



The Corporation of the Municipality of Leamington

Meeting of Municipal Council

Agenda

Monday, January 5, 2015

Commencing at 6:00 PM

In Leamington Council Chambers

Special Closed Meeting of Council to be held at 5:30 PM in the Ante Room

(A) **Call to Order:**

(B) **National Anthem:**

(C) **Prayer:**

(D) **Disclosures of Pecuniary Interest:**

(E) **Adoption of Council Minutes:**

1. Minutes of the Council Meeting (including Court of Revision for the Robert Anderson Drain and the Special Closed Meeting) held December 15, 2014
Pages 4 to 18

(F) **Business Arising Out of the Minutes:**

(G) **Public Meetings/Court of Revision:**

1. Court of Revision for Big Creek Drain, 8th Concession Branch

(H) **Reports of Staff and Delegations:**

1. Delegation, Stop Sign at Bevel Line and Seacliff Drive
 - George Friesen and John Belan, Leamington residents to request removal of stop sign for Westbound traffic at Seacliff Drive East and Bevel Line Road

2. Delegation, Twin Oaks Towing

- Rodney Gomes, owner of Twin Oaks Towing to propose tendering towing services

3. Report LWS-04-14 dated November 7, 2014 regarding Leamington Water Distribution System, Wheatley Inspection DS Report. Ministry of Environment (MOE) Inspection Report listed as Additions available on the Agendas, Meetings and Minutes Municipal website page.
Pages 19 to 20

4. Report PLA-01-15 dated December 15, 2014 regarding Removal of Holding Symbol - (H) Phase 1 Destiny Estates Plan of Subdivision - 37-T-11002, Larry Santos Construction Ltd. - (390-00100)
Pages 21 to 24

5. Report PLA-02-15 dated December 16, 2014 regarding 2014 Annual Report, Leamington Municipal Heritage Advisory Committee
Pages 25 to 27

6. Report LLS-01-15 dated January 2, 2015 regarding Citizen Appointments to Boards and Committees
Pages 28 to 36

(I) **Matters for Approval:**

1. Minutes of the Mayor's Youth Advisory Committee held November 12, 2014
Page 37

(J) **Other Matters for Consideration:**

(K) **Report on Closed Session:**

(L) **Consideration of By-laws:**

By-law 440-15 being a by- Being a by-law to amend the Comprehensive Zoning By-law No. 890-09 for the Municipality of Leamington, which pertains to the subject lands (ZBA #107, Phase 1, Destiny Estates)

By-law 441-15 being a by-law to provide for an interim tax levy and to provide for the payment of taxes;

By-law 442-15 being a by-law to confirm the proceedings of the Council of The Municipality of Leamington at its meeting held January 5, 2015

(M) **Notices of Motion:** None

(N) **Open Session:**

(O) **Announcement of Upcoming Meetings/Events:**

Wednesday, January 7, 2015

- County Council Meeting, 7:00 PM, County Council Chambers

Monday, January 12, 2015

- Council Meeting, 6:00 PM, Council Chambers

(P) **Statement of Members:** non-debatable

(Q) **Adjournment:**

JB

The Corporation of the Municipality of Leamington

Minutes of the Council Meeting

Held Monday, December 15, 2014 at 6:00 PM

In Leamington Council Chambers

Members Present: Mayor John Paterson
Deputy Mayor Hilda MacDonald
Councillors: Rick Atkin, John Jacobs, Larry Verbeke, Tim Wilkinson

Members Absent: Councillor Hammond

Staff Present: Chief Administrative Officer Peter A. Neufeld
Director of Legal and Legislative Services Brian R. Sweet
Director of Infrastructure Services Robert Sharon
Director of Community & Development Services Tracey Pillon-Abbs
Manager of Engineering Services Allan Botham
Manager of Public Works Ken Brown
Engineering Technologist John Pilmer
Drainage Superintendent Lu-Ann Barreto
Supervisor Marketing, Events & Customer Service Brenda Fischer
Legal and Legislative Assistant Shelly Quick

Disclosures of Pecuniary Interest:

None

Adoption of Council Minutes:

No. C-416-14

Moved by: Councillor Wilkinson
Seconded by: Councillor Jacobs

That the Minutes of the Council Meeting (including Public Meeting for Big Creek Drain Access Culvert and Zoning by-law Amendment, ZBA #106) held December 8, 2014 be adopted.

Carried

Business Arising Out of the Minutes:

In response to an inquiry of Council regarding the status of the agreement with Township of Pelee for building inspection services, administration confirmed a response had not yet been received from them.

Public Meetings:

1. Report LLS-22-14 dated December 2, 2014 regarding Council Member Appointments to Boards and Committees

Director of Legal and Legislative Services, Brian Sweet presented the report regarding the Court of Revision; Drainage Act appointees.

No. C-417-14

Moved by: Councillor Atkin
Seconded by: Deputy Mayor MacDonald

That Deputy Mayor Hilda MacDonald, Councillor Hammond, Councillor Jacobs, Councillor Verbeke and Councillor Wilkinson be appointed to the Court of Revision for Drainage Act matters for a term to expire November 30, 2018. (LLS-22-14)

Carried

Public Meetings:

1. Court of Revision Drainage, Big Creek Drain Highway 77 Branch

A copy of the minutes is attached.

No. C-418-14

Moved by: Councillor Jacobs
Seconded by: Councillor Verbeke

That the Schedule of Assessments dated July 4, 2011 prepared by N. J. Peralta Engineering Ltd. to provide for the Robert Anderson Drain, Highway 77 Branch, a new petition drain, in Lots 6 and 7, Concession 5, in accordance with By-law 430-14 in the Municipality of Leamington, in the County of Essex, be confirmed.

Carried

Reports of Staff and Delegations:

2. Delegation, Mayor's Youth Advisory Committee, introduction of new committee members

Supervisor Marketing, Events and Customer Service, Brenda Fischer introduced the new Mayor's Youth Advisory Committee members utilizing a power point presentation to describe the activities of the group. Council questioned if UMEI high school had been invited to join MYAC and administration advised yes however no representative has been present to date. Council applauded the Committee on the great job they have been doing in our community with event planning and volunteering on the Committee. Council thanked the students for joining the Committee and they look forward to their feedback.

3. Report PW-02-14 dated December 3, 2014 regarding Bayview Park Design

Manager of Public Works, Ken Brown, presented the report to Council. Administration informed Council that construction of the park would not be undertaken until there was more development in the area. The dog park phase may proceed sooner based upon community demand.

Council questioned administration if they have given any thought to having an open house regarding the design of the park asking for feedback from the community. Council expressed this would be more of a community park then a neighbourhood park and should be funded as such.

No. C-419-14

Moved by: Councillor Verbeke
Seconded by: Councillor Wilkinson

That the conceptual design for the new Bayview Park be adopted as the basis for park development;

And that the parkland be constructed in phases to coincide with the completion of the proposed residential developments and the needs of the municipality as a whole, as outlined in the report. (Report PW-02-14)

No. C-420-14

Moved by: Councillor Atkin
Seconded by: Deputy Mayor MacDonald

That the Motion be amended as follows:

That the parkland be constructed in phases to coincide with the completion of the proposed as a community development of the municipality as a whole, and that a public consultation be scheduled for community input in park design.
(Report PW-02-14)

Amendment Carried

Motion as Amended Carried

4. Report ENG-31-14 dated December 2, 2014 regarding Churchill Avenue Parking

Engineering Technologist, John Pilmer, presented the report informing Council that a resident complained that people visiting the hospitals are using the street for free parking and it is creating safety issues for school buses who are picking up or dropping off children.

A discussion occurred about other possible solutions such as two hour parking restrictions or issuing of parking permits to local residents.

No. C-421-14

Moved by: Councillor Verbeke

Seconded by: Councillor Jacobs

That the Clerk be authorized to prepare the appropriate By-law for Council's consideration to modify the "No Parking" Section (Schedule "D") of the Comprehensive Traffic By-law (4284-95) as follows:

Add:

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>	<u>Column 5</u>
<u>Street</u>	<u>From</u>	<u>To</u>	<u>Side</u>	<u>Period</u>
Churchill	Talbot	21m South of Talbot	West	Anytime
Churchill	Talbot	30m North of Oak	West	Anytime
Churchill	Talbot	30m South of Talbot	East	Anytime
Churchill	Oak	13m North of Oak	East	Anytime

And that the Clerk be authorized to prepare the appropriate By-law for Council's consideration to modify the "No Stopping" Section (Schedule "B") of the Comprehensive Traffic By-law (4284-95) as follows:

Add:

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>	<u>Column 5</u>
<u>Street</u>	<u>Side</u>	<u>From</u>	<u>To</u>	<u>Period</u>
Churchill	West	30m North of Lamarsh	22m South of Lamarsh	Anytime
Churchill	East	27m North of Lamarsh	27m South of Lamarsh	Anytime

And further, that the cost of the project be charged to account 10-7-0620-8060-309010-160000 (ENG 31-14).

Carried

5. Report IS-06-14 dated December 4, 2014 regarding Ontario Community Infrastructure Fund Formula Based Component Agreement

Director of Infrastructure Services, Robert Sharon presented the report, following which Council inquired whether the funding could be used for other areas in the community.

Administration informed Council that funding under the Ontario Community Infrastructure Funding (OCIF) program is to be used only for renewal and rehabilitation. Building Community Funding and Small Community Funding provide support for new infrastructure and growth.

No. C-422-14

Moved by: Deputy Mayor MacDonald

Seconded by: Councillor Atkin

That the information regarding the Ontario Community Infrastructure Fund Formula Based Component be received;

And that the Mayor and Clerk be authorized to sign and execute the Ontario Community Infrastructure Fund Formula Based Component Agreement.
(IS-06-14)

Carried

6. Report CAO-18-14 dated December 10, 2014 regarding 2015 OPP Billing Costs

Chief Administrative Officer, Peter Neufeld presented the report and informed Council that as a result of the new OPP funding formula, Leamington's costs will be significantly reduced.

Council questioned administration whether recommendations could be made of what policing services would be needed in the base services for the municipality. Administration informed Council that base policing services are standard across all municipalities and if more policing is needed that it would cost extra.

Policing costs have been reduced since the switch from municipal policing to OPP in 2010. Council noted people are satisfied with what has occurred with the OPP over the past four (4) years.

No. C-423-14

Moved by: Councillor Verbeke

Seconded by: Councillor Wilkinson

That information pertaining to the revised municipal policing cost-recovery billing methodology applied by the Ontario Provincial Police (OPP) commencing January 1, 2015 be received;

And that Administration be authorized to enter into an agreement with the OPP for the same level of policing services, for period of January 1, 2015 to January 31, 2019 based on the new billing methodology as present this in this report CAO-18-14.

Carried

7. Report CAO-17-14 dated December 9, 2014 regarding 2015 Economic Adjustment

Chief Administrative Officer, Peter A. Neufeld presented the report.

Council questioned administration if they felt that the CUPE union will proceed with 2015 negotiations with the same results as Teamster have. Administration acknowledged Council's concerns.

No. C-424-14

Moved by: Deputy Mayor MacDonald

Seconded by: Councillor Atkin

That in 2015, there be a 0% wage adjustment for non-union staff, Council, crossing guards, part-time employees, summer students and members of the Committee of Adjustment, Leamington Police Services Board and the Union Water Joint Board of Management (Report CAO-17-14)

Carried

8. Report LLS-22-14 dated December 2, 2014 regarding Council Member Appointments to Boards and Committees

Director of Legal and Legislative Services, Brian Sweet, presented the report.

No. C-425-14

Moved by: Councillor Verbeke

Seconded by: Councillor Atkin

That Mayor Paterson and Councillor Jacobs be appointed as Council representatives to the Leamington Police Services Board for a term to expire November 30, 2018;

And that Councillor Jacobs and Councillor Wilkinson be appointed as Council Representatives to the Leamington Committee of Adjustment for a term to expire December 31, 2015;

And further, that Councillor Hammond and Councillor Wilkinson be appointed as Council Representatives to the Leamington Committee of Adjustment for a term to expire December 31, 2016;

And further, that Deputy Mayor MacDonald and Councillor Hammond be appointed as Council Representatives to the Leamington Committee of Adjustment for a term commencing on January 1, 2016 and expiring on December 31, 2017;

And further, that Deputy Mayor MacDonald and Councillor Verbeke be appointed as Council Representatives to the Leamington Committee of Adjustment for a term to commence on January 1, 2017 and expiring on December November 30, 2018;

And further, that Councillor Atkin and Councillor Verbeke be appointed to the Essex Region Conservation Authority for a term to expire November 30, 2018;

And further, that Councillor Wilkinson be appointed to the Lower Thames Valley Conservation Authority for a term to expire November 30, 2018;

And further, that Councillor Atkin, Councillor Jacobs and Councillor Wilkinson be appointed to the Property Standards Committee for a term to expire November 30, 2018;

And further, that Deputy Mayor MacDonald and Councillor Atkin be appointed to the Leamington Uptown Business Improvement Area for a term to expire November 30, 2018;

And further, that Mayor Paterson, Deputy Mayor MacDonald, Councillor Atkin, Councillor Hammond, Councillor Jacobs and Councillor Verbeke be appointed to the Union Water Board of Management and that Councillor Wilkinson be appointed as an alternate for the term to expire November 30, 2018;

And further, that Councillor Hammond be appointed to the Leamington Accessibility Advisory Committee for a term to expire November 30, 2016;

And further, that Councillor Wilkinson be appointed to the Leamington Accessibility Advisory Committee for a two year term commencing on December 1, 2016 and expiring on November 30, 2018;

And further, that Deputy Mayor Hilda MacDonald, Councillor Hammond, Councillor Jacobs, Councillor Verbeke and Councillor Wilkinson be appointed to the Court of Revision for Local Improvement matters for a term to expire November 30, 2018;

And further, that Councillor Hammond and Councillor Wilkinson be appointed to the Kingsville Leamington Municipal Animal Control Advisory Committee for a term to expire November 30, 2018;

And further, that Councillor Atkin and Councillor Wilkinson be appointed to the Erie Shores Community Transit Committee for a term to expire November 30, 2018;

And further, that Mayor Paterson be appointed to the Board of Directors of the Essex Power Corporation for a term to expire November 30, 2018;

And further, that Mr. Frank Ricci be appointed to the Board of Directors of the Essex Power Corporation as Leamington's lay appointee for a term commencing December 1, 2014 until November 30, 2016;

And further, that Councillor Hammond be appointed to the Board of the Leamington Chamber of Commerce for a term to expire November 30, 2018;

And further, that Councillor Verbeke be appointed to the Leamington Non-Profit Housing Committee for a term to expire November 30, 2018;

And further, that Councillor Jacobs be appointed to the Migrant Worker Community Program for a term to expire November 30, 2018;

And further, that Deputy Mayor MacDonald be submitted as lay appointee to the Essex County Library Board;

And further, that Councillor Jacobs be submitted as an alternative lay appointee to the Essex County Library Board if Deputy Mayor MacDonald is not appointed;

And further, that Councillor Verbeke be appointed as Council representative to the South Essex Community Council Immigrant Advisory Committee for a term to expire November 30, 2018;

And further, that Deputy Mayor MacDonald and Councillor Wilkinson be appointed to the Economic Development Advisory Committee for a term to expire November 30, 2018;

And further, that Councillor Hammond be appointed to the EFAP Committee for a term to expire November 30, 2018;

And further, that Deputy Mayor MacDonald be appointed to the Volunteer Recognition Committee for a term to expire November 30, 2018;

And further, that Mayor John Paterson and Councillor Verbeke be appointed to the Mayor's Youth Committee;

And further, that Deputy Mayor MacDonald be appointed to the Skateboard Park Committee for a term to expire November 30, 2018;

And further, that Councillor Atkin be appointed to the Leamington Municipal Heritage Advisory Committee for a term to expire November 30, 2018;

And further, that Deputy Mayor MacDonald and Councillor Atkin be re-appointed to the Leamington Library Building Steering Committee for a term to expire November 30, 2018.;

And further, that Council recommend that all present citizen appointments be extended until new Council appointments are prepared (LLS-22-14).

Carried

9. Report LLS-23-14 dated December 10, 2014 regarding Pay Equity Plan, Teamsters Bargaining Unit

Director of Legal and Legislative Services, Brian Sweet, presented the report.

No. C-426-14

Moved by: Councillor Jacob

Seconded by: Councillor Atkin

That the Pay Equity Plan for the Teamsters, Chauffeurs, Warehousemen & Helpers Union Local 879, as described in Report LLS-23-14, be approved.

Carried

Matters for Approval:

No. C-427-14

Moved by: Councillor Verbeke
Seconded by: Deputy Mayor MacDonald

That the Minutes of the Leamington Accessibility Advisory Committee held November 19, 2014 be approved.

Carried

Other Matters for Consideration:

None

Report on Closed Session:

The Director of Legal and Legislative Services, Brian Sweet, reported that a closed meeting was held at 5:30 PM prior to the regular Council meeting pursuant to Subsection 239(f) of the Municipal Act, 2001 to consider one (1) confidential item regarding legal issues with the Ontario Provincial Police. Notice of the meeting was properly given. Mr. Sweet indicated that Council did pass a resolution in closed session to give direction to administration.

Consideration of By-laws:

No. C-428-14

Moved by: Councillor Verbeke
Seconded by: Councillor Wilkinson

That the following by-law be read a first, second and third time and finally enacted:

By-law 439-14 being a by-law to confirm the proceedings of the Council of The Municipality of Leamington at its meeting held December 15, 2014.

Carried

Notices of Motion:

None

Open Session of Council and Administration:

Councillor Atkin requested responses to three questions to be answered by administration for January's Council meetings.

1. If Administration has sidewalks scheduled for building on Talbot Street East from the McDonald's Restaurant to Leamington District Memorial Hospital and what the five year plan is for that section of corridor?
2. If Administration has scheduled paving or concrete on the street from Wilkinson Drive to Queen Street, and if not why?
3. Can Administration provide an update of the development to the Trail corridor to Comber?

Director of Legal and Legislative Services Brian Sweet updated Council regarding the five hundredth (500th) wedding ceremony of Laura Fanjoy to Angel Santos. The Flower Shop at Thiessen's Flowers donated the bridal bouquet and boutonnieres for the ceremony at the Municipal Office and The Gallery Restaurant gave the couple a gift certificate.

Statement of Members: non-debatable

Each Council member shared a holiday greeting to fellow members, administration, municipal staff, community, and residents wishing them all a Merry Christmas and a Happy New Year.

Mayor Paterson and Deputy Mayor MacDonald attended the Leaders Hospice Meeting in Windsor on December 11, 2014.

Mayor Paterson attended the "Venue" in downtown Windsor with the band "Sieraslave" featuring Leamington's own Siera Simone on drums. It was the band's new CD release night.

Adjournment:

No. C-429-14

Moved by: Councillor Verbeke
Seconded by: Councillor Wilkinson

That the meeting adjourn at 7:47 PM.

Carried

John Paterson, Mayor

Brian R. Sweet, Clerk

Minutes approved at Council Meeting held
_____, 2014, Resolution C-____-14,
Confirmation By-law ____-14

The Corporation of the Municipality of Leamington

Minutes of Drainage Court of Revision

Monday, December 15, 2014 at 6:07 PM

In the Council Chambers

Members Present: Deputy Mayor Hilda MacDonald
Councillor John Jacobs, Larry Verbeke, Rick Atkin, Tim Wilkinson

Members Absent: Councillor John Hammond

Others Present: N.J. Peralta Engineering, Tony Peralta

Staff Present: Chief Administrative Officer Peter A. Neufeld
Director of Legal and Legislative Services Brian R. Sweet
Director of Infrastructure Services Robert Sharon
Director of Community & Development Services Tracey Pillon-Abbs
Manager of Infrastructure Ken Brown
Engineering Technologist John Pilmer
Drainage Superintendent Lu-Ann Barreto
Supervisor Marketing, Events & Customer Service Brenda Fischer
Legal and Legislative Assistant Shelly Quick

Disclosures of Pecuniary Interest:

None

Opening Court of Revision:

Moved by: Councillor Verbeke
Seconded by: Councillor Wilkinson

That the Court of Revision to provide for the Robert Anderson Drain, Highway 77 Branch, a new petition drain, in Lots 6 and 7, Concession 5, in the Municipality of Leamington, in the County of Essex, be opened.

Carried

Items for Consideration:

1. Robert Anderson Drain, Highway 77 Branch, new petition drain:

Drainage Superintendent, LuAnn Barreto indicated there were no revisions she was aware of.

Deputy Mayor MacDonald asked if there was anyone in the audience wishing to speak regarding this public meeting. No one responded.

Moved by: Councillor Jacobs
Seconded by: Councillor Verbeke

That the Schedule of Assessments dated July 4, 2011 prepared by N. J. Peralta Engineering Ltd. to provide for the Robert Anderson Drain, Highway 77 Branch, a new petition drain, in Lots 6 and 7, Concession 5, in accordance with By-law 430-14 in the Municipality of Leamington, in the County of Essex, be confirmed.

Carried

Closing Court of Revision:

Moved by: Councillor Verbeke
Seconded by: Councillor Wilkinson

That the Court of Revision to provide for to provide for the Robert Anderson Drain, Highway 77 Branch, a new petition drain, in Lots 6 and 7, Concession 5, in the Municipality of Leamington, in the County of Essex, be closed.

Carried

Adjournment:

Meeting adjourned at 6:09 PM

Minutes approved at Council Meeting held
December 16, 2015, Resolution C-____-15,
Confirmation By-law ____-15

**The Corporation of the Municipality of Leamington
Minutes of the Special Closed Meeting of Council
Held Monday, December 15, 2014 at 5:30 PM
In the Ante Room**

Members Present: Mayor Paterson
Deputy Mayor MacDonald
Councillors: Atkin, Jacobs, Verbeke, Wilkinson

Members Absent: Councillor Hammond

Staff Present: Chief Administrative Officer Peter A. Neufeld
Director of Legal and Legislative Services Brian Sweet
Director of Infrastructure Services Rob Sharon

Disclosures of Pecuniary Interest: None

Moving into Closed Session:

No. S-85-14

Moved by: Councillor Verbeke
Seconded by: Deputy Mayor MacDonald

That Council move into closed session pursuant to Subsections 239(2) (f) of the Municipal Act, 2001 to discuss legal issues with respect to the Ontario Provincial Police.

Carried

Matters for Consideration:

1. **Confidential Report CAO-19-14 dated December 10, 2014 regarding Legal Issues with Respect to the Ontario Provincial Police**

Chief Administrative Officer Peter Neufeld presented Confidential Report CAO-19-14. Council discussion followed.

No. S-86-14

Moved by: Councillor Jacobs
Seconded by: Councillor Verbeke

That Administration be directed to pursue the proposed action as provided in Confidential Report CAO 19-14.

Carried

Moving into Public Session:

No. S-87-14

Moved by: Councillor Verbeke
Seconded by: Deputy Mayor MacDonald

That Council move into public session at 5:55 PM

Carried

Adjournment:

No. S-88-14

Moved by: Councillor Atkin
Seconded by: Councillor Wilkinson

That the meeting adjourn at 5:55 PM

Carried

John Paterson, Mayor

Brian Sweet, Clerk

Minutes approved at Council Meeting held
January 5, 2015, Resolution C--15,
Confirmation By-law -15

Report

To: Mayor and Members of Council

From: Nelson Carvalho, Supervisor of Water Services

Date: November 7th 2014

Re: Leamington Water Distribution System, Wheatley DS Inspection Report

Aim:

To advise Council that the Drinking Water Inspection Report for the Leamington Distribution System, Wheatley DS has been completed and is available for public review.

Background:

The Ministry of Environment recommends that Council confirm by resolution receipt of the drinking water inspection report, and that the report be made available for public review. The Inspection report for the inspection of October 21, 2014 was received on December 8, 2014 and has been provided to Council under separate cover.

Comments:

The Drinking Water System Inspection Summary Rating Record (IRR) indicates a 0% inspection risk rating, and a 100% final inspection compliance rating.

There were no items of non-compliance with regulatory requirements noted in the report. There was one recommendation in the report relating to notifications. Staff informed the inspector that change in the interconnection between the Wheatley system and the Union system may take place. The Inspector requested that the Ministry of Environment be notified of any change, in addition to other prescribed notifications, should such a change be made.

Financial Impact:

None.


Recommendation:

That the Ontario Ministry of the Environment 'Drinking Water System Inspection Report for the Leamington Distribution System, Wheatley DS dated October 21, 2014, be received;

And further, that the report be placed on the Municipality's website and also be made available for public inspection at the Municipal Clerk's office, during normal business hours. (LWS-04-14)

Signed: _____
Nelson Carvalho
Supervisor of Water Services

Signed: _____
Kit Woods
Manager, Environmental Services

Signed:  _____
Robert Sharon
Director of Community Services

FILE: s/cs/cs/cscouncil reports/2014reports/Water Dept/LWS-04-14 Wheatley MOE Inspection Report/

Report

To: Mayor and Members of Council
From: Danielle Truax, Manager of Planning Services
Date: December 15, 2014
Re: Removal of Holding Symbol - (H)
Phase 1 Destiny Estates Plan of Subdivision - 37-T-11002
Larry Santos Construction Ltd. - (390-00100)

Aim:

To report upon an application to remove the Holding Symbol (H) from the residential zoning of Lots 35-37 located in Phase 1 of the Destiny Estates Plan of Subdivision.

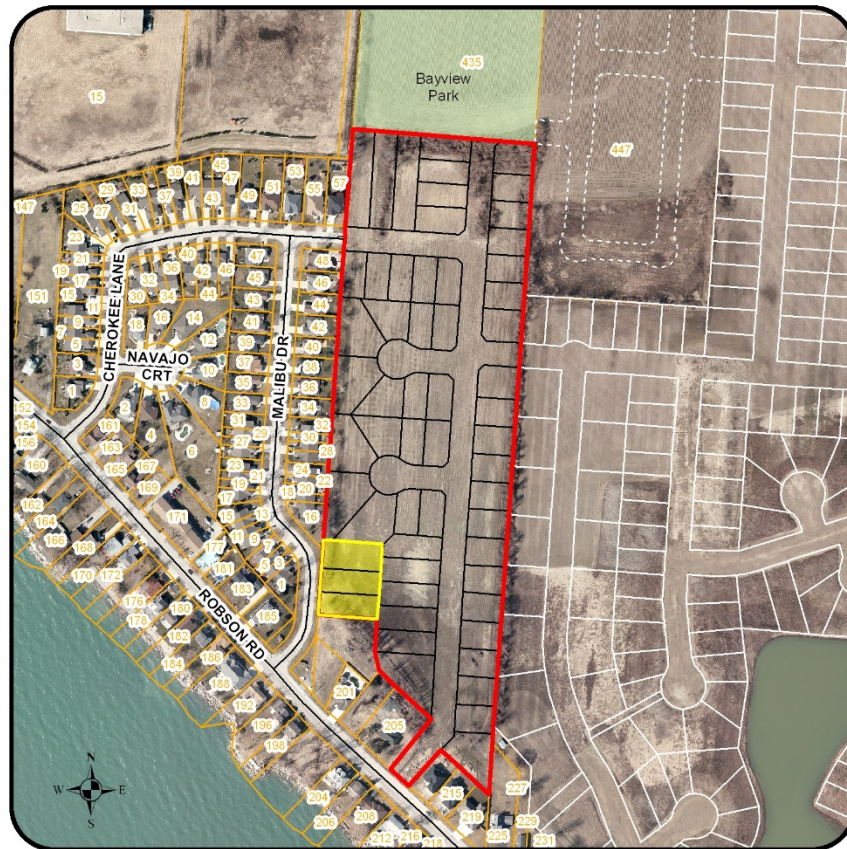
Background:

Representatives of Larry Santos Construction Ltd. have submitted an application to remove the Holding Symbol (H) currently applied to the residential zoning of the lots in Phase 1 of the Destiny Estates Plan of Subdivision. Destiny Estates is located on the north side of Robson Road, east of Malibu Drive (see inserted key map). The County of Essex approved the plan of subdivision in 2012 which created 79 residential lots. The developer entered into a subdivision agreement with the Municipality in December 2014 for the development of Phases 1-3. The municipality has provided the necessary clearance to the County of Essex to confirm that all conditions of draft approval have been completed and the final plan for Phase 1 can be registered.

Phase 1 consists of 3 lots to be developed as single detached dwellings located on the east side of Malibu Drive. The subject lands are designated Residential in the Official Plan as shown on Schedule "A-6E" and are currently zoned Residential Holding Zone (R3H) as shown on Map 61. The removal of the Holding symbol (H) will allow the developer to apply for building permits on the individual lots.

Comments:

Section 6.3 of the Official Plan establishes that the zoning by-law will incorporate the Holding Zone (H) approach in accordance with Section 36 of the Planning Act. The Official Plan identifies that the intended use of the property is for residential purposes. The Holding (H) Symbol has been added the Residential Zone (R3) for all of the lots within the entire plan of subdivision to defer the availability of building permits until the Municipality is satisfied that site specific conditions regarding efficient phasing and proper servicing have been met. The Municipality is now in a position to allow residential construction within Phase 1 to proceed. The services for Lots 35-37 are available at the property line, no further construction is required within the municipal right of way and no additional securities are required proceed with development in Phase 1.



Key Map of Phase 1 - Destiny Estates Plan of Subdivision

Conclusion:

Notice of the intent to remove the Holding Symbol (H) was given by the Municipality in the local newspaper on December 23, 2014 stating the earliest date Council may consider passing a by-law for this purpose to be January 5th, 2015. There are no appeal opportunities for the removal of a Holding Symbol (H) from the zoning of a property.

Financial Impact:

Payments and fees required under the development agreement for Phase 1 have been submitted to the Municipality. It is not anticipated that there will be financial impacts to the Municipality upon the removal of the Holding Symbol (H) from the zoning of the lots within Phase 1.

Recommendation:

That Zoning By-law Amendment Application ZBA#107 to remove the Holding Symbol from the lots found in Phase 1 of Destiny Estates Plan of Subdivision be approved by Council;

And that the Clerk be directed to forward the amending by-law # 440-15 to Council for its consideration.

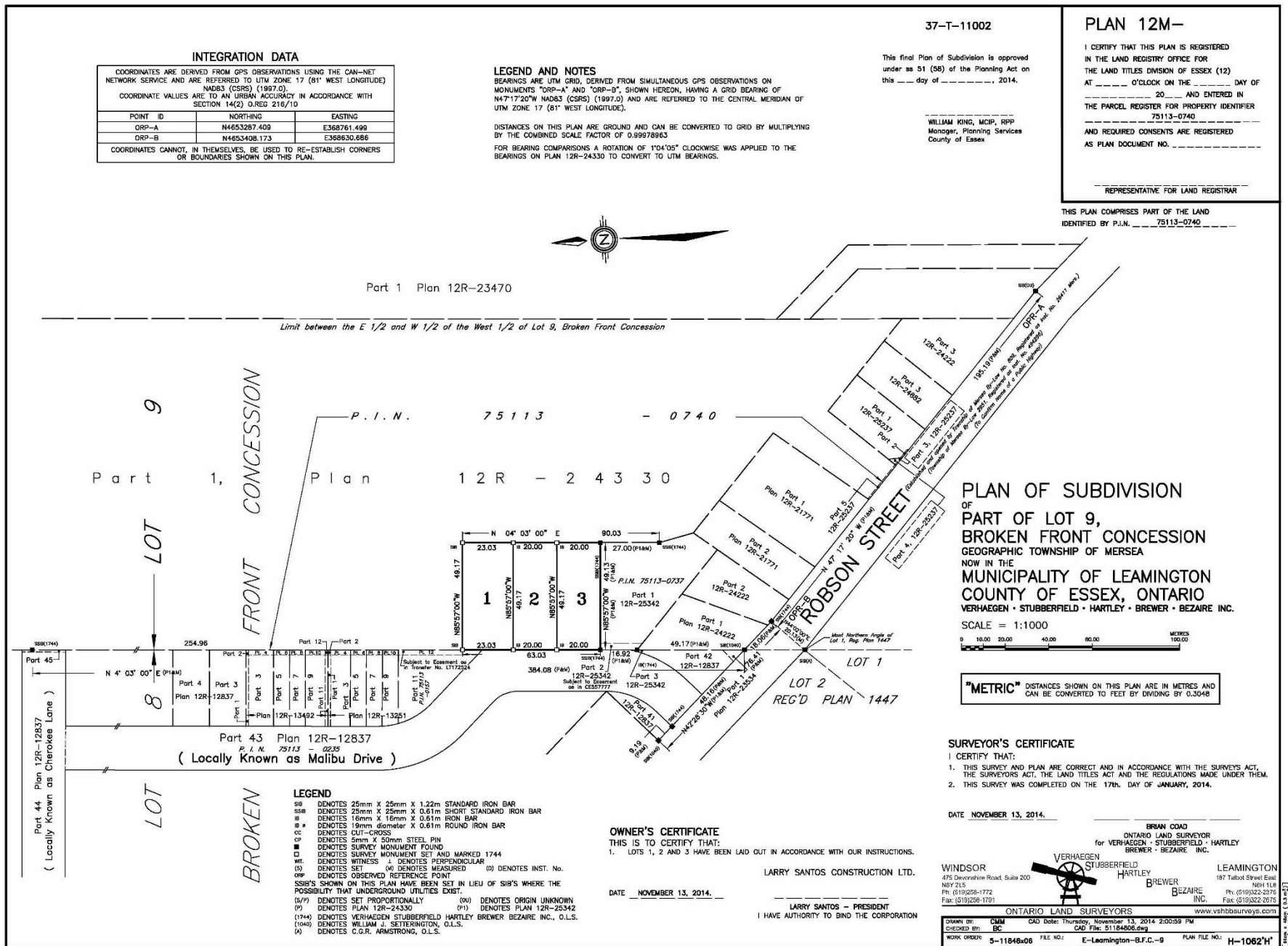
(PLA-01-15)

Respectfully submitted

Danielle Truax
Manager of Planning Services

Tracey Pillon-Abbs
Director of Community and
Development Services

:dt



Report

To: Mayor and Members of Council
From: Danielle Truax, Manager of Planning Services
Date: December 16, 2014
Re: 2014 Annual Report
Leamington Municipal Heritage Advisory Committee

Aim:

To provide Council with an annual update on the activities and expenses of the Leamington Municipal Heritage Advisory Committee (LMHAC), in accordance with Section 6 of By-law 115-11, being a by-law to appoint a municipal heritage committee pursuant to the provisions of the *Ontario Heritage Act*.

Background:

The LMHAC is an advisory committee to Leamington Council with the following mandates:

- a) To establish criteria for the evaluation of properties of cultural heritage value or interest;
- b) To prepare, evaluate and maintain a list of properties and areas worthy of conservation;
- c) To advise Council on means of conserving heritage properties and available funding sources;
- d) To advise Council on current heritage conservation legislation and assist Council with preparation of municipal legislation to conserve heritage properties and areas;
- e) To implement programs and activities to increase public awareness and knowledge of heritage conservation issues;
- f) To advise and assist Council on all matters relating to Parts IV and V of the Ontario Heritage Act;
- g) To advise and assist Council on any other matters relating to properties and areas of cultural heritage value or interest.

The Committee is comprised of five members of the public and 1 Council member. The Committee meets once a month and is in place for the term of Council. Councillor Atkin has been appointed to the LMHAC for the 2014-2018 term of Council.

The minutes of the LMHAC are placed on Council's regular agenda each month for information. The Committee operates with an annual budget that is found within the Library and Cultural Services Budget.

Under the Organizational Review the administrative responsibilities of the committee were transferred from Corporate Services to Planning Services in May 2014. In addition to the Manager of Planning Services, the Manager of Building Services and the Manager of Legislative Services and Planning Assistant act as municipal resources to the committee.

2014 Activities

- Building on the success of the public open house hosted in 2013 to consider properties for the heritage register, the LMHAC began the detailed research for selected homes within the community towards designation. Research methods include attendance at the land registry office, site visits, photo documentation of the property, review of printed history at library and within local newspapers and chronicling of verbal histories;
- Presentation to Council regarding cultural and architectural significance of Gregory Building;
- Established relationship with Communities in Bloom, Leamington Mersea Historical Society and members of surrounding municipal heritage communities;
- Participated in webinars and presentations regarding the use of social media and electronic mapping to promote heritage attributes of community;
- Staff attended Western University Archives to research the Fire Insurance Mapping available for Leamington;
- Architectural Science Research Student verified the architectural styles and features of all homes on municipal register, as well as other structures with heritage potential with the municipality. The student created property information templates for the municipal register and evaluation of properties with heritage potential. The student also assisted with the architectural review and design of buildings within the CIP area.

Financial Impact:

The approved 2014 budget was \$1,415 and included allocations for a workshop to be hosted by the committee, membership in the Community Heritage Organization and materials and resources required to research properties. A university research student position was approved by Council after consideration of the 2014 budget upon on a grant being available to cover the majority of the cost of a student's wages.

The LMHAC has prepared a draft 2015 budget which is contained within the Library and Cultural Services budget for Council's consideration.

Anticipated 2015 Activities

- Participation in National Heritage Day on February 16, 2015 celebrating the theme of "Main Street at the Heart of the Community";

- Completion of two designations for properties on Seacliff Drive in co-operation with owners;
- Continue to assist Council with providing direction on the Gregory Property and possible parkette;
- The Committee has begun discussions with the Heritage Resource Centre from the University of Waterloo to host a workshop on the research and designation of properties;
- Consideration of Rural Properties for Leamington's Municipal Register of Heritage Properties through a public open house.

Recommendation:

That the annual update on the activities and expenses of the Leamington Municipal Heritage Advisory Committee (LMHAC), in accordance with Section 6 of By-law 115-11, be received. (Report PLA/02/15)

Respectfully submitted,

Danielle Truax
Manager of Planning Services

Tracey Pillon-Abbs
Director of Community and
Development Services

:dt

Report

To: Mayor and Members of Council
From: Brian Sweet, Director of Legal and Legislative Services
Date: January 2, 2015
Re: Citizen Appointments to Boards and Committees

Aim:

To recommend citizen appointments to certain Leamington boards and committees.

Background:

It is necessary for Council to make citizen appointments to certain boards and committees. Some appointments are required by statute and some appointments are for committees created at the discretion of Council.

With respect to the committees described in this report, administration advertised for the public appointments in the Southpoint Sun and the Municipality of Leamington's website, Facebook account and Twitter Account. Applications were due by Monday, December 22, 2014 at 4:00 PM. Unless otherwise stated, there is no compensation to members of these committees other than mileage if out of town travel is required.

Copies of all applications from the public have been provided to Council under separate cover for review.

I. Appointments Required by Statute

(1) Police Services Board

On December 3, 2010 the municipality transitioned to Ontario Provincial Police (OPP) to provide police services previously provided under its own municipal police force. The municipality is required to continue a Leamington Police Services Board under Section 10 of the Police Services Act.

The responsibilities of the board are:

- a) Participate in the selection of the detachment commander of the detachment assigned to the municipality or municipalities;
- b) Generally determine objectives and priorities for police services, after consultation with the detachment commander or his or her designate;

- c) Establish, after consultation with the detachment commander or his or her designate, any local policies with respect to police services (but the board or joint board shall not establish provincial policies of the Ontario Provincial Police with respect to police services);
- d) Monitor the performance of the detachment commander;
- e) Receive regular reports from the detachment commander or his or her designate on disclosures and decisions made under section 49 (secondary activities); and
- f) Review the detachment commander's administration of the complaints system under Part V and receive regular reports from the detachment commander or his or her designate on his or her administration of the complaints system.

The size and composition of the board will remain the same being comprised of five (5) members:

- Two Council representatives, namely Mayor Paterson and Councillor Jacobs (until November 30, 2018);
- Two (2) appointments by the Province of Ontario: Lorraine Hodgson (until April 4, 2015) and Judy Butler (until January 29, 2017); and
- One (1) person appointed by Council other than a Council member or municipal employee (until November 30, 2018).

Presently, the Director of Legal and Legislative Services is appointed as the Secretary to the board. The OPP Inspector and various OPP Sergeants will attend Board meetings as resource personnel.

The board will hold regular meetings every other month at the Municipal Office with the occasional special meeting as required. Board members will each receive \$1,665.04 annually and if appointed as Chair of the Board, will receive \$2,081.30 annually.

The following people applied for appointment to the Leamington Police Services Board:

- Paul David Child
- Chris Chopchik
- William J. (Bill) Crangle
- Susan Edwards
- Derek Friesen
- James Michael Hairsine
- Greg Hutchinson
- John Ingratta
- Joan McSweeney
- Bruce Peacock
- Mark J. Stevenson

- Richard (Rick) Taggart
- Oscar S. Vicente
- George Youssef

Recommendation:

That (one) be appointed as a citizen representative to the Leamington Police Services Board for a term to expire November 30, 2018.

(2) Leamington Committee of Adjustment

The Committee of Adjustment, as established by the Planning Act considers applications for minor variances to the municipality's zoning by-law and applications to sever existing lots.

On December 6, 2010, Council amended the composition of Leamington's Committee of Adjustment to be comprised of five (5) members:

- Two (2) members of Council: and
- Three (3) members of the public (until November 30, 2018).

It is noted the Planning Act provides members of the public to be appointed to the committee for the term of Council and members of Council must be reappointed every year.

The Manager of Planning Services attends as the Secretary-Treasurer to the Committee of Adjustment and the Planning Assistant attends to take minutes of the meeting.

The committee will hold regular monthly meetings (excluding December) in Leamington's Council Chambers with the occasional special meeting as required. Committee members will each receive \$1,665.04 annually and if appointed as Chair of the Board, will receive \$2,081.30 annually.

On December 15, 2014 the following Council representative appointments were made:

- Councillor Jacobs and Councillor Wilkinson for a term to expire December 31, 2015;
- Councillor Hammond and Councillor Wilkinson for a term to expire December 31, 2016;
- Deputy Mayor MacDonald and Councillor Hammond for a term commencing on January 1, 2016 and expiring on December 31, 2017;
- Deputy Mayor MacDonald and Councillor Verbeke for a term to commence on January 1, 2017 and expiring on December November 30, 2018;

The following people applied for appointment to the Leamington Committee of Adjustment:

- Bill Dunn
- Derek Friesen
- Heather (Ross) Jablonski
- Keith Klassen
- Bruce Peacock
- Mark Simpson
- Mark J. Stevenson
- Paul Tiessen

Recommendation:

That (three) be appointed as citizen representatives to the Leamington Committee of Adjustment for a term to expire November 30, 2018.

(3) Leamington Accessibility Advisory Committee

The Ontarians with Disabilities Act requires the municipality to establish an Accessibility Advisory Committee. The Terms of Reference for this committee are to advise Council on the establishment and maintenance of an accessibility plan and to ensure all municipal facilities are accessible.

On December 6, 2010 Council amended the Terms of Reference for this committee to appoint one (1) member of Council to serve for only a one (1) year term to allow a different Council member to serve for each of the years over the term of Council. All other members are appointed for the term of Council. This committee meets quarterly.

The committee currently consists of:

- One (1) member of Council (appointed to serve for a one (1) year term);
- One (1) professional from the community; and
- Three (3) residents with disabilities or such members as Council deems appropriate.
- One Council Representative, being:
 - Councillor Hammond for the term to expire November 30, 2016;
 - Councillor Wilkinson for a term commencing on December 1, 2016 and expiring on November 30, 2018;

The Manager of Development Services attends as a resource personnel and the Building Services Clerk attends as secretary.

The following people applied for appointment to the Leamington Accessibility Advisory Committee:

- Rob Bahry

Recommendation:

That (one) (as a professional from the community) and (three) be appointed to the Leamington Accessibility Advisory Committee as citizen representatives for a term to expire November 30, 2018;

And that administration re-advertise for citizen appointments to the Leamington Accessibility Advisory Committee for a term to expire November 30, 2018.

(4) Compliance Audit Committee

Section 81(1) of the Municipal Elections Act provides electors to apply for a compliance audit of a candidate's election campaign finances. This request will be reviewed if under reasonable grounds the candidate has contravened a provision related to his/her election campaign finances.

This committee is comprised of three (3) members with compensation to be One Hundred and Thirty-Five dollars (\$135.00) per member per meeting. This committee will meet only if a complaint has been received.

In September, 2014 administration advertised for members to this committee and on September 22, 2014 Council appointed three (3) members to serve on this committee being: Ryan Harder, Peter Todorovski and John Tofflemire.

The Director of Legal and Legislative Services (or alternate) will attend as secretary and resource personnel to the committee.

Recommendation:

That Ryan Harder, Peter Todorovski and John Tofflemire be re-appointed to the Compliance Audit Committee as citizen representatives for a term to expire November 30, 2018.

II. Advisory Committees

(1) Economic Development Advisory Committee

The primary purpose of the Economic Development Advisory Committee is to advise the Economic Development Office in its efforts to create a competitive economic development environment in Leamington and to provide recommendations on specific economic development priorities and initiatives for the upcoming year. These priorities are then incorporated into work plans and budgets. This committee meets monthly.

The Economic Development Officer attends as resource personnel and a Legal and Legislative Assistant attends as secretary.

The current composition of the Economic Development Committee is as follows:

- Leamington's business community representatives - appoint one (1) instead of four (4);
- Arts/culture/educational sector representatives - appoint one (1) instead of two (2);
- Residents of Leamington who are not members of Council or an employee of the Municipality - appoint one (1) instead of four (4); and
- Two (2) members of Council, being Deputy Mayor MacDonald and Councillor Wilkinson.

A report will be presented to Council in the near future regarding recommended amendments to the composition the Leamington Economic Development Committee.

(3) Leamington Library Building Steering Committee

In August, 2014 Council approved the creation of the Leamington Library Building Steering Committee. The members of the committee will assist the consultant to gather community input, through a variety of tools, gauge the level of community support, comment on the recommendations, including preferred location and site and provide input as a valuable stakeholder/user of the Leamington Library.

The committee membership includes 2 members of Municipal Council, 1 person from the Essex County Library Board, 1 person from the Chamber of Commerce, a member appointed from the business community at large, a member of the Mayor's Youth Advisory Committee and a member of the community at large. Meetings will be held at the discretion of the Committee and may also be called at the discretion of the Chair.

Deputy Mayor MacDonald and Councillor Atkin were appointed as the two Council representatives to the Leamington Library Building Steering Committee.

On October 14, 2014 Council passed the following resolutions:

No. C-363-14

That Arlene Sinasac be appointed as the representative for the Leamington District Chamber of Commerce for the Leamington Library Building Steering Committee. (Report LLS/21/14)

No. C-364-14

That Ryan Harder be appointed as the representative from the business community for the Leamington Library Building Steering Committee. (Report LLS/21/14)

No. C-365-14

That Bill Chaplin be appointed as the representative of the community at large for the Leamington Library Building Steering Committee. (Report LLS/21/14)

There were no applications for a student representative at the time, however it is expected the Mayor's Youth Advisory Committee will provide a recommendation for a student representative in the near future. A report will be presented to Council at that time to approve the appointment.

It is recommended Arlene Sinasac, Ryan Harder and Bill Chaplin be re-appointed to the committee for a term to expire November 30, 2018.

Recommendation:

That Arlene Sinasac be re-appointed as the representative for the Leamington District Chamber of Commerce for the Leamington Library Building Steering Committee for a term to expire November 30, 2018;

And that Ryan Harder be re-appointed as the representative from the business community for the Leamington Library Building Steering Committee for a term to expire November 30, 2018;

And further, that Bill Chaplin be re-appointed as the representative of the community at large for the Leamington Library Building Steering Committee for a term to expire November 30, 2018.

(4) Leamington Municipal Heritage Advisory Committee

In 2011 Council approved the creation of the Leamington Municipal Heritage Advisory Committee. The two primary roles of a municipal heritage committee are to provide advice to council and to do research. The committee has no authority to designate properties. Only Council has the authority to pass a by-law to designate a property, amend the designation or to repeal a designation by-law.

The mandate of the committee is as follows:

- a) To establish criteria for the evaluation of properties of cultural heritage value or interest;
- b) To prepare, evaluate and maintain a list of properties and areas worthy of conservation;
- c) To advise Council on means of conserving heritage properties and available funding sources;
- d) To advise Council on current heritage conservation legislation and assist Council in the preparation of municipal legislation to conserve heritage properties and areas;
- e) To implement programs and activities to increase public awareness and knowledge of heritage conservation issues;

- f) To advise and assist Council on all matters relating to Parts IV and V of the Ontario Heritage Act;
- g) To advise and assist Council on any other matters relating to properties and areas of cultural heritage value or interest.

Councillor Atkin was appointed to serve as the Council representative to this committee for a term to expire November 30, 2018.

Four (4) members of the general public are appointed to this committee.

The following people applied for appointment to the Leamington Municipal Heritage Advisory Committee:

- Chris Chopchik
- Anthony Keith Duncan
- Scott Holland
- Maria Kauhang
- Lee-Anne Setterington
- Mark J. Stevenson

Recommendation:

That (four) be appointed to the Leamington Municipal Heritage Advisory Committee for a term to expire November 30, 2018.

(5) Skateboard Park Committee

In September of 2012, Council approved this Committee whose mandate was to prepare and present a report to Council on the advisability of the Municipality constructing a skateboard park. It was recommended this committee consist of: 1 member of Council (Deputy Mayor MacDonald); 1 member of any service group; 1 member of the business community at large; 3 high school students; 3 high school teachers.

The Manager of Public Works serves as the staff liaison for this committee and a Legislative Services staff member prepares agendas and attends meetings to take minutes.

There were no applications for appointment to the Skateboard Park Committee. The vacancies will be re-advertised in the near future and a further report presented to Council.

Recommendation:

That administration re-advertise for citizen appointments to the Leamington Skateboard Park Committee for a term to expire November 30, 2018.

III. Additional Appointments

(1) Essex County Library Board

Administration from The Corporation of the County of Essex prepared a report in 2008 which outlined representation on the Essex County Library Board. The Board will consist of seven (7) members and only up to four (4) of these members may be members of County Council and the other members to be lay appointees.

The criteria for an appointee's eligibility is: resident, owner or tenant of land in Essex County; Canadian citizen; at least eighteen (18) years old; not prohibited by law from voting in a municipal election; and not an employee of the Essex County Library Board or The Corporation of the County of Essex.

The following resolution was passed during the December 15, 2014 Council Meeting:

No. C-425-14

That Deputy Mayor MacDonald be submitted as lay appointee to the Essex County Library Board;

And that Councillor Jacobs be submitted as an alternative lay appointee to the Essex County Library Board if Deputy Mayor MacDonald is not appointed.

Deputy Mayor MacDonald was appointed by County Council to the Essex County Library Board so no further action is required.

(2) Board of Directors for the Sun Parlour Players Community Theatre and The Bank Theatre and Meeting Place

The Municipality received a request from the Sun Parlour Players Community Theatre for a Council appointment to the Board of Directors for the Sun Parlour Players Community Theatre and The Bank Theatre and Meeting Place.

Recommendation:

That Councillor Hammond be appointed as the Council Representative to the Board of Directors for the Sun Parlour Players community Theatre and The Bank Theatre and Meeting Place for a term to expire November 30, 2018.

Respectfully submitted,

Brian R. Sweet,
Director of Legal and Legislative Services

The Corporation of the Municipality of Leamington

Minutes of Mayor's Youth Advisory Committee Meeting

Held November 12, 2014 at 7:00 PM

West End Meeting Room - Municipal Hall

Present: Kiara Clement, Alissa Enns, Brianna Jackson, Christopher Koop, Ethan Letkeman, Bryanna Romanyk, Julia Savo, Kelsey Augustine, Kaitlyn Gee, OPP Constable Kevin O'Neil, Brenda Fischer.

Absent: Peter Gallagher, Robert Barnier, Peter Bot, Councilor Larry Verbeke, Mayor John Paterson.

- 1. Fall Festival - Drug Awareness:** final plans being made for the "National Sports Day in Canada" slated for Saturday, November 29, 2014. We have Skittles the Clown lined up for face painting, balloons & games. We are asking people to bring a canned good for the Salvation Army Food bank. MYAC members are volunteering for set-up/ event/ and clean-up. Essex Power Corporation has provided a one-time grant of \$1,500.00 to the MYAC committee to cover associated costs. We will use these funds toward the Key note speaker - former NHL Jack Valiquette # 8 Toronto Maple Leafs player. Freshco have donated some hot dogs, Superstore has donated bottled water. New T-shirts need to be ordered for the new MYAC members to wear for the Festival. One singer from LDSS, and one from CCSS will provide entertainment and the singing of the national anthem. Economy Rental is donating helium for the balloons. Sylvan Learning Centre to provide a craft/card making table to keep the younger kids involved. WE Drug Strategy Program to provide resource materials to hand out.
Jack Valiquette - donated an autographed Tor. Maple Leaf Jersey to give-away.
Official Alumni Team Jersey - signed by former NHL players to give away.
An official Olympic photo of the Canadian Gold Medal winning hockey team at the Sochi, Russia Olympic Games donated - to be given away.

- 2. Library Steering Committee:**
The Municipality is forming a Library Steering Committee and have asked for a Youth representative from the MYAC. Peter Bot has agreed to be on this committee.
- 3. Window Displays for Christmas** - have not had time to BIA pursue landlords.

Adjourned: The meeting adjourned at 8:00 PM

Next Meeting: Wednesday, December 10, 2014 at 7:00 PM, Municipal Office
(meetings to be held the 2nd Wednesday of the month)

/BF