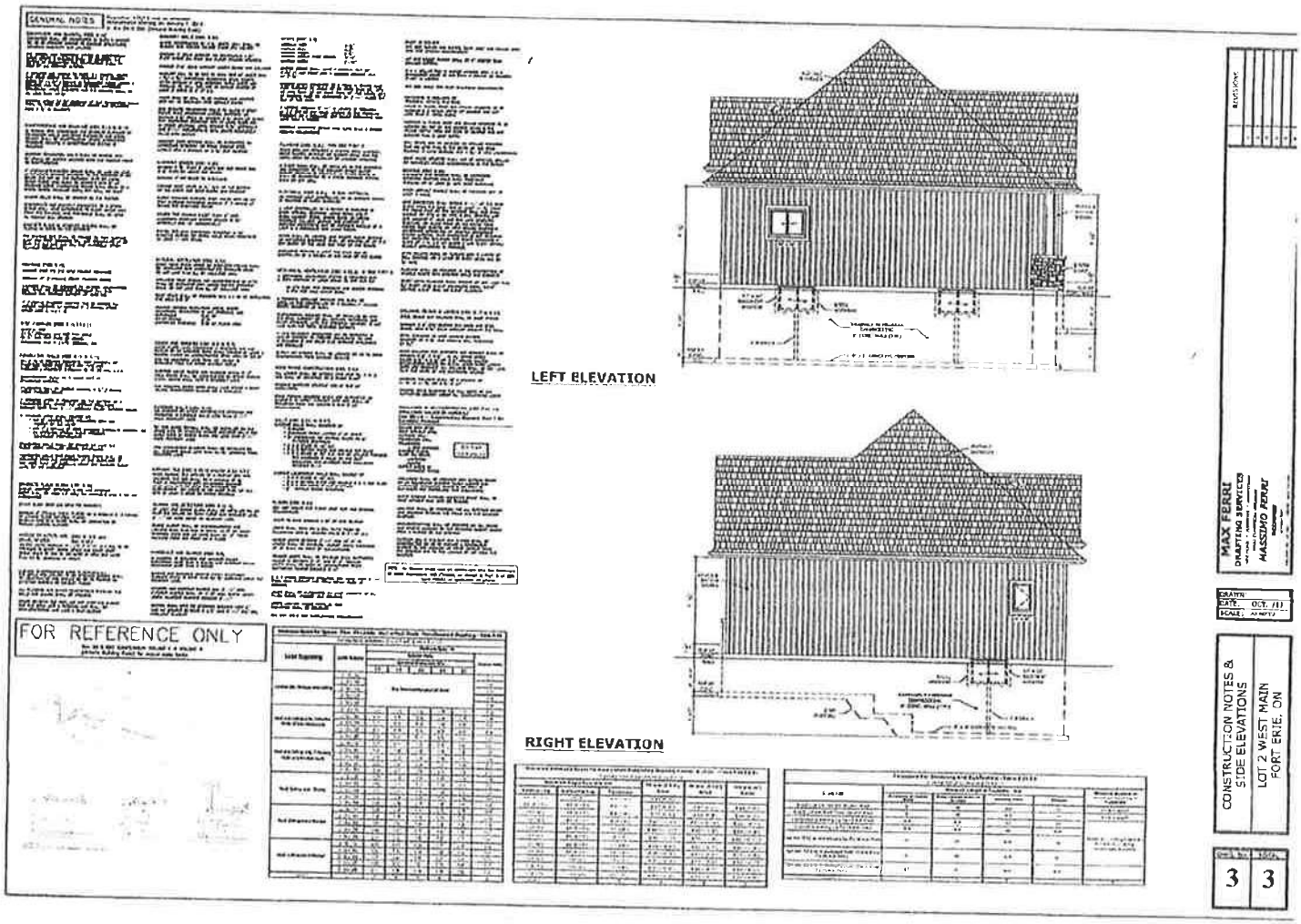
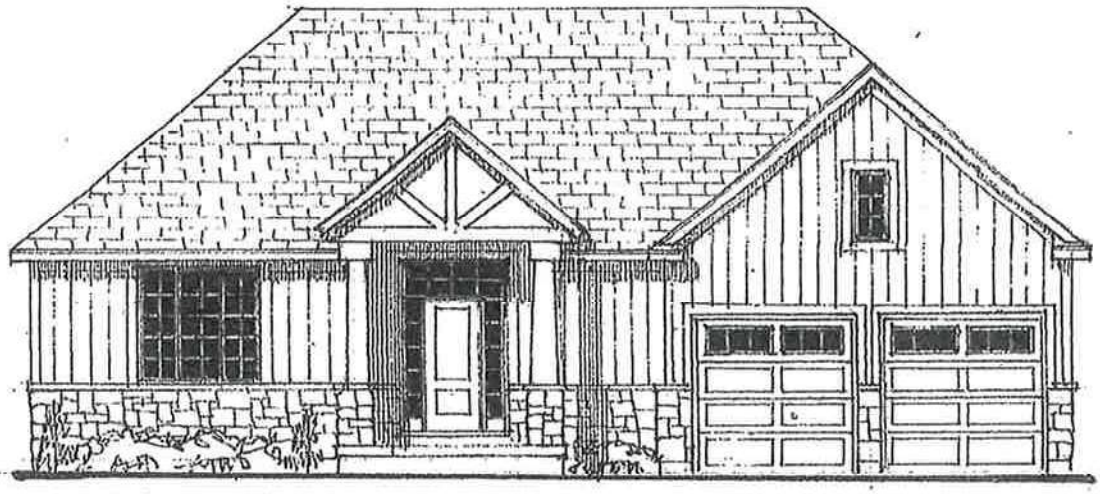
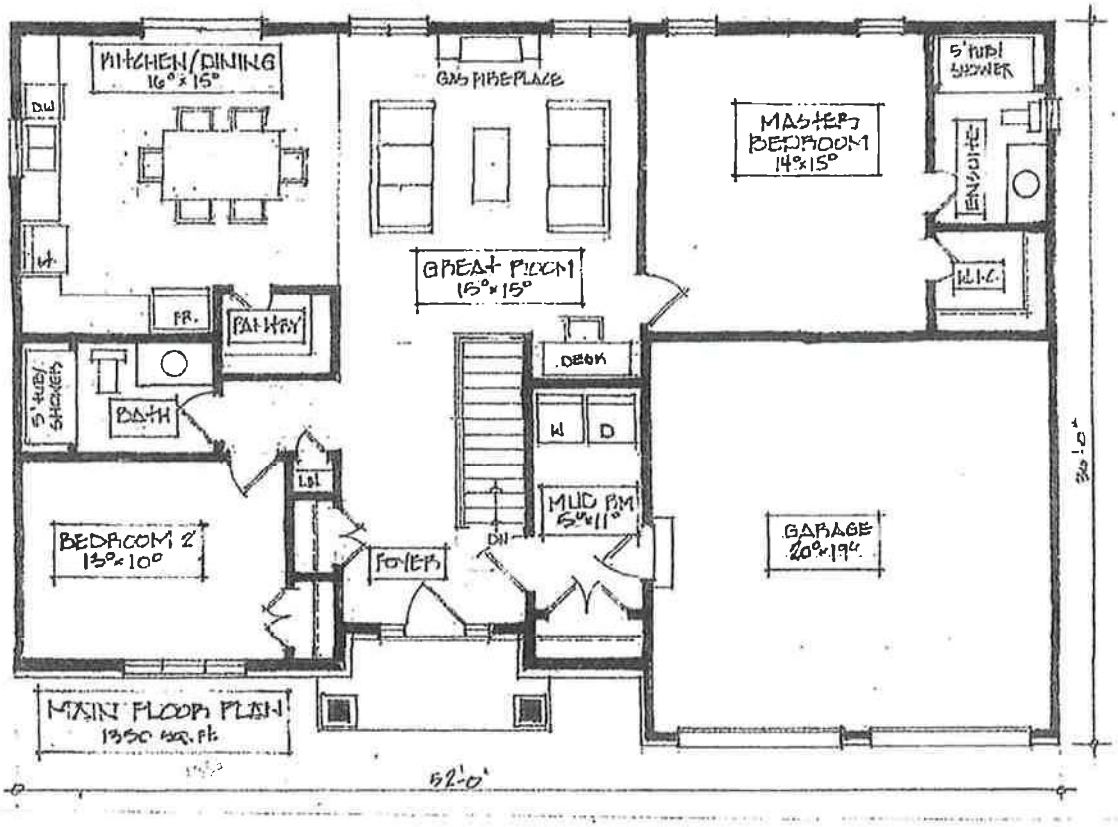
PERMIT NO. 20180074
ISSUED ON Nov 29/18
FILE PLRev 20180074
APPROVAL SIGNATURE



NIAGARA PENINSULA CONSERVATION AUTHORITY
THIS DOCUMENT FORMS PART OF
PERMIT NO. 2018.004.74
ISSUED ON NOV 29/18
FILE PLPer 2018.004.74
APPROVAL SIGNATURE

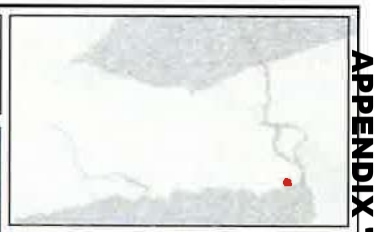




NIAGARA PENINSULA CONSERVATION AUTHORITY
THIS DOCUMENT FORMS PART OF
PERMIT NO. 20180474
ISSUED ON Nov 29/18
FILE PLon 20180474
APPROVAL SIGNATURE

NIAGARA PENINSULA CONSERVATION AUTHORITY
Watershed Manager

Kingston Road, Fort Erie (ARN 270302001067600)



Legend

- Corporate Watershed Divide N
- OWES WETLANDS
  - Non-Provincially Significant Weltan
  - Provincially Significant Wetland
- Wetland Allowance
- Ontario Road Network
  - Major Highways
  - Arterial Roads
  - Local Roads
- Assessment Parcels
- 2K HydroPoly
- 2K Hydrography
- AIRPORTS
- Campsites
- SWOOP_2015
  - Red: Band_1
  - Green: Band_2
  - Blue: Band_3

Notes

NIAGARA PENINSULA CONSERVATION AUTHORITY
THIS DOCUMENT FORMS PART OF
PERMIT NO. 20800974
ISSUED ON Aug 29/18
FILE Plan 20800974
APPROVAL SIGNATURE

50.8 0 25.40 50.8 Meters

NAD_1983_UTM_Zone_17N

© NPCA, Niagara Region, LIO, MPAC & Teranet

This map is for illustrative purposes only. Information contained hereon is not intended to constitute advice, is not a substitute for professional review or a site survey, and is subject to change without notice. The NPCA takes no responsibility for, nor guarantees, the accuracy of the information contained on this map. Any interpretations or conclusions drawn from this map are the sole responsibility of the user. THIS IS NOT A PLAN OF SURVEY

Comments from Members of Environmental Advisory Committee – Compiled

April 29

Aaron Butler, Manager, Development Approvals

Further to my earlier emails, Staff and Council are seeking your advice on the matter previously circulated to you on March 18 regarding 1563 Kingston Road. Staff have been directed to bring this particular matter forward for Council's consideration as it is becoming more and more urgent for the landowner to progress with their building permit application. This email is being sent to all EAC members for individual comments.

The subject lands are located at 1563 Kingston Road (see Location map attached as Appendix A). The owner has submitted a request to remove the EC Overlay from the Town's Zoning By-law to permit the construction of one dwelling and an associated septic system. The underlying Zone is Rural Residential (RR) which permits a dwelling. The owner has also filed a Building Permit application to the Town for the proposal. The proposal is illustrated in Appendix B attached.

The lands are located within a woodlot and a locally Significant Wetland (LSW), with existing residential development located to the west and north along Kingston Road. I previously conducted a site visit and can confirm there is a partial clearing towards the centre of the site. In November 2018, the Niagara Peninsula Conservation Authority issued a Work Permit for a previous iteration of the proposal, allowing for the construction of a dwelling and septic system with the LSW. On March 25, 2020 the NPCA issued an amended permit for the current proposal (attached as Appendices C and D). These are the only permission that have been granted thus far.

You can see that the NPCA Permit includes conditions related to sediment/erosion control measures, tree removals and re-vegetation. It also covers off regulatory matters such as the Endangered Species Act compliance. The NPCA has the ability to enforce the contents of their Permit.

Staff had previously proposed the following motion to EAC for Council's consideration. This may be a good starting point for the Committee to work from.

*"**That:** Council approve the removal of the Environmental Conservation Overlay at 1563 Kingston Road, to the extent required for the construction of the proposed dwelling, septic system, driveway, cistern and required yards, conditional on the owner obtaining the necessary Work Permit from the Niagara Peninsula Conservation Authority and the owner submitting a Tree Preservation Plan by a qualified arborist to the satisfaction of the Director of Planning and Development Services or their designate."*

Staff are seeking advice from you with respect to this EC Overlay removal request. We will be bringing a report to Council at their May 19th meeting. It would be greatly appreciated if each of you could individually email me your opinion by **Friday, May 8,**

2020. As I stated previously, out of caution, we would ask that you conduct site visits individually. I will be monitoring by email for any questions that may arise.

Richard Stockton

From Schedule C from the Town Plan it appears that this property is situated on at least part of a Locally Significant wetland which although not strictly protected, may lead to some major drainage problems - maybe someone should do an informal site visit.

From the photo supplied by Aaron it appears as though there may have been some tree cutting occurring before the permit is granted - if this is so, I would consider it a serious issue.

May 1

David Ruttan

As I live about 1.5 km southwest of 1563 Kingston on Macdonald Drive and have 2-3 m of very heavy clay overlying bedrock, I would dispute that the area is a significant recharge area and a highly vulnerable aquifer as designated in the Fort Erie Watershed Report Card (with the caveat below). I assume that this designation relates to the thickness of the surficial deposits overlying the bedrock which in this area is about 2.5-3.0 m.

I went over to the property in March to have a look and talked to the neighbours to the north as they were outside. They said that the depth of the pond just west of their house was at least 9 ft (2.75 m) as it had recently been cleaned out by a contractor. They also confirmed it was heavy wet clay. There are several ponds around the property in question and the property itself was mainly covered with standing water.

Given that the heavy clay is extensive in this area and that the thickness of the clay is on the order of 2-3 m, I estimate the vertical hydraulic conductivity (permeability) of the clay to be less than 10 cm per yr. which would give a vertical groundwater infiltration rate of up to approximately 20 cm per year. After a rainstorm on my property (with the same clay) it takes several days for the puddles that form to disappear by infiltration in the winter and spring when evapotranspiration is not active. The horizontal velocity of groundwater is likely to be much less due to the almost flat horizontal hydraulic gradient.

I assume a raised bed septic tile field is required and should not be a problem for significant migration of phosphorous, nitrate or pathogens. Clay has a high capacity for adsorption of contaminants.

Phosphorous is quickly bound to the soil. Nitrate would be quickly uptaken by vegetation or undergo denitrification to the atmosphere.

Upon further reflection I realized that the excavation of ponds will diminish the protection from contamination that the relatively impermeable clay provides for the bedrock

aquifer. For that reason I would recommend that pond excavation depth be restricted to a depth which is more than 1 m above bedrock leaving at least 1 m of the undisturbed protective clay layer. In addition, new ponds should be situated as far away from septic tile beds as possible.

I have no concerns (except those related to ponds) regarding groundwater and contamination of the bedrock aquifer.

May 2

Brie Smalldon

I went to visit the site yesterday afternoon and from what I understand, what has been cleared is all that will be removed, in which case I have no oppositions.

Before I give a final response to the removal of the overlay however, I just have a question regarding some of the conditions in the permit. In reading the permit from the NPCA, I am wondering who will be ensuring that all of the guidelines and conditions are met during construction as well as after? They mention revegetating and then monitoring the seeded areas regularly, but who will be doing this? I am hoping that they are not going to assume the new residents will take care of this and not have it properly verified and monitored by a professional, monitoring areas that have been revegetated need a number of years (an absolute minimum of three) before becoming properly established.

Kate Ashbridge

I visited the property today and observed the same as others, the land is cleared. I understand the initial NPCA permit was issued in 2018. But, I am unclear as to why the request for EC overlay removal was not received in 2018 or prior to the removal of the vegetation. Based on the facts that the property is obviously not in the same condition as is it was when the EC overlay was applied; and the process of requesting approval from the Town before clearing the property was not observed. I have no comments to offer, other than to express my disappointment in the process.

Based on my limited experience with the EA committee, I believe far too often applications for EC overlay removal are received following degradation of the property in question. I would like to know what recourse staff have when a property owner disregards the EC layer and degrades a property through clearing or filling? I am becoming increasingly unsatisfied with this process as it clearly lacks substance, when a property owner can clear environmentally sensitive property without penalty. Please advise what actions can be taken to prevent this from occurring in future.

May 4

Tim Seburn

Attached are 3 photos of the property, the 3rd photo being a wildflower, growing on the property - purple cress. I heard American toad, cardinal, song sparrow, and tufted titmouse calling while visiting the property. Hard to say the entire list of species permanently eliminated from this property as the site has been already cleared and bulldozed. If the site was illegally cleared, I think we should do the same as we have in the past, and, if possible, require an appropriate list of native species to be planted.

Other than my previous concern about elimination of a wetland, I have no objection.

May 5

Aaron Butler, Manager, Development Approvals

Thanks to those of you that have already sent comments through. I've tried to address a few questions/comments that I've seen related to tree removals and the NPCA Permit. Please see below.

Tree Removal
I have discussed this with the current owner, who purchased the property in May 2019. His understanding is that the previous owner, who has recently passed away, cleared a portion of the site. There were a number of dead ash on site, but it appears that he likely cleared more than just dead trees. This occurred some time between July 2018 and December 2018, based on aerial imagery and street view information available to us. The current owner has not cleared anything on site.

The Niagara Region has a tree by-law that regulates removal of trees within a woodland over 1 ha. That by-law is administered and enforced by the Conservation Authority. I have discussed this case with the Conservation Authority's Forester and will be forwarding more information for his review. However, the statute of limitations under the Provincial Offences Act for laying charges under a tree by-law is 6 months, which has passed.

The Town also has a tree by-law, which would not be applicable in this case since the woodland is greater than 1 ha (the Municipal Act prevents a lower tier municipality from enacting a tree by-law that protects woodlands which are designated under a tree by-law enacted by the upper-tier municipality). The Town's by-law would apply to woodlands that are between 0.5 ha and 1.0 ha, however the Town does not have a forester or arborist on Staff to implement the by-law. Regardless, our by-law does not cover removals in this case given the size of the woodland.

NPCA Permit
In terms of the NPCA Permit for construction within a wetland, the permit and its conditions are administered and enforced by the Conservation Authority. Construction within the wetland is entirely within the purview of the NPCA, in this case. The owner is responsible for meeting the conditions of the Permit. At the construction stage, The Town is responsible for components falling under the Building Permit, Zoning By-law and other Town by-laws.

I look forward to receiving the remainder of your comments by week's end.

Councillor Lubberts

Thanks for the update. I'm interested in your comments regarding the tree by-law. Can you give me the section of the Municipal Act you were referring to. As for the NPCA Permit can we request that the NPCA provide EAC with regular updates on the monitoring after construction. As Brie mentioned in her comments the monitoring should be for 2 or 3 years.

I realize that the owner isn't going to dig a pond but I would like to see EAC look into David Ruttan's comments regarding the clay at the bottom of ponds being used to absorb contaminants.

I went to the site the other day. It's interesting to see the property flooded yet the owner still wants to build.

May 6

Aaron Butler, Manager, Development Approvals

That would be subsection 135(4) of the Municipal Act, which reads:

(4) If an upper-tier municipality by-law in respect of woodlands is in effect in a lower-tier municipality, the lower-tier municipality may not prohibit or regulate the destruction of trees in any woodlands designated in the upper-tier by-law and any lower-tier by-law, whether passed before or after the upper-tier by-law comes into force, is inoperative to the extent that it applies to trees in the designated woodlands. 2001, c. 25, s. 135 (4).

Your other comments will be included in the report to Council. Certain comments may be forwarded to the NPCA as well. I believe you're correct that the owner isn't likely going to dig a pond; this would have to be included in the NPCA work permit for alteration within the wetland.

Frank Raso

I went to visit the site on Sunday but I mistakenly looked at a different property. However, I share Brie's concerns about meeting the guidelines and conditions during and after construction.

One of the NPCA's conditions is that the work maintains existing overland flow patterns. With amount of water shown in Tim's photos, it looks to me that overland flow occurs over the building area and substantial fill would be required to sufficiently raise the house and septic bed for usage.

Nadine Litwin

I agree with the concerns expressed thus far.

In addition, I can add that along with American Toad that Tim heard when he visited the site, the area in general hosts spring peeper, chorus frog, and even green frog and bullfrog where there are deeper ponds.

As well, in the area there are in excess of 30 different bird species on a regular basis and they can include Eastern Wood-Pewee and Wood Thrush (both species of special concern). Neither would be breeding on this site, but I have personally heard both in the area, likely foraging.

So my concern would be that the Town be mindful of wildlife corridors and linkages that tie together woodlots and wetlands into a natural heritage framework ... an asset for all.

Richard Stockton

Arron and members of EAC. Many on the committee have expressed some serious concerns which should be communicated to the NPCA. I would like to have these issues addressed before issuing an building permit.

May 8

Shannon Larocque (Chair)

I attended the site last night. The property owner was also present so that I was able to see exactly where driveway, house and septic location are planned. The owner further confirmed that significant fill will be brought in to build the grades up similar to the existing dwelling to the west. I noted that there is a lot of standing water on the site and thick clay. The water is absolutely full of amphibians at various life stages.

Development within a locally significant wetland should be discouraged and the loss of a locally significant wetlands is unfortunate due to their ecological value, but also the community benefits provided in terms of storm water retention, etc. It is understood that the applicant already possesses a permit for the construction from the NPCA with a number of conditions. I would recommend that in addition to the tree saving plan recommended by Town staff, that a landscape plan consisting of native plantings be provided for review and approval. The Town has in the past required a security deposit to ensure that the plantings are installed. The plan should give special consideration to the east side of the property and the enhancement of the buffer so as to retain the ecological integrity of the higher quality wetland and natural area to the east. I further note that the NPCA has requested that FLAP guidelines be considered in terms of the lighting. I would recommend that the Town's Bird Friendly Design Guidelines be applied to the building design as well.

I, too share concerns about who will be responsible for monitoring as a number of conditions have been imposed that will require oversight during construction and later. Will NPCA inspect and follow up or is the responsibility placed on the property owner?

Thanks to all members that visited the site and provided comments and insight.

Infrastructure Services

Prepared for	Regular Council	**Report No.**	IS-24-2020
Agenda Date	May 19, 2020	**File No.**	230803

Subject

AWARD OF TENDER FOR REPLACEMENT OF THE LEISUREPLEX BANQUET HALL FLOORING – CONTRACT NO. ISF-20T-LPFR19

Resolutions

THAT **Council accepts and approves the tender submission from Serianni Construction Ltd. for the Replacement of the Leisureplex Banquet Hall Flooring - Contract No. ISF-20T-LPFR19 in the amount of $76,614.00 (including 13% HST).**

Relation to Council's 2018-2022 Corporate Strategic Plan

Priority: 2: Sustainable Infrastructure for the Future

List of Stakeholders

1) Mayor and Council of the Town of Fort Erie
2) The Ratepayers of the Town of Fort Erie
3) Town of Fort Erie Municipal Departments
4) Serianni Construction Ltd.
5) Other Bidders

Prepared by:	Submitted by:	Approved by:
Original Signed:	*Original Signed:*	*Original Signed:*
Sean Hutton, Manager, Parks and Facilities Division	Kelly M. Walsh, P.Eng. Director, Infrastructure Services	Tom Kuchyt, CET Chief Administrative Officer

Purpose of Report

To request Council's approval to award the contract for the Replacement of the Leisureplex Banquet Hall Flooring - Contract No. ISF-20T-LPFR19 to Serianni Construction Ltd. at the tendered amount of $76,614.00 (including 13% HST).

Analysis

Background

The 2018 Facility Condition Assessment identified the flooring in the Leisureplex banquet hall as exceeding its lifespan and requiring replacement in the short term. A tender was developed for the replacement of all the resilient tile flooring in the Leisureplex banquet hall.

Tender Call

Specifications and tender documents were prepared and issued in accordance with the Town's Purchasing and Tendering Policy.

The call for tender closed on Thursday, April 16, 2020 with three (3) bids received, one (1) that had not completed the required contractor safety pre-qualification. The following two (2) bids were compliant:

Table 1: Tender Summary

Replacement of the Leisureplex Banquet Hall Flooring Tender Summary		
$75,000		
ISF-20T- LPFR19 – Submitted Tenders		
Company Name	**Tender Price (including 13% HST)**	**Tender Price (non-rebated HST, facility is ITC)**
Serianni Construction Ltd.	$76,614.00	$67,800.00
Advantage Flooring (Niagara) Ltd.	$79,145.20	$70,040.00

Serianni Construction Ltd. provides facility construction and renovation services in the Niagara Region. They are an experienced contractor with the ability to successfully complete the work.

Staff will coordinate the installation of the new flooring to avoid conflict with any scheduled events.

Financial/Staffing and Accessibility (AODA) Implications

Staff is recommending that the Replacement of the Leisureplex Banquet Hall flooring be awarded to Serianni Construction Ltd. of Welland, Ontario, at the tendered amount of $76,614.00 (including 13% HST).

Table 2 shows the source of funding as allocated in the 2019 Capital Budget

Table 2: Funding Source

Replacement of Leisureplex Banquet Hall Flooring (ISF-20T- LPFR19) Funding Source	
Facilities Reserve	**$75,000.00**

Table 3 shows the project budget to date.

Table 3: Project Budget

Replacement of Leisureplex Banquet Hall Flooring (ISF-20T- LPFR19) Budget	
Budget	**$75,000.00**
Costs to Date	$0
Remaining Funds	$75,000.00

Table 4 shows the project variance for the contract for the Replacement of the Leisureplex Banquet Hall Flooring.

Table 4: Project Variance

Replacement of the Leisureplex Banquet Hall Flooring (ISF-20T- LPFR19) Project Variance		
Total Estimated Project Cost	**Total Project Funds**	**Variance**
$67,800.00	$75,000.00	$7,200.00

All amounts include non-rebated HST (facility is ITC)

The tendered amount of $67,800.00 will result in a favourable variance of $7,200.00 after non-rebated tax is incorporated.

The proposal submitted by Serianni Construction is being recommended as it meets the specifications in all regards and is under the projected budget. Corporate Services has reviewed the financing for the work and concurs that funding is available.

Surplus funds will be returned to the Facilities Reserve.

There are no AODA implications.

Facilities Management staff will oversee this service.

Policies Affecting Proposal

By-law No. 124-2019 adopted Council's 2018-2022 Corporate Strategic Plan. This project meets Council's goals and initiatives as it goes to providing sustainable infrastructure for the future.

The provisions of the Town of Fort Erie Purchasing Policy By-law No. 2-10 were adhered to during the proposal call process and evaluation for this project.

Comments from Relevant Departments/Community and Corporate Partners

Comments from relevant departments have been incorporated into this report.

Communicating Results

N/A

Alternatives

Council has the option of not authorizing the award of tender. This option is not recommended as the current flooring is starting to separate from the substrate and a replacement floor is required to ensure future hall events are able to continue as scheduled.

Conclusion

Staff recommends Council accept the tender submission for the Replacement of the Leisureplex Banquet Hall Flooring - Contract No. ISF-20T-LPFR19 from Serianni Construction Ltd. in the amount of $76,614.00 (including 13% HST).

Attachments

N/A

Office of the CAO

Prepared for	Council	**Report No.**	CAO-10-2020
Agenda Date	May 19, 2020	**File No.**	210707

Subject

Town of Fort Erie Business Continuity Update

Recommendations

That Council receives Report No. CAO-10-2020 for information purposes.

Relation to Council's 2018-2022 Corporate Strategic Plan

This report supports every pillar in the 2018-2022 Corporate Strategic Plan.

List of Stakeholders

- All employees

Prepared by:	Approved by:
Original Signed	*Original Signed*
Tammy Morden Manager, Employment Services	Tom Kuchyt, CET Chief Administrative Officer

Purpose of Report

The Town partially activated the Emergency Operations Centre (EOC) on March 12, 2020 in response to escalating concerns for the Coronavirus (COVID-19) pandemic. The senior management team has since met regularly to review Business Continuity Plans and consider measures to minimize the spread of the virus and promote health and safety.

This report is provided to update Council on the various changes and evolution to service provision by the Town as the COVID-19 pandemic enters its tenth week. Although town facilities are closed to the public at arenas, community centres, museums and libraries on March 15, 2020 and followed by closing all Town facilities on March 17, 2020 staff continues to provide the same level of customer service to the public.

Not only have staff provided the same level of customer service, it has been done with pride, commitment and without hesitation. It must be noted that all of the staff in Fort Erie have come together in this time of uncertainty to ensure the business of the Town has continued and that we can be counted on. We are all in this together.

Background

The Town's Emergency Management Plan is reviewed annual. In addition the Town has a Business Continuity Plan that is reviewed and updated.

- The Town's Business Continuity Plan (BCP) was reviewed and updated by each Department in March 2020.
- The framework of the BCP includes:
  - Residents and employees expect that Town services will continue without interruption. The BCP has been developed as a guide for the Town to facilitate the maintenance of essential services and functions during an emergency or other urgent situation that affects the continuity of operations. For the purposes of the BCP, an "emergency" includes a declared emergency and any other urgent situation (e.g. pandemic) that impairs the Town's ability to deliver all or some services.
  - The purpose of business continuity is to provide a structure to sustain corporate operations and government activities. The focus of the BCP is to identify critical service areas and to develop plans to continue operations in those areas during an emergency. The BCP also establishes how the Town resumes full operations.
  - Senior managers identify and prioritize program area services as follows:
    - Must do – a service that is necessary for the preservation of life, safety and wellbeing of residents
    - High – a service that
      a) the Town is mandated to deliver, or
      b) represents a core business of the Town, or
      c) is part of internal infrastructure that facilitates service delivery
    - Medium – a service that the Town would continue or continue at a reduced level if resources are available
    - Low – a service that would be discontinued or sharply reduced

Council was provided an update on March 23, 2020 from CAO, Tom Kuchyt, on the business continuity plan and has since received regular updates from the Emergency Control Group.

The Emergency Control Group is comprised of:

Mayor Wayne Redekop
Tom Kuchyt, Chief Administrative Officer
Ed Melanson, Fire Chief/CEMC
Kelly Walsh, Director, Infrastructure Services
Jonathan Janzen, Director, Corporate Services
Kira Dolch, Director, Planning & Development Services
Tammy Morden, Manager, Employment Services
Sean Hutton, Manager, Facilities and Parks Division
Tim Marotta, Manager, Engineering Division
Chris Pisaric, Manager, Water and Wastewater Division
Kelly Davis, Manager, Digital Services Division
Jane Davies, Manager, Museum and Cultural Services
George Stojanovic, Manager, Roads and Fleet Division
Carol Schofield, Manager, Legislative Services/Town Clerk
Carlaee Grummett, Manager, Economic Development and Tourism Services
Bev Bradnam, Manager, Strategic Initiatives
Janine Tessmer, Communications Advisor
Craig Shufelt, CEO, Public Library

This report is meant to constitute a further update on various Town operations as service capacity has evolved with respect to COVID-19.

This report will not review all of the requisite analytical steps identified in the Business Continuity Plan. The material below is grouped by Department and is a synopsis of what work demands the Departments have been involved in due to COVID-19.

Analysis

Office of the Chief Administrative Officer

The CAO continues to split his work time between the office and home. All meetings are occurring via Zoom or teleconference. Virtually all tasks can be conducted remotely. The CAO provides daily command, control, communication and leadership for the Emergency Management Group for the twice weekly meetings and provides updates to Council and staff on information as it becomes available.

The CAO participates in regular conference calls with all area CAOs and the Regional CAO to discuss challenges and opportunities each municipality is addressing.
In these unprecedented times the CAO is in constant contact with staff and providing direction. The Orders issued by the Province are for the most part not clear and must be

interpreted without delay; this is usually in collaboration with the other Niagara municipalities and senior staff.

He is fielding calls from the media and reviewing all information released to the public.

The Town is doing its best to maintain business as usual so the CAO continues to deal with items relating to complaints, enquiries and development.

The health and wellbeing of staff is extremely important and is constantly being monitored by the CAO and Senior Staff.

Working with Corporate Services the CAO is tracking the 2020 budget, watching expenditures and looking for cost savings to minimize the impact of COVID-19.

Communications:

The Communications Advisor is solely working from home and has been productive in ensuring the communication to staff, residents, and businesses have been consistent and timely. COVID-19 communications from the Town include, but are not limited to, the following:

- Daily COVID-19 updates have been (and continue to be) published to the Town's social media accounts since mid-March. Updates include original content and content shared by community partners and stakeholders.
- Inquiries from the public regarding COVID-19 are being answered through the Town's social media.
- Weekly updates to the Town's dedicated COVID-19 webpages. The webpages consist of information regarding the Town of Fort Erie response efforts; FAQ on Town services, with specific details on impacted areas; community and business resources information; and links to Town news, Niagara Region Public Health, Provincial Government and Federal Government newsrooms.
- Weekly community updates are sent out electronically to those who subscribe to Town e-news and advertisements are placed in the Town's local newspapers.
- Weekly staff updates are sent out electronically to all staff and members of Council with information regarding employment services inquires and updates to operations and services.

In addition, the Communications Advisor actively participates in weekly meetings including the Fort Erie Emergency Management Group; Niagara Emergency Information Officers; and Niagara Emergency Stakeholder; and AMO COVID-19 Communicators. To assist the Town's Communications Advisor, we acquired the services of internal staff, an external resource and most recently hired a student.

Economic Development:

The Economic Development Team has been working on:

- **Business Outreach:** From March 23 – May 1, 2020 EDTS executed an outreach plan to local businesses via telephone to understand how they have been impacted by the COVID-19 pandemic, to offer support with understanding new regulations, resources and navigating the provincial and federal programs available. Approximately 600 businesses were contacted.
- **Fort Erie Business Availability Mapping:** This interactive application is a tool for businesses to communicate with the public the status of their business including if they are open, temporarily closed, or are offering modified services such as takeout, delivery or curbside pick up. Over 120 businesses have updated their status to date.
- **Business Support Web Page:** EDTS created and continues to maintain the Town of Fort Erie business support webpage on a daily basis as new information and program details are announced by various levels of government: www.forterie.ca/pages/COVID19BusinessSupport
- **Communications:** EDTS continues to coordinate with the Communications Advisor for sharing important government announcements through the Town of Fort Erie Community Newsletters and social media posts. The EDTS is also keeping each of the three BIAs up to date and frequently circulating information on webinars and financial relief opportunities that may be useful to their member businesses.
- **How to Bring Your Business Online Document:** EDTS created a document to be shared with businesses with information on how to bring their business online, tips on social media, along with information on the Digital Main Street program.
- **Local Businesses and Personal Protective Equipment:** On April 30, 2020, the provincial government released a set of health and safety documents for workplaces during the COVID-19 outbreak. EDTS has been compiling a list of local and regional suppliers for local businesses to source in order to be equipped with the necessary personal protective equipment and sanitation supplies.
- **Fort Erie Virtual Pop-Up Market:** EDTS has partnered with Niagara Digital Main Street to offer a Fort Erie Virtual Pop-up Market on May 14th from 12pm – 2pm. The Fort Erie Virtual Pop-up Market will showcase 15 local businesses via live stream on the Town of Fort Erie's Instagram.
- **Niagara Economic Rapid Response (NERRT):** EDTS continues to work collaboratively with members of the NEERT on the second Niagara COVID-19 Business Impact Survey. The purpose of the first survey distributed in April was to gain insight on the initial impact of COVID-19 and anticipated revenue/job loss. The purpose of this second survey is not only to capture loss of revenue and employment but to understand how effective the federal and provincial government relief programs have been for businesses and the type of support businesses are looking for from local municipal and regional government (i.e. property tax deferrals, marketing assistance, utility fee deferrals, etc.) This survey will also provide insight into what the biggest obstacles will be for businesses as they begin to recover from the impacts of COVID-19.
- **Niagara Economic Recovery Plan:** The NERRT has drafted a framework for an economic recovery plan to support the Niagara business community. Niagara Economic Development will lead, in consultation with the local economic development offices, the economic recovery plan.

For further details on the above noted initiatives, Council may refer to the EDTS memo of April 16, 2020 and May 12, 2020.

EDTS continues to operate Monday-Friday from 8:30am - 5:00pm. 2 staff members are in the office at all times during operating hours with one staff member working home. A rotational schedule has been put in place between the EA/Jr. EDO, EDO and Manager.

Employment Services:

The Employment Services Team has been in high demand.

In addition to the normal business activity the team is working on:

- Providing consistent support to staff and management on employment matters.
- Providing guidance on health and safety matters effecting staff.
- Researching and developing policies, procedures, protocols, best practices and communicating information.
- Participating in webinars, discussions with other municipalities and communicating information.
- Assisting the Treasurer with the financial impacts of COVID-19.
- The hiring of most vacant positions including full time, part time, seasonal and student employment has been deferred to a time in which it is safe to resume which involves the communication thereof.
- ES has ensured at least one staff member is in the office during the week with other team members working from home.
- The focus of this team is beginning to transition from response to recovery.

Community Health:

Community Health resources have actively participated at multiple levels in pandemic planning, as well as supporting our local health care providers.

- Participate on the Emergency Management Group.
- Act as a resource for emails, reports, letters for the Mayor and Council.
- Work with recruits to mitigate the postponement of their license exams and learner placement.
- Work with physicians to continue Family Health Organization amendments with respect to new clinics, new physicians and retiring physicians.
- Advocate for physicians to ensure their payment model is appropriate to the pandemic changes.
- Ensured the annual Doctors Day on May 1st and National Nurses Week May 11th – 17th was recognized, especially in light of COVID.
- Work to support virtual medicine clinics and ensure public awareness.
- Work with community groups to source PPE.
- Work with community groups to establish COVID screening plans for both clients and staff.
- Responded to increased phone inquiries to ensure citizens feel well supported and know where to find the resources they are looking for with COVID changes in place.
- Coordinator is working primarily from home and attending Town Hall when required.

Strategic Initiatives:

The Manager, Strategic Initiatives primarily works from Town Hall and continues to support the CAO office in obtaining best practice information and ensuring the Emergency Management Group is kept updated. The Manager also continues to address accessibility requests and information. While other projects have been put on hold for the Manager, she does participate in the EOC meetings and acts as transcriber for the official record for emergency management purposes. As the manager of Customer Service this role also ensures the continuity of information to the public through the Customer Service unit and is described in more detail below.

Community Services

Customer Service:

The Customer Service Unit has played an important role during COVID-19, ensuring that we are still able to process payments, receive and send packages and mail, and respond to customers' inquiries via several different channels.

Digital Services have worked with the CSU team to allow them to work as remote agents, from home. By providing telephone systems and laptops with Town applications, the response to our customers has been seamless.

While we are still receiving the same volume of calls, the length of conversations has increased from an average talk time of 2 minutes to an average closer to 4 minutes. The service level average for call response is at 93.28%. On our highest peak of calls during COVID-19, CSU staff responded to 194 calls in one day. This does not include the telephone calls that are received directly by staff through the automated operator.

CSU also responds to inquiries through the website's Contact Us Submissions. Between March 16 and May 12, 2020, the submissions have increased by 67% over 2019. While some of the submissions are typical custom service inquiries, approximately 60% are COVID related.

CSU staff is able to continue with regular tasks, such as property information status reports for property sales and death registrations.

At present, one CSU agent is at Town Hall each day and two agents work from home.

The Manager participates in national and regional web conversations through MSDO (Municipal Service Delivery Organization) and the Regional Customer Service Network to share best practices.

Digital Services:

The Digital Services (DS) team has been busy transitioning and supporting staff who are working from home. The 100 home workers are now able to perform most duties they used to do in the office.

Digital Services, continued:

DS is continuing to develop new ways to deliver services to the public through departmental partners. New web applications have been rolled out that allow staff remote and secure access to Finance, time and attendance, mapping and key corporate data.

DS also provided staff the capabilities to conduct virtual meetings via zoom including Council meetings and is currently working on a process to hold Committee of Adjustment meetings and eventually public meetings. The installation of additional hardware/software was purchased and installed to allow for staff to provide the same level of service remotely.

DS has focused on supporting public facing services, including those provided by the Customer Service Unit, By-law Enforcement, Building, Planning and Development, Council/Public meetings, EDTS and social media.

This is a busy and exciting time for Digital Services as the working dynamics introduced by COVID-19 present new challenges and opportunities for improved digital service delivery.

Staff in this area has been primarily working from home on a rotation to ensure a staff member is on location at Town Hall.

Museum and Culture Services:

Fort Erie Museum and Cultural Services team delivers 12 functions and manages 7 venues. In response to the pandemic, focus is on the functions that can be provided while adhering to Provincial safety guidelines.

The major focus is on Collections Management including:

- Cataloguing
- Artifact Conservation
- Database Standardization
- Research

Volunteer programs will not resume until Provincial safety guidelines can be met.

Staff in this area has been primarily working from museum locations and working regular hours.

Legislative Services:

In addition to the normal business activities, the Legislative Services team is working on:

- Providing updates on municipal, regional, provincial and federal changes, guidance and resources.
- Working with local boards and committees to provide guidance.
- Reviewing and revising practices, protocols and processes as needed.
- Providing support and guidance on electronic meetings.

Legislative Services, continued:

- Networking with Niagara Region and Ontario Clerks on legislative changes as they occur and best practices in response.
- Providing administrative and other assistance in response to the pandemic to other service areas in the Corporation as needed.
- Staff are primarily working from home and attending Town Hall when required.

Corporate Services

In addition to the normal business activity the Corporate Services team is working on:

Revenue and Collections:

The team working on revenue and collections quickly implemented a number of financial initiatives and began immediately to support local residents and business. Further details on these initiatives are outlined in Report CS-07-2020.

Staff has been separated with half working from home and the other from the office to continue regular billings and processing changes for waived fees and deferred payments.

Legal:

The legal team is working primarily from home and is focusing on:
- providing legal advice and support
- ensuring compliance
- Bylaw preparation
- proceeding with agreements and land matters

Accounting:

The accounting team are working primarily from home and focusing on:
- COVID-19 financial impact tracking and reporting
- Variance Reporting
- Financial reporting for 2019 year-end and external Audit Coordination
- Grant agreement compliance
- Federal and Provincial Program reporting
- Gaming compliance and verification
- Investing to mitigate impacts of falling rates

Procurement & Risk:

The procurement and risk team are working primarily from home and focusing on:
- Accounts payable and receivables
- Procurement of goods and services including changes required to facilitate electronic bidding and mitigate pandemic disruption
- Administering the processes and procedures to mitigate risk
- Insurance claims management

Fire Services

Since the declaration of the Public Health Emergency by the Ontario Government, the Fort Erie Fire Department's business continuity model to ensure emergency response capability has been:

- All fire association meetings, physical training sessions and in person meetings cancelled until further notice.
- No access to Fire halls to anyone but active firefighters.
- Quarantine all fire-fighters that were out of Province for 14 days.
- Send daily informational blasts to keep all fire department members aware of policies, procedures, crisis changes, etc. while maintaining morale.
- Defined high risk volunteers and reinforce self-isolation rules.
- Continued recruit training program under strict rules to ensure adequate responders if responder levels were to drop due to COVID-19.
- Medical call types were reduced to cardiac arrest specific.
- Informed open burn permit holders that there will be no burns approved until further notice.
- Conducted social media campaign to inform residents of recreational burn by-law rules and fire related public education messaging.
- Limit EMS assistance calls for CPR on ambulances to hospitals.
- Collect and Inventory all PPE and secure in a locked location.
- Defined PPE usage protocols and reporting methodology.
- Sourced and attempt to procure PPE.
- Separated the administrative staff, with one working from home and one in the office to reduce chance of mass infection of leadership.
- Reduced responders in trucks for all calls except actual fire calls.
- Automatic clearing of fire-fighters remaining at hall when trucks clear.
- Truck and PPE decontamination procedures implemented after every use.
- Postpone all Inspections by Fire Prevention to life safety complaints only.
- Fire Prevention officers were deputized to assist the by-law department with Quarantine Act infractions.
- Use Virtual platforms to conduct all Fire Department meetings including Advisory, JHSC, Liaison and training.
- Conduct promotional interviews for Station 5 Chief and Captain.
- Cancelled 2020 service awards banquet and junior fire-fighter camp.
- Postponed Smoke Alarm Fort Erie program until further notice.
- Have begun recovery planning to begin physical fire-fighting skills refinement.

Infrastructure Services

Engineering:

The Engineering team continues to work toward our goals despite the COVID-19 restrictions. Engineering staff are primarily working from home and they access the office when needed. The construction supervisors are on site when required, working from the office or home. Our surveyor is working in the field, using the office as his base.

Engineering, continued:

A number of our projects are in various stages of design. For our internal projects the relocated team is working from home. They continue to produce quality design documents. Prior to COVID-19 we would review the designs together in one room. Now our collaborative review is done from a distance. It is different, but it works.

With respect to our external designs we are working with our consultants remotely. They are submitting drawings and specifications digitally. We are in the midst of a couple of Environmental Assessments. As these continue we plan to engage the public as we always have. But now we will need to combine innovative tools. Ideas include virtual drops in and electronic file transfers combined with phone calls and appointments to gather input from the public.

Tendering continues, but differently. With the help of our purchasing group we now use electronic biding to conduct the competitive process. It has gone well and we look to engage this further in the 'new normal'.

Construction has perhaps been our biggest challenge during the pandemic. The Province's initial "essential work" order allowed for our type of construction work. In early April this changed - only projects meeting certain criteria could continue. We put the Town's work on hold until the restrictions eased in early May. During this time certain essential construction in development continued. Our inspectors worked at arranging, permitting and witnessing on site work. Throughout, the Engineering team stayed in touch with the contractors. Keeping them informed and engaged as we navigated the ever-changing circumstances.

Outside of this core work we often support the work in Operations, Planning and Finance. Our administrative staff has done a stellar job of shifting to their homes. They make sure our vendors are paid on time. They are issuing permits, providing background for financial reports, assisting with billing and supporting corporate communications.

And lastly, we have kept health & safety in mind. A member of the Engineering group who is also the co-chair of the Joint Health & Safety committee has maintained his efforts with this committee in attended meetings and participated in inspections.

I believe that the work of the Engineering group has continued relatively unnoticed. And this is a good thing. It shows that despite the challenges presented by the COVID-19 pandemic we are moving forward with our projects, our administrative work, our support and our focus on health and safety.

Water and Wastewater:

As an essential service, the Water and Wastewater team has been separated into two crews working 12-hour shifts from Monday – Saturday, with one crew working Monday – Wednesday and the other Thursday – Saturday. Protocols have been put in place to ensure their safety.

Water and Wastewater, continued:

The normal services provided by this team with the exception of entering into homes for inspections, turn offs and meter repairs have continued as usual. With the recent change to the list of essential services, some commercial meter replacements will be advancing.

Roads and Fleet:

The Roads team has been separated into two crews working 12-hour shifts from Monday – Saturday, with one crew working Monday – Wednesday and the other Thursday – Saturday. Crews are headquartered at the Leisureplex in order to separate Water and Wastewater staff from both operating out of the Gibson Centre.

Staff is continuing to tender and award construction contracts and plan for the re-start of construction by all contractors as soon as possible.

Fleet service technicians are on a normal 10 hour shift working on a four day schedule either Monday to Thursday, or Tuesday to Friday.

The normal services provided by this team have continued as usual.

Parks and Facilities:

The Parks and Facilities team quickly reacted to ensure all of the Town's facilities and properties affected including playgrounds, beaches, community centres and multi-purpose courts, were closed and properly secured. Although properties are closed to the public, staff is ensuring the maintenance and safekeeping of these facilities during this time.

This team has been separated into two crews working from Monday – Saturday, with one crew working Monday – Wednesday and the other Thursday – Saturday.

In addition to regular services provided, this team has been focusing on ensuring the facilities are clean, properties are maintained and working on recovery measures which includes safeguarding Town properties for the re-opening of services.

This also includes regular communication with user groups that have been affected.

The Parks group hires the majority of students each summer. For the most part, this will not be occurring, there will be a lower level of service at some of our facilities such as annual flowers not planted and grass not being cut as often.

Planning and Development Services

Building:

Building staff have worked with builders to submit digital submissions and review plans digitally during this time. All permits are now scanned for use by inspectors out in the field. Paper copies are no longer provided. For the month of April up to April 24, 2020 38 building permits were issued with an estimated value of 8.8 million.

The inspectors on site continue to attend scheduled inspections but follow the required social distancing requirements. Builders have been asked to put in appropriate measures during inspections to make sure staff is safe. Inspections have remained high with inspections needing to be booked two to three days in advance.

Building staff are now providing Municipal Property Assessment Corporation (MPAC) digital information as a result of COVID.

Three building staff members remain in the office to collect any paper building permits and to scan permits for on site inspectors.

Two inspectors are out of the office working on site at inspections.

The Chief Building Official comes in to sign permits, otherwise works from home.

Planning:

Planning hosts online meet pre-consultation meetings with Developers and the general public for development related proposals via Zoom. In addition, Planning is working on moving some applications forward through the Committee of Adjustment and Council by holding legislative meetings via Zoom. Development application activity, with the exception of Committee of Adjustment, has continued at pre-COVID-19 levels. The number of development inquires by telephone remain high.

Policy planning continues to work on the secondary plan for Crystal Beach, Cannabis Request for Proposal, the industrial employment land expansion study, and Official Plan amendment for affordable housing, Affordable housing action plan, Heritage Planning, Active Transportation Master Plan, Urban Design review and Crystal Beach Community Improvement Plan.

Parks and open space work continues on:

- Spears Road Park
- Beaver Creek Stevensville Mini Park playgrounds
- Waterfront road allowance
- Request for quotations
- Crystal Ridge Park Tender
- RFP for Sugar Bowl and Ferndale Park Playgrounds

All Planning staff are working from home and only accessing the office when needed.

By-law:

By-law has been focusing on businesses that are not complying with the provincial guidelines through education. By-law has not yet issued any COVID-19 related tickets as the focus has been on educating first trying to achieve compliance. By-law has seen a significant increase in the number of calls for information and guidance on the provincial orders and calls for infractions related to COVID.

Brochures and information items have been created and handed out for education purposes.

By-law now must provide the Province with COVID related updates on complaints and ticketing. To date we have 92 related COVID complaints. Now the Province is asking for the Town to track phone calls related to COVID but with limited staff resources we are unable to accomplish this task.

By-law staff regularly liaison with other agencies and departments including Fire, Police, Province and Public Health.

By-law staff is working from the office.

By-law staff also works with the Communications Advisor regarding messaging for COVID related matters.

Financial/Staffing Implications

Financial and Staffing Implications is provided in Administrative Report No. CS-07-2020 – COVID-19 Financial Impacts.

Policies Affecting Proposal

Not applicable.

Comments from Relevant Departments/Community and Corporate Partners

This report has been prepared in collaboration with the CAO and senior staff.

Communicating Results

Information about COVID-19 business continuity will be communicated to residents through media releases and social media updates. It will also be communicated through the webpage dedicated to the COVID-19 and key information in the Town's eNewsletter.

Alternatives

Not applicable.

Conclusion

Town of Fort Erie staff has been receptive to change. This change came rapidly and our team has been resilient in continuing to be a strong group of dedicated employees. These rapid changes included work locations, learning new procedures and processes, helping other departments when and if needed, working different days of the week and different hours per week.

The Town's mission and Corporate Values have never been truer:

Mission:

"To lead and serve Fort Erie by pursuing opportunities, leveraging partnerships and managing our resources to achieve growth"

Corporate Values:

PROUD TO SERVE:
We Serve Fort Erie with pride, care and excellence.

TEAMWORK:
We partner with other departments, volunteers, other levels of government, agencies, boards and commissions to deliver services to the department.

RESPECT:
We treat others how we would like to be treated, with sensitivity and respect – we listen.
HONESTY:
We are open and honest, we value trust and integrity.

COMMITMENT:
We are committed to the well-being of our community.

To conclude this report, our efforts are now changing from response to a recovery plan, the Emergency Management Group is leading this with support from all staff across the Corporation.

The Emergency Management Group has created three recovery teams to focus on the provincial guidelines that have been established.

Attachments

Not applicable.

Corporate Services

Prepared for	Regular Council	**Report No.**	CS-07-2020
Agenda Date	May 19, 2020	**File No.**	231005

Subject

COVID-19 FINANCIAL IMPACTS

Recommendations

THAT Council receives Report No. CS-07-2020 regarding COVID-19 Financial Impacts for information purposes, and further

THAT Council supports the motions of Region of Niagara Report CHR 2-2020 for active collaboration between all regional municipalities to ensure the exchange of critical information in the development of short, medium and long-term impacts of COVID-19 and coordinate the response and required advocacy strategies to the federal and provincial governments for financial relief related to COVID-19.

Relation to Council's 2018-2022 Corporate Strategic Plan

Priority: Various

List of Stakeholders

- Mayor & Council
- Town of Fort Erie Ratepayers
- Boards and Committees
- Business Improvement Areas (BIA)
- Fort Erie Public Library Board

Prepared by:	Approved by:
Original signed	*Original signed*
Jonathan Janzen, CPA, CA Director, Corporate Services	Tom Kuchyt, CET Chief Administrative Officer

Purpose of Report

This report provides estimates of the preliminary and potential financial impacts of the COVID-19 pandemic on the Town of Fort Erie and a summary of various mitigation plans. Non-financial pandemic impacts will be considered in separate future reports. The reader is cautioned that the various assumptions on which this report is based are fluid and changing quickly as are the responses by other Orders of government.

Background

The Town partially activated the Emergency Operations Centre (EOC) on March 12, 2020 in response to escalating concerns of the COVID-19 pandemic. The senior management team has since met regularly to review Business Continuity Plans and consider measures to minimize the spread of the virus and promote health and safety. Ontario made a Provincial Declaration of Emergency on March 17, 2020 (currently extended to June 2, 2020) and the Town made a similar declaration, in alignment with most other Niagara municipalities, on April 3, 2020.

The pandemic highlights the role that municipalities have in leading and communicating with residents through an emergency as well as the essential nature of services and infrastructure, all in coordination with local partners and businesses and other orders of government.

The Federal & Provincial governments have vastly different revenue and resources than municipalities and are able to evaluate the needs of individuals and businesses based on income and other personal information. Since March 18 the federal government has announced a number of relief programs targeted at the most vulnerable Canadians and businesses to help meet liquidity needs and stabilize the economy. Details of Canada's COVID-19 Economic Response Plan are found online and include:

- An income tax filing due date extension for individuals and deferral of payments of qualifying amounts owing.
- Canada Emergency Wage Subsidy (CEWS): supports employers that are hardest hit by the pandemic and protect the jobs Canadians depend on by generally covering 75% of an employee's wages.
- Canada Emergency Response Benefit (CERB): a benefit of $2,000 every 4 weeks for up to 16 weeks to eligible workers who have lost their income.
- Enhancements to the Goods and Services Tax (GST) credit and the Canada Child Benefit (CCB).
- Relief for small businesses in the form of forgivable loans from the Ontario-Canada Emergency Commercial Rent Assistance (OCECRA).

Town Response to the Pandemic

The Town has taken a number of actions in addition to those already announced by the federal and provincial governments. Town facilities were closed to the public at arenas, community centres, museums and libraries on March 15 and followed by closing all Town facilities to public access on March 17. The Town quickly implemented a number

of financial initiatives March 23 by passing By-law No. 40-2020 to immediately begin supporting local residents and businesses:

1. That the following late fees, penalties, and fees and charges, are waived until June 30th, 2020:
    a) penalties for non-payment or late payment of taxes levied and charged in 2020;
    b) penalties for non-payment or late payment of water and wastewater rates billed in 2020;
    c) late fees for business licences applications and renewals;
    d) charges for any cheques or pre-authorized payments (PAP) returned for non-sufficient funds (NSF) or payments stopped by the payor;
    e) payment for on-street parking or in a municipal parking lot;
2. That water services shall not be disconnected by the Town of Fort Erie for non-payment of water and wastewater billings until June 30th, 2020.
3. That parking enforcement is limited to safety-related issues, including but not limited to, fire-routes, accessible parking, no-parking areas and fire hydrants, until June 30th, 2020.
4. That the Chief Administrative Officer, in consultation with the Mayor, is delegated authority to waive any other late fees, penalties, fees and charges to June 30th, 2020, as he may deem necessary and appropriate.

The impact of these measures was estimated to be $150,000 and includes lost investment income from the deferred revenue stream. The measures provide bridge funding for residents and businesses until such time that the federal and provincial financial support can be accessed. Staff are monitoring business closures, impacts to the economy and funding programs and future reporting may consider extending these existing financial measures to a future date or using a temporarily reduced interest rate as an alternative. It should be noted that waiving tax and water payment penalties also can also discourage those who can pay from paying. Within Niagara, only Grimsby has extended this relief beyond June 30 and that was to September 30. Staff are planning to offer a one-month extension on the remaining final tax billing due dates, whereby the residential tax bill typically due end of June would be due the end of July. This will be brought forward next month together with the Tax Rate By-law.

Council received a memo April 14, 2020 which provided preliminary financial impact estimates based on information available as of April 3, 2020 and estimated to June 30, 2020 based on facility closures to May 31, 2020. The combined net impact at that time was an estimated unfavourable impact of $415,000.

Analysis

The extent of COVID-19 impacts are difficult to estimate as there is great uncertainty around timelines and operational consequences of the existing distancing measures and economic shut-down. These changes will have significant current and ongoing implications for the Town, residents, taxpayers and businesses.

The Town has followed the Region of Niagara format of reporting these changes so as to create better local comparisons and expedite consolidated regional information for presentation to other Orders of government. The four high-level categories are:

1. **Total costs supported by the approved base budget**. This category represents cost of resources unavailable to work or redeployed from their main work functions to directly support the emergency response. While the Town does have an established base budget to support these expenditures, it is important to note that the work these resources are performing during the emergency is not as originally contemplated in the base budget. This may result in delays in work plans and/or backlogs after the emergency is complete.
2. **Costs incremental to base budget**. This category represents all incremental costs to the approved 2020 base budget that are directly related to supporting the emergency.
3. **Lost revenue**. This category represents the loss of revenue that had been planned to fund the 2020 budget.
4. **Cost savings and mitigations**. This category represents identified cost savings the Town may expect to realize, both incidental to COVID-19 as well as strategic efforts by the Town.

To estimate impacts, senior staff had detailed review meeting to analyze operating results to the end of April. They also made projections to the end of 2020 by month, assuming the current restrictions and scenarios would continue to the end of the year. This allows the Town to update projections based on changes to operations and model potential impacts to the end of the year. This review is presented in Appendix "1" for the year-to-date (YTD) periods ending June 30, September 30, and December 31 and results in operating COVID-19 shortfalls for each period. A total operating deficit of **$469,435** is forecasted to June 30 related to COVID-19 which could increase to **$669,280** by December 31 if the present situation remained unchanged until year end. This includes extensive cost containment strategies that staff are pursuing to minimize deficit impacts for the year.

A) GENERAL LEVY OPERATING BUDGET

The General Levy budget was approved just three months ago on February 18. This analysis includes the Fort Erie Public Library (FEPL) and excludes boards and committees such as the Business Improvement Areas whose results are consolidated during the audit, although staff are also communicating with those organizations to understand and respond to impacts.

Revenue impacts [see Appendix "1" section (A), Appendix "2" section (3)]

Provincial Offences Act (POA) Court: Reduced POA revenue due to lower ticket volumes and court closure based on Region forecasting.

Parking: Lost revenue related to waived fees in By-law No. 40-2020 1(e) as well as park closures for municipal parking lots, on-street parking and boat ramp.

Gaming revenue: Lost licence revenue related to OLG bingo hall closures.

Penalties: Reduced income resulting from the decision to waive penalties during the grace period described in By-law No. 40-2020 1(a). The May and June estimated loss in revenue was based on the 77% collection rate experienced with the April 30 due date and the last half of the year includes penalty impacts should that practice be continued.

Investment income: The pandemic caused a severe drop in bank and investment rates which are reducing 2020 interest income and interest allocations to reserves. Cash flow challenges identified below could further reduce interest income. This is an example of a negative impact that is expected to have financial effects beyond 2020 and an area that staff are actively monitoring to analyze options and minimize exposure to shortfalls.

Facility rentals: The closure of all facilities to the public is resulting in the cancellation of booked rentals and programs. As restrictions are extended, the negative impact will increase in areas such as rinks and sports fields.

Beach fees: The analysis assumes all Bay Beach fees introduced in 2019 and associated costs will not occur in 2020. Staff will report on this issue to Council at a future date with any recommendations to waive the fees.

Other grace period fees waived: By-law No. 40-2020 also waived fees for NSF payments under 1(d). Other charges (e.g., reminder notice fees) have been waived under section 4.

Transit fares: Fort Erie Transit adjusted operations to ensure the safety of passengers and drivers. On March 24, 2020 a rear door boarding initiative was implemented that resulted in the suspension of fare collection. This has been able to limit the amount of interactions that drivers and passengers have when using the system and ensures that the system can keep running with minimal service interruptions. The Conventional system's third-party operator collects and keeps revenues in accordance with the contract. The Specialized system collects and remits the revenues back to the Town. During the Emergency Order, the Town is losing this revenue. Even when restrictions are phased out, revenue may be affected by changes in ridership.

Planning & Development user fees: Development activities continue to be resilient and associated revenues are expected to remain on budget. Building permit revenue to the end of April was $192,000 which exceeded the permit revenue for the same 2019 period of $178,000. Planning fees are expected to meet budget as there are a number of anticipated applications. Committee of Adjustment fees are projected to have a loss of 20% or $23,000 due to a reduction in application submissions during March and April of this year. Zoning Compliance fees are also expected to be below budget based on the trends witnessed in the early part of this year. By-law revenues are down and predicted to be lower for the first half of 2020 as staff have not been actively ticketing due to the current pandemic and only ticketing for emergency related infractions such as parking in a fire lane. Overall Planning and Development Services expects revenues to have an unfavourable variance of approximately $30,000 of revenues. These revenues are uncertain and could fluctuate significantly as construction and development changes and will be analyzed with future reports.

Miscellaneous: Changes to revenue generating activities resulting in lower revenues in areas such as marriage, business licences, tax certificates, and ownership changes.

Expense impacts [see Appendix “1” section (B), Appendix “2” section (1), (2) and (4)]

Wages & Benefits: The Town has mitigated lost revenue and additional expenditures with labour costs. This includes not filling some non-essential vacant positions, postponing hiring new positions approved in the 2020 budget, deferring student hiring, and temporary layoffs of some part-time and casual staff. Staff will continue to review hiring needs to assist with cost containment. The Town may also expect to have savings related to laying off crossing guards in the fall if their services are not required.

The above mitigations are also offset by some lost productivity costs that the Town has was forced to deal with in some circumstances. For example, staff that were sent home for isolation or business continuity purposes are an additional cost to the corporation, if they were not working from home. Some municipalities have included full labour costs for any staff member involved in the Emergency Operations Centre (EOC), but the Town has excluded these costs to show more direct impacts despite their involvement impeding their ability to complete regular duties. Although these costs have been budgeted for, there has been a loss in capacity that has not been quantified. This is true for many roles in the Corporation and may result in delays to regular projects and impact service results. Staff will consider these impacts in a future report.

Fire activities: Reduction in fire response and training costs based on emerging trends.

Events: Elimination of costs related to public events and programs such as camps, volunteer recognition, and the Communities in Bloom competition.

Operational savings: Reduction or cancellation of training and development, travel, meeting expenses, and conferences due to travel restrictions and cancelled events.

Utilities: Reduction of utility costs due to closure of facilities, including temporary costs for E.J. Freeland Community Centre.

Transit contracts: On April 20, as a result of decreased ridership on both systems, the hours of operation were adjusted for both Conventional and Specialized transit systems and one conventional bus was pulled from the routes. As a result of negotiations, the Town was able to realize contract savings with both Operators of approximately $12,000 per month. In a time when many transit systems are losing additional money, Fort Erie has positioned itself well to be able continue to provide this essential service for Town residents.

Facilities maintenance: Reduced costs related to facility and park closures and beach operations.

Fuel: Savings due to reductions in local fuel prices. Going forward fuel volume should decrease as vehicle use becomes more efficient as solutions are implemented to distance employees within the vehicles (i.e., barriers).

EDTS: Plans to relocate EDTS to Town Hall have been delayed by business restrictions and shifting priorities. The existing lease and associated costs may be extended beyond the original lease expiry date and this may be mitigated by program cost reductions.

Unexpected COVID-19 costs: Additional costs to protect community and staff due to COVID-19 such as increased cleaning and supplies, protective equipment, barriers, public messaging and signage. Technology has also been quickly implemented to ensure service continuity and transition staff to conducting business remotely. This includes software, licences and technology.

Library savings: Library branch closures have resulted in lower costs and the layoff of part-time staff. Preliminary discussions with Library management have communicated plans for the Town to share in these savings through a reduction of the annual grant.

The following areas are being monitored but have not been quantified in this report:

Property taxes: The economic disruption could lead to an increase in 2020 tax write-offs. If construction activity is materially reduced, there would be a lower amount of supplementary taxes collected and lower assessment growth during the year and in future years. This would also lead to reduced development charge collections and would impact long-term funding of growth-related capital projects.

Provincial gas tax: The Town's gas tax allocation beyond 2020 may be impacted if ridership decreases relative to other municipalities or if the total provincial gas tax collected declines due to lower gas purchases.

B) WATER & WASTEWATER OPERATING BUDGET

The Water & Wastewater 2020 budget was approved January 20 to allow all twelve 2020 monthly billings to be at the new rate in alignment with new Regional treatment costs. The budget has many COVID-19 impacts similar to the General Levy budget. Waiving penalties on unpaid water & wastewater accounts provides timely assistance to ratepayers but has an unfavourable budget impact. The Town has a pricing structure that includes both a fixed monthly base rate and variable rate and there is risk to budgeted revenues related to volumetric changes. The closure of many businesses is expected to negatively impact overall system demand, resulting in a loss of consumption-based revenues, net of reduced treatment costs, that the utility budget is supported by. The Town has discretionary operating reserves for both water and wastewater to assist with fluctuating costs and unforeseen impacts.

C) OTHER CONSIDERATIONS

Cash Flow

Cash flow is being monitored to respond to the above concerns. The Town has the benefit of a strong liquidity position with healthy cash balances to endure a temporary disruption to operations. As well, Fort Erie does not have high debt payments, a high reliance on revenues that have been waived (i.e., transit), or have increased costs to provide services for public health or Long-Term Care facilities. Projected Town cash

balances, as noted in the semi-annual investment review reports, have strategically grown related to strong long-term capital planning and reserve targets.

The first 56% of all taxes collected are remitted to the Region of Niagara and the school boards. The Town is not paid to issue and collect these taxes, but it does keep all interest that is levied on property taxes in arrears. This interest also funds deficits in amounts that are paid to the Region and school boards, but unpaid by the taxpayers as the Town does not typically pay based on what is collected, but what is levied.

Region of Niagara Council approved Report CSD 31-2020 April 23, 2020 which included a number of payment term adjustments between the Region and LAMs to ease cash flow pressure. The arrangements require LAMs to remit taxes to the Region based on actual amounts collected for the first May due date, with interest charges waived until June 30, 2020 when the remaining balance is payable. The remaining two due dates of August 5, 2020 and October 14, 2020 would be due in the same manner with the interest charges waived for a period of 30 days. Water and wastewater amounts billed (i.e., treatment costs) monthly would be remitted similarly based on actual amounts collected from customers with interest charges waived for the year 2020.

On March 25, 2020, the Ontario government announced that it would provide some assistance by deferring the June 30 education levy remittance due date by 90 days and the September 30 due date by 75 days. Town staff are part of discussions with Region staff to negotiate a similar deferral for remaining 2020 Region tax remittance due dates and treatment costs. Customer payments, including the impacts of waived penalties noted above, will be analyzed in the coming weeks and options to further manage cash flow considered, including the availability of broader reserves and investments.

Town Council annually authorizes the borrowing of monies should it be required to meet the expenses of the Corporation. This was approved at $2.5M with By-law No. 3-2020 and could be increased if necessary in accordance with limitations in the Municipal Act.

It is anticipated that once the COVID-19 pandemic passes and all measures are relaxed or lifted, the Town's revenues and resultant cash flows will be slow to recover. It is likely that tax and water balance collectability will remain weaker than pre-COVID-19 levels, placing further pressure on the Town's cash flows that it will need to continue to manage over the short-term.

Capital

The Town will be reviewing all capital projects throughout 2020 to determine whether certain project deferrals are appropriate or required. Deferring capital projects does not generally result in operational savings. Most capital projects are funded from previous contributions to reserves or with grants, debt or development charges. Deferring capital projects would strengthen the Town's cash flow position but should be weighted against the benefits of continuing such as stimulating the economy and investing in the community while keeping people safe. Some projects may be delayed to maximize the availability of external 2020 funding programs, such as the Region's reconsideration of the 2020 Combined Sewer Overflow (CSO) program allocations.

Federal and Provincial Assistance Advocacy

The Federal and Provincial government have not yet identified relief to municipalities to assist taxpayers and ratepayers. The Town is committed to monitoring opportunities and advocating increased support of municipalities to minimize the impacts of this event on the Town's financial health. All costs related to the pandemic are being tracked with separate accounting to assist in the event that conditional funding becomes available. One option is for the governments of Canada and Ontario is to accelerate the allocations under the various streams of the Investing in Canada Plan (ICIP) partnership funding. Staff will provide updates to Council on any actions being undertaken by Provincial and Federal governments as they are announced.

Financial/Staffing and Accessibility (AODA) Implications

The Town's tax levy and rate funded operating budgets are projected to be negatively impacted by COVID-19 regardless of how long the situation lasts throughout the year. The Municipal Act requires these operating deficits be balanced through reduced costs and/or reserves. It is anticipated that the Town will be in a financial position to balance its budgets in a worst-case scenario as it is presently estimated. However, this will be at the expense of the Town's overall reserve and cash flow health. Staff expect budget adjustments related to changes in services, incremental costs and lost revenue related to COVID-19 will be required. This will be reported and provided for Council approval with future reports when more information is known.

Funding Considerations

In addition to the mitigation actions above, the Town may consider the following sources of funds to address the impacts of this report:

a) Reserves: Discretionary reserves such as the rate stabilization reserves for each respective budget and the Emergency Management reserve. The following table summarizes their availability to consider in offsetting any related shortfalls:

Table 2:

Reserve	Unaudited Dec 31/19 balance	2020 Target
General Levy Rate Stabilization (GLRS)	$2.5M	$2.8M: 5-10% of prior year's tax levy
Sewer Rate Stabilization (SRS)	$0.8M	$1.1M: 5-10% of wastewater gross operating revenues
Water Rate Stabilization (WRS)	$0.8M	$0.8M: 5-10% of water gross operating revenues

Note that total Town reserve levels have grown in recent years but are still below provincial averages.

b) Allocations from the unaudited 2019 year-end surplus: The Town is in the process of having the 2019 financial statements audited. Finance staff have experienced delays as the audit was originally scheduled to be completed early April. The related report with surplus allocation recommendations is expected to be presented to Council in the summer months. The surpluses are still being reviewed but are estimated to be $1.3M for levy and $0.5M for water and wastewater. These will all be considered in assisting financial needs related to COVID-19.

c) Elimination, reduction or deferral of projects: Staff are reviewing all operating and capital projects for 2020 to determine changes to assist in areas of mitigation and cash flow as noted above.

Policies Affecting Proposal

Emergency Management Act (Revised Statutes of Ontario 1990, Chapter E.9)

By-law No. 124-2019 adopted Council's 2018-2022 Corporate Strategic Plan.

Budget By-law No. 127-09, as amended, governs preparation of the budget

By-law No. 93-12, as amended, adopted the Reserve Policy that identifies the targets and strategies to be incorporated into the budget preparation.

By-law No. 3-2020 authorizes the Town to borrow certain sums to meet expenses.

Comments from Relevant Departments/Community and Corporate Partners

This report has been prepared in collaboration with the CAO, Directors and senior staff.

Region of Niagara Council approved "Concessions to Local Area Municipalities regarding Taxes and Water Wastewater Billings" Report CSD 31-2020 April 23, 2020 which included payment arrangements between the Region and the lower tier municipalities. This was done in consultation as Area Treasurers who are actively engaged to work together to address challenges and share ideas and strategies to respond to the financial and operational impacts of the pandemic.

Region of Niagara Council also approved "COVID-19 Government Relations Strategy" Report CHR 2-2020 April 23, 2020 which noted the need for all regional municipalities to work closely together and recommended five high-level government relations activities in order to be "coordinated, consistent and bold in our requests". Staff are actively engaged in these efforts and recommend Council endorse their related support.

The Federation of Canadian Municipalities (FCM) released a report April 23, 2020 titled *Protecting vital municipal services: Urgent federal recommendations to address the financial crisis in our cities and communities due to COVID-19*. The accompanying release states "FCM's data shows municipalities facing a minimum of $10-15 billion in near-term, non-recoverable losses due to COVID-19". To fill the gap, FCM urges at

least $10 billion in emergency operating funding. This includes $7.6 billion in direct federal allocations to all municipalities, plus $2.4 billion for those with transit systems.

The Association of Municipalities of Ontario (AMO) has also released important letters and resources to advocate for municipalities. The April 27, 2020 letter *Re: Municipal Government Services and Ontario and Canada's Economic Recovery* outlines a number of requests such as accelerating the Investing in Canada Plan (ICIP) funding and creating a short-term grant for municipalities. The May 8, 2020 letter *Re: Financial Assistance for Municipal Governments* summarized that "The only financial tools available municipal governments to address COVID-19 costs and shortfalls are property tax increases or service cuts on a massive scale, or the deferral of capital investments. Any of those options will harm, rather than support, the economic recovery of Ontario and Canada." It noted that the FCM proposal noted above is "comprehensive, equitable, and practical, and warrants immediate attention and a positive response".

The province announced a one-year deferral of the Municipal Property Tax Assessment (MPAC) reassessment that was scheduled for the 2021 tax year. This means property assessments for the 2021 tax year will continue to be based on the fully phased-in January 1, 2016 current values which is the same as the 2020 tax year. This provides stability for taxpayers and municipalities. In addition, appeal deadlines for submitting Requests for Reconsideration (RfRs) to MPAC and appeals to the Assessment Review Board (ARB) were extended to 16 days after the emergency is lifted.

The Town has worked together with 2 of 3 interested BIAs to reduce the tax levy on businesses in those areas. The Crystal Beach BIA is seeking a 100% or $15,000 reduction in tax levies and the Ridgeway BIA is seeking a 50% or $17,500 reduction. This will be communicated to Council once the respective boards have approved the change and submitted a revised 2020 Budget for Council to amend.

Communicating Results

Information about the COVID-19 financial implications will be communicated to residents through media releases and social media updates. It will also be communicated through the webpage dedicated to the COVID-19 and key information in the Town's eNewsletter.

Staff plan to provide updates to Council monthly or as more details become known regarding financial projections and actions that may be required. Corporate Services provides quarterly variance reporting to Council for the June 30, September 30 and December 31 periods and these impacts will be consolidated into those reports as well.

Alternatives

There are countless alternatives to how the Town might respond to evolving pressures and needs. The pandemic is having a significant financial impact on municipal operating budgets. The challenges require temporary relief without placing citizens in a longer-term negative position. Changes from the Town's financial plan should be temporary

and any assistance to taxpayers and customers should be considered one-time or have a defined end date.

A longer-term strategy will need to be developed to recover from this crisis. The Town will monitor best practices so as to propose any further relief or assistance programs or resources. Initiatives should be coordinated with other municipalities and governments to be as efficient and broadly accessible as possible. They should be equitable and consider impacts of any shifts in tax burden between non-residential and residential taxpayers. They should also be evidence-based which means they may need well-defined criteria to allocate the funds. Municipalities should also avoid entering into areas where they act as 'banks' to local businesses. This is why interest rates are unusually high, as it encourages businesses and others to coordinate & consolidate their cash flow needs with their banks & credit agencies, not through the municipality.

The Town could consider a reduction in capital transfers to reserves as another alternative to offset impacts so not to add to the property tax levy. It is management's view that capital investments are key to the maintenance of Town assets that are used to meet the core needs of citizens and, as such, this approach would require careful consideration to not setback asset management progress and limit the impact to assets.

Conclusion

COVID-19 impacts are an estimated operating deficit of **$469,435** to June 30. Staff will continue to monitor and assess financial information as it becomes available and as legislated and operational changes occur. Further reporting will be provided with regular quarterly variance reporting and with future COVID-19 updates. Senior staff are working together with counterparts across the region to share ideas and strategies. The local, national and global economic impact of COVID-19 will continue to evolve in 2020 and beyond and the Town is committed to responding in a responsible and safe manner.

Attachments

Appendix "1" - Estimated COVID-19 2020 Financial Impacts by Category

Appendix "2" - Estimated COVID-19 Financial Impacts by Department to June 30, 2020

Appendix "1" - Estimated COVID-19 2020 Financial Impacts by Category

Category	Surplus/(deficit) for 2020 Year-to-Date		
	June 30	September 30	December 31
General Levy Operating Budget			
A) Revenue			
Provincial Offences Act	(10,000)	(17,500)	(25,000)
Parking	(60,000)	(160,000)	(165,000)
Gaming licences	(79,000)	(133,225)	(193,000)
Penalties on Taxes	(64,870)	(135,580)	(199,690)
Investment income (adjusted into initial period)	(258,000)	(258,000)	(258,000)
Facility rentals	(127,300)	(206,700)	(460,350)
Beach & boat ramp	(100,000)	(285,000)	(285,000)
Waived NSF fee & reminder notices	(11,160)	(22,030)	(32,900)
Transit fares	(3,750)	(7,500)	(38,750)
Planning & Development user fees	(30,385)	(28,885)	(25,885)
Miscellaneous	(17,500)	(35,450)	(50,400)
Total Revenue	**(761,965)**	**(1,289,870)**	**(1,733,975)**
B) Expenses			
Wages & Benefits (savings net of lost productivity)	36,780	132,990	81,090
Fire Services (response & training)	73,500	133,000	182,500
Events & Programs	2,400	34,800	45,200
Training & development	63,500	96,500	129,500
Travel	8,680	15,190	21,700
Utilities	6,500	89,500	152,000
Transit contracts	40,350	80,700	150,375
Tree planting	10,000	10,000	70,000
Facilities maintenance	69,500	162,500	201,500
Fuel (reduced volume and price)	27,450	47,460	61,410
Material & supplies	32,615	56,865	58,365
EDTS	5,315	(5,495)	12,365
Unexpected COVID-19 costs (working remotely, signage)	(48,365)	(51,365)	(61,865)
Miscellaneous	37,570	66,640	68,710
Rental grants	3,500	8,500	26,000
Library operations - grant	50,600	119,000	187,400
Total expenses	**419,895**	**996,785**	**1,386,250**
Water & Wastewater Operating Budget			
A) Revenue			
Billings - volumetric component	(98,350)	(182,650)	(266,950)
Penalties on billings	(12,750)	(27,020)	(42,110)
Waived NSF fee & reminder notices	(7,320)	(17,790)	(28,260)
User fees	(18,545)	(33,090)	(47,635)
Total Revenue	**(136,965)**	**(260,550)**	**(384,955)**
B) Expenses			
Wages/Benefits	9,600	17,750	13,400
Studies	-	-	50,000
Total expenses	**9,600**	**17,750**	**63,400**
TOTAL	**(469,435)**	**(535,885)**	**(669,280)**

Appendix "2" - Estimated COVID-19 Financial Impacts by Department to June 30, 2020

	Costs supported by base budget	Costs incremental to base budget	Lost Revenue	Cost savings & mitigations	Net surplus / (deficit)
Category:	(1)	(2)	(3)	(4)	sum
Office of CAO	$ -	$ -	$ -	$ 97,895	$ 97,895
Community Services	$ (6,150)	$ (30,865)	$ (11,500)	$ 20,430	$ (28,085)
Corporate Services	$ (2,600)	$ -	$ (443,100)	$ 10,920	$ (434,780)
Fire & Emergency Services	$ -	$ -	$ (1,500)	$ 73,500	$ 72,000
Crossing Guards	$ (7,580)	$ -	$ -	$ -	$ (7,580)
Engineering	$ -	$ -	$ (4,500)	$ 35,120	$ 30,620
Parks & Facilities	$ (75,080)	$ (61,000)	$ (287,300)	$ 299,950	$ (123,430)
Roads & Fleet	$ (66,570)	$ -	$ -	$ 36,450	$ (30,120)
Transit	$ -	$ -	$ (3,750)	$ 40,350	$ 36,600
Fort Erie Public Library	$ -	$ -	$ -	$ 50,600	$ 50,600
Planning & Development Service	$ (1,970)	$ (3,635)	$ (30,385)	$ 76,560	$ 40,570
Total Levy Supported	$ (159,950)	$ (95,500)	$ (782,035)	$ 741,775	$ (295,710)
Water & Wastewater	$ (66,430)	$ (2,900)	$ (116,895)	$ 12,500	$ (173,725)
TOTAL	**$ (226,380)**	**$ (98,400)**	**$ (898,930)**	**$ 754,275**	**$ (469,435)**

Interoffice Memorandum

May 12, 2020
File No. 1209

To: Mayor and Members of Council
From: Carol Schofield, Manager, Legislative Services/Clerk
Subject: **Appointment of Chairs and Vice-Chairs of Business Subdivisions for the Period May 20, 2020 to July 31, 2021**

Section 18.8 Council Rules of Procedure By-law No. 36-2016, provides that prior to April 1 in the second year of the term, Council meets in open session and selects the Chair and Vice-Chair for each Business Subdivision for the second 16 month period of the term. At the 8 month mark of each of the 3 16 month periods of the term, the Chair and Vice-Chair switch positions within each Business Subdivision.

Due to the global pandemic of COVID-19, the uncertainty of the business of the municipality moving forward, and the absence of 2 members from the meeting scheduled for March 23, 2020, a Resolution was passed to retain the current Chairs & Vice-Chairs until Council determines otherwise.

The Chair, Vice-Chair and senior staff of the Corporate & Community Services Subdivision Committee believe that with the technology we now have available to us for electronic meetings, and the relaxing of Provincial restrictions on services, it would be appropriate and prudent to proceed with the appointment of Chairs and Vice-Chairs of the Business Subdivisions in accordance with Council's Rules of Procedure.

Accordingly, at the May 19, 2020 Regular Council Meeting under "New Business", it has been added on the Agenda for Council to openly select the Chair and Vice-Chair for each Business Subdivision for the period May 20, 2020 to July 31, 2021. At the 8 month mark (which was December 1st, 2020 and will be maintained), the Chair and Vice-Chair will switch for the remainder of the 16 month period.

Please note:
1) A Chair or Vice-Chair may be returned to the same Business Subdivision;
2) Nominations for Chair and Vice-Chair must be seconded, and
3) A Member may nominate him/herself.

Respectfully submitted,

"Original Signed"

_____
Carol Schofield, Dipl. M.A.
Manager, Legislative Services/Clerk

…/2

cc: T. Kuchyt, Chief Administrative Officer
K. Dolch, Associate Director, Planning and Development Services
J. Janzen, Director, Corporate Services
K. Walsh, Director, Infrastructure Services
B. Bradnam, Manager, Strategic Initiatives
H. Galloway, Administrative Assistant, Planning and Development Services
J. Pennell-Ajie, Executive Assistant, Infrastructure Services

NB NB

May 11, 2020

Dear Mayor Redekop:

We are writing you this letter on behalf of the Medical Staff Association of Niagara Health and the Medical Academies of Lincoln, Niagara, and Welland. We represent the family doctors, and specialists who provide essential medical services in Niagara. Collectively, we have worked hard with service and dedication to our patients. For us, medicine is not a vocation, but rather a life's calling.

In the preceding and continuing months, we have been faced with a pandemic that has threatened our lives and our practices. We have been asked to work on the frontlines, with many challenges surrounding protective equipment. We have tried to care for our patients, keep our offices open, and continue to pay our staff. While the government has implemented certain compensation changes for physicians in the event of a specific volume surge within the hospital, it is nowhere near enough and is not applicable in most situations. In addition, while the Ministry of Health has implemented billing codes for the provision of virtual care, a positive and welcome change, these fees will not be paid until June 2020. Finally, the Ministry of Health has offered to provide cash advances with the rationale that we will be able to work harder soon to pay these loans back. This is flawed rationale as surgeons will not have the operating room time slots to do so and other physicians already work very long hours caring for their patients.

There are many examples of physicians being unable to sustain income through no fault of his/her own. The volume of patients we are able to see while adhering to the strict directives of the Ontario government is drastically reduced. Where there have been outbreaks on units, physicians have been ordered to self-isolate at home for 14 days and are unable to work. At the same time, other front-line workers receive full pay whether they are able to attend work or not. Indeed, they have recently received both a pay increase and a bonus for doing so. When a physician cannot work due to the pandemic, they receive no income with ongoing expenses.

We write this letter because we are deeply concerned that the result of this inaction by our government will result in office closures and patients losing their physicians. Further, it will lower the standard of care in this region. We are confused about why the government believes it is ok for the government to ask physicians to risk their lives but then deny them payment when they are unable to do the volume of work they have done previously.

This letter is being written to ask that you care for your physicians as they would care for you. Please advocate for the doctors who have risked their lives and will be asked to continue to work in this environment until a vaccine is found. Advocate for their practices, their lives and their livelihoods. Please look after us as we have looked after you.

Dr. Maynard Luterman, President
NH MSA

Dr. Raymond Harb, President,
Lincoln County Academy of Medicine

Dr. Adnan Hameed, Secretary/Treasurer
NH MSA

Dr. Alison MacTavish, Vice-President
NH MSA

Dr. David Dec, President,
GN Medical Society

Dr. Fatima Bhetasi, President
Niagara South Medical Society

RECEIVED
MAY 19 2020
BY COUNCIL

The Municipal Corporation of the Town of Fort Erie

By-law No. 49-2020

Being a By-law to Confirm the Actions of Council at its Council Meeting Held on May 19, 2020

Whereas it is desirable to have the actions and proceedings of Council adopted, ratified and confirmed by by-law;

Now therefore the Municipal Council of The Corporation of the Town of Fort Erie enacts as follows:

1. That the actions of Council at its Council meeting held on May 19, 2020 including all motions, resolutions and other actions are adopted, ratified and confirmed as if they were expressly embodied in this by-law, except where the law requires the prior approval of the Ontario Municipal Board or other authority.

2. **That** where no individual by-law has been or is passed with respect to the taking of any action authorized in or with respect to the exercise of any powers by the Council, then this by-law is deemed for all purposes to be the by-law required for such authorization or exercise of any powers.

3. **That** the Mayor and officers of The Corporation of the Town of Fort Erie are authorized and directed to do all things necessary to give effect to such actions or to obtain approvals where required**.**

4. **That** except where otherwise provided, the Mayor and the Clerk are authorized and directed to execute all documents arising from such actions.

5. **That** the Clerk of the Town is authorized to effect any minor modifications, corrections or omissions, solely of an administrative, numerical, grammatical, semantical or descriptive nature to this by-law or its schedules after the passage of this by-law.

Read a first, second and third time and finally passed this 19th day of May, 2020.

_____
Mayor

_____
Clerk

I, Carol Schofield, the Clerk, of The Corporation of the Town of Fort Erie certifies the foregoing to be a true copy of By-law No. 49-2020 of the said Town. Given under my hand and the seal of the said Corporation, this day of , 20 . _____