



Regular Council Meeting Agenda

June 3, 2019, 6:00 pm
Essex Civic Centre
360 Fairview Avenue West
Essex, Ontario

Accessible formats or communication supports are available upon request. Please contact the Clerk's Office at clerks@essex.ca or 519-776-7336 extension 1100 or 1101.

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 June 3, 2019

Moved by

Seconded by

That the published agenda for the June 3, 2019 Regular Council Meeting be adopted as presented/amended.

5. Adoption of Minutes

5.1 Regular Council Meeting Minutes for May 21, 2019

Moved by

Seconded by

That the minutes of the Regular Council Meeting held May 21, 2019, be adopted as circulated.

5.2 Special Council Meeting Minutes for April 1, 2019

Moved by

Seconded by

That the minutes of the Special Council Meeting held April 1, 2019, for the purpose of amending the General Zoning By-Law 1037 under the provisions of the Planning Act, R.S.O. 1990 to permit the use of the subject property for the storage of fireworks, a use which is not currently permitted under the existing A1.1 General Agricultural Zoning, be adopted as circulated.

6. Public Presentations

6.1 Tourism Windsor Essex Pelee Island

Gordon Orr, Chief Executive Officer, Lynnette Bain, Vice President, Tourism Programs and Development and Kris Racine, Director Marketing

Moved by

Seconded by

That the presentation by Tourism Windsor Essex Pelee Island, Gordon Orr, CEO, Lynnette Bain, Vice President, Tourism Programs and Development and Kris Racine, Director Marketing, providing a 2018 Year in Review, to discuss plans for 2019 and to present the new 2019/2020 Official Visitor's Guide, be received.

6.2 Monarch Butterfly Enthusiasts of Windsor and Essex County

Leo Silvestri
RE: Butterfly Pollinators

Moved by
Seconded by

That the presentation by Leo Silvestri, Monarch Butterfly Enthusiasts of Windsor and Essex County, bringing forward to Council their concerns with the declining numbers of the monarch butterfly and asking Council to consider creating butterfly pollinator gardens in the our parks, be (received/received and supported).

6.3 Jerome Parent - Sign Permit

103 King Street West, Harrow Centre

- Planning Report 2019-30
RE: Sign By-Law Revision 103 King Street, Harrow
Jerome Parent, Applicant

Moved by
Seconded by

That the presentation by Jerome Parent, requesting a sign permit for 103 King Street West, in Harrow Centre, be received; and

That Planning Report 2019-30, entitled "Sign By-Law Revision for 103 King Street, Harrow, Jerome Parent, Applicant", dated June 3, 2019, prepared by Jeff Watson, Policy Planner and submitted by Chris Nepszy, CAO, recommending that Council not approve an amendment to By-Law 1350, be (received or received and supported); and

That the request for a sign permit at 103 King Street West, in Harrow Centre accordingly be _____(approved/denied).

6.4 Steve Taylor, President of BT Engineering

RE: Hanlan Street Extension
Environmental Assessment

- Infrastructure and Development Report 2019-09
RE: Hanlan Street Extension - Environmental Assessment

Moved by
Seconded by

That the PowerPoint Presentation by Steve Taylor of BT Engineering Incorporated together with Infrastructure and Development Report 2019-09, prepared by Richard Beausoleil, Manager, Capital Works and submitted by Chris Nepszy, CAO, both the Powerpoint and the report entitled "Hanlan Street Extension - Environmental Assessment", dated June 3, 2019, be received; and

That Council endorses the recommended plan for the Hanlan Street Extension as presented by BT Engineering Incorporated; and further

That Council approves and directs Administration through BT Engineering to proceed with the 30 day public review process for the Hanlan Street Extension

7. Unfinished Business

8. Reports from Administration

8.1 Planning Report 2019-28

RE: Delegation of Approval Authority

Moved by

Seconded by

That Planning Report 2019-28, entitled "Delegation of Approval Authority", prepared by Jeff Watson, Policy Planner and submitted by Chris Nepszy, CAO, dated June 3, 2019, setting out an option for Council to seek delegation of approval authority, be received; and

That Administration be directed to advise the Warden for the County of Essex that the Town of Essex is requesting delegation of approval authority for plans of subdivision and condominium and part lot control exemption.

8.2 Planning Report 2019-29

RE: Rezoning Application, Noah Homes (Applicant)

East side of County Road 13, South of Pollard Drive, Colchester South (Ward 3)

Moved by

Seconded by

That Planning Report 2019-29, entitled "Rezoning application, Noah Homes, East side of County Road 13, south of Pollard Drive, Colchester South (Ward 3)", prepared by Jeff Watson, Policy Planner and submitted by Chris Nepszy, CAO, dated June 3, 2019, be received;

That Council authorizes the preparation of a rezoning by-law to rezone the lands comprising of Part of Lot 12 on Second Range of Gore in Colchester South from A1.1, General Agricultural to R2.2, Low Density Residential in accordance plus provide for site specific supplementary zoning as noted in said Report;

That an increase in the width of an attached garage from 60 percent of the width of the dwelling to 70 percent, not be approved; and

That a reduction of the required front yard from 6m (20 feet) to 4.5m (15 feet), not be approved.

8.3 Planning Report 2019-31

RE: Former Harrow Junior School Property Development Agreement for 2484775 Ontario Incorporated

- By-Law 1825
Being a by-law to enter into a Development Agreement between The Corporation of the Town of Essex and 2484775 Ontario Incorporated

Moved by

Seconded by

That Planning Report 2019-31, entitled "Former Harrow Junior School Property Development Agreement for 2484775 Ontario Incorporated", prepared by Jeff Watson, Policy Planner and submitted by Chris Nepszy, CAO, dated June 3, 2019, be received; and

That Council approves and authorizes the execution of a development agreement for the lands comprising 230 Centre Street (former Harrow Junior School); and

That By-Law 1825 being a by-law to enter into a Development Agreement between The Corporation of the Town of Essex and 2484775 Ontario Incorporated, be read a first, a second and a third time and finally passed on June 3, 2019.

8.4 Municipal Drainage Report 2019-03

RE: Appointment of an Engineer for Repairs and Improvements to the Batten Drain

Moved by

Seconded by

That Municipal Drainage Report 2019-03, entitled "Appointment of an Engineer for Repairs and Improvements to the Batten Drain", prepared by Norm Nussio, Manager, Operations and Drainage, and submitted by Chris Nepszy, Director, Infrastructure and Development, dated June 3, 2019, be received; and

That Council appoints the engineering firm of Rood Engineering to develop a report for repairs and improvements to the Batten Drain agricultural access to better serve the lands of Abram Harms.

8.5 Infrastructure and Development Report 2019-07

RE: Results of Request for Tender for the Supply of Pick-Up Truck

Moved by

Seconded by

That Infrastructure and Development Report 2019-07, entitled "Results of Request for Tender for the Supply of Pick-Up Truck", prepared by Jackson Tang, Assistant Manager, Business Services and submitted by Chris Nepszy, CAO, dated June 3, 2019, be received; and

That Council awards the Request for Tender for the Supply of Pick Up Truck 2019 to Ken Knapp Ford in the amount of \$46,258.06 including non-refundable sales tax; and

That Council approves the additional funding of \$6,258.06 above the allocated 2019 Supply of Pick-Up Truck capital budget of \$40,000 through utilizing current savings from the 2019 Capital Equipment budget projects PW-19-0041 Shop Lawnmower Replacement and PW-19-0037 Roadside Moving Tractor.

8.6 Infrastructure and Development Report 2019-08

RE: Results of Request for Proposal - Supply of Winter Control Equipment for a Single Axle Plow Truck 2019 and Request for Tender - Supply of Single Axle Plow Truck Cab and Chassis 2019

Moved by

Seconded by

That Infrastructure and Development Report 2019-08, entitled "Results of Request for Proposal - Supply of Winter Control Equipment for a Single Axle Plow Truck 2019 and Request for Tender - Supply of Single Axle Plow Truck Cab and Chassis 2019", dated June 3, 2019, be received; and

That Council awards the Request for Proposal and the Request for Tender as follows:

a. ID-19-009 Supply of Winter Control Equipment for a Single Axle Plow Truck 2019 to Viking-Cives Ltd. in the amount of \$123,430.80 including applicable taxes,

b. ID-19-008 Supply of Single Axle Plow Truck Cab and Chassis 2019 to 401 Truck Source in the amount of \$130,201.31 including applicable taxes; and

That Council approves the additional funding of \$3,632.11 above the allocated 2019 capital budget of \$250,000 through utilizing current savings from the 2019 Capital Equipment budget projects PW-19-0041 Shop Lawnmower Replacement and PW-19-0037 Roadside Mowing Tractor.

8.7 Clerks Report 2019-014

RE: Court of Revision for Sydenham Street Drain (East Side) and Bagot Street Drain (West Side) (Petition for Drainage)

- By-Law 1824
Being a by-law to provide for Sydenham Street Drain (East Side) and Bagot Street Drain (West Side) (Petition for Drainage) Part of Lots 11, 12 & 13, Registered Plan 18, Geographic Twp. of Colchester South, Project REI2015D036, Town of Essex, County of Essex

Moved by
Seconded by

That Clerks Report 2019-014, entitled "Court of Revision for Sydenham Street Drain (East Side) and Bagot Street Drain (West Side) (Petition for Drainage) Part of Lots 11, 12 & 13, Registered Plan 18, Geographic Twp. of Colchester South, Project REI2015D036, Town of Essex, County of Essex, prepared by Robert Auger, Town Solicitor, Clerk and submitted by Chris Nepszy, CAO, dated June 3, 2019, be received; and

That Kirk Carter, Luke Martin and Percy Dufour be appointed to sit as members of the Court of Revision scheduled to convene at 4:30 PM on July 2, 2019 in the County of Essex Civic Centre Council Chambers, 360 Fairview Avenue West, Essex, with respect to the Sydenham Street Drain (East Side) and Bagot Street Drain (West Side) (Petition for Drainage) Part of Lots 11, 12 & 13, Registered Plan 18, Geographic Twp. of Colchester South, Project REI2015D036, pursuant to the report prepared by Gerard Rood, Professional Engineer, Rood Engineering Ltd., dated April 10, 2019; and

That By-Law 1824, being a by-law to provide for Sydenham Street Drain (East Side) and Bagot Street Drain (West Side) (Petition for Drainage) Part of Lots 11, 12 & 13, Registered Plan 18, Geographic Twp. of Colchester South, Project REI2015D036, Town of Essex, County of Essex, be read a first and a second time and provisionally adopted on June 3, 2019.

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 Union Water Supply System

Joint Board of Management
April 24, 2019 Minutes

- 11.1.2 Essex-Windsor Solid Waste Authority
Essex-Windsor Residential Waste Diversion 2018 Annual Report
- 11.1.3 Windsor Essex Provincial Offences (POA)
2018 Annual Report, Issued on April 24, 2019
- 11.1.4 Committee of Adjustment
Regular Meeting Agenda - June 18, 2019
- 11.1.5 2019 Prime Minister's Awards
Presentation of awards ceremony for Teaching Excellence in STEM and Excellence in Early Childhood Education available on Facebook, May 28, 2019 at 4:00 p.m., www.facebook.com/canadianinnovation.
- 11.1.6 Township of Pickle Lake
Correspondence from the Township of Pickle Lake, dated May 14, 2019 advising Council that they support the Township of Tudor and Cashel's motion that Hydro One and the Ontario Energy Board should review its plans regarding delivery services to ensure that the cost of delivery is fair to everyone.
- 11.1.7 2484775 Ontario Inc.
Correspondence from 2484775 Ontario Inc., dated April 25, 2019 asking that Council consider granting them an extension for "development charges exemptions" for approximately two years to complete their project at 230 Centre Street Development in Harrow Centre.

11.2 Correspondence to be considered for receipt and support

- 11.2.1 Township of McNab/Braeside
RE: Government of Ontario E-Learning Resolution

Moved by
Seconded by

That correspondence from Township of McNab/Braeside, dated April 16, 2019, asking that Council consider supporting their resolution that requests that the Premier of Ontario reconsider that secondary school students be required to take four (4) out of the thirty (30) high school credits as online courses until rural Ontario students can be given the same opportunity to access the internet as urban students, be (received/received and supported); and

If Council chooses to support their request, a letter of support be sent to the Premier of Ontario, the Minister of Education, and to the Township of McNab/Braeside.
- 11.2.2 Town of Lakeshore
RE: Support of new regional hospital for Windsor-Essex County Resolution

Moved by
Seconded by

That correspondence from the Town of Lakeshore, dated May 24, 2019,

asking Council to consider supporting their resolution that any new regional hospital services for Windsor-Essex County should be placed in a location that serves the majority of residents of Windsor-Essex County and that the current proposed location will serve the region as a whole and help improve healthcare in the region, be (received/received and supported); and

If Council chooses to support their resolution, a letter of support be sent to the Honourable Doug Ford, Premier of Ontario, the Honourable Andrea Horwath, Leader of the New Democratic Party, the Honourable Christine Elliott, Minister of Health and Long-Term Care, Mr. Taras Natyshak, MPP for Essex and to the Town of Lakeshore.

11.2.3 Resolutions - Opposition to Bill 108

Correspondence received from the Town of Grimsby and the Township of The Archipelago, both asking for Council's support in petitioning the Ontario Government to halt the legislative advancement of Bill 108, and to properly engage and consult with Municipalities before further consideration of the proposed legislation.

Moved by
Seconded by

That correspondence from the Town of Grimsby and the Township of The Archipelago, dated May 17, 2019, each municipality asking that Council support their resolutions requesting that the Ontario Government halt the legislative advancement of Bill 108 to properly engage and consult with Municipalities before further considering the proposed legislation, be (received/received and supported); and

If Council chooses to support their requests, a letters of support be sent to The Honourable Doug Ford, Premier of Ontario, The Honourable Christine Elliott, Deputy Premier, The Honourable Steve Clark, Minister of Municipal Affairs, Andrea Horwath, Leader of the New Democratic Party and the Town of Grimsby and the Township of The Archipelago.

12. Committee Meeting Minutes

Moved by
Seconded by

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

12.1 Drainage Board

Consideration of Report - May 21, 2019
RE: Sydenham Street Drain (East Side) and Bagot Street Drain (West Side)
(Petition from Drainage)

13. Financial

13.1 2019 Operating Expense Budget Variance Report

(For month ending April 30, 2019)

Moved by
Seconded by

That the 2019 Operating Expense Budget Variance Report for the month ending April 30, 2019, be received.

14. New Business

15. Notices of Motion

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 1807

Being a by-law to provide for James Shepley Drain (Updated Maintenance Schedule of Assessment and Bridge for Karl Neudorf, Parcel 510-00300), Geographic Township of Colchester North, Project REI2015D015, Town of Essex, County of Essex

Moved by
Seconded by

That By-Law 1807, being a by-law to provide for James Shepley Drain (Updated Maintenance Schedule of Assessment and Bridge for Karl Neudorf, Parcel 51000300), Geographic Township of Colchester North, Project REI2015D015, Town of Essex, County of Essex, be read a third time and finally passed on June 3, 2019.

17.1.2 By-Law 1808

Being a by-law to provide for 8th Concession West Drain (Bridge for Frank Preston, Parcel 370-05800), Geographic Township of Colchester North, Project REI2018D013, Town of Essex, County of Essex

Moved by
Seconded by

That By-Law 1808 being a by-law to provide for 8th Concession West Drain (Bridge for Frank Preston, Parcel 370-05800), Geographic Township of Colchester North, Project REI2018D013, Town of Essex, County of Essex, be read a third time and finally passed on June 3, 2019.

17.1.3 By-Law 1823

Being a by-law to confirm the proceedings of the May 21, 2019, Regular Meeting of the Council of The Corporation of the Town of Essex

Moved by
Seconded by

That By-Law 1823 being a by-law to confirm the proceedings of the May 21, 2019, Regular Meeting of the Council of The Corporation of the Town of Essex, be read a third time and finally passed on June 3, 2019.

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

17.3 By-Laws that require a first and second reading

17.3.1 By-Law 1826

Being a by-law to confirm the proceedings of the June 3, 2019, Regular Meeting of the Council of the Corporation of the Town of Essex

Moved by

Seconded by

That By-Law 1826, being a by-law to confirm the proceedings of the June 3, 2019, 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 June 3, 2019.

18. Adjournment

Moved by
Seconded by

That the meeting be adjourned at [TIME].

19. Future Meetings

19.1 Monday, June 17, 2019 - 6:00 - 9:00 PM - Regular Council Meeting

Location: County of Essex Council Chambers, 360 Fairview Avenue West, Essex

19.2 Tuesday, June 18, 2019 - 5:00 - 8:00 PM - Special Council Meeting

Information Meeting and Training on Statutory Standard of Care; Safe Drinking Water Act

Location: Harrow and Colchester South Community Room, 243 McAfee Street, Harrow

19.3 Tuesday, June 25, 2019 - 7:00 - 9:00 PM - Open House 2019

Wards 3 & 4

Location: Colchester Community Centre
100 Jackson Street, Colchester Harbour, Harrow

19.4 Wednesday, June 26, 2019 - 7:00 - 9:00 PM - Open House 2019

Wards 1 & 2

Location: Essex Centre Sports Complex, Shaheen Community Room, 60 Fairview Avenue West, Essex