



Regular Council Meeting Agenda

May 7, 2018, 6:00 pm
Essex Civic Centre
360 Fairview Avenue West
Essex, Ontario

Pages

1. **Call to Order**
2. **Closed Meeting Report**
3. **Declarations of Conflict of Interest**
4. **Adoption of Published Agenda**
 - 4.1 **Regular Council Meeting Agenda for May 7, 2018**

That the published agenda for the May 7, 2018 Regular Council Meeting be adopted as presented / amended.
5. **Adoption of Minutes**
 - 5.1 **Regular Council Meeting Minutes for April 16, 2018** 1

That the minutes of the Regular Council Meeting held April 16, 2018 be adopted as circulated.
 - 5.2 **Special Council Meeting Minutes for May 1, 2017** 17

That the minutes of the Special Council Meeting held May 1, 2017 to discuss Repayment for Tow and Storage Services, be adopted as circulated.
 - 5.3 **Special Council Meeting Minutes for May 15, 2017** 19

That the minutes of the Special Council Meeting held May 15, 2017 to consider the Council and Ward Structure Review Interim Report, be adopted as circulated.
 - 5.4 **Special Council Meeting Minutes for July 24, 2017** 21

That the minutes of the Special Council Meeting held July 24, 2017 to discuss the Ward 3 Council Vacancy 2017 By-Election, be adopted as circulated.
6. **Public Presentations**
 - 6.1 **Academic Achievement - Shelley Brown** 25

RE: Winner of AMCTO's Award for Excellence in Municipal Law
 - 6.2 **Ryan Casier** 26

RE: Introduction of New Business in Ward One- Wood Craft Pizza, 47 Talbot Street North, Essex

7. Unfinished Business

7.1 Communications Report 2018-02 28

RE: Public Feedback on Colchester Park Renaming

At the April 16, 2018 Regular Council Meeting Council received Communications Report 2018, entitled "Public Feedback on Colchester Park Renaming". During agenda item 16. Reports and Announcement from Council Members, Council requested that this report be placed on the May 7, 2018 Agenda for further discussion.

8. Reports from Administration

8.1 Community Services Report 2018-015 40

RE: Shining a Light on Compassion Community Awards

That Community Services Report 2018-015, entitled "Shining a Light on Compassion Community Awards", prepared and submitted by Doug Sweet, Director of Community Services, dated May 7, 2018 be received for council information;

And that Administration be directed to assist in promoting the "Shining a Light on Compassion Awards", and encourage the community to nominate residents who meet the criteria for exemplifying compassion in their community.

8.2 Finance and Business Services Report 2018-01 44

RE: Credit Card Transaction Processing Changes

That Finance and Business Services Report 2018-01, entitled "Credit Card Transaction Processing Changes", prepared by Kate Bailey, Manager, Finance and Business Services and submitted by Jeffrey Morrison, Director, Corporate Services, dated May 7, 2018, be received;

And that effective June 30, 2018 Council approve Administration to move forward with no longer accepting credit card payments for property taxes owing over the phone at Town Hall;

And that effective June 30, 2018 Council approve Administration to move forward with capping in person credit card transactions to a maximum of \$1,000 per transaction at Town Hall and the Gesto Office.

8.3 Corporate Services Report 2018-04 48

RE: Landfill Compensation Reserve Update and Forecast
2016/17 Actual plus 2018 - 2022 Forecast of Cash Position

That Corporate Services Report 2018-04, entitled "Landfill Compensation Reserve Update and Forecast", providing Council with the 2016/17 Actual and the 2018 to 2022 Forecast of Cash Position, be received.

8.4 Infrastructure and Development Report 2018-06 49

RE: 2018 Structure Culvert and Bridge Inspections

Request to Council to Waive Requirement for Proposals, Tenders and Quotations for Structural Engineering

That Infrastructure and Development Report 2018-06, entitled "2018

	Structure Culvert and Bridge Inspections", dated May 7, 2018 , as prepared and submitted by Chris Nepszy, Director, Infrastructure and Development, be received;	
	And that Council appoint the engineering firm of Keystone Bridge Management Corporation (Keystone) to provide engineering services to complete the structure inspections within the Town of Essex in accordance with the completed and attached Request pursuant to Section 22 (3) of the Town of Essex Procurement By-Law 1043.	
8.5	Planning Report 2018-21	52
	RE: 214 Maidstone Avenue West Rezoning	
	By-Law 1701	
	Being a by-law to amend By-Law 1037 The Comprehensive Zoning By-Law for the Town of Essex	
	That Planning Report 2018-21, entitled "214 Maidstone Avenue West Rezoning", prepared by Rita Jabbour, Assistant Planner and submitted by Chris Nepszy, Director of Infrastructure and Development, dated May 7, 2018, be received;	
	And that By-Law 1701 being a by-law to amend By-Law 1037, The Comprehensive Zoning By-Law for the Town of Essex be read a first and a second time and provisionally adopted on May 7, 2018.	
8.6	Planning Report 2018-22	63
	RE: Overview of changes to the Planning Act under Bill 139.	
	That Planning Report 2018-22, entitled "Changes to the Planning Act under Bill 139", prepared by Jeff Watson, Policy Planner and submitted by Chris Nepszy, Director, Infrastructure and Development, dated May 7, 2018 outlining the changes to the Planning Act stemming from the adoption of Bill 139, the Building Better Communities and Conserving Watersheds Act, 2017, be received.	
8.7	Infrastructure and Development Report 2018-07	70
	RE: 2018 Federation of Canadian Municipalities: Grant Application	
	That Infrastructure and Development Report 2018-07, entitled "2018 Federation of Canadian Municipalities: Grant Application", prepared by Norman Nussio, Assistant Manager of Operations/Drainage and submitted by Chris Nepszy, Director, Infrastructure and Development, dated May 7, 2018, be received;	
	And that Council authorize the submission of an application to receive funding from the Federation of Canadian Municipalities Municipal Asset Management Program for a road needs assessment.	
8.8	Chief Administrative Officer, Donna Hunter	72
	Verbal Report - Update on power outages to the Harrow Service Area	
	That the verbal update provided by Donna Hunter, Chief Administrative Officer relating to the outages in the Harrow Services Area, be received.	
8.9	Building Department Report 2018-04	73
	RE: April 2018 Building Report	

That Building Department Report 2018-04, entitled "April 2018 Building Department", dated May 2, 2018 providing Council with an update on building activity within the Town of Essex for the month of April, be received.

8.10

Corporate Service Report 2018-06

77

RE: Extension Agreement - Tax Sale Property

By-Law 1705

Being a by-law to authorize an Extension Agreement with the Owner of Roll Number 440-000-00600-000 for the payment of outstanding taxes in the amount of \$11,240.00 to February 7, 2019

That Corporate Services Report 2018-06, entitled "Extension Agreement - Pare" prepared and submitted by Jeffrey Morrison, Director, Corporate Services, dated May 3, 2018, be received;

And that By-Law 1705 being a by-law to authorize an Extension Agreement with the Owner of Roll Number 440 000 00600 0000 for the payment of outstanding taxes to the amount of \$11,240.00 to February 7, 2019, be read a first, a second and a third time and finally passed May 7, 2018.

9.

Reports from Youth Members

10.

County Council Update

11.

Correspondence

11.1

Correspondence to be received

That correspondence listed in Agenda Item 11.1 be received and, where indicated, to further share such information with the community using suitable methods of communication.

11.1.1

Ministry of Citizenship and Immigration

82

RE: Champion of Diversity Award
Call for nominations for individuals, groups and employers who actively promote diversity and inclusion and immigrant economic success in Ontario
Deadline for submission is May 15, 2018

11.1.2

Essex-Windsor Solid Waste Authority

83

RE: Essex-Windsor Solid Waste Authority 2017 Waste Diversion Annual Report

11.1.3

Windsor Essex County Environment Committee Meeting

107

April 5, 2018 Minutes

11.1.4

Windsor Essex Community Foundation

115

RE: 2018 Vital Signs Survey Promotion

11.1.5

2018 Premier's Award for Agri-Food Innovation Excellence

117

Call for nominations for primary producers, processors and agri-food organizations that foster the spirit of innovation in Ontario's agricultural sector.

Deadline for nominations is May 25, 2018

11.1.6	Ministry of Education RE: Public Accommodation Review Guideline (PARG)	118
11.1.7	County of Essex Correspondence from the County of Essex to The Honourable Kathryn McGarry RE: OGRA Delegation Highway 3.	122
11.1.8	Erie St. Clair Local Health Integration Network (LHIN) Board Meeting RE: April 30, 2018 Agenda	127
11.1.9	Town of Essex Resolution (R18-01-013) - Offering School Property to Municipalities As a result of Resolution R18-01-013 the following letters have been received: City of Belleville (Support) County of Lennox &Addington (Support)	129
11.1.10	Town of Essex Resolution (R18-03-096) - User Pay Childcare Services at AMO and FCM Conferences As a result of Resolution R18-03-096 the following letter have been received: Town of The Blue Mountains (Received) Municipality of Neebing (Supports in principle) Township of Zorra (Support) Municipality of Mississippi Mills (Support) Township of Fauquier-Strickland (Support)	131
11.1.11	Municipality of East Ferris RE: Anglers and Hunters - Algonquin Wolves	138
11.2	Correspondence to be considered for receipt and support	
11.2.1	E.L.K. Solutions Inc. <ul style="list-style-type: none">• Acknowledgement and Waiver E.L.K. Energy Inc. <ul style="list-style-type: none">• Acknowledgement and Waiver• Resolutions of the Sole Voting Shareholder (2) <p>That Council acknowledges receipt of the financial statements of E.L.K. Solutions and E.L.K. Energy Inc. for the year ending December 31, 2015; the resolutions of E.L.K. Energy appointing KPMG LLP as Auditor, and the appointment of Directors, be received;</p> <p>And that the Mayor be authorized to sign the documents on behalf of The Corporation of the Town of Essex.</p>	139
11.2.2	Timothy Berthiaume, Town of Amherstburg Chief of Police	142

RE: Township of Baldwin and Bill C-71

That correspondence from Timothy Berthiaume, Town of Amherstburg Chief of Police, dated April 24, 2018 seeking the Town's comments on the request from the Township of Baldwin to lobby the Provincial government to cancel Bill C-71, be (received/received and supported);

And that if Council chooses to support the Provincial government cancelling Bill C-71, a letter of support be sent to Tracey Ramsey, M.P., the Township of Baldwin and Town of Amherstburg's Chief of Police.

11.2.3	Ernie Hardeman, M.P.P. Oxford	146
--------	-------------------------------	-----

RE: Bill 16, Respecting Municipal Authority Over Landfilling Sites

- Township of Uxbridge
RE: Bill 16, Respecting Municipal Authority Over Landfilling Sites

That correspondence from Ernie Hardeman, M.P.P. Oxford, dated March 26, 2018 and correspondence from the Township of Uxbridge, dated April 19, 2018 seeking support for Bill 16, Respecting Municipal Authority Over Landfilling Sites, be (received/received and supported);

And that if Council chooses to support Bill 16, a letter of support be sent to Catherine McKenna, Minister of the Environment and Climate Change, Kathleen Wynne, Premier of Ontario, Ernie Hardeman, M.P.P. Oxford, Taras Natyshak, M.P.P. Essex and the Township of Uxbridge.

11.2.4	Ryan Siversns	150
--------	---------------	-----

RE: Resignation from the Essex Funfest Committee

That the email from Ryan Siversns, dated April 18, 2018 advising of his resignation from the Essex Fun Fest Committee, be received with regret.

12. Committee Meeting Minutes

That minutes listed in Agenda Item 12, together with the recommendations noted therein be received, and adopted as circulated.

12.1	Essex Police Services Board - April 5, 2018	151
12.2	Arts, Culture and Tourism (ACT) - April 11, 2018	154
12.3	Committee of Adjustment - April 17, 2018	158
12.4	Fun Fest Committee - April 19, 2018	166
12.5	Communities in Bloom - April 24, 2018	172
12.6	Personnel Committee - April 25,2018	176
	• Respectful Workplace Policy (PC-18-005) Recommendation to Council that the revised Respectful Workplace Policy presented as highlighted in the	

policy, be approved and that the revised policy be implemented.

13. Financial

14. New Business

15. Notices of Motion

15.1 Councillor Bondy 210

RE: Idling By-Law

That Council ask Administration to review and bring back a draft bylaw which limits the idling of vehicles in the Town of Essex.

15.2 Councillor Bondy 211

RE: Traffic Signal at the corner of Erie and King Street

That Administration be requested to bring back a report on the possibility of a traffic signal at the corner intersection of Erie and King Streets in Ward Four.

16. Reports and Announcements from Council Members

17. By-Laws

17.1 By-Laws that require a third and final reading

17.1.1 By-Law 1700 214

Being a by-law to confirm the proceedings of the April 16, 2018 Regular Meeting of the Council of The Corporation of the Town of Essex

That By-Law 1700 being a by-law to confirm the proceedings of the April 16, 2018 Regular Meeting of the Council of The Corporation of the Town of Essex, be read a third time and finally passed on May 7, 2018.

17.2 By-Laws that require a first, second, third and final reading

17.2.1 By-Law 1686 216

Being a by-law to amend By-Law 1344 being a by-law for the imposition of Development Charges for The Corporation of the Town of Essex

That By-Law 1686 being a by-law to amend By-Law 1344, being a by-law for the imposition of Development Charges for The Corporation of the Town of Essex, be read a first, a second and a third time and finally passed on May 7, 2018.

17.2.2 By-Law 1698 218

Being a by-law to establish tax rates and additional charges for Municipal, County and Education purposes for the year 2018

That By-Law 1698 being a by-law to establish tax rates and

additional charges for Municipal, County and Education purposes for the year 2018, be read a first, a second and a third time and finally passed on May 7, 2018.

17.2.3 By-Law 1702 224

Being a by-law to authorize an agreement between The Association of Municipalities of Ontario ("AMO") and The Corporation of the Town of Essex (the "Recipient") Ontario's Main Street Revitalization Initiative

That By-Law 1702 being a by-law to authorize an agreement between The Association of Municipalities of Ontario ("AMO") and The Corporation of the Town of Essex (the "Recipient") Ontario's Main Street Revitalization Initiative be read a first, a second and a third time and finally passed on May 7, 2018.

17.2.4 By-Law 1703 243

Being a by-law to authorize the borrowing of money to meet current expenditures of The Corporation of the Town of Essex

That By-Law 1703 being a by-law to authorize the borrowing of money to meet current expenditures of The Corporation of the Town of Essex be read a first, a second and a third time and finally passed on May 7, 2018.

17.3 **By-Laws that require a first and second reading**

17.3.1 By-Law 1704 245

Being a by-law to confirm the proceedings of the May 7, 2018 Regular Meeting of the Council of The Corporation of the Town of Essex

That By-Law 1704 being a by-law to confirm the proceedings of the May 7, 2018 Regular Meeting of the Council of The Corporation of the Town of Essex, be read a third time and finally passed on May 22, 2018.

18. **Adjournment**

Moved by
Seconded by

That the meeting be adjourned at [TIME].

19. **Future Meetings**

19.1 ***TUESDAY*, May 22, 2018 - 5:00 - 5:30 PM - Consideration of Report for the White Drain**

Location: County of Essex Council Chambers, 360 Fairview Ave. West, Essex

19.2 ***TUESDAY*, May 22, 2018 - 5:30 - 6:00 PM - Court of Revision 8th Concession Drain**

Location: County of Essex Council Chambers, 360 Fairview Ave. West, Essex

19.3 ***TUESDAY*, May 22, 2018 - 6:00 - 9:00 PM - Regular Council Meeting**

Location - County of Essex Council Chambers, 360 Fairview Ave.
West, Essex

The Corporation of the Town of Essex
Regular Council Meeting Minutes

April 16, 2018, 6:00 pm
Essex Civic Centre
360 Fairview Avenue West
Essex, Ontario

Present: Mayor Ron McDermott
Deputy Mayor Richard Meloche
Councillor Steve Bjorkman
Councillor Sherry Bondy
Councillor Larry Snively
Councillor Randy Voakes
Councillor Ron Rogers

Also Present: Donna Hunter, Chief Administrative Officer
Chris Nepszy, Director of Infrastructure
Doug Sweet, Director of Community Services
Jeff Morrison, Director of Corporate Services
Andy Graf, Manager, Environmental Services
Jeff Watson, Policy Planner
Rita Jabbour, Assistant Planner
Nelson Silveira, Economic Development Officer
Alex Denonville, Manager, Communications
Robert Auger, Clerk
Robin Hall, Administrative Assistant

1. Call to Order

2. Closed Meeting Report

3. Declarations of Conflict of Interest

There were no declarations of conflict of interest were noted at this time.

4. Adoption of Published Agenda

4.1 Regular Council Meeting Agenda for April 16, 2018

Moved By Councillor Rogers
Seconded By Councillor Snively

(R18-04-168) That the published agenda for the April 16, 2018 Regular Council Meeting be adopted as presented, with the postponement of agenda item 6.1 Academic Achievement – Shelley Brown to a future meeting, and an item under agenda item 14. New Business by Councillor Bondy RE: April 28, 2018 National Day of Mourning.

Carried

5. Adoption of Minutes

5.1 Regular Council Meeting Minutes for April 3, 2018

Moved By Deputy Mayor Meloche
Seconded By Councillor Bjorkman

(R18-04-169) That the minutes of the Regular Council Meeting held April 3, 2018 be adopted as circulated.

Carried

5.2 Special Council Meeting Minutes for October 30, 2017

Moved By Councillor Bondy
Seconded By Deputy Mayor Meloche

(R18-04-170) That the minutes of the Special Council Meeting held October 30, 2017 held for the Declaration of the Elected Office, be adopted as circulated.

Carried

5.3 Special Council Meeting Minutes for October 30, 2017

Moved By Councillor Snively
Seconded By Councillor Rogers

(R18-04-171) That the minutes of the Special Council Meeting held October 30, 2017 for 2018 budget deliberations, be adopted as circulated.

Carried

5.4 Special Council Meeting Minutes for November 20, 2017

Moved By Councillor Bondy
Seconded By Councillor Voakes

(R18-04-172) That the minutes of the Special Council Meeting held November 20, 2017 for the purpose of considering revisions to the Town's Zoning By-Law 1037, be adopted as circulated.

Carried

6. Public Presentations

6.1 Infrastructure and Development Services Report 2018-05

RE: McGregor Sanitary Works: Information

Chris Nepszy, Director, Infrastructure and Development provided Council with a brief background to the water and sanitary sewer services in the McGregor area and approximately one kilometer of storm drain in the urban area that is owned and operated by the Town of Amherstburg.

Representatives from the Town of Amherstburg, Antonietta Giofu, Director of Engineering and Public Works, Todd Hewitt, Manager, Engineering and Operations and Dwayne Grondin, Engineering Technologist, appeared before Council to provide an update on actions to-date, results of studies, future

works, development implications and finances with respect to the sanitary system that they service and maintain in McGregor.

Council thanked the representatives from the Town of Amherstburg for providing them with an update on works to the sanitary system that affect Essex residents, and providing the opportunity to ask questions on behalf of their constituents in that area.

Moved By Councillor Bondy
Seconded By Councillor Rogers

(R18-04-173) That Infrastructure and Development Services Report 2018-05, prepared by Chris Nepszy, Director, Infrastructure and Development, and Antonietta Giofu, Director of Engineering and Public Works, Town of Amherstburg, and submitted by Chris Nepszy, Director, Infrastructure and Development, entitled "McGregor Sanitary Works: Information", dated April 16, 2018 providing information to Council regarding the Town of Amherstburg sanitary sewer system and Town of Essex storm water systems which serve Town of Essex residents in McGregor Centre, be received.

Carried

6.2 David Brian

Academie Ste. Cecile International School (ASCIS)
RE: Essex County Cemetery Outreach Project

Mr. Jason Leung, a Grade 12 student of the Academie Ste. Cecile International School (ASCIS), introduced his fellow students and Mr. David Brian, Geography Teacher, provided Council with the background to their proposal. Mr. Leung told Council that the group is planning to record and publish a digital map of lost cemeteries of Essex County with a primary focus on the Black Cemeteries. The group is asking Council to consider approving a link to their project from the Town's website.

Moved By Councillor Rogers
Seconded By Councillor Snively

(R18-04-174) That the public presentation by David Brian, Geography Teacher, and students, Victoria Hung, Anson Leung, Billy Siu, Queenie Wu, Rayan El-Cheikh, Mila Di Mambro and Jason Leung of the Academie Ste. Cecile International School, proposing a partnership to participate in a "Community Outreach Project", to record and publish a digital map of the "lost cemeteries" of Essex County with a focus on the Black Cemeteries, be received and supported.

Carried

6.3 Mark and Jenn Nenadov, 155 Talbot Street South

RE: Request for Second Driveway Entrance at 155 Talbot Street South

Mr. and Mrs. Nenadov appeared before Council to them to consider allowing them a second driveway entrance from Irwin Avenue, primarily to be used for additional parking, as their current driveway does not provide enough spaces.

Moved By Councillor Voakes
Seconded By Councillor Snively

(R18-04-175) That the public presentation by Mark and Jenn Nenadov, 155 Talbot Street South asking Council to consider allowing them to add a second driveway entrance to their property at the northwest corner of their lot, exiting onto Irwin Avenue be approved;

And that the Resident consult with the Manager of Operations to ensure the entrance will have a minimal impact to Irwin Avenue.

Carried

6.4 Rodney Bouchard, Manager

Union Water Supply System (UWSS)
RE: Proposed Business Case for Restructuring UWSS into a Municipal Service Corporation

Present: Rodney Bouchard, Manager UWSS
Hilda McDonald, Chair of UWSS
Nelson, Santos, Vice-chair of UWSS
Tom Garner, Price Waterhouse – Financial Consultant
William Willis, Willis Law – Legal Consultant

Moved By Councillor Bondy
Seconded By Deputy Mayor Meloche

(R18-04-176) That the public presentation and report by Rodney Bouchard, Manager of the Union Water Supply System providing Council with a "Proposed Business Case for Restructuring Union Water Supply System (UWSS) into a Municipal Service Corporation" dated March 28, 2018, be received;

And that Council direct Administration to review and report back to Council with recommendations pertaining to the Proposed Business Case for Restructuring Union Water Supply System (UWSS) into a Municipal Service Corporation as set out in the Report received at this meeting.

Carried

Andy Graf, Manager, Environmental Services left the meeting at 7:31 PM.

7. Unfinished Business

7.1 Nominations for Senior of the Year Award

At the April 3, 2018 Regular Council Meeting, Council received correspondence from the Ontario Minister Responsible for Seniors Affairs which invited Council to participate in nominations for the 2018 Senior of the Year Award by forwarding the name of one outstanding local senior who, after the age of 65, has enriched the social, cultural or civic life of our community.

Seniors who qualify for the award may have contributed in many different fields, such as the arts, literature, community service, voluntarism, fitness and sport, or humanitarian activities.

To date Administration has received two nominations for Council's consideration: Brenda Anger and Diana Dennis.

Council decided that both nominations would be admirable, but only one nomination could be chosen. Council chose this year's nomination by drawing a name and the second name would be next year's nomination.

Moved By Councillor Bondy

Seconded By Deputy Mayor Meloche

(R18-04-177) That Diana Dennis be submitted as the Town of Essex's nomination as Senior of the Year 2018.

Carried

8. Reports from Administration

8.1 Planning Report 2018-13

RE: Colchester and County Road 50 Community Improvement Expansion

By-Law 1689

Being a by-law to enlarge the Community Improvement Project Area of the Colchester Centre Community Improvement Plan

Moved By Councillor Snively

Seconded By Councillor Bjorkman

(R18-04-178) That Planning Report 2018-13, entitled "Colchester and County Road 50 Community Improvement By-Law (Ward 3)", prepared by Jeff Watson, Policy Planner and submitted by Chris Nepszy, Director of Infrastructure and Development, dated April 16, 2018 recommending that Council approve the expansion of the Colchester Community Improvement Plan Project Area (CCIPPA) along County Road 50, be received;

And that By-Law 1689 being a by-law to enlarge the Community Improvement Project Area of the Colchester Centre Community Improvement Plan, be read a first, a second and a third time and finally passed on April 16, 2018.

Carried

8.2 Planning Report 2018-16

RE: Rezoning By-Law 80 Maidstone Avenue West (Ward 1)

By-Law 1690

Being a by-law to Amend By-Law 1037 The Comprehensive Zoning By-Law for the Town of Essex

Moved By Councillor Voakes

Seconded By Councillor Bondy

(R18-04-179) That Planning Report 2018-16, entitled "Rezoning by-law for 80 Maidstone Avenue West (Ward 1)", prepared by Jeff Watson, Policy Planner and submitted by Chris Nepszy, Director of Infrastructure and Development, dated April 16, 2018, be received;

And that By-Law 1690 being a by-law to amend By-Law 1037, The Comprehensive Zoning By-Law for the Town of Essex be read a first, a second and a third time and finally passed April 16, 2018.

Carried

8.3 Planning Report 2018-19

RE: Heritage Listings

Moved By Deputy Mayor Meloche

Seconded By Councillor Snively

(R18-04-180) That Planning Report 2018-19, entitled "Heritage Listings", prepared by Rita Jabbour, Assistant Planner and submitted by Chris Nepszy, Director of Infrastructure and Development, dated April 16, 2018, be received;

And that the properties known municipally as 9567 County Road 11 and 400 County Road 13 be listed on the Essex Municipal Heritage Register pursuant to subsection 27 (1.2) of the Ontario Heritage Act.

Carried

8.4 Community Services Report 2018-012

RE: Communities in Bloom Proclamation - Week of May 7, 2018

Moved By Councillor Rogers

Seconded By Councillor Snively

(R18-04-181) That Community Services Report 2018-012, entitled "Communities in Bloom Proclamation - Week of May 7", prepared and submitted by Doug Sweet, Director of Community Services, dated April 16, 2018, be received;

And that Council proclaim Communities in Bloom Week for the week of May 7, 2018 and adopt the following resolution:

Whereas, in Canada we are fortunate to have a multitude of communities committed to fostering civic pride, environmental responsibility and beautification; and

Whereas, communities are committed to ensuring sustainable development for future generations; and

Whereas, participation in Communities in Bloom builds communities, strengthens volunteer and community development, enhances social interaction, and creates community pride; and

Whereas, the benefits provided by Communities in Bloom may boost the economy, create sustainability, enhance property values, attract new business, and increase tourism; and

Whereas, our parks, open spaces, green spaces, and trails ensure sustainability, provide space to enjoy nature, help maintain clean air and water, and preserve plant and animal wildlife; and

Whereas, all community levels: municipal, residential, commercial, and institutional work together to ensure the voluntary sector and private enterprise throughout the Country participate in the planning, development, and operation of recreation and parks programs, services, and facilities.

Now, Therefore be it Resolved, that Communities in Bloom does hereby proclaim that the week of May 7 and has been designated as Communities in Bloom Week which will annually recognize and celebrate the benefits derived from Communities in Bloom and the countless volunteers and individuals that make our communities great places to live.

Therefore, the Council of the Town of Essex, in recognition of the benefits and values that Communities in Bloom does provide, do hereby designate the week of "May 7, 2018 as Communities in Bloom Week".

Carried

8.5 Community Services Report 2018-013

RE: Significant Event Status - 7th Annual McGregor Mug Run and International Beer Fest - Saturday, September 22, 2018

Moved By Councillor Rogers

Seconded By Councillor Voakes

(R18-04-182) That Community Services Report 2018-013, entitled "Significant Event Status - 7th Annual McGregor Mug Run and International Beer Fest - Saturday, September 22, 2018", prepared and submitted Doug Sweet, Director of Community Services dated April 16, 2018, be received;

And that Council approve the 7th Annual McGregor Mug Run and International Beer Fest for Significant Event Status for the purpose of applying for their Special Occasion Permit (SOP) for the event to be held on Saturday, September 22, 2018; and further

That Council approve the proposed route and road closures as requested for the 2018 Mug Run (Appendix "A" to the report).

Carried

8.6 Community Services Report 2018-014

RE: New Mural to be located at 47 Talbot Street North

By-Law 1697

Being a by-law to enter into an agreement with John Spevak for the placement of an outdoor mural to the building located at 47 Talbot Street North, Essex, Ontario

Moved By Councillor Snively

Seconded By Councillor Voakes

(R18-04-183) That Community Services Report 2018-014, entitled "New Mural to be located at 47 Talbot Street North", prepared by Cynthia Cakebread,

Manager, Recreation and Culture, and submitted by Doug Sweet, Director of Community Services dated April 16, 2018, be received;

And that the Town of Essex enter into an agreement with John Spevak to allow the Town of Essex to install a mural on the southeast wall of the property located at 47 Talbot Street North (side of Wood Craft Pizza) in Essex Centre;

And that By-Law 1697 being a by-law to enter into an agreement with John Spevak for the placement of an outdoor mural to the building located at 47 Talbot Street North, Essex, Ontario be read a first, a second and a third time and finally passed on April 16, 2018.

Carried

8.7 Community Services Report 2018-016

RE: Special Events Resource Team (SERT) April Update

Moved By Councillor Bjorkman

Seconded By Councillor Bondy

(R18-04-184) That Community Services Report 2018-016, entitled "Special Events Resource Team (SERT) April Update", prepared and submitted by Doug Sweet, Director of Community Services, dated April 16, 2018 providing Council with an update on the events and requests that have been reviewed by the Town of Essex Special Events Resource Team (SERT), be received.

Carried

8.8 Building Department Report 2018-03

RE: March 2018 Building Report

Moved By Councillor Rogers

Seconded By Deputy Mayor Meloche

(R18-04-185) That Building Department Report 2018-03, entitled "March 2018 Building Report" dated April 3, 2018 providing Council with an update on building activity within the Town of Essex for the month of March, be received.

Carried

8.9 Information Technology Report 2018-02

RE: Purchase of Digital Video Surveillance Recording Equipment

Moved By Councillor Voakes

Seconded By Councillor Bondy

(R18-04-186) That Information and Technology Report 2018-02, entitled "Purchase of Digital Video Surveillance Recording Equipment", prepared by Jack Barron, Manager, Information Technology and submitted by Jeffrey Morrison, Director, Corporate Services, dated March 26, 2018, be received;

And that Council approve the allocation of funds for the purchase of Digital Video Surveillance Recording Equipment to be purchased in 2018 from the underspent portion of the 2017 Information Technology Operating Budget from reserve.

Carried

8.10 Economic Development Report 2018-06

RE: Tourism Marketing 2018

Moved By Councillor Voakes

Seconded By Councillor Bondy

(R18-04-187) That Economic Development Report 2018-06, entitled "Tourism Marketing 2018", prepared by Nelson Silveira, Economic Development Officer and Alex Denonville, Manager, Communications, and submitted by Donna Hunter, Chief Administrative Officer, dated April 16, 2018 providing Council with an overview of tourism marketing efforts in 2018, be received.

Carried

8.11 Communications Report 2018-02

RE: Public Feedback on Colchester Park Renaming

Moved By Councillor Bjorkman

Seconded By Councillor Snively

(R18-04-188) That Communications Report 2018-02, prepared by Alex Denonville, Manager, Communications and submitted by Donna Hunter, Chief Administrative Officer, dated April 16, 2018, entitled "Public Feedback on Colchester Park Renaming", be received.

Carried

Jeff Watson, Policy Planner, and Rita Jabbour, Assistant Planner left the meeting at 7:47 PM.

8.12 Corporate Services Report 2018-01

RE: Stray Cat Intake Agreement with Windsor-Essex County Humane Society

By-Law 1693

Being a by-law to enter into an Agreement with the Windsor-Essex County Humane Society for Intake of Stray Cats for the Town of Essex

Moved By Councillor Bondy

Seconded By Councillor Snively

(R18-04-189) That Corporate Services Report 2018-01, prepared and submitted by Jeffrey Morrison, Director, Corporate Services, dated April 16, 2018, entitled "Stray Cat Intake Agreement with the Windsor-Essex County Humane Society", dated April 16, 2018, be received;

That the Town enter into a three (3) year agreement (retroactive to January 1, 2018) with the Windsor-Essex County Humane Society for the intake of stray cats; and

That By-Law 1693 being a by-law to enter into an Agreement with the Windsor-Essex County Humane Society for the intake of stray cats for the Town of Essex be read a first, a second and a third time and finally passed on April 16, 2018.

Carried

Alex Denonville, Manager, Communications, and Nelson Silveira, Economic Development Officer left the meeting at 7:51 PM.

8.13 Clerks Report 2018-007

RE: Court of Revision for the 8th Concession West Drain: Bridge for Walter & Amy Howson (Part of Lot 14, Concession 8)

By-Law 1698

Being a by-law to provide for the 8th Concession West Drain: Bridge for Walter & Amy Howson (Part of Lot 14, Concession 8) Geographic Township of Colchester North, Project REI 2017D025, Town of Essex, County of Essex

Moved By Councillor Bondy

Seconded By Councillor Snively

(R18-04-190) That Clerks Report 2018-007, entitled "Court of Revision for 8th Concession West Drain: Bridge for Walter & Amy Howson", prepared by Robert Auger, Clerk and submitted by Donna Hunter, Chief Administrative Officer, dated April 16, 2018, be received

That Councillor Rogers, Mayor McDermott and Deputy Mayor Meloche be selected to sit as members of the Court of Revision for the 8th Concession West Drain: Bridge for Walter & Amy Howson, and such Court of Revision be scheduled for 5:30PM on May 22, 2018 in the County of Essex Civic Centre Council Chambers, 360 Fairview Avenue West, Essex; and

That By-Law 1698 being a by-law to provide for the 8th Concession West Drain: Bridge for Walter & Amy Howson (Part of Lot 14, Concession 8) Geographic Township of Colchester North, Project REI 2017D025, Town of Essex, County of Essex, be read a first, and a second time and provisionally adopted on April 16, 2018.

Carried

9. Reports from Youth Members

Ehva Hoffmann provided Council with an update on the Easter Egg Hunt hosted by the McGregor Squirettes of Mary on Good Friday. She reported that approximately 150 people took part in the event and although the event was free to the community they collected new socks and undergarments, and raised \$350 to be donated.

10. County Council Update

11. Correspondence

11.1 Correspondence to be received

Moved By Councillor Bjorkman

Seconded By Councillor Rogers

(R18-04-191) That correspondence listed in Agenda Item 11.1 be received and, where indicated, to further share such information with the community using suitable methods of communication.

Carried

11.1.1 Union Water Supply System

RE: Joint Board of Management - February 21, 2018 Minutes

11.1.2 Ministry of Finance

RE: Business Vacancy Rebate and Reduction Programs Update
March 2018

11.1.3 Ministry of Finance

Correspondence acknowledging receipt of the Town's letter to the Honourable Charles Sousa conveying interest in hosting an Ontario Cannabis Store (OCS).

11.1.4 Town of Essex Resolution (R18-01-013) - Offering School Property to Municipalities

As a result of Resolution R18-01-013 the following letters have been received:

Municipality of McDougall (Support)
Township of Rideau Lakes (Support)
Municipality of St. Charles (Support)
Town of Parry Sound (Support)
Township of Joly (Support)
Township of Enniskillen (Support)
Loyalist Township (Support)
Township of McNab/Braeside (Support)

11.1.5 Town of Essex Resolution (R18-03-096) - User Pay Childcare Services at AMO and FCM Conferences

As a result of Resolution R18-03-096 the following letters have been received:

Township of Douro-Dummer (Support)
Town of Orangeville (No action taken)
Municipality of Dutton Dunwich (Support)
Peterborough County (Support)
Municipality of Marmora and Lake (Support)
Municipality of Northern Bruce Peninsula (Support)
City of Stratford (No action taken)

11.1.6 Association of Municipalities of Ontario (AMO)

RE: Benefits of the Federal Gas Tax Fund 2014-2016

11.1.7 Ministry of Citizenship and Immigration

RE: Lincoln M. Alexander Award
Call for nominations for up to three young Ontarians who have

demonstrated exemplary leadership in contributing to the elimination of racial discrimination in Ontario.

Deadline for nominations is May 21, 2018

11.1.8 Erie St. Clair Local Health Integration Network (LHIN)

RE: Opening a nursing clinic in Wallaceburg

11.2 Correspondence to be considered for receipt and support

12. Committee Meeting Minutes

Moved By Councillor Snively

Seconded By Councillor Bjorkman

(R18-04-192) That minutes listed in Agenda Item 12, together with the recommendations noted therein be received, and adopted as circulated.

Carried

12.1 Essex Accessibility Advisory Committee - February 1, 2018

(EAAC18-02-03) **Recommendation to Council** that Council direct Administration to work with the Committee to explore fundraising for the mobi mat at Colchester Beach.

(EAAC18-02-06) **Recommendation to Council** that Site Plan Control require an accessible parking template on the asphalt and a vertical accessible parking sign in accessible parking spots.

12.2 Essex Centre B.I.A. - February 13, 2018

12.3 Co-An Park Committee

March 14, 2018 (including Costing Report at March 12, 2018)
April 2, 2018

12.4 Committee of Adjustment - March 20, 2018

12.5 Communities in Bloom - March 27, 2018

12.6 Essex Municipal Heritage Committee (EMHC) - March 29, 2018

13. Financial

13.1 Bank Payments Report

RE: January 2018

Moved By Councillor Bjorkman

Seconded By Deputy Mayor Meloche

(R18-04-193) That the Bank Payments Report, including January cheque register, cheque number 44777 to cheque number 45370 inclusive in the amount of \$1,632,673.14, the Preauthorized Payments for January 2018 in the amount of \$317,959.91, and the Payroll for January 2018 in the amount of \$346,773.39, be ratified as submitted.

Carried

13.2 Bank Payments Report

RE: February 2018

Moved By Deputy Mayor Meloche

Seconded By Councillor Bondy

(R18-04-194) That the Bank Payments Report, including February cheque register, cheque number 45371 to cheque number 45669 inclusive in the amount of \$2,040,786.27, the Preauthorized Payments for February 2018 in the amount of \$316,426.49, and the Payroll for February 2018 in the amount of \$330,701.17, be ratified as submitted.

Carried

14. New Business

14.1 Councillor Snively

RE: Colchester 2018 Summer Event

Councillor Snively told Council that last year's summer "Canada 225 Event" held at Colchester harbour was a huge success, and the feedback from residents is to have an event at the harbour again this year. He has been seeking donations from residents and businesses in Essex and he thanked everyone who has generously donated so far this year and advised that he has raised \$38,000.

Moved By Councillor Bondy

Seconded By Councillor Bjorkman

(R18-04-195) That Council endorse a Colchester 2018 Summer Event.

Carried

14.2 Councillor Bondy

RE: National Day of Mourning

Moved By Councillor Bondy

Seconded By Councillor Snively

(R18-04-196) That the Town of Essex recognize April 28 annually as the "National Day of Mourning", dedicated to remembering those who have lost their lives, or suffered injury or illness on the job or due to a work-related injury in Canada;

And that our flags be lowered to half-mast on that day to commemorate the Day of Mourning.

Carried

15. Notices of Motion

16. Reports and Announcements from Council Members

Council provided dates and times for the Community Spring Clean Up on May 5, 2018 from 9:30 to 11:30 AM:

Ward One – Essex Train Station and Heritage Gardens Park

Ward Two – McGregor Community Centre

Ward Three – Harrow and Colchester South Community Centre
Ward Four – Colchester Harbour Park

Councillor Bondy passed on well wishes to Unifor Local 444 and the Casino Management for a quick settlement with their labour dispute.

Councillor Bjorkman announced the Municipal Candidate Information Session on April 26, 2018, at 7 PM at the Essex County Civic Centre, Council Chambers, 360 Fairview Avenue West, Essex. He also announced that the Sun County Panthers Pee Wee AAA won the Ontario provincial championship and the Erie North Storm Pee Wee A won the Ontario provincial championship.

Councillor Voakes asked Council if agenda item 8.11 Communications Report 2018-02 RE: Public Feedback on Colchester Park Renaming, could be brought to the table again for discussion. Council requested that Communications Report 2018-02, be placed on the May 7, 2018 Regular Council Meeting for further discussion.

Deputy Mayor Meloche announced a Mini-Golf/Pizza Fundraiser for the Essex Railway Station on Friday, May 4 at 5:30 PM – 8:00 PM at Colasanti's Tropical Gardens. The cost is \$15 person.

Mayor McDermott thanked Town staff and the volunteers for their hard work during the Pee Wee championship and advised that he received numerous compliments on the management of the event, and commended Town staff and volunteers for their efforts.

Councillor Voakes advised that he would be declaring a Conflict of Interest with respect to By-Law 1699, he further advised that he would not be taking part in the discussion or vote.

17. By-Laws

17.1 By-Laws that require a third and final reading

17.1.1 By-Law 1691

Being a by-law to amend By-Law 1037 The Comprehensive Zoning By-Law for the Town of Essex

Moved By Councillor Voakes

Seconded By Deputy Mayor Meloche

(R18-04-197) That By-Law 1691 being a by-law to amend By-Law 1037 The Comprehensive Zoning By-Law for the Town of Essex, be read a third time and finally passed on April 16, 2018.

Carried

17.1.2 By-Law 1695

Being a by-law for the declaration of surplus lands by The Corporation of the Town of Essex (Part of Tawasentha Park)

Moved By Councillor Rogers

Seconded By Councillor Bondy

(R18-04-198) That By-Law 1695 being a by-law for the declaration of surplus lands by The Corporation of the Town of Essex, be read a third time and finally passed on April 16, 2018.

Carried

17.1.3 By-Law 1696

Being a by-law to confirm the proceedings of the April 3, 2018 Regular Meeting of the Council of The Corporation of the Town of Essex

Moved By Councillor Snively
Seconded By Councillor Rogers

(R18-04-199) That By-Law 1696 being a by-law to confirm the proceedings of the April 3, 2018 Regular Meeting of the Council of The Corporation of the Town of Essex, be read a third time and finally passed on April 16, 2018.

Carried

17.2 By-Laws that require a first, second, third and final reading

Councillor Voakes declared a Conflict of Interest with respect to By-Law 1699. He took no part in the discussion or vote.

17.2.1 By-Law 1699

Being a by-law to provide for the indemnification of a Member of the Council of the Town of Essex against loss or liability incurred while acting in the capacity as a Member of Council.

Moved By Councillor Bondy
Seconded By Councillor Rogers

(R18-04-200) That By-Law 1699 being a by-law to provide for the indemnification of a Member of the Council of the Town of Essex against loss or liability incurred while acting in the capacity as a Member of Council, be read a first, a second and a third time, and finally passed on April 16, 2018.

Carried

17.3 By-Laws that require a first and second reading

17.3.1 By-Law 1700

Being a by-law to confirm the proceedings of the April 16, 2018 Regular Meeting of the Council of the Corporation of the Town of Essex

Moved By Councillor Voakes
Seconded By Councillor Bjorkman

(R18-04-201) That By-Law 1700 being a by-law to confirm the proceedings of the April 16, 2018 Regular Meeting of the Council of The Corporation of the Town of Essex, be read a first, and a second time and provisionally adopted on April 16, 2018.

Carried

18. Adjournment

Moved By Councillor Bondy
Seconded By Councillor Voakes

(R18-04-202) That the meeting be adjourned at 8:12 PM.

Carried

Mayor

Clerk

The Corporation of the Town of Essex

Special Council Meeting

May 1, 2017

A Special Meeting of the Council of the Town of Essex was held on Monday, May 1, 2017 at 5:30 PM in the County of Essex Chambers 360 Fairview Avenue West, Essex, Ontario.

1. Roll Call

Present: Mayor Ron McDermott
Ward 1 Councillor Randy Voakes
Ward 3 Councillor Bill Caixeiro
Ward 3 Councillor Larry Snively
Ward 4 Councillor Sherry Bondy

Regrets: Deputy Mayor Richard Meloche
Ward 1 Councillor Steve Bjorkman

Also Present: Tracey Pillon-Abbs, Chief Administrative Officer
Donna Hunter, Director, Corporate Services and Treasurer
Chris Nepszy, Director of Infrastructure and Development
Doug Sweet, Director of Community Services
Robert Auger, Manager of Legislative Services/Clerk

2. Declarations of Conflict of Interest

There were no declarations of conflict of interest noted.

3. Adoption of Published Agenda

a) Special Council Meeting Agenda

Moved by Councillor Snively

Seconded by Councillor Voakes

(SP17-05-001) That the published agenda for the May 1, 2017 Special Council Meeting be adopted as presented. "Carried"

4. Adoption of Minutes

5. Public Presentations

5.1 Derek Didone, County Towing Inc.

Roger Beaulieu, Beau's Auto Everything

Mr. Didone explained the challenges associated with collecting compensation for the removal of vehicles and the remediation of accident sites. He made two proposals: (1) that tow truck companies submit unpaid bills to the Town of Essex for submission to

insurance companies for compensation; or (2) that tow truck drivers submit unpaid bills to the Town of Essex for addition to property taxes. Mr. Beaulieu noted that the two tow truck companies together are unable to collect on approximately 12 invoices per year.

Donna Hunter, Director of Corporate Services and Treasurer, noted with respect to Mr. Didone's second proposal that the Town has no authority under the Municipal Act to add these costs to taxes as the services are not being provided by the Town. With respect to his first proposal, Mrs. Hunter noted that administration would need to consult with the Town's insurer and further noted that claims for property damage to roads have been submitted in the past unsuccessfully.

Moved by Councillor Caixeiro

Seconded by Councillor Bondy

(SP17-05-002) That Administration prepare a report to Council on the feasibility of allowing tow truck companies to submit unpaid bills to the municipality for compensation.

6. Unfinished Business

7. Reports from Administration

8. Correspondence

9. Committee Meeting Minutes

10. Financial

11. New Business

12. Notices of Motion

13. By-Laws

14. Adjournment

Moved by Councillor Snively

Seconded by Councillor Caixeiro

(SP17-05-003) That the meeting be adjourned at 5:58 p.m. "Carried"

Mayor

Clerk

The Corporation of the Town of Essex
Special Council Meeting

May 15, 2017

A Special Meeting of the Council of the Town of Essex was held on Monday, May 15, 2017 at 5:00 PM in the County of Essex Council Chambers, 360 Fairview Ave. W., Essex to consider the Council and Ward Structure Review Interim Report.

1. Roll Call

Present: Mayor Ron McDermott
Deputy Mayor Meloche
Ward 1 Councillor Randy Voakes
Ward 3 Councillor Bill Caixeiro
Ward 3 Councillor Larry Snively
Ward 4 Councillor Sherry Bondy
Regrets: Ward 2 Councillor Steve Bjorkman
Also Present: Tracey Pillon-Abbs, Chief Administrative Officer
Donna Hunter, Director of Corporate Services and Treasurer
Chris Nepszy, Director of Infrastructure and Development
Doug Sweet, Director of Community Services
Robert Auger, Manager, Legislative Services/Clerk
Dr. Robert J. Williams, Watson & Associates Economists Ltd.

2. Declarations of Conflict of Interest

There were no declarations of conflict of interest noted.

3. Adoption of Published Agenda

a) Special Council Meeting Agenda

Moved by Deputy Mayor Meloche

Seconded by Councillor Caixeiro

(SP17-05-010) That the published agenda for the May 15, 2017 Special Council Meeting be adopted as presented.

Carried

4. Adoption of Minutes

5. Reports from Administration

a) Clerks 2017-02

Re: Council and Ward Structure Review **Interim Report**

- Dr. Robert J Williams provided a presentation on the Town of Essex Council and Ward Structure Review: Consultants Interim Report dated May 4, 2017

Moved by Councillor Caixeiro

Seconded by Councillor Snively

(SP17-05-011) That Report Clerks 2017-02 entitled: Council and Ward Structure Review Interim Report together with the presentation to Council by Dr. Robert J. Williams, be received.

Carried

Moved by Councillor Bondy

Seconded by Councillor Snively

(SP17-05-012) That Essex Town Council agrees to elect the Deputy Mayor position from At-Large commencing with the 2018 Election; **That** Essex Town Council agrees to maintain the current composition or size of Town Council; **That** Essex Town Council agrees to retain the Ward Election System; **And that** the Consultant be directed to initiate an immediate review of the boundaries pursuant to its Terms of Reference in order to provide options as to an effective and equitable electoral arrangement.

Carried

6. Public Presentations

7. Adjournment

Moved by Councillor Caixeiro

Seconded by Councillor Voakes

(SP17-05-013) That the meeting be adjourned at 5:52 PM.

Carried

Mayor

Clerk

The Corporation of the Town of Essex

Special Council Meeting

July 24, 2017

A Special Meeting of the Council of the Town of Essex was held on Monday, July 24, 2017 at 5:00 PM in the Town of Essex Municipal Office Large Meeting Room to discuss the Ward 3 Council Vacancy 2017 By-Election.

1. Roll Call

Present: Mayor Ron McDermott
Deputy Mayor Richard Meloche
Ward 1 Councillor Randy Voakes
Ward 3 Councillor Larry Snively
Ward 4 Councillor Sherry Bondy
Ward 1 Councillor Steve Bjorkman

Also Present: Donna Hunter Chief Administrative Officer (Interim)
Jeff Morrison, Director of Finance and Business Services (Acting)
Doug Sweet, Director of Community Services
Chris Nepszy, Director of Infrastructure and Development
Rob Auger, Manager of Legislative Services/Clerk

2. Declarations of Conflict of Interest

There were no declarations of conflict of interest noted.

3. Adoption of Published Agenda

- a) July 24, 2017 Special Council Meeting Agenda
Moved by Councillor Snively
Seconded by Councillor Bjorkman
(SP17-07-001) That the published agenda for the July 24, 2017 Special Council Meeting be adopted as presented.

Carried

4. Reports from Administration

Moved by Councillor Snively
Seconded by Councillor Voakes
(SP17-07-002) That Resolution (R17-07-298) from the July 17, 2017 regular meeting be called up for reconsideration.

Carried

*"Moved by Councillor Bondy
Seconded by Councillor Voakes
(R17-07-298) That Corporate Services Report Clerk 2017-06, prepared by Robert Auger, Manager of Legislative Services and Clerk and submitted by Donna*

Hunter, Chief Administrative Officer (Interim), dated July 17, 2017 entitled "Council Vacancy 2017" be received and the recommendations contained therein supported;

And that the vacant seat be filled by way of a by-election and that Administration consider scheduling a Special Council Meeting on Monday, July 24, 2017 to expedite the process to consider the by-law to declare a by-election. **Carried"**

Discussion ensued amongst Council concerning whether to fill the vacant council seat by way of appointment or by-lection.

Moved by Councillor Snively
Seconded by Councillor Voakes

(SP17-07-003) That Corporate Services Report Clerk 2017-06, prepared by Robert Auger, Manager of Legislative Services and Clerk and submitted by Donna Hunter, Chief Administrative Officer (Interim), dated July 17, 2017 entitled "Council Vacancy 2017" be received and the recommendations contained therein supported;

And that the vacant seat be filled by way of a by-election and that Administration consider scheduling a Special Council Meeting on Monday, July 24, 2017 to expedite the process to consider the by-law to declare a by-election.

Councillor Voakes asked for a recorded vote:

	Support	Opposed
Councillor Voakes	X	
Councillor Bondy	X	
Councillor Bjorkman	X	
Deputy Mayor Meloche	X	
Mayor McDermott		X
Councillor Snively	X	

With a recorded vote of five (5) in support and one (1) opposed, the motion is **Carried**

a) Corporate Services Report Clerks 2017-08

Re: 2017 Ward 3 By-Election

- **By-Law 1627**
Being a by-law to authorize a by-election for the office of Ward 3
Councillor

Moved by Deputy Mayor Meloche
Seconded by Councillor Bondy

(SP17-07-004) That Report Corporate Services Clerks 2017-08 entitled "2017 Ward 3 By-Election", be received; and

That Council concur and support the recommendation that a traditional paper ballot system with scan vote tabulators for counting be used for this by-election;

And that By-Law 1627 being a by-law to authorize a by-election for the office of Ward 3 Councillor be read a first, a second, and a third time and finally passed on July 24th 2017.

Carried

b) Corporate Services Report Clerks 2017-09

Re: Council Member Committee Vacancies.

Moved by Councillor Voakes

Seconded by Councillor Bjorkman

(SP17-07-005) That Corporate Services Report Clerks 2017-09 entitled "Council Member Committee Vacancies", be received; and

That Councillor Snively be appointed to the Police Services Board until the end of the current term (November 30, 2018), and the new Ward 3 Councillor to be appointed to any remaining vacancies upon beginning to serve as Councillor.

Carried

c) Corporate Services Report Clerks 2017-10

Re: 2017 Ward 3 By-Election Advance Poll

- **By-Law 1630**

Being a by-law to provide for an Advance Poll to be held prior to Voting Day in the 2017 Ward 3 by-election

Moved by Councillor Bondy

Seconded by Councillor Bjorkman

(SP17-07-006) That Report Clerks 2017-10 entitled "2017 Ward 3 By-Election Advance Poll", be received; and

That Council concur and support the recommendation that an Advance Poll for the Ward 3 By-election be held on Saturday, October 14, 2017 from 9:00 Am to 4:00 PM at the Harrow and Colchester South Community Centre, 242 McAfee Street, Harrow Ontario;

And that By-law 1630 being a by-law to provide for an Advance poll to be held prior to Voting Day in the by-election for the office of Ward 3 Councillor, be read a first, a second, and a third time and finally passed on July 24th 2017.

Carried

5. Public Presentations

6. Adjournment

Moved by Councillor Voakes

Seconded by Councillor Snively

(SP17-07-007) That the meeting be adjourned at 5:46 PM.

Carried

Mayor

Clerk

No correspondence available for presentation

Delegation Request Form

- **Name**
Ryan Casier
- **Date of Request**
4/16/2018
- **Are you representing a group?**
Yes
- **Name of Group (if applicable)**
Wood Craft Pizza
- **Provide details on the issue(s) you wish to present to Council and any actions you will be asking Council to take.**
Introduction of new business
- **Have you consulted with Town staff on this issue?**
Yes
- **If you've consulted with Town staff, please provide the names of staff members you've talked to and the details of those discussions.**
Nelson Silveira
- **If this is a property matter, are you an owner?**
No
- **Have you appeared before Council in the past regarding this issue?**
No
- **Will you have written or printed materials to distribute? If so, please submit 12 copies of printed materials to the Clerk before the meeting.**
No
- **Will you be delivering an electronic presentation that requires access to a computer and software? If so, please submit your presentation on CD, DVD or flash drive by noon on the Friday before the Council meeting.**
No
- **Your Address or Group Contact Address (full mailing address including postal code)**
47 Talbot st North Essex, N8M 1A3

- **Home**
226 246 6377
- **Work**
519 961 9321
- **Email Address**
ryancasier@yahoo.com
- **Name and address of all representatives attending, including their positions**
1834 kildare, Windsor N8W 2W7
owner



Report to Council

Department: Communications
Date: April 16, 2018
Prepared by: Alex Denonville, Manager, Communications
Submitted by: Donna Hunter, Chief Administrative Office
Report Number: Communications Report 2018-02
Subject: Public Feedback on Colchester Park Renaming
Number of Pages: 12

Recommendation(s)/Conclusion(s)

It is recommended that Communications Report 2018-02 entitled "Public Feedback on Colchester Park Renaming" be received as information.

Purpose

To advise Council on responses from the public to potentially renaming Colchester Park as it relates to Council Resolution R18-02-075 of the Regular Council Meeting on February 20, 2018:

"That after two months if no suitable names are submitted to the Town for the name of Colchester Park, that the Town name the park Elijah McCoy."

Background

At the Regular Council Meeting on Monday, February 20, Council held a discussion on the potential renaming of Colchester Park, located at 100 Jackson Street in Colchester.

To inform their decision, Council asked administration to provide members of the public the opportunity to submit their own ideas on the naming of the park.

Administration created an online form to receive submissions from the public. The form asked citizens to submit their idea for the name, along with a brief description or justification of why they recommended the name.

Citizens were also able to submit their ideas by email or written submission to the Clerk's Department.

The form was advertised as a news item on the Town of Essex website and promoted via social media (Facebook and Twitter.) Newspaper advertisements were placed in the Harrow News and Essex Free Press on March 13 and March 15 respectively.

Results of Public Submissions

The online form received 42 individual responses. Four written submissions were received in paper or electronic format. See attached Appendix A for copies of submissions (note: all personal information which may identify the submitter has been removed, unless the submission was made to Council.)

Three of the written submissions were in support of maintaining the current name of Colchester Park.

The fourth written submission included three name suggestions relating to the community of Colchester: Harbourfront Park, North Shore Park, and Erie Shore Park.

Of the 42 online responses, 25 were in support of maintaining the current name of the park. Many of these submissions mentioned that renaming the park was not necessary (e.g. "If it's not broken, don't fix it.")

A number of the submissions also mentioned that renaming the park would be an unnecessary cost that should not be a priority (e.g. "Our tax money needs to be spent on more important things... changing the name of a park is not one of them.")

Of the 42 online form responses, 12 were in support of renaming the park to "Elijah McCoy Park" or some variation of that name (e.g. McCoy Park). Most of these submissions mentioned honouring the historical significance of Elijah McCoy, a notable Black inventor who was born in Colchester (e.g. "Wonderful tribute to a son of Colchester who went on to great things. Tribute to his work and the black heritage of Colchester.")

A number of submissions also mentioned that renaming the park may draw tourists to the Colchester area (e.g. "I think it puts Colchester really on the map and really shows the black history right here in Colchester," and "It will also add to the publicity for the tourism industry still developing around the long and proud history of African Canadians in our region, our province and our country.")

Two submissions were made for the name "Lankin Park" as a way to recognize the contributions of three brothers who operated a bait and tackle shop and contributed to the Colchester community from the 1940s to the 1970s.

One submission suggested "Hackett's Park" as a way to recognize Alexander Hackett, the first to build a dock and store in Colchester in 1867.

Two submissions were minor variations from the Colchester Park name. The first, "Colchester Frontier Park, est. 1792," was an effort to recognize early European Homesteaders who paved

the way for future settlement. The second, "Jackson Colchester Park," was suggested to ensure the park was easy to find in the community.

In summary, administration received 46 total responses. Of those responses: 28 were in support of maintaining the current name (61 per cent); 12 were in support of the McCoy Park name (26 per cent); and 6 suggested other names (13 per cent).

Financial Impact

In consultation with the Director of Community Services, the approximate cost to replace Colchester Park signage would be \$1,500 (five signs at \$300 each).

Current brochures and other paper-based promotional products would need to be updated for future print runs. Web pages on both corporate websites (Essex.ca and TourismEssex.ca) would also need to be updated at a minimal cost.

Link to Strategic Priorities

1. Enhance communications and community engagement.

Reviewed by:

Donna Hunter, Chief Administrative Officer, Concurs

Robert Auger, Clerk, Manager of Legal & Legislative Services

Doug Sweet, Director of Community Services, Concurs

Appendix A: Submissions

Colchester Park

1. Leave it alone it is Historic....it is Colchester... it is the Community...and it is fitting... why change it, why do we always have to change names for the sake of changing it. It is COLCHESTER IN CASE YOU HAVE ALL FORGOT... hmm Colchester Village has a park and it is Colchester Park... wow move on to more important things than wasting my tax dollars on this please...
2. Leave it alone. Worry more why the town does not grow the way it should.
3. Why change it. Everybody already knows it as Colchester Park.
4. Why on earth is somebody wanting to change the name of this park? Colchester has been there a VERY long time and deserves to have the park named so. Shame on the people who want to take this away from the village!
5. Don't change it.
6. Leave it alone! It is perfectly fine the way it is. It aptly represents the community in which it is located and which we live in! Spend your time and resources on more important issues like attracting businesses and subdivisions to the town!
7. Stop changing things that are not broke and worry about things that need fixing. Smh.
8. We need PEOPLE (Families) in Harrow and that sewer taken out that drain on the west side of the beach. FIX THAT. My family has been here for almost 100 year and every year that Beach get worse for swimming. But I have to say Jay A has done a great job down there. If only we could swim in it all summer
9. No one would be aware of the suggested name without a plaque of explanation! Unnecessary cost.
10. "Can we please just leave it the way it is? It is the ""park"" in ""Colchester"". That's self-explanatory."
11. Leave it alone. It will always be Colchester Park to me.
12. Being raised there it a sentimental thing. Leave it as is. Also no need to waste taxpayers' money.
13. Leave it as is.
14. Just leave it as is. It's part of Colchester Beach. There is No need to rename this park. Locals with this name for years...The old saying if it's not broke, don't fix it.
15. With so many great things happening at Colchester Park and harbour I believe leaving the name as is makes its location clear and identifiable. Why complicate things?!?!?
16. As a tax payer in the community I want to see the NAME to stay as the same, we have many more issues that should be dealt with by councillors other than changing the name of a park.
17. I have lived in Colchester for 55yrs and the name is what it should be.
18. Don't change it!

19. Take this effort and put it towards real problems of the town.....if it's not broken DONT fix it.
20. Our tax money needs to be spent on more important things.... changing the name of a park is not one of them. Leave it the way it is.
21. Why change?
22. Why change what isn't broken. I can see if it were named after a traitor to the human race kind of thing, but leave well enough alone. Whose idea was this? Someone who wants to leave a personal testament to commemorate their time in office!!!!
Colchester is one of the few things left here for our identity to the past. It is Colchester Harbour, Colchester Beach. Leave it as Colchester Park. Everyone will know where it is.
23. I believe the community of Colchester is mainly identified with, and by Colchester Park/ Colchester Beach and has been for decades. The loss of the name attached to the Park, would contribute to the loss of the identity of Colchester itself. As a small community, it is especially important to maintain the present branding and promotion of our area as a way to encourage tourism in our area.
24. It's the only park in Colchester and that's what everyone will still call it.
25. Leave the name alone. Stop changing things that are distracting from actually real problems and issues. This is a waste of money and time and resources.

Elijah McCoy Park

1. Elijah McCoy was an African-American resident in Colchester who became a famous inventor with many patents in the 1800s. He is the reason for the saying the "the real McCoy" because if his name was not on it then it was probably not as good. If he is good enough to be in our history books we should be proud to honor him in any way possible.
2. I realize the family eventually moved to Detroit but George McCoy's family came here first and is listed in an early census in 1845. They spent at least 7 years in Colchester and Elijah was born during that time. Birth places have some significance, the world over! My other reason is that people often visit places for an experience these days and we are trying to encourage tracing Black History so this would allow for a plaque and encourage visits to local churches and areas where black immigrants were loyal settlers. Some of the early settlers including Mr. Fred Johnson's family came and stayed and we need to honour their memory. Fred is now 103(at least). Could be part of the Black heritage trail.
3. "Elijah McCoy was a remarkable black inventor, born in Colchester on May 2, 1844. He should be an inspiration to all local children, encouraging them to apply their creative talents in science and engineering for the betterment of society, and letting them know that they, too, can achieve fame for their great accomplishments. Elijah was one of a dozen children of George and Mildred McCoy. His parents came to Canada in 1837 as escaped slaves from Kentucky on the Underground Railroad. George fought well for Canada in the rebellions of 1837 and was given 160 acres of land in lot 11 off Gore

road for his service. Elijah had shown exceptional promise and was sent to Scotland in 1859 to become a certified mechanical engineer, specializing in steam engines. When he returned around 1864 to his parents, now in Ypsilanti, MI, he could not find an appropriate position as engineer, but accepted employment as an oiler and fireman on the Michigan Central railroad. There he saw waste and danger of manual oiling of steam engines, and he invented his famous automatic oiler, using steam pressure to drive the oil. This became popular as it allowed trains to run without frequent stops. Some alternative oilers were also manufactured, but his was the best and was asked for as the "real McCoy." Elijah obtained over 50 additional patents over the years, a phenomenal number at that time, especially for a black inventor. His other inventions included ones for a portable ironing board and for a lawn sprinkler. Elijah died in Detroit, MI, at age 85, on October 10, 1929. There are historic markers for him in Detroit and Ypsilanti, but none yet in Canada. Canada South Science City created a small exhibit for him and his work in Windsor West and we intend to expand it, but he deserves to be recognized in Colchester, where he was born!

4. Born in Colchester, Ontario, to self-freed parents from Kentucky, Elijah McCoy received his higher education as a mechanical engineer in Scotland. After his training, he chose to live in Detroit, Michigan, where he became concerned about the injuries and deaths caused when workers attempted to lubricate moving machinery. Many of these workers were young Black boys employed in the position because they were small and agile. McCoy developed a self-lubricating device with a drip cup, which revolutionized industry. The device allowed the gradual and constant release of oil, which allowed machines to work continuously without having to be stopped to be lubricated and without anyone having to risk life and limb to apply oil while machines remained in operation. The device had a range of applications, from locomotives to industry. McCoy's first drip cup invention was patented on July 12, 1872. The drip cup device was so effective and so highly regarded that other manufacturers copied it. However, none worked as well as McCoy's invention. Canadian and American railroaders asked for it by name as the "real McCoy," giving rise to the expression denoting authenticity. McCoy went on to own his own firm. He filed 57 other patents in Canada and the United States, including a folding ironing board and a lawn sprinkler."
5. Historical significance Elijah McCoy was born in Colchester and was a great inventor.
6. He was an important inventor/engineer and also an important figure in black history.
7. Wonderful tribute to a son of Colchester who went on to great things. Tribute to his work and the black heritage of Colchester. Glad to see you asking for community input. Would that council had done that prior to arbitrarily trying to rename our towns by adding "centre" to them.
8. I think it puts Colchester really on the map and really shows the black history right here in Colchester. It's "The Real McCoy" kind of place to be. It's a very inspiring individual born right from here and made an impact in history that would be great show recognition for his work.

9. Elijah McCoy became a household name and was born in Colchester. There is no other reference to this name and it deserves a place in history.
10. Historical, Cultural and of Community significance!
11. Historical
12. McCoy's achievements as an inventor are well documented. His connection to our county are not. Naming the park in his honour will enable his story to be more widely known. It will also add to the publicity for the tourism industry still developing around the long and proud history of African Canadians in our region, our province and our country.

Hackett's Park

1. Hackett-Sacsville-McCormick-Colchester. Alexander Hackett was the person to build the first dock in 1867. He built a store there for trading grain & produce. The Hackett family continued to manage the telegraph for the area. Sacsville was also a regular known name for the area in the early 1840's. McCormick has true ties to the area also, very early beginning in 1826. But COLCHESTER Park is what is known by today. So many ideas! These are the Historical names surrounding the area.

Jackson Colchester Park

1. I chose this because it will be easy to find (on Jackson Street). And Colchester so people will know where in the municipal town it is located. So even out of Town residents can find it without looking in the Town of Essex, or McGregor or Harrow.

Lankin Park

1. Family name with historical and community significance
2. From the late 1940's to the early 1970s three brothers, John Lester (Les), Arch and William (Bill) together with their wives, Marjorie, Vera and Ola operated Lankin's Bait and Company from a building at the base of the hill at Colchester Beach. Bill and his wife Ola also operated a boarding house and cottage rentals at Hackett House. The three brothers rented out fishing boats as well as selling bait and tackle. The first boats they used were wooden and hand made by them. This business drew vacationers to our local area contributing to the local economy. Summer jobs were created for local young people as well as their own children. The Lankin brothers lived and worked in the village, a stretch of Jackson Street was affectionately called Lankin Row by local residence. Their descendants still call the area home. I respectfully submit that the park be re-named Lankin park in honour of the integral role of the Lankin Family in the history and economy of Colchester, and in particular its waterfront. Thank you for your time.

Colchester Frontier Park, est. 1792

1. As much as I admire the achievements of Elijah McCoy I do not feel that re-naming Colchester Park after him is a Proper Tribute. Partly due to the uncertainty as to where he grew up (Canada or US) but also because none of his achievements were 'Made in Canada'. Quite frankly all we really know is that Elijah McCoy was born in Township of Colchester in the years either 1943 or 44 as a Free Man! I feel the real heroes of the day are the ones that made it possible for his parents to find that freedom. The Indigenous Natives that were pushed here by Indian Tribes from the south. The Homesteaders that were pushed here because of their loyalty to the Crown. They formed our First Militia that protected our Frontier and established our future. These are the people I feel we should be Honouring when it comes to recognizing The Village of Colchester and its contributions to the formation of this Great Country we call ""Canada""!"

March 31, 2018

Essex Town Council

RE: Colchester Park

It was brought to our attention at the last Chamber meeting that there may be thoughts to change the name of Colchester Park. No disrespect is meant to anyone involved, however it is a request of the Harrow and Colchester Chamber of Commerce to leave the name as Colchester Park. It has been the name of the park for over 60 years and the park is well known in the County and beyond.

The cost to remarket the park would be in the thousands as everything from maps and signage to promotional material would need to be changed. There would also be the risk of losing tourism traffic through the change. If the intention is to honour the McCoy family, perhaps a McCoy garden could be built into the park or another way to honour them could be implemented.

As a chamber we do request that the name "Colchester Park" remain for its historical value and the many memories of our community.

Sincerely,

Tammy Affleck

President

Harrow and Colchester Chamber of Commerce

April 2, 2018
Town of Essex Council

C/O R. Auger Clerk
33 South Talbot S.
Essex ON N8M 1A8

Dear Mr. Auger and Council,

I am writing to provide my input about renaming "Colchester Park". I say renaming because the signage and the ad in the Harrow News referred to "Colchester Park". This is the park at County Rd. 50 and Jackson St. in Colchester Centre.

This is my second communication related to this issue suggesting that the park remain identified as Colchester Park even though Councilor Rogers stated at a council meeting that, "He had not received any push back about renaming the park."

As he was not truthful about what negative response he received I must send this official response through the Clerk's Office. I have communicated with at least 25 people about renaming the park and they are of the same opinion as I am that the park has a name that has significant history based on the foundation and naming of the Township of Colchester 225 years ago. Many also thought that Council has much more critical issues to deal with than naming a park that has a name.

As far as naming the park "McCoy Park" most did not know the legacy of the McCoy name. When I suggested that we as a Town have never embraced our black legacy or heritage they agreed. To me there are many more families that settled in Colchester fleeing slavery than just the McCoy family. Elijah McCoy was born in Colchester yes but only lived here for 15 years. Following his apprenticeship in Scotland he returned to his family who had returned to the United States. We should erect a monument to embrace the Canadian Black Legacy of settlers that helped build our community. A Mr. Davis for example was the first black lawyer in Canada and he is buried in the New Canaan cemetery off the Gesto Rd. Mr. Mc Coy was indeed born here but chose to abandon Canada for the USA where he was recognized for developing the "Real McCoy Oiler Systems" in Ypsilanti MI.

I recommend council get on with directing this municipality and stop wasting time dealing with matters that have no importance to the quality of life in Colchester, Essex, Harrow, or McGregor.

Respectfully,

Paul Innes

Paul Innes MA, MDiv.

DATE: MARCH 21, 2018

TO: MR ROBERT W AUGER

RE: RENAMING OF COLCHESTER PARK

SUBMITTED BY:

- 1) HARBOURFRONT PARK
- 2) NORTH SHORE PARK
- 3) ERIE SHORE PARK

REASON: ALL RELATE TO COLCHESTER

8

9

Please leave the name "Colchester Park"

10

on the park area in Colchester village. It's

11

a heritage matter that should be brought

12

in front of the citizens of Colchester

13

14

15

resident of Harrold area

16

17

18

19

20

Department: Community Services

Date: May 7, 2018

Prepared by: Doug Sweet, Director of Community Services

Submitted by: Doug Sweet, Director of Community Services

Report Number: Community Services Report 2018-015

Subject: Shining a Light on Compassion Community Awards

Number of Pages: 4

Recommendation(s)/Conclusion(s)

The following two (2) recommendations are provided for Council's consideration:

1. That Community Services report entitled "Shining a Light on Compassion Community Awards" be **received** for Council information; and further
2. That Council **direct** Administration to assist in promoting the "Shining a Light on Compassion Awards", and encourage the community to nominate residents who meet the criteria for exemplifying compassion in their community.

Reason For Report

To inform Council of the Windsor-Essex Compassion Care Community "Shining a Light on Compassion Awards" which will be awarded during the Essex Fun Fest on Saturday July 7, 2018.

Background

The Town of Essex was approached by Christie Nelson from the Windsor-Essex Compassion Care Community to use a Town facility to present the Shining A Light on Compassion awards in July, 2018. The awards have been held in other local municipalities in the past and the

intent is to honour individuals in our community who exemplify compassion in their communities.

The Windsor-Essex Compassion Care Community wants to empower people to live well, identify and address barriers to quality of life, reach out to people in distress and engage neighbourhoods to share their talents and skills to others who need help. (See Appendix “A” for Nomination information)

Administration has worked with the Essex Fun Fest committee to have the awards part of the festival on Saturday July 7, 2018 at 6:30 PM.

Financial Impact

There is no financial impact.

Link to Strategic Priorities

This report contributes to the following Council strategic policies:

- Promote healthy and active living through recreational and cultural opportunities.
- Promote a healthy, safe and environmentally conscious community

Reviewed by: Donna Hunter, Chief Administrative Officer

Concur

Appendix A



SHINING A LIGHT ON COMPASSION

Do you know someone in your community who exemplifies what it means to be compassionate?

The Windsor-Essex Compassion Care Community would like you to nominate someone in your community for our Shining A Light On Compassion Awards! Your nominee will be acknowledged on July 7th at 6:30pm during the Essex Fun Fest. Members of parliament, council, and members of the community will be there in support. For more information or to nominate someone contact Christie at cnelson2@thehospice.ca or call 226-344-4022. Together we can help create one of the most compassionate communities in Canada. Let's start by acknowledging those who shine their light with compassion!



Shinning A Light On Compassion Awards



This nomination is for someone who exemplifies compassion in what they do for their community and others. The Nominee lives in the community and shines their light in a way that supports, empowers, educates, inspires people and may include supporting people from all walks of life.

Nominator: _____

Award Nominee: _____

Reason for Nomination:

Nominator contact: _____

Nominee contact: _____

FOR MORE INFORMATION OR TO SUBMIT YOUR FORM EMAIL cnelson2@thehospice.ca
OR CALL CHRISTIE AT 226-344-4022. **SUBMIT BY JUNE 1ST, 2018**



Report to Council

Department: Corporate Services

Date: May 7, 2018

Prepared by: Kate Bailey, Manager, Finance and Business Services

Submitted by: Jeffrey R. Morrison, Director, Corporate Services

Report Number: Finance and Business Services Report 2018-01

Subject: Credit Card Transaction Processing Changes

Number of Pages: 4

Recommendation(s)/Conclusion(s)

The following three recommendations are provided for Council's consideration:

1. That Finance and Business Services Report 2018-01 entitled "Credit Card Transaction Processing Changes" be received; and
2. That Council approve administration to move forward with no longer accepting credit card payments for property taxes owing over the phone at Town Hall; and
3. That Council approve administration to move forward with capping in person credit card transactions to a maximum of \$1,000 per transaction at Town Hall and the Gesto Office.

Purpose

To provide Council with information as it pertains to the charges for credit card payments and the recommendation of those changes.

Background

The Town of Essex currently accepts credit card payments for all transactions of any dollar value. This report deals with credit card transactions at all locations, excluding those operated by Community Services. Community Service operated locations utilize a third party provider (ActiveNet) which includes a built in surcharge.

Credit card transactions incur a processing fee which is paid by the Town of Essex to each credit card company through a vendor. These fees are a percentage of transaction values and can range from 1.6% for a basic credit card to almost 3% for a credit card that provides points to the user. Credit card transactions processed over the phone are also subject to an additional charge of 2% due to their "card not present" status. As an example, a \$1,000 credit card charge made over the phone could have the following fees associated with it:

- Transaction Fee $\$1,000 \times 1.6\% = \16.00
- Card Not Present Fee $\$1,000 \times 2\% = \20.00
- Premium Card Fee $\$1,000 \times 3\% = \30.00
- Total Fees = 6.6% or \$66.00

These fees are approximate and would vary depending on the type of card used.

Credit card processing fees have been increasing drastically due in part to both the increase in credit card transactions processed at the Town and an increase in the processing fees applied. In 2010 we had approximately \$26,981 in fees compared to fees of \$67,281 in 2017, representing a cost increase of nearly 60% over 7 years.

Credit card transactions account for 81% of transactions processed through the point of sale machines at Town Hall and the Gesto Office with the remaining 19% attributed to debit. The average annual processing fee the Town remits to the credit card companies is approximately \$59,000 per year or 2.48% of the value of all credit card transactions at Town Hall and the Gesto Office. The annual approximate cost associated with debit card transactions is 0.02% or \$285.

Period	Total Credit Card Transaction Value	Credit Card Transaction Cost	Cost as % of Value
September 2016 to August 2017	\$2,584,608	\$67,281	2.60%
September 2015 to August 2016	\$2,393,644	\$56,587	2.36%
September 2014 to August 2015	\$2,160,881	\$53,363	2.47%
Three Year Average	\$2,379,711	\$59,077	2.48%

It can also be noted that the only other municipality within Essex County that offers credit card as a payment option is Kingsville via a third party administrator, and online only.

Effective June 30th, 2018 the Town of Essex will no longer accept credit card payments over the phone and will implement a \$1,000 cap per transaction per day.

Signage and a media release will be prepared and posted informing residents of these changes. Since March 1, 2018 staff have been explaining to residents, who frequent using their credit card over the phone for payment that we will soon discontinue that method of payment due to the large fees associated with it.

The Town has numerous alternative methods of payment available for residents who have historically paid their property taxes by credit card over the phone. These include:

- Drop boxes (Harrow and Essex),
- Online/telephone banking for property tax related payments directly with a banking institution,
- Preauthorized Payment, and
- Mail.

Financial Impact

While it is difficult to substantiate the estimated financial impact related to the proposed recommendation, a cap of \$1,000 on “in person” credit card transactions and the elimination of over the phone credit card payments for property tax payments will help mitigate the financial impact associated with credit card transactions.

Link to Strategic Priorities

This report is linked to the Strategic Priority: “Manage the Town’s finances and human resources in a responsible manner”.

Reviewed by: Donna E. Hunter, Chief Administrative Officer, concur

Doug Sweet, Director, Community Services, concur

Chris Nepszy, Director, Infrastructure, concur

Jackson Tang, Assistant Manager, Business Services, concur

2016 Reserve Balance December 31, 2016	\$ 7,890,786.78
Less Non-Cash Equity (Equity in ELK)	\$ (2,000,000.00)
Less Long-Term Debentures (Outstanding)	\$ (763,666.67)
Less Year End Landfill Compensation Transfer	\$ (2,259,080.59)
2016 Closing Cash Balance	\$ 2,868,039.52
Less Debenture Repayments	\$ (142,315.69)
Less Annual Interest	\$ (63,370.98)
2016 Opening Cash Balance	\$ 2,662,352.85

	Compensation	Debenture Repayments	Interest	Budget Transfers	Balance
2016 Opening Cash Balance					\$ 2,662,352.85
2016 Landfill Compensation	\$ 2,259,080.58				\$ 4,921,433.43
2016 Debenture Payments (Principle)		\$ 142,315.69			\$ 5,063,749.12
2016 Interest Earned			\$ 63,370.98		\$ 5,127,120.10
2016 Operating Budget Transfer				\$ (1,289,511.73)	\$ 3,837,608.37
2016 Capital Budget Transfer				\$ (1,500,000.00)	\$ 2,337,608.37
2017 Landfill Compensation	\$ 2,244,091.94				\$ 4,581,700.31
2017 Debenture Payments (Principle)		\$ 171,843.27			\$ 4,753,543.58
2017 Interest Earned			\$ 64,339.51		\$ 4,817,883.09
2017 Long-Term Debt (Issued)				\$ -	\$ 4,817,883.09
2017 Operating Budget Transfer				\$ (1,292,726.69)	\$ 3,525,156.40
2017 Capital Budget Transfer				\$ -	\$ 3,525,156.40
2018 Landfill Compensation	\$ 2,277,753.32				\$ 5,802,909.72
2018 Debenture Payments (Principle)		\$ 176,024.35			\$ 5,978,934.07
2018 Interest Earned			\$ 87,535.35		\$ 6,066,469.42
2018 Long-Term Debt (Issued)				\$ (1,148,594.46)	\$ 4,917,874.96
2018 Operating Budget Transfer				\$ (442,275.40)	\$ 4,475,599.56
2018 Capital Budget Transfer and Asset Management Allocation				\$ (2,123,727.69)	\$ 2,351,871.87
2019 Landfill Compensation	\$ 2,311,919.62				\$ 4,663,791.48
2019 Debenture Payments (Principle)		\$ 384,212.95			\$ 5,048,004.43
2019 Interest Earned			\$ 85,947.38		\$ 5,133,951.82
2019 Long-Term Debt (Issued)				\$ (1,513,000.00)	\$ 3,620,951.82
2019 Operating Budget Transfer				\$ (303,705.64)	\$ 3,317,246.18
2019 Capital Budget Transfer and Asset Management Allocation				\$ (2,123,727.69)	\$ 1,193,518.49
2020 Landfill Compensation	\$ 2,346,598.41				\$ 3,540,116.90
2020 Debenture Payments (Principle)		\$ 427,272.42			\$ 3,967,389.31
2020 Interest Earned			\$ 91,997.05		\$ 4,059,386.36
2020 Long-Term Debt (Issued)				\$ (1,500,000.00)	\$ 2,559,386.36
2020 Operating Budget Transfer				\$ -	\$ 2,559,386.36
2020 Capital Budget Transfer and Asset Management Allocation				\$ (2,123,727.69)	\$ 435,658.67
2021 Landfill Compensation	\$ 2,381,797.39				\$ 2,817,456.06
2021 Debenture Payments (Principle)		\$ 572,188.46			\$ 3,389,644.51
2021 Interest Earned			\$ 104,487.80		\$ 3,494,132.31
2021 Long-Term Debt (Issued)				\$ -	\$ 3,494,132.31
2021 Operating Budget Transfer				\$ -	\$ 3,494,132.31
2021 Capital Budget Transfer and Asset Management Allocation				\$ (2,123,727.69)	\$ 1,370,404.62
2022 Landfill Compensation	\$ 2,417,524.35				\$ 3,787,928.97
2022 Debenture Payments (Principle)		\$ 545,105.39			\$ 4,333,034.36
2022 Interest Earned			\$ 114,853.14		\$ 4,447,887.50
2022 Long-Term Debt (Issued)				\$ -	\$ 4,447,887.50
2022 Operating Budget Transfer				\$ -	\$ 4,447,887.50
2022 Capital Budget Transfer and Asset Management Allocation				\$ (2,123,727.69)	\$ 2,324,159.81

Summary of Assumptions:

CPI for the period of 2018 to 2022 is set at 1.50% for all periods.

The interest rate used for the bank balance is 1.25% with 5 year debentures at 2.37% and 10 year debentures at 2.76% for all periods (this is based on two debentures issued in 2017).

Principle and interest received through Long-Term Debt (issued) is realized in the year following issuance.

Landfill compensation is the prior year plus inflation.



Report to Council

Department: Infrastructure and Development

Date: May 7, 2018

Prepared by: Chris Nepszy, P.Eng., PE
Director, of Infrastructure and Development

Submitted by: Chris Nepszy, P.Eng., PE
Director, Infrastructure and Development

Report Number: Infrastructure and Development Report 2018-06

Subject: 2018 Structure Culvert and Bridge Inspections

Number of Pages: 3

Recommendation(s)/Conclusion(s)

It is recommended that:

1. Infrastructure and Development Report 2018-06 entitled "2018 Structure Culvert and Bridge Inspections" be received; and
2. Council appoints the engineering firm of Keystone Bridge Management Corporation (Keystone) to provide engineering services to complete the structure inspections within the Town of Essex in accordance with the completed request under Section 22 (3) of the Town of Essex Procurement By-law 1043.

Purpose

This report has been developed to continue operations and maintenance of the Town of Essex culverts and bridges as required by the Public Transportation and Highway Improvement Act. In accordance with the Town Procurement By-Law Number 1043, Council approval is required to waive the requirements for proposals, tenders and quotations for

consulting and professional services under Section 22.02 of the procurement and disposal of goods and services policy.

Information / Review

The need for mobility requires that the Town's highway system be kept in good repair. Structures (culverts and bridges) are a vital part of this system. The efficiency of the system is impaired and the public inconvenienced if a structure fails or its load carrying capacity is reduced for any reason. To avoid such failings, an effective structure management system is required.

Approximately 12,000 of the 14,000 bridges in Ontario are located within municipalities and are their responsibility. The Town of Essex has 91 structures (58 bridges and 33 culverts). Responsibility for the safety and maintenance of these bridges are set out in the Public Transportation and Highway Improvement Act (Act). The Act requires that these structures be inspected every two (2) years under the direction of a professional engineer using the Ministry's Ontario Structure Inspection Manual (OSIM). The OSIM requires these inspections to be a "close-up" visual assessment of each element of a bridge to identify any material defects, performance deficiencies, or maintenance and rehabilitation needs.

In 2010 the Town let a Request for Proposal for structural inspections. The successful Consultant (Keystone) completed a detailed element by element visual assessment of each bridge (58) and culvert (33) and identified any material defects, performance deficiencies, and maintenance needs of each structure. This information was then utilized to update the Municipalities Structure Management System and allow access to the needs of each structure, for maintenance, rehabilitative treatments, preventative measures, or replacement. Keystone has successfully provided this inspection service in 2012, 2014 and 2016 as well.

Administration has maintained discussions with neighboring municipalities during their respective tendering process for similar services and confirmed Keystone continues to provide the Town of Essex a very competitive and thorough engineering review service.

Furthermore, Keystone has successfully been awarded the structure inspections works for both Amherstburg and Lakeshore.

In addition to the competitive cost, other advantages to maintaining Keystone as the consultant to perform the Town of Essex structural inspections include:

- Continuity in inspection reporting
- Savings in procurement costs,
- Improved and additional supplementary reports, including calculation of Bridge Condition Indexes
- Culvert Replacement cost reports
- Enhanced bridge inspection reports
- Replacement values for all culvert and bridges
- More accurate Capital needs assessments.

Financial Impact

Keystone's fees for the structure inspections for the Town of Essex are \$30,000 (including applicable taxes). \$30,000 is currently allocated in the 2018 Town of Operational Budget for Professional Fees (engineering).

Reviewed by: Donna Hunter, Chief Administrative Officer

Reviewed by: Jackson Tang, Assistant Manager, Business Services



Request to Council to Waive Requirement
for Proposals, Tenders and Quotations

33 Talbot St. S. t 519 776 7336
Essex, ON N8M 1A8 f 519 776 8811
www.essex.ca

Note: Requests to waive the requirement for Proposals, Tenders and Quotations are restricted to acquisitions that are predominantly or exclusively for consulting and professional services and must be made in accordance with Section 22.02 of By-Law No. 1043, Procurement & Disposal of Goods & Services Policy. Consulting and professional services means those services requiring the skills of a professional for a defined service and may include architects, engineers, surveyors, planners, financial consultants, lawyers, real estate agents or brokers, etc. Refer to Section 1.02 of the Policy for further examples of consulting and professional services.

1. REASON FOR REQUEST

This represents a formal request to Council to waive the requirement for proposals, tenders and quotations for Consulting and Professional Services under Section 22.02 of the Procurement and Disposal of Goods and Services Policy. This request is being made on the basis of the following criteria (please select at least one of the options below):

- ☐ The works to be performed by the consultant or professional service are a continuation of a previous project (Section 22.02(a) of the By-Law)
- ☐ The firm being recommended has demonstrated unique qualifications to undertake the project (Section 22.02(b) of the By-Law)
- ☐ The project is subject to time constraints (Section 22.02(c) of the By-Law)
- ☐ Other (provide explanation in 3. below)

2. NAME AND TYPE OF CONSULTING OR PROFESSIONAL SERVICE

Name of Professional Service: _____

Type of Professional Service (select one):

- ☐ Engineer ☐ Architect ☐ Surveyor ☐ Financial
- ☐ Planner ☐ Lawyer ☐ Real Estate Agent ☐ IT
- ☐ Appraiser ☐ Other (specify) _____

3. EXPLANATION OF REQUEST

Provide full explanation of how this request meets the criteria of Section 22.02 of By-Law No. 1043, Procurement & Disposal of Goods & Services Policy:



4. REQUESTING DEPARTMENT INFORMATION

Name of Department Head: _____

Department Name: _____

Date of Request: _____

5. APPROVAL INFORMATION *(to be completed by the Mayor and the Clerk of the Town of Essex)*

<input type="checkbox"/>	Request Approved	<input type="checkbox"/>	Request Not Approved
Date Approved/Not Approved: _____			
Mayor's Signature: _____			
Clerk's Signature: _____			



Report to Council

Department: Planning
Date: May 7, 2018
Prepared by: Rita Jabbour, Assistant Planner
Submitted by: Chris Nepszy, Director of Infrastructure and Development
Report Number: Planning 2018-21
Subject: 214 Maidstone Avenue West Rezoning
Number of Pages: 8

Recommendation(s)/Conclusion(s)

- 1). That Council receive report Planning2018-21; and,
- 2). That Council approve Bylaw 1701.

Reason for Report

A rezoning application has been made by James and Theresa Renaud for the rezoning of lands with municipal address 214 Maidstone Avenue West. It is requested that a site specific rezoning be granted for the ± 966 square metre ($\pm 10,400$ square foot) property to permit the construction of one (1) single detached dwelling and accessory structures.

A map indicating the location of the property is attached as Appendix A.

Background

In accordance with the mandates of the Planning Act, a statutory public meeting was held on Monday April 23 to consider the rezoning of the vacant ± 966 square metre ($\pm 10,400$ square

foot) property at 214 Maidstone Avenue West to permit the construction of one (1) single detached dwelling and accessory structures.

The subject property is presently zoned Manufacturing District 2.1 (M2.1) for general industrial uses. The applicants purchased the property in 2009 with plans to construct a single detached dwelling in the future. At the time of purchase, a dwelling existed on the property and was deemed to be lawfully existing. Due to the poor condition of the dwelling, however, it was subsequently demolished.

The applicants are now in a position to construct a replacement dwelling but cannot obtain a building permit because the M2.1 zoning does not permit a single detached residence as a permitted use. Thus, the applicants are seeking a rezoning to permit one single detached dwelling and accessory structures on the subject lands. All buildings and permitted uses, including a home occupation and second dwelling unit, would conform to the Residential District 1.1 (R1.1) zoning category for low density housing on urban lots.

A full list of permitted uses under the M2.1 and R1.1 zoning is provided under Appendix B.

The property has approximately 30 metres (100 feet) of frontage and is 32 metres (104 feet) deep. Properties to the west of the subject lands are designated Residential District 1.1 (R1.1), permitting low density housing on urban lots. The abutting property directly to the east of the subject lands is designated M2.1 also but is lawfully being used for residential purposes.

The property located directly south of the subject lands is also designated M2.1 but is owned by the proponent and is being used for storage. The lands located to the south east encompass the industrial business park.

The dimensions and location of the subject property is suitable for the construction of one (1) single detached dwelling and accessory structures. The minimum lot width and lot area for lots located within the R1.1 zoning district is 15 metres (50 feet) and 460 square metres (5000 square feet), respectively. The subject property exceeds these requirements.

Sanitary and water services are available along Maidstone Avenue West. The Manager of Environmental Services has no concerns with the proposal and has stated that the property

would be serviceable. A County setback permit would not apply to this property as it is within the limits of a built up urban centre.

Proposal's Conformity with the Town of Essex Official Plan

The subject property is designated "Industrial" under the Town of Essex Official Plan. Should this rezoning be successful, a single detached dwelling and accessory structures will be permitted uses in addition to the already permitted industrial uses under the M2.1 zoning category. The "Industrial" designation will not be affected by this rezoning.

No comments in opposition of the proposal were received by circulated agencies or members of the public by the Clerk or the Planning department as of Thursday April 19.

Comments

At the April 23 special Council meeting to consider the rezoning at 214 Maidstone Avenue, Council directed administration to proceed with a Bylaw permitting supplementary uses to permit the construction of one single detached dwelling and accessory structures.

No objections were received from members of the public present. Councillors voiced concern about the manufacturing zoning over the neighbouring property directly to the east. They requested that administration investigate rezoning the lands for residential purposes.

Should Council adopt Bylaw 1701, a notice of passing will be provided to the applicant and any person who has made an oral or written submission to Council. A 20 day appeal period will apply.

Financial Impact

No financial impact.

Reviewed by:

Chris Nepszy, Director, Infrastructure and Development – concurs

Appendix 'A' – Site Map



Appendix B –M2.1 and R1.1 List of Permitted Uses

Subsection 22.1 Manufacturing District 2.1(M2.1)		
General Industrial Uses		
a) Permitted Uses		
i) Main use	Ambulance Service Building Materials Recycling Centre Material Transfer Station Motor Vehicle Salvage Yard Towing Service A facility for the growing, storage, packaging or distribution of marijuana and or hemp or for the production of products derived from them	Any industrial use EXCEPT the following uses: Blast Furnace Boiler and Plate Works Coal or tar distillation Coke Oven Concrete or Asphalt Batching Plant General Salvage Operation Iron and Steel Mill Leather Tannery Manufacture of: acid, alkalis, ammunition, asbestos or asbestos products, abrasives, asphalt, bricks, clay or clay products, concrete, explosives, fertilizer, mineral wool, plastics, Plaster of Paris, resins, soap or other cleaning products Pits and Quarries Processing of poultry Pulp and paper Mill Railroad rolling stock manufacture Sawmill Slaughtering Smelting or refining of metals or ores Wood Distillation Plant
ii) Accessory Uses	Any use accessory to the main use	
b) Regulations		
i) Lot Width - Minimum	30m (100f)	
ii) Lot Area - Minimum	1000m2 (10770f2)	
iii) Front Yard Depth - Minimum	7.5m (25f)	
iv) Side Yard Width - Minimum	3m (10f) from an interior lot line 7.5m (25f) from an exterior lot line	
v) Rear Yard Depth - Minimum	15m (50f) from a lot line abutting a Residential, Institutional or Green Zoning District	
vi) Landscaped Area - Minimum	15% of the lot area	

c) Supplementary Regulations: See Sections

7: Definitions

8: Supplementary Use Regulations

9: Supplementary Lot Regulations

10: Supplementary Building Regulations

11: Parking Space Regulations

12: Parking Area Regulations.

Subsection 14.1 Residential District 1.1 (R1.1)			
Low density housing on urban lots			
a) Permitted Uses			
i) Main use	One Single Detached Dwelling or One Bed and Breakfast Dwelling	Lawfully Existing Duplex Dwelling	Lawfully Existing Semi-Detached Dwelling
ii) Accessory use	Any use accessory to the Main Use		
b) Regulations			
i) Lot Width – Minimum	15m (50f)	18m (60f)	18 m (60f)
ii) Lot Area – Minimum	460m2 (5000f2) for a lot serviced by a sanitary sewer 1850m2 (20,000f2) for a lot not serviced by a sanitary sewer	555m2 (6000f2)	590m2 (6350f2)
iii) Lot Coverage – Maximum	40% of lot area	40% of lot area	50% of lot area
iv) Building Height – Maximum	10m (32f) for a main building 1 storey for an accessory building	10m for a main building 1 storey for an accessory building	10m for a main building 1 storey for an accessory building
v) Front Yard Depth – Minimum	7.5m (25f)	7.5m	7.5m
vi) Rear Yard Depth – Minimum	7.5m	7.5m	7.5m
vii) Side Yard Width – Minimum	1.2m (4f) both sides for an interior side yard where there is an attached garage or carport 1.2m and 3m (10f) for interior side yards (one side/other side) where there is no attached garage or carport 4.5m (15f) for an exterior side yard	1.2m both sides for an interior side yard where there is an attached garage or carport 1.2m and 3m for interior side yards (one side/other side) where there is no attached garage or carport 4.5m for an exterior side yard	1.2m both sides for an interior side yard where there is an attached garage or carport 1.2m and 3m for interior side yards (one side/other side) where there is no attached garage or carport 4.5m for an exterior side yard
viii) Each dwelling shall have storm water and sanitary facilities and electrical and potable water services approved by the Town or other authority having jurisdiction.			
ix) No accessory building and combination of accessory buildings shall exceed 70m2 (750f2) and 92m2 (1000f2) respectively.			

x) Provisions of the following subsections shall apply in whole or in part to lands situated within any of the following restricted areas shown on the Zoning District Maps:

1. Flood Development Control Area – see subsection 10.6
2. Lake Erie Floodplain Area – see subsection 10.6
3. Natural Heritage Overlay – see subsection 10.8.

c) Supplementary Regulations: See Sections

- | | |
|----------------------------------|--|
| 7: Definitions | 10: Supplementary Building Regulations |
| 8: Supplementary Use Regulations | 11: Parking Space Regulations |
| 9: Supplementary Lot Regulations | 12: Parking Area Regulations. |

The Corporation of the Town of Essex

By-Law Number 1701

Being a By-Law to Amend By-Law Number 1037

The Comprehensive Zoning By-Law for the Town of Essex

Whereas By-law Number 1037 is the Town’s Comprehensive Zoning By-law regulating the use of lands and the character, location and use of buildings and structures within the Town of Essex;

And whereas the Council of the Corporation of the Town of Essex deems it expedient and in the best interest of proper planning to amend By-law Number 1037;

Now therefore the Corporation of the Town of Essex enacts as follows:

- 1. That subsection 1, of Section 28, of By-law 1037, is hereby amended by adding the following paragraph:
“39. For the lands known municipally as 214 Maidstone Avenue West, the following uses are additional permitted uses:
a). One (1) single detached dwelling and accessory structures subject to the provisions of subsection 14.1, Residential District 1.1 (R1.1).

ZDM 3”
- 2. That Zoning District Map number 3 be amended accordingly
- 3. This bylaw shall come into force and take effect on the date of its passing thereof by Council.

Read a first and second time and provisionally adopted on May 7, 2018.

Mayor

Clerk

Read a third time and finally passed on May 22, 2018

Mayor

Clerk

Schedule A

Description of Zoning Bylaw Amendment for 214 Maidstone Avenue West

Amendments to Zoning By-law 1037 will be considered for the property at 214 Maidstone Avenue West.

A location map is attached.

The subject property is currently zoned Manufacturing District 2.1 (M2.1) for general Industrial uses, under the Town of Essex Zoning Bylaw, Bylaw 1037 and is designated "Industrial" under the Town's Official Plan. Due to the size and location of the land, the property would be better suited for a residential use. The subject property is +900 square metres (+10,400 square feet) in total lot area and is 30 metres (100 feet) wide. It is currently vacant.

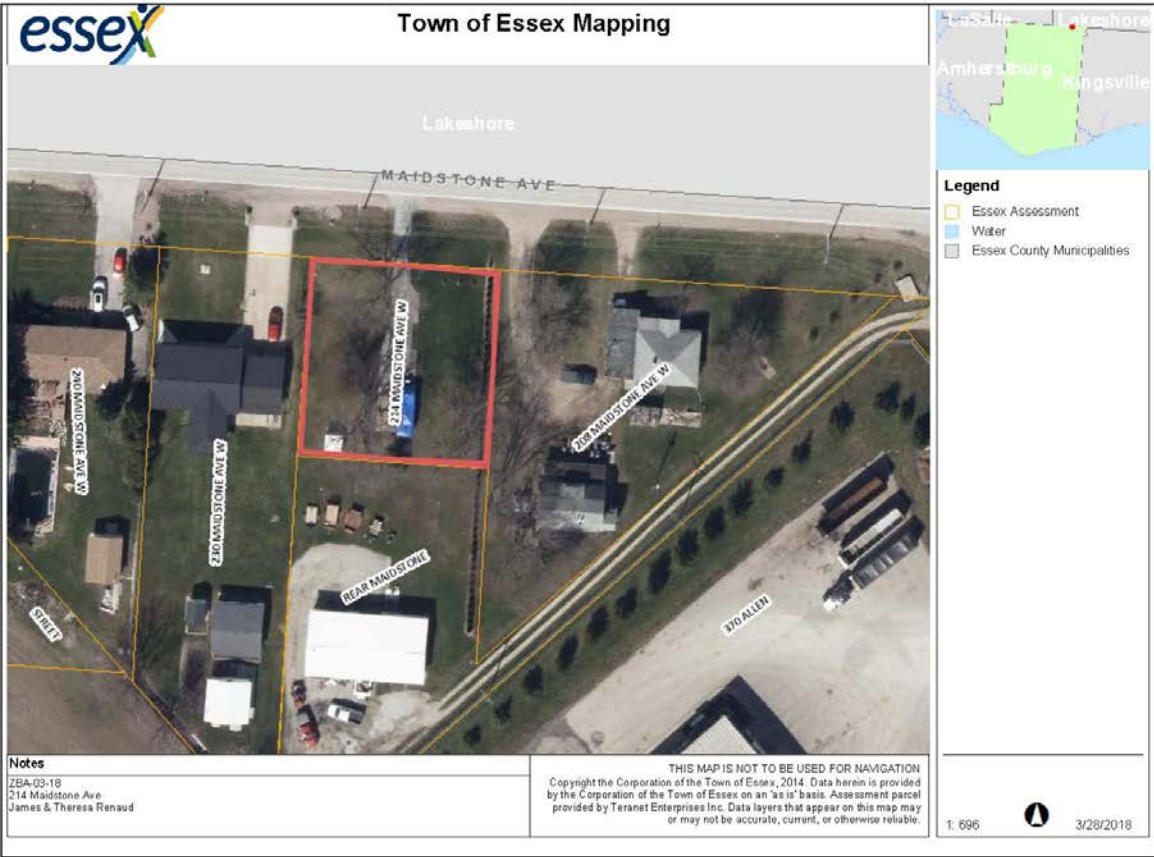
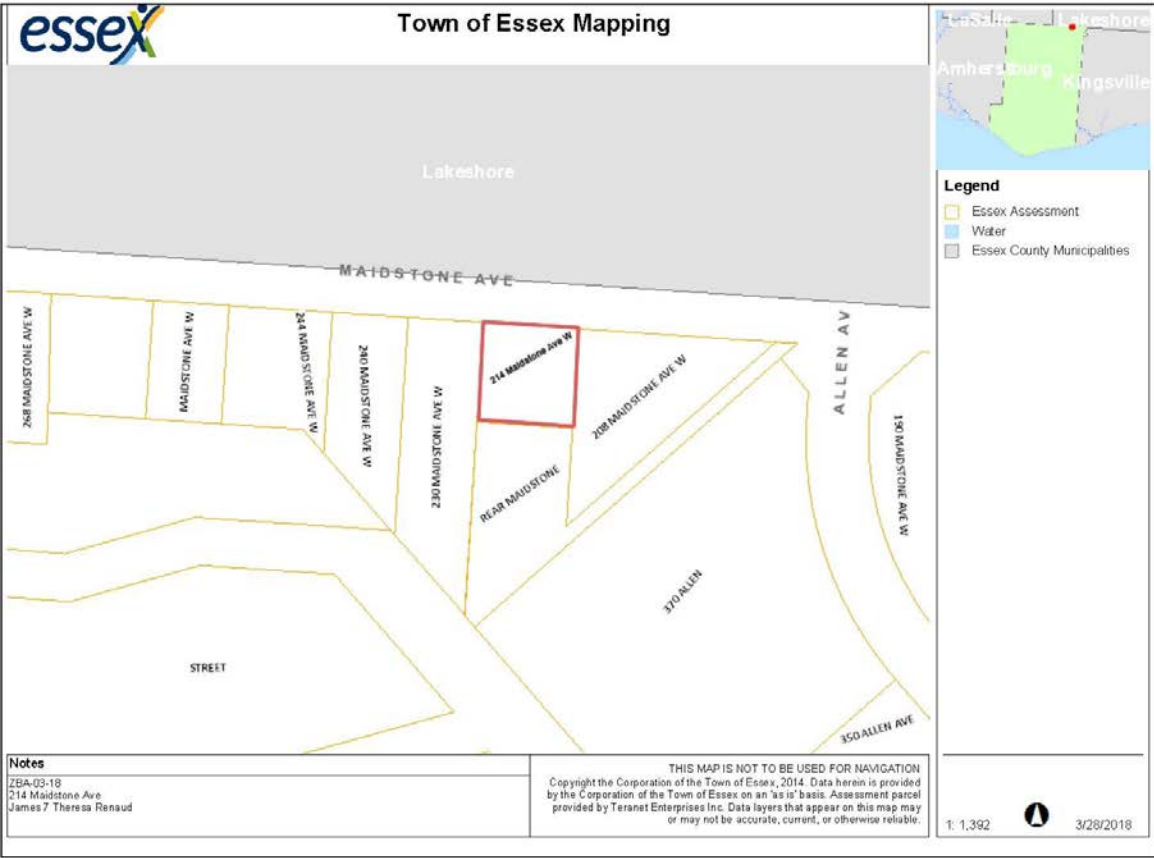
The purpose of this application is to add supplementary permitted uses over the property to permit the construction of one (1) single detached dwelling and accessory structures.

When purchased in 2009, the subject lands included a single detached dwelling which was subsequently demolished due to its poor condition. The registered owners purchased this property with the intentions of building a new single detached dwelling. A single detached dwelling is not a permitted use under the M2.1 zoning. Therefore, the applicants are proposing this rezoning.

The dwelling and structures would conform to the permitted uses and building regulations for single detached dwellings and accessory structures under the Residential District 1.1 (R1.1) zoning category for low density housing on urban lots. R1.1 zoning regulations are attached.

All of the abutting properties to the west of the subject lands are designated R1.1. Sanitary, storm and water services are available along the Maidstone Avenue frontage. Access is by way of Maidstone Avenue West.

Schedule B – Key Map





Report to Council

Department: Planning

Date: May 7, 2018

Prepared by: Jeff Watson, Policy Planner

Submitted by: Chris Nepszy, P.Eng., PE
Director, Infrastructure and Development

Report Number: Planning 2018-22

Subject: Changes to the planning act under Bill 139

Number of Pages: 7

Recommendation(s)

That the report of the Director of Development and Infrastructure dated May 7, 2018 regarding changes to the Planning Act under Bill 139 be received for information purposes

Reason for report

To outline the changes to the Planning Act stemming from the adoption of Bill 139, the Building Better Communities and Conserving Watersheds Act, 2017, which received Royal Assent on December 12, 2017, and subsequent proclamation as the Local Planning Appeal Tribunal Act on April 3, 2018.

Background

In spring 2016, Provincial review of the Ontario Municipal Board (OMB) identified recurring concerns, including:

- too many municipal decisions were being appealed and hearings were increasingly complex and costly;
- there needed to be more respect and deference to decisions made by local councils;
- there needed to be more emphasis on mediation and a reduction in the adversarial nature of hearings;
- public and community groups felt that they did not have the knowledge or resources to meaningfully participate in the appeal process.

In order to address the concerns, Bill 139, the Building Better Communities and Conserving Watersheds Act, 2017, was adopted. It was subsequently proclaimed in part on April 3, 2018, as the Local Planning Appeal Tribunal Act.

The Local Planning Appeal Tribunal Act replaced the Ontario Municipal Board Act. The OMB has now been replaced by the Local Planning Appeal Tribunal (LPAT) and a new public service body, the Local Planning Appeal Support Centre (LASC), has been created.

Comments

Highlights of Bill 139 include:

- Makes transformative changes to the land use planning and appeal system;
- Repeals the Ontario Municipal Board Act and replaces it with the Local Planning Appeal Tribunal Act, 2017
- Enacts the Local Planning Appeal Support Centre Act, 2017, which establishes a new independent agency offering consultation services to the general public regarding appeals to land use planning decisions;

Planning Act: Key Areas of Change

Strong Community Voice

- Consistency and conformity – Restricts appeal grounds for official plans and amendments and zoning by-laws only to matters of consistency and or conformity with provincial and or municipal policies and plans. This increases the strength of municipal decisions and provides more certainty in the local planning process.
- LPAT authority is limited to matters that were part of Council's decision. LPAT does not have the authority to change any part of the Official Plan or zoning by-law which has not been amended by Council.

Protecting Public Interest

- No appeal of major Provincial decisions – No appeal of provincial decisions on official plans and major official plan updates will be permitted. The intended outcomes are to reduce the number of appeals to official plans implementing provincially mandated policies, to increase certainty regarding the implementation of provincial policies and interests and to protect important provincial interests, such as public health and safety.
- Climate change – All municipal official plans are required to include climate change policies. The intended outcomes are to support Ontario's Climate Change Action Plan 2016-2020 and proactive planning for climate change. Official plan policies must identify goals, objectives and actions to mitigate greenhouse gas emissions and adapt to a changing climate, including increasing resiliency.
- Affordable housing – All municipal official plans are required to include policies dealing with the adequate provision of affordable housing. The intended outcome is

to support the implementation of provincial policies and plans that require an adequate supply of housing, including affordable housing.

Hearing Process: Key Areas of Change

- Local Planning Appeal Tribunal (LPAT) – LPAT’s primary mandate is address appeals to an Official Plan or zoning by-law. The appellant must demonstrate that the proposed land use change is inconsistent with the Provincial Policy Statement (PPS), does not conform with other Provincial plans or the applicable Official Plan. If LPAT determines that Council’s decision is inconsistent, the matter is returned to Council and the municipality has 90 days in which to make a new decision. If the second decision is inconsistent, LPAT makes the final decision.
- The cost of an appeal is \$300 (\$125 under the OMB system).
- Local Planning Appeal Support Centre (LPASC) – The new LPASC will provide information and technical and legal services to citizens who want to participate in the land use planning appeal process before the LPAT. This is intended to help level the playing field for citizens and to provide information on land use planning, guidance on tribunal procedures and advice and representation to citizens in certain matters.
- User-friendly Websites – New, user-friendly websites will be produced for LPAT and the LPASC. This is intended to help citizens engage in the process, to provide clear information on LPAT’s LPASC’s mandates, practices and procedures and to improve access to information and resources to better support citizen participation.
- Making LPAT decisions publicly-accessible – All Tribunal decisions will be publicly posted in plain language to make the LPAT process easier to navigate. Decisions will be easier to read and accessible to increase transparency in the process.
- Mandatory Case Management Conference Process – A mandatory case management conference process will be implemented for major planning matters to narrow issues and promote settlements. The intended outcomes are to allow for hearings to be held in a fair, cost-effective and expeditious manner by providing opportunities for parties and other interested persons to come together to:
 - identify if additional parties should be added;
 - confirm and narrow the issues in dispute;
 - explore opportunities for mediation and settlement;
 - deal with any other matters associated with the appeal.

The Tribunal is empowered to actively guide the proceedings to level the playing field and make it less adversarial for parties and participants.

- Oral Testimony – Statutory rules regarding the conduct of proceedings will time limit oral testimony. For example, an appellant will be given a time limit of 75 minutes to make an oral presentation. The intended outcomes are to create faster, more efficient and cost-effective proceedings and less adversarial hearings.

- Active Adjudication – The LPAT Act clarifies the Tribunal’s power to ask questions, examine a party and require a party to produce evidence

More Municipal Control

- Two-year “time-out” for new Secondary Plans – New Secondary Plans cannot be amended for two years, unless the amendment is municipally-supported. This gives municipalities more control over development in their communities and more certainty in local planning processes.
- No appeal of Interim Control By-laws when they are first passed (except by Province) – This allows municipalities to redirect limited resources and time from responding to appeals to carrying out the planning studies intended by interim control by-laws.
- More authority for Local Appeal Bodies (LABs) – The municipality may create a Local Appeal Body which would replace the function of LPAT to hear appeals related to minor consents, consents to sever land and site plan control.
- Longer decision timelines – The timelines for reviewing official plans and official plan amendments is now 210 days (up from 180 days) and the timeline for zoning by-law amendments and holding by-laws is now 150 days (up from 120 days). Decision timelines are extended by 30 days for official plans, official plan amendments and zoning by-law amendments. The intended outcomes are to provide more time, particularly at the provincial level, to assess planning matters and hear input from the public before making a decision and to provide more time to negotiate solutions to possible issues and potentially avoid appeals.
- Protected Major Transit Station Area (PMTSA) – PMTSAs are a new municipal tool to support transit infrastructure. Appeals of official plans and zoning by-laws are restricted in municipally-defined PMTSAs. The intended outcomes are to facilitate the implementation of higher residential densities that support public transit infrastructure (transit that operates in whole or in part in a dedicated right of way, including heavy rail, light rail and buses) and to give municipalities more control over development in transit corridors.

Summary:

The key changes are the elimination of the OMB and the creation of LPAT in its place. The process for dealing with appeals to land use decisions is similar to the old OMB process, but LPAT is more restricted primarily to adjudicating specific matters related to conformity with Provincial policies and to our Official Plan. There is a mandate to encourage mediation and dispute resolution with a formal hearing as a last resort. Strict time limits are set for oral submissions at a hearing.

The introduction of the Local Planning Appeals Service Centre will provide advice and assistance to persons who wish to appeal a land use decision of Council. While an appeal is directed to the Municipality and LPAT, LPASC is a resource for the public's understanding of and participation in the appeal process.

The Province is also ensuring that provincial policies and mandates are adopted by municipalities expeditiously. More detailed policies and specific goals related to climate change, affordable housing and other matters of provincial interest must be incorporated into local official plans.

The Town has been proactive in this regard. The recent revisions to our Official Plan (OP) have introduced climate change and affordable housing policies. As provincial policies are further developed, Planning will report to Council on possible changes to our OP to satisfy provincial mandates.

These new mandates do impact local planning policy and land use decisions. Council must have regard to a wider range of provincial mandates and initiatives to help mitigate climate change, to provide a wide range of housing, to protect natural environments and processes and such other matters that require a greater degree of scrutiny and care in land use management.

Contact information for LPAT and LPASC is in Appendix A to this report.

Local Appeal Bodies:

As noted under "More Municipal Control" above the Province is encouraging the creation of Local Appeal Bodies (LAB). LPAT's mandates are focused primarily on appeals to official plans and zoning by-laws. A LAB would deal with appeals related to Committee of Adjustment consents and variance decisions and to decisions of Council regarding site plan control approvals. As this is new to the land use planning process, there are no regional examples of functioning LAB's.

- The City of Toronto has one. It consists of three local citizens chosen by the Clerk. There is a formal appeal format and process. The decision of the LAB is final. Historically, the Town of Essex has experienced very few appeals of Committee of Adjustment decisions and no appeals regarding Council decisions on site plan control applications. So there is little need for a LAB here, nor is it expected that many appeal applications to LPAT will occur relative to Committee of Adjustment and site plan control decisions.

Financial Impact

Not Applicable

LINK TO STRATEGIC PRIORITIES

These new mandates and operational changes to the Planning Act have direct impacts on Council policy and actions. More integration of provincial mandates and policies into our Official Plan and land use decisions regarding land use development is necessary.

Reviewed by:

Chris Nepszy, Director of Infrastructure and Development - concurs

Rita Jabbour, Assistant Planner - concurs

Appendix A
Contact information for LPAT and LPASC

Local Planning Appeal Tribunal

655 Bay Street, Suite 1500
Toronto, Ontario M5G 1E5

Office Hours

8:30am – 5:00pm
Monday – Friday
Excluding statutory holidays.

Contact Information

E-Mail:
Local.Planning.Appeal.Tribunal@Ontario.ca
Tel: (416) 212-6349 or toll free 1 (866) 448-2248
Fax: (416) 326-5370
TTY: 1 (800) 855-1155 via Bell Relay

Local Planning Appeal Service Centre

700 Bay St. 12th Floor
Toronto, Ontario M5G 1Z6

Office Hours

8:30 am. – 5:00 pm
Monday - Friday

Contact Information

Email: info@lpasc.ca
Tel: (647)-499-1646
Toll-free: 1(800)-993-8410
TTY: (647)-499-1648
TTY Toll-free: 1 (800)-993-8411

Visit:
700 Bay St. 12th floor, Toronto, ON



Report to Council

Department: Infrastructure and Development

Date: May 7, 2018

Prepared by: Norman Nussio C.E.T, CRS
Assistant Manager of Operations / Drainage

Submitted by: Chris Nepszy, P.Eng., PE
Director, Infrastructure and Development

Report Number: Infrastructure and Development Report 2018-07

Subject: 2018 Federation of Canadian Municipalities: Grant Application

Number of Pages: 2

Recommendation(s)/Conclusion(s)

It is recommended that:

1. Infrastructure and Development Report 2018-07 entitled "2018 Federation of Canadian Municipalities: Grant Application" be received; and
2. Council authorizes the submission of an application for funding from the Federation of Canadian Municipalities Municipal Asset Management Program for a road needs assessment.

Background

Infrastructure Canada has initiated a five-year, \$50 million program called the Municipal Asset Management Program (MAMP). This program offered under the Federation of Canadian Municipalities (FCM), is to support municipalities in making informed decisions based on strong management data.

Every year the Town undergoes a review of our 5 year capital roads forecast in order to provide Council with a professional opinion on what roads are in need of repair or improvements. The current methods used to evaluate our existing road conditions is a visual inspection and ride quality test performed by senior administrative staff. Utilizing the data collected, maps are produced indicating an assessment of the conditions of Town roads. Although the method has provided good direction of the Town's roads plan, with the advancement of technology there is the opportunity for continual improvement that would provide an accurate and consistent method of rating our roads. Local Authority Service (LAS) is assisting municipalities to utilize a computerized data collection method through StreetScan Incorporated. The method utilizes a specialized van that records various data from the road through acoustics and radar. Information collected from the entire road network can be done in one pass and would then be linked to the current Geocortex mapping. The data collected through this method would complement our current data set, provide an objective analysis of our road network and would provide immense value in forecasting future works.

Financial Impact

StreetScan has provided the Town with a project cost of \$96,368 which falls within the 2018 approved Capital Budget of \$100,000 for project PW-18-0035. The revenue includes the maximum MAMP contribution of \$50,000 which shall not exceed 80% of the eligible project cost. The remaining budgeted revenue of \$50,000 is funded by the municipality.

Reviewed by: Jeffrey Morrison, Director, Corporate Services/Treasurer

No correspondence available for presentation

Report Number: Building 2018-04
Date: May 2, 2018
Subject: April 2018 Building Report

Number of Permits and Construction Value

Permit Type	Permits Issued	Prior Months	Year Total	Cancelled Permits	Monthly Construction Value	Prior Months Construction Value	Less Cancelled Construction Values	Jan - Apr 2018 Construction Values	Jan - Apr 2017 Construction Values
Single Family Residence								\$ -	\$ 3,551,000.00
Ward 1	11	3	14	\$	2,800,000.00	\$ 1,823,000.00	\$ -	\$ 4,623,000.00	\$ -
Ward 2	3	7	10	\$	1,015,000.00	\$ 1,175,000.00	\$ -	\$ 2,190,000.00	\$ -
Ward 3	2	2	4	\$	950.00	\$ 400,000.00	\$ -	\$ 400,950.00	\$ -
Ward 4	0	0	0	\$	-	\$ -	\$ -	\$ -	\$ -
Multiple Residential	0	0	0	\$	-	\$ -	\$ -	\$ -	\$ -
Addition/Sunrooms	3	4	7	\$	345,000.00	\$ 405,000.00	\$ -	\$ 750,000.00	\$ 296,000.00
Garages/Carports	3	2	5	\$	52,000.00	\$ 190,000.00	\$ -	\$ 242,000.00	\$ -
Decks/Porches	0	2	2	\$	-	\$ 10,000.00	\$ -	\$ 10,000.00	\$ 12,300.00
Fences/Pools	5	11	16	\$	93,000.00	\$ 190,600.00	\$ -	\$ 283,600.00	\$ 101,000.00
Demolition	2	4	6	\$	13,500.00	\$ 18,950.00	\$ -	\$ 32,450.00	\$ 57,150.00
House Raising	2	0	2	\$	16,000.00	\$ -	\$ -	\$ 16,000.00	\$ 78,000.00
Pole Barns	6	6	12	\$	182,900.00	\$ 494,564.00	\$ -	\$ 677,464.00	\$ 351,000.00
Commercial/Industrial	0	0	0	\$	-	\$ -	\$ -	\$ -	\$ -
Miscellaneous	5	10	15	\$	395,000.00	\$ 229,450.00	\$ -	\$ 624,450.00	\$ 200,382.00
Shed	2	1	3	\$	14,700.00	\$ 5,000.00	\$ -	\$ 19,700.00	\$ 73,100.00
Roof	1	4	5	\$	2,000.00	\$ 66,000.00	\$ -	\$ 68,000.00	\$ 24,000.00
Septic System	0	2	2	\$	-	\$ 16,200.00	\$ -	\$ 16,200.00	\$ 15,000.00
Sign	3	12	15	\$	600.00	\$ 4,250.00	\$ -	\$ 4,850.00	\$ 28,600.00
Green Houses/Winery	0	0	0	\$	-	\$ -	\$ -	\$ -	\$ -
Renovations	0	10	10	\$	-	\$ 674,900.00	\$ -	\$ 674,900.00	\$ 183,100.00
Additions/Renovation-Commercial/Industrial/Insti	1	6	7	\$	8,000.00	\$ 904,000.00	\$ -	\$ 912,000.00	\$ 11,500.00
Plumbing only	0	1	1	\$	-	\$ 5,000.00	\$ -	\$ 5,000.00	\$ -
Demolition Out Buildings	0	0	0	\$	-	\$ -	\$ -	\$ -	\$ -
Total Permits/Construction Value	49	87	136	0	\$ 4,938,650.00	\$ 6,611,914.00	\$ -	\$ 11,550,564.00	\$ 4,982,132.00

Permit Fee Totals

Permit Fees	\$82,454.85
Monthly Total	\$ 82,454.85
Yearly Total	\$ 147,237.31
Previous Year Total	\$ 71,069.93

Monthly Building Permit Totals

Permit Categories	January	February	March	April	May	June	July	August	September	October	November	December	Total	Cancelled Permits	Year Total
Single Family Residence															
Ward 1	0	0	7	11								0	18		18
Ward 2	0	1	2	3									6		6
Ward 3	0	0	2	2									4		4
Ward 4	0	0	0	0									0		0
Multiple Residential	0	0	0	0									0		0
Addition/Sunrooms	0	0	4	3									7		7
Garages/Carports	0	1	1	3									5		5
Decks/Porches	0	0	2	0									2		2
Fences/Pools	0	0	11	5									16		16
Demolition	1	0	3	2									6		6
House Raising	0	0	0	2									2		2
Pole Barns	4	1	1	6									12		12
Commercial/Industrial	0	0	0	0									0		0
Miscellaneous	4	1	5	5									15		15
Shed	1	0	0	2									3		3
Roof	1	1	2	1									5		5
Septic System	1	1	0	0									2		2
Sign	4	1	7	3									15		15
Green Houses/Winery	0	0	0	0									0		0
Renovations	7	2	1	0									10		10
Additions/Renovation-Commercial/Industrial/Institutional	0	1	5	1									7		7
Plumbing only	1	0	0	0									1		1
Demolition Out Buildings	0	0	0	0									0		0
Total	24	10	53	49	0	0	0	0	0	0	0	0	136	0	136

Monthly Permit Fee Totals

Permit Categories	January	February	March	April	May	June	July	August	September	October	November	December	Cancelled		
													Total	Permits	Year Total
Single Family Residence	\$ 637.68	\$ -	\$ 34,061.00	\$ 60,859.85									\$ 95,558.53	\$ -	\$ 95,558.53
Single Family Residence-Plumbing	\$ -	\$ 3,026.03	\$ 6,600.00	\$ 9,600.00									\$ 19,226.03	\$ -	\$ 19,226.03
Single Family Residence-Septic	\$ -	\$ -	\$ 2,100.00	\$ 3,500.00									\$ 5,600.00	\$ -	\$ 5,600.00
Multiple Residential	\$ -	\$ -	\$ -	\$ -									\$ -	\$ -	\$ -
Additions/Sunrooms	\$ -	\$ -	\$ 3,070.00	\$ 2,010.00									\$ 5,080.00	\$ -	\$ 5,080.00
Garages/Carports	\$ -	\$ 400.00	\$ 150.00	\$ 390.00									\$ 940.00	\$ -	\$ 940.00
Decks/Porches	\$ -	\$ -	\$ 200.00	\$ -									\$ 200.00	\$ -	\$ 200.00
Fences/Pools	\$ -	\$ -	\$ 880.00	\$ 300.00									\$ 1,180.00	\$ -	\$ 1,180.00
Demolition	\$ 100.00	\$ -	\$ 450.00	\$ 300.00									\$ 850.00	\$ -	\$ 850.00
House Raising	\$ -	\$ -	\$ -	\$ 200.00									\$ 200.00	\$ -	\$ 200.00
Pole Barns	\$ 1,649.80	\$ 500.00	\$ 240.00	\$ 1,320.00									\$ 3,709.80	\$ -	\$ 3,709.80
Commercial/Industrial	\$ -	\$ -	\$ 100.00	\$ -									\$ 100.00	\$ -	\$ 100.00
Miscellaneous	\$ 300.00	\$ -	\$ 500.00	\$ 3,500.00									\$ 4,300.00	\$ -	\$ 4,300.00
Shed	\$ 100.00	\$ -	\$ -	\$ 200.00									\$ 300.00	\$ -	\$ 300.00
Roof	\$ 100.00	\$ 200.00	\$ 200.00	\$ 100.00									\$ 600.00	\$ -	\$ 600.00
Septic System	\$ 100.00	\$ 700.00	\$ -	\$ -									\$ 800.00	\$ -	\$ 800.00
Sign	\$ 175.00	\$ 25.00	\$ 175.00	\$ 75.00									\$ 450.00	\$ -	\$ 450.00
Green Houses/Winery	\$ -	\$ -	\$ -	\$ -									\$ -	\$ -	\$ -
Renovations	\$ 1,560.00	\$ 2,654.95	\$ 100.00	\$ -									\$ 4,314.95	\$ -	\$ 4,314.95
Additions/Renovation-Commercial/Industrial/Institutional	\$ -	\$ 978.00	\$ 2,600.00	\$ 100.00									\$ 3,678.00	\$ -	\$ 3,678.00
Plumbing only	\$ 150.00	\$ -	\$ -	\$ -									\$ 150.00	\$ -	\$ 150.00
Demolition Out Buildings	\$ -	\$ -	\$ -	\$ -									\$ -	\$ -	\$ -
Total	\$ 4,872.48	\$ 8,483.98	\$ 51,426.00	\$ 82,454.85	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 147,237.31	\$ -	\$ 147,237.31

Monthly Construction Value Total

Permit Categories	January	February	March	April	May	June	July	August	September	October	November	December	Total	Cancelled Permits	Year Total
Single Family Residence															
Ward 1	\$ -	\$ -	\$ 1,823,000.00	\$ 2,800,000.00									\$ 4,623,000.00	\$ -	\$ 4,623,000.00
Ward 2	\$ -	\$ 500,000.00	\$ 675,000.00	\$ 1,015,000.00									\$ 2,190,000.00	\$ -	\$ 2,190,000.00
Ward 3	\$ -	\$ -	\$ 400,000.00	\$ 950.00									\$ 400,950.00	\$ -	\$ 400,950.00
Ward 4	\$ -	\$ -	\$ -	\$ -									\$ -	\$ -	\$ -
Multiple Residential	\$ -	\$ -	\$ -	\$ -									\$ -	\$ -	\$ -
Additions/Sunrooms	\$ -	\$ -	\$ 405,000.00	\$ 345,000.00									\$ 750,000.00	\$ -	\$ 750,000.00
Garages/Carports	\$ -	\$ 40,000.00	\$ 150,000.00	\$ 52,000.00									\$ 242,000.00	\$ -	\$ 242,000.00
Decks/Porches	\$ -	\$ -	\$ 10,000.00	\$ -									\$ 10,000.00	\$ -	\$ 10,000.00
Fences/Pools	\$ -	\$ -	\$ 190,600.00	\$ 93,000.00									\$ 283,600.00	\$ -	\$ 283,600.00
Demolition	\$ 5,950.00	\$ -	\$ 13,000.00	\$ 13,500.00									\$ 32,450.00	\$ -	\$ 32,450.00
House Raising	\$ -	\$ -	\$ -	\$ 16,000.00									\$ 16,000.00	\$ -	\$ 16,000.00
Pole Barns	\$ 151,000.00	\$ 319,564.00	\$ 24,000.00	\$ 182,900.00									\$ 677,464.00	\$ -	\$ 677,464.00
Commercial/Industrial	\$ -	\$ -	\$ -	\$ -									\$ -	\$ -	\$ -
Miscellaneous	\$ 55,200.00	\$ 3,900.00	\$ 170,350.00	\$ 395,000.00									\$ 624,450.00	\$ -	\$ 624,450.00
Shed	\$ 5,000.00	\$ -	\$ -	\$ 14,700.00									\$ 19,700.00	\$ -	\$ 19,700.00
Roof	\$ 19,000.00	\$ 12,000.00	\$ 35,000.00	\$ 2,000.00									\$ 68,000.00	\$ -	\$ 68,000.00
Septic System	\$ 1,200.00	\$ 15,000.00	\$ -	\$ -									\$ 16,200.00	\$ -	\$ 16,200.00
Sign	\$ 1,300.00	\$ 1,800.00	\$ 1,150.00	\$ 600.00									\$ 4,850.00	\$ -	\$ 4,850.00
Green Houses/Winery	\$ -	\$ -	\$ -	\$ -									\$ -	\$ -	\$ -
Renovations	\$ 149,300.00	\$ 505,600.00	\$ 20,000.00	\$ -									\$ 674,900.00	\$ -	\$ 674,900.00
Additions/Renovation-Commercial/Industrial/Institutional	\$ -	\$ 9,000.00	\$ 895,000.00	\$ 8,000.00									\$ 912,000.00	\$ -	\$ 912,000.00
Plumbing only	\$ 5,000.00	\$ -	\$ -	\$ -									\$ 5,000.00	\$ -	\$ 5,000.00
Demolition Out Buildings	\$ -	\$ -	\$ -	\$ -									\$ -	\$ -	\$ -
Total	\$ 392,950.00	\$ 1,406,864.00	\$ 4,812,100.00	\$ 4,938,650.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 11,550,564.00	\$ -	\$ 11,550,564.00



Report to Council

Department: Corporate Services
Date: May 03, 2018
Prepared by: Jeffrey R. Morrison, Director, Corporate Services
Submitted by: Jeffrey R. Morrison, Director, Corporate Services
Report Number: Corporate Services 2018-06
Subject: Extension Agreement – Pare
Number of Pages: 5, including By-Law

Recommendation(s)/Conclusion(s)

The following three recommendations are provided for Council's consideration:

1. That Corporate Services Report Number 2018-06 entitled "Extension Agreements – Pare" be received;
2. That By-Law Number 1705, being a by-law to authorize an Extension Agreement between Richard Pare and the Town of Essex for the payment of outstanding taxes as at May 03, 2018 in the amount of \$11,240.00 receive a first, second and third reading and be passed on May 07, 2018; and

Purpose

By-Laws to enter into Extension Agreements for the payment of outstanding taxes must be adopted by Council.

Background

On May 09, 2017 a Tax Arrears Certificate was registered against a property at 1474 County Rd 15 (Roll Number 440-000-00600-0000), owned by Richard Pare. In the absence of a payment of the outstanding amount during the one-year redemption period following registration, Mr. Pare has requested that the Town enter into an Extension Agreement to allow repayment of outstanding amounts. As at May 03, 2018, the outstanding taxes, including legal fees, are \$11,240.00. Schedule "B" to By-Law Number 1705 provides for full payment of the outstanding amount over a nine-month period. The monthly payments are subject to revision if a lump-sum payment is received at the beginning of the nine-month period.

In the event that either property owner fails to make a payment as outlined in the Schedule "B's" to the By-Laws, the tax registration process will resume, which includes the sale of lands for tax arrears.

Financial Impact

The Extension Agreement in itself has no financial impact as amounts collected will be applied against outstanding taxes.

Link to Strategic Priorities

This report is linked to the Strategic Priority: "Manage the Town's finances and human resources in a responsible manner".

Reviewed by: Michael Woodiwiss, Tax Coordinator, Concur

EXTENSION AGREEMENT

Page 1 of 3 pages

This Agreement made this 7TH day of MAY, 2018,
in pursuance of subsection 378 (3) of the *Municipal Act, 2001*,

BETWEEN THE CORPORATION OF THE TOWN OF ESSEX
Municipality or Board, hereinafter called "the Authority"
and RICHARD PARE
Hereinafter called "the Owner"

WHEREAS the Authority has by By-law (number and title) BY-LAW #1705 RICHARD PARE EXTENSION AGMT. BY-LAW
authorized an Extension Agreement with the Owner to extend to (final date of extension) February 07, 2019 the
payment period for the cancellation price payable in respect of the Land described in Schedule "A" attached hereto, hereinafter
referred to as "the Land,"

NOW THEREFORE the Authority and Owner agree as follows:

1. The Authority will extend to (final date of extension) February 07, 2019 the payment period for the cancellation price payable in respect of the land.
2. The Owner will make payments to the Authority in accordance with Schedule "B" attached hereto.
3. In addition to paying the amounts provided for in paragraph 2, the Owner will pay:
 - (a) as they become due, all real property taxes levied on the Land that became due and payable during the term of this Agreement; and
 - (b) not later than 14 days following the due date of the last payment under paragraph 2, such additional charges added to the roll, any additional penalty & interest and any additional legal costs.
4. As long as this Agreement is a subsisting Agreement, the Authority and its officers will not, except as otherwise provided in this Agreement, enforce the collection of real property taxes that, at the time of entering into this Agreement, are overdue or in arrears in respect of the Land but compliance with this provision does not constitute a waiver of the rights of the Authority or its officers to enforce collection of such taxes in the future if the Owner is in default under this Agreement.
5. If the Owner fails to make a payment as required by paragraph 2 or by clause (a) of paragraph 3 within fourteen days following the day that the payment is due, or fails to make the payment as required by clause (b) of paragraph 3, the Owner is in default and on the day that notice of the default is sent to the Owner by the Authority in accordance with paragraph 8, this Agreement shall cease to be considered a subsisting Agreement.
6. This Agreement shall cease to be considered a subsisting Agreement upon the date of the sale or other disposition of the Land by the Owner.
7. Notwithstanding paragraphs 2 and 3, the Owner or any other person may pay the cancellation price at any time and this Agreement terminates when the cancellation price is so paid.
8. Notice to the Owner under this Agreement is sufficiently given if sent by registered post to the Owner at the following address:
1474 County Road 15, Essex, ON

In witness whereof the said parties hereto have hereunto set their hands and seals.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF

_____ Witness	_____ Signature of Owner
_____ Witness	_____ Signature of Head of Council or Chair of Board
_____ Witness	_____ Signature of Clerk or Other Authorized Employee

Corporate Seal

Cancellation price - means an amount equal to all the tax arrears owing at any time in respect of land together with all current real property taxes owing, interest and penalties thereon and all reasonable costs incurred by the municipality after the treasurer becomes entitled to register a tax arrears certificate under section 373 in proceeding under this Part or in contemplation of proceeding under this Part and may include,

- (a) legal fees and disbursements,
- (b) the costs of preparing an extension agreement under section 378,
- (c) the costs of preparing any survey required to register a document under this Part, and
- (d) a reasonable allowance for costs that may be incurred subsequent to advertising under section 379. *Municipal Act, 2001*, s. 379.

SCHEDULE "A"

to EXTENSION AGREEMENT NO. 1705

between the Authority and Richard Pare

Name of Owner

DESCRIPTION OF THE LAND

Municipality of the TOWN of ESSEX

in the COUNTY of ESSEX

whole/part Lot PT LT 13 Concession SMR COLCHESTER

Lot No. Plan No. R1476847 Block No.

Parcel Section

as set out in Instrument No. CE 770254 registered in the

Land Registry Office for the Registry/Land Titles Division of ONTARIO

Street COUNTY ROAD 15 No. 1474

Ministry of Citizenship and
Immigration

Minister

6th Floor
400 University Avenue
Toronto ON M7A 2R9

Tel.: (416) 325-6200
Fax: (416) 325-6195

Ministère des Affaires civiques et
de l'Immigration

Ministre

6^e étage
400, avenue University
Toronto ON M7A 2R9

Tél.: (416) 325-6200
Télééc.: (416) 325-6195



March 2018

Dear Friends,

Throughout the year, Ontarians from all walks of life play a vital role in championing diversity and the richness it brings to the province.

Today, I am writing to encourage you to submit a nomination for the **Champion of Diversity Award** so that outstanding individuals, groups and employers receive the recognition they deserve for actively promoting diversity and inclusion and immigrant economic success in Ontario. You can submit a nomination under the following award categories:

- Inclusion and Diversity
- Cross-Cultural Understanding
- Business Leadership in Immigrant Employment

To submit a nomination for this award:

- a) Visit ontario.ca/honoursandawards.
- b) Select the **Inclusion** category.
- c) Click on **Champion of Diversity Award**.
- d) Download the PDF form.
- e) Read the eligibility criteria and instructions carefully.
- f) Fill out the form, then submit it **no later than May 15, 2018**. Instructions for submitting your nomination package can be found on the website.

If you have any questions please call 416-314-7526, toll free 1-877-832-8622 or TTY 416-327-2391, or email ontariohonoursandawards@ontario.ca.

Thank you for your support of this important recognition program.

Sincerely,

A handwritten signature in black ink, reading 'Laura Albanese'. The signature is fluid and cursive, with the first name 'Laura' and last name 'Albanese' clearly distinguishable.

Laura Albanese
Minister



Essex-Windsor Solid Waste Authority

360 Fairview Ave. West, Suite 211 Essex, ON N8M 3G4

ph: 519-776-6441 f: 519-776-6370

tf: 1-800-563-3377 / tty: 1-877-624-4832

email: ask@ewswa.org / web: www.ewswa.org

March 31, 2018

File: Annual Reports
Sent By: Courier

Town of Essex
Attention: Mr. Robert Auger, Clerk
33 Talbot St. South
Essex Ontario
N8M 1A8

Dear Mr. Auger,

**Subject: Essex-Windsor Solid Waste Authority Waste Diversion Annual Report
Reporting Year 2017**

In accordance with 5.2 of the Terms and Conditions of the Environmental Assessment Act approval for the Essex-Windsor Regional Landfill Site dated August 10, 1995, please find enclosed the Essex-Windsor 2017 Waste Diversion Annual Report.

If you have any questions concerning the content of the report, please feel free to contact the undersigned at extension 1394.

Regards,

Cameron Wright, Manager of Waste Diversion



ANNUAL REPORT

Essex-Windsor Residential Waste Diversion 2017

Report Date: March 27, 2018

Table of Contents

1 INTRODUCTION	1
1.1 2017 Residential Waste Diversion Rate	1
2 PROGRAMS	3
2.1 Residential Recycling Program	3
Table 1: Residential Recycling Collection Tonnages by Month for 2017 with 2016 Comparison	3
2.2 Recycling Residual Disposal	4
3 TONNES MARKETING	4
3.1 Fibres	4
Old Newspaper (ONP)	4
Old Corrugated Cardboard (OCC)	5
Cardboard/Boxboard (Hardpack)	5
Fine Paper	5
3.2 Containers	5
Steel Cans	5
Aluminum Cans	5
Glass	5
Polyethylene terephthalate (PET)	6
High-Density Polyethylene (HDPE)	6
Polycoat and Gable Top	6
Mixed Plastics	6
Table 2A: Marketed Fibres Summary for 2016 with comparison to 2017 Tonnages	6
Table 2B: Marketed Containers Summary for 2016 Tonnes with 2017 Comparison	7
Figure 1: Percent of Tonnes for 2017 Marketed Recyclables	7
Table 2C: Residential Recyclables Marketed in 2016 with 2017 Comparison	8
Table 3: Revenue Comparison for 2016 to 2017	8
Figure 2: Percent of Revenue Marketed in 2017	9
4 OTHER RESIDENTIAL RECYCLING PROGRAMS	9
4.1 White Goods	9
Table 4A: Essex County White Goods Collected in 2017 by Month	10
Table 4B: Summary of White Goods Diversion for 2017	11
4.2 Tires	11
4.3 Scrap Metal	11

4.4 Electronics Recycling	11
4.5 Deposit/Return Program	12
Table 5: Other Recyclables Tonnage Comparison 2016 and 2017	12
5 Residential Organics	12
5.1 Yard Waste	12
Table 6A: 2017 Yard Waste Summary for all sites	13
Table 6B: Yard Waste Tonnage 2017 comparison to 2016	13
5.2 Screened Compost Sales	13
Table 7: Compost Sales 2017 Summary	14
5.3 Backyard Composting	14
Table 8: Residential Organic Waste Reduction Comparison 2015 to 2017	15
6 PROMOTION AND EDUCATION	15
6.1 School and Community Presentations	15
6.2 Special Community Events	15
6.3 On-going Public Education Activities	15
6.4 Gold Star Program	16
7 MUNICIPAL HAZARDOUS OR SPECIAL WASTES (MHSW) PROGRAMS	17
7.1 MHSW Depots	17
Reuse Centre	17
Table 9A: Municipal Hazardous or Special Waste 2017 Litres	17
Table 9B: Municipal Hazardous or Special Waste 2017 Kilograms	18
Table 10: MHSW Diversion Comparison (Tonnes) 2016 with 2017	18
7.2 Waste Motor Oil	18
Table 11: Motor Oil Collected (Litres) 2014 through 2017	19
8 OVERALL SUMMARY OF RESIDENTIAL DIVERSION QUANTITIES	19
8.1 Residential Waste Diversion	19
Table 12: Residential Waste Diversion Activity	19

This document is formatted for accessibility and available in other formats upon request.

Essex-Windsor Residential Waste Diversion

Annual Report for January – December 2017

1 Introduction

The Annual Waste Diversion Report provides information on the waste diversion activities carried out by the Essex-Windsor Solid Waste Authority during 2017 in compliance with Condition 5.2 of the Environmental Assessment Approval for the Essex-Windsor Regional Landfill.

1.1 2017 Residential Waste Diversion Rate

This report also provides the Authority with the ability to track any changes in the percentage of waste diverted through its waste diversion initiatives from year to year.

In 2017, the seven County of Essex municipalities and the City of Windsor delivered 104,150 tonnes of residential waste to the Regional Landfill. During the same time period, 54,726 tonnes of residential waste were diverted from the landfill via the blue and red box recycling program, municipal hazardous or special waste program, composting, and other waste diversion programs. These waste diversion initiatives resulted in a 2017 residential diversion rate of 34%. The 2016 diversion rate was 35%.

The 2017 and the 2016 residential diversion rate calculation formula is demonstrated in the following diagrams:

Residential Waste Diversion 2017 Report

The 2017 residential diversion rate is calculated using the following formula:

$$\frac{\begin{array}{l} 54,746 \text{ Tonnes Diverted (see Table 12, page 19)} \\ 104,150 \text{ Tonnes of Residential Refuse} \\ \text{collected curbside} + 2,146 \text{ Residuals} + 54,746 \\ \text{Diverted Tonnes} \end{array}}{161,042} \times 100 = 34.0\%$$

The 2016 residential diversion rate is calculated using the following formula:

$$\frac{\begin{array}{l} 54,653 \text{ Tonnes Diverted (see Table 12, page 19)} \\ 98,600 \text{ Tonnes of Residential Refuse} \\ \text{collected curbside} + 2,765 \text{ Residuals} + 54,653 \\ \text{Diverted Tonnes} \end{array}}{156,018} \times 100 = 35.0\%$$

Residential Waste Diversion 2017 Report

2 Programs

2.1 Residential Recycling Program

The tonnage of residential recyclable materials collected curbside during 2017 totaled 26,511 tonnes. The overall tonnage of recyclables collected in 2017 was slightly lower compared to the 26,957 tonnes collected in 2016.

A monthly summary and comparison of the tonnage collected curbside from the City and the County in 2016 and 2017 is shown in Table 1. Collection of recyclables in the County was carried out under contract in 2017 by Windsor Disposal Services Ltd. Collection of recyclables in Windsor was carried out by Green For Life Environmental Inc.

All materials were processed at the Authority owned Essex-Windsor Recycling Centres, located at E.C. Row and Central Avenue, Windsor under contract to Windsor Disposal Services.

In addition to the residential recyclables collected curbside, 1,142 tonnes of recyclables were delivered to the Authority's Public Drop Off Depots in 2017. This is up 29% compared to the 882 tonnes delivered in 2016.

Table 1: Residential Recycling Collection Tonnages by Month for 2017 with 2016 Comparison

Month	County of Essex	City of Windsor	2017 Combined Tonnage	2016 Comparable Tonnage
January	1,170.09	1,170.96	2,341.05	2,198.37
February	929.68	948.18	1,877.86	1,894.09
March	1,081.61	1,094.73	2,176.34	2,204.19
April	1,044.57	1,100.04	2,144.61	2,292.55
May	1,217.84	1,239.23	2,457.07	2,290.31
June	1,144.99	1,159.94	2,304.93	2,298.92
July	1,040.56	1,029.21	2,069.77	2,126.21
August	1,056.04	1,167.19	2,223.23	2,245.27
September	1,082.23	1,120.03	2,202.26	2,370.25

Residential Waste Diversion 2017 Report

Month	County of Essex	City of Windsor	2017 Combined Tonnage	2016 Comparable Tonnage
October	1,052.60	1,100.31	2,152.91	2,197.29
November	1,172.34	1,230.99	2,403.33	2,386.01
December	1,089.64	1,068.95	2,158.59	2,453.62
Column Totals:	13,082.19	13,429.76	26,511.95	26,957.08

Table 1 Notes: The County of Essex includes the Town of Amherstburg, the Town of Essex, the Town of Kingsville, the Town of Lakeshore, the Town of LaSalle, the Municipality of Leamington and the Town of Tecumseh.

2.2 Recycling Residual Disposal

Recycling Residual is material that is left over after the processing of the recyclable materials collected and delivered to the Recycling Centre. The residuals consist of contaminated materials, non-recyclable materials, and packaging materials used to secure recyclables placed in the recycle box. A total of 2,146.13 tonnes of recycling residuals was disposed of in 2017.

3 Tonnes Marketed

For the purposes of waste diversion calculations, tonnes marketed are used instead of the tonnage collected curbside. The tonnes marketed by material type are shown in Table 2. The Essex-Windsor Solid Waste Authority markets all materials processed through the Recycling Centre, and retains 100% of the revenue from the sale of materials. Revenue from the sale of material in 2017 was approximately \$4,241,411 (see Table 3) representing a basket-of-goods revenue of approximately \$173/tonne compared to a basket-of-goods revenue of \$143/tonne in 2016. A brief discussion on market conditions and prices for each of the materials follows.

3.1 Fibres

Old Newspaper (ONP)

In 2017, ONP#8 prices ranged from a high of \$160 to a low of \$94 per tonne. The average price for 2017 was \$125 per tonne compared to an average price of \$115 per tonne in 2016.

Residential Waste Diversion 2017 Report

Old Corrugated Cardboard (OCC)

The price for old corrugated cardboard ranged from a high of \$284 per tonne to a low of \$155 per tonne in 2017. The average price per tonne was \$213 compared to \$145 per tonne in 2016.

Cardboard/Boxboard (Hardpack)

(Example: Cereal Boxes)

Prices for a cardboard/boxboard mix ranged from a high of \$248 to a low of \$113 per tonne in 2017. The 2017 average price was \$177 compared to \$102 per tonne in 2016.

Fine Paper

Two loads of fine paper were sold in 2017 with an average price of \$256 per tonne. This is an increase compared to the \$235 per tonne received in 2016.

3.2 Containers

Steel Cans

The pricing for steel cans ranged from a high of \$301 per tonne to a low of \$222 per tonne during 2017. The 2017 average price was \$260 per tonne compared to \$185 per tonne in 2016.

Aluminum Cans

The pricing for aluminium ranged from a high of \$2,039 per tonne to a low of \$1,563 per tonne. The 2017 average price was \$1,824 per tonne compared to \$1,659 in 2016.

Glass

The average price for clear glass, marketed for new containers, in 2017 was \$33 per tonne, which is lower compared to the 2016 average price of \$36 per tonne. Clear glass is the only product that is not marketed FOB (Freight On Board) at the Essex-Windsor Recycling Centre. Mixed coloured glass was delivered to the Regional Landfill for use as road base.

Residential Waste Diversion 2017 Report

Polyethylene terephthalate (PET)

(Example: Plastic Water Bottles)

PET prices ranged from a high of \$456 per tonne to a low of \$310 per tonne in 2017. The average price was \$397 per tonne in 2017 compared to the 2016 average price of \$277 per tonne.

High-Density Polyethylene (HDPE)

(Example: Laundry Soap Bottles)

HDPE prices ranged from a high of \$733 per tonne to a low of \$366 per tonne in 2017. The average price was \$520 per tonne in 2017 compared to the 2016 average price of \$553 per tonne.

Polycoat and Gable Top

(Example: Milk Cartons)

Five loads of polycoat were shipped out in 2017 at an average price of \$65 per tonne compared to the average price of \$122 per tonne in 2016.

Mixed Plastics

(Example: tubs & lids, clamshells, trays, cups, all plastic bottles, excludes polystyrene and plastic film bags)

In 2017, mixed plastic prices ranged from a high of \$75 per tonne to a low of \$19 per tonne. The average price was \$44 per tonne in 2017 compared to the average price of \$82 per tonne in 2016.

Table 2A: Marketed Fibres Summary for 2016 with comparison to 2017 Tonnages

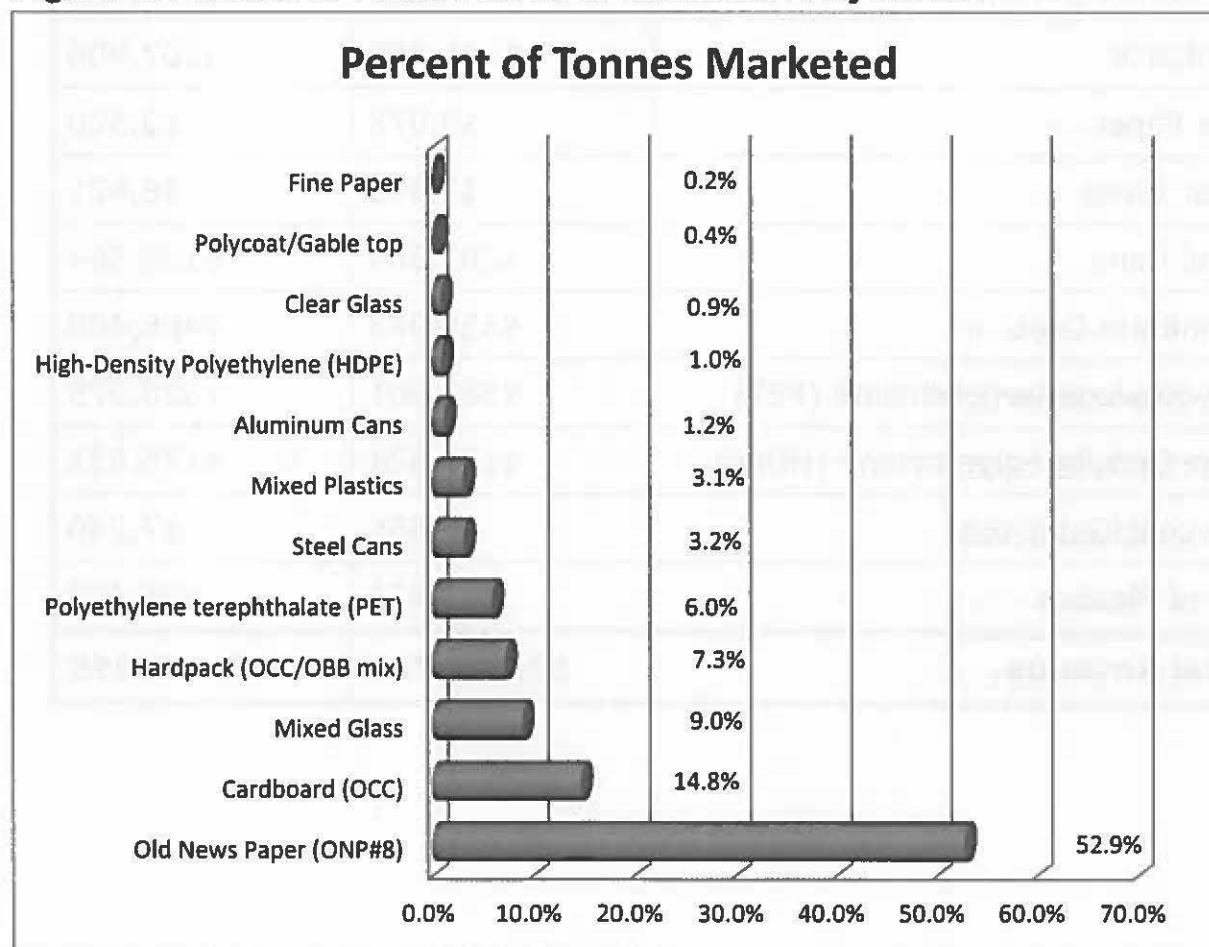
Fibre Material	2017 Tonnage	2016 Tonnage	% Change
Old News Paper (ONP#8)	12,948	13,443	-3.7
Cardboard (OCC)	3,629	3,220	12.7
Hardpack (OCC/OBB mix)	1,786	2,032	-12.1
Fine Paper	39	41	-4.9
Fibre Totals:	18,402	18,736	-1.8

Residential Waste Diversion 2017 Report

Table 2B: Marketed Containers Summary for 2016 Tonnes with 2017 Comparison

Container Material	2017 Tonnage	2016 Tonnage	% Change
Clear Glass	222	191	16.2
Mixed Glass	2,205	1,820	21.2
Steel Cans	781	747	4.6
Aluminum Cans	306	293	4.4
Polyethylene terephthalate (PET)	1,466	1,186	23.6
High-Density Polyethylene (HDPE)	247	320	-22.8
Polycoat/Gable top	102	64	59.4
Mixed Plastics	768	442	73.8
Container Totals:	6,097	5,063	20.4

Figure 1: Percent of Tonnes for 2017 Marketed Recyclables



Residential Waste Diversion 2017 Report

Table 2C: Residential Recyclables Marketed in 2016 with 2017 Comparison

Tonnes Marketed	2017 Tonnage	2016 Tonnage
a) Total Tonnes Marketed	24,499	23,799
b) ICI Tonnes	(965)	(754)
Net Marketed Residential Recyclables	23,543	23,045

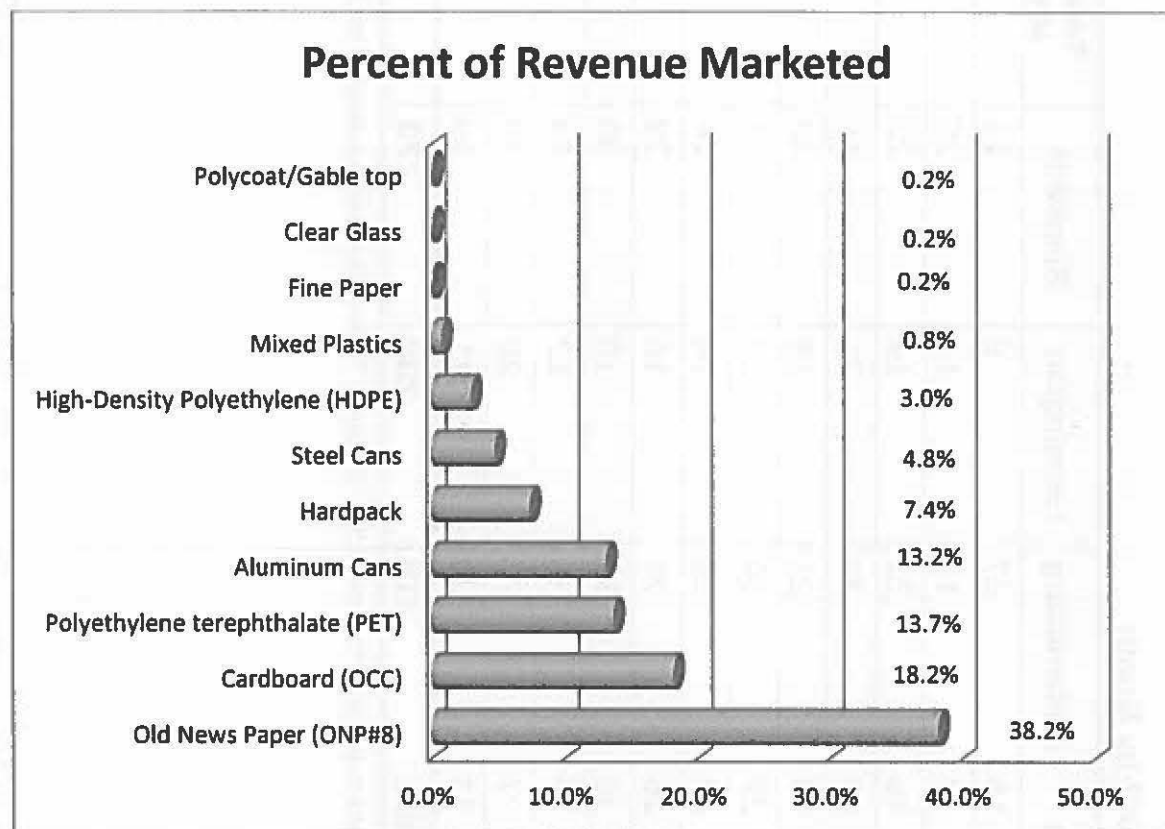
Table 2C Notes: a) Total Tonnes Marketed less b) ICI Tonnes = Net Marketed Residential Recyclables.

Table 3: Revenue Comparison for 2016 to 2017

Recyclable Material	2017 Revenue	2016 Revenue
Old News Paper (ONP#8)	\$1,621,616	\$1,550,284
Cardboard (OCC)	\$772,861	\$466,090
Hardpack	\$315,455	\$207,906
Fine Paper	\$9,978	\$9,520
Clear Glass	\$7,362	\$6,821
Steel Cans	\$203,364	\$138,564
Aluminum Cans	\$558,943	\$485,400
Polyethylene terephthalate (PET)	\$582,801	\$328,375
High-Density Polyethylene (HDPE)	\$128,524	\$176,933
Polycoat/Gable top	\$6,556	\$7,740
Mixed Plastics	\$33,951	\$36,422
Total Revenue	\$4,241,411	\$3,414,055

Residential Waste Diversion 2017 Report

Figure 2: Percent of Revenue Marketed in 2017



4 Other Residential Recycling Programs

4.1 White Goods

White Goods, such as fridges, stoves, air conditioners, washers, dryers, freezers dishwashers, etc. were restricted from landfill disposal in 1991. Curbside collection of white goods from County municipalities captured 1,463 units (approximately 132 tonnes) in 2017.

The City of Windsor did not operate a white goods collection program during 2017.

There were also 156 tonnes (150 tonnes in 2016) of white goods delivered to the Public Drop Off Depots for a combined total of approximately 288 tonnes. Based on the Waste Diversion Ontario (RPRA) Datacall residual percentage of 20%, approximately 230 tonnes of white goods were recycled. Table 4A details the white goods collection program for each of the municipalities in the County of Essex by month during 2017.

Residential Waste Diversion 2017 Report

Table 4A: Essex County White Goods Collected in 2017 by Month

Month	Tecumseh	Essex	LaSalle	Amherstburg	Leamington	Kingsville	Total for Month
January	0	21	18	27	9	11	86
February	0	15	17	18	15	20	85
March	0	20	16	21	14	22	93
April	10	19	33	39	21	15	137
May	25	16	30	21	15	24	131
June	16	17	29	30	33	26	151
July	18	18	29	29	24	14	132
August	16	21	16	24	16	29	122
September	19	16	36	32	18	30	151
October	12	15	27	30	12	24	120
November	14	27	27	28	20	39	155
December	11	16	23	20	11	19	100
Total Units	141	221	301	319	208	273	1,463

Table 4A Notes: 1,463 units with the average weight of 90 kilograms per unit results in diversion of approximately 132 tonnes; There were no tonnage reported for Lakeshore in 2017.

Table 4B: Summary of White Goods Diversion for 2017

White Goods Tonnage Summary	2017 Tonnes
Curbside Collection Converted to Tonnes	132
Drop Off Depot Tonnes	156
Total White Goods Tonnage	288
Less 20% Residual Calculation Amount	58
Total Tonnes Recycled and Diverted	230

4.2 Tires

Bins for automotive tire recycling are located at all Essex-Windsor disposal facilities. The Ontario Tire Stewardship Used Tires Program as calculated in the RPPRA Datacall resulted in diversion of approximately 2,830.90 tonnes in the Essex-Windsor area.

4.3 Scrap Metal

There are 40-yard roll off bins located at the Public Drop-off Depot for collection of ferrous and non-ferrous scrap metal material. The metals are sold through a competitive bid process to local scrap dealers. In 2017, approximately 529.69 tonnes of metals were collected and recycled. While the Authority does not advertise that it accepts other metal household objects besides steel cans in the blue box program, the Authority does receive and does try to capture any metal objects which are called "mixed metal". An additional 82.97 tonnes of mixed metals were received in 2017 for a total of 612.66 tonnes of scrap metal.

4.4 Electronics Recycling

Under contract to the Authority, Greentec supplies roll off bins for the collection of electronics at the Authority's Public Drop-off Depots. EWSWA staff place the electronic items from the public in the bin. In 2017, a total of 370.61 tonnes of computers, televisions, audio visual equipment, and various electronic items were collected through the Waste Electrical and Electronics Equipment (WEEE) stewardship program. Based on a residual portion of 20% the total electronics recycled was approximately 296 tonnes.

Residential Waste Diversion 2017 Report

4.5 Deposit/Return Program

The Authority implemented a capture program at its Material Recovery Facility for deposit/return containers that were placed curbside for collection as part of the blue box program. Currently aluminum beer containers and glass wine and spirit bottles are captured through the program. During 2017, approximately 20.2 tonnes of deposit/return containers were received at the MRF and are included as part of the 2,196.94 tonnes that were diverted throughout Essex-Windsor as part of the Deposit/Return & Stewardship Program. The 2,197 diversion tonnage figure is calculated as part of the 2017 Resource Productivity and Recovery Authority Datacall and is based on the Essex-Windsor population as determined by the latest Statistics Canada Census data.

Table 5: Other Recyclables Tonnage Comparison 2016 and 2017

Recyclable Material	2017 Tonnage	2016 Tonnage	% Change
White Goods (all sites)	230	238	-3.36
Used Tire Program	2,831	2,831	0.00
Scrap & Mixed Metal	613	568	7.92
Electronics	296	310	-4.52
Deposit/Return & Stewardship Program	2,197	2,197	0.00
Total Other Recyclables	6,167	6,144	0.37%

Table 5 Notes: RPRA Datacall calculation is based on population for Used Tire Program and Deposit/Return & Stewardship Program in the Essex-Windsor area as reported by the Statistics Canada Census. .

5 Residential Organics

5.1 Yard Waste

Grass, leaves, tree trimmings and brush are restricted from disposal at the Essex-Windsor Regional Landfill Site. As a result many local municipalities have established separate collection systems for yard waste, including special collections in January for Christmas trees. In addition, individual residents and grounds maintenance contractors brought yard waste to one of the three yard waste depots operated by the Essex-Windsor Solid Waste Authority in 2017.

Residential Waste Diversion 2017 Report

The Essex-Windsor area accepts the use of paper bags, wheeled carts, garbage bins and cardboard boxes for the collection of yard waste. Plastic bags are not accepted. Approximately 29,875 tonnes of yard waste were received in 2017, up 23% compared to the 24,277 tonnes in 2016.

Table 6A: 2017 Yard Waste Summary for all sites

Material Type	Windsor Public Drop Off	Kingsville Transfer Station 2	Regional Landfill
Municipal Delivered	9,942	1,386	3,570
Residential Delivered	3,269	788	144
Total Res. Organics	13,211	2,174	3,714
ICI Organics and Pallets	539	335	9,902
Grand Total (Tonnes)	13,750	2,509	13,616

Table 6A Notes: ICI is Industrial, Commercial and Institutional delivered material type.

Table 6B: Yard Waste Tonnage 2017 comparison to 2016

Material Type	2017 Tonnage	2016 Tonnage
Municipal Delivered	14,898	14,939
Residential Delivered	4,201	4,674
Total Res. Organics	19,099	19,613
ICI Organics and Pallets	10,776	4,664
Grand TOTAL (Tonnes)	29,875	24,277

Table 6B Notes: ICI is Industrial, Commercial and Institutional delivered material type.

5.2 Screened Compost Sales

The Authority takes the organics and yard waste it receives and turns this material into compost. Compost is nutrient rich organic material which is essential for plant growth. The composting process involves grinding up yard waste and placing it in long rows called 'windrows'. The material is turned frequently and the temperature is maintained above 55 degrees Celsius in order to kill any pathogens or weed seeds. Once the compost has matured it is tested, screened and sold for use in landscaping and for flower and vegetable gardens.

Residential Waste Diversion 2017 Report

In 2017 compost was sold in bulk, delivered, bag your own, and prepackaged. The results are listed in Table 7.

Table 7: Compost Sales 2017 Summary

Compost Material	2017 Quantity Sold	2017 Tonnes
Delivered	823 cubic yards	484
Bulk Sales	25,841 cubic yards	15,195
Bag Your Own Compost	1,471 bags	40
Prepackaged Garden Gold Compost	5,214 bags	99

Table 7 Notes: Prepackaged bag weights are based on approximately 19 kg/bag; bag your own compost is approximately 27 kg/bag and bulk compost is approximately 588 kg/cubic yard.

Under contract to the Authority, Frank Dupuis Landscaping and Trucking provided delivery services for the sale of compost to local residents. Also 15,195 tonnes in bulk sales were sold to residents and businesses at EWSWA Depots. Additionally about 5,214 prepackaged bags of compost were sold at the Depots and the Truckload Sales. Many residents also bagged their own compost at one of the depots. The combined total weight of compost sold was approximately 15,818 tonnes. Compost Sales totaled \$208,884 in 2017.

5.3 Backyard Composting

Backyard composters (BYC) with the brand name "The Earth Machine" and "The Green Cone" were sold to Essex-Windsor residents in 2017. The Earth Machine was sold through local Home Hardware stores year round. Both units were sold during the Truckload Sale held in the City of Windsor. Approximately 19 Earth Machine units were sold through the Home Hardware stores (31 units in 2016) and 351 units during the truckload and miscellaneous sales (294 in 2016) for a total of 370 units. There were 101 Green Cones sold in 2017 (29 in 2016), bringing the cumulative total to 573 Green Cones distributed since 2010, when they were first introduced to the area. The combined backyard composting containers distributed in 2017 was 471 units bringing the total number of BYC units sold since 1988 to 39,119 units.

Current research has indicated that approximately 100 kg/year/BYC is diverted as a result of the backyard composting program. This translates into 3,912 tonnes of organic waste diverted from the landfill through this program. This does not take into account homemade composters or

Residential Waste Diversion 2017 Report

composting done independent of the Authority's backyard composting program.

Table 8: Residential Organic Waste Reduction Comparison 2015 to 2017

Residential Organic Programs	2017 Tonnes	2016 Tonnes	2015 Tonnes
BYC Program	3,912	3,865	3,829
Mulching Blades	1,343	1,343	1,343
Yard Waste (Residential)	19,099	19,613	22,678
Total Residential Organics	24,354	24,821	27,850

Table 8 Notes: The mulching blade program was no longer directly offered through EWSWA after 2001 though mulching blades and mowers are used by residents in the area but cannot be measured for the purposes of this report, therefore no increase in diversion is indicated.

6 Promotion and Education

6.1 School and Community Presentations

In 2017, Authority staff conducted 161 presentations to over 15,192 individuals at various locations; 116 school presentations were made to approximately 9,239 students. An additional 45 presentations were provided to community groups, event attendees, open houses etc. with attendance of approximately 5,953 people. The emphasis in 2017 was placed on plastic; how to reduce, reuse and recycle.

6.2 Special Community Events

Authority staff organized displays and talked to area residents at various special events scheduled at the Horticultural Show, Earth Day Celebrations and the Truckload Sale. There were 111 special events serviced with recycling in 2017 resulting in 4 tonnes of recyclables collected throughout Essex County and the City of Windsor. Many special event venues have implemented their own ongoing recycling program throughout the season (April through September) and do not require the per event service offered by EWSWA.

6.3 On-going Public Education Activities

The Authority maintains a Waste Reduction Hotline (1-800-563-3377), a Website ([EWSWA Home Page at www.ewswa.org](http://www.ewswa.org)) and a newsletter called

Residential Waste Diversion 2017 Report

Enviro-Tips which is delivered once a year to each household and which has also been converted to electronic format and is available online.

E-newsletters are employed due to the low cost and the ability to reach residents quickly and effectively. Industry standards indicate that a decent open rate is anything between 20-33%. The Authority has 1,532 e-newsletter subscribers. The spring e-newsletter had an open rate of 45%, the Waste Reduction Week e-newsletter had a 58% open rate and the Backyard Composter and Green Cone e-newsletter had a 45% open rate.

The EWSWA website is updated on a regular basis to provide detailed information and public education to residents. Topics covered range from waste management and reduction to details about waste diversion activities. Residents have access to instructions, tenders, reports, calendars, acceptable recycle box materials, incentives etc. In 2017 there were approximately 49,395 hits on the website bringing the total hits to 196,929 hits since the launch of the new website in 2012; the monthly average hits in 2017 were 4,116 with duration of approximately 1:46 minutes. The 'What Goes Where' material search database resulted in 7,604 searches in 2017.

EWSWA also continues to maintain a presence in social media sites such as Facebook and Twitter. EWSWA started with 30 Twitter followers on January 1, 2015 and had 579 followers by December 31, 2017 as well as 447 followers on Facebook.

6.4 Gold Star Program

In 2016, the Authority launched a new recycling incentive program aimed at increasing public awareness regarding the red and blue box recycling program. Residents were encouraged to register for a new "Gold Recycling Box" provided they passed a curbside examination of their recycling which proved that they were recycling correctly. The program's ultimate objective is to decrease the amount of contamination being put out by residents and thereby decrease the amount of contamination at the recycling centres. The program was renewed in 2017 and 2,050 residents registered for the "Gold Star" program. In 2017, 1,000 households were inspected and 604 gold boxes were awarded. The remaining households will be inspected in 2018.

7 Municipal Hazardous or Special Wastes (MHSW) Programs

7.1 MHSW Depots

The Essex-Windsor Solid Waste Authority opened its Windsor MHSW Depot in October of 1995. In addition to the Windsor facility, the Authority opened a second MHSW Depot at Transfer Station No. 2 in the Town of Kingsville in 1997. A third depot was opened at the Essex-Windsor Regional Landfill Site in October 2013. The Depots replaced the annual Household Chemical Waste Days held in Essex-Windsor. All facilities were operated year round in 2017. A total of 502,763 litres and 115,831 kg of MHSW materials were delivered to the sites. See Table 9A and 9B for details.

Reuse Centre

A Reuse Centre has been operated at the Windsor MHSW facility since its opening in 1995.

Paint is distributed in both 1-gallon and 5-gallon pails for reuse. According to the records, 3,296 residents accessed the Reuse Centre and took 56,208 products or approximately 80,077 kg of paint and miscellaneous materials in 2017 compared to 50,125 products or 71,100 kg of reusable materials in 2016.

Demand for the Reuse Centre remains high, however quantities available depend largely on how good the products are that are delivered by households to the facility.

Table 9A: Municipal Hazardous or Special Waste 2017 Litres

Material	MHSW from Facilities	Reuse Centre Quantities	Total Litres
Adhesives/Flammable Organics	64,663	19,063	83,726
Aerosols	7,860	1,313	9,173
Antifreeze (Glycol)	8,059	0	8,059
Corrosive Liquid	5,875	1,287	7,162
Gasoline/Fuels	3,340	0	3,340
Inorganic Acids	945	0	945
Paints & Coatings	219,678	49,941	269,619
Pesticides	5,957	1,004	6,961
Recyclable Waste Oil	186,386	0	186,386
Total MHSW Litres	502,763	72,608	575,371

Residential Waste Diversion 2017 Report

Table 9B: Municipal Hazardous or Special Waste 2017 Kilograms

Material	MHSW from Facilities	Reuse Centre Quantities	Total kg
Car Batteries	27,490	0	27,490
Dry Cell Batteries	3,150	0	3,150
Fire Extinguishers	1,280	0	1,280
Fluorescents/Misc. Lamps	21,042	0	21,042
Inorganic Oxidizers	2,930	7,469	10,399
Mercury (HG items)/Lead	38	0	38
Pharmaceuticals	865	0	865
Plastic Used Oil Containers	18,587	0	18,587
Propane Cylinders	4,115	0	4,115
Propane Tanks	15,999	0	15,999
Rechargeable & Mixed Batteries	19,420	0	19,420
Waste Oil Filters	915	0	915
Total MHSW kilograms	115,831	7,469	123,300

Table 10: MHSW Diversion Comparison (Tonnes) 2016 with 2017

	2017 Tonnes	2016 Tonnes
MHSW Recycled or Reused	699	657
MHSW not Recycled	(17)	(14)
Total MHSW Diverted	682	643

7.2 Waste Motor Oil

Waste motor oil is collected curbside with the residential recycling program. As well, residents are able to deliver oil to the MHSW facilities. The quantity of waste motor oil collected during 2017 was 186,386 litres, down by 4.8% compared to the 195,681 litres collected in 2016. The quantity of oil collected by month is shown in Table 11 with historical data over four years.

Residential Waste Diversion 2017 Report

Table 11: Motor Oil Collected (Litres) 2014 through 2017

Month	2017 Litres	2016 Litres	2015 Litres	2014 Litres
January	14,680	9,390	9,775	9,375
February	8,700	12,480	6,475	4,840
March	7,311	10,160	10,745	7,730
April	20,320	20,771	23,840	24,075
May	21,600	22,683	19,925	24,140
June	18,400	21,685	20,700	20,250
July	20,575	16,310	17,790	25,215
August	17,300	18,245	17,085	17,355
September	14,450	20,401	18,975	20,030
October	14,900	16,716	17,495	20,705
November	20,200	18,840	16,860	15,240
December	7,950	8,000	13,195	12,060
Column Totals:	186,386	195,681	192,860	201,015

8 Overall Summary of Residential Diversion Quantities

8.1 Residential Waste Diversion

The following table summarizes the residential waste diversion activities detailed in this report.

Table 12: Residential Waste Diversion Activity

Residential Waste Diversion Summary	2017 Tonnes	2016 Tonnes
Net Marketed Recyclables-Table 2C	23,543	23,045
Other Recycling Programs-Table 5	6,167	6,144
Yard Waste, BYC & Mulching Blades-Table 8	24,354	24,821
MHSW Waste including Motor Oil-Table 10	682	643
Total Residential Tonnes Diverted	54,746	54,653

Table 12 Notes: Net Marketed Recyclables refer to Table 2; MHSW Wastes refer to Table 10; Other Recycling refers to Table 5; Yard waste, BYC programs & mulching blades refer to Table 8.

Residential Waste Diversion 2017 Report

For further information please contact the Essex-Windsor Solid Waste Authority Hotline at 1-800-563-3377

Cameron Wright
Manager, Waste Diversion



Eli Maodus
General Manager



Report prepared by:

Margaret Shires, Administrative Assistant

Windsor Essex County Environment Committee Meeting held April 5, 2018

A meeting of the **Windsor Essex County Environment Committee** is held this day commencing at 5:30 o'clock p.m. at the Ojibway Nature Centre, there being present the following members:

Councillor Paul Borrelli, Chair
Councillor Fred Francis
Mayor Aldo DiCarlo, Town of Amherstburg
Mayor Nelson Santos, Town of Kingsville
Derek Coronado
Debby Grant
Mike Nelson
Joe Passa (arrives at 5:45 p.m.)
Radwan Tamr (arrives at 5:48 p.m.)

Regrets received from:

Dr. Edwin Tam

Guests in attendance:

Xavier Gonzalez
David Hanna

Also present are the following resource personnel:

Kelsey Williams, (A) Environmental & Sustainability Coordinator
Karen Kadour, Committee Coordinator

1. Call to Order

The Chair calls the meeting to order at 5:32 o'clock p.m. and the Committee considers the Agenda being Schedule "A" attached hereto, matters which are dealt with as follows:

2. Additions to the Agenda

Moved by Councillor Francis, seconded by M. Nelson,
That Rule 3.3 (c) of the Procedure By-law 98-2011 be waived to add the following addition to the Agenda:

9.3 Screening of a documentary entitled "Earth Seen from the Heart".

Carried.

3. Declarations of Conflict

None disclosed.

4. Minutes

Moved by Councillor Francis, seconded by M. Nelson,
That the minutes of the Windsor Essex County Environment Committee of its meeting held January 25, 2018 **BE ADOPTED** as presented.
Carried.

5. Presentation

Moved by Councillor Francis, seconded by Mayor DiCarlo,
That the presentation by Mike Nelson relating to a discussion on Wetlands **BE DEFERRED** to the next meeting of WECEC.
Carried.

6. Business Items

6.1 2018 Green Speaker Series and Review of 2016/2017 Presenters

K. Williams provides an overview of the past Green Speakers and this matter is received for information.

6.2 Review of WECEC 2018 Priorities

K. Williams provides the highlights of the WECEC Priorities 2018 – list of priority themes and corresponding objectives.

Moved by Councillor Francis, seconded by Mayor Santos,
That the document entitled “WECEC Priorities 2018 – List of Priority Themes and Corresponding Objectives” **BE RECEIVED**.
Carried.

6.3 Participation in Content's Processing Centre's (CPC) Earth Day Celebration

K. Williams advises the CPC was created to help the restoration companies clean the contents of a building following a disaster such as fire or floods. An Open House will be held on April 20, 2018 from 11:30 a.m. – 2:30 p.m. at the Contents Processing Centre located at 4500 North Talbot Road, Tecumseh.

6.4 City of Windsor Earth Day Celebration – April 22, 2018

K. Williams reports the Earth Day Celebration will be held on April 22, 2018 at Malden Park and asks if WECEC is interested in manning a booth at the event. D. Grant and K. Williams volunteer. The cost of the booth is \$35.00.

Moved by Councillor Francis, seconded by D. Grant,
That **APPROVAL BE GIVEN** to an expenditure in the upset amount of \$35. for the procurement of a booth at the Earth Day Celebration event to be held April 22, 2018 at Malden Park.
Carried.

6.5 WECEC Newsletter

K. Williams proposes a WECEC Newsletter that outlines what's going on in the area including a calendar identifying environmental events be provided to the Committee every other month.

Moved by Councillor Francis, seconded by J. Passa,
That the Environmental and Sustainability Coordinator **BE REQUESTED** to provide a Newsletter every other month to WECEC that highlights environmental issues including a calendar of events.
Carried.

6.6 City of Windsor/County of Essex WECEC Involvement

K. Williams proposes that equal input from the County of Essex/City of Windsor be provided as discussion items at WECEC meetings.

Councillor Francis suggests the City of Windsor Chief Administrative Officer contact the CAO's in the County to request this input relating to environmental issues.

Moved by Councillor Francis, seconded by M. Nelson,
That the update relating to the City of Windsor/County of Essex involvement in WECEC **BE RECEIVED**.
Carried.

6.7 Role of WECEC in the Study of Eco Passages for Ojibway Nature Complex

Members of WECEC request that information relating to the study of eco passages for the Ojibway Nature Complex be provided.

6.8 Role of WECEC in the Canada-Ontario Lake Erie Action Plan

K. Williams provides an overview of the document entitled “Governments of Ontario and Canada release action plan to reduce harmful algal blooms in Lake Erie – *Over One Hundred and Twenty Actions with Partners to Restore Health of Lake Erie*”. She adds the document also includes the roles of municipalities to reduce harmful algal blooms in Lake Erie.

Moved by Councillor Francis, seconded by J. Passa,
That the update provided by the Environmental and Sustainability Coordinator relating to the document entitled “Ministry of the Environment and Climate Change Governments of Ontario and Canada release action plan to reduce harmful algal blooms in Lake Erie” **BE RECEIVED**.
Carried.

6.9 Active Transportation Master Plan Workshop

K. Williams states she attended the first Stakeholder Workshop on behalf of WECEC held March 22, 2018 at the WFCU Centre. She indicates the Master Plan will require a year and a half to implement and adds 82% of people residing in Windsor drive cars.

Mayor N. Santos suggests looking into the possibility of connecting the active transportation routes to the County, i.e. the County Wide Active Transportation System.

Moved by Councillor Francis, seconded by M. Nelson,
That the update provided by the Environmental and Sustainability Coordinator relating to the Active Transportation Master Plan Workshop **BE RECEIVED**.
Carried.

6.10 Pat on the Back Awards

K. Williams notes the Pat on the Back Awards have been historically held with an annual budget of \$2500. She requests volunteers to assist in this initiative. R. Tamr and D. Grant volunteer as judges of the event.

Moved by Councillor Francis, seconded by M. Nelson,

That **APPROVED BE GIVEN** to an expenditure in the upset amount of \$2,500 for four prizes to be awarded at the Pat on the Back Awards to be held on a date to be determined at the Ojibway Nature Centre.

Carried.

M. Nelson suggests inviting past award recipients to the Pat on the Back Awards event.

7. Coordinator's Report

7.1 WECEC Coordinator Monthly Report

K. Williams provides the highlights of the WECEC Coordinator Monthly Report – April 2018 including the potential Green Speakers for 2018.

8. Subcommittee Reports

8.1 Air

D. Coronado reports the Climate change Action Plan Progress is available on line at <https://www.ontario.ca/page/ministers-climate-change-action-plan-progress-report-2017>.

D. Coronado indicates on January 30, 2018, the Environmental Commissioner of Ontario released the 2017 Greenhouse Gas Progress Report, Ontario's Climate Act From Plan to Progress to the Ontario Legislature.

D. Coronado refers to the document entitled "A Collaborative Report from Auditors General – March 2018 – Perspectives on Climate Change Action in Canada".

Moved by Councillor Francis, seconded by Mayor Santos,

That the update provided by D. Coronado relating to the Air Subcommittee **BE RECEIVED**.

Carried.

8.2 Environmentally Sensitive Lands and Issues

M. Nelson reports the subcommittee recently met and the topic of discussion focused primarily on provincially significant wetlands, i.e. low impact development, green infrastructure, rain gardens and mitigation measures.

8.2.1 Update on green infrastructure in Windsor/Essex County

M. Nelson advises a “Grey to Green” Conference will be held in Toronto from May 15-16, 2018. The “Grey to Green” will bring a line-up of leading-edge and inspirational speakers, interactive workshops, and world-class tours of some of Toronto’s best green infrastructure projects.

9. New Business

9.1 Update on City of Windsor environmental initiatives

9.1.1 Sewer Master Plan and Stakeholder Advisory Committee Participation

K. Williams states the Stakeholder Advisory Committee has been established. She adds 10 meetings will be held every other month over a two year period. She asks if any WECEC members wish to be part of this committee and, at this time no response is received.

9.1.2 Grant Funding for a Climate Change Adaptation Plan

K. Williams indicates a grant has been received for the Climate Change Adaptation Plan – Degrees of Change.

9.1.3 Environmental Master Plan

K. Williams reports the update Environmental Master Plan was approved at City Council’s meeting held March 26, 2018.

9.1.4 Partners 4 Action

Partners for Action (P4A) is an applied research network advancing flood resiliency in Canada in the face of a changing climate and extreme weather. P4A’s collaborate approach brings together diverse stakeholders to create and share knowledge, address information needs, and drive action. P4A is based out of the Faculty of Environment, University of Waterloo.

K. Williams refers to the Windsor Flooding Online Survey available at - https://uwaterloo.ca1.qualtrics.com/jfe/form/SV_9KBdh1O0qi3WEi9. Windsor residents are encouraged to share their flood experiences and to voice how prepared they are for future flood events.

9.2 Update on Essex County Environmental Initiatives

9.2.1 Town of Lakeshore Initiatives

K. Williams provide an overview of the letter from the Director of Engineering and Infrastructure Services, Town of Lakeshore relating to the “Environmental Initiatives completed by the Town of Lakeshore – 2017”.

9.2.2 Town of Leamington Initiatives

K. Williams provides the highlights of the “Leamington Environmental Initiatives for 2017/2018”.

9.3 Screening of the “Earth Seen from the Heart” Documentary

K. Williams states a screening of the documentary Earth Seen from the Heart will be shown on April 29, 2018 at Silver City.

10. Communications

Moved by Councillor Francis, seconded by R. Tamr,
That the following communications **BE RECEIVED**:

- 10.1 City of Windsor Council seeks federal protection for Ojibway Shores
- 10.2 Ford Motor Company – Flat Rock Assembly Plant
- 10.3 Carmeuse Lime & Stone facility public comment period
- 10.4 Amherstburg Class Environmental Assessment Notice
- 10.5 DTE Dearborn CEP LLC proposed facility
- 10.6 Climate Change Status Report

Carried.

11. Date of Next Meeting

The next meeting will be held on Thursday, June 14, 2018 at 5:30 p.m. at the Ojibway Nature Centre.

Moved by Councillor Francis, seconded by Mayor Santos,
That Mayor Aldo DiCarlo **BE ELECTED** Vice Chair of the Windsor Essex County
Environment Committee.
Carried.

12. Adjournment

There being no further business, the meeting is adjourned at 6:59 o'clock p.m.

CHAIR

COMMITTEE COORDINATOR

Vital Signs Program Communication Package

Please use the following guide to assist you with promoting the Vital Signs program.

VITAL SIGNS SURVEY COMMUNICATIONS POST LAUNCH

Summary Description for Facebook, Website, LinkedIn, Newsletters:

WindsorEssex Community Foundation's 2018 Vital Signs® survey is here and they want to hear from YOU! Let's hear what you think of the quality of life in Windsor/Essex. Visit www.wecf.ca to complete the survey today. Those who complete the survey in full have the opportunity to enter for a chance to win \$100! It's time Windsor/Essex, LET'S HEAR YOUR VOICE!

Please pair with the following graphic ...



Summary Description for Twitter, Instagram:

WindsorEssex Community Foundation's 2018 Vital Signs® survey is here and they want to hear from you! Visit www.wecf.ca #VitalWE

Please pair with the following graphic ...



General Summary:

WindsorEssex Community Foundation's 2018 Vital Signs® survey is here and they want to hear from YOU! Let's hear what you think of the quality of life in Windsor/Essex. The Vital Signs® survey is used as a component of the Vital Signs® report.

Released each October, the Vital Signs® report combines national, provincial, and local data with residents' views of important issues. The Vital Signs® report is used as an educational resource to engage the Windsor/Essex community in ongoing dialogue of what Windsor/Essex is doing well and where assistance is needed most so we can make our community an even better place to live, work, play and grow.

Visit www.wecf.ca to complete the survey today. Those who complete the survey in full have the opportunity to enter for a chance to win \$100! Let's hear your voice Windsor/Essex!

Can be paired with the following graphic ...



--

Direct Survey Link:

Direct link to the Vital Signs survey: <https://wecf.wufoo.com/forms/z1rkosop15mdfcd/>

Other graphics for use:

2018 | WINDSOR-ESSEX'S
VitalSigns®



Notes:

Please tag us in relevant social media posts ...

Facebook @wecfoundation <https://www.facebook.com/WECFoundation/>

Twitter @wecfoundation <https://twitter.com/wecfoundation?lang=en>

LinkedIn <https://www.linkedin.com/company/windsor-essex-community-foundation>

Instagram @wecfoundation <https://www.instagram.com/wecfoundation/>

We are using the hashtag #VitalWE

From: noreply@salesforce.com [mailto:noreply@salesforce.com] **On Behalf Of** Ag Info
Sent: Tuesday, May 1, 2018 12:00 PM
To: Auger, Robert <rauger@essex.ca>
Subject: 2018 Premier's Award for Agri-Food Innovation Excellence /

This communication is in both English and French. The French-language message can be found immediately after the English-language message.

****Note: May 25, 2018 is the deadline***

I am writing to remind you and your colleagues of the May 25, 2018 application deadline for the Premier's Award for Agri-Food Innovation Excellence program and to encourage you to share this information.

The Premier's Award for Agri-Food Innovation Excellence program was created to recognize and foster the spirit of innovation that thrives in Ontario's agricultural sector. It encourages the development of rural communities, farms, agri-food processors and agri-food organizations by adding value to existing products, creating jobs and driving economic growth.

Each year the program recognizes up to 45 innovations across the province. Award recipients will receive \$5,000, a plaque, gate sign and various promotional materials. In addition, there will be a Premier's Award valued at \$75,000, a Minister's Award valued at \$50,000 and three Leaders in Innovation Awards valued at \$25,000 each.

Primary producers, processors and agri-food organizations are invited to submit applications. Details on eligibility, innovation categories, assessment criteria, and the application and selection process can be found in the 2018 Program Guidebook and Application Form at:
www.ontario.ca/agrifoodinnovation.

Your support in encouraging outstanding agriculture and agri-food innovators to submit an application by the deadline of **11:59 p.m. on May 25, 2018** is appreciated. Questions can be directed to the Agricultural Information Contact Centre (AICC) at 1-877-424-1300 or ag.info.omafra@ontario.ca.

A description of the award winning innovations by year (2006 through 2017) can be viewed at www.ontario.ca/agrifoodinnovation.

*

Ministry of Education

Minister

Mowat Block
Queen's Park
Toronto ON M7A 1L2

Ministère de l'Éducation

Ministre

Édifice Mowat
Queen's Park
Toronto ON M7A 1L2



April 27, 2018

Dear colleagues,

We are writing to share an update with you on the ongoing work across government on Ontario's commitment to revise the Pupil Accommodation Review Guideline (PARG) and strengthen integrated capital and community planning. We are also pleased to announce a new engagement focused on the challenges facing education planning in urban areas experiencing rapid population intensification.

Pupil Accommodation Review Guideline (PARG)

While strengthening the PARG is a key element of the province's Plan to Strengthen Rural and Northern Education, revisions to the PARG will apply to all school boards. As you know, the draft revised PARG that was shared publicly on February 9, 2018, reflected the feedback received by the ministry in fall 2017, during the first phase of consultations. The ministry's aim in revising the PARG is to create a stronger, more collaborative process that better promotes student achievement and well-being and better recognizes the community impact of school closures. Thank you to everyone who contributed valuable input through the online portal or played a role on either the Minister's Reference Group or the Technical Working Group.

As you know, in response to initial feedback received in fall 2017, the draft revised PARG included:

- Additional public meeting(s), which extends timeframes, for a standard pupil accommodation review
- Limiting use of the shorter, modified pupil accommodation review (PAR)
- New information requirements for the initial staff report
- Promotion of community input in the pupil accommodation review process and inclusion of student voice
- Streamlining the administrative review process by allowing e-signatures
- Development of ministry supports.

.../2

On March 23, the Ministry of Education concluded its second phase of consultations on the draft revised PARG. The key themes emerging from all of the feedback suggested that the ministry focus on: improving the clarity and consistency of information presented by school boards; providing more opportunities for public discussion, where needed; and, providing additional supports to improve information sharing between school boards and community partners.

Based on feedback received, the Ministry of Education has also made the following revisions to the PARG:

- Consideration of elementary student input into the accommodation decision
- Extending the timeframe for the first public meeting from 30 to 40 business days
- Requiring the municipal/community partner meeting to take place prior to the first public meeting.

The final PARG has now been posted to the ministry's website.

To support school boards in providing clear and consistent information, the Ministry of Education will work with its partners to develop templates and guidelines to assist boards in conducting pupil accommodation reviews, including templates for the initial staff report and the economic impact assessment.

The ministry aims to release these materials before fall 2018 to inform school boards' local consultations with communities and municipal governments on their local pupil accommodation review policies. While these tools are being developed and finalized in collaboration with our partner ministries and education and municipal stakeholders, there will continue to be no new pupil accommodation reviews, unless they are required to support a joint-use school initiative between two coterminous school boards.

Integrated Capital and Community Planning

Throughout the numerous consultation sessions, the need for improved community and capital planning was highlighted. In response, the Ministry of Education, in collaboration with the Ministries of Infrastructure; Municipal Affairs; Agriculture, Food and Rural Affairs; and Economic Development and Growth, will work together to assess how the province encourages and supports integrated local planning.

Feedback from the Minister's Reference Group was instrumental in pointing out the need for a new type of community planning table that looks beyond organizational mandates and builds on existing relationships. To address this feedback, we are pleased to announce the development of a Voluntary Integrated Planning and Partnerships Initiative (VIPPI) to provide flexible support to local partners that wish to enhance their collective capacity for integrated capital and community planning.

A call for proposals will be issued this summer seeking approximately three communities, representing a mix of urban, rural, Northern and Francophone communities, to participate in VIPPI. Each community will be required to identify partners to participate in a local integrated planning table that should include, at a minimum, school boards and municipalities and relevant local partners that reflect each area's unique needs. The Ministry of Education will provide a facilitator to lead a series of sessions spanning approximately one year to align with various planning cycles. The goal of this initiative is to generate a collection of best practices for integrated planning by having all participants share and discuss capital and community planning processes and relevant data and to inform future amendments to the CPPG.

New Supports for School Boards' Integrated Planning

We are pleased to announce that we will be offering additional capital supports to school boards to better support projects that involve community partnerships. As a first step, we will introduce immediate new supports for school boards working with their communities to share and co-build facilities.

The Ministry of Education will provide boards with seed funding of up to \$40,000 to assist with the planning of projects that involve a municipal or community partner. Currently, the ministry offers seed funding to support coterminous school boards that wish to pursue joint-use opportunities. The ministry will also provide funding for a project manager to assist with approved projects as they move forward.

Understanding that we must continue to ensure that school boards and communities have flexible support that can respond to local needs, the Ministry of Education will also look for opportunities to support integrated planning through the capital funding processes, with a focus on better aligning the timing of capital decision-making processes with community needs.

Community Planning and Partnerships Guideline (CPPG)

The Ministry of Education also remains committed to updating the CPPG within the next year to enhance planning and reporting practices, after we have consulted with our partners through the Minister's Reference Group. Until the new CPPG is in place, school boards should continue to use the existing CPPG and to convene their annual Community Planning and Partnerships meeting(s).

Strengthening Supports for Urban Education

During our rural and Northern engagements, we have heard from a number of stakeholders regarding the unique challenges related to growth and intensification that are unique to our province's large urban communities. This includes the challenges faced by school boards and municipalities with planning, partnering and building schools in these changing communities and the financial tools available to support this work. In response, the Ministry of Education is pleased to announce the following:

- **Urban Student Accommodation Engagement:** The government will undertake an engagement this fall focusing on supports for pupil accommodation in urban areas experiencing rapid growth and intensification, which will include Education Development Charges.
- **Land Priorities Enhancement:** The government will increase the amount of funding available through its Land Priorities program from \$60 million to \$100 million this coming year. This will support land acquisition for all boards, including those dealing with rapid enrolment growth in urban, densely populated areas within their boundaries.

We wish to extend a sincere thank you for your valuable contributions in shaping key provincial policies and initiatives over the last year. We are confident that our collaborative efforts, to date and yet to come, will result in better outcomes for our students and local communities.

Sincerely,



Indira Naidoo-Harris
Minister of Education
Minister Responsible for Early Years and Child Care



Bob Chiarelli
Minister of Infrastructure



Bill Mauro
Minister of Municipal Affairs

April 11, 2018

The Honourable Kathryn McGarry
Minister of Transportation
3rd Floor, Ferguson Block
77 Wellesley Street West
Toronto, Ontario M7A 1Z8

Dear Honourable Minister McGarry:

Re: OGRA Delegation re Highway 3

On behalf of Essex County Council and all the residents of Essex County, I extend our collective appreciation for the opportunity to meet with you and your staff at the Ontario Good Roads Association conference this past February 27, 2018 in Toronto.

As we discussed during our presentation, Highway 3 is a vital regional and international transportation link that bisects the County of Essex. With our Essex County communities experiencing continued growth in greenhouse operations, agri-business, tourism and warehouse and logistics, Highway 3 continues to attract increasing volumes of commercial, industrial, commuter and tourist vehicles. Traffic volumes exceed original projections and the proportion of commercial vehicles has and will continue to escalate substantially, as further highlighted below. As a consequence, the level of service along the unimproved two lane roadway between Leamington and Essex has degenerated, resulting in an elevated risk for all users, commercial vehicles and passenger vehicles alike.

During our presentation, we highlighted for yourself and staff, the extensive growth in our greenhouse industry and agri-business, which has positioned the Essex County to be the second largest greenhouse cluster in the world, with approximately 2,300 acres of greenhouse production, 75% of which, (> \$3 billion industry) is exported to the United States, utilizing Highway 3. Unfortunately, we also highlighted during the presentation, the significant volume and frequency of motor vehicle collisions along this corridor and the severity of the accidents associated with the volume, mix and speed of

commercial traffic combined with tourists and commuters along this busy highway corridor.

From our discussions, your Ministry had requested additional information regarding:

1. anticipated continued growth in greenhouse industry and agri-business
2. additional details regarding accident history along the affected corridor

1) Subsequent to our meeting, County staff further engaged in discussions with the Towns of Kingsville and Essex, the Municipality of Leamington and the Windsor Essex Economic Development Corporation regarding planned and proposed expansions of greenhouse and agri-business for the affected area, revealing the following additional insights:

- Greenhouse industry, in Leamington alone, accounted for \$103 million in construction activity in 2017, a 45% increase over 2016 values.
- Approximately 150 acres, consistent with the historic 6% annual compound rate of growth for this industry, is expected to be constructed within Essex County in 2018. Conservative estimates for this sector over the next 5 years is expected growth of another 600-700 acres, resulting in: over \$650 million in direct construction investment; anticipated creation of over 3,700 jobs, and over \$500 million to the Ontario economy.
- Completion of the new Hydro One transmission lines in the south-east quadrant of the County, slated for commissioning in June 2018, will finally allow for expansion of growing lights for the greenhouse industry, expected to increase productivity in the current sector by 25% without increases in acreage. It is estimated that this increase alone will account for an additional 150 tractor trailers using Highway 3 on a daily basis.

- 2) As discussed and highlighted in the attached map (page 9 of the presentation) there were 193 calls responded to by Essex-Windsor EMS from 2013 through 2017, along the affected corridor. Calls are categorized according to Canadian Triage Acuity Scale (CTAS). CTAS was developed for use in hospital Emergency Departments (ED's) to sort and prioritize patients as they enter the facility. CTAS is a five (5) level scale with the highest severity being Level 1, resuscitation and Level 5 being non urgent. Of the 193 calls identified, over 60% of the calls identified were of a critical nature: CTAS 1 (resuscitation), CTAS 2 (emergent), CTAS 3 (urgent) or fatal.

Minister, again on behalf of Essex County Council and our residents and businesses, we truly thank you for providing us the opportunity to expand on our discussions from the February meeting and reiterate the importance of this vital link to a growth industry and expanding market for Essex County and the Province of Ontario, while addressing the health and safety of our community.

Accordingly, in an effort to enhance regional economic vitality and promote the safe and efficient movement of people, goods and services into and out of the region, it is requested that the Ministry of Transportation:

1. Expedite the completion of the Detailed Design and Tender Package preparation for the section from County Road 8 to County Road 23 under the recently approved EA Addendum.
2. Immediately commence the Detailed Design and Tender Package preparation for the sections of highway not impacted by the EA Addendum from County Road 23 to County Road 34.
3. Provide funding through the Southern Highways Program or other programs to allow the construction to commence immediately upon completion of the Detailed Designs.
4. Commence the Environmental Assessment and Detailed Design for the section of Highway 3 from County Road 34 to Highway 77 and further provide funding to allow construction to commence upon completion of the Detailed Design.

Should Ministry staff require any further detail with respect to the operation and functionality of Highway #3, please encourage staff to contact officials at the County of Essex.

I look forward to positive updates from the Ministry in the near future with respect to the status and funding of this essential project.

Yours truly,



Tom Bain
Warden

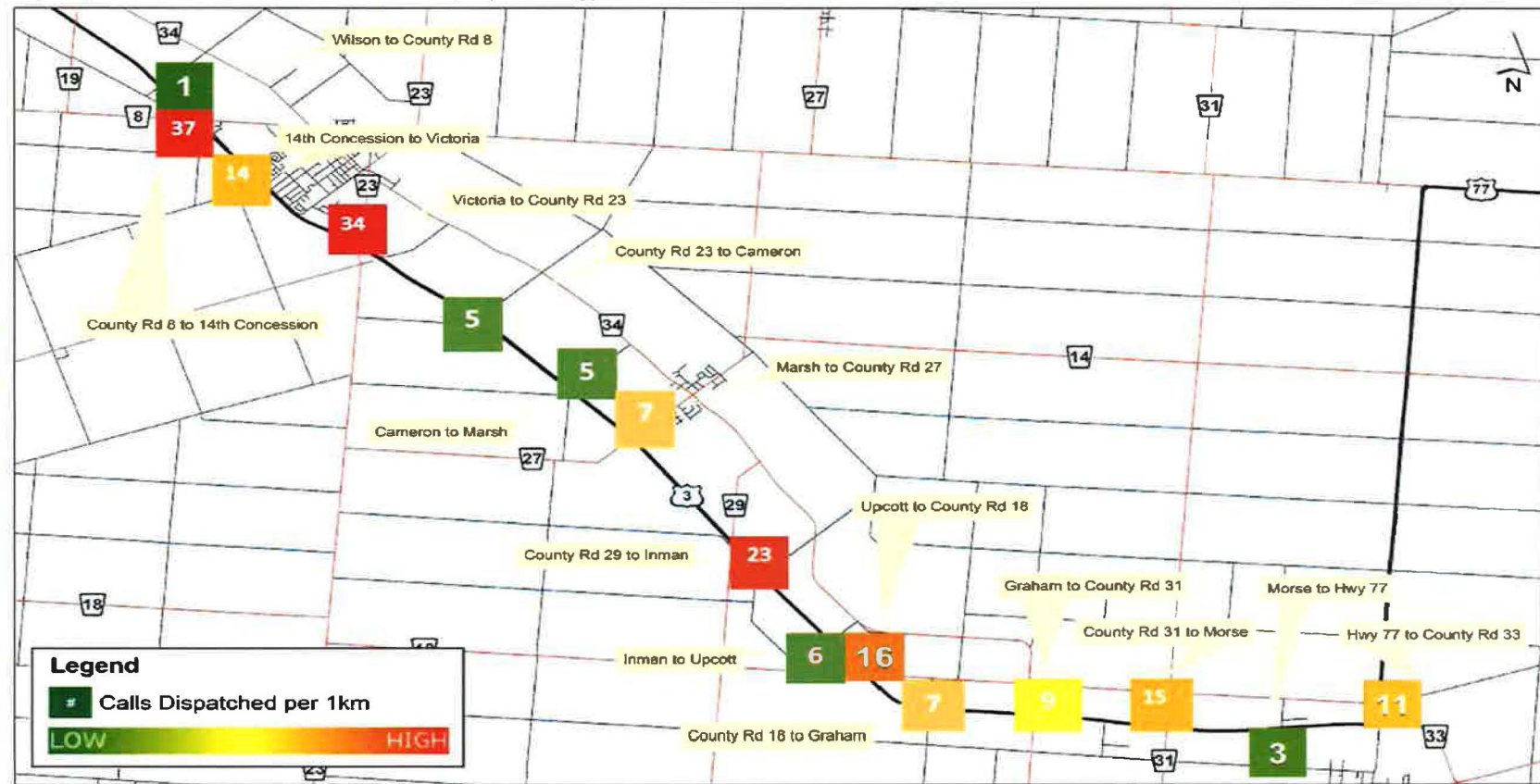
c.c: Mayor Aldo DiCarlo, Town of Amherstburg
Mayor Ron McDermott, Town of Essex
Mayor Nelson Santos, Town of Kingsville
Mayor Ken Antaya, Town of LaSalle
Mayor John Paterson, Municipality of Leamington
Mayor Gary McNamara, Town of Tecumseh

Taras Natyshak, MPP, Essex
Rick Nicholls, MPP, Chatham-Kent-Essex

EMS Call Response

Highway 3 Incidents - Motor Vehicle Collisions (Dispatch Only)

Based on count volume of call pickup location data (2013-2017) within a 1km grid



Erie St. Clair Local Health Integration Network (LHIN)

Open Board Meeting

Monday, April 30, 2018

1:00 pm

ESC LHIN
Lake Erie Boardroom
180 Riverview Drive, Chatham, ON

A G E N D A

TIMING	ITEM	TOPIC	PRESENTER/ DISCUSSANT	OUTCOME REQUIRED		
				I	D	M/R
1:00 pm	1	Call to Order	Martin Girash			
	2	Approval of the Agenda	Martin Girash		✓	✓
	3	Declaration of Conflict of Interest	All		✓	
~ 1:05 pm	4	OPEN MIC (PATIENT EXPERIENCE -VIDEO / STORY)				
~ 1:25 pm	5	REPORT				
		5.1 Board Chair	Martin Girash	✓	✓	✓
~ 1:40 pm	6	PRESENTATION				
		6.1 Westover Treatment Centre 6.1.1 Update – Program & Services	Ron Elliott Exec. Dir., Westover Treatment Centre			
~ 2:10 pm		6.2 Charlotte Eleanor Englehart Hospital of Bluewater Health / Town of Petrolia 6.2.1 Update - Capital Planning	Laurie Zimmer VP. Bluewater Health			
~ 2:25 pm	7	NEW BUSINESS				
		7.1 ESC LHIN Strategy Map 7.1.1 Approval of Strategy Map	Ralph Ganter	✓	✓	✓
...2						

~3:00 pm	8	STANDING ITEMS				
		COMMITTEE / COUNCIL RECOMMENDATIONS				
		8.1 Finance & Audit Committee 8.1.1 Recommendations – Committee Meetings - March 1, 2018 Recommendations – Committee Meeting – April 16, 2018 8.1.1.1 ESC LHIN Financial Statements – December 2017 8.1.1.2 ESC LHIN Financial Statements – January 2018 8.1.1.3 ESC LHIN Financial Statements – February 2018 8.1.1.4 Broader Public Sector Accountability (BPSA) Attestation Q4 2017-18 (January 1.18 to March 31.18) 8.1.1.5 Broader Public Governed Agency Attestation – March 31.18 8.1.1.6 Multi Sector Accountability Agreement (MSAA) Template 8.1.1.7 Long-Term Care Accountability Agreement (LSAA) Template	Rick Charlebois (Lindsay Boyd Acting Comm. Chair March 1.18)	✓	✓	✓
		8.2 Governance & Nominating Committee 8.2.1 Update	Sheila MacKinnon	✓	✓	
		8.3 Quality Committee 8.3.1 Recommendations – Committee Meeting – April 6, 2018 8.3.1.1 ESC LHIN Quality Improvement Plan 2018-2019 (QIP)	Sharon Pillon	✓	✓	✓
~3:30 pm	9	BY CONSENT				
		9.1 Approval – Open Board Meeting Minutes 9.1.1 Open Board Meeting – February 28, 2018	Martin Girash			✓
		9.2 Receipt – Committee / Council Minutes 9.2.1 Finance & Audit Committee – January 16, 2018 9.2.2 Quality Committee – October 17, 2017				
~ 3:35 pm	10	REPORT				
		10.1 Chief Executive Officer	Ralph Ganter	✓	✓	✓
~ 3:50 pm	11	Action Items – Review Status & Update New Items	Ruth Augi	✓	✓	
~ 3:55 pm	12	ADJOURNMENT				
		12.1 Adjourn to In Camera Session	Martin Girash			✓
		12.2 Reconvene Open Board Meeting	Martin Girash			✓
	13	ADJOURNMENT		Martin Girash		

Legend: I (Information) / D (Discussion) / M/R (Motion / Resolution)

We strive to make the ESC LHIN office a scent-safe work environment



OFFICE OF CITY CLERK

City of Belleville

169 FRONT STREET
BELLEVILLE, ONTARIO
K8V 2Y8

April 3, 2018

The Honourable Kathleen Wynne
Premier of Ontario
Legislative Building, Queen's Park
Toronto, ON M7A 1A1

Dear Premier Wynne:

**RE: Request Provincial Government to Require School Boards to Offer Closed Schools to Local Municipalities for a Dollar
8.c.3.b, Belleville City Council Meeting, March 26, 2018**

This is to advise you that at the Council Meeting of March 26, 2018, the following resolution was approved.

"THAT Belleville City Council supports the following resolution of the Town of Essex:

THAT the Town of Essex send a request to the Association of Municipalities of Ontario (AMO), ROMA and all other municipalities in Ontario requesting that when school boards make decisions to close schools, that they have to offer the building to the local municipality for a dollar."

Thank you for your attention to this matter.

Yours truly,

A handwritten signature in black ink, appearing to read 'Matt MacDonald'.

Matt MacDonald
Director of Corporate Services/City Clerk

MMacD/nh
Pc: AMO
ROMA
Indira Nadiroo-Haris, MPP, Minister of Education
Todd Smith, MPP Prince Edward-Hastings
Robert Auger, Town of Essex



April 20, 2018

Robert Auger, L.L.B.
Clerk, Legal and Legislative Services
Town of Essex
33 Talbot Street South
Essex, Ontario
N8M 1A8

Dear Mr. Auger,


Please be advised that the Council of the County of Lennox and Addington endorsed the following resolution at its regular monthly meeting held March 28, 2018:

*That the February 1, 2018 - resolution re: **Offering School Property to Municipalities** (Robert Auger, Town of Essex) be endorsed.*

CARRIED
(signed) Warden Bill Lowry

I trust that County Council's support may be beneficial in your pursuit of this matter.

Sincerely,


Tracey McKenzie
Clerk



Town of The Blue Mountains

32 Mill Street, P.O. Box 310, Thornbury, ON N0H 2P0

Tel: (519) 599-3131 • Fax: (519) 599-7723

Toll Free: 1-888-BLU-MTNS (1-888-258-6867)

info@thebluemountains.ca • www.thebluemountains.ca

March 26, 2018

Moved by: Gail Ardiel

Seconded by: Michael Martin

THAT Council of the Town of The Blue Mountains receives for information, the correspondence from the Town of Essex regarding User Pay Childcare Services at AMO and FCM Conferences, **CARRIED**.

CERTIFIED TO BE A TRUE COPY

A handwritten signature in black ink, appearing to read "Krista Royal", is written over a horizontal dotted line.

Krista Royal, Deputy Clerk



THE CORPORATION OF THE

Municipality of Neebing

Rosalie Evans,
Solicitor-Clerk
Erika Kromm,
Treasurer, Deputy Clerk

4766 Highway 61
Neebing, Ontario P7L 0B5
TELEPHONE (807) 474-5331
FAX (807) 474-5332
E mail – neebing@neebing.org

Councillors
Erwin Butikofer
Curtis Coulson
Bill Lankinen
Mike McCooye
Roger Shott
Brian Wright

Mayor Ziggy Polkowski

April 24, 2018

Federation of Municipalities of Canada
24 Clarence St
Ottawa, ON
K1N 5P3

Association of Municipalities of Ontario
200 University Avenue, Suite 801
and Toronto, ON
M5H 3C6

Re: Resolution of Neebing Council: Child Care at Conferences

COPY

Dear Sirs and/or Mesdames:

Please be advised that, at its meeting of March 21st, 2018, Council considered a resolution from the Town of Essex Council passed on March 12th. In response, Neebing Council passed the following resolution:

WHEREAS Council for the Municipality of Neebing reviewed a resolution passed by the Council of the Town of Essex, which requests that the Association of Municipalities of Ontario ("AMO") and the Federation of Canadian Municipalities ("FCM") provide user-pay child care services at conferences during conference hours;

AND WHEREAS the Council supports the idea in principle, but does not have sufficient information to fully support the resolution;

BE IT RESOLVED THAT, the Municipality of Neebing request that AMO and FCM look into the necessity and feasibility of offering user pay child care services at conferences during conference hours;

AND THAT this resolution be forwarded to AMO, FCM, and the Town of Essex.

I trust this is self-explanatory, but please don't hesitate to ask if you need anything further.

Yours truly,

Rosalie A. Evans
Solicitor-Clerk
Res. No. 2018-03-054

cc. Town of Essex

Townships of Blake, Crooks, Pardee, Pearson and Scoble



Good afternoon,

Please be advised the Township of Zorra council passed the following resolution on May 1, 2018:

“THAT Township of Zorra Council supports the Town of Essex’s resolution regarding the Association of Municipalities of Ontario (AMO) and the Federation of Canadian Municipalities (FCM) be requested to offer user pay childcare services at conferences during conference hours.”

Thanks,

Karen Martin, BA, MPA
Director of Corporate Services
Township of Zorra
274620 27th Line
P.O. Box 306
Ingersoll, ON N5C 3K5
Ph. 519-485-2490 ext. **228** or 1-888-699-3868
kmartin@zorra.on.ca
www.zorra.on.ca



From: "Cynthia Moyle (MILLS)" <cmoyle@mississippimills.ca>

Date: April 24, 2018 at 10:03:21 AM EDT

To: "amo@amo.on.ca" <amo@amo.on.ca>

Cc: "rauger@essex.ca" <rauger@essex.ca>, Christa Lowry <clowry@mississippimills.ca>, Amanda Pulker-Mok <apulkermok@mississippimills.ca>, "sbondy@essex.ca" <sbondy@essex.ca>

Subject: User Paid Daycare at AMO Conference

To Whom It May Concern:

At the regular Council Meeting held on April 17th, 2018, Mississippi Mills Council adopted the following resolution:

Resolution No. 220-18

Moved by Councillor Lowry

Seconded by Councillor Pulker-Mok

***WHEREAS** diversity and inclusion is critical for effective political representation; and*

***WHEREAS** people with children provide an important voice in municipal government; and*

***WHEREAS** removing barriers to learning and networking opportunities is a positive step towards inclusion of a wider range of demographics than has traditionally been seen in government;*

***THEREFORE BE IT RESOLVED THAT** the Municipality of Mississippi Mills calls on the Association of Municipalities of Ontario to provide user-pay daycare services to delegates at their annual conference; and*

***THAT** a copy of this Motion be sent to the Association of Municipalities of Ontario and all other Ontario Municipalities for their consideration.*

CARRIED

Mississippi Mills Council supported Essex Town Council's resolution dated March 5, 2018.

If you have any questions, please do not hesitate to contact the undersigned directly.

c.c. Councillor Christa Lowry, Mississippi Mills Council
Councillor Amanda Pulker-Mok, Mississippi Mills Council
Councillor Sherry Bondy, Essex Town Council
Robert Auger, Clerk, Essex Town Council

Regards,

Cynthia Moyle
Acting Clerk
Municipality of Mississippi Mills
3131 Old Perth Rd, PO Box 400
Almonte, ON K0A 1A0
Ph. (613) 256-2064
Fax (613) 256-4887
Website: www.mississippimills.ca



La Corporation du Canton de Fauquier-Strickland

The Corporation of the Township of Fauquier-Strickland

C.P. / P.O. BOX 40
25 CHEMIN GRZELA ROAD
FAUQUIER, ONTARIO P0L 1G0
www.fauquierstrickland.com

TEL: (705) 339-2521
FAX: (705) 339-2421

April 18, 2018

Jenny Gerbasi, President
Federation of Canadian Municipalities
24 Clarence Street
Ottawa, Ontario
K1N 5P3

Mrs Gerbasi

Re: Child Care Services

Enclosed please find a copy of Council's resolution which is self explanatory.

Sincerely yours

Robert Courchesne
Clerk Treasurer Administrator

cc
Town of Essex



La Corporation du Canton de Fauquier-Strickland
The Corporation of the Township of Fauquier-Strickland

C.P. / P.O. BOX 40
25 CHEMIN GRZELA ROAD
FAUQUIER, ONTARIO P0L 1G0
www.fauquierstrickland.com

TEL: (705) 339-2521
FAX: (705) 339-2421

Séance du 26 mars 2018

Numéro 18-076

Proposé par:

Moved by:

Dylan Allard

Appuyé par:

Seconded by:

J. Pelley

Whereas the Town of Essex is asking AMO and FCM to offer childcare services during conferences.

Be it resolved that Council of the Township of Fauquier-Strickland support the request.

Adopté [Signature]

Rejeté _____

Remis _____

Elus municipaux/Elected Officials	Yeas	Neas	Abstenu/abstained
Madeleine Tremblay, Maire/Mayor			
Sylvie Albert, Conseiller/Councillor			
Anne Lynn Kucheran, Conseillère/ Councillor			
Jonathan Laberge, Conseiller/Councillor			
Roger Brunet, Conseiller/Councillor			

MUNICIPALITÉ · EAST FERRIS · MUNICIPALITY



390 HIGHWAY 94, CORBEIL, ONTARIO P0H 1K0
TEL.: (705) 752-2740 FAX.: (705) 752-2452
Email: municipality@eastferris.ca

REGULAR COUNCIL MEETING

HELD
April 24th, 2018

No. 2018-146

Moved by Councillor Rochefort

Seconded by Councillor Kelly

WHEREAS alarming amounts of wolf sightings have been discovered in the Municipality of East Ferris;

AND WHEREAS there has been an abundance of deer killed in the area by predators;


AND WHEREAS the Anglers and Hunters have reported they are seeing a large amount of wolves on the trap lines where they are prohibited to trap;

AND FURTHER that the Anglers and Hunters are advising that the wildlife animals such as the deer, the beavers, the rabbits and the partridges will diminish if the government of the day keep the trappers from this area, and that our wildlife will in the north of Algonquin Park have major impact;

BE IT HEREBY RESOLVED that this resolution be forwarded to Nathalie Des Rosiers, Minister of Natural Resources and Forestry; Nipissing Temiskaming MP, Anthony Rota; MPP, Vic Fedeli; FONOM, AMO, surrounding area municipalities; Nosbonsing Anglers and Hunters and the Ontario Federation of Anglers and Hunters.

Carried Mayor Vrebosch

CERTIFIED to be a true copy of
Resolution No. 2018- 146 passed by the
Council of the Municipality of East Ferris
on the 24^h day of April, 2018.


Monica L. Hawkins, AMCT
Clerk

ACKNOWLEDGEMENT AND WAIVER

TO: E.L.K. SOLUTIONS INC.
(the "Corporation")

The undersigned shareholders of the Corporation acknowledge receipt of a copy of the financial statements of the Corporation for the financial year ended December 31, 2017 including the report of the auditor thereon, if any, for such period and any further information respecting the financial position of the Corporation and the results of its operations required by the articles, the by-laws or any unanimous shareholder agreement for such period. The undersigned waive the applicable time period within which the Corporation is required by the *Business Corporations Act* (Ontario) to send such financial statements and related material.

DATED as of the _____ day of April, 2018.

THE CORPORATION OF THE TOWN OF ESSEX

Per: _____
Ron McDermott, Mayor

E.L.K. ENERGY INC.

Per: _____
Ron McDermott, Chair of the Board

**RESOLUTIONS OF THE SOLE SHAREHOLDER
OF
E.L.K. ENERGY INC.
(the "Corporation")**

RECITAL:

- A. The Corporation wishes to attend to the annual matters of the Corporation.

NOW THEREFORE BE IT RESOLVED THAT:

Appointment of Auditor

1. KPMG LLP is appointed the auditor of the Corporation until the next annual meeting of shareholders or until a successor is appointed, at a remuneration to be fixed at the sole discretion of the directors.

Election of Directors

2. The following individuals, who have consented to act as directors of the Corporation, are elected as directors of the Corporation for a term expiring upon the next annual election of directors or when successors have been elected or appointed:

Ron McDermott
Tracey Bailey
Randy Voakes
Peter Timmins
Richard Meloche
Phil Pocock
Sherry Bondy
Steve Bjorkman
Gary Bain

The undersigned, being the sole shareholder of the Corporation signs the foregoing resolutions in accordance with the provisions of the *Business Corporations Act* (Ontario).

DATED as of the _____ day of April, 2018.

**THE CORPORATION OF THE TOWN OF
ESSEX**

Per: _____
Ron McDermott, Mayor

ACKNOWLEDGEMENT AND WAIVER

TO: E.L.K. ENERGY INC.
(the "Corporation")

The undersigned sole shareholder of the Corporation acknowledges receipt of a copy of the financial statements of the Corporation for the financial year ended December 31, 2017 including the report of the auditor thereon, if any, for such period and any further information respecting the financial position of the Corporation and the results of its operations required by the articles, the by-laws or any unanimous shareholder agreement for such period. The undersigned waives the applicable time period within which the Corporation is required by the *Business Corporations Act* (Ontario) to send such financial statements and related material.

DATED as of the _____ day of April, 2018.

**THE CORPORATION OF THE TOWN OF
ESSEX**

Per: _____

Ron McDermott, Mayor

From: Tim Berthiaume [<mailto:tberthiaume@amherstburgpolice.ca>]

Sent: Tuesday, April 24, 2018 4:11 PM

To: bandreatta@town.lasalle.on.ca; bpercy@leamington.ca; jastrologo@kingsville.ca; JUDYS@chatham-kent.ca; k.digiovanni@pelee.ca; lmoy@tecumseh.ca; mbirch@countyofessex.on.ca; mmasse@lakeshore.ca; Auger, Robert <rauger@essex.ca>; clerks@citywindsor.ca

Subject: Correspondence from the Township of Baldwin

Good afternoon All

This is the first time in 29 years I've reached out to all of the municipalities in Essex County simultaneously. I hope all is well with you. The attached correspondence was sent to Amherstburg Town Council and they would like my comments on the issue. I assume every municipality in the county received the same correspondence. I'm wondering if your Council has received the correspondence and what, if anything, they are doing with it.

Any help would be appreciated.

Tim

Timothy J. Berthiaume, Chief of Police

Amherstburg Police Services
532 Sandwich St. South P.O. Box 70
Amherstburg, ON N9V 3R2
Tel.: 519-736-8559
Fax: 519-736-8310
Email: tberthiaume@amherstburgpolice.ca



Mailed — 121-MP's
April 10/18 22-Senator

The Corporation of the
TOWNSHIP OF BALDWIN

P.O. Box 7095, 11 Spooner Street
MCKERROW, ONTARIO
POP 1M0

TEL: (705) 869-0225 FAX: (705) 869-5049

April 9th 2018

Dear Members of Parliament, House of Commons,

In our absence from being able to speak in person on this matter of Bill C-71, I request that our esteemed colleagues from the Canadian Shooting Sports Association (CSSA) be allowed to speak on our behalf. These folks are well versed in the existing firearms legislation and licensing requirements in Canada and can easily explain to non-firearm's owners current legislation already in place and the rigorous criteria needed to obtain a Firearms License or PAL that is required before any person can purchase any firearm or any ammunition.

We have listened to both sides of the debate concerning bill C-71 and have also done extensive reading on the matter, reviewed the flawed statistics charts that single out the lowest year of crime in 40 years and use it as a base point for increase or decrease. Its unfortunate that the Federal Government and News Media do not realize what's contained in the currant legislation that is already in place and has been since the mid 1990's. Rather than create new legislation, why not spend the time and money in enforcing the laws that are on the books today that never really seems to matter as a deterrent to the criminal and gang element?

The RCMP daily checks all Firearms License holders (Commonly called Firearms License or PAL) in Canada for any wrong doing and that is more than sufficient without putting additional or duplicate checks in place.

Simply enforce the laws that are in place now without putting new ones in place.

We have heard numerous times that a Police Officer needs to know what firearms he may be facing each time he comes to a residence. That statement, if applied, creates a very false sense of security because if the answer came back and said “no firearms” and he/she proceeds with that thought in mind, and it just happens to be a criminal with illegal firearms, then what happens? However, the Police know better than that and always proceed with caution to any domestic dispute but the Media like to glamourize it as a selling point for any proposed new gun legislation.

The Conservation Officers (CO'S) in this province during a single hunting season encounter more law-abiding people with firearms than most police officers would in their entire career. Many of these encounters are often in very remote locations with no cell service. There are no issues with their checks due to the fact that the majority of all firearms owners are very responsible citizens. For those folks that are unsure of a “Conservation Officer's” duty, they are officers that work for the MNRF enforcing all the hunting and fishing laws in all parts of the province.

Much of our country was founded and built with the use of firearms first in the fur trade and then in the rebellions/uprisings in the 1700's and 1800's and then the wars.

Many Canadian families have a long list of service in the military in WW 1 and WW2 and Foreign Wars with many being left overseas at very young ages. These folks fought for some of the rights and the privileges that we have today.

Trapping has been and still is a way of life for generations in many families.

For many Ontarian's firearms are a part of their lifestyle and culture and heritage especially those living in the north and even to some extent those in the GTA.

I'm asking that you make a wise move and cancel Bill C-71 and simply enforce the legislation that is in place.

Thanks very much,

Sincerely.

**Mayor Vern Gorham,
Township of Baldwin.**

THE CORPORATION OF THE TOWNSHIP OF BALDWIN

MOVED BY:

David Fairbairn

DATE: April 9th, 2018

SECONDED BY:

B. H. Muel

MOTION NO.: 18-39

NOW THEREFORE BE IT RESOLVED THAT: The Township of Baldwin send the attached explanatory letter to all Municipalities in Ontario for their support via e-mail as well as by Canada Post to all MP'S and Senators that represent our Province of Ontario.

We don't need bill C-71 and it should be quashed without further ado.

Carried

☒

Defeated

☐

Mayor

[Signature]



RECORDED VOTE	FOR	AGAINST
Vern Gorham	<input checked="" type="checkbox"/>	<input type="checkbox"/>
David Fairbairn	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Texas MacDonald	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ray Maltais	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bert McDowell	<input checked="" type="checkbox"/>	<input type="checkbox"/>

ERNIE HARDEMAN, M.P.P.

Oxford

March 26, 2018

Ron McDermott
Town of Essex
33 Talbot St. S
Essex, ON N8M 1A8

Queen's Park Office:
Room 413, Legislative Bldg.
Toronto, Ontario
M7A 1A8

Tel. (416) 325-1239
Fax (416) 325-1259

Constituency Office:
12 Perry Street
Woodstock, Ontario
N4S 3C2

Tel. (519) 537-5222
Fax (519) 537-3577

Dear Mayor McDermott,

I am writing to let you know that I recently introduced a private members' bill which would give municipalities the authority to decide whether or not they would be willing to receive a landfill. I have enclosed a copy for your information and comments. I believe municipalities should have a say in the location of something that would have such a lasting impact on their community.

As you know, today municipal governments can decide where a Tim Hortons should go, but they can't decide where something as significant as a landfill should go. That doesn't make sense.

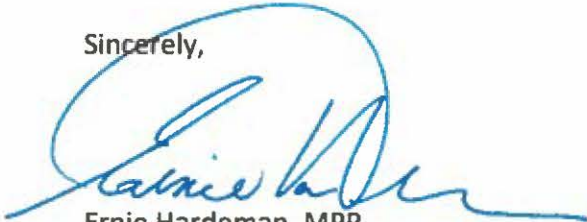
Currently, only the Ministry of the Environment approves a new landfill, but Bill 16, *Respecting Municipal Authority Over Landfilling Sites*, would ensure that waste companies are required to have approval from the municipality as well before they can move forward with the landfill placement.

I know that this authority has been requested by a number of municipalities. The Mayor of Ingersoll requested this legislative change during a committee hearing on Bill 139 last fall at Queen's Park. Since then, nearly 30 municipalities have passed resolutions of support and another 150 municipal leaders have signed petitions to demand this right.

I would appreciate hearing your comments on the bill and any support you can offer. For your convenience I have enclosed a sample resolution of support.

Thank you for your consideration. As always please feel free to contact me if I can be of assistance.

Sincerely,



Ernie Hardeman, MPP
Oxford

Draft resolution

**MUNICIPALITIES CALL ON PROVINCE FOR “RIGHT TO APPROVE”
LANDFILL DEVELOPMENTS**

WHEREAS municipal governments in Ontario do not have the right to approve landfill projects in their communities, but have authority for making decisions on all other types of development;

AND WHEREAS this out-dated policy allows private landfill operators to consult with local residents and municipal Councils, but essentially ignore them;

AND WHEREAS municipalities already have exclusive rights for approving casinos and nuclear waste facilities within their communities, AND FURTHER that the province has recognized the value of municipal approval for the siting of power generation facilities;

AND WHEREAS the recent report from Ontario’s Environmental Commissioner has found that Ontario has a garbage problem, particularly from Industrial, Commercial and Institutional (ICI) waste generated within the City of Toronto, where diversion rates are as low as 15%;

AND WHEREAS municipalities across Ontario are quietly being identified and targeted as potential landfill sites;

AND WHEREAS municipalities should be considered experts in waste management, as they are responsible for this within their own communities, and often have decades’ worth of in-house expertise in managing waste, recycling, and diversion programs;

AND WHEREAS municipalities should have the right to approve or reject these projects, and assess whether the potential economic benefits are of sufficient value to offset any negative impacts and environmental concerns;

THEREFORE BE IT RESOLVED THAT the **[INSERT NAME OF MUNICIPALITY]** supports *Bill 16, Respecting Municipal Authority Over Landfilling Sites Act* introduced by MPP Ernie Hardeman and calls upon the Government of Ontario, and all political parties, to formally grant municipalities the authority to approve landfill projects in or adjacent to their communities

AND FURTHER THAT the **[INSERT NAME OF MUNICIPALITY]** send copies of this resolution to MPP Ernie Hardeman and all municipalities.



The Corporation of the

Township of Uxbridge

In The Regional Municipality of Durham

Town Hall
51 Toronto Street South
P.O. Box 190
Uxbridge, ON L9P 1T1
Telephone (905) 852-9181
Facsimile (905) 852-9674
Web www.town.uxbridge.on.ca

SENT VIA EMAIL

April 19, 2018

Honourable Ernie Hardeman, MPP
Room 413, Legislative Bldg.
Toronto, Ontario
M7A 1A8
ernie.hardeman@pc.ola.org

**RE: BILL 16, RESPECTING MUNICIPAL AUTHORITY OVER LANDFILLING
SITES
TOWNSHIP FILE: A-00 G**

Please be advised that during the regular meeting of the Council of April 16, 2018 the following motion was carried;

THAT Correspondence Item No. 55 be received for information;

AND WHEREAS municipal governments in Ontario do not have the right to approve landfill projects in their communities, but have authority for making decisions on all other types of development;

AND WHEREAS this outdated policy allows private landfill operators to consult with local residents and municipal Councils, but essentially ignore them;

AND WHEREAS municipalities already have exclusive rights for approving casinos and nuclear waste facilities within their communities, AND FURTHER that the province has recognized the value of municipal approval for the siting of power generation facilities;

AND WHEREAS the recent report from Ontario's Environmental Commissioner has found that Ontario has a garbage problem, particularly from industrial, Commercial and Institutional (ICI) waste generated within the City of Toronto, where diversion rates are as low as 15 percent.

AND WHEREAS municipalities across Ontario are quietly identified and targeted as potential landfill sites;



AND WHEREAS municipalities should be considered experts in waste management, as they are responsible for this within their own communities, and often have decades' worth of in-house expertise in managing waste, recycling, and diversion programs;

AND WHEREAS municipalities should have the right to approve or reject these projects, and assess whether the potential economic benefits are of sufficient value to offset any negative impacts and environmental concerns;

THEREFORE IT BE RESOLVED THAT the Township of Uxbridge supports Bill 16, Respecting Municipal Authority Over Landfilling Sites Act introduced by MPP Ernie Hardeman and calls upon the Government of Ontario, and all political parties, to formally grant municipalities the authority to approve landfill projects in or adjacent to their communities;

AND FURTHER THAT the Township of Uxbridge send copies of this resolution to Ernie Hardeman, MPP, AMO, Granville Anderson, MPP, Catherine McKenna, Minister of the Environment and Climate Change, Peter Van Loan, MP, Kathleen Wynne, Premier of Ontario and all Ontario municipalities.

I trust you will find the above to be satisfactory.

Yours truly,



Debbie Leroux
Director of Legislative Services/Clerk

/ljr

cc: AMO
Granville Anderson, MPP
Catherine McKenna, Minister of the Environment and Climate Change
Peter Van Loan, MP
Kathleen Wynne, Premier
Ontario Municipalities

From: Ryan Siversns <rsiversns@hotmail.com>

Sent: April 18, 2018 8:51 PM

To: joegaron@hotmail.com

Subject: Resignation

Please accept this as my resignation from the Essex Funfest Committee. Unfortunately having to hold many occupations at this time I can not find the time to continue this adventure with you, I wish you all the best and will no doubt will cross paths with you all in the future. Thank you



Essex Police Services Board Regular Meeting Minutes

A regular meeting of the Essex Police Services Board was held on Thursday, April 5, 2018 @ 4:30 p.m. in the Town of Essex Large Meeting Room, 33 Talbot Street South, Essex, Ontario.

Roll Call:

Present: Chair Morley Bowman

Mayor Ron McDermott

Councillor Larry Snively

John Garinger

Vice Chair Kim Verbeek

Inspector Glenn Miller

A/Staff Sergeant Pat Lenehan, Ontario Provincial Police

Tom Gervais, Police Services Advisor, Zone 6, Ministry of Safety
Community and Correctional Services

Jill Brett, Secretary

Regrets: Sergeant Jeff Coulter, Ontario Provincial Police

Donna Hunter, CAO

1. Call to Order

The Chair called the meeting to order at 4:30 p.m.

2. Declarations of Conflict of Interest

There were no declarations of conflict of interest.

3. Adoption of the Published Agenda

a) Moved by Councillor Larry Snively

Seconded by John Garinger



Essex Police Services Board Regular Meeting Minutes

(EPSB18-04-020) That the agenda for the April 5th, 2018 Essex Police Services Board regular meeting be adopted with amendments. "Carried"

4. Adoption of Minutes

- a) Moved by Mayor Ron McDermott
Seconded by Vice Chair Kim Verbeek

(EPSB18-04-021) That the minutes of the March 8th, 2018 Essex Police Services Board regular meeting be adopted as presented. "Carried"

5. Public Presentation

None

6. Unfinished Business

None

7. Reports from Administration

- a) Moved by Councillor Larry Snively
Seconded by John Garinger

(EPSB18-04-022) That the Ontario Provincial Report to the Essex Police Services Board for the month of February 2018 be received. "Carried"

8. Correspondence

- a) Moved by Vice Chair Kim Verbeek
Seconded by John Garinger

(EPSB18-04-023) That the correspondence from the OAPSB – Notice of 2018 OAPSB General Annual Meeting – May 25th, 2018 @ 2:15 pm. – Blue Mountain Resort Village Conference Centre.



Essex Police Services Board Regular Meeting Minutes

b) Moved by John Garinger

Seconded by Vice Chair Kim Verbeek

(EPSB18-04-024) That the **For Information Purposes Only**
correspondence be received and filed. "Carried"

9. New Business

Tom Gervais, Police Services Advisor, Ministry of Community Safety and Correctional Services spoke to the Board highlighting recent changes to the Police Services Act and how the changes may affect policing services for the Town of Essex.

10. Announcements

None

11. Future Meeting Date

Thursday, May 3rd, 2018

12. Adjournment

Moved by Mayor Ron McDermott

Seconded by John Garinger

(EPSB18-04-025) That the meeting be adjourned @ 5:25 p.m.

Chair

Secretary

Arts, Culture and Tourism Committee Meeting

April 11, 2018

A regular meeting of the Arts, Culture, and Tourism (ACT) Committee was held on Wednesday, April 11, 2018 at 5:30 PM in the large meeting room of the Essex Town Hall, 33 Talbot Street South, Essex, Ontario.

Peter Youngson called the meeting to order and welcomed the committee members.

1. Roll Call

Present: Peter Youngson, Chair

Jason Nagy

Liz Semperger

Councillor Steve Bjorkman

Also Present: Jason Jolicoeur, Assistant Manager, Programs

Janice Aloisio, Administrative Assistant, Community Services

Regrets: Chris Carter

Councillor Larry Snively

Cynthia Cakebread, Manager, Recreation and Culture

2. Declarations of Conflict of Interest

- There were no declarations of Conflict of Interest noted.

3. Deletions, Additions or Changes to Agenda

The Chair asked for any deletions, additions, or changes to the Agenda published for the April 11, 2018 meeting.

- No items came forward

4. Adoption of Published Agenda

- a) Wednesday, April 11, 2018 Regular Arts, Culture, and Tourism Committee Meeting
Agenda as published.

Moved by Jason Nagy

Seconded by Liz Semperger

(ACT-2018-04-09) That the published agenda for the April 11, 2018 regular Arts, Culture, and Tourism meeting be adopted as presented. **"Carried"**

5. Adoption of Minutes

- a) March 14, 2018 regular Arts, Culture, and Tourism (ACT) Committee meeting as circulated.

Moved by Steve Bjorkman

Seconded by Liz Semperger

(ACT-2018-04-10) That the minutes of the regular Arts, Culture, and Tourism Committee Meeting held March 14, 2018 minutes be adopted as circulated. **"Carried"**

6. Old Business

- a) Standardized Music Series Tip Container Concepts
- Jason Jolicoeur reported on behalf of Cynthia that the 'hat design' due to circular design, would not be able to be produced in wood by the contact she had;
 - Discussion was had on other mediums and Liz offered to see if she can design a container and will have Steve bring it forward at the next meeting in her absence.
- b) Update on Essex Centre Mural
- Jason advised that a report to council will be going forward at the next regular council meeting for the authorization to sign an agreement between the Town

and the Building Owner to affix a mural on the wall located at 47 Talbot in Essex; and

- The Town's Procurement department has completed the scope of work for the mural and following the council meeting, pending council's approval, the request for proposals for a mural on that wall will be posted to the town's website.
- Steve Bjorkman brought forward that there is a wall on one of the buildings above the Deluxe in Essex which may be a good site for a potential future project of a three-dimensional work of art possibly in metal or some other fabrication and circulated a photo of the wall for reference to committee members; and
- Committee discussion ensued and the committee supported Steve speaking to the building owner to assess the potential of such a project moving forward in the future and bringing an update back to the next meeting.

c) Unveiling Murals in Colchester and Harrow

- Committee decision to coordinate the Colchester unveiling by preceding the opening evening of the first summer concert in Colchester on Monday June 11, 2018; and to
- Have the opening in Harrow preceding the July 6, 2018 concert;
- Jason Jolicoeur advised that the portable speaker system is available and Cynthia will have to coordinate the necessary media releases with the town's communication department.

d) Art Excellence Awards

- Posters have been produced and available for pick up at the aquatic centre;
- Jason printed off additional copies for those in attendance for distribution and will follow up on the promotional social media postings and will follow-up with Cynthia on the letters for the Chair to sign off on which were to be distributed to the local municipalities following amendment.

7. New Business

- No new business came forward.

8. Next Meeting

- Liz Semperger advised she will not be at the meeting next month; and
- The next regular meeting of the ACT Committee is scheduled for May 9, 2018 at 5:30 PM Essex Town Hall large boardroom or at the call of the chair, if necessary.

9. Adjournment

Moved by: Jason Nagy

That the meeting of the regular Arts, Culture, and Tourism Committee held April 11, 2018 be adjourned at 6:25 PM.

Peter Youngson, Chair

Janice Aloisio, Recording Secretary

The Corporation of the Town of Essex
Minutes of Regular Committee of Adjustment Meeting
Tuesday April 17, 2018

A regular meeting of the Town of Essex Committee of Adjustment was held on April 17, 2018 at 4:00 PM in the Small Council Chambers of the Municipal Building at 33 Talbot Street South, Essex, Ontario.

1. Roll Call

Members Present: Percy Dufour
Councillor Larry Snively
Ray Beneteau
Joe latonna

Also Present: Rita Jabbour, Assistant Planner
Sarah Girard, Planning Assistant

Regrets: Councillor Sherry Bondy

Members of Public in Attendance: See sign-in sheet attached hereto

2. Declarations of Conflict of Interest

None

3. Adoption of Minutes

Moved by Councillor Snively

Seconded by Joe latonna

(COA-2018-04-16) That the minutes of the March 20, 2018 Committee of Adjustment meeting be adopted as circulated.

"Carried"

4. Adoption of Published Agenda

Moved by Councillor Snively

Seconded by Ray Beneteau

(COA-2018-04-17) That the published agenda for the April 17, 2018 meeting of the Committee of Adjustment be adopted as circulated.

"Carried"

5. Applications

The following applications were heard:

a) A-06-18–Canadian Tire Properties–300 Maidstone Ave. West (Essex Centre, Ward 1)
A-06-18

An application for minor variance has been received by the Town of Essex Committee of Adjustment for the lands at 300 Maidstone Avenue West, in the Essex Centre, Ward 1. As a

result of a proposed restaurant development and the retention of an outdoor storage yard, the existing number of parking spaces will be reduced by 23.

Rita Jabbour, Assistant Planner, wrote:

Official Plan Designation: "Highway Corridor Commercial Area"

Zoning: Commercial District 3.2 (C3.2) –Highway Corridor Commercial Area

An application for minor variance has been submitted for the lands located at 300 Maidstone Avenue West in the Essex Centre. The subject property is designated "Highway Corridor Commercial Area" under the Town's Official Plan and zoned Commercial District 3.2 (C3.2) under the Town of Essex Zoning Bylaw, Bylaw 1037.

The applicants are seeking a variance to accommodate a reduction in 23 parking spaces serving the existing commercial development. The variance is being sought to accommodate a drive-through restaurant development at the south easterly corner of the subject property, and allow for the operation of the existing seasonal outdoor storage yard on a permanent basis.

As per section 9.8 of the Town of Essex Official Plan, when reviewing applications for minor variance to the Zoning Bylaw, the Committee of Adjustment should be satisfied that:

- a) The general intent of this Plan and the Zoning Bylaw are maintained. A drive-through restaurant is a permitted use under the C3.2 zoning;
- b) The variance(s) is minor and desirable for the appropriate use of the land. Parking is seldom an issue at the site;
- c) The variance is compatible with the established character of the neighbourhood, traffic and parking patterns;
- d) The variance deals with circumstances particular to the site and development. The variance is a result of the proposed restaurant development and retention of the outdoor storage yard.

As a result of the giving of public notice, no phone calls or written correspondence have been received from members of the public, other departments and agencies notified as of Thursday April 12, 2018.

Actions:

To be determined by the Committee.

Additional comments resulting from circulation.

Corinne Chiasson, Resource Planner, Essex Region Conservation Authority (ERCA), wrote:

"The following is provided for your information and consideration as a result of our review of Application for Minor Variance A-06-18. We understand that the purpose of this application is as a result of a proposed restaurant development and retention of an outdoor storage yard on the above noted property, which will eliminate 23 parking spaces.

NATURAL HAZARD POLICIES OF THE PPS, 2014

We have reviewed our floodline mapping for this area and it has been determined this site is not located within a regulated area that is under the jurisdiction of the ERCA (Section 28 of the Conservation Authorities Act). As a result, a permit is not required from ERCA for issues related to Section 28 of the Conservation Authorities Act, Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulations under the Conservations Authorities Act, (Ontario Regulation No. 158/06).

WATER RESOURCES MANAGEMENT

Our office has reviewed this application and have no concerns relating to stormwater management.

NATURAL HERITAGE POLICIES OF THE PPS, 2014

The subject property is not within or adjacent to any natural heritage feature that may meet the criteria for significance under the Provincial Policy Statement (PPS 2014). Based on our review, we have no objection to the application with respect to natural heritage policies.

FINAL RECOMMENDATION

We have no objections to this application."

William J. King, Manager, Planning Services, County of Essex, wrote:

"Please be advised that the County has reviewed the aforementioned application and the comments provided are engineering related only. This application has not been reviewed from a planning perspective. The subject lands have frontage on County Road No. 8. The Applicant will be required to comply with the following County Road regulations:

County By-Law Number 248L - A By-Law to Provide for the Protection of Highways and to Provide for the Installation of Entrance Ways.

County By-Law Number 24BO - A By-Law of the Corporation of the County of Essex to Regulate the Location of Buildings and Structures on Land Adjacent to County Roads.

The minimum setback for any proposed structures on this property must be 85 feet south from the centre of the original 66 foot wide ROW of County Road 8. Permits are necessary for any changes to existing entrances and structures, or the construction of new entrances or structures.

The County of Essex will require that the Applicant provide a Traffic Impact Study that meets the requirements of the County of Essex Transportation Impact Study Guidelines dated December 2006.”

Discussions:

Rita Jabbour, Assistant Planner, explains the nature of the application.

Ray Beneteau asks if the parking spaces were required at the time of development of the Canadian Tire store.

Rita states that they were.

Ray asks if the Committee is able to make variances to a site plan.

Percy Dufour, Vice-Chair, states that the Committee has that power.

Ray asks if the restaurant development has to have a minimum amount of parking spaces.

Rita states that they do require a minimum number of parking spaces. She explains that the applicant has submitted a concurrent site plan control application.

Heather Garret, the applicant’s agent, explains that at the time of the Canadian Tire store development, they provided more than the required number of parking spaces. She states that the outdoor storage area was not included in the original site plan.

She states that with the A & W restaurant development, the parking spaces will be reduced further.

Councillor Snively asks if this should have come before Council instead of the Committee of Adjustment.

Rita states that the Committee’s decision on the variance is required as part of the site plan control application.

Percy Dufour asks the applicant’s agent if the restaurant will have a drive through.

The applicant’s agent states that it will and that the site plan will be adjusted to accommodate the drive through.

Moved by Joe latonna

Seconded by Ray Beneteau

(COA-2018-04-18) That application A-06-18 be granted.

“Carried”

Reasons:

The Committee of Adjustment is of the opinion that the four (4) tests for minor variances under Section 45(1) of the Planning Act have been satisfied.

b) B-09-18–1954990 Ontario Inc. (Agent: Robert Reynolds) – 330 South Talbot Road (Essex Centre, Ward 1)

B-09-18

Consent application has been received by the Town of Essex Committee of Adjustment for the lands at 330 South Talbot Road, in the Essex Centre, Ward 1. The applicant is proposing to sever a +2 hectare (+5 acre) parcel from the existing +7.04 hectare (+17.6 acre) lot. The retained parcel is proposed to have an area of +5.04 hectare (+12.6 acre). The applicant is proposing this consent for the purpose of industrial lot creation.

Rita Jabbour, Assistant Planner, wrote:

“Official Plan Designation: Industrial

Zoning: Manufacturing District 1.3 (M1.3) –Light Industrial and Business Park

An application for consent has been submitted for the lands located at 330 South Talbot Road in the Essex Centre. The subject property is designated “Industrial” under the Town’s Official Plan and zoned Manufacturing District 1.3 (M1.3) for Light Industrial and Business Park under the Town of Essex Zoning Bylaw, Bylaw 1037.

The applicants are proposing to sever a +2 hectare (+5 acre) parcel from the existing +7.04 hectare (+17.6 acre) lot for the purposes of industrial lot creation. The retained lot is proposed to have an area of +5.04 hectares (+12.6 acres). Both the severed and retained lots will exceed the minimum required lot width of +24 metres (80 feet) under the M1.3 zoning at +82 metres (+270.6 feet) and +348.68 metres (+1150.66 feet), respectively.

Any proposed development on the site will be subject to site plan control approval which will involve storm water management, landscaping and buffering. Water service is available along the South Talbot Road frontage. Sanitary service is available along the north of the property.

As a result of the giving of public notice, no phone calls or written correspondence have been received from members of the public, other departments and agencies notified as of Thursday April 12, 2018.

Actions:

1. Should the Committee choose to approve this application, approval should be subject to satisfying the following conditions:
 - a) That at the time the conveyance is prepared for certification, three hard copies and one digital copy in a format compatible with AutoCAD 2000 of a reference plan prepared by an Ontario Land Surveyor, which has been numbered, dated, signed and registered, must be submitted to the Town;
 - b) That the appropriate documents for the conveyance be prepared in triplicate (three copies) and suitable for registration. All copies shall have original signatures and one copy will remain as a record with the Town;
 - c) That at the time the conveyance is presented for certification, a tax certificate from the Treasurer of the Town or evidence showing all taxes for the current year have been paid in full to the date of consent approval, as well as any and all arrears owing on the total parcel, shall be submitted to the Town;

- d) That an apportionment of assessment pursuant to Section 65 of The Drainage Act, R.S.O. 1990, and amendments thereto, be provided to the satisfaction of the Drainage Superintendent for the Town of Essex, if deemed necessary by the Town;
- e) That all of the above conditions be fulfilled on or before April 17, 2019.”

Additional comments resulting from circulation.

Corinne Chiasson, Resource Planner, Essex Region Conservation Authority (ERCA), wrote:

The following is provided for your information and consideration as a result of our review of Application for Consent B-09-18. The applicant is requesting to sever a 2 hectare lot from the 7 hectare parcel, in order to create a new industrial lot.

NATURAL HAZARD POLICIES OF THE PPS, 2014

The above noted lands are subject to our Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulations under the Conservation Authorities Act, (Ontario Regulation No. 158/06). The subject parcel falls within the regulated area of the following watercourses/waterbodies:

14th Conc. E. Drain Branch and Rush Drain. The property owner will be required to obtain a Permit and/or Clearance from the Essex Region Conservation Authority prior to any construction or site alteration or other activities affected by the regulations.

WATER RESOURCES MANAGEMENT

We acknowledge that the subject application is for the purpose of creating a new industrial lot only, in which we would have no objections. It is our understanding that the severed and retained lots will be subject to site plan control, and therefore we would prefer to comment on the site specific nature of the any proposed development through that process when circulated. Due to the location and scale of the proposed development, we may request the opportunity to review the stormwater management report, and include conditions in the Site Plan Control Agreement.

NATURAL HERITAGE POLICIES OF THE PPS 2014

The subject property is not within or adjacent to any natural heritage feature that may meet the criteria for significance under the Provincial Policy Statement (PPS 2014). Based on our review, we have no objection to the application with respect to natural heritage policies.

FINAL RECOMMENDATION

We have no objections to this application for consent.”

Discussions:

Rita Jabbour, Assistant Planner, explains the nature of the application.

Ray Beneteau asks if South Talbot Road is complete along the width of the proposed severed lot.

Rita states that it has been completed.

Joe latonna asks if the retained parcel will remain farmed.

Paul Sehincariuz, the applicant's agent, states that they would like to develop that portion in the future.

Percy Dufour asks if the development will employ residents.

Paul Sehincariuz states that he cannot speak about employment but that the development will be for farm equipment sales.

Moved by Councillor Snively

Seconded by Ray Beneteau

(COA-2018-04-19) That consent application B-09-18 be granted subject to the following conditions:

- a) That at the time the conveyance is prepared for certification, three hard copies and one digital copy in a format compatible with AutoCAD 2000 of a reference plan prepared by an Ontario Land Surveyor, which has been numbered, dated, signed and registered, must be submitted to the Town;
- b) That the appropriate documents for the conveyance be prepared in triplicate (three copies) and suitable for registration. All copies shall have original signatures and one copy will remain as a record with the Town;
- c) That at the time the conveyance is presented for certification, a tax certificate from the Treasurer of the Town or evidence showing all taxes for the current year have been paid in full to the date of consent approval, as well as any and all arrears owing on the total parcel, shall be submitted to the Town;
- d) That an apportionment of assessment pursuant to Section 65 of The Drainage Act, R.S.O. 1990, and amendments thereto, be provided to the satisfaction of the Drainage Superintendent for the Town of Essex, if deemed necessary by the Town;
- e) That all of the above conditions be fulfilled on or before April 17, 2019.

"Carried"

Reasons:

In the opinion of the Committee, approval of this consent application is in keeping with the policies of the Town of Essex Official Plan, the requirements of the Planning Act and the policies mandated under the Provincial Policy Statement (PPS).

6. New Business

None

7. Old Business

OPP Traffic Report Concerning the 3rd Concession

Rita Jabbour states that she has contacted the OPP regarding recent concerns about lot creation along the 3rd Concession.

She states that Jeff Coulter with the OPP has provided a response.

Rita reads off Jeff's response:

"I don't foresee any safety concerns. I can't imagine the properties will be high traffic all at the same time, and I don't recall the prevalence of collisions on the 3rd that are related to private driveways."

Councillor Snively states that he sat at the location and did not see a concern.

Hall Severance Application –B-02-18, A-03-18 and B-03-18, A-04-18

Rita provides a summary of what occurred at the March meeting regarding severance and minor variance applications B-02-18, A-03-18, B-03-18 and A-04-18. She states that the applications B-02-18 and A-03-18 will be back on the agenda for May.

8. Next Meeting Date –May 15, 2018

The next Committee of Adjustment meeting is scheduled to be held at 4:00 PM on Tuesday May 15, 2018, in the Small Council Chambers of the Essex Town Hall, subject to the submission of complete applications for this agenda.

9. Adjournment

Moved by Councillor Snively

(COA-2018-04-20) That the meeting be adjourned at 4:19 pm.

"Carried"

Chair

Secretary-Treasurer/Assistant Planner

Fun Fest Committee Meeting Minutes

19 April, 2018

Minutes of a meeting of the Essex Fun Fest Committee held on Thursday 19th of April 2018 at 6:00 PM at the Barnett Board Room. This meeting was called to order by Joe Garon, Chairperson of the Essex Fun Fest Committee at 6:01 PM.

1. Roll Call

Present: Joe Garon, Chair
Kim Verbeek, Vice Chair
Natalie Sinn
Riley Jones
Kyle Flood
Pam McDermott
Steve Bjorkman, Councillor
Jake Morassut, Recording Secretary
Doug Sweet, Director of Community Services

Regrets: N/A

Absent: N/A

2. Additions to Agenda

Committee Members

3. Adoption of Agenda

Moved by Steve Bjorkman, Councillor

Seconded by Pam McDermott

(FF18-04-008) The agenda of the 19th of April, 2018 be approved as circulated. "Carried"

4. Declaration of Conflict of Interest

There were no declarations of conflicts of interest.

5. Approval of Previous Minutes

Moved by Steve Bjorkman, Councillor

Seconded by Natalie Sinn

(FF18-04-009) The minutes of the meeting on the 22nd of March, 2018 be approved as circulated. "Carried".

6. Old Business:

a) ATM

- i. All local banks that were called do not have a truck to position on the grounds. Access Cash was contacted and they are looking into getting an ATM on site that will be functional for the weekend.

b) Request for Proposal for Bavarian Gardens

- i. One submission was made. Joe will talk to that submission to gain additional details regarding the bid and ensure it is everything that we need/want for the Festival.

c) ACT Awards

- i. Will be Sunday at 2pm and they will use the arena lobby to display the art. The timeline will be confirmed with the ACT Committee after May 28th as that is the closing date for their entries.

7. Sub-Committee Updates

a) Sponsorship

- i. Joe is looking for a sponsor for the kid's zone, and
- ii. If anyone is aware of sponsors that want to commit give the name to Joe.

b) Vendors

- i. Two food vendors and one non-food vendor have submitted information at this point. We have verbal commitment for all food spots at this point. New entries will have to be reviewed and placed on a wait list.
- ii. Political campaigns are not permitted as a vendor, but nothing else is disallowed unless it is tasteless content.

c) Parade

- i.** Kyle and Jake will take care of the signage for parking on the Friday afternoon of the parade;
- ii.** Jake and Kyle will also need to find an announcer for the event;
- iii.** Looking at the parade theme to be "Your hometown hero's. Dress up as your hero. Whether it is a first responder, athlete, or superhero, we want to see who your hero is!"; and
- iv.** Steve will check if the microphone will work for the downtown core.

d) Entertainment and Attractions

- i)** Main Stage –Joe added Sunday afternoon as a tribute to the Beach Boys. No new updates on Friday and Saturday.
- ii)** Long and McQuade Stage–Will be ongoing, but several acts are planned.
- iii)** Bavarian Gardens – No new updates.
- iv)** Attractions
 - Fun Fest Attractions
 - The Ben Show – Booked with no new updates.
 - Classic Championship Wrestling – Booked with no new updates.
 - Cra-Z-Crew BMX Stunt Team – Booked with no new updates.
 - Birds of Prey – Booked with no new updates.
 - Youth Talent Show – Booked with no new updates.
 - Watermelon Eating Contest – Booked with no new updates.
 - Fireworks – Booked with no new updates.
 - Pony Rides – Booked with no new updates.
 - Silver Stars Precision Drill Team—Booked with no new updates.
 - Arts Culture and Tourism Awards—Pending
 - Third Party Attractions
 - BIA Downtown – Joe will meet with the BIA to see if there is anything that will be going on in the downtown area as the car show is not happening.
 - Kinger's Horseshoe Tournament – Booked with no new updates.
 - Essex Legion Fun Fest Pickerel Dinner – Booked with no new updates.

- Essex Fun Fest Flower Show – Will be contacted by Doug.
- Train Puzzle/Train Movies – Will be contacted by Doug.
- Windsor-Essex Compassionate Care Community—Now booked.
- Interdenominational Church Service—Will be contacted by Doug.

v) Kids Zone –No new updates.

8. Volunteers

- a) In addition to school promotion, Steve is going to contact the Optimist and the Rotary Club to see if they are willing to help out; and
- b) Autism Windsor-Essex County is going to help out with the morning clean up in the beer tent.

9. Admission Fees, Park Hours and Credentials

- a) No new updates.

10. Parking

- a) The church will allow us to use the parking lot for parking, but they will be charging admission for parking. They will also have accessible parking there.

11. Amusement and Midway

- a) Doug will follow up with Worlds Finest Shows to see when we will receive promotional material.

12. Bavarian Gardens

- a) Hours of Operation
 - i. 8:00pm-1:00am on Friday/Saturday and Sunday is noon to 4:00pm (possibly 5:00pm depending on when the horseshoe tournament ends).
- b) Tents
 - i. These are ordered according to Joe's site plan for the Bavarian Garden area.
- c) Serving Staff
 - i. Will be assigned by the procurement process.
- d) Permit/Insurance
 - i. Will depend on the procurement process, but likely going to be a third party that will take the permit and insurance under their name/business.

e) Product Inventory/Ordering

- i.** The product will depend on who is running the tent, but will likely eliminate the pouring of alcohol but will have premixed alcohol in cans. Prices may change on the alcohol, but this will also depend on the procurement contract.

13. Security

- a)** No new updates.

14. Financial

- a)** Approval of Bills

The below bills brought to the committee were approved:

Festival Tent	\$2,575.00
Sara Parks (Pony Rides)	\$250.00
Wrestling	\$1,150.00
Country Legends	\$1,666.75
Beach Boys	\$500.00

Moved by Natalie Sinn

Seconded by Riley Jones

(FF18-04-010) That the bills brought forward to the April Fun Fest Meeting were approved for payment. "Carried"

15. Marketing and Social Media

- a)** Riley and Jared will be working with Alex Denonville, Manager of Communications, to ensure our marketing follows municipal guidelines;
- b)** A new Facebook page was created so we can get shares and likes; and
- c)** Snapchat will also be used as a marketing platform, but this will be a work in progress as we may seek sponsors since it should reach out to several thousand people.

16. Operations and Site Management

- a)** Splash Pad

- i.** We will have the splash pad on site, so we can look at if we will incorporate this with the Festival.

- b)** ATM

- i.** Nothing confirmed at this point, but Access Cash will get back to us on availability.

- c) Laneway for parking in front of new Fitness Fury
 - i. Doug will check to see what kind of laneway is needed in front of the new Fitness Fury.

17. New Business

- a) Bike Valet
 - i. This will not be in conjunction with Bike Windsor-Essex, but the Committee will look at running this on their own, if practical.
- b) Bubble Soccer Proposal
 - i. Joe and Jake will meet with Bulldawg Bubble Soccer to see if there is something that can be worked out for the event. They submitted a proposal so the Committee will see if they could participate.
- c) Committee Members
 - i. Ryan Siverns has resigned from the committee.

d) Next Meeting Date:

- a) The next meeting will take place on the May 17th, 2018 at the Essex Centre Sports Complex's Barnett Board Room. This meeting will begin at 6:00PM.

e) Adjournment:

The meeting was adjourned at 7:10PM.

Moved by Natalie Sinn

Seconded by Kyle Flood

(FF18-04-011) that the meeting be adjourn at 7:05PM. "Carried"



Joe Garon, Chair



Jake Morassut, Recording Secretary

The Corporation of the Town of Essex

Regular Communities in Bloom Committee Meeting Minutes

April 24, 2018

A regular meeting of the Communities in Bloom Committee was held on Tuesday, April 24, 2018 at 6:00 PM in the large Meeting Room of the Essex Town Hall, 33 Talbot Street South, Essex, Ontario.

The Chair, Ron Rogers called the meeting to order and welcomed the committee members and administration.

1. Roll Call

Present: Ron Rogers, Chair

Mary Meloche

Brenda Dunn

Anne Marontate

Deb Scholey

Also Present: Doug Sweet, Director of Community Services

Nathan Hamilton, Landscape Technician/Groundskeeper

Janice Aloisio, Recording Secretary

Regrets Tim O'Hagan

Mary-Ellen Morton

Nicole Hall

2. Declarations of Conflict of Interest

- No declarations received.

3. Adoption of Published Agenda

- a) Tuesday, April 24, 2018 Regular Communities in Bloom Meeting Agenda

Moved by Mary Meloche

Seconded by Anne Marontate

(CIB-2018-04-008) That, the April 24, 2018 agenda of the regular Communities in Bloom meeting be adopted as presented. "Carried"

4. Adoption of Minutes

- a) Tuesday, March 27, 2018 Regular Communities in Bloom Committee Meeting minutes.

Moved by Brenda Dunn

Seconded by Deb Scholey

(CIB-2018-04-009) That, the March 27, 2018 minutes of the regular Communities in Bloom meeting be adopted as presented. "Carried"

5. Old Business

- a) Gateway Sign CIB Promotional Signage Design and Mock-up

- Doug distributed the 'revised' design for the gateway sign for review and comment by the committee;
- Comments and changes will be submitted to the Communication Manager for revisions and a paper printout of the design will be created and brought to the next meeting.

- b) Legacy Tree Planting follow-up and Grant Update

- The rescheduled date (due to inclement weather) has been moved to Friday May 11 for all six (6) schools;
- Doug advised that the grant funding of two thousand, five hundred dollars (\$2,500) has been received from the TD Friends of the Environment which will be applied to the purchase of the trees, tags etcetera.

c) Community Spring Clean-up Reminder

- Doug reminded the Committee of the town's annual Community Spring Clean-Up scheduled in all four centres on Saturday, May 5 from 9:30 to 11:30 AM rain or shine and that food and refreshments will be provided following the clean-up;
- Doug to reach out to the Colchester Guardian and invite their participation to the event in Colchester; and
- Anne will reach out to her sorority sisters and the Old Schoolhouse Community Garden members and invite their participation.

6. New Business

a) Award Recognition Reception tentative date September 26, 2018

- Doug advised that the annual Award Recognition Reception has been tentatively scheduled for Wednesday, September 26, 2018 and the McGregor facility has been secured.

b) May CIB Proclamation Update

- Doug advised that Council approved the week of May 7 being Communities in Bloom week report and the proclamation will be made;
- The Town's Communication department is working on social media promos related to various highlights and accomplishment of the CIB committee over the years that will run during that week on town social media networks; and
- Mary asked that the town's electronic signs promote the Communities in Bloom week; Doug will follow up with staff in this regard.

c) Co An Park Purple Martin House

- Doug advised that a new Purple Martin House has been installed at Co-An Park.

7. Next Meeting

- The next regular meeting of the committee is scheduled for May 29, 2018. The date had been previously moved due to the Victoria Day holiday conflict.

8. Adjournment

Moved by Mary

That the meeting be adjourned at 6:39 PM

Ron Rogers, Chair

Janice Aloisio, Recording Secretary



Personnel Committee

Meeting Minutes

A meeting of the Town of Essex Personnel Committee was held on Wednesday, April 25, 2018 at 4:30 p.m. in the Small Meeting Room at 33 Talbot Street, South, Essex, Ontario.

Deputy Mayor Meloche called the meeting to order at 4:33 p.m.

1. Roll Call

Members:

Deputy Mayor, Richard Meloche, Chair

Councillor, Sherry Bondy

Councillor, Ron Rogers

Mayor, Ron McDermott

Staff:

Brandi Sieben, Manager, Human Resources

Jeff Morrison, Director, Corporate Services

Donna Hunter, CAO

Chair called meeting to order at 4:33 PM

2. Declarations of Conflict of Interest

There were no declarations of conflict of interest.

3. Adoption of Agenda

a) April 25, 2015: Personnel Committee Meeting Agenda.

Moved by: Councillor Bondy

Seconded by: Councillor Rodgers

(PC-18-004) That the agenda for the April 25, 2018 Personnel Committee Meeting be adopted as presented. "Carried"

4. Reports from Administration



Revisions to the Respectful Workplace Policy were reviewed by Donna Hunter

Moved by: Mayor McDermott

Seconded by: Councillor Rodgers

(PC-18-005) Recommendations to Council that the revised Respectful Workplace Policy presented as highlighted in the policy, be approved and that the revised policy be implemented. "Carried"

5. Adjournment

Moved by: Mayor McDermott

Seconded by: Councillor Bondy

(PC-18-006) That the meeting be adjourned at 4:44p.m. "Carried"

Deputy Mayor Meloche, Chair

Brandi Sieben, Recording Secretary



Policy Manual

Section:	Corporate
Subject:	Respectful Workplace Policy
Policy Number:	016
Approval Date:	November, 2009; May, 2016; May 2018
Approved By:	R09-11-335, R16-05-206
Prepared By:	Director of Corporate Services, Chief Administrative Officer

1.00 Objective

The Town of Essex is committed to providing and maintaining a work environment that is [inclusive](#), free from any forms of harassment or violence and respects the dignity, self-worth and human rights of every individual.

The Ontario's *Human Rights Code*, R.S.O. 1990 provides the basis for an employee's rights in the workplace with respect to discrimination or harassment based on the protected grounds of discrimination.

The *Occupational Health and Safety Act*, R.S.O. 1990 (OHSA) as amended further protects an employee's rights with respect to harassment in the workplace by expanding the definition of harassment such that workplace harassment is not limited to the protected grounds of discrimination and includes personal harassment and sexual harassment. The OHSA also provides for the protection of workers from hazards in the workplace, including hazards involving the workplace violence, domestic violence, and sexual violence.

Harassment and violence affect the workplace and individual well-being and will not be tolerated by the Town of Essex. This policy has been established to prevent harassment and violence by promoting increased awareness, early problem resolution and the use of mediation.

Behaviours that create and support a respectful workplace include:

- integrity and trust;
- positive communication and collaborative working relationships;
- courteous and respectful treatment of others;
- treating everyone equitably and fairly;
- listening to what others have to say;
- recognizing, embracing and valuing diversity in the workplace; and
- willingly apologizing to people when you say something or do something to offend another individual.

~~This policy reinforces values of integrity and trust that are the foundation of a sound working environment.~~ The Town of Essex will ensure that this policy is maintained and that all workers and supervisors have the appropriate information and instruction to protect them from harassment and violence in the workplace.

2.00 Scope

This policy applies to the following:

- a) All Council Members of the Town of Essex in their capacity as members of Council and in their capacity as Council representatives on committees and local boards of the Town;
- b) All Town of Essex employees, including any union or non-union, regular, full-

time, part-time, temporary, casual, seasonal or student employee;

- c) Contract employees; and
- d) Volunteers, including volunteer firefighters.

This policy also applies to customers, suppliers, contractors and consultants in their dealings with Council Members, employees, contract employees and volunteers while providing supplies and services to the Town of Essex or accessing services provided by the Town.

3.00 Workplace

For purposes of this policy, the workplace includes any location in which work is carried out on behalf of the Town of Essex and is also applicable to any methods used to conduct work-related activities on behalf of the Town, including but not limited to—

- a) All work locations owned, rented or leased by the Town of Essex, including buildings, roads, etc.;
- b) Transportation used to conduct business on behalf of the Town of Essex, including vehicles, equipment, airlines, trains, buses, etc, regardless of whether they are owned, rented or leased by the Town of Essex;
- c) Restaurants, hotels or meeting facilities used for business-related purposes;
- d) Communication devices used to conduct Town of Essex business including telephones, cell phones, smart phones, email or any other method of communication; and
- e) Work-related social events regardless of whether the event is sponsored by the municipality.

4.00 Definitions

In this policy:

“Chief Administrative Officer” means the Chief Administrative Officer (CAO) of the Town of Essex.

“Complainant” means the person making a formal or informal complaint of harassment, violence or discrimination.

“Disability” is defined in accordance with the *Accessibility for Ontarians with Disabilities Act*, 2005 as—

- a) any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device;
- b) a condition of mental impairment or developmental disability;
- c) learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language;
- d) a mental disorder; or
- e) an injury or disability for which benefits were claimed or received under the insurance plan established under the Workplace Safety and Insurance Act, 1997.

“Discrimination” in the workplace includes any distinction, exclusion or preference based on the protected grounds in the *Human Rights Code*, R.S.O. 1990, which nullifies or impairs equality of opportunity in employment, equality in the terms and

conditions of employment or equality of treatment in employment. The protected grounds of discrimination include—

- race, colour, creed, ancestry, citizenship, ethnic origin or place of origin;
- age;
- sex, pregnancy;
- gender identity, gender expression, sexual orientation;
- family status, marital status;
- disability;
- a record of offences for which a pardon has been granted under the *Criminal Records Act*, R.S.C., 1985 and has not been revoked, or an offence in respect of any provincial enactment.

Discrimination in the workplace includes subtle discrimination and systemic discrimination.

“Discriminatory Harassment” includes vexatious comments or conduct based on the protected grounds in the *Ontario Human Rights Code*, R.S.O. 1990, which the recipient does not welcome or that offends him or her. Some examples of discriminatory harassment are:

- offensive comments, jokes or behaviour that disparage or ridicule a person’s membership in one of the protected grounds, such as race, religion or sexual orientation;
- distributing email messages or attachments such as pictures or video files that ridicule;
- imitating a person’s accent, speech or mannerisms;

- persistent or inappropriate questions about whether a person is pregnant, has children or plans to have children; or
- inappropriate comments or jokes about an individual's age, sexual orientation, personal appearance or weight (whether they are under or overweight), etcetera.

“Domestic Violence” is violence that typically occurs outside the normal workplace between spouses or former spouses, which may have an impact on the working environment, including working relationships.

“Harassment” means a course of vexatious comment or conduct that is known or ought to be known to be unwelcome. It comprises any objectionable act, comment or display that demeans, belittles, or causes personal humiliation or embarrassment, and any act of intimidation, bullying or threat. For purposes of this policy, it includes but is not limited to discriminatory harassment, psychological harassment, sexual harassment and personal harassment.

“Personal Harassment” means any unwanted physical or verbal behaviour that offends, humiliates, intimidates, excludes and/or isolates an individual or group.

“Poisoned Work Environment” means a work environment that has become so hostile or an uncomfortable place to work as a result of harassing comments or conduct, even if no one is being directly targeted. A Poisoned Work Environment may have the effect of making competent work performance impossible or continued employment intolerable. Some examples of actions that can create a poisoned work environment include:

- displaying offensive or sexual materials such as posters, pictures, calendars, web sites or screen savers;
- distributing offensive e-mail messages, or attachments such as pictures or video files;

- practical jokes that embarrass or insult someone; or
- jokes or insults that are offensive, racist or discriminatory in nature.

“Psychological Harassment and Violence” is bullying or humiliating behaviour that has the following components—

- it is generally repetitive, although a single serious incidence of such behaviour may constitute psychological harassment if it undermines the recipient’s psychological or physical integrity and has a lasting harmful effect;
- it is hostile, abusive or inappropriate;
- it affects the person’s dignity or psychological integrity; and
- it results in a poisoned work environment.

Psychological harassment should not be confused with legitimate management actions, including measures to correct performance deficiencies or impose discipline for workplace infractions.

Some examples of psychological harassment are:

- a) verbally abusive behaviour such as yelling, insults and name calling;
- b) persistent, excessive and unjustified criticism and constant scrutiny;

c) spreading constant rumour or innuendo that perpetuates and fosters a strong feeling of negativity;

d) excluding or ignoring someone;

e) undermining someone else’s efforts by setting impossible goals and deadlines;

f) sabotaging someone else’s work;

~~f~~g) impeding an individual's efforts at promotions or transfers; and

~~g~~h) making false allegations about someone in memos or other work related documents.

"Respondent" means the person against whom a formal or informal complaint of harassment, discrimination or violence is made by a complainant.

"Sexual Harassment" includes conduct or comments of a sexual nature that the recipient does not welcome or that offend him or her. It also includes negative or inappropriate conduct or comments that are not necessarily sexual in nature, but which are directed at an individual because of his or her gender identity, gender expression, sex or sexual orientation. Sexual harassment also includes making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement and the person knows or ought reasonably to know that the solicitation or advance is unwelcome. Both men and women can be victims of harassment, and someone of the same or opposite sex can harass someone else.

Some examples of sexual harassment are:

- using rude or insulting language or making comments toward women or men, depending on the circumstances;
- leering or inappropriate staring;
- displaying sexually offensive material such as posters, pictures, calendars, cartoons, screen savers, pornographic or erotic web sites or other electronic material;
- distributing sexually explicit e-mail messages or attachments such as pictures or video files;
- sexually suggestive or obscene comments or gestures;

- unwelcome remarks, jokes, innuendoes, propositions or taunting about a person's body, clothing or sex; or
- persistent, unwanted attention after a consensual relationship ends.

“Sexual Violence” means any sexual act completed or attempted, against a person without that person's freely given consent and includes:

- unwanted sexual experiences, regardless of whether there is contact;
- unwanted sexual comments, advances or contact;
- a sexual act which occurs after a person is pressured verbally, or through intimidation or misuse of authority; or
- acts of violence directed against an individual because of their sexuality, regardless of the relationship to the victim.

“Subtle Discrimination” means discrimination that is subtle or covert where the intent or motive to discriminate is not a necessary element for a finding of discrimination. Detection of subtle discrimination requires the need to investigate and analyze the total context of the alleged behaviour, comment or conduct. Examples of subtle discrimination include:

- being excluded from formal or informal networks, such as after-hours get-togethers or office parties;
- being denied mentoring or development opportunities such as secondments and training that are available to other people;
- differences in management practices, such as excessive monitoring and documentation or deviating from written policies or standard practices;
- being assigned less desirable jobs or duties; or
- disproportionate blame for an incident.

“Systemic Discrimination” refers to policies or practices that appear neutral on the surface, but may have discriminatory effects on individuals based on the protected grounds in the *Human Rights Code*, R.S.O. 1990. The definition of systemic discrimination includes the following three elements:

Formatted: Font: Not Bold

1. patterns of behaviour, policies or practices;
2. part of social or administrative structures of an organization; and
3. position of relative disadvantage created for persons identified by the *Human Rights Code*, R.S.O. 1990.

Formatted: List Paragraph, Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"

An example of systemic discrimination is a requirement for employees to attend gender specific sporting events (for example, football and wrestling) with their spouses on evenings and weekends in places that are not fully accessible. Employees who are female, single, gay or lesbian or people may not feel welcome at these events and persons with disabilities may not be able to attend the events.

Formatted: Font: Not Bold

“Workplace Bullying” is any behaviour that intimidates, humiliates or demeans a person. Sometimes it is directed at one employee in particular and, at other times, it is part of a hostile or poisoned work environment.

“Workplace Violence” is defined under the *Occupational Health and Safety Act* as—

- the exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker;
- an attempt to exercise physical force against a worker, in workplace, that could cause physical injury to the worker; or
- a statement or behaviour that is reasonable for a worker to interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker.

It is defined broadly enough to include acts that may be considered criminal

including—

- physical threatening behaviour such as shaking a fist at someone, finger pointing, destroying property, throwing objects;
- verbal or written threats to physically attack a worker;
- leaving threatening notes or sending threatening emails;
- wielding a weapon at work;
- stalking someone; or
- physically aggressive behaviours including hitting, shoving, standing excessively close to someone in an aggressive manner, pushing, kicking, throwing an object at someone, physically restraining someone or any other form of physical or sexual violence.

5.00 Responsibilities

5.01 Shared Responsibilities

All employees have a right to work in an environment free from harassment, violence and discrimination. All employees share the responsibility to support human rights and equality.

It is the mutual responsibility of the employer and employees to create and maintain a workplace free from harassment, violence and discrimination, and to address violence and/or a threat of violence from all possible sources (including customers, clients, employers, supervisors, managers, workers, strangers and domestic/intimate partners).

5.02 Employer Responsibilities

The Town, as an employer, is responsible for—

- Providing a workplace free from all forms of harassment, violence and discrimination;
- Preparing policies on workplace violence and harassment and, in consultation with a representative from the Joint Health and Safety Committee, maintaining a written program to implement them;
- Assessing the risks of workplace violence based on the nature of the workplace and type or conditions of work and developing measures and procedures to control them;
- Taking reasonable precautions to protect workers who are at risk of physical injury when the employer is aware of the potential for domestic violence in the workplace;
- Alerting certain workers of the risk of workplace violence from persons with a history of violent behaviour;
- Notifying the Joint Health & Safety Committee and others if a worker is disabled or needs medical attention due to workplace violence as required under Bill 168 and Bill 132;
- Ensuring corporate policies and procedures comply with the *Human Rights Code*, R.S.O. 1990 and the Occupational Health & Safety Act;
- Providing awareness education to all employees ;
- Creating an environment that encourages the reporting of all incidents of harassment, discrimination and violence;
- Providing a process to handle and investigate harassment, violence and discrimination complaints, effectively, fairly and expeditiously; and

- Reviewing policies on workplace violence and harassment on an annual basis.

5.03 Management Responsibilities

Management staff is responsible for providing a workplace free of harassment, violence and discrimination and for intervening if harassment, violence or discrimination occurs. Management must ensure that harassment, violence and discrimination is not tolerated, ignored or condoned.

Management staff is responsible for not only their own actions, but also for dealing with the actions of staff under their supervision. The following are actions which management staff will undertake to prevent harassment, violence and discrimination and to address perceived harassment, violence and discrimination, or complaints by employees that they are being discriminated against or harassed:

- Set a good example by never engaging in, tolerating or condoning harassment, violence or discrimination;
- Make all possible efforts to protect employees from harassment, violence and discrimination;
- If harassment, violence or discrimination is suspected, or if an employee complains that he or she is being subjected to harassment, violence or discrimination, action must be taken in accordance with this policy and any associated policies;
- Management staff must approach an employee if a violation of the policy is suspected, as some employees may be embarrassed and/or reluctant to complain;
- Respond to any complaints immediately;

- Ensure the availability of an unbiased third party to conduct investigations when required; and,
- Discipline employees who violate this policy.

Managers must also take every reasonable precaution to protect employees from workplace violence, including evaluating a person's previous history of violence to determine whether it poses a current risk and to whom. In making this evaluation supervisors should consider:

- Whether the person's history of violence was associated with the workplace;
- Whether the history of violence was directed at a particular employee or employees in general; and
- How long ago the incidence of violence occurred.

In certain circumstances, supervisors may have a duty to provide information about a risk of workplace violence as a result of a person with a history of violent behaviour if an employee or employees can be expected to encounter that person during the course of their work, and the risk of workplace violence is likely to expose the employee to physical injury. Supervisors will only release as much personal information about the person with a history of violent behaviour as is reasonably necessary to protect employee(s) from physical injury.

5.04 Employee Responsibilities

Employees share in the responsibility to ensure that their work environment is free from harassment, violence and discrimination. Each employee must do their share by ensuring that their behaviour does not violate this policy and by fostering a work environment that is based on respect and is free of harassment, violence and discrimination.

Workplace violence will be governed by the work refusal procedures in the OHSA, whereby employees could refuse to perform work when there is a risk of workplace violence that creates a risk of physical injury. Employees will be required to notify their supervisor when they believe there is a risk of workplace violence that is likely to endanger them.

Employees will contact 911 or emergency services if there is an immediate threat of violence or an act of violence has occurred.

The right to refuse unsafe work does not apply to situations in which employees believe that they are experiencing workplace harassment.

Employees shall not engage in any behaviour that is or may be perceived as harassment, violence or discrimination. Employees are required to report incidents of harassment, violence and discrimination, threat of workplace violence or retaliation to their supervisor or department head.

It is the responsibility of every employee to cooperate fully in any attempts to resolve a complaint and to cooperate fully in the investigation of any complaint.

6.00 Complaint Investigation Protocol

The complaint investigation protocol provides the framework for the individual(s) responsible for initiating an investigation process with respect to a complaint of harassment, violence or discrimination, including the acquisition of an independent third party when necessary.

6.01 Complaint against the CAO

The Manager, Human Resources shall have the authority to acquire the services of an independent third party to conduct the complaint investigation process when a complaint is made against the CAO.

6.02 Complaint against a Council Member

The Integrity Commissioner shall conduct the complaint investigation process when a complaint is made against a Council Member for violations to this policy. At the discretion of the CAO, in consultation with the Manager, Human Resources, a third party may be retained for violations applicable to legislation or codes (i.e. Criminal Code) that fall outside the scope of the Integrity Commissioner.

6.03 Complaint against any other Individual

The CAO shall have the authority to conduct the complaint investigation process when a complaint is made against an individual other than the CAO or a Council Member. The CAO shall also have the authority to delegate the role of complaint investigation to another management employee of the Town of Essex, or to acquire the services of an independent third party to perform the investigation, should the CAO determine that the complaint would be better investigated by an independent third party or when the nature of the complaint requires it by law.

7.00 Complainant, Respondent and Witness(s) Responsibilities

Complainants, respondents and witnesses are responsible for providing information in conjunction with the complaint process. Expectations of the complainant, respondent and witness(s) are as follows—

- a) To cooperate fully in the complaint process when called upon to do so;
- b) To provide only factual and accurate information relative to the complaint;
- c) To limit the discussion of the complaint to those who need to know; and

- d) To review their statement as recorded by the individual(s) investigating the complaint, to confirm the accuracy of their statement.
- e) To maintain confidentiality of all information.

8.00 Harassment, Violence and Discrimination Complaint Process

8.01 Informal Complaint Procedure (Optional)

If an employee believes that he/she is being harassed or discriminated against, the first step is to tell the person to stop. Employees are encouraged to attempt to resolve their concerns by direct communication with the person engaging in the unwelcome conduct and to do so as soon as any unwelcome comments or conduct are received. Although this may be difficult to do, telling the person that their actions are not welcome is often enough to stop the behaviour.

To provide feedback in an effort to address and stop the unwanted behaviour the following format, using “I” statements, may be helpful:

- When you **[describe behaviour]**
- It makes me feel [describe the undesired feeling]
- I would like you to stop **[clearly indicate the outcome you want]**

Employees should also keep a written record of the date, time, and details of any unwelcome conduct as well as the names of any potential witnesses.

Some additional things an employee can say that might stop the behaviour include:

- “I don’t want you to do that.”
- “Please stop doing or saying...”
- “I find it offensive when you...”
- “It makes me uncomfortable when you...”
- “I don’t find it funny when you...”

If an employee believes that someone who is not a member of the company, for example a customer, contractor, supplier, etc., has harassed or discriminated against them, this should be reported to their supervisor or the CAO. Although the Town has limited control over third parties, it will address the issue and prevent further problems from arising.

Employees who are not confident or comfortable with the Informal Procedure and who believe they are victims of workplace harassment, or discrimination, or become aware of situations where such conduct may be occurring, are encouraged to report these matters using the Formal Complaint Procedure.

Except in extremely unusual circumstances, it is not intended that resolution of the problem through the use of an informal procedure will result in disciplinary action. The goal during the informal stage is to bring an end to any objectionable actions to the satisfaction of the complainant.

8.02 Formal Complaint Procedure (Optional)

If the complaint cannot be resolved informally, or if it is too serious to handle on an informal basis, a formal complaint may be submitted to one of the individuals as noted in Section 6.00. Employees, who are a member of a union representing the municipal employees of the Town,

may wish to seek the assistance or advice of the union.

To initiate a formal complaint the following written information will be required for purposes of completing a Harassment, Discrimination, and Violence Complaint Form:

- the name of the person believed to be involved in the harassment, violence or discrimination against you;
- a full description of the harassment, violence or discrimination;
- the place, date and time of the harassment, violence or discrimination; and,
- the names of any possible witnesses.

A Harassment, Discrimination, and Violence Complaint Form (Appendix “A” attached) is available online in the Policies & Procedures folder on the T: Drive or may be obtained from the Manager, Human Resources. When completing the form provide as much detail as possible.

A completed Harassment, Discrimination, and Violence Complaint Form should be provided to the Manager, Human Resources, in the case of a complaint against the CAO, the Integrity Commissioner, in the case of a complaint against a Council Member, or the CAO, in the case of a complaint against an individual other than the CAO or a Council Member, as soon as possible after the incident so that the problem does not escalate or reoccur. Upon receipt of the complaint, a formal investigation will be initiated if it is necessary and appropriate to do so.

Harassment, discrimination, and violence are serious matters. Therefore, if an employee decides not to make a formal complaint, the Town may still need to investigate the matter and take steps to prevent further inappropriate conduct. For example, the Town may need to continue

with an investigation if the allegations are serious or if there have been previous complaints or incidents involving the Respondent.

Anonymous complaints will not be investigated unless there are extenuating circumstances.

9.00 Formal Complaint Process

Typically the Formal Complaint Process will involve the following steps, although more or less steps may be necessary, depending on the situation.

Step No.	Process
1	Complainant delivers a completed Harassment, Discrimination, and Violence Complaint Form to the appropriate individual as set out in Section 6.00.
2	The individual conducting the investigation acknowledges receipt of the Harassment, Discrimination, and Violence Form in writing to the Complainant within one to two business days following receipt of the Form.
3	The individual involved in conducting the investigation is determined.
4	The complaint is reviewed to determine its validity and the investigation proceeds to Step 5 if the complaint is determined to be valid.
5	The Respondent is advised of the complaint and is provided with the opportunity to respond to the complaint in writing.
6	The Complainant and Respondent are interviewed individually to clarify the details of their submissions.
7	The individual conducting the investigation determines an appropriate course of action.
8	The individual investigating the complaint writes a formal report detailing the findings and the appropriate action to be taken against the Respondent, if applicable.
9	The recommendations of the individual investigating the complaint are communicated to the proper decision-making authority, in accordance with Section 10.02, Complaint Adjudication.
10	The individual investigating the complaint, meets with the Complainant and Respondent individually to outline the action to be taken. ¹

¹In the event that the individual investigating the complaints is an independent third

party, an individual internal to the Town of Essex may be present at this meeting,

A Complainant has the right to withdraw a complaint at any time throughout the Formal Complaint process. However, the Town reserves the right to continue the investigation and take action on the matter as it deems necessary under the circumstances in order to satisfy its statutory obligations.

10.00 Investigation Process – Harassment and Discrimination

10.01 Investigation of a Complaint

The investigation of a Formal Complaint and the determination of the individual involved in conducting the investigation will be determined as quickly as possible after receiving a complaint. If the complainant is a member of a bargaining unit, he or she may request involvement by the bargaining unit in the investigation.

The investigation may include—

- a) interviewing the complainant and respondent to ascertain all of the facts and circumstances relevant to the complaint, including dates and locations;
- b) interviewing any witnesses, examining work areas and taking any other steps considered necessary to the investigation;
- c) reviewing any related documentation; and,
- d) making detailed notes of the investigation and maintaining them in a confidential file.

The individual investigating the complaint may, at their discretion, attempt to achieve an informal resolution of the matter by mutual agreement. Any informal resolution will be subject to the acceptance of

the Complainant and the Respondent.

10.02 Complaint Adjudication

Once the investigation is complete, the individual investigating the complaint will prepare a detailed report of the findings of the investigation.

The final decision-making authority to impose the recommendations of the individual investigating the complaint rests with:

- a) Council, in the case of a complaint against a Council Member or the CAO;
- b) The CAO, in consultation with Council and the Manager, Human Resources, in the case of a complaint against a Director resulting in termination; or
- c) The CAO, in the case of a complaint against an individual, excluding the two exceptions noted in a) and b) above.

After the recommendations of the individual investigating the complaint have received the required approval, the individual investigating the complaint will meet with the Complainant and Respondent individually to outline the action to be taken. In the event that the individual investigating a complaint is an independent third party, an individual that is internal to the Town of Essex may be present at this meeting.

It is the goal of the Town of Essex to complete any investigation and communicate the results to the Complainant and Respondent within 30 days after receipt of a complaint, wherever possible. Such timelines can be extended as required.

10.03 Corrective Action

If a finding of harassment, discrimination, and violence is made, the Town will take appropriate corrective measures, regardless of the respondent's seniority or position. Corrective measures may include one or more of the following and, if found to fall under the Criminal Code, additional charges may apply:

- discipline, such as a verbal warning, written warning or suspension without pay;
- termination with or without cause;
- retraining on the Town's Respectful Workplace Policy;
- referral for counselling ("sensitivity training") or attendance at educational programs on workplace respect;
- a demotion or denial of a promotion;
- reassignment or transfer;
- financial penalties such as the denial of a bonus or performance-related salary increase, or
- any other disciplinary action deemed appropriate under the circumstances.

If there is not enough evidence to support the complaint, corrective measures will not be taken. If a complaint is in good faith and without malice, regardless of the outcome of the investigation, the complainant will not be subject to any form of discipline.

11.00 Filing a False or Malicious Complaint

Anyone who files a false and/or malicious complaint will be subject to

disciplinary action which may include a verbal or written warning, suspension without pay or termination with or without cause.

12.00 Procedure for Resolving and Investigating Workplace Violence

12.01 Incident of Workplace Violence

Employees have the right to refuse work if workplace violence is likely to endanger them. Workplace violence should be reported immediately to the Manager, Human Resources in the case of a complaint against the CAO, or to their supervisor, a Director or the CAO in all other cases, at which point appropriate measures will be taken to protect the employee and investigate the situation.

The employee will be moved to a safe place as near as reasonably possible to their normal work station and will need to be available for the purposes of investigating the incident. In some circumstances, subject to the provisions of the collective agreement, the employee may be provided with reasonable alternative work during normal working hours.

In appropriate circumstances, the employer may contact the police, or other emergency responders as appropriate, to assist, intervene or investigate workplace violence. Provided the situation is dealt with quickly and the danger to workers is removed, the necessity of work refusal may be alleviated.

Emergencies – When an incident of workplace violence (sexual or otherwise) is an emergency, any employee who is being subjected to workplace violence or witnessing workplace violence shall call 911 and then immediately report the incident to a supervisor, Director or the CAO. A supervisor or Director shall then report the situation

immediately to the CAO. After the emergency is resolved, an investigation of the workplace violence will commence.

As soon as practicable after making a verbal complaint of workplace violence, the Complainant shall complete a Harassment, Discrimination, and Violence Complaint Form and provide such form to the individual as set out in Section 6.00.

12.02 Investigation of Workplace Violence

The investigation of a complaint with respect to workplace violence will commence as quickly as possible. The Town may choose to use either an internal or external investigator(s), or involve the police, depending on the nature of the incident.

The investigation will include—

- a) Conducting interviews of relevant individuals to ascertain all of the facts and circumstances relevant to the complaint, including dates and locations;
- b) Reviewing any related documentation; and
- c) Making detailed notes of the investigation and maintaining them in a confidential file.

Once the investigation is complete, the investigator(s) will prepare a detailed report of their findings. ~~and a copy of the report will be provided to the Joint Health and Safety Committee~~

The Canada's *Criminal Code*, RSC 1985 deals with matters such as violent acts, threats and behaviours such as stalking, sexual violence, etc. The police will be contacted immediately when an act of violence occurs in the workplace or when someone in the workplace is threatened with violence.

Comment [HD1]: Brandi – Can you review the requirement to provide the detailed report to the JHSC. If I use the report generated from the workplace assessment for Fire, that would mean I would have share this with Fire's JHSC. However, this is a confidential report.

13.00 Procedure for Addressing Domestic Violence

Employees who are experiencing domestic violence that exposes themselves or others in the workplace to physical injury, or could potentially expose themselves, or others in the workplace to physical injury should seek immediate assistance by contacting their supervisor, a Director or the CAO for assistance. It is expected that anyone who is aware that an employee is at risk of being exposed to physical injury in the workplace as a result of domestic violence will report the risk to a Director or the CAO.

14.00 Risk Assessments

Annually, and after each and every incidence of workplace violence, the management shall conduct an evaluation to determine whether a risk of violence exists due to the nature of the work and/or work environment. Where workplace violence risks are identified, evaluation and implementation of appropriate corrective measures are required to reduce or eliminate the identified risks.

The Joint Health and Safety Committee shall be responsible for reviewing risk assessment results and providing recommendations to management on how to reduce or eliminate identified risks of violence.

15.00 Confidentiality

All employees or other persons who are aware of a complaint related to harassment, violence or discrimination, or are involved in its investigation and/or resolution, must recognize the seriousness of the situation and respect the sensitivity and confidentiality that must be accorded to the matter. They must refrain from discussing the complaint amongst themselves or with anyone who does not have a 'need to know'. Every effort must be made to preserve the dignity and self-respect of the parties to the complaint. All information and documentation concerning a complaint will therefore be kept and transmitted as confidential/protected material. The Town will only release as much information as is necessary to investigate and respond to the

complaint or situation or if required to do so by law. Those who do not fully respect such confidentiality may be subject to discipline.

Out of respect for the relevant individuals, it is also essential that the Complainant, Respondent, witnesses and anyone else involved in the formal investigation of a complaint maintain confidentiality throughout the investigation and afterwards.

16.00 Referral to Appropriate Authorities

If, during the course of an investigation under this policy, the individual(s) investigating a complaint believe that there has been a contravention of any Act or of the Canada's *Criminal Code*, *RSC 1985*, the individual(s) investigating the complaint shall immediately refer the matter to the appropriate authorities and suspend the investigation until any resulting police investigation and charge have been finally disposed of.

17.00 Reprisals and Obstruction

All individuals referenced in the scope of this policy (Section 2.00, Scope) shall respect the integrity of the Respectful Workplace Policy and any investigations conducted under it. Any reprisal or threat of a reprisal against a Complainant or anyone for providing relevant information to the individual(s) investigating the complaint is prohibited. It is also a violation of the Respectful Workplace Policy to obstruct those investigating a complaint from carrying out their responsibilities including, but not limited to, the destruction or erasing of any evidence related to the complaint such as documents, electronic communications, etc.

18.00 Alternative Complaint Resolution Processes

The following alternative options are available for pursuing a complaint under the Respectful Workplace Policy:

- a) Employees who belong to a bargaining unit may wish to discuss their complaint with a steward or other representative of their bargaining unit;
- b) Complaints based on one of the protected grounds of discrimination under Ontario's *Human Rights Code*, R.S.O. 1990, may be filed with the Human Rights Tribunal; and
- c) Complaints of violence that are covered under Canada's *Criminal Code*, RSC 1985 may be reported to the police.

If a complaint has been dealt with through an alternative complaint resolution process, the process for managing and investigating a complaint under this policy will be suspended pending the outcome of the alternative complaint resolution process.

19.00 Appeals

In the event that an employee is not satisfied with the outcome of a decision of the individual(s) investigating a complaint the employee has the right to appeal to their bargaining unit, in the case of a union employee, or to the Personnel Committee, in the case of a non-union employee.

20.00 References

Human Rights Code, R.S.O. 1990

Accessibility for Ontarians with Disabilities Act, 2005

Criminal Code, RSC 1985

Occupational Health and Safety Act, R.S.O. 1990

21.00 Acknowledgement and Agreement

I, _____ acknowledge that I have read and understand
the Respectful Workplace Policy of the Town of Essex.

Name: _____

Signature: _____

Date: _____

Appendix "A"

Harassment, Discrimination, and Violence Complaint Form

If Respondent is an Employee, forward to CAO and/or Manager, Human Resources.

If Respondent is a Council Member, forward to the Integrity Commissioner by telephone: 519-942-0070, and email robert.swayze@sympatico.ca.

If the Respondent is the CAO, forward to Manager, Human Resources

If this is a report of Sexual Violence you may wish to forward the completed form to Family Services Employee Assistance Programs to make the report through a confidential Third Party – Telephone 519-256-1831.(after hours 1-800-9668-9920)

Name of Complainant ¹	
Name of Respondent ² (attach separate list if necessary)	
Date and time of incident	
Location of the incident	
Type of incident ³	
Witness(s) to incident (list if more than one witness)	1.
	2.
	3.
	4.
Complainant must provide a detailed explanation of what occurred (attach a separate sheet if necessary)—	

¹ Complainant means the person making a formal or informal complaint of harassment, violence or discrimination.

² Respondent means the person against whom a formal or informal complaint of harassment, violence or discrimination is made by a Complainant.

³ Type of harassment, violence or discrimination means those types of harassment, violence or discrimination as defined in the Policy No. 016, "Respectful Workplace Policy".

Signature of Complainant

Date Form Completed

Date Form Received by CAO, Manager, Human
Resources or Integrity Commissioner:

On Apr 24, 2018, at 10:50 AM, Bondy, Sherry <sbondy@essex.ca> wrote:

Robert, for the next council agenda I would like to submit a NOM regarding Idlying.

The Town the of Essex put into effect an idlying bylaw.

I am working right now on details that can be considered by council.

Sherry

From: "Bondy, Sherry" <sbondy@essex.ca>

Date: April 29, 2018 at 2:56:53 PM EDT

To: "Auger, Robert" <rauger@essex.ca>, "Hunter, Donna" <dhunter@essex.ca>, "Nepszy, Chris" <cnepszy@essex.ca>, CouncilMembers <CouncilMembers@essex.ca>, "Sweet, Doug" <dsweet@essex.ca>, "Morrison, Jeffrey" <jmorrison@essex.ca>

Subject: Erie and King NOM

Robert can we pls add on the agenda a discussion about a stop light at the intersection of Erie and King.

This item was part of the list of issues collected from the ward this past fall during a door to door survey. It has again come forward on social media.

I realize this is a county road but traffic is awful at this intersection and I wish to know what the steps are to getting a street light installed in possible future budgets.

For example do we proceed with a traffic study (deliberate in budget 2019 for such a study). What are the first steps?

If admin feels a traffic light is not yet needed I would like a study to prove that isn't so rather than " you don't need a light" or at least a formal report brought forward from admin.

Can we collect road counts, accident counts etc and provide something formal to council.

If you live where I live and drive that intersection during peak hours it's a pain in the ass.

A report/ study would be good for our files to show we did our due diligence in investigating this issue in 2018 and then we can move forward or revisit.

NOM

“ that council support the request asking administration to bring back a report on the possibility of a streetlight on the corner intersection of Erie and King “

This is to be brought forward first May meeting and debating second May meeting.

Thank you



The Corporation of the Town of Essex

By-Law Number 1700

Being a by-law to confirm the proceedings of the April 16, 2018 Regular Meeting of Council of The Corporation of the Town of Essex

Whereas pursuant to Section 5(1) of The Municipal Act, 2001, S.O. 2001, c.25 as amended, the powers of a municipality shall be exercised by its Council;

And whereas pursuant to Section 5(3) of The Municipal Act, 2001, S.O. 2001, c.25 as amended, a municipal power, including a municipality's capacity, rights, powers and privileges under Section 8 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

And whereas it is deemed expedient that a by-law be passed to authorize the execution of Agreements and other documents and that the proceedings of the Council of The Corporation of the Town of Essex at its meetings be confirmed and adopted by by-law.

Now therefore be it resolved that the Council of The Corporation of the Town of Essex enacts as follows:

1. That the actions of the Council of The Corporation of the Town of Essex in respect of all recommendations in reports and minutes of committees, all motions and resolutions and all other actions passed and taken by the Council of The Corporation of the Town of Essex, documents and transactions entered into during the April 16, 2018 meeting of Council, are hereby adopted and confirmed as if the same were expressly contained in this by-law.
2. That the Mayor and proper officials of The Corporation of the Town of Essex are hereby authorized and directed to do all the things necessary to give effect to the actions of the Council of The Corporation of the Town of Essex during the said April 16, 2018 meeting referred to in paragraph 1 of this by-law.
3. That the Mayor and the Clerk are hereby authorized and directed to execute all documents necessary to the actions taken by this Council as described in Section 1 of this by-law and to affix the Corporate Seal of The Corporation of the Town of Essex to all documents referred to in said paragraph 1.

Read a first and a second time and provisionally adopted on April 16, 2018.

Mayor

Clerk

Read a third time and finally passed on May 7, 2018.

Mayor

Clerk

The Corporation of the Town of Essex

By-Law Number 1686

**Being a By-Law to Amend By-Law Number
1344, Being a By-Law for the Imposition of
Development Charges for the Corporation
of the Town of Essex**

Whereas on August 25, 2014, The Corporation of the Town of Essex did pass By-Law Number 1344;

And whereas Council of The Corporation of the Town of Essex further desires to amend certain sections of By-Law Number 1344;

Now therefore the Corporation of the Town of Essex enacts as follows:

1. That section 3.12.2 be deleted in its entirety and replaced as follows:

3.12.2 The following percentage of each service for non-residential uses, as provided in Schedule B shall be imposed provided that for non-residential commercial uses in areas that fall outside Community Improvement Plan boundaries (existing as of April 23, 2018) there shall be a 100% discount from the imposed percentage during the period from April 23, 2018 until August 25, 2019 and thereafter the percentage of service for all non-residential uses shall continue to be in accordance with Schedule B until such time that Council considers the economic climate of the Town warrants a change to the development charge(s) being imposed.

Service	Non-Residential Commercial	Non-Residential Industrial	Non-Residential Institutional
Municipal Wide Services:			
Roads and Related	100%	0%	0%
Fire Protection Services	100%	0%	0%
Police Services	100%	0%	0%
Outdoor Recreation Services	100%	0%	0%
Indoor Recreation Services	100%	0%	0%
Library Services	100%	0%	0%
Administration	100%	0%	0%
Area Specific Charges			
Ward 1-Essex Service Area-Wastewater	100%	0%	0%
Ward 2-Colchester North Service Area-Wastewater	100%	0%	0%
Ward 3-Colchester South Service Area-Wastewater	100%	0%	0%
Ward 4-Harrow Service Area-Wastewater	100%	0%	0%

2. That By-Law Number 1686 shall come into effect on May 7, 2018.

Read a first, a second and a third time and finally passed on May 7, 2018.

Mayor

Clerk

The Corporation of the Town of Essex

By-Law Number 1698

Being a by-law to establish tax rates and additional charges for Municipal, County and Education purposes for the year 2018

Whereas Section 290(1) of the *Municipal Act*, S. O. 2001, Chapter 25 provides that a local municipality shall in each year prepare and adopt a budget including estimates of all sums required during the year for the purposes of the municipality; for services or activities provided or done by or on behalf of it;

And whereas, by By-Law Number 1668, as amended, the Council of The Corporation of the Town of Essex did approve the amount to be raised for general municipal purposes for the taxation year 2018 by a levy upon real property and other assessments contained in the last assessment roll as returned for the taxation year;

And whereas, the Council of the County of Essex has, by By-Law Number 10-2018 established tax ratios for the year 2018;

And whereas, the Council of the County of Essex has, by By-Law Number 11-2018 established the County's levy requirements and established tax rates for County purposes for the year 2018;

And whereas, the Council of The Corporation of the Town of Essex is required to levy and collect the tax rates prescribed for education purposes on the residential and business property within The Corporation of the Town of Essex;

And whereas, it is necessary to provide for the payment of local improvement charges by an assessment and levy upon real property assessed under a local improvement by-law to pay the debentures outstanding for such improvements;

And whereas, it has been deemed expedient to provide that taxes on real property within the municipality shall be levied to be due and payable in two installments of equal amounts on or before the 31st day of October, 2018;

And whereas, failure to receive a tax notice does not exempt a property owner from payment of taxes or penalty and interest charges.

Now therefore the Council of The Corporation of the Town of Essex hereby enacts as follows:

1. That the tax rates by Ward as set out in Schedule "A" attached hereto be applied on the ratable assessment in the municipality for general municipal purposes, county purposes and education purposes.
2. The said tax levy shall become due and payable in two (2) installments as follows:
 - i) Fifty percent (50%) of the levy shall become due and payable on the 31st day of July, 2018; and
 - ii) The balance of the fifty percent (50%) shall become due and payable on the 31st day of October, 2018; and
 - iii) Nonpayment of the amount on the dates stated in accordance with this section shall constitute default.
3. In default of payment of the installment of taxes, a percentage charge of one and one-quarter percent (1-1/4%) shall be imposed as a penalty for nonpayment and shall be added to the tax installment or any part thereof remaining unpaid on the first day following the due date thereafter and an additional charge of one and one-quarter percent (1-1/4%) shall be imposed and added to any part remaining unpaid on the first day of each calendar month in which default continues to and includes December in this year. Penalty is at a rate of fifteen percent (15%) per annum.
4. On all taxes of the final tax levy in default on January 1, 2019 interest will be added at the rate of one and one-quarter percent (1-1/4%) per month for each month or fraction thereof of default. On all other taxes in default on January 1, 2019, interest shall be added at the rate of one and one-quarter percent (1-1/4%) per month or fraction thereof of default, and all by-laws and parts of the by-laws inconsistent with this policy are hereby rescinded.
5. Penalties and interest added on all taxes of the final tax levy in default shall become due and payable and shall be collected forthwith as if the same had originally been imposed and formed part of such unpaid final tax levy.
6. Taxes shall be payable to The Corporation of the Town of Essex and shall be paid to the Tax Collector.
7. The Treasurer is hereby authorized to accept part payment from time to time on account of any taxes due and to give a receipt for such payment, provided that acceptance of any part payment shall not affect the collection of any percentage charge imposed under Section 5 of this By-Law in respect to nonpayment of taxes or any installment thereof.

Read a first, a second and a third time and finally passed on May 7, 2018.

Mayor

Clerk

Schedule "A" to By-Law Number 1698

Town of Essex

2018 Property Tax Rates by Ward and Property Class

Ward and Property Class	Town of Essex - Base Municipal Tax Rate	Town of Essex - Urban or Rural Tax Rate	Town of Essex - Garbage Collection and Disposal Tax Rate	Essex Centre Business Improvement Area Tax Rate	Total Town of Essex Municipal Tax Rate	County and Library Board Tax Rate	Education Tax Rate	Total 2018 Tax Rate
Ward 1								
Residential (RT)	0.007716	0.000799	0.000809	-	0.009324	0.004765	0.001700	0.015789
Multi-Residential (MT)	0.015088	0.001562	0.001583	-	0.018233	0.009317	0.001700	0.029250
Farmland (FT)	0.001929	0.000200	-	-	0.002129	0.001191	0.000425	0.003745
Farmland Awaiting Development (R1)	0.001929	0.000200	-	-	0.002129	0.001191	0.000425	0.003745
Commercial - Occupied (CT)	0.008349	0.000865	0.000876	0.001830	0.011920	0.005155	0.013243	0.030318
Commercial - New Construction (XT)	0.008349	0.000865	0.000876	0.001830	0.011920	0.005155	0.010900	0.027975
Commercial - Vacant Unit (CU)	0.005845	0.000605	-	0.001281	0.007731	0.003609	0.009270	0.020610
Commercial - New Construction Vacant Unit (XU)	0.005845	0.000605	-	0.001281	0.007731	0.003609	0.007630	0.018969
Commercial - Vacant Land (CX)	0.004336	0.000449	-	0.000962	0.005747	0.002678	0.006886	0.015311
Shopping Centre (ST)	0.008349	0.000865	0.000876	0.001830	0.011920	0.005155	-	0.017075
Shopping Centre - Vacant Unit (SU)	0.005845	0.000605	-	0.001281	0.007731	0.003609	0.009270	0.020610
Shopping Centre - Vacant Land (SX)	0.004336	0.000449	-	0.000962	0.005747	0.002678	0.006886	0.015311
Parking Lot (GT)	0.004336	0.000449	-	0.000962	0.005747	0.002678	0.006886	0.015311
Office Building (DT)	0.008982	0.000929	0.000942	0.001830	0.012683	0.005546	0.010900	0.029129
Office Building - Vacant Unit (DU)	0.006287	0.000651	-	0.001281	0.008219	0.003882	0.007630	0.019731
Industrial - Occupied (IT)	0.014989	0.001551	-	0.001830	0.018370	0.009255	0.013400	0.041025
Industrial - New Construction (JT)	0.014989	0.001551	-	0.001830	0.018370	0.009255	0.010900	0.038525
Industrial - Vacant Unit (IU)	0.009743	0.001008	-	0.001281	0.012032	0.006016	0.008710	0.026758
Industrial - New Construction - Vacant Unit (JU)	0.009743	0.001008	-	0.001281	0.012032	0.006016	0.007085	0.025133
Industrial - Vacant Land (IX)	0.009743	0.001008	-	0.000962	0.011713	0.006016	0.008710	0.026439
Large Industrial (LT)	0.020727	0.002145	-	-	0.022872	0.012798	0.013400	0.049070
Large Industrial - New Construction	0.020727	0.002145	-	-	0.022872	0.012798	0.010900	0.046570
Large Industrial - Vacant Land (LX)	0.013473	0.001394	-	-	0.014867	0.008319	0.008710	0.031896
Pipeline (PT)	0.010054	0.001041	-	-	0.011095	0.006208	0.013400	0.030704
Managed Forest (TT)	0.001929	0.000200	-	-	0.002129	0.001191	0.000425	0.003745
Landfill (HF)	0.008080	0.000836	-	-	0.008916	0.004989	0.012282	0.026187

Schedule "A" to By-Law Number 1698

Town of Essex

2018 Property Tax Rates by Ward and Property Class

Ward and Property Class	Town of Essex - Base Municipal Tax Rate	Town of Essex - Urban or Rural Tax Rate	Town of Essex - Garbage Collection and Disposal Tax Rate	Essex Centre Business Improvement Area Tax Rate	Total Town of Essex Municipal Tax Rate	County and Library Board Tax Rate	Education Tax Rate	Total 2018 Tax Rate
Wards 2 and 3								
Residential (RT)	0.007716	0.000179	0.000809	-	0.008705	0.004765	0.001700	0.015169
Multi-Residential (MT)	0.015088	0.000350	0.001583	-	0.017021	0.009317	0.001700	0.028038
Farmland (FT)	0.001929	0.000045	-	-	0.001974	0.001191	0.000425	0.003590
Farmland Awaiting Development (R1)	0.001929	0.000045	-	-	0.001974	0.001191	0.000425	0.003590
Commercial - Occupied (CT)	0.008349	0.000194	0.000876	-	0.009419	0.005155	0.013243	0.027817
Commercial - New Construction (XT)	0.008349	0.000194	0.000876	-	0.009419	0.005155	0.010900	0.025474
Commercial - Vacant Unit (CU)	0.005845	0.000135	-	-	0.005980	0.003609	0.009270	0.018859
Commercial - New Construction - Vacant Unit (XU)	0.005845	0.000135	-	-	0.005980	0.003609	0.007630	0.017218
Commercial - Vacant Land (CX)	0.004336	0.000101	-	-	0.004437	0.002678	0.006886	0.014001
Shopping Centre (ST)	0.008349	0.000194	0.000876	-	0.009419	0.005155	-	0.014574
Shopping Centre - Vacant Unit (SU)	0.005845	0.000135	-	-	0.005980	0.003609	0.009270	0.018859
Shopping Centre - Vacant Land (SX)	0.004336	0.000101	-	-	0.004437	0.002678	0.006886	0.014001
Parking Lot (GT)	0.004336	0.000101	-	-	0.004437	0.002678	0.006886	0.014001
Office Building (DT)	0.008982	0.000208	0.000942	-	0.010132	0.005546	0.010900	0.026578
Office Building - Vacant Unit (DU)	0.006287	0.000146	-	-	0.006433	0.003882	0.007630	0.017945
Industrial - Occupied (IT)	0.014989	0.000347	-	-	0.015336	0.009255	0.013400	0.037991
Industrial - New Construction (JT)	0.014989	0.000347	-	-	0.015336	0.009255	0.010900	0.035491
Industrial - Vacant Unit (IU)	0.009743	0.000225	-	-	0.009968	0.006016	0.008710	0.024694
Industrial - New Construction - Vacant Unit (JU)	0.009743	0.000225	-	-	0.009968	0.006016	0.007085	0.023069
Industrial - Vacant Land (IX)	0.009743	0.000225	-	-	0.009968	0.006016	0.008710	0.024694
Large Industrial (LT)	0.020727	0.000480	-	-	0.021207	0.012798	0.013400	0.047405
Large Industrial - New Construction	0.020727	0.000480	-	-	0.021207	0.012798	0.010900	0.044905
Large Industrial - Vacant Land (LX)	0.013473	0.000312	-	-	0.013785	0.008319	0.008710	0.030814
Pipeline (PT)	0.010054	0.000233	-	-	0.010287	0.006208	0.013400	0.029896
Managed Forest (TT)	0.001929	0.000045	-	-	0.001974	0.001191	0.000425	0.003590
Landfill (HF)	0.008080	0.000187	-	-	0.008267	0.004989	0.012282	0.025538

Schedule "A" to By-Law Number 1698**Town of Essex****2018 Property Tax Rates by Ward and Property Class**

Ward and Property Class	Town of Essex - Base Municipal Tax Rate	Town of Essex - Urban or Rural Tax Rate	Town of Essex - Garbage Collection and Disposal Tax Rate	Essex Centre Business Improvement Area Tax Rate	Total Town of Essex Municipal Tax Rate	County and Library Board Tax Rate	Education Tax Rate	Total 2018 Tax Rate
Ward 4								
Residential (RT)	0.007716	0.000799	0.000809	-	0.009324	0.004765	0.001700	0.015789
Multi-Residential (MT)	0.015088	0.001562	0.001583	-	0.018233	0.009317	0.001700	0.029250
Farmland (FT)	0.001929	0.000200	-	-	0.002129	0.001191	0.000425	0.003745
Farmland Awaiting Development (RI)	0.001929	0.000200	-	-	0.002129	0.001191	0.000425	0.003745
Commercial - Occupied (CT)	0.008349	0.000865	0.000876	-	0.010090	0.005155	0.013243	0.028488
Commercial - New Construction (XT)	0.008349	0.000865	0.000876	-	0.010090	0.005155	0.010900	0.026145
Commercial - Vacant Unit (CU)	0.005845	0.000605	-	-	0.006450	0.003609	0.009270	0.019329
Commercial - New Construction - Vacant Unit (XU)	0.005845	0.000605	-	-	0.006450	0.003609	0.007630	0.017688
Commercial - Vacant Land (CX)	0.004336	0.000449	-	-	0.004785	0.002678	0.006886	0.014349
Shopping Centre (ST)	0.008349	0.000865	0.000876	-	0.010090	0.005155	-	0.015245
Shopping Centre - Vacant Unit (SU)	0.005845	0.000605	-	-	0.006450	0.003609	0.009270	0.019329
Shopping Centre - Vacant Land (SX)	0.004336	0.000449	-	-	0.004785	0.002678	0.006886	0.014349
Parking Lot (GT)	0.004336	0.000449	-	-	0.004785	0.002678	0.006886	0.014349
Office Building (DT)	0.008982	0.000929	0.000942	-	0.010853	0.005546	0.010900	0.027299
Office Building - Vacant Unit (DU)	0.006287	0.000651	-	-	0.006938	0.003882	0.007630	0.018450
Industrial - Occupied (IT)	0.014989	0.001551	-	-	0.016540	0.009255	0.013400	0.039195
Industrial - New Construction (JT)	0.014989	0.001551	-	-	0.016540	0.009255	0.010900	0.036695
Industrial - Vacant Unit (IU)	0.009743	0.001008	-	-	0.010751	0.006016	0.008710	0.025477
Industrial - New Construction - Vacant Unit (JU)	0.009743	0.001008	-	-	0.010751	0.006016	0.007085	0.023852
Industrial - Vacant Land (IX)	0.009743	0.001008	-	-	0.010751	0.006016	0.008710	0.025477
Large Industrial (LT)	0.020727	0.002145	-	-	0.022872	0.012798	0.013400	0.049070
Large Industrial - New Construction	0.020727	0.002145	-	-	0.022872	0.012798	0.010900	0.046570
Large Industrial - Vacant Land (LX)	0.013473	0.001394	-	-	0.014867	0.008319	0.008710	0.031896
Pipeline (PT)	0.010054	0.001041	-	-	0.011095	0.006208	0.013400	0.030704
Managed Forest (TT)	0.001929	0.000200	-	-	0.002129	0.001191	0.000425	0.003745
Landfill (HF)	0.008080	0.000836	-	-	0.008916	0.004989	0.012282	0.026187

The Corporation of the Town of Essex

By-Law Number 1702

Being a by-law to authorize an agreement between:

The Association of Municipalities of Ontario (“AMO”)

-and-

The Corporation of the Town of Essex (the “Recipient”)

Whereas Section 11(1) of the Municipal Act, 2001, S.O. 2001, c. 25 and amendments thereto, provides that a Municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

And whereas Ontario municipalities, as represented by the Association of Municipalities of Ontario (“AMO”), are signatories to Ontario’s Main Street Revitalization Initiative Transfer Payment Agreement as of March 12, 2018 (the “OMAFRA-AMO Agreement”), whereby AMO agreed to administer Main Street Revitalization funds made available to all Ontario municipalities;

And whereas the OMAFRA-AMO Agreement contains a framework for the transfer of provincial funds to Ontario lower-tier and single-tier municipalities represented by AMO;

And whereas the Town of Essex, as the Recipient, wishes to enter into an agreement (the “Agreement”) to benefit from the transfer of above-noted provincial funds, which Agreement is attached hereto as Schedule “A” to this By-law Number 1702;

And whereas AMO is carrying out the fund administration in accordance with its obligations set out in the OMAFRA-AMO Agreement and will accordingly undertake certain activities and require Recipients to undertake activities as set out in this Agreement.

Now therefore be it resolved that the Council of The Corporation of the Town of Essex enacts as follows:

1. That the Mayor and Clerk be authorized to sign the Agreement attached as Schedule “A” to this By-Law Number 1702.
2. That this By-Law shall come into full force upon the final passing thereof.

Read a first, a second and a third time and finally passed on May 7, 2018.

Mayor

Clerk

MUNICIPAL FUNDING AGREEMENT

ONTARIO'S MAIN STREET REVITALIZATION INITIATIVE

This Agreement made as of 1st day of April, 2018.

BETWEEN:

THE ASSOCIATION OF MUNICIPALITIES OF ONTARIO

(referred to herein as "AMO")

AND:

THE TOWN OF ESSEX

(a municipal corporation pursuant to the Municipal Act, 2001, referred to herein as the "Recipient")

WHEREAS the Province of Ontario is making \$26 million available for allocation for the purposes of supporting municipal Main Street Revitalization Initiatives in Ontario;

WHEREAS the Province of Ontario, Ontario municipalities as represented by AMO are signatories to Ontario's Main Street Revitalization Initiative Transfer Payment Agreement on March 12, 2018 (the "OMAFRA-AMO Agreement"), whereby AMO agreed to administer Main Street Revitalization funds made available to all Ontario municipalities, excluding Toronto;

WHEREAS the OMAFRA-AMO Transfer Payment Agreement contains a framework for the transfer of provincial funds to Ontario lower-tier and single-tier municipalities represented by AMO;

WHEREAS the Recipient wishes to enter into this Agreement in order to participate in Ontario's Main Street Revitalization Initiative;

WHEREAS AMO is carrying out the fund administration in accordance with its obligations set out in the OMAFRA-AMO Agreement and it will accordingly undertake certain activities and require Recipients to undertake activities as set out in this Agreement.

THEREFORE the Parties agree as follows:

1. DEFINITIONS AND INTERPRETATION

- 1.1 Definitions.** When used in this Agreement (including the cover and execution pages and all of the schedules), the following terms shall have the meanings ascribed to them below unless the subject matter or context is inconsistent therewith:

“Agreement” means this Agreement, including the cover and execution pages and all of the schedules hereto, and all amendments made hereto in accordance with the provisions hereof.

“Annual Report” means the duly completed report to be prepared and delivered to AMO as described in Section 7.2 and Section 2 of Schedule D.

“Association of Municipalities of Ontario (AMO)” means a legally incorporated entity under the Corporations Act, 1990 R.S.O. 1990, Chapter c.38.

“Communication Report” means the duly completed report to be prepared and delivered to AMO as described in Section 7.1 and Section 1 of Schedule D.

“Community Improvement Plan” has the meaning as defined under section 28(1) of the Planning Act, R.S.O. 1990, c. P.13.

“Contract” means an agreement between the Recipient and a Third Party whereby the latter agrees to supply a product or service to an Eligible Project in return for financial consideration.

“Effective Date” is April 1, 2018.

“Eligible Costs” means those expenditures described as eligible in Schedule C.

“Eligible Projects” means projects as described in Schedule B.

“Eligible Recipient” means a

- a. Municipality or its agent (including its wholly owned corporation); and
- b. Non-municipal entity, including for profit, non-governmental and not-for profit organizations, on the condition that the Municipality(ies) has (have) indicated support for the Eligible Project through a formal grant agreement between the Municipality and the non-municipal entity.

“Event of Default” has the meaning given to it in Section 11.1 of this Agreement.

“Funds” mean the Funds made available to the Recipient through the Main Street Revitalization Initiative, a program established by the Government of Ontario. Funds are made available pursuant to this Agreement and includes any interest earned on the said Funds. For greater certainty: (i) Funds transferred to another Municipality in accordance with Section 6.2 of this Agreement, other than as set out in Sections 7.1(a), (c) and (f), are to be treated as Funds by the Municipality to which the Funds are transferred and are not to be treated as Funds by the Recipient; and (ii) any Funds transferred to a non-municipal entity in accordance with Section 6.3 of this Agreement shall remain as Funds under this Agreement for all purposes and the Recipient shall continue to be bound by all provisions of this Agreement with respect to such transferred Funds.

“Ineligible Costs” means those expenditures described as ineligible in Schedule C.

“Lower-tier Municipality” means a Municipality that forms part of an Upper-tier Municipality for municipal purposes, as defined under the Municipal Act, 2001 S.O. 2001, c.25.

“Municipal Fiscal Year” means the period beginning January 1st of a year and ending December 31st of the same year.

“Municipality” and “Municipalities” means every municipality as defined under the Municipal Act, 2001 S.O. 2001 c.25.

“Municipal Physical Infrastructure” means municipal or regional, publicly or privately owned, tangible capital assets primarily for public use or benefit in Ontario.

“Ontario” means Her Majesty in Right of Ontario, as represented by the Minister of Agriculture, Food and Rural Affairs.

“Parties” means AMO and the Recipient.

“Project Completion Date” means the Recipient must complete its Project under this Agreement by March 31, 2020.

“Recipient” has the meaning given to it on the first page of this Agreement.

“Results Report” means the report prepared and delivered to AMO by the Recipient by which reports on how Funds are supporting progress towards achieving the program objective, more specifically described in Section 3 of Schedule D.

“Single-tier Municipality” means a municipality, other than an upper-tier municipality, that does not form part of an upper-tier municipality for municipal purposes as defined under the Municipal Act, 2001, S.O. 2001 c. 25.

“Third Party” means any person or legal entity, other than the Parties to this Agreement who participates in the implementation of an Eligible Project by means of a Contract.

“Transfer By-law” means a by-law passed by Council of the Recipient pursuant to Section 6.2 and delivered to AMO in accordance with that section.

“Unspent Funds” means the amount reported as unspent by the Recipient as of December 31, as submitted in the Recipient’s Annual Report.

1.2 Interpretations:

Herein, etc. The words “herein”, “hereof” and “hereunder” and other words of similar import refer to this Agreement as a whole and not any particular schedule, article, section, paragraph or other subdivision of this Agreement.

Currency. Any reference to currency is to Canadian currency and any amount advanced, paid or calculated is to be advanced, paid or calculated in Canadian currency.

Statutes. Any reference to a federal or provincial statute is to such statute and to the regulations made pursuant to such statute as such statute and regulations may at any time be amended or modified and in effect and to any statute or regulations that may be passed that have the effect of supplementing or superseding such statute or regulations.

Gender, singular, etc. Words importing the masculine gender include the feminine or neuter gender and words in the singular include the plural, and vice versa.

2. TERM OF AGREEMENT

- 2.1 **Term.** Subject to any extension or termination of this Agreement or the survival of any of the provisions of this Agreement pursuant to the provisions contained herein, this Agreement shall be in effect from the date set out on the first page of this Agreement, up to and including March 31, 2020.
- 2.2 **Amendment.** This Agreement may be amended at any time in writing as agreed to by AMO and the Recipient.
- 2.3 **Notice.** Any of the Parties may terminate this Agreement on written notice.

3. RECIPIENT REQUIREMENTS

- 3.1 **Communications.** The Recipient will comply with all requirements outlined, including providing upfront project information on an annual basis, or until all Funds are expended for communications purposes in the form described in Section 7.1 and Section 1 of Schedule D.
 - a) Unless otherwise directed by Ontario, the Recipient will acknowledge the support of Ontario for Eligible Projects in the following manner: "The Project is funded [if it is partly funded the Recipient should use "in part"] by the Ontario Ministry of Agriculture, Food and Rural Affairs."
 - b) The Recipient shall notify Ontario within five (5) business days of planned media events or announcements related to the Project, organized by the Recipient to facilitate the attendance of Ontario. Media events and announcements include, but are not limited to, news conferences, public announcements, official events or ceremonies, and news releases.
- 3.2 **Contracts.** The Recipient will award and manage all Contracts in accordance with its relevant policies and procedures and, if applicable, in accordance with the Canadian Free Trade Agreement and applicable international trade agreements, and all other applicable laws.
 - a) The Recipient will ensure any of its Contracts for the supply of services or materials to implement its responsibilities under this Agreement will be

awarded in a way that is transparent, competitive, consistent with value for money principles and pursuant to its adopted procurement policy.

4. ELIGIBLE PROJECTS

- 4.1 **Eligible Projects.** Costs directly and reasonably incurred by the Recipient for construction, renewal, renovation or redevelopment or material enhancement activities funded under existing Community Improvement Plan financial incentive programs or activities funded under the Municipal Physical Infrastructure category, including projects in downtown or main street areas, as defined through an existing Community Improvement Plan or other municipal land use planning policy that will support the role of small businesses in main street areas as more specifically described in Schedule B and Schedule C
- 4.2 **Recipient Fully Responsible.** The Recipient is fully responsible for the completion of each Eligible Project in accordance with Schedule B and Schedule C.

5. ELIGIBLE COSTS

- 5.1 **Eligible Costs.** Schedule C sets out specific requirements for Eligible and Ineligible Costs.
- 5.2 **Discretion of Ontario.** Subject to Section 5.1, the eligibility of any items not listed in Schedule B and/or Schedule C to this Agreement is solely at the discretion of Ontario.
- 5.3 **Unspent Funds.** Any Unspent Funds, and any interest earned thereon, will be subject to the terms and conditions of this Agreement.
- 5.4 **Reasonable Access.** The Recipient shall allow AMO and Ontario reasonable and timely access to all documentation, records and accounts and those of their respective agents or Third Parties related to the receipt, deposit and use of Funds and Unspent Funds, and any interest earned thereon, and all other relevant information and documentation requested by AMO or Ontario or their respective designated representatives for the purposes of audit, evaluation, and ensuring compliance with this Agreement.
- 5.5 **Retention of Receipts.** The Recipient will keep proper and accurate accounts and records of all Eligible Projects including invoices and receipts for Eligible Expenditures in accordance with the Recipient's municipal records retention by-law and, upon reasonable notice, make them available to AMO and Ontario.

6. FUNDS

- 6.1 **Allocation of Funds.** AMO will allocate and transfer Funds on the basis of the formula determined by Ontario.
- 6.2 **Transfer of Funds to a Municipality.** Where a Recipient decides to allocate and transfer Funds to another Municipality (the "Transferee Municipality"):

- a) The allocation and transfer shall be authorized by by-law (a "Transfer By-law"). The Transfer By-law shall be passed by the Recipient's council and submitted to AMO as soon thereafter as practicable. The Transfer By-law shall identify the Transferee Municipality and the amount of Funds the Transferee Municipality is to receive for the Municipal Fiscal Year specified in the Transfer By-law.
- b) The Recipient is still required to submit an Annual Report in accordance with Sections 7.1 (a), (c) and (f) hereof with respect to the Funds transferred.
- c) No transfer of Funds pursuant to this Section 6.2 shall be effected unless and until the Transferee Municipality has either (i) entered into an agreement with AMO on substantially the same terms as this Agreement, or (ii) has executed and delivered to AMO a written undertaking to assume all of the Recipient's obligations under this Agreement with respect to the Funds transferred; in a form satisfactory to AMO.

6.3 Transfer of Funds to a non-municipal entity. Where a Recipient decides to support an Eligible Project undertaken by an Eligible Recipient that is not a Municipality:

- a) The provision of such support shall be authorized by a grant agreement between the Municipality and the Eligible Recipient in support of a Community Improvement Plan. The grant agreement shall identify the Eligible Recipient, and the amount of Funds the Eligible Recipient is to receive for that Eligible Project.
- b) The Recipient shall continue to be bound by all of the provisions of this Agreement notwithstanding any such transfer including the submission of an Annual Report in accordance with Section 7.2.
- c) No transfer of Funds pursuant to this Section 6.3 shall be effected unless and until the non-municipal entity receiving the Funds has executed and delivered to the Municipality the grant agreement.

6.4 Use of Funds. The Recipient acknowledges and agrees the Funds are intended for and shall be used only for Eligible Expenditures in respect of Eligible Projects.

6.5 Payout of Funds. The Recipient agrees that all Funds will be transferred by AMO to the Recipient upon full execution of this Agreement.

6.6 Use of Funds. The Recipient will deposit the Funds in a dedicated reserve fund or other separate distinct interest bearing account and shall retain the Funds in such reserve fund, or account until the Funds are expended or transferred in accordance with this Agreement. The Recipient shall ensure that:

- a) any investment of unexpended Funds will be in accordance with Ontario law and the Recipient's investment policy; and,

- b) any interest earned on Funds will only be applied to Eligible Costs for Eligible Projects, more specifically on the basis set out in Schedule B and Schedule C.
- 6.7 **Funds advanced.** Funds transferred by AMO to the Recipient shall be expended by the Recipient in respect of Eligible Costs. AMO reserves the right to declare that Unspent Funds after March 31, 2020 become a debt to Ontario which the Recipient will reimburse forthwith on demand to AMO for transmission to Ontario.
- 6.8 **Expenditure of Funds.** The Recipient shall expend all Funds by March 31, 2020.
- 6.9 **GST & HST.** The use of Funds is based on the net amount of goods and services tax or harmonized sales tax to be paid by the Recipient net of any applicable tax rebates.
- 6.10 **Limit on Ontario's Financial Commitments.** The Recipient may use Funds to pay up to one hundred percent (100%) of Eligible Expenditures of an Eligible Project.
- 6.11 **Stacking.** If the Recipient is receiving funds under other programs in respect of an Eligible Project to which the Recipient wishes to apply Funds, the maximum contribution limitation set out in any other program agreement made in respect of that Eligible Project shall continue to apply.
- 6.12 **Insufficient funds provided by Ontario.** If Ontario does not provide sufficient funds to AMO for this Agreement, AMO may terminate this Agreement.

7. REPORTING REQUIREMENTS

- 7.1 **Communication Report.** Immediately upon execution of this Agreement the Recipient shall report to AMO any Eligible Project being undertaken in the current Municipal Fiscal Year in the form described in Schedule D.
- 7.2 **Annual Report.** The Recipient shall report in the form in Schedule D due by May 15th following the Municipal Fiscal Year on:
 - a) the amounts received from AMO under this Agreement;
 - b) the amounts received from another Eligible Recipient;
 - c) the amounts transferred to another Eligible Recipient;
 - d) amounts paid by the Recipient in aggregate for Eligible Projects;
 - e) amounts held at year end by the Recipient in aggregate, including interest, to pay for Eligible Projects;
 - f) indicate in a narrative the progress that the Recipient has made in meeting its commitments and contributions; and,

- g) a listing of all Eligible Projects that have been funded, indicating the Eligible Project category, project description, amount of Funds, total project cost, start date, end date and completion status.

- 7.3 **Results Report.** The Recipient shall account in writing for results achieved by the Funds through a Results Report to be submitted to AMO. Specifically the Results Report shall document performance measures achieved through the investments in Eligible Projects in the form described in Section 3 of Schedule D.

8. RECORDS AND AUDIT

- 8.1 **Accounting Principles.** All accounting terms not otherwise defined herein have the meanings assigned to them; all calculations will be made and all financial data to be submitted will be prepared in accordance with generally accepted accounting principles (GAAP) in effect in Ontario. GAAP will include, without limitation, those principles approved or recommended for local governments from time to time by the Public Sector Accounting Board or the Canadian Institute of Chartered Accountants or any successor institute, applied on a consistent basis.
- 8.2 **Separate Records.** The Recipient shall maintain separate records and documentation for the Funds and keep all records including invoices, statements, receipts and vouchers in respect of Funds expended on Eligible Projects in accordance with the Recipient's municipal records retention by-law. Upon reasonable notice, the Recipient shall submit all records and documentation relating to the Funds to AMO and Ontario for inspection or audit.
- 8.3 **External Auditor.** AMO and/or Ontario may request, upon written notification, an audit of Eligible Project or an Annual Report. AMO shall retain an external auditor to carry out an audit of the material referred to in Sections 5.4 and 5.5 of this Agreement. AMO shall ensure that any auditor who conducts an audit pursuant to this Section of this Agreement or otherwise, provides a copy of the audit report to the Recipient and Ontario at the same time that the audit report is given to AMO.

9. INSURANCE AND INDEMNITY

- 9.1 **Insurance.** The Recipient shall put in effect and maintain in full force and effect or cause to be put into effect and maintained for the term of this Agreement all the necessary insurance with respect to each Eligible Project, including any Eligible Projects with respect to which the Recipient has transferred Funds pursuant to Section 6 of this Agreement, that would be considered appropriate for a prudent Municipality undertaking Eligible Projects, including, where appropriate and without limitation, property, construction and liability insurance, which insurance coverage shall identify Ontario and AMO as additional insureds for the purposes of the Eligible Projects.
- 9.2 **Certificates of Insurance.** Throughout the term of this Agreement, the Recipient shall provide AMO with a valid certificate of insurance that confirms compliance with the requirements of Section 9.1. No Funds shall be expended

or transferred pursuant to this Agreement until such certificate has been delivered to AMO.

9.3 AMO not liable. In no event shall Ontario or AMO be liable for:

- (a) any bodily injury, death or property damages to the Recipient, its employees, agents or consultants or for any claim, demand or action by any Third Party against the Recipient, its employees, agents or consultants, arising out of or in any way related to this Agreement; or
- (b) any incidental, indirect, special or consequential damages, or any loss of use, revenue or profit to the Recipient, its employees, agents or consultants arising out of any or in any way related to this Agreement.

9.4 Recipient to Compensate Ontario. The Recipient will ensure that it will not, at any time, hold Ontario, its officers, servants, employees or agents responsible for any claims or losses of any kind that the Recipient, Third Parties or any other person or entity may suffer in relation to any matter related to the Funds or an Eligible Project and that the Recipient will, at all times, compensate Ontario, its officers, servants, employees and agents for any claims or losses of any kind that any of them may suffer in relation to any matter related to the Funds or an Eligible Project. The Recipient's obligation to compensate as set out in this section does not apply to the extent to which such claims or losses relate to the negligence of an officer, servant, employee, or agent of Ontario in the performance of his or her duties.

9.5 Recipient to Indemnify AMO. The Recipient hereby agrees to indemnify and hold harmless AMO, its officers, servants, employees or agents (each of which is called an "Indemnatee"), from and against all claims, losses, damages, liabilities and related expenses including the fees, charges and disbursements of any counsel for any Indemnatee incurred by any Indemnatee or asserted against any Indemnatee by whomsoever brought or prosecuted in any manner based upon, or occasioned by, any injury to persons, damage to or loss or destruction of property, economic loss or infringement of rights caused by or arising directly or indirectly from:

- (a) the Funds;
- (b) the Recipient's Eligible Projects, including the design, construction, operation, maintenance and repair of any part or all of the Eligible Projects;
- (c) the performance of this Agreement or the breach of any term or condition of this Agreement by the Recipient, its officers, servants, employees and agents, or by a Third Party, its officers, servants, employees, or agents; and
- (d) any omission or other wilful or negligent act of the Recipient or Third Party and their respective officers, servants, employees or agents.

10. DISPOSAL

10.1 Disposal. The Recipient will not, without Ontario's prior written consent, sell, lease or otherwise dispose of any asset purchased or created with the Funds or

for which Funds were provided, the cost of which exceed \$50,000 at the time of sale, lease or disposal prior to March 31, 2021.

11. DEFAULT AND TERMINATION

11.1 Event of Default. AMO may declare in writing that an event of default has occurred when the Recipient has not complied with any condition, undertaking or term in this Agreement. AMO will not declare in writing that an event of default has occurred unless it has first consulted with the Recipient. Each and every one of the following events is an "Event of Default":

- (a) failure by the Recipient to deliver in a timely manner an Annual Report or Results Report.
- (b) delivery of an Annual Report that discloses non-compliance with any condition, undertaking or material term in this Agreement.
- (c) failure by the Recipient to co-operate in an external audit undertaken by AMO or its agents.
- (d) delivery of an external audit report that discloses non-compliance with any condition, undertaking or term in this Agreement.
- (e) failure by the Recipient to expend Funds in accordance with Sections 4.1 and 6.8.

11.2 Waiver. AMO may withdraw its notice of an Event of Default if the Recipient, within thirty (30) calendar days of receipt of the notice, either corrects the default or demonstrates, to the satisfaction of AMO in its sole discretion that it has taken such steps as are necessary to correct the default.

11.3 Remedies on default. If AMO declares that an Event of Default has occurred under Section 11.1, after thirty (30) calendar days from the Recipient's receipt of the notice of an Event of Default, it may immediately terminate this Agreement.

11.4 Repayment of Funds. If AMO declares that an Event of Default has not been cured to its satisfaction, AMO reserves the right to declare that prior payments of Funds become a debt to Ontario which the Recipient will reimburse forthwith on demand to AMO for transmission to Ontario.

12. CONFLICT OF INTEREST

12.1 No conflict of interest. The Recipient will ensure that no current member of the AMO Board of Directors and no current or former public servant or office holder to whom any post-employment, ethics and conflict of interest legislation, guidelines, codes or policies of Ontario applies will derive direct benefit from the Funds, the Unspent Funds, and interest earned thereon, unless the provision of receipt of such benefits is in compliance with such legislation, guidelines, policies or codes.

13. NOTICE

13.1 **Notice.** Any notice, information or document provided for under this Agreement will be effectively given if in writing and if delivered by hand, or overnight courier, mailed, postage or other charges prepaid, or sent by facsimile or email to the addresses, the facsimile numbers or email addresses set out in Section 13.3. Any notice that is sent by hand or overnight courier service shall be deemed to have been given when received; any notice mailed shall be deemed to have been received on the eighth (8) calendar day following the day on which it was mailed; any notice sent by facsimile shall be deemed to have been given when sent; any notice sent by email shall be deemed to have been received on the sender's receipt of an acknowledgment from the intended recipient (such as by the "return receipt requested" function, as available, return email or other written acknowledgment), provided that in the case of a notice sent by facsimile or email, if it is not given on a business day before 4:30 p.m. Eastern Standard Time, it shall be deemed to have been given at 8:30 a.m. on the next business day for the recipient.

13.2 **Representatives.** The individuals identified in Section 13.3 of this Agreement, in the first instance, act as AMO's or the Recipient's, as the case may be, representative for the purpose of implementing this Agreement.

13.3 **Addresses for Notice.** Further to Section 13.1 of this Agreement, notice can be given at the following addresses:

a) If to AMO:

Executive Director
Main Streets Agreement
Association of Municipalities of Ontario 200 University Avenue, Suite 801
Toronto, ON M5H 3C6

Telephone: 416-971-9856
Email: mainstreets@amo.on.ca

b) If to the Recipient:

Director, Finance & Business Services/Treasurer
Jeffrey Morrison
TOWN OF ESSEX
33 Talbot Street S.
Essex, ON N8M 1A8
(519) 776-7336 x1127
jmorrison@essex.ca

14. MISCELLANEOUS

14.1 **Counterpart Signature.** This Agreement may be signed in counterpart, and the signed copies will, when attached, constitute an original Agreement.

14.2 **Severability.** If for any reason a provision of this Agreement that is not a fundamental term is found to be or becomes invalid or unenforceable, in whole or in part, it will be deemed to be severable and will be deleted from this

Agreement, but all the other terms and conditions of this Agreement will continue to be valid and enforceable.

- 14.3 **Waiver.** AMO may waive any right in this Agreement only in writing, and any tolerance or indulgence demonstrated by AMO will not constitute waiver of rights in this Agreement. Unless a waiver is executed in writing, AMO will be entitled to seek any remedy that it may have under this Agreement or under the law.
- 14.4 **Governing Law.** This Agreement shall be governed by and construed in accordance with the laws of the Province of Ontario.
- 14.5 **Survival.** The Recipient agrees that the following sections and provisions of this Agreement shall extend for seven (7) years beyond the expiration or termination of this Agreement: Sections 5, 6.7, 6.8, 7, 9.4, 9.5, 11.4 and 14.8.
- 14.6 **AMO, Ontario and Recipient independent.** The Recipient will ensure its actions do not establish or will not be deemed to establish a partnership, joint venture, principal-agent relationship or employer-employee relationship in any way or for any purpose whatsoever between Ontario and the Recipient, between AMO and the Recipient, between Ontario and a Third Party or between AMO and a Third Party.
- 14.7 **No Authority to Represent.** The Recipient will ensure that it does not represent itself, including in any agreement with a Third Party, as a partner, employee or agent of Ontario or AMO.
- 14.8 **Debts Due to AMO.** Any amount owed under this Agreement will constitute a debt due to AMO, which the Recipient will reimburse forthwith, on demand, to AMO.
- 14.9 **Priority.** In the event of a conflict, the part of this Agreement that precedes the signature of the Parties will take precedence over the Schedules.

15. SCHEDULES

- 15.1 This Agreement, including:

Schedule A Municipal Allocation
Schedule B Eligible Projects
Schedule C Eligible and Ineligible Costs
Schedule D Reporting

constitute the entire agreement between the Parties with respect to the subject matter contained in this Agreement and supersedes all prior oral or written representations and agreements.

16. SIGNATURES

IN WITNESS WHEREOF, AMO and the Recipient have respectively executed, sealed and delivered this Agreement on the date set out on the front page.

RECIPIENT'S NAME:

TOWN OF ESSEX

Mayor Name

Signature

Clerk Name

Signature

THE ASSOCIATION OF MUNICIPALITIES OF ONTARIO

By Title

Signature

In the presence of:

Witness Title

Signature

**SCHEDULE A
MUNICIPAL ALLOCATION**

RECIPIENT'S NAME: **TOWN OF ESSEX**

ALLOCATION: **\$55716.3429**

The Recipient acknowledges this is a one time payment for Eligible Projects with Eligible Costs.

SCHEDULE B ELIGIBLE PROJECTS

Funding is to be directed to Eligible Projects to support revitalization activities within main street areas, as defined through an existing Community Improvement Plan or any other municipal land use planning policy. Funding can be used in one or both of the following categories:

- 1. Community Improvement Plan** – construction, renewal, renovation or redevelopment or material enhancement activities that implement priority financial incentives in existing Community Improvement Plans such as:
 - a. Commercial building façade improvements
 - b. Preservation and adaptive reuse of heritage and industrial buildings
 - c. Provision of affordable housing
 - d. Space conversion for residential and commercial uses
 - e. Structural improvements to buildings (e.g. Building Code upgrades)
 - f. Improvement of community energy efficiency
 - g. Accessibility enhancements
- 2. Other Municipal Land Use Planning Policy** – construction, renewal or material enhancement activities to fund strategic Municipal Physical Infrastructure and promotional projects such as:
 - a. Signage – wayfinding/directional, and gateway.
 - b. Streetscaping and landscape improvements – lighting, banners, murals, street furniture, interpretive elements, public art, urban forestation, accessibility, telecommunications/broadband equipment, parking, active transportation infrastructure (e.g. bike racks/storage, cycling lanes and paths) and pedestrian walkways/trails.
 - c. Marketing plan implementation – business attraction and promotion activities, special events.

SCHEDULE C
ELIGIBLE AND INELIGIBLE COSTS

1. Eligible Costs include:

- a. Costs directly and reasonably incurred on or after April 1, 2018 up to and including the Project Completion Date by the Recipient for construction, renewal, renovation or redevelopment or material enhancement activities funded under existing Community Improvement Plan financial incentive programs.
- b. Costs directly and reasonably incurred on or after April 1, 2018 up to and including the Project Completion Date by the Recipient for construction, renewal or material enhancement activities funded under the Municipal Physical Infrastructure category including projects in downtown or main street areas, as defined through an existing Community Improvement Plan or other municipal land use planning policy that will support the success of small businesses in main street areas.

2. Ineligible Costs include:

- a. Costs incurred prior to Effective Date or after the Project Completion Date;
- b. Any costs associated with providing the Annual and Results Reports to AMO;
- c. Any costs associated with lobbying Ontario, including other Ministries, agencies and organizations of the Government of Ontario;
- d. Costs associated with construction, renewal, renovation or redevelopment or material enhancement of all things in the following categories: highways, short-sea shipping, short-line rail, regional or local airports, and brownfield redevelopment;
- e. Costs of infrastructure construction, renewal, renovation or redevelopment or material enhancement that do not improve energy efficiency, accessibility, aesthetics of marketability of small businesses within an Recipient's main street areas; or that do not encourage strategic public investments in municipal and other public infrastructure within main street areas that will benefit small businesses; or that otherwise will likely fail to contribute to the success of main street businesses;
- f. Costs of infrastructure construction, renewal, renovation or redevelopment or material enhancement outside of the Recipient's main street areas, as defined through an existing Community Improvement Plan or other municipal land use planning policy;
- g. The cost of leasing of equipment by the Recipient, any overhead costs, including salaries and other employment benefits of any employees of the Recipient, its direct or indirect operating or administrative costs of Recipients, and more specifically its costs related to planning, engineering, architecture, supervision, management and other activities normally carried out by its staff, except in accordance with Eligible Costs above;
- h. Taxes, to which the Recipient is eligible for a tax rebate;
- i. Purchase of land or any interest therein, and related costs; and,
- j. Routine repair and maintenance Municipal Physical Infrastructure.

SCHEDULE D REPORTING

1. Communication Report

Immediately following the Municipality executing this Agreement the Recipient will provide AMO a Communication Report in an electronic format deemed acceptable to AMO, consisting of the following:

Project Title	Project Description	Eligible Project Category (CIP/ Municipal Physical Infrastructure	Total Project Cost	Estimate of Funds (Main Street) Spent

2. Annual Report

The Recipient will provide to AMO an Annual Report in an electronic format deemed acceptable to AMO, consisting of the following:

- a. Financial Reporting Table: The financial report table will be submitted in accordance with the following template:

Annual Report Financial Table	Annual	Cumulative
	20xx	2018 - 2020
Opening Balance	\$xxx	
Received from AMO	\$xxx	\$xxx
Interest Earned	\$xxx	\$xxx
Received from An Eligible Recipient	\$xxx	\$xxx
Transferred to an Eligible Recipient	(\$xxx)	(\$xxx)
Spent on Eligible Projects (for each Eligible Project category)	(\$xxx)	(\$xxx)
Closing Balance of Unspent Funds	\$xxx	

- b. Project List: The Recipient will provide to AMO a project list submitted in accordance with the following template:

Recipient	Project Title	Project Description	Eligible Project Category	Total Project Cost	Main Street Funds Used	Start & End Date	Completed?
							Yes/No/ Ongoing

3. Project Results.

The Results Report shall outline, in a manner to be provided by AMO, the degree to which investments in each project are supporting progress towards achieving revitalization within main street areas:

- a. Community Improvement Plan Eligible Projects
- Number of small businesses supported;
 - Total value of physical improvements;
 - Total Main Street Funds provided;
 - Total Municipal investment; and,
 - Total private investment.
- b. Municipal Physical Infrastructure Eligible Projects
- Total value of physical improvements;
 - Total Main Street Funds provided; and
 - Total municipal investment.

The Corporation of the Town of Essex

By-Law Number 1703

Being a by-law to authorize the borrowing of money to meet current expenditures of The Corporation of the Town of Essex

Whereas, in accordance with subsection 407(1) of the Municipal Act, 2001, S.O. 2001, c.25 (the "Act"), the Corporation of the Town of Essex (the "Town") deems it necessary to pass and enact a by-law to authorize the temporary borrowing of monies, up to \$4,000,000.00, to meet the current expenditures of the Town for the year 2018, until taxes are collected;

And whereas, pursuant to subsection 407(2) of the Act, the total amount borrowed pursuant to this By-Law together with the total of any similar borrowings is not to exceed the limits set forth in that subsection;

Now therefore the Council of The Corporation of the Town of Essex enacts as follows:

1. That the Mayor and the Treasurer are authorized on behalf of the Town to borrow from time to time by way of promissory note or bankers' acceptance from Toronto Dominion Canada Trust ("TD Canada Trust") a sum or sums not exceeding in aggregate \$4,000,000.00 to meet the current expenditures of the Town for the year (including the amounts required for the purposes mentioned in subsection 407 (1) of the Act), until taxes are collected, and to give to TD Canada Trust such promissory notes or bankers' acceptances, as the case may be, sealed with the corporate seal of the Town and signed by the Mayor and Treasurer for the sums borrowed plus interest at a rate to be agreed upon from time to time with TD Canada Trust.
2. All sums borrowed pursuant to this By-Law, as well as all other sums borrowed pursuant to the Act in this year and in previous years from TD Canada Trust for any purpose will, with interest thereon, be a charge upon the whole of the revenues of the Town for the current year and for all preceding years as and when this revenue is received.
3. The Treasurer is authorized to direct to apply in payment of all sums borrowed plus interest, all of the moneys collected or received on account in respect of taxes levied for the current year and preceding years or from any other source which may lawfully be applied for this purpose.
4. The Treasurer is authorized to furnish to TD Canada Trust a statement showing the nature and amount of the estimated revenues of the Town not yet

collected and also showing the total of any amounts borrowed that have not been repaid.

- 5. The Treasurer is authorized to annually rent a safety deposit box from TD Canada Trust on behalf of the Town.
- 6. By-Law Number 1489 is repealed and replaced by By-Law Number 1703.

Read a first, a second and a third time and finally passed on May 7, 2018.

Mayor

Clerk

The Corporation of the Town of Essex

By-Law Number 1704

Being a by-law to confirm the proceedings of the May 7, 2018 Regular Meeting of Council of The Corporation of the Town of Essex

Whereas pursuant to Section 5(1) of The Municipal Act, 2001, S.O. 2001, c.25 as amended, the powers of a municipality shall be exercised by its Council;

And whereas pursuant to Section 5(3) of The Municipal Act, 2001, S.O. 2001, c.25 as amended, a municipal power, including a municipality's capacity, rights, powers and privileges under Section 8 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

And whereas it is deemed expedient that a by-law be passed to authorize the execution of Agreements and other documents and that the proceedings of the Council of The Corporation of the Town of Essex at its meetings be confirmed and adopted by by-law.

Now therefore be it resolved that the Council of The Corporation of the Town of Essex enacts as follows:

1. That the actions of the Council of The Corporation of the Town of Essex in respect of all recommendations in reports and minutes of committees, all motions and resolutions and all other actions passed and taken by the Council of The Corporation of the Town of Essex, documents and transactions entered into during the May 7, 2018 meeting of Council, are hereby adopted and confirmed as if the same were expressly contained in this by-law.
2. That the Mayor and proper officials of The Corporation of the Town of Essex are hereby authorized and directed to do all the things necessary to give effect to the actions of the Council of The Corporation of the Town of Essex during the said May 7, 2018 meeting referred to in paragraph 1 of this by-law.
3. That the Mayor and the Clerk are hereby authorized and directed to execute all documents necessary to the actions taken by this Council as described in Section 1 of this by-law and to affix the Corporate Seal of The Corporation of the Town of Essex to all documents referred to in said paragraph 1.

Read a first and a second time and provisionally adopted on May 7, 2018.

Mayor

Clerk

Read a third time and finally passed on May 22, 2018.

Mayor

Clerk