



**The Municipal Corporation of the Town of Fort Erie
Regular Council Meeting Agenda**

Monday, October 21, 2024, 6:00 p.m.

Council Chambers

Pages

- 1. Call to Order**
- 2. Land Acknowledgement**
- 3. Invocation**
- 4. Roll Call**
- 5. Announcements/Addenda**
- 6. Declarations of Pecuniary Interest**
- 7. Notice of Upcoming Public Meetings and Open Houses**

7.1 2025 Budget Meeting Schedule

Council-in-Budget Committee Meetings:

- Monday, November 25, 2024 - Capital Budget and Forecast;
- Wednesday, December 4, 2024 - Water and Wastewater Operating Budget and User Fee Analysis
- Wednesday, January 29, 2025 - Fort Erie Public Library, Assessment Analysis and General Levy Operating Budget;
- Wednesday, February 5, 2025 (if required).

Budget By-laws:

- Monday, December 2, 2024 - Preliminary Capital Budget;
Monday, December 16, 2024 - Rates and User Fees;
- Monday, February 24, 2025 - General Levy Budget and General Capital Budget.

7.2 Public Meeting - 2649 Stevensville Road

9 - 10

Proposed Zoning By-law Amendment and Draft Plan of Subdivision -
Owner - Howard Wood, Judith Lynn Wood, Susan Ward and the Estate

of Margaret Plyley - Agent - Upper Canada Consultants c/o Joe Tomaino - Monday, November 4, 2024 - 6:00 p.m. - Council Chambers, Town Hall. The information report will be available by 5:00 p.m. on Wednesday, October 30, 2024.

- 8. **Regional Councillor Report**
- 9. **Presentations and Delegations**
 - 9.1 Presentation to Charlene A. Nigh
Re: Volunteer Recognition
- 10. **Public Meetings**
- 11. **Consent Agenda**
 - 11.1 Minutes
 - 11.1.1 Regular Council Meeting - September 23, 2024 11 - 20
 - 11.1.2 Council-in-Committee Meeting - October 7, 2024 21 - 30
 - 11.2 Correspondence
 - 11.2.1 Proclamation - Positive Living Niagara - November 24 - December 1, 2024 - HIV/AIDS Awareness Week; December 1, 2024 - World AIDS Day; December 1-8, 2024 - Indigenous HIV/AIDS Awareness Week 31 - 32

Resolution:
That: Council proclaims November 24 - December 1, 2024 as "HIV/AIDS Awareness Week"; December 1, 2024 - "World AIDS Day" and December 1-8, 2024 - "Indigenous HIV/AIDS Awareness Week", and approves their flag be flown at Town Hall.
 - 11.2.2 Receive and Support - Ontario's Big City Mayors (OBCM) - SolvethetheCrisis.ca to Address Homelessness, Mental Health and Addictions 33 - 46
 - 11.3 Board/Committee Minutes
 - 11.3.1 Receive - Community Gaming Development Corporation - June 26, 2024 and Annual General Meeting - June 23, 2023 47 - 51
 - 11.3.2 Receive - Community Health Care Services Committee - September 24, 2024 52 - 58
 - 11.3.3 Receive - Affordable Housing Advisory Committee - September 11, 2024 59 - 60
 - 11.3.4 Receive - Crystal Beach Business Improvement Area Board of Management - September 11, 2024 61 - 64

- | | | |
|--------|---|---------|
| 11.3.5 | Receive - Traffic Coordinating Minutes - September 18, 2024 | 65 - 68 |
| 11.3.6 | Receive and Approve Recommendation - Accessibility Advisory Committee - September 24, 2024: | 69 - 77 |

Resolution:

Whereas the Accessibility Advisory Committee has been made aware of many service concerns since Niagara Region Transit took over service provision in Fort Erie; and

Whereas there are no longer dedicated vehicles in Town to provide transit services, both OnDemand and Specialized; and

Whereas the service hours only allow booking until 10:00 p.m., rather than the advertised 11:00 p.m. like other areas in the Region; and

Whereas the Transit service provision does not seem to support the service needs of the community; and

Now therefore be it resolved,

That: Council be requested to invite the Niagara Region Transit and service provider, Voyago, to attend a future Council meeting to explain:

- the service provisions for Fort Erie including:
 - how many spots per day are available to be booked in Fort Erie and if this is a fixed number; and
 - how bookings in general are allocated; and
 - how many vehicles are available for OnDemand and Specialized and if there is a fixed number for Fort Erie,
- performance standards and policies for abandoned ridership;
- complaints received specific to Fort Erie riders and how they have been addressed;
- ridership numbers for Fort Erie including the number of bookings that were attempted but no rides were available;
- and address concerns shared by the Accessibility Advisory Committee related to dedicated vehicles, booking times and hours of service.

12. Reports

13. New Business/Enquiries

- 13.1 Attendance - Rural Ontario Municipal Association (ROMA) Conference

- January 19-21, 2025

Resolution:

That: In accordance with the requirements of the Expense Allowance Policy By-law 142-06, as amended, Council authorizes Councillor George McDermott and Councillor Joan Christensen to attend the Rural Ontario Municipal Association (ROMA) Conference on January 19-21, 2025 at the Sheraton Centre Hotel in Toronto, Ontario.

14. Closed Session

14.1 Closed Meeting Minutes - October 7, 2024

14.2 Community Gaming Development Corporation Appointment

(Deferred from the September 23, 2024 Council Meeting and the October 7, 2024 Council-in-Committee Meeting)

Pursuant to Section 239 (2) (b) of the Municipal Act, 2001, personal matters about an identifiable individual, including municipal or local board employees

14.3 Senior Citizen Advisory Committee Appointment

Pursuant to Section 239 (2) (b) of the Municipal Act, 2001, personal matters about an identifiable individual, including municipal or local board employees

14.4 Mayor's Youth Advisory Committee Appointments

Pursuant to Section 239 (2) (b) of the Municipal Act, 2001, personal matters about an identifiable individual, including municipal or local board employees

14.5 214 Windmill Point Road South (Report PDS-67-2024)

Pursuant to Section 239 (2) (e) of the Municipal Act, 2001, litigation or potential litigation, including matters before administrative tribunals affecting the municipality or local board

15. Back to Open Session

16. Motions

16.1 Councillor Dubanow

Re: Establish an Assistance Program for Residents Dealing with Rodent Control

Resolution:

That: Council directs staff to prepare a report on the implementation and budgetary impacts of a Rodent Control Rebate program for property owners in the Town of Fort Erie as outlined in the memo presented to council on September 18, 2023.

16.2 Mayor Redekop

Re: Request Provincial Funding Currently Provided for the Operation of the Fort Erie Urgent Care Center, including Palliative Care Services, remain available to Support Fort Erie's Primary Care Initiative

Resolution:

Whereas the Douglas Memorial Hospital was built primarily with funds left by the estate of William Douglas on his death in 1929; and

Whereas the Douglas Memorial Hospital ("the Hospital") opened for operation in 1931; and

Whereas the Hospital operated in the black during all of its years of operation (1931-1998) as a full-service hospital under the management and guidance of its own Board of Trustees; and

Whereas the Health Services Restructuring Commission ("HSRC") recommended in 1998 that Douglas Memorial continue operation as a hospital within the new Niagara Health System ("NHS"), with acute and chronic care beds, emergency and ambulatory services and a range of diagnostics; and

Whereas despite the creation of a standing committee of the NHS Board for Fort Erie, pursuant to recommendation of the HSRC, to assure local input into Board decision making and that no decision to eliminate any inpatient or emergency services would be made unless approved by such standing committee, the NHS embarked on a systematic reduction or elimination of various services at the Hospital until the adoption by the NHS of its "Hospital Improvement Plan" ("HIP") in 2008; and

Whereas pursuant to the HIP the NHS eliminated emergency and all other health care services at the Hospital in 2009, with the exception of a 24-hour Urgent Care Centre ("UCC"), chronic care beds, palliative care beds and some diagnostics, without the approval of the Hospital standing committee; and

Whereas in July 2023 Niagara Health ("NH"), as it is now designated, reduced the hours of operation of the Hospital UCC to 12 hours, although the public only has access to the UCC from 10 a.m. to 8 p.m. daily; and

Whereas NH has recently adopted a 3 hospital model for the future of hospital services in Niagara that intends to completely close the Hospital, resulting in no urgent, chronic or palliative or diagnostic services in Fort Erie once the new South Niagara Hospital is opened in or about 2028; and

Whereas the most recent population data available indicates that Fort Erie's current population is 36,200, far greater than projected during deliberations with respect to Niagara Region's new Official Plan,

adopted in July 2022; and

Whereas the Niagara Region's population is growing at a rate far greater than anticipated by the Province or NH, particularly when projections were being made for the hospital needs of South Niagara when planning for the new South Niagara Hospital; and

Whereas there are over 7,000 Fort Erie residents unattached to a primary care physician, necessitating a primary care "safety net", such as a UCC or alternative to avoid first point of health care contact at local emergency departments; and

Whereas the UCC at Douglas Memorial forms that primary health care "safety net" in the absence of sufficient primary care physicians or service providers in Fort Erie; and

Whereas the removal of UCC services, chronic care beds, palliative care beds and diagnostics from the Hospital will result in an unreasonable and unnecessary hardship for current and future residents of Fort Erie and will foreclose the use of the Hospital as a safety valve for NH patients anywhere in Niagara in the event the new South Niagara Hospital is unable to meet the demands that the increasing population of Niagara will place on it; and

Whereas a prudent approach to managing the hospital and health care needs of Niagara, particularly South Niagara and Fort Erie, would recognize the value of retaining a fully-operational UCC, with diagnostics and clinics, as well as chronic care and palliative care beds at the Hospital; and

Whereas there is no indication that NH has any intention of changing course on its 3 hospital model for Niagara despite requests by the Town of Fort Erie to continue the services available at the Hospital; and

Whereas the residents of Fort Erie need and deserve equitable primary health care services, including 24-hour Urgent Care and associated services;

Now therefore be it resolved,

1. **That** the Council for the Town of Fort Erie requests that the Minister of Health commit to funding all necessary services at the new South Niagara hospital without the removal or reallocation of operational funding from the Douglas Memorial for the UCC and other current health services, and further
2. **That** the Council for the Town of Fort Erie requests that the Minister of Health direct any and all funding from the Province of Ontario for the operation of the UCC (primary care), chronic care beds and palliative care beds, and all diagnostic and associated services at Douglas Memorial remain in Fort Erie for use by Niagara Health as part of a revised hospital model for Niagara or an alternative model operated by a qualified

designated health care services entity working in collaboration with the Town of Fort Erie should NH close Douglas Memorial as a hospital site, either before or following the completion and opening of the new South Niagara Hospital, and further

3. **That:** the Mayor and Town of Fort Erie staff enter into discussions with the Minister of Health and Niagara Health and such other health care providers as deemed appropriate to ensure the continued operation of primary care and other current services at Douglas Memorial, with or without the involvement of NH, and further
4. **That:** the Premier of Ontario, the Honourable Doug Ford, be requested to support this initiative, and further
5. **That:** a copy of this Resolution be provided to the Premier of Ontario, the Honourable Doug Ford; the Ontario Minister of Health, Sylvia Jones; the Prime Minister of Canada, the Honourable Justin Trudeau; the federal Minister of Health, Mark Holland; the four MPPs and MPs who represent Niagara; the Niagara Region and the other 11 local area municipalities in Niagara for support.

17. Notice of Motion

18. Consideration of By-laws

18.1	102-2024 To Amend Business Licensing By-law 217-05, as amended (Short-Term Rentals)	78 - 90
18.2	103-2024 To Authorize the Entry into a Development Agreement with Niagara Pines Developments Ltd. (Paul Savoia) – 92 Adelaide Street	91 - 91
18.3	104-2024 To Accept and Declare Lands as Public Highway – Nigh Road and Burleigh Road (3404 Nigh Road - Joshua Mackenzie)	92 - 92
18.4	105-2024 To Accept and Declare Land as Public Highway – Hazel Street and Prospect Point Road North (3624 Hazel Street – S.R. Niagara Investments Inc. (Salvatore and Rita Visca))	93 - 93
18.5	106-2024 To Accept and Declare Lands as Public Highway – Rebstock Road (3967 Rebstock Road – Amanda and Thomas Hamilton)	94 - 94
18.6	107-2024 To Designate 168 High Street as Being of Cultural Heritage Value or	95 - 100

Interest

18.7	108-2024	101 - 109
	To Designate 400 Holloway Bay Road South as Being of Cultural Heritage Value or Interest	
18.8	109-2024	110 - 118
	To Designate 45 Princess Street as Being of Cultural Heritage Value or Interest	
18.9	110-2024	119 - 125
	To Designate 487 Niagara Boulevard as Being of Cultural Heritage Value or Interest	
18.10	111-2024	126 - 129
	To Amend Zoning By-law 129-90, as amended 576 Ridge Road North (Block 50)	
18.11	112-2024	130 - 205
	To Enact an Amendment to the Official Plan Adopted by By-law 150-06 for the Town of Fort Erie Planning Area - Amendment 85 - 576 Ridge Road North, Fort Erie- 2846300 Ontario Inc. (Bryce Ivanchuk) – Owner	
18.12	113-2024	206 - 206
	To Confirm the Actions of Council at its Council-in-Committee Meeting Held on October 7, 2024 and its Council Meeting Held on October 21, 2024	

19. Scheduling of Meetings

20. Adjournment

Notice of Complete Application And Public Meeting

Proposed Zoning By-Law Amendment and Draft Plan of Subdivision

Applications: ZBA-12-2024 & SUB-03-2024

Municipal Address: 2649 Stevensville Road, Fort Erie and Unassigned Parcel (2703 020 030 10700)

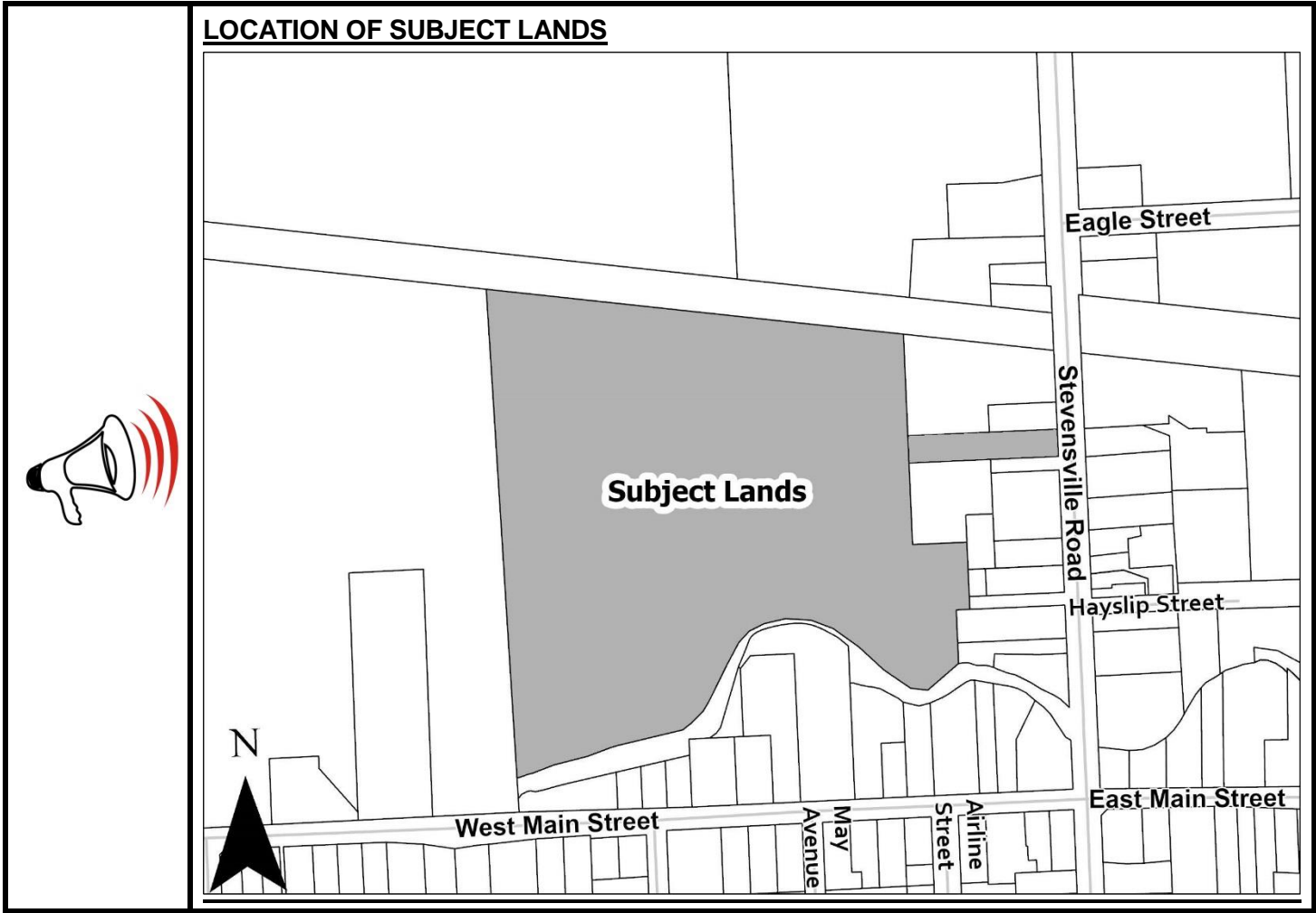
Owner: Howard Wood, Judith Lynn Wood, Susan Ward, and the Estate of Margaret Plyley

Agent: Upper Canada Consultants (c/o Joe Tomaino)

DATE: November 4, 2024

TIME: 6:00 PM

LOCATION: This will be a hybrid meeting. Members of the public may attend the meeting in person in Council Chambers, Town Hall, 1 Municipal Centre Drive, Fort Erie OR virtually via Zoom



PURPOSE AND EFFECT

The purpose and effect of the Zoning By-law Amendment application is to rezone the subject lands from Residential 2A (R2A) Zone, site-specific Residential Multiple 1 (RM1-516) Zone, Hazard (H) Zone, Environmental Protection (EP) Zone and Core Mixed Use 5 (CMU5) Zone to a site-specific Residential Multiple 1 (RM1) Zone, Open Space (OS) Zone, Environmental Protection (EP) Zone and Neighbourhood Development (ND) Zone to permit construction of 96 residential dwellings and a new public road network.

The Plan of Subdivision application proposes development of 68 blocks as follows:

- Blocks 1 - 59 (Single Detached Dwellings and Street Townhouse Dwellings)
- Blocks 60 – 62 (Environmental Protection)
- Blocks 63, 64, 66 (Future Development / Additional Lands)
- Block 65 (3.0 meter trail connection)
- Block 67 (30 meter railway buffer)
- Block 68 (6.0 meter emergency access)

The proposed Zoning Schedule and Draft Plan of Subdivision are attached for review as Appendix 1 and Appendix 2 to this notice.

An amendment to the Official Plan and / or Secondary Plan is not proposed.



HAVE YOUR SAY

Input on the proposed Zoning By-law Amendment and Plan of Subdivision application is welcome and encouraged. You can provide input by speaking at the Public Meeting or by making a written submission to the Town.

Residents can participate in the Council meeting in person in Council Chambers, OR virtually via Zoom (audio/video via web or by telephone). The link for the Zoom meeting will be provided on the Town's website an hour before the Council meeting.

The Town of Fort Erie Council meeting live webcast will be streamed at www.youtube.com/townofforterie or click on the YouTube icon on the home page of the Town's website (www.forterie.ca).

GETTING MORE INFORMATION

A copy of the Information Report will be available to the public by 5:00 PM on **October 30, 2024**. The Information Report will be available in the Council agenda portion of the Town's Website: www.forterie.ca or by contacting Devon Morton, Supervisor, Development Approvals.

CONTACT INFORMATION

**Devon Morton, Supervisor, Development Approvals
Planning and Development Services Department
Town Hall, 1 Municipal Centre Drive
Fort Erie, Ontario L2A 2S6
905-871-1600 ext. 2514
Or by e-mailing your comments to: dmorton@forterie.ca**

PROVIDING YOUR COMMENTS OR REQUESTING NOTICE OF DECISION

To provide input in writing, or to request written notice of the decision of the Zoning By-law Amendment and Draft Plan of Subdivision, please send a letter c/o Peter Todd, Manager, Legislative Services/Clerk, 1 Municipal Centre Drive, Fort Erie, Ontario, L2A 2S6 or an email to ptodd@forterie.ca



PLANNING ACT LEGAL NOTICE REQUIREMENTS

The Town of Fort Erie has not yet made a decision regarding the applications. After considering any written comments and the comments from the public meeting, a Recommendation Report will be prepared for a future Council-in-Committee meeting.

No person or public body shall be added as a party to the hearing of the appeal of the decision of Council, including the lapsing provisions or the conditions, unless the person or public body, before the decision of Council, made oral submissions at a public meeting or written submissions to Council, or made a written request to be notified of changes to the conditions or, in the Ontario Land Tribunal's opinion, there are reasonable grounds to add the person or public body as a party.

No person or public body shall be added as a party to the hearing of an appeal regarding any changed conditions imposed by Council, unless the person or public body, before Council made its decision, made oral submissions at a public meeting or written submissions to the Council, or made a written request to be notified of the changes to the conditions or, in the Ontario Land Tribunal's opinion, there are reasonable grounds to add the person or public body as a party.

An individual will be entitled to receive notice of any changes to the conditions of approval of the proposed plan of subdivision if they have made a written request to be notified of changes to the conditions.

If a person or public body would otherwise have an ability to appeal the decision of the Town of Fort Erie's Municipal Council to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written statements to the Town of Fort Erie before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Town of Fort Erie before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

For more information about this matter, including information about appeal rights, please send a letter c/o Peter Todd, Manager, Legislative Services/Clerk, 1 Municipal Centre Drive, Fort Erie, Ontario, L2A 2S6 or an email to ptodd@forterie.ca

Notice dated October 11, 2024.



**The Municipal Corporation of the Town of Fort Erie
Regular Council Meeting Minutes**

**Monday, September 23, 2024, 6:00 p.m.
Council Chambers**

1. Call to Order

Mayor Redekop called the meeting to order at 6:00 p.m.

2. Land Acknowledgement

Councillor Dubanow provided a land acknowledgment.

3. Invocation

The Clerk read the Invocation.

4. Roll Call

The Clerk gave the roll call.

Present: His Worship Mayor Redekop and Councillors Christensen, Dubanow, Flagg, Lewis, and McDermott.

Absent: Councillor Noyes

Staff: A. Dilwaria, J. Janzen, C. McQueen, C. Patton, K. Walsh and P. Todd.

5. Announcements/Addenda

The following item was added to the agenda by addendum:

12.1 Report IS-10-2024 Lindbergh Drive and Burbank Terrace Infrastructure Improvement – Budget Amendment

Mayor Redekop made the following announcements:

Certification of Intermediate Municipal Law Enforcement Officer

The Mayor announced that Bryce Bailey has been certified as an Intermediate Municipal Law Enforcement Officer by the Municipal Law Enforcement Officers Association of Ontario. Bailey was recognized for his ongoing dedication and excellent service to the Town.

Recognition of RONA's 'We Love Fort Erie' Charity Concert

The Mayor thanked Jeff Hill and the RONA team for organizing a successful charity concert on September 14th. The concert raised funds for the COPE food bank and Crystal Ridge Dream Center, drawing a large crowd and support from sponsors.

Sports Wall of Fame Induction Ceremony

The Mayor highlighted the Sports Wall of Fame Induction Ceremony, which honored the 1967 Intermediate A hockey team and several notable athletes, including David Hess, a Paralympic athlete; John Gagnon, a Dragon Boat racer; Trevor Parks, a professional hockey player in Germany; Dr. Richard Houston, an accomplished marathon runner; and Samuel Johnson, an influential figure in establishing the Fort Erie Racetrack in the Bertie township, which has been operating for over 125 years. The Mayor shared stories about each honoree's significant contributions and achievements, noting their impact on the community.

Upcoming Spay-Neuter Clinic Opening

The Mayor announced the grand opening of the new spay-neuter clinic hosted by the Fort Erie SPCA. The event is scheduled for Friday at 6:00 p.m. at the Fort Erie SPCA Centre.

Truth and Reconciliation Walk

The Mayor reminded the public about the upcoming Truth and Reconciliation Walk, which will take place on Monday, September 30th. The walk will begin at 10:00 a.m. at Mather Arch and will finish at the Fort Erie Native Friendship Centre.

Affordable Housing Announcement by the Fort Erie Lions

The Mayor announced that there will be an event for the Fort Erie Lions Douglas Heights Seniors Residence campaign at 2 p.m. on September 24, 2024 at the Fort Erie Lions Seniors Centre at 265 High St. The campaign kick-off will include announcements pertaining to the senior housing complex currently under development and images of the new building will be unveiled.

6. Declarations of Pecuniary Interest

None.

7. Notice of Upcoming Public Meetings and Open Houses

7.1 Public Meeting - 1023 Arthur Street

Proposed Zoning By-law Amendment - Owner - 2824116 Ontario Inc. - Agent - Janet Paul, Urban and Environmental Management Inc. - Monday, October 7, 2024 - 6:00 p.m. - Council Chambers, Town Hall. The information report will be available by 5:00 p.m. on Wednesday, October 2, 2024.

7.2 Open House - 2649 Stevensville Road and Unassigned Parcel (2703 020 030 1070)

Proposed Zoning By-law Amendment and Draft Plan of Subdivision - Owner - Howard Wood, Judith Lynn Wood, Susan Ward, and the the Estate of Margaret Plyley - Agent - Upper Canada Consultants c/o Joe Tomaino - Thursday, October 3, 2024 - 5:00 p.m. - Atrium, Town Hall.

8. Regional Councillor Report

None.

9. Presentations and Delegations

None.

10. Public Meetings

None.

11. Consent Agenda

Resolution 1

Moved by: Councillor Christensen

Seconded by: Councillor McDermott

That: Council approves the consent agenda as recommended.

Carried

11.1 Minutes

11.1.1 Special Council Meeting - September 9, 2024

11.1.2 Council-in-Committee Meeting - September 9, 2024

11.2 Correspondence

11.2.1 Receive and Support - City of Welland - Endorse and Promote the Solve the Crisis Project put forward by the Big City Mayors of Ontario

11.2.2 Proclamation - Ontario Coalition for Better Child Care-CUPE - 24th Annual Child Care Worker and Early Childhood Educator Appreciation Day - October 24, 2024

That: Council proclaims October 24, 2024 as "24th Annual Child Care Worker and Early Childhood Educator Appreciation Day.

Carried

11.3 Board/Committee Minutes

11.3.1 Receive - Bridgeburg Station Downtown Business Improvement Area Board of Management - August 28, 2024

11.3.2 Receive - Senior Citizens Advisory Committee - August 7, 2024; September 4, 2024

11.3.3 Receive - Crystal Beach Business Improvement Area Board of Management - August 14, 2024

11.3.4 Receive - Museum and Cultural Heritage Advisory Committee - July 17, 2024, and Receive and Approve Recommendation - August 14, 2024:

That: The Municipal Heritage Standing Committee moves that funds be allocated in the appropriate department's capital expenses budget calculations for 2025 to allow restoration of the Crescent Park Arches so they may continue to shine a light from their prominent location on the Garrison Road on Fort Erie's built heritage legacy.

Carried

11.3.5 Receive - Environmental Advisory Committee - July 17, 2024

11.4 Reports

11.4.1 CS-06-2024

2024 2nd Quarter Financial Report

That: Council receives Report CS-06-2024 regarding the 2024 2nd Quarter Financial Report for information purposes, and further

That: Council authorizes an adjustment of a 2024 operating budget amendment in the amount of \$66,000 sourced from the General Levy Rate Stabilization Reserve as recommended in Report PDS-49-2024.

Carried

11.4.2 IS-09-2024

Tender Award - Prospect Point Road North Upgrade – Contract ISE-24T-PPSR19/PPFC25

That: Council accepts and approves the tender submission for the Prospect Point Road North, Contract ISE-24T-PPSR19/PPFC25 from Nexterra Substructures Incorporated in the amount of \$2,092,002.67 (including 13% HST), and further

That: Council authorizes the extension of the contract with Kerry T. Howe Engineering Limited assignment for contract administration and inspection services in the amount of \$127,952.16 (including 13% HST); and further

That: Council amends the 2024 Capital Budget to supplement the Prospect Point Road North Upgrade, Contract ISE-24T-PPSR19 by \$717,500.00 (including non-rebatable HST) as identified in Table 7 with \$256,700.00 from the Road Refurbishing Reserve, \$256,400.00 from the Road Development Charges Reserve, \$102,300.00 from the Storm Refurbishing Reserve, and \$102,100.00 from the Storm Development Charges Reserve; and further

That: Council amends the 2024 Capital Budget to supplement the Prospect Point Road North Upgrade, Contract ISE-24T-PPFC25 by \$170,500.00 (including non-rebatable HST) as identified in Table 10 with \$58,900.00 from the Road Refurbishing Reserve, \$56,600.00 from the Road Development Charges Reserve, \$30,000.00 from the Sanitary Refurbishing Reserve, and \$25,000.00 from the Water Refurbishing Reserve.

Carried

12. Reports

12.1 IS-10-2024

Lindbergh Drive and Burbank Terrace Infrastructure Improvement – Budget Amendment

Resolution 2

Moved by: Councillor McDermott
Seconded by: Councillor Flagg

That: Council amends the 2024 Capital Budget to supplement the Lindbergh Drive and Burbank Terrace Infrastructure Improvements capital project (LIND20) – Contract No. ISE-23T-LIND20 \$300,000 (including non-rebatable HST) as identified in 'Table 3' with the sum of that value coming from the Roads Refurbishing Reserve.

Carried

13. New Business/Enquiries

13.1 Notice of Resignations - Mayor's Youth Advisory Committee

Resolution 3

Moved by: Councillor Dubanow
Seconded by: Councillor McDermott

That: Council accepts the resignations of Anderson Dy, Natalie Woehl, Tristan Jagiello, Teslim Fayemi, Sydney Steele and William MacQuarrie from the Mayor's Youth Advisory Committee, and further

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

Carried

13.2 Notice of Resignation - Harpreet Bassi, Niagara Health Representative - Community Health Care Services Committee

Resolution 4

Moved by: Councillor Flagg
Seconded by: Councillor McDermott

That: Council accepts the resignation of Harpreet Bassi, Executive Vice-President, Strategy and Communications, Niagara Health as the Niagara Health Representative from the Community Health Care Services Committee.

Carried, as amended

Amendment:

Moved by: Councillor McDermott
Seconded by: Councillor Dubanow

That: Council directs the Mayor to request to appear as a delegation at an upcoming meeting of the Niagara Health Board to present the history of health services in Fort Erie, original commitments for Urgent Care Services in the community and provide rationale for our request for the continuation of Urgent Care Centre services in Fort Erie, as outlined in the previous resolution adopted May 27, 2024.

Carried

13.3 Councillor Flagg - Hazardous Waste Disposal

Councillor Flagg raised concerns regarding the lack of local hazardous waste disposal options in Fort Erie, following the removal of a designated hazardous waste collection day. It was requested whether staff could reach out to the appropriate contacts at the Region for further discussion on this matter. The Chief Administrative Officer confirmed he would contact the Director of Waste Services and follow up with Councillor

Insinna, who serves on the Public Works Committee responsible for this issue.

14. Closed Session

Resolution 5

Moved by: Councillor Lewis

Seconded by: Councillor McDermott

That: Council does now go into Closed Session at 6:45 p.m. to consider the following:

14.1 Closed Meeting Minutes - July 22, 2024 and September 9, 2024

14.2 Community Gaming Development Corporation Appointment - Pursuant to Section 239 (2) (b) of the *Municipal Act, 2001*, personal matters about an identifiable individual, including municipal or local board employees

14.3 Accessibility Advisory Committee Appointments - Pursuant to Section 239 (2) (b) of the *Municipal Act, 2001*, personal matters about an identifiable individual, including municipal or local board employees

14.4 Affordable Housing Advisory Committee Appointments/ Resignation - Pursuant to Section 239 (2) (b) of the *Municipal Act, 2001*, personal matters about an identifiable individual, including municipal or local board employees

Carried

15. Back to Open Session

Resolution 6

Moved by: Councillor Lewis

Seconded by: Councillor McDermott

That: Council does now rise and reconvene from closed session at 7:03 p.m. with report.

14.1 **That:** Council approves the Closed Meeting Minutes of September 9, 2024, and

14.2 **That:** Council defer item 14.2 to the October 7, 2024 Council-in-Committee meeting; and

14.3 **That:** Council appoints David Pantano to the Accessibility Advisory Committee for the term ending November 14, 2026, or until their successor is appointed, and

14.4 **That:** Council appoints Mark Carl to the Affordable Housing Advisory Committee for the term ending November 14, 2026, or until their successor is appointed, and further

That: Staff proceed as directed in closed session to declare a seat vacant for the Affordable Housing Advisory Committee, and

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

Carried

16. Motions

None.

17. Notice of Motion

17.1 Councillor Dubanow

Councillor Dubanow provided notice that he will be bringing forward a motion to establish an assistance program for residents dealing with rat problems.

(Returnable October 21, 2024)

17.2 Mayor Redekop

Request provincial funding palliative care remain available, if UCC downgraded. ..

Mayor Redekop provided notice that he will be bringing forward a motion to request that the provincial funding currently provided for the operation of the Fort Erie Urgent Care Center, including palliative care services, remain available to support Fort Erie's Primary Care initiative.

(Returnable on October 21, 2024)

18. Consideration of By-laws

Resolution 7

Moved by: Councillor Dubanow

Seconded by: Councillor McDermott

That: The by-law package containing:

94-2024 To Approve the Final Assessment Levy for the Zavitz Municipal Drain

95-2024 To Amend By-law 171-2023 Regarding the Sale of Part of the Road Allowance Between Concession Lots 22 and 23

96-2024 To Adopt a Capital Asset Policy for the Town of Fort Erie, and to Repeal By-law 89-09

97-2024 To Exempt Certain Blocks in Plan 59M-519 from Part Lot Control, Village Creek Drive, Blocks 57, 58, 59, 60, 62, 63, 64, 65 and 70 (Harbourtown Village Subdivision) Silvergate Homes (800460 Ontario Ltd. c/o Mudassir Ahmed)

98-2024 To Exempt a Certain Part Block in Plan 59M-506 from Part Lot Control - Royal Ridge Drive - Part Block 1 (Royal Ridge Subdivision) - 2834127 Ontario Limited (Andrew Sacco) - Owner

99-2024 To Exempt a Certain Part Block in Plan 59M-506 from Part Lot Control - Royal Ridge Drive - Part of Block 6 (Royal Ridge Subdivision) - 2834127 Ontario Limited (Andrew Sacco) - Owner

100-2024 To Amend By-law 111-19, Being a By-law to Establish a System for Administrative Penalties

are given first and second reading.

Carried

Resolution 8

Moved by: Councillor Lewis

Seconded by: Councillor McDermott

That: By-laws 94-2024 to 100-2024 inclusive are given third and final reading to be signed by the Mayor and Clerk under the corporate seal.

Carried

Resolution 9

Moved by: Councillor McDermott

Seconded by: Councillor Flagg

That: By-law 101-2024 To Confirm the Actions of Council at its Council-in-Committee Meeting Held on September 9, 2024 and at its Council Meeting Held on September 23, 2024, is given first and second reading.

Carried

Resolution 10

Moved by: Councillor Flagg

Seconded by: Councillor McDermott

That: By-law 101-2024 is given third and final reading to be signed by the Mayor and Clerk under the corporate seal.

Carried

19. Scheduling of Meetings

Members of Council announced upcoming Boards and Committees meetings.

20. Adjournment

Resolution 11

Moved by: Councillor Dubanow

Seconded by: Councillor McDermott

That: Council adjourns at 7:13 pm to reconvene into a Regular Meeting of Council on October 21, 2024.

Carried

Mayor

Clerk



**The Municipal Corporation of the Town of Fort Erie
Council-in-Committee Minutes**

**Monday, October 7, 2024, 6:00 p.m.
Council Chambers**

1. Call to Order

Mayor Redekop called the meeting to order at 6:00 pm.

2. Land Acknowledgement

Mayor Redekop provided a land acknowledgment.

3. Roll Call

The Clerk gave the roll call.

Present: His Worship Mayor Redekop and Councillors Christensen, Dubanow, Flagg, Lewis, and McDermott

Absent: Councillor Noyes

Staff: A. Dilwaria, J. Janzen, C. McQueen, C. Patton, K. Walsh and P. Todd.

4. Announcements/Addenda

There was one addendum issued, which added the following items:

- 8.1.3 Devon Morton, Supervisor, Development Approvals - Proposed Official Plan and Zoning By-law Amendments and Draft Plan of Condominium Recommendation Report for 576 Ridge Road North, Fort Erie (Block 50) (Report PDS-62-2024)
- 10.1.1 Delegation - David McPherson regarding Short Term Rental Amendments - Report LLS-04-2024

Mayor Redekop made the following announcements:

Thanksgiving Weekend

The Mayor began by acknowledging that Thanksgiving is approaching this weekend. On behalf of Council, he extended warm wishes to the residents of Fort Erie, hoping for a happy, healthy, and good-weather weekend.

Crystal Beach Fall Fest

The Mayor announced the Fall Fest in the Grove is taking place in Crystal Beach on Saturday, Sunday, and Monday. Saturday's highlight is the Crystal Beach 5K, which has over 250 participants, including runners and walkers. There are many other scheduled activities throughout the weekend which will include a charity bake sale, barbecue, farmers market, food trucks and live music.

5. Declarations of Pecuniary Interest

None.

6. Notice of Upcoming Public Meetings and Open Houses

None.

7. Public Meetings

7.1 Proposed Zoning By-law Amendment - 1023 Arthur Street

Owner - 2824116 Ontario Inc. - Agent - Janet Paul, Urban and Environmental Management Inc. - Monday, October 7, 2024 - 6:00 p.m. - Council Chambers, Town Hall.

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

Devon Morton, Supervisor of Development Approvals, provided a presentation outlining the proposal and responded to questions from members of Council.

The applicant's agent, Greg Taras of Urban and Environmental Management Inc. spoke to the application and answered questions of Council.

Mayor Redekop enquired if anyone present wished to speak to the application.

The following individuals provided oral comments:

- Susan Taylor - 1022 Arthur Street

The Clerk confirmed that no additional written comments were received.

Mayor Redekop declared the Public Meeting closed.

7.2 PDS-61-2024

Proposed Zoning By-law Amendment - Information Report for 1023 Arthur Street

Staff were requested to engage in discussions with the proponent and their agent regarding the possibility of incorporating affordable housing units as part of this application. Ms. Dilawaria confirmed that staff will include additional information in the recommendation report on this matter, which will outline the community benefits and how the Council might decide to allocate those funds.

Recommendation 1

Moved by: Councillor Dubanow

That: Council receives for information purposes, Report PDS-61-2024 regarding a proposed Zoning By-law Amendment at 1023 Arthur Street, Fort Erie.

Carried

8. Planning and Development Services

Chaired by Councillor Christensen.

8.1 Presentations and Delegations

8.1.1 Steve Wever, President and Patrick Casey, Planner, GSP Group

Re: Parks and Open Space Master Plan (Report PDS-64-2024)

Steve Wever and Patrick Casey from GSP Group provided an overview of the draft Parks and Open Space Master Plan. The plan, currently in the draft stage, is intended to guide the sustainable development and management of the Town's parks and open spaces over the next 10-15 years. Key points covered included community feedback, growth forecasts, and recommendations for updating the 2006 plan.

8.1.2 Aaron Hair, Project Manager - Policy

Re: Provincial Planning Statement, 2024 Update (Report PDS-65-2024)

Aaron Hair, Project Manager, Policy, provided an overview of the updates made to the Provincial Planning Statement (PPS), which will take effect on October 20, 2024. The presentation highlighted significant changes from the draft presented in April, including the repeal of the growth plan, new planning horizons extending up to 30 years, and the expansion of settlement area.

8.1.3 Devon Morton, Supervisor, Development Approvals

Re: Proposed Official Plan and Zoning By-law Amendments and Draft Plan of Condominium Recommendation Report for 576 Ridge Road North, Fort Erie (Block 50) (Report PDS-62-2024)

Devon Morton, Supervisor of Development Approvals, presented an overview of the proposed Official Plan and Zoning By-law amendments along with a draft plan of condominium for the property located at 576 Ridge Road North. The application, submitted by Upper Canada Consultants, aims to rezone the area from Institutional I Zone to a site-specific Residential 1 (RM1) Zone to facilitate the construction of 64 residential units, comprising 36 single detached and 28 semi-detached dwellings.

8.2 Reports

8.2.1 PDS-62-2024

Proposed Official Plan and Zoning By-law Amendments and Draft Plan of Condominium Recommendation Report for 576 Ridge Road North, Fort Erie (Block 50)

Recommendation 2

Moved by: Mayor Redekop

That: Council approves the amendment to the Town's Consolidated 2021 Official Plan as detailed in Report PDS-62-2024 for the lands known as 576 Ridge Road North (Block 50), and further

That: Council approves the amendment to the Town's Zoning By-law 129-90 as detailed in Report PDS-62-2024 for the lands known as 576 Ridge Road North (Block 50), and further

That: Council directs Staff to submit the necessary Official Plan and Zoning By-law Amendment By-laws, and further

That: Council approves the Draft Plan of Condominium (Vacant Land) dated July 29, 2024 to create a vacant land condominium for 36 single detached dwellings, 28 semi detached dwellings, three common element roads and 16 visitor vehicular parking spaces as illustrated in Appendix 2 of Report PDS-62-2024, in accordance with the provisions of the Planning Act, R.S.O. c. P.13 and the regulations thereunder, subject to the conditions contained in Appendix 3 of Report PDS-62-2024, and further

That: Council directs staff to circulate the Conditions of Draft Approval in Appendix 3 of Report PDS-62-2024 to the applicable agencies in accord with the requirements of the Planning Act, R.S.O. c. P.13.

Carried

8.2.2 PDS-63-2024

PDS 2024 Second Quarter (Q2) Development-Building-Planning-By-law Statistical Report

Recommendation 3

Moved by: Councillor Lewis

That: Council receives Report PDS-63-2024 regarding development, building and by-law statistical reporting for information purposes, and further

That: Council directs staff to forward a copy of Report PDS-63-2024 to Niagara Region, the District School Board of Niagara and the Niagara Catholic District School Board.

Carried

8.2.3 PDS-64-2024

Town of Fort Erie 2024 Draft Parks and Open Space Master Plan

Recommendation 4

Moved by: Councillor McDermott

That: Council receives the Town of Fort Erie's Parks and Open Space Master Plan attached as Appendix 1;

That: Council directs staff to revise the draft plan based on comments from all stakeholders before providing a Final Plan for Council's consideration, and further

That: Council directs staff to consider the cost of implementation and maintenance of the Parks and Open Space Master Plan as part of annual budget deliberations.

Carried

8.2.4 PDS-65-2024

Provincial Planning Statement, 2024 Update

Recommendation 5

Moved by: Councillor Lewis

That: Council accepts the Report PDS-65-2024 for information.

Carried

8.2.5 PDS-66-2024

613 Helena Street Draft Plan of Subdivision - Change to Conditions of Draft Plan Approval

Recommendation 6

Moved by: Councillor Lewis

That: Council directs that the conditions of approval for the Draft Plan of Subdivision at 613 Helena Street be amended, as detailed in Appendix 3 of Report PDS-66-2024, and further

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

Carried

8.3 New Business/Enquiries

None.

8.4 Business Status Report

No changes.

9. Infrastructure Services

Chaired by Councillor Lewis.

9.1 Presentations and Delegations

None.

9.2 Reports

None.

9.3 New Business/Enquiries

None.

9.4 Business Status Report

No changes.

10. Corporate and Community Services

Chaired by Councillor Flagg.

10.1 Presentations and Delegations

10.1.1 David McPherson

Re: Short-Term Rental Amendments - Report LLS-04-2024

David McPherson presented on short-term rental licensing, advocating to retain the 250-license limit and opposing any increase, citing the negative impact on affordable housing. He highlighted the lack of economic data supporting the benefits of short-term rentals to the local economy and stressed that many units are owned by non-residents. McPherson also supported zoning bylaw amendment application process for exceptions and emphasized the need for taxpayer input on potential neighborhood changes.

10.2 Reports

10.2.1 CAO-12-2024

Land Committee Meeting Minutes – September 19, 2024

Recommendation 7

Moved by: Mayor Redekop

That: Council receives the September 19, 2024 Land Committee meeting minutes attached as Appendix 1 to Report CAO-12-2024.

Carried

10.2.2 CAO-13-2024

2024 Annual Accessibility Status Report

Recommendation 8

Moved by: Mayor Redekop

That: Council receives the Accessibility Status Report 2024, attached as Appendix “1” to Report CAO-13-2024, as the annual Accessibility Status Report required under the *Accessibility for Ontarians with Disabilities Act*.

Carried

10.2.3 CS-07-2024

2025 Budget Planning

Recommendation 9

Moved by: Councillor Christensen

That: Council receives for information purposes the 2025 Budget Planning as presented in Report CS-07-2024, and further

That: Council approves the 2025 Budget Timetable as per Appendix 1.

Carried, as amended.

Amendment:

Moved by: Councillor McDermott

That: Council amends Appendix 1 to Report CS-07-2024 in order to change the date of the Council-in-Budget Committee meeting #1 - Capital Budget and Forecast meeting from Wednesday, November 20, 2024 to Monday, November 25, 2024.

Carried

10.2.4 LLS-04-2024

Short Term Rental Licencing By-law Updates

Recommendation 10

Moved by: Councillor McDermott

That: Council receives Report LLS-04-2024 for information purposes; and further

That: Council directs staff to prepare the necessary by-law to amend Schedule “13 - Short-Term Rentals” to By-law No. 217-05, as outlined in Appendix 1 to this report.

Carried, as amended.

Amendment:

Moved by: Councillor Lewis

That: Council directs staff to proceed as outlined in alternative one by removing the licence cap and to reflect this change in Appendix 1 – Red-lined Schedule “13 – Short-Term Rentals” to By-law No. 217-05.

Carried

10.3 New Business/Enquiries

None.

10.4 Business Status Report

No changes.

11. Closed Session

Recommendation 11

Moved by: Councillor Lewis

That: Council does now go into Closed Session at 8:40 p.m. to consider the following:

11.1 Closed Session Minutes - July 22, 2024 and September 23, 2024

11.2 Community Gaming Development Corporation Appointment pursuant to Section 239 (2) (b) of the Municipal Act, 2001, personal matters about an identifiable individual, including municipal or local board employees

11.3 PDS-60-2024 - South Ridge Meadows Subdivision Agreement (Plan 59M-521) 2024 Capital Budget Amendments and Memorandum pursuant to Section 239 (2) (e) of the Municipal Act, 2001, litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board

Carried

12. Back to Open Session

Recommendation 12

Moved by: Councillor Lewis

That: Council does now rise and reconvene from closed session at 8:52 p.m. with report:

11.1 **That:** Council approves the Closed Meeting Minutes of July 22, 2024 and September 23, 2024, and

11.2 **That:** Council defer item 11.2 to the October 21, 2024 Council meeting; and

11.3 **That:** Council authorizes cost payment for the Subdivision Agreement with Centennial Homes (Niagara) Inc. for the South Ridge Meadows Plan of Subdivision (Plan 59M-521) be increased from \$292,450 to \$1,010,480, and further

That: Council amends the 2024 Capital Budget to decrease the South Ridge Meadows Subdivision Wells Ave capital project (SRMW24) by \$121,760 with a funding increase of \$2,915 from Storm Development Charges (DC) Reserve and funding decreases of \$18,900 from the Road Refurbishing Reserve and \$105,775 from the Storm Refurbishing Reserve, and further

That: Council amends the 2024 Capital Budget to increase the South Ridge Meadows Subdivision Parker Ave capital project (SRMP24) by \$121,415 with funding of \$18,750 from the Road DC Reserve and \$102,665 from the Storm DC Reserve.

Carried

13. Scheduling of Meetings

Members of Council announced upcoming Boards and Committees meetings from October 8, 2024 to October 30, 2024.

14. Adjournment

Recommendation 13

Moved by: Councillor McDermott

That: Council adjourns Council-in-Committee at 8:56 p.m.

Carried

Mayor

Clerk



September 28th, 2024

To: Town of Fort Erie

Re: Positive Living Niagara HIV/AIDS Awareness Week Flag Raising Request

Positive Living Niagara is requesting a flag raising in recognition of HIV/AIDS Awareness Week (Nov 24 - Dec 1), World AIDS Day (Dec 1) and Indigenous HIV/AIDS Awareness Week (Dec. 1-8).

Positive Living Niagara is a not for profit organization dedicated to providing a continuum of innovative and proactive approaches to harm reduction, prevention and a person-centered focus on support and education for those at risk and affected by HIV, Hepatitis C Virus and Sexually Transmitted Blood Born Infections.

We are requesting to schedule the official flag raising on **Wednesday November 27th**, and would be delighted to have the Mayor or a member of City Council join us and say a few words on behalf of the Town of Fort Erie.

We ask that the flag remain up until the end of Indigenous AIDS Awareness week (December 8).

We look forward to speaking with some to confirm the details of Positive Living Niagara's request.

Sincerely,

Darryl Dyball
Community Development & Education Coordinator
Positive Living Niagara
905-984-8684 ext. 120
www.positivelivingniagara.com

RECEIVED
OCT 21 2024
BY COUNCIL

120 Queenston St., St. Catharines, ON, L2R 2Z3 Phone (905) 984-8684 Fax (905) 988-1921

RECEIVED
DEC 1 2004
BY COUNCIL

From: "OBCM Chair Marianne Meed Ward" <chair@obcm.ca>
To: info@obcm.ca
Cc: "Michelle Baker (michelle@obcm.ca)" <michelle@obcm.ca>, solvethecrisis@obcm.ca
Date: 2024-10-10 07:44 AM
Subject: Support for Ontario's Big City Mayors (OBCM) Solve the Crisis Campaign

Good Morning,

On behalf of the entire Ontario's Big City Mayors (OBCM) Caucus, I am reaching out today to ask you to share with your Council our request that your municipality joins us in our campaign to end the Humanitarian Crisis facing this province.

This past August OBCM launched our [SolveTheCrisis.ca](https://www.solve-thecrisis.ca) campaign to address the homelessness, mental health, and addictions crisis happening in municipalities big and small across the entire province. It is already having a significant impact with community partners, businesses, first responders, private sector, and the members of the public who have jumped on board.

We have seen hundreds of media hits, thousands of emails sent to both levels of government and Heads of Councils in every corner of Ontario. We are especially thrilled to see the growing number of municipal councils passing motions of support and hope that we can add your municipality to that list!

I am asking you to join us and help keep this issue at the forefront of discussions taking place at the province and within the federal government.

Attached you will find 3 documents.

They include a list of how you can help, a draft motion that you can use as is or you are more than welcome to make it your own, background information, regional information, funding facts, and what you can ask your residents and community partners to do to help support the SolveTheCrisis campaign.

These materials address why we are doing this, why we are doing it now, and what we are asking for in order to meet the needs of our local communities.

Thank you for your consideration of this request and we look forward to having you onboard.

For any questions or to discuss this further, you can reply to me here, or please feel free to reach out to Michelle Baker, OBCM's Executive Director, at michelle@obcm.ca or 647-308-6602.

Sincerely,
Marianne Meed Ward
Chair of Ontario's Big City Mayors (OBCM)
chair@obcm.ca www.obcm.ca

solvethecrisis@obcm.ca @solvethecrisis on X

RECEIVED

OCT 21 2024

BY COUNCIL Page 39 of 206

MOTION : *[insert name of your municipality or organization here]* supports the SolvethetheCrisis.ca Campaign and requests that the Provincial and Federal Governments take Action to Address the Growing Mental Health, Addictions and Homelessness Crisis in Ontario

Whereas there is a humanitarian crisis unfolding on the streets in our cities, large and small, urban and rural, across Ontario. The time for words is over, we need immediate action at all levels of government, starting with the Province of Ontario

Whereas the homelessness, mental health and addictions crisis continues to grow with 3432 drug related deaths in Ontario in 2023¹ and over 1400 homeless encampments across Ontario communities in 2023²; and

Whereas the province has provided additional funding and supports, such as the recent investment of \$378 million for HART Hubs and approximately 375 beds with wraparound supports, it does not adequately address the growing crisis and the financial and social impact on municipalities and regions across the province; and

Whereas municipalities and regions are stepping up and working with community partners to put in place community-specific solutions to address this crisis, but municipalities and regions lack the expertise, capacity, or resources to address these increasingly complex health care and housing issues alone; and

Whereas this is primarily a health issue that falls under provincial jurisdiction and municipalities and regions should not be using the property tax base to fund these programs; and

Whereas there is no provincial lead focused on this crisis leading to unanswered questions that span over a dozen ministries, and a lack of support to manage the increasing needs of those who are unhoused.

Therefore, be it resolved that *[insert name of your municipality here]* supports the SolvethetheCrisis.ca Campaign;

And calls on provincial and federal governments to commit to immediate action to solve the Humanitarian Crisis that Ontario is facing as the numbers of unhoused individuals and those suffering with mental health & addictions grows exponentially;

AND that the province officially makes Homelessness a Health Priority;

AND appoints a responsible Minister and Ministry with the appropriate funding and powers as a single point of contact to address the full spectrum of housing needs as well as mental health, addictions and wrap around supports;

AND that the provincial government strike a task force with broad sector representatives including municipalities, regions, healthcare, first responders, community services, the business community and the tourism industry to develop a *Made in Ontario Action Plan*;

¹ Office of the Chief Coroner, Ontario (2024). OCC Opioid Mortality Summary Q4 2023. [PDF]. <https://odprn.ca/occ-opioid-and-suspect-drug-related-death-data/>

² Homeless Encampments in Ontario. A Municipal Perspective. Association of Municipalities of Ontario. July 2024 -

AND that this provincial task force reviews current programs developed by municipalities, regions and community partners that have proven successful in our communities, to ensure that solutions can be implemented quickly and effectively to tackle this crisis.

AND that the federal government is included in these conversations.

AND that both levels of government provide adequate, sufficient and sustainable funding to ensure that municipalities have the tools and resources to support individuals suffering with mental health and addictions, including unhoused people and those from vulnerable populations that may be disproportionately impacted;

And that this **[Council or Board]** calls on the residents of **[insert name of your municipality, region or organization here]** to join us in appealing to the provincial and federal governments for support by visiting SolveTheCrisis.ca and showing your support;

AND further that a copy of this motion be sent to:

- The Right Honourable Justin Trudeau, Prime Minister of Canada
- The Honourable Sean Fraser, Minister of Housing, Infrastructure and Communities of Canada
- The Honourable Doug Ford, Premier of Ontario
- The Honourable Sylvia Jones, Deputy Premier and Minister of Health
- The Honourable Paul Calandra, Minister of Municipal Affairs and Housing
- The Honourable Michael Parsa, Minister of Children, Community and Social Services
- The Honourable Michael Tibollo, Associate Minister of Mental Health and Addictions
- Local MPs
- Local MPPs and
- Ontario's Big City Mayors



Background - SolvethetheCrisis.ca Campaign

Key Asks of the Province

- Appoint a responsible ministry and Minister with the appropriate funding and powers as a single point of contact to address the full spectrum of housing needs as well as mental health, addictions and wrap around supports.
- Have this Minister strike a task force with broad sector representatives including municipalities, healthcare, first responders, community services, the business community and the tourism industry to develop a *Made in Ontario Action Plan*.
- Provide municipalities with the tools and resources to transition those in encampments to more appropriate supports, when deemed necessary
- Commit to funding the appropriate services these individuals need, community by community where there are gaps in the system. Including an immediate increase in detox and rehabilitation beds for those looking to get the health support they need, on their own.
- Invest in 24/7 Community Hubs / Crisis Centres across the province to relieve pressure on emergency centres and first responders

Background Information on the Crisis

OBCM Advocacy

- The 'Solve the Crisis' campaign is a culmination of years of advocacy from Ontario's Big City Mayors on the mental health, addictions and homelessness crisis across Ontario, including our white paper released in 2021, most recently developing our health and homelessness strategy in 2023 and an update to that strategy included in this campaign (see OBCM advocacy timeline below)

A Growing Crisis

- Over the years we have seen this crisis develop to include a growing number of unhoused residents and encampments in many of our communities:
 - Of 72 communities surveyed, 68 reported encampments with an estimated 14-23% of the homeless population staying in encampments - [Infrastructure Canada National Survey on Homeless Encampments](#)
 - In 2023 there were at least 1,400 homeless encampments in communities across the province. Many of the residents of these encampments suffer from mental health or substance abuse challenges. - [The Association of Municipalities \(AMO\)](#)



- **London** - as of March 31, 2024 1758 individuals experiencing homelessness and there were 56 active encampments - [Housing and Homelessness Snapshot, City of London](#)
- **Kingston** - 1,924 clients received some type of service in relation to Homelessness in 2023 this includes (outreach, shelter, housing support services, such as housing loss prevention and housing application assistance) - [Housing and Homelessness Report, City of Kingston](#)
- **Region of Waterloo** - current estimates are that 1,000 people are experiencing homelessness across the region including 450 people experiencing Chronic homelessness - [Encampments Report - City of Waterloo](#)
- **Hamilton** - As of January 31 2024, 1,592 Homeless people, with 585 having been homeless for more than 6 months and, 1007 for less than 6 months - [City of Hamilton](#)
- **Windsor** - 468 Individuals experienced chronic homelessness in 2023 up 19% from 2022 - [Housing and Homelessness Report - City of Windsor](#)
- Ontario residents are frustrated with the impact of this crisis on their communities and want to see the government take action. In a recent survey conducted by [CMHA Ontario](#)
 - More than 8 in 10 Ontarians would prefer solutions for the ongoing opioid and drug poisoning crisis which focus on healthcare and social services support rather than punishments
 - 73% percent of Ontarians are concerned the opioid crisis is getting worse
 - 56% report that opioid addiction is an issue of concern in their community
 - 71% believe government should prioritize addressing the crisis

There Are Solutions

- Municipalities along with community partners have developed programs and spaces that are providing effective solutions to this crisis including:
 - **London** - from October 2023 - March 2024, as part of a partnership between London Cares and LHSC, the House of Hope has been operating 25 highly supportive units at 362 Dundas Street.
 - Residents have seen significant health improvements including a 74% reduction in emergency department visit volumes in the first three months compared with the same time period and the same cohort in 2022 - [City of London](#)
 - **Toronto** - the city's Street to Homes (S2H) and its outreach partners helped transition 654 people to permanent housing throughout the pandemic - [City of Toronto](#)
 - **Kingston** - the affordable rental housing capital funding program has provided financial assistance from municipal, provincial and federal sources to create over 510 units to get people housed and off the streets



- These include - Addiction Mental Health Housing Stabilization Program-18 beds, Supportive/ Transitional Youth Housing - 48 units, Transitional housing for vulnerable women - 17 beds and more - [City of Kingston](#)
- **Oshawa** recently introduced **Mission United**, a collaborative social service and primary health care HUB for those experiencing homelessness.
 - This program seeks to assist those with high acuity and tri morbidity achieve long term stabilization by providing low barrier, wrap-around supports with a point in time model.
 - Through partnerships with various community agencies, they provide specialized person-centred services through a singular access point.
- **Windsor-Essex** - funded by the city and community organizations the Homelessness & Housing Help Hub (H4) is a “one-stop” multidisciplinary service hub. The H4 works towards the community’s goals to reduce homelessness by delivering housing focused, homelessness resolution programs that provide a variety of wrap-around supports for persons experiencing homelessness.
 - 133 people have been housed through supports provided at H4, 93 people were assisted by a family physician and 180 by a nurse practitioner through the Shelter Health Initiative
 - The Essex County Homelessness Hub has also housed 47 people through their support program - [Home Together Annual Report - Windsor Essex](#)

Timeline of OBCM Advocacy Work on Health and Homelessness

- **June 2021** - OBCM released a white paper entitled - *Working Together to Improve our Wellness: Recommendations from Ontario's Big City Mayors to improve mental health and addiction services in Ontario* - including recommendations for:
 - Structural recommendations to ensure more Ontarians get the help they need, when they need it, and where they need it.
 - Support that helps improve and connect municipal services with community mental health services
 - Legislative and regulatory changes that reduce the harm of substance use and support system change
 - Municipal leadership opportunities
 - Full paper found on our website here - [OBCM White Paper 2021](#)
- **June 2022** - OBCM Calls for an Emergency Meeting with Province to Address the Chronic Homelessness, Mental Health, Safety and Addictions Crisis Overwhelming Our Communities
 - This meeting to accelerate solutions to address chronic homelessness, mental health, safety, and addictions issues in our communities as our most



marginalized and vulnerable populations have been disproportionately impacted by the pandemic

- Working alongside the Ontario BIA Association (OBIAA) we emphasized the impact this crisis was having on downtowns and small and medium sized businesses who were still struggling from the impact of the pandemic
- [OBCM Call for Emergency Meeting](#)
- **August 2022** - at a joint meeting with the Mayors and Regional Chairs of Ontario (MARCO) OBCM reiterated our call for an emergency meeting on this issue with the support of key stakeholders who signed on to attend, these groups include the Ontario Chamber of Commerce, Ontario Association of Business Improvement Areas, Ontario Association of Chiefs of Police, AMO, Canadian Mental Health Association Ontario and the Ontario Tourism Industry Association.
 - [OBCM Reiterates Call for Emergency Meeting with Stakeholders](#)
- **February 2023** - OBCM adopts our Health and Homelessness Strategy including five recommendations for the Ontario government to make an immediate impact on the mental health, addictions and homelessness crisis. These recommendations were developed using information gathered through consultation with local health partners to identify services required to ensure there is a health care continuum and appropriate response to this crisis affecting our cities.
 1. Centralized and integrated intake and dispatch process
 2. More provincial investment in low barrier hubs
 3. More stabilization and treatment beds with experienced staff to support those in their treatment journey
 4. More flexible and predictable funding for supportive housing
 5. More provincial ministry and agency collaboration to reduce red tape and duplication
- Full motion and strategy can be found here - [OBCM Health and Homelessness Strategy 2023](#)
- **April 2023** - OBCM meets with Minister Jones and staff, along with partners from the Canadian Mental Health Association Ontario, Ontario Association of Chiefs of Police, Ontario Chamber of Commerce, the Kingston Health Sciences Centre and the Association of Municipalities of Ontario.
 - Discussed the new funding recently announced in the budget of \$202 million each year to the Homelessness Prevention Program (HPP) and Indigenous Supportive Housing Program, and over half a billion dollars to support mental health and addictions.
 - Presented our Health and Homelessness Strategy, including recommendations to address the growing crisis in Ontario's cities
 - [OBCM Meets with Minister Jones](#)
- **August 2023** - OBCM representatives have a special “Multi Minister Meeting” on our Health and Homelessness Strategy at the AMO Conference with Minister Parsa (Children, Community and Social Services), Associate Minister Nina Tangri (Housing), Associate Minister Tibollo (Mental Health), Associate Minister Charamine Williams (Women's Social and Economic Opportunity)



- OBCM representatives present our Health and Homelessness plan as well as various programs and facilities that are making a difference in our communities
- **June 2024** - at the OBCM June meeting in Chatham-Kent, members discuss updating the Health and Homelessness Strategy to push for various additional supports/asks from the province, especially as the issue of encampments has now grown and approves a communication campaign leading into the 2024 AMO Conference
 - [OBCM Updated Health and Homelessness Strategy, 2024](#)

Overview of Ontario's Investments in Mental Health and Addictions **(from CMHA)**

- Through the [Roadmap to Wellness](#), Ontario is investing \$3.8 billion over 10 years to fill gaps in mental health and addictions care, create new services and expand programs.
- The government invested \$396 million over three years to improve access and expand existing mental health and addictions services and programs as part of Budget 2024.
- This investment includes:
 - \$124 million over three years to support the continuation of the Addictions Recovery Fund. The fund supports:
 - Maintaining 383 addictions treatment beds for adults who need intensive supports, helping to stabilize and provide care for approximately 7,000 clients each year;
 - Three Mobile Mental Health Clinics to provide a suite of mental health and addictions services to individuals living in remote, rural and underserved communities; and
 - Three police-partnered Mobile Crisis Response Teams to support individuals in a mental health or addictions crisis.
- Ongoing support for the [Ontario Structured Psychotherapy Program](#)
- Between 2020 and 2023, Ontario established a provincial network of 22 [Youth Wellness Hubs](#) which have connected 43,000 youth and their families to mental health, substance use, and wellness services, accounting for over 168,000 visits.
- As part of Budget 2024, Ontario committed \$152 million over the next three years to support individuals facing unstable housing conditions and dealing with mental health and addictions challenges.



Regional Data Points

- **Durham Region:** As of May 31, 2024 The Region of Durham Has at least 757 people experiencing homelessness with 326 having experienced homelessness for 6 months or more.
 - Inflow into shelter system: 35 individuals became chronically homeless, 36 made contact after no contact for 60 days or more and 6 people lost housing.
 - Outflow from Shelter system: 10 people moved from shelters into housing, 6 people lost housing.
 - Durham Municipal Breakdown of active homeless population as of May 2024:
 - Ajax: 241
 - Clarington: 19
 - North Durham: 17
 - Oshawa: 362
 - Pickering: 25
 - Whitby: 58
 - Other/Unknown: 35 - [Durham Region, Built for Zero Report Card](#)

- **Halton Region** - As of October 1st 2023, 172 individuals were receiving emergency shelter from the region
 - 270 additional individuals were residing in transitional housing awaiting offers of permanent housing
 - Between 10-25 individuals sleep outside in Halton on any given night, with most actively working with the street outreach team - [Halton Region](#)
 - In 2023, 28% of all shelter placements required the use of hotels for overflow due to increased demand on services
 - Halton Region's Shelter Capacity 2023(by number of individuals): 148, overflow hotel placements required to meet demand and 99 permanent placement beds.
 - As of 2022, 2,127 emergency housing situations were resolved through outreach and funding through the housing stability fund
 - 884 residents assisted with finding affordable rental housing, and 514 clients received intensive customised supports
 - 56 chronically homeless households were assisted with permanent housing, with intensive wrap around individualized support services
 - Halton Region provided rent geared income to 3,091 households from the Halton Access to Community Housing (HATCH) - [Halton Region 2022 State of Housing](#)

- **Niagara Region** - As of March 2021, at least 665 people in the Niagara Region were experiencing homelessness in 2021
 - 121 were children aged 0-15, 76 were youth aged 16-24,
 - 47 reported staying in unsheltered locations
 - Of the 439 surveys reported in 2021:



- Almost 1 in 4 (22.6%) identified as indigenous Compared to Indigenous making up 2.8% of Niagara's Population.
 - 42 percent had been experiencing homelessness for more than 6 months
 - (Data Recording Paused During Pandemic Point In Time Counts begin again Fall 2024)
 - [Niagara Region - Point in Time Count](#)
-
- **Peel Region** - In 2023 4,800 households received one time financial assistance to prevent homelessness
 - 351 households were placed from peels centralized waiting list into subsidized community housing units
 - 16, 497 households currently using the Affordable Housing System - [Peel Region](#)
 - As of October 2023 Peels emergency shelter system was operating above 270% occupancy
 - Overflow expenses have grown significantly projected \$26.9 million for 2023 and \$42 million in 2024 exceeding approved budgets and funding - [Peel Region Report](#)
-
- **Region of Waterloo** - According to the Youth impact survey youth experiencing homelessness has increased from 8% in 2021 to 13% in 2023 - [Region of Waterloo](#)
 - As of September 21, 2021 the Region of Waterloo had 1,085 individuals experiencing homelessness
 - 412 of those are living rough (in encampments, on the street or in vehicle)
 - 335 experiencing hidden homelessness
 - 191 in emergency shelter, 84 in transitional housing, and 63 in institutions.
 - 75% of survey respondents experiencing chronic homelessness - [Region of Waterloo Point in Time Count](#)
-
- **York Region** - Housed 978 households from the 2023 subsidized housing waitlist
 - Transitioned 1,294 from emergency housing to safe housing over 5 years
 - As of 2023 15,716 households remain on the subsidized housing waitlist Net change of plus 849
 - Opened two new transitional housing sites adding 28 new units to the emergency and transitional housing system
 - Significant increases in the number of people experiencing homelessness projected, with estimates ranging from 2,100 to 2,300 individuals in the next five years.
 - Unique individuals accessing emergency housing increased 5% from 2019 - 2023



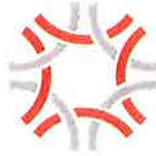
- The total number of unique people who experienced chronic homelessness during the year increased by approximately 120% from 2019 to 2023, from 124 to 473.
- 1496 unique persons experiencing homelessness in 2023 - [York Region](#)

- **District of Muskoka Lakes** - As of July, 2022 650 households are on the social housing waitlist with 357 of those waiting for a one bedroom unit and a wait time up to 8 years.
 - Median Employment income for individuals is 21% lower than the rest of the province
 - 13% of Muskoka Residents living in poverty
 - 50% of rental households spend more than 30% of their total income on shelter costs.
 - 11 unique households moved from emergency shelters into longer-term housing solutions (i.e. transitional or supportive housing)
 - 15 households were moved from unsheltered/provisionally accommodated to transitional or long-term housing
 - 6 households were supported to move from transitional to long-term housing
 - 973 requests for assistance in obtaining housing from households experiencing homelessness
 - 19,518 requests for assistance from households experiencing homelessness received supports and services (not related to accommodation)
 - 1,209 requests for assistance from households at risk of homelessness received supports and services (not related to accommodation) to support housing loss prevention, retention, or re-housing - [Muskoka 10 Year Housing & Homelessness Plan Annual Report](#)

- **South Eastern Ontario**
 - **Kingston** - As of December 2023, Approximately 127 people slept rough meaning makeshift accommodations, sleeping in street, park or vehicle an increase of 12 from august - december of 2023
 - 1,924 clients received some type of service in relation to Homelessness in 2023 this includes (outreach, shelter, housing support services, such as housing loss prevention and housing application assistance) - [City of Kingston](#)
 - **Ottawa** - As of December 31, 2023 Ottawa had 12,447 households on the centralized waitlist with 1,186 households housed from the waitlist
 - 49 New Affordable units and 57 New Supportive units were completed
 - 301 households were housed through the housing first program
 - 1,129 households housed from the shelter system
 - 988 people Chronically homeless, with 382 individuals with a history of chronic homelessness being housed
 - 13% increase in people using the shelter system



- 3% decrease in the average length of stay in shelter system, 25% increase in newcomer inflow into shelter system - [City of Ottawa](#)
- **South Western Ontario**
 - **Windsor** - In 2023, 715 households experiencing homelessness were housed
 - 95 individuals experiencing chronic homelessness were housed with supports
 - Youth Homelessness: 25 youth experiencing homelessness housed with supports
 - 1105 households assisted with rent assistance. - [City of Windsor](#)



— **OBCM** —
Ontario's Big City Mayors

How You Can Help SolvetheCrisis.ca A Request to Ontario Municipalities From Ontario's Big City Mayors

What is the SolvetheCrisis.ca Campaign?

Ontario's Big City Mayors (OBCM) launched the [SolvetheCrisis.ca](https://www.solve-the-crisis.ca) campaign in August 2024 to address the homelessness, mental health and addictions crisis happening across Ontario.

After years of advocacy we are at a turning point, the time to act is now. This crisis is growing in municipalities and regions of every size across Ontario, and we need help more than ever!

Ontario municipalities of all sizes have stepped up, putting in place programs and housing options along with community partners and other stakeholders, advocating for funding that might be provided from other levels of government but is never consistent and never enough. We cannot tackle this alone, the federal and provincial governments' must come to the table.

We launched the [SolvetheCrisis.ca](https://www.solve-the-crisis.ca) Campaign with a press conference at Queen's Park including a video that can be shared and found here: [OBCM You Tube Channel](#), a social media campaign that is still underway, and a website www.solve-the-crisis.ca where your residents/networks/councils & staff can watch our video, join our call to action by filling out a letter to the Premier, various Ministers, local MPPs and MPs.

How Can You Help?

There are so many ways!

- Follow us on our socials & like and reshare our posts:
 - X (formerly Twitter) [@SolvetheCrisis](#), and [@ONBigCityMayors](#),
 - LinkedIn [Ontario's Big City Mayors \(OBCM\)](#) and
 - Facebook [Ontario's Big City Mayors](#)

- Pass the draft motion attached, a more personalized version of the attached motion, or create one of your own!

- Share this call to action with your Council, Board of Directors, Membership, Networks and the public

- Share your motion and support of the SolveTheCrisis.ca campaign on social media and tag our accounts:
 - X (formerly Twitter) [@SolvetheCrisis](#), and [@ONBigCityMayors](#),
 - LinkedIn [Ontario's Big City Mayors \(OBCM\)](#) and



— **OBCM** —
Ontario's Big City Mayors

- Facebook [Ontario's Big City Mayors](#)
- Use the hashtags #solvethecrisis and tag Solve the Crisis and OBCM's socials if you can to help us track and report on engagement
- Ask residents, staff, councillors, supporters, members and even your Mayor / Warden / Chair / Head of Council to visit www.solvethecrisis.ca fill out the letter to send the message to their local representatives stating that they want action now.
 - Encourage them to share it with their networks as well.
- Read through our attached backgrounders and key messages and include them in any advocacy efforts you may undertaking on this issue
- Draft an op-ed or article specific to your municipality or region to push out to your local media (see OBCM Chair Meed Ward's Op-Ed here - [Toronto Star - August 17th](#))
- Contact us at solvethecrisis@obcm.ca for more information



**Community Gaming Development Corporation (CGDC)
Board of Directors Meeting Minutes
Wednesday, June 26, 2024
Conference Room #1**

1 Call to Order

The Chair called the meeting to order at 5:30 pm.

2 Roll Call

The Chair gave the roll call.

Present: Larry Graber, (Chair), Mike Foster, (Vice-Chair), Mark Lacasse (Secretary/Treasurer), Rayomand Darukhanawalla, Margo Pinder, Deanna Ward, Councillor McDermott

Staff: Grace Gress, Coordinator, Gaming Compliance and Karlee Griffin, Manager of Accounting Services

3 Disclosure of Pecuniary Interest

There were no disclosures of pecuniary interest.

4 Adoption of the Agenda

Resolution 1

The Agenda for June 26th, 2024 was adopted by unanimous consent.

Carried

5 Adoption of the Minutes

Resolution 2

The Minutes for May 22nd, 2024 were approved by unanimous consent.

Carried

6 Correspondence

None.

7 Coordinator, Gaming Compliance's Report

7.1 Financials

Board members reviewed and discussed the Net Proceeds Available to Charities and the Monthly Event Share Reports.

7.2 Monthly Report

Ontario's Not-for-Profit Corporations Act (ONCA) replaced Ontario's Corporations Act on October 19, 2021 and non-profit and charitable organizations were given 3 years to comply. Staff updated CGDC By-law #1 and presented it to the board. Board members were asked to review it and provide feedback prior to the AGM scheduled for September 2024.

7.3 Response to Enquiries

None.

8 Allocations and Applications

None

9 New Business and Enquiries

None

10 Next Meeting Date

10.1 September 25, 2024

11 Adjournment

That: The CGDC Board of Directors adjourns at 6:23 pm.

Carried

Larry Graber, Chair

Grace A. Gress, Coordinator, Gaming Compliance



Meeting Date, Time, and Location

Wednesday, June 28, 2023 at 5:30 p.m. at Ming Teh Restaurant, Fort Erie, ON

Members

Board of Directors

Rayomand Darukhanawalla - Chair
Mike Foster
Larry Graber – Vice-Chair
Mark Lacasse – Secretary/Treasurer
Margo Pinder –
Craig Shufelt - *regrets*
Deanna Ward
Councillor George McDermott - *regrets*

Staff Resources

Grace Gress, Coordinator, Gaming Compliance
Sonja Bovan, Manager, Accounting Services

1) **Call to Order**

The Chair called the meeting to order at 5:55 pm.

2) **Approve Agenda**

Resolution No. 56-23
Moved by Mark Lacasse
Seconded by Mike Foster

THAT: The agenda for the meeting of June 28, 2023 is adopted as presented.

(CARRIED)

3) **Declaration of Conflict of Interest**

There were no conflicts of interest declared.

4) **Adoption of the Community Gaming Development Minutes of May 31, 2023**

Resolution No. 57-23
Moved by Larry Graber
Seconded by Margo Pinder

THAT: The Community Gaming Development Corporation adopts the May 31, 2023 meeting minutes.

(CARRIED)

5) **Business Arising from Minutes**

There was no business arising from the minutes.

6) **Correspondence for Board Consideration**

There was no correspondence for the Board to consider.

7) **Financial – Grace Gress**

NET PROCEEDS AVAILABLE TO CHARITIES REPORT

The Board reviewed and discussed the documents.

MONTHLY EVENT SHARE

The Board reviewed and discussed the documents.

NON-COMPLIANCE – YEAR END FINANCIAL REPORT

Staff notified Board members of a suspension that was imposed, due the fact that the organization failed to submit their year end financial statements within the prescribed time frame mandated by both OLG and AGCO. The organization in question was to submit their statements by May 31st or risk the suspension of their lottery permit. At the time of the meeting however, the statements had since been submitted and the organization was reinstated.

8) **New Business**

August Allocations

Resolution No. 58-23
Moved by Margo Pinder
Seconded by Mark Lacasse

THAT: The CGDC approve a budget allocation to **Fort Erie Co-operative Nursery School of \$40,000.00** for the 2024 budget year, and

THAT: CGDC staff notify the permittee of their preliminary budget allocation. **(CARRIED)**

Resolution No. 59-23
Moved by Larry Graber
Seconded by Deanna Ward

THAT: The CGDC approve a budget allocation to **I Can Therapeutic Equestrian Riding Association of \$55,000** for the 2024 budget year, and

THAT: CGDC staff notify the permittee of their preliminary budget allocation.

(CARRIED)

Resolution No. 60-23
Moved by Margo Pinder
Seconded by Larry Graber

THAT: The CGDC approve a budget allocation to **Parents for the Performing Arts of \$40,000** for the 2024 budget year, and

THAT: CGDC staff notify the permittee of their preliminary budget allocation.

(CARRIED)

9) **Board Enquiries and Discussion**

The were no enquiries by members.

10) **Action Item List**

There are no items to be added to the action item list.

11) **Next Meeting**

The next meeting will be held on Wednesday, September 27, 2023 at 5:30 pm in conference Room #1.

12) **Adjournment**

Resolution No. 61-23
Moved by Mark Lacasse
Seconded by Larry Graber

THAT: The CGDC Board of Directors hereby adjourns at 6:35 pm.

(CARRIED)

Minutes prepared by:

Minutes approved by:

Grace A. Gress, Coordinator,
Gaming Compliance - CGDC

Rayomand Darukhanawalla, Chair
CGDC



**The Municipal Corporation of the Town of Fort Erie
Community Health Care Services Committee Minutes**

**September 24, 2024, 4:00 p.m.
Conference Room 2**

1. Call to Order

The meeting was called to order at 4:06 p.m.

2. Roll Call

The Chair gave the roll call.

Present: Amy Devereaux, John Walpole, Carol Nagy, Councillor Christensen,
Councillor McDermott, Mayor Redekop

Staff: Alice Preston, Chris McQueen

Absent: Kathleen Moses, Jill Croteau

Guests: None

3. Disclosure of Pecuniary Interest

None

4. Adoption of the Agenda

That: The Agenda for September 24, 2024 be adopted as presented.

Moved by: Councillor Christensen

Seconded by: Amy Devereaux

Carried

5. Adoption of Minutes

That: The minutes from July 16, 2024, be adopted as submitted.

Moved by: Amy Devereaux

Seconded by: Councillor Christensen
Carried

6. Delegations

None

7. Correspondence

The letter attached is signed by Harprett Bassi and Mary Jane Johnson. Councillor McDermott shared that the Councillors discussed it last evening at Council. We requested that the Mayor and Councillors have a meeting with the Board of Directors at Niagara Health. Chris made some comments at last evening's meeting and I outlined a number of things this Committee has made progress on. My hope is Niagara Health will rejoin. Councillor Christensen added that Niagara Health says in their letter that they are not in the primary care business, however they run the Urgent Care Centre. Dollars that are being spent on primary care should stay in our community. Councillor Lewis also spoke at Council indicating that we should revisit our decision on the \$3M, as the commitment at that time was to continue our Urgent Care Centre and now they are not. It was a very involved discussion from Council. The article from the local Radio station covers this discussion. In any case, we did keep the door open that we are looking forward to them returning to the Committee. We were excluded from that last round of meetings, so I assume now that we are invited. John Walpole concluded that we will wait for Niagara Health to respond.

8. Niagara Region Report

Jill Croteau was not in attendance.

9. Coordinator, Community Health Care Services Report

- Virtual Meetings took place over the summer with representatives from Niagara Ontario Health Team (NOHT), Niagara Health (NH), Niagara Physician Health Alliance (NPHA), Bridges Community Health Centre (CHC) and Aboriginal Health. Discussions were around the primary care needs of Fort Erie, and the submission of an Expression of Interest (EOI) in the spring of 2025 for a new primary care model. It was decided that we needed physician input, so the Town hosted a dinner meeting which was held on July 30th. Physicians from each physician model group were present, along with Chris McQueen, myself, Mayor Redekop, Taralea McLean from Bridges CHC, Frank Ruberto from NPHA and Dr. Robert from NH. Sabrina Piluso from NOHT led the discussion regarding the request from Ontario West to write and submit a plan for a primary care model, ideally in collaboration with Port Colborne physicians, for a total budget of \$2-\$3M. Subsequent to this meeting, Ontario West said "just put in what you feel is needed". The Fort Erie Family Group Practice, 238 Bertie Street, voiced an interest in taking a lead. Dr. Luterman, spokesperson for the Fort Erie Group, Dr. Vandenberg from Port Colborne and Sabrina Piluso are meeting on October 1st to discuss further. They

will then bring the two physician groups together to finalize a draft which will go to the Ministry. Targeting Mid-October.

- Dr. Bharti's start date is on hold as Drs. Sharma and Hanna want to build their rosters further before she starts. We will be putting in an ad in the Observer for both Doctors that they are accepting patients and will include Bridges CHC Nurse Practitioner.
- Chris McQueen and I met with Dr. Scher to discuss the Palliative Care Program. He was asking for support funding for a Nurse Practitioner. We are advocating for NP support for his program through the EOI. Carol Nagy added that she, Sabrina Piluso and Dr. Scher have met and they are proposing a Nurse Practitioner be dedicated to the Fort Erie Palliative Care Program and that this Nurse Practitioner will integrate into the Community to be part of the Outreach Palliative Care Team so there is equitable access to palliative care and that all services are available to Residents of Fort Erie.
- Repatriation Events: Jill Croteau, Dr. Remington and I are attending a repatriation event in Dublin and a recruitment event in Manchester in the month of October. 250 Medical Students will be in attendance in Dublin and 75 UK docs are registered for the recruitment event. There will be 20 Physician Recruiters there, mainly from Ontario.
- Although Port Colborne has decided not to launch a Resident survey, the NOHT has asked us to go ahead with our survey as they need this data for the EOI. Launch date is today in the Observer. Other posters will be distributed throughout the Community.

10. Chief Administrative Officer Report

Alice Preston has been working with the Crystal Beach Firehall. The project was stalled due to a fallout in the relationship between the prospective physician and the owners. We were approached to assist and have since connected them with another physician group. Fingers crossed that this will happen. Stay tuned.

11. Council Representative Report

Chris McQueen and Alice Preston advised me about six to eight weeks ago about an initiative in Renfrew County. They have the same pressures we have with respect to accessing primary healthcare. They have a higher level of municipal government and a much larger geographic area. They have some things we do not have, like a family health team under a blended salary model. It is a Family Health Organization but physicians are paid a base salary with capitation. A different relationship than most Family Health Teams. They applied for funds to develop a Virtual Service Program. Details are as follows:

County of Renfrew – Transfer Payment Agency and holder of provincial funds

- Five communities in the largest land mass county in Ontario
- No UCC or walk-ins
- Shortage of registered nurses
- Could not get doctors to move to the area so a virtual approach was employed
- 4% rates of unattachment with older, poorer, sicker patients
- VTAC was a COVID solution – Arnprior CEO, Judy Hill, EMS
- Program includes:
 - Qualified medical reception and triage – screens call
 - Registration
 - Sets appointment
 - Clinician assessment determines whether to treat, escalate or transferred to ER
- Program uses phone, video and secure messaging
- Five community assessment sites remain operational post- COVID

What is Hybrid Care?

- Balance clinical need with patient preference
- Utilize the advantages and strengths of virtual care
- Have in-person care available when needed.

VTAC Operations

- Hours of operation:
 - 24/7 for the phone lines
 - Clinical Assessment Centres are open Monday to Friday from 8am-5pm.

Staff complement:

- Medical Receptionists
 - 26 Medical Receptionists staff the phone lines:
 - Weekly, Monday to Friday, staff work 225 remote (off-site) hours and 70 hours on-site hours.
 - Weekends, Saturday and Sundays, staff work 64 hours of remote (off-site) hours.

- The program provides a total of 359 hours weekly.
- Community Paramedics
 - 10 paramedics work at the Clinical Assessment Centres.
 - Some CAC's are assigned 2 paramedics and some are assigned 1 based on demand and location.
 - There is a weekly total of 124 hours of clinical paramedic time.
- Physicians
 - 50 physicians on staff are compensated through the province's blended salary model (combined base salary and capitation)
 - For VTAC activities, physicians are paid as follows:
 - \$15/hour for phone services
 - \$20/hour for video services
 - \$135/hour for sessional services

Budget:

- Current VTAC budget = 2.8 million for medical receptionists and paramedics
- Excludes physician hours. Physicians have their own contract with MOH.
- Current physician staffing totals 250 hours a week

Bottom Line:

- Renfrew County has a four-year history – it's no longer a model

Additional information shared was a 30-day snap shot. Fewer than 3% of the calls were advised to go to an Emergency Department or call 911. Paramedics can also go out to patients' homes. There are hands-on capacity in this, paid capacity by fully-trained Paramedics. John Walpole commented on how Paramedics have expanded their scope and that potential for EMS in our community is huge. Councillor Christensen continued. This program does speak to concerns mentioned by Chris McQueen about fragmented funding. It is managed by one Manager, Renfrew County. They have hybrid appointments and virtual appointments.

They provided a slide about referrals and spoke to the direction of primary health care around prevention, screening, appropriate testing, continuity of care and access to interprofessional healthcare providers. It is a very interesting project. We haven't taken it any further than this initial discussion.

Carol Nagy added that virtual services are spreading across Ontario and the NOHT is promoting the same kind of program in Toronto. I think for this

Committee, it might be very helpful to ask Sabrina Piluso to speak to our Committee about virtual access to care. We need to tap into what is already happening in Niagara so we don't duplicate efforts and that we use our health care funding wisely. It is more difficult for primary care practitioners to switch a practise into these options, but if we do endorse this service, we will need to start to communicate with physicians that our Committee is promoting virtual care.

Councillor Christensen advised we had not made any decisions but were just obtaining information. Renfrew also has a database of physicians we can tap into. It may be the next competitive field, who gets which communities. But you raised some interesting facts. I will say that some of the people that spoke to Chris McQueen, Alice Preston and I are people from Niagara who are aware of this program. Not sure how closely tied they are with the NOHT. We don't want to be duplicating. If this is a viable option, then it needs to be done in a way that ensures all residents have the best access. Your comment about changing the nature of practise has to be set up front. I was involved when the first Family Health Teams came about. There is a need to look at different ways of doing things and there will be a driving imperative to do this in the future to optimize our resources. Thank you again for your comments.

The people from the VTAC Program are going to be attending the SOS workshop tomorrow.

Motion: That the Committee invite Sabrina Piluso, Executive Director, NOHT to attend our next Committee Meeting to discuss Virtual Care across our region.

Moved by: Councillor Christensen

Seconded by: Carol Nagy.

Carried

Councillor Christensen added that the success measure for the province seems to be focused on patient rostering. Two other things that need to be considered are Emergency Department avoidance and access to care. Once you go virtual, people with transportation and mobility issues can get access to preliminary health care assessments. Add these two measurements to the EOI.

Alice Preston will clarify with Renfrew County whether or not their physician rates are per call, versus per hour, and will email Sabrina Piluso to invite her to our next Committee meeting.

12. New Business

None

13. Next Meeting Date

October 29th, 4:00 p.m.

14. Adjournment

That: The meeting be adjourned at 4:49 p.m.

Moved by: Councillor McDermott

Seconded by: Amy Devereaux
Carried



**The Municipal Corporation of the Town of Fort Erie
Affordable Housing Advisory Committee Minutes**

**September 11, 2024, 3:00 a.m.
Conference Room 2**

1. Call to Order

Meeting was called to order at 3:00 PM.

2. Roll Call

Present: J. Sinclair, T. Insinna, M. Witvoet, S. Towner, Rev. William Phillips,
Mayor Redekop, K. Kendrick

Absent: B. Hodge, M. Newman

Staff: C. McQueen, A. Hair, K. Dell, E. Terry, B. Antonio

3. Disclosure of Pecuniary Interest

None.

4. Adoption of the Agenda

That: The Agenda for September 11, 2024 be adopted as presented.

Moved by: W. Thomas

Seconded by: S. Towner

Carried

5. Adoption of Minutes

That: The Minutes for June 12, 2024 be adopted as presented.

Moved by: W. Thomas

Seconded by: S. Towner

Carried

6. Staff Updates

1. Draft Affordable Housing CIP

K. Dell provided update of 3 CIP grant options, played radio advertisement and hand-out of Affordable Housing CIP information guide

Tuesday Sept 17 open house for draft affordable housing CIP program at Town Hall 5PM - 7PM

October - CIP will go to provincial review.

November to Council for information report

December to Council for approval.

7. New Business

1. Presentation - Rick Boivin from Havn

8. Next Meeting Dates

Wednesday October 9, 2024 - 3:00 PM - Conference Room #1

9. Adjournment

That: The Affordable Housing Advisory Committee adjourns at 4:55 PM.

Moved by: W. Thomas

Seconded by: T. Insinna

Carried



Crystal Beach Business Improvement Area Board of Management Meeting Minutes

Wednesday, September 11th, 2024 at 6:00 pm
Fort Erie Public Library
Crystal Ridge Branch Meeting Room

1. Call to Order

6:00pm

2. Roll Call

Present: Kirk Fretz, Regan Greatrix, Robin Bannerman, Irene Bradvica, Melissa Dubois and Tom Lewis

Absent: Chris Hawkswell (Regrets)

Guests: Paul & Donna Lewis

3. Disclosure of Pecuniary Interest

None

4. Adoption of the Agenda

Motion to accept the Agenda as presented

Amend the Agenda section to add **ITEM C** – Groove in the Grove event series

Moved by Melissa Dubois

Seconded by Regan Greatrix

Carried

5. Presentations and Delegations

A. Friends of Crystal Beach FOCB – Paul Lewis – End of Summer Parade debrief

The End of Summer Parade started in the 60's. Paul shared this year's event was successful and in fact, the "Keystone Cops" car set the parade off and also happened to be on of the original floats. RIP 2024 Summer Parade was very well attended than years past. The planning for 2025 has already begun and next year's date is **Saturday August 30th, 2025 (with a rain date of August 31st)**. Thanks to all and let's make the event bigger and better next year! We were pleased to have 101.1 FM and 105 FM radio present this year.

B. Sandra Fishman – Beautification Committee

Yardstix watering service will be terminated September 15th with a goal of taking down the baskets by September 21st. Kirk Fretz offered up his sea container to store all the planters in the off season which will allow for more control of this initiative seasonally. Attempts have been made to reach out to the GFESS guidance to see if this committee can secure kids in need of volunteer hours. The TOFE Fire Department has also been contacted to see if they can assist FOCB with the Fall scarecrows going up on the hydro poles. We can still expect some invoices from Yardstix for watering / fertilizing of the planters.

C. Laura Kozloski – Proprietor “La Boheme” aka Waterworks – presenting off season / shoulder season initiatives.

Laura shared she experienced a better season this year however, wouldn't it be great to extend the season ALL YEAR?!? Laura shared some ideas which worked in NOTL such as “Cottage Tours” where homeowners would partner up with a business and the business would help to decorate the room and at the same time, promote their respective business. Create a “passport program” say for \$100/pp. Get a committee in place. Perhaps a Spring “Perch Fest” where the businesses feature fish or seafood OR a “Lobster Fest” (perhaps Mike Hopper can assist with shipping in the lobster from the East coast in winter time??). Laura mentioned that Fort George used to have an ice rink – perhaps we can investigate where the structure is or where it went? Apparently, there were 2 owners of the equipment prior.

What about a Winterfest and / or skating rink?? Or perhaps get into the selling of Christmas trees which local businesses could promote. Something that creates a real draw. Sandra Fishman has had some experience with artificial rinks and commented on pricing being approx.. \$700/ panel. What about the Roller Rink – it could be operational all year round? Perhaps a tribute to the Dance Hall era with great bands or pay homage to the jazz era to commemorate the Dance Hall days? What about a St Paddy's Day pub crawl with Irish theme? Marcos Tolu – local resident who is passionate about this community – suggested a Winter Market in The Grove similar to the Collingwood area complete with tree lighting and vendors. Imagine! Concerts, a great big tree...Canada's Wonderland does something along those lines. Opportunity for sponsorships. Put together a package showcasing some of these ideas. Maybe foodtrucks similar to the SupperMarket...installation of domes for dining which are inflatable. Strike a committee and come back to present. Perhaps imitate Nuit Blanche OR a Haunted Town Walk? Turn our town into one big art exhibit...Fall? Autumn? Halloween? Trick or Treat that leverages an app? Exploit the beauty of the trees in the neighbourhood? Do an '80s night? Host an electronic music night? Continue to use the Bay Beach passes ALL year long and well after the season ends! Karen Dobson from Advancing Crystal Beach reminds us of the tree lighting ceremony is scheduled for the end of November in Queen's Circle as well as their Annual, “All White Soiree” (post Labour Day).

6. Adoption of Minutes from Wednesday August 14th , 2024

Moved by Robin Bannerman

Seconded by Regan Greatrix

Carried

7. Agenda Items

A) EVENTS

SupperMarket Update: costs and revenue are in the process of being prepared for presentation.

Oktoberfest / Fall Fest October 12/13/14 – 2024

Motion: to support the budget as presented while working within the guidelines of the TOFE Incremental Marketing Funds and to not incur a deficit budget for the event

Moved by Robin Bannerman

Seconded by Kirk Fretz

Carried

B) PAVER PROJECT – no update at this time as Chris Hawkswell was not present

C) Groove in the Grove – Motion for this initiative was carried in May 2024 however, it was noted by Melissa Dubois, there was never a budget passed. As also previously carried, a BIA Committee need be established for every BIA event. Our October meeting will be sure to focus on BIA finances and events and the AGM.

8. Sub-Committee Reports

Treasurers report

There is approximately \$4,800 in funds and we will continue to look into shared services for example, bookkeeping.

Councillor's Report

Great Job this year to the BIA on hosting all of the events this summer with success.

I have been observing the resources required at Waterfront Park as well as Derby Road and The Grove including such things as garbage cans, barricades and fencing. I have raised this with TOFE staff and I would also like to hear from the BIA if there is a better and more cost effective way of organizing these resources and storing them such as fenced off area or stage container/shed? Perhaps a deeper dive to see how to best store and access these resources ought to be considered by the BIA and TOFE.

I have heard from residents, business owners and BIA members that it would be nice to have some nicer semi-permanent barricades on Derby Road/Erie, Derby Cambridge Road when hosting Derby Days etc, for example. The present barricades being used are not particularly attractive and do not lend positively to the event(s) nor beautification efforts. I will raise this with Town Staff and the minutes of this meeting are also circulated.

There has been much discussion with residents and business owners in the last few years who believe that it would be interesting to look into some formal historic fixed boards in certain areas speaking to some of the historical points of interest and turn this into a self-guided walking tour in Crystal Beach.

This could be expanded in the future to include QR codes and video. This venture would require assistance from the Museum Services and the Bertie Historical Society.

Plans for the Derby Road & Erie Road public parking lot refresh are underway and TOFE IS have plans to have the work started this Fall. I can confirm that it will be completed before the spring/summer tourism season.

I would suggest that plans for the next CB BIA meeting in October ought to focus on Finances and Events for 2025.

9. New Business

n/a

10. Next Meeting Date

Crystal Beach BIA Wednesday, October 9th, 2024 at 6:00 pm @ the Fort Erie Public Library, Crystal Ridge Branch Meeting Room.

11. Adjournment

Motion to adjourn meeting at 7:49pm.

Moved by Melissa Dubois

Seconded by Robin Bannerman

Carried



Meeting Date, Time, and Location
Wednesday, September 18th, 2024 at 12:00 p.m. – 2:00 p.m., Conference Room 1

Members
Kelly Walsh, P.Eng – Director, Infrastructure Services – Chair
Tom Lewis – Councillor Ward 5 (via Zoom)
Nick Chevalier – Manager, Roads and Fleet Division
Kevin Beauchamp – Manager, Communications
Manny Rataul – Regional Municipality of Niagara – Public Works
Doug Bolton – Regional Municipality of Niagara – Public Works
Robert Judd, P.Eng – Municipal Engineer – Infrastructure Renewal
Staff Sgt. Dan Savoie – NRPS
Yashesh Gandhi, EIT – Transportation Engineer in Training
Jennifer Pennell-Ajie – EA to the Director, IS & Division Coordinator – Secretariat
Jordan Frost, P.Eng – Manager, Engineering
Chris McQueen – CAO

Regrets:
Bryce Bailey – Municipal By-law Enforcement Officer
Petar Vujic – Regional Municipality of Niagara – Public Works
Aaron Hair – Project Manager, Policy – Planning & Development Services
Darren Attree – Administrative Assistant, Engineering (alternate Secretariat)
Ann-Marie Noyes – Councillor Ward 6 (Alternate)

Meeting commenced at 12:05 pm

1. **Review of Previous Notes of Meeting – June 4th, 2024**

The notes of the last meeting of the Committee were provided to the committee prior to the meeting. No concerns were voiced.

2. **Delegations**

- N/A

3. **Review of Outstanding Items**

Please see Appendix ‘1’ for Ongoing Spreadsheet for updates on outstanding issues.

4. **New Requests**

September 18th, 2024 - Traffic Coordinating Committee

4.1. Parking

4.1.1. **N/A**

4.2. Traffic Signage

4.2.1. **Issue: Hidden Intersection Ahead** – Councillor McDermott submitted an item to review the area at Lewis St and Wintemute to add a sign that indicates there is a hidden intersection ahead along the curve on Lewis before you get to Wintemute. – Memo attached as Appendix 2.

Resolution: Committee agreed to the recommendations to install a Wa-13a sign at the location indicated in the memo.

4.2.2. **Issue: Flashing Red Light over Stop Sign** – A resident submitted a request to have a flashing red light over the stop sign on Bernard Ave and Nigh Rd.

Resolution: This request has been denied by the committee as it does not meet the warrants. The committee is open to reviewing this request again once the new housing is finished being built near Centralia and Nigh.

4.2.3. **Issue: Stop Sign Requested** – A request was received from By-law officers to review the exit from the Waverly Beach parking lot. There is a sightline issue there and it is hard to see if you are at the stop sign on Edgemere Rd to see if anyone is exiting the parking lot.

Resolution: Town surveyor will go out to determine whether the bushes on the SW corner are Town owned or private. If Town owned, then Town will complete brushing to improve sightlines. If private, then a letter will be issued by By-law enforcement to have homeowner to complete the works. Further to this, the committee will wait for the Waverly Beach Masterplan and Friendship Trail Crossing Study to be completed for further direction in this area for signage.

4.3. Traffic Calming & Other Requests

4.3.1. **Review of the Traffic Calming Updates**

- The committee reviewed the updates for the Traffic Calming Program. Memo is attached as Appendix 3.

4.3.2. **Issue: Request for Speed Hump on Allen Trail** – A resident submitted a request to have a speed hump installed on Allen Trail. This road did not meet the screening requirements through the Traffic Calming process.

Resolution: This request has been denied. It does not meet the requirements at this time for Traffic Calming measures.

5.

Streetlight Requests

September 18th, 2024 - Traffic Coordinating Committee

5.1. Streetlight Summary

5.1.1. **Issue: Request for New Streetlight** – 3231 Jewell, Ridgeway – resident is requesting that a new street lights be installed by Town at full cost to the Town for safety reasons from Burleigh to Bernard. Memo attached as Appendix 4.

Resolution: The committee agreed to let the current policy stand. A letter will be issued to the resident explaining the options if they would like to pursue installing new lights.

5.1.2. **Update on Streetlight Repairs** – staff presented a memo attached as Appendix 5.

6. **NRPS**

6.1. **Issue:** Speeding on Dominion Road east of Prospect Point Road over towards Burleigh Road.

Resolution: The Niagara Region has reviewed the speed limits on Dominion, and as of right now, they are appropriate. NRPS will note this area for enforcement.

7. **Correspondence**

7.1. N/A

8. **New Business**

8.1. **Councillor Lewis:** raised an issue from residents that streetlighting is not adequate in the business area of Crystal Beach along Derby.

8.2. **Councillor Lewis:** raised an issue from residents that the crosswalks were not very visible on Erie Rd.

Town Staff: This will be considered once the pedestrian study is complete on Erie Rd.

8.3. **Town Staff:** Inquired with the Region regarding crosswalk line painting on Regional Roads. The intersection of Ridge Rd and Dominion Rd has decorative coloured concrete to delineate the crosswalks, however the concrete colour has faded and blended with the road. This is also a School/Crossing Guard location. Is line painting an option at this location?

Other locations to consider include Garrison Rd and Concession Rd.

Niagara Region Staff: Staff will review and add to their list of improvements if warranted.

9. **Next Meetings**

9.1. Wednesday, December 4th from 12pm – 2:00pm – Room 1

September 18th, 2024 - Traffic Coordinating Committee

Meeting Ended: Wednesday, September 18th, 2024 at 12:50 pm

Notes Prepared by:
Jennifer Pennell-Ajie
EA to the Director, IS (Secretariat)

Notes Reviewed By:
Kelly Walsh, P.Eng
Director of Infrastructure Services



Fort Erie Accessibility Advisory Committee Meeting Minutes

Meeting Date, Time and Location

Tuesday, September 24, 2024 at 4:00 p.m. at the Town Hall – Conference Room #1

Members

Lori Brant, Chair
Dennis Hernandez-Galeano, Vice Chair (at 4:48 p.m.)
Ashley Greaves
Adam McLeod
Gary Kooistra
Marilyn Abbs
Jennica Giesbrecht (regrets)
Lindsay Davis
David Pantano
Councillor Ann-Marie Noyes

Staff Resources

Keegan Gennings, Chief Building Official
Sean Hutton, Manager of Parks and Facilities (regrets)
Bev Bradnam, Manager, Strategic Initiatives

1) Call to Order

The September 24, 2024 AAC Meeting was called to order at 4:12 p.m.

2) Roll Call

All AAC members were present with the exception of Jennica Giesbrecht. Sean Hutton was also not in attendance. New returning member, Dave Pantano, was welcomed. Dave provided a brief introduction to the Committee for those that did not know him.

3) Disclosure of Pecuniary Interest

There were no disclosures of pecuniary interest.

4) Adoption of the Agenda

Recommendation No. 1

Moved by: Gary Kooistra
Seconded by: Adam McLeod

THAT: The September 24, 2024 Agenda of the Fort Erie Accessibility Advisory Committee meeting be approved as printed.

(CARRIED)

5) Adoption of Minutes

Recommendation No. 2:

Moved by: Marilyn Abbs
Seconded by: Lindsay Davis

THAT: The June 25, 2024 Minutes of the Fort Erie Accessibility Advisory Committee meeting be approved as printed.

(CARRIED)

6) Site Plans

No site plans were reviewed.

7) Multi-Year Accessibility Plan 2024 - 2029

A draft of the 2024 Annual Accessibility Status Report was reviewed and the following recommendation was passed:

Recommendation No. 3:

Moved by: Marilyn Abbs
Seconded by: Adam McLeod

THAT: The Town of Fort Erie Accessibility Advisory Committee approves the draft Annual Accessibility Status Report, as amended, that will be presented at the Council-in-Committee meeting of October 7, 2024.

(CARRIED)

The Committee agreed that we have accomplished quite a lot during the past year. The Multi-Year Accessibility Plan 2024 – 2029 is still being developed and a draft will be available at the October AAC meeting for review and approval.

8) Outstanding Matters

1) Regional Accessibility Advisory Committee

Bev advised that the Region's Accessibility Coordinator reached out on behalf of Shared Services at the Region to discuss how the Town of Fort Erie's AAC is so successful and wanted our Terms of Reference. Bev directed them to the AAC webpage and Boards and Committees link. AAC members agreed that they are not interested in the Region leading accessibility on behalf of the municipality or being part of a joint committee.

2) Parking Concerns

Keegan advised that with respect to the Commercial Hotel and lack of accessible parking, he put in an order for signs, noting that the Town supplies them for free. The Town recently ran out of the signs, which are provided by the Region of Niagara, but they did have two available and offered them to the Commercial and Scuttlebutts. Keegan advised that there are no parking requirements, including accessible spaces, in the Stevensville downtown core, so the businesses do not have to comply. The AAC asked that letters be sent to both establishments encouraging them to put the signs up if they are not erected within two weeks time.

Dave questioned how we go about requesting additional spaces, especially with our aging population. Keegan advised that the Town has a Zoning By-law that regulates both Type A and Type B accessible parking spaces. Keegan advised that Council can direct staff to review the requirements and also staff could consider revisions/amendments during the annual housekeeping amendments to the Zoning By-law. Keegan will follow-up with Planners. Bev noted that when the Design of Public Spaces was introduced she worked with the previous Manager of Development Approvals to review the requirements.

Gary questioned accessible parking spaces at the previous Rose Seaton Elementary School and Keegan will review the site plan and provided him with details.

3) StopGap Ramp Project

Bev advised that she received calls from concerned residents in Niagara-on-the-Lake and Oshawa asking how the Town put into place the StopGap Ramp Project. Bev shared our experience, power point presentation to the BIAs and application process and encouraged them to contact their local accessibility advisory committees and BIAs. Bev also directed them to funding opportunities in Niagara. With some of the remaining funds, Bev advised she will be purchasing some threshold ramps for two of the Ridgeway businesses that did not meet the eligibility criteria. Remove from outstanding.

8) Outstanding Matters, continued

4) Barrel Restaurant Access

Keegan advised that he spoke with the owner who claimed he had never received the letter. Keegan resent the letter and the owner agreed to meet but has not yet set up a time to do so. Remain on outstanding.

5) Beatties – accessible door

Keegan advised that there is no mechanism to force Beatties to widen the sidewalk and if they were to, it may push parking spaces back. A letter will be sent to Beatties encouraging them to add an automatic door on the eastern door that is currently marked as accessible and close to the accessible parking space. Remain on outstanding.

6) Ramp at Royal Bank, Jarvis Street

Bev advised that Councillor McDermott went in to the bank and met with the Manager who moved forward with the ramp repair. Thank you to Councillor McDermott! Gary shared his concerns with the base plates still being above the surface and felt it still created a barrier. Keegan noted that if the plate and bolts are flush it would not be a concern. Dave noted that in the past he had trouble with the ramp and in the winter his wheels could lock-up and possibly cause him to fall through the rails. It was noted that the ramp was considerably widened. Councillor Noyes advised that the handrails seem to be out past the plates but it was hard to tell in the photos provided. AAC members will attempt to visit the bank during the month and the matter was tabled until the October meeting. Remain on outstanding.

7) Crafted 1885

No response has been received. A follow-up letter will be sent. Remain on outstanding.

8) A & W

Keegan is awaiting a response from the Engineering team on the tactile warning surface indicators. Remain on outstanding.

9) Accessible Taxis/Accessible Shuttles

No updates.

8) Outstanding Matters, continued

10) Sidewalk Issues

Dennis asked about the bump outs at the intersection of King and Albany. Councillor Noyes noted that it may be related to traffic calming. Dennis noted it is only on one of the four stops and there is already a stop sign there. Bev thought maybe some infrastructure is buried there. Keegan will follow-up.

9) New Business

1) Transit On Demand Changes and their impacts for persons with disabilities and residents

Lori provided an overview of the email message she received announcing changes to OnDemand Transit in the Town. Lori advised that she called Niagara Regional Transit to confirm some of the changes that will affect riders and she was taken a back by:

- Riders should book 7 days in advance;
- If you have an appointment at 1:00 p.m. you should look for a pick-up time for noon or earlier. This can be an extremely long day for a person with a disability if you have to add on an extra hour for pick-up and drop off.
- There is a 15 minute window for the vehicle to arrive but they will only wait two minutes – this will be difficult for specialized users as it may take them more than two minutes to get to the vehicle, especially in winter weather.
- Booking times state to 11 p.m. but she was told that the last time offered in Fort Erie is 10:00 p.m. as the drivers have to get the buses back to Merrittville;
- It was recommended that specialized transit bookings be made two weeks in advance to ensure availability. This does not seem right for persons that want to plan the day of or have a last minute trip they want to take.
- There is a payment process that is confusing with OnDemand as she asked about paying for the person accompanying her on a trip and they would have to separately book and pay for the ride. For Specialized transit, the person with the disability pays and books for themselves and the people they are with.
- In most cases you would have to have a phone to pay and they were insisting you use the transit app and then show payment on your phone. Bev advised that passes can be purchased at the Town Hall and cash can be provided on the bus. Lori advised that the old passes are no longer valid and passes expire.

Lori advised that a Facebook group in Port Colborne has posted what an “absolute nightmare” they are finding the service and so many are complaining it is so complicated they won’t use it. Lori noted that it feels like they are trying to give such poor service that our numbers just drop and they say we don’t need it anymore.

9) New Business, continued

- 1) Transit On Demand Changes and their impacts for persons with disabilities and residents, continued

Bev advised that a senior came back in with the passes she purchased asking for a full refund as she was totally overwhelmed trying to use the OnDemand service.

Lindsay shared the following Facebook message from a couple in Thorold that uses the specialized transit:

HELP US BRING AWARENESS “The Niagara Transit Commission Public Advisory Committee is a volunteer advisory committee that supports the commission in providing an affordable, accessible, reliable, safe, and convenient transit system while meeting customers' expectations. The committee will provide its perspective and input to the commission on various transit services in the Niagara Region. They will discuss service levels, policies, and programs to raise awareness and implement legislation. They will also address the issues and concerns of public transit users.”(from the website of the Niagara Region Transit). Niagara Specialized Transit's new system/affiliate (Voyago) is not meeting the needs of the Niagara Region's disability community as described on its website. We have been using the Niagara Specialized Transit for three weeks and it has been excessively late 6 times. On July 15th we were not even picked up for our return home. We were booked to be picked up at 2:20 pm. After being on the phone with them for over 20 minutes we were told we would be picked up at 3:26. At 3:26 we phoned the transit once again to be told that our ride was canceled because of unable to be serviced. The best they could do was to pick us up at 6:15 pm, which was almost 4 hours after our original confirmed pickup time. We have been using the paratransit system for 20 years to get to and from employment, volunteer opportunities, doctor appointments and shopping, and social activities and we have never had as much trouble as we have had in the past 3 weeks. We can fully understand being a few minutes late. But being an hour to half an hour late or not even picking people up is unacceptable. Come the winter people will be stuck in the cold waiting for rides. Persons with disabilities should not have to be nervous or afraid to leave their homes, with the fear of rides not arriving in a timely matter or at all.

Councillor Noyes advised that the Town was promised five years of similar service provision or better. The AAC members advised that the terms of the contract have not been met and questioned how we could end the contract and revert back to our former in-town provision.

The CAO joined the meeting and advised that it was a triple-majority to put the integrated service in to place. Lori and Lindsay noted that several of the municipalities like Port Colborne and Thorold are just as frustrated. Chris explained that triple majority is 2/3 of the local area municipalities representing half of the population so Niagara Falls, Welland and St. Catharines are that majority.

Lori questioned if there are any spots designated as same day booking and what constitutes “no service” and how that can even be possible.

9) New Business, continued

1) Transit On Demand Changes, continued

Ashley read a message she received regarding a teacher at GFESS that purchased tickets for students that had co-ops and they were unable to secure rides. It was also noted that the local drivers now have to travel out of Town to get the vehicle and return it where before we had vehicles, both specialized and OnDemand local. The previous OnDemand provider has offered space to house buses in Fort Erie and they were declined.

Bev questioned what type of booking system is being used and if there are designated vehicles for Fort Erie or if they are just part of the entire Region's pool of available bookings. Bev noted that in 2023 we had over 86,000 OnDemand trips but the Customer Service Unit is receiving a lot of complaints about the unavailability of bookings or rides that are taking too long.

Councillor Noyes advised that the Mayor has written letters and told of someone being left at a senior's day care. The Mayor and Council passed a resolution to re-introduce a dedicated route (Green Line) between the Municipal hub and north end of Town.

Gary advised that he left for an out of town appointment last Friday and there was an individual waiting for the bus when he left and when he returned later that individual was still waiting to get picked up so he drove him. Language may have been a barrier.

Many have heard of people being stranded once they are dropped off or are very late getting picked up. Many users may not have data on their phone to check on their ride status or if they are being bumped or delayed.

It seems that, like accessible taxis, the Region can say we have service but there is no local provider meeting the needs of the growing community.

Bev advised that as part of the Strategic Plan she has requested ridership stats on a monthly basis and was told that numbers would be released to the public once the Commission receives them, most likely on a quarterly basis. Bev checked the website and there has been no postings in 2024 that she was able to locate.

It was agreed that when the Town had dedicated buses and dedicated drivers the service worked well. Bev questioned how the booking system works, if there are allotted times for the entire Region and once they are filled that is it? Ashley described the booking system she used to use when working for Regional Limousine and how she was able to check on reporting of late, missed, on time, etc. and she would accommodate additional rides by putting more vehicles on the road when needed.

AAC members advised that they wanted to pass a recommendation that would require detailed answers from the Niagara Region Transit. AAC members also questioned if someone from Voyago or the NRT could attend a meeting to discuss the AAC concerns. Lindsay noted, "Now that transit is Regionally sourced/run, we're (Fort Erie) part of a very delicate chain reaction. If we can't escape it - we can only work together to try and strengthen it".

The CAO also noted that we would be receiving an additional 23% charge for additional service hours in 2025, which amounts to approximately \$1 million.

9) New Business, continued

1) Transit On Demand Changes, continued

It was agreed that the Committee would pass a recommendation or resolution to Council requesting that they invite the Niagara Region Transit and transit provider to a Council meeting to respond to questions and concerns from the public. The Chair and other members of the AAC would be available to respond to questions when the AAC Minutes are on the agenda (October 21, 2024 at 6:00 p.m.)

The following resolution was passed by the Committee:

Recommendation No. 4:

Whereas: The Accessibility Advisory Committee has been made aware of many service concerns since Niagara Region Transit took over service provision in Fort Erie; and further

Whereas: There are no longer dedicated vehicles in Town to provide transit services, both OnDemand and Specialized; and further

Whereas: The service hours only allow booking until 10:00 p.m., rather than the advertised 11:00 p.m. like other areas in the Region; and further

Whereas: The Transit service provision does not seem to support the service needs of the community; and further

NOW THEREFORE:

THAT: Council be requested to invite the Niagara Region Transit and service provider, Voyago, to attend a future Council meeting to explain:

- **the service provisions for Fort Erie including:**
 - **how many spots per day are available to be booked in Fort Erie and if this is a fixed number; and**
 - **how bookings in general are allocated; and**
 - **how many vehicles are available for OnDemand and Specialized and if there is a fixed number for Fort Erie,**
- **performance standards and policies for abandoned ridership;**
- **complaints received specific to Fort Erie riders and how they have been addressed;**
- **ridership numbers for Fort Erie including the number of bookings that were attempted but no rides were available,**
- **and address concerns shared by the Accessibility Advisory Committee related to dedicated vehicles, booking times and hours of service.**

(CARRIED)

9) New Business, continued

2) Online aid for CDB regulations and draft

Marilyn and Lindsay had circulated the September 23, 2024 online event as well as the regulations and draft.

3) Set out service as information

Lori had noted that she recently learned about a service for persons with disabilities that would allow assistance with garbage removal. She required a doctor's letter to submit the application and noted that there are many instances where a doctor's note is required and it would be nice to have that information available so people are aware. Bev provided a copy of the Fort Erie Service Providers pamphlet that outlines service provision, which is also on the Town's website and can look at adding another column related to services that require a doctor's note. Bev shared the previous AAC pamphlet that had local numbers and information that was in the past distributed throughout town. Dennis agreed to review the pamphlet and update the information available.

Keegan also advised that he was recently asked about grants for accessibility ramps in the home and Marilyn and Dave advised that March of Dimes and Easter Seals provide funding but they are all income based. Keegan advised that Niagara Renovates also provides funding but it too is income based.

10) Date for Next Meeting

The next AAC meeting has been scheduled for Tuesday, October 29, 2024, 2024 at 4:00 p.m.

11) Adjournment

Recommendation No. 3:

Moved by: Adam McLeod

Seconded by: Gary Kooistra

THAT: The September 24, 2024 meeting of the Fort Erie Accessibility Advisory Committee does now hereby adjourn at 5:56 p.m.

(CARRIED)

Minutes recorded and prepared by:

Minutes approved by:

Bev Bradnam, DPA, CMM III
Manager, Strategic Initiatives

Lori Brant
Chair



The Corporation of the Town of Fort Erie By-law 102-2024

Being a By-law to amend Business Licensing By-law 217-05, as amended (Short-Term Rentals)

Whereas By-law No. 217-05, as amended, was passed by the Municipal Council of the Town of Fort Erie on December 12, 2005, to licence and regulate various businesses in the Town of Fort Erie and to repeal certain by-laws; and

Whereas Schedule "13" to By-law No. 217-05, as amended, provides for the licensing of Short-Term Rentals; and

Whereas Report LLS-04-2024 (Short Term Rental Licencing By-law Updates) was considered and approved, as amended, at the Council-in-Committee Meeting held on October 7, 2024; and

Whereas it is deemed desirable to make the approved amendments to Schedule "13" to By-law No. 217-05, as amended;

Now therefore the Municipal Council of The Corporation of the Town of Fort Erie enacts as follows:

1. **That** Schedule "13" to By-law No. 217-05, as amended, is repealed and replaced with Schedule "A" attached to and forming part of this by-law.
2. **That** this By-law will come into effect on the 1st Day of January, 2025.
3. **That** the Clerk of the Town is authorized to affect 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 21st day of October 2024.

Mayor

Clerk

SCHEDULE "13" – By-law 217-05

SHORT-TERM RENTALS

DEFINITIONS

In this Part:

"Administrative Penalty By-law" means Administrative Penalty By-law No. 111- 2019, as amended or replaced, which regulates the administrative penalty system in the Town of Fort Erie;

"Administrative Penalty" means an "Administrative Penalty" as defined in the Administrative Penalty By-law;

"Agent" means a person duly appointed by an Owner to act on their behalf;

"Application Form" means a form prepared by the Town to obtain the necessary information for a Short-Term Rental Licence;

"Coordinator" means the Coordinator-Community Liaison and Business Licensing or designate unless otherwise noted;

"Dedicated Short-Term Rental" means a "Short-Term Rental, Dedicated" as defined in the Zoning By-law;

"Demerit Points" means demerit points imposed against a Short-Term Rental in accordance with section 7 of this Schedule;

"Disturbance" means an event where an action has commenced with respect to nuisance, and/or noise;

"Dwelling Unit" means a "Dwelling Unit" as defined in the Zoning By-law;

"Fee" means those fees established by the Town's Fees and Charges By-law No. 40- 09, as amended or replaced annually by the Director of Corporate Services;

"Fire Safety Plan" means a plan showing the location of smoke alarms, the location of CO alarms, the location of fire extinguishers and the established escape routes;

"Hearing Officer" means a "Hearing Officer" as defined in the Administrative Penalty By-law;

"Licensee" means a Person who holds a Licence issued under this Schedule;

"Local Contact Person" means the local person assigned by the Owner or operator of a Short-Term Rental who will be at the Premises within one (1) hour of contact and who will ensure the Short-Term Rental is operated in accordance with the provisions of this By-law and the conditions of the Licence. Notwithstanding the foregoing, the Local Contact Person shall be at the Premises within thirty (30) minutes of contact;

"Lot Maintenance" means Lot Maintenance By-law No.165-08, as amended or replaced, which regulates maintenance of property and land within the Town of Fort Erie;

"Noise Control By-law" means Noise Control By-law No. 30-09, as amended or replaced, which regulates noise and nuisances within the Town of Fort Erie;

"Owner" means the registered owner of Premises and, in the event that the registered owner of Premises is a corporation, means the natural person(s) with control of the corporation;

"Owner Occupied Short-Term Rental" means a "Short-Term Rental, Owner Occupied" as defined in the Zoning By-law;

"Penalty Notice" means a "Penalty Notice" as defined in the Administrative Penalty By-law;

"Person" means a natural person, corporation, partnership or association;

"Property Standards By-law" means Property Standards By-law No. 186-06, as amended or replaced, enacted under section 15.1 of the Building Code Act, 1992, S.O. 1992, c. 23 ("Building Code Act"), which prescribes standards for the maintenance and occupancy of property within the Town of Fort Erie;

"Renter" means the person responsible for the rental of a Short-Term Rental by way of concession, permit, lease, licence, rental agreement or similar commercial arrangement;

"Screening Decision" means a "Screening Decision" as defined in the Administrative Penalty By-law;

"Screening Officer" means a "Screening Officer" as defined in the Administrative Penalty By-law;

"Short-Term Rental (STR)" means the use of all or part of a Dwelling Unit, either dedicated or owner-occupied as defined below, subject to licensing by the Town, to provide sleeping accommodation for any period of thirty (30) calendar days at a time or less in exchange for payment, but does not include any type of institutional dwelling, hotels, or other similar uses;

"Short-Term Rental Premises" or "Premises" means any Dwelling Unit and associated land in or on which a Short-Term Rental is carried on;

"Trailer" means a "Trailer" as defined in the Zoning By-law;

"Zoning By-law" means Comprehensive Zoning By-law No. 129-90, as amended or replaced, enacted under section 34 of the Planning Act, R.S.O. 1990, c. P. 13, which restricts and/or regulates the use of land within the Town of Fort Erie.

1 APPLICATION

- 1.1 Where there is a conflict between this Schedule and any other part of this By-law, this Schedule shall prevail.
- 1.2 The requirements of this Schedule apply to the trade, business or occupation of providing Short-Term Rentals within the geographic limits of the Town as of the date this By-law comes into effect, unless otherwise stated.
- 1.3 For greater certainty, the requirements of this Schedule do not apply to a hotel as defined in the Zoning By-law.

2 LICENSING

- 2.1 A Person is not eligible to hold a Licence if:
 - (a) the Person is indebted to the Town in respect of fines, Administrative Penalties, and/or judgments awarded by the courts;
 - (b) the Premises to be used for carrying on a Short-Term Rental does not conform with

any applicable Federal or Provincial Law or Regulations or Municipal By- laws, including, but not limited to the Zoning By-law, Lot Maintenance By-law, Property Standards By-law, Building Code Act, Building Code, Fire Protection and Prevention Act, 1997, S.O. 1997, c. 4, Fire Code, and Ontario Electrical Safety Code;

- (c) the Premises to be used for carrying on a Short-Term Rental does not have full services, whether provided municipally or privately; or
- (d) a certificate of proof is not provided annually that the well water is safe to drink, if applicable.

2.2 The Coordinator shall suspend a Licence if a Licensee has:

- (a) an open building permit;
- (b) an outstanding Order issued by the Town's Fire Department or Building Department; or
- (c) a Property Standards Order or any other order issued by the Town or other government agency.

3 REVOCATION OF LICENCE

3.1 The Coordinator shall revoke a Licence where:

- (a) the Licence was issued on mistaken, false or incorrect information, or in error;
- (b) the Premises in relation to which the Licence was issued is sold, transferred or otherwise disposed of by the Owner(s);
- (c) the Owner(s) requests in writing that the Licence be terminated; or
- (d) the total number of Demerit Points issued and in effect against a Dedicated Short-Term Rental or an Owner Occupied Short-Term Rental is fifteen (15) or more.

3.2 Upon revoking a Licence in accordance with this Schedule, the Coordinator shall give written notice of the revocation to the Owner at the Owner's last known address and/or by email to the Owner's last known email address. In no case shall a Licence Fee be refunded.

3.3 An Owner whose Licence has been revoked may, within ten (10) days of being notified of the revocation, submit a written request to the Coordinator to appeal the Licence revocation to the Hearing Officer.

3.4 The Hearing Officer shall have jurisdiction to hear the appeal notwithstanding that no Penalty Notice has been issued.

3.5 The appeal procedure prescribed by the Administrative Penalty By-law applies, with necessary modifications, to an appeal under this section.

3.6 Where no application to appeal is submitted to the Coordinator within the prescribed time, the decision of the Coordinator shall be final.

3.7 On appeal, the Hearing Officer may affirm, vary or reverse the Licence revocation.

3.8 The decision of the Hearing Officer is final.

- 3.9 Where a Licence is revoked in accordance with this section, including the disposition of any appeal, the Owner shall not be issued a new Licence for the same Premises for which the Licence was issued:
- (a) for a period of six (6) months from the date of revocation of the first revoked Licence;
 - (b) twelve (12) months after the second revocation; and
 - (c) eighteen (18) months after the third and subsequent revocations.

4 ADMINISTRATION

- 4.1 Unless otherwise indicated, the administration of this Schedule including approval of applications and issuance of Licences shall be the responsibility of the Coordinator.
- 4.2 Enforcement of this Schedule shall be primarily assigned to the Coordinator or an Officer as defined in this By-law.
- 4.3 Every application for a new Licence or a renewal of an existing Licence shall be submitted to the Coordinator on the required form together with all the required documentation.
- 4.4 The Coordinator shall be responsible for developing and updating Short-Term Rental Rules, Application Forms and other procedures for the administration of Short-Term Rentals.
- 4.5 Every application for a new Short-Term Rental Licence or a renewal shall be accompanied by the requisite Fee and shall include:
- (a) each Owner, applicant, and Agent's name, address, telephone number, and email address if available;
 - (b) where an applicant is an Agent acting on behalf of the Owner(s) of a Short-Term Rental Premises, the Owner(s) shall sign the authorization and consent form permitting the Agent to act on their behalf;
 - (c) in the instance of an Owner that is a corporation or a partnership, the name, address, telephone number, and email address if available of each officer or partner as the case may be;
 - (d) the name, address, telephone number, and email address of a person who has been assigned by the Owner to be the Local Contact Person;
 - (e) identification of the Short-Term Rental as a Dedicated Short-Term Rental or an Owner Occupied Short-Term Rental;
 - (f) a statement from the Owner or Agent certifying the accuracy, truthfulness, and completeness of the application;
 - (g) proof of insurance for Short-Term Rental use;
 - (h) a Fire Safety Plan depicting the use of the Short-Term Rental Premises including the location of smoke alarms on each floor, the location of CO alarms, the location of mounted fire extinguishers on each floor and including the kitchen, and the established escape routes for each bedroom in case of emergency;
 - (i) the Owner(s) or Agent shall provide the following acknowledgements:
 - i) that the Short-Term Rental will be operated in accordance with all Town By-laws and requirements of any other government agency or legislation;

- ii) that all garbage will be stored in garbage cans with lids;
 - iii) that the Owner has advised the abutting property boundary neighbours of the operation of the Short-Term Rental;
 - iv) that all Renters will receive a copy of the Town's form of Guest Rules and a copy will remain on site at all times;
 - v) that all Renters will be advised that no outside sleeping or outside sleeping accommodations are permitted on the Short-Term-Rental Premises;
 - vi) that the Owner shall indemnify and save harmless the Town of Fort Erie, its staff and elected officials from any and all claims; and
 - vii) that the issuance of the Short-Term Rental Licence shall not contravene an Agreement of Purchase and Sale and/or any other instrument registered on title or otherwise, with respect to the property.
- (j) acknowledgment by the Region of Niagara that the Short-Term Rental Premises has a functioning septic system as of the date of the first Licence application, if applicable;
 - (k) a copy of a certificate of proof that the well water if any is safe to and shall be a new certificate provided annually, if applicable;
 - (l) proof that all fire extinguishers at the Short-Term Rental Premises are / have been maintained by a certified person or company once every twelve (12) months;
 - (m) proof of an annual fire inspection; and
 - (n) proof of an annual building inspection
- 4.6 A Licensee shall inform the Coordinator of any changes to the information provided in the application within a period of fifteen (15) business days of the change;
- 4.7 Each Licence shall include the following:
- (a) address of the Short-Term Rental Premises;
 - (b) Licence number;
 - (c) effective date and expiry date of the Licence;
 - (d) Owner's name and contact information;
 - (e) identification of the Short-Term Rental as a Dedicated Short-Term Rental or an Owner Occupied Short-Term Rental;
 - (f) Agent's name and contact information if applicable; and
 - (g) Local Contact Person's name and contact information.
- 4.8 A Licence shall only be issued to the Owner of a Short-Term Rental Premises. Where a Short-Term Rental Premises has more than one (1) Owner, one (1) Licence shall be jointly issued to all Owners.
- 4.9 Upon the issuance of a licence, the address of the Short-Term Rental Premises and the Licence number may be posted on the Town website.

- 4.10 A Licence is valid from the date of issuance until December 31 in the calendar year in which it is issued. Licence Fees are not pro-rated and are payable in full irrespective of the date of Licence issuance.
- 4.11 A Licence is specific to the Owner(s) and Short-Term Rental Premises for which it is issued and is not transferable.
- 4.12 Licences must be renewed annually by submitting a renewal application in the form approved by the Coordinator from time to time and accompanied by the requisite Fee. The provisions of this section apply, with necessary modifications, to renewal applications.
- 4.13 Licences shall be issued on a first come, first served basis, provided that all necessary application requirements are met.
- 4.14 Current Licensees with active Licences may renew their Licence(s) provided that the following conditions are met:
- (a) the number of Demerit Points issued against the Short-Term Rental in the previous year is five (5) or fewer;
 - (b) the status of the Short-Term Rental as a Dedicated Short-Term Rental or an Owner Occupied Short-Term Rental is and will remain unchanged; and
 - (c) to the best of the Town's knowledge the Licensee complied with all requirements of this By-law in the previous year.
- 4.15 For the purposes of subsection 4.14, a Licence shall be considered active if it has been suspended but shall not be considered active if it has been revoked.

5 REGISTER OF RENTERS AND OVERNIGHT OCCUPANTS

- 5.1 The Owner or operator of every Dedicated Short-Term Rental and the Owner of every Owner Occupied Short-Term Rental shall maintain a register that contains the following information:
- (a) the name and residential address of Renter(s) that reserve and/or book a period of accommodation at the Premises; and
 - (b) the name of any other Person or Persons who will occupy the Premises overnight and/or to whom sleeping accommodation will be provided at the Premises during the period of accommodation reserved and/or booked by the Renter(s).
- 5.2 Upon the request of the Coordinator and/or an Officer, the Owner shall produce the register described in subsection 5.1 ("the Register") for review and/or inspection by the Town.

6 PROHIBITIONS

- 6.1 No Person shall advertise or operate a Dedicated Short-Term Rental or an Owner Occupied Short-Term Rental except in accordance with this Schedule.
- 6.2 Without limiting the generality of subsection 6.1 of this Schedule, no Person shall:
- (a) operate a Short-Term Rental without a Licence;
 - (b) operate a Short-Term Rental for which a Licence has expired, been revoked or, is under suspension;
 - (c) advertise a Short-Term Rental without a Licence

- (d) advertise a Short-Term Rental for which a Licence has expired, been revoked or is under suspension;
- (e) advertise a Short-Term Rental that contains more than three (3) bedrooms;
- (f) advertise a Short-Term Rental with an occupancy that exceeds the maximum occupancy limits set out in this Schedule;
- (g) advertise a Short-Term Rental without including the Licence number;
- (h) fail to display the Licence in a prominent, permanent place at the Short-Term Rental Premises;
- (i) fail to provide Renters a copy of the Town's form of Guest Rules and/or fail to ensure a copy remain on site at the Premises;
- (j) fail to keep garbage contained in containers with lids;
- (k) permit tents on the Short-Term Rental Premises;
- (l) permit a Trailer to be used for sleeping accommodations on the Short-Term Rental Premises;
- (m) fail to ensure that there is a Local Contact Person;
- (n) fail to maintain the Register;
- (o) fail to produce the Register to the Town upon request;
- (p) hinder or obstruct an Officer from carrying out an inspection of lands, to carry out work for the purposes of an investigation and/or making inquiries;
- (q) permit a Disturbance at a Short-Term Rental Premises;
- (r) operate a Short-Term Rental contrary to any applicable Federal, Provincial, Regional laws, Regulations or Orders, or Municipal By-laws ("Law"), or the Fire Safety Plan;
- (s) operate a Short-Term Rental that is Licenced as an Owner Occupied Short-Term Rental without the presence of the Owner(s);
- (t) operate a Short-Term Rental at a premises that has:
 - i) an open building permit;
 - ii) an outstanding Order issued by the Town's Fire Department or Building Department; or
 - iii) a Property Standards Order or any other order issued by the Town or other government agency.
- (u) place or mount a fire extinguisher in any cupboard, cabinet, closet, or other enclosed compartment;
- (v) operate a Short-Term Rental containing more than three (3) bedrooms, other than the bedroom(s) of the Owner(s) in an Owner Occupied Short-Term Rental.
- (w) In a Dedicated Short-Term Rental, exceed maximum occupancy limits of four (4) people for a one (1) bedroom Dwelling Unit, six (6) people for a two (2) bedroom Dwelling Unit, and eight (8) people for a three (3) bedroom Dwelling Unit;

- (x) in an Owner Occupied Short-Term Rental, exceed maximum occupancy limits, excluding the Owner(s) present at the Premises, of four (4) people for a one (1) bedroom Dwelling Unit, six (6) people for a two (2) bedroom Dwelling Unit, and eight (8) people for a three (3) bedroom Dwelling Unit; or
- (y) permit guests, other than occupants listed in the Register to remain at the Short-Term Rental Premises beyond 11:00 p.m. each day. For greater clarity, this section does not apply to the Owner or full-time occupants of the dwelling.

6.3 In the event that a Short-Term Rental Premises has more than three (3) bedrooms, all additional bedrooms, other than the bedroom(s) of the Owner(s) in an Owner Occupied Short-Term Rental, shall be closed, inaccessible to occupants listed in the Register and their guests, and have appropriate signage posted on the door(s).

6.4 Failure to comply with any provision of subsection 6.2 or with subsection 6.3 of this Schedule constitutes a contravention of this By-law whereby an Administrative Penalty provided for under section 9 of this Schedule and as established in Appendix "1" shall be issued to the Owner(s).

6.5 In addition, failure to comply with any provision of section 6.2 of this Schedule other than subsections 6.2(a), 6.2(b) and/or 6.2(c) constitutes a contravention of this By-law whereby Demerit Points as established in Appendix "1" shall be imposed against the Short-Term Rental Premises.

7 DEMERIT POINT SYSTEM

7.1 Notwithstanding any other provision of this By-law, this section does not apply to Short-Term Rentals that are advertised and/or operated without a Licence, including Short-Term Rentals for which a previously-issued Licence has expired, been revoked or is under suspension.

7.2 If at any time the Coordinator determines that the operation of a licensed Short-Term Rental does not comply with any part of this Schedule as provided for in Appendix "1", other than subsections 6.2(a), 6.2(b) and/or 6.2(c), the Coordinator shall impose Demerit Points.

7.3 For greater certainty, if the Coordinator determines that the advertisement and/or operation of a Short-Term Rental does not comply with subsections 6.2(a), 6.2(b) and/or 6.2(c) of this Schedule, Demerit Points shall not be imposed against the Short-Term Rental Premises.

7.4 Demerit Points shall remain in place until the two (2) year anniversary of the date on which the Demerit Points were imposed.

7.5 Upon the transfer or sale of a Short-Term Rental Premises by an Owner to any other Person, any existing Demerit Points shall be assigned to the Owner and, upon the issuance of a Short-Term Rental Licence to the Owner for a different Premises, the Demerit Points shall be imposed against that Premises.

7.6 If the total number of Demerit Points in effect respecting a Short-Term Rental is seven (7) or more but fewer than fifteen (15), the Owner is required to provide the Coordinator with written confirmation of the measures to be implemented by the Owner to avoid the imposition of further Demerit Points, which measures shall be to the satisfaction of the Coordinator.

7.7 If the total number of Demerit Points in effect respecting a Short-Term Rental is fifteen (15) or more, the Coordinator shall immediately revoke the Licence in accordance with section 3 of this Schedule.

8 SHORT-TERM RENTAL ADVERTISED OR OPERATED WITHOUT A LICENCE

- 8.1 This section applies to Short-Term Rentals that are advertised and/or operated without a Licence, including Short-Term Rentals for which a previously-issued Licence has expired, been revoked or is under suspension.
- 8.2 If at any time the Coordinator determines that the advertisement of a Short-Term Rental does not comply with subsection 6.2(c) of this Schedule, the Coordinator shall refer the matter to an Officer for investigation.
- 8.3 If at any time the Coordinator determines that the operation of a Short-Term Rental does not comply with subsections 6.2(a) and/or 6.2(b) of this Schedule, the Coordinator shall refer the matter to an Officer for investigation.
- 8.4 An Officer who has reason to believe that an Owner has contravened subsections 6.2(a), 6.2(b) and/or 6.2(c) of this Schedule may issue one or more Penalty Notices to the Owner(s) in accordance with section 9 of this Schedule.
- 8.5 A separate Penalty Notice may be issued for each calendar day on which a Short-Term Rental is advertised without a Licence.
- 8.6 A separate Penalty Notice may be issued for each calendar day on which a Short-Term Rental is operated without a Licence.
- 8.7 Subject to subsection 8.8 of this Schedule, an Owner to whom a Penalty Notice has been issued pursuant to subsection 8.4, which is no longer subject to any screening or hearing process under the Administrative Penalty By-law, shall be prohibited from applying for a Short-Term Rental Licence for a period of two (2) years from the date on which the Penalty Notice was issued.
- 8.8 In the event that a Short-Term Rental continues to be advertised or operated without a licence in contravention of subsections 6.2(a), 6.2(b) and/or 6.2(c) following the issuance of a Penalty Notice under subsection 8.4, the following rules apply:
 - (a) if the contravention occurs during the two (2) year period prescribed by subsection 8.7 and one or more additional Penalty Notices are issued, the Owner shall be prohibited from applying for a Short-Term Rental Licence for a period of two years from the date on which the last Penalty Notice was issued;
 - (b) if a further contravention occurs during the two (2) year period prescribed by subsection 8.8(a) and one or more additional Penalty Notices are issued, the Owner shall be prohibited from applying for a Short-Term Rental Licence for an additional one (1) year period from the date on which the last Penalty Notice was issued.

9 ADMINISTRATIVE PENALTIES

- 9.1 An Officer who has reason to believe that an Owner has contravened any provision of this Schedule may issue a Penalty Notice to the Owner.
- 9.2 The Penalty Notice shall be given to the Owner as soon as is reasonably practicable and shall include the following information:
 - (a) the name of the Owner;
 - (b) the municipal address of the Owner;
 - (c) the Penalty Notice date;

- (d) the Penalty Notice number;
 - (e) particulars of the contravention;
 - (f) the amount of the Administrative Penalty as established in Appendix "1";
 - (g) information about the process by which the Owner may exercise a right to request a review of the Administrative Penalty by a Screening Officer and a right to request a review of the Screening Decision by the Hearing Officer; and
 - (h) a statement advising that an Administrative Penalty will, unless cancelled, constitute a debt of the Owner to the Town.
- 9.3 An Administrative Penalty is payable within fifteen (15) business days after the penalty is affirmed and shall be paid in accordance with the provisions of the Administrative Penalty By-law.
- 9.4 In accordance with the *Municipal Act 2001*, an Administrative Penalty which remains unpaid shall be deemed to be unpaid taxes and the outstanding amount shall be added to the tax roll and collected in the same manner as municipal taxes.
- 9.5 An Administrative Penalty that is due and payable and constitutes a debt to the Town of each Owner to whom or to which the Penalty Notice was given.

10 PROVINCIAL OFFENCES

- 10.1 An Owner who obtains a Short-Term Rental Licence shall comply with the regulations and requirements set out in this Schedule for such Licence. Failure to comply with the regulations and requirements set out in this Schedule constitutes an offence.
- 10.2 Every Owner who contravenes any provision of this By-law is guilty of an offence and upon conviction is liable to the penalties prescribed under the *Provincial Offences Act*, R.S.O. 1990, c. P.33, as amended.

APPENDIX "1" TO SCHEDULE 13

PENALTIES			
Column 1	Column 2	Column 3	Column 4
Infraction	Reference	Demerit Points	Administrative Penalties
Operate Short-Term Rental without a licence	6.2(a) and 6.2(b)	N/A	
First failure to comply			\$1,500.00
Each subsequent failure to comply within twelve (12) months of first failure to comply			\$2,000.00
Advertise Short-Term Rental without a licence	6.2(c) and 6.2 (d)	N/A	
First failure to comply			\$1,000.00
Each subsequent failure to comply within twelve (12) months of first failure to comply			\$1,500.00
Advertise Short-Term Rental with more than three (3) bedrooms	6.2(e)	5	\$500.00
Advertise Short-Term Rental that exceeds maximum occupancy	6.2(f)	5	\$500.00
Advertise Short-Term Rental without including Licence number	6.2(g)	3	\$75.00
Failure to Display Licence	6.2(h)	3	\$75.00
Failure to provide Guest Rules	6.2(i)	3	\$75.00
Failure to have garbage in containers with lids	6.2(j)	3	\$150.00
Outside sleeping accommodations on site	6.2(k) and 6.2(l)	3	\$300.00
Non-availability of Local Contact Person	6.2(m)	10	\$500.00
Fail to maintain Renter/Occupant register	6.2(n)	5	\$500.00
Fail to produce Renter/Occupant register	6.2(o)	5	\$500.00
Obstruct Officer	6.2 (p)	10	\$300.00

Noise and Nuisance	6.2(q)	5	Penalties Imposed under By-law No. 30-09
Operate contrary to applicable Federal, Provincial and Municipal Laws	6.2(r)	15	\$1,500.00
Fail to comply with <i>Fire Protection & Prevention Act, 1997</i> and/or Fire Code	6.1(r)	15	Fines Imposed under FPPA/Code
Fail to comply with <i>Building Code Act, 1992</i> and/or Building Code	6.1(r)	10	Fines Imposed under BCA
Operate Owner Occupied Short-Term Rental without Owner(s) present	6.1(s)	15	\$1,500.00
Operate with open Permit or Order	6.2(t)	10	\$300.00
Fire extinguisher in enclosed compartment	6.2(u)	2	\$150.00
Operate with more than three (3) bedrooms	6.2(v)	15	\$1,500.00
Exceed maximum occupancy	6.2 (w) and 6.2(x)	10	\$1,000.00
Guest(s) after 11:00 p.m.	6.2(y)	5	\$150.00

Note: References to By-laws and Legislation include as they may be amended or replaced.



The Corporation of the Town of Fort Erie By-law 103-2024

Being a By-law to Authorize the Entry into a Development Agreement with Niagara Pines Developments Ltd. (Paul Savoia) – 92 Adelaide Street

Whereas pursuant to the decisions of the Town of Fort Erie Committee of Adjustment regarding Consent Applications B28/23 and B29/23 F.E., which allow for the creation of two new residential lots, the owner of 92 Adelaide Street is required to enter into a Development Agreement with the Town of Fort Erie for the extension of the sanitary main, works related to lot servicing, fencing and the restoration of the Town's road allowance due to such servicing works; and

Whereas it is deemed desirable to enter into a Development Agreement with Niagara Pines Developments Ltd. to satisfy the conditions of Consent;

Now therefore the Municipal Council of The Corporation of the Town of Fort Erie enacts as follows:

- 1. That** the entry into a Development Agreement with Niagara Pines Developments Ltd. for the extension of the sanitary main, works related to lot servicing, fencing and the restoration of the Town's road allowance due to such servicing work, to satisfy the conditions of Consent, is authorized and approved.
- 2. That** the Mayor and Clerk are authorized and directed to execute the Development Agreement, in a form satisfactory to the Town's solicitor and to affix the corporate seal thereto.
- 3. That** the Clerk of the Town is authorized to affect 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 21st day of October, 2024.

Mayor

Clerk



The Corporation of the Town of Fort Erie By-law 104-2024

Being a By-law to Accept and Declare Lands as Public Highway – Nigh Road and Burleigh Road (3404 Nigh Road – Joshua Mackenzie)

Whereas pursuant to the decision of the Town of Fort Erie Committee of Adjustment regarding Applications B30/23, B31/23, and B32/23 F.E., the owner is required to convey lands to The Corporation of the Town of Fort Erie for the purpose of a road widening along Nigh Road and Burleigh Road, and for the establishment of a daylighting triangle at the northwest corner of Nigh Road and Burleigh Road, gratuitously, free and clear of all encumbrances; and

Whereas the *Municipal Act, 2001*, as amended, provides that if a municipality acquires land for the purposes of widening a highway, the land acquired forms part of the highway to the extent of the designated widening; and

Whereas it is deemed desirable to authorize the acceptance of lands for road widening purposes and declare and assume same as public highway forming part of Nigh Road and Burleigh Road;

Now therefore the Municipal Council of The Corporation of the Town of Fort Erie enacts as follows:

- 1. That** the acceptance of land from Joshua Mackenzie, legally described as Part of Lot 21, Concession 3, Lake Erie, designated as Parts 4 and 5 on Reference Plan 59R-18133; Fort Erie, being part of PIN 64194-0089 (LT) (the "Lands"), for road widening purposes, free and clear of all encumbrances, is authorized and approved.
- 2. That** the Lands described in section 1 are established, laid out, declared and assumed as public highway forming part of Nigh Road and Burleigh Road, for public use.
- 3. That** the Clerk of the Town is authorized to affect 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 21st day of October, 2024.

Mayor

Clerk



The Corporation of the Town of Fort Erie By-law 105-2024

Being a By-law to Accept and Declare Land as Public Highway – Hazel Street and Prospect Point Road North (3624 Hazel Street – S.R. Niagara Investments Inc. (Salvatore and Rita Visca))

Whereas pursuant to the decision of the Town of Fort Erie Committee of Adjustment regarding Application B39/23 F.E., the owner is required to convey land to The Corporation of the Town of Fort Erie for the purpose of a daylighting triangle at the northwest corner of Hazel Street and Prospect Point Road North, gratuitously, free and clear of all encumbrances; and

Whereas the *Municipal Act*, 2001, as amended, provides that if a municipality acquires land for the purposes of widening a highway, the land acquired forms part of the highway to the extent of the designated widening; and

Whereas it is deemed desirable to authorize the acceptance of land for road widening purposes and declare and assume same as public highway forming part of Hazel Street and Prospect Point Road North;

Now therefore the Municipal Council of The Corporation of the Town of Fort Erie enacts as follows:

1. **That** the acceptance of land from S.R. Niagara Investments Inc., legally described as Part of Lot 19, Plan 405, designated as Part 8 on Reference Plan 59R-18006; Fort Erie, being part of PIN 64193-0104 (LT) (the "Land"), for road widening purposes, free and clear of all encumbrances, is authorized and approved.
2. **That** the Land described in section 1 is established, laid out, declared and assumed as public highway forming part of Hazel Street and Prospect Point Road North, for public use.
3. **That** the Clerk of the Town is authorized to affect 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 21st day of October, 2024.

Mayor

Clerk



The Corporation of the Town of Fort Erie By-law 106-2024

Being a By-law to Accept and Declare Land as Public Highway – Rebstock Road (3967 Rebstock Road – Amanda and Thomas Hamilton)

Whereas pursuant to the decision of the Town of Fort Erie Committee of Adjustment regarding Applications B69/23 and B70/23 F.E., the owners are required to convey land to The Corporation of the Town of Fort Erie for the purpose of a road widening along Rebstock Road, gratuitously, free and clear of all encumbrances; and

Whereas the *Municipal Act*, 2001, as amended, provides that if a municipality acquires land for the purposes of widening a highway, the land acquired forms part of the highway to the extent of the designated widening; and

Whereas it is deemed desirable to authorize the acceptance of land for road widening purposes and declare and assume same as public highway forming part of Rebstock Road;

Now therefore the Municipal Council of The Corporation of the Town of Fort Erie enacts as follows:

- 1. That** the acceptance of land from Amanda and Thomas Hamilton, legally described as Part of Block K, Plan 544, designated as Part 7 on Reference Plan 59R-18051; Fort Erie, being part of PIN 64182-0048 (LT) (the “Land”), for road widening purposes, free and clear of all encumbrances, is authorized and approved.
- 2. That** the Land described in section 1 is established, laid out, declared and assumed as public highway forming part of Rebstock Road, for public use.
- 3. That** the Clerk of the Town is authorized to affect 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 21st day of October, 2024.

Mayor

Clerk



The Corporation of the Town of Fort Erie By-law 107-2024

Being a By-law to Designate 168 High Street as Being of Cultural Heritage Value or Interest

Whereas Section 29(1) of the Ontario Heritage Act, R.S.O. 1990, Chapter O.18, as amended, authorizes the Council of a municipality to pass a by-law to designate a property within the municipality to be of cultural heritage value or interest; and

Whereas at the Council-in-Committee meeting held on July 8, 2024, the Municipal Council of the Town of Fort Erie approved the Museum and Cultural Heritage Advisory Committee's recommendation through report number PDS-33-2024 to designate 168 High Street under the Ontario Heritage Act; and

Whereas in accordance with subsection 29(3) of the Ontario Heritage Act, Council of the Town of Fort Erie has caused to be served upon the owners of the lands municipally known as 168 High Street and legally described in accordance with "Schedule A" and upon the Ontario Heritage Trust, a Notice of Intention to Designate the property as being of cultural heritage value or interest, and has caused the Notice of Intention to Designate to be published in the Fort Erie Observer, a newspaper having general circulation in the Town of Fort Erie; and

Whereas it is deemed desirable to designate 168 High Street as having Cultural Heritage Value or Interest, under the Ontario Heritage Act, R.S.O. 1990, Chapter O.18, as amended;

Now therefore the Municipal Council of The Corporation of the Town of Fort Erie enacts as follows:

- 1. That** the property legally described in accordance with "Schedule A" and municipally known as 168 High Street is hereby designated as having cultural heritage value or interest for architectural, historical, and contextual attributes and reasons under the Ontario Heritage Act, R.S.O. 1990, Chapter O.18, as amended, for the reasons set out in the Statement of Significance attached as "Schedule B" and forming part of this by-law.
- 2. That** the Clerk of the Town is authorized to affect 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 21st day of October 2024.

Mayor

Clerk

8.0 STATEMENT OF CULTURAL HERITAGE VALUE OR INTEREST

Introduction and Description of Property

168 High Street is located in proximity to the historic core of the Fort Erie. It consists of a one-and-a-half storey frame Queen Anne style residence, with an octagonal tower, constructed between 1888 and 1891.

Statement of Cultural Heritage Value or Interest

168 High Street is a representative example of the Queen Anne style. The one-and-a-half storey frame house built on a T-shaped plan has a cross-gable roof with gable dormers, varied rectangular window openings and a tower, all of which are typical of Queen Anne style residences. horizontal emphasis through its exterior cladding and the verandah wrap around porch with wood posts and plain spindle work and detailing are also typical of the Queen Anne style.

168 High Street has contextual value because it has direct associations with the 19th and 20th century summer home development as a conduit for economic prosperity and subsequent growth of the community, a theme that is significant to the greater Fort Erie area. 168 High Street was built as the summer residence of a wealthy American family, thus influencing pattern of settlement and development in the community along the north shores of Lake Erie.

Cultural Heritage Attributes

- Location on the corner of Bertie and High Street in Fort Erie
- Overall height, scale, massing
- Asymmetrical façade and side elevations
- One-and-a-half storey frame T-shaped floorplan Queen Anne style house with rubble stone foundation
- Cross gable roof with gable dormers
- Verandah with woodwork
- Corner tower

9.0 MAP OF HERITAGE ATTRIBUTES

The following figure displays the heritage attributes as outlined above (Map 3).



Map 3: Map of Heritage Attributes of 168 High Street

10.0 CONCLUSIONS

O. Reg. 9/06 of the *OHA* requires that to be designated, a property must meet at least two of the criteria. 168 High Street meets two of the criteria for determining CHVI as outlined in *O. Reg. 9/06*, therefore it is worthy of designation under *O. Reg. 9/06* of the *OHA*.

The *Provincial Policy Statement* notes that CHVI is bestowed upon cultural heritage resources by communities (MMAH 2020). Accordingly, the system by which heritage is governed in this province places an emphasis on the decision-making of local municipalities in determining CHVI. It is hoped that the information presented in this report will be useful in those deliberations.

Schedule "A" to By-law Number 107-2024

LEGAL DESCRIPTION

168 HIGH STREET

Legal Description

168 High Street is legally described as Part Block N/S Bertie Street & W/S William Street, Being Part of Township Lot 3, Concession 1, Niagara River on lands of James Stanton, Plan 505, Village of Fort Erie abstracted as Hawkes Tract, designated as Part 2 on Plan 59R15389; in the Town of Fort Erie.

Schedule “B” to By-law Number 107-2024

STATEMENT OF SIGNIFICANCE

168 HIGH STREET

(THE RUNICE HOUSE)

Description of the Property

The property is municipally known as 168 High Street and legally described as Part Block N/S, Bertie Street & W/S William Street, Being Part of Township Lot 3, Concession 1, on lands of James Stanton, Plan 505, in the Town of Fort Erie.

168 High Street is located in proximity to the historic core of Fort Erie. Situated on the property is a one-and-a-half-storey Queen Anne style residence with an octangular tower, constructed between 1888 and 1891.

Statement of Cultural Heritage Value or Interest

168 High Street is a representative example of the Queen Anne style. The one-and-a-half-storey frame house built on a T-shaped plan has a cross-gable roof with gable dormers, varied rectangular window openings, and a tower, all of which are typical of Queen Anne style residences. Horizontal emphasis through its exterior cladding and the verandah wraparound porch with wood posts and plain spindle work and detailing are also typical of the Queen Anne style.

168 High Street has contextual value because it has direct associations with the 19th and 20th century summer home development as a conduit for economic prosperity and subsequent growth of the community, a theme that is significant to the greater Fort Erie area. 168 High Street was built as the summer residence of a wealthy American family, thus influencing the pattern of settlement and development in the community along the north shores of Lake Erie.

Description of Heritage Attributes

Key elements that contribute to the heritage value of 168 High Street include:

- Location on the corner of Bertie and High Street in Fort Erie
- Overall height, scale, and massing
- Asymmetrical façade and side elevations
- One-and-a-half-storey frame t-shaped floorplan Queen Anne style house with a rubble stone foundation
- Cross-gable roof with gable dormers
- Verandah with woodwork
- Corner tower



The Corporation of the Town of Fort Erie By-law 108-2024

Being a By-law to Designate 400 Holloway Bay Road South as Being of Cultural Heritage Value or Interest

Whereas Section 29(1) of the Ontario Heritage Act, R.S.O. 1990, Chapter O.18, as amended, authorizes the Council of a municipality to pass a by-law to designate a property within the municipality to be of cultural heritage value or interest; and

Whereas at the Council-in-Committee meeting held on July 8, 2024, the Municipal Council of the Town of Fort Erie approved the Museum and Cultural Heritage Advisory Committee's recommendation through report number PDS-34-2024 to designate 400 Holloway Bay Road South under the Ontario Heritage Act; and

Whereas in accordance with subsection 29(3) of the Ontario Heritage Act, Council of the Town of Fort Erie has caused to be served upon the owners of the lands municipally known as 400 Holloway Bay Road South and legally described in accordance with "Schedule A" and upon the Ontario Heritage Trust, a Notice of Intention to Designate the property as being of cultural heritage value or interest, and has caused the Notice of Intention to Designate to be published in the Fort Erie Observer, a newspaper having general circulation in the Town of Fort Erie; and

Whereas it is deemed desirable to designate 400 Holloway Bay Road South as having Cultural Heritage Value or Interest, under the Ontario Heritage Act, R.S.O. 1990, Chapter O.18, as amended;

Now therefore the Municipal Council of The Corporation of the Town of Fort Erie enacts as follows:

- 1. That** the property legally described in accordance with "Schedule A" and municipally known as 400 Holloway Bay Road South is hereby designated as having cultural heritage value or interest for architectural, historical, and contextual attributes and reasons under the Ontario Heritage Act, R.S.O. 1990, Chapter O.18, as amended, for the reasons set out in the Statement of Significance attached as "Schedule B" and forming part of this by-law.
- 2. That** the Clerk of the Town is authorized to affect 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 21st day of October 2024.

Mayor

Clerk

Description	Yes/No	Value
The property has contextual value because it is physically, functionally, visually, or historically linked to its surroundings	No	400 Holloway Bay Road South is not physically linked to its surroundings. There is no demonstrated material connection between the property and its surroundings. It is not functionally linked to its surroundings, nor is it visually linked to its surroundings as there is no significant visual link that would warrant consideration under this criterion.
The property has contextual value because it is a landmark	No	400 Holloway Bay Road South is not a landmark. It is located along a secondary local road in a secluded area at the terminus of Holloway Bay Road South.

7.0 HERITAGE ATTRIBUTES

An examination of the relationship between the heritage attributes and the cultural heritage value or interest outlined in Table 8 assisted with the development of the list of heritage attributes.

Table 9: Relationship of Heritage Attributes to Cultural Heritage Values

Cultural Heritage Value or Interest	Heritage Attribute
400 Holloway Bay Road South is a representative example of Queen Anne architectural style.	<ul style="list-style-type: none"> • Overall height, scale, massing • Two-and-a-half storey Queen Anne style house • Irregular floor plan • Hip roof with lower cross gable roof, projecting gable ends • Decorative shingles • Oriel window • Horizontal wood cladding • Interior redbrick chimney • Front porch • Various size and shaped window openings
400 Holloway Bay Road South has associative value because it has direct associations with a theme that is significant to a community	<ul style="list-style-type: none"> • Location along Holloway Bay Road South in proximity to Lake Erie in a wooded area
400 Holloway Bay Road South has contextual value because it is important in defining the character of the area.	<ul style="list-style-type: none"> • Location along Holloway Bay Road South in proximity to Lake Erie in a wooded area

8.0 STATEMENT OF CULTURAL HERITAGE VALUE OR INTEREST

Introduction and Description of Property

The subject house on 400 Holloway Bay Road South is located within a larger approximately 25-acre property parcel that fronts the south shore of Lake Erie. The large property parcel contains several built structures with five that front Holloway Bay Road South, and the remaining buildings are built along interior private roadways, including Marcy Road. For the purpose of this designation report, the subject property is defined as the single built structure associated with what is noted in the Municipal Heritage Register as 400 Holloway Bay Road South, the two-and-a-half storey frame Queen Anne style house that was built between 1871-1891.

Statement of Cultural Heritage Value or Interest

400 Holloway Bay Road South is a representative example of the Queen Anne style. The two-and-a-half storey building has hip roof with lower cross gable roof, projecting gable ends, a

front gable adorned with decorative shingles and wood panelling, an oriel window and projecting gable ends on the north and south elevations, all common features of the Queen Anne style. The asymmetrical façade dominated by the front porch with decorative woodwork are also typical of the Queen Anne style.

400 Holloway Bay Road South has associative value with the development of seasonal, recreational residences in the greater Fort Erie area. 400 Holloway Bay Road South is part of a locally common settlement pattern of wealthy Americans owning property on the north shore of Lake Erie for use as summer residences, a theme that is significant to the historic development of the community. Soon after the subject building was constructed by the Page family, it was sold to Charles O. Rano for use as a summer residence, thus beginning a recreational land use pattern on the larger property and surrounding area.

The property has contextual value because it is important in defining the character of the area. The character of the Holloway Bay Road South area is comprised of a large, wooded lots near and along the south shore of Lake Erie that contain mostly one to one-and-a-half storey 19-20th century cottages. As one of the early buildings in the area, the subject house was integral to establishing the area as an attractive space for a seasonal recreation. A known developer of seasonal recreational communities, Ward Winger, purchased the entire property after the subject house was built, further supporting the recreational context of the area.

Cultural Heritage Attributes

- Location along Holloway Bay Road South in proximity to Lake Erie in a wooded area
- Overall height, scale, massing
- Two-and-a-half storey Queen Anne style house
- Irregular floor plan
- Hip roof with lower cross gable roof, projecting gable ends
- Decorative shingles
- Oriel window
- Horizontal wood cladding
- Interior redbrick chimney
- Front porch
- Various size and shaped window openings

9.0 MAP OF HERITAGE ATTRIBUTES

The following figures display the heritage attributes as outlined above (Map 3).



Map 3: Map of Heritage Attributes of 400 Holloway Bay Road South

10.0 CONCLUSIONS

O. Reg. 9/06 of the *OHA* requires that to be designated, a property must meet at least two of the criteria. 400 Holloway Bay Road meets three of the criteria for determining CHVI as outlined in *O. Reg. 9/06*, therefore it is worthy of designation under *O. Reg. 9/06* of the *OHA*.

The *Provincial Policy Statement* notes that CHVI is bestowed upon cultural heritage resources by communities (MMAH 2020). Accordingly, the system by which heritage is governed in this province places an emphasis on the decision-making of local municipalities in determining CHVI. It is hoped that the information presented in this report will be useful in those deliberations.

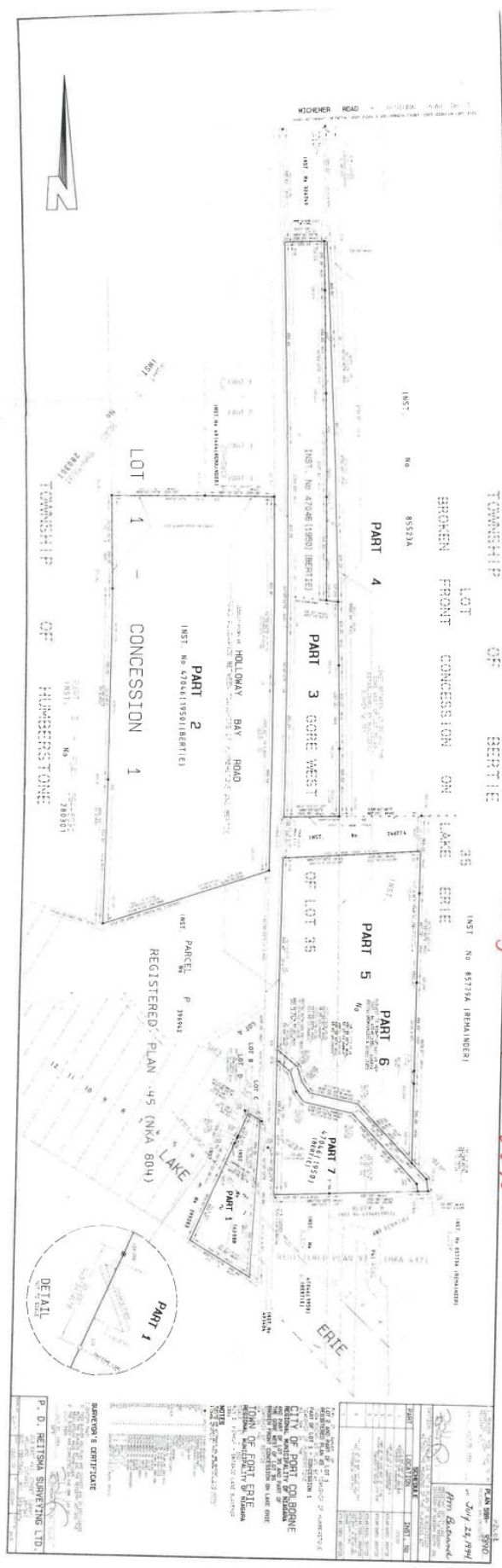
Schedule "A" to By-law Number 108-2024

LEGAL DESCRIPTION

400 HOLLOWAY BAY ROAD SOUTH

Legal Description

400 Holloway Bay Road South is legally described as Part of Lot 35 and Part of the Gore West of Lot 35, Broken Front Concession, Lake Erie, Being Part 5, 59R8890, in the Town of Fort Erie.



Part of Lot 35 and Part of the Gore West of Lot 35 Broken Front Concession Lake Erie, being Part 5, 59R 889D

Part	Area	Notes
PART 1	CONCESSION	
PART 2		
PART 3		
PART 4		
PART 5		
PART 6		
PART 7		

PLAN 859
 2008
 July 22, 1994
 P. D. HETSMA SURVEYING LTD.

Schedule “B” to By-law Number 108-2024

STATEMENT OF SIGNIFICANCE

400 HOLLOWAY BAY ROAD SOUTH

Description of the Property

The property is municipally known as 400 Holloway Bay Road South and is legally described as described as Part of Lot 35 and Part of the Gore West of Lot 35, Broken Front Concession, Lake Erie, Being Part 5, 59R8890, in the Town of Fort Erie.

400 Holloway Bay Road South is a large parcel of approximately 25 acres, bordering the south shore of Lake Erie. This property contains multiple structures, with five facing Holloway Bay Road South and others located along private roadways. Situated on the property is a two-and-a-half-storey frame house built in the Queen Anne style, and constructed between 1871 and 1891.

Statement of Cultural Heritage Value or Interest

400 Holloway Bay Road South is a representative example of the Queen Anne style. The two-and-a-half storey building has a hip roof with a lower cross-gable roof, projecting gable ends, a front gable adorned with decorative shingles and wood panelling, an oriel window, and projecting gable ends on the north and south elevations, all common features of the Queen Anne style. The asymmetrical façade dominated by the front porch with decorative woodwork is also typical of the Queen Anne style.

400 Holloway Bay Road South has associative value with the development of seasonal, recreational residences in the greater Fort Erie area. 400 Holloway Bay Road South is part of a locally common settlement pattern of wealthy Americans owning property on the north shore of Lake Erie for use as summer residences, a theme that is significant to the historic development of the community. Soon after the subject building was constructed by the Page family, it was sold to Charles O. Rano for use as a summer residence, thus beginning a recreational land use pattern on the larger property and surrounding area.

The property has contextual value because it is important in defining the character of the area. The character of the Holloway Bay Road South area is comprised of large, wooded lots near and along the south shore of Lake Erie that contain mostly one-to one-and-a-half storey 19- 20th century cottages. As one of the early buildings in the area, the subject house was integral to establishing the area as an attractive space for seasonal recreation. A known developer of seasonal recreational communities, Ward Winger, purchased the entire property after the subject house was built, further supporting the recreational context of the area.

Description of Heritage Attributes

Key elements that contribute to the heritage value of 400 Holloway Bay Road South include:

- Location along Holloway Bay Road South in proximity to Lake Erie in a wooded area
- Overall height, scale, and massing
- Two-and-a-half-storey Queen Anne style house
- Irregular floor plan
- Hip roof with lower cross-gable roof and projecting gable ends
- Decorative shingles
- Oriel window
- Horizontal wood cladding
- Interior redbrick chimney
- Front porch
- Various size and shaped window openings



The Corporation of the Town of Fort Erie By-law 109-2024

Being a By-law to Designate 45 Princess Street as Being of Cultural Heritage Value or Interest

Whereas Section 29(1) of the Ontario Heritage Act, R.S.O. 1990, Chapter O.18, as amended, authorizes the Council of a municipality to pass a by-law to designate a property within the municipality to be of cultural heritage value or interest; and

Whereas at the Council-in-Committee meeting held on July 8, 2024, the Municipal Council of the Town of Fort Erie approved the Museum and Cultural Heritage Advisory Committee's recommendation through report number PDS-35-2024 to designate 45 Princess Street under the Ontario Heritage Act; and

Whereas in accordance with subsection 29(3) of the Ontario Heritage Act, Council of the Town of Fort Erie has caused to be served upon the owners of the lands municipally known as 45 Princess Street and legally described in accordance with "Schedule A" and upon the Ontario Heritage Trust, a Notice of Intention to Designate the property as being of cultural heritage value or interest, and has caused the Notice of Intention to Designate to be published in the Fort Erie Observer, a newspaper having general circulation in the Town of Fort Erie; and

Whereas it is deemed desirable to designate 45 Princess Street as having Cultural Heritage Value or Interest, under the Ontario Heritage Act, R.S.O. 1990, Chapter O.18, as amended;

Now therefore the Municipal Council of The Corporation of the Town of Fort Erie enacts as follows:

- 1. That** the property legally described in accordance with "Schedule A" and municipally known as 45 Princess Street is hereby designated as having cultural heritage value or interest for architectural, historical, and contextual attributes and reasons under the Ontario Heritage Act, R.S.O. 1990, Chapter O.18, as amended, for the reasons set out in the Statement of Significance attached as "Schedule B" and forming part of this by-law.
- 2. That** the Clerk of the Town is authorized to affect 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 21st day of October 2024.

Mayor

Clerk

8.0 STATEMENT OF CULTURAL HERITAGE VALUE OR INTEREST

Introduction and Description of Property

45 Princess Street is located in a residential area near the historic core of Fort Erie. It consists of a two-storey brick Italianate style residence, with a hip roof, elliptical arch windows and well executed woodwork elements, constructed with a minor setback to the road between 1858 and 1861 for William Stockdale.

Statement of Cultural Heritage Value or Interest

45 Princess Street is a representative example of an Italianate style residence. The two-storey square plan house is red brick construction on stone foundations, with a stone belt course on the east elevation. Typical of the style is the low hip roof with deep eaves, and elevating the house to more high style, is the wood panelled soffits supported by paired scroll brackets and the frieze board with dentil detailing. The window openings on the first storey of the street facing symmetrical façade and both storeys in the east elevation are large elliptical arch openings with radiating brick voussoirs and stone sills, while the remaining window openings are rectangular with ornate wood panel lintels and stone sills. The remaining woodwork decorating the house is indicative of the Italianate high-style, including the elaborately appointed main entryway with wood panelling in the recess, the beaded wood trim of the elliptical transom and sidelights.

45 Princess Street has design value because it displays a high degree of artistic value and craftsmanship. The Italianate architectural style is often defined by its ornamentation, but this residence displays many features that elevate it as a high-style example of Italianate. The totality of well-executed decorative elements that have been retained in exceptional condition were skillfully arranged and presented reflecting a high degree of craftsmanship and artistic merit. The beaded panelling in the soffits and within the wood-framed recessed doorway, as well as the paired carved scroll brackets, exhibit imaginative skill in their arrangement and execution.

45 Princess Street has contextual value because it is important in defining and maintaining the 19th century residential character of the Princess Street neighbourhood. The property stands out on the corner of Archange and Princess Streets as the only brick house in the area against the background of the other surrounding 19th century frame residences. The uniqueness of the construction material as well as the interesting woodwork distinguish the property from the surrounding residences. The subject property is important in defining the 19th century residential character of the area.

Cultural Heritage Attributes

- Location on the corner of Archange and Princess Street
- Overall height, scale, massing and ornamentation
- Two-storey square plan Italianate style house of red brick construction with stone foundation
- Stone belt course on east elevation
- Symmetrical façade and side elevations
- Hip roof with wide eaves including paired carved wood brackets, frieze board with dentils, wood panel soffit
- Elliptical arch window openings with radiating brick voussoirs
- Rectangular window openings with ornate wood panel lintels

- Elliptical arch formal entryway with wood surrounds and panel detailing, elliptical transom and sidelights
- One-storey rear wing

9.0 MAP OF HERITAGE ATTRIBUTES

The following figure displays the heritage attributes as outlined above (Map 3 and Map 4).



Map 3: Map of Heritage Attributes of 45 Princess Street



Map 4: Map of Heritage Attributes of 45 Princess Street

10.0 CONCLUSIONS

O. Reg. 9/06 of the *OHA* requires that to be designated, a property must meet at least two of the criteria. 45 Princess Street meets three of the criteria for determining CHVI as outlined in *O. Reg. 9/06*, therefore it is worthy of designation under *O. Reg. 9/06* of the *OHA*.

The *Provincial Policy Statement* notes that CHVI is bestowed upon cultural heritage resources by communities (MMAH 2020). Accordingly, the system by which heritage is governed in this province places an emphasis on the decision-making of local municipalities in determining CHVI. It is hoped that the information presented in this report will be useful in those deliberations.

Schedule "A" to By-law Number 109-2024

LEGAL DESCRIPTION

45 PRINCESS STREET

Legal Description

45 Princess Street is legally described as Part Lot 8, N/S Princess Street, Plan 504, in the Town of Fort Erie.

Schedule “B” to By-law Number 109-2024

STATEMENT OF SIGNIFICANCE

45 PRINCESS STREET

(THE WILLIAM STOCKDALE HOME)

Description of the Property

The property is municipally known as 45 Princess Street and is legally described as Part Lot 8, N/S Princess Street, Plan 504, in the Town of Fort Erie.

45 Princess Street is located in a residential area near the historic core of Fort Erie. Situated on the property is a two-storey brick Italianate-style residence constructed between 1858 and 1861 for William Stockdale.

Statement of Cultural Heritage Value or Interest

45 Princess Street is a representative example of an Italianate-style residence. The two-storey square-plan house is red brick construction on stone foundations, with a stone belt course on the east elevation. Typical of the style is the low hip roof with deep eaves, and elevating the house to more high style is the wood panelled soffits supported by paired scroll brackets and the frieze board with dentil detailing. The window openings on the first storey of the street facing symmetrical façade and both storeys in the east elevation are large elliptical arch openings with radiating brick voussoirs and stone sills, while the remaining window openings are rectangular with ornate wood panel lintels and stone sills. The remaining woodwork decorating the house is indicative of the Italianate high style, including the elaborately appointed main entryway with wood panelling in the recess, the beaded wood trim of the elliptical transom, and sidelights.

45 Princess Street has design value because it displays a high degree of artistic value and craftsmanship. The Italianate architectural style is often defined by its ornamentation, but this residence displays many features that elevate it as a high-style example of Italianate. The totality of well-executed decorative elements that have been retained in exceptional condition were skillfully arranged and presented, reflecting a high degree of craftsmanship and artistic merit. The beaded panelling in the soffits and within the wood-framed recessed doorway, as well as the paired carved scroll brackets, exhibit imaginative skill in their arrangement and execution.

45 Princess Street has contextual value because it is important in defining and maintaining the 19th-century residential character of the Princess Street neighbourhood. The property stands out on the corner of Archange and Princess Streets as the only brick house in the area against the background of the other surrounding 19th-century frame residences. The uniqueness of the construction material as well as the interesting

woodwork distinguish the property from the surrounding residences. The subject property is important in defining the 19th-century residential character of the area.

Description of Heritage Attributes

Key elements that contribute to the heritage value of 45 Princess Street include:

- Location on the corner of Archange and Princess Street
- Overall height, scale, massing, and ornamentation
- Two-storey square plan Italianate-style house of red brick construction with a stone foundation
- Stone belt course on east elevation
- Symmetrical façade and side elevations
- Hip roof with wide eaves, including paired carved wood brackets, frieze boards with dentils, and wood panel soffit
- Elliptical arch window openings with radiating brick voussoirs
- Rectangular window openings with ornate wood panel lintels
- Elliptical arch formal entryway with wood surrounds and panel detailing, elliptical transom, and sidelights
- One-storey rear wing



The Corporation of the Town of Fort Erie By-law 110-2024

Being a By-law to Designate 487 Niagara Boulevard as Being of Cultural Heritage Value or Interest

Whereas Section 29(1) of the Ontario Heritage Act, R.S.O. 1990, Chapter O.18, as amended, authorizes the Council of a municipality to pass a by-law to designate a property within the municipality to be of cultural heritage value or interest; and

Whereas at the Council-in-Committee meeting held on July 8, 2024, the Municipal Council of the Town of Fort Erie approved the Museum and Cultural Heritage Advisory Committee's recommendation through report number PDS-36-2024 to designate 487 Niagara Boulevard under the Ontario Heritage Act; and

Whereas in accordance with subsection 29(3) of the Ontario Heritage Act, Council of the Town of Fort Erie has caused to be served upon the owners of the lands municipally known as 487 Niagara Boulevard and legally described in accordance with "Schedule A" and upon the Ontario Heritage Trust, a Notice of Intention to Designate the property as being of cultural heritage value or interest, and has caused the Notice of Intention to Designate to be published in the Fort Erie Observer, a newspaper having general circulation in the Town of Fort Erie; and

Whereas it is deemed desirable to designate 487 Niagara Boulevard as having Cultural Heritage Value or Interest, under the Ontario Heritage Act, R.S.O. 1990, Chapter O.18, as amended;

Now therefore the Municipal Council of The Corporation of the Town of Fort Erie enacts as follows:

- 1. That** the property legally described in accordance with "Schedule A" and municipally known as 487 Niagara Boulevard is hereby designated as having cultural heritage value or interest for architectural, historical, and contextual attributes and reasons under the Ontario Heritage Act, R.S.O. 1990, Chapter O.18, as amended, for the reasons set out in the Statement of Significance attached as "Schedule B" and forming part of this by-law.
- 2. That** the Clerk of the Town is authorized to affect 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 21st day of October 2024.

Mayor

Clerk

8.0 STATEMENT OF CULTURAL HERITAGE VALUE OR INTEREST

Introduction and Description of Property

487 Niagara Boulevard is located along a residential street adjacent to the Niagara River between Bridgeburg and Fort Erie. The one-and-a-half-storey house is an early 1792-built cottage in the Regency architectural style that has since been heavily altered.

Statement of Cultural Heritage Value or Interest

487 Niagara Boulevard has associative value for the direct association with the Wintemute family, an early United Empire Loyalist family who moved from Pennsylvania in the 1780s and built one of the earliest homes in the Fort Erie area. The subject property was built for the Wintemutes, a prominent local family recognized for their wartime contributions. Philip Wintemute and his wife Mary arrived in Niagara in 1778 with their family. All of their six sons served in the Butler's Rangers. Abraham Wintemute, a son of Phillip and Mary Wintemute, petitioned King George III for land due to him and his family for service during the American Revolution in 1786 and went on to occupy the subject property, and remained in the Wintemute family ownership for over a century. Historically, the house exhibited a significant amount of ornate detail as expressed in the fine woodwork, the chimneys and overall craftsmanship, reinforcing the prominence and wealth that the Wintemute family displayed to the community. The family's significance to the community is further reinforced by the naming of nearby "Wintemute Street".

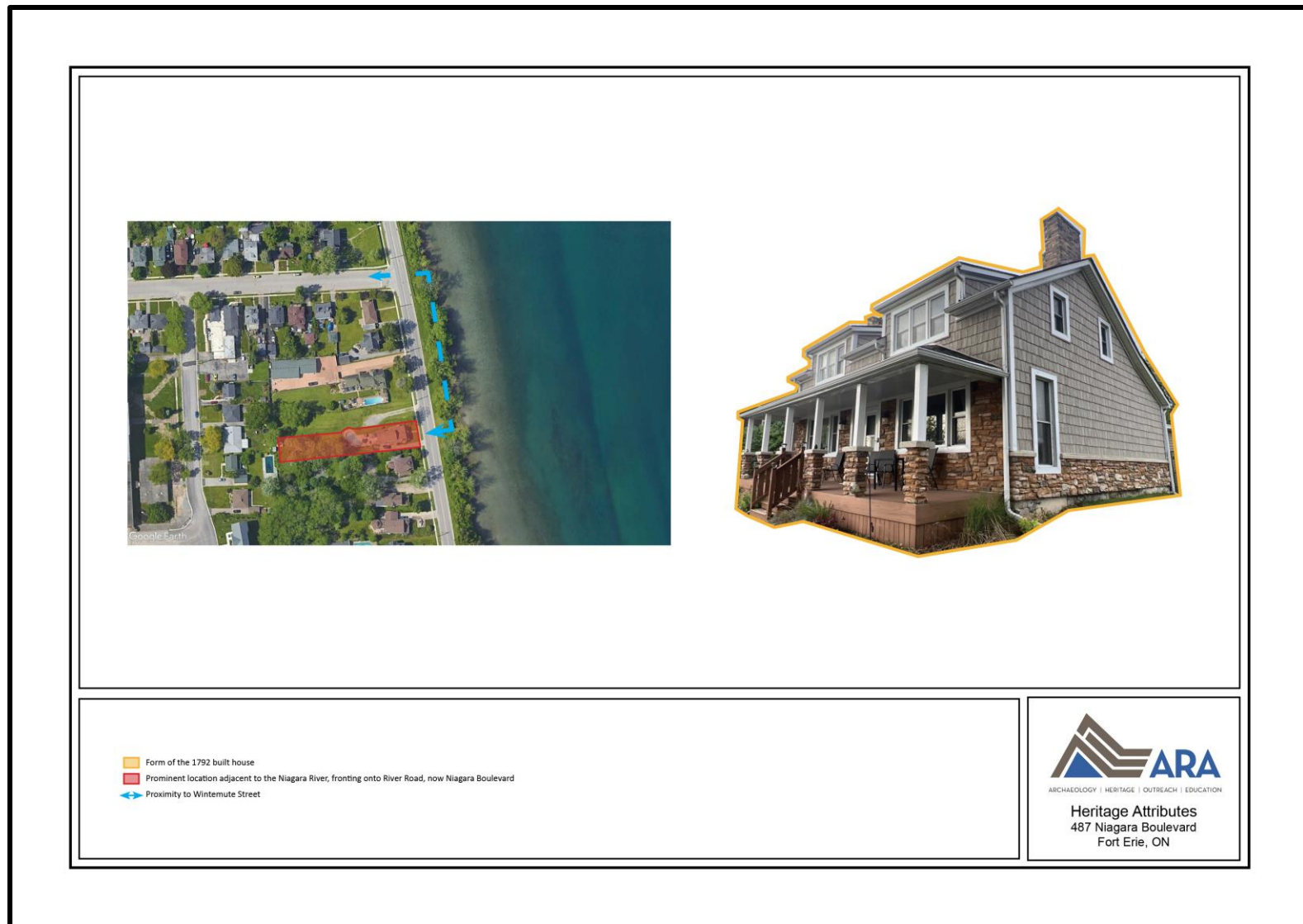
487 Niagara Boulevard has contextual value because it is historically linked to its surroundings. The property is adjacent to a building that was built as a store for John Wintemute, Abraham's brother, the structure can be seen in the only existing historic photo of the subject house. 487 Niagara Blvd. is further linked historically linked to its surroundings through the nearby street named for the family: "Wintemute Street".

Cultural Heritage Attributes

- Form of the 1792-built house
- Prominent location adjacent to the Niagara River, fronting onto the River Road now Niagara Boulevard
- Proximity to "Wintemute Street"

9.0 MAP OF HERITAGE ATTRIBUTES

The following figures display the heritage attributes as outlined above (Map 3).



Map 3: Map of Heritage Attributes of 487 Niagara Boulevard

10.0 CONCLUSIONS

O. Reg. 9/06 of the *OHA* requires that to be designated, a property must meet at least two of the criteria. 487 Niagara Boulevard meets two of the criteria for determining CHVI as outlined in *O. Reg. 9/06*, therefore it is worthy of designation under *O. Reg. 9/06* of the *OHA*.

The *Provincial Policy Statement* notes that CHVI is bestowed upon cultural heritage resources by communities (MMAH 2020). Accordingly, the system by which heritage is governed in this province places an emphasis on the decision-making of local municipalities in determining CHVI. It is hoped that the information presented in this report will be useful in those deliberations.

Schedule "A" to By-law Number 110-2024

LEGAL DESCRIPTION

487 NIAGARA BOULEVARD

Legal Description

487 Niagara Boulevard is legally described as Part Block G, W/S Niagara Street, Plan 525 Bridgeburg, Designated as Part 2 on 59R11045, in the Town of Fort Erie.

Schedule “B” to By-law Number 110-2024

STATEMENT OF SIGNIFICANCE

487 NIAGARA BOULEVARD

(WINTEMUTE BUILDING)

Description of the Property

The property is municipally known as 487 Niagara Boulevard and legally described as Part Block G, W/S Niagara Street, Plan 525 Bridgeburg, Designated as Part 2 on 59R11045, in the Town of Fort Erie.

487 Niagara Boulevard is located along a residential street adjacent to the Niagara River between Bridgeburg and Fort Erie. Situated on the property is a one-and-a-half-storey house built around 1792 in the Regency architectural style that has since been heavily altered.

Statement of Cultural Heritage Value or Interest

487 Niagara Boulevard has associative value for the direct association with the Wintemute family, an early United Empire Loyalist family who moved from Pennsylvania in the 1780s and built one of the earliest homes in the Fort Erie area. The subject property was built for the Wintemutes, a prominent local family recognized for their wartime contributions. Philip Wintemute and his wife Mary arrived in Niagara in 1778 with their family. All of their six sons served in the Butler’s Rangers. Abraham Wintemute, a son of Phillip and Mary Wintemute, petitioned King George III for land due to him and his family for service during the American Revolution in 1786 and went on to occupy the subject property and remained in the Wintemute family ownership for over a century. Historically, the house exhibited a significant amount of ornate detail as expressed in the fine woodwork, the chimneys, and overall craftsmanship, reinforcing the prominence and wealth that the Wintemute family displayed to the community. The family’s significance to the community is further reinforced by the naming of nearby “Wintemute Street.”

487 Niagara Boulevard has contextual value because it is historically linked to its surroundings. The property is adjacent to a building that was built as a store for John Wintemute, Abraham’s brother; the structure can be seen in the only existing historic photo of the subject house. 487 Niagara Blvd. is further linked historically to its surroundings through the nearby street named for the family: “Wintemute Street.”

Description of Heritage Attributes

Key elements that contribute to the heritage value of 45 Princess Street include:

- Form of the 1792-built house

- Prominent location adjacent to the Niagara Rive, fronting onto the River Road now Niagara Boulevard
- Proximity to “Wintemute Street”



The Corporation of the Town of Fort Erie By-law 111-2024

Being a By-law to Amend Zoning By-law 129-90, as amended 576 Ridge Road North (Block 50)

Whereas an application was received from William Heikoop of Upper Canada Consultants on behalf of the Owner, 2846300 Ontario Inc. (Bryce Ivanchuk), to amend the Town's Comprehensive Zoning By-law 129-90, as amended, for the lands known municipally as 576 Ridge Road North, Fort Erie (Block 50); and

Whereas a Public Meeting pursuant to Section 34(12) of the *Planning Act, R.S.O. 1990, c. P.13* was held on February 12, 2024; and

Whereas it is deemed desirable to amend the Comprehensive Zoning By-law 129-90, as amended, pursuant to the recommendations of Report PDS-62-2024 considered and approved at the Council meeting held on October 7, 2024;

Now therefore the Municipal Council of The Corporation of the Town of Fort Erie enacts as follows:

1. **That** Schedule "A" of Comprehensive Zoning By-law 129-90, as amended, is further amended by changing the zoning of the subject lands known municipally as 576 Ridge Road North (Block 50) and shown on the attached Schedule "A" from "Institutional (I) Zone" to "Residential Multiple 1 (RM1-808) Zone"
2. **That** Comprehensive Zoning By-law 129-90, as amended, is further amended by adding to "Section 14 – Residential Multiple 1 (RM1) Zone", Subsection – "Exception to the Residential Multiple 1 (RM1) Zone" the following exceptions:

"RM1-808 (111-2024) 576 Ridge Road North (Block 50)"

These lands are zoned "Residential Multiple 1 (RM1-808) Zone", and all of the provisions that relate to lands zoned "Residential Multiple 1 (RM1) Zone" by this by-law shall apply to those lands zoned "Residential Multiple 1 (RM1-808) Zone" subject to the following special provisions:

- a) Notwithstanding the Regulations in Section 6.13 (a), Lot Requirements, as it relates to Dwellings, the following shall apply:

Multiple detached and semi-detached dwellings may be permitted on one lot, subject to applicable regulations. One main dwelling is permitted per condominium unit.

A legal single detached dwelling, semi-detached dwelling, street townhouse dwelling and block townhouse dwelling may have up to two (2) Accessory Dwelling Units that are added onto or contained within the main dwelling. One Detached Accessory Dwelling Unit may be permitted in an accessory building on the same parcel provided the main dwelling does not exceed more than one (1) Accessory Dwelling Unit.

- b) Notwithstanding the Regulations in Section 6.20 (A), Parking Area Regulations, as it relates to the Minimum Parking Requirement, the following shall apply:

- i. Minimum 1.25 parking spaces per main dwelling unit.

- c) Notwithstanding the Regulations in Section 6.21 (b), Landscaping and Planting Strips, as it related to the width of a planting strip, the following shall apply:

- i. Where land is required to be used for no other purpose than a planting strip, it shall have a minimum width of 2.4 m measured perpendicular to the lot line it adjoins.
- d) Notwithstanding the Regulations in Section 14.3, Zone Regulations, as it relates to Minimum Lot Frontage, Minimum Lot Area, Maximum Building Height, Minimum Landscaped Area, Minimum Distance Between Buildings on the Same Lot, Minimum Distance Between a Rear Wall and a Property Line and Maximum Lot Coverage, the following shall apply:
- i. Minimum Lot Frontage
 - 50m, except 6m for street townhouse lots;
 - 7.62m for a total of 28 Semi-Detached Dwelling Condominium Units fronting a private condominium road;
 - 9.14 m for a total of 31 Single Detached Dwelling Condominium Units fronting a private condominium road; and
 - 15.24m for a total of 5 Single Detached Dwelling Condominium Units fronting a private condominium road.
 - ii. Minimum Lot Area
 - 300 sq m per dwelling unit, except 200 sq m for a street townhouse lot and 270 sq m for a street townhouse corner lot;
 - 175.00 sq m for a Semi-Detached Dwelling Condominium Unit fronting a private condominium road; and
 - 200.00 sq m for a Detached Dwelling Condominium Unit fronting a private condominium road.
 - iii. Maximum Building Height
 - 2 storeys; 10 m
 - iv. Minimum Landscaped Area
 - 40% including Privacy Areas, except 25% for street townhouse lots.
 - v. Minimum Distance Between Buildings on the Same Lot
 - 15 m between two rear walls.
 - 2.4 m between two end walls.
 - 9m between an end wall and a rear wall.
 - 6m between two front walls.
 - 6m between a front wall and an end wall.
 - vi. Minimum Distance Between a Rear Wall and a Property Line
 - 6m between a rear wall and a property line.
 - vii. Maximum Lot Coverage
 - Block townhouse or exterior streets townhouse – 40%.
 - Interior street townhouse – 60%.

Single Detached Dwellings fronting a private condominium road – 50% per condominium unit.

Semi-Detached Dwellings fronting a private condominium road – 55% per condominium unit.

e) Notwithstanding the Regulations in Section 14.4, Zone Regulations for Single Detached Dwellings not Located on the Same Lot as a Townhousing Development, the following shall apply:

i. The regulations of Section 12.3 shall not apply.

f) Notwithstanding the Regulations in Section 14.5, Zone Regulations for Semi-Detached Dwellings not Located on the Same Lot as a Townhousing Development, the following shall apply:

i. The regulations of Section 13.4 shall not apply.

3. That the Clerk of the Town is authorized to affect 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 21st day of October 2024.

Mayor

Clerk




By-law 111-2024

This is Schedule 'A' to By-law No. 129-90 approved on October 21, 2024

Legend

 576 Ridge Road North, Fort Erie (Block 50)

 Change from "Institutional (I) Zone" to "Residential Multiple 1 (RM1-808) Zone"





The Corporation of the Town of Fort Erie By-law 112-2024

Being a By-law to Enact an Amendment to the Official Plan Adopted by
By-law 150-06 for the Town of Fort Erie Planning Area
Amendment 85

576 Ridge Road North
2846300 Ontario Inc. (Bryce Ivanchuk) – Owner

The Municipal Council of The Corporation of the Town of Fort Erie in accordance with the provisions of Section 17 of the Planning Act, R.S.O. 1990, c. P.13, as amended, hereby enacts as follows:

1. **That** Amendment 85 to the Official Plan for the Town of Fort Erie consisting of the attached explanatory text and mapping is hereby adopted and approved.
2. **That** this by-law shall come into force and take effect on the day of the final passing thereof.
3. **That** the Clerk of the Town is authorized to affect 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 21st day of October 2024.

Mayor

Clerk

**AMENDMENT 85
TO THE
OFFICIAL PLAN
FOR THE
CORPORATION OF THE TOWN OF FORT ERIE**

CONTENTS

PART “A” – THE PREAMBLE

- Section 1 – Title and Components
- Section 2 – Purpose of Amendment
- Section 3 – Location of this Amendment
- Section 4 – Basis of this Amendment
- Section 5 – Implementation and Interpretation

PART “B” – THE AMENDMENT

- Introductory Statement
- Details of the Amendment
- Schedule “A” – Land Use Plan

PART “C” – THE APPENDICES

- Appendix 1 – Notice of Public Meeting
- Appendix 2 – Public Meeting Minutes
- Appendix 3 – Circulation Comments

PART “A” – THE PREAMBLE

SECTION 1

TITLE AND COMPONENTS

This document, when approved in accordance with Sections 17 and 21 of the *Planning Act*, 1990, shall be known as Amendment 85 to the Official Plan adopted by By-law 150-06 of the Fort Erie Planning Area.

Part “A”, the Preamble does not constitute part of this amendment.

Part “B”, the Amendment, consisting of the following text and map (designated Schedule “A”) constitutes Amendment 85 to the Official Plan adopted by By-law 150-06 for the Fort Erie Planning Area.

Also attached is Part “C”, the Appendices, which do not constitute part of this Amendment. These Appendices (1 through 3 inclusive) contain the background data, planning considerations and public involvement associated with this amendment.

SECTION 2

PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to establish a Site Specific Policy Area that adds Single Detached Dwellings and Semi-detached Dwellings as permitted uses to the existing Medium Density Residential designation in the Ridgeway-Thunder Bay Secondary Plan.

SECTION 3

LOCATION OF THIS AMENDMENT

The lands, which are the subject of this Amendment, are municipally known as 576 Ridge Road North (Block 50) as shown on Schedule “A” attached hereto.

SECTION 4

BASIS OF THIS AMENDMENT

Subsection 13.7(III) of the Official Plan adopted by By-law 150-06 of the Fort Erie Planning Area provides that amendments may be made to the Official Plan. Policies in Subsection 13.7(III) have been considered in the preparation of this Amendment and the following factors have been reviewed in supporting this Amendment to the Official Plan:

A. The need for the proposed use;

The addition of Single Detached Dwellings and Semi-Detached Dwellings as permitted uses will increase housing supply and facilitate a mix of built forms and densities that reflect the village character of the Ridgeway-Thunder Bay Secondary Plan area.

B. The extent to which the existing areas in the proposed categories are developed, and the nature and adequacy of such existing development;

The subject lands are in an established neighbourhood consisting primarily of low and medium density built forms on municipal services.

C. The physical suitability of the land for such proposed use, and in the case of lands exhibiting or abutting a Natural Heritage feature, demonstration of compliance with the Natural Heritage policies of this plan;

The subject lands are a large vacant lot within the built-up area and are not constrained by Natural Heritage features. Any proposed tree removal is subject to the requirements of the Town's (Tree) By-law No. 33-2024.

D. The location of the area under consideration with respect to:

1. The adequacy of the existing and proposed streets in relation to the development of such proposed areas;

The subject lands front onto Ridge Road North, a designated Collector Road and Pedestrian / Bicycle Route with a semi-urban cross section (sidewalks existing on the west side of Ridge Road North only). The portion of Ridge Road North fronting the subject lands has been identified for urbanization, including the provisions of storm drainage, in the Town's Development Charge Background Study, between 2038 and 2041.

A 1.5-metre-wide road widening is required to be conveyed to the Town as a condition of approval through Draft Plan of Subdivision Application SUB-01-2023.

The subject lands are proposed to be serviced by two points of ingress and egress and three common element roads each with a minimum width of 6.0 metres, sufficient to accommodate two-way vehicular traffic.

2. The convenience, accessibility, and safety of the site for vehicular and pedestrian traffic; and

The subject lands are proposed to be serviced by two points of ingress and egress from a designated Collector Road (Ridge Road North). Three common element roads are proposed, each with a minimum width of 6.0 metres. The proposed 6.0 metre wide road width is accepted as sufficient to accommodate the safe movement of two-way vehicular traffic.

Sidewalks currently exist on the west side of Ridge Road North only. Construction of a 1.50-metre-wide concrete sidewalk along the Ridge Road North frontage of the subject lands is required as a condition of approval through Draft Plan of Subdivision Application SUB-01-2023.

The proposed 1.5-metre-wide sidewalk along the north-easterly lot line provides a pedestrian connection to Prospect Point Road North via a multi-use pathway (Block 53).

3. The adequacy of the potable water supply, sewage disposal facilities, and other municipal services in view of the policies contained in this Plan and in accordance with technical reports or recommendations of the Ministry of the Environment, Conservation and Parks, and the Niagara Region Public Health Department and any other appropriate authority deemed advisable.

Municipal services are available to the subject lands. The municipal sanitary system currently has sufficient capacity, however, the Niagara Region has identified capacity constraints at the Nigh Road Sewage Pumping Station. An upgrade to the Nigh Road Sewage Pumping Station is currently in the design process with upgrades scheduled in 2026, pending Regional budget approval in the capital budget year.

Draft Plan of Subdivision Application SUB-01-2023 created a stormwater management facility for stormwater retention to be assumed by the Town in the future.

E. The compatibility of the proposed use with uses in adjoining areas;

The applications propose development of single and semi detached dwellings, a built form commonly found throughout the immediate and surrounding neighbourhood.

F. The effects of such proposed use on the surrounding area in respect of the minimizing of any possible depreciating or deteriorating effect upon adjoining properties;

The proposed development is not anticipated to have depreciating or deteriorating effects on adjoining properties. The subject lands are surrounded by complementary residential uses and an area proposed for a future stormwater management facility. The proposed private roadway and amenities will be constructed to private development standards, included as condominium common elements, and are therefore the sole responsibility of the condominium corporation.

G. The potential effect of the proposed use on the financial position of the Town; and

The proposed use is not anticipated to negatively impact the financial position of the Town. Residential taxes will be generated from the proposed development.

H. The potential effect of the proposed use in relation to the intent and implementing regulations of the Environmental Protection Act.

The subject lands are not constrained by Natural Heritage features. Any proposed tree removal is subject to the requirements of the Town's (Tree) By-law No. 33-2024.

SECTION 5

IMPLEMENTATION AND INTERPRETATION

The relevant policies of the Official Plan adopted by By-law 150-06 of the Fort Erie Planning Area shall apply to the implementation and interpretation of this Amendment.

PART “B” – THE AMENDMENT

All of this part of the document entitled “Part B” – “The Amendment” consisting of the following policies and attached maps designated as Schedule “A” (Land Use Plan) constitute Amendment 85 to the Official Plan adopted by By-law 150-06 for the Fort Erie Planning Area. The Official Plan adopted by By-law 150-06 for the Fort Erie Planning Area is hereby amended as follows:

1. The land use designation of the subject lands shown on Schedule “A” attached hereto shall change from “Medium Density Residential” to “Site Specific Policy Area 53.”
2. The subject lands described as Site Specific Policy Area 53 on Schedule “A” attached hereto are hereby redesignated to:

576 RIDGE ROAD NORTH (Site Specific Policy Area 53)

The lands designated on Schedule “A” as “Site Specific Policy Area 53” shall generally be governed by the Medium Density Residential policies of Section 4.18.7 of the Ridgeway-Thunder Bay Secondary Plan and Section 4.7 of the Official Plan. However, in addition to the uses stated in Policy 4.18.7(a), the following uses shall also be permitted:

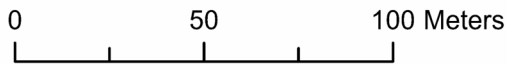
1. Single Detached Dwellings
2. Semi-Detached Dwellings

PART “C” – THE APPENDICES

Appendix 1 – Notice of Public Meeting

Appendix 2 – Public Meeting Minutes

Appendix 3 – Circulation Comments



By-law 112-2024

This sketch forms part of Schedule 'A' to the Official Plan passed on October 21, 2024

-  576 Ridge Road North, Fort Erie (Block 50)
-  Site Specific Policy Area 53





Notice of Complete Application and Public Meeting

Owner: 2846300 Ontario Inc.
Agent: Upper Canada Consultants (c/o William Heikoop)
Location: 576 Ridge Road North
Proposed: Draft Plan of Subdivision, Draft Plan of Vacant Land Condominium, Official Plan and Zoning By-Law Amendment

File Numbers: OPA (OPA-02-2023) {350302-0167}
 ZBA (ZBA-05-2023) {350309-0567}
 DPS (SUB-01-2023) {350308-0131}
 DPVLC {350303-0040}

Date: 12th of February, 2024
Time: 6:00 PM
Place: This will be a hybrid meeting. Members of the public may attend the meeting in person at Council Chambers, Town Hall, 1 Municipal Centre Drive OR remotely via Zoom.

	<p><u>Location of Subject Lands</u></p>
	<p><u>Proposal</u></p> <p>Applications have been received for a <i>Draft Plan of Subdivision</i> and <i>Draft Plan of Vacant Land Condominium</i> on 576 Ridge Road North. The <i>Draft Plan of Subdivision</i> (attached as <i>Schedule '1'</i>), would create:</p> <ul style="list-style-type: none"> • 49 lots for single detached dwellings, • One (1) block for a private vacant land condominium block consisting of: <ul style="list-style-type: none"> ○ ± 73 dwellings (mix of townhouses and/or single detached). • One (1) block for stormwater management; • Three (3) blocks for multi-use paths; and • Associated public streets. <p>Applications have also been received for an <i>Official Plan Amendment</i> and <i>Zoning By-law Amendment</i>.</p> <p>The subject lands are designated <i>Institutional</i> within the <i>Ridgeway-Thunder Bay Secondary Plan</i>. The <i>Official Plan Amendment</i> proposes to redesignate the subject lands to <i>Medium Density / Low Density Residential</i>, and <i>Open Space</i>.</p> <p>The subject lands are zoned <i>Institutional (I)</i> in accordance with the Town's <i>Comprehensive Zoning By-law 129-90</i>, as amended. The <i>Zoning By-law Amendment</i> proposes to rezone the subject lands to various site-specific <i>Residential Multiple 1 (RM1)</i>, <i>Residential 2 (R2)</i>, and <i>Open Space (OS)</i> Zones to facilitate the proposed <i>Draft Plans</i>.</p>

Have Your Say

Input on the proposed Applications is welcome and encouraged. You can provide input by speaking at the Public Meeting or by making a written submission to the Town. Please note that unless you do one of the above now, you may not be able to appeal the decision later.

Members of the public can participate in the Council meeting in-person in Council Chambers, or remotely via Zoom (audio/video via web or by telephone). The link for the Zoom meeting will be provided on the Town's website an hour before the Council meeting.

The Town of Fort Erie Council meeting live webcast will be streamed at www.youtube.com/townofforterie or click on the YouTube icon on the home page of the Town's website (www.forterie.ca).

Getting More Information

A copy of the *Information Report* will be available to the public by 5:00 PM on **February 7, 2024**. The *Information Report* will be available in the Council agenda portion of the Town's Website: www.forterie.ca or by contacting Curtis Thompson below.

Contact Information

Curtis Thompson,
Supervisor, Development Approvals
Planning and Development Services Department
Town Hall, 1 Municipal Centre Drive
Fort Erie, Ontario L2A 2S6
905-871-1600 ext. 2514
Or by e-mailing your comments to: cthompson@forterie.ca

Providing your Comments or Requesting Notice of Decision

To provide input in writing, or to request written notice of the decision of the Zoning By-law Amendment, please send a letter c/o Ashlea Carter, Deputy Clerk, 1 Municipal Centre Drive, Fort Erie, Ontario, L2A 2S6 or an email to acarter@forterie.ca



**HAVE
YOUR
SAY**

Planning Act Legal Notice Requirements

The Town of Fort Erie has not yet made a decision regarding this application. After considering any written comments and the comments from the public meeting, a *Recommendation Report* will be prepared for a future Council-in-Committee meeting.

If a person or public body would otherwise have an ability to appeal the decision of the Town of Fort Erie's Municipal Council to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written statements to the Town of Fort Erie before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Town of Fort Erie before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

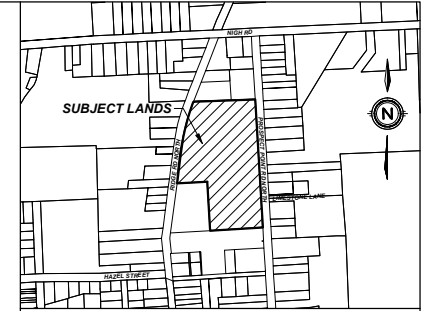
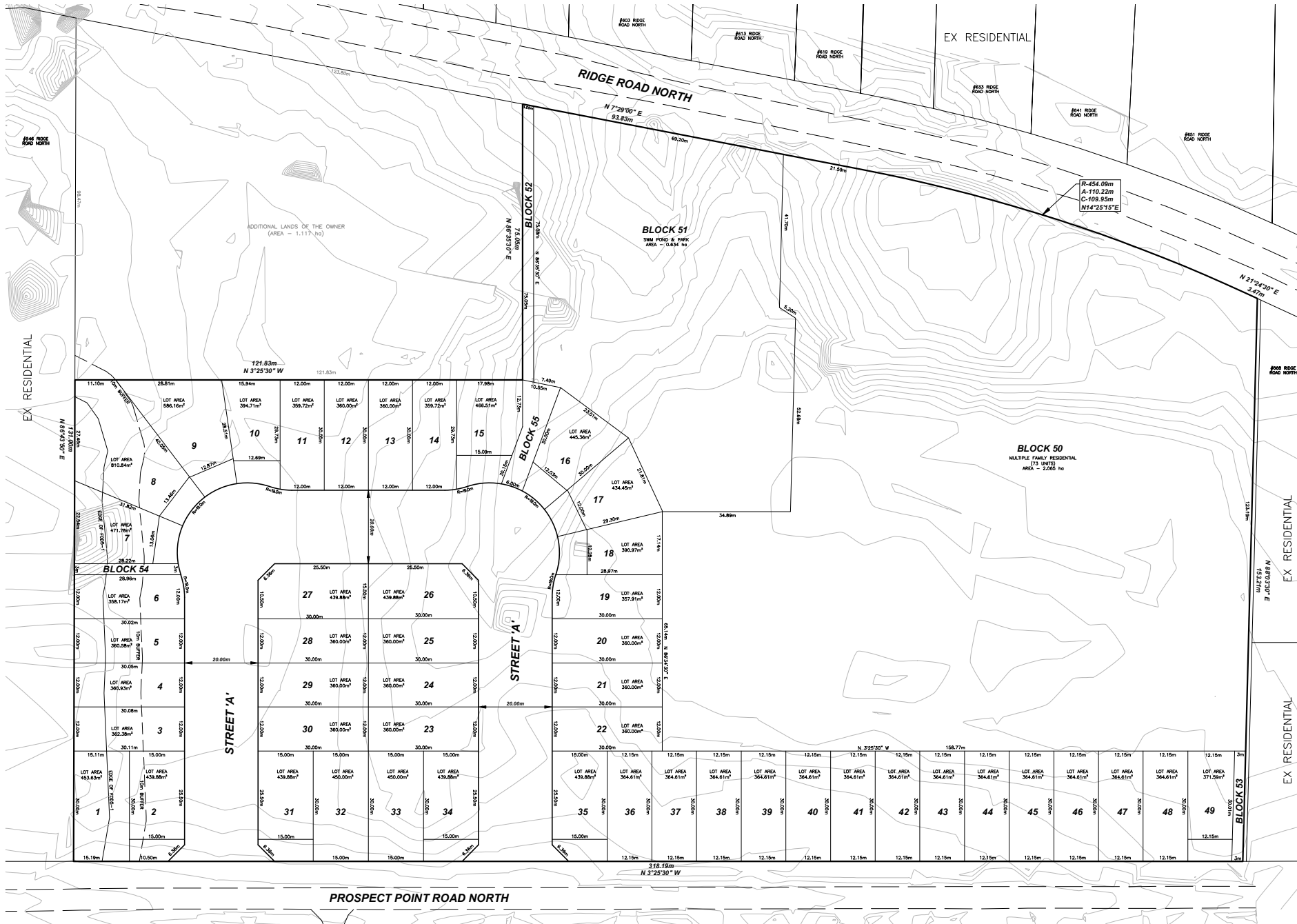
For more information about this matter, including information about appeal rights, please send a letter c/o Ashlea Carter, Deputy Clerk, 1 Municipal Centre Drive, Fort Erie, Ontario, L2A 2S6 or an email to acarter@forterie.ca

Dated January 22, 2024.



576 RIDGE ROAD NORTH

TOWN OF FORT ERIE



KEY PLAN
N.T.S.

DRAFT PLAN OF SUBDIVISION

LEGAL DESCRIPTION

PART OF LOT 23, CONCESSION 2 LAKE ERIE,
GEOGRAPHIC TOWNSHIP OF BERTIE, NOW IN
THE TOWN OF FORT ERIE
REGIONAL MUNICIPALITY OF NIAGARA

OWNER'S CERTIFICATE

BEING THE REGISTERED OWNER, I HEREBY
AUTHORIZE UPPER CANADA CONSULTANTS TO
PREPARE AND SUBMIT THIS DRAFT PLAN OF
SUBDIVISION

2846300 ONTARIO INC. MARCH 20, 2023 DATE

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE BOUNDARIES OF
THE LANDS TO BE SUBDIVIDED ARE
CORRECTLY SHOWN.

J.D. BARNES LIMITED July 20, 2023 DATE
J.D. BARNES, P.Eng. 20-16-07-01

**REQUIREMENTS OF SECTION 51(17)
OF THE PLANNING ACT**

- a) SEE PLAN e) SEE PLAN i) SILTY SAND
- b) SEE PLAN f) SEE PLAN j) SEE PLAN
- c) SEE PLAN g) SEE PLAN k) FULL SERVICE
- d) SEE PLAN h) MUNICIPAL WATER l) SEE PLAN

LAND USE SCHEDULE

LAND USE	LOT/BLOCK	# OF UNITS	AREA(ha)	AREA(%)
SINGLE FAMILY RESIDENTIAL	LOT 1-49	49	2,019	38.44
MULTIPLE FAMILY RESIDENTIAL	BLOCK 50	73	2,065	39.31
SWM POND / PARK	BLOCK 51		0.634	12.07
3.0m WIDE TRAIL	BLOCK 52-54		0.040	0.78
6.0m WIDE ACCESSWAY	BLOCK 55		0.020	0.38
ROADWAY			0.475	9.04
TOTAL	55	122	5,253	100.00

DEVELOPABLE AREA = 5,253ha
DEVELOPABLE DENSITY = 23.22 units/ha

ISSUED FOR APPROVAL	DATE	BY
0	2024-01-17	TA
#	REVISION	DATE
		INT



DRAWING TITLE	DRAFTING	TA
DRAFT PLAN OF SUBDIVISION	DATE	JANUARY 17, 2024
	PRINTED	JANUARY 17, 2024
	SCALE	1:500
	DWG NO.	142



**The Municipal Corporation of the Town of Fort Erie
Council in Committee Minutes**

**Monday, February 12, 2024, 6:00 p.m.
Council Chambers**

1. Call to Order

Mayor Redekop called the meeting to order at 6:00 pm.

2. Land Acknowledgement

Mayor Redekop provided a land acknowledgment.

3. Roll Call

The Clerk gave the roll call.

Present: His Worship Mayor Redekop and Councillors Christensen, Dubanow, Flagg, Lewis, McDermott and Noyes

Staff: A. Dilwaria, J. Janzen, C. McQueen, C. Patton, K. Walsh and P. Todd.

4. Announcements/Addenda

Mayor Redekop made the following announcements:

Parks and Open Space Master Plan - Open Houses

Mayor Redekop announced that an additional notice was added to the agenda under Notice of Upcoming Public Meetings and Open Houses regarding the Open Houses for the Parks and Open Space Master Plan. The dates for the open houses will be Wednesday, March 6, 2024 - 5:00 p.m. at Stevensville Memorial Hall, 2508 Stevensville Road and Thursday, March 7, 2024 - 6:00 p.m. - Leisureplex Banquet Hall, 3 Municipal Centre Drive.

Black History Month and Canada Heritage Week

The Mayor acknowledged that February is Black History month as well Heritage Week in Ontario. The Mayor acknowledged that there will be additional recognition of both of these events at the February 26, 2024 Council meeting and he encouraged residents to participate and to celebrate heritage in all its forms, its diverse traditions and cultural expressions.

Valentine's Day

The Mayor reminded the public that Valentine's Day is this week on February 14, and wished everyone a Happy Valentine's Day.

5. Declarations of Pecuniary Interest

Councillor Dubanow declared a pecuniary interest regarding Item 7.1 Open House - Proposed Official Plan and Zoning By-law Amendment - 409 and 423 Walden Boulevard of January 29, 2024, Regular Council Meeting as he is a tenant of the property.

6. Notice of Upcoming Public Meetings and Open Houses

6.1 Visioning Workshop - Fort Erie's Official Plan Review - Tuesday, February 27, 2024 - 5:00-7:00 p.m. - Fort Erie Leisureplex, 3 Municipal Centre Drive

6.2 Open Houses - Parks and Open Space Master Plan

Wednesday, March 6, 2024 - 5:00 p.m. - Stevensville Memorial Hall, 2508 Stevensville Road (Stevensville, Douglstown and Surrounding Area)

Thursday, March 7, 2024 - 6:00 p.m. - Leisureplex Banquet Hall, 3 Municipal Centre Drive (Old Fort Erie, Crystal Beach and Surrounding Area)

7. Public Meetings

7.1 Draft Plan of Subdivision, Draft Plan of Vacant Land Condominium, Official Plan and Zoning By-law Amendment - 576 Ridge Road North

Owner: 2846300 Ontario Inc. - Agent: Upper Canada Consultants (c/o William Heikoop)

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

Curtis Thompson, Supervisor, Development Approvals, provided a PowerPoint presentation.

William Heikoop, Agent, provided a PowerPoint Presentation.

Mayor Redekop enquired if anyone present wished to speak.

The following individuals provided oral comments:

- Bruce Kidd, 689 Ridge Road N

- Marvin Riegle, 780 Ridge Road N
- Laura Schneider, 668 Ridge Rd N
- George Parazader, 986 Ridge Road N

The Clerk confirmed that two additional written comments were received:

- Brodie Mosher, 676 Prospect Point Road North
- John H. Perham, 3625 Hazel Street

Mayor Redekop declared the Public Meeting closed.

7.2 PDS-05-2024

Proposed Official Plan and Zoning By-law Amendments, Draft Plan of Subdivision and Draft Plan of Vacant Land Condominium Information Report for 576 Ridge Road North

Recommendation 1

Moved by: Councillor Noyes

That: Council receives for information purposes, Report PDS-05-2024 regarding a proposed Official Plan and Zoning By-law Amendment, Draft Plan of Subdivision and Draft Plan of Vacant Land Condominium at 576 Ridge Road North.

Carried

8. Consent Agenda

Council recessed at 7:43 p.m. and returned at 7:52 p.m.

Recommendation 2

Moved by: Councillor McDermott

That: Council approves the Consent Agenda as amended.

Carried

8.1 PDS-04-2024

Proposed Draft Plan of Subdivision Information and Recommendation Report for 315 & 0-350 Garrison Road

(Deferred from the January 29, 2024 Regular Council Meeting - Previously Moved by Councillor Christensen and Seconded by Councillor Lewis)

That: Council approves the Draft Plan of Subdivision for 315 and 0-350 Garrison Road, dated July 10, 2023 and contained in Appendix 2, subject to the conditions contained in Appendix 4 of Report No. PDS-04-2024, and further

That: Council directs staff to circulate the Conditions of Draft Plan Approval in Appendix 4 of Report No. PDS-04-2024 to the applicable agencies in accordance with the requirements of the *Planning Act*.

Carried

8.3 CAO-01-01-2024

Revised Physician Recruitment, Retention and Medical Education Financial Incentive Policy

(Deferred from the January 15, 2024 Council-in-Committee Meeting - Previously Moved by Councillor Dubanow)

That: Council approves revised Physician Recruitment, Retention and Medical Education Financial Incentive Policy attached as Appendix 1, and further

That: Council receives Report CAO-01-2024, attached as Appendix 2, for information purposes, and further

That: Council directs staff to submit the necessary By-law.

Carried

8.4 CAO-02-2024

Land Committee Meeting Minutes – January 18, 2024

That: Council receives Land Committee Minutes of January 18, 2024, attached as Appendix 1 of Report CAO-02-2024.

Carried

8.5 LLS-01-2024

Corporate Records and Information Management Program and Policy Update

That: Report LLS-01-2024 be received for information; and further

That: Council direct staff to prepare the necessary by-law to adopt a revised Records Retention By-law.

Carried

- 8.6 Memorandum - Jonathan Janzen, Director, Corporate Services - 2023 Development Charges (DC) Background Study - January 29, 2024 Response

That: Council receive the memorandum from the Director, Corporate Services regarding the 2023 Development Charges (DC) Background Study.

Carried

- 8.2 Memorandum - Kelly Walsh, Director, Infrastructure Services - Fort Erie Tennis Club Court 1-4 Capital Costs

Mayor Redekop gave the chair to Councillor McDermott

Recommendation 3

Moved by: Mayor Redekop

That: Council receives the memorandum from Kelly Walsh regarding the Oakes Park tennis courts; and

That: Council lifts the hold on proceeding with reconstruction of the tennis courts as part of the 2024 capital projects budget; and

That: staff notify the Fort Erie Tennis Club that the new agreement with respect to use of the tennis courts going forward will emphasize public use, subject to use by the tennis club for its programs, activities and tournaments.

Carried

9. Planning and Development Services

Chaired by: Councillor Dubanow

9.1 Presentations and Delegations

- 9.1.1 Rachel Daniels, Senior Environmental Planner - Update By-law 60-04 - Regulate the Destruction, Injury and Harvesting of Trees (PDS-06-2024)

Rachel Daniels provided a PowerPoint Presentation.

9.2 Reports

- 9.2.1 PDS-06-2024

Updates to By-law 60-04 – A By-law to Regulate the Destruction, Injury and Harvesting of Trees in the Town of Fort Erie – Recommendation Report

Councillor Dubanow gave the chair to Councillor Flagg in order to speak to the report.

Recommendation 4

Moved by: Councillor Lewis

That: Council approves the amendment to the Town's Tree By-law 60-04, as amended, as detailed in Report PDS-06-2024, and further

That: Council directs Staff to submit the necessary By-laws;

Carried, as amended.

Amendment:

Moved by: Mayor Redekop

That: The definition of "Tree" or "Trees" be removed and replaced with the following:

"Tree" or "Trees" means any living species of woody perennial plant, including its root system, which has reached or can reach a height of at least 4.5 meters at physiological maturity, and includes trees referred to in section 3.1 herein.

Carried

Amendment:

Moved by: Mayor Redekop

That: Section 6(c) be amended to specify that it pertains to the owner of a woodland property.

Carried

Councillor Flagg returned the chair to Councillor Dubanow.

9.3 New Business/Enquiries

9.3.1 Councillor Noyes - Crystal Ridge Dog Park

Councillor Noyes requested information regarding the construction of the Crystal Ridge Dog Park and what, if any, improvements should be done.

9.4 Business Status Report

No changes.

10. Infrastructure Services

Chaired by: Councillor Noyes

10.1 Presentations and Delegations

None.

10.2 Reports

10.3 New Business/Enquiries

None.

10.4 Business Status Report

No changes.

11. Corporate and Community Services

Chaired by: Councillor McDermott

11.1 Presentations and Delegations

None.

11.2 Reports

None.

11.3 New Business/Enquiries

None.

11.4 Business Status Report

No changes.

12. Closed Session

Recommendation 5

Moved by: Councillor Lewis

That: Council does now go into Closed Session at 9:25 p.m. to consider the following:

1. January 29, 2024, Closed Session Minutes - Previous Meeting; and
2. 477 Ridge Road North pursuant to Section 239 (f) of the Municipal Act, 2001, advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Carried

12.1 Previous Meeting Minutes - January 29, 2024 Closed Session

12.2 477 Ridge Road North

Pursuant to Section 239 (f) of the Municipal Act, 2001, advice that is subject to solicitor-client privilege, including communications necessary for that purpose

13. Back to Open Session

Recommendation 6

Moved by: Councillor Lewis

That: Council does now rise and reconvene from closed session at 9:31 p.m. with report:

That: Council receives the January 29, 2024, Closed Session Meeting Minutes; and further

That: Staff and Legal Counsel proceed as directed regarding 477 Ridge Road North.

Carried

14. Scheduling of Meetings

Members of Council announced upcoming Boards and Committees meetings from February 13 to February 21.

15. Adjournment

Recommendation 7

Moved by: Councillor Dubanow

That: Council adjourns the Council-in-Committee meeting at 9:33 p.m.

Mayor

Clerk



OPA (OPA-02-2023), ZBLA (ZBA-05-2023), Draft Plan of Condominium (TBD) and Draft Plan of Subdivision (SUB-01-2023); 576 Ridge Rd. N., Fort Erie.PrimeCities to ahair
08/29/2023 12:05 PM
From "PrimeCities" <WSP.PrimeCities@wspdigitalfactory.com>
To ahair@forterie.ca,



8/29/2023

Aaron Hair

Fort Erie

Fort Erie (Town)

Attention: Aaron Hair

Re: OPA (OPA-02-2023), ZBLA (ZBA-05-2023), Draft Plan of Condominium (TBD) and Draft Plan of Subdivision (SUB-01-2023); 576 Ridge Rd. N., Fort Erie. ; Your File No. OPA-02-2023,ZBA-05-2023,SUB-01-2023,TBD

Our File No. DTS: 37663 / Circ: 37975

Dear Sir/Madam,

We have reviewed the circulation regarding the above noted application. The following paragraphs are to be included as a condition of approval:

Bell Canada Condition(s) of Approval

- 1) The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.

- 2) The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.

Upon receipt of this comment letter, the Owner is to provide Bell Canada with servicing plans/CUP at their earliest convenience to planninganddevelopment@bell.ca to confirm the provision of communication/telecommunication infrastructure needed to service the development.

It shall be noted that it is the responsibility of the Owner to provide entrance/service duct(s) from Bell Canada's existing network infrastructure to service this development. In the event that no such network infrastructure exists, in accordance with the Bell Canada Act, the Owner may be required to pay for the extension of such network infrastructure.

If the Owner elects not to pay for the above noted connection, Bell Canada may decide not to provide service to this development.

Concluding Remarks:

To ensure that we are able to continue to actively participate in the planning process and provide detailed provisioning comments, we note that we would be pleased to receive circulations on all applications received by the Municipality and/or recirculations.

If you believe that these comments have been sent to you in error or have questions regarding Bell's protocols for responding to municipal circulations and enquiries, please contact planninganddevelopment@bell.ca directly.

We note that WSP operates Bell Canada's development tracking system, which includes the intake and processing of municipal circulations. **However, all responses to circulations and requests for information, such as requests for clearance, will come directly from Bell Canada, and not from WSP.** WSP is not responsible for Bell's responses and for any of the content herein.

Should you have any questions, please contact the undersigned.

Yours Truly,

The Bell logo, consisting of the word "Bell" in a blue, sans-serif font.

Juan Corvalan
Senior Manager - Municipal Liaison
Email: planninganddevelopment@bell.ca.

92;#Infrastructure|99ba27ae-002d-47ab-aa90-899ac195e6e7 Bell Canada Bell Canada

October 4, 2023

AARON HAIR
TOWN OF FORT ERIE
1 MUNICIPAL CENTRE DRIVE
FORT ERIE, ONTARIO, L2A 2S6

Re: 576 Ridge Rd N

Dear Aaron,

This development will receive mail service to centralized mail facilities provided through our Community Mailbox program.

I will specify the conditions which I request to be added for Canada Post Corporation's purposes.

The owner shall complete to the satisfaction of the Director of Engineering of the town of Fort Erie and Canada Post:

- a) Include on all offers of purchase and sale, a statement that advises the prospective purchaser:
 - i) that the home/business mail delivery will be from a designated Centralized Mail Box.
 - ii) that the developers/owners be responsible for officially notifying the purchasers of the exact Centralized Mail Box locations prior to the closing of any home sales.
- b) The owner further agrees to:
 - i) work with Canada Post to determine and provide temporary suitable Centralized Mail Box locations which may be utilized by Canada Post until the curbs, boulevards and sidewalks are in place in the remainder of the subdivision.

- ii) install a concrete pad in accordance with the requirements of and in locations to be approved by Canada Post to facilitate the placement of Community Mail Boxes
 - iii) identify the pads above on the engineering servicing drawings. Said pads are to be poured at the time of the sidewalk and/or curb installation within each phase of the plan of subdivision.
 - iv) determine the location of all centralized mail receiving facilities in co-operation with Canada Post and to indicate the location of the centralized mail facilities on appropriate maps, information boards and plans. Maps are also to be prominently displayed in the sales office(s) showing specific Centralized Mail Facility locations.
- c) Canada Post's multi-unit policy, which requires that the owner/developer provide the centralized mail facility (front loading lockbox assembly or rear-loading mailroom [mandatory for 100 units or more]), at their own expense, will be in effect for buildings and complexes with a common lobby, common indoor or sheltered space.

Should the description of the project change, I would appreciate an update in order to assess the impact of the change on mail service.

If you have any questions or concerns regarding these conditions, please contact me.

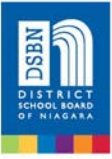
I appreciate the opportunity to comment on this project.

Regards,

A. Carrigan

Officer, Delivery Planning
(226) 268-5914

Andrew.Carrigan@Canadapost.ca



**I Matter
At DSBN**

DISTRICT SCHOOL BOARD OF NIAGARA

191 Carlton St. ▪ St. Catharines, ON ▪ L2R 7P4 ▪ 905-641-1550 ▪ dsbn.org

September 14, 2023

Aaron Hair, MCIP, RPP
Intermediate Development Planner
Planning & Development Services
The Corporation of the Town of Fort Erie
1 Municipal Centre Drive
Fort Erie, Ontario L2A 2S6

**RE: Applications for Draft Plan of Condominium, Draft Plan of Subdivision, Official Plan Amendment and Zoning Bylaw Amendment
File Nos. 350302-167 (OPA-02-2023), 350309-0567 (ZBA-05-2023), - 350303-0040
305308-131 (SUB-01-2023)
576 Ridge Road North**

Dear Mr. Hair,

Thank you for circulating the District School Board of Niagara (DSBN) the above noted applications for Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision and Draft Plan of Condominium for the lands located at 576 Ridge Road North.

The Draft Plan of Subdivision proposes to create 49 single detached lots and a residential block for 70 townhouse dwellings, along with other blocks for stormwater management/park, a pedestrian trail, and an accessway. The Draft Plan of Vacant Land Condominium application has been submitted to establish the intended Condominium ownership for the proposed townhouses. The Official Plan Amendment and Zoning Bylaw Amendment will redesignate and rezone the lands accordingly to facilitate the residential development.

DSBN Planning staff has completed its review and has no objections to the application. Future students from this area would attend John Brant PS (Gr. JK-8) and Greater Fort Erie Secondary School (Gr. 9-12).

If you have any questions, feel free to contact me at ext. 54225.

Sincerely,

Sue Mabee, MCIP, RPP
Supervisor of Planning

August 25, 2023

Aaron Hair, MCIP, RPP
Intermediate Development Planner
Planning & Development Services
Town of Fort Erie
1 Municipal Centre Drive
Fort Erie, ON L2A 2S6

Dear Aaron,

Re: Draft Plan of Subdivision, Draft Plan of Condominium, Official Plan Amendment,
Zoning By-law Amendment
2846300 Ontario Inc
576 Ridge Road N
Town of Fort Erie
File No.: 305308-131, 350303-0040, 350302-167, 350309-0567

Enbridge Gas does not object to the proposed application(s) however, we reserve the right to amend or remove development conditions.

This response does not constitute a pipe locate, clearance for construction or availability of gas.

The applicant shall use the [Enbridge Gas Get Connected tool](#) to determine gas availability, service and meter installation details and to ensure all gas piping is installed prior to the commencement of site landscaping and/or asphalt paving.

https://enbridge.outsystemsenterprise.com/GetConnected_Th/Login2?OriginalURL=https%3A%2F%2Fenbridge.outsystemsenterprise.com%2FGetConnectedApp_UI%2F

If the gas main needs to be relocated as a result of changes in the alignment or grade of the future road allowances or for temporary gas pipe installations pertaining to phased construction, all costs are the responsibility of the applicant.

In the event that easement(s) are required to service this development, and any future adjacent developments, the applicant will provide the easement(s) to Enbridge Gas at no cost.

The applicant will contact Enbridge Gas Customer Service at 1-877-362-7434 prior to any site construction activities to determine if existing piping facilities need to be relocated or abandoned.

Sincerely,



Willie Cornelio CET
Sr Analyst Municipal Planning
Engineering

ENBRIDGE
TEL: 416-495-6411
500 Consumers Rd, North York, ON M2J1P8
enbridge.com
Safety. Integrity. Respect. Inclusion.



Town of Fort Erie - 576 Ridge Road N - SUB-01-2023ARABIA Gabriel to ahair@forterie.ca 08/31/2023 11:56 AM
From "ARABIA Gabriel" <Gabriel.Arabia@hydroone.com>
To "ahair@forterie.ca" <ahair@forterie.ca>

Hello,

We are in receipt of your Plan of Subdivision application, SUB-01-2023 dated August 24th, 2023. We have reviewed the documents concerning the noted Plan and have no comments or concerns at this time. **Our preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only.**

For proposals affecting 'Low Voltage Distribution Facilities' the Owner/Applicant should consult their local area Distribution Supplier. Where Hydro One is the local supplier the Owner/Applicant must contact the Hydro subdivision group at subdivision@hydroone.com or 1-866-272-3330.

To confirm if Hydro One is your local distributor please follow the following link:
[HydroOne Map](#)

Please select " Search" and locate address in question by entering the address or by zooming in and out of the map

The screenshot shows the Hydro One map interface. At the top, there are navigation icons for MENU, HELP, and SEARCH. Below these is a legend for 'Customers Affected' with the following categories: >5000 (red diamond), 501-5000 (orange house), 51-500 (green house), 21-50 (blue circle), <=20 (purple triangle), Multiple (red and blue circle), Crew (black person icon), and Service (green line). The map below shows Southern Ontario with various cities labeled, including Toronto, Mississauga, Hamilton, Brampton, Kitchener, Peterborough, and Kingston. Several purple triangle markers are placed on the map, indicating specific service areas. The Google logo and 'Map data ©2019 Google' are visible at the bottom of the map.

If you have any further questions or inquiries, please contact Customer Service at 1-888-664-9376 or e-mail CustomerCommunications@HydroOne.com to be connected to your Local Operations Centre

If you have any questions please feel free to contact myself.

Thank you,

Dennis De Rango

Specialized Services Team Lead, Real Estate Department
Hydro One Networks Inc.
Tel: (905)946-6237

Email: Dennis.DeRango@HydroOne.com

This email and any attached files are privileged and may contain confidential information intended only for the person or persons named above. Any other distribution, reproduction, copying, disclosure, or other dissemination is strictly prohibited. If you have received this email in error, please notify the sender immediately by reply email and delete the transmission received by you. This statement applies to the initial email as well as any and all copies (replies and/or forwards) of the initial email

Growth Strategy and Economic Development

1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7
905-980-6000 Toll-free:1-800-263-7215

Via Email Only

January 16, 2024

Region File: D.10.01.OPA-23-0042
D.18.01.ZA-23-0090
D.11.01.SD-23-0041
D.11.01.CD-23-0023

Curtis Thompson
Intermediate Development Planner
Town of Fort Erie
1 Municipal Centre Drive
Fort Erie, Ontario L2A 2S6

Dear Mr. Thompson:

**Re: Regional and Provincial Comments
Proposed Official Plan Amendment, Zoning By-law Amendment, Draft Plan
of Subdivision and Draft Plan of Vacant Land Condominium Applications
Town Files: 350302-167, 350309-0567, 305308-131, 350303-0040
Owner: 2846300 Ontario Inc
Applicant: Upper Canada Consultants
576 Ridge Road North
Town of Fort Erie**

Staff of the Regional Growth Strategy and Economic Development Department has reviewed the above-mentioned Official Plan Amendment, Zoning-By-law Amendment, Draft Plan of Subdivision and Draft Plan of Vacant Land Condominium applications for 576 Ridge Road North in the Town of Fort Erie. The applicant is proposing to develop the site with single-detached and block townhouse dwellings. The development additionally proposes an area for stormwater management, and a mid-block pedestrian connection between Prospect Point Road North and Ridge Road North.

The Official Plan Amendment proposes to change the existing land use designation from Institutional to Residential Low Density, Residential Medium Density and Open Space. The Zoning By-law Amendment proposes to change the zoning from Institutional to Residential R2A Site-Specific (with minimum lot area site specific relief), Residential Multiple RM1 Site- Specific (with minimum lot area, landscaped area, distance between

January 16, 2023

buildings and parking requirement site specific relief), Residential Multiple RM2 and Open Space OS Site Specific (with minimum lot area and lot frontage relief).

The Draft Plan of Subdivision proposes the creation of 49 single detached lots (Lots 1-49), one multiple family residential block for 70 block townhouse dwellings (Block 50), one apartment block for 76 apartment dwelling units (Block 51), one block for a stormwater management facility (Block 52), one block for a pedestrian trail (Block 53), one access block (Block 54) and a municipal roadway (Street 'A'). The Draft Plan of Vacant Land Condominium application is to establish the intended condominium ownership for the proposed 70 townhouse units in Block 50.

Materials provided with the applications indicate that an existing school building on the property (located on lands identified in the proposed Draft Plan of Subdivision as "additional lands of the owner") will be subject to future Official Plan and Zoning By-law Amendment applications to allow for the conversion of this building into a residential apartment building. These lands are not subject to the current applications.

A pre-consultation meeting for the proposed development was held April 14, 2022 where the applicant, the Town and Regional staff were in attendance. The following comments are provided from a Provincial and Regional perspective to assist the Town in their consideration of these applications.

Summary

Regional Growth Strategy and Economic Development Department is unable to support approval of these applications at this time as confirmation of the extent of Red-Headed Woodpecker habitat on site and submission of a revised Environmental Impact Study are required in order to determine if the development as proposed is consistent with and conforms to Provincial and Regional policies and plans. As such, Appendix I: Regional Conditions of Draft Plan of Subdivision and Condominium are preliminary and provided for information purposes only at this time.

Provincial and Regional Policies

The subject land is within the "Settlement Area" under the *Provincial Policy Statement, 2020* ("PPS"), "Delineated Built Up Area" under *A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020 Consolidation* ("Growth Plan"), and designated "Built Up Area" under the *Niagara Official Plan, 2022* ("NOP").

Provincial and Regional policies direct development to take place in Urban Areas to support intensification in Built-Up Areas where appropriate servicing and infrastructure exists. A full range of residential uses are generally permitted within the Built-Up Area designation, subject to availability of adequate municipal services, infrastructure and policies regarding land use compatibility, environmental conservation and

January 16, 2023

archaeological resources. Staff notes the potential presence of Red-headed Woodpeckers has been highlighted within the wooded area adjacent to the property; refer to Natural Heritage section of this letter for requirement details.

Staff understands the proposed development will make use of currently vacant and serviced lands, which were formerly occupied by the former Ridgeway-Crystal Beach High School, as well as contribute to the Town of Fort Erie's intensification target of 50% as set out within Table 2-2 of the NOP. Additionally, NOP Policy 2.2.1.1 encourages opportunities for the integration of gentle density and a mixed range of housing options that considers the character of established residential neighbourhoods in a way which supports forecasted growth.

Regional staff is in general agreeance with the provided "Planning Justification Report – 576 Ridge Road North, Fort Erie, Ontario" ("PJR"), prepared by Upper Canada Consultants (dated August 11, 2023), which outlines the proposal represents efficient use of land and infrastructure, facilitates urban-area growth by way of intensification, contributes to the provision of a diverse range of housing options, and supports active transportation goals via recreational space and pedestrian trails. Regional staff note that the NOP states that municipalities may establish standards for appropriate infill development within established residential neighbourhoods. Local compatibility considerations and interface with neighbouring land uses are local planning matters, and therefore Regional staff defer consideration of these aspects of the proposed development to Town Planning staff.

Archaeological Potential

Staff note that with the approval of the new NOP by the Province on November 4, 2022, the property is mapped within an Area of Archaeological Potential on Schedule K. The PPS and NOP state that that development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved or the land has been investigated and cleared or mitigated following clearance from the Province. NOP Policy 6.4.2.6 states that where a site proposed for development is located within an area of archaeological potential, a Stage 1 Archaeological Assessment by a licensed archaeologist is required.

The requirement for an archaeological assessment was not identified at the pre-consultation meeting in April 2022 as the meeting pre-dated Provincial approval of the NOP. As such, Regional staff has not provided a condition for submission of an archaeological assessment as part of the applications. However, staff recommend that standard archaeological warning clauses be included within the subdivision and condominium agreements should any resources be uncovered through construction works. An appropriate condition has been included within the attached Appendix to implement these clauses.

Regional staff highlights that the owner assumes all risks should any resources be found during construction as all activities would need to stop, and an archaeological assessment would need to be conducted in that event, in accordance with Provincial requirements. Staff notes in this regard that there are numerous nearby registered archaeological sites, which indicates a high potential for the discovery of archaeological resources. As such, the applicant may choose to undertake an assessment at this time to ensure that any archaeological resources that may be present are not inadvertently disturbed during excavation, which could result in construction delays.

Staff acknowledge that the Town of Fort Erie also has jurisdiction on matters related to archaeological resources through its Archaeological Management Plan. Town staff should be satisfied that archaeological resource concerns on the property have been addressed.

Natural Heritage

As noted above, a pre-consultation meeting for the proposal was held prior to the approval of the Niagara Official Plan (“NOP”) by the Minister of Municipal Affairs and Housing. Policy 3.1.30.3.1 of the NOP states that, where a formal pre-consultation meeting has been completed within one (1) year of the approval of the NOP, and environmental requirements have been established through a signed pre-consultation agreement that has not expired, required environmental studies may be evaluated in accordance with the Regional policies that existed at the time the pre-consultation meeting was completed (provided the application is submitted within two years of the approval of the NOP). Accordingly, the environmental policies of the previous Regional Official Plan (ROP) apply to the proposal.

Under the ROP, the subject properties are impacted by the Region’s Core Natural Heritage System (CNHS), consisting of Significant Woodland. As such, consistent with Regional Official Plan (ROP) Policy 7.B.1.11, an Environmental Impact Study (EIS) was required in support of the application.

Regional environmental planning staff has reviewed the Scoped EIS, prepared by Beacon Environmental Limited (dated December 2022), which indicates that although there is a wooded area located along the southern lot boundary, it does not meet any Regional criteria associated with Significant Woodland. However, the Town has forwarded the Region new information from Beacon Environmental Ltd. indicating the potential presence of Red-headed Woodpeckers within the wooded area located adjacent to the property. As per Regional Official Plan Policy 7.B.1.5, if Red-headed woodpecker habitat is confirmed present, Significant Woodland criteria associated with both the presence of an endangered species and containing/overlapping with significant wildlife habitat is achieved, resulting in the wooded area meeting Regional significant woodland designation criteria.

January 16, 2023

Given the new information, the Region is not yet in a position to determine if the subject application is consistent with and conforms to Regional and Provincial plans and policies. As such, the Region requests circulation of updated information confirming the extent of Red-headed Woodpecker habitat on-site. If habitat is confirmed present, a revised EIS is recommended to assess potential impacts to the woodland associated with the proposed development, confirming that the test of no negative impact has been achieved to the Region's satisfaction. Appropriate restrictive Official Plan designation and zoning would be recommended to protect the feature, if applicable.

Servicing

Regional and Town staff have been in discussions regarding the Nigh Road Sewage Pumping Station (SPS). Staff notes the system experiences high wet weather flows: as such, staff recommend the Agent follow up with Town staff regarding status of Infiltration/Inflow (I/I) reduction projects to free up capacity in the system.

The Nigh Road SPS upgrade is identified in the Region's 2025 draft capital forecast but requires budget approval. Due to budget constraints and other priorities, this capital project could potentially be deferred (into the 10 year forecast) and may not be completed prior to the proposed development coming online. The I/I reduction projects could be the most effective interim measure to continue with development prior to the SPS upgrade.

Staff note the average day and peak average day flows of Nigh Road PSP are currently within the limits of the station; however, there are wet weather flows that exceed the station's capacity resulting in operation activities by Town staff. Regional staff additionally notes new development flow monitoring could be planned to ensure no more wet weather flows are added to the SPS.

Stormwater Management

The submitted 'Functional Servicing Report', prepared by Upper Canada Consultants (dated November 2022) includes a conceptual stormwater management (SWM) plan that proposes the subject development and external areas drain to a communal SWM wet pond to control water quality and quantity prior to discharge to the existing storm sewer on Royal Ridge Drive toward the wetland buffer (i.e. Outlet A). Based on a review of the report, staff offer the following comments:

- General details are needed to clarify the following:
 - How does the 600mm storm sewer capacity compare with pre-development flow of the areas shown on Figure 1?
 - How will the pond's 100-year outflow be accommodated in the storm sewer?
 - Will the overland flow routes direct to Outlet A?
- Will the two-year pre-development flow rate not be exceeded?

January 16, 2023

- The pond design needs to demonstrate that erosion control will be met,. Staff note that the drawdown time of the storage volume for stormwater from a 25mm storm is 24 hours, at minimum.
- Regarding Figure 2, would infill/intensification development in areas A11 and A10 need to be considered in the pond design? Additionally, has the proposed development plan for A13 and A14 been reviewed to ensure the designated imperviousness adequately represents the future land use? Since A16's stormwater will not be directed to the pond, what will the water quality control be if the road is designed with an urbanized cross section?
- The report should identify the Low Impact Development SWM techniques to be implemented.
- It is suggested that a 24-hour 100-year storm be included in storage sizing.
- It is recommended that, under separate cover, a detailed SWM pond inspection and maintenance manual, based on the Ministry of the Environment, Conservation and Parks (MECP) SWM Manual (2003) Section 6.0 and comments from Town Operation's staff, be prepared for the future owner.

Regional staff acknowledge that the SWM facility is subject to review and approval by the Town to ensure the local storm infrastructure requirements are adequately addressed. The comments above, at the discretion of Town staff, may be addressed as part of the detailed SWM report. Regional staff request that a copy of the completed CLI-ECA be circulated to this office prior to final approval.

Appropriate conditions regarding SWM have been included within the attached Appendix.

Waste Collection

Regional staff has reviewed the submitted site plan, "DWG No. 2152-SP", prepared by Upper Canada Consultants (dated March 22nd, 2023). Niagara Region provides curbside waste and recycling collection for developments that meet the requirements of Niagara Region's Corporate Waste Collection Policy. The proposed development is eligible to receive Regional curbside waste and recycling collection provided that the owner bring the waste and recycling to the curbside on the designated pick up day, and that the following curbside limits are met.

- Blue/grey –no limit (weekly collection)
- Green – no limit (weekly collection)
- Waste – 2 bag/can limit per unit (bi-weekly collection)
- Curbside collection only

Staff has reviewed the above-noted documents and note that units 15-24, 35 and 36 in Block 50 require waste collection pads in order to comply with the Region's Waste Collection Policy. These must be individually labelled for each unit and designed to hold

January 16, 2023

all garbage and recycling containers (minimum 1 metre deep x 2.5 metres wide). All residents must have easy access to these locations such that no resident would be more than 100 metres round-trip from their designated pad location.

As part of future engineering submissions, staff request that the Regional Waste Collection Vehicle Turning Template be overlaid on the site plan showing the truck entering and exiting in both directions to ensure that a waste collection vehicle is able to maneuver on-site. Appropriate waste collection conditions have been included within the attached Appendix.

General Site Servicing

Regional staff has reviewed the submitted Functioning Servicing Report, prepared by Upper Canada Consultants (dated November 2022). Staff highlights the report should indicate the new design flows anticipated from the redevelopment of the site. Based on a rough calculation, the total estimated flow from the redevelopment is around 2 L/sec per day, using the Region's flow calculations.

This property falls within the Nigh Road Sewage Pumping Station (SPS) sewershed. This sewershed has been allocated growth out to 2051 in consultation and collaboration with the Town. This capacity study was completed at a high level and did not allocate capacities to individual properties. Currently, the MSP has identified a future upgrade to the Nigh Road SPS is required to upgrade the capacity from 22 L/sec to 54 L/sec; however it was noted that flow monitoring and inflow and infiltration study was to be completed to see if an upgrade was required before the project was scheduled for design and construction. The updated MSP information can be found at the following link: <https://niagararegion.ca/projects/www-master-servicing-plan/default.aspx>

Regional conditions for site servicing have been included in the attached Appendix.

Conclusion

In conclusion, Regional Growth Strategy and Economic Development staff is unable to support approval of these applications at this time. As outlined above, confirmation of the extent of the Red-Headed Woodpecker habitat on site is required and a revised EIS is to be submitted to the Region for review. As currently presented, the Region is not in a position to confirm if the subject applications are consistent with the PPS and conforms to Regional policy from a Natural Environment perspective.

Accordingly, staff would not be able to exempt the Official Plan Amendment from Regional Council approval at this time in accordance with Policy 7.4.1.6 and 7.4.1.7 of the NOP.

January 16, 2023

Should you have any questions, please contact the undersigned at Valentina.Escobar@niagararegion.ca, or Pat Busnello, Manager of Development Planning at Pat.Busnello@niagararegion.ca.

Please send a copy of the staff report and notice of the Town's decision on these applications.

Kind regards,



Valentina Escobar

Development Planner

cc: Pat Busnello, MCIP, RPP, Manager, Development Planning, Niagara Region
Adam Boudens, Senior Environmental Planner, Niagara Region
Susan Dunsmore, P. Eng., Manager, Development Engineering, Niagara Region

Appendix I

Regional Conditions of Draft Plan of Subdivision and Condominium Approval

576 Ridge Road North, Fort Erie

1. That the subdivision and condominium agreements between the Applicant/Owner and Town of Fort Erie include the following warning clause:

“Should deeply buried archaeological remains/resources be found during construction activities, all activities impacting archaeological resources must cease immediately, and the proponent must notify the Archaeology Programs Unit of the Ministry of Citizenship and Multiculturalism (MCM) (416-212-8886) and contact a licensed archaeologist to carry out an archaeological assessment in accordance with the Ontario Heritage Act and the Standards and Guidelines for Consultant Archaeologists.

In the event that human remains are encountered during construction, all activities must cease immediately and the local police as well as the Cemeteries Regulation Unit of the Ministry of Public and Business Services Delivery (416-326-8800) must be contacted. In situations where human remains are associated with archaeological resources, MCM should also be notified to ensure that the site is not subject to unlicensed alterations which would be a contravention of the Ontario Heritage Act.”

2. That prior to approval of the final plan or any on-site grading, the owner shall submit a detailed stormwater management plan for the subdivision and the following plans designed and sealed by a qualified professional engineer in accordance with the Ministry of the Environment, Conservation and Parks documents entitled Stormwater Management Planning and Design Manual March 2003 and Stormwater Quality Guidelines for New Development, May 1991, or their successors to Niagara Region for review and approval:
 - a) Detailed lot grading, servicing and drainage plans, noting both existing and proposed grades and the means whereby overland flows will be accommodated across the site;
 - b) Detailed erosion and sedimentation control plans.
3. That the subdivision agreement between the owner and the Town contain provisions whereby the owner agrees to implement the approved plan(s) required in accordance with the Condition above.

4. That the owner/developer ensures, throughout all phases of development, that all streets and development blocks can provide an access in accordance with Niagara Region's Corporate Policy and By-laws relating to the curbside collection of waste and recycling. Where a through street is not maintained, the owner/developer shall provide a revised draft plan to show an appropriate temporary turnaround to permit Regional waste collection services.
5. That the owner submit Regional waste collection truck turning templates for review and approval confirming the development is able to accommodate Regional waste collection services.
6. That in order to accommodate Regional Waste Collection service, the plan shall be revised to include waste collection pads for Units 15-24, 35 and 36, as illustrated on the site plan. The waste collection pads shall be designed and located in accordance with the requirements outlined in Niagara Region's Corporate Policy for Waste Collection. Location of pads will need to be reviewed by Regional waste collection staff prior to clearance of this condition and construction.
7. That the following clause be included in the Condominium / Subdivision Agreement and inserted into all offers and agreements of Purchase and Sale or Lease for each of the affected dwelling units:

"Owners/Purchasers/Tenants of townhouse units 15-24, 35 and 36 are advised that in order to accommodate Regional Waste Collection Service they will be required to bring their waste/recycling containers to the designated waste collection pads on the required collection day."
8. That the owner provides a written acknowledgement to Niagara Region stating that draft approval of this subdivision does not include a commitment of servicing allocation by Niagara Region, as servicing allocation will not be assigned until the plan is registered, and that any pre-servicing will be at the sole risk and responsibility of the owner.
9. That the owner provides a written undertaking to Niagara Region stating that all Offers and Agreements of Purchase and Sale or Lease, which may be negotiated prior to registration of this subdivision shall contain a clause indicating that servicing allocation for the subdivision will not be assigned until the plan is registered, and a similar clause be inserted in the subdivision agreement between the owner and the Town.

Clearance of Conditions

Prior to granting final approval, the Town of Fort Erie must be in receipt of written confirmation that the requirements of each condition have been met satisfactorily and that all fees have been paid to the satisfaction of Niagara Region.

Subdivision / Condominium Agreement

Prior to final approval for registration, a copy of the executed Subdivision / Condominium Agreement for the proposed development should be submitted to Niagara Region for verification that the appropriate clauses have been included. Niagara Region recommends that a copy of the draft agreement be provided in order to allow for the incorporation of any necessary revisions prior to execution.

Note: Clearance requests shall be submitted to the Region in accordance with the Memorandum of Understanding, which stipulates that requests for formal clearance of conditions are to be received and circulated to the Region by the local municipality. The local municipality is also responsible for circulating a copy of the draft agreement, and the Region is unable to provide a final clearance letter until the draft agreement is received. The Region is committed to reviewing submissions related to individual conditions prior to receiving the formal request for clearance. In this regard, studies and reports (one hard copy and a PDF digital copy) can be sent directly to the Region with a copy provided to the local municipality.

Growth Strategy and Economic Development

1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7
905-980-6000 Toll-free:1-800-263-7215

Via Email Only

April 3, 2024

Region File: D.10.01.OPA-23-0042
D.18.01.ZA-23-0090
D.11.01.SD-23-0041
D.11.01.CD-23-0023

Curtis Thompson
Intermediate Development Planner
Town of Fort Erie
1 Municipal Centre Drive
Fort Erie, Ontario L2A 2S6

Dear Mr. Thompson:

**Re: Regional and Provincial Comments
Proposed Revised Official Plan Amendment, Zoning By-law Amendment,
Draft Plan of Subdivision and Draft Plan of Vacant Land Condominium
Applications
Town Files: 350302-167, 350309-0567, 305308-131, 350303-0040
Owner: 2846300 Ontario Inc
Applicant: Upper Canada Consultants
576 Ridge Road North
Town of Fort Erie**

Staff of the Regional Growth Strategy and Economic Development Department have reviewed the resubmission of Official Plan Amendment (“OPA”), Zoning-By-law Amendment (“ZBA”), Draft Plan of Subdivision and Draft Plan of Vacant Land Condominium applications for 576 Ridge Road North in the Town of Fort Erie. Staff had previously provided comments to the applications on January 16, 2024. The applicant is proposing to develop the site with single-detached and block townhouse dwellings. The development additionally proposes an area for stormwater management, and a mid-block pedestrian connection between Prospect Point Road North and Ridge Road North.

Official Plan and Zoning By-law Amendments:

The Official Plan Amendment application proposes to change the existing land use designation from Institutional to Residential Low Density, Residential Medium Density and Open Space. Due to environmental considerations, the revised amendment proposes to designate Lots 1-8 in a dual category where the lands will be designated as Environmental Protection (“EP”), until a proposed Holding provision can be lifted from the Zoning, at which time the Residential – Low Density provisions will apply.

Accordingly, the Zoning By-law Amendment application proposes to change the zoning from Institutional to Residential R2A Site-Specific, Residential Multiple RM1 Site-Specific, Residential Multiple RM2 and Open Space OS Site Specific. To address environmental policies, Lots 1-8 are proposed to be dual-zoned with the site-specific R2A with a Holding (H) provision, and the Environmental Protection (EP) Zone. The Holding Provision will restrict development on these lots until considerations are suitably addressed through the submission of an Environmental Impact Study Addendum to the satisfaction of the Town and Region. If the Holding provision cannot be lifted, the EP Zone requirements will prevail for these lands.

Draft Plans of Subdivision and Condominium:

The revised Draft Plan of Subdivision proposes 49 lots for single detached dwellings, 1 Condominium Block (6 townhouse blocks containing 25 dwelling units and 45 single detached dwellings), 1 block for stormwater access, 1 block for a stormwater management facility, and 3 blocks for pedestrian connections. The Draft Plan of Vacant Land Condominium application is to establish the intended condominium ownership for the proposed 70 units in Block 50. Staff note, however, that the Draft plan of Condominium (dated March 7, 2024) for Block 50 outlines 69 residential units.

Materials provided with initial applications indicated that an existing school building on the property (located on lands identified in the proposed Draft Plan of Subdivision as “additional lands of the owner”) will be subject to future Official Plan and Zoning By-law Amendment applications to allow for the conversion of this building into a residential apartment building. These lands are not subject to the current applications.

A pre-consultation meeting for the proposed development was held April 14, 2022, where the applicant, the Town and Regional staff were in attendance. Additionally, a meeting discussing environmental requirements for the re-submission of the applications was held on January 22, 2024. The following comments are provided from a Provincial and Regional perspective to assist the Town in their consideration of these applications.

April 3, 2023

Summary

Regional Growth Strategy and Economic Development Department are able to support the OPA, ZBA and Draft Plan of Condominium applications as they are consistent with and conform to Provincial and Regional policies and plans subject to the Town's confirmation that the proposed EP zoning can be overlaid to the proposed residential zoning as proposed.

Staff are, however, unable to support approval of the revised Draft Plan of Subdivision application at this time as environmental features are to be protected from fragmentation. Staff note the revised Draft Plan acknowledges the Significant Woodland feature and its buffer but proposes lot lines through both. Staff anticipate being able to support the application provided the Draft Plan is revised to include Lots 1 to 8 in a single block. Staff have requested confirmation of the extent of Red-Headed Woodpecker habitat on site through submission of a revised Environmental Impact Study to determine if the development as proposed is consistent with and conforms to Provincial and Regional policies and plans; however, in the interim, the feature is not to be fragmented.

As such, staff has included preliminary Conditions of Draft Plan of Subdivision and Condominium for information purposes at this time. Revised and/or additional conditions will be provided, including conditions related to natural environment requirements, pending review and approval of the revised EIS.

Provincial and Regional Policies

Regional comments as provided January 16, 2023, remain applicable.

Archaeological Potential

Regional comments as provided January 16, 2024 regarding archaeological potential remain applicable. The previously outlined condition has been included within the attached Appendix.

Natural Heritage

A pre-consultation meeting for the proposal was held prior to the approval of the NOP by the Minister of Municipal Affairs and Housing. Policy 3.1.30.3.1 of the NOP states that, where a formal pre-consultation meeting has been completed within one (1) year of the approval of the NOP, and environmental requirements have been established through a signed pre-consultation agreement that has not expired, required environmental studies may be evaluated in accordance with the Regional policies that existed at the time the pre-consultation meeting was completed (provided the

April 3, 2023

application is submitted within two years of the approval of the NOP). Accordingly, the environmental policies of the previous Regional Official Plan (“ROP”) apply to the proposal.

Under the ROP, the subject properties are impacted by the Region’s Core Natural Heritage System (“CNHS”), consisting of Significant Woodland. As such, consistent with ROP Policy 7.B.1.11, an Environmental Impact Study (“EIS”) was required in support of the application.

Regional environmental planning staff has reviewed the Scoped EIS, prepared by Beacon Environmental Limited (dated December 2022), which indicates that although there is a wooded area located along the southern lot boundary, it does not meet any Regional criteria associated with Significant Woodland. However, the Town has forwarded the Region new information from Beacon Environmental Ltd., (December 2023) indicating the potential presence of Red-headed Woodpeckers within the wooded area located adjacent to the property. As per ROP Policy 7.B.1.5, if Red-headed woodpecker habitat is confirmed present, Significant Woodland criteria associated with both the presence of an endangered species and containing/overlapping with significant wildlife habitat is achieved, resulting in the wooded area meeting Regional significant woodland designation criteria.

As such, until presence/absence of Red-headed woodpecker habitat is confirmed, the adjacent wooded area is to be identified as a Significant Woodland. A minimum 10 m buffer is typically required adjacent to Significant Woodlands. Should the habitat of red-headed woodpecker be confirmed present in the adjacent woodland, a revised EIS will be required to assess the woodland and identify an appropriate buffer as well as recommend an appropriate mitigation strategy to ensure no ecological impacts will result from the proposed development.

As it relates to the proposed OPA and ZBA applications, staff offer no objection as the extent of the Significant Woodland and associated minimum 10 m buffer is identified with an appropriately restrictive designation (Environmental Protection [EP]), and zone (Holding [H] and Environmental Protection [EP]). Further, staff are satisfied that ZBA wording requires the Holding provision to remain in place until such time that an EIS is prepared to the satisfaction of the Town of Fort Erie and the Niagara Region.

As it relates to the proposed Draft Plan of Vacant Land Condominium, staff offer no objection as the subject lands are located a sufficient distance from the Region’s CNHS.

As it relates to the proposed Draft Plan of Subdivision, staff are unable to support the application as development (i.e., lot lines) are currently proposed within the Significant Woodland and associated buffer. Staff anticipate being able to support the application provided the Draft Plan is revised to include Lots 1-8 in a single block. Reconfiguration of the block can be considered when the status of red-headed woodpecker habitat is confirmed.

April 3, 2023

Staff look forward to working with the applicant and are open to meeting to further discuss our comments, if desired. Please contact Adam Boudens, Senior Environmental Planner at 905-980-6000 ext. 3770 or adam.boudens@niagararegion.ca should you have any questions or like to arrange a meeting. Alternatively, please contact Cara Lampman, Manager, Environmental Planning at 905-980-6000 ext. 3430 or cara.lampman@niagararegion.ca.

Servicing

The proposed Draft Plan is within the Nigh Road Sewage Pumping Station (SPS). Based on the 2021 Master Servicing Plan (MSP) the Region provides the following comments:

- The Nigh Road SPS sewershed has been allocated growth out to 2051 in consultation and collaboration with the Town of Fort Erie. The study was completed at a high level and did not allocate capacities to individual properties.
- The current operational firm capacity of the Nigh Road SPS is 25 L/s. The MSP has identified the existing design peak wet weather and the projected 2051 design peak wet weather flow will exceed the current capacity.
- The MSP has identified the need for an upgrade to the station to accommodate future flows to the station.
- An upgrade to the station is in the design process currently. Upgrade of the station is scheduled in 2026 pending Regional budget approval in the capital budget year; however, staff note timing may change due to budget pressures and priorities.
- The MSP can be found at the following link:
 - <https://niagararegion.ca/projects/www-master-servicing-plan/default.aspx>

At the Site Plan stage staff require that an updated Functional Servicing Report be provided to include the following calculations and that flow monitoring be completed as part of the Site Plan Agreement and release of securities. The updated brief is required to contain the following calculations:

- Estimated dry weather flow from the proposed development calculated on the current Town of Fort Erie design standards for number of people per unit and estimated flow per person.
- Estimated wet weather flow (at the beginning of the sanitary sewers lifecycle) from the proposed development based on the OPSS 410, which requires testing of public side sewers with allowable leakage of 0.01 L/s/ha (22 L/c/d or 0.075 L/mm/100m of sewer per hour) for pipes. If post monitoring is completed, this will be the acceptable level of wet weather flow portion for the new sanitary sewer system;
- Estimated long term wet weather flow (at the end of the sanitary sewers lifecycle) from the proposed development with a maximum infiltration allowance of 0.286 L/s/ha for the design purpose;
- If the development is to be phased, the calculations should be completed for each phase and the timing of the phases should be detailed in the brief.

Staff additionally note previously provided site servicing conditions have also been included in the attached Appendix.

Stormwater Management

The submitted 'Functional Servicing Report', prepared by Upper Canada Consultants (dated November 2022) includes a conceptual stormwater management ("SWM") plan that proposes the subject development and external areas drain to a communal SWM wet pond to control water quality and quantity prior to discharge to the existing storm sewer on Royal Ridge Drive toward the wetland buffer (i.e. Outlet A). Based on a review of the report, staff offer the following comments:

- General details are needed to clarify the following:
 - How does the 600mm storm sewer capacity compare with pre-development flow of the areas shown on Figure 1?
 - How will the pond's 100-year outflow be accommodated in the storm sewer?
 - Will the overland flow routes direct to Outlet A?
- Will the two-year pre-development flow rate not be exceeded?
- The pond design needs to demonstrate that erosion control will be met. Staff note that the drawdown time of the storage volume for stormwater from a 25mm storm is 24 hours, at minimum.
- Regarding Figure 2, would infill/intensification development in areas A11 and A10 need to be considered in the pond design? Additionally, has the proposed development plan for A13 and A14 been reviewed to ensure the designated imperviousness adequately represents the future land use? Since A16's stormwater will not be directed to the pond, what will the water quality control be if the road is designed with an urbanized cross section?
- The report should identify the Low Impact Development SWM techniques to be implemented.
- It is suggested that a 24-hour 100-year storm be included in storage sizing.
- It is recommended that, under separate cover, a detailed SWM pond inspection and maintenance manual, based on the Ministry of the Environment, Conservation and Parks ("MECP") SWM Manual (2003) Section 6.0 and comments from Town Operation's staff, be prepared for the future owner.

Regional staff acknowledge that the SWM facility is subject to review and approval by the Town to ensure the local storm infrastructure requirements are adequately addressed. The comments above, at the discretion of Town staff, may be addressed as part of the detailed SWM report. Regional staff request that a copy of the completed CLI-ECA be circulated to this office prior to final approval.

April 3, 2023

Appropriate conditions regarding SWM have been included within the attached Appendix.

Waste Collection

Regional comments as provided January 16, 2024, regarding waste collection remain applicable. The previously outlined conditions have been included within the attached Appendix.

Conclusion

In conclusion, Regional Growth Strategy and Economic Development staff would not be opposed to approval of the OPA, ZBA and Draft Plan of Condominium applications in principle subject to the Town's confirmation of the applicability of the EP dual zoning as discussed above.

Accordingly, on this basis, staff would be able to exempt the Official Plan Amendment from Regional Council approval at this time in accordance with Policy 7.4.1.6 and 7.4.1.7 of the NOP.

Staff, however, are unable to support the approval of the Draft Plan Application at this time from an environmental perspective. As outlined above, until confirmation is provided through the updated EIS with respect to the potential presence of Red-headed Woodpecker within the wooded area, the Red-Headed Woodpecker habitat is considered Significant Woodland and as such, its fragmentation as proposed through lot 1-8, is not supportable.

Should you have any questions or wish to discuss these comments further, please contact the undersigned at Valentina.Escobar@niagararegion.ca, or Pat Busnello, Manager of Development Planning at Pat.Busnello@niagararegion.ca.

Please send a copy of the staff report and notice of the Town's decision on these applications.

Kind regards,



Valentina Escobar

Development Planner

April 3, 2023

cc: Pat Busnello, MCIP, RPP, Manager, Development Planning, Niagara Region
Adam Boudens, Senior Environmental Planner, Niagara Region
Cara Lampman, Manager, Environmental Planning, Niagara Region
Susan Dunsmore, P. Eng., Acting Director, Infrastructure Planning and
Development, Niagara Region

Appendix I

Preliminary Regional Conditions of Draft Plan of Subdivision and Condominium Approval

576 Ridge Road North, Fort Erie

1. That the subdivision and condominium agreements between the Applicant/Owner and Town of Fort Erie include the following warning clause:

“Should deeply buried archaeological remains/resources be found during construction activities, all activities impacting archaeological resources must cease immediately, and the proponent must notify the Archaeology Programs Unit of the Ministry of Citizenship and Multiculturalism (MCM) (416-212-8886) and contact a licensed archaeologist to carry out an archaeological assessment in accordance with the Ontario Heritage Act and the Standards and Guidelines for Consultant Archaeologists.

In the event that human remains are encountered during construction, all activities must cease immediately and the local police as well as the Cemeteries Regulation Unit of the Ministry of Public and Business Services Delivery (416-326-8800) must be contacted. In situations where human remains are associated with archaeological resources, MCM should also be notified to ensure that the site is not subject to unlicensed alterations which would be a contravention of the Ontario Heritage Act.”

2. That prior to approval of the final plan or any on-site grading, the owner shall submit a detailed stormwater management plan for the subdivision and the following plans designed and sealed by a qualified professional engineer in accordance with the Ministry of the Environment, Conservation and Parks documents entitled Stormwater Management Planning and Design Manual March 2003 and Stormwater Quality Guidelines for New Development, May 1991, or their successors to Niagara Region for review and approval:
 - a) Detailed lot grading, servicing and drainage plans, noting both existing and proposed grades and the means whereby overland flows will be accommodated across the site;
 - b) Detailed erosion and sedimentation control plans.
3. That the subdivision agreement between the owner and the Town contain provisions whereby the owner agrees to implement the approved plan(s) required in accordance with the Condition above.

4. That the owner/developer ensures, throughout all phases of development, that all streets and development blocks can provide an access in accordance with Niagara Region's Corporate Policy and By-laws relating to the curbside collection of waste and recycling. Where a through street is not maintained, the owner/developer shall provide a revised draft plan to show an appropriate temporary turnaround to permit Regional waste collection services.
5. That the owner submit Regional waste collection truck turning templates for review and approval confirming the development is able to accommodate Regional waste collection services.
6. That in order to accommodate Regional Waste Collection service, the plan shall be revised to include waste collection pads for Units 15-24, 35 and 36, as illustrated on the site plan. The waste collection pads shall be designed and located in accordance with the requirements outlined in Niagara Region's Corporate Policy for Waste Collection. Location of pads will need to be reviewed by Regional waste collection staff prior to clearance of this condition and construction.
7. That the following clause be included in the Condominium / Subdivision Agreement and inserted into all offers and agreements of Purchase and Sale or Lease for each of the affected dwelling units:

"Owners/Purchasers/Tenants of townhouse units 15-24, 35 and 36 are advised that in order to accommodate Regional Waste Collection Service they will be required to bring their waste/recycling containers to the designated waste collection pads on the required collection day."
8. That the owner provides a written acknowledgement to Niagara Region stating that draft approval of this subdivision does not include a commitment of servicing allocation by Niagara Region, as servicing allocation will not be assigned until the plan is registered, and that any pre-servicing will be at the sole risk and responsibility of the owner.
9. That the owner provides a written undertaking to Niagara Region stating that all Offers and Agreements of Purchase and Sale or Lease, which may be negotiated prior to registration of this subdivision shall contain a clause indicating that servicing allocation for the subdivision will not be assigned until the plan is registered, and a similar clause be inserted in the subdivision agreement between the owner and the Town.

Clearance of Conditions

Prior to granting final approval, the Town of Fort Erie must be in receipt of written confirmation that the requirements of each condition have been met satisfactorily and that all fees have been paid to the satisfaction of Niagara Region.

Subdivision Condominium Agreement

Prior to final approval for registration, a copy of the executed Subdivision / Condominium Agreement for the proposed development should be submitted to Niagara Region for verification that the appropriate clauses have been included. Niagara Region recommends that a copy of the draft agreement be provided in order to allow for the incorporation of any necessary revisions prior to execution.

Note: Clearance requests shall be submitted to the Region in accordance with the Memorandum of Understanding, which stipulates that requests for formal clearance of conditions are to be received and circulated to the Region by the local municipality. The local municipality is also responsible for circulating a copy of the draft agreement, and the Region is unable to provide a final clearance letter until the draft agreement is received. The Region is committed to reviewing submissions related to individual conditions prior to receiving the formal request for clearance. In this regard, studies and reports (one hard copy and a PDF digital copy) can be sent directly to the Region with a copy provided to the local municipality.

Growth Strategy and Economic Development

1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7
905-980-6000 Toll-free:1-800-263-7215

Via Email Only

April 11, 2024

Region File: D.10.01.OPA-23-0042
D.18.01.ZA-23-0090
D.11.01.SD-23-0041
D.11.01.CD-23-0023

Curtis Thompson
Intermediate Development Planner
Town of Fort Erie
1 Municipal Centre Drive
Fort Erie, Ontario L2A 2S6

Dear Mr. Thompson:

**Re: Regional and Provincial Comments
Proposed Revised Official Plan Amendment, Zoning By-law Amendment,
Draft Plan of Subdivision and Draft Plan of Vacant Land Condominium
Applications
Town Files: 350302-167, 350309-0567, 305308-131, 350303-0040
Owner: 2846300 Ontario Inc
Applicant: Upper Canada Consultants
576 Ridge Road North
Town of Fort Erie**

Staff of the Regional Growth Strategy and Economic Development Department have reviewed the resubmission of Official Plan Amendment (“OPA”), Zoning-By-law Amendment (“ZBA”), Draft Plan of Subdivision and Draft Plan of Vacant Land Condominium applications for 576 Ridge Road North in the Town of Fort Erie. Staff had previously provided comments to the applications on January 16, 2024. The applicant is proposing to develop the site with single-detached and block townhouse dwellings. The development additionally proposes an area for stormwater management, and a mid-block pedestrian connection between Prospect Point Road North and Ridge Road North.

April 11, 2023

Official Plan and Zoning By-law Amendments:

The Official Plan Amendment application proposes to change the existing land use designation from Institutional to Residential Low Density, Residential Medium Density and Open Space. Due to environmental considerations, the revised amendment proposes to designate Lots 1-8 in a dual category where the lands will be designated as Environmental Protection (“EP”), until a proposed Holding provision can be lifted from the Zoning, at which time the Residential – Low Density provisions will apply.

Accordingly, the Zoning By-law Amendment application proposes to change the zoning from Institutional to Residential R2A Site-Specific, Residential Multiple RM1 Site-Specific, Residential Multiple RM2 and Open Space OS Site Specific. To address environmental policies, Lots 1-8 are proposed to be dual-zoned with the site-specific R2A with a Holding (H) provision, and the Environmental Protection (EP) Zone. The Holding Provision will restrict development on these lots until considerations are suitably addressed through the submission of an Environmental Impact Study Addendum to the satisfaction of the Town and Region. If the Holding provision cannot be lifted, the EP Zone requirements will prevail for these lands.

Draft Plans of Subdivision and Condominium:

The revised Draft Plan of Subdivision proposes 49 lots for single detached dwellings, 1 Condominium Block (6 townhouse blocks containing 25 dwelling units and 45 single detached dwellings), 1 block for stormwater access, 1 block for a stormwater management facility, and 3 blocks for pedestrian connections. The Draft Plan of Vacant Land Condominium application is to establish the intended condominium ownership for the proposed 70 units in Block 50. Staff note, however, that the Draft plan of Condominium (dated March 7, 2024) for Block 50 outlines 69 residential units.

Materials provided with initial applications indicated that an existing school building on the property (located on lands identified in the proposed Draft Plan of Subdivision as “additional lands of the owner”) will be subject to future Official Plan and Zoning By-law Amendment applications to allow for the conversion of this building into a residential apartment building. These lands are not subject to the current applications.

A pre-consultation meeting for the proposed development was held April 14, 2022, where the applicant, the Town and Regional staff were in attendance. Additionally, a meeting discussing environmental requirements for the re-submission of the applications was held on January 22, 2024. The following comments are provided from a Provincial and Regional perspective to assist the Town in their consideration of these applications.

Summary

Regional Growth Strategy and Economic Development Department are able to support the OPA, ZBA and Draft Plan of Condominium applications as they are consistent with and conform to Provincial and Regional policies and plans subject to the Town's confirmation that the proposed EP zoning can be overlaid to the proposed residential zoning as proposed.

Staff would be in a position to support the proposed Draft Plan of subdivision subject to the registration of lots 1-8 and block 54 being contingent upon the review and approval of an updated Environmental Impact Study by the Town and Region, as outlined through communication with the Town and applicant. Staff note if the feature is deemed a significant woodland and/or a species at risk habitat, along with any protective buffer, then a revised final subdivision plan avoiding feature fragmentation is to be provided to the satisfaction of the Town and the Region as environmental features are to be protected from fragmentation per the NOP.

As such, staff has included preliminary Conditions of Draft Plan of Subdivision and Condominium at this time and highlight that revised and/or additional conditions may be provided, including conditions related to natural environment requirements, pending review and approval of the revised EIS.

Provincial and Regional Policies

Regional comments as provided January 16, 2023, remain applicable.

Archaeological Potential

Regional comments as provided January 16, 2024 regarding archaeological potential remain applicable. The previously outlined condition has been included within the attached Appendix.

Natural Heritage

A pre-consultation meeting for the proposal was held prior to the approval of the NOP by the Minister of Municipal Affairs and Housing. Policy 3.1.30.3.1 of the NOP states that, where a formal pre-consultation meeting has been completed within one (1) year of the approval of the NOP, and environmental requirements have been established through a signed pre-consultation agreement that has not expired, required environmental studies may be evaluated in accordance with the Regional policies that existed at the time the pre-consultation meeting was completed (provided the application is submitted within two years of the approval of the NOP). Accordingly, the

April 11, 2023

environmental policies of the previous Regional Official Plan (“ROP”) apply to the proposal.

Under the ROP, the subject properties are impacted by the Region’s Core Natural Heritage System (“CNHS”), consisting of Significant Woodland. As such, consistent with ROP Policy 7.B.1.11, an Environmental Impact Study (“EIS”) was required in support of the application.

Regional environmental planning staff has reviewed the Scoped EIS, prepared by Beacon Environmental Limited (dated December 2022), which indicates that although there is a wooded area located along the southern lot boundary, it does not meet any Regional criteria associated with Significant Woodland. However, the Town has forwarded the Region new information from Beacon Environmental Ltd., (December 2023) indicating the potential presence of Red-headed Woodpeckers within the wooded area located adjacent to the property. As per ROP Policy 7.B.1.5, if Red-headed woodpecker habitat is confirmed present, Significant Woodland criteria associated with both the presence of an endangered species and containing/overlapping with significant wildlife habitat is achieved, resulting in the wooded area meeting Regional significant woodland designation criteria.

As such, until presence/absence of Red-headed woodpecker habitat is confirmed, the adjacent wooded area is to be identified as a Significant Woodland. A minimum 10 m buffer is typically required adjacent to Significant Woodlands. A revised EIS will, therefore, be required to assess the woodland. Should the habitat of red-headed woodpecker be confirmed present in the adjacent woodland, the revised EIS shall identify an appropriate buffer as well as recommend an appropriate mitigation strategy to ensure no ecological impacts will result from the proposed development.

As it relates to the proposed OPA and ZBA applications, staff offer no objection as the extent of the Significant Woodland and associated minimum 10 m buffer is identified with an appropriately restrictive designation (Environmental Protection [EP]), and zone (Holding [H] and Environmental Protection [EP]). Further, staff are satisfied that ZBA wording requires the Holding provision to remain in place until such time that an EIS is prepared to the satisfaction of the Town of Fort Erie and the Niagara Region.

As it relates to the proposed Draft Plan of Vacant Land Condominium, staff offer no objection as the subject lands are located a sufficient distance from the Region’s CNHS.

As it relates to the proposed Draft Plan of Subdivision, staff’s preference is that Lots 1-8 be placed within a single block until the habitat of Red-headed woodpecker is confirmed. However, after communication with the Town, natural heritage conditions of approval are provided in the attached appendix should the Town choose to proceed with supporting the proposed Draft Plan that would facilitate the approval of the proposal while conforming to Regional policies regarding feature fragmentation.

April 11, 2023

Staff look forward to working with the applicant and are open to meeting to further discuss Regional comments, if desired. Please contact Adam Boudens, Senior Environmental Planner at 905-980-6000 ext. 3770 or adam.boudens@niagararegion.ca should you have any questions or like to arrange a meeting. Alternatively, please contact Cara Lampman, Manager, Environmental Planning at 905-980-6000 ext. 3430 or cara.lampman@niagararegion.ca.

Servicing

Regional comments as provided April 3, 2024, remain applicable.

Stormwater Management

Regional comments as provided April 3, 2024, remain applicable.

Waste Collection

Regional comments as provided January 16, 2024, regarding waste collection remain applicable. The previously outlined conditions have been included within the attached Appendix.

Conclusion

In conclusion, Regional Growth Strategy and Economic Development staff would not be opposed to approval of the OPA, ZBA and Draft Plan of Condominium applications in principle subject to the Town's confirmation of the applicability of the EP dual zoning.

Accordingly, upon receipt of confirmation of zoning in this regard, staff would be able to determine and issue an exemption from Regional Council approval for the Official Plan Amendment in accordance with Policy 7.4.1.6 and 7.4.1.7 of the NOP.

Further, staff would not be opposed to approval of the Draft Plan of Subdivision in principle subject to Lots 1-8 being placed within a single block until the habitat of Red-headed woodpecker is confirmed through an updated EIS; or alternatively, at the discretion of the Town, inclusion of the natural heritage conditions provided in the attached appendix should the Town choose to proceed with supporting the proposed Draft Plan as discussed above.

Should you have any questions or wish to discuss these comments further, please contact the undersigned at Valentina.Escobar@niagararegion.ca, or Pat Busnello, Manager of Development Planning at Pat.Busnello@niagararegion.ca.

Please send a copy of the staff report and notice of the Town's decision on these applications.

April 11, 2023

Kind regards,

A handwritten signature in black ink, appearing to read 'Valentina Escobar', written in a cursive style.

Valentina Escobar

Development Planner

cc: Pat Busnello, MCIP, RPP, Manager, Development Planning, Niagara Region
Adam Boudens, Senior Environmental Planner, Niagara Region
Cara Lampman, Manager, Environmental Planning, Niagara Region
Susan Dunsmore, P. Eng., Acting Director, Infrastructure Planning and
Development, Niagara Region

Appendix I

Preliminary Regional Conditions of Draft Plan of Subdivision and Condominium Approval

576 Ridge Road North, Fort Erie

1. That the owner acknowledges that the final approval of the lots, blocks, and streets, including but not limited to, Lots 1 - 8, and Block 54, are contingent upon an updated *Environmental Impact Study* being approved by the Town and Region to evaluate the woodland located around the southern lot line. Should this feature be deemed a *significant woodland* and/or a *species at risk habitat*, along with any protective buffer, then the following conditions shall also apply:
 - a. That the developer shall provide a revised final Subdivision Plan which avoids any fragmentation of the woodland. The Final Plan shall be to the satisfaction of the Town and Region, and the block shall be dedicated to the Town, free and clear of any encumbrances for environmental protection.
 - b. That the developer acknowledges the approved *Environmental Protection (EP) Official Plan* designation, and site-specific *Environmental Protection (EP) Zone* regulations shall remain in effect.
 - c. That the developer shall prepare a Restoration Plan to the satisfaction of the Niagara Region and Town of Fort Erie. The plan should incorporate dense plantings of native trees and shrubs that complement the adjacent vegetation communities. The Restoration Plan should be completed by a full member of the Ontario Association of Landscape Architects (OALA).
 - d. That the subdivision agreement contain wording wherein the Developer agrees to implement the approved Restoration Plan.
 - e. That the developer provide securities to the Town of Fort Erie in the form of a Letter of Credit in the amount of the estimated cost as approved by the Niagara Region and Town of Fort Erie for the restorative plantings required in accordance with the above conditions and that the subdivision agreement include provisions whereby the developer agrees that the Town may draw on the Letter of Credit, if required, to ensure installation of the plantings.
 - f. That the developer agrees to implement all the recommendations and mitigation measures identified in the approved Environmental Impact Study, to the satisfaction of the Niagara Region and Town of Fort Erie.
2. That the subdivision and condominium agreements between the Applicant/Owner and Town of Fort Erie include the following warning clause:

“Should deeply buried archaeological remains/resources be found during construction activities, all activities impacting archaeological resources must cease immediately, and the proponent must notify the Archaeology Programs Unit of the Ministry of Citizenship and Multiculturalism (MCM) (416-212-8886) and contact a licensed archaeologist to carry out an archaeological assessment in accordance with the Ontario Heritage Act and the Standards and Guidelines for Consultant Archaeologists.

In the event that human remains are encountered during construction, all activities must cease immediately and the local police as well as the Cemeteries Regulation Unit of the Ministry of Public and Business Services Delivery (416-326-8800) must be contacted. In situations where human remains are associated with archaeological resources, MCM should also be notified to ensure that the site is not subject to unlicensed alterations which would be a contravention of the Ontario Heritage Act.”

3. That prior to approval of the final plan or any on-site grading, the owner shall submit a detailed stormwater management plan for the subdivision and the following plans designed and sealed by a qualified professional engineer in accordance with the Ministry of the Environment, Conservation and Parks documents entitled Stormwater Management Planning and Design Manual March 2003 and Stormwater Quality Guidelines for New Development, May 1991, or their successors to Niagara Region for review and approval:
 - a) Detailed lot grading, servicing and drainage plans, noting both existing and proposed grades and the means whereby overland flows will be accommodated across the site;
 - b) Detailed erosion and sedimentation control plans.
4. That the subdivision agreement between the owner and the Town contain provisions whereby the owner agrees to implement the approved plan(s) required in accordance with the Condition above.
5. That the owner/developer ensures, throughout all phases of development, that all streets and development blocks can provide an access in accordance with Niagara Region’s Corporate Policy and By-laws relating to the curbside collection of waste and recycling. Where a through street is not maintained, the owner/developer shall provide a revised draft plan to show an appropriate temporary turnaround to permit Regional waste collection services.
6. That the owner submit Regional waste collection truck turning templates for review and approval confirming the development is able to accommodate Regional waste collection services.

7. That in order to accommodate Regional Waste Collection service, the plan shall be revised to include waste collection pads for Units 15-24, 35 and 36, as illustrated on the site plan. The waste collection pads shall be designed and located in accordance with the requirements outlined in Niagara Region's Corporate Policy for Waste Collection. Location of pads will need to be reviewed by Regional waste collection staff prior to clearance of this condition and construction.
8. That the following clause be included in the Condominium / Subdivision Agreement and inserted into all offers and agreements of Purchase and Sale or Lease for each of the affected dwelling units:

"Owners/Purchasers/Tenants of townhouse units 15-24, 35 and 36 are advised that in order to accommodate Regional Waste Collection Service they will be required to bring their waste/recycling containers to the designated waste collection pads on the required collection day."
9. That the owner provides a written acknowledgement to Niagara Region stating that draft approval of this subdivision does not include a commitment of servicing allocation by Niagara Region, as servicing allocation will not be assigned until the plan is registered, and that any pre-servicing will be at the sole risk and responsibility of the owner.
10. That the owner provides a written undertaking to Niagara Region stating that all Offers and Agreements of Purchase and Sale or Lease, which may be negotiated prior to registration of this subdivision shall contain a clause indicating that servicing allocation for the subdivision will not be assigned until the plan is registered, and a similar clause be inserted in the subdivision agreement between the owner and the Town.

Clearance of Conditions

Prior to granting final approval, the Town of Fort Erie must be in receipt of written confirmation that the requirements of each condition have been met satisfactorily and that all fees have been paid to the satisfaction of Niagara Region.

Subdivision Condominium Agreement

Prior to final approval for registration, a copy of the executed Subdivision / Condominium Agreement for the proposed development should be submitted to Niagara Region for verification that the appropriate clauses have been included. Niagara Region recommends that a copy of the draft agreement be provided in order to allow for the incorporation of any necessary revisions prior to execution.

Note: Clearance requests shall be submitted to the Region in accordance with the Memorandum of Understanding, which stipulates that requests for formal clearance of conditions are to be received and circulated to the Region by the local municipality. The local municipality is also responsible for circulating a copy of the draft agreement, and the Region is unable to provide a final clearance letter until the draft agreement is received. The Region is committed to reviewing submissions related to individual conditions prior to receiving the formal request for clearance. In this regard, studies and reports (one hard copy and a PDF digital copy) can be sent directly to the Region with a copy provided to the local municipality.

Interoffice Memorandum

April 13, 2024
Our File: 350309-0567

To: Curtis Thompson, RPP, Supervisor, Development Approvals
Cc: Noah Thompson, E.I.T., Development Engineering Technician
Keegan Gennings, CBCO, Chief building Official
Mohammad Kamruzzaman, CPT, Zoning Technician
Jessica Goodings, Senior Fire Prevention Officer
Tikki Yuen, O.A.L.A., Landscape Architect
From: Brad Johnston, C.E.T., Supervisor, Development Engineering
Subject: OPA / ZBA / Draft Plan of Subdivision
Development Engineering Comments - REVISED
Address: 576 Ridge Road North

Development Engineering has had an opportunity to review the proposed submissions of OPA/ZBA/DPS, and offer the following comments and conditions, however the conditions, **unless otherwise stated**, shall apply only to the Draft Plan of Subdivision.

Roads

Ridge Road North is designated a Collector Road as per the Town's Official Plan with a desired rights-of-way width of 23.0m. Its current width is deficient at 20.0m, therefore the Town shall require at 1.50m widening along the frontage of Ridge Road North, to obtain half the required 23.0m width measured from the centerline of the original road allowance, be transferred free and clear of any encumbrances to the Town, to be further dedicated as Public Highway *Ridge Road North*. It is also noted that although Block 51 has been provisioned for a storm water detention facility to be transferred to the Town as Town property, the Town requires the extension of Block 56 for an additional 1.50m widening along the facility frontage, to be transferred free and clear of any encumbrances to the Town, to be further dedicated as Public Highway *Ridge Road North*, delineating the road allowance from facility property.

Prospect Point Road North is designated a Local road as per the Town's Official Plan with desired right-of-way widths of 20.0m. The road is currently at sufficient width and therefore the Town shall not require any further widenings for this road allowance as a condition of a future development application.

The Town's Official Plan requires that day-lighting triangles be included and identified at the intersections of streets proposed to connect to Town rights-of-way. In this case, Local road (Ridge Road North and Prospect Point Road North) connections to proposed Local roads (Street 'A') shall be subject to the Owner transferring 4.5m x 4.5m daylighting triangles to the Town, free and clear of any encumbrances, the limits of which to be included as part of the Public Highway *Prospect Point Road North*.

The Owner shall be required to accurately identify the transferred block(s), for review and approval, on a Draft M-Plan, prior to its registration in the Land Registry Office. This land transfer shall be a condition required applicable to the Plan of subdivision application, and applicable Planning applications with respect to the proposed residential connections for the development Blocks 51, 52, 53, 54, 55 & 56.

In new subdivisions, where the future public roads are transferred in ownership to the Town upon the subdivision plan's registration, the lands become the Town's in terms of ownership only, and the Town does not accept maintenance responsibilities for the rights-of-way and services until the subdivision has been assumed and the roads dedicated as Public Highway. Until such time, the Owner is responsible for all required maintenance obligations as well as liabilities for damages. As part of the subdivision development process, the Owner / Developer shall install adequate signage along the roads within and at the limits of the subdivision noting 'Unassumed Roads – Use at Your Own Risk', to which standard signage designs are governed by the Ministry of Transportation.

Although Ridge Road North has been previously identified for urbanization in the Town's Development Charge Background Study, as Project #R2, from Nigh Road to the southerly limit of the Ridgeway Highschool lands, it has not been projected nor budgeted until 2038-2041, and as also a Master Storm Servicing Drainage Strategy has not yet been completed for the ultimate storm drainage area, typically driving the ultimate intent for storm drainage improvements and road urbanizations. As a result of the above considerations, further discussions with the Town's Planning and Engineering staff have determined it is not financially nor practically feasible for Ridge Road North's full urbanization with storm sewers in tandem with this development proposal, the costs front-ended by the Owner, until the Town can adequately allocate the appropriate amounts for the proper design and reconstruction of Ridge Road North, with the ultimate urban cross-section in line with a storm drainage master plan, when complete.

Conditions for Roads:

1. The design for the public roads within the development be prepared by a Professional Engineer at a 20.0m right-of-way cross-section standard in accordance with the Town's current standards, as amended to the satisfaction of the Director, Infrastructure Services;
2. The proposed public road Street 'A' shall be named to the satisfaction of the Town of Fort Erie;
3. The Owner identify and transfer to the Town, free and clear of any mortgages, liens, and encumbrances, 4.50m x 4.50m daylighting triangles to be known as Public Highway *Prospect Point Road North*;
4. The Owner identify on the draft plan and transfer free and clear of any encumbrances, a 1.50m widening along the Ridge Road North frontage, to be known as Public Highway *Ridge Road North*;
5. The Owner submit a draft plan accurately identifying the block(s), widenings, and daylighting triangles on the Draft Subdivision Plan, and M-Plan, for review and approval, prior to the M-Plan's registration in the Land Registry Office; and
6. Until assumption of the subdivision secondary services through By-law by the Municipality and the rights-of-way dedicated as Public Highway, the Owner shall install and maintain signage within and at the limits of the subdivision roads noting 'Unassumed Roads – Use at Your Own Risk', to the satisfaction of the Director, Infrastructure Services

Transportation Impact Study

A Transportation Impact Study (TIS) identifies the benefits and impacts of a proposed development or redevelopment, how the proposed development can benefit the existing transportation network and vice versa, and how any transportation impacts associated with the proposed development can be mitigated and addressed against the Town of Fort Erie's existing and future road networks. It also serves as the basis for the identification of existing or proposed safety concerns and evaluates improvements or measures required. The TIS also can address connectivity between the development and the existing transportation networks, for all modes (cars, trucks, transit, cyclists and pedestrians) expected to access or leave the development site.

Conditions for Transportation Impact Study:

1. A Transportation Impact Study be prepared and certified by a Professional Transportation Engineering Consultant, to the satisfaction of the Director, Infrastructure Services, and any recommendations noted, be implemented as part of the development of the plan of subdivision

Sidewalks, Curbs, and Driveway Aprons

Curbs and sidewalks do not yet exist along the subject land frontages of Ridge Road North and Prospect Point Road North, given that both are currently in a semi-urban cross-section state. A sidewalk link currently exists at the south limit of the subject lands on Ridge Road North, and although noting the above comments in the Roads section regarding the urbanization of the road being premature until the Town's projected budget allotment in 2038-2041, it shall be required that the Owner provision for the design and construction of a 1.50m wide concrete sidewalk from the existing sidewalk link south, to the north limit of the subject lands, in the standard location of 1.0m off street line, to the satisfaction of the Town. Regarding the subdivision lands, sidewalks shall be proposed along the future public roads of Street 'A' and at the standard location of 1.0m off street property line.

Regarding the Prospect Point Road North frontage, no sidewalks currently exist to the north nor to the south of the subject lands, as the existing road is in a semi-urban cross-section state, with larger road-side ditches. Typically, the Town would request the Owner to provision for the construction of a 1.50m wide sidewalk along the frontage of the development lands, in the standard location of 1.0m off street-line. Considering the tops of the ditch slopes are currently within the typical desired location for new sidewalks, this could create challenges for design and construction of sidewalks in tandem with this development, while maintaining the intents of the road side ditches. Only through the detailed design process can it be determined whether sidewalks on Prospect Point Road North can or cannot be constructed, and therefore it is recommended that the Owner be required to design and construct a sidewalk along the frontage of the subject lands, unless otherwise determined through detailed design that a sidewalk cannot be constructed. IN this case, the Owner would provide a cash-in-lieu

payment for future sidewalk design and construction, the costs in accordance with the Town's current average tender document pricing at the time of payment.

All proposed driveway aprons shall also be installed at a minimum with paved hard surface asphalt from the street property lines to the edge of road asphalt. New purchasers shall be advised that sidewalks will be accommodated along their applicable frontages, accordingly.

Conditions for Sidewalks, Curbs, and Driveway Aprons:

1. A minimum 1.50m wide sidewalk shall be designed and constructed on the public road frontage of Street 'A', in accordance with the Town's standards, to the satisfaction of the Director, Infrastructure Services;
2. The Owner have their Consulting Engineer provision for the design and construction a 1.50m wide concrete sidewalk along the Ridge Road North frontage of the subject lands, and the Owner be responsible to front-end the design and construction costs associated, inclusive of Engineering, Contract Administration, Inspection, Contingency, and HST;
3. The Owner have their Consulting Engineer provision for the design and construction a 1.50m wide concrete sidewalk along the Prospect Point Road North frontage of the subject lands, if achievable, and the Owner be responsible for the design and construction costs associated, inclusive of Engineering, Contract Administration, Inspection, Contingency, and HST;
4. If it is determined through the detailed design process, that a 1.50m wide concrete sidewalk along the Prospect Point Road North frontage of the subject lands cannot be constructed, the Owner shall provision for the cash-in-lieu payment for the future design and construction of a 1.50m wide concrete sidewalk, the costs in accordance with the Town's current average tender document pricing at the time of payment; and
5. The subdivision agreement includes a clause requiring that each agreement of purchase and sale state that *"The owner (developer) shall be responsible for installing paved driveway aprons from edge of road asphalt to the property lines."*

Geotechnical/Hydro-geotechnical Report

A soils investigation report shall be required, prepared, and certified by a qualified Geotechnical Engineer/Consultant, containing comments and analysis for existing soils related to the proposed roads, services, and pavement design. A soils investigation report comments on typical soil characteristics to accommodate proposed developments. The report would be expected to provide recommendations and any other foreseeable issues given the existing and historical characteristics of the soils in the area (clay, shallow bedrock, etc.) and would additionally comment on the foundations, compaction requirements, drainage schemes, etc., and affects, if any, to the proposed services. A chemical component should also always be considered.

Conditions for Geotechnical/Hydro-geotechnical Report:

1. The Owner shall submit to the Town for review and approval a Geotechnical report with a hydrogeological component, chemical analysis and pavement design included, for the internal Street 'A' proposed, as well as the Ridge Road North and Prospect Point Road North rights-of-way, prepared by a qualified geotechnical engineering consultant, to the satisfaction of the Director, Infrastructure Services

Linear Engineering Services

Watermains	Ridge Road North	Prospect Point Road North
	150mm C.I.	150mm C.I.

The Owner shall have a suitably sized water distribution system designed by a qualified Professional Engineer in accordance with the Town's current standards, within the future public road(s), and be looped and connected to the Town's existing water distribution system from Street 'A' west through Block 52 & Block 55 to Ridge Road North. Individual water services shall be provisioned with minimum 25mm (1") pipe sizes. The Owner shall also make themselves familiar with the requirements of the Town's current Water Testing & Disinfection Criteria and ensure these requirements are met, prior to the Town authorizing connections to the existing water system, as per the current Consolidated Linear Infrastructure license program.

Conditions for Watermains:

1. The Owner shall have the water distribution system and appurtenances designed by a Professional Civil Engineer in accordance with the Town's standards, as amended, and constructed to the satisfaction of the Director, Infrastructure Services; and
2. The Owner's Consulting Engineer submit a **Form 1 – Record of Watermains Authorized as a Future Alteration** form to the satisfaction of the Director, Infrastructure Services; and
3. The Owner adheres to the Town's current Drinking Water Quality Management System Requirements and Criteria

Sanitary Sewers	Ridge Road North	Prospect Point Road North
	200mm AC	200mm AC

The Owner shall have an adequately sized sanitary sewer distribution system designed by a qualified Professional Engineer in accordance with the Town's current standards, a minimum size of 200mm within the future public road(s).

The Owner has previously submitted a Functional Servicing Report prepared and certified by Upper Canada Consultants dated November 2022. It is proposed to service the subdivision development to the existing Prospect Point Road North sanitary sewer to be further conveyed north and west to the Nigh Road Pumping Station. The FSR sanitary sewer component shall be further revised to accommodate the current revised proposal using the Town's current sanitary sewer design standards for people per unit, for further review and comment, prior to approval.

The Town's sanitary sewer consultant, GMBLue Plan, had previously reviewed the downstream system for the earlier proposal on this site, in addition to other proposed developments in the area in a full-build out scenario, in a report dated October 13, 2023. Although the report noted that no local sewer systems would be negatively affected by the proposed full-build out of sewage flows conveyed to the Nigh Road Pumping Station, the proposed built-out flows exceeded the Region's 2051 projected flows.

Provided that confirmation from the Region that sufficient capacity at the Nigh Road Pumping Station exists, there is sufficient capacity in the local sewers to accommodate the current build-out of the existing proposed developments in the area, inclusive of this site. **Although the Town no longer requires the recommendation of a servicing Hold being placed on the development lands, it is recommended that confirmation from the Region be sought to confirm sufficient capacity at the Nigh Road Pumping Station, and the Owner accommodate methods of implementation, if any, at the Region's discretion.**

The Owner shall also make themselves familiar with the requirements of the Town's current Sanitary Sewer Consolidated Linear Infrastructure license, and ensure these requirements are met, prior to the Town authorizing connections to the existing sewer system.

Conditions for Sanitary Sewers:

1. The Owner submits to the Town for review and approval a revised Functional Servicing Report prepared and certified by a licensed Professional Civil Engineer with respect to the development's sanitary sewer proposal and proposed peak flows, to the satisfaction of the Director, Infrastructure Services; and
2. The Owner shall have the sanitary sewer system and appurtenances and any additional required improvements to the existing system, if any, as determined through the required peer review condition of the approval of the Zoning By-law Amendment application, designed by a Professional Civil Engineer in accordance with the Town's Standards, as amended, and be constructed at the cost of the Owner, to the satisfaction of the Director, Infrastructure Services; and
3. The Owner's Consulting Engineer adhere to and submit the required sanitary sewer documents applicable to the Town's Consolidated Linear Infrastructure license

Storm Sewers

Ridge Road North

Prospect Point Road North

300mm Conc.
Outlet to Royal Ridge Drive

300mm Conc. South limit

The Owner shall have an adequately sized storm sewer distribution system designed by a qualified Professional Engineer in accordance with the Town's current standards, to outlet expected peak storm flows to a secured and suitable outlet, using the 5-year storm design, and controlled accordingly. The Owner has submitted with these applications, a Stormwater Management Component of the Functional Servicing Report prepared and certified by Upper Canada Consultants dated November 2022. An update to the FSR reflective of the current proposal shall be required, for further review and comment, prior to approval.

Although Ridge Road North has been previously identified for urbanization in the Town's Development Charge Background Study, as Project #R2, from Nigh Road to the southerly limit of the Ridgeway Highschool lands, it has not been projected nor budgeted until 2038-2041, nor has a Master Storm Servicing Drainage Strategy yet been completed for the ultimate storm drainage area, that would normally drive the ultimate intent for storm drainage infrastructure works and road urbanizations. As a

result of the above considerations, further discussions with the Town's Planning and Engineering staff have determined it is not financially nor practically feasible for Ridge Road North's full urbanization with storm sewers in tandem with this development proposal, where the costs would be front-ended by the Owner, until the Town can adequately allocate the appropriate amounts for the proper design and reconstruction of Ridge Road North, with an ultimate urban cross-section standard, in-line with a storm drainage master plan, when completed.

The Owner shall also make themselves familiar with the requirements of the Town's current Storm Sewer and Facility Consolidated Linear Infrastructure licenses, and ensure these requirements are met, prior to the Town authorizing connections to the existing sewer system.

Conditions for Storm Sewers:

1. A Stormwater Management Report shall be prepared, certified, and implemented for this development by a Professional Civil Engineer in accordance with the Town's Standards, as amended, to the satisfaction of the Director, Infrastructure Services;
2. The storm system be designed to accommodate residential foundation weeping tile drainage via sump pump discharge to the storm system or to grade at the front / rear yards only, not the side yards;
3. The Owner's Consulting Engineer adhere to and submit the required storm sewer and facility documents applicable to the Town's Consolidated Linear Infrastructure program; and
4. That the subdivision agreement includes a clause requiring that each agreement of purchase and sale state that "*Roof downspouts shall discharge only to the ground surface via splash pads to the front yard.*"

Erosion & Sediment Control

As a condition of approval, the Owner's Consulting Engineer must submit an outline of a proposed erosion and sediment control plan. This may contain any or all the following measures and must be approved by the Town, to the satisfaction of the Director, Infrastructure Services:

- Sediment traps or temporary retention ponds
- Seeding of topsoil stockpiles
- Isolated stripping of development lands
- Vegetation screens
- Silt and erosion control fencing methods
- Entrance mud mats, and outlet erosion controls, rip rap, filter cloth, etc.
- Construction Staging areas

The Owner shall also make themselves familiar with the requirements of the Town's current Erosion and Sediment Control Plan Consolidated Linear Infrastructure requirements, and ensure these requirements are met, prior to the Town authorizing any construction / grading works on and off-site.

Conditions for Erosion & Sediment Control:

1. An Erosion & Sediment Control Plan be prepared by a Professional Civil Engineer in accordance with the Town Standards, as amended, to the satisfaction of the Director, Infrastructure Services; and
2. The Owner's Consulting Engineer adhere to and submit the required Erosion and Sediment Control Plan documents applicable to the Town's Consolidated Linear Infrastructure program;

Construction Impact Mitigation Strategy

The Town is committed to ensuring that disruptions to the existing residents and community are minimized, resulting from traffic associated with construction activity. Mitigating the disruptive impacts of construction-related traffic on streets is an important part of the development and construction process. The intent is to provide safe passage for pedestrians, cyclists, and vehicular traffic around or through a construction site, with as little inconvenience, impact, and delay as possible, and with minimal on-street parking removals required. A strategy that outlines how the proponent intends to address construction traffic, shall be required.

Conditions for Construction Impact Mitigation:

1. A Construction Impact Mitigation Strategy outlining how the proponent intends to address the construction impact mitigation principles as they relate to the site development and surrounding external areas required for municipal improvements, be submitted for review and approval, to the satisfaction of the Director, Infrastructure Services

Lot Grading & Stormwater Management

The Owner shall have an adequately designed Master Grading Control Plan prepared by a qualified Professional Engineer, to the satisfaction of the Director, Infrastructure Services and in accordance with the Town's current standards. The grading control concept for this development shall identify existing grades surrounding the proposed site, and proposed grades on and within the proposed development, identifying overland flow routes, proposed building envelope grades and proposed basement floor elevations for review and acceptance.

Weeping tile discharges via sump pump shall be accommodated towards the front yards only, and through the front foundation walls, not the side yards or from the foundation sidewalls. The house designs shall ensure this and also ensure that rainwater leaders (downspouts) are directed/discharged to the front and rear of the lots only. The location and direction of the roof water discharge pipes and sump pumps must be identified on the Master Lot Grading and Drainage plan.

Conditions for Lot Grading & Stormwater Management:

1. A Master Grading Control Plan shall be prepared by a Professional Civil Engineer in accordance with the Town Standards, as amended, to the satisfaction of the Director, Infrastructure Services; and
2. The subdivision agreement between the Owner and the Town of Fort Erie contain provisions whereby the Owner agrees to implement the approved Master Lot Grading Plan to the satisfaction of the Director, Infrastructure Services

3. The subdivision agreement between the Owner and the Town of Fort Erie contain provisions whereby the Owner agrees to implement the approved Stormwater Management scheme, to the satisfaction of the Director, Infrastructure Services

Pre-Construction Condition Survey

The Owner shall obtain Pre-Construction Condition surveys of all existing abutting properties and structures surrounding all areas of proposed infrastructure installations. The purpose of a pre-construction condition survey is to obtain independent documentary evidence of the conditions of adjacent buildings, structures, features etc., prior to construction activities commencing on and within the subject lands and lands external to the site. While it is not expected that construction will cause damage to neighboring buildings, structures, features etc., a survey is undertaken as a precautionary measure and will assist building owners, contractors, and developers in the event of any claims for damages.

Conditions for Pre-Construction Condition Surveys:

1. The Owner shall submit to the Town a Pre-Construction Condition survey for all existing abutting properties and structures surrounding all areas of proposed infrastructure installations, to the satisfaction of the Director, Infrastructure Services, prior to the commencement of any construction works

Engineering Fees and Securities for Performance

The Owner shall be required to submit to the Town, Engineering, Inspection, Service Connections, and Water testing fees, and construction / development securities for performance obligations involved with ensuring the design and construction of services to develop the above subject lands are completed and function in accordance with Town's standards for assumption, to the satisfaction of the Director, Infrastructure Services.

Conditions for Engineering Fees and Securities for Performance Obligations:

1. The Owner submits to the Town the required fees for Engineering, Inspection, Service Connections, and Water testing fees, and construction securities for performance obligations through the means of entering into a pre-servicing and/or subdivision agreement, to the satisfaction of the Director, Infrastructure Services

Asset Management

O. Reg. 588/17 sets the standard for Municipalities to record and report their existing and future tangible capital assets through a comprehensive asset management approach. Digital data shall be provided by the Owner in accordance with the Town of Fort Erie's documents and AutoCAD standards, for compliance to the above.

Conditions for PSAB, Records & Asset Management:

1. The Owner submits to the Town the digital data for connections, in accordance with the Town of Fort Erie's Standards, and the actual costs of construction of all assets to be assumed by

the Town through the subdivision agreement, to the satisfaction of the Director, Infrastructure Services

Engineering Construction, and Geotechnical Compaction Inspections

The Owner's Engineering Consultant shall be responsible to provide engineering inspection in order to provide adequate certification of the works required to install Municipal services to develop the lands, to the satisfaction of the Director, Infrastructure Services. Engineering Inspection shall also include provisions for Geotechnical Compaction testing for municipal servicing installations, when applicable, in accordance with the Town's standards. Weekly reports from both the Engineering Consultant and the Geotechnical Engineering Consultant, shall be forwarded to the Town of Fort Erie as part of the requirements for acceptance of the primary services proposed.

Conditions for Engineering Construction, and Geotechnical Compaction Inspections:

1. The Owner's Engineering Consultant be responsible to provide engineering inspection in order to provide adequate certification of the works required to install Municipal services to develop the lands, to the satisfaction of the Director, Infrastructure Services;
2. The Owner's Geotechnical Engineering Consultant be responsible for providing adequate compaction testing and certification of the works required to install Municipal services to develop the lands, to the satisfaction of the Director, Infrastructure Services; and
3. The Owner's Engineering Consultant submit to the Town all relevant and required Construction and Geotechnical Testing and Inspection Records and Reports, to the satisfaction the Director of Infrastructure

Utilities

The Owner must verify with the separate Utility companies (Canadian Niagara Power, Enbridge Gas, Bell Canada, and Cogeco Cable, etc.) to verify the locations of their plant infrastructure if any, and coordinate relocations of such for design purposes with respect to proposed works on and along the Owner's property, as well as all off-site utility needs required. It is expected that these existing / proposed Utility plant will be identified on the Owner's civil plans for both the site and / or off-site works.

Development Engineering have no further comments or conditions to impose regarding the Draft Plan of Subdivision and the Zoning By-law Amendment applications, subject to the above conditions being applicable to the Draft Plan of Subdivision.

Regards,



Brad Johnston, C.E.T., Supervisor, Development Engineering

BJ

Attachments: Draft Plan of Subdivision (submitted – revised – March 2024)

- c. File No. 350309-0567
Jordan Frost, Manager of Engineering, IS (email only)
Mark Iamarino, Manager of Development Approvals, PDS (email only)

Interoffice Memorandum

November 3, 2023

File No. Official Plan Amendment - 350302-167 (OPA-02-2023)
Zoning By-law Amendment - 350309-0567 (ZBA-05-2023)
Draft Plan of Condominium - 350303-0040
Draft Plan of Subdivision - 305308-131 (SUB-01-2023)

To: Aaron Hair, MCIP, RPP
Intermediate Development Planner

From: Rachel Daniels, Senior Environmental Planner

Subject: Environmental Review – Environmental Impact Study – Official Plan Amendment (OPA), Zoning By-law Amendment (ZBA) and Draft Plan of Subdivision (DPOS) for 576 Ridge Road North

On April 14, 2022 a Pre-Consultation meeting was held for an Official Plan Amendment (OPA), Zoning By-law Amendment (ZBA) and Draft Plan of Subdivision (DPOS) proposal on the property known as 576 Ridge Road North. The subject property is not impacted by the Town's Environmental Conservation Overlay, however Staff noted the presence of a potentially Significant Woodland along the southern extent of the property limit and on adjacent lands to the south. As a result of the Pre-consultation meeting, an Environmental Impact Study (EIS) was prepared by the applicant in accordance with OP Policy 8.1 X to evaluate potential impacts to Natural Heritage Features as a result of the proposed development.

Staff have reviewed the EIS prepared by Beacon Environmental (December 2022). The EIS indicated that the area did not meet the criteria to be considered a Significant Woodland under the Regional Official Plan and that Species at Risk (SAR), Significant Wildlife Habitat (SWH), Valleylands and Fish Habitat were absent from the property.

Staff have received additional correspondence from Beacon indicating that the woodland has the potential to function as Red-headed Woodpecker habitat (a species listed as 'Endangered' under the Endangered Species Act, 2007), including 21 potential nests that were identified in 2023. Staff note that the EIS does not include Red-headed Woodpecker within the Species at Risk screening. Staff also note that the incidental calls from Red-headed Woodpecker on nearby properties were not included within the EIS, nor was a figure included outlining potential Red-headed Woodpecker nests that were identified in a preliminary screening.

Additionally, the EIS does not outline the results of bat snag surveys within the woodland, including the number of snags or candidate roost trees that were identified. Considering that 21 trees were noted as Candidate red-headed woodpecker habitat, staff inquire as to how many of these trees also function as 'snags' or potential roosts and whether the area met the criteria for high quality potential maternity roost habitat (>10 snags/ha). Staff also note that the raw data and summarized data associated with bat acoustic monitoring was not provided with the EIS for Staff to review and confirm the absence of SWH.

The Town's Official Plan notes that the Town places a high priority on the preservation of existing woodlands, thickets and meadowlands within the Municipality, in addition to and separate from those identified on Schedule "C" as Significant Natural Areas, or Locally Significant Wetlands and promotes the retention of these natural areas and the integration of tree cover into the urban and non-urban environments (8.3.3). The Town does not feel that the EIS provided justification that there will be some retention of the important features and functions of these areas, therefore the Town requests that the woodland area contained within the property is evaluated for its retention as a wildlife corridor from west of Ridge Road North to the east side of Prospect Point North.

In summary, Staff are requesting an EIS Addendum based on the following additional clarifications/studies:

- Additional spring Red-headed Woodpecker surveys within the woodland to confirm the presence/absence of individuals/habitat
- Inclusion of a figure and summary table outlining the results of the leaf-on and leaf-off bat snag surveys
- Inclusion of the raw data and summarized acoustic monitoring data
- Re-evaluation of the Significant Woodland Criteria outlined within the Regional Official Plan based on the results of the Red-headed Woodpecker surveys
- Evaluation of the woodland against the Locally Significant Natural Areas Criteria within the Town's Natural Areas Inventory (NAI).
- Evaluation of the woodland within the subject property for its function as a wildlife corridor from west of Ridge Road North to the east side of Prospect Point North.

Please feel free to contact Rachel Daniels, Senior Environmental Planner at 1-905-871-1600 ext. 2510 should you have any questions.

Interoffice Memorandum

August 29, 2023

To: Aaron Hair, Intermediate Development Planner
From: Jessica Goodings, Senior Fire Prevention Officer
Subject: **576 Ridge Rd N**

Roads shall be constructed to meet the requirements of the Ontario Building Code for a fire department access route.

3.2.5.6. Access Route Design

- (1) A portion of a roadway or yard provided as a required access route for fire department use shall,
- (a) have a clear width not less than 6 m, unless it can be shown that lesser widths are satisfactory,
 - (b) have a centreline radius not less than 12 m,
 - (c) have an overhead clearance not less than 5 m,
 - (d) have a change of gradient not more than 1 in 12.5 over a minimum distance of 15 m,
 - (e) be designed to support the expected loads imposed by firefighting equipment and be surfaced with concrete, asphalt or other material designed to permit accessibility under all climatic conditions,
 - (f) have turnaround facilities for any dead-end portion of the access route more than 90 m long, and
 - (g) be connected with a public thoroughfare.

Water supply shall meet the minimum requirements set forth in the Ontario Building Code for all buildings. Provisions for firefighting will only apply to the proposed apartment building.

3.2.5.7. Water Supply

- (1) An adequate water supply for firefighting shall be provided for every *building*.
- (2) Hydrants shall be located within 90 m horizontally of any portion of a *building* perimeter that is required to face a *street* in Subsection 3.2.2.

3.10.3.4. Provisions for Firefighting

- (1) Except as provided in Sentences (2) and (3), the requirements in Subsection 3.2.5. shall apply.
- (2) Access routes for fire department vehicles shall be provided and shall be not less than 9 m wide.
- (3) Hydrants shall be located in the access routes required in Sentence (2) so that,
- (a) for a *building* provided with a fire department connection for a standpipe system or a sprinkler system,
 - (i) a fire department pumper vehicle can be located adjacent to a hydrant, and
 - (ii) the unobstructed path of travel for the firefighter from the vehicle to the fire department connection is not more than 45 m, and

(b) for a *building* that is not *sprinklered*, a fire department pumper vehicle can be located in the access route so that the unobstructed path of travel for the firefighter is not more than,

- (i) 45 m from the hydrant to the vehicle, and
- (ii) 45 m from the vehicle to every opening in the *building*.

Jessica Goodings
Senior Fire Prevention Officer

jgoodingst@forterie.ca
JG



The Corporation of the Town of Fort Erie By-law 113-2024

Being a By-law to Confirm the Actions of Council at its Council-in-Committee Meeting Held on October 7, 2024 and its Council Meeting Held on October 21, 2024

Whereas it is desirable to have the actions and proceedings of Council adopted, ratified and confirmed by by-law; and

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-in-Committee Meeting held on October 7, 2024 and its Council Meeting held on October 21, 2024 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 any 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 affect 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 21st day of October, 2024.

Mayor

Clerk