



The Municipal Corporation of the  
Town of Fort Erie

**COUNCIL-IN-COMMITTEE MEETING**

**MONDAY, SEPTEMBER 19, 2005**

**COUNCIL CHAMBERS**

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**MINUTES**

**1) CALL TO ORDER**

The meeting was called to order at 6:00 p.m.

**2) ROLL CALL**

PRESENT: Mayor Wayne H. Redekop; Councillors Berry, Fell, Gorham, Lewis, Noyes and Shular.

ALSO

PRESENT: H. Schlange, Chief Administrative Officer  
C.J. Kett, Town Clerk  
M. Neubauer, Director of Corporate Services  
R. Mostacci, Director of Community and Development Services  
R. Tripp, Director of Infrastructure Services  
J. Douglas, Fire Chief  
J. Mrozek, Manager of Development Approvals  
R. Wilson, Manager, CGDC  
S. Saunders, Deputy Clerk  
C. Watson, Legislative Assistant

MEDIA

PRESENT: Joel Hoidas, The Times; Jennifer Pellegrini, The Review;  
Mike Cloutier, The Herald; and John Vessoayan, Niagara This Week

MEMBERS OF THE PUBLIC PRESENT: 58

**3) DISCLOSURES OF PECUNIARY INTEREST AND GENERAL NATURE**

(a) Mayor Redekop

Mayor Redekop disclosed a pecuniary interest with respect to the delegation by Mr. Richard Nabi and Report No. CS-34-05 since he is a member of the Fort Erie Bar Association. Mayor Redekop abstained from discussing or voting on this matter. Mayor Redekop also disclosed a pecuniary interest with respect to Report No. CDS-119-05 since his property may abut some of the subject lands. Following a motion to expand the urban boundary, Mayor Redekop no longer participated in the discussion on the report or the voting.

**4) REVIEW OF ADDENDUM/ANNOUNCEMENTS**

Addendum

Addition of delegation under Corporate Services (b) Richard Nabi, President of Fort Erie Bar Association and Closed Session item (a) Human Resources Matter.

Announcements

Mayor Redekop announced a youth group from Medicine Hat, Alberta were present this evening visiting Fort Erie on a youth leadership exchange program with the YMCA. The Town's youth group visited Medicine Hat, Alberta this summer and now it was their turn to host the group from Medicine Hat.

**5) PUBLIC NOTICE - MUNICIPAL ACT, 2001**

NIL

**6) PUBLIC MEETINGS – PLANNING ACT**

(a) Property Rezoning

Re: Susan Wheler and Associates on behalf of Ken and Rosemary Kranics – for lands located at 1407 Bertie Street. The applicant is proposing to rezone both Part 1 and Part 2 to a site specific "Rural RU Zone" and Part 3 will be rezoned to a site specific "Hazard H Zone" permitting only conservation of plant and wildlife uses.

*The Community Development and Services Department delivered a power point presentation which can be accessed in full text by clicking on the presentations link and a paper copy is also available in the Clerk's Department.*

Mayor Redekop announced that this portion of the meeting would be devoted to the holding of a Public Meeting as provided for under the *Planning Act*, R.S.O. 1990 Chapter P.13 with respect to the introduction of a by-law to amend the Zoning By-law for the Town of Fort Erie.

Mayor Redekop advised of the Public Meeting process. The Manager of Development Approvals proceeded to review the Administrative Report prepared for this application.

Mr. Mrozek, Manager of Development Approvals explained that an application had been submitted by Susan Wheler Associates on behalf of Ken and Rosemary Kranics to rezone a parcel of land located on the south side of Bertie Street, west of Petitt Road, municipally known as 1407 Bertie Street.

Mr. Mrozek informed notice of this meeting was given by publication in The Times on August 27, 2005 and by mailing notice to each of the property owners within one hundred twenty metres of the subject lands on August 26, 2005.

Mr. Mrozek advised the subject property is located in the rural area of Fort Erie northwest of the High Point Neighbourhood. The rezoning application is a result of Consent Application B34/05 that was granted conditional approval by the Town's Committee of Adjustment on July 14, 2005. The applicants are proposing a residential infill lot in the rural area. As a condition of approval the applicants are required to rezone the subject lands to recognize the reduced lot area and frontage of the severed parcel and to recognize the reduced lot area of the remnant parcel.

Mr. Mrozek further advised the applicant is proposing to change the zoning of the subject property from "Rural RU Zone" to a "Site Specific Rural Residential Zone" to recognize the reduced lot frontage and lot area of the severed parts and to reduce the lot area of the remnant parcel. In addition, pursuant to the new Provincial Policy Statement, an area along the western edge of the remnant parcel will be rezoned to a "Site Specific Hazard Zone" to recognize the Provincially Significant Wetland associated with the Frenchmen's Creek Wetland Complex.

The Official Plan designation for the surrounding area is designated "RU Rural R Urban Residential" and "OS Open Space". The rural designation permits some non-farm related development including the creation of residential lots on private services in an infill situation.

Mayor Redekop stated that the Committee would now hear from the Applicant and/or Agent.

Ms. Wheler of Susan Wheler Associates spoke on behalf of the applicants and stated the purpose of the application is to fulfill the condition of the severance granted on July 14, 2005. This parcel of land is located in a block characterized by rural and urban residential development. The remnant parcel is oversized and Mr. and Mrs. Kranics are proposing to build on the new parcel of land. The proposed application is consistent with the area land use.

The Mayor indicated that the Committee would now hear from those wishing to speak in favour of the application.

No person(s) came forward to speak in favour of the application.

The Mayor indicated that the Committee would now hear from those person(s) who wished to speak in opposition to the application.

No person(s) came forward to speak in opposition of the application.

Mayor Redekop announced that the Public Meeting was now concluded.

(b) Proposed Plan of Subdivision and Property Rezoning

Re: 1372708 Ontario Inc. (Cindy Gibbons) – for lands located at the northeast corner of Thunder Bay Road and Ridge Road North. The applicant is proposing to develop a 48 lot Plan of Subdivision with two townhouse blocks. Proposing to amend zoning from “Neighbourhood Development (ND) Zone” to “Residential Multiple 1 RM1 Zone”, permitting townhouses and “Residential 2 (R2) Zone” permitting single detached dwellings to allow the proposed Plan of Subdivision (Crystal Ridge Landing) and Open Space OS permitting a Stormwater Management Facility.

*The Community and Development Services Department delivered a power point presentation, which can be accessed in full text by clicking on the presentations link, and a paper copy is also available in the Clerk’s Department.*

Mayor Redekop announced that this portion of the meeting would be devoted to the holding of a Public Meeting as provided for under the Planning Act, R.S.O. 1990 Chapter P.13 with respect to the introduction of a by-law to amend the Zoning By-law and for the related revised plan of subdivision for the Town of Fort Erie.

Mayor Redekop advised of the Public Meeting process and enquired as to the manner and date upon which notice of this Public Meeting was given.

Mr. Mrozek, Manager of Development Approvals explained that an application had been submitted by Upper Canada Consultants on behalf of 1372708 Ontario Inc. for approval of a Draft Plan of Subdivision and an amendment to the Town’s Zoning By-law for lands located at the northeast corner of Thunder Bay Road and Ridge Road North.

Mr. Mrozek informed notice of this meeting was given by publication in The Times on August 27, 2005 and by mailing notice to each of the property owners within one hundred twenty metres of the subject lands on August 26, 2005.

Mr. Mrozek advised the subject property is located in the Ridgeway neighbourhood of Fort Erie. The applicant is proposing to develop the 5.257 hectre parcel of land for 48 single detached dwellings, 2 blocks for approximately 26 townhouse units and 1 block for a storm water management facility. The applicant is proposing to change the zoning from “Neighbourhood Development ND Zone” to “Residential 2 R2 Zone” for the single detached dwellings and “Residential Multiple 1 RM1 Zone” for the two townhouse blocks and “Open Space OS Zone” for the stormwater management block.

The Official Plan designation for the surrounding area is designated “R Urban Residential” except for the “GC Commercial” designation to the north of the site which forms part of the Ridgeway commercial core. The “Urban Residential” designation permits a variety of residential dwelling units subject to the lands being zoned appropriately.

Mr. Mrozek stated the applicant has submitted a tree preservation plan prepared by L. Campbell and Associates for the wooded area. As a condition of the development of these lands the tree preservation plan will be reviewed by both Town staff and the Region to determine where trees could be preserved.

Mayor Redekop stated that the Committee would now hear from the Applicant.

Mr. Martin Heikoop, Upper Canada Consultants advised an informal information meeting was held with residents in August where 8-10 people attended. The plan, land use and stormwater management facility was described. Some concerns were raised about the grading for Lot 1 and he advised a preliminary lot grading plan was prepared for the site. Lot 1 would have a walk-out basement and be graded 8 ft. higher at the front of the property. Adjacent residents to Lots 13 and 14 raised concerns about drainage since they have a drain that runs through the rear of their properties. Mr. Heikoop advised the pipe at the rear of their properties will connect to another pipe that will flow into the stormwater management facility picking up the drainage in that area and then draining into Six Mile Creek. Because Six Mile Creek is a Class 1 Fish Habitat, the stormwater pond will be wet and the surrounding area landscaped. The property zoned multi-residential will be freehold townhouses to meet the residential housing mix that is required.

The Chairman indicated that the Committee would now hear from those wishing to speak in favor of the application.

No person(s) came forward to speak in favor of the application.

The Chairman indicated that the Committee would now hear from those person(s) who wished to speak in opposition to the application.

(a) Mr. Gordon Ewing, 3633 Connection Drive

Mr. Ewing expressed concern about drainage from Ridge Road since half of his property abuts Lot 14 and the other half abuts Lot 51 which will be the stormwater management facility. He stated there is a lot of surface water that comes down Ridge Road South and then east to the stormwater management facility at the rear of their property. Mr. Ewing advised earlier this summer the Town was checking the water flow for a possible watermain break. In closing, he expressed concern about what will be done on the west side of the property.

Mayor Redekop announced that the Public Meeting was now concluded.

## 7) **CORPORATE SERVICES**

### (A) **DELEGATIONS**

- (a) Nick Martin, Supervisor and Christopher Tibollo, Leader, Fort Erie YMCA; Ashley Stewart, Leader and Scott Ritcher, Supervisor, Medicine Hat
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Re: YMCA Leadership Exchange

Mr. Nick Martin, Supervisor at the Fort Erie YMCA stated the YMCA Youth Exchange Canada Program gives Canadian youth a chance to expand their vision of themselves and their country. In August they travelled to Medicine Hat and now it is their turn to host their friends. Mr. Martin reviewed the itinerary they have planned ending with the youth dance and a sleepover at the YMCA on Friday night.

Mr. Scott Ritcher, Supervisor at the Medicine Hat YMCA commented on the activities they had planned when they hosted the Fort Erie youth this past August. He stated the trip was a great opportunity to meet new people from a different part of Canada and to share their culture and geographic landscapes. On behalf of his group, Mr. Ritcher remarked they have enjoyed the opportunity to participate in this exchange.

Ms. Ashley Stewart from Medicine Hat advised she has been part of the leadership program for the past five years and this is her third exchange. She has visited London, Ontario and Montreal, Quebec. Ms. Stewart advised she visited the Old Fort where she learned about Fort Erie's artifacts and the War of 1812.

Mr. Tibollo stated he has been a group leader in Fort Erie for the past five years. He stated the trip to Medicine Hat has taught him many things and has given him a greater appreciation of his hometown.

- (b) Richard Nabi, President of Fort Erie Bar Association

Re: Object to recommendations contained in Report No. CS-34-05 – Award of Legal Services Request for Proposals

*A copy of Mr. Nabi's presentation is available in the Clerk's Department.*

Mr. Nabi stated he represented the Fort Erie Bar Association as its President and was present to address Report No. CS-34-05, the Award of Legal Services Request for Proposal. He received a copy of the report last week which he circulated to his members along with a poll to find out if they wanted him to appear before Council to object to the recommendations contained therein. He stated the majority of members voted for him to object to the recommendations.

Mr. Nabi remarked when he received the Proposal for Legal Services it appeared cost became the least important factor. He further remarked staff thought the most important factors were qualifications and experience.

Mr. Nabi advised most of his members did not submit a proposal to provide legal services because of the screening form that included questions such as a request for references, number of cases taken to the drainage tribunal, how many years of municipal experience and whether fees were negotiable. He added the purpose of a tendering system is to ensure the work, services or products are obtained at the lowest price. Mr. Nabi advised his members would like the opportunity to have the Town as a client but the complicated ranking scheme makes it difficult. He further advised the Evaluation Team recommended hiring two law firms from out of Town and suggested the Town should do business with lawyers in Town who are taxpayers.

Mr. Nabi advised municipal law consists of approximately 13 statutes, two or three of which are used on a regular basis. He suggested the Town has legal problems similar to other corporations i.e. employees, trade unions, insurance claims and civil litigation. He added other issues are peculiar such as tax sales, subdivisions and prosecuting by-laws. He stated the Town has no legal problem that cannot be handled by one or more of the lawyers in Town.

In closing, Mr. Nabi stated the local lawyers make a tremendous contribution in the Town both professionally and personally. He requested Council to send the recommendations contained in the report back to staff to simplify the Request for Proposal by asking questions such as “can you do the labour work and what will you charge, likewise for municipal and insurance work.”

**(B) REPORT NO. CAO-14-05 – 2004-2006 COUNCIL’S STRATEGIC PLAN**

Recommendation No. 1

Moved by: Councillor Gorham

THAT: Council receive Report No. CAO-14-2005 for information purposes.  
(CARRIED)

**(C) REPORT NO. CS-32-05 – ALLOCATION OF CAPITAL PROJECT SURPLUSES AND DEFICITS**

Recommendation No. 2

Moved by: Mayor Redekop

THAT: Net capital surpluses and deficits on completed capital projects totalling \$111,799.95 be allocated to Reserve Funds in accordance with the summary distribution attached as Appendix “A” to this report.  
(CARRIED)

**(D) REPORT NO. CS-33-05 – WRITE OFF OF MUNICIPAL TAXES – THE MUNICIPAL ACT**

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Recommendation No. 3

Moved by: Councillor Shular

THAT: Taxes and penalties totaling \$91,540.49 be deemed uncollectable and struck from the roll in accordance with Section 354 of the *Municipal Act, 2001*. (CARRIED)

**(E) REPORT NO. CS-34-05 – AWARD OF LEGAL SERVICES REQUEST FOR PROPOSALS**

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Recommendation No. 4

Moved by: Councillor Gorham

THAT: The proposal received from Lampard, Ellis & Walsh for the provision of legal services be accepted and a by-law be submitted to Council to authorize the entry into an agreement with Lampard, Ellis & Walsh to act as general legal counsel for the Town, and further

THAT: The proposal received from Sullivan Mahoney for the provision of legal services be accepted and a by-law be submitted to Council to authorize the entry into an agreement with Sullivan Mahoney for the provision of specialized legal services, including but not limited to labour and employment matters, planning matters, insurance matters, property matters and municipal tax sale matters.

Recommendation No. 5

Moved by: Councillor Fell

THAT: This matter be tabled for two (2) weeks to permit staff to obtain a legal opinion to determine the latitude Council has with respect to this matter in terms of inviting only Fort Erie lawyers to submit a proposal. (CARRIED)

**(F) NEW BUSINESS/ENQUIRIES**

(a) Councillor Berry

Councillor Berry referred to a lawsuit against the Town and staff members approximately one year ago and requested an update on the matter. Councillor Noyes requested specific information to which Councillor Berry responded he was referring to the \$16 million lawsuit by Mr. Zawadzki. The Clerk advised the lawsuit has been dragging on between the lawyers and Mr. Zawadzki who has changed lawyers twice. An Examination for Discovery will occur in October. The Clerk advised she had nothing further to report at this time since the Examination for Discovery has not been completed and it has not been determined if the case will be settled or proceed to trial.

**(G) BUSINESS STATUS REPORT**

(a) Mayor Redekop

Mayor Redekop stated there are a number of reports that are pending and requested information at the next Council-in-Committee of October 3, 2005 on when these matters will come forward or if they will be removed from the list.

**8) INFRASTRUCTURE SERVICES**

**(A) DELEGATIONS**

(a) Peter Seaman, President & CAO, Seaman & Associates

Re: Installation of bus shelters and benches along transit route

*A copy of Mr. Seaman's presentation is available in the Clerk's Department.*

Mr. Seaman stated he represented Creative Outdoor Advertising, an Ontario-based, sole-proprietary firm that specializes in the marketing and operation of transit-based amenity programs. The company currently has over 70 employees and over 45 municipal agreements throughout Canada and United States.

Mr. Seaman advised Creative Outdoor Advertising focuses on small to mid-sized, local businesses and through their product line, provides sponsorship opportunities to these businesses. Before Creative Outdoor Advertising, sponsorship opportunities in the outdoor transit industry were mostly limited to national advertising campaigns and rarely paid attention to local markets. As a result, transit-based service programs like bus shelters in Fort Erie suffered because adequate revenue was not available from the national and regional ad markets.

Mr. Seaman advised his proposal provides to immediately replace the existing transit shelters and the opportunity to further develop more shelters throughout the Town. The company will also install transit-seating benches at various transit stops, up to a maximum of 20. These benches will include an integrated waste receptacle that the company will be solely responsible for emptying and maintaining. Creative Outdoor Advertising will be responsible for the ongoing maintenance of both the benches and shelters for the duration of the agreement of ten years. The maintenance program includes snow removal, waste collection, cleaning of graffiti, glass repair if applicable and any other instance requiring remedy at a minimum of once per week. All amenities will be approved by the Town and mounted on pre-cast/constructed bases.

Mr. Seaman advised, in exchange for these amenities, the Town will grant Creative Outdoor Advertising the right to place locally sponsored signage on the amenities. He added Creative Outdoor Advertising will provide the Town with revenue payments for each amenity installed, transit bench and transit shelter. The additional benefits include the provision of the no-cost amenities, waste collection, a comprehensive maintenance program and an opportunity for local businesses to participate in the overall program.

**(B) REPORT NO. IS-32-05 – ENTRY INTO AGREEMENT WITH BENCH PRESS LTD. (CREATIVE OUTDOOR ADVERTISING) FOR INSTALLATION AND MAINTENANCE OF TRANSIT SHELTERS AND BENCHES**

Recommendation No. 6

Moved by: Councillor Gorham

THAT: Council hereby approves the engagement of The Bench Press Ltd. (Creative Outdoor Advertising) for the installation and maintenance of transit shelters and benches within the Town of Fort Erie for a period of ten years, and further

THAT: Staff be directed to prepare the necessary by-law authorizing the Mayor and Clerk to execute the final agreement with The Bench Press Ltd. (Creative Outdoor Advertising). (CARRIED)

**(C) REPORT NO. IS-33-05 – REQUEST FOR PROPOSAL AWARD – FACILITY CONDITION ASSESSMENT STUDY**

Recommendation No. 7

Moved by: Councillor Shular

THAT: Trow Associates Inc. of Stoney Creek, Ontario, be retained to provide the Corporation of the Town of Fort Erie with a Facility Condition Assessment Study for 19 municipally owned buildings in the amount of \$77,639.00, including applicable taxes, and further

THAT: Council allocate \$77,639.00 from the Building Reserve Fund to complete a Facility Condition Assessment Study as per the scope of work attached as Appendix "1", and further

THAT: Staff be authorized to prepare the necessary by-law authorizing the Mayor and Clerk to execute the agreement for the Facility Condition Assessment Study with Trow Associates Inc. on behalf of the Town of Fort Erie. (CARRIED)

**(D) NEW BUSINESS/ENQUIRIES**

NIL

**(E) BUSINESS STATUS REPORT**

N/C

*At this point, Council recessed for ten (10) minutes.*

**9) COMMUNITY AND DEVELOPMENT SERVICES**

**(A) DELEGATIONS**

NIL

**(B) REPORT NO. CDS-110-05 – ZONING BY-LAW AMENDMENT APPLICATION – SUSAN WHELER & ASSOCIATES, 1407 BERTIE STREET, PART OF LOT 2, CONCESSION 5 N.R.**

Recommendation No. 8

Moved by: Councillor Shular

THAT: The application to amend the Zoning By-law for Part 1 of the subject lands to a “Site Specific Rural (RU) Zone” to recognize the reduced lot area and frontage of Parcel 1 and the reduced lot area of Parcel 2 and that a “Site Specific Hazard H Zone” be applied to the area that is a Provincially Significant Wetland be received for information purposes, and further

THAT: A report on the application be presented to a future Council-in-Committee meeting with the recommendations subsequent to the Public Meeting. (CARRIED)

**(C) REPORT NO. CDS-111-05 – PROPOSED DRAFT PLAN OF SUBDIVISION AND ZONING BY-LAW AMENDMENT APPLICATIONS – CRYSTAL RIDGE DRAFT PLAN OF SUBDIVISION – 1372708 ONTARIO INC. – N/E CORNER OF THUNDER BAY ROAD AND RIDGE ROAD NORTH**

Recommendation No. 9

Moved by: Mayor Redekop

THAT: Report No. CDS-111-05 regarding applications for a Draft Plan of Subdivision and to amend the Zoning By-law for the lands located at the northeast corner of Thunder Bay Road and Ridge Road North from “Neighbourhood Development ND Zone” to “Residential Multiple 1 Holding RM1(H) Zone” permitting townhouses, “Residential 2 Holding R2(H) Zone” permitting single detached dwellings and “Open Space OS Zone” permitting the stormwater management block be received for information purposes, and further

THAT: A recommendation report on the applications for a Draft Plan of Subdivision and to amend the Zoning By-law for the lands located at the northeast corner of Thunder Bay Road and Ridge Road North be presented to a future Council-in-Committee meeting. (CARRIED)

**(D) REPORT NO. CDS-112-05 – PROPOSED 9 STREET TOWNHOUSES – 121 AND 129 ALBERT STREET, ZONING BY-LAW AMENDMENT, LOTS 1 AND 12, PLAN 409**

Recommendation No. 10

Moved by: Councillor Fell

THAT: The application by Reshma Nanavati to amend the Zoning By-law for the lands located at the southwest corner of Dominion Road and Albert Street from “Residential 2 R2 Zone” to a “Site Specific Residential Multiple 1 Holding RM1(H) Zone” to permit 9 street townhouses be approved, and further

THAT: A Zoning By-law amendment be presented to Council for adoption, and further

THAT: The holding provision not be removed until a Site Plan Agreement has been approved by the Town. (CARRIED)

**(E) REPORT NO. CDS-113-05 - PROPOSED ZONING BY-LAW AMENDMENT APPLICATION – RIDGEWAY ON THE LAKE DRAFT PLAN OF SUBDIVISION (PHASE 1) – FORMERLY NEW HAVEN ESTATES (PHASE 1) – PART OF LOT 22, BROKEN FRONT CONCESSION, L.E. (BERTIE)**

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Recommendation No. 11  
Moved by: Councillor Shular

THAT: The application to amend the Zoning By-law for the lands located on the east side of Prospect Point Road, south of Thunder Bay Road, to a “Residential 1 Site Specific Holding R1(H) Zone”, to permit reduced setbacks, reduced lot frontages and increased lot coverages be approved, and further

THAT: A Zoning By-law Amendment be presented to Council for adoption. (CARRIED)

**(F) REPORT NO. CDS-114-05 – PROPOSED DEEMING BY-LAW – DALE ZIMMERMAN AND LYNN ZIMMERMAN – 252 MAPLEWOOD AVENUE, LOTS 91 AND 93**

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Recommendation No. 12  
Moved by: Mayor Redekop

THAT: A by-law be submitted to Council deeming Lots No. 91 and 93, Plan 62/NP402, not to be lots in a Registered Plan. (CARRIED)

**(G) REPORT NO. CDS-115-05 – ESTABLISHMENT OF A YOUTH ADVISORY COMMITTEE**

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Recommendation No. 13  
Moved by: Councillor Fell

THAT: Council authorize the establishment of a Youth Advisory Committee as per the Terms of Reference attached to Report No. CDS-115-05. (CARRIED)

**(H) REPORT NO. CDS-116-05 – NIAGARA PARKS COMMISSION MARINA – JOINT STEERING COMMITTEE**

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Recommendation No. 14  
Moved by: Mayor Redekop

THAT: Council authorize the establishment of a Joint Steering Committee with the Niagara Parks Commission to investigate land use and development opportunities with respect to the Niagara Parks Marina and associated lands, and further

THAT: Council authorize the preparation of Terms of Reference for the above noted Steering Committee and that the Terms of Reference be presented to Council for consideration and adoption, and further

THAT: Council authorize notice in order to seek and select citizen appointees to the above noted Steering Committee. (CARRIED)

**(I) REPORT NO. CDS-117-05 – SITE PLAN AGREEMENT – RIDGEWAY  
AMBULANCE STATION – WEST SIDE OF GORHAM ROAD, SOUTH  
OF DOMINION ROAD, THE REGIONAL MUNICIPALITY OF NIAGARA**

Recommendation No. 15  
Moved by: Mayor Redekop

THAT: The Town enter into a Site Plan Agreement with The Regional Municipality of Niagara for the Ridgeway Ambulance Station located on the west side of Gorham Road, south of Dominion Road, subject to receipt of the final drawings to the Town's satisfaction, and further

THAT: A by-law be submitted to Council authorizing the Mayor and the Clerk to execute the Site Plan Agreement and requisite documents.

(CARRIED)

**(J) REPORT NO. CDS-118-05 – BY-LAW FOR THE DELIVERY OF  
CULTURAL AND MUSEUM SERVICES**

Recommendation No. 16  
Moved by: Councillor Fell

THAT: Council receive Report No. CDS-118-05 regarding the by-law for the delivery of Cultural and Museum Services for information purposes, and further

THAT: The attached draft by-law for the delivery of Cultural and Museum Services within the Town of Fort Erie be adopted, and further

THAT: Notice of the intent to adopt a new Cultural and Museum Services By-law be provided and an opportunity for input be given prior to the adoption of said by-law.

(CARRIED)

**(K) REPORT NO. CDS-119-05 – NEW OFFICIAL PLAN – REVISED URBAN  
LAND NEEDS ASSESSMENT**

*A copy of Mr. Heyworth's power point presentation can be accessed in full text by clicking on the presentations link and a paper copy is also available in the Clerk's Department.*

Recommendation No. 17  
Moved by: Councillor Shular

THAT: The Revised Urban Land Needs Assessment be approved, and further

THAT: The Town's urban boundaries not be expanded since there is sufficient designated urban land to meet the Town's short, medium and long term growth needs as established by Provincial Policy, and further

THAT: The Region implement the proposed refinement to the urban boundaries and removal of deferrals as illustrated by Appendix "4", and further

THAT: A copy of Report No. CDS-119-05 be circulated to property owners seeking urban boundary expansions as well as the Region and Ministry of Municipal Affairs.

Recommendation No. 18  
Moved by: Mayor Redekop

THAT: The hour of adjournment be extended beyond 9:30 p.m. (CARRIED)

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Recommendation No. 19  
Moved by: Councillor Berry

THAT: The recommendation be and it is hereby amended by deleting Recommendation No. 2 which states as follows:

“THAT:The Town’s urban boundaries not be expanded since there is sufficient designated urban land to meet the Town’s short, medium and long term growth needs as established by Provincial Policy”

and inserting in lieu thereof the following:

“THAT:The urban boundaries be expanded east of Thompson Road and south of the Niagara Boulevard and that those lands be included in the Draft Official Plan for submission to the Region for approval.”

(CARRIED)

Recommendation No. 20  
Moved by: Councillor Shular

THAT: The Revised Urban Land Needs Assessment be approved, and further

THAT: The urban boundaries be expanded east of Thompson Road and south of the Niagara Boulevard and that those lands be included in the Draft Official Plan for submission to the Region for approval, and further

THAT: The Region implement the proposed refinement to the urban boundaries and removal of deferrals as illustrated by Appendix “4”, and further

THAT: A copy of Report No. CDS-119-05 be circulated to property owners seeking urban boundary expansions as well as the Region and Ministry of Municipal Affairs. (CARRIED)

**(L) NEW BUSINESS/ENQUIRIES**

NIL

**(M) BUSINESS STATUS REPORT**

N/C

**10) SCHEDULING OF MEETINGS**

- (a) Physician Recruitment Task Force – Tuesday, September 20, 2005 at 5:00 p.m. - Region
- (b) Community Gaming & Development Corporation General Meeting to address Bill 164 for all licencees – Thursday, September 22, 2005 at 7:00 p.m. – Leisureplex.
- (c) Infrastructure Services Business Sub-Committee Meeting – Tuesday, September 27, 2005 at 4:00 p.m. – Conference Room #2.
- (d) Accessibility Advisory Committee – Tuesday, September 27, 2005 at 4:00 p.m. – Conference Room #1.
- (e) Garrison Road Public Information Centre – Wednesday, September 28, 2005 from 2:00-4:00 p.m. and 6:00-8:00 p.m. – Town Hall Atrium.
- (f) Community Health and Wellness Advisory Committee – Wednesday, September 21, 2005 at 4:30 p.m.
- (g) Frenchman’s Creek Study Public Information Centre – Thursday, September 29, 2005 from 5:00-8:00 p.m. – Town Hall Atrium.

*NOTE: Friendship Trail Meeting scheduled for September 24, 2005 has been cancelled.*

**11) CLOSED SESSION**

Recommendation No. 21  
Moved by: Councillor Lewis

THAT: Council-in-Committee does now go into Closed Session to discuss the following:

(a) Human Resource Matter

Re: Minutes of Settlement – Grievance #02-2004.

(CARRIED)

Recommendation No. 22  
Moved by: Councillor Lewis

THAT: Council-in-Committee does now rise and reconvene with the following report:

THAT: The Municipal Council of the Town of Fort Erie hereby ratifies the Minutes of Settlement dated September 16, 2005 in the matter of Arbitration between the Corporation of the Town of Fort Erie and CUPE Local 714, Grievance #02-2004 dated April 7, 2004 and hereby confirms the execution of same by the Human Resources Manager.

(CARRIED)

**12) ADJOURNMENT**

Recommendation No. 23  
Moved by: Councillor Gorham

THAT: Council-in-Committee does now hereby adjourn at 9:55 p.m.

(CARRIED)

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MAYOR

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CLERK