



**TOWN OF AMHERSTBURG
COUNCIL MEETING
REVISED AGENDA**

Monday, June 8, 2020

6:00 PM

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	Pages
1. CALL TO ORDER	8
2. ROLL CALL	
3. SPECIAL IN-CAMERA COUNCIL MEETING	
That Council move into an In-Camera Meeting of Council at 4:00 p.m. pursuant to Section 239 of the Municipal Act, 2001, as amended for the following reason:	
Item A – Personnel Matters - Section 239(2)(b) - Personal matters about an identifiable individual, including municipal or local board employees; Section 239(2)(d) - Labour relations or employee negotiations; and, Section 239(2)(f) - Advice that is subject to solicitor-client privilege, including communications necessary for that purpose.	

4. **DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF**
(In-Camera Council Meeting Agenda Items)

5. **ADJOURNMENT OF SPECIAL IN-CAMERA COUNCIL MEETING**

6. **RESUMPTION OF REGULAR COUNCIL MEETING**

That Council resume Regular session at p.m.

7. **DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF**
(Public Council Meeting Agenda Items)

8. **REPORT OUT FROM SPECIAL IN-CAMERA COUNCIL MEETING - June 8, 2020**

9. **MINUTES OF PREVIOUS MEETING**

That the minutes **BE ADOPTED** and that those confidential minutes of the closed sessions of Council remain confidential and restricted from public disclosure in accordance with exemptions provided in the Municipal Freedom of Information and Protection of Privacy Act:

9.1 **Special In-Camera Council Meeting Minutes - February 10, 2020**

9.2 **Regular Council Meeting Minutes - February 10, 2020**

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9.3 **Regular Council Meeting Minutes - February 24, 2020**

22

10. **DELEGATIONS**

There are no Delegations.

11. PRESENTATIONS

- 11.1 **Celebrating 20 Years and Preparing for the Future - Joe Barile, General Manager, and Kris Taylor, Director of Corporate Strategy, Essex Power Corporation**

33

That the presentation **BE RECEIVED**.

12. REPORTS – CORPORATE SERVICES

- 12.1 **Water and Wastewater Billing Service Delivery Review**

47

It is recommended that:

1. The purchase of service from Essex Powerlines Corporation for water and wastewater billing and collections **BE CONTINUED**;
2. The Water and Wastewater Billing and Collection Policy **BE ADOPTED** as presented; and,
3. Essex Powerlines Corporation Digital Transformation Strategy, as outlined in Attachment 1 to the Water and Wastewater Billing Service Delivery Review Report dated May 25, 2020 **BE SUPPORTED**.

13. REPORTS – PARKS, FACILITIES, RECREATION AND CULTURE

There are no reports.

14. REPORTS – ENGINEERING AND PUBLIC WORKS

There are no reports.

15. REPORTS – PLANNING, DEVELOPMENT AND LEGISLATIVE SERVICES

There are no reports.

16. REPORTS - CAO's OFFICE

16.1 2020 Appointment of Proxy Holder for Essex Power Corporation's Annual Shareholders' Virtual Meeting

61

It is recommended that:

1. Mayor Aldo DiCarlo **BE APPOINTED** proxy holder for the Town of Amherstburg for Essex Power Corporation's Annual Shareholder's Meeting;
2. Bill Wark **BE APPOINTED** as the alternate proxy holder for the Town of Amherstburg for Essex Power Corporation's Annual Shareholder's Meeting; and,
3. The Clerk **BE AUTHORIZED** to sign all necessary proxy forms to implement this resolution and forward them to Essex Power Corporation as required.

16.2 *Respond, Restart, Recover - COVID-19 - Amherstburg Revitalization Initiative*

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It is recommended that:

1. The Amherstburg Revitalization Initiative and associated events **BE EXEMPT AND PERMITTED** for road closures to begin prior to 5pm for the remainder of 2020;
2. Authority **BE DELEGATED** to Administration to advise the Alcohol and Gaming Commission of Ontario (AGCO) that Council has no objection to the proposed temporary extension of the licensed area for businesses participating in the Amherstburg Revitalization Initiative;
3. The Amherstburg Revitalization Initiative and associated events **BE EXEMPT** from the Noise Bylaw, as long as the Noise generated from the Project and associated events remain under a noise level of 60dba;
4. An exemption **BE GRANTED** to Section 3 of the Kings Navy Yard Park By-law #2004-89 to allow for the Amherstburg Revitalization Initiative and associated events in the Kings Navy Yard Park.

17. INFORMATION REPORTS

That the following information reports **BE RECEIVED**:

17.1	Traffic Study – 4 Way Stop – Pickering and Cherrylawn	75
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18. CONSENT CORRESPONDENCE

That the following consent correspondence **BE RECEIVED**:

18.1	Alliance Grants - Evaluating the Persistence of SARS-COVID-19 in the Urban Water Cycle - Natural Sciences and Engineering Research Council of Canada	90
18.2	Amherstburg Riverfront Festival Plaza and Marina, Municipal Class Environmental Assessment - Ministry of the Environment, Conservation and Parks	97
18.3	Provincial Funding for Rehabilitation Facilities - City of Cambridge Resolution	104
18.4	<i>Outdoor Patio Space for Commercial Businesses - Town of Oakville</i>	106

19. OTHER MINUTES

It is recommended that:

1. The Drainage Board Meeting Minutes of June 2, 2020 **BE RECEIVED**;
2. The engineer's report, prepared by RC Spencer Associates Inc. on May 26, 2020, for the Subsequent Connection – Morgan Drain and North Branch (Section 65(3)) and Subsequent Disconnection – Ouellette Drain West (Section 65(4)) **BE RECEIVED**, as recommended by the Drainage Board;
3. The assessment adjustments as listed in the engineering report prepared by RC Spencer Associates Inc. **BE RECEIVED**, as recommended by the Drainage Board;
4. The assessment adjustments for the Subsequent Connection – Morgan Drain and North Branch (Section 65(3)) and Subsequent Disconnection – Ouellette Drain West (Section 65(4)) **BE APPROVED**, as recommended by the Drainage Board;
5. The request from Camille Elters per Section 76 of the Drainage Act; **BE ACCEPTED**, as recommended by the Drainage Board; and,
6. The appointment of the firm of RC Spencer Associates Inc. to complete an engineering report for the Higgs Drain – New Maintenance Schedule of Assessment **BE APPROVED**, as recommended by the Drainage Board.

20. UNFINISHED BUSINESS

20.1 Unfinished Business List as at June 8, 2020

137

21. NEW BUSINESS

22. NOTICE OF MOTION

There are no Notices of Motion.

23. **BY-LAWS**

23.1 **By-law 2020-036 - Confirmatory By-law**

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That **By-law 2020-036** being a by-law to Confirm all Resolutions of the Municipal Council Meeting held on June 8th, 2020, be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same.

24. **ADJOURNMENT**

That Council rise and adjourn at p.m.

JUNE 2020

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
	<p>1</p> <p>Yard Waste South Zone</p> 	<p>2</p> <p>Drainage Board Meeting 6:00 pm</p> <p>Electronic Participation</p>	3	4	<p>5</p> <p>Recycle</p> 	6
7	<p>8</p> <p>Electronic Participation</p> <p>Special In- Camera Council Meeting 4:00 p.m.</p> <p>Regular Council Meeting 6:00 p.m.</p> <p>Yard Waste North Zone</p> 	9	10	11	12	13

14	15 Yard Waste South Zone 	16 Committee of Adjustment Meeting 7:30 a.m. Electronic Participation	17	18	19 Recycle 	20
21	22 Electronic Participation Special Council Meeting Planning 5:00 pm Regular Council Meeting 6:00 p.m. Yard Waste North Zone 	23	24	25 White Goods Pick Up (Last day to call for a pick up is June 19th) 	26	27
28	29 Yard Waste South Zone 	30				



**TOWN OF AMHERSTBURG
REGULAR COUNCIL MEETING
Monday, February 10, 2020
6:00 PM**

Council Chambers, 271 Sandwich Street South, Amherstburg, ON, N9V 2A5

MINUTES

PRESENT

Mayor Aldo DiCarlo
Deputy Mayor Leo Meloche
Councillor Donald McArthur
Councillor Michael Prue
Councillor Marc Renaud
Councillor Patricia Simone

Giovanni (John) Miceli, CAO
Paula Parker, Clerk
Nicole Rubli, Deputy Clerk

ABSENT

Councillor Peter Courtney

CALL TO ORDER

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

NATIONAL ANTHEM

DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF
(Public Council Meeting Agenda Items)

There were no disclosures of pecuniary interest noted.

MINUTES OF PREVIOUS MEETING

Deputy Mayor Meloche moved the minutes with an amendment to item # 4.4. The November 12, 2019 minutes, New Business item # 1 was amended to note that the Secret Santa charity event was hosted by the Mickle Family, owners of Mealtime Express, with the proceeds going to families in need.

Resolution # 20200210-051

Moved By Deputy Mayor Meloche
Seconded By Councillor McArthur

That the minutes BE ADOPTED and that those confidential minutes of the closed sessions of Council remain confidential and restricted from public disclosure in accordance with exemptions provided in the Municipal Freedom of Information and Protection of Privacy Act:

- 4.1 **Special In-Camera Council Meeting Minutes - October 28, 2019**
- 4.2 **Special In-Camera Council Meeting Minutes - November 12, 2019**
- 4.3 **Special Council Meeting Minutes - Planning - November 12, 2019**
- 4.4 **Regular Council Meeting Minutes - November 12, 2019, *as amended***
- 4.5 **Special In-Camera Council Meeting Minutes - November 25, 2019**
- 4.6 **Regular Council Meeting Minutes - November 25, 2019**
- 4.7 **Special Council Meeting Minutes - Planning - December 9, 2019**

The Mayor put the Motion.

Motion Carried

DELEGATIONS

There were no delegations.

REPORTS – CORPORATE SERVICES

6.1 Development Charges Act Changes Effective January 1, 2020 – Instalments, Rate Freezing and Interest Charges

Resolution # 20200210-052

Moved By Deputy Mayor Meloche
Seconded By Councillor Renaud

Deputy Mayor Meloche moved the motion with additional direction to Administration send correspondence to the Regional Housing Corporation and to apply the higher rate prescribed the province or the rates included in the report.

That:

1. **For any development charges which become payable on or after January 1, 2020, and are payable in instalments in accordance with s. 26.1 of the Development Charges Act, 1997 (as amended), an annual interest rate equal to the greater of;**
 - i. **the second quarter Non-Residential Construction Index plus 0.5%;**
2. **For any development charges which, pursuant to s. 26.2 of the Development Charges Act, 1997 (as amended) (the Act), are calculated as of the date on which either a site plan approval application is deemed complete or a Zoning By-law Amendment application in respect of the development is deemed complete, an annual interest rate equal to the greater of;**
 - i. **the second quarter Non-Residential Construction Index plus 0.5%;**
3. **The annual interest rates as set out in 1 and 2 BE EFFECTIVE as interim rates until such time as the Town’s Development Charges By-law is next reviewed and updated or amended, including establishment of interest rates under said By-law;**
4. **Administration BE DIRECTED to send correspondence to the Regional Housing Corporation Manager to express concern over the shortage of affordable housing in the Town of Amherstburg; and,**
5. **Administration BE DIRECTED to apply the higher of the rates prescribed by the province or the rates included in the report.**

The Mayor put the Motion.

Motion Carried

REPORTS – PARKS, FACILITIES, RECREATION AND CULTURE

There were no reports.

REPORTS – ENGINEERING AND PUBLIC WORKS

There were no reports.

REPORTS – PLANNING, DEVELOPMENT AND LEGISLATIVE SERVICES

There were no reports.

REPORTS - CAO's OFFICE

There were no reports.

INFORMATION REPORTS

Resolution # 20200210-053

Moved By Councillor Simone

Seconded By Councillor McArthur

That the following information reports BE RECEIVED:

- 11.1 2019 Yearly Building Activity**
- 11.2 Annual Committee Report 2019 - Audit and Finance Advisory Committee**
- 11.3 Windsor Essex County Economic Development Corporation (WEEDC) Job Site Challenge Submission**

Resolution # 20200210-054

Moved By Councillor Prue
Seconded By Councillor Simone

That: *(Item # 11.3)*

1. **Administration BE DIRECTED to include the parcel of land to the east of Thomas Road and the parcel of land at the Bru Mon property;**
2. **Administration BE DIRECTED to author a report regarding the highest and best use of lands 1 & 2;**
3. **The CAO meet with Honeywell and the owners of the Bru Mon property;**
4. **The CAO BE DIRECTED to include the outcome of the meeting in the report and to report back to Council before the March 31, 2020 deadline; and,**
5. **Participation in pre-consultations BE APPROVED as allowed by the Province.**

The Mayor put the Motion.

Motion Carried

CONSENT CORRESPONDENCE

Resolution # 20200210-055

Moved By Councillor McArthur
Seconded By Councillor Simone

That the following consent correspondence BE RECEIVED:

12.1 Deep Geologic Repository Project - City of Sarnia Resolution

The Mayor put the Motion.

Motion Carried

The Chief Administrative Officer advised Council that the entire recommendation including both (i) & (ii) were to be considered in item # 6.1 rather than (i) **OR** (ii).

Resolution # 20200210-056

Moved By Deputy Mayor Meloche
Seconded By Councillor Prue

That item # 6.1 BE RECONSIDERED.

The Mayor put the Motion.

Motion Carried

Resolution # 20200210-057

Moved By Deputy Mayor Meloche
Seconded By Councillor Prue

That:

1. For any development charges which become payable on or after January 1, 2020, and are payable in instalments in accordance with s. 26.1 of the Development Charges Act, 1997 (as amended), an annual interest rate equal to the greater of;

i. the second quarter Non-Residential Construction Index plus 0.5%; OR,

ii) the average annual rate at which the Town would issue debentures to fund development charge projects plus 0.5%;

SHALL APPLY to the principal amount of the deferred payment;

2. For any development charges which, pursuant to s. 26.2 of the Development Charges Act, 1997 (as amended) (the Act), are calculated as of the date on which either a site plan approval application is deemed complete or a Zoning By-law Amendment application in respect of the development is deemed complete, an annual interest rate equal to the greater of;

i. the second quarter Non-Residential Construction Index plus 0.5%; OR,

ii) the average annual rate at which the Town would issue debentures to fund development charge projects plus 0.5%;

SHALL APPLY to the amount of the development charge from the date of the complete application to the date the development charge is payable, as permitted by subsection 26.2(3) of the Act; and,

3. **The annual interest rates as set out in 1 and 2 BE EFFECTIVE as interim rates until such time as the Town's Development Charges By-law is next reviewed and updated or amended, including establishment of interest rates under said By-law;**
4. **Administration BE DIRECTED to send correspondence to the Regional Housing Corporation Manager to express concern over the shortage of affordable housing in the Town of Amherstburg; and,**
5. **Administration BE DIRECTED to apply the higher of the rates prescribed by the province or the rates included in the report.**

The Mayor put the Motion.

Motion Carried

CORRESPONDENCE

13.1 March 2020 - Easter Seals Month - Easter Seals Ontario (Windsor-Essex)

Resolution # 20200210-058

Moved By Councillor McArthur
Seconded By Councillor Renaud

That:

1. **The correspondence dated January 31, 2020, from Easter Seals Ontario (Windsor-Essex) regarding March is Easter Seals Month BE RECEIVED; and,**
2. **March BE PROCLAIMED as Easter Seals Month in the Town of Amherstburg.**

The Mayor put the Motion.

Motion Carried

CONSENT OTHER MINUTES

Resolution # 20200210-059

Moved By Councillor Renaud
Seconded By Councillor Simone

That the following minutes BE RECEIVED:

14.1 Committee of Adjustment Meeting Minutes - October 29, 2019

The Mayor put the Motion.

Motion Carried

OTHER MINUTES

15.1 Amherstburg Accessibility Advisory Committee Meeting Minutes - January 23, 2020

Resolution # 20200210-060

Moved By Councillor Renaud

Seconded By Deputy Mayor Meloche

That:

- 1. The Amherstburg Accessibility Advisory Committee Meeting Minutes of January 23, 2020 BE RECEIVED; and,**
- 2. A representative from the Essex County District School Board BE INVITED to attend a meeting to discuss accessibility features planned for the new General Amherst High School.**

The Mayor put the Motion.

Motion Carried

UNFINISHED BUSINESS

1. Councillor Simone asked for Council discussion with respect to items on and to be added to the Unfinished Business List.

The Clerk advised that Administration reviewed the list and if there was any items that Council feels should be added or omitted to let her know.

Councillor Prue provided a list of items, in the form of resolution numbers, that may have been removed from the Unfinished Business List and that he would like looked into.

2. Deputy Mayor Meloche asked for an update with respect to the Bell Fibre installation.

The Mayor advised that the installation timelines are on track and Bell has not asked for any extensions to the contract at this point.

3. Councillor Prue asked for an update with respect to light pollution on Boblo Island where street lighting is shining into some condominiums. He advised that the cap that was placed on the lights to filter light down has not worked for those affected.

The Manager of Roads and Fleet advised that this concern is still being assessed and will ensure that an update will be brought back to Council.

4. Deputy Mayor Meloche asked for an update with respect to the erection of the wildlife awareness signage.

The Manager of Roads and Fleets advised that a sign permit was submitted to the County and the Town is waiting for the permit to be finalized. He further advised that the Town has the materials and that the County has agreed to install the signs.

NEW BUSINESS

1. Councillor Prue advised that he attended the Boblo Island Homeowners meeting where many residents were asking the developer to stop their trucks from idling while on the ferry and while waiting for the ferry. He advised that the developer stated he can't do anything about that since the Town does not have an idling by-law but would apply.

The Manager of Licencing and Enforcement advised that the Noise By-law has an idling provision in it which indicates that idling is prohibited after 5 minutes unless there is extreme cold weather or if there is a manufacturers requirement for it to idle longer.

Councillor Prue asked for a report to be brought back to Council as to whether the Noise By-law can be enforced with respect to idling.

2. Resolution # 20200210-061

Moved By Councillor Simone

Seconded By Councillor McArthur

That Administration BE DIRECTED to look into prohibiting on-street parking during heavy snowfalls to assist snowploughs when clearing snow.

The Mayor put the Motion.

Motion Carried

3. Deputy Mayor Meloche advised that Co-An Park was vandalized last week

4. Resolution # 20200210-062

Moved By Deputy Mayor Meloche
Seconded By Councillor Simone

That Administration BE DIRECTED to send correspondence to the Ministry of Municipal Affairs and Housing asking for an update with respect to the Town's grant submission in the Municipal Modernization Program.

The Mayor put the Motion.

Motion Carried

5. Resolution # 20200210-063

Moved By Councillor McArthur
Seconded By Deputy Mayor Meloche

That Administration BE DIRECTED to contact the Association of Municipalities Ontario (AMO) to seek their position on cannabis consumption venues and that a report BE BROUGHT by the March 9, 2020, Regular Council Meeting so that the Town can take an official position on cannabis consumption venues within the Town of Amherstburg.

The Mayor put the Motion.

Motion Carried

6. Resolution # 20200210-064

Moved By Councillor McArthur
Seconded By Councillor Prue

That an exemption BE GRANTED to Section 12.1 of the Town's Sign By-law to allow for an off-site portable sign and that relief from the moratorium BE GRANTED on portable signs to Amherstburg Public School to allow them to advertise their kindergarten registration on a portable sign at 300 Victoria Street South until February 28, 2020.

The Mayor put the Motion.

Motion Carried

7. Councillor McArthur advised that Viking Cruises is setting up in Windsor and inquired as to docking capabilities in Amherstburg.

The Chief Administrative Officer advised that there are currently no appropriate docking capabilities for Viking Cruise Lines in Town but the concept at the Duffy's site has made that provision.

NOTICE OF MOTION

There were no Notices of Motion.

BY-LAWS

Resolution # 20200210-065

Moved By Deputy Mayor Meloche
Seconded By Councillor Prue

19.1 By-law 2019-092 - Road Allowance Transfer for 26 Whelan Drive

That By-law 2019-092 being a by-law to stop up, close and sell a portion of the unimproved road allowance in front of 26 Whelan Drive be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.

19.2 By-law 2020-013 - Appointment of Building Officials and Inspectors

Resolution # 20200210-066

That By-law 2020-013 being a by-law to appoint Building Officials and Inspectors, be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.

19.3 By-law 2020-016 - Confirmatory By-law

Resolution # 20200210-067

That By-law 2020-016 being a by-law to Confirm all Resolutions of the Municipal Council Meeting held February 10th, 2020, be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.

The Mayor put the Motion.

Motion Carried

SPECIAL IN-CAMERA COUNCIL MEETING

Resolution # 20200210-068

Moved By Deputy Mayor Meloche
Seconded By Councillor Simone

That Council move into an In-Camera meeting of Council at 6:57 p.m. pursuant to Section 239 of the Municipal Act, 2001, as amended for the following reason:

ITEM A - Section 239(2)(d) - Labour relations or employee negotiations.

The Mayor put the Motion.

Motion Carried

DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF
(In-Camera Council Meeting Agenda Items)

There were no disclosures of pecuniary interest noted.

ADJOURNMENT OF IN-CAMERA COUNCIL MEETING @ 7:35 P.M.

Council adjourned in Special In-Camera session.

MAYOR – ALDO DICARLO

CLERK – PAULA PARKER



**TOWN OF AMHERSTBURG
REGULAR COUNCIL MEETING**

**Monday, February 24, 2020
6:00 PM**

Council Chambers, 271 Sandwich Street South, Amherstburg, ON, N9V 2A5

MINUTES

PRESENT

Mayor Aldo DiCarlo
Deputy Mayor Leo Meloche
Councillor Peter Courtney
Councillor Donald McArthur
Councillor Michael Prue
Councillor Marc Renaud
Councillor Patricia Simone

Giovanni (John) Miceli, CAO
Paula Parker, Clerk
Nicole Rubli, Deputy Clerk

CALL TO ORDER

The Mayor called the meeting to order at 6:04 p.m.

NATIONAL ANTHEM

DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF

There were no disclosures of pecuniary interest noted.

REPORT OUT FROM IN CAMERA SESSION - February 10, 2020

Council met on February 10, 2020, for a Special In-Camera Meeting at 6:57 p.m. and discussed the following (1) item as provided for under Section 239 of the Municipal Act:

Item A was heard under Section 239(2)(d). There is nothing further to report.

DELEGATIONS

5.1 AMA Sportmen Association - Request to Waive Park Rental Fee for Bob Meloche Kids Fishing Derby - Chris Drew

Resolution # 20200224-069

Moved By Councillor McArthur
Seconded By Councillor Renaud

That:

- 1. The delegation BE RECEIVED; and,**
- 2. The park rental fee BE WAIVED for the Bob Meloche's Kids Fishing Derby in the Kings Navy Yard Park on June 21, 2020.**

The Mayor put the Motion.

Motion Carried

5.2 Amherstburg Freedom Museum - Request to Waive Fee for Ribs & Ragtime - Mary-Katherine Whelan

Resolution # 20200224-070

Moved By Councillor Prue
Seconded By Deputy Mayor Meloche

That:

- 1. The delegation BE RECEIVED; and,**

2. The road closure fee BE WAIVED for the Ribs and Ragtime event.

The Mayor put the Motion.

Motion Carried

REPORTS – CORPORATE SERVICES

There were no reports.

REPORTS – PARKS, FACILITIES, RECREATION AND CULTURE

There were no reports.

REPORTS – ENGINEERING AND PUBLIC WORKS

There were no reports.

REPORTS – PLANNING, DEVELOPMENT AND LEGISLATIVE SERVICES

9.1 2020 Special Events Approval – Part I

Resolution # 20200224-071

Moved By Deputy Mayor Meloche

Seconded By Councillor Simone

That:

1. The following events BE APPROVED:

- **Ducks on the Detroit River – February 29, 2020**
- **Good Friday Procession – April 10, 2020**
- **Amherstburg Baseball Parade – May 2, 2020**
- **Ribs and Ragtime – June 6, 2020**
- **Bob Meloche Kids Fishing Derby – June 21, 2020**
- **The Gathering Amherstburg Worship in the Park – July 5, 2020**
- **The Gathering Amherstburg Worship in the Park – August 16, 2020**

2. An exemption from table number 3-1-2 of Noise By-law #2001-43 with respect to the operation of any electronic device or group of

connected electronic devices incorporating one or more loudspeakers to allow for music BE GRANTED for the following events:

- **Ribs and Ragtime – June 6, 2020**
- 3. The following events BE EXEMPT and PERMITTED for road closures to begin prior to 5pm:**
- **Good Friday Procession – April 10, 2020 (Rolling Road Closure)**
 - **Amherstburg Baseball Parade – May 2, 2020 (Rolling Road Closure)**
 - **Ribs and Ragtime – June 6, 2020**
- 4. An exemption BE GRANTED to Section 3 of the Kings Navy Yard Park By-law #2004-89 to allow for the following public events in the Kings Navy Yard Park:**
- **Ducks on the Detroit River – February 29, 2020**
 - **Bob Meloche Kids Fishing Derby – June 21, 2020**
- 5. An exemption BE GRANTED to Section 3 and 4b of the Kings Navy Yard Park By-law #2004-89 to allow for a public function and fishing outside of the designated fishing area for the event listed:**
- **Bob Meloche Kids Fishing Derby - June 21, 2020**
- 6. An exemption BE GRANTED to Section 5 of the Parks By-law #2002-72 to allow for a religious ceremony and picnic at Toddy Jones Park and Kings Navy Yard Park for the following events:**
- **The Gathering Amherstburg Worship in the Park – July 5, 2020**
 - **The Gathering Amherstburg Worship in the Park – August 16, 2020**
- 7. The Public Events Committee BE DIRECTED to confirm that the requirements identified by the Committee are met prior to the event.**

The Mayor put the Motion.

Motion Carried

9.2 Ontario Consultation – Cannabis Consumption Venues and Special Occasion Permits

Resolution # 20200224-072

Moved By Councillor Prue
Seconded By Councillor McArthur

That:

- 1. The Town's position on Cannabis Consumption Venues and Special Occasion Permits BE DEFERRED to the March 9, 2020, Regular Council Meeting; and,**
- 2. A completed survey to BE BROUGHT back to the March 9, 2020, Regular Council Meeting for consideration.**

The Mayor put the Mayor.

Motion Carried

REPORTS - CAO's OFFICE

10.1 Feasibility of Amherstburg Environmental Advisory Committee

Councillor Prue moved the motion with the addition of the composition, appointment, and meeting schedule of the committee.

Resolution # 20200224-073

Moved By Councillor Prue
Seconded By Councillor McArthur

That:

- 1. Based on the report from the Municipal Clerk regarding Feasibility of Amherstburg Environmental Advisory Committee dated February 7, 2020, the following Committee mandates BE AMENDED to include an environmental component in line with their current mandate:**
 - **Parks and Recreation Advisory Committee**
 - **Amherstburg Economic Advisory Committee**
 - **Mayor's Youth Advisory Committee**
 - **Senior's Advisory Committee**
 - **Heritage Committee**
 - **Amherstburg Accessibility Advisory Committee**

2. **The composition of the Amherstburg Environmental Advisory Committee consist of the following:**
 - **2 members of Council, 5 citizens – all voting members**
 - **Manager of Planning – non-voting member**
 - **Manager of Public Works – non-voting member**
3. **An advertisement BE PLACED in the River Town Times and citizen members BE CHOSEN by Council with an emphasis on environmental and ecological interest one of whom is under 25 years of age; and,**
4. **The committee meeting BE HELD bi-monthly with a report brought back to Council.**

The Mayor put the Motion.

Motion Carried

INFORMATION REPORTS

Resolution # 20200224-074

Moved By Councillor Simone
Seconded By Deputy Mayor Meloche

That the following information reports BE RECEIVED:

- 11.1 **Monthly Fire Department Activity Report – January 2020**
- 11.2 **Amherstburg Water Treatment Plant Submission of the 2019 Annual Summary Report**
- 11.3 **Annual Committee Report 2019 – Economic Development Advisory Committee**
- 11.4 **Cheque Listing for the Month of January 2020**

The Mayor put the Motion.

Motion Carried

CONSENT CORRESPONDENCE

Resolution # 20200224-075

Moved By Councillor Simone
Seconded By Councillor Renaud

That the following consent correspondence BE RECEIVED:

- 12.1 Request for Support from Essex County Federation of Agriculture - Bill 156, Security from Trespass and Protecting Food Safety Act, 2019**
- 12.2 Village of Merrickville-Wolford - Provincially Significant Wetlands Designation**

The Mayor put the Motion.

Motion Carried

Resolution # 20200224-076

Moved By Councillor McArthur
Seconded By Councillor Renaud

*(Item # 12.1) – That Administration BE DIRECTED to send correspondence to the Minister of Agriculture, Food and Rural Affairs, in support of the new proposed legislation, **Bill 156: Security from Trespass and Protecting Food Safety Act.***

The Mayor put the Motion.

Motion Carried

OTHER MINUTES

Resolution # 20200224-077

Moved By Deputy Mayor Meloche
Seconded By Councillor Courtney

That the following other minutes BE RECEIVED:

- 13.1 Committee of Adjustment Meeting Minutes - November 26, 2019**
- 13.2 Committee of Adjustment Meeting Minutes - December 17, 2019**

The Mayor put the Motion.

Motion Carried

13.3 Economic Development Advisory Committee Minutes – February 6, 2020

Resolution # 20200224-078

Moved By Councillor Simone
Seconded By Deputy Mayor Meloche

That:

1. **The Town of Amherstburg APPROACH the property owner to investigate the opportunities to create a Master Plan for the former Honeywell site to determine its highest and best use;**
2. **The Town of Amherstburg BRING a report to explore the possibilities of obtaining waterfront properties as they become available in accordance with the Town's Official Plan; and,**
3. **The Transportation Study BE REFERRED to the Economic Development Advisory Committee before being presented to Council.**

The Mayor put the Motion.

Motion Carried

UNFINISHED BUSINESS

There was no Unfinished Business brought forward.

NEW BUSINESS

1. Resolution # 20200224-079

Moved By Councillor Courtney
Seconded By Councillor Renaud

That Administration BE DIRECTED to contact AMICO in respect to the timelines required to remedy the inability to offer ferry transportation for our Fire Department apparatus to and from the island with an update bought back to Council in a timely manner.

The Mayor put the Motion.

Motion Carried

2. Councillor Courtney asked if the Town has use of Centennial Park for baseball for the whole season.

The Chief Administrative Officer advised that the Town has use of Centennial Park for the 2020 summer season.

3. Councillor Courtney asked for an update with respect the Great Spaces Great Places grant which is encompassing of the pool and diamonds and further if there was a contingency plan in place to move ahead with the pool and diamonds, depending on the outcome of the grant.

The Chief Administrative Officer advised that Administration is currently looking at the options for indoor and outdoor pools and that the Great Spaces Great Places project does include relocation of the pool to the Libro Centre. With respect to the contingency plan, the CAO advised that the plan that was implemented last year will be implemented this year. He further advised that the Town should hear back sometime in late spring; however, there are currently arrangements in progress to get an update from the Ministry that is handling the Town's grant application.

4. Councillor McArthur asked how long access will be permitted at the skate park.

The Chief Administrative Officer advised that Windsor Essex County District School Board has yet to go through their process for approvals from the Provincial government. He advised that once the school board has their approvals in place, the Town will have an answer with respect to the timeline for the skate park.

5. Resolution # 20200224-080

Moved By Councillor Prue

Seconded By Deputy Mayor Meloche

That Administration BE DIRECTED to meet with businesses in the downtown core to assist them with locations for staff parking and to look into the feasibility of staff permit parking, including overnight parking, and to educate businesses and the community on downtown parking.

The Mayor put the Motion.

Motion Carried

6. Councillor Simone asked for the portable speed radar unit to be placed at Concession 3 in the 50km zone to monitor speeding in that area.

The Director of Engineering and Public Works advised that she will arrange for placement of the speed radar unit and will also speak with the Police regarding additional Police presence in that particular area.

7. Councillor McArthur asked for an update with respect to the Amherstburg Chamber of Commerce sign at the North gateway which is blocking the view of the new Amherstburg sign.

The Chief Administrative Officer advised that an Advertising policy is coming to Council which will include the two digital signs at the North and South gateways as well as the digital sign at the Libro. He further advised that he had preliminary discussions with the Amherstburg Chamber of Commerce and the hope is that they would be willing to remove their sign if the Town is able to ensure that the Chamber remains revenue neutral.

8. Councillor Prue advised that the November 26, 2019, Committee of Adjustment meeting minutes were just now before Council two months after the meeting and that this could be an issue if Council is required to submit appeal within 30 days of the committee meeting.

The Clerks advised that those minutes specifically were delayed due to the committee's decision to seek legal advice on a matter that arose from that meeting. She further advised that she will clarify appeal deadlines with the Manager of Planning.

9. Councillor McArthur advised that the street lights that were just erected on the eastern section of Whelan Avenue appear to be difference from the rest of the street lights on Whelan Avenue.

The Director of Engineering and Public Works advised that Town and the developer noticed the difference style of street lights after they were installed as a result of a glitch in the order and further that Administration is currently working with the developer to get this rectified.

NOTICE OF MOTION

There were no Notices of Motion.

BY-LAWS

17.1 By-law 2020-017 - Confirmatory By-law

Resolution # 20200224-081

Moved By Deputy Mayor Meloche
Seconded By Councillor McArthur

That By-law 2020-017 being a by-law to confirm all the resolutions of the Municipal Council Meetings held February 24, 2020 be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.

The Mayor put the Motion.

Motion Carried

ADJOURNMENT

Moved By Councillor Courtney
Seconded By Councillor Simone

That Council rise and adjourn at 7:48 p.m.

The Mayor put the Motion.

Motion Carried

MAYOR – ALDO DICARLO

CLERK – PAULA PARKER

Essex Powerlines Corporation
Celebrating 20 years ...
Preparing for the Future
2020 Council Presentation



Who We Are



Essex Power Corporation Shareholders



- Serves as the holding company
- Provides corporate services and direction in the areas of finance, new business development and marketing



Regulated Local Distribution Company

- Customer Services
- Billing/Account Info
- Energy Conservation
- Community Events



Service Company

- Provides maintenance, construction and other third party services to customers and municipal shareholders



Energy Management Services Company

- Provides energy management services including, settlement, distributed generation expertise and consulting services to customers



Meter Data Management Company

- Provides a web-based service which delivers the information needed for distribution utilities to more informed business decisions

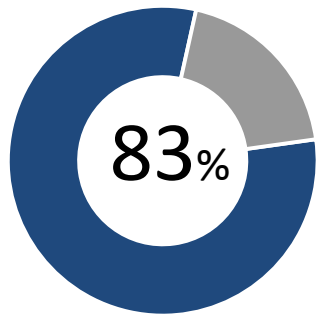


Energy Analysis Service Company

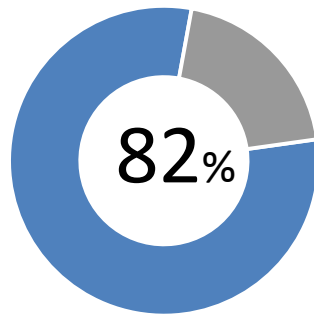
- Provides a variety of energy management services to participants in the Ontario market

Customer Value: Perception of Overall Service

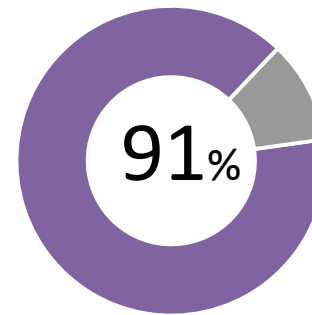
**Overall
Satisfaction**



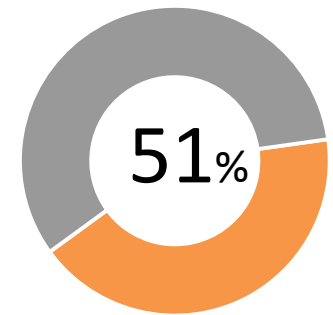
**Quality of Power
Service**



**Quality of
Customer Service**



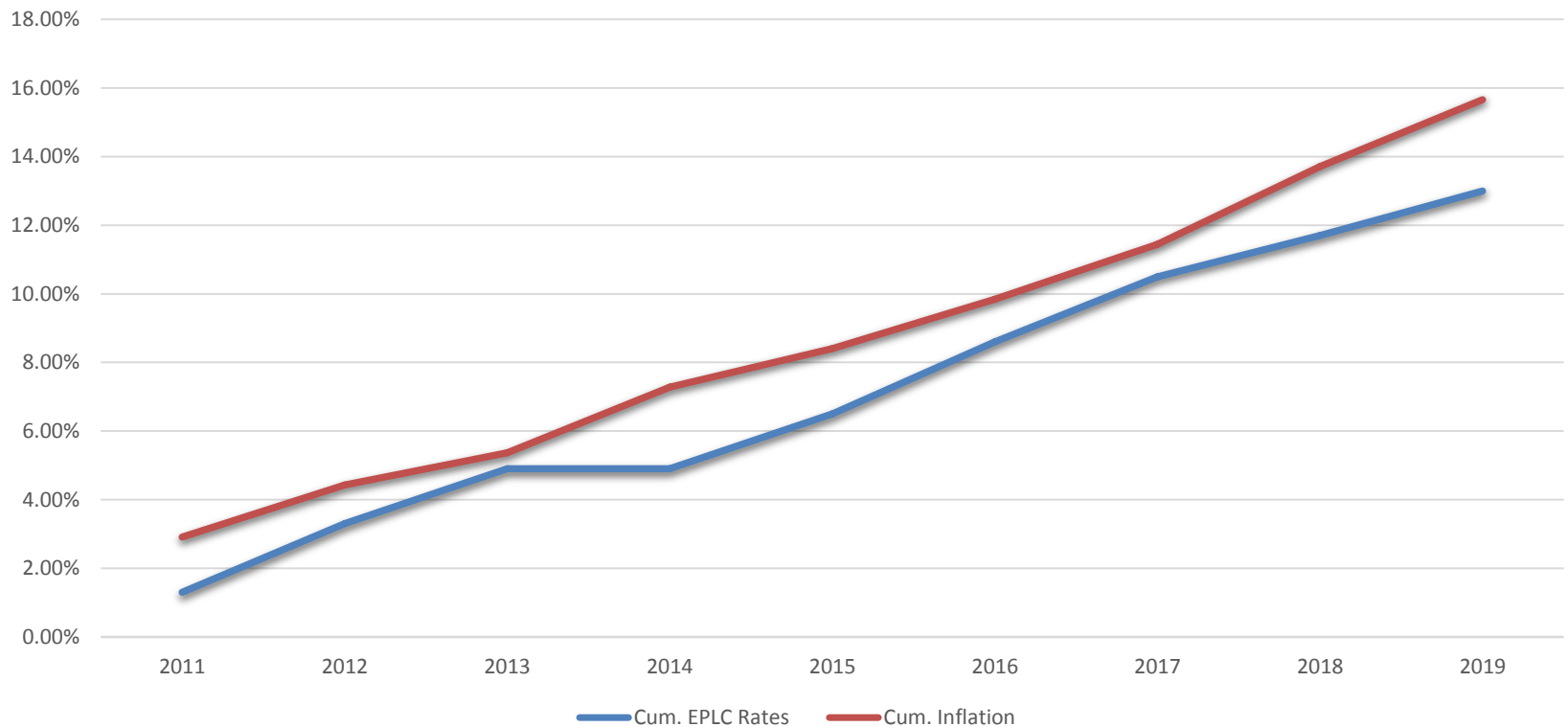
**Affordability of
Service**



Source: January 2019 – Innovative Research Group

Reasonable Rates: Distribution Rate Impacts – Historical

EPLC Rates Vs. Inflation



Reasonable Rates: OEB OM&A Provincial Ranking

Lowest Cost Per Customer

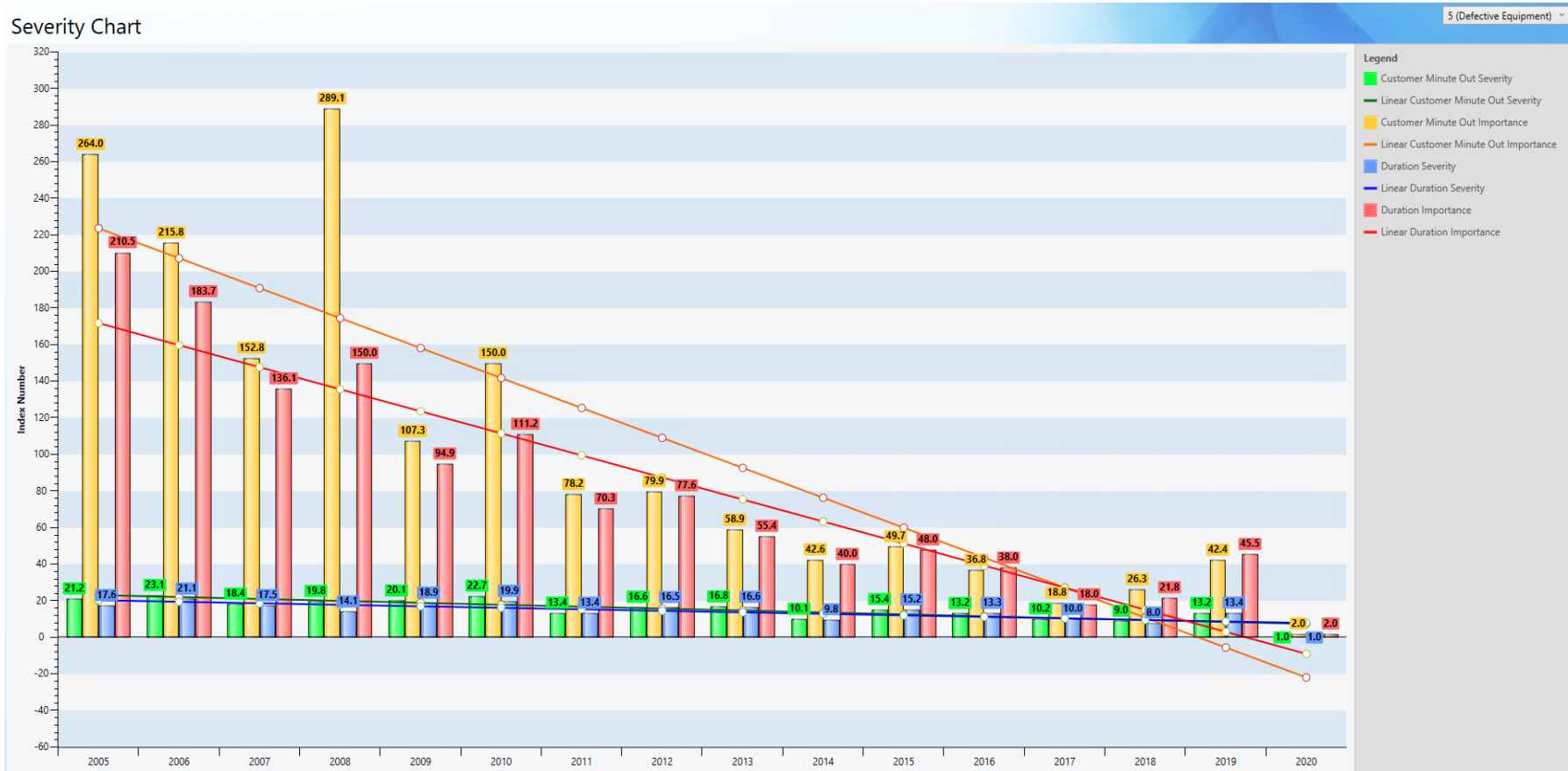
LDC Name	OM&A Per Customer	Customer Count
Kitchener-Wilmot Hydro Inc.	\$ 204.76	96,827
Hydro Hawkesbury Inc.	\$ 210.95	5,547
E.L.K. Energy Inc.	\$ 215.17	12,411
Veridian Connections Inc.	\$ 223.74	121,826
Oshawa PUC Networks Inc.	\$ 234.08	58,745
Westario Power Inc.	\$ 234.12	23,547
Wasaga Distribution Inc.	\$ 234.28	13,789
Alectra Utilities Corporation	\$ 237.60	991,102
Milton Hydro Distribution Inc.	\$ 239.73	39,579
Peterborough Distribution Incorporated	\$ 244.85	37,139
Entegrus Powerlines Inc.	\$ 247.88	59,186
London Hydro Inc.	\$ 248.01	159,039
Ottawa River Power Corporation	\$ 249.09	11,247
Essex Powerlines Corporation	\$ 251.70	30,012
Lakefront Utilities Inc.	\$ 255.43	10,450
Orangeville Hydro Limited	\$ 255.87	12,583
Hydro Ottawa Limited	\$ 260.38	335,320
Oakville Hydro Electricity Distribution Inc.	\$ 260.55	72,108
Waterloo North Hydro Inc.	\$ 261.50	57,471
North Bay Hydro Distribution Limited	\$ 262.99	24,172

Highest Cost Per Customer

LDC Name	OM&A Per Customer	Customer Count
Algoma Power Inc.	\$ 1,048.07	11,721
Atikokan Hydro Inc.	\$ 680.30	1,636
Chapleau Public Utilities Corporation	\$ 646.97	1,208
Sioux Lookout Hydro Inc.	\$ 516.67	2,839
Fort Frances Power Corporation	\$ 460.75	3,745
Northern Ontario Wires Inc.	\$ 455.67	5,903
Wellington North Power Inc.	\$ 453.65	3,805
West Coast Huron Energy Inc.	\$ 443.58	3,869
Espanola Regional Hydro Distribution Corporation	\$ 423.34	3,303
Kenora Hydro Electric Corporation Ltd.	\$ 423.23	5,565
Hydro One Networks Inc.	\$ 420.06	1,333,601

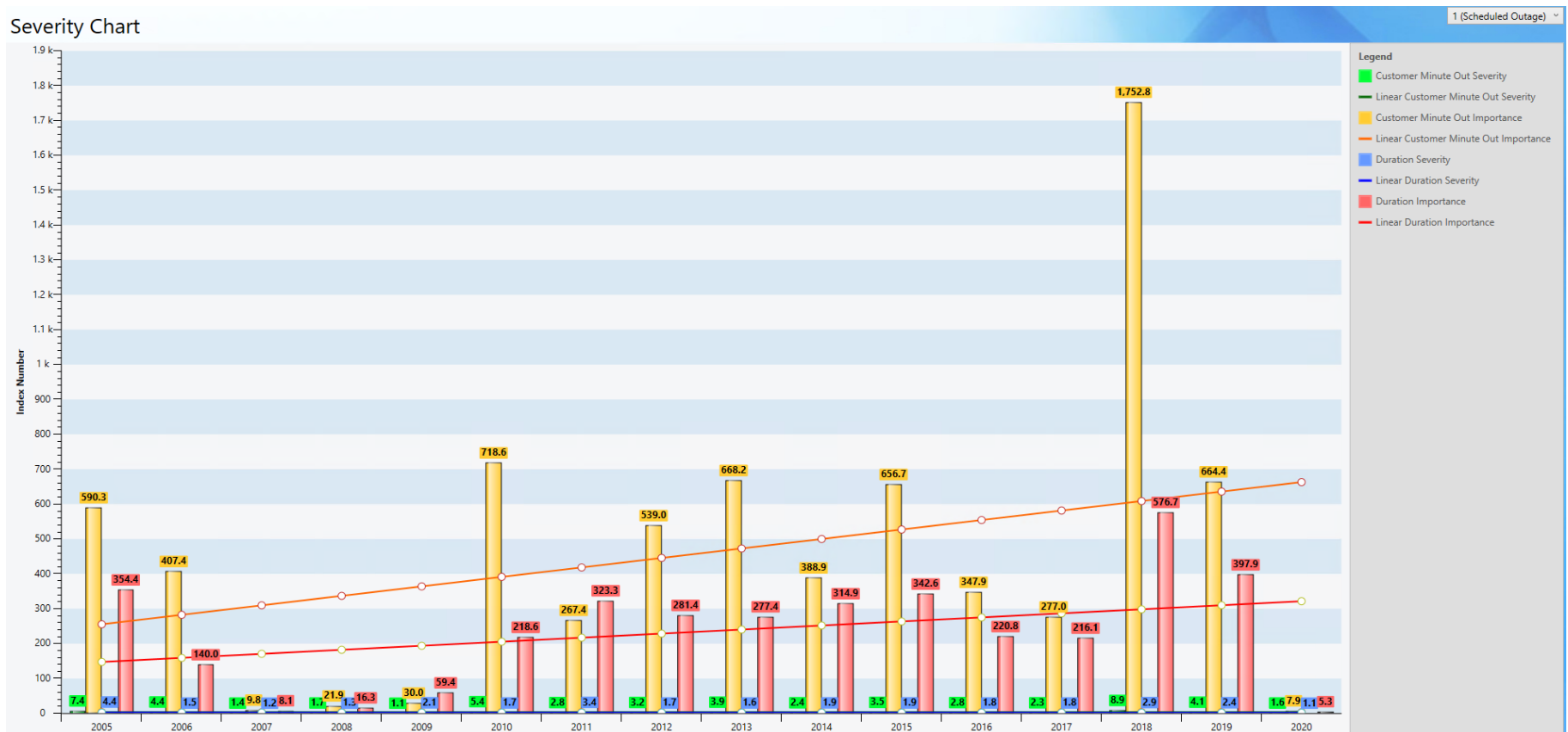
Operational Excellence: Defective Equipment related outages

Severity Chart



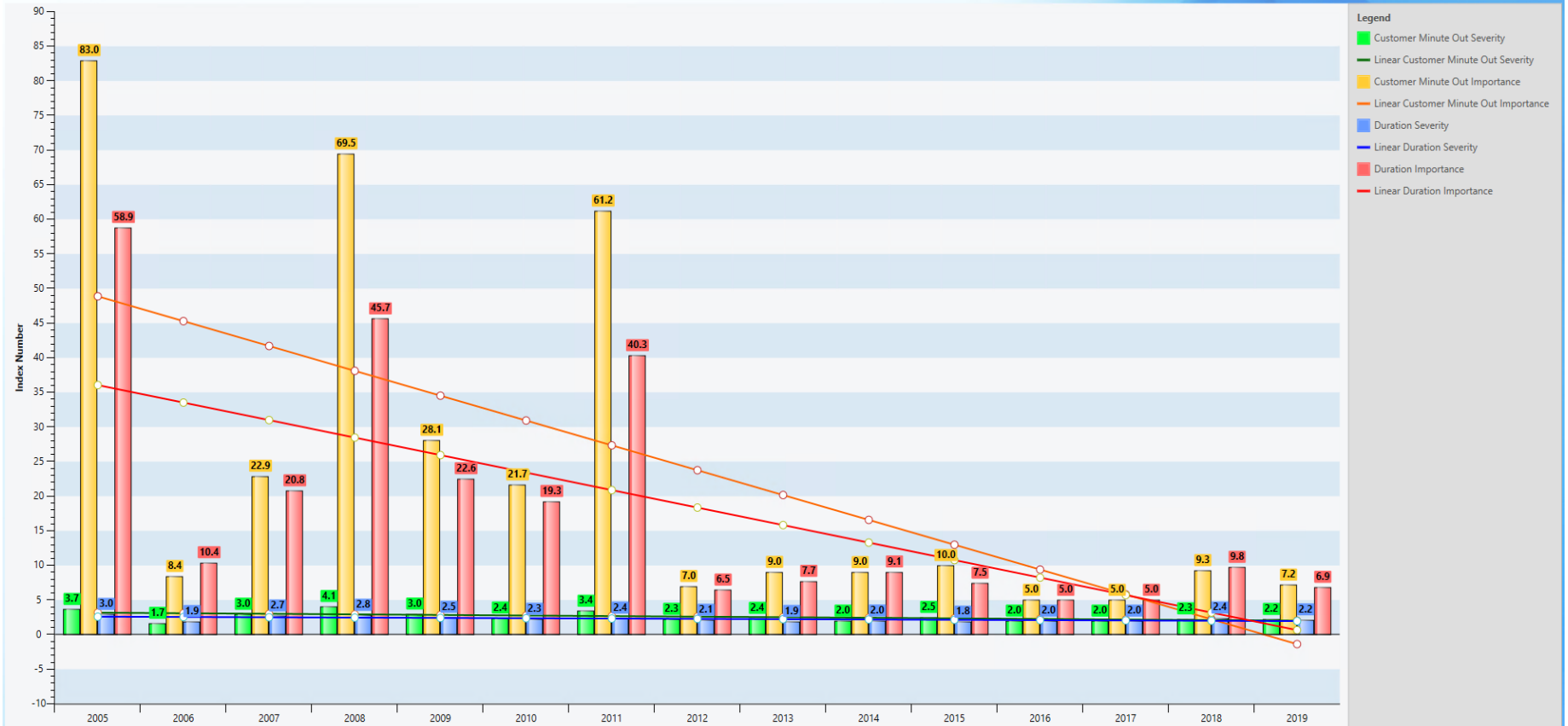
Operational Excellence: Planned outages

Severity Chart



Operational Excellence: Tree Contact related outages

Severity Chart



Operational Excellence: Self-Healing Grid

- Over 75% of EPLC outages are Loss of Supply related;
- This means that outage root causes are outside of EPLC control;
- EPLC is installing Line Monitors, Reclosers & upgrading Wholesale Meters to reduce the impacts of Loss of Supply events;
- These devices will allow EPLC's Smart Grid to automatically attempt to resolve outages and isolate/minimize the impact of outages;



Essex Powerlines Supporting Community Youth

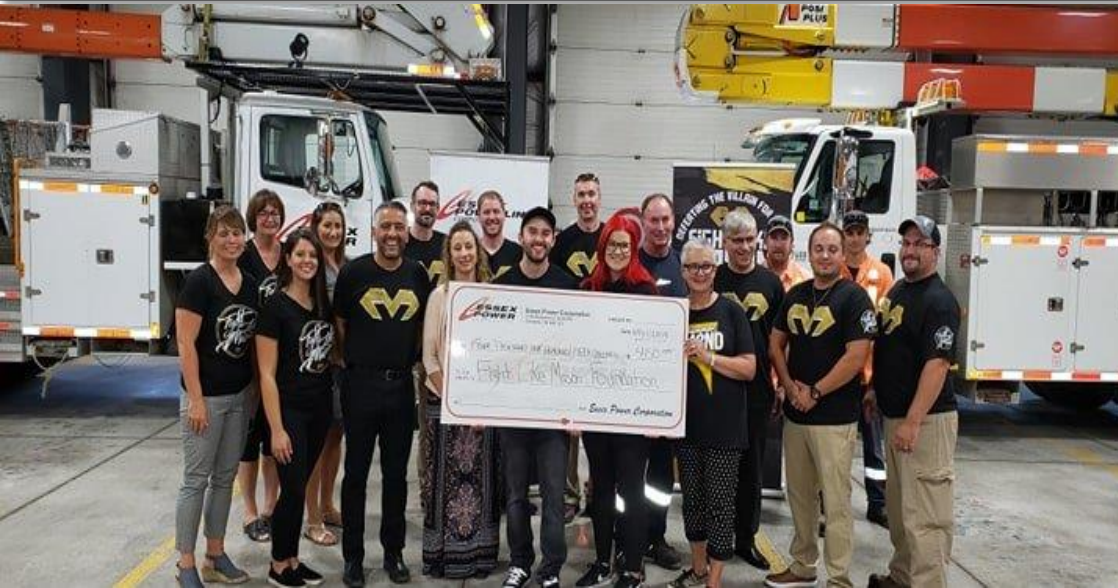


Essex Power continues to donate **\$40,000** annually, divided equally amongst each municipality. **To date** almost **\$280,000** has been given to the youth initiatives throughout EPL's distribution area.

Some of the Youth events and organizations the fund helped are:

- Essex Power Energy Zone
- Amherstburg Wildcats Gymnastics Program
- Jingle Bell Rock Youth Dance
- Free Youth swims
- Free Youth skates
- The Essex Empowerment Corporation Girls Group

Essex Powerlines Your Community Partner



- Essex Power and staff have donated over \$5000 yearly to each community that we proudly serve.



- Essex Power has been a proud sponsor of our Community Festivals such as the annual Rib Fest, Strawberry Fest, Corn Fest and more





Essex Powerlines' Digital Transformation

- Paperless Billing;
- In-field Staking & Design;
- Enhanced Customer Service;
 - Self-Service Tools;
 - New Website;
 - Online Outage Map;
 - Virtual Assistant;
- SmartMAP
- 24/7 Control Room;
- Self-Healing Grid;

The Push for Paperless in 2020

- EPLC currently has 23% of its customer base on paperless billing;
- Mandated paperless billing effective January 1st, 2021 approved by Board;
- Significant environmental benefits to be realized by both Essex Power and our shareholder communities;
- Invest in enhanced customer facing tools & our communities;
- Give Where You Live!

FAST FACTS

EPL

FROM CRADLE-to-GRAVE, EPL's BILLING PROCESS EMITS

14,000 kg **CO₂e**

17 TREES

can be saved with every ton of recycled paper. If everyone transitioned to paperless, we could save over 250 trees a year!



RECYCLING

One ton of paper saves 682.5 gallons of oil, 7,000 gallons of water, and 3.3 cubic yards of landfill space. At EPL, we use approx. 15 tons of paper to print bills each year!

PAPER & PAPER PRODUCTS

account for more than 1/3 of all Canada's waste



Thank You! Questions?





THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF CORPORATE SERVICES

MISSION STATEMENT: Committed to delivering cost-effective and efficient services for the residents of the Town of Amherstburg with a view to improve and enhance their quality of life.

Author's Name: Justin Rousseau	Report Date: May 25, 2020
Author's Phone: 519 736-0012 ext. 2259	Date to Council: June 8, 2020
Author's E-mail: jrousseau@amherstburg.ca	Resolution #:

To: Mayor and Members of Town Council

Subject: Water and Wastewater Billing Service Delivery Review

1. **RECOMMENDATION:**

It is recommended that:

1. The purchase of service from Essex Powerlines Corporation for water and wastewater billing and collections **BE CONTINUED**;
2. The Water and Wastewater Billing and Collection Policy **BE ADOPTED** as presented; and
3. Essex Powerlines Corporation Digital Transformation Strategy, as outlined in Attachment 1 to the Water and Wastewater Billing Service Delivery Review Report dated May 25, 2020 **BE SUPPORTED**.

2. **BACKGROUND:**

Currently Essex Powerlines Corporation (Essex Power) provides water and wastewater billing and collection services for the Town of Amherstburg, including issuance of approximately 3,650 monthly water and wastewater bills, which include electrical utility charges, and 5,600 quarterly water and wastewater bills.

On April 23, 2018, a business case report was submitted as part of the 2018 Water and Wastewater Budget package recommending a move to in-house water and wastewater billing and collections and elimination of tenant billings. The proposed operational changes were approved by Council and the transition to registered owner billings was initiated. The estimated cost savings of \$6,000 dollars from the move to in-house billing and collections was to occur in year two of the business case. Other expected results of bringing the services in-house included: more expedient response to billing issues,

improved collections through addition of account arrears to tax accounts and improved access to data for administrative and customer service purposes.

Subsequent to approval of that report, Essex Power approached Administration with a request to delay the transition to in-house billing and collections in order to allow for review of the current business processes and service costs. To ensure that viable options were considered, Administration met with Essex Power to outline the issues and business process challenges. Both parties undertook a review of opportunities to address the noted issues and Essex Power was asked to identify cost savings for the services.

In the 2018 Year End (Q4) report (in July 2019), Administration advised Council that implementation of the in-house billing and collection had been deferred to allow Administration to undertake further review of options with the current service provider.

4. DISCUSSION:

The meetings have led to a review of many aspects of water and wastewater billing and collection processes. This has also led to improved information sharing and changes in operational practices and procedures.

Billings that fall into arrears are now added to the property tax account, along with applicable fees and charges. These additions to roll are, consistent with the Municipal Act 2001- Sections 391 and 398, which allow the municipality to add fees and charges for the supply of a public utility to the tax roll, and Ontario Regulation 581/06 which establishes priority lien status for those amounts added to the tax roll.

Essex Power Services:

One of the main concerns had been lack of communication on water billing issues and follow up on customer accounts. Essex Power has provided the Town with access to its billing program so Administration can better troubleshoot billing issues and provide customer assistance when contacted directly by a customer.

Another key issue reviewed was the write-off of closed accounts by Essex Power once all of their collection efforts had been exhausted. Many of the accounts written off had been held in the name of the tenant where the tenant had moved out and left the bills unpaid. Under the amended process Essex Power provides Administration with arrears listings for accounts at least two billing cycles in arrears. Account arrears from the list are then added to the tax roll semi-annually for collection in a like manner as taxes. The addition of water and wastewater account arrears to the roll has led to the collection of some accounts that had remained unpaid for a number of years.

As noted above, the transition away from non-owner water/wastewater accounts is in progress, with all new accounts being established in the registered property owner's name(s). However, approximately 400 tenant accounts remain to be transitioned. Administration is working with Essex Power to terminate the remaining tenant accounts and to establish the accounts under the registered property owner's name(s) in order to provide a consistent level of service for accountholders and to ensure that property

owners are clear on their financial responsibility related to municipal utility costs for their properties.

The Town provides water services into LaSalle and Essex; however the new process for collection efforts cannot be directly enforced by the Town as the property rolls are in the other municipalities. Administration is continuing to investigate ways to mitigate risk for collection of these accounts.

Cost of Services and Billing Process:

In addition to working with Essex Power to streamline business processes, improve customer service and mitigate account collection issues, Administration has also asked them to review the costing model to see if there are ways to provide savings to the Town. On December 9th, 2019 a meeting was held between Administration and Essex Power. Essex Power committed to a reduction of \$20,000 per year; which reduced the Town's cost for billing services to \$165,000 annually.

In the business case for in-house vs contracted services for billing and collections, one of the most significant costs was the cost for postage. The business case for in-house services assumed quarterly billing for all water accounts, and had an estimated annual cost of \$174,000 (2018 \$). The adjusted annual cost for Essex Power services is now much less than the estimated cost for in-house services.

Essex Power, much like many service providers, is looking to eliminate paper billing and postage cost as they are looking to prioritize green and environmentally conscious initiatives. Per correspondence from Essex Power dated December 6, 2019 (**Attachment 1**), they have mandated a move to paperless billing (e-billing) in 2020, with a goal of 75% compliance by January 1, 2021. Essex Powerlines has since advised that impacts of Covid 19 may result in a downward adjustment to their aforementioned compliance goal.

Currently, one of the largest customer complaints relates to the 5,600 customers that are on a quarterly billing cycle. Many have indicated that they would prefer to receive a monthly bill as it would help them budget and would provide more timely information, which is particularly important in cases where there may be high consumption due to a leak. Essex Power has committed to working towards allowing for monthly billing for all those quarterly billing customers that sign up for paperless billing in Amherstburg. This service level enhancement should provide assistance with collection efforts and improve customer satisfaction by addressing customer identified issues with quarterly billing. Meter reading is performed monthly by the Town, so a move to monthly billing can be accommodated without additional cost in that regard.

Essex Power has also committed to reviewing the adjusted annual service cost based on the amount of paperless billing vs paper billing for Town customers; which is expected to lead additional savings subject to the success of the paperless billing program.

Based on the above, Administration has found that the benefits anticipated under the proposal to bring the billing and collection services in-house may instead be realized through continued purchase of service from Essex Power; including more expedient response to billing issues, improved collections through addition of account arrears to tax accounts and improved access to data for administrative and customer service purposes. In addition, benefits are being realized from the new fee structure, proposed transition to e-billing, and work done to increase collection powers and customer service improvements. Therefore, Administration recommends that the Town continue to purchase water and wastewater billing and collection services from Essex Power.

Administration continues to work with Essex Power and to review and adjust business processes. As with any purchase of service arrangement, Administration will continue to monitor the service going forward.

Billing and Collection Policy:

Another consideration that came to light during the review of billing and collection processes was a lack of formal Town policy specific to water and wastewater billing and collections. This report recommends adoption of a Water and Wastewater Billing and Collection Policy (**Attachment 2**). Highlights of the Policy are as follows:

- Accountholders must be registered property owners (discussed above; consistent with property tax accounts)
- Electronic billing where possible (customer service initiative to expedite billing process and mitigate related costs)
- Allow for refund of account deposit after three years (customer service initiative)
- Clarify how payments are applied (consistent with property tax accounts)
- Allowance for relief – significant water leak (customer service initiative, similar to other municipalities)

As noted above, Administration is reviewing options with regards to billing and collection of Town accounts for properties situate in other municipalities.

Subject to approval of the recommendations in this report, the Town's Water By-law will be updated to align with the Water and Wastewater Billing and Collection Policy, and brought forward to Council for adoption.

4. RISK ANALYSIS:

The Policy recommended in this report will mitigate risk in relation to applying consistent and authorized measures to administering the Town's water and wastewater accounts.

At this time, risk remains for accounts on properties that are outside of the Town's boundaries; however Administration is continuing to seek means of mitigating those risks.

5. FINANCIAL MATTERS:

A positive variance of \$20,000 can be expected in 2020 due to reduction of contract cost with Essex Powerlines Corporation; which will affect the collection and billing expenses accounts in the Water and Wastewater budget centres.

Future savings are expected as a result of implementing paperless billing.

6. CONSULTATIONS:

Essex Powerlines Corporation – Joe Barile General Manager
Director of Corporate Services
Engineering and Public Works Department

7. CONCLUSION:

It is recommended that the Town continue to purchase water and wastewater billing and collection services from Essex Powerlines Corporation, and that the transition to paperless billing be supported by the Town. It is also recommended that the Water & Wastewater billing policy be adopted and Administration continues to monitor for improvements to billing practices and work on updating the water by-law.



Justin Rousseau
Treasurer

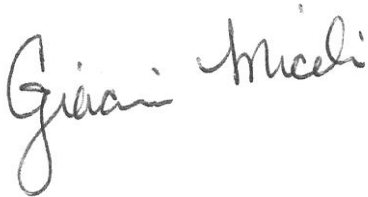
Report Approval Details

Document Title:	Water Billing Service Delivery Review.docx
Attachments:	- Digital Transformation-CAO Letter_AMH(Final) (002).pdf - Water and Wastewater Billing and Collection Policy - Draft - 2020 02 07.docx
Final Approval Date:	Jun 2, 2020

This report and all of its attachments were approved and signed as outlined below:



Cheryl Horrobin



John Miceli



Paula Parker



December 6th, 2019

The Corporation of the Town of Amherstburg
c/o: Giovanni (John) Miceli
271 Sandwich Street South
Amherstburg, Ontario
N9V 2A5

Subject: Digital Transformation Strategy & Water Billing Savings

Background

Given recent announcements related to local municipalities and the County declaring “environmental states of emergency” across the region, as well as calls to action globally for more political action on Climate Change, Essex Powerlines Corporation (“EPLC”) is acting on this call by prioritizing green and environmentally conscious initiatives that are aimed at doing our part as community leaders. As one of our most ambitious and exciting initiatives to date, the Essex Power Corporation (“EPC”) Board of Directors has passed a motion mandating paperless billing for EPLC electricity customers. EPLC currently has 22% of its customer base on paperless and our goal, by mandating paperless, is to hit 75% by January 1st, 2021 and even more through 2022!

The primary reasoning for EPLC moving forward with mandatory paperless billing is to do our part as community leaders for the global Climate Change crisis. EPLC currently issues more than 400,000 paper bills per year and when considering the full lifecycle carbon impact (harvesting, manufacturing, transportation, distribution, etc.), produces more than 14,000 kg CO₂e per year in the billing department alone. With this letter, EPLC invites the Town of Amherstburg to join them on this call to action and to actively reduce CO₂e by committing to digital billing for both electric and water customers across the municipality.

Potential Environmental & Financial Benefits

EPLC, on behalf of the Town of Amherstburg, currently issues 3,635 multi-use (i.e. electricity and water, issued monthly) and 5,600 water-only bills (issued quarterly). The mailing of these paper bills, not including the harvesting, transportation, and manufacturing steps of the lifecycle, equates to approximately 1,909 kg CO₂e per year. As such, by joining EPLC in its mission to transition to digital billing, the Town of Amherstburg is demonstrating its commitment to the sustainability of the community and actively doing its part in reducing its carbon footprint!

In addition to the environmental benefits, EPLC is pleased to pass along significant monetary savings associated with our joint digital transformation as well as savings incurred as a result of a reduction in 3rd party costs. Further, EPLC is also committed to continuing work with the Town of Amherstburg to create customized, best-in-class water analytic tools and dashboards that are tailored to your specific needs and to maximize the value of your water infrastructure.

EPLC plans on continuing to share in the benefits of paperless billing through continued support of local charities. Just recently, EPLC ran two paperless billing campaigns; **Power Up for Paperless** and **Go Paperless with a Purpose**, where more than \$8,000 in proceeds from the campaigns benefited the Fight Like Mason Foundation and Coats for Kids program at the Unemployed Help Centre, respectively. Both campaigns saw an uptake of over 800 customers switching to paperless, which equates to a total of 4% increase in paperless billing. Both campaigns were a great success for EPLC and the local communities we serve and acts to further substantiate our belief that customers are willing to participate and no longer require the abundance of waste created by paper.

As part of EPLC’s evolution to digital, the mandatory transition to paperless billing for all customers will act as a catalyst to create new local initiatives and engage our shareholder municipalities. EPLC is committed to giving back to its communities through creative programs over the coming years and with the support of our local leaders, hopes that we can work together to champion this initiative across our community beyond 2020. EPLC wishes to engage our municipalities in the paperless billing efforts by having our municipal leaders participate in the campaigns by choosing a registered non-profit organization specific to their respective municipality, in which EPLC will donate a portion of the proceeds to. Working together, we can simultaneously reduce our carbon imprint and maximize our community support through this initiative.

FAST FACTS

EPL

FROM CRADLE-to-GRAVE, EPL’s BILLING PROCESS EMITS



17 TREES

can be saved with every ton of recycled paper. If everyone transitioned to paperless, we could save over 250 trees a year!

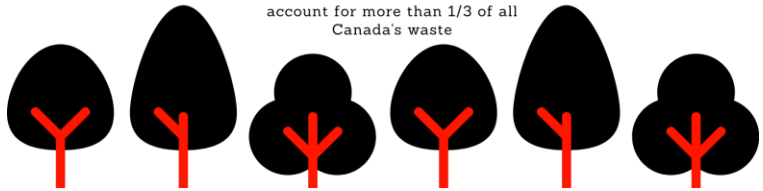


RECYCLING

One ton of paper saves 682.5 gallons of oil, 7,000 gallons of water, and 3.3 cubic yards of landfill space. At EPL, we use approx. 15 tons of paper to print bills each year!

PAPER & PAPER PRODUCTS

account for more than 1/3 of all Canada’s waste





It is important to note that EPLC will take careful consideration of and properly manage customers who have limited or no access to the internet or mobile/computer devices, as well as those who are not technologically capable or savvy and are therefore not ready to receive a digital bill. To cater to these customers and as part of the campaign, EPLC representatives plan to reach out to these vulnerable candidates, such as senior citizens, through senior citizen clubs and outreach programs to aid them in the transition to paperless, educate them on the process and tools, and ensure that customers who request or ultimately require paper bills are accommodated.

We look forward to the opportunity to work closely with the Town of Amherstburg to work together to address Climate Change and to bring added value into our organization and yours. As always, if you have any questions or concerns, please do not hesitate to contact us at any time.


Yours truly,



Joe Barile
General Manager
Essex Powerlines Corporation

Cc: Kristopher Taylor, Essex Power Corporation
Raymond Tracey, Essex Power Corporation
Aldo DiCarlo, Town of Amherstburg

POLICY

	Policy:	Water and Wastewater Billing and Collection Policy		
	Department:	Corporate Services		
	Division:	Finance	By-Law No.:	N/A
	Administered By:	Treasurer	Approval Date:	DRAFT
	Replaces:	N/A		
	Attachment(s):	N/A		

1. POLICY STATEMENT

The Corporation of the Town of Amherstburg is committed to the establishment of a set of billing and collection practices that are fair and equitable and to ensure consistent processes are followed.

2. PURPOSE

- 2.1. This policy outlines the billing and collection process of water and wastewater accounting for the Town of Amherstburg.
- 2.2. This policy ensures fair and equitable treatment of ratepayers related to water and wastewater accounts.

3. SCOPE

- 3.1. This policy applies to Amherstburg water and wastewater accounts.
- 3.2. This policy shall be reviewed every five (5) years from the date it becomes effective, and/or sooner at the discretion of the CAO or designate.

4. DEFINITIONS

- 4.1. Dishonoured payment: A dishonoured payment occurs when a payee attempts payment but has insufficient funds to cover the transaction.
- 4.2. Residential: Properties classified as residential but not including properties with multiple units serviced by a house meter.
- 4.3. Average Monthly Consumption: This equals an average of one-year’s consumption for the subject property.
- 4.4. High Consumption: Water consumption exceeding 2 times the customer’s average consumption and greater than 18 cubic meters.

Common definitions, acronyms, and terms are available in the Glossary located on the Town’s Policies webpage.

5. INTERPRETATIONS

Any reference in this policy to any statute or any section of a statute shall, unless expressly stated, be deemed to be reference to the statute as amended, restated or re-enacted from time to time. Any references to a by-law or Town policy shall be deemed to be a reference to the most recent passed policy or by-law and any replacements thereto.

6. GENERAL CONDITIONS

6.1. Meter Reading – Water Consumption

6.1.1. Water consumption for billing purposes shall be collected as registered on water meters. Where a meter is not in place prior to occupancy, charges will be applied on a flat rate per the Town's Fees By-law.

6.2. Billing

6.2.1. Billing accounts will be issued to registered property owners and bills will be issued in the name(s) of the registered property owners. The Town may accept payments from tenants/other non-owners; however the property owner is, in all circumstances, financially responsible for all water and wastewater fees and charges incurred against the property.

6.2.2. Bills will be issued electronically, where possible, to the email address on the account. Customers shall be responsible to provide updated accountholder information to the Town and its service provider.

6.2.3. The Town of Amherstburg, directly or through its agent, reserves the right to change the method of bill delivery with advance notice.

6.3. Deposits

6.3.1. New Customers will be required to make a deposit on their water account.

6.3.2. The deposit shall be 2.5 times the estimated average monthly billing for the property, based on average monthly consumption. Where the property did not have a previous water account or had a change in use, the deposit shall be 2.5 times the estimated average monthly billing for a similar property.

6.3.3. Deposits shall be held at a minimum for a period of 3 years at which time, subject to the account being current, the customer can contact the billing agent directly to request a refund of the deposit or application to their water account.

6.4. Payment of Accounts

6.4.1. Payments received will be allocated to the customer's account in the following order: miscellaneous fees, NSF fees, interest charges, principle balances. For each of these categories, the payment will be allocated to the oldest outstanding balances first.

6.5. Late Payment Charges and Arrears

- 6.5.1. Late payments will incur a fee of 1.25% per month.
- 6.5.2. Adjustments to late payment charges may only be considered where the charge resulted from an administrative error by the Town.
- 6.5.3. Account arrears that are otherwise deemed uncollectible shall be transferred to the tax roll for the property along with applicable fees and charges, and shall be collected in a like manner as taxes.

6.6. Dishonoured Payments

- 6.6.1. In the case of a dishonoured payment, an NSF fee will be processed on the account in accordance with the Town's current User Fee By-law.

6.7. Ownership Changes

- 6.7.1. Where the Town or its agent has been notified in writing of a request for a final meter reading in relation to a property sale, a final meter reading shall be done.
- 6.7.2. Such requests shall be made to the Town or its agent a minimum of two (2) business days prior to the requested meter read date and the Town will make a reasonable effort to ensure the final meter reading is done on the day requested.

6.8. Temporary Water Turn Off and On

- 6.8.1. A minimum of five (5) business days' notice is required for the temporary water turn off and turn on service, unless it is an emergency. The customer or their authorized designate must be in attendance for the service call.
- 6.8.2. During the period that the water is turned off, the customer remains responsible for the fixed monthly charges.
- 6.8.3. Fees to turn the water service on or off will be charged in accordance with the Town's User Fee By-law.

6.9. Schedule of Fees

- 6.9.1. Fees in relation to water and wastewater billing and collection are established by the User Fee By-law.

6.10. Water and Wastewater Usage and Billing Disputes

- 6.10.1. When a customer has contacted the Town or its agent concerning a high water/wastewater bill, the account will be reviewed to determine if the high bill was the result of a billing error, faulty meter, or a leak.
- 6.10.2. Where a billing error is confirmed, an adjustment will be made to the account and a new bill will be issued.

- 6.10.3. Where a discrepancy in the meter read to the actual meter read occurs resulting in a billing error, an adjustment will be made to the account, and a new bill will be issued.

6.11. Faulty Meter

- 6.11.1. Any Customer may, upon written application to the Town, have the Water Meter checked for accuracy of registration. Every such application shall be accompanied by a deposit equal to the fee for checking the Meter for accuracy as shown in the User Fee By-law.
- 6.11.2. The meter will be removed for testing and a new meter will be installed.
- 6.11.3. Where the Meter is found to register correctly, slow or not to exceed three per cent (3%) in favour of the Town when tested in accordance with Section 4.2.8 of ANSI/AWWA C700 and AWWA Manual M6, Water Meters – Selection, Installation, Testing, and Maintenance, the Customer's deposit shall be forfeited towards the cost of the test and the cost of the new meter installed. Any balance and additional expense of removing and testing of the Meter will be paid for in full by the Customer.
- 6.11.4. Where the Meter is found to register in excess of three per cent (3%), a refund will be made to the Customer equal to such excess percentage of the amount of the account for the period of four (4) months prior to such testing of the Meter, plus the Customer's deposit for the test.
- 6.11.5. The Town reserves the right to replace any meter, with no cost to the property owner, whether for upgrade purposes or not, without testing of the original meter.

6.12. Leak

- 6.12.1. The customer is responsible for water consumption, including consumption resulting from any leak after the meter.
- 6.12.2. Where a high consumption bill occurs as a result of a leak, residential water account customers may apply in writing to be considered for a water bill adjustment. The request must be submitted within 90 days following the issue of the high consumption bill. High consumption due to filling a pool or spa, irrigation system or other similar uses of water is not eligible for adjustment.
- 6.12.3. To be eligible for an account adjustment, the customer must show proof, satisfactory to the Town, of the leak repair.
- 6.12.4. The billing adjustment is limited to a maximum of \$1,000 and is calculated at 50% of the excess water use over the customer's average consumption over a maximum two-month period.
- 6.12.5. Any adjustment will be calculated using the rates that were in effect at the time of the high consumption.

- 6.12.6. No rebates will be made within 60 months of a previous rebate for an individual property unless ownership changed within the 60 month period; and no more than two leak adjustments will be considered within a 10 year timeframe.
- 6.12.7. The property cannot be vacant or unattended during the timeframe when the leak occurred.
- 6.12.8. Water loss due to theft, vandalism, or construction damage is not eligible for an adjustment.

7. RESPONSIBILITIES

- 7.1. **Council** has the authority and responsibility to:
 - 7.1.1. Approve the User Fee By-law.
 - 7.1.2. Approve the *Water and Wastewater Billing and Collection Policy*.
- 7.2. The **CAO** has the authority and responsibility to:
 - 7.2.1. Ensure Compliance with the *Water and Wastewater Billing and Collection Policy*.
- 7.3. The **Treasurer** has the authority and responsibility to:
 - 7.3.1. Administer all accounts receivable, billing and collections of the Town, and ensure applicable policy and fees are applied.
 - 7.3.2. Provide relief as outlined in the *Water and Wastewater Billing and Collection Policy*.
- 7.4. The **Director of Engineering and Public Works** has the authority and responsibility to:
 - 7.4.1. Authorize the investigation of water and wastewater billing errors or leaks.
- 7.5. The **Manager of Environmental Services** has the authority and responsibility to:
 - 7.5.1. Investigate water and wastewater billing errors or leaks.
- 7.6. **Staff** have the authority and responsibility to:
 - 7.6.1. Abide by the *Water and Wastewater Billing and Collection Policy*.

8. REFERENCES AND RELATED DOCUMENTS

- 8.1. User Fee By-Law
- 8.2. Water By-Law



THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF THE CAO

MISSION STATEMENT: Committed to delivering cost-effective and efficient services for the residents of the Town of Amherstburg with a view to improve and enhance their quality of life.

Author's Name: Tammy Fowkes	Report Date: May 25, 2020
Author's Phone: 519 736-0012 ext. 2216	Date to Council: June 8, 2020
Author's E-mail: tfowkes@amherstburg.ca	Resolution #: N/A

To: Mayor and Members of Town Council

Subject: 2020 Appointment of Proxy Holder for Essex Power Corporation's Annual Shareholders' Virtual Meeting

1. RECOMMENDATION:

It is recommended that:

1. Mayor Aldo DiCarlo **BE APPOINTED** proxy holder for the Town of Amherstburg for Essex Power Corporation's Annual Shareholder's Meeting;
2. Bill Wark **BE APPOINTED** as the alternate proxy holder for the Town of Amherstburg for Essex Power Corporation's Annual Shareholder's Meeting; and,
3. The Clerk **BE AUTHORIZED** to sign all necessary proxy forms to implement this resolution and forward them to Essex Power Corporation as required.

2. BACKGROUND:

Essex Power Corporation is required to hold an annual meeting of shareholders and occasionally requires a special shareholders' meeting. Administration has been notified that the Annual Shareholders' Meeting will be held on Wednesday, June 24th, 2020, at 5:30 p.m. This year, as a result of the COVID-19 pandemic, the annual meeting will be held via a virtual meeting.

As a shareholder in Essex Power Corporation, Council is required to pass a resolution to appoint a proxy holder for the upcoming meeting. Council has passed similar motions each year since 2014, for the same purpose.

3. DISCUSSION:

Since a proxy appointment is not valid for more than one year, the appointment of a proxy holder is made every year prior to the shareholders' annual meeting.

The Town has two (2) Directors appointed to the Essex Power Board, Mayor Aldo DiCarlo and Mr. Bill Wark. Administration recommends that Mayor Aldo DiCarlo be appointed as the proxy holder for the purpose of casting a vote at the Annual Shareholders' Meeting on behalf of the Town. In the absence of the Mayor, Administration recommends that Mr. Wark be appointed as the alternate proxy holder. Mr. Wark has confirmed that he is available as the alternate proxy holder.

4. RISK ANALYSIS:

As a shareholder in Essex Power Corporation, Town of Amherstburg Council is required to pass a resolution to appoint a proxy holder in order to cast a vote on behalf of the Town at the shareholders' annual meeting. By not appointing a proxy holder, the Town would forfeit the right to participate in any votes held at the meeting, which could negatively affect the Town's investment in the Corporation.

5. FINANCIAL MATTERS:

There are no financial implications as a result of this appointment.

6. CONSULTATIONS:

N/A

7. CONCLUSION:

The Essex Power Corporation's Annual Shareholders' Meeting will be held on June 24th, 2020, in which the Town of Amherstburg requires a proxy holder to cast a vote on behalf of the Town. Administration recommends the appointment of Mayor DiCarlo as the proxy holder; with Mr. Wark as the alternate should the Mayor be absent.



Tammy Fowkes
Deputy Clerk



Paula Parker
Clerk

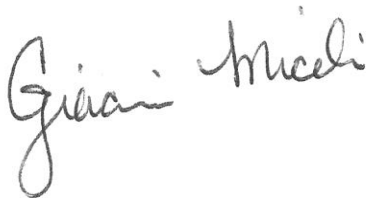
Report Approval Details

Document Title:	2020 Appointment of Proxy Holder for Essex Power Corporation's Annual Shareholders' Virtual Meeting.docx
Attachments:	
Final Approval Date:	Jun 2, 2020

This report and all of its attachments were approved and signed as outlined below:



Cheryl Horrobin



John Miceli



Paula Parker



THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF PARKS, FACILITIES, RECREATION & CULTURE
OFFICE OF THE C.A.O.

MISSION STATEMENT: Committed to delivering cost-effective and efficient services for the residents of the Town of Amherstburg with a view to improve and enhance their quality of life.

Author's Name: Giovanni (John) Miceli, Phil Roberts Anne Rota	Report Date: May 19, 2020
Author's Phone: 519 736-0012 ext. 2228 or 2218	Date to Council: June 8, 2020
Author's E-mail: arota@amherstburg.ca jmiceli@amherstburg.ca	Resolution #:

To: Mayor and Members of Town Council

Subject: Respond, Restart, Recover COVID-19 – Amherstburg Revitalization Initiative

1. **RECOMMENDATION:**

It is recommended that:

1. The Amherstburg Revitalization Initiative and associated events **BE EXEMPT AND PERMITTED** for road closures to begin prior to 5pm for the remainder of 2020;
2. Authority **BE DELEGATED** to Administration to advise the Alcohol and Gaming Commission of Ontario (AGCO) that Council has no objection to the proposed temporary extension of the licensed area for businesses participating in the Amherstburg Revitalization Initiative;
3. The Amherstburg Revitalization Initiative and associated events **BE EXEMPT** from the Noise Bylaw, as long as the Noise generated from the Project and associated events remain under a noise level of 60dba;
4. An exemption **BE GRANTED** to Section 3 of the Kings Navy Yard Park By-law #2004-89 to allow for the Amherstburg Revitalization Initiative and associated events in the Kings Navy Yard Park.

2. BACKGROUND:

On March 22, 2020 the Town of Amherstburg declared a State of Emergency, in alignment with the provincially declared state of emergency, due to the COVID-19 world-wide pandemic. The Province issued orders that saw the unilateral closure of schools, non-essential businesses along with many other amenities that are important to the social and economic fabric of our community, in an effort to mitigate the transfer of this deadly pathogen. All of which will have immeasurable consequence.

On April 27, 2020 the Province introduced “A Framework for Reopening Our Province.” The purpose of the framework was to provide Ontarians with a road map that would lead to the reopening of non-essential businesses, services and schools. In the Provincial orders issued, non-essential businesses were directed to close, creating a large impact on restaurants, bars, service, hospitality and the tourism industry. The challenge of the Provincial roadmap adopted for reopening is that the roadmap did not provide dates for Ontarians to see as milestones for achievement/success. From the roadmap, we understand that the Province has taken this approach in an abundance of caution; however, we also recognise that this approach, although cautious, has contributed to civil unrest in the community. The Town is also cognisant of the fact that all of the parties affected by the Provincial orders are anxiously awaiting the decision as to when non-essential businesses, amenities and services would be allowed to reopen.

On a daily basis we see that residents wish to return to some level of normalcy. We recognize however, that in order for this to occur it will be contingent upon favourable testing results as the key driver in moving the Province forward to the next stage. As we begin to see the Province lift orders, we believe that businesses, residents and visitors will want to move forward in an expeditious manner. In an effort to do so, Administration is taking the necessary steps to ensure we are prepared to react quickly and assist in this process primarily through our Tourism Area.

We also believe there may be divide amongst those who wish to move forward quickly and those who wish to move forward cautiously as the orders are lifted. The need for the Town to persistently educate and promote safety will continue in the foreseeable future. We believe we will have an important role in meeting the challenge to restore people’s confidence in the short term, as precautions such as physical distancing will continue to remain intact in an effort to maintain the safety of people. During this period of uncertainty, the safety of residents and visitors will remain paramount as we encourage people to visit businesses and service providers that were closed and impacted as a result of the Provincial orders.

Locally the Tourism and Culture sector has begun to consider and develop plans and strategies on how municipalities will support and navigate the industry through the challenges created as a result of COVID-19. Amherstburg is well positioned to assist local businesses as we move forward with the guidance of the medical officers of health. We are prepared to promote and present the emerging post pandemic conditions, and we are prepared to quickly mobilize and assist in recognizing opportunities that are developing.

Tourism is one of the pillars that is supported by all levels of government as part of the solution to stimulate economic growth and in fact was identified by residents and adopted by Council as a key economic driver in the Town’s Community Strategic Plan.

Unequivocally, Tourism and Culture is recognized as one of the top ten pillars of economic success for the Windsor/Essex County region, as reported by the Windsor Essex Economic Development Corporation (WEEDC). Amherstburg's Tourism and Culture Division is working collectively with the Tourism industry, stakeholders, provincial, federal and regional partners to develop approaches, advocate and support the systematic recovery which is core to the Division's function. Amherstburg recognizes that tourism is a key economic driver for our municipality and region.

The concept of "staycationing" is being promoted and in fact on May 31, 2020, Ottawa announced that the federal government is earmarking \$40 million dollars to promote holiday travel inside Canada, as the federal government seeks to help the tourism industry weather the COVID-19 pandemic. Ottawa's investment is vital to rekindling the tourist confidence and economy. Pre-COVID the tourism industry contributed more than \$100 billion to the Canadian economy and supported 1.8 million jobs. On April 13, 2020 the report commissioned by Destination Canada, titled COVID-19's Impact on Canada's Tourism Industry, was presented to the Federal Government.

The report identified scenarios of the impact on the Tourism Industry if the COVID-19 virus is contained and if the virus is not contained. The losses for Ontario in the Tourism industry range from \$13.7 billion and 263,000 jobs to \$23.5 billion and 450,000 jobs. A key finding of the report is that when the pandemic fades, there will be significant pent-up demand for leisure travel and that domestic short-haul travel will likely be the driver of this rebound due to consumers' lingering wariness of booking long-haul trips. Therefore, it is extremely important that a coordinated effort and plan focused on the Tourism sector in the Town and our region occurs to ensure that the recovery and reopening of the local businesses in Amherstburg is successful.

3. DISCUSSION:

Political and/or financial commitments at various levels of government are key to ensure that the tourism industry can lead a wider economic and social recovery nationally, provincially and locally. The Town of Amherstburg's Tourism & Culture Division has come of age, and is now firmly established in the region and in our community as an important contributor that will assist in returning the Town to pre-COVID conditions. The role the Tourism & Culture Division will play going forward is crucial to driving the return of the tourism industry locally. Regionally municipalities have adopted the Respond, Restart, Recover approach in concert with the model presented from Tourism Windsor Essex Pelee Island (TWEPI). This model gives Amherstburg the framework to guide us as we begin to support our local businesses moving forward for the Tourism industry. The department stands ready to take action and provide guidance and support for recovery measures of the Town's local businesses and our private and public tourism partners.

The Council approved Community Based Strategic Plan (CBSP) recognizes the important role that the Tourism Division has with regards to the Strategic Pillar of Marketing and Promotion. This Division's role will be even more important as we focus our post-COVID efforts in promoting the recovery of the Town. Moving forward the Division will continue to:

- Develop a strong online and social media presence to better inform residents and visitors of life in Amherstburg through our website, Instagram, Twitter, Facebook, the use of virtual tours, content and messaging.
- Develop, in partnership with the local businesses and the Chamber, a marketing plan that assists in the recovery of local businesses.
- Develop a marketing plan that supports the Town's and businesses efforts to attract future residents, investment and business and grows our profile beyond Essex County.
- Effectively leverage the tourism marketing reach and product development efforts of the Southwest Ontario Tourism Corporation (SWOTC).
- Identify partnership opportunities with local businesses and cultural institutions in the marketing and promotion of the Town.
- Promote local success stories that demonstrate the opportunity and potential of living and investing in Amherstburg.
- Engage in the "See You Down the Road" campaign with TWEPI highlighting our attractions. Encourage planning of local trips to Amherstburg/region as residents and tourists "dream of" their return. Targeting up and becoming explorers, day trippers, and nature lovers.

During this time Administration also believes that it would be prudent that the Tourism & Culture Division work closely with the Economic Advisory Committee and the Chamber for the revival and restoration of business to pre-COVID conditions. This role is critical for the Division in the absence of a Business Improvement Area (BIA). Locally many municipalities are working with their BIA's to assist members in moving forward in reopening businesses. It must be noted that in communities where a BIA exists, membership assistance is offered through BIA collected membership levies and budgets.

In the absence of a BIA in Amherstburg, Administration has been working in partnership with the Amherstburg Chamber of Commerce, with the goal of retuning businesses to pre-COVID conditions. Administration is of the opinion that the Town must assist and play an important role in this recovery. Administration believes that our local economy may need to change and adapt to a post-COVID recovery process that will include the Tourism and Culture Division as a key contributor.

What is happening Provincially?

The Provincial Framework for Reopening Ontario is ongoing. We are presently in Phase 1 of 3 phases. Currently the Province is consulting with various stakeholders through the Ontario Jobs and Recovery Committee for input on future openings. The following groups are being consulted with provincially:

- Residents and families

- Franco-Ontarian residents and families
- Indigenous partners
- Multiple economic sectors
- Business associations
- Chambers of commerce
- Municipal leaders
- Corporate leaders
- Small business owners
- Entrepreneurs
- Labour organizations
- Not-for-profit sector
- Colleges and universities

The consultation process closes on June 12, 2020 and a broader plan to reopen the Province will evolve from those consultations. The Ontario Jobs and Recovery Committee will use this input to help make decisions about reopening our Province and the recovery following COVID-19. It would be fair to suggest that those businesses that are identified in Phases 2 & 3 of the reopening will not open prior to June 12, 2020 should the Province remain consistent and consider the input of the consultation process. In addition, on June 2, 2020 the Province announced the declaration of the emergency would be extended until the end of June.

Next Steps- Collaborating with Economic Development Committee:

At the April 14th Council meeting Council adopted the following motion:

That Administration BE DIRECTED to reach out to the Economic Development Committee to see if any assistance can be provided to small businesses

Administration is presently working on the ability to hold meetings with the Economic Development Advisory Committee. It is anticipated that training will be provided during the month of June and a meeting of the Economic Development Advisory Committee (EDAC) will occur in early July.

The Tourism & Culture Division has the required skillset and is well positioned to assist the Economic Development Advisory Committee in its efforts to advise Council on providing assistance to small businesses. In order to accomplish this goal, we are recommending that a meeting of the Chamber and the Economic Development Advisory Committee be scheduled to provide input to the Tourism & Culture Division. At the first meeting, Administration (Tourism) will bring forward to the EDAC the initiatives that are being worked on by Administration in an effort to support and/or seek additional input from the EDAC on the matter.

Next Steps- Collaborating with the Amherstburg Chamber of Commerce & Local Businesses:

It is important for Council to note that Administration is working with the Amherstburg Chamber of Commerce (Chamber) on a series of initiatives to facilitate in the economic recovery in our community. It is believed by Administration and the Chamber that we must be prepared when the Provincial orders are lifted.

In consultation with the Chamber, staff are working on initiatives that the parties believe will support local businesses in the recovery process. The Chamber and the Libro Credit Union have confirmed that they are prepared to contribute \$2,500 each towards supporting initiatives in the recovery plan. In anticipation of the Provincial decision to move to phases 2 & 3 of their re-opening plan, Administration has collaborated with the Chamber and developed a survey that closed on Wednesday May 27, 2020. A series of questions were developed to help gather information that we believe will be useful to assist the parties in a strategy which will help in the success of local business reopening efforts. Key responses of survey results are as follows:

- 76% of the respondents have seen a drop in sales/revenue in the last 3 months compared to the same 3 months in 2019.
- 37% of the respondents have laid off 100% of their staff while 63% of the respondents have laid off 50% or less of their staff.
- 63% of the respondents plan on increasing or maintaining their business hours once the guidelines permit the reopening of their business.
- 69% of respondents are in favour of the Town permitting businesses to expand into open streets to allow for proper physical distancing.
- 58% of respondents would like the open streets to begin on Friday afternoons to Sunday evenings up until October 31, 2020.

The survey results confirm that establishing a “flex zone” plan for downtown businesses is viable in collaboration with the Town’s Public Events Committee in response to the COVID-19 pandemic. The proposed flex zones are areas that would be designated to provide additional space/capacity outside of the businesses conventional operating space and is recommended for the downtown core. This space allows businesses to extend their footprint to include Town of Amherstburg’s adjoining sidewalks and streets.

The Proposed Plan - Amherstburg Revitalization Initiative

In the past some downtown businesses have appeared before Council to suggest that street closures support only a few businesses such as restaurants and bars. Although this may be a valid point under pre-COVID conditions it must be recognized that post – COVID conditions for restaurants and bars will be significantly impacted as the reduction in occupancy loads in restaurants may see occupancy capacities reduced by 50%. It is also important for Council to note that 35% of the restaurants/bars in Town are present in the downtown core.

Internally the Town has set up an internal working committee (Amherstburg Business Recovery Committee) to assist in the recovery efforts going forward. The committee is made up of representatives from each department. The first task at hand was looking at the Downtown to identify opportunities that would assist many of the downtown businesses that house a significant amount of our restaurants and bars.

As a result, Administration is proposing the following road closures to develop flex zones in the downtown core (see attached map). The availability of the flex zone would be from the time the Province lifts its orders until the end of November. Most road closures will occur in the downtown core and the most frequent road closure will be:

- Richmond Street from Ramsay to Dalhousie Street
- Murray St. from Ramsay to Dalhousie Street
- Dalhousie Street from North of the Legion driveway to Rankin Street

Administration will erect signage and barricades placed at each road closure to notify drivers and pedestrians. Police will be present for the road closures when required. Businesses and residents living within in the road closure footprint will be notified and will be provided access to their residences. Often Council has heard complaints from local businesses that there is insufficient parking in the Downtown. Administration has reviewed parking and has the following information to offer to Council:

- There are 312 public parking spaces within a three minute walking radius of centre of Richmond and Dalhousie
- There is an additional 237 parking spaces within a 6 minute walking radius of the centre of Richmond and Dalhousie
- There is a total of 549 parking spaces within a 6 minute walk of the centre of Richmond and Dalhousie

Should Council approve the flex space concept businesses in the restaurant industry will be seeking a temporary extension of their liquor sales area as required by the Alcohol and Gaming Commission of Ontario (AGCO). In order to do so, businesses will be required to obtain a resolution of Council confirming that the municipality does not object to the temporary extension for liquor sales. In our current process applications to the Town for temporary encroachments onto municipal infrastructure are reviewed and approved by Administration. Applications for temporary extensions to their licensed area for liquor sales will be made to the AGCO to allow patio's on municipal streets. Based on the road closure, the temporary use of the streets in the event area for patios will not hinder emergency vehicular traffic. The AGCO, as part of the application for a temporary extension of the licensed area, approves the dimensions of the proposed licensed area, the location, as well as the fencing required to partition the area.

It is also anticipated that businesses operating within the flex zone will seek exemptions to the noise by-law for music. Noise By-law #2001-43 prohibits the operation of any electronic device or group of connected electronic devices incorporating one or more loudspeakers or other electro mechanical transducers, and intended for the production, reproduction or amplification of sound in residential, commercial and agricultural areas.

Notwithstanding anything contained in the Noise By-law, a person may apply to Council for an exemption from any of the provisions of the Noise By-law with respect to any source of sound or vibration. Council, by resolution, may grant the exemption applied for and can impose terms and conditions as Council deems appropriate. Administration believes that a general exemption to allow for music not to exceed 60 dba in the downtown core should be permitted.

Administration is also seeking exemptions as it relates to events in Kings Navy Yard. The Kings Navy Yard Park By-law #2004-89 regulates the use of Kings Navy Yard Park and designates it as a passive park. Section 3 of By-law 2004-89 states that public, private and non-profit functions are allowed by permit. This current By-law has been established to protect the grounds, the gardens, sprinkler system and facilities and at the same time simplify the scheduling of such events. Currently council retains final discretion in the awarding of permits. In light of a post-COVID recovery environment Administration will be seeking an exemption of section 3 of the By-law in order to hold events.

4. RISK ANALYSIS:

The Town faces a tremendous amount of risk politically and financially should we not move forward with a plan to assist local businesses closed as a result of Provincial orders issued to protect Ontarians. The recommendations contained within the report are a first step in order to assist local businesses. It is expected that additional measures will evolve as meetings with the EDAC occur.

Not collaborating with our attractions, businesses and historic sites, in investigating and developing systematic flex zones for enhanced operating space going forward may be problematic. Not allowing such spaces, could lead to significantly reduced customer capacity for those affected, such as restaurants. Such a decision may result in these entities being forced to close which could affect the municipal tax base and employment opportunities in Amherstburg.

The temporary extension allows for a patio to extend their alcohol serving license onto Town property. Restaurants will be required to provide an insurance certificate in the amount of \$5,000,000 for Commercial General Liability and Liquor Liability with the Town of Amherstburg named as an additional insured.

Other businesses that do not serve liquor and want to extend their business onto Town property must provide an insurance certificate in the amount of \$2,000,000 for Commercial General Liability with the Town of Amherstburg named as an additional insured.

5. FINANCIAL MATTERS:

The road closures, events, and Noise By-law exemptions under the Town's Amherstburg Revitalization Initiative, and are not subject to fees and charges.

It is not determined at this time if the \$2,500 each committed by the Chamber and the Libro Credit Union of \$2,500 will be direct investments in the revitalization or if they will flow through the Town as part of the Amherstburg Revitalization Initiative; if the latter, the revenue and offsetting expenses will be captured in the 2020 Tourism & Culture budget centre accounts.

The other costs of the Amherstburg Revitalization Initiative (e.g. marketing) will be accommodated within the approved 2020 Budget under the Tourism & Culture budget centre.

The Town of Amherstburg, its volunteers and stakeholders have collaborated for many years pre-COVID, to build capacity, partnerships, marketing, sponsorships, promotions, direct access and relationships to provincial and federal resources for significant grant opportunities. Government funding opportunities are still active and new funding appears to be on the horizon. Administration will continue to pursue and or support grant funding opportunities toward recovery initiatives.

6. CONSULTATIONS:

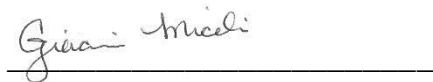
The Public Events Committee (Fire, Police, Clerks and Risk Management, Licensing and Enforcement, Parks, Facilities, Recreation and Culture, Roads and Fleet) were consulted on this report.

7. CONCLUSION:

COVID-19 has had an impact on how we conducted business as we knew it. Amherstburg will reopen again albeit different strategies, innovation and a new way of conducting business to maintain and sustain the vitality and economics of the Town.

Tourism and Culture is a key industry in our community. Amherstburg hosts three National Historic Sites, Galleries, Restaurants, Breweries, Wineries, Distillery, Award-winning parks in which we facilitate collaboration and support. Amherstburg is on the path to the development of new public spaces such as the former Duffy's site.

The goal of the Town is to be market ready and to react quickly on emerging trends and needs of local businesses to become successful as the Province lifts orders. Amherstburg has been and will continue to be top of mind as a viable destination to visit, work, invest and live in and taking bold measures such as those recommended in the report will ensure that.

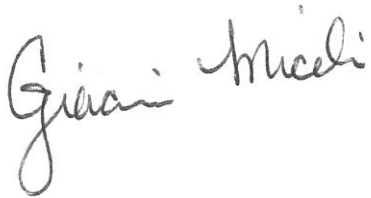


Giovanni (John) Miceli
Chief Administrative Officer

This report was approved and signed as outlined below:

A handwritten signature in cursive script that reads "C. Horrobin".

Cheryl Horrobin

A handwritten signature in cursive script that reads "John Miceli".

John Miceli

A handwritten signature in cursive script that reads "Paula Parker".












Paula Parker

TODDY JONES PARK
(3 MINUTE WALK)

3 MINUTE WALKING RADIUS

PARK HOUSE

GORDON HOUSE

-  PROGRAM AREAS (4)
(STREET PERFORMERS / MUSICIANS / ARTISTS)
-  OPEN AIR ZONES
(SHOPS / BUSINESS / RESTAURANTS / BARS)
-  ACCESSIBLE PARKING
(18 SPACES within Open Streets Area)
-  PUBLIC PARKING
(267 SPACES within 3 minute walk)
-  EMERGENCY CLEARWAY
-  PUBLIC WASHROOMS
(3 within Open Spaces Area)
- AMHERSTBURG OPEN AIR THRESHOLDS**
-  PLANTER (BARRICADE)
(AESTHETICS / PHYSICAL BARRIER)
-  INSTRUCTIONAL SIGNAGE
(WHIMSICAL / CAUTIONARY)
-  BANNERS (BARRICADE) (4)
(FRANGIBLE BARRIER / MESSAGING / ART)
-  BIKE PARKING (4)
(120 SPACES / SECURE)
-  THREE (3) MINUTE WALKING





THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF ENGINEERING AND PUBLIC WORKS

MISSION STATEMENT: Committed to delivering cost-effective and efficient services for the residents of the Town of Amherstburg with a view to improve and enhance their quality of life.

Author's Name: Eric Chamberlain	Report Date: May 25, 2020
Author's Phone: 519 736-3664 ext. 2312	Date to Council: June 8, 2020
Author's E-mail: echamberlain@amherstburg.ca	Resolution #:

To: Mayor and Members of Town Council

Subject: Traffic Study – 4 Way Stop – Pickering and Cherrylawn

1. RECOMMENDATION:

It is recommended that:

1. The report from the Manager of Roads and Fleet dated May 25, 2020, regarding the Traffic Study for a 4-Way Stop at Pickering Drive and Cherrylawn Crescent **BE RECEIVED for information.**

2. BACKGROUND:

On December 9, 2019, Council directed Administration to investigate the feasibility of a 4-way stop at Pickering Drive and Cherrylawn Crescent, at the intersection closest to Sandwich Street South.

3. DISCUSSION:

On January 6, 2020, Administration retained the services of Hrycay Consulting Engineers Inc. to complete an All-Way Stop Study for the intersection of Cherrylawn Crescent (West) and Pickering Drive. The study area included Hawthorne Crescent, the south leg of the intersection under review.

The Traffic Data Collection was completed on the following dates:

- Wednesday, February 19, 2020
- Thursday, February 20, 2020
- Tuesday, February 25, 2020
- Wednesday, February 26, 2020

The Traffic Data was collected prior to the traffic reduction due to the COVID-19 pandemic.

Based on the study, the data collected did not meet the warrants provided in the Ontario Traffic Manual. Therefore, the all-way stop control is not recommended for this intersection as per the report prepared by Hrycay Consulting Engineers Inc.

Administration also confirmed that there have been no traffic accidents at this intersection in 2019 and 2020 to date.

4. RISK ANALYSIS:

The study prepared by Hrycay Consulting Engineers Inc. does not recommend an All-Way Stop control to be installed at the westerly intersection of Pickering Drive and Cherrylawn/Hawthorne Crescent.

5. FINANCIAL MATTERS:

There are no financial implications or budgetary impacts from the recommendation of this report. The cost of the traffic study is reflected in the PW budget centre in the professional fees account.

6. CONSULTATIONS:

Hrycay Consulting Engineers Inc. was retained to complete an All Way Stop review and report.

7. CONCLUSION:

Administration is not recommending an all way stop to be installed at the westerly intersection of Pickering and Cherrylawn/Hawthorne Crescent.



Eric Chamberlain
Manager of Roads and Fleet

Report Approval Details

Document Title:	Traffic Study - 4-Way Stop - Cherrylawn-Pickering.docx
Attachments:	- 440_Memo_Cherrylawn and Pickering AWS Study.pdf
Final Approval Date:	Jun 2, 2020

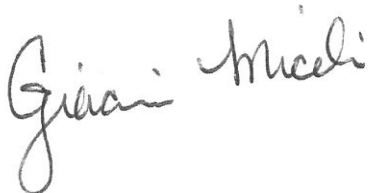
This report and all of its attachments were approved and signed as outlined below:



Antonietta Giofu



Cheryl Horrobin



John Miceli



Paula Parker

Memorandum

To: Eric Chamberlain, Manager of Engineering and Operations, Town of Amherstburg
From: Justine Arbour, P.Eng
Date: April 2, 2020
Re: M440 – Cherrylawn Crescent (West) and Pickering Drive All-Way Stop Study

1.0 Introduction

The Town of Amherstburg (Town) retained Hrycay Consulting Engineers Inc. (HCEI) to evaluate the intersection of Cherrylawn Crescent (West) and Pickering Drive as it relates to the installation of all-way stop intersection controls. The study location is shown in Figure 1, below.



Figure 1: Study Location

It is noted that Cherrylawn Crescent intersects with Pickering Drive at two locations. Additionally, the south leg at each intersection is named Hawthorn Crescent. This study was conducted exclusively on the west intersection of Cherrylawn Crescent and Pickering Drive. Throughout this memo, any references to Cherrylawn Crescent implies the west intersection of Pickering Drive and Cherrylawn Crescent/Hawthorn Crescent only. For the sake of simplicity, reference to

Cherrylawn Crescent includes the south leg of the intersection that is otherwise known as Hawthorn Crescent.

Pickering Drive and Cherrylawn Crescent are classified as local residential roads. Both have paved asphalt lanes and concrete semi-mountable curb and gutter. A sidewalk exists in the north boulevard on Pickering Drive. There are no sidewalks on Cherrylawn Crescent.

Currently, Pickering Drive is a through roadway with no intersection controls. Cherrylawn Crescent is controlled by stop signs. Stop bars are present for both the north and south leg of the intersection.

2.0 All-Way Stop Warrants

The Ontario Traffic Manual (OTM) Book 5: Regulatory Signs provides a warrant process for determining whether a specific intersection is a suitable candidate for all-way stop control. The OTM provides a standardized approach to road signage, markings, and delineators and is a widely-accepted manual for use by road engineering professionals. Additionally, the OTM is accepted by the courts as a best practice. Failure to follow the criteria contained in the OTM places municipalities at significant risk.

Because all-way stop controls disrupt the flow of traffic and introduce delays to all drivers within the intersection, they should only be considered at the intersection of two relatively equal roadways having similar traffic volume demand and operating characteristics. The approaches should be directly opposing (i.e., not offset), preferably approach at right angles (i.e., no skewed approaches), and have an equal number of lanes.¹

The OTM advises that all-way stop controls should be considered only under the following situations:

- As an interim measure, where traffic control signals are warranted but cannot be implemented immediately;
- At locations having a high collision frequency where less restrictive measures have been tried and found inadequate; or
- As a means of providing a transition period to accustom drivers to a change in intersection right-of-way control from one direction to another.²

In order for an intersection to satisfy a collision warrant, an intersection must experience a high accident frequency of an average of four collisions per year over a three-year period. Only collisions susceptible to relief through all-way stop control must be considered (i.e., right angle and turning type collisions).³

¹ Ontario Traffic Manual Book 5: Regulatory Signs, March 2000, pg. 19

² Ontario Traffic Manual Book 5: Regulatory Signs, March 2000, pg. 19

³ Ontario Traffic Manual Book 5: Regulatory Signs, March 2000, pg. 20

To determine the balance of traffic volume and operating characteristics, minimum volume warrants are applied. There are two volume warrant scenarios: a minimum volume warrant for arterial and major roads; and a minimum volume warrant for minor roads. The OTM defines an arterial road as “a major road, used primarily for through traffic rather than for access to adjacent land, that is characterized by high vehicular capacity and continuity of movement. Intersections are spaced relatively far apart and are frequently signalized.”⁴

All-Way Stop Minimum Volume Warrant (Arterial and Major Roads)

All-way stop control may be considered on **major roads** where the following conditions are met:

- The total vehicle volume on all intersection approaches exceeds 500 vehicles per hour for each of any eight hours of the day;
- The combined vehicular and pedestrian volume on the minor street exceeds 200 units per hour (all vehicles plus pedestrians wishing to enter the intersection) for each of the same eight hours, with an average delay to traffic on the minor street (either vehicles or pedestrians wishing to enter the intersection) of greater than 30 seconds; and
- The volume split does not exceed 70/30. Volume on the major street is defined as vehicles only. Volume on the minor street includes all vehicles plus any pedestrians wishing to cross the major roadway.⁵

All-Way Stop Minimum Volume Warrant (Minor Roads)

All-way stop control may be considered on **minor roads** where the following conditions are met:

- The total vehicle volume on all intersection approaches exceeds 350 vehicles per hour for the highest hour recorded; and
- The volume split does not exceed 75/25 for three-way control or 65/35 for four-way control. Volume is defined as vehicles only.⁶

Lastly, the OTM provides guidance on when all-way stop controls should not be used, such as:

- Where protection of pedestrians, school children in particular, is a prime concern. This concern can usually be addressed by other means;
- As a speed control device;
- On roads where progressive signal timing exists;
- On roads within urban areas having a posted speed limit in excess of 60 km/h;
- At intersections that are not roundabouts having less than three, or more than four, approaches;
- At intersections that are offset, poorly defined, or geometrically substandard;
- On truck or bus routes, except in an industrial area or where two such routes cross;
- On multi-lane approaches where a parked or stopped vehicle on the right will obscure the STOP sign;

⁴ Ontario Traffic Manual Book 5: Regulatory Signs, March 2000, pg. 167

⁵ Ontario Traffic Manual Book 5: Regulatory Signs, March 2000, pg. 19-20

⁶ Ontario Traffic Manual Book 5: Regulatory Signs, March 2000, pg. 20

- Where traffic would be required to stop on grades;
- As a means of deterring the movement of through traffic in a residential area;
- Where visibility of the sign is hampered by curves or grades, and insufficient safe stopping distance exists; or
- Where any other traffic device controlling right-of-way is permanently in place within 250 m, with the exception of a YIELD sign.⁷

3.0 Study Methodology

The study was completed through three stages: data collection, data analysis through application of warrants, and synthesis of the results.

To collect traffic data, the study team installed a Miovision Scout unit at the intersection. Scout units are stand-alone video collection units that continuously record activity within its field of view. Scout units are capable of continuously recording over a period of 72 hours on a single charge.

When conducting traffic data collection, best practices are to select days that are representative of typical travel patterns. Data collection is not recommended during statutory holidays, holiday breaks (e.g. March break), Mondays, Fridays, or days preceding or following a holiday.

With these best practices in mind, the Scout unit recorded the intersection for a continuous 24-hour period on the following dates:

- Wednesday, February 19, 2020
- Thursday, February 20, 2020
- Tuesday, February 25, 2020
- Wednesday, February 26, 2020

The intersection data was applied to the appropriate all-way stop volume warrant process for each day to ensure that realistic volumes were represented in the study.

Given the characteristics of Pickering Drive and Cherrylawn Crescent, the volume warrant most applicable to the intersection is the All-Way Stop Minimum Volume Warrant for Minor Roads. It should be noted that the requirements for an all-way stop on minor roads is less restrictive than for major roads; therefore, if the warrant is not satisfied in this instance, there is no need to consider the warrant requirements for major roadways.

⁷ Ontario Traffic Manual Book 5: Regulatory Signs, March 2000, pg. 20-21

4.0 Intersection Data

4.1 Intersection Characteristics

Table 1 summarizes the intersection characteristics that affect the suitability of installing all-way stop controls.

Table 1: Intersection Characteristics

Conditions Where AWS Control is Not Recommended	Comments
Progressive signal timing is present on studied road(s).	Not applicable. The Pickering / Sandwich intersection is not interconnected.
Roads within urban areas having a posted speed limit in excess of 60 km/h	Not applicable. Posted speed limit is 50 km/h
Intersections that are not roundabouts having less than three, or more than four, approaches	Not applicable. Four approaches present.
Intersections that are offset, poorly defined, or geometrically substandard.	Not applicable. Intersection is ninety degrees, well-defined, and has no observable deficiencies.
A truck or bus routes, except in an industrial area or where two such routes cross.	Not applicable. Not a truck or bus route.
Multi-lane approaches where a parked or stopped vehicle on the right will obscure the STOP sign.	Not applicable. Each approach is single-lane.
Traffic would be required to stop on grades.	Not applicable. Grades are flat and level.
Where visibility of the sign is hampered by curves or grades, and insufficient safe stopping distance exists.	Not applicable. Roadways are on tangent with adequate safe stopping distances.
Where any other traffic device controlling right-of-way is permanently in place within 250 m, with the exception of a YIELD sign.	Not applicable. Nearest traffic control device on Pickering is the signalized intersection at Pickering Drive and Sandwich Street, 300 m west of the study location.

4.2 Collision Data

At this time, no collision data has been collected or analyzed as part of this study.

4.3 Traffic Volume Data

Traffic volumes were recorded for each approach at the intersection over continuous 24-hour periods for four (4) study days. Appendix A includes the volume data counts for each study day, as well as an average of volumes per hour per approach.

Table 2 provides a summary of the All-Way Stop Minimum Volume Warrant for Minor Roads requirements and whether the data collected on each study day satisfied these minimums.

Table 2: All-Way Stop Minimum Volume Warrant for Minor Roads Fulfilment Summary

Study Date	Total vehicle volume on all intersection approaches exceeds 350 vehicles per hour for the highest hour recorded	The volume split does not exceed 65/35 for four-way control.
Wednesday, February 19, 2020	Does not meet requirement.	Does not meet requirement.
Thursday, February 20, 2020	Does not meet requirement.	Does not meet requirement.
Tuesday, February 25, 2020	Does not meet requirement.	Does not meet requirement.
Wednesday, February 26, 2020	Does not meet requirement.	Does not meet requirement.

5.0 Results and Recommendations

Based on our current understanding, this intersection is not planned for signalization, and is not planned for a change in intersection right-of-way. We are not in receipt of collision reports related to this intersection, but it is assumed that the collision rate is low or non-existent. Based on these conditions as detailed by the OTM, this intersection would not be considered for an all-way stop control based on collision rates and/or planned infrastructure upgrades.

From the data collected, the intersection volumes do not satisfy the minimum volume requirement of 350 total vehicles per hour for the highest hour recorded for all-way stop controls for minor roads. Additionally, the volume split at the intersection exceeds the minimum split of 65/35.

In summary, all-way stop control is **not recommended** for this intersection.

We trust that this memorandum addresses your concerns for this intersection. However, if you require further elaboration on any aspect of this memorandum, kindly contact us at your convenience to discuss these matters.

Yours truly,

HRYCAY Consulting Engineers, Inc.



Justine Arbour, B.A.Sc., P.Eng

Appendix A
Traffic Volume Data

Traffic Volume Data

Project:	Pickering Drive at Cherrylawn Crescent AWS Study
Project Number:	M440
Location:	Town of Amherstburg
Date(s):	Average Daily Volumes

Time Interval	Vehicle Approach				Total
	NB Cherrylawn Crescent	SB Cherrylawn Crescent	EB Pickering Drive	WB Pickering Drive	
12:00 AM - 1:00 AM	1	0	6	4	10
1:00 AM - 2:00 AM	1	0	2	3	5
2:00 AM - 3:00 AM	1	0	1	1	2
3:00 AM - 4:00 AM	0	0	1	2	3
4:00 AM - 5:00 AM	1	1	1	6	8
5:00 AM - 6:00 AM	3	5	9	14	29
6:00 AM - 7:00 AM	8	4	24	19	54
7:00 AM - 8:00 AM	10	16	31	35	91
8:00 AM - 9:00 AM	8	28	59	63	157
9:00 AM - 10:00 AM	6	12	48	72	138
10:00 AM - 11:00 AM	9	6	60	57	131
11:00 AM - 12:00 PM	10	4	67	57	137
12:00 PM - 1:00 PM	6	6	70	55	136
1:00 PM - 2:00 PM	7	3	68	54	131
2:00 PM - 3:00 PM	8	5	75	61	149
3:00 PM - 4:00 PM	9	22	88	76	193
4:00 PM - 5:00 PM	6	29	109	87	230
5:00 PM - 6:00 PM	8	16	91	66	180
6:00 PM - 7:00 PM	7	4	76	53	139
7:00 PM - 8:00 PM	5	4	56	34	97
8:00 PM - 9:00 PM	3	2	39	22	65
9:00 PM - 10:00 PM	4	1	27	18	48
10:00 PM - 11:00 PM	2	2	15	8	25
11:00 PM - 12:00 AM	1	1	8	7	15
					Σ = 2,173

Approach Volume Splits

	Total 24-hour volume	Volume Split
Cherrylawn Crescent	295	13%
Pickering Drive	1,905	87%
Total	2,200	

Traffic Volume Data

Project:	Pickering Drive at Cherrylawn Crescent AWS Study
Project Number:	M440
Location:	Town of Amherstburg
Date(s):	Wednesday, February 19, 2020

Time Interval	Vehicle Approach				Total
	NB Cherrylawn Crescent	SB Cherrylawn Crescent	EB Pickering Drive	WB Pickering Drive	
12:00 AM - 1:00 AM	0	0	5	3	8
1:00 AM - 2:00 AM	1	0	0	1	2
2:00 AM - 3:00 AM	0	0	0	0	0
3:00 AM - 4:00 AM	0	0	1	3	4
4:00 AM - 5:00 AM	1	0	1	6	8
5:00 AM - 6:00 AM	2	4	6	12	24
6:00 AM - 7:00 AM	8	3	27	19	57
7:00 AM - 8:00 AM	9	15	29	33	86
8:00 AM - 9:00 AM	5	25	59	56	145
9:00 AM - 10:00 AM	6	14	50	75	145
10:00 AM - 11:00 AM	10	7	58	65	140
11:00 AM - 12:00 PM	9	3	68	54	134
12:00 PM - 1:00 PM	6	6	77	49	138
1:00 PM - 2:00 PM	9	2	77	54	142
2:00 PM - 3:00 PM	6	4	72	72	154
3:00 PM - 4:00 PM	6	23	100	91	220
4:00 PM - 5:00 PM	8	27	107	86	228
5:00 PM - 6:00 PM	9	15	75	70	169
6:00 PM - 7:00 PM	8	3	72	52	135
7:00 PM - 8:00 PM	7	3	58	32	100
8:00 PM - 9:00 PM	5	2	41	18	66
9:00 PM - 10:00 PM	3	0	31	21	55
10:00 PM - 11:00 PM	2	0	13	3	18
11:00 PM - 12:00 AM	0	0	6	5	11
					$\Sigma = 2,189$

Approach Volume Splits

	Total 24-hour volume	Volume Split
Cherrylawn Crescent	276	13%
Pickering Drive	1,913	87%
Total	2,189	

Traffic Volume Data

Project:	Pickering Drive at Cherrylawn Crescent AWS Study
Project Number:	M440
Location:	Town of Amherstburg
Date(s):	Thursday, February 20, 2020

Time Interval	Vehicle Approach				Total
	NB Cherrylawn Crescent	SB Cherrylawn Crescent	EB Pickering Drive	WB Pickering Drive	
12:00 AM - 1:00 AM	2	0	5	5	12
1:00 AM - 2:00 AM	0	0	2	4	6
2:00 AM - 3:00 AM	3	0	2	1	6
3:00 AM - 4:00 AM	0	0	1	2	3
4:00 AM - 5:00 AM	1	1	0	2	4
5:00 AM - 6:00 AM	3	3	10	17	33
6:00 AM - 7:00 AM	8	5	20	18	51
7:00 AM - 8:00 AM	9	18	37	37	101
8:00 AM - 9:00 AM	12	24	60	75	171
9:00 AM - 10:00 AM	4	12	50	73	139
10:00 AM - 11:00 AM	12	2	72	56	142
11:00 AM - 12:00 PM	11	6	68	57	142
12:00 PM - 1:00 PM	5	8	75	51	139
1:00 PM - 2:00 PM	9	4	61	59	133
2:00 PM - 3:00 PM	8	7	78	61	154
3:00 PM - 4:00 PM	10	22	97	73	202
4:00 PM - 5:00 PM	5	32	116	96	249
5:00 PM - 6:00 PM	13	12	116	80	221
6:00 PM - 7:00 PM	7	4	78	56	145
7:00 PM - 8:00 PM	2	1	67	33	103
8:00 PM - 9:00 PM	1	3	45	23	72
9:00 PM - 10:00 PM	4	0	30	15	49
10:00 PM - 11:00 PM	3	4	17	7	31
11:00 PM - 12:00 AM	0	1	11	10	22
					Σ = 2,330

Approach Volume Splits

	Total 24-hour volume	Volume Split
Cherrylawn Crescent	301	13%
Pickering Drive	2,029	87%
Total	2,330	

Traffic Volume Data

Project:	Pickering Drive at Cherrylawn Crescent AWS Study
Project Number:	M440
Location:	Town of Amherstburg
Date(s):	Tuesday, February 25, 2020

Time Interval	Vehicle Approach				Total
	NB Cherrylawn Crescent	SB Cherrylawn Crescent	EB Pickering Drive	WB Pickering Drive	
12:00 AM - 1:00 AM	1	0	4	1	6
1:00 AM - 2:00 AM	1	0	2	3	6
2:00 AM - 3:00 AM	0	0	0	0	0
3:00 AM - 4:00 AM	0	0	0	1	1
4:00 AM - 5:00 AM	0	0	0	5	5
5:00 AM - 6:00 AM	3	4	8	12	27
6:00 AM - 7:00 AM	8	4	25	19	56
7:00 AM - 8:00 AM	7	14	33	38	92
8:00 AM - 9:00 AM	9	32	59	71	171
9:00 AM - 10:00 AM	10	11	56	68	145
10:00 AM - 11:00 AM	8	9	58	51	126
11:00 AM - 12:00 PM	11	3	63	52	129
12:00 PM - 1:00 PM	5	3	73	65	146
1:00 PM - 2:00 PM	5	1	65	57	128
2:00 PM - 3:00 PM	8	6	80	58	152
3:00 PM - 4:00 PM	10	19	83	76	188
4:00 PM - 5:00 PM	7	33	121	92	253
5:00 PM - 6:00 PM	5	19	101	63	188
6:00 PM - 7:00 PM	6	1	93	66	166
7:00 PM - 8:00 PM	3	5	50	44	102
8:00 PM - 9:00 PM	1	1	33	31	66
9:00 PM - 10:00 PM	5	0	29	21	55
10:00 PM - 11:00 PM	1	1	15	8	25
11:00 PM - 12:00 AM	0	0	6	6	12
					$\Sigma = 2,245$

Approach Volume Splits

	Total 24-hour volume	Volume Split
Cherrylawn Crescent	280	12%
Pickering Drive	1,965	88%
Total	2,245	

Traffic Volume Data

Project:	Pickering Drive at Cherrylawn Crescent AWS Study
Project Number:	M440
Location:	Town of Amherstburg
Date(s):	Wednesday, February 26, 2020

Time Interval	Vehicle Approach				Total
	NB Cherrylawn Crescent	SB Cherrylawn Crescent	EB Pickering Drive	WB Pickering Drive	
12:00 AM - 1:00 AM	0	0	7	4	11
1:00 AM - 2:00 AM	0	0	2	1	3
2:00 AM - 3:00 AM	0	0	1	0	1
3:00 AM - 4:00 AM	0	0	1	1	2
4:00 AM - 5:00 AM	0	0	2	10	12
5:00 AM - 6:00 AM	3	6	11	12	32
6:00 AM - 7:00 AM	8	2	23	17	50
7:00 AM - 8:00 AM	13	15	24	30	82
8:00 AM - 9:00 AM	6	28	58	49	141
9:00 AM - 10:00 AM	4	10	36	72	122
10:00 AM - 11:00 AM	6	6	49	55	116
11:00 AM - 12:00 PM	8	3	69	63	143
12:00 PM - 1:00 PM	5	5	55	55	120
1:00 PM - 2:00 PM	2	4	67	46	119
2:00 PM - 3:00 PM	10	1	69	53	133
3:00 PM - 4:00 PM	7	21	71	61	160
4:00 PM - 5:00 PM	3	24	89	74	190
5:00 PM - 6:00 PM	5	17	70	50	142
6:00 PM - 7:00 PM	6	6	60	38	110
7:00 PM - 8:00 PM	6	4	46	26	82
8:00 PM - 9:00 PM	2	1	36	16	55
9:00 PM - 10:00 PM	2	1	17	12	32
10:00 PM - 11:00 PM	1	1	12	11	25
11:00 PM - 12:00 AM	1	0	7	5	13
					$\Sigma = 1,896$

Approach Volume Splits

	Total 24-hour volume	Volume Split
Cherrylawn Crescent	253	13%
Pickering Drive	1,643	87%
Total	1,896	



Natural Sciences and Engineering
Research Council of Canada

Conseil de recherches en sciences
naturelles et en génie du Canada

350 Albert Street
Ottawa, Canada
K1A 1H5

350, rue Albert
Ottawa, Canada
K1A 1H5

2020/05/28

File: ALLRP 552125 - 20
Fiscal Year: 2020 – 2021

PROTECTED A

Dr. R.M.L. McKay
School of the Environment
University of Windsor
MEMORIAL HALL
401 SUNSET AVE
WINDSOR ON N9B 3P4

Dear Dr. McKay:

Re: Alliance Grants (ALLRP) entitled "Evaluating the persistence of SARS-CoV-2 (COVID-19) in the urban water cycle", with Town of Amherstburg, Town of Lakeshore

We are pleased to inform you that NSERC has approved the above mentioned application. The award was approved as follows:

Award Start Date: 2020/06/01

Year	Awarded Amount	Fiscal Year	Payment amount	Fiscal Year Total (For NSERC's use)
1	\$50,000.00	2020	\$50,000.00	\$50,000.00

An explanation of how NSERC payments are disbursed, and the conditions that apply to this grant, are described in the enclosed **Terms and Conditions of Award**. The *Grant Summary* indicates the final reporting date. Reminders will be sent to you approximately six weeks before the report is due.

An NSERC-Mitacs partnership is making available additional resources to augment your research collaboration. Qualifying partner organizations can add Mitacs-funded internships to an Alliance COVID-19 project at a reduced cost to the organization. To access this opportunity, please contact Noha Gerges, Director of Business Development, at Mitacs (ngerges@mitacs.ca). When requested by Mitacs, NSERC will share a copy of the approved project application with Mitacs, who will then confirm program eligibility and the details surrounding the internship opportunity.

We encourage you to share any decisions about your application with your co-applicants (if any) and partner organization(s) as we will not be communicating with them directly.

Please accept my best wishes for continued success in this research endeavour.

Sincerely,

(Signature not required)

Fatima Azimi
Program Officer
Research Partnerships
Telephone: (613) 996-5805
Email: Fatima.Azimi@nserc-crsng.gc.ca

cc: S.Y. Kenno, Research, Windsor
P. Zheng, Finance, Windsor
NSERC Finance



Natural Sciences and Engineering
Research Council of Canada

Conseil de recherches en sciences
naturelles et en génie du Canada

350 Albert Street
Ottawa, Canada
K1A 1H5

350, rue Albert
Ottawa, Canada
K1A 1H5

Terms and Conditions of Award

Grant Summary

File: ALLRP 552125 - 20

Project Title: Evaluating the persistence of SARS-CoV-2 (COVID-19) in the urban water cycle

Grantee: R.M.L. McKay, Great Lakes Inst. for Environmental Res. (GLIER), Windsor

Partner Organization(s): A... Giofu, Town of Amherstburg
C... Nelson, Town of Lakeshore

Co-grantees: N. Biswas, Professor, Civil and Environmental Engineering, Windsor
D.D. Heath, Professor, Great Lakes Inst. for Environmental Res. (GLIER), Windsor
G. Drouillard, Professor, Great Lakes Inst. for Environmental Res. (GLIER), Windsor
R. Seth, Professor, Civil and Environmental Engineering, Windsor
C.G. Weisener, Professor, Great Lakes Inst. for Environmental Res. (GLIER), Windsor
L.A. Porter, Professor, Biological Sciences, Windsor

Project Start Date: 2020/06/01 **Project End Date:** 2021/05/31

Report Due Date(s): Final Report August 1, 2021

Amount of Award:

1/1 \$50,000 2020/06/01

Partner Contribution:

<u>CASH</u>	<u>IN KIND</u>
	\$14,860.00

Fatima Azimi
Program Officer
Research Partnerships



Telephone: (613) 996-5805
Fax: (613) 992-5337
E-mail: Fatima.Azimi@nserc-crsng.gc.ca


TERMS AND CONDITIONS OF AWARD

Alliance Grants

NSERC is pleased to offer you a grant in support of the research project proposed in your application in the amount and for the duration described above.

By drawing on the funds awarded, you confirm that, during tenure of the grant, you will comply with the following terms and conditions:

1. You will use grant funds (including financial contributions from both NSERC and the partner organizations) only for the specific purposes for which they were awarded. Grant funds may not be used for items not approved, or for unauthorized purposes such as indirect costs of research. You are expected to spend grant funds from both NSERC and the partner organizations in a timely manner throughout the project.
2. You will provide true, complete, accurate information in any documents related to your grant/award, and you will represent yourself, your research and your accomplishments in a manner consistent with the norms of the relevant field
3. You will ensure that individuals who are named in any document(s) related to your grant/award have agreed to be included and to disclose their personal information in the document(s).
4. If you are a co-grantee, you agree that the grantee will administer the grant/award on behalf of the group/team.
5. You are not currently ineligible to apply for and/or hold funds from NSERC, the Social Sciences and Humanities Research Council (SSHRC), or the Canadian Institutes of Health Research (CIHR), or any other research or research funding organization worldwide for reasons of breach of policies on responsible conduct of research, such as ethics, integrity or financial management policies. If at any time you become ineligible for any of these reasons, you will advise your institutional officials and NSERC immediately, in writing.
6. You will comply with the  [Tri-Agency Framework: Responsible Conduct of Research](#), which includes but is not limited to the [Tri-Agency Financial Administration Guide](#), the Program Guide for Professors, and the Tri-Agency Research Integrity Policy, and with any amendments to these that NSERC may adopt.
7. If you are or have been (at any time during the past 12 months) a federal public servant, you have complied with and will continue to respect the  [Values and Ethics Code for the Public Sector](#).
8. You consent to the sharing among the three federal granting agencies (NSERC, SSHRC and CIHR) and with any academic institution to which you are, or may become, affiliated, of any and all information, including personal information, in any way related to the application and to the grant/award.
9. You consent to the sharing among any co-funding organizations listed or participating in the research project, any and all information, including personal information, in any way related to the grants/award.

10. You will provide contact information and inform all students, fellows and other research trainees paid out of this grant that NSERC may contact them to gather information for statistics and reporting purposes
11. In the event of any change in your eligibility status, you will inform NSERC and your institutional officials immediately, in writing.
12. You will inform institutional officials of any changes in the nature of the research that may have an impact on certification or approvals as in section 2.4 Agency Requirements for Certain Types of Research of the  [Tri-Agency Framework: Responsible Conduct of Research](#).
13. You will inform NSERC and your institutional officials of any changes in the nature of the research that may require an environmental review/assessment or involves the use of human pluripotent stem cells. You will not proceed with these research activities requiring additional certification until NSERC approval has been obtained.
14. You will inform your institutional officials if your research plan changes to include new activities involving humans or the use of animals. You will not proceed with these research activities until institutional approval has been obtained.
15. Upon request, you will provide regular reports with the complete information requested at intervals that are determined by NSERC.
16. You will adhere to the start and end dates of your project as specified in the Grant Summary. If you wish to extend the term of the grant you must contact NSERC.
17. You will receive the next instalment of your grant on or about the anniversary of the start date subject to:
 - availability of funds;
 - confirmation that the partner organization(s) have met their obligations to provide cash contributions for the preceding term;
 - confirmation that the partner organization(s) will continue their financial support for the following term,
and;
 - a demonstrated need for funds.

NSERC reserves the right to reduce or cancel a grant instalment if the grantee fails to demonstrate a continued need for funds.

18. You agree that you will acknowledge the support of NSERC and of any participating Canadian Government department and/or agencies in all communications about the research and research results.

Other Considerations:

1. Participation of the Partner Organizations

The grantee must ensure that each partner organization:

- honours its commitment to the project (in cash and/or in-kind) as approved;

- provides periodic assessments requested by NSERC, to help NSERC evaluate the progress of the research;
- makes every effort to use the project results to create economic, social and/or environmental benefits for Canada and Canadians.

NSERC may request that the grantee replace the partner organization(s) and/or that the participation of the partner organization(s) be terminated:

- for reasons of national security;
- in the event of criminal sanctions; and
- to comply with federal laws, regulations, policies and directives.

The grantee must ensure that any agreement with the partner organization(s) contains provisions relevant to the above.

2. Research Agreements - Intellectual Property (IP)

The grantee and co-grantees, the universities, and the partner organization(s) agree to abide by NSERC's [Policy on Intellectual Property](#). NSERC considers it a best practice for all parties collaborating in the research project to enter into a Research Agreement that outlines any IP arrangements and the obligations of all partner organizations involved in the research project.

3. Change of Status – Partner Organization(s)

The grantee must notify NSERC immediately of any change in the status of the partner organizations in the grant. These changes include any of the following:

- contact name at the organization;
- buyout or change of ownership and subsequent name change of the organization;
- withdrawal or adjustment of cash support;
- new partner organizations participating.

Depending on the change, it may be necessary to provide new partner organization information to NSERC.

4. Termination of Support

NSERC reserves the right to terminate support at any point:

- if it finds that progress is unsatisfactory;
- if the partner organization(s)' support falls to a level substantially lower than the amount stated in this Grant Summary, or is withdrawn entirely and the grantee cannot find a suitable replacement partner organization;
- if there are national security concerns related to the research, the grantee or co-grantee(s) and/or the partner organization(s);
- if the grantee or co-grantees and/or partner organization(s) are subject to criminal investigations, allegations, indictments or convictions which are related to, or have an impact on, the research;

- to comply with federal laws, regulations, policies and directives; and
- for other issues that may arise.

If an award is terminated early, NSERC will negotiate an orderly phase-out of the project to ensure minimal disruption especially for any highly qualified personnel in training. However, if a breach of NSERC policy is alleged or confirmed, the [Tri-Agency Framework: Responsible Conduct of Research](#) applies.

Note: If you have any concerns about your ability to comply with the terms and conditions listed above, contact the NSERC File Manager (identified in the letter above) immediately. You should agree to the terms and conditions and begin to draw down on any funds paid to you or to the host institution once you are certain that you can and will comply with all of the requirements listed above.

Amherstburg Riverfront Festival Plaza and Marina – Town of Amherstburg
Municipal Class Environmental Assessment

Minister’s Review of Issues Raised by Requester

Issue	Response and Analysis
<p>Concern that noise from the Amphitheatre was not considered during the Class Environmental Assessment process.</p> <p>Concern regarding the potential noise and vibration impacts to the surrounding community and businesses as a result of the proposed amphitheatre.</p>	<p>The Town did not complete a noise assessment for the proposed amphitheatre during the preparation of this Class Environmental Assessment. The reason a noise assessment was not completed is because the specific size and details of the amphitheatre have not been fully established.</p> <p>The Municipal Class Environmental Assessment provides an overview of environmental factors that should be considered by proponents when reviewing existing and future conditions (including noise and vibration). It does not require the completion of a noise assessment for all projects. It is the proponent’s responsibility to determine the need for a noise assessment for its project.</p> <p>As a result of the concerns raised in the Part II Order request, the Town committed to completing a noise and vibration study as part of the project design for the amphitheatre. The Town will use the information from this study when developing its noise by-law for the amphitheatre. The Town’s noise by-law is the mechanism through which noise from the amphitheatre will be regulated.</p> <p>The ministry is satisfied that the requirements of the Municipal Class Environmental Assessment have been met.</p>
<p>Concern that the noise assessment will be completed during the detailed design stage with no opportunity for public input.</p>	<p>The Municipal Class Environmental Assessment does not require a proponent to consult with interested persons during the detailed design stage of a proposed project. Although this is not a requirement, the ministry encourages the Town to continue to engage with interested parties during project implementation.</p>

**Ministry of the Environment,
Conservation and Parks**

Office of the Minister

777 Bay Street, 5th Floor
Toronto ON M7A 2J3
Tel.: 416-314-6790

**Ministère de l'Environnement,
de la Protection de la nature et des
Parcs**

Bureau du ministre

777, rue Bay, 5^e étage
Toronto ON M7A 2J3
Tél. : 416-314-6790



May 21, 2020

357-2019-2555

Mr. Taras Natyshak, MPP
Essex
Legislative Building, Room 369
Queen's Park
Toronto ON M7A 1A5

Dear MPP Natyshak:

I am writing to you in regards to the Amherstburg Riverfront Festival Plaza and Marina Class Environmental Assessment in your riding.

A Class Environmental Assessment applies to routine projects that have predictable and manageable environmental effects. Proponents of these types of projects follow a streamlined self-assessment and decision-making process. Any person concerned about the environmental impacts of a project proceeding under a Class Environmental Assessment may submit a request to the ministry asking that I make an order requiring a higher level of assessment (i.e. individual environmental assessment).

On June 26, 2019, one request was received asking that the Town of Amherstburg be required to prepare an individual environmental assessment for the proposed project. I am taking this opportunity to inform you that I have decided that an individual environmental assessment is not required.

The Town may now proceed with the project subject to any additional permits or approvals that may be required.

Please see the enclosed letter to the Town for additional information on the reasons for my decision.

Mr. Taras Natyshak, MPP
Page 2.

Should you have any questions, please contact my office and Lydia Bojeczko will be able to assist you. She can be reached by phone at 647-241-9587 or by email at lydia.bojeczko@ontario.ca.

Sincerely,



Jeff Yurek
Minister of the Environment, Conservation and Parks

Attachment

c: Lydia Bojeczko, MPP Liaison, MECP
John Miceli, Director of Planning, Town of Amherstburg
EA File No. 19028 – Amherstburg Riverfront Festival Plaza and Marina

**Ministry of the Environment,
Conservation and Parks**

**Ministère de l'Environnement,
de la Protection de la nature et des
Parcs**



Office of the Minister

Bureau du ministre

777 Bay Street, 5th Floor
Toronto ON M7A 2J3
Tel.: 416-314-6790

777, rue Bay, 5^e étage
Toronto ON M7A 2J3
Tél. : 416-314-6790

May 21, 2020

357-2019-2555

Mr. John Miceli
Town of Amherstburg
Director of Planning, Development, and Legislative Services
3295 Meloche Road
Amherstburg ON N9V 2Y8
jmiceli@amherstburg.ca

Dear Mr. Miceli:

On June 26, 2019, the ministry received one Part II Order request asking that the Town of Amherstburg be required to prepare an individual environmental assessment for the proposed Amherstburg Riverfront Festival Plaza and Marina Class Environmental Assessment (project).

I am taking this opportunity to inform you that I have decided that an individual environmental assessment is not required. This decision was made after giving careful consideration to the issues raised in the request, the project documentation, the provisions of the Municipal Class Environmental Assessment, and other relevant matters required to be considered under subsection 16(4) of the Environmental Assessment Act.

The reasons for my decision may be found in the attached table. In the interest of transparency, I encourage you to make this letter available to the greater public on the Town's website and to continue to engage interested persons during the implementation of the project.

With this decision having been made, the Town can now proceed with the project, subject to any other permits or approvals required. The Town must ensure the project is implemented in the manner it was developed and designed, as set out in the project documentation, and inclusive of all mitigating measures, commitments and environmental and other provisions therein.

Mr. John Miceli
Page 2.

Lastly, I would like to ensure that the Town understands that failure to comply with the Act, the provisions of the Municipal Class Environmental Assessment, and failure to implement the project in the manner described in the planning documents are contraventions of the Act and may result in prosecution under section 38 of the Act.

I am confident that the Town recognizes the importance and value of the Act and will ensure that its requirements and those of the Municipal Class Environmental Assessment are satisfied.

Sincerely,



Jeff Yurek
Minister of the Environment, Conservation and Parks

Attachment

c: Requesters
EA File No. 19028 – Amherstburg Riverfront Festival Plaza and Marina Class
Environmental Assessment

**Ministry of the Environment,
Conservation and Parks**

**Ministère de l'Environnement,
de la Protection de la nature et des
Parcs**



Office of the Minister

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777 Bay Street, 5th Floor
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777, rue Bay, 5^e étage
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Tél. : 416-314-6790

May 21, 2020

357-2019-2555

Mr. Gary Wellman



Dear Mr. Wellman:

Thank you for your interest in the Amherstburg Riverfront Festival Plaza and Marina Class Environmental Assessment as proposed by Town of Amherstburg. I welcome your comments on this project.

On June 26, 2019, you requested on behalf of the Queen Charlotte Owners Association that the Town be required to prepare an individual environmental assessment for the Amherstburg Riverfront Festival Plaza and Marina Class Environmental Assessment. I am taking this opportunity to inform you that I have decided that elevating the project to an individual environmental assessment is not required.

In making this decision, I have given careful consideration to the project documentation, the provisions of the Municipal Class Environmental Assessment, the issues raised in the request, and relevant matters to be considered under section 16 of the Environmental Assessment Act.

The Municipal Class Environmental Assessment is a process by which proponents plan and develop projects of this type, including evaluating alternatives, assessing environmental effects, developing mitigation measures, and consulting with the public, without having to obtain approval from me and the Lieutenant Governor in Council for each individual project.

The Municipal Class Environmental Assessment has itself been subject to review and approval under the Act, which determined, in part, that the application of the Municipal Class Environmental Assessment process would enable proponents to meet the intent and purpose of the Act. The Town has demonstrated that it has planned and developed

Mr. Gary Wellman
Page 2.

this project in accordance with the provisions of the Municipal Class Environmental Assessment. I am satisfied therefore that the purpose of the Act, "the betterment of the people of the whole or any part of Ontario by providing for the protection, conservation and wise management in Ontario of the environment," has been met for this project.

The concerns raised, together with the reasons for my decision, are set out in the attached table. I am satisfied that the issues and concerns have been addressed by the work done to date by the Town or will be addressed in future work that is required to be carried out.

With this decision having been made, the Town can now proceed with the project, subject to any other permits or approvals required. The Town must ensure it implements the project in the manner it was developed and designed, as set out in the project documentation, and inclusive of all mitigating measures, and environmental and other provisions therein.

Again, I would like to thank you for participating in the Class Environmental Assessment process and for bringing your concerns to my attention.

Sincerely,



Jeff Yurek
Minister of the Environment, Conservation and Parks

Attachment

c: John Miceli, Director of Planning, Town of Amherstburg
Erin Garbett, William and Shier Environmental Lawyers LLP
EA File No. 19028 – Amherstburg Riverfront Festival Plaza and Marina



The Corporation of the City of Cambridge
Corporate Services Department, Clerk's Division
The City of Cambridge
50 Dickson Street, P.O. Box 669
Cambridge ON N1R 5W8
Tel: (519) 740-4680 ext. 4585
Fax: (519) 740-3011
www.cambridge.ca
mantond@cambridge.ca

May 13, 2020

Hon. Doug Ford
Premier's Office, Room 281
Legislative Building, Queen's Park
Toronto, ON M7A 1A1

To Premier Ford,

RE: Provincial Funding for Rehabilitation Facilities

Please be advised that Cambridge City Council, at its meeting held on the 16th day of April, 2020, approved motion 20-060 regarding Provincial Funding for Rehabilitation Facilities:

Moved by: Councillor Liggett

Seconded by: Councillor Mann

WHEREAS there is a failure of our overall drug and addictions policies and strategies to provide for adequate, timely and sustainable detox and addiction rehabilitation programs in a safe, supportive environment; and,

WHEREAS methods of harm reduction are a stopgap until those struggling with addiction are able to have immediate access to adequate detox and rehabilitation programs; and

WHEREAS the community of Cambridge has shown their concern and compassion for the lack of access and availability for their fellow residents who are asking for such assistance; and

WHEREAS there is an inadequate quantity of rehabilitation facilities throughout the province providing the required number of beds and programs for those struggling with substance abuse requesting assistance; and

WHEREAS publically funded services for detox and rehabilitation programs would ensure that all persons receive such help equitably and in a sustainable way; and

WHEREAS some persons struggling with substance abuse may need such programs more than once;

THEREFORE BE IT RESOLVED that the City of Cambridge asks the Province of Ontario for the much needed funding to provide for such relief for the City of Cambridge as well as throughout the province.

If you require any additional information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Danielle Manton". The signature is written in dark ink on a white background.

Danielle Manton

City Clerk

DM/jh

cc. Office of the Mayor – City of Cambridge
Belinda Karahalios, MPP – Cambridge
Amy Fee, MPP – Kitchener South-Hespeler
Region of Waterloo
City of Kitchener
City of Waterloo
Township of Wilmot
Township of Wellesley
Township of Woolwich
Township of North Dumfries
Association of Municipalities of Ontario



Office of the Mayor

Town of Oakville

1225 Trafalgar Road
Oakville, Ontario L6H 0H3
Tel: 905-338-4173
Fax: 905-815-2001
mayor@oakville.ca

Hon. Doug Downey, Attorney General
Ministry of the Attorney General
11th Floor McMurtry-Scott Building, 720 Bay Street
Toronto, ON M7A 2S9

May 29, 2020

Minister Downey,

I am writing to you on behalf of Oakville's Economic Task Force and the foodservice industry in Oakville to request urgent action to ensure the safe re-introduction of patio service for restaurants in Ontario. The Alcohol and Gaming Commission (AGCO) is currently not reviewing patio applications and this may result in catastrophic delays and bottlenecks that may end in restaurants missing the entire patio season when the Province lifts its provincial restrictions.

I agree that public health should be at the forefront of any reopening decision, however the Province and the AGCO should prepare now for the anticipated demand for patio applications by updating its policies and processes.

The Provincial government and the AGCO can help the foodservice industry by:

- Immediately commence its review of patio applications from restaurants in anticipation of the provincial order being lifted to ensure restaurants can safely maximize their patio season
- Waive the provincial fee of \$815 associated with the application for *Changes and/or Additions to Existing Licensed Areas*
- Streamline the application system to expedite notifications, reviews and approvals to minimize the weeks or month-long processing period for restaurant owners

In order to be in a ready stance for when Provincial restrictions on restaurants are lifted, Oakville Town Council passed a motion that will enable the provision of temporary commercial services outdoors, including patios or pop-up facilities associated with existing restaurants. The motion also waived the municipal portion of patio and bistro application fees for 2020. In addition, Town staff is streamlining our internal approval processes.

Time is one resource that restaurant owners, who have been hard-hit financially, do not have. I am available to further discuss this matter at your earliest convenience.

Sincerely,

Mayor Rob Burton

Commercial Recovery Initiative

Moved by Councillor Haslett-Theall

Seconded by Councillor Chisholm

Whereas the economy of Oakville has been drastically impacted by the COVID-19 pandemic with provincially mandated business restrictions and closures, resulting in limited operations, employee lay offs, and financial hardships.

And whereas commercial areas in Oakville form a key component necessary to ensure that Oakville is a complete, livable community.

And whereas in response to the COVID-19 pandemic, the Mayor formed an Economic Task Force, comprising representatives from the Oakville Chamber of Commerce, BIAs, Visit Oakville, and Economic Development, to provide immediate short-term relief measures to the business community, as well as explore options to support Oakville's long-term economic recovery.

And whereas the Province has entered into Phase One of reopening under the COVID-19 state of emergency and communities are preparing for the restoration of services.

And whereas public health officials advise that two metre distancing is a critical tool to slow the spread of COVID-19.

And whereas the reopening of commercial businesses will require interim adjustments to methods of service delivery to maintain physical distancing requirements related to COVID-19 and meet the needs of the community.

And whereas the Economic Task Force has collaborated to develop the *Commercial Recovery Initiative* to support the town-wide reopening of commercial businesses in a practical manner that supports the safety of the community, employees and members of the public.

NOW THEREFORE BE IT RESOLVED

1. That staff, in cooperation with members of the Economic Task Force, be authorized to implement the *Commercial Recovery Initiative*, designed to reinvigorate economic activity within the Town while simultaneously protecting public health and safety, which includes the following:
 - Making town lands in and adjacent to commercial areas available at nominal cost to enable the provision of temporary commercial services outdoors, including patios or pop-up facilities associated with existing restaurants and retail businesses, or outdoor sale or display of merchandise meeting the objectives of the program, subject to permitting requirements;

- Incorporating physical distancing measures in commercial areas to address safety such as dedicated queueing or pedestrian areas;
 - Providing assistance through the Economic Task force to the BIA's, Chamber of Commerce and Visit Oakville with the development and implementation of a coordinated marketing campaign that encourages residents and visitors to support local businesses;
 - Expedited processing of permits which assist existing businesses in adjusting to the delivery of their services through alternate means;
 - Temporary exemptions from providing required parking under section 40 of the *Planning Act* granted at nominal value to accommodate outdoor patios, or outdoor display areas on private property;
 - Any use of town land or other permits being subject to compliance with physical distancing or other requirements applicable as a result of the COVID-19 emergency, insurance and indemnities, and any other restrictions necessary to protect public safety, meet accessibility requirements and avoid undue interference with the use of public lands by the general public or impacts on adjacent residents.
2. That the application fees for requisite approvals associated with the Commercial Recovery Initiative, be waived for 2020.
 3. That authority to implement the *Commercial Recovery Initiative* is delegated jointly to the Commissioner of Community Development and the Director of Economic Development.

CARRIED UNANIMOUSLY
on a recorded vote,
Council voting as follows:

Recorded Vote

Yeas

Councillor Sandhu
Councillor Parmar
Councillor Lishchyna
Councillor Adams
Councillor Grant
Councillor Knoll
Mayor Burton

Nays

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'Many are already facing closure': Oakville restaurants and small businesses can use town lands as outdoor space

Initiative would not take effect until province lifts restrictions

NEWS 12:00 PM by [David Lea](#) ✓ Oakville Beaver



A busy downtown Oakville in 2016. - Graham Paine/Torstar

When provincial restrictions lift, many restaurants in Oakville will have an opportunity to open more patio space to accommodate customers while still respecting social distancing rules.

Oakville council voted unanimously on Monday, May 25 to pass a Commercial Recovery Initiative that will allow businesses, like restaurants, to temporarily use town lands in and adjacent to commercial areas at normal cost.

Existing restaurants and retail businesses can use this town land to offer outdoor commercial services, including expanded patio service or pop-up facilities.

According to the motion, the space can also be used for an outdoor sale or to display merchandise.

The initiative is subject to permit requirements and will come into effect once the relevant provincial orders prohibiting in-restaurant dining and other outdoor activities are lifted.

Ward 1 Coun. Sean O'Meara spoke about the importance of giving restaurants, in particular, this extra space.

"From what we hear in some of the jurisdictions that are opening up is that restaurants are only going to be allowed about a 25 per cent occupancy rate. When you speak with restaurateurs, those numbers don't add up to a successful business. Many are already facing closure," he said.

"They need these types of resources, they need to be able to expand their footprint in order to protect the health and safety of the patrons, of people walking by, and to ensure they can still run a successful business model."

The initiative will incorporate physical distancing measures in these areas to address safety.

"Town council and Oakville's Economic Task Force want to be proactive and identify opportunities to support small businesses and restaurants. Converting available outdoor space to allow customers to shop or dine, while following proper physical distancing, will restore confidence in in-person shopping and dining when the provincial order allows restaurants to restore their full services," said Oakville Mayor Rob Burton.

"In line with recommendations from our local BIAs, the town will also be waiving the municipal portion of patio and bistro application fees. We know restaurants have been among the hardest hit as a result of the emergency order relating to the COVID-19 pandemic and we will continue to do everything we can to support our local restaurants who are an essential part of our community and local economy."

The mayor said he would also be writing the province to request that the Alcohol and Gaming Commission start processing these applications in anticipation of provincial restrictions being lifted.

He said he would also request that they streamline this application process and waive any provincial fees for restaurants and small businesses.



**TOWN OF AMHERSTBURG
DRAINAGE BOARD
Tuesday, June 2, 2020
6:00 PM
ELECTRONIC PARTICIPATION
MINUTES**

PRESENT

Bob Bezaire, Chair
Allan Major, Vice-Chair
Brad Laramie
Bob Pillon
Anthony Campigotto
Shane McVitty, Drainage Superintendent &
Engineering Coordinator
Nicole Humber, Recording Secretary
Paula Parker, Municipal Clerk
Abdul Samad Mohammed, IT Service and Support
Technologist

ABSENT

CALL TO ORDER

The Chair called the meeting to order at 6:01 p.m.

ROLL CALL

All Board members present.

DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF

There were none.

3. MINUTES OF PREVIOUS MEETING

Bob Pillon noted that there was an error in the minutes. Mr. Pillon stated that the second paragraph from the bottom of page 8 should read “the smaller lot was assessed a higher cost than the larger lot.”

Bob Pillon moved, Allan Major seconded;

That:

The minutes of the previous meeting BE ADOPTED:

1. Drainage Board Meeting Minutes – February 6, 2020, as amended

	Yes/Concur	No/Not Concur
Bob Pillon	X	
Allan Major – Vice Chair	X	
Brad Laramie	X	
Anthony Campigotto	X	
Bob Bezaire - Chair	X	

Motion Carried

4. NEW BUSINESS

4.1 Subsequent Connection – Morgan Drain and North Branch (Section 65(3)) Subsequent Connection – Ouellette Drain West (Section 65(4))

Shane McVitty advised that the Town received a request from a landowner to subsequently connect to the Morgan Drain and branches. Mr. McVitty explained that in this case the landowner has requested to be removed from the Ouellette Drain West watershed and be added to the watersheds of the Morgan Drain (Main and South Branch) and the North Branch of the Morgan Drain. Mr. McVitty further explained that the landowner had constructed a private drainage ditch which now directs the run-off from his property to the Morgan Drain. Mr. McVitty stated that Dennis McCready, P.Eng of RC Spencer Associates was instructed to prepare a report for the subsequent connection. It was noted by Mr. McVitty that in Mr. McCready's report, a second property was removed from the Ouellette Drain West watershed and subsequently connected into the Morgan Drain. Mr. McVitty explained that removing the two properties would result in adjustments to the Ouellette Drain West assessment schedule based on this report. Mr. McVitty advised the Board Members that presently, there is a hearing before the Ontario Drainage Tribunal in relation to the recent report for the Ouellette Drain West. He added that once the Hearing takes place, the matter of the subsequent disconnection of the two parcels will be formally brought forward and the Tribunal will be requested to remove the assessments against these two properties from the Ouellette Drain West report and bylaw.

Board Chair Bob Bezaire asked the Board members if they had any questions.

Board Member Bob Pillon questioned why the Engineer was not present to present his report.

Mr. McVitty advised that under the provisions of the Drainage Act, there is no requirement for an Engineer to present his or her report completed under Section 65. Mr. McVitty further stated that having the engineer attend would have incurred additional costs, all of which are paid for by the landowner that made the request for the subsequent connection.

Board Chair Bob Bezaire asked the Board members if there were any further questions.

There were none.

Allan Major moved, Anthony Campigotto seconded;

That:

- 1. The report from the Drainage Superintendent and Engineering Coordinator dated May 25, 2020, regarding the Subsequent Connection – Morgan Drain and North Branch (Section 65(3)) and Subsequent Disconnection – Ouellette Drain West (Section 65(4)) BE RECEIVED;**
- 2. The engineer’s report, prepared by RC Spencer Associates Inc. on May 26, 2020, for the Subsequent Connection – Morgan Drain and North Branch (Section 65(3)) and Subsequent Disconnection – Ouellette Drain West (Section 65(4)) BE RECEIVED;**
- 3. The assessment adjustments as listed in the engineering report prepared by RC Spencer Associates Inc. BE APPROVED, and;**
- 4. Administration BRING FORWARD the Drainage Board’s recommendation to approve the assessment adjustments at a future Regular Council Meeting.**

	Yes/Concur	No/Not Concur
Bob Pillon	X	
Allan Major – Vice Chair	X	
Brad Laramie	X	
Anthony Campigotto	X	
Bob Bezaire - Chair	X	

Motion Carried

4.2 Higgs Drain – New Maintenance Schedule of Assessment – Engineering Appointment

Shane McVitty advised the Board Members that the Town has received a request for a new schedule of assessment for the Higgs Drain from a private developer in relation to a proposed residential development. Mr. McVitty stated that a new maintenance schedule would have to be completed to ensure all properties are assessed fairly into the Higgs Drain. Mr. McVitty explained that as part of the proposed development, stormwater management will be in place to control quality and release of the stormwater into the Higgs Drain. Mr. McVitty further stated that he is recommending that RC Spencer and Associates be appointed to prepare a new schedule of assessment for the Higgs Drain that will take into consideration the new residential development.

Board Chair Bob Bezaire asked the Board members if they had any questions.

Board Member Bob Pillon asked if there was going to be a retention pond in the new development.

Mr. McVitty advised that a stormwater management pond is being proposed by the developer, along with overland flow routing for conveyance of storm water run-off from large storm events that exceed the 1:100 year storm.

Board Chair Bob Bezaire asked the Board members if there were any further questions.

Board Member Bob Pillon asked if there were any concerns for the homes on Thrasher Drive from the proposed development and the houses potentially being raised.

Mr. McVitty stated that the Town and ERCA will be completing reviews of the proposed development through site plan control. Mr. McVitty further explained that the report for the Higgs Drain will only focus on updating the existing schedule of assessment and will not address specific design issues that relate to the proposed residential subdivision.

Board Chair Bob Bezaire asked the Board members if there were any further questions.

Board Member Anthony Campigotto asked if the retention pond in the proposed development would be permanent.

Mr. McVitty stated that as far as he knew the retention pond will be permanent.

Anthony Campigotto moved, Bob Pillon seconded;

That:

- 1. The report from the Drainage Superintendent and Engineering Coordinator dated May 26, 2020, regarding the Higgs Drain – New Maintenance Schedule of Assessment – Engineering Appointment BE RECEIVED;**
- 2. The Drainage Board recommend that Council ACCEPT the request from Camille Elters per Section 76 of the Drainage Act; and,**
- 3. The Drainage Board recommend that the appointment of the firm of RC Spencer Associates Inc. to complete an engineering report for the Higgs Drain – New Maintenance Schedule of Assessment BE APPROVED by Council.**

	Yes/Concur	No/Not Concur
Allan Major – Vice Chair	X	
Bob Pillon	X	
Brad Laramie	X	
Anthony Campigotto	X	
Bob Bezaire - Chair	X	

Motion Carried

5. NEXT MEETING DATE

Tuesday, July 7, 2020 @ 6:00 p.m.

6. ADJOURNMENT

Anthony Campigotto moved, Allan Major seconded;

That the meeting of the Drainage Board BE ADJOURNED at 6:20 p.m.

Motion Carried

Chair – Bob Bezaire

Staff Liaison – Shane McVitty



THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF ENGINEERING AND PUBLIC WORKS

MISSION STATEMENT: Committed to delivering cost-effective and efficient services for the residents of the Town of Amherstburg with a view to improve and enhance their quality of life.

Author's Name: Shane McVitty	Report Date: May 25, 2020
Author's Phone: 519 736-3664 ext. 2318	Date to Drainage Board: June 2, 2020
Author's E-mail: smcvitty@amherstburg.ca	Resolution #: N/A

To: Members of the Drainage Board

Subject: Subsequent Connection – Morgan Drain and North Branch (Section 65(3))
Subsequent Disconnection – Ouellette Drain West (Section 65(4))

1. **RECOMMENDATION:**

It is recommended that:

1. The report from the Drainage Superintendent and Engineering Coordinator dated May 25, 2020, regarding the Subsequent Connection – Morgan Drain and North Branch (Section 65(3)) and Subsequent Disconnection – Ouellette Drain West (Section 65(4)) **BE RECEIVED**;
2. The engineer's report, prepared by RC Spencer Associates Inc. on May 26, 2020, for the Subsequent Connection – Morgan Drain and North Branch (Section 65(3)) and Subsequent Disconnection – Ouellette Drain West (Section 65(4)) **BE RECEIVED**;
3. The assessment adjustments as listed in the engineering report prepared by RC Spencer Associates Inc. **BE APPROVED**, and;
4. Administration **BRING FORWARD** the Drainage Board's recommendation to approve the assessment adjustments at a future Regular Council Meeting.

2. **BACKGROUND:**

Under the provisions of the Drainage Act, when lands that are not assessed for drainage wish to subsequently connect those lands to a drain for the purpose of drainage, or if the nature of the use of the lands are subsequently altered, the Municipality must take steps to examine such changes and assess the lands for a just proportion of the drainage works. Under these circumstances, the Municipality is

required to instruct an engineer to inspect the lands and drainage works in question and complete the necessary reapportionment of assessments relating to the affected drain(s). In this case, a small portion of the Kingsbridge Subdivision located in the south-east region of the development and having Roll No. [REDACTED] has requested that an engineer perform the necessary examinations and complete the required reapportionments to accommodate additional discharge into the Morgan Drain and North Branches.

3. DISCUSSION:

Section 65 of the Drainage Act discusses the obligation of a Municipality to manage changes in assessments due to sub-divisions of land, subsequent connections and disconnections of lands from drainage works, and the altering of the nature or extent of land usage for the purpose of drainage. Section 65(3) requires the Municipality to instruct an engineer to complete the necessary examinations and make the assessment adjustments to lands that subsequently connect to a drainage work. Specifically, the procedures by which subsequent connections are to be administered are outlined under Section 65(3) of the Act, which stipulates that:

Subsequent connection to drainage works, etc.

65. (3) If an owner of land that is not assessed for a drainage works subsequently connects the land with the drainage works for the purpose of drainage, or if the nature or extent of the use of a drainage works by land assessed for the drainage works is subsequently altered, the clerk of the local municipality in which the land is situate shall instruct an engineer in writing to inspect the land and assess it for a just proportion of the drainage works, taking into account any compensation paid to the owner of the land in respect of the drainage works. 2010, c. 16, Sched. 1, s. 2 (26).

In this case, the owners of the lands at Roll No. [REDACTED] have requested that 2.246 hectares (5.55 acres) of land be removed from the watershed of the Ouellette Drain West and be added to the watersheds of the Morgan Drain (Main and South Branch) and the North Branch of the Morgan Drain in order to better suit the prevalent drainage patterns of the parcel. To this end, the landowner has constructed a private ditch that directs run-off from the property to the North Branch of the Morgan Drain. From there, water flows through the North Branch of the Morgan Drain to the Morgan Drain. Under the existing reports for the Morgan Drain (Main and South Branch) and the North Branch of the Morgan Drain, the parcel listed as Roll No. [REDACTED] is not assessed to the Morgan Drain or its Branches. The owner of the property, through the construction of a private drainage ditch and augmentation to the run-off characteristics of the parcel's landscape, wishes to direct 2.246 hectares (5.55 acres) to the Morgan Drain. This land is not planned for residential development but has been set aside as a naturalized segment of the subdivision. Pursuant to the provisions of the Drainage Act, the Town instructed Dennis McCready, P.Eng., to complete an examination of the Morgan Drain and the Morgan Drain North Branch and to prepare a report for the subsequent connection of the subject lands into said drains.

Over the course of inspections performed by the engineer, it was determined that the private ditch constructed on the lands of Roll No. [REDACTED] will intercept and prevent runoff from the property listed as Roll No. [REDACTED] from draining northerly towards

the Ouellette Drain West. This is a 1.079 hectares (2.67 acres) bush-lot parcel of land and is located immediately south of Roll No. [REDACTED]. As a result, all of the runoff from Roll No. [REDACTED] is conveyed to the North Branch of the Morgan Drain, ultimately draining the Morgan Drain.

As part of his work, Mr. McCready has submitted the attached report that addresses the subsequent connection of Roll No. [REDACTED] and [REDACTED] and provides an assessment of costs to the subject lands into the Morgan Drain (Main and South Branch) and the North Branch of the Morgan Drain. Mr. McCready's report also considers the nature and extent of the land usage being proposed in his assessment rationale. In the future, when works of maintenance are performed on the Morgan Drain (Main and South Branch) and the North Branch of the Morgan Drain, these adjusted assessment values will be applied to ensure that associated maintenance costs are fairly and accurately assessed.

Due to the alterations of the landscape at Roll No. [REDACTED], changes will also be required to the watershed of the Ouellette Drain West as this property, as well as [REDACTED], have been subsequently disconnected from its watershed. The last report for the repair and improvement to the Ouellette Drain West was prepared by RC Spencer Associates Inc. dated June 28, 2019. Presently, there is a hearing before the Ontario Drainage Tribunal in relation to this report. At the time of the hearing, the matter of the subsequent disconnection of the two parcels will be formally brought forward and the Tribunal will be requested to remove the assessments against these two properties from the Ouellette Drain West report and bylaw.

Subsequent connections, once accepted by the Drainage Board and approved by Council through resolution, will be reflected in the assessments of all future works of maintenance on the Morgan Drain (Main and South Branch) and the North Branch of the Morgan Drain.

4. RISK ANALYSIS:

Under the Drainage Act, when lands that are not assessed for drainage wish to subsequently connect to or disconnect from a drain for the purposes of drainage, or if the nature or usage of lands is subsequently altered, it is the Municipality's obligation to take the proper steps to examine and complete the necessary assessments to reflect the changes. Failing to do so could lead to unfair assessments of drain maintenance costs that do not accurately reflect the prevalent drainage conditions within the watershed. This could lead to conflicts between the Municipality and landowners over drainage assessments and the possible denial of agricultural grants from the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA).

5. FINANCIAL MATTERS:

Section 65(10) of the Drainage Act stipulates the following:

Costs

65 (10) The costs of the assessment, including the fees of the engineer, shall be paid by the owners of the lands in the proportion fixed by the engineer or, on

appeal, by the Tribunal, and subsection 61 (4) applies to these costs. 2010, c. 16, Sched. 1, s. 2 (26).

Accordingly, all costs associated with the preparation of the engineering report will be paid for by the owner of the lands at Roll No. [REDACTED].

6. CONSULTATIONS:

N/A

7. CONCLUSION:

Administration is recommending that the assessment adjustments provided in the report prepared by RC Spencer Associates Inc., dated May 26, 2020, for the Subsequent Connection – Morgan Drain and North Branch (Section 65(3)) and Subsequent Disconnection – Ouellette Drain West (Section 65(4)) be approved and that said assessment adjustments be approved by Council resolution.



Shane McVitty
**Drainage Superintendent and
Engineering Coordinator**

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Attachment(s):

- Subsequent Connection – Morgan Drain and North Branch (Section 65(3)) and Subsequent Disconnection – Ouellette Drain West (Section 65(4)) – report prepared by Dennis McCready, P.Eng., dated May 26, 2020.
- Landowner submission for Request for Subsequent Connection



May 26, 2020
File No. 20-1012

Town of Amherstburg
271 Sandwich Street South,
Amherstburg, ON
N9V 2A5

Attention: Paula Parker
Municipal Clerk

Re: Report under Sections 65(3) and 65(4) of the Drainage Act
for Roll No. 420-31600 & Roll No. 420-32000.
- Subsequent Connection to Morgan Drain and North Branch; and
- Subsequent Disconnection from Ouellette Drain West

INSTRUCTIONS

In accordance with your instructions under Section 65(3) and Section 65(4) of the Drainage Act, we have made an inspection of the two properties designated as Roll No. 420-32000 and Roll No. 420-31600. Changes made in the fall of 2019 to the private drainage systems on Roll No. 420-33200, have redirected some additional runoff into the North Branch of the Morgan Drain and the Morgan Drain (Main and South Branch).

This report recommends that Roll No. 420-31600 (1.079 Hectares) be entirely removed from the watershed of the Ouellette Drain West and be added to the watershed of Morgan Drain and its North Branch. This report also recommends that Roll No. 420-32000 be entirely removed from the watershed of the Ouellette Drain West and that the portion not currently assessed into the White Drain Outlet (2.246 Hectares), be added to the watersheds of Morgan Drain and its North Branch.

PROVISIONS OF THE DRAINAGE ACT

A property owner has no right to bring water from outside the area assessed into a drainage works, except as provided by Section 65(3) of the Drainage Act. An Engineer is appointed to make an inspection and assess the land for a fair proportion of the cost of the drainage works. The governing assessment schedules for future maintenance of the drainage works are also modified by the Engineer to reflect an increase in the assessment associated with the subsequently connected lands. Once this has been done, the property will have the legal right to use the drainage works as an outlet for the additional land connected to it.

A property owner has no right to disconnect from a drainage works, except as provided by Section 65(4) of the Drainage Act. An Engineer is appointed to inspect the lands and determine the



amount by which the assessment of the land should change. The governing assessment schedules for future maintenance of the drainage works are modified by the Engineer to reflect a reduction in the assessment associated with the subsequently disconnected lands. Once this has been done, the property will no longer have the legal right to use the drainage works as an outlet for the land disconnected from the watershed.

Section 65(5) requires that no person shall connect to or disconnect from a drainage works without the approval of the Council of the Municipality.

INSPECTION OF THE LANDS

During our site visit and inspection, we examined the private ditch constructed in the fall of 2019. It is located near the east and south limits of the property owned by 658620 Ontario Limited (Roll No. 420-32000). This private ditch will intercept and prevent any runoff from that property from using the Ouellette Drain West as an outlet. It will also intercept and prevent any runoff from the property owned by Marc C. and Lorri M. Conte (Roll No. 420-31600) from using the Ouellette Drain West as an outlet.

The private ditch connects to the North Branch of the Morgan Drain. We recommend that the entire area of the Conte property and the portion of the property owned by 658620 Ontario Limited that is served by the private ditch, be removed from the watershed of the Ouellette Drain West. Those lands should be assessed into the North Branch of the Morgan Drain and the Morgan Drain (Main and South Branch).

DRAINAGE SYSTEMS AFFECTED

Currently, the property owned by Marc C. and Lorri M. Conte (Roll No. 420-31600) is entirely assessed into the Ouellette Drain West. The property owned by 658620 Ontario Limited (Roll No. 420-32000) is assessed into the White Drain Outlet and the Ouellette Drain West.

No changes will be required to the White Drain Outlet report as a result of the subsequent disconnections or subsequent connections recommended in this report. A brief history is provided in this report to explain some of the watershed changes that have occurred in recent years due to development that affect the Morgan Drain watershed.

Changes will be required to the watershed of the Ouellette Drain West as the two properties have been subsequently disconnected from its watershed.

Changes will be required to the assessment schedules for the North Branch of the Morgan Drain and the Morgan Drain (Main and South Branch) due to the subsequent connection of additional lands from Roll No. 420-31600 and Roll No. 420-32000.

DRAINAGE HISTORY

a) WHITE DRAIN OUTLET

The White Drain Outlet is an open drain with its outlet at the Detroit River. The last report for the repair and improvement of the drain was prepared by Don Joudrey, P.Eng. on July 18, 2005. Under

that report, the drain was improved to provide sufficient outlet for existing and future development in the Kingsbridge Subdivision.

Under a report by Baird AE dated April 25, 2017, a new schedule of assessment was prepared for the White Drain Outlet. The need for a new maintenance schedule was the result of changes to the proposed stormwater management system being developed at that time, for the Kingsbridge Subdivision.

Kingsbridge Subdivision Phase 8B-1 and Phase 8B-2 were removed from the White Drain Outlet watershed and Kingsbridge Subdivision Phase 9 was added to the White Drain Outlet watershed. These changes were reflected in a separate report by Baird AE for the Morgan Drain (Main and South Branch) dated April 25, 2017.

b) MORGAN DRAINAGE SYSTEM

The Morgan Drainage System consists of an open main drain and two branch drains, all of which have been constructed, repaired and improved under the Drainage Act on a number of occasions over the years. The Morgan Drain (Main Branch) was originally constructed in accordance with the Ditches and Watercourses Act under a report by J. Laird in 1884. The Morgan Drain (Main Branch) was further improved, extended to the west and had the South Branch added in 1931. The North Branch was added in 1960.

i) North Branch of the Morgan Drain

The North Branch of the Morgan Drain was last repaired and improved under a report prepared by Stantec Consulting Ltd. dated December 1, 2011. The North Branch consists of sections of open drain and covered drain. Starting at the outlet of the drain into the Morgan Drain (Main Drain) and proceeding upstream, the North Branch consists of 150 m of open drain, 67 m of 525 mm diameter concrete pipe, 170 m of 525 mm diameter H.D.P.E. pipe and 57 m of open drain. The 2011 report governs the technical aspects of the future maintenance of the drain. The Schedule of Assessment, "Schedule A" attached to the 2011 report governs the assessment of future maintenance cost. For the purposes of assessing future maintenance costs, the "Special Benefit" is deleted from the Schedule prior to prorating the maintenance costs. After deleting the "Special Benefit", the remaining assessments for "Benefit" and "Outlet" have a total value of \$5,630.

ii) Morgan Drain (Main and South Branch)

The Morgan Drain (Main and South Branch) was last repaired and improved under a report prepared E.P. Dries dated October 23, 2011. That report governs the technical aspects related to future maintenance of the Morgan Drain (Main and the South Branch), as well as, the culverts in the open channel. There are three access culverts, two road culverts, one railway culvert and one drain enclosure serving Roll No. 420-268 and Roll No. 420-269.

Under a report prepared by Baird AE on April 25, 2017, a new schedule of assessment was prepared for the Morgan Drain (Main and South Branch). The need for a new maintenance schedule was the result of changes to the proposed stormwater management system being

developed at that time, for the Kingsbridge Subdivision. Kingsbridge Subdivision Phase 9, was removed from the Morgan Drain watershed and added to the White Drain Outlet watershed under a separate report.

The 2017 Baird AE report recommends that all costs associated with future maintenance of the drain be assessed to the affected lands and roads in accordance with the “Maintenance Schedule of Assessment” attached to the 2017 Baird AE report. That report also states that the extent of the works undertaken shall be governed by the bylaw derived from the 2011 Dries report.

The 2017 Baird AE report is silent regarding the assessment of any future maintenance costs for the three access culverts, two road culverts, one railway culvert and one drain enclosure serving Roll No. 420-268 and Roll No. 420-269. It appears that the assessment provisions of the 2011 Dries report may still govern the assessment of any future maintenance costs on these seven culvert structures.

The 2011 Dries report sets out the culvert sizes to be used for replacement structures and assesses the future maintenance or replacement costs for the seven culvert structures as follows:

- a) The two road crossings and the railway culvert are assessed 100% against the applicable road authority or the railway company.
- b) The drain enclosure serving Roll No. 420-268 and 420-269 was assessed 50% against each property.
- c) The three access culverts were assessed 60% against the abutting private property served by the access culvert and 40% against the lands lying upstream of the culvert site in the same proportions as the “Outlet” assessments shown in the Schedule of Assessment attached to the 2011 report. It would seem appropriate to use the “Outlet” assessments shown in the 2017 reassessment report after adding the assessments for the subsequently connected lands.

d) Ouellette Drain West

The last report for the repair and improvement of the Ouellette Drain West was prepared by RC Spencer Associates Inc. dated June 28, 2019. That report provides for the repair and improvement of existing retaining walls along a 60 m length of drain immediately upstream of County Road 20, near the Detroit River. Roll No. 420-31600 is entirely assessed to the Ouellette Drain West. Roll No. 420-32000 is partially assessed to the Ouellette Drain West.

SUBSEQUENT DISCONNECTION FROM THE OUELLETTE DRAIN WEST

There is a hearing pending before the Ontario Drainage Tribunal regarding the June 28, 2019 report for the Ouellette Drain West project. At the hearing before the Tribunal, the matter of the subsequent disconnection of the two properties will be brought forward and the Tribunal will be requested to remove the assessments against these two properties from the Ouellette Drain

report and bylaw. If approved, there will be no need for a subsequent disconnection report for the Ouellette Drain West under Section 65(4).

CAPACITY OF THE MORGAN DRAINAGE SYSTEM

The proposed addition of a total of 3.325 hectares of land to the watershed of the North Branch of the Morgan Drain will result in a very minor increase in the peak flow rate of run-off. A significant portion (17.84 hectares) of the watershed of the North Branch of the Morgan Drain was redirected to the White Drain Outlet after the North Branch was improved under the 2011 report. The covered portions of the drain were designed for a larger watershed than it currently serves. The existing North Branch of the Morgan Drain has adequate capacity to accommodate the 3.325 hectares of land subsequently connected.

Similarly, the Morgan Drain (Main and South Branch) currently serves a smaller watershed than it did in 2011 when it was last improved even after adding an additional 3.325 hectares of land. The drain and the culverts within it have adequate reserve capacity to accommodate the lands to be subsequently connected.

We concur with Council's decision to permit the subsequent connection of the additional lands from the two properties.

SUBSEQUENT CONNECTION TO THE MORGAN DRAINAGE SYSTEM

We have reviewed the past assessments on the Morgan Drainage System. In accordance with Section 65(3) of The Drainage Act, the engineer shall assess the additional lands for a just proportion of the drainage works. The assessed amount would be collected and credited to the account of the drainage works and shall be used for the improvement, maintenance or repair of the whole or any part of the drainage works, in the future.

Under the previous engineer's reports for the Morgan Drainage System prepared in 2011, other properties owned by the Dunn Group of Companies were assessed for the Morgan Drainage System improvements. Those properties have since been removed from the Morgan Drainage System and added to the White Drain Outlet as reflected in the 2017 Baird AE reassessment reports. For this reason, we do not find it appropriate to assess the subsequently connected lands for a buy-in cost at this time.

We have reviewed the governing assessment schedules for future maintenance and in accordance with Section 65(3) of the Drainage Act, we have determined a just proportion of the drainage works that should be assessed to the connected lands when future maintenance is carried out. The assessments for future maintenance to be added to the governing schedules is as follows:

a) North Branch of the Morgan Drain

The Schedule of Assessment, "Schedule A" attached to the 2011 report governs the assessment of future maintenance costs on the North Branch. For the purposes of assessing future maintenance costs, the "Special Benefit" is to be deleted from the Schedule prior to prorating the maintenance costs. The remaining assessments for "Benefit" and "Outlet" have a total value of \$5,630. We recommend that the following assessments be added to "Schedule A" of the 2011 report.

ROLL No.	AREA (Ha.)	OWNER	BENEFIT	OUTLET	TOTAL
420-31600	1.079	Marc C. & Lorri M. Conte	\$ 10.00	\$ 120.00	\$ 130.00
420-32000	2.246	658620 Ontario Limited	\$ 25.00	\$ 280.00	\$ 305.00
Assessments to be added to Schedule A			\$ 35.00	\$ 400.00	\$ 435.00

Therefore, when future maintenance is required, the proportionate amount assessed against each property within the original 2011 report along with the two added properties will be based on a total value for "Schedule A" of \$6,065.00 instead of the total Benefit and Outlet assessments in the 2011 report which is \$5,630.00.

b) Morgan Drain (Main and South Branch)

The Schedule of Assessment attached to the April 25, 2017 report of Baird AE governs the assessment of future maintenance costs on the Morgan Drain (Main and South Branch). The Maintenance Schedule has an assumed total assessment of \$ 10,000.00. We recommend that the following assessments be added to Maintenance Schedule of Assessment attached to the 2017 report.

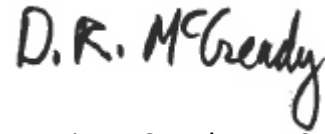
ROLL No.	AREA (Ha.)	OWNER	BENEFIT	OUTLET	TOTAL
420-31600	1.079	Marc C. & Lorri M. Conte	\$ 0.00	\$ 6.00	\$ 6.00
420-32000	2.246	658620 Ontario Limited	\$ 0.00	\$ 14.00	\$ 14.00
Assessments to be added to Maintenance Schedule			\$ 0.00	\$ 20.00	\$ 20.00

Therefore, when future maintenance is required, the proportionate amount assessed against each property within the original 2017 report along with the two added properties will be based on a total value of \$10,020.00 instead of the total Benefit and Outlet assessments in the 2017 report which is \$10,000.00.

ENGINEERING FEES

In addition, our fee in the amount of \$1,500.00 (including H.S.T.) for the inspection of the two properties and this report should be charged to 658620 Ontario Limited (Roll No. 420-32000). The owner of this property constructed the private ditch and has agreed to pay for the entire cost of this report.

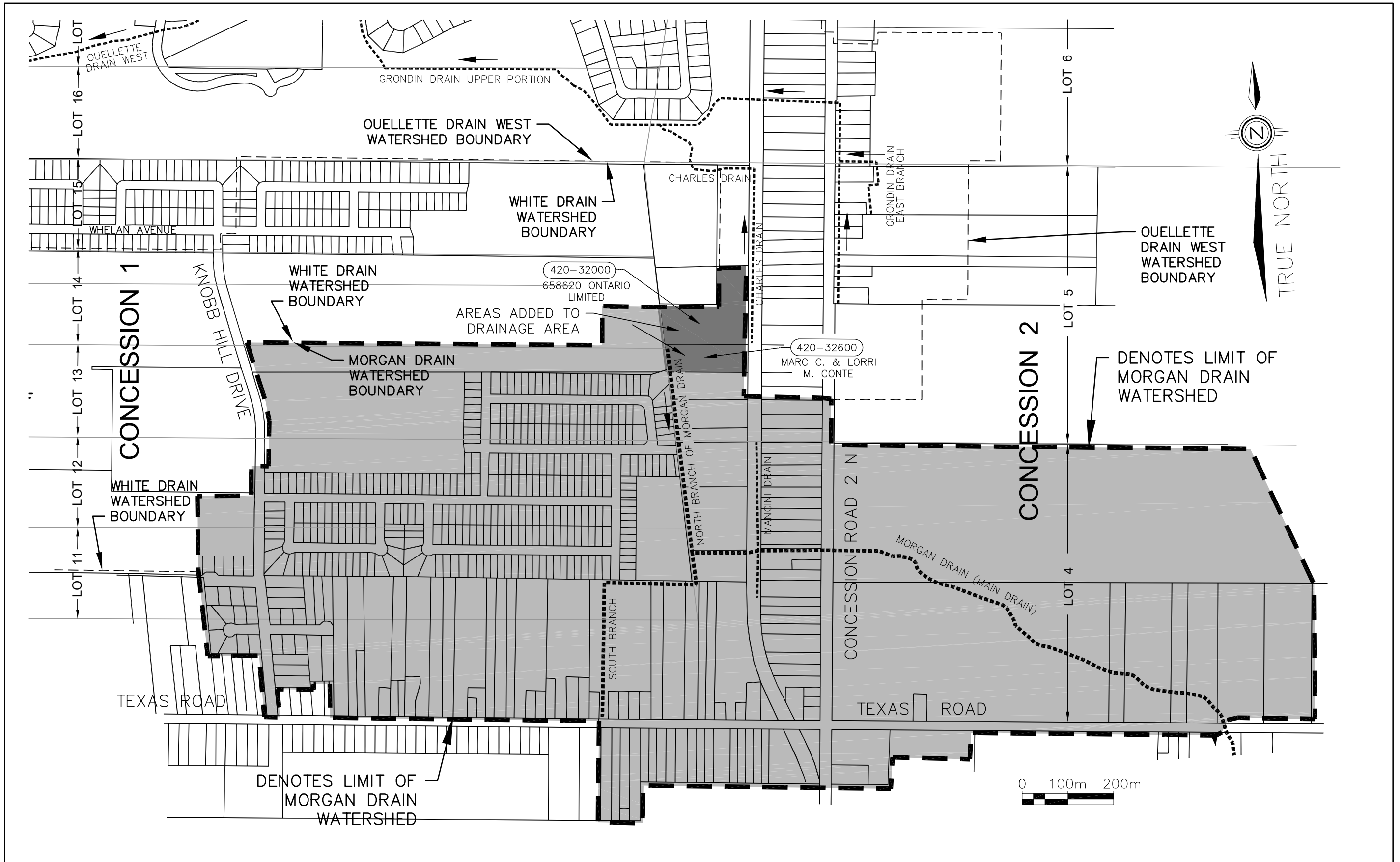
Sincerely,
RC SPENCER ASSOCIATES INC.



Dennis McCready, B.A.Sc., P.Eng.
Senior Drainage Engineer

c.c. Mr. Shane McVitty, P.Eng.
Drainage Superintendent
& Engineering Coordinator





<p>RC SPENCER ASSOCIATES INC. Consulting Engineers Windsor: 590 University Ave. W. - Windsor, ON N9A 5B9 Leamington: 12 Silver St. W. - Leamington, ON N8M 2M6 Chatham-Kent: 49 Raleigh St. - Chatham, ON N7M 2M8</p> <p>Professional Engineers Ontario</p>	<p>LEGEND</p> <ul style="list-style-type: none"> --- DRAINAGE AREA --- OPEN MUNICIPAL DRAIN ■ AREA SUBSEQUENTLY CONNECTED TO MORGAN DRAINAGE SYSTEM. ■ MORGAN DRAINAGE SYSTEM WATERSHED AREA. --- ENCLOSED MUNICIPAL DRAIN --- STORM SEWER 	<p>DESIGN _____</p> <p>CHECKED _____</p> <p>DRAWN D.M.</p> <p>CHECKED S.M.</p> <p>DATE 26 MAY 2020</p> <p>SCALE 1:8,000</p>	<p>SECTION 65 – SUBSEQUENT CONNECTIONS</p> <p>MORGAN DRAIN (MAIN & SOUTH BRANCH) AND NORTH BRANCH OF MORGAN</p> <p>TOWN OF AMHERSTBURG</p>	<p>PROJECT NO. 20-1012</p> <p>SHEET NO. 1 OF 1</p>
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The Corporation of The Town of Amherstburg

REPAIR/IMPROVEMENT of a MUNICIPAL DRAIN (Section 65, 76 and 78 Drainage Act)

FROM: 658620 ONTARIO LIMITED

DRAIN: Morgan Drain

I/We are the owner of the following land(s): [REDACTED]

Roll Number(s): [REDACTED]

And I/We request the following work on the above drain:

- a) Subsequent Connections (Section 65(1))
- b) New Schedule of Assessment (Section 76)
- c) Improvements upon Examination and Report of Engineer (Section 78)
- d) New Access Bridge (Section 78)
 - Residential Bridge
 - Agricultural Bridge

I request that if necessary, an Engineer be appointed and that he will determine a time and place at which he will attend an on-site meeting and examine the drainage area with all assessed ratepayers to be invited.

In signing this form, the owner is advised that they may be charged for work performed by the appointed Engineer should the works not proceed as requested.

Dated this 17th day of MARCH, 2020.

Signature of Owner M. P. DUNN, PRESIDENT

[REDACTED]

Telephone Number

Signature of Owner [Handwritten Signature]

[REDACTED]

Telephone Number



THE CORPORATION OF THE TOWN OF AMHERSTBURG

OFFICE OF ENGINEERING AND PUBLIC WORKS

MISSION STATEMENT: Committed to delivering cost-effective and efficient services for the residents of the Town of Amherstburg with a view to improve and enhance their quality of life.

Author's Name: Shane McVitty	Report Date: May 26, 2020
Author's Phone: 519 736-3664 ext. 2318	Date to Drainage Board: June 2, 2020
Author's E-mail: smcvitty@amherstburg.ca	Resolution #: N/A

To: Members of the Drainage Board

Subject: Higgs Drain – New Maintenance Schedule of Assessment – Engineering Appointment

1. **RECOMMENDATION:**

It is recommended that:

1. The report from the Drainage Superintendent and Engineering Coordinator dated May 26, 2020, regarding the Higgs Drain – New Maintenance Schedule of Assessment – Engineering Appointment **BE RECEIVED**;
2. The Drainage Board recommend that Council **ACCEPT** the request from Camille Elters per Section 76 of the Drainage Act; and,
3. The Drainage Board recommend that the appointment of the firm of RC Spencer Associates Inc. to complete an engineering report for the Higgs Drain – New Maintenance Schedule of Assessment **BE APPROVED** by Council.

2. **BACKGROUND:**

On April 21st, 2020, Camille Elters submitted a request for a new maintenance schedule of assessment for the Higgs Drain.

3. DISCUSSION:

The Higgs Drain is an enclosed drain located primarily along County Road 20, approximately midway between County Road 10 (Middle Sideroad) and North Sideroad. The drain services a watershed of approximately 24.0 hectares (59.3 acres) comprised of both residential and agricultural land located to the east of County Road 20. Additionally, roadways within the watershed include County Road 20 and Thrasher Drive. The buried drain pipes that make up the Higgs Drain range in size from 300mm (12 inch) to 900mm (36 inch) at its outlet into the Detroit River.

The Higgs Drain was created under a petitioned engineering report dated September 13, 1956, by C.G.R. Armstrong, P.Eng. The drain was last improved under a report authored by E.O. LaFontaine, P. Eng. dated March 1, 1983. Under the 1983 LaFontaine report, a new outlet for the Higgs Drain was constructed on private lands, extending from the west limits of the then King's Highway No.18 to the water's edge of the Detroit River. The new outlet was constructed to drain the portion of flow from the Higgs Drain along the east side of the highway, extending from the south limit of Lot 23, Concession 1, northerly to a point 130 metres north of the north limit of Lot 25, Concession 1. The 1983 Improvements also included new catchbasins, manholes, service connections, and appurtenances.

Since the 1983 LaFontaine report, the watershed of the Higgs Drain has changed. Most notably, the residential development along Thrasher Drive was completed in the early 2000's. At the time, there were no amendments made to the Higgs Drain, nor were there any adjustments made to the existing schedule of assessment provided by the 1983 LaFontaine report. Accordingly, this report stands as the most current engineering report for the Higgs Drain and therefore provides the only schedule of assessment for which the costs of any future works of drain maintenance can be assessed by the municipality.

Recently, a residential development of a 4.45 hectare (11.0 acres) within the Higgs Drain watershed has been proposed by a private developer. The new development proposes the construction of a 38 lot residential subdivision. As part of the development, stormwater management will be in place to control quality and release of stormwater into the Higgs Drain. To this effect, a stormwater management study and report is being completed by the developer. Said study proposes the construction of a stormwater management pond, overland flow routing, and quality control devices to meet prevalent protection levels stipulated by the Ministry of the Environment, Conservation and Parks, the Essex Region Conservation Authority, and the Town of Amherstburg.

In light of this proposed development, and in consideration of the previous development of Thrasher Drive, a new schedule of assessment is required for the Higgs Drain. The Drainage Act provides municipalities with a means to vary the assessments of an existing drainage work when circumstances have arisen that justify such a variation. Specifically, the procedures by which such variations can be made are outlined under Section 76 (1) of the Act, which stipulates that:

Varying original assessments for maintenance

76. (1) The **council** of any local municipality liable for contribution to a drainage works in connection with which conditions have changed or circumstances have arisen such as to justify a variation of the assessment for maintenance and repair of the drainage works may make an application to the **Tribunal**, of which notice has been given to the head of every other municipality affected by the drainage works, for permission to procure a report of an **engineer** to vary the assessment, and, in the event of such permission being given, such **council** may appoint an **engineer** for such purpose and may adopt the report but, if all the lands and roads assessed or intended to be assessed lie within the limits of one local municipality, the **council** of that municipality may procure and adopt such report without such permission. R.S.O. 1990, c. D.17, s. 76 (1); 2006, c. 19, Sched. A, s. 6 (1).

Through consultation with the developer of the proposed new subdivision, administration has indicated that the Higgs Drain cannot be used for outlet purposes unless the existing schedule of assessment is varied under an engineering report according to Section 76 of the Drainage Act. This will ensure that any future works of maintenance is fairly and accurately assessed to the lands and roads that use the drain.

A motion was passed at the April 27, 2020 Council Meeting to authorize administration to utilize a roster for drainage services under the Drainage Act. Among others, RC Spencer Associates Inc. was selected to be included as part of this roster and is thereby eligible to prepare a drainage report pursuant to Section 76(1) of the Drainage Act for a New Maintenance Schedule of Assessment for the Higgs Drain.

4. RISK ANALYSIS:

In order to properly assess any future works of maintenance to the Higgs Drain it will be necessary to vary the current governing Schedule of Assessment which was prepared by E.O. LaFontaine, P.Eng., dated March 1, 1983. This will provide the Municipality with a mechanism which will ensure that the costs of future maintenance work will be properly distributed to all affected landowners. Failing to vary the existing Schedule of Assessment could lead to unfair assessments of drain maintenance costs that do not accurately reflect the prevalent drainage conditions within the watershed. This could lead to conflicts between the Municipality and landowners over drainage assessments and the possible denial of agricultural grants from the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA).

5. FINANCIAL MATTERS:

Engineering costs associated with the preparation of drainage reports are primarily assessed to property owners. Assessments to the Town may also occur, depending on the nature of the drainage project. An allowance of \$165,000 is included in the 2020 Budget under the Public Works budget centre for the Town's share of costs for maintenance or construction works under the Drainage Act.

The assessment of the costs associated with the preparation of the engineering report will be outlined within the engineer's drainage report for the Higgs Drain.

6. **CONSULTATIONS:**

N/A

7. **CONCLUSION:**

Administration is recommending that the appointment of the firm of RC Spencer Associates Inc. for the repair and improvement to the Higgs Drain be brought to the next Regular Council meeting for Council's consideration pursuant to the provisions of the Drainage Act.



Shane McVitty
**Drainage Superintendent and
Engineering Coordinator**

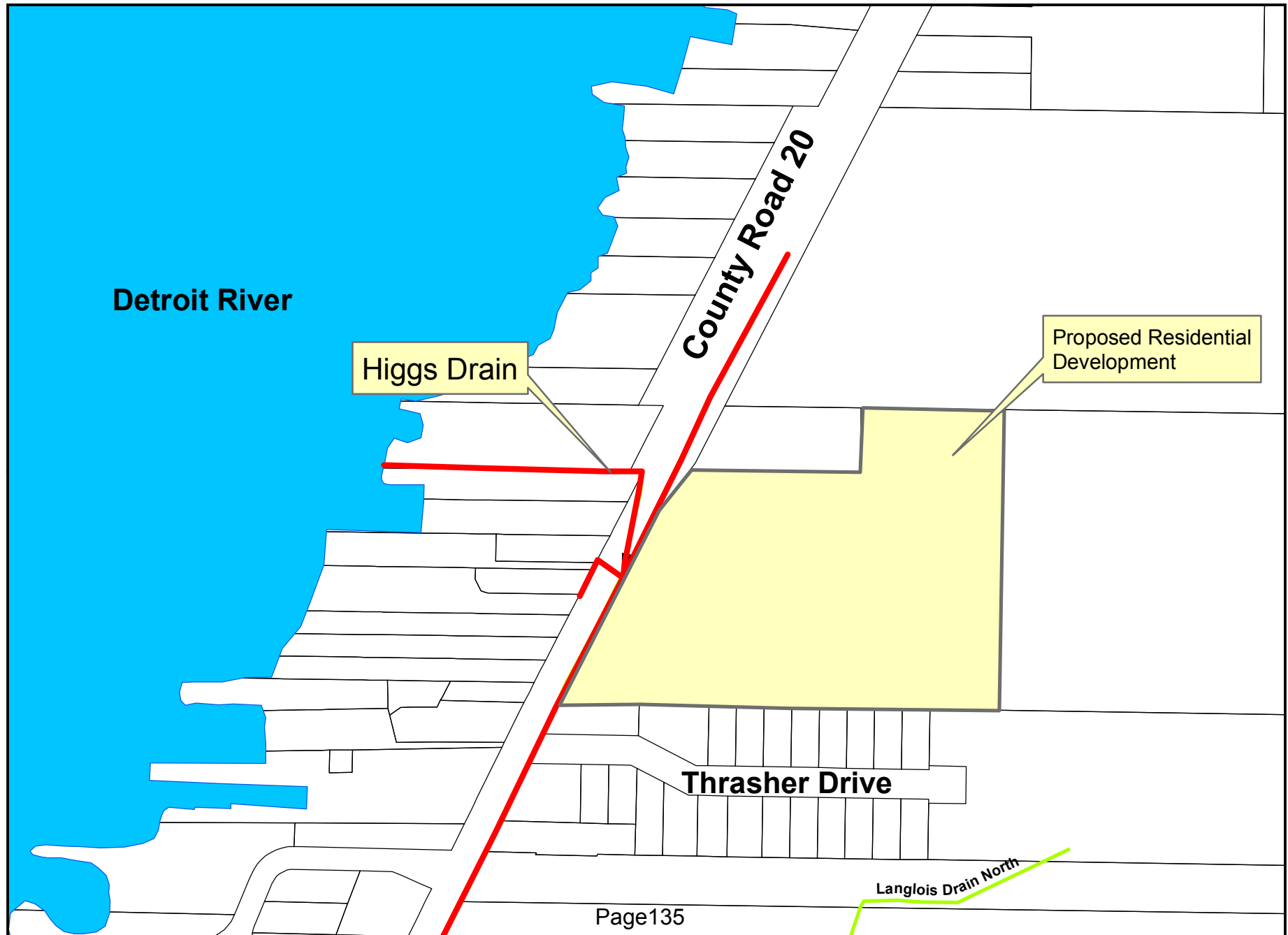
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Attachment(s):

- Request for Improvement submitted by Camille Elters
- Map of Higgs Drain



Higgs Drain





The Corporation of The Town of Amherstburg

REPAIR/IMPROVEMENT of a MUNICIPAL DRAIN (Section 66, 76 and 78 Drainage Act)

FROM: Camille Elters

DRAIN: Higgs Drain

I/We are the owner of the following land(s): [REDACTED]

Roll Number(s): [REDACTED]

And I/We request the following work on the above drain:

- a) Subsequent Connections (Section 66(1))
- b) New Schedule of Assessment (Section 76)
- c) Improvements upon Examination and Report of Engineer (Section 78)
- d) New Access Bridge (Section 78)
 - Residential Bridge
 - Agricultural Bridge

I request that if necessary, an Engineer be appointed and that he will determine a time and place at which he will attend an on-site meeting and examine the drainage area with all assessed ratepayers to be invited.

In signing this form, the owner is advised that they may be charged for work performed by the appointed Engineer should the works not proceed as requested.

Dated this 21 day of April, 2020.

Signature of Owner

Signature of Owner

Telephone Number

Telephone Number

Website: www.amherstburg.ca
271 SANDWICH ST. SOUTH, AMHERSTBURG, ONTARIO N9V 2A5
Phone: (519) 736-0012 Fax: (519) 736-5403 TTY: (519)736-9860

Unfinished Business List - eScribe as at June 8, 2020

Agenda Item	Assigned To	Comment	Description	Date
NEW BUSINESS	Nicole Rubli	20190227 - awaiting LPAT decision. RTC will cover full animal control by-law. Public Consultation Meeting was held May 14th, 2019 for Animal control By-law including kennels. Anticipate report to Council in 2020.	Resolution # 20180910-301 Lavigne/Meloche That Administration BE DIRECTED to look at surrounding municipalities and their by-law regarding dogs and kennels and bring a report back for Council's consideration.	10-Sep-18
NEW BUSINESS	Angelo Avolio	Reviewing best practices and comparator municipalities. Anticipate Council report for 3rd quarter 2020.	Resolution # 20180910-302 Lavigne/Meloche That Administration BE DIRECTED to look at surrounding municipalities regarding fill by-laws and bring back a report for Council's consideration.	10-Sep-18
UNFINISHED BUSINESS	Nicole Rubli	First public consultation scheduled for May 14th. Anticipate report to Council fourth quarter of 2020.	Resolution # 20181023-356 Fryer/Courtney That Administration BE DIRECTED to bring the report regarding urban chickens along with permit fees for Council's consideration.	23-Oct-18
Off-Road Vehicle Use on Municipal Roadways - Kevin Schmidt and Shawn Ellenberger, Essex County ATV Club	Nicole Rubli	Meeting held with County and ERCA Administration. Anticipate report to Council in Fall 2019 Administration will hold this report until the regulations associated with Bill 107 are passed by the Province, in speaking with AMO Policy Advisor this is expected in 2020.	Resolution # 20190325-202 Prue/Renaud That Administration continue to work with the Essex County ATV Club, the County of Essex, ERCA, and the Police to find a possible trial area for off-road vehicle use.	25-Mar-19
NEW BUSINESS	Eric Chamberlain, Antonietta Giofu	This will be a long term plan for the downtown core/future developments. Pending outcome of EA process (former Duffy's property) and progress of new developments (i.e. hotel), could affect timing of this report and recommendations presented to Council. Council Resolution #20180212-38 notes: A downtown core parking study, with funding to be allocated in a future year budget, after the completion of the development of the former Duffy lands BE SUPPORTED.". Estimated timing per Development Charge Study is 2020-2021.	Resolution # 20190408-238 Prue/McArthur That Administration BE DIRECTED to prepare a report regarding angled parking on the west side of Dalhousie Street from Richmond Street to Gore Street with the possibility of one-way traffic going south bound.	08-Apr-19
NEW BUSINESS	Antonietta Giofu	Administration is coordinating options with the County of Essex and discussing possible inclusion into CWATs master plan with CWATs committee. Report to Council expected Summer 2020.	Resolution # 20190624-TBD Courtney/McArthur That Administration BE DIRECTED to provide a report to Council regarding the feasibility of safe pedestrian travel along County Road 10.	24-Jun-19
NEW BUSINESS	Paula Parker	In Progress - Anticipated report to Council June 22, 2020	Resolution # 20190812-420 Courtney/Prue That Administration BE DIRECTED to re-evaluate the Towns election system and a report be brought back with options including at-large, ward or a hybrid approach to the 2022 Election for Councils consideration.	12-Aug-19
SPECIAL PLANNING REPORTS	Cheryl Horrobin	Item cannot be completed until Proclamation date for legislation is determined.	Resolution # 20190826-TBD Prue/Simone That Administration BE DIRECTED to report back to Council at the meeting prior to the 2020 Budget Deliberations and regularly thereafter through 2020 to ensure pertinent deadlines arent missed for Community Benefit Charges and Community Use By-laws, etc.	26-Aug-19
NEW BUSINESS	Justin Rousseau, Cheryl Horrobin, Paula Parker	Policy work in progress	Resolution # 20190909-446 McArthur/Meloche That: Administration BE DIRECTED to reach out to the Miracle League to advise them of the charitable number that is available to them; and, A policy BE DEVELOPED outlining the use of charitable numbers for other organizations.	09-Sep-19
NEW BUSINESS	Anne Rota, Phil Roberts	Tourism administration in 2020 introduced a new festival (TRUE Festival) as supported by the Canadian Experience grant. Additionally the Department has been task with investigating creating green festivals to which preparation is underway for participation in the Great Global Cleanup - Detroit River. The impact of these events will be included, along with an assessment of other events in the pending report. Consultation with the TWEPI to help frame to elements of an economic impact statement requires further action.	Resolution # 20190909-447 Simone/Meloche That: Administration BE DIRECTED to prepare a report exploring the economics, rationale and feasibility of introducing other festivals and events within the Town of Amherstburg for Council consideration in the 2020 Operating Budget; Administration BE DIRECTED to look at all possible venues within the Town of Amherstburg to hold events/festivals.	09-Sep-19

Unfinished Business List - eScribe as at June 8, 2020

Agenda Item	Assigned To	Comment	Description	Date
NEW BUSINESS	Antonietta Giofu, Frank Garardo	Administration compiling information. Anticipate report to Council in 3rd quarter 2020.	Resolution # 20191015-497 Prue/Simone That Administration BE DIRECTED to bring back a report regarding the finalization of the development of the north end of Boblo Island with the intent to enforce the by-law and development agreement relating to roads, sidewalks, curbs, and lighting, and to outline all municipal costs, if any.	15-Oct-19
Request for the Town of Amherstburg to Take Part in 'Green' Initiatives - Paul Hertel	Eric Chamberlain, Antonietta Giofu, Anne Rota, Phil Roberts, Frank Garardo, Mark Galvin, Paula Parker	Committee liaison has been appointed. Terms of Reference approved w/amendments on May 25, 2020. Committee member recruitment to begin June 10th. Parks and Tourism administration is organizing participation in the Great Global Cleanup - Detroit River event for April 25th, 2020 as a leading green festival initiative with the goal to build on the Detroit River Canadian Cleanup events and the 50th anniversary of Earth Day	Resolution # 20191028-507 Prue/Courtney That: The delegation BE RECEIVED and Mr. Hertel's report BE SENT to the Manager of Planning Services for inclusion at the November 12, 2019 Official Plan meeting; A green review BE DEVELOPED on Town fleet; Green festivals BE INVESTIGATED; Green builds BE INVESTIGATED on all new housing and building developments, and existing commercial, industrial and residential assessed property; and, Administration BE DIRECTED to bring back a report on the feasibility of a Committee on the Environment inclusive of Terms of Reference.	28-Oct-19
Parking on Windermere Place - Mark & Heidi Olivito and Lisa Carnelos, Windermere Place Residents	Antonietta Giofu	Administration is gathering information and working with residents to determine feasibility. Estimated completion summer 2020.	Resolution # 20191028-508 Prue/Simone That: The delegation BE RECEIVED; The neighbours be encouraged to work with Administration on a Local Improvement Plan; and, A report BE BROUGHT back if the issue cannot be resolved.	28-Oct-19
Climate Change Emergency Declaration - Councillor McArthur	Tammy Fowkes, Dawn Morencie		Resolution # 20191112-535 McArthur/Prue and THEREFORE BE IT RESOLVED that Amherstburg declare a Climate Emergency and direct administration to prepare a report containing recommendations for priority actions items, implementation measures and cost requirements to accelerate and urgently work towards the reduction of emissions and preparing for our climate future."	12-Nov-19
2020 BUDGET DELIBERATIONS	John Miceli	Report to follow Service Delivery Review	Resolution # 20191119-TBD Meloche/Simone That Administration BE DIRECTED to bring back a report on the strategic use of 99 Thomas Road.	19-Nov-19
2020 BUDGET DELIBERATIONS	John Miceli	Report to follow Service Delivery Review	Resolution # 20191119-TBD Meloche/McArthur That Administration BE DIRECTED to bring back a report on the organizational structure of the Engineering and Public Works department prior to any further request for staffing.	19-Nov-19
2020 BUDGET DELIBERATIONS	John Miceli	Report to follow Service Delivery Review	Resolution # 20191119-TBD Meloche/McArthur That an internal departmental review of Corporate Services BE BROUGHT to Council for consideration.	19-Nov-19
Economic Development Advisory Committee Minutes - November 14, 2019	John Miceli, Paula Parker	Awaiting grant approval	Resolution # 20191125-554 Prue/Simone That Administration EXPLORE opportunities for safe public access to the grounds of Belle Vue with a report provided to Council regarding same.	25-Nov-19

Unfinished Business List - eScribe as at June 8, 2020

Agenda Item	Assigned To	Comment	Description	Date
UNFINISHED BUSINESS	Justin Rousseau, Cheryl Horrobin	Administration will consider this direction for future budget process or reporting as applicable.	<p>Prue/Simone Resolution # 20191125-555</p> <p>That the following items 1-9 BE CONSIDERED in a staff report back to Council in the new year prior to 2021 Budget:</p> <p>Previous year's actuals should be contained in budget charts both in dollar and percentage variance; Consolidated schedule of reserves listing both monies coming in and those expended for both capital and operations; Bench marks comparison based on each \$100,000 of property value not just on the average household; An analysis by type (salaries, benefits, consultants, supplies, etc.) aligning with audited statements; Reserve analysis for the preceding (4) four years indicating balances; Establish a target percentage of the budget to fund reserves; Black and red fonts used instead of current brackets; The public consultation meeting be Chaired by a member of Council with well established rules, time limits, and policies to eliminate rowdyism; Council to have input on possible tax increases prior to budget release; Schedule an open mic meeting with residents in May 2020; and, Supply copies of the budget without applying the user fees</p>	25-Nov-19
NEW BUSINESS	Justin Rousseau, Cheryl Horrobin	Report will follow the 2019 year end	<p>Resolution # 20191209-567 Courtney/Meloche</p> <p>That Administration BE DIRECTED to bring back an information report which outlines the 2020 budget with actuals from 2019 final 4th quarter results.</p>	09-Dec-19
NEW BUSINESS	Antonietta Giofu	Engineer has been retained. Data is currently being collected. Report to Council expected April 2020.	<p>Resolution # 20191209-576 McArthur/Prue</p> <p>That Administration BE DIRECTED to investigate the feasibility of a 4-way stop at Pickering Drive and Cherrylawn Crescent, at the intersection closest to Sandwich Street South.</p>	09-Dec-19
Opposing SunParlour R/C Flyers Noise Exemption Request - Tom and Mary Bateman	Nicole Rubli	Public consultation required. Anticipate report to Council late Q3 early Q4	<p>Resolution # 20200113-004 Prue/Simone</p> <p>That Administration BE DIRECTED to bring back a report with an amendment to Section 3 of Noise By-law 2001-43.</p>	13-Jan-20
Live Music on Legion Patio from May to October - Laurie Cavanaugh, President, Royal Canadian Legion, Fort Malden Branch 157	Nicole Rubli	Public consultation required. Anticipate report to Council late Q3 early Q4	<p>Resolution # 20200113-006 McArthur/Prue</p> <p>That Administration BE DIRECTED to amend Noise By-law 2001-43 to allow commercial properties with patios to request seasonal exemptions to allow for outdoor music and to allow a reading of 70 decibels from the source of where music is produced.</p>	13-Jan-20
NEW BUSINESS	Paula Parker	Administration is in contact with a committee representative and in the process of determining the best course of action for Council as representation on this committee. Update to follow by June 22nd.	<p>Resolution # 20200113-020 McArthur/Courtney</p> <p>The Administration BE DIRECTED to contact the Essex County Nurse Practitioner Led Clinic (ECNPLC) to understand their request for Municipal representation on their Community Advisory Committee.</p>	13-Jan-20
Kingsbridge Subdivision Parkland Conveyance	Phil Roberts, Frank Garardo	A special meeting of the Park and Recreation Committee has been called for April 8th, 2020 at 6:00 pm in Council chambers to develop concepts for funding from Parks capital reserve and dedicated park reserves. Recommendations from the committee will go before council with due process.	<p>Resolution # 20200127-033 McArthur/Simone - amended motion That:</p> <p>The amended method of meeting parkland dedication requirements for the full Kingsbridge Subdivision development as outlined in the report from the Manager of Planning dated January 22, 2020 BE APPROVED;</p> <p>The conveyance of Parts 5 and 12 on the draft 12R plan (2.67 hectares) to 1078217 Ontario Limited in exchange for cash in lieu of parkland in the amount of \$66,170 BE APPROVED and the funds BE COMMITTED for use solely at Pat Thrasher Park;</p> <p>Part 6 on the draft 12R Plan (2.02 hectares) BE DESIGNATED as conservation lands and Administration BE DIRECTED to bring related amendment to the Zoning By-law (1999-52 as amended);</p> <p>Administration BE DIRECTED to explore opportunities for future development and upgrades to Pat Thrasher Park in consultation with the Parks and Recreation Advisory Committee and via community engagement.</p>	27-Jan-20
Driveway Alteration or Installation Policy	Paula Parker		<p>Resolution # 20200323-TBD Simone/Prue</p> <p>That the Driveway Alteration or Installation Policy BE DEFERRED until the Environmental Committee can review the policy and provide recommendations to Council.</p>	23-Mar-20

Unfinished Business List - eScribe as at June 8, 2020

Agenda Item	Assigned To	Comment	Description	Date
Emergency Preparedness Information Report	Bruce Montone		Resolution # 20200406-TBD Prue/Meloche That: The report from the CEMC/Fire Chief dated March 29, 2020, BE RECEIVED for information; and, The Fire Chief BE DIRECTED to send a formal letter to the disbanded volunteer Community Control Group (CCG) recognizing them for their past service and contributions.	06-Apr-20
NEW BUSINESS	Kevin Fox, Paula Parker		Resolution # 20200414-TBD Simone/Prue That the Economic Development Advisory Committee INVESTIGATE types of assistance that can be extended to small businesses as a result of the pandemic.	14-Apr-20
Open Mic Budget Session May 2020 Further Direction Required	Dawn Morencie		Resolution # 20200525-TBD Meloche/McArthur (amended motion to add # 3) That: The motion of Council from November 25, 2019 contained within Resolution #20191125-555 pertaining to 2021 Budget specifically stating That Administration be directed to schedule an open mic meeting with residents in May 2020 BE RESCINDED; Consideration of amending the approach to public engagement on the Towns budget BE DEFERRED until the completion of the Towns Service Delivery Review so it can be evaluated in the context of service levels, strategic priorities and the long-term financial plan; and, The Service Delivery Review BE COMPLETED on or before September 14, 2020, to allow for public input on or before November 7, 2020.	25-May-20
Request to Reconsider Postmedia Closure - Town of Tecumseh Resolution	Tammy Fowkes, Dawn Morencie		Resolution # 20200525-TBD Meloche/Renaud That: Administration BE DIRECTED to send correspondence in support of the Town of Tecumseh's request regarding the permanent closing of the Shoreline Week and its sister community weekly newspapers by Post Media Inc.; and, Prime Minister Trudeau and Steven Guilbeault, Minister of Canadian Heritage, BE COPIED on the correspondence.	25-May-20
Rent Relief Advocacy Letter - Oakville Economic Task Force	Tammy Fowkes, Dawn Morencie		Resolution # 20200525-TBD Prue/Simone That Administration BE DIRECTED to send correspondence in support of the Oakville Economic Task Force's proposed changes to the Commercial Rent Assistance Program.	25-May-20
Universal Basic Income - City of Kitchener Resolution	Tammy Fowkes, Dawn Morencie		Resolution # 20200525-TBD Prue/Simone That Administration BE DIRECTED to send correspondence in support of the City of Kitchener's resolution regarding their request for the Ontario Provincial Government to pursue a partnership with the Federal Government for the establishment of a universal basic income.	25-May-20
UNFINISHED BUSINESS	Dawn Morencie		Resolution # 20200525-TBD Courtney/Simone That Resolution # 20190128-063 regarding "a report on a projected time frame for replacement of the Lions Pool and Centennial ball diamonds including cost and recommendations for location as well as any other feasible options that may be available to the community"; BE PLACED back onto the Unfinished Business List.	25-May-20

THE CORPORATION OF THE TOWN OF AMHERSTBURG

BY-LAW NO. 2020-036

**By-law to Confirm the Proceedings of the Council
of the Corporation of the Town of Amherstburg**

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;

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;

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 Amherstburg at its meeting be confirmed and adopted by By-law; and,

NOW THEREFORE the Council of the Corporation of the Town of Amherstburg hereby enacts as follows:

1. THAT the action(s) of the Council of the Corporation of the Town of Amherstburg in respect of all recommendations in reports and minutes of committees, all motions and resolutions and all actions passed and taken by the Council of the Corporation of the Town of Amherstburg, documents and transactions entered into during the June 8th, 2020, 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 Amherstburg are hereby authorized and directed to do all things necessary to give effect to the action(s) of the Council of the Corporation of the Town of Amherstburg during the said meetings referred to in paragraph 1 of this By-law;
3. THAT the Mayor and Clerk are hereby authorized and directed to execute all documents necessary to the action 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 Amherstburg to all documents referred to in said paragraph 1.

Read a first, second and third time and finally passed this 8th day of June, 2020.

MAYOR – Aldo DiCarlo

CLERK – Paula Parker